

# Application for resource consent or fast-track resource consent

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

## 1. Pre-Lodgement Meeting

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

## 2. Type of Consent being applied for

*(more than one circle can be ticked):*

- 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](mailto:tehonosupport@fndc.govt.nz)

## 5. Applicant Details

**Name/s:**

Arthur Cottle

**Email:**

**Phone number:**

Work

Home 027 953 4166

**Postal address:**

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

Postcode

## 6. Address for Correspondence

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

**Name/s:**

Donaldsons Surveyors

**Email:**

**Phone number:**

**Postal address:**

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

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

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

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

**Name/s:**

Arthur Cottle

**Property Address/  
Location:**

Postcode

## 8. Application Site Details

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

**Name/s:**

**Site Address/  
Location:**

**Postcode**

**Legal Description:**

**Val Number:**

**Certificate of title:**

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

### Site visit requirements:

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

Is there a dog on the property?  Yes  No

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

## 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.

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

## 10. Would you like to request Public Notification?

Yes  No

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

(more than one circle can be ticked):

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

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

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

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

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

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

## 13. Assessment of Environmental Effects:

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

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

## 13. Draft Conditions:

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

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

## 14. Billing Details:

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

**Name/s:** (please write in full)

Donaldsons Surveyors Ltd

**Email:**

**Phone number:**

**Postal address:**

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

### Fees Information

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

### Declaration concerning Payment of Fees

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

**Name:** (please write in full)

Micah Donaldson

**Signature:**

(signature of bill payer)

Date 23-Jun-2026

**MANDATORY**

## 15. Important Information:

### Note to applicant

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

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

### Fast-track application

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

### Privacy Information:

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

## 15. Important information continued...

### Declaration

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

**Name:** (please write in full)

**Signature:**

Date

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

### Checklist (please tick if information is provided)

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- 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.

Donaldson's Surveyors Limited

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# DONALDSONS

REGISTERED LAND SURVEYORS

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# PLANNING REPORT

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*SECTION 127 RMA - LAND USE ACTIVITY*

*RC 2200337-RMALUC, 2000 STATE HIGHWAY 10,  
KERIKERI*

Date: 23 June 2026

Reference: 8694



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SURVEYORS  
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A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

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NZIS Registered Professional Surveyor.  
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## INTRODUCTION

The applicant seeks a variation to Condition 3 of resource consent RC 2200337 pursuant to section 127 of the Resource Management Act 1991.

Resource consent RC 2200337 authorised the establishment of six one-bedroom residential units and associated site works. The consented development has since been completed and is operating as intended.

While the implementation period of RC 2200337 has expired, the consent was given effect to through the construction of the authorised development (all onsite construction works). Accordingly, the land use activity and its associated effects have already been established on the site.

This application does not seek approval for any additional land use activities, buildings, earthworks, or intensification of development. Rather, it seeks to amend Condition 3 to allow the installation of flexible delineator posts as an interim safety measure at the site entrance for a period of three years. Following that period, the entrance upgrade required by the consent will be completed in accordance with the approved engineering requirements.

The proposed variation is intended to provide a practical interim solution that maintains and enhances access safety while recognising the improved transport environment resulting from the subsequent State Highway upgrades, including the construction of the nearby roundabout. Accordingly, the assessment focuses on the effects of the proposed condition change and whether the interim safety treatment provides an appropriate alternative to immediate construction of the entrance upgrade.

## SITE DESCRIPTION

The property's legal reference:

**Appellation:** Lot 2 DP-102334  
**Registered Owner:** Arthur Cottle  
**Record of Title:** NA56C/28  
**Total Area:** 3.0750 ha

The property is located at 2000 State Highway 10, Kerikeri.

The site comprises an established rural holding with a commercial & residential function. Development has occurred progressively over a number of years, both under earlier planning frameworks that provided more permissive activity status and through subsequent resource consent approvals.

The existing vehicle access onto State Highway 10 is in generally good condition; however, it does not meet the current standards required by RC 2200337. The access is shared with the adjoining property, Lot 1 DP 102334, which is subject to an approved 11-lot subdivision under RC 2230147. That consent includes a condition requiring a new T-Intersection entrance and road vesting.

The applicant and the adjoining landowner (consent holder of RC 2230147) intend to utilise the same entrance under one coordinated design. Both parties plan to defer construction for a period of three years. Accordingly, this application seeks a **new consent condition**, to establish effective mitigation measures alongside the State Highway that will better control traffic and improve safety at the point of entry while the entrance remains in its current form.

### **Section 127 RMA 1991 - Proposed consent conditions and amendments**

The application seeks a variation to RC 2200337 to incorporate the recommendations contained within the Traffic Assessment Report prepared by DIGI TRAFF Consulting dated 22 June 2026.

The variation does not alter the nature, scale, or intensity of the consented land use activity, which has already been established and is operating as approved. Rather, the application seeks to amend the timing and methodology associated with the entrance upgrade requirements.

Specifically, the applicant proposes that, as an alternative to the immediate construction of the entrance upgrade required by Condition 3, flexible guideposts (or similar physical delineation devices) be installed along the eastern edge of the State Highway carriageway between the existing shared access and the Bunnings entrance.

As outlined in the Traffic Assessment Report, the proposed delineation measures will improve driver awareness and channelisation of vehicle movements within this section of State Highway 10. The report notes that the surrounding road environment has changed significantly since RC 2200337 was originally granted, including the construction of the nearby roundabout and associated road widening works. These improvements have resulted in lower vehicle speeds, improved traffic management, and a safer operating environment than previously existed.

The proposed delineation measures are therefore considered an appropriate **interim** mitigation measure that will maintain and enhance access safety while allowing the permanent entrance upgrade works to be deferred for a period of three years.

To ensure the effectiveness of the proposed treatment, a detailed design will be submitted to NZTA for approval prior to installation. At the conclusion of the three-year period, the entrance upgrade works required by the consent will be completed unless an extension is approved through a subsequent resource consent process.

Overall, the proposed variation represents a practical and proportionate response to the current transport environment and is supported by the findings of the Traffic Assessment Report.

### **PROPOSED CONSENT CONDITION VARIATION**

**Pursuant to Section 108, 108AA of the Act, this consent is issued subject to the following conditions:**

The activity shall be carried out in accordance with the approved plans attached to this consent with the Council's "Approved Stamp" affixed to them, as follows:

- a. **Topographic Survey of Land Use Activities on Lot 2 DP 102334**, prepared by Donaldsons Registered Land Surveyors, referenced **7321 8694**, dated **17/10/2018 April 2026**.
- b. 'Site Features Plan' prepared by Haigh Workman, referenced 17 111, dated 25/09/2019.

This consent must also be carried out in general accordance with the following supporting document:

- a. Traffic Assessment Report (DIGI TRAFF CONSULTING), dated 22 June 2026)

**17.** As an alternative to undertaking the entrance upgrade works required by Condition 3, the Consent Holder may install flexible guideposts, or similar physical delineation devices, along the eastern edge of the State Highway carriageway. These devices shall extend from the northern end of the existing formal shared access throat to the commencement of the constructed footpath at the Bunnings entrance.

A design plan detailing the proposed delineation measures shall be submitted to NZTA for approval prior to installation.

This condition shall remain valid for a period of three (3) years from the date of resource consent approval. The Consent Holder may apply to Council for an extension of this period, which shall be subject to assessment and approval through the resource consent process.

## FAR NORTH DISTRICT PLAN

The following covers the assessment of effects associated with **overall land use activity** RC 2200337, and associated **proposed consent condition**.

The property is located in the Rural Production zone under the provisions of the Far North District Plan and is not located within any outstanding landscape.

Natural hazard overlays include flooding within the immediate extents of Whiriwhiritoa Stream which forms the southern boundary.

All applicable rules under the Rural Production zone remain unchanged from that approved under RC 2200337 in 2020.

The application continues to seek approval to breach the same previously consented rules:

- 8.6.5.4.1 Residential Intensity,
- 8.6.5.1.3 Stormwater Management
- 8.6.5.1.11 Scale of Activities,
- 15.1.6A.2.1 Traffic Intensity
- 15.1.6C.1.1 Private Accessway in All Zones.

Subject RC 2200337 concluded that adverse effects will be no more than minor. In particular:

a) While the proposal results in a level of development that exceeds that anticipated within the Rural Production Zone, the existing character of the site and surrounding environment has been taken into account. On balance, any resulting effects on character and amenity are considered to be no more than minor.

b) The site is well screened by existing vegetation in all directions. The proposed dwellings are of a modest scale (approximately 5 metres in height), with only minor earthworks proposed and no vegetation clearance. As such, landscape and visual effects are assessed as less than minor.

c) The proposal is not expected to result in any adverse social, economic, or cultural effects.

d) The development represents an efficient use of natural and physical resources, noting the absence of identified protected flora, fauna, or significant ecological values on the site.

e) Any potential adverse effects associated with the development and servicing of the site can be appropriately avoided, remedied, or mitigated through the recommended conditions of consent, consent notices, and compliance with Council Engineering Standards and Guidelines.

### Positive Effects

The proposal will generate positive effects, including:

a) The provision of additional housing in Kerikeri, contributing to housing supply and supporting social and economic wellbeing.

### District Plan Objectives and Policies

The following objectives and policies of the District Plan are considered relevant:

- *8.3.1 – Sustainable management of natural and physical resources*
- *8.3.2 – Protection of the life-supporting capacity of soils*
- *8.3.3 – Management of adverse and cumulative effects*
- *8.3.4 – Protection of significant indigenous vegetation and habitats*
- *8.3.5 – Protection of outstanding natural features and landscapes*
- *8.3.6 – Avoidance of land use conflicts*
- *8.3.7 – Maintenance and enhancement of rural amenity values*
- *8.3.9 – Enabling rural production activities*
- *8.3.10 – Enabling compatible activities within the rural environment*
- *8.4.2 – Enabling activities where adverse effects can be managed*
- *8.4.5 – Avoidance of reverse sensitivity and incompatible land uses*
- *8.4.7 – Efficient use of natural and physical resources*
- *8.4.8 – Management of intensity, scale, and cumulative effects in the rural environment*

### Assessment Against Objectives and Policies

The relevant objectives and policies primarily seek to protect the values of the rural environment, including the life-supporting capacity of soils, natural features and landscapes, and rural amenity, while avoiding reverse sensitivity effects and ensuring compatibility of land uses.

The proposal involves additional residential development within the Rural Production Zone and, as such, does not fully align with the anticipated outcomes for the zone. However, this must be assessed in the context of the site and the receiving environment.

The site is already highly modified and subject to existing resource consents, including approvals for residential units and storage buildings. It does not exhibit significant values in terms of productive soils, natural features, or landscape qualities.

The request to defer the upgrade of the entrance and instead provide temporary mitigation is considered reasonable and practical in the circumstances. The existing access has been operating effectively under current traffic volumes associated with the established land uses, with no identified safety or operational issues arising.

The traffic engineering assessment has noted safety concerns that exist currently and in fact would have continued to exist post-construction of the entrance. This safety issue related to the unauthorised use of the metalled area that spans the edge of the state highway formation, being used as a rest area and truck stop. **The proposal introduces a new mitigation measure that will stop those unauthorised uses by way of erecting “flexible guide posts”.**

It is also relevant to note that subsequent to the original consent being granted, NZ Transport Agency has undertaken significant upgrades to State Highway 10 in the vicinity

of the site. These works include the installation of a roundabout and associated lane widening, which have materially improved the safety and efficiency of the transport network.

In particular, the presence of the roundabout has altered traffic behaviour in a positive manner by reducing vehicle speeds as drivers approach and exit the intersection. This results in a more controlled traffic environment compared to the previous free-flow conditions that existed at the time of the earlier consent. Lower approach speeds and improved traffic management reduce the risk profile of the site access and enhance overall safety for vehicles entering and exiting the property.

These existing and proposed changes contribute to a safer and more predictable operating environment for the existing access, supporting the appropriateness of deferring the entrance upgrade. **A deferred timeframe is requested at 3 years with the right to extend subject to reassessment.**

In terms of reverse sensitivity (Policy 8.4.5), the surrounding environment is characterised by a mix of rural, rural residential, commercial, and industrial activities, rather than a predominantly productive rural landscape. Accordingly, the potential for reverse sensitivity effects is considered to be low.

Policy 8.4.8 requires careful consideration of the intensity, scale, and type of development, as well as cumulative effects. In this case, the site does not contain identified significant ecological or landscape values, and the proposal represents an extension of an established activity, indicating a functional need for its location. Given the mixed-use nature of the surrounding environment and the limited presence of productive rural land, cumulative effects arising from non-rural activities are not expected to be significant.

## Summary

Since the original consent was granted, upgrades by NZ Transport Agency Waka Kotahi—including the installation of a roundabout and road widening—have improved traffic safety and reduced vehicle speeds in the vicinity of the site. This results in a safer and more controlled access environment than previously existed.

The applicant offers additional mitigation measures to improve traffic safety with the use of flexible guide posts.

Overall, the proposal represents a reasonable and appropriate outcome in the context of the site and its surroundings.

# RESOURCE MANAGEMENT ACT 1991

## ASSESSMENT OF ENVIRONMENTAL EFFECTS

The following assesses the environmental effects of the proposed activity in accordance with the Resource Management Act 1991 (RMA). The activity under consideration involves the additional consent conditions. Below is an examination of the potential environmental impacts and adherence to regulatory standards, and for completeness expands to the overall activity.

### 5 Purpose

(1)

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

(2)

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

*(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

*(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

*(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

#### **Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations:**

The activity provides a practical and cost-effective housing solution and storage needs for community members. The activity promotes the sustainable use and development of physical resources without cause to unreasonable adverse environmental effects. The proposal will not compromise the ability of natural and physical resources to meet the reasonably foreseeable needs of future generations.

#### **Safeguarding the life-supporting capacity of air, water, soil, and ecosystems**

The scale of the activity is modest to this transition zone, where higher density development is supported, and will not adversely affect ecological values, air quality, soil resources, water resources, or the wider environmental capacity of the site.

Appropriate servicing is provided to ensure the safe management of water supply, wastewater, and stormwater, and no adverse effects on the life-supporting capacity of air, water, soil, or ecosystems are anticipated. Accordingly, the proposal is consistent with the sustainable management purpose of the Act.

#### **Avoiding, remedying, or mitigating adverse effects on the environment**

The activity is of a scale that is consistent with the established pattern within the locality.

Potential effects including traffic generation, servicing requirements, and site utilisation, are expected to be negligible or less than minor. The proposal does not give rise to any significant adverse effects on neighbouring properties or the wider rural environment, where the land use has already been approved under earlier resource consent resolution. The proposal introduces new mitigation measures to improve entry safety, and safety of the wider state highway (described in detail in the attached Traffic Engineering assessment). As such, adverse effects on the environment are appropriately avoided, remedied, or mitigated.

**Matters of national importance**

*(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*

Adverse effects in this regard are considered not applicable.

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

There are no identified Outstanding Natural Features or Outstanding Natural Landscapes affected by the proposal.

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

The proposal does not involve the removal of significant indigenous vegetation, earthworks within ecologically sensitive areas, or disturbance of habitats supporting indigenous fauna. Existing vegetation associated with the site's will be retained.

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

The proposal does not involve land adjoining the coastal marine area, or lakes, nor does it affect any existing or potential public access to these environments. The subject river is not wide enough (ave. >3m) to constitute public access considerations.

Accordingly, this matter is not applicable to the proposal.

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

No concerns.

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

There are no known historic heritage sites.

*(g) the protection of protected customary rights.*

There are no known customary rights to consider.

**Other matters**

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

*(a) kaitiakitanga:*

*(aa) the ethic of stewardship:*

*(b) the efficient use and development of natural and physical resources:*

*(ba) the efficiency of the end use of energy:*

*(c) the maintenance and enhancement of amenity values:*

*(d) intrinsic values of ecosystems:*

*(e) [Repealed]*

*(f) maintenance and enhancement of the quality of the environment:*

*(g) any finite characteristics of natural and physical resources:*

- (h) the protection of the habitat of trout and salmon:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

Overall, the proposal represents an appropriate balance between environmental, social, and economic considerations. The development has already been established and integrated into the surrounding environment, with no identified adverse effects beyond those previously assessed and approved. The proposed amendment to the consent conditions provides a practical and proportionate approach to addressing the entrance upgrade requirements, while maintaining appropriate safety outcomes. It recognises the improved transport environment and enables the consent holder to continue operating in accordance with the consent framework, ensuring the activity remains appropriately authorised and managed.

### **Treaty of Waitangi**

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

The proposal is not considered to contradict the Treaty of Waitangi's interpretations.

### **ASSESSMENT OF THE ACTIVITY AGAINST SECTION 104(1)(B)**

Section 104(1)(b)  
any relevant provisions of—

- (i) a national environmental standard:*
- (ii) other regulations:*
- (iii) a national policy statement:*
- (iv) a New Zealand coastal policy statement:*
- (v) a regional policy statement or proposed regional policy statement:*
- (vi) a plan or proposed plan;*

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

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

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

### **CLAUSE 6**

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

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

Based on the traffic assessment, the proposed mitigation measures presents no significant adverse effects, and effects are well managed.

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

The actual physical effects, based on the traffic assessment, the proposed mitigation measures present no concern.

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

There are none.

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

Not applicable.

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

There are no issues to address.

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

NZTA has been consulted throughout the development of the proposal. Although final approval is still pending, discussions to date suggest that the proposed mitigation measures are generally acceptable in principle.

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

No monitoring appears necessary.

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

No concern.

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

This is covered under the heading 'Northland Regional Policy Statement' below.

**CLAUSE 7**

7 Matters that must be addressed by assessment of environmental effects

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

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

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

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

No concern.

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

There is no habitat disturbance.

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

The values outlined are not seen to be depleted in this instance.

There is no influence on Fisheries.

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

There are none associated with the proposal.

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

To the best of our knowledge there are no concerns.

**Summary**

This application seeks a variation to Condition 3 of RC 2200337 and does not alter the nature, scale, or intensity of the consented activity. The residential units and associated site works have already been constructed and are established components of the environment.

The variation seeks to provide an alternative interim safety measure through the installation of **flexible guideposts** along the State Highway frontage, while retaining the requirement to complete the permanent entrance upgrade within three years.

The Traffic Assessment Report prepared by DIGI TRAFF Consulting concludes that the proposed mitigation measures will not result in any significant adverse effects and will appropriately manage traffic safety.

Overall, the proposed variation will not result in any additional adverse effects beyond those previously assessed and approved under RC 2200337. The effects of the proposed condition change are considered less than minor and appropriately managed.

## Northland Regional Policy Statement

The Northland Regional Policy Statement presents foundation development guidelines for the northland region.

### **PART 3: OBJECTIVES**

#### **3.4 Indigenous ecosystems and biodiversity**

*Safeguard Northland's ecological integrity by:*

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

#### **6.1.1 Policy – Regional and district plans**

*Regional and district plans shall:*

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

The activity is technically an existing situation and therefore does not adversely affect natural vegetation or waterways.

The proposal is not seen to clash with the Regional Policy Statement and therefore should be assessed under Resource Consent on an enabling basis.

## **NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2022**

*Highly productive land is to be protected for use in land based primary production, both now and for future generations, and is to be recognised as a resource with finite characteristics and long term values for land based primary production.*

### *1.3 Interpretation*

*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).*

The proposal does not result in any adverse effects on versatile soils.

## **NATIONAL POLICY STATEMENT For Freshwater Management 2020**

### **Part 1**

#### **1.3 Fundamental concept – Te Mana o te Wai**

*(1) Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.*

### **Objectives and Policies**

#### **2.1**

*The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that priorities:*

- (a) first, the health and wellbeing of water bodies and freshwater ecosystems*
- (b) second, the health needs of people (such as drinking water)*
- (c) third, the ability of people and communities to provide for their social, economic and cultural wellbeing, now and in the future.*

#### **2.2**

##### **Policy 3**

*Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.*

##### **Policy 4**

*Freshwater is managed as part of New Zealand's integrated response to climate change.*

##### **Policy 6**

*There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration promoted.*

##### **Policy 9**

*The habitats of indigenous freshwater species are protected.*

#### **3.5 Integrated management**

**(1)** Adopting an integrated approach ki uta ki tai, as required by Te Mana o te Wai, requires that local authorities must:

- (a) recognise the interconnectedness of the whole environment, from the mountains and lakes, down the rivers to lagoons, estuaries and to the sea.*
- (b) recognise interactions between freshwater, land, water bodies, ecosystems, and receiving environments.*
- (c) manage freshwater, and land use and development, in catchments in an integrated and sustainable way to avoid, remedy, or mitigate adverse effects, including*

*cumulative effect on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.*

*(d) Encourage the co-ordination and sequencing of regional or urban growth.*

The national policy statement presents strong incentives for development to 'avoid' actual or potential effects that would compromise wetlands, or the natural components linked to waterways.

As described above, the proposal does not result in any adverse environmental effects, as it relates to an already established (as-built) development.

## **PROPOSED DISTRICT PLAN**

*The property is located in the Light Industrial zone under the Proposed District Plan.*

*The district's Light Industrial zone complements the Heavy Industrial zone and facilitates a range of activities which contribute to the district's economic well being. The Light Industrial zone provides for a range of industrial activities that are unlikely to produce offensive or objectionable environmental effects but may generate some adverse effects, including those associated with odour, dust or noise.*

### **Objectives**

#### **LIZ-01**

*The Light Industrial zone is utilised for the efficient operation of light industrial activities and is managed to ensure its long-term protection, including from:*

- a. land fragmentation;*
- b. land sterilisation; and*
- c. reverse sensitivity effects.*

#### **LIZ-03**

*Enable land use and subdivision in the Light Industrial zone where there is adequacy and capacity of available or programmed development infrastructure to support it.*

The site is already developed and serviced, and the proposal does not place any significant additional demand on infrastructure beyond what has previously been authorised and established.

In this regard, the scale and nature of the activity is consistent with the capacity of the surrounding network, including transportation, access, and servicing infrastructure. No additional infrastructure upgrades over and above that already offered, are required to accommodate the variation, and any potential effects are able to be appropriately managed through conditions.

Accordingly, the proposal is considered to be consistent with the intent of enabling development in locations where infrastructure capacity is available and adequate to support the activity.

#### **LIZ-P6**

*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. consistency with the scale, density, design and character of the light industrial environment and purpose of the zone;*

The proposal is consistent with the scale, density, design, and character of the Light Industrial Zone.

- b. the location, scale and design of buildings or structures, outdoor storage areas, parking and internal roading;*

These internal site components were designed and approved under RC 2200337 and have since been constructed and are operating as intended, with no identified issues.

- c. for non-industrial activities:*

- i. scale and compatibility with industrial activities;*  
*ii. potential reverse sensitivity effects on industrial activities.*

As an existing use there is no concern, and effects have been appropriately managed.

- d. at zone interfaces:*

- i. any setbacks, fencing, screening or landscaping required to address potential conflicts;*  
*ii. any adverse effects on the character and amenity of adjacent zones.*

No concerns.

- e. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; including:*

- i. opportunities for low impact design principles;*  
*ii. management of three waters infrastructure and trade waste such as industrial by-products.*

No concerns.

- f. managing natural hazards;*

No concerns.

- g. the adequacy of roading infrastructure to service the proposed activity;*

No concerns.

- h. any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and*

No concerns.

- i. *any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

No concerns.

The site is within the Light Industrial Zone of the Proposed District Plan (PDP). While the PDP provides useful guidance, it does not override existing resource consents or lawfully established activities.

The site is already fully developed, it does not increase infrastructure demand or materially change existing effects.

The proposal is consistent with the relevant objectives and policies of the Light Industrial Zone. All site layout and infrastructure have been previously approved and are already constructed, with no identified issues relating to infrastructure, hazards, heritage, cultural values, or the environment.

Any future construction works undertaken to give effect to the entrance upgrade will be subject to standard statutory requirements at the time of implementation, including compliance with the protocols of Heritage New Zealand in the event that archaeological material is encountered or works occur in an area of potential archaeological sensitivity.

#### UPDATED DRAFT CONDITIONS

**Pursuant to Section 108, 108AA of the Act, this consent is issued subject to the following conditions:**

The activity shall be carried out in accordance with the approved plans attached to this consent with the Council's "Approved Stamp" affixed to them, as follows:

- a. ~~'Topographic Survey of Land Use Activities on Lot 2 DP 102334'~~, prepared by Donaldsons Registered Land Surveyors, referenced ~~7321 8694~~, dated ~~17/10/2018~~ **April 2026**.
- b. 'Site Features Plan' prepared by Haigh Workman, referenced 17 111, dated 25/09/2019.

**This consent must also be carried out in general accordance with the following supporting document:**

- a. **Traffic Assessment Report (DIGI TRAFF CONSULTING), dated 22 June 2026)**

**17. As an alternative to undertaking the entrance upgrade works required by Condition 3, the Consent Holder may install flexible guideposts, or similar physical delineation devices, along the eastern edge of the State Highway carriageway. These devices shall extend from the northern end of the existing formal shared access throat to the commencement of the constructed footpath at the Bunnings entrance.**

**A design plan detailing the proposed delineation measures shall be submitted to NZTA for approval prior to installation.**

**This condition shall remain valid for a period of three (3) years from the date of resource consent approval. The Consent Holder may apply to Council for an extension of this period, which shall be subject to assessment and approval through the resource consent process.**

## CONCLUSION

Overall, this application seeks to regularise an existing, already constructed development, together with the introduction of a new condition to defer construction of the entrance upgrade.

The development has been lawfully established under previous consents and continues to operate in a manner consistent with its existing use rights and surrounding land use context.

The transport environment has materially improved since the original consent was granted, following significant upgrades to the State Highway undertaken by NZ Transport Agency Waka Kotahi, including the installation of a roundabout and associated road widening. These improvements have enhanced traffic management, reduced vehicle speeds, and improved the overall safety and efficiency of the surrounding road network.

The consent holder proposes an interim mitigation measure through the installation of flexible guideposts to discourage unauthorised vehicle movements across the metalled area adjoining the site entrance and to better define vehicle paths. This will further improve driver awareness and access safety while the entrance remains in its current form.

Taken together, the improved State Highway environment and the proposed mitigation measures **support the requested variation**, enabling the entrance upgrade works to be **deferred for a period of three years** without resulting in adverse traffic safety effects.

Having regard to the actual and potential effects, relevant District Plan objectives and policies, and the established nature of the development, the proposal is considered acceptable. It is not contrary to the objectives and policies of the District Plan, and the adverse effects are less than minor. Accordingly, the variation is appropriate for approval.

Micah Donaldson  
*ASSOC.NZPI*

# DONALDSONS

Land / Engineering Surveyors and Development Planners





**FAR NORTH DISTRICT COUNCIL**

**FAR NORTH OPERATIVE DISTRICT PLAN  
DECISION ON RESOURCE CONSENT APPLICATION (LANDUSE)**

**Resource Consent Number: 2200337-RMALUC**

**Pursuant to section 104B of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:**

**Arthur Cottle**

**The activity to which this decision relates: Proposal to construct a further six one-bedroom rental units on the property in the Rural Production Zone. Consent is required for a Non- Complying Activity pursuant to Rules 8.6.5.4.1 Residential Intensity, 8.6.5.1.3 Stormwater Management, 8.6.5.1.11 Scale of Activities, 15.1.6A.2.1 Traffic Intensity and 15.1.6C.1.1 Private Accessway in All Zones. Consent is also required for a Controlled Activity under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.**

**Subject Site Details**

Address: 2000 State Highway 10, Kerikeri 0470  
Legal Description: Commercial Purposes  
Certificate of Title reference: NA-56C/28

**Pursuant to Section 108, 108AA of the Act, this consent is issued subject to the following conditions:**

1. The activity shall be carried out in accordance with the approved plans attached to this consent with the Council's "Approved Stamp" affixed to them, as follows:
  - a. 'Topographic Survey of Lot 2 DP 102334', prepared by Donaldsons Registered Land Surveyors, referenced 7321, dated 17/10/2018.
  - b. 'Site Features Plan' prepared by Haigh Workman, referenced 17 111, dated 25/09/2019.
2. Prior to the commencing any physical site works, a construction management plan shall be submitted to and approved by the Council. The plan shall contain information on, and site management procedures, for the following:
  - a. The timing of building demolition and construction works, including hours of work, key project and site management personnel.
  - b. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance / exits and the loading and unloading of materials.
  - c. The excavation works, including retaining structures and any necessary dewatering facilities.

- d. Control of dust and noise on-site and any necessary avoidance or remedial measures.
  - e. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
  - f. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users or Road
  - g. Erosion and sediment control measures to be in place for the duration of the works.
3. The consent holder shall upgrade the existing crossing place CP148A in accordance with NZTA Diagram E and approval letter dated 21 February 2019 (LUD 118267) Upon completion of the upgrade work, the consent holder shall provide confirmation to Council that NZTA is satisfied with the work and an updated s91 notice has been issued for CP148A.
4. The consent holder shall provide formed and metalled shared access to 3m finished metalled carriageway width to service the proposed units. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff.
5. In conjunction with the construction of any building requiring a wastewater disposal system the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system in general accordance with the report prepared by High Workman Ltd and submitted with Resource Consent 2200337. The wastewater disposal and reserve disposal areas are not to be located within the 1:100-year flood plain as shown on the FNDC and NRC flood hazard maps within the application.

Where a wastewater treatment and effluent disposal system is proposed that differs from that detailed in the above-mentioned report, a new TP 58 / Site and Soil Evaluation Report will be required to be submitted, and Council's approval of the new system must be obtained, prior to its installation.

6. Prior to the construction of any building the consent holder shall install a stormwater detention pond with a flow attenuated outflow to limit 10% AEP run-off from the site to the pre-development levels as detailed in the report prepared by High Workman and submitted with Resource Consent 2200337. All storm water originating from new roofs, paved surfaces and tank overflow is to be piped to, and discharged into, the detention pond located on the lot.

Detailed drawings of the proposed detention pond and outfall structure to the Whiriwhiritoa Stream are to be submitted for Council approval prior to works commencing. The outfall structure is to be designed such that no blockage or scouring of the stream occurs during discharge periods.

7. Prior to occupation of the dwellings the consent holder shall provide a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509:2008. A building consent is required for this work.
8. The owner shall preserve the vegetation screening on Lot 2 DP 102334 and shall not without the prior written consent of the Council and then only in strict compliance

with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

9. If evidence of contamination which has not been previously identified is discovered during earthworks, the consent holder shall immediately cease works in the area. Details of any unexpected contamination and contingency measures shall be provided to the Team Leader, RMA Compliance, Far North District Council.
10. Erosion and sediment control measures shall be carried out in accordance with the "Guideline Document 2016/005, Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, Incorporating Amendment 1", dated June 2016 and prepared by Auckland Council.
11. Excavation works shall not commence at the site until all the environmental controls have been put in place.
12. Exposed excavated areas shall be kept to a minimum at all times to minimise the risk of erosion due to stormwater runoff.
13. The consent holder shall control any dust in accordance with the "Good Practice Guide for Assessing and Managing Dust" dated November 2016 and prepared by the Ministry for the Environment.
14. All excavated soil removed from the property is to be transported in a covered truck with sealed tailgate and be disposed of at facility licensed to accept the relevant level of contamination.
15. All soil stockpiles shall be located within an area of sediment and erosion controls and shall be covered by an impermeable layer if left overnight and when rain is anticipated during the working day.
16. Any materials imported to the site shall meet the "Cleanfill Definition" as outlined in the document titled "A Guide to the Management of Cleanfills" dated January 2002 and prepared by the Ministry for the Environment.

### **Advice Notes**

1. 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.
2. The conditions of this consent will be monitored by Council's Resource Consents Monitoring Officers. Any documentation relating to compliance with the above conditions of consent should be sent to [rcmonitoring@fndc.govt.nz](mailto:rcmonitoring@fndc.govt.nz)

3. The consent holder is to obtain an Agreement as to Works from the NZ Transport Agency in order to undertake construction works on the State Highway in terms of section 51 of the Government Roading Powers Act 1989. An application to that effect can be made to the NZ Transport Agency's Network Manager.
4. Construction drawings showing full details of the access upgrading works, any associated works, methodology and TMP are forwarded to the NZ Transport Agency's Network Manager for approval at least 15 working days before the commencement of works. The construction drawings will need to show full details of NZ Transport Agency requirements as set out above.
5. A Traffic Management Plan (TMP) in accordance with the latest version of the 'Code of Practice for Temporary Traffic Management' is submitted to the NZ Transport Agency's Traffic Management Coordinator for approval at least 5 working days prior to the commencement of work. The TMP (along with a copy of this letter) shall detail the proposed dates/ times of construction and the name of the contractor who will be carrying out the construction of the crossing and associated works. The TMP is required to ensure that the construction or construction traffic would not affect the normal operation of the State Highway.
6. The consent holder is to advise the NZ Transport Agency's Network Manager, the name(s) of the firm/ persons who will be doing the works on the crossing place and associated works, and the time when it will be done, at least 10 working days prior to commencing works.

### Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected customary rights group or customary marine title group.

### 2. District Plan Rules Breached:

| Rule # & Name                              | Non-Compliance Aspect  | Activity Status          |
|--|--|--------------------------|
| 8.6.5.4.1 Residential Intensity            | The application proposes 6 residential units, bringing the total number of residential units to 13 on a 3ha site.  | Non- Complying           |
| 8.6.5.1.3 Stormwater Management            | The proposal exceeds the controlled standard of 20%.   | Discretionary            |
| 8.6.5.1.11 Scale of Activities             | The proposal exceeds 4 persons per site, providing accommodation for 28.   | Discretionary            |
| 15.1.6A.2.1 Traffic Intensity              | Generates a total of 42 movements – exceeding permitted threshold of 30.   | Restricted Discretionary |
| 15.1.6C.1.1 Private Accessway in All Zones | The application results in a total of 11.4 household equivalents for the site however the application proposes an access which does not meet the public road requirements. | Discretionary            |

3. **Principal Issue[s] in Contention and Main Findings on those Issues:**  
Under s104(1)(a) the positive and potential effects of the proposal are:

Adverse Effects:

It is considered the relevant and potential effects have been addressed within the assessment of effects above, and it has been concluded that the adverse effects will be less than minor.

- a) Overall, while it is acknowledged the application provides a level of development which significantly exceeds that provided for in the Rural Production Environment, taking into consideration the existing character of the site and wider area, on balance, it is considered that the character and amenity effects on the wider environment are no more than minor;
- b) As the site is screened in all directions by vegetation, the dwellings have a height of approximately 5 metres and minor earthworks and no vegetation removal is proposed, it is considered that the landscape and visual effects of the proposal are less than minor;
- c) The proposal will not result in any adverse social, economic or cultural effects;
- d) The proposal enables the sustainable use of natural and physical resources, as the proposed development is not located within an area that has protected flora or fauna;
- e) Any adverse effects arising from the development and servicing of the site will be avoided, remedied or mitigated by adherence to the proposed conditions of consent, consent notices and ensuring compliance with Council Engineering Standards and Guidelines.

Positive effects of the proposal:

- a. The application seeks to provide affordable housing in Kerikeri to allow people to provide for their social and economic wellbeing.

Objectives and policies of the District Plan:

The following objectives and policies of the District Plan have been considered:

- 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.*
- 8.3.9** *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.*
- 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.*
- 8.4.5** *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).*

*8.4.7 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.*

Comments:

Overall relevant objectives and policies seek to protect the values of rural zone particularly those associated with the life supporting capacity of soils, natural features and landscapes and amenity. They seek to prevent reverse sensitivity by ensuring land use activities are compatible with the rural environment.

As the application seeks to provide further residential development in the Rural Production Zone the activity itself does not achieve direct alignment with the objectives and policies and the outcomes they seek to achieve.

However, Policy 8.4.5 in particular addresses incompatible uses, referring to new developments which adversely affect existing land-uses. In this instance previous consent has been granted for seven residential units and a three storage sheds on the site. The application seeks to further develop a highly modified site which does not display high values in regard to soils, natural features and landscapes. In regard to reverse sensitivity, as stated above, the surrounding area is not rural in nature, rather the area encompasses a variety of land uses being rural residential, commercial and industrial. As such it is considered the reverse sensitivity effects resulting from the proposal are less than minor.

Policy 8.4.8 requires Council to have particular regard to development activities, ensuring that the intensity, scale and type is controlled to ensure that adverse effects on habitats, outstanding natural features, landscapes and the amenity value of the rural environment are avoided, remedied or mitigated. Consideration is also required to be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities. In this instance the site is not recognised as having significant habitats, natural features and landscapes. As the activity is an extension of an existing activity it is considered to have a functional need to be located on the site. In addition, due to the mixed zoning surrounding the site and limited rural production land in the receiving environment it is considered that the proposal will not result in cumulative effects.

Overall, on balance, the proposal is not considered contrary to the relevant objectives and policies of the District Plan.

4. In accordance with an assessment under s104(1)(b) of the Act the proposal is consistent with the relevant statutory documents.
  - a. The Northland Regional Policy Statement 2018
  - b. Regional plans ( including proposed )
  - c. New Zealand Coastal Policy Statement 2010

**The Northland Regional Policy Statement 2018**

**Policy 5.1.1** of the Northland Regional Policy Statement states:

*Subdivision, use and development should be located, designed and built in a planned and co-ordinated manner which:*

- a. Is guided by the 'Regional Form and Development Guidelines' in Appendix 2;*
- b. Is guided by the 'Regional Urban Design Guidelines' in Appendix 2 when it is urban in nature;*
- c. Recognises and addresses potential cumulative effects of subdivision, use, and development, and is based on sufficient information to allow assessment of the potential long-term effects;*
- d. Is integrated with the development, funding, implementation, and operation of transport, energy, water, waste, and other infrastructure;*
- e. Should not result in incompatible land uses in close proximity and avoids the potential for reverse sensitivity;*
- f. Ensures that plan changes and subdivision to / in a primary production zone, do not materially reduce the potential for soil-based primary production on land with highly versatile soils<sup>10</sup>, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities; and*
- g. Maintains or enhances the sense of place and character of the surrounding environment except where changes are anticipated by approved regional or district council growth strategies and / or district or regional plan provisions.*
- h. Is or will be serviced by necessary infrastructure.*

#### Form and Development

Appendix 2 of the Northland Regional Plan provides regional development and design guidelines. While these are generally at a high level policy direction the following guidelines are relevant to the application.

*New subdivision, use and development should:*

- c) If of an urban or residential nature connect well with existing development and make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield (undeveloped) areas;*
- d) If of an urban or residential nature provide, where possible, opportunities to access a range of transport modes;*
- g) If of a residential nature be, wherever possible, located close to or sited in a manner that is accessible to a broad range of social infrastructure;*

The application seeks to develop a site which has existing residential development and as such is not a greenfield site. It is in close proximity to the Waipapa commercial area and as such is connected to a range of social infrastructure. Being in close proximity to the State Highway and commercial/ industrial area of Waipapa there will be opportunities for occupants to walk, cycle and drive to work. As there are 12 units on the site there may also be opportunities for shared travel e.g. carpooling. As such the application is consistent with the Appendix 2 of the RPS.

#### Soils

In regards to the reduction in the potential for soil-based primary production on land with highly versatile soils as discussed above the site is not in use for rural production or horticultural purposes. As the site is largely occupied by residential and commercial use, and the application seeks a continuation of this onto the current vacant area of the site, it is considered that there would be less than minor effects on versatile soils.

#### Reverse Sensitivity

As the application proposes the further residential development of the site in close proximity to commercial and industrial landuses it is necessary to consider reverse

sensitivity effects. In this instance the application site contains a number of existing residential units. As such the proposal is not introducing a new activity to the environment. In addition, it is noted that the surrounding area is not rural in nature, rather the area encompasses a variety of land uses being rural residential, commercial and industrial. As such it is considered the reverse sensitivity effects resulting from the proposal are less than minor.

#### Cumulative Effects

The determination of cumulative effects requires the consideration of any adverse effects of the proposal when added to any adverse effect of an existing activity or activities that forms part of the existing environment. As such, the assessment of cumulative effects should be undertaken with reference to the environment that presently exists.

In this instance, whilst the subject site is located in the Rural Production Zone, it is acknowledged that the wider area is made up of a mixture of zoning which has been subject to a number of developments that have created a significantly denser level of development than what is anticipated in the Rural Production Zone, including in the vicinity of the subject site.

While the proposal results in what is essentially a residential development, it has been assessed above that this will have less than minor effects on the character of the wider environment. The proposal is in keeping with the development scale and density of the receiving environment.

A key matter to consider with regard to cumulative effects, is whether the proposal, in conjunction with the effects of higher density development in the existing environment, will represent a "tipping point" where the amenity and character of the area fundamentally change. In this instance, taking into consideration the nature of the proposal being six one-bedroom units, it is not considered that the development will represent a "tipping point" as the development is not large in scale and is not contrary to the existing development pattern of the area.

Overall, it is considered that the adverse cumulative effects arising from the proposal will be less than minor in this instance.

#### Overall

Overall, the application is consistent with the NRPS and the outcomes it seeks to achieve.

Consent is required under the NES for Assessing and Managing Contaminants in Soil to Protect Human Health, which is discussed in previous sections of the report.

No non – statutory documents were considered relevant in making this decision.

#### 5. **Section 104D Assessment**

Pursuant to section 104D of the Resource Management Act 1991 if a proposal is Non-Complying then it must satisfy one or both of the subsections of 104D(1) before a decision can be granted under section 104B of this Act. If the application does not pass either test of the section 104D(1) then the application must be declined.

It is considered that the proposal is not contrary to the Objectives and Polies of the District Plan; and it has been concluded that the adverse effects will be less than minor, as demonstrated above.

#### 6. Other matters considered relevant in making this decision

#### Precedent

Case Law has established that the precedent of granting resource consent is a relevant factor for a consent authority in considering whether to grant Non-Complying application. A precedent effect is likely to arise in situation where consent is granted to a Non-Complying activity that lacks the evident unique, unusual or distinguished qualities that serve to take the application out the of the generality of cases or similar sites in the vicinity. In other words, if an activity is sufficiently unusual and sufficiently outside the run of foreseeable other proposals it avoids any precedent effect can be approved.

The application proposes the construction of 6 one-bedroom residential units on the site. In this instance, while the application is located in the Rural Production Zone the application site displays characteristics of a residential nature. Consent was previously granted for one main dwelling and six one-bedroom residential units. As such the site is highly modified with very limited rural production values. The application proposes limited earthworks and no vegetation removal. In addition, the site is surrounded by a variety of land uses being rural residential, commercial and industrial. The site is accessed via State Highway and as such experiences a high number of vehicle movements.

Overall it is considered the proposal is unique and nature and does not result in precedence effects.

7. Part 2 Matters

The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.

8. In summary it is considered that the activity is consistent with the sustainable management purpose of the Act.

**Approval**

This resource consent has been prepared by Consultant Engineer, Consultant Planner and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



**Pat Killalea, Principal Planner**

**Date: 19<sup>th</sup> March 2020**

**Right of Objection**

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) 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.

**Lapsing Of Consent**

Pursuant to section 125 of the Resource Management Act 1991, this resource consent 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.

# Quickmap Title Details



Information last updated as at 24 May 2026

## RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

**Identifier** NA56C/28

**Land Registration District** North Auckland

**Date Issued** 16 January 1985

### Prior References

NA28C/985

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**Type** Fee Simple  
**Area** 3.0750 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 102334

### Registered Owners

Arthur William Cottle

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573901.1 Gazette Notice (N.Z. Gazette 23.11.1978 page 3210) declaring the adjoining State Highway to be a limited access road - 31.1.1979 at 10.51 am

Subject to a water drainage right over parts marked A and B on DP 102334 specified in Easement Certificate B695154.1 - 9.7.1987 at 9.00 am

6027671.5 Mortgage to ANZ Banking Group (New Zealand) Limited - 2.6.2004 at 9:00 am

*The information provided on this report forms a guideline only. As a result, Custom Software Limited cannot and does not provide any warranties or assurances of any kind in relation to the accuracy of the information provided through this report, the Site and Service. Custom Software Limited will not be liable for any claims in relation to the content of this report, the site and this service.*

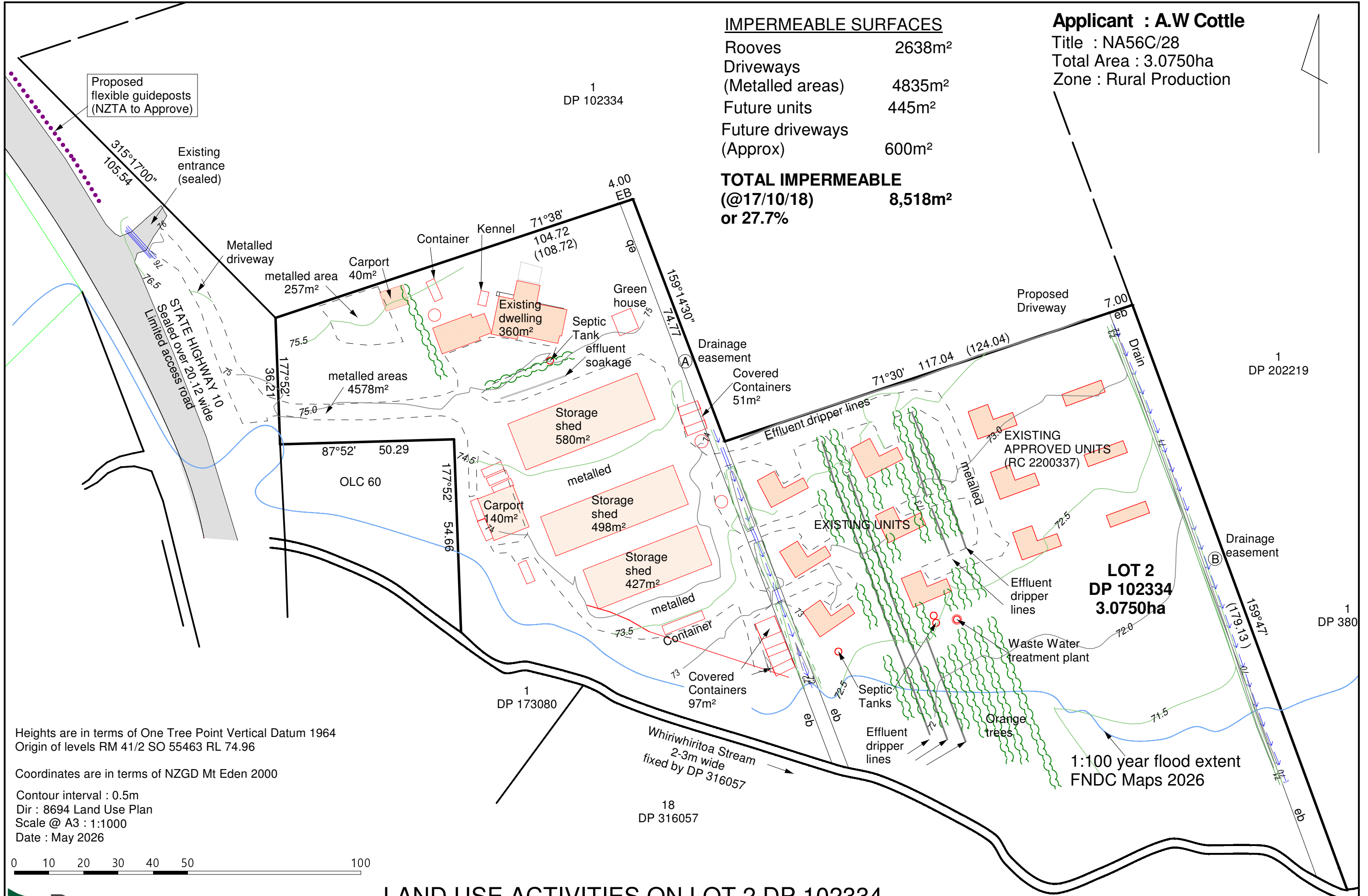
**Applicant : A.W Cottle**

Title : NA56C/28  
Total Area : 3.0750ha  
Zone : Rural Production

**IMPERMEABLE SURFACES**

|                               |                    |
|-------------------------------|--------------------|
| Rooves                        | 2638m <sup>2</sup> |
| Driveways<br>(Metalled areas) | 4835m <sup>2</sup> |
| Future units                  | 445m <sup>2</sup>  |
| Future driveways<br>(Approx)  | 600m <sup>2</sup>  |

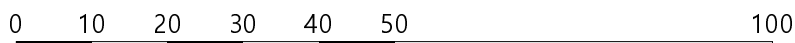
**TOTAL IMPERMEABLE  
(@17/10/18) 8,518m<sup>2</sup>  
or 27.7%**



Heights are in terms of One Tree Point Vertical Datum 1964  
Origin of levels RM 41/2 SO 55463 RL 74.96

Coordinates are in terms of NZGD Mt Eden 2000

Contour interval : 0.5m  
Dir : 8694 Land Use Plan  
Scale @ A3 : 1:1000  
Date : May 2026



**LAND USE ACTIVITIES ON LOT 2 DP 102334**

Residential Intensity 8.6.5.4.1, Stormwater Management 8.6.5.1.3, Scale of Activities 8.6.5.1.11  
Traffic Intensity 15.1.6A.2.1, Private Accessway 15.1.6C.1.1, AND NES 2011



**8694**

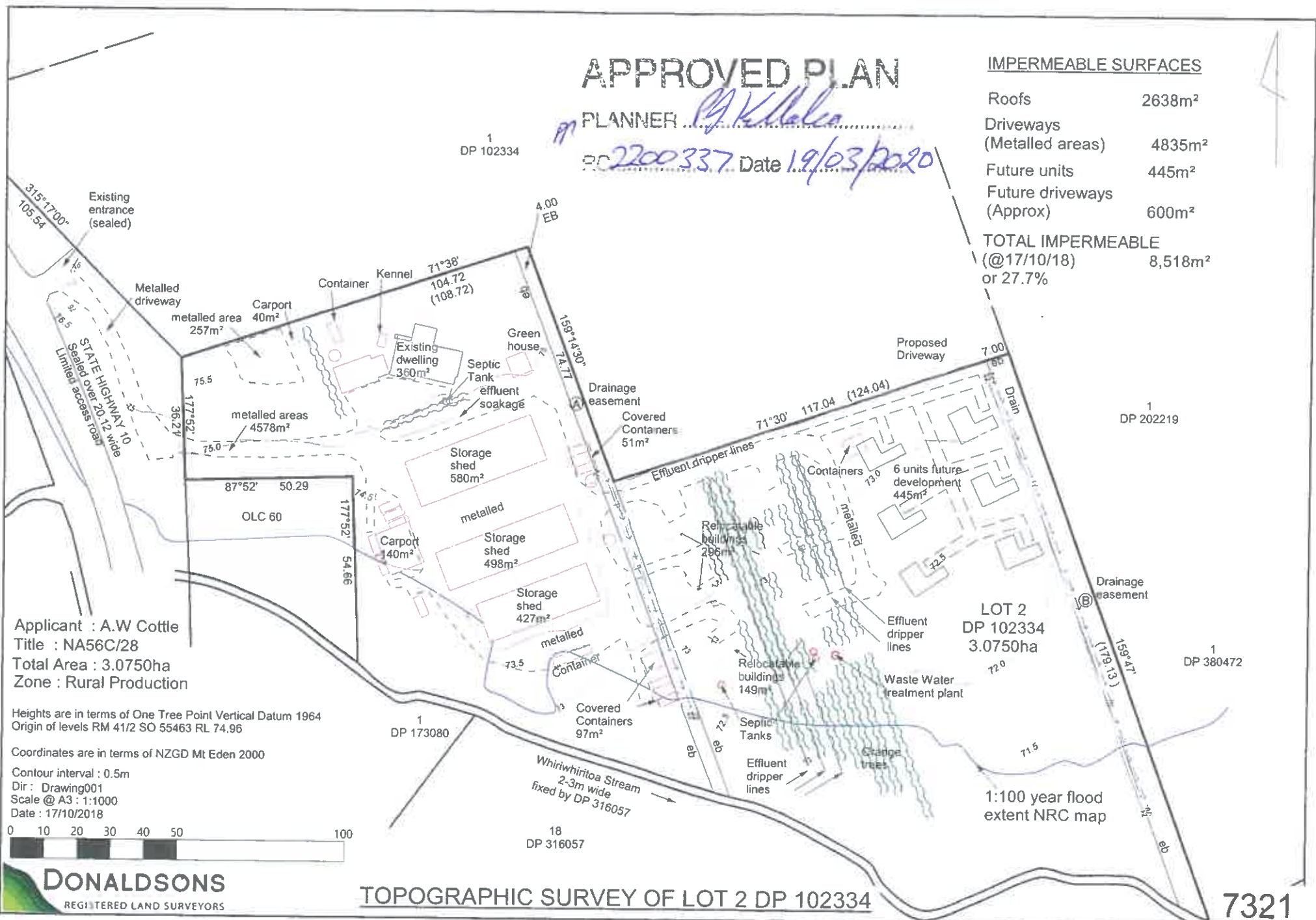
# APPROVED PLAN

PLANNER *G. K. K. K.*

PC 2200337 Date 19/03/2020

## IMPERMEABLE SURFACES

|  |                           |
|--|---------------------------|
| Roofs                                    | 2638m <sup>2</sup>        |
| Driveways<br>(Metalled areas)            | 4835m <sup>2</sup>        |
| Future units                             | 445m <sup>2</sup>         |
| Future driveways<br>(Approx)             | 600m <sup>2</sup>         |
| <b>TOTAL IMPERMEABLE<br/>(@17/10/18)</b> | <b>8,518m<sup>2</sup></b> |
|  | or 27.7%                  |



Applicant : A.W Cottle  
 Title : NA56C/28  
 Total Area : 3.0750ha  
 Zone : Rural Production

Heights are in terms of One Tree Point Vertical Datum 1964  
 Origin of levels RM 41/2 SO 55463 RL 74.96

Coordinates are in terms of NZGD Mt Eden 2000

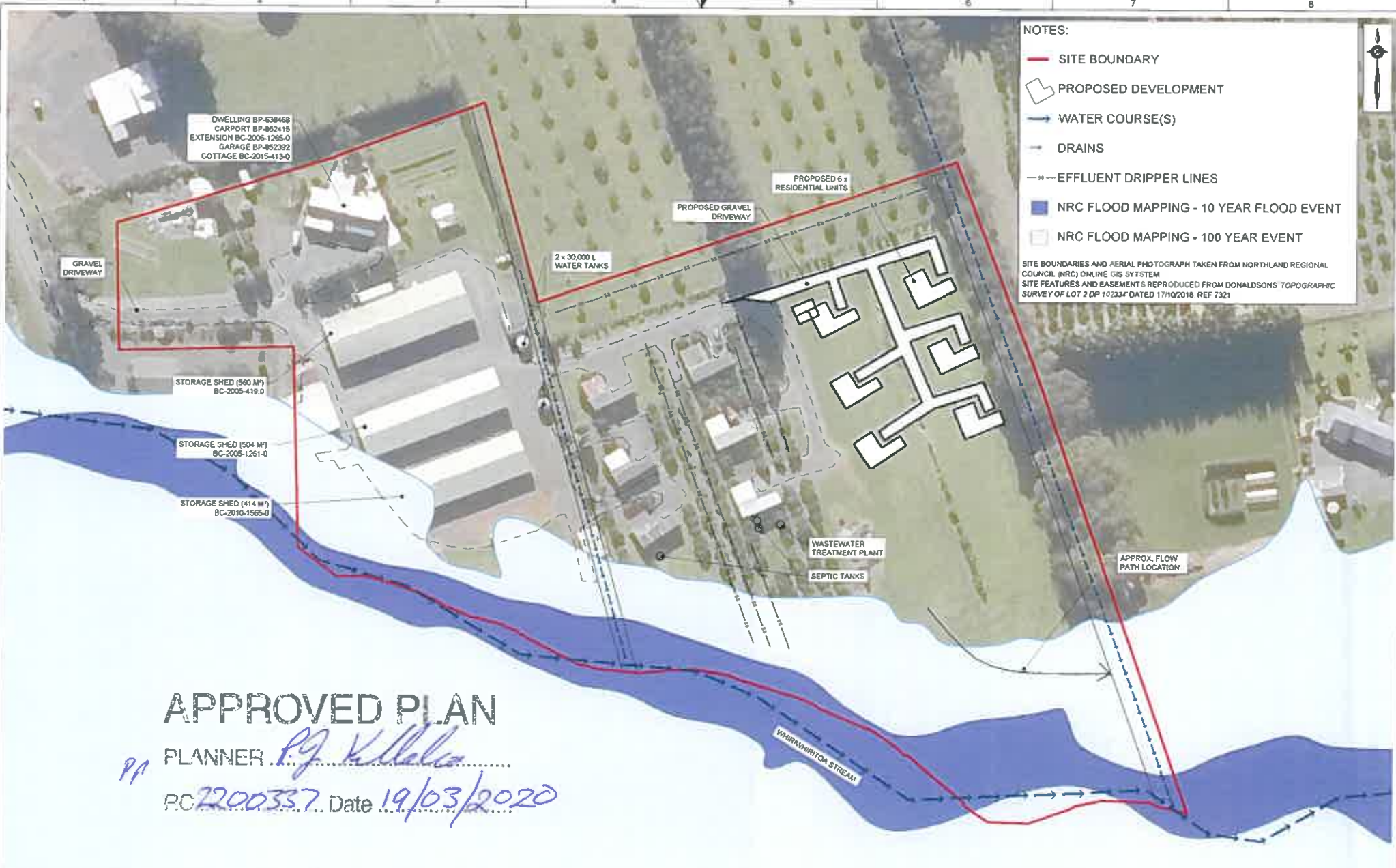
Contour interval : 0.5m  
 Dir : Drawing001  
 Scale @ A3 : 1:1000  
 Date : 17/10/2018



**DONALDSONS**  
 REGISTERED LAND SURVEYORS

## TOPOGRAPHIC SURVEY OF LOT 2 DP 102334

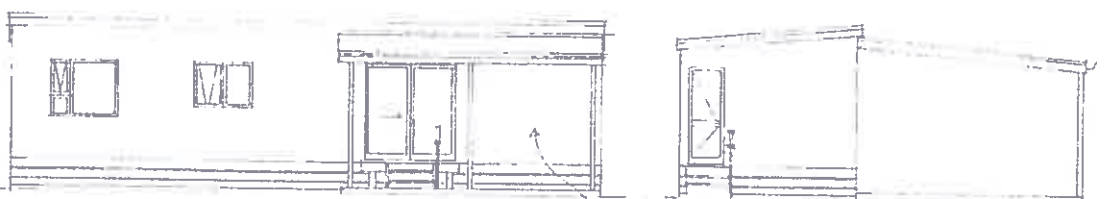
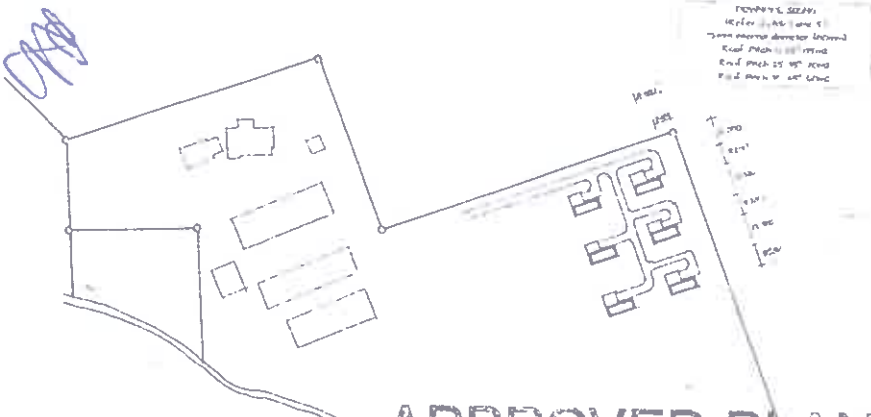
7321



# APPROVED PLAN

PP PLANNER *P.J. Kelleher*  
 RC 2200337 Date *19/03/2020*

| Issue | Date       | Revision    | DWG                | Scale      | Date       | Client        | Project                       | DWG No.   |
|-------|------------|-------------|--------------------|------------|------------|---------------|-------------------------------|-----------|
| A     | 03/09/2019 | FIRST ISSUE | Site Features Plan | 1:1000 @A3 | 03/09/2019 | Arthur Cottle | 2000 State Highway 10 Waipapa | 17 111/02 |
|       |            |             |                    |            |            |               |                               | Sheet No. |
|       |            |             |                    |            |            |               |                               | 02 of 04  |



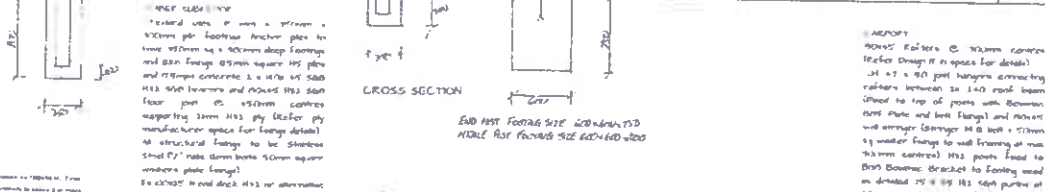
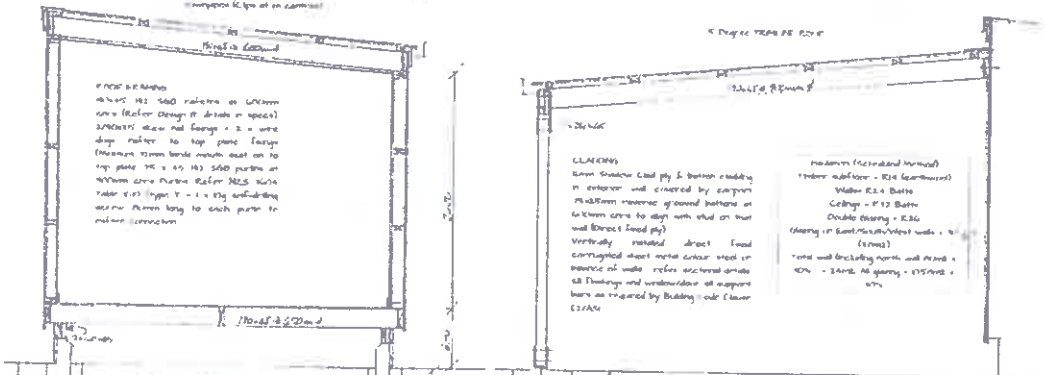
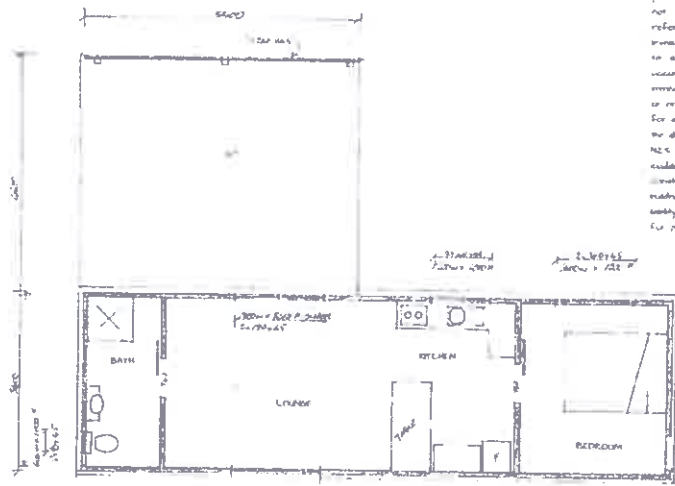
# APPROVED PLAN

PLANNER: *P. J. K. K.*

20200337 Date 19/03/2020

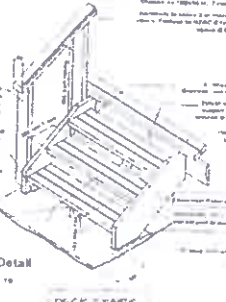
A 1/30 Scale drawing of the building  
 LOT 2 DP 48754 - 4/1/1976  
 PLURAL PRODUCTION ZONE  
 For R.C. For relevant details and  
 associated engineering for structural  
 and nature of frame design (S/S)

Notes:  
 All dimensions are in millimeters unless otherwise stated.  
 All structural steelwork to be checked prior to commencement of work. Do not start off drawings until reference of drawings confirm the work. Do not begin construction prior to commencement of any other work unless the designer or architect is immediately notified. Liability will not be accepted for any materials & work not shown in the drawings. All work shall comply with NZS 3604 and the Building Code. All construction materials chosen for the building are at the owner's request and no liability will be accepted by the designer for product availability or durability.



E1. Weather Tightness Risk Assessment  
 Wind Zone - High Wind Area 2  
 Number of Storeys - Low Storey 1  
 Floor Area - 100m<sup>2</sup>  
 Room Width - High Storey 5  
 Envelope Complexity - Low Storey 1  
 Trade - Low

S/S Steel Detail  
 SCALE 1:10



GENERAL:  
 Building wrap/insulation: Comply with NZS 4903 and NZS 4904.  
 All structural steelwork to be checked prior to commencement of work. Do not start off drawings until reference of drawings confirm the work. Do not begin construction prior to commencement of any other work unless the designer or architect is immediately notified. Liability will not be accepted for any materials & work not shown in the drawings. All work shall comply with NZS 3604 and the Building Code. All construction materials chosen for the building are at the owner's request and no liability will be accepted by the designer for product availability or durability.

SITE FLOOR CROSS SECTION  
 AUGUST 2020  
 100m<sup>2</sup> PLURAL PRODUCTION ZONE  
 SHEET 1