

Office Use Only
Application Number:

Pre-Lodgement Meeting

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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.

•		ce Consent representation			o lodgement? Yes / No
Z. Type of Cons	sent being ap	oplied for (infore trial) o	ille circle cari	be ticked).	
O Land Use	C	Fast Track Land Use	·	Subdivision	O Discharge
O Extension of time	(s.125) C	Change of conditions	s (s.127) O	Change of Conse	ent Notice (s.221(3))
O Consent under Na	ational Enviro	onmental Standard (e.g	. Assessing a	and Managing Con	taminants in Soil)
Other (please spe *The fast track for simple electronic address for servi	land use conse	ents is restricted to consent	s with a control	led activity status and	requires you provide an
3. Would you li	ke to opt out	of the Fast Track Pro	cess?	Yes / N	No
4. Applicant De					
Name/s:	New Zeala	nd Carbon Farming	(Northland) l	_imited	
Electronic Address for Service (E-mail): Phone Numbers: Postal Address: (or alternative method of service under section 352 of the Act) 5. Address for details here). Name/s:	-	ence: Name and address	for service and	correspondence (if	using an Agent write the
Electronic Address for Service (E-mail): Phone Numbers: Postal Address: (or alternative method of service under section 352 of the Act)					
555,611 552 51 110 / 101/				Post Co	de:

Name/s:	New Zealand Carbon Farming (Northland) Limited
Property Address/: Location	
	n Site Details: Details: Details: Details:
Site Address/	Pupuke Mangapa Road
Location:	
Legal Description:	
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)
Is there a dog on the Please provide deta	e or security system restricting access by Council staff?
Please enter a recognized Notes, for fur	n of the Proposal: a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance ther details of information requirements. adjustment of four adjoining titles, and road to vest
Cancellation	application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and tice identifiers and provide details of the change(s) or extension being sought, with reasons for

Details of Property Owner/s and Occupier/s: Name and Address of the Owner/Occupiers of the land to which

requesting them.

6.

10. Other Consent ticked):	required/being applie	ed for under different legisl	ation (more than one circle can be
O Building Consent	(BC ref # if known)	O Regional Counc	cil Consent (ref#ifknown)
O National Environm	ental Standard conse	nt O Other (please sp	pecify)
Human Health The site and proposal may	<mark>):</mark> be subject to the above NE	_	ing Contaminants in Soil to Protect regard needs to be had to the NES please il's planning web pages):
Is the piece of land curre used for an activity or inc List (HAIL)			yes O no O don't know
Is the proposed activity a any of the activities listed	-	•	Øyes O no O don't know
Subdividing land		O Changing the use of a pie	ce of land
O Disturbing, removing	or sampling soil	O Removing or replacing a f	uel storage system
	f Environmental Effec		
requirement of Schedule 4 provided. The information is	of the Resource Manage n an AEE must be specifie	ment Act 1991 and an application	t of Environmental Effects (AEE). This is a on can be rejected if an adequate AEE is no purpose for which it is required. Your AEE may s, or affected parties.
Please attach your AE	E to this application.		
	r entity that will be responsi	ble for paying any invoices or rece ees and Charges Schedule.	eiving any refunds associated with processing
Name/s: (please write all names in full)	New Zealand Carbon F	arming (Northland) Limited	
Email:			
Postal Address:			
Phone Numbers:	Work:	Home:	Fax:
for it to be lodged. Please no	te that if the instalment fee is d to pay any additional costs.	insufficient to cover the actual and r Invoiced amounts are payable by the	ement and must accompany your application in order reasonable costs of work undertaken to process the e 20 th of the month following invoice date. You may
processing this application. Sufuture processing costs incurred collection agencies) are necessing application is made on behalf	ubject to my/our rights under sed by the Council. Without linussary to recover unpaid procof a trust (private or family), a	Sections 357B and 358 of the RMA, to niting the Far North District Council's tessing costs I/we agree to pay all	fus for all costs actually and reasonably incurred in to object to any costs, I/we undertake to pay all and selegal rights if any steps (including the use of deb costs of recovering those processing costs. If this ed) or a company in signing this application I/we are ve costs in my/our personal capacity.
Name: Peter Casey		_(please print)	

(signature of bill payer – mandatory) Date: (

Signature:_

14. Important Information:

Note to applicant

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

You 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.

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

Name: Peter Case	(please print)			
Signature:	(signature)	Date:		
(A signature is not required if the application is made by electronic means)				

Checklist (please tick if information is provided)

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

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

SHANE STRATTON SURVEYING LIMITED

PO Box 7144, Tikipunga, Whangarei, PH (09) 4371749, Mob 027 4390092, Email shane@sbsurveyors.co.nz

Subdivision Application

RT's NA533/107, NA2A/1401, NA3A/895, NA 2D/277

Applicant: New Zealand Carbon Farming

Property Location: Pupuke Mangapa Road

Council: Far North District Council

Prepared By: Kate Wood, Planner

Date: June 2023

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1. INTRODUCTION

1.1 Report Basis

- 1.1.1 This report has been prepared for New Zealand Carbon Farming, in support of a subdivision consent in respect of four adjacent properties located at Pupuke Mangapa Road, Kaeo. It has been prepared in accordance with the provisions of Section 88 of the Resource Management Act, 1991.
- 1.1.2 Section 88 of the Act requires that each resource consent application be accompanied by an Assessment of Environmental Effects (A.E.E.) outlining any actual or potential effects the proposed activity may have on the environment and the ways in which any adverse effects may be mitigated. The assessment is also expected to cover various related matters listed in the Fourth Schedule to the Act, including a description of the proposal, consultation with interested or affected parties and monitoring.
- 1.1.3 The report identifies relevant provisions in the Act along with the Operative and Proposed District Plans that determine the activity status of the application.

1.2 Site Description

1.2.1 The proposal involves the subdivision of four adjoining titles located at Pupuke Mangapa Road, approximately 10kms south-west of Kaeo. The surrounding environment is distinctly rural, with large farming and forestry lots the predominant land use in the locality.

In the vicinity of the application sites Pupuke Mangapa Road is in parts formed well outside the legal road boundaries. To the north of the sites, the road formation traverses 3 allotments identified as Pt Allots NE45, SW45 and SE49 Parish of Pupuke. To formalize this, a road legalization application is underway with the Far North District Council and will proceed independently from this subdivision application.

The road formation also traverses three of the sites involved in this subdivision, and will be vested as road as part of this application.

The application sites are further described as follows:

1. NA533/107

This site is legally described as Allotment 83 Parish of Pupuke, with a total area of 31.565ha. The site has frontage along the full length of the eastern boundary with an unformed section of Pupuke Mangapa Road. The site is undeveloped and has recently been planted in pines.

2. NA2A/1401

This site is legally described as Allotment 76 Parish of Pupuke, with a total area of 24.28ha. The site has frontage with unformed legal road along the full length of the northern boundary, and gains physical access via formed unlegalized road, which traverses the full length of the site and will be vested as part of this application. The site is undeveloped and has recently been planted in pines in the areas to the west of the formed road.

3. NA2D/277

This site is legally described as Allotment 82 Parish of Pupuke, with a total area of 32.7ha. The site adjoins unformed legal road along the full length of the eastern boundary, and currently gains physical access via adjoining sites in the same ownership from the unlegalized section of road described above. Development on the property includes a residential dwelling and ancillary sheds located in the north-western corner. The remainder of the property has recently been planted in pines.

4. NA3A/895

This site is legally described as Part Allotment 77 and Allotment E77 Parish of Pupuke, with a total area of 25.48ha. The property has frontage to a legal unformed road on the southern boundary, and currently gains physical access via the unlegalized section of road described above, which also traverses this site, and as previously stated, will be vested as road as part of this subdivision. The site is undeveloped and is in pines.

1.3 Proposal

1.3.1 The proposal seeks to adjust the boundaries of the subject sites to create the following allotments:

Proposed Lot 1 – 21.31ha

Proposed Lot 2 - 20ha (comprising the existing dwelling and sheds)

Proposed Lot 3 – 24.6ha

Proposed Lot 4 – 47.2ha

Proposed Lot 5 (Road to Vest) - 3.33ha

The purpose of the proposal is to locate the existing dwelling and sheds on a separate title (Lot 2) to the remainder of the land, which is utilized as part of the New Zealand Carbon Farming scheme. The proposed boundary between Lots 2 and 3 generally follows a small watercourse.

1.3.2 Access

The site adjoins an unlegalised portion of Pupuke Mangapa Road. We note that a Legalisation Survey of the portion of Mangapa Road that runs through our property was undertaken in 1931 on SO 27161. Our research indicates that although the legal road through our property was surveyed it was, for some reason, never legalised. Pupuke Mangapa Road to north of our property runs through to State Highway 10 and to the south where it continues to run through other properties, where the legalisation does not appear to have been completed. The lots to the south appear to be mostly forestry lots where a network of roads continue and eventually connect with the end of Jacksons Road, which connects with Omahuta Road, which eventually runs out to State Highway One near Mangamuka Bridge. This entire portion of road formation running through our property is of a reasonable standard and it appears that council is maintaining this portion of road formation. To the north of our property there is no sign indicating that council maintenance ends. The owners of Lot 1 DP 51456 use the road formation through our property as their practical access although they currently don't have the legal right to do so. It also appears that the owners of the forestry blocks to the south are also gaining access through our property and although the location is remote I suspect that general members of the public also access through our property.

In order to resolve what has obviously been a long standing issue the applicant is prepared to vest Lot 5 as legal road in The Far North District Council. By doing this it provides our lots with the legal access they need and resolves legal access for the other parties who are using it currently. Although normally we would be entitled to compensation for what is over 3.30ha of land being vested as road the applicant is prepared to gift this land in order to resolve the issue. In return we anticipate that there won't be any requirement to upgrade the formation although as mentioned above the formation is of a good standard given the council maintenance over the years.

Proposed Lots 1, 2 and 4 will gain access via the formed road (Proposed Lot 5) which will be vested as part of this subdivision. Each of these allotments has several vehicle crossings available from this section of road. We respectfully request that no crossing upgrades be required as part of this application, as each utilized crossing is currently fit for the purpose and is regularly maintained by the applicant as required. Proposed Lot 3 will for the foreseeable future gain access via the adjoining allotments in the same ownership. Should separate access be required at any stage in the future, an independent access can be formed from the existing legal unformed road which adjoins Lot 3 along the full length of the eastern boundary.

2. DISTRICT PLAN STATUS

2.1 Operative Far North District Plan

- 2.1.1 The subject site is located within the Rural Production Zone (Refer to Maps 21 and 27).
- 21.2 An Outstanding Natural Feature is identified over a small area of the eastern margin of Lot 4. This is recorded as Outstanding Natural Feature 94, identified as Whakateterekia Stream Eocene Sediments.
- 2.1.3 The proposal can meet the criteria for a <u>Controlled Activity</u> under Rule 13.7.2.1, Minimum Lot Sizes under both (i) Rural Production Zone and (xix) Outstanding Natural Features, which both require a minimum lot size of 20ha.

The minimum lot size of all allotments in the proposal is 20ha.

2.1.4 Given that there is an Outstanding Natural Feature identified over a small portion of Proposed Lot 4, assessment of the proposal against the provisions of Chapter 12, Natural and Physical Resources, is also required. The proposal requires consent as a Discretionary Activity under Rule 12.1.6.3, by virtue of the fact that it cannot comply as a permitted activity 12.1.6.1 (b) as follows:

12.1.6.1 PERMITTED ACTIVITIES

An activity is a permitted activity if:

- (a) it complies with the standards for permitted activities set out in Rules 12.1.6.1.1 to 12.1.6.1.6 below; and
- (b) it complies with the relevant standards for permitted activities in the zone in which it is located, set out in Part 2 of the Plan Environment Provisions; and
- (c) it complies with the other relevant standards for permitted activities set out in Part 3 of the Plan District Wide Provisions.

The proposal cannot comply with part (b) above, as there are no forms of permitted activity subdivision.

2.1.5 The proposal can meet all other matters to be taken into account when considering a controlled activity, as outlined in Chapter 13.7.3 of the District Plan.

2.2 Objectives and Policies

2.2.1 The Objectives and Policies that are relevant to the proposal are contained within Chapter 8, Rural, Chapter 12, Natural and Physical Resources, and Chapter, 13 Subdivision. The relevant objectives and policies of these chapters are assessed as follows:

8.6 Rural Production Zone

8.6.3 Objectives

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

The proposal achieves the sustainable management of resources by retaining rural production land use opportunities on each allotment.

- 8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.. The proposal maintains the amenity values of the area as each allotment will continue to be used for rural production purposes. The proposal is extremely minor in nature, involving the minor boundary adjustment of four existing rural properties.
- 8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.
- 8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.

Reverse sensitivity effects are not relevant to this application, as the land use on each site will not alter.

8.6.3.9 To enable rural production activities to be undertaken in the zone. Each allotment will remain suitable for various rural production land uses.

8.6.4 POLICIES

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

As with objective 8.6.3.9, the proposal enables rural production activities to continue on each allotment, with associated effects that will be less than minor.

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

The proposal is not likely to generate any effects that would be felt beyond the boundaries of the site. The proposal will not alter the land use of either allotment.

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

No additional built development is proposed, and each allotment will accommodate a site area which will remain in accordance with the minimum lot sizes provided for in the Rural Production Zone.

- 8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.
- 8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities
- 8.6.4.9 That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.

These policies seek to avoid reverse sensitivity effects. As discussed, reverse sensitivity effects are not considered relevant to this proposal as the land use over each site will not alter, and no built development is proposed.

Chapter 12 Natural and Physical Resources

12.1.3 Objectives

12.1.3.1 To protect outstanding landscapes and natural features from inappropriate, subdivision use and development.

The proposal is not considered to be inappropriate as each allotment will contain at least 20ha, and no additional allotments are being created.

- 12.1.3.2 To protect the scientific and amenity values of outstanding natural features. There will be no change or effect on the values of the outstanding natural feature, other than to improve the access to the feature by legalizing the section of road which is already formed.
- 12.1.3.4 To avoid adverse effects and to encourage positive effects resulting from land use, subdivision or development in outstanding landscapes and natural features and Maori cultural values associated with landscapes.

No adverse effects are anticipated, as no additional allotments are being created and no built development is proposed on any allotments.

12.1.4 Policies

12.1.4.1 That both positive and adverse effects of development on outstanding natural features and landscapes be taken into account when assessing applications for resource consent

The proposal includes positive effects with the legalization of the existing formed road which is currently located well outside legal road boundaries. This will enable legal access to the natural feature in perpetuity.

12.1.4.2 That activities avoid, remedy or mitigate significant adverse effects on both the natural and the cultural values and elements which make up the distinctive character of outstanding natural features and landscapes.

Again no adverse effects are anticipated, as the proposal involves the very minor adjustment of existing allotment boundaries only.

12.1.4.6 That activities avoid or mitigate adverse effects on the scientific and amenity values associated with outstanding natural features.

There are not anticipated to be any adverse effects on the values of the outstanding natural feature.

13 Subdivision 13.3 Objectives

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

The proposal finds direct support with this objective by promoting sustainable management of the land resource by retaining lots that can be used for rural production purposes.

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

The proposed subdivision is considered appropriate as the productive integrity of each allotment will not be reduced. The potential effects relating to the proposal will be less than minor.

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

The proposed allotments have no need for an electricity supply as the proposed and existing land use is carbon farming.

13.4 POLICIES

- 13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:
 - (a) natural character, particularly of the coastal environment;
 - (b) ecological values;
 - (c) landscape values;
 - (d) amenity values;
 - (e) cultural values:
 - (f) heritage values: and
 - (g) existing land uses.
- 13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:
 - (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;

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

The proposal is not considered to affect the values listed in Policy 13.4.1 as the proposal does not create any built development. Each site will continue to be used for rural production purposes.

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

The proposal seeks to legalise the existing access arrangements, where a section of formed road is located well outside any legal road boundaries. Although Proposed Lot 3 will not have frontage to a formed road, it will gain access via adjoining properties in the same ownership, and has frontage to an unformed legal road should the ownership of this site change at any stage.

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

 No new access ways are required and all required site servicing is already in place.
- 13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

The proposal is consistent with the objectives and policies of the Rural Production Zone and Landscapes and Natural Features.

2.3 Proposed Far North District Plan

- 2.3.1 The Proposed District Plan was notified in July 2022 and therefore requires consideration in the assessment of Resource Consent applications. The proposed subdivision is located in the Rural Production Zone under the Proposed Plan.
- 2.3.2 The proposal can comply as a discretionary activity under the Proposed District Plan, as each allotment will be in excess of 8ha.
- 2.3.3 The relevant objectives and policies of the Proposed District Plan are assessed as follows:

Subdivision - Objectives

SUB-O1

Subdivision results in the efficient use of land, which:

- a) achieves the objectives of each relevant zone, overlays and district wide provisions;
- b) contributes to the local character and sense of place;
- c) avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate:
- d) avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;
- e) does not increase risk from natural hazards or risks are mitigates and existing risks reduced; and
- f) manages adverse effects on the environment.

Assessment: The proposal is directly supported by the objectives of the Rural Production Zone as it will not increase the number of allotments, and each allotment will maintain its potential for rural land uses. Reverse sensitivity issues are not considered to be likely as the proposal will not generate any nuisance elements.

SUB-O2

Subdivision provides for the:

- a) Protection of highly productive land; and
- b) Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.

Assessment: The proposal will not have any effect on the natural feature identified over a small area of Proposed Lots 1 and 4, as there is no change in the land use of these sites and no built development proposed.

SUB-O3

Infrastructure is planned to service the proposed subdivision and development where:

 a) there is existing infrastructure connection, infrastructure should provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and b) where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.
 Assessment: No infrastructure is required.

Subdivision - Policies

SUB-P1

Enable boundary adjustments that:

- a) do not alter:
- i) the degree of non compliance with District Plan rules and standards;
- ii) the number and location of any access; and
- iii) the number of certificates of title; and
- b) are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.

The proposal seeks to adjust the boundaries of four existing rural allotments, which are currently smaller than the Proposed District Plan standards.

SUB-P2

Enable subdivision for the purpose of public works, infrastructure, reserves or access. Assessment: The proposal will include the vesting of a 3.3ha section of road.

SUB-P3

Provide for subdivision where it results in allotments that:

- a) are consistent with the purpose, characteristics and qualities of the zone;
- b) comply with the minimum allotment sizes for each zone;
- c) have an adequate size and appropriate shape to contain a building platform; and
- d) have legal and physical access.

Assessment: Each proposed allotment will be smaller than the controlled activity provisions for the rural production zone, but will be created from four existing allotments all of which are already smaller than the minimum lot standards. Each allotment will continue to be used for rural purposes and will have legal and physical access. The exception to this is Proposed Lot 3, which will have legal access available via a section of unformed road. Physical access is currently available via adjoining allotments in the same ownership.

SUB-P4

Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan

Assessment: No earthworks or other physical works are required to facilitate the subdivision.

SUB-P8

Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:

- a) will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and
- b) will not result in the loss of versatile soils for primary production activities.

Assessment: The proposal does not seek to create rural lifestyle subdivision

SUB-P9

Avoid subdivision rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.

Assessment: The proposal does not seek to create rural lifestyle subdivision.

SUB-P11

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

- a) consistency with the scale, density, design and character of the environment and purpose of the zone;
- b) the location, scale and design of buildings and structures;
- c) the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;
- d) managing natural hazards;
- e) Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and
- f) any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Assessment: As discussed, the proposal does not create any adverse effects, and seeks to simply adjust the boundaries of four existing rural titles.

Rural Production Zone Objectives

RPROZ-01

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

Assessment: The proposal will retain each allotment for rural purposes. The overall density of the existing cadastral pattern will remain unchanged.

RPROZ-02

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

Assessment: Each allotment will be used for primary production activities.

RPROZ-03

Land use and subdivision in the Rural Production zone:

- a) protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;
- b) protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;

- c) does not compromise the use of land for farming activities, particularly on highly productive land;
- d) does not exacerbate any natural hazards; and
- e) is able to be serviced by on-site infrastructure.

Assessment: Again the proposal is directly supported by this objective as it does not compromise the use of land for primary production activities. Reverse sensitivity effects will not be generated as the land use will remain unchanged, and no built development is facilitated.

RPROZ-04

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

Assessment: There will be no effects on rural character or amenity, as no additional allotments are being created, and no built development is facilitated.

Policies

RPROZ-P1

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

Assessment: The proposal allows rural production activities with only typical adverse effects.

RPROZ-P2

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

- a) enabling primary production activities as the predominant land use;
- b) enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.

Assessment: The proposal will enable rural production activities as the predominant land use.

RPROZ-P4

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

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

Assessment: The proposal will facilitate rural production activities and will maintain a low density of development.

RPROZ-P5

Avoid land use that:

a) is incompatible with the purpose, character and amenity of the Rural Production

- b) does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone:
- c) would result in the loss of productive capacity of highly productive land;
- d) would exacerbate natural hazards; and
- e) cannot provide appropriate on-site infrastructure.

Assessment: The proposal is not incompatible with the purpose, character or amenity of the Rural Production Zone and it does have a functional need to locate in the RPZ. The proposal does not result in the loss of highly productive land, rather it supports the use of primary production land for intended purposes.

RPROZ-P6

Avoid subdivision that:

- a) results in the loss of highly productive land for use by farming activities;
 - a. fragments land into parcel sizes that are no longer able to support farming activities, taking into account:
- i) the type of farming proposed; and
- ii) whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.
- b) provides for rural lifestyle living unless there is an environmental benefit. Assessment: Fragmentation of land is not relevant as no additional allotments are being created, other than an area to be vested as road. The proposal will not result in any loss of highly productive land.

RPROZ-P7

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

- a) whether the proposal will increase production potential in the zone;
- b) whether the activity relies on the productive nature of the soil;
- c) consistency with the scale and character of the rural environment;
- d) location, scale and design of buildings or structures;
- e) for subdivision or non-primary production activities:
 - i) scale and compatibility with rural activities;
 - ii) potential reverse sensitivity effects on primary production activities and existing infrastructure;
 - iii) the potential for loss of highly productive land, land sterilisation or fragmentation
- f) at zone interfaces:
- any setbacks, fencing, screening or landscaping required to address potential conflicts;
- ii) the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;
- g) the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;
- h) the adequacy of roading infrastructure to service the proposed activity:
- i) Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;
- j) Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Assessment: The proposal has a functional need to locate in the RPZ and does not compromise any useful land for rural production activities. The effects expected to arise from the proposal are limited to those expected and accepted for the rural production environment.

3. ASSESSMENT OF ENVIRONMENTAL EFFECTS

3.1 General Overview

- 3.1.1 The application seeks to adjust the boundaries of four existing rural titles, with a total of four rural titles to be created and one area of road to vest. Each proposed allotment will remain in accordance with the controlled activity allotment sizes under the Operative Far North District Plan.
- 3.1.2 Given that no additional titles are being created, there will be no associated fragmentation of land and therefore no associated loss of rural productivity generated by the proposal. The areas of land identified as Proposed Lots 1, 3 and 4 are currently planted in pines and are part of the New Zealand Carbon Farming scheme. Proposed Lot 2 contains an existing residential dwelling and is used for rural purposes. The existing land uses already occurring on each site are appropriate for the locality, and will not alter as a result of the proposal.
- 3.1.3 No additional built development is facilitated by the proposal. No earthworks are required, as each proposed allotment has existing vehicle crossings available from the formed road which will be formally vested as part of this application. There will not be any physical change to the landscape as a result of the proposal.
- 3.1.4 The proposal will include positive effects in relation to access, with the vesting of a 3.3ha section of formed road which is not currently legally established as road. In summary, given the above factors the potential effects of the proposal on the rural character and amenity of the area are expected to be less than minor, and appropriate for this location.
- 3.1.5 With regard to potential effects on adjoining owners, the proposal is considered to be minor in scale, with no additional allotments created and no change in land use over any of the allotments. The proposal will not generate any effects which could be felt beyond the boundaries of the site. Accordingly, consultation has not been undertaken.
- 3.1.6 There are not considered to be any potential effects on the Outstanding Natural Feature identified over a small portion of the eastern margin of Lot

4. This area is already planted in pines, with no built development or other physical changes required to facilitate the subdivision.

4. OTHER MATTERS

4.1 Consultation and Notification

4.1.1 As discussed in Section 3.1.5, potential effects on adjoining owners are considered to be less than minor, with no effects generated that could be felt beyond the boundaries of the site. Consultation with adjoining neighbours has therefore not been carried out. On the basis that the potential effects are no more than minor, we respectfully request that the application be processed on a non-notified basis. There are no special circumstances that would warrant notification.

4.2 Financial Contributions

4.2.1 Financial contributions will not be payable as no additional allotments are being created.

4.3 National Environmental Standard for Contaminated Soils

4.3.1 The proposed subdivision is not subject to the NES for Contaminated Soils, as each allotment created by the subdivision will remain as production land.

4.4 National Policy Statement for Highly Productive Land

4.4.1 The National Policy Statement for Highly Productive Land (NPS HPL) does not apply to this application, as none of the sites contain any Class 1 - 3 Land.

RMA PART 2 ASSESSMENT

5.1 Applications considered under Section 104(1) are subject to Part 2 of the RMA. Section 5 sets out the purpose of the Act. Section 6 sets out the matters of national importance that shall be recognised and provided for in achieving the purpose of the Act. Section 7 deals with other matters that regard shall be had to in achieving the purpose of the Act. Section 8 deals

- with Treaty of Waitangi matters that shall be taken into account in achieving the purpose of the Act.
- 5.2 The purpose of the Act, as stated in Section 5(1) is to promote the sustainable management of natural and physical resources. Section 5(2) of the Resource Management Act, 1991 defines sustainable management as: "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 wellbeing and for their health and safety while (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonable foreseeable needs of future generations; and (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and (c) Avoiding, remedying any adverse effects of activities on the environment" The proposed subdivision is consistent with the purpose of the RMA for the following reasons:
 - The subdivision enables the efficient use of resources, by adjusting the boundaries of existing rural sites to provide a more logical allotment layout.
 - The subdivision does not compromise existing landscape and rural amenity values, as no additional built development is facilitated by the proposal and no additional allotments are created.
 - The subdivision will not alter the character over the site or surrounding area in any way.
 The proposed lot sizes are generally reflective of the cadastral pattern in the area.
- 5.3 The proposal does not offend any matters of national importance in Section 6 of the Act, or any of the other matters set out in Sections 7 and 8.



Search Copy



Identifier Land Registration District Date Issued NA2A/1401 North Auckland 01 October 1963

Prior References

NA1/116

Estate Fee Simple

Area 24.2811 hectares more or less

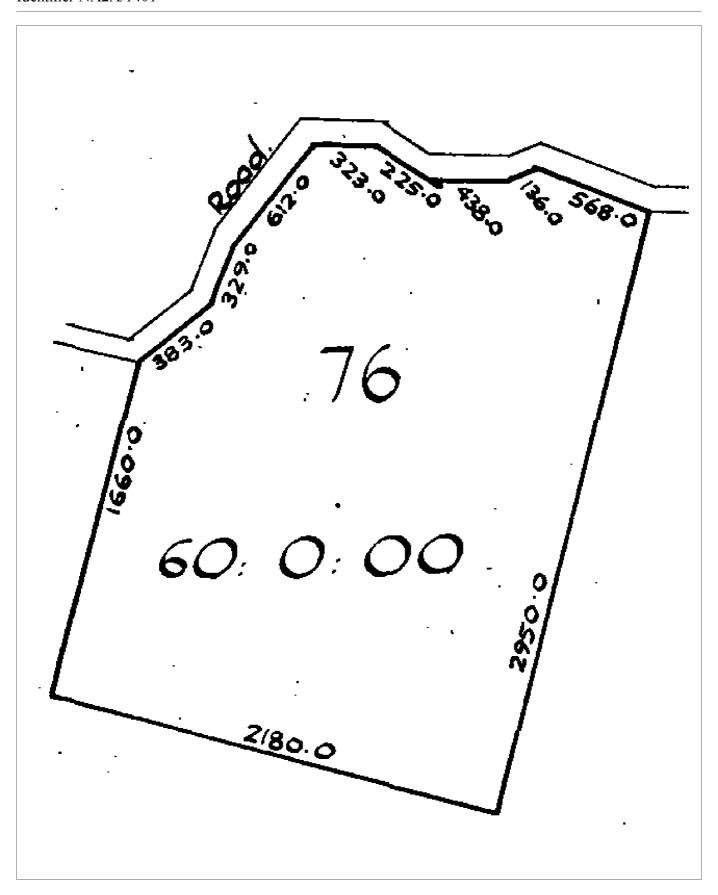
Legal Description Allotment 76 Parish of Pupuke

Registered Owners

New Zealand Carbon Farming (Northland) Limited

Interests

12082331.3 Mortgage to Bank of New Zealand - 13.4.2021 at 4:25 pm





Search Copy



Identifier
Land Registration District
Date Issued

NA2D/277 North Auckland 06 January 1965

Prior References

NA12/16

Estate Fee Simple

Area 32.3749 hectares more or less
Legal Description Allotment 82 Parish of Pupuke

Registered Owners

New Zealand Carbon Farming (Northland) Limited

Interests

 $12082331.3\ Mortgage$ to Bank of New Zealand - 13.4.2021 at $4:25\ pm$



Limited as to Parcels

Search Copy



Identifier
Land Registration District
Date Issued

NA3A/895 North Auckland 23 December 1963

Prior References

NA580/36

Estate Fee Simple

Area 25.4846 hectares more or less

Legal Description Part Eastern Portion Allotment 77 Parish of

Pupuke and Part Western Portion Allotment 77 Parish of Pupuke

Registered Owners

New Zealand Carbon Farming (Northland) Limited

Interests

12082331.3 Mortgage to Bank of New Zealand - 13.4.2021 at 4:25 pm



Limited as to Parcels Search Copy



Identifier
Land Registration District
Date Issued

NA533/107 North Auckland 25 March 1931

Prior References

DI 1H.143

Estate Fee Simple

Area 31.5655 hectares more or less

Legal Description Allotment 83 Parish of Pupuke

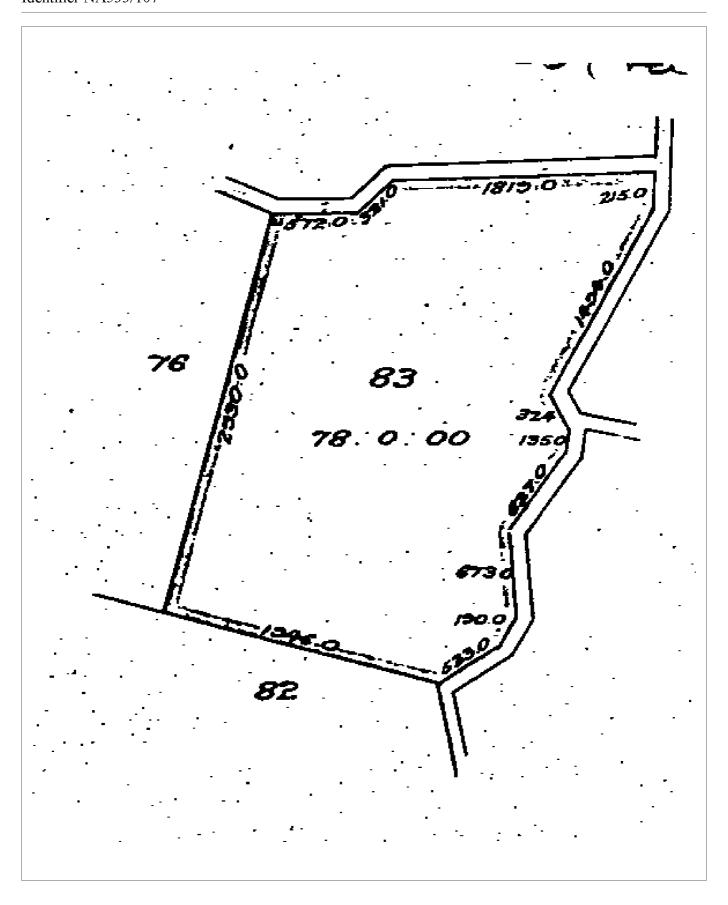
Registered Owners

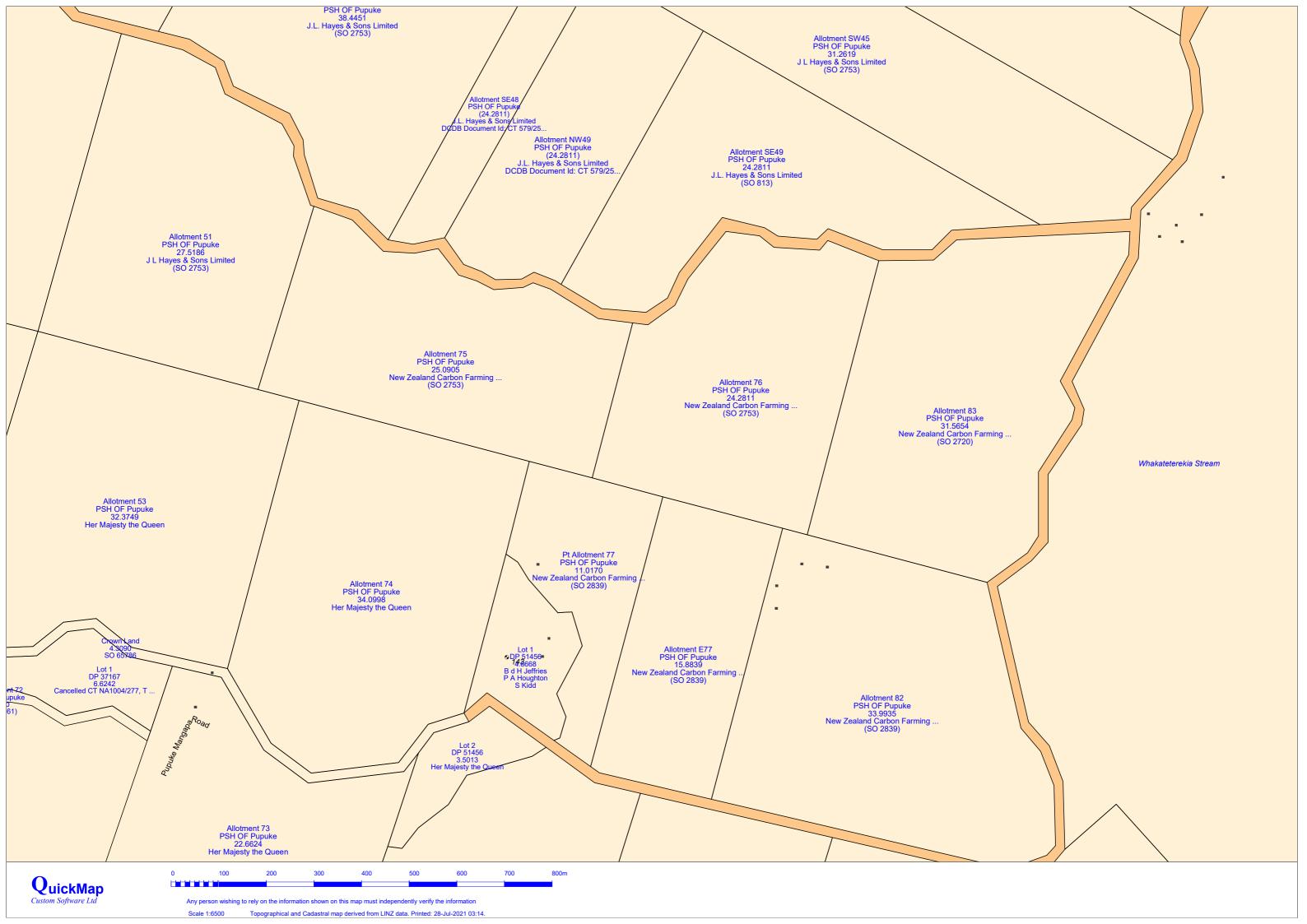
New Zealand Carbon Farming (Northland) Limited

Interests

327503 (R421/379) Agreement for Sale and Purchase of part for a road between John Foley the Younger and The Whangaroa County Council

 $12082331.3\ Mortgage\ to\ Bank\ of\ New\ Zealand$ - $13.4.2021\ at\ 4:25\ pm$







Shane Stratton Licenced Cadastral Surveyor

Shane Stratton Surveying Limited Ph: 0274390092

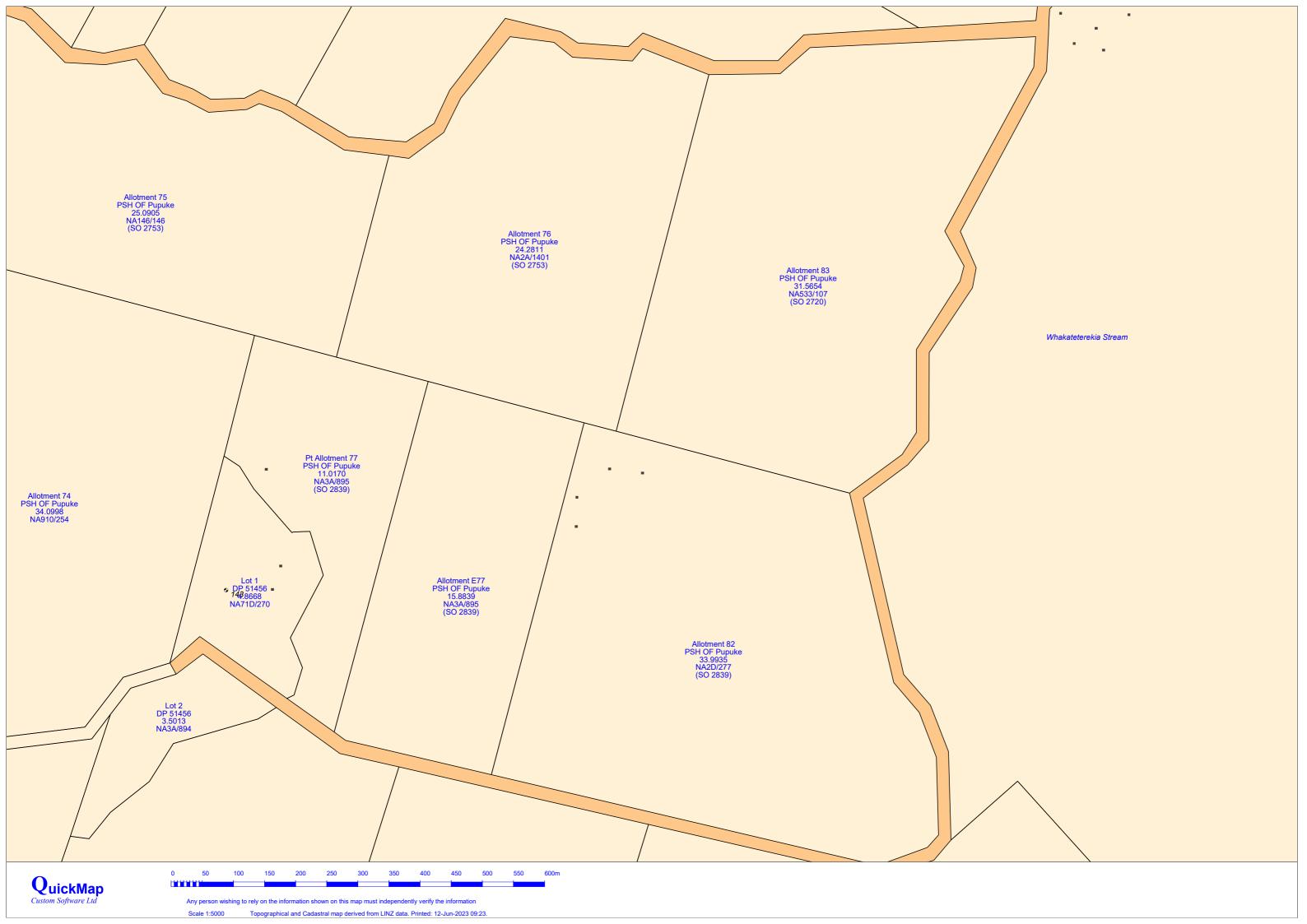
Ph: 0274390092 PO Box 7144 Tikipunga Whangarei shane@sbsurveyors.co.nz PROPOSED SUBDIVISION OF ALLOTMENTS 76, 83, 82, E77, PT ALLOTMENT 77, PSH OF PUPUKE

PREPARED FOR: New Zealand Carbon Farming
TOTAL AREA 116.50ha
COMPRISED IN RT's NA533/107, NA2A/1401, NA3A/895, NA2D/277

Scale 1:6000 (A3) SHEET NUMBER 1636-1

FILE REF. SSS1636

DATE:7/6/23



SHANE STRATTON SURVEYING LIMITED

PO Box 7144, Tikipunga, Whangarei, PH (09) 4371749, Mob 027 4390092, Email shane@sbsurveyors.co.nz

Subdivision Application

RT's NA533/107, NA2A/1401, NA3A/895, NA 2D/277

Applicant: New Zealand Carbon Farming

Property Location: Pupuke Mangapa Road

Council: Far North District Council

Prepared By: Kate Wood, Planner

Date: June 2023 Amended August 2025

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 Preliminary Plan of Subdivision
 Cadastral Map
 Planning Maps
 Certificates of Title Appendix

1. INTRODUCTION

1.1 Report Basis

- 1.1.1 This report has been prepared for New Zealand Carbon Farming, in support of a subdivision consent in respect of four adjacent properties located at Pupuke Mangapa Road, Kaeo. It has been prepared in accordance with the provisions of Section 88 of the Resource Management Act, 1991.
- 1.1.2 Section 88 of the Act requires that each resource consent application be accompanied by an Assessment of Environmental Effects (A.E.E.) outlining any actual or potential effects the proposed activity may have on the environment and the ways in which any adverse effects may be mitigated. The assessment is also expected to cover various related matters listed in the Fourth Schedule to the Act, including a description of the proposal, consultation with interested or affected parties and monitoring.
- 1.1.3 The report identifies relevant provisions in the Act along with the Operative and Proposed District Plans that determine the activity status of the application.

1.2 Site Description and Background

1.2.1 The proposal involves the subdivision of four adjoining titles located at Pupuke Mangapa Road, approximately 10kms south-west of Kaeo. The surrounding environment is distinctly rural, with large farming and forestry lots the predominant land use in the locality.

In the vicinity of the application sites Pupuke Mangapa Road is in parts formed well outside the legal road boundaries. To the north of the sites, the road formation traverses 3 allotments identified as Pt Allots NE45, SW45 and SE49 Parish of Pupuke. To formalize this, a road legalization application is underway with the Far North District Council and will proceed independently from this subdivision application.

The properties are dissected by an accessway that was originally formed and surveyed in the 1930's, with the intention of becoming public road, however, for whatever reason this was never vested in counci'ls ownership. The access meets or exceeds council's formation standards and will become a right of way to provide legal access for the proposed subdivision.

The application sites are further described as follows:

1. NA533/107

This site is legally described as Allotment 83 Parish of Pupuke, with a total area of 31.565ha. The site has frontage along the full length of the eastern boundary with an unformed section of Pupuke Mangapa Road. The site is undeveloped and has recently been planted in pines.

2. NA2A/1401

This site is legally described as Allotment 76 Parish of Pupuke, with a total area of 24.28ha. The site has frontage with unformed legal road along the full length of the northern boundary, and gains physical access via the formed accessway discussed above, which traverses the full length of the site. The site is undeveloped and has recently been planted in pines in the areas to the west of the formed road.

3. NA2D/277

This site is legally described as Allotment 82 Parish of Pupuke, with a total area of 32.7ha. The site adjoins unformed legal road along the full length of the eastern boundary, and currently gains physical access via adjoining sites in the same ownership from the formed accessway described above. Development on the property includes a residential dwelling and ancillary sheds located in the north-western corner. The remainder of the property has recently been planted in pines.

4. NA3A/895

This site is legally described as Part Allotment 77 and Allotment E77 Parish of Pupuke, with a total area of 25.48ha. The property has frontage to a legal unformed road on the southern boundary, and currently gains physical access via the formed accessway described above, which also traverses this site. The site is undeveloped and is in pines.

1.3 Proposal

1.3.1 The proposal seeks to adjust the boundaries of the subject sites to create the following allotments:

Proposed Lot 1 – 23.95ha

Proposed Lot 2 - 22.43ha (comprising the existing dwelling and sheds)

Proposed Lot 3 – 22.21ha

Proposed Lot 4 – 48.14ha

The purpose of the proposal is to locate the existing dwelling and sheds on a separate title (Lot 2) to the remainder of the land, which is utilized as part of the New Zealand Carbon Farming scheme. The proposed boundary between Lots 2 and 3 generally follows a small watercourse.

1.3.2 Access

As discussed, the sites adjoin an unlegalised portion of Pupuke Mangapa Road. A Legalisation Survey of the portion of Mangapa Road that runs through the sites was undertaken in 1931 on SO 27161. Although the legal road through the property was surveyed it was, for some reason, never legalised. Significant attempts have been made by the applicant to vest this portion of access with Council, however agreement has been unable to be reached.

It is therefore proposed that this road will become a right of way to formalize the access arrangements for Proposed Lots 1, 2 and 4.

The right of way will be broken into 2 parts, with Proposed Right of Way A providing access to Lots 1, 2 and 4, and Proposed Right of Way B providing access to Lot 4. The access is formed to a significant standard and meets or exceeds Council's formation requirements for rights of way serving 3 sites.

Proposed Lot 3 will for the foreseeable future gain access via the adjoining allotments in the same ownership. Should separate access be required at any stage in the future, an independent access can be formed from the existing legal unformed road which adjoins Lot 3 along the full length of the eastern boundary.

We respectfully request that no crossing upgrades be required as part of this application, as each utilized crossing is currently fit for the purpose and is regularly maintained by the applicant as required. No further residential activity is proposed, with the lots intended as carbon farming properties.

2. DISTRICT PLAN STATUS

2.1 Operative Far North District Plan

2.1.1 The subject site is located within the Rural Production Zone (Refer to Maps 21 and 27).

- 21.2 An Outstanding Natural Feature is identified over a small area of the eastern margin of Lot 4. This is recorded as Outstanding Natural Feature 94, identified as Whakateterekia Stream Eocene Sediments.
- 2.1.3 The proposal can meet the criteria for a <u>Controlled Activity</u> under Rule 13.7.2.1, Minimum Lot Sizes under both (i) Rural Production Zone and (xix) Outstanding Natural Features, which both require a minimum lot size of 20ha.

The minimum lot size of all allotments in the proposal is 20ha.

2.1.4 Given that there is an Outstanding Natural Feature identified over a small portion of Proposed Lot 4, assessment of the proposal against the provisions of Chapter 12, Natural and Physical Resources, is also required. The proposal requires consent as a Discretionary Activity under Rule 12.1.6.3, by virtue of the fact that it cannot comply as a permitted activity 12.1.6.1 (b) as follows:

12.1.6.1 PERMITTED ACTIVITIES

An activity is a permitted activity if:

- (a) it complies with the standards for permitted activities set out in Rules 12.1.6.1.1 to 12.1.6.1.6 below; and
- (b) it complies with the relevant standards for permitted activities in the zone in which it is located, set out in Part 2 of the Plan Environment Provisions; and
- (c) it complies with the other relevant standards for permitted activities set out in Part 3 of the Plan District Wide Provisions.

The proposal cannot comply with part (b) above, as there are no forms of permitted activity subdivision.

2.1.5 The proposal can meet all other matters to be taken into account when considering a controlled activity, as outlined in Chapter 13.7.3 of the District Plan.

2.2 Objectives and Policies

2.2.1 The Objectives and Policies that are relevant to the proposal are contained within Chapter 8, Rural, Chapter 12, Natural and Physical Resources, and Chapter, 13 Subdivision. The relevant objectives and policies of these chapters are assessed as follows:

8.6 Rural Production Zone 8.6.3 Objectives

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

The proposal achieves the sustainable management of resources by retaining rural production land use opportunities on each allotment.

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

 The proposal maintains the amenity values of the area as each allotment will continue to be used for rural production purposes. The proposal is extremely minor in nature, involving the minor boundary adjustment of four existing rural properties.
- 8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.
- 8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.

Reverse sensitivity effects are not relevant to this application, as the land use on each site will not alter.

8.6.3.9 To enable rural production activities to be undertaken in the zone. Each allotment will remain suitable for various rural production land uses.

8.6.4 POLICIES

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

As with objective 8.6.3.9, the proposal enables rural production activities to continue on each allotment, with associated effects that will be less than minor.

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

The proposal is not likely to generate any effects that would be felt beyond the boundaries of the site. The proposal will not alter the land use of either allotment.

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

No additional built development is proposed, and each allotment will accommodate a site area which will remain in accordance with the minimum lot sizes provided for in the Rural Production Zone.

- 8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.
- 8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities

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

These policies seek to avoid reverse sensitivity effects. As discussed, reverse sensitivity effects are not considered relevant to this proposal as the land use over each site will not alter, and no built development is proposed.

Chapter 12 Natural and Physical Resources

12.1.3 Objectives

12.1.3.1 To protect outstanding landscapes and natural features from inappropriate, subdivision use and development.

The proposal is not considered to be inappropriate as each allotment will contain at least 20ha, and no additional allotments are being created.

- 12.1.3.2 To protect the scientific and amenity values of outstanding natural features. There will be no change or effect on the values of the outstanding natural feature.
- 12.1.3.4 To avoid adverse effects and to encourage positive effects resulting from land use, subdivision or development in outstanding landscapes and natural features and Maori cultural values associated with landscapes.

No adverse effects are anticipated, as no additional allotments are being created and no built development is proposed on any allotments.

12.1.4 Policies

- 12.1.4.1 That both positive and adverse effects of development on outstanding natural features and landscapes be taken into account when assessing applications for resource consent.
- 12.1.4.2 That activities avoid, remedy or mitigate significant adverse effects on both the natural and the cultural values and elements which make up the distinctive character of outstanding natural features and landscapes.

Again no adverse effects are anticipated, as the proposal involves the very minor adjustment of existing allotment boundaries only.

12.1.4.6 That activities avoid or mitigate adverse effects on the scientific and amenity values associated with outstanding natural features.

There are not anticipated to be any adverse effects on the values of the outstanding natural feature.

13 Subdivision 13.3 Objectives

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

The proposal finds direct support with this objective by promoting sustainable management of the land resource by retaining lots that can be used for rural production purposes.

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

The proposed subdivision is considered appropriate as the productive integrity of each allotment will not be reduced. The potential effects relating to the proposal will be less than minor.

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

The proposed allotments have no need for an electricity supply as the proposed and existing land use is carbon farming.

13.4 POLICIES

- 13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:
 - (a) natural character, particularly of the coastal environment;
 - (b) ecological values;
 - (c) landscape values;
 - (d) amenity values;
 - (e) cultural values:
 - (f) heritage values: and
 - (g) existing land uses.
- 13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:
 - (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
 - (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area:
 - (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;
 - (d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives" (2004);
 - (e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

- (f) protecting historic heritage through the siting of buildings and development and design of subdivisions.
- (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

The proposal is not considered to affect the values listed in Policy 13.4.1 as the proposal does not create any built development. Each site will continue to be used for rural production purposes.

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

Although Proposed Lot 3 will not have frontage to a formed road, it will gain access via adjoining properties in the same ownership, and has frontage to an unformed legal road should the ownership of this site change at any stage.

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

 No new access ways are required and all required site servicing is already in place.
- 13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

The proposal is consistent with the objectives and policies of the Rural Production Zone and Landscapes and Natural Features.

2.3 Proposed Far North District Plan

- 2.3.1 The Proposed District Plan was notified in July 2022 and therefore requires consideration in the assessment of Resource Consent applications. The proposed subdivision is located in the Rural Production Zone under the Proposed Plan.
- 2.3.2 The proposal can comply as a discretionary activity under the Proposed District Plan, as each allotment will be in excess of 8ha.
- 2.3.3 The relevant objectives and policies of the Proposed District Plan are assessed as follows:

Subdivision - Objectives

SUB-O1

Subdivision results in the efficient use of land, which:

- a) achieves the objectives of each relevant zone, overlays and district wide provisions;
- b) contributes to the local character and sense of place;
- avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;
- d) avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;
- e) does not increase risk from natural hazards or risks are mitigates and existing risks reduced; and
- f) manages adverse effects on the environment.

Assessment: The proposal is directly supported by the objectives of the Rural Production Zone as it will not increase the number of allotments, and each allotment will maintain its potential for rural land uses. Reverse sensitivity issues are not considered to be likely as the proposal will not generate any nuisance elements.

SUB-O2

Subdivision provides for the:

- a) Protection of highly productive land; and
- b) Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.

Assessment: The proposal will not have any effect on the natural feature identified over a small area of Proposed Lots 1 and 4, as there is no change in the land use of these sites and no built development proposed.

SUB-O3

Infrastructure is planned to service the proposed subdivision and development where:

- a) there is existing infrastructure connection, infrastructure should provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and
- b) where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.

Assessment: No infrastructure is required.

Subdivision - Policies

SUB-P1

Enable boundary adjustments that:

- a) do not alter:
- the degree of non compliance with District Plan rules and standards;
- ii) the number and location of any access; and
- iii) the number of certificates of title: and
- b) are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.

The proposal seeks to adjust the boundaries of four existing rural allotments, which are currently smaller than the Proposed District Plan standards.

SUB-P3

Provide for subdivision where it results in allotments that:

- a) are consistent with the purpose, characteristics and qualities of the zone;
- b) comply with the minimum allotment sizes for each zone;
- c) have an adequate size and appropriate shape to contain a building platform; and
- d) have legal and physical access.

Assessment: Each proposed allotment will be smaller than the controlled activity provisions for the rural production zone, but will be created from four existing allotments all of which are already smaller than the minimum lot standards. Each allotment will continue to be used for rural purposes and will have legal and physical access. The exception to this is Proposed Lot 3, which will have legal access available via a section of unformed road. Physical access is currently available via adjoining allotments in the same ownership.

SUB-P4

Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan Assessment: No earthworks or other physical works are required to facilitate the subdivision.

SUB-P8

Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:

- a) will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule: and
- b) will not result in the loss of versatile soils for primary production activities. Assessment: The proposal does not seek to create rural lifestyle subdivision.

SUB-P9

Avoid subdivision rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.

Assessment: The proposal does not seek to create rural lifestyle subdivision.

SUB-P11

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

- a) consistency with the scale, density, design and character of the environment and purpose of the zone;
- b) the location, scale and design of buildings and structures:
- the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;
- d) managing natural hazards;
- e) Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and

f) any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Assessment: As discussed, the proposal does not create any adverse effects, and seeks to simply adjust the boundaries of four existing rural titles

Rural Production Zone Objectives

RPROZ-01

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

Assessment: The proposal will retain each allotment for rural purposes. The overall density of the existing cadastral pattern will remain unchanged.

RPROZ-02

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

Assessment: Each allotment will be used for primary production activities.

RPROZ-03

Land use and subdivision in the Rural Production zone:

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

Assessment: Again the proposal is directly supported by this objective as it does not compromise the use of land for primary production activities. Reverse sensitivity effects will not be generated as the land use will remain unchanged, and no built development is facilitated.

RPROZ-04

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

Assessment: There will be no effects on rural character or amenity, as no additional allotments are being created, and no built development is facilitated.

Policies

RPROZ-P1

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

Assessment: The proposal allows rural production activities with only typical adverse effects.

RPROZ-P2

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

- a) enabling primary production activities as the predominant land use;
- b) enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.

Assessment: The proposal will enable rural production activities as the predominant land use.

RPROZ-P4

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

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

Assessment: The proposal will facilitate rural production activities and will maintain a low density of development.

RPROZ-P5

Avoid land use that:

- a) is incompatible with the purpose, character and amenity of the Rural Production zone;
- b) does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;
- c) would result in the loss of productive capacity of highly productive land;
- d) would exacerbate natural hazards; and
- e) cannot provide appropriate on-site infrastructure.

Assessment: The proposal is not incompatible with the purpose, character or amenity of the Rural Production Zone and it does have a functional need to locate in the RPZ. The proposal does not result in the loss of highly productive land, rather it supports the use of primary production land for intended purposes.

RPROZ-P6

Avoid subdivision that:

- a) results in the loss of highly productive land for use by farming activities;
 - a. fragments land into parcel sizes that are no longer able to support farming activities, taking into account:
- i) the type of farming proposed; and
- ii) whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.
- b) provides for rural lifestyle living unless there is an environmental benefit.

Assessment: Fragmentation of land is not relevant as no additional allotments are being created. The proposal will not result in any loss of highly productive land.

RPROZ-P7

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

- a) whether the proposal will increase production potential in the zone;
- b) whether the activity relies on the productive nature of the soil;
- c) consistency with the scale and character of the rural environment;
- d) location, scale and design of buildings or structures;
- e) for subdivision or non-primary production activities:
 - i) scale and compatibility with rural activities;
 - ii) potential reverse sensitivity effects on primary production activities and existing infrastructure;
 - iii) the potential for loss of highly productive land, land sterilisation or fragmentation
- f) at zone interfaces:
- any setbacks, fencing, screening or landscaping required to address potential conflicts;
- the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;
- g) the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;
- h) the adequacy of roading infrastructure to service the proposed activity;
- i) Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;
- j) Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Assessment: The proposal has a functional need to locate in the RPZ and does not compromise any useful land for rural production activities. The effects expected to arise from the proposal are limited to those expected and accepted for the rural production environment.

3. ASSESSMENT OF ENVIRONMENTAL EFFECTS

3.1 General Overview

- 3.1.1 The application seeks to adjust the boundaries of four existing rural titles, with a total of four rural titles to be created and one area of road to vest. Each proposed allotment will remain in accordance with the controlled activity allotment sizes under the Operative Far North District Plan.
- 3.1.2 Given that no additional titles are being created, there will be no associated fragmentation of land and therefore no associated loss of rural productivity generated by the proposal. The areas of land identified as Proposed Lots 1, 3 and 4 are currently planted in pines and are part of the

New Zealand Carbon Farming scheme. Proposed Lot 2 contains an existing residential dwelling and is used for rural purposes. The existing land uses already occurring on each site are appropriate for the locality, and will not alter as a result of the proposal.

- 3.1.3 No additional built development is facilitated by the proposal. No earthworks are required, as each proposed allotment has existing vehicle crossings available from the proposed right of way. There will not be any physical change to the landscape as a result of the proposal. In summary, given the above factors the potential effects of the proposal on the rural character and amenity of the area are expected to be less than minor, and appropriate for this location.
- 3.1.4 With regard to potential effects on adjoining owners, the proposal is considered to be minor in scale, with no additional allotments created and no change in land use over any of the allotments. The proposal will not generate any effects which could be felt beyond the boundaries of the site. Accordingly, consultation has not been undertaken.
- 3.1.5 There are not considered to be any potential effects on the Outstanding Natural Feature identified over a small portion of the eastern margin of Lot 4. This area is already planted in pines, with no built development or other physical changes required to facilitate the subdivision.

4. OTHER MATTERS

4.1 Consultation and Notification

4.1.1 As discussed in Section 3.1.5, potential effects on adjoining owners are considered to be less than minor, with no effects generated that could be felt beyond the boundaries of the site. Consultation with adjoining neighbours has therefore not been carried out. On the basis that the potential effects are no more than minor, we respectfully request that the application be processed on a non-notified basis. There are no special circumstances that would warrant notification.

4.2 Financial Contributions

4.2.1 Financial contributions will not be payable as no additional allotments are being created.

4.3 National Environmental Standard for Contaminated Soils

4.3.1 The proposed subdivision is not subject to the NES for Contaminated Soils, as each allotment created by the subdivision will remain as production land.

4.4 National Policy Statement for Highly Productive Land

4.4.1 The National Policy Statement for Highly Productive Land (NPS HPL)
 does not apply to this application, as none of the sites contain any Class 1
 - 3 Land.

5. RMA PART 2 ASSESSMENT

- 5.1 Applications considered under Section 104(1) are subject to Part 2 of the RMA. Section 5 sets out the purpose of the Act. Section 6 sets out the matters of national importance that shall be recognised and provided for in achieving the purpose of the Act. Section 7 deals with other matters that regard shall be had to in achieving the purpose of the Act. Section 8 deals with Treaty of Waitangi matters that shall be taken into account in achieving the purpose of the Act.
- 5.2 The purpose of the Act, as stated in Section 5(1) is to promote the sustainable management of natural and physical resources. Section 5(2) of the Resource Management Act, 1991 defines sustainable management as: "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 wellbeing and for their health and safety while (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonable foreseeable needs of future generations; and (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and (c) Avoiding, remedying any adverse effects of activities on the environment" The proposed subdivision is consistent with the purpose of the RMA for the following reasons:
 - The subdivision enables the efficient use of resources, by adjusting the boundaries of existing rural sites to provide a more logical allotment layout.
 - The subdivision does not compromise existing landscape and rural amenity values, as no additional built development is facilitated by the proposal and no additional allotments are created.

- The subdivision will not alter the character over the site or surrounding area in any way.
 The proposed lot sizes are generally reflective of the cadastral pattern in the area.
- 5.3 The proposal does not offend any matters of national importance in Section 6 of the Act, or any of the other matters set out in Sections 7 and 8.



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PROPOSED SUBDIVISION OF ALLOTMENTS 76, 83, 82, E77, PT ALLOTMENT 77, PSH OF PUPUKE

PREPARED FOR: New Zealand Carbon Farming
TOTAL AREA 116.50ha
COMPRISED IN RT's NA533/107, NA2A/1401, NA3A/895, NA2D/277

Scale 1:6000 (A3)

SHEET NUMBER

1636-1

FILE REF. SSS1636

DATE:10/8/25