

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

Yes No

If yes, who have you spoken with?

2. Type of consent being applied for

(more than one circle can be ticked):

Land Use

Discharge

Fast Track Land Use*

Change of Consent Notice (s.221(3))

Subdivision

Extension of time (s.125)

Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil)

Other (please specify)

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

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

Yes No

4. Consultation

Have you consulted with iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

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

14. Draft conditions:

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

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

15. Billing Details:

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

Name/s: (please write in full)

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.

15. Billing details continued...

Declaration concerning Payment of Fees

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

Name: (please write in full)

Michael Yelavich

Signature:

(signature of bill payer)



Date 04-May-2026

MANDATORY

16. Important Information:

Note to applicant

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

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

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

Fast-track application

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

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

Privacy Information:

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

17. Declaration

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

Name (please write in full)

Nina Pivac

Signature



Date 04-May-2026

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

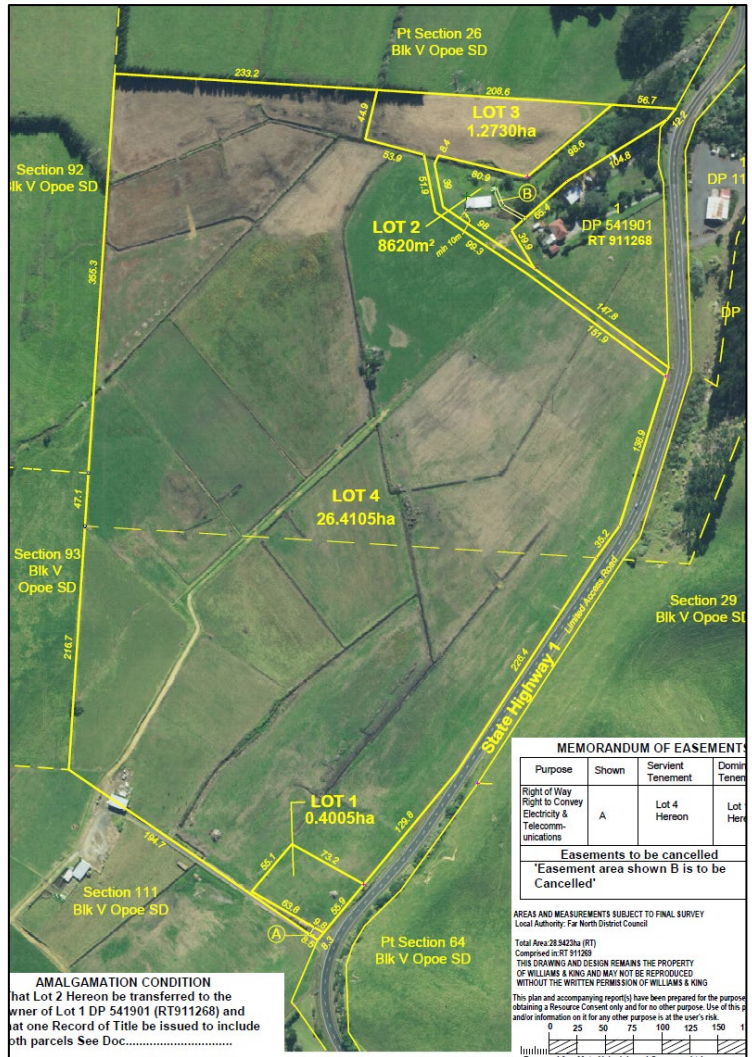
See overleaf for a checklist of your information...

Checklist

Please tick if information is provided

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

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



SUBDIVISION RESOURCE CONSENT APPLICATION

2607 STATE HIGHWAY 1 WAIHARARA

Lot 2 Deposited Plan 541901 and Section 28 Block V Opoe Survey District

ASSESSMENT OF ENVIRONMENTAL EFFECTS

PREPARED FOR:

MICHAEL YELAVICH

4 May 2026

REV A

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1.0 THE APPLICANT AND PROPERTY DETAILS

To:	Far North District Council
Site address:	2607 State Highway 1 (SH1) Waiharara
Applicant's name:	Michael Yelavich
Address for service:	Logiplan Limited Attn: Nina Pivac 50-64 Commerce Street Kaitaia 0410
Legal description:	Lot 2 DP 541901 and Section 28 Block V Opoe Survey District
Site area:	28.9423ha
Site owner:	Mate Yelavich & Company Limited
Operative zoning/overlays:	Rural Production Zone Partially flood susceptible
Proposed zoning/overlays:	Rural Production Zone Treaty Settlement Area of Interest Partially flood susceptible (10 Year ARI and 100 Year ARI)
Brief description of proposal:	To undertake a subdivision in the Rural Production Zone to create two additional allotments as follows: Lot 1 – 4005m ² Lot 2 – 8620m ² (to be amalgamated with Lot 1 DP 541901) Lot 3 – 1.2730ha Lot 4 (balance) – 26.4105ha
Summary of reasons for consent:	Overall, resource consent is required as a Non-Complying Activity .

We attach an assessment of environmental effects that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

AUTHOR

Nina Pivac

Director | BAppSC | PGDipPlan | Assoc. NZPI

Date: 4 May 2026

Subdivision Application:
M Yelavich – 2607 SH1 Waiharara

2.0 DESCRIPTION OF PROPOSAL

The applicant, Michael Yelavich, proposes to undertake a subdivision in the Rural Production Zone, to create two additional allotments as follows:

- Lot 1 – 4005m²
- Lot 2 – 8620m² (to be amalgamated with Lot 1 DP 541901)
- Lot 3 – 1.2730ha
- Lot 4 (balance) – 26.4105ha

There is an existing water and electricity easement (ref. 11629919.5) over CT 911269 which currently benefits Lot 1 DP 541901. Given the easement, marked A on the scheme plan, will be incorporated into proposed Lot 1, the easement is no longer necessary. The application therefore proposes to cancel this easement pursuant to s243(3) of the Act. A copy of the relevant Certificates of Title and Easement Instrument is attached as **Appendix B**.

Overall, the proposal has been assessed as a **Non-Complying Activity** in accordance with Rule 13.11 of the operative Far North District Plan (District Plan).

It is important to note that the current title issue date (21 January 2020) arose as a result of a previous boundary adjustment (ref. 2200013-RMASUB), which was undertaken solely to rationalise the landholdings into a more appropriate configuration. That application involved adjusting the boundaries of a small and irregularly shaped allotment adjoining SH1, where the establishment of a dwelling would have been impractical due to difficulties achieving compliance with bulk and location standards, as well as potential reverse sensitivity effects associated with the State Highway. The boundary adjustment instead enabled the incorporation of an existing dwelling located on the adjoining title, which was situated further setback from SH1. Importantly, no additional allotments or development rights were created through that boundary adjustment. In this context, it is considered that, notwithstanding the proposal's Non-Complying Activity status, the scale and nature of the effects associated with the subdivision proposed under this application are more appropriately aligned with those anticipated under the Restricted Discretionary Activity framework, and that special circumstances apply.

A Site Suitability Report has been prepared by FNR Consulting in support of the proposed subdivision. Overall, the report concludes that the proposal is able to accommodate suitable building platforms and associated services, and that existing services operating adequately (see **Appendix C**).

Given the site's location on SH1, consultation has also been undertaken with NZTA as per **Appendix D**. The applicant accepts that their recommendations may form conditions of consent.

It should be noted that Resource Consent 2240264-RMASUB also applies to the subject site and authorised a boundary adjustment. However, that boundary adjustment was not completed. Accordingly, the current application incorporates the previously approved boundary adjustment into the proposed subdivision in order to streamline and regularise the overall allotment layout.

The following Assessment of Environmental Effects (AEE) has been prepared in accordance with the requirements of Section 88 of and Schedule 4 of the Resource Management Act 1991 (the Act) and is intended to provide the information necessary for a full understanding of the activity for which consent is sought and any actual or potential effects the proposal may have on the environment.

Overall, it is considered that the proposed development is consistent with existing development patterns in the immediate vicinity and that any adverse effect resulting from the proposal will be less than minor.

3.0 SITE CONTEXT

The subject site is situated at 2607 SH1 Waiharara and is legally described as Lot 2 DP 541901 and Section 28 Block V Opoe SD, contained within RT. 911269. The current title has a total land area of 28.9423ha and is currently in pasture.



Figure 1: Map of subject site and surrounding environment (Premise)

The site is located in the Rural Production Zone. NRC have mapped part of the subject site as flood susceptible, however, all future development will be located outside of the high-risk hazard areas.

The immediate surrounding environment is largely rural in character, comprising large landholdings interspersed with smaller rural-lifestyle blocks.

Subdivision Application:
M Yelavich – 2607 SH1 Waiharara

4.0 DISTRICT PLAN RULES ASSESSMENT

SUBDIVISION:

An assessment of the proposal against the relevant subdivision rules of the Far North District Plan is provided below:

Table 1 – Rural Production Zone Minimum Allotment Dimensions

TABLE 13.7.2.1: MINIMUM LOT SIZES		
(i) RURAL PRODUCTION ZONE		
Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
<p>The minimum lot size is 20ha.</p> <p>Note 1: Reference should also be made to the minimum lot size applying to land within an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (see below in this Table and Rule 13.7.2.5).</p> <p>Note 2: Subdivision in the Pouerua Heritage Precinct (refer Maps 35, 41 and HP1), is a discretionary subdivision activity.</p> <p>Note 3: Subdivision within 100m of the boundary of the Minerals Zone is a restricted discretionary activity.</p>	<p>1. Subdivision that complies with the controlled activity standard, but is within 100m of the boundary of the Minerals Zone;</p> <p>2. The minimum lot size is 12ha; or</p> <p>3. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 4,000m² and there is at least 1 lot in the subdivision with a minimum lot size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000; or</p> <p>4. A maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of the lots is 2ha, and where the subdivision is created from a site that existed at or prior to 28 April 2000;</p>	<p>1. The minimum lot size is 4ha; or</p> <p>2. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 2,000m² and there is at least 1 lot in the subdivision with a minimum size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000; or</p> <p>3. A subdivision in terms of a management plan as per Rule 13.9.2 may be approved.</p> <p>4. Subdivision in the Pouerua Heritage Precinct (refer Maps 35, 41 and HP1), is a discretionary subdivision activity.</p> <p>Note 1: There is no restriction on the number of 4ha lots in a subdivision (clause 1).</p> <p>Note 2: The effect of the rule under</p>

Comment: The proposed subdivision is unable to meet any of the above criteria. Further, the current title issue date is 21 January 2020. The subdivision is therefore a Non-Complying Activity in accordance with Rule 13.11 Non-Complying (Subdivision) Activities of the District Plan. However, it is important to note that the current title issue date arose as a result of a previous boundary adjustment (ref. 2200013-RMASUB), which was undertaken solely to rationalise the landholdings into a more appropriate configuration. That application involved adjusting the boundaries of a small and irregularly shaped allotment adjoining SH1 (see **Figure 2**), where the establishment of a dwelling would have been impractical due to difficulties achieving compliance with bulk and location standards, as well as potential reverse sensitivity effects associated with the State Highway. The boundary adjustment instead enabled the incorporation of an existing dwelling located on the adjoining title, which was situated further setback from SH1. Importantly, no additional allotments or development rights were created through that boundary adjustment. In this context, it is considered that, notwithstanding the proposal's Non-Complying Activity status, the scale and nature of the effects associated with the subdivision proposed under this application are more appropriately aligned with those anticipated under the Restricted Discretionary Activity framework, and that special circumstances apply in this instance.

Subdivision Application:
M Yelavich – 2607 SH1 Waiharara

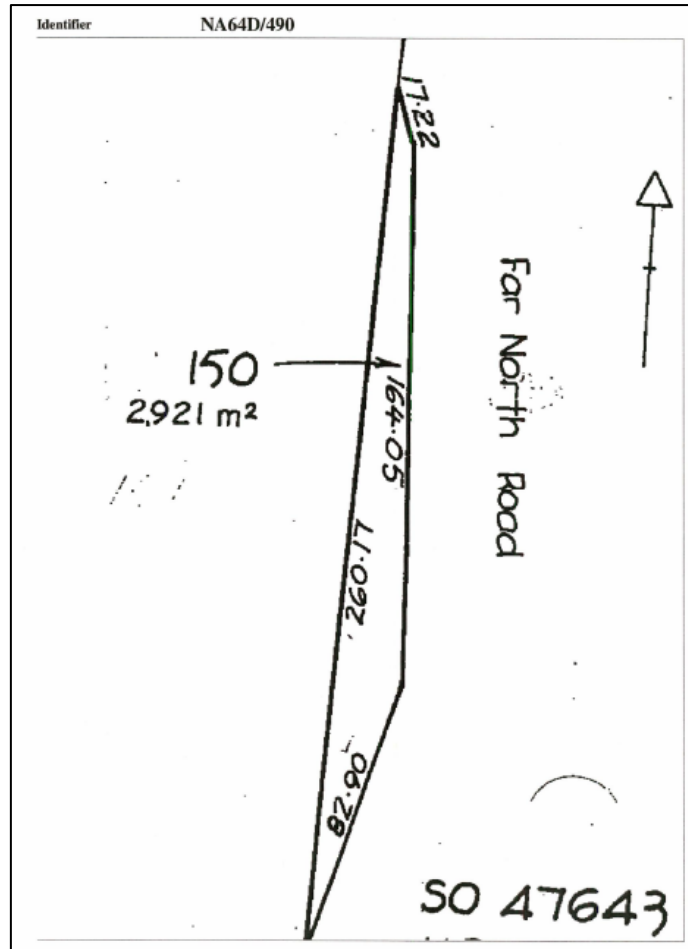


Figure 2: Irregular shaped title subject to RC2200013-RMASUB

PROPOSED DISTRICT PLAN

The Proposed Far North District Plan (PDP) was notified on Wednesday 27 July 2022. Rules in a Proposed Plan have legal effect once the council makes a decision on submissions relating to that rule and publicly notified this decision, unless the rule has immediate legal effect in accordance with section 86(3) of the Resource Management Act 1991 (the Act).

As of Monday 7 August 2023, the PDP summary of submissions has been released and the ‘further submission’ period closes on Monday 4 September 2023. Council are yet to make a decision on submissions made and publicly notify this decision. Therefore, only rules in the PDP with immediate legal effect are relevant. These rules are identified with a ‘hammer’ in the plan. Rules that do not have immediate legal effect do not trigger the need for a resource consent under the PDP.

The only relevant PDP rules are those relating to earthworks. However, the proposal is able to comply with all relevant permitted thresholds under these rules.

Overall, the proposal requires resource consent as a **Non-Complying Activity**.

5.0 NATIONAL ENVIRONMENTAL STANDARDS FOR CONTAMINATED SOILS (NES CONTAMINATED SOILS)

All applications that involve subdivision, or an activity that changes the use of a piece of land, or earthworks are subject to the provisions of the NES Contaminated Soils. The regulation sets out the requirements for considering the potential for soil contamination, based on the HAIL (Hazardous Activities and Industries List) and the risk that this may pose to human health as a result of the proposed land use.

Based on a search of Council records, historic aerial images and archives, and the documentation provided in support of this application, there is no evidence to suggest that a HAIL activity is, has been, or is more than likely to not have been undertaken on any part of the site. Therefore, the NES Contaminated Soils is not applicable in this instance.

6.0 NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER (NES FRESHWATER)

A review of aerial images, including NRC's wetland maps, reveal no evidence to suggest that there are any wet areas that may be subject to the NES Freshwater provisions. Therefore, no further assessment is required under the NES Freshwater.

7.0 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND (NPSHPL)

The subject site contains LUC 3 and 4 soils. While LUC 3 soils are classified as 'highly productive' under the NPSHPL, the proposed allotments will be located entirely outside of the LUC 3 extent. On this basis, it is considered that no further consideration is required under the NPSHPL.

8.0 PUBLIC NOTIFICATION ASSESSMENT (SECTIONS 95A, 95C TO 95D)

Step 1: Mandatory public notification is required in certain circumstances

Under Section 95A(3) an application must be publicly notified if:

- a) the applicant has requested that the application be publicly notified;*
- b) public notification is required under Section 95C.*

The applicant is not requesting public notification under clause (a). Clause (b) provisions relate to where an applicant does not provide further information formally requested under Section 92, which is not applicable in this case.

Public notification is not required and therefore Step 2 must be considered.

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

Under Section 95A (4) an application must not be publicly notified if:

- a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;*
- b) the application is for a resource consent for 1 or more of the following, but no other, activities:
 - i. a controlled activity;*
 - ii. a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity;**

None of the above apply, therefore public notification is not precluded.

Step 3 must be considered.

Step 3: Public notification required in certain circumstances

Public notification is precluded if:

- a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification;*
- b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

The proposal requires consideration under s95D of the Act. An assessment of environmental effects is provided in Section 10.0 below which concludes that any adverse effect will be less than minor.

Step 4: Public notification in special circumstances

Section 95A(9) sets out that the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- exceptional or unusual, but something less than extraordinary; or
- 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 no more than minor.

If the answer is yes, then those persons are required to be notified.

As per the assessment of environmental effects, there is nothing out of the ordinary that could give rise to special circumstances.

Public Notification Conclusion

Having undertaken the s95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as effect will be less than minor; and
- Under step 4, there are no special circumstances.

Therefore, this application can be processed without public notification.

9.0 LIMITED NOTIFICATION ASSESSMENT (SECTIONS 95B, 95E TO 95G)

Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups, or affected persons under a statutory acknowledgement affecting the land.

The above does not apply to this land.

Step 2: If not required by step 1, limited notification precluded in certain circumstances

Step 2 describes that limited notification is precluded where all applicable rules and NES preclude limited notification; or the application is for a controlled activity (other than the subdivision of land) or a prescribed activity under section 360H(1)(a)(ii).

The above does not apply to the proposal, and therefore limited notification is not precluded.

Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 requires that where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of a prescribed activity under s360H(1)(b), a prescribed person; and
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary or prescribed activity as defined in the Act or a prescribed activity under s360H(1)(b), and therefore an assessment in accordance with S95E is required, of which is set out below.

Overall, it is considered that any adverse effects in relation to adjacent properties will be less than minor, and accordingly that no persons are adversely affected.

Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

In this instance, having regard to the assessment above, special circumstances are not considered to apply to this proposal.

Assessment of Environmental Effects

Written Approvals

Written approval has been provided by NZTA, as per Appendix D. No further written approvals have been sought as it is considered that despite the Non-Complying activity status, the scale and nature of the effects associated with the subdivision proposed under this application are more appropriately aligned with those anticipated under the Restricted Discretionary Activity framework, as discussed earlier in this report.

Permitted Baseline

In considering an assessment of effects, Sections 95D(b) and 104(2) provides for consideration of the permitted baseline, stating that '*...a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.*'

There are three categories to the permitted baseline test, these being:

1. What lawfully exists on the site at present
2. Activities (being non-fanciful activities) which could be conducted on the site as of right; i.e. without having to obtain resource consent
3. Activities which could be carried out under a granted, but as yet unexercised, resource consent.

The permitted standards for the Rural Production Zone allow for a range of activities to be undertaken as a permitted activity including the construction of one single residential unit per site, or one residential unit per 12ha. This means that, as the existing title currently stands, up to two dwellings can be constructed on the subject site as a permitted activity. Given the proposed subdivision will result in two additional allotments, it is therefore considered the proposal is closely aligned with the permitted baseline such that any adverse effects will be less than minor.

ALLOTMENT SIZES AND DIMENSIONS

The proposed subdivision will result in Lot 1 (4005m²), and Lot 3 (1.273ha), both of which are vacant and intended for future residential use. Proposed Lot 2 will be amalgamated with Lot 1 DP 541901 which already contains an existing dwelling and associated services. As stated earlier in this report, this amalgamation will supersede, but will not differ from, that approved by 2240264-RMASUB.

The Site Suitability Report provided with the application confirms that proposed Lots 1 and 3 are of a sufficient size and configuration to accommodate their intended land uses and can achieve compliance with relevant bulk and location standards, including setbacks, coverage, access, and on-site servicing requirements such as wastewater and stormwater disposal.

The proposal is also consistent with the established and evolving pattern of subdivision and land use in the surrounding area, which already exhibits a degree of fragmentation with several neighbouring sites of comparable or smaller size.

Furthermore, the subdivision will not result in adverse cumulative or long-term effects on the rural environment, as it represents a low-scale intensification through the creation of only two additional allotments. A large balance lot of 26.4ha (Lot 4) will remain in productive use. Accordingly, the proposal is considered to be sustainable, consistent with the surrounding environment, and appropriate within its context despite its non-complying status.

NATURAL AND OTHER HAZARDS

As per NRC maps, the site is partially subject to the 10, 50 and 100-Year ARI events. However, as per the Site Suitability Report attached with this application, all future development has the ability to be located outside of the flood extent and will not exacerbate the flood hazard.

WATER SUPPLY

Proposed Lot 2 achieves adequate water supply by way of several 25,000 litre water tanks.

The Site Suitability Report concludes that adequate water supply can be achieved within Lots 1 and 3, including for firefighting purposes. The applicant accepts that a consent notice condition may be imposed with specific requirements regarding water supply for firefighting purposes.

STORMWATER DISPOSAL

Stormwater disposal has been comprehensively described in the Site Suitability Report prepared by FNR Consulting. Overall, it is considered that any adverse effect in relation to stormwater management will be less than minor subject to the implementation of those mitigation measures

recommended in the FNR Consulting report. The applicant accepts that these measures will form consent/notice conditions.

SANITARY SEWAGE DISPOSAL

The Site Suitability Report prepared by FNR Consulting concludes that the existing wastewater disposal system is operating adequately, and that proposed Lots 1 and 3 have the ability to accommodate an adequate wastewater disposal system in accordance with TP58, ASNZS1547 and Council's Engineering Standards. It is anticipated that a consent notice condition will be registered against proposed Lots 1 and 3 requiring specific TP58 design at building consent stage.

ENERGY SUPPLY

Proposed Lot 2 has an existing electricity connection. Proposed Lots 1 and 3 have the ability to connect. However, the provision of electricity is not a requirement as part of a subdivision in the Rural Production Zone. It is anticipated that a consent notice condition will be imposed informing future owners that the provision of electricity supply will be their responsibility.

TOP ENERGY TRANSMISSION LINES

There are no Top Energy transmission lines in the vicinity of the subject site.

TELECOMMUNICATIONS

Proposed Lot 2 has an existing telecommunications connection. Proposed Lots 1 and 3 have the ability to connect. However, the provision of telecommunications is not a requirement as part of a subdivision in the Rural Production Zone. It is anticipated that a consent notice condition will be imposed informing future owners that the provision of telecommunications will be their responsibility.

EASEMENTS FOR ANY PURPOSE

As per the scheme plan, all necessary easements will be created.

PROVISION OF ACCESS

Access to the subject site is currently gained via several vehicle crossings off SH1, as previously approved by NZTA. As per the scheme plan, proposed Lots 1 and 4 will be achieved via ROW A, while proposed Lot 3 will be achieved via a new vehicle crossing off SH1. Both crossings will be upgraded/constructed to Council's and NZTA's standards. Consultation has been undertaken with NZTA, their requirements are outlined in the letter attached as **Appendix D**. The applicant accepts that NZTA's written approval letter will form conditions of consent.

EFFECT OF EARTHWORKS AND UTILITIES

It is anticipated that minimal earthworks may be required as part of the subdivision. The Site Suitability Report confirms that earthworks volumes will be able to comply with the relevant permitted thresholds for earthworks.

BUILDING LOCATIONS

As discussed above, proposed Lot 2, which will be amalgamated with Lot 1 DP 541901, contains existing built development which will remain compliant with all permitted bulk and location standards. The use of this site will remain unchanged.

Proposed Lots 1 and 3 are able to accommodate multiple 30x30m building envelopes exclusive of setback requirements. This lot is anticipated for future residential development. The Site Suitability Report prepared by FNR Consulting concludes that proposed Lots 1 and 3 contain suitable building platforms within which a future dwelling and associated services can be constructed subject to those recommendations outlined in their report. It is anticipated that this report will form a consent/notice condition.

As shown on the proposed scheme plan, any future dwelling within Lots 1 and 3 will have the ability to be orientated towards the north and take advantage of passive solar gain, in a manner that will not affect the existing dwelling's, or neighbouring dwelling's, access to sunlight.

In terms of landscaping, the site is largely in pasture with some boundary planting along the northern boundary. No additional planting is proposed as part of the subdivision as it is considered more appropriate to do so at the time of future development when specific house design details are known.

Based on the above, it is considered that proposed Lots 1 and 3 have the ability to accommodate a suitable building platform that will not adversely affect the rural amenity of the area, or the privacy and outlook of future residents and adjoining neighbours.

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

The site does not contain any such areas, nor are any located in proximity to the site.

SOIL

As per Far North Maps, the site contains LUC 3 soils. However, all new allotments are located outside of the LUC 3 extent. It is therefore considered that any versatile soils within the subject site will remain unaffected by the proposed development. Further, the balance lot (Lot 4) will remain in productive use.

ACCESS TO WATERBODIES

There are no water bodies that will be affected by the subdivision.

LAND USE INCOMPATIBILITY

The subject site is located in an area largely characterised by rural-residential development. There are many similarly sized or smaller properties in the immediate vicinity, which are similarly zoned Rural Production. The proposed subdivision will therefore not be setting a precedent. The proposal will result in a large balance lot (Lot 4 – 26.4150ha) where production activities will continue. Adjacent production activities will not be affected. Overall, the proposed subdivision has been

designed to be consistent with existing development patterns in the immediate surrounding environment, to a level where rural amenity will not be compromised and will not give rise to any reverse sensitivity effects.

PROXIMITY TO AIRPORTS

The site is located approximately 21km from the nearest airport.

NATURAL CHARACTER OF THE COASTAL ENVIRONMENT

The site is not located in the coastal environment.

ENERGY EFFICIENCY AND RENEWABLE ENERGY DEVELOPMENT/USE

Not applicable.

NATIONAL GRID CORRIDOR

Not applicable.

CONCLUSION

Taking the above into account, it is considered that there will be no adverse effects on the wider and localised environment. As such, no parties are considered to be adversely affected.

LIMITED NOTIFICATION CONCLUSION

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

10.0 EFFECTS ON THE ENVIRONMENT (SECTION 104(1)(A))

An assessment of effects on adjacent properties has been provided and it was concluded that any adverse effects will be less than minor.

Further, it is considered that the proposal will result in positive effects including the efficient use of rural land while maintaining character and amenity values intrinsic to rural communities.

Overall, it is considered that when taking into account the positive effects, any actual and potential adverse effects on the environment of allowing the activity are appropriate.

11.0 DISTRICT PLAN AND STATUTORY DOCUMENTS (SECTION 104(1)(B))

The following planning documents prepared under the RMA are considered relevant to this application.

Regional Policy Statement for Northland

The Northland Regional Policy Statement (RPS) covers the management of natural and physical resources across the Northland region. The provisions within the RPS give guidance at a higher planning level in terms of significant regional issues, therefore providing guidance to consent applications and the development of District Plans on a regional level. Given the nature and scale of the proposed subdivision, being a Non-Complying activity, it is considered that this level of development is compatible with the intent of the RPS.

Operative Far North District Plan – Objectives and Policies

Section 104(1)(b)(vi) requires consideration of the relevant objectives and policies contained in any Operative or proposed District Plan. Therefore, an assessment of the Operative Far North District Plan provisions is required.

The relevant provisions of the Operative District Plan are contained in the following chapters:

- Chapter 8.6 Rural Production Zone
- Chapter 13 Subdivision

Rural Production Zone - Objectives	
Objective	Comment
8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.	The proposed development enables the efficient use of land where the site can be used for residential and productive purposes in a manner that will not degrade the natural and physical resources in the area.
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.	The proposal will enable the efficient use of surplus land providing for the social and economic well-being of the applicants.
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.	As per the AEE, rural amenity values will be maintained through the provision of ample open space within Lots 1 and 3, and the careful positioning of future development within these lots.
8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.	There are no significant natural values within, or in proximity to, the site which warrant protection.
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.	Not applicable
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.	As concluded in the assessment of effects above, the proposal will not result in any reverse sensitivity effects.

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Rural Production Zone - Objectives	
Objective	Comment
8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.	As concluded in the assessment of effects above, the proposal will not result in any reverse sensitivity effects.
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.	Proposed Lot 2 is in residential use with small-scale production activities also occurring on site. The use of this site will remain unchanged. Proposed Lots 1 and 3 are currently vacant and anticipated for future residential use.
8.6.3.9 To enable rural production activities to be undertaken in the zone.	The proposed subdivision will not adversely affect rural production activities occurring in the area.

Rural Production Zone - Policies	
Policy	Comment
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.	The subdivision will result in no adverse effects on the environment, as open space will be maintained by continuing using the land for residential and productive purposes.
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.	As per the AEE, the proposed development has been designed to be consistent with existing surrounding development patterns.
8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.	As above.
8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.	The proposed development will not adversely affect those adjoining properties that are zoned Rural Production.
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.	As above.
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.	Not applicable
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.	As concluded in the assessment of effects above, the proposal will not result in any reverse sensitivity effects.

Rural Production Zone - Policies	
Policy	Comment
8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities.	As concluded in the assessment of effects above, the proposal will not result in any reverse sensitivity effects.
8.6.4.9 That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones	As concluded in the assessment of effects above, the proposal will not result in any reverse sensitivity effects.

Subdivision Chapter - Objectives	
Objective	Comment
13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.	As concluded in the assessment of effects, the proposed subdivision will be keeping in character with the surrounding environment. The subdivision will provide for the social and economic well-being of current and future owners of the site.
13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated	The life-supporting capacity of natural resources will not be affected by the subdivision, nor will the proposal give rise to reverse sensitivity effects or exacerbate natural hazards.
13.3.3 To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.	No such landscapes or features will be affected.
13.3.4 To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.	No such resources will be affected.
13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.	As concluded in the Site Suitability Report, proposed Lots 1 and 3 have the ability to accommodate suitable building platforms and adequate services.
13.3.6 To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection,	N/a

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Subdivision Chapter - Objectives	
Objective	Comment
enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.	
13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.	There are no recorded archaeological sites or registered Sites of Cultural Significance within, or in proximity to, the subject site. It is therefore considered that the proposed subdivision will not result in any adverse cultural effects.
13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.	Electricity supply is not a requirement in the RPZ. However, connections are available.
13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).	Owing to the topography, the site has the ability to accommodate future dwellings with a northerly aspect.
13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.	There are no alternative transport options available to the site.
13.3.11 To ensure that the operation, maintenance, development and upgrading of the existing National Grid is not compromised by incompatible subdivision and land use activities	Not applicable.

Subdivision Chapter - Policies	
Objective	Comment
13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on: (a) natural character, particularly of the coastal environment; (b) ecological values; (c) landscape values; (d) amenity values; (e) cultural values; (f) heritage values; and (g) existing land uses.	As concluded in the assessment of effects, the proposed subdivision will not result in such adverse effects.
13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.	All vehicle crossings will be constructed/upgraded in accordance with Council's Engineering Standards.

Subdivision Chapter - Policies	
Objective	Comment
13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.	As concluded in the Site Suitability Report, the proposed development will not exacerbate any natural hazards.
13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.	The site has existing connections to electricity and telecommunications. No additional connections are required as part of the subdivision given the Rural Production zoning.
13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.	Minimal earthworks are required. No vegetation clearance is required.
13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.	No such resources will be affected.
13.4.7 That the need for a financial contribution be considered only where the subdivision would: (a) result in increased demands on car parking associated with non-residential activities; or (b) result in increased demand for esplanade areas; or (c) involve adverse effects on riparian areas; or (d) depend on the assimilative capacity of the environment external to the site	Not applicable.
13.4.8 That the provision of water storage be taken into account in the design of any subdivision.	The sites are able to accommodate adequate on-site water supply.
13.4.9 That bonus development donor and recipient areas be provided for so as to minimise the adverse effects of subdivision on Outstanding Landscapes and areas of significant indigenous flora and significant habitats of fauna.	Not applicable.
13.4.10 The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.	Not applicable.
13.4.11 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.	There are no recorded archaeological sites or registered Sites of Cultural Significance within, or in proximity to, the subject site. It is therefore considered that the proposed subdivision will not result in any adverse cultural effects.

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Subdivision Chapter - Policies	
Objective	Comment
13.4.12 That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.	Not applicable.
13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including: (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns; (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area; (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas; (d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives" (2004); (e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests; (f) protecting historic heritage through the siting of buildings and development and design of subdivisions. (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.	As concluded in the assessment of effects, the subdivision is able to achieve this policy.
13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.	This assessment concludes that the subdivision is consistent with the relevant objectives and policies of the District Plan.
13.4.15 That conditions be imposed upon the design of subdivision of land to require that the layout and	It is anticipated that a number of conditions will be imposed including those relating to servicing,

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Subdivision Chapter - Policies	
Objective	Comment
orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following: (a) development of energy efficient buildings and structures; (b) reduced travel distances and private car usage; (c) encouragement of pedestrian and cycle use; (d) access to alternative transport facilities; (e) domestic or community renewable electricity generation and renewable energy use.	foundation design and general accordance conditions.
13.4.16 When considering proposals for subdivision and development within an existing National Grid Corridor the following will be taken into account: (a) the extent to which the proposal may restrict or inhibit the operation, access, maintenance, upgrading of transmission lines or support structures; (b) any potential cumulative effects that may restrict the operation, access, maintenance, upgrade of transmission lines or support structures; and (c) whether the proposal involves the establishment or intensification of a sensitive activity in the vicinity of an existing National Grid line.	Not applicable.

Proposed Far North District Plan – Objectives and Policies

The relevant provisions of the Proposed District Plan are contained in the following chapters:

- Subdivision
- Rural Production

Subdivision – PDP Objectives	
Objective	Comment
SUB-O1 Subdivision results in the efficient use of land, which: achieves the objectives of each relevant zone, overlays and district wide provisions; contributes to the local character and sense of place; avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate; avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located; does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and manages adverse effects on the environment.	The proposed subdivision will result in two residential allotments which are considered to be more closely aligned with the intent of a restricted discretionary subdivision rather than non-complying. Rural amenity will be maintained, adjacent and in-situ productive activities will not be affected, the layout of the subdivision was designed to be consistent with emerging development patterns in the area. Natural risks will not be exacerbated as concluded in the Site Suitability Report.
SUB-O2 Subdivision provides for the: Protection of highly productive land; and	As discussed earlier, future development will be located outside of

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Subdivision – PDP Objectives	
Objective	Comment
Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.	the extent of LUC 3 soils. No other natural or heritage resources will be affected.
<p>SUB-O3</p> <p>Infrastructure is planned to service the proposed subdivision and development where:</p> <ol style="list-style-type: none"> a. there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network. 	As per the site suitability report, existing services are operating adequately. Proposed Lots 1 and 3 have the ability to accommodate adequate services and infrastructure.
<p>SUB-O4</p> <p>Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:</p> <ol style="list-style-type: none"> a. public open spaces; b. esplanade where land adjoins the coastal marine area; and c. esplanade where land adjoins other qualifying waterbodies. 	Not applicable.

Subdivision – PDP Policies	
Objective	Comment
<p>SUB-P1 Enable boundary adjustments that:</p> <ol style="list-style-type: none"> a. do not alter: <ol style="list-style-type: none"> i. the degree of non compliance with District Plan rules and standards; ii. the number and location of any access; and 	Not applicable.

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Subdivision – PDP Policies	
Objective	Comment
<ul style="list-style-type: none"> iii. the number of certificates of title; and b. are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions. 	
SUB-P2 Enable subdivision for the purpose of public works, infrastructure, reserves or access.	Not applicable.
<p>SUB-P3 Provide for subdivision where it results in allotments that:</p> <ul style="list-style-type: none"> a. are consistent with the purpose, characteristics and qualities of the zone; b. comply with the minimum allotment sizes for each zone; c. have an adequate size and appropriate shape to contain a building platform; and d. have legal and physical access. 	As per the AEE, the proposed development is considered to be consistent with the immediate surrounding environment. Lots 1 and 3 have ample area to accommodate a suitable building platform and adequate services. Legal and physical access to each lot has been provided for.
SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan	The site does not contain any significant natural, historical or cultural values. The Site Suitability Report concludes that the proposed development will not exacerbate natural hazards.
<p>SUB-P5 Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by:</p> <ul style="list-style-type: none"> a. minimising vehicle crossings that could affect the safety and efficiency of the current and future transport network; b. avoid cul-de-sac development unless the site or the topography prevents future public access and connections; c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces; d. contributing to a well connected transport network that safeguards future roading connections; and e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network. 	Not applicable.

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Subdivision – PDP Policies	
Objective	Comment
<p>SUB-P6 Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ul style="list-style-type: none"> a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone. 	As discussed earlier in the report, all necessary infrastructure will be provided for.
<p>SUB- P7 Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying waterbodies.</p>	Not applicable.
<p>SUB-P8 Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:</p> <ul style="list-style-type: none"> a. will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and b. will not result in the loss of versatile soils for primary production activities. 	Not applicable.
<p>SUB-P9 Avoid subdivision rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.</p>	Not applicable.
<p>SUB-P10 To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum allotment size and residential density.</p>	Not applicable.
<p>SUB-P11 Manage 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:</p> <ul style="list-style-type: none"> a. consistency with the scale, density, design and character of the environment and purpose of the zone; b. the location, scale and design of buildings and structures; c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of 	As above.

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Subdivision – PDP Policies	
Objective	Comment
<p>the site to cater for on-site infrastructure associated with the proposed activity;</p> <p>d. managing natural hazards;</p> <p>e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and</p> <p>f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>	

Rural Production – PDP Objectives	
Objective	Comment
RPROZ-O1 The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.	As concluded in the AEE, proposed Lots 1 and 3 have ample area so as to accommodate future residential development whilst also enabling small-scale production activities to occur.
RPROZ-O2 The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.	As above.
RPROZ-O3 Land use and subdivision in the Rural Production zone: protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production; protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation; does not compromise the use of land for farming activities, particularly on highly productive land; does not exacerbate any natural hazards; and is able to be serviced by on-site infrastructure.	As above.
RPROZ-O4 The rural character and amenity associated with a rural working environment is maintained.	The proposed lot sizes are large enough so as to accommodate future residential development whilst maintaining ample open space and therefore rural amenity.

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Rural Production – PDP Policies	
Objective	Comment
RPROZ-P1 Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.	Not applicable.
RPROZ-P2 Ensure the Rural Production zone provides for activities that require a rural location by: enabling primary production activities as the predominant land use; enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.	Not applicable.
RPROZ-P3 Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.	As per the AEE, the proposed development has been designed to be consistent with existing surrounding development patterns.
RPROZ-P4 Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes: a predominance of primary production activities; low density development with generally low site coverage of buildings or structures; typical adverse effects such as odour, noise and dust associated with a rural working environment; and a diverse range of rural environments, rural character and amenity values throughout the District.	As above.
RPROZ-P5 Avoid land use that: is incompatible with the purpose, character and amenity of the Rural Production zone; does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone; would result in the loss of productive capacity of highly productive land; would exacerbate natural hazards; and cannot provide appropriate on-site infrastructure.	As above.
RPROZ-P6 Avoid subdivision that: results in the loss of highly productive land for use by farming activities;	As above.

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Rural Production – PDP Policies	
Objective	Comment
<p>fragments land into parcel sizes that are no longer able to support farming activities, taking into account:</p> <p>the type of farming proposed; and</p> <p>whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.</p> <p>provides for rural lifestyle living unless there is an environmental benefit.</p>	
<p>RPROZ-P7 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <p>whether the proposal will increase production potential in the zone;</p> <p>whether the activity relies on the productive nature of the soil;</p> <p>consistency with the scale and character of the rural environment;</p> <p>location, scale and design of buildings or structures;</p> <p>for subdivision or non-primary production activities:</p> <p>scale and compatibility with rural activities;</p> <p>potential reverse sensitivity effects on primary production activities and existing infrastructure;</p> <p>the potential for loss of highly productive land, land sterilisation or fragmentation</p> <p>at zone interfaces:</p> <p>any setbacks, fencing, screening</p> <p>or landscaping required to address potential conflicts;</p> <p>the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;</p> <p>the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;</p> <p>the adequacy of roading infrastructure to service the proposed activity;</p> <p>Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;</p> <p>Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>	As above.

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Conclusion

For the reasons outlined above, it is considered that the proposal is consistent with the relevant objectives and policies of the RPS and Operative District Plan.

12.0 PART 2 MATTERS

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

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

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant objectives and policies of the RPS, and the Operative District Plan provisions. Accordingly, it is considered that the proposal will not offend the general resource management principles set out in Part 2 of the Act.

13.0 OTHER MATTERS (SECTION 104(1)(C))

There are no other matters considered relevant to this proposal.

14.0 CONCLUSION

The proposal involves the subdivision of Lot 2 DP 541901 and Section 28 Block V Opoe SD, to create two additional allotments in the Rural Production Zone.

Based on the assessment of effects above, it is concluded that any potential adverse effects on the existing environment would be no more than minor and can be managed in terms of appropriate conditions of consent.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that the application for resource consent can be granted on a non-notified basis.

AUTHOR



Nina Pivac

Director | BAppSC | PGDipPlan | Assoc. NZPI

Date: 4 May 2026

Appendices:

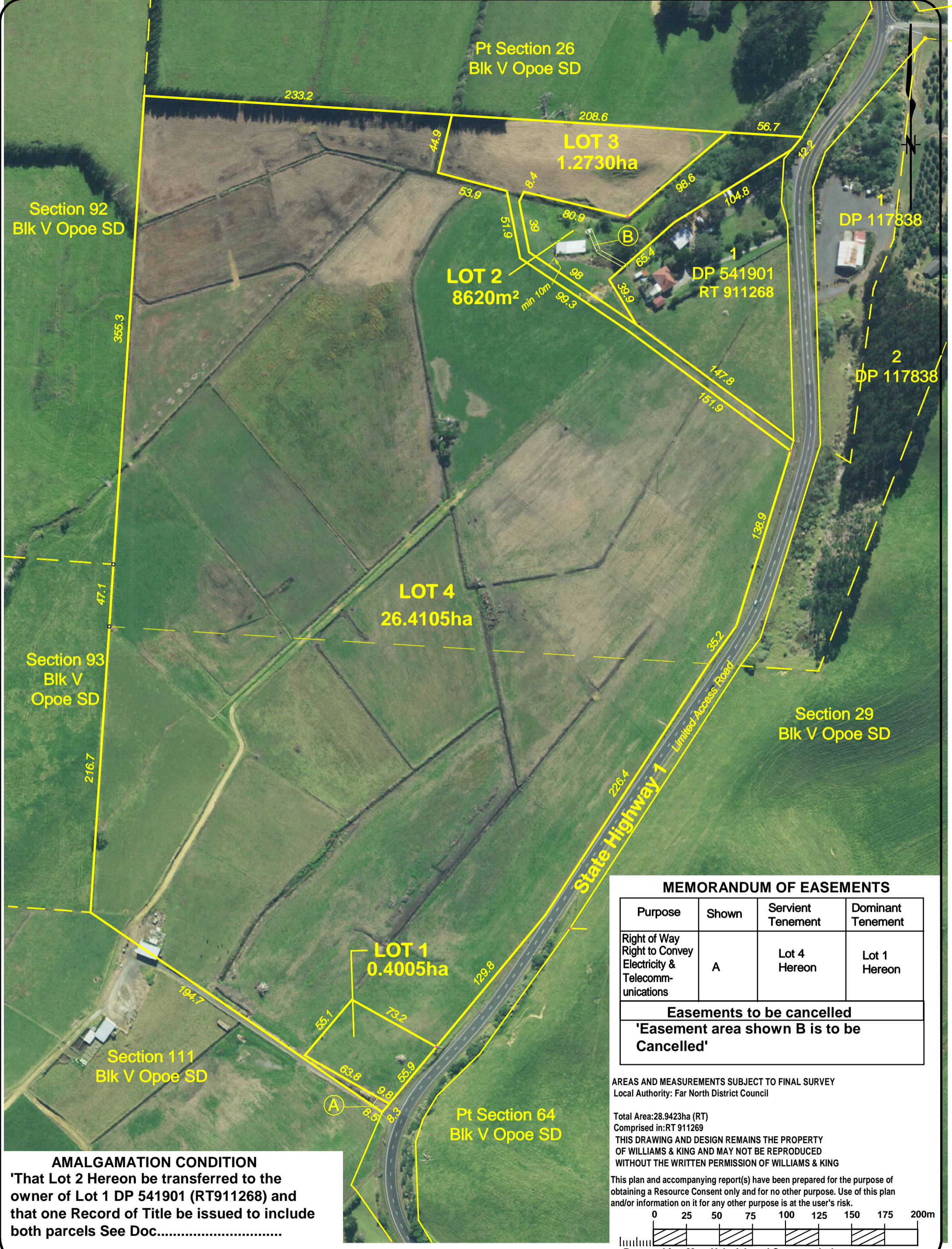
Appendix A – Scheme Plan

Appendix B – Certificate of Title

Appendix C – Site Suitability Report

Appendix D – NZTA Consultation

Appendix A – Scheme Plan



Section 92
Blk V Opoe SD

Pt Section 26
Blk V Opoe SD

LOT 3
1.2730ha

LOT 2
8620m²

DP 541901
RT 911268

DP 117838

DP 117838

LOT 4
26.4105ha

Section 93
Blk V
Opoe SD

Section 29
Blk V Opoe SD

Section 111
Blk V Opoe SD

Pt Section 64
Blk V Opoe SD

MEMORANDUM OF EASEMENTS

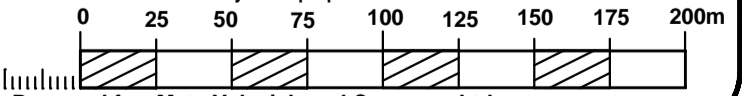
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way Right to Convey Electricity & Telecomm- unications	A	Lot 4 Hereon	Lot 1 Hereon

Easements to be cancelled
'Easement area shown B is to be Cancelled'

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY
Local Authority: Far North District Council

Total Area: 28.9423ha (RT)
Comprised in: RT 911269
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Prepared for: Mate Yelavich and Company Ltd

AMALGAMATION CONDITION
'That Lot 2 Hereon be transferred to the
owner of Lot 1 DP 541901 (RT911268) and
that one Record of Title be issued to include
both parcels See Doc.....'

WILLIAMS AND KING
Registered Land Surveyors, Planners &
Land Development Consultants
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27 Hobson Ave
PO Box 937 Kerikeri

**Proposed Subdivision of
Lot 2 DP 541901 & Section 28
Block V Opoe SD**

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey		1:2500	A3
Design			
Drawn	W & K Feb 2026		
Rev			

23384
01

Appendix B – Certificate of Title



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

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




R. W. Muir
Registrar-General
of Land

Identifier 911269
Land Registration District North Auckland
Date Issued 21 January 2020

Prior References

NA31B/783 NA64D/490

Estate Fee Simple
Area 28.9423 hectares more or less
Legal Description Lot 2 Deposited Plan 541901 and Section
28 Block V Opoe Survey District

Registered Owners

Mate Yelavich & Company Limited

Interests

D534037.1 Notice pursuant to Section 94C Transit New Zealand Act 1989 declaring the adjoining State Highway IF to be a limited access road - 21.8.2000 at 2.05 pm

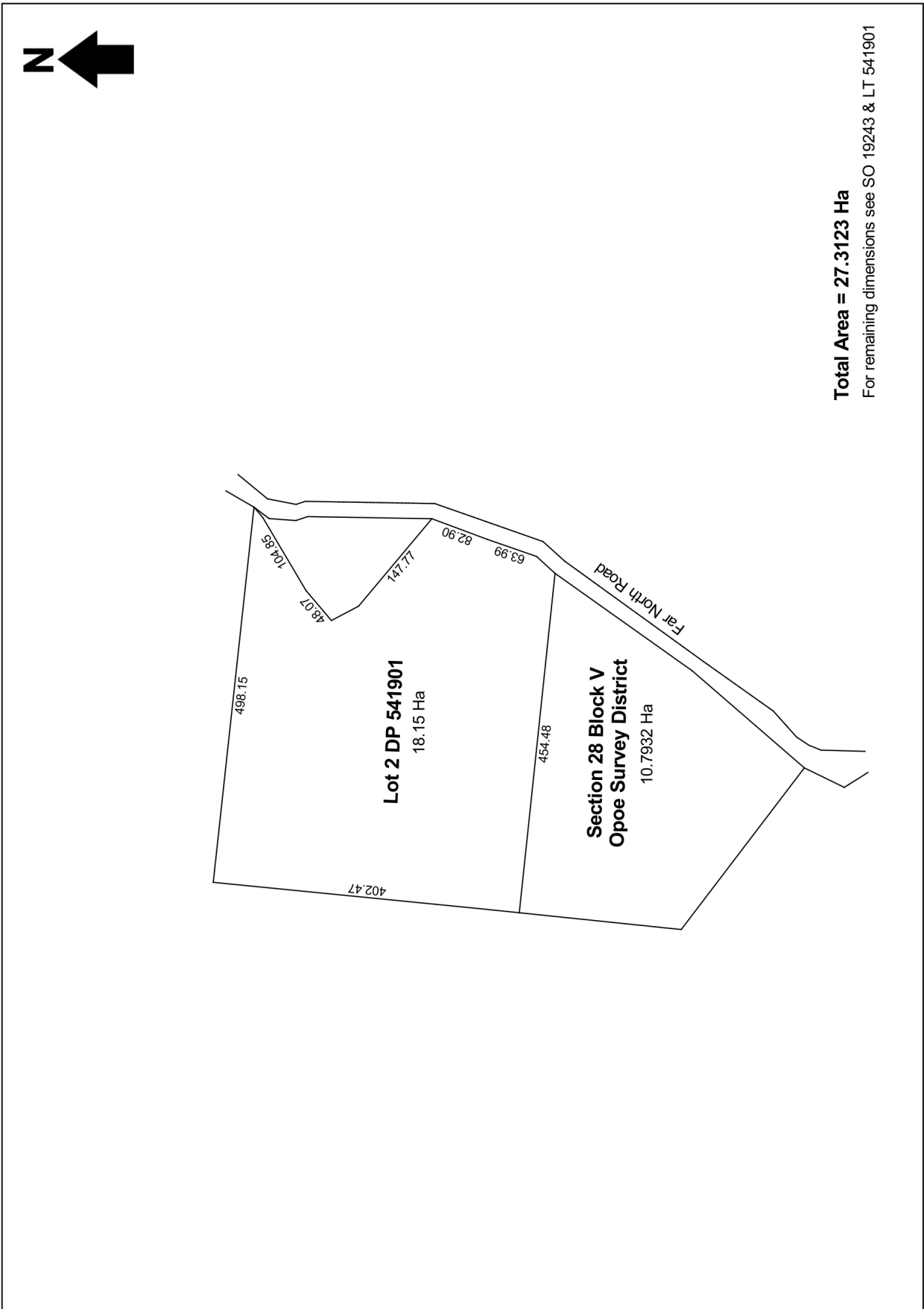
D535210.1 Notice pursuant to Sections 90 and 91 Transit New Zealand Act 1989 - 24.8.2000 at 12.55 pm (Affects part formerly Section 27 Block V Opoe Survey District)

D535211.1 Notice pursuant to Sections 90 and 91 Transit New Zealand Act 1989 - 24.8.2000 at 12.55 pm (Affects part formerly Section 27 Block V Opoe Survey District)

Subject to Section 241(2) Resource Management Act 1991 (Affects DP 541901)

Subject to a right to convey water and electricity over part Lot 2 DP 541901 marked A on DP 541901 created by Easement Instrument 11629919.5 - 21.1.2020 at 4:04 pm

11629919.6 Mortgage to ANZ Bank New Zealand Limited - 21.1.2020 at 4:04 pm



Appendix C – Site Suitability Report

Appendix D – NZTA Consultation

2607 State Highway 1, Waiharara, Far North

Subdivision Site Suitability Report

Prepared for Mike Yelavich



Job No.	FNR1056B, Rev 1
Report Author	Tess Allen
Report Reviewer	Manu Burkhardt Macrae
Date	20/03/2026

Document Approval				
Action	Name	Qualification	Signed	Date
Author	Tess Allen	BE (Hons) Civil Engineering		20/03/2026
Reviewer	Manu Burkhardt Macrae	BE Environmental Engineering, CPENG NZ, 253797		24/04/2026

Limitations

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Executive Summary

This report has been prepared to support an application for a four-lot greenfield subdivision of the property located at 2607 State Highway 1 (SH1), Waiharara, Far North, legally described as Section 28 Block V Opoe SD and Lot 2 DP 541901. All four proposed sites are currently zoned Rural production under the Operative Far North District Plan.

The proposed subdivision seeks to create the following allotments:

Subdivision B of Section 28 Block V Opoe SD and Lot 2 DP 541901

Proposed Lot 1: 4005 m²

Proposed Lot 2: 8620 m² site will be amalgamated with existing Lot 1 DP541901-1.6330ha. No suitability investigation will be completed on this site.

Proposed Lot 3: 1.2730 ha

Proposed Lot 4: 26.4105 ha

The proposal represents a rural subdivision which enables appropriate rural development as the land is currently undeveloped. The proposed Lot 2 will be amalgamated with an existing adjacent lot which has an existing dwelling.

No additional dwellings are proposed as part of this application. However, it is anticipated that, consistent with the established development pattern of surrounding properties, one dwelling may be established on each proposed Lot. Any future dwelling construction will be subject to separate approvals (including building consent) and will be assessed at that stage.

The property is rural in character and generally flat farmland, with existing vegetation and landform typical of the Pukenui area. The proposed allotments are of a size and configuration that will allow for efficient future development while maintaining adequate separation and rural amenity.

Access to the proposed lots will be provided via separate access points which is discussed within the report, connecting to State Highway 1, with any required legal access including right-of-way and easements to be established to ensure safe and compliant access to all lots.

Environmental assessments confirm that the subdivision can be undertaken without generating significant adverse effects. As no dwellings or earthworks-intensive development is proposed at this stage, the proposal will not result in an increase in stormwater runoff, demand on infrastructure, or environmental risk.

Stormwater will be managed on-site through infiltration and overland flow across permeable surfaces, with roof water collected and disposed of using methods suitable for local ground conditions. Water supply will be provided by rainwater collection and storage tanks, while wastewater will be treated and disposed of via

on-site systems designed in accordance with TP58 standards and Council requirements.

The subdivision is consistent with the servicing, access, and environmental performance expectations of the Far North District Council and demonstrates that the site can accommodate the proposed allotments without significant infrastructure upgrades or adverse environmental effects. Overall, the proposal represents a low-impact greenfield subdivision that enables orderly rural development while maintaining the rural character and amenity values of the area.

Site Description

The subject land is located at 2607 State Highway 1, Waiharara, Far North and is owned by Mike Yelavich and Hannah Petera. The land is legally described as Section 28 Block V Opoe SD, and Lot 2 DP 541901. See below Locality plan.



Figure 1-Locality Plan, Source: Prover

This subdivision comprises of two surveyed areas totalling:

- 10.7923 ha; and 18.1500 ha.

The site forms part of a wider rural landscape and is primarily open farmland. The land is generally flat and largely undeveloped. The surrounding area is predominantly rural, consistent with the applicable zoning and the established character of the wider Pukenui area.

Environmental constraints

Natural hazards

A review of available natural hazard information confirms that natural hazards are a relevant consideration for the subject sites. For this site suitability assessment, the key natural hazard identified is flooding, including the presence of overland flow paths across areas of the proposed development.

The Natural hazard risk should not impact the subdivision, provided that the proposed lots can accommodate development that avoid hazard-prone areas and allow natural processes (such as stormwater conveyance) to continue functioning.

The proposed subdivision has been assessed with this in mind, including consideration of whether each proposed allotment contains an appropriate area for future building development outside identified hazard areas.

Flooding and Overland flow paths

Flood hazard mapping identifies areas of potential inundation and indicates the presence of overland flow paths, which function as natural stormwater conveyance routes during high rainfall events. The identified hazard areas are generally associated with these flow paths and areas where stormwater may pond or spread during storm events.

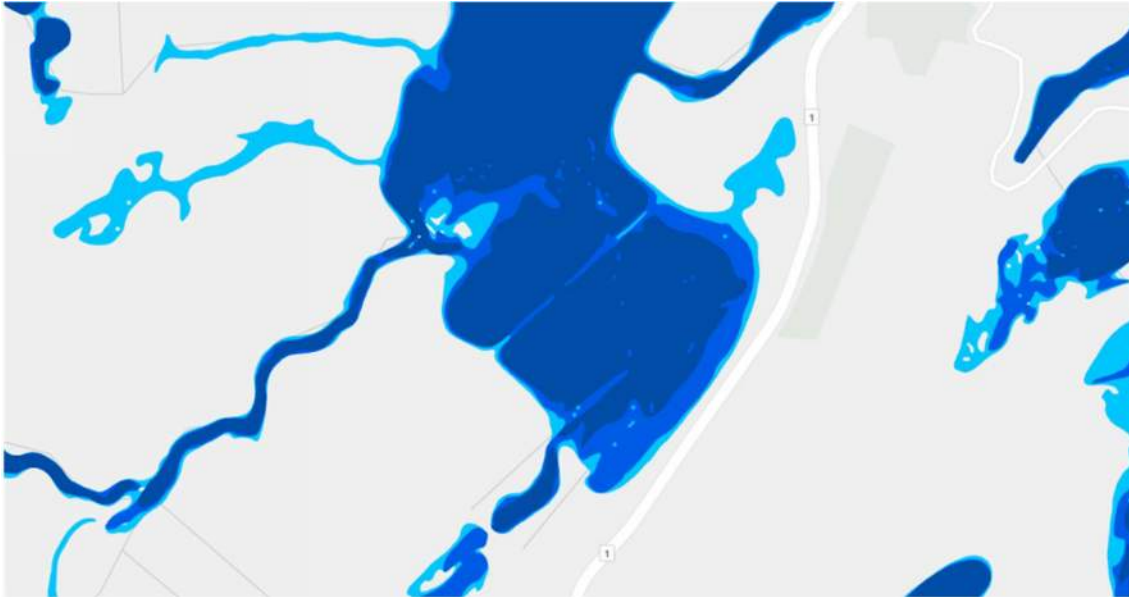


Figure 2 - Flooding model of subject lot, Source: FNDC GIS

No additional dwellings are proposed as part of this subdivision application. Any future building development will be assessed separately through the relevant building consent and/or resource consent processes, at which time the final location of building platforms, finished floor levels, and stormwater management measures can be confirmed to ensure that development is appropriately located and resilient to flooding risks.

Liquefaction risk

A desk-top study of liquefaction risk for this site has been undertaken.

“The area of Northland is identified to be at low risk of seismic hazard. There are no active faults known in the Far North. Small earthquakes will give short duration shaking that may not have enough cycles to cause liquefaction. Microzoning studies are probably not required as the hazard is low (GNS 2004)” - Regional Liquefaction Vulnerability Assessment – Far North District, prepared by Vision Consulting for FNDC 20/01/2023.

According to the above referenced report, and associated mapping, the Liquefaction Vulnerability Category for this site is currently “undetermined”, i.e. a liquefaction

assessment has not been undertaken for this area or there is not enough information to determine the appropriate category.

Considering the above assessment, it is considered that the liquefaction vulnerability for this site is low however, no site-specific liquefaction assessment has been undertaken.

Soils and stability

As there is no new or proposed dwelling to be included in this subdivision, soil stability requirement for construction is not included within this report. If additional building is proposed for the future the client is required to complete further investigation to ensure compliance. The existing roads, dwellings and services on the site are assumed to have been constructed to factor soil strength and land stability.

The soil type was assessed for the subject sites below.



Figure 3 – Soil type map, Source: New Zealand Land Inventory soil maps

According to the New Zealand Land Inventory soil map “Soil Types Ahipara Herekino” 1:100,000 scale describes the soils at this site as: Houhora Sand (HO) and Ruakaka fine sandy peat (RK).

The site classification based on site reactivity in accordance with AS2870-2011 Table 2.1 is: Class A – Most sand and rock sites with little or no ground movement from moisture changes.

There are no visual signs of slope instability on the existing lots and the proposed lots are in an appropriate location and do not pose a risk in terms of slope stability.

Some indicative ground testing was completed. Scala penetrometer tests were carried out to provide an indication of the underlying ground conditions. Good ground conditions were achieved at the test locations. Please refer to Appendix B for the testing results and photos.

Additional ground investigation will be required at the time of building consent should development be proposed. This testing will be undertaken to confirm the presence and depth of “Good Ground” on the proposed building sites in accordance with the requirements of NZS 3604, or to otherwise inform an appropriate engineered foundation design if these conditions are not met.

Vehicle access and Traffic

State Highway 1 (SH1) is located on the eastern boundary of the site. SH1 is a Limited Access Road, and as such any vehicle crossing onto the highway requires written authorisation from NZ Transport Agency Waka Kotahi (NZTA). This section of SH1 has a posted speed limit of 100 km/h and carries an annual average daily traffic volume of 1,735 vehicles per day (vpd), with 7.33% comprising heavy vehicles. This average daily traffic (ADT) data has been collated from Mobile Roads based on information from June 2024. SH1 is identified as a Primary Collector Road and carries a mix of local rural traffic and through-traffic consistent with its function as the primary transport route through the Far North.

Each proposed lot will have legal and physical access from State Highway 1. The proposed subdivision will create four lots, with access provided via two existing and one new vehicle accesses.

Access Arrangements by Lot

The access arrangements for the proposed subdivision of Section 28 Block V Opoe Survey District and Lot 2 DP 541901 are shown in figure 4 below and are as follows:

- Proposed Lots 1 and 4 will be accessed via vehicle crossing CP88. This access has previously been approved by NZTA, however it is being reassessed in the context of the updated NZTA Access onto the State Highway from Private Property guidance (September 2025), with mitigation measures proposed to address the identified sight distance deficiency.
- Proposed Lot 3 will be accessed via the new vehicle crossing known as CP87A. This is to replace CP87 which was previously approved south of the new vehicle crossing location.
- Proposed Lot 2 is to be amalgamated with Lot 1 DP 541901 which has access from existing vehicle access points CP85 and CP86.



Figure 4 – Access point locations

Sight Distance

Sight distance is defined as the distance measured along the carriageway over which visibility occurs between a driver and an object or hazard, as per the NZTA

Access onto the State Highway from Private Property documentation (September 2025). The minimum required Stopping Intersection Sight Distance (SISD) for each access point has been assessed in accordance with the NZTA desirable SISD table shown in Appendix C, which establishes minimum sight distance requirements by reference to the posted speed limit and corresponding 85th percentile operating speed.

The proposed subdivision is serviced by two vehicle access points onto SH1, each subject to differing posted speed limits and therefore differing minimum SISD requirements, as assessed below.

Shared Easement 1 — CP88 (Lots 1 and 4)

Shared Easement 1 is in the vicinity of a horizontal curve on SH1. The posted speed limit at this location is 80 km/h due to the proximity of a school, giving

a corresponding 85th percentile operating speed of 90 km/h and a desirable SISD of 226 metres in accordance with the NZTA SISD table.

Sight distance measurements recorded from this access point are as follows:

Towards Pukenui (north): 590 metres — compliant

Towards Kaitaia (south): 110 metres — non-compliant

The available sight distance of 110 metres towards the south does not meet the desirable SISD of 226 metres, nor the Stopping Sight Distance (SSD) of 130 metres at 90 km/h operating speed. This is caused by the combination of rising topography and the curved road alignment in this direction. However, advisory curve speed signage is present on SH1 in the vicinity of this access, recommending a reduced travel speed of 55 km/h through the horizontal curve, see figure 5 below.



Figure 5 – Curve advisory sign (Google maps image)

At this advisory speed, the desirable SISD is approximately 73 metres, which is less than the available sight distance of 110 metres. It can be expected that drivers will reduce their speed when negotiating the curve, particularly given the proximity of the school zone.

Shared Easement 2 — CP87A (Lot 3)

Shared Easement 2 is located on an open section of SH1 with a posted speed limit of 100 km/h, giving a corresponding 85th percentile operating speed of 110 km/h and a desirable SISD of 300 metres in accordance with the NZTA SISD table.

Sight distance measurements recorded from this access point are as follows:

Towards Pukenui (north): 280 metres — marginally non-compliant Towards Kaitaia (south): 530 metres — compliant

The sight distance of 280 metres to the north falls marginally short of the 300-metre desirable SISD. Given the low anticipated traffic generation from the proposed lot, the open nature of this section of SH1, and the fact that the available sight distance closely approaches the desirable standard, the shortfall is not considered to present a significant safety concern. The sight distance of 530 metres to the south comfortably exceeds the required standard. Overall, the sight distances at Shared Easement 2 are considered acceptable for the proposed residential use of Lot 3.

Mitigation Measures

The available sight distance of 110 metres towards the south at Shared Easement 1 does not meet the required SISD of 226 metres or the SSD of 130 metres. The following mitigation measures are proposed in combination to address this. These are subject to NZTA approval where works fall within the SH1 road reserve.

Option 1 — Vegetation Clearance and Embankment works

On-site investigation has confirmed that vegetation and embankment geometry within the sight line corridor to the south are one of the contributing factors to the restricted sight distance. Vegetation clearance and minor embankment works are proposed to help achieve the SSD threshold of 130 metres. Embankment and vegetation works to be designed in accordance with NZTA requirements and approved prior to construction.

Option 2 — Warning signage

As a mitigation measure in accordance with MOTSAM Part 1 Section 6, a PW-26 "CONCEALED EXIT ON CURVE" sign could be proposed at this location. As the available sight distance of 110 metres falls below the 180-metre rural threshold. The PW-26 "CONCEALED" supplementary sign must be mounted below the curve warning sign, subject to NZTA approval. It is also noted that advisory curve speed signage is already present in the vicinity of Shared Easement 1, further contributing to driver awareness and warning of the access location.

Traffic generation

CP88 serves Lots 1 and 4, which are anticipated to only generate approximately 10 total vehicle movements per day. This low traffic generation reduces the frequency of driver movements at the access and can be taken into consideration in the overall safety assessment of this vehicle access.

Access compliance

The vehicle crossing at CP88 will be constructed to NZTA Access Type C standard. The existing gate is set back sufficiently from the SH1 boundary to allow vehicles to

stop clear of the highway traffic lanes whilst the gate is being operated, confirming compliance with this standard.

Vehicle Crossing Requirements

Both vehicle crossings are to be constructed to NZTA Access Type C standard. This standard is appropriate for low volume rural road access and the relevant construction details are provided in Appendix D.

Prior to any physical works commencing on the state highway, a Corridor Access Request (CAR) must be submitted to NZTA before works begin.

Stormwater Management

On all vacant sites stormwater will be managed at the building consent stage. Stormwater that is generated from roof areas of the developed sites and other impervious surfaces is effectively managed using on-site rainwater collection tanks and overland dispersal across grassed and vegetated areas. During the site inspection there was no evidence of stormwater not effectively soaking to ground or surface ponding.

For any future proposed dwellings there is no reticulated stormwater system available in the area. There are no new proposed dwellings or construction at this stage there will be no increase in roof impermeable surfaces with the completion of

the subdivision, however the proposed accessways will create an increase in impermeable surfaces.

When referring to the Clause E1 of the Building Code regarding managing surface water unsealed roads have a runoff coefficient of $C=0.5$. The metal driveway Impermeable surface calculations have been adapted to allow for the reduced permeability of these surfaces although they are not classified as impermeable.

Proposed Subdivision B Permeability.

Impermeable Surface Calculation Subdivision B	
Lot 1- Impermeable surface	
Proposed accessway (1/2 total share)	1068.75m ²
Accessway runoff coefficient	0.5
Total Impermeable Surface	534.38 m ²
Total Lot Area	4005 m ²
Lot 2- Impermeable surface	
	To be amalgamated
Lot 3- Impermeable surface	
Proposed accessway	1068.75m ²

Accessway runoff coefficient	0.5
Total Impermeable Surface	534.38 m ²
Total Lot Area	1.2730 ha
Lot 4- Impermeable surface	
Proposed accessway (1/2 total share)	1068.75m ²
Accessway runoff coefficient	0.5
Total Impermeable Surface	534.38 m ²
Total Lot Area	26.4105ha

From the above results at the completion of the subdivision the driveways located on each Lot will only have the following impermeable surface percentage:

Subdivision B

Lot 1– 13.34% Impermeable surface

Lot 2 - Not applicable will be amalgamated

Lot 3- 4.20% Impermeable surface

Lot 4 – 0.20% impermeable surface

Swale

A vegetated swale is proposed alongside the accessway to provide for the collection and management of stormwater runoff from the driveway surface. Based on a runoff

coefficient of 0.5, the driveway generates an equivalent impermeable area of approximately 1,068.75 m². While minimal in the context of the overall site, this area represents a concentrated runoff source that requires appropriate control to prevent erosion, surface ponding, and uncontrolled discharge.

The swale will operate as a shallow, graded drainage channel designed to intercept and convey runoff along the accessway.

An existing farm swale is also present on the site and forms part of the established drainage system. This feature will be retained and maintained to ensure its ongoing functionality and to support effective stormwater management across the wider property.

Water Supply

As there is no reticulated water supply network available in this location, water supply to the building sites for each of the proposed lots will be by roof water collection and storage in suitably sized tanks. The water supply for each lot will be

established at the time the dwelling is constructed and will be controlled by the building consent process.

Firefighting Water Supply

Fire and Emergency New Zealand requires the development to comply with the New Zealand Fire Services Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008). The water classification for the properties located in the subdivision would be FW2 and would require a non-reticulated supply storage capacity to be located within 90m of the dwelling.

An adequate static storage supply would be supplied to each existing building, vehicle access to the firefighting water supply would also need to be provided as per the Code of practice requirements.

Wastewater Disposal

Each dwelling will be serviced by an individual on-site wastewater system comprising of a septic tank and effluent disposal field as there is currently no reticulated supply in the area. The wastewater system will be designed when a building consent is completed.

The sizing of each wastewater system is typically based on the following:

- **Number of bedrooms or occupants** (this can be based on approximately 180 L/person/day or more, depending on the dwelling type)
- **Water source and usage habits** (e.g., tank water vs mains)
- **Fixtures** (e.g., low-flow toilets/showers which have a reduce volumes)
- **Soil Category and Design Loading Rate (DLR)** Soil type determines how quickly water can soak into the ground. TP58 classifies soils (e.g., sandy, loam, clay) and assigns a Design Loading Rate (DLR), usually in mm/day.

Soil Type	Example DLR (mm/day)
Sand	50 mm/day
Sandy loam	35 mm/day
Loam	25 mm/day
Clay loam	15 mm/day
Clay/heavy soil	10 mm/day

Further investigation would be required to determine the exact design loading rate of the soil types on proposed lots. This would be required if further construction was being proposed to determine how much land is needed per litre of wastewater and to complete an on-site system designed in accordance with TP58 standards. However, as no new construction is proposed as part of the subdivision, this is not required.

Electricity and Telecommunications

Power

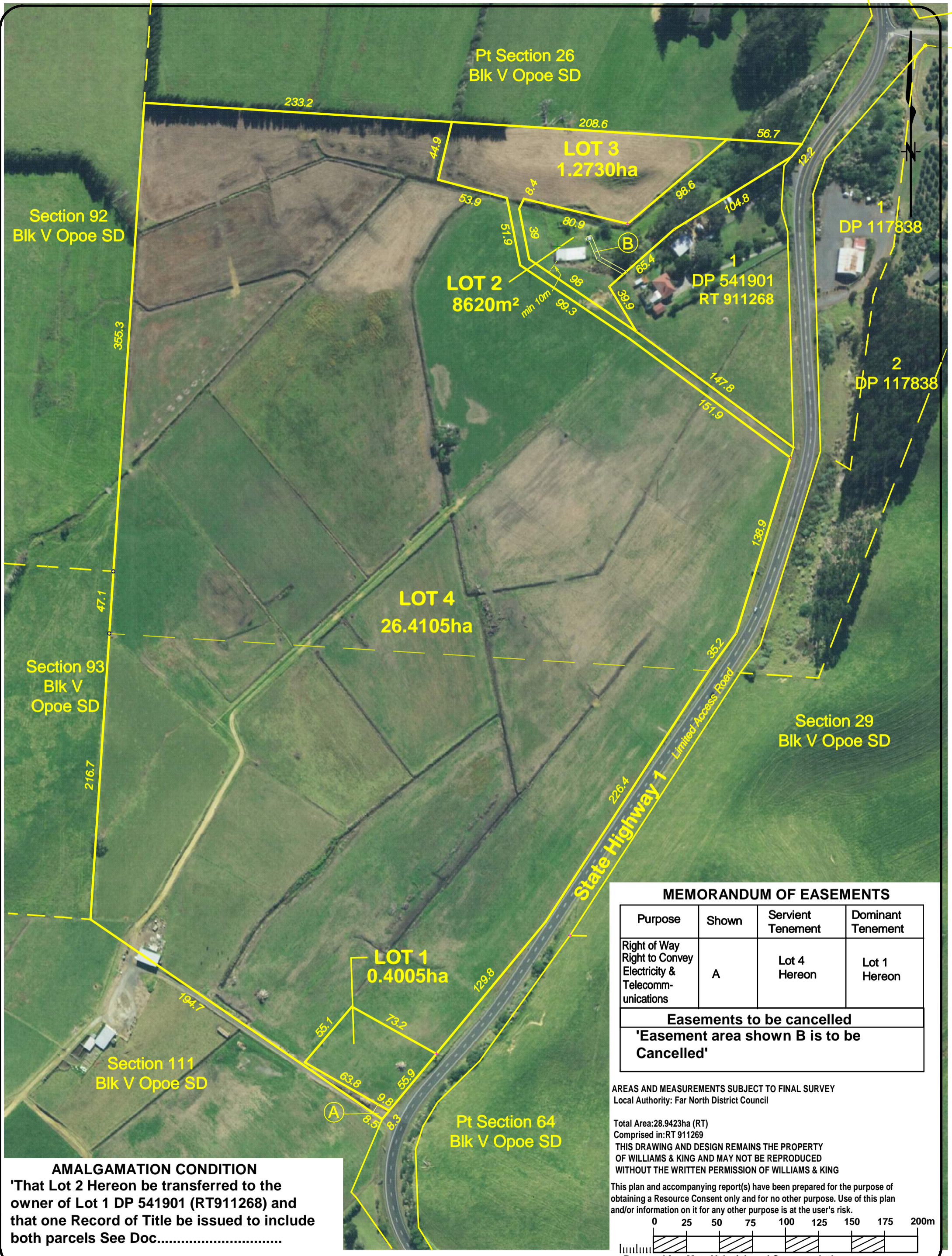
The Proposed development is capable of being serviced by mains electricity from both existing overhead powerline through the developments and the existing network located within the State highway corridor. Connection can be provided from the overhead lines with underground reticulation to individual building platforms, when required.

Currently, no lots within the proposed subdivision contain an existing dwelling, connected to the established electricity supply. The remaining lots are vacant, and any future electricity connections will be designed and installed at the time of building consent in accordance with the Building Code and the requirements of the relevant network utility operator.

Telecommunications

Telecommunications will be provided to the lots through individual wireless satellite broadband systems, offering high-speed internet access without reliance on traditional copper or fibre lines. This system will include on-site dish and routers installed at each dwelling, enabling reliable wireless connectivity suited to rural environments. The use of satellite broadband avoids the need for trenching or connection to overhead telecommunication lines, reducing installation requirements while still providing service connection for each dwelling.

Appendix A- Subdivision Scheme Plan



MEMORANDUM OF EASEMENTS

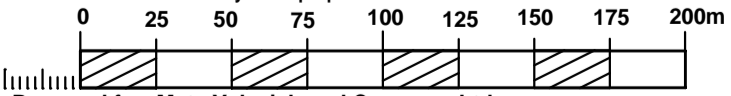
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way Right to Convey Electricity & Telecomm- unications	A	Lot 4 Hereon	Lot 1 Hereon

Easements to be cancelled
'Easement area shown B is to be Cancelled'

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Prepared for: Mate Yelavich and Company Ltd

AMALGAMATION CONDITION
 'That Lot 2 Hereon be transferred to the
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WILLIAMS AND KING
 Registered Land Surveyors, Planners &
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 Ph: (09) 407 6030
 Email: kerikeri@saps.co.nz
 27 Hobson Ave
 PO Box 937 Kerikeri

**Proposed Subdivision of
 Lot 2 DP 541901 & Section 28
 Block V Opoe SD**

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey		1:2500	A3
Design			
Drawn	W & K Feb 2026		
Rev			

**23384
 01**

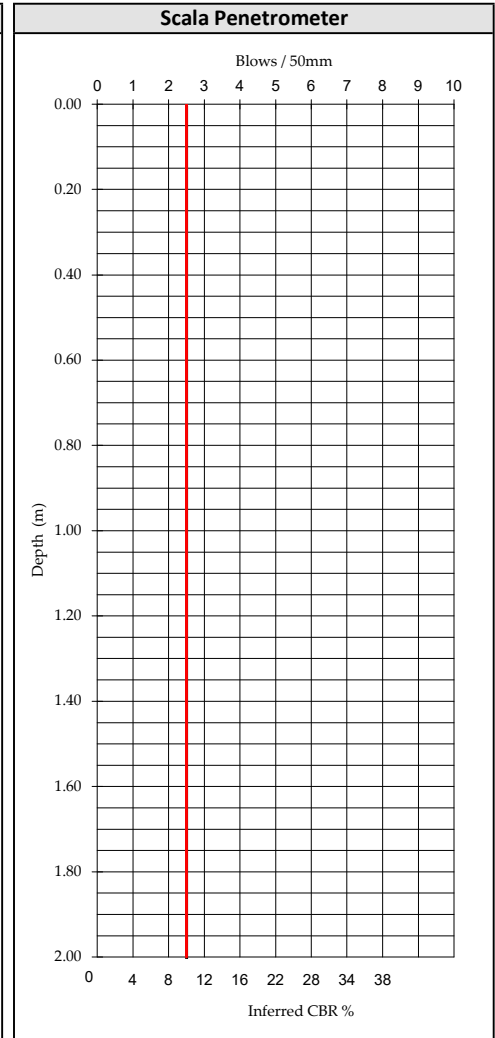
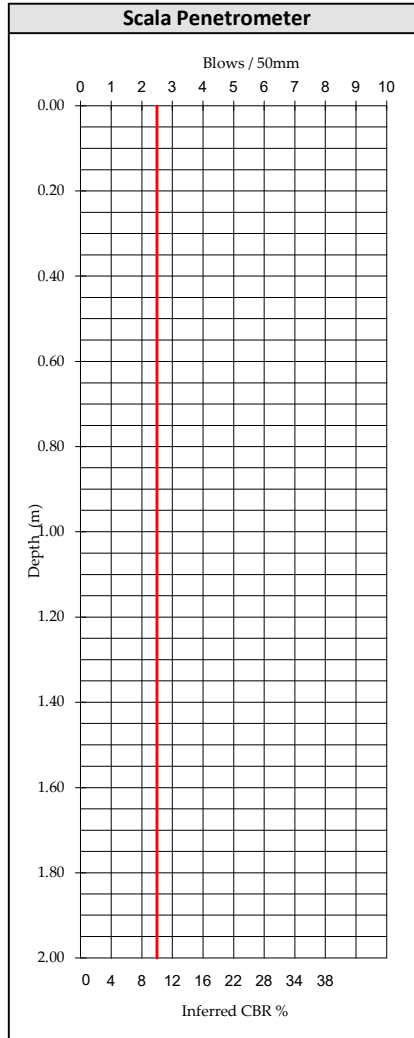
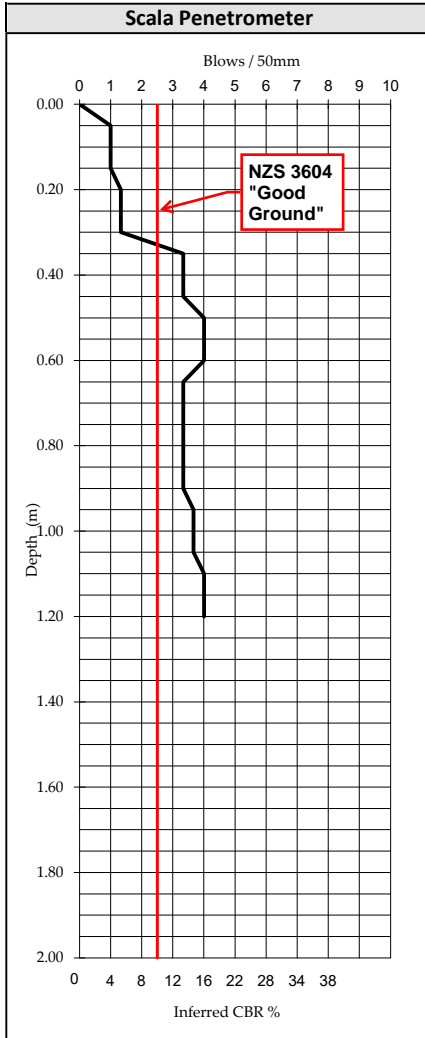
Appendix B- Scala Penetrometer Testing and Results

**SCALA PENETROMETER
TEST REPORT**

Project : Yelavich Subdivision
 Location : Katavich Road, Pukenui
 Client : Mike Yelavich
 Contractor : FNR Consulting
 Test number : T1
 Water level : N/A
 Reduced level : GL

Test number :
 Water level : N/A
 Reduced level : GL

Test number :
 Water level : N/A
 Reduced level : GL



Test Methods

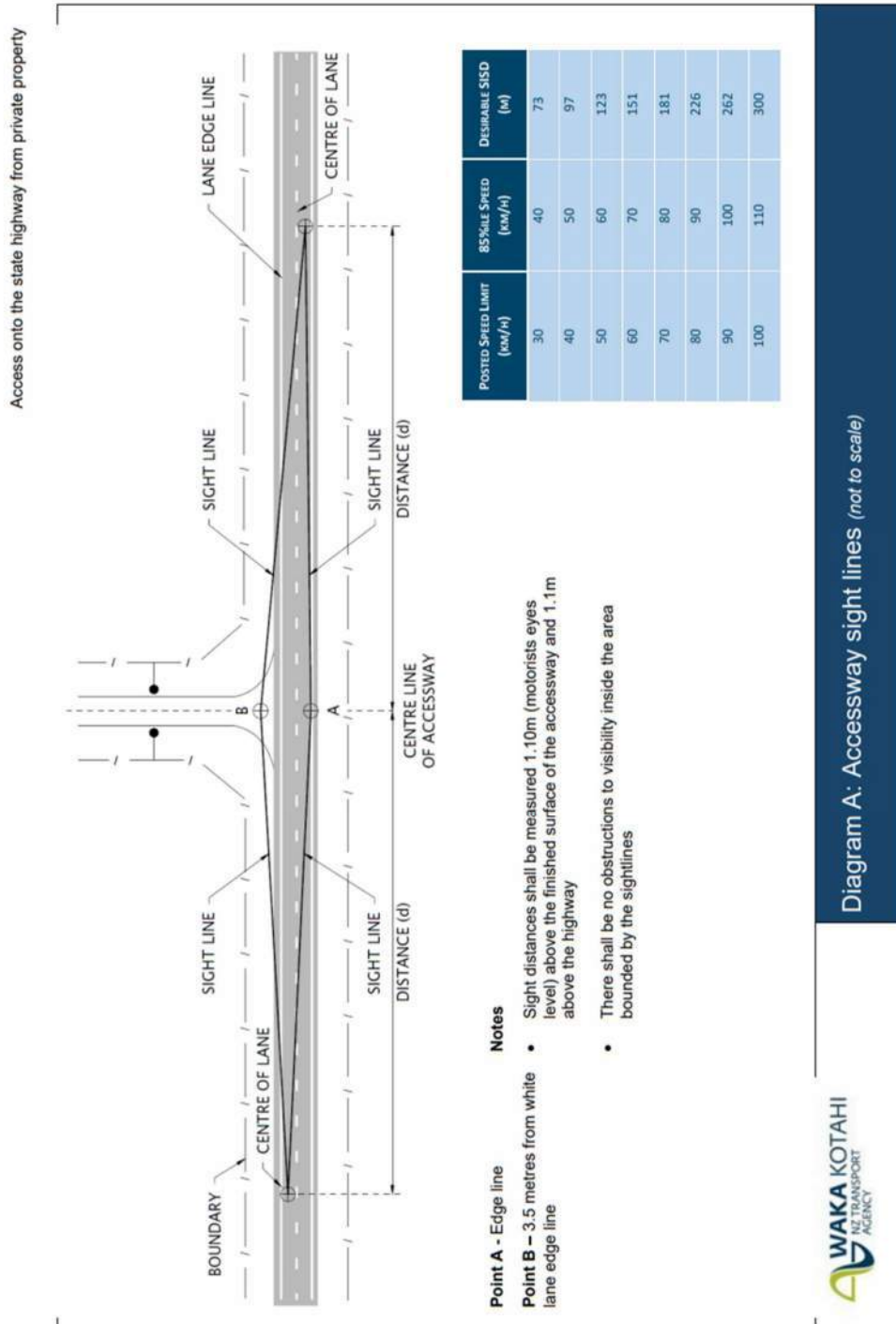
Determination of Penetration Resistance of a Soil, NZS 4402 : 1988, Test 6.5.2
 Inferred CBR values taken from Austroads Pavement Design Manual 2004

Date tested : 17/03/26 Tested by: MY
 Date reported : 18/03/26 Reported by: TA

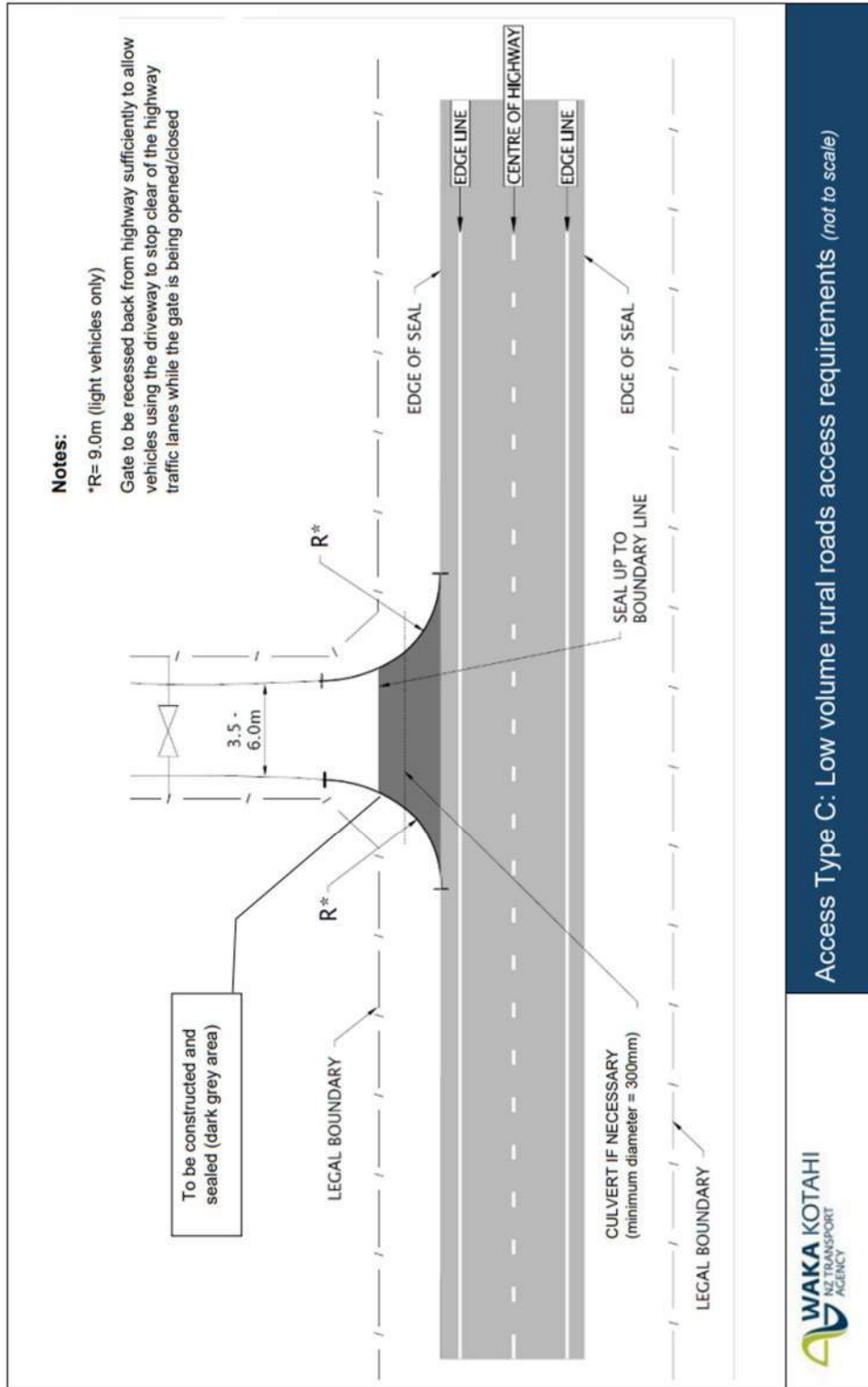
Scala Test Locations



Appendix C- Sight distances per operating speed (Access onto the state highway guide from private property.)



Appendix D- Type C Vehicle crossing (NZTA Standard)



NZ Transport Agency Waka Kotahi Reference: 2026-0265

16 April 2026

Mike Yelavich
C/- LogiPlan

Sent via Email: nina@logiplan.co.nz

Dear Mike,

Proposed 4-Lot Subdivision – 2607 State Highway 1, Waiharara – Mike Yelavich

Thank you for your request for written approval from NZ Transport Agency Waka Kotahi (NZTA) under section 95E of the Resource Management Act 1991. Your proposal has been considered as follows:

Proposal

Resource consent is sought for the following activities:

- 4-lot subdivision (including a boundary adjustment) of 2607 State Highway 1, Waiharara providing for:
 - Lot 1 - 4005m²
 - Lot 2 - 8620m² to be amalgamated with Lot 1 DP 541901 (1.6330 ha)
 - Lot 3 - 1.2730 ha
 - Lot 4 - 26.4105 ha

Assessment

In assessing the proposed activity, NZTA notes the following:

- This section of State Highway 1 is a Limited Access Road (Yerkovichs Bridge - Forest H.Q Entrance) and has an average annual daily traffic generation of 1504 (8% Heavy Traffic) and a speed limit of 80km/h.
- The subject site has four authorised crossing places off the state highway – CPs 85, 86, 87 and 88. The subdivision will result in the following access arrangements:
 - CP 85 – will provide access to proposed Lot 2 and Lot 1 DP 541901 (to be amalgamated).
 - CP 86 – will provide access to proposed Lot 2 and Lot 1 DP 541901 (to be amalgamated).
 - CP 87 – will be cancelled and a new vehicle crossing (CP 87A) constructed further north to provide access to proposed Lot 3.
 - CP 88 – will provide access to proposed Lot 1 (via ROW over Lot 4) and Lot 4.
- The subject site is zoned Rural Production in the operative and proposed Far North District Plans. In the operative district plan, 30 vehicles per day (per vehicle crossing) is a permitted activity under Table 15.1.6A.1 Maximum Daily One-Way Traffic Movements, whereas 31-200 is a restricted discretionary activity. Each vehicle crossing is not anticipated to exceed 30 vehicles per day.
- Crossing Places 86 and 88 will be upgraded to the NZTA Planning Policy Manual (2005) Diagram C standard and CP 87A will be constructed to the NZTA Planning Policy Manual (2005) Diagram C standard. This is reflected in conditions 1-3 below.
- The residential development is located within the NZTA Reverse Sensitivity Buffer and Effects Areas Map. In the Buffer Area it is recommended that noise and vibration sensitive activities, such as residential development does not occur or is limited to where suitable noise and vibration controls can be implemented. This has been addressed via condition 6 below.

Limited Access Road (LAR)

Your site adjoins State Highway 1 which is identified as a limited access road. Per Section 91 of the Government Rounding Powers Act 1989, to access your site you require a crossing place authorised by NZTA. In this instance you have four authorised crossing place notices associated with your site. CP 85 and CP 86 are constructed to a residential standard and authorised for access to Lot 1 DP 541901. CP 87 is authorised for access for farming activities and has yet to be constructed. CP 88 is authorised for access for residential and farming activities and is constructed to a residential standard.

Conditions

In discussion with NZTA you have agreed to include the following conditions as part of your resource consent application. The legal name of NZTA is the **New Zealand Transport Agency**; therefore our full legal name is referred to in the conditions and approval.

1. The vehicle crossing (NZTA ref. CP 88) providing access to proposed Lots 1 and 4 shall [located at 1616983.32, 6134340.67] be upgraded in accordance with New Zealand Transport Agency Diagram C standard as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager.
2. The vehicle crossing (NZTA ref. CP 87A) providing access to proposed Lot 3 [located at NZTM 1617299.62, 6134840.60] shall be constructed in accordance with New Zealand Transport Agency Diagram C standard as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager.
3. The farm gate adjacent to the vehicle crossing (NZTA ref. CP 86) providing access to proposed Lot 3 [located at NZTM 1617298.88, 6134996.31] shall be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works shall be consistent with the adjacent road reserve treatment, to the satisfaction of the New Zealand Transport Agency Network Manager.
4. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council, correspondence from the New Zealand Transport Agency confirming that works in the State Highway, including the upgrading and closure vehicle crossings, have been constructed to the New Zealand Transport Agency standards.
5. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council confirmation that the New Zealand Transport Agency has been advised of relevant similar documentation (such as: draft LT (Land Transfer) plan, ML plan (for Māori Land), SO (Survey Office) plan), to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Rounding Powers Act 1989.
6. A consent notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the title of proposed Lots 1-4 of the subdivision of land shown on Scheme Plan titled "Proposed Subdivision of Lot 2 DP 541901 & Section 28 Block V Opoe SD" dated Feb 2026, ref. 23384.01 that addresses potential reverse sensitivity effects resulting from the normal operation of State Highway 1. This consent notice shall read as follows:

Any dwelling or other noise sensitive location on the site in or partly within 100m of the edge of State Highway 1 carriageway must be designed, constructed and maintained to achieve an indoor design noise level of 40 dB LAeq(24hr) inside all habitable spaces.

Determination

On the basis of the above assessment of the proposed activity, and the conditions volunteered by the applicant, the New Zealand Transport Agency provides written approval under section 95E of the Resource Management Act 1991.

Limited Access Road

As the site fronts a Limited Access Road, the New Zealand Transport Agency provides approval under Section 93 of the Government Rounding Powers Act 1989 for the site to gain direct access from the state highway as described in this written approval.

We are happy for you to provide this letter to the territory authority as evidence of our s95E RMA and s93 GRPA approvals.

Advice Notes

- i. Before you undertake any physical work on the state highway, including the construction of the new vehicle crossing, you are legally required to apply to the New Zealand Transport Agency for a Corridor Access Request (CAR) and for that request to be approved. Please submit your CAR via the Submitica portal (www.submitica.com) a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for complex works.
- ii. As the property has access to a limited access road, once the works have been completed to the satisfaction of the New Zealand Transport Agency Network Manager, a crossing place notice per Section 91 of the Government Roadway Powers Act 1989 will be registered on the title confirming the legal establishment of the crossing place.
- iii. Crossing Place (CP) 87 shall be formally cancelled under s91 of the Government Roadway Powers Act 1989 as an NZTA administration matter.

Expiry of this approval

Unless resource consent has been obtained this approval will expire two years from the date of this approval letter. This approval will lapse at that date unless prior agreement has been obtained from The New Zealand Transport Agency.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact the Environmental Planning team at environmentalplanning@nzta.govt.nz.

Yours sincerely,



Tessa Robins

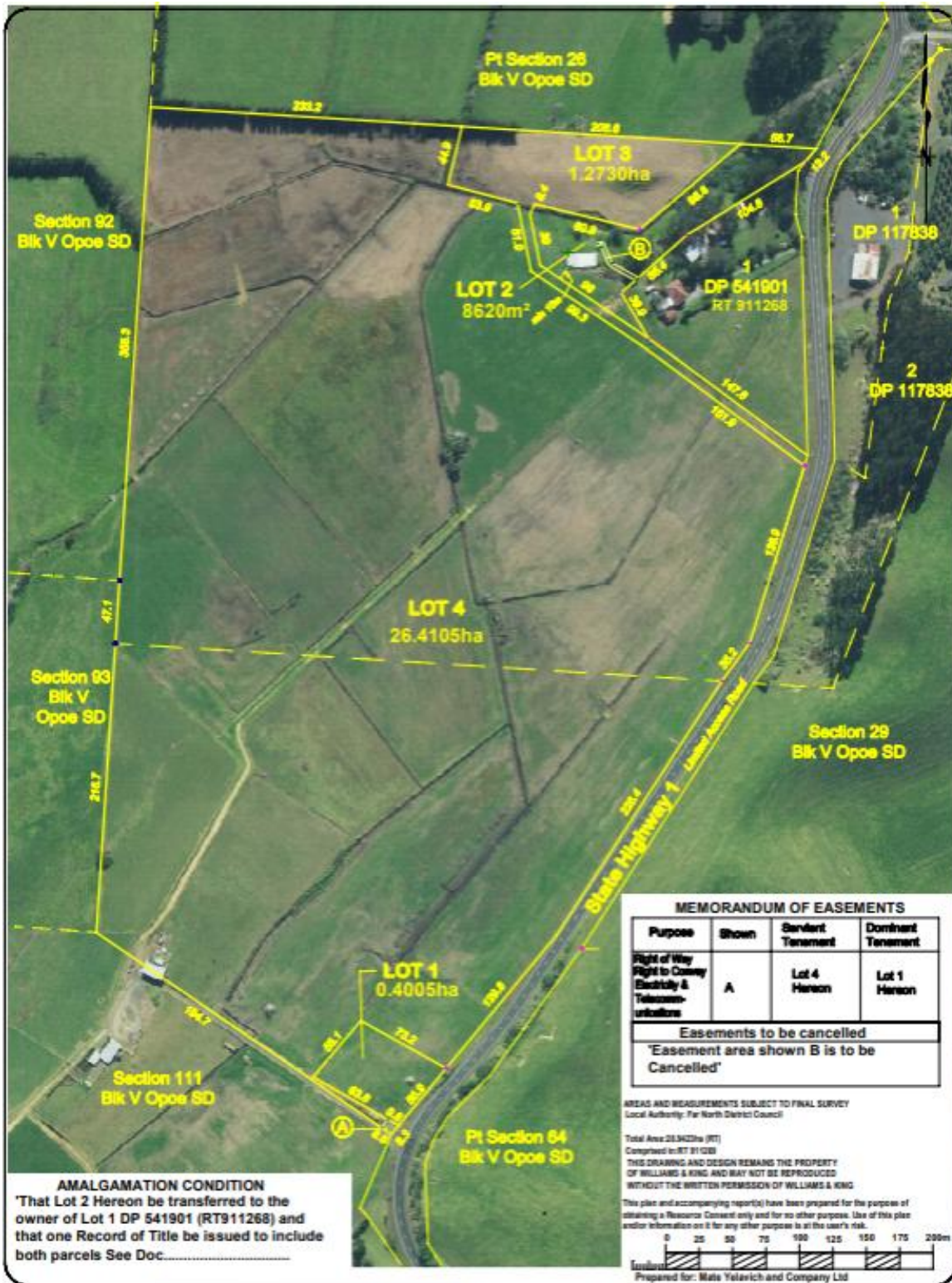
Senior Planner

Poutiaki Taiao / Environmental Planning, System Design, on behalf of NZ Transport Agency Waka Kotahi.

Enclosed:

- Attachment 1: Proposed Scheme Plan
- Attachment 2: Diagram C Access Standard

Attachment 1: Proposed Scheme Plan



AMALGAMATION CONDITION
 That Lot 2 Hereon be transferred to the owner of Lot 1 DP 541901 (RT911268) and that one Record of Title be issued to include both parcels See Doc.....

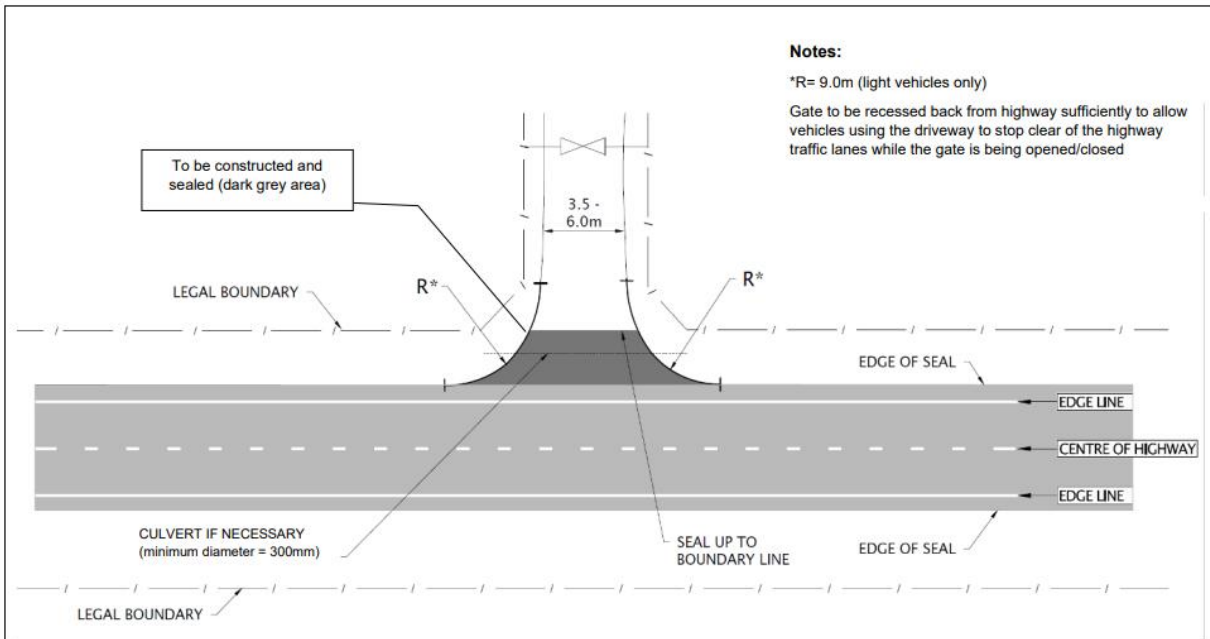
WILLIAMS AND KING
 Regional Land Services, Planners &
 Land Development Consultants
 27 Victoria Ave
 PO Box 857 Kaitiaki
 Ph: (06) 457 0222
 Email: willk@wjk.co.nz

**Proposed Subdivision of
 Lot 2 DP 541901 & Section 28
 Block V Opoe SD**

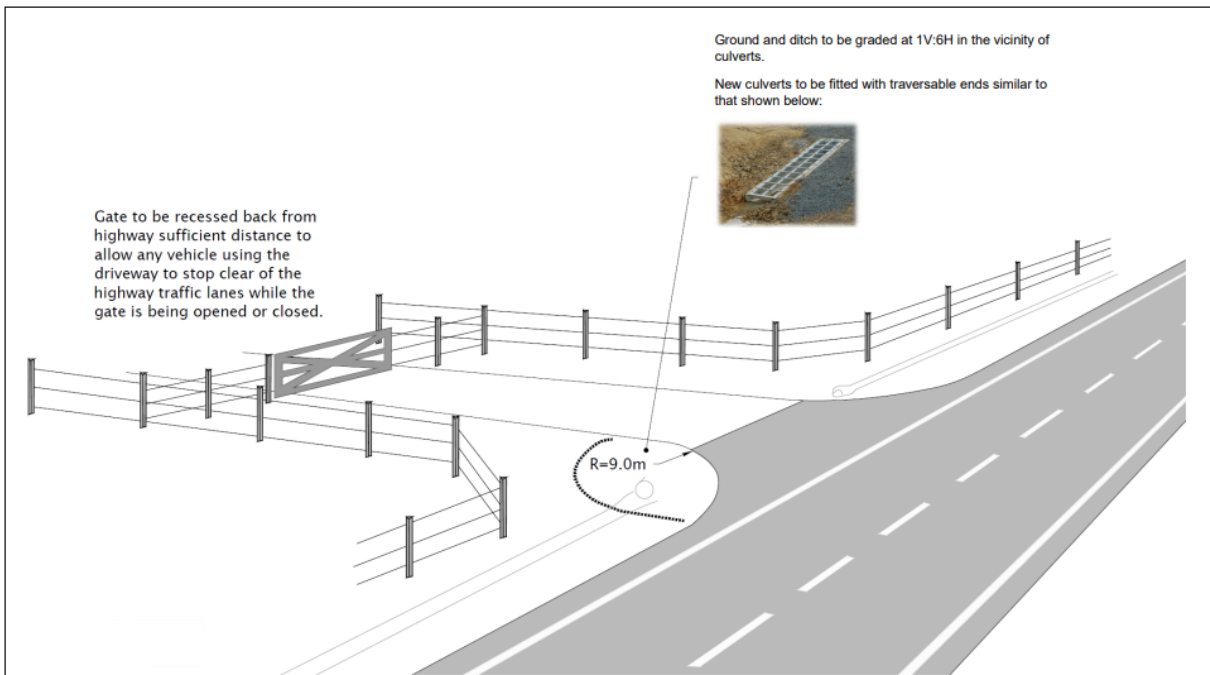
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Attachment 2: Diagram C Access Standard



Access Type C: Low volume rural roads access requirements (not to scale)



Access Type C perspective: Low volume rural roads access requirements (not to scale)