

# Application for resource consent or fast-track resource consent

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

## 1. Pre-Lodgement Meeting

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

☐ Yes ☒ No

## 2. Type of consent being applied for

(more than one circle can be ticked):

- |   |  |
|---|--|
| <input type="radio"/> Land Use  | <input type="radio"/> Discharge                                      |
| <input type="radio"/> Fast Track Land Use*  | <input checked="" 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<br>(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?

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

## 5. Applicant details

**Name/s:**

Musson Family Trust

**Email:**

**Phone number:**

**Postal address:**

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

**Postcode** 140

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:**

Reyburn and Bryant

**Email:**

**Phone number:**

**Postal address:**

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

**Postcode** 140

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:**

Dennis Brian Musson and Urszula Barbara Musson

**Property address/  
location:**

30 Houhora Heads Road, Pukenui

**Postcode** 484

## 8. Application site details

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

Name/s:

Musson Family Trust

Site address/  
location:

Postcode 484

Legal description:

Val Number:

Certificate of title:

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

### Site visit requirements:

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

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

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

## 9. Description of the proposal

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

To undertake a two lot subdivision of a single title located at 30 Houhora Heads Road, Pukenui

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

## 10. Would you like to request public notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

☐ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard Consent

☐ Other (please specify)

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

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

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

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

☒ Subdividing land

☐ Disturbing, removing or sampling soil

☐ Changing the use of a piece of land

☐ Removing or replacing a fuel storage system

## 13. Assessment of environmental effects:

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

Your AEE is attached to this application ☒ Yes

## 14. Draft conditions:

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

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

## 15. Billing Details:

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

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

Musson Family Trust

**Email:**

**Phone number:**

**Postal address:**

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

Postcode 484

### 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.

## 15. Billing details continued...

### 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)

Denis Brian Musson

**Signature:**

(signature of bill payer)

**Date** 04-Dec-2025

**MANDATORY**

## 16. Important Information:

### Note to applicant

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

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

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

### Fast-track application

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

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

### Privacy Information:

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

## 17. Declaration

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

**Name** (please write in full)

Joseph Henehan

**Signature**

**Date** 04-Dec-2025

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

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

## 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.

Application for subdivision consent and  
Section 221 approval

## **MUSSON FAMILY TRUST**

30 Houhora Heads Road, Pukenui

A faint, light-colored topographic map with contour lines is visible in the bottom right corner of the page, serving as a background for the logo.

**reyburn  
& bryant**

PLANNERS • SURVEYORS

# Application for subdivision consent and Section 221 approval

## MUSSON FAMILY TRUST

30 Houhora Heads Road, Pukenui

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Report prepared for:	Musson Family Trust
Author	Joseph Henehan, <i>Associate</i>
Reviewed by:	Brett Hood, <i>Director</i>
Consent Authority:	Far North District Council
Report reference:	18518
Report Status:	Final
Date:	December 2025

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## FORM 9

### APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

To: Far North District Council

Private Bag 752,

Kaikohe 0440

1. The Musson Family Trust applies for the resource consent described in section 4 of this report.
2. The activity to which the application relates is a two lot subdivision of a site at 30 Houhora Heads Road, Pukenui.
3. The applicants are the owners and occupiers of the land to which the application relates.
4. The location of the proposed activities is as follows:
  - 30 Houhora Heads Road, Pukenui
  - Lot 4 DP 530683
5. Approval is sought under Section 221 of the Resource Management Act 1991 (RMA) for the cancellation of two existing consent notices on the site's title.
6. We attach an assessment of effects on the environment that:
  - (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
  - (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and

(c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

7. We attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.
8. We attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including information required by clause 2(2) of Schedule 4 of that Act.

Included is a checklist of relevant Schedule 4 matters.

9. No other information is required to be included in the district or regional plan(s) or regulations.

10.



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Joseph Henehan

4 December 2025

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Date

Address for service:

Reyburn and Bryant 1999 Ltd

PO Box 191, Whangarei

Telephone:

(09) 438 3563

Email:

joseph@reyburnandbryant.co.nz

Contact person:

Joseph Henehan

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5. Submission on Proposed District Plan
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## ABBREVIATIONS

AEE	Assessment of Environmental Effects
CLZ	Coastal Living Zone
FNDC	Far North District Council
FNDP	Far North District Plan
HAIL	Hazardous Activities and Industries List
LUC	Land Use Capability
NES-FW	National Environmental Standard – Freshwater
NES-SC	National Environmental Standard – Soil Contamination
NPS-HPL	National Policy Statement for Highly Productive Land
NPS-IB	National Policy Statement for Indigenous Biodiversity
RLZ	Rural Lifestyle Zone
PRP	Proposed Regional Plan
RMA	Resource Management Act, 1991
RPS	Regional Policy Statement for Northland
RT	Record of title
VCE	Vision Consulting Engineers

# 1. INTRODUCTION

## 1.1 Report basis

This report has been prepared for the Musson Family Trust in support of a resource consent application to undertake a two lot subdivision of a single title located at 30 Houhora Heads Road, Pukenui.

The application has been prepared in accordance with Section 88 and the Fourth Schedule of the Resource Management Act, 1991 (RMA). Section 88 of the RMA requires that resource consent applications be accompanied by an Assessment of Environmental Effects (AEE) in accordance with the Fourth Schedule.

The report also includes an analysis of the relevant provisions of the district, regional and national planning documents that are pertinent to the assessment and decision required under s104 of the RMA.

## 1.2 Proposal summary

This application proposes to undertake a two lot subdivision of a single title located at 30 Houhora Heads Road, Pukenui.

The site is held in a single record of title referenced RT 864007 and comprises an area of 8,704m<sup>2</sup>.

Under the Operative Far North District Plan (OFNDP), the site is located in the Coastal Living Zone (CLZ) and is not subject to any resource areas.

Under the Proposed Far North District Plan (PFNDP), the site is proposed to be located in the Rural Lifestyle Zone (RLZ). Eastern parts of the sites are identified as being subject to 10 and 100 year River Flood Hazard Areas.

The subdivision defaults to a non-complying activity under Rule 13.11 due to it not complying with the minimum lot sizes set out for controlled and discretionary activity subdivision in Table 13.7.2.1 in the OFNDP.

### 1.3 Property details

Applicants	Musson Family Trust
Landowners	Denis Brian Musson Urszula Barbara Musson
Site Location	30 Houhora Heads Road, Pukenui
Legal Description	Lot 4 DP 530683
Record of Title	RT 864007
Site Area	8,704m <sup>2</sup>
Operative District Plan	Far North District Plan
Operative District Plan Zoning	Coastal Living Zone
Operative District Plan Resource Areas	N/A
Proposed District Plan	Proposed Far North District Plan
Proposed District Plan Zoning	Rural Lifestyle Zone
Proposed District Plan Resource Areas	10 and 100 year River Flood Hazard Areas

Table 1: Property Details.

### 1.4 Far North District Plan rule assessment

The proposed subdivision does not comply with the requirements for a controlled, restricted discretionary or discretionary activity subdivision in the Coastal Living Zone of the FNDP. As such, the proposed subdivision requires resource consent as a non-complying activity under **Rule 13.11(a)** of the FNDP.

### 1.5 Relevant title memorials

The site is contained in a single record of title, referenced RT 864007. The site is subject to the following memorials:

- 492093.1 – Private land covenant of no relevance to this subdivision.
- B362665.5 – Appurtenant hereto is a drainage right allowing stormwater from this site to be discharged over adjoining land.



- 10657321.2 and 11423778.4 – Consent notices containing several advisory engineering clauses which need to be complied with at building consent stage. As outlined in section 1.5 below, these consent notices are proposed to be cancelled and replaced by new conditions relating to the recommendations of the Vision Consulting Engineers (VCE) report attached in **Appendix 3**.

Copies of the record of title and memorials are attached at **Appendix 1**.

## **1.6 Other approvals required**

As outlined in section 1.4 above, approval is being sought under Section 221 of the Resource Management Act 1991 (RMA) for the cancellation of two existing consent notices on the site's title, identified as 10657321.2 and 11423778.4. These consent notices currently contain a number of advisory engineering and servicing clauses that are required to be met at the building consent stage for future residential development on the subject site.

Upon completion of the proposed subdivision, the existing consent notices will no longer be relevant. Instead, a new consent notice will be registered on the titles, specifically referring to the engineering report submitted with this subdivision consent application. This approach ensures that only conditions relevant to the new lots created by the subdivision are reflected on the title.

Replacing the outdated consent notices with a single, up-to-date notice provides a clearer and more efficient process at future development stage. It eliminates the need for multiple notices that may contain overlapping or similar requirements, thereby streamlining compliance and title administration for future owners.

## **1.7 Processing requests**

Prior to the issue of any decision for this consent, please arrange to forward the draft conditions for our review and comment.

## 2. THE SITE AND SURROUNDING ENVIRONMENT

### 2.1 Site description

#### Address and location

The subject site ('the site') is located at 30 Houhora Heads Road, Pukenui. The site is legally described as Lot 4 DP 530683 and is held in a single record of title referenced RT 864007. It comprises an area of 8,704m<sup>2</sup> and is shown in **Figure 1** below:



*Figure 1: Location map (Source: FNDC GIS).*

#### Relevant planning notations

Under the OFNDP, the site is located in the Coastal Living Zone (CLZ) and is not subject to any resource areas.

Under the PFNDP, the site is proposed to be located in the RLZ. Eastern parts of the sites are identified as being subject to 10 and 100 year River Flood Hazard Areas.

It is noted that the applicant has lodged a submission on the PFNDP, requesting that their land (and other surrounding areas) be rezoned Settlement Zone. This submission was recently heard at the PFNDP rezoning hearings, and a decision is still pending. A copy of the submission is attached in **Appendix 5**.

### Built development and access

The site is currently occupied by an existing legally established residential unit and sheds. The buildings on the property are accessed from Houhora Heads Road via an existing formed vehicle crossing and private driveway. See **Figure 2** below:



*Figure 2: Existing built form and access (Source: Google Streetview)*

### Topography

The subject site is essentially flat. There are some localised undulations, primarily around the small watercourse that traverses along the eastern boundary of the site.

### Vegetative cover

Beyond the existing built form and associated curtilage areas, the site is primarily grassed. There are scattered areas of mixed vegetation, which is primarily located along property boundaries on the eastern side of Houhora Heads Road and along the road boundaries and around the small watercourses on the western side of Houhora Heads Road.

### Archaeological sites

The site is free of recorded archaeological sites. The Far North District Council ("FNDC") 'historic sites' GIS shows that there is one recorded site located near the western boundary of the title located on the western side of Houhora Heads Road (NAI32C/87). See **Figure 3** below:

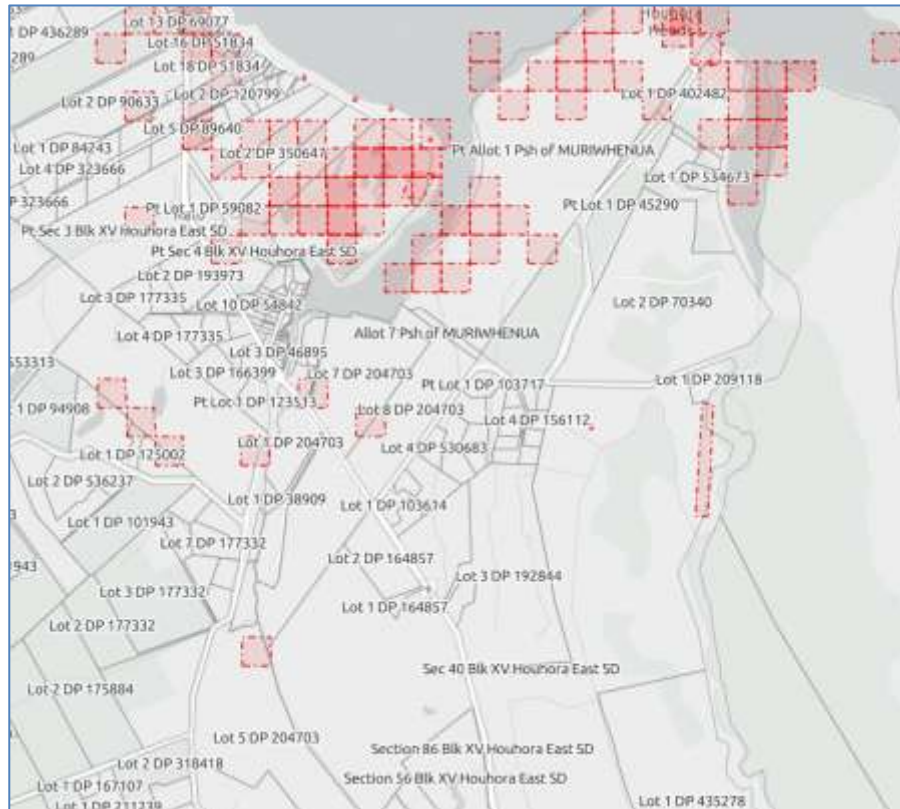


Figure 3: Archaeological sites (Source: FNDC GIS)

### Soil composition

Landcare Research have mapped the site as being underlain by Ruakaka peaty sandy loam being soils of the coastal sand dune complex, imperfectly to very poorly drained, Te Kopuru sand being soils of the coastal sand dune complex, imperfectly to very poorly drained, and the Tangitiki sandy loam and sand being soils of the coastal sand dune complex, well to moderately well drained.

The 1:250,000 geological map, Geology of the Kaitaia Area (Isaac et al, 1996), indicates that the property is underlain by the Karioitahi Group, comprising

uncemented to moderately cemented and partly consolidated sand in coastal foredunes, clay-rich sandy soils.

#### Land use capability

The property is identified as containing Land Use Capability Class class 4w3 soils, whilst a small part of the western portion of the site is classified 4s5. An extract from the NZLRIS soil type maps pertaining to the subject land is provided in **Figure 4** below:

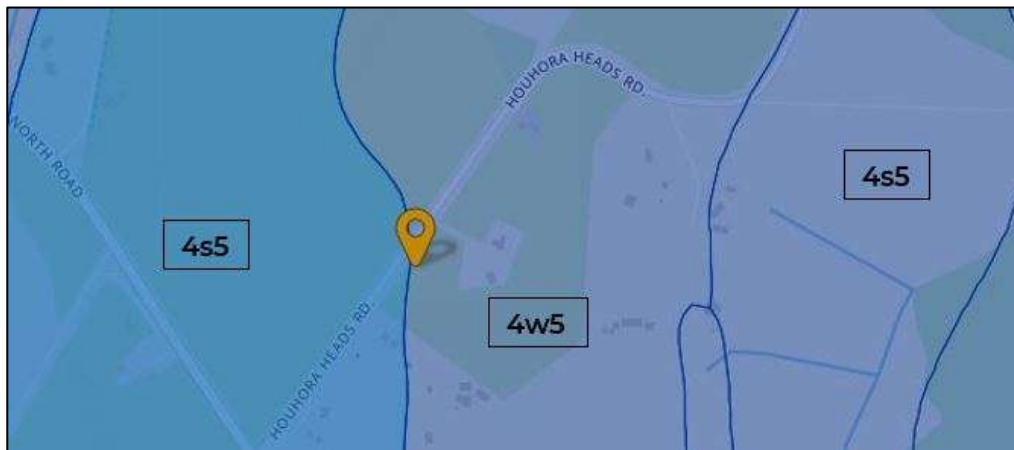


Figure 4: Soil Land Use Capability (Source: NZLRIS)

Having considered the above, the land is not classified as Highly Productive Land under the National Policy Statement for Highly Productive Land.

## 2.2 Surrounding environment

The site is located within a distinct cluster of rural-residential allotments. See the area outlined in blue in **Figure 5** below:





Figure 5: Map showing residential cluster and lot sizes (Source: Grip)

There are 21 rural-residential properties within this cluster ranging in size from approximately 4,090m<sup>2</sup> to 2.1854ha, with an average lot size of 6,051m<sup>2</sup>. Dwellings are an expected feature within the surrounding landscape.

To the west are two clusters residential/rural residential development, Raio and Pukenui. These clusters are separated from one another by Rural Lifestyle zoned land. Further west and south, and across the Houhora Harbour to the east, the land is zoned 'Rural Production'.

## 3. THE PROPOSAL

### 3.1 General

The proposal is to undertake a two lot subdivision of a single title located at 30 Houhora Heads Road, Pukenui.

The proposed lot configuration is depicted on the subdivision scheme plan attached in **Appendix 2** and is summarised as follows:

*Table 2: Proposed lots*

Lot number	Area
1	3,885m <sup>2</sup>
2	5.2745ha

*Note – Areas are approximate and subject to survey.*

### 3.2 Access

Access to the proposed lots will be provided as follows:

- Lot 1 contains the existing dwelling and will continue to be accessed via the existing vehicle crossing and driveway extending directly from Houhora Heads Road. No changes to this crossing are proposed.
- Lot 2 will be accessed via a new crossing constructed at building consent stage in accordance with the FNDC Engineering Standards.

Conditions of consent are anticipated requiring the above work to be completed at the appropriate stage.

### 3.3 Building site suitability

In this case, proposed Lot 1 will contain an existing residential unit.

The VCE site suitability report (attached in **Appendix 3**) identifies a building site on Lot 2 that is suitable for development. Their report includes a set of recommendations that relate to earthworks and foundation design, specifically noting that due to the shallow nature of soils above the underlying

basalt level, fill will be required at building consent stage to achieve a flat building platform. Subject to compliance with the recommendations of their report, VCE conclude that:

- The land in respect of which a consent is sought, or any structure on the land, is not or is not likely to be subject to material damage by subsidence or slippage from any source; and
- Any subsequent use that is likely to be made of the land is not likely to accelerate, worsen, or result in material damage on the land, other lands, or structure by subsidence or slippage from any source.

It is anticipated that the recommendations of the VCE report will be encapsulated within the conditions of this subdivision consent.

### **3.4 Earthworks**

Due to the flat nature of the site, only minimal earthworks will be required to achieve a flat building platform and compliant access. These works will comply with the relevant requirements of both the District Plan and the Proposed Regional Plan (PRP) and will be undertaken by the future landowners of each site as part of the works required to give effect to their building consent.

### **3.5 Water supply**

There are no changes proposed to the existing water supply arrangements associated with the existing residential unit located on Lot 1 (stage 1).

Lot 2 will be provided with an on-site water potable supply at building consent stage. Fire fighting water supplies will also be provided on these allotments in accordance with the Fire and Emergency NZ (FENZ) Fire Fighting Water Supplies Code of Practice SNZ:PAS 4509:2008 or as otherwise agreed to by FENZ.

### **3.6 Wastewater management**

There are no changes proposed to the existing wastewater disposal arrangements associated with the existing residential unit located on Lot 1. A condition is expected requiring confirmation that the existing wastewater



disposal field is wholly contained within the site boundaries. If not, these systems will need to be decommissioned and relocated where necessary.

The VCE subdivision suitability report (attached in **Appendix 3**) addresses the management of wastewater on Lot 2. VCE recommend the use of a secondary treatment system. A potential location for the disposal field has been identified on the plan provided in Appendix A of the VCE report, and as shown in **Figure 6** below:



Figure 6: Building site and effluent field locations (Source: VCE report)

It is anticipated that the recommendations of the VCE report will be incorporated within the conditions of the subdivision consent.

### 3.7 Stormwater management

There are no changes proposed to the existing stormwater disposal arrangements associated with the existing residential unit located on Lot 1.

Stormwater generated from impervious services on Lot 2 over and above the permitted coverage of 10% (Rules 10.7.5.1.6 and 10.7.5.4.2) will need to be collected and attenuated in accordance with the FNDC Engineering Standards.

### 3.8 Electricity

Both sites have existing power connections. Easements will be created and shown on the plan were necessary to the satisfaction of Top Energy.

### 3.9 Telecommunications

Lot 1 will retain its existing connections.

Lots 2 will not be provided with new hard wired telecommunication connections. Instead, the site has sufficient wireless reception to enable alternative modes of telecommunications to be provided to the site, see **Figure 7** below:

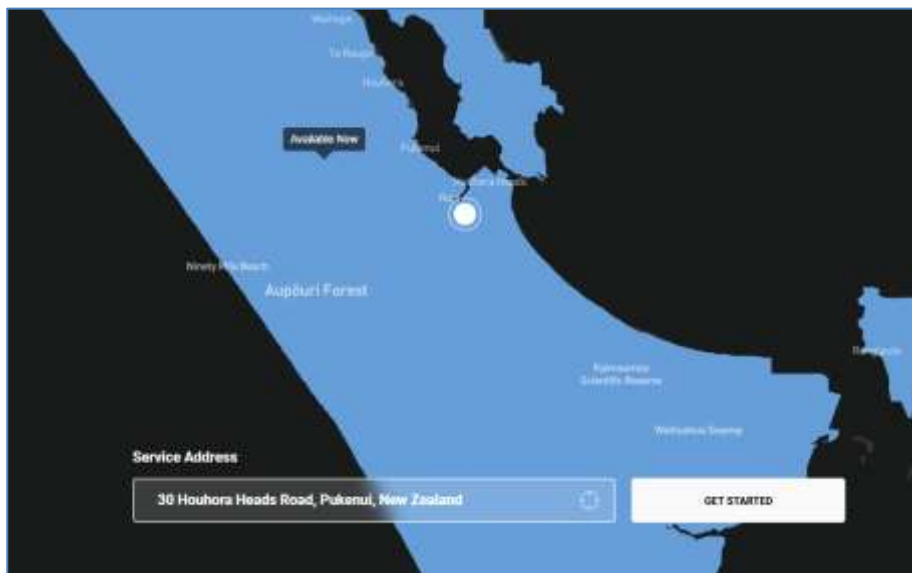


Figure 7: Starlink availability map

### 3.10 Archaeology

As addressed in Section 2.1 of this report, the site does not contain any known archaeological sites. Notwithstanding this, given the presence of archaeological sites in surrounding areas, compliance with the accidental discovery protocol will be adhered to at all times during construction. A condition of consent is proposed requiring this.

## 4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

### 4.1 Existing environment

Section 104(1)(a) requires a consideration of any actual and potential effects on the environment of allowing an activity. For the purposes of this consideration, it is necessary to establish the correct environment on which the effects are to be assessed. The existing state of the environment has been outlined in section 2.2 of this report. For clarity, this includes:

- The existing title arrangement and the associated built development, access and servicing arrangements.
- The existing pattern of subdivision, development, and land use, which all contribute to the residential character that characterises the surrounding environment. This development pattern is demonstrated in **Figure 5** of this report. It is noted that the site is surrounded by rural-residential properties ranging in size from 4,090m<sup>2</sup> to 2.1854ha, with an average lot size of 6,051m<sup>2</sup>.

We are not aware of any unimplemented resource consents in the vicinity of the sites that would influence the existing environment.

Overall, the above forms the environment against which the effects of the proposal must be assessed.

### 4.2 Permitted baseline

Section 104(2) of the RMA allows a consent authority to disregard an adverse effect of an activity on the environment if a plan (the FNDP in this instance) permits an activity with that effect. This is commonly referred to as the permitted baseline.

In this case, given the non-complying nature of this subdivision, and the fact that permitted built form in the Coastal Living Zone is limited buildings under 50m<sup>2</sup> in size, there is no permitted baseline of relevance to the subdivision itself.

### 4.3 Positive effects (housing supply)

The Far North District faces a significant housing affordability challenge. Local real estate advice (refer to the two letters attached in **Appendix 6**) confirms that only five vacant sections are currently available in the Pukenui/Houhora area, with supply constrained by limited residential zoning and long-term land retention by local families. Demand remains strong among both permanent and seasonal residents, reinforcing the need to unlock more land for residential development. This subdivision responds directly to this advice, and positive effects will be generated as a result.

### 4.4 Effects on coastal character and landscape values

In the context of this application and the existing environment (as described in section 5.1 above), the site and its surrounds have experienced significant modification over time. Historic production activities, coupled with more recent and extensive rural-residential development, have resulted in a marked reduction of both coastal and natural character values within the subject site and the wider locality. Despite the site's inclusion within the Coastal Living Zone, the prevailing environment is no longer typified by unmodified coastal values, as evidenced by the established pattern of rural-residential clusters in the vicinity (see **Figure 5**).

Importantly, the subject site does not provide any direct visual or physical connection to the coastal environment. There are no views to the coast from the property, with the nearest marine environments – Houhora Harbour and Doubtless Bay – located approximately 1km and 1.7km away respectively. This physical separation, combined with intervening development and vegetation, further diminishes any tangible coastal influence on the subject land.

The proposed subdivision is for a limited number of lots and is consistent with the surrounding pattern of development, as outlined in the preceding sections. The proposal will not introduce new forms of land use that are out of character with the established rural-residential context. Rather, it represents a logical

and modest intensification within an area already identified for such development. The subdivision layout has been carefully considered to ensure that any new development will be well integrated into the existing environment, with building platforms positioned to minimise potential visual effects and maintain the sense of openness that characterises the locality.

On balance, and when considering the highly modified nature of the site and its surrounds, the absence of any direct coastal interface, and the clear community need for additional housing, it is concluded that the proposed subdivision will result in less than minor adverse effects on landscape and character values.

## 4.5 Visual effects

The site currently displays a rural-residential character and is located in an environment where this form of development is commonplace. As noted previously in this application, the site is surrounded by rural-residential properties ranging in size from approximately 4,090m<sup>2</sup> to 2.1854ha (see **Figure 5** in section 2.2). The proposed subdivision (comprising two lots with an average size of 4,352m<sup>2</sup>) generally aligns with the expected development density for the area, ensuring consistency with the prevailing character and not representing significant over-intensification.

It is also important to note that dwellings are an established and expected feature of the surrounding landscape. The subdivision's lot sizes and configuration are entirely in keeping with the local context, mirroring the existing pattern of development and maintaining the sense of openness that defines the area. This careful alignment with the existing rural-residential character demonstrates that the subdivision will not introduce any 'out of place' built form or detract from the established character values

It is noted that there is a dwelling on the site located immediately to the south of the subject site with potential views towards the proposed building site (22 Houhora Heads Road – Lot 4 DP 618948). These views are demonstrated in **Figure 6** below:



In recognition of potential visual effects, consultation has been undertaken with the owners/occupiers of this property. They have provided their written approval which is attached in **Appendix 4**.

Any views of the proposed building site on Lot 2 from other adjoining properties to the north or east are either screened via existing built form on the subject site or vegetation on adjoining properties, or, are from a distance that ensures that effects are less than minor overall.

Taking into account the above, any visual effects of the subdivision on the wider environment will be less than minor overall. Any effects on directly adjacent parties can either be disregarded, due to written approvals having been obtained, or are considered to be less than minor overall.

#### **4.6 Reverse sensitivity effects**

Considering the existing pattern of development and land use associated with the surrounding environment (see **Figure 5**), the proposal will not result in the introduction of incompatible land use activities nor adversely affect the productive character of the surrounding environment.

The proposal is to undertake an infill type subdivision in a location where development of this type is expected. Assuming compliance with this proposed condition of consent, any proposed reverse sensitivity effects will be less than minor.

#### **4.7 Cumulative effects**

There will be no adverse cumulative effects arising from the subdivision because the 'existing environment' has the capacity to accommodate (absorb) additional built form, and because the subdivision design will ensure that the subdivision compliments the existing development and landscape patterns in this locality. In particular, the subdivision seeks to avoid cumulative effects by ensuring that the proposed allotments are consolidated within a cluster of existing residential allotments. This will ensure that the additional development facilitated by this subdivision will not tip the balance of development in this area and will not result in cumulative effects.

Overall, the cumulative effects of the subdivision will be less than minor.

#### **4.8 Traffic effects**

The proposed access arrangement is described in detail in section 3.2 of this report. As the proposed access arrangement complies with the applicable standards set out in the District Plan and the FNDC Engineering Standards 2009, no adverse effects are anticipated.

In addition to the above, traffic from one additional household is unlikely to result in any measurable or considerable effects on nearby transport networks. The subdivision therefore maintains the safety and function of the local road network,

Overall, the traffic-related effects of this proposal will be less than minor.

## **4.9 Effects on cultural values**

In this case, the site does not contain any identified archaeological sites. Also, it is an infill type subdivision proposed in a location where development of this type is expected. Therefore, no cultural effects are anticipated.

## **4.10 Stormwater effects**

VCE have undertaken a stormwater management assessment. The proposed solution is set out in their report attached at **Appendix 3**. VCE have concluded that conventional stormwater attenuation in accordance with the FNDC Engineering Standards recommended for any impervious surfaces over 10% of the site area.

Assuming compliance with the recommended measures, any adverse effects will be less than minor overall.

## **4.11 Earthworks effects**

As addressed in Section 3.4 of this report, only minimal earthworks will be required to achieve a flat building platform and compliant access. These works will comply with the relevant requirements of both the District Plan and the Proposed Regional Plan (PRP) and will be undertaken by the future landowners of each site as part of the works required to give effect to their building consent.

Therefore, any effects arising from the disturbance of the soil will be less than minor and appropriately mitigated through good practice and stormwater management.

## **4.12 Overall effects**

Overall and on balance, the adverse associated with this subdivision will be less than minor and no parties are considered to be adversely affected.



## 5. PLANNING ASSESSMENT

### 5.1 Key objectives and policies – Far North District Plan

#### Context

The objectives and policies that are relevant to this application are contained in Chapter 10 'Coastal Living Zone' and Chapter 13 'Subdivision' of the FNDP. It is noted that there are three predominant themes that run throughout the objectives and policies – managing effects associated with rural residential development; preserving natural character; and ensuring that subdivision and development is appropriately serviced.

The relevant objectives and policies have been grouped under these headings below, with a series of comments summarising the assessment of the proposal in the context of those objectives and policies.

#### Assessment

##### Avoiding adverse effects associated with rural residential development

*Objective 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 wellbeing of people and communities.*

*Objective 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.*

*10.7.3.1 To provide for the well being of people by enabling low density residential development to locate in coastal areas where any adverse effects on the environment of such development are able to be avoided, remedied or mitigated.*

*10.7.4.1 That the adverse effects of subdivision, use, and development on the coastal environment are avoided, remedied or mitigated.*

*10.7.4.2 That standards be set to ensure that subdivision, use or development provides adequate infrastructure and services and maintains and enhances amenity values and the quality of the environment.*

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

- (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
- (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;
- (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.

**Assessment:**

The proposal responds directly to, and is supported by, Policy 10.7.4.3a, as it proposes to cluster/group development within an area where there is already a high level of rural residential development, ensuring that it does not impact on natural character and ecosystems. The proposal is to undertake infill subdivision in a location development like this is common/expected – the subdivision will not cause residential sprawl onto existing farmland and/or to areas close to the coast.

The proposal also aligns with Objectives 13.3.1, 13.3.2 13.4.1 as it creates low-density lots that respect the zone's purpose and existing rural character of the surrounding environment. Specific characteristics of the subdivision such as clustering the lots within an established enclave and limited earthworks and vegetation removal ensure environmental effects are minimal. The new

building area is grouped near the existing house and sheds to minimise spread, aligning with policies that protect natural character.

Visual effects are assessed in section 4.5 of this report to be less than minor overall, apart from the effects on 22 Houhora Heads Road (Lot 4 DP 618948) which can be disregarded due to written approvals having been obtained. Existing vegetation in the surrounding environment and structures on the subject site provide screening from other properties in the surrounding area.

With regards to 10.7.4.2, access complies with Council standards, and traffic from one additional household is unlikely to result in any measurable or considerable amenity effects.

Compatibility with surrounding land uses are maintained. The subdivision fits the established rural-residential pattern, introduces no conflicting activities, and maintains generous open space. Overall, the proposal achieves plan objectives by enabling appropriate coastal living while protecting and improving natural and amenity values.

Overall, the proposal supports rural-residential living while protecting environmental and amenity values, ensuring that it is not contrary with the above mentioned objectives and policies.

#### Preserving natural character

*10.7.3.2 To preserve the overall natural character of the coastal environment by providing for an appropriate level of subdivision and development in this zone.*

*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.*

*Policy 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.*

**Assessment:**

The proposed subdivision preserves the natural coastal character and protects landscape values, consistent with 10.7.3.2, 13.4.1 and 13.4.13. As mentioned throughout this report, development is proposed to be clustered within an existing enclave of development, on already modified land, avoiding sensitive features and maintaining the coastal setting.

In addition to the above, also relevant is the fact that no views of the coast can be obtained from the subject site. The land is located approximately 1km from the Houhora Harbour to the north and 1.7km from Doubtless Bay to the east.

Overall, the proposal is not contrary with the above mentioned objectives and policies relating to the preservation of natural character.

### Servicing

*Objective 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.*

*Objective 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.*

*Objective 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.*

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

### Assessment:

The subdivision will be fully serviced to meet council standards, ensuring sustainability and self-sufficiency in line with Objectives 13.3.5, 13.3.8 and Policy 13.4.8. Each lot will have a reliable water supply through rainwater collection and storage, electricity connection, and on-site systems for wastewater and stormwater management. These measures will be established at building consent stage, and will avoid adverse environmental effects. The sites have existing power connections, and telecommunications can be obtained through wireless services such as cellular or satellite, which are common in rural areas.

Consent notices will secure compliance with servicing requirements, including water storage, wastewater system specifications, and building platform conditions. As addressed in section 1.6 of this report, outdated consent notices will be replaced with updated obligations, giving clarity to future owners and council.

In terms of access, Lot 1 retains its existing driveway, and Lot 2 will be provided with a compliant vehicle crossing to FNDC standards at building consent stage. Traffic from one additional household is unlikely to result in any measurable or considerable effects on nearby transport networks. The subdivision maintains the safety and function of the local road network, consistent with sustainable management objectives

Overall, the subdivision imposes no burden on council infrastructure and aligns with sustainable management principles. By addressing water, wastewater, stormwater, power, and access at the design stage, the proposal meets all servicing objectives and policies, ensuring the lots are safe, functional, and environmentally responsible.

### Conclusion

Having considered the above, the proposed subdivision is not contrary to the relevant objectives and policies of the FNDCP.

## **5.2 Objectives and policies assessment – Proposed Far North District Plan**

The following PDP objectives and policies are particularly relevant to this proposal:

*RLZ-01 The Rural Lifestyle zone is used predominantly for low density residential activities and small scale farming activities that are compatible with the rural character and amenity of the zone.*

*RLZ-02 The predominant character and amenity of the Rural Lifestyle zone is characterised by:*

- a. low density residential activities;*
- b. small scale farming activities with limited buildings and structures;*
- c. smaller lot sizes than anticipated in the Rural Production Zone;*
- d. a general absence of urban infrastructure;*
- e. rural roads with low traffic volumes;*
- f. areas of vegetation, natural features and open space.*

*RLZ-03*

*The role, function and predominant character and amenity of the Rural Lifestyle zone is not compromised by incompatible activities.*

*RLZ-O4*

*Land use and subdivision in the Rural Lifestyle zone does not compromise the effective and efficient operation of primary production activities in the adjacent Rural Production Zones.*

*RLZ-P1*

*Enable activities that will not compromise the role, function and predominant character and amenity of the Rural Lifestyle zone, while ensuring their design, scale and intensity is appropriate to manage adverse effects in the zone, including:*

- a. low density residential activities;*
- b. small scale farming activities;*
- c. home business activities;*
- d. visitor accommodation; and*
- e. small scale education facilities.*

*RLZ-P2*

*Avoid activities that are incompatible with the role, function and predominant character and amenity of the Rural Lifestyle zone because they are:*

- a. contrary to the density anticipated for the Rural Lifestyle zone;*
- b. predominately of an urban form or character;*
- c. primary production activities, such as intensive indoor primary production, that generate adverse amenity effects that are incompatible with rural lifestyle living; or*
- d. commercial, rural industry or industrial activities that are more appropriately located in a Settlement zone or an urban zone.*

*RLZ-P3*

*Avoid where possible, or otherwise mitigate, reverse sensitivity effects from sensitive and other non-productive activities on primary production activities in the adjacent Rural Production zone.*

*RLZ-P4*

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

- a. consistency with the scale and character of the rural lifestyle environment;*
- b. location, scale and design of buildings or structures;*
- c. at zone interfaces:*
- d. any setbacks, fencing, screening or landscaping required to address potential conflicts;*

- e. *the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;*
- f. *the capacity of the site to cater for on-site infrastructure associated with the proposed activity;*
- g. *the adequacy of roading infrastructure to service the proposed activity;*
- h. *managing natural hazards;*
- i. *any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and*
- j. *any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

### Assessment

It has been determined that the proposal would be a non-complying activity if the provisions of this zone were to have legal effect. The subdivision is not contrary to the objectives and policies of the RLZ Chapter as it will ensure that there is an attractive balance between areas of low density of residential development and natural character. Both of these features characterise vernacular of the surrounding area.

Notwithstanding the assessment provided above, the PDP is still in a relatively early stage of the plan change process, with a large number of submissions having been received on a wide range of topics (including the RLZ provisions). As addressed earlier in this report, the applicant has lodged a submission on the PFNDP, requesting that their land (and other surrounding areas) be rezoned Settlement Zone. This submission was recently heard at the PFNDP rezoning hearings, and a decision is still pending. A copy of the submission is attached in **Appendix 5**. Given the wide-ranging nature of some of these submissions, as well as the fact that there is a submission on this particular site that seeks upzoning relief, little weight should be applied to the provisions of the PDP at this stage.

## **5.3 District Plan integrity and precedent**

When dealing with non-complying activities, the Environment Court has identified a need for there to be distinguishing characteristics associated with



a site and proposal to justify an approval. In this regard, the sites and proposal display a distinctive combination of characteristics that differentiates it from other land and applications in the surrounding environment. Specifically, the site is located within a distinct cluster of rural residential lots, where lots of sizes similar to what are proposed by this application are common. Adding to this, the overall character values of the site and surrounding area have historically been degraded through ongoing production activities, and more recently, through extensive rural-residential development. Dwellings are therefore an expected feature within the surrounding landscape, and the proposed subdivision will be entirely in accordance with the expected development type of this particular locality.

The above points justify the deviation away from the subdivision rules outlined for the Coastal Living Zone in the FNDP. The fact that the subdivision is consistent with the objectives and policies of the operative and proposed FNDP adds further weight to the granting of consent in this instance.

#### **5.4 s104D – “Gateway” tests**

In accordance with the conclusions reached in section 4 of this report, any adverse effects associated with the proposed subdivision will be less than minor. Accordingly, the proposal passes the gateway test outlined in s104D(1)(a) of the RMA.

In accordance with sections 5.1 and 5.2 of this report, the proposal does not compromise any of the environmental outcomes sought by the relevant objectives and policies of the operative and proposed FNDP. The proposal therefore passes the gateway test under s104D(1)(b) of the RMA.

#### **5.5 Regional Policy Statement for Northland**

The RPS addresses the sustainable management of natural and physical resources across Northland. The document became operative on 9 May 2016.

The RPS maps identify the outstanding and notable landscapes in the region, as well as the extent of the coastal environment. An excerpt of the maps pertaining to this site is provided in **Figure 8** below:



Figure 8: RPS maps (Source: NRC GIS)

This map shows that the subject site is not located in any of these areas. The proposal therefore sits comfortably within the overarching policy framework of the RPS.

## **5.6 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health**

All applications that involve subdivision, an activity that changes the use of a piece of land, or earthworks are subject to the provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011. The regulation sets out the requirements for considering the potential for soil contamination, based on the

HAIL (Hazardous Activities and Industries List) and the risk that this may pose to human health as a result of the proposed subdivision.

While the proposal involves subdividing the subject sites (an activity listed in subclause 5(5) of the NES-SC requirements), the subject sites do not currently accommodate a HAIL activity, while there is no evidence to suggest that a HAIL activity has ever been undertaken on the site. In this regard, prior to rural residential subdivision, the sites were historically utilised for rural purposes (as confirmed through an analysis of available aerial photography) and, to the best of our knowledge, has never been utilised for a HAIL activity. This is also the applicants understanding. Consequently, the subject site is not a HAIL site, and no further investigation or assessment is required under the NES-SC regulations.

## **5.7 National Environmental Standard for Freshwater**

The NES-F sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Anyone carrying out these activities will need to comply with the standards stipulated within this document.

Of particular relevance to this subdivision are the provisions relating to activities being undertaken in close proximity to wetlands. An assessment has been undertaken of the site, and it is confirmed that there are no wetlands within 100m of the site that would result in the need for resource consent approval under this NES. The NES-F therefore has no relevance to this proposal.

## **5.8 Part 2 assessment (RMA)**

An assessment of Part 2 matters is not required unless there are issues of invalidity, incomplete coverage, or uncertainty in the planning provisions.<sup>1</sup> In this case, there is no invalidity, incomplete coverage, or uncertainty amongst the various documents. In that regard, no assessment of the application is

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<sup>1</sup> *R J Davidson Family Trust the Marlborough District Council* [2018] NZCA 316

required under Part 2. However, for completeness, the proposal accords with the purpose of the RMA for the following reasons:

1. The proposal enables the efficient use of resources by allowing land to be subdivided developed and utilised in accordance with the existing and emerging pattern of development associated with the surrounding environment; and
2. The proposal is consistent with the existing amenity, character, and landscape values associated with the subject sites and surrounding environment; and
3. The proposal will not increase the risk associated with any natural hazards; and
4. There are no risks to human health associated with the subdivision.

Accordingly, the proposal does not compromise the purpose of the RMA.

## 6. NOTIFICATION

### 6.1 Public notification

Pursuant to sections 95A and 95B of the RMA, Section 6 of this report concludes that any adverse effects associated with the proposed subdivision will be no more than minor. Furthermore, there are no special circumstances associated with the application, the applicant has not requested notification, and there is no rule or national environmental standard that requires notification of this application.

### 6.2 Limited notification

Pursuant s95E(1) of the RMA, for the purpose of giving limited notification of an application for a resource consent for an activity to a person under section 95B(9), a person is an affected person if the consent authority decides that the adverse effects of an activity on the person are minor or more than minor (but are not less than minor).

In this case, any actual or potential adverse environmental effects on adjoining parties will be less than minor (or can be disregarded due to the written approval of directly affected parties having been obtained). Therefore, limited notification is not required.

### 6.3 Conclusion

Having considered the above, the proposal can proceed on a non-notified basis.

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## 7. CONCLUSION

This application seeks resource consent approval from the FNDC to undertake a two lot subdivision of a single title located at 30 Houhora Heads Road, Pukenui.

As outlined in section 4 of this report, any actual or potential adverse environmental effects associated with the proposal will be less than minor (or can be disregarded due to the written approval of directly affected parties having been obtained). There are also no physical or practical constraints to the effective functioning of the proposal. Accordingly, appropriate regard has been given to s104(1)(a), and the proposal passes the gateway test outlined in s104D(1)(a) of the RMA.

As per sections 5.1 and 5.2 of this report, the proposal is also not contrary with the policy direction of both the operative and proposed FNDP. The proposal is also consistent with the purpose and principles of the RMA as per section 5.8, and the RPS, NES-SC and the NES-FW as per sections 5.3–5.7. Accordingly, appropriate regard has been given to s104(1)(b)(i), and s104(1)(b)(vi) of the RMA, and the proposal passes the gateway test outlined in section 104D(1)(b) of the RMA.

Having regard to all of the relevant matters in s104(1) and s104D of the RMA, the proposal can be approved subject to appropriate conditions of consent.

# **APPENDIX 1**

## **RECORD OF TITLE AND RELEVANT INSTRUMENTS**

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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **864007**  
**Land Registration District** **North Auckland**  
**Date Issued** 20 June 2019

**Prior References**  
756898

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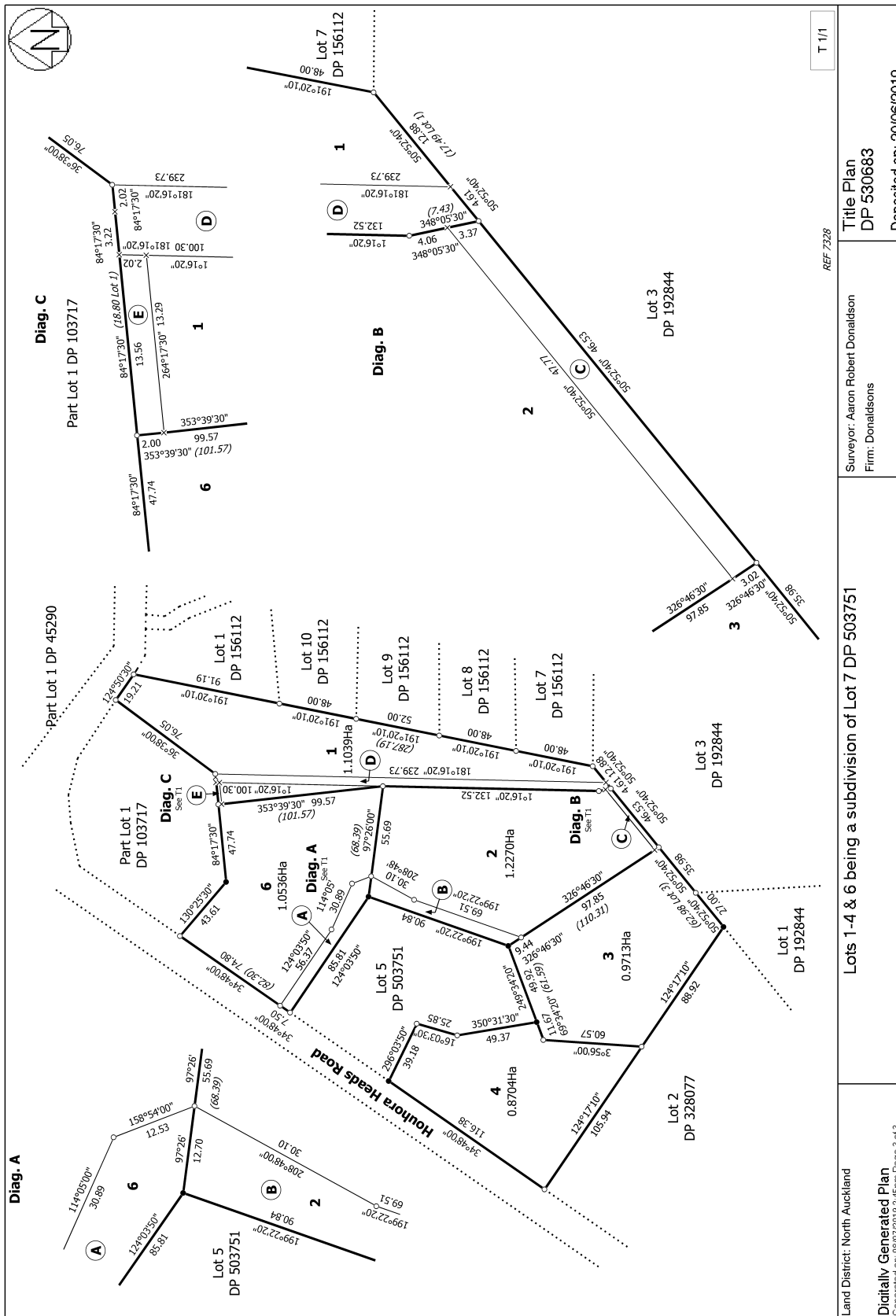
**Estate** Fee Simple  
**Area** 8704 square metres more or less  
**Legal Description** Lot 4 Deposited Plan 530683  
**Registered Owners**  
Urszula Barbara Musson and Denis Brian Musson

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**Interests**

Subject to Section 59 Land Act 1948  
Land Covenant in Transfer 492093.1 - 6.4.1979 at 9:00 am  
Appurtenant hereto is a drainage right specified in Easement Certificate B362665.5 - 20.8.1979 at 9.00 am  
10657321.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 20.12.2016 at 2:46 pm  
11423778.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 20.6.2019 at 12:19 pm  
11819616.1 Mortgage to ASB Bank Limited - 12.8.2020 at 3:08 pm





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*N.B. On no account should this margin be used.*

*N.B. On no account should this margin be used*

AND WHEREAS by Agreement in writing bearing date the 19th day of September 1978 the Transferor agreed to sell the abovedescribed land to JAMES ROBERT WEST of Houhora, Agricultural Contractor and JENNY MERCIA WEST his wife (hereinafter called "the Transferees") for the consideration hereinafter appearing and the Transferees agreed to purchase the same and to enter into the covenants on the part of the Transferees hereinafter contained.

1

shall enure for the benefit of the land described in the First Schedule hereto and every part thereof PROVIDED ALWAYS that the Transferees shall as regards the said stipulations and restrictions be liable only in respect of breach thereof which shall occur while they or either of them shall be the registered proprietor of the abovedescribed land or any part thereof in respect of which any such breach shall occur AND THE TRANSFEREES FURTHER COVENANT that they will not call upon the Transferor to pay for or contribute towards the cost of erection or maintenance of any dividing or boundary fence between the above described land and the adjoining land described in the First Schedule hereto owned by the Transferor, provided that this covenant shall not enure to the benefit of any purchaser or of any subsequent registered proprietor of such adjoining land

N.B. On no account should this margin be used

*L S.P. Declarations filed*

*4/10/78 - Nos. 28335A*

~~IN CONSIDERATION OF the sum of~~

~~paid to~~

~~by~~

*4 28335B*

N.B. On no account should this margin be used

~~the receipt of which sum~~

~~hereby acknowledge~~

~~DO~~

~~HEREBY TRANSFER to the said~~

~~all~~

~~estate and interest in the said piece~~

~~of land~~

#### THE FIRST SCHEDULE

That parcel of land containing 4.0317 hectares more or less being lot 2 on Deposited Plan 83511 in Block XV Houhora East Survey District and being all of the land comprised and described in Certificate of Title 39D/1013 (North Auckland Registry).

#### THE SECOND SCHEDULE

That they or the registered proprietor or proprietors for the time being shall not use the said land or permit or suffer it to be used or any part thereof for a hotel, motel or camping ground or other similar use without the prior consent in writing of the Transferor or the registered proprietor or proprietors for the time being of the land described in the First Schedule hereto.

Deposited 28335 A

STATUTORY DECLARATION TO BE MADE WHERE  
PURCHASER IS AN INDIVIDUAL

4.10.78 Form 1

IN THE MATTER of the Land Settlement Promotion and Land Acquisition Act 1952 (hereinafter referred to as the Act) and

IN THE MATTER of, an Agreement for Sale and Purchase

dated the 19th day of September 1978  
from HOUHORA CHALETS LIMITED as Vendor (or Lessor)  
to JAMES ROBERT WEST and JENNY MERCIA WEST

as Purchaser (or Lessee)

affecting all that parcel of land containing 7.1602 hectares more or less  
being Lot 1 Deposited Plan 83511 in Block XV Houhora East Survey  
District and

being all/part of the land comprised and described in certificate of title, Volume 39D  
folio 1012 (North Auckland Land Registry).

I, JENNY MERCIA WEST of Houhora, Married Woman

solemnly and sincerely declare:

1. I am <sup>one of</sup> the purchaser ~~(or lessee)~~ above-named of the land above described
2. I have entered into the transaction solely on my behalf as the person beneficially entitled thereunder.
3. I do not own, lease, hold, or occupy in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as defined in the Act, outside a city or borough or town district, and I have no estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.

4. ~~I am unmarried~~

My wife ~~(or husband)~~ does not own, lease, hold, or occupy in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, and ~~she (or he)~~ has no estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.

5. No company of which I or my wife ~~(or husband)~~ is a member, the members of which are less than 10 in number, owns, leases, holds, or occupies in fee simple or under any tenure of more than 1 year's duration either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, or has any estate or interest, whether legal or equitable and whether vested or contingent, under any trust or will, in any such farm land.

6. I have attained the age of 17 years. ~~(Or Neither my father nor my mother owns, leases, holds, or occupies in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, or has any estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land).~~

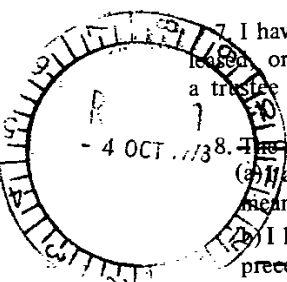
7. I have not since the passing of the Act (namely, the 16th day of October 1952) transferred, granted, leased, or otherwise disposed of any estate or interest in farm land, as so defined, to any person as a trustee for any person or created any trust in respect of any estate or interest in any such farm land.

8. ~~The transaction is subject to Part IIA of this Act and~~

~~(a) I am a British subject, but not a New Zealand citizen (or, I am a British protected person within the meaning of the British Nationality and New Zealand Citizenship Act 1948); and~~

~~(b) I have resided in New Zealand for not less than 2½ years during the period of 3 years immediately preceding the date of the transaction, and intend to continue to reside permanently in New Zealand.~~

SL1



9. The transaction is not subject to Part IIA of the Act because—

~~The transaction does not relate to any land of any of the classes described in paragraph (f) of subsection (1) of section 35B of the said Act (as substituted by section 2 of Land Settlement Promotion and Land Acquisition Amendment Act 1969).~~

~~Or~~ I am a New Zealand citizen, and so declare because—

~~(a) Immediately before the date of commencement of the British Nationality and New Zealand Citizenship Act 1948 I was a British subject, and I was born within the territories comprised at the commencement of that Act in New Zealand and would have been a New Zealand citizen if section 6 of that Act had been in force at the time of my birth (or I was ordinarily resident in New Zealand at the commencement of that Act and had been so resident throughout the period of 12 months immediately preceding the commencement of that Act).~~

~~(b) I am a person naturalised in New Zealand.~~

~~(c) I am registered as a New Zealand citizen.~~

(d) I am a New Zealand citizen by birth.

(e) I am a New Zealand citizen by descent.

~~(f) I am the wife of—~~  
who is qualified as a New Zealand citizen as set out in paragraph

above.

g)

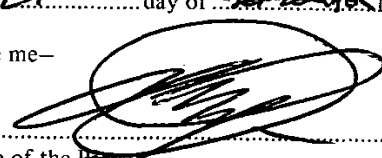
~~I am the purchaser (lessee) as trustee under the following trust and every beneficiary under the trust is a New Zealand citizen (or every beneficiary under the trust who is an individual is a New Zealand citizen and no beneficiary under the trust that is a body corporate is an overseas corporation as defined in section 35A of the Act).~~

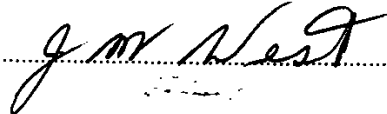
And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

DECLARED at KAITIA

this 27 day of Sept 1978.

before me—

  
Justice of the Peace  
Solicitor of the Supreme Court  
other person authorised to take and receive statutory declarations



NOTE—1. Where both Parts II and IIA of the Act apply to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 to 8 of this form.

2. Where only Part II of the Act applies to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 to 7 and paragraph 9 of this form.

3. Where only Part IIA of the Act applies to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 and 8 of this form.

4. Where the declaration is made for the purposes of section 35D of the Act, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 and 9 of this form.

5. Where Part II only or both Parts II and IIA of the Act apply to the transaction, and the purchaser or lessee is a trustee then, under section 24 (1) (a) of the Act the consent of the Court is required and this form is not applicable.

6. Section 2 (1) of the Act contains the following definitions:

“Farm land” means land that, in the opinion of the Land Valuation Committee, or, as the case may be, of the Land Valuation Court, is or should be used exclusively or principally for agricultural purposes:

Provided that, where land that is being used exclusively or principally for agricultural purposes could, in the opinion of the Committee or, as the case may be, of the Court, be used with greater advantage to the community generally for non-agricultural purposes, it shall for the purposes of this Act be deemed not to be farm land.

“Agricultural purposes” has a meaning corresponding to the term “agriculture”, which for the purposes of this definition means the cultivation of the soil for the production of food products and other useful products of the soil, and includes the use of land for horticultural or pastoral purposes, or for the keeping of pigs, bees, or poultry.

7. The classes of land described in paragraph (f) of section 35B (1) of the Act are as follows:

a) Any land of 1 acre or over in area which under any operative regional planning scheme or proposed or operative district scheme under the Town and Country Planning Act 1953, is designated or zoned as a reserve, or as a public park, or for recreation purposes, or as private open space, or for preservation as a place of or containing an object of historical or scientific interest or natural beauty, or any proposed such purpose.

(b) Any land of 5 acres or over in area which under any such proposed or operative district scheme is zoned for rural purposes or is so zoned that farming of any kind is a predominant or conditional use in that zone.

(c) Any land of 1 acre or over in area which is not included in any proposed or operative district scheme provided and maintained by any Council or other local authority under that Act.

(d) Any land being or forming part of any island (except the North Island and the South Island) which is less than 100 miles from the nearest part of the coast of the North Island or of the South Island.

(e) Any land being or forming part of any island of the Chatham Islands.

Deposited 28335 0


STATUTORY DECLARATION TO BE MADE WHERE  
PURCHASER IS AN INDIVIDUAL

Form 1

U. 10.78

IN THE MATTER of the Land Settlement Promotion and Land Acquisition Act 1952 (hereinafter referred to as the Act) and

IN THE MATTER of an Agreement for Sale and Purchase

 dated the 19<sup>th</sup> day of SEPTEMBER 1978  
from HOUHORA CHALETS LIMITED as Vendor (or Lessor)

to JAMES ROBERT WEST and JENNY MERCIA WEST

as Purchaser (or Lessee)

affecting all that parcel of land containing 7.1602 hectares more or less  
being Lot 1 Deposited Plan 83511 in Block XV Houhora East Survey  
District and

being all ~~part~~ of the land comprised and described in certificate of title, Volume 39D  
folio 1012 ( North Auckland Land Registry).

I, JAMES ROBERT WEST of Houhora, Agricultural Contractor

solemnly and sincerely declare:

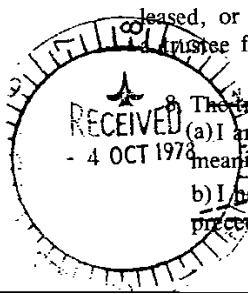
1. I am ~~one of the purchasers (or lessee)~~ above-named of the land above described
2. I have entered into the transaction solely on my behalf as the person beneficially entitled thereunder.
3. I do not own, lease, hold, or occupy in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as defined in the Act, outside a city or borough or town district, and I have no estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.
4. ~~I am unmarried~~  
~~or~~  
My wife (~~or husband~~) does not own, lease, hold, or occupy in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, and she (~~or he~~) has no estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.
5. No company of which I or my wife (~~or husband~~) is a member, the members of which are less than 10 in number, owns, leases, holds, or occupies in fee simple or under any tenure of more than 1 year's duration either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, or has any estate or interest, whether legal or equitable and whether vested or contingent, under any trust or will, in any such farm land.
6. I have attained the age of 17 years. ~~(Or Neither my father nor my mother owns, leases, holds, or occupies in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, or has any estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land).~~

7. I have not since the passing of the Act (namely, the 16th day of October 1952) transferred, granted, leased, or otherwise disposed of any estate or interest in farm land, as so defined, to any person as trustee for any person or created any trust in respect of any estate or interest in any such farm land.

8. The transaction is subject to Part IIA of this Act and  
(a) I am a British subject, but ~~not a New Zealand citizen~~ (or, I am a British protected person within the meaning of the British Nationality and New Zealand Citizenship Act 1948); and  
b) I have resided in New Zealand for not less than 2½ years during the period of 3 years immediately preceding the date of the transaction, and intend to continue to reside permanently in New Zealand.

SL1

WEST  
J.R.



9. The transaction is not subject to Part IIA of the Act because—

~~The transaction does not relate to any land of any of the classes described in paragraph (f) of subsection (1) of section 35B of the said Act (as substituted by section 2 of Land Settlement Promotion and Land Acquisition Amendment Act 1969).~~

~~Or I am a New Zealand citizen, and so declare because—~~

~~(a) Immediately before the date of commencement of the British Nationality and New Zealand Citizenship Act 1948 I was a British subject, and I was born within the territories comprised at the commencement of that Act in New Zealand and would have been a New Zealand citizen if section 6 of that Act had been in force at the time of my birth (or I was ordinarily resident in New Zealand at the commencement of that Act and had been so resident throughout the period of 12 months immediately preceding the commencement of that Act);—~~

~~(b) I am a person naturalised in New Zealand.~~

~~(c) I am registered as a New Zealand citizen.~~

~~(d) I am a New Zealand citizen by birth.~~

~~(e) I am a New Zealand citizen by descent.~~

~~(f) I am the wife of —  
who is qualified as a New Zealand citizen as set out in paragraph —~~

~~g)~~

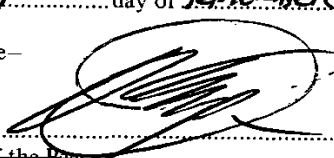
~~I am the purchaser (lessee) as trustee under the following trust  
and every beneficiary under the trust is a New Zealand citizen (or every beneficiary under the trust who is an individual is a New Zealand citizen and no beneficiary under the trust that is a body corporate is an overseas corporation as defined in section 35A of the Act).~~

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

DECLARED at KAITAIA

this 27<sup>th</sup> day of Sept 1978.

before me—

  
Justice of the Peace

Solicitor of the Supreme Court

~~other person authorised to take and receive statutory declarations~~

NOTE—1. Where both Parts II and IIA of the Act apply to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 to 8 of this form.

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4. Where the declaration is made for the purposes of section 35D of the Act, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 and 9 of this form.

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Provided that, where land that is being used exclusively or principally for agricultural purposes could, in the opinion of the Committee or, as the case may be, of the Court, be used with greater advantage to the community generally for non-agricultural purposes, it shall for the purposes of this Act be deemed not to be farm land.

“Agricultural purposes” has a meaning corresponding to the term “agriculture”, which for the purposes of this definition means the cultivation of the soil for the production of food products and other useful products of the soil, and includes the use of land for horticultural or pastoral purposes, or for the keeping of pigs, bees, or poultry.

7. The classes of land described in paragraph (f) of section 35B (1) of the Act are as follows:

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(b) Any land of 5 acres or over in area which under any such proposed or operative district scheme is zoned for rural purposes or is so zoned that farming of any kind is a predominant or conditional use in that zone.

(c) Any land of 1 acre or over in area which is not included in any proposed or operative district scheme provided and maintained by any Council or other local authority under that Act.

(d) Any land being or forming part of any island (except the North Island and the South Island) which is less than 100 miles from the nearest part of the coast of the North Island or of the South Island.

(e) Any land being or forming part of any island of the Chatham Islands.

# Fountain, Manning & Harborne

BARRISTERS AND SOLICITORS

David Robin Fountain, LL.B.  
Russell Howard Manning, LL.B.  
Kevin Wayne Harborne, LL.B. (Hons.)

Telephone 683 (3 lines)

P.O. Box 43, Kaitia

Attend KAEO Thursdays (phone 20)  
Attend MANGONUI Mondays (phone 281)

61 Commerce Street  
KAITIA, N.Z.

2nd October 1978

The District Land Registrar,  
Land & Deeds Office,  
Private Bag,  
AUCKLAND



Dear Sir,

re: J.R. & J.M. West - L.S.P. Declarations re Purchase of 7.1602 hectares  
being Lot 1 D.P. 83511.

Please find enclosed for depositing :

- (1) Statutory Declaration by J.R. West (in duplicate) as one of the purchasers and
- (2) Statutory Declaration by J.M. West (in duplicate) as the other purchaser.

Both declarations are of course pursuant to the Land Settlement Promotion and Land Acquisition Act and we would be pleased if you could deposit the same and return the duplicate copies of each declaration duly noted with the date and number of deposit, together with the duplicate copy of this letter.

Yours faithfully,  
FOUNTAIN, MANNING & HARBORNE

per: 

R.H. MANNING  
RHM:C

E  
NCL.



N.B. On no account should this margin be used

IN WITNESS WHEREOF these presents have been executed this 20<sup>th</sup> day of December 1978.  
THE COMMON SEAL of  
Signed by the abovenamed  
HOUHORA CHALETS LIMITED

as transferor in the presence of:

~~Witness's Signature~~

Occupation

Address

B.R. Browne

Director

G.J. Browne

Director/Secretary



SIGNED by the abovenamed  
JAMES ROBERT WEST and  
JENNY MERCIA WEST as Transferees  
in the presence of .

J.R. West  
J.M. West

Solicitor  
KAITIA

N.B. On no account should this margin be used

**MEMORANDUM OF  
TRANSFER** of freehold  
C.T. 39D/1012 (North Auckland Registry)

of

HOUHORA CHALETS LTD...... Transferor

J.R. & J.M. WEST..... Transferee

Transfer correct for the purposes of the Land  
Transfer Act

(Solicitor for) the transferee

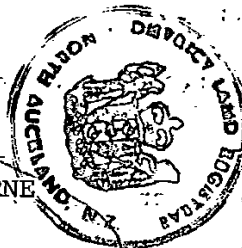
I hereby certify that this transaction does not  
contravene the provisions of Part IIIA of the  
Land Settlement Promotion and Land Acquisition  
Act 1952.

(Solicitor for) the transferee

Particulars entered in the Register as shown in  
the schedule of land herein on the date and at  
the time stamped below.

District Land Registrar  
Assistant  
of the District of

FOUNTAIN, MANNING & HARBORNE  
SOLICITORS,  
KAITAIA



APR 6 9 00 AM '79

DISTRICT LAND REGISTRY  
AUCKLAND

492093  
397/1012

N.B. On no account should this margin be used

N.B. On no account should this margin be used



# View Instrument Details

<b>Instrument No</b>	10657321.2
<b>Status</b>	Registered
<b>Date &amp; Time Lodged</b>	20 December 2016 14:46
<b>Lodged By</b>	Tecson, Abigail Ruth Cea
<b>Instrument Type</b>	Consent Notice under s221(4)(a) Resource Management Act 1991



---

<b>Affected Computer Registers</b>	<b>Land District</b>
756898	North Auckland

---

**Annexure Schedule:** Contains 3 Pages.

---

## Signature

Signed by Jay Woong Park as Territorial Authority Representative on 20/12/2016 02:43 PM

\*\*\* End of Report \*\*\*



Far North  
District Council

Private Bag 752, Manurewa Ave

Kaitiaki 0410, New Zealand

Freephone: 0800 920 029

Phone: (09) 401 5200

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: www.fndc.govt.nz

*Te Kaitiaki o Tei Tokerau Ki Te Raki*

*Our big place where people  
work in law, work and more.*

## THE RESOURCE MANAGEMENT ACT 1991

### SECTION 221: CONSENT NOTICE

#### REGARDING RC 2170075

Being the Subdivision of PT Lot 1 DP 83511 BLK XV Houhora SD  
North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

### SCHEDULE

- (i) In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report shall be prepared generally in accordance with the Engineers Report on Suitability of Site for Subdivision prepared by Haigh Workman and dated 30/05/2007. It shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan Permitted Activity Standards.
- (ii) Electricity supply is not a condition of this consent and power has not been reticulated to the boundary of the lot. The lot owner is responsible for the provision of a power supply to operate the on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate.





Far North  
District Council

Private Bag 752, Manukau Ave  
Ridgside 1440, New Zealand  
Freephone 0800 926 029  
Phone: (09) 401 5200  
Fax: (09) 401 2137  
Email: [fnk.nk@fnk.govt.nz](mailto:fnk.nk@fnk.govt.nz)  
Website: [www.fnk.govt.nz](http://www.fnk.govt.nz)

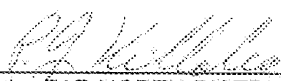
*Te Kaitiaki o Tai Tokerau Ki Te Raki*

*The Council whose name  
means in Maori: North and South*

- (iii) In conjunction with the construction of a dwelling or building the lot owner shall submit for the approval of Council design and details of stormwater flow attenuation from the site to dispose of all storm water originating from roofs, paved surfaces and tank overflow in accordance with the recommendation contained in the Engineers Report prepared by Haigh Workman Civil and Structural Engineers and dated 30/05/2007, by piping to, and discharged into, shallow vegetated swale drains and into existing drains located within the lot.
- (iv) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.

[Lot 7]

SIGNED:

  
By the FAR NORTH DISTRICT COUNCIL  
Under delegated authority;  
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 11<sup>th</sup> day of November 2016



ANNEXURE SCHEDULE - CONSENT FORM<sup>1</sup>

## Land Transfer Act 1952 section 238(2)

<b>Person giving consent</b> <i>Surname must be underlined</i> <b>AMP Home Loans Limited</b>	<b>Capacity and Interest of Person giving consent</b> <i>(eg. Mortgagee under Mortgage no.)</i> <b>Mortgagee under Mortgage no 5900322.3</b>
--	--

**Consent**  
*Delete words in [ ] if inconsistent with the consent*  
*State full details of the matter for which consent is required*


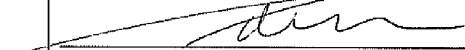
[Without prejudice to the rights and powers existing under the interest of the person giving consent,]

the Person giving consent hereby consents to:

Deposit of Survey Plan LT 503751  
 Subsequent Subdivision of property in accordance with this Survey Plan  
 Lodgement of Consent Notices subject to Resource Consent Number: 2170075-RMASUB

Dated this 13<sup>th</sup> day of DECEMBER 2016

**Attestation**

 <b>AMP Home Loans Limited</b> <b>By its Authorised Signatory</b>	<b>Signed in my presence by the Person giving consent</b>  <b>Signature of Witness</b> <i>Witness to complete in BLOCK letters (unless legibly printed):</i> <b>Witness name</b> <u>JILLIAN RAMSEY</u> <b>Occupation</b> <u>BANK OFFICER</u> <b>Address</b> <u>HASTINGS</u>
	<b>Signature [Common seal] of Person giving consent</b>

<sup>1</sup> An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed.

# View Instrument Details



**Instrument No** 11423778.4  
**Status** Registered  
**Date & Time Lodged** 20 June 2019 12:19  
**Lodged By** Hall, John Stewart Te Harinui  
**Instrument Type** Consent Notice under s221(4)(a) Resource Management Act 1991



---

Affected Records of Title	Land District
864004	North Auckland
864005	North Auckland
864006	North Auckland
864007	North Auckland
864008	North Auckland

---

**Annexure Schedule:** Contains 2 Pages.

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## Signature

Signed by John Stewart Te Harinui Hall as Territorial Authority Representative on 14/06/2019 05:02 PM

\*\*\* End of Report \*\*\*



Private Bag 752, Memorial Ave  
Naiakohe 0440, New Zealand  
Freephone: 0800 920 029  
Phone: (09) 401 5700  
Fax: (09) 401 2137  
Email: [info@fncc.govt.nz](mailto:info@fncc.govt.nz)  
Website: [www.fncc.govt.nz](http://www.fncc.govt.nz)

*Te Kaunihera o Tai Tokerau Ki Te Raki*

## **THE RESOURCE MANAGEMENT ACT 1991**

### **SECTION 221: CONSENT NOTICE**

#### **REGARDING RC2170075**

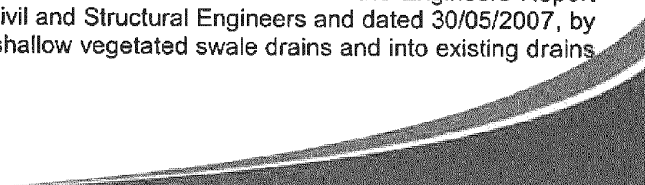
Being the Subdivision of PT LOT 1 DP 83511 BLK XV HOUHORA EAST SD  
North Auckland Registry

**PURSUANT** to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

### **SCHEDULE**

#### **LOTS 1, 2, 3, 4 and 6 DP 530683**

- (i) In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report shall be prepared generally in accordance with the Engineers Report on Suitability of Site for Subdivision prepared by Haigh Workman and dated 30/05/2007. It shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan Permitted Activity Standards.
- (ii) Electricity supply is not a condition of this consent and power has not been reticulated to the boundary of the lot. The lot owner is responsible for the provision of a power supply to operate the on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate.
- (iii) In conjunction with the construction of a dwelling or building the lot owner shall submit for the approval of Council design and details of stormwater flow attenuation from the site to dispose of all storm water origination from roofs, paved surfaces and tank overflow in accordance with the recommendation contained in the Engineers Report prepared by Haigh Workman Civil and Structural Engineers and dated 30/05/2007, by piping to, and discharged into shallow vegetated swale drains and into existing drains located within the lot.







People Bag 752, Alexander Ave  
Whangarei 0140, New Zealand  
Freephone: 0800 920 029  
Phone: (09) 401 5700  
Fax: (09) 401 2137  
Email: [ask@fnhc.govt.nz](mailto:ask@fnhc.govt.nz)  
Website: [www.fnhc.govt.nz](http://www.fnhc.govt.nz)


*Te Kauhahara o Tai Tokerau Ki Te Raki*

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

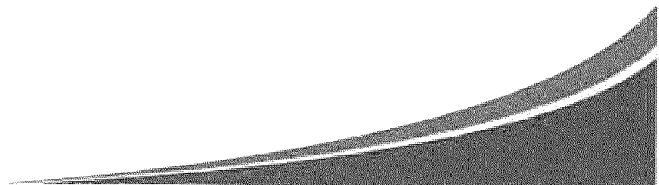
**LOT 1 DP 530683**

- (v) All buildings will require foundations specifically designed by a Chartered Professional Engineer in accordance with design parameters specified by a suitably qualified Geotechnical engineer. The foundation design details shall be submitted in conjunction with the Building Consent application.

SIGNED:

 Mr Patrick John Killalea - Authorised Officer  
By the FAR NORTH DISTRICT COUNCIL  
Under delegated authority:  
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 15<sup>th</sup> day of February 2019



# **APPENDIX 2**

## **SUBDIVISION SCHEME PLAN**

---



- CAUTION:**
- THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
  - AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
  - THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN.
  - SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
  - DO NOT SCALE OFF DRAWINGS.
  - THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
  - DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
  - 03m 2023-2024 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD INFORMATION AVAILABLE ON LINZ DATA SERVICE.
  - BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

LOT 2  
BUILDING COVERAGE - 296m<sup>2</sup> / 4.41%  
IMPERMEABLE SURFACE COVERAGE - 781m<sup>2</sup> / 11.64%

LAND COVENANT IN TRANSFER #492093.1 TO REMAIN

TOTAL TITLE AREA: 8704m<sup>2</sup>  
COMPRIED IN: RT 864007(ALL)  
THIS SITE IS ZONED ' COASTAL LIVING ' AND THE BUILDING SETBACKS ARE THUS: 3m FROM ALL BOUNDARIES.

C	14.11.25	ADDED IMPERVIOUS AREAS & LINEWORK - JBH/AA
B	19.08.25	BOUNDARY AMENDMENTS - JBH/KM
A	24.06.25	FIRST ISSUE - JBH/AA
REV	DATE	DESCRIPTION
REF. DATA:		

Ph: 09 438 3563      PO Box 191, Whangarei 0140

7 Selwyn Ave, Whangarei      [www.reyburnandbryant.co.nz](http://www.reyburnandbryant.co.nz)

CLIENT

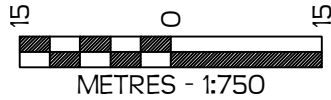
MUSSON  
30 HOUHORA HEADS ROAD,  
PUKENUI

TITLE

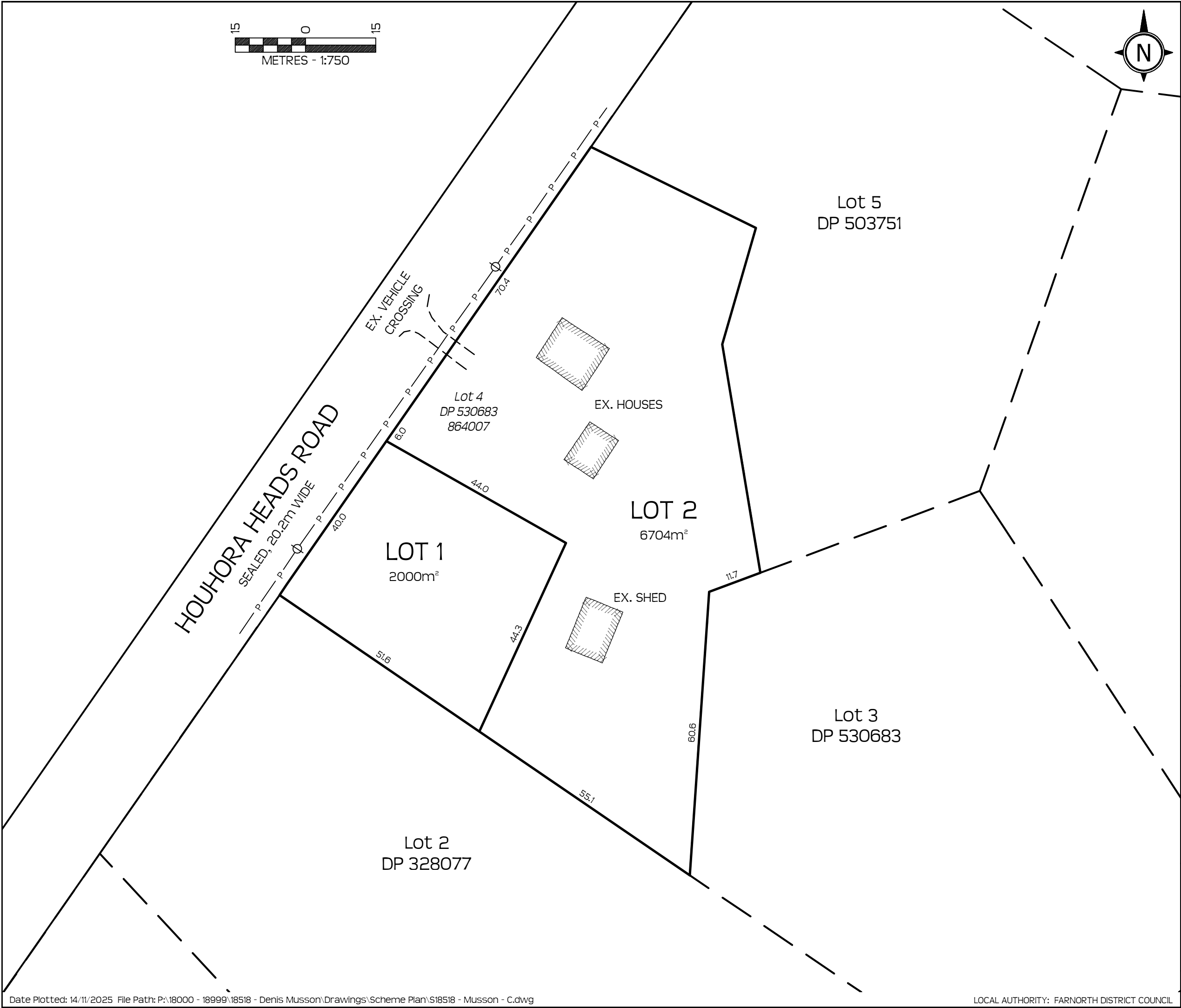
PROPOSED SUBDIVISION OF  
LOT 4 DP 530683

DATE	NOV 2025	SCALE	1:750 @A3
DRAWING REF.	S18518	SHEET	01 OF 01
		REV	C





- CAUTION:**
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Ph: 09 438 3563      PO Box 191, Whangarei 0140  
7 Selwyn Ave, Whangarei      [www.reyburnandbryant.co.nz](http://www.reyburnandbryant.co.nz)

CLIENT

MUSSON  
30 HOUHORA HEADS ROAD,  
PUKENUI

TITLE

PROPOSED SUBDIVISION OF  
LOT 4 DP 530683

DATE	NOV 2025	SCALE	1:750 @A3
DRAWING REF.	S18518	SHEET	01 OF 01
REV	C		

## **APPENDIX 3**

### **SITE SUITABILITY ASSESSMENT [VISION CONSULTING ENGINEERS]**

---



## SITE SUITABILITY REPORT

# Proposed Lot 1, 30 Houhora Heads Road, Pukenui

*Prepared for*



Denis Musson

26/09/2025

Report Information Summary	
Job no.	J15918
Report Author	Siddhesh Wagh
Report Reviewer	Dan Simmonds
Version No.	1
Status	Final
Date	26/09/2025

Version No.	Date	Description
1	26/09/2025	Final issued to client.

#### Document Acceptance

Action	Name	Signed	Date
Author	Siddhesh Wagh	 Graduate Engineer, M.Constr.(QS) (Dist.), BE(Hons) (Civil)	26/09/2025
Reviewer	Dan Simmonds	 Senior Engineer, MIEAust CPEng, CMEngNZ	26/09/2025

#### Limitations

This report has been prepared by Vision Consulting Engineers Limited (VISION) based on the scope of our engagement. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. VISION does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by VISION for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.

The nature and continuity of the subsurface materials are inferred and it must be appreciated that actual conditions could vary from that described herein.



Vision Consulting Engineers Ltd  
Level 1, 62 Kerikeri Road, Kerikeri 0230  
P: 09 401 6287 E: info@vce.co.nz

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Appendix B Onsite Wastewater Logs  
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Table 3. Site Evaluation  
Table 4. Summary of land application area

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Figure 1. Site Location Plan  
Figure 2. Site Topography



## 1 Introduction

Vision Consulting Engineers Limited (VISION) was engaged by Denis Musson to provide a site suitability report to accompany a Resource Consent application to the Far North District Council (FNDC) for the proposed subdivision of 30 Houhora Heads Road, Pukenui, Lot 4 DP 530683. It is proposed to subdivide the land into 2 lots, refer to the attached Reyburn & Bryant proposed subdivision plan included in Appendix A.

VISION's engagement is to investigate and report on proposed Lot 1.

## 2 Scope of Work

### 2.1 Objective

The project objectives are to provide a site suitability report for proposed Lot 1, presenting our assessment addressing natural hazards, earthworks, vehicle access, stormwater, wastewater, and water supply (firefighting).

### 2.2 Scope and Exclusions

The following scope of work is proposed:

- Familiarisation with the subdivision scheme plan provided by the client
- Desk Study: Review published and unpublished information about the site
- Site walkover assessment
- Feasibility of on-site wastewater assessment
  - Intrusive testing to confirm soil type (1 hand auger borehole to a maximum depth of 1.2m and 1 falling head test)
  - Assessment of environmental site constraints and applicable systems
  - Concept design to prove feasibility (analysis field logs, calculations, design)
- Assess natural hazards, earthworks, vehicle access, stormwater, wastewater, and water supply (firefighting)
- Preparation of Site Suitability Report

## 3 Industry Guidance

This report has been prepared in general accordance with the requirements of the Far North District Council (FNDC Engineering Standards & Guidelines 2004 - Revised March 2009 and with reference to the District Plan; Section 106 of the Resource Management Act (RMA).

## 4 Site Description & Desk Study

### 4.1 Existing Site and Walkover Observations

The proposed subdivision is located at 30 Houhora Heads Road, Pukenui, being Lot 4 Deposited Plan 530683, and covers an area of 8,704m<sup>2</sup>. The site is located at an elevation of 5m to 7m, One Tree Point Datum (m OTP). The site is bounded by Houhora Heads Road to the north-west and coastal living lots in all other directions. The approximate location of the site is presented below in Figure 1.



The property is currently occupied by an existing dwelling, a small garage with a sleepout, a shed, water tanks, driveway access for the dwelling, carparking areas, an on-site wastewater system, and a disposal field. Access from Houhora Heads Road is via an unsealed vehicle crossing. The driveway begins with a gravel (unsealed) surface before transitioning to a concrete driveway leading to the dwelling and garage. The property is flat to gently sloping to the east and is covered in grass and bare sand with mature trees and bush running along the south-western boundary and a portion of the north-eastern boundary. A tributary of the Ariawa Stream runs along the eastern boundary and flows from south to north. An open drain is present near the north-western property boundary that runs approximately parallel to Houhora Heads Road.

Proposed Lot 2 contains the existing structures, driveway and parking areas. The lot is flat to gently sloping towards the east, with ground cover consisting of grass, areas of bare sand, and mature trees and bush along the north-eastern boundaries.

Proposed Lot 1 is an undeveloped parcel located in the southwest portion of the property, generally covered in grass with patches of exposed sand, with an area of vegetation covering the northwest portion. The proposed Lot 1 is flat to gently sloping to the east. Trees and bushes are established along the fence line at the south-western boundary.

For the purpose of this report, the 'site' is limited to proposed Lot 1.



**Figure 1. Site Location Plan**

*Property boundary (red) and site (yellow) are indicative only, north is up the page. Background images courtesy of LINZ*



**Table 1. Property Details**

*Specific details about the property.*

<b>Item</b>	<b>Description</b>
<b>Property Owner</b>	Denis and Urszula Musson
<b>Site Address</b>	30 Houhora Heads Road, Pukenui
<b>Legal Description</b>	Lot 4 DP 530683
<b>Certificate of Title</b>	864007
<b>Site Area</b>	8704 m <sup>2</sup>
<b>Territorial Authority</b>	FNDC
<b>Zoning</b>	Coastal Living

## 4.2 Proposed Development

The Reyburn & Bryant plan of the proposed subdivision included in Appendix A presents the proposed subdivision of Lot 4 DP 530683, which involves subdividing the site into 2 lots, Lot 1 and Lot 2. Proposed Lot 2 will contain the existing dwelling and continue to be used for residential purposes; Proposed Lot 1 is to be used for residential purposes and is approximately 2000 m<sup>2</sup>.

Access to Proposed Lot 1 will be provided via a new vehicle crossing from Houhora Heads Road.

## 4.3 Geology and Geomorphology

Landcare Research have mapped the site as being underlain by Ruakaka peaty sandy loam being soils of the coastal sand dune complex, imperfectly to very poorly drained, Te Kopuru sand being soils of the coastal sand dune complex, imperfectly to very poorly drained, and the Tangitiki sandy loam and sand being soils of the coastal sand dune complex, well to moderately well drained.

The 1:250,000 geological map, Geology of the Kaitia Area (Isaac et al, 1996), indicates that the property is underlain by the Karioitahi Group, comprising uncemented to moderately cemented and partly consolidated sand in coastal foredunes, clay-rich sandy soils.

The topography of the site is generally flat to gently sloping to the east. A gentle slope runs parallel to the north-west boundary, where the land slopes gently to the west towards Houhora Heads Road. The topography of the site is shown in Figure 2.





**Figure 2. Site Topography**

*Site boundary indicative only (yellow), higher elevations are shaded green and lower elevations blue with hillshading, north is up the page. Image is courtesy LINZ.*

#### 4.4 District Planning Zone

The site is zoned as Coastal Living with respect to the operative Far North District Council District Plan.

#### 4.5 Council Hazard Mapping

The Northland Regional Council (NRC) and Far North District Council (FNDC) hazard layers have been reviewed. According to the NRC and FNDC hazard layers, the site is not located in an area susceptible to:

- Landslide
- Special soils
- Erosion
- Coastal Hazards
- Flooding
- Coastal Flooding



## 5 Ground Conditions

### 5.1 Subsurface Conditions

Two boreholes (INV1 and INV2) were completed to confirm the soil category, and a falling head test (FH1) was performed to measure the soil's permeability to demonstrate the feasibility for on-site wastewater disposal. Logs are included in Appendix B. The location of these boreholes and falling head test are shown on Vision's *WASTEWATER FEASIBILITY PLAN*, included in Appendix C.

Borehole INV1 and INV2 encountered black, fine grained silty sand (Topsoil) to a depth of 0.2m below ground level (bgl). Underlying the topsoil, the investigations encountered black, fine to coarse grained silty sand to the maximum investigation depth of 1.2m bgl. Traces of cemented grey sand encountered from 1.0m bgl in INV2.

The falling head test borehole encountered black, fine grained silty sand (Topsoil) to a depth of 0.2m below ground level (bgl). Underlying the topsoil, the investigations encountered black, fine grained silty sand to a depth of 0.6m, and dark brown silty sand with a trace of cemented grey sand to the termination depth of 0.7m.

Groundwater was not encountered during the investigations.

### 5.2 Groundwater

Groundwater was not encountered in the two boreholes put down at the site to a depth of 1.2m bgl. Static groundwater level is expected to be at >3m bgl (inferred). A perched groundwater table may occur during the winter months or extended periods of wet weather.

## 6 Natural Hazards

Under Section 106 of the Resource Management Act (RMA), an assessment of natural hazards is required to determine if they pose a significant risk to a proposed development. VISION has undertaken a preliminary assessment of natural hazards for the site, as detailed below. Our findings indicate that identified natural hazards are either of low risk or are readily manageable and therefore are not considered to be significant in the context of the proposed subdivision.

### 6.1 Erosion

The site is not mapped as being prone to erosion. It is recommended that existing vegetation is maintained wherever possible and cut slopes are protected against erosion.

### 6.2 Avulsion

There are no major rivers or streams on or immediately adjacent to the site, so the risk from avulsion is considered to be low.

### 6.3 Falling debris

There are no natural sources of falling debris at the site; therefore, the risk associated with falling debris is considered to be low.

### 6.4 Subsidence

The site is not anticipated to be underlain by soils prone to subsidence. Therefore, the risk associated with subsidence is considered to be low.

### 6.5 Slippage

The site is flat to gently sloping. Therefore, the risk of slippage at the site is considered to be low.

Inundation



The site is not mapped as being affected by inland or coastal flooding on the FNDC and NRC Hazard maps. Therefore, the risk of inundation is considered to be low.

## 7 Site Earthworks and Geotechnical Requirements

### 7.1 Earthworks

Earthworks will be required in portions of the site to create a new building area, driveway, and proposed access.

It is recommended that earthworks undertaken at the site be carried out in accordance with Auckland Council Guidance Document 2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).

At this stage, the volume of earthworks cannot be provided.

#### 7.1.1 Site Fills

It is recommended that fill slopes are constructed at a maximum batter slope of 1V:2.5H to a maximum height of 1.0m. All fills greater than 1.0m in height are to be engineer assessed by a Chartered Professional Engineer experienced in geotechnical engineering.

Where the proposed filling is to support the loads of a building, it will need to be certified by a Chartered Professional Engineer in accordance with NZS4431:2022.

#### 7.1.2 Site Cuts

It is recommended that cut slopes are constructed at a maximum slope angle of 1V:3H to a maximum height of 1.0m. All cut slopes greater than 1.0m in height are to be engineer assessed by a chartered professional engineer experienced in geotechnical engineering.

### 7.2 Infrastructure

It is not anticipated that there will be any geotechnical constraints associated with trenching for the buried infrastructure.

Groundwater is expected to be greater than 3m bgl. Perched water above this depth is anticipated during winter and following significant storm events. Sumps and submersible pumps are likely to be required to remove water from the base of excavations following periods of intensive rain events.

### 7.3 Land Stability

No assessment of the stability of the land was carried out as part of this report.

The site is not considered to be at risk of slippage due to the flat to gently sloping nature of the land.

### 7.4 Foundations

A site-specific geotechnical investigation is recommended for any proposed new structures, because the near-surface soils are not expected to meet the requirements of 'good ground' in accordance with NZS3604(2011) due to the presence of very loose to loose sand with a low bearing capacity.

It is anticipated that removal of unsuitable topsoil and very loose to loose sand to expose competent natural ground may be a solution for a light timber frames structure with a concrete slab-on-grade with a perimeter footing. For timber pile foundations, it is anticipated that deepened foundations may be a solution.



## 8 Vehicle Access

Access to the proposed Lot 1 will be directly from Houhora Heads Road, located on the north-west side of the site.

### 8.1 Traffic Intensity Factor

The permitted traffic threshold for a site in the coastal living zone in accordance with Section 10.6.5.1.8 of the Operative District Plan is 20 daily one-way movements.

### 8.2 Site Distances

The proposed new vehicle crossing is to meet the minimum sight distances in accordance with FNDC/S/6, being 170m for a road operating speed of 100km/hr.

Based on site observations, the minimum sight distance is able to be achieved to the north-east, however the new crossing will need to be located appropriately to ensure that the sight distance is achieved to the south-west (towards State Highway 1). A rise in Houhora Heads Road limits sight distances in this direction. Vehicle Crossing

A new vehicle crossing is required to provide access to proposed Lot 1.

The new crossing needs to meet the requirements of the FNDC Engineering Standards, drawings FNDC/S/6 and FNDC/S/6B.

## 9 Stormwater Management

The following observations were made during the site walkover that relate to stormwater management at the site:

- A gentle slope runs approximately parallel to the north-west boundary, approximately 7-7.2m inside the property.
- This slope acts as a catchment divide, causing surface water to drain via sheetflow in two primary directions: west towards Houhora Heads Road, and east towards Lot 1.

### 9.1 Far North District Plan

The Far North District Plan (DP) provides rules relating to stormwater management. The DP provides thresholds for permitted activities on a site which are deemed to have no more than a minor effect on the receiving environment. The permitted and controlled requirements for this site are defined in rule 10.7.5 of the DP as follows:

- 10.7.5.1.6 STORMWATER MANAGEMENT - Permitted (Coastal Living Zone)  
10.7.5.1.6 states that for a permitted activity, the maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 10% or 600m<sup>2</sup>, whichever is the lesser.
- 10.7.5.4.2 STORMWATER MANAGEMENT - Restricted Discretionary (Coastal Living Zone)  
10.7.5.3.8 states that the maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 15% or 1,500m<sup>2</sup>, whichever is the lesser.

Table 2 provides our assessment of the impermeable areas in relation to those permitted in the DP.





Table 2. Assessment Impermeable surfaces

Proposed Lot	Area (m <sup>2</sup> )	Allowable impermeable surfaces (10%) (m <sup>2</sup> )	Restricted Discretionary surfaces (15%) (m <sup>2</sup> )	Existing impermeable surfaces (m <sup>2</sup> )
Lot 1	2,000	200	300	0

## 9.2 Stormwater Attenuation

Due to the size of the proposed lot, it is considered that stormwater attenuation is likely to be required as impermeable surfaces post-development are anticipated to be greater than those permitted by the District Plan.

If the proposed impermeable surfaces are greater than those permitted by the District Plan, it is recommended that stormwater attenuation design be carried out by a suitably qualified person back to permitted levels for a 10% AEP event with an allowance for climate change.

## 10 Wastewater Disposal

The site lies outside the area currently serviced by council reticulation and is considered unlikely to become sewered in the long term. Therefore, it is proposed to dispose of wastewater via on-site wastewater disposal.

### 10.1 Site Evaluation

VISION undertook site investigations on 16 September 2025. The weather was fine at the time of the investigation. A range of site features were assessed in terms of the degree of limitation they present for a range of on-site wastewater management systems. A summary of key features in relation to effluent management at the site is listed below in Table 4.

Table 3. Site Evaluation

Feature	Description
Site Area	8704 m <sup>2</sup>
Lot Size	Proposed Lot 1 = 2,000 m <sup>2</sup> Proposed Lot 2 = 6,704 m <sup>2</sup> (not included in this assessment)
Climate	Northland is a sub-tropical climate zone, with warm humid summers and mild winters. Typical summer temperatures range from 22°C to 26°C (maximum daytime) but seldom exceed 30°C. In winter, day temperatures are between 14°C to 17°C. Annual sunshine hours average about 2000 in many areas.
Exposure & Contour	Proposed Lot 1 is moderately exposed. It receives good sun, particularly from the east, while the established trees and bush along the south-west and north-west boundaries provide some protection from the prevailing winds. Topographic contours and hill shading are shown in the image below.

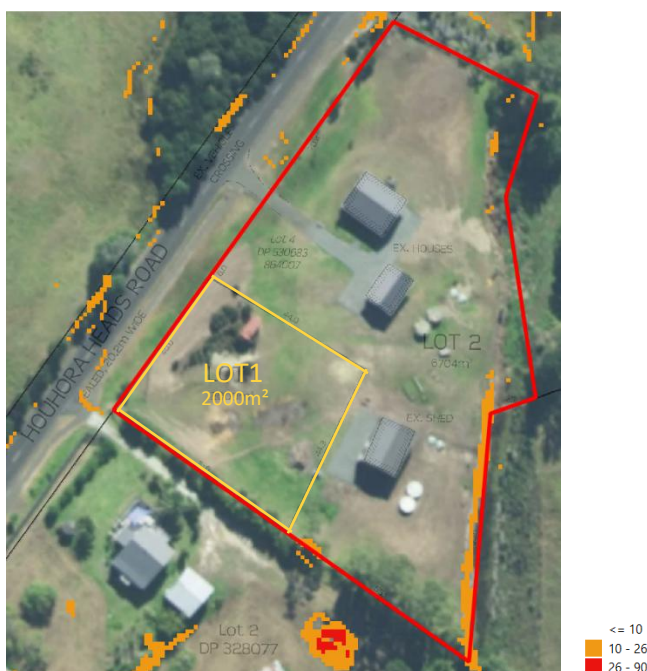




Vegetation	Proposed Lot 1 is generally covered in grass with some areas of exposed sand. The northwest portion of the lot is covered by vegetation, and mature trees are established along the fence line at the south-western boundary.
Slope	Proposed Lot 1 is predominantly flat to gently sloping towards the east. A gentle slope is present near the north-west boundary, running down towards Houhora Heads Road. Slope angles are indicated in the image below.



Slope angles grouped by Northland Regional Council permitted activity requirements are indicated in the image below.



Fill	No signs of fill were observed in the proposed Lot 1.
Erosion Potential	No obvious signs of erosion were noted on proposed Lot 1 during the site walkover assessment.
Surface Water	A natural slope runs parallel to the north-west boundary, directing surface water via sheetflow west towards Houhora Heads Road and east across the lot.
Flood Potential	Proposed Lot 1 is not mapped as being affected by flooding.
Stormwater run-on and upslope seepage	The proposed systems should include surface water cut-off drains where appropriate
Groundwater	Groundwater was not observed to be present in the boreholes extending to a depth of 1.2m. VISION is not aware of any water bores for domestic/commercial purposes within 150m of the property.
Site Drainage and Subsurface Drainage	Site drainage will need to be addressed at the time of Building Consent. At this stage, no subsurface drainage is recommended.

## 10.2 Soil Survey and Analysis

A soil survey was undertaken at the site to determine the suitability for the application of treated effluent. The soil survey was carried out based on two hand auger boreholes and a falling head test completed on proposed Lot 1.

Borehole INV1 and INV2, encountered black, fine-grained silty sand (Topsoil) to a depth of approximately 0.2m below ground level (bgl). Underlying the topsoil, the investigations encountered black and dark brown, fine to coarse grained silty sand to the termination depth 1.2m bgl. Traces of cemented grey sand were noted from 1.0m bgl in INV2.

The falling head test borehole encountered black, fine grained silty sand (Topsoil) to a depth of 0.2m below ground level (bgl). Underlying the topsoil, the investigations encountered black, fine grained silty sand to a depth of 0.6m, and dark brown silty sand with a trace of cemented grey sand to the termination depth of 0.7m.



Hand auger and falling head test logs are included in Appendix B, and the location of the hand auger boreholes is shown on the wastewater feasibility plan included in Appendix C.

### 10.3 Assumptions of Assessment

For the purpose of this report, it has been assumed that the proposed Lot 1 will include a modern 4-bedroom dwelling (6 people). In addition, the following design parameters have been assumed:

- Design flows of 180 litres/day per person (each dwelling contains dual flush toilets, low water use dishwasher, and no garbage grinder)
- Soil Category 2, Design loading rates of 25 L/m<sup>2</sup>/day (based on falling head test)
- Irrigation area of 86.4 m<sup>2</sup> (including 100% reserve) for the above design loading rates.

### 10.4 Site Constraints

The following site constraints have been identified for the site:

- The gentle slope near the north-west boundary toward Houhora Heads Road.
- The area of established bush in the north-west portion of the proposed Lot 1.

Given these constraints, it is considered that the following system is likely to be suitable for the site as discussed in the following sections.

### 10.5 Treatment System Selection

For the purposes of feasibility, we have considered secondary aerated wastewater treatment systems only. Detailed design during the building consent stage may consider alternatives available for each proposed lot based on the soil type, environmental constraints, location, and size of the proposed dwelling.

### 10.6 Land Application

It is anticipated that surface mounted pressure compensating drip lines will be suitable for the proposed future activities. We have assumed a soil category of 2 (in accordance with TP58) from onsite soil testing with a loading rate of 25 litres per square meter per day and a 100% reserve area.

Table 4. Summary of land application area

Proposed Lot	Area Required for Disposal of Effluent (using the assumed proposed development with 100% Reserve) (m <sup>2</sup> )
1	44 m <sup>2</sup> (active) + 44 m <sup>2</sup> (reserve) = 88 m <sup>2</sup>

It is recommended that surface mounted drip irrigation lines are covered by 150mm of mulch where slopes are less than 10 degrees and that that drip irrigation lines are placed at 0.5m centres.

Proposed Lot 1 is assessed to have sufficient area available, including setbacks, for an on-site wastewater treatment system as outlined in this report and shown on the wastewater feasibility plan included in Appendix C.

### 10.7 Onsite Wastewater Recommendation and Discussion

Proposed Lot 1 is assessed to have sufficient land available for the disposal of secondary treated effluent.

Although not encountered during the soil survey, the area is known to have a hard pan present. Due to this, it is recommended that site specific investigations are carried out for the final location of the



disposal field. If a hard pan is encountered, raised mounds may be required in order to achieve the minimum setback to groundwater.

It is recommended that the proposal be given Resource Consent for the subdivision based upon the following conditions, which are intended to support the proposed on-site wastewater treatment and land application system performing to a high standard and not contributing to an accumulated adverse effect on the environment:

- The design of the on-site wastewater disposal is undertaken by a suitably qualified person experienced in on-site wastewater disposal, FNDC-approved TP58 report writer, experienced in on-site wastewater disposal at the building consent stage, who may identify a suitable alternative wastewater design. The final system design and layout will be dependent on the size and location of the building platform and associated structures (water tanks, driveways, etc.).
- TP58 reports at the time of Building Consent, the report shall include an operation and maintenance list for the homeowner.
- A site-specific investigation and design at the Building Consent stage may identify a suitable alternative design to that assumed in this report. Such systems should be designed by a suitably qualified and experienced person.

## 11 Water Supply

### 11.1 Potable Water Supply (Water Tanks)

Water supply will be from water collected from building roofs and stored in water tanks.

### 11.2 Fire Fighting (Water Tanks, rural environment)

FNDC Engineering standards require that a water supply be provided that is adequate for firefighting purposes. As discussed above, the potable water supply for the development will be via stored rainwater. The Urban and Rural Fire District maps are not formalised, nor are the interim maps publicly available. Given the location of the site, it has been assumed that the site is within a Rural Fire District. This means that the provisions of the New Zealand Fire Service Fire Fighting Water Supplies code of practice SNZ PAS 4509:2008 (PAS4509) are not applicable and are only provided as guidance. The document recommends that the dwellings be fitted with sprinkler systems in rural settings where it is likely that the response time will be greater than 10 minutes.

For a single-family home without a sprinkler system, PAS4509 recommends a minimum water storage capacity of 45m<sup>3</sup> within 90m of the dwelling for firefighting purposes where the water supply is from a non-reticulated system.

FNDC may accept an alternative sprinkler system designed in accordance with BRANZ document 'Cost-Effective Domestic Fire Sprinkler Systems (BRANZ, 2000), which provides an alternative to NZS4515:1995 where firefighting sprinkler systems are not required under the Building Code.

As the only requirement is that imposed by the rules within the FNDC's Engineering Standards, it is recommended that the provision of water storage for firefighting purposes be assessed by the council at the time of a new building consent for the site.

## 12 National Environmental Standard

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 (NESCS; MfE, 2011a) came into effect in January 2012. The standard provides regulations to ensure that land affected by contaminants in soil is appropriately identified and assessed prior to development, and if necessary, remediated or the contaminants are contained to make the land safe for human use.



The Hazardous Activities and Industries List (HAIL) identifies activities and industries that are considered likely to cause land contamination resulting from hazardous substance use, storage, or disposal. The intention of the HAIL is to identify land where hazardous substances could cause or may have caused land contamination.

VISION has not been engaged to assess the site in terms of the NESCS.

## 13 Summary of Recommendations

The following recommendations are provided for the proposed subdivision of 30 Houhora Heads Road:

### 13.1 Earthworks and Geotechnical

- Existing vegetation is maintained wherever possible, and cut slopes are protected against erosion.
- It is recommended that earthworks undertaken at the site be carried out in accordance with Auckland Council Guidance Document 2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).
- It is recommended that fill slopes are constructed at a maximum batter slope of 1V:3.0H to a maximum height of 1.0m. All fill greater than 1.0m in height are to be assessed by a Chartered Professional Engineer experienced in geotechnical engineering.
- It is recommended that cut slopes are constructed at a maximum slope angle of 1V:3H to a maximum height of 1.0m. All cut slopes greater than 1.0m in height are to be engineer assessed by a Chartered Professional Engineer experienced in geotechnical engineering.
- It is recommended that site-specific geotechnical investigations and reporting is carried out for new structures, that provides foundation recommendations.

### 13.2 Vehicle Crossing

- The new crossing is to be located in order to achieve the minimum site distances in accordance with FNDC/S/6.
- The proposed new vehicle crossing is to be located in order to meet the minimum sight distances in accordance with FNDC/S/6.

### 13.3 Stormwater

- If proposed impermeable surfaces are greater than those permitted by the District Plan, stormwater attenuation design is to be carried out by a suitably qualified person back to permitted levels for a 10% AEP event with an allowance for climate change.
- If the proposed impermeable surfaces are greater than those permitted by the District Plan, it is recommended that stormwater attenuation design be carried out by a suitably qualified person back to permitted levels for a 10% AEP event with an allowance for climate change.
- 

### 13.4 Wastewater

- The design of on-site wastewater disposal is to be undertaken by an FNDC approved TP58 report writer experienced in on-site wastewater disposal at the building consent stage, which may identify a suitable alternative wastewater design. The final system design and layout will be dependent on the size and location of the building platform and associated structures (water tanks, driveways, etc.).



### 13.5 Water Supply/Firefighting water supply

- That no specific condition is needed at the time of resource consent, the provision of water storage for firefighting purposes is to be assessed by the council at the time of a new building consent.

## 14 Conclusions

Provided the recommendations given in this report are adhered to, the subject site is considered to be suitable for the proposed subdivision depicted on the attached Reyburn & Bryant proposed Subdivision Plan.



# Appendix A

## Reyburn & Bryant Proposed Subdivision Plan







**CAUTION:**

- THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
- AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
- THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN.
- SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
- DO NOT SCALE OFF DRAWINGS.
- THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
- DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
- 03m 2023-2024 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD INFORMATION AVAILABLE ON LINZ DATA SERVICE.
- BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

LAND COVENANT IN TRANSFER #492093.1 TO REMAIN

TOTAL TITLE AREA: 8704m<sup>2</sup>  
COMPRISED IN: RT 864007(ALL)

THIS SITE IS ZONED ' COASTAL LIVING ' AND THE BUILDING SETBACKS ARE THUS: 3m FROM ALL BOUNDARIES.

B	19.08.25	BOUNDARY AMENDMENTS - JBH/KM
A	24.06.25	FIRST ISSUE - JBH/AA
REV	DATE	DESCRIPTION

REF. DATA:

Ph: 09 438 3563  
7 Selwyn Ave, Whangarei

PO Box 191, Whangarei 0140  
www.reyburnandbryant.co.nz

CLIENT

MUSSON  
30 HOUHORA HEADS ROAD,  
PUKENUI

TITLE

PROPOSED SUBDIVISION OF  
LOT 4 DP 530683

DATE	AUGUST 2025	SCALE	1:750 @A3
DRAWING REF.	S18518	SHEET	01 OF 01
		REV	B


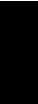


Date Plotted: 19/08/2025 File Path: P:\18000 - 18999\18518 - Denis Musson\Drawings\Scheme Plan\S18518 - Musson - B.dwg

LOCAL AUTHORITY: FARNORTH DISTRICT COUNCIL

# Appendix B

## Onsite Wastewater Logs



BOREHOLE LOG						- INV1		<div> VISION CONSULTING ENGINEERS</div>	
Client: Denis Musson			Project: Wastewater Feasibility			Project No.: J15918			
Project Location: 30 Houhora Heads Road, Pukenui			Borehole Location: See Wastewater Plan			Drilled by:	SW		
Hole started:			16/09/2025		Drill method: 50mm handauger				
Hole completed:			16/09/2025						
Depth (m)	Graphic	Moisture	Soil Description				Geology & other notes		
0.00		D-M	Silty SAND, fine grained; black, trace orange, trace rootlets				TOPSOIL		
0.05									
0.10									
0.15									
0.20		M	Silty SAND, fine grained; black, trace rootlets, loosely packed				KARIOITAHU GROUP		
0.25									
0.30									
0.35									
0.40									
0.45									
0.50									
0.55									
0.60			VM	fine to coarse grained, becoming dark brown, loosely packed					
0.65									
0.70									
0.75									
0.80	VM								
0.85									
0.90									
0.95									
1.00		dark brown, trace black							
1.05									
1.10		lightly packed							
1.15						Hard drilling from 1.1 m			
1.20			End of hole at 1.2 m bgl						
1.25			Target depth achieved						
1.30			Groundwater not encountered						
1.35									
1.40									
1.45									
1.50									
1.55									
1.60									
1.65									
1.70									
1.75									
1.80									
1.85									
1.90									
1.95									
2.00									
2.05									
2.10									
2.15									
2.20									
2.25									
2.30									
2.35									
2.40									
2.45									
2.50									
2.55									
2.60									
2.65									
2.70									
2.75									
2.80									
2.85									
2.90									
2.95									

**- INV2**





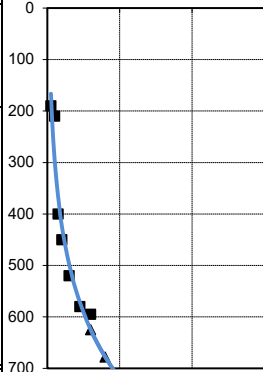
**Project No.: J15918**

SW

16/09/2025

[illegible]

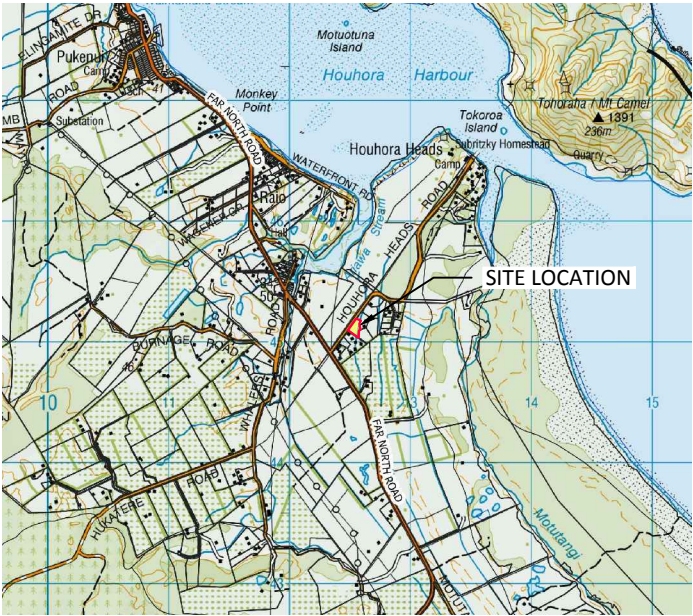


BOREHOLE LOG				-Falling Head Test FH1		<div> VISION CONSULTING ENGINEERS</div>	
Client: Denis Musson		Project: Proposed Lot 1, 30 Houhora Heads Rd		Project No.: J15918			
Project Location: 30 Houhora Heads Road, Pukenui		Borehole Location: See Plan		Drilled by: SW		Logged by: SW	
Hole started: 16/09/2025		Drill method: 100mm handauger					
Hole completed: 16/09/2025							
Depth (m)	Graphic	Moisture	Soil Description	Geology		Falling Head Test	
0.00 0.05 0.10 0.15		D-M	Silty SAND, fine grained; black, trace orange, trace rootlets	TOPSOIL		<div></div> <div>■ Data    ▲ Extrapolated Points</div>	
0.20 0.25 0.30 0.35 0.40 0.45 0.50 0.55		D-M	Silty SAND, fine grained; black, trace rootlets				
0.60 0.65		M	dark brown, trace cemented grey sand				
0.70 0.75 0.80 0.85 0.90 0.95 1.00 1.05 1.10 1.15 1.20 1.25 1.30 1.35 1.40 1.45 1.50 1.55 1.60 1.65 1.70 1.75 1.80 1.85 1.90 1.95 2.00 2.05 2.10 2.15 2.20 2.25 2.30 2.35 2.40 2.45 2.50 2.55 2.60 2.65 2.70 2.75 2.80 2.85 2.90 2.95			End of borehole at 0.7 metres Groundwater not encountered Target depth achieved				

# Appendix C

## Onsite Wastewater Feasibility Plan



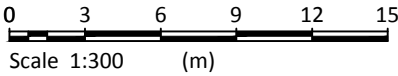


LOCALITY PLAN

SCALE (A3) NTS

LEGEND	
ACTIVE AREA INCLUDING 100% RESERVE	
EXCLUSION ZONE	
SITE BOUNDARY	
ADJOINING PROPERTY BOUNDARY	
PROPOSED LOT BOUNDARY	
OPEN DRAIN	
INVESTIGATION BOREHOLE	
FALLING HEAD TEST	
PIPED WASTEWATER	

NOTE:  
AREA REQUIRED BASED ON 6 PEOPLE/3 BEDROOM HOUSE WITH WATER TANK WATER AND STANDARD FIXTURES WITH 180LITRES PER PERSON PER DAY ALLOWANCE.  
A DESIGN IRRIGATION RATE OF 25 LITRES PER METER SQUARED PER DAY.



NOTE:  
1. PROPOSED WASTEWATER SYSTEMS ARE TO DEMONSTRATE THAT SUFFICIENT AREA IS AVAILABLE WITHIN THE PROPOSED ALLOTMENT. ACTUAL SIZE AND LOCATION TO BE DETERMINE AT TIME OF BUILDING CONSENT.



CLIENT  
DENIS MUSSON

PROJECT  
PROPOSED LOT 1,  
30 HOUHORA HEADS ROAD,  
PUKENUI

DRAWING TITLE  
WASTEWATER FEASIBILITY PLAN -  
PRPOSED LOT 1

SURVEY		
DESIGN	SW	12.09.2025
DRAWN	SW	12.09.2025
CHECKED	BCP	12.09.2025
APPROVED	BCP	12.09.2025

NOT FOR CONSTRUCTION		NOT FOR CONSTRUCTION		NOT FOR CONSTRUCTION	
BCP	12.09.2025	SCALE	1:300		
		SHEET	01 OF 01		
		PROJECT	J15918		
		THIS ARTWORK IS THE COPY RIGHT MATERIAL OF VCE®		REV	A
		REVISION	BY	DATE	

# APPENDIX 4

## WRITTEN APPROVAL

---



## NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

### PART A – To be completed by Applicant

Applicant/s Name:

Musson Family Trust

Address of proposed activity:

30 Houhora Heads Road

Legal description:

Lot 4 DP 530683

Description of the proposal (including why you need resource consent):

Three lot subdivision infringing Far North District Plan Rule 13.7.2.1.

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Scheme plan - ref. S18518, rev. A, dated June 2025
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

#### Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

LOT 2

D.P. 328077

**PART B – To be completed by Parties giving approval**

**Notes to the party giving written approval:**

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

MICHAEL STEPHEN FAWKES

Address of affected property including legal description

22 HOUHORA HEAD ROAD

Contact Phone Number/s and email address

Daytime:

email:

022 378 9557 MICHAELFAWKES@icloud.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of all the legal owners and the occupiers of the affected property will be necessary.*

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature



Date

04 08 2025

Signature



Date

04 08 2025

Signature



Date

04 08 2025

Signature



Date

04 08 2025

# **APPENDIX 5**

## **SUBMISSION ON PROPOSED DISTRICT PLAN**

---

**IN THE MATTER**

of the Resource Management Act  
1991 (“**the Act**”)

**AND**

**IN THE MATTER**

of a submission pursuant to Clause  
6 of Schedule 1, of the Act in  
respect of the **Proposed Far North  
District Plan**

**SUBMISSION ON THE PROPOSED FAR NORTH DISTRICT PLAN**

**To:** Proposed District Plan

Strategic Planning and Policy, Far North District Council

Far North District Council

Private Bag 752

KAIKOHE 0400

Email: [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

**1. Details of persons making the submission**

Musson Family Trust

Ref: 17271

C/- Reyburn and Bryant

Attention: Bjorn Larsen

PO Box 191

WHANGAREI

[bjorn@reyburnandbryant.co.nz](mailto:bjorn@reyburnandbryant.co.nz)

**2. General Statement**

- 2.1 The Musson Family Trust (the submitter) cannot gain an advantage in trade competition through this submission. They are directly affected by the proposed plan change. The effects are not related to trade competition.

### 3. Background and context

#### The site

- 3.1 The submitter is the owner of a rural residential property located at 30 Houhora Heads Road, Pukenui. The subject site ('the site') is legally described as Lot 4 DP 530683 and is held in a single record of title referenced RT 864007.
- 3.2 The property comprises an area of 8,704m<sup>2</sup>. The site is shown in Figure 1 below:



*Figure 1: Site location (Source: FNDC GIS)*

- 3.3 The site is currently occupied by an existing legally established residential unit and shed. The buildings on the property are accessed from Houhora Heads Road via an existing formed vehicle crossing and private driveway.

#### Soil composition

- 3.4 The Regional Policy Statement for Northland (RPS) identifies that 'Highly Versatile' soils have Land Use Capability Classes 1c1, 2e1, 2w1, 2w2, 2s1, 3e1, 3e5, 3s1, 3s2, 3s4 - as mapped in the New Zealand Land Resource Inventory (NZLRIS).
- 3.5 The NZLRIS maps identify the site as not containing 'Highly Versatile' soils. This is because most of the property is classified as category 4w3, whilst a small part of the western portion of the site is classified 4s5. An extract from the NZLRIS soil type maps pertaining to the subject land is provided in Figure 2 below:

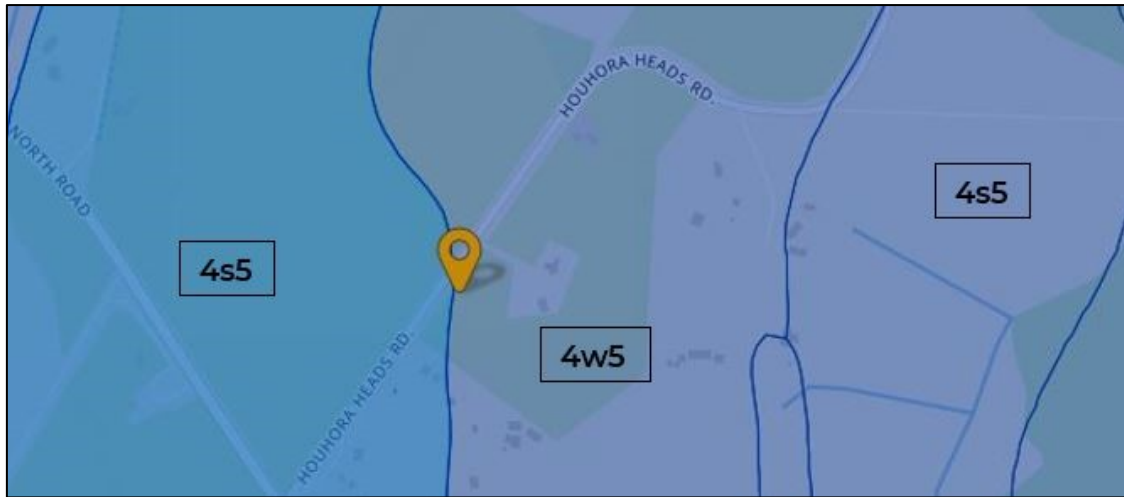


Figure 2: Soil Land Use Capability (Source: NZLRIS)

#### Operative and proposed District Plan zoning

- 3.6 The operative zoning that applies to the site is the 'Coastal Living Zone' (CLZ). The property is also identified as being partly Flood Susceptible under the Resource Areas of the Operative District Plan.

#### Proposed District Plan

- 3.7 As shown in Figure 3 below, the site and the surrounding cluster of rural residential lots concentrated around Houhora Heads Road is proposed to be rezoned 'Rural Lifestyle' (RLZ) under the Proposed Far North District Plan. The Flood Susceptible overlay remains unchanged.



Figure 3: Soil Land Use Capability (Source: NZLRIS)



**4. The specific provisions of the Plan Change that this submission relates to are:**

4.1 The proposed District Plan mapping of the land subject to this submission.

**5. The submitter seeks the following relief through this submission:**

(1) That the new 'Settlement Zone' (RSZ) is extended to include the site and the surrounding rural residential properties concentrated around Houhora Heads Road (see [Figure 4](#) below)



Figure 4: Proposed extension of the Settlement Zone

(2) Any other relief necessary to achieve the outcomes sought in 5(1) above.

**6. The reasons for submitting on the plan change are as follows:**

6.1 Relative to the Operative District Plan provisions, the proposed RLZ will 'downzone' the site in terms of its development and subdivision potential. This is because the Operative District Plan provides for discretionary subdivision with a minimum lot size of 5,000m<sup>2</sup>, whereas the subdivision provisions under the proposed RLZ increase the minimum lot size for discretionary activity subdivision to 2ha.

6.2 The vacant property (Lot 7 DP 204703) being rezoned RSZ to the north of the subject land is encumbered by wetlands (as defined under the NPSFW), therefore restricting the residential yield that could otherwise be achieved through subdivision of this site. Therefore, rezoning the subject land RSZ will provide for the residential yield lost as a result of the development restriction posed by the wetlands on Lot 7 DP 204703.

- 
- 6.3 As indicated in Figure 2 above, the site is not identified as containing highly versatile soils. Accordingly, highly productive land will not be comprised by further subdivision under the RSZ provisions.
- 6.4 The subject land is already developed at a residential density and pattern of development that exceeds the density provisions of the proposed RLZ.
- 6.5 There is a high demand for housing in the area, particularly for workers employed by the growing number of orchards throughout the region. The subject land is favourably located in close proximity to existing orchards.
- 6.6 Having considered the requirements of Section 32 of the RMA, the Settlement Zone is the most efficient and effective means of achieving Part 2 of the RMA.
- 7. The submitter wishes the Far North District Council's decision to address the above issues by:**
- (1) Extending the RSZ (proposed for the properties north of the subject land) to include the site and surrounding properties (as shown in Figure 4); or
  - (2) Alternative relief with similar effect.
- 8. The submitter wishes to be heard in support of their submission at a hearing.**



---

**Bjorn Larsen,**  
*Planning Consultant*

On behalf of The Musson Family Trust

Dated this 21<sup>st</sup> of October 2022



## **APPENDIX 6**

### LETTERS FROM REAL ESTATE AGENTS ADDRESSING HOUSING DEMAND

---

26 May 2025

Dennis Musson  
By Email: dbmusson@gmail.com

Dear Dennis,

**Re: Section availability Pukenui/Houhora**

The current stock of sections for sale in the Pukenui/Houhora area is constrained with only 5 sections currently available for sale in the wider area. This lack of supply has been driven by historically low levels of development predominantly due to a lack of residentially zoned land and that land with development potential being closely held by families with long term ties to the area.

There is strong demand for properties in Pukenui/Houhora with it being a desirable location for both permanent residents looking to get out of Kaitaia and temporary residents looking for an idyllic holiday location.

It is my view that more land needs to be unlocked for development to meet the obvious surplus demand.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Sean Stratton', with a stylized, flowing script.

Sean Stratton  
Managing Director Licensed REAA 2008  
Far North Circle Real Estate Limited Licensed REAA 2008

**Kaitaia**

85 Commerce Street

Kaitaia 0410

New Zealand

t 09 408 1241

e office@kaitaia.rh.co.nz

1

27 May, 2025

Denis Musson,  
Houhora Heads Road,  
RD4, Pukenui  
Kaitaia 0484

Dear Denis,

Availability of Land for Development in Houhora

Throughout my nineteen years of working in real estate in Pukenui and the wider Houhora area, I have noted a shortage of available residential and lifestyle land.

The Houhora area in particular has seen major growth over the past ten years, particularly due to the growth of the avocado industry and other horticulture. Significant numbers have been employed in this sector however land for residential subdivision to accommodate workers and the associated support services, has not been made available.

The area is a popular retirement and lifestyle location and we see buyers from all over the country and overseas keen to settle in the area. Options however for settlement are limited.

In addition, the area has significant potential as a tourist destination, being the main route to Cape Reinga and an area with exceptional local coastal attractions. The Te Araroa Trail also brings many visitors visit the area.

It is difficult for the Houhora locale to capitalise on tourism dollars when there are limited accommodation options for the service industry that is required, in order to support tourism development.

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At present I am aware of only three residential sections on the market in the Pukenui area (under 1ha) and another two small land blocks (2ha or under).

Further development in the area will not be possible without appropriate subdivision within proximity to the Pukenui residential area. In addition, development is further constrained by current restrictions applicable to subdivision of uneconomic rural production land.

Regards



Sue Ferens

Houhora-based licensed salesperson (REAA 2008)

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