

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

Yes No

2. Type of consent being applied for

(more than one circle can be ticked):

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

**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:

Esther Amy Bate

Email:

Phone number:

Postal address:

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

Have you been the subject of abatement notices, enforcement orders, infringement notices and/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:

Simeon McLean - Reflection Planning

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:

Esther Amy Bate

Property address/
location:

8. Application site details

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

Name/s:

Site address/
location:

 Postcode

Legal description:

Lot 1 Deposited Plan 69407

Val Number:

Certificate of title:

NA25B/1363

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

Site visit requirements:

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

Is there a dog on the property? Yes No

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

Please contact the owner/applicant prior to scheduling a 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.

To amend conditions 1, 2, 3.a and 3.b of 2230049-RMASUB to alter the location of access to Lot 1.

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

10. Would you like to request public notification?

Yes No

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

(more than one circle can be ticked):

Building Consent

Regional Council Consent (ref # if known)

National Environmental Standard Consent

Other (please specify)

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

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

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

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

Subdividing land

Disturbing, removing or sampling soil

Changing the use of a piece of land

Removing or replacing a fuel storage system

13. Assessment of environmental effects:

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

Your AEE is attached to this application Yes

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)	Esther Amy Bate	
Email:		
Phone number:	Work	Home
Postal address: (or alternative method of service under section 352 of the act)		
	Postcode 431	

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)

Esther Amy Bate

Signature:

(signature of bill payer)

Date 13-Jan-2026

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)

Esther Amy Bate

Signature

Date 13-Jan-2026

A signature is not required if the application is 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.



REFLECTION
P L A N N I N G

Planner's Report

Change of Conditions to RC 2230049-RMASUB

2195 Diggers Valley Road, Kaitaia



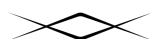
Report prepared for:	Esther Bate
Author:	Simeon McLean – Reflection Planning
Territorial authority:	Far North District Council
Report Reference:	RP251202
Report status:	Final
Date:	12 January 20261

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List of Attachments:

- Attachment 1: Record of Title
- Attachment 2: Revised Scheme Plan
- Attachment 3: RC 2230049-RMASUB and 2230049-RMAOBJ/A
- Attachment 4: Correspondence from NTA during processing of 2230049-RMASUB
- Attachment 5: Marked up conditions of consent
- Attachment 6: Notification Assessments



1. Executive Summary

Our Client, Esther Bate, holds consent to subdivide her site at 2195 Diggers Valley Road (Lot 1 DP 69407) under resource consent 2230049-RMASUB. The consent was granted subject to conditions on 11 April 2023 and was subject to an objection to two conditions of consent, both of which were upheld.

This Resource Consent application seeks to alter the proposal to create a new vehicle crossing to lot 1 of the subdivision which requires a change to the conditions of consent.

Condition 4.a. requires that the consent holder seal the existing vehicle crossing to the site. It is proposed to change this condition to instead require the construction of a new crossing on lot 1, negating the need for upgrades to the existing crossing and providing for independent access to this lot.

Other consequential amendments to the conditions include:

1. A change to condition 1 to refer to a revised scheme plan to reflect the new access proposal.
2. As a result of this change, Easement A is no longer required over the existing access on lot 2 and this is removed.
3. Removing condition 2 which requires that a surveyor confirm that the access is contained within the easement.

The proposed changes have been assessed, and the adverse effects are considered less than minor (Nil).

No notification is warranted and there are no affected parties

The proposed changes have been assessed against the relevant provisions of the operative and proposed plans and is not contrary to these provisions.

2. Summary Information

2.1. The Applicant's Details

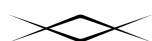
Table 1: Applicant Details

Name	Esther Bate
Address	2195 Diggers Valley Road, Kaitaia 0481
Phone	021 847 598
Email	esther.Bate@fndc.govt.nz

2.2. Site Summary Information

Table 2: Summary Site Details

Property Address:	2195 Diggers Valley Road, Kaitaia 0481
Legal Description:	Lot 1 Deposited Plan 69407
Record of Title:	RT NA25B/1363



Zone:	Rural Production (ODP) Rural Production (PDP)
Site Area:	5.3603 hectares
District Plan Notations:	NRC Flood Susceptible Land River Flood Hazard Zone (100 Year ARI Event)
Other Notations:	None
Road Frontage(s):	Ruaroa Road, Diggers Valley Road
HAIL Activities:	No

2.3. Legal Description and Interests

The subject site is legally described as Lot 1 Deposited Plan 69407 and is as shown in table 3 below. A copy of the Record of Title is attached in Attachment 1.

Table 3: Summary Title Information

Title Identifier	RT NA25B/1363
Date Issued	22 February 2018
Land Area	5.3603 hectares
Appellation	Lot 1 Deposited Plan 69407
Owners	Esther Amy Bate
Registered Interests	None of Relevance

3. Site And Surrounds

3.1. Site Description

The site is as described in the original application documents. In summary:

The site is a 5.3603ha block of land with a moderate to steep, east facing contour.

The site is accessed by an existing double width gravelled vehicle crossing which opens onto Diggers Valley Road at the intersection of Ruaroa Road and Diggers Valley Road.

There is a single existing dwelling, curtilage and ancillary buildings on the site with access provided in a circular route.

Stockyards are located at the roadside on the eastern boundary.

Vegetation is primarily pasture with some trees and productive orchards.

An aerial photograph of the dwelling and curtilage is provided in Figure 1 below.



Figure 1: Aerial Photography showing the developed area of the subject site (Source: Google Maps)

3.2. Site Description

3.2.1. Site location

The site is located approximately 10km south-east of Kaitaia Township. As shown in figure 2 below.

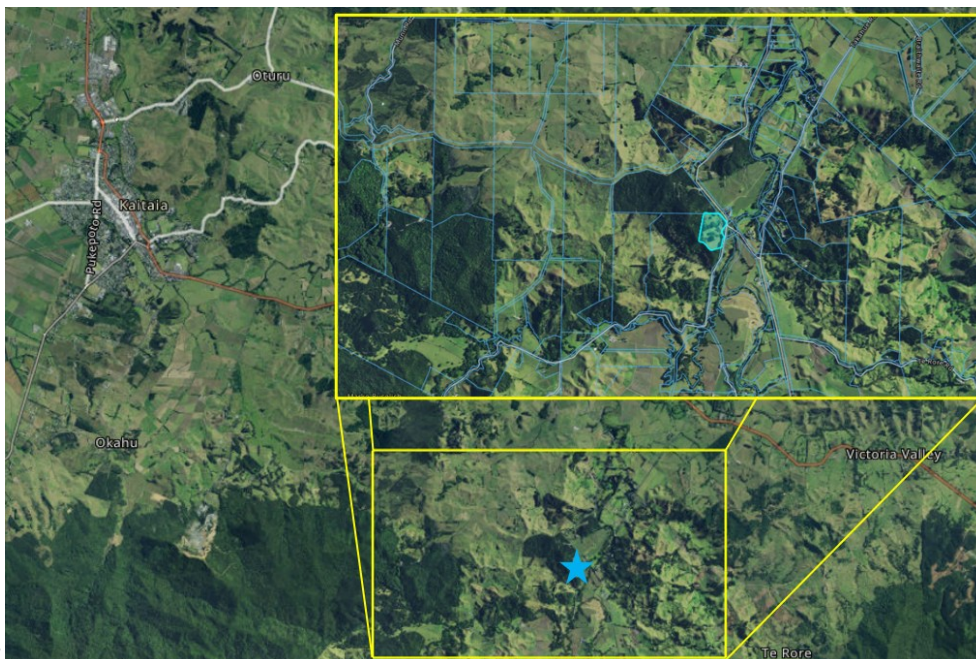
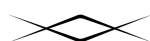


Figure 2: Site location (Blue star) relative to Kaitaia Town at left of image. (Source: Google Earth, LINZ).

3.3. Surrounding Environment Description

The surrounding environment is a typical rural environment for Northland.



To the west is a large block of indigenous vegetation. The remaining surrounds are primarily pasture with patches of indigenous vegetation.

4. The Proposal

4.1. Detailed Description of the Activity

4.1.1. Proposed Changes to Conditions of 2230049-RMASUB

The proposal is to change the conditions of 2240049-RMASUB and the rationale for the change are listed in table 2 on page 6. Should council identify other conditions which should be changed please advise the author prior to issuing of a consent.

Marked up conditions are provided in attachment 5.

4.1.2. Access

The change will alter the location of access to lot 1 to provide a separate vehicle crossing. Access to lot 2 will not change.

The proposed crossing to lot 1 will be a single width gravel crossing constructed in accordance with the FNDC Engineering Standards 2004 (revised 2009), sheets 6 and 6B and will be located generally as shown on the scheme plan provided in attachment 2.



Figure 3: Photograph showing the approximate location of the proposed new crossing (Source: Google Street View)

4.1.3. Servicing

No changes to servicing are proposed.

4.1.4. Supporting Works

The proposed changes will require limited earthworks to establish a vehicle crossing to lot 1. No other supporting works will be required.

Table 4: Summary of proposed changes to conditions.

#	Current	Proposed	Rationale
1	The subdivision shall be carried out in accordance with the approved plan of subdivision, entitled “ <i>Proposed Subdivision of 2195 Diggers Valley Road Lot 1 DP 69407 Scheme Plan</i> ”, prepared by SM, Ref. KTA01, Revision 1, and attached to this consent with the Council’s “Approved Stamp” affixed to it.	The subdivision shall be carried out in accordance with the approved plan of subdivision, entitled “ <i>Change of Conditions to 2230049-RMASUB, being a Subdivision of 2195 Diggers Valley Road Lot 1 DP 69407 Scheme Plan</i> ”, prepared by Simeon McLean, Ref. RP251201, Revision 1, and attached to this consent with the Council’s “Approved Stamp” affixed to it.	A revised plan has been provided which depicts the amended proposal.
2	Prior to the approval of the survey plan pursuant to section 223 of the Act, the consent holder shall provide the Council with written confirmation from a Licenced Cadastral Surveyor that the access carriageway is fully contained within the easements provided for access.	Deleted	As no shared access is proposed, no easements are required and it is unnecessary to have a surveyor confirm the location of the access.
3.a	All easements in the memorandum to be duly granted or reserved.	Deleted	
4.a	Upgrade the existing vehicle crossing to include sealed entrance plus splays for a minimum distance of 6m from the existing edge.	Construct a new single width, unsealed vehicle crossing to lot 1 from Ruaroa Road in accordance with the FNDC Engineering Standards FNDC/S/6 and 6/B.	The site has adequate frontage to the Ruaroa Road to support a separate vehicle crossing to lot 1. This will provide independent access to both lots 1 and 2 and is the key change proposed.



4.2. Reasons for Consent

Any proposal to change conditions of a resource consent under s127 of the act is a **Discretionary Activity**. No other consents are required.

Overall, the proposal is a **Discretionary Activity**.

4.3. Other Authorisations Required

No authorisations are required from other authorities.

5. Assessment of Environmental Effects

5.1. Positive Effects

The positive effects of the proposal are limited to enabling the landowner to better provide for their wellbeing. Separating access to each lot allows for a less complex arrangement creating a more desirable development.

5.2. Assessment of Adverse Effects on the Wider Environment

The following assessment identifies and quantifies the adverse effects of the activity on the wider environment. This is intended to support council in making a determination under sections 95A, 95D and section 104 of the act, as well as to inform any conditions of consent in accordance with s108 and 108AA. This assessment is subject to the following limitations:

5.2.1. Limitations on the assessment of effects:

5.2.1.1. Section 127(3) of the Act

Section 127 of the Resource Management Act states that “sections 88 to 121 apply with all necessary modifications, as if the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.”

Based on this, only the effects of the change or cancellation of a condition can be considered when considering the effects of the activity.

In this instance, the only changes are:

1. The construction of a new vehicle crossing from Lot 1 to Ruaroa Road
2. The removal of associated easement which facilitated the shared access originally consented.
3. Earthworks required to construct the vehicle crossing.

5.2.1.2. The Permitted Baseline

The permitted baseline allows council to disregard effects of an activity where a permitted activity would have those effects (s95D(b) and s95E(2)(a) of the RMA). As per 5.2.1.1 above, this should be interpreted as referring to the effects of the change of conditions only.

The construction of a compliant vehicle crossing at the proposed location could be done as a permitted activity under the plan. This could be used to access a number of activities including but not limited to:

1. Farming and ancillary activities
2. Home businesses such as produce sales or the use of a building for commercial services such as massage or medical services (with a maximum of 60 daily one way movements across the site).

These effects encompass the entirety of the effects of the proposal which will see a single permitted unit gain access from the proposed crossing.

5.2.2. Adverse Effects of the proposal

The adverse effects of the proposal are nil. The proposal will still result in a single additional allotment gaining access from Ruaroa Road, but the location of the access will be further to the north. The location and formation of the access will be compliant with the engineering standards.

The assessment in the underlying consent confirms that the road has an operating speed of 60km/hr at this location (See correspondence dated 18 October 2022 from Murtaza Ahmadi, Senior Development Engineer at Northland Transport Alliance attached as attachment 4).

The 2009 engineering standards require a 75m sight distance at this speed. Sheet 2 of the provided plans shows this is achievable at the site, with no upright vegetation obstructing views from the crossing and clear sightlines extending for over 100m in each direction.

No changes to the effects on the traffic environment are anticipated to result from the proposal as compared to the original activity.

It is noted that the original conditions require the upgrading of the existing crossing. This condition was to address the effects of increased traffic over the crossing which will no longer occur. As these effects are now avoided no upgrades of the crossing are required or offered.

The removal of easement A will not create adverse effects as the easement will not be required with internal access achievable within the site.

No other changes to the effects of the activity will result from the proposal as the changes will not affect the location or type of end development, servicing of future residential uses, the location of boundaries or the restrictions on future development locations.

5.3. Effects on Persons and Adjacent Land

In accordance with s95E, the consent authority is required to determine if any persons are affected by the proposal. The following assessment considers whether there are minor or greater effects on any person which were not captured by the preceding assessment in section 5.2.

5.3.1. Effects on Adjacent Land:

The changes to the activity will have no adverse effects on adjacent land. The proposed new crossing will be located opposite an existing crossing into 615 Ruaroa Road. As noted above, the crossing will be built to suitable standards with compliant sight lines and no conflicts with traffic entering and exiting this site are anticipated.

5.3.2. S127(4):

Section 127(4) of the Act requires that Consent Authorities considering who is adversely affected by changes to or cancellation of conditions of consent give particular consideration to every person who made a submission on the original application and may be affected by the change. The approved subdivision was not notified and so no persons need to be considered in accordance with this subsection.

5.3.3. Affected Parties Conclusion

The preceding assessment has shown that there are no persons who are affected by the proposal in accordance with s95E.

6. Notification Assessment

6.1. Public Notification Assessment

A full assessment for public notification under s95A is provided in Attachment 6. This concludes that the application has no grounds for public notification due to public notification not being mandated, adverse effects on the environment being less than minor and there being no special circumstances associated with the proposal.

6.2. Limited Notification Assessment

A full assessment for limited notification under s95B is provided in Attachment 6. This concludes that the application has no grounds for limited notification, due limited notification not being mandated, adverse effects on adjacent sites being less than minor and there being no special circumstances associated with the proposal.

7. Statutory Assessment under s104

Section 104 requires, when considering a resource consent application, that the council must, subject to Part II, have regard to:

- (a) any actual and potential effects on the environment of allowing the activity; and
- (ab) any measure proposed or agreed to by the applicant for the purpose 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; 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 reasonably necessary to determine the application.

The following sections evaluate the proposal against the relevant statutory provisions as required by s104 (c).

7.1. Actual and Potential Effects (s 104 (1) (a))

The assessment of effects in section 5 above has clearly outlined the actual and potential positive and adverse effects of the activity. By way of summary these are:

- (1) A less than minor positive effect on the applicant and future site owners by allowing for separate access.
- (2) No notable adverse effects due to the minor nature of the proposal, providing a standardised crossing at a suitable location with no off-site adverse effects.

Overall, the effects of the proposal are positive on both the owner and user of the development and the wider environment and should be supported.

7.2. National Environmental Standards (s 104 (1)(b)(i))

As discussed in section 3.4 above, there are no National Environmental Standards relevant to this activity.

7.3. Other Regulations

There are no other regulations relevant to this activity.

7.4. National Policy Statements

7.4.1. The National Policy Statement for Highly Productive Land.

The decision report for 2230049-RMASUB states that the proposed subdivision was contrary to some provisions of this policy statement as it proposed subdivision of highly productive

land. The report concluded that as a restricted discretionary activity the effects on highly productive land could not be considered.

The proposed activity will not enable any additional development on the site and will not affect the productive capacity of the land. As such the proposed activity will be compliant with the provisions of this policy statement.

7.5. The New Zealand Coastal Policy Statement 2010

As the proposed development area is not within the coastal environment the provisions of the New Zealand Coastal Policy Statement are not relevant to this activity.

7.6. The Northland Regional Policy Statement

The regional policy statement has not changed since this activity was approved and the assessment in the application for the underlying consent remains relevant. The proposed alterations to access will not affect compliance with this policy statement.

7.7. Provisions of The Operative Far North District Plan (2009)

The decision report for 2230049-RMASUB concluded that “The subdivision enables the establishment of one additional lifestyle dwelling on the rural boundary of Kaitaia while enabling rural activities to continue on the site. It provides an efficient use to a site in the Rural Production zone, and the actual and potential adverse effects will be negligible.”

The altered vehicle access will still provide for safe, efficient movement and circulation of vehicular traffic as required by objectives 15.1.3.5 and the design and placement of vehicle access points has been considered in designing this proposal as required by policy 15.1.4.6.

With the proposed amendments to conditions, the proposal will continue to be supported by the objectives and policies of this document.

7.8. Provisions of the Proposed Far North District Plan (2022)

When the proposal was approved it was concluded that it was contrary to the objectives and policies of this plan. This was due to the proposed plan requiring that subdivision of highly productive land be avoided where it would fragment this land. The proposal will not increase this level of fragmentation and will still provide for the same outcomes under the policies.

The changes to the conditions only affect the provision of access to the allotments. SUB-P3 provides for subdivision which result in allotments that have legal and physical access which is achieved.

Objective TRAN-O4 requires that access provisions support the needs of subdivision activities and ensure safe and efficient operation for users. Tran-P3 requires that the plan ensure the safe, efficient and well-connected operation of the transport network through the management of, among other things:

- the subdivision layout, and location of buildings, structures and other potential visual obstructions that may impact on sightlines and the integrity of the road carriageway;

- the design of access and parking;
- vehicular access to and from sites;
- the adverse cumulative effects of land use and subdivision on the transport network;
and

The proposal has considered the provision of suitable access to and from both sites which will be provided with no adverse cumulative effects resulting from the proposed amendments.

Overall, the proposed amendments will be consistent with the relevant provisions of the Proposed District Plan.

7.9. Part 2 of the Resource Management Act

Part 2 of the RMA covers the purpose and principles of the Act and outlines key matters for consideration. Section 5 provides that:

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

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

Section 6 covers matters of national importance which need to be provided for.

Section 7 covers other matters which particular regard shall be had towards.

Section 8 covers the requirement to take into account the principles of the Treaty of Waitangi.

Having reviewed the relevant statutory documents above it is considered that these articles have incorporated Part 2 of the Resource Management Act and that there is no need for recourse to Part 2 of the act within this application.

8. Conclusions

The preceding report has demonstrated that the proposal to change conditions 1, 2, 3a and 4a of 2230049-RMASUB to provide for separate access to each allotment is an appropriate and acceptable alteration to the proposed subdivision. This will result in no adverse effects on any person or the wider environment and is consistent with the provisions of the relevant statutory documents.

The proposal can be approved on a non-notified basis and in accordance with the proposed, amended conditions of consent.



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




R. W. Muir
Registrar-General
of Land

Identifier NA25B/1363
Land Registration District North Auckland
Date Issued 27 June 1973

Prior References
NA1044/135

Estate Fee Simple
Area 5.3603 hectares more or less
Legal Description Lot 1 Deposited Plan 69407

Registered Owners
Esther Amy Bate

Interests

Saving and excepting all minerals within the meaning of the Land Act 1924 on or under the land and reserving always to Her Majesty the Queen and all persons lawfully entitled to work the said minerals a right of ingress egress and regress over the said land

12120034.2 Mortgage to ASB Bank Limited - 4.6.2021 at 1:26 pm

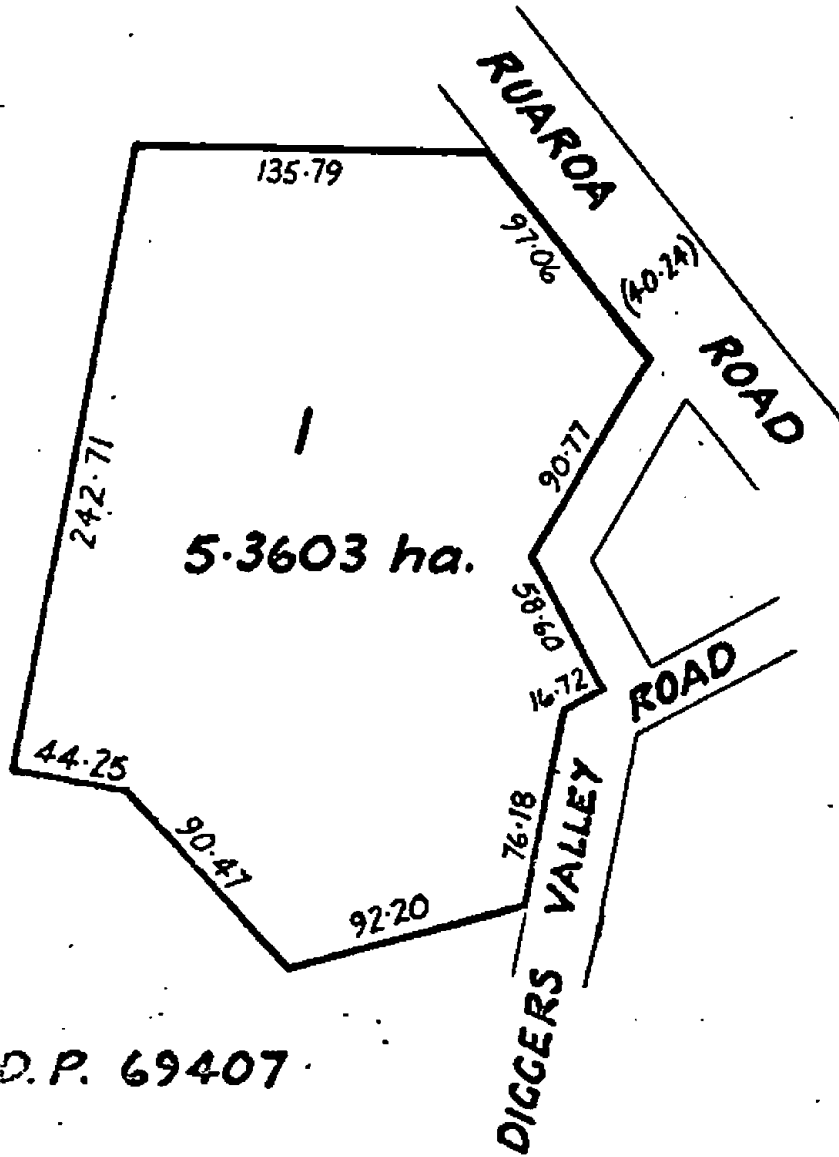
Title Diagram NA25B/1363

Cpy - 01/01, Pgs - 001, 13/07/06, 16:05



DocID: 312020828

BIR XI Takahue S.D.



D.P. 69407

MEASUREMENTS ARE METRIC

~~Scale 1 inch~~

B.H.T.

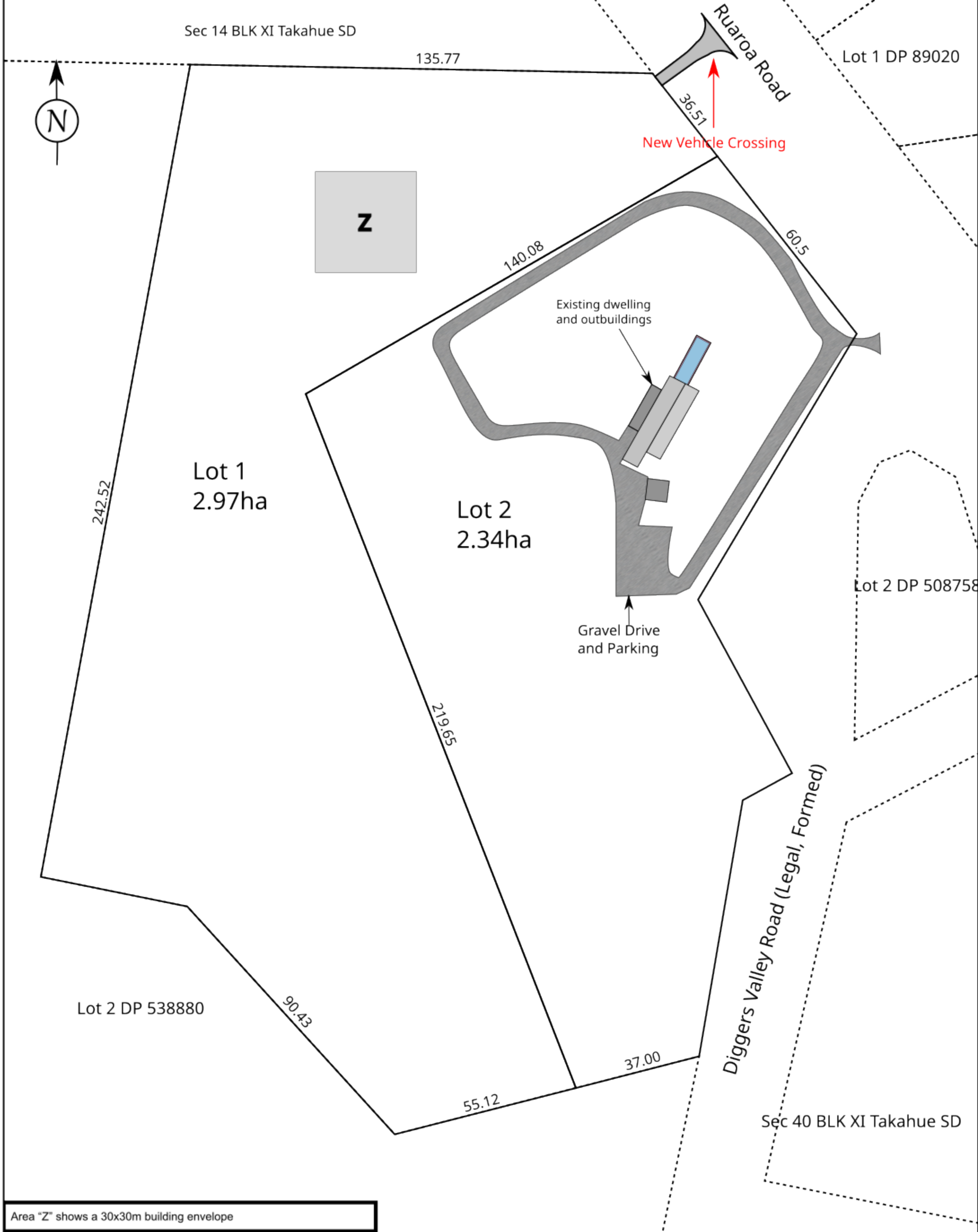
[Handwritten signature]



Notes:
All measurements subject to final survey

Change of Conditions to 2230049-RMASUB, being a Subdivision of 2195 Diggers Valley Road Lot 1 DP 69407 Scheme Plan

Scale:	1:1000 at A3
Project No:	RP251201
Sheet:	1 of 2
Drawn By	Simeon McLean
Revision:	1
Date:	9 January 2026

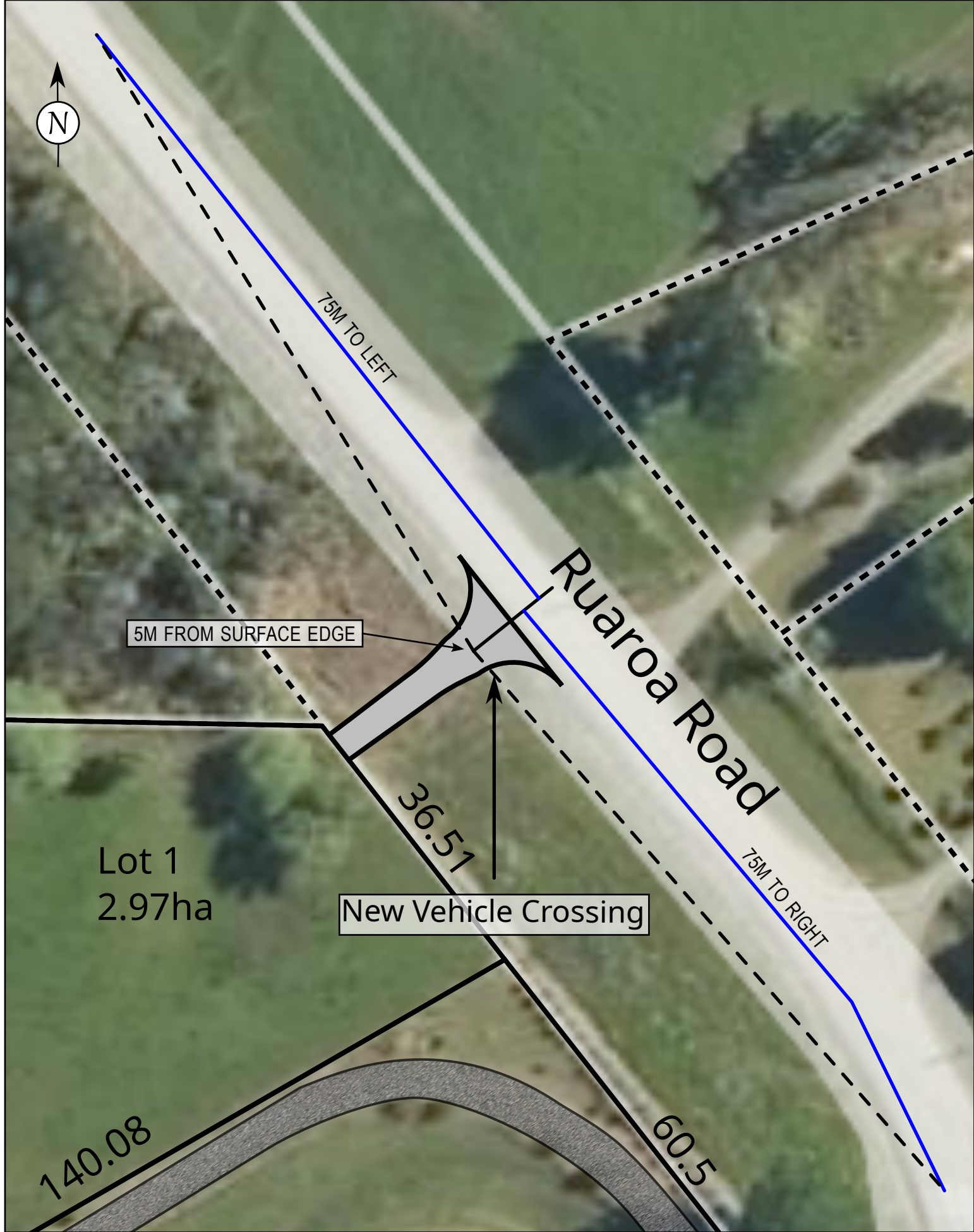


Area "Z" shows a 30x30m building envelope

Notes:
All measurements subject to final survey

Change of Conditions to 2230049-RMASUB, being a Subdivision of 2195 Diggers Valley Road Lot 1 DP 69407 Scheme Plan

Scale:	1:1000 at A3
Project No:	RP251201
Sheet:	1 of 2
Drawn By	Simeon McLean
Revision:	1
Date:	9 January 2026



Notes:
All measurements subject to final survey

Sight line diagram for new crossing

Scale:	1:500 at A4
Project No:	RP251201
Sheet:	2 of 2
Drawn By	Simeon McLean
Revision:	1
Date:	9 January 2026

DECISION ON SUBDIVISION CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

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

Council Reference:	2230049-RMASUB
Applicant:	Esther-Amy Bate
Property Address:	2195 Diggers Valley Road, Kaitaia
Legal Description:	LOT 1 DP 69407
Description of Application:	Subdivision in a Rural Production zone to create one additional allotment as a Restricted Discretionary Activity.

Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision, entitled "*Proposed Subdivision of 2195 Diggers Valley Road Lot 1 DP 69407 Scheme Plan*", prepared by SM, Ref. KTA01, Revision 1, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223 RMA) conditions

2. Prior to the approval of the survey plan pursuant to section 223 of the Act, the consent holder shall provide the Council with written confirmation from a Licenced Cadastral Surveyor that the access carriageway is fully contained within the easements provided for access.
3. The survey plan, submitted for approval pursuant to section 223 of the Act shall show:
 - a. All easements in the memorandum to be duly granted or reserved.
 - b. Area marked 'Z' shall be identified as being subject to building platform for any future habitable building (Area to be referred to in Consent Condition 5a).

Section 224(c) RMA compliance conditions

4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a. Upgrade the existing vehicle crossing to include sealed entrance plus splays for a minimum distance of 6m from the existing edge.

- b. Undertake clearance of vegetation to achieve 75m visibility from the vehicle crossing on Diggers Valley Road.
5. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking, and executing the Notice shall be met by the consent holder:
 - a. Any habitable building on the Lot shall only be constructed within Area 'Z' as indicated on the LT Plan approved by RC2230049-RMASUB. **[Lot 1]**
 - b. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of a tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509. **[Lot 1]**
 - c. The Lot owner shall be responsible for the ongoing monitoring and maintenance of vegetation so that the minimum sight distance is achieved from the vehicle crossing in accordance with FNDC Engineering Standards. **[Lot 1 & 2]**

Advice Notes

Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses:
 - a) A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or
 - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

Right of Objection

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

Archaeological Sites

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

General Advice Notes

4. *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
5. *Rule ER-R13 of the Proposed Far North District Plan has immediate legal effect and requires that earthworks must, for their duration, be controlled in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Guideline Document GD2016/005). Failure to comply with this rule may result in enforcement action and will require additional consents.*
6. *Works in and around wetlands including discharges, earthworks and vegetation removal are restricted under the National Environmental Standard for Freshwater (NES-F). Resource consent may also be required from Northland Regional Council (NRC). It is the responsibility of the consent holder to ensure such consents are obtained.*

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Restricted Discretionary Activity resource consent, as such under section 104C RMA, only those matters over which council has restricted its discretion have been considered, these matters are found in sections 13.7.3 and 13.8.1 of the Operative District Plan. The proposal has been found to be consistent with these provisions in the Operative District Plan.
3. In regard to section 104(1)(a) of the Act, the actual and potential effects of the proposal will be acceptable as:
 - a. The relevant and potential effects have been addressed in the associated notification assessment report. It is concluded that that the adverse effects are less than minor.
 - b. The proposal will also result in positive effects. The subdivision will provide for one additional allotment that will accommodate future rural lifestyle residential development to assist to address the housing shortage in that area. The future lifestyle residential development is anticipated to be consistent with the surrounding environments that are under similar land uses.
4. In regard to section 104(1)(ab) of the Act, there are no offsetting or environmental compensation measures proposed or agreed to by the applicant/consent holder for the activity.
5. In regard to section 104(1)(b) of the Act, the following statutory documents are considered to be relevant to the application:
 - a. National Policy Statement for Highly Productive Land 2022

- b. Northland Regional Policy Statement 2018
- c. Operative Far North District Plan 2009
- d. Proposed Far North District Plan 2022.

National Policy Statement for Highly Productive Land 2022 (NPS-HPL)

On 17th October 2022 the Central Government released the NPS-HPL. The policy statement aims to protect highly productive land for use in land-based primary production, both now and for future generations. There is no discretion or transitional period under the NPS-HPL. For all local authorities, it is required to consider whether the proposed activities subject of this application is consistent with the provisions of the NPS-HPL, specifically whether the proposal will result in a reduction to the productive capacity of the land.

In this instance, approximately 50% of the land contains soils within the LUC Class 2 category under the Land Use Capability (LUC) assessment. The proposal involves proposed subdivision of highly productive land and therefore is considered contrary to some of the objectives and policies in the NPS-HPL. However, as the application is assessed as a Restricted Discretionary Activity, the matters of discretion are limited to sections 13.7.3 and 13.8.1(b)(ii) of the Operative Plan and therefore only Policy 9 (reverse sensitivity effects) can be considered.

In this case the proposed subdivision is adjacent to similar land uses of existing rural lifestyle blocks and undeveloped indigenous vegetation to the west and southwest. The location of the proposed building envelope is able to provide adequate distance from adjacent properties and public road, to ensure reverse sensitivity effects will not arise.

Northland Regional Policy Statement 2018 (RPS)

The applicant provided an assessment of the Northland RPS in page 10 of the AEE associated with the application. For the purposes of this decision, this assessment is adopted, and the subdivision is not otherwise inconsistent with any of the objectives and policies within the RPS.

Operative Far North District Plan

The activity is consistent with the relevant objectives, policies, and assessment criteria of the Operative District Plan because the proposal is consistent with the character of the surrounding environments. The subdivision enables the establishment of one additional lifestyle dwelling on the rural boundary of Kaitaia while enabling rural activities to continue on the site. It provides an efficient use to a site in the Rural Production zone and the actual and potential adverse effects will be negligible.

Proposed Far North District Plan

The activity is not consistent with the relevant objectives, policies and assessment criteria of the Far North Proposed District Plan (PDP) when considering the objectives and policies of the Rural Production Zone Section.

The Rural Production Zone under the PDP seeks to ensure that land is available for primary production and is therefore used for primary production activities and other compatible activities that have a functional need to be in the rural environment.

More specifically, RPROZ-P6 seeks to avoid subdivision that results in the loss of highly productive land and which fragments land into parcel sizes that are no longer

able to support farming activities or provides for rural lifestyle living, unless there is an environmental benefit. The PDP provides for only 40ha allotments (as a controlled activity) and minimum allotment sizes of 8-hectares (as a discretionary activity). In this instance, the proposed 2.97ha allotment is not considered to be consistent with policy direction of the PDP and would be assessed as discretionary activity under the PDP.

For this resource consent application the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans. Weighting is considered in the following.

Weighting:

For this resource consent application, the relevant provisions of both an operative and any proposed plan must be considered. It is noted that the application was lodged on 20 July 2022 in advance of the PDP being notified and therefore the applicant had an expectation of an outcome under the Operative District Plan. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

As assessed above the outcomes sought are different under the operative and proposed plan frameworks. Therefore, it is necessary to consider the weight to be given to each framework and which outcome should prevail.

The PDP has only been recently notified and as such there is potential for change as the PDP goes through the statutory process. Therefore, despite the different outcomes anticipated by the PDP little weight is given to these provisions.

6. In regard to section 104(1)(c) of the Act, there are no other matters relevant or reasonably necessary to determine the application.
7. In terms of s106 of the RMA, the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotment. Accordingly, council is able to grant this subdivision consent subject to the conditions above.
8. Based on the assessment above the activity will be consistent with Part 2 of the Act.
The activity will avoid, remedy, or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act (section 5). There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment (section 7). The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi (section 8).
9. Overall, for the reasons above, it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Jo Li – Consultant Planner, 4Sight Consulting.

I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and **subject to the conditions** above, and under delegated authority, **grant** this resource consent for subdivision in the Rural Production zone of the Operative Far North District Plan to create one additional lot at 2195 Diggers Valley Road, Takahue as a Restricted Discretionary Activity and in accordance with sections 104, 104C and 106 of the Resource Management act 1991.

A handwritten signature in black ink, appearing to read 'Alan Watson', written in a cursive style.

Alan Watson
RMA Commissioner

Date: 11 April 2023



FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (Section 357A)

Resource Consent Number: 2230049-RMAOBJ/A

Pursuant to section 357D of the Resource Management Act 1991 (the Act), the Far North District Council hereby upholds the objection.

Esther-Amy Bate

The activity to which this decision relates:

An objection in relation to conditions of consent contained in 2230049-RMAOBJ/A, a consent granted to Esther-Amy Bate for objection pursuant to s357A - Condition 4(b) and Consent Notice 5(c).

Subject Site Details

Address: 2195 Diggers Valley Road, Kaitaia 0481
Legal Description: LOT 1 DP 69407
Certificate of Title reference: 3305132

As a result of the objection, the following changes are made to the consent conditions:

- 4(b) ~~Undertake clearance of vegetation to achieve 75m visibility from the vehicle crossing on Diggers Valley Road.~~
- 5(c) ~~The Lot owner shall be responsible for the ongoing monitoring and maintenance of vegetation so that the minimum sight distance is achieved from the vehicle crossing in accordance with FNDC Engineering Standards. [Lot 1 & 2]~~

For the purpose of clarity the complete amended conditions of consent are as follows:

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision, entitled "*Proposed Subdivision of 2195 Diggers Valley Road Lot 1 DP 69407 Scheme Plan*", prepared by SM, Ref. KTA01, Revision 1, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223 RMA) conditions

2. Prior to the approval of the survey plan pursuant to section 223 of the Act, the consent holder shall provide the Council with written confirmation from a Licenced Cadastral Surveyor that the access carriageway is fully contained within the easements provided for access.

3. The survey plan, submitted for approval pursuant to section 223 of the Act shall show:
 - a. All easements in the memorandum to be duly granted or reserved.
 - b. Area marked 'Z' shall be identified as being subject to building platform for any future habitable building (Area to be referred to in Consent Condition 5a).

Section 224(c) RMA compliance conditions

4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a. Upgrade the existing vehicle crossing to include sealed entrance plus splays for a minimum distance of 6m from the existing edge.
5. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking, and executing the Notice shall be met by the consent holder:
 - a. Any habitable building on the Lot shall only be constructed within Area 'Z' as indicated on the LT Plan approved by RC2230049-RMASUB. **[Lot 1]**
 - b. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of a tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509. **[Lot 1]**

Advice Notes

1. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the trust. Should any site be inadvertently uncovered, the procedure is that work should cease, with the trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains).

Statutory Information

1. Pursuant to section 102 of the Local Government Act 2002, the Far North District Council has prepared and adopted a development contributions policy. Under this policy, the activity to which this consent relates may be subject to development contributions.

You will be advised of the assessment of the development contributions payable under separate cover in the near future.

It is important to note that the development contributions must be paid prior to commencement of the work or activity to which this consent relates or, in the case of subdivision, prior to the issue of a Section 224(c) Certificate.

Further information regarding council's development contributions policy may be obtained from the long term council community plan (LTCCP) or council's web page at www.fndc.govt.nz

Reasons for the Decision to uphold the Objection (pursuant to Section 357D(2):

1. Northland Transport Alliance agree that 75 metre sight distance visibility is not achievable towards Ruarua Road, Kaitaia.
2. Northland Transport Alliance confirms that 45 metre sight distance is sufficient. This can currently be achieved without the need for vegetation clearance.

Approval

This decision has been prepared by Whitney Peat – Senior Resource Planner and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Simeon Mclean
Team Leader Resource Consents

Date: 02 June 2023

Right of Appeal

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 358 of the Resource Management Act 1991) to appeal the decision. The notice of appeal must be in the prescribed form, stating reasons for the appeal and shall be lodged with the Environment Court within 15 working days of the receipt of this decision. Any person lodging an appeal shall ensure that a copy of the notice of appeal is served on Council at the same time as the notice is lodged with the Environment Court.

Lapsing Of Consent

Pursuant to section 125 of the Resource Management Act 1991, this resource consent, as amended as a result of this decision on an objection, will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.

Simeon McLean

From: Sujeet Tikaram
Sent: Tuesday, 18 October 2022 3:07 pm
To: Planning Support
Subject: FW: 2230049-RMASUB, 2195 Diggers Valley Road, Kaitaia 0481, IAM's Input Required: New RC Lodged

Hi,
Please forward comments from the NTA in the email below to the processing planner

Thanks



Sujeet Tikaram
Development Engineer

Infrastructure & Asset Management, Far North District Council | **24-hour Contact Centre** 0800 920 029
DDI +6494015376 | **M** 027 566 1191 | Sujeet.Tikaram@fndc.govt.nz
[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

Disclaimer: The information shown on plans that may be attached may not be accurate and is indicative only. The Far North District Council accepts no responsibility for incomplete or inaccurate information. Contractors are to verify the exact location of all Council services on site before work commences. Contractors are liable for any damage they may cause to Council services, including any services not identified on this plan.

Far North District Council | Te Kaunihera o Tai Tokerau Ki Te Raki | Phone: 09 401 5200 | Email: ask.us@fndc.govt.nz
Memorial Avenue, Private Bag 752, Kaikohe 0440, New Zealand

Get it done online at your convenience, visit our website: www.fndc.govt.nz

Please consider the environment before printing this email.

From: Murtaza Ahmadi | NTA <Murtaza.Ahmadi@nta.govt.nz>
Sent: Tuesday, 18 October 2022 3:04 PM
To: Development Engineers <Development.Engineers@fndc.govt.nz>
Cc: Sujeet Tikaram <Sujeet.Tikaram@fndc.govt.nz>; Vaishali Sankar | NTA <Vaishali.Sankar@nta.govt.nz>; Elizabeth Stacey | NTA <Elizabeth.Stacey@nta.govt.nz>
Subject: RE: 2230049-RMASUB, 2195 Diggers Valley Road, Kaitaia 0481, IAM's Input Required: New RC Lodged

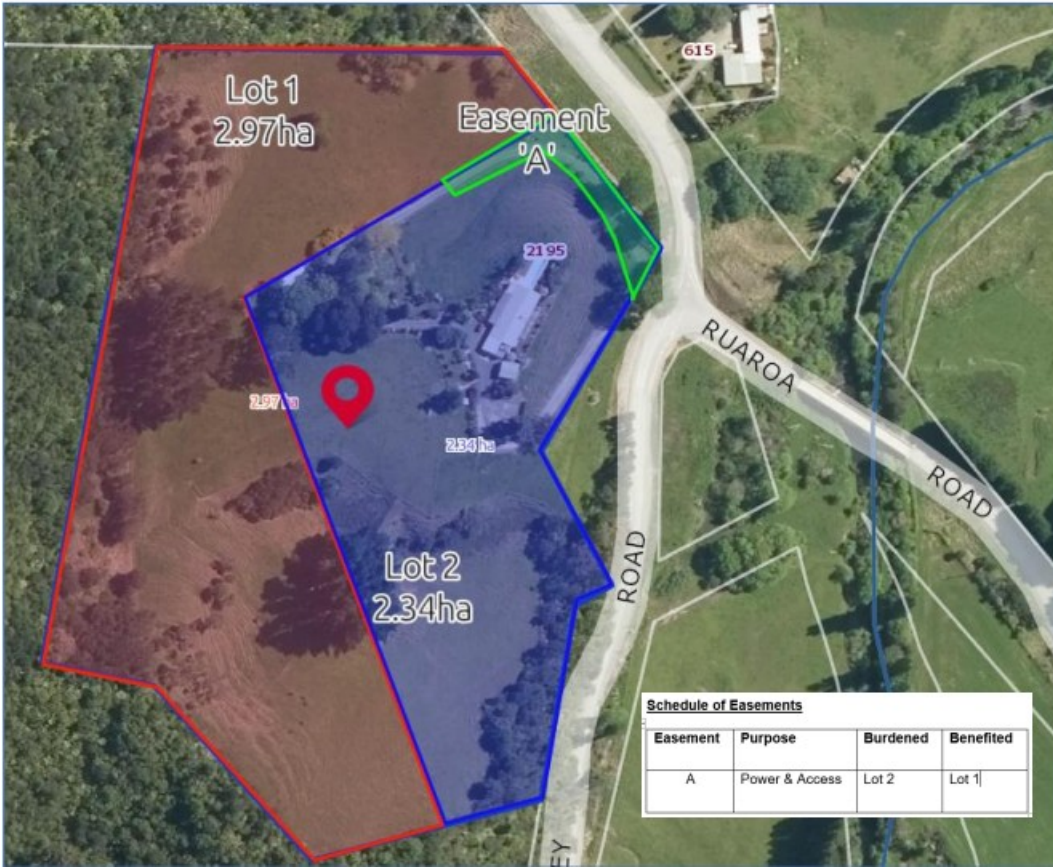
CAUTION: This email originated from outside Far North District Council.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Sujeet,

The applicant proposes to subdivide a property at 2195 Diggers Valley Road into two lots, both lots will have access off Ruaroa Road via a shared vehicle crossing, please see the below conditions

- There is an existing double width crossing from Ruaroa Road to the site. This crossing has recently been upgraded and meets the standards for FNDC/S/6B. It is proposed that access be by the existing crossing.
[Agree](#)
- Easement 'A' is provided to and along the southern boundary of proposed Lot 1. This is to allow multiple access points to proposed Lot 1 where the final access shall be determined by the eventual owner of the Lot. Easement A should comply with appendix 3B-1 for 2 H.Es.
- Vehicle crossing sight distance should comply with FNDC/S/6 for an operative speed of 60kph.



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

Regards

Murtaza Ahmadi

Senior Development Engineer | Northland Transportation Alliance

M 0272579571 | Murtaza.ahmadi@nta.govt.nz

-----Original Message-----

From: Development Engineers <Development.Enginers@fndc.govt.nz>

Sent: Monday, 10 October 2022 4:07 pm

To: Murtaza Ahmadi | NTA <Murtaza.Ahmadi@nta.govt.nz>

Subject: FW: 2230049-RMASUB, 2195 Diggers Valley Road, Kaitaia 0481, IAM's Input Required: New RC Lodged

Hi Murtaza,

For review and comment please

Cheers

Sujeet Tikaram

Development Engineer

Infrastructure & Asset Management, Far North District Council

+6494015376 | Sujeet.Tikaram@fndc.govt.nz

www.fndc.govt.nz

Get it done online at your convenience, visit our website: www.fndc.govt.nz

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Far North District Council | Te Kaunihera o Tai Tokerau Ki Te Raki | Phone: 09 401 5200 | Fax: 09 401 2137 | Email: ask.us@fndc.govt.nz Memorial Avenue, Private Bag 752, Kaikohe 0440, New Zealand

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-----Original Message-----

From: Jo Graham <Jolene.Graham@fndc.govt.nz>

Sent: Friday, 7 October 2022 2:35 PM

To: DCFSupport <dcfsupport@fndc.govt.nz>; Development Engineers <Development.Engineers@fndc.govt.nz>

Subject: 2230049-RMASUB, 2195 Diggers Valley Road, Kaitaia 0481, IAM's Input Required: New RC Lodged

A new resource consent has been lodged. This application requires an IAM's Assessment.

Needs to be seen by:
Development Engineer
Roading

The application can be viewed via the Document Management screen in Pathway or by searching the consent number in Objective.

If you have any comments or interest in this application, could you please advise the reporting planner within FIVE working days. If no comments are received within this timeframe, it will be assumed that you have no interest.

Please Provide Feedback in the "Works and Development Engineers Memo" which can be accessed through Letters in Pathway or through Objective then complete the "IAM: Provide Input" Task

Enter your time in the task labelled "IAM - Timesheet Entry". DO NOT COMPLETE THIS TASK.

Additional Info:

Attachment links to 2230049-RMASUB, 2195 Diggers Valley Road, Kaitaia 0481

Get it done online at your convenience, visit our website - www.fndc.govt.nz

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Far North District Council | Te Kaunihera o Tai Tokerau Ki Te Raki Ph. 09 401 5200 | Fax. 09 401 2137 | Email. ask.us@fndc.govt.nz Address. Memorial Avenue, Private Bag 752, Kaikohe 0440, New Zealand

Please consider the environment before printing this email.

The Northland Transportation Alliance is a partnership between all four councils within Northland and Waka Kotahi (NZTA). The information contained within this email may be confidential. Therefore, if you have received this in error,

you should delete it immediately and advise the sender noting that information contained within this communication should not be used or transmitted in any format.

The following is the complete condition set from 2230049-RMASUB marked up with the proposed changes:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision, entitled "~~Proposed~~ Change of Conditions to 2230049-RMASUB, being a Subdivision of 2195 Diggers Valley Road Lot 1 DP 69407 Scheme Plan", prepared by Simeon McLean, Ref. ~~KTA04~~RP251201, Revision 1, Dated 9 January 2026 and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223 RMA) conditions

2. ~~Prior to the approval of the survey plan pursuant to section 223 of the Act, the consent holder shall provide the Council with written confirmation from a Licenced Cadastral Surveyor that the access carriageway is fully contained within the easements provided for access Deleted.~~
3. The survey plan, submitted for approval pursuant to section 223 of the Act shall show:
 - a. ~~All easements in the memorandum to be duly granted or reserved Deleted.~~
 - b. Area marked 'Z' shall be identified as being subject to building platform for any future habitable building (Area to be referred to in Consent Condition 5a).

Section 224(c) RMA compliance conditions

4. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
 - a. ~~Upgrade the existing vehicle crossing to include sealed entrance plus splays for a minimum distance of 6m from the existing edge. Construct a new single width, unsealed vehicle crossing to lot 1 from Ruaroa Road in accordance with the FNDC Engineering Standards FNDC/S/6 and 6B.~~
5. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking, and executing the Notice shall be met by the consent holder:
 - a. Any habitable building on the Lot shall only be constructed within Area 'Z' as indicated on the LT Plan approved by RC2230049-RMASUB. **[Lot 1]**
 - b. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of a tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509. **[Lot 1]**

Advice Notes

1. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the trust. Should any site be inadvertently uncovered, the procedure is that work should cease, with the trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes

koiwi (human remains).

Public Notification Assessment:

A consent authority must follow the steps set out below in the order given to determine whether to publicly notify the application:

Step 1: Mandatory Public Notification – s95A(2-3)

Criteria	Yes/No
(a) Public Notification at Applicant's request - s95A(3)(a)	No
(b) Public Notification is required under section 95C - s95A(3)(b)	No
(c) Public Notification is required if the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977 - (s95A(3)(c))	No

Step 2: Public Notification Precluded in Certain Circumstances – s95A (4-5)

Criteria	Yes/No
(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 – s95A(5)(a)	No
(b) the application is for a resource consent for 1 or more of the following, but no other, activities: (i) a controlled activity – s95A(5)(b)(i)	No
(c) (iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity – s95A(5)(b)(iii)	No

Step 3: Public Notification required in Certain Circumstances - s95A(7-8)

Criteria	Yes/No
(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 – s95A(8)(a)	No
(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 – s95A(8)(b)	No

Assessment of Effects on the Wider Environment

As per the assessment of effects included in section 5 of this report, the proposal does not generate effects on the wider environment that are more than minor.

Step 4: Public Notification required in Special Circumstances - s95A(9)

Criteria		Yes/No
(9)	Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified	No

Conclusion on Public Notification

The Assessment of Effects provided in support of this application has outlined that the adverse effects of the proposal on the wider environment are less than minor. There are not considered to be any unusual or extraordinary (special) circumstances associated with this application. It is concluded on the findings of the above assessments under s95A of the RMA that the application does not need to be publicly notified.

Limited Notification Assessment:

A consent authority must follow the steps set out in sections 95B(2) – 95B(10) to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

Step 1: Certain Affected Groups and Affected Persons must be notified - s95B(2)-(4)

Criteria		Yes/No
(a)	Determine whether there are any affected protected customary rights groups – s95B(2)(a)	No
(b)	Determine whether there are any affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity) – s95B(2)(b)	No
(c)	Determine 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; – s95B(3)(a)	No
(d)	Determine whether the person to whom the statutory acknowledgement is made is an affected person under section 95E – s95B(3)(b)	No

Step 2: Limited Notification Precluded in Certain Circumstances – s95B(5-6)

Criteria		Yes/No
(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 – s95B(6)(a)	No
(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) – s95B(6)(b)	No

Step 3: Certain other affected persons must be notified in accordance with s95B

Criteria		Yes/No
s95B (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.	No
s95B (8)	In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.	No
s95B (9)	Notify each affected person identified under subsections (7) and (8) of the application.	No

Assessment of Effects on adjacent sites

The Assessment of Effects in Section 5 of the report provided in support of this application has outlined that there are no affected persons who should be notified under s95E. This is due to the proposed crossing being built to standard and providing for only one dwelling. It has been assessed that any adverse effects on adjacent landowners will be less than minor.

Step 4: Limited Notification in Special Circumstances - s95B(10)

Criteria		Yes/No
(10)	Determine 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)	No

Conclusion on Limited Notification

It is concluded on the findings of the above assessment under s95B of the RMA that the application does not need to be limited notified.