

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

☐ Yes ☒ No

2. Type of consent being applied for

(more than one circle can be ticked):

☒ Land Use

☐ Fast Track Land Use*

☐ Change of Consent Notice (s.221(3))

☐ Certificate of Compliance (s.139)

☐ Extension of time (s.125)

☐ Other (please specify)

☐ Discharge: Total volume = m³

Note; volumes >3m³ requires NRC Consent.

☐ Subdivision

☐ Existing Use Certificate (s.139A)

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

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

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

☒ Yes ☐ No

4. Consultation

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

If yes, which groups have
you consulted with?

Who else have you
consulted with?

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

5. Applicant details

Name/s:

Whitney Peat

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

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

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

If yes, please provide details.

6. Address for correspondence

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

Name/s:

As above

Email:

Phone number:

Work

[Home](#)**Postal address:**

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

Postcode

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:

Whitney Peat

Property address/
location:

8. Application site details

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

Name/s:

Whitney Peat

Site address/
location:

4 Kokopu Street, Ahipara

Postcode

Legal description:

Lot 29 Deposited Plan 427753

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.

Lot is vacant, can be viewed via google street view.

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.

Breaches building coverage

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

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

☐ 2009 ☒ 2023

10. Would you like to request public notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):



Building Consent

Enter BC ref # here (if known)



Regional Council Consent (ref # if known)

Ref # here (if known)



National Environmental Standard Consent

Consent here (if known)



Other (please specify)

Specify 'other' here

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

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

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

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

☐ Subdividing land

☐ Disturbing, removing or sampling soil

☐ Changing the use of a piece of land

☐ Removing or replacing a fuel storage system

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

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

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

☒ Flooding

☐ Active Faults

☐ Landslips

☐ Liquefaction

☐ Coastal Erosion

☐ Tsunami

☐ Coastal Inundation

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

14. Assessment of environmental effects:

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

Your AEE is attached to this application ☒ Yes

15. Draft conditions:

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

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

16. Billing Details:

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

Name/s: (please write in full)

Whitney Kelsey Peat

Email:

Phone number:

Postal address:

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

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

Whitney Peat

Signature:

(signature of bill payer)

Date 07-Jul-2026

MANDATORY

17. Important Information:

Note to applicant

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

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

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

Fast-track application

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

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

Privacy Information:

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

18. Declaration

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

Name (please write in full)

Whitney Peat

Signature

Date 07-Jul-2026

by electronic means

See overleaf for a checklist of your information...

Checklist of your information

Please tick if information is provided

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

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

LANDUSE RESOURCE CONSENT APPLICATION

4 KOKOPU STREET, AHIPARA

LOT 29 DP 427753

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Prepared for:	Whitney Peat
Site address:	4 Kokopu Street, Ahipara
Legal description:	Lot 29 DP 427753
Date:	July 2026

To:	Far North District Council
Site address:	4 Kokopu Street, Ahipara
Applicant's name:	Whitney Peat
Legal description:	Lot 29 DP 427753
Site area:	957m ²
Site owner/s:	Whitney Peat
Operative District Plan:	Far North District Plan
Operative zoning:	Rural Production Zone
Overlays/resource areas:	Nil
Proposed District Plan – Decisions Version zoning:	Rural Residential Zone (RRZ), Treaty Settlement Area of Interest Te Rarawa and Te Aupouri
Brief description of proposal:	Land use consent to exceed the maximum building coverage standard (Rule 8.6.5.1.10 / RRZ-S5) on Lot 29 DP 427753.
Summary of reasons for consent:	Discretionary Activity under the Operative District Plan; Restricted Discretionary Activity under the PDP-DV — see Section 4.



Figure 1 - Proposed location of the subject site



Figure 2 - Hazards Overlay Proposed District Plan

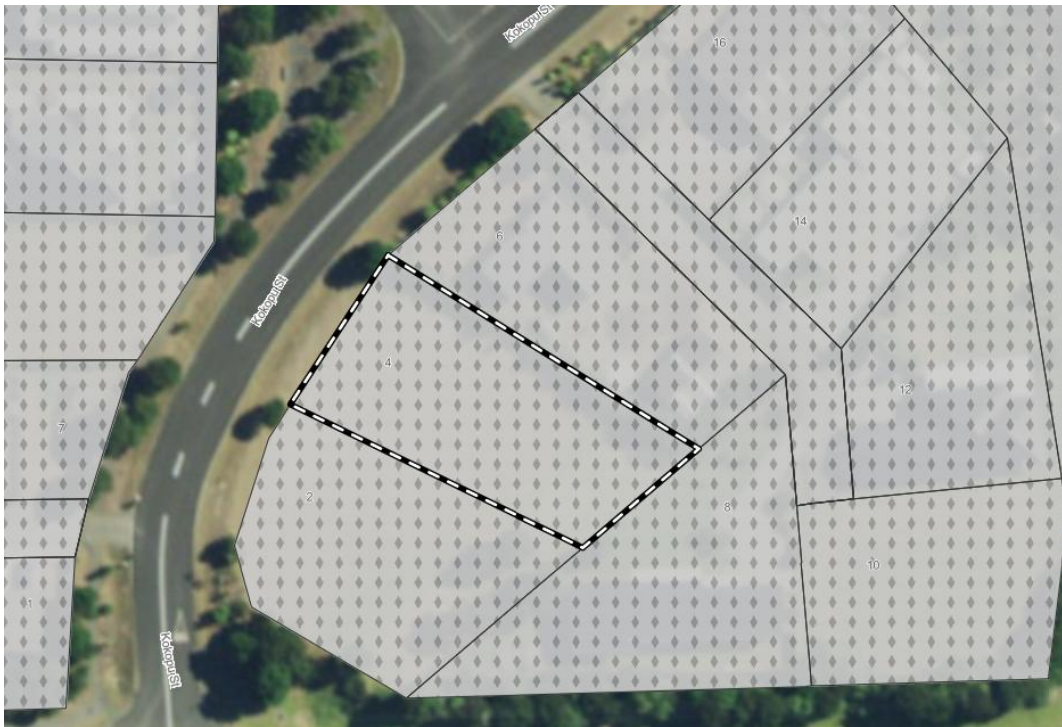


Figure 3 - Proposed District Plan Zone

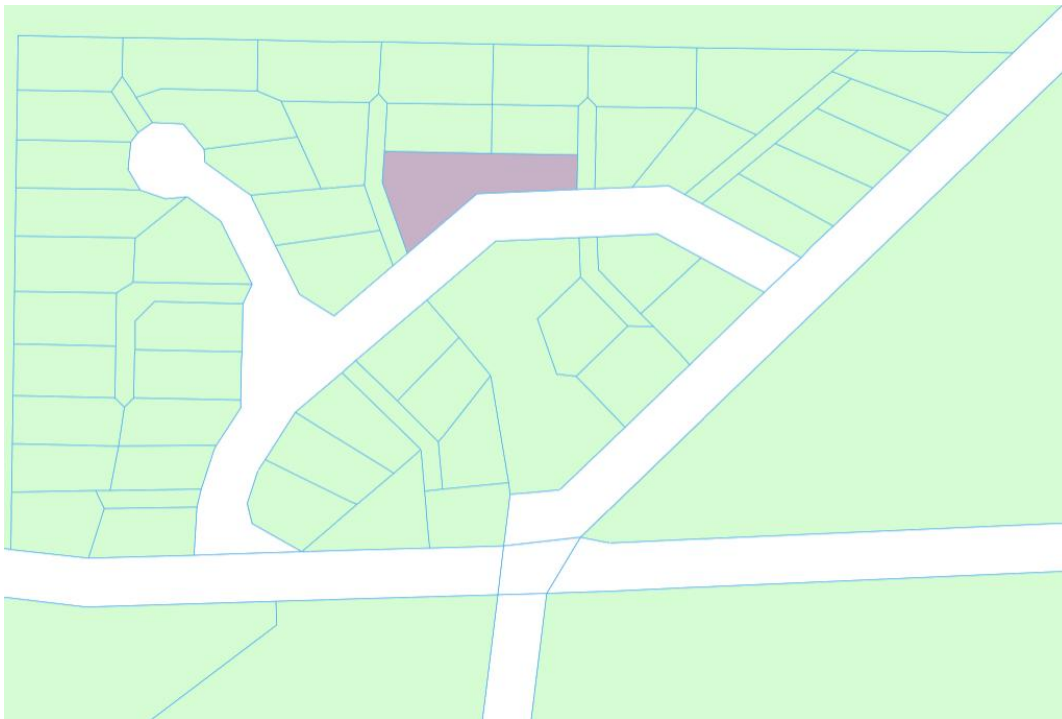


Figure 4 - Operative District Plan Zone

1.0 The Applicant and Property Details

Applicant: Whitney Peat. Site: 4 Kokopu Street, Ahipara, legally described as Lot 29 DP 427753 (957m²).

2.0 Proposal

The applicant proposes to construct a single residential dwelling on Lot 29 DP 427753, with a building footprint (roof area) of 188.86m², representing 19.73% building coverage of the 957m² site. The applicant seeks dispensation for 35% building coverage.

This application seeks land use consent only for the building coverage breach. It does not seek consent for building setbacks, stormwater management (impermeable surface coverage), or building height under the Operative District Plan, each of which is addressed by RC2140098-RMALUC. That consent's nominal 10-year period expired on 14 October 2023, but the applicant relies on it as a consent given effect to under section 125(1)(a) of the Resource Management Act 1991, as confirmed by Council's Team Leader – Resource Consents — see below.

RC2140098-RMALUC was granted on 14 October 2013 and authorised, among other matters, building setbacks of 3m from the road and 1.2m internally, impermeable surface coverage of up to 50% (maximum 400m²), and a maximum building height of 5m above natural ground level, across a defined group of lots within the DP 427753 subdivision, including Lot 29.

Under section 125(1)(a) of the Act, a resource consent lapses on the expiry of its consent period (here, 10 years from grant, i.e. 14 October 2023) unless it has been given effect to before that date.

By email dated 12 March 2026, Jo Graham, Team Leader – Resource Consents at Far North District Council, confirmed to Northland Planning & Development that: “Assuming the lots that have been developed were done so before the expiry date of 10 years, then yes this consent has been given effect to and therefore the new development can rely on this consent for the new build.” A copy of that correspondence is attached.

The majority of lots subject to RC2140098 were developed prior to the 14 October 2023 expiry date. On the basis of Ms Graham's confirmation, the consent has been given effect to and remains available to be relied on for development on the remaining vacant lots, including Lot 29, notwithstanding the expiry of the nominal 10-year period.

On this basis, the applicant does not seek fresh consent under the Operative District Plan for the setback, stormwater, or height standards already authorised by RC2140098. Under that plan, this application is confined to the one bulk and location standard not addressed by that consent: building coverage.

Overall, this application is assessed as a Discretionary Activity under the Operative District Plan.

3.0 Site Context

Site Characteristics

The subject site is located at 4 Kokopu Street, Ahipara and is legally described as Lot 29 DP 427753. The gross site area of Lot 29 is 957m².

The site is subject to Consent Notices D551249.8, 6767424.1, and 8520807.1, with conditions relating to effluent disposal, stormwater management, geotechnical design, building line restrictions, archaeology, and land covenants. Copies of the relevant consent notices are attached. The proposed development will be carried out in accordance with all applicable consent notice conditions.

The site is currently vacant and flat in topography. It is largely grass-covered with road frontage to Kokopu Street and to Ahipara Road by reason of its corner location.

View of the subject site form the road frontage.



View of the subject site from eastern boundary.



View from the road frontage



Surrounding Environment

The subject site is located within the DP 427753 subdivision, a residential-scale development at the urban edge of Ahipara zoned Rural Production under the Operative District Plan. The subdivision was created under RC2080106 (granted 25 February 2008), which established 48 residential sites ranging in area from approximately 710m² to 1,525m². Adjoining sites are zoned Rural Production and are largely developed or being developed with residential dwellings. The area is not characterised by significant vegetation, topographical features, or rural amenity values that would be typical of the broader Rural Production zone.

A number of lots in the subdivision have already received land use resource consent for the same bulk, location, and stormwater management standards at issue here, and dwellings have been constructed in accordance with those consents. The immediate locality is therefore characterised by residential development of a density and scale broadly equivalent to what the applicant now proposes for Lot 29.

4.0 Far North District Plan Assessment

4.1 Operative District Plan

Overall, the proposal requires resource consent as a Discretionary Activity under the Operative District Plan, for the reason that the proposed building coverage of 19.73% (188.86m²) exceeds both the 12.5% permitted activity threshold and the 15% controlled activity threshold under Rule 8.6.5.1.10 / 8.6.5.2.5.

Rule Assessment — Permitted Activity Standards (Rule 8.6.5.1)

Rule	Standard	DP Permitted Standard	Proposal / Drawing	Status	Notes
8.6.5.1.1	Residential intensity	1 unit per 12 ha, or 1 unit on existing site created under Rule 13.7.2.1	1 dwelling on Lot 29 DP 427753 — a site created under RC2080106 subdivision consent	Complies	Exception clause applies: single unit on existing lot created by subdivision. No intensity assessment required.
8.6.5.1.2	Sunlight / recession plane	No part of any building shall project beyond 45° recession plane measured from 2m above any boundary	Building height apex 3,967mm (approx. 4.0m above FFL). FFL at 660mm above ground. Setbacks 3m road, 1.2m internal per RC conditions	Complies	Designed to comply, setback from boundaries.
8.6.5.1.3	Stormwater / impermeable surfaces	Max 15% (permitted); up to 20% (controlled activity); up to 50% max 400m ² via RC2140098 condition	Impermeable surfaces = 271m ² (28.32% of 957m ²) per Sheet A2	Complies via RC	Exceeds 15% PA threshold and 20% CA threshold. Complies under RC2140098 condition which authorises up to 50% coverage to a maximum of 400m ² . Proposed 271m ² is within the 400m ² cap. Stormwater detention and tanks required per amended consent notice condition 8520807.1 (two 25,000L tanks; on-site detention to pre-development flow; Fraser Thomas Report compliance).

8.6.5.1.4	Setback from boundaries	10m from all boundaries (permitted). 3m road / 1.2m internal via RC2140098 conditions	Road setback: 3m (Sheet A3). Internal setbacks: 1.2m shown.	Complies via RC	Setbacks reduced by RC2140098 decision and consent notice. Road setback 3m and internal setback 1.2m are the authorised standards for Lot 29. Drawings show compliance with these reduced setbacks.
8.6.5.1.5	Transportation	Chapter 15 — Traffic, parking and access	Vehicle access from Kokopu Street. Driveway shown on site plan (Sheet A3). Future garage shown (dashed)	Note	Designed to comply, V/C to be constructed to rural type b standards.
8.6.5.1.6	Keeping of animals	Factory farming / kennel setbacks from boundaries	Residential dwelling only — no animal keeping proposed	N/A	No animal keeping activity proposed.
8.6.5.1.7	Noise	65 dBA L10 (0700–2200); 45 dBA L10 / 70 dBA Lmax (2200–0700)	Residential use — noise generating activity not proposed	Complies	Residential dwelling is a receiver, not a significant noise source. Standard construction noise limits apply during build phase (NZS 6803P:1984).
8.6.5.1.8	Building height	12m (permitted). 5m volunteered condition under RC2140098	Apex height: 3,967mm above FFL (approx. 4.63m above natural ground, accounting for 660mm FFL above datum). Total height approx. 4.6m above ground	Complies via RC	RC2140098 Condition 1 limits maximum building height to 5m above natural ground level. Proposed apex approx. 4.6m. Complies with both the 5m RC condition and the

					12m DP standard.
8.6.5.1.9	Helicopter landing area	200m minimum from Residential, Coastal Residential, Russell Township or Point Veronica Zones	No helicopter landing area proposed	N/A	
8.6.5.1.10	Building coverage	Max 12.5% (permitted); up to 15% (controlled activity)	188.86m ² (19.73% of 957m ²)	Discretionary	See note below — this exceeds both the permitted (12.5%) and controlled activity (15%) thresholds, and is the matter for which consent is sought in this application.
8.6.5.1.11	Scale of activities	Max 4 persons (non-farming activities) or 1 per ha net site area	Residential household — not a commercial or public-facing activity	Complies	Rule applies to non-residential activities. Standard residential household use is not subject to this scale limit.
8.6.5.1.12	Temporary events	Max 2 days, max 500 persons, 6.30am–10pm	No temporary events proposed	N/A	

RC2140098 — Given Effect To (Jo Graham Email, 12 March 2026)

Provision	Standard	Requirement	Position	Status	Notes
s.125 RMA	Consent lapsing	Consent lapses 10 years after commencement unless given effect to (s.125(1)(a) RMA)	RC2140098 granted 14 October 2013. 10-year period expired 14 October 2023. Majority of lots in	Complies	Jo Graham (Team Leader — Resource Consents, FNDC) confirmed by email 12 March 2026: provided lots were

			development have been developed prior to expiry.		developed before expiry date, the consent has been given effect to and Lot 29 can rely on it for the new build. Consistent with s.125(1)(a) RMA.
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4.2 Proposed District Plan – Decisions Version (PDP-DV)

The Proposed Far North District Plan – Decisions Version (PDP-DV) was notified on 30 June 2026. Under section 86B(1) of the Act, the rules of the PDP-DV have full legal effect from that date. Submitters have 30 working days from notification to lodge an appeal with the Environment Court; at the date of this application, that period has not expired, so the PDP-DV is not yet fully operative and its provisions apply in parallel with the Operative District Plan.

Section 88A of the Act allows an applicant to retain the activity status applying at the date of lodgement where an application is lodged before a plan change is notified. Because this application is being lodged after 30 June 2026, section 88A does not apply, and the proposal must be assessed against both the Operative District Plan and the PDP-DV, with the more restrictive activity status of the two governing the overall classification.

Under the PDP-DV, the site is zoned Rural Residential (RRZ).

RRZ Standard	Rule	Permitted Standard	Proposed	Assessment
Residential activity	RRZ-R3	1 unit per 4,000m ² site area (exemption: single unit on a site under 4,000m ²)	1 dwelling on existing 957m ² lot	Complies — single-unit exemption applies
Maximum height	RRZ-S1	8m above ground level	Apex approx. 4.6m above ground	Complies
Height in relation to boundary	RRZ-S2	Recession plane from 2m: 55° (north), 45° (east/west), 35° (south)	Designed to ODP's 45° recession plane	Complies
Setback	RRZ-S3	3m minimum from all boundaries	3m road, 1.2m internal	Complies under RC2140098
Impermeable surface coverage	RRZ-R2	No more than 12.5% or 2,500m ² , whichever is lesser	271m ² (28.32% of 957m ² site)	Complies under RC2140098
Building or structure coverage	RRZ-S5	No more than 12.5% or 2,500m ² , whichever is lesser	188.86m ² (19.73% of 957m ² site)	Breaches — the matter for which consent is sought

Where RRZ-S5 (building coverage) is not met, RRZ-R1 restricts discretion to: (a) the character and amenity of the surrounding area; (b) any landscaping, planting and screening to mitigate adverse effects; (c) the extent to which

private open space can be provided for future uses; (d) the extent to which siting, setback and design mitigate visual dominance on adjacent sites and the surrounding environment; and (e) natural hazard mitigation and site constraints.

The application is a Discretionary Activity under the Operative District Plan and, on building coverage, a Restricted Discretionary Activity under the PDP-DV. As the application is lodged on or after 30 June 2026, the most restrictive activity status of the two plans governs; the application is accordingly assessed overall as a Discretionary Activity, pending confirmation of the setback and impermeable surface coverage position noted above.

5.0 National Environmental Standards — Contaminated Soils

Based on a search of Council records, historic aerial imagery, and documentation provided in support of this application, there is no evidence to suggest that a HAIL activity is, has been, or is more than likely to have been, undertaken on any part of the site. The NES for Assessing and Managing Contaminants in Soil to Protect Human Health is not applicable in this instance.

5.1 National Policy Statement for Highly Productive Land

Although the site contains LUC 3 soils, the NPS-HPL 2022 is not applicable. The site is zoned Rural Residential under the PDP-DV, which identifies the land for peri-urban residential development. The NPS-HPL carve-out at clause 3.5(7)(b) accordingly applies, consistent with the approach confirmed by Council in RC2260369-RMALUC (Hinton, 22 Kokopu Street, Lot 35 DP 427753, granted 23 April 2026) for the same subdivision. No NPS-HPL assessment is required.

National Policy Statement for Natural Hazards 2025

The National Policy Statement for Natural Hazards 2025 (NPS-NH) came into force on 15 January 2026 and sets out a risk-based framework for managing natural hazard risk associated with subdivision, use and development, including flooding. Under Part 3 of the NPS-NH, natural hazard risk is assessed by combining the likelihood of the hazard occurring with the consequence for life and property, to arrive at an overall risk rating of low, medium, high or very high. Where a proposal is assessed as very high risk, that risk must be avoided (Policy 3); where it creates or increases significant risk to other sites, that risk must be avoided or mitigated proportionately to the level of risk involved (Policy 4). Decision-makers must also have regard to the potential effects of climate change over at least a 100-year horizon (Policy 6).

The proposed building is not located within the flood hazards, as per the hazards maps shown above.

6.0 Notification

6.1 Public Notification

Step 1 — Mandatory public notification: The applicant is not requesting public notification. Section 95C does not apply. Public notification is not required at Step 1.

Step 2 — Public notification precluded: None of the preclusion criteria under s95A(4) apply. Step 3 must be considered.

Step 3 — Public notification required in certain circumstances: No rule or NES requires public notification under s95A(7)(a). The assessment at Section 7 concludes that adverse effects of the proposed building coverage will be no more than minor. Public notification is not required under s95A(7)(b).

Step 4 — Special circumstances: The building coverage sought is consistent with that granted by Council for multiple other lots in the same subdivision on a non-notified basis. There is nothing exceptional or unusual about this proposal that would give rise to special circumstances under s95A(9).

Public notification conclusion: this application can be processed without public notification.

6.2 Limited Notification

Step 1: No affected protected customary rights groups or affected persons under a statutory acknowledgement are identified in relation to this land at this time.

Step 2: None of the preclusion criteria under s95B(6) apply.

Step 3: The assessment of environmental effects below concludes that the effects of the proposed building coverage on adjoining owners will be no more than minor. Council has consistently found this to be the case in respect of equivalent building coverage on other lots within the subdivision, including on lots immediately adjoining the subject site. No affected persons are identified.

Step 4: No special circumstances exist in relation to limited notification.

Limited notification conclusion: this application can be processed without limited notification.

7.0 Assessment of Environmental Effects

7.1 Context and Permitted Baseline

Under RC2080106, Council granted combined subdivision and land use consent on 25 February 2008 to create 48 residential sites from what was then larger rural land. In assessing that application, Council recognised that the sites created, ranging from approximately 710m² to 1,525m², would not be capable of being developed in compliance with the bulk and location standards of the Rural Production Zone as a permitted activity.

The titles to the lots in the subdivision have now issued. The small title areas make compliance with the standard bulk and location requirements of the Rural Production Zone impractical. Consent for building coverage above the permitted threshold has been granted on the same basis for a significant number of lots in the subdivision.

7.2 Local Landscape and Amenity

The primary issue requiring consideration in relation to local landscape and amenity is the intensity of development represented by the proposed building coverage, and the degree to which this is consistent with the character of the immediate environment.

The titles to Lots 1–6, 10–15, 20–23, 25, 27, 29, 31, 32, 34, 35, 38–40 and 44–48 of DP 427753 have issued, with the relatively small size of the lots posing difficulties for future development in compliance with the bulk and location provisions of the Rural Production Zone.

The site is located at the urban edge of Ahipara. The development pattern within the subdivision and its surrounds is residential in character. The amenity values are not particularly high, given the lack of significant vegetation, topographical features, or rural landscape character.

Council has accepted that building coverage above the permitted threshold does not generate adverse effects on local landscape and amenity that are more than minor in this receiving environment: see RC2140098 (14 October 2013), RC2180269-RMALUC (4 December 2017), RC2260369-RMALUC (23 April 2026), and others. Adverse effects in relation to local landscape and amenity are assessed as no more than minor.

7.3 Building Coverage

Receiving environment: Lot 29 is one of 48 residential sites created by RC2080106 (2008), ranging from approximately 710m² to 1,525m², within a subdivision that is now substantially developed with residential dwellings at equivalent or greater building coverage, including under RC2140098 (2013) and RC2180269-RMALUC (2017).

The small title areas within DP 427753 make full compliance with the Rural Production Zone's building coverage standard impractical. Council has previously accepted, in granting RC2140098 and RC2180269-RMALUC, that building coverage above the permitted and controlled activity thresholds does not generate more than minor adverse effects on amenity in this receiving environment, where development is residential in character and scale.

Adjoining properties within the subdivision have been developed, or are being developed, at a similar density and building coverage. The incremental effect of the proposed coverage on neighbouring amenity, privacy, and outlook is assessed as no more than minor.

The proposed single-level dwelling has a total floor area of 259m² (including garage) and is considered modest and consistent with existing dwellings in the immediate vicinity.

Similar to adjoining properties, the site is subject to land covenants which require all development to be designed in a specific manner ensuring consistency across the entire subdivision.

The subject site and surrounding properties are subject to similar site constraints, including a narrow rectangular or irregular shape and limited land area outside of the relevant setback requirements. As a result, a distinct development pattern has emerged in the locality whereby most existing built development encroaches the 10m Rural Production Zone setback requirement on at least one boundary. Most neighbouring properties, including Lots 9 and 10 DP 427753, also exhibit a similar level (if not a greater percentage) of building coverage. The proposed level of building coverage is therefore consistent with that prominent in the immediate surrounding environment.

The proposed building platform and layout have been designed to allow for as much open space as practicable, taking into account the site constraints described above. The dwelling and outdoor open space will be screened on the northern, southern and western boundaries by a timber fence designed in accordance with the relevant covenant conditions. The south-western boundary is already screened by well-established landscaping, which will remain unaffected by the proposed development. On this basis, the privacy and outlook of future residents and neighbouring properties are not considered to be adversely affected.

7.4 Effects on Adjoining Properties

The only other potentially affected parties are the owners of adjoining properties. Council has consistently found that building coverage at this level does not generate more than minor effects on neighbouring privacy or outlook in this receiving environment. The land covenant conditions applying to the subdivision require all development to be designed and constructed in a consistent manner, which provides a further safeguard for the amenity of the neighbourhood. Adverse effects on adjoining properties are assessed as no more than minor.

7.5 Adverse Effects Conclusion

The adverse effects of the proposed building coverage on the environment, including on the amenity of the locality and on adjoining properties, will be no more than minor. The proposal is consistent in character and scale with the development approved and established across the DP 427753 subdivision.

8.0 Section 104 Assessment

8.1 Assessment of Effects

Section 104(1)(a) requires consideration of any actual and potential effects on the environment of allowing the activity. The assessment at Section 7 above concludes that adverse effects will be no more than minor. Positive effects include enabling the efficient residential use of a site established under an approved subdivision, contributing to housing supply in the Far North District.

8.2 Relevant Statutory Documents

National Policy Statement for Highly Productive Land: the NPS-HPL does not apply, for the reasons stated at Section 5.1.

Operative Far North District Plan — Rural Production Zone: relevant ODP objectives are 8.6.3.1, 8.6.3.2, 8.6.3.3, 8.6.3.4, 8.6.3.6, 8.6.3.7, 8.6.3.8, and 8.6.3.9; relevant ODP policies are 8.6.4.1, 8.6.4.2, 8.6.4.3, 8.6.4.4, 8.6.4.5, 8.6.4.7, 8.6.4.8, and 8.6.4.9. The proposed building coverage is a significant departure from the Rural Production Zone standard. However, the proposal is considered consistent with the ODP objectives and policies because: the small title areas have already been created, and compliance with the bulk and location requirements of the Rural Production Zone is impractical; the effects of the proposed coverage are equivalent to the development rights previously established under RC2080106; and the immediate vicinity is characterised by medium-density residential development at a similar or greater level of building coverage, despite the Rural Production zoning.

Proposed Far North District Plan – Decisions Version — Rural Residential Zone: relevant PDP-DV objectives are RRZ-O1, RRZ-O2, RRZ-O3, and RRZ-O4; relevant PDP-DV policies are RRZ-P1, RRZ-P2, RRZ-P3, and RRZ-P5. Under the PDP-DV the site is zoned Rural Residential, which anticipates peri-urban scale residential activity on the fringe of settlements. The proposed building coverage is considered consistent with that role and with Council's assessment of comparable proposals for other lots in the same subdivision. No reverse sensitivity conflicts with primary production activities arise, and no incompatible activities are proposed.

8.3 Other Matters

There are no other matters under s104(1)(c) considered relevant to the proposal.

9.0 Part 2 Assessment

An assessment of Part 2 matters is only required where there is invalidity, incomplete coverage, or uncertainty in the planning provisions. The Operative District Plan and PDP-DV contain provisions relevant to the proposal, and there is no basis to consider those provisions invalid, incomplete, or uncertain. A Part 2 assessment is not required.

Notwithstanding this, the proposal is consistent with the sustainable management purpose of the Act. It will not undermine the site features contributing to the environment, and effects will be appropriately internalised. There are no matters of national importance under s6 relevant to this application, subject to confirmation of the Te Rarawa Treaty Settlement Area of Interest overlay noted above.

10.0 Overall Conclusion

The applicant seeks land use resource consent for the building coverage of the proposed dwelling on Lot 29 DP 427753, which exceeds the permitted standard under both the Operative District Plan (Rule 8.6.5.1.10) and the PDP-DV (RRZ-S5). The application is assessed as a Discretionary Activity under the Operative District Plan and a Restricted Discretionary Activity under the PDP-DV for this matter; the most restrictive status of the two plans applies, and the application is assessed overall as a Discretionary Activity.

The proposed building coverage is consistent in nature with that granted by Council in RC2140098 (2013) and RC2180269-RMALUC (2017) for multiple other lots in the same subdivision, and with the development pattern established across the subdivision by those and subsequent consents, including most recently RC2260369-RMALUC (Hinton, 22 Kokopu Street, Lot 35 DP 427753, granted 23 April 2026). Adverse effects on the environment will be no more than minor.

It is concluded that the proposal satisfies the matters the consent authority is required to assess in respect of building coverage, and that resource consent can be granted on a non-notified basis..



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

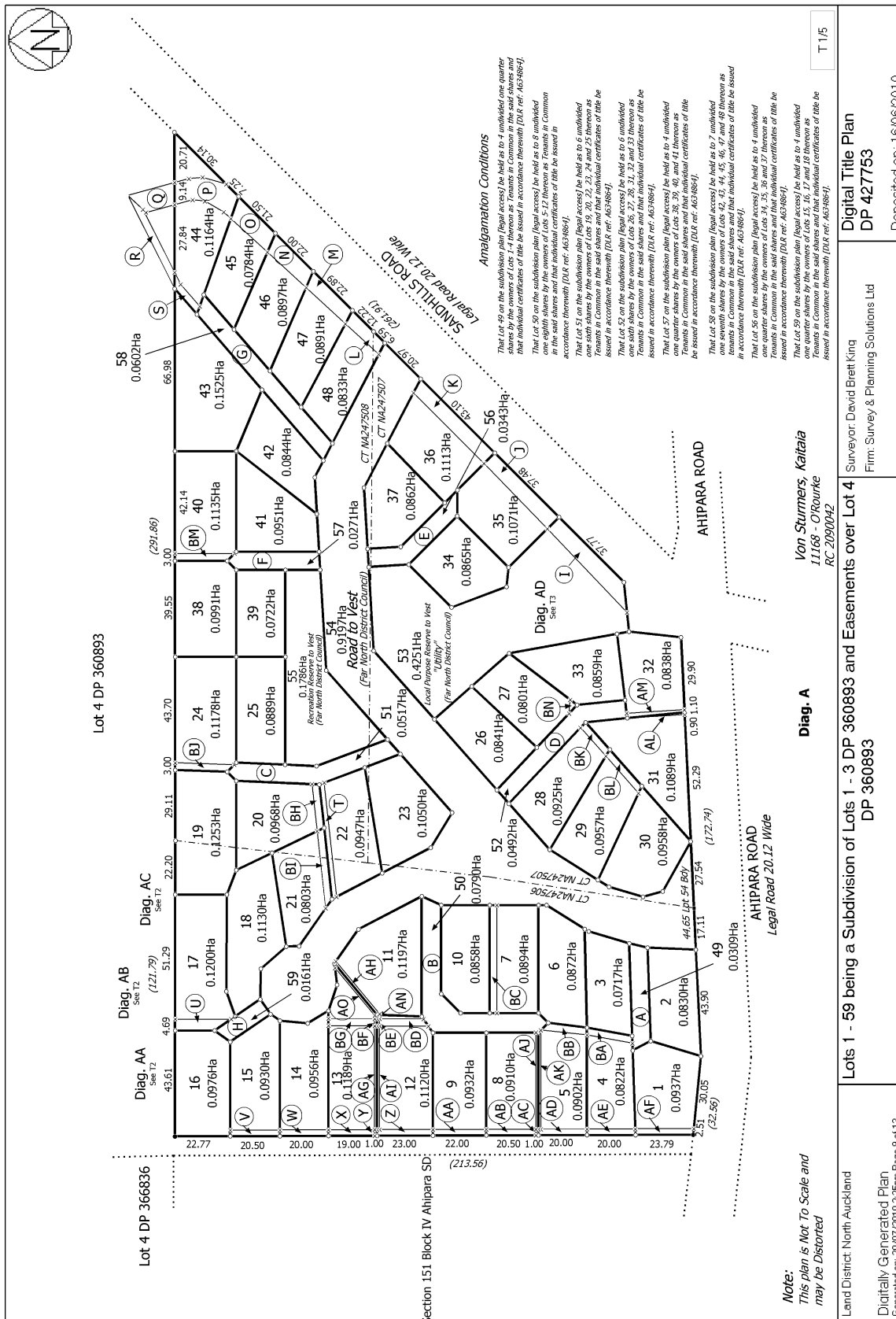
Identifier **509768**
Land Registration District **North Auckland**
Date Issued 16 June 2010

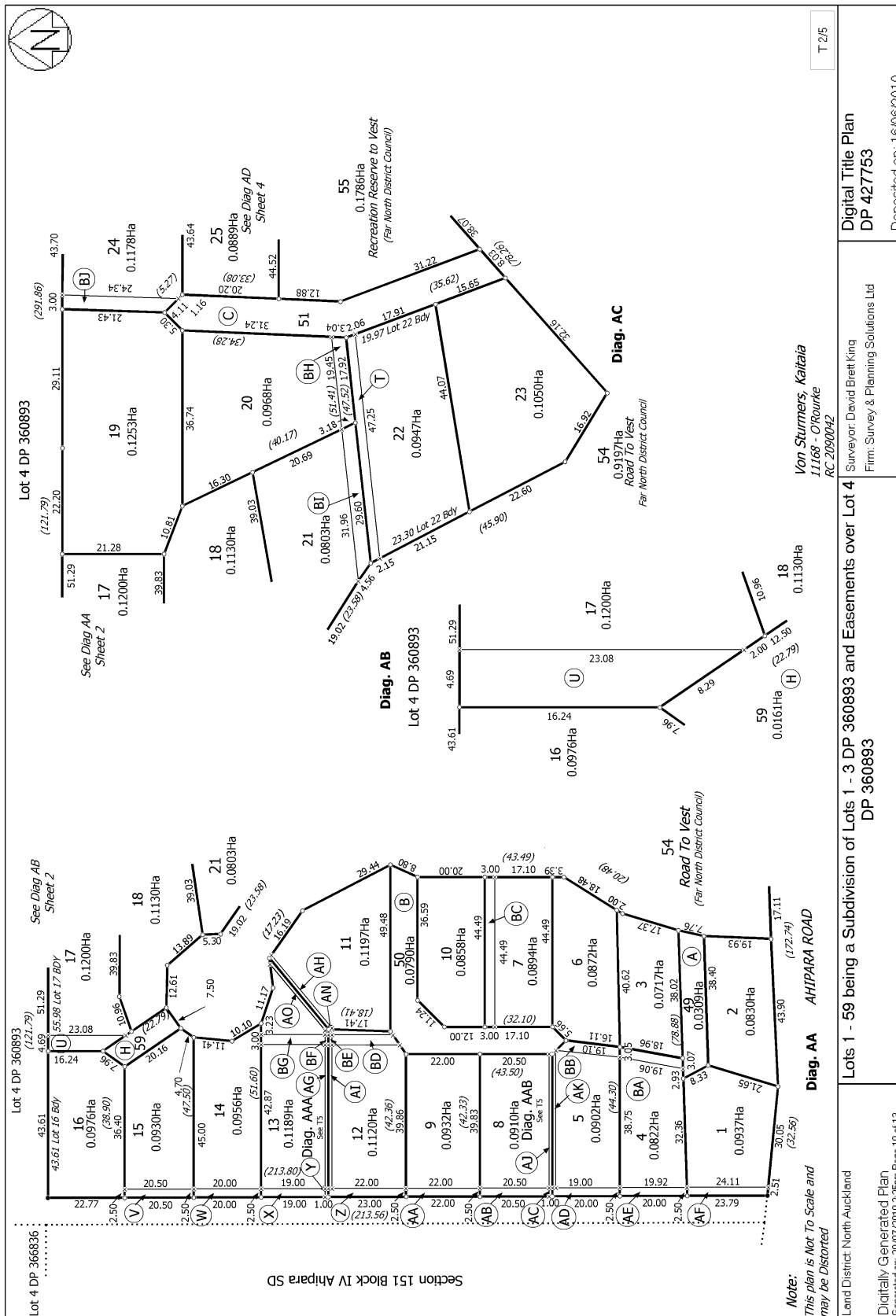
Prior References
247507

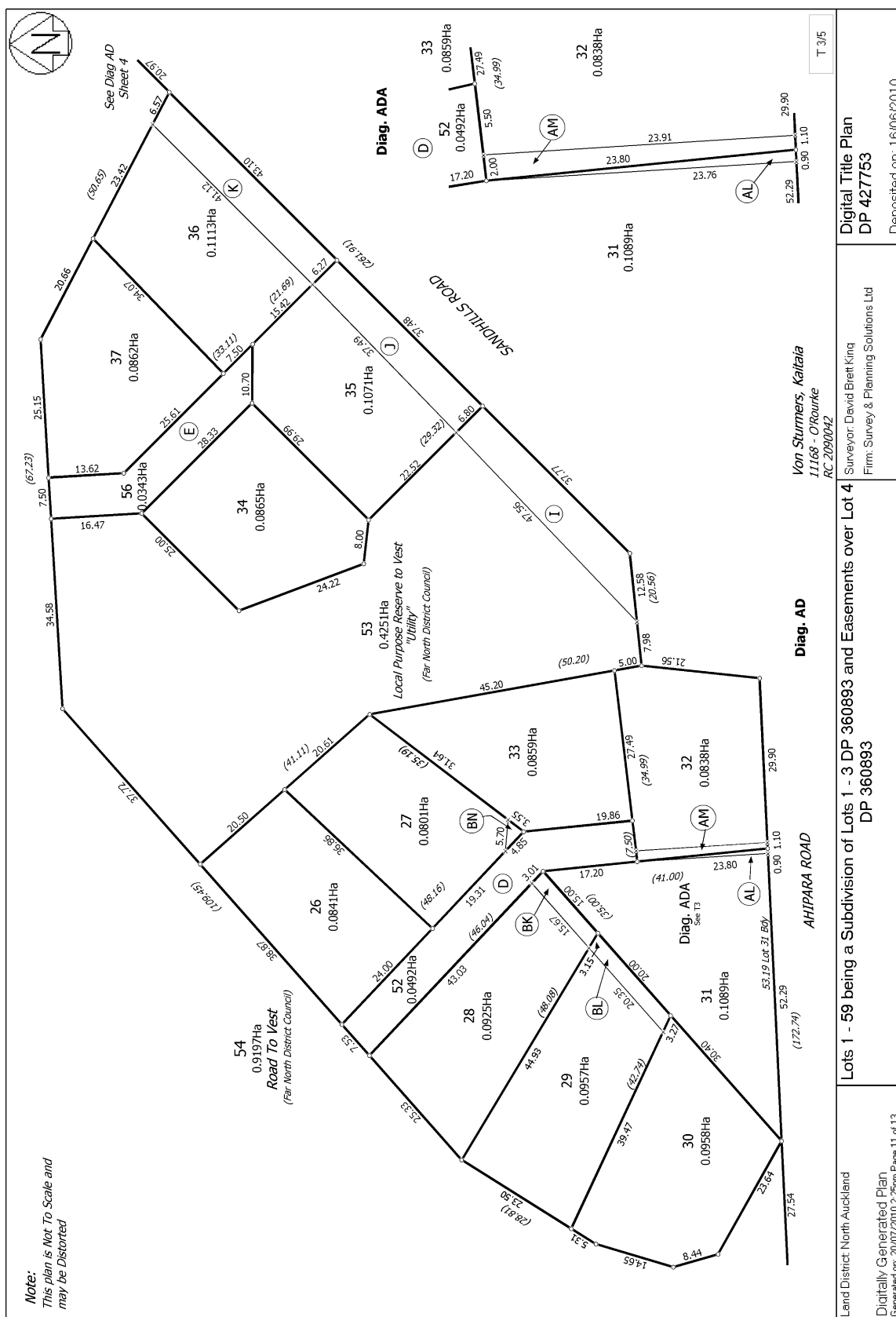
Estate Fee Simple
Area 957 square metres more or less
Legal Description Lot 29 Deposited Plan 427753
Registered Owners
Murry Harold Kidd

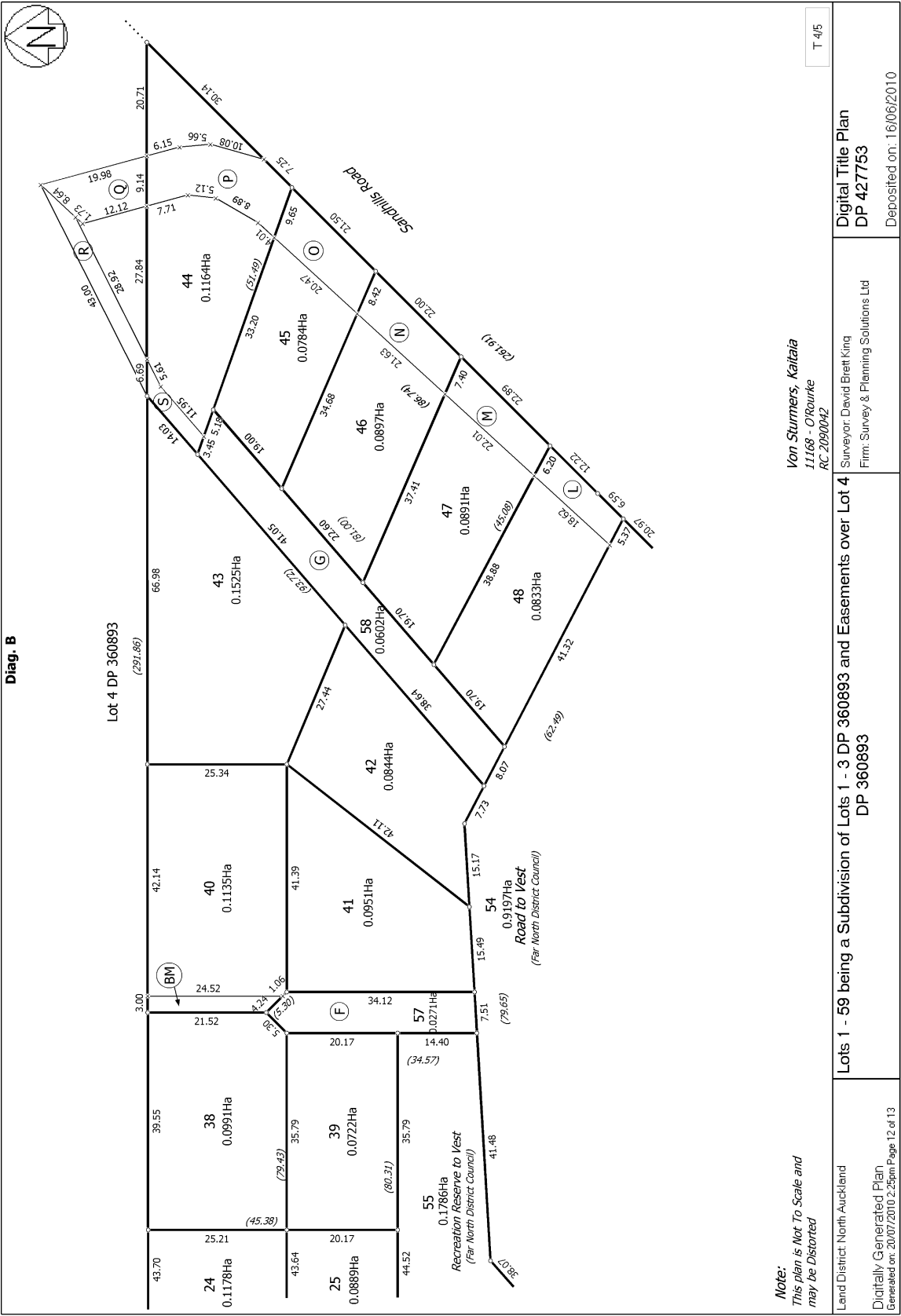
Interests

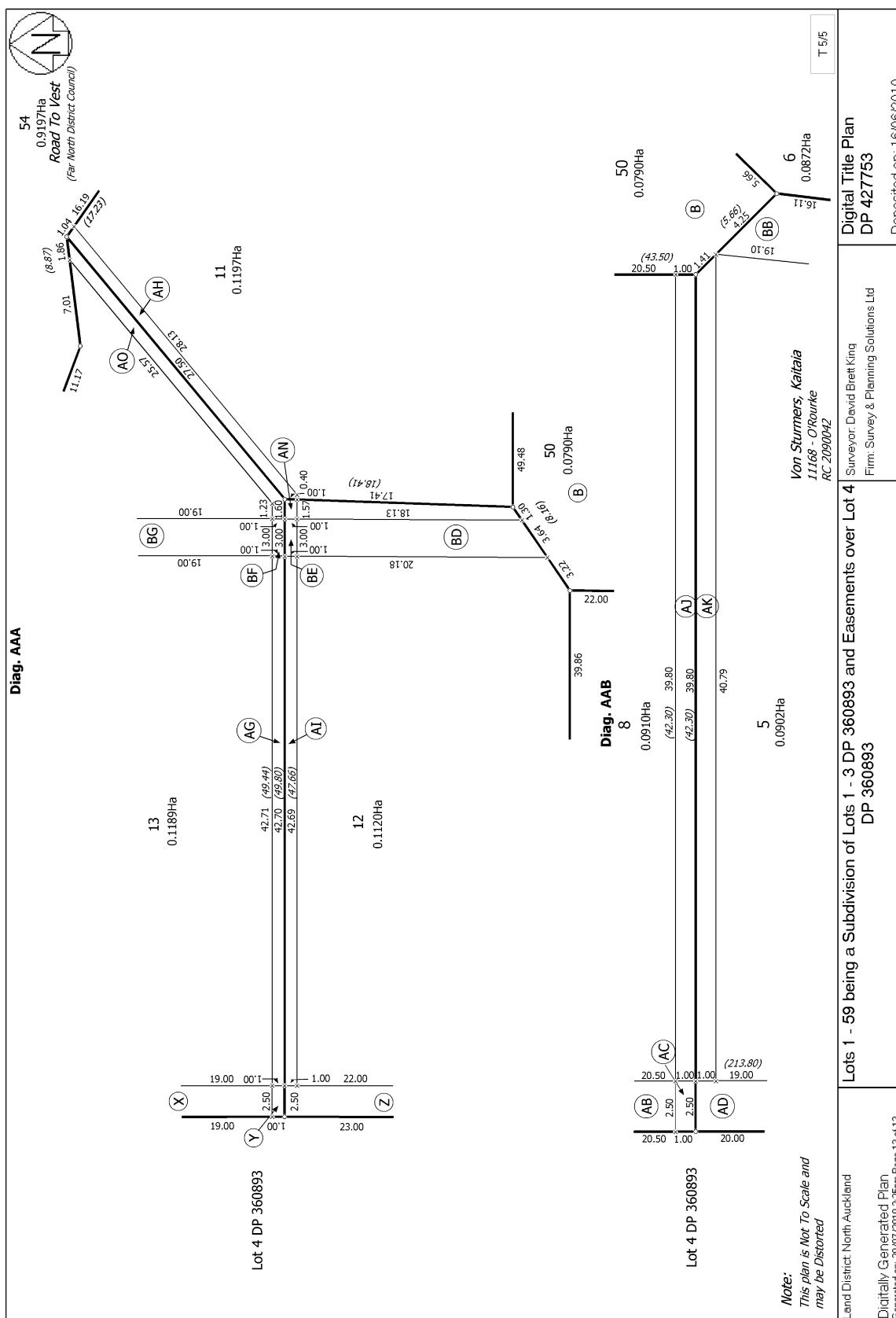
Saving and excepting all minerals within the meaning of the Land Act 1924 on or under the land
B647286.1 Compensation Certificate pursuant to Section 19 Public Works Act 1981 by The Mangonui County Council - 31.3.1987 at 9:41 am
D551249.8 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 20.10.2000
6767424.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 27.2.2006 at 9:00 am
8520807.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 16.6.2010 at 12:06 pm
Subject to a right (in gross) to drain sewerage over part marked BL on DP 427753 in favour of Far North District Council created by Easement Instrument 8520807.7 - 16.6.2010 at 12:06 pm
The easements created by Easement Instrument 8520807.7 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 8520807.11 - 16.6.2010 at 12:06 pm
Fencing Covenant in Transfer 10726396.1 - 15.3.2017 at 6:44 pm













Far North
District Council

Private Bag 752, Memorial Ave

Kaikōhe 0400, New Zealand

Freephone: 0800 920 029

Phone: (09) 405 2750

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: www.fndc.govt.nz

THE RESOURCE MANAGEMENT ACT 1991

CONO 6767424.1 Cons

Cpy - 01/03, Pgs - 003, 27/02/06, 08:00



DocID: 312345518

SECTION 221 : CONSENT NOTICE

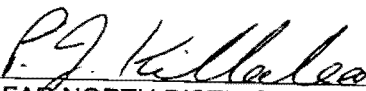
REGARDING RC2060012
the Subdivision of Lot 1 DP 61704 & Lot 5 DP 202942
North Auckland Registry

PURSUANT to Section 221 for the purpose of Section 224 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 is to be registered on the title of the affected allotments.

SCHEDULE

- (i) Any proposal to construct a dwelling on lots 1-4, shall at the building consent application stage, be accompanied by a report from a Chartered Professional Engineer designing and certifying the following:
- the design of foundations;
 - a management plan for the disposal of stormwater, with regard taken of the potential floodability of the site;
 - that the requirements of Auckland Regional Council Technical Publication 58, the relevant Regional and District Council rules, including a 30 metre setback from water including open drains (District Plan Rule 11.7.6.1.4), can be satisfied.
- (ii) Any dwelling constructed on Lot 3 & Lot 4 is to be sited outside the 150 metre building line for residential buildings as shown on the attached plan and specified in the Mangonui Section of the Transitional District Plan.

SIGNED:


By the FAR NORTH DISTRICT COUNCIL Pat Killalea
Under delegated authority:
RESOURCE CONSENTS MANAGER

DATED at **KAIKOHE** this 8th day of February 2006

LODGING FIRM:

DE GRUYTER & CO

Address:

BP65004

Title Plan (#)

Priority Barcode/Date Stamp
(LINZ use only)

NORTHCOTE

Traverse Sheets (#)

Field Notes (#)

Uplifting Box Number:

N/A

Calc Sheets (#)

ASSOCIATED FIRM:

ROBIN FOUNTAIN

Survey Report

Plan Number Pre-Allocated or
to be Deposited:

Client Code / Ref:

MASTERS.1324

Other (state)

Rejected Dealing Number:

6767424

Q

Priority Order	CT Ref	Type of Instrument	Names of Parties	DOCUMENT OR SURVEY FEES	MULTI-TITLE FEES	NOTICES	ADVERTISING	NEW TITLES	OTHER	RE-SUBMISSION & PRIORITY FEE	FEES \$ GST INCLUSIVE
1	131A/301	CONO	FAR NORTH DISTRICT COUNCIL	50.00							\$50.00
2		ONCT	DR MASTERS	424.00							\$424.00
3											
4											
5											
6											

Land Information New Zealand Lodgement Form

Annotations (LINZ use only)

Fees Receipt and Tax Invoice

GST Registered Number 17-022-895

LINZ Form P005

Original Signatures?

Subtotal (for this page)	\$474.00
Total for this dealing	\$474.00
Less Fees paid on Dealing #	
Debit my Account for	\$474.00

View Instrument Details



Instrument No	8520807.1
Status	Registered
Date & Time Lodged	16 June 2010 12:06
Lodged By	Rolfe, David Roy
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
247506	North Auckland
247507	North Auckland
247508	North Auckland

Annexure Schedule: Contains 2 Pages.

Signature

Signed by Heugh Maudsley Kelly as Territorial Authority Representative on 25/05/2010 03:54 PM

*** End of Report ***



Private Bag 752, Memorial Ave

Kaikōhe 0400, New Zealand

Freephone: 0800 920 029

Phone: (09) 405 2750

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: www.fndc.govt.nz

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING RC-2090042 being variation of RC 2080106
Being the Subdivision_Lot 1-3 DP 360893

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 under each condition below.

SCHEDULE

- (i) If during the course of undertaking the site works there is a discovery made of any archaeological find, or suspected find, the work on that portion of the site should cease immediately and the NZ Historic Places Trust and a representative of the relevant local iwi contacted. It is unlawful to modify, damage or destroy an archaeological site without prior authority from the Trust under the Historic Places Act 1993. (Lots 1-52, 56-59)
- (ii) All development on the lot shall proceed in accordance with the Schedule of Covenants approved under conditions 5(xvi) of this consent. (Lots 1-48)
- (iii) That any building construction and works associated with particular land use activities on the lot and its access/driveway areas shall be in accordance with the conclusions and recommendations contained in the Fraser Thomas Geotechnical Report, with reference back to the full original report where appropriate, and to the satisfaction of Council. (Lots 1-48)
- (iv) At the time of the first building consent for the allotment, the lot owner is to provide two 25,000 litre roof water (rainwater) storage tanks for permanent and temporary storage, with one of these tanks to provide a temporary storage volume of 12,500 litres for attenuation of the roof water peak flow, and to take the attenuated overflows to dedicated soakage pits on each lot, the size of which shall be determined by a

Chartered Professional Engineer with overflows from the soakage pits being directed to grassed swale drains. All this work is to be in accordance with the Fraser Thomas Report.

The tank(s) shall be positioned so that they are accessible (safely) for fire fighting purposes and fitted with an outlet compatible with rural fire service equipment. Where more than one tank is utilised they shall be coupled together and at least one tank fitted with an outlet compatible with rural fire service equipment or a readily accessible 500mm minimum opening on the tank top. Alternatively, the dwelling can be fitted with a sprinkler system approved by Council.

- (v) All stormwater from buildings, overflows and paved areas on the site, which does not exceed the one in ten year storm event, is to be discharged to the stormwater system's connection point for that lot. (Lots 1-48)
- (vi) Any prospective purchaser should be informed that the lot is located within the Rural Production zone. The Rural Production zone anticipates and provides for land uses which are different from those within the development i.e. residential. The level of nuisance that is able to be generated in the Rural Production zone as a permitted activity needs to be recognised. (Lots 1-48)

SIGNED:


By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – Resource Management

DATED at KERIKERI this

7th

day of

May

2010

D551249.8
CONC

THE RESOURCE MANAGEMENT ACT 1991
SECTION 221: CONSENT NOTICE

IN THE MATTER of Plan 202942

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

SCHEDULE

1(a). Any dwelling constructed on the land described below is to utilise an effluent disposal system designed and constructed in accordance with Technical Paper 58 report as provided by Rogers and Rogers to the Far North District Council by report dated 5 May 1999.

1(b). The land affected by this condition is:

2.8700 hectares more or less being Lot 3 on Deposited Plan 202942 being part Section 153 Block IV Ahipara Survey District and part of the land formerly comprised and described in Certificate of Title Volume 119D Folio 770 (North Auckland Registry) but now the whole of the land comprised and described in Certificate of Title Volume 131A Folio 299 (North Auckland Registry).

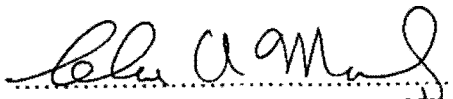
3.0990 hectares more or less being Lot 4 on Deposited Plan 202942 being part Section 153 Block IV Ahipara Survey District and part of the land formerly comprised and described in Certificate of Title Volume 119D Folio 770 (North Auckland Registry) but now the whole of the land comprised and described in Certificate of Title Volume 131A Folio 300 (North Auckland Registry).

16.2234 hectares more or less being Lot 5 on Deposited Plan 202942 being part Section 153 Block IV Ahipara Survey District (reserving all minerals within the meaning of the Land Act 1924) being the residue of the land formerly comprised and described in Certificate of Title Volume 119D Folio 770 (North Auckland Registry) and Lot 1 on Deposited Plan 61704 being part Section 153 Block IV Ahipara Survey District (reserving all minerals as aforesaid) and being the whole of the land formerly comprised and described in Certificate of Title Volume 17D Folio 394 (North Auckland Registry) but now the whole of the land comprised and described in Certificate of Title Volume 131A Folio 301 (North Auckland Registry).

2(a). Any dwelling constructed on the land described below is to be sited outside the 150 meter building line for residential buildings as specified in the Mangonui Section of the Transitional District Plan of the Far North District Council.

2(b). The land affected by this condition is 16.2234 hectares more or less being Lot 5 on Deposited Plan 202042 being part Section 153 Block IV Ahipara Survey District (reserving all minerals within the meaning of the Land Act 1924) being the residue of the land formerly comprised and described in Certificate of Title Volume 119D Folio 770 (North Auckland Registry) and Lot 1 on Deposited Plan 61704 being part Section 153 Block IV Ahipara Survey District (reserving all minerals as aforesaid) and being the whole of the land formerly comprised and described in Certificate of Title Volume 17D Folio 394 (North Auckland Registry) but now the whole of the land comprised and described in Certificate of Title Volume 131A Folio 301 (North Auckland Registry)

SIGNED:



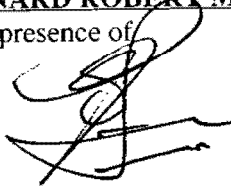
By the FAR NORTH DISTRICT COUNCIL
Pursuant to Section 252 of the Local Government Act 1974

DATE:

13/9/2000

SIGNED by
LEONARD ROBERT MASTERS
in the presence of

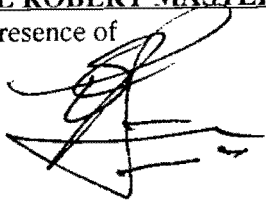
) *LR Masters*
)
)



D. R. FOUNTAIN
SOLICITOR
KAITIA

SIGNED by
DARYL ROBERT MASTERS
in the presence of

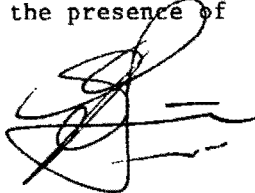
) *DR Masters*
)
)



D. R. FOUNTAIN
SOLICITOR
KAITIA

SIGNED by
NOELINE JOAN MASTERS
in the presence of

) *NJ Masters*
)
)



D. R. FOUNTAIN
SOLICITOR
KAITIA

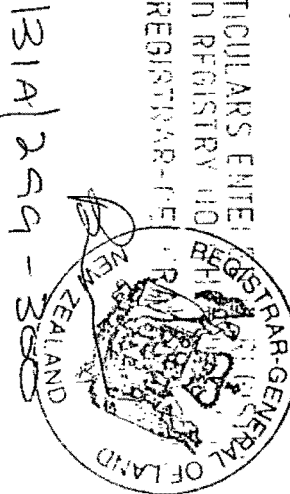
THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

(Deposited Plan 202942
North Auckland Registry)

317 20.OCT00 D 551249.8

PARTICULARS ENTERED
LAND REGISTRY NO.
for REGISTRAR-GENERAL



131A/259-300

301

1197/770

FOUNTAIN-MANNING & CO.
SOLICITORS
KAITIAI



com 0 / 38 -



**Easement instrument to grant Easement or *Profit à prendre*, or create
Land Covenant**

Grantor

Ahipara Developments Limited

Grantee

Ahipara Developments Limited

Grant of Easement or *profit à prendre* or Creation of Covenant

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (Plan reference) Plan 427753	Servient Tenement Computer Register Plan 427753	Dominant Tenement Computer Register Plan 427753
Land covenants		Lots 1 to 48 inc.	Lots 1 to 48 inc.

Easement instrument to grant easement or *profit à prendre*, or create land covenant
Continued

Easements or *profit à prendre* rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required

Unless otherwise provided below, the Rights and Powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five to the Property Law Act 2007.

The implied rights and powers are hereby ~~[varied]~~ ~~[negated]~~ ~~[added to]~~ or ~~[substituted]~~ by:

[Memorandum number _____, registered under Section 155A of the Land Transfer Act 1952]

~~[and /or the provisions set out in Annexure Schedule]~~

Continue in additional Annexure Schedule, if required.

Covenant provisions

Delete phrases in [] and insert memorandum number as required

The provisions applying to the specified covenants are those set out in:

~~[Memorandum number _____, registered under Section 155A of the Land Transfer Act 1952]~~

[and /or the provisions set out in Annexure Schedule]

Continue in additional Annexure Schedule, if required.

Approved by Registrar-General of Land und No. 2002/5032
Annexure Schedule

Insert type of instrument
 "Mortgage", "Transfer", "Lease" etc

Covenant Dated Page of pages

(Continue in additional Annexure Schedule, if required.)

The Grantor as registered proprietor of the land contained in Certificates of Title 247506, 247507 and 247508 has subdivided the land into residential lots in the manner shown and defined on Deposited Plan 427753

It is the Grantor's intention to create, for the benefit of the Benefiting Lots the land covenants set out in Schedule A (Covenants) over the Covenanting Lots TO THE INTENT that;

- a) the Covenanting Lots will be bound by the stipulations and restrictions set out in the Covenants;
- and
- b) the Grantee and the owners and occupiers for the time being of the Benefiting Lots may enforce the observance of the Covenants against the owners for the time being of the Covenanting Lots.

So as to bind the Covenanting Lots, and for the benefit of the Grantee and the respective owners of the Benefiting Lots, the Grantor DOES HEREBY COVENANT AND AGREE in the manner set out in Schedule A so that the Covenants run with the Covenanting Lots for the benefit of the Grantee and the respective owners of the Benefiting Lots PROVIDED HOWEVER that:

- a) the Grantee will not be required or obliged to enforce all or any of the stipulations and restrictions contained in the Covenants; and
- b) the Grantor will not be liable to the Grantee for any breach of any of the Covenants by any of the other registered proprietors of the Covenanting Lots; and
- c) the Grantor will as regards the stipulations and restrictions contained in the Covenants be liable only in respect of breaches which occur while the Grantor is registered proprietor of any of the Covenanting Lots in respect of which any breach occurs.

Definitions and Interpretation

- 1 In this instrument, unless the context required otherwise:

Benefiting Lots means any one of the lots 1 to 48 (inclusive) on Deposited Plan 427753 or any of them, and any lots into which those lots are further subdivided;

Covenanting Lots means any one of lots 1 to 48 (inclusive) on Deposited Plan 427753 or any of them, and any lots into which those lots are further subdivided;

Erect means place, build, erect, install, attach, situate or construct or permit to be placed, built, erected, installed, attached, situated or constructed;

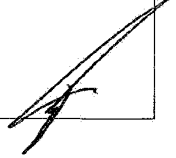
Grantee means the registered proprietor of the Benefiting Lots;

Grantor means the registered proprietor of the Covenanting Lots and includes the agents, employees, contractors, tenants, licensees and other invitees of the grantor;

Council means the Far North District Council.

LAND COVENANTS TO ENURE

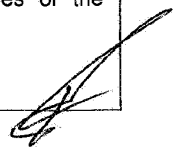
- 2 The Grantor for itself and its successors in title covenants and agrees with the Grantee for the benefit of each and all of the Benefiting Lots and also separately with each and all of the registered proprietors of the Benefiting Lots to always observe and perform all of the agreements, stipulations and restrictions set out in the Covenants to the intent that they shall forever enure to benefit the Benefiting Lots.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to be a cursive or semi-cursive script.

SCHEDULE A

SCHEDULE OF COVENANTS

1. Not to erect on the Servient Lot any building other than a single new residential dwellinghouse together with the usual garage and outbuildings associated with a private dwellinghouse utilizing all new materials of a high quality. In addition no dwelling shall incorporate any hardiplank or uncoated flat sheet fibrolite (except for soffits and gable ends), nor shall any corrugated iron be used unless it is pre-coated.
2. Not to permit or allow the removal on to the Servient Lot of any existing pre-built dwellinghouse.
3. Not to erect on the Servient Lot any accessory building or outbuilding other than a new accessory building or outbuilding of a nature normally associated with a dwellinghouse.
4. Not to erect or allow to be erected on the Servient Lot or on any boundary of the Servient Lot any fence constructed of corrugated iron or of any other kind of solid fencing material to the intent that any fence must not block visibility by more than 35%. This restriction is not intended to limit the planting or growth of hedging or other plant material on the boundary which may block visibility completely.
5. Not to conduct or allow to be conducted on the Servient Lot any commercial activities of any nature with the intent that the Servient Lot shall be used for residential purposes only.
6. Not to allow any buildings on the Servient Lot to have unpainted roof surfaces for longer than eighteen (18) months from the date of commencement of construction of the building.
7. Not to allow the exterior finishing and painting of any building erected on or otherwise on the Servient Lot to extend beyond eighteen (18) months from the date of commencement of construction of the building.
8. Not to utilise one type of exterior cladding for more than 80% of the exterior walls of any dwellinghouse excluding gable ends to the intent that there is a variety of exterior surfacing used in the construction of a dwellinghouse.
9. Not to erect or install any water tank or water storage which is not located underground or under a patio or enclosed deck of a dwelling so as to preserve the amenities of the neighbourhood.
10. Not to construct any driveway on the Servient Lot in materials other than permanent materials such as concrete, concrete block, block paving or chip sealing finish in a good and tradesmanlike manner.
11. Not to allow or permit the Servient Lot to be occupied or used for residential purposes (except during the course of construction or erection of a dwellinghouse on the land for a period not exceeding eighteen (18) months) until a dwellinghouse has been substantially completed in compliance with the foregoing covenants and in compliance with the requirements of the relevant local authority PROVIDED HOWEVER that nothing herein shall prevent the Servient Lot being used by the owner as a camping site for holiday purposes prior to the erection of a dwellinghouse for up to (4) weeks in any six (6) month period.
12. Not to bring on or to allow to remain on the Servient Lot once a dwellinghouse has been substantially completed to the stage where it can be occupied as a dwellinghouse in accordance with paragraph 11 hereof, any temporary dwelling or accommodation (as may have been erected or placed on the Servient Lot during construction of the principal dwellinghouse) or any caravan, trade vehicle or other equipment or materials unless garaged or screened so as to preserve the amenities of the neighbourhood.



13. Not to allow any buildings or other improvements on or erected on the Servient Lot to become in need of maintenance or fall into a state of disrepair for any period beyond six (6) months.
14. Not to allow any trees or vegetation on the Servient Lot to grow to exceed 6 metres in height when measured from the natural ground level.
15. Not to allow grass areas on the Servient Lot to remain unmown (with the intent that grass areas shall be mown regularly so as not to become unsightly) and not to allow rubbish to accumulate on the Servient Lot.
16. Not to construct any building or part thereof on the Servient Lot which exceeds five metres in height when measured from the natural ground level. For the purposes of this covenant a television aerial, radio mast, antennae or chimney or any other such construction is included within the definition of a building or part thereof.
17. Not to construct any building on the Servient Lot which has two storeys. A storey for this purpose will include any observation platform, deck, room or other structure which is capable of being used for accommodation or occupation by people either on a temporary or permanent basis but does not include a storage loft contained within the space of a dwelling provided such storage loft has no windows or other openings direct to the exterior of the building. The restriction against two storeys does not prevent the construction of a split level building.
18. (As a covenant affecting Lots 16 and 17 on Deposited Plan 427753 only) Not to allow any part or all of Lots 16 and 17 on Deposited Plan 427753 to be used for an extension of the access lot comprised in Lot 59 on Deposited Plan 427753 to create a legal roadway or shared access allotment or right-of-way providing access through to Lot 4 on Deposited Plan 360893 or any lot resulting from a subdivision of that Lot 4 on Deposited Plan 360893.
19. (As a covenant affecting Lot 19 on Deposited Plan 427753 only) Not to allow any part or all of Lot 19 on Deposited Plan 427753 to be used for an extension of the access lot comprised in Lot 51 on Deposited Plan 427753 to create a legal roadway or shared access allotment or right-of-way providing access through to Lot 4 on Deposited Plan 360893 or any lot resulting from a subdivision of that Lot 4 on Deposited Plan 360893.



Whitney Peat

From: Jo Graham
Sent: Thursday, 12 March 2026 4:39 pm
To: Northland Planning Development
Cc: Whitney Peat; Pim Support
Subject: RE: Query re: Status of RC2140098

Good afternoon Sheryl

I have had a look at the below query.

Assuming the lots that have been developed were done so before the expiry date of 10 years, then yes this consent has been given effect too and therefore the new development can rely on this consent for the new build.

Kind regards,



Jo Graham Hours: Mon-Fri 7.30am-4pm
Team Leader - Resource Consents
M 64272000431 | P 6494015761 | jo.graham@fndc.govt.nz

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

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029
fndc.govt.nz



From: Northland Planning Development <info@northplanner.co.nz>
Sent: Friday, 27 February 2026 2:20 pm
To: Nick Williamson <Nick.Williamson@fndc.govt.nz>; Whitney Peat <Whitney.Peat@fndc.govt.nz>
Subject: Query re: Status of RC2140098

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

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

Good afternoon,

The attached resource consent was granted on 14 October 2013 and provided land-use consent for the majority of properties within this development. A 10 year consent period was obtained.

We have been engaged by one of the property owners to construct a dwelling within their vacant site. The consent has been given effect to as the majority of the sites have now been developed. Do you agree that that as the consent has been given effect to our client can rely on this consent for his proposed build?

If you could get back to me next week with your thoughts that would be most appreciated so we can advise the BC processing team upon lodgement of the BC.

Regards,



Sheryl Hansford

Director / Senior Planner

Offices in Kaitaia & Kerikeri

☎ 09 408 1866 | 📠 021 498 813

Northland Planning & Development 2020 Limited

PERMITS & DECISION



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FAR NORTH DISTRICT COUNCIL

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

Resource Consent Number: 2180269-RMALUC

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

Howard Bruce Mercer and Kathryn Harrison

The activity to which this decision relates:

Decision A

- **To increase the level of impermeable surfaces from 15% to up to 50% (up to a maximum area of 400 m²) on each of the title areas for Lots 17 & 18 of DP427753.**
- **To increase the level of building coverage from 12.5% to 35% (up to a maximum area of 300m²) on each of the title areas for Lots 17 & 18 of DP427753.**
- **To reduce the minimum building setback from the road from 10 metres to 3 metres on each of the title areas for Lots 17 & 18 of DP427753.**
- **To reduce the minimum internal building setback required for Lots 17 & 18 of DP 427753 from 10 metres to 1.2 metres. The northern boundary of Lot 17 of DP 427753 shall however have a minimum setback of at least 3 metres.**

The proposal requires land use consent as a discretionary activity under the District Plan rules applying in the Rural Production zone and relating to building coverage, stormwater management and setback from boundaries.

Decision B

Variation to consent notice 8520807.1 condition (iv) as it relates to stormwater management on Lots 17 & 18 of DP427753.

The applicant has volunteered a condition of consent to reduce the allowable building height from 12 metres to 5 metres which is consistent with condition 16 within the schedule of covenants.

A 10 year consent period is sought.

Subject Site Details

Address:	8 & 10 Karawaka Street, Ahipara
Legal Description:	Lots 17 & 18 DP 427753 having 1/4sh in Lot 59
Certificate of Title reference:	CT-509757, CT-509756

Decision A – land-use consent

Pursuant to section 108 of the Resource Management Act 1991, Far North District Council grants consent to the land use proposal as outlined in Decision A above as it relates to the title areas as outlined above. This consent is issued subject to the following condition:

- 1. That the maximum allowable building height shall be limited to 5 metres.**

Decision B – to vary point (iv) of consent notice condition 8520807.1

That in accordance with section 221(3) of the Resource Management Act 1991, Far North District Council hereby resolves to vary point (iv) of consent notice condition 8520807.1.

The current wording of clause (iv) is as follows:

At the time of the first building consent for the allotment, the lot owner is to provide two 25,000 litre roof water (rainwater) storage tanks for permanent and temporary storage, with one of these tanks to provide a temporary storage volume of 12,500 litres for attenuation of the roof water peak flow, and to take the attenuated overflows to dedicated soakage pits on each lot, the size of which shall be determined by a Chartered Professional Engineer with overflows from the soakage pits being directed to grassed swale drains. All this work is to be in accordance with the Fraser Thomas Report.

The tank(s) shall be positioned so that they are accessible (safely) for fire fighting purposes and fitted with an outlet compatible with rural fire service equipment. Where more than one tank is utilized they shall be coupled together and at least one tank fitted with an outlet compatible with rural fire service equipment. Alternatively, the dwelling can be fitted with a sprinkler system approved by Council.

Council grants approval to amend point iv as it relates to the title areas as outlined above to read as follows (emphasis added to the approved changes):

At the time of the first building consent for the allotment, the lot owner is to provide two 25,000L roof water (rainwater) storage tanks for permanent and temporary storage. The lot owner shall also provide for stormwater detention on site with flow attenuated out-fall such that the stormwater flow from the site is no greater than that discharged from the site prior to being developed, the details of which shall be determined by a Chartered Professional Engineer, with attenuated overflows from the detention storage being directed to grassed swale drains. All this work is to be generally in accordance with the Fraser Thomas Report with stormwater runoff attenuated for rainfall events up to those with a 1 in 100 year ARI.

The tank(s) shall be positioned so that they are accessible (safely) for fire fighting purposes. These provisions will be in accordance with the NZ Fire Fighting Water Supply Code of Practice SNZ PAS 4509. Alternatively, the dwelling can be fitted with a sprinkler system approved by Council.

Advice Notes

1. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.
2. Whilst this decision grants approval for the amendment to the clause wording, it is the responsibility of the lot owner to register the Variation to Consent Notice on their Titles.
3. During the assessment of your application it was noted that a private Land Covenant exists on your property. Council does not enforce private land covenants, and this does not affect Council approving your application. However, you may wish to get

independent legal advice, as despite having a resource consent from Council, the private land covenant can be enforced by those parties specified in the covenant.

Reasons for the Decision

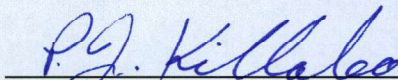
1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected customary rights group or customary marine title group.
2. The proposed activity is considered to have adequately taken into account, and be consistent with, relevant statutory provisions, including the objectives and policies from the Far North District Plan: The small title areas have already been created, and compliance with the bulk and location requirements applying in the Rural Production zone will be difficult. The effects of any future development will be equivalent to the development rights as previously established under RC2080106.

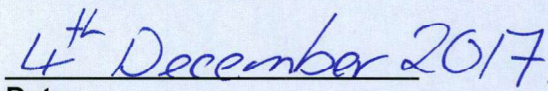
Note: In granting approval to RC2080106, the proposal was assessed in terms of its performance against the provisions of the Regional Policy Statement for Northland and the Partly Operative District Plan. The proposal was considered to perform well against the considerations in the Regional Policy Statement in respect of subdivision and although future development would not be able to meet all of the provisions of the Partly Operative District Plan, recommended conditions of consent were included to ensure that achievement of the development concept could be realised.

3. **Part 2 Matters**
The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.
4. In summary it is considered that the activity is consistent with the sustainable management purpose of the RMA.

Approval

This resource consent has been prepared by Sheryl Hansford, Resource Planner and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:


Pat Killalea,
Principal Planner - Resource Consents


Date

Right of Objection

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing Of Consent

Pursuant to section 125 of the Resource Management Act 1991, this resource consent will lapse 10 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.

RECORD OF DECISION ON RESOURCE CONSENT APPLICATIONS

Name	Unit record identifier	Type of resource consent	Description of activity(s)	Legal description (Appellation)	Class of activity
Howard Bruce Mercer and Kathryn Harrison	2180269-RMALUC	Land Use	To increase the level of impermeable surfaces with regard to stormwater, building coverage, and setback from boundary provisions & Variation to consent notice 8520807.1 condition (iv)	Lot 18 DP 427753 having 1/4sh in Lot 59	Discretionary

Pre-application meeting	Date lodged	Was the application previously rejected under section 88(3)	Deferral under section 91	Was the application subject to a Section 92(1) request	Was the application subject to a Section 92(2) request	Was application subject to a s88E suspension? (Written approvals)
No	18-Oct-2017	No	No	No	No	No

Notification Decision	Was the application subject to one or more section 37 extension/s?	Reasons for section 37/s (extension 1)	Decision Date	Decision	Decision-maker
Non notified	No	Not Applicable (did not extend time)		Granted	Local authority officer

Property File	RC Monitoring Officer	Monitoring (Compliance)	IAM's	PIMS	District Plan	Liq License	Legal	Comm Brd
✓	✓							
NZTA	Env Health	HNZPT	NRC – General	NRC – NES	DoC	Doubtless Bay Water Supply Co.	Other e.g. Cable Bay Sections Ltd, Interested Parties (Russell Protection Society)	

Please tick District Plan if your consent includes: Kiwi, Vegetation Clearance, all Subdivisions creating additional lots, any activities within split zones (subdivisions and/or land use)

Please consider your Interested Parties that have provided comments to your application, especially if they have requested a copy of the decision.



Application No: 2180269-RMALUC

6 December 2017

Howard Bruce Mercer and Kathryn Ann Harrison
C/- Northland Planning & Development
1421 Church Road
RD 2
Kaitiaki 0482

Te Kaunihera o Tai Tokerau Ki Te Raki

Dear Howard and Kathryn,

Re: RESOURCE CONSENT APPLICATION BY Howard Bruce Mercer and Kathryn Harrison

I am pleased to inform you that your application for resource consent has been approved. The decision is enclosed for your information. The application was considered and determined under authority delegated to the Team Leader Resource Consents of the Far North District Council, pursuant to Section 34A of the Resource Management Act 1991.

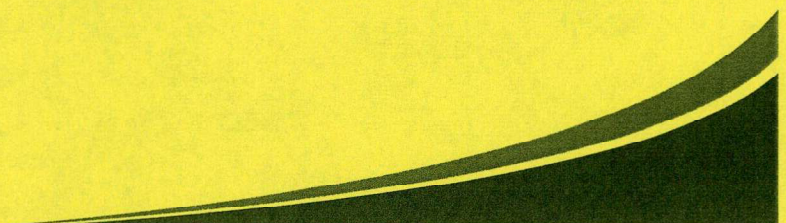
It is very important that you understand and comply with any conditions of consent. If you have any questions or concerns about any aspect of your consent or its conditions, please contact the planner who prepared the decision.

Please note, that you will be sent either an invoice or credit note depending on the actual cost of processing your application. Any additional costs shown on an invoice need to be paid by the 20th of the month following the date of the invoice. If you receive a credit note, you have the option of requesting a refund by bank transfer, or transferring the amount to any other Council account. Please advise and supply a printed bank deposit slip and allow 10 working days for the refund to be processed.

If you have any further queries regarding this matter, please contact the reporting Planner.

Yours faithfully

Nigel Edmonds
Planning Support
Resource Consents Department



Nigel Edmonds

From: Nigel Edmonds
Sent: Wednesday, 6 December 2017 3:27 p.m.
To: 'Felicity Foy'
Subject: Approved Decision for RC application 2180269-RMALUC-Agent
Attachments: Decision 2180269-RMALUC-Agent.pdf

Good afternoon Felicity

Please find attached approved decision for the above.

The hard copy will be in todays post and Council's final invoice will follow in due course.

Kind Regards

Nigel Edmonds



Nigel Edmonds
RMA Support

Chief Executive Office, Far North District Council | **24-hour Contact Centre** 0800 920 029
ddi +6494015367 | m 027 569 6588 | Nigel.Edmonds@fndc.govt.nz
[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)



Proud Category Winner of the
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FAR NORTH DISTRICT COUNCIL

**FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION FOR LAND USE CONSENT AND
AN APPLICATION TO VARY A CONSENT NOTICE CONDITION**

Resource Consent Number: 2140098-RMALUC

Pursuant to sections 104B, 108 and 221(3) of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants consent to:

Ahipara Developments Ltd

for the following –

Part A – Land use

- To increase the level of impermeable surfaces from 15% to up to 50% (up to a maximum area of 400 m²) on each of the title areas for Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753.
- To reduce the minimum building setback from the road from 10 metres to 3 metres on each of the title areas for Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753.
- To reduce the minimum internal building setback required for Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753 from 10 metres to 1.2 metres. The northern boundary of Lots 38, 40 and 44 of DP 427753 shall however have a minimum setback of at least 3 metres.

The proposal requires land use consent as a discretionary activity under the District Plan rules applying in the Rural Production zone and relating to impermeable surfaces and setback from boundaries.

Part B – Vary consent notice

- To change consent notice condition 8520807.1 as it relates to stormwater management on Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753.

The applicant has volunteered on an 'Augiers basis' to reduce the allowable building height from 12 metres to 5 metres.

A ten year consent period is sought.

Subject Site Details

Address: 1, 3, 4, 5, 7, 8, 10, 11, 13, 14, 15, 20, 21, 22, 25, 27, 29, 37, 39, 41, 43 and 45 Kokopu Street
3, 6, 7, 9, 15, 17, 19, 21, 23 Karawaka Street

Legal Descriptions: Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40 and 44-48 of DP 427753

Decision A – land use consent

Pursuant to section 108 of the Resource Management Act 1991, Far North District Council grants consent to the land use proposal as outlined in Part A above as it relates to the title areas as outlined above. This consent is issued subject to the following condition:

1. That the maximum allowable building height shall be limited to 5 metres.

Decision B – to vary point (iv) of consent notice condition 8520807.1

That in accordance with section 221(3) of the Resource Management Act 1991, Far North District Council hereby resolves to vary point (iv) of consent notice condition 8520807.1.

Council grants approval to amend point iv as it relates to the title areas as outlined above to read as follows (emphasis added to the approved changes):

- iv. *At the time of the first building consent for the allotment, the lot owner is to provide two 25,000 litre roof water (rainwater) storage tanks for permanent and temporary storage, with one of these tanks to provide a temporary storage volume of 12,500 litres for attenuation of the roof water peak flow, and to take the attenuated overflows to dedicated soakage pits on each lot, the size of which shall be determined by a Chartered Professional Engineer with overflows from the soakage pits being directed to grassed swale drains. All this work is to be in accordance with the Fraser Thomas report.*

The tank(s) shall be positioned so that they are accessible (safely) for fire fighting purposes and fitted with an outlet compatible with rural fire service equipment. Where more than one tank is utilised they shall be coupled together and at least one tank fitted with an outlet compatible with rural fire service equipment or a readily accessible 500mm opening on the tank top. Alternatively, the dwelling can be fitted with a sprinkler system approved by Council.

The lot owner shall also provide for stormwater detention on site with a flow attenuated out-fall such that the stormwater flow from the site is no greater than that discharged from the site prior to being developed, the details of which shall be determined by a Chartered Professional Engineer with attenuated overflows from the detention storage being directed to grassed swale drains. All this work is to be in accordance with the Fraser Thomas Report which controls stormwater runoff for rainfall events up to those with a 1 in 100 year ARI.

Advice Note

1. Archaeological sites are protected pursuant to the Historic Places Act 1993. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the New Zealand Historic Places Trust. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains).

Statutory Information

1. Pursuant to section 102 of the Local Government Act 2002, the Far North District Council has prepared and adopted a development contributions policy. Under this policy, the activity to which this consent relates will not be subject to development contributions.

Reasons for the Decision

1. Description of the Activity

Resource consent is being sought to increase the level of impermeable surfaces from 15% to up to 50% (up to a maximum area of 400 m²) on each of the title areas for Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753. Consent is also sought to reduce the minimum building setback from the road from 10 metres to 3 metres for each of these titles.

Subject to the following exceptions, the applicant also seeks to reduce the minimum internal building setback required for Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753 from 10 metres to 1.2 metres. The northern boundary of Lots 38, 40 and 44 of DP 427753 shall however have a minimum setback of at least 3 metres.

The proposal requires land use consent as a discretionary activity under the District Plan rules applying in the Rural Production zone and relating to impermeable surfaces and setback from boundaries.

The applicant has volunteered on an 'Augiers basis' to reduce the allowable building height from 12 metres to 5 metres.

A ten year consent period is sought.

Consent is also sought pursuant to section 221(3) of the Resource Management Act 1991 to change consent notice condition 8520807.1 as it relates to stormwater management on Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753.

2. District Plan rules affected

Land use consent application -

In terms of the application for land use consent, the following outlines the reasons for consent under the District Plan.

- Rule 8.6.5.1.3 relating to impermeable surfaces limits the maximum total site area covered by buildings and other impermeable surfaces to 15% on each of the title areas. As the applicant is proposing up to 50% coverage (with a maximum area of 400 m²), the proposal is a discretionary activity under Rule 8.6.5.4. Chapter 11 of the District Plan sets out the following assessment criteria that Council will take into consideration:
 - (a) *The extent to which building site coverage and impermeable surfaces result in increased stormwater runoff and contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment.*
 - (b) *The extent to which Low Impact Design principles have been used to reduce site impermeability in order to avoid, remedy or mitigate any adverse effects of stormwater runoff on receiving environments.*
 - (c) *The degree to which mitigation measures are proposed for loss of open space and vegetation to the surrounding environment.*
 - (d) *Any cumulative effects on total catchment impermeability.*
 - (e) *The extent to which building site coverage and impermeable surfaces will disturb the ground and alter the physical qualities of the soil type, soil pattern and natural contour of the site.*
 - (f) *Any adverse effects on the life supporting capacity of soils.*
 - (g) *The availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites.*

- (h) *The extent to which paved, impermeable surfaces are necessary for the proposed activity.*
- (i) *Visual amenity effects.*
- (j) *The extent to which prevailing climatic conditions and landscaping may reduce adverse effects.*
- (k) *Any recognised standards promulgated by industry groups.*
- (l) *The extent to which stormwater detention ponds and other engineering solutions are used to mitigate any adverse effects.*

- Rule 8.6.5.1.4 relating to setback from boundaries provides that buildings on Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753 shall maintain a minimum setback of 10 metres from their boundaries. As the applicant is proposing to:
 - reduce the minimum road setback to 3 metres, and
 - subject to the following exceptions, reduce the internal building setbacks for the title areas to 1.2 metres, and
 - reduce the northern setback on Lots 38, 40 and 44 of DP 427753 to at least 3 metres

the proposal is a restricted discretionary activity under Rule 8.6.5.3.4.

Council has restricted its discretion to the following matters:

- (a) *the extent to which the building(s) reduces outlook and privacy of adjacent properties;*
- (b) *the extent to which the buildings restrict visibility for access and egress of vehicles; and*
- (c) *the ability to mitigate any adverse effects on the surrounding environment, for example by way of planting.*

Overall the proposal for land use resource consent is regarded as being a discretionary activity under the District Plan.

3. Primary issues

Land use consent -

Section 104B of the Act provides that Council may grant or refuse consent to discretionary activities, imposing conditions under section 108 where consent is granted.

The primary issues requiring consideration in this instance relate to local landscape and amenity value, and stormwater management. (Stormwater management is discussed below with respect to the proposal to alter the consent notice condition.)

The titles to Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753 have issued, with the relatively small size of the lots (ranging from 717 m² to 1,197 m²) posing difficulties for future development in complying with the bulk and location provisions applying in the Rural Production zone. The sites cannot be reasonably developed as a permitted activity under the applicable rules. Hence the integrated approach previously undertaken in granting combined subdivision and land use consent to the development that created the subject site (RC2080106).

RC2080106 granted consent on 25 February 2008 to a combined subdivision and land use proposal creating 48 residential sites ranging in size from 710 m² to 1,525 m² in the Rural Production zone. Land use consent was granted for approximately 15,500 m³ of earthworks and the construction of a single residential unit on each of the lots.

The conditions of consent most relevant to the current proposal, imposed restrictions via a consent notice as follows:

Table 1 Bulk and Location Standards

STANDARD	RESTRICTED
Impermeable surfaces:	50% of site area up to a maximum of 400 m ²
Setbacks:	Road 3 metres Internal 1.2 metres except for northern boundary of Lots 38, 40 and 44 which shall be 3 metres
Building height:	5 metres above natural ground level

In assessing RC2080106, the intensity of development in the Rural Production zone was identified as one of the principle issues in contention. Council considered however *“that the proposed development, subject to conditions of consent which include those mitigation measures proposed by the applicant, will not generate any adverse effects on the environment that could be described as more than minor or that cannot be appropriately mitigated by way of consent conditions to ensure that effects will be no more than minor. Further due to the location of the site on the urban edge of Ahipara, the site is not considered to be wholly rural in character and the amenity values are not particularly high because of the lack of significant vegetation, topographical features or landscape character. The Design Strategy for the development aims to provide higher, albeit different, amenity values on the site which will be more compatible with the character of the rest of the township.”*

Council's decision also stated that *“the proposed intensity of development is considered to be appropriate for this particular site. In terms of engineering issues, these are adequately addressed in the engineers specification provided by Fraser Thomas and any effects will be appropriately mitigated by way of consent conditions to ensure that effects will be no more than minor. Further the realignment of the drain as proposed in the application will provide for improved runoff and drainage in the area”.*

Title to the lots has issued and the above assessment/conclusions relating to RC2080106 are regarded as valid to the current proposal, with the effects of the bulk and location infringements still regarded as no more than minor in terms of local/visual amenity. Given the size of the residential title areas, the bulk and location controls of the Rural Production zone are no longer regarded as appropriate. The development controls proposed will ensure a degree of flexibility in design, with the height restriction volunteered considerably lower than the 12 metres and 8 metres otherwise permitted within the Rural Production and Residential zones respectively. The setback of 3 metres from the northern boundary of Lots 38, 40 and 44 has regard to the common boundary of the lots with a larger parcel of land zoned Rural Production to the rear.

The applicant has volunteered to restrict the maximum building height to 5 metres. A condition will be imposed to this effect.

Variation of consent notice –

Section 104B of the Act provides that Council may grant or refuse consent to discretionary activities, imposing conditions under section 108 where consent is granted.

The primary issue requiring consideration in this instance relates to stormwater management. As discussed in the notification assessment, Council's resource consents engineer is satisfied that adequate detention storage can be provided, without necessarily providing the 12,500 litres of temporary storage as required by condition

(iv) of Consent Notice condition 8520807.1. The revised wording is regarded as adequate for the purposes of mitigating the level of stormwater runoff back to pre-development levels for a 10 year storm event. The revised wording is also recognised as being consistent with the Fraser Thomas report. Any effects associated with changing (iv) of Consent Notice condition 8520807.1 are therefore regarded as no more than minor and the request to cancel the consent notice condition is fully supported.

4. Relevant Statutory Provisions:

The operative District Plan includes objectives and policies placing emphasis upon ensuring that the characteristic amenity values of a locality are maintained and enhanced. The District Plan seeks to encourage a wide range of activities in the Rural Production zone, subject to the need to ensure that any adverse effects, including reverse sensitivity effects, on the environment resulting from activities are avoided, remedied or mitigated.

Whilst the dispensation sought for land use consent is a significant departure from the provisions applying in the Rural Production zone, the proposal is considered to be consistent with the District Plan's objectives and policies. The small title areas have already been created, and compliance with the bulk and location requirements applying in the Rural Production zone will be difficult. The effects of any future development will be equivalent to the development rights as previously established under RC2080106.

Note: In granting approval to RC2080106, the proposal was assessed in terms of its performance against the provisions of the Regional Policy Statement for Northland and the Partly Operative District Plan. The proposal was considered to perform well against the considerations in the Regional Policy Statement in respect of subdivision and although future development would not be able to meet all of the provisions of the Partly Operative District Plan, recommended conditions of consent were included to ensure that achievement of the development concept could be realised.

As the Act requires a district plan to give effect to a regional policy statement and that the district plan shall not be inconsistent with a regional plan, it is also reasonable to assume that the proposal would achieve the relevant issues, objectives and policies of the Regional Policy Statement for Northland, with future development likely to satisfy the environmental results anticipated by the regional plans.

Part 2 Matters

Section 5 sets out the Act's purpose, whilst sections 6, 7 and 8 include principles to assist in achieving that purpose.

The purpose of the Act as outlined in section 5(1) is to promote the sustainable management of natural and physical resources. As outlined in section 5(2), "sustainable management" means:

"... managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while -

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*"

Comment: The site is part of a subdivision approved for residential development that was subject to compliance with a number of design parameters consistent with the current proposal. Given that the current proposal is consistent with the design parameters and those specified in the consent notice restrictions, the proposal is regarded as consistent with the Act's purpose. The proposal will not undermine the site features contributing to its limited amenity values. The proposal is therefore considered for the most part as consistent with the purpose of the Act.

Section 6 of the Act, '*Matters of national importance*', lists seven matters of national importance. None are relevant to the proposal.

In achieving the purpose of the Act, section 7 imposes ten matters for Council to have regard to in managing the use, development, and protection of natural and physical resources. These matters include the maintenance and enhancement of amenity values.

Comment: The development is not regarded as contrary to the development pattern approved via the underlying subdivision. Recognising this level of development, the application and supporting documentation are regarded as consistent with section 7 of the Act.

Section 8 of the Act requires that all persons exercising functions and powers under the Act take into account the principles of the Treaty of Waitangi in managing the use, development and protection of natural and physical resources. It is not considered that the proposal would impact adversely upon the relationship of Maori and their culture and traditions with their ancestral lands, water, sites of waahi tapu and other taonga.

5. Notification and Affected Parties

Section 104(3a)(ii) of the Act requires that no consideration may be had of any effect on a person who has provided their written approval to the application. As outlined in the notification assessment, it has not been considered necessary to require any written approvals.

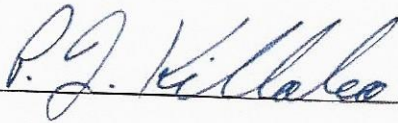
6. Overall Evaluation

Having considered the application against the relevant provisions of the Act and the District Plan, it is recommended that this application be granted subject to imposing a condition restricting the height of built development on the titles to 5 metres and amending the consent notice condition.

The applicant has sought an extended consent period of ten years. Given the number of vacant titles affected by the proposal (31) and that the small title areas are already created, the extended consent period sought by the applicant is not regarded as unreasonable. Extending the consent period to ten years will not undermine the development potential of the site or those adjacent, providing greater certainty that the small lots in the Rural Production zone can be developed in the manner anticipated by the approval of the underlying subdivision.

Approval

This resource consent has been prepared by Liz Searle (Senior Resource Consents Planner) and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Dated:

14th October 2013.

Pat Killalea

Principal Planner

(ACTING UNDER DELEGATED AUTHORITY)

Right of Objection

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

The consent holder shall pay all charges set by the Council under section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The consent holder will be advised of the charges as they fall.

Section 357B of the Resource Management Act 1991 provides a right of objection in relation to the imposition of additional charges or recovery of costs.

Lapsing Of Consent

Pursuant to section 125 of the Resource Management Act 1991, this resource consent will lapse **10 years** after the date of commencement of consent unless, before the consent lapses;

- (i) The consent is given effect to; or
- (ii) An application is made to the Council to extend the period of consent, and the Council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.

The following plan highlights those title areas to which the approval relates, being Lots 1-6, 10-15, 20-23, 25, 27, 29, 31, 32, 34, 35, 38-40, and 44-48 of DP 427753



Scale: 1:1462
200 metres

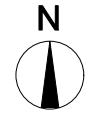




1

Site Plan
Scale: 1:200

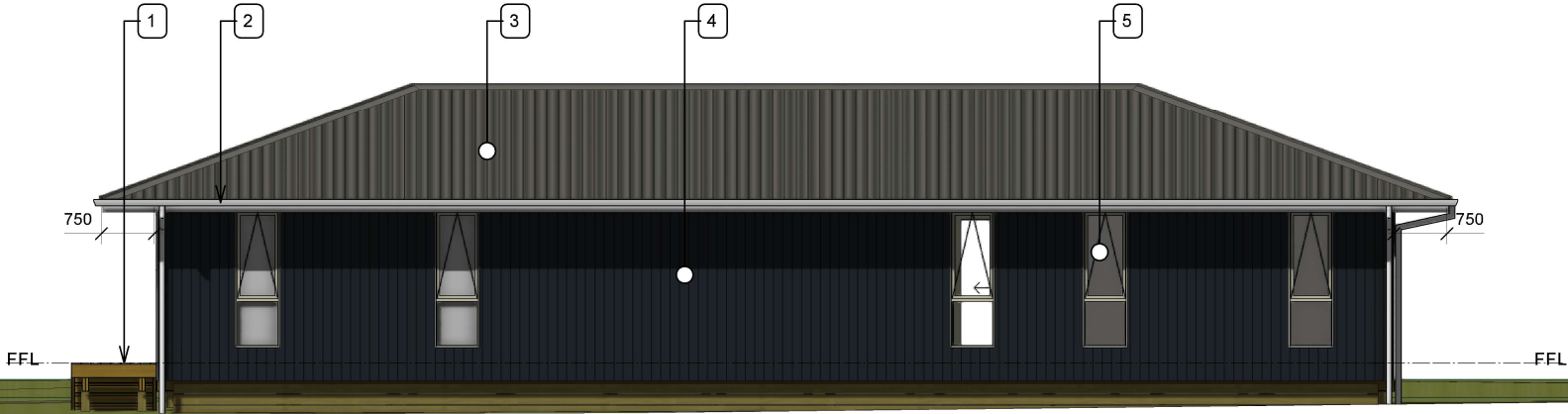
Owner: _____	Builder: _____
Date: _____	Date: _____



PROJECT 3 Bed Dwelling	PROJECT DATE 18/04/2026	PROJECT ID WhP-01
CLIENT Whitney Peat	DRAWN Jens Marr	SHEET NO A3
SHEET TITLE SITE-PLAN	REVISION C 21/05/2026	TOTAL SHEETS 50
PanelLock 142 North Road SH1, Kaitiaki W: www.panellock.co.nz PO Box 96 Kaitiaki New Zealand T: (09) 408 7921 M: 027 3585 363 E: luke@panellock.co.nz		

APEX (3967)
16967

FFL (660)
13000



Notes

1. Timber framed deck to comply with NZS3604-2011 with 100 x 40 grooved H3.2 soft buttred pine decking with grooved face up
2. Marley Classic eave gutter to be installed as specified by the manufacturer and to comply with E2/AS1
3. Roof Cladding: Metalcraft T-Rib roofing in COLORSTEEL® MAXAM®, over Thermakraft Covertex 401 Self-supporting synthetic roof underlay to comply with E2/AS1 and to be installed as specified by the manufacturer. Ceiling insulation to meet the performance requirements of Building Code clause H1.
4. Wall Cladding: Linea weatherboard by James Hardie, on 20mm cavity batten, over Thermakraft Watertek Plus 295 Wall underlay, on 90x45 battens and 90mm R2.0 Mammoth Polyester Insulation to meet the performance requirements of Building Code clause H1, over 36mm Triboard wall panel.
5. Aluminium joinery with double glazing Low E4/Clear - Argon filled.

Wall location	Risk Severity				Sub totals for each risk factor
	Low	Medium	High	Very High	
SOUTH					
Risk Factor					
Wind zone (per NZS 3604)	0	0	1	2	1
Number of storeys	0	1	2	4	0
Roof / wall junctions	0	1	3	5	0
Eave width	0	1	2	5	0

Envelope Complexity	Owner:	Builder:
Decks	Date:	Date:



PROJECT 3 Bed Dwelling	PROJECT ID WhP-01
CLIENT Whitney Peat	PROJECT DATE 18/04/2026
SHEET TITLE ELEVATIONS-SOUTH	SHEET NO A4
	TOTAL SHEETS 50
	REVISION C 21/05/2026
	DRAWN Jens Marr

1

ELEVATION-NORTH

Scale: 1:75

APEX (3967)
16967

FFL (660)
13000



Notes

1. Marley Classic eave gutter to be installed as specified by the manufacturer and to comply with E2/AS1

2. Roof Cladding: Metalcraft T-Rib roofing in COLORSTEEL® MAXAM®, over Thermakraft Covertex 401 Self-supporting synthetic roof underlay to comply with E2/AS1 and to be installed as specified by the manufacturer. Ceiling insulation to meet the performance requirements of Building Code clause H1.

3. Wall Cladding: Axon® Panel by James Hardie, on 20mm cavity batten, over Thermakraft Watergate Plus 295 Wall underlay, on 90x45 battens and R2.0 Polyester insulation to meet the performance requirements of Building Code clause H1, over 36mm Triboard wall panel.
4. Aluminium joinery with double glazing Low E4/Clear - Argon filled.

5. Timber framed deck to comply with NZS3604-2011 with 100 x 40 grooved H3.2 soft buttend pine decking with grooved face up

6. Timber Stair to comply with New Zealand Building Code Clause D1 § 4.1.
7. Wall Cladding: Linea weatherboard by James Hardie, on 20mm cavity batten, over Thermakraft Watergate Plus 295 Wall underlay, on 90x45 battens and 90mm R2.0 Mammoth Polyester Insulation to meet the performance requirements of Building Code clause H1, over 36mm Triboard wall panel.

Wall location	Risk Severity				Sub totals for each risk factor
	Low	Medium	High	Very High	
NORTH					
Risk Factor					
Wind zone (per NZS 3604)	0	0	1	2	1
Number of storeys	0	1	2	4	0
Roof / wall junctions	0	1	3	5	0
Eave width	0	1	2	5	1
Envelope Complexity					
Decks					

Owner:

Builder:

Date:

Date:



PROJECT 3 Bed Dwelling	PROJECT ID WhP-01
CLIENT Whitney Peat	PROJECT DATE 18/04/2026
SHEET TITLE ELEVATION-NORTH	DRAWN Jens Marr
	SHEET NO A4.1
	TOTAL SHEETS 50
	REVISION C 21/05/2026

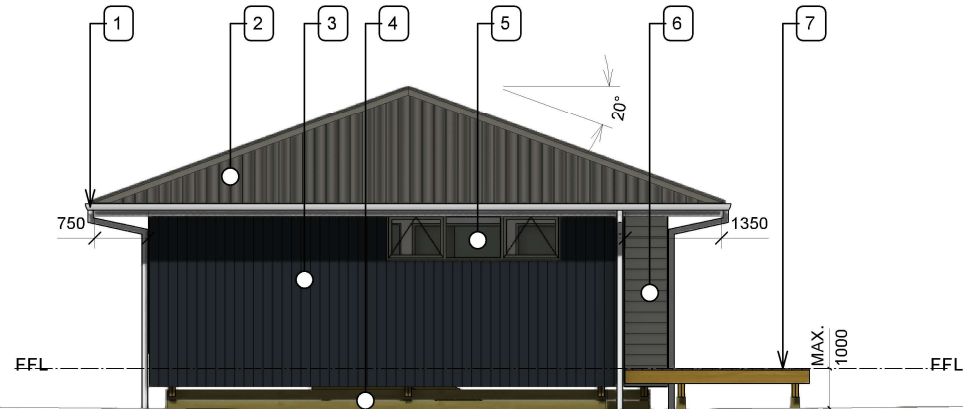
PanelLock 142 North Road SH1, Kaitia W: www.panellock.co.nz
PO Box 96 Kaitia New Zealand T: (09) 408 7921 M: 027 3585 363 E: luke@panellock.co.nz

APEX (3967)

16967

FFL (660)

13000



Notes

1. Marley Classic eave gutter to be installed as specified by the manufacturer and to comply with E2/AS1
2. Roof Cladding: Metalcraft T-Rib roofing in COLORSTEEL® MAXAM®, over Thermakraft Covertex 401 Self-supporting synthetic roof underlay to comply with E2/AS1 and to be installed as specified by the manufacturer. Ceiling insulation to meet the performance requirements of Building Code clause H1.
3. Wall Cladding: Axon® Panel by James Hardie, on 20mm cavity batten, over Thermakraft Watertek Plus 295 Wall underlay, on 90x45 battens and R2.0 Polyester insulation to meet the performance requirements of Building Code clause H1, over 36mm Triboard wall panel.
4. Subfloor cladding Ex 140x25mm H3 pine baseboards with 20mm gap.
5. Aluminium joinery with double glazing Low E4/Clear - Argon filled.
6. Wall Cladding: Linea weatherboard by James Hardie, on 20mm cavity batten, over Thermakraft Watertek Plus 295 Wall underlay, on 90x45 battens and 90mm R2.0 Mammoth Polyester Insulation to meet the performance requirements of Building Code clause H1, over 36mm Triboard wall panel.
7. Timber framed deck to comply with NZS3604-2011 with 100 x 40 grooved H3.2 soft butted pine decking with grooved face up

Wall location	Risk Severity				Sub totals for each risk factor
	Low	Medium	High	Very High	
EAST					
Risk Factor					
Wind zone (per NZS 3604)	0	0	1	2	1
Number of storeys	0	1	2	4	0
Roof / wall junctions	0	1	3	5	0

Eave width	Owner:	Builder:
Envelope Complexity	Date:	Date:
Decks		



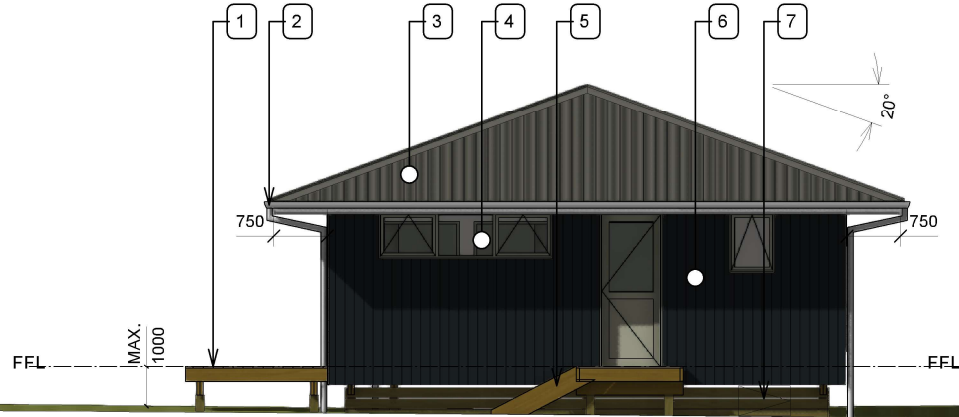
PROJECT 3 Bed Dwelling	PROJECT ID WhP-01
CLIENT Whitney Peat	PROJECT DATE 18/04/2026
SHEET TITLE ELEVATION-EAST	DRAWN Jens Marr
	SHEET NO A4.2
	TOTAL SHEETS 50
	REVISION C 21/05/2026

APEX (3967)

16967

FFL (660)

13000



Notes

1. Timber framed deck to comply with NZS3604-2011 with 100 x 40 grooved H3.2 soft butted pine decking with grooved face up
2. Marley Classic eave gutter to be installed as specified by the manufacturer and to comply with E2/AS1
3. Roof Cladding: Metalcraft T-Rib roofing in COLORSTEEL® MAXAM®, over Thermakraft Covertek 401 Self-supporting synthetic roof underlay to comply with E2/AS1 and to be installed as specified by the manufacturer. Ceiling insulation to meet the performance requirements of Building Code clause H1.
4. Aluminium joinery with double glazing Low E4/Clear - Argon filled.
5. Timber Stair to comply with New Zealand Building Code Clause D1 § 4.1.
6. Wall Cladding: Axon® Panel by James Hardie, on 20mm cavity batten, over Thermakraft Watergate Plus 295 Wall underlay, on 90x45 battens and R2.0 Polyester insulation to meet the performance requirements of Building Code clause H1, over 36mm Triboard wall panel.
7. Access Hatch/Door

Wall location	Risk Severity				Sub totals for each risk factor
	Low	Medium	High	Very High	
WEST					
Risk Factor					
Wind zone (per NZS 3604)	0	0	1	2	0
Number of storeys	0	1	2	4	0
Roof / wall junctions	0	1	3	5	0
Eave width	0	1	2	5	2
Envelope Complexity					
Decks					

Owner:

Builder:

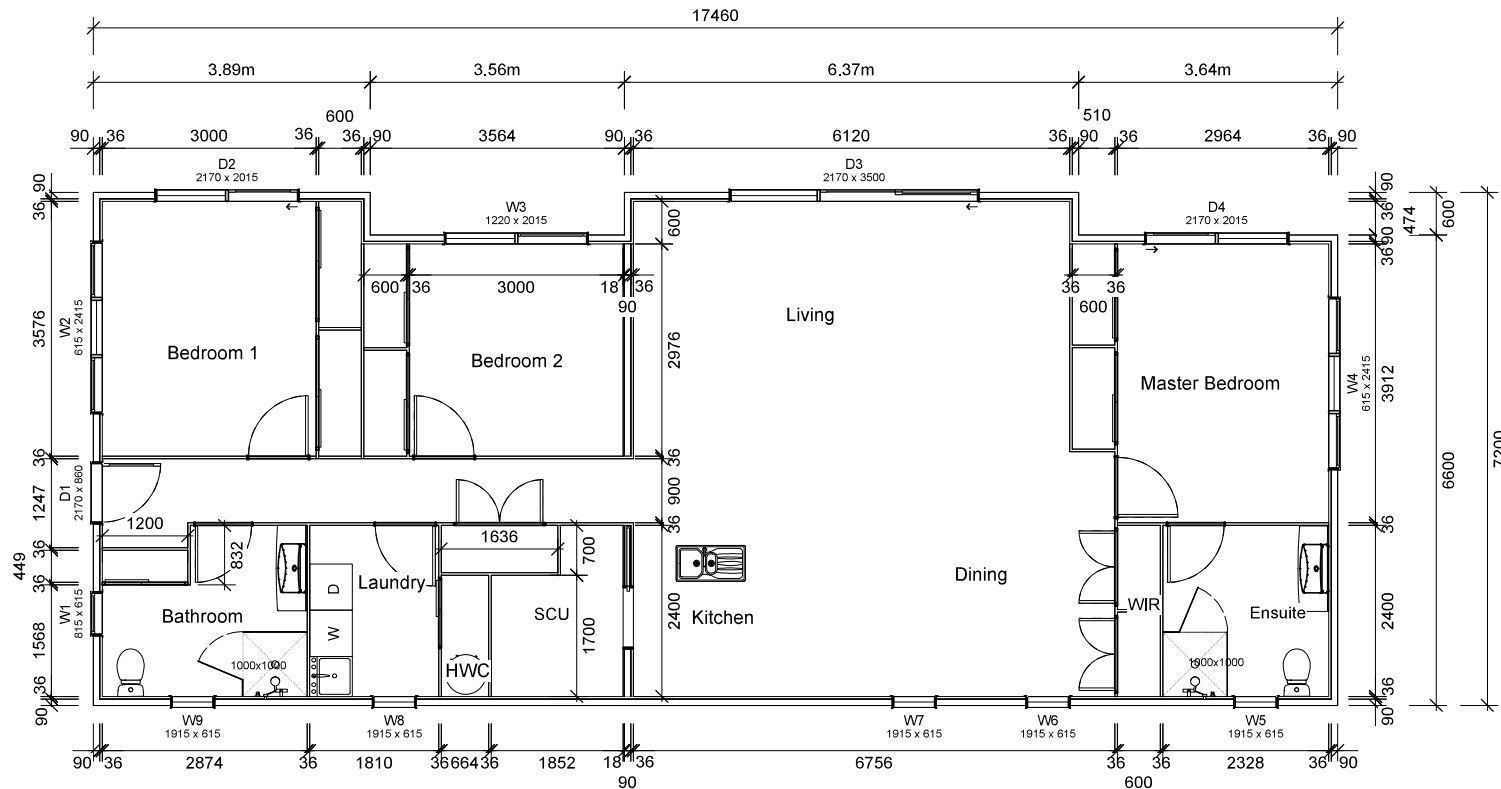
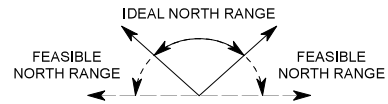
Date:

Date:



PROJECT 3 Bed Dwelling	PROJECT ID WhP-01
CLIENT Whitney Peat	PROJECT DATE 18/04/2026
SHEET TITLE ELEVATION-WEST	DRAWN Jens Marr
	SHEET NO A4.3
	TOTAL SHEETS 50
	REVISION C 21/05/2026

Total Gross Floor Area: 121.39m²
Building Coverage as per DP 188.86m²



Owner: _____ Builder: _____
Date: _____ Date: _____



PROJECT 3 Bed Dwelling		PROJECT ID WhP-01
CLIENT Whitney Peat		PROJECT DATE 18/04/2026
SHEET TITLE FLOOR PLAN		SHEET NO A5.1
DRAWN Jens Marr		TOTAL SHEETS 50
		REVISION C 21/05/2026