

# Application for resource consent or fast-track resource consent

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

## 1. Pre-Lodgement Meeting

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

Yes  No

## 2. Type of consent being applied for

(more than one circle can be ticked):

- Land Use
- 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](mailto: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)

Jeff and Carol Wagener

**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.



## 16. 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:**

Work

Home

**Postal address:**

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

Postcode

### Fees Information

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

### Declaration concerning Payment of Fees

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

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

Carol Wagerer

**Signature:**

(signature of bill payer)

Date 22.4.26

MANDATORY

## 17. Important Information:

### Note to applicant

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

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

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

### Fast-track application

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

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

### Privacy Information:

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

## 18. Declaration

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

**Name** (please write in full)

Carol Wagerer

**Signature**

Date 22.4.26

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

## Checklist

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*Please tick if information is provided*

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

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



## Subdivision Resource Consent Proposal

**Carol & Jeff Wagener**

**4101 Far North Road, Pukenui**

Date: 6 May 2026

Please find attached:

- an application form for a Subdivision Resource Consent in the **Coastal Residential Zone** to create one additional allotment and;
- an Assessment of Environmental Effects indicating the potential and actual effects of the proposal on the environment.

The proposal is to undertake a subdivision of Part Lot 4 DP 19040 to create one additional allotment. The site is zoned Coastal Residential (CRZ) under the Operative District Plan (ODP) and currently contains two legally established dwellings and associated onsite services. The proposed subdivision will see each dwelling held within an independent title. The proposed lot sizes can adequately comply with the controlled subdivision lot sizes for the CRZ, given each lot will be over one hectare in size. Access to the site is existing from a shared crossing from Far North Road (State Highway 1). NZTA have been contacted as part of the pre-application process, with their approval received requiring the crossing to be sealed to the lot boundary in accordance with the FNDC Engineering Standards. Given access is from a State Highway, the application automatically defaults to a **Discretionary Activity** under the ODP.

Under the Proposed District Plan (PDP), the site is zoned Settlement (RSZ). The proposal is a Permitted Activity under the PDP.

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

Regards,



Alex Billot

Resource Planner

Reviewed by:

Sheryl Hansford



Director/Senior Planner

**NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED**



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**Appendices**

1. **Far North District Council Application Form**
2. **Certificate of Title– LINZ**
3. **Subdivision Scheme Plan – Von Sturmers Surveyors**
4. **Correspondence – NZTA**
5. **Correspondence – Top Energy**
6. **ODP and PDP Objectives and Policies – Northland Planning & Development Ltd**



## Assessment of Environment Effects Report

### 1. DESCRIPTION OF THE PROPOSED ACTIVITY

#### Subdivision

- 1.1. The proposal is to undertake a subdivision of Part Lot 4 DP 19040 to create one additional allotment. The site is zoned Coastal Residential (CRZ) under the Operative District Plan (ODP).
- 1.2. The site contains two existing legally established dwellings, which share a crossing place from Far North Road. The internal access then splits in two, with the northern most access leading to the dwelling within the northern portion of the site and the southernmost access leading to the southernmost dwelling within the site. Each dwelling contains existing onsite servicing which will remain unchanged as part of the proposal. Easement 'A' will be created for rights of access over Lot 1 to Lot 2, which will be created over the first portion of the existing internal driveway to the dwelling.
- 1.3. The proposed lots are as follows:
  - Proposed Lot 1 = 1.145 hectares – to contain the existing dwelling within the northern portion of the site.
  - Proposed Lot 2 = 1.9508 hectares – to contain the existing dwelling within the southern portion of the site

*Areas and measurements are subject to final survey.*

- 1.4. The proposed lot sizes can comply with the **Controlled provisions** under 13.7.2.1(x) of the ODP as the site is unsewered and the proposed lot sizes exceed 3000m<sup>2</sup>.
- 1.5. Given the site is accessed from Far North Road (State Highway 1), consultation with NZTA has been had as part of the preapplication process. Comments from Top Energy have also been obtained, as will be discussed further in this report. All correspondence is attached within the appendices of this application.
- 1.6. As the site is accessed from a State Highway, the application falls to a **Discretionary Activity** status in accordance with Rule 15.1.6C.1.1(e)(i).



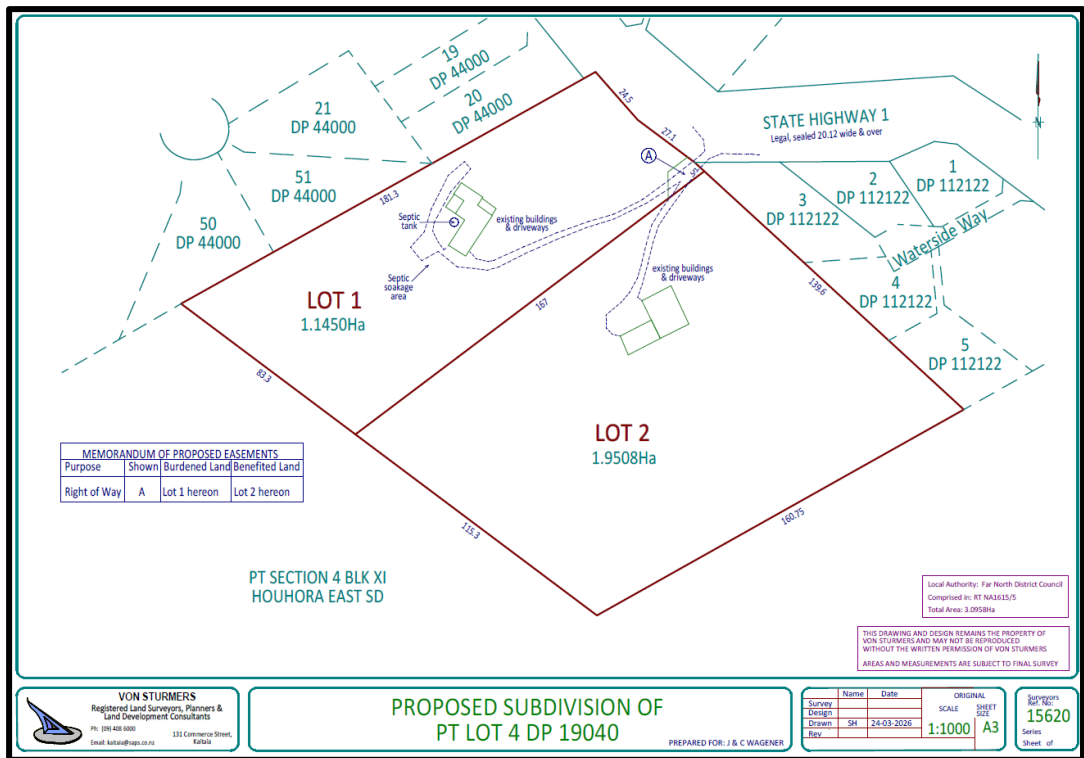


Figure 1: Proposed scheme plan.

## 2. THE SITE AND SURROUNDING ENVIRONMENT

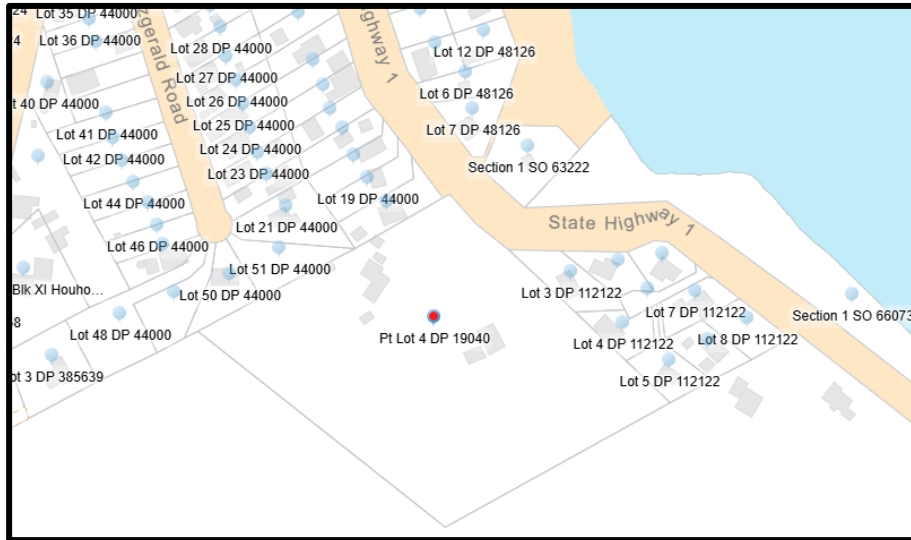
2.1. The subject site is zoned Coastal Residential under the Operative District Plan and Settlement within the Proposed District Plan. A small slither of the site is within the coastal environment overlay under the PDP as indicated in Figure 2 below. All existing built development is located outside of the coastal environment overlay.



Figure 2: PDP maps showing extent of coastal environment overlay (blue hashed area).



2.2. The site is located within the Pukenui settlement and is bounded by smaller sized residential allotments on the northern and eastern boundaries. The site adjoins a larger rural block on the western and southern boundaries which is currently zoned as Coastal Living and proposed to be rezoned as Rural Lifestyle. The subject site is relatively large compared to the other coastal residential allotments in the area.



**Figure 3: Site and surrounding lots within the Pukenui Settlement.**

2.3. As mentioned, built development on the site is existing with associated servicing located wholly within each respective lot. The site is effectively split in two, topographically speaking, with the southern portion of the site being located at a much lower elevation than the northern portion. This is depicted within *Figure 5* below. Given this, and the location of the existing dwellings and accesses, the site already appears to be two separate allotments. It is proposed that the dividing boundary be located halfway down the sloping hill, to encapsulate some lower fruit trees within Proposed Lot 1 (see *Figure 5*).



**Figure 4: Existing dwelling within Proposed Lot 1.**

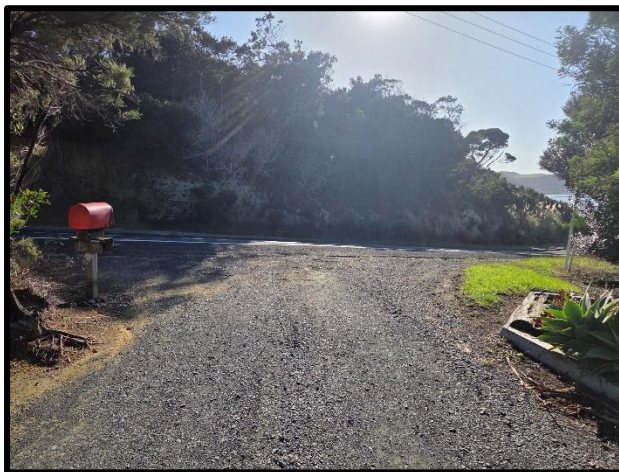






**Figure 5: Existing dwelling and garage within Proposed Lot 2. Image taken from near internal driveway to Proposed Lot 1. Dividing boundary to be located near first row of trees located on the sloping hill.**

2.4. The lots will share an existing crossing place, which currently services both dwellings. NZTA have been contacted as part of the pre-application process and have requested that the crossing place is sealed to the boundary of the site in accordance with FNDC Engineering Standards. This is offered as a condition of consent. No other upgrade works have been required. A right of way will be formed over the first portion of the shared driveway (see *Figures 7 & 8*).



**Figure 6: Existing crossing place to be sealed to the boundary.**



**Figure 7: First portion of internal driveway which will form right of way. Driveway splits to access the existing dwellings.**







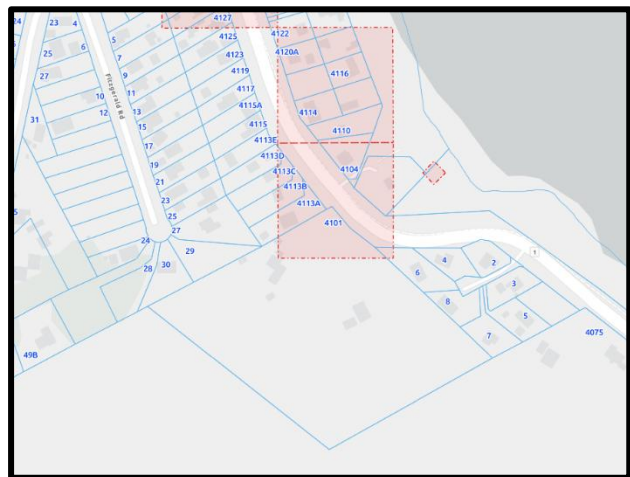
**Figure 8: Image showing location where driveways split in two to access existing dwellings (Lot 1 to the right and Lot 2 to the left).**



**Figure 9: Looking down to dwelling on Lot 2.**

2.5. The site is not shown to be within an area of Outstanding Natural Landscape or High Natural Character under the Regional Policy Statement for Northland (RPSN). The site and surrounding environment are not classified as having kiwi present. As mentioned, a small portion of the site is shown to be captured by the coastal environment overlay.

2.6. The NZAA maps indicate that there are archaeological sites within the surrounding environment. The Applicant has advised an Archaeological Assessment was completed as part of the building consent for the dwelling within Proposed Lot 2 which determined that the proposed building site and surrounding area contained no archaeological sites. Given that built development is existing and there are no proposed excavations (apart from the sealing of the crossing place), as well as the previous assessments done for the site, it is considered that the proposal will have less than minor effects on archaeological sites.



**Figure 10: NZAA maps showing location of recorded archaeological sites within the surrounding environment.**

2.7. The site is not shown to be susceptible to coastal or river flood hazards.



**Title**

- 2.8. The subject site is legally described as Part Lot 4 Deposited Plan 19040 with a land area of 3.0958 hectares. The allotment is contained within Record of Title NA1615/5 which is dated 22 January 1959. There are no consent notices registered on the title. There is an appurtenant easement registered which affects the adjoining property. The proposal will not affect existing easements.

**3. WEIGHTING OF PLANS**

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

**4. ACTIVITY STATUS OF THE PROPOSAL****Operative District Plan**

- 4.1. The subject site is located within the Coastal Residential Zone (CRZ) under the ODP. An assessment of the relevant subdivision, zone and district wide rules of the District Plan is set out in the tables below.



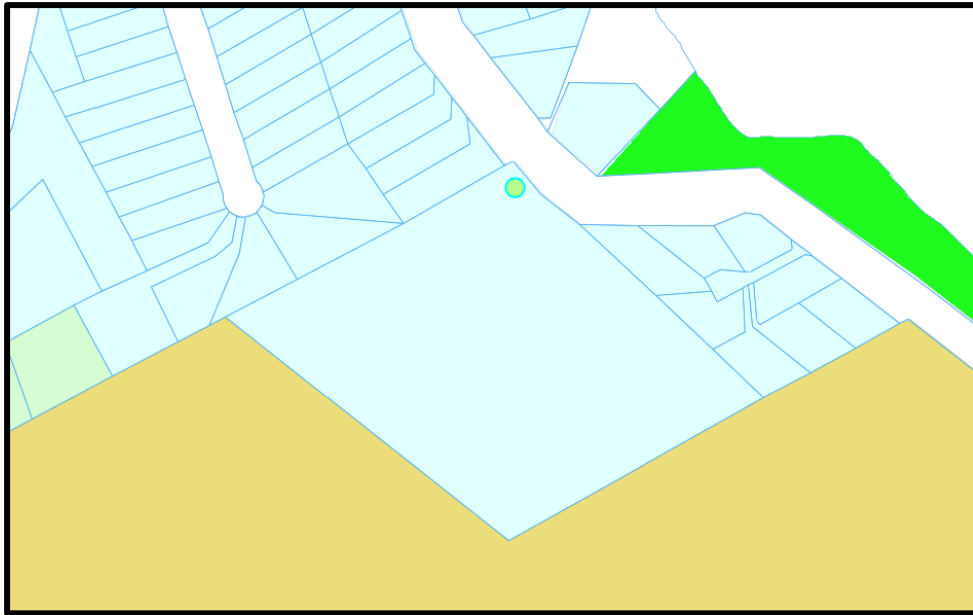


Figure 11: ODP zoning of the site (Coastal Residential).

Subdivision

Table 1: Assessment of the applicable Subdivision Rules for the Coastal Residential Zone:		
PERFORMANCE STANDARDS		
Plan Reference	Rule	Performance of Proposal
13.7.2.1 (x)	MINIMUM LOT SIZES	<b>Controlled</b>  Lot 1 will have an area of 1.145ha and Lot 2 will have an area of 1.9508ha. The site is not in an area which is serviced by the Council’s reticulated services. The proposal can therefore adequately meet the Controlled provisions for the zone, which requires a minimum lot size of 3000m <sup>2</sup> for unsewered sites.
13.7.2.2	ALLOTMENT DIMENSIONS	Permitted Both lots will contain existing built development.
13.7.2.3 – 9	<b>Not Applicable for this application.</b>	

4.2. The proposal is able to meet the lot size provided for as a **Controlled Activity** as per Table 13.7.2.1 above.

Coastal Residential Zone Standards

4.3. Lots 1 & 2 will each contain existing built development and associated onsite servicing and access. As such, an assessment of Section 10.8.5.1 of the Operative District Plan will be undertaken below.



**Table 2: Assessment of the permitted COASTAL RESIDENTIAL ZONE RULES:**

<b>PERFORMANCE STANDARDS</b>		
<b>Plan Reference</b>	<b>Rule</b>	<b>Performance of Proposal</b>
<b>10.8.5.1.1</b>	RELOCATED BUILDINGS	<b>Not applicable.</b> No relocated buildings are proposed as part of this proposal.
<b>10.8.5.1.2</b>	RESIDENTIAL INTENSITY	<b>Permitted.</b> The permitted threshold for residential development is one unit per 3,000m <sup>2</sup> of land on an unsewered site. Lots 1 & 2 will each contain one legally established dwelling. As such, the proposal can comply with the permitted threshold.
<b>10.8.5.1.3</b>	SCALE OF ACTIVITIES	<b>Not applicable.</b> No such activities are proposed as part of this application.
<b>10.8.5.1.4</b>	BUILDING HEIGHT	<b>Not applicable.</b> No new buildings are proposed as part of this proposal.
<b>10.8.5.1.5</b>	SUNLIGHT	<b>Permitted</b> The new dividing boundaries are located a sufficient distance from existing structures, such that the proposal complies with this rule.
<b>10.8.5.1.6</b>	STORMWATER MANAGEMENT	<b>Permitted.</b> The permitted threshold for impermeable surfaces within the Coastal Residential zone is 50% or 1000m <sup>2</sup> , whichever is the lesser. In this instance, 1000m <sup>2</sup> is the lesser amount. The impermeable surface coverage within Lot 1 has been calculated to be 850m <sup>2</sup> , with Lot 2 being 600m <sup>2</sup> . The proposal therefore complies with the permitted standard.
<b>10.8.5.1.7</b>	SETBACK FROM BOUNDARIES	<b>Permitted.</b> The minimum setback from road boundaries shall be 3 metres and the minimum setback from any boundary apart from a road boundary is 1.2m except that no setback is required for a maximum total length of 10m along any one such boundary.  The structures within the lots are existing and are located in excess of 1.2m from the new dividing boundary and more than 3m from the road boundary. The proposal therefore complies with the Permitted threshold for the zone.
<b>10.8.5.1.8</b>	SCREENING FOR NEIGHBOURS NON-RESIDENTIAL ACTIVITIES	<b>Not applicable</b> as no non-residential activities are proposed.



<b>10.8.5.1.9</b>	OUTDOOR ACTIVITIES	<b>Not applicable.</b>
<b>10.8.5.1.10</b>	TRANSPORTATION	A full assessment has been completed in the table below.
<b>10.8.5.1.11</b>	SITE INTENISTY – NON RESIDNETIAL ACTIVITIES.	<b>Not applicable.</b>
<b>10.8.5.1.12</b>	HOURS OF OPERATION NON-RESIDENTIAL ACTIVITIES	<b>Not applicable.</b>
<b>10.8.5.1.13</b>	KEEPING OF ANIMALS	<b>Not applicable.</b>
<b>10.8.5.1.14</b>	NOISE	<b>Permitted.</b>
<b>10.8.5.1.15</b>	HELICOPTER LANDING AREA	<b>Not applicable.</b>

District Wide Matters:

<b>Table 3: DISTRICT WIDE MATTERS</b>		
<b>Chapter 12</b>		
<b>Plan Reference</b>	<b>Rule</b>	<b>Performance of Proposal</b>
<b>12.1</b>	LANDSCAPES AND NATURAL FEATURES	<b>Permitted.</b> The site is not known to contain any outstanding landscapes or natural features.
<b>12.2</b>	INDIGNEOUS FLORA AND FAUNA	<b>Permitted.</b> The site is not known to contain any areas of indigenous vegetation.
<b>12.3</b>	SOILS AND MINERALS	<b>Permitted.</b> Any required excavations will comply with the permitted threshold for the CRZ.
<b>12.4</b>	NATURAL HAZARDS	<b>Permitted.</b> The proposal is not known to be affected by coastal hazards nor fire risk to residential units.
<b>12.5</b>	HERITAGE	<b>Not Applicable.</b>
<b>12.6</b>	AIR	Deleted Chapter
<b>12.7</b>	LAKES, RIVER, WETLANDS AND THE COASTLINE	<b>Permitted.</b> The site is not in close proximity to lakes, rivers, wetlands or the coastline.
<b>12.8</b>	HAZARDOUS SUBSTANCES	<b>Not Applicable.</b>
<b>12.9</b>	RENEWABLE ENERGY AND ENERGY EFFICIENCY	<b>Not Applicable.</b>
<b>Chapter 15</b>		
<b>Plan Reference</b>	<b>Rule</b>	<b>Performance of Proposal</b>
<b>15.1.6A</b>	TRAFFIC	<b>Permitted Activity</b>





		<p>The permitted one way daily traffic movements within the Coastal Residential Zone is 20. The first residential unit is exempt from this rule.</p> <p>Lots 1 &amp; 2 will include one residential dwelling each, which are exempt.</p>
<b>15.1.6B</b>	<b>PARKING</b>	<p><b>Permitted Activity</b></p> <p>Lots 1 &amp; 2 have existing vehicle parking and manoeuvring areas which will remain unchanged as part of this proposal.</p>
<b>15.1.6C.1.1</b>	<b>PRIVATE ACCESSWAY IN ALL ZONES</b>	<p><b>Discretionary Activity</b></p> <p>As part of this proposal, Easement A will be created which will service both Lots 1 &amp; 2. This Easement will contain an existing metalled portion of the driveway which is utilised to access the existing dwellings on the site. As per Appendix 3B-1, a private accessway servicing 2 allotments in the CR zone requires a legal width of 5 metres and a carriageway width of 3m. The proposal can comply with this.</p> <p>The access widths and gradients comply with the relevant rules.</p> <p>Permitted – the private accessway will service less than 8 HE.</p> <p>Permitted – the subdivision does not service more than 9 sites.</p> <p><b>Consent Required</b> – consultation has been had with NZTA who have recommended that the crossing place be sealed between to the lot boundary to FNDC’s applicable engineering standards (see Appendix 4). It is considered a condition of consent will be imposed enforcing this. Although approval has been obtained from NZTA, this rule stipulates that any subdivision accessed from a State Highway will require consent as a Discretionary Activity. This infringement will form part of the subdivision assessment criteria.</p>
<b>15.1.6C.1.2</b>	<b>PRIVATE ACCESSWAYS IN URBAN ZONES</b>	<b>Not applicable.</b>
<b>15.1.6C.1.3</b>	<b>PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES</b>	<p><b>Permitted</b></p> <p>The private accessway will be less than 30 metres long and therefore, passing bays are not required.</p>
<b>15.1.6C.1.4</b>	<b>ACCESS OVER FOOTPATHS</b>	<b>Not applicable.</b>
<b>15.1.6C.1.5</b>	<b>VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES</b>	<p><b>Permitted.</b></p> <p>A condition of consent is anticipated to require the crossing to be sealed to the boundary of the site as per NZTA’s request.</p>
<b>15.1.6C.1.6</b>	<b>VEHICLE CROSSING STANDARDS IN URBAN ZONES</b>	<b>Not applicable.</b>
<b>15.1.6C.1.7</b>	<b>GENERAL ACCESS STANDARDS</b>	<p><b>Permitted.</b></p> <p>There is no need for vehicles to reverse off site.</p> <p>There are no bends or corners on the private accessway.</p> <p>The sides of the driveway will remain in grass.</p> <p>Stormwater will be managed on site.</p>
<b>15.1.6C.1.8</b>	<b>FRONTAGE TO EXISTING ROADS</b>	<p><b>Permitted.</b></p> <p>Access is from a State Highway which is considered to meet the legal road width standards and there is not more than one</p>



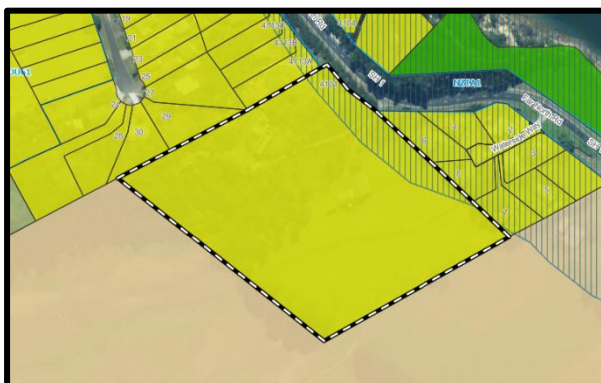
		road frontage available to the lots. There are no known encroachments of the carriageway into the site boundaries.
<b>15.1.6C.1.9 – 11</b>	<b>Not applicable</b> to this development.	

Operative District Plan Overall Status

- 5.6 The proposed lot sizes can comply with the **Controlled** provisions for the Coastal Residential zone as the proposed lot sizes exceed 3000m<sup>2</sup> in area.
- 5.7 As the subject site is accessed from a State Highway, the subdivision proposal automatically triggers consent under Rule 15.1.6C.1.1(e). Conditional approval from NZTA has been received. Given this infringement is triggered on all subdivisions accessed from a State Highway, the assessment in relation to this will be included as part of the subdivision assessment criteria.
- 5.8 In accordance with 13.9 *Discretionary Activities*, the subdivision will be assessed as a **Discretionary Activity**. Assessment of Chapter 13.10 will be undertaken as part of this application.

**Proposed Far North District Plan**

- 5.9 The proposed activities are subject to the PDP provisions. The PDP was publicly notified on the 27<sup>th</sup> July 2022. District Plan hearings on submissions have recently concluded, however no decisions on the PDP have been issued. For this reason, PDP rules which do not have immediate legal effect are not considered.
- 5.10 The proposed site is zoned as Settlement (RSZ) under the PDP. The eastern portion of the site is also partially covered by the Coastal Environment Overlay.



**Figure 12: PDP Settlement zoning of the site and small area of Coastal Environment Overlay.**



Table 4: Assessment of the rules that have current legal effect under the PDP		
Chapter	Rule Reference	Compliance of Proposal
<b>Hazardous Substances</b>	<p>The following rules have immediate legal effect:</p> <p>Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource</p> <p>Rules HS-R5, HS-R6, HS-R9</p>	<p><b>Not applicable.</b></p> <p>The proposal does not include the establishment of a new significant hazardous facility or a significant hazardous facility within a scheduled site or area of significance to Māori, within a SNA or within a scheduled heritage resource.</p>
<b>Heritage Area Overlays</b>	<p>All rules have immediate legal effect (HA-R1 to HA-R14)</p> <p>All standards have immediate legal effect (HA-S1 to HA-S3)</p>	<p><b>Not applicable.</b></p> <p>The site is not located within a Heritage Area Overlay.</p>
<b>Historic Heritage</b>	<p>All rules have immediate legal effect (HH-R1 to HH-R10)</p>	<p><b>Not applicable.</b></p> <p>The site is not located within an area noted as being of Historic Heritage.</p>
<b>Notable Trees</b>	<p>All rules have immediate legal effect (NT-R1 to NT-R9).</p> <p>All standards have legal effect (NT-S1 to NT-S2)</p> <p>Schedule 1 has immediate legal effect.</p>	<p><b>Not applicable.</b></p> <p>The site does not contain any notable trees.</p>
<b>Sites and Areas of Significance to Māori</b>	<p>All rules have immediate legal effect.</p>	<p><b>Not applicable.</b></p> <p>The site does not contain any scheduled sites and areas of significance to Māori.</p>
<b>Ecosystems and Indigenous Biodiversity</b>	<p>All rules have immediate legal effect (IB-R1 to IB-R5)</p>	<p><b>Not applicable.</b></p> <p>The site does not contain any ecosystems or indigenous biodiversity to which these rules would apply.</p>
<b>Subdivision</b>	<p>The following rules have immediate legal effect:</p> <p><b>SUB-R6</b> - Environmental Benefit Subdivision.</p> <p><b>SUB-R13</b>- Subdivision of a site within a heritage area overlay.</p> <p><b>SUB-R14</b> - Subdivision of a site that contains a scheduled heritage resource.</p> <p><b>SUB-R15</b> - Subdivision of a site containing a scheduled site and area of significance to Māori.</p> <p><b>SUB-R17</b> - Subdivision of a site containing a scheduled SNA</p>	<p><b>Permitted.</b></p> <p>The site is not an environmental benefit subdivision; the site does not contain any heritage overlays; scheduled heritage resources; a scheduled site and area of significance to Māori or; any SNA's.</p>
<b>Activities on the Surface of Water</b>	<p>All rules have immediate legal effect (ASW-R1 to ASW-R4)</p>	<p><b>Not applicable.</b></p> <p>The proposal does not involve activities on the surface of water.</p>



<b>Earthworks</b>	<p>The following rules have immediate legal effect: EW-R12, EW-R13</p> <p>The following standards have immediate legal effect: EW-S3, EW-S5</p>	<p><b>Permitted.</b></p> <p>Any earthworks will comply with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005).</p>
<b>Signs</b>	<p>The following rules have immediate legal effect: SIGN-R9, SIGN-R10</p> <p>All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area</p>	<p><b>Not applicable.</b></p> <p>No signs are proposed as part of this application.</p>
<b>Orongo Bay Zone</b>	<p>Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water</p>	<p><b>Not applicable.</b></p> <p>The site is not located in the Orongo Bay Zone.</p>

5.11 The assessment above indicates the proposal is able to comply with the Proposed District Plan rules that have immediate legal effect. Under the Proposed District Plan, this activity will be assessed as a Permitted Activity.

## National Environmental Standards

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

5.12 A site visit and review of aerials of the subject site did not indicate that the site was HAIL. No such assessment of the NESCS has therefore been undertaken as part of this application. The application has been considered **Permitted** in terms of this regulation.

### Other National Environmental Standards

5.13 No other National Environmental Standards are considered applicable to this development. The site does not adjoin any freshwater bodies such as lakes, rivers or wetlands and as such the National Environmental Standard for Freshwater Management was not considered applicable to this development. The proposal is considered to be Permitted in terms of the NES documents.



## 5. STATUTORY ASSESSMENT UNDER THE RESOURCE MANAGEMENT ACT (RMA)

### Section 104B of the Act

5.1. Section 104B governs the determination of applications for Discretionary activities. The consent authority can grant or refuse the application. If the application is granted, the consent authority may impose conditions under Section 108.

### Section 104(1) of the Act

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

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

*(a) Any actual and potential effects on the environment for allowing the activity; and  
(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*

*(b) Any relevant provisions of –*

*(i) A national environmental standard*

*(ii) Other regulations*

*(iii) A national policy statement*

*(iv) A New Zealand Coastal Policy Statement*

*(v) A regional policy statement or proposed regional policy statement*

*(vi) A plan or proposed plan; and*

*(c) Any other matter the consent authority considers relevant and reasonable necessary to determine the application.’*

5.3. Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (as described in section 3 of the Act). As will be discussed below, the proposal will have actual and potential effects that are acceptable. In addition, the proposal will also have positive effects on the environment as the proposal will create one additional allotment which is consistent with what is anticipated in this zone.

5.4. Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from





allowing the activity'. It is considered the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment. As noted above, the proposed development itself will generate positive effects that are consistent with the intent of the Coastal Residential zone and surrounding environment.

- 5.5. Section 104(1)(b) requires the consent authority to consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided below.
- 5.6. Section 104(1)(c) states that consideration must be given to 'any other matters that the consent authority considers relevant and reasonable, necessary to determine the application.' There are no other matters relevant to this application.

### **Environmental Effects Assessment**

- 5.7. Having reviewed the relevant plan provisions and taking into account the matters that must be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the following environmental effects warrant consideration as part of this application.
- 5.8. The proposal is a Discretionary activity. Potential effects on the environment arising from the proposal are assessed as follows.

#### Subdivision

- 5.9. The proposal involves the creation of one additional allotment of a size that is provided for in the CRZ as a Controlled Activity. The subdivision layout has been designed to accommodate existing residential buildings, driveways and open areas utilised by each of the existing residential buildings.
- 5.10. Having reviewed the relevant ODP subdivision provisions and considering the matters that must be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the primary activity to be assessed for appropriateness is the size and



nature of the lots that meet the Controlled activity lot sizes for the zone as well as access provisions from the State Highway which results in a Discretionary Activity status.

- 5.11. As an activity that is regulated by District Wide provisions, subdivision of land must be consistent with the purpose of the zone and retains the natural character of the coastal environment. Activities impacting the district's transport network including the State Highway must also be considered.

#### Allotment sizes and Dimensions

- 5.11.1. The proposal is to create one additional allotment. Each allotment will contain existing residential development and associated onsite services. Lots 1 & 2 are both significantly larger than 3,000m<sup>2</sup> such that these allotments meet the controlled allotment size for subdivision within the CRZ.

- 5.11.2. Currently, the number of lots proposed is envisaged by the ODP and provided for in the zone. Given that built development is existing, the proposed activity will be indiscernible as viewed from the surrounding environment as well as traffic effects, given that there will be no change. The proposed lot sizes provide a buffer between the more intensive development to the north and east and the larger lifestyle lots to the west and south, maintaining the amenity and character of the site and surrounding environment. Each allotment has sufficient area and dimensions available around the existing buildings and onsite servicing for future operational and maintenance requirements. Access to the sites is existing and the crossing will be sealed to the boundary to improve the existing situation.

- 5.11.3. Cumulative effects of development are no more than minor. The coastal environment will continue to be preserved given built development within the lots is existing.

#### Natural and Other Hazards

- 5.11.4. The NRC Maps do not indicate that the site is susceptible to coastal or river flood hazards. Built development on the proposed lots is existing.

- 5.11.5. In terms of s106 of the Act, it is considered that the proposal does not increase the likelihood of natural hazards occurring, nor accelerate, worsen or result in material damage to structures



or land. Physical and legal access can be safely provided to the site. As such, it is considered that there are no matters relevant which would apply under s106 of the Act.

#### Water Supply

5.11.6. The site is not within an area which is serviced by reticulated water supply. Water supply is existing within each of the lots via rainwater harvesting to water storage tanks which service each of the existing dwellings. Each dwelling has approved provisions for water supply which will remain unchanged as part of this proposal.

#### Stormwater Disposal

5.11.7. Council's infrastructure is not available to the site. Each lot contains approved provisions for existing stormwater attenuation and dispersal which is contained wholly within each of the respective allotments. Stormwater disposal will remain unchanged as part of this proposal.

#### Sanitary Sewage Disposal

5.11.8. Councils' infrastructure is not available to the site. There are approved provisions for the existing effluent disposal systems to each of the dwellings within the site. These will remain unchanged as part of this proposal and be wholly contained within the new lot boundaries for each of the dwellings. The Applicant has advised the systems are regularly cleaned and maintained and are in good working order.

#### Energy, Top Energy Transmission Lines & Telecommunications

5.11.9. Energy supply and telecommunications are existing to the dwellings on the lots. Given this, Top Energy confirmed that the requirement for the subdivision is nil.

5.11.10. Given built development is existing, telecommunications services are already existing to the dwellings. There are ample options available for telecommunications now via wireless networks for rural/coastal areas such as Pukenui. These include the likes of Starlink and rural connection services via Spark and One. Given the development is existing and there will be no change to the development on the site, telecommunication services will remain unchanged. No additional connections are proposed nor considered warranted.



5.11.11. The site is not known to be located within 20 metres of an electrical transmission line designed to operate at or above 50kV.

Easements for any Purpose

5.11.12. There are no existing easements affected by the proposal. As detailed, there is one proposed easement which will provide Lot 2 rights over the existing shared access area within Lot 1.

Provision of access

5.11.13. Access to the two allotments will be via the existing crossing from Far North Road (State Highway 1). The site is located within a 50 km/h zone. NZTA have been contacted as part of the pre-application process (see **Appendix 4**), who advised that the crossing was to be sealed to the lot boundary in accordance with FNDC Engineering Standards. This is anticipated to be a condition of consent imposed on the decision document.

5.11.14. Easement A will be provided to cover the existing shared area of driveway to allow access rights for both lots. As residential development is existing within each of the lots, the proposal will not alter the traffic movements already provided for within the environment. Internal access will remain unchanged which is considered to be fit for purpose.

Effect of Earthworks and Utilities

5.11.15. The only earthworks anticipated as part of this proposal are the works required for the sealing of the crossing place. All development is existing on the site such that no further earthworks have been considered to be required.

Building Locations

5.11.16. Residential built development within the lots is existing such that no further building locations have been proposed.

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

5.11.17. There are no areas of significant vegetation on site, indigenous fauna or landscape features which are of significant value where specific protections are warranted through the subdivision process. There are no known recorded archaeological sites within the allotment.



Given built development is existing and there are no proposed changes to this, it is considered that all effects will be less than minor.

#### Soil

5.11.18. The proposal will create a total of one additional allotment. The soils within the site are of LUC 4 & 6 which are not considered to be highly versatile under the RPS of NPS for HPL. The site is zoned Coastal Residential and proposed to be rezoned Settlement. As such, assessment of the proposal against the NPS for HPL is not considered a requirement. The proposed lot sizes are of ample area to ensure the life supporting capacity of soils are not jeopardized.

#### Access to Waterbodies

5.11.19. The site does not adjoin any waterbodies that would require legal access.

#### Land Use Incompatibility

5.11.20. The proposed allotments are being created in an area where there is already a number of residential allotments, given the site is located within the village of Pukenui. Residential development within the allotments is existing, and there will be no change to this such that visual effects will be indiscernible as viewed from the surrounding environment. Reverse sensitivity effects and incompatible land use is not anticipated given that there will be no physical change to the site. Cumulative effects are considered to be less than minor as development is existing.

5.11.21. The proposed lot sizes comply with the controlled lot sizes for the zone such that allotments and development as such is anticipated. The lot sizes proposed enable the character and amenity of the environment to remain unchanged, providing larger sites on the peripheral of the CRZ and adjoining Coastal Living zone. As has been discussed within this report, the proposed allotments are considered consistent with development in the area.

#### Proximity to Airports

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

#### Natural Character of the Coastal Environment





5.11.23. The proposal is considered to preserve the natural character of the coastal environment given the development on the site is existing and will remain unchanged as a result of this proposal. The existing built development is screened by adjoining residential development on other allotments and existing vegetation and topography.

5.11.24. The proposed subdivision is not considered to be objectionable within the surrounding environment and is not considered to result in adverse effects on the character of the Coastal Environment.

#### Energy Efficiency and Renewable Energy Development/Use

5.11.25. Built development on the sites is existing. There are no proposed changes to this.

#### National Grid Corridor

5.11.26. The site is not located within the national grid corridor.

### **Section 104(1)(b) – Relevant provisions of any statutory document**

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

#### National Environmental Standards

5.13. As discussed in the sections above, the proposal is permitted in terms of the relevant National Environmental Standard documents.

#### National Policy Statements

5.14. There are currently 10 National Policy Statements in place. These are as follows:

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



- National Policy Statement for Infrastructure 2025
- National Policy Statement for Natural Hazards 2025

#### New Zealand Coastal Policy Statement 2010

- 5.15. The New Zealand Coastal Policy Statement 2010 is considered to be relevant to the application as the application site is partially located within the coastal environment under the NRC Regional Policy Statement.
- 5.16. The subject site is not known to contain any areas of outstanding landscape or features. It is considered the proposal will not adversely affect the natural aspects within the coastal environment nor will the proposal create any adverse effects on the natural character and amenity values within the area. The proposed lots will contain existing residential development such that there will be no physical changes to the site or how it is perceived within the surrounding environment.
- 5.17. Overall, the proposed activity is considered to be consistent with the objectives and policies of the NZCPS.

#### Regional Policy Statement

- 5.18. The role of The Regional Policy Statement is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northlands natural and physical resources.
- 5.19. This proposal is of a small scale, containing existing development and outside of areas containing any resource features. The proposal is consistent with sites in the surrounding environment and will not alter the character and amenity of the surrounding environment. The proposal is considered compatible with the intent of the RPS.

#### Far North Operative District Plan

- 5.20. The proposed activity is subject to the Coastal Environment and Coastal Residential zone. A list of all objectives and policies relevant to this assessment is included within **Appendix 6**.
- 5.21. The CRZ recognises the need and demand for residential development on the coast. It provides for the most intensive development within the coastal environment and is applied to areas



where an urban residential style and scale of development exists. Development is enabled so long as the natural character of the coastal environment is retained as much as possible.

- 5.22. Given the subdivision activity complies with the Controlled Activity lot sizes for the CRZ, it is considered that the proposal is anticipated by the plan and therefore does not result in adverse effects. The proposal will not alter the character or amenity of the sites or surrounding environment given that built development is existing within the allotments. Natural character of the coastal environment will be maintained and preserved. Access will be provided for via existing provisions and will be upgraded and improved as per NZTA's recommendations.
- 5.23. Overall, it is considered that the proposed subdivision will generate no more than minor effects on the receiving environment, including the adjacent sites. The proposal is considered consistent with the relevant objectives and policies of the ODP.

#### Proposed District Plan

- 5.24. Under the Proposed District Plan, the site is zoned Settlement (RSZ), and is partially within the Coastal Environment overlay. The RSZ encapsulates areas which are not supported by Council's reticulated wastewater network as well as most not being connected to reticulated water or stormwater services, Most settlements have been identified as being in a rural setting as well as the coastal environment.
- 5.25. Given that the residential development is existing within the site and there will be no physical changes within the site, the proposal is considered to create no more than minor effects on these environments and is consistent with the intent of the surrounding environment and the zone. The proposal is considered to be consistent with the Objectives and Policies of the Proposed District Plan.

#### Summary

- 5.26. The above assessment of the relevant policy documents demonstrates that the proposal will be consistent with the relevant objectives and policies of those statutory documents.

## **6. NOTIFICATION ASSESSMENT – SECTIONS 95A TO 95G OF THE ACT**

### **Public Notification Assessment**

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



**Step 1: Mandatory public notification in certain circumstances**

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

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

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

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

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

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

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

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

**Step 2: Public Notification precluded in certain circumstances.**

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

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

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

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

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

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

*(i) a controlled activity:*

*(ii) [Repealed]*

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

*(iv) [Repealed]*

*(6) [Repealed]*

- 6.1.2. The application does involve lot sizes which comply with the Controlled Activity provisions of the CRZ, however given access is from a State Highway, the application defaults to a Discretionary Activity. Therefore Step 3 must be considered.

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

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



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

*(b) if the answer is no, go to step 4.*

*(8) The criteria for step 3 are as follows:*

*(a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:*

*(b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

- 6.1.3. The application does not include any activities subject to a rule or NES that requires public notification. The activity is not considered to create adverse effects that are more than minor.

#### **Step 4: Public notification in special circumstances**

*(9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and,—*

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

*(b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.*

- 6.1.4. There are no special circumstances that exist to justify public notification of the application because the proposal is for a subdivision where one additional allotment is created which meets the controlled lot size provisions for the zone and where built development is existing on each of the proposed lots. There are many allotments in the immediate vicinity which are of similar size or smaller to the proposed allotments and hence the proposal is not considered to be exceptional or unusual.

#### **Public Notification Summary**

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

#### **Limited Notification Assessment**

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

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

*(2) Determine whether there are any—*

*(a) affected protected customary rights groups; or*





*(b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).*

*(3) Determine—*

*(a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*

*(b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*

*(4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).*

- 6.3.1. No customary rights groups or marine titles groups are considered to be affected. The proposal is not known to be subject to or adjoining a statutory acknowledgement area. As such, it is considered that no notification is required. Therefore, Step 2 must be considered.

**Step 2: Limited notification precluded in certain circumstances.**

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

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

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

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

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

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

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

**Step 3: Certain other affected persons must be notified.**

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

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

*(9) Notify each affected person identified under subsections (7) and (8) of the application.*

*The proposal is not for a boundary activity nor is it a prescribed activity.*

- 6.3.3. The proposal does not include a boundary activity.



- 6.3.4. In deciding who is an affected person under section 95E, a council under section 95E(2):
- (2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—*
- (a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and*
- (b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and*
- (c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*
- 6.3.5. A Council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval.
- 6.3.6. With respect to section 95B(8) and section 95E, the permitted baseline was considered as part of the assessment of environmental effects undertaken in Section 5 of this report, which found that the potential adverse effects on the environment will be minor. In regard to effects on persons, the assessment provided within this report is also relied on and the following comments made:
- The size of the proposed allotments is consistent with the character of the allotments in the locality and can comply with the controlled provisions for lot size within the zone. Therefore, the proposed allotment sizes are not objectionable within the surrounding environment.
  - Residential built development on the proposed lots is existing and will remain unchanged with each allotment containing the associated onsite servicing. Visually, the site will remain unchanged, maintaining and preserving the character and amenity of the site and surrounding environment.
  - NZTA have provided their conditional approval requiring the access to be sealed to the boundary. This has been offered as a condition of consent.
  - The development is not considered to be contrary to the objectives and policies under the District Plan.
  - All other persons are sufficiently separated from the proposed development and works, such that there will be no effects on these people.



- 6.3.7. Therefore, no persons will be affected to a minor or more than minor degree.
- 6.3.8. Overall, the adverse effects on any persons are considered to be less than minor. Therefore Step 3 does not apply and Step 4 must be considered.

**Step 4: Further notification in special circumstances**

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

- 6.3.9. The proposal is to subdivide the site to create one additional allotment. It is considered that no special circumstances exist in relation to the application.

**Limited Notification Assessment Summary**

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

**Notification Assessment Conclusion**

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

**7. PART 2 ASSESSMENT**

- 7.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 7.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resources whilst meeting the foreseeable needs of future generations. It is considered that the proposal will safeguard the life-supporting capacity of air, water, soil and ecosystems. In addition, the proposal will avoid adverse effects on the environment and will maintain the character of the site and surrounding environment.
- 7.3. Section 6 of the Act sets out a number of matters of national importance. The subject site is not located near any lakes, rivers or wetlands. The subject site is partially located within the coastal environment under the RPS, however no adverse effects are anticipated due to the fact that visual amenity and character will be maintained. There are no outstanding natural



features or landscapes which are considered to be affected, nor any areas of significant indigenous vegetation or habitats of fauna. Public access is not considered relevant in this case. The site does not contain any areas identified as being a Site of Cultural Significance to Māori. The relationship of Māori and their culture is considered to remain unaffected by the proposal. Historic heritage and protected customary rights are not anticipated to be affected by the proposal. The proposal is not anticipated to exacerbate natural hazards. It is considered that the effects of this proposal on Section 6 of the Act are considered to be less than minor.

- 7.4. Section 7 identifies a number of “other matters” to be given particular regard by a Council in the consideration of any assessment for resource consent, including the maintenance and enhancement of amenity values. The proposal maintains amenity values in the area as the proposal is in keeping with the existing character of the surrounding environment.
- 7.5. Section 8 requires Council to take into account the principals of the Treaty of Waitangi. It is considered that the proposal raises no Treaty issues. The proposal has taken into account the principals of the Treaty of Waitangi and is not considered to be contrary to these principals.
- 7.6. Overall, the application is considered to be consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by Sections 5-8 of the Act.

## 8. CONCLUSION

- 8.1. The Applicant’s are seeking resource consent to subdivide an existing site at 4101 Far North Road, Pukenui. The subdivision will see one additional allotment created, with each allotment containing existing residential built development and associated onsite servicing and internal access. The proposal provides lot sizes which are able to comply with the Controlled activity provisions for the zone. The proposal defaults to a Discretionary subdivision activity given that access is from a State Highway. NZTA have been contacted with their conditional approval received.
- 8.2. The assessment of effects on the environment concludes that any potential adverse effects will be no more than minor. The proposed subdivision is consistent with the character of the surrounding area and given built development is existing, there will be no visual or physical



change within the sites. The proposal is considered to be consistent with the purpose of both the operative Coastal Residential and proposed Settlement zones.

- 8.3. It is also considered that the proposal will have less than minor adverse effects on the wider environment; no persons will be adversely affected by the proposal and there are no special circumstances.
- 8.4. The relevant provisions within Part 2 of the Act have been addressed as part of this application. The overall conclusion from the assessment of the statutory considerations is that the proposal is considered to be consistent with the sustainable management purpose of the Resource Management Act 1991.
- 8.5. As a Discretionary activity, the proposal has been assessed against the matters and limitations imposed by the District Plan. It is considered that the proposal results in no more than minor effects on the environment and the proposal is generally consistent with the relevant Objectives and Policies set out under the District Plan, Proposed District Plan, New Zealand Coastal Policy Statement and the Regional Policy Statement. The development is considered appropriate for consent to be granted on a non-notified basis.





## 9. LIMITATIONS

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





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

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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** NA1615/5  
**Land Registration District** North Auckland  
**Date Issued** 22 January 1959

**Prior References**

NA438/154

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**Estate** Fee Simple  
**Area** 3.0958 hectares more or less  
**Legal Description** Part Deposited Plan 19040

**Registered Owners**

Jeffrey Michael Wagener and Carol Anne Wagener

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**Interests**

Appurtenant hereto is a right of way and drainage rights specified in Easement Certificate C085428.4 - 21.12.1989 at 2.50 pm

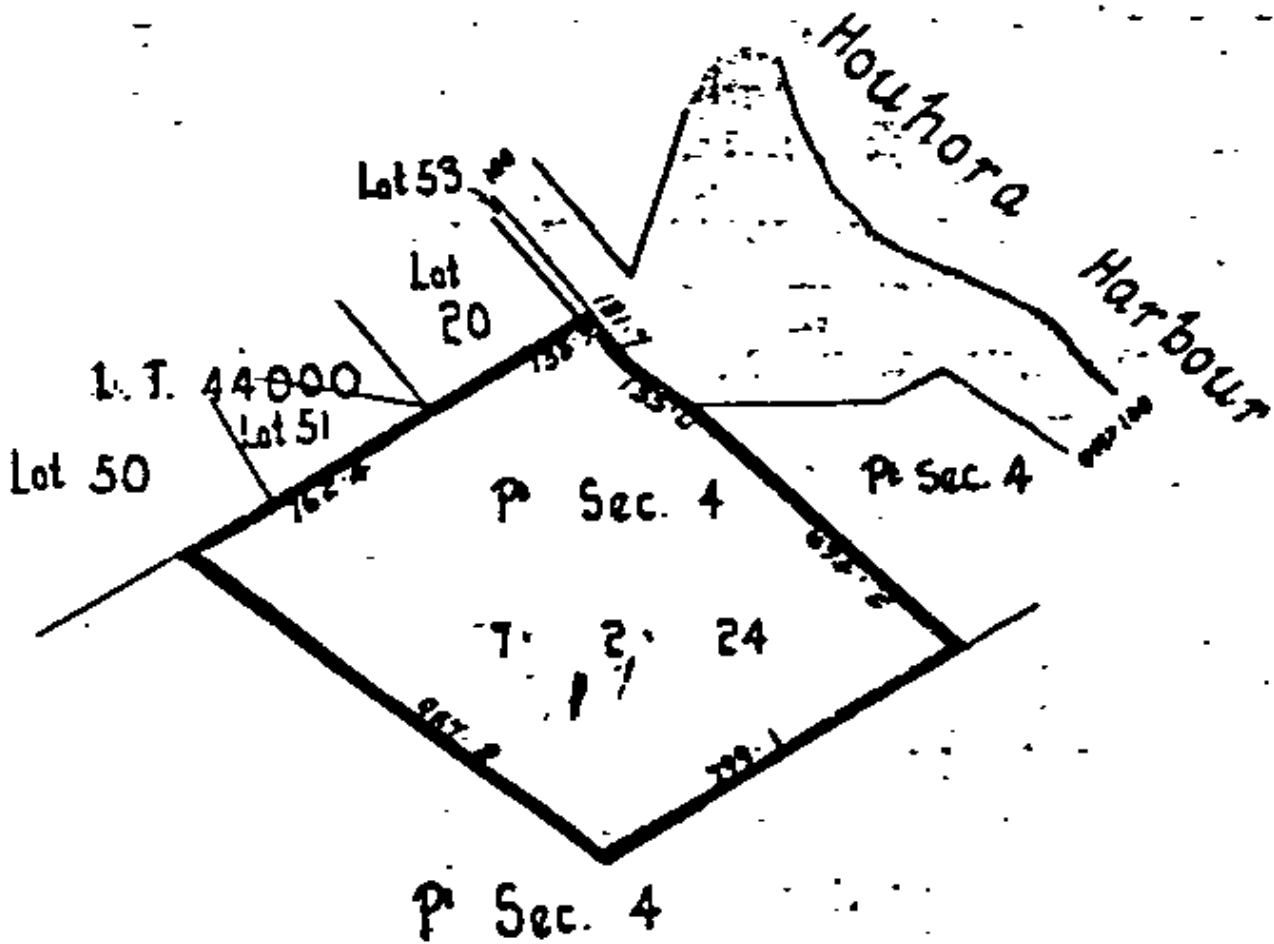
The easements specified in Easement Certificate C085428.4 are subject to Section 309 (1) (a) Local Government Act 1974 D574558.1 Gazette Notice (N.Z. Gazette No.46 page 1021) declaring part State Highway No.1F Far North District commencing on the eastern side of the highway at the intersection with Hendersons Bay Road and on the western side of the boundary and proceeding in the southerly direction to the intersection with State Highway No. 10 to be a limited access road - 25.1.2001 at 12.09 pm

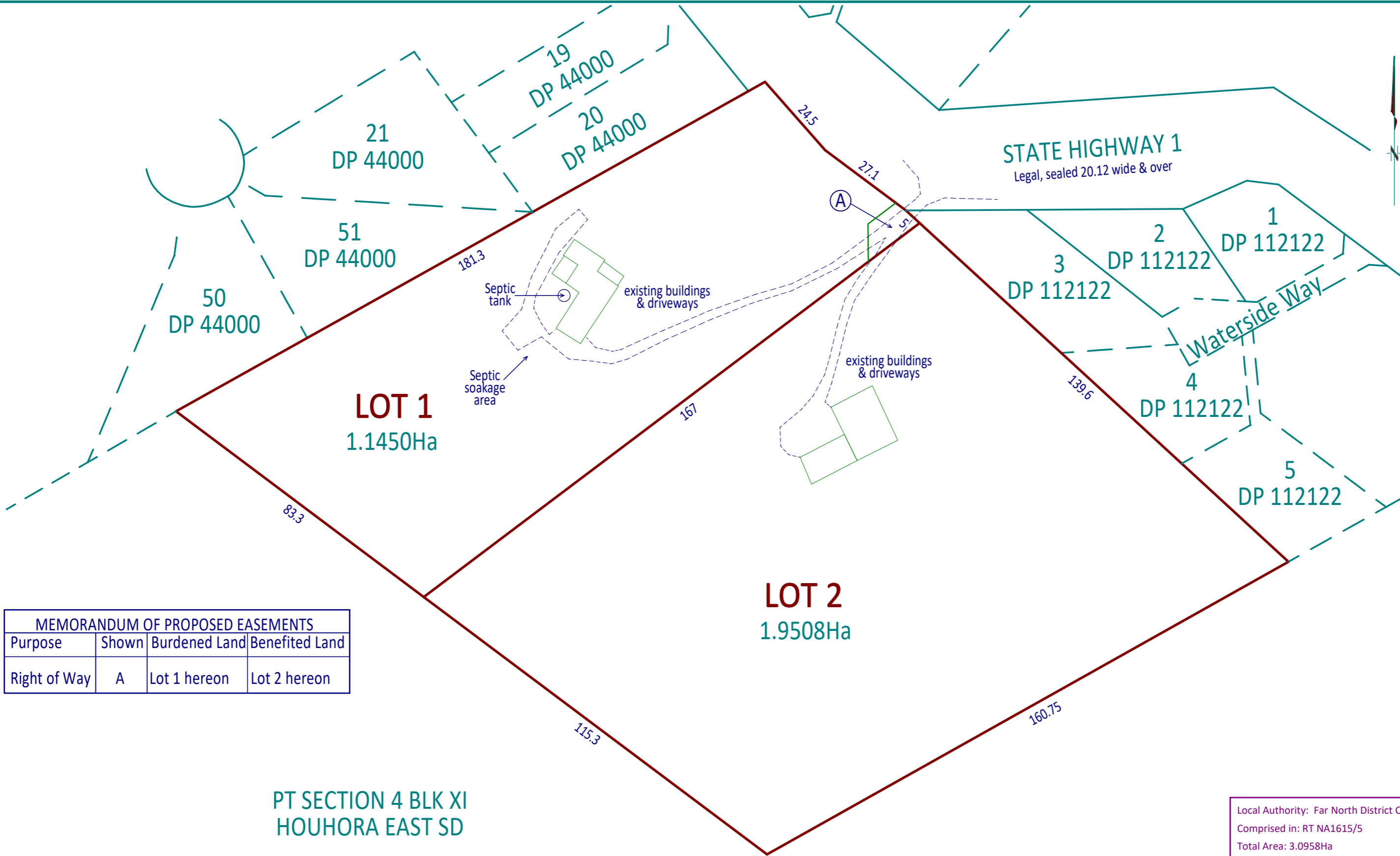
D574973.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 25.1.2001 at 3.31 pm

11907429.1 Settled under the Joint Family Homes Act 1964 - 17.12.2020 at 3:01 pm



XI Houhora East S.D.



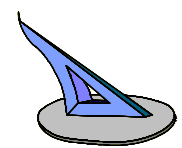


MEMORANDUM OF PROPOSED EASEMENTS			
Purpose	Shown	Burdened Land	Benefited Land
Right of Way	A	Lot 1 hereon	Lot 2 hereon

PT SECTION 4 BLK XI  
HOUHORA EAST SD

Local Authority: Far North District Council  
Comprised in: RT NA1615/5  
Total Area: 3.0958Ha

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AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY



**VON STURMERS**  
Registered Land Surveyors, Planners &  
Land Development Consultants  
Ph: (09) 408 6000  
Email: kaitaia@saps.co.nz  
131 Commerce Street,  
Kaitaia

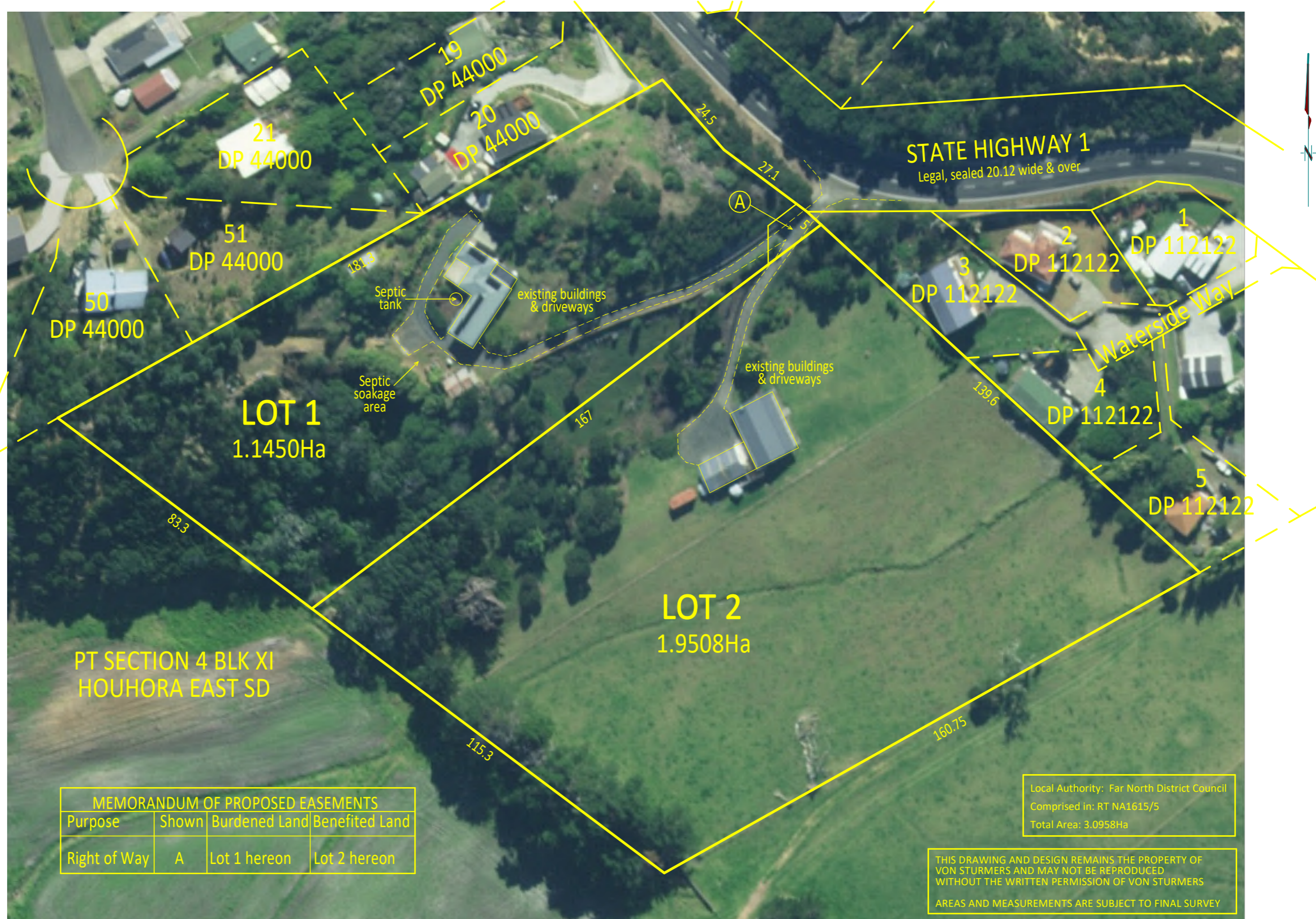
## PROPOSED SUBDIVISION OF PT LOT 4 DP 19040

PREPARED FOR: J & C WAGENER

	Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey			1:1000	A3
Design				
Drawn	SH	24-03-2026		
Rev				

Surveyors  
Ref. No:  
**15620**  
Series  
Sheet of





MEMORANDUM OF PROPOSED EASEMENTS			
Purpose	Shown	Burdened Land	Benefited Land
Right of Way	A	Lot 1 hereon	Lot 2 hereon

Local Authority: Far North District Council  
 Comprised in: RT NA1615/5  
 Total Area: 3.0958Ha

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 AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

**VON STURMERS**  
 Registered Land Surveyors, Planners &  
 Land Development Consultants  
 Ph: (09) 408 6000  
 Email: kaitaia@saps.co.nz  
 131 Commerce Street,  
 Kaitaia

# PROPOSED SUBDIVISION OF PT LOT 4 DP 19040

PREPARED FOR: J & C WAGENER

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey Design			
Drawn	SH 24-03-2026		
Rev			

Surveyors Ref. No:  
**15620**  
 Series  
 Sheet of



## Northland Planning Development

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**From:** Tessa Robins <Tessa.Robins1@nzta.govt.nz>  
**Sent:** Friday, 17 April 2026 2:55 pm  
**To:** Northland Planning Development  
**Subject:** Re: 4101 Far North Road, Pukenui - Application-2026-0393 CRM:0503000466

Kia ora Alex,

Thank you for being patient while NZTA reviewed your client's proposed 2-lot subdivision of 4101 Far North Road, Pukenui. It is noted that there is no proposed change in land use in conjunction with this subdivision but the existing vehicle crossing will need to be sealed to the boundary to meet current engineering standards. As such, NZTA has determined that the following conditions would address the potential adverse effects on State Highway 1. These conditions will need to be volunteered in writing to Council, so they become a substantive part of the resource consent application prior to written approval being provided by NZTA. Please note: The legal name of NZTA is the New Zealand Transport Agency; therefore, our full legal name is referred to in the requested conditions.

### Conditions:

1. The vehicle crossing (NZTA identifier CP 219) that provides access to proposed Lot 1 and 2 shall be sealed to the boundary of the subject site in accordance with the Far North District Council engineering standards and to the satisfaction of the New Zealand Transport Agency Network Manager.
2. 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 sealing of the vehicle crossing, has been undertaken in accordance with the Far North District Council engineering standards.
3. 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 Roading Powers Act 1989.

### Advice Notes:

- Before you undertake any physical work on the state highway, including the formation of any 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 to the NZTA CAR Manager via [www.submitica.com](http://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.
- Due to limited sight distances at the vehicle crossing and the lack of feasible alternative access arrangements, NZTA would not support any further vehicle movements beyond that associated with the two legally established dwellings.

Please consider the above and, if you agree, please amend your client's resource consent application to include the above conditions and provide a copy of this revised consent application to NZTA; or volunteer these conditions to council requesting that the conditions are included in the application as an addendum to the application and provide a copy of this request to NZTA.

Upon receiving your revised application or email confirming that you have volunteered the above conditions to council; NZTA will continue to process the application with a view to providing S95E approval (subject to delegated authority).

If you have any queries regarding the above, please feel free to contact me via the details below.

Ngā mihi

Tessa Robins

**Consultant Planner**

Te Toki, System Design, Transport Services

Email: [Tessa.Robins1@nzta.govt.nz](mailto:Tessa.Robins1@nzta.govt.nz)

Mobile: 022 377 8812

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**From:** Tessa Robins <Tessa.Robins1@nzta.govt.nz>  
**Sent:** Thursday, April 9, 2026 7:48 AM  
**To:** Alex Billot <info@northplanner.co.nz>  
**Subject:** 4101 Far North Road, Pukenui - Application-2026-0393 CRM:0503000466

Kia ora Alex,

Thank you for sending through your client's proposed subdivision for NZTA comment.

I will review the proposal this week and get back to you by early next week if any further information is needed in the first instance.

Ngā mihi

**Tessa Robins**

**Consultant Planner**

Te Toki, System Design, Transport Services

Email: [Tessa.Robins1@nzta.govt.nz](mailto:Tessa.Robins1@nzta.govt.nz)

Mobile: 022 377 8812

**From:** Northland Planning Development <info@northplanner.co.nz>

**Sent on:** Wednesday, April 8, 2026 12:12:36 AM

**To:** Environmental Planning <EnvironmentalPlanning@nzta.govt.nz>

**Subject:** Proposed subdivision - 4101 Far North Road, Pukenui

Kia ora,

We have been engaged to prepare a subdivision application to create one additional allotment at 4101 Far North Road, Pukenui.

The site currently contains two existing consented dwellings and the proposal will see each dwelling held within an independent allotment. The scheme plan is attached for your reference.

Both dwellings are accessed via the same crossing place and a right of way is proposed over the first portion of the internal access to access each dwelling. No other allotments or dwellings utilise the crossing place.

The crossing place is located within a 50km/h zone.

Could you please provide your comments in relation to the access from the State Highway so we can provide these to Council when the application is lodged.

If you have any questions please do not hesitate to contact our office.

Kind regards,

**Alex Billot**

Resource Planner

Offices in Kaitaia & Kerikeri

09 408 1866

Northland Planning & Development 2020  
Limited

*My office hours are Monday, Tuesday,  
Thursday & Friday 9am – 2pm*

This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient, you must not peruse, disclose, disseminate, copy or use the message in any way. If you have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by NZ Transport Agency Waka Kotahi for information assurance purposes.

10 April 2026

Alex Billot  
Northland Planning & Development 2020 Ltd

Email: [info@northplanner.co.nz](mailto:info@northplanner.co.nz)

To Whom It May Concern:

**RE: PROPOSED SUBDIVISION  
J & C Wagener – 4101 Far North Road, Pukenui. Pt Lot 4 DP 19040.**

Thank you for your recent correspondence with attached proposed subdivision scheme plans.

Top Energy's requirement for this subdivision is nil. Top Energy advises that there is an existing power supply to proposed lot 1 and lot 2.

In order to get a letter from Top Energy upon completion of your subdivision, a copy of the resource consent decision must be provided.

Yours sincerely



**Aaron Birt**  
Planning and Design  
E: [aaron.birt@topenergy.co.nz](mailto:aaron.birt@topenergy.co.nz)

## OPERATIVE NORTH DISTRICT PLAN - CHAPTER 13 SUBDIVISION OBJECTIVES AND POLICIES

<b>OBJECTIVES</b>	
<b>13.3.1</b>	<i>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.</i>
<b>13.3.2</b>	<i>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.</i>
<b>13.3.3</b>	<i>To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.</i>
<b>13.3.4</b>	<i>To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.</i>
<b>13.3.5</b>	<i>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.</i>
<b>13.3.6</b>	<i>To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.</i>

<b>13.3.7</b>	<i>To ensure the relationship between Māori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.</i>
<b>13.3.8</b>	<i>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.</i>
<b>13.3.9</b>	<i>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).</i>
<b>13.3.10</b>	<i>To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.</i>
<b>13.3.11</b>	<i>To ensure that the operation, maintenance, development and upgrading of the existing National Grid is not compromised by incompatible subdivision and land use activities.</i>
<b>Policies</b>	
<b>13.4.1</b>	<p><i>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:</i></p> <ul style="list-style-type: none"> <li><i>• natural character, particularly of the coastal environment;</i></li> <li><i>• ecological values;</i></li> <li><i>• landscape values;</i></li> <li><i>• amenity values;</i></li> </ul>



	<ul style="list-style-type: none"> <li>• <i>cultural values;</i></li> <li>• <i>heritage values; and</i></li> <li>• <i>existing land uses</i></li> </ul>
<b>13.4.2</b>	<i>That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.</i>
<b>13.4.3</b>	<i>That natural and other hazards be taken into account in the design and location of any subdivision.</i>
<b>13.4.4</b>	<i>That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.</i>
<b>13.4.5</b>	<i>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.</i>
<b>13.4.6</b>	<i>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.</i>
<b>13.4.7</b>	<p><i>That the need for a financial contribution be considered only where the subdivision would:</i></p> <ul style="list-style-type: none"> <li><i>(a) result in increased demands on car parking associated with non-residential activities; or</i></li> <li><i>(b) result in increased demand for esplanade areas; or</i></li> <li><i>(c) involve adverse effects on riparian areas; or</i></li> </ul>

	<i>(d) depend on the assimilative capacity of the environment external to the site.</i>
<b>13.4.8</b>	<i>That the provision of water storage be taken into account in the design of any subdivision.</i>
<b>13.4.9</b>	<i>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.</i>
<b>13.4.10</b>	<i>The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.</i>
<b>13.4.11</b>	<i>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.</i>
<b>13.4.12</b>	<i>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.</i>
<b>13.4.13</b>	<p><i>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:</i></p> <p style="padding-left: 40px;"><i>(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;</i></p>

	<ul style="list-style-type: none"> <li>(b) <i>minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;</i></li> <li>(c) <i>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;</i></li> <li>(d) <i>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));</i></li> <li>(e) <i>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;</i></li> <li>(f) <i>protecting historic heritage through the siting of buildings and development and design of subdivisions.</i></li> <li>(g) <i>achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.</i></li> </ul>
<p><b>13.3.14</b></p>	<p><i>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.</i></p>
<p><b>13.4.15</b></p>	<p><i>That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following:</i></p>

	<p><i>(a) development of energy efficient buildings and structures;</i></p> <p><i>(b) reduced travel distances and private car usage;</i></p> <p><i>(c) encouragement of pedestrian and cycle use;</i></p> <p><i>(d) access to alternative transport facilities;</i></p> <p><i>(e) domestic or community renewable electricity generation and renewable energy use.</i></p>
<p><b>13.4.16</b></p>	<p><i>When considering proposals for subdivision and development within an existing National Grid Corridor the following will be taken into account:</i></p> <p><i>(a) the extent to which the proposal may restrict or inhibit the operation, access, maintenance, upgrading of transmission lines or support structures;</i></p> <p><i>(b) any potential cumulative effects that may restrict the operation, access, maintenance, upgrade of transmission lines or support structures; and</i></p> <p><i>(c) whether the proposal involves the establishment or intensification of a sensitive activity in the vicinity of an existing National Grid line.</i></p>

## OPERATIVE DISTRICT PLAN – COASTAL ENVIRONMENT OBJECTIVES AND POLICIES

<b>OBJECTIVES</b>	
<b>10.3.1</b>	<i>To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.</i>
<b>10.3.2</b>	<p><i>To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance:</i></p> <ul style="list-style-type: none"> <li><i>(a) the natural character of the coastline and coastal environment;</i></li> <li><i>(b) areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i></li> <li><i>(c) outstanding landscapes and natural features;</i></li> <li><i>(d) the open space and amenity values of the coastal environment;</i></li> <li><i>(e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council).</i></li> </ul>
<b>10.3.3</b>	<i>To engage effectively with Māori to ensure that their relationship with their culture and traditions and taonga is identified, recognised, and provided for.</i>
<b>10.3.4</b>	<i>To maintain and enhance public access to and along the coast whilst ensuring that such access does not adversely affect the natural and physical resources of the coastal environment, including Māori cultural values, and public health and safety.</i>
<b>10.3.5</b>	<i>To secure future public access to and along the coast, lakes and rivers (including access for Māori) through the development process and specifically in accordance with the Esplanade Priority Areas mapped in the District Plan.</i>

<b>10.3.6</b>	<i>To minimise adverse effects from activities in the coastal environment that cross the coastal marine area boundary.</i>
<b>10.3.7</b>	<i>To avoid, remedy or mitigate adverse effects on the environment through the provision of adequate land-based services for mooring areas, boat ramps and other marine facilities.</i>
<b>10.3.8</b>	<i>To ensure provision of sufficient water storage to meet the needs of coastal communities all year round.</i>
<b>10.3.9</b>	<i>To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.</i>
<b>POLICIES</b>	
<b>10.4.1</b>	<p><i>That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:</i></p> <ul style="list-style-type: none"> <li><i>(a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and</i></li> <li><i>(b) is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and</i></li> <li><i>(c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and</i></li> <li><i>(d) avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and</i></li> </ul>



	<p><i>significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and</i></p> <p><i>(e) promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</i></p> <p><i>(f) 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</i></p> <p><i>(g) where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and</i></p> <p><i>(h) gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.</i></p>
<b>10.4.2</b>	<i>That sprawling or sporadic subdivision and development in the coastal environment be avoided through the consolidation of subdivision and development as far as practicable, within or adjoining built up areas, to the extent that this is consistent with the other objectives and policies of the Plan.</i>
<b>10.4.3</b>	<i>That the ecological values of significant coastal indigenous vegetation and significant habitats are maintained in any subdivision, use or development in the coastal environment</i>
<b>10.4.4</b>	<i>That public access to and along the coast be provided, where it is compatible with the preservation of the natural character and amenity, cultural, heritage and spiritual values of the coastal environment, and avoids adverse effects in erosion prone areas.</i>

<b>10.4.5</b>	<i>That access by tangata whenua to ancestral lands, sites of significance to Māori, maahinga mataitai, taiapure and kaimoana areas in the coastal marine area be provided for in the development and ongoing management of subdivision and land use proposals and in the development and administration of the rules of the Plan and by non-regulatory methods. Refer Chapter 2, and in particular Section 2.5, and Council’s “Tangata Whenua Values and Perspectives (2004)”.</i>
<b>10.4.6</b>	<i>That activities and innovative development including subdivision, which provide superior outcomes and which permanently protect, rehabilitate and/or enhance the natural character of the coastal environment, particularly through the establishment and ongoing management of indigenous coastal vegetation and habitats, will be encouraged by the Council.</i>
<b>10.4.7</b>	<p><i>To ensure the adverse effects of land-based activities associated with maritime facilities including mooring areas and boat ramps are avoided, remedied or mitigated through the provision of adequate services, including where appropriate:</i></p> <ul style="list-style-type: none"> <li><i>(a) parking;</i></li> <li><i>(b) rubbish disposal;</i></li> <li><i>(c) waste disposal;</i></li> <li><i>(d) dinghy racks.</i></li> </ul>
<b>10.4.8</b>	<i>That development avoids, remedies or mitigates adverse effects on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.</i>
<b>10.4.9</b>	<i>That development avoids, where practicable, areas where natural hazards could adversely affect that development and/or could pose a risk to the health and safety of people.</i>

<b>10.4.10</b>	<i>To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.</i>
<b>10.4.11</b>	<i>To promote land use practices that minimise erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the coastal marine area.</i>
<b>10.4.12</b>	<p><i>That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:</i></p> <ul style="list-style-type: none"><li><i>(a) the siting of buildings relative to the skyline, ridges, headlands and natural features;</i></li><li><i>b) the number of buildings and intensity of development;</i></li><li><i>(c) the colour and reflectivity of buildings;</i></li><li><i>(d) the landscaping (including planting) of the site;</i></li><li><i>(e) the location and design of vehicle access, manoeuvring and parking areas.</i></li></ul>

## OPERATIVE DISTRICT PLAN – COASTAL RESIDENTIAL ZONE - OBJECTIVES AND POLICIES

<b>OBJECTIVES</b>	
<b>1087.3.1</b>	<i>To enable the development of residential activity in and around existing coastal settlements.</i>
<b>10.8.3.2</b>	<i>To protect the coastline from inappropriate subdivision, use and development.</i>
<b>10.8.3.3</b>	<i>To enable the development of coastal settlements where urban amenity and coastal environmental values are compatible.</i>
<b>POLICIES</b>	
<b>10.8.4.1</b>	<i>That standards in the zone enable a range of housing types and forms of accommodation to be provided, recognising the diverse needs of the community and the coastal location of the zone.</i>
<b>10.8.4.2</b>	<i>Non-residential activities within the Coastal Residential Zone shall be designed, built, and located so that any effects that are more than minor on the existing character of the residential environment or the scale and intensity of residential activities, are avoided, remedied or mitigated.</i>
<b>10.8.4.3</b>	<i>That residential activities have sufficient land associated with each household unit to provide for outdoor space and sewage disposal.</i>
<b>10.8.4.4</b>	<i>That the portion of a site covered in buildings and other impermeable surfaces be limited to enable open space and landscaping around buildings and avoid or mitigate the effects of stormwater runoff on receiving environments</i>
<b>10.8.4.5</b>	<i>That provision be made for ensuring sites have adequate access to sunlight and daylight.</i>
<b>10.8.4.6</b>	<i>That activities with net effects greater than a single residential unit could be expected to have, be required to minimise adverse effects on the amenity values and general peaceful enjoyment of any adjacent residential activities.</i>

**10.8.4.7**

*That provision be made to ensure a reasonable level of privacy and amenity for inhabitants of buildings.*

## PROPOSED FAR NORTH DISTRICT PLAN – SUBDIVISION OBJECTIVES AND POLICIES

OBJECTIVES	
<b>SUB-01</b>	<p><u>Subdivision</u> results in the efficient use of <u>land</u>, which:</p> <ul style="list-style-type: none"> <li>a. achieves the objectives of each relevant zone, overlays and district wide provisions;</li> <li>b. contributes to the local character and sense of place;</li> <li>c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on <u>land</u> from continuing to operate;</li> <li>d. avoids land use patterns which would prevent <u>land</u> from achieving the objectives and policies of the zone in which it is located;</li> <li>e. does not increase risk from <u>natural hazards</u> or risks are mitigates and existing risks reduced; and</li> <li>f. manages adverse <u>effects</u> on the <u>environment</u>.</li> </ul>
<b>SUB-02</b>	<p><u>Subdivision</u> provides for the:</p> <ul style="list-style-type: none"> <li>a. Protection of <u>highly productive land</u>; and</li> <li>b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the <u>Coastal Environment</u>, Areas of High Natural Character, Outstanding Natural Character, <u>wetland, lake and river margins</u>, Significant Natural Areas, Sites and Areas of Significance to Māori, and <u>Historic Heritage</u>.</li> </ul>
<b>SUB-03</b>	<p><u>Infrastructure</u> is planned to service the proposed <u>subdivision</u> and development where:</p> <ul style="list-style-type: none"> <li>a. there is existing <u>infrastructure</u> connection, <u>infrastructure</u> should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of <u>subdivision</u>; and</li> </ul>



	<p>b. where no existing connection is available <u>infrastructure</u> should be planned and consideration be given to connections with the wider <u>infrastructure</u> network.</p>
<b>SUB-04</b>	<p><u>Subdivision</u> is accessible, connected, and integrated with the surrounding <u>environment</u> and provides for:</p> <p>a. public open spaces;</p> <p>b. esplanade where <u>land</u> adjoins the coastal marine area; and</p> <p>c. esplanade where <u>land</u> adjoins other qualifying <u>waterbodies</u>.</p>
<b>SUB-P1</b>	<p>Enable <u>boundary adjustments</u> that:</p> <p>a. do not alter:</p> <p>i. the degree of non compliance with District Plan rules and standards;</p> <p>ii. the number and location of any access; and</p> <p>iii. the number of certificates of title; and</p> <p>b. are in accordance with the minimum <u>lot</u> sizes of the zone and comply with access, <u>infrastructure</u> and esplanade provisions.</p>
<b>SUB-P2</b>	<p>Enable <u>subdivision</u> for the purpose of public works, <u>infrastructure</u>, reserves or access.</p>
<b>SUB-P3</b>	<p>Provide for <u>subdivision</u> where it results in <u>allotments</u> that:</p> <p>a. are consistent with the purpose, characteristics and qualities of the zone;</p> <p>b. comply with the minimum <u>allotment</u> sizes for each zone;</p> <p>c. have an adequate size and appropriate shape to contain a <u>building platform</u>; and</p> <p>d. have legal and physical access.</p>
<b>SUB-P4</b>	<p>Manage <u>subdivision</u> of <u>land</u> as detailed in the district wide, natural <u>environment</u> values, historical an cultural values and hazard and risks sections of the plan.</p>

<p><b>SUB-P5</b></p>	<p>Manage <u>subdivision</u> 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"> <li>a. minimising vehicle <u>crossings</u> that could affect the safety and efficiency of the current and future transport network;</li> <li>b. avoid cul-de-sac development unless the <u>site</u> or the topography prevents future public access and connections;</li> <li>c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces;</li> <li>d. contributing to a well connected transport network that safeguards future roading connections; and</li> <li>e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.</li> </ul>
<p><b>SUB-P6</b></p>	<p>Require <u>infrastructure</u> to be provided in an integrated and comprehensive manner by:</p> <ul style="list-style-type: none"> <li>a. demonstrating that the <u>subdivision</u> will be appropriately serviced and integrated with existing and planned <u>infrastructure</u> if available; and</li> <li>b. ensuring that the <u>infrastructure</u> is provided is in accordance the purpose, characteristics and qualities of the zone.</li> </ul>
<p><b>SUB-P7</b></p>	<p>Require the vesting of <u>esplanade reserves</u> when subdividing <u>land</u> adjoining the coast or other qualifying <u>waterbodies</u>.</p>
<p><b>SUB-P8</b></p>	<p>Avoid rural lifestyle <u>subdivision</u> in the Rural Production zone unless the <u>subdivision</u>:</p> <ul style="list-style-type: none"> <li>a. will protect a qualifying <u>SNA</u> in perpetuity and result in the <u>SNA</u> being added to the District Plan <u>SNA</u> schedule; and</li> <li>b. will not result in the loss of versatile soils for <u>primary production</u> activities.</li> </ul>

<b>SUB-P9</b>	Avoid <u>subdivision rural lifestyle subdivision</u> in the Rural Production zone and Rural residential <u>subdivision</u> in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan <u>subdivision rule</u> .
<b>SUB-P10</b>	<p>Manage <u>subdivision</u> to address the <u>effects</u> of the activity requiring resource consent including ( but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> <li>a. consistency with the scale, density, design and character of the <u>environment</u> and purpose of the zone;</li> <li>b. the location, scale and design of <u>buildings</u> and <u>structures</u>;</li> <li>c. the adequacy and capacity of available or programmed <u>development infrastructure</u> to accommodate the proposed activity; or the capacity of the <u>site</u> to cater for on-site <u>infrastructure</u> associated with the proposed activity;</li> <li>d. managing <u>natural hazards</u>;</li> <li>e. Any adverse <u>effects</u> on areas with <u>historic heritage</u> and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and</li> <li>f. any historical, spiritual, or cultural association held by <u>tangata whenua</u>, with regard to the matters set out in Policy <u>TW-P6</u>.</li> </ul>

## PROPOSED FAR NORTH DISTRICT PLAN – SETTLEMENT ZONE OBJECTIVES AND POLICIES

<b>OBJECTIVES</b>	
<b>RSZ-O1</b>	<i>Rural and coastal settlements are used predominantly for <a href="#">residential activities</a> and are sustained by a range of compatible activities and services</i>
<b>RSZ-O2</b>	<i>Land use and <a href="#">subdivision</a> is of a scale and intensity that is in keeping with the rural or coastal character and amenity of each settlement</i>
<b>RSZ-O3</b>	<i>Land use and subdivision in the Settlement zone is appropriate for the physical and environmental attributes of the site and any infrastructure constraints.</i>
<b>RSZ-O4</b>	<i>Land use and subdivision in the Settlement zone is managed to control any reverse sensitivity issues that may occur within the zone or at the zone interface.</i>
<b>POLICIES</b>	
<b>RSZ-P1</b>	<i>Enable residential and complementary non-residential activities that support the role and function of the Settlement zone</i>
<b>RSZ-P2</b>	<i>Require land use and <a href="#">subdivision</a> in the Settlement zone associated with non-residential activities to demonstrate the ability to provide for onsite <a href="#">infrastructure</a> unless a reticulated service is available</i>
<b>RSZ-P3</b>	<i>Enable non-residential activities in the Settlement zone that:</i> <ul style="list-style-type: none"> <li><i>a. are of a scale, intensity, character and amenity that compliments the <a href="#">residential activities</a> in the settlement;</i></li> <li><i>b. support the social and economic well-being of the community;</i></li> <li><i>c. do not adversely affect the viability and vitality of nearby urban centers; and</i></li> <li><i>d. demonstrate the ability to provide for onsite <a href="#">infrastructure</a>.</i></li> </ul>
<b>RSZ-P4</b>	<i>Avoid land use and development in the Settlement zone that results in reverse sensitivity effects either within the zone or on activities adjacent zones.</i>

**RSZ-P5**

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

- a. the scale, character and amenity of the settlement, in particular impacts on existing [residential activities](#);
- b. siting and design;
- c. cultural and social well-being, including health and safety;
- d. potential reverse sensitivity [effects](#) both within the settlement and on adjacent zones;
- e. its location within or adjoining to the settlement; and
- f. the vitality and viability of nearby urban environments.
- g. the capacity of the [site](#) to cater for on-site [infrastructure](#) associated with the proposed activity;
- h. the adequacy of roading [infrastructure](#) to service the proposed activity;
- i. managing [natural hazards](#);
- j. any adverse [effects](#) on areas with [historic heritage](#) and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and
- k. any historical, spiritual, or cultural association held by [tangata whenua](#), with regard to the matters set out in Policy TW-P6.