THOMSON SURVEY LIMITED

SURVEYORS AND RESOURCE PLANNERS

Our Reference: 9298.1

10 November 2026

Resource Consents Department
Far North District Council
JB Centre
KERIKERI

Dear Sir/Madam

RE: Proposed Subdivision and Land use – 4619 & 4691 State Highway 10, Lake Ohia, Stuart Paterson

I am pleased to lodge application on behalf of Stuart Paterson for subdivision and land use consent for properties at the above referenced address, zoned Rural Production in both the Operative and Proposed District Plans.

Payment has been made separately.

Regards

Lynley Newport
Senior Planner
THOMSON SURVEY LTD

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denis@tsurvey.co.nz, sam@tsurvey.co.nz

Telephone: **09 4077360**
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After Hours: Office Manager: Sam Lee 021 1370060

Background picture represents a New Zealand surveying trig station, used to beacon control survey marks

Te Kaunihera o Te Hiku o te Ika
Far North District Council

Office Use Only
Application Number:

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

◯ **Yes** ☑ **No**

2. Type of consent being applied for

(more than one circle can be ticked):

◯ **Land Use**

◯ **Fast Track Land Use***

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

◯ **Certificate of Compliance (s.139)**

◯ **Extension of time (s.125)**

◯ **Discharge:** Total voume = _____ m³
Note; volumes >3m³ requires NRC Consent.

☑ **Subdivision**

◯ **Existing Use Certicicate (s.139A)**

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

◯ **Other (please specify)** _____

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

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

☑ **Yes** ◯ **No**

4. Consultation

Have you consulted with Iwi/Hapū? ◯ **Yes** ☑ **No**

If yes, which groups have you consulted with?

Who else have you consulted with? NZTA

For any questions or information regarding iwi/hapū consultation, please contact:
The Resource Consents Planning Technicians, **planning_technicians@fndc.govt.nz**

5. Applicant details

Name/s: Stuart Paterson

Email:

Phone number:

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

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

If yes, please provide details.

6. Address for correspondence

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

Name/s: Lynley Newport at Thomson Survey Ltd

Email:

Phone number:

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

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

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

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

Name/s: as per item 5

Property address/
location:

8. Application site details

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

Name/s: see item 5

Site address/ location: 4619 State Highway 10
Lake Ohio
Postcode

Legal description: Lot1 DP142524;PtLot1DP41262 **Val Number:**

Certificate of title: NA84C/174 & NA82C/690

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? ◯ **Yes** ☑ **No**

Is there a dog on the property? ☑ **Yes** ◯ **No**

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. This is important to avoid a wasted trip and having to re-arrange a second visit.

2 x Small Terrior Pups

9. Description of the proposal

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

Subdivision of land zoned Rural Production in two titles to create six allotments (four additional), including conditional approval from NZTA for State Highway 10 access.

If this is an application for a Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s), with reasons for requesting them.

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

◯ **2009** ◯ **2023**

10. Would you like to request public notification?

◯ **Yes** ☑ **No**

11. Other consent required/being applied for under different legislation

(more than one circle can be ticked):

◯ **Building Consent** Enter BC ref # here (if known)

◯ **Regional Council Consent (ref # if known)** Ref # here (if known)

◯ **National Environmental Standard Consent** Consent here (if known)

◯ **Other (please specify)** Specify 'other' here

12. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following:

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL)? ◯ **Yes** ☑ **No** ◯ **Don't know**

Is the proposed activity an activity covered by the NES? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result? ☑ **Yes** ◯ **No** ◯ **Don't know**

☑ **Subdividing land**
◯ **Changing the use of a piece of land**
◯ **Disturbing, removing or sampling soil**
◯ **Removing or replacing a fuel storage system**

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

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

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

◯ **Flooding**
◯ **Landslips**
◯ **Coastal Erosion**
◯ **Coastal Inundation**
◯ **Active Faults**
◯ **Liquefaction**
◯ **Tsunami**

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

14. Assessment of environmental effects:

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

Your AEE is attached to this application ☑ **Yes**

15. Draft conditions:

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

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

16. Billing Details:

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

Name/s: (please write in full) Stuart William Paterson

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) Stuart William Paterson

Signature:
(signature of bill payer)

Date 14/7/26

17. Important Information:

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

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

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

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

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

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

18. Declaration

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

Name (please write in full) Stuart William Paterson

Signature

Date 14/7/26

See overleaf for a checklist of your information...

Checklist of your information

Please tick if information is provided

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

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

Stuart Paterson

PROPOSED SUBDIVISION

4619 & 4691 State Highway 10, Lake Ohia

PLANNING REPORT & ASSESSMENT OF ENVIRONMENTAL EFFECTS



Thomson Survey Ltd, Kerikeri

1.0 INTRODUCTION

1.1 The Proposal

Subdivision

The applicants have previously received resource consent for a subdivision to create three lots from two existing titles (adjacent). RC 2200294-RMASUB was issued in December of 2019. The application site was in the Rural Production Zone under the Operative District Plan (ODP) and the application was a restricted discretionary activity and granted under delegated authority, with approval provided by NZTA for access to State Highway 10.

RC 2200294 progressed through to state highway works being completed to NZTA's satisfaction. Unfortunately, however, it lapsed because more than 5 years passed between date of issue and giving effect via a s223 approval. A copy of RC 2200294 is attached in Appendix 4.

The applicants now seek another subdivision consent. Whilst similar to the previous consent in some aspects, the applicants now seek to create a total of 6 lots. One of the lots is to be amalgamated with another parcel, and another lot is involved only by way of minor boundary adjustment of an existing title, both of these aspects being the same as the previously issued consent. In summary the new configuration being proposed creates a total of 4 additional lots.

Access arrangements remain the same as already consented in that there are 3 existing highway crossings, and these will remain, one requiring further upgrade to accommodate the proposed additional use. NZTA has provided its condition approval to the arrangement.

In summary, the proposal involves the following:

Lot 1 of 13.24ha – already supporting residential dwelling and an existing title NA84C/174, in the name of N G Meyers, and which is only involved in this proposal by way of small adjustments to its boundaries. The property is currently 13.2315ha in area; and proposed to be 13.24ha (effectively no change). This property was also involved in the previous consent;

Lot 2 of just over 6ha – containing existing built development;

Lot 3 of 51.80ha to be held with the adjacent Lot 2 DP 41262 (vacant, utilised as farm land);

Lot 4 of 65.96ha, also vacant and utilised as farm land;

Lot 5 of 4.04ha, additional proposed vacant lot; and

Lot 6 of 4.14ha, additional proposed vacant lot.

The proposed lots will not have access to any Council 3 waters reticulated services and will be reliant on on-site water supply; wastewater treatment and disposal; and stormwater management. A Site Feasibility Appraisal supports this application, refer to Appendix 5.

A copy of the scheme plan(s) is attached in Appendix 1.

As with any subdivision, consent is required pursuant to both the Operative District Plan (ODP) and Proposed District Plan Appeals Version (PDP-AV).

There is a land use component associated with the application in that the proposed Lot 2, at just over 6ha in area, will support the existing two residential units already on the property. The reduction in the area of land around two residential units requires consent under both the ODP and PDP-AV.

1.2 Scope of this Report

This assessment and report accompanies the Resource Consent Application made by the applicant, and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks consent to subdivide and for land use. The proposed activity is a restricted discretionary activity under the ODP and a non complying activity under the PDP-AV.

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

2.0 PROPERTY DETAILS

Location:	4619 & 4691 State Highway 10, Lake Ohia – refer to location map in Appendix 2.
Legal Description:	Lot 1 DP 142524 and Part Lot 1 DP 41262
RT's:	CFR's NA84C/174 and NA82C/690 – refer to Appendix 3.

3.0 SITE DESCRIPTION

3.1 Site Characteristics

The site is zoned Rural Production in the (ODP) and (PDP). No resource features apply in the ODP. Under the PDP, the existing non commercial quarry located on one of the application titles has been mapped within the Mineral Extraction zoning. The low-lying highway frontage area, where drainage/flowpaths exist, is mapped as being subject to both coastal and river flooding, with the latter mapped as extending south through a gully. All such areas are on parts of the property utilised as farm and grazing, and not intended to accommodate any future residential use.

Proposed Lots 1 (involved through boundary adjustment only) and 2 contain existing residential development with ancillary buildings. Lot 2 supports a second residential unit, accommodating a single resident, and another building under construction at time of earlier visit to site. Proposed Lot 4 accommodates the existing milking shed complex. Internal to the site there is a farm race network, proposed to be utilised for access to proposed additional lots.

At the head of the central gully is a series of modified ponds and water sources, proposed to provide water to other lots via easement, as well as protecting the habitat that has been created within that area. Other than that area, the remainder of the site is primarily in pasture (grazing use) with no areas of indigenous vegetation/habitat.



View from farm race forming western boundary of Lots 5 & 6, looking southwest towards pond area

Topographically, the application sites' low point is at highway frontage. Lot 2's built environment is accessed via a relatively steeply inclined driveway off the highway up to the plateau area on which the house is located. Lot 4's frontage is low lying and level to its north (highway frontage area) before also ascending to higher elevations to the south, including the same plateau upon which Lot 2's buildings are located. The bulk of the site is located on that elevated plateau, with a central gully.

Further site description details are provided in the SEFA in Appendix 5.

The site is not mapped as containing any archaeological, cultural or heritage resources or values. There is no Protected Natural Area vegetation or habitat within the site.

The site is not mapped as either kiwi present area of high density kiwi.

There are no wetlands or water bodies within any area likely to be developed.

LUC maps show the site as containing LUC 4 and 6 soils except for a tiny amount of LUC 3w (wet) extending just inside boundaries along the highway. This is negligible, with the highway being the natural 'boundary' of the LUC 3 soils almost entirely located across highway to the north.

3.2 Legal Interests

The properties involved in the application have no interests registered on the property other than those related to Limited Access Road status and registered crossing place notices

3.3 Consent History

Property file for 4619 State Highway 10 shows the following:

RC 2080902-RMASUB, issued in 2008, creating one additional allotment (previous owner);
RC 2105020-RMASUB, issued in 2010, also creating one additional allotment (previous owner);
RC 2140261-RMALUC, issued in 2014 for a new dairy shed with a boundary setback breach; and associated 3000412-LGAEWK, also issued in 2014;
RC 2200294-RMASUB, issued in 2019 and referred to earlier in this report – since lapsed.

BP 41871, issued in 1976 for a garage;
BP 2087, issued in 1993 for the relocation of a workshop within the same property;
BC-1993-299, issued in 1993 for a dwelling;
BC-1996-1425, issued in 1996 for solid fuel heater;
BC-2003-764, issued in 2003 for a garage;
BC-2009-1558, issued in 2009 for a shed;
BC-2012-125, FAN issued for a dwelling, since remedied.

Property file for 4691 State Highway 10 (involved in application through boundary adjustment only):

821005-TCPSUB, issued in 1990 creating what is now the Meyer property;
2068-RMASUB, issued in 1992 but not given effect to;
RC 2200294-RMASUB – referred to above;

BP682966, issued in 1973 for a garage;
BP520548, issued in 1973 for a dwelling;
BP6170553, issued in 1973 for a dwelling;
NTF-2021-225, issued in 2021 and complied with in 2012, for cabin with sanitary facilities and wastewater system.

4.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION

Clauses 2 & 3: Information required in all applications

(1) An application for a resource consent for an activity must include the following:	
(a) a description of the activity: .	Refer Sections 1 and 5 of this Planning Report.
(b) an assessment of the actual or potential effect on the environment of the activity:	Refer to Section 6 of this Planning Report.
(b) a description of the site at which the activity is to occur:	Refer to Section 3 of this Planning Report.
(c) the full name and address of each owner or occupier of the site:	This information is contained in the Form 9 attached to the application.

(d) a description of any other activities that are part of the proposal to which the application relates:	No other activities are part of the proposal. The application is for subdivision and land use pursuant to the FNDC's ODP and PDP-AV.
(e) a description of any other resource consents required for the proposal to which the application relates:	None are required.
(f) an assessment of the activity against the matters set out in Part 2:	Refer to Section 7 of this Planning Report.
(g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b), including matters in Clause (2): (*a) any relevant objectives, policies, or rules in a document; and* *(b) any relevant requirements, conditions, or permissions in any rules in a document; and* *(c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).*	Refer to Sections 5 and 7 of this Planning Report.
(3) An application must also include any of the following that apply:	
(a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)):	Refer to section 5.
(b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):	There is no existing resource consent. Not applicable.
(c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes	The site is not within an area subject to a customary marine title group. Not applicable.

of section 104(2B)).	
(4) An application for a subdivision consent must also include information that adequately defines the following:	
(a) the position of all new boundaries: *(b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:* *(c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:* *(d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:* *(e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:* *(f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):* *(g) the locations and areas of land to be set aside as new roads.*	Refer to Scheme Plans in Appendix 1.

Clause 6: Information required in assessment of environmental effects

(1) An assessment of the activity's effects on the environment must include the following information:	
(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:	Refer to Section 6 of this planning report. The activity will not result in any significant adverse effect on the environment.
(b) an assessment of the actual or potential effect on the environment of the activity:	Refer to Section 6 of this planning report.
(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:	Not applicable as the application does not involve hazardous installations.
(d) if the activity includes the discharge of any contaminant, a description of— *(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and* *(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:*	The subdivision does not involve any discharge of contaminant.

(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:	Refer to Section 6 of this planning report.
(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:	Refer to Section 8 of this planning report. No affected persons have been identified. Given access is via existing crossings to LAR State Highway, NZTA has been consulted.
g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:	No monitoring is required as the scale and significance of the effects do not warrant it.
(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).	No protected customary right is affected.

Clause 7: Matters that must be addressed by assessment of environmental effects (RMA)

(1) An assessment of the activity's effects on the environment must address the following matters:	
(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:	Refer to Sections 6 and 8 of this planning report and also to the assessment of objectives and policies in Section 7.
(b) any physical effect on the locality, including any landscape and visual effects:	Refer to Section 6. The site has no high or outstanding landscape or natural character values.
(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:	Refer to Section 6. The subdivision has no effect on ecosystems or habitat.
(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:	Refer to Section 6. The site has no aesthetic, recreational, scientific, historical, spiritual or cultural values that I am aware of, that will be adversely affected by the act of subdividing.
(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:	The subdivision will not result in the discharge of contaminants, nor any unreasonable emission of noise.

(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.	The subdivision site is not subject to hazard. The proposal does not involve hazardous installations.

5.0 COMPLIANCE ASSESSMENT

5.1 Weighting Assessment

The ODP remains the only 'operative' district plan, however the PDP-AV now has legal effect. As such, a weighting assessment is required.

The subdivision chapter in the PDP-AV is marked up as being subject to Appeal. On reading the appeals, specifically in regard to minimum lot sizes, it is the controlled activity minimum lot size, proposed to be 40ha, that is being appealed – with the Appeals seeking a reduction to 20ha. In regard to the rural production zone per se, this is also marked up as being subject to Appeal, with some appeals seeking less restriction and greater recognition / enabling of activities other than productive activities, where appropriate; and other appeals seeking more restriction. In short, both subdivision and land use provisions as they apply to the zone, and as currently written in the PDP-AV, cannot as yet supersede the ODP's similar provisions.

Whilst it could be argued that the PDP-AV gives better effect to the higher order NPS for Highly Productive Land, the application site does not feature such land in any large quantity.

I consider both planning documents still have to be considered, and this application does so.

5.2 Operative District Plan

The site is zoned Rural Production and has no resource features.

Table 13.7.2.1: Minimum Lot Sizes

(i) RURAL PRODUCTION ZONE

Controlled Activity Status (Refer also to 13.7.3)	**Restricted Discretionary Activity Status (Refer also to 13.8)**	**Discretionary Activity Status (Refer also to 13.9)**
The minimum lot size is 20ha.	1. Subdivision that complies with the controlled activity standard, but is within 100m of the boundary of the Minerals Zone; or 2. The minimum lot size is 12ha; or 3. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 4,000m2 and there is at least 1 lot in the subdivision with a minimum lot size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, …. r which are amalgamated from titles existing	1. The minimum lot size is 4ha; or 2. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 2,000m² and there is at least 1 lot in the subdivision with a minimum size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000; or 3. A subdivision in terms of a management plan as per Rule 13.9.2 may be approved. Option 4 N/A

	at or prior to 28 April 2000; or 4. A maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of the lots is 2ha, and where the subdivision is created from a site that existed at or prior to 28 April 2000; Option 5. N/A as the proposal does not utilise remaining rights.	

The Titles (2 of) are both older than April 2000 so it is possible to consider option 4 of the restricted discretionary options in the above table – up to five lots of minimum area of 2ha.

The previously granted subdivision consent was considered a restricted discretionary subdivision activity, and granted as such. In this instance there are, overall, more lots and at face value, the total number of 'lots' shown on the scheme plan exceeds 5, which would rule out the use of option 4 in the above table. However, Lot 1 is created by way of a boundary adjustment and should not be counted in the 5 for that reason. I consider the boundary adjustment component to be a controlled activity (see below assessment); and the subdivision of the adjusted NA82C/690, creating Lots 2-6, where Lot 3 is to be held with adjacent land, to be a restricted discretionary activity under the ODP. The proximity of land zoned Minerals under the ODP does not alter that category of activity. A brief assessment of the boundary adjustment provisions follows:

(a) there is no change in the number and location of any access to the lots involved; and

Complied with – all access existing and formed to NZTA required standard (as part of previous consent conditions).

(b) there is no increase in the number of certificates of title; and

Considering the boundary adjustment in isolation, without creation of Lots 2-6 concurrently, there is no increase in the number of titles (two now, two resulting).

(c) the area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer Table 13.7.2.1); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment; and

The two titles involved in the boundary adjustment are NA84C/174 - 13.2315ha in area; and NA82C/690 – 131ha in area. The boundary adjustment alters NA84C/174's boundaries such that the area becomes 13.24ha and NA82C/690's area remains over 131ha (but to concurrently subdivided into Lots 2-6 inclusive – a matter to be considered separately from the boundary adjustment. NA84C/174's area is already less than the controlled activity minimum

lot size of 20ha, but the boundary adjustment does not increase the degree of non compliance. Complies.

(d) the area affected by the boundary adjustment is within or contiguous with the area of the original lots; and

Complies.

(e) all boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal); and

Both titles contain existing development. In considering the boundary adjustment component in isolation, part (e) above is complied with. There are two existing residential units on the larger title, which has area in excess of 130ha.

(f) all existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites.

See comment under (e). Complies.

Other Rules:

Zone Rules:

The proposal includes the creation of a lot that is 6ha in area and supports two existing residential units. Whilst one is a principal dwelling and the other smaller and supporting a single resident only, it was not constructed as a minor residential unit. This results in the residential intensity on the lot being approximately 1:3ha. This is a discretionary activity under the ODP.

District Wide Rules:

Chapter 12.1 Landscapes and Natural Features does not apply as there is no landscape or natural feature overlay applying to the site.

Chapter 12.2 Indigenous Flora and Fauna does not apply as no clearance of indigenous vegetation is proposed.

Chapter 12.3 Soils and Minerals does not apply/ is complied with. Only minor subdivision earthworks will be required for access, highly unlikely to breach the zone's permitted activity thresholds.

Chapter 12.4 Natural Hazards does not apply as the site is not subject to any coastal hazard as currently mapped in the Operative District Plan (the only hazards with rules). There are no

areas of forest or woodlot or scrubland from which a future dwelling has to achieve a 20m buffer from.

Rules in Chapters 12.5, 5A and 5B Heritage do not apply as the site contains no heritage values or sites, no notable trees, no Sites of Cultural Significance to Maori and no registered archaeological sites. The site is not within any Heritage Precinct.

Chapter 12.7 Waterbodies does not apply as the subdivision provides for building / development area well away from any water courses.

Chapter 12.8 Hazardous Substances does not apply as the activity being applied for is not a hazardous substances facility.

Chapter 12.9 does not apply as the activity does not involve renewable energy.

Chapter 14 Financial Contributions (esplanade reserve) is not relevant as there is no qualifying water body and no lot of less than 4ha.

Chapter 15.1 Traffic, Parking and Access

Rules in Chapter 15.1.6A are not considered relevant to the proposal. This is because the traffic intensity rules apply to land use activities, not subdivisions. Rules in Chapter 15.1.6B (number of carparking requirements) are now deleted from the ODP.

Chapter 15.1.6C (access) is the only part of Chapter 15.1 relevant to a subdivision. I have not identified any breaches, even though there is access off State Highway. This is because these crossings are all existing, i.e. there is no new access crossing to State Highway. Internal shared accessways will need to be to the required Council standard.

In summary, I have not identified any land use breaches, other than Residential Intensity. This alters the category of activity to full discretionary activity category.

5.3 Proposed District Plan – Appeals Version (PDP-AV)

The application site is zoned Rural Production under the PDP-AV. The non commercial 'quarry', part of which is within the application site, is zoned Mineral Extraction under the PRP-AV. This is within the large proposed Lot 4 of 65.96ha in area.

Relevant subdivision provisions:

Subdivision Rules

SUB-R1 – Boundary Adjustments

CON-1
The boundary adjustment complies with standards:

SUB-S1 Minimum allotment sizes for controlled activities, except where an existing allotment size is already non-compliant, the degree of non-compliance shall not be increased;
SUB-S2 Requirements for building platforms for each allotment;
SUB-S3 Water supply;
SUB-S4 Stormwater management;
SUB-S5 Wastewater disposal;
SUB-S6 Telecommunications and power supply; and
SUB-S7 Easements for any purpose;

CON-2
The boundary adjustment does not:

1. *Alter the ability of existing activities to continue to be permitted under the rules and standards in this District Plan;*
2. *Alter the degree of non-compliance with zone or district wide standards;*
3. *Alter the number and location of any access; and*
4. *Increase the number of certificates of title.*

CON-3
The boundary adjustment complies with standard:
SUB -S8 Esplanades.

CON-1, SUB-S1 and all of CON-2 are basically the same as the ODP's boundary adjustment provisions, and are complied with. The balance of the standards listed under CON-1 are met insofar as both titles involved in the boundary adjustment component have existing development within their boundaries. Telecommunications and power supply requirements do not apply to the zone. All necessary easements are shown. In regard to CON-3, there are no esplanade requirements.

SUB-R3 – Subdivision of land to create a new allotment is the relevant rule in this case.

Subdivision is a controlled activity where:

CON-1
The subdivision complies with standards:
SUB-S2 requirements for building platforms for each allotment;
SUB-S3 water supply;
SUB-S4 stormwater management;
SUB-S5 wastewater disposal;
SUB-S6 telecommunications and power supply; and
SUB-S7 easements for any purpose.

The proposal meets all of the above standards, with 20m x 20m building envelopes available on all lots and supporting reports showing how water supply, stormwater management and wastewater disposal can be achieved. There is no requirement for telecommunications or power supply and all necessary easements are shown.

CON-2
The subdivision complies with standards:
SUB-S1 minimum allotment sizes (except subdivision under SUB-R3 CON-3 below); and
SUB-S8 esplanades.

The controlled activity minimum lot size applying to the Rural Production zone is 40ha – cannot comply. **The discretionary activity minimum lot size applying to the zone is 8ha – cannot comply. The proposal is therefore a non complying activity pursuant to CON-2, SUB-S1.** There is no minimum lot size specified in SUB-S1 for the Mineral Extraction Zone.

CON-3
Except where there is a Precinct or Development Area overlay subdivision around an existing residential unit in the Rural Production zone where:

1. *The residential unit has been legally established or building consent granted on or before the 24 June 2026;*
2. *one rural lifestyle allotment is created;*
3. *allotment size is between 2000m^2-2ha; and*
4. *Balance allotment is a minimum of 40ha in size.*

CON-3 is not applicable given that more than one allotment is being created and they are larger than 2ha.

The PDP-AV states that SUB-R8 through SUB-R23 inclusive apply in addition to SUB-R1 – SUB-R7. There are several further rules relevant to the proposal.

Rule SUB-R11 – Subdivision of a site within flood hazard area is relevant only insofar as the centrally located drainage and overland flowpath originating near the southern (higher) end of the site and flowing north to and beyond the highway, is mapped as being a flood hazard area. This entire area is within the large Lot 3, to be held with the adjacent Lot 2 DP 41262.

SUB-R11 Subdivision of a site within flood hazard area Restricted discretionary activity where: RDIS -1 1. Building platforms are located wholly outside the spatial extent of the 1 in 100 year flood hazard area;	There will be no buildings within the area mapped as flood hazard, especially since the majority of that area is within easement area A. Complies.
2. Newly created allotments must be located and designed to not divert flood flow onto other properties or otherwise result in any increase in flood hazard beyond the site; and	There will be no diversion. Access is existing. Complies.

3. Any private roads, right of ways or accessways must be located where the depth of flood waters in a 1 in 100 year flood event does not exceed 200mm above ground level.	There are no new accessways within, or affected by, any area mapped as a flood hazard area. The existing access crosses the main drain and can provide safe access. Complies. Restricted discretionary activity requirements met.

Rule SUB-R12 – Subdivision of a site within coastal hazard area is relevant, despite the property not located within the coastal environment. This is because a large area to the north of the highway is mapped as being susceptible to coastal flooding, and that mapping extends up the first portion of drainage ditch at the northern of the application sites, near the current boundary between the two sites. This is very localised and does not extend very far into the sites.

SUB-R11 Subdivision of a site within flood hazard area Restricted discretionary activity where: RDIS-1 All building platforms and associated access for each allotment are located wholly outside the spatial extent of the Coastal Hazard Area.	Access is existing and currently avoids the area mapped as coastal hazard. It is proposed, however, to straighten up this access, to be within easement B on the scheme plan. There are no building platforms within the area mapped as coastal flood hazard. The inability to comply entirely with RDIS-1 renders the application non complying, which it is in any event. The new access will be raised to ensure safe passage.

Rule SUB-R17 Subdivision of land within the mineral extraction zone – this rule renders any such subdivision a discretionary activity. The application is a non complying activity in any event.

Similarly Rule SUB-21 Subdivision of land within 100m of a Mineral Extraction Zone also becomes a discretionary activity.

Other applicable rules

Minerals Extraction Zone:

There are only three rules applying to the ME zone:

Buildings and Structures;
Farming; and
Mineral prospecting and exploration.

None of these activities are taking place as part of the proposal.

Earthworks

EW-R1 Earthworks (does not apply to the placement of aggregate). A lot of the access upgrade will involve the placement of aggregate along existing metal surface tracks and can be excluded from volume and area calculations accordingly. Re-aligned access is proposed for the first 250m of access going into the site, and will involve earthworks, prior to the placement of aggregate. The standards are outlined below:

EW-S1 – up to 5,000m^3 and 2,500m^2 area – I believe the volume and area of earthworks will meet these thresholds, but due to the realignment proposal over the first section, and erring on the side of caution, a potential breach of the area (m^2) threshold is included in this application.

EW-S2 The maximum depth of any cut or height of any fill shall not exceed:
1. 1.5m, i.e. maximum permitted cut and fill height may be 3m; or
2. 3m subject to it being retained by a engineered retaining wall, which has had a building consent issued.

This standard can be met.

EW-S3 Accidental Discovery Protocol to be followed. This will be complied with.

EW-S4 Site reinstatement as soon as practicable but no later than 6 months from the commencement of works. This will be complied with.

EW-S5 Erosion and Sediment control in accordance with GD2016/005. This will be complied with.

EW-S6 Setback – 3m from boundary unless supported by engineering retaining walls, where the setback reduces to 1.5m. This setback can be achieved.

EW-S7 Land instability. No known land instability issues.

EW-S8 Nature of filling material. Any fill material will meet the requirements of EW-S8.

EW-S9 Flood and coastal hazards – earthworks must not:
1. divert flood flow or coastal inundation onto other properties or otherwise result in any increase in flood hazard or coastal inundation beyond the boundaries of the site; or
2. result in the loss of any flood storage volume within a flood hazard area, unless equivalent flood storage is provided.

This standard is relevant to the proposed re-alignment of the first section of right of way. The works will do very little to divert flood flow onto other properties because the area of works is internal to the site, between two proposed lot boundaries. The works will be completed in such a way so as to ensure that any re-aligned access does not result in flood storage volume – which is over a very restricted area in any event.

Transport

TRAN-R2 new or altered vehicle crossings excludes access from a State Highway, and instead TRAN-R13 applies where, subject to complying with the following, altered vehicle crossings access from a State Highway are a restricted discretionary activity.

RDIS-1
The new or altered vehicle crossing is constructed, designed and located so that it complies with standard: TRAN-S2 Requirements for vehicle crossings.

TRAN-S2
1. No more than the maximum number of vehicle crossings shall be provided per frontage in accordance with TRAN-Table 7 - Maximum number of vehicle crossings per frontage;
2. New vehicle crossings shall be located at least 8m from a dedicated pedestrian crossing facility;
3. Where a site has frontage to more than one road, the vehicle crossing(s) shall be provided onto the road that has the lower road classification;
4. New vehicle crossings shall meet the minimum separation distance requirements from intersections as set out in TRAN-Table 8 - Minimum distance of vehicle crossings from intersections; and
5. New vehicle crossings shall be located to meet the minimum sight distance requirements as set out in TRAN-Table 9 - Minimum sight distances for vehicle crossings.

TRAN-Table 7 only provides for a single crossing to state highway, whereas this application has two crossings. These are, however, existing and formed to NZTA's required standards pursuant to the previous consented subdivision. Further, NZTA has provided condition approval for this current subdivision, subject to further upgrades to one of the crossings.

Items 2-5 are not application as 2, 4 and 5 only apply to 'new' crossings, of which there are none; and item 3 does not apply as there is only one frontage.

I believe one can readily claim an existing use right in terms of Item 1, noting that the two crossings have been consented (more than once) in historic consent processes involving both the Council and NZTA. In any event, an inability to meet all of items 1-5 only render an application restricted discretionary activity status, where all of the matters of discretion have already been addressed by previous consents, and NZTA's conditional approval.

RPROZ-R3 – Residential Intensity

The residential intensity permitted standard applying to the zone in the PDP-AV is breached due to there being two residential units to be within the Lot 2 of 6ha. The rule requires 40ha

land per residential unit – currently complied with, but not met when subdivided. A failure to comply with PER-1 results in discretionary activity status, just as the breach of the equivalent rule in the ODP does.

I have not identified any other rule breaches under the PDP-AV.

6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1 Allotment Sizes and Dimensions

Proposed Lot 1 is involved through minor boundary adjustment only, rationalising some boundaries by mutual agreement between property owners. The lot is already developed and is over 13ha in area.

Proposed Lot 2 is also already developed with buildings and associated services. The lot can readily continue to support the existing dwellings, and on-site services, within proposed lot boundaries, and in compliance with setback requirements.

Lots 3 & 4 are large, at over 50ha apiece. They are currently farmed. There is abundant scope within both for a future dwelling, well inside property boundaries, and well clear of the Minerals Zone, and/or Mineral Extraction Zones (as mapped in the ODP and PDP-AV).

Proposed Lots 5 & 6 have been assessed for future residential use. At over 4ha apiece, both are of a size and shape suitable for future residential buildings, and both can accommodate a 30m x 30m (reduced to 20m x 20m in PDP-AV) square building envelopes. The SEFA concludes both Lots 5 & 6 have ample scope and space for residential development and associated on site servicing.

6.2 Natural and Other Hazards

The application is supported by a SEFA – refer to Appendix 5. This confirms that there is no reason pursuant to any natural hazard, to decline consent.

There are no mapped river or coastal flood hazards affecting the proposed building areas, Flood risk status is assessed as low and flood susceptibility is also low within Lots 5 & 6 as well as Lot 2 containing existing development.

The site is not known to contain contaminated land. The above referenced SEFA did not encounter or identify any hazard risk from erosion, falling debris, subsidence, inundation, or slippage.

6.3 Water Supply

There is no Council reticulated water supply available to the property. The existing houses have their own water supply, as does the farm. If the Council considers it necessary it can impose its standard consent notice in regard to any future water supply requirement for the

proposed vacant 4ha lots. The much larger farm lots do not require such a consent notice however.

6.4 Energy Supply & Telecommunications

Power and phone is not a requirement for rural subdivision, and this remains the case in the PDP-AV. Council can impose a consent notice advising future lot owners that the provision of power and telecoms to was not a requirement of the subdivision and remains the responsibility of the lot owner.

6.5 Stormwater Disposal

Refer to the SEFA in Appendix 5, specifically Sections 19-22 of that report, including an assessment against criteria in 13.10.4 of the ODP. Assessment criteria in the PDP-AV's SUB-S4 are more succinct (fewer of them), but effectively address the same matters. The SEFA concludes that "the property and existing natural landscapes can sustain the proposal subject to careful planning and balancing effects".

6.6 Sanitary Sewage Disposal

Refer to Sections 23-26 of the SEFA in Appendix 5. The existing system(s) serving development to be in Lot 2 are understood to be fully operational and contained wholly within the boundaries of Lot 2, including ample space for reserve disposal areas.

The SEFA uses a design occupancy of a 3 bedroom dwelling for its on site wastewater assessment for Lots 5 & 6. There is sufficient land available for the recommended trickle irrigation disposal, plus 100% reserve area. Whilst it will depend on final design, both lots can accommodate on-site wastewater systems that can comply with the Regional Plan's permitted activity standards.

6.7 Easements for any purpose

Refer to Scheme Plan(s) in Appendix 1. The Schedule of Easements shows right of way and water supply over areas A and D. These are not within the Memorandum as neither are confirmed as essential, for access in particular. The Memorandum of Easements includes right of way and services over Lot 3 in favour of Lots 2, 5 & 6, albeit Lot 2 has direct road frontage as well. Proposed Lot 1, involved through minor boundary adjustment only, is not subject to, nor does it have appurtenant easements.

6.8 Property Access

Property access into the lots is all via existing State Highway crossings. Access into Lots 1 & 2 is via crossings that required upgrading pursuant to the previously issued subdivision consent. The work was done and NZTA signed off on that work. I understand those crossings to be to Diagram C standard.

The main farm crossing into Lot 4, and then on into other lots, is already formed as farm access. It did not require any upgrading at the time of the previous subdivision because

there was very little additional use proposed. This has changed, with additional lots to utilise it.

Consultation with NZTA resulted in the following conditions of approval:

Conditions:

1. *Crossing Places shall be upgraded in accordance with New Zealand Transport Agency standards as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager as follows:*

    a. *Crossing Place 29 and 30 [serving Lots 1 & 2] shall be upgraded to Diagram C standard;*

    b. *Crossing Place 31 shall be upgraded in accordance with Diagram E standard;*

    c. *All culverts shall be fit with traversable headwalls.*

2. *Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council, correspondence from the New Zealand Transport Agency confirming that works in the State Highway, including the upgrading of vehicle crossings, have been constructed to the New Zealand Transport Agency standards.*

3. *Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council confirmation that the New Zealand Transport Agency has been advised of relevant similar documentation (such as: draft LT (Land Transfer) plan, ML plan (for Māori Land), SO (Survey Office) plan), to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Roading Powers Act 1989.*

These conditions are agreeable to the applicant for the purposes of this consent application, which is on the basis for at least for the time being, the dairying operation will continue. This situation may change in the future.

Internal to the site there is an existing farm race network, some of which will be utilised for future access to proposed lots. These can be upgraded, as required. Photographs on the following page show examples of sections of the existing farm race system.







Main crossing that will serve several lots.

6.9 Earthworks

Earthworks will be required to give effect to the subdivision. These can be carried out in compliance with ODP permitted activity thresholds, as well as the PDP-AV's permitted activity standards. subject to adherence to the ADP and appropriate erosion and sediment control measures. Volumes should remain within the ODP and PDP-AV permitted activity thresholds. The PDP-AV also has an area (m2) threshold. Due to the length of proposed and existing accessway (to be widened in some areas), there may be a breach of that area threshold. Refer back to Section 5.

The internal track/access earthworks are all internal with no off-site effects. For the most part it utilises existing track network, already metal surface. Whilst it is proposed to realign access over the first 250m, this is not essential to property access as there is existing farm access on the other side of the existing cowshed. It is preferred not to utilise this for the purposes of accessing non farming lots (a reverse sensitivity consideration).

6.10 Building Locations

Lot 1 and the two large farm lots have not been assessed for building site suitability given one is barely changing in size or shape, and the others are large with multiple choices for a future building. Lots 1 & 2 already support built development. The SEFA supporting the application focuses on the two proposed vacant Lots 5 & 6, both of which are elevated sites, with reasonably level building sites available. Neither are subject to any restrictions that would restrict the location of dwellings, and associated on site services, in terms of hazards. Refer to the SEFA's sections 16 and recommendations in section 17.



Looking south across the plateau on which Lots 5 & 6 will be located.

6.11 Preservation and enhancement of heritage resources (including cultural), vegetation, fauna and landscape, and land set aside for conservation purposes

Vegetation, fauna and landscape

The site has no resource feature overlays. It contains no features mapped in the Regional Policy Statement, or PDP-AV, as having any high or outstanding landscape or natural values and there are no mapped biodiversity wetlands. The site contains no areas of indigenous vegetation.

The property is not mapped as 'kiwi present' or 'high density kiwi' and as such no restriction on the keeping of cats and dogs is considered necessary or warranted. The proposal does incorporate an area of man made and man modified ponds around which planting has been carried out. These areas are fenced and intended for shared access and water source for the lots, as well as enhanced habitat.

Heritage/Cultural

The site does not contain any historic sites, nor any archaeological sites. Neither does the site contain any Sites of Cultural Significance to Maori (as scheduled in the ODP or PDP-AV).

6.12 Soil

The soils on the property are predominantly mapped as being LUC 4 or 6. There is tiny sliver of LUC 3w (wet) immediately next to the highway. The proposal will not adversely affect the life supporting capacity of soil.

6.13 Access to, and protection of, waterbodies

There is no qualifying water body along which, or around which, public access is required to be provided. Water quality will not be adversely impacted by the act of subdivision. On site wastewater treatment and disposal systems can be established in compliance with permitted activity standards in the Regional Plan, and some considerable distance from any water body.

6.14 Land use compatibility (reverse sensitivity)

The proposal is consistent with rural character where residential living is interspersed with larger holdings. As has been noted previously, the site is adjacent to a Minerals Zone, and the property contains what is now a farm quarry. There is no proposal to construct a residential dwelling anywhere in proximity to that quarry – which attracted a Minerals Extraction zoning in the PDP-AV as well.

Both the ODP and PDP-AV require setback from minerals or mineral extraction zoning, for sensitive activities. This is readily achievable. I do not believe this subdivision unduly increases any risk of reverse sensitivity effects arising.

6.15 Proximity to Airports

The site is outside of any identified buffer area associated with any airport.

6.16 Natural Character of the Coastal Environment

The site is not within the coastal environment.

6.17 Energy Efficiency and renewable Energy Development/Use

The proposal has not considered energy efficiency. This is an option for future lot owners

6.18 National Grid Corridor

The National Grid does not run through the application site.

6.19 Effects on Rural Character and Amenity

The lots are rural in nature/character. The size of the lots means that rural amenity will be maintained. In my opinion, the proposal will have no adverse effects on rural character. The level of density proposed is in keeping with the surrounding area.

6.20 Cumulative and Precedent Effects

Cumulative Effect:

The proposal will create additional lots and will eventually result in some additional built development. However, the site is easily able to absorb the visual effects of this minor increase in built development. In terms of increased traffic, NZTA has assessed the proposal and approved the increased use subject to conditions. I am of the opinion that the proposal does not create an adverse cumulative effect.

Precedent Effect:

Precedent effects are a matter for consideration when a consent authority is considering whether or not to grant a consent. The proposed subdivision does not set an adverse precedent effect and does not threaten the integrity of the ODP. It is also my opinion that the proposal does not threaten the integrity of the PDP-AV given that plan emphasises the need to protect *highly productive land for ongoing productive use*, and the application creates smaller lots around existing built development or on land that is not highly productive land, leaving two large balance sites that can and will remain in productive use in any event.

The lot sizes are consistent with what is provided for in the ODP, but not what is provided for in the PDP-AV, vacant additional lots being 4ha instead of the specified discretionary activity lot size of 8ha. Whilst it is entirely possible to increase the vacant lot size to meet that threshold, it is impractical to do so given the lay of the land (topography) and existing farm access network. It would simply render 8ha of land (2 x 4ha) not able to be utilised by the large Lot 3/Lot DP 41262 farm block – where that land more practically sits.

7.0 STATUTORY ASSESSMENT

7.1 Operative District Plan Objectives and Policies

Objectives and policies relevant to this proposal are considered to be primarily those listed in Chapter 8.6 (Rural Production Zone); and 13 (Subdivision), of the District Plan. These are listed and discussed below where relevant to this proposal.

Subdivision Objectives & Policies

Objectives

13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities

This is an enabling objective. The Rural Production Zone is predominantly, but not exclusively, a working productive rural zone. The additional vacant sites being created include large farming pastoral lots as well as two lots of a little over 4ha in area. The soils in the vicinity of the existing and proposed built development are not high quality. I consider use of this land for rural residential lifestyle purposes to be a suitable and sustainable use of the land.

13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.

The Assessment of Environmental Effects and supporting information conclude that the proposed subdivision is appropriate for the site and that the subdivision can avoid, remedy or mitigate any potential adverse effects.

Objectives 13.3.3 and 13.3.4 refer to outstanding landscapes or natural features; and scheduled heritage resources; and to land in the coastal environment. The site exhibits none of these features.

13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.

The additional lots will be required to be self sufficient in terms of on-site water storage and appropriate stormwater management. The supporting SEFA confirms this is achievable.

13.3.6 To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.

This objective is likely intended to encourage Management Plan applications, and does not have a lot of relevance to this proposal.

13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.

And related Policy

13.4.11 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.

The site is not known to contain any sites of cultural significance to Maori, or wahi tapu. The subdivision will have minimal, if any, impact on water quality. I do not believe that the proposal adversely impacts on the ability of Maori to maintain their relationship with ancestral lands, water, sites, wahi tapu and other taonga.

13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.

The provision of power is not a requirement for rural allotments.

13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).

13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.

The subdivision has not considered energy efficiency, however, the additional lots can provide a building site with a northerly orientation and abundant access to sunlight.

Objective 13.3.11 is not discussed further as there is no National Grid on or near the subject site.

Policies

13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:
(a) natural character, particularly of the coastal environment;
(b) ecological values;
(c) landscape values;
(d) amenity values;
(e) cultural values;
(f) heritage values; and
(g) existing land uses.

The values outlined above, where relevant to the proposal, have been discussed earlier in this report. I believe regard has been had to items (a) through (g) in the design of the subdivision.

13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties. And

13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.

Safe access can be provided. Any upgrading work required on the entrance or internal to the site can occur in such a way so as to have no adverse effects on natural and physical resources.

13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.

The site is not identified as being subject to any hazard that impacts on design or location of future built development.

13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.

Power and telecommunications are not a requirement for rural allotments.

13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.

The site does not contain any heritage resources. There are no areas of indigenous vegetation or habitat of any note. The site is not in the coastal environment and there are no riparian margins anywhere near the areas likely to be developed. The site contains no outstanding landscape or natural features.

Policy 13.4.7 is not relevant as there is no qualifying water body to which esplanade requirements apply.

13.4.8 That the provision of water storage be taken into account in the design of any subdivision.

This is discussed earlier. The additional lots will require on-site water supply and storage.

Policies 13.4.9 and 13.4.10 are not discussed further. The former relates to bonus development donor and recipient areas, which are not contemplated in this proposal; whilst the latter only applies to subdivision in the Conservation Zone.

13.4.12 That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.

The application is not lodged as a Management Plan application.

13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to ***s6 matters****. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:*

(a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
(b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;
(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;
(d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives" (2004);
(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;
(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.
(g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

S6 matters (National Importance) are addressed later in this report.

In addition:

(a) The proposal creates two additional rural lots of 4ha or larger, along with two much larger lots to be primarily utilised for grazing. This provides for an appropriate type and scale of activity for the zone;
(b) The proposal is in an area not displaying high or outstanding natural values;
(c) The site contains no significant indigenous vegetation;
(d) The site is not within the coastal environment;
(e) The proposal enables the maintenance of amenity and rural character values;
(f) The proposal is not believed to negatively impact on the relationship of Maori with their culture;
(g) There are no identified heritage values within the site; and
(h) The site is not subject to any natural hazards that would limit future development.

I consider the proposal to be consistent with Policy 13.4.13.

13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

The subdivision has had regard to the underlying zone's objectives and policies – see below.

13.4.15 That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following: (a) development of energy efficient buildings and structures; (b) reduced travel distances and private car usage; (c) encouragement of pedestrian and cycle use; (d) access to alternative transport facilities; (e) domestic or community renewable electricity generation and renewable energy use

The subdivision layout has taken the above matters into account.

Policy 13.4.16 is not considered relevant as it only relates to the National Grid.

In summary, I believe the proposal to be consistent with the above Objectives and Policies.

Rural Production Zone Objectives and Policies

Objectives:

8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.

8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.

8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.

8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.

8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.

8.6.3.8 To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.

8.6.3.9 To enable rural production activities to be undertaken in the zone.

And policies

8.6.4.1 That a wide range of activities be allowed in the Rural Production Zone, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, on the environment resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.

8.6.4.2 That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.

8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.

8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.

8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.

8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects cannot be avoided remedied or mitigated are given separation from other activities

8.6.4.9 That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural production zone and in neighbouring zones.

Objective 8.6.3.5 and Policy 8.6.4.6 are not considered relevant as they are solely related to Kerikeri Road.

The proposed subdivision promotes an efficient use and development of the land (Objective 8.6.3.2). Amenity values can be maintained (8.6.3.3). Reverse sensitivity effects are not considered to be a significant risk (Objectives 8.6.3.6-8.6.3.9 inclusive and Policies 8.6.4.8 and 8.6.4.9).

Policy 8.6.4.7 anticipates a wide range of activities that promote rural productivity, and the underlying goal is to avoid any actual and potential adverse effects of conflicting land use activities. I believe in the case of this proposal, given the site's location, and the existing and proposed land uses around it, that additional adverse reverse sensitivity effects are unlikely. The site does not contain any highly versatile soils in the area of additional lots.

The proposal provides for sustainable management of natural and physical resources (8.2.4.1). Off site effects can be avoided, remedied or mitigated (8.6.4.2 and 8.6.4.3). Amenity values can be maintained and enhanced (8.6.4.4). The proposal enables the efficient use and development of natural and physical resources (8.6.4.5).

In summary, I believe the proposal to be consistent with the objectives and policies as cited above.

Whilst the site itself is not zoned Minerals in the ODP, there is a Minerals Zone immediately adjacent to the west. However, I have not identified any relevant objectives and policies as they apply to the actual zone rather than adjacent land. In any event, no future residential (sensitive) activity is proposed in the vicinity of the adjacent Minerals Zone.

7.2 PDP-AV Objectives and Policies

An assessment against the relevant objectives and policies in the Subdivision section of the PDP, as amended by decisions on submissions, follows:

SUB-O1
Subdivision results in the efficient use of land, which:
a. achieves the objectives of each relevant zone, precinct, development area, overlays and the district wide provisions;
b. contributes to the existing or planned local character and sense of place;

c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;
d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;
e. does not increase risk from natural hazards or risks are mitigates and existing risks reduced; and
f. manages adverse effects on the environment.

The site is zoned Rural Production. The zone's objective is primarily to provide for the continuation of rural production use, but with a marked emphasis on the protection of highly productive land, which this site is not. I consider the proposal to be consistent with the existing local character and sense of place. Reverse sensitivity issues can be avoided. Development can occur outside of any areas at risk of hazard and adverse effects on the environment are readily managed.

SUB-O2
Subdivision provides for the protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, wetland, lake and river margins, areas of significant indigenous vegetation and significant habitats of indigenous fauna, Sites and Areas of Significance to Māori, and Historic Heritage.

The site does not contain any of the features listed.

SUB-O3
Infrastructure is planned to service the proposed subdivision and development where:
a. there is existing infrastructure connection, infrastructure should provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and
b.where no existing connection is available infrastructure is planned and connections made with the wider infrastructure network.

The application site is not within an area of benefit for Council's 3 waters and will be self sufficient in regard to wastewater treatment and disposal; water supply and on-site stormwater management.

SUB-O4
Subdivision is accessible, connected, and integrated with the surrounding environment including by providing for:
a. Safe transport connections including active modes of public transport where practicable;
b. new, and connection to existing public open spaces;
c. esplanade where land adjoins the coastal marine area; and
d. esplanade where land adjoins other qualifying water bodies.

Only part (a) is relevant and access to the site is existing and will be subject to appropriate upgrading conditions.

SUB-O5
Subdivision protects the long-term availability and productive capacity of highly productive land by avoiding inappropriate subdivision that would compromise its use for farming and forestry activities.

The site does not contain highly productive land. Whilst there are some LUC 3 soils along the highway edge at the north end of the site, the lots within which these soils lie are not rural lifestyle lots and therefore LUC3 would are not included in the NPS-HPL's definition of highly productive soils.

SUB-O6
Subdivision occurs in a sequenced and coherent manner in locations and at a rate that enables growth and development to be supported by additional infrastructure.

The proposed subdivision is in a rural area as opposed to an urban area, and not likely to receive any additional infrastructure services from the Council any time soon.

SUB-P1 *Enable boundary adjustments that: ….*
- *a. do not alter:*
  - *i. the degree of non-compliance with District Plan rules and standards;*
  - *ii. the number and location of any access; and*
  - *iii. the number of certificates of title.*

There is a boundary adjustment component within the subdivision. It meets the requirements of SUB-P1 and should therefore be enabled.

SUB-P2 *Enable subdivision for the purpose of public works, infrastructure, reserves or access.*

Not relevant – application does not involve public works, infrastructure, reserves or access lots.

SUB-P3 *Provide for subdivision where it results in allotments that:*
a. are consistent with the planned environment of the zone or precinct;
b. comply with the minimum allotment sizes for each zone or precinct;
c. have an adequate size and appropriate shape to contain a building platform; and
d. have legal and physical access.

The proposal cannot meet with part (b), but is consistent with all other parts of SUB-P3 despite not being able to satisfy part (b).

SUB-P4
Manage subdivision design and layout in the General Residential, Mixed Use, Medium Density Residential, Town Centre and Settlement zoneto ….

N/A – the land is not zoned any of the referenced zones.

SUB-P5
Require infrastructure to be provided in an integrated and comprehensive manner by:
a. demonstrating that the subdivision will be appropriately serviced (including telecommunications) and integrated with existing and planned infrastructure if available; and
b. ensuring that the infrastructure is provided is in accordance with the planned environment of the zone.

Neither the ODP nor the PDP require power and telecommunication services in rural zones. The lots can be appropriately serviced in regard to other services, including road access.

SUB- P6
Require the vesting of esplanade reserves or esplanade strips when subdividing to specific allotment sizes land adjoining the coast or other qualifying water bodies.

The site does not adjoin any waterbody.

SUB-P7
Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision: ….

a. will protect areas of significant indigenous vegetation, or significant habitats of indigenous fauna or natural inland wetlands in perpetuity; and
b. Provides a management plan which results in superior environmental outcomes, including through, where relevant:
- *i. the protection of natural character, landscape, amenity, heritage or cultural values; and/or*
- *ii. the restoration, enhancement and legal protection of indigenous biodiversity; or*

c. is around an existing residential unit.

The two vacant additional lots proposed that are approximately 4ha in area would be regarded as rural lifestyle lots in that they can support residential living whilst having sufficient land for productive use at a level suitable for that residential use. The proposal neither protects areas of significant indigenous vegetation or habitat, nor presents as a Management Plan. However, it does include the protection (by way of fencing) of man modified pond and wetland area. Whilst it is not offered as legal protection it is proposed to secure the water as a supply for several properties and this in itself will ensure ongoing protection. Part c. of the above policy is partially met in that Lots 1 and 2 are around existing residential development.

SUB-P8
Avoid subdivision that:
a. Within the Horticulture Precinct, is not provided for in PREC1-P5:
b. In all other parts of the Rural Production Zone:
i. results in any potential cumulative loss of the availability or productive capacity of highly productive land for use by farming or forestry activities;
ii. cannot demonstrate that the proposed lots will retain the overall productive capacity of highly productive land over the long term;
iii. fragments land into parcel sizes that are no longer able to support farming or forestry activities in accordance with RPROZ-P6(c);
iv. Results in rural lifestyle subdivision unless provided for in SUB-P7.

Part a. of the policy above is not relevant. The proposal meets the aim of parts b(i) & (ii) because there is no highly productive land (by definition) within the site. Part b(iii) uses the words "farming activities", and this term includes grazing. The two proposed vacant lots will continue to have land available for grazing of some nature. Part (iv) links back to SUB-P7 with which the proposal is not consistent in full, albeit does subdivide around existing residential development and does set aside by way of easement, an area of man modified water course and wetland for the ongoing access and enjoyment (and use of water) for the properties involved in the proposal.

SUB-P9
Restrict rural residential
subdivision inthe Rural Lifestyle zone unless the development ….
….

The site is not zoned Rural Lifestyle.

SUB-P10
To protect amenity and character by avoiding the subdivision of minor residential units from principalresidential units where resultant allotments do not comply with minimum allotment size and residential density.

Not applicable. There are no minor residential units.

SUB-P11 *Consider the following matters where relevant when assessing and managing the effects of subdivision:*
a. The potential for reverse sensitivity effects that would prevent or adversely affect activities already established on land from continuing to operate;
b. consistency with the scale, density, design and character of the environment and purpose of the zone;
c. the location, scale and design of buildings and structures;
d.the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;
e. managing natural hazards;
f. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and
g. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

The proposal has adequately taken into account all of the above matters, where relevant, and these matters have been addressed earlier in this report.

The site is zoned Rural Production in the Proposed District Plan.

RPROZ-O1
The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.

The proposal does not impact unduly on the availability of land for primary production, which includes grazing. Only a very small part of the overall existing pastoral area, notably on land not regarded as highly productive land, is to be subject to subdivision.

RPROZ-O2
The Rural Production zone is used for primary production activities, ancillary activities that support primary production, lawfully established existing activities, and other compatible activities that have a functional need to be in a rural environment.

This objective is in a zone chapter and is an activities based objective rather than one related to subdivision where future land uses established on new lots is not known. In any event, the subdivision does not prevent existing primary production, and other lawfully established existing activities from continuing.

RPROZ-O3
Land use and subdivision in the Rural Production zone:

a. *protects highly productive land from sterilisation and enables and prioritises it to be used for and prioritises;*
b. *protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;*
c. *does not compromise the use of land for primary production activities, particularly farming and forestry activities on highly productive land;*
d. *does not exacerbate any natural hazards; and*
e. *is able to be serviced by on-site infrastructure.*

There is no highly productive land within the site, so parts a. and c. of the above objective are not overly relevant. Reverse sensitivity effects have been discussed earlier and are not

considered a threat to the continuing operations of primary production activities. The proposed subdivision does not exacerbate natural hazards and subdivision works will be carried out so not to exacerbate natural hazards; and the proposed lots are able to be serviced with on-site infrastructure.

RPROZ-O4
The rural character and amenity associated with a rural working environment is maintained.

The subdivision will not adversely impact on rural character and amenity.

RPROZ-P1
Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.

The proposal is not for a primary production activity.

RPROZ-P2
Ensure the Rural Production zone provides for activities that require a rural location by:

a. *enabling primary production activities as the predominant land use;*
b. *enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation, small-scale educational facilities and home businesses; and*
c. *enabling the maintenance, operation or upgrade of any lawfully established existing activities, provided any loss of highly productive land from those activities is minimised.*

Primary production activities remain the predominant land use. Refer to earlier comments in regard to Objectives – this policy is related to land uses, not subdivision.

RPROZ-P3
Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities, particularly the reverse sensitivity effects of rural lifestyle development on highly productive land.

Refer to earlier comments in regard to reverse sensitivity and the site is not being highly productive land.

RPROZ-P4
Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity values of the Rural Production zone, which includes:

a. *a predominance of primary production activities;*
b. *low density development with generally low site coverage of buildings or structures;*
c. *typical adverse effects such as odour, noise and dust associated with a rural working environment; and*
d. *a diverse range of rural environments, rural character and amenity values throughout the District.*

The proposal is low density with low site coverage likely to result. Rural character and amenity values will be maintained.

RPROZ-P5

Avoid land use that:
a. is incompatible with the purpose, character and amenity values of the Rural Production zone;
b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;
c. would result in the loss of availability and productive capacity of highly productive land, including consideration of the cumulative effects of such losses;
d. would exacerbate natural hazards; and e. cannot provide appropriate on-site infrastructure.

There is a land use component to the proposal – residential intensity of 2 dwellings on 6ha of land. This is existing development and is not incompatible with the purposes, character and amenity values of the zone. Dwellings are expected in the zone and are not more appropriately located in another zone. There is no highly productive land affected by the level of density proposed. The two residential units do not exacerbate natural hazards and are already provided with appropriate on-site infrastructure and access.

RPROZ-P6

Avoid subdivision that:

- *a. results in any potential cumulative loss of the availability or productive capacity of highly productive land for use by farming or forestry activities;*
- *b. cannot demonstrate that the proposed lots will retain the overall productive capacity of highly productive land over the long term;*
- *c. fragments land into parcel sizes that are no longer able to support farming or forestry activities, taking into account:*
  1. *the type of farming or forestry proposed; and*
  2. *whether smaller land parcels can support the proposed farming or forestry activity due to the presence of highly productive land.*
- *d. provides for rural lifestyle living unless there is an environmental benefit or is around an existing residential unit.*

Refer to earlier comments made in regard to a very similarly worded Policy in the Subdivision chapter.

RPROZ-P7

Consider the following matters where relevant when assessing and managing the effects of land use and subdivision in the Rural Production Zone:

- *a. whether the proposal will increase production potential in the zone;*
- *b. whether the activity relies on the productive nature of the soil;*
- *c. consistency with the scale and character of the rural environment;*
- *d. location, scale and design of buildings or structures;*
- *e. for subdivision or non-primary production activities:*
  - *i. scale and compatibility with rural activities;*
  - *ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;*
  - *iii. the potential for loss of highly productive land, land sterilisation or fragmentation*
- *f. at zone interfaces and the rail designation boundary*:
  - *i. any setbacks, fencing, screening or landscaping required to address potential conflicts;*
  - *ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;*
- *g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;*
- *h. the adequacy of roading infrastructure to service the proposed activity;*

i. *Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;*
j. *Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

Relevant matters within RPROZ-P7 have been taken into account and have been addressed earlier in this report.

7.3 Part 2 Matters

Although the Planning Act 2026 is now enacted, the Resource Management Act remains in place for a lengthy transition period, and is still the principal document for processing of resource consents.

5 Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The proposal provides for peoples' social and economic well being, and for their health and safety, while sustaining the potential of natural and physical resources, safeguarding the life-supporting capacity of air, water, soil and the ecosystems; and avoiding, remedying or mitigating adverse effects on the environment.

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

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

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

(g) the protection of protected customary rights:

(h) the management of significant risks from natural hazards.

The site does not exhibit the features listed above.

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitiakitanga:
(aa) the ethic of stewardship:
(b) the efficient use and development of natural and physical resources:
(ba) the efficiency of the end use of energy:
(c) the maintenance and enhancement of amenity values:
(d) intrinsic values of ecosystems:
(e) [Repealed]
(f) maintenance and enhancement of the quality of the environment:
(g) any finite characteristics of natural and physical resources:
(h) the protection of the habitat of trout and salmon:
(i) the effects of climate change:
(j) the benefits to be derived from the use and development of renewable energy.

Regard has been had to any relevant parts of Section 7 of the RMA, "Other Matters". These include 7(b), (c), (d), (f) and (g). Proposed layout and lot size, along with appropriate waste water and stormwater management, will ensure the maintenance of amenity values and the quality of the environment. The proposal has had regard to the values of ecosystems. The subdivision does not materially affect the productive capacity of any rural zoned land.

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The principles of the Treaty of Waitangi have been considered and it is believed that this proposed subdivision does not offend any of those principles.

In summary, it is considered that all matters under s5-8 inclusive have been adequately taken into account.

7.4 National Policy Statement – Highly Productive Land

The National Policy Statement for Highly Productive Land does not apply as the site does not contain any soils that meet the definition of highly productive land as defined in the above referenced NPS.

7.5 Other National Policy Statements and National Environmental Standards

NES Freshwater

The site does not contain any 'natural inland wetlands', nor any waterbodies in the vicinity of any future works. There is a man modified drain providing for overland flow from further up the valley to be channelled out of the site. I do not regard this as a wetland.

NES Assessing and Management Contaminants in Soil to Protect Human Health

To my knowledge the land has not historically supported any activity to which the NES CS applies.

NPS Indigenous Biodiversity

The site contains indigenous vegetation, none of which is mapped as having any significance. No clearance is required. I consider the proposal is consistent with the NPS IB.

7.6 Regional Policy Statement

The Regional Policy Statement for Northland contains objectives and policies related to infrastructure and regional form and economic development. These are enabling in promoting sustainable management in a way that is attractive for business and investment. The proposal is consistent with these objectives and policies.

Objective 3.6 Economic activities – reverse sensitivity and sterilisation

The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:

(a) Reverse sensitivity for existing:

(i) Primary production activities; .....

The associated Policy to the above Objective is ***Policy 5.1.1 – Planned and coordinated development***.

Subdivision, use and development should be located, designed and built in a planned and co-ordinated manner which: ....

(c) Recognises and addresses potential cumulative effects of subdivision, use, and development, and is based on sufficient information to allow assessment of the potential long-term effects; ...

(e) Should not result in incompatible land uses in close proximity and avoids the potential for reverse sensitivity;

(f) Ensures that plan changes and subdivision to / in a primary production zone, do not materially reduce the potential for soil-based primary production on land with highly versatile soils, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities; and ...

Policy 5.1.1 seeks to ensure that subdivision in a primary production zone does not "*materially reduce the potential for soil-based primary production on land with highly versatile soils, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities*".

This has been discussed at length elsewhere in this planning report. The subdivision does not "*materially reduce the potential for soil-based primary production on land with highly versatile soils*".

5.1.3 Policy – Avoiding the adverse effects of new use(s) and development

Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following:

(a) Primary production activities in primary production zones (including within the coastal marine area);.....

In regard to this subdivision, it is considered that no additional adverse reverse sensitivity issues are likely to arise as a result.

8.0 s104D GATEWAY TEST FOR NON COMPLYING ACTIVITIES

The subdivision is a non complying activity under the PDP because of lot sizes. S104D of the Act requires a consent authority to be satisfied of one or other, or both, of the following thresholds to be met, before it can consider granting consent.

(a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or

(b) the application is for an activity that will not be contrary to the objectives and policies of—

- *(i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
- *(ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
- *(iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

The application will not create adverse effects on the environment of a more than minor nature. I do not believe the application to be contrary to the objectives and policies of the ODP, and I consider the proposal to be more consistent than not with objectives and policies of the PDP-AV. I consider the proposal to meet at least one of the gateway tests outlined above.

9.0 s95A-E ASSESSMENT & CONSULTATION

9.1 S95A Public Notification Assessment

A consent authority must follow the steps set out in s95A to determine whether to publicly notify an application for a resource consent. Step 1 specifies when public notification is mandatory in certain circumstances. No such circumstances exist. Step 2 of s95A specifies the circumstances that preclude public notification. No such circumstance exists and Step 3 of s95A must be considered. This specifies that public notification is required in certain circumstances. No such circumstance exists. In summary public notification is not required pursuant to Step 3 of s95A.

9.2 S95B Limited Notification Assessment

A consent authority must follow the steps set out in s95B to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified pursuant to s95A. Step 1 identifies certain affected groups and affected persons that must be notified. None exist in this instance. Step 2 of s95B specifies the circumstances that preclude limited notification. No such circumstance exists and Step 3 of s95B must be considered. This specifies that certain other affected persons must be notified. The application is not for a boundary activity and the s95E assessment below concludes that there are no affected persons to be notified. There is no requirement to limited notify the application pursuant to Step 3.

9.3 S95D Level of Adverse Effects

The AEE in this report assesses effects on the environment and concludes that these will be no more than minor.

9.4 S95E Affected Persons

A person is an 'affected person' if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). A person is not an affected person if they have provided written approval for the proposed activity.

The activity is a restricted discretionary activity under the ODP, but non complying under the PDP-AV. However, Lots 1 and 2 are around existing built development, representing no change to the status quo in regard to access or level of density or appearance of the built environment. Lots 3 & 4 are large and will remain as farm blocks, albeit each could accommodate a residential unit at some point in the future. They meet the PDP-AV's controlled minimum lot size requirement, and residential intensity ratio requirement. Lots 5 & 6, proposed vacant lots, represent the non complying element of the proposal. However, off site effects are minimal. There are no properties affected by their access. They are located well back from the highway and far from any built development on adjacent land. The applicants themselves own the Mineral Extraction zoned land and in event the two vacant

Lots 5 & 6 are some considerable distance away. In summary I have not identified any adjacent sites as 'affected' by this proposal.

Consultation has been carried out with NZTA with the result being conditional approval provided by NZTA. The site does not contain any heritage or cultural sites or values and no areas of significant indigenous vegetation. No pre lodgement consultation has been considered necessary with tangata whenua, Heritage NZ, Department of Conservation.

In summary I have not identified any other third parties as "affected".

10.0 CONCLUSION

The site is considered suitable for the proposed subdivision. Effects on the wider environment are no more than minor. The proposal is not considered contrary to the relevant objectives and policies of the ODP, and in my opinion, is more consistent than not with the PDP-AV.

The proposal is considered to be consistent with relevant objectives and policies of National and Regional Policy Statements and standards.

Part 2 of the Resource Management Act has been had regard to. There is no District Plan rule or national environmental standard that requires the proposal to be publicly notified. No affected persons have been identified.

It is requested that the Council give favourable consideration to this application and grant consent.



Signed Dated 10th November 2026

Lynley Newport,
Senior Planner
Thomson Survey Ltd

11.0 LIST OF APPENDICES

Appendix 1 Scheme Plan(s)

Appendix 2 Location Plan

Appendix 3 Records of Title & Relevant Instruments

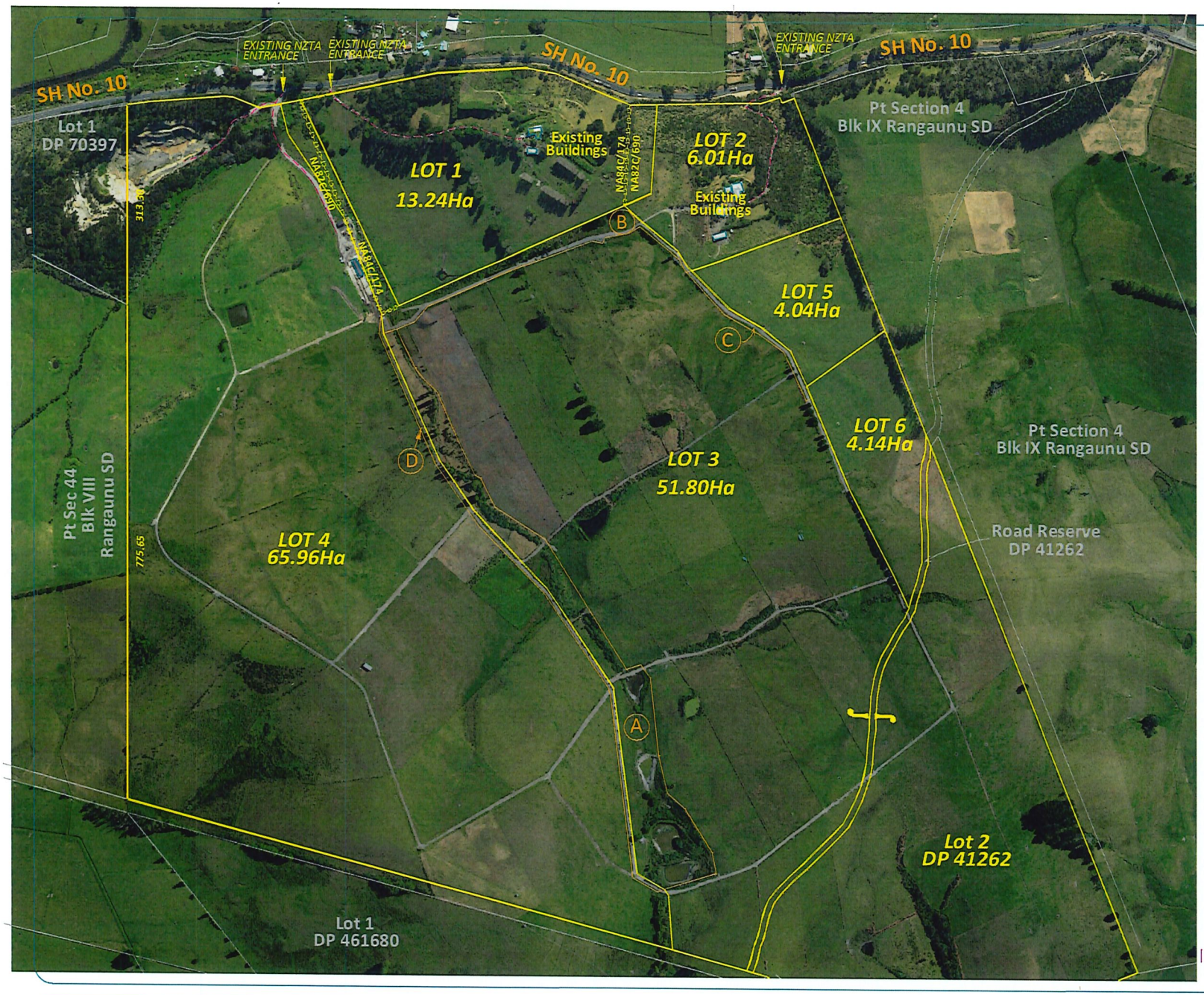
Appendix 4 Previous Subdivision consent issued

Appendix 5 Site Engineering Feasibility Appraisal

Appendix 6 NZTA Approval

Appendix 1

Scheme Plan(s)



SCHEDULE OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY WATER SUPPLY	Ⓐ	LOT 3	LOTS 2, 4, 5 & 6
RIGHT OF WAY	Ⓓ	LOT 4	LOTS 2, 3, 5 & 6

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY ELECTRICITY TELECOM	Ⓒ	LOT 3	LOTS 5 & 6
	Ⓑ	LOT 3	LOTS 2, 5 & 6

AMALGAMATION CONDITION
That Lot 3 Hereon and Lot 2 DP 41262 be held in the same Record of Title

Local Authority: Far North District Council

Comprised in: CT NA84C/174 & NA82C/690
Total Area: 145.1407Ha

Zoning: Rural Production

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0 50 250 500m

Bar Scale 1:6000 @ A3

THOMSON SURVEY LIMITED
315 Kerikeri Rd
P.O. Box 372 Kerikeri
Email: kerikeri@tsurvey.co.nz
Ph: (09) 4077360
www.tsurvey.co.nz
Registered Land Surveyors, Planners & Land Development Consultants

Proposed Subdivision of Lot 1 DP 142524 & Pt Lot 1 DP 41262

4619 State Highway 10, Cable Bay

PREPARED FOR: Paterson

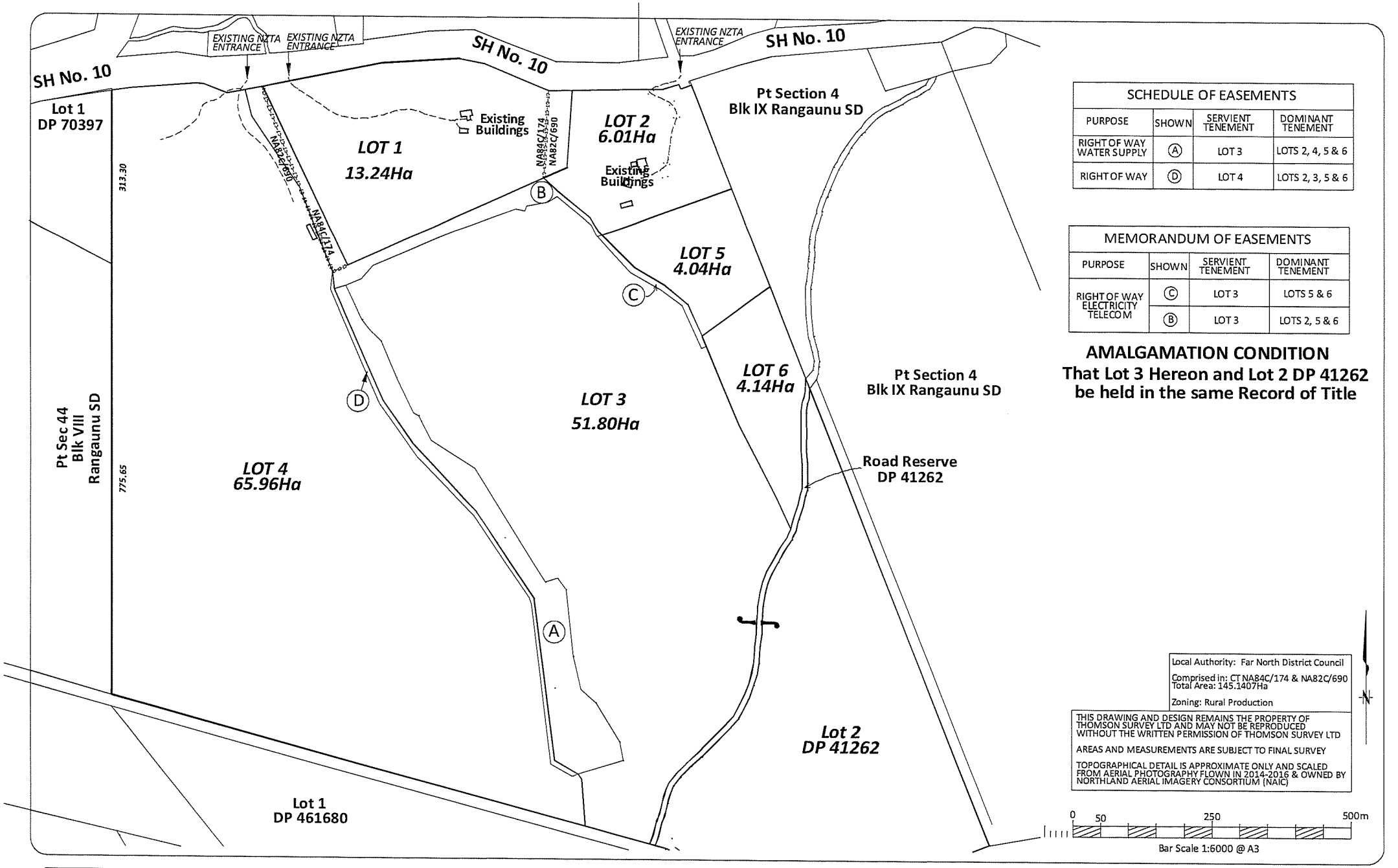
	Name	Date
Survey		
Design		
Drawn	RH/SL	21/08/18
Approved		
Rev	KY	17.02.26

9898 Scheme 20260217

ORIGINAL
SCALE 1:6000
SHEET SIZE A3

Surveyors Ref. No: 9298

Sheet 1 of 1



SCHEDULE OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY WATER SUPPLY	Ⓐ	LOT 3	LOTS 2, 4, 5 & 6
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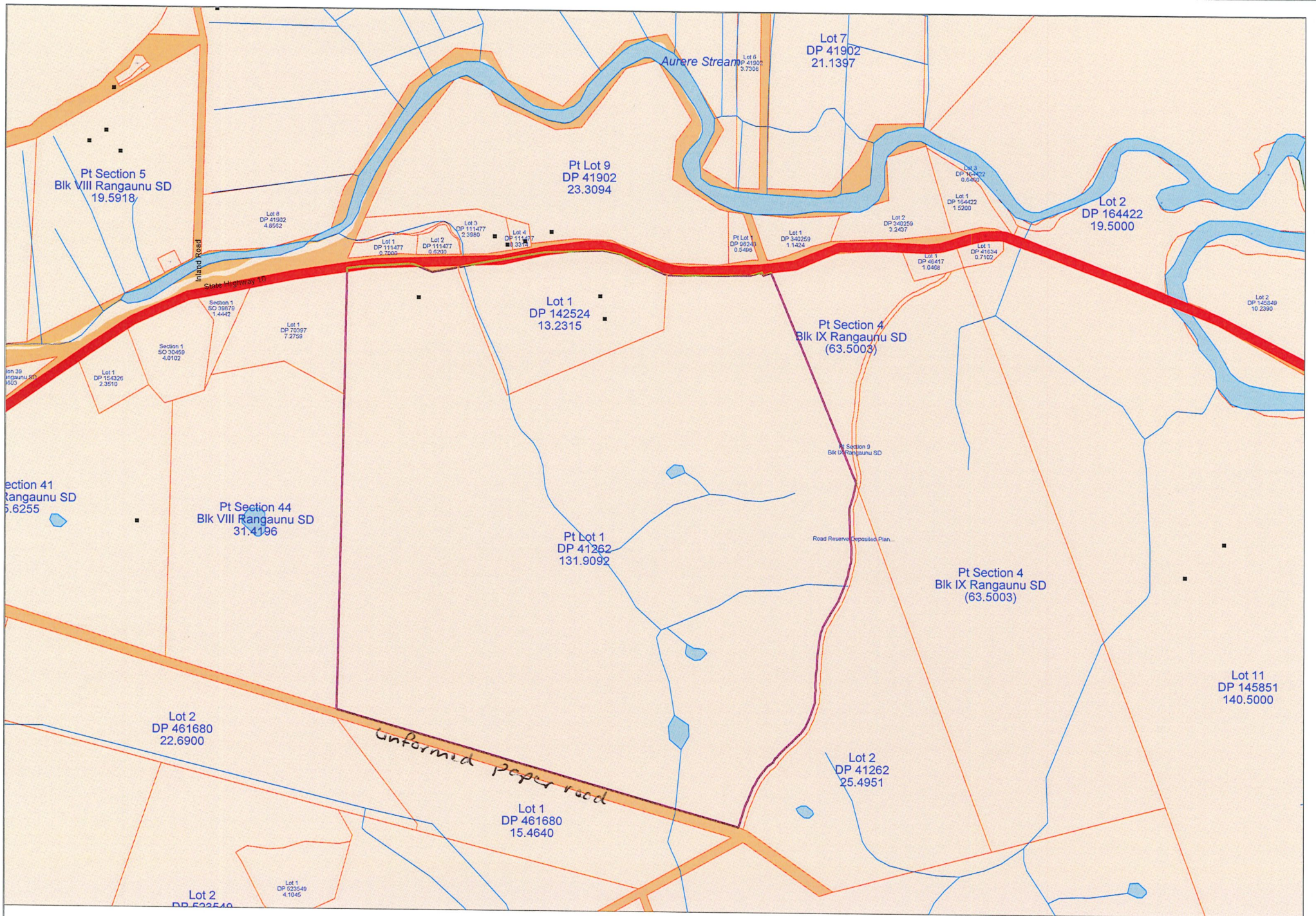
ORIGINAL
SCALE 1:6000
SHEET SIZE A3

Surveyors Ref. No: 9298

Sheet 1 of 1

Appendix 2

Location Plan



QuickMap
Custom Software Ltd

Any person wishing to rely on the information shown on this map must independently verify the information

Scale 1:12000 Topographical and Cadastral map derived from LINZ data. Printed: 27-Oct-2026 03:29.

Appendix 3

Records of Title & Relevant Instruments

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier	**NA82C/690**
Land Registration District	**North Auckland**
Date Issued	01 November 1991

Prior References
NA1116/277

Estate	Fee Simple
Area	157.4045 hectares more or less
Legal Description	Lot 2 and Part Lot 1 Deposited Plan 41262

Registered Owners
Stuart William Paterson and Paper Scissors Rock Trustee Co Limited

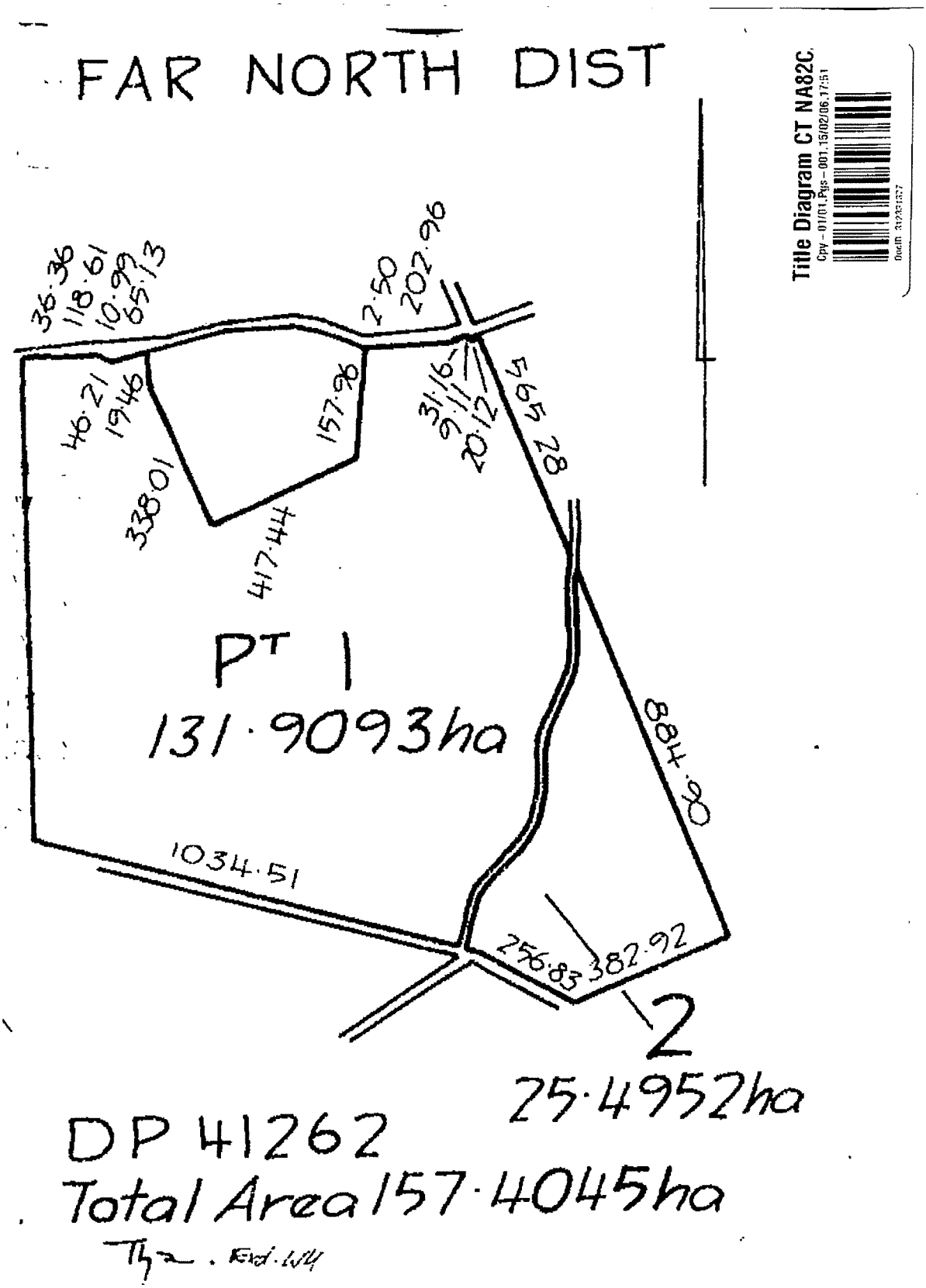
Interests

D534038.1 Notice pursuant to Section 94C Transit New Zealand Act 1989 declaring adjoining State Highway 10 to be a limited access road - 21.8.2000 at 2.05 pm

D539217.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 7.9.2000 at 1.31 pm

9715849.3 Mortgage to Rabobank New Zealand Limited - 21.5.2014 at 10:23 am

11454384.1 Variation of Mortgage 9715849.3 - 5.6.2019 at 5:00 pm


FAR NORTH DIST
Title Diagram CT NA82C
Cpy - 01/01, Pgs - 001, 15/02/06, 17:51
35.36
118.61
10.99
65.13
2.50
202.96
46.21
19.46
157.98
31.16
9.11
20.12
595.28
338.01
417.44
PT 1
131.9093ha
884.80
1034.51
256.83
382.92
2
25.4952ha
DP 41262
Total Area 157.4045ha

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier	**NA84C/174**
Land Registration District	**North Auckland**
Date Issued	24 June 1991

Prior References
NA1116/277

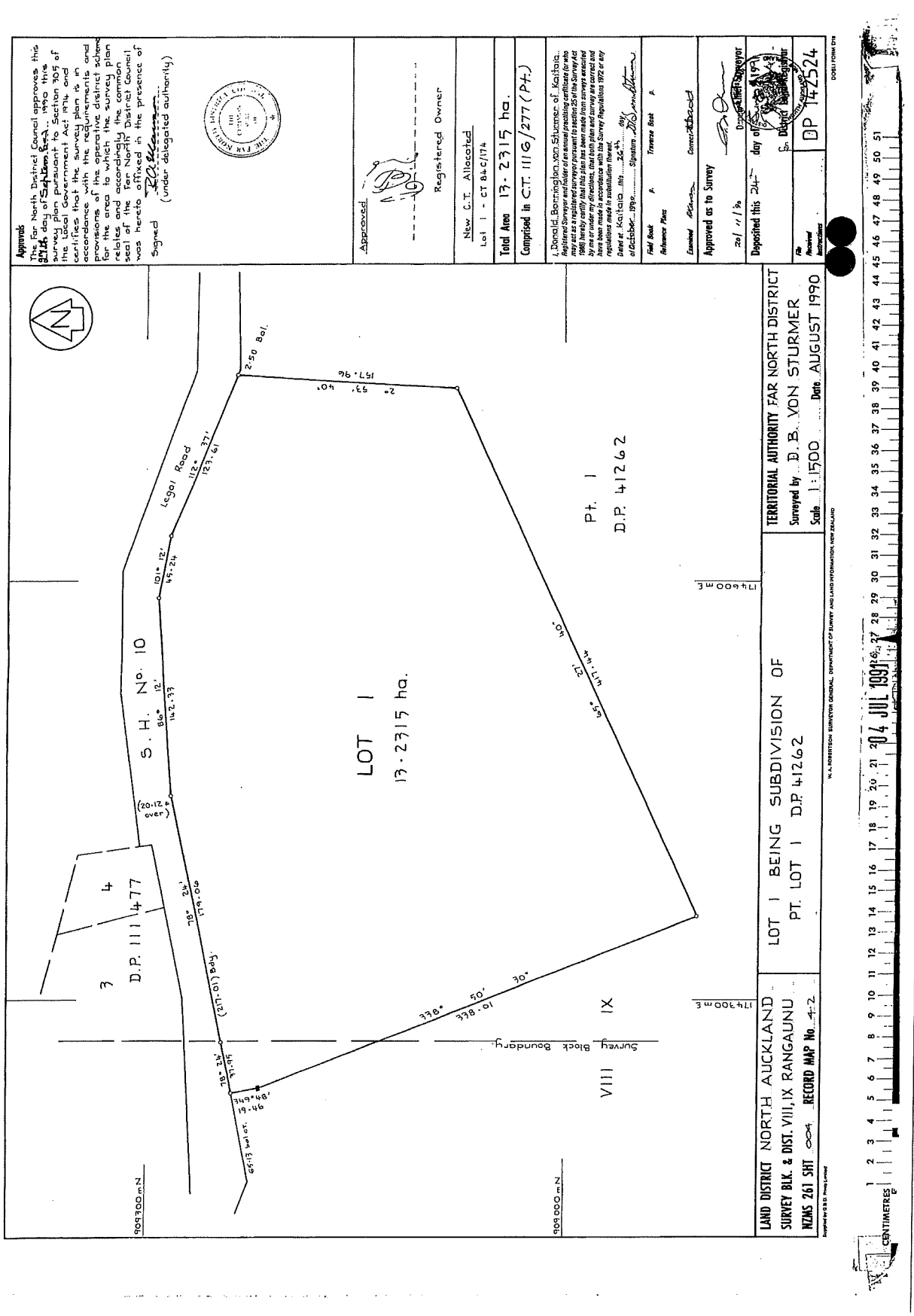
Estate	Fee Simple
Area	13.2315 hectares more or less
Legal Description	Lot 1 Deposited Plan 142524
Registered Owners	

Neil Gregory Meyers

Interests

D534038.1 Certificate under Section 94(C) Transit New Zealand Act 1989 declaring the adjoining State Highway 10 to be a limited access road - 21.8.2000 at 2.05 pm

D539218.1 Crossing place notice under Section 91 Transit New Zealand Act 1989 - 7.9.2000 at 1.31 pm


Approvals
The Far North District Council approves this survey plan pursuant to Section 305 of the Local Government Act 1974 and certifies that the survey plan is in accordance with the requirements and provisions of the operative district scheme for the area to which the survey plan relates and accordingly the common seal of the Far North District Council was hereto affixed in the presence of
Signed
(under delegated authority)
Approved
Registered Owner
New C.T. Allocated
Lot 1 - CT 84C/174
Total Area 13·2315 ha.
Comprised in C.T. 1116/277 (Pt.)
I, Donald Bonnington van Sturmer of Kaitaia,
Field Book
Reference Plans
Examined
Approved as to Survey
Deposited this
Received
Instructions
DP 142524
LOT 1
13·2315 ha.
Pt. 1
D.P. 41262
S.H. No. 10
Legal Road
112° 37'
123.61
101° 12'
45.24
84° 12'
142.33
(20.12 over)
78° 24'
(217.10) Bdys
349° 48'
19.46
95.13 water
157.96
93° 20'
107.
27° 45'
117.44
338° 10' 50"
338.30
3
4
D.P. 111477
Survey Block Boundary
VIII
IX
1174600mE
1174300mE
909300mN
909000mN
LOT 1 BEING SUBDIVISION OF
PT. LOT 1 D.P. 41262
TERRITORIAL AUTHORITY FAR NORTH DISTRICT
Surveyed by D.B. VON STURMER
Scale 1:1500 Date AUGUST 1990
LAND DISTRICT NORTH AUCKLAND
SURVEY BLK. & DIST. VIII, IX RANGAUNU
NZMS 261 SHT RECORD MAP No.
W.A. ROBERTSON, SURVEYOR GENERAL, DEPARTMENT OF SURVEY AND LAND INFORMATION, NEW ZEALAND
30 JUL 1991
CENTIMETRES

Appendix 4

Previous Subdivision consent issued

Far North District Council

FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (Subdivision)

Resource Consent Number: 2200294-RMASUB

Pursuant to section 104C of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

Stuart Patterson

The activity to which this decision relates: Proposed subdivision in the Rural Production Zone to create three lots from two existing lots, whereby creating an additional one lot.

Subject Site Details

Address:	4619 State Highway 10, Karikari Peninsula 0483
Legal Description:	Lot 2 Pt Lot 1 DP 41262
Certificate of Title reference:	NA-82C/690, NA-84C/174

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Thomson Survey Ltd, referenced 'Proposed Subdivision of Lot 1 DP142524 & Pt Lot 1 DP 41262, No. 9298, dated 27/03/2019, and 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) The following amalgamation conditions imposed pursuant to Section 220(1)(b)(ii):

    "Lot 3 hereon be held in the same title as Lot 2 DP 41262".

    See LINZ Ref: 1633246
3. Prior to the approval of the survey plan pursuant to Section 223 of the Act, the consent holder shall:
    (a) Provide a report and plan from a Council approved TP58 writer or chartered professional engineer which confirms that the effluent disposal field and reserve disposal area are fully contained within the boundaries of Lot 1 and 2 and are the systems are functioning in a satisfactory manner.

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

   (a) Provide evidence that the New Zealand Transport Agency has issued a notice pursuant to section 93 of the Government Roading Powers Act 1989 has been obtained. When contacting NZTA to obtain the section 93 notice, please ensure you quote NZTA Ref. LUD-2019-567.

   (b) 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.

   Lot 3

   i. The site is located adjacent to the Minerals Zone (Lot 1 DP 70397) which may commence and undertake commercial activities with the potential to produce vibration, noise, dust and flyrock. No dwelling on the site shall be located within 100 metres of the boundary of the property containing the Minerals Zone, carrying out mining and quarrying activities.

   ii. Reticulated power supply or telecommunications services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.

   iii. Upon construction of any habitable dwelling, sufficient water supply for fire fighting purposes is to be provided by way of tank storage or other approved means, and that this water supply be accessible by fire fighting appliances in accordance with the 'NZFS Fire Fighting Code of Practice SNZ PAS 4509:2008'.

Advice Notes (FNDC)

1. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

Advice Notes (NZTA)

Pre-Construction Agreements

2. The applicant is to obtain an Agreement as to Works from the NZ Transport Agency in order to undertake construction works on the State highway in terms of section 51 of the Government Roading Powers Act 1989. An application to that effect can be made to the NZ Transport Agency's Network Manager.

3. Construction drawings showing full details of the access upgrading works, any associated works, methodology and TMP are forwarded to the NZ Transport Agency's Network Manager for approval at least 15 working days before the commencement of works. The construction drawings will need to show full details of NZ Transport Agency requirements as set out above.

Post-Construction Compliance

4. The Applicant is to inform the NZ Transport Agency once the upgrade has been completed for a final compliance check to be undertaken and to confirm that all the conditions have been met to the NZ Transport Agency's satisfaction.

Crossing Place Registration

5. The interest on the Parent title relating to the Limited Access Road is to be drawn down and registered on the new titles.

6. The Approved Title Plans are to be sent to the NZ Transport Agency in order for new Crossing Place (CP) Notices to be issued. These may then be registered against the new titles with Land Information New Zealand (LINZ) on behalf of the NZ Transport Agency under Section 91 of the Government Roading Powers Act 1989.

Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected customary rights group or customary marine title group.

2. The application is for a Restricted Discretionary resource consent, as such under 104C only those matters over which council has restricted its discretion have been considered. The proposed lot will be adequately serviced and will maintain the existing form of the Rural Production Zone and will not result in adverse effects on the environment.

3. In accordance with an assessment under s104(1)(b) of the Act the proposal is consistent with the relevant statutory documents. The proposal has adequately taken into account the relevant objectives and policies under Chapter 8 and 13 of the District Plan. In essence, the Rural Production Zone seeks to maintain the rural character of the environment whereby allowing for rural activities to be undertaken. The subdivision will allow for pastoral grazing to be undertaken in an efficient manner whereby maintaining the rural character of the site and surrounding environment. It is considered that the subdivision is appropriate for the site and will be carried out in a manner that will not compromise the life-support capacity of the environment and will result in less than minor adverse effects on the environment.

4. The proposal is consistent with the Regional Policy Statement whereby the subdivision will provide for the economic wellbeing of Northland through the retention of productive grazing land. The subdivision will not result in significant or additional reverse sensitivity effects and will allow for existing and future rural activities.

5. In accordance with an assessment under s104(1)(c) of the Act no other non – statutory documents were considered relevant in making this decision.

6. Other matters considered relevant in making this decision.

7. Part 2 Matters

   The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.

Approval

This resource consent has been prepared by Steven Sanson (Sanson & Associates) and is granted under delegated authority (pursuant to section 34A of the Act) from the Far North District Council by:



Trish Routley Team Leader Resource Consents

Right of Objection

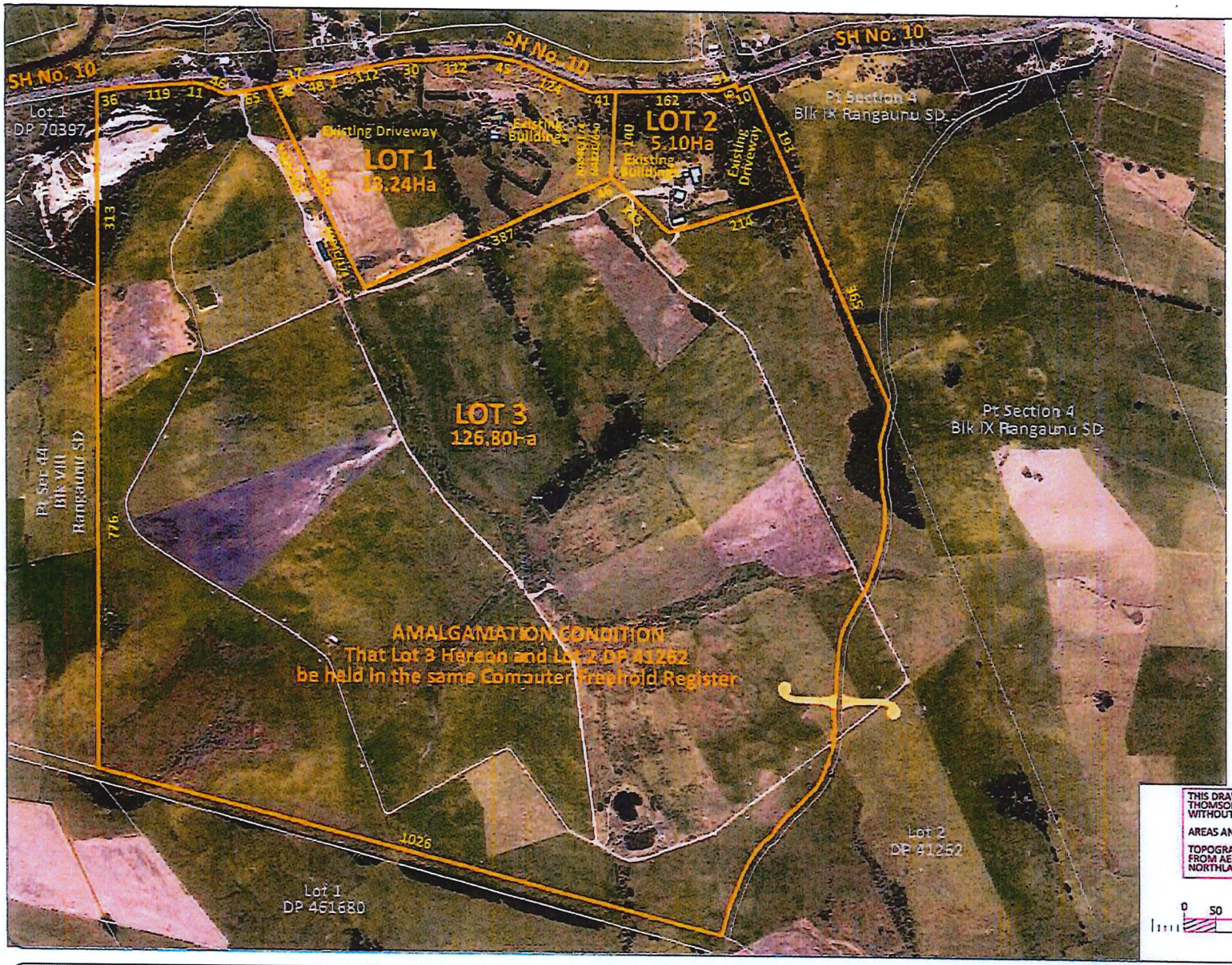
If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing Of Consent

Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.



APPROVED PLAN

Planner: troutley
RC: 2200294 RMASUB
Date: 23/12/2019

Local Authority: Far North District Council

Comprised In: CT NA84C/174 & NA82C/690
Total Area: 145.1407Ha

Zoning: Rural Production

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0 50 250 500m

Bar Scale 1:6000 @ A3

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Registered Land Surveyors, Planners & Land Development Consultants

Proposed Subdivision of Lot 1 DP 142524 & Pt Lot 1 DP 41262

4619 State Highway 10, Cable Bay

PREPARED FOR: Paterson

	Name	Date
Survey		
Design		
Drawn	RAH	21/08/18
Approved		
Rev	KY	27.03.19

ORIGINAL
SCALE 1:6000
SHEET SIZE A3

9298 20190327 Scheme.lcd

Surveyors Ref. No: 9298

Sheet 1 of 1

Appendix 5

Site Engineering Feasibility Appraisal

GUMBOOTS
CONSULTING ENGINEERS

Site Engineering Feasibility Appraisal

Proposed Subdivision

4619 State Highway 10, Lake Ohia

For

Stuart Paterson

Supporting report for resource consent application to Far North District Council
Gumboots Consulting Engineers reference 1391



23/06/2026

◆0204486697 ◆office@gumbootsconsulting.co.nz ◆www.gumbootsconsultingengineers.co.nz
191 Onekura Road, Kerikeri, Northland 0295

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   - 2.2. Objective and Scope
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   - 3.2. District Plan Zoning
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5. **Cultural Landscape**
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7. **Geology**

8. **Lithology**
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Gumboots Consulting Engineers Ltd | 191 Onekura Rd, Kerikeri 0295
P 0204486697 | E office@gumbootsconsulting.co.nz

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Revision History

Revision N°	Prepared By	Description	Date
A	Kelly Wright	Geotechnical, Stormwater and Wastewater Assessment	23/06/2026

Reviewed/Approved

On behalf of Gumboots Consulting Engineers Ltd by:



Akira Kepu

Senior Chartered Geotechnical-Civil Engineer

CMEngNZ, Board Member of EngNZ Northland Branch.

Member of NZGS, ISSMGE, SIG EGP & The Sustainability Society.

1. Executive Summary

The following summarises the findings, conclusions and recommendations detailed within this report. As appropriate, the report shall be read in its entirety to ensure full understanding of the following.

Critical Objectives	Considered
Proposed activity	Subdivision of **Lot 1 DP 142 524 and Pt Lot 1 Deposited Plan 41262** to create six lots. This assessment is limited to **proposed Lots 2, 5 and 6** only.
RMA	**No** geotechnical natural hazards were encountered (as listed in the Act) that are considered an undue hindrance to subdivision or that cannot be reasonably addressed by typical engineering design and construction.
Proposed Lots	**Lots 5 and 6** are the proposed residential development lots considered in this assessment. **Lot 2** contains the existing developed site. **Lots 1, 3 and 4 are specifically excluded from the scope of this assessment.**
Access	Existing legal access to Lots 5 and 6 is provided from **State Highway 10** via the established internal accessway. Lot 2 access remains unchanged.
Vehicular crossing	Existing crossings retained and considered suitable.
Vehicular entrance site distance and tracking curves	Existing entrances considered suitable for the proposed subdivision. Any upgrades or modifications are outside the scope of this assessment unless otherwise noted.
Fill	Not Encountered.
Natural Soils	Residual silty clay over dense cemented hardpan (densipan), underlain by weathered Taipa Mudstone (Motatau Complex).
Unduly Weak, Sensitive, Or Compressible Soils	Not Encountered.
Subsoil reactivity under normal moisture conditions	Non-reactive to slightly reactive. The residual silty clay soils derived from the Motatau Complex are considered to exhibit low plasticity potential under normal moisture conditions and are not expected to display significant expansive behaviour.
Groundwater	Perched groundwater not encountered.
Seismic Site Class	Site Class C - shallow soil site in accordance with NZS 1170.5:2004.
Slope Instability	**No** signs of land mobility were encountered. It is judged to be suitable for future residential development with regard to land instability [*low*].

Building Platform	Suitable building platform areas have been identified within **Lots 5 and 6. Lot 2** contains the existing dwelling and associated development. No assessment has been undertaken for proposed **Lots 1, 3 or 4.**
Foundations	Based on current investigation data to limited depths, shallow foundations can be applicable here. Further discussion in this regard follows in Section 16.3.
Onsite Wastewater Disposal	For the subsequent Lots shall assume onsite wastewater treatment system. All work shall be in accordance with current FNDC Engineering Standards.
Stormwater Management	Shall assume water tanks for *roof runoff* **neutrality** and *overflow* dispersed above land as appropriate. Such practice is considered sustainable with minimal impact to the environment overall.
Site-specific appraisal for Building Consent	Specific to **ALL LOTS** with regard to proposed development at such time; it shall include geotechnical, stormwater and wastewater management.

In specific reference expressed within and in unity with the objectives of the Resource Management Act 1991;

There is, considered;

1. Less than minor significant risk from natural hazards, and;
2. Sufficient provisions have been made for legal and physical access to each allotment to be created by the subdivision.

The intended purpose for land on the subject property (legal description Lot 1 DP 142 524 and Pt Lot 1 Deposited Plan 41262) can be sustained SUBJECT to;

- ALL future developments shall be carefully planned with respect to the existing natural environments within the respective lots. These natural land features shall be carefully incorporated/maintained within the overall occupational development as it shall provide long term sustainability in ALL aspects to the land and hosting environments.
- ALL recommendations highlighted (and not limited) herein shall be ADHERED to.
- ALL proposed Works exhaust good sound engineering practices and complemented by means of extensive and conscientiously executing field observations/positive action during and after construction.
- ALL proposed Works shall be conducted in accordance with FNDC Engineering Standards and Guidelines and related documents and in conjunction with NZS 4404, Land Development and Subdivision Engineering.

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It shall be appreciated that the professional opinions and language expressed within the appraisal are solely from an engineering perspective.

Appropriately, the appraisal shall be read in its entirety to impart enlightenment in full context of the proposed concept and application to the existing property.

2. Introduction

This report has been prepared by Gumboots Consulting Engineers Ltd for Stuart Paterson, our client. That is, in support of an application to the Far North District Council for Resource Consent to Subdivide a rural property at 4619 State Highway 10, Taipa [the 'site'] in accordance with the requirements of the Resource Management Act 1991.

Specifically, this appraisal addresses engineering elements of natural hazards, wastewater, stormwater and earthwork requirements to promote "CLIMATE RESILIENCE" of Land, safe building platforms with less than minor effects on the environment as a result of the proposed activities [outlined in Section 2.1 below] and long term regenerative and balancing outputs to the natural character of the ENVIRONMENT.

Where appropriate, it is in accordance with the recommendations of NZS 4404, Land Development and Subdivision Engineering and related documents.

2.1 Appraisal Method

Adopted for this project based on the initial stage of the project and the most economically viable approach with respect to our Client comprises;

1. Desk Study
2. Field Study and Observations

Our reconnaissance seeks account of the fundamental properties of the site, geology, geological landscape, current interactive materials-environment-outputs.

Generally, it summarises the feasible application of the concept [developments] in a practical manner so as to sustain balancing effects with the underpinning conscious living choice in favour of functional resilience of Land, Environment and LIFE in all aspects.

2.2 Objective and Scope

The objective of this report is to assess the general suitability of the site for the proposed subdivision. Primarily, the general environmental characteristics of the property. The likely extent of the intended implementations and the capacity of the land to sustain within the proposed Lots. And finally, sustainable engineering solutions that may be required to support such occupation thereafter. It includes;

- The review of pertinent rules and policies, geology maps etc
- Preliminary site investigations and observations and evaluation of subsurface soil conditions

- Identifying geotechnical hazards within the locale
- Assessing potential future house sites (Lots 5 and 6)
- Stormwater flows and management analysis
- Preliminary Feasibility Recommendations for occupational residential living and developments.
- Aerial Survey by DroneX

This assessment has been prepared solely for the purposes of evaluating proposed Lots 2, 5 and 6 of the subdivision at 4619 State Highway 10, Taipa. Lot 2 comprises the existing developed site, while Lots 5 and 6 are the proposed development lots assessed for future residential use. Lots 1, 3 and 4 are specifically excluded from this assessment, and no opinion is expressed regarding their geotechnical suitability or development potential.

2.3 Limited Liability

This report has been prepared solely for the benefit of Stuart Paterson, in accordance with the brief given to us, the agreed scope and in general accordance with current standards, codes and best practice at the time of this writing. Therefore, he shall be deemed the exclusive owner on full and final payment of the invoice.

Information, assumptions, and recommendations contained within this report can only be used for the purposes with which it was intended. Gumboots Consulting Engineers accepts no liability or responsibility whatsoever for;

1. any use or reliance on the report by any party other than the owner or parties working for or on behalf of the owner, such as local authorities, and for purposes beyond those for which it was intended.
2. any omissions or errors that may befall from inaccurate information provided by the Client or from external sources.

Outcomes given in this report are based on visual methods and subsurface investigations at discrete locations designed to the constraints of the project scope to provide the best assessment of the environment and subsurface conditions.

Therefore, it must be appreciated that the nature and continuity of the subsurface materials between these locations are inferred and that actual conditions could vary from that described herein. We should be contacted immediately if the conditions are found to differ from those described in this report.

Accordingly, further investigations/observations shall then be undertaken as appropriate.

This report should be read and reproduced in its entirety including the limitations to understand the context of the opinions and recommendations given.

3. Site Details and Description

3.1 Site Identification

Site Location:	4619 SH 10, Taipa
Legal Description:	Lot 1 DP 142 524 and Pt Lot 1 Deposited Plan 41262
Total Site Area:	147 Ha

3.2 District Plan Zoning

According to the Far North District Council (FNDC) District Plan the site is zoned as 'Rural Production'.

3.3 Proposed Activity

A proposed scheme plan was presented to Gumboots Consulting Engineers at the time of writing, prepared by Thomson Survey and is reproduced within Appendix A. It is understood the Client proposes to subdivide the site to create six lots as outlined in Table 1.0 below.

Table 1.0 - Summary of Proposed Scheme

Proposed Lot	Area (ha)	Intended end use
1	13.24	Rural/lifestyle lot
2	6.01	Existing developed rural residential lot
3	51.80	Balancing lot
4	65.96	Balancing lot
5	4.04	Proposed residential lot
6	4.14	Proposed residential lot

Reference: Proposed subdivision supplied by *Thomson Survey*, dated 17/02/26.

3.4 Site Location and Description

The subject property is located at **4619 State Highway 10, Lake Ohio**, within the Far North District, approximately 6 km west of Taipa township and fronting State Highway 10 (Figure 1).

The property comprises a large rural holding characterised by gently undulating to moderately sloping pastoral land, with several ridgelines and shallow drainage features. Elevations generally increase inland from State Highway 10, with the proposed development areas situated on elevated terrain providing suitable building platforms for future residential development.

The site is underlain by sedimentary rocks of the **Motatau Complex**, mapped locally as **Taipa Mudstone (Emt)**. The Taipa Mudstone comprises weakly to moderately indurated grey to blue-grey calcareous mudstone, commonly containing re-deposited glauconitic sandstone beds. Weathering of the underlying

bedrock has produced a mantle of residual silty clay and clay soils across much of the site, with fresh to moderately weathered mudstone anticipated at relatively shallow depth beneath the residual profile.

The property is zoned **Rural Production** under the Far North District Plan and is predominantly utilised for pastoral farming. Surrounding land uses comprise a mixture of rural grazing properties, lifestyle blocks and scattered rural residential development.

The proposed subdivision will create six lots. **This assessment is limited to proposed Lots 2, 5 and 6 only.** Proposed Lot 2 contains the existing residential dwelling and associated farm buildings, which are accessed directly from the existing entrance off State Highway 10. This existing access is to be retained. Proposed Lots 5 and 6 are presently undeveloped and comprise grazed pasture with isolated mature trees located primarily along fence lines and property boundaries.

Based on the proposed subdivision scheme plan and our site walkover, the proposed development of Lots 5 and 6, together with the continued use of the existing development on Lot 2, is expected to result in minimal disturbance to the existing landform and surrounding environment. Suitable building platform areas are available within the assessed lots, and no significant geotechnical constraints were identified that would preclude the proposed subdivision or future residential development, subject to the recommendations contained within this report.



Figure 1 - Site Features Map (maps adapted from Quick Map Enterprises and Google Earth Maps).

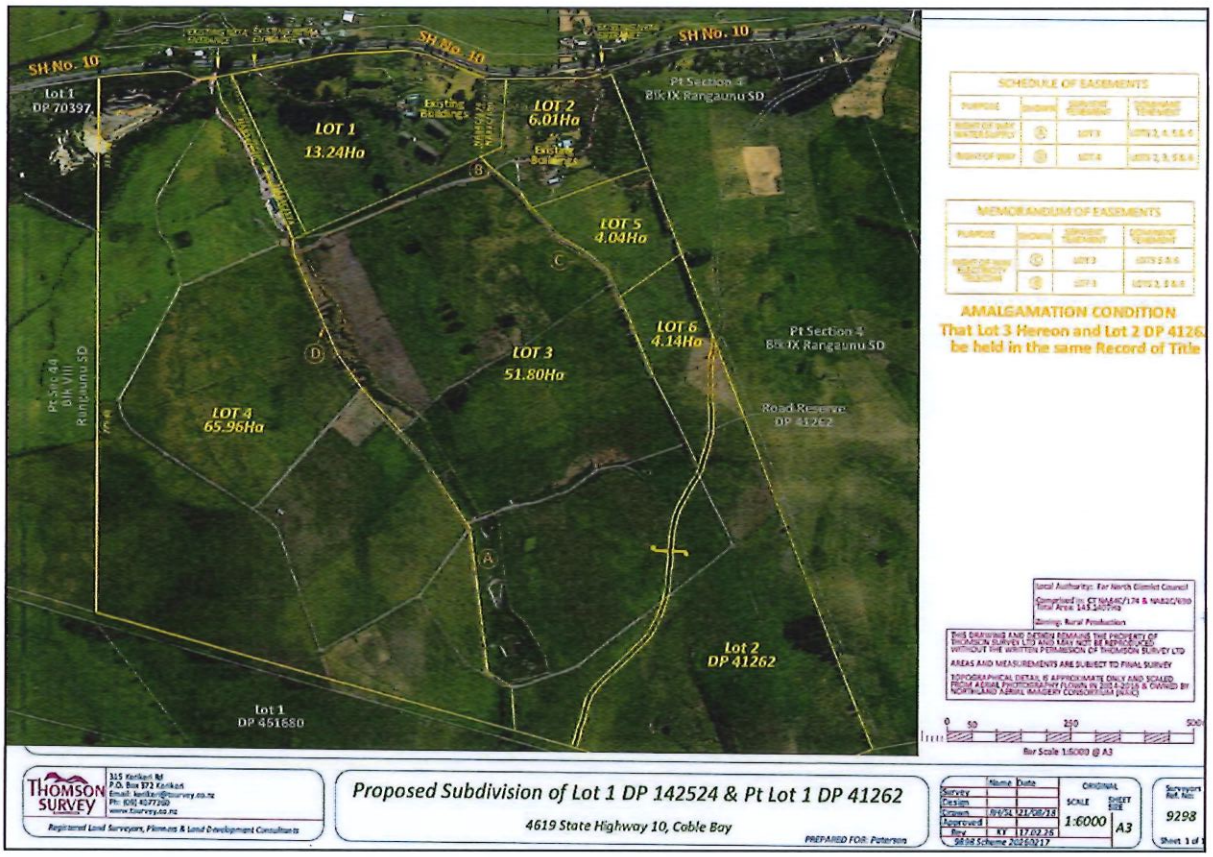


Figure 2 - Proposed Scheme Plan

3.5 Allowable Building Areas

Indicative building platform areas of approximately **900 m²** have been identified within **proposed Lots 5 and 6**. These areas are considered sufficient to accommodate a future residential dwelling, associated hardstand areas, on-site wastewater disposal (if required), stormwater management infrastructure, water supply and associated services.

The identified building platform areas are indicative only and have been prepared to demonstrate the feasibility of the proposed subdivision. The final location, extent and design of any future residential development should be confirmed through detailed site-specific geotechnical investigations undertaken at the building consent stage.

4. Access

Existing vehicle access to the subject property is provided directly from State Highway 10 via established vehicle crossings and an internal formed accessway. The existing access arrangement will be retained following subdivision and provides access to the assessed lots. Based on our observations, the existing access appears suitable for the proposed subdivision. Any alterations to the existing crossing or access arrangements

will be subject to the requirements of NZ Transport Agency Waka Kotahi and the Far North District Council, where applicable.

4.1 Parking and Manoeuvring

Adequate provision can be made within Lots 5 and 6 for on-site parking and vehicle manoeuvring in accordance with the anticipated residential land use. Sufficient space exists within each lot to enable vehicles to enter and exit in a safe and practical manner.

5. Cultural Landscape

In this instance points to the direct anthropogenic effects upon the natural landscape over a time period. A review of historic aerial photos commencing from 1981 were reviewed in light of this undertaking. No major changes were observed in the aerial imagery.



Figure 3 - Retrolens.nz image 1981

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Figure 4 - Google Earth image 2003

5.1 Land Use

The subject property and surrounding area are characterised by rural pastoral land use, comprising predominantly grazing land interspersed with established shelter belts, scattered rural dwellings and lifestyle properties. The surrounding landscape is typical of the Taipa locality, with gently undulating to moderately sloping terrain supporting agricultural activities and low-density rural residential development. Existing vegetation is generally limited to mature trees along fence lines, drainage features and property boundaries.

5.2 Infrastructures

Far North District Council (FNDC) GIS mapping indicates that reticulated wastewater, stormwater and potable water services are not available to the subject property. Accordingly, future development of the assessed lots will rely on on-site infrastructure, including rainwater harvesting for potable water supply, on-site wastewater treatment and disposal, and on-site stormwater management systems.

Based on the proposed subdivision layout, sufficient land area is available within Lots 5 and 6 to accommodate these services. Existing infrastructure associated with the dwelling on Lot 2 is expected to remain in place and continue servicing the existing residence. Detailed design of all three waters infrastructure should be undertaken as part of the future development of each lot and in accordance with the requirements of the Far North District Council and Northland Regional Council.

6. Geomorphology

Taipa Mudstone / Motatau Complex - The subject property is mapped as being underlain by sedimentary rocks of the Motatau Complex, specifically Taipa Mudstone (Emt). This geological unit typically comprises weakly to moderately indurated grey to blue-grey calcareous mudstone, with occasional re-deposited glauconitic sandstone beds.

The Taipa Mudstone forms part of the older sedimentary basement geology of the Northland region. The material has been subjected to long-term weathering, resulting in a residual soil profile typically comprising silty clay and clay soils overlying weathered mudstone bedrock. The depth to less-weathered mudstone may vary across the site depending on local topography, drainage conditions and weathering intensity.

From a geomorphological perspective, the mapped mudstone geology is expected to influence the site through:

- the formation of residual clay and silty clay soils;
- moderate natural slopes and localised drainage features;
- potential variation in soil strength with depth and moisture content;
- reduced permeability compared with fractured volcanic rock; and,
- the possibility of localised softening or shallow instability where slopes are steep, saturated or poorly drained.

Based on the site walkover and available subdivision layout, no evidence of active land instability, significant erosion or large-scale ground movement was observed within the identified building areas within **Lots 5 and 6** are therefore considered suitable for future residential development, subject to site-specific investigation and confirmation of foundation conditions at building consent stage.

Engineering considerations associated with the Taipa Mudstone include the potential for variable weathering, moisture-sensitive clay soils, localised perched groundwater and reduced soakage capacity. Future building and infrastructure design should therefore include appropriate foundation investigation, stormwater control, subsoil drainage where required, and careful management of earthworks to avoid prolonged exposure or saturation of mudstone-derived soils.

7. Geology

Geological mapping published by GNS Science indicates the subject property is underlain predominantly by Taipa Mudstone (Emt) of the Motatau Complex. This unit comprises weakly to moderately indurated grey to blue-grey calcareous mudstone with occasional redeposited glauconitic sandstone beds. Localised areas within the proposed subdivision are mapped as Sandstone (Pat), comprising partly consolidated sandstone with minor mudstone associated with elevated terrace deposits.

The geological mapping is regional in nature and should be used as a guide only. Site-specific conditions are governed by the degree of weathering and local geological variation, as confirmed by the field

investigations undertaken as part of this assessment.

Reference :

GNS Sciences 1:250,000 scale map Map 2, 2009: *"Whangarei"* (Geological Map)

NZMS Sheet 290 O 04/05 Part Sheet O 03, 1:100,000 scale map, Edition 1, 1981: *"Kaitaia - Rawene"* (Rocks).

Manaaki Whenua LandCare Research: New Zealand Soil Classification (NZSC) - Soil Order.

8. Lithology

The site is mapped as being underlain by Mudstone ($M4_1$): Black, grey, brown and green, thinly bedded and closely fractured, locally calcareous or siliceous, with minor muddy limestone ($L5_2$), carbonaceous siltstone, calcareous claystone and greensand (S4); moderately soft to moderately hard. Weathered to soft non-calcareous whitish clay to depths of 10 m.

Consequently, further advancement through hand exploration methods were of no avail due to the hard pan underlying the subsoil mantle.

The geology map below is presented on a regional scale and careful consideration shall be of high regard in relative application of referencing and professional judgements expressed in context to specific sites.

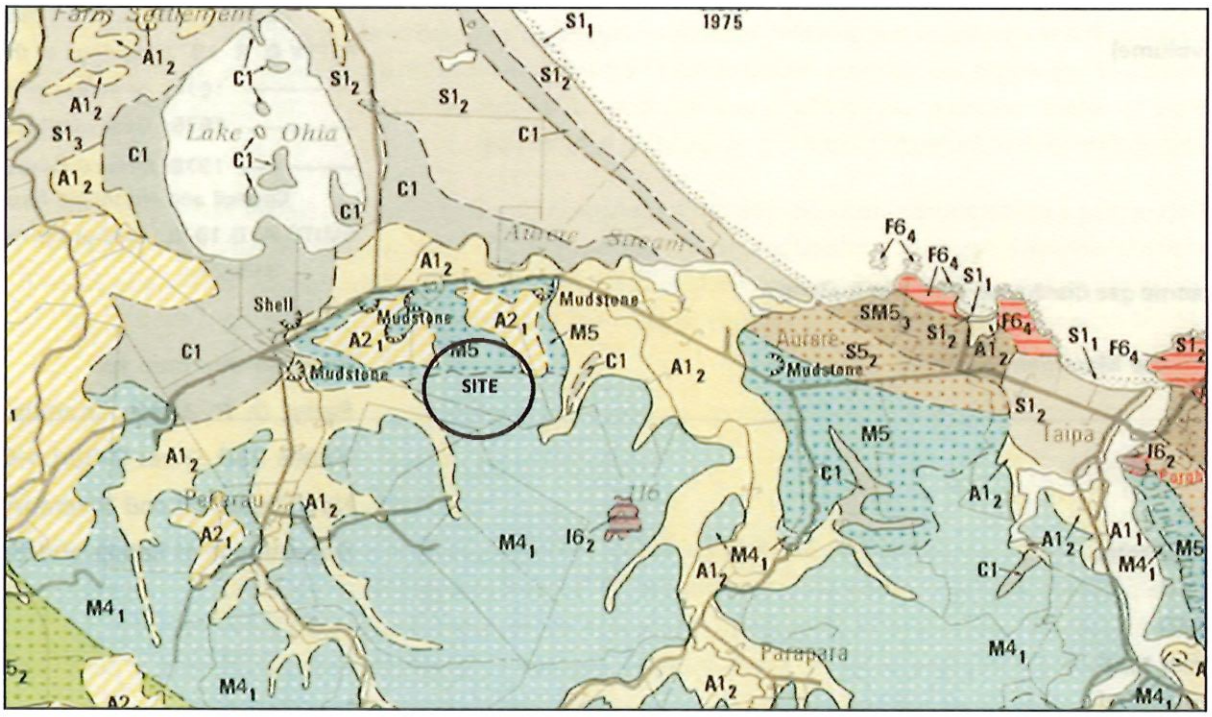


Figure 5 - Lithology Map - (NZMS Sheet 290 O 04/05, Part Sheet O 03, 1:100,000 scale map, Edition 1, 1982: *"Kaitaia-Rawene"* (Rocks).

Reference:
Geology of the Kaitaia Area. Institute of Geological & Nuclear Sciences; 1: 250,000 geological map 1. Lower Hutt, New Zealand.

8.1 Geological Hazards

8.1.1 Earthquakes

Earthquake vibration produces various responses in different lithologies and topography can also modify the effects. In hard dense rock materials **no** significant amplification of vibration generally occurs; however vibration can be amplified significantly in unconsolidated materials which may respond by slumping, flowing or settlement especially if slopes are steep or if the materials are water saturated.

The felt effects of earthquakes are described by the Modified Merkalli (MM) scale of intensities I - XII. Generally earthquakes of MM V or greater are those in which some structural damage occurs. In regional estimates of earthquake risk, the intensity figure given is normally an indication of the average expected response of a range of lithologies. Thus, higher felt intensities may be experienced locally on materials which cause increased vibration responses as indicated above.

The frequency of recurrence of felt earthquakes in Northland is **low** compared with the rest of the country. Smith (1978) has used records of the last 140 years to estimate earthquake risk for New Zealand. In the mapped area, on average ground conditions it is likely that the average earthquakes of MM IV could be felt at least once every 50 years (as a comparison Wellington experiences 4 or 5 MM IV earthquakes each year).

The average time of recurrence of a MM VI earthquake is greater than 200 years and that of a MM VII earthquake is greater than 500 years.

No known **active faults** are present on the map sheet mentioned above.

9. Subsoils

LandCare Research indicates the **soils** encountered here as Densipan Podzol (ZD); which is a high density pale coloured pan, just beneath the topsoil. They cover 18% of New Zealand and they occur mainly in materials from silica-rich rocks

In association with organic matter, these soils are a likely source of the accumulation of Aluminium and Iron oxides.

9.1 Podzol Soils [Z]

They occur in clay or sandy clay material derived by strong alteration of quartz-rich rocks over long periods of time. These soils have dispersible surface horizons prone to erosion and are susceptible to damage by livestock treading.

Soils are strongly acidic with a small content of weatherable minerals. **Kaolin** and vermiculite are the dominant minerals. The soils are *slow to imperfectly drained*.

The soils comprise highly weathered Densipan Podzols developed over Taipa Mudstone of the Motatau Complex. The profile typically consists of a sandy to silty topsoil over kaolinitic clay, with a dense, low-permeability densipan horizon enriched in iron, aluminium and silica. The underlying bedrock comprises weathered mudstone. These soils generally exhibit low shrink-swell potential but may develop perched groundwater above the densipan during prolonged rainfall.

All in all it can be concluded that the soils encountered here more greatly reflect the historical effects of local conditions.

The maps constitute a regional scale. Therefore, visual observations and shallow boreholes were utilised to account for this purpose. As specific to the subject site.

Reference
Manaaki Whenua LandCare Research: New Zealand Soil Classification (NZSC) - Soil Order.

10. Environmental Setting

Published environmental data relating to the site has been reviewed. A summary of relevant information is provided below.

10.1 Hydrology and Flooding

A summary of available information pertaining to hydrology and hydrogeology is presented in the table below. An examination of Far North District Council (FNDC) and Northland Regional Council (NRC) online GIS databases is included.

Table 1.1 – Surface Water Features & Flooding

Source	Presence/Location	Comments
Groundwater sources including springs/wells (within 500 m)	Two registered groundwater bores are located to the **west** of the subject property within approximately **500 m**.	Both bores are recorded in the NRC groundwater database as being utilised for stock water supply. Both bore records static groundwater levels of approximately 1.7 m below ground level, indicating groundwater is present within the local catchment. No springs or groundwater seepages were observed within the assessed areas of Lots 5 and 6 during the site investigation.
Surface Water Features (Ponds, Lakes etc)	Several farm ponds are present within the wider property and adjacent landholdings.	These are associated with agricultural land use and do not present a constraint to the proposed building platforms on Lots 5 and 6.
Watercourses (within 500 m)	An ephemeral to permanent drainage	The proposed building areas for Lots 5 and 6 are located clear of the main drainage channel.

	channel traverses the central portion of the property and discharges northwards to the coastal estuary.	Appropriate setbacks and stormwater management should be maintained in accordance with FNDC and NRC requirements.
Flood Risk Status	No mapped flood hazard affecting the proposed building areas.	NRC Natural Hazards and FNDC GIS mapping indicate the proposed building platforms on Lots 2, 5 and 6 are located outside the mapped river and coastal flood hazard extents. Flooding is therefore considered a low risk to the proposed development.
Flood Susceptibility	Low	Localised ponding may occur adjacent to drainage channels during intense rainfall; however, the proposed development areas are situated on elevated ground and are not considered susceptible to flooding. Surface water should be directed away from building platforms using appropriate stormwater management measures.

The natural landscape, and outstanding land features presented in this natural state environment shall be regenerated/maintained [continuously] with respect to the ongoing Overall Proposal Outcome (OPO)[1]*.

10.2 Natural Hazards

10.2.1 Regulatory Framework

Under Part 1; Interpretation and application of the Resource management Act 1991, natural hazard means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

10.2.2 River Flood Hazard

Upon review of the Northland Regional Council Hazards maps, it indicates the proposed building platforms on Lots 2, 5 and 6 as not being within a flood extent area. As depicted in Figure 6 below.

[1] *OPO - Balancing Sustainability of Life in all aspects.*



Figure 6 - Natural Hazards Map (maps adapted from NRC Natural Hazards Map - *accessed 28/06/2026*).

Natural hazards listed in Section 71(3) of the Building Act 2004 include: erosion, falling debris, subsidence, inundation or slippage.

Susceptibility assessment of the subject property to these potential hazards were judged as;

Table 1.2 – Natural Hazard

Potential Hazards Assessed	
Erosion (including coastal erosion, bank erosion, and sheet erosion)	No*
Falling debris (including soil, rock, snow, and ice)	No*
Subsidence (vertical settlement)	No*
Inundation (including flooding, overland flow, storm surge, tidal effects, and ponding)	No*
Slippage	No*

**not encountered/observed during the site walkover.*

11. Preliminary Field Investigations

Our fieldwork for this report was carried out on 19th March 2026 and consisted of:

- 2 Hand Augured boreholes down to refusal depths of 1.50 - 2.10m.
- Vane shear tests were undertaken at 0.30m increments to full drilled depths.
- Visual observation of the site and lower lying land with respect to land fretting features.

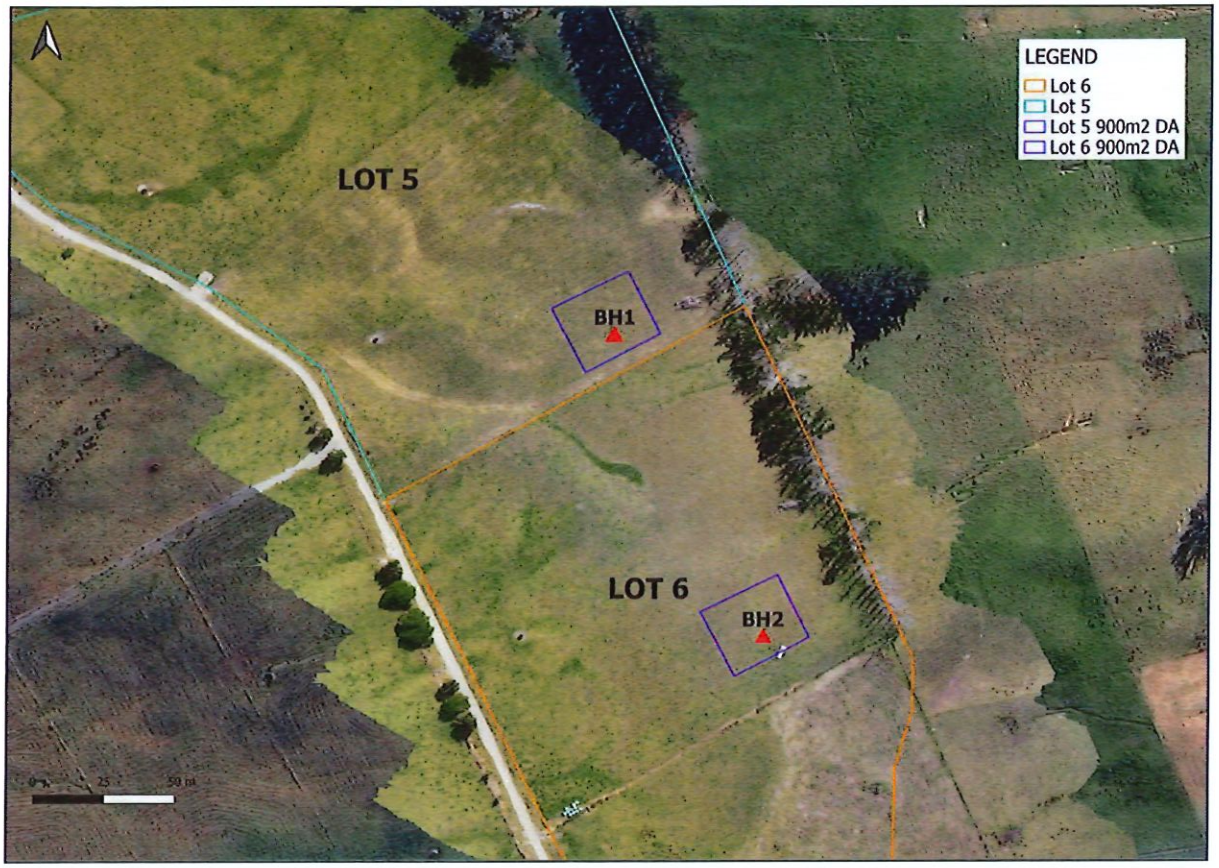


Figure 7 - Borehole Location Plan (DroneX Aerial Imagery. Scale 1:750 [A3])

Results of all in-situ soil tests together with detailed descriptions of the soils encountered during drilling are attached to this report.

No saturated or boggy ground was encountered within the soil test locations. The depths of strata and groundwater [where encountered] on the logs are recorded from ground level.

12. Summary of Bored Ground Conditions

12.1 Topsoil

Observed as clayey silt, dark greyish-brown with minor rootlets (approximately) 0.15 - 0.20 metres thick.

12.2 Subsoil

The natural subsoils encountered comprised very stiff silty clay, pale brown to orange-brown and low plasticity. A dense hardpan (densipan) was encountered at approximately 0.30 m below ground level, comprising very dense to hard cemented clayey silt to silty clay with very low permeability. Shear vane testing undertaken below the hardpan indicated the underlying cohesive soils remained very stiff to hard throughout the investigated profile.

The soils are considered consistent with highly weathered residual soils developed over the Motatau Complex (Omm), with the dense hardpan representing a podzolised subsurface horizon.

12.3 Filled Ground

Was not encountered.

12.4 Groundwater Conditions

Groundwater was not encountered during the site investigation. Although the dense hardpan horizon is expected to restrict vertical infiltration and may result in localised perched groundwater following prolonged or intense rainfall, no seepage or saturated conditions were observed at the time of investigation.

Surface water is expected to follow the natural topography towards the existing drainage channels that traverse the property before discharging northwards to the receiving estuarine environment. The proposed building platforms within Lots 5 and 6, together with the existing development on Lot 2, are located on elevated ground outside the primary drainage channels. Subject to appropriate stormwater management and maintenance of existing overland flow paths, groundwater and surface water conditions are not considered to present a significant constraint to the proposed subdivision or future residential development.

12.5 Primary Flow Paths [PFP]

The site is characterised by gently undulating to moderately sloping terrain, with natural overland flow generally draining towards the existing watercourses that traverse the central portion of the property before discharging northwards to the adjacent coastal estuary.

The proposed building platform areas within **Lots 5 and 6**, together with the existing development on **Lot 2**, are located outside the primary drainage channels. Accordingly, the proposed development is not expected to obstruct or adversely affect the natural overland flow paths.

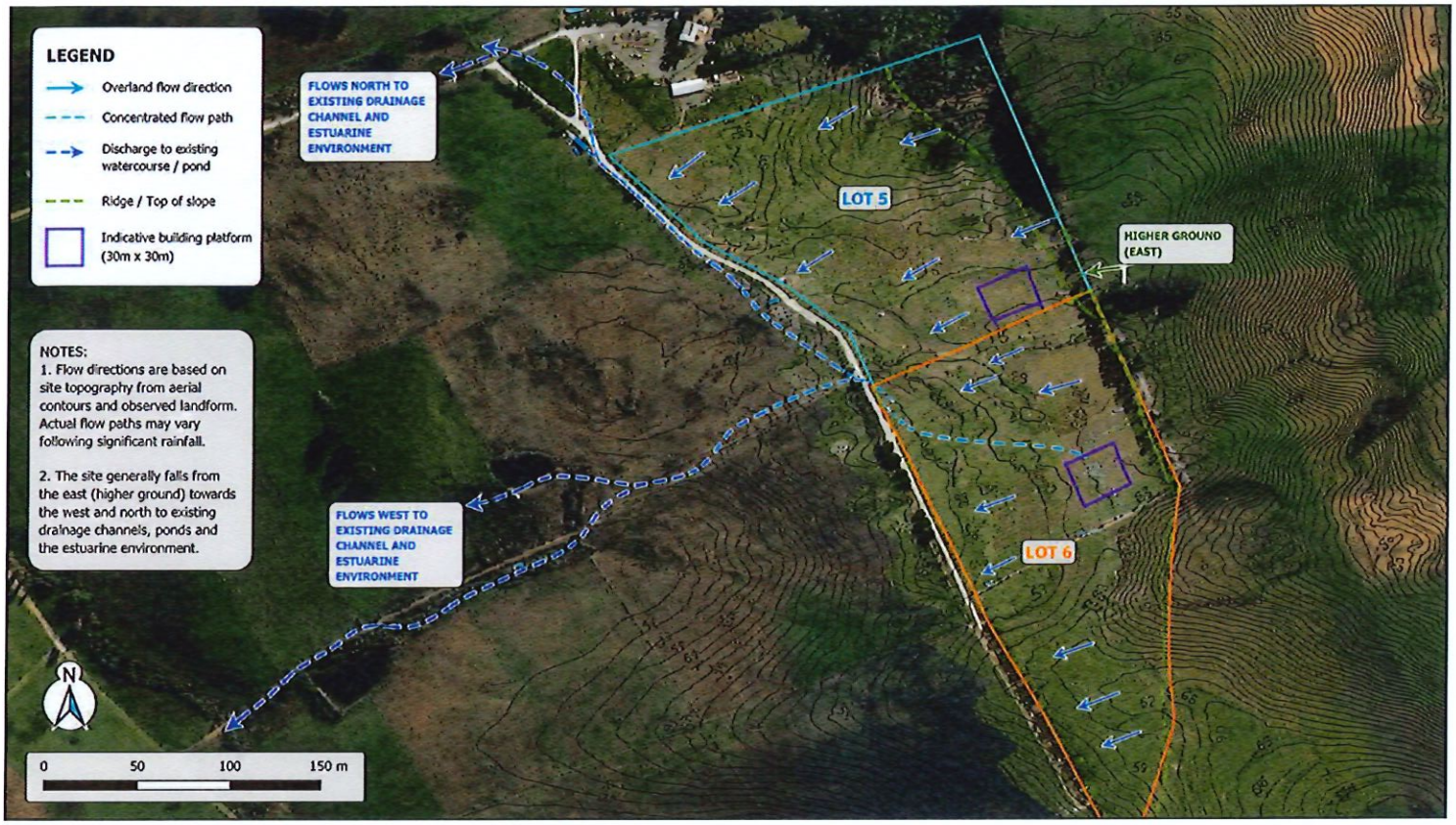


Figure 8 - Primary Flow Paths (Photo courtesy of DroneX and Google Satellite)

13. Discussion on Subground Conditions

Our preliminary field test results indicate an average soil strength of approximately ≥ 100kPa.

13.1 Corrected Vane Shear Readings

Corrected vane shear readings recorded within the bored test holes were in the order of ≥ 198 kPa.

It shall be appreciated that field data were deduced from limited test positions and may vary from that encountered.

Field results are indicative of *'good bearing ground'* capacity for shallow foundations in accordance with Building Code for Standard Foundations - NZS 3604:2011[2].

[2] *Section 3.13.*

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14. Discussion on Subsoil Classification

14.1 Expansive[3] Soils

The **magnitude** of soil expansivity is primarily dependent on the *kind* and *amount* of clay minerals present, together with seasonal variations in soil moisture content. Highly expansive soils commonly contain significant proportions of smectite (montmorillonite), whereas soils dominated by kaolinite and illite generally exhibit comparatively low expansivity behaviour.

Based on the geological setting, field observations and the characteristics of the residual soils encountered during the site investigation, the subsoils derived from the **Taipa Mudstone (Motatau Complex)** are considered to exhibit **low expansivity potential**. No visual evidence of highly expansive clay behaviour, such as pronounced desiccation cracking or slickensided clay horizons, was observed during the investigation.

Accordingly, the site is considered to comprise **non-reactive to slightly reactive soils** under normal seasonal moisture conditions. Conventional residential foundations are considered appropriate, subject to site-specific foundation investigations undertaken at the Building Consent stage.

As discussed in section 9.1; the encountered soils dominantly comprise ***kaolinite*** minerals.

14.2 Discussion on Residual Minerals

Kaolinite ($Al_2Si_2O_5(OH)_4$) is widely known in the far north for its versatile uses but most importantly its composition dictates that; *"it is **non-swelling** due to hydrogen bonds that prevent water from infiltrating the layers* https://activeminerals.com/blog/kaolin-guide/.

The site can be deemed *non* expansive based on;

- The geological mapping and field observations,
- The characteristics of the residual silty clay soils encountered during the investigation,
- The inferred clay mineralogy associated with the weathered Taipa Mudstone (Motatau Complex).

Reference:

Geology of the Kaitaia Area. Institute of Geological & Nuclear Sciences; 1: 250,000 geological map 1.

NZMS Sheet 290 O 04/05 Part Sheet O 03, 1:100,000 scale map, Edition 1, 1981: *"Kaitaia - Rawene"* (Rocks).

[3]*soils are defined in NZS 3604 as those soils having a liquid limit > 50% and a linear shrinkage < 15%.*

15. Geotechnical Appraisal

An assessment of the proposed developable areas (DA) is summarised below;

15.1 Developable Area - Lot 5

The identified developable area for Lot 5 is situated on a broad ridgeline within the central portion of the lot. The ground surface rises from the western side of the lot at gradients of approximately 5–6° (1V:9H to 1V:11H) before transitioning onto a relatively level ridge crest where the proposed building platform is located. Within the proposed building area, local gradients are generally less than 2°, providing favourable conditions for residential development with minimal earthworks anticipated.

Beyond the proposed building platform, the ground gently falls towards the eastern boundary at gradients generally ranging from 2° to 4°. Surface water runoff is expected to disperse naturally away from the ridge crest and follow the existing topography towards the surrounding drainage swales and established overland flow paths. The proposed building area is located outside these primary drainage features, reducing the potential for concentrated surface water flows to affect future development.

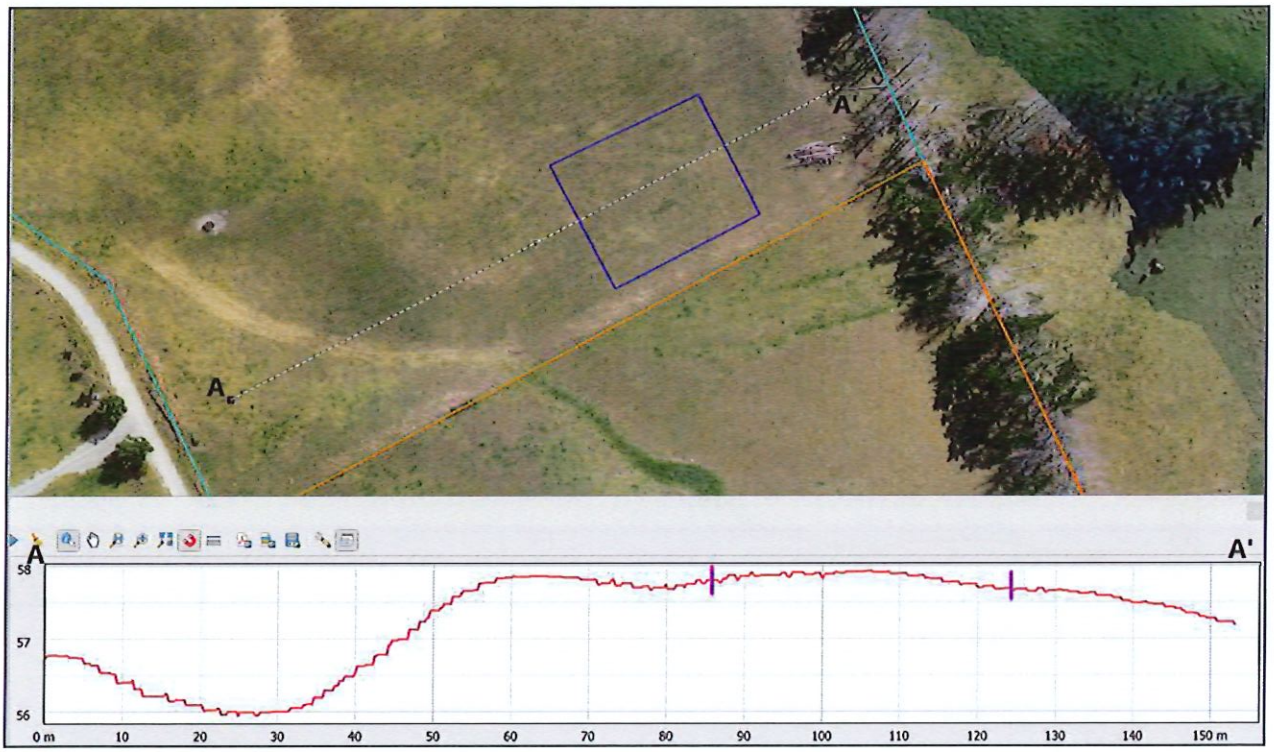


Figure 9: Lot 5; West - East

15.2 Developable Area - Lot 6

The identified developable area for Lot 6 is situated on a broad ridgeline within the central portion of the lot. The terrain rises gradually from the western boundary at gentle gradients of approximately 2° to 4° (1V:15H

to 1V:30H) before transitioning onto a broad, relatively level ridge crest where the proposed building platform is located. Within the identified building area, local gradients are generally less than 2°, providing favourable conditions for future residential development with minimal earthworks anticipated.

East of the proposed building platform, the ground falls gently towards the existing drainage corridor at gradients generally ranging between 2° and 3°. Surface water runoff is expected to disperse naturally away from the ridge crest and follow the existing topography towards the surrounding drainage swales and established overland flow paths. The proposed building platform is located outside these primary drainage features, thereby reducing the potential for concentrated overland flow to affect future development.

Overall, the topography of Lot 6 is considered well suited to residential development, with the proposed building platform benefiting from a gently undulating ridgeline position, positive surface drainage and favourable site geometry for future building and infrastructure construction.

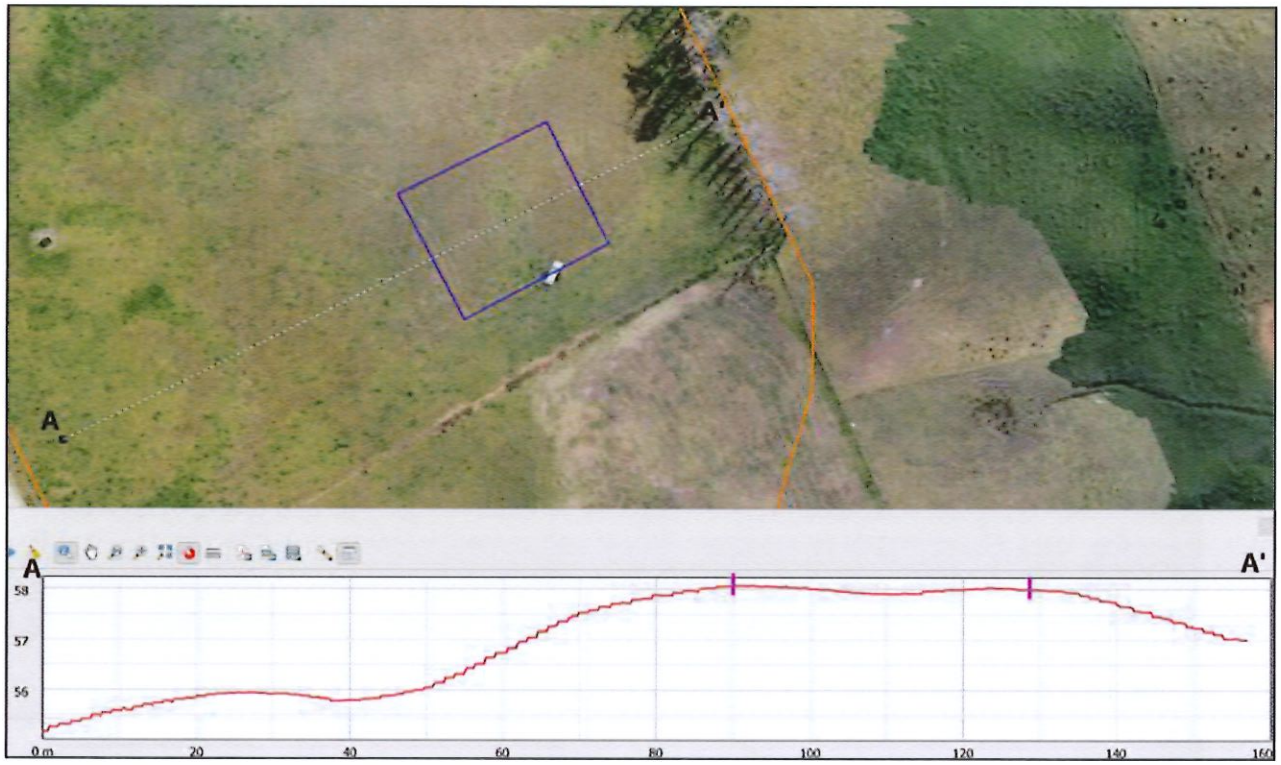


Figure 10: Lot 6; West - East

The proposed building platform is situated on a broad, near-level ridge crest. The southern extent of the developable area is setback approximately 28 m from the crest of the adjoining 8–10° hillslope, providing a substantial buffer between future development and the natural slope. This topography is considered favourable for residential development and is not expected to adversely influence long-term slope stability.

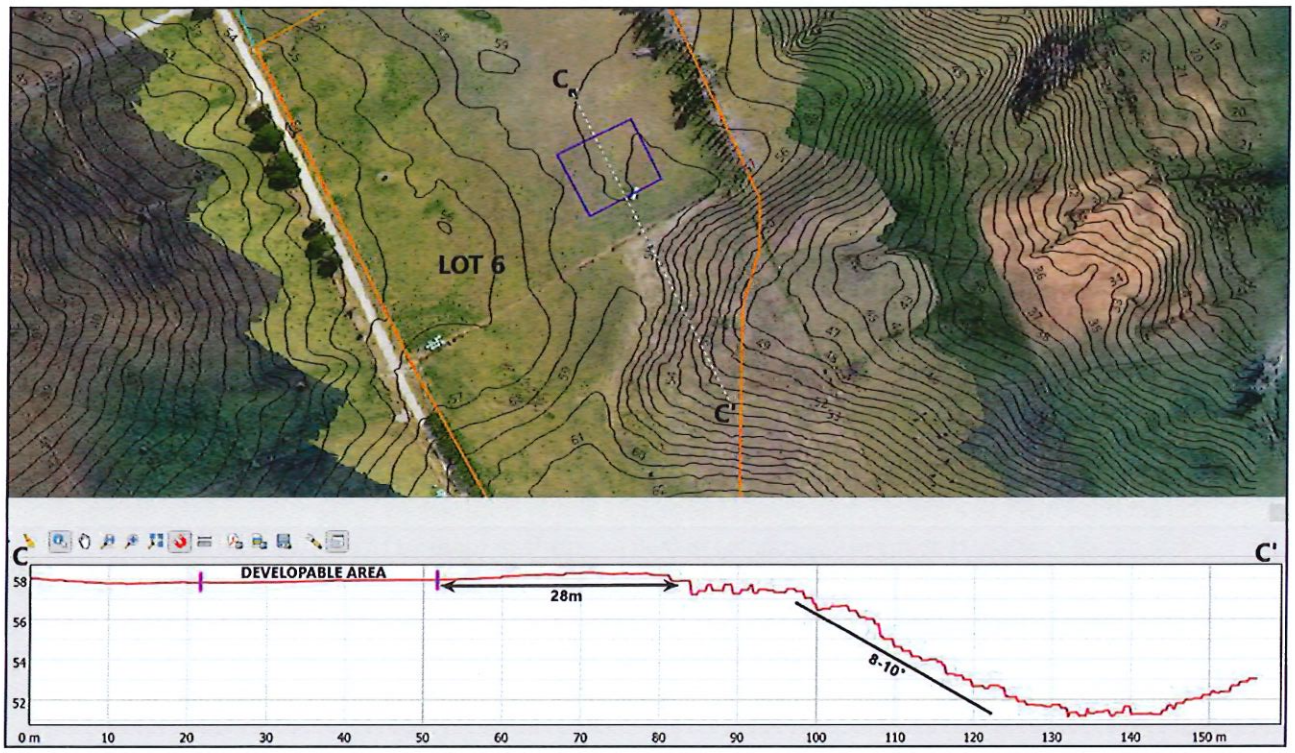


Figure 11: Lot 6; North - South

15.3 Foundations

The locations proposed for the developable area pertaining to the subdivision can be considered to likely have a less than minor potential for slope instability.

Concrete slab on grade, standard stripped or trench filled foundations are considered suitable where a level building platform exists or where a masonry perimeter block wall is opted for to build up unlevelled ground to levelled ground. For this option, structural loads shall be founded adequately into the natural underlying soil with solid strength/bearing capacity.

Pile foundations may be applicable however, It would be proven difficult given the underlying hardpan.

As appropriate, it is **recommended** that subsequent residential development pertaining to the proposed sites are subject to a *site specific geotechnical investigations* and recommendations to confirm the need for specific engineering design i.e. taking into account the site [subsoil] conditions [at present] and balancing site feasibility effects with specific regard to the proposed development demands at building consent stage.

Residual soils ≥ 0.50 m below the current ground level were shown to have adequate bearing capacity i.e. minimum ultimate bearing capacity in the order of ≥ 300 kPa.

A strength reduction factor [Øs] of 0.5 shall be applied for the design bearing strength.

16. Geological Appraisal of Land Stability and Natural Hazards

16.1 General Account

Of the property seeks within reason the sustainability of the land and geological aspects with respect to any standing or notable natural hazards that may undermine its standing integrity. As well, minimal ground impact from human activities and the natural elements. All in all, cumulative equilibrium coexistence.

16.2 Geological Fault Lines/Surface Ruptures

Reviewed geological maps show NO fault lines through or nearby the general property. Seismic activity within the region is generally low.

Recent movement as a direct result of fault line activity within close vicinity to the subject were not observed. All in all, we consider that any risk pertaining to fault line/surface ruptures to be low at this site.

16.3 Slope Instability

No evidence of hummocky or tension cracks were encountered upon the landform at present.

This generally proves fundamental stability of the land. In this case, confidence impresses a positive assurance that;

- The natural subsoils bored were in a very stiff state.
- Full saturation is highly unlikely due to the favourable topography of the land.
- Chemical weathering of the soils accelerates cementation varying within the shallow mantle which restricts deep infiltration from surface water.
- Shallow hardpan and residual soils underlying the property.

Consequently, we consider that a low risk of slope instability can be sustained within the nominated developable areas. The impact of slope movement shall likely not impact the proposed project nor is the proposed activity likely to effect slope instability at this stage.

However, the extent of the development, associated activities and likely impact of such activity to the site shall be reconsidered at the time of subsequent development.

All future land developments within the subsequent Lots shall undergo rigorous planning and feasibility of application assessment in specific context to the effective site and proposal.

16.4 Influence of Topography

Has a significant and consistent effect on the weathering process and consequently on the type of minerals formed. Hilly countries [like the exhibit] soils i.e. more granular constituents; are well drained and seepage flows have a strong downward element.

As understood, this brings forth the formation of *low activity* clay minerals i.e. kaolinite[4] specifically. Soils comprising these minerals generally have *good engineering properties*.

16.5 Reactive Subsurface Soils

The residual silty clay soils encountered across the site are derived from the weathering of the Taipa Mudstone (Motatau Complex). Based on the geological setting, field observations and the characteristics of the encountered subsoils, the soils are considered to exhibit low shrink-swell potential and are therefore assessed as non-reactive to slightly reactive under normal seasonal moisture conditions.

Although prolonged exposure of residual clay subgrades during earthworks may result in softening due to moisture ingress, significant volumetric change associated with expansive clay minerals is not anticipated. Accordingly, the encountered soils are considered suitable for conventional residential foundation construction, provided good earthworks practices are adopted and exposed subgrades are protected from prolonged saturation.

16.6 Flooding

The effective sites are well elevated and therefore risk of flooding is low.

Reference;
Manaaki Whenua LandCare Research: New Zealand Soil Classification (NZSC) - Soil Order.
Geology of the Whangarei Area. Institute of Geological & Nuclear Sciences; 1: 250,000 geological map 2.
NZMS Sheet 290 O 04/05, Part Sheet O 03, 1:100,000 scale map, Edition 1, 1982: *"Kaitaia-Rawene"* (Rocks).

17. Engineering Recommendations

Our assessments of the natural hazards and geomorphology relative to the site indicates that associated risks to LIFE and Property in this instance can be considered *low*. Provided that recommendations herein/not limited to are adopted in application of subsequent residential occupation.

17.1 Building Platform

The following sections present preliminary engineering guidance to effective planning action for such undertaking.
A site-specific geotechnical assessment shall be undertaken for each proposed building platform at Building Consent stage. Subject to completion of these investigations and implementation of any resultant recommendations, slope stability risks can be adequately managed during individual lot development.

[4] *formed by the alteration of ALKALI FELDSPAR and other aluminium bearing minerals.*

17.2 Site Cut Slopes

Permanently into undisturbed soil shall be battered back to a stable gradient of 3H:1V for heights up to three metres to minimise the potential for slope instability. The former shall be subject to specific engineering design [SED] and evaluation prior.

Moreover, cut faces ≤ 1.5m can be supported by a non SED retaining wall provided there is no surcharge on the wall. Any walls subjected to surcharge shall undergo SED.

17.3 Filling near Slopes

Shall not be undertaken, unless specific engineering design [SED] comes to pass.

17.4 Fills

Shall not be undertaken unless prior SED and appraisal of the proposal development and site is completed and approved by Far North District Council at such time. All work shall comply with NZS 4404, NZS 4402 and NZS 4431 as appropriate.

17.5 Site Landscaping and Contouring

Shall stay true to the natural fall of the land at present. Critically, foundation ground shall adopt final grading, away from building foundations to convey surface water runoff away from this area.

17.6 Access Road

Existing vehicle access to proposed Lot 2 is provided from State Highway 10 and currently services the existing dwelling and associated farm buildings. As part of the proposed subdivision, the existing access arrangement is understood to be retained, with internal accessways providing access to the wider subdivision, including proposed Lots 5 and 6.

Any new or upgraded internal access formation required to service Lots 5 and 6 should be constructed with appropriate pavement surfacing, metalling and stormwater controls suitable for rural residential access. Drainage infrastructure, including side drains, culverts or cut-off drains, should be installed where required to prevent concentration of runoff, erosion of the access surface, or discharge onto adjoining land.

All access construction and upgrade works should be undertaken in accordance with the relevant FNDC Engineering Standards, NZ Transport Agency Waka Kotahi requirements where the State Highway connection is affected, and any applicable consent conditions.

17.7 Stormwater Runoff

From resident implementations i.e. roofs, concrete driveways shall be collected in water tanks and overflow dissipated onto the complementing natural flow paths.

17.8 Ground Bearing Benchmark

Founding ground where subject to future building development shall sustain a *minimum* ultimate bearing strength capacity of 300 kPa [vertical loads only]. Foundations shall be embedded adequately to account for lateral loadings and adequate bracing.

A conservative angle of shearing resistance Φ' of 30^0 and cohesion c' of 5 kPa can be assumed at shallow founding depths based on a characteristic corrected undrained shear strength of ≥ 199 kPa can be assumed within the natural Silty CLAY layer.

17.9 Liquefaction Potential

A detailed liquefaction potential assessment was outside the scope of this undertaking, however the general rating of seismic activity within the Far North is ***low.***

Potentially liquefiable materials are identified by;

- Cohesive [fines] content i.e. highly cohesive aggregates are less susceptible to liquefaction
- Plasticity Index
- Groundwater levels
- Thickness of potentially liquefiable soils
- Amplitude, frequency content and duration of shaking expected during seismic events.

All in all, it can be concluded that the proposed building platforms are low-negligible during [IF] a seismic event up to 0.11 g PGA as anticipated for Northland inside NZS 1170 and within tolerable settlement limits set by the NZBC.

18. Conclusion

The effective land is in a *stable state* at present.

The primary objective for subsequent development shall seek to sustain the land in this context during and after the establishment of occupational assets.

All development works intended specifically for the proposed lots, shall NOT be undertaken prior to a site specific geotechnical appraisal being carried out with due regard to the development proposed and site conditions at the time.

Consequently, good sound engineering practices through means of extensive and conscientiously executing field observations during and after construction is prudent here.

19. Stormwater Management

19.1 General Suitability

The proposed subdivision will maintain the existing low-density rural character of the property while preserving the natural landform and drainage patterns. Surface water runoff generally follows the natural topography towards the existing drainage channels that traverse the central portion of the property before discharging northwards to the adjoining estuarine environment. The proposed building areas within Lots 5 and 6, together with the existing development on Lot 2, are located clear of these primary flow paths, thereby maintaining the natural drainage regime and minimising potential adverse effects on downstream receiving environments.

These natural features are populated with established adequate outfalls and readily provide an established low impact and sustainable stormwater management approach in this instance.

Any adverse effects as a result of future residential dwellings to be erected within the nominated areas of these proposed lots are considered less than minor.

Accordingly, the proposed moderately minor lots shall be considered under general site and future development feasibility with primary regard to the FNDC Plan - 13.7.3.4 Stormwater Disposal.

It is recommended that a site specific analysis of post development against pre development [equilibrate state currently] conditions for the proposed lots are accounted for at building consent stage when an intended purpose of a proposed development plan is decided upon.

However, the PFPs shall be well incorporated within the stormwater management system in balancing service of the collective subdivision and future occupational activities anticipated from the proposed lots.

19.2 Stormwater Management Principles

On-site stormwater management is to be carried out in accordance with Clause E1 of the building code compliance documents. The performance requirements are as follows;

- That a primary system capable of disposal of surface water resulting from a storm having a 10 % (1 in 10 year) probability of occurring annually, shall be constructed.
- That all stormwater reticulation and disposal systems are constructed to convey surface water to an appropriate outfall using gravity flow, and in a manner which avoids the likelihood of blockages, leakage, penetration by roots, or the entry of groundwater where pipes or lined channels are used and avoids the likelihood of damage from superimposed loads or normal ground movements.
- For piped systems, accessible inspection chambers are provided at all changes of grade, direction and pipe size.
- That the reticulation and disposal system is designed and constructed for a function design life of 50 years.
- That damage to the environment both during and after the development construction phase is minimised or avoided.
- That a system is provided which can be economically maintained

19.3 Impermeable Surfaces

Impermeable surfaces are defined by FNDC as;

> *(a) decks (including decks less than 1 m in height above the ground) excluding open slatted decks where there are gaps between the boards;*
>
> *(b) pools, but does not include pools designed to operate as a detention pond;*
>
> *(c) any surfaced area used for parking, maneuvering, access or loading of motor vehicles, including areas covered with aggregate;*
>
> *(d) areas that are paved with concrete, asphalt, open jointed slabs, bricks, gobi or materials with similar properties to those listed;*
>
> *(e) roof coverage area on plan;*
>
> *But excludes:*
>
> *i. Water storage tanks occupying up to a maximum cumulative area of 20 m^2; and*
>
> *ii. Paths and paving less than 1 m wide, provided they are separated from other Impermeable Surfaces by a minimum of 1 m.*

20. Regulatory Framework

20.1 Far North District Plan

The site is within the Rural Production zone. The relevant permitted stormwater management rule is as follows:

8.6.5.1.3 STORMWATER MANAGEMENT
The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15%.

The intent of the application is to comply with NRC permitted activity rules Section 21: *Rules for Stormwater Discharges* and to satisfy FNDC criteria for a permitted activity consent application.

Future developments on Lots 5 - 6 are not expected to exceed the permitted activity rule.

20.2 Regional Water and Soil Plan for Northland

Rule 21.1.1 provides, as a permitted activity, for the diversion and discharge of stormwater by way of an open constructed stormwater collection system or piped stormwater where the stormwater collection system is connected to, or part of, a stormwater system for which a resource consent exists.

Future development of all Lots can comply with Rule 21.1.1.

20.3 Proposed Regional Plan for Northland

The Northland Regional Council is reviewing its Regional Plans and a Proposed Regional Plan for Northland was notified in October 2023.

Proposed Rule C6.4.2 provides for the diversion and discharge of stormwater from outside a public stormwater network provided (amongst other conditions);

2) the diversion and discharge does not cause or increase flooding of land outside the area serviced by the stormwater network up to the 10 percent annual exceedance probability or flooding of buildings outside the area serviced by the network up to the one percent annual exceedance probability, and ...

All in all, we consider that future development of Lots 5 - 6 can comply with Rule C6.4.2 with low impact stormwater management systems.

20.4 Stormwater Management

Stormwater runoff from future roof areas on Lots 5 - 6 will be collected in water tanks for domestic water supply. The overflow from the water tanks shall be discharged in a dispersive manner well away from buildings.

Similarly, stormwater from future driveway and parking / manoeuvering areas within Lots 5 - 6 shall be channelled toward the natural PFP within the lots.

21. Conclusion

It is considered that NO change in the existing stormwater flow paths i.e. primary flow paths shall result from the subdivision.

- Primarily, the prominent flow paths and supporting water features shall be incorporated and progressively maintained continuously to generate a sustainable equilibrium to the environment and LIFE.
- Water tanks shall be used to collect roof water runoff and serve to provide potable water.
- Roof tank overflow, together with yard and driveway runoff, shall where possible be directed to the existing flow paths through a dispersive device.

It is recommended that careful consideration/planning is exhausted with regard to Minimal Impact Footprint (MIF) of future development hereon. As appropriate, site specific stormwater runoff effects and management applications shall be considered at such time where a development is proposed with plans depicting roof areas and other impermeable surfaces as well as the extent of the development earthworks are known for each specific Lot.

Particular reference/review shall be undertaken of this appraisal in conjunction with conducting the former. This shall provide further background information specific to the sites and existing environment conditions relative to this point in time.

All in all, the property and existing natural landscapes can sustain the proposal subject to careful planning and balancing effects of imposed activities and hosting environments. Therefore, a Low Impact Design Approach (LIDA) for stormwater management shall be the cornerstone philosophy for this development proposal.

As a consequence, sustainable effects to the environment and LIFE can be fulfilled.

22. Assessment Criteria

Stormwater management has been assessed against the Assessment Criteria in Section 13.10.4:

Table 1.4 - Far North District Plan Section 13.10.4 Assessment Criteria

Criterion	Comment
(a) Whether the application complies with any regional rules relating to any water or discharge permits required under the Act, and with any resource consent issued to the District Council in relation to any urban drainage area stormwater management plan or similar plan.	The proposed stormwater management complies with Regional Water and Soil Plan permitted activity rules.
(b) Whether the application complies with the provisions of the Council's "Engineering Standards and Guidelines" (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004).	The proposed stormwater management complies with Council's *"Engineering Standards"* (May 2023).
(c) Whether the application complies with the Far North District Council Strategic Plan -Drainage.	The proposed stormwater management complies with Far North District Council Strategic Plan - Drainage rules.
(d) The degree to which Low Impact Design principles have been used to reduce site impermeability and to retain natural permeable areas.	Natural PFPs that are present on site shall be utilised. The subdivision poses minor changes to the current lands with reduced site impermeability. Therefore, natural permeable areas are retained.
(e) The adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces.	Run-off from the roof can be dispersed to the present natural flow paths.
(f) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas, and of siltation.	Stormwater control practices have been designed in accordance with the TP10 publication. The existing features, as aforementioned, readily provide mitigation.
(g) The practicality of retaining open natural waterway systems for stormwater disposal in preference to piped or canal systems and adverse effects on existing waterways.	The outstanding natural water features shall be readily incorporated for stormwater management in service of the collective subdivision.

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(h) Whether there is sufficient capacity available in the Council's outfall stormwater system to cater for increased run-off from the proposed allotments.	Proposed lots are not connected to the Council's stormwater system. Increased runoff from the subdivision are less than minor.
(i) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.	Analysis of post-development flows to pre-development levels at building consent stage. The overall proposal scheme is adequate.
(j) The necessity to provide on-site retention basins to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before the subdivision takes place.	The existing natural stormwater features cater for this. The subdivision will not increase the rate of discharge, however the incorporation of a low impact approach i.e. water tanks and flora occupation will slow discharge rates during peak stormwater flows.
(k) Any adverse effects of the proposed subdivision on drainage to, or from, adjoining properties and mitigation measures proposed to control any adverse effects.	None
(l) In accordance with sustainable management practices, the importance of disposing of stormwater by way of gravity pipelines. However, where topography dictates that this is not possible, the adequacy of proposed pumping stations put forward as a satisfactory alternative.	N/A
(m) The extent to which it is proposed to fill contrary to the natural fall of the country to obtain gravity outfall; the practicality of obtaining easements through adjoining owners' land to other outfall systems; and whether filling or pumping may constitute a satisfactory alternative.	Natural flow paths will be maintained.
(n) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.	Stormwater will be managed within each Lot.
(o) Where an easement is defined as a line, being the centre line of a pipe already laid, the effect of any alteration of its size and the need to create a new easement.	N/A
(p) For any stormwater outfall pipeline through a reserve, the prior consent of the Council, and the need for an appropriate easement.	N/A
(q) The need for and extent of any financial contributions to achieve the above matters.	N/A

(r) The need for a local purpose reserve to be set aside and vested in the Council as a site for any public utility required to be provided.	N/A

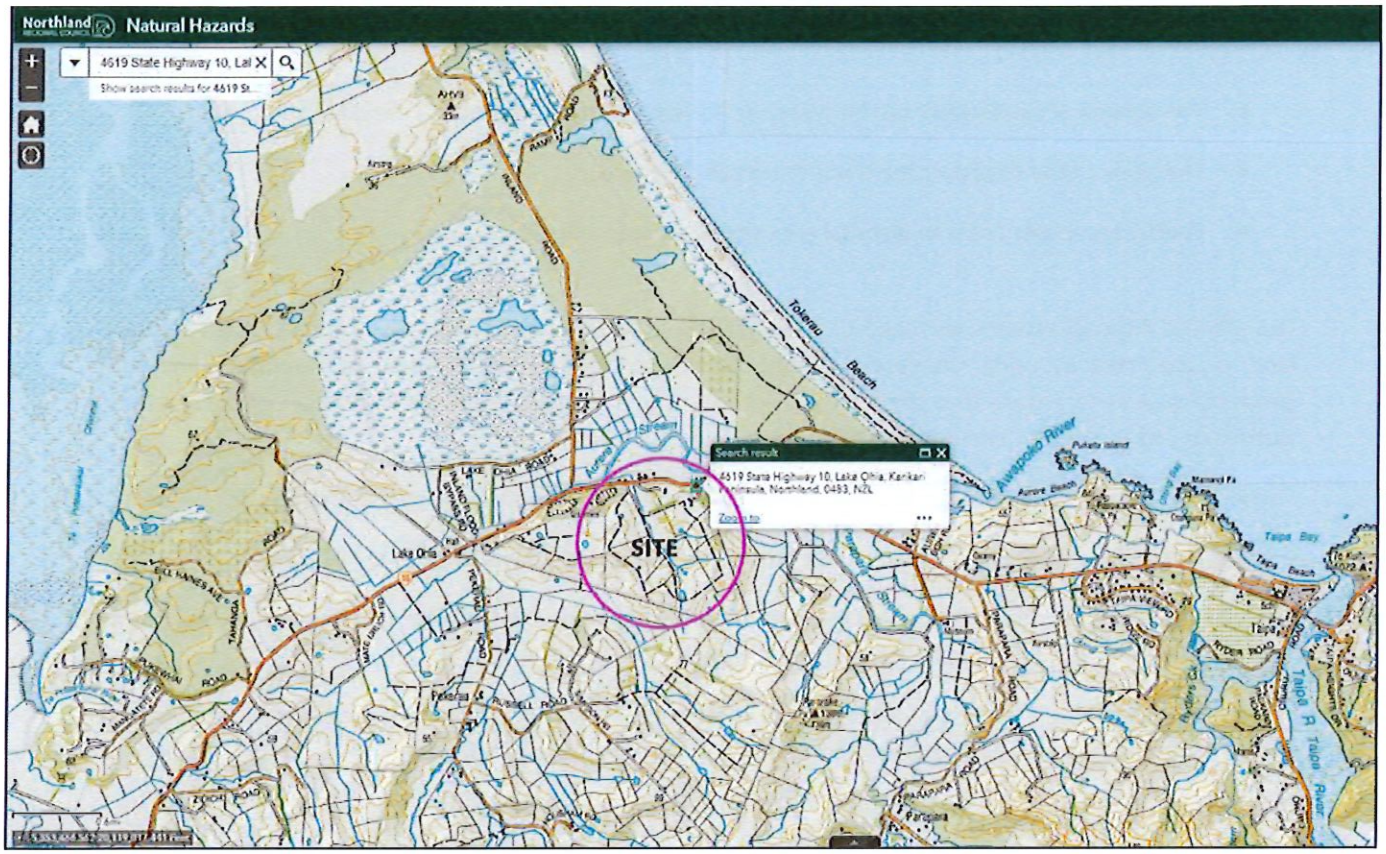


Figure 11 - Supporting Water Bodies Location Plan (maps adapted from NRC Natural Hazards Map).

23. Wastewater

23.1 Overview

FNDC requires that all new wastewater systems should be designed and installed in compliance with Auckland Regional Council (ARC) Technical Publication 58 (TP58). The Northland Regional Council (NRC) requires that domestic effluent discharge complies with the Proposed Regional Plan for Northland. NRC has confirmed that there were no submissions opposing Section C.6.1 – On-site domestic wastewater discharge of the Proposed Regional Plan and therefore can be considered operative.

23.2 Summary of Regulatory Issues

Proposed Regional Plan for Northland (RPN) and Far North District Plan

The discharge of sewage effluent onto land is controlled by and should comply with the permitted activity rules C.6.1.3 of the Proposed Regional Plan for Northland (RPN), including;

- The volume of wastewater discharged does not exceed two cubic metres per day.
- The slope of the disposal area is not to exceed 25 degrees.
- Special provisions apply to disposal area slopes greater than 10 degrees.

The effluent disposal systems will need to be sited to avoid surface runoff and natural seepage from adjacent land, or protected by using interception drains. The disposal areas may need to be mounded above the surrounding land to ensure that the lowest point in the field complies with the Proposed Regional Plan for Northland and Far North District Plan (FNDP) rules:

- Not less than 1.2 m above the winter groundwater table for primary treated effluent and;
- Not less than 0.6 m above the winter groundwater table for secondary treated effluent.

The disposal field also needs to have minimum separation distances from watercourses and boundaries as follows (RPN Rule C6.1.3):

- Not less than 5 m from an identified stormwater flow path (including a formed road with kerb and channel, and water-table drain) that is down-slope of the disposal area.
- Not less than 20 m from any surface water for primary treated effluent.
- Not less than 15 m from any surface water for secondary treated effluent.
- Not less than 20 m from any existing groundwater bore located on any other property.
- Not less than 1.5 m from a boundary.

The Proposed Regional Plan for Northland defines "Surface Water" as: All water, flowing or not, above the ground. It includes water in a continuously or intermittently flowing river, an artificial watercourse, an overland flow path, and a lake and or wetland; water impounded by a structure such as a dam; and water that inundates land during flood events. It does not include water in any form while in a pipe, tank or cistern.

Surface water, as defined in NZS1547:2012, refers to: any fresh water or geothermal water in a river, lake, stream, or wetland that may be permanently or intermittently flowing. Surface water also includes water in the coastal marine area and water in man-made drains, channels, and dams unless these are purposed to specifically divert surface water away from the land application area. Surface water excludes any water in a pipe or tank.

Northland Regional Council (NRC) has concluded that, to be a permitted activity, secondary treated wastewater is to achieve a 15m setback from the 20 year ARI flood event. This is derived from Auckland Council (AC) Technical Publication (TP) 58, where it is recommended that secondary treated effluent is disposed of to ground outside of the 20 year ARI, with a further factor of safety applied being NRC's surface water setback requirement.

The following analysis ensures that the proposed on-site wastewater disposal to service the development complies with both the operative and proposed wastewater discharge rules.

23.3 Existing System

Servicing the home [proposed Lot 2] is understood to be fully operational as purposed and is contained wholly within the proposed boundaries thereafter. There is ample space within the proposed new lot for a reserve field should the need arise in the future.

23.4 Design Population and System Flow Volumes

23.4.1 Design Occupancy Rating

A three bedroom residential dwelling is adopted for the purpose of this site feasibility appraisal. A design occupancy of five people is therefore adopted in reference to TP58 Section 6.3.1.

23.4.2 Source of Water Supply

Water is to be sourced from on-site roof water tank supply. Flow reduction fittings may be used, but this cannot be assumed in assessing potential wastewater flows.

23.4.3 Design Flow Volumes

It is assumed that the house is to be fitted with standard water fixtures. Note: standard water fixtures are defined in TP58 as *"Household with 11/5.5 or 6/3 flush toilet(s) and standard fixtures, low water use dishwasher and NO garbage grinder"*. Water supply is from roof water. The associated wastewater flow allowance is 160 litres/person/day.

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

$$\begin{aligned} Design\ wastewater\ generation\ rate &= Design\ occupancy\ number \times per\ capita\ design\ flow \\ &= 5\ persons \times 160\ litres/person/day \\ &= 800\ litres/day \end{aligned}$$

A design flow of 800 litres per day shall be adopted for the purpose of this report.

23.5 Design for Land Application System

23.5.1 Dripper Line Irrigation

There is sufficient land area available for land application of effluent disposal via a dripline system (plus 100% reserve area) on the proposed Lots.

The use of trickle irrigation disposal is sustainable for the very long term. It provides less footprint on the environment and an efficient system for distributing effluent;

- Over a much wider area;
- At an application rate low enough to be sustained by evapotranspiration without reliance on soakage, and;
- Without unduly disturbing the visual effect of the proposed land disposal area and landscaped gardens;
- Hydration for the gardens over the summer months.

23.5.2 Land Application System Location

The maximum slope angle for drip irrigation land disposal systems according to TP58 guidelines is 25°. The slopes within the nominated developable areas range from 2° to 3°. It is therefore considered that drip irrigation would be suitable within all proposed lots.

The land application will need to be sited to avoid surface runoff and natural seepage from higher ground, or protected by using interception drains. In addition, citing restrictions listed in this report will need to be adhered to, to ensure a suitable setback from the identified overland flow paths, boundaries and buildings.

23.5.3 Land Application System Sizing and Design

The soils across the site were found to be TP58 category 6. For these soils we consider that surface or subsurface dripper lines are suitable. Dripper lines require secondary treated effluent to operate effectively. TP58 recommended a design irrigation rate for this soil of 3 mm/d.

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

$$Area\ of\ dripper\ irrigation\ field = \frac{Total\ daily\ wastewater\ generation}{Design\ irrigation\ rate}$$

$$= \frac{800\ litres/day}{3\ mm/day}$$

$$= 267\ m^2$$

Ample area for proposed disposal fields has been allowed for within the allot dimensions however subject to a site specific appraisal at time of future residential development.

Subsurface irrigation is for land intended to be grassed. Tubing must be laid 150 mm into topsoil.

Surface dripper lines are to be covered with 100 mm topsoil or mulch and planted using evapotranspiration plants. Access to the disposal area should be minimised by effective bordering with either vegetation or fencing.

The disposal field will be pressurised by a conventional system of using a pump. A filter is to be installed to prevent clogging of emitters. Flush/non-return valves shall be installed on all dripper lines.

The disposal area should be protected by a cut off drain (where applicable) to divert stormwater run-off.

24. Conclusion

As appropriate, a site specific onsite wastewater management system appraisal, effects and management applications shall be considered at such time where a development is proposed with a floor plan and the extent of the development earthworks are known for each specific Lot.

Subsequently, it is recommended that particular reference/review is undertaken of this appraisal in conjunction with conducting the former. This shall provide further background information specific to the sites and existing environment conditions relative to this point in time.

25. Source of Water Supply

In the absence of potable water infrastructure, it is recommended that stormwater runoff from the future roof areas within Lots 5 - 6 be collected in water tanks with appropriate filtration for domestic water supply. The overflow from the water tanks shall be discharged in a dispersive manner well away from buildings.

26. Assessment Criteria

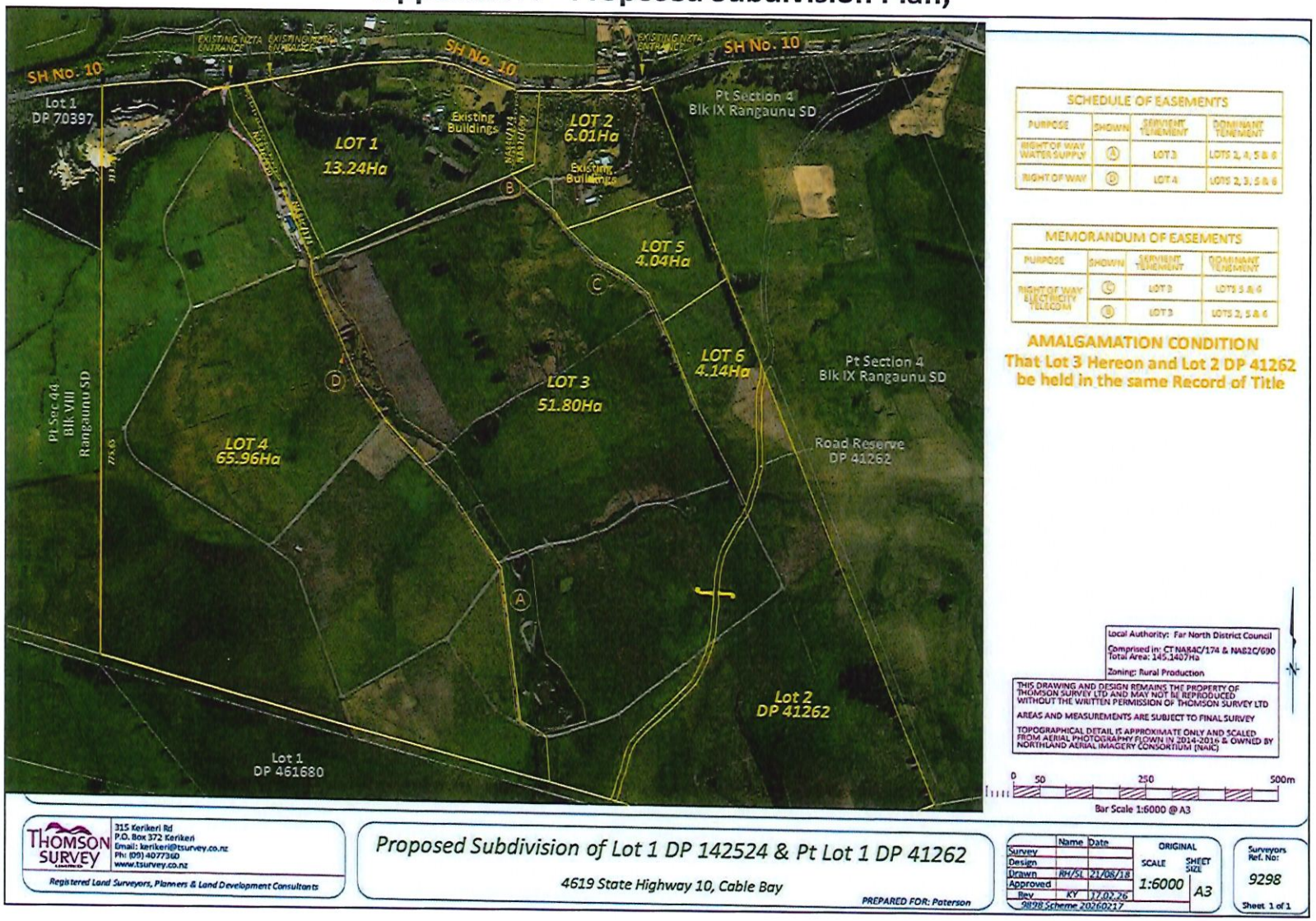
Wastewater management has been assessed against the Assessment Criteria in Section 13.10.5:

Table 1.5 - Far North District Plan Section 13.10.5 Assessment Criteria

Criterion	Comment
(a) Whether the capacity, availability, and accessibility of the reticulated system is adequate to serve the proposed subdivision.	N/A
(b) Whether the application includes the installation of all new reticulation, and complies with the provisions of the Council's "Engineering Standards and Guidelines" (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004)	N/A

(c) Whether the existing sanitary sewage disposal system, to which the outfall will be connected, has sufficient capacity to service the subdivision.	Onsite wastewater management system shall be utilised here.
(d) Whether a reticulated system with a gravity outfall is provided, and where it is impracticable to do so, whether it is feasible to provide alternative individual pump connections (with private rising mains), or new pumping stations, complete pressure, or vacuum systems. Note: Council consent to install private rising mains within legal roads will be required, under the Local Government Act.	N/A
(e) Where a reticulated system is not available, or a connection is impractical, whether a suitable sewage treatment or other disposal systems is provided in accordance with regional rules or a discharge system in accordance with regional rules or a discharge permit issued by the Northland Regional Council.	Site specific (alternative) onsite wastewater management system is proposed.
(f) Where a reticulated system is not immediately available but is likely to be in the near future, whether a temporary system is appropriate. Note: Consent notices may be registered against Certificates of Title pursuant to Rule 13.6.7 requiring individual allotments to connect with the system when it does become available	N/A
(g) Whether provision has been made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from a suitable sewage treatment or other disposal system, together with any consent notices to ensure compliance.	As addressed at the building consent stage.
(h) Whether there is a need for, and the extent of, any development contributions to achieve the above matters	N/A.
(i) Whether there is a need for a local purpose reserve to be set aside and vested in the Council as a site for any public sewage utility for sanitary disposal purposes required to be provided.	N/A.
(j) Whether the subdivision represents the best practical option in respect of the provision that is made for the disposal of sewage and wastewater.	The proposal of an alternative wastewater management system in accordance with TP58 is considered adequate and appropriate in support of the proposed subdivision.

Appendix A – Proposed Subdivision Plan;



Appendix B – Exploratory Borehole Records

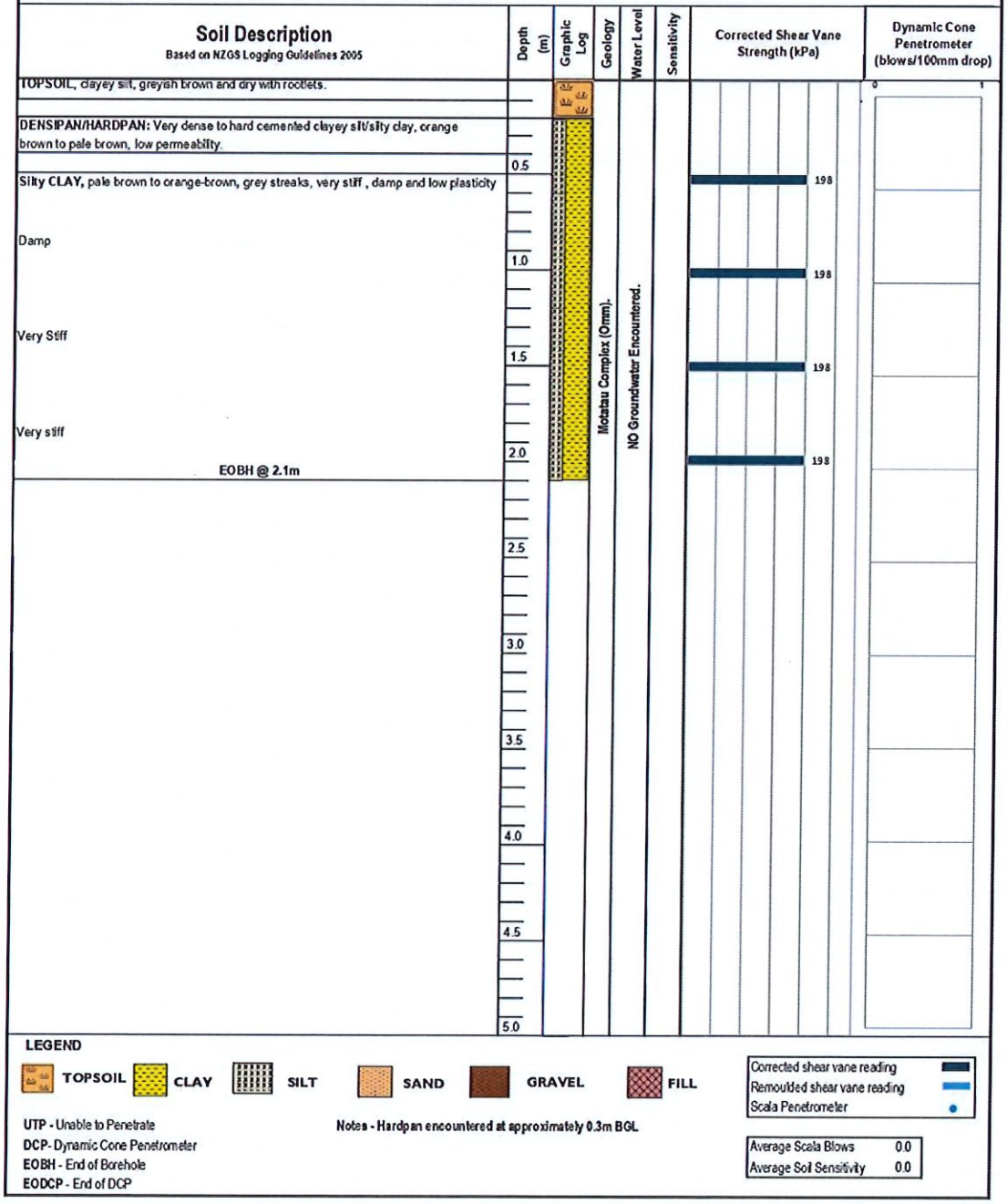
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gumbootsconsulting@gmail.com

BOREHOLE LOG No. 1 Hole Location: Refer to Site Plan **JOB No. 13 91**

CLIENT:	Stuart Paterson	SITE:	4169 State Highway 10, Lake Ohia		
Date Started:	19/03/2026	DRILLING METHOD:	Hand Auger	LOGGED BY:	AK
Date Completed:	19/03/2026	HOLE DIAMETER (mm)	50mm	CHECKED BY:	KW



191 Onekura Rd
Kerikeri
Bay of Islands
New Zealand

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CONSULTING ENGINEERS

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BOREHOLE LOG No. 2

Hole Location: Refer to Site Plan

JOB No. 12 07

CLIENT:	Stuart Paterson	SITE:	4169 State Highway 10, Lake Ohia		
Date Started:	19/03/2026	DRILLING METHOD:	Hand Auger	LOGGED BY:	AK
Date Completed:	19/03/2026	HOLE DIAMETER (mm)	50mm	CHECKED BY:	KW

Soil Description (Based on NZGS Logging Guidelines 2005)	Depth (m)
TOPSOIL, clayey silt, greyish brown and dry with rootlets.	
DENSIPAN/HARDPAN: Very dense to hard cemented clayey silt/silty clay, orange brown to pale brown, low permeability.	0.5
Silty CLAY, pale brown to orange-brown, grey streaks, very stiff , damp and low plasticity	
Damp	1.0
Very Stiff	1.5
EOBH @ 1.5m	2.0, 2.5, 3.0, 3.5, 4.0, 4.5, 5.0

Graphic Log

Geology: Motatau Complex (Omm).

Water Level: NO Groundwater Encountered.

Sensitivity

Corrected Shear Vane Strength (kPa): 198, 198, 198

Dynamic Cone Penetrometer (blows/100mm drop): 0 – 1

LEGEND

TOPSOIL | CLAY | SILT | SAND | GRAVEL | FILL

Corrected shear vane reading
Remoulded shear vane reading
Scala Penetrometer

UTP - Unable to Penetrate
DCP- Dynamic Cone Penetrometer
EOBH - End of Borehole
EODCP - End of DCP

Notes - Hardpan encountered at approximately 0.3m BGL

Average Scala Blows	0.0
Average Soil Sensitivity	0.0

Appendix 6

NZTA Approval

www.nzta.govt.nz

44 Bowen Street
Pipitea, Wellington 6011
Private Bag 6995
Wellington 6141
New Zealand
T 0800 699 000
www.nzta.govt.nz

NZ Transport Agency Waka Kotahi Reference: Application-2026-0288

29 June 2026

S Patterson & N Meyers
C/- Lynley Newport – Thomson Survey

Sent via Email: lynley@tsurvey.co.nz

Dear Lynley,

Proposal to subdivide – 4619 & 4691 State Highway 10, Lake Ohia, Karikari Peninsula, Northland – S Patterson & N Meyers

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

Proposal

Resource consent is sought for the following activities:

- Subdivision of 4619 and 4691 State Highway 10 into six lots as follows:
  - Lot 1: 13.24 ha
  - Lot 2: 6 ha
  - Lot 3: 51.8 ha
  - Lot 4: 65.96 ha
  - Lot 5: 4.04 ha
  - Lot 6: 4.14 ha

Proposed Lot 1 will use existing Crossing Place – CP 30; Proposed Lot 2 will use existing Crossing Place – CP 29; and Proposed Lots 3-6 will use existing Crossing Place - CP 31.

Assessment

In assessing the proposed activity, NZTA notes the following:

- A previous written approval was provided for a three-lot subdivision at this location (LUD 2019-567). This approved the use of the Crossing Places as proposed for Lots 1-3. Upgrades were required at this time for CP 29 and CP 30, however these upgrades have not been signed off by NZTA.
- Existing heavy commercial vehicle movements exceeding 1 movement per week, combined with anticipated increased movements, now require Crossing Place 31 to be upgraded to a Diagram E standard in accordance with the Planning Policy Manual.

Limited Access Road (LAR)

Your site adjoins State Highway 10, which is identified as a limited-access road. Per Section 91 of the Government Roading Powers Act 1989, to access your site you require a crossing place authorised by NZTA. In this instance there are three authorised crossing places at this location, as set out above.

Conditions

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

1. Crossing Places shall be upgraded in accordance with New Zealand Transport Agency standards as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager as follows:
   a. Crossing Place 29 and 30 shall be upgraded to Diagram C standard;
   b. Crossing Place 31 shall be upgraded in accordance with Diagram E standard;
   c. All culverts shall be fit with traversable headwalls.

2. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council, correspondence from the New Zealand Transport Agency confirming that works in the State Highway, including the upgrading of vehicle crossings, have been constructed to the New Zealand Transport Agency standards.

3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council confirmation that the New Zealand Transport Agency has been advised of relevant similar documentation (such as: draft LT (Land Transfer) plan, ML plan (for Māori Land), SO (Survey Office) plan), to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Roading Powers Act 1989.

Determination

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

Limited Access Road

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

We are happy for you to provide this letter to the territory authority as evidence of our Section 95E Resource Management Act 1991 and Section 93 Government Roading Powers Act 1989 approvals.

Advice Notes

Before you undertake any physical work on the state highway, including the formation of any vehicle crossing, you are legally required to apply to the New Zealand Transport Agency for a Corridor Access Request (CAR) and for that request to be approved.

Please submit your CAR to the NZTA CAR Manager via www.submitica.com a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for complex works.

As the properties have access to a limited access road, once the works have been completed to the satisfaction of the New Zealand Transport Agency Network Manager, a crossing place notice/s per Section 91 of the Government Roading Powers Act 1989 will be registered on the titles confirming the legal establishment of the crossing place.

Expiry of this approval

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

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

Yours sincerely,



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

Enclosed:

- Attachment 1: Proposed Scheme Plan
- Attachment 2: Diagram C Access Standard
- Attachment 3: Diagram E Access Standard

Attachment 1: Proposed Scheme Plan



SCHEDULE OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY WATER SUPPLY	A	LOT 3	LOTS 2, 4, 5 & 6
RIGHT OF WAY	B	LOT 4	LOTS 2, 3, 5 & 6

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY ELECTRICITY SUPPLY	C	LOT 3	LOTS 5 & 6
	D	LOT 3	LOTS 2, 5 & 6

AMALGAMATION CONDITION
That Lot 3 Hereon and Lot 2 DP 41262 be held in the same Record of Title

Local Authority: Far North District Council
Comprised in: CT NA8C/174 & NA82C/890
Total Area: 145.1407Ha
Zoning: Rural Production

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TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY FLOWN IN 2014-2015 & OWNED BY NORTHLAND AERIAL IMAGERY CONSORTIUM (NAIC)

0 50 250 500m
Bar Scale 1:5000 @ A3

THOMSON SURVEY
315 Kerikeri Rd
P.O. Box 372 Kerikeri
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Ph: (09) 4077500
www.tsurvey.co.nz
Registered Land Surveyors, Planners & Land Development Consultants

Proposed Subdivision of Lot 1 DP 142524 & Pt Lot 1 DP 41262

4619 State Highway 10, Cable Bay

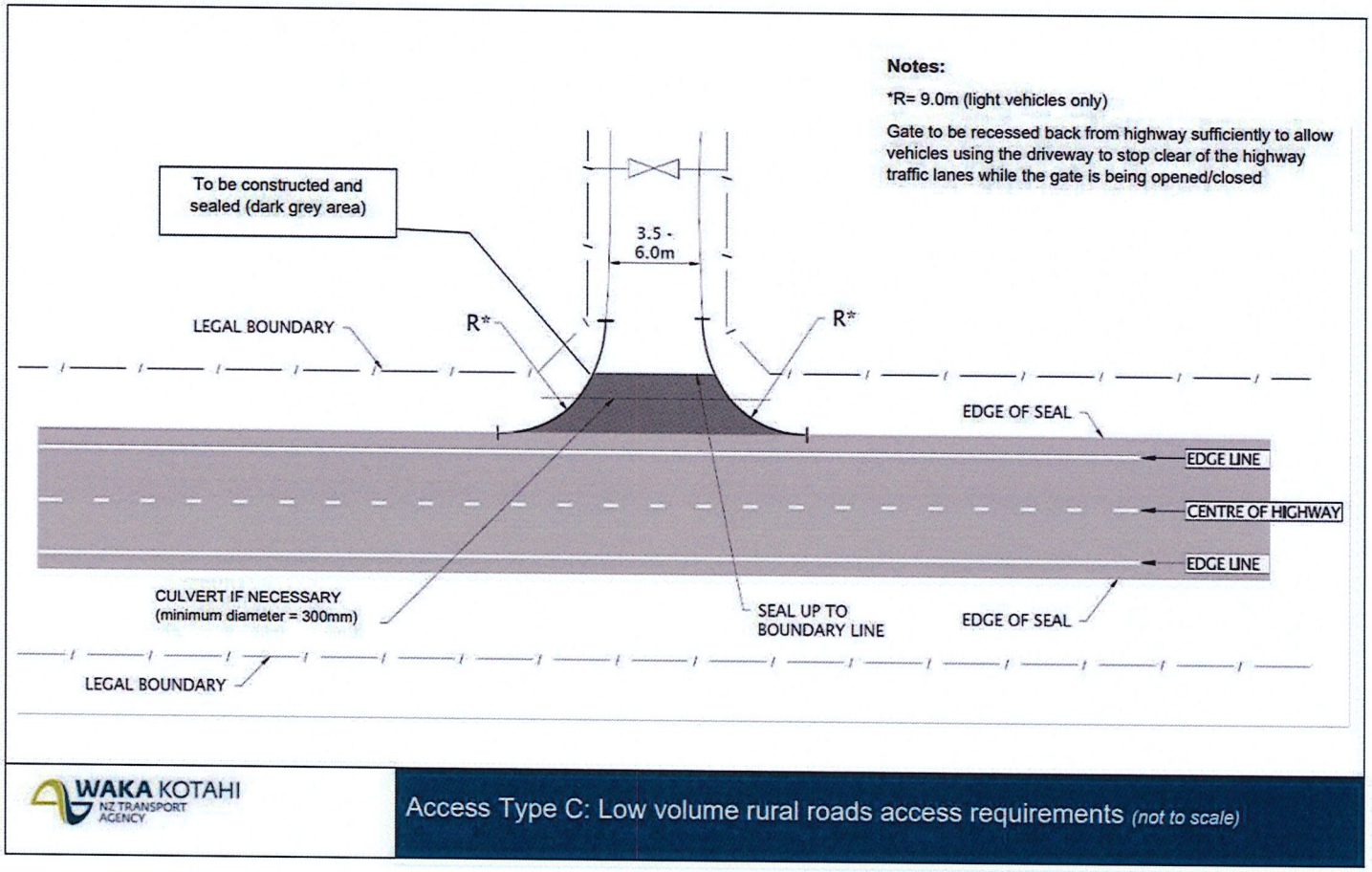
PREPARED FOR: Paterson

	Name	Date
Survey		
Design		
Drawn	AH/SL	21/06/18
Approved		
Rev	KY	17.05.76

9298 Scheme 2026/3117

ORIGINAL
SCALE 1:6000
SHEET SIZE A3

Surveyors Ref. No: 9298
Sheet 1 of 1

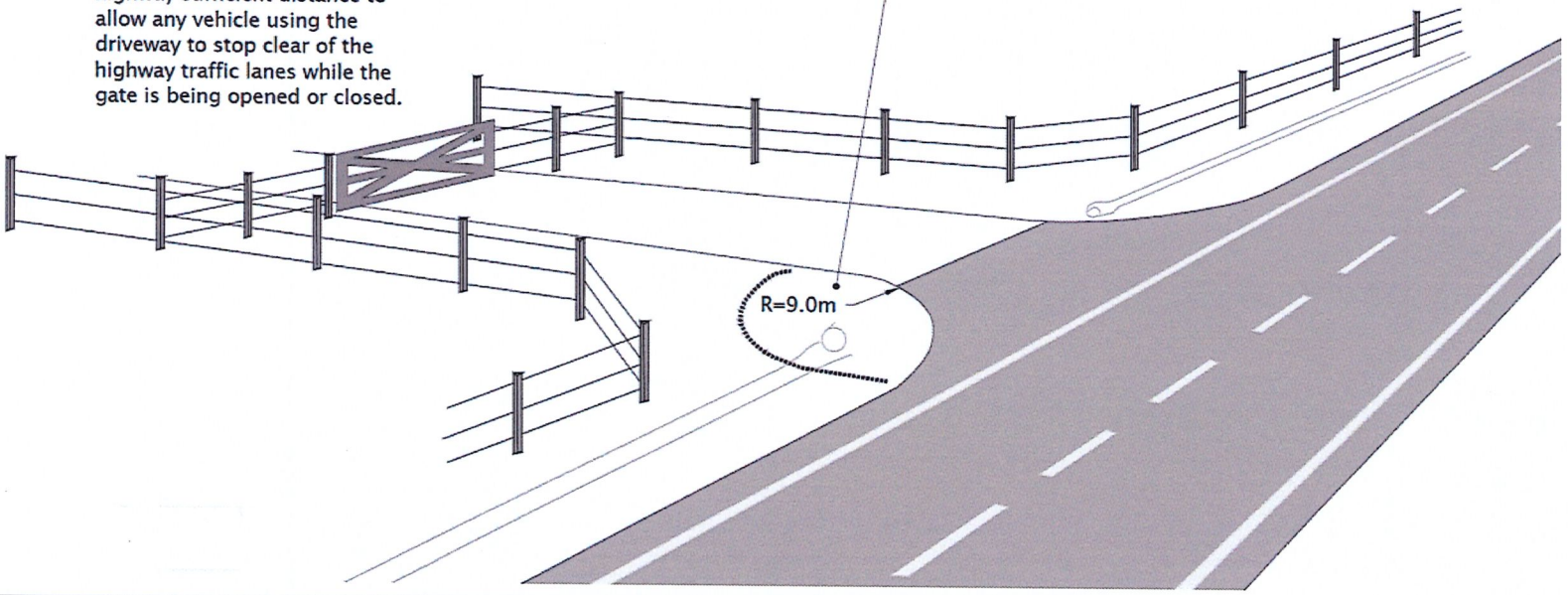

Notes:
*R= 9.0m (light vehicles only)
Gate to be recessed back from highway sufficiently to allow vehicles using the driveway to stop clear of the highway traffic lanes while the gate is being opened/closed
To be constructed and sealed (dark grey area)
3.5 - 6.0m
LEGAL BOUNDARY
R*
R*
EDGE OF SEAL
EDGE LINE
CENTRE OF HIGHWAY
EDGE LINE
CULVERT IF NECESSARY (minimum diameter = 300mm)
SEAL UP TO BOUNDARY LINE
EDGE OF SEAL
LEGAL BOUNDARY
WAKA KOTAHI NZ TRANSPORT AGENCY
Access Type C: Low volume rural roads access requirements (not to scale)

Ground and ditch to be graded at 1V:6H in the vicinity of culverts.

New culverts to be fitted with traversable ends similar to that shown below:



Gate to be recessed back from highway sufficient distance to allow any vehicle using the driveway to stop clear of the highway traffic lanes while the gate is being opened or closed.



WAKA KOTAHI
NZ TRANSPORT AGENCY

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

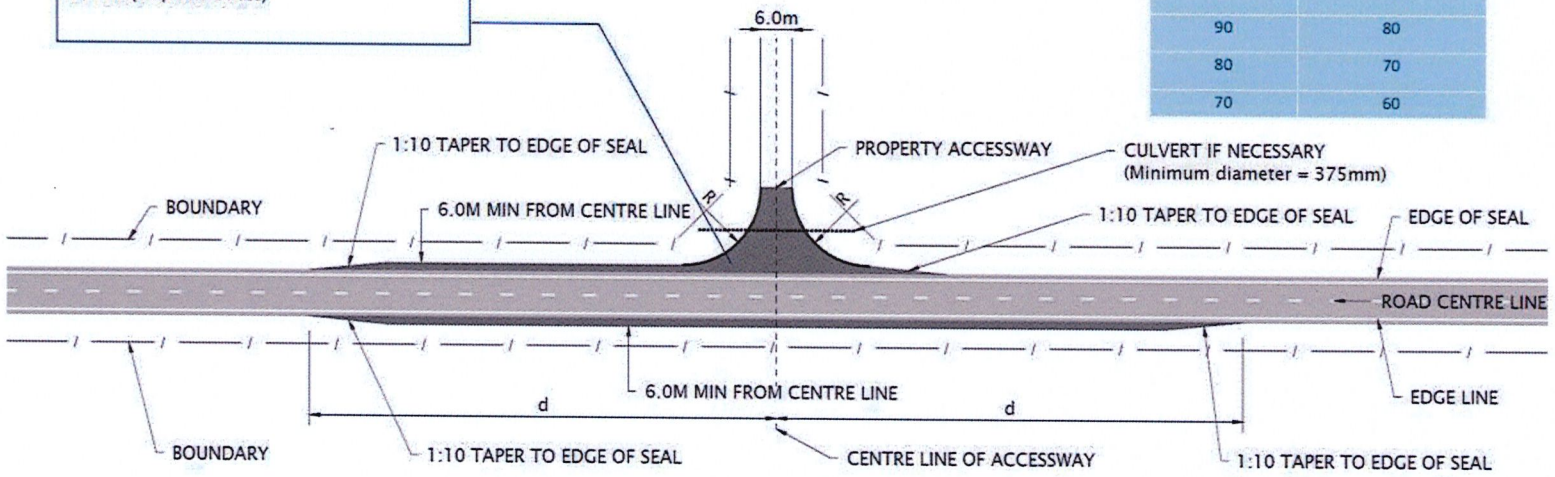
Notes:

To be constructed and sealed (dark grey area)

R= 9m (light vehicles only)

R= 15m (frequent HCV use)

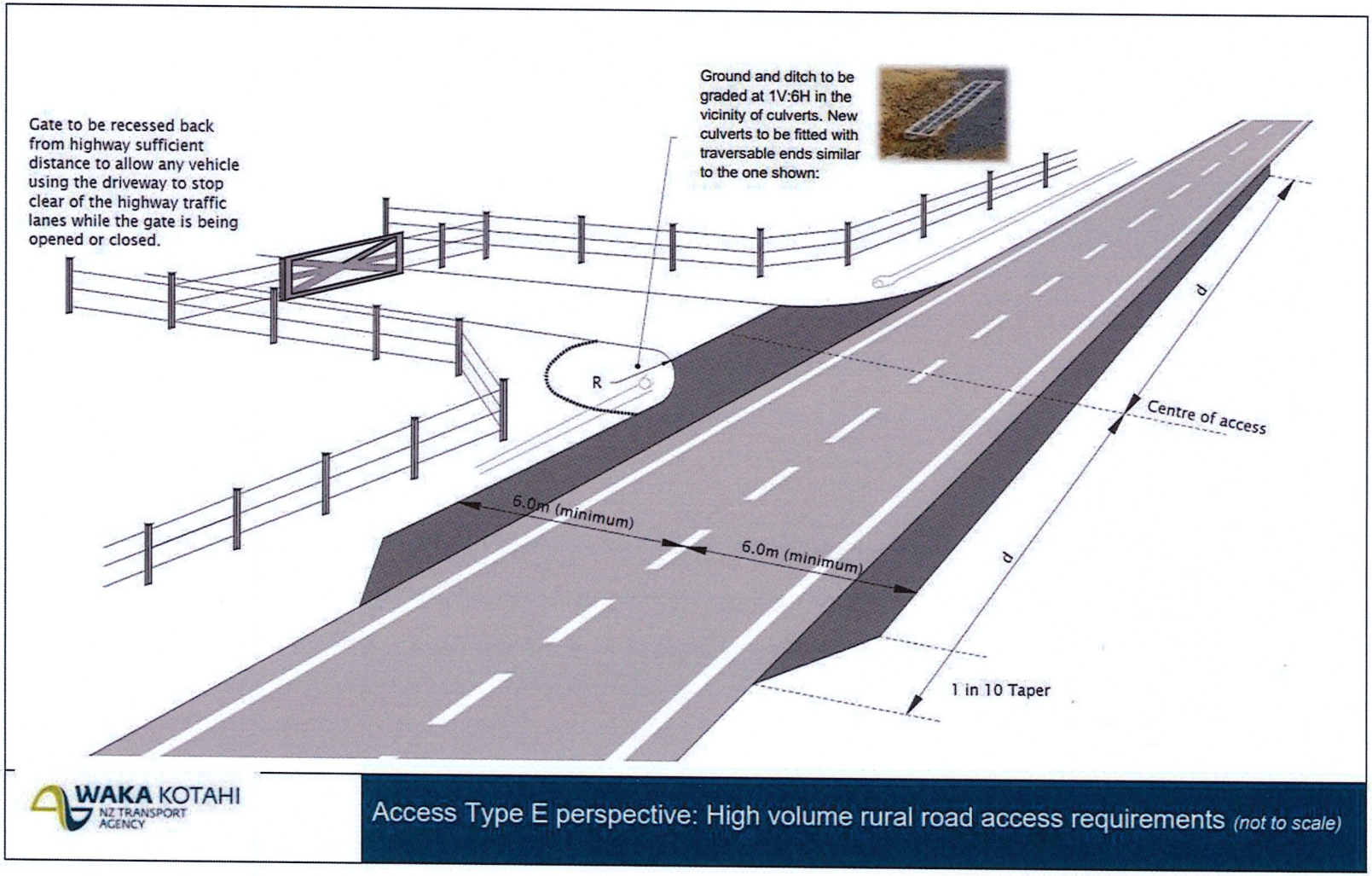
Length of shoulder widening	
Speed limit (km/h)	Distance 'd' (m)
100	90
90	80
80	70
70	60



Gate to be recessed back from highway sufficient distance to allow any vehicle using the driveway to stop clear of the highway traffic lanes while the gate is being opened or closed.

WAKA KOTAHI NZ TRANSPORT AGENCY

Access Type E: High volume rural road access requirements *(not to scale)*



WAKA KOTAHI
NZ TRANSPORT AGENCY

Access Type E perspective: High volume rural road access requirements *(not to scale)*