



Application for change or cancellation of resource consent condition (S.127)

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

If yes, who have you spoken with? _____

2. Type of Consent being applied for

☒ Change of conditions (s.127)

3. 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

4. Applicant Details:

Name/s:

Adriaan & Jenny Bosch

Email:

adriaan.bosch@imerys.com

Phone number:

Work 021401042

Home

Postal address:

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

10A Whangaroa Road

RD1

Kaeo

Postcode

0478

Office Use Only
Application Number:

5. Address for Correspondence

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

Name/s:

Tony Kay

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.

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

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

Name/s:

Adriaan & Jenny Bosch

**Property Address/
Location:**

7. Application Site Details

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

Name/s:

Adriaan & Jenny Bosch

**Site Address/
Location:**

Legal Description:

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

12. 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

13. Billing Details:

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

Name/s: (please write in full) Adriaan & Jenny Bosch

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)

Adriaan Bosch

Signature: (signature of bill payer)

7. Application Site Details (continued)

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.

N/A.

8. Detailed description of the proposal:

This application relates to the following resource consent: **2230564-RMALUC**

Specific conditions to which this application relates:

The proposed deck extension breaches the 10m setback rule. 2230564-RMALUC relates to an earlier alteration which breached the same rule on the same boundary by the same amount.

Describe the proposed changes:

The deck extension is 1.8m from the boundary.

9. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

☒ Building Consent **EBG-2026-69/0** here (if known)

☐ Regional Council Consent (ref # if known) Ref # here (if known)

☐ National Environmental Standard consent Consent here (if known)

☐ Other (please specify) Specify 'other' here

11. 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 (including consultation from iwi/hapū).

Your AEE is attached to this application ☒ Yes



NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:

Jenny + Adrian Bosch.

Address of proposed activity:

10A Whangaroa Road Kaeo

Legal description:

Lot 1 DP 17340 . 8428 HA.

Description of the proposal (including why you need resource consent):

Front deck extension 1.8m by 7m extends edge of building close to boundary

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

- | | | |
|----|---------------|---------|
| 1. | Site Location | T. Kay. |
| 2. | Floor Plan | T. Kay. |
| 3. | Deck Detail | T. Kay. |
| 4. | Section B-B | T. Kay. |
| 5. | | |
| 6. | | |

Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

PART B – To be completed by Parties giving approval

Notes to the party giving written approval:

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

Brenda Elizabeth Batters

Address of affected property including legal description

22 Leacock Road Lot 1 DP 186294
Kaeo 0478 Lot 2 DP 208341
BLK 11 KAEO SD SUB TP
4 INT INC RD

Contact Phone Number/s and email address

Daytime:

0272725386

email:

b.batters@xtra.co.nz

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

Please note: in most instances the approval of all the legal owners and the occupiers of the affected property will be necessary.

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature

B E Batters

Date

11.8.2025

Signature

Date

Signature

Date

Signature

Date

14. Important Information:

Note to applicant

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

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

Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive

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

Declaration

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

Name: (please write in full)

Tony Kay

Signature:

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

Checklist (please tick if information is provided)

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

Please refer to chapter 4 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.

Application for Resource Consent Assessment of Environmental Effects



For:

Proposed building for 10A Whangaroa Road

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THE PROPOSED ACTIVITY

The applicant proposes to undertake alterations to their dwelling on their property legally described as LOT 1 DP 173402 at 10A Whangaroa Road, Kaeroa that breaches , 8.6.5.1.2 SUNLIGHT, Rule 8.6.5.1.4 SETBACK FROM BOUNDARIES and Rule 12.4.6.1.2 Fire Risk to Residential Unit

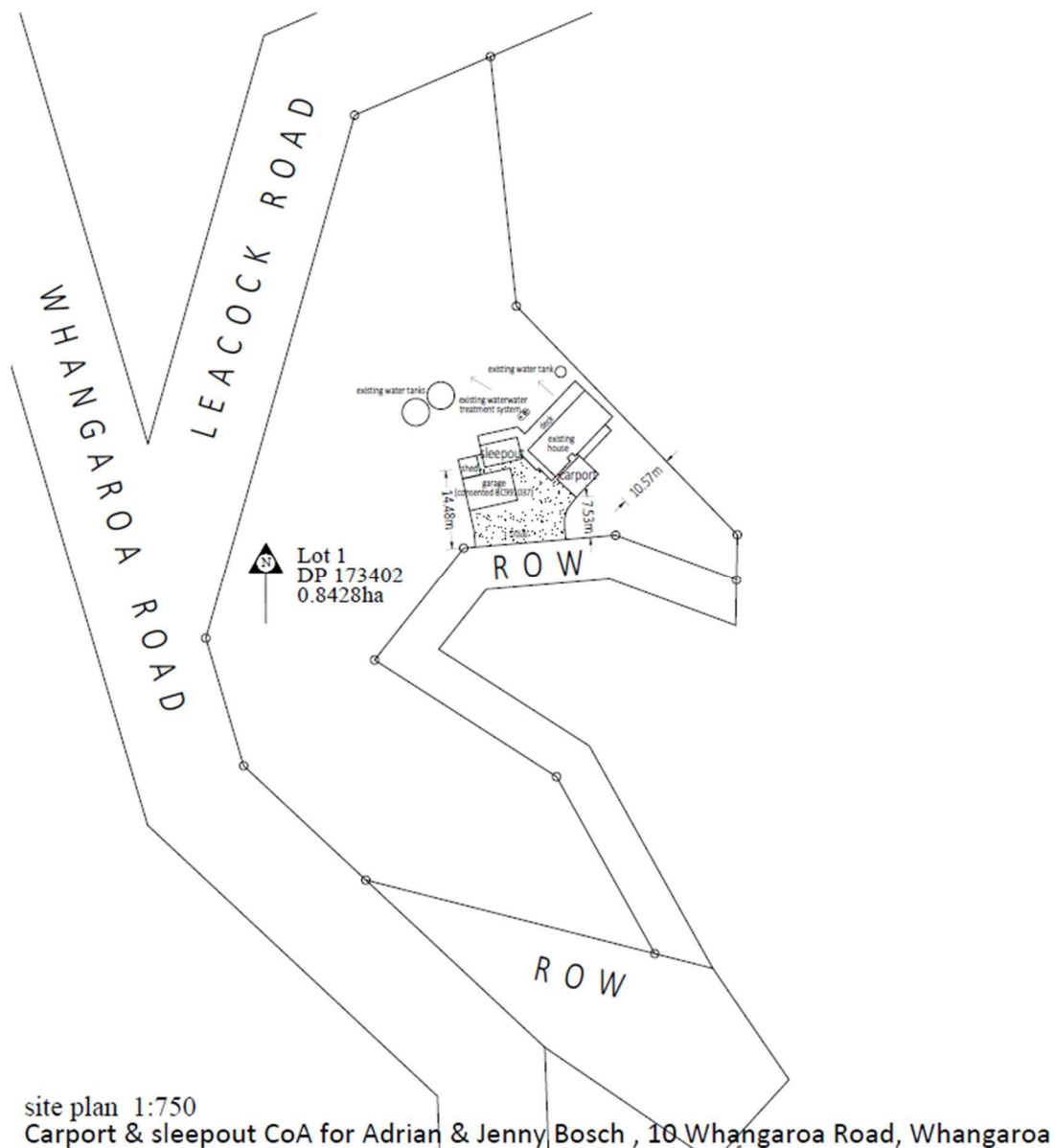


Figure 1: Snip of site Plan

This assessment and report accompanies the Resource Consent Application made by the applicant, and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991.

The application is a Discretionary activity. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. Applicant details are contained within the Application Form 9.

| | |
|--------------------------------|--|
| Applicant: | Jennifer Rosemary Bosch and Adriaan Arnoldus Bosch |
| Site Address: | 10A Whangaroa Road, Kaeo 0478 (Waikoura Road) |
| Title: | NA106B/558 |
| Legal Description: | LOT 1 DP 173402 |
| Site Area: | hectares |
| Operative Plan Zoning | Rural Production |
| | |
| Proposed District Plan Zoning: | Rural Production |
| Natural Hazard Overlay | River Flood Hazard Zone (100 Year ARI Event) |
| Associated Building Consent: | EBC-2023-1070/0 |

Site Description

The site is a small site for the Rural Production zone, at 8,428m². The property is largely covered in regenerating bush apart from the location of the house (see Figure 2 below.).



Figure 2: site of proposal (Source: Prover)

Legal Interests on the Title

The property is legally described as LOT 1 DP 173402

Surrounding Environment

The surrounding locality is a mix of rural properties which all vary in size from smaller lots to larger rural pastoral lots. The area has seen recent residential development with smaller allotments due to the growing popularity of Whangaroa.

The Proposal

A Resource Consent is required for the following rule breaches

8.6.5.1.4 SETBACK FROM BOUNDARIES No building shall be erected within 10m of any site boundary.
Reason: Closest setback stated as 1.4m.

Rule: 8.6.5.1.2 SUNLIGHT No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary.

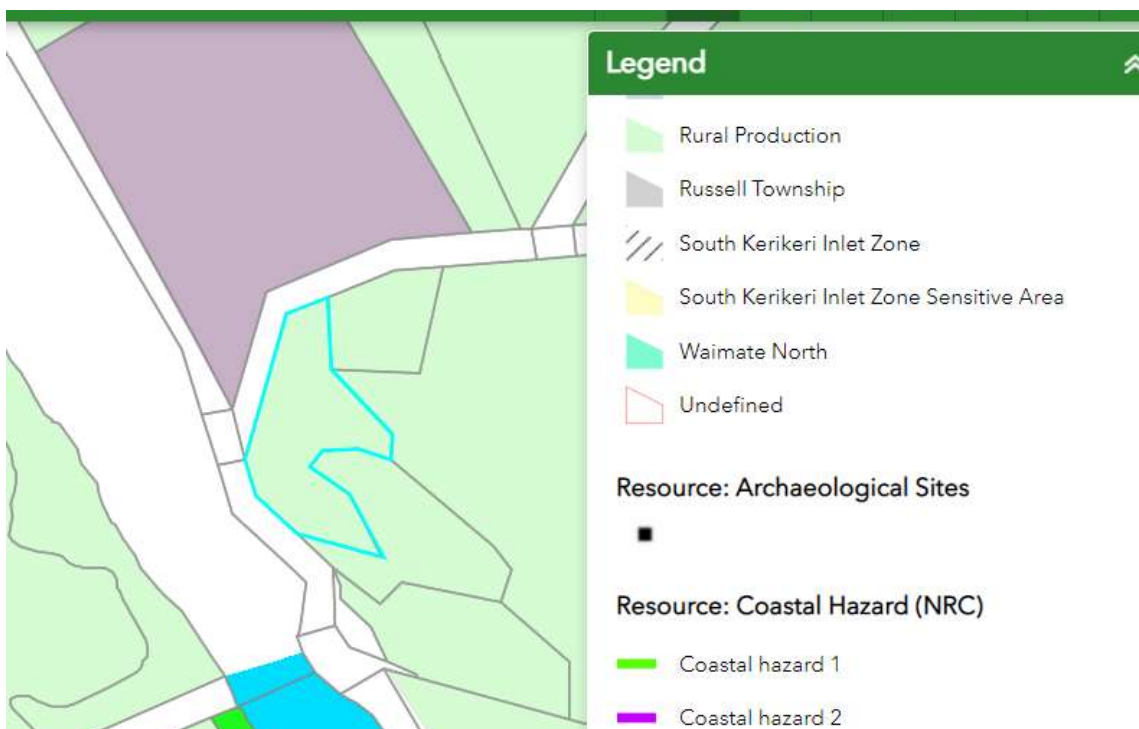
Rule 12.6.4.4 FIRE RISK TO RESIDENTIAL UNIT The sleepout is within 20m of contiguous bush

The proposed works are less than 20m away from the drip line of the trees and the plans show a minor sunlight breach, and 1.4m from the east boundary, making this a restricted discretionary activity under **Rule 8.6.5.3** of the Far north District Operative Plan and Discretionary under Rule 12.6.4.4

Reasons for the Application

The FNDC Operative District Plan zones the site Rural Production

Figure 3: FNDC Operative District Plan Map – Rural Production Zone (Source: Far North Maps)



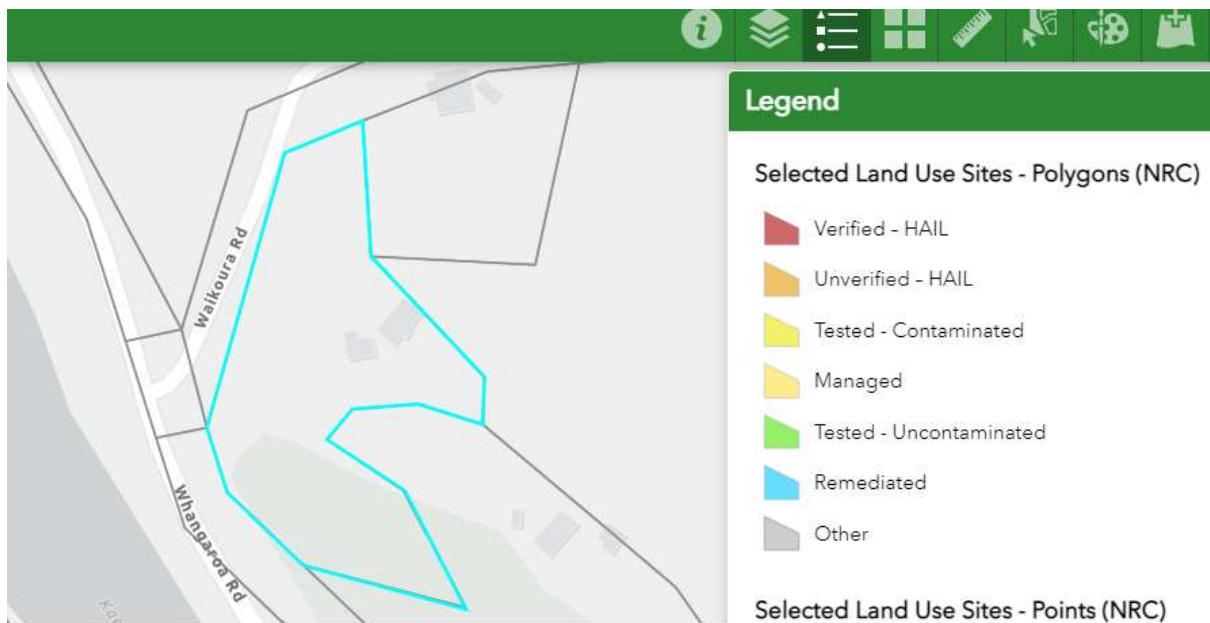


Figure 4: HAIL sites Map

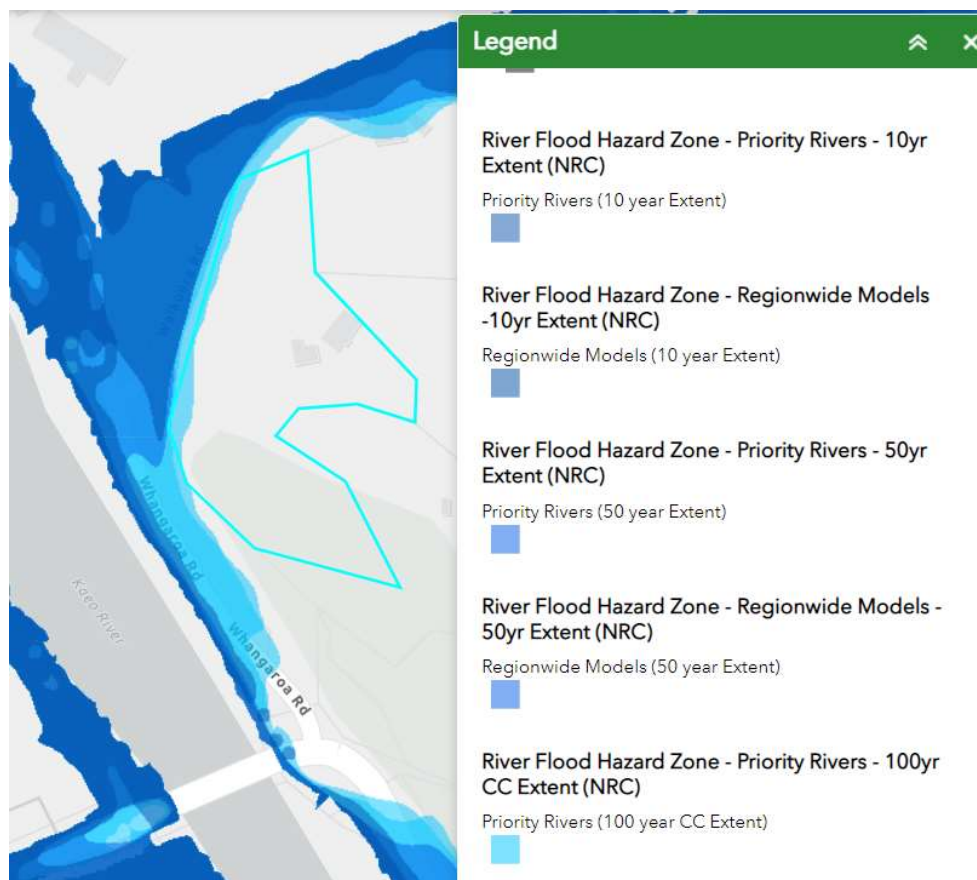


Figure 5: NRC Natural Hazard Map

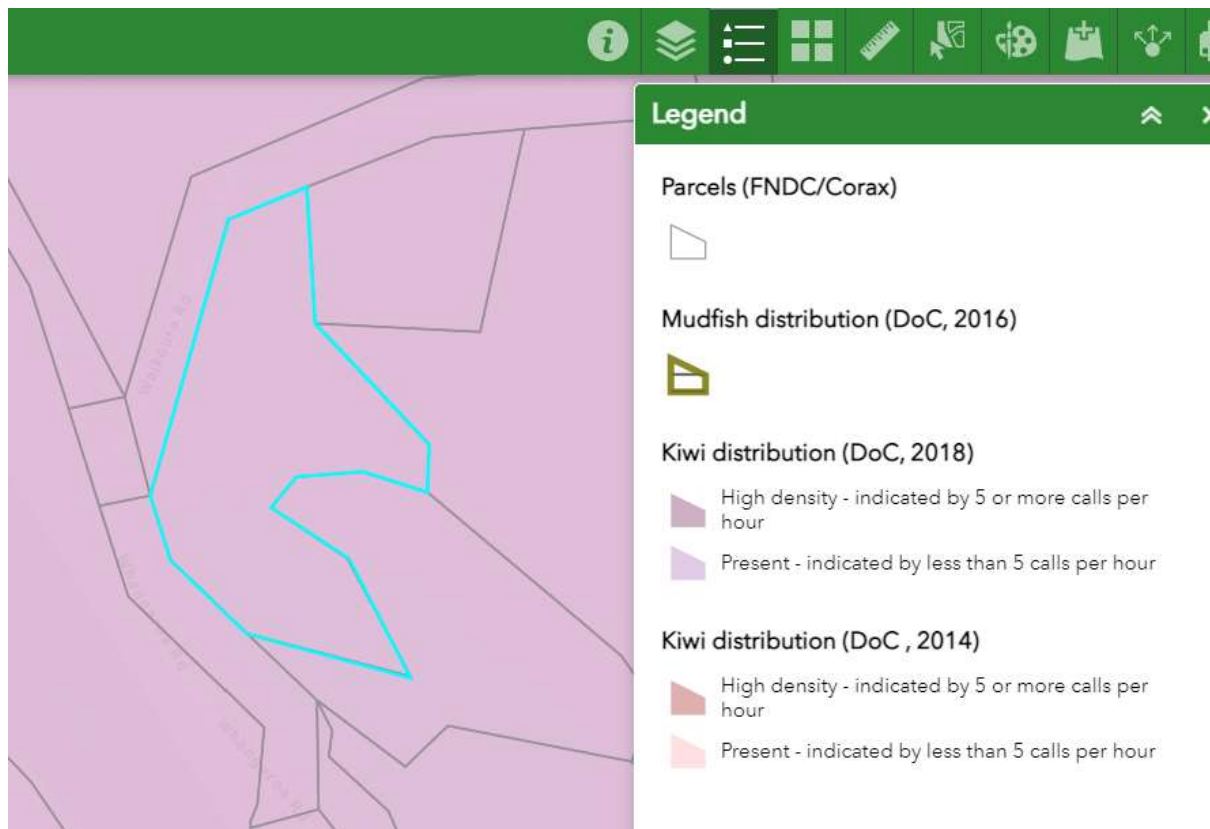


Figure 6: Kiwi Distribution – Kiwi Present

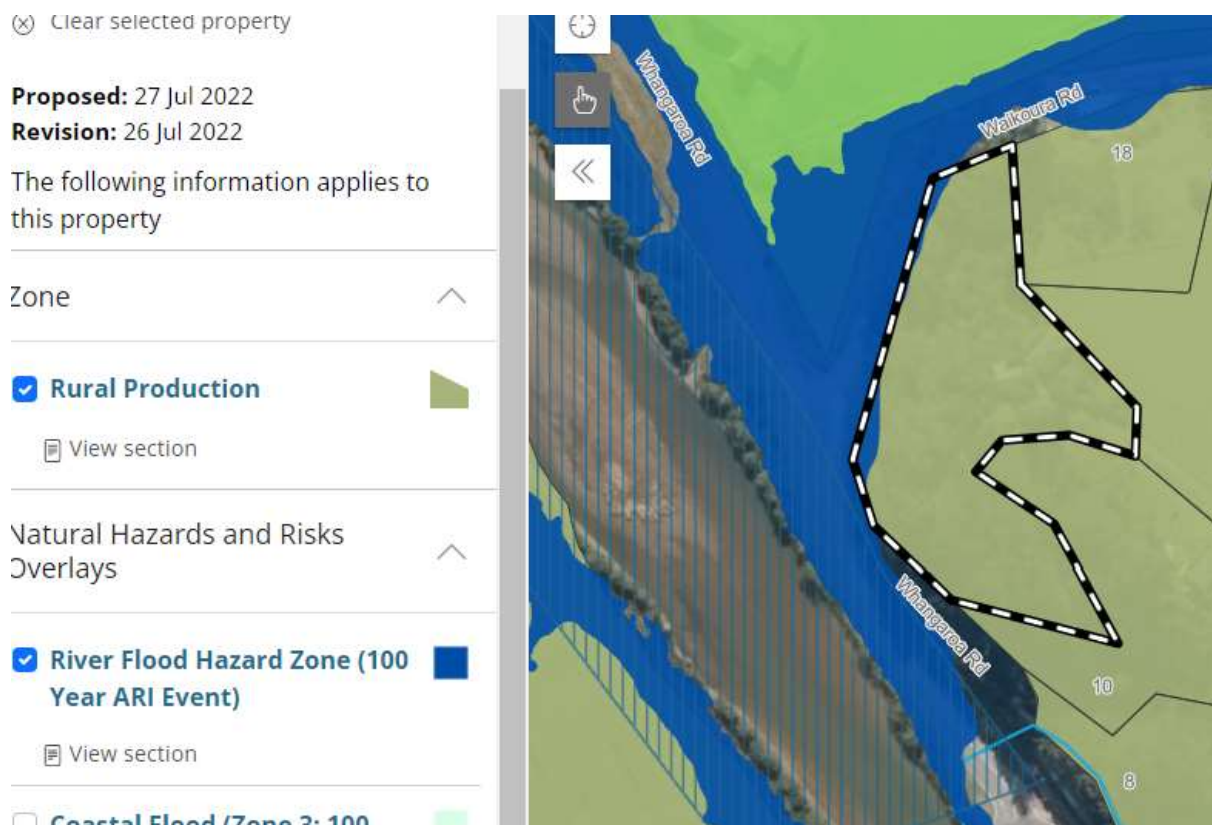


Figure 7: Proposed District Plan zoning Rural Production

Operative Far North District Plan

Table 1: Rural Production Zone – Performance Standards

| ASSESSMENT OF THE PERMITTED GENERAL RURAL PRODUCTION ZONE RULES: | | |
|--|-------------------------|--|
| PERFORMANCE STANDARDS | | |
| Plan Reference | Rule | Compliance and Performance of Proposal |
| 8.6.5.1 | RESIDENTIAL INTENSITY | Complies |
| 8.6.5.1.2 | SUNLIGHT | No – The dwelling will breach the permitted height in relation to boundary rules. Restricted Discretionary |
| 8.6.5.1.3 | STORMWATER MANAGEMENT | Yes – The buildings and driveway will be less than the permitted 15% of gross site area. |
| 8.6.5.1.4 | SETBACK FROM BOUNDARIES | No- the distance to the boundary is 1.4m |
| 8.6.5.1.5 | TRANSPORTATION | Complies |
| 8.6.5.1.6 | KEEPING OF ANIMALS | NA |
| 8.6.5.1.7 | NOISE | Complies |
| 8.6.5.1.8 | BUILDING HEIGHT | Complies |
| 8.6.5.1.9 | HELICOPTER LANDING AREA | Complies |
| 8.6.5.1.10 | BUILDING COVERAGE | Complies |
| 8.6.5.1.11 | SCALE OF ACTIVITIES | NA |
| 8.6.5.1.12 | TEMPORARY EVENTS | NA |

Table 2: Assessment of the Operative Far North District Plan District Wide Rules

| ASSESSMENT OF THE APPLICABLE PERMITTED DISTRICT WIDE RULES: | | |
|---|---|---|
| PERFORMANCE STANDARDS | | |
| Plan Reference | Rule | Compliance and Performance of Proposal |
| CHAPTER 12 – NATURAL AND PHYSICAL RESOURCES | | |
| 12.1.6.1.1 | Protection of Outstanding Landscape Features | NA |
| 12.2.6.1.4 | INDIGENOUS VEGETATION CLEARANCE IN OTHER ZONES | YES - No vegetation clearance is sought |
| 12.3.6.1.3 | EXCAVATION AND/OR FILLING, EXCLUDING MINING AND QUARRYING, IN THE RESIDENTIAL, INDUSTRIAL, HORTICULTURAL PROCESSING, COASTAL RESIDENTIAL AND RUSSELL TOWNSHIP ZONES | NA. |
| 12.6.4.2 | FIRE RISK TO RESIDENTIAL UNIT | The house is located within 20m of the dripline of contiguous vegetation – DISCRETIONARY |
| 12.7.6.1.2 | SETBACK FROM SMALLER LAKES, RIVERS AND WETLANDS | NA. |
| 12.7.6.1.4 | LAND USE ACTIVITIES INVOLVING DISCHARGES OF HUMAN SEWAGE EFFLUENT | NA |
| CHAPTER 14 - | | |
| 14.6.1 | ESPLANADE AREAS | N/A |
| CHAPTER 15 - TRANSPORT | | |
| 15.1.6B | PARKING | Yes - Adequate parking space is available on site. |

Proposed District Plan

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

| Chapter | Rule Reference | Compliance of Proposal |
|-----------------------------|--|---|
| Hazardous Substances | <p>The following rules have immediate legal effect:</p> <p>Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource</p> <p>Rules HS-R5, HS-R6, HS-R9</p> | <p>Not applicable.</p> <p>The site does not contain any hazardous substances to which these rules would apply.</p> |

| | | |
|---|--|---|
| Heritage Area Overlays | All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3) | Not applicable. The site is not located within a Heritage Overlay Area. |
| Historic Heritage | All rules have immediate legal effect (HH-R1 to HH-R10) Schedule 2 has immediate legal effect | Not applicable. The site is not known to contain any historic heritage. |
| Notable Trees | All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT- S1 to NT-S2) Schedule 1 has immediate legal effect | Not applicable. The site does not contain any notable trees. |
| Sites and Areas of Significance to Maori | All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect | Not applicable. The site does not contain any sites or areas of significance to Maori. |
| Ecosystems and Indigenous Biodiversity | All rules have immediate legal effect (IB-R1 to IB-R5) | Not applicable. The site does not contain any known ecosystems or indigenous biodiversity to which these rules would apply. |
| Subdivision | The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB- R15, SUB-R17 | Permitted. SUB-R6 relates to environmental benefit subdivisions which the proposal is not applying for. |

Overall the application is a Discretionary activity

Notification Assessment

NOTIFICATION ASSESSMENT

Public Notification Assessment (Sections 95A, 95C-95D)

Section 95A specifies the steps to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

Step 1: Mandatory public notification in certain circumstances

No mandatory notification is required as:

- We are not requesting the application be publicly notified (s95A(3)(a))
- There are no outstanding or refused requests for further information (s95C and s95A(3)(b)), and
- The application does not involve any exchange of recreation reserved land under s15A of the Reserves Act 1977 (s95A(3)(c)).

Step 2: if not required by step 1, public notification precluded in certain circumstances

Public notification of a resource consent application for an activity which:

95A(5)(a) the resource consent activity is subject to a rule or national standard which precludes public notification

95A(5)(b) - the application is for a resource consent for 1 or more of the following, but no other, activities:

- A controlled activity
- a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity:

In this case public notification is not precluded.

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

Step 3 describes that where public notification is not precluded by step 2, it is required if a rule or NES requires public notification, or if the activity is likely to have adverse effects on the environment that are more than minor (ss95A(7) and s95A(8)).

- No rule or NES requires public notification in relation to this application.
- The adverse effects on the environment has been assessed in detail below and it is concluded that these will be less than minor. Therefore, public notification is not required.

Adjacent Land

When assessing whether an activity will have, or is likely to have adverse effects on the environment that are more than minor, Section 95D states that the consent authority must disregard effects on persons who own or occupy the land in, on or over which the activity will occur and any land adjacent to that land. In this instance, the following properties are considered to be 'adjacent' as they adjoin the subject site.

| Legal Description | Address | Symbol |
|--|----------------------------------|--------|
| Pt Section 1 Blk II Kaeo Survey District | 18 Waikoura Road | Red |
| Lot 1 DP 186294* | 22 Leacock Road, Kaeo, Far North | Yellow |
| Lot 2 DP 173402 | 10 Whangaroa Road, Kaeo | Blue |

Referring to Figure 8 below and the site plan at Appendix B, the property that is affected by the proposal in relation to the sunlight and boundary setbacks is Lot 1 DP 186294. Written approval has been provided for the proposal.



Figure 8. Adjacent properties (Source: Prover)

Effects that may be disregarded

Permitted baseline

The permitted baseline may be taken into account and the Council has the discretion to disregard those effects (s95D(b)). In this case the permitted baseline may be taken into account and the council has the discretion to disregard those effects (s95D(b)) where an activity is not fanciful. Regarding the proposed site, it can be reasonably anticipated that the following built form can and has been constructed on the site as a permitted activity:

- One residential unit per 12ha of land
- Sunlight - No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary
- Impervious areas encompassing no more than 15% the gross site area
- No building shall be erected within 10m of any site boundary; with the following exceptions;
- Building Height The maximum height of any building shall be 12m.

Therefore, under the permitted baseline the effects associated with those matters above where compliance is achieved will be disregarded. Only matters relating to the rule breaches will be assessed.

Assessment

Receiving Environment

The receiving environment is made up of:

- the existing environment and associated effects from lawfully established activities;

- effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;
- the existing environment as modified by any resource consents granted and likely to be implemented; and
- the environment as likely to be modified by activities permitted in the plan.
- This is the reasonably foreseeable environment within which the adverse effects of the proposal are considered. In this case:
- The subject site contains one existing building, access and associated manoeuvring areas, a pond and olive trees.

The surrounding environment is largely rural in nature. The rural production zone allows for reasonably low development to occur in a controlled manner as to ensure it does not have detrimental effects to the overall rural character. Separation distances also ensure that the rural environment is maintained. This is the context of the proposal which will shape the following notification assessment.

Therefore, the adverse effects within the receiving environment must be assessed within the context of the operative zoning for the site and the surrounding environment. Accordingly, the following assessment will compare the effects of the proposal against those expected by reasonably anticipated development whilst regarding relevant special features of the site that specifically require review by the Council.

Environmental Effects Assessment

When considering an application under the above-mentioned provisions the Council will restrict the exercise of its discretion to the matters within Rules

- 8.6.5.1.4 SETBACK FROM BOUNDARIES No building shall be erected within 10m of any site boundary. Reason: Closest setback stated as 1.4m.
- Rule: 8.6.5.1.2 SUNLIGHT No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary.
- Rule 12.6.4.4 FIRE RISK TO RESIDENTIAL UNIT The sleepout is within 20m of contiguous bush

8.6.5.1.4 SETBACK FROM BOUNDARIES

The site is within the 20m setback to boundary on the eastern side which is Lot 1 DP 186294. Written approval has been provided (Refer Appendix D) so no further assessment of effects is required

Rule: 8.6.5.1.2 SUNLIGHT

The house as it is sited breaches the sunlight rule on the eastern boundary which is Lot 2 DP 186294. Written approval has been provided by the affected party including signed plans.

Rule 12.6.4.4 FIRE RISK TO RESIDENTIAL UNIT

Assessment of the relevant subsections of Rule 12.4.7 for Fire Risk to Residential Units.

(j) in respect of fire risk to residential units:

Summary

Overall, it is considered that the proposed water tank location and approval from FENZ ensures the adverse effects on the environment will be less than minor and therefore public notification is not required.

Step 4: public notification in special circumstances

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary
- outside of the common run of applications of this nature, or
- circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be less than minor.

There is nothing special, unusual or out of the ordinary with this activity being a development that is complementary and anticipated by the FN district plan within the rural production zone and common place across the district. As such, it is considered there are no reasons to warrant public notification of the application.

Limited Notification Assessment (Sections 95B, 95E)

As with the amendments to Section 95A, Section 95B also entails a number of steps that must be followed to determine whether an application should be subject to limited notification.

Step 1 relates to the consideration of certain affected groups and affected persons.

There are no such groups or persons who would be affected by the proposal.

Step 2 details situations where limited notification is precluded (if not required under step 1).

The application is not for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

Step 3 outlines situations where affected persons must be notified if such notification is not precluded under step 2.

Effects that must be disregarded

Any effect on a person who has given written approval to the application

No written has been provided. It is not considered there are any affected parties.

Adversely Affected Persons Assessment (sections 95B(8) and 95E)

As discussed above under the s95A assessment the surrounding area rural in nature and contains lots which vary in size from smaller blocks to larger sized lots. The area is defined by a mix of allotments to accommodate rural and residential activities. The area has seen recent rural residential development with smaller allotments.

There is one affected person on the eastern boundary of the proposal which is Lot 2 DP 186294. Written approval has been provided for the development.

Fire Emergency NZ has provided written approval for their mitigation of the property being within 20m of trees. The mitigation includes a water tank with a requirement to keep 10,000 Litres in reserve at all times for fire fighting purposes and an easy access for the fire trucks with turning around area (Written approval provided at Appendix E)

Summary of Effects

The above assessment has concluded that no persons are adversely affected as adverse effects are less than minor.

Step 4 is the last step and relates to the consideration of special circumstances and whether these would warrant notification to persons not already determined to be eligible for limited notification.

It is not considered that there are any special circumstances that would warrant limited notification.

Notification Conclusion

Overall, it is considered that this application satisfies the relevant provisions of S95A, 95D, 95B and 95E and can lawfully be assessed without notification or the requirement for written approvals from any persons.

Relevant Statutory Documents – Section 104(1)(b)

Far North District Plan – Operative

An assessment of the proposal against the relevant objectives, policies and assessment criteria of the FNDP follows:

| <i>FAR NORTH DISTRICT PLAN</i> | | |
|---|---|---|
| <i>Chapter 8 – Rural Environment</i> | | |
| Policy # | General Rural Objectives | Comment |
| 8.3.1 | To promote the sustainable management of natural and physical resources of the rural environment. | The proposal is for the applicant to undertake house alterations so this objective is not relevant. |
| 8.3.2 | To ensure that the life supporting capacity of soils is not compromised by | The proposal is for the applicant to undertake house alterations so this objective is not relevant. |

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| | inappropriate subdivision, use or development. | |
| 8.3.3 | To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment. | The proposal is for the applicant to undertake house alterations so there are no cumulative effect. The adverse effects of building within 20m of the dripline of trees is mitigated by the watertank and a reserve of 10,000=L at all times. |
| 8.3.4 | To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna. | NA |
| 8.3.5 | To protect outstanding natural features and landscapes. | NA |
| 8.3.6 | To avoid actual and potential conflicts between land use activities in the rural environment. | Written approval is provided for the setback and sunlight breach. |
| 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. | The amenity values are not affected by this proposal |
| 8.3.8 | To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development. | NA |
| 8.3.9 | To enable rural production activities to be undertaken in the rural environment. | NA |
| 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. | .NA |
| Policy Number | General Rural Policies | Comment |
| 8.4.1 | That activities which will contribute to the sustainable management of the natural and | For the reasons outlined in response to Objective 8.3.1, it is considered that the |

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| | physical resources of the rural environment are enabled to locate in that environment. | proposal will not detract from the sustainable management of natural and physical resources in this local 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. | NA |
| 8.4.3 | That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes. | The proposal does not include new infrastructure. |
| 8.4.4 | That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment. | There are no identified outstanding natural features and outstanding landscapes at the site that would be affected by the proposal. The existing amenity values at the site will remain similar. |
| 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). | This policy relates to plan provisions. The intent is that adverse effects arising from the location of sensitive activities close to existing rural activities are avoided. The house is existing. The potential effects arising from the proposal are largely existing on this site and within the permitted thresholds for the RPZ except for setback to boundary and sunlight. Written approval for the breaches has been provided by the affected party. |
| 8.4.6 | <i>That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.</i> | There are no identified areas of significant indigenous vegetation or fauna habitats on the site that would be affected by the proposal. |

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| 8.4.7 | <i>That Plan provisions encourage the efficient use and development of natural and physical resources, including consideration of demands upon infrastructure.</i> | This policy relates to plan provisions. |
| 8.4.8 | <i>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.</i> | NA |
| Policy # | Rural Production Zone Objectives | Comment |
| 8.6.3.1 | To promote the sustainable management of natural and physical resources in the Rural Production Zone. | This policy relates to General Rural Objective 8.3.1. As stated above, it is considered that the proposal would not undermine the sustainable management of natural and physical resources in the RPZ. |
| 8.6.3.2 | To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety. | This policy relates to General Rural Objective 8.4.7. Having regard to the efficient use and development of natural and physical resources is an RMA s7(b) requirement and is reflected in this RPZ objective. In the context of this proposal, it is considered that this objective would be achieved to the extent that the proposal is for the owners dwelling |
| 8.6.3.3 | To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone. | This objective relates to General Rural Objective 8.3.7. As stated above, given the existing use of the site, it is considered that the amenity values of the RPZ and its productive intent would not be undermined. |

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| 8.6.3.4 | To promote the protection of significant natural values of the Rural Production Zone. | The proposal would have no effect on the identified significant natural values of the RPZ. |
| 8.6.3.5 | To protect and enhance the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri. | The subject site is not located on Kerikeri Road |
| 8.6.3.6 | To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones. | The proposal would not generate adverse reverse sensitivity effects |
| 8.6.3.7 | To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources. | It is considered that the proposal is compatible with its location. |
| 8.6.3.8 | To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments. | It is for a dwelling. |
| 8.6.3.9 | To enable rural production activities to be undertaken in the zone. | The proposal would not change the current inability to use the land for production purposes. |
| Rural Production Zone Policies | | |
| 8.6.4.1 | That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity. | This is an enabling policy that permits a wide range of activities subject to any adverse effects on the environment being avoided, remedied or mitigated and not being detrimental to rural productivity. As previously stated, the house is existing and the proposal is undertake an alteration of the house. |
| 8.6.4.2 | That standards be imposed to ensure that the off-site effects of activities in the Rural Production Zone are avoided, remedied or mitigated. | There is unlikely to be any offsite effects of this activity, however if there is, written approval has been provided. |

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| 8.6.4.3 | That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged. | The management of the land would avoid adverse effects on natural and physical resources. |
| 8.6.4.4 | That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone. | This alterations to the house will not offend this policy |
| 8.6.4.5 | That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan. | The proposal would achieve efficient use of natural and physical rural resources being a site which has already been developed for this activity. |
| 8.6.4.6 | That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts. | The site is not located on Kerikeri Road and would have no effect on the amenity of this road frontage. |
| 8.6.4.7 | That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities. | This policy relates to RPZ Objective 8.6.4.1. The policy enables a wide range of activities that promote rural productivity in a way that avoids conflict between land use activities. The District Plan gives the Council discretion to consider the establishment of non-rural activities in the RPZ that propose activity levels above the permitted threshold. |
| 8.6.4.8 | <i>That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities</i> | The proposal is not anticipated to generate more than minor adverse effects. |
| 8.6.4.9 | <i>That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.</i> | The proposal is not anticipated to generate more than minor adverse effects. |

Chapter 12.4 Natural and Physical Resources

- Objectives: 12.4.3.1
- Policies: 12.4.4

The objectives and policies of the Natural and Physical Resources chapter is managing the conflict between human activities or development on the natural environment. Accordingly, the key to managing the effects of natural hazards is risk assessment. In other words, the need for intervention must be judged relative to the risk posed by the natural hazard to human life, property and the environment.

The risk of fire causing loss of life, severe damage to property and loss of indigenous vegetation and habitats of indigenous fauna is increasing due to the practice of building homes within or close to inflammable vegetation and/or in isolated areas remote from fire fighting services.

However in this case the house is mitigating the risk by providing a water tank with a reserve of 10,000 L at all times for fire fighting purposes. As such, the effects of this will be less than minor and with careful controls around the keeping the twigs, and branches cleared and grass short, the proposal is considered an appropriate risk.

Proposed District Plan

PART 3 – AREA-SPECIFIC MATTERS/ZONES/Rural zones/Rural production

| Objectives | Assessment |
|---|---|
| RPRZ-O1 -The Rural Production zone is managed to ensure its availability for <u>primary production</u> activities and its long-term protection for current and future generations.. | The proposal is for alterations to an existing house and is not affecting the Rural Production capacity of the land |
| RPRZ-O2 - The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment. | This is for a house so this objective is not relevant |
| RPRZ-O3 Land use and <u>subdivision</u> in the Rural Production zone: a. protects <u>highly productive land</u> from <u>sterilisation</u> and enables it to be used for more productive forms of <u>primary production</u> ; b. protects <u>primary production</u> activities from reverse sensitivity <u>effects</u> that may constrain their effective and efficient operation; c. does not compromise the use of <u>land</u> for <u>farming</u> activities, particularly on <u>highly productive land</u> ; | NA |

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| <p>d. does not exacerbate any <u>natural hazards</u>; and</p> <p>e. is able to be serviced by on-site <u>infrastructure</u>.</p> | |
| RPRZ-O4 The rural character and amenity associated with a rural working <u>environment</u> is maintained. | NA |
| Policies | |
| RPROZ-P1 Enable <u>primary production</u> activities, provided they internalise adverse <u>effects</u> onsite where practicable, while recognising that typical adverse <u>effects</u> associated with <u>primary production</u> should be anticipated and accepted within the Rural Production zone. | NA |
| <p>RPROZ-P2 Ensure the Rural Production zone provides for activities that require a rural location by:</p> <ul style="list-style-type: none"> a. enabling <u>primary production</u> activities as the predominant land use; b. enabling a range of compatible activities that support <u>primary production</u> activities, including <u>ancillary activities</u>, <u>rural produce manufacturing</u>, <u>rural produce retail</u>, <u>visitor accommodation</u> and <u>home businesses</u>. | NA |
| RPROZ-P3 Manage the establishment, design and location of new <u>sensitive activities</u> and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity <u>effects</u> on <u>primary production</u> activities. | This proposal is for a house alteration that is inside the setback to boundary setback. However written approval from the affected party has been provided. |
| <p>RPROZ-P4 Avoid land use that is incompatible with the purpose, character and amenity of the Rural Production zone;</p> <ul style="list-style-type: none"> a. does not have a <u>functional need</u> to locate in the Rural Production zone and is more appropriately located in another zone; b. would result in the loss of productive capacity of <u>highly productive land</u>; c. would exacerbate <u>natural hazards</u>; and d. cannot provide appropriate on-site <u>infrastructure</u> | NA |
| <p>RPROZ-P5 Avoid land use that:</p> <ul style="list-style-type: none"> a. is incompatible with the purpose, character and amenity of the Rural Production zone; | NA |

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| <ul style="list-style-type: none"> b. does not have a <u>functional need</u> to locate in the Rural Production zone and is more appropriately located in another zone; c. would result in the loss of productive capacity of <u>highly productive land</u>; d. would exacerbate <u>natural hazards</u>; and e. cannot provide appropriate on-site <u>infrastructure</u>. | |
| <p>RPROZ-P6 Avoid <u>subdivision</u> that:</p> <ul style="list-style-type: none"> a. results in the loss of <u>highly productive land</u> for use by <u>farming</u> activities; b. fragments <u>land</u> into parcel sizes that are no longer able to support <u>farming</u> activities, taking into account: <ul style="list-style-type: none"> 1. the type of <u>farming</u> proposed; and 2. whether smaller <u>land</u> parcels can support more productive forms of <u>farming</u> due to the presence of <u>highly productive land</u>. c. provides for rural lifestyle living unless there is an environmental benefit | <p>NA</p> |
| <p>RPROZ-P7 Manage land use and <u>subdivision</u> to address the <u>effects</u> of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> a. whether the proposal will increase production potential in the zone; b. whether the activity relies on the productive nature of the soil; c. consistency with the scale and character of the rural environment; d. location, scale and design of <u>buildings</u> or <u>structures</u>; e. for <u>subdivision</u> or non-<u>primary production</u> activities: <ul style="list-style-type: none"> i. scale and compatibility with rural activities; ii. potential reverse sensitivity <u>effects</u> on <u>primary production</u> activities and existing <u>infrastructure</u>; | <ul style="list-style-type: none"> A. NA B. NA C. NA D. The building is the first house on the site E. I NA <ul style="list-style-type: none"> li The possibility the applicants might complain about primary productive activities is a possibility ii.NA iii.NA F. There is a setback breach but written approval has been provided G. site infrastructure is existing H. Access is existing I. None known J, None known |

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| <p>iii. the potential for loss of <u>highly productive land</u>, land sterilisation or fragmentation</p> <p>f. at zone interfaces:</p> <p>i. any <u>setbacks</u>, fencing, screening or <u>landscaping</u> required to address potential conflicts;</p> <p>ii. the extent to which adverse <u>effects</u> on adjoining or surrounding <u>sites</u> are mitigated and internalised within the <u>site</u> as far as practicable;</p> <p>g. the capacity of the <u>site</u> to cater for on-site <u>infrastructure</u> associated with the proposed activity, including whether the <u>site</u> has access to a <u>water</u> source such as an irrigation network supply, dam or <u>aquifer</u>;</p> <p>h. the adequacy of roading <u>infrastructure</u> to service the proposed activity;</p> <p>i. Any adverse <u>effects</u> on <u>historic heritage</u> and cultural values, natural features and landscapes or indigenous biodiversity;</p> <p>j. Any historical, spiritual, or cultural association held by <u>tangata whenua</u>, with regard to the matters set out in Policy TW-P6.</p> | |
|--|--|

Section 88A(2) provides that "any plan or proposed plan which exists when the application is considered must be had regard to in accordance with section 104(1)(b)." This requires applications to be assessed under both the operative and proposed objective and policy frameworks from the date of notification of the proposed district plan.

In the event of differing directives between objective and policy frameworks, it is well established by case law that the weight to be given to a proposed district plan depends on what stage the relevant provisions have reached, the weight generally being greater as a proposed plan moves through the notification and hearing process. In *Keystone Ridge Ltd v Auckland City Council*, the High Court held that the extent to which the provisions of a proposed plan are relevant should be considered on a case by case basis and might include:

- The extent (if any) to which the proposed measure might have been exposed to testing and independent decision making;
- Circumstances of injustice; and
- The extent to which a new measure, or the absence of one, might implement a coherent pattern of objectives and policies in a plan.

The Proposed District Plan (PDP) was notified in July 2022.

It is considered that the PDP has not gone through the sufficient process to allow a considered view of the objectives and policies for the relevant zones and overlays. As such, no comprehensive assessment is provided and the objectives and policies in the operative district plan are assessed accordingly.

In summary however It is considered that the application is consistent with the relevant objectives and policies in the PDP.

Higher Order Planning Documents

National Policy Statement for Highly Productive Land

The site is zoned rural production and therefore this Policy Statement is applicable. This site does not have versatile soils. The soils are classed as LUC6e7

National Environmental Standards for Contaminated Soil

The site has never been used for any activities on the Hazardous Industries and Activities List (HAIL).

National Environmental Standards for Freshwater Management

No areas of wetland have been identified within 100m of the proposed development. As such the National Environmental Standard for Freshwater management is not applicable to this development and is considered to be a Permitted activity.

Other Environmental Standards

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

The proposal is permitted in terms of these above-mentioned documents.

Other Matters – Section 104(1)(c)

As the application is for a controlled activity there are no other matters that require consideration.

Conclusion

As demonstrated in the above assessment, the proposal will be consistent with the relevant objectives and policies and as such, satisfies the relevant assessment criteria which are derived from the objectives and policies.

CONSIDERATION OF PART 2 MATTERS

Purpose

Section 5 identifies the purpose of the RMA as the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Principles

Section 6 sets out a number of matters of national importance which need to be recognised and provided for. These include the protection of outstanding natural features and landscapes, the protection of areas of

significant indigenous vegetation and significant habitats of indigenous fauna, and the protection of historic heritage.

Section 7 identifies a number of “other matters” to be given particular regard by the council in considering an application for resource consent. These include the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values.

Section 8 requires the council to take into account the principles of the Treaty of Waitangi.

Part 2 Assessment

There is no section 6, 7 or 8 matters for consideration. The proposal is considered to meet the purpose of the Act being the sustainable use and development of natural and physical resources. In particular, the proposal represents will allow for social, cultural and economic wellbeing to be achieved whilst ensuring adverse effects on the environment will be appropriately avoided, remedied or mitigated.

CONCLUSION

This assessment concludes that adverse effects on the environment arising from the proposal will be less than minor and on this basis, pursuant to Section 95 of the Resource Management Act, this proposal should be processed without the requirement for public or limited notification and without the requirement for the written approval of any specific persons.

Overall, the actual and potential effects of the proposal in relation to s104(1)(a) will be acceptable in nature noting that the proposal will not have adverse effects on the environment that are at odds to the matters of discretion. The assessment also concludes that the proposal will be consistent with the relevant provisions of the Far North District Plan and will achieve the purpose of the RMA. Therefore, as a discretionary activity it is considered that the proposal is not at odds with the objectives and policies of the FNDP and will have less than minor effects on the environment.

Accordingly, it is considered that the statutory requirements of Section 104, 104B, 104D and Part 2 of the Resource Management Act, 1991 are satisfied. On this basis land use consent can be granted to the proposal.

DECISION ON LAND USE CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** land use resource consent for a Discretionary activity, subject to the conditions listed below to:

| | |
|---------------------------|--|
| Applicant: | Adriaan Arnoldus Bosch and Jennifer Rosemary Bosch |
| Council Reference: | 2230564-RMALUC |
| Property Address: | 10A Whangaroa Road, Kaeo 0478 |
| Legal Description: | Lot 1 DP 173402 |

The activities to which this decision relates are listed below:

To undertake alterations to an existing dwelling in the Rural Production Zone breaching the Sunlight and Setback from Boundaries on the eastern boundary and Fire Risk to Residential Unit Rules.

Conditions

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

1. The activity shall be carried out in general accordance with the approved plans prepared by Cad Planz, referenced Proposed alterations for Adrian & Jenny Bosch, dated 28 April 2023, and attached to this consent with the Council's "Approved Stamp" affixed to them. These plans include the following:
 - Proposed Floor Plan
 - Elevations
 - Site Plan
2. Within three months of the date of this consent, the consent holder shall provide, for the approval of the Councils Monitoring Officer, or other duly delegated officer, evidence that there is a minimum of 10,000 litres of water available on site, for firefighting water supply. The 10,000 litres of water shall be made available for firefighting purposes at all times, for the duration of this consent.
3. Within three months of the date of this consent, the consent holder shall provide, for the approval of the Councils Monitoring Officer, or other duly delegated officer, evidence that the following fire mitigation strategies have been implemented:
 - The domestic outlet for the water tank to be positioned at a height to preclude access to the reserve water supply.

- Water tank fitted with a firefighting service coupling.
- Mark access to the water tank for Fire and Emergency New Zealand.
- Cable tie fitted on the firefighting service coupling to prevent tampering.

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) The consent is given effect to; 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.

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 Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - Lot 1 DP 186294 has provided written approval for the breach of Setback and Sunlight for the proposed extension on the eastern boundary and all potential adverse effects on the landowner have been disregarded.

- Fire and Emergency New Zealand have provided written approval for the Fire Risk to Residential Units breach. The site will have adequate storage of water for firefighting services and can support fire service vehicles should the need arise.
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 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:
- Operative Far North District Plan 2009,
 - Proposed Far North District Plan 2022

Operative Far North District Plan

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

- The objectives and policies of the Rural Environment (Chapter 8 sections 8.3 and 8.4)
- The objectives and policies of the Rural Production Zone (Chapter 8 section 8.6.3, and 8.6.4)
- The objectives and policies of Natural Hazards (Chapter 12.4 section 12.4.3, and 12.4.4)

The objectives and policies of the Rural Production zone promotes the sustainable management of natural and physical resources while enabling the efficient use and development of the Rural Production zone, in a way that enables people and their communities to provide for their social, economic and cultural wellbeing and for their health and safety, along with promoting the maintenance and enhancement of the amenity values to a level that is consistent with the productive intent of the Rural Productive zone.

The activity is an efficient use of this zone and maintains amenity values and is not incompatible with the intent of the Rural Production zone.

Objectives and policies of Natural Hazards seek to reduce the threat of natural hazards to life, property, and the environment, and to ensure development does not exacerbate the effects of natural hazards, thereby to promote the wellbeing of the community.

The mitigation of ensuring adequate water supply is held at all times for firefighting services will reduce this risk.

Proposed Far North District Plan

- The objectives and policies of the Rural Production zone
- The objectives and policies of Natural Hazards

The objectives and policies of the Rural Production zone promotes the sustainable management of natural and physical resources while enabling the efficient use and development of the Rural Production zone, in a way that enables people and their communities to provide for their social, economic and cultural wellbeing and for their health and safety, along with promoting the maintenance and enhancement of the

amenity values to a level that is consistent with the productive intent of the Rural Productive zone for current and future generations.

Objectives and policies of Natural Hazards seek to reduce the risks from natural hazards to people and property to ensure the health, safety, and resilience of communities.

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.

As the outcomes sought are the same under the operative and the proposed plan frameworks, no weighting is necessary.

6. In regard to section 104(1)(c) of the Act there are no other matters relevant and reasonably necessary to determine the application.
7. 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. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
8. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

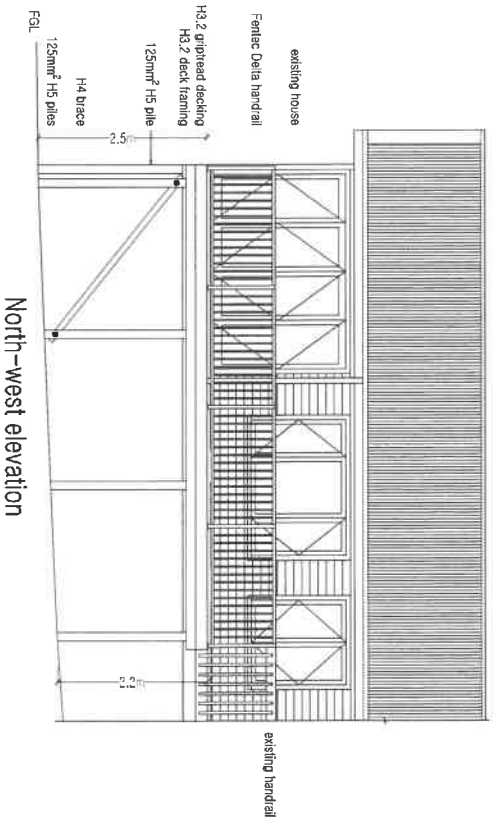
Approval

This resource consent has been prepared by Jo Graham, Resource Planner. 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.

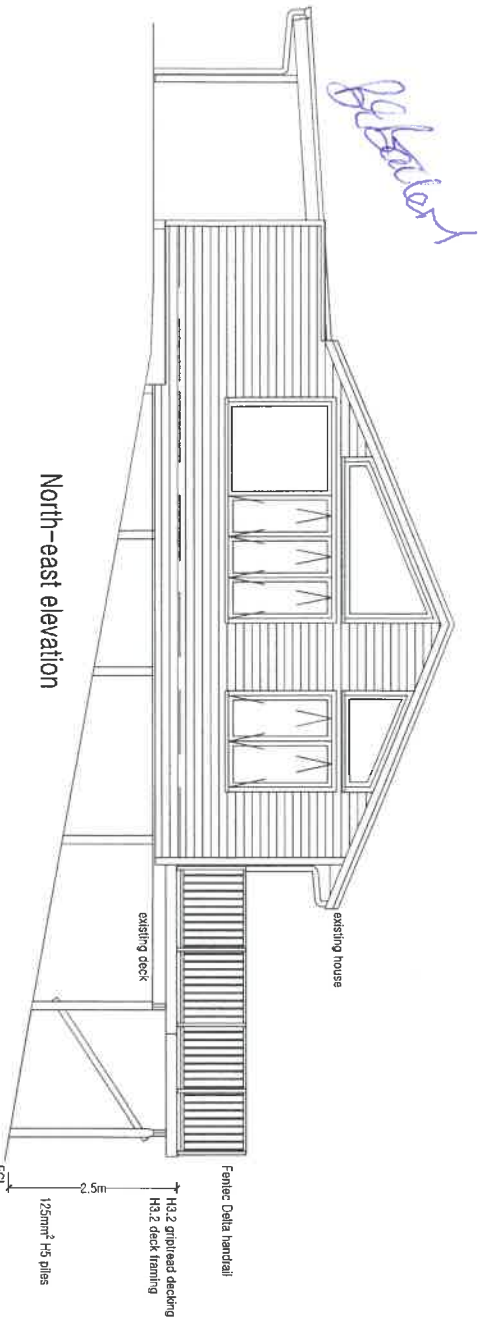


Simeon Mclean
Team Leader Resource Consents

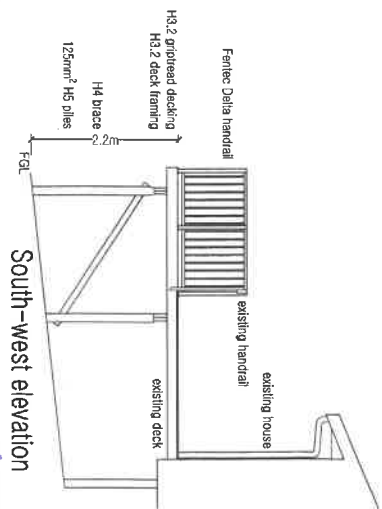
Date: 12 July 2023



North-west elevation



North-east elevation



South-west elevation

Notes:

Handrails complying with NZBC D1/AS1 & other regulations are to be fitted where deck is more than 1m from finished ground level.

Elevations

1:75@A3

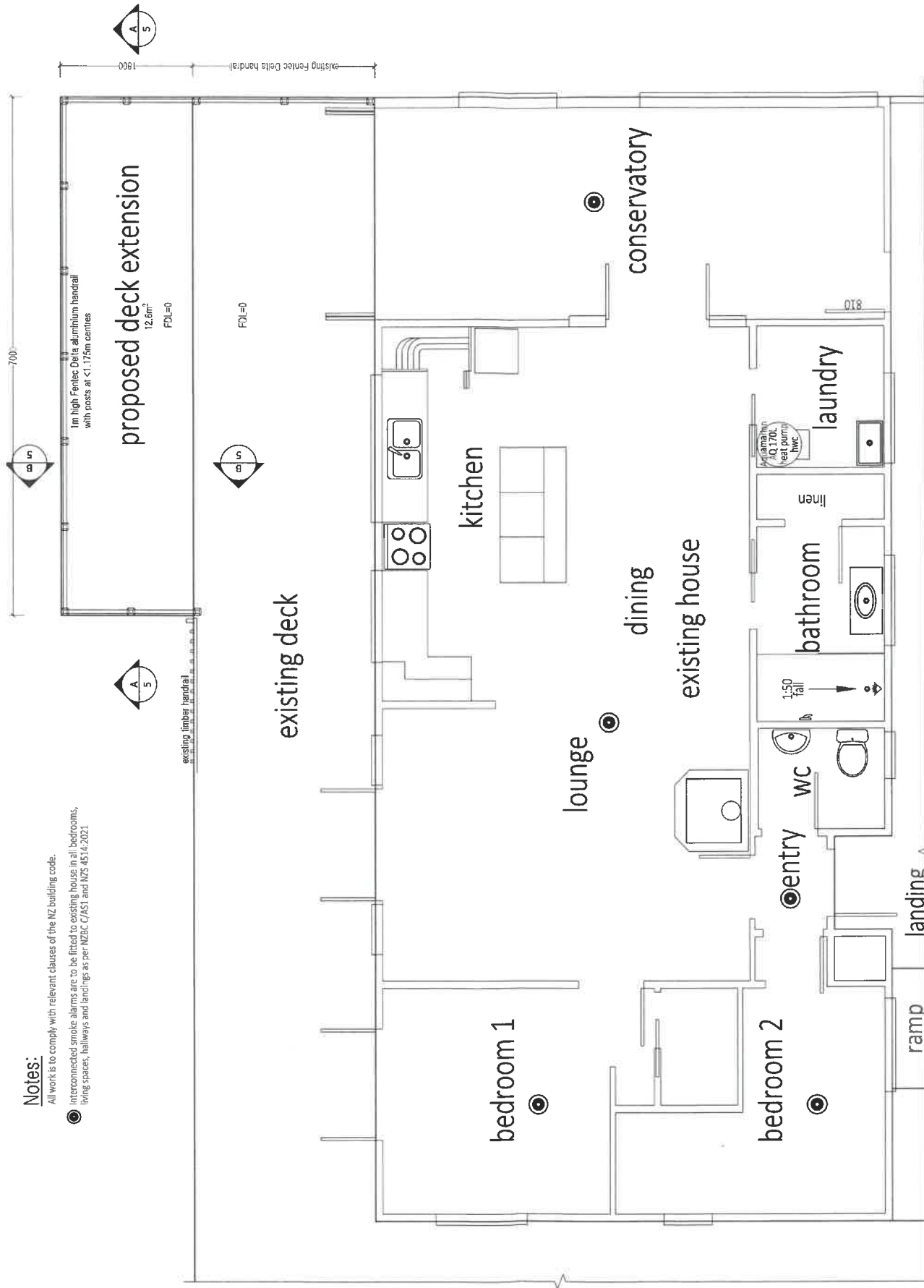
| CLIENT | PROJECT | SITE | Drawn by: | Issue Date: | Type: |
|--|-------------------------|---|-----------|-------------|-------|
| Adriaan & Jenny Bosch 10A Whangaroa Rd Whangaroa | Proposed Deck Extension | Zone: Rural Production Wind: Very High Exposure: D Earthquake: 1 | Tony Kay | 12/08/2025 | BC |

Tony Kay

LBP (Design): BP145543
ph: 021 0457 123

Notes:

- All work is to comply with relevant clauses of the NZ building code.
- Interconnected smoke alarms are to be fitted to existing houses in all bedrooms, living spaces, hallways and landings as per NZBC C/AS1 and NZS 4514:2021.



Floor Plan

1:50@A3

CLIENT
Adriaan & Jenny Bosch
10A Whangaroa Rd
Whangaroa

PROJECT
Proposed Deck Extension

SITE
Zone: Rural Production
Wind: Very High
Exposure: D
Earthquake: 1

Job: 1010
Sheet: 3/7

Drawn by: Tony Kay
Issue Date: 12/08/2025
Type: BC

Tony Kay
LBP (Design): BP145543
ph: 021 0457 123



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




R.W. Muir
Registrar-General
of Land

Identifier **NA106B/558**
Land Registration District **North Auckland**
Date Issued 18 November 1997

Prior References
NA648/225

Estate Fee Simple
Area 8428 square metres more or less
Legal Description Lot 1 Deposited Plan 173402
Registered Owners
Adriaan Arnoldus Bosch and Jennifer Rosemary Bosch

Interests

D216908.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 by Far North District Council - 18.11.1997 at 3.10 pm

Appurtenant hereto is a right of way specified in Easement Certificate D216908.4 - 18.11.1997 at 3.10 pm

Subject to a right of way over part marked B on DP 173402 specified in Easement Certificate D216908.4 - 18.11.1997 at 3.10 pm

The easements specified in Easement Certificate D216908.4 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a telecommunications right specified in Easement Certificate D216908.5 - 18.11.1997 at 3.10 pm

Subject to a telecommunications right over part marked B on DP 173402 specified in Easement Certificate D216908.5 - 18.11.1997 at 3.10 pm

12326537.2 Mortgage to Bank of New Zealand - 17.12.2021 at 4:55 pm

[illegible]