

6<sup>th</sup> July 2026

Resource Consents Team  
Far North District Council  
Private Bag 752  
Kaikohe 0440

**Attention: Team Leaders**

**APPLICATION FOR A COMBINED RESOURCE SUBDIVISION AND LANDUSE CONSENT FOR MTF DEVELOPERS (2022) LTD TO CREATE TWO LOTS AND CONSTRUCT A NEW DWELLING AT 40 EDMONDS ROAD, KERIKERI.**

Zenith Planning Consultants Limited has been engaged by MTF Developers (2022) to prepare a combined landuse and subdivision application. The application is Discretionary due to lot size and landuse breaches.

I have attached the following information in support of the application:

- Completed Application Form 9
- Planning Report and Assessment of Effects
- Scheme plan
- Engineers report addressing stormwater and site suitability
- Landscape assessment
- Building Plans
- Certificate of Title and legal instruments

With respect to the application fee, the applicant has paid online using the reference MTF Devel RC.

Should you have any queries in respect to this application please contact me.

Yours faithfully



# 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):

- |                                                                   |                                                                                                                                                      |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="radio"/> Land Use                         | <input type="radio"/> Discharge: Total volume = <input type="text"/> m <sup>3</sup><br><i>Note; volumes &gt;3m<sup>3</sup> requires NRC Consent.</i> |
| <input type="radio"/> Fast Track Land Use*                        |                                                                                                                                                      |
| <input type="radio"/> Change of Consent Notice (s.221(3))         | <input checked="" type="radio"/> Subdivision                                                                                                         |
| <input type="radio"/> Certificate of Compliance (s.139)           | <input type="radio"/> Existing Use Certificate (s.139A)                                                                                              |
| <input type="radio"/> Extension of time (s.125)                   | <input type="radio"/> Consent under National Environmental Standard<br>(e.g. Assessing and Managing Contaminants in Soil)                            |
| <input type="radio"/> Other (please specify) <input type="text"/> |                                                                                                                                                      |

*\*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:  
The Resource Consents Planning Technicians, [planning\\_technicians@fndc.govt.nz](mailto:planning_technicians@fndc.govt.nz)



## 5. Applicant details

**Name/s:**

MTF Developers 2022 Limited

**Email:**

**Phone number:**

**Postal address:**

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

Have you been the subject of abatement notices, enforcement orders, infringement notices and/or convictions under the Resource Management Act 1991? ☐ Yes ☒ No

If yes, please provide details.

|  |
|--|
|  |
|  |
|  |

## 6. Address for correspondence

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

**Name/s:**

Zenith Planning Consultants

**Email:**

**Phone number:**

**Postal address:**

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

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

|  |
|--|
|  |
|--|

## 7. Details of property owner/s and occupier/s

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

**Name/s:**

MTF Developers 2022 Limited

Property address/  
location:

|  |
|--|
|  |
|--|

## 8. Application site details

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

Name/s:

MTF Developers 2022 Limited

Site address/  
location:

40 Edmonds Road

RD 3

Kerikeri

Postcode 0293

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.

Please contact Tom on 021 2711 059 prior to the site visit

## 9. Description of the proposal

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the *District Plan, and Guidance Notes*, for further details of information requirements.

To subdivide Lot 3 DP 180115 to create two lots.

Landuse consents required for existing dwelling on proposed Lot 1 and proposed new dwelling on proposed Lot 2

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.

The proposal has been prepared in accordance with the following version of the FNDC Engineering Standards:

☐ 2009 ☒ 2023

## 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. Natural hazards (National Policy Statement for Natural Hazards 2025)

Is the site subject to known or potential natural hazards (for example, flooding, coastal inundation, erosion, or unstable land), as contemplated by the National Policy Statement for Natural Hazards 2025? ☒ Yes ☐ No

If yes, please identify the relevant natural hazard(s) by ticking the applicable box(es) below:

☐ Flooding

☐ Active Faults

☐ Landslips

☐ Liquefaction

☐ Coastal Erosion

☐ Tsunami

☒ Coastal Inundation

*Please ensure all relevant technical reports are submitted with the application.*

## 14. 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

## 15. 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.

## 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.

|                                                                                           |                                             |      |
|-------------------------------------------------------------------------------------------|---------------------------------------------|------|
| <b>Name/s:</b> (please write in full)                                                     | see attached                                |      |
| <b>Email:</b>                                                                             |                                             |      |
| <b>Phone number:</b>                                                                      | Work                                        | Home |
| <b>Postal address:</b><br>(or alternative method of service under section 352 of the act) | <div></div> <div></div> <div>Postcode</div> |      |

### 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.

|                                                |  |      |
|------------------------------------------------|--|------|
| <b>Name:</b> (please write in full)            |  |      |
| <b>Signature:</b><br>(signature of bill payer) |  | Date |

**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.

|                                    |             |                  |
|------------------------------------|-------------|------------------|
| <b>Name</b> (please write in full) | Wayne Smith |                  |
| <b>Signature</b>                   |             | Date 06-Jul-2026 |

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

*See overleaf for a checklist of your information...*

## Checklist of your information

*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.*



## 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)

MTF Developers 2022 Ltd / Tom Frei

**Email:**

**Phone number:**

**Postal address:**

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

### Fees Information

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

### Declaration concerning Payment of Fees

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

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

Tom Frei, Director

**Signature:**

(signature of bill payer)

Date 25 June 2026

## 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)

Wayne Smith

**Signature**

Date

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

*See overleaf for a checklist of your information...*



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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA111A/525**  
**Land Registration District** **North Auckland**  
**Date Issued** 21 May 1997

**Prior References**  
NA105C/440

---

**Estate** Fee Simple  
**Area** 1.3475 hectares more or less  
**Legal Description** Lot 3 Deposited Plan 180115  
**Registered Owners**  
MTF Developers 2022 Limited

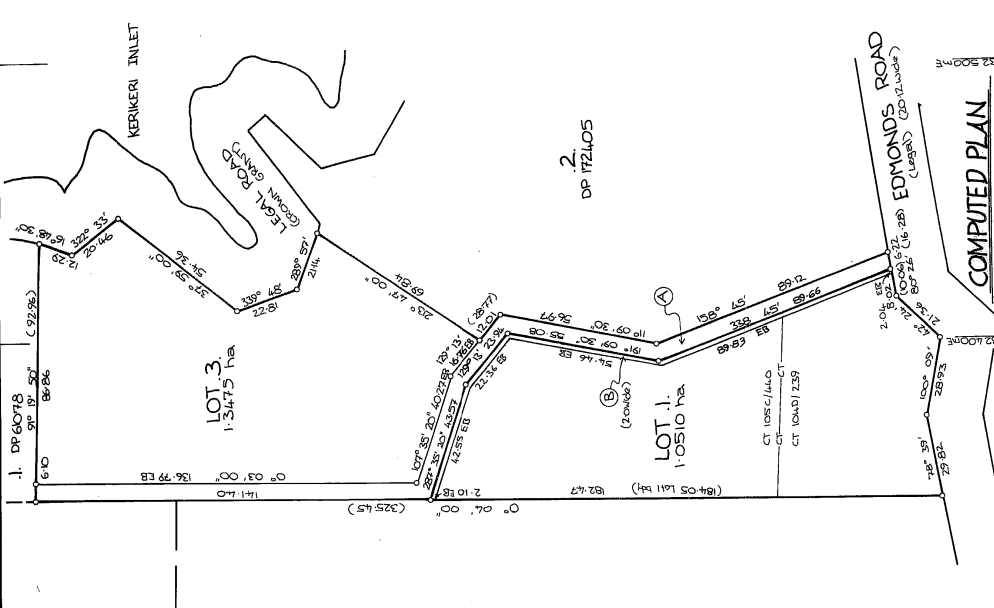
---

**Interests**

Subject to a right of way over part marked A on DP 180115 specified in Easement Certificate A431162  
Appurtenant hereto is a right to convey telephone and communications rights created by Transfer D213832.1 - 10.11.1997  
at 1.01 pm



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |       | <p>Approvals: <i>J. M. Wilson</i><br/>REGISTERED OWNER</p> <p>Approved pursuant to section 223 of the Resource Management Act 1991 on the 24th day of September 1996. (No conditions imposed)<br/>The Common Seal of the Northland District Council is affixed hereto in the presence of <i>M. Pugh</i><br/><i>Michael</i><br/>Authorised Officer<br/>(under delegated authority)<br/>66-1800088</p> |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------|--------------|-----|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------|-------|------------|--------------|-----|---------|
| <p>EXISTING EASEMENT</p> <table border="1"> <tr> <th>PURPOSE</th> <th>SHOWN</th> <th>CREATED BY</th> </tr> <tr> <td>Right of Way</td> <td>(A)</td> <td>A505252</td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |       | PURPOSE                                                                                                                                                                                                                                                                                                                                                                                              | SHOWN | CREATED BY | Right of Way | (A) | A505252 | <p>PROPOSED EASEMENT</p> <table border="1"> <tr> <th>PURPOSE</th> <th>SHOWN</th> <th>CREATED BY</th> </tr> <tr> <td>Right of Way</td> <td>(A)</td> <td>A505252</td> </tr> </table> |  | PURPOSE | SHOWN | CREATED BY | Right of Way | (A) | A505252 |
| PURPOSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | SHOWN | CREATED BY                                                                                                                                                                                                                                                                                                                                                                                           |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |
| Right of Way                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | (A)   | A505252                                                                                                                                                                                                                                                                                                                                                                                              |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |
| PURPOSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | SHOWN | CREATED BY                                                                                                                                                                                                                                                                                                                                                                                           |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |
| Right of Way                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | (A)   | A505252                                                                                                                                                                                                                                                                                                                                                                                              |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |
| <p>Telephone</p> <table border="1"> <tr> <th>Lot 1</th> <th>Lot 2</th> <th>Lot 3</th> </tr> <tr> <td>hatched</td> <td>(B)</td> <td>hatched</td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |       | Lot 1                                                                                                                                                                                                                                                                                                                                                                                                | Lot 2 | Lot 3      | hatched      | (B) | hatched | <p>Bearing Datum :- Geodetic 1949<br/>Coordinate Datum :- Geodetic 1949</p>                                                                                                        |  |         |       |            |              |     |         |
| Lot 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Lot 2 | Lot 3                                                                                                                                                                                                                                                                                                                                                                                                |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |
| hatched                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | (B)   | hatched                                                                                                                                                                                                                                                                                                                                                                                              |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |
| <p>New C.T. Allocated<br/>Lot 1 :- 111A/524<br/>Lot 3 :- 111A/525</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |       | <p>Total Area 2.3985 ha<br/>Comprised in C.T. 1045/239 (All)<br/>C.T. 1045/239 (All)</p>                                                                                                                                                                                                                                                                                                             |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |
| <p><i>I, Robert John Donaldson</i><br/>I, a duly qualified and registered surveyor, do hereby certify that this plan has been made from surveys executed by me or under my direction, that both the plan and the survey have been examined and approved by me, and that the plan is a true and correct representation of the facts as shown on the ground, and that the plan is in accordance with the provisions of the Land Transfer Act 1952 of any regulations made in substitution thereof.<br/>Dated at Kerikeri, this 12th day of September 1996<br/>Signature <i>R. J. Donaldson</i><br/>1996<br/>Title Book<br/>Reference Plan DP 171453, DP 172405<br/>Examined <i>R. J. Donaldson</i> Correct &amp; Approved<br/>Approved as to Survey <i>M. Pugh</i><br/>12.5.97<br/>Deposited this 21st day of May 1997<br/>Chief Surveyor<br/>Registered Land Registrar<br/>File 3070<br/>Received 14 FEB 1997<br/>Instructions DP 180115</p> |       |                                                                                                                                                                                                                                                                                                                                                                                                      |       |            |              |     |         |                                                                                                                                                                                    |  |         |       |            |              |     |         |



COMPUTED PLAN

LOTS 1 & 3 BEING A SUBDIVISION OF LOT 1 DP 171453 AND LOT 3 DP 172405

LAND DISTRICT NORTH AUCKLAND  
SURVEY BLK. & DIST. XII KERIKERI  
MAPS 261 SH1 POS. RECORD MAP No 7.1

TERRITORIAL AUTHORITY FAR NORTH DISTRICT  
Surveyed by R. J. Donaldson & Assoc.  
Scale 1:1000 Date September 1996

23 MAY 1997

CENTIMETRES



# **Planning Report and Assessment of Effects**

## **Combined Subdivision and Landuse Resource Consent**

### **MTF Developers (2022) Limited**

**40 Edmonds Road, Kerikeri**

## **PLANNING REPORT AND ASSESSMENT OF EFFECTS**

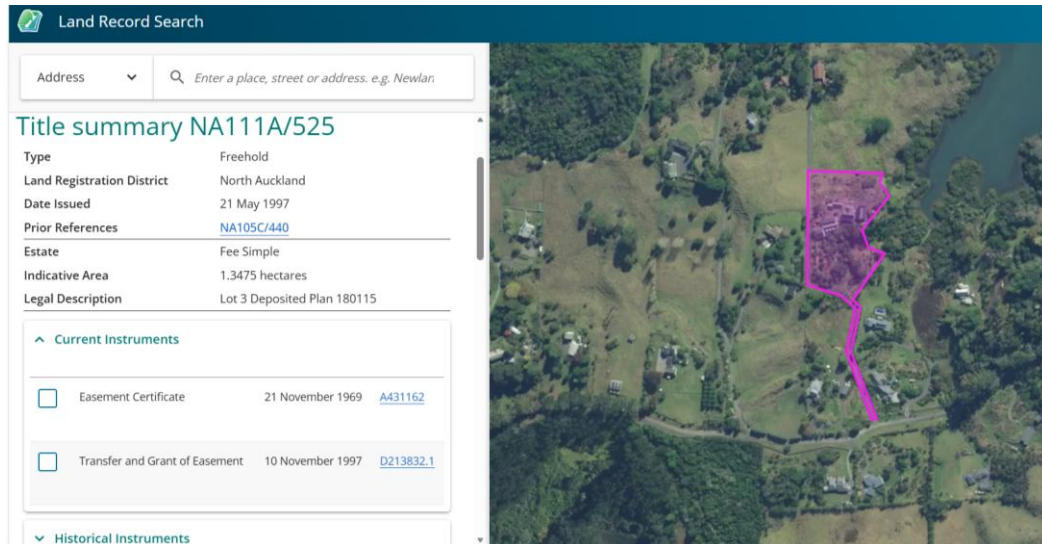
### **APPLICATION AND SITE DESCRIPTION**

- 1.01 Zenith Planning Consultants have been engaged by MTF Developers (2022) Limited to prepare and lodge a combined landuse and subdivision resource consent for a property at 40 Edmonds Road, Kerikeri.
- 1.02 The application site is property is 1.3475ha in area and is legally described as Lot 3 DP 180115. The property is accessed via an access leg into the property which serves as a Right of Way easement and which provides legal access to several lots. The Right of Way is some 355m in length and has a legal width of approximately 6m and is owned by the application site. A parallel narrow easement runs along the western edge providing additional width the easements.
- 1.03 The application site contains an existing dwelling and several accessory buildings which were recently consented under RC 2230548. This approved resource consent sought and obtained consent for the following breaches:
- Visual Amenity
  - Stormwater – 16% coverage
  - Setback from Boundary – 7.3m eastern end
  - Fire Risk to Residential.

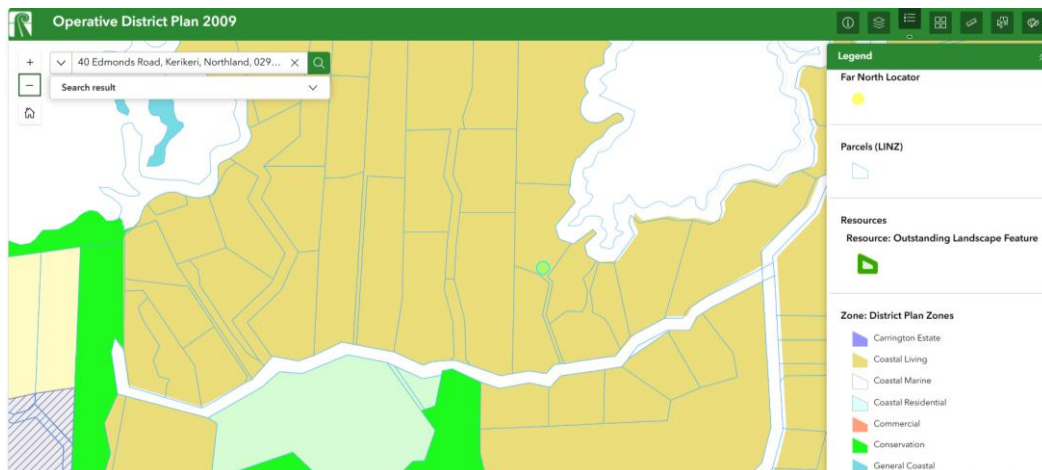
Consent was granted and conditions imposed. The applicant has largely completed the development, and this development now forms part of the existing environment. The existing development as well as the proposed development on the vacant lot need to be assessed against the reduced lot sizes only for Lot 1 and the future development within Lot 2. In this respect an assessment against the rules is provided and compares both sites as they apply. The Proposed Plan (Decisions Version) will also be considered as this document now has legal weight from both a rule and objective/ policy perspective. A weighting will be applied to the considerations once the assessment is complete.

- 1.04 The property is well described within the technical reports accompanying the application including the Visual Impact and landscape assessment and the Engineer's report. These reports completed for the development, notes that the site includes variable land contour and a variety of onsite vegetation both exotic, weed, and native. The proposed dwelling location on proposed lot 2 is located with an existing cleared area but will have limited visibility beyond the property boundary except for the ROW access. The existing vegetation within the site means that if Lot 2 was to be developed that Lot 1 would not be visible and therefore only one dwelling would be visible at any point except for from the access ROW.
- 1.05 Development of proposed Lot 2 requires no vegetation clearance and the proposed building is very modest in scale. Design parameters for this building are specified in the

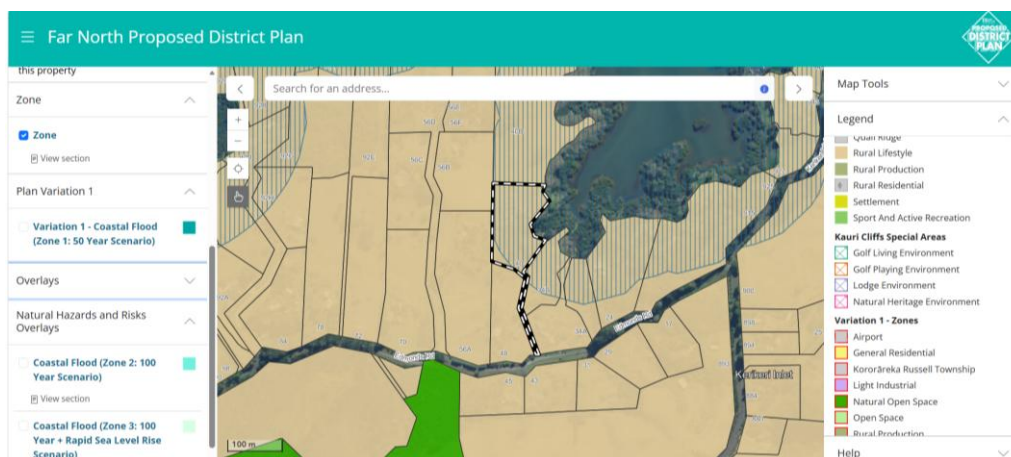
Landscape Report and these parameters as well as design elements such as colour palettes will reduce the potential visual effects.



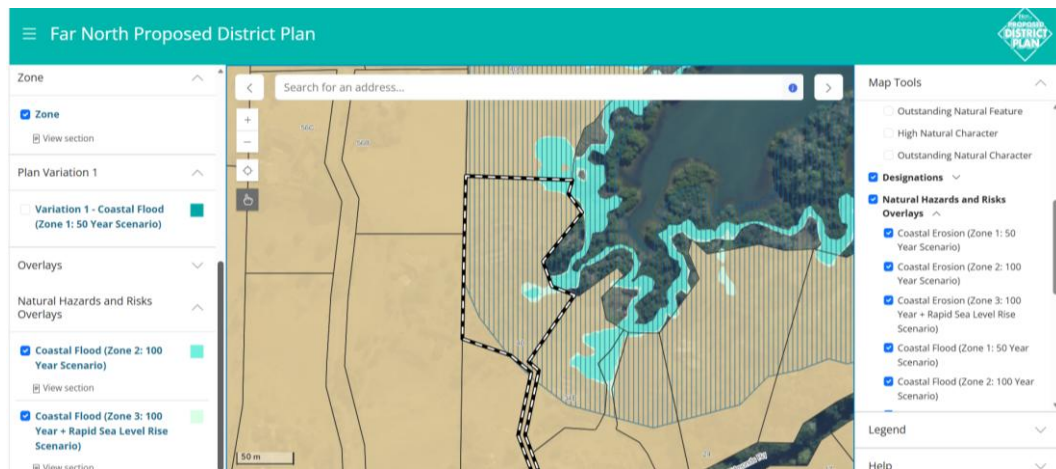
*The application site and which illustrates the access leg into the site from Edmonds Road*



*The application site is zoned Coastal Living within the Operative District Plan*



*The site is zoned Rural Living with a Coastal Environment overlay in the Proposed Plan*



*There are two pockets of land within the site which is subject to coastal flooding/ inundation which does not affect existing or proposed development.*

- 1.06 The land is currently used as a lifestyle property with a coastal outlook but due to topography and existing vegetation proposed Lot 2 will not have any sea view. There are limited options for other activities which would utilise the available land. There is no farming activities located near to the application site although some sites do accommodate the occasional sheep or cow to maintain grass levels in non-residential curtilage areas. Some properties have also established productive plants such as Olives but these are not significant numbers and the quantities are considered similar to a personal orchard. The existing vegetation on site and limited land cleared negates these as an option for the site.
- 1.07 There is a significant variety of lot sizes (small to large) some of which have been created from past rules which offered smaller lot options or the current rules which provide for 5000m<sup>2</sup> lots as a discretionary activity. There are also many lots which have been recently approved which are non-complying in size and have significantly changed the existing environment. The landscape report details several examples within reasonable proximity to the site and which are well below the Discretionary size lot size of the operative plan (5000m<sup>2</sup>).
- 1.08 The mixture of lot sizes is reflective of the location and the rural lifestyle which occupiers enjoy. The proposed density of development is reflective of the rural lifestyle of the surrounding area particularly as productive opportunities for the land are limited and lot sizes of a more manageable size are preferred. The application site is zoned Coastal Living under the Far North Operative District Plan. The current zoning which focuses on effects on the coastal environment requires resource consent for a breach of visual amenity rules for any new dwelling that exceeds 50m<sup>2</sup> in size and allows one dwelling per lot as a permitted activity. Visual amenity consents are almost always required.
- 1.09 The two lots could not be more contrasting with the existing occupied proposed Lot 1 having expansive views of the coast and the proposed vacant lot being rather insular

and enjoying no view of the coast due to topography and existing vegetation. NRC's recently completed re-evaluation of the "Coastal Environment" reaffirmed the overall site as being within the coastal environment except for a small portion in the south-western corner. The proposed plan reflects the NRC assessment and identifies the land as being Rural Lifestyle with a Coastal Environment overlay.

- 1.10 With the proposed plan having released its decisions version, the plan now has legal weight and rules as well as objectives and policies will be considered. Application status will depend on the assessment from each plan with the stricter activity status applying.
- 1.11 Properties surrounding the site also have the same zoning with some continuing to be part of the Coastal Environment and other areas no longer requiring the coastal environment assessment.
- 1.12 The proposed subdivision will result in the existing development on proposed Lot 1 exceeding the permitted threshold or further increasing the degree of non-compliance for several rules including stormwater. The permitted allowance is 600m<sup>2</sup> or 10% for the Coastal Living zone and this is greatly exceeded by the current impermeable surfaces of 2511m<sup>2</sup>. The large portion of this comprises a reasonably large driveway area and manoeuvring area and a large dwelling and accessory buildings. As noted, this was recently consented and with lot size reducing from 1.375ha to 8431m<sup>2</sup>, there is a commensurate increase in the total impermeable surfaces as a percentage but not in amounts for proposed Lot 1.
- 1.13 Visual amenity consents are sought for the modest proposed dwelling on the vacant proposed lot 2. Stormwater management measures are detailed within the Engineer's report and which accounts and provides for the additional impermeable surfaces within this lot and reaffirms the effectiveness of the existing systems despite a reduction in lot size. The landscape assessment also addresses how the proposed dwelling will "fit into" the receiving environment and how the reduced lot size will affect the existing development and the visual effects which are created by the existing proposal.

## **APPLICATION PROPOSAL**

- 2.01 The application being considered is in two parts and is as a direct result of the subdivision of land. The landuse consents primarily focus on stormwater but also visual amenity and additionally reiterates several earlier breaches for the original dwelling. The landuse does not cover any other elements than the existing development and that associated with the new build as detailed in the plans provided.
- 2.02 The site is zoned Coastal Living and the rules for subdivision are noted within Table 13.7.2.1 of the Far North Operative District Plan.

Coastal Living Zone – lot sizes

- Controlled Lot size – 4ha



- Restricted Discretionary – 8000m<sup>2</sup>
- Discretionary – 5000m<sup>2</sup>

2.02 The proposed lot sizes for the proposed lots are as follows:

- Proposed Lot 1 – 8431m<sup>2</sup>
- Proposed Lot 2 – 5020m<sup>2</sup>

2.03 With the lot sizes complying with the Discretionary lot size of 5000m<sup>2</sup>, the proposal is assessed as a Discretionary subdivision design. The access to the site exists and cannot be added to or amended. The legal width may be marginally below the standard required but is functional and meets current demand. The access has existing use rights in this respect.

### **The Subdivision Component is Discretionary**

2.04 The Landuse consent relates to the reduction in lot size for existing development on proposed Lot 1 and the new proposed dwelling on proposed Lot 2. The following assessment combines each component but details where breaches will occur. In many cases breaches of the original development do not need to be reviewed or reassessed but where the degree of non-compliance is increased these will be commented and considered.

## **COASTAL LIVING**

| <b>RULE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>ASSESSMENT</b>                                                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>10.7.5.1.1 VISUAL AMENITY</b><br/>The following are permitted activities in the Coastal Living Zone:</p> <p>(a) any new building(s), provided that the gross floor area of any new building(s) permitted under this rule does not exceed 50m<sup>2</sup>; or ....</p>                                                                                                                                                                                                                                                     | <p>The proposed dwelling for proposed Lot 2 exceeds the 50m<sup>2</sup> permitted allowance and therefore consent is required.</p> <p>The existing dwelling on proposed Lot 1 is already consented under RC 2230548.</p> <p>Visual Amenity breach for Lot 2 only.</p> |
| <p><b>10.7.5.1.2 RESIDENTIAL INTENSITY</b><br/>Residential development shall be limited to one unit per 4ha of land. In all cases the land shall be developed in such a way that each unit shall have at least 3,000m<sup>2</sup> for its exclusive use surrounding the unit plus a minimum of 3.7ha elsewhere on the property.</p> <p>Except that this rule shall not limit the use of an existing site or a site created pursuant to Rule 13.7.2.1 (Table 13.7.2.1) for a single residential unit for a single household.</p> | <p>The exemption noted within the rule will apply for the dwelling proposed on Lot 2.</p> <p>The subdivision will be created first and as the site will exist at time of construction the exemption as noted will apply.</p> <p>Permitted</p>                         |
| <p><b>10.7.5.1.3 SCALE OF ACTIVITIES</b><br/>The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed 1 person per 2,000m<sup>2</sup> of net site area.</p>                                                                                                                                                                    | <p>Not applicable for either lot</p>                                                                                                                                                                                                                                  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>10.7.5.1.4 BUILDING HEIGHT</b><br/>The maximum height of any building shall be 8m.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>The proposed new dwelling on Lot 2 will comply with the maximum height rule of 8m for the zone.</p> <p>The existing dwelling is consented on proposed Lot 1.</p> <p>Permitted</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>10.7.5.1.5 SUNLIGHT</b><br/>No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary (refer to definition of Recession Plane in Chapter 3 - Definitions), except where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site, the measurement shall be taken from the farthest boundary of the entrance strip, private way, access lot, or access way.</p> | <p>The proposed dwelling will comply with the sunlight rule as detailed and confirmed within the building plans.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>10.7.5.1.6 STORMWATER MANAGEMENT</b><br/>The maximum proportion or amount of the gross site area which may be covered by buildings and other impermeable surfaces shall be 10% or 600m<sup>2</sup> whichever is the lesser.</p>                                                                                                                                                                                                                                                                                                        | <p>The total impermeable surfaces on proposed Lot 1 currently equate 2511m<sup>2</sup> which with the new proposed lot size of 8431m<sup>2</sup> will equate to almost 30%. This is an increase from the current 16% as it applies to the total property.</p> <p>The proposed dwelling is modest in size at around 125m<sup>2</sup> and will comfortably fall under the 502m<sup>2</sup> allowance being 10% of the 5020m<sup>2</sup> lot size. This includes some accessory buildings and onsite manoeuvring space.</p> <p>There is an increased degree of non-compliance for proposed Lot 1 while the new dwelling on proposed Lot 2 will comply.</p> <p>Rule is breached</p> |
| <p><b>10.7.5.1.7 SETBACK FROM BOUNDARIES</b><br/>Buildings shall be set back a minimum 10m from any site boundary, except that on any site with an area less than 5,000m<sup>2</sup> this set back shall be 3m from any site boundary. Attention is also drawn to the setback from Lakes, Rivers, Wetlands and the Coastline provisions in Chapter 12.7.</p>                                                                                                                                                                                 | <p>The proposed dwelling on proposed Lot 2 will be compliant with the required setback of 10m from the boundary.</p> <p>The existing dwelling will be closer than the 10m with the proposed new boundary between the respective lots.</p> <p>Restricted Discretionary</p>                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>10.7.5.1.8 SCREENING FOR NEIGHBOURS NON-RESIDENTIAL ACTIVITIES</b><br/>Except along boundaries adjoining a Commercial or Industrial zone, outdoor areas providing for activities such as parking, loading, outdoor storage and other outdoor activities associated with non-residential activities on the site shall be screened from adjoining sites by landscaping, wall/s, close boarded fence/s or trellis/es or a combination thereof.</p>                                                                                        | <p>Not applicable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>10.7.5.1.9 TRANSPORTATION</b><br/>Refer to Chapter 15 – Transportation for Traffic, Parking and Access rules.</p>                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>See below</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>10.7.5.1.10 HOURS OF OPERATION NON-RESIDENTIAL ACTIVITIES</b><br/>(a) The maximum number of hours the activity shall be open to visitors, clients or deliveries shall be 50 hours per week; and</p>                                                                                                                                                                                                                                                                                                                                    | <p>Not applicable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(b) Hours of operation shall be limited to between the hours:</p> <p>0700 - 2000 Monday to Friday<br/>0800 - 2000 Saturday, Sunday and Public Holidays</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                         |
| <p>10.7.5.1.11 KEEPING OF ANIMALS<br/>Any building, compound, or part of a site used for factory farming, boarding kennels or a cattery, shall be located no closer than 50m from any site boundary, except for a boundary which adjoins the Residential, Coastal Residential or Russell Township Zones, where the distance shall be a minimum of 600m.</p>                                                                                                                                                                                                                                                                                                                                                                                           | <p>Not applicable</p>                                                                                                                                                                                                                                                                                                   |
| <p>10.7.5.1.12 NOISE<br/>All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits as measured at or within the boundary of any other site in this zone, or at any site in the Residential, Russell Township or Coastal Residential Zones, or at or within the notional boundary at any dwelling in any other rural or coastal zone:<br/>0700 to 2200 hours 55 dBA L10<br/>2200 to 0700 hours 45 dBA L10 and 70 dBA Lmax</p> <p>Construction Noise:<br/>Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with, NZS 6803P:1984 "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".</p> | <p>The proposed activity will not generate any adverse noise as it is a residential activity.</p> <p>Construction Noise is a temporary activity which occurs over the construction period. With the development being a standard residential dwelling it is not likely to involve a protracted construction period.</p> |
| <p>10.7.5.2.2 VISUAL AMENITY<br/>Any new building(s) or alteration/additions to an existing building that does not meet the permitted activity standards in Rule 10.7.5.1.1 are a controlled activity where the new building or building alteration/addition is located entirely within a building envelope that has been approved under a resource consent.</p>                                                                                                                                                                                                                                                                                                                                                                                      | <p>The building does not meet the permitted activity and there is no building envelope in which the development will be located.</p>                                                                                                                                                                                    |
| <p>10.7.5.3.1 VISUAL AMENITY<br/>The following are restricted discretionary activities in the Coastal Living Zone:<br/>(a) any new building(s); or<br/>(b) any alteration/addition to an existing building that do not meet the permitted activity standards in Rule 10.7.5.1.1 where the new building or building alteration/addition is located partially or entirely outside a building envelope that has been approved under a resource consent.</p>                                                                                                                                                                                                                                                                                              | <p>The proposed dwelling on proposed Lot 2 will be a new dwelling which is greater than 50m<sup>2</sup></p> <p>Application for new dwelling on proposed Lot 2 is a Restricted Discretionary activity.</p>                                                                                                               |
| <p>10.7.5.3.6 SETBACK FROM BOUNDARIES<br/>In assessing an application resulting from a breach of Rule 10.7.5.1.7 Setback from Boundaries the matters to which the Council will restrict its discretion are:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>The location of the existing dwelling on Lot 1 in relation to the proposed boundary is a Restricted Discretionary Activity</p>                                                                                                                                                                                       |

## NATURAL HAZARDS

|                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>12.4.6.1.2 FIRE RISK TO RESIDENTIAL UNITS<br/>(a) Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest;</p> | <p>The proposed new dwelling on proposed Lot 2 will be located within the 20m setback requirement from vegetation.<br/>The exiting dwelling has consent for the same rule and measures for this and is addressed in RC 2230548</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                            |                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| (b) Any trees in a deliberately planted woodlot or forest shall be planted at least 20m away from any urban environment zone, Russell Township or Coastal Residential Zone boundary, excluding the replanting of plantation forests existing at July 2003. | The proposal is Discretionary |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|

## EXCAVATION AND FILLING – CHAPTER 12.3

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12.3.6.1.2 EXCAVATION AND/OR FILLING, INCLUDING OBTAINING ROADING MATERIAL BUT EXCLUDING MINING AND QUARRYING, IN THE RURAL LIVING, COASTAL LIVING, SOUTH KERIKERI INLET, GENERAL COASTAL, RECREATIONAL ACTIVITIES, CONSERVATION, WAIMATE NORTH AND POINT VERONICA ZONES<br>Excavation and/or filling, excluding mining and quarrying, on any site in the Rural Living, Coastal Living, South Kerikeri Inlet Zone, General Coastal, Recreational Activities, Conservation, Waimate North and Point Veronica Zones is permitted, provided that:<br>(a) it does not exceed 300m <sup>3</sup> in any 12 month period per site; and<br>(b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m. | The proposed building platform for proposed Lot 2 requires only a relatively modest amount of excavation and filling and this will comply with the permitted allowance.<br><br>Permitted |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## TRAFFIC AND PARKING

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15.1.6A.2.1 TRAFFIC INTENSITY<br>The Traffic Intensity threshold value for a site shall be determined for each zone by Table 15.1.6A.1 above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to Appendix 3A in Part 4. This rule only applies when establishing a new activity or changing an activity on a site.<br><br>The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule. | The first dwelling on any site is exempt from the traffic intensity rule. Any other dwelling will generate 10 traffic movements as per Appendix 3A.<br><br>With each lot containing a dwelling, the proposal is permitted. |
| 15.1.6B.1.1 ON-SITE CAR PARKING SPACES<br>Where:<br>(i) an activity establishes; or<br><br>The district plan requires within Appendix 3C a total of two car spaces per dwelling                                                                                                                                                                                                                                                                                                                                                                                             | The car parking requirement for a dwelling is two spaces which can readily be provided for on site.<br><br>Permitted                                                                                                       |

### 2.05 The proposal therefore breaches the following rules from the Operative District Plan

- Visual Amenity considerations for proposed new dwelling on proposed Lot 2 within the Coastal Living Zone – Restricted Discretionary Activity
- Setback from Boundary – The setback from the existing dwelling on proposed Lot 1 in relation to the new lot boundary – Restricted Discretionary
- Fire Risk to Residential – new dwelling on Lot 2 – Discretionary

- Impermeable surfaces – existing dwelling on proposed Lot 1 – increased degree of non-compliance as a result of reduced lot size– Discretionary

### **The Landuse Component Overall is Discretionary under the Operative Plan**

#### **PROPOSED DISTRICT PLAN**

- 2.06 The Proposed District Plan has now progressed to the point where Council has now produced a “decisions version” of the proposed plan. At this stage although the plan is subject to a 30 day appeal period which commenced on the 30<sup>th</sup> June 2026, the rules now have legal effect and are required to be considered in assessing the application and its activity status.
- 2.07 The proposal will now be assessed against the relevant rules from the proposed district plan decisions version.

#### **Subdivision – Proposed District Plan – decisions version**

- 2.08 The subdivision rules for the Rural Lifestyle zone have the following standards which apply from a lot size perspective.
- Controlled lot size – 2ha
  - Discretionary lot size – 1ha

The proposed lot size are both below the 1ha Discretionary threshold of 1ha and the subdivision is therefore a non-complying activity.

- 2.09 The following rules are those who have relevance to the landuse component of the development proposal. Not all rules have been included and only those which are particular to the application.

#### **RURAL LIFESTYLE ZONE**

|                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>PER-1 – Impermeable Surface Coverage</p> <p>The impermeable surface coverage of any site is no more than 12.5% or 2,500m, whichever is lesser.</p>                                                                                                             | <p>The existing development on proposed Lot 1 exceeds this allowance but the proposed dwelling on proposed Lot 2 will comply.</p> <p>It is unclear if this reference includes existing consented development as the proposed development complies</p> |
| <p>PER-1 The site area per residential unit is at least 2ha.</p> <p>PER-1 does not apply to:</p> <p>a. a single residential unit located on a site less than 2ha; or</p> <p>b. A detached minor residential unit established in accordance with the NES-DMRU.</p> | <p>The proposed subdivision will occur first and therefore the exemption as noted under (a) will apply.</p>                                                                                                                                           |
| <p>RZL – S1 – Height</p> <p>The maximum height of a building or structure, or extension or alteration to an existing building or structure is 8m above ground level.</p>                                                                                          | <p>The proposed dwelling is below the 8m height limit</p>                                                                                                                                                                                             |
| <p>RZL – S2 – Sunlight</p>                                                                                                                                                                                                                                        | <p>Permitted</p>                                                                                                                                                                                                                                      |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary:</p> <ol style="list-style-type: none"> <li>1. 55 degrees at 2m above ground level at the northern boundary of the site;</li> <li>2. 45 degrees at 2m above ground level at the eastern and western boundaries of the site; and</li> <li>3. 35 degrees at 2m above ground level at the southern boundary of the site.</li> </ol> |                                                                                                                                                                                                                                                                                                                                     |
| <p><b>RZL- S3 Setback</b><br/>The building or structure, or extension or alteration to an existing building or structure must be setback at least 10m from all site boundaries, except</p>                                                                                                                                                                                                                                                                                                                                                                          | <p>Permitted as this only relates to new builds and not existing development.</p>                                                                                                                                                                                                                                                   |
| <p><b>RZL- S4</b><br/>The building or structure coverage of any site is no more than 12.5%.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>The impermeable surfaces on Lot 1 exceed this allowance however there is no new development proposed on Lot 1.</p> <p>Proposed Lot 2 will see the construction of a new dwelling and accessory buildings but compliance with the rule can be achieved.</p> <p>Restricted Discretionary although consent may not be required.</p> |

## COASTAL ENVIRONMENT

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>PER-2</b><br/>If a new building or structure and relocated building is not located within any of the zones referred to in PER-1 it:</p> <ol style="list-style-type: none"> <li>1. is not used for a residential activity;</li> <li>2. is no greater than: <ol style="list-style-type: none"> <li>a. 25m within an outstanding natural character area;</li> <li>b. 50m within a high natural character area; and</li> <li>c. 110m in all other areas of the coastal environment; and</li> </ol> </li> <li>3. complies with: <ol style="list-style-type: none"> <li>a. CE-S1 Maximum height;</li> <li>b. CE-S2 Colour and materials; and</li> <li>c. CE-S4 Setbacks from MHWS rule.</li> </ol> </li> </ol> | <p>The proposed dwelling to be located on proposed Lot 2 is 125m<sup>2</sup> and there will also be some smaller accessory buildings.</p> <p>Controlled – Activity</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

2.10 Within the Rural Living Zone provisions – S4 and PER – 2 (Coastal Environment) cannot be complied with but are comparable to existing breaches under the Operative District Plan. As they do not offer new breaches or matters not covered by the existing assessment criteria, there is no need to reassess them only to replicate the matters of consideration.

2.11 There is some doubt on the interpretation of the rules in respect to existing development, however a conservative approach has been adopted in this instance.

2.12 The subdivision and Landuse components under the Proposed Plan (Decisions version) is non-complying due to lot size for the proposed lots.

## **ASSESSMENT OF EFFECTS**

- 3.01 With the subdivision lot size resulting in the application being non-complying under the Proposed Plan (Decisions Versions) all matters can be considered in terms of assessing the merits of the application. For the purposes of assessing the application, the Operative District Plan directs consideration of the proposal to the assessment criteria within section 13 which is detailed below. Where appropriate other matters and considerations including National Environmental Standards and National Policy Statements as they apply to the proposal. Commentary on the Proposed Plan and the matters to be considered will be discussed in the next section of the plan. As noted there is some duplication which will be avoided where possible.
- 3.02 The landuse components generally have their own assessment criteria and this is used for the purposes of the respective breaches. The landuse breach is related to the proposed subdivision and new lot sizes and the construction of a dwelling on proposed Lot 2.
- 3.03 It is necessary to consider the potential of Permitted Baseline and Existing Environment comments in considering the relevant matters to be assessed.

### **PERMITTED BASELINE**

- 3.04 Pursuant to section 104(2) of the Act, when forming an opinion for the purposes of section 104(1)(a) a council may disregard an adverse effect of the activity on the environment if the plan or a NES permits an activity with that effect (i.e. a council may consider the "permitted baseline"). When considering an application for resource consent it is important to reference and place some reliance on Permitted Baseline arguments. This provides the expectation for development proposals within the zone and enables the consideration of the differences between what could be undertaken "as of right" and that which is proposed. When referencing and using Permitted Baseline such arguments should not be fanciful but based on realistic proposals and expectations.
- 3.05 In addition to Permitted Baseline considerations, Existing Use Right considerations could also apply especially where the proposed activity is similar in nature and previously lawfully established.
- 3.06 In this circumstance, any subdivision proposal requires a resource consent application. On this basis it is considered that the Permitted Baseline consideration is not useful to the subdivision aspect of the application. Furthermore, buildings over 50m<sup>2</sup> trigger a visual amenity breach under the current rules and therefore buildings within the zone are not permitted or controlled (unless they are located within an approved building envelope).
- 3.07 With respect to Existing Use Right considerations which may apply, the existing impermeable surfaces on the current site exceeds the permitted allowance and the dwelling has been consented under RC 2230548. On this basis the size and bulk, the existing dwelling has been approved as well as the colour palettes and associated landscaping. Existing vegetation has also been retained where required for this development.

- 3.08 The test to be considered is whether the reduction in lot size results in a greater level of potential effect and if this effect is considered to be less than minor, minor, or more than minor. The setback from the internal boundary is a new breach but one that is limited to the new lots only and does not impact any external boundary or landowner. Fire risk to residential was assessed as being acceptable in the original application and in this respect the new breach (for the new dwelling) would also follow a similar requirement with dedicated water tanks for fire fighting purposes.
- 3.09 The future use for the proposed lot will be for a dwelling to be constructed as proposed within this application. The application site remains within the “Coastal Environment” and related rules will continue to apply moving forward.
- 3.10 It is further noted that there is a prevalence of lifestyle development offering low density development which is present within the surrounding area and that existing development exhibits similar traits in terms of lot sizes and overall concentration of development to the application site.
- 3.11 The existing environment is an important consideration in justifying the appropriateness of the proposed subdivision. The development is not out of character for similar pockets of development within the Coastal Living zone and which will soon be Rural Lifestyle with a Coastal Environment overlay. The breaches will continue to apply but as a significant development has been approved on Lot 1, the resultant development on proposed Lot 2 is substantially less in scale and nature and as noted within the surrounding environment assessment, considered to be wholly appropriate.

## **ASSESSMENT CRITERIA EVALUATION OPERATIVE DISTRICT PLAN**

### **SUBDIVISION COMPONENT**

- 3.12 The following criteria applies to Discretionary and Non-Complying subdivision applications. Not all matters to be considered are relevant to the application.

#### **13.10 ASSESSMENT CRITERIA**

In considering whether or not to grant consent or impose conditions on this application, such work, needs to be completed prior to the issuance of the s224(c) Certificate.

##### **13.10.1 ALLOTMENT SIZES AND DIMENSIONS**

- (a) Whether the allotment is of sufficient area and dimensions to provide for the intended purpose or land use, having regard to the relevant zone standards and any District wide rules for land uses.
- (b) Whether the proposed allotment sizes and dimensions are sufficient for operational and maintenance requirements.
- (c) The relationship of the proposed allotments and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.
- (d) Whether the cumulative and long term implications of proposed subdivisions are sustainable in terms of preservation of the rural and coastal environments.

The operative plan provides for various lot sizes and for the purposes of this site could be subdivided to create two lots with the lot boundaries positioned where they provide

at least 5000m<sup>2</sup> for each lot and is the best location for the boundary for the respective lots. The different topography, vegetation and setting that the larger lot (with the greater sized building) also contributed to the boundary location. Other matters like outdoor living space, existing vegetation screening, onsite services, and other elements linked to the existing dwelling that two even sized lots would not be preferred. The proposed boundary line is reflective of what is considered the dwelling's immediate residential curtilage with the land in proposed Lot 2 considered to be surplus to this dwelling.

This lot boundary configuration results in the proposal being assessed as Discretionary with proposed Lot 2 being greater than the 5000m<sup>2</sup> required for a Discretionary lot size. The proposed lot also meets all the usual requirements including the shape factor (30mx30m box) which is free of boundary setbacks and which provides sufficient space on site for onsite servicing.

The proposed lot sizes are comparable to existing and recently consented lot sizes for the zone. Notwithstanding the site being reaffirmed as being coastal, the assessment criteria continues to be complied with and the effects of the additional lot are considered to be less than minor.

The potential dwelling is not readily visible from the road and existing vegetation partially screening the dwelling from adjoining and adjacent sites with no coastal view available.

All of the lots within the immediate area are used for lifestyle purposes and the proposed use is consistent with this pattern of development.

#### 13.10.2 NATURAL AND OTHER HAZARDS

In assessing any subdivision, and for the purposes of s106 of the Act, the Council will have regard to:

- (a) Any information held by the Council or the Northland Regional Council regarding natural hazards, contaminated sites or other hazards.
- (b) Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications.
- (c) Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities.

The application site contains two small pockets of coastal flooding/ inundation as noted on the proposed district plan maps. These hazards were acknowledged in the original landuse consent (RC 2230548) but did not affect or influence that development. For this proposed subdivision, the natural hazards are tucked away in the corner and there is no requirement for s106 of the Act to apply.

The proposed new dwelling is located well away from these notations and effects are less than minor.

The potential for hazard related effects is less than minor.

#### 13.10.3 WATER SUPPLY

- (a) Where there is no reticulated water supply available for connection, whether it would be appropriate to allow a private restricted flow rural-type water supply system; such

supply being always available and complying with "Drinking Water Standards of New Zealand" (1995).

- (b) Whether the provisions of the "Engineering Standards and Guidelines 2004 – Revised March 2009" (to be used in conjunction with NZS 4404:2004) have been met in respect of fire fighting water supply requirements.

The existing dwelling on proposed lot 1 harvests roof water as its potable supply and it is intended that the proposed dwelling on proposed Lot 2 will also harvest roof water for this purpose.

By harvesting roof water, it provides a readily available potable source with occasional top ups potentially required from water supply companies. This will also reduce the potential stormwater water which is absorbed within the site. There is no retention or detention of stormwater recommended in either of the proposed lots. The existing stormwater system on proposed Lot 1 is functioning well.

The supply of water for firefighting purposes is a necessary requirement in rural locations. The extent and need for water supply will be in accordance with the required standards and will be confirmed at the Building Consent stage. It is common practice to have a dedicated full water tank for a fire fighting supply with a Section 221 Consent Notice condition reflective of this requirement.

Water supply effects are less than minor.

#### 13.10.4 STORMWATER DISPOSAL

- (d) The degree to which Low Impact Design principles have been used to reduce site impermeability and to retain natural permeable areas.
- (e) The adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces.
- (k) Any adverse effects of the proposed subdivision on drainage to, or from, adjoining properties and mitigation measures proposed to control any adverse effects.

The stormwater management is covered in greater detail within the landuse assessment component and within the Engineer's report where the existing and proposed development within proposed Lot 1 will be approximately 30% but impermeable surfaces will be compliant within the vacant proposed Lot 2.

The existing development on Lot 1 addresses stormwater with a combination of roof water harvesting and surplus water draining away via natural overland flow paths. There is no evidence on site of any adverse effects from the current impermeable surface levels within proposed Lot 1. The reduction in lot size does not reduce the effectiveness of the current system. The Engineer's report by Haigh Workman identifies no particular concerns with the proposed increases of impermeable surfaces. There are recommended measures for future development which can be tailored for the future development of Lot 2. Such measure will result in a less than minor effects conclusion.

#### 13.10.5 SANITARY SEWAGE DISPOSAL

- (e) Where a reticulated system is not available, or a connection is impractical, whether a suitable sewage treatment or other disposal systems is provided in accordance with regional rules or a discharge system in accordance with regional rules or a discharge permit issued by the Northland Regional Council.



The existing development on proposed Lot 1 provides an onsite wastewater treatment and disposal system which is functioning well.

The wastewater system for proposed Lot 2 is reflective of the modest scale building proposed.

The Engineer's report confirms that wastewater treatment and disposal can be achieved on both proposed lots.

#### 13.10.6 ENERGY SUPPLY

- (b) Whether the proposed reticulated system to be installed by the subdivider is adequate for the likely development.
- (g) Whether the subdivision design, location of building platforms and proposed electricity supply has had adequate regard to the future adoption of appropriate renewable energy initiatives and technologies.

Existing power and telecommunications are available to the proposed lot with existing easements providing the supply corridor.

The physical provision of a power supply to the property boundary is usually not a requirement of subdivision applications within the Coastal Living Zone. A Section 221 Consent Notice will usually include a condition which states that power and communication services are available and not provided to the lot boundary.

There is no impediment to the future occupiers utilizing renewable energy within the proposed lots.

#### 13.10.7 TOP ENERGY TRANSMISSION LINES

Where it is proposed to subdivide land to create new allotments within an area measured 20m of either side of the centre point of an electrical transmission line designed to operate at or above 50 kV, particular regard shall be had to the following matters:

This provision does not apply as there are no 50kV lines near to the application site.

#### 13.10.8 TELECOMMUNICATIONS

- (a) Where the subdivision involves construction of new roads or formed rights of way, whether an extended reticulation system has been installed (at the subdivider's cost), having regard to the Council's "Engineering Standards and Guidelines 2004 – Revised March 2009 (to be used in conjunction with NZS 4404:2004) and "The National Environmental Standard for Telecommunication Facilities 2008".
- (c) Whether the proposed reticulation system will have potential adverse effects on amenity values.

Supply to the property boundary is not a requirement of subdivision as per the rules of the district plan. Sufficient easements are in place for telecommunications as per the existing easements to which the application site is either a dominant or servient tenement.

#### 13.10.9 EASEMENTS FOR ANY PURPOSE

Whether there is a need for an easement for any of the following purposes:

- (b) Easements in respect of other parties in favour of nominated allotments or adjoining Certificates of Title.
- (c) Service easements, whether in gross or private purposes, with sufficient width to permit maintenance, repair or replacement. Centre line easements shall apply when the line is privately owned and unlikely to require upgrading.
- (d) Easements for any of the following purposes:
  - (i) private ways, whether mutual or not;
  - (ii) stormwater, sanitary sewer, water supply, electric power, gas reticulation;
  - (iii) telecommunications;

There are existing easements which the application site is both the dominant and servient tenement. These easements provide Right of Way, Telephone, and Electricity. The rights enjoyed by the application site will be transferred to both of the respective lots as part of this application.

#### 13.10.10 PROVISION OF ACCESS

- (a) Whether provision for access to and within the subdivision, including private roads, has been made in a manner that will avoid, remedy or mitigate adverse effects on the environment, including but not limited to traffic effects, including effects on existing roads, visual effects, effects on vegetation and habitats, and natural character.

The application site enjoys owns the access leg into the property off Edmonds Road. There is an adjacent ROW easement which slightly widens this corridor space. These rights are detailed within the legal instrument referenced on the title and which forms part of this application. This subdivision will afford rights to the proposed new lots including all conditions that are relevant.

The formation is as described within the Engineer's report and considered to be adequate for the proposed expected traffic demand.

A new formed entrance in accordance with the Council's Engineering Standards is required off the ROW easement and this is noted within the Engineer's report.

To construct the access only minor earthworks is required and no vegetation removal is necessary.

The effects of the proposed subdivision when considering access related matters is less than minor.

#### 13.10.11 EFFECT OF EARTHWORKS AND UTILITIES

- (a) Whether the effects of earthworks and the provision of services to the subdivision will have an adverse effect on the environment and whether these effects can be avoided, remedied or mitigated.

There are only minor earthworks required for the access formation in an area which is flat.

Any utilities required will connect to the existing network.

#### 13.10.12 BUILDING LOCATIONS

- (a) Whether the subdivision provides physically suitable building sites.

- (b) Whether or not development on an allotment should be restricted to parts of the site.
- (d) Whether the subdivision design in respect of the orientation and dimensions of new allotments created facilitates the siting and design of buildings able to take advantage of passive solar gain (e.g. through a northerly aspect on an east/west axis).

The proposed vacant lot will contain a new proposed dwelling as per the attached plans and can provide for its own on-site servicing. The logical dwelling location is the existing cleared space noting that the dwelling will still be within 20m of existing vegetation.

The visual assessment and landscape assessment has been completed on the basis of this preferred location and there are several recommendations for mitigation measures which will be adopted as part of this application. Some of these include the retention of existing vegetation and planting of a new hedgerow along the ROW easement boundary.

Future development could have passive solar gains if the occupier and owner elects to use this energy source for their development. The site is relative open and could take advantage of the essentially flat nature of the site to achieve this.

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

- (b) Whether the means (physical and/or legal) by which ongoing preservation of the resource, area or feature will be achieved is adequate.
- (g) Whether the subdivision will result in the permanent protection and/or enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding landscapes, outstanding landscape features or outstanding natural features.
- (h) Whether the subdivision will result in the significant enhancement of biodiversity values through planting of native flora (preferably those species that naturally grow in the area) and ongoing management (including pest animal and plant control, fencing and replacement of failed plantings, stream enhancement and waterway protection).

The application site contains no Outstanding Natural Features, Outstanding Landscapes, or other resource features as denoted in the district plan. The trees represent a mixture of species and can be avoided when the proposed vacant lot is developed. No formal protection of indigenous vegetation is proposed via the subdivision component.

Water sourced from stormwater collection is of an acceptable quality and any runoff not consumed as a potable supply will be direct to natural overland flow paths.

#### 13.10.14 SOIL

- (a) The extent to which any subdivision will contribute to or affect the ability to safeguard the life supporting capability of soil.
- (b) The degree to which the life supporting capacity of the soil may be adversely affected by the subdivision and the degree to which any soils classified as I, II or III in the NZ Land Resource Inventory Worksheets are adversely affected by the subdivision.

The application site is not noted as noted having highly versatile soils.

#### 13.10.15 ACCESS TO WATERBODIES

The application site contains no permanent waterbodies but is located close to the Coastal Marine Area. In between the application lot boundary and the CMA is legal road. It is not practical to provide access to the water in this location. This provision does not apply to this application.

#### 13.10.16 LAND USE INCOMPATIBILITY

- (a) The degree to which the proposed allotments take into account adverse effects arising from incompatible land use activities (including but not limited to noise, vibration, smell, smoke, dust and spray) resulting from an existing land use adjacent to the proposed subdivision.

The proposed use for lifestyle purposes is consistent with the immediate location. The proposal will further enhance the lifestyle qualities of the site with effects comparable and acceptable. This includes the proposed density and lot sizes.

#### 13.10.17 PROXIMITY TO AIRPORTS

The application site is not close to any airport and this provision does not apply.

#### 13.10.18 NATURAL CHARACTER OF THE COASTAL ENVIRONMENT

The character of the area is extensively detailed within the landscape and visual assessment. The site exhibits significantly different characteristics due to the topography and vegetation within the site. Proposed Lot 1 which contains the existing dwelling is clearly part of the coastal environment and development has been approved which is consistent with the coastal attributes. RC 2230548 covers this dwelling and although the level of impermeable surfaces increases as a result of the subdivision, the overall visual effect remains the same as what was consented.

The proposed vacant lot 2 on which a new dwelling is to be constructed exhibits wholly different attributes and save for a small length of the ROW easement boundary is a very insular site and does not have a coastal outlook.

Neither the existing or proposed dwelling will see each other from their respective locations. The use of appropriate colour schemes, landscaping, and the modest scale of the new build will ensure that the proposed development is appropriate for this location.

Effects on the coastal environment considered to be less than minor.

#### 13.10.19 ENERGY EFFICIENCY AND RENEWABLE ENERGY DEVELOPMENT /USE

The extent to which the application promotes energy efficiency and renewable energy development and use through the following initiatives:

- (a) ability to develop energy efficient buildings and structures (e.g. by providing a north-facing site with the ability to place a building on an east/west axis);

The district plan encourages the ability of lot owners to utilise renewable energy options and to adopt energy efficient design in the development within the lot. This is most commonly applicable to domestic solar energy systems. This subdivision application

does not inhibit this potential with both lots able to utilise renewable energy options if they wish too.

#### 13.10.20 NATIONAL GRID CORRIDOR

The application site contains no National Grid Corridor and therefore this provision does not apply to this application.

### **LANDUSE CONSENT COMPONENT – OPERATIVE DISTRICT PLAN**

- 3.13 The landuse components relates to impermeable surfaces (existing buildings on proposed Lot 1), Setback from boundary (existing dwelling in relation to new lot boundary), visual amenity (proposed dwelling on Lot 2) and fire risk to residential (proposed dwelling on Lot 2).
- 3.14 Haigh Workman and Hawthorn Landscape Architects were both required as part of their briefing to assess the potential stormwater effects from allowing increased exceedances as noted above from the reduced lot size. Development within proposed Lot 2 will comply with the permitted allowances.

#### 11.3 STORMWATER MANAGEMENT

- (a) The extent to which building site coverage and impermeable surfaces result in increased stormwater runoff and contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment.

The proposed subdivision will result in additional impermeable surfaces within proposed Lot 2 but at a level which is within the permitted allowances for the proposed new lot. It is considered that the existing development on proposed Lot 1 has already addressed the matters to be considered through the earlier resource consent and a reduction in lot size does not compromise the ability of the site to address or manage stormwater. Roof water from the current and future dwelling(s) is to be harvested as a potable supply. Water as required will also be directed to any dedicated supply for fire fighting purposes. The Engineer's report recommends that surplus stormwater be direct to off the site (as essentially into the CMA) avoiding onsite areas dedicated for wastewater treatment and disposal and any buildings.

The good drainage present within the site allows for this method to be used for the quantity of stormwater to be managed.

- (b) The extent to which Low Impact Design principles have been used to reduce site impermeability.

The principles of Low Impact Design are always considered within the Engineer's design and report considerations.

The proposal provides for the release of surplus water at permitted development levels or at levels which can be managed effectively onsite.

- (c) Any cumulative effects on total catchment impermeability.



The application will see additional impermeable surfaces within the catchment but there is not considered to be a cumulative effect which would create adverse effects. The additional impermeable surfaces as sought under this application would see a maximum of 502m<sup>2</sup> of surfaces (10% of 5020m<sup>2</sup>) which in the context of the area is minor particularly with some water collected harvested as a potable supply and the site and immediate environs have good drainage characteristics.

The rate of disposal is to be at permitted development levels with measures to ensure this is achieved. During the construction phase of any dwelling on proposed Lot 2 there will need to have sediment control measures incorporated into the construction management plan. Given the flat nature of the application site, it is highly unlikely that extensive sediment control measures would be required with it unlikely that any sediment would extend beyond the construction area within the site.

- (d) The extent to which building site coverage and impermeable surfaces will alter the natural contour or drainage patterns of the site or disturb the ground and alter its ability to absorb water.

The potential development on the vacant proposed Lot 2 will be unlikely to change the contour of the site given that it is currently flat and required earthworks for the construction of a dwelling and access is likely to be relatively modest.

Any required drainage will need to avoid the existing and proposed dwelling and any onsite servicing areas. The soakage of the soil from soil testing has confirmed that drainage is good and these characteristics will remain on those portions of the site not developed.

The overall effects are less than minor.

- (e) The physical qualities of the soil type.

The soil has good soakage characteristics.

- (f) Any adverse effects on the life supporting capacity of soils.

The proposal does not result in any additional impacts on the life supporting capacity of the soil beyond the existing and potential future development.

- (g) The availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites.

The proposed development of Lot 2 will provide for the appropriate treatment and disposal of wastewater and ensure this area is avoided by stormwater. Stormwater will also be managed to ensure that surplus water is disposed to ground in an efficient and effective manner.

- (h) The extent to which paved, impermeable surfaces are necessary for the proposed activity.

The additional impermeable surfaces are required for the purposes of providing access and the proposed new dwelling on proposed Lot 2 as noted within the attached plans. The proposed vacant lot (Lot 2) is a suitable parcel of land for a lifestyle residence. The house location on proposed Lot 2 is illustrated with a short access required off the ROW easement. The development as presented will fall within the permitted allowances for a vacant lot of 5020m<sup>2</sup>.

(i) The extent to which landscaping may reduce adverse effects of run-off.

The implementation of further landscaping will not result in a significant reduction in stormwater runoff. The proximity to the CMA and desire by Engineers to remove surplus water from the site means that no stormwater will be retained on site other than that which is harvested as a potable supply or fire fighting supply. Stormwater runoff from the site is, and will continue to be, managed efficiently and effectively. The site is already well vegetated with no additional plantings considered necessary other than a hedgerow along the ROW easement which is the only part of the property that can be seen offsite and then only as one travels along the ROW easement.

(j) Any recognised standards promulgated by industry groups.

The stormwater management within the respective lots has been completed in accordance with industry standards for proposed Lot 1 and will be completed in accordance with industry standards for the vacant proposed Lot 2.

(k) The means and effectiveness of mitigating stormwater run-off to that expected by the permitted activity threshold.

The stormwater will be managed by several means for each of the respective lots. The roof water from the respective dwellings and (if appropriate and practical) any other buildings will be harvested as a potable supply. Water from roof harvesting will also be used (as required) for any dedicated fire fighting supply required on site.

Surplus water will be directed away from buildings, onsite wastewater treatment and disposal and directed off the site and into the CMA as noted within the Engineer's report. The site exhibits good soakage characteristics, is flat, with surplus water directed to the lowest part of the site and then to the CMA.

(l) The extent to which the proposal has considered and provided for climate change.

The stormwater management modelling including recommended measures is required to account for climate change within the calculations provided. There are no issues with this matter within the design and sufficient provision within the design with the relevant standards and which recognises the potential additional loadings from climate change.

(m) The extent to which stormwater detention ponds and other engineering solutions are used to mitigate any adverse effects.

Stormwater from existing and proposed development is modest when considering that roof water will be harvested. The remaining stormwater will be directed to

ground in a controlled manner. Onsite wastewater treatment and disposal will be avoided.

Disposing to ground is not preferred with removal from the site being the preferred means of dealing with surplus water.

#### VISUAL AMENITY 10.7.5.3.1

- 3.15 The proposed new dwelling on proposed Lot 2 will breach the Visual Amenity rule under 10.7.5.1.1 as the dwelling is greater than 50m<sup>2</sup> being approximately 125m<sup>2</sup>. Accessory buildings also add to the amount of building proposed in this application. In addition to the proposed dwelling, the Landscape Architect has comments on the effects (if any) from the reduction in the original lot size. Where required or directly referenced this will be commented on but there is no requirement to review and reassess the original development approved under RC 2230548.
- 3.16 The emphasis will be targeted at the proposed development noting the earlier comments about the site having two distinctive areas and almost two visual catchment areas.

When considering an application under this provision the Council will restrict the exercise of its discretion to matters relating to:

(i) the location of the building;

The proposed dwelling on proposed Lot 2 is not visible from the Coastal Marine Area and is tucked away behind existing contours and vegetation. A small portion of the dwelling location is visible from users of the ROW easement but this small piece of land is to be planted with a hedgerow to partially screen the dwelling.

The location of the proposed dwelling is wholly appropriate for the area with neither the proposed dwelling on Lot 2 or the existing dwelling on Lot 1 being visible to each other.

(ii) the size, bulk, and height of the building or utility services in relation to ridgelines and natural features;

The proposed dwelling on Lot 2 will be modest in scale and size. There are no prominent ridgelines or natural features which are impacted by the proposed dwelling.

(iii) the colour and reflectivity of the building;

The landscape assessment provides a colour palette for the proposed dwelling and will ensure that a matte finish is used. The colour selected has a reflectance level less than 30% as is the recommended limit for visual amenity type consents and acceptable colour palettes.

(iv) the extent to which planting can mitigate visual effects;

There will be some additional planting completed as part of a hedgerow along the ROW easement. The existing trees and vegetation on site are to remain for the

proposed vacant lot and used as part of the onsite mitigation measures for the proposed dwelling.

- (v) any earthworks and/or vegetation clearance associated with the building;

There is no vegetation removal required for the location of the proposed dwelling on proposed Lot 2 or for any of the accessory buildings.

Earthworks will be limited to that required for foundations and given the flat nature of the site this is negligible.

- (vi) the location and design of associated vehicle access, manoeuvring and parking areas;

The proposed dwelling is not located too far from the existing access and a short driveway and turning area will be created. There is sufficient space for two vehicles and the associated onsite manoeuvring.

- (vii) the extent to which the building will be visually obtrusive;

As noted within the application site description and the Landscape assessment, the proposed new dwelling on Lot 2 will not be visually obtrusive with a combination of mitigation measures including existing topography, existing and proposed vegetation, modest design, and choice of colour palettes.

- (viii) the cumulative visual effects of all the buildings on the site;

The buildings on site when adding together the existed consented development and the proposed development of Lot 2 is a reasonable quantity and collectively well above the ordinarily permitted allowance for the zone. However, the existing dwelling on proposed Lot 1 is already consented under RC 2230548 and this consent accounts for the current built form within its location.

The additional proposed dwelling to be located on proposed Lot 2 is modest and will comply with impermeable surface rules as illustrated in the proposed plans.

The landscape architect was briefed to discuss the impacts of additional built form and she concluded that each dwelling was located within a separate visual catchment and that neither dwelling is visible to each other. Therefore, on this basis, the visual effects do not appear as significant as the numbers may suggest.

So due to the existing topography, existing vegetation, and modest proposed new dwelling, the cumulative visual effects remain less than minor.

- (ix) the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;

Retaining the existing vegetation and retaining existing contours are the main qualities of the landscape and will ensure that built form does not dominate the immediate landscape and that visual and amenity values are maintained.

- (x) the extent to which private open space can be provided for future uses;

There remains some private space within the respective lots and this will be used as required by the occupiers of the respective dwellings.

- (xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;

As noted from past commentary, the proposed new dwelling is not readily visible from anywhere other than a small section of the ROW easement which is to have a hedgerow planted along it. This will complete the insular nature of proposed Lot 2 and ensure that there is no risk or change of visual dominance on adjoining or adjacent lots.

- (xii) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.

The adjoining lots will not view the proposed dwelling on Lot 2 and therefore there is little to no risk associated with the development in relation to the existing neighbouring sites.

- 3.17 There are two other landuse breaches under the Operative Plan as a result of the proposed subdivision and the construction of a new dwelling on proposed Lot 2. The two additional breaches are setback from the new lot boundary between the respective lots in relation to the existing dwelling on Lot 1 and the fire risk to residential for the proposed dwelling.
- 3.18 The setback breach could be made to comply with the 10m setback but would reduce further the proposed lot size for Lot 2. There are no adverse effects on properties external to the site from this breach of setback and this can be concluded as resulting in effects that are less than minor. There is no need to assess the impacts of the applicant's own development on itself.
- 3.19 The final aspect breached is Fire Risk to Residential as it applies to Proposed Lot 2. The proposed new dwelling is located within 20m of vegetation and therefore this breach applies. It is contended that with the existing dwelling having also recently sought the same breach that the same conditions would apply to the proposed new dwelling. The site has similar characteristics and a dedicated water tank for fire-fighting purposes should be sufficient. There are no issues around accessibility and clearance of vegetation to comply is not considered to be an option. The effects of this breach are considered to be less than minor.
- 3.20 The conclusion reached within the assessment above which focuses solely on the four areas to which a breach of rules applies. The potential effects from the breaches have been assessed and considered and concluded as being less than minor. Increased degrees of non-compliance are unavoidable for the existing dwelling on Lot 1 as a result of lot size reductions.
- 3.21 However, a new dwelling has been proven to be able to be constructed without resulting in adverse visual effects, the appearance of over-development of the site or dominating surrounding sites. Measures can be imposed address fire risk and a setback breach from the new lot boundary is considered to be less than minor.

## **ASSESSMENT OF EFFECTS CONCLUSION**

- 3.22 The subdivision application is Discretionary under the Operative Plan but represents a practical reflection of onsite characteristics. The lot size of proposed Lot 2 has been designed to comply with the 5000m<sup>2</sup> discretionary threshold. The overall site is considered to readily be able to absorb the additional dwelling and related resulting effects. The pattern and density of development is not out of character for what is now a regular lifestyle area. The lot sizes are comparable to other lots located within the same zone and within the general area. Concerns such as precedent and intensity of development are not considered to be matters of concern given previous approvals and existing development intensities within this area.
- 3.23 The landuse component are a direct result of the subdivision and the construction of a new dwelling on proposed Lot 2. The new dwelling complies with all rules except Visual Amenity and Fire Risk to Residential while the existing dwelling increases the impermeable surfaces non-compliance (due to reduced lot size) and will be within 10m of the new lot boundary.
- 3.24 The effects of these breaches are considered to be less than minor and the resultant lots are somewhat insular from each other and the surrounding lots. The vacant proposed lot 2 can readily absorb a new dwelling without any impact on character, amenity values, and meets all usual development controls such as setback from boundary and impermeable surfaces. Stormwater measures for proposed Lot 1 will continue to operate without the additional land and the setback from boundary is a technicality to ensure that Lot 2 is greater than 5000m<sup>2</sup>.
- 3.25 The site overall exhibits good drainage and can readily manage a higher allowance, and this is the case for this application. From public vantage points and due to the site having extensive vegetation, the level of development on the proposed Lot 2 where the new dwelling is to be located will be readily absorbed and will maintain the high amenity level which currently exists within the site and area. The development will blend into the location and have limited visual effects on the receiving environment. The existing development on proposed Lot 1 is already covered by RC 2230548.
- 3.26 The Engineer's report supports the application and considers the relevant matter related to both the subdivision and the additional impermeable surfaces. In the conclusions of these reports the effects considered under these matters and assessment of the relevant district plan criteria concludes that effects are less than minor.
- 3.27 The assessment of effects does not identify any matters of concern with effects able to be further mitigated via conditions of consent. The application is considered to represent a positive development for the immediate area with no adverse effects created or effects which could be considered as minor or more than minor. The proposal provides an appropriate use of the land and offers an opportunity for a new residence to be constructed and will assist new landowners in providing for their families well being.
- 3.28 Overall effects from both components is that they are less than minor.



#### **4.0 OPERATIVE DISTRICT PLAN – OBJECTIVES AND POLICIES**

- 4.01 The following assessment of objectives and policies is focused on the relevant subdivision considerations particularly as the subdivision proposal creates the landuse breaches of the plan. The assessment of effects has covered the specific matters in more detail but as stated there remains sufficient scope within the subdivision provisions and within the zone provisions themselves to be assessed and considered.
- 4.02 The following considerations will provide commentary and details as to how the proposal is generally consistent with key objectives and policies for the Subdivision chapter which also includes consideration of stormwater considerations. The following Objectives and Policies from the Operative District Plan are considered to be the most relevant to the application with consideration only of the subdivision chapter.

### **SUBDIVISION**

#### **13.3 OBJECTIVES**

- 13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.
- 13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.
- 13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.
- 13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.
- 13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).
- 13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.

#### **13.4 POLICIES**

- 13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:
- (a) natural character, particularly of the coastal environment;
  - (d) amenity values;
  - (g) existing land uses.
- 13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.

- 13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.
- 13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.
- 13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.
- 13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.
- 13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:
  - (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
  - (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;
  - (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.
- 13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.
- 13.4.15 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:
  - (a) development of energy efficient buildings and structures;
  - (e) domestic or community renewable electricity generation and renewable energy use.

#### **COMMENTARY ON OBJECTIVES AND POLICIES – OPERATIVE DISTRICT PLAN**

- 4.03 The presumption for a discretionary activity is that the proposal could challenge and be contrary to objectives and policies. In some situations, this is correct, but in others (such as this proposal) activity status. The subdivision appears to be a logical proposal particularly when effects are readily considered to be less than minor.
- 4.04 The proposed subdivision to create two lots greater than 5000m<sup>2</sup> is not considered to be contrary and actually achieves the intent of the zone despite the activity status. The proposal makes practical sense and results in less than minor effects. The rules detail lot sizes and assign activity status classifications to these rules. In this instance compliance with the Discretionary threshold re-emphasises and reflects the onsite characteristics. The proposal makes efficient and effective use of redundant land or is considered to appropriate in this context.

- 4.05 The lots primary focus to achieve the purpose of the zone and not conflict with the intent of the zone. The proposal is assessed to have achieved this by maintaining amenity values of the site, ensuring property boundaries for the lots reflect the onsite characteristics and which ensures that the additional development afforded by the application can be readily absorbed accordingly. There is technical support from both the Visual Impact Assessment and the Engineer's report.
- 4.06 Many of the above objectives consider the potential effects of the proposal as a potential outcome and seek to ensure the conclusion from an effects perspective is less than minor. The planning assessment and supporting technical report support the conclusion reached and not only meets the intent of the zone but also is acceptable within the receiving environment.
- 4.06 The current zone is not a mismatched situation, but the resultant lots from the subdivision do query the appropriateness of the Coastal Environment over the entire block. While the current title exists, it is appropriate that the overall site be considered part of the Coastal Environment but with the proposed subdivision the results are different. Proposed Lot 1 clearly remains within the coastal environment, but I would query whether Lot 2 meets the same thresholds other than proximity. Lot 2 offers no view of the coast and is insular to the surrounding environment.
- 4.07 For the purposes of this application it is considered part of the coastal environment and therefore the related coastal provision apply. In my opinion I have placed less weighting on the coastal environment as it applies to proposed Lot 2.
- 4.08 The remaining considerations focus on the site being able to absorb the proposed development and will maintain amenity and character. The proposal will provide for the well-being of a household who will ultimately reside on the currently vacant area of the proposed lot. Proposed Lot 2 can readily absorb an additional dwelling and it has been concluded with the proposal being consistent with the intent and the overall outcomes sought.
- 4.09 The landuse component falls broadly into the into the objectives and policies of the subdivision chapter by virtue of the matters to be considered. The Coastal Living zone's objectives and policies focus on activities and meeting the coastal considerations. There is no conflict with the coastal environment and visual effects associated with the proposed are considered to be less than minor.
- 4.10 The following Policies remain applicable to the site and the breach of the rules as detailed.

## COASTAL LIVING ZONE

### 10.7.3 OBJECTIVES

- 10.7.3.1 To provide for the well being of people by enabling low density residential development to locate in coastal areas where any adverse effects on the environment of such development are able to be avoided, remedied or mitigated.
- 10.7.3.2 To preserve the overall natural character of the coastal environment by providing for an appropriate level of subdivision and development in this zone.

#### 10.7.4 POLICIES

- 10.7.4.1 That the adverse effects of subdivision, use, and development on the coastal environment are avoided, remedied or mitigated.
- 10.7.4.2 That standards be set to ensure that subdivision, use or development provides adequate infrastructure and services and maintains and enhances amenity values and the quality of the environment.
- 10.7.4.3 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including:
  - (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
  - (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;

- 4.11 It is contended that with the emphasis on coastal environment and that such effects have been provide to be less than minor means that there is no conflict with these considerations. The emphasis on clustering of development is achieved and ensuring that adequate provision for onsite servicing and infrastructure is provided and not resulting in an adverse visual effect as view from a public vantage point.
- 4.12 The proposed subdivision will create an opportunity for an additional dwelling to be established. The creation of the lots will contribute to the new lot owners social and economic well-being. The existing property is not viable as a farming operation and due to onsite vegetation has a logical separation between the current and future dwelling sites. The future use of the site for housing will not result in a loss of productive land.
- 4.13 The proposal will not compromise the high amenity values of the site, and the proposal will not result in adverse visual effects due to the proposed dwelling location and extensive onsite trees and vegetation.
- 4.14 The proposed subdivision will not create any reverse sensitivity concerns as the area is primarily a lifestyle area with limited rural activities which could impact on the daily lives of residents. There are no milking sheds, silage pits, or other rural activities such as intensive horticulture which can become a nuisance to property owners within this area.
- 4.15 The additional traffic from the additional dwelling will have no discernible effect on the existing access with only a new entrance required to be completed.
- 4.16 Power and telecommunications can be accessed off the existing network located within the area with sufficient easements provided to address this matter.
- 4.17 The proposed subdivision is considered to be generally consistent with the relevant subdivision and landuse related considerations including the related objectives and policies.

## **PROPOSED FAR NORTH DISTRICT PLAN (DECISIONS VERSION)**

- 4.18 The proposed district plan has progressed with Council issuing the decisions version of the plan and that the plan is now open to appeals. The rules for the Rural Lifestyle Zone and the associate subdivision rules all carry legal weight. The status of the subdivision component is non-complying as the proposed lots are below the discretionary threshold of 1ha. The landuse components are either controlled or restricted discretionary for the resultant development although there are some areas which are unclear as to whether they apply and how interpretation of the rule or standard will eventually be used.
- 4.19 The presumption used is that the landuse elements are either Controlled or Restricted Discretionary and therefore generally acceptable. The subdivision being Non-complying is where the emphasis of Objectives and Policies considerations will apply. The weighting afforded to the proposed district plan will be discussed later within this report.

### **Objectives and Policies**

- 4.20 The objectives and policies for subdivision are noted as follows acknowledging that only those which are considered to be relevant have been included.

#### **SUBDIVISION OBJECTIVES**

SUB-01 Subdivision results in the efficient use of land, which:

- a. Achieves the objectives of each relevant zone, precinct, development area, overlay and district wide provisions;
- b. Contributes to the existing or planned local character and sense of place;
- c. Avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;
- d. Avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;
- e. Does not increase the risk from natural hazards or risks are mitigated and existing risks reduced;
- f. Manages adverse effects on the environment.

#### **SUBDIVISION POLICIES**

SUB-P3 Provide for subdivision where it results in allotments that:

- a. are consistent with the purpose, characteristics and qualities of the zone or precinct;
- b. comply with the minimum allotment sizes for each zone or precinct;
- c. have an adequate size and appropriate shape to contain a building platform; and
- d. have legal and physical access.

SUB-P9 Restrict rural residential subdivision in the Rural Lifestyle zone unless the development provides a management plan which results in superior environmental outcomes, including through, where relevant:

- a. The protection of natural character, landscape, amenity, heritage, or cultural values; and/or

- b. The restoration, enhancement and legal protection of indigenous biodiversity.

SUB-P11 Consider the following matters where relevant when assessing and managing the effects of subdivision:

- a. the potential for reverse sensitivity effects that would prevent or adversely affect activities already established on land from continuing to operate;
- b. consistency with the scale, density, design and character of the environment and purpose of the zone;
- c. the location, scale and design of buildings and structures;
- d. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;
- e. managing natural hazards;
- f. any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and
- g. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

- 4.21 The key aspect for this application is that the level of residential intensity remains low level and consistent with expected lifestyle properties. It is contended that the proposal is consistent with adjacent and nearby properties which are of a similar size. The landscape assessment confirms this development pattern and this proposal seeks consistency in the administration of the plan despite the lot size issue. The Engineering report addresses all the onsite requirements and confirms that all servicing can be complete to expected industry standards.
- 4.22 The landuse components provide certainty over the development which is to occur on the vacant proposed Lot 2 and this will be compliant for the large part with consents required for visual amenity and relating to the existing building only.
- 4.23 The building location for the new dwelling is free of all setback requirements and provides more than adequate space for onsite services and internal access.
- 4.24 It will be difficult to see the proposed dwelling from the ROW access and not possible to view from the legal road. Adjoining properties will see glimpses of the proposed dwelling through the existing perimeter landscaping. The proposal will maintain the high level of local amenity present on the site and within the immediate area.
- 4.25 The proposal will not result in any increase in hazard risk and will maintain local character values notwithstanding the reduced lot sizes.
- 4.26 The proposal is considered to be generally consistent with the relevant objectives and policies of the Proposed Far North District Plan.

## **5.0 REGIONAL POLICY STATEMENT CONSIDERATIONS**

- 5.01 The subdivision of land in this location is located within the coastal environment focus on impacts on the natural character of the rural environment in which the site exists. The proposal is considered to represent appropriate development for a site which is currently



used for lifestyle purposes and with a slight increase in intensity of development will maintain this.

- 5.02 The effects of the proposal are considered to be consistent with the Regional Policy Statement.

## **6.0 PART 2 CONSIDERATIONS**

- 6.01 The application does not conflict with any matter or consideration under Part 2 of the Act. The proposal provides for the social and economic well-being of the district by improving the environment and enabling appropriate development to be established all while resulting and ensuring the potential effects of the proposal are less than minor.
- 6.02 It is therefore contended that the proposed subdivision is appropriate and consistent with the purpose of the Act.

## **7.0 NOTIFICATION ASSESSMENT S95A TO 95G OF THE ACT**

- 7.01 Sections 95A to 95G require Council to follow specific steps in determining whether to notify an application. In considering the conclusions findings within this report are relied upon.

### **7.02 Public Notification section 95A**

#### Step 1

Mandatory public notification in certain circumstances

- (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.

The applicant has not requested public notification and none of the remaining matters as described are applicable.

#### Step 2 Public Notification precluded in certain circumstances

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) a restricted discretionary or discretionary activity, but only if the activity is a subdivision of land or a residential activity:
  - (iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity:
  - (iv) a prescribed activity (see section 360H(1)(a)(i)).

The subdivision component is Non-Complying under the Proposed District Plan (Decisions Version) and Discretionary under the Operative District Plan

The landuse components are Discretionary under the Operative District Plan and no worse than Restricted Discretionary under the Proposed District Plan (Decisions Versions).

The non-complying status means that the proposal is not precluded from public notification however it has been proven within the assessment of effects that the potential effects are less than minor on the wider environment. The application need not be publicly notified on this basis.

### Step 3 – Public Notification required in certain circumstances

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.

The NES Regulation (contaminated land) is not relevant to this application as there has been no uses which qualify as an activity on the HAIL list, and which have been undertaken on the application site. Furthermore, NRC records confirm there are no known contaminated sites within the application site.

The effects from the proposed subdivision and landuse are considered to be less than minor as concluded within earlier sections of this report.

The proposal will result in an additional dwelling within an established lifestyle location. When developed the new dwelling would not be visible from any public vantage point. The potential effects from an additional dwelling on the wider environment is concluded as being less than minor.

## 7.03 Affected Persons Assessment – Limited Notification Section 95B

If the application is not required to be publicly notified, a Council must follow the steps of section 95B to determine whether to limited notify the 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).

There are no protected customary rights or customary marine titles which apply to the application site.

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

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 resource consent for either or both of the following, but no other, activities:
  - (i) a controlled activity that requires consent under a district plan (other than a subdivision of land):
  - (ii) a prescribed activity (see section 360H(1)(a)(ii)).

The application is not precluded from Limited Notification as neither of the exemptions as described above apply to the application.

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

- (7) Determine whether, in accordance with section 95E, the following persons are affected persons:
  - (a) in the case of a boundary activity, an owner of an allotment with an infringed boundary; and
  - (b) in the case of any activity prescribed under section 360H(1)(b), a prescribed person in respect of the proposed activity.

The applicant has not had any discussions with the immediate neighbours but it is contended that neighbours are not affected by potential effects which would result from the subdivision and the additional dwelling proposed within the vacant new lot. The intensity of development is consistent with a discretionary lot size requirements for the operative plan but non-complying on the new proposed lot sizes. As noted within the assessment there are a number of similar sized properties recently consented in similar circumstances.

Neighbours will see glimpse of the future dwelling when travelling down the ROW easement but with a hedgerow proposed in this location this partially obscured view will be further reduced. The only evidence would be from a driveway branching off the ROW easement.

The proposal to subdivide results in the degree of non-compliance for impermeable surfaces on proposed Lot 1 increasing. The measures originally put in place under RC 2230548 are not affected by the proposed new lot and the effects will continue to be less than minor despite a reduced lot size. Setback from boundary only applies to the new lot boundary and only the vacant lot is potentially affected. With the building not readily visible between the lots I consider that effects are less than minor.

For visual amenity as it applies to the proposed vacant lot, the Landscape architect assessed the proposal and concludes that due to the insular nature of the site that visual effects would be less than minor. A small hedgerow was recommended to be planted and colour palettes proposed which when combined with the modest design would result in less than minor effects.

The final breach under the operative plan is the fire risk to residential. The dwelling on proposed Lot 1 also breached this rule and conditions used for that proposal can be replicated for the new dwelling on Lot 2.

There are no other persons deemed to be potentially affected by the proposed subdivision and subsequent development.

#### **7.04 Notification Assessment Conclusion**

Pursuant to sections 95A to 95G it is recommended that the Council determine that the application can be processed non-notified for the following reasons:

- In accordance with section 95A, public notification is not required, and in particular the adverse effects on the wider environment are considered to be less than minor;
- In accordance with section 95B, written approvals have not been sought as based on the matters of particular concern, the effects are less than minor and therefore no persons are considered to be affected persons; and,
- In accordance with section 95A(9) and 95B(10), there are no special circumstances to require public or limited notification.

### **8.0 WEIGHTING OF THE PROPOSED DISTRICT PLAN AND OPERATIVE DISTRICT PLAN.**

- 8.01 The weighting which shall be applied to any plans as they progress through the process is difficult to quantify and largely determined by the individual provision or could be resulting from changes or other decisions. The weighting in this instance is really down to lot size and what will be acceptable in the proposed Rural lifestyle zone moving forward.
- 8.02 Submissions have already presumably weighed heavily with the decisions version reducing lot sizes from those which were originally notified and published to which submissions were sought. This reduction means that there is some concern over lot sizes and I would argue that based on recent approvals for lots below the 1ha allowance that this reduction will likely continue.
- 8.03 There have been significant number of lots created above, below and around 5000m<sup>2</sup> and while this may not be the final figure there are many new lots which a half the size of the discretionary threshold being promoted. When considering that these applications were determined with the current set of objectives and policies of the proposed plan, one can only afford nominal weighting to the proposed plan for this application in this particular zone. There is insufficient merit in the lot sizes proposed given that the Council has approved many applications well below this threshold.
- 8.04 As can be seen in this application, the rural lifestyle characteristics can still be achieved and it is contended that other than lot size this proposal meets the objectives and policies of the proposed new zone.
- 8.05 On this basis, and with more change likely in my view, a lesser weighting should be applied to the proposed plan (decisions version)

## **S104D (GATEWAY TEST) ASSESSMENT**

8.06 Section 104D identifies particular restrictions for non-complying activities and also details the circumstances in which Council can approve an application notwithstanding its non-complying status. The provision has the following requirements:

- (1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—
  - (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or
  - (b) the application is for an activity that will not be contrary to the objectives and policies of—
    - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
    - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
    - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

8.07 It is considered that the proposed subdivision does not create adverse effects on the environment that are minor or more than minor. In considering effects, there are a number of recommended conditions by the consulting Engineer, and these should be reflected in the recommended conditions. Key considerations around character and amenity values remain unaffected by the proposal with the site readily able to absorb the development. There are also positive environmental effects resulting from the proposal relating to the effective use of land not suitable for productive purposes, but which can be used for lifestyle purposes as the zone intends. The vacant lot does not exhibit coastal elements and the proposal continues to be generally consistent with objectives and policies.

8.08 It is considered that the proposed subdivision is not contrary to the Objectives and Policies of the Plan or those relevant higher order documents.

8.09 In reaching this conclusion, it is considered that the proposal meets both limbs of the test and therefore the thresholds of s104D of the Act, and that the Council can therefore grant the consent accordingly.

## **9.0 SUMMARY**

9.01 The application is a subdivision consent seeking to create one additional lot which will see an additional dwelling on the current property. The resultant subdivision triggers a landuse breach with respect to impermeable surfaces, fire risk to residential, setback from new boundary and visual amenity. Landuse elements apply to both proposed lots.

9.02 The property is located within the Coastal Living Zone as denoted within the Far North Operative District Plan. Amenity values are maintained for this rural property and the additional dwelling will not be visible from any public vantage point and only partially visible to neighbours. The natural character of the area will be maintained and effects readily managed accordingly.

- 9.03 The proposal is assessed as non-complying as lot sizes cannot meet the minimum lot sizes in the Proposed District Plan (decisions versions) and is Discretionary under the Operative District Plan.

### **SUBDIVISION COMPONENT**

#### Coastal Living Zone – Operative Plan

- Controlled Lot size – 4ha
- Restricted Discretionary – 8000m<sup>2</sup>
- Discretionary – 5000m<sup>2</sup>

#### Rural Lifestyle Zone – Proposed Plan

- Controlled Lot size – 2ha
- Discretionary – 1ha

The proposed lot sizes within the subdivision are follows:

- Proposed Lot 1 – 8431m<sup>2</sup>
- Proposed Lot 2 – 5020m<sup>2</sup>

### **LANDUSE COMPONENTS**

#### Operative Plan

- a) Visual Amenity considerations for proposed new dwelling on proposed Lot 2 within the Coastal Living Zone – Restricted Discretionary Activity
- b) Setback from Boundary – The setback from the existing dwelling on proposed Lot 1 in relation to the new lot boundary – Restricted Discretionary
- c) Fire Risk to Residential – new dwelling on Lot 2 – Discretionary
- d) Impermeable surfaces – existing dwelling on proposed Lot 1 – increased degree of non-compliance as a result of reduced lot size– Discretionary

#### Proposed Plan

- a) New Building in the Coastal Environment
- b) Exceeding building coverage

- 9.04 Access is achieved off a ROW Easement off Edmonds Road. There are less than 8 users of the ROW easement and formation is sufficient to meet Council requirements. A new entrance for proposed Lot 2 will be required to be constructed in accordance with the Council's Engineering Standards.

- 9.05 The stormwater breaches for both lots have been assessed within the Engineer's report and concluded that the proposed stormwater can be managed with less than minor effects. Some water will be harvested as a potable supply and some for fire fighting purposes with any surplus water disposed to ground given the good onsite drainage characteristics.

- 9.06 The effects of this subdivision application have been assessed and concluded as being less than minor. No persons are considered to be affected by the proposed subdivision



or landuse consent. The effects on the wider environment are considered to be less than minor with appropriate mitigation measures proposed.

- 9.07 The proposal is not contrary to relevant objectives and policies of the Far North District Plan and the Regional Policy Statement.
- 9.08 It is considered that the application can be approved under s104B and 104D of the Act as the two limbs of the “gateway tests” have been met.
- 9.09 With respect to conditions of consent the applicant would appreciate sighting a draft set of conditions for review and comment (if necessary).

Should you have any queries in respect to this application please contact me.

Yours faithfully



**Wayne Smith**

**Zenith Planning Consultants Ltd**

**Principal | Director**

BPlan | BSocSci | MNZPI

[wayne@zenithplanning.co.nz](mailto:wayne@zenithplanning.co.nz)

**mob:** +64 (0) 21 202 3898





EXISTING EASEMENTS

| PURPOSE      | SHOWN   | SERVIENT TENEMENT | CREATED BY |
|--------------|---------|-------------------|------------|
| RIGHT OF WAY | (A) (B) | LOT 1 HEREON      | A431162    |

MEMORANDUM OF EASEMENTS

| PURPOSE                                        | SHOWN   | SERVIENT TENEMENT | DOMINANT TENEMENT |
|------------------------------------------------|---------|-------------------|-------------------|
| RIGHT OF WAY, TELECOMMUNICATIONS & ELECTRICITY | (A) (C) | LOT 1 HEREON      | LOT 2 HEREON      |

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD

AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Far North District Council  
Comprised in: NA111A/525  
Total Area: 1.3475ha  
Zoning: Coastal Living  
Resource features: NIL

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.



Bar Scale 1:1000 @ A3



315 Kerikeri Rd  
P.O. Box 372 Kerikeri  
Email: kerikeri@tsurvey.co.nz  
Ph: (09) 4077360  
www.tsurvey.co.nz

Registered Land Surveyors, Planners & Land Development Consultants

PROPOSED SUBDIVISION OF  
LOT 3 DP 180115

40 EDMONDS ROAD, KERIKERI  
PREPARED FOR: MTF DEVELOPERS 2022 LTD

|              | Name | Date     | ORIGINAL |            |
|--------------|------|----------|----------|------------|
| Survey       |      |          | SCALE    | SHEET SIZE |
| Design       |      |          |          |            |
| Drawn        | KY   | 16.06.26 | 1:1000   | A3         |
| Approved     |      |          |          |            |
| Rev          | SL   | 22.06.26 |          |            |
| 10356 Scheme |      |          |          |            |

Surveyors  
Ref. No:

10356

Sheet 1 of 1



A431162 EC

L. &amp; D. 82

New Zealand

(T)

**EASEMENT CERTIFICATE**

(IMPORTANT—Registration of this certificate does not of itself create any of the easements specified herein.)

I, KEITH GERALD CATHCART of Pirongia, farmer

being the registered proprietor of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the 12th day of March 19 69 under No. 61078 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

**SCHEDULE**

DEPOSITED PLAN No.

61078

| Nature of Easement<br>(e.g., Right of Way, etc.) | SERVIENT TENEMENT |                                                                             | Dominant<br>Tenement<br>Allotment<br>No(s). | Title<br>Reference |
|--------------------------------------------------|-------------------|-----------------------------------------------------------------------------|---------------------------------------------|--------------------|
|                                                  | Allotment<br>No.  | Colour, or Other Means of<br>Identification, of Part<br>Subject to Easement |                                             |                    |
| Right of Way                                     | Lot 2             | yellow                                                                      | Lot 1                                       | C.T. 1126/150      |

1. Rights and powers:

State whether any  
rights or powers set  
out here are in  
addition to or in  
substitution for those  
set out in the Special  
Schedule to the Land  
Transfer Act 1952.

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

Dated this 25th day of

July

1969.

Signed by the above-named KEITH GERLAD CATHCART  
in the presence of

*K. G. Cathcart*

Witness:

*Richard*

Occupation:

*Solicitor*

Address:

*Auckland*

No.

A431162

## EASEMENT CERTIFICATE

situated in Block XII Kerikeri S.D.

Correct for the purposes of the Land Transfer Act.

Solicitor for the Registered Proprietor.

RIGHTS AND POWERS OF GRANTEES IMPLIED IN CERTAIN EASEMENTS  
BY SECTION 90D OF THE LAND TRANSFER ACT 1952

## "1. RIGHT OF WAY

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his servants, tenants, agents, workmen, licensees, and invitees (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass, with or without horses and domestic animals of any kind and with or without carriages, vehicles, motor vehicles, machinery, and implements of any kind, over and along the land over which the right of way is granted or created.

## "2. RIGHT TO CONVEY WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to take, convey, and lead water in a free and unimpeded flow (except when the flow is halted for any reasonable period necessary for essential repairs) and in any quantity, consistent with the rights of other persons having the same or similar rights, from the source of supply or point of entry, as the case may be, and following the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

## "3. RIGHT TO DRAIN WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain and discharge water (whether rain, tempest, spring, soakage, or seepage water) in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule (or, where open drains are provided for, similar rights in regard to those drains, with the necessary modifications as are provided for in respect of pipe lines in the additional rights so set out).

## "4. RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain, discharge, or convey sewage and other waste material and fluid in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

## "5. ADDITIONAL RIGHTS ATTACHING TO EASEMENTS OF RIGHT TO CONVEY WATER AND OF RIGHT TO DRAIN WATER AND OF RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) for the purposes of the easement concerned—

- To use any line of pipes already laid on the stipulated course or any pipe or pipes in replacement or in substitution for all or any of those pipes;
- Where no such line of pipes exists, to lay, place, and maintain, or to have laid, placed, and maintained, a line of pipes of a sufficient internal diameter and of suitable material for the purpose under or over the surface (as the parties decide) of the land over which the easement is granted or created and along the line defined for the purpose where such a line has been so defined;
- In order to construct or maintain the efficiency of any such pipe line, the full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his tenants, servants, agents, and workmen, with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose, to enter upon the land over which the easement is granted or created (or, where only the position of the pipe line is defined in the easement, upon such part of the land of the grantor and by such route as is reasonable in the circumstances) and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, and renewing the pipe line or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the land of the grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired."

18A/96, 97

Particulars entered in the Register-book,

Vol. 1126, folio 150

the 21<sup>st</sup> day of November 1969  
at 9.25 o'clock.



*W. R. Prendergast*  
Assistant Land Registrar.

of the District of *North Auckland*

The within Easement relative to  
lot 2 Plan 61078 is created by  
Transfer No. A505252  
*R. Lumbidge*

12220

|                    |
|--------------------|
| LAND & DEEDS       |
| No. 18A/96, 97     |
| From Brookfield P  |
| Time 11.05         |
| Fee \$2            |
| Abstract No. 08263 |

|                    |
|--------------------|
| LAND & DEEDS       |
| No. 18A/96, 97     |
| From Brookfield P  |
| Time 11.05         |
| Fee \$2            |
| Abstract No. 07003 |

|                    |
|--------------------|
| LAND & DEEDS       |
| No. 18A/96, 97     |
| From Brookfield P  |
| Time 9.25          |
| Fee 2              |
| Abstract No. 14315 |

Brookfield Prendergast Schnauer  
& Smytheman Solicitors Auckland



A780/22975  
124 A 4-5



\$50.00

**D 213832.1 TE**  
**Memorandum of Transfer**

JOHN MILES WILSON of Kerikeri Retired Lawyer

|                  |            |         |
|------------------|------------|---------|
| 10GKJ1           | 07/10/1997 | 9521    |
| NZ Stamp Duty    |            | Stamp   |
| Assessed by Dept |            | \$50.00 |

(herein called "the Transferor") being registered as proprietor of an estate in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in the piece or pieces of land situated in the Land District of North Auckland

containing 1.0510ha more or less being Lot 1 DP 180115 and all that land in certificate of title 111A/524 (the serviant land) and also being registered as proprietor of an estate in fee simple in all that parcel of land containing 1.3475ha more or less being Lot 3 DP180115 and all the land in 111A/525 (the dominant land)

- (iii) In order to construct or maintain the efficiency of any such pipe, cable, wire, concrete conduit, poles or other materials the full free and uninterrupted and unrestricted right liberty and privilege for the Transferee their servants, tenants, agents and workmen with any tools, implements, machinery, vehicles or other equipment of whatsoever nature necessary for the purpose to enter upon the said land and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining and renewing any pipeline, wire, cables, electric conduit, poles or other materials or any part thereof and of opening up the soil of the easement land to such extent as may be necessary and reasonable in that regard subject to the condition that as little disturbance as possible is caused to the surface of the easement land and that the surface is restored as nearly as possible to the original condition and any other damage done by reason of the aforesaid operation is required.

CERTIFICATE OF NON-REVOCATION

OF POWER OF ATTORNEY

I, the Attorney described in the schedule below hereby certify:

1. THAT by a Power of Attorney bearing the date shown in the schedule below, the appointor thereof being the person described in the schedule below, appointed me his Attorney on the terms and subject to the conditions set out in the said Power of Attorney.
2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said appointor or otherwise.
3. THAT, in the event of the Power of Attorney having been deposited in the Land Transfer Office at Auckland the Power of Attorney was deposited under the number shown in the schedule below.

SIGNED at Kerikeri on  
the date set forth in  
the schedule below:

)  
)  
)



SCHEDULE

|                                         |                     |
|-----------------------------------------|---------------------|
| <u>Name of Attorney:</u>                | Allan Duncan McLeod |
| <u>Place of residence of Attorney:</u>  | Kerikeri            |
| <u>Occupation of Attorney:</u>          | Solicitor           |
| <u>Date of Power of Attorney:</u>       | 25 March 1996       |
| <u>Name of Appointor:</u>               | John Miles Wilson   |
| <u>Place of residence of Appointor:</u> | Kerikeri            |
| <u>Occupation of Appointor:</u>         | Retired Lawyer      |
| <u>Land Transfer Number:</u>            | D.121583.1          |
| <u>Date of this Certificate:</u>        | 7th August 1997     |

Full  
CA.

In Consideration of the sum of \$70,000.00

paid to the Transferor by SHONA, RELING of Kerikeri Retired

(herein called "the Transferee") the receipt of which sum is hereby acknowledged Hereby Transfers to the Transferee all the Transferor's estate and interest in the ~~servant~~ <sup>servant</sup> ~~land~~ <sup>land</sup> ~~reserving nevertheless~~ full right to the transferor and his assigns and the registered proprietor or proprietors for the time being of the dominant tenement and any part of it and their tenants, servants, agents, workman and visitors from time to time and at all times the following rights over that part of the serviant land marked "B" on DP180115 ("the easement land") to be forever appurtenant to the dominant land:

- (a) the right to convey telephone and communications by means of or through wires, cables, concrete conduits, pipes, poles or any other means on, along, over, under or through the easement land together with the additional incidental rights thereto set out herein.
- (b) the additional rights incidental to the above rights are as follows:
  - (i) To use any line of pipes, wires, concrete conduits or any other materials already laid or any pipe, pipes, wires, cables, concrete conduits, poles or any other materials in replacement or in substitution for all or any of those pipes, wires, cables, concrete conduits or other materials.
  - (ii) Where no such line of pipes, wires, cables, concrete conduits or materials exists to lay place maintain such or to have laid placed and maintained such of a sufficient internal diameter or other dimension and of a suitable material for the purpose under or over the surface (as the parties decide). \*\*

In witness whereof these presents have been executed this 7<sup>th</sup> day of August 1997

Signed by the Transferor

by his attorney

Allan Duncan McLeum

(by the affixing of its common seal)

in the presence of:



GRAEME LESLIE McLELLAND  
SOLICITOR  
KERIKERI

# MEMORANDUM OF TRANSFER

Correct for the purposes of the Land Transfer Act 1952

John Miles WILSON

Transferor

SOLICITOR FOR THE TRANSFEREE

Shona RELLING

Transferee

I hereby certify that this transaction does not contravene the provisions of Part IIA of the Land Settlement Promotion and Land Acquisition Act 1952.

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

SOLICITOR FOR THE TRANSFEREE

Assistant / District Land Registrar of the

District of

~~I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.~~

~~SOLICITOR FOR THE TRANSFEREE~~



1119/524-524

1.01 10.NOV.97  
PARTICULARS ENTERED  
LAND REGISTRY OFFICE  
ASST LAND REGISTRY OFFICE

Paul's









KEY

① Viewpoints



|                                                      |                        |
|------------------------------------------------------|------------------------|
| 29/06/2026                                           |                        |
| Location Map                                         |                        |
| MTF Developers 2022 Ltd<br>40 Edmonds Road, Kerikeri |                        |
| Scale<br>as shown                                    | Drawn By<br>Cad Design |
| Drawing #<br>1.0                                     | Rev #<br>A             |

1. This drawing is the property of Hawthorn Landscape Architects Ltd and must not be used, copied or reproduced without prior written permission.
2. Contractors shall verify and be responsible for all dimensions on site.
3. Do not scale off this drawing.
4. Landscape Architect to be notified of any variations between on site dimensions and those shown on the plan. Hawthorn Landscape Architects accepts no liability for unauthorised changes to the details changes to the details shown in these drawings.
5. All construction work based on these plans is to comply with relevant local authority regulations and all NZ building codes and standards.





EXISTING EASEMENTS

| PURPOSE      | SHOWN  | SERVIENT TENEMENT | CREATED BY |
|--------------|--------|-------------------|------------|
| RIGHT OF WAY | (A)(B) | LOT 1 HEREON      | A431162    |

MEMORANDUM OF EASEMENTS

| PURPOSE                                        | SHOWN  | SERVIENT TENEMENT | DOMINANT TENEMENT |
|------------------------------------------------|--------|-------------------|-------------------|
| RIGHT OF WAY, TELECOMMUNICATIONS & ELECTRICITY | (A)(C) | LOT 1 HEREON      | LOT 2 HEREON      |

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD

AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Far North District Council

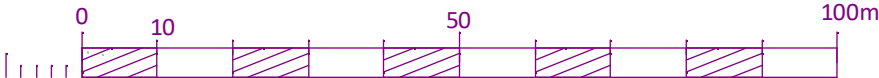
Comprised in: NA111A/525

Total Area: 1.3475ha

Zoning: Coastal Living

Resource features: NIL

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.



Bar Scale 1:1000 @ A3



315 Kerikeri Rd  
P.O. Box 372 Kerikeri  
Email: kerikeri@tsurvey.co.nz  
Ph: (09) 4077360  
www.tsurvey.co.nz

Registered Land Surveyors, Planners & Land Development Consultants

PROPOSED SUBDIVISION OF  
LOT 3 DP 180115

40 EDMONDS ROAD, KERIKERI

PREPARED FOR: MTF DEVELOPERS 2022 LTD

|                       | Name  | Date     | ORIGINAL |            |
|-----------------------|-------|----------|----------|------------|
| Survey                |       |          | SCALE    | SHEET SIZE |
| Design                |       |          |          |            |
| Drawn                 | KY    | 16.06.26 | 1:1000   | A3         |
| Approved              |       |          |          |            |
| Rev                   | SL/KY | 29.06.26 |          |            |
| 10356 Scheme 20260629 |       |          |          |            |

Surveyors  
Ref. No:

10356

Sheet 1 of 1





Photo 1 – View from the panhandle part of the property, looking north towards proposed Lot 2.



Photo 2 – View from existing driveway looking towards the building site on Lot 2 and the existing dwelling beyond on Lot 1.



Photo 3 – View looking east at the existing tiny home that is located upon the proposed building site on Lot 2. Showing the extent of the existing vegetation located around the building site, which screens it from view from surrounding properties.



Photo 4 – View looking west from the proposed building site on Lot 2, showing the existing Olive trees on Lot 2 DP 133968 that screens most of the neighbouring dwelling from view.







Photo 5 – View from the proposed building site on lot 2, looking south towards Edmonds Road.



Photo 6 – View from the proposed building site on Lot 2, looking east towards Windsor Landing, showing the trees that screen the building site from view.



Photo 7 – View from the proposed building site on Lot 2, looking north towards the existing dwelling on proposed Lot 1, showing the area of vegetation that separates the building sites.



Photo 8 – View from the existing driveway looking southeast at the proposed building site on Lot 2.







Viewpoint 1 – View looking southwest towards the application site from the jetty at Windsor Landing. The proposed building site on Lot 2 is located behind existing vegetation.



Viewpoint 2 – View looking north from Edmonds Road, showing the location of the proposed building site on Lot 2, behind existing vegetation, and a small part of the roof of the existing dwelling visible beyond foreground dwellings.







Existing Olive trees on neighbour property

Existing fence

Existing stone wall

Proposed Feijoa hedge

Future wastewater tank

Future house

Future grage

Driveway

Existing Olive trees on neighbour property

Future water tanks

Building envelope

Existing transportable tiny home on wheels

Existing trees around building envelope

Scale@ A3: 1:350

0 10 15 m

### Plant Schedule

| Code | Botanical Name | Schedule Size |
|------|----------------|---------------|
| Feij | Feijoa         | PB 5          |



**HAWTHORN**  
Landscape Architects

29/06/2026

Landscape Plan

MTF Developers 2022 Ltd  
40 Edmonds Road, Kerikeri

Scale  
as shown

Drawn By  
Cad Design

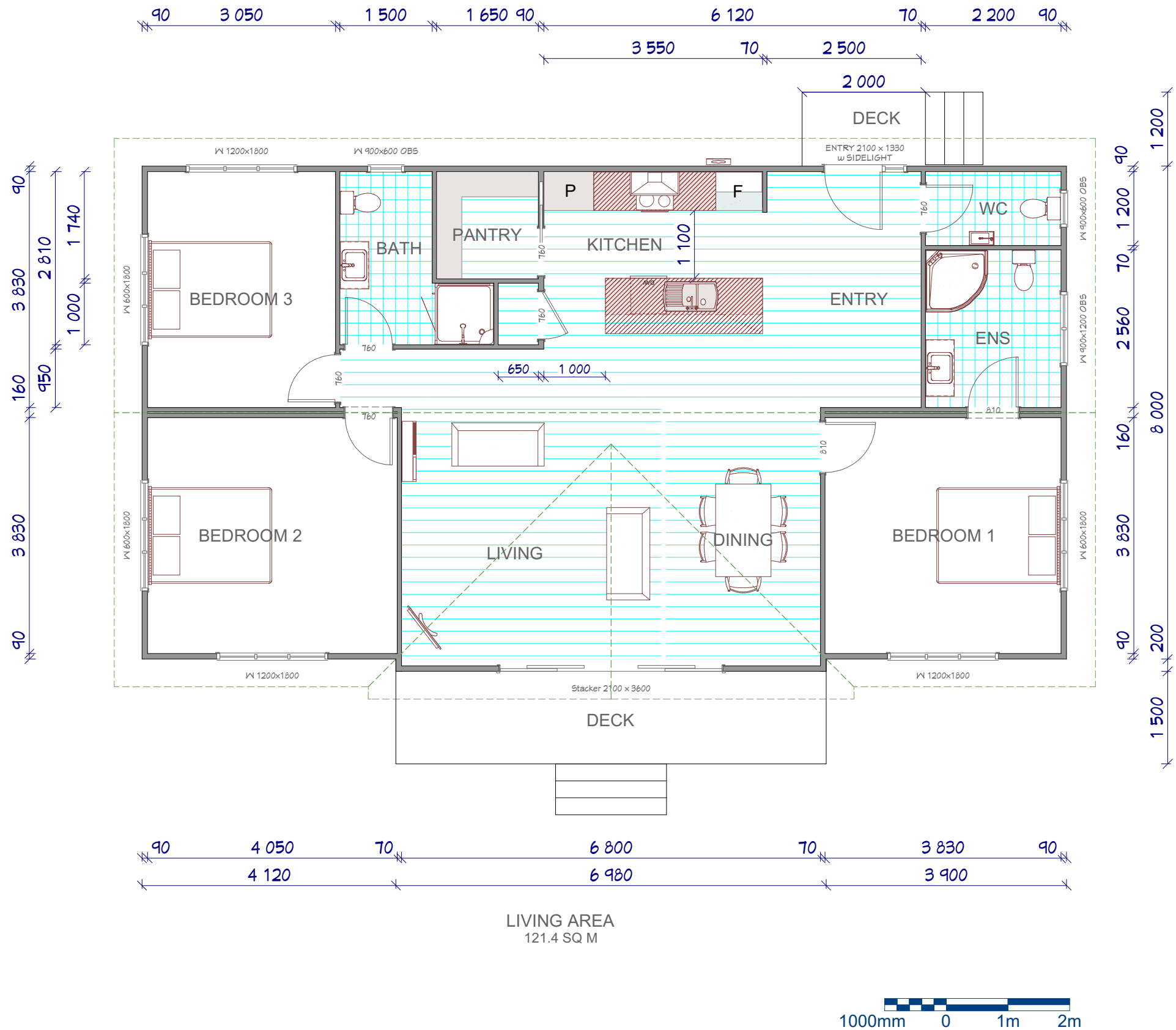
Drawing #  
2.0

Rev #  
A

1. This drawing is the property of Hawthorn Landscape Architects Ltd and must not be used, copied or reproduced without prior written permission. Contractors shall verify and be responsible for all dimensions on site.
2. Do not scale off this drawing.
3. Landscape Architect to be notified of any variations between on site dimensions and those shown on the plan. Hawthorn Landscape Architects accepts no liability for unauthorised changes to the details changes to the details shown in these drawings.
4. All construction work based on these plans is to comply with relevant local authority regulations and all NZ building codes and standards.



Roof Pitch 15 deg  
Stud height - 2.4m Flat Throughout



| REVISION: | BY  | DATE:       |
|-----------|-----|-------------|
| Drawn     | HCA | Jun 19 2026 |
| Rev       | HCA | Jun 24 2026 |
| Rev       | HCA | Jul 01 2026 |

Verify all dimensions on site before commencing work.  
Refer to figured dimensions. Refer any discrepancies to  
Advance manufacturing Ltd.

This document and the copy right in this document  
remain the property Advance manufacturing Ltd. The  
contents of this document may not be reproduced either  
in whole or in part by any other means whatsoever without  
the prior written consent of Advance manufacturing Ltd.

© 2026 Advance Manufacturing Ltd



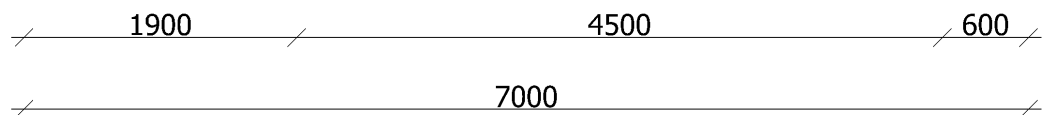
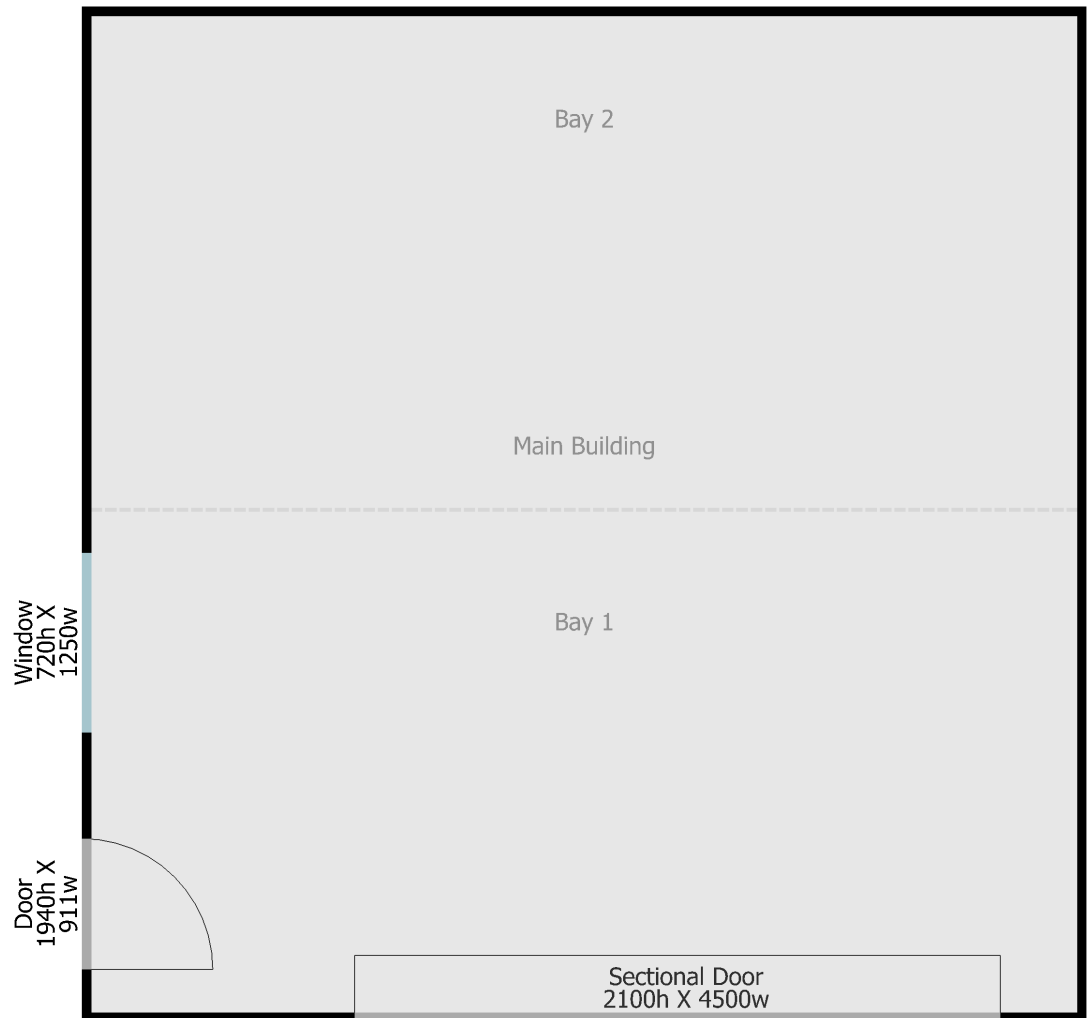
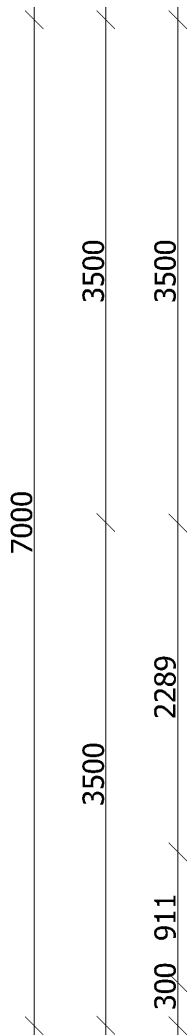
Proposed New Project for:  
Tom & Jutta Frei  
40 Edmonds Road,  
Kerikeri

SHEET TITLE:  
Floor Plan

SCALE: 1 : 75 (A3 Original)

PROJECT #: 000 PAGE: 02 REVISION: P01





\* All Dimensions in mm. Colours shown are examples only. For exact colour samples see your local Totalspan Bay of Islands/Hokianga representative.  
 'NOTE' Drawings are not construction issue. Shop drawings (For Construction) will be detailed prior to fabrication.

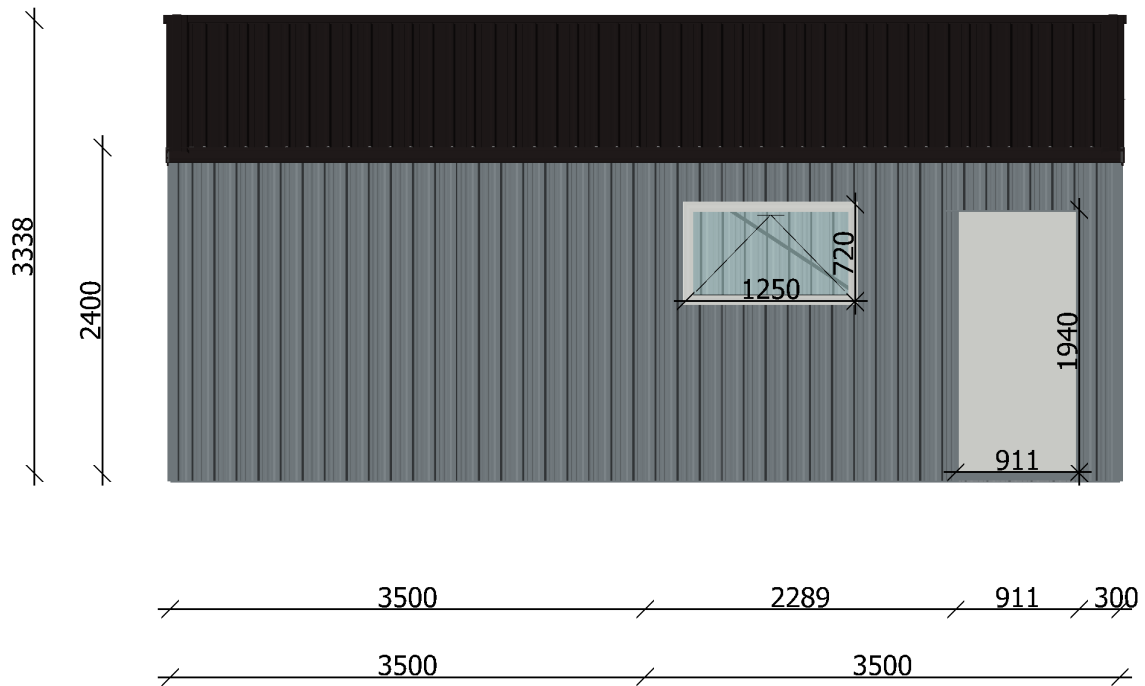
Big BOI Sheds Ltd.  
 1235 State Highway 10, , Kerikeri, 293, New Zealand  
 Phone: 94077875  
 Email: boi\_hokianga@totalspan.co.nz

For:  
 MTF Developers 2022 Ltd  
 Attn: Tom Frei  
 40 Edmonds Road  
 , Kerikeri

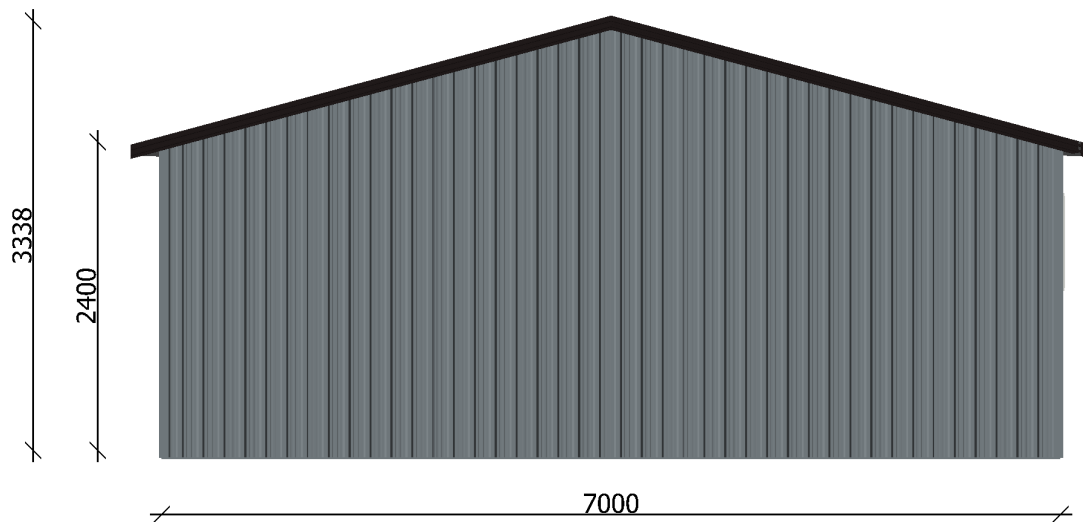
Gable Range  
 Project Number: DN.316  
 29 Jun 2026  
 Page 10 of 13



*Handwritten signature*



\* All Dimensions in mm. Colours shown are examples only. For exact colour samples see your local Totalspan Bay of Islands/Hokianga representative.



\* All Dimensions in mm. Colours shown are examples only. For exact colour samples see your local Totalspan Bay of Islands/Hokianga representative.  
 'NOTE' Drawings are not construction issue. Shop drawings (For Construction) will be detailed prior to fabrication.

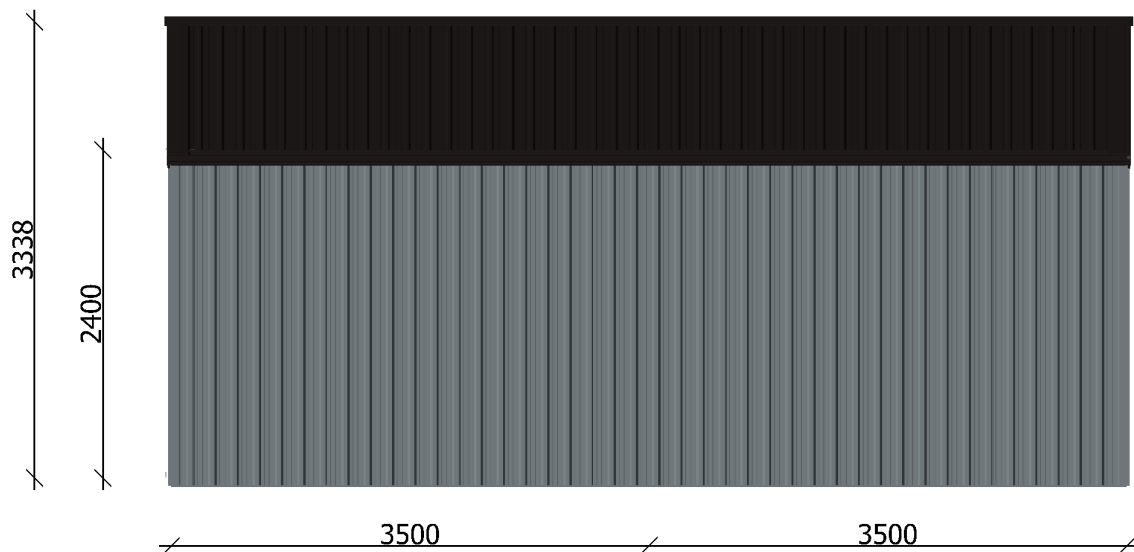
Big BOI Sheds Ltd.  
 1235 State Highway 10, , Kerikeri, 293, New Zealand  
 Phone: 94077875  
 Email: boi\_hokianga@totalspan.co.nz

For:  
 MTF Developers 2022 Ltd  
 Attn: Tom Frei  
 40 Edmonds Road  
 , Kerikeri

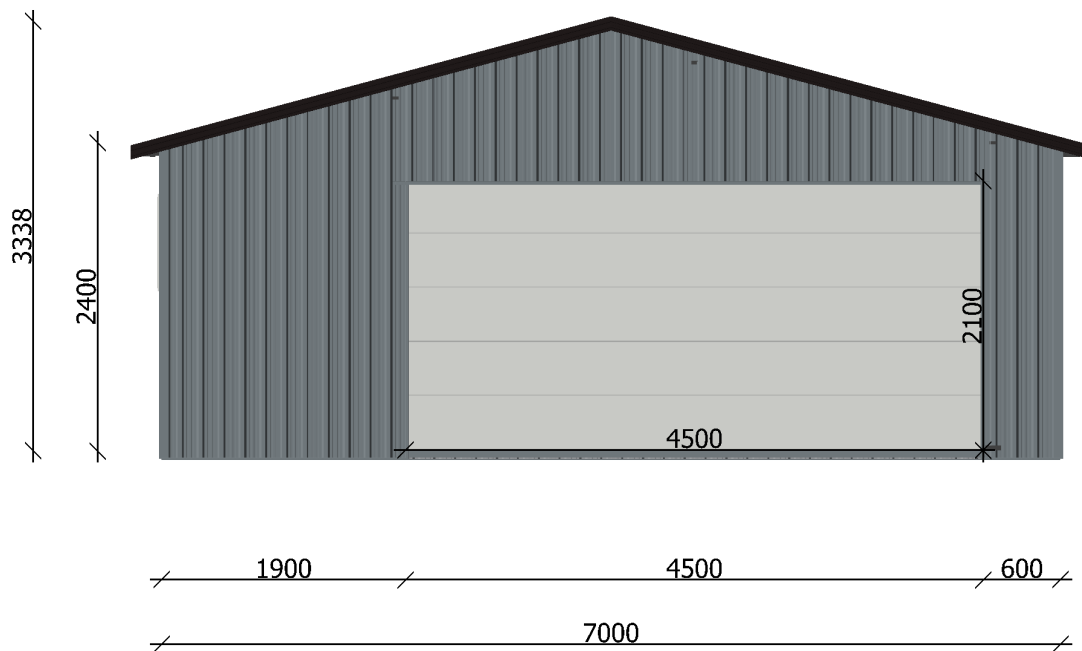
Gable Range  
 Project Number: DN.316  
 29 Jun 2026  
 Page 11 of 13



Fr



\* All Dimensions in mm. Colours shown are examples only. For exact colour samples see your local Totalspan Bay of Islands/Hokianga representative.



\* All Dimensions in mm. Colours shown are examples only. For exact colour samples see your local Totalspan Bay of Islands/Hokianga representative.  
 'NOTE' Drawings are not construction issue. Shop drawings (For Construction) will be detailed prior to fabrication.

Big BOI Sheds Ltd.  
 1235 State Highway 10, , Kerikeri, 293, New Zealand  
 Phone: 94077875  
 Email: boi\_hokianga@totalspan.co.nz

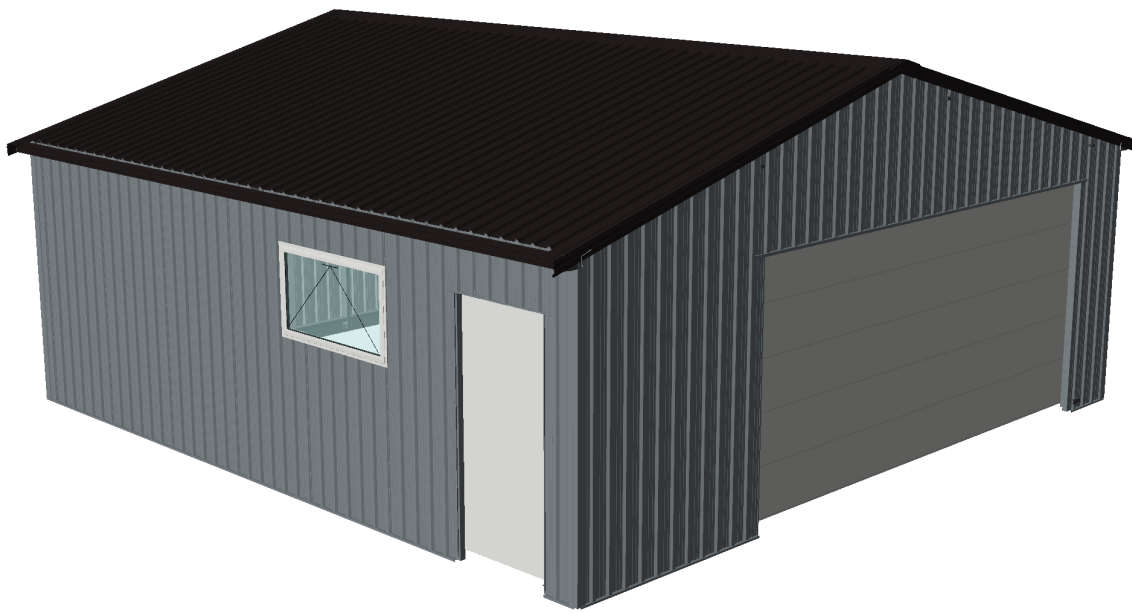
For:  
 MTF Developers 2022 Ltd  
 Attn: Tom Frei  
 40 Edmonds Road  
 , Kerikeri

Gable Range  
 Project Number: DN.316  
 29 Jun 2026  
 Page 12 of 13

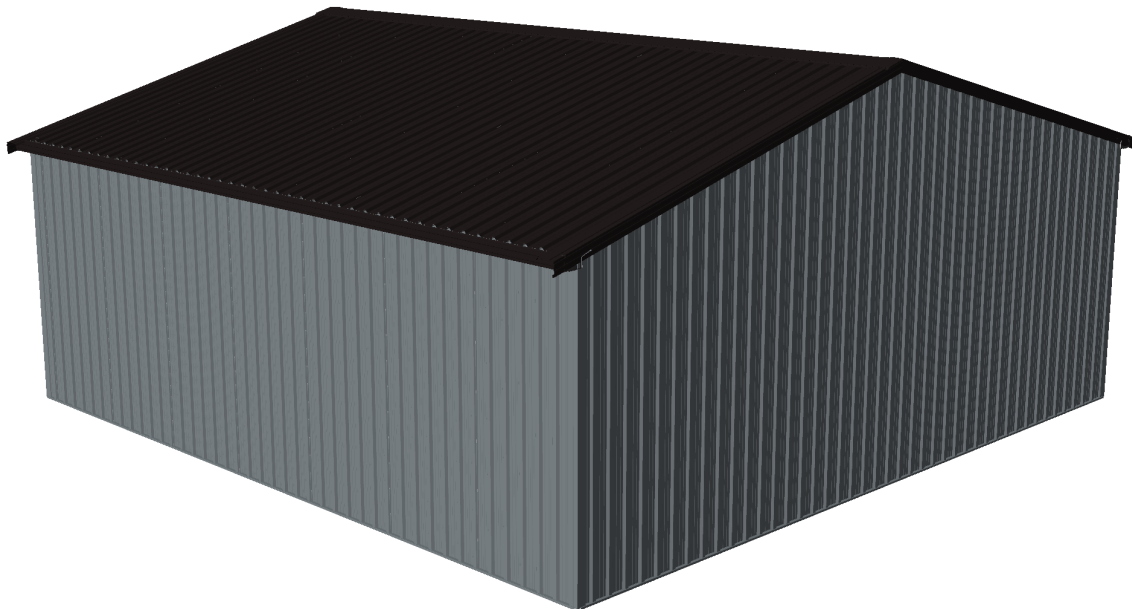


*Handwritten signature*





\* All Dimensions in mm. Colours shown are examples only. For exact colour samples see your local Totalspan Bay of Islands/Hokianga representative.



\* All Dimensions in mm. Colours shown are examples only. For exact colour samples see your local Totalspan Bay of Islands/Hokianga representative.  
 'NOTE' Drawings are not construction issue. Shop drawings (For Construction) will be detailed prior to fabrication.

Big BOI Sheds Ltd.  
 1235 State Highway 10, , Kerikeri, 293, New Zealand  
 Phone: 94077875  
 Email: boi\_hokianga@totalspan.co.nz

For:  
 MTF Developers 2022 Ltd  
 Attn: Tom Frei  
 40 Edmonds Road  
 , Kerikeri

Gable Range  
 Project Number: DN.316  
 29 Jun 2026  
 Page 13 of 13



Fr

Wastewater and Stormwater Assessment for  
Proposed Subdivision  
40 Edmonds Road, Kerikeri, Lot 3 DP 180115  
for  
MTF Developers 2022 Limited

*Supporting report for RC Applications to Far North District Council*

*Haigh Workman reference 26 115*

30 June 2026



## Revision History

| Revision N <sup>o</sup> | Issued By   | Description          | Date         |
|-------------------------|-------------|----------------------|--------------|
| A                       | Josh Cuming | For Resource Consent | 30 June 2026 |
|                         |             |                      |              |
|                         |             |                      |              |
|                         |             |                      |              |
|                         |             |                      |              |

Prepared by

  
**Josh Cuming**  
Environmental Geologist  
BSc (Env. Stu., Geol.), CEnvP

Approved by

  
**John Papesch**  
Senior Civil Engineer  
BE (Civil)  
CPEng, CMEngNZ



## TABLE OF CONTENTS

|                                                         |           |
|---------------------------------------------------------|-----------|
| Revision History .....                                  | i         |
| <b>Executive Summary .....</b>                          | <b>1</b>  |
| <b>1 Introduction .....</b>                             | <b>3</b>  |
| 1.1 Project Brief and Scope .....                       | 3         |
| 1.2 Limitations .....                                   | 3         |
| <b>2 Site Description and Proposed Development.....</b> | <b>4</b>  |
| 2.1 Site Identification .....                           | 4         |
| 2.2 Site Description .....                              | 4         |
| 2.3 Proposed Subdivision .....                          | 4         |
| <b>3 Environmental Setting .....</b>                    | <b>6</b>  |
| 3.1 Published Geology .....                             | 6         |
| <b>4 Site Investigations .....</b>                      | <b>8</b>  |
| 4.1 Site Walkover and Investigation .....               | 8         |
| <b>5 Stormwater Management.....</b>                     | <b>9</b>  |
| 5.1 Existing Site Drainage .....                        | 9         |
| 5.2 Regulatory Framework.....                           | 11        |
| 5.3 Impermeable Surfaces .....                          | 14        |
| 5.4 Proposed Stormwater Management .....                | 14        |
| 5.5 Assessment Criteria .....                           | 15        |
| <b>6 On-site Effluent Disposal.....</b>                 | <b>20</b> |
| 6.1 Regulatory Framework.....                           | 20        |
| 6.2 Lot 1 Wastewater Assessment.....                    | 21        |
| 6.3 Lot 2 Wastewater Assessment.....                    | 22        |
| <b>Appendix A – Drawings .....</b>                      | <b>24</b> |
| <b>Appendix B – Borehole Logs .....</b>                 | <b>25</b> |

## Executive Summary

Haigh Workman Limited was commissioned by MTF Developers 2022 Limited to undertake a wastewater and stormwater assessment of land at 40 Edmonds Road, Kerikeri, legally described as Lot 3 DP 180115, to support a proposed two-lot subdivision.

The site has a total area of approximately 13,475 m<sup>2</sup> and is zoned Coastal Living under the Operative District Plan and Rural Living with a Coastal Overlay under the Proposed District Plan. The proposed subdivision will create two lots, with Lot 1 retaining the existing dwelling and Lot 2 being developed for residential use. The subdivision is understood to be a discretionary activity under the Operative District Plan and a non-complying activity under the Proposed District Plan due to lot size.

### Site Conditions and Investigations

The site is irregular in shape with a panhandle access and slopes ranging from flat to very steep. It is underlain by basaltic geology of the Kerikeri Volcanic Group, with soils comprising silty topsoil overlying clayey silt, underlain by shallow rock.

A site walkover and intrusive investigation were undertaken, including the excavation of a trial pit. The soils were found to be shallow over fractured rock, with generally free-draining characteristics.

### Stormwater Management

Existing stormwater runoff generally occurs as sheet flow down the sloping portions of the site toward a central gully, ultimately discharging via a legal road reserve to the coastal marine zone. Roof runoff from the existing dwelling is currently collected in tanks, with overflows discharged downslope.

The proposed subdivision itself does not significantly alter impervious surface coverage; however, future residential development on Lot 2 is expected to introduce typical residential-scale impervious areas. Stormwater management will be achieved through collection in water tanks with overflow discharge dispersed at the top of slopes or conveyed to the lower portions of the site.

Given the site's proximity to the coastal marine zone and its location at the lower end of a small catchment, stormwater attenuation is not proposed. Discharges will be managed in a manner that avoids scour and maintains pre-development flow characteristics where practicable, generally in accordance with FNDC Engineering Standards.

### Wastewater Disposal

Both proposed lots have been assessed as being capable of accommodating on-site wastewater treatment and disposal systems, including the required 100% reserve disposal areas, in accordance with the Regional Plan for Northland and AS/NZS 1547. Soils were assessed for wastewater purposes as AS/NZS1547:2012 Category 1: gravels and sands.

Lot 1 contains an existing wastewater treatment system serving the dwelling, which was observed to be functioning effectively. Provision exists within the lot for a compliant reserve disposal area should future replacement or upgrades be required.

For Lot 2, wastewater generation has been conservatively assessed based on a four-bedroom dwelling with a design flow of approximately 870 L/day. A secondary treatment system discharging to a pressure-compensating drip irrigation field is recommended, with an estimated disposal area of approximately 290 m<sup>2</sup> per lot, plus an equivalent reserve area.

Despite constraints including shallow soils, fractured rock, and proximity to the coast, the potential effects are considered low. These risks are mitigated through secondary treatment, conservative loading rates, appropriate separation distances, and suitable site layout.



# 1 Introduction

## 1.1 Project Brief and Scope

Haigh Workman Limited (Haigh Workman) was commissioned by MTF Developers 2022 Limited (the client) to undertake a wastewater and stormwater assessment of land at 40 Edmonds Road, Kerikeri (Lot 3 DP 180115) (the site), for a proposed subdivision.

The scope of the report is an engineering assessment of the stormwater management and wastewater disposal for the purposes of subdivision.

A proposed subdivision plan prepared by Country Town and Coastal Limited; ref. 5303 dated October 2007 was made available at the time of writing this report.

The site is zoned Coastal living in the operative district plan and rural living with a coastal overlay in the proposed district plan.

## 1.2 Limitations

This report has been prepared for our Client, MTF Developers 2022 Limited, with respect to the brief outlined to us. This report is to be used by our Client and Consultants and may be relied upon by the Far North District Council (FNDC) when considering the application for the proposed subdivision and development. The information and opinions contained within this report shall not be used in any other context for any other purpose without prior review and agreement by Haigh Workman Ltd.

It has been assumed in the production of this report that the site is to be subdivided and subsequently developed at the potential house sites identified. At the time of writing there was no information available for proposed future developments following subdivision. If any of these assumptions are incorrect, then amendments to the recommendations made in this report may be required.

The comments and opinions presented in this report are based on the findings of the desk study and ground conditions encountered during an intrusive site visit performed by Haigh Workman. There may be other conditions prevailing on the site which have not been revealed by this investigation, and which have not been taken into account by this report. Responsibility cannot be accepted for any conditions not revealed by this investigation. Any diagram or opinion on the possible configuration of strata or other spatially variable features between or beyond investigation positions is conjectural and given for guidance only.

## 2 Site Description and Proposed Development

### 2.1 Site Identification

**Site Address:** 40 Edmonds Road, Kerikeri

**Legal Description:** Lot 3 DP 180115

**Area:** 13,475 m<sup>2</sup>

**Operative District Plan Zone:** Coastal living

**Proposed District Plan Zone:** Rural living with coastal overlay

### 2.2 Site Description

The site is legally described as Lot 3 DP 180115 with a total land area of 13,475 m<sup>2</sup> and is irregular in shape with a panhandle providing access to Edmonds Road, slopes range from flat through to very steep. It is located approximately 6.5km northeast of the centre of Kerikeri, the surrounding properties are rural residential. The site contains an existing dwelling.



Figure 1 - Site location

### 2.3 Proposed Subdivision

A copy of the scheme plan is appended. Proposed lots are described in Table 1.

**Table 1 - Proposed Lots**

| Lots  | Proposed Area (m <sup>2</sup> ) | End-use           |
|-------|---------------------------------|-------------------|
| Lot 1 | 8431                            | Rural residential |
| Lot 2 | 5020                            | Rural residential |

The proposed subdivision will create two lots. Proposed Lot 1 will contain the existing dwelling. Lot 2 has been assessed for residential development.

We understand that the proposed subdivision will be a Discretionary activity under the Operative District Plan due to lot size and a non-complying activity under the Proposed District Plan due to lot sizing.



### 3 Environmental Setting

#### 3.1 Published Geology

Sources of Information:

- NZMS Sheet 290 P04/05, 1:100,000 scale map, Edition 1, 1980: 'Whangaroa - Kaikohe' (Soils)
- GNS Sciences 1:250,000 scale map

##### 3.1.1 Bedrock Geology

The geology underlying the site is mapped as early Pleistocene - late Pleistocene basalt lava and volcanic plugs of the Kerikeri Volcanic Group. Refer Figure 2 extract below.

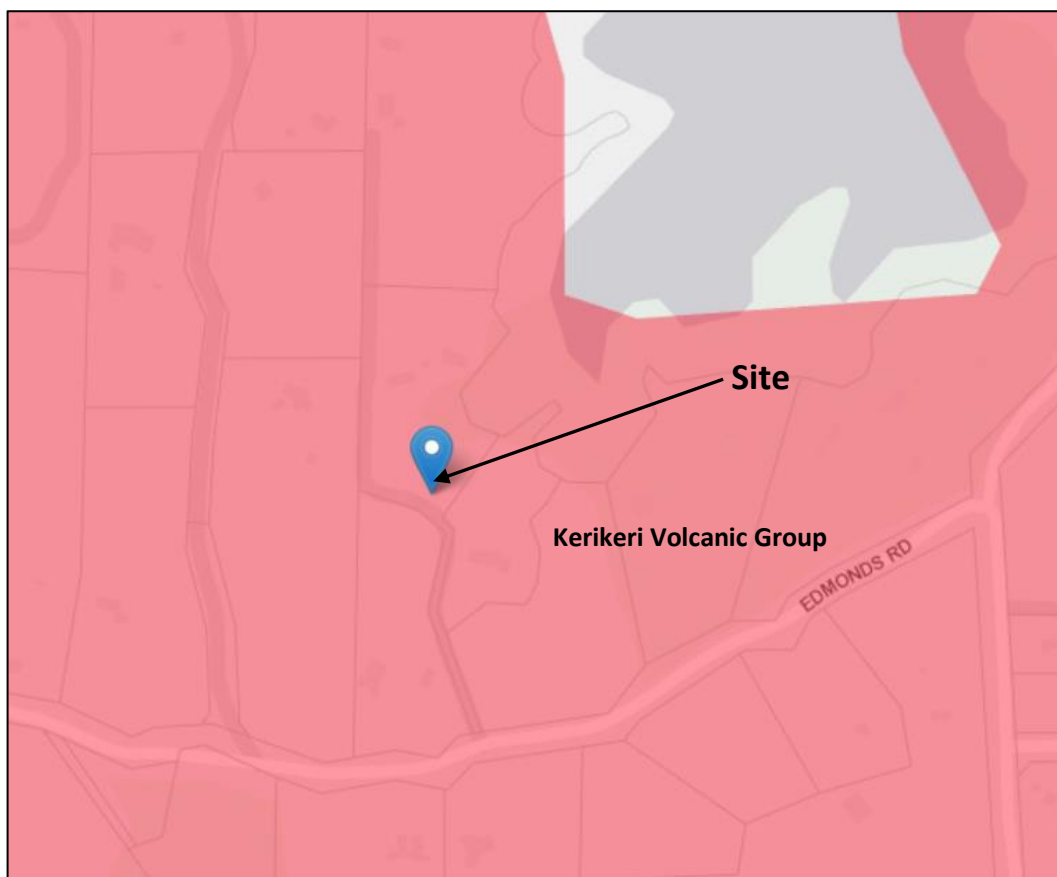


Figure 2 - Extract GNS Science

##### 3.1.2 Weathered Geology (Soils)

Soils on site are of the rolling and hill land, Ohaeawai shallow bouldery silt loam typically described as '*well to moderately well drained*'. Refer Figure 3 extract below.

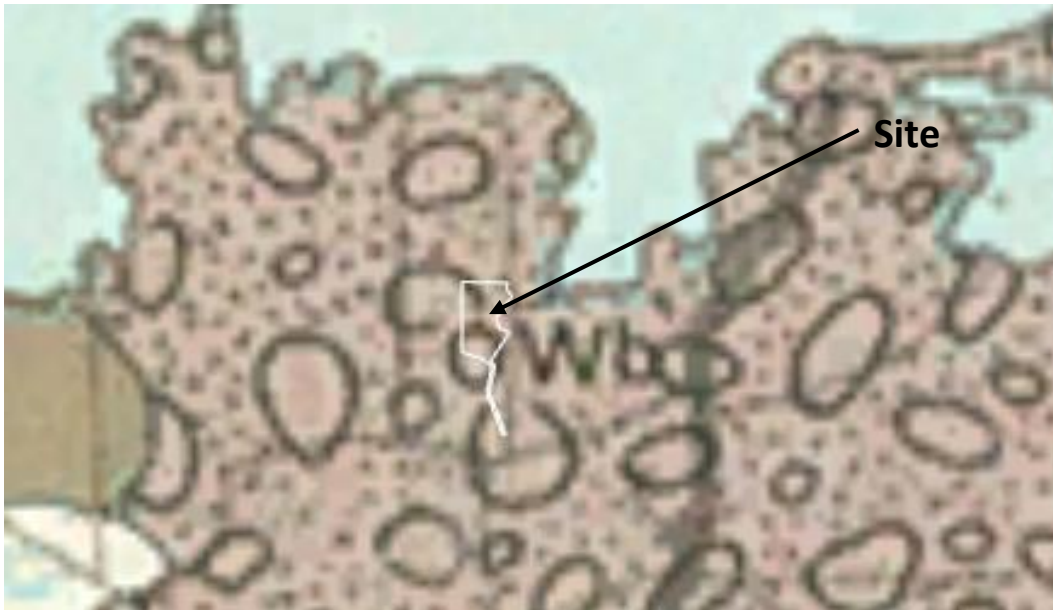


Figure 3 - Extract NZMS 290 Sheet N04/05 Soil Map

## **4 Site Investigations**

### **4.1 Site Walkover and Investigation**

A walkover was conducted by Haigh Workman on 17 June 2026. During the site walkover, stormwater flow paths and outlets from roof tanks were observed.

One trial pit was advanced with a spade to assess the potential for wastewater disposal, logs are included in Appendix B. Soils encountered were a silty topsoil up to 300mm thick underlain by clayey silt. The trial pit refused on rock / boulders at 350mm.



## 5 Stormwater Management

### 5.1 Existing Site Drainage

Surface water that is not absorbed by the soils is expected to run off as sheet flow down the slopes in the north and east of the site. A gully and flow path is present approximately in the in centre of the site east then northeast. Surface water flows offsite into the Legal Road strip then into the coastal marine zone.

Overflows from the roof collection tanks onsite discharge shortly after exiting the tanks at the top of the hill. No scour was observed downslope due to the slopes having rock at the surface.

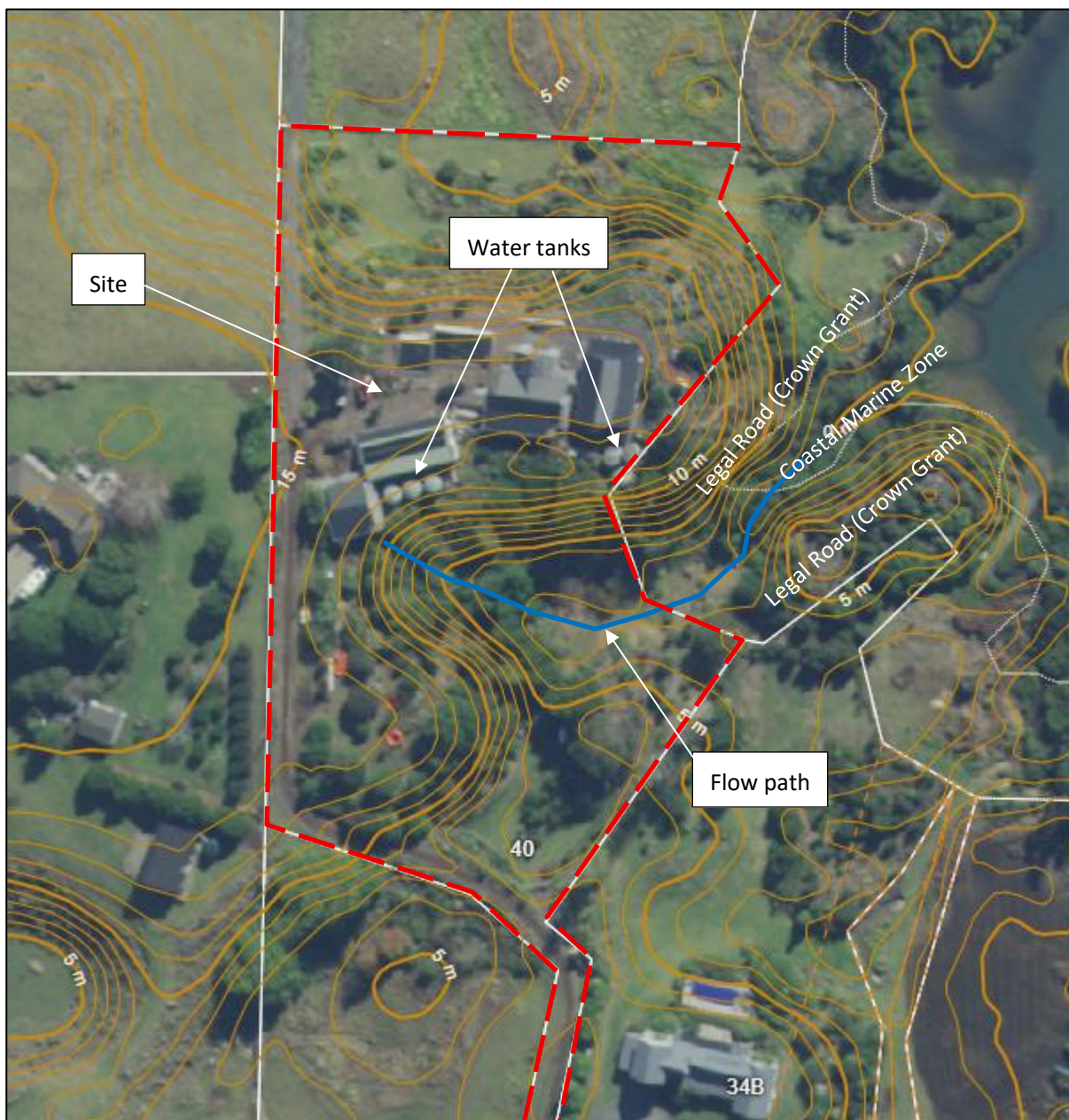






Figure 4 - Outlet from eastern tanks



Figure 5 - Outlet from western tanks





Figure 6 - Flow path at bottom of hill.

## 5.2 Regulatory Framework

### 5.2.1 Far North District Plan Provisions

The site is zoned Coastal living in the operative district plan and rural lifestyle with a coastal overlay in the proposed district plan.

### 5.2.2 Operative District Plan

The relevant permitted activity rule for stormwater in the Coastal living zone is as follows:

#### **10.6.5.1.6 STORMWATER MANAGEMENT**

*The maximum proportion or amount of the gross site area which may be covered by buildings and other impermeable surfaces shall be 10% or 600m<sup>2</sup> whichever is the lesser.*

The controlled activity rule for stormwater is as follows:

#### **10.6.5.2.3 STORMWATER MANAGEMENT**

The maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 15% or 4,000m<sup>2</sup>, whichever is the lesser

For a non-complying activity Rule 10.6.5.5 states:

The Council may impose conditions of consent on a non-complying activity or it may refuse consent to the application. When considering a non-complying activity application, the Council will have regard to the assessment criteria set out under Chapter 11.



Subdivision Rule relating to stormwater disposal is 13.7.3.4. The pertinent sections relating to this site are:

**13.7.3.4 STORMWATER DISPOSAL**

(a) All allotments shall be provided, within their net area, with a means for the disposal of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces, in such a way so as to avoid or mitigate any adverse effects of stormwater runoff on receiving environments, including downstream properties. This shall be done for a rainfall event with a 10% Annual Exceedance Probability (AEP).

(d) All subdivision applications creating sites 2ha or less shall include a detailed report from a Chartered Professional Engineer or other suitably qualified person addressing stormwater disposal.

(d) Where flow rate control is required to protect downstream properties and/or the receiving environment then the stormwater disposal system shall be designed in accordance with the onsite control practices as contained in "Technical Publication 10, Stormwater Management Devices – Design Guidelines Manual" Auckland Regional Council (2003).

### 5.2.3 Proposed District Plan

The relevant permitted activity rule for stormwater in the rural lifestyle zone is as follows:

**RLZ-R2 – Impermeable surface coverage**

*The impermeable surface coverage of any site is no more than 12.5% or 2,500m<sup>2</sup>, which ever is lesser.*

Subdivision Rule relating to stormwater disposal is SUB-S4. The pertinent sections relating to this site are:

**SUB-S4 – Stormwater management**

1. All allotments shall be provided, within their site area, with a means for the disposal of collected stormwater from the roof of all potential or existing buildings and from all impermeable surfaces, in such a way so as to avoid or mitigate any adverse effects of stormwater runoff on receiving environments, including downstream properties.
3. The primary stormwater system is capable of conveying 10% AEP design storm events without surcharge;
4. The secondary stormwater system is capable of conveying the 1% AEP storm event within a defined path and without causing undue risk or damage to persons or property;
5. The stormwater system will not connect or be able to overflow to the wastewater network.
6. The primary, secondary and attenuation systems are designed to accommodate an additional 20% for climate change.
7. The stormwater system is designed and constructed for an asset life of at least 50 years.

The proposed subdivision complies with rule SUB-S4.

### 5.2.4 Regional Plan Provisions

Proposed Rule C.6.4.2 provides for the diversion and discharge of stormwater from outside a public stormwater network provided (amongst other conditions); the diversion and discharge does not cause or increase flooding of land on another property in a storm event of up to and including a 10% Annual Exceedance Probability (AEP) or flooding of buildings on another property in a storm event of up to and including a 1% AEP.

## 5.2.5 Council Engineering Standards 2023

The FNDC Engineering Standards have recently been updated, and Council is encouraging their use. The pertinent sections relating to stormwater management are:

### Chapter 4: Stormwater and Drainage

#### 4.1.3 Performance Standards

e. The primary stormwater system shall be capable of conveying 10% AEP design storm events without surcharge (see Section 4.3.9 Hydrological Design Criteria).

#### 4.1.6. Managing Effects of Land Use on Receiving Environments

Hydrological balance can be partly maintained by limiting the maximum rate of discharge and peak flood levels for post-development to that at pre-development levels and enabling infiltration to minimise impacts on base flow and ground water recharge.

Peak flow management can be achieved using detention storage, utilising extended duration, for the duration of a limited peak flow event. Therefore, in the absence of more detailed assessment of stream stability, the discharges from detention devices into a stormwater network shall be constrained to 80% of pre-development peak flow rate. These constraints may be relaxed, subject to detailed assessments and hydrological/hydraulic modelling of the catchment being provided.

#### 4.2.1. Discharge into a Stream or Watercourse

All new and existing discharges to an existing FNDC owned and / or maintained watercourse(s) located within approximately 500m require specific approval from the Stormwater Manager before proceeding with design details and, if approved, FNDC shall apply appropriate conditions to the discharge.

#### 4.3.8. System Design

##### Table 4-1: Minimum Design Summary

Current rainfall (i.e. not climate change adjusted) shall be used for the following:

- Determining pre-development stormwater runoff flows and volumes for use in combination with calculated post development flows to determine stormwater treatment (quantity and quality) requirements.

Climate change adjusted rainfall shall be used for the following:

- Determining post-development stormwater runoff flows and volumes for stormwater infrastructure design.

Flood Control (1% AEP event). Detention required, limiting the post-development 1% AEP event flow rates to 80% of the pre-development 1% AEP event flow rates.

Flow attenuation (Attenuation of the 50% and 20% AEP events). Limit the post-development 50% and 20% AEP event flow rates to 80% of the pre-development flows through controlled attenuation and release. Typically, always required in the upper catchment and sometimes not required where development site is located in proximity to the catchment outlet, discharging to a watercourse with sufficient network capacity, and where flow attenuation may worsen flooding hazards due to relative timing of peak flows. This is subject to assessment demonstrating no negative impacts would occur. If the proposed stormwater discharge is into a tidal zone, then no attenuation is required.

## 5.3 Impermeable Surfaces

The proposed subdivision provides for but does not include residential development.

Typical impermeable surfaces once the lots are developed are estimated below.

**Table 2 - Estimated Impermeable Surfaces**

| Proposed Lot | Area (m <sup>2</sup> ) | Existing Yarding / Driveway Area (m <sup>2</sup> ) | Future driveway (m <sup>2</sup> ) | Existing Roof / Pool Area (m <sup>2</sup> ) | Future Roof Area (m <sup>2</sup> ) | Total Impermeable Surface Area (m <sup>2</sup> ) | Coverage |
|--------------|------------------------|----------------------------------------------------|-----------------------------------|---------------------------------------------|------------------------------------|--------------------------------------------------|----------|
| 1            | 8431                   | 1581                                               | 0                                 | 930                                         | 0                                  | 2511                                             | 29.7%    |
| 2            | 5020                   | 0                                                  | 250                               | 0                                           | 450                                | 700                                              | 13.9%    |

The impermeable surfaces for the proposed subdivision are a non-complying activity for proposed lot 1 and a controlled activity for proposed lot 2 under the operative district plan. The impermeable surfaces are a restricted discretionary activity under the proposed district plan.

## 5.4 Proposed Stormwater Management

Stormwater management within the proposed subdivision is designed to control stormwater flows to reduce scour and ensure compliance with District and Regional Plan rules.

- Tank overflow from lot 1 can be dispersed with a level spreader at the top of the slope on lot 1. As the slope is rocky this dispersed flow will not cause scour.
- Easements may also be formed over proposed lot 2 in favour of lot 1 to convey piped stormwater to the bottom of the slope on lot 2. Easements may be provided for the discharge from both the eastern and western tanks.
- Tank overflow from roof runoff of future buildings on proposed lot 2 can be dispersed with a level spreader at the top of the slope or piped to the bottom of the slope.
- As the site drains to the Legal Road then into the coastal marine zone attenuation is not proposed.

The peak roof runoff was calculated using Verification Method E1 Surface Water Rational Method for the 10% AEP event. Current rainfall was based on HIRDS. The existing roof area on lot 1 is 901m<sup>2</sup>. Rainfall for the 10% AEP event is 100.8 mm/hour.

| Component           | Area (m <sup>2</sup> ) | C    | I <sub>10</sub> (mm/hr) | Q (L/s) |
|---------------------|------------------------|------|-------------------------|---------|
| Existing roof areas | 901                    | 0.96 | 100.8                   | 24.22   |

Based on the above the combined width of the level spreaders from the eastern and western tank overflows should be 12.1m allowing 2 l/s/m to be discharged.

Residential development is not expected to result in contaminated stormwater runoff. By discharging concentrated flows to ground in a dispersive manner and making use of existing drains and flow paths, stormwater contamination can be avoided.



## 5.5 Assessment Criteria

### 5.5.1 Operative District Plan

Rule 13.11, Council will use the assessment criteria in 13.10 as a guide when assessing non-complying subdivision activities in conjunction with the matters set out in Sections 104, 104B, 104D and 106 of the Act.

The relevant stormwater criteria are given under Rule 13.10.4

**Table 3 – Operative District Plan Section 13.10.4 Stormwater Disposal Assessment Criteria**

| Assessment Matter                                                                                                                                                                                                                                                               | Comments                                                                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) Whether the application complies with any regional rules relating to any water or discharge permits required under the Act, and with any resource consent issued to the District Council in relation to any urban drainage area stormwater management plan or similar plan. | Not applicable site is rural                                                                                                                                                                            |
| (b) Whether the application complies with the provisions of the Council's "Engineering Standards and Guidelines" (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004).                                                                                    | Complies                                                                                                                                                                                                |
| (c) Whether the application complies with the Far North District Council Strategic Plan - Drainage.                                                                                                                                                                             | Local drainage or catchment management plan not available.                                                                                                                                              |
| (d) The degree to which Low Impact Design principles have been used to reduce site impermeability and to retain natural permeable areas.                                                                                                                                        | Stormwater runoff will be piped to the bottom of the slope and disposed of in a dispersive manner.                                                                                                      |
| (e) The adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces.                                                                                                              | Roof runoff is/ will be collected in tanks for water supply and firefighting. Overflow will be piped to the bottom of the hill into the existing flowpath that discharges into the coastal marine zone. |
| (f) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas, and of siltation.                                                                                              | Residential development is not expected to generate contaminants.                                                                                                                                       |
| (g) The practicality of retaining open natural waterway systems for stormwater disposal in preference to piped or canal systems and adverse effects on existing waterways.                                                                                                      | Due to the slopes onsite, piping stormwater to the bottom of the hill is required.                                                                                                                      |
| (h) Whether there is sufficient capacity available in the Council's outfall stormwater system to cater for increased runoff from the proposed allotments.                                                                                                                       | Not applicable site is rural                                                                                                                                                                            |

|                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| (i) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.                                                                                                                                                                                                             | Not Applicable.                                                                                                                         |
| (j) The necessity to provide on-site retention basins to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before the subdivision takes place. | Not Applicable. The site is adjacent to the coastal marine zone and retention basins are not considered to be required.                 |
| (k) Any adverse effects of the proposed subdivision on drainage to, or from, adjoining properties and mitigation measures proposed to control any adverse effects.                                                                                                                                                                                         | None. Both lots will discharge to the coastal marine zone.                                                                              |
| (l) In accordance with sustainable management practices, the importance of disposing of stormwater by way of gravity pipelines. However, where topography dictates that this is not possible, the adequacy of proposed pumping stations put forward as a satisfactory alternative.                                                                         | Not applicable. All drainage will be by gravity.                                                                                        |
| (m) The extent to which it is proposed to fill contrary to the natural fall of the country to obtain gravity outfall; the practicality of obtaining easements through adjoining owners' land to other outfall systems; and whether filling or pumping may constitute a satisfactory alternative.                                                           | Not applicable                                                                                                                          |
| (n) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.              | An easement to convey water over lot 2 in favour of lot 1 will be required to convey tank overflow to the bottom of the slope on lot 2. |
| (o) Where an easement is defined as a line, being the centre line of a pipe already laid, the effect of any alteration of its size and the need to create a new easement.                                                                                                                                                                                  | The proposed easements should not be defined as a line.                                                                                 |
| (p) For any stormwater outfall pipeline through a reserve, the prior consent of the Council, and the need for an appropriate easement.                                                                                                                                                                                                                     | Not applicable                                                                                                                          |
| (q) The need for and extent of any financial contributions to achieve the above matters.                                                                                                                                                                                                                                                                   | Not applicable                                                                                                                          |
| (r) The need for a local purpose reserve to be set aside and vested in the Council as a site for any public utility required to be provided.                                                                                                                                                                                                               | Not applicable                                                                                                                          |

**Table 4 - Operative District Plan Chapter 11 Subdivision Assessment Criteria**

| Assessment Matter                                                                                                                                                                                                                       | Comments                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) The extent to which building site coverage and impermeable surfaces result in increased stormwater runoff and contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment. | The catchment that these lots are within is small. The lots are adjacent to the coastal marine zone. Any increase in stormwater runoff will have no significant adverse effects anticipated given small catchment and short flow path. |
| (b) The extent to which Low Impact Design principles have been used to reduce site impermeability.                                                                                                                                      | Stormwater runoff will be piped to the bottom of the slope and disposed of in a dispersive manner.                                                                                                                                     |
| (c) Any cumulative effects on total catchment impermeability.                                                                                                                                                                           | Any increase in stormwater runoff will have no significant adverse effects anticipated given small catchment and short flow path.                                                                                                      |
| (d) The extent to which building site coverage and impermeable surfaces will alter the natural contour or drainage patterns of the site or disturb the ground and alter its ability to absorb water.                                    | Existing drainage patterns and contours will largely be maintained.                                                                                                                                                                    |
| (e) The physical qualities of the soil type.                                                                                                                                                                                            | Well-draining                                                                                                                                                                                                                          |
| (f) Any adverse effects on the life supporting capacity of soils.                                                                                                                                                                       | None                                                                                                                                                                                                                                   |
| (g) The availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites.         | Both lots have ample suitable area available for the disposal of effluent compliant with Regional Council rules.                                                                                                                       |
| (h) The extent to which paved, impermeable surfaces are necessary for the proposed activity.                                                                                                                                            | Impermeable surfaces are necessary for access and vehicle parking                                                                                                                                                                      |
| (i) The extent to which landscaping may reduce adverse effects of run-off.                                                                                                                                                              | The biggest contributor to reducing run off will be the naturally well-draining soils.                                                                                                                                                 |
| (j) Any recognised standards promulgated by industry groups.                                                                                                                                                                            | Stormwater disposal in a dispersive manner is a recognised Low Impact Design principle.                                                                                                                                                |
| (k) The means and effectiveness of mitigating stormwater run-off to that expected by the permitted activity threshold.                                                                                                                  | Stormwater disposal in a dispersive manner is proposed. The site is located in the lower part of the catchment in a landscape that is notable for its lack of watercourses . As a consequence, stormwater attenuation is not proposed. |



|                                                                                                                              |                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| (l) The extent to which the proposal has considered and provided for climate change.                                         | Stormwater proposals included a review of flood hazard mapping which includes a provision for climate change                                      |
| (m) The extent to which stormwater detention ponds and other engineering solutions are used to mitigate any adverse effects. | Stormwater detention ponds are not proposed. Stormwater will be disposed in a dispersive manner where it will drain into the coastal marine zone. |

## 5.5.2 Proposed District Plan

**Table 5 - RLZ-R2 Matters of Discretion**

| Stormwater Disposal Assessment Criteria                                                                                                                                                                               | Comment                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) the extent to which landscaping or vegetation may reduce adverse effects of run-off;                                                                                                                              | The biggest contributor to reducing run off will be the naturally well-draining soils.                                                                                                                                                 |
| (b) the effectiveness of the proposed method for controlling stormwater on site;                                                                                                                                      | Stormwater disposal in a dispersive manner is proposed. The site is located in the lower part of the catchment in a landscape that is notable for its lack of watercourses . As a consequence, stormwater attenuation is not proposed. |
| (c) the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites or downstream sites; and | Both lots have ample suitable area available for the disposal of effluent compliant with Regional Council rules.                                                                                                                       |
| (d) whether water sensitive design methods and use of green spaces can be used;                                                                                                                                       | Stormwater runoff will be piped to the bottom of the slope and disposed of in a dispersive                                                                                                                                             |
| (e) any cumulative effects on total catchment impermeability;                                                                                                                                                         | Any increase in stormwater runoff will have no significant adverse effects anticipated given small catchment and short flow path.                                                                                                      |
| (f) natural hazard mitigation and site constraints.                                                                                                                                                                   | Stormwater proposals included a review of flood hazard mapping which includes a provision for climate change                                                                                                                           |
| (g) extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies.                                                                                           | None.                                                                                                                                                                                                                                  |

Rule 13.7.3.4 references Technical Publication 10 which has now been superseded by Stormwater Management Devices in the Auckland Region GD01 December 2017 and refers to the Countryside Living suite of documents for rural development. GD01 identifies the key approach to managing the impact of stormwater and associated pollutants is to reduce the need through prevention and considers non-structural approaches to minimise the

impacts of the development on stormwater. This standard is appropriate for the low-density rural development consider for this site.

Examples of non-structural approaches that can be adopted for this site are:

- Preserve and using existing site features such as watercourses, depressions, wetlands, vegetation and permeable areas that contribute to the current hydrological cycle balance.
- Reduce impervious surfaces by using pervious channels or infiltration practices, placing houses closer to the main roading network to minimise driveway lengths, shared ROWs, grass swales to encourage infiltration, pervious paving or gravel driveways and parking areas.
- Minimise site disturbance and bulk earthwork areas, particular areas that are to remain undeveloped and permeable. Earthwork compaction produces high strength, but higher density and reduced permeability which reduces infiltration and increases runoff.

## 6 On-site Effluent Disposal

### 6.1 Regulatory Framework

#### 6.1.1 Regional Plan

The discharge of wastewater effluent to land is regulated by the permitted activity Rule C.6.1.3 of the Regional Plan for Northland. Table 9 of the plan specifies exclusion areas and set-back distances as follows:

**Table 9: Exclusion areas and setback distances for on-site domestic wastewater systems**

| Feature                                                                                                                                               | Primary treated domestic type wastewater | Secondary and tertiary treated domestic type wastewater | Greywater                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------------------------------------------------|----------------------------------|
| <b>Exclusion areas</b>                                                                                                                                |                                          |                                                         |                                  |
| Floodplain                                                                                                                                            | 5% annual exceedance probability         | 5% annual exceedance probability                        | 5% annual exceedance probability |
| <b>Horizontal setback distances</b>                                                                                                                   |                                          |                                                         |                                  |
| Identified <b>stormwater</b> flow path (including a formed road with kerb and channel, and water-table drain) that is down-slope of the disposal area | 5 metres                                 | 5 metres                                                | 5 metres                         |
| River, lake, stream, pond, <b>dam</b> or <b>natural wetland</b>                                                                                       | 20 metres                                | 15 metres                                               | 15 metres                        |
| Coastal marine area                                                                                                                                   | 20 metres                                | 15 metres                                               | 15 metres                        |
| Existing water supply <b>bore</b>                                                                                                                     | 20 metres                                | 20 metres                                               | 20 metres                        |
| <b>Property</b> boundary                                                                                                                              | 1.5 metres                               | 1.5 metres                                              | 1.5 metres                       |
| <b>Vertical setback distances</b>                                                                                                                     |                                          |                                                         |                                  |
| Winter groundwater table                                                                                                                              | 1.2 metres                               | 0.6 metres                                              | 0.6 metres                       |

Additional requirements under the Rule also state:

- 1) The on-site system is designed and constructed in accordance with the Australian/New Zealand Standard. On-site Domestic Wastewater Management (AS/NZS 1547:2012), and
- 2) The volume of wastewater discharged does not exceed two cubic metres per day, and
- 4) the slope of the disposal area is not greater than 25 degrees, and
- 5) For wastewater that has received secondary treatment or tertiary treatment, it is discharged via:
  - a) a trench or bed system in soil categories 3 to 5 that is designed in accordance with Appendix L of AS/NZS 1547:2012; or
  - b) an irrigation line system that is dose loaded and covered by a minimum of 50mm of topsoil, mulch, or bark, and
- 6) for the discharge of wastewater onto the surface of slopes greater than 10 degrees:
  - d) a minimum 10 metre buffer area down-slope of the lowest irrigation line is included as part of the



disposal area, and

e) the disposal area is located within existing established vegetation that has at least 80 percent canopy cover, or

f) the irrigation lines are covered by a minimum of 100 millimetres of topsoil, mulch, or bark

The proposed disposal areas are not steeper than 10 degrees. However, we recommend that when using surface laid irrigation, lines be firmly pinned to the ground and where there is an up-slope catchment that generates stormwater runoff, a stormwater interception drain be installed and maintained to divert surface runoff away from the disposal area.

District Council requires at time of subdivision a suitable reserve area equal to one hundred percent of the effluent disposal area.

The following analysis ensures that future on-site wastewater disposal on lot 2 can comply with both the Operative District Plan and Regional Plan for Northland wastewater discharge rules.

## 6.2 Lot 1 Wastewater Assessment

Lot 1 contains an existing four-bedroom dwelling with an existing effluent disposal system.

The FNDC property file contains the Onsite Wastewater Management Appraisal completed by Gumboots Consulting Engineers for building consent reference EBC-2023-1013-0. The design is for a secondary treatment system with dripperlines disposal. The system was designed to service a single four-bedroom dwelling. The design in the report is consistent with what was observed onsite.

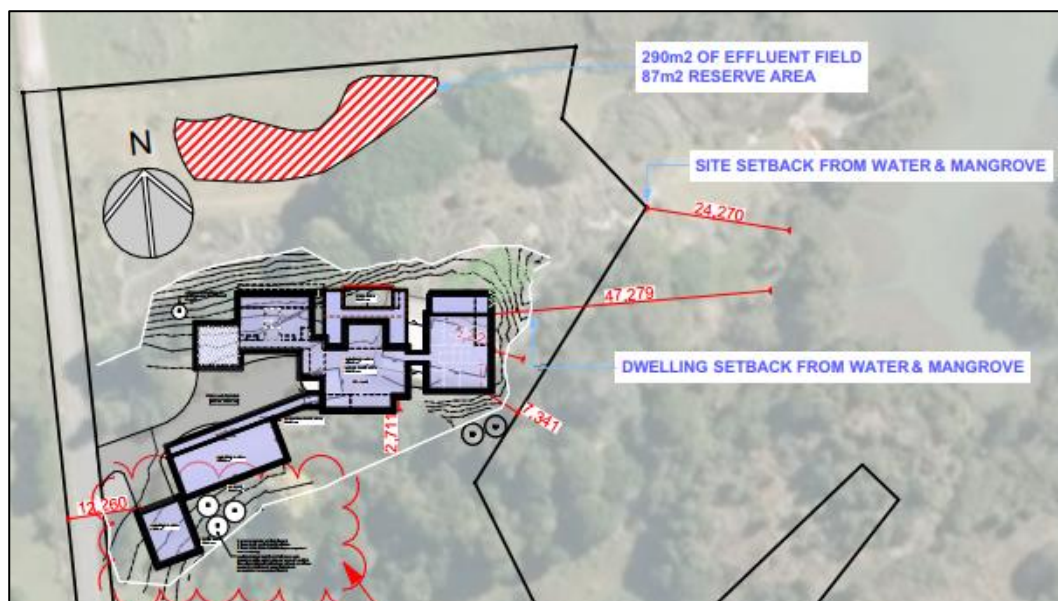


Figure 7 – BC 2023 1013\_0\_B (Source Property File)

The location of the treatment system was confirmed during the site walkover.

No olfactory smell or any other signs that would indicate a failed system were observed or reported during our visit. An example 100 percent reserve area was identified to allow for future replacement of the existing disposal field should this be required. The reserve area sizing was calculated using the same design parameters as those applied to Lot 2 and is shown on the Wastewater Assessment Plan appended.

The system and reserve area will not be impacted by the proposed subdivision boundaries.

## 6.3 Lot 2 Wastewater Assessment

### 6.3.1 Design Occupancy Rating

The onsite wastewater disposal for the proposed development of the lot 2 has been assessed.

It has been assumed for the purpose of this site suitability report that the lots will contain four-bedroom residential units. In reference to TP58 Section 6.3.1, it is recommended that the design occupancy of six people is adopted for this report.

### 6.3.2 Design Flow Volumes

It is assumed that the proposed residential unit will be designed with standard water reduction fixtures. AS/NZS1547 estimates wastewater generation for roof water collection supply properties with standard water reduction fixtures of 145 litres/person/day.

Total daily wastewater generation of the proposed development is calculated as follows:

$$\begin{aligned} \text{Total daily wastewater generation} &= \text{Daily occupancy number} \times \text{design flow allowances} \\ &= 6 \text{ persons} \times (145 \text{ litres/person/day}) \\ &= \underline{\underline{870 \text{ litres/day}}} \end{aligned}$$

Design flows of 870 litres per day for a four-bedroom household has been adopted for the purpose of this assessment.

### 6.3.3 Effluent Disposal

Effluent disposal systems will need to be situated to avoid surface runoff or protected by using interception drains where an upslope catchment is present. Setbacks listed at the start of this section will need to be adhered to, in particular; identified overland flow paths, coastal marine zone and boundaries.

### 6.3.4 Land Disposal System Sizing and Design

Suitable potential building area on site is available in the western portion of the lot.

Based on our investigations of the site, we assess the soils as comprising a silty topsoil up to approximately 300 mm thick, underlain by clayey silt with shallow rock typically encountered at around 350 mm depth. The rock in this area is generally fractured and expected to provide rapid drainage.

For wastewater purposes we categorise ground conditions as AS/NZS1547:2012 Category 1: gravels and sands.

The ground conditions can support a design irrigation loading rate (DIR) of up to 5mm/day for secondary treated effluent. Due to the limited depth of residual soil for wastewater polishing, for a conservative assessment we have adopted 3 mm/day.

The total length of the trickle irrigation system required (UniBioline or similar) is calculated as follows:

$$\begin{aligned} \text{Total area of dripper irrigation field} &= \frac{\text{Total daily wastewater generation}}{\text{Design irrigation rate}} \\ &= 870/3 \\ &= \underline{\underline{290 \text{ m}^2}} \end{aligned}$$

The appended wastewater drawing indicates that there is suitable area available for the dripper fields plus 100% reserve area.

### 6.3.5 Treatment Plant Design Sizing

The naming of a proprietary secondary treatment plant will be decided by the new owner at the building consent stage, when the position and scale of the building are known.

The system is to meet the quality output of AS/NZS 1546.3: 2003, producing effluent of less than 20 g/m<sup>3</sup> of 5-day biochemical oxygen demand (BOD<sub>5</sub>) and no greater than 30 g/m<sup>3</sup> total suspended solids (TSS) at the estimated wastewater generation rate for the proposed development.

### 6.3.6 Effects on Environment

The critical risks for contaminant transport are:

- Limited depth of soil over rock
- Rapidly drained ground conditions
- Proximity to the coastline

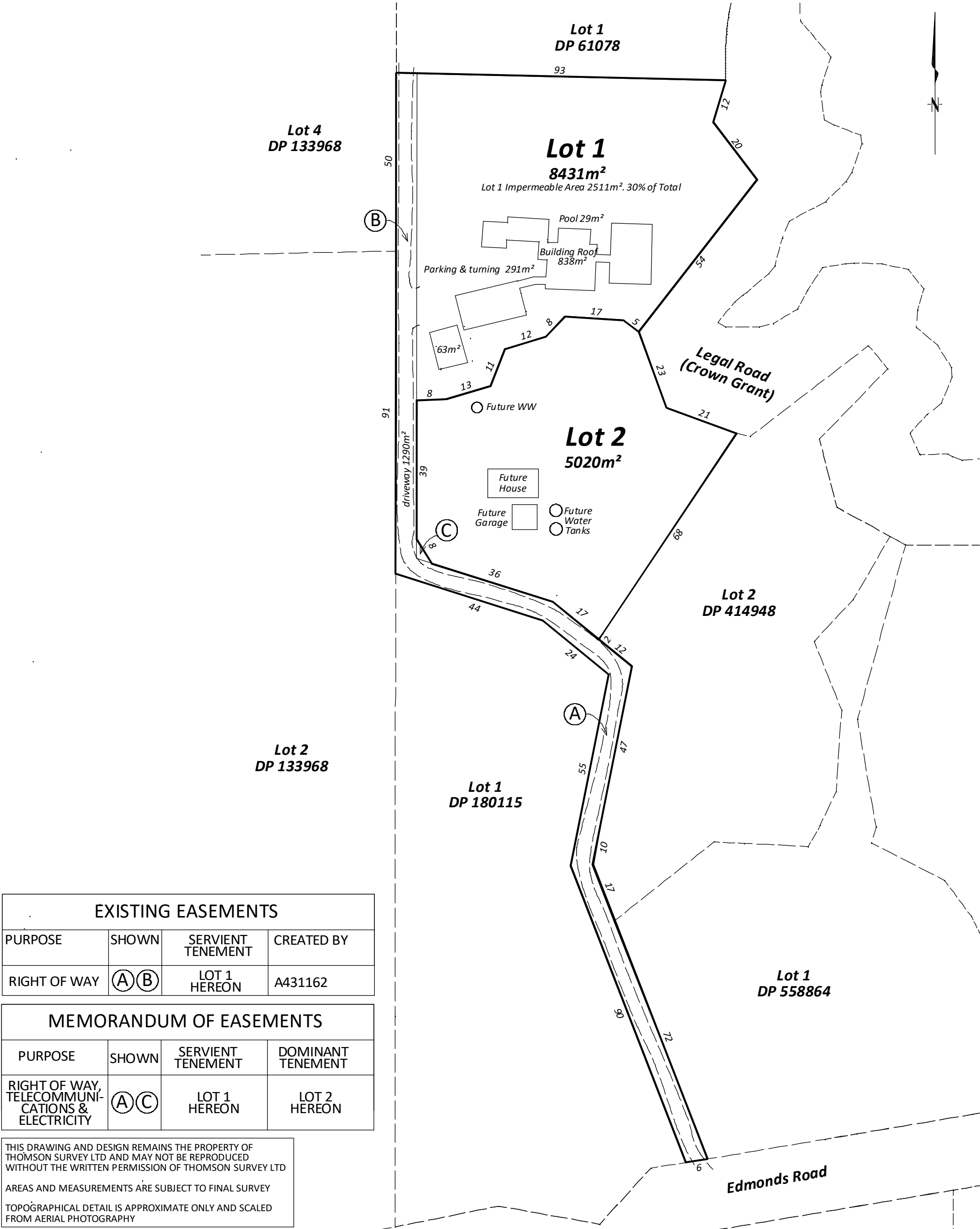
While the site is constrained by shallow soil over fractured rock, the potential adverse effects are mitigated by secondary treatment, a conservative irrigation rate of 3 mm/day and 300 mm of topsoil for wastewater polishing. Additional topsoil may be brought to site if necessary.

The disposal field is on elevated ground at approximately NZVD 5 m so ground water separation is likely to be 3-5 m. The disposal field is also more than 60 m from the coastline. On this basis the residual risk of contaminant transport is considered low if appropriately managed through a pressure-compensating drip irrigation system sized in accordance with AS/NZS 1547.



## Appendix A – Drawings

| Drawing No.   | Title                                                                                                 | Scale       |
|---------------|-------------------------------------------------------------------------------------------------------|-------------|
| 10356         | Proposed Subdivision of Lot 3 DP 180115, Thomson Survey Limited, 22/06/2026                           | 1:1000 @ A3 |
| 26 115 -WWP01 | Wastewater Assessment Plan, Haigh Workman, 30/06/2026                                                 | 1:1000 @ A3 |
| Figure C22    | Above Ground Flow Dispersal, Countryside Living Toolbox – Stormwater Management Device Design Details | NTS         |



| EXISTING EASEMENTS |        |                   |            |
|--------------------|--------|-------------------|------------|
| PURPOSE            | SHOWN  | SERVIENT TENEMENT | CREATED BY |
| RIGHT OF WAY       | (A)(B) | LOT 1 HEREON      | A431162    |

| MEMORANDUM OF EASEMENTS                        |        |                   |                   |
|------------------------------------------------|--------|-------------------|-------------------|
| PURPOSE                                        | SHOWN  | SERVIENT TENEMENT | DOMINANT TENEMENT |
| RIGHT OF WAY, TELECOMMUNICATIONS & ELECTRICITY | (A)(C) | LOT 1 HEREON      | LOT 2 HEREON      |

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD

AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Far North District Council

Comprised in: NA111A/525

Total Area: 1.3475ha

Zoning: Coastal Living

Resource features: NIL

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

01050100

Bar Scale 1:1000 @ A3

THOMSON SURVEY LIMITED

315 Kerikeri Rd

P.O. Box 372 Kerikeri

Email: kerikeri@tsurvey.co.nz

Ph: (09) 4077360

www.tsurvey.co.nz

Registered Land Surveyors, Planners & Land Development Consultants

PROPOSED SUBDIVISION OF

LOT 3 DP 180115

40 EDMONDS ROAD, KERIKERI

PREPARED FOR: MTF DEVELOPERS 2022 LTD

|                       |       |          |          |            |
|-----------------------|-------|----------|----------|------------|
| Survey                | Name  | Date     | ORIGINAL |            |
| Design                |       |          | SCALE    | SHEET SIZE |
| Drawn                 | KY    | 16.06.26 |          |            |
| Approved              |       |          | 1:1000   | A3         |
| Rev                   | SL/KY | 25.06.26 |          |            |
| 10356 Scheme 20260625 |       |          |          |            |

Surveyors Ref. No:

10356

Sheet 1 of 1



EXISTING EASEMENTS

| PURPOSE      | SHOWN  | SERVIENT TENEMENT | CREATED BY |
|--------------|--------|-------------------|------------|
| RIGHT OF WAY | (A)(B) | LOT 1 HEREON      | A431162    |

MEMORANDUM OF EASEMENTS

| PURPOSE                                        | SHOWN  | SERVIENT TENEMENT | DOMINANT TENEMENT |
|------------------------------------------------|--------|-------------------|-------------------|
| RIGHT OF WAY, TELECOMMUNICATIONS & ELECTRICITY | (A)(C) | LOT 1 HEREON      | LOT 2 HEREON      |

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD

AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Far North District Council

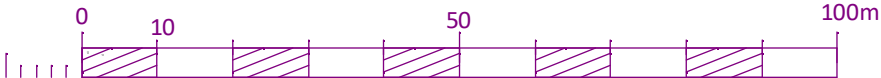
Comprised in: NA111A/525

Total Area: 1.3475ha

Zoning: Coastal Living

Resource features: NIL

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.



Bar Scale 1:1000 @ A3



315 Kerikeri Rd  
P.O. Box 372 Kerikeri  
Email: kerikeri@tsurvey.co.nz  
Ph: (09) 4077360  
www.tsurvey.co.nz

Registered Land Surveyors, Planners & Land Development Consultants

PROPOSED SUBDIVISION OF  
LOT 3 DP 180115  
40 EDMONDS ROAD, KERIKERI  
PREPARED FOR: MTF DEVELOPERS 2022 LTD

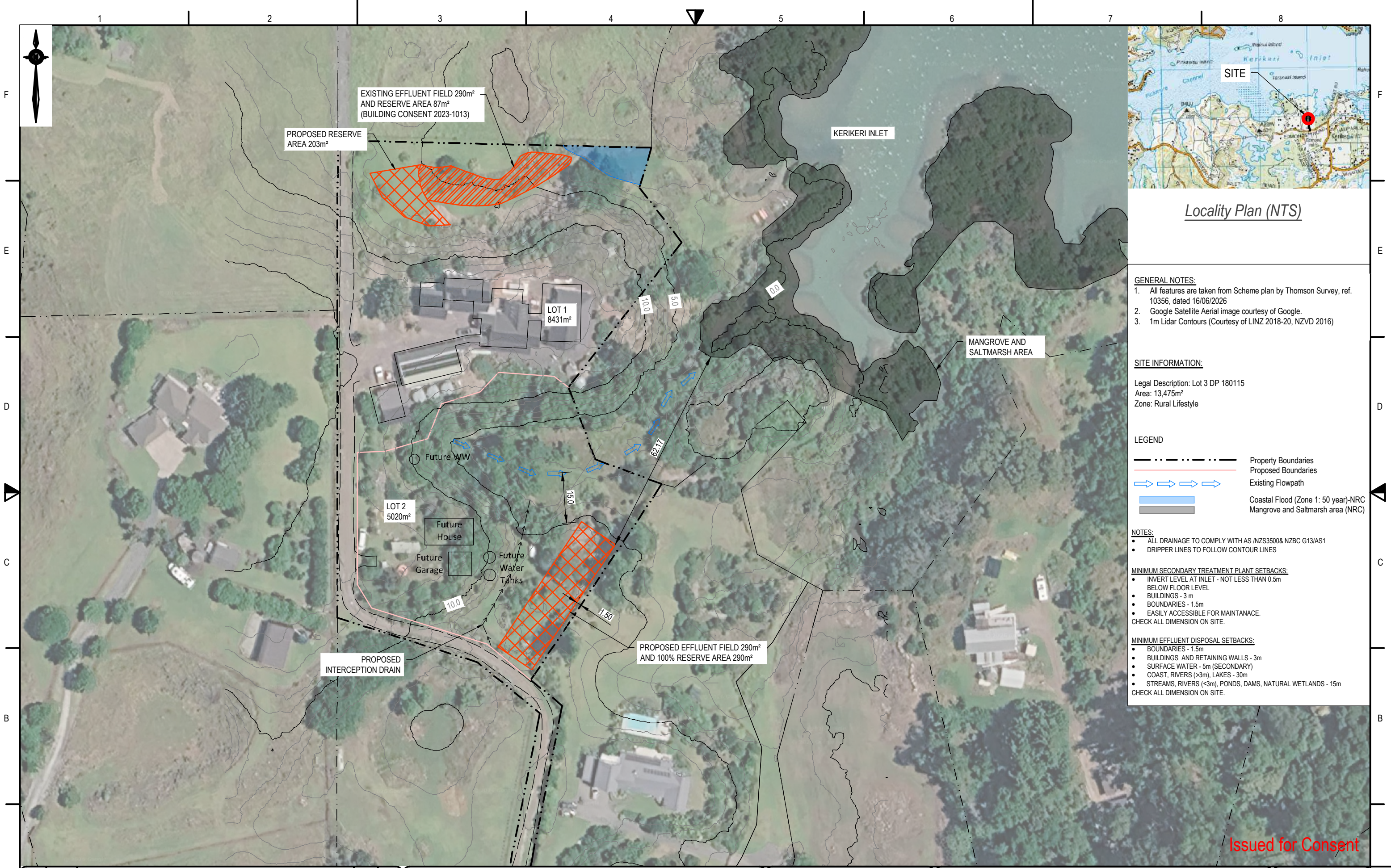
|                       |       |          |                     |                         |
|-----------------------|-------|----------|---------------------|-------------------------|
|                       | Name  | Date     | ORIGINAL            |                         |
| Survey                |       |          | SCALE<br><br>1:1000 | SHEET<br>SIZE<br><br>A3 |
| Design                |       |          |                     |                         |
| Drawn                 | KY    | 16.06.26 |                     |                         |
| Approved              |       |          |                     |                         |
| Rev                   | SL/KY | 25.06.26 |                     |                         |
| 10356 Scheme 20260625 |       |          |                     |                         |

Surveyors  
Ref. No:

10356

Sheet 1 of 1





Locality Plan (NTS)

- GENERAL NOTES:**
1. All features are taken from Scheme plan by Thomson Survey, ref. 10356, dated 16/06/2026
  2. Google Satellite Aerial image courtesy of Google.
  3. 1m Lidar Contours (Courtesy of LINZ 2018-20, NZVD 2016)

**SITE INFORMATION:**

Legal Description: Lot 3 DP 180115  
Area: 13,475m²  
Zone: Rural Lifestyle

**LEGEND**

- Property Boundaries (dashed line)
- Proposed Boundaries (solid line)
- Existing Flowpath (blue arrows)
- Coastal Flood (Zone 1: 50 year)-NRC Mangrove and Saltmarsh area (NRC) (shaded area)

- NOTES:**
- ALL DRAINAGE TO COMPLY WITH AS /NZS3500& NZBC G13/AS1
  - DRIPPER LINES TO FOLLOW LINZS

- MINIMUM SECONDARY TREATMENT PLANT SETBACKS:**
- INVERT LEVEL AT INLET - NOT LESS THAN 0.5m BELOW FLOOR LEVEL
  - BUILDINGS - 3m
  - BOUNDARIES - 1.5m
  - EASILY ACCESSIBLE FOR MAINTANACE.
- CHECK ALL DIMENSION ON SITE.

- MINIMUM EFFLUENT DISPOSAL SETBACKS:**
- BOUNDARIES - 1.5m
  - BUILDINGS AND RETAINING WALLS - 3m
  - SURFACE WATER - 5m (SECONDARY)
  - COAST, RIVERS (>3m), LAKES - 30m
  - STREAMS, RIVERS (<3m), PONDS, DAMS, NATURAL WETLANDS - 15m
- CHECK ALL DIMENSION ON SITE.

Issued for Consent

| Rev | Date       | Description        | By | Checked | DWG | WASTEWATER ASSESSMENT PLAN | Project     | PROPOSED SUBDIVISION<br>40 EDMONDS ROAD, KERIKERI (Lot 3 DP 180115) | Stage     | 00     |
|-----|------------|--------------------|----|---------|-----|----------------------------|-------------|---------------------------------------------------------------------|-----------|--------|
| 1   | 30/06/2026 | Issued for Consent | LP | JC      |     |                            | Client      | MTF DEVELOPERS 2022 LTD                                             | Dwg No.   | WWP01  |
|     |            |                    |    |         |     |                            | Project No. | 26 115                                                              | Sheet No. | 1 of 1 |
|     |            |                    |    |         |     |                            | RC no.      |                                                                     |           |        |

6 Fairway Drive  
Kerikeri, BOI

T: 09 407 8327  
F: 09 407 8378  
E: info@haighworkman.co.nz

HAIGH WORKMAN

Civil & Structural Engineers

Dimensions must not be scale measured from these drawings. The contractor shall check & verify all dimensions including, site levels, heights and angles on site prior to commencing any work. The copyright to these drawings and all parts thereof remain the property of Haigh Workman Ltd. ©2020

A3 Scale 1: 1000

0

20

50

Date 30/06/2026

Drawn LP

Checked JC

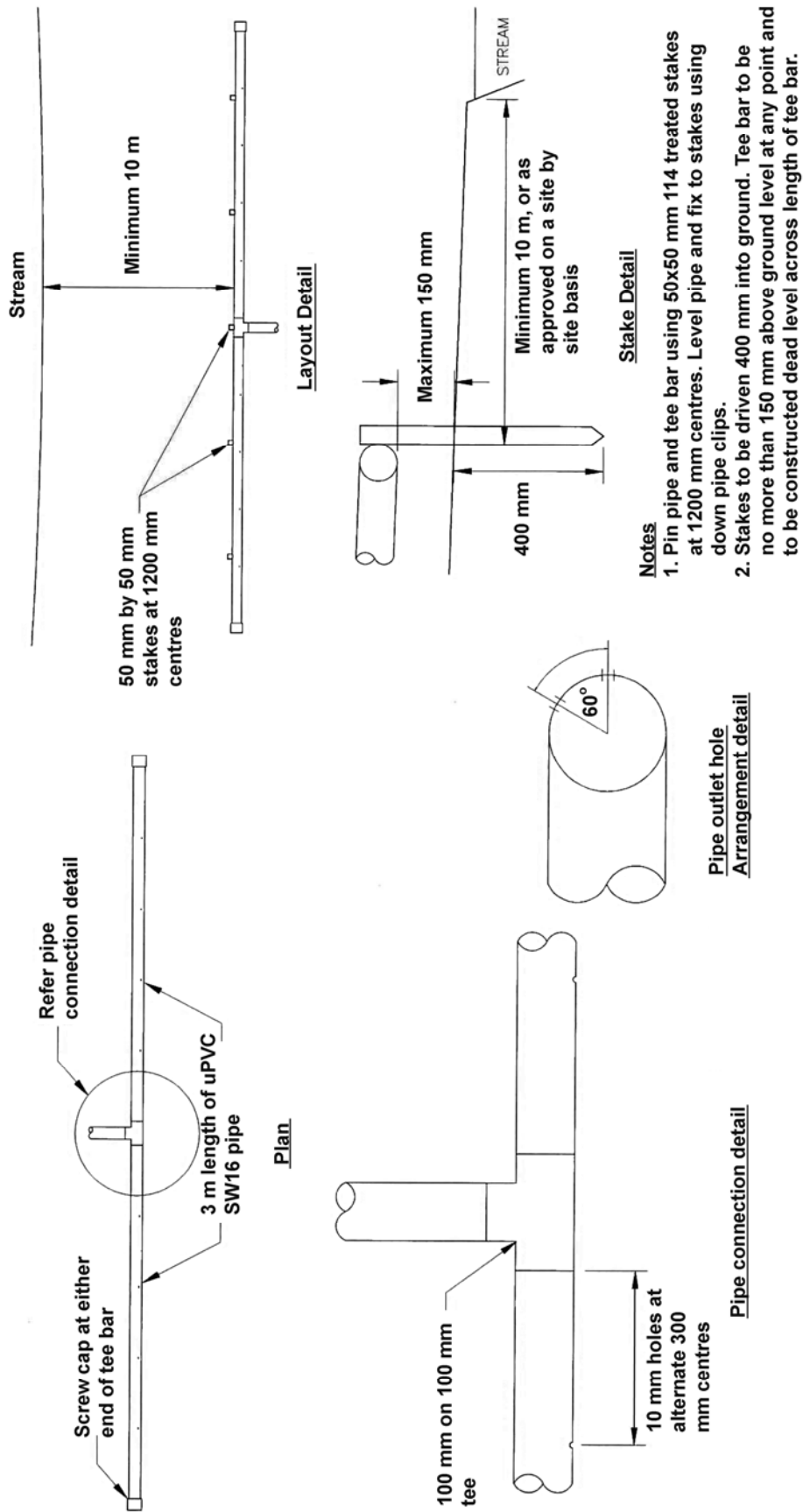
Approved JP

File

T:\CLIENTS\MTF DEVELOPERS 2022 LTD\JOBS\26 115 - 40 EDMONDS ROAD, KERIKERI\JOBS\ENGINEERING\DRAWINGS\26 115\_C3D\_PLAN.DWG



**Figure C22**  
**Above Ground Flow Dispersal**



## Appendix B – Borehole Logs





**HAIGH WORKMAN LTD**  
Civil & Structural Engineers

**Phone 09 407 8327**  
**Fax 09 407 8378**  
[www.haighworkman.co.nz](http://www.haighworkman.co.nz)  
[info@haighworkman.co.nz](mailto:info@haighworkman.co.nz)

## Borehole Log - TP01

**Hole Location: Refer to Site Plan**

**JOB No. 26 115**

|                        |                         |                           |                           |
|------------------------|-------------------------|---------------------------|---------------------------|
| <b>CLIENT:</b>         | MTF Developers 2022 Ltd | <b>SITE:</b>              | 40 Edmonds Road, Kerikeri |
| <b>Date Started:</b>   | 17/06/2026              | <b>METHOD:</b>            | Spade                     |
| <b>Date Completed:</b> | 17/06/2026              | <b>HOLE DIAMETER (mm)</b> | NA                        |

LOGGED BY: Jcum  
CHECKED BY: JP

| Soil Description<br>Based on NZGS Logging Guidelines 2005      | Depth (m) | Geology | Graphic Log                                                                       | Water Level                | Sensitivity | Vane Shear and Remoulded Vane Shear Strengths (kPa) | Scala Penetrometer (blows/100mm)                                                  |
|----------------------------------------------------------------|-----------|---------|-----------------------------------------------------------------------------------|----------------------------|-------------|-----------------------------------------------------|-----------------------------------------------------------------------------------|
| Topsoil SILT dark brown, moist minor fine gravel.              | 0.0       | TS      |  | No Groundwater Encountered |             |                                                     | 0 5 10 15 20 25                                                                   |
| Clayey SILT, orange brown, moist, minor fine to medium gravel. |           |         |                                                                                   |                            |             |                                                     |  |
| 0.35m EOH refusal on rock.                                     | 0.5       |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                | 1.0       |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                | 1.5       |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                | 2.0       |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                | 2.5       |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                | 3.0       |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
| 3.5                                                            |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
| 4.0                                                            |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
| 4.5                                                            |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |
|                                                                |           |         |                                                                                   |                            |             |                                                     |                                                                                   |

 **TOPSOIL**
 **CLAY**
 **SILT**
 **SAND**
 **GRAVEL**
 **FILL**

**Note:** UTP = Unable to penetrate. TS = Topsoil.

|                              |
|------------------------------|
| Corrected shear vane reading |
| Remoulded shear vane reading |
| Scala Penetrometer           |

## SUPPLEMENT A:

### Natural Character and Landscape Effects Assessment Method

Updated 2 November 2022

#### Introduction

The Natural Character, Landscape and Visual Effects Assessment (NCLVEA) process provides a framework for assessing and identifying the nature and level of likely effects that may result from a proposed development. Such effects can occur in relation to changes to physical elements, changes in the existing character or condition of the landscape and the associated experiences of such change. In addition, the landscape assessment method may include (where appropriate) an iterative design development processes, which seeks to avoid, remedy or mitigate adverse effects (see **Figure 1**).

This outline of the landscape and visual effects assessment methodology has been undertaken with reference to the **Te Tangi A Te Manu: Aotearoa New Zealand Landscape Assessment Guidelines** and its signposts to examples of best practice, which include the **Quality Planning Landscape Guidance Note**<sup>1</sup> and the **UK guidelines for landscape and visual impact assessment**<sup>2</sup>.

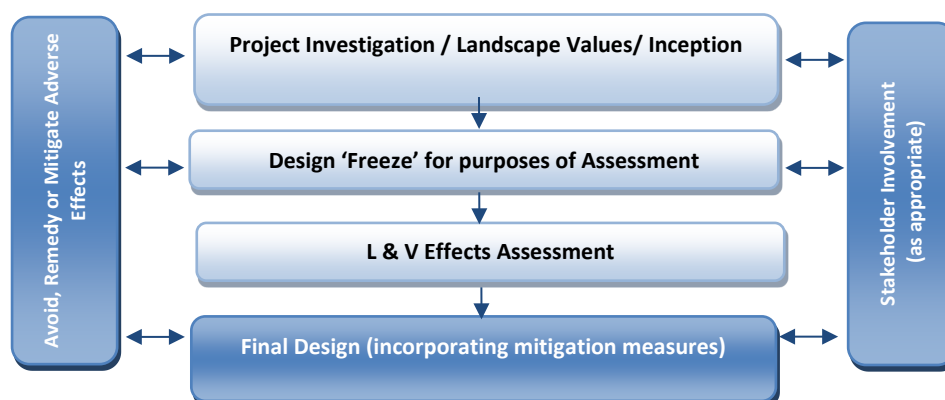


Figure 1: Design feedback loop

When undertaking any landscape assessment, it is important that a **structured and consistent approach** is used to ensure that **findings are clear and objective**. Judgement should be based on skills and experience and be supported by explicit evidence and reasoned argument.

While natural character, landscape and visual effects assessments are closely related, they form separate procedures. Natural character effects consider the characteristics and qualities and associated degree of modification relating specifically to waterbodies and their margins, including the coastal environment. The assessment of the potential effects on landscape considers effects on landscape character and values. The assessment of visual effects considers how changes to the physical landscape affect the viewing audience. The types of effects can be summarised as follows:

**Natural Character effects:** *Change in the characteristics or qualities including the level of naturalness.*

**Landscape effects:** *Change in the physical landscape, which may affect its characteristics or values*

**Visual effects:** *Change to views which may affect the visual amenity experienced by people*

<sup>1</sup> <http://www.qualityplanning.org.nz/index.php/planning-tools/land/landscape>

<sup>2</sup> Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3)

The policy context, existing landscape resource and locations from which a development or change is visible, all inform the 'baseline' for landscape and visual effects assessments. To assess effects, the first step requires identification of the landscape's **character** and **values** including the **attributes** on which such values depend. This requires that the landscape is first **described**, including an understanding of relevant physical, sensory and associative landscape dimensions. This process, known as landscape characterisation, is the basic tool for understanding landscape character and may involve subdividing the landscape into character areas or types. The condition of the landscape (i.e. the state of an individual area of landscape or landscape feature) should also be described together with, a judgement made on the value or importance of the potentially affected landscape.

## Natural Character Effects

In terms of the RMA, natural character specifically relates to the coastal environment as well as freshwater bodies and their margins. The RMA provides no definition of natural character. RMA, section 6(a) considers natural character as a matter of national importance:

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

Natural character comprises the natural elements, patterns and processes of the coastal environment, waterbodies and their margins, and how they are perceived and experienced. This assessment interprets natural character as being the degree of naturalness consistent with the following definition:

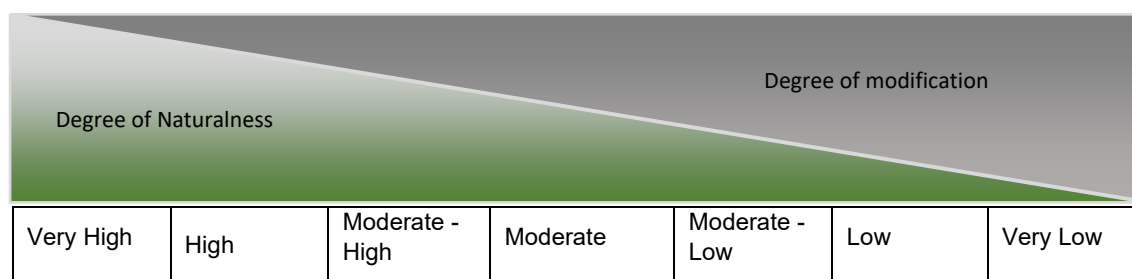
*Natural character is a term used to describe the naturalness of waterbodies and their margins. The degree or level of natural character depends on:*

- *The extent to which natural elements, patterns and processes occur;*
- *The nature and extent of modifications to the ecosystems and landscape/seascape;*
- *The highest degree of natural character (greatest naturalness) occurs where there is least modification; and*
- *The effect of different types of modification upon the natural character of an area varies with the context and may be perceived differently by different parts of the community.*

The process to assess natural character involves an understanding of the many systems and attributes that contribute to waterbodies and their margins, including biophysical and experiential factors. This can be supported through the input of technical disciplines such as marine, aquatic and terrestrial ecology, and landscape architecture.

### Defining the Level of Natural Character

The level of natural character is assessed in relation to a seven-point scale. The diagram below illustrates the relationship between the degree of naturalness and degree of modification. A high level of natural character means the waterbody is less modified and vice versa.





### **Scale of Assessment**

When defining levels of natural character, it is important to clearly identify the spatial scale considered. The scale at which natural character is assessed will typically depend on the study area or likely impacts and nature of a proposed development. Within a district or region-wide study, assessment scales may be divided into broader areas which consider an overall section of coastline or river with similar characteristics, and finer more detailed 'component' scales considering separate more local parts, such as specific bays, reaches or escarpments. The assessment of natural character effects has therefore considered the change to attributes which indicate levels of natural character at a defined scale.

### **Effects on Natural Character**

An assessment of the effects on natural character of an activity involves consideration of the proposed changes to the current condition compared to the existing. This can be negative or positive.



The natural character effects assessment involves the following steps;

- assessing the existing level of natural character;
- assessing the level of natural character anticipated (post construction); and
- considering the significance of the change

### **Landscape Effects**

Assessing landscape effects requires an understanding of the landscape resource and the magnitude of change which results from a proposed activity to determine the overall level of landscape effects.

#### **Landscape Resource**

Assessing the sensitivity of the landscape resource considers the key characteristics and qualities. This involves an understanding of both the ability of an area of landscape to absorb change and the value of the landscape.

#### ***Ability of an area to absorb change***

This will vary upon the following factors:

- Physical elements such as topography / hydrology / soils / vegetation;
- Existing land use;
- The pattern and scale of the landscape;
- Visual enclosure / openness of views and distribution of the viewing audience;
- The zoning of the land and its associated anticipated level of development;
- The scope for mitigation, appropriate to the existing landscape.

The ability of an area of landscape to absorb change takes account of both the attributes of the receiving environment and the characteristics of the proposed development. It considers the ability of a specific type of change occurring without generating adverse effects and/or achievement of landscape planning policies and strategies.

#### ***The value of the Landscape***

Landscape value derives from the importance that people and communities, including tangata whenua, attach to particular landscapes and landscape attributes. This may include the classification of Outstanding Natural Feature or Landscape (ONFL) (RMA s.6(b)) based on important physical, sensory and associative landscape attributes, which have potential to be affected by a proposed development. A landscape can have value even if it is not recognised as being an ONFL.

#### **Magnitude of Landscape Change**

The magnitude of landscape change judges the amount of change that is likely to occur to areas of landscape, landscape features, or key landscape attributes. In undertaking this assessment, it is important that the size or scale of the change is considered within the geographical extent of the area influenced and the duration of

change, including whether the change is reversible. In some situations, the loss /change or enhancement to existing landscape elements such as vegetation or earthworks should also be quantified.

When assessing the level of landscape effects, it is important to be clear about what factors have been considered when making professional judgements. This can include consideration of any benefits which result from a proposed development. **Table 1** below helps to explain this process. The tabulating of effects is only intended to inform overall judgements.

| Contributing Factors    |                                   | Higher                                                                                                                                                                    | Lower                                                                                                                                                           |
|-------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Landscape (sensitivity) | <b>Ability to absorb change</b>   | The landscape context has limited existing landscape detractors which make it highly vulnerable to the type of change resulting from the proposed development.            | The landscape context has many detractors and can easily accommodate the proposed development without undue consequences to landscape character.                |
|                         | <b>The value of the landscape</b> | The landscape includes important biophysical, sensory and shared and recognised attributes. The landscape requires protection as a matter of national importance (ONF/L). | The landscape lacks any important biophysical, sensory or shared and recognised attributes. The landscape is of low or local importance.                        |
| Magnitude of Change     | <b>Size or scale</b>              | Total loss or addition of key features or elements.<br>Major changes in the key characteristics of the landscape, including significant aesthetic or perceptual elements. | The majority of key features or elements are retained. Key characteristics of the landscape remain intact with limited aesthetic or perceptual change apparent. |
|                         | <b>Geographical extent</b>        | Wider landscape scale.                                                                                                                                                    | Site scale, immediate setting.                                                                                                                                  |
|                         | <b>Duration and reversibility</b> | Permanent.<br>Long term (over 10 years).                                                                                                                                  | Reversible.<br>Short Term (0-5 years).                                                                                                                          |

Table 1: Determining the level of landscape effects

## Visual Effects

Visual effects are a subset of landscape effects. They are consequences of change on landscape values as experienced in views. To assess the visual effects of a proposed development on a landscape, a visual baseline must first be defined. The visual 'baseline' forms a technical exercise which identifies the area where the development may be visible, the potential viewing audience, and the key representative public viewpoints from which visual effects are assessed.

Field work is used to determine the actual extent of visibility of the site, including the selection of representative viewpoints from public areas. This stage is also used to identify the potential 'viewing audience' e.g. residential, visitors, recreation users, and other groups of viewers who can see the site. During fieldwork, photographs are taken to represent views from available viewing audiences.

The viewing audience comprises the individuals or groups of people occupying or using the properties, roads, footpaths and public open spaces that lie within the visual envelope or 'zone of theoretical visibility (ZTV)' of the site and proposal. Where possible, computer modelling can assist to determine the theoretical extent of visibility together with field work to confirm this. Where appropriate, key representative viewpoints should be agreed with the relevant local authority.

### The Sensitivity of the Viewing Audience

The sensitivity of the viewing audience is assessed in terms of assessing the likely response of the viewing audience to change and understanding the value attached to views.

#### ***Likely response of the viewing audience to change***

Appraising the likely response of the viewing audience to change is determined by assessing the occupation or activity of people experiencing the view at particular locations and the extent to which their interest or activity may be focussed on views of the surrounding landscape. This relies on a landscape architect's judgement in respect of visual amenity and the reaction of people who may be affected by a proposal. This should also recognise that people more susceptible to change generally include: residents at home, people engaged in outdoor recreation whose attention or interest is likely to be focussed on the landscape and on particular views; visitors to heritage assets or other important visitor attractions; and communities where views contribute to the wider landscape setting.

#### ***Value attached to views***

The value or importance attached to particular views may be determined with respect to its popularity or numbers of people affected or reference to planning instruments such as viewshafts or view corridors. Important

viewpoints are also likely to appear in guide books or tourist maps and may include facilities provided for its enjoyment. There may also be references to this in literature or art, which also acknowledge a level of recognition and importance.

### **Magnitude of Visual Change**

The assessment of visual effects also considers the potential magnitude of change which will result from views of a proposed development. This takes account of the size or scale of the effect, the geographical extent of views and the duration of visual change, which may distinguish between temporary (often associated with construction) and permanent effects where relevant. Preparation of any simulations of visual change to assist this process should be guided by best practice as identified by the NZILA<sup>3</sup>.

When determining the overall level of visual effect, the nature of the viewing audience is considered together with the magnitude of change resulting from the proposed development. **Table 4** has been prepared to help guide this process:

| <b>Contributing Factors</b>               |                                   | <b>Higher</b>                                                                                                                                                                                                                      | <b>Lower</b>                                                                                                                                                                                                                 | <b>Examples</b>                                                                                                        |
|-------------------------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| <b>The Viewing Audience (sensitivity)</b> | <b>Ability to absorb change</b>   | Views from dwellings and recreation areas where attention is typically focussed on the landscape.                                                                                                                                  | Views from places of employment and other places where the focus is typically incidental to its landscape context. Views from transport corridors.                                                                           | Dwellings, places of work, transport corridors, public tracks                                                          |
|                                           | <b>Value attached to views</b>    | Viewpoint is recognised by the community such as an important view shaft, identification on tourist maps or in art and literature. High visitor numbers.                                                                           | Viewpoint is not typically recognised or valued by the community.<br><br>Infrequent visitor numbers.                                                                                                                         | Acknowledged viewshafts, Lookouts                                                                                      |
| <b>Magnitude of Change</b>                | <b>Size or scale</b>              | Loss or addition of key features in the view.<br><br>High degree of contrast with existing landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture).<br><br>Full view of the proposed development. | Most key features of views retained.<br><br>Low degree of contrast with existing landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture).<br>Glimpse / no view of the proposed development. | - Higher contrast/ Lower contrast.<br>- Open views, Partial views, Glimpse views (or filtered); No views (or obscured) |
|                                           | <b>Geographical extent</b>        | Front on views.<br>Near distance views;<br>Change visible across a wide area.                                                                                                                                                      | Oblique views.<br>Long distance views.<br>Small portion of change visible.                                                                                                                                                   | - Front or Oblique views.<br>- Near distant, Middle distant and Long distant views                                     |
|                                           | <b>Duration and reversibility</b> | Permanent.<br>Long term (over 15 years).                                                                                                                                                                                           | Transient / temporary.<br>Short Term (0-5 years).                                                                                                                                                                            | - Permanent (fixed),<br>Transitory (moving)                                                                            |

Table 2: Determining the level of visual effects

### **Nature of Effects**

In combination with assessing the level of effects, the landscape and visual effects assessment also considers the nature of effects in terms of whether this will be positive (beneficial) or negative (adverse) in the context within which it occurs. Neutral effects can also occur where landscape or visual change is benign.

It should also be noted that a change in a landscape does not, of itself, necessarily constitute an adverse landscape or visual effect. Landscape is dynamic and is constantly changing over time in both subtle and more dramatic transformational ways; these changes are both natural and human induced. What is important in managing landscape change is that adverse effects are avoided or sufficiently mitigated to ameliorate the effects of the change in land use. The aim is to provide a high amenity environment through appropriate design outcomes.

<sup>3</sup> Best Practice Guide: Visual Simulations BPG 10.2, NZILA



This assessment of the nature of effects can be further guided by **Table 2** set out below:

| Nature of effect              | Use and Definition                                                                                                                                                                           |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Adverse (negative):</b>    | The activity would be out of scale with the landscape or at odds with the local pattern and landform which results in a reduction in landscape and / or visual amenity values                |
| <b>Neutral (benign):</b>      | The activity would be consistent with (or blend in with) the scale, landform and pattern of the landscape maintaining existing landscape and / or visual amenity values                      |
| <b>Beneficial (positive):</b> | The activity would enhance the landscape and / or visual amenity through removal or restoration of existing degraded landscape activities and / or addition of positive elements or features |

Table 1: Determining the Nature of Effects

## Cumulative Effects

This can include effects of the same type of development (e.g. bridges) or the combined effect of all past, present and approved future development<sup>4</sup> of varying types, taking account of both the permitted baseline and receiving environment. Cumulative effects can also be positive, negative or benign.

### Cumulative Landscape Effects

Cumulative landscape effects can include additional or combined changes in components of the landscape and changes in the overall landscape character. The extent within which cumulative landscape effects are assessed can cover the entire landscape character area within which the proposal is located, or alternatively, the zone of visual influence from which the proposal can be observed.

### Cumulative Visual Effects

Cumulative visual effects can occur in combination (seen together in the same view), in succession (where the observer needs to turn their head) or sequentially (with a time lapse between instances where proposals are visible when moving through a landscape). Further visualisations may be required to indicate the change in view compared with the appearance of the project on its own.

Determining the nature and level of cumulative landscape and visual effects should adopt the same approach as the project assessment in describing both the nature of the viewing audience and magnitude of change leading to a final judgement. Mitigation may require broader consideration which may extend beyond the geographical extent of the project being assessed.

## Determining the Overall Level of Effects

The landscape and visual effects assessment conclude with an overall assessment of the likely level of landscape and visual effects. This step also takes account of the nature of effects and the effectiveness of any proposed mitigation. The process can be illustrated in Figure 2:



Figure 2: Assessment process

This step informs an overall judgement identifying what level of effects are likely to be generated as indicated in **Table 3** below. This table which can be used to guide the level of natural character, landscape and visual effects uses an adapted seven-point scale derived from Te Tangi A Te Manu.

<sup>4</sup> The life of the statutory planning document or unimplemented resource consents.

| Effect Rating          | Use and Definition                                                                                                                                                                                                                                                                                                                                   |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Very High:</b>      | Total loss of key elements / features / characteristics, i.e. amounts to a complete change of landscape character and in views.                                                                                                                                                                                                                      |
| <b>High:</b>           | Major modification or loss of most key elements / features / characteristics, i.e. little of the pre-development landscape character remains and a major change in views. <u>Concise Oxford English Dictionary Definition</u><br><i>High: adjective- Great in amount, value, size, or intensity.</i>                                                 |
| <b>Moderate- High:</b> | Modifications of several key elements / features / characteristics of the baseline, i.e. the pre-development landscape character remains evident but materially changed and prominent in views.                                                                                                                                                      |
| <b>Moderate:</b>       | Partial loss of or modification to key elements / features / characteristics of the baseline, i.e. new elements may be prominent in views but not necessarily uncharacteristic within the receiving landscape.<br><u>Concise Oxford English Dictionary Definition</u><br><i>Moderate: adjective- average in amount, intensity, quality or degree</i> |
| <b>Low-Moderate:</b>   | Minor loss of or modification to one or more key elements / features / characteristics, i.e. new elements are not prominent within views or uncharacteristic within the receiving landscape.                                                                                                                                                         |
| <b>Low:</b>            | Little material loss of or modification to key elements / features / characteristics. i.e. modification or change is not uncharacteristic or prominent in views and absorbed within the receiving landscape.<br><u>Concise Oxford English Dictionary Definition</u><br><i>Low: adjective- 1. Below average in amount, extent, or intensity.</i>      |
| <b>Very Low:</b>       | Negligible loss of or modification to key elements/ features/ characteristics of the baseline, i.e. approximating a 'no change' situation and a negligible change in views.                                                                                                                                                                          |

Table 3: Determining the overall level of landscape and visual effects

## Determination of “minor”

Decision makers determining whether a resource consent application should be notified must also assess whether the effect on a person is less than minor<sup>5</sup> or an adverse effect on the environment is no more than minor<sup>6</sup>. Likewise, when assessing a non-complying activity, consent can only be granted if the s104D 'gateway test' is satisfied. This test requires the decision maker to be assured that the adverse effects of the activity on the environment will be 'minor' or not be contrary to the objectives and policies of the relevant planning documents.

These assessments will generally involve a broader consideration of the effects of the activity, beyond the landscape and visual effects. Through this broader consideration, guidance may be sought on whether the likely effects on the landscape or effects on a person are considered in relation to 'minor'. It must also be stressed that more than minor effects on individual elements or viewpoints does not necessarily equate to more than minor landscape effects. In relation to this assessment, moderate-low level effects would generally equate to 'minor' (see **Table 4**).

The third row highlights the word 'significant'. The term 'significant adverse effects' applies to particular RMA situations, namely as a threshold for the requirement to consider alternative sites, routes, and methods for Notices of Requirement under RMA s171(1)(b), the requirements to consider alternatives in AEEs under s6(1)(a) of the 4th Schedule. It may also be relevant to tests under other statutory documents such as for considering effects on natural character of the coastal environment under the NZ Coastal Policy Statement (NZCPS) Policy 13 (1)(b) and 15(b).

| <u>Less than Minor</u> |     | <u>Minor</u> | <u>More than Minor</u> |               |                    |           |
|------------------------|-----|--------------|------------------------|---------------|--------------------|-----------|
| Very Low               | Low | Low-Moderate | Moderate               | Moderate-High | High               | Very High |
|                        |     |              |                        |               | <b>Significant</b> |           |

Table 4: Determining adverse effects for notification determination, non-complying activities and significance

<sup>5</sup> RMA, Section 95E

<sup>6</sup> RMA Section 95D