

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

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

☐ Yes ☒ No

If yes, who have you spoken with? _____

● Change of conditions (s.127)

Have you consulted with Iwi/Hapū? ☒ Yes ☐ No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

Name/s:

P Lane Estate c/- Frances Lane Brooker

Email:**Phone number:****Postal address:**

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

Office Use Only
Application Number:

5. Address for Correspondence

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

Name/s:

Northland Planning & Development 2020 Ltd c/- Rochelle Jacobs

Email:

Phone number:

Postal address:

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

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

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

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

Name/s:

Grant Phillip Lane and Frances Anne Lane Brooker

**Property Address/
Location:**

7. Application Site Details

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

Name/s:

Frances Lane Brooker

**Site Address/
Location:**

113A Okura Bay Road

Totara North

0479

Postcode

0479

Legal Description:

See title attached within Appendix

Val Number:

Certificate of title:

See title attached within Appendix

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

7. Application Site Details (continued)

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details.

This is important to avoid a wasted trip and having to re-arrange a second visit.

|

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8. Detailed description of the proposal:

This application relates to the following resource consent: **RC 2200465 - RMACOM**

Specific conditions to which this application relates:

Conditions 4(i) and 4(j)

Describe the proposed changes:

Delete conditions 4(i) and 4(j) as they relate to a previous wastewater design superseded by a latter approved land use consent for the site.

9. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

☐ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard consent

☐ Other (please specify)

11. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☒ Yes

12. Draft Conditions:

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

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

13. Billing Details:

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

Name/s: (please write in full) Frances Lane Brooker

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)

Frances Lane Brooker

Signature: (signature of bill payer)

Date 7 October 2026

MANDATORY

14. Important Information:

Note to applicant

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

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

Privacy Information:

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

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

Declaration

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

Name: (please write in full)

Signature:

Date

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

Checklist (please tick if information is provided)

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

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



Title Plan - LT 596288

Survey Number	LT 596288
Surveyor Reference	20-133 Pearl Lane Estate
Surveyor	Sarah Rose Pascoe
Survey Firm	Simpson Shaw Surveyors
Surveyor Declaration	I Sarah Rose Pascoe, being a licensed cadastral surveyor, certify that-- (a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and Cadastral Survey Rules 2021; and (b) the survey was undertaken by me or under my personal direction. Declared on 15 Apr 2025 09:50 AM

Survey Details

Dataset Description	Lots 1-5 being a subdivision of Lots 1 & 2 DP 45341, Lot 1 DP 56554, Lot 1 DP 77067 & Lot 2 DP 125615 and easement over Lot 2 DP 77067		
Status	Approved as to Survey		
Land District	North Auckland	Survey Class	Class A
Submitted Date	15/04/2025	Survey Approval Date	28/04/2025
		Deposit Date	

Territorial Authorities

Far North District

Comprised In

RT NA12C/1197
RT NA1554/6
RT NA1699/52
RT NA33C/137
RT NA73B/362
RT NA33C/138

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Area M Deposited Plan 596288	Easement		
Lot 1 Deposited Plan 596288	Fee Simple Title	0.6167 Ha	1154779
Lot 2 Deposited Plan 596288	Fee Simple Title	0.6503 Ha	1154780
Lot 3 Deposited Plan 596288	Fee Simple Title	0.4671 Ha	1154781
Lot 4 Deposited Plan 596288	Fee Simple Title	0.3022 Ha	1154782
Lot 5 Deposited Plan 596288	Fee Simple Title	1.8396 Ha	1154783
Area A Deposited Plan 596288	Easement		
Area B Deposited Plan 596288	Easement		
Area C Deposited Plan 596288	Easement		
Area D Deposited Plan 596288	Easement		
Area E Deposited Plan 596288	Easement		
Area F Deposited Plan 596288	Easement		
Area G Deposited Plan 596288	Easement		
Area H Deposited Plan 596288	Easement		



Title Plan - LT 596288

Created Parcels

Parcels	Parcel Intent	Area	RT Reference
Area I Deposited Plan 596288	Easement		
Area J Deposited Plan 596288	Easement		
Area K Deposited Plan 596288	Easement		
Area L Deposited Plan 596288	Covenant - Land		
Total Area		3.8759 Ha	

LT 596288 Schedule/Memorandum

Land registration district
North Auckland

Territorial authority
Far North District

Schedule of Existing Easements

Parcels shown with a prefix of *HL*- include height-limited boundaries

PURPOSE	SHOWN	BURDENED LAND	CREATING DOCUMENT
Right of way	B	Lot 4	590198
" "	B	Lot 4	624108.1
" "	D	Lot 2	A251618
" "	E	Lot 4	199493.4
" "	K	Lot 1	9867749.5

Memorandum of Easements

PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Right of way	A	Lot 4	Lot 1
" "	G	Lot 4	Lot 1, Lot 3, Lot 2 DP 77067
" "	H	Lot 1	Lot 4
" "	J	Lot 3	Lot 1, Lot 4

Schedule of Easements

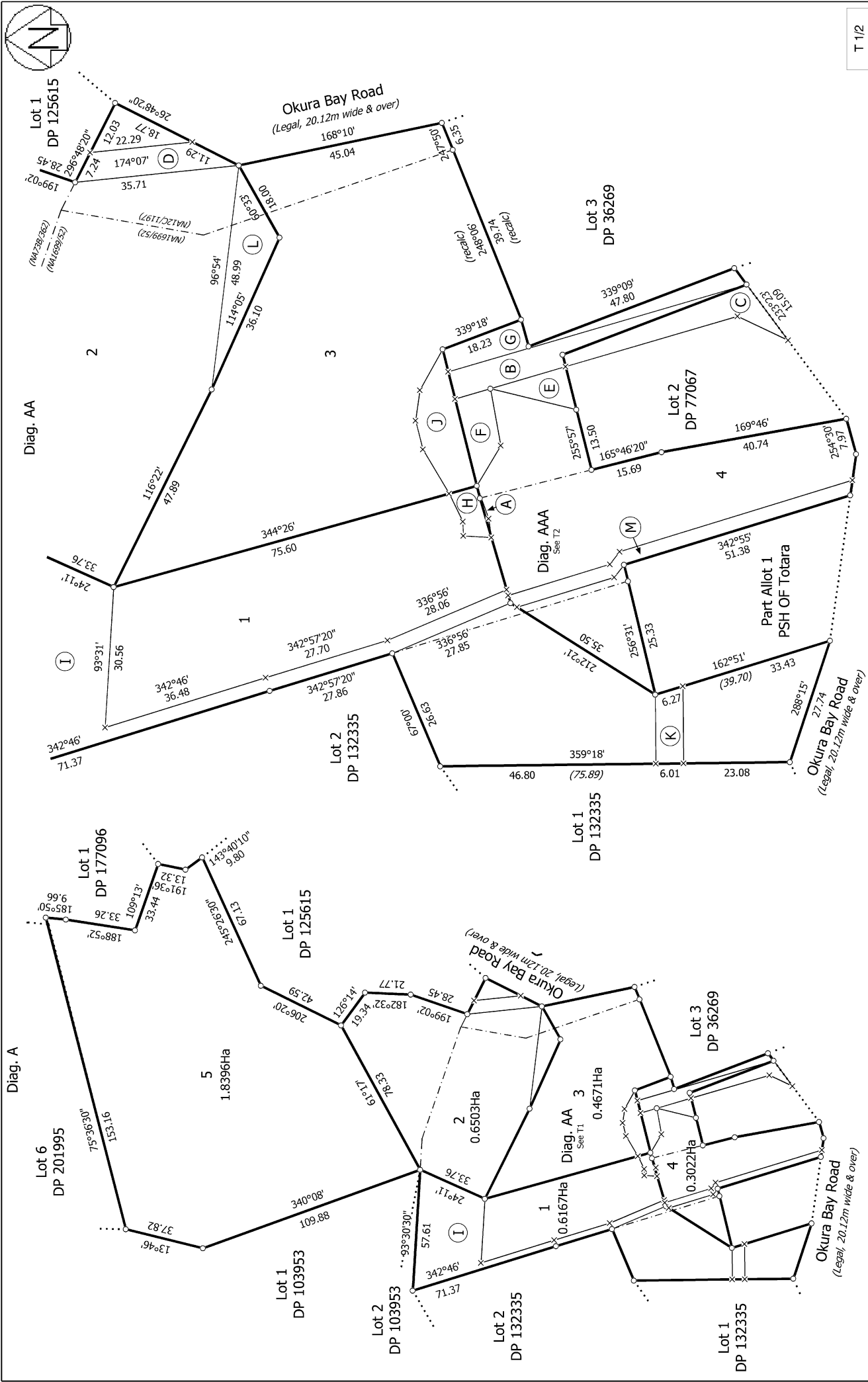
PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Right to convey water	F	Lot 4	Lot 1, Lot 3
" "	J	Lot 3	Lot 1
Right to drain sewage Right to convey water	I	Lot 1	Lot 4
Right to drain water	E	Lot 4	Lot 1, Lot 3, Lot 2 DP 77067
" "	C	Lot 2 DP 77067	Lot 1, Lot 3, Lot 4
Right to convey electricity, telecommunications	M	Lot 4	Lot 1

Schedule of Easements

PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Right to drain water Right to convey electricity, telecommunications, water	J	Lot 3	Lot 1, Lot 4
Right to drain water Right to convey electricity, telecommunications	H	Lot 1	Lot 4
" "	A	Lot 4	Lot 1
" "	B, G	Lot 4	Lot 1, Lot 3

Notes

Area L is to be subject to a Land Covenant



T 1/2

Land District: North Auckland	Lots 1-5 being a subdivision of Lots 1 & 2 DP 45341, Lot 1 DP 56554, Lot 1 DP 77067 & Lot 2 DP 125615 and easement over Lot 2 DP 77067	Surveyor: Sarah Rose Pascoe Firm: Simpson Shaw Surveyors	Title Plan LT 596288 Approved on: 28/04/2025
Digitally Generated Plan Generated on: 28/04/2025 09:57am Page 5 of 6			

Variation to 2200465 - RMACOM
P Lane Estate
113A Okura Bay Road, Totara North

8 October 2026

Attention: Nick Williamson, Resource Consents Team Leader

Please find below an application to vary conditions on an existing subdivision consent RC 2200465-RMACOM. This application is supported by an Assessment of Environmental Effects.

Pursuant to Section 127 of the Resource Management Act, the Applicant is seeking to vary Conditions 4(i) and 4(j) of RC 2200465 - RMACOM which enabled a four-lot subdivision from a boundary adjustment of four existing titles. Land use consent was sought for the private accessway as well as the required excavations. The application was assessed as a Non-Complying Activity within the Coastal Residential and General Coastal zones under the Operative District Plan (ODP). The application was limited notified and consequently went to a hearing with consent being approved on 11th November 2020.

Post approval of RC 2200465 - RMACOM, a land use consent was lodged for a new dwelling and associated infrastructure to be constructed on Lot 4 of RC 2200465 - RMACOM. The land use consent was processed under RC 2230445 – RMA LUC and was subsequently approved on 10th May 2024. A variation to consent notice conditions of RC 2200465 - RMACOM was also sought as part of RC 2230445 - RMAVAR, which was sought under s127 given that the deposit of the survey plan had yet to be completed.

As part of RC 2230445 – RMA LUC, an onsite wastewater design was prepared by Haigh Workman Engineers which differed to the recommended design within the Site Suitability Report (also prepared by Haigh Workman) for RC 2200465 – RMACOM.

The Applicant is currently preparing the documents required for the s224(c) certificate of RC 2200465 – RMACOM and there are two conditions which reflect the previous onsite wastewater design for Lot 4 which are now considered to be redundant given the approved wastewater design under RC 2230445 – RMA LUC. As such, the Applicant is requesting to have these conditions deleted to align with the approved design under RC 2230445 – RMA LUC.

The variation to RC 2200465 - RMACOM is a **Discretionary Activity** under Section 127 of the RMA.

Regards,

Alex Billot



Resource Planner

Reviewed by:

Rochelle Jacobs



Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED

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Appendices

- 1. Far North District Council Application Form**
- 2. Record of Titles – LINZ**
- 3. RC 2200465 - RMACOM – Approved Decision– FNDC**
- 4. RC 2200465 – RMACOM – Approved Plans – FNDC**
- 5. RC 2230445 – RMALUC – Approved Decision – FNDC**
- 6. RC 2230445 – RMALUC – Approved Plans - FNDC**
- 7. RC 2230445 – RMALUC – Onsite Wastewater Report – Haigh Workman**
- 8. LT Plan – Simpson Shaw**

Assessment of Environment Effects Report

1. Description of the Proposed Activity

- 1.1. Pursuant to Section 127 of the Resource Management Act, the Applicant is seeking to vary conditions 4(i) and 4(j) of an existing resource consent, RC 2200465 – RMACOM, which enabled a four-lot subdivision from a boundary adjustment of four existing titles. The application was assessed as a Non-Complying Activity within the Coastal Residential and General Coastal zones under the Operative District Plan (ODP). The application was limited notified and consequently went to a hearing with the decision being approved on 11th November 2020.
- 1.2. As detailed within the preamble of this application, post approval of RC 2200465, a land use consent was lodged for a dwelling and associated infrastructure to be constructed on Lot 4 of RC 2200465. The land use consent was processed under RC 2230445 – RMALUC and subsequently approved on 10th May 2024.
- 1.3. As part of RC2200465 – RMACOM, the onsite wastewater design for Lot 4 was recommended to be contained within the northern side of Lot 1, as it was determined that Lot 4 was too steep to contain an onsite wastewater system within its boundaries (see *Figures 1 & 2* below). As part of RC 2230445 – RMALUC, Haigh Workman determined that an onsite wastewater system could be designed within the southern portion of Lot 4 to service the proposed dwelling (see *Figure 3*), with the area set aside within Lot 1 being utilised as a reserve disposal area for Lot 4. Subsequently, the dwelling and associated onsite servicing have been constructed within Lot 4. An easement has been created over the reserve disposal area within Lot 1 to service Lot 4 as a backup reserve area for the approved and constructed onsite wastewater system within Lot 4. The approved onsite wastewater report prepared by Haigh Workman in support of RC 2230445 – RMALUC is contained within **Appendix 7** of this application.

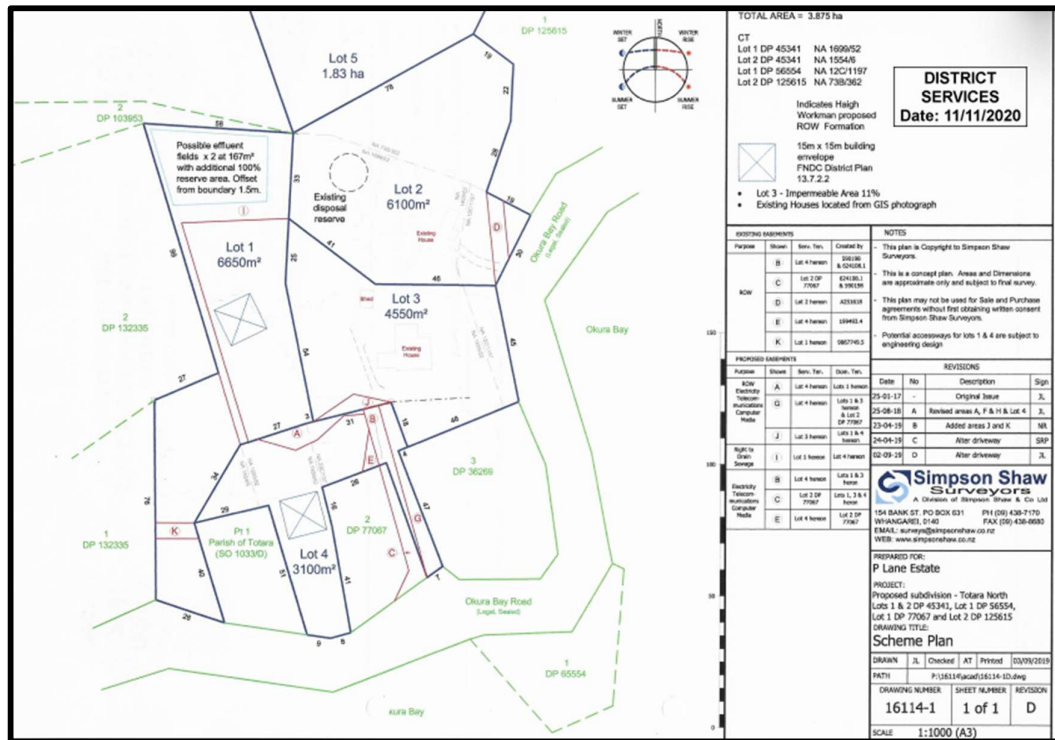


Figure 1: RC 2200465 - RMACOM Approved Plans showing wastewater area within Lot 1 to service Lot 4.

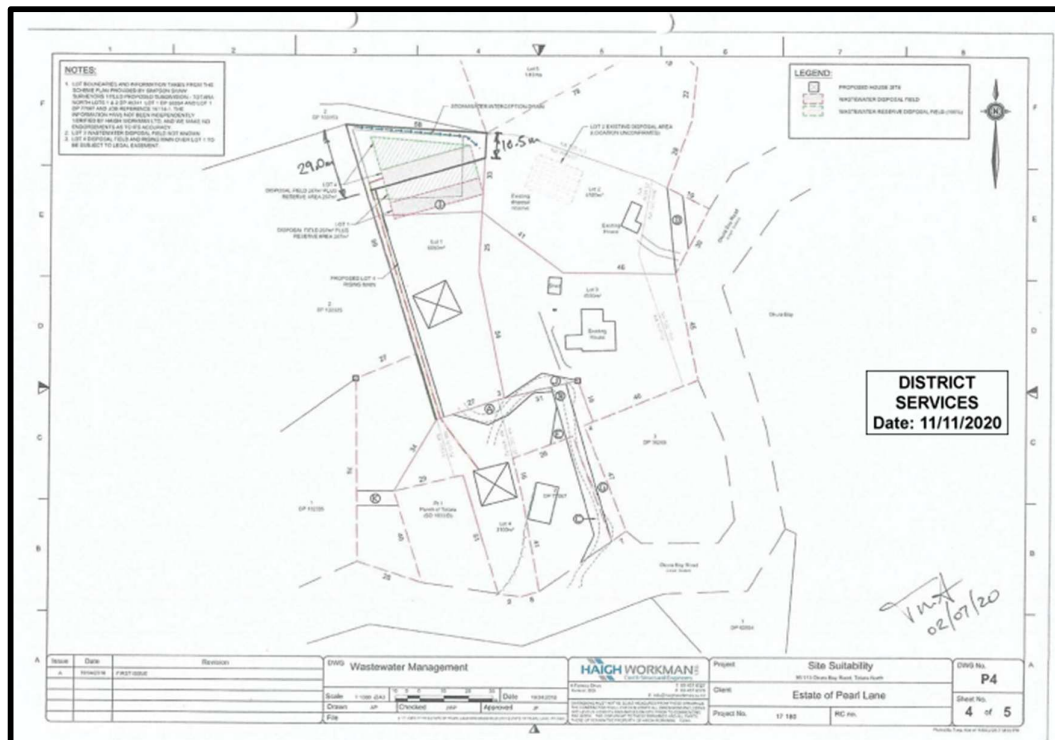


Figure 2: Figure 1: RC 2200465 - RMACOM Approved Plans showing easement area within Lot 1 to service Lot 4.

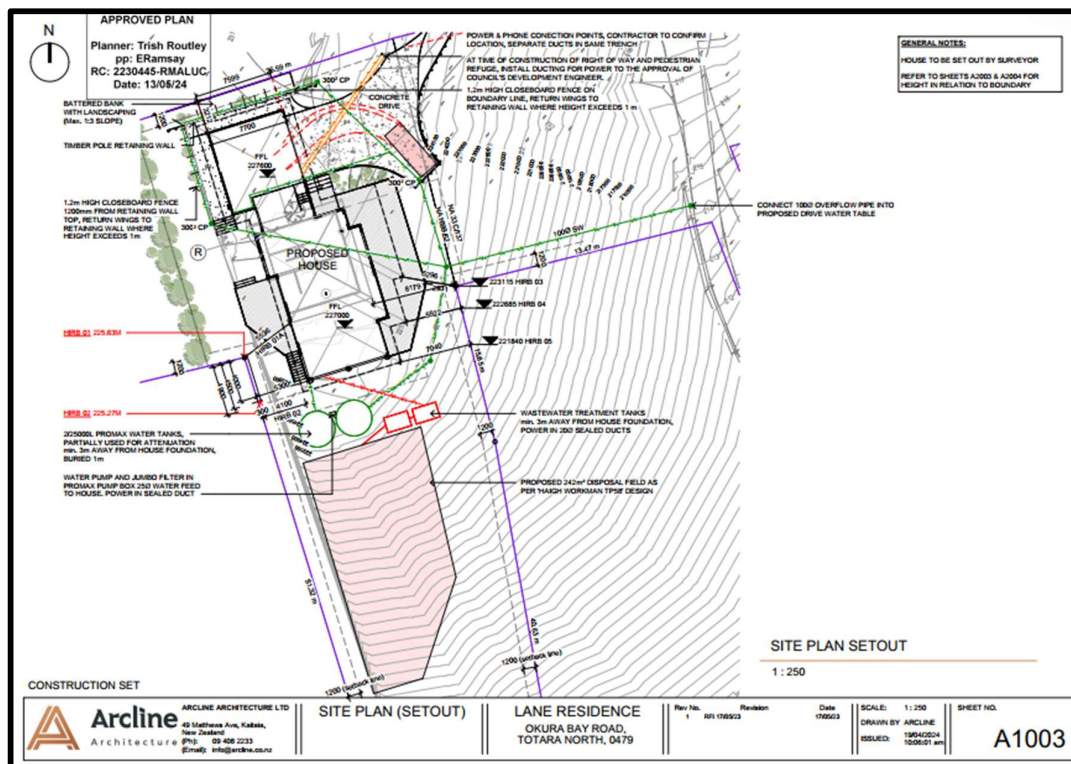


Figure 3: RC 2230445 - RMALUC Approved plans showing onsite wastewater system within southern side of Lot 4.

- 1.4. The Applicant is currently preparing the documents required for the s224(c) certificate of RC 2200465 – RMACOM and Conditions 4(i) and 4(j) reflect the previous onsite wastewater design for Lot 4 which are now considered to be redundant given the approved wastewater design under RC 2230445 – RMALUC. As such, the Applicant is requesting to have these conditions deleted in their entirety to align with the approved design under RC 2230445 – RMALUC.
- 1.5. It is noted that the reserve area within Lot 1 to service Lot 4 is protected by an easement as well as an access easement down the western side of Lot 1, which are registered on the LT Plan. There is also a consent notice to be issued on the titles which reinforces this (see Condition (a)(iv) of RC 2200465). The reserve area is back-up only if the constructed onsite wastewater system fails within Lot 4 and as such, will only need to be accessed and utilised if the system ever fails. Conditions 4(i) and 4(j) of RC 2200465 – RMACOM were introduced to enable ease of access and use if they were to be used for the primary onsite wastewater system for Lot 4. As this is now not required, it is considered appropriate to delete these conditions. Access and use can still be granted if required, given these areas are protected by an easement, which also ensures that the areas set aside for reserve will not be built on or used for any other purposes which could adversely affect the use of the area for its intended use.

- 1.6. The conditions subject of this application are listed below, which as mentioned, are requested to be deleted in their entirety.

CONDITIONS:

- *Condition 4(i) – Unsurfaced access to the drainage easement shall be formed and removal of obstructive vegetation (i.e. trees or large shrubs) on the western boundary of Lot 1 to allow access for onsite wastewater disposal system installation and maintenance vehicles.*
- *Condition 4(j) – A suitable boundary fence (i.e. eight wire) shall be placed on the internal boundary only of easement I on Lot 1 to define and protect the identified disposal area servicing Lot 4 from the balance of Lot 1.*

- 1.7. The variation to RC 2200465 - RMACOM is a **Discretionary Activity** under Section 127 of the RMA.

2. Description of the Site and Surrounding Environment

- 2.1. The site is located at 113A Okura Bay Road, Totara North. Within the ODP, the parent allotments are zoned Coastal Residential. Within the Proposed District Plan – Appeals Version (PDP-AV), the parents lots are zoned as Settlement as well as being within the Coastal Environment.



Figure 4: PDP-AV zoning of all parent allotments (note RC 2200465 results in a subdivision of these lots).

- 2.2. The sites are not mapped as being subject to any areas of outstanding landscape, however the site is shown to form part of an area of high natural character which is located over the western part of the lot (part of 89 Okura Bay Road, which will form the western portion of Lot 4 of RC 2200465). This area is located outside of the development area of RC 2230445.



Figure 5: RPS Maps.

- 2.3. As mentioned, the dwelling on Lot 4 has now been constructed and the onsite servicing installed.
- 2.4. No flood hazard exists on the subject titles or within the development area. A review of historic aerials and review of the subdivision application does not indicate that the site has been used for a HAIL activity in the past. NZAA has not mapped any archaeological sites within the immediate area. As part of the subdivision an archaeological assessment was undertaken by Geometria. No archaeology was found. The subject site does not contain any areas of PNA. The site is mapped as being within a kiwi present area.

3. Reasons for Consent

Section 127 of the Resource Management Act (RMA)

- 3.1. This application seeks to vary conditions of an existing resource consent RC 2200465 - RMACOM as described in Section 1.0 above resulting in the approved onsite wastewater system as part of RC 2230445. Section 127(3) states that Sections 88-121 apply, with all the necessary modifications, as if the application were an application for a resource consent for a Discretionary Activity.

- 3.2. The site is zoned as Coastal Residential under the ODP and has been rezoned as Settlement under the PDP-AV. The reasons for consent under the ODP remain the same as the original application. There are no other works proposed that would require additional consents under either of the applicable district plans.

National Environmental Standards

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

- 3.3. As per RC 2200465, the site is not known to have any activities undertaken (past or present) that are listed on the HAIL. The application is considered Permitted in terms of this regulation.
- 3.4. No other NES are considered applicable to this variation.

4. Statutory Assessment

Section 104 of the Resource Management Act 1991

- 4.1. Applications to vary or cancel conditions of a resource consent are subject to Sections 88-121 where they are applicable. This includes Section 104, which sets out matters for consideration when deciding a resource consent.
- 4.2. Section 104(1) of the RMA states that when considering an application for resource consent –
“the consent authority must, subject to Part II, have regard to –
- (a) any actual and potential effects on the environment of allowing the activity; and*
 - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*
 - (b) any relevant provisions of –*
 - i. a national environmental standard:*
 - ii. other regulations:*
 - iii. a national policy statement:*

- iv. a New Zealand Coastal Policy Statement:*
 - v. a regional policy statement or proposed regional policy statement:*
 - vi. a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application."*

- 4.3. The Council has previously granted resource consent to subdivide the site as well as construct a dwelling and associated onsite infrastructure within the site boundaries. The proposed variation will not alter the allotment sizes, configuration, use nor create any adverse effects as essentially the variation will tidy up the conditions within the subdivision consent to reflect the approved land use conditions for the dwelling and associated infrastructure within Lot 4.
- 4.4. In respect of potential adverse effects, the Council has previously concluded that any potential adverse effects will be no more than minor. The extent of works is contained within the site boundaries and correspondingly the potential adverse effects. The proposal is considered to result in a superior outcome given that onsite wastewater disposal for Lot 4 will be wholly contained within the lot boundaries, consistent with RC 2230445 – RMALUC. The area originally set aside within Lot 1 for wastewater disposal will act as a reserve area, to be utilised if the system within Lot 4 fails for any reason. Given the lesser anticipated use of this area, it is not considered appropriate or practical to warrant fencing of the reserve area and providing a cleared accessway to an area of the site which will not be utilised for the foreseeable future.
- 4.5. Furthermore, the Applicant has advised that the reserve area is located within a steep, vegetated area of Lot 1, which is not easily and readily accessed, resulting in fencing of the area being difficult as well as maintaining an additional fenced area of the site which will be essentially cut off from other open areas of Lot 1. Fencing is not considered required given that the reserve area will be a vacant unused piece of land. There is no livestock on the property which could enter the area, such that fencing serves no superior purpose compared to leaving the area unfenced. Conditions 4(i) and 4(j) of RC 2200465 – RMACOM reflect the previously recommended system which was not specifically designed for a dwelling within Lot 4, with the latter Haigh Workman onsite wastewater design being specifically recommended for the dwelling proposed. As such, it is considered that Conditions 4(i) and 4(j) are now redundant.

- 4.6. As previously mentioned, the reserve area within Lot 1 as well as the access area along the western boundary of Lot 1 are protected by easements and a consent notice. Both of these instruments ensure that any future owners of Lot 1 are aware that these areas are set aside for a specific purpose and cannot be utilised for any other such purpose which would interfere or restrict the use of these portions of the site.



Figure 6: Approved onsite wastewater system under RC 2230465 - RMALUC.



Figure 7: Reserve area within Lot 1.

- 4.7. As such, it is considered that given the latter approved land use resource consent which approved an onsite wastewater system within Lot 4, with the area in Lot 1 being set aside as a reserve area, it is considered that Conditions 4(i) and 4(j) are now not warranted nor considered necessary given the area within Lot 1 will only be used as a backup area, in case of

failure of the primary wastewater system within Lot 4. The easements registered over Lot 1 to enable access and use of the reserve area as well as the consent notice to be registered on the titles reinforcing the intended purpose of these areas and the rights for Lot 4 to use and access these areas, ensures that the reserve area and access will be utilised for the intended purpose and any future owners of Lot 1 can be made aware of this. Fencing and clearing of areas which will not be accessed or used in the foreseeable future is not considered warranted given the change in use approved under RC 2230445.

- 4.8. In terms of effects on submitters of RC 2200465, it is noted that there was only one submission received from Dawn Elizabeth Griffiths and David Bruce Griffith, with each of these submitters wishing to be heard. It is noted within the Decision that the *'submitters were not in opposition to the proposal and this was confirmed by them at the hearing, but they did state that they wanted some conditions of consent to be applied and were concerned about the future costs of maintaining the right of way, access during construction and drainage.'* Mr and Mrs Griffiths appeared to be satisfied with the conditions of consent offered in regards to the right of way. Given that the works for the right of way have been completed and the right of way and access will not be altered by the proposed variation application, it is considered that there are no adverse effects created on the original submitters of RC 2200465 and as such, no notification of the application is considered necessary.
- 4.9. Overall, the variation as proposed is not considered to create any adverse effects on adjoining property owners nor the surrounding environment and is only required to align the approved subdivision and subsequent land use resource consent approval. The proposed variation will remove redundant and impractical conditions of consent which serve no superior purpose given the altered approved and now constructed wastewater system within Lot 4.

New Zealand Coastal Policy Statement and Regional Policy Statement for Northland

- 4.10. An assessment of the relevant objectives and policies of the NZCPS and RPS were provided as part of the original applications under subdivision consent RC 2200465 and land use consent RC 2230445. Given the proposed variation does not alter the intended use or development of the lots, it is considered that the proposal remains generally consistent with the objectives and policies of the NZCPS and RPS and no further assessment will be made.

Far North Operative District Plan and Proposed District Plan

- 4.11. An assessment of the relevant objectives and policies of the ODP were provided as part of the original applications under subdivision consent RC 2200465 and land use consent RC 2230445. An assessment of the relevant objectives and policies of the PDP were also provided as part of RC 2230445. It is noted that since then, the PDP is now in the Appeals Version, which has varied since RC 2230445, however given the nature of the proposal, it is considered that the proposal remains generally consistent with the objectives and policies of the ODP and PDP.
- 4.12. Given the proposed variation will not alter the allotment sizes or the intended use of the proposed lots, it is considered that the proposal will remain consistent with the objectives and policies of the relevant statutory documents and no further assessment will be provided for.

Plan Weighting Summary

- 4.13. The Appeals Version of the PDP (PDP-AV) is now available and details provisions which are subject to appeal. Provisions that are not appealed will be treated as 'operative' replacing equivalent provisions of the operative plan. If there are live appeals against a proposed provision, the proposed provision and any equivalent provisions may need to be considered through the resource consent process.
- 4.14. Given the stage that the PDP-AV is at, greater weighting is applied to the PDP-AV rather than the ODP. As the appeals are addressed, those remaining matters in the ODP will fall away.

5. Part 2 Assessment

- 5.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 5.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of the natural and physical resource whilst meeting the foreseeable needs of future generations.
- 5.3. Section 6 of the Act sets out matters of national importance. The application is considered to meet this Section of the Act.
- 5.4. Section 7 identifies "other matters" to be given particular regard by a Council when assessing an application for resource consent, including the maintenance and enhancement of amenity

values. The proposal maintains amenity values in the area as the proposal is in keeping with the existing character of the surrounding environment.

- 5.5. Section 8 requires Council to ‘take into account’ the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). It is considered that the proposal would not be contrary to the principles of Te Tiriti.
- 5.6. Overall, the application is consistent with the relevant provisions of Part 2 of the RMA, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, it is concluded that the proposal achieves the purpose of sustainable management set out by Sections 5-8 of the Act.

6. Conclusion

- 6.1. The Applicant is seeking to delete Conditions 4(i) and 4(j) of RC 2200465 – RMACOM given the approved and now constructed onsite wastewater system as part of latter RC 2230445 – RMALUC. The deletion of conditions will align with the approved wastewater system within the latter land use consent and remove redundant, impractical conditions which will not serve a superior purpose. The proposed variation will not alter the lot sizes approved nor the intended use of the proposed lots.
- 6.2. The proposal to vary the existing conditions of consent is Discretionary Activity under Section 127 of the RMA.
- 6.3. The Council has previously assessed potential adverse effects arising from the proposed subdivision and concluded that the subdivision will not have, and is not likely to have, adverse effects on the environment that are more than minor. There are no affected persons.
- 6.4. It is therefore considered appropriate to grant the variation to consent conditions on a non-notified basis, under s127 of the Act.

7. Limitations

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



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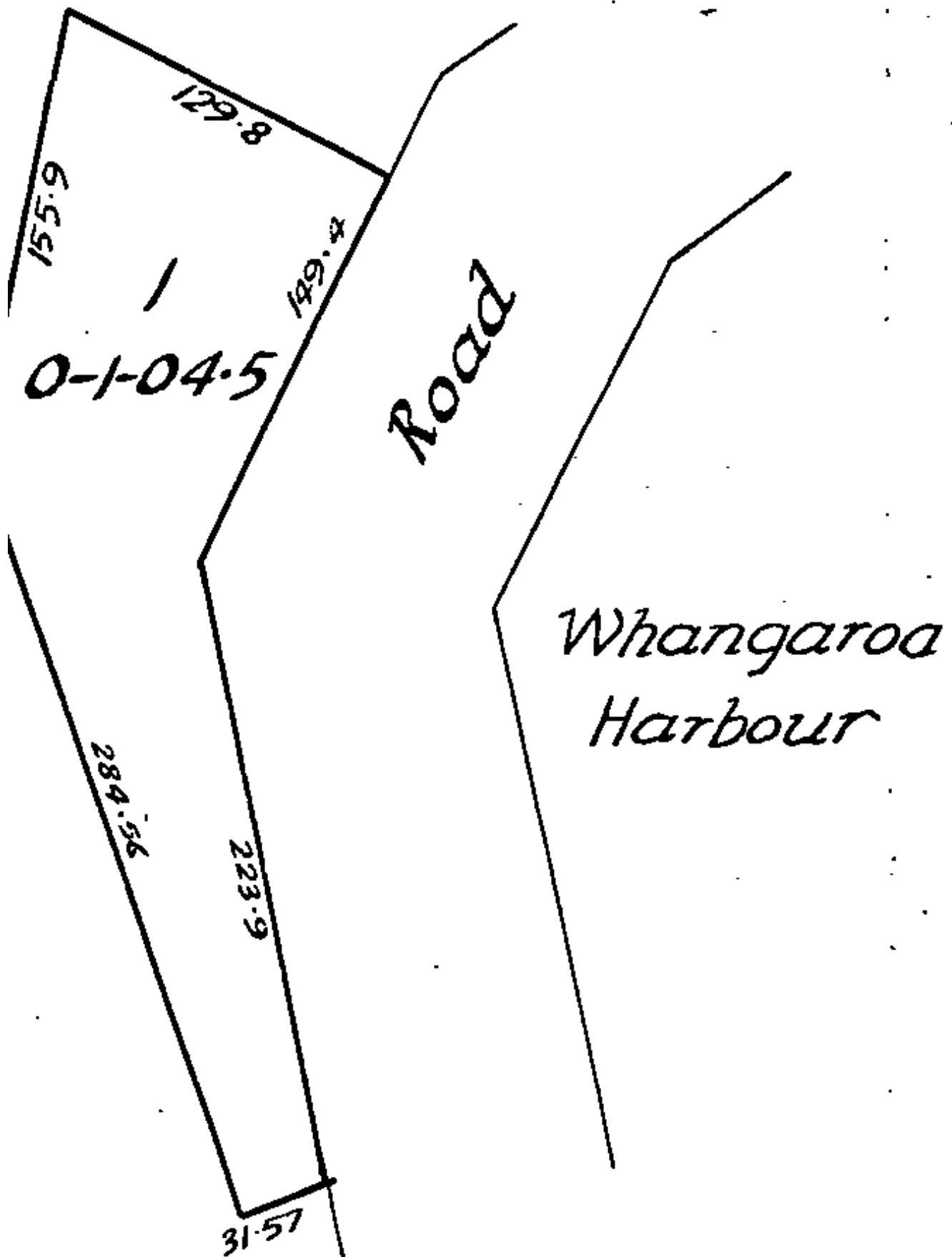

R.W. Muir
Registrar-General
of Land

Identifier **NA12C/1197**
Land Registration District **North Auckland**
Date Issued 28 April 1967

Prior References
NA764/213

Estate Fee Simple
Area 1126 square metres more or less
Legal Description Lot 1 Deposited Plan 56554
Registered Owners
Grant Phillip Lane and Frances Anne Lane Brooker as Executors

Interests
Subject to a right of way over part coloured yellow on DP 56554 created by Transfer A251618 - 12.10.1967 at 2.30 pm





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




R.W. Muir
Registrar-General
of Land

Identifier **NA33C/137**
Land Registration District **North Auckland**
Date Issued 12 December 1975

Prior References
NA1390/15

Estate Fee Simple
Area 1006 square metres more or less
Legal Description Lot 1 Deposited Plan 77067
Registered Owners
Paul Ellyet Lane

Interests

Subject to a right of way over part marked B on DP 77067 created by Transfer 590198

Fencing Agreement in Transfer 590198

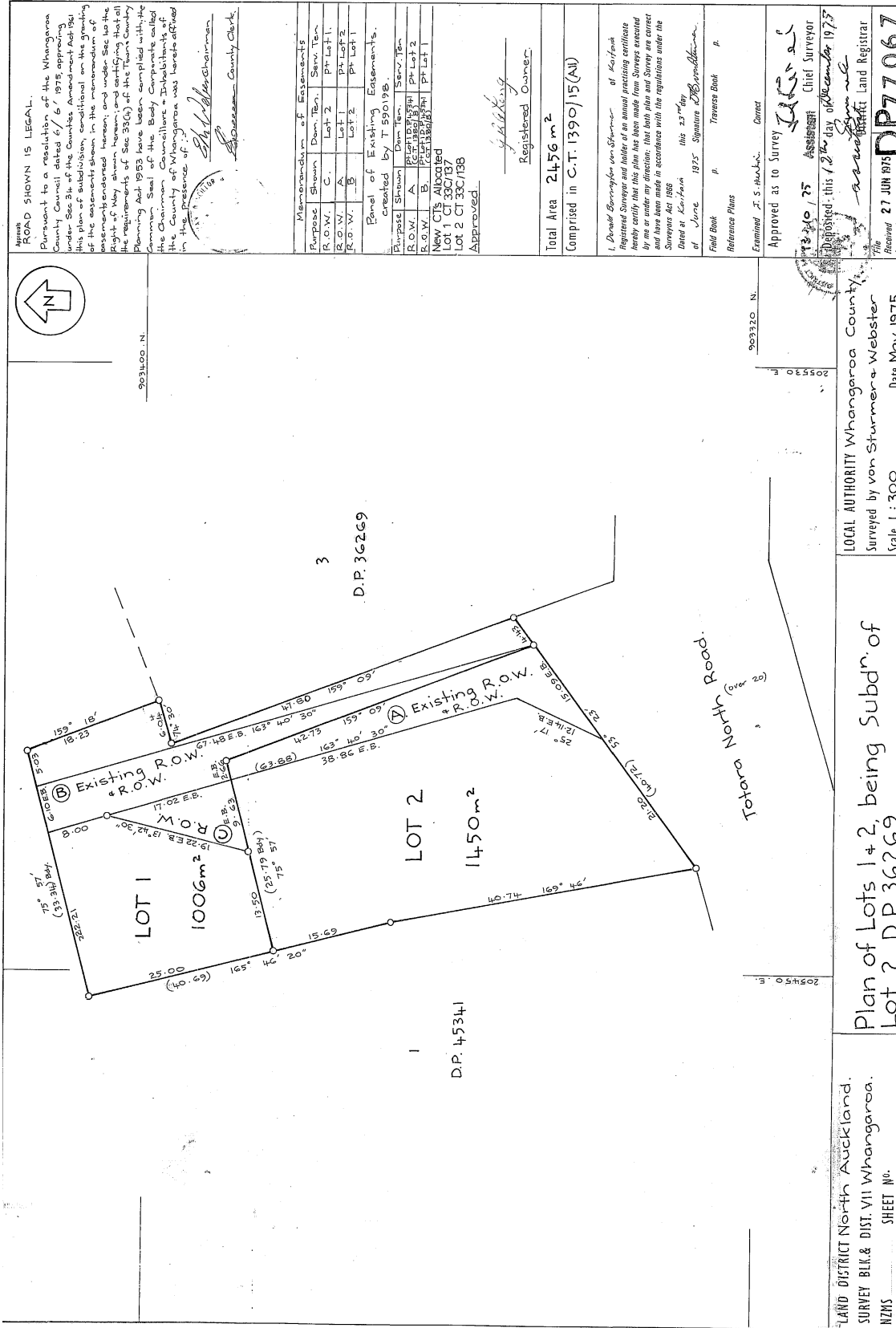
Subject to a right of way over part marked C on DP 77067 specified in Easement Certificate 199493.4 - 12.12.1975 at 11.37 am

The easements specified in Easement Certificate 199493.4 are subject to Section 37 (1) (a) Counties Amendment Act 1961

Appurtenant hereto is a right of way specified in Easement Certificate 624108.1 - 8.9.1976 at 1.48 pm

Subject to a right of way over part marked B on DP 77067 specified in Easement Certificate 624108.1 - 8.9.1976 at 1.48 pm

The easements specified in Easement Certificate 624108.1 are subject to Section 37 (1) (a) Counties Amendment Act 1961





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R.W. Muir
Registrar-General
of Land

Identifier **NA73B/362**
Land Registration District **North Auckland**
Date Issued 13 October 1988

Prior References
NA12D/783

Estate Fee Simple
Area 2.0929 hectares more or less
Legal Description Lot 2 Deposited Plan 125615

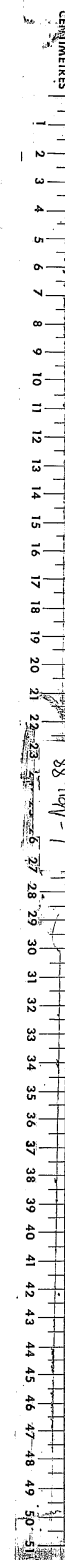
Registered Owners

Peter Kelvin Gillard as to a 1/2 share
Margaret Irene McQuade as to a 1/2 share

Interests

Appurtenant hereto is a right of way created by Transfer A251618
12246388.1 CAVEAT BY PAUL ELLYETT LANE - 22.9.2021 at 11:15 am

1111





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R.W. Muir
Registrar-General
of Land

Identifier **NA1554/6**
Land Registration District **North Auckland**
Date Issued 18 April 1958

Prior References

NA59/42 NA656/290

Estate Fee Simple
Area 2347 square metres more or less
Legal Description Lot 2 Deposited Plan 45341
Registered Owners
Grant Phillip Lane and Frances Anne Lane Brooker as Executors

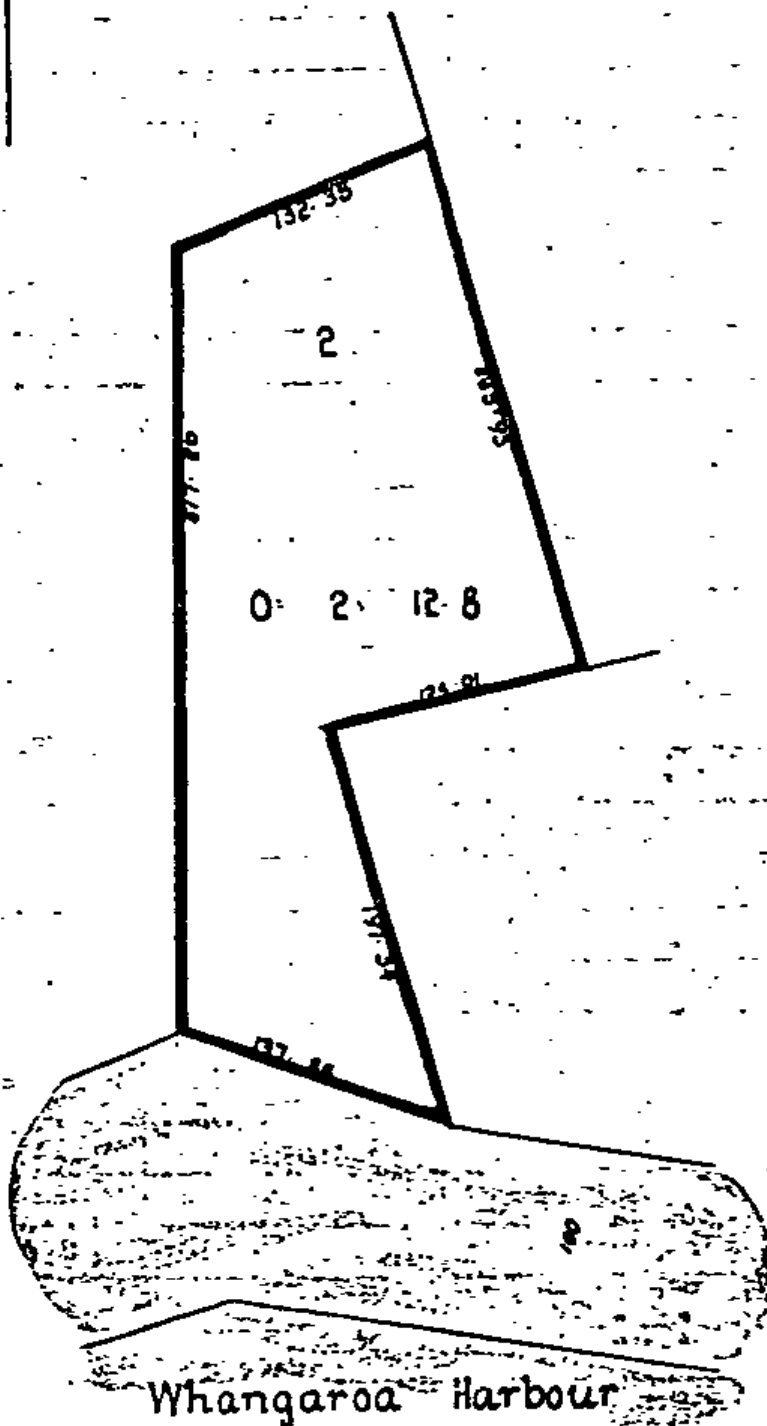
Interests

Appurtenant hereto is a right of way created by Easement Instrument 9867749.4 - 26.11.2015 at 12:37 pm
Subject to a right of way over part marked B on DP 465180 created by Easement Instrument 9867749.5 - 26.11.2015 at 12:37 pm

EQUIVALENT METRIC

AREA IS 234

VII Whangaroa S.D.





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UNDER LAND TRANSFER ACT 2017
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R.W. Muir
Registrar-General
of Land

Identifier **NA1699/52**
Land Registration District **North Auckland**
Date Issued 21 December 1959

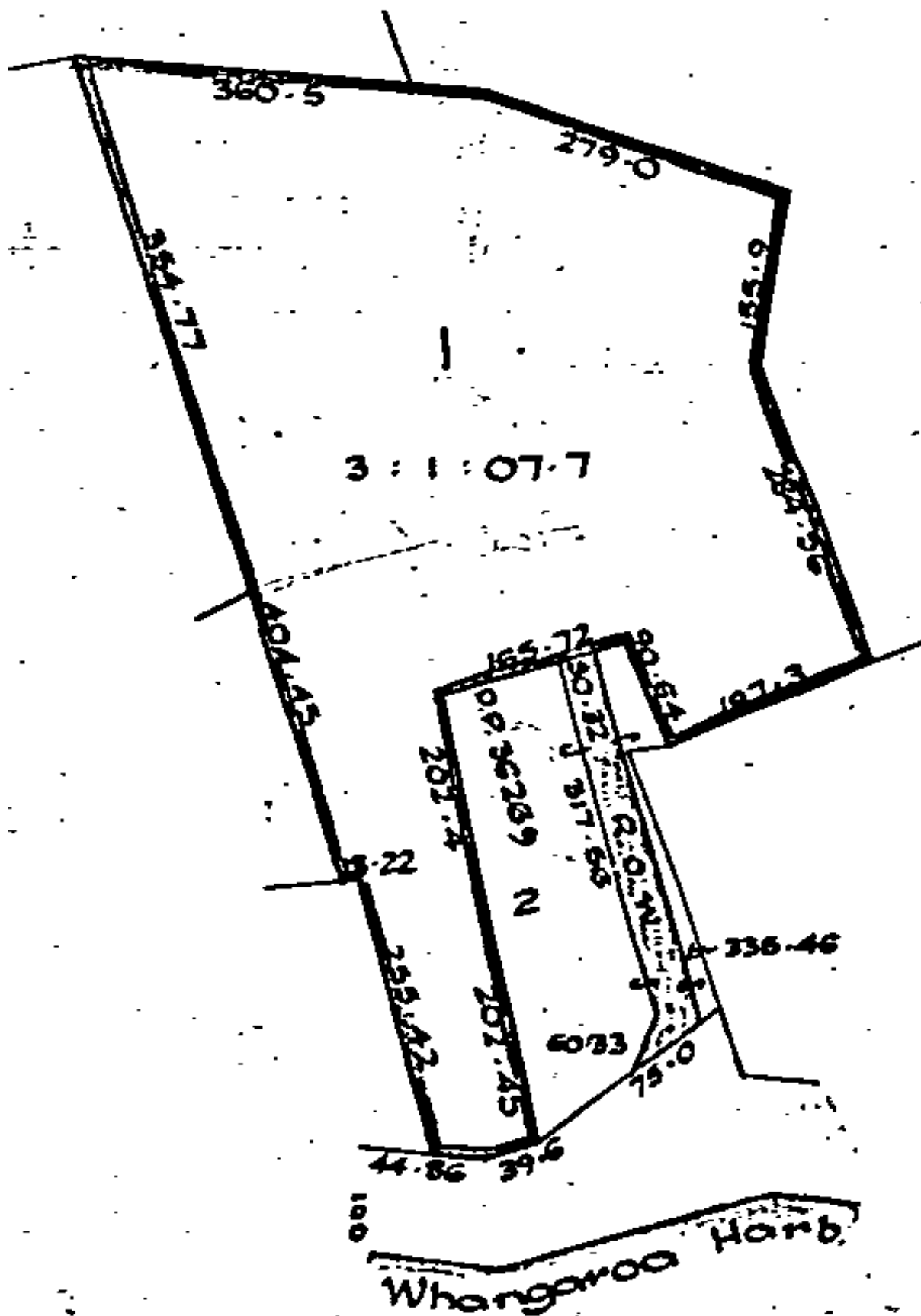
Prior References

NA1380/8 NA645/116 NA764/213

Estate Fee Simple
Area 1.3347 hectares more or less
Legal Description Lot 1 Deposited Plan 45341
Registered Owners
Grant Phillip Lane and Frances Anne Lane Brooker as Executors

Interests

Appurtenant hereto is a right of way created by Transfer 590198 (affects part formerly Lot 1 Plan 36269)
Fencing Agreement in Transfer 632315 - 21.12.1959



IN THE MATTER of the Resource Management Act 1991:

AND

IN THE MATTER of an application under the aforesaid Act, by
P Lane Estate

APPLICATION NUMBER RMACOM: 2200465

Hearing for a non-complying application to:

- subdivide the site to create four allotments in the Coastal Residential Zone resulting from a boundary adjustment of four existing titles and a boundary adjustment of a neighbouring property located in the General Coastal Zone to be included as part of one of the four proposed Coastal Residential zoned lots.
- Land-use consent required as the existing access does not comply with Rule 151.6C.1.1 Private Accessways in All Zones and the excavations required to upgrade the access equate to 212.5m³ which breaches Rule 12.3.6.1.3 Excavation and/or Filling.

The property, in respect of which the application is made, is situated at 89, 97, 113A, and 137 Okura Bay Road, Totara North.

My decision is to **grant** consent subject to conditions and for the reasons set out below in this report.

HEARING

Before the Independent Hearings Commissioner of the Far North District Council, on Monday 19 October 2020.

Hearings Commissioner William (Bill) Smith was appointed to hear the application by P Lane Estate. The Application was lodged in accordance with the Resource Management Act 1991 ("the Act") with the Far North District Council (FNDC) and referenced RMACOM:2200465.

Present: Hearings Commissioner William (Bill) Smith

Applicant: **P Lane Estate**
Frances Lane Brooker, Grant Lane and Mark Lane
Alister Hartstone, Consultant Planner
Tom Adcock, Consultant Engineer

Consent Authority: **Far North District Council**
Sheryl Hansford, Consultant/Reporting Planner
Pat Killalea, Principal Planner – Environmental Management
Ranjan Rhadka, Resource Consents Engineer

Submitters: Dave and Dawn Griffiths

In Attendance: Didi Paraone, Senior Hearings Administrator

Procedural Issues

The hearing was opened at 9.30am. I introduced myself, explained that I was an Independent Hearings Commissioner appointed by the Council to consider and make a decision on the application, that the Officer's Report was purely a recommendation to me. I advised the parties that I had carried out a site visit and visit to the surrounding area on Sunday 18 October 2020 and also explained the format for the hearing. I had received a request from Mr and Mrs Griffiths to be heard first as they needed to leave the hearing early. The applicant and Council agreed with the request.

Description of the Proposal, Site and Surrounding Locality

Ms Hansford outlined in sections 2.0 and 3.0 of her s42A Report the proposal and site which she stated is as follows:

The Proposal:

"To subdivide the site to create four allotments in the Coastal Residential Zone by way of boundary adjustment of four existing titles. The boundary adjustment of a neighbouring property located in the General Coastal Zone is to be included as part of one of the four proposed Coastal Residential Zoned lots.

Land-use consent is also sought as the proposal breached the permitted excavation threshold and the access does not comply with Rule 15.1.6C.1.1 Private Accessways in all zones.

Lots 1, 3 and 4 are located within the Coastal Residential zone and can comply with the Controlled Activity status for lot sizes.

Lot 2 will contain a split zoning of Coastal Residential and General Coastal zones and will contain the existing dwelling and services. This lot is increasing in size and is non-complying due to the increased area being zoned as General Coastal.

Lot 5 is located within the General Coastal zone and is the balance of Lot 2 DP 125615 that is subject to the boundary adjustment with proposed lot 2. This lot will decrease in size and does not comply with the minimum lot size provided for, is not a subdivision via a management plan and is therefore a non-complying activity. This lot will also contain an existing dwelling and services. The boundary adjustment of these lots will not result in any additional permitted development rights".

I was told that no changes had been made following notification.

The Site and Surrounding Locality:

"The subject site and surrounding area forms part of the urban area of Totara North where there are a number of residential dwellings located on the steep elevated slopes with views overlooking the Whangaroa Harbour.

The subject site consists of five existing records of title.

The main dwelling is located on a prominent knoll above the harbour with access via a steep sealed right of way from 97 Okura Bay Road which is shared with one other user.

An existing cottage is located at 113a Okura Bay Road and a residential dwelling is located on 137 Okura Bay Road which is a local metalled road.

The hillside contains a dense mix of exotic and indigenous vegetation.

Adjacent to the site is a public parking lot with toilets, boat ramp and wharf".

Ms Hansford also included in her report Figure 1 - a map showing the surrounding locality and Figure 2 – a map showing the lot sizes of the surrounding locality.

From my site visit and visit to the surrounding area I could clearly see the sites to be subdivided, the existing development in the immediate area and also the surrounding area and accept the general description provided in the S42A Report and the application documents. I have visited Totara North on a number of occasions and I am familiar with the area but had not visited the actual sites before.

Reasons for the Application

The reasons for the application were shown in section 4.0 of the s42A Report and Ms Hansford stated that the proposed activity is to subdivide to create four allotments in the Coastal Residential Zone by way of boundary adjustment of four existing titles. The boundary adjustment of a neighbouring property located in the General Coastal Zone is to be included as part of one of the four proposed Coastal Residential zoned lots. Land-use consent is also sought as the proposal breaches the permitted excavation threshold and the access does not comply with Rule 15.1.6C.1.1 Private Accessways in all zones.

A table setting out the Rule and Name, Non-complying aspect and the activity status was shown under section 4.1 of the s42A Report.

Both Ms Hansford and Mr Hartstone agreed that overall, the application was a non-complying activity. However, there was a disagreement regarding the non-complying status in regard to the excavation and/filling required.

Notification and Submission

The application was limited notified and at the close of the submission period, one submission was received from Dawn Elizabeth Griffiths and one from David Bruce Griffiths with each submitter wishing to be heard. A full copy of the submissions were attached to the s42A Report and have been considered and taken into account by me. A summary of the submissions together with the relief sought by the submitters was also included in the s42A Report at section 5.2 and this is shown below:

Dawn and David Griffiths	95 Okura Bay Road, Totara North.	• Increase of traffic on driveway • Disruption caused by work done on the driveway • Drainage and Flooding	Relief sought was: To develop the paper road from the mill. Upgrade drainage and regular maintenance of drain.	Yes
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I note from the submissions that the submitters were not in opposition to the proposal and this was confirmed by them at the hearing, but they did state that they wanted

some conditions of consent to be applied and were concerned about the future costs of maintaining the right of way, access during construction and drainage.

Ms Hansford also referred in section 7.0 of the s42A Report to an engineering report prepared by Brad Hedger, Resource Consent Engineer who had provided comments on the engineering aspects of the proposal and who had also recommended conditions of consent relating to the matters raised in the submissions; specifically related to access and stormwater. Mr Hedger's report and comments were attached to the s42A Report. Mr Hedger also provided a response (dated 16 October 2020) to matters raised by Mr Hartstone and this was tabled and circulated to all parties at the hearing.

I was informed that no pre-hearing meetings had been held. As I have said above, I note from the correspondence attached to the hearing report that the submitters were not necessarily opposed to the subdivision subject to a number of issues/conditions being resolved.

Evidence Heard and Considered

I heard evidence on behalf of the applicant from Ms Lane Brooker, Mr Hartstone and Mr Adcock), submitters (Dave and Dawn Griffiths), the Council's Reporting Planner – Ms Hansford, Mr Rhadka and Mr Killalea.

The vast majority of evidence was in writing and forms part of the Council's records on this hearing. I have carefully listened to all the evidence presented, read all the other evidence and revisited the evidence during the writing of this decision. I have also taken into account the recommended conditions suggested to me.

As I have already said I undertook a detailed site visit to the actual site and also the surrounding area.

I consider that a general summary of the evidence will be of great assistance to understanding the decision but as I have said the evidence presented forms part of Council's records and speaks for itself.

Evidence on behalf of Council

The Planners s42A Report and attachments was taken as read and as a result of a question from me Ms Hansford confirmed her recommendation that consent could be granted and she had not read or seen anything that had changed her mind, at this stage.

P Lane Estate

Ms Lane Brooker spoke on behalf of the beneficiaries of the P Lane Estate and tabled and read a copy of the Lane Family Statement dated 18 October 2020. In summary it referred to:

- an introduction as to why the beneficiaries are proposing to subdivide and a response to the concerns raised by Mr and Mrs Griffiths.
- the family history in Totara North (since 1870), the family home (built in 1949), the fact that they had all been born and raised in the area and that they had been working to settle the estate since their mothers death.

- how the subdivided land would be allocated to family members and their intention to own the land and have strong affiliations to the area.
- comments on the submissions from Mr and Mrs Griffiths and how there will only be one new user of the right of way, the upgrading work will also benefit the Griffiths, there will be some minor disruption but this can be covered and included in the construction management plan.
- the drainage will be modified as part of the works and that they will all have to take responsibility for keeping the drains clear.
- no paper road exists that could service the P Lane Estate property.
- the efforts to try and resolve the issues with Mr and Mrs Griffiths which proved unsuccessful and added to the timeline.

Mr Adcock had provided a statement of evidence which was taken as read and referred to some of his evidence and also answered questions. In summary he stated that:

- in regards to the wastewater disposal area it should be planted or fenced although it is not always necessary to fence but it does restrict access to avoid damage.
- the District Plan requires a 3m wide formation for the right of way, but that it is not practical to upgrade the full length, there will be about a 40m length where the width will be limited to 2.5m. However, because of safety concerns for pedestrians the applicant is prepared to construct a footpath over part of the right of way and that a width of 750m wide would be adequate. There also needs to be flexibility in regards to the type of footpath (wooden boardwalk, concrete, gravel etc) and this can be decided at design stage. Mr Adcock also commented that he did not see many pedestrians using the walkway.
- the design of the drainage has provided good capacity, the runoff from the right of way will be captured and then directed straight to sea.
- the culvert will handle the primary flow and a hump can be formed above the entrance to the Griffiths property for secondary flow to mitigate the risk of water entering that property. The design can make sure that the runoff can be directed into the existing drainage channel.
- hard wiring may not be necessary but a conduit could be laid in the RoW.

Mr Hartstone had provided a statement of evidence which was taken as read and also referred to some of his evidence and also answered questions. In summary he stated that:

- with regard to the submitters concerns his view was that they (the applicant) had addressed all their concerns.
- the access and stormwater issues have been covered by the engineering evidence.
- in regards to power supply the condition is not clear, what does 'provide at the boundary' mean – a conduit up to the lots. That there is a connection at the bottom of the driveway to Lots 1 and 4.
- conditions cannot require the applicant to carry out work on other private property or the Council road.
- his recommendation was for consent to be granted.

Submitters

Mrs and Mr Griffiths referred to their written submissions (copy on Council file) and also some issues/concerns they wanted answers to or resolution of. In summary the evidence referred to:

- concerns on the upgrading of the right of way, if there is an upgrade who pays and that they did not want any further costs for maintaining the right of way.
- the drainage in the future – who is going to maintain it and how their property will be affected and maintenance of the sink hole at the end of the right of way.
- having access to their property during construction which was very important due to Mr Griffiths health.
- the existing 'book a bach' on the property and its use and also the increase of traffic flow.
- protection of the pohutukawa tree at end of right of way on the road.

At this stage I did state to Mr and Mrs Griffiths that the widening of the right of way will improve the current situation with passing bays being installed and that if the application is approved the Council will have controls by way of conditions on the decision. I also stated that (if approved) there could be a condition that they will be advised 7 working days before work commences and Mr Griffiths agreed. As Mr and Mrs Griffiths needed to leave the hearing early I advised them that they would (in due course) receive a copy of the decision. Both Mr and Mrs Griffiths left the hearing at 10.05am

Reporting Officer's and Council Officers Response

Ms Hansford said that she needed to clarify a number of issues:

- she confirmed her recommendation that approval should be granted but would like to seek assistance from the Council's Policy team regarding wording of the conditions for the provision of services.
- that she had not heard anything that would change her recommendation.
- she was willing to caucus/confer with Mr Hartstone and provide a set of recommended conditions.

Applicant's Right of Reply

Mr Hartstone said that he had nothing much further to add except to say that they were happy with the application and the conditions subject to some amendments and that he was willing to caucus/confer with Ms Hansford on a set of recommended conditions and would also provide the right of reply on behalf of the applicant in writing at the same time.

After hearing the evidence from all parties and with the agreement of those parties present at the hearing at the time I adjourned the hearing at approximately 10.40am on the understanding that Ms Hansford and Mr Hartstone would caucus/confer on the recommended conditions of consent and that they would provide me with a set of conditions which would show clearly where they agreed and where they did not agree the conditions would show their respective reasons/opinion.

I adjourned the hearing with a request that the recommended conditions and the result of the caucusing/conferring and the written right of reply be provided by 4pm on Tuesday, 27 October 2020. I also issued a Direction on these two issues on 20 October 2020.

I received a request for an extension of time to provide the information outlined in the Direction and the Right of Reply and granted an extension. I then received an e-mail from Ms Hansford on 29 October 2020 outlining the amended recommended conditions that she supported and the reason in regards to the provision of a power supply and then received an email from Mr Hartstone on 5 November 2020 which included the Right of Reply on behalf of the applicant, a recommended set of conditions (including tracked changes) and the reasons for supporting the conditions. After considering the information and recommended conditions I closed the hearing at 8am on Thursday 5 November 2020 and advised Ms Paraone to notify all the parties. I had advised those present at the hearing that once the hearing was closed that my decision would be made available to the Council well within the 15 working days stipulated in the legislation.

Principal Issues

The principal issues that were in contention and which I have taken into consideration were comprehensively covered in the s42A Report, in the Application, in the evidence and submissions and I do not intend to repeat them here. I note that Ms Hansford's and Mr Hartstone's expert planning evidence was not challenged in regards to the status of the application, the assessment of environmental effects and that the effects of the proposal are not more than minor. They also considered that the potential adverse effects of the proposal (subject to conditions) would be no more than minor and that the application was not contrary to the relevant objectives and policies of the Operative Far North District Plan and, again this was not challenged by any experts at the hearing. There was a different in opinion in regards to a number of conditions but generally the experts were in agreement.

I also note that the expert evidence from the applicant's specialist and the Council's engineering staff was also not challenged by any other expert and that these experts agreed that subject to conditions of consent that the application could be approved.

In regards to the right of way and drainage I am satisfied that both issues can be provided for and constructed so that any adverse effects can be satisfactorily avoided, remedied or mitigated via the conditions of consent that have been imposed.

I am also satisfied that the concerns of the submitters can be covered by the conditions of consent and in respect of notification/duration of any works/construction this has been covered in condition 3 in regards to the CMP which should include provision for Mr and Mrs Griffith's to be provided with seven (7) days written notice prior to works commencing, the name and telephone number of the Project Manager/IQP, the activity to be carried out and the expected duration of the works.

In regards to the recommended conditions Ms Hansford response on 29 October indicated that the two experts had agreed on the changes to the engineering conditions however, the condition in relation to providing power to the boundary of the lots had not been resolved. She provided in her response a copy of the District Plan rule (shown below) and stated that the Council are of the view that the condition for electricity connections should be imposed given the residential zoning.

“13.7.3.6 ENERGY SUPPLY

All urban allotments (Residential, Commercial, Industrial Zones) including the Coastal Residential, Russell Township, and Rural Living Zones, shall be provided with the ability to connect to an electrical utility system and applications for subdivision consent should indicate how this could be done.”

She also advised me that Mr Hartstone on behalf of the applicant would provide me with his reasons in regard to the ability to connect to power.

Mr Hartstone's Right of Reply referred to the recommended conditions and reasons for his opinion to support the application and the draft conditions. His reply covered the following issues:

- the concerns of the submitters (Mr and Mrs Griffiths) which he considered had been addressed by the relevant experts and that the amended conditions recognise the concerns raised.
- amendment to condition 4 (k) (ii) in regards to CMP so that the submitters are given 7 days' notice. Also reference to reasonable access to RoW under Civil Law.
- that stormwater can be directed from the submitters' driveway into the RoW drainage and this is included in condition 3 (a) (ii).
- changes to the recommended conditions provided by Ms Hansford in regards to conditions 4 (j), 4 (k) (vi), 4 (m) and 4 (n).
- his conclusion being that the application should be granted subject to conditions, that the application passes the Gateway Test of Section 104D, the concerns of the submitters can be met and that no evidence has been provided that warrants declining consent.

In regards to the fencing of the easement for the disposal area required under condition 4 (j) Mr Hartstone refers to it not being required normally. However, in this application my view is that it is not a 'normal' situation as the disposal area for one lot is being provided on another lot and in my view it does required to be protected/identified so that the disposal area is not damaged or compromised. Having read Mr Hartstone's suggested amendment to the condition I am satisfied that it will help to protect/identify the disposal area. I also note that in Mr Adcock's evidence at the hearing that he suggested that the area be planted or fenced off.

In regards to the provision of power supply to the lots Mr Hartstone referred to specificity being required and also to the Council's Engineering Standards and Guidance 2014 – revised 2009 and quoted s9.2 which states:

“a) Electric Power. The supply of electric power shall generally be by means of an underground system. Ducts (my underlining) shall be installed at the time of road construction to the requirement of the electrical supply authority”

The above does not refer to 'hard wire power connection' but ducting and my view is that the ducting should be provided to the lots in question at the time of the construction of the RoW and/or the footpath.

In regards to the provision of a telephone supply to the respective Lots the applicant via Mr Hartstone's evidence (paragraphs 8 and 16) stated that no telecommunication connection was to be provided to each lot and referred to this requiring consent as a discretionary activity and that the application was lodged on the basis that no 'hard wire' connections would be provided. Mr Hartstone also referred to the comments of Mr Hedger on behalf of the Council and also the fact that consumers have a choice and that connections are available by cellular network. The evidence on behalf of the

applicant referred to the future owners of the sites being “family members”. However, as this may/may not eventuate my view is that if no ‘hard wire’ connections are to be provided that this should be brought to the attention of any future owners and I have included a consent notice condition to this effect.

My view based on the evidence before me from the relevant experts, that with regard to the planning and RoW/engineering matters that subject to conditions of consent that the effects of the proposed subdivision will be less than minor.

I have included the conditions generally agreed to by Ms Hansford and Mr Hartstone and in doing so I have taken into account all of the evidence and submissions.

Overall, I consider that any adverse effects of the proposal can be avoided, remedied or mitigated through the imposition of conditions to a level that is no more than minor and also that the proposal (based on all of the evidence before me) is consistent with the relevant statutory provisions, including the relevant provisions of the Operative Far North District Plan.

Relevant Statutory Considerations

Policy Statements and Plan Provisions

In considering this application, I have had regard to the matters outlined in Section 104 (1) (b) of the Act – any relevant provisions.

Section 104(1)(b)(i) and (ii) relevant provisions of national environmental standards or other regulations.

There are no national environment standards or other regulations in effect that apply to this application.

Section 104(1)(b)(iii) relevant provisions of National Policy Statements.

There are no National Policy Statements relevant to this application.

Section 104(1)(b)(iv) relevant provisions of the New Zealand Coastal Policy Statement.

The New Zealand Coastal Policy Statement (NZCPS) 2010 is relevant to this application as the site is within the coastal environment as determined by the operative Regional Policy Statement and therefore the NZCPS is relevant.

In particular Policy 6 of the NZCPS regarding activities in the coastal environment is considered relevant to the proposal, in particular *(c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth*. The opinion/view of Ms Hansford and Mr Hartstone was that the proposal does provide consolidation of the existing coastal settlement at Totara North. I agree.

Furthermore it was considered that Objective 2 To preserve the natural character of the coastal environment ... and Objective 6 To enable people and communities to provide for their social, economic and cultural wellbeing and their health and safety, through subdivision, use and development - were relevant to the application.

Lot 3 contains the existing development within and lots 1 and 4 are vacant land that will be contained within the Coastal Residential Zone. The permitted baseline was covered in the s42A Report and would permit the construction of a dwelling within each vacant lot – being 2 additional dwellings therefore on that basis any adverse effects on coastal character were considered to be less than minor. Again, I agree.

Section 104(1)(b)(v) relevant provisions of a regional policy statement or proposed policy statement.

The Regional Policy Statement (RPS) provides a framework for managing Northland's natural and physical resources, and to support the sustainable management purpose of the Act. Ms Hansford outlined in the s42A Report the most relevant objectives and policies of the RPS that she had considered relevant and which have been taken into account. I agree with Ms Hansford's assessment and note that her opinion was not challenged by any other expert at the hearing with Mr Hartstone agreeing with her opinion.

The objectives and policies seek development that is compatible with surrounding uses and values, is served by an appropriate level of infrastructure and is appropriate within the context of the surrounding environment. Three of the lots will contain existing development and the vacant lots are located within the Coastal Residential zone where development is anticipated and allowed for.

It is considered that the proposal is a well-planned and coordinated development and the necessary infrastructure for the development is already available or easily attainable. The expert engineering evidence provided by the Applicant and Council was in support of the proposal and I did not receive or hear any expert evidence to refute this evidence. The experts agreed that subject to conditions that the application could be approved.

Mr and Mrs Griffiths did raise their concerns in regards to the right of way, drainage issues and use/maintenance of the right of way and these issues were covered by the relevant experts in their evidence and based on the evidence and recommended conditions of consent I am of the view that the concerns of the submitters can be met through the imposition of conditions.

Overall, it is considered that the proposal is consistent with the relevant objectives and policies of the Regional Policy Statement.

Overall, my view is that the proposal does not conflict with the objectives and policies and the recommended conditions support these directives. I also consider that the objectives, policies and rules of the District Plan are considered to adequately take account of the RPS to enable the relevant objectives and policies to be implemented.

Section 104(1)(b)(vi) relevant provisions of a plan or proposed plan.

District Plan

The proposal had been assessed against the relevant objectives and policies in the Operative Far North District Plan. Overall I consider that the subdivision and land use, even though it is a non complying activity, is not contrary to the relevant objectives and policies of the District Plan.

Ms Hansford considered and commented on the relevant objectives and policies and these were shown in the s42A Report and these have been taken into account by me when making my decision on the application. From the evidence included in the

Application and provided by Mr Hartstone and Ms Hansford's s42A Report it was clear to see that the allotment sizes are compatible with the existing subdivision pattern of the area within the Totara North area.

The proposed sites are generally characteristic of the lot sites that exist in the area and a number of these sites were visible during my site visit. I find that the proposal would not detract from the overall character of the locality.

Ms Hansford considered that the proposed subdivision is consistent with the objectives and policies shown in her s42A Report and though it is a non-complying activity, her opinion was that the scale of the subdivision is considered to be appropriate for this particular location. This was also the opinion of Mr Hartstone.

The recommended conditions (subject to some minor amendments) would ensure that safe and effective vehicle access, and adequate site servicing such as wastewater disposal, stormwater management and water supplies.

Ms Hansford considered that the proposal was consistent with the objectives and policies of the District Plan. The objectives and policies (which were attached to the s42A Report) and considered relevant to this proposal were assessed by Ms Hansford and Mr Hartstone, were not challenged and have been read, considered and taken into account by me in making my decision.

Section 104D of the Act – Assessment

If a proposal is a non-complying activity then it must pass at least one of the gateway tests of either s104D(1)(a) or s104D(1)(b) before an application can be assessed to make a decision under s104B of the Act. If the application does not pass either test of s104D then the application must be declined.

Section 104D(1)(a) – Adverse effects on the environment will be minor

Having considered all of the evidence I consider that the proposal will not result in any adverse effects upon the site and its surroundings. My view is that approval to the application will not detrimentally impact upon the character and amenity of the area.

Ms Hansford's conclusion, which was supported by Mr Hartstone, was that the actual and potential effects on the environment would be less than minor and I agree with the assessments/opinions and consider that the first gateway test of Section 104D has been passed.

Section 104D(1)(b) – Proposal will not be contrary to the objectives and policies of the District Plan

The proposal had been assessed in the application and evidence from Mr Hartstone and also by Ms Hansford in her s42A Report and had been assessed above with regard to the relevant objectives and policies and overall it is assessed that the activity is consistent with, and not contrary to the relevant objectives and policies of the District Plan. There were no other planning experts at the hearing to refute the evidence provided by Mr Hartstone and Ms Hansford and the other expert witnesses.

As a non-complying activity the proposal has to meet section 104D of the Act and I have to be satisfied that either:

- the adverse effects of the activity on the environment will be minor; or

- the application is not contrary to the objectives and policies of the relevant planning document.

If the application does not pass either test of s104D then the application must be declined. For the reasons discussed in this report I am satisfied that the application, as applied for and subject to conditions of consent can meet either one of the threshold tests for a non-complying activity.

Part 2 Assessment

The principle purpose of the Resource Management Act (RMA) is to promote the sustainable management of natural and physical resources (Part 2, Section 5), and the Purpose of the Act accords pre-eminence to promoting sustainable management of natural and physical resources, not just their “management”.

After Section 5, Sections 6 – 8 of the RMA provide guidance with respect to the making of a decision on a hierarchy of considerations, being:

- i. Matters of national importance
- ii. Other matters that must be given particular regard
- iii. Principles of the Treaty of Waitangi that must be taken into account

The matters set out in Sections 6 – 8, while important are all subordinate to the overall purpose of the RMA, set out in Section 5 and all decisions for resource consents are subject to, or subordinate to Part 2 of the RMA and Part 2 considerations are critical in the process of decision-making (Section 104(1)).

When making a decision an overall broad judgement based on a weighting of the factors contained within Part 2 is required to be undertaken, recognising the hierarchy of considerations within Part 2. Therefore, any decision-making process should focus on the avoidance, remediation or mitigation of adverse effects in order to promote ‘sustainable management’ (Section 5(2)(c)). Also, some terms in Part 2 are defined and some are not, therefore the application of all matters requires a degree of local interpretation.

In the assessment of this application under Part 2 of the Act, it is appropriate to consider the recent Case Law.

In short, the Court of Appeal has determined that notwithstanding *King Salmon*, RMA decision makers should usually consider Part 2 when making decisions on resource consents (that is the implication of the words “subject to Part 2” in section 104). However, where the relevant plan provisions have clearly given effect to Part 2, there may be no need to do so as it “would not add anything to the evaluative exercise”. It would be inconsistent with the scheme of the RMA to override those plan provisions through recourse to Part 2. In other words, “genuine consideration and application of relevant plan considerations may leave little room for Part 2 to influence the outcome”.

Both Ms Hansford and Mr Hartstone covered the Part 2 assessment and considered that the proposed subdivision is in accordance with the purpose and principles set out in Part 2. The application had been assessed against the relevant provisions of the Regional Policy Statement for Northland and the Far North District Plan, and it was concluded that the proposal is consistent with these plan provisions. Since the principles of Part 2 are embodied in both these documents, I consider that a further

assessment of Part 2 of the RMA was unnecessary in view of the above mentioned Court of Appeal judgement.

Due to the conclusions reached I consider that this resource consent application achieves the Purpose of the Act.

DECISION:

That, pursuant to Sections 104 and 104B and 104D of the Resource Management Act 1991, the Limited Notified application consent by P Lane Estate to create four allotments in the Coastal Residential Zone by way of boundary adjustment of four existing titles. The boundary adjustment of a neighbouring property is to be included as part of one of the four proposed Coastal Residential zoned lots. Land-use consent is also sought for the accessway and excavations at 89, 97, 113A, 113B and 137 Okura Bay Road Totara North is granted consent subject to conditions and for the reasons shown in this report.

CONDITIONS OF CONSENT [P Lane Estate]

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Simpson Shaw Surveyors, referenced Proposed subdivision – Totara North Lots 1 & 2 DP 45341, Lot 1 DP 56554, Lot 1 DP 77067 and Lot 2 DP 125615, Drawing No. 16114-1, Revision D, dated 03/09/2019, and the annotated drawing showing the reduction in the proposed area of Easement I dated 2.7.2020 as appended to the letter from Haigh Workman Ltd dated 2.7.2020 as attached to this consent with the Council's "Approved Stamp" affixed to them.
2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - (a) All easements in the memorandum to be duly granted or reserved.
3. Prior to the approval of the survey plan pursuant to Section 223 of the Act, the consent holder shall:
 - (b) Submit plans, calculations & details of stormwater, works for the approval of Council's Resource Consent Engineer prior to commencing construction. Such works shall be designed in accordance with the Council's current Engineering Standards and NZS4404:2004. Plans and details shall be completed by a suitably qualified and experienced engineer. In particular the plans and details shall show:
 - (i) Stormwater culvert inlet debris protection at bottom of R.O.W. C and entrance to lot 2 DP 77067 R.O.W. E.
 - (ii) Secondary Overland flowpath < 0.4 control factor over Okura Bay Road discharging from access road and culvert at Bottom of R.O.W. C
 - (iii) Calculations confirming 1% AEP for fully developed allotments on lots 1, 3 and 4 can be contained within R.O.W drainage system. (note specific detail required regarding entrance to lot 2 DP 77067 easement E to ensure no storm flow into property and all culverts blocked)
 - (iv) Proposed wastewater field interception drain to be constructed on Lot 1 to protect easement I
 - (v) Overland flowpaths from lot 1

4. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:

(a) Upgrade the existing entrance to provide a formed and sealed or concreted double width entrance to R.O.W C and G which complies with the Councils Engineering Standard FNDC/S/2, section 3.3.17 of the Engineering Standard and NZS4404:2004. The entrance shall include provision for passing bays in accordance with the Far North District Plan. (note vegetation may need to be removed to improve site distances).

(b) Provide formed and concreted or sealed access on ROW easements A,J,B,E,C and G in general accordance with the Site Suitability Report, , ref 17180, dated April 2020 and drawing titled Right of Way access, dated 13/04/2020, ref 17180, produced by Haigh Workman Ltd. For clarity a 3m finished carriageway width shall be provided where possible with passing bays and widening to comply with the Far North District Plan except for the 40m section as identified in report.

The formation shall include kerbing or a concreted ditch channel to contain stormwater runoff as well as catch pits and culverts as required to control and direct the discharge of stormwater runoff.

(c) Provide a 750mm wide pedestrian refuge along the edge of 40m section of 2.5m carriageway within R.O.W easements C,G, and B, and trim back vegetation to allow passage. *Note: Provision of this refuge may be provided by way of boardwalk, gravelled track, or similar construction.*

(d) Provide to Council written confirmation from a licensed cadastral surveyor that the access carriageway is fully contained within the easements provided for access.

(e) Vegetation is to be trimmed and removed along the length of R.O.W to allow the access of emergency vehicles to a minimum corridor of 3.5m wide by 4m high.

(f) Complete any stormwater control works approved under condition 3a.

(g) Provide a report and plan from a licensed surveyor with the assistance of a council approved onsite wastewater designer or chartered professional engineer which confirms that the effluent disposal field and reserve disposal area are fully contained within the boundaries of lot 2.

(h) Provide evidence that a building code of compliance certificate has or will be issued for the replacement of the onsite wastewater system within proposed lot 3 boundaries.

(i) Unsurfaced access to the drainage easement shall be formed and removal of obstructive vegetation (i.e. trees or large shrubs) on the western boundary of Lot 1 to allow access for onsite wastewater disposal system installation and maintenance vehicles.

(j) A suitable boundary fence (i.e. eight wire) shall be placed on the internal boundary only of easement I on lot 1 to define and protect the identified disposal area servicing Lot 4 from the balance of Lot 1.

Note: The internal boundary is the diagonal line running roughly north-south from the boundary with Lot 2 across to Lot 2 DP 132335. It does not include fencing the easement boundary all the way down to the Lot 4 boundary.

- (k) That, prior to the commencing of any physical site works, a construction management plan shall be submitted to and approved by the Council. The plan shall contain information on, and site management procedures, for the following:
 - (i) The timing of building and construction works, including hours of work, key project and site management personnel including contact details.
 - (ii) Provide 7 days notice to the property owners of Lot 2 DP 77067 prior to the commencement of works
 - (iii) The excavation works, including retaining structures, prepared by a suitably qualified geotechnical engineer.
 - (iv) Control of dust and noise on-site and any necessary avoidance or remedial measures.
 - (v) Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
 - (vi) Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users the right of way.
 - (vii) Erosion and sediment control measures to be in place for the duration of the works and designed in general accordance with GD05.
 - (viii) Protection measures to ensure that the pohutukawa tree and/or its roots at the bottom right hand side of the right of way and junction with Okura Bay Road (as you are facing uphill) are not damaged during construction works.
- (l) That all construction works on the site are to be undertaken in accordance with the approved construction management plan.
- (m) Upon completion of the works specified in condition(s) 4 a,b,c,-e, f, i, and j above, provide certification (PS4 or Schedule 1C) of the work from a suitably qualified and experienced engineer that all work has been monitored and completed in accordance with the stormwater approved plans and earthwork erosion and sediment control measures required to construct access.
- (n) Provide written confirmation from the power utility services operators that a suitable connection point to service Lots 1 and 4 is available at the junction of the right-of-way easement and Okura Bay Road in accordance with Far North District Council Engineering Standards and Guidelines 2004 – Revised 2009 to the approval of the Council's Development Engineer or their delegated representative.
- (o) At the time of construction of the right of way or footpath install ducting or a conduit to the boundary of Lots 1 and 4 from Okura Bay Road so that each Lot can be provided with power in the future. Such ducting or conduit to be to the approval of the Council's Development Engineer or their delegated representative.

Consent Notice

(a) Secure the conditions below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.

(i) In conjunction with the construction of any building and associated impermeable surfaces constructed post August 2020 on any allotment, the lot owner shall install or discharge into a stormwater detention tank with a flow attenuated outlet that discharges to the R.O.W stormwater system. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for 10% and 1% AEP rainfall events respectively, plus an allowance for climate change. The details of the onsite detention storage and flow attenuation shall be prepared by a suitably qualified and experienced practitioner and submitted with the Building Consent application.

[Lots 1-4]

(ii) Without the prior approval of the Council, no building shall be erected, nor any works which increase impermeable surfaces be undertaken, nor any planting or structure placed which may create a flow obstruction, on any area of the site which has been proposed as a secondary / overland (Q₁₀₀) flow located in lot 2.

[Lot 2]

(iii) In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval an Onsite wastewater Report prepared by a Chartered Professional Engineer or a Council approved Report Writer. The report shall reference the Site Suitability Report, produced by Haigh Workman Ltd, ref 17180, dated April 2020 submitted with RC 2200465 and identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot or easement boundaries.

[Lots 1 and 4]

(iv) The area identified as the onsite Wastewater conveyance and disposal Area for the disposal of treated effluent shall remain free of built development and available for its designated purpose. Where practical all onsite wastewater disposal drainage and wastewater rising main piping shall be buried to reduce damage from vegetation maintenance.

[Lots 1 and 4].

(v) At the time of lodging an application for building consent on any of the lots the building applicant is to provide an assessment report from a Chartered Professional engineer with recognised competence in relevant geotechnical and structural matters, which references the Site Suitability Report, produced by Haigh Workman Ltd, ref

17180, dated April 2020 submitted with RC 2200465, and sets out the specific design of the building's foundations and indicates the programme of monitoring of the foundation construction. **[All Lots]**

- (vi) Building is restricted to a minimum setback distance of 4.0 m from the western property boundary and 8.0 m from the edge of the existing cut batter that extends across the southern end of the lot and as identified on Site Features and Exploratory borehole Location Plan, which is attached, produced by Haigh Workman Ltd, dated 09/03/2018, ref 17180 submitted with RC 2200465. **[Lot 4]**

- (vii) The allotment contains areas which are likely to be prone to subsidence, wherein there is a potential risk to life, property and the environment due to natural hazard processes. Any built development intended to be undertaken on allotment, shall refer to Site Suitability Report, produced by Haigh Workman Ltd, ref 17180, dated April 2020 submitted with RC 2200465 and may require a suitably qualified and experienced Chartered Professionals engineer's assessment. **[All Lots]**

- (viii) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509. **[Lots 1 & 4]**

- (ix) In conjunction with the construction of any dwelling, the recommendations from the NZ Fire Service outlined in correspondence dated 22 July 2019 and titled *Assessing alternative Firefighting Water Supplies to the Code of Practice SNZ PAS 4509:2008 and Fire Risk Mitigation Tactics* are to be complied with albeit Section 2 Access to Firefighting Water. **[Lots 1 & 4]**

- (x) The owner is to advise any purchaser of Lots 1 or 4 that the lots are not physically connected to any telecommunications service. No connections have been physically provided at the time of subdivision at the applicants request on the basis that telecommunications via cellular network is available. Far North District Council will not be responsible for ensuring nor providing telecommunication connections to the proposed lots, upon any future development of the site, or at the time of further subdivision. **[Lots 1 & 4]**

Advice notes

1. There are signs of slippage on all allotments, any future development may require assessment of Natural Hazards.
2. Please note that careful consideration of layout of onsite wastewater system disposal system will be required to maintain setbacks from stormwater

drainage or overland flow paths. If unable to be achieved, then a Resource consent maybe required.

3. A building consent will be required for the replacement of any onsite wastewater system.
4. The Consent holder shall when conducting works in or close to a road reserve submit a Corridor Access Request (CAR) and subsequently obtain a Work Access Permit (WAP) prior to any Bulk Earthworks Commencing
5. Archaeological sites are protected pursuant to the Heritage NZ Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the Heritage New Zealand Pouhere Taonga (HNZPT). Should any site be inadvertently uncovered, the procedure is that work should cease, with the HNZPT and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of the HNZPT's Accidental Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

Reasons for the Decision:

Pursuant to Section 113 of the Resource Management Act 1991, the reasons (including those in the above report) for this decision are as follows:

- Subject to conditions of consent the potential effects of the proposal, are assessed to be less than minor with the effects of the proposal on the environment being less than minor.
- Subject to conditions of consent, it is concluded that the sites are physically able to support, and are suitable for the proposed development, generating no more than minor adverse effects.
- The proposal is in accordance with the objectives and policies of the relevant planning documents.
- The proposal results in one additional user of the right of way and the engineering report provided with the application and the expert evidence shows that vehicles are able to safely access the site and the proposed widening to 3m with passing bays is a suitable solution for the additional user.
- The proposal does not result in any additional development rights in either the General Coastal or Coastal Residential zones.
- The approval of the proposal, subject to the conditions of consent, is considered to meet the requirements of Section 104 of the Act.
- In all the circumstances the proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991, as included in Part 2 of it.

Issued this 11 day of November 2020



Mr William (Bill) Smith
Independent Hearings Commissioner

22 200

Mark Lane
95/113 Okura Bay Road, Totara North

19.08.2022

On-site Wastewater System for Lot 4 DP 45341, 95/113 Okura Bay Road, Totara North.

Haigh Workman Limited has been engaged to design the on-site wastewater system for a proposed new dwelling at 113 Okura Bay Road, Totara North. The proposed dwelling will have three bedrooms. Drawings showing the location of the site and dwelling are enclosed.

At subdivision stage in the Haigh Workman 'Land at 95/113 Okura Bay Road, Totara North' Site Suitability Report ref. 17 180 it was originally envisaged that it would not be possible for the disposal area to be located on Lot 4 due to space constraints. It was thought that the disposal area would need to be located on Lot 1. Following building plans for the proposed dwelling being confirmed and the wastewater site investigation being undertaken it has been possible to position the disposal field on Lot 4.

Site Identification

The subject site is Lot 4, DP 45341 (113 Okura Bay Road). The site area is 3000m².

The proposed development area is overgrown with grass and scrub with a number of medium sized trees dotted around the site. The western flank is bush clad and has several very large pine trees which show obvious signs of slope instability.

Topography

The subject site is situated on a spur ridgeline which slopes gently to moderately down towards the south, becoming very steep at the southernmost boundary down to Okura Bay Road. The building platform also has a small terrace cut and filled, assumed to have been carried for an old dwelling.

The eastern flank of the ridge slopes down from the ridgeline, towards the east at between 10° and 22°, with a very steep unsupported cut batter along the western side of the neighbouring dwelling at 95 Okura Bay Road. The western flank of the ridgeline is steeply sloping with a large historic slip feature extending along the length of the building platform.

Consent Documents

A resource consent is not required for the construction of the wastewater system.

Hydrology and Flooding

It should be noted that detailed flood hazard reporting is outside the scope of this investigation. The dwelling location is elevated. A review of Northland Regional Council (NRC) online GIS database has been carried out and shows the site to be outside of mapped flood zones.

Mapped Geology

Reference to the published New Zealand Land Inventory maps (Whangaroa - Kaikohe), indicates the site is underlain by *'soils of the rolling and hilly land, well to moderately well drained Marua brown clay loam (MRrH)'*. The underlying material weathers to *'light grey, soft clay containing harder cores to depths of 10 m'*.

Soil maps for the site are enclosed.

Site Investigations

A representative of Haigh Workman carried out a site investigation on 9th August 2022 in the area proposed for wastewater disposal to confirm the soil type and ground conditions. One bore hole was advanced using a hand auger to a depth of 2.2m below ground level. The soils encountered contained more silt than what was expected from the published geology. Borehole logs are enclosed. The topsoil depth was 0.05m, the observed subsoil comprised of CLAY with some silt, orange brown, moist.

Groundwater was not encountered during our site investigations. No evidence of groundwater seepage or static groundwater level was observed during the drilling of the hand auger borehole. Soil moisture observations were recorded with soils noted as being moist.

Based on our site investigations and using the Northland Regional Council Soils Fact Sheet the soils were categorised as AS/NZS1547:2012 Category 5: Light clay – poorly drained. In translation, this is TP58 Category 6: Sandy clay, non-swelling clay and silty clay – slowly drained.

Wastewater Generation

Water supply is from tank supply. Design wastewater flows can be calculated using the guidelines in Section 6 of TP58.

The proposed dwelling is three bedrooms. Based on TP58 the design occupancy is 5 people.

TP58 Table 6.2 indicates daily wastewater flows of 145 litres/person/day (l/p/d) for a household with 6/3 flush toilet(s) and standard water reduction fixtures and no garbage grinder (category D). Design flows are as follows;

- 5-person household will generate 145 l/p/d, which totals 725 litres of wastewater per day.

A secondary treatment plant is proposed.

Treatment Plant

There is a range of secondary wastewater treatment systems on the market that can cater for this loading rate. The treatment plant is to meet the quality output of AS/NZS 1546.3:2003 and be capable of producing effluent having less than 20 g/m³ of BOD₅ and 30 g/m³ TSS when consistently loaded with 725 litres and for 3-day peak loadings of 1088 litres.

The treatment plant needs to be located at a lower elevation than the proposed dwelling, in order to allow for gravity drainage to the system from waste production fixtures.

The treatment system should also be made accessible for regular maintenance and servicing. The treatment plant is to be set back more than 3.0 m from buildings and more than 3.0 m from the boundary.

The treatment plant is to be installed to the manufacturer's specification, and a commissioning certificate is to be provided as is standard practice. A maintenance agreement is also to be entered into as part of the Code Compliance application.

Disposal Area

The wastewater disposal area is characterised by:

- Slope angles of 10 - 22°.

The use of trickle irrigation disposal is sustainable in this case. It provides an easy and convenient system for distributing effluent over a wide area.

An area suitable for effluent disposal has been identified to the south of the proposed dwelling. This area has a moderate to steep slope (10 - 22°).

A stockpile of deleterious material is present within the proposed waste disposal area. This stockpile must be removed from the area for the dripper lines to be installed.

With the soil classification as a basis, we propose a basal loading rate of 3 mm/day. This loading rate is consistent with:

- Tables 5.2 and M1 of AS/NZS 1547:2012
- Table 9.2 of TP58.

Based on this rate, this proposal will require $725 / 3 = 242 \text{ m}^2$ area of disposal field. This equates to 242 metres of UniBioline or similar approved irrigation tubing, at 1.0 m spacing. Sufficient fall is not available to gravity dose the dripper lines so a dosing pump will be required.

The disposal area will require dripper lines to be buried.

In accordance with standards, the disposal field is to be setback:

- > 3.0 m from the buildings
- > 1.5 m from the boundary
- > 5 m from the edge potential surface water (5 m is allowed by the 'NRC Proposed Regional Plan')
- > 20 m from any water supply bore
- above the 20-year ARI flood contour
- > 0.9 m vertical separation from groundwater table (in winter months >1.5 m bgl expected)

There is ample area available to provide a 73 m^2 reserve area (30%) via an easement positioned in the northeast corner of Lot 1. This easement is shown in the subdivision scheme plan reference 16114-1

The dripper-lines are to:

- be fitted with 2.3 L/hr emitters at 0.6 m centres along lines
- be laid in the area shown on the appended Site Plan
- be installed, across the slope in line with direction of contours (to ensure level)

- have laterals spaced 1 m apart
- have manual flushing valves at the end of each lateral (to be well-marked)
- have a filter: 'Arkal' red (130 micron) disk filter, installed in the line from the outlet of treatment plant
- have a manual air release valve fitted at the highest point of the dripper line field
- suitable proprietary pump is required.

Interception Drains

As the disposal area is located on a ridgeline with the proposed dwelling directly up-gradient, an interception drain is not required.

Recommendations

To provide long term satisfactory treatment and disposal of domestic wastewater it is recommended that:

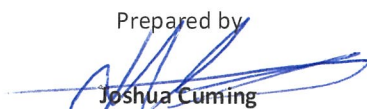
- Stockpile of deleterious material to be removed from proposed disposal area.
- The water production fixtures (toilets, washing machine, dishwasher and NO garbage grinder etc.) meet the wastewater loading category requirements described above.
- The secondary wastewater treatment system be sized to consistently treat at least 725 litres per day and be capable of producing effluent with less than 20g/m³ of BOD5 and 30g/m³ TSS.
- The treatment system is to be selected to provide optimum treatment for intermittent loading.
- Effluent be pump dosed to the dripper lines disposal field, as shown on appended Site Plan drawing.
- Effluent disposal be by UniBioline or similar approved trickle irrigation tubing of minimum 242 metres length installed at 1.0 m spacing, to the manufacturer's specifications and specifications included in this report.
- The secondary treatment plant be maintained to the manufacturer's specifications, and a maintenance agreement entered into.
- The entire system be constructed to the best professional and trade practices.
- Pump chamber installed to manufacturers specification.

Advice Note: If Council requires a PS4 (Construction Review Producer Statement) from an engineer, then an engineer should be engaged prior to construction to ensure that adequate inspections and monitoring is carried out.

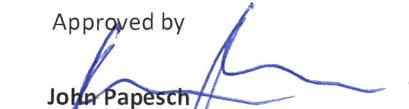
Disclaimer

This letter has been prepared for the sole use of our client, Mark Lane, for the particular brief and on the terms and conditions agreed with our client. It may not be used or relied on (in whole or part) by anyone else, or for any other purpose or in any other contexts, without our prior written agreement. This report may not be read or reproduced except in its entirety.

Prepared by

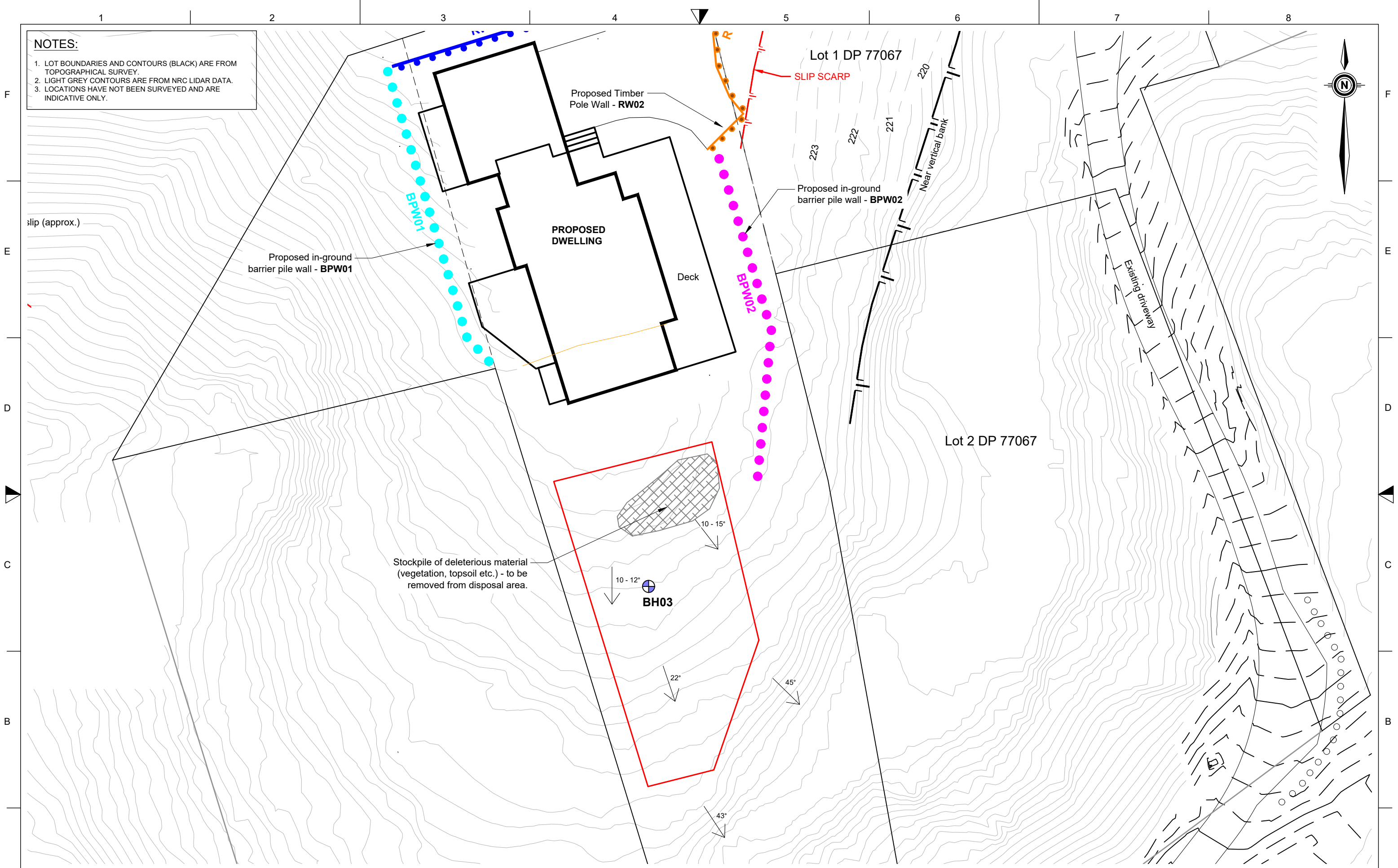

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Approved by


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Encls:

1. Drawing WW01 – Site Investigation Plan
2. Drawing WW02 – Detailed Wastewater Plan
3. Drawing 16114-1 – Subdivision Scheme Plan
4. Drawing No. 01 – On-effluent Disposal Typical Field Layouts. Trickle Irrigation.
5. Site evaluation checklist.
6. Producer Statement.
7. System Maintenance Schedule.
8. Soils factsheet.
9. Geology and soil maps.
10. Borehole logs.



NOTES:

1. LOT BOUNDARIES AND CONTOURS (BLACK) ARE FROM TOPOGRAPHICAL SURVEY.

2. LIGHT GREY CONTOURS ARE FROM NRC LIDAR DATA.

3. LOCATIONS HAVE NOT BEEN SURVEYED AND ARE INDICATIVE ONLY.

slip (approx.)

Proposed in-ground barrier pile wall - BPW01

Proposed Timber Pole Wall - RW02

Lot 1 DP 77067

SLIP SCARP

Proposed in-ground barrier pile wall - BPW02

Near vertical bank

Existing driveway

PROPOSED DWELLING

Deck

Lot 2 DP 77067

Stockpile of deleterious material (vegetation, topsoil etc.) - to be removed from disposal area.

BH03

Issue	Date	Revision
A	17/08/2022	FIRST ISSUE

DWG			Site Investigation Plan		
			0.5m Contour Intervals		
Scale		1:250 @A3	Date		August 2022
Drawn	CN	Checked	JCum	Approved	JP
File	C:\USERS\SCRAIGNELDER\HAIGH WORKMAN LIMITED\SUITEFILES - CLIENTS\MARK LANE\JOBS\22 200 - 95, 113 OKURA BAY ROAD, TOTARA NORTH (LOT 4)\ENGINEERING\GEOTECH\DRAWINGS\22 200 GEO PLANS_JUN 2021.DWG				



HAIGH WORKMAN
Civil & Structural Engineers

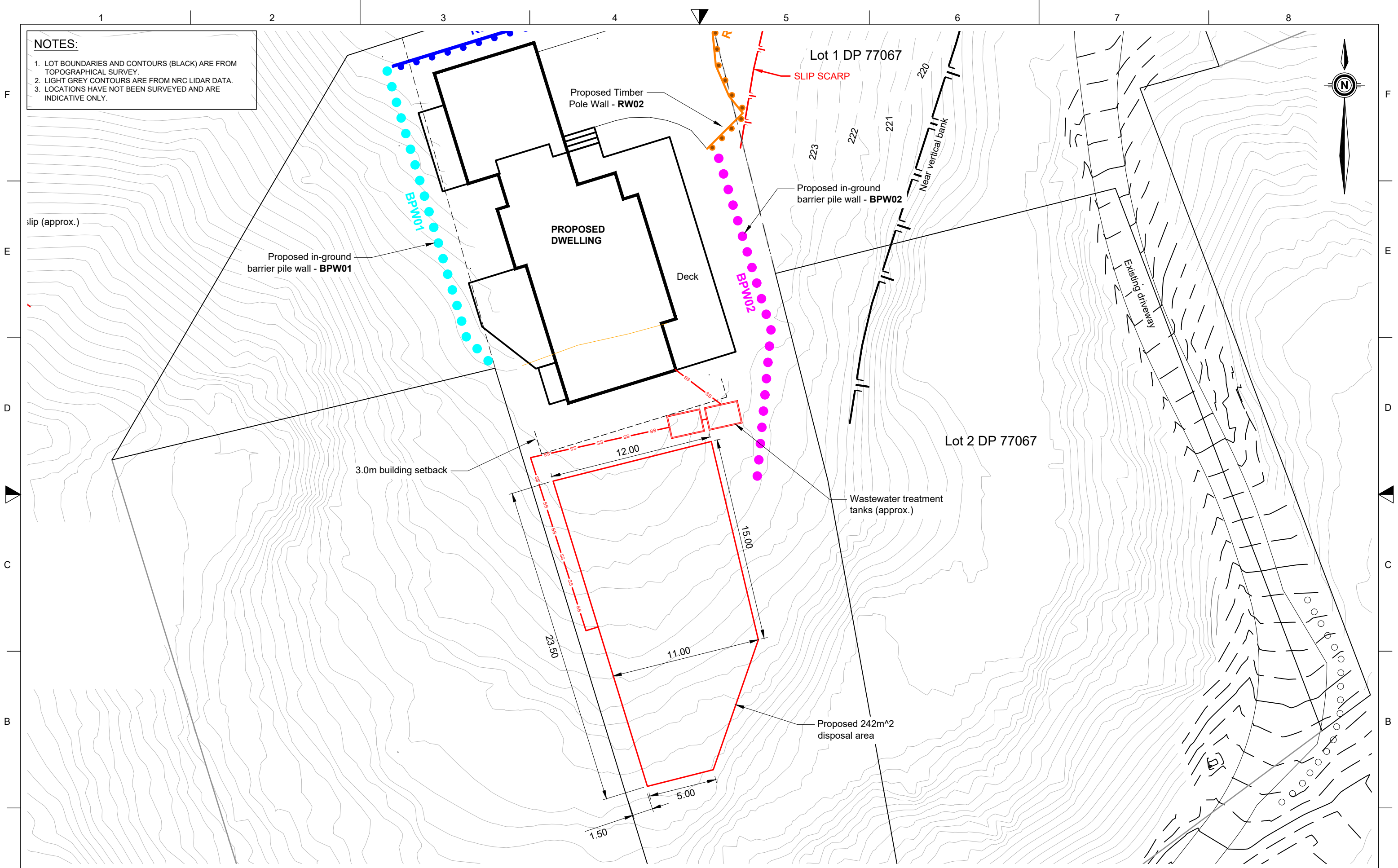
6 Fairway Drive
Kerikeri, BOI

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

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Project	Wastewater Design		
	Lot 4, 95/113 Okura Bay Road, Totara North		
Client	Mark Lane		
Project No.	22 200	RC no.	N/A

DWG No.	WW01	
Sheet No.	1 of 2	



NOTES:

1. LOT BOUNDARIES AND CONTOURS (BLACK) ARE FROM TOPOGRAPHICAL SURVEY.
2. LIGHT GREY CONTOURS ARE FROM NRC LIDAR DATA.
3. LOCATIONS HAVE NOT BEEN SURVEYED AND ARE INDICATIVE ONLY.

ilip (approx.)



Issue	Date	Revision
A	17/08/2022	FIRST ISSUE

DWG Detailed Wastewater Plan		
Scale 1:250 @A3	Date August 2022	
Drawn CN	Checked JCum	Approved JP
File C:\USERS\SCRAIGNELDER\HAIGH WORKMAN LIMITED\SUITEFILES - CLIENTS\MARK LANE\JOBS\22 200 - 95, 113 OKURA BAY ROAD, TOTARA NORTH (LOT 4)\ENGINEERING\GEOTECH\DRAWINGS\22 200 GEO PLANS_JUN 2021.DWG		



Civil & Structural Engineers

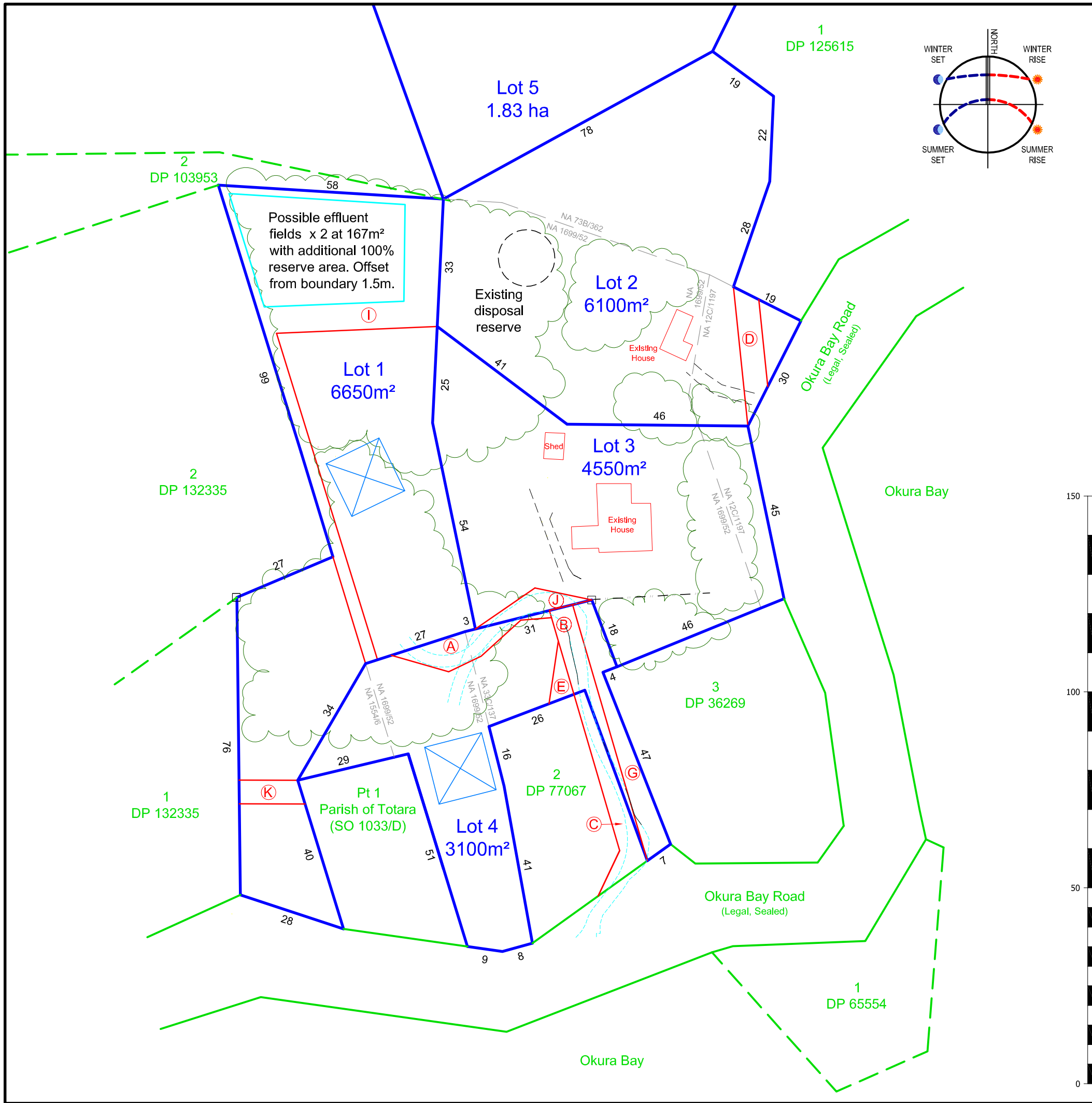
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Project	Wastewater Design	
	Lot 4, 95/113 Okura Bay Road, Totara North	
Client	Mark Lane	
Project No.	22 200	RC no. N/A

DWG No.	WW02
Sheet No.	2 of 2



TOTAL AREA = 3.875 ha

CT

Lot 1 DP 45341 NA 1699/52
Lot 2 DP 45341 NA 1554/6
Lot 1 DP 56554 NA 12C/1197
Lot 2 DP 125615 NA 73B/362

Indicates Haigh
Workman proposed
ROW Formation

15m x 15m building
envelope
FNDC District Plan
13.7.2.2

- Lot 3 - Impermeable Area 11%
- Existing Houses located from GIS photograph

EXISTING EASEMENTS

Purpose	Shown	Serv. Ten.	Created by
ROW	(B)	Lot 4 hereon	590198 & 624108.1
	(C)	Lot 2 DP 77067	624108.1 & 590198
	(D)	Lot 2 hereon	A251618
	(E)	Lot 4 hereon	199493.4
	(K)	Lot 1 hereon	9867749.5
PROPOSED EASEMENTS			
Purpose	Shown	Serv. Ten.	Dom. Ten.
ROW Electricity Telecommunications Computer Media	(A)	Lot 4 hereon	Lots 1 hereon
	(G)	Lot 4 hereon	Lots 1 & 3 hereon & Lot 2 DP 77067
	(J)	Lot 3 hereon	Lots 1 & 4 hereon
Right to Drain Sewage	(I)	Lot 1 hereon	Lot 4 hereon
Electricity Telecommunications Computer Media	(B)	Lot 4 hereon	Lots 1 & 3 heron
	(C)	Lot 2 DP 77067	Lots 1, 3 & 4 heron
	(E)	Lot 4 hereon	Lot 2 DP 77067

NOTES

- This plan is Copyright to Simpson Shaw Surveyors.

- This is a concept plan. Areas and Dimensions are approximate only and subject to final survey.

- This plan may not be used for Sale and Purchase agreements without first obtaining written consent from Simpson Shaw Surveyors.

- Potential accessways for lots 1 & 4 are subject to engineering design

REVISIONS

Date	No	Description	Sign
25-01-17	-	Original Issue	JL
25-08-18	A	Revised areas A, F & H & Lot 4	JL
23-04-19	B	Added areas J and K	NR
24-04-19	C	Alter driveway	SRP
02-09-19	D	Alter driveway	JL



Simpson Shaw Surveyors

A Division of Simpson Shaw & Co Ltd

154 BANK ST. PO BOX 631 PH (09) 438-7170

WHANGAREI, 0140 FAX (09) 438-8680

EMAIL: surveys@simpsonshaw.co.nz

WEB: www.simpsonshaw.co.nz

PREPARED FOR:

P Lane Estate

PROJECT:

Proposed subdivision - Totara North
Lots 1 & 2 DP 45341, Lot 1 DP 56554,
Lot 1 DP 77067 and Lot 2 DP 125615

DRAWING TITLE:

Scheme Plan

DRAWN

JL

Checked

AT

Printed

03/09/2019

PATH

P:\16114\acad\16114-1D.dwg

DRAWING NUMBER

16114-1

SHEET NUMBER

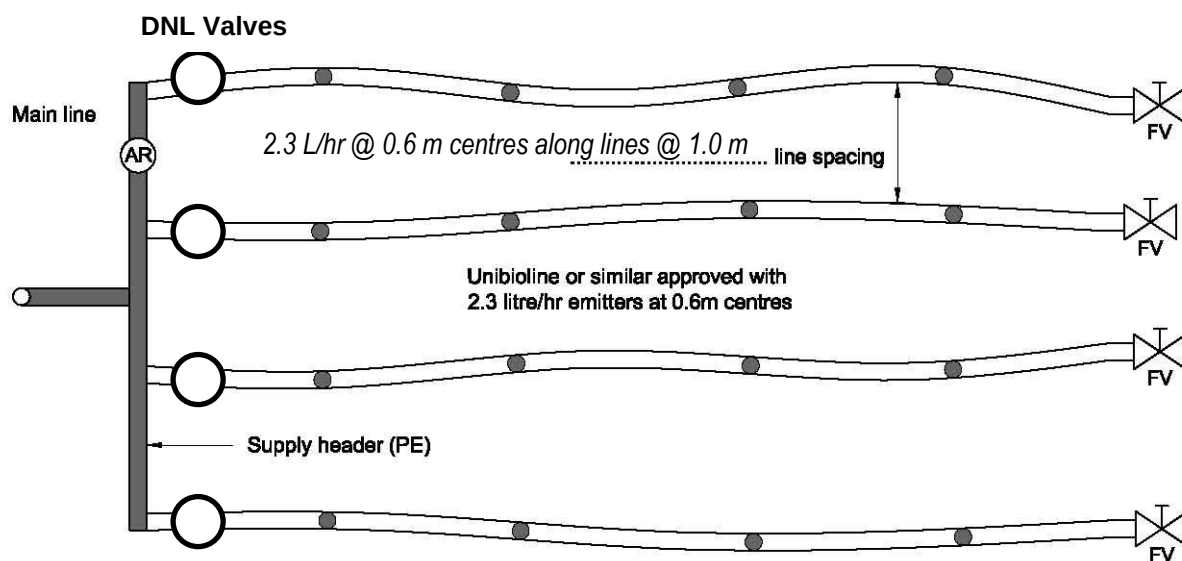
1 of 1

REVISION

D

SCALE

1:1000 (A3)



Field Layout Without A Collection Header Pipe

Legend



Air / Vacuum release valve



Flushing valve

DWG On-Site Effluent Disposal Typical Field Layouts. Trickle Irrigation			
DWG No. 1	Sheet No. of	Scale	NTS
Drawn PC	Checked	Approved	
File Name		Date	

HAIGH WORKMAN CIVIL & STRUCTURAL CONSULTANTS LTD.	
12 Butler Road, Kerikeri, B.O.I.	T: 09 407 8327 F: 09 407 8376 E: info@haighworkman.co.nz
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Project 95/113 Okura Bay Road, Totara North	
Client Mark Lane	
Project No. 22 200	RC no.

FAR NORTH DISTRICT COUNCIL
Appendix E TP58
On-site Wastewater Disposal Site Evaluation
Investigation Checklist

Part A –Owners Details

1. Applicant Details:

Applicant Name	Mark Lane
Company Name	NA
Property Owner Name(s)	Mark Lane

Nature of Applicant*	Owner
----------------------	-------

(*i.e. Owner, Leasee, Prospective Purchaser, Developer)

2. Consultant / Site Evaluator Details:

Consultant/Agent Name	Haigh Workman			
Site Evaluator Name	Joshua Cumming			
Postal Address	PO Box 89			
	Kerikeri			
Phone Number	Business	407 8327	Private	
	Mobile		Fax	
Name of Contact Person	Joshua Cumming			
E-mail Address	joshcumming@haighworkman.co.nz			

3. Are there any previous existing discharge consents relating to this proposal or other waste discharge on this site?

Yes		No	☒	(Please tick)
If yes, give Reference Numbers and Description				
There are no existing discharge consents for the proposed building site.				

4. List any other consent in relation to this proposal site and indicate whether or not they have been applied for or granted

If so, specify Application Details and Consent No.

(eg. LandUse, Water Take, Subdivision, Earthworks Stormwater Consent)

Subdivision RMACOM 2200465,

Part B- Property Details

1. Property for which this application relates:

Physical Address of Property	95/113 Okura Bay Road, Totara North		
Territorial Local Authority	FAR NORTH DISTRICT COUNCIL		
Regional Council	NORTHLAND REGIONAL COUNCIL		
Legal Status of Activity	Permitted: ✓	Controlled:	Discretionary:
Relevant Regional Rule(s) (Note 1)	C.6.1.3 Proposed Regional Plan for Northland (Appeals Version)		
Total Property Area (m ²)	0.3 ha - Total Site Area.		
Map Grid Reference of Property If Known	Latitude - 35° 2'25.27"S Longitude 173°43'41.71"E		

2. Legal description of land (as shown on Certificate of Title)

Lot No.	4	DP No.	45341	CT No.	
Lot No.				CT No.	
Other (specify)					

Please ensure copy of Certificate of Title is attached ✓

PART C: Site Assessment - Surface Evaluation

(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation and Sn 5.2.2(a) Site Surface Evaluation)

Note: Underlined terms defined in Table 1, attached

Has a relevant property history study been conducted?

Yes	✓	No	
-----	---	----	--

(Please tick one)

If yes, please specify the findings of the history study, and if not please specify why this was not considered necessary.

Aerial photos review and GIS map review.

1. Has a Slope Stability Assessment been carried out on the property?

Yes ✓		No	
-------	--	----	--

 Please tick

If No, why not?

If Yes, please give details of report (and if possible, please attach report):

Author	Wayne Thorburn
Company/Agency	Haigh Workman
Date of Report	April 2022
Brief Description of Report Findings:- Numerous signs of recent and historic instability observed. Site specific barrier pile walls and timber pole retaining walls are required. Site specific foundations required for construction of buildings.	

2. Site Characteristics (See Table 1 attached):

Provide descriptive details below:

Performance of Adjacent Systems:
No adjacent system
Estimated Rainfall and Seasonal Variation:
1596 mm per year (971 mm winter, 625 mm summer). Kaeo – Historical average NIWA – The climate of Northland.
Vegetation / Tree Cover:
The proposed disposal area is currently covered with low vegetation and several trees.
Slope Shape: (Please provide diagrams)
Sloping to the south. Contours are shown on site investigation drawing,
Slope Angle:
10 - 22° as per site plan
Surface Water Drainage Characteristics:
Soakage to ground and sheet flow to overland flow paths.
Flooding Potential: YES/NO
No, site is well elevated.

If yes, specify relevant flood levels on appended site plan, i.e. one in 5 years and/or 20 year and/or 100 year return period flood level, relative to disposal area.

NA
Surface Water Separation:
No surface water features within 30 m of the proposed disposal area,
Site Characteristics: or any other limitation influencing factors
Slow drained soils.

3. Site Geology

Check Rock Maps

Marua brown clay loam

Geological Map Reference Number

NZMS 290 Sheet P04/05

4. What Aspect(s) does the proposed disposal system face? (please tick)

North		West	
North-West		South-West	
North-East		South-East	
East		South	✓

5. Site clearances, (Indicate on site plan where relevant)

Separation Distance from	Treatment Separation Distance (m)	Disposal Field Separation Distance (m)	Minimum Set back Distances (m)	Regulation
Boundaries	> 1.5	> 1.5	1.5	NRC
Surface water, drains	> 5	> 5	5	NRC
Groundwater	> 1.5	> 1.5	1.5	TP58
Stands of Trees/Shrubs	NA	NA	NA	-
Wells, water bores	<20	<20	20	NRC
Embankments/retaining walls	> 3	> 3	3 or 45°	TP58*
Buildings	> 3	> 3	3	TP58
Coastal Marine area	> 30	> 30	30	FNDC
River, lake, stream, pond, wetland	> 15	> 15	15	NRC
Exclusion Areas				
Floodplain	< 5 % AEP	< 5 % AEP	5 % AEP	NRC

**refer to TP58*

PART D: Site Assessment - Subsoil Investigation

(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation, and Sn 5.2.2(a) Site Surface Evaluation and Sn 5.3 Subsurface Investigations)

Note: Underlined terms defined in Table 2, attached

1. Please identify the soil profile determination method:

Test Pit			No of Test Pits	0
Bore Hole	✓	(Depth <u>2.2</u> m)	No of Bore Holes	<u>1</u>
Other (specify):				

Soil Report attached?

Yes	✓	No		Please tick
-----	---	----	--	-------------

2. Was fill material intercepted during the subsoil investigation?

Yes		No	✓	Please tick
-----	--	----	---	-------------

If yes, please specify the effect of the fill on wastewater disposal

3. Percolation testing (mandatory and site specific for trenches in soil type 4 to 7)

Please specify the method

Test Report Attached?	Yes		No	✓	Please tick
-----------------------	-----	--	----	---	-------------

4. Are surface water interception/diversion drains required?

Yes		No	✓	Please tick
-----	--	----	---	-------------

If yes, please show on site plan

4a Are subsurface drains required?

Yes		No	✓	Please tick
-----	--	----	---	-------------

If yes, please provide details

5. Please state the depth of the seasonal water table:

Winter	> 2	m	Measured	✓	Estimated	
Summer	> 2	m	Measured		Estimated	✓

6. Are there any potential storm water short circuit paths?

Yes		No	✓	Please tick
-----	--	----	---	-------------

If the answer is yes, please explain how these have been addressed

7. Based on results of subsoil investigation above, please indicate the disposal field soil category (Refer TP58 Table 5.1)

Is Topsoil Present?	Yes	If so, Topsoil Depth?	0.05m	-
---------------------	-----	-----------------------	-------	---

TP58 Soil Category	Description	Drainage	Tick One
1	Gravel, coarse sand	Rapid draining	
2	Coarse to medium sand	Free draining	
3	Medium-fine & loamy sand	Good drainage	
4	Sandy loam, loam & silt loam	Moderate drainage	
5	Sandy clay-loam, clay loam & silty clay-loam	Moderate to slow drainage	
6	Sandy clay, non-swelling clay & silty clay	Slow draining	✓
7	Swelling clay, grey clay, hardpan	Poorly or non-draining	

Reasons for placing in stated category

Soil map classification, soil colour and texture investigation

PART E: Discharge Details

1. Water supply source for the property (please tick):

Rainwater (roof collection)	✓
Bore/well	
Public supply	

2. Calculate the maximum daily volume of wastewater to be discharged, unless accurate water meter readings are available

(Refer TP58 Table 6.1 and 6.2)

Number of Bedrooms	3			
Design Occupancy	5			(Number of People)
Per capita Wastewater Production	145 ✓	160	180	(tick) (Litres per person per day)
Other - specify	200	220	150	
Total Daily Wastewater Production	725			(litres per day)

3. Do any special conditions apply regarding water saving devices

a) Full Water Conservation Devices?	Yes	✓	No	(Please tick)
b) Water Recycling - what %?		%		(Please tick)

If you have answered yes, please state what conditions apply and include the estimated reduction in water usage

6/3 flush toilet(s) and standard water reduction fixtures and no garbage grinder as per category D of TP58.

4. Is Daily Wastewater Discharge Volume more than 2000 litres:

Yes		(Please tick)
No	✓	(Please tick)

Note if answer to the above is yes, an N.R.C wastewater discharge permit may be required

5. Gross Lot Area to Discharge Ratio:

Gross Lot Area	3000	m ²
Total Daily Wastewater Production	725	(Litres per day)(from above)
Lot Area to Discharge Ratio	> 3	

7. Does this proposal comply with the Northland Regional Council Gross Lot Area to Discharge Ratio of greater than 3?

Yes	✓	No	Please tick
-----	---	----	-------------

8. Is a Northland Regional Council Discharge Consent Required?

Yes		No	✓	(Please tick)
-----	--	----	---	---------------

PART F: Primary Treatment (Refer TP58 Section 7.2)

1. Please indicate below the no. and capacity (litres) of all septic tanks including type (single/dual chamber grease traps) to be installed or currently existing: If not 4500 litre, dual chamber explain why not

Number of Tanks	Type of Tank	Capacity of Tank (Litres)
	Total Capacity	

2. Type of Septic Tank Outlet Filter to be installed?

PART G: Secondary and Tertiary Treatment

(Refer TP58 Section 7.3, 7.4, 7.5 and 7.6)

1. Please indicate the type of additional treatment, if any, proposed to be installed in the system: (please tick)

Secondary Treatment	☒	
Home aeration plant	☐	
Commercial aeration plant	☐	
Intermediate sand filter	☐	
Recirculating sand filter	☐	
Recirculating textile filter	☐	
Clarification tank	☐	
Tertiary Treatment	☐	
Ultraviolet disinfection	☐	
Chlorination	☐	
Other	☐	Specify

PART H: Land Disposal Method

(Refer TP58 Section 8)

1. Please indicate the proposed loading method: (please tick)

Gravity	☐
Dosing Siphon	☐
Pump	☒

2. High water level alarm to be installed in pump chambers

Yes	☒
-----	-------------------------------------

If not to be installed, explain why

3. If a pump is being used, please provide the following information:

Total Design Head	To be confirmed by system manufacturer.	(m)
Pump Chamber Volume		(Litres)
Emergency Storage Volume		(Litres)

4. Please identify the type(s) of land disposal method proposed for this site: (please tick)

(Refer TP58 Sections 9 and 10)

Surface Dripper Irrigation			Specify	
Sub-surface Dripper irrigation	✓			
Standard Trench				
Deep Trench				
Mound				
Evapo-transpiration Beds				
Other				

5. Please identify the loading rate you propose for the option selected in Part H, Section 4 above, stating the reasons for selecting this loading rate:

Loading Rate	3	(Litres/m2/day)
Disposal Area	Design 242	(m2)
	Reserve 73	(m2)

Explanation (Refer TP58 Sections 9 and 10)

3mm/day loading rate adopted in accordance with AS/NZS 1547-2012

6. What is the available reserve wastewater disposal area (Refer TP58 Table 5.3)

Reserve Disposal Area (m ²)	73
Percentage of Primary Disposal Area (%)	30%

7. Please provide a detailed description of the design and dimensions of the disposal field and attach a detailed plan of the field relative to the property site:

Description and Dimensions of Disposal Field:

360 metres of UniBioline or similar approved irrigation tubing, at 1.0 m spacing.
Dripper lines will be buried.
Plan Attached? Yes ☒ No ☐ (Please tick)

If not, explain why not

--

PART I: Maintenance & Management

(Refer TP58 Section 12.2)

1. Has a maintenance agreement been made with the treatment and disposal system suppliers?

Yes		No	☒	(Please tick)
-----	--	----	-------------------------------------	---------------

Name of Suppliers

--

PART J: Assessment of Environmental Effects

1. Is an assessment of environmental effects (AEE) included with application?

(Refer TP58 section 5. Ensure all issues concerning potential effects addressed)

Yes		No	☒	(Please tick)
-----	--	----	-------------------------------------	---------------

If Yes, list and explain possible effects

--

PART K: Is Your Application Complete?

1. In order to provide a complete application you have remembered to:

Fully Complete this Assessment Form	☒
Include a <i>Location Plan</i> and <i>Site Plan</i> (with Scale Bars)	☒
Attach an Assessment of Environmental Effects (AEE)	

1. Declaration

I hereby certify that, to the best of knowledge and belief, the information given in this application is true and complete.

		
Name <i>Joshua Cuming</i>	Signature	
Position <i>Environmental Geologist</i>	Date	18/08/2022

Note

Any alteration to the site plan or design after approval will result in non-compliance.

PRODUCER STATEMENT – PS1 – DESIGN

(Guidance on use of Producer Statements (formerly page 2) is available at www.engineeringnz.org)

ISSUED BY:
(Design Firm)

TO: Mark Lane
(Owner/Developer)

TO BE SUPPLIED TO: Far North District Council
(Building Consent Authority)

IN RESPECT OF: Onsite wastewater system
(Description of Building Work)

AT: 113 Okura Bay Road,
(Address)

Town/City: Totara North LOT 4 DP 45341 SO
(Address)

We have been engaged by the owner/developer referred to above to provide:

A design for an onsite wastewater system in accordance with technical publication TP58

.....
(Extent of Engagement)

services in respect of the requirements of Clause(s) **G13 (durability 15 yrs)** of the Building Code for:

☐ All or ☐ Part only (as specified in the attachment to this statement), of the proposed building work.

The design carried out by us has been prepared in accordance with:

☐ Compliance Documents issued by the Ministry of Business, Innovation & Employment **G13/VM4** or
(verification method/acceptable solution)

☐ Alternative solution as per the attached schedule.....

The proposed building work covered by this producer statement is described on the drawings titled:

Detailed Wastewater Plan and numbered **22 200 Drawing WW02** ;
together with the specification, and other documents set out in the schedule attached to this statement.

On behalf of the Design Firm, and subject to:

- (i) Site verification of the following design assumptions site verification of the soil type.
- (ii) All proprietary products meeting their performance specification requirements;

I believe on reasonable grounds that a) the building, if constructed in accordance with the drawings, specifications, and other documents provided or listed in the attached schedule, will comply with the relevant provisions of the Building Code and that b), the persons who have undertaken the design have the necessary competency to do so. I also recommend the following level of construction monitoring/observation:

☐ CM1 ☐ CM2 ☐ CM3 ☐ CM4 ☐ CM5 (Engineering Categories) or ☐ as per agreement with owner/developer (Architectural)

I, am: ☐ CPEng **224301** # ☐ Reg Arch #
(Name of Design Professional)

I am a member of: ☐ Engineering New Zealand ☐ NZIA and hold the following qualifications: **BE (Civil) CMEngNZ**

The Design Firm issuing this statement holds a current policy of Professional Indemnity Insurance no less than \$200,000*.

The Design Firm is a member of ACENZ: ☐

SIGNED BY (Signature)
(Name of Design Professional)

ON BEHALF OF Date **18/08/2022**
(Design Firm)

Note: This statement shall only be relied upon by the Building Consent Authority named above. Liability under this statement accrues to the Design Firm only. The total maximum amount of damages payable arising from this statement and all other statements provided to the Building Consent Authority in relation to this building work, whether in contract, tort or otherwise (including negligence), is limited to the sum of \$200,000.*

This form is to accompany **Form 2 of the Building (Forms) Regulations 2004** for the application of a Building Consent.
THIS FORM AND ITS CONDITIONS ARE COPYRIGHT TO ACENZ, ENGINEERING NEW ZEALAND AND NZIA

GUIDANCE ON USE OF PRODUCER STATEMENTS

Producer statements were first introduced with the Building Act 1991. The producer statements were developed by a combined task committee consisting of members of the New Zealand Institute of Architects, Institution of Professional Engineers New Zealand (now Engineering New Zealand), Association of Consulting Engineers New Zealand in consultation with the Building Officials Institute of New Zealand. The original suit of producer statements has been revised at the date of this form as a result of enactment of the Building Act (2004) by these organisations to ensure standard use within the industry.

The producer statement system is intended to provide Building Consent Authorities (BCAs) with reasonable grounds for the issue of a Building Consent or a Code Compliance Certificate, without having to duplicate design or construction checking undertaken by others.

PS1 Design Intended for use by a suitably qualified independent design professional in circumstances where the BCA accepts a producer statement for establishing reasonable grounds to issue a Building Consent;

PS2 Design Review Intended for use by a suitably qualified independent design professional where the BCA accepts an independent design professional's review as the basis for establishing reasonable grounds to issue a Building Consent;

PS3 Construction Forms commonly used as a certificate of completion of building work are Schedule 6 of NZS 3910:2013 or Schedules E1/E2 of NZIA's SCC 2011²

PS4 Construction Review Intended for use by a suitably qualified independent design professional who undertakes construction monitoring of the building works where the BCA requests a producer statement prior to issuing a Code Compliance Certificate.

This must be accompanied by a statement of completion of building work (Schedule 6).

The following guidelines are provided by ACENZ, Engineering NZ and NZIA to interpret the Producer Statement.

Competence of Design Professional

This statement is made by a Design Firm that has undertaken a contract of services for the services named, and is signed by a person authorised by that firm to verify the processes within the firm and competence of its designers.

A competent design professional will have a professional qualification and proven current competence through registration on a national competence based register, either as a Chartered Professional Engineer (CPEng) or a Registered Architect.

Membership of a professional body, such as Engineering New Zealand (formerly IPENZ) or the New Zealand Institute of Architects (NZIA), provides additional assurance of the designer's standing within the profession. If the design firm is a member of the Association of Consulting Engineers New Zealand (ACENZ), this provides additional assurance about the standing of the firm.

Persons or firms meeting these criteria satisfy the term "suitably qualified independent design professional".

*Professional Indemnity Insurance

As part of membership requirements, ACENZ requires all member firms to hold Professional Indemnity Insurance to a minimum level.

The PI Insurance minimum stated on the front of this form reflects standard, small projects. If the parties deem this inappropriate for large projects the minimum may be up to \$500,000.

Professional Services during Construction Phase

There are several levels of service which a Design Firm may provide during the construction phase of a project (CM1-CM5 for Engineers³). The Building Consent Authority is encouraged to require that the service to be provided by the Design Firm is appropriate for the project concerned.

Requirement to provide Producer Statement PS4

Building Consent Authorities should ensure that the applicant is aware of any requirement for producer statements for the construction phase of building work at the time the building consent is issued as no design professional should be expected to provide a producer statement unless such a requirement forms part of the Design firm's engagement.

Attached Particulars

Attached particulars referred to in this producer statement refer to supplementary information appended to the producer statement.

Refer Also:

- 1 Conditions of Contract for Building & Civil Engineering Construction
NZS 3910: 2013
- 2 NZIA Standard Conditions of Contract SCC 2011
- 3 Guideline on the Briefing & Engagement for Consulting Engineering Services
(ACENZ/IPENZ 2004)
- 4 PN Guidelines on Producer Statements

www.acenz.org.nz
www.engineeringnz.org
www.nzia.co.nz



ON-SITE DOMESTIC WASTEWATER MANAGEMENT

Advice to Homeowner/Occupier

Homeowner and occupiers are legally responsible to keep their on-site wastewater system in good working order. The following schedule gives advice on the use and maintenance of the system.

1. Use of the System

For the on-site wastewater system to work well there are some good habits to encourage and some bad habits to avoid:

1.1 In order to reduce sludge building up in the tank:

- (i) Scrape all dishes to remove fats, grease etc, before washing.
- (ii) Keep all possible solids out of system.
- (iii) Don't use a garbage grinder unless the system has been specifically designed to carry the extra load.
- (iv) Don't put sanitary napkins, other hygiene products or disposable nappies into the system.

1.2 In order to keep bacteria working in the tank and in the land-application area:

- (i) Use biodegradable soaps.
- (ii) Use a low-phosphorus detergent.
- (iii) Use a low-sodium detergent in dispersive soil areas.
- (iv) Use detergents in the recommended quantities.
- (v) Don't use powerful bleaches, whiteners, nappy soakers, spot removers and disinfectants.
- (vi) Don't put chemicals or paint down drain.

1.3 Conservation of water will reduce the volume of effluent disposed to the land-application area, make it last longer and improving its performance. Conservation measures could include:

- (i) Installation of water-conservation fittings.
- (ii) Taking showers instead of baths.
- (iii) Only washing clothes when there is a full load.
- (iv) Only using the dishwasher when there is a full load.

1.4 Avoid overloading the system by spacing out water use evenly. For example not doing all the washing on one day and by not running the washing machine and dishwasher at the same time.

2. Maintenance

2.1 The primary wastewater-treatment unit (septic tank) will need to:

- (i) Be desludged regularly i.e. every 3 to 5 years, or when scum and sludge occupy 2/3 of the volume of the tank (or first stage of a two-stage system).
- (ii) Be protected from vehicles.
- (iii) Have any grease trap cleaned out regularly.
- (iv) Have the vent and/or access cover of the septic tank kept exposed.
- (v) Have the outlet filter inspected and cleaned.

2.2 The land-application area needs protection as follows:

- (i) Where surface water diversion drains are required by the design, these need to be kept clear to reduce the risk of stormwater runoff entering the effluent soakage area.
- (ii) No vehicles or stock should be allowed on trenches or beds.
- (iii) Deep rooting trees or shrubs should not be grown over absorption trenches or pipes.
- (iv) Irrigation areas are not play areas for children and access should be restricted.
- (v) Any evapo-transpiration areas should be designed to deter pedestrian traffic.
- (vi) The baffles or valves in the distribution system should be periodically (monthly or seasonally) changed to direct effluent into alternative trenches or beds, if required by the design.

2.3 Evapo-transpiration and irrigation areas should have their grass mowed and plants maintained to ensure that these areas take up nutrients with maximum efficiency.

2.4 For aeration treatment systems. Check equipment and:

- (i) Follow the manufacturer's instructions for maintaining and cleaning pumps, siphons, and septic tank filters.
- (ii) Clean disc filters or filters screens on irrigation-dosing equipment periodically by rinsing back into the primary wastewater-treatment unit.
- (iii) Flush drip irrigation lines periodically to scour out any accumulated sediment.

Young greywacke soils

Soil types in this group

- Marua brown clay loam - MRr, MRrH*
- Marua clay loam - MR,MRH*
- Marua light brown clay loam - MRu, MRuH*
- Te Ranga clay loam, stony clay loam steep land soil - TRS
- Te Ranga light brown clay loam, stony clay loam steep land soil - TRuS
- Tikitohe gravel silt loam - TV,TVH*
- Tikitohe red gravel silt loam - TVr,TVrH*

*The H denotes the hill variant of this soil type, which occurs on slopes over 20° and has a shallower profile.

This fact sheet uses NZ Soil Bureau map series soil type names and abbreviations.



0-15 cm
grey crumbly loam

15-45 cm
flecked yellow-brown
crumbly clay

>45 cm
yellow-brown clay

Marua clay loam (MR, MRH) soil profile

Features of young greywacke soils

- These soils formed on hill country along Northland's eastern edge, from Mangonui south to Bream Tail
- They are part of the Marua and Omaiko soil suites
- Greywacke is a hard, compacted mix of sandstone and siltstone basement rock
- Soils are weakly to moderately leached
- Marua suite soils on steep slopes are prone to landslide erosion during high rainfall events
- Tikitohe and Te Ranga soils are shallow and drought prone

Structure and drainage management

Issues	Management tips
Marua soils pug easily when wet, sealing soil surfaces	Avoid overstocking and heavy stock on Marua soils to prevent compaction and soil sealing
	Consider draining wetter Marua light brown clay loams
Marua clay loams are difficult to cultivate because of clay content	Oversow or direct drill for pasture renewal where clay prohibits a fine tilth
Hard rock is close to the surface on steep Te Ranga slopes which erode readily even under forested conditions	Consider retiring very steep or marginal pastoral land from grazing if pastoral returns are poor and/or weed invasion is a problem
Streams draining catchments with Te Ranga soils carry a large gravel load due to natural erosion	

Erosion control

Erosion risks	Soil type	Specific problems	Possible solutions
Slipping (landslide erosion)	Marua suite	Dry summers followed by high intensity rainfall can result in slips	Plant poplars at 10-15m spaces across hillsides; increase planting density (e.g. 5-10m) on active slips Open plant poplars on slump terraces
Slump terrace formation		Clay washed down through the soil profile creates a slip plane Water flowing down through the cracks removes support from adjoining slopes, which then slump	
Shallow slipping	Tikitohe soils	Shallow Tikitohe soils slip, exposing subsoil which is difficult to revegetate Under shallow-rooted pasture in particular, sheets of topsoil slide into waterways, polluting streams and reducing farm production	Reduce stock pressure to prevent pugging and overgrazing, which can lead to sheet erosion Restore and create wetlands in less productive low-lying areas to trap sediment
Sheet erosion			
Erosion leading to exposure of bare rock	Te Ranga soils	Te Ranga soils are prone to sheet erosion under pasture, increasing weed invasion Steepland Te Ranga soils slip often, leaving bare rock that is very difficult to revegetate	Consider retiring very steep or marginal pastoral land from grazing if pastoral returns are poor and/or weed invasion is a problem



Typical greywacke hill country, Kaeo River catchment

Nutrient management

Soil type	Nutrient status	Management strategies
All young greywacke soils	Previous trial work found that the micronutrient molybdenum creates a significant response in these soils	Seek expert advice for soil testing and fertiliser recommendations
Te Ranga suite	Much of the original, naturally fertile topsoil has been lost since deforestation making this marginal land for farming	Consider alternative land uses due to marginal economic returns from pasture
Marua suite	Natural fertility is reasonable	Responds well to fertiliser inputs, but ensure application rates are based on soil test results
Tikitohe suite	Leaching is moderate to strong, and natural fertility is low	Fertilise 'little but often', but seek expert advice for soil testing and fertiliser recommendations

Drainage classes

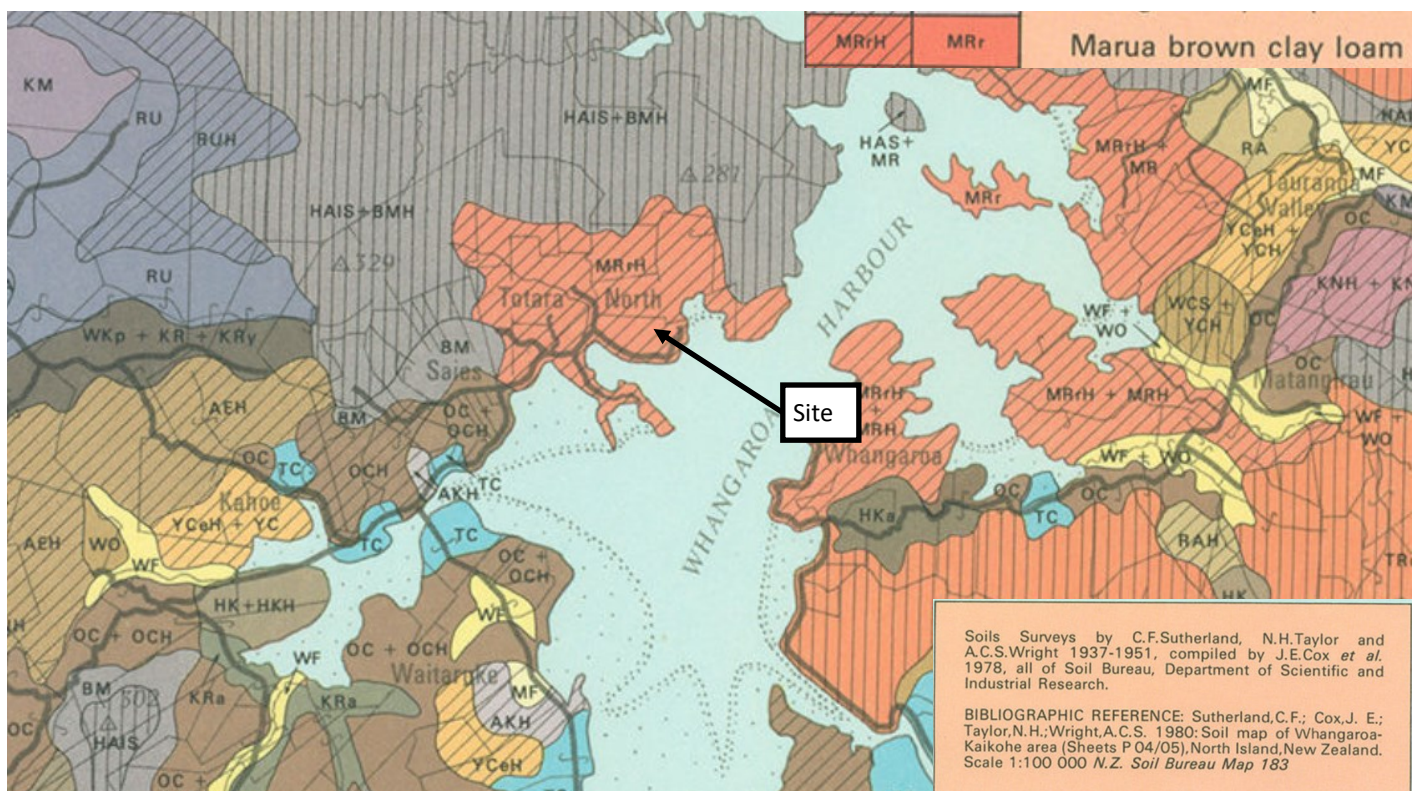
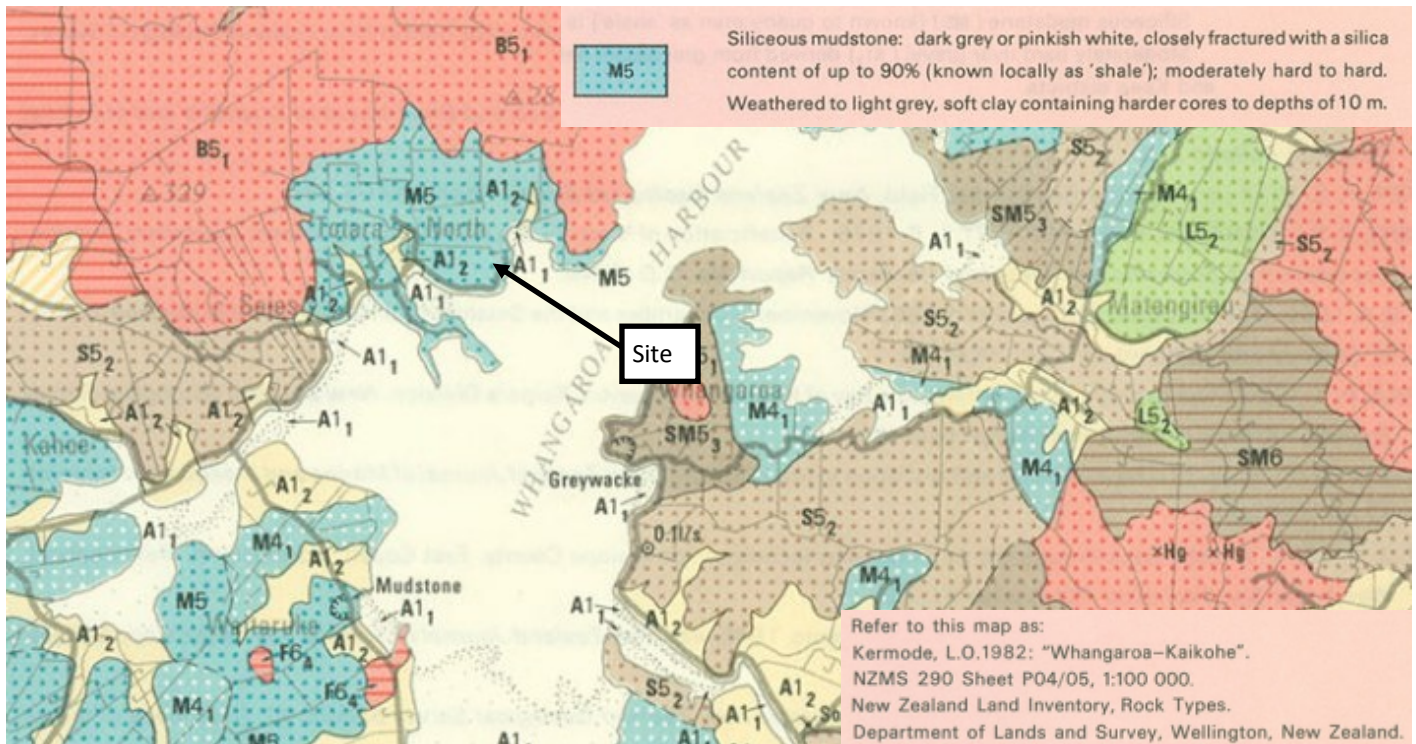
Soil symbol	Full name	Drainage class
MARUA SUITE Basement rock: greywacke and argillite		
TRS	Te Ranga clay loam, stony clay loam steep-land soil	4 - Well drained
TRuS	Te Ranga light brown clay loam, stony clay loam steep-land soil	4 - Well drained
MRr, MRrH	Marua brown clay loam	4 - Well drained
MR, MRH	Marua clay loam	4 $\Rightarrow$ 3 - Moderately well drained
MRu, MRuH	Marua light brown clay loam	3 $\Rightarrow$ 2 - Moderately - imperfectly drained
OMAIKO SUITE Basement rock: quartzite		
TV, TVH	Tikitohe gravel silt loam	4 - Well drained
TVr, TVrH	Tikitohe red gravel silt loam	4 - Well drained

Northland soil factsheet series

- Northland's climate, topography, historic vegetation and mixed geology have combined to form a complex pattern of soils across the region. There are over 320 soil types in Northland. Other regions in New Zealand average only 20 soil types per region.
- The information in this fact sheet is based on a 1:50,000 mapping scale. Therefore, it is not specific to individual farms or properties. However, it may help you to understand general features and management options for recent alluvial soils.
- Knowing your soils' capabilities and limitations is the key to sustainable production in Northland. Northland Regional Council (NRC) land management advisors are available to work with landowners to provide free soil conservation advice, plans and maps specific to your property.
- Regular soil tests are recommended. If you are concerned about your soil structure or health, the Visual Soil Assessment test could be useful. Contact the land management advisors at Northland Regional Council for more information.
- Further background information about the processes that have formed these soils can be found here: www.nrc.govt.nz/soilfactsheets

Contact a land management advisor on
0800 002 004 or visit www.nrc.govt.nz/land

Geology and Soil Maps



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Borehole Log - HA01

Hole Location: Refer to Site Plan

JOB No. 22 200

CLIENT: Mark Lane SITE: Lot 4 - 95/113 Okura Bay Road, Totara North
Date Started: 09/08/2022 DRILLING METHOD: Hand Auger LOGGED BY: JCum
Date Completed: 09/08/2022 HOLE DIAMETER (mm) 50mm CHECKED BY: JP

Soil Description Based on NZGS Logging Guidelines 2005	Depth (m)	Geology	Graphic Log	Water Level	Sensitivity		
Clayey SILT; brown, moist, occasional rootlets (Topsoil)	0.0						
0.05m - CLAY; with some silt, orange brown moist							
Silty CLAY; orange brown with orange mottling, moist	0.5						
Clayey SILT; Orange brown moist							
	1.0						
	1.5						
Trace organics	2.0						
End of hole at 2.2 m (Target Depth)							
	2.5						
	3.0						
	3.5						
	4.0						
	4.5						



LEGEND

TOPSOIL
 CLAY
 SILT
 SAND
 GRAVEL
 FILL

