

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 Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement? ☐ Yes ☒ No

2. Type of Consent being applied for

(more than one circle can be ticked):

- | | |
|---|---|
| <input type="radio"/> Land Use | <input type="radio"/> Discharge |
| <input type="radio"/> Fast Track Land Use* | <input type="radio"/> Change of Consent Notice (s.221(3)) |
| <input checked="" type="radio"/> Subdivision | <input type="radio"/> Extension of time (s.125) |
| <input type="radio"/> Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) | |
| <input type="radio"/> 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, Chorus, Top Energy and FNDC Infrastructure Team

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

5. Applicant Details

Name/s:

John French

Email:

Phone number:

Work

Home

Postal address:

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

88 LEACOCKS LANE
CASULA

NSW

Postcode 2170

6. Address for Correspondence

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

Name/s:

Northland Planning & Development 2020 Ltd

Email:

Phone number:

Work

Home

Postal address:

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

112 Commerce Street, Kaitia

Postcode

0441

** 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:

Jennifer Anne French and John Kerswell French

**Property Address/
Location:**

293 Hokianga Harbour Drive

Omapere

Postcode

8. Application Site Details

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

Name/s:

Jennifer and John French

**Site Address/
Location:**



Postcode

Legal Description:

Lot 24 DP35077

Val Number:

00618-47000

Certificate of title:

NA1052/39

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

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? ☐ Yes ☒ No

Is there a dog on the property? ☐ Yes ☒ No

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

9. Description of the Proposal:

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

Subdivision proposal to create one additional lot in the Coastal Residential Zone as a Controlled Activity.

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

10. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

- ☐ **Building Consent**
- ☐ **Regional Council Consent (ref # if known)**
- ☐ **National Environmental Standard consent**
- ☐ **Other (please specify)**

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

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

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

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

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

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☒ Yes

13. Draft Conditions:

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

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

14. 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)

Prof John French

Email:

Phone number:

Work

Home

Postal address:

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

as above

Postcode

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

JOHN KERSWELL FRENCH

Signature:

(signature of bill payer)

Date 27/07/25

15. 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.

15. Important information continued...

Declaration

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

Name: (please write in full)

JOHN KERSWELL FERGUSON

Signature:

[Redacted Signature]

Date 27/07/2025

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

Checklist (please tick if information is provided)

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

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

Subdivision Resource Consent Proposal

John French

293 Hokianga Harbour Drive, Omapere

Date: 16 September 2025

Please find attached:

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

The subdivision application has been assessed as a **Controlled Activity** under the Operative District Plan and a **Permitted Activity** under the Proposed Far North District Plan.

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

Regards,

Regards,



Alex Billot

Resource Planner

Reviewed by:

Sheryl Hansford



Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED



1. TABLE OF CONTENTS

1. Table of Contents	2
1. Description of the Proposed Activity	4
SUBDIVISION	4
2. The site and surrounding environment.....	5
SITE PHOTOS	6
3. Background	7
TITLE	7
SITE FEATURES.....	7
4. Weighting of Plans.....	8
5. Activity Status of the proposal	9
OPERATIVE DISTRICT PLAN	9
SUBDIVISION	9
COASTAL RESIDENTIAL ZONE STANDARDS	9
DISTRICT WIDE MATTERS	11
OPERATIVE DISTRICT PLAN OVERALL STATUS	14
SUBDIVISION	14
PROPOSED FAR NORTH DISTRICT PLAN	14
NATIONAL ENVIRONMENTAL STANDARDS	16
NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH (NESCS)	16
OTHER NATIONAL ENVIRONMENTAL STANDARDS	16
6. Statutory Assessment	16
SECTION 104A OF THE ACT	16
SECTION 104(1) OF THE ACT	16
7. Environmental Effects Assessment	17
SUBDIVISION	17
13.7.3.1 PROPERTY ACCESS.....	17
13.7.3.2 NATURAL AND OTHER HAZARDS	18
13.7.3.3. WATER SUPPLY	18
13.7.3.4 STORMWATER DISPOSAL	18
13.7.3.5 SANITARY SEWAGE DISPOSAL	18
13.7.3.6 ENERGY SUPPLY & 13.7.3.7 TELECOMMUNICATIONS.....	18
13.7.3.8 EASEMENTS FOR ANY PURPOSE	18
13.7.3.9 PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES	19
13.7.3.10 ACCESS TO RESERVES AND WATERWAYS.....	19
13.7.3.11 LAND USE COMPATIBILITY	19



13.7.3.12 PROXIMITY TO AIRPORTS.....	19
8. Policy Documents	19
NATIONAL ENVIRONMENTAL STANDARDS	19
NATIONAL POLICY STATEMENTS.....	19
NEW ZEALAND COASTAL POLICY STATEMENT 2010	20
REGIONAL POLICY STATEMENT.....	20
FAR NORTH OPERATIVE DISTRICT PLAN.....	21
PROPOSED DISTRICT PLAN.....	21
SUMMARY	21
9. Section 125 – Lapsing of consent.....	21
10. Notification Assessment – Sections 95A to 95G of The Act	22
PUBLIC NOTIFICATION ASSESSMENT	22
STEP 1 MANDATORY PUBLIC NOTIFICATION IN CERTAIN CIRCUMSTANCES.....	22
STEP 2: PUBLIC NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES.	22
STEP 4; PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES	23
PUBLIC NOTIFICATION SUMMARY	23
LIMITED NOTIFICATION ASSESSMENT.....	23
11.2.1 STEP 1: CERTAIN AFFECTED GROUPS AND AFFECTED PERSONS MUST BE NOTIFIED.	23
STEP 2: LIMITED NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES.	23
STEP 3: CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED.	24
STEP 4: FURTHER NOTIFICATION IN SPECIAL CIRCUMSTANCES.....	25
LIMITED NOTIFICATION ASSESSMENT SUMMARY	25
NOTIFICATION ASSESSMENT CONCLUSION.....	25
11. Part 2 Assessment	25
12. Conclusion.....	26
13. LIMITATIONS	27

Appendices

1. Far North District Council Application Form
2. Certificate of Title– LINZ
3. Subdivision Scheme Plan – Williams & King
4. Correspondence – NZTA
5. Correspondence – Top Energy
6. Correspondence – Chorus
7. Correspondence – FNDC Infrastructure Team



Assessment of Environment Effects Report

1. DESCRIPTION OF THE PROPOSED ACTIVITY

Subdivision

1.1. The proposal is to undertake a subdivision of Lot 24 DP35077 to create one additional allotment. The site is zoned Coastal Residential under the Operative District Plan (ODP). Proposed Lot 2 will contain the existing dwelling and Proposed Lot 1 will be vacant. Easement 'A' will be created for rights of access over Lot 1 to Lot 2, which will be created over the existing internal driveway to the dwelling.

1.2. The proposed lots are as follows:

- Proposed Lot 1 = 968m²
- Proposed Lot 2 = 968m²

Areas and measurements are subject to final survey.

1.3. The proposed subdivision can comply with the Controlled provisions under 13.7.2.1(x) of the ODP as the site is sewered and the proposed lot sizes exceed 800m².

1.4. Given the site is accessed from Hokianga Harbour Drive (State Highway 12), consultation with NZTA has been had as part of the preapplication process. Comments from Top Energy, Chorus and FNDC Infrastructure Team have also been obtained, as will be discussed further in this report. All correspondence is attached within the appendices of this application.

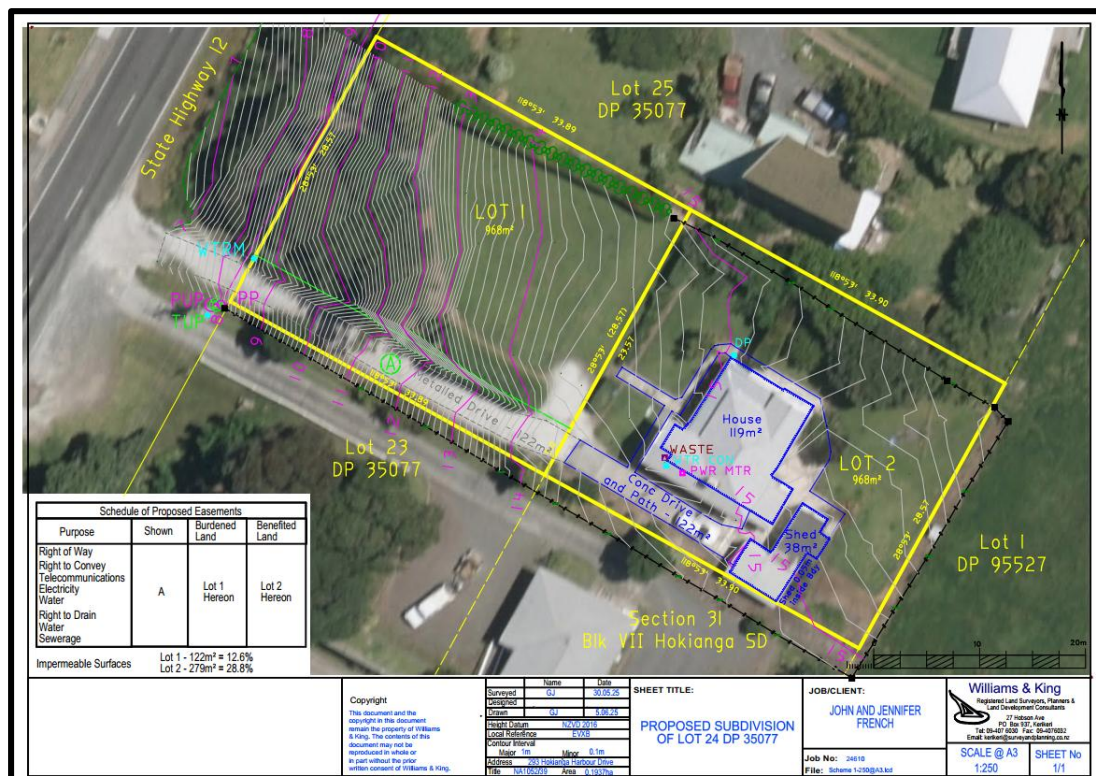


Figure 1: Proposed Scheme Plan.



Site Photos

2.5. A site visit was undertaken in August 2025 with a compilation of the photos taken below.



Figure 4: Access to the site on the left hand side of image (metalled access).



Figure 5: Existing dwelling on Lot 2.



Figure 7: Existing shed on Lot 2 with separation distance from boundary.



Figure 6: Proposed Lot 1.

3. BACKGROUND

Title

- 3.1. The subject site is legally described as Lot 24 DP35077 with a land area of 1937m². The allotment is contained within Record of Title NA1052/39 which is dated 16 September 1952. There are no consent notices or easements registered on the title.

Site Features

- 3.2. The site is located within the Coastal Residential Zone under the Operative District Plan and zoned General Residential within the Proposed District Plan as well as being within the Coastal Environment Overlay. The site is not located within the Coastal Erosion zones, as these are located on the opposite side of the State Highway.

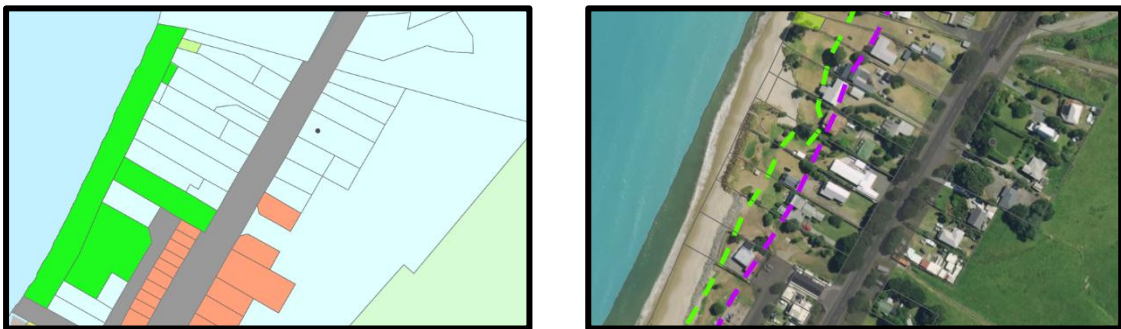


Figure 8: ODP Zoning Maps and Coastal Erosion Zones.

- 3.3. The site is located within the Coastal Environment but is not within any areas identified as Outstanding Natural Landscapes or Features under the Regional Policy Statement for Northland. Hokianga Harbour is noted of being of High Natural Character which is located on the opposite side of the State Highway and the residential development to the west of the site.
- 3.4. The subject site is not shown to be susceptible to coastal hazards or river flood hazards under the NRC Hazard Maps.



Figure 9: NRC Hazard Maps showing the site is outside of the flood susceptible areas.

- 3.5. Reticulated services are available to this site. The existing dwelling has existing connections for water supply, wastewater disposal and stormwater as will be discussed further in this report. Consultation has been had with the FNDC Infrastructure Team for connection to the reticulated services for the new lot, with confirmation obtained that connection is possible.
- 3.6. The NZAA Maps do not indicate that the site contains any known archaeological sites.
- 3.7. The site does not contain any areas of significant indigenous vegetation or fauna nor does it contain any reserves or PNA. The site is not located within an area which is shown to have kiwi present.
- 3.8. The site is shown to contain soils of LUC 6e15, which are not classified as being highly versatile soils. As such, it is considered that consent under the National Policy Statement for Highly Productive Land (NPS for HPL) is not triggered and no further assessment will be undertaken within this report.
- 3.9. The site is not known to be located within a Statutory Acknowledgement Area, although the Hokianga Harbour is shown to be a Statutory Acknowledgement Area however the site does not adjoin the Hokianga Harbour and is separated from this by existing built development and road networks.

4. WEIGHTING OF PLANS

- 4.1. The site is zoned as General Residential under the Proposed District Plan and is subject to the Coastal Environment Overlay.
- 4.2. The Council notified its' PDP on 27 July 2022. The period for public submissions closed on the 21 October 2022. A summary of submissions was notified on the 4 August 2023. The further submission period closed on the 5 September 2023. It is apparent from the summary of submissions relating to the applicable zone that a large number relate to the application of these provisions. Based on the volume and comprehensive nature of these submissions, the Council has confirmed that no other rules will have legal effect until such time as a decision is made on those provisions.
- 4.3. District Plan hearings on submissions are currently underway and are scheduled to conclude in October 2025. No decision on the PDP has been issued. For this reason, little weight is given to the PDP provisions.



5. ACTIVITY STATUS OF THE PROPOSAL

Operative District Plan

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

Subdivision

Assessment of the applicable Subdivision Rules for the Coastal Residential Zone:		
<u>PERFORMANCE STANDARDS</u>		
Plan Reference	Rule	Performance of Proposal
13.7.2.1 (x)	MINIMUM LOT SIZES	Controlled Lots 1 & 2 will have areas of 968m ² each. The lots are in an area which is serviced by the Council's reticulated services. The proposal can therefore meet the Controlled provisions for the zone, which requires a minimum lot size of 800m ² .
13.7.2.2	ALLOTMENT DIMENSIONS	Permitted Lot 2 will contain the existing built development. Lot 1 is of adequate area and dimensions to contain a 14m by 14m building envelope which can meet the required setback distance from boundaries.
13.7.2.3 – 9	Not Applicable for this application.	

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

Coastal Residential Zone Standards

- 5.3. Lot 2 will contain existing built development and impermeable surfaces, with Lot 1 containing the existing metalled drive to be contained within Easement A. As such, an assessment of Section 10.8.5.1 of the Operative District Plan will be undertaken below.

Assessment of the permitted COASTAL RESIDENTIAL ZONE RULES:		
<u>PERFORMANCE STANDARDS</u>		
Plan Reference	Rule	Performance of Proposal
10.8.5.1.1	RELOCATED BUILDINGS	Not applicable. No relocated buildings are proposed as part of this proposal.
10.8.5.1.2	RESIDENTIAL INTENSITY	Permitted.



		<p>The permitted threshold for residential development is one unit per 3,000m² of land on an unsewered site.</p> <p>Lot 2 will contain one residential dwelling with Lot 1 being vacant land.</p> <p>As such, the proposal can comply with the permitted threshold.</p>
10.8.5.1.3	SCALE OF ACTIVITIES	<p>Not applicable.</p> <p>No such activities are proposed as part of this application.</p>
10.8.5.1.4	BUILDING HEIGHT	<p>Not applicable.</p> <p>No new buildings are proposed as part of this proposal.</p>
10.8.5.1.5	SUNLIGHT	<p>Permitted</p> <p>The new dividing boundaries are located a sufficient distance from existing structures, such that the proposal complies with this rule.</p>
10.8.5.1.6	STORMWATER MANAGEMENT	<p>Permitted.</p> <p>The permitted threshold for impermeable surfaces within the Coastal Residential zone is 50% or 1000m², whichever is the lesser.</p> <p>In this instance, 50% is the lesser amount. As per the scheme plan prepared by Williams & King, as a result of the subdivision, Lot 1 will have an impermeable surface coverage of 122m² or 12.6% and Lot 2 will have an impermeable surface coverage of 279m² or 28.8%. The proposal therefore complies with the permitted standard.</p>
10.8.5.1.7	SETBACK FROM BOUNDARIES	<p>Permitted.</p> <p>The minimum setback from road boundaries shall be 3 metres and the minimum setback from any boundary apart from a road boundary is 1.2m except that no setback is required for a maximum total length of 10m along any one such boundary.</p> <p>There are no structures within Lot 1 which would need to be assessed against this rule.</p> <p>The structures within Lot 2 are existing and are located in excess of 1.2m from the new dividing boundary. As the structures are existing, existing use rights apply for the setback distances from existing boundaries. Below is an image of the existing shed on Lot 2 showing setback distance from the boundary.</p>



			
10.8.5.1.8	SCREENING FOR NEIGHBOURS NON-RESIDENTIAL ACTIVITIES	Not applicable as no non-residential activities are proposed.	
10.8.5.1.9	OUTDOOR ACTIVITIES	Not applicable.	
10.8.5.1.10	TRANSPORTATION	A full assessment has been completed in the table below.	
10.8.5.1.11	SITE INTENSITY – NON RESIDENTIAL ACTIVITIES.	Not applicable.	
10.8.5.1.12	HOURS OF OPERATION NON- RESIDENTIAL ACTIVITIES	Not applicable as no non-residential activities are proposed.	
10.8.5.1.13	KEEPING OF ANIMALS	Not applicable as no commercial keeping of animals are proposed.	
10.8.5.1.14	NOISE	Permitted The proposal complies with the permitted standard.	
10.8.5.1.15	HELICOPTER LANDING AREA	Not applicable as no helicopter landing is required.	

District Wide Matters

<u>DISTRICT WIDE MATTERS</u>		
Chapter 12		
Plan Reference	Rule	Performance of Proposal
12.1	LANDSCAPES AND NATURAL FEATURES	Permitted. The site is not known to contain any outstanding landscapes or natural features
12.2	INDIGENEOUS FLORA AND FAUNA	Permitted. The site is not known to contain any areas of indigenous vegetation
12.3	SOILS AND MINERALS	Permitted.



		Some excavations will be required to seal the private accessway, however excavations are anticipated to be within the permitted threshold for the zone.
12.4	NATURAL HAZARDS	Permitted. The proposal is not known to be affected by coastal hazards nor fire risk to residential units.
12.5	HERITAGE	Not Applicable. The site is not within a Heritage Area.
12.6	AIR	Deleted Chapter
12.7	LAKES, RIVER, WETLANDS AND THE COASTLINE	Permitted. The site is not in close proximity to lakes, rivers, wetlands or the coastline.
12.8	HAZARDOUS SUBSTANCES	Not Applicable.
12.9	RENEWABLE ENERGY AND ENERGY EFFICIENCY	Not Applicable.
Chapter 15		
Plan Reference	Rule	Performance of Proposal
15.1.6A	TRAFFIC	Permitted Activity The permitted one way daily traffic movements within the Coastal Residential Zone is 20. The first residential unit is exempt from this rule. Lot 2 will include one residential dwelling, which is exempt. Lot 1 is vacant.
15.1.6B	PARKING	Permitted Activity Lot 2 existing vehicle parking and manoeuvring areas which will remain unchanged as part of this proposal. Lot 1 is vacant, with parking being designed at the time of development on the lot.
15.1.6C.1.1	PRIVATE ACCESSWAY IN ALL ZONES	Permitted. (a) As part of this proposal, Easement A will be created which will service both Lots 1 & 2. This Easement will contain the existing metalled/grassed drive. As per Appendix 3B-1, a private accessway servicing 2 allotments in the CR zone requires a legal width of 5 metres and a carriageway width of 3m. The accessway is also required to be sealed. It is proposed that the accessway is sealed to the required



		<p>standards as part of the subdivision proposal and therefore a condition of consent is anticipated to be issued on the decision document requiring this. The legal width will be 5 metres as per the scheme plan.</p> <p>(b) The access widths and gradients comply with the relevant rules.</p> <p>(c) Permitted – the private accessway will service less than 8 HE.</p> <p>(d) Permitted – the subdivision does not service more than 9 sites.</p> <p>(e) Permitted – consultation has been had with NZTA who have recommended that the crossing place be upgraded to FNDC’s applicable engineering standards. It is considered a condition of consent will be imposed enforcing this.</p>
15.1.6C.1.2	PRIVATE ACCESSWAYS IN URBAN ZONES	Not applicable.
15.1.6C.1.3	PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES	<p>Permitted</p> <p>The private accessway will be less than 34 metres long and therefore, passing bays are not required.</p>
15.1.6C.1.4	ACCESS OVER FOOTPATHS	Not applicable.
15.1.6C.1.5	VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES	<p>Permitted.</p> <p>A condition of consent is anticipated to require the crossing to be upgraded to the applicable engineering standards as per NZTA’s request.</p>
15.1.6C.1.6	VEHICLE CROSSING STANDARDS IN URBAN ZONES	Not applicable.
15.1.6C.1.7	GENERAL ACCESS STANDARDS	<p>Permitted.</p> <p>(a) There is no need for vehicles to reverse off site.</p> <p>(b) There are no bends or corners on the private accessway.</p> <p>(c) The sides of the driveway will remain in grass.</p> <p>(d) Stormwater will be managed on site.</p>
15.1.6C.1.8	FRONTAGE TO EXISTING ROADS	<p>Permitted.</p> <p>Access is from a State Highway which is considered to meet the legal road width standards and there is not more than one road frontage available to the lots. There are no known encroachments of the carriageway into the site boundaries.</p>
15.1.6C.1.9 – 11	Not applicable to this development.	



Operative District Plan Overall Status

Subdivision

- 5.6 The proposal can comply with the **Controlled** provisions for the Coastal Residential zone as the proposed lot sizes exceed 800m² in area. The proposal does not result in any land use breaches as assessed in the tables above.
- 5.7 In accordance with 13.7.3 *Controlled Activities*, the subdivision will be assessed as a **Controlled Activity**. Assessment of Chapter 13.7.3 will be undertaken as part of this application.

Proposed Far North District Plan

- 5.8 Assessment of the matters relating to the Proposed District Plan that have immediate legal effect, are detailed below:

Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource Rules HS-R5, HS-R6, HS-R9	Not applicable. The proposal does not include the establishment of a new significant hazardous facility or a significant hazardous facility within a scheduled site or area of significance to Māori, within a SNA or within a scheduled heritage resource.
Heritage Area Overlays	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	Not applicable. The site is not located within a Heritage Area Overlay.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10)	Not applicable. The site is not located within an area noted as being of Historic Heritage.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	Not applicable. The site does not contain any notable trees.
Sites and Areas of Significance to Māori	All rules have immediate legal effect.	Not applicable. The site does not contain any scheduled sites and areas of significance to Māori.
Ecosystems and	All rules have immediate legal effect (IB-R1 to IB-R5)	Not applicable.



Indigenous Biodiversity		The site does not contain any ecosystems or indigenous biodiversity to which these rules would apply.
Subdivision	<p>The following rules have immediate legal effect:</p> <p>SUB-R6 - Environmental Benefit Subdivision.</p> <p>SUB-R13- Subdivision of a site within a heritage area overlay.</p> <p>SUB-R14 - Subdivision of a site that contains a scheduled heritage resource.</p> <p>SUB-R15 - Subdivision of a site containing a scheduled site and area of significance to Māori.</p> <p>SUB-R17 - Subdivision of a site containing a scheduled SNA</p>	<p>Permitted.</p> <p>The site is not an environmental benefit subdivision; the site does not contain any heritage overlays; scheduled heritage resources; a scheduled site and area of significance to Māori or; any SNA's.</p>
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	<p>Not applicable.</p> <p>The proposal does not involve activities on the surface of water.</p>
Earthworks	<p>The following rules have immediate legal effect: EW-R12, EW-R13</p> <p>The following standards have immediate legal effect: EW-S3, EW-S5</p>	<p>Permitted.</p> <p>Any earthworks will comply with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005).</p>
Signs	<p>The following rules have immediate legal effect: SIGN-R9, SIGN-R10</p> <p>All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area</p>	<p>Not applicable.</p> <p>No signs are proposed as part of this application.</p>
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	<p>Not applicable.</p> <p>The site is not located in the Orongo Bay Zone.</p>

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



National Environmental Standards

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

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

Other National Environmental Standards

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

6. STATUTORY ASSESSMENT

Section 104A of the Act

- 6.1. Section 104A governs the determination of applications for Controlled Activities. With respect to Controlled Activities, a consent authority may not refuse an application, unless s106 applies. Council may impose conditions under s108 only for those matters which control is reserved in a national environmental standard, an operative or proposed plan or other regulations.

Section 104(1) of the Act

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

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

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

(b) Any relevant provisions of –

- (i) A national environmental standard*
- (ii) Other regulations*
- (iii) A national policy statement*
- (iv) A New Zealand Coastal Policy Statement*
- (v) A regional policy statement or proposed regional policy statement*
- (vi) A plan or proposed plan; and*

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

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



- 6.4. Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity’. It is considered the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment. As noted above, the proposed development itself will generate positive effects that are consistent with the intent of the Coastal Residential zone and surrounding environment.
- 6.5. Section 104(1)(b) requires the consent authority to consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided below.
- 6.6. Section 104(1)(c) states that consideration must be given to ‘any other matters that the consent authority considers relevant and reasonable, necessary to determine the application.’ There are no other matters relevant to this application.

7. ENVIRONMENTAL EFFECTS ASSESSMENT

- 7.1. Having reviewed the relevant plan provisions and taking into account the matters that must be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the following environmental effects warrant consideration as part of this application.
- 7.2. The proposal is a Controlled activity as per Rule 13.7.1. The criteria within 13.7.3 of the District Plan is therefore to be used for assessment of the subdivision, in conjunction with the matters set out under Sections 104, 104A, and 106 of the Resource Management Act 1991. An assessment that corresponds with the scale and significance of the effects on the environment is provided below:

Subdivision

13.7.3.1 PROPERTY ACCESS

- 7.2.1. The site is accessed via Hokianga Harbour Drive (State Highway 12). Consultation has been had with NZTA with conditional written approval being obtained. NZTA have required that the existing crossing place is upgraded to the required Council standard, as is outlined within the letter attached within **Appendix 4**. The NZTA requirements are anticipated to be imposed as a condition of consent on the decision document.
- 7.2.2. The sites will be accessed via an internal private accessway, which will follow the existing metalled/grassed drive, and be contained within proposed Easement A. A condition of consent is anticipated which will require that the private accessway within Easement A is sealed to the Council’s Engineering Standards.



- 7.2.3. Parking and manoeuvring to the existing built development within Lot 2 will remain unchanged. The addition of one additional allotment is anticipated to be easily absorbed into the roading network given the low density of the development and the existing residential character of the surrounding area. The proposal is not considered to create any adverse effects in terms of Property Access, with compliance of Chapter 15 indicated earlier in this report.

13.7.3.2 NATURAL AND OTHER HAZARDS

- 7.2.4. The site is not shown to be susceptible to coastal or river flood hazards. No hazards have been identified on the site which are listed within (a) of this rule.
- 7.2.5. In regard to s106 of the Act, it is considered that there is no significant risk from natural hazards applicable, which would allow Council to refuse subdivision consent. The proposal is not considered to accelerate, worsen or result in material damage of any kind.

13.7.3.3. WATER SUPPLY

- 7.2.6. Reticulated water supply is available to the subject site, with the existing development on Lot 2 having an existing connection which will remain unchanged as part of this proposal. The FNDC Infrastructure Team has confirmed connection is available for the additional allotment.

13.7.3.4 STORMWATER DISPOSAL

- 7.2.7. Councils' infrastructure is available to this site, with the existing development on Lot 2 having existing connection. As assessed earlier in this report, the proposal does not result in a breach of the permitted amount of impermeable surfaces for each lot. The FNDC Infrastructure Team has confirmed connection is available for the additional allotment.

13.7.3.5 SANITARY SEWAGE DISPOSAL

- 7.2.8. The existing development on Lot 2 has existing wastewater connection to Council's reticulated system. The FNDC Infrastructure Team has confirmed connection is available for the additional allotment.

13.7.3.6 ENERGY SUPPLY & 13.7.3.7 TELECOMMUNICATIONS

- 7.2.9. Top Energy were contacted as part of this application process and advised that power is to be made available for the additional lot, with existing supply available to Lot 2. Connection to Lot 1 is anticipated to be a condition of consent. Top Energy's response is contained within **Appendix 5** of this application.
- 7.2.10. Chorus were also contacted as part of the application process and advised that reticulation is available for the development. Chorus' response is contained within **Appendix 6** of this application.

13.7.3.8 EASEMENTS FOR ANY PURPOSE

- 7.2.11. Easement A is proposed for the purpose of right of way, right to convey telecommunications, electricity, water and right to drain water and sewerage. Lot 1 is the burdened land and Lot 2



is the benefited land. This is to provide Lot 2 the rights to utilise the existing accessway within Lot 1 as well as provision for the existing services located within this portion of the site.

7.2.12. No other easements are considered necessary.

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

7.2.13. The site does not contain any areas of indigenous flora or fauna. The site is not shown to be within an area of Outstanding Natural Landscape or features. The site is not shown to have kiwi present, nor does it contain any known areas which would benefit from enhancement of biodiversity values (such as wetlands). The site is not shown to contain any historic sites or areas of cultural significance. The proposal does not include any of the features listed within this rule and therefore, no parties have been considered to be affected by the proposal.

13.7.3.10 ACCESS TO RESERVES AND WATERWAYS

7.2.14. The site does not adjoin the CMA or any rivers or lakes.

13.7.3.11 LAND USE COMPATIBILITY

7.2.15. The proposed allotments are being created in an area where there is already a number of residential allotments of similar size. These proposed allotments are generally consistent with other allotments in the vicinity. No reverse sensitivity effects are anticipated as the proposed allotments are of sufficient size to accommodate the existing activities which include a residential dwelling as well as outdoor activities, similar to what is already in existence in the surrounding environment. As has been discussed within this report, the proposed allotments are considered to be consistent with existing subdivision patterns and land use activities in the area.

13.7.3.12 PROXIMITY TO AIRPORTS

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

8. POLICY DOCUMENTS

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

National Environmental Standards

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

National Policy Statements

8.3. There are currently 8 National Policy Statements in place. These are as follows:

- National Policy Statement on Urban Development
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation



- National Policy on Electricity Transmission
- New Zealand Coastal Policy Statement
- National Policy Statement for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity.
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023

New Zealand Coastal Policy Statement 2010

- 8.4. The New Zealand Coastal Policy Statement 2010 is considered to be relevant to the application as the application site is located within the coastal environment under the NRC Regional Policy Statement.
- 8.5. The subject site is not known to contain any areas of outstanding landscape or features. It is considered the proposal will not adversely affect the natural aspects within the coastal environment nor will the proposal create any adverse effects on the natural character and amenity values within the area.

Objectives

- 8.6. The proposal is considered to achieve the objectives of the NZCPS as the proposal does not adversely impact on the integrity, form, functioning or resilience of the coastal environment. The proposal is not considered to affect the natural landscapes and character of the coastal environment. The application is not known to create any cultural issues as the proposal will result in one additional allotment being created with Lot 2 containing existing built development. The subject site is not known to contain any archaeological sites. The proposal is considered to result in positive economic effects by providing employment through the subdivision process, while creating less than minor effects on the residential/coastal character of the locality.

Policies

- 8.7. The proposal is also considered to achieve the policies of the NZCPS. The character of the existing built environment will be maintained as the site and surrounding environment is Coastal residential in nature, meaning that the area is intensively developed. The natural character of the surrounding environment is considered to remain unaffected due to the nature of the proposal.
- 8.8. Overall, the proposed activity is considered to be consistent with the objectives and policies of the NZCPS as the proposal is in keeping with the existing development in the surrounding area.

Regional Policy Statement

- 8.9. The role of The Regional Policy Statement is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northlands natural and physical resources.



- 8.10. This proposal is of a small scale, containing existing development and outside of areas containing any resource features. The proposal is consistent with sites in the surrounding environment and will not alter the character and amenity of the surrounding environment. The proposal is considered compatible with the intent of the RPS

Far North Operative District Plan

- 8.11. In terms of the objectives and policies for the Coastal Environment and Coastal Residential zone, the proposal does not result in infringements of the permitted rule standards for the underlying zone and is therefore considered to be anticipated by the plan and consistent with development in the area and zone in general. Given the subdivision activity is assessed as a Controlled Activity, it is also considered that the proposal is anticipated by the plan and therefore does not result in adverse effects. The proposal will not alter the character or amenity of the sites or surrounding environment.
- 8.12. As assessed above, it is considered that the proposed subdivision will generate no more than minor effects on the receiving environment, including the adjacent sites. The proposal is considered consistent with the relevant objectives and policies of the ODP.

Proposed District Plan

- 8.13. Under the Proposed District Plan, the site is zoned General Residential, and within the Coastal Environment overlay. The proposal is considered to create no more than minor effects on these environments and is consistent with the intent of the surrounding environment and the zone. The proposal is considered to be consistent with the Objectives and Policies of the Proposed District Plan.

Summary

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

9. SECTION 125 – LAPSING OF CONSENT

- 9.1. The Act prescribes a standard consent period of five years in which all works must be undertaken, but this may be amended as determined by the Council. It is requested that the standard provisions be applied in this instance.



10. NOTIFICATION ASSESSMENT – SECTIONS 95A TO 95G OF THE ACT

Public Notification Assessment

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

Step 1 Mandatory public notification in certain circumstances

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

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

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

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

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

(b) public notification is required under section 95C;

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

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

Step 2: Public Notification precluded in certain circumstances.

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

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

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

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

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

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

(i) a controlled activity;

(ii) [Repealed]

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

(iv) [Repealed]

(6) [Repealed]

10.1.2. The application is for a Controlled Activity, therefore Step 3 does not apply and Step 4 must be considered.

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

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

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

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

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

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



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

10.1.3. Does not apply.

Step 4; Public notification in special circumstances

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

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

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

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

Public Notification Summary

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

Limited Notification Assessment

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

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

(2) Determine whether there are any—

(a) affected protected customary rights groups; or

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

(3) Determine—

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

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

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

10.3.1. No customary rights groups or marine titles groups are considered to be affected. The proposal is not known to be subject to a statutory acknowledgement area. Hokianga Harbour is noted as being a Statutory Acknowledgement Area, however the site does not adjoin the Hokianga Harbour and is separated from this by existing built development and road networks. As such, it is considered that no notification is required. Therefore, Step 2 must be considered.

Step 2: Limited notification precluded in certain circumstances.

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

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



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

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

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

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

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

Step 3: Certain other affected persons must be notified.

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

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

(9) Notify each affected person identified under subsections (7) and (8) of the application. The proposal is not for a boundary activity nor is it a prescribed activity.

- 10.3.3. The proposal is not for a boundary activity.

- 10.3.4. In deciding who is an affected person under section 95E, a council under section 95E(2):

(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—

(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and

(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and

(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

- 10.3.5. A Council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval.

- 10.3.6. With respect to section 95B(8) and section 95E, the permitted baseline was considered as part of the assessment of environmental effects undertaken in Section 7 of this report, which found that the potential adverse effects on the environment will be minor. In regard to effects on persons, the assessment provided within this report is also relied on and the following comments made:

- The size of the proposed allotments is consistent with the character of the allotments in the locality and can comply with the controlled provisions for lot size within the zone. Therefore, the proposed allotment sizes are not objectionable within the surrounding environment.
- The development is not considered to be contrary to the objectives and policies under the District Plan.



- All other persons are sufficiently separated from the proposed development and works, such that there will be no effects on these people.

10.3.7. Therefore, no persons will be affected to a minor or more than minor degree.

10.3.8. Overall, the adverse effects on any persons are considered to be less than minor. Therefore Step 3 does not apply and Step 4 must be considered.

Step 4: Further notification in special circumstances

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

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

Limited Notification Assessment Summary

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

Notification Assessment Conclusion

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

11. PART 2 ASSESSMENT

11.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.

11.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resources whilst meeting the foreseeable needs of future generations. It is considered that the proposal will safeguard the life-supporting capacity of air, water, soil and ecosystems. In addition, the proposal will avoid adverse effects on the environment and will maintain the character of the site and surrounding environment.

11.3. Section 6 of the Act sets out a number of matters of national importance. The subject site is not located near any lakes, rivers or wetlands. The subject site is located within the coastal environment under the RPS, however no adverse effects are anticipated due to the fact that visual amenity and character will be maintained. There are no outstanding natural features or landscapes which are considered to be affected, nor any areas of significant indigenous vegetation or habitats of fauna. Public access is not considered relevant in this case. The site does not contain any areas identified as being a Site of Cultural Significance to Māori. The relationship of Māori and their culture is considered to remain unaffected by the proposal. Historic heritage and protected customary rights is not anticipated to be affected by the



proposal. The proposal is not anticipated to exacerbate natural hazards. It is considered that the effects of this proposal on Section 6 of the Act are considered to be less than minor.

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

12. CONCLUSION

- 12.1. The proposal is to undertake a subdivision where the lot sizes are able to comply with the Controlled activity provisions for the zone.
- 12.2. Due to the existing pattern of development in the area it is not considered that there are any adverse cumulative effects, and the proposal does not result in degradation of the character of the surrounding environment.
- 12.3. In terms of section 104(1)(a) of the Act, the actual and potential effects of the proposal will be less than minor.
- 12.4. It is also considered that the proposal will have less than minor adverse effects on the wider environment; no persons will be adversely affected by the proposal and there are no special circumstances.
- 12.5. The relevant provisions within Part 2 of the Act have been addressed as part of this application. The overall conclusion from the assessment of the statutory considerations is that the proposal is considered to be consistent with the sustainable management purpose of the Resource Management Act 1991.
- 12.6. As a Controlled activity, the proposal has been assessed against the specific matters and limitations imposed by the District Plan. It is considered that the proposal results in no more than minor effects on the environment and the proposal is generally consistent with the relevant Objectives and Policies set out under the District Plan and the Regional Policy Statement. The development is considered appropriate for consent to be granted on a non-notified basis.



13. LIMITATIONS

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





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

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




R.W. Muir
Registrar-General
of Land

Identifier **NA1052/39**
Land Registration District **North Auckland**
Date Issued 16 September 1952

Prior References
NA943/77

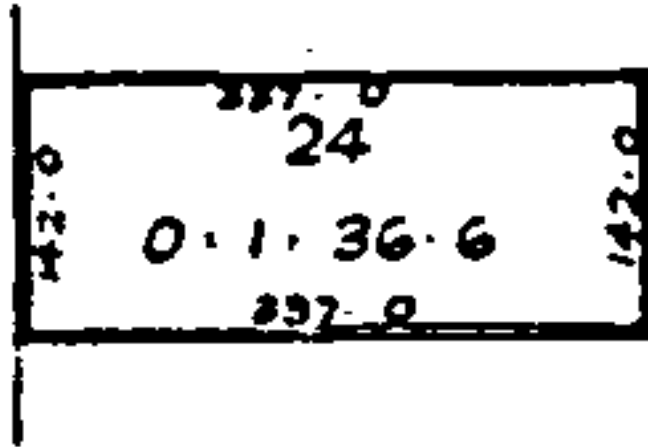
Estate Fee Simple
Area 1937 square metres more or less
Legal Description Lot 24 Deposited Plan 35077
Registered Owners
John Kerswell French and Jennifer Anne French

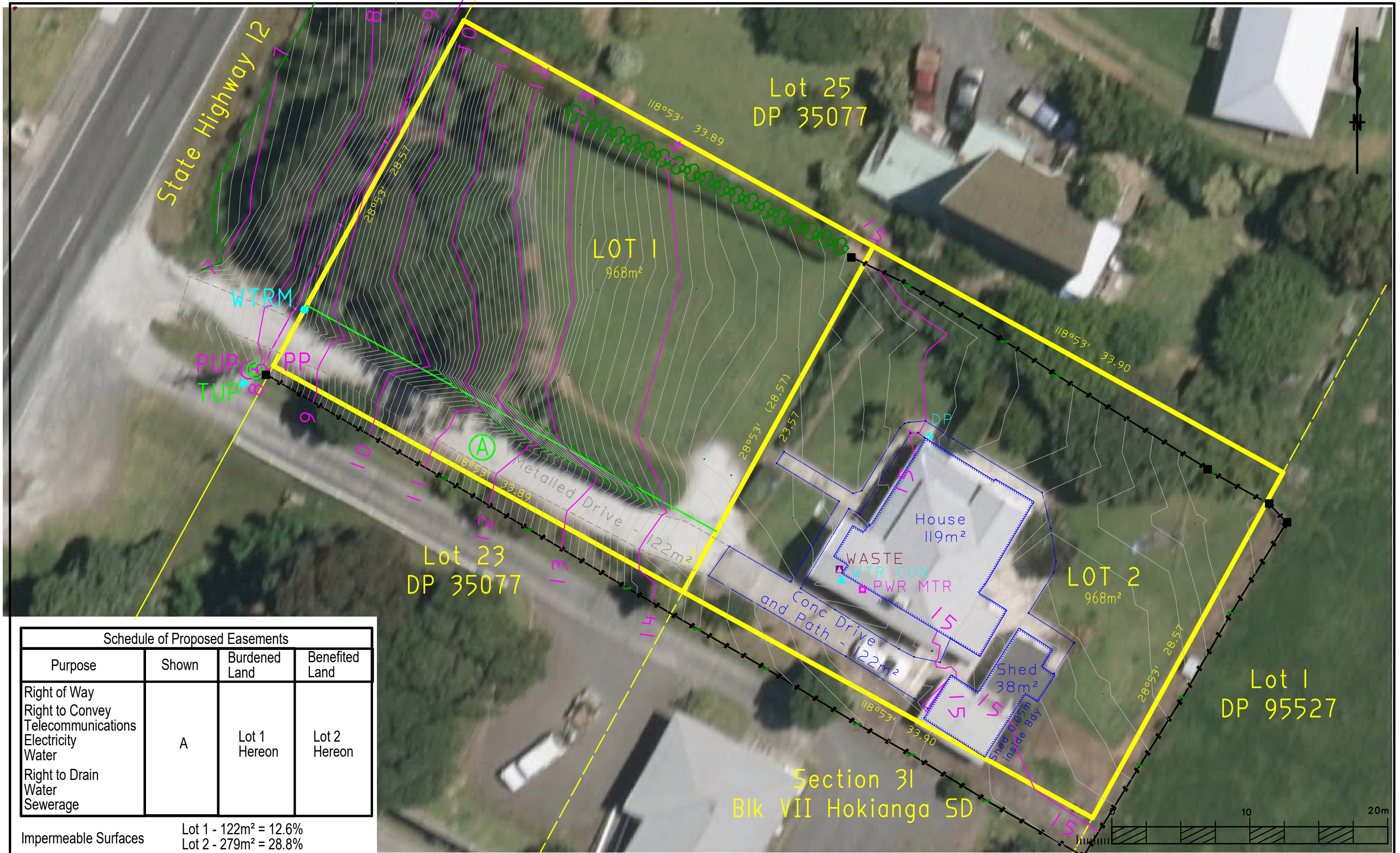
Interests

D104402.1 Mortgage to (now) Westpac New Zealand Limited - 4.2.1997 at 3.09 pm
D616625.1 Gazette Notice (NZ Gazette 9.11.2000 No 152 p 3942) declaring part of State Highway 12 in Northland commencing at its intersection with the northern end of Waiotemarama Gorge Road at Pakanae and proceeding in a Southerly direction to its intersection with the southern end of Waiotemarama Gorge Road at Waiotemarama to be limited access road - 27.6.2001 at 9.01 am
D616700.3 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 27.6.2001 at 9.01 am

VII Hokianga S. D.

Main Highway





Schedule of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right of Way Right to Convey Telecommunications Electricity Water Right to Drain Water Sewerage	A	Lot 1 Hereon	Lot 2 Hereon

Impermeable Surfaces Lot 1 - 122m² = 12.6%
 Lot 2 - 279m² = 28.8%

Copyright

This document and the copyright in this document remain the property of Williams & King. The contents of this document may not be reproduced in whole or in part without the prior written consent of Williams & King.

	Name	Date
Surveyed	GJ	30.05.25
Designed		
Drawn	GJ	5.06.25
Height Datum NZVD 2016		
Local Reference EVXB		
Contour Interval		
Major 1m		Minor 0.1m
Address 293 Hokianga Harbour Drive		
Title NA1052/39		Area 0.1937ha

SHEET TITLE:

PROPOSED SUBDIVISION
OF LOT 24 DP 35077

JOB/CLIENT:

JOHN AND JENNIFER
FRENCH

Job No: 24610

File: Scheme 1-250@A3.lcd

Williams & King

Registered Land Surveyors, Planners &
Land Development Consultants
27 Hobson Ave
PO Box 937, Kerikeri
Tel: 09-407 6030 Fax: 09-407 6032
Email: kerikeri@surveyandplanning.co.nz

SCALE @ A3
1:250

SHEET No
1/1

Northland Planning Development

From: Tayla Cowper <tayla.cowper@nzta.govt.nz>
Sent: Tuesday, 26 August 2025 2:14 pm
To: Northland Planning Development
Subject: RE: Application 2025-0900: 293 Hokianga Harbour Drive, Hokianga

Kia ora Sheryl,

Sincerely apologise for the delay in getting back to you.

I have received comments regarding this one from our network and safety team. Given the urban environment with kerb and channel and a low-speed limit, NZTA understands that FNDC engineering standards for a residential accessway apply and further that the access will have to be in accordance with these standards. Therefore, based on the above and the minor increase in vehicle movements as a result of the proposal, NZTA have no adverse concerns with the proposal.

Given that the subdivision has direct access to the State Highway, the following condition will need to be volunteered as part of the resource consent application:

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

Advice Note:

As the properties have access to a limited access road, a crossing place notice/s per Section 91 of the Government Rounding Powers Act 1989 will be registered on the titles confirming the legal establishment of the crossing place.

Can you confirm you are happy to volunteer the above?

Kind regards,

Tayla Cowper (she/her)
Intermediate Planner – Waikato/Bay of Plenty

Poutiaki Taiao | Environmental Planning
Email: tayla.cowper@nzta.govt.nz
Phone: 07 834 4684

Waka Kotahi NZ Transport Agency
Hamilton, Level 1, Deloitte Building, 24 Anzac Parade
PO Box 973, Waikato Mail Centre, Hamilton 3240, New Zealand



www.nzta.govt.nz

From: Northland Planning Development <info@northplanner.co.nz>
Sent: Friday, 1 August 2025 2:13 pm

To: Tayla Cowper <tayla.cowper@nzta.govt.nz>

Subject: RE: Application 2025-0900: 293 Hokianga Harbour Drive, Hokianga

Hi Tayla,

I have attached our draft as to what we have done so far. We are still waiting on some documents and comments in order to finalise the report but thought this may suffice in order for you to provide comments.

If you have any questions please don't hesitate to contact us.

Regards,



Sheryl Hansford

Director / Senior Planner

Offices in Kaitaia & Kerikeri

☎ 09 408 1866 | 📠 021 498 813

Northland Planning & Development 2020 Limited

From: Tayla Cowper <tayla.cowper@nzta.govt.nz>

Sent: Thursday, 31 July 2025 2:33 pm

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

Subject: RE: Application 2025-0900: 293 Hokianga Harbour Drive, Hokianga

Hi Sheryl,

Appreciate you are only in the preliminary stages, I have flicked this to the network and safety team in the meantime.

Would you be able to send the AEE through when you have this?

Many thanks,

Tayla Cowper (she/her)

Intermediate Planner – Waikato/Bay of Plenty

Poutiaki Taiao | Environmental Planning

Email: tayla.cowper@nzta.govt.nz

Phone: 07 834 4684

Waka Kotahi NZ Transport Agency

Hamilton, Level 1, Deloitte Building, 24 Anzac Parade

PO Box 973, Waikato Mail Centre, Hamilton 3240, New Zealand



www.nzta.govt.nz

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

Sent: Tuesday, 22 July 2025 2:42 pm

To: Tayla Cowper <tayla.cowper@nzta.govt.nz>

Subject: RE: Application 2025-0900: 293 Hokianga Harbour Drive, Hokianga

Hi Tayla,

We are only in the preliminary stages of the processing for this application.

I can advise that the site is located in the Coastal Residential Zone of the FNDP and is a Controlled Activity subdivision with no land-use breaches.

Regards,



Sheryl Hansford

Director / Senior Planner

Offices in Kaitia & Kerikeri

☎ 09 408 1866 | 📠 021 498 813

Northland Planning & Development 2020 Limited

From: Tayla Cowper <tayla.cowper@nzta.govt.nz>

Sent: Tuesday, 22 July 2025 7:27 am

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

Subject: Application 2025-0900: 293 Hokianga Harbour Drive, Hokianga

Kia ora Sheryl,

Just touching base regarding the application you sent through for 293 Hokianga Harbour Drive.

Would you be able to please send through the AEE (or draft AEE) for the proposal?

Happy to chat,

Tayla Cowper (she/her)

Intermediate Planner – Waikato/Bay of Plenty

Poutiaki Taiao | Environmental Planning

Email: tayla.cowper@nzta.govt.nz

Phone: 07 834 4684

Waka Kotahi NZ Transport Agency

Hamilton, Level 1, Deloitte Building, 24 Anzac Parade

PO Box 973, Waikato Mail Centre, Hamilton 3240, New Zealand



www.nzta.govt.nz

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

This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient,

you must not peruse, disclose, disseminate, copy or use the message in any way. If you have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by NZ Transport Agency Waka Kotahi for information assurance purposes.

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



Top Energy Limited

Level 2, John Butler Centre
60 Kerikeri Road
P O Box 43
Kerikeri 0245
New Zealand
PH +64 (0)9 401 5440
FAX +64 (0)9 407 0611

3 July 2025

Sheryl Hansford
Northland Planning & Development 2020 Ltd

Email: info@northplanner.co.nz

To Whom It May Concern:

**RE: PROPOSED SUBDIVISION/BOUNDARY ADJUSTMENT
J and J French, 293 Hokianga Harbour Drive, Hokianga. Lot 24 DP 35077.**

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

Top Energy's requirement for this subdivision is that power be made available for the additional lot. Top Energy advises that there is an existing power supply at proposed lot 2. Design and costs to provide a power supply to lot 1 would be provided after application and an on-site survey have been completed.

Link to application: [Top Energy | Top Energy](#)

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

Yours sincerely

Aaron Birt
Planning and Design
T: 09 407 0685
E: aaron.birt@topenergy.co.nz

Chorus New Zealand Limited

03 July 2025

Chorus reference: 11286489

Attention: Sheryl Hansford

Quote: New Property Development

1 connections at Lot: 24, Deposited Plan: 35077, North Auckland

Your project reference: French Subdivision

Thank you for your enquiry about having Chorus network provided for the above development.

Chorus is pleased to advise that, as at the date of this letter, we are able to provide reticulation for this property development based upon the information that has been provided:

Fibre network	\$0.00
---------------	--------

The total contribution we would require from you is **\$0.00 (including GST)**. This fee is a contribution towards the overall cost that Chorus incurs to link your development to our network. This quote is valid for 90 days from 03 July 2025. This quote is conditional on you accepting a New Property Development Contract with us for the above development.

If you choose to have Chorus provide reticulation for your property development, please log back into your account and finalise your details. If there are any changes to the information you have supplied, please amend them online and a new quote will be generated. This quote is based on information given by you and any errors or omissions are your responsibility. We reserve the right to withdraw this quote and requote should we become aware of additional information that would impact the scope of this letter.

Once you would like to proceed with this quote and have confirmed all your details, we will provide you with the full New Property Development Contract, and upon confirmation you have accepted the terms and paid the required contribution, we will start on the design and then build.

For more information on what's involved in getting your development connected, visit our website www.chorus.co.nz/develop-with-chorus

Kind Regards

Chorus New Property Development Team



Northland Planning Development

From: Losaline Finekifolau <Losaline.Finekifolau@fndc.govt.nz>
Sent: Monday, 7 July 2025 9:00 am
To: Northland Planning Development
Subject: RE: Proposed subdivision - 293 Hokianga Harbour Drive, Omapere

Kia ora Alex,

The site is within the area of benefit for all three waters and therefore connection is available.

Ngā mihi



Losaline Finekifolau

Team Leader - Infrastructure Consenting

M 274218114 | P 6494015236 | Losaline.Finekifolau@fndc.govt.nz

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

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029

fndc.govt.nz



From: Northland Planning Development <info@northplanner.co.nz>
Sent: Friday, 4 July 2025 4:31 pm
To: Losaline Finekifolau <Losaline.Finekifolau@fndc.govt.nz>
Subject: Proposed subdivision - 293 Hokianga Harbour Drive, Omapere

CAUTION: This email originated from outside Far North District Council.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon Losaline,

We are preparing an application for the subdivision of 293 Hokianga Harbour Drive, Omapere to create one additional allotment.

Lot 2 will contain the existing dwelling with existing connections and Lot 1 will be vacant.

Can you please advise if there is capacity for Lot 1 to connect to the reticulated services in the area?

The proposed scheme plan is attached.

Thanks in advance.

Kind regards,



Alex Billot

Resource Planner

Offices in Kaitaia & Kerikeri

☎ 09 408 1866

Northland Planning & Development 2020 Limited

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