

# Application for resource consent or fast-track resource consent

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

## 1. Pre-Lodgement Meeting

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

Yes  No

## 2. Type of consent being applied for

(more than one circle can be ticked):

<input type="radio"/> Land Use	<input type="radio"/> Discharge
<input type="radio"/> Fast Track Land Use*	<input type="radio"/> Change of Consent Notice (s.221(3))
<input type="radio"/> Subdivision	<input type="radio"/> Extension of time (s.125)
<input type="radio"/> Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)	
<input type="radio"/> Other (please specify) _____	

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

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

Yes  No

## 4. Consultation

Have you consulted with Iwi/Hapū?  Yes  No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

## 5. Applicant details

<b>Name/s:</b>	Gareth Jones
<b>Email:</b>	
<b>Phone number:</b>	
<b>Postal address:</b> (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)*

<b>Name/s:</b>	Northland Planning and Development (2020) Ltd - cl- Rochelle Jacobs
<b>Email:</b>	
<b>Phone number:</b>	
<b>Postal address:</b> (or alternative method of service under section 352 of the act)	

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

\_\_\_\_\_

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

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

<b>Name/s:</b>	Gareth Jones
<b>Property address/ location:</b>	38 Kemp Road, Kerikeri
	<b>Postcode</b> 0230

## 8. Application site details

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

Name/s:

Site address/  
location:

Postcode

Legal description:

Val Number:

Certificate of title:

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

### Site visit requirements:

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

Is there a dog on the property?  Yes  No

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

## 9. Description of the proposal

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

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

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

Yes  No

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

(more than one circle can be ticked):

Building Consent 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. Assessment of environmental effects:

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

Your AEE is attached to this application  Yes

## 14. Draft conditions:

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

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

## 15. Billing Details:

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

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

Gareth Jones

**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.

## 15. Billing details continued...

### Declaration concerning Payment of Fees

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

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

**Signature:**

(signature of bill payer)

**Date**

**MANDATORY**

## 16. Important Information:

### Note to applicant

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

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

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

### Fast-track application

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

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

### Privacy Information:

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

## 17. Declaration

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

**Name** (please write in full)

**Signature**

**Date**

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

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

## Checklist

*Please tick if information is provided*

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

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

## 15. Billing details continued...

### Declaration concerning Payment of Fees

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

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

Gareth Jones Signed digitally

**Signature:**

(signature of bill payer)

Date 04-Feb-2026

**MANDATORY**

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### Note to applicant

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## 17. Declaration

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

**Name** (please write in full)

Gareth Jones signed digitally

**Signature**

Date 04-Feb-2026

*A signed declaration has been made by electronic means*

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

## Subdivision Resource Consent Proposal

**Gareth Jones – 38 Kemp Road, Kerikeri**

**Lot 3 DP 43386**

Date: 29/01/2026

Attention: Nick Williamson & Liz Searle, Team Leaders (Resource Consents)

Please find attached:

- an application form for a combined subdivision and land use resource consent proposal in the ***Rural Living Zone*** under the Operative District Plan; and
- an Assessment of Environmental Effects of the proposal on the environment.

The application is for a staged, three-lot subdivision of Lot 3 DP 43386 that is 38 Kemp Road, Kerikeri. The parent lot site is 5,787m<sup>2</sup>. There are no instruments, consent notices or encumbrances on the existing title that would affect subdivision of the site as proposed. A land use consent to exceed the permitted impermeable surface (stormwater management) and building coverages standards within proposed Lot 2 and to enable a percentage allocation of future impermeable surfaces within Lots 1 and 3 is also proposed.

The proposed subdivision activity is ***non-complying*** (for lots that exceed the minimum lot size standard in the Rural Living Zone) under the ODP and a ***restricted discretionary activity*** for subdivision within the Kerikeri Heritage Overlay – Part B) under the PDP subdivision rules that have current legal effect.

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

Regards,



Rochelle Jacobs

Senior Planner / Director

**NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED**



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## Appendices

- 1. Far North District Council Application Form**
- 2. Certificate of Title – LINZ**



- 3. Subdivision Plans – *Williams and King***
- 4. Engineering Assessment Report – *Haigh Workman***
- 5. ODP & PDP Objectives and Policies – *Northland Planning & Development Ltd 2020***
- 6. Correspondence - *Heritage NZPT***
- 7. Correspondence – *Ngati Rehia***
- 8. Correspondence - *Chorus***
- 9. Correspondence – *Top Energy***



## Assessment of Environment Effects Report

### 1. DESCRIPTION OF THE PROPOSED ACTIVITY

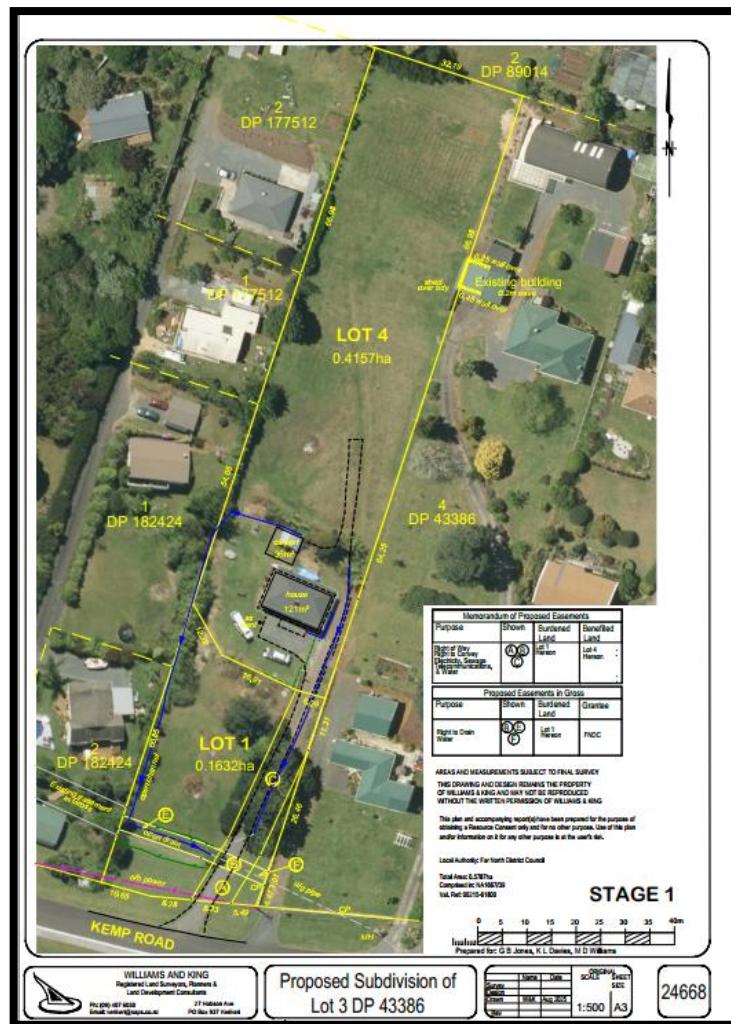
- 1.1. The Applicant, Gareth Jones is seeking a resource consent to subdivide and develop an existing rural residential property at 38 Kemp Road, Kerikeri. A land use consent for existing development within Lot 2 is required to exceed the impermeable surface (stormwater management) and building coverage standards and to enable an allocation for future impermeable surfaces within Lots 1 and 3. The site is legally described as Lot 3 DP 43386. The Record of Title is attached at **Appendix 2**.
- 1.2. The parent lot being subdivided is 5,787m<sup>2</sup>. The site has road frontage and vehicle access to Kemp Road, which is on the northern side of the Kerikeri River inlet. As illustrated on the subdivision plan prepared by Williams and King (refer **Appendix 3** and **Figure 1** below).
- 1.3. The proposed subdivision would comprise 3 rural-residential lots to be created in two stages as follows:

#### Stage 1 (subdivision of Lot 3 DP 43886)

- Lot 1 – 1,632m<sup>2</sup>
- Lot 4 – 4,157m<sup>2</sup> (balance lot)

- 1.4. Stage 1 includes the vehicle ROW and services easements 'A', 'B' and 'C'. Stage 1 also includes easements in gross in favour of Far North District Council that includes the existing open stormwater drain and driveway culvert at 'B', 'E' and 'F' and the fire hydrant in the southeast corner of proposed Lot 1. At Stage 1, the existing metal driveway up to the boundary of proposed Lot 4 would be established as a ROW easement forming part of Lot 1 in favour of Lot 4. The minimum formed aggregate surfacing width would be 3m.





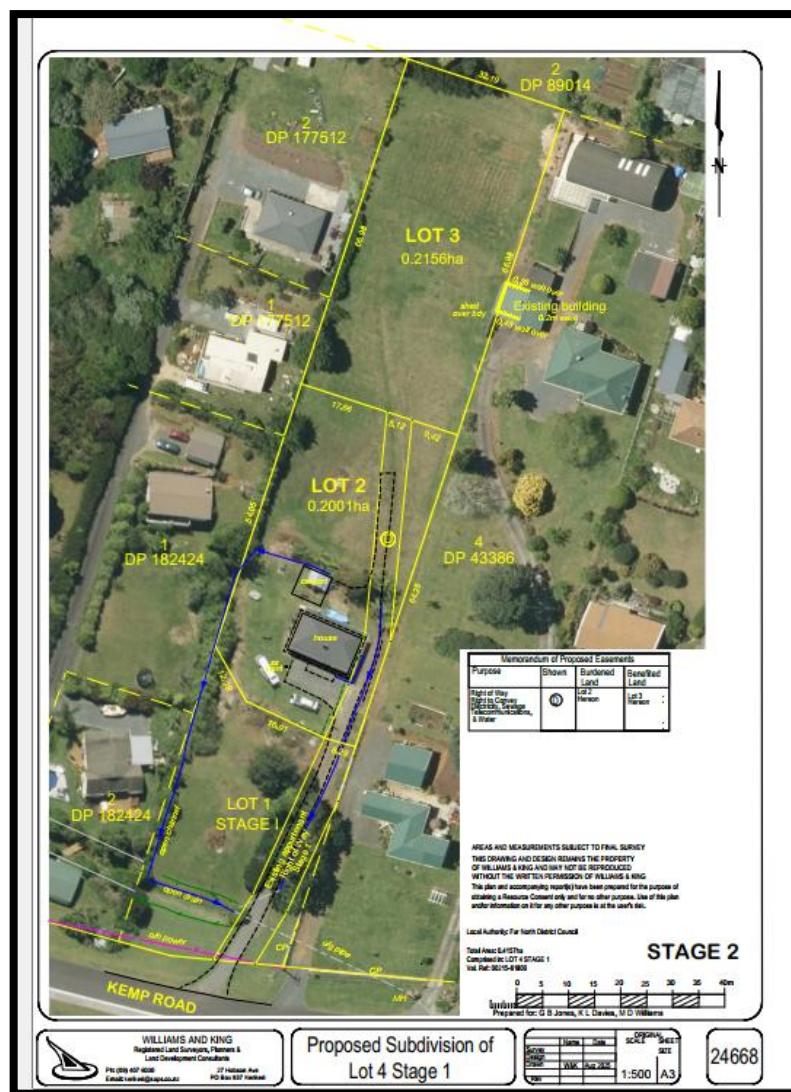
**Figure 1 - Proposed Subdivision Plan – Stage 1**

**Stage 2 (subdivision of proposed Lot 4)**

- Lot 2 – 2,001mm<sup>2</sup> (containing the existing dwelling and accessory buildings)
- Lot 3 – 2,156m<sup>2</sup> (rear lot)

1.5. At Stage 2, Lots 2 and 3 would be created from Lot 4. The ROW would be continued to include easement area 'D'. Due to the slope that is greater than 20% at the rear of the site, the engineering recommendation is to concrete the 3m wide accessway within easement 'D'. The legal width of easements A, B and C is between 6-7.5m. The vehicle crossing at the road boundary would be upgraded to a FNDC Type 1A standard.





**Figure 2 – Proposed Subdivision Plan – Stage 2**

1.6. Haigh Workman has assessed each proposed lot for suitable building platforms and on-site stormwater and wastewater services. As illustrated on DWG WWP01 – WWP03, the report indicates that within the allotment areas, there is suitable land available for the treatment and disposal (including reserve areas) of wastewater.



**Land Use - Impermeable Surfaces & Building Coverage**

- 1.7. Based on an allocation of future and existing impermeable surfaces, the creation of Lot 2 results in a breach of the stormwater management permitted standards for the Rural Living zone as follows:
  - Lot 1 – 500m<sup>2</sup> or 30.6% site coverage
  - Lot 2 - 444m<sup>2</sup> or 22.2% site coverage
  - Lot 3 – 500m<sup>2</sup> or 23.2% site coverage
- 1.8. The creation of Lot 2 would also result in a minor infringement of the Rural Living ‘Building Coverage’ Standard for 202m<sup>2</sup> or 10.09% of the site area. Resource consent to infringe the Rural Living zone standards for the extent of impermeable surfaces and building coverage comprising 444m<sup>2</sup> (22.2%) within proposed Lot 2 is sought.
- 1.9. The percentage coverage figures provided for Lots 1 and 3 are estimates for the purpose of assessing site suitability and stormwater runoff mitigation requirements. A land use consent is sought for the allocation of impermeable surfaces for Lots 1 and 3 and a mitigation consent notice condition is to be included as proposed in paragraph 1.8 below. The proposed allocation of 500m<sup>2</sup> per lot equates to 30.6% site coverage for Lot 1 and 23.2% for Lot 3. A table setting out how these figures are derived is provided in Section 7.4 (*Table 7*) of the Haigh Workman report. Regarding building coverage on Lots 1 and 3, a future land use consent may be required depending on the extent of any breach of the standard.
- 1.10. In accordance with FNDC Engineering Standards 2023, design engineers Haigh Workman have recommended that stormwater runoff is attenuated back to 80% of the permitted activity levels for the 10-year event for Lot 2 where there is existing built development at the time of subdivision including an allowance for the future northern portion of the ROW. Where the northern ‘D’ ROW is concreted, this is to include an integrated concrete swale. At the time of subdivision, the existing plastic culverts under the ROW will be replaced with 300mm concrete culverts and headwalls in the locations shown in the Haigh Workman report **Figure 12**. These works would be undertaken as part of Stage 1.





***Figure 3 – Existing plastic culvert to be replaced***

1.11. For Lots 1 and 3, a consent notice requiring a stormwater management plan to be prepared by a Chartered Professional Engineer or other suitably qualified person is to be submitted to the Council for approval at the time of building consent is proposed as follows:

*“In conjunction with the construction of any building on Lots 1 and 3 where combined impermeable surfaces on-site exceed the permitted limit in the district plan, the lot owner shall submit, in conjunction with an application for building consent, and for the approval of Council, the design of stormwater control measures. Dispensation may be given for attenuation where low-impact design measures have been proposed. The report shall be prepared by a Chartered Professional Engineer or a suitably qualified and experienced practitioner.”*

1.12. As indicated on the subdivision plan (and in Figure 11 of the Haigh Workman report), provision has been made for an easement that enables a stormwater connection for Lot 3 to convey water into the natural overland flow path in the west of Lot 2. Haigh Workman has recommended that this connection be formed from 100mm pipe with suitable outlet armouring as required to protect against the effects of scour. These works would be undertaken as part of Stage 1.



### Vehicle Crossing Upgrade

1.13. Design engineers Haigh Workman have recommended that the existing vehicle crossing be upgraded to a sealed type 1A crossing with a 4m width and 5m flares. Haigh Workman advise that a culvert under the vehicle crossing is not required as road runoff drains into the existing open drain that is within the site boundary. These works would be undertaken as part of Stage 1.

### Earthworks

1.14. As described in Section 6.1 of the Haigh Workman report, earthworks are required to form the ROW. Earthworks cut and fill are comprised of topsoil stripping, forming the ROW drains and placement of aggregate. Earthworks over a surface area of 570m<sup>2</sup> will comprise:

- Cut = 79m<sup>3</sup>
- Fill = 50m<sup>3</sup>

**Total = 129m<sup>3</sup>**

1.15. Earthworks volumes are within the permitted standard for the Rural Living Zone. Earthworks will be undertaken in accordance with Erosion and Sediment Control Guidelines GD05. It is noted that future filling on Lot 1 will be required to create a building platform that is above the mapped 100-year flood hazard as stated on page 8 of the Haigh Workman Engineering Assessment Report (refer **Appendix 4**).

### Wastewater disposal

1.16. Haigh Workman design engineers have assessed the site's suitability for the on-site treatment and disposal of wastewater onto the site and confirmed the following:

***Lot 1** – Assumed a 3-bedroom dwelling and a design occupancy of 5 persons. A conventional bed disposal is recommended due to the limited space available on Lot 1. Sufficient disposal area is available for the 30% reserve area. A 5-metre setback from the stormwater drain on the site is required.*

***Lot 2** – has an existing wastewater disposal system. The primary treatment system was located within the proposed Lot 2 boundary, but the extent of the disposal area could not be confirmed. Haigh Workman has recommended that a condition of consent require that the location of the disposal area is confirmed by a registered*



*drainlayer, and that it is fully operational. Should it not be operational, it should be replaced or repaired. Should the existing system need replacing, Haigh Workman has confirmed that there is sufficient space to accommodate a 100% reserve area within the Lot 2 boundary.*

***Lot 3** - Assume a 3-bedroom dwelling and a design occupancy of 5 persons. A standard dripper disposal system is recommended. There is sufficient area within the Lot 3 boundary for a 100% reserve area.*

*Potable water supply and fire-fighting*

1.17. Reticulated potable water supply is available in Kemp Road. Haigh Workman has proposed that water supply connections be provided for Lots 1 and 3 at time of subdivision. For fire-fighting purposes and in accordance with the NZ PAS 4509:2008 standard, there is water supply available within 135m of the site providing at least 12.5L/s. There is an existing fire hydrant at the road boundary with the property and two more hydrants east and west within 270m.

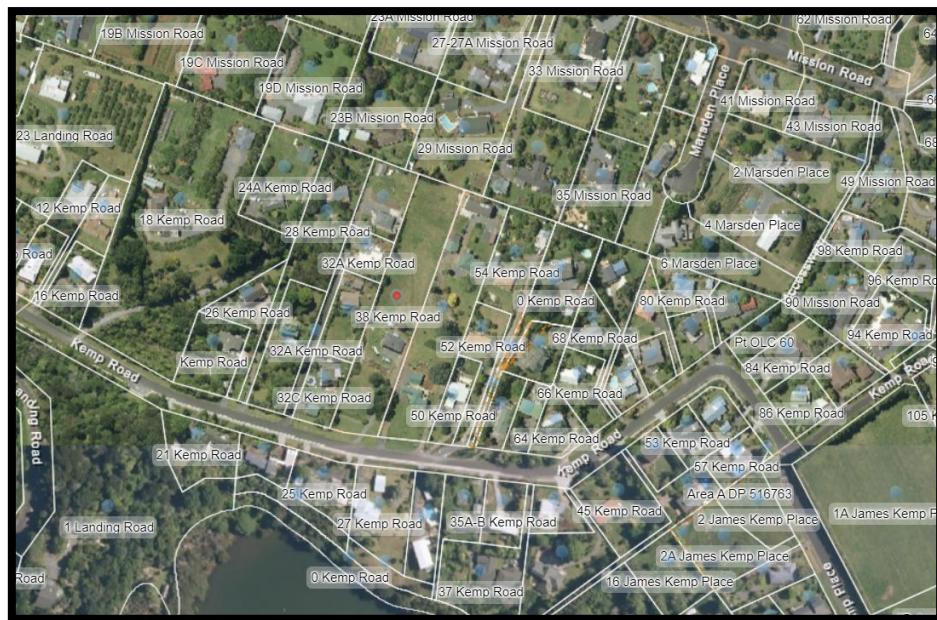
*Top Energy and Chorus*

1.18. Both lots can be serviced with electrical and telecommunication services. There is existing power and telecom services to proposed Lot 2. Letters from Top Energy and Chorus indicating the availability of services to proposed Lot 1 are attached at **Appendix 8 and 9**. Communication with Top Energy did not include a request for the creation of an easement to service the existing overhead powerlines on the property.

## 2. DESCRIPTION OF THE SITE AND SURROUNDING ENVIRONMENT

2.1. The property is located at 38 Kemp Road, Kerikeri and is legally described as Lot 3 DP 43886. The site is an older established rural-residential type property that was created in 1959.





**Figure 4 – Site Location – 38 Kemp Road, Kerikeri**



**Figure 5 – DP 43386 Plan – 1955 (issued 1959)**

2.2. The site has a rectangular shape. It is approximately 31m wide and has a southerly aspect that faces the Kerikeri River Basin, the Kororipo Pa site and dwellings at the lower end of Pa Road. Given the slightly higher contour elevation, it is possible that new building development on the site would be visible from dwellings across the river at 94A and 94B Pa Road, however these



would be distant views that are obscured by trees and seen in the context of residential housing surrounding the application site that has been developed to a similar intensity.



*Figure 6 – Views looking south-east from the upper part of the site*

2.3. The southern half of the site is relatively flat. The rear part of the site has a moderate upper slope. There is an existing dwelling and carport located centrally on the property comprising 202m<sup>2</sup> of building roof area (as estimated by Haigh Workman). There is also an existing storage container located temporarily on the site. There is an existing metal driveway that extends from the road frontage to the house. Existing shrub vegetation screens parts of the western boundary. The rear and lower front parts of the site are vacant landscaped lawn area.



*Figure 7 – 38 Kemp Road – looking north from the southern side of Kemp Road*



2.4. The surrounding environment has a large lot residential character generally comprised of single dwellings surrounded by established landscaped gardens. Adjacent land and dwellings at 32, 32A, 32B, 32C, 40 and 44 Kemp Road are visible from within the site boundary. Since the agents site visit, the vegetation on the western side of the driveway that screened the eastern neighbour at 40 Kemp Road from the lower proposed Lot 1 site has been removed as shown in *Figure 6* of the Haigh Workman report.

2.5. The immediately adjacent sites are relatively intensive reflecting an earlier District Plan residential zoning that applied prior to the ODP. Adjacent site areas and landowners are as follows:

**Table 1: Adjacent landowners**

Address	Legal Description	Landowner	Site Area (m <sup>2</sup> ):
32 Kemp Road	Lot 2 DP 177512	Lauchlan Michael Waugh	1546
32A Kemp Road	Lot DP 177512	Moana Mihi Robinson	954
32B Kemp Road	Lot 1 DP 182424	John Albert Carr	1500
32C Kemp Road	Lot 2 DP 182424	Jeffery John Garnham G.A.L Trustees Limited & Vivienne Anne Bath	1250
40 & 44 Kemp Road	Lot 4 DP 43386	Hannah Rose Walker Faith Trustees Limited, Harrison Walker & Elaine Walker	5649
29 Mission Road	Lot 2 DP 89014	John Edward Arthur Herbert and Norma Mary Herbert	4050

2.6. 32-32C Kemp Road have vehicle access from Kemp Road via a sealed shared ownership access Lot 3 DP 156146 comprising 628m<sup>2</sup>. The house and rear (south facing) secondary outdoor living area at 32C Kemp Road would be visible from proposed Lot 1 (refer **Figure 9** below). However, the main outdoor living area and outlook from this house appears to be towards the west. The addition of a house on proposed Lot 1 would be consistent with the existing development pattern along Kemp Road. Refer **Figure 8** below.



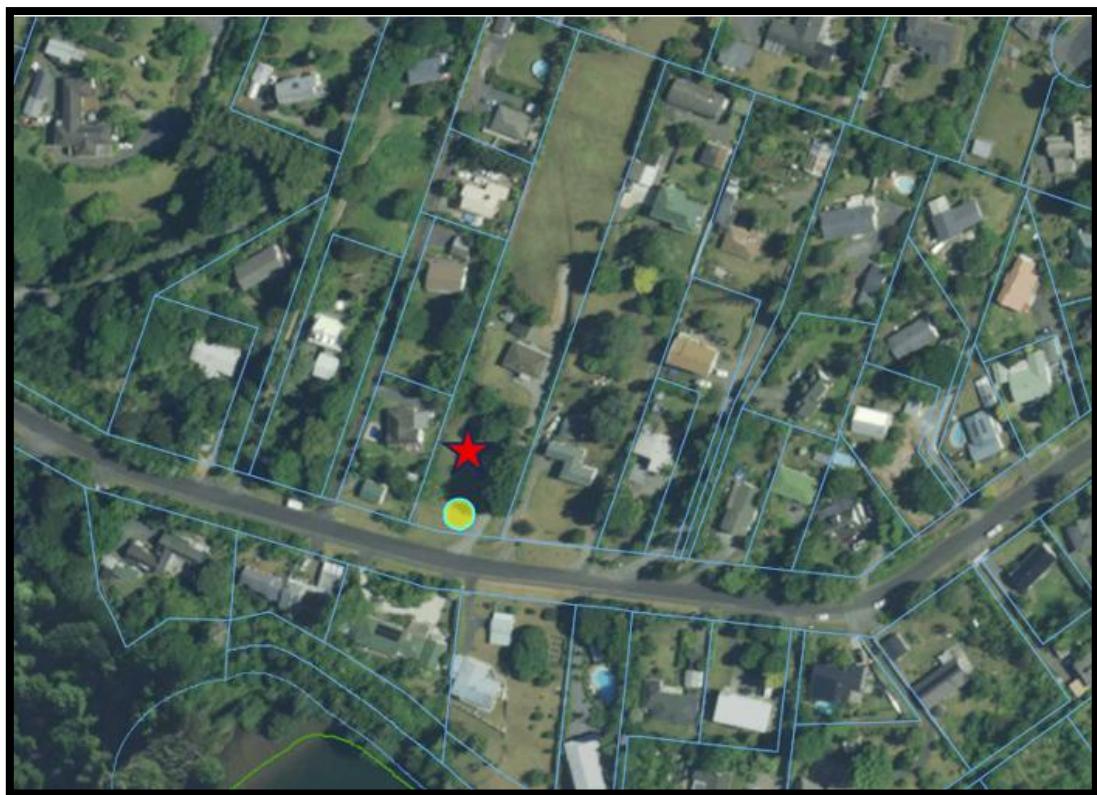


Figure 8 – Existing Kemp Road residential development pattern – star indicates potential Lot 1 house location



Figure 9 – View of the eastern side of house at 32C Kemp Road from proposed Lot 1

- 2.7. There would be no visible change to the outlook from dwellings at 32A and 32B Kemp Road where existing vegetation and a timber fence screen views across the boundary. The upper dwelling at 32 Kemp Road is at a similar contour elevation as the Lot 3 building site. Whilst there appears to be views from this dwelling into the subject site, the main orientation of this dwelling is toward southern views of the Kerikeri River Basin. Outdoor living areas comprising paved and timber decking are located on the west, east and southern sides of the dwelling, with parking at the rear (northern) side. Infill housing at a similar contour has occurred at 28, 32 and 44 Kemp Road.
- 2.8. 40 and 44 Kemp Road are comprised in a single title containing two rateable dwellings. The indoor outlook and outdoor living area for these dwellings is orientated to the north. The northern dwelling appears to have other sheds and a sleepout associated with the main dwelling. The sleepout is screened from the site by an existing shed built over the boundary and mature hedge vegetation. 29 Mission Road has access from Mission Road. The dwelling on this property is located toward its northern boundary with the outdoor living area orientated to the western pool area.
- 2.9. There is an existing open stormwater drain that runs along the front of the application site. This is a continuation of a drain that flows from the neighbouring property to the west (32C Kemp Road, through the site, across 40 Kemp Road and connecting to a 600mm FNDC culvert under Kemp Road (refer **Figure 10** below). There is no existing drainage easement that permits adjacent catchment sites from draining stormwater via the application site. A new drainage easement in gross 'E' is proposed in favour of Far North District Council. The drain also collects runoff from down the western boundary of the site. This is an existing situation where stormwater from the existing dwelling drains to an open drain at the base of the bank behind the garage and overland down the western boundary.





Figure 10 – Existing open stormwater drain through front of site

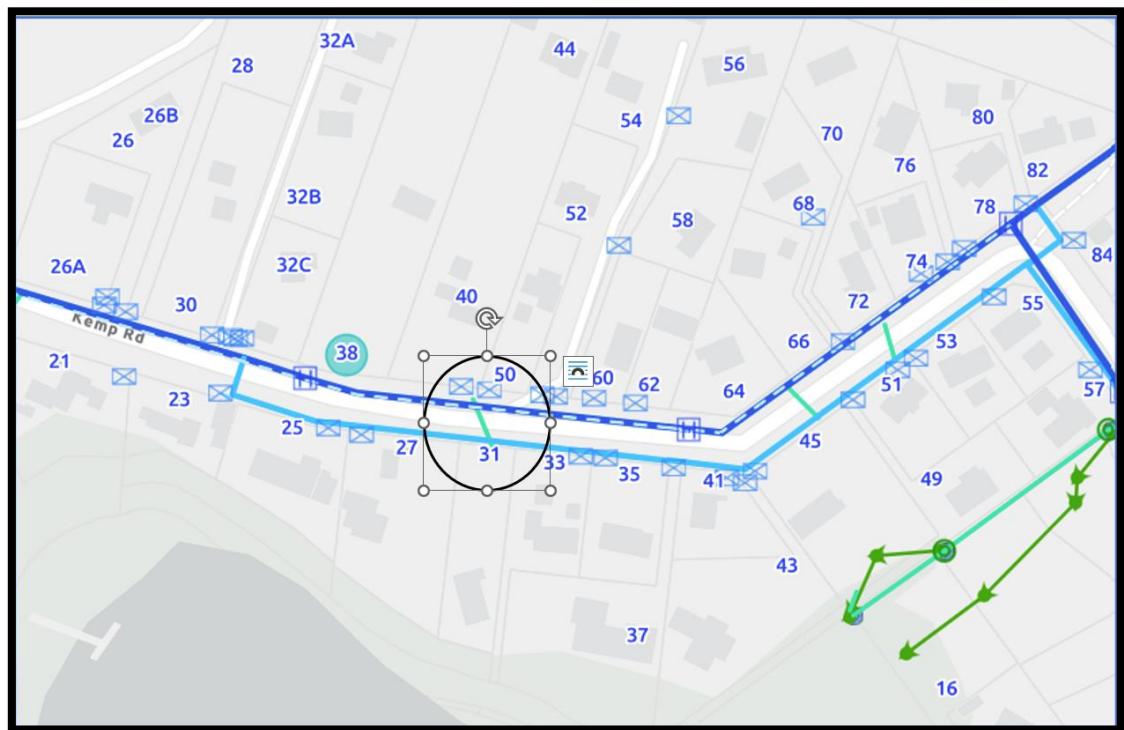
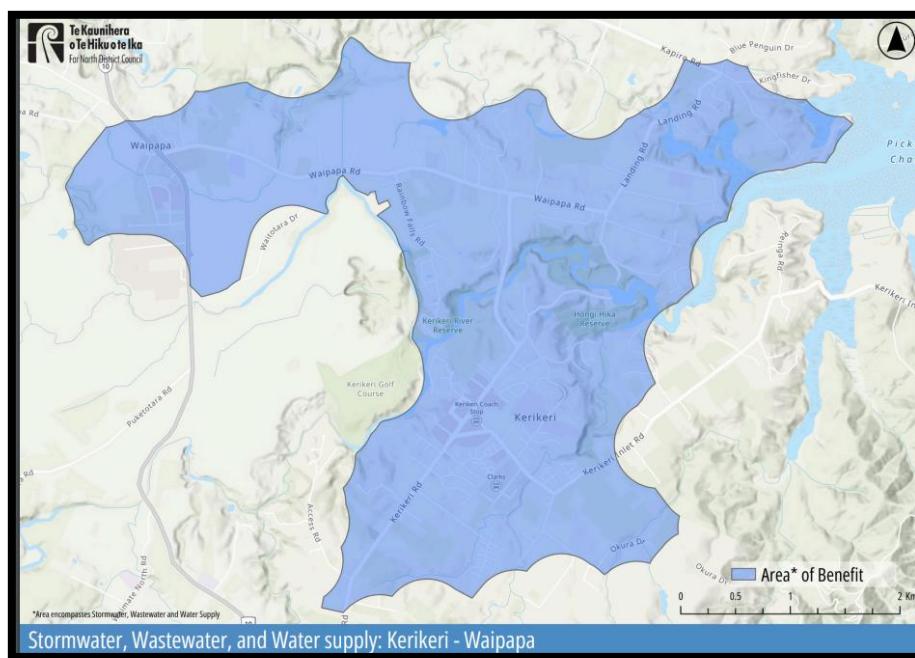


Figure 11 – FNDC stormwater drainage network



2.10. The street is serviced with reticulated potable water supply and for fire-fighting purposes. There are existing hydrants located within 135m of the site. As indicated on the subdivision plan, there are existing overhead powerlines that traverse the front of the site. These are not currently within an easement in favour of Top Energy. Correspondence from Top energy has confirmed that no easement is required (**Appendix 9**). There are no reticulated wastewater services available at the site. The site is within the proposed FNDC 'Area of Benefit' for the purposes of charging development contributions.



**Figure 12 – Proposed Area of Benefit – FNDC Development Contributions Policy 2025**

2.11. The site is not a mapped FNDC HAIL site. Based on Retrolens records, the site does not appear to have been used for any HAIL activity, including horticulture. **Figures 13, 14, and 15** below provide aerial records from 1953, 1979, 1981. **Figure 16** is from 2006.





*Figure 13 – 38 Kemp Road - 1953*



*Figure 14 – 38 Kemp Road - 1979*



*Figure 15 – 38 Kemp Road - 1981*



*Figure 16 – 38 Kemp Road - 2006*



2.12. Haigh Workman design engineers have assessed existing natural hazards at the site (refer Section 4.3 of the Haigh Workman report attached at **Appendix 4**). The report includes reference to an existing mapped flood hazard area that affects the lower southern part of the site. The extent of the NRC mapped flood hazard area is shown on *Figure 3* of the Haigh Workman Report. Despite the presence of a flood hazard area, the report concludes that there is sufficient area for building platforms, wastewater fields and the proposed right of way to be located outside of the flood zone. There are no other identified natural hazard risks at the site.

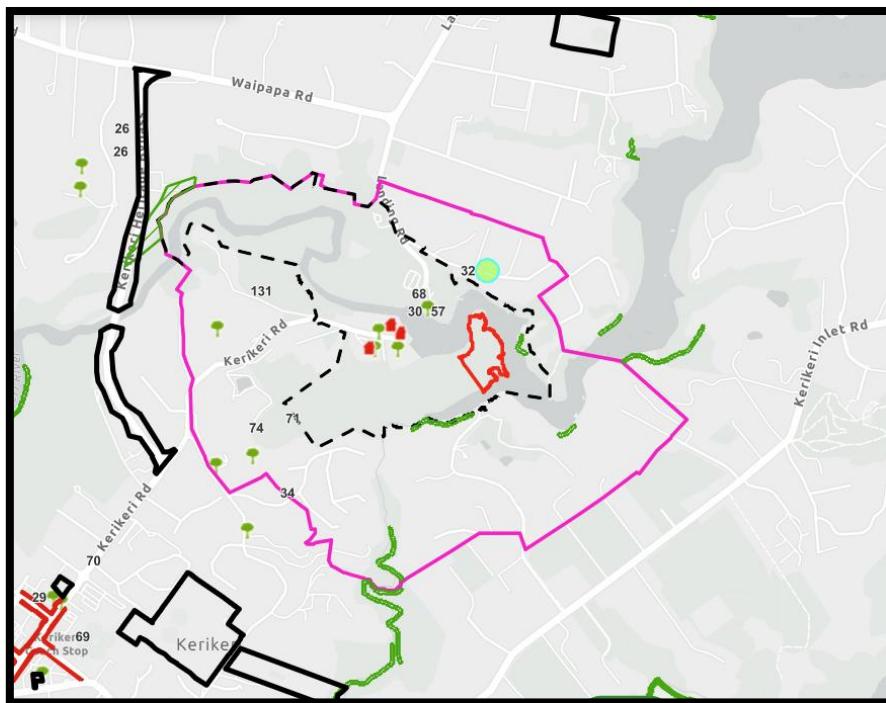


*Figure 17 – extent of flood (river) hazard - NRC*

2.13. As shown in **Figure 18** below, the site is within the ODP Kerikeri Basin Heritage Precinct Visual Buffer that surrounds the Kerikeri Basin Heritage Precinct. This Precinct is registered with Heritage NZ as an historic area. The historic character of the Precinct is derived from its historic significance as one of the first areas in New Zealand where there was contact between Māori and European colonial settlement. The Visual Buffer area provides the landscape setting and protection for the scheduled historic features including Kororipo Pa, and the Kerikeri Mission (CMS) Station buildings. To avoid visual dominance of these features, there are building rules that control form, colour and the location of development. The PDP continues protection of this area as the ‘Kerikeri Heritage Area Overlay – Part B’ that is described as:

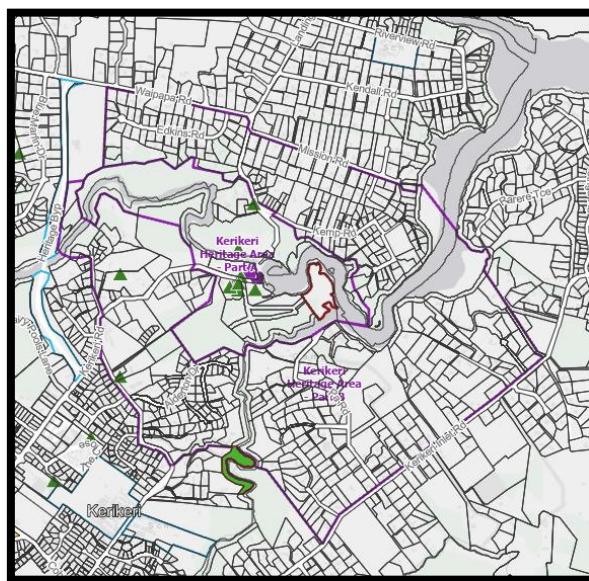


*“the archaeologically sensitive slopes surrounding Kororipo Pa and the Church Missionary Settlement (CMS). The north and east ridge line also provide the sight lines from Kororipo Pa. There still remains a legacy of early horticultural subdivision pattern which supports the identity of Kerikeri, predominantly located along the Kerikeri Inlet Road ridgeline.”*



**Figure 18 – Extent of Kerikeri Visual Buffer in the Operative District Plan**

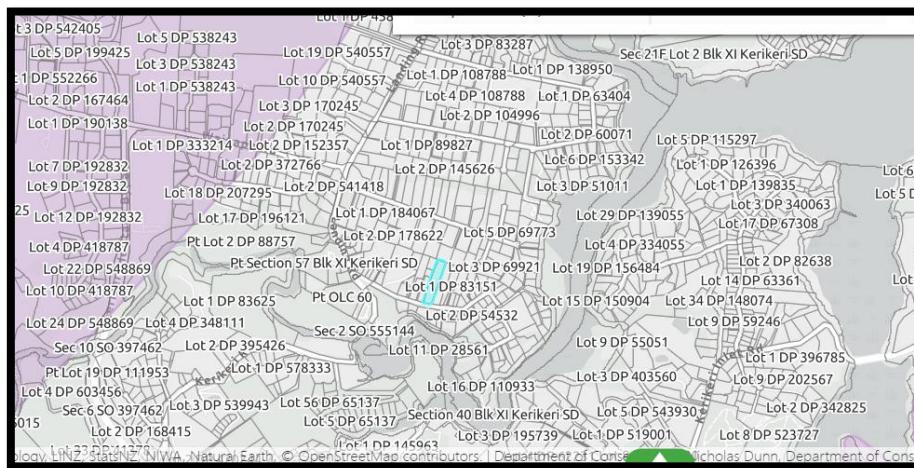
2.14. It is noted that there have been some minor changes to the extent of the Visual Buffer Area in the PDP. The site remains within the Buffer as shown below.



**Figure 19 - Kerikeri Heritage Area - Part B location**

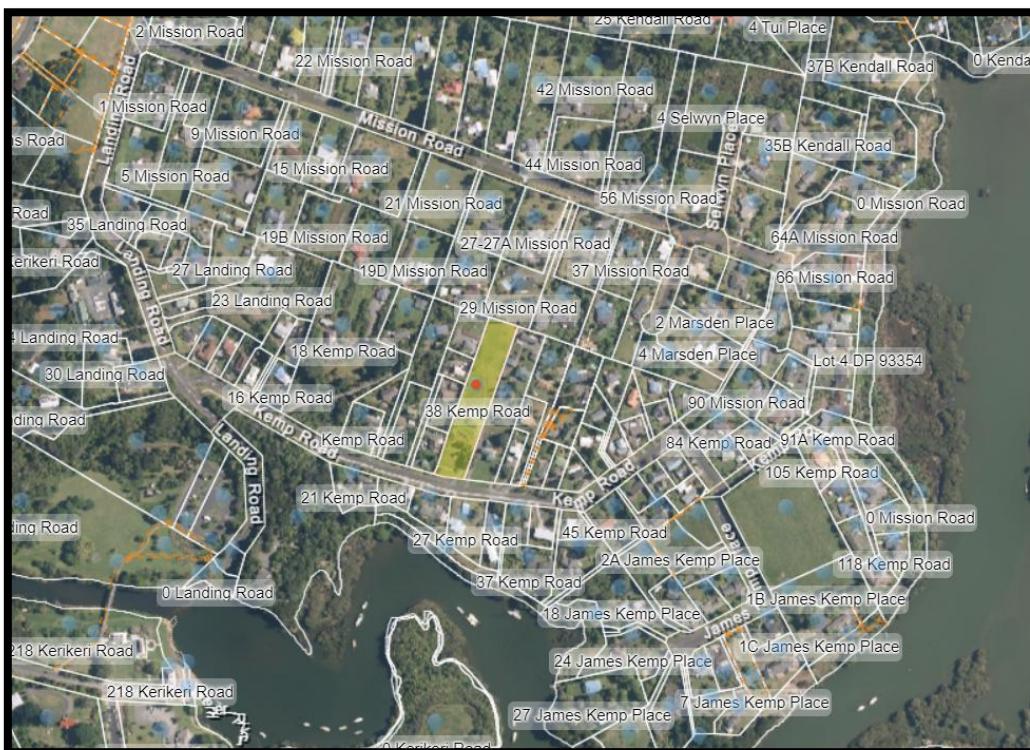


2.15. The site is not within any mapped outstanding landscape or natural feature. The site is not within any mapped kiwi distribution area.



**Figure 20 – FNDC mapped kiwi distribution area**

2.16. Adjacent and nearby site sizes and configurations along Kemp Road vary ranging between 1,000m<sup>2</sup> – 1.5 hectares. Houses tend to be located relatively close to the road frontage resulting in a peri-urban streetscape that includes a footpath on the northern side of the road. Site frontages are typically screened with mature landscape gardens and trees. The existing residential character is large-lot suburban.



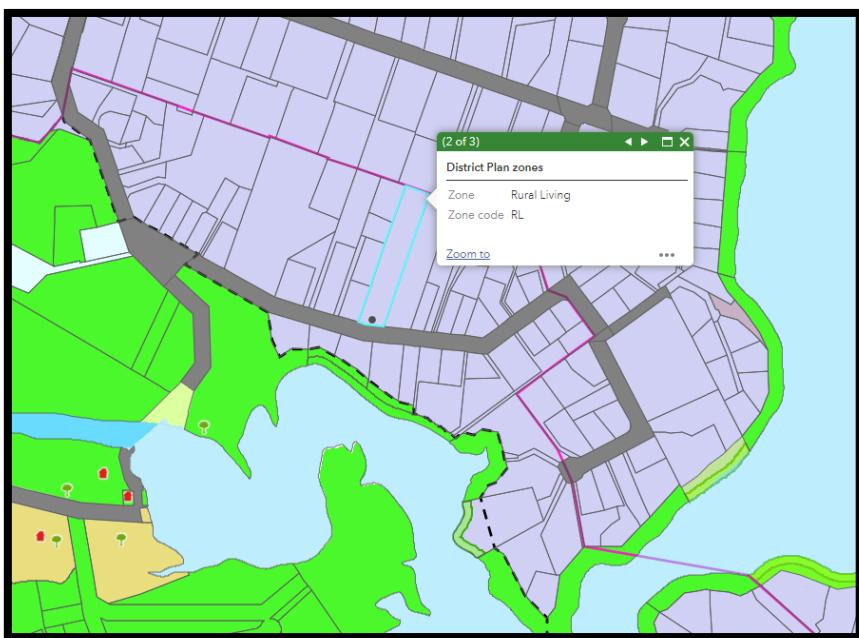
**Figure 21 – Site and surrounds**



### 3. REASONS FOR CONSENT

#### Operative Far North District Plan (ODP)

3.1. The site is zoned Rural Living (RLZ) under the ODP (refer **Figure 22**). The site is within the Kerikeri Basin Heritage Precinct Visual Buffer that is land adjacent to the Kerikeri Basin Heritage Area.



*Figure 22 – ODP Rural Living Zone*

#### Subdivision

3.2. An assessment of the applicable subdivision rule standards is set out in **Table 2** below:

<b>TABLE 2 - ASSESSMENT AGAINST THE APPLICABLE DISTRICT-WIDE SUBDIVISION RULES</b>		
<b>PERFORMANCE STANDARDS</b>		
<b>Plan Reference</b>	<b>Rule</b>	<b>Performance of Proposal</b>
13.7.1	<b>BOUNDARY ADJUSTMENTS</b>	<b>Not applicable.</b>
13.7.2.1 (ix)	<b>MINIMUM LOT SIZES</b>	<p><b>Non-complying</b></p> <p>The proposed lot sizes are as follows:</p> <ul style="list-style-type: none"> <li>• Lot 1 – 1,632m<sup>2</sup></li> <li>• Lot 2 – 2,001m<sup>2</sup> (contains existing house)</li> </ul>



		<ul style="list-style-type: none"> <li>• Lot 3 – 2,156m<sup>2</sup></li> </ul> <p>The minimum lot size (as a controlled activity) in the Rural Living Zone is 4,000m<sup>2</sup>. The Discretionary Activity standard is 3,000m<sup>2</sup>. The proposed lot sizes do not meet either of these standards and are therefore a <b>non-complying activity</b>.</p>
<b>13.7.2.2</b>	<b>ALLOTMENT DIMENSIONS</b>	<b>Discretionary</b>  The minimum dimension is 30m x 30m excluding the required 3m setback from boundaries. The existing lot width is approximately 31m. The allotment dimension is unable to be met.
<b>13.7.2.3 -</b> <b>13.7.2.9</b>		Not Applicable to this application.
<b>13.7.3.1</b>	<b>Property Access</b>	<b>Complies</b>  The subdivision will create three rural-residential lots. All lots will have access from Kemp Road via an existing crossing to be upgraded.
<b>13.7.3.2</b>	<b>Natural and Other Hazards</b>	<b>Complies</b>  Haigh Workman has not identified any natural hazards that would affect the site. The NRC flood plain mapped along the site frontage arises from the existing open drain and local upstream catchment runoff.
<b>13.7.3.3</b>	<b>Water Supply</b>	<b>Complies</b>  Reticulated water supply is available at the site boundary.
<b>13.7.3.4</b>	<b>Stormwater Disposal</b>	<b>Complies</b>  All of the proposed lots will be provided with a means for stormwater disposal that complies with FNDC Engineering Standards 2023. This includes attenuation to 80% of existing levels for Lot 2 and to pre-development levels for Lots 1 and 3.



		The site is not an urban environment for which a piped outlet is appropriate. As required, the application includes a detailed report from Chartered Professional Engineers 'Haigh Workman'.
<b>13.7.3.5</b>	<b>Sanitary Sewage Disposal</b>	<b>Complies</b>  Haigh Workman engineering design has confirmed that each site can be provided with a suitable wastewater disposal area.
<b>13.7.3.6</b>	<b>Energy Supply</b>	<b>Complies</b>  Each site will be provided with an electricity supply connection.
<b>13.7.3.7</b>	<b>Telecommunications</b>	<b>Complies</b>  Each site will be provided with a telecommunications connection.
<b>13.7.3.8</b>	<b>Easements</b>	<b>Complies</b>  Stormwater drainage easement in gross in favour of FNDC is offered.  No Easement in gross in favour of Top Energy is required.
<b>13.7.3.9</b>	<b>Preservation of Heritage Resources, Vegetation, Fauna and Landscape, and Land Set Aside for Conservation Purposes</b>	<b>Not applicable</b>  There are no listed mapped resource features on the site.
<b>13.7.3.10</b>	<b>Access to Reserves and Waterways</b>	<b>Not applicable</b>  There are no public reserves, waterways or reserves that are adjacent to the site or that could be accessed from the site.



<b>13.7.3.10</b>	<b>Land Use Compatibility</b>	<b>Complies</b>  There are no land use compatibility conflicts present at the site. The existing environment is residential.
<b>13.7.3.12</b>	<b>Proximity to Airports</b>	<b>Not applicable</b>

3.3. Overall, the proposed subdivision is a **non-complying** activity under the ODP Rule 13.7.2.1(ix).

**Land Use**

3.4. In respect of existing residential activities and buildings, the proposed subdivision is assessed against the following RLZ rules.

**TABLE 3 - ASSESSMENT AGAINST THE APPLICABLE RURAL LIVING ZONE (LAND USE) RULES**

<b>PERFORMANCE STANDARDS</b>		
<b>Plan Reference</b>	<b>Rule</b>	<b>Performance of Proposal</b>
<b>8.7.5.1.1</b>	<b>Residential Intensity</b>	<b>Permitted</b>  A single existing residential dwelling and accessory buildings comprising 202m <sup>2</sup> are located on the site.
<b>8.7.5.1.2</b>	<b>Scale of Activities</b>	Not applicable
<b>8.7.5.1.3</b>	<b>Building Height</b>	Not applicable – all buildings are existing
<b>8.7.5.1.4</b>	<b>Sunlight</b>	<b>Permitted</b>  The existing buildings will be outside of the recession plane building envelope required for sunlight access to neighbouring properties.



8.7.5.1.5	<b>Stormwater Management</b>	<b>Discretionary</b> <p>The existing buildings within proposed Lot 2 will exceed the maximum Permitted and Controlled Activity standards for impermeable surface comprising:</p> <ul style="list-style-type: none"> <li>• 444m<sup>2</sup> or 22.2% site coverage area</li> </ul> <p>An allocation for impermeable surfaces within proposed Lots 1 and 3 is also sought comprising 500m<sup>2</sup> per lot equating to:</p> <p>Lot 1 = 30.6%</p> <p>Lot 3 = 23.2%</p> <p>As required, an Engineering Assessment of the proposed breach prepared by a Chartered Professional Engineer and stormwater runoff mitigation design recommendations are provided in Section 7.5 of the Haigh Workman report attached at <b>Appendix 4</b>.</p>
8.7.5.1.6	<b>Setback from boundaries</b>	<b>Permitted</b> <p>Existing buildings within proposed Lot 2 will comply with the minimum 3m setback from the adjacent Rural Living zone boundary.</p>
8.7.5.1.7	<b>Screening for Neighbours – Non-Residential Activities</b>	<b>Not applicable</b>
8.7.5.1.8	<b>Transportation</b>	<b>See Table 3 below</b>
8.7.5.1.9	<b>Hours of operation</b>	<b>Not applicable</b>
8.7.5.1.10	<b>Keeping of Animals</b>	<b>Not applicable</b>
8.7.5.1.11	<b>Noise</b>	<b>Permitted</b> <p>Can comply as residential use of the site.</p>



8.7.5.1.12	Helicopter Landing Area	Not applicable
8.7.5.1.13	Building Coverage	<p><b>Restricted Discretionary</b></p> <p>The existing buildings to be located within the Lot 2 boundary comprise 202m<sup>2</sup> or 10.09% of the proposed site area.</p> <p>The proposed building area exceeds the 10% permitted standard for building coverage.</p>

**TABLE 4 - ASSESSMENT AGAINST THE APPLICABLE DISTRICT-WIDE LAND USE RULES**

<b><u>PERFORMANCE STANDARDS</u></b>		
<b>Plan Reference</b>	<b>Rule</b>	<b>Performance of Proposal</b>
<b>Chapter 12 – Natural and Physical Resources</b>		
12.1	<b>Landscapes &amp; Natural Features</b>	Not applicable
12.2	<b>Indigenous Flora &amp; Fauna</b>	<p><b>Permitted</b></p> <p>No indigenous vegetation will be removed or fauna habitat affected.</p>
12.3	<b>Soils &amp; Minerals</b>	<p><b>Permitted</b></p> <p>Minor earthworks required to form the right of way comprising:</p> <p>79m<sup>3</sup> cut</p> <p>50m<sup>3</sup> fill</p> <p><b>Total = 129m<sup>3</sup></b></p> <p>No cut or fill faces will exceed 1.5m</p>
12.4	<b>Natural Hazards</b>	<p><b>Permitted</b></p> <p>The site is not within a Coastal Hazard 1 or 2 area</p>



		There are no residential units proposed to be within 20m of a naturally occurring or deliberately planted area of scrub, shrubland, woodlot or forest.
<b>12.5</b>	<b>Heritage</b>	<p><b>Permitted</b></p> <p>There are no notable trees on the site.</p> <p>There are no historic sites, buildings or objects affected by the subdivision</p> <p>The site does not contain a registered archaeological site</p> <p>The site is not mapped as being of cultural significance to Māori</p>
<b>12.5A</b>	<b>Heritage Precinct</b>	<p><b>Permitted</b></p> <p>The site is within the surrounding Kerikeri Basin Heritage Precinct Visual Buffer. No buildings are proposed.</p>
<b>12.5A.6.3.3</b>	<b>Alterations and/or new buildings within the Kerikeri Basin Heritage Precinct Visual Buffer</b>	<p><b>Permitted</b></p> <p>No new buildings or alterations to buildings are proposed.</p> <p>NB: any new building or alterations to existing buildings will require a restricted discretionary activity consent under this rule.</p>
<b>12.6</b>	<b>Air</b>	<b>Not applicable</b>
<b>12.7</b>	<b>Lakes, Rivers, Wetlands and the Coastline</b>	<b>Not applicable</b>
<b>12.8</b>	<b>Hazardous Substances</b>	<b>Not applicable</b>
<b>12.9</b>	<b>Renewable Energy and Energy Efficiency</b>	<b>Not applicable</b>
<b>Chapter 15 – Transportation</b>		
<b>15.1.6A</b>	<b>Traffic</b>	<p><b>Permitted</b></p> <p>The proposal is for a residential subdivision that will enable a single residential unit on each lot. The dwelling on proposed Lot 2 is existing.</p>



<b>15.1.6B</b>	<b>Parking</b>	<b>Permitted</b>  The subdivision will enable the required parking and manoeuvring on each lot.
<b>15.1.6B</b>	<b>Access</b>	<b>Permitted</b>  Access to the site and the proposed vehicle crossing upgrade has been designed in accordance with FNDC Engineering Standards 2023. As set out in Section 5.4 of the Haigh Workman report, it is proposed that the crossing is upgraded to a sealed type 1A crossing with a 4m width and a 5m radius flare.

3.5. The proposed subdivision would result in a breach of RLZ land use rules:

- **Rule 8.7.5.1.5 – Stormwater Management – Non-complying Activity** - the area of existing and future (design) proposed impermeable surface coverage is 22.2% for Lot 2 and 30.6% and 23.2% for Lots 1 and 3 respectively. This exceeds the permitted and controlled activity standard for stormwater management. The proposal does not meet the standards for Discretionary Activity Rule 8.7.5.4 (b) due to the non-complying activity status of the proposed subdivision.
- **Rule 8.7.5.1.13 – Building Coverage – Restricted Discretionary Activity** the area of existing building coverage on Lot 2 will exceed the permitted standard as a percentage of the site area but will not exceed 15%.

3.6. All other land use rules are complied with.

### Proposed District Plan (PDP)

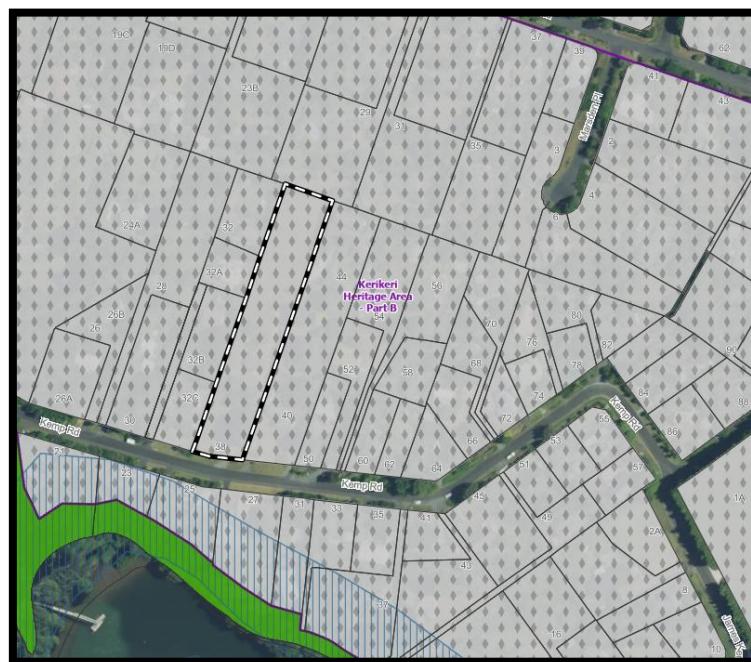
3.7. The proposed activities are subject to the PDP provisions. The PDP was publicly notified on the 27<sup>th</sup> of July 2022. The submission and further submission periods have closed. PDP hearings on submissions have concluded. A decision on submissions is expected by May 2026.

3.8. Hearing Panel recommendations to Council on submissions is expected by 31 March 2026. However, until that time, limited weight is given to the PDP provisions. Subdivision provisions were heard in October 2025. No changes to the RRZ subdivision allotment sizes are



recommended. There are however recommendations to reduce the allotment dimensions from 30m x 30m to 20m x 20m to better reflect current typical building sizes and on-site services requirements in the Far North District and the proposed allotment sizes in the range of 2,000m<sup>2</sup> – 4,000m<sup>2</sup>.<sup>1</sup> There is also a recommendation to remove from the RRZ requirements for power supply and telecommunication connections.

3.9. The proposed site zone is ‘Rural Residential’ Zone. The site is within the Kerikeri Heritage Area – Part B. The Heritage Area includes land on the northern side of the Kerikeri River up to and including Edkins Road to the west and the end of Kemp Road to the east. Proposed subdivision rules involving sites within a proposed Heritage overlay have immediate legal effect.



**Table 4: PDP Rules that have immediate legal effect**

Chapter	Rule Reference	Compliance of Proposal
<b>Hazardous Substances</b>	<p>The following rules have immediate legal effect:</p> <p>Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility.</p> <p>HS -R5 relates to a hazardous facility within a scheduled site and area of significance to Māori.</p> <p>HS-R6 relates to a hazardous facility within an SNA.</p> <p>HS-R9 relates to a hazardous facility within a scheduled heritage resource.</p>	<p><b>Not applicable.</b></p> <p>The site does not contain any hazardous substances to which these rules would apply.</p>
<b>Heritage Area Overlays</b>	<p>All rules have immediate legal effect (HA-R1 to HA-R14)</p> <p>All standards have immediate legal effect (HA-S1 to HA-S3)</p>	<p>The site is within the Kerikeri Heritage Area Overlay – Part B.</p> <p>There are no land use rules that would apply to a subdivision other than HH-R5 for earthworks required to form the ROW.</p> <p>There are no building works proposed at time of subdivision.</p>
<b>Historic Heritage</b>	<p>All rules have immediate legal effect (HH-R1 to HH-R10)</p> <p>Schedule 2 has immediate legal effect</p>	<p><b>Not applicable.</b></p> <p>The site does not contain any areas of historic heritage.</p>
<b>Notable Trees</b>	All rules have immediate legal effect (NT-R1 to NT-R9)	<b>Not applicable.</b>



	<p>All standards have legal effect (NT-S1 to NT-S2)</p> <p>Schedule 1 has immediate legal effect</p>	<p>The site does not contain any notable trees.</p>
<b>Sites and Areas of Significance to Maori</b>	<p>All rules have immediate legal effect (SASM-R1 to SASM-R7)</p> <p>Schedule 3 has immediate legal effect.</p>	<p><b>Not applicable.</b></p> <p>The site does not contain any sites or areas of significance to Māori.</p>
<b>Ecosystems and Indigenous Biodiversity</b>	<p>All rules have immediate legal effect (IB-R1 to IB-R5)</p>	<p><b>Not applicable.</b></p> <p>The proposal does not include any indigenous vegetation pruning trimming, clearance or associated land disturbance.</p> <p>No plantation forestry activities are proposed.</p> <p>The proposal does not breach IB-R1 to IB-R5.</p>
<b>Subdivision</b>	<p>The following rules have immediate legal effect:</p> <p>SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17</p>	<p><b>Restricted Discretionary</b></p> <p>The subdivision is not an Environmental Benefit Subdivision (SUB-R6).</p> <p>The site is within a heritage area overlay (SUB-R13). The applicable overlay is the Kerikeri Heritage Overlay – Part B.</p> <p>The site does not contain a scheduled heritage resource (SUB-R14)</p>



		Subdivision of a site containing a scheduled site and area of significance to Māori (SUB-R15) or Subdivision of a site containing a scheduled SNA (SUB-R17).
<b>Activities on the Surface of Water</b>	All rules have immediate legal effect (ASW-R1 to ASW-R4)	<b>Not applicable.</b> The proposal does not involve activities on the surface of water.
<b>Earthworks</b>	<p>The following rules have immediate legal effect:</p> <p>EW-R12, EW-R13</p> <p>The following standards have immediate legal effect:</p> <p>EW-S3, EW-S5</p> <p>As stated above the mapping system records the subject site as containing the Ratana Temple which is located on the adjoining site. Schedule 3 lists the legal description of MS07-18 as being P Ahipara A32A which is the adjoining site.</p>	<b>Permitted.</b> Any earthworks will proceed under the guidance of an ADP and will be in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016, in accordance with Rules EW-12, EW-R13, EW-S3 and EW-S5.
<b>Signs</b>	<p>The following rules have immediate legal effect:</p> <p>SIGN-R9, SIGN-R10</p> <p>All standards have immediate legal effect but only for signs on or attached to a</p>	<b>Not applicable.</b> No signs are proposed as part of this application.



	scheduled heritage resource or heritage area	
<b>Orongo Bay Zone</b>	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	<b>Not applicable.</b>  The site is not located in the Orongo Bay Zone.

3.11. The proposed subdivision activity is a **Restricted Discretionary** activity under PDP subdivision Rule SUB-R13 that has current legal effect.

### National Environmental Standards

#### National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

3.12. The application site is not a FNDC mapped HAIL site. Based on Retrolens historic photograph evidence, the site is a rural-residential property that has no history of horticulture and / or other HAIL activities.

#### National Environmental Standards for Freshwater 2020 (Version Oct 2024)

3.13. NES-F sets out requirements for carrying out activities identified as posing a risk to the health of freshwater and freshwater ecosystems, and to ensure the objectives and policies within the National Policy Statement for Freshwater Management are met.

3.14. There are no natural inland wetlands that would be affected by the proposed subdivision.

3.15. No other National Environmental Standards apply to this proposal.

## 4. STATUTORY ASSESSMENT

### Section 104C of the Resource Management Act (RMA)

4.1. Section 104C of the RMA relates to decisions on applications for discretionary or non-complying activities. A consent authority may grant or refuse an application for resource consent and impose conditions under section 108.



## Section 104D of the Resource Management Act (RMA)

4.2. Section 104D includes particular restrictions that relate to non-complying activities. A consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either-

- (a) *The adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- (b) *The application is for an activity that will not be contrary to the objectives and policies of-*
  - (i) *The relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
  - (ii) *The relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
  - (iii) *Both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

*(2) To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.*

4.3. The subdivision proposal is a non-complying activity as it relates to the proposed lot sizes in the ODP RLZ. The proposed lots (and the position of existing dwellings) are similar in size or residential intensity to those in the immediately surrounding area and will therefore be consistent with the character and amenity of the Kemp Road location. The PDP would enable further intensification of this residential environment under a proposed RRZ zoning by reducing the Discretionary Activity lot sizes to 2,000m<sup>2</sup>.

4.4. An assessment of effects on the environment is set out below in paragraphs 4.17 – 4.23. It is concluded that any potential adverse effects on the existing environment will be no more than minor. The proposed subdivision will result in no more than minor adverse effects on the existing residential character and be consistent with what is an established peri-urban environment adjacent to the township of Kerikeri. Potential adverse effects on adjacent landowners would be less than minor. This includes any potential precedent effect as the proposal is consistent with the residential development pattern that is already established along Kemp Road.



4.5. Regarding District Plan objectives and policies, these are commented on in paragraphs 4.36-4.70 below. The relevant plans that apply to this application include the ODP and the PDP, with greater weighting being applied to the ODP objectives and policies until such time as a decision on submissions on relevant proposed RRZ and subdivision rules has been made. Objectives and policies that relate to subdivision in a heritage overlay have greater relevance in respect of rule standards that have immediate legal effect. There are no applicable regional plan rules.

4.6. The ODP RLZ is described as an area of transition between town and country. The RLZ that surrounds the township of Kerikeri has varying lot sizes that reflect a land use pattern that was established under previous zoning regime. Kemp Road is within a more intensively developed part of the RLZ due to its previous Residential zoning under the Transitional District Plan. The site density of properties adjacent to the application site vary in size between 954m<sup>2</sup> – 2,900m<sup>2</sup>. Proposed lots sizes are 1,632m<sup>2</sup>, 2,001m<sup>2</sup> and 2,156m<sup>2</sup>.

4.7. The PDP would rezone the site ‘Rural-Residential’ (RRZ) enabling further intensification of land within the zone (between 4,000m<sup>2</sup> [Controlled Activity] – 2,000m<sup>2</sup> [Discretionary Activity]), while remaining un-serviced land adjacent to the Kerikeri town centre. The Rural-Residential zone would adopt a more peri-urban living function for land that is contiguous with urban Kerikeri. Subdivision rules that relate to sites within heritage area overlays have immediate legal effect. The RDA matters for discretion are discussed in paragraph 4.27 below.

4.8. There are no operative proposed subdivision or land use objective, policies or rules that would suggest that the proposed subdivision would be contrary to the relevant ODP or PDP provisions.

4.9. Overall, it is concluded that both parts of the Section 104D ‘gateway test’ can be met.

### **Section 104 of the Resource Management Act (RMA)**

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

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

*(a) Any actual and potential effects on the environment for allowing the activity; and*



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

*(b) Any relevant provisions of –*

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

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

4.11. Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (as described in section 3 of The Act). This subdivision proposal will have positive effects that will contribute to housing supply in Kerikeri and in a location that the Council has identified for further intensification. The proposal will positively contribute to the Applicant's wellbeing enabling them to remain on the site and to build a new home for themselves on proposed Lot 3.

4.12. Section 104(1)(ab) requires that the consent authority consider 'any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity'. The proposed subdivision is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment. As assessed, potential adverse effects can be managed within the proposed lot boundaries and are assessed to be no more than minor. The intensity of subdivision is consistent with the character of the surrounding residential environment.

4.13. Section 104(1)(b) requires the consent authority to consider the provisions of regulatory documents. An assessment of the proposal against the relevant statutory documents is set out in paragraphs 4.36-4.70 below. The proposed subdivision would not be contrary to the objectives and policies of the relevant plans or the higher order regional policy statement for Northland or national policy statements.



4.14. Section 104(1)(c) states that consideration must be given to 'any other matters that the consent authority considers relevant and reasonable, necessary to determine the application'. There are no other matters relevant to this application, including precedent effects discussed in paragraph 4.22 below.

4.15. Section 106 relates to subdivision approval. A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that –

- (c) *There is significant risk from natural hazards; or*
- (d) *...*
- (e) *Sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*

4.16. Haigh Workman has prepared an engineering assessment of the site to determine the natural hazard risk and a suitable design for stormwater management, wastewater disposal and vehicle access. Section 4.3 of the Haigh Workman Report states that there is no significant risk from identified natural hazards that would cause Section 106 of the RMA to apply.

### **Assessment of Effects on the Environment**

4.17. Having reviewed the relevant ODP subdivision provisions and considering the matters that must be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the primary activity to be assessed for appropriateness is the size of the proposed residential lots that are non-complying in the zone. Potential adverse effects arising from stormwater runoff and building coverage can be satisfactorily mitigated to a minor extent within the design parameters recommended by Haigh Workman.

### **Permitted Baseline**

4.18. There is no permitted subdivision in the ODP or PDP. Permitted land use thresholds are set by the RLZ provisions. Of relevance to this proposal are land use effects arising from an increase in the intensity of development that would be enabled on each lot. Primarily this includes residential intensity, impermeable surfaces and building coverage. The ODP currently permits one residential dwelling per 4,000m<sup>2</sup> of land (or 3,000m<sup>2</sup> as a Discretionary Activity). The subdivision would enable two additional dwellings on a parent site comprising 5,787m<sup>2</sup>. This equates to an average density of 1,929m<sup>2</sup>.



4.19. Other than Lot 2, for which an additional allocation of impermeable surface is applied for to accommodate the existing built development area(s), additional areas of building would be subject to the RLZ permitted standards of 10% (or 2,400m<sup>2</sup>) of the site area respectively.

**Precedent Effect**

4.20. A precedent effect is an effect that a decision on a non-complying application may have on similar future applications. It is not in itself, an effect on the environment to be decided under Section 104(1)(a) of the RMA. A decision on a non-complying activity must be carefully considered in terms of its potential to 'open the floodgate' to other similar applications that could undermine the integrity of a district plan, or other relevant planning document. Whilst the potential for precedent is a decision-making consideration, each application must be considered on its merits, including any unique location and environment circumstances.

4.21. The proposed activity is a subdivision in the RLZ that is non-complying because of the proposed lot sizes. The application seeks to utilise existing vacant land on the rural-residential outskirts of Kerikeri for additional housing that would result in a density that is consistent with the established residential development pattern along Kemp Road. Whilst not to the extent proposed, the application is consistent with PDP policy that would enable greater intensification of this location in accordance with the proposed Rural-Residential Zone. Land use rules that protect values associated with the Kerikeri Heritage Basin would apply to any future buildings ensuring that potential adverse effects on features including Kororipo Pa and the CMS Missionary Buildings and the Stone Store are avoided or mitigated.

4.22. Given the extent to which Kemp Road has already been subdivided and developed, it is considered that any precedent would be very limited in its effect on future applications.

**Assessment of potential adverse effects - subdivision**



4.23. The site is in the ODP RLZ. Resource consent is required for proposed lot sizes that exceed the standards for Controlled, and Discretionary subdivision in the RLZ. Rule 13.11 states that the Council will use the assessment criteria in Rule 13.10 when assessing non-complying subdivision activities in conjunction with the matters set out in Sections 104, 104B, 104D and 106 of the RMA. These themes and potential adverse effects arising from these are discussed under the following assessment criteria sub-headings.

#### 13.10.1 Allotment Sizes and Dimensions

The proposed subdivision would utilise existing rural residential land to create two additional allotments in the RLZ. The application site is located amongst other similar mixed size rural-residential sites along Kemp Road that range between 1,000m<sup>2</sup> - 7,000m<sup>2</sup>. Residential dwellings are generally located toward the front of the site (within 30m of the front boundary) which creates the appearance of a suburban street environment. The narrower site (approximately 31m) width would not affect the ability of the site to accommodate a single dwelling, driveway and parking area, a suitably designed on-site wastewater system and stormwater management requirements.

The creation of Lot 1 and 3 and development with single dwellings would have little impact on the character and amenity of Kemp Road as it would be a continuation of the same development pattern.

Potential adverse effects on the character and amenity of the wider residential environment, would be no more than minor.

#### 13.10.2 Natural and Other Hazards

Section 4.3 of the Haigh Workman report addresses natural hazards. The report does not identify any natural hazards that would adversely affect development of the site. Future residential building can be located outside of the flood plain area associated with the open drain on Lot 1. There is no significant risk from natural hazards that would cause Section 106 of the RMA to apply. Potential adverse natural hazard risk to the site and future development is assessed to be no more than minor.

#### 13.10.3 Water Supply



Reticulated potable water supply is available at the road boundary.

#### 13.10.4 Stormwater Disposal

Expert engineers have assessed the suitability of the site for the development of residential buildings and associated structures and paved surfaces. The assessment is based on the design requirements of the FNDC 2023 Engineering Standards that require stormwater runoff to be mitigated back to 80% of the permitted activity standards for the 10 year event for existing built development within Lot 2 and to pre-development levels for the currently vacant Lots 1 and 2. A consent notice requiring further engineering assessment and reporting about a proposed building development will be required at the time of building consent. Providing stormwater runoff can be managed as per the Haigh Workman recommendations, potential adverse stormwater runoff effects will be no more than minor. Works to upgrade the existing culvert under the driveway and establish legal access for FNDC to the open drain to form part of the public stormwater system are proposed.

#### 13.10.5 Sanitary Sewage Disposal

FNDC reticulated wastewater services are not currently available at the site. Expert engineers Haigh Workman have assessed the suitability of the site for the on-site treatment and disposal of wastewater. Modest dwellings (3 bedrooms) and building areas have been assumed and determined to comply in terms of the disposal areas available within each lot boundary and required setback distances from external boundaries and the open drain within Lot 1

#### 13.10.6 Energy Supply

As required by Controlled Activity Rule 13.7.3.6, Lot 1 and 3 will be provided with the ability to connect to the existing Top Energy electrical system. The Applicant has consulted with Top Energy. Correspondence is attached at **Appendix 9**.

#### 13.10.7 Top Energy Transmission Lines

The site contains Top Energy 50kv transmission lines that are located on the southern side of the open drain and just inside the site road boundary. The proposed subdivision that will create Lot 1 will not affect the existing location or operational function of the existing transmission lines. Future residential buildings will be located on the northern side of the drain



approximately 30m from the lines position. No easement in favour of Top Energy for access and maintenance of the lines has been requested.

#### 13.10.8 Telecommunications

Telecommunication connections via the Chorus network are available to the site. Refer **Appendix 8**.

#### 13.10.9 Easements for any purpose

Easements are proposed for drainage and services over Lot 1. An easement in gross in favour of FNDC is proposed for the existing open drain that currently conveys stormwater to the Kemp Road public stormwater system.

#### 13.10.10 Provision of access

Legal vehicle access can be provided to the site(s) in accordance with FNDC Engineering Standards. Works required to construct the access are typical of residential developments and will not result in adverse effects on the environment than cannot be managed through engineering conditions of consent.

#### 13.10.11 Effect of Earthworks and Utilities

Minimal cut and fill earthworks ( $129m^3$ ) are required to construct the ROW. This will be undertaken over two stages which will further limit the duration and effect of earthworks. No other earthworks to construct the subdivision are required. Existing plastic culverts will be replaced as part of the driveway works that includes upgrading the existing crossing.

#### 13.10.12 Building Locations

Expert civil engineers Haigh Workman have assessed the site for suitable residential building locations. This includes site stability, potential natural hazards and the ability to provide on-site wastewater services. Suitable new building sites are available on Lots 1 and 3. Modest future building sizes (assumed to be 3 bedroom and up to  $250m^2$ ) can be accommodated within the site boundary setback requirements and largely clear of the identified open drain flood hazard on Lot 1. Haigh Workman has recommended that some future earthworks could be undertaken to raise the building platform height of in Lot 1 where it is within the mapped



flood area. These works are not sort as part of this consent as works would be dependant on the design of a future dwelling.

**13.10.13 Preservation and enhancement of heritage resources, vegetation, fauna and landscape, and land set aside for conservation purposes**

The site is within the ODP Kerikeri Heritage Area Basin Visual Buffer and the PDP Kerikeri Heritage Overlay – Part B. The area provides landscape context for the Kororipo Pa and the CMS buildings. The surrounding slopes are of archaeological interest and as a place of historic Māori and European occupation. The land surrounding the Kerikeri Basin is to be maintained at a lower density to protect view shafts to the Kororipo Pa.

The proposed subdivision will not affect any existing vegetation, fauna habitats or existing heritage resources. Alterations to the landscape in terms of the creation of two additional sites and future residential buildings will not alter the character of the Kemp Road environment that is already developed to a similar intensity.

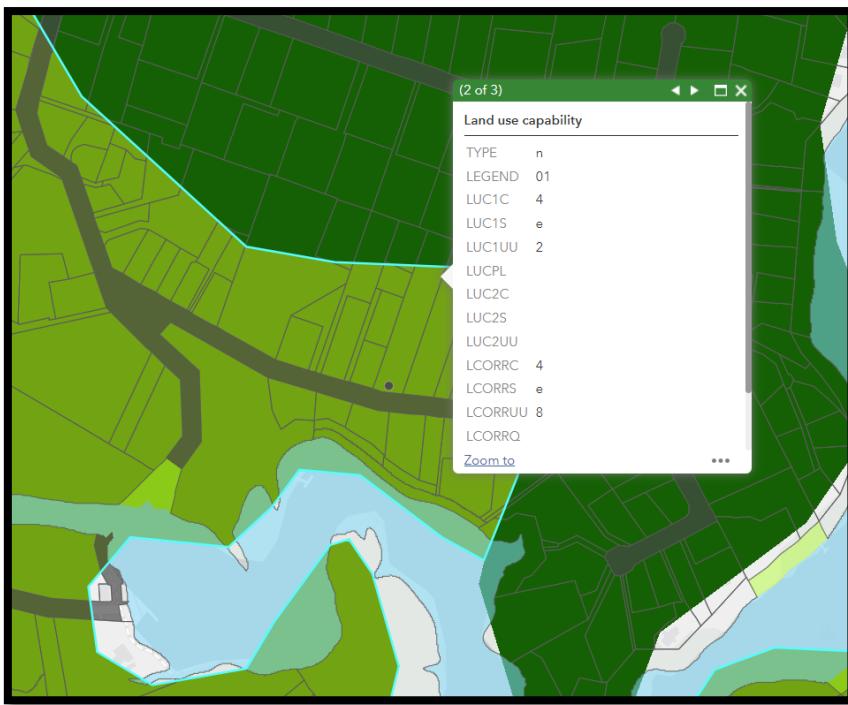
There will be no direct effects on any scheduled heritage resource or site of cultural significance to Māori. Views of the Kororipo Pa heritage land will not be affected.

The site is not within an area identified for Kiwi protection. The site is not identified as an outstanding landscape or feature.

**13.10.14 Soil**

The application site is zoned for rural residential development. The site LUC soil type is 4e2. Subdivision of the site will not remove high class soil from production use.





*Figure 24 – LUC Soil Type – NZLRI Land Use Capability Map*

#### 13.10.15 Access to waterbodies

The application site is not adjacent to a waterbody or the coastal marine area where a further opportunity for public access could be created.

#### 13.10.16 Land use incompatibility

The proposal is for a residential subdivision. The proposed activity is compatible with the surrounding residential environment.

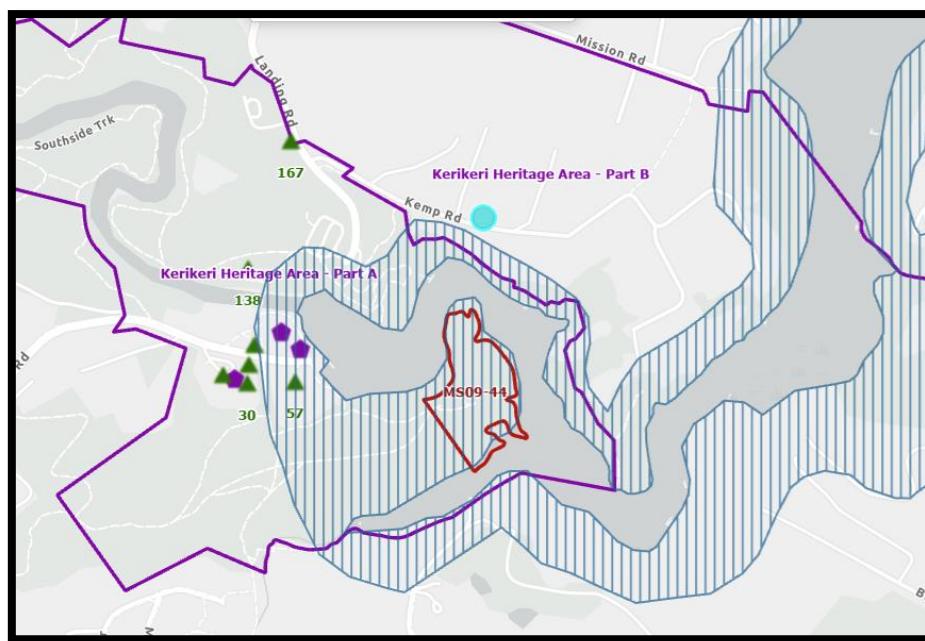
#### 13.10.17 Proximity to airports

Not applicable to this application. The site is not near the Kerikeri airport.

#### 13.10.18 Natural character of the coastal environment

Not applicable to this application. The site is not within the coastal environment.





**Figure 25 – Mapped coastal environment – FNDC PDP**

#### 13.10.19 energy efficiency and renewable energy development/use

The application is a small-scale proposal that will create two new lots. Subdivision of the site will enable further residential development within the peri-urban part of Kerikeri that is envisaged by the ODP and the PDP. The site is within walking and cycling distance of the town centre. The site does not rely on reticulated wastewater services. The site is south-facing, there are future options for orientating residential indoor and outdoor living areas with an easterly or westerly aspect to enable solar access.

#### 13.10.20 national grid corridor

Not applicable to this application

#### **Assessment of potential adverse effects – land use**

##### Heritage Effects

4.24. As described above in, the site is within the ODP and PDP Heritage precincts and overlays. There are no land use activities currently proposed that require assessment. The subdivision will enable additional dwellings that will be subject to rule standards for buildings as they relate to potential effects on the site's heritage location and role as a buffer area to significant historic resources.



4.25. Restricted Discretionary Activity subdivision rule SUB-R13 and the Heritage Area overlay objectives and policies have immediate legal effect. Potential adverse effects arising from subdivision of the application site in the context of the PDP objectives and policies must be taken into account. In respect of subdivision in a heritage overlay, the Council has limited its discretion to the following matters, which are discussed as follows:

***a. the heritage values of the Heritage Area Overlay;***

The applicable heritage overlay is the Kerikeri Heritage Area Overlay – Part B. The overlay area is adjacent to the main Kerikeri Basin Historic Area and provides the historic landscape context surrounds, which includes the protection of valued views of Kororipo Pa. Retaining the historic horticultural subdivision pattern, particularly the ridgeline along the Kerikeri Inlet Road supports the identity of the town.

The application site is located on the northern side of the Part B overlay area. Whilst parts of this area were used for horticulture, historic photographic evidence suggests this did not include the site. The application site was created in 1959. The area has experienced a variety of land use zonings over the past 60 years. The application of a residential zoning in the 1980's resulted in smaller residential sized lots being created. This change influenced the character and amenity of this part of the overlay area.

Viewshafts of Kororipo Pa will remain. The Pa is visible from the site, however any future building development will have no effect on views of the Pa from the surrounding area, or the adjacent properties which all have a southerly aspect. The integrity of the overlay will remain and there will be no adverse effects on existing values. Consultation with Heritage NZ and local mana whenua Ngati Rehia has not raised any concerns.

***b. whether the allotments are of a size that will ensure sufficient land is provided around any scheduled Heritage Resource to provide a suitable heritage setting and protect associated heritage values;***

The proposed lots will remain un-serviced for wastewater thus remaining as larger lot residential sites. The size and configuration of the lots will be similar to other surrounding properties. The site is located some distance from historic heritage



features that are protected by the overlay. Only distant views will be possible from within the Basin area and Kororipo Pa. The site will be viewed in the context of an established rural-residential area.

c. ***whether there are measures to minimise obstruction of views of any scheduled Heritage Resource from adjoining public spaces that may result from any future land use or development;***

The proposed subdivision and future development of the site will not obstruct views of any scheduled heritage resource from any adjoining public spaces.

d. ***any consultation with Heritage New Zealand Pouhere Taonga, Department of Conservation and tangata whenua; and***

The Applicant has consulted with Heritage NZ and Ngati Rehia hapu. A copy of that correspondence is attached at **Appendix 6 and 7**. Heritage NZ have not raised any concerns with the subdivision and development of the land at the density proposed. Normal ADP conditions can apply.

e. ***provision of legal and physical access to any scheduled Heritage Resource within the subdivision if appropriate to maintain, protect, or enhance it.***

The subdivision proposal will not affect legal access to any scheduled heritage resource.

#### Stormwater Effects

4.26. Existing development located within proposed Lot 2 will infringe the permitted and controlled activity standards for the maximum permissible area for impermeable surfaces within a RLZ site. Expert civil engineers Haigh Workman have assessed the potential downstream effect of the breach and recommended that the subdivision include provision for attenuation back to 80% of the permitted standard for existing development within Lot 2 and pre-development levels for Lots 1 and 3. For Lot 2, roof water will be captured in a 10,000 litre detention tank and suitably sized orifice, with overflow piped to the flow path north of the carport. This is a requirement of the FNDC Engineering Standards 2023 and the basis on which potential adverse effects on the adjacent public stormwater system can be mitigated to ensure that effects are no more than minor.



- 4.27. The design proposal integrates the use of existing overland flow paths including down the western boundary and the open drain along the road frontage. The existing culvert under the driveway will be upgraded to current Council standards.
- 4.28. Section 7.5.2 of the Haigh Workman report includes a comprehensive review of the ODP Rule 13.10.4 Subdivision Assessment Criteria and the Rule 11.4 Land Use Assessment Criteria. This assessment is relied on and not repeated in this AEE. Potential adverse stormwater effects are assessed to be no more than minor.

*Building Effects*

- 4.29. To enable the existing built development to be accommodated within the proposed Lot 2 boundary, the proposal includes a minor land use breach to the RLZ building coverage standards. The permitted building coverage standard is a maximum 10% of the gross site area or 2,400m<sup>2</sup>, whichever is the lesser. The existing area of buildings on the site is 202m<sup>2</sup> which equates to 10.09% of the Lot 2 site area (2,001m<sup>2</sup>). A minor exceedance of .09% is applied for as a restricted discretionary activity. Given the existing nature of the built development on the site, potential adverse effects when compared to the permitted standard are negligible.
- 4.30. Rule 8.7.5.3.4 sets out the matters over which the Council has restricted its discretion when considering a building coverage infringement. These are commented on as follows:
  - (a) *the ability to provide adequate landscaping for all activities associated with the site;*  
There is existing landscaping scattered throughout the site with sufficient open space to provide additional planting along external boundaries if necessary. Orientation of the existing dwelling and outdoor living spaces is such that no additional landscaping is considered necessary to mitigate the minor infringement.
  - (b) *the extent to which building(s) are consistent with the character and scale of the existing buildings in the surrounding environment;*



The existing built development includes a single storey dwelling and separate garage / shed / pool shed. The location, character and scale of these buildings is consistent with the surrounding residential environment.

*(c) the scale and bulk of the building in relation to the site;*

The existing built development is of a residential scale and height that is located away from adjacent boundaries.

*(d) the extent to which private open space can be provided for future uses;*

The development is existing. Private open space areas are established.

*(e) the extent to which the cumulative visual effects of all the buildings impact on landscapes, adjacent sites and the surrounding environment;*

The built development is existing. There will be no cumulative visual effect arising from the building area breach.

*(f) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;*

The building area is existing. It is at a residential scale that is consistent with development in the surrounding area. The creation of Lot 2 containing the existing built development will not result in any adverse visual dominance effect on adjacent sites or the surrounding environment.

*(g) the extent to which landscaping and other visual mitigation measures may reduce adverse effects;*

As stated in (a) above, the site has existing landscaping. Additional landscaping is not considered necessary to mitigate the minor infringement in this instance.

*(h) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.*

The proposal will not affect adjacent sites.



4.31. Overall, it is considered that any potential adverse effects arising from land development of each lot and their ongoing use for rural-residential activity will be no more than minor.

### **Relevant provisions of any national standards, policies or plans**

4.32. The proposed subdivision has been assessed against the following national standards, policies and plans.

#### **National Policy Statements**

4.33. There are currently 10 National Policy Statements in place. These are as follows:

- National Policy Statement on Urban Development
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement on Electricity Transmission
- New Zealand Coastal Policy Statement
- National Policy Statement for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat
- National Policy Statement for Infrastructure
- National Policy Statement for Natural Hazards

4.34. The new National Policy Statement for Natural Hazards is applicable to this site given the small area of flood hazard present on the property. As detailed within the Haigh Workman report the potential building envelope has been generally located outside of this area such that the impact of the natural hazard is considered low.

4.35. There are no other national policy statements or standards that are directly relevant to this proposal. The site is not within the coastal environment and is not subject to the NZCPS. The site does not contain any natural inland wetlands that would be affected by the proposed subdivision. There is no indigenous vegetation on the site that would be affected. The site does not contain highly productive land. The LUC type is 4e2. The site is currently zoned and proposed to be zoned for rural lifestyle activity. The National Policy Statement for Highly Productive Land (NPS-HPL) does not apply. The proposal is not for infrastructure development.



**Regional Policy Statement for Northland (RPSN)**

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

4.37. The proposed district scale subdivision and development proposal is not contrary to the objectives and policies of the RPSN.

**Far North Operative District Plan (ODP)**

4.38. The site is in the RLZ and is subject to District-wide rules that include subdivision and heritage.

4.39. The relevant objectives and policies of the Plan are those within the District-wide Subdivision Chapter, and the Rural Environment and the Rural Living Zone chapters of the ODP. The proposal is assessed as having no more than minor adverse effects on the rural environment. The proposal is consistent with the existing residential character along Kemp Road and would have no more than minor adverse effects on the established character and amenity value of the area. The proposal is consistent with the objectives and policies of the ODP.

**District Wide - Chapter 13 - Subdivision Chapter**

4.40. The applicable subdivision objectives and policies contained within Sections 13.3 and 13.4 of the District Plan are attached at **Appendix 5**. Objective 13.3.1 requires that subdivision be provided for in a way that is consistent with the purpose of the zone and which will promote the sustainable management of the District's natural and physical resources, and the economic and cultural well-being of people and communities. This objective reflects the purpose of the RMA and is intended to ensure that land development outcomes give effect to the zone purpose.

4.41. The applicable land use zone is the RLZ that forms part of the Far North District's 'Rural Environment'. The RLZ is an un-serviced, rural-residential zone that is described as an area of '*transition between town and country*'. The transition is expressed in terms of residential intensity and lot sizes. Around the periphery of Kerikeri township, residential intensity varies considerably. In the Kemp Road location, an earlier Residential zoning enabled the



development of lot sizes between 1,000m<sup>2</sup> – 2,000m<sup>2</sup>, resulting in a more suburban character. The proposed lot sizes are entirely consistent with the established residential character of the area and the transitional environment that is characterised throughout the RLZ. Local amenity values will not be adversely affected (Policy 13.4.1). The proposed development is consistent with the objectives and policies of the RLZ (Policy 13.4.14).

- 4.42. Subdivision and development of the site will have little or no effect on the life-supporting capacity of any natural resources including air, water, soil or ecosystems and is not within a mapped area of outstanding landscape or natural features. The site is not within the coastal environment (Objective 13.3.2 and 13.3.3 / Policy 13.4.1). Development of the site would not adversely affect any of values of national importance protected by section 6 of the RMA (Policy 13.4.13).
- 4.43. The location of the site within the Kerikeri Basin Heritage Area requires consideration in terms of any potential impact on identified heritage features including Kororipo Pa and the CMS missionary buildings (Objective 13.3.4 / Policy 13.4.6). The proposed subdivision is for a residential purpose and will enable the development of modest sized, single dwellings that are consistent with the surrounding street environment. The appearance of future buildings is controlled via land use rules that will apply when there is a development proposal for houses on the site. The proposed intensity of development will not affect the value of nearby heritage features. Nor will it result in scheduled heritage resources being alienated from their immediate setting or context (Objective 13.3.4 / 13.4.1(f)). Heritage NZ has considered the proposal and have not raised any concerns about consent being granted. At the time of lodgement, the Applicant had not received a response from Ngati Rehia.
- 4.44. The site is not affected by any identified natural hazard that would limit its development for the purpose proposed (Policy 13.4.3), nor will any potential hazard such as flooding be exacerbated (Policy 13.4.13(g)). The site is not serviced by reticulated wastewater and would rely on on-site services. These can be accommodated within the site boundaries. Potable and fire-fighting water supply are available at the site road boundary.



### **Chapter 8 – Rural Environment**

4.45. The following assessment is based upon the objectives and policies contained within sections 8.3 and 8.4 of the ODP. A table setting out the applicable provisions is set out in **Appendix 5**.

4.46. The site is within the Rural Environment, which applies to most of the rural land in the Far North District. The RLZ is a counterpart of the Rural Production Zone, where rural-residential scale living is enabled. The RLZ applies to land around the periphery of urban Kerikeri where previous land use zonings enabled the creation of a variety of smaller un-serviced lots (Policy 8.7.4.2). It is a transition zone between town and country that has a ‘lifestyle’ rather than a ‘production’ focus.

4.47. The broader Rural Environment objectives and policies are high level and seek to prioritise the sustainable management of natural and physical rural resources (Objective 8.3.1). The ODP acknowledges the dynamic nature of the Rural Environment that is constantly changing and the need to promote and maintain the productive intent of the Rural Production Zone along with protecting areas of productive soil and significant indigenous vegetation and fauna habitat (Objective 8.3.2, 8.3.4 and 8.3.7). The Rural Living zone has a role in reducing potential adverse effects of rural activity on residential areas (and vice versa) by creating a land buffer between production land and the urban environment (Policy 8.7.4.1).

4.48. Compatibility of development is a priority in the RLZ (Objective 8.7.3.1 and Policy 8.7.4.1). Kemp Road is a residential street where there is no ‘rural’ activity that could be adversely affected more sensitive residential activity. Compatibility issues relate to variations in residential activity including intensity and scale and are intended to enable development commensurate with a single residential unit (Policy 8.7.4.8). Lot sizes are intended to be large enough to comfortably accommodate a dwelling and on-site services as the RLZ is a largely un-serviced land environment (Policy 8.7.4.3). Providing these standards can be met, there are no limits on the types of housing or forms of accommodation in the zone. This recognises the diverse needs of the community (Policy 8.7.4.4).

4.49. The proposed subdivision would create two additional sites enabling single residential units and the necessary on-site services as required by RLZ Policy 8.7.4.8. Subdivision as proposed would



be consistent with the residential development pattern along Kemp Road, which has a semi-urban character as referred to in RLZ Policy 8.7.4.2. Potential adverse effects on adjoining neighbours in terms of any effects on privacy, dominance of built development, or access to sunlight would be less than minor.

### **Chapter 12 – Heritage**

- 4.50. The Heritage chapter provisions provide the context for assessing potential adverse effects on local heritage values. The application site is within the buffer area that surrounds the Kerikeri Basin Heritage Precinct, it is not within the Precinct itself. Development of land in this buffer area is controlled to ensure that the form, colour and location of development does not visually dominate the landscape that surrounds the historic basin. The subdivision proposal will enable two additional dwellings on Kemp Road. It is likely that a new dwelling on Lot 3 will be visible from Kororipo Pa, however these will be only distant views. The establishment of new buildings is mitigated by the fact that the site is within an established residential area and surrounded by single dwelling units.
- 4.51. The general Heritage Precinct objectives seek to '*protect and retain the heritage values of resources...*' (Objective 12.5.3.1). There will be no impact on any scheduled heritage resource, notable trees or waahi tapu, or other site of cultural interest (Policy 12.5.4.2, 12.5.4.3, 12.5.4.3)
- 4.52. Heritage Precincts and their associated heritage resources gain value from their surrounding land context (Policy 12.5.4.1, 12.5.4.4). Inappropriate activities can adversely affect areas with significant historic character and values (12.5.4.8). This is the basis for providing for land buffer areas that surround significant heritage precincts (Policy 12.5.4.11).
- 4.53. The Kerikeri Basin Heritage Area Precinct is one of nine identified throughout the District. It includes a buffer area that is the wider land settlement that occupies the slopes around the Basin area. The application site is located on the south-facing land slopes that face Kororipo Pa. Heritage policy directives apply primarily to land use development and subdivision with a Precinct area. Policy 12.5.A.4.3 can be applied more generally to surrounding land as integral to protecting the landscape values of the various Precincts. For the Kerikeri Basin this includes



the Visual Buffer, which is an adopted method that controls the size, scale and appearance of new buildings and alterations to existing buildings.

- 4.54. Subdivision has the potential to affect the visual appearance of the Kerikeri Heritage Basin Visual Buffer by enabling new buildings on new sites. The location of the site is an established residential area that has existed for a significant period of time. The buffer area is an extension of the original settlement that was a collection of buildings centred around the CMS buildings and is therefore consistent with the growth of Kerikeri's rural -residential environment. The addition of two new sites on Kemp Road will be insignificant in the wider context of the Kerikeri Heritage Basin Precinct. Any future visual effects can be managed through ODP (and PDP) provisions that control the size and appearance of buildings.
- 4.55. The proposed subdivision would not be contrary to the objectives and policies that seek to protect and maintain the heritage resource values of the District.

#### **Proposed District Plan**

- 4.56. The site is zoned Rural Residential (RRZ) in the PDP. The site is within a proposed Heritage Overlay - Kerikeri – Part B. The relevant objectives and policies are the District-wide subdivision provisions and the Rural Residential Zone. These provisions are attached at **Appendix 5**.
- 4.57. The Council is proposing a RRZ land use zone to apply to land around the periphery of Kerikeri township. The RRZ would replace the ODP Rural Living Zone. The RRZ is described as a spacious, peri-urban living environment located close to settlements that will provide a transition to the surrounding Rural Production and Rural Lifestyle zones.
- 4.58. Hearings on the PDP have concluded. This includes hearings on the Rural Environment (and rural zone) provisions (Hearing 9), subdivision (Hearing 16) and submissions seeking rural rezoning (Hearing 15C). The officer's right of reply to matters raised in submissions on subdivision provisions did not include any proposed changes to the RRZ subdivision minimum lot size standards. An easing of the subdivision allotment dimensions has been recommended to better reflect current building size and trends. These areas would reduce from 30m x 30m to 20m x 20m, which can be accommodated within the site's required building setback area.



4.59. The officer's reply on Rural Rezoning dated 26 November 2025 elaborated on the role of the 'Rural-Residential' by proffering the following opinion in response to Hearing Panel member questions:

*'65. As stated at the close of the hearing, I consider that the RRZ is a rural zone, not an urban zone. It forms part of the suite of rural zones that work together as a package to ensure there is sufficient opportunity for residential activity to occur in appropriate parts of the rural environment. The RRZ is not reticulated (nor is it planned to be) and it is not a future urban zone. I consider the mentions in the RRZ chapter of it being a zone in transition to urban should not be viewed as an absolute certain outcome. The relevant wording in the Overview of the RRZ as follows:*

*may also be in a location where an urban area **may** grow and where land **may** be re-zoned for urban development **when demand requires it.**" [my emphasis added]*

*66. In my view, multiple factors would have to align before any urban rezoning of RRZ land could occur such as:*

- a. Urban infrastructure would have to be in place (or at least planned for the short term and funded)*
- b. clear evidence of growth demand and the inability of existing urban zoned land to accommodate that growth to justify the upzoning of RRZ.*
- c. The completion of a full Schedule 1 process to change the RRZ zoning.*

*67. The only mention of RRZ land being used for urban development at some point in the future at a policy framework level is in RRZ-O3, which states:*

*"The Rural Residential zone **helps meet the demand for growth around urban centres** while ensuring the **ability of the land to be rezoned for urban development in the future is not compromised.**" [my emphasis added]*

*68. In my view, this objective does not indicate that the RRZ is an urban zone or that land in the RRZ will certainly transition to urban used. Rather, I consider the intent of the objective is to allow for consideration of how developments in the RRZ are designed – such as the placement of house sites, onsite services, and access – to factor in whether the design could support potential urban upzoning in the future. It is, in*



*my view, light touch future proofing that in no way pre-empts any future zoning changes of the land.'*

4.60. This planning view helpfully clarifies the role of the RRZ as a non-urban rural zone where additional rural-residential activity can be accommodated to support a policy approach to protect Rural Production Zone land and to avoid reverse sensitivity effects. The efficient use of existing RRZ land is therefore an important consideration when deciding this application. Subdivision of the site to enable a single allotment is consistent with the overarching purpose and intent of the RRZ.

#### **SUBDIVISION**

4.61. The PDP Subdivision and RLZ objectives and policies are set out in **Appendix 5**. Other than heritage matters, little weight is given to these provisions, other than providing direction for the Council's intention for future land use management in the Kemp Road location.

4.62. As with the ODP subdivision provision, the appropriateness of subdivision is linked to maintaining the role and character of the zone (SUB-O1(a)). Contributing to local character and sense of place, avoiding reverse sensitivity, mitigating natural hazard risks and managing adverse effects on the environment are the basis for determining the efficient use of land (SUB-O1 (b-f)). Subdivision is enabled where it results in allotments that are consistent with the purpose, characteristics and qualities of the zone, comply with minimum allotment sizes, have an adequate size and shape to contain a building platform and have legal and physical access (SUB-P3). The proposed subdivision satisfies all these policy criteria except for minimum lot sizes. Final stage lot sizes of 1,632m<sup>2</sup>, 2,001m<sup>2</sup> and 2,156m<sup>2</sup> are proposed. Whilst the proposed Lot 1 size is smaller than the PDP Discretionary standard, the size and configuration of the lots is consistent with the development pattern along Kemp Road and would not result in an adverse or inappropriate change to the existing streetscape.

4.63. Specific to heritage protection is SUB-O2 which states that '*subdivision provides for the...(b) protection, restoration or enhancement of ....Historic Heritage*'. Subdivision of a site within a Heritage Area Overlay is a restricted discretionary activity that has immediate legal effect. The matters over which the Council has restricted its discretion are commented on in paragraph



4.27 above. It is considered that given its location, (which is some distance from the main Kerikeri Heritage Area Overlay – Part A) and its context within an existing residential area where there are similar lot sizes, the proposed subdivision will be entirely consistent with the intent of the PDP subdivision objectives and policies, including matters relating to the protection of heritage resources.

#### Land Use – Rural Residential Zone

4.64. The RRZ is part of a suite of rural zones. The role of the RRZ is to '*provide an opportunity for people to enjoy a spacious, peri-urban living environment located close to a settlement*'. The RRZ has been applied to areas that were formerly RLZ and are contiguous with urban areas. The role and purpose of the RRZ is further elaborated on in the PDP Report Writer's reply on the rural rezoning provisions set out in paragraph 4.53 above.

4.65. The application site is within the RRZ that is adjacent to the Kerikeri urban area. The Kemp Road area can be characterised as predominantly large lot residential. There is little potential left for residual rural activity, even at a domestic scale. The PDP RRZ Overview statement predicts that the zone will remain predominantly residential in character as the adjoining settlement will provide for most day-to-day services.

4.66. In the RRZ, the range of lots sizes provided for are between 4,000m<sup>2</sup> (Controlled) and 2,000m<sup>2</sup> (Discretionary), where on-site services can be accommodated. In some parts of the RRZ, existing site sizes are considerably smaller than the specified range. As discussed previously, this reflects previous land use zonings that have enabled subdivision to much smaller lot sizes.

4.67. The proposed subdivision would achieve the main policy objectives including:

- enabling additional rural-residential activity that is compatible with the character and amenity of the zone (RRZ-O1)
- maintaining the existing character and amenity of this part of the RRZ that is predominantly residential at a peri-urban scale (RRZ-O2)
- helping to meet demand for growth around the Kerikeri urban centre (RRZ-O3)
- Not detracting from the rural residential of the wider RRZ zone and will maintain the character and amenity values of the existing Kemp Road street



#### Environment (RRZ-O4)

- Not interfacing with any rural activity that could result in reverse sensitivity effects (RRZ-P3)

4.68. Overall, it is considered that the subdivision proposal would not be contrary to the ODP or PDP subdivision or rural environment objectives and policies that are to be considered when assessing the merits of a non-complying activity. It is considered that this part of the 'gateway' test is met.

#### LAND USE – HERITAGE

4.69. The application is within the Kerikeri Heritage Area Overlay – Part B. Land within this Overlay surrounds the historical and culturally significant Kororipo Pa and CMS buildings. It also contains legacy subdivision patterns associated with early horticultural activity that are part of Kerikeri's identity.

4.70. The Heritage Area Overlay objectives, policies and rules have immediate legal effect and are a consideration when deciding this application. The single objective and policies as they apply to land in the Kerikeri Overlay – Part B are set out in **Appendix 5**.

4.71. Following the creation of the lots, any new residential buildings will be subject to the transitional ODP and PDP building rules that relate to new buildings in heritage precinct locations. These provisions will provide sufficient protection in terms of the form, colour and scale of buildings, to ensure that they are not dissimilar to those in the surrounding area. The proposed sites only have on-site servicing capacity for modestly sized residential dwellings, thereby limiting their size and scale. The proposed subdivision and enabled residential development would not be contrary to the heritage provisions of the PDP.

### **5. NOTIFICATION ASSESSMENT**

5.1. Section 95A-95G sets out the public and limited notification criteria for resource consent applications.

#### **Section 95A – Public Notification Assessment**



5.2. Section 95A requires a council to follow specific steps when deciding whether to publicly notify an application for resource consent. These steps are set out and commented on as follows.

**Step 1: Mandatory public notification in certain circumstances**

S95A(3)(a)	The applicant requests public notification
S95A(3)(b)	Public notification is required under section 95C
S95A(3)(c)	The application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

5.3. The Applicant has not requested public notification, nor is it required under section 95C. Section 95A(3)(c) is not applicable.

**Step 2: If not required by step 1, public notification in certain circumstances**

S95A(5)(a)	Is the application for a resource consent for one or more activities and each activity is subject to a rule or national environmental standard that precludes public notification.
S95A(5)(b)	Is the application for a resource consent for 1 or more of the following, but not other, activities; a controlled activity; a restricted discretionary, discretionary or non-complying activity, but only if the activity is a boundary activity.

5.4. The proposed activity applied for is not precluded from notification by a rule or a national environmental standard. The activity is not a boundary activity.

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

S95A(8)(a)	The application is for a resource consent for 1 or more activities, and any one of those activities is subject to a rule or national environmental standard that requires public notification.
S95(8)(b)	In accordance with section 95D, the activity has or is likely to have adverse effects on the environment that are more than minor.

5.5. The proposed activity applied for is not subject to a rule or national environmental standard that requires public notification.



5.6. Section 95D specifies the criteria by which a consent authority may decide whether an activity will have or is likely to have adverse effects on the environment that are more than minor. This includes what a council may or may not have regard to:

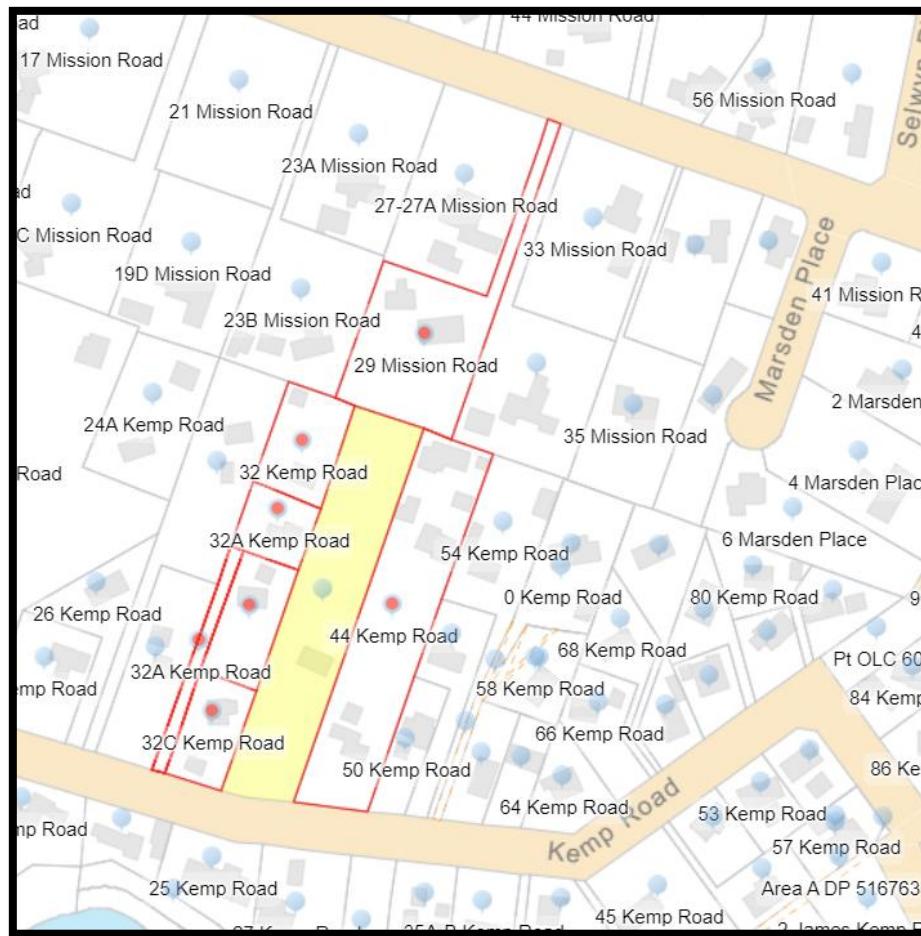
S95D(a)(i)-(ii)	A consent authority <u>must</u> disregard any effects on persons who own or occupy- <ul style="list-style-type: none"> <li>(i) The land in, on, or over which the activity will occur, or</li> <li>(ii) Any land adjacent to that land</li> </ul>
S95D(b)	A consent authority <u>may</u> disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.
S95D(c)	A consent authority <u>must</u> , in the case of a restricted discretionary activity, disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts its discretion.
S95D(d)	A consent authority <u>must</u> disregard trade competition and the effects of trade competition.
S95D(e)	A consent authority <u>must</u> disregard any effect on a person who has given written approval to the relevant application

5.7. For the purposes of deciding public notification, any effects on persons who own or occupy the application site, or adjacent land may be disregarded. The land adjacent to the application site is set out in **Table A** below. Assessment of effects matters as they potentially impact adjacent landowners and occupiers is set out below.

**Table A: Adjacent Land**

Legal Description	Address
Lot 2 DP 177512	32 Kemp Road
Lot 1 DP 87993	32A Kemp Road
Lot 1 DP 182424	32B Kemp Road
Lot 1 DP 182424	32C Kemp Road
Lot 4 DP 43886	44 Kemp Road
Lot 2 DP 89014	29 Mission Road





proposal at the scale proposed is consistent with that purpose and is not an exceptional, abnormal or unusual proposal in the zone.

## Section 95B – Limited Notification Assessment

5.10. If an application is not publicly notified, a consent authority must follow the steps of section 95B to decide if limited notification is required. A Section 95B assessment requires a decision about whether there are any specified affected groups or affected persons (under section 95E).

### Step 1: Certain affected groups and affected persons must be notified

S95B(2)(a)	Are there any affected protected customary rights groups
S95B(2)(b)	Are there any affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity)?
S95B(3)(a)	Is the proposed activity adjacent to, or may affect land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11?
S95B(3)(b)	Is the person to whom the statutory acknowledgement is made is an affected person under section 95E?

5.11. The proposed activity would not affect any protected customary rights groups or marine title groups. The proposed activity is not adjacent to and would not affect land (or persons) that are the subject of a statutory acknowledgement.

### Step 2: If not required by step 1, limited notification precluded in certain circumstances

S95B(6)(a)	The application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification.
S95B(6)(b)	The application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).



5.12. The proposed activity is not subject to a rule or national environmental standard that precludes limited notification. The application activity status is not 'controlled'.

**Step 3: If not precluded by step 2, certain other affected persons must be notified**

S95B(7)	In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.
S95B(8)	In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

5.13. The proposed activity is not a boundary activity. The proposed activity is a Non-complying Activity because of the proposed lot sizes.

5.14. Section 95E provides the basis on which a person is deemed to be affected by a proposed activity. Section 95E(1) a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but not less than minor). Section 95E(2)(a)-(c) sets out the adverse effects a consent authority can disregard or matters it must have regard to when assessing adverse effects on a person:

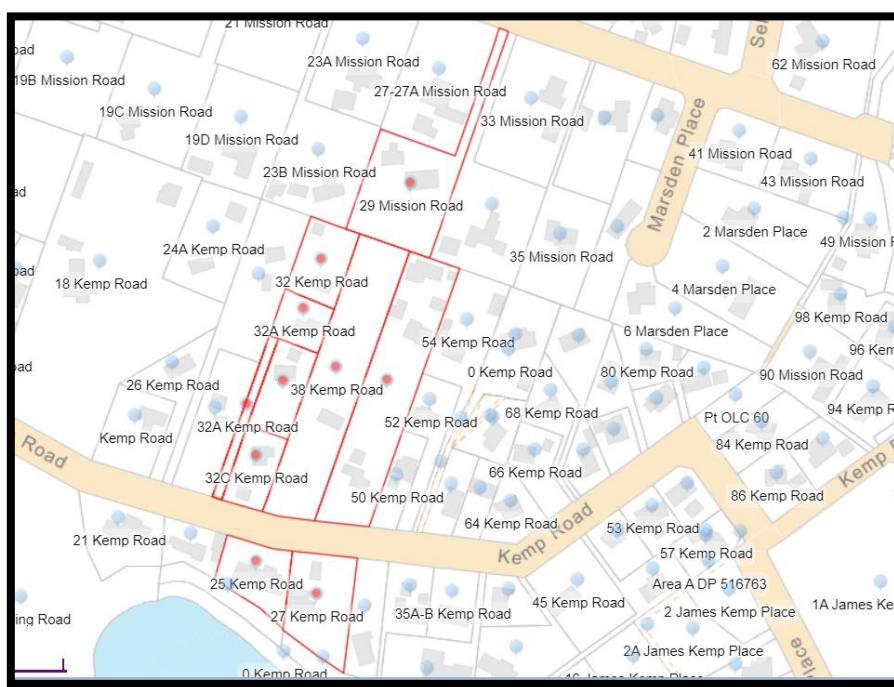
**Affected Persons**

S95E(2)(a)	A consent authority <u>may</u> disregard adverse effect of an activity on the person if a rule or a national environmental standard permits an activity with that effect.
S95E(2)(b)	A consent authority <u>must</u> disregard an adverse effect arising from a controlled activity or a restricted discretionary activity if the effect of the activity does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion.
S95E(2)(c)	A consent authority <u>must</u> have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.



5.15. The subdivision proposal is a Non-complying Activity. It is not a Controlled Activity or a Restricted Discretionary Activity. An assessment of the proposal requires consideration of all potential effects on the environment. The Council may disregard the effects of an activity where they are permitted under a rule or a national environmental standard. There are no permitted activities. The application is supported by an engineering assessment that has determined that the site can be sustainably developed for additional housing and on-site services.

5.16. Potentially affected persons include the immediately adjacent site landowners set out in **Table 2** in **Section 2** above and the sites opposite at 25 and 27 Kemp Road. The location of these sites is depicted above, and again below for ease of reading.



**Figure 27 – Adjacent sites**

5.17. Based on the location and indoor and outdoor living orientation of the dwellings at 25 and 27 Kemp Road, and extent of vegetation that screens the site frontages, it is considered that potential adverse effects arising from two additional dwellings on the subject site would be less than minor. The addition of a house on Lot 1 is consistent with the existing development pattern along the northern side of Kemp Road. Sites opposite would experience a minor change in terms of what they see driving in and out of the driveway but there would be no adverse effect on the overall and amenity or enjoyment of this residential location.



5.18. The situation and potential impact in terms of visible or environmental changes to the immediately adjacent sites is described in paragraphs 2.6 -2.8 above. These sites have already been developed at a similar intensity to the applicant's proposal. The site's either side have dwellings at what would be the same contour as the identified building site on Lot 1 and Lot 3. There would be no change to the existing house site at Lot 2. The immediately adjoining sites all appear to have their primary outdoor and indoor living area orientated away from the application site. For this reason, any visible or audible change would result in a less than minor adverse effect on these neighbours. All three sites would utilise the same vehicle crossing and would be situated no closer to any other existing driveways or crossings. Future buildings and development would be governed by PDP rules that will shortly have legal effect and become the basis on which land use development is governed.

5.19. It is considered that there are no persons that are adversely affected by this proposal to a minor or more than minor extent.

5.20. For all of the reasons stated above, and having regard to the future PDP policy direction for this location which is to consolidate rural-residential development around the periphery of Kerikeri, the Applicant requests that the application be processed on a non-notified basis.

## 6. PART 2 ASSESSMENT

- 6.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 6.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resources whilst meeting the foreseeable needs of future generations. In addition, the proposal will avoid adverse effects on the environment and will maintain the residential character of the surrounding environment where similar site sizes have been created.
- 6.3. Section 6 of the Act sets contains the matters of national importance. These matters of national importance are considered relevant to this application. The proposal is not located within the coastal environment nor is it located near any lakes, rivers or wetlands. The site does not contain any areas of Outstanding Natural Features and Landscapes. The proposal does not increase the risk of natural hazards and will not accelerate, exacerbate or worsen the effects



from natural hazards. It is therefore considered that the proposal is consistent with Section 6 of the Act.

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

## 7. CONCLUSION

- 7.1. The Applicant is seeking a resource consent to subdivide an existing rural-residential site at 38 Kemp Road, Kerikeri. Kemp is an established rural-residential area on the outskirts of urban Kerikeri. The area is not reticulated with Council wastewater infrastructure and relies on on-site services. Water supply and roadside stormwater drainage is available at the site.
- 7.2. The site is zoned Rural Living under the ODP and Rural Residential under the PDP. The site is within the ODP protected Kerikeri Heritage Basin Visual Buffer and the Kerikeri Heritage Area Precinct (Part B). These areas comprise land that is a landscape buffer to the scheduled heritage resources that are within the Precinct.
- 7.3. The proposed subdivision is non-complying because of the proposed lot sizes that are below the ODP (and PDP) Discretionary subdivision standards. However, the variety of lot sizes along Kemp Road and the established suburban residential character that includes single dwellings built relatively close to the road frontage will ensure that future houses on Lots 1 and 3 are



consistent with the character and amenity of the existing streetscape. Appropriately designed on-site wastewater services can be provided with the proposed lot boundaries and avoided mapped flood prone areas. Lot 2 would rely on existing services. Additional stormwater runoff from the site can be managed back to pre-development levels and will have no adverse effect on downstream land or the road environment. Potential adverse effects on the existing environment will be no more than minor.

- 7.4. The proposal is consistent with ODP and PDP objectives and policies. The proposed subdivision is consistent with the purpose of the RLZ and the proposed RRZ. Subdivision of the parent lot will enable further housing opportunity close to Kerikeri and in a location that is zoned for rural-residential living. Consolidating rural-residential activity within the RLZ/RRZ protects production land and avoids reverse sensitivity effects. The proposed subdivision would not be contrary to the ODP or PDP objectives or policies.
- 7.5. For the reasons outlined above, potential adverse effects on adjoining landowners will be less than minor. The Section 104D gateway test in respect of potential adverse effects and the relevant Plan objectives and policies is met. There would be no precedent effect resulting from a decision to grant a resource consent for this subdivision proposal.
- 7.6. The Applicant requests that the application is processed on a non-notified basis.

## **8. LIMITATIONS**

- 8.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 8.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.



- 8.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
  
- 8.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.





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

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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA1667/39**

**Land Registration District** **North Auckland**

**Date Issued** 20 August 1959

**Prior References**

NA884/275

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**Estate** Fee Simple

**Area** 5787 square metres more or less

**Legal Description** Lot 3 Deposited Plan 43386

**Registered Owners**

Katherine Louise Davies, Gareth Burton Jones and Malcolm David Williams

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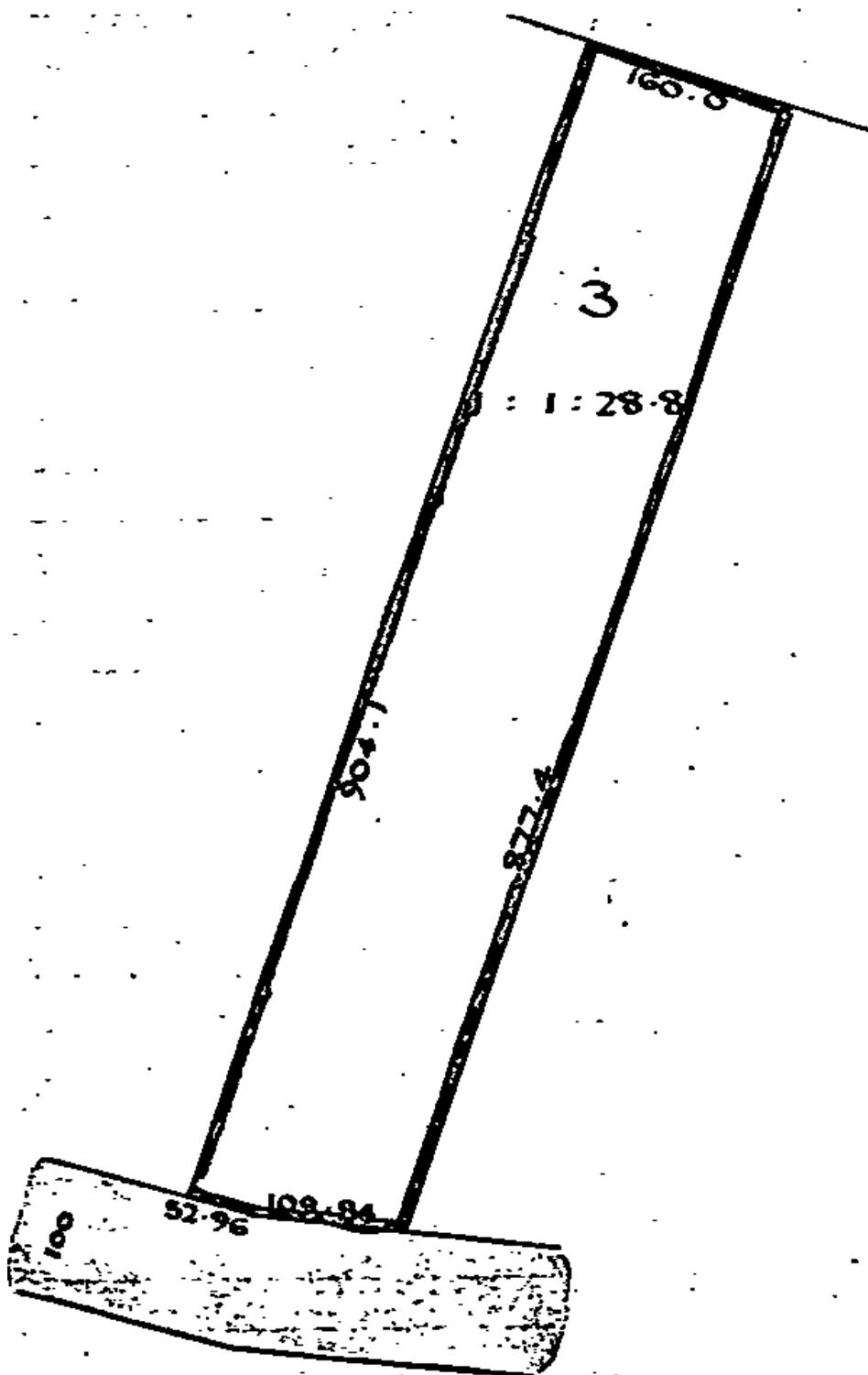
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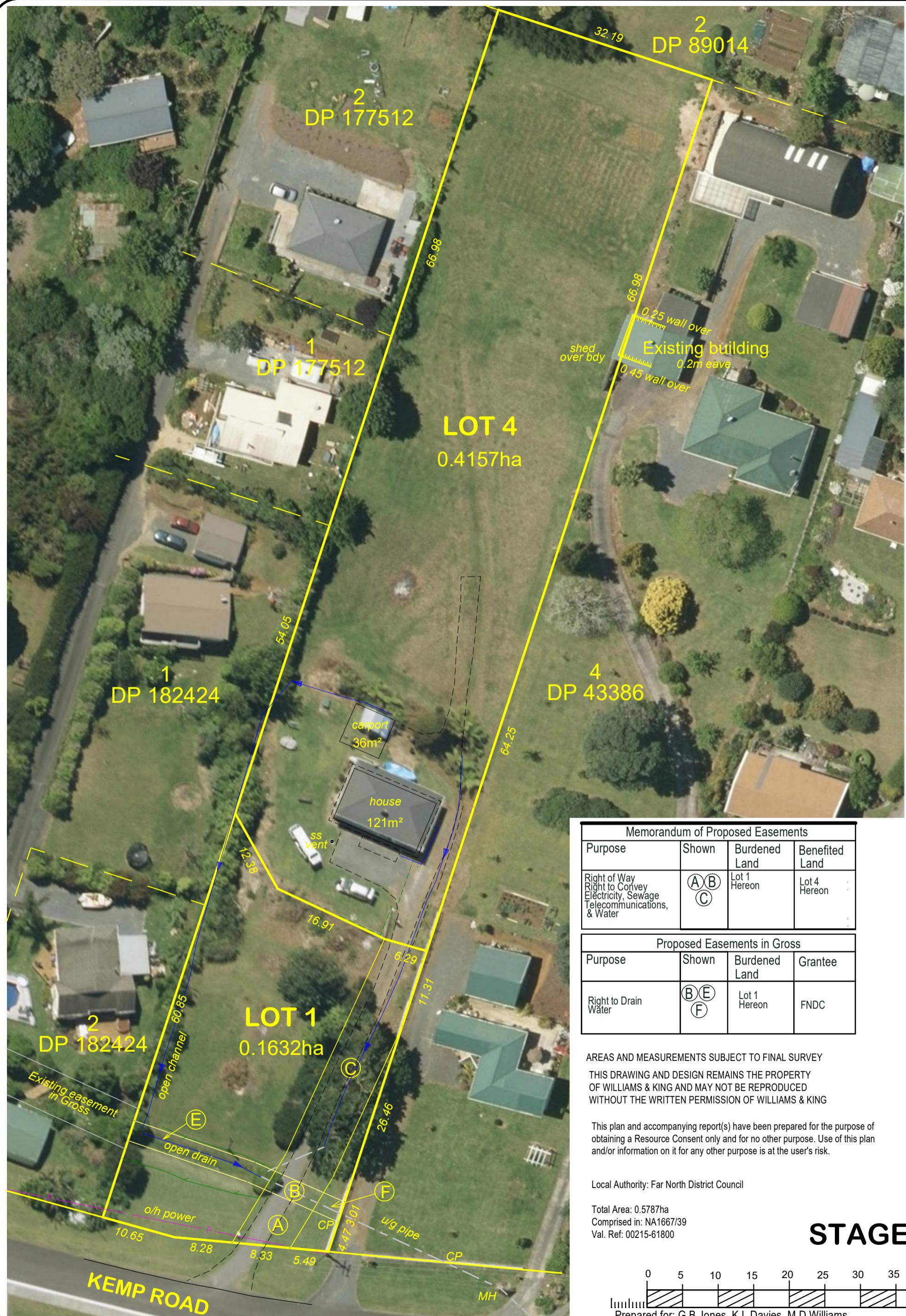
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Fencing Agreement in Transfer 625807 - 20.8.1959

11921087.3 Mortgage to Kiwibank Limited - 3.12.2020 at 3:18 pm

AREA IS ..  
XI Kerikeri S. D. 3





WILLIAMS AND KING  
Registered Land Surveyors, Planners &  
Land Development Consultants

Ph: (09) 407 6030  
Email: kerikeri@saps.co.nz

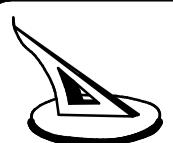
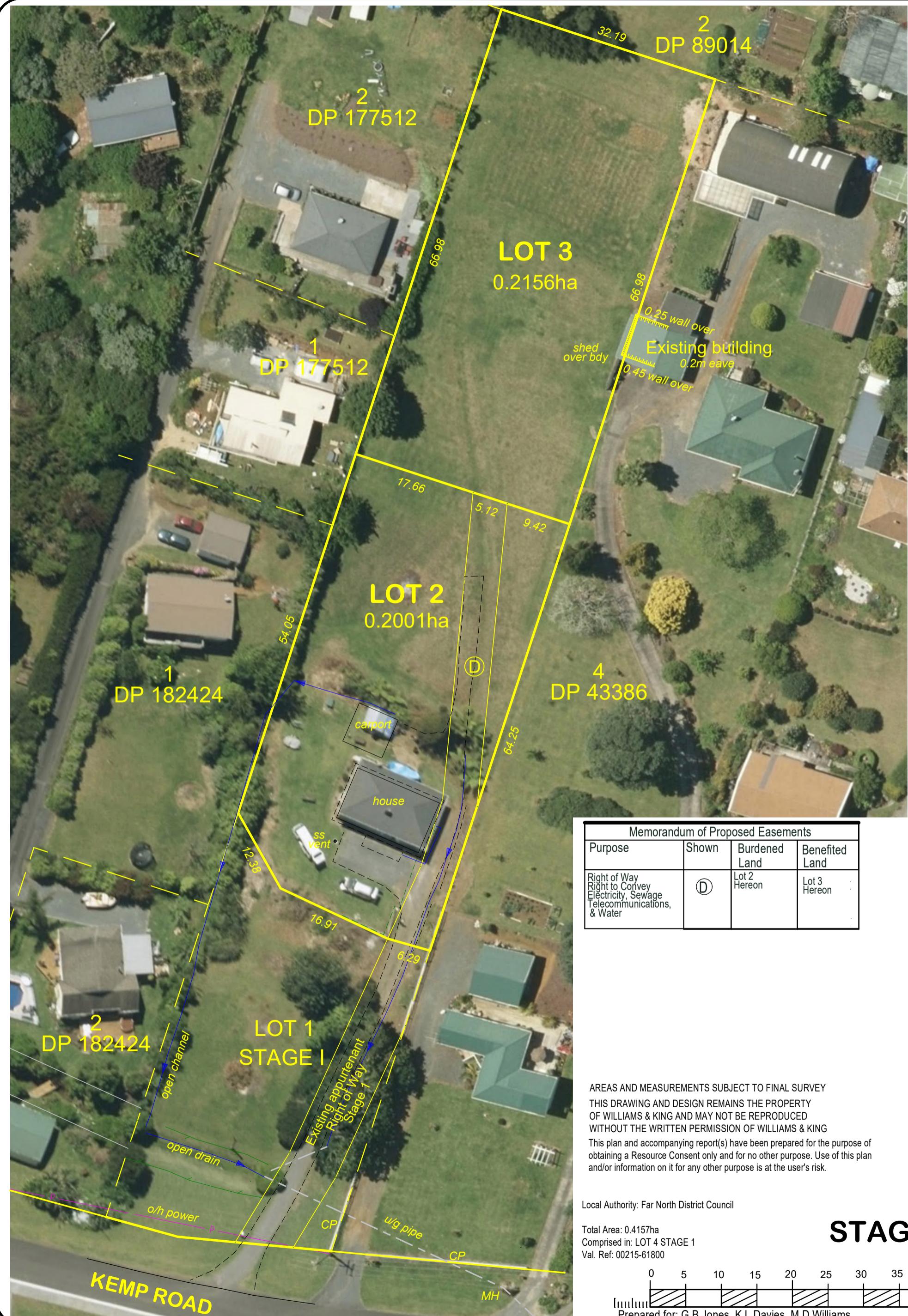
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PO Box 937 Kerikeri

## Proposed Subdivision of Lot 3 DP 43386

Survey	Name	Date
Design		
Drawn	W&K	Aug 2025
Rev		

ORIGINAL SCALE 1:500 SHEET SIZE A3

24668



WILLIAMS AND KING  
Registered Land Surveyors, Planners &  
Land Development Consultants  
Ph: (09) 407 6030  
Email: kerikeri@saps.co.nz

27 Hobson Ave  
PO Box 937 Kerikeri

## Proposed Subdivision of Lot 4 Stage 1

	Name	Date
Survey		
Design		
Drawn	W&K	Aug 2025
Rev		

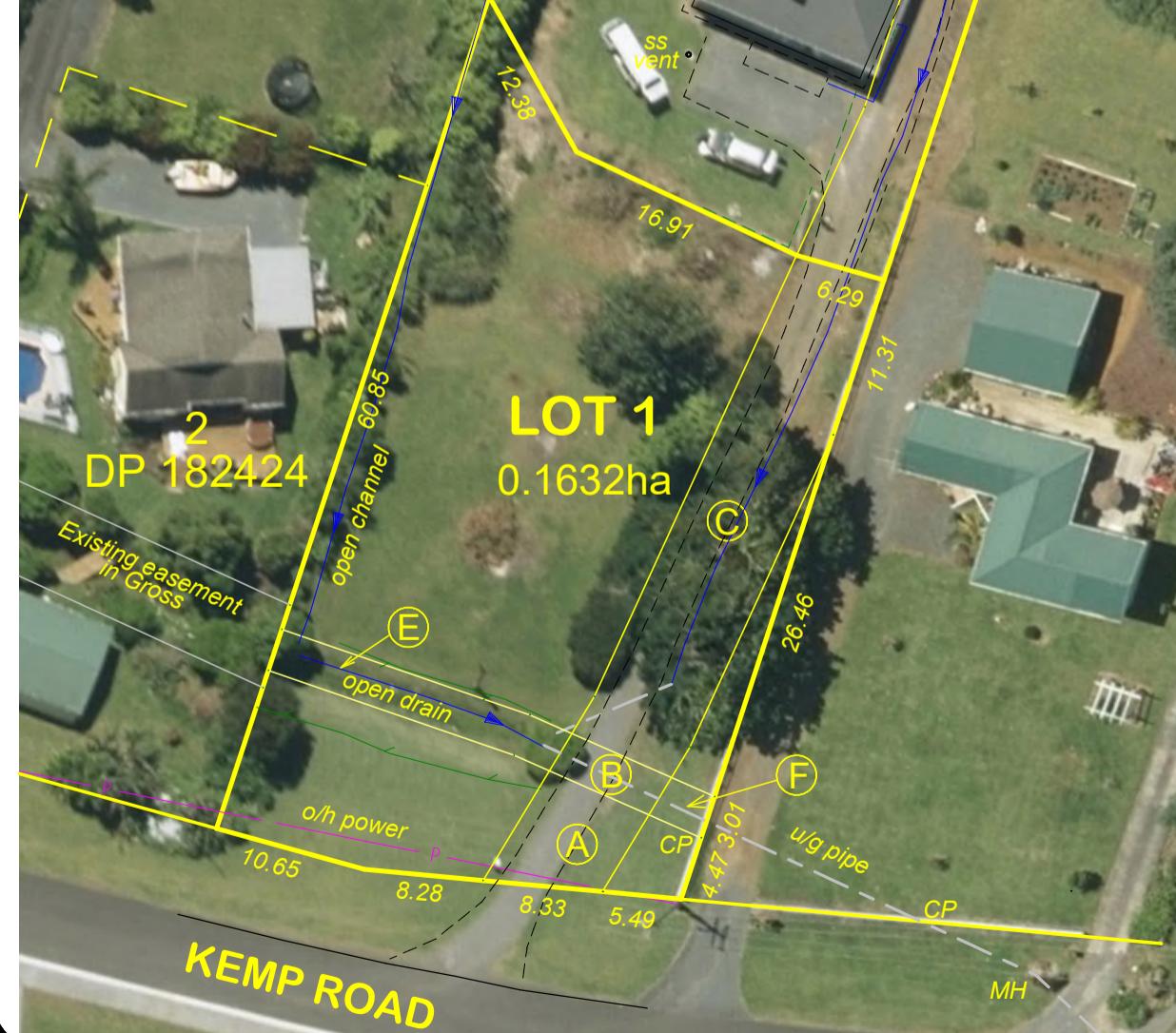
ORIGINAL SCALE 1:500 SHEET SIZE A3

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Memorandum of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right of Way	(A)	Lot 1 Heron	Lots 2 & 3 Heron
Right to Convey	(B)		
Electricity, Sewage	(C)		
Telecommunications,			
& Water	(D)	Lot 2 Heron	Lot 3 Heron

Proposed Easements in Gross			
Purpose	Shown	Burdened Land	Grantee
Right to Drain Water	(B) (E) (F)	Lot 1 Heron	FNDC



AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

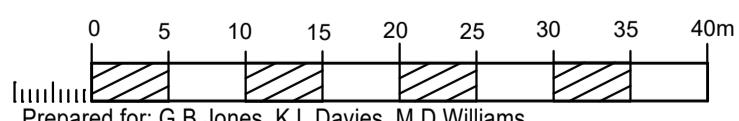
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OF WILLIAMS & KING AND MAY NOT BE REPRODUCED  
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This plan and accompanying report(s) have been prepared for the purpose of  
obtaining a Resource Consent only and for no other purpose. Use of this plan  
and/or information on it for any other purpose is at the user's risk.

Local Authority: Far North District Council

Total Area: 0.5787ha  
Comprised in: NA1667/39  
Val. Ref: 00215-61800

**OVERALL**



Engineering Assessment for Proposed Subdivision  
38 Kemp Road, Kerikeri  
Lot 3 DP 43386  
for  
Gareth Jones

*Supporting report for RC Applications to Far North District Council*

*Haigh Workman reference 25 187*

**19 December 2025**



## Revision History

Revision №	Issued By	Description	Date
A	Joshua Cuming	for Resource Consent	6 November 2025
B	Joshua Cuming	for Resource Consent	19 December 2025

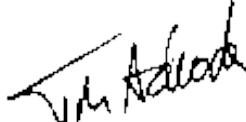
Prepared by



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## 1 Executive Summary

Haigh Workman Ltd (Haigh Workman) was commissioned by Gareth Burton Jones (the client) to undertake an Engineering Assessment of land at 38 Kemp Road, Kerikeri (the site) for the purpose of a proposed staged 3-lot subdivision of Lot 3 DP 43386. It is understood that the client intends to subdivide the property for rural living end-use. The three proposed lots comprise areas of 1632m<sup>2</sup>, 2001 m<sup>2</sup> and 2,156m<sup>2</sup>. Access to the lots will be via a series of easements providing a right of way.

This appraisal assesses natural hazards, earthworks, access, stormwater, wastewater, water supply and firefighting, all with specific regard to Council subdivision rules. No geotechnical investigation has been carried out.

A proposed subdivision plan by Williams and King comprising of a stage 1, stage 2 and overall plan is included in Appendix A of this report.

The site is zoned 'Rural Living' under the Far North District Council District Plan.

### Natural Hazards

The proposed building site on Lot 3 does not contain any natural hazards that would warrant action under Section 71(1) of the Building Act 2004. There is no significant risk from natural hazards that would cause Section 106 of the Resource Management Act to apply.

Filling will be required in Lot 1 to create a building platform that is above the mapped 100 year flood hazard. The building platform should have a minimum elevation of 15m NZVD 2016. A small portion of the right of way in the south of proposed lot 1 is within the 100 year flood hazard. It is possible that at the time of building consent for Lot 1 that a section 73 notice under the building the Building Act 2004 will be placed on the properties title as the right of way (land intimately connected with the dwelling) is subject to flooding.

### Vehicle Crossings and Access

The site has an existing crossing off Kemp Road. It is proposed that the crossing is upgraded to a sealed type 1A crossing with a 4m width and 5m radius flares as per the FNDC Engineering Standards 2023. The sight stopping distances present are sufficient.

### Earthworks

The proposed earthworks at the time of subdivision are associated with the ROW construction. The proposed earthworks are a permitted activity.

### Stormwater

Anticipated impermeable surface coverage is expected to exceed the 20% controlled activity on all three lots and is therefore a discretionary activity. As part of the proposed subdivision, a land use consent is sought for 35% impermeable coverage for proposed lot 1, 25% for proposed lot 2 and 25% for proposed lot 3.

It is proposed that stormwater runoff is attenuated back to 80% of permitted activity levels for the 10 year event for Lot 2 at time of subdivision including an allowance for the future northern portion of the ROW, in accordance with Council Engineering Standards 2023 Table 4.1.

For lots 1 and 3, we recommend a consent notice requiring a stormwater management plan by a Chartered Professional Engineer be submitted for the approval of Council at time of building consent. The plan shall demonstrate attenuation of site runoff back to pre-development levels for the 10 % AEP event.

### Water Supply

There is an existing 125mm diameter Council water main along the Kemp Road site frontage. Proposed Lot 2 has existing connections to FNDC's potable water network.

It is proposed that connections to the FNDC potable water network are provided for lot 1 and 3 at time of subdivision.

### **Firefighting Supply**

New Zealand Standard PAS 4509:2008 is the accepted code of practice regarding firefighting water supply requirements. To comply with the standard there shall be a water supply within 135 m of the site that can provide at least 12.5 L/s. There is a hydrant on the road boundary of the property and two more hydrants east and west within 270m.

### **Wastewater Disposal**

For three-bedroom dwelling and a design occupancy of 5 persons the design household wastewater flow is  $5 \times 165 = 825$  litres per day.

The borehole from the site investigation indicated the site to be underlain by clayey silt. Our investigation indicates that the soil type in the area of the proposed disposal fields can be described as soil category 4, silty clay loam – moderate drainage.

#### Lot 1

This soil type can be expected to sustain a conservative basal loading rate of 10mm/day for trench or bed disposal when receiving secondary treatment.

On this basis, a wastewater system generating 825 litres/day will require  $825/10 = 82.5\text{m}^2$  of basal area.

Sufficient area is available for the disposal area and a 30% reserve area ( $24.75\text{m}^2$  basal area). Suitable disposal and reserve areas are identified in Appendix A. The design of wastewater disposal fields will need to comply with rules for set-back distances and slopes that are operative at the time of building.

#### Lot 2

The existing primary treatment system was located and is within the proposed lot 2. It proposed that as a condition of consent that the disposal area is confirmed by a registered drainlayer as being within the proposed lot 2 boundaries and that it is operational. Should the disposal area not be operational, it should be repaired or replaced.

The ground slope in the reserve area is between  $10^\circ$  and  $20^\circ$ . Therefore a 20% reduction in aerial loading rate should be applied. The adjusted loading rate is 2.8mm/day. On this basis, a wastewater system generating 825 litres/day will require  $825/2.8 = 295\text{m}^2$  of reserve area. A 100% reserve area of  $295\text{m}^2$  suitable for dripper disposal of secondary treated effluent is available on the proposed lot.

#### Lot 3

The ground slope at the effluent field is less than 10% in lot 3. On this basis, a wastewater system generating 825 litres/day will require  $825/3.5 = 236\text{m}^2$  of disposal area. An effluent field and reserve areas can be located on Lot 3 in compliance with the current rules. Possible effluent disposal field locations are shown in appendix A. The design of wastewater disposal fields will need to comply with rules for set-back distances and slopes that are operative at the time of building. Sufficient area for a 100% reserve area is available.

## 2 Introduction

### 2.1 Project Brief and Scope

Haigh Workman Ltd (Haigh Workman) was commissioned by Gareth Burton Jones (the client) to undertake an Engineering Assessment of land at 38 Kemp Road, Kerikeri (the site) for the purpose of a proposed staged 3-lot subdivision of Lot 3 DP 43386. It is understood that the client intends to subdivide the property for rural living end-use. The three proposed lots comprise areas of 1632m<sup>2</sup>, 2001 m<sup>2</sup> and 2,156m<sup>2</sup>. Access to the lots will be via a series of easements providing a right of way.

A proposed subdivision plan by Williams and King comprising of a stage 1, stage 2 and overall plan is included in Appendix A of this report.

The scope of this report includes an assessment of:

- Natural hazards
- Site access and parking
- Stormwater management
- Earthworks
- Water supply, and
- Wastewater

Geotechnical assessment of building platforms is outside the scope of this report.

### 2.2 Limitations

This report has been prepared for our Client, Gareth Burton Jones with respect to the particular brief outlined to us. This report is to be used by our Client and Consultants and may be relied upon by the Far North District Council (FNDC) when considering the application for the proposed subdivision and development. The information and opinions contained within this report shall not be used in any other context for any other purpose without prior review and agreement by Haigh Workman Ltd.

It has been assumed in the production of this report that the site is to be subdivided and subsequently redeveloped for low-rise rural living end-use. At the time of writing there was no information available for proposed future developments following subdivision. If any of these assumptions are incorrect, then amendments to the recommendations made in this report may be required.

The comments and opinions presented in this report are based on the findings of the desk study and ground conditions encountered during an intrusive site visit performed by Haigh Workman. There may be other conditions prevailing on the site which have not been revealed by this investigation and which have not been taken into account by this report. Responsibility cannot be accepted for any conditions not revealed by this investigation. Any diagram or opinion on the possible configuration of strata or other spatially variable features between or beyond investigation positions is conjectural and given for guidance only.

## 3 Site Description and Proposed Development

### 3.1 Site Identification

**Site Address:** 38 Kemp Road, Kerikeri

**Legal Description:** Lot 3 DP 43386

**Area:** 0.5787 ha

Figure 1 below indicates the location of the subdivision site.



Figure 1 Location Plan (Source: Premise)

### 3.2 Site Description

The site covers 5,787 m<sup>2</sup> and is on Kemp Road, Kerikeri. The site has a moderate slope to the southwest. The property is approximately rectangular in plan shape elongated northeast to southwest. An existing dwelling is located

approximately in the centre of the site. The remainder of the site is predominantly grassed with established trees in the south of the site.

### 3.3 Proposed Subdivision

The proposed subdivision comprises three rural living lots and six easements. The subdivision will be staged. Stage 1 will create lot 1 and the balance lot, lot 4. Stage 2 consists of lot 4 being subdivided to create lots 2 and 3. This report will provide an assessment of the subdivision in its final form.

**Table 1 Proposed Lots (final development)**

Proposed Lot	Area (Gross) m <sup>2</sup>	End-use
Lot 1	1632	Rural Living
Lot 2	2001	Rural Living
Lot 3	2156	Rural Living
<b>Total</b>	<b>5789</b>	

### 3.4 District Plan Zoning

The site is zoned '*Rural Living*' with a permitted impermeable surface coverage of 12.5%.

It is our understanding that the proposed subdivision is a non-complying activity due to proposed lot sizes.

## 4 Environmental Setting

### 4.1 Published Geology

Sources of Information:

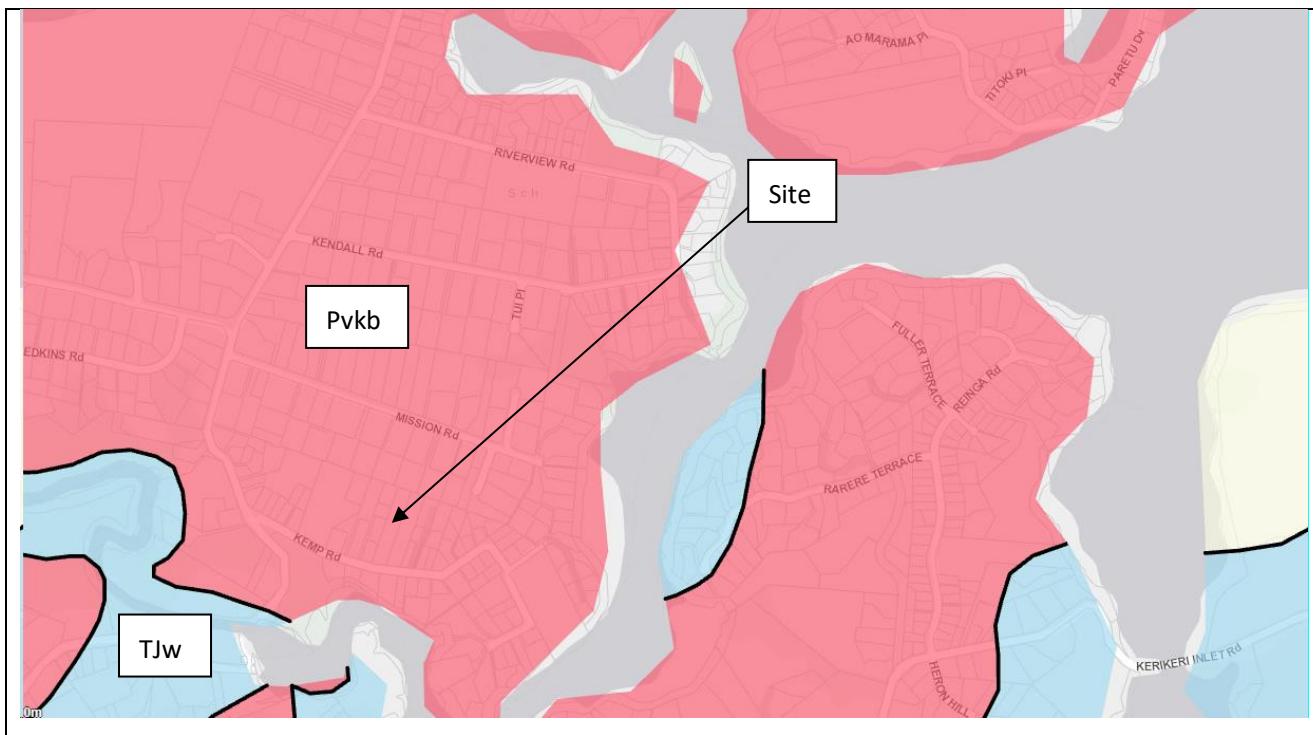
- Institute of Geological & Nuclear Sciences 1:250,000 Geological Map 2, 2009: "*Geology of the Whangarei area*".
- NZMS 290 Sheet P04/05, 1: 100,000 scale, 1982: "*Rock type map of the Whangaroa - Kaikohe area*",
- NZMS 290 Sheet P04/05, 1: 100,000 scale, 1980: "*Soil map of the Whangaroa - Kaikohe area*"

The site is within the bounds of the GNS Geological Map 2 "Geology of the Whangarei area", 1:250,000 scale\*. The published geology shows the site to be underlain by the Kerikeri Volcanic Group. The Kerikeri Volcanic

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\* Edbrooke, S.W; Brook, F.J. (compilers) 2009. Geology of the Whangarei area.

group is considered to be of Late Miocene to Pliocene age. An exert of the geological map is shown in Figure 2 below, with geological units presented in Table 2 below.



**Figure 2 Geological Map (GNS, 1:250,000)**

**Table 2 Geological Unit Table**

Symbol	Unit Name	Description
<b>Pvk</b>	Kerikeri Volcanic Group	Basalt flows, volcanic plugs and minor tuff. Neogene age.
<b>TJw</b>	Waipapa Group	Massive to thin bedded, lithic volcaniclastic meta sandstone and argillite, with tectonically enclosed basalt, chert and siliceous

Further reference to the published New Zealand land inventory maps (Whangaroa-Kaikohe), indicates the site is underlain by '*soils of the rolling and hill land, well to moderately well drained Kerikeri friable clay (KE)*'.

#### 4.2 SURFACE WATER FEATURES AND FLOODING

Published environmental data relating to the site has been reviewed. An examination of Far North District Council (FNDC) and Northland Regional Council (NRC) online GIS databases is included below.

A summary of available information pertaining to hydrology and hydrogeology is presented in the table below.

**Table 3 Surface Water Features & Flooding**

	Presence/Location	Comments
<b>Groundwater sources including springs/wells (within 100 m)</b>	No wells are mapped as being within 100m of the site.	There are no groundwater bores noted on the site or within 20m of the site.
<b>Surface Water Features (Ponds, Lakes, etc.)</b>	No.	None.
<b>Watercourses (within 500 m)</b>	Yes.	The site drains into a drain running approximately east to west in the south of the site.
<b>Flood Risk Status</b>	Yes.	A flood hazard is mapped in the south of the site associated with the drain.

### 4.3 Natural Hazards

Under Section 2 of the Resource management Act 1991, **natural hazard** means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

Natural hazards listed in Section 71(3) of the Building Act 2004 include: erosion, falling debris, subsidence, inundation or slippage. We assess the susceptibility of this site to these potential hazards as:

**Table 4 Natural Hazards**

Natural Hazard	Risk
Erosion (including coastal erosion, bank erosion, and sheet erosion).	No, provided adequate vegetation cover is maintained.
Falling debris (including soil, rock, snow, and ice).	No.
Subsidence (vertical settlement).	No, subject to geotechnical investigation and appropriate foundation design.
Inundation (including flooding, overland flow, storm surge, tidal effects, and ponding).	A flood hazard is mapped in the south of the site associated with the drain. However, sufficient area for a building platform is available in Lot 3 outside of the mapped flood hazard provided. Filling will be required to create a building platform on Lot 1 that is above the mapped 100 year flood hazard. The building platform should have a minimum elevation of 15m NZVD 2016. A portion of the right of way on Lot 1 is also within the mapped flood hazard.
Slippage.	No subject to geotechnical investigation and appropriate ground support design for any building platform cut or fill faces greater than 1m.

Filling will be required in Lot 1 to create a building platform that is above the mapped 100 year flood hazard. The building platform should have a minimum elevation of 15m NZVD 2016. A small portion of the right of way in the south of proposed lot 1 is within the 100 year flood hazard. Flood depth mapping provided by NRC show that the depth of water in the 100 year event is less than 200mm. We have interpreted the mapped flooding as where flood

water will weir over the driveway in the event of the culvert under the right of way being blocked. Due to the shallow depth of the water over the driveway it will not present a low risk to human life and property. It is possible that at the time of building consent for Lot 1 that a section 73 notice under the building the Building Act 2004 will be placed on the properties title as the right of way (land intimately connected with the dwelling) is subject to flooding.

The proposed building site in lot 3 does not contain any natural hazards that would warrant action under Section 71(1) of the Building Act 2004.

There is no significant risk from natural hazards that would cause Section 106 of the Resource Management Act to apply.

#### 4.4 Flood Hazard

A flood hazard is mapped in the south of the site associated with the drain. However, sufficient area for building platforms, wastewater fields, and the proposed right of way are available outside of the mapped flood hazard. Mapped flood zones are shown in Figure 3.

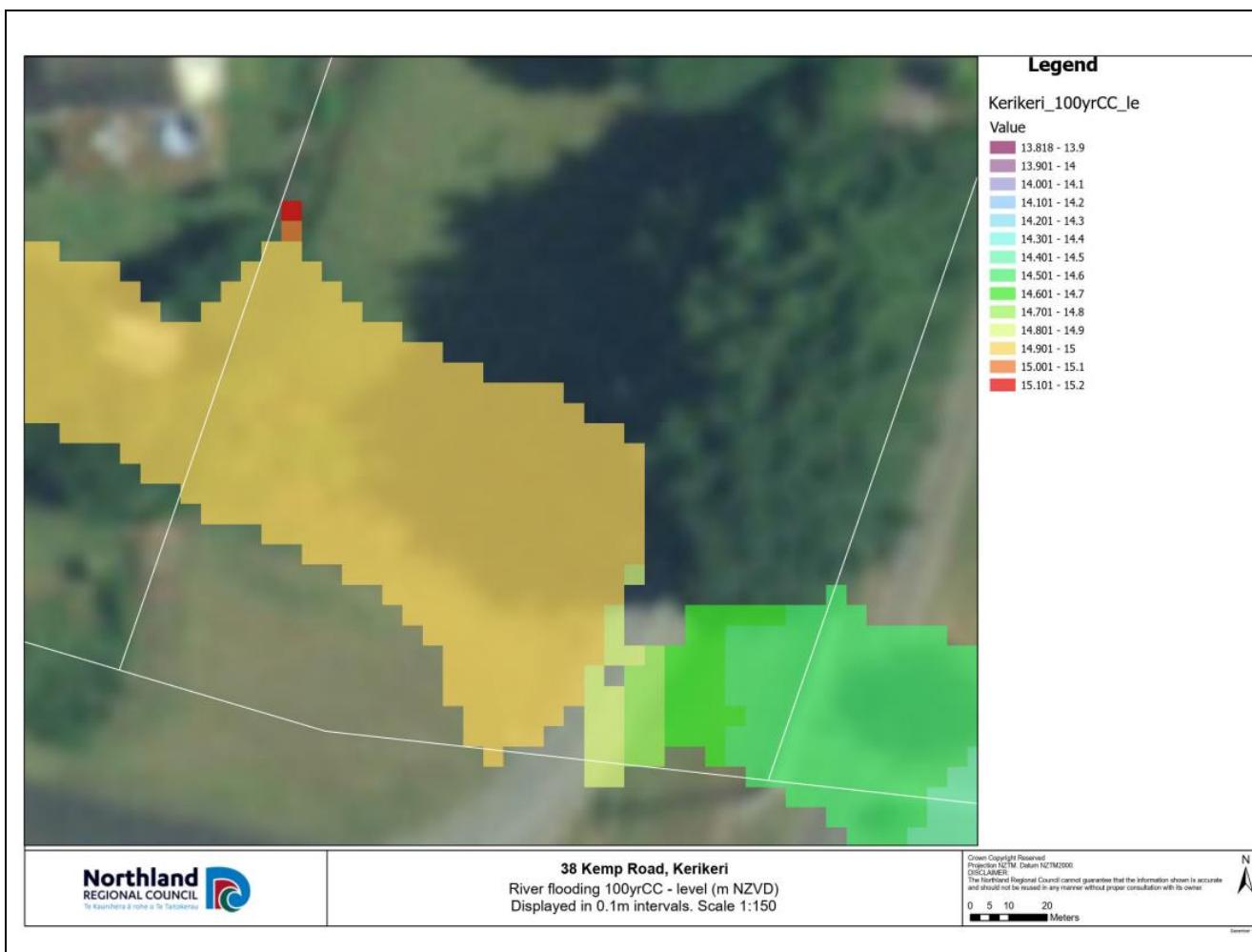


Figure 3 Mapped Flood Zones - NRC

## 5 Access

### 5.1 Site Access

The site has an existing crossing off Kemp Road. Proposed lot 1 has an existing unsealed crossing extending to the road boundary.

### 5.2 Kemp Road, Kerikeri

Kemp Road is classified as an 'Access' Road according to the One Network Road Classification. Kemp Road is kerbed on its southern side but unkerbed on the northern side comprising an approximate 7m wide sealed carriageway, water table and culvert drainage and a speed limit of 50 km/hr.

### 5.3 Proposed ROW

The accessway is formed by a number of proposed easements providing a right of way for the created lots.

A summary of the proposed right of way is included below.

**Figure 4 - Easement overview**

Easement identifier	Number of Lots proposed to be served	Minimum Required Surfacing Width	Minimum Surfacing required
A, B, and C	3	3m	Aggregate
D	2	3m	Aggregate in the south and concrete north of the existing dwelling.

The legal width of easements A, B and C is between 6 – 7.5m and the legal width of easement D is 5m.

The majority of the proposed right of way has a slope of less than 20% which is the threshold at which accessways should be concreted. However, the portion of the right of way north of the existing dwelling has a slope greater than 20% therefore it should be concreted.



Figure 5 - Right of way to be concreted.

Cut batters along the right of way should be topsoiled and planted to control erosion. The water table to the east of the right of way should be formed with armouring required on the steeper section north of the existing dwelling.

The right of way in easements A, B and C should be formed for stage 1 of the subdivision with the right of way in easement D being formed for stage 2 of the subdivision.

## 5.4 Vehicle Crossing

The sight distances for the Lot 1 vehicle crossing were assessed as follows:

**Table 5 Vehicle Crossing Sight Distances**

Approach direction	Posted Speed	FNDC Min Stopping Sight Distance (m)	Visibility Achieved (m)
East	50	60	135
West	50	60	120

The stopping sight distance (SSD) available comply with those in the FNDC engineering standard.



**Figure 6 Existing Crossing**



**Figure 7** View from vehicle crossing to the west



**Figure 8** View from vehicle crossing to the east

It is proposed that the crossing is upgraded to a sealed type 1A crossing with a 4m width and 5m radius flares as per the FNDC Engineering Standards 2023.

A culvert under the vehicle crossing is not required as road runoff drains onto the site into the existing open drain. No water table drainage is present on Kemp Road along the length of the property.

## 5.5 Parking and Manoeuvring

Parking and associated manoeuvring can be accommodated within the proposed lots. Standard Residential Units require 2 car parking spaces per unit, as per the District Plan Appendix 3C.

## 6 Earthworks

### 6.1 Proposed Earthworks

The proposed earthworks at the time of subdivision are associated with the formation of the right of way to proposed lot. Earthworks will consist of a topsoil strip, creation of right of way drains and placement of aggregate.

**Table 6 Earthworks Areas and Volumes**

	Area (m <sup>2</sup> )	Cut Vol. (m <sup>3</sup> )	Fill Vol. (m <sup>3</sup> )
Right of way topsoil strip	40	14	0
Right of way aggregate placement and top up of existing driveway	400	0	50
Right of way water table formation	130	65	0
<b>Total</b>	<b>570</b>	<b>79</b>	<b>50</b>

### 6.2 Regulatory Framework

As per District Plan Rule 12.3.6.1.2 excavation and/or filling in the Rural Living Zone is permitted, provided it does not exceed 300 m<sup>3</sup> in any 12-month period per site; and does not involve a continuous cut or filled face exceeding an average of 1.5 m in height over the length of the face i.e. the maximum permitted average cut and fill height may be 3m.

Under the District Plan earthworks cut and fill are added together whilst drainage is not included. The proposed earthworks at the time of subdivision are associated with the ROW construction.

An estimation of earthworks volumes is shown in Table 6. The calculation demonstrates that the proposed earthworks will not breach permitted levels.

On Lot driveways will be constructed at the building consent stage and do not form part of the subdivision. The earthworks associated with private on-lot driveway formation is not included in the estimated earthworks volume for the subdivision.

The Operative District Plan requires compliance with GD05. Likewise, the Plan requires archaeological Accidental Discovery Protocol during earthworks.

The proposed earthworks are a permitted activity.

## 7 Stormwater Management

### 7.1 Regulatory Framework

#### 7.1.1 Far North District Plan Provisions

The Site is zoned as Rural Living. The relevant permitted activity rule for impermeable surfaces is as follows:

#### **8.7.5.1.5 STORMWATER MANAGEMENT**

The maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 12.5 % or 3,000 m<sup>2</sup>, whichever is the lesser.

Note: It is recommended that the Low Impact Design principles are used where appropriate to promote the on-site percolation of stormwater to reduce runoff volumes and to protect receiving environments from the adverse effects of stormwater discharges.

The relevant controlled activity rule for impermeable surfaces is as follows:

#### **8.7.5.2.2 STORMWATER MANAGEMENT**

The maximum proportion or amount of the gross site area covered by buildings and other Impermeable Surfaces shall be 20 % or ,3300 m<sup>2</sup>, whichever is the lesser.

In order for an activity to be regarded as a controlled activity a report must be prepared to demonstrate the likely effects of the activity on stormwater run-off and the means of mitigating run-off to no more than the levels that would result from the permitted threshold of buildings and other impermeable surface coverage in Rule 8.7.5.1.5. Any report required by this rule shall be prepared by a Chartered Professional Engineer or other suitably qualified person and must be provided to Council with an application for resource consent.

#### 7.1.2 Discussion

Although a Discretionary activity in terms of the District Plan, proposed stormwater management has been designed to comply with the permitted activity rules of the Far North District Plan and Regional Plan for Northland.

#### 7.1.3 Regional Plan for Northland

Rule C.6.4.2 provides for the diversion and discharge of stormwater from outside a public stormwater network provided (amongst other conditions); the diversion and discharge does not cause or increase flooding of land on another property in a storm event of up to and including a 10 percent annual exceedance probability, or flooding of buildings on another property in a storm event of up to and including a one percent annual exceedance probability.

Small areas associated with the flow path downstream of site to the Kerikeri Inlet are mapped as being within the 10, 50 and 100-year flood zones.

Rule C.6.4.1 indicates that it is appropriate to ensure flood levels do not increase for rainfall events up to the 10 % Annual Exceedance Probability (AEP).

#### 7.1.4 Existing and Proposed Development

In relation to existing development, we interpret the requirements of the District Plan given at the end of Subdivision Rule 13.7.2.1 which states:

*'Provided that any existing development on any new lot in the subdivision must comply with all of the relevant zone rules and the rules in Part 3 of the Plan - District Wide Provisions for permitted or controlled activities.'*

Accordingly, if existing development within a new lot area breaches any permitted or controlled activity rule, land-use consent will be required for that breach as part of the subdivision consent application.

Similarly, building coverage and driveways/yarding of any existing development on a particular lot for which building consent has been granted may also be considered approved and exempted from the stormwater neutrality calculations.

## 7.2 Existing Site Drainage

The site slopes moderately to the southwest. Water from the site drains to the south via two routes: one drain just east of the current driveway, and a natural flowpath which straddles the western boundary. Both of these feed into a large open channel in the southern part of the property, which then flows east into a culvert beneath the driveway. The inlet to the culvert was observed to be in good condition and water was flowing through it. From there, the culvert continues east across the neighbouring property before connecting to a 600 mm FNDC culvert under Kemp Road.

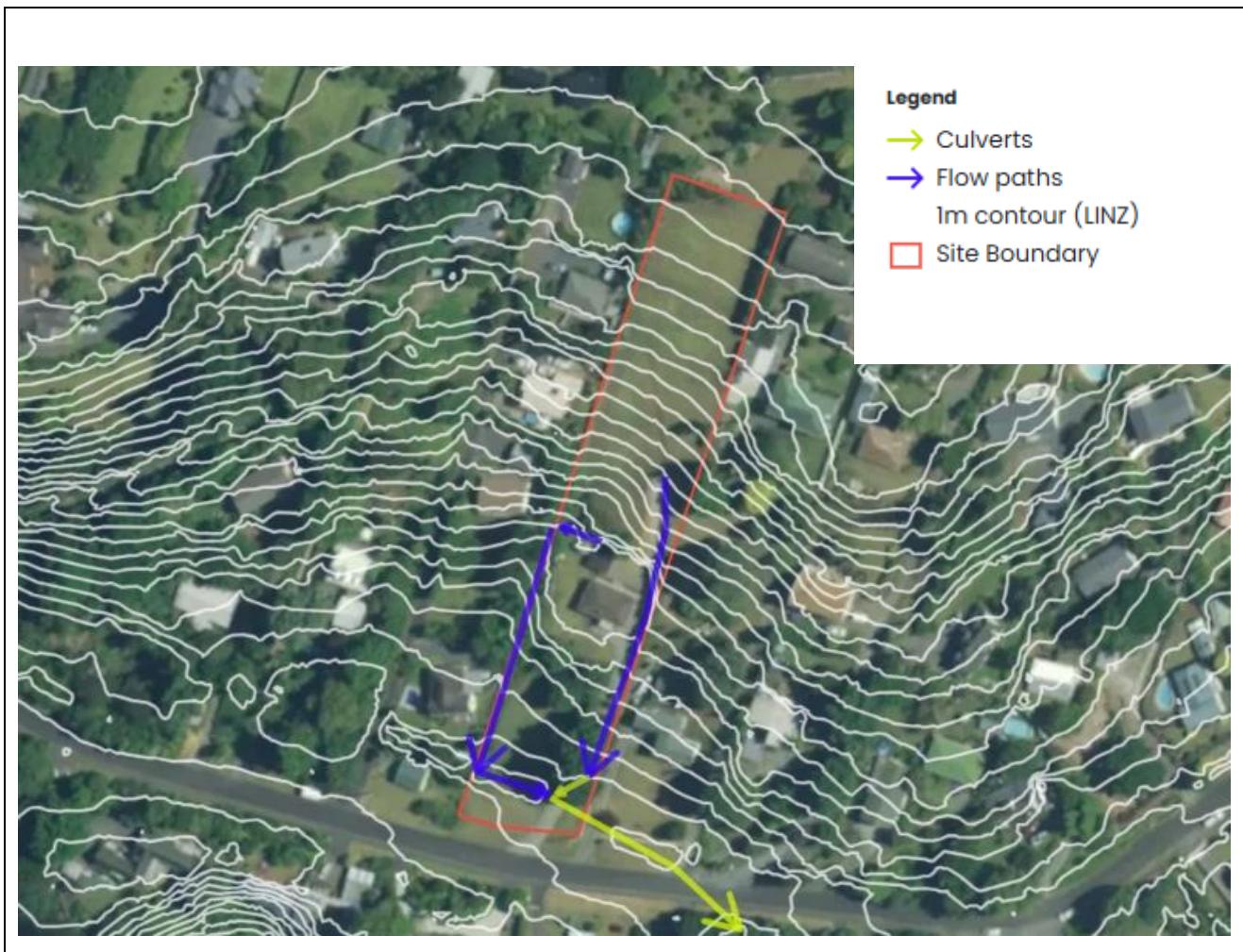


Figure 9 Onsite drainage

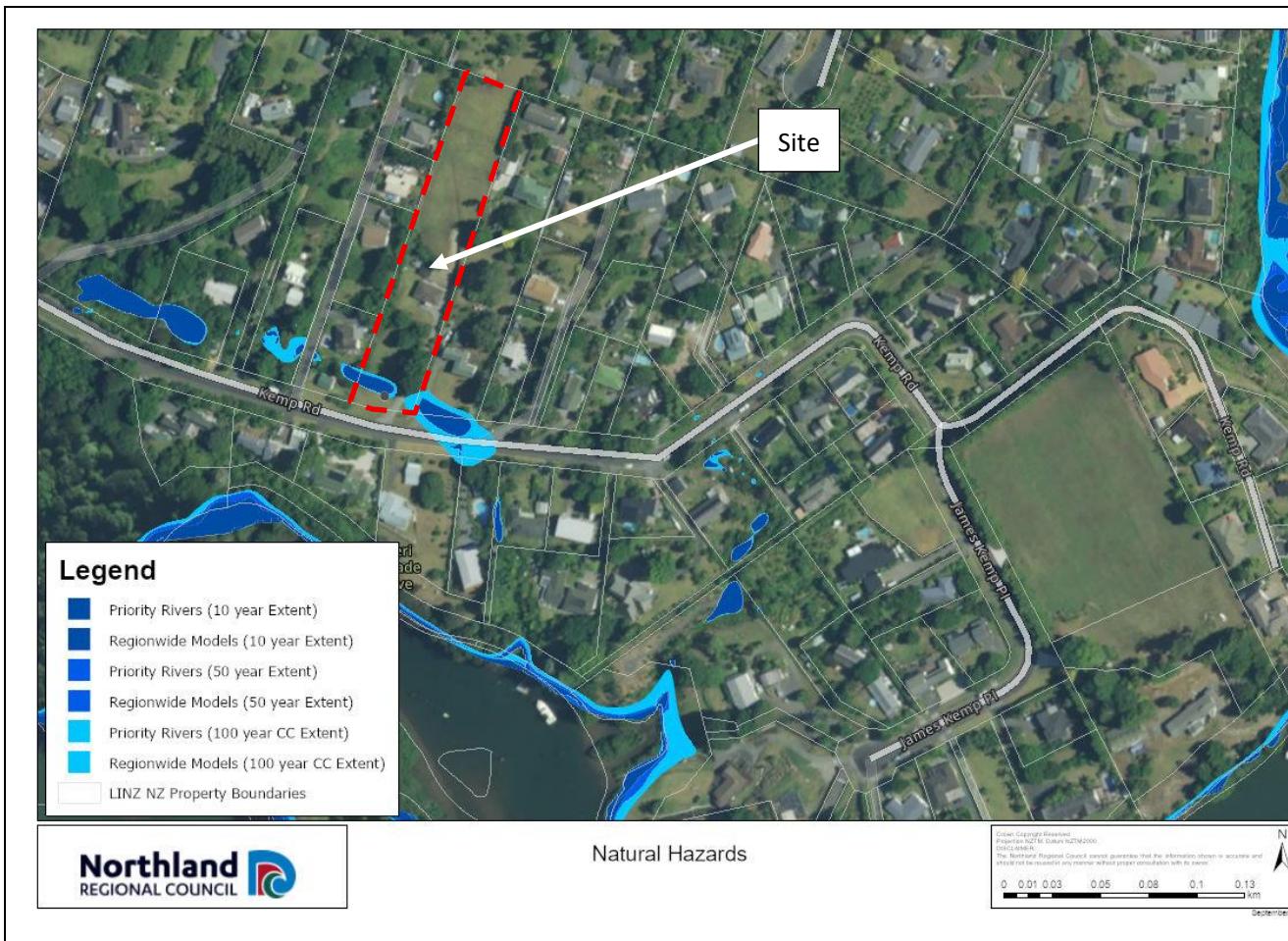


Figure 10 Downstream flood mapping

### 7.3 Proposed Stormwater management

It is proposed that stormwater runoff is attenuated back to 80% of permitted activity levels for the 10 year event for Lot 2 at time of subdivision including an allowance for the future northern portion of the ROW, in accordance with Council Engineering Standards 2023 Table 4.1.

For lots 1 and 3, we recommend a consent notice requiring a stormwater management plan by a Chartered Professional Engineer be submitted for the approval of Council at time of building consent. The plan shall demonstrate attenuation of site runoff back to pre-development levels for the 10 % AEP event.

At time of subdivision an easement should be provided for a stormwater connection for lot 3 to convey water into the natural flow path in the west of lot 2. This connection should be formed of 100mm pipe with suitable outlet armouring as required to protect against the effects of scour.



Figure 11 - Proposed stormwater connection for lot 3.

Residential development is not generally considered to create a long-term impact on water quality. For this development the nominated building platforms will be surrounded by grass surfaces providing a buffer to runoff, trapping contaminants and sediments. Stormwater runoff from roof tank overflow will be clean rainwater and runoff from driveways will drain via open drains and flow paths.

Where the right of way is concreted an integral concrete swale should be formed.

At time of subdivision the plastic culverts under the right of way should be replaced with 300mm concrete culverts and headwalls in the locations shown in the figure below.



Figure 12 - Plastic culverts to be replaced

## 7.4 Impermeable Surfaces Coverage

Anticipated impermeable surfaces on the proposed lots once developed are estimated, as follows:

Table 7 Post Development Impermeable Surfaces

Lot	Area (m <sup>2</sup> )	Existing Buildings (m <sup>2</sup> )	Future Buildings (m <sup>2</sup> )	On Lot Driveway and Parking Areas (m <sup>2</sup> )	Total Imp (m <sup>2</sup> )	Cover (%)	Activity Status
Lot 1	1632	0	250	250	500	30.6	Discretionary
Lot 2	2001	202	0	242	444	22.2	Discretionary
Lot 3	2156	0	250	250	500	23.2	Discretionary

Anticipated impermeable surface coverage is expected to exceed the 20% controlled activity on all three lots and is therefore a discretionary activity.

As part of the proposed subdivision, a land use consent is sought for 35% impermeable coverage for proposed lot 1, 25% for proposed lot 2 and 25% for proposed lot 3.

## 7.5 Site Runoff

The appropriate design period to satisfy both District and Regional plan rules is the 10-year return (10% AEP) storm with an allowance for 2.1°C climate change (10% AEP + CC). Attenuation for the 100-year return event is not required as the flood extent is constrained to the natural flow path that crosses Kemp Road with no buildings effected. The ponding on the northside of Kemp Road is due to the capacity limitations of the 600mm Council Culvert.

For design rainfall intensities, we have adopted HIRDS V4 rainfall estimates adjusted with the RCP 6.0 climate change scenario projected out to the 2081-2100 time period. Design rainfall intensities for 10-minute duration, RCP 6.0 climate change scenario is 167mm/day for the 10% AEP rainfall event.

Runoff coefficients are based on the Far North Engineering Standards Table 4.3 for soil type C.

### 7.5.1 Proposed lot 2

**Table 8 Lot 2 Post-subdivision runoff**

Surface	Area m <sup>2</sup>	CN	I10 mm/day	Q L/s
Existing building roof area	202	98	167	2.2
Existing Paved driveway (sealed CN used conservatively)	242	98	167	2.7
Balance (lawn / garden)	1557	74	167	9.7
<b>Total</b>	<b>2001</b>			<b>14.6</b>

**Table 9 Lot 2 permitted runoff**

Surface	Area m <sup>2</sup>	CN	I10 mm/day	Q L/s	~80% of pre-development L/s
Impermeable areas (12.5% of lot area)	250.1	98	167	2.7	2.2
Lawn and garden (87.5% of lot area)	1750.9	74	167	11.0	11.0
<b>Total</b>	<b>2001</b>			<b>13.6</b>	<b>13.2</b>
<b>Excess Runoff</b>					<b>1.4</b>

*~80% of pre-development applied to impermeable surfaces only*

As the runoff from the roof areas of the proposed development is greater than that of the excess runoff it is possible to attenuate the stormwater via a roof water collection detention model.

The outlet from the detention tank will be piped to the flow path north of the car port and dispersed using an angle outlet pointed downstream.

Haigh Workman has developed a model using HydroCAD which incorporates the 24 hour duration storms for the 1 in 10-year (10% AEP plus climate change) event to calculate the detention requirement. Calculations are included in appendix C.

Detention Tank (10,000 L) details are as follows:

**Table 10 - Detention tank details**

Parameter	Value
Existing roof Area	202 m <sup>2</sup>
Area of tank	2.16 m <sup>2</sup>
Orifice diameter	15 mm
Maximum Roof Runoff	2.2 L/s
Maximum Tank Outflow	0.7 L/s
Maximum Storage Height	1.82 m
Maximum Storage Volume	6.7 m <sup>3</sup>
Attenuation required	1.5 L/s
Attenuation provided	1.5 L/s

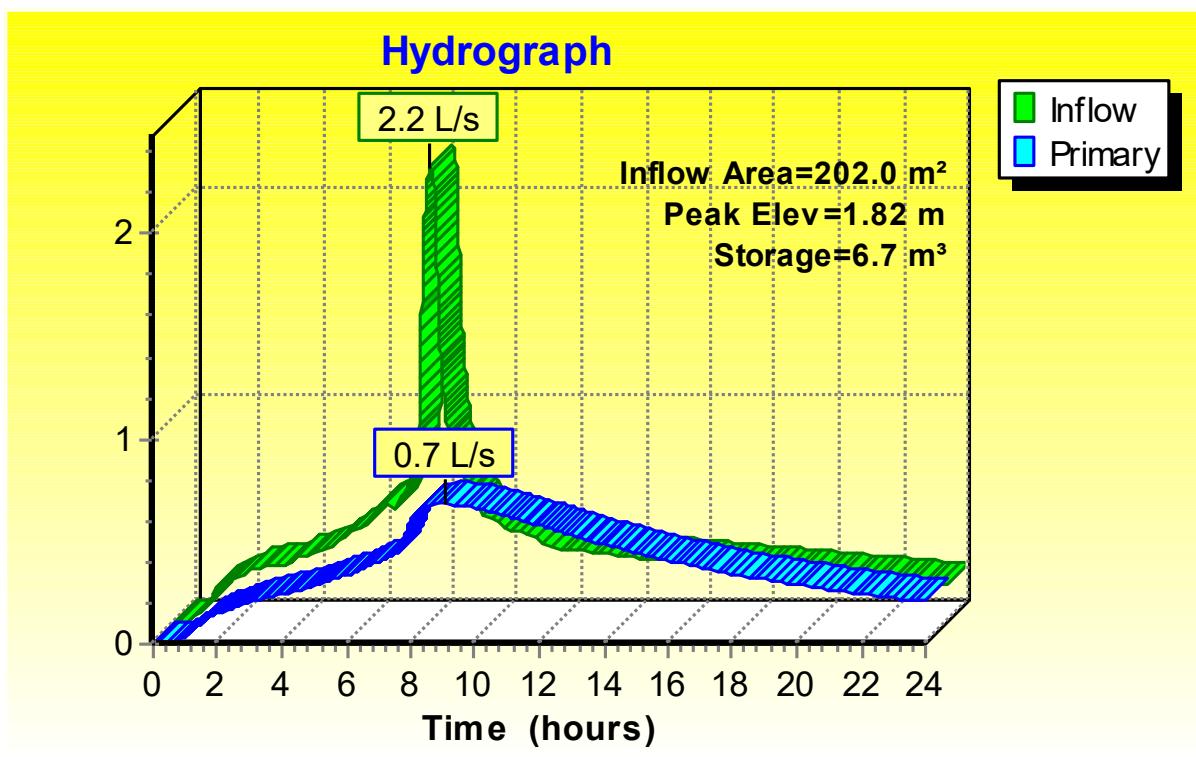


Figure 13 Hydrograph of Tank Attenuation

A drawing showing the typical tank detail is included in appendix A.

#### 7.5.2 Assessment Criteria

The proposed stormwater management system has been assessed in accordance with Rule 13.10.4 for discretionary (subdivision) activities as follows:

Table 11 Far North District Plan Section 13.10.4 Subdivision Assessment Criteria

Stormwater Disposal Assessment Criteria	Comment
(a) Whether the application complies with any regional rules relating to any water or discharge permits required under the Act, and with any resource consent issued to the District Council in relation to any urban drainage area stormwater management plan or similar plan.	The proposed stormwater management complies with both the 'Operative' and 'Proposed (Appeals Version)' of the Regional Water and Soil Plan, permitted activity rules.
(b) Whether the application complies with the provisions of the Council's "Engineering Standards and Guidelines" (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004).	The proposed stormwater management complies with Council's "Engineering Standards and Guidelines" (2023)
(c) Whether the application complies with the Far North District Council Strategic Plan - Drainage.	The proposed stormwater management complies with Far North District Council Strategic Plan - Drainage rules.

(d) The degree to which Low Impact Design principles have been used to reduce site impermeability and to retain natural permeable areas.	Natural watercourses and overland flow paths will be retained.
(e) The adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces.	On-lot stormwater will be attenuated to predevelopment levels at building consent stage.
(f) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas, and of siltation.	Not applicable.
(g) The practicality of retaining open natural waterway systems for stormwater disposal in preference to piped or canal systems and adverse effects on existing waterways.	Natural flow paths will be retained.
(h) Whether there is sufficient capacity available in the Council's outfall stormwater system to cater for increased run-off from the proposed allotments.	Stormwater will be attenuated for the 10% AEP storm event, resulting in no additional flow into the council stormwater system.
(i) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.	Stormwater runoff will be attenuated to pre-development levels for the 10% AEP storm event. There will be a minor increase in peak flows from the site during a 1% AEP storm event, however the site is in the bottom half of the catchment and will discharge into Kerikeri inlet prior to peak flows.
(j) The necessity to provide on-site retention basins to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before the subdivision takes place.	A consent notice will ensure attenuation of runoff from future residential development.
(k) Any adverse effects of the proposed subdivision on drainage to, or from, adjoining properties and mitigation measures proposed to control any adverse effects.	No adjoining properties are adversely affected by stormwater discharges from the proposed subdivision.
(l) In accordance with sustainable management practices, the importance of disposing of stormwater by way of gravity pipelines. However, where topography dictates that this is not possible, the adequacy of proposed pumping stations put forward as a satisfactory alternative.	No stormwater pumping is proposed.
(m) The extent to which it is proposed to fill contrary to the natural fall of the country to obtain gravity outfall; the practicality of obtaining easements through	Natural overland flow paths will be maintained.

adjoining owners' land to other outfall systems; and whether filling or pumping may constitute a satisfactory alternative.	
(n) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.	Easements are shown on the scheme plan.
(o) Where an easement is defined as a line, being the centre line of a pipe already laid, the effect of any alteration of its size and the need to create a new easement.	Easements are not defined as lines.
(p) For any stormwater outfall pipeline through a reserve, the prior consent of the Council, and the need for an appropriate easement.	NA
(q) The need for and extent of any financial contributions to achieve the above matters.	NA
(r) The need for a local purpose reserve to be set aside and vested in the Council as a site for any public utility required to be provided.	NA

When considering a discretionary activity application, the Council will have regard to the assessment criteria set out under Chapter 11.

Table 12 FNDC 11.3 Land Use Consent Assessment Criteria

Criterion	Comment
(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.	Additional runoff created through the formation of this subdivision can be fully managed and attenuated back to predevelopment levels.
(b) The extent to which Low Impact Design principles have been used to reduce site impermeability.	Stormwater control practices have been designed in accordance with the TP10 publication which include design principles with low impact design such as detention tanks.
(c) Any cumulative effects on total catchment impermeability.	Run-off will be attenuated back to predevelopment levels therefore there will be negligible impact on the total catchment impermeability.
(d) The extent to which building site coverage and impermeable surfaces will alter the natural contour or drainage patterns of the site or disturb the ground and alter its ability to absorb water.	Flow paths will be protected to ensure natural drainage patterns are not altered.
(e) The physical qualities of the soil type.	The soils represent good draining properties. Basalt (Pvkb) is the underlying rock type. with Kerikeri friable clay (KE) overlaying the site, described as well to moderately well drained.
(f) Any adverse effects on the life supporting capacity of soils.	None.
(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.	There is sufficient space on each lot for on-site wastewater disposal.
(h) The extent to which paved, impermeable surfaces are necessary for the proposed activity.	Proposed impermeable surfaces are in keeping with surrounding land and necessary for the proposed activity.
(i) The extent to which landscaping may reduce adverse effects of run-off.	Lots are likely to be planted up when converted to residential, which will assist with ground soakage.
(j) Any recognised standards promulgated by industry groups.	N/A

(k) The means and effectiveness of mitigating stormwater run-off to that expected by the permitted activity threshold.	Stormwater will be attenuated back to predevelopment levels.
(l) The extent to which the proposal has considered and provided for climate change.	Climate change has been factored into the stormwater water management calculations.
(m) The extent to which stormwater detention ponds and other engineering solutions are used to mitigate any adverse effects.	N/A

## 8 Water Supply

### 8.1 Potable Water Supply

There is an existing 125mm diameter Council water main along the Kemp Road site frontage. Proposed Lot 2 has existing connections to FNDC's potable water network.

It is proposed that connections to the FNDC potable water network are provided for lot 1 and 3 at time of subdivision.

### 8.2 Fire Fighting

New Zealand Standard PAS 4509:2008 is the accepted code of practice regarding firefighting water supply requirements. To comply with the standard there shall be a water supply within 135 m of the site that can provide at least 12.5 L/s. There is a hydrant on the road boundary of the property and two more hydrants east and west within 270m.

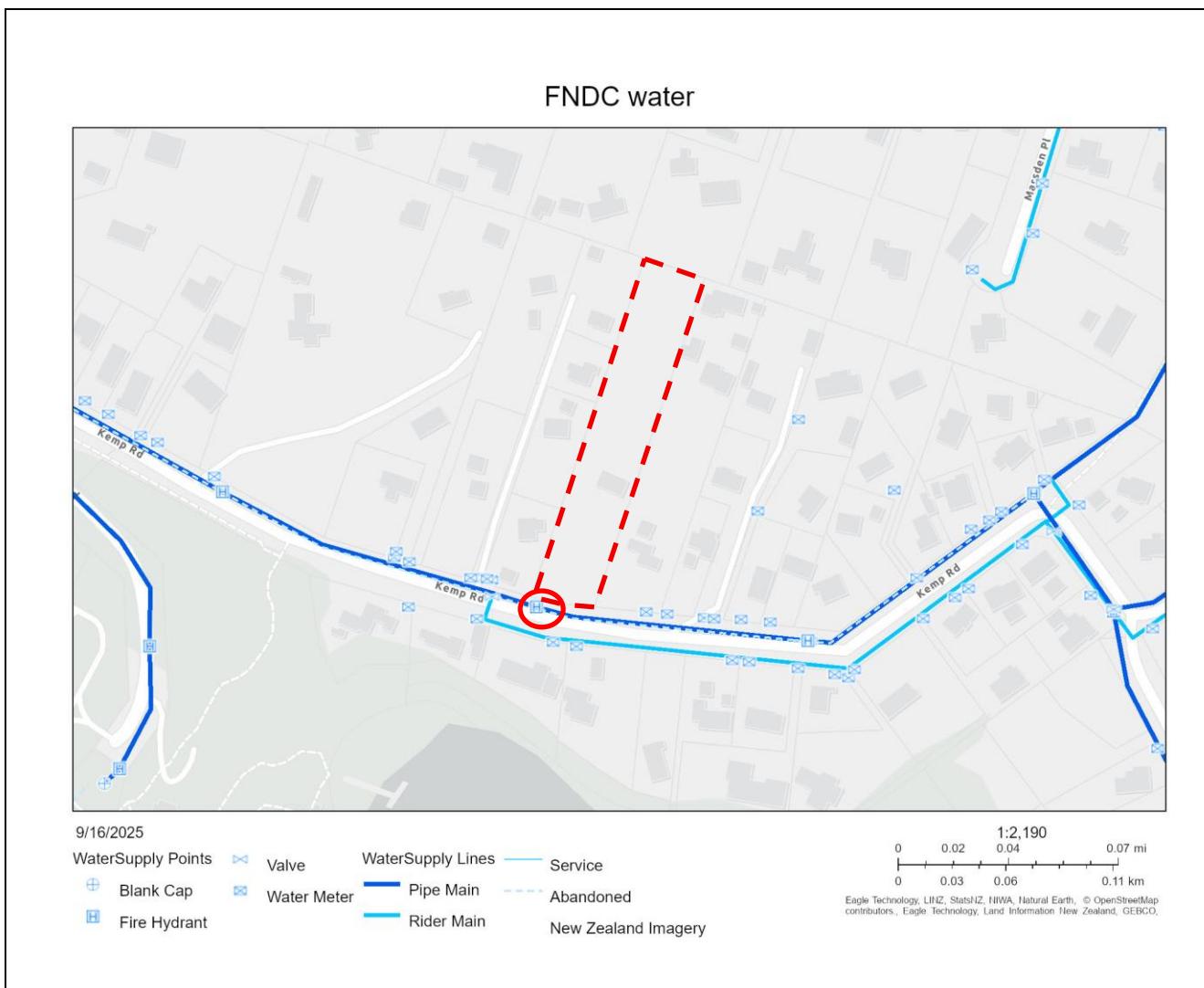


Figure 14 Three Waters Map, FNDC

## 9 Wastewater

### 9.1 Summary of Regulatory Framework

#### 9.1.1 District Plan

The Far North District Plan contains an additional rule relating to wastewater discharges to land:

District Plan Rule 12.7.6.1.4 specifies that effluent fields shall be located no closer than 30 m from any river, lake, wetland or the Coastal Marine Area.

#### 9.1.2 Regional Plan

The discharge of sewage effluent on to land is controlled by the permitted activity rules C.6.1.3 of the Regional Plan for Northland. Table 9 of the plan specifies exclusion areas and set-back distances as follows:

*Table 9: Exclusion areas and setback distances for on-site domestic wastewater systems*

Feature	Primary treated domestic type wastewater	Secondary and tertiary treated domestic type wastewater	Greywater
<i>Exclusion areas</i>			
Floodplain	5 percent annual exceedance probability	5 percent annual exceedance probability	5 percent annual exceedance probability
<i>Horizontal setback distances</i>			
Identified <i>stormwater</i> flow path (including a formed road with kerb and channel, and water-table drain) that is down-slope of the disposal area	5 metres	5 metres	5 metres
River, lake, stream, pond, <i>dam</i> or <i>natural wetland</i>	20 metres	15 metres	15 metres
Coastal marine area	20 metres	15 metres	15 metres
Existing water supply <i>bore</i>	20 metres	20 metres	20 metres
<i>Property</i> boundary	1.5 metres	1.5 metres	1.5 metres
<i>Vertical setback distances</i>			
Winter groundwater table	1.2 metres	0.6 metres	0.6 metres

### 9.2 Summary of Wastewater Assessment

Kemp Road is not served by the town sewer, therefore on site wastewater disposal is proposed. Limited space is available on proposed lot 1 so it has been assessed for conventional bed disposal which takes up less area. An assessment of the existing wastewater treatment and disposal has been provided for proposed lot 2. Lot 3 has been assessed for standard dripper disposal. Assessment carried out using NZS 1547.

## 9.1 Proposed Lot 1 Wastewater Assessment

### 9.1.1 Design Occupancy Rating

We have allowed for a three-bedroom dwelling having a design occupancy of up to 5 people.

### 9.1.2 Source of Water Supply

The water supply is reticulated. We have allowed for standard fixtures, to be installed.

### 9.1.3 Design Flows

In accordance with AS/NZS:1547 we have allowed 165 litres/person/day of wastewater generation for reticulated water supply and standard water reduction fixtures.

For three-bedroom dwelling and a design occupancy of 5 persons the design household wastewater flow is  $5 \times 165 = 825 \text{ litres per day}$ .

### 9.1.4 Design Loading Rate

The borehole from the site investigation indicated the site to be underlain by clayey silt. Our investigation indicates that the soil type in the area of the proposed disposal fields can be described as soil category 4, silty clay loam – moderate drainage.

This soil type can be expected to sustain a conservative basal loading rate of 10mm/day for trench or bed disposal when receiving secondary treatment.

On this basis, a wastewater system generating 825 litres/day will require  $825/10 = 82.5\text{m}^2$  of basal area.

Sufficient area is available for the disposal area and a 30% reserve area ( $24.75\text{m}^2$  basal area). Suitable disposal and reserve areas are identified in Appendix A. The design of wastewater disposal fields will need to comply with rules for set-back distances and slopes that are operative at the time of building.

## 9.2 Existing Wastewater Proposed Lot 2

Following a review of the FNDC property file and a walkover of the site the wastewater disposal area for the existing dwelling on proposed lot 2 could not be confirmed. The primary treatment system was located and is within the proposed lot 2. It proposed that as a condition of consent that the disposal area is confirmed by a registered drainlayer as being within the proposed lot 2 boundaries and that it is operational. Should the disposal area not be operational, it should be repaired or replaced.

The topsoil depth in lot 2 was 100 - 150 mm. The ground slope in the reserve area is between  $10^\circ$  and  $20^\circ$ . Therefore a 20% reduction in aerial loading rate should be applied. The adjusted loading rate is 2.8mm/day.

On this basis, a wastewater system generating 825 litres/day will require  $825/2.8 = 295\text{m}^2$  of reserve area.

A 100% reserve area of  $295\text{m}^2$  suitable for dripper disposal of secondary treated effluent is available on the proposed lot.

## 9.3 Proposed Lot 3 Wastewater Assessment

### 9.3.1 Design Occupancy Rating

We have allowed for a three-bedroom dwelling having a design occupancy of up to 5 people.

### 9.3.2 Source of Water Supply

The water supply is reticulated. We have allowed for standard fixtures, to be installed.

### 9.3.3 Design Flows

In accordance with AS/NZS:1547 we have allowed 165 litres/person/day of wastewater generation for reticulated water supply.

For three-bedroom dwelling and a design occupancy of 5 persons the design household wastewater flow is  $5 \times 165 = 825 \text{ litres per day}$ .

### 9.3.4 Design Loading Rate

Our investigation indicates that the soil type in the area of the proposed disposal fields can be described as soil category 4, silty clay loam – moderate drainage.

This soil type can be expected to sustain an aerial loading rate of 3mm/day for drip irrigation. The topsoil depth was recorded as 150 - 200 mm. The ground slope at the effluent field is less than 10% in lot 3.

On this basis, a wastewater system generating 825 litres/day will require  $825/3.5 = 236\text{m}^2$  of disposal area.

An effluent field and reserve areas can be located on Lot 3 in compliance with the current rules. Possible effluent disposal field locations are shown in appendix A. The design of wastewater disposal fields will need to comply with rules for set-back distances and slopes that are operative at the time of building. Sufficient area for a 100% reserve area is available.

### 9.3.5 Dripper Irrigation

The proposed lot is suitable for sub-surface trickle irrigation. We recommend UniBioline or similar tubing with 1.6 l/hr drippers at 0.5 m spacing. Subsurface tubing should be buried 100 mm into the topsoil layer at not greater than 0.5 m centres, in which the length of tubing required will double.

## Appendix A – Drawings

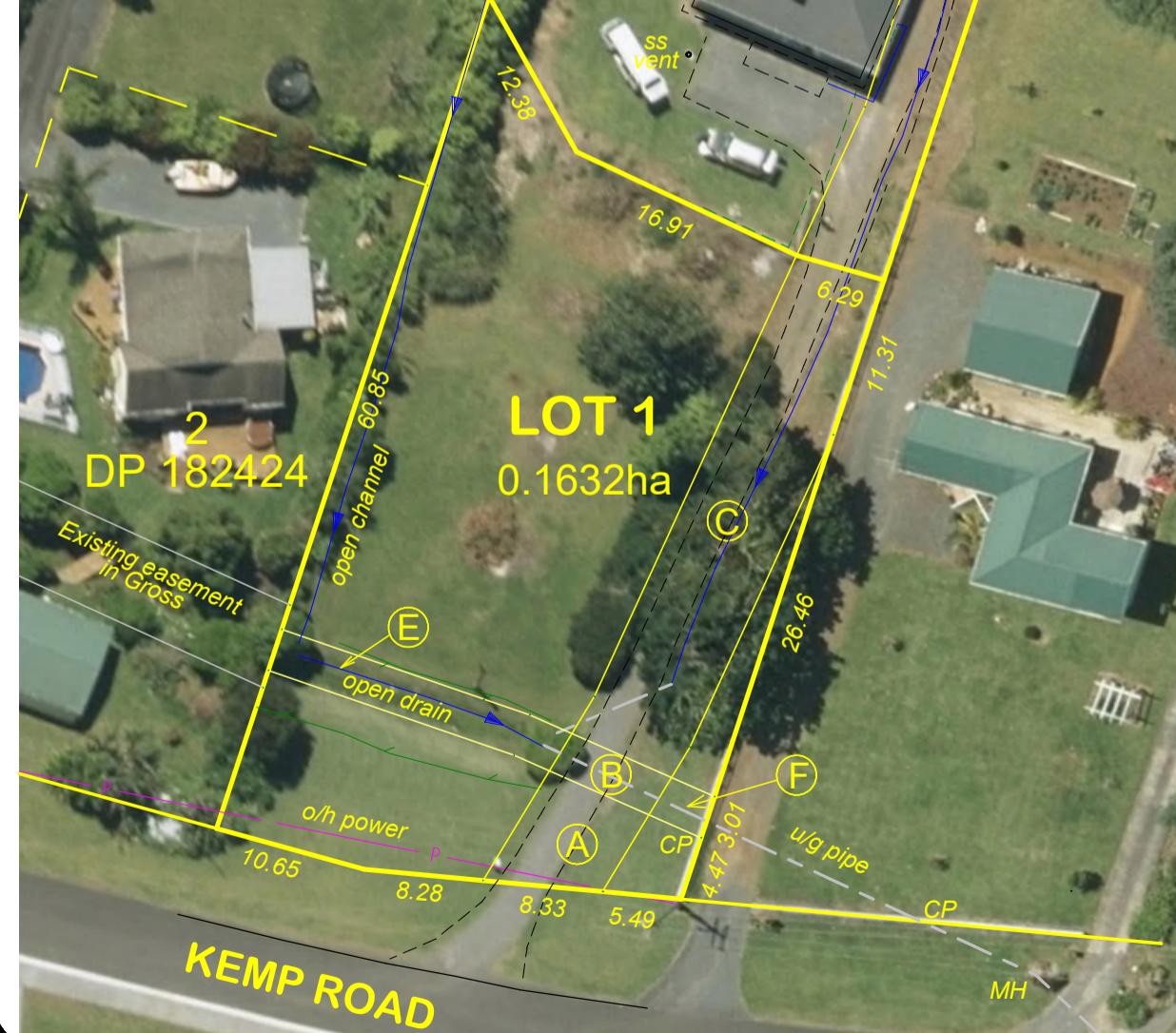
Drawing No.	Title	Scale
24668	Proposed Subdivision of Lot 3 DP 43386 Stage 1	1:500 @ A3
24668	Proposed Subdivision of Lot 4 Stage 1 (Stage 2)	1:500 @ A3

24668	Proposed Subdivision of Lot 3 DP 43386 (Overall)	1:500 @ A3
WWP01	Wastewater Plan Proposed Lot 1, Haigh Workman.	1:300 @ A3
WWP02	Wastewater Plan Proposed Lot 2, Haigh Workman.	1:300 @ A3
WWP03	Wastewater Plan Proposed Lot 3, Haigh Workman.	1:300 @ A3
Drawing 1	Site investigation plan, Haigh Workman.	1:1000 @ A3



Memorandum of Proposed Easements			
Purpose	Shown	Burdened Land	Benefited Land
Right of Way	(A)	Lot 1 Heron	Lots 2 & 3 Heron
Right to Convey	(B)		
Electricity, Sewage	(C)		
Telecommunications,			
& Water	(D)	Lot 2 Heron	Lot 3 Heron

Proposed Easements in Gross			
Purpose	Shown	Burdened Land	Grantee
Right to Drain Water	(B) (E) (F)	Lot 1 Heron	FNDC



AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

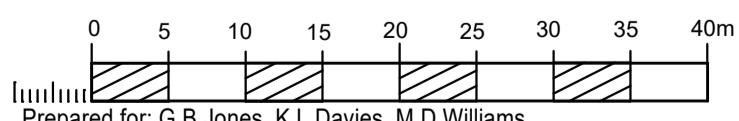
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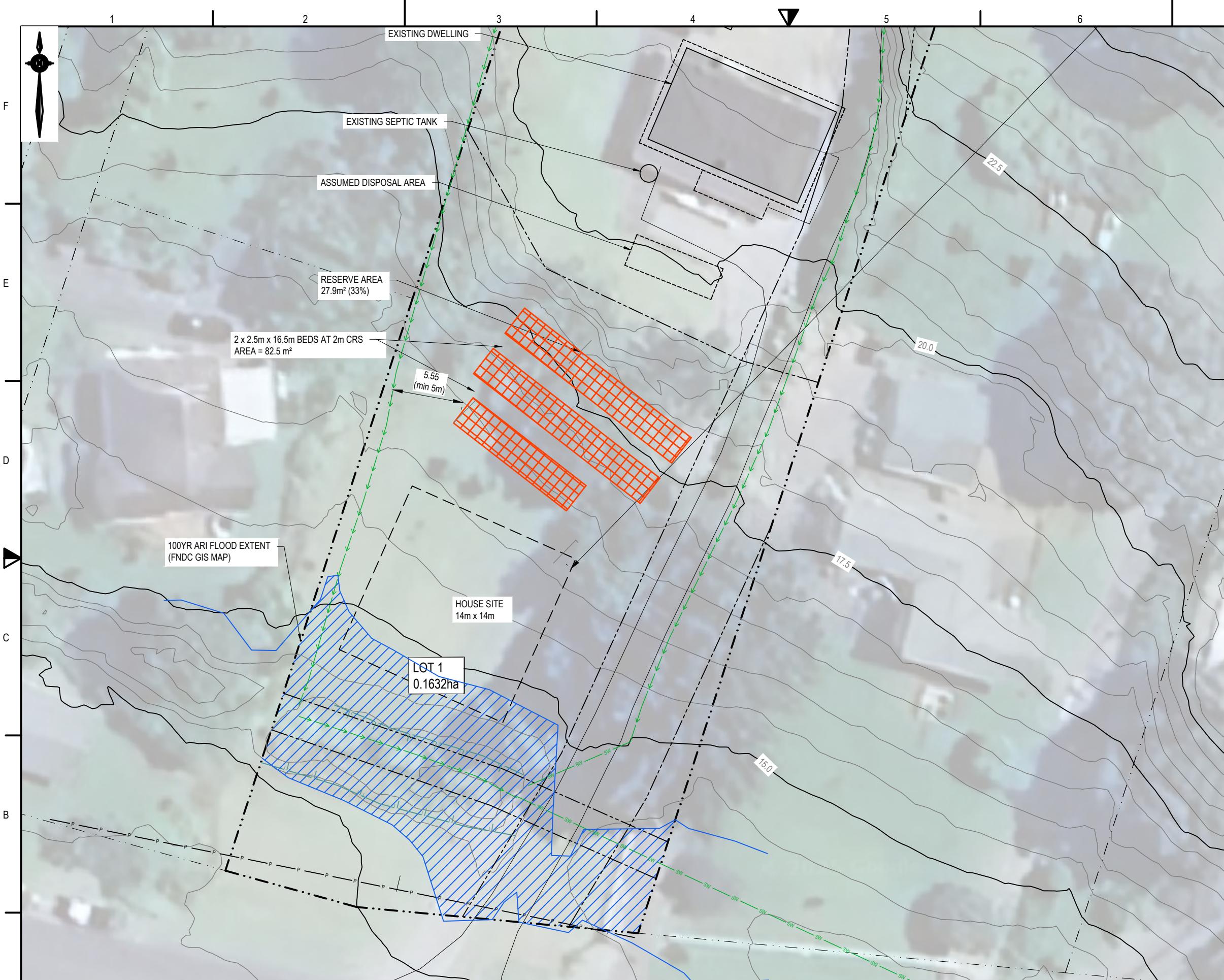
Local Authority: Far North District Council

Total Area: 0.5787ha  
Comprised in: NA1667/39  
Val. Ref: 00215-61800

**OVERALL**



Prepared for: G B Jones, K L Davies, M D Williams



Locality Plan (NTS)

GENERAL NOTES:

1. All features are taken from Scheme Plan by Williams and King, ref 24668, dated August 2025.
2. Google Satellite image courtesy of Google.
3. 0.5m Lidar Contours (Courtesy of LINZ 2018-20, NZVD 2016)

SITE INFORMATION:

Legal Description: Lot 3 DP 43386  
Area: 5,787m²  
Zone: Rural Living

LEGEND

Property Boundaries
Proposed Boundaries
Open drain
Stormwater Pipe
Power

NOTES:

- ALL DRAINAGE TO COMPLY WITH AS/NZS 3500 & NZBC G13/AS1
- DРИPPER LINES TO FOLLOW CONTOUR LINES

MINIMUM SECONDARY TREATMENT PLANT SETBACKS:

- INVERT LEVEL AT INLET - NOT LESS THAN 0.5m BELOW FLOOR LEVEL
- BUILDINGS - 3m
- BOUNDARIES - 1.5m
- EASILY ACCESSIBLE FOR MAINTANACE. CHECK ALL DIMENSION ON SITE.

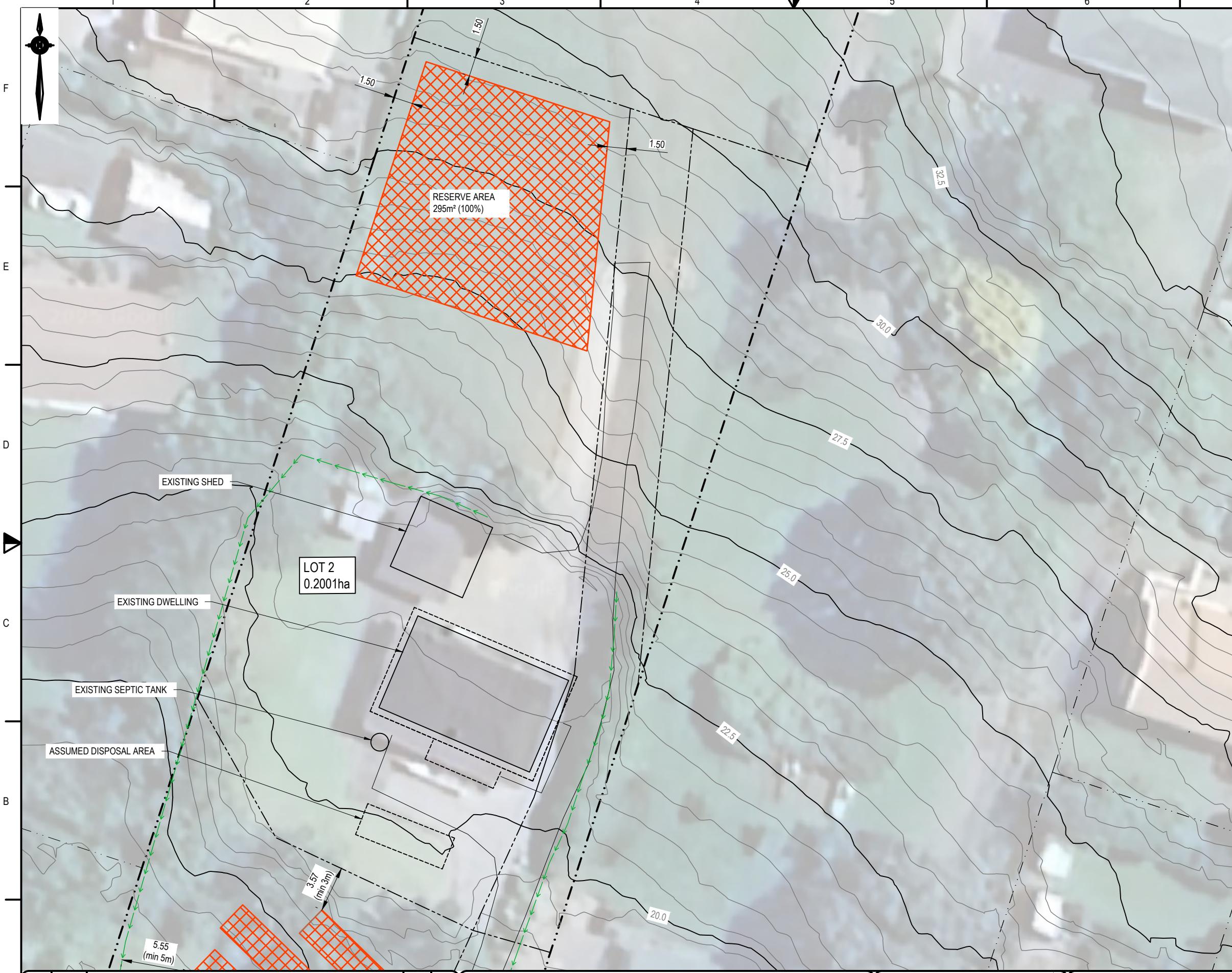
MINIMUM EFFLUENT DISPOSAL SETBACKS:

- BOUNDARIES - 1.5m
- BUILDINGS AND RETAINING WALLS - 3m
- SURFACE WATER - 5m (SECONDARY)
- COAST, RIVERS (>3m), LAKES - 30m
- STREAMS, RIVERS (<3m), PONDS, DAMS, NATURAL WETLANDS - 15m (NRC), NATURAL WETLANDS 30m (FNDC) CHECK ALL DIMENSION ON SITE.

Issued for Consent

Rev	Date	Description	By	Checked	DWG	WASTEWATER PLAN PROPOSED LOT 1	HAIGH WORKMAN LTD Civil & Structural Engineers	Project	PROPOSED SUBDIVISION OF LOT 3 DP 43386, 38 KEMP ROAD, KERIKERI	Stage
A	06/11/2025	Issued for Consent	LP	JC						00
										Dwg No.
										WWP01
										Sheet No.
										1 of 3
A3 Scale 1: 300		0	6	15	Date 06/11/2025		T: 09 407 8327 F: 09 407 8378 E: info@haighworkman.co.nz	Client	GARETH JONES	
Drawn LP		Checked JC	Approved JP					Project No. 25 187	RC no.	
File T:\\CLIENTS\\GARETH JONES\\25 187 - 38 KEMP ROAD, KERIKERI\\ENGINEERING\\DRAWINGS\\25 187_C3D\\SUBDIVISION.DWG										

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Locality Plan (NTS)

GENERAL NOTES:

1. All features are taken from Scheme Plan by Williams and King, ref 24668, dated August 2025.
2. Google Satellite image courtesy of Google.
3. 0.5m Lidar Contours (Courtesy of LINZ 2018-20, NZVD 2016)

SITE INFORMATION:

Legal Description: Lot 3 DP 43386  
Area: 5,787m<sup>2</sup>  
Zone: Rural Living

LEGEND

— · · · · —	Property Boundaries
— → → → → —	Proposed Boundaries
— SW — SW — SW —	Open drain
— P — P — P — P —	Stormwater Pipe
— P — P — P — P —	Power

NOTES:

- ALL DRAINAGE TO COMPLY WITH AS/NZS 3500 & NZBC G13/AS1
- DRIPPER LINES TO FOLLOW CONTOUR LINES

MINIMUM SECONDARY TREATMENT PLANT SETBACKS:

- INVERT LEVEL AT INLET - NOT LESS THAN 0.5m BELOW FLOOR LEVEL
- BUILDINGS - 3m
- BOUNDARIES - 1.5m
- EASILY ACCESSIBLE FOR MAINTANACE. CHECK ALL DIMENSION ON SITE.

MINIMUM EFFLUENT DISPOSAL SETBACKS:

- BOUNDARIES - 1.5m
- BUILDINGS AND RETAINING WALLS - 3m
- SURFACE WATER - 5m (SECONDARY)
- COAST, RIVERS (>3m), LAKES - 30m
- STREAMS, RIVERS (<3m), PONDS, DAMS, NATURAL WETLANDS - 15m (NRC), NATURAL WETLANDS 30m (FNDC) CHECK ALL DIMENSION ON SITE.

Issued for Consent

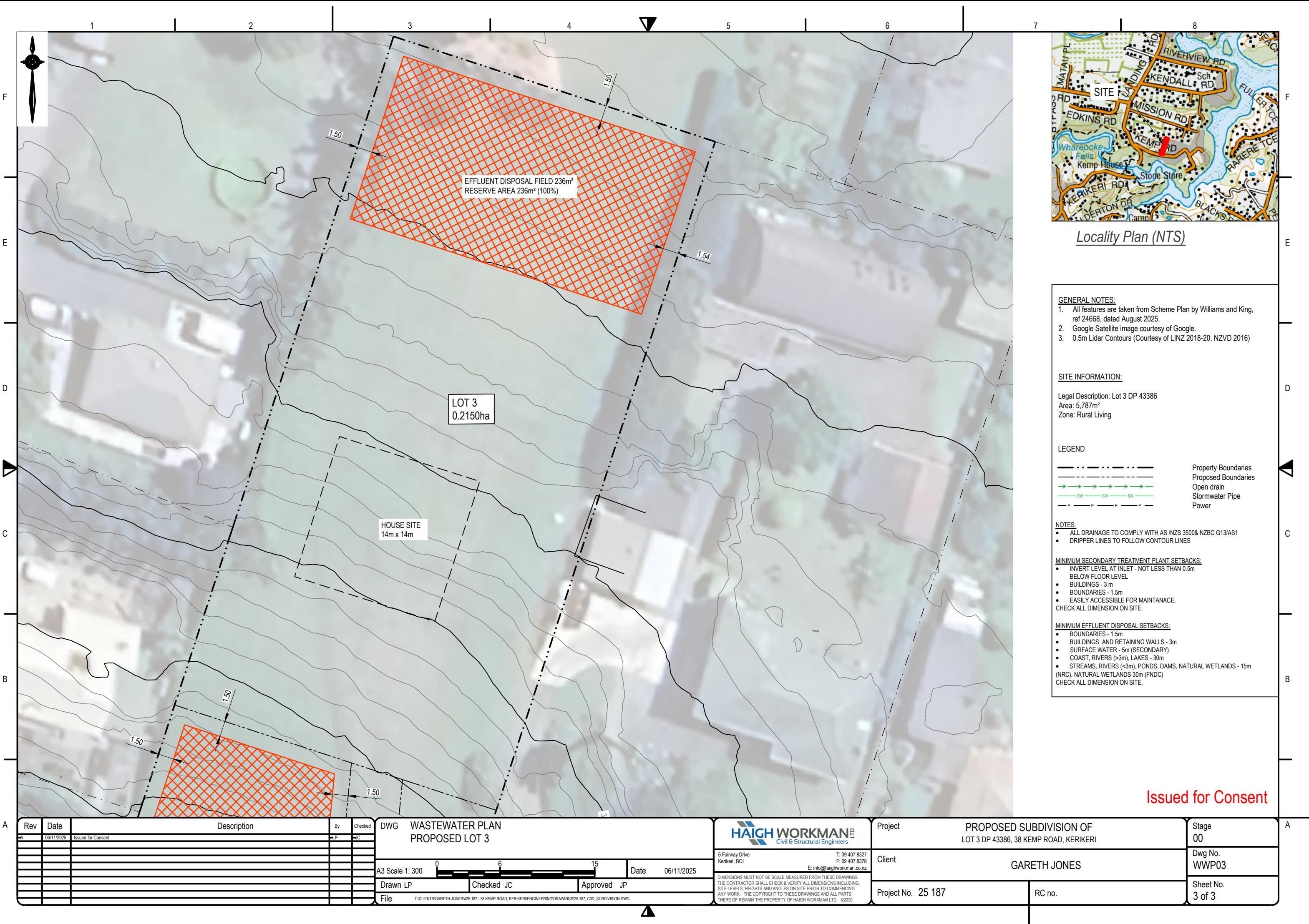
Rev	Date	Description	By	Checked	DWG	WASTEWATER PLAN PROPOSED LOT 2	Project	Stage
A	06/11/2025	Issued for Consent	LP	JC			PROPOSED SUBDIVISION OF LOT 3 DP 43386, 38 KEMP ROAD, KERIKERI	00
							Client	Dwg No.
							GARETH JONES	WWP02
							Project No.	Sheet No.
							25 187	2 of 3
							RC no.	

**HAIGH WORKMAN LTD**  
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Drawn LP Checked JC Approved JP  
File T:\\CLIENTS\\GARETH JONES\\25 187 - 38 KEMP ROAD, KERIKERI\\ENGINEERING\\DRAWINGS\\25 187\_C3D\\SUBDIVISION.DWG





## Legend

 Untitled Group - 2  
 Site Boundary

0 10 m 20 m  
LINZ CC BY 4.0 © Imagery Basemap contributors

HAIGH WORKMAN LTD  
Civil & Structural Engineers

Produced by **Datanest.earth**

## Title: Site investigation plan

Client: Gareth Jones

Size: A3

Project:  
38 Kemp Road

Drawn:  
JCum

Drawing No.:

Date:  
26-09-2025

Checked: JP

Drawing No..

Proj No: 25187

87 Scale: 1:1000

Version: REV1

## Appendix B – Borehole log

**Borehole Log - BH1**

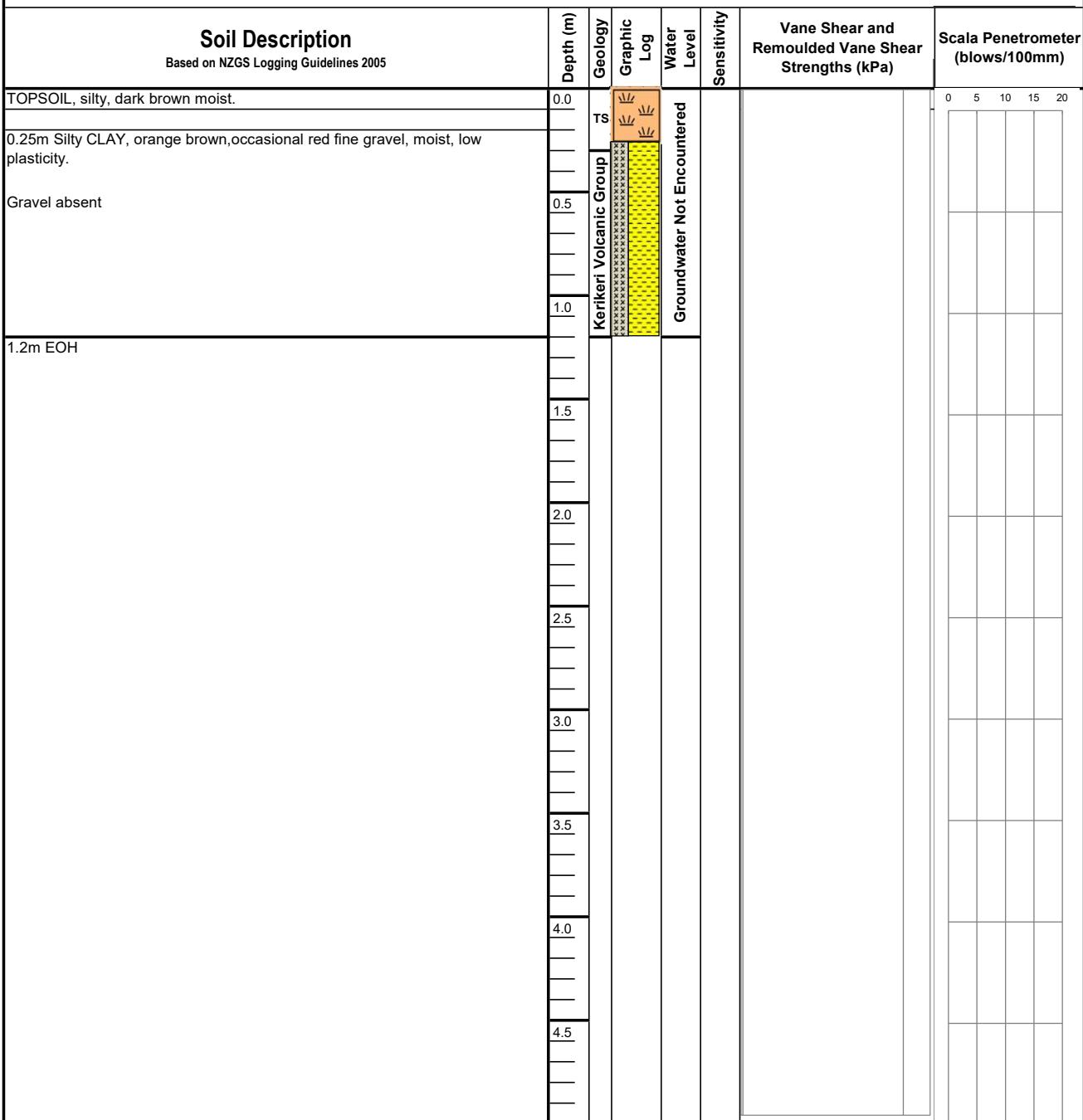
Hole Location: Refer to Site Plan

**JOB No. 25 187**

**CLIENT:** Gareth Jones  
**Date Started:** 25/09/2025  
**Date Completed:** 25/09/2025

**SITE:** 38 Kemp Road, Kerikeri  
**DRILLING METHOD:** Hand Auger  
**HOLE DIAMETER (mm)** 50mm

**LOGGED BY:** JCum  
**CHECKED BY:** TA



**LEGEND**



Corrected shear vane reading	<span style="background-color: black; width: 10px; height: 10px;"></span>
Remoulded shear vane reading	<span style="background-color: blue; width: 10px; height: 10px;"></span>
Scala Penetrometer	<span style="background-color: black; width: 10px; height: 10px;"></span>

**Note:** UTP = Unable To Penetrate. T.S. = Topsoil.

Scala penetrometer testing not undertaken.

Hand Held Shear Vane S/N:

PO Box 89, 0245  
6 Fairway Drive  
Kerikeri, 0230  
New Zealand



Phone 09 407 8327  
Fax 09 407 8378  
[www.haighworkman.co.nz](http://www.haighworkman.co.nz)  
[info@haighworkman.co.nz](mailto:info@haighworkman.co.nz)

## Borehole Log - BH2

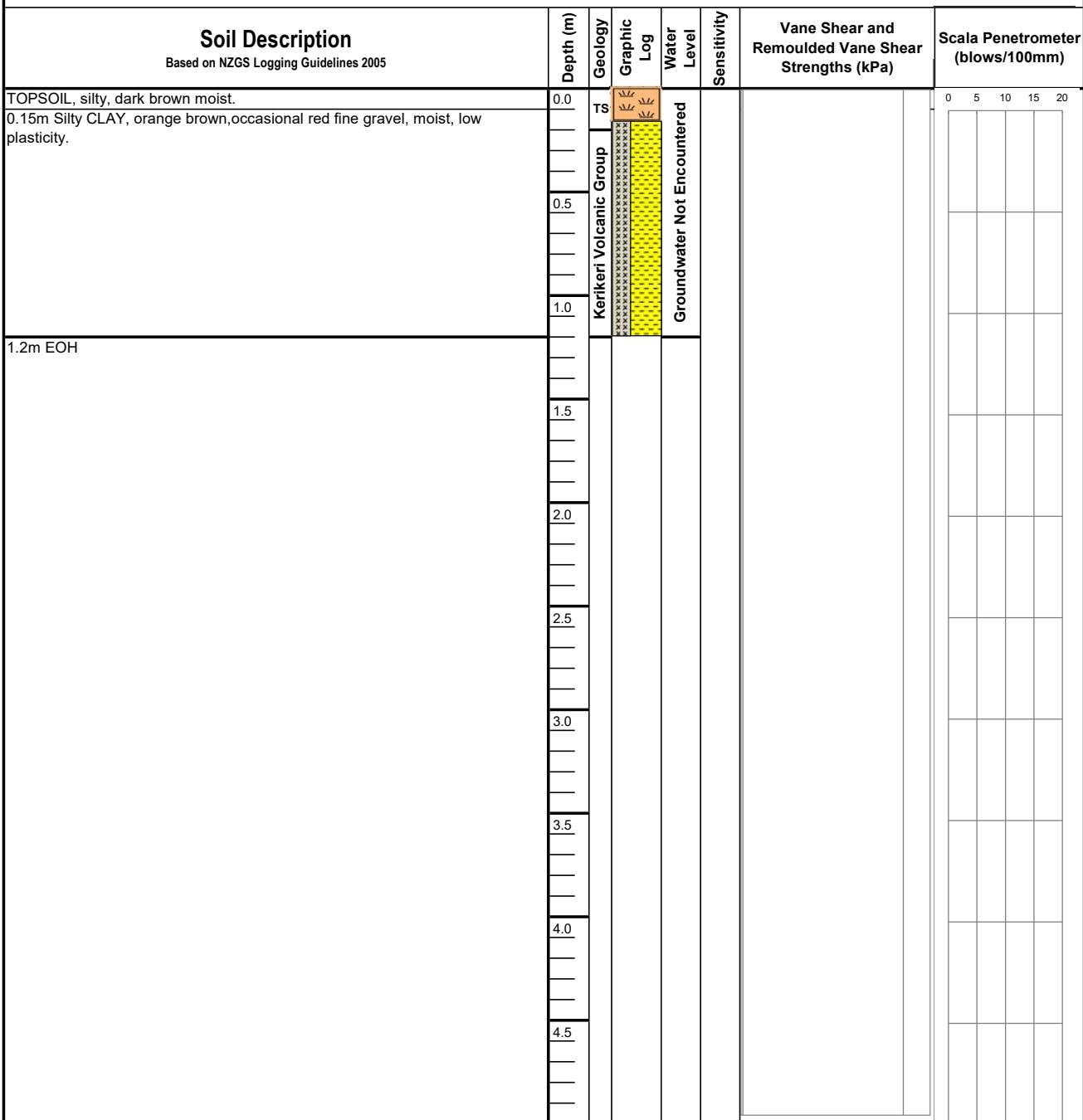
Hole Location: Refer to Site Plan

JOB No. 25 187

CLIENT: Gareth Jones  
Date Started: 25/09/2025  
Date Completed: 25/09/2025

SITE: 38 Kemp Road, Kerikeri  
DRILLING METHOD: Hand Auger  
HOLE DIAMETER (mm) 50mm

LOGGED BY: JCum  
CHECKED BY: TA



### LEGEND



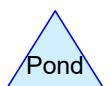
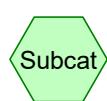
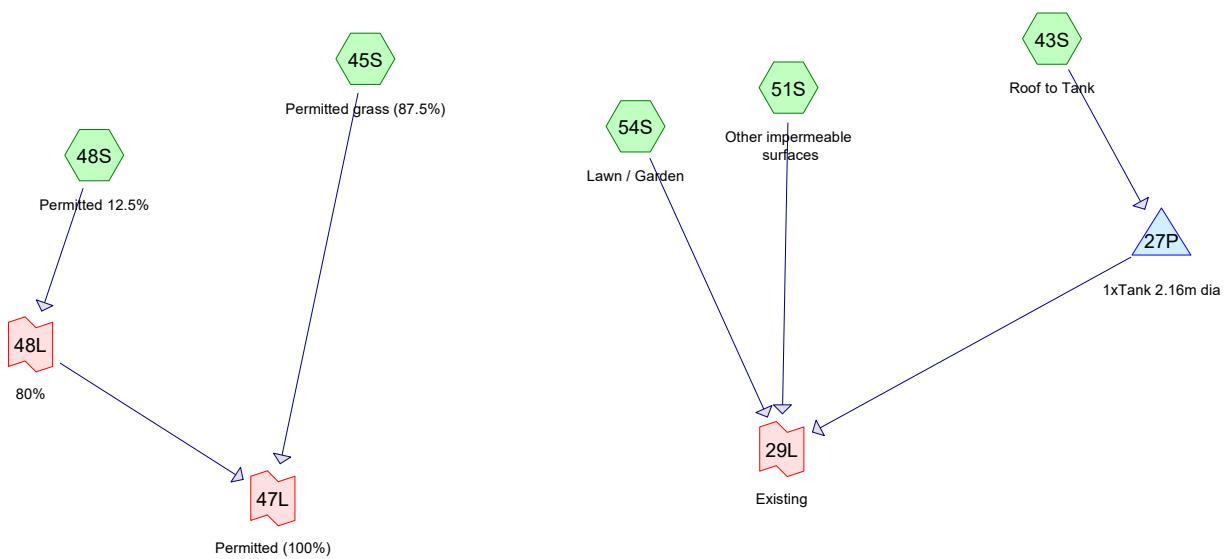
Corrected shear vane reading  
Remoulded shear vane reading  
Scala Penetrometer

Note: UTP = Unable To Penetrate. T.S. = Topsoil.

Scala penetrometer testing not undertaken.

Hand Held Shear Vane S/N:

## Appendix C – Attenuation calculations



Routing Diagram for 25 187\_Tank 01 (Type 1A)  
 Prepared by Haigh Workman Limited, Printed 6/11/2025  
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**25 187\_Tank 01 (Type 1A)**

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**Area Listing (all nodes)**

Area (sq-meters)	CN	Description (subcatchment-numbers)
242.0	98	Concrete (51S)
1,557.0	74	Lawn / Garden (54S)
202.0	98	Roofs (43S)
1,750.9	74	grass (eng standards (45S)
250.1	98	weighted (48S)
<b>4,002.0</b>	<b>78</b>	<b>TOTAL AREA</b>

**25 187\_Tank 01 (Type 1A)**

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**Soil Listing (all nodes)**

Area (sq-meters)	Soil Group	Subcatchment Numbers
0.0	HSG A	
0.0	HSG B	
0.0	HSG C	
0.0	HSG D	
4,002.0	Other	43S, 45S, 48S, 51S, 54S
<b>4,002.0</b>		<b>TOTAL AREA</b>

**25 187\_Tank 01 (Type 1A)**

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**Ground Covers (all nodes)**

HSG-A (sq-meters)	HSG-B (sq-meters)	HSG-C (sq-meters)	HSG-D (sq-meters)	Other (sq-meters)	Total (sq-meters)	Ground Cover
0.0	0.0	0.0	0.0	242.0	242.0	Concrete
0.0	0.0	0.0	0.0	1,557.0	1,557.0	Lawn / Garden
0.0	0.0	0.0	0.0	202.0	202.0	Roofs
0.0	0.0	0.0	0.0	1,750.9	1,750.9	grass (eng standard s
0.0	0.0	0.0	0.0	250.1	250.1	weighted
<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>4,002.0</b>	<b>4,002.0</b>	<b>TOTAL AREA</b>

Time span=0.00-24.00 hrs, dt=0.01 hrs, 2401 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind method - Pond routing by Stor-Ind method

**Subcatchment 43S: Roof to Tank** Runoff Area=202.0 m<sup>2</sup> 100.00% Impervious Runoff Depth>160 mm  
Tc=10.0 min CN=98 Runoff=2.2 L/s 32.4 m<sup>3</sup>

**Subcatchment 45S: Permitted grass** Runoff Area=1,750.9 m<sup>2</sup> 0.00% Impervious Runoff Depth>93 mm  
Tc=10.0 min CN=74 Runoff=11.0 L/s 162.7 m<sup>3</sup>

**Subcatchment 48S: Permitted 12.5%** Runoff Area=250.1 m<sup>2</sup> 100.00% Impervious Runoff Depth>160 mm  
Tc=10.0 min CN=98 Runoff=2.7 L/s 40.1 m<sup>3</sup>

**Subcatchment 51S: Other** Runoff Area=242.0 m<sup>2</sup> 100.00% Impervious Runoff Depth>160 mm  
Tc=10.0 min CN=98 Runoff=2.7 L/s 38.8 m<sup>3</sup>

**Subcatchment 54S: Lawn / Garden** Runoff Area=1,557.0 m<sup>2</sup> 0.00% Impervious Runoff Depth>93 mm  
Tc=10.0 min CN=74 Runoff=9.7 L/s 144.7 m<sup>3</sup>

**Pond 27P: 1xTank 2.16m dia** Peak Elev=1.82 m Storage=6.7 m<sup>3</sup> Inflow=2.2 L/s 32.4 m<sup>3</sup>  
Outflow=0.7 L/s 31.8 m<sup>3</sup>

**Link 29L: Existing** Inflow=13.0 L/s 215.3 m<sup>3</sup>  
Primary=13.0 L/s 215.3 m<sup>3</sup>

**Link 47L: Permitted (100%)** Inflow=13.1 L/s 194.8 m<sup>3</sup>  
Primary=13.1 L/s 194.8 m<sup>3</sup>

**Link 48L: 80%** x 0.80 Inflow=2.7 L/s 40.1 m<sup>3</sup>  
Primary=2.2 L/s 32.1 m<sup>3</sup> Secondary=0.5 L/s 8.0 m<sup>3</sup>

**Total Runoff Area = 4,002.0 m<sup>2</sup> Runoff Volume = 418.7 m<sup>3</sup> Average Runoff Depth = 105 mm**  
**82.66% Pervious = 3,307.9 m<sup>2</sup> 17.34% Impervious = 694.1 m<sup>2</sup>**

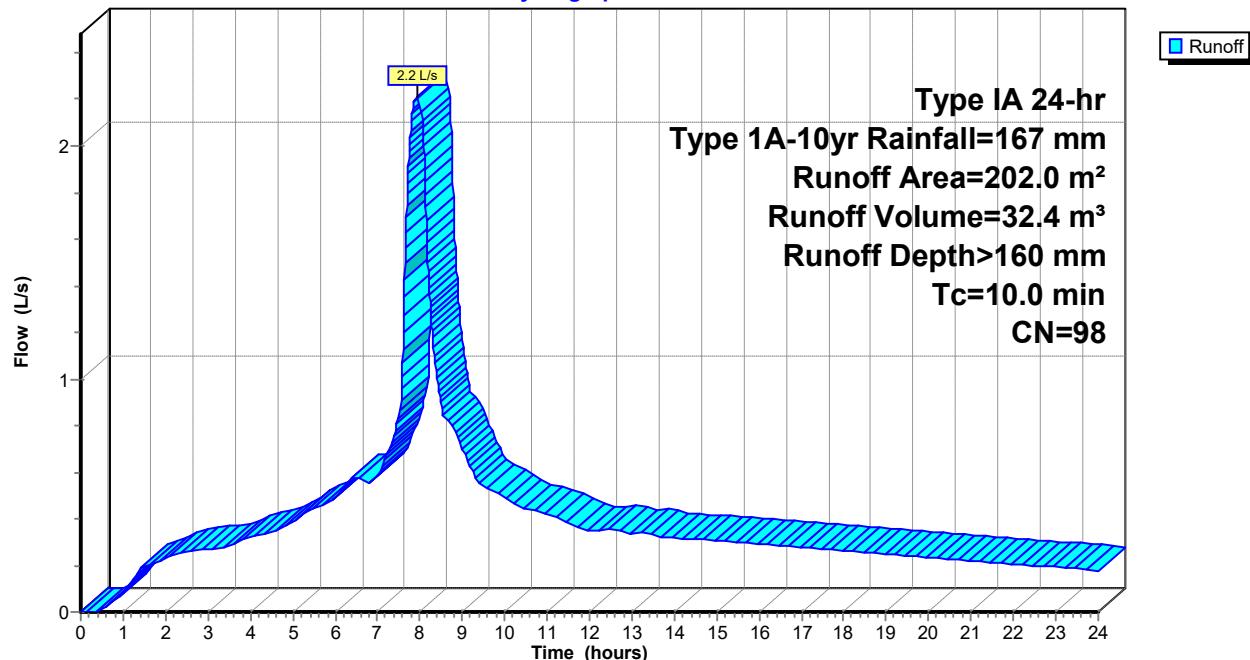
**Summary for Subcatchment 43S: Roof to Tank**

Runoff = 2.2 L/s @ 7.94 hrs, Volume= 32.4 m<sup>3</sup>, Depth> 160 mm  
Routed to Pond 27P : 1xTank 2.16m dia

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs  
Type IA 24-hr Type 1A-10yr Rainfall=167 mm

Area (m <sup>2</sup> )	CN	Description
*	202.0	98 Roofs
	202.0	100.00% Impervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m <sup>3</sup> /s)	Description
10.0					Direct Entry,

**Subcatchment 43S: Roof to Tank****Hydrograph**

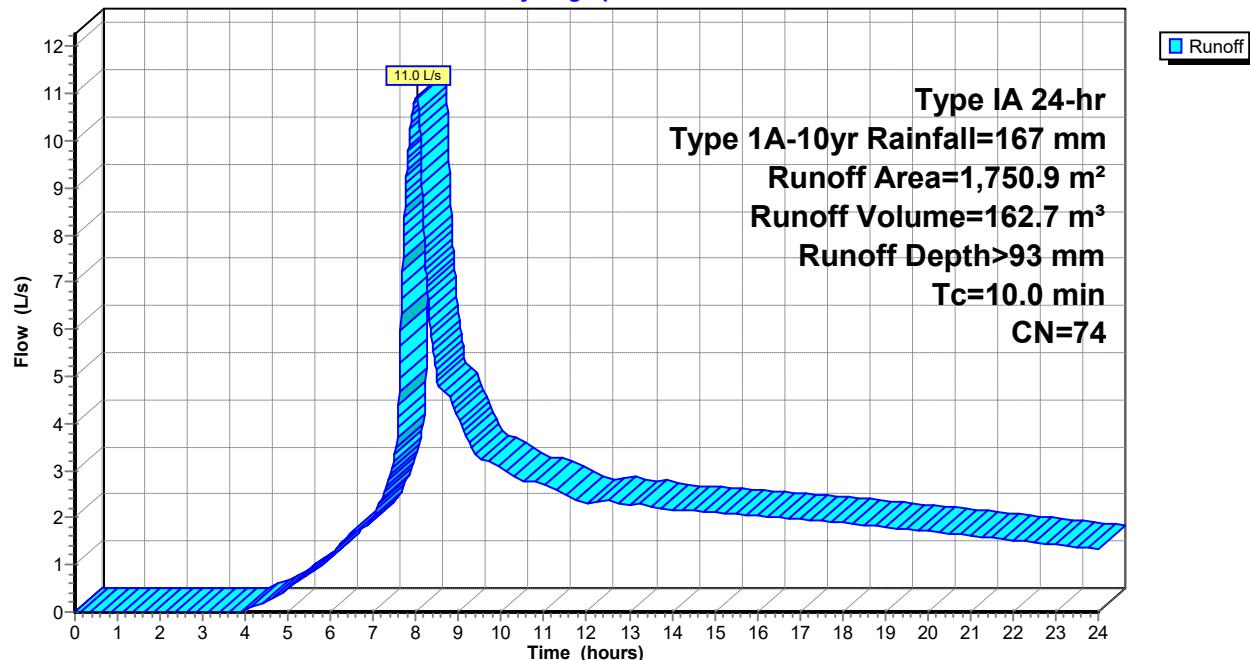
**Summary for Subcatchment 45S: Permitted grass (87.5%)**

Runoff = 11.0 L/s @ 8.01 hrs, Volume= 162.7 m<sup>3</sup>, Depth> 93 mm  
Routed to Link 47L : Permitted (100%)

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs  
Type IA 24-hr Type 1A-10yr Rainfall=167 mm

Area (m <sup>2</sup> )	CN	Description
*	1,750.9	74 grass (eng standards)
	1,750.9	100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m <sup>3</sup> /s)	Description
10.0					Direct Entry,

**Subcatchment 45S: Permitted grass (87.5%)****Hydrograph**

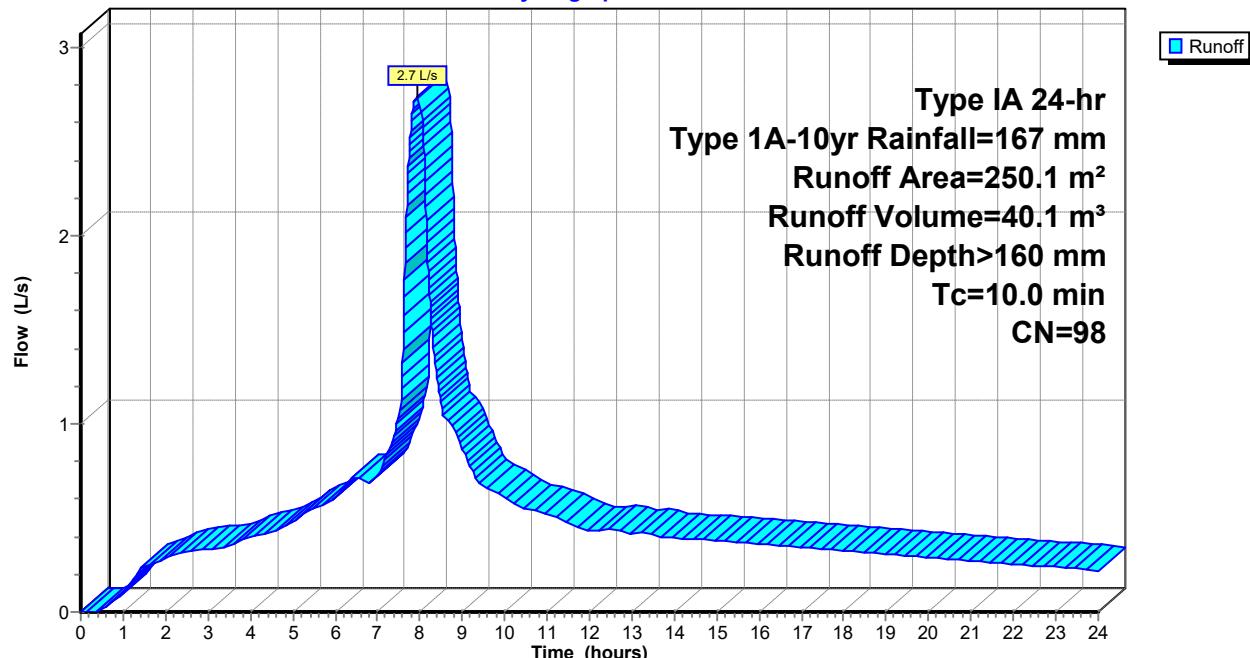
**Summary for Subcatchment 48S: Permitted 12.5%**

Runoff = 2.7 L/s @ 7.94 hrs, Volume= 40.1 m<sup>3</sup>, Depth> 160 mm  
Routed to Link 48L : 80%

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs  
Type IA 24-hr Type 1A-10yr Rainfall=167 mm

Area (m <sup>2</sup> )	CN	Description
*	250.1	98 weighted
	250.1	100.00% Impervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m <sup>3</sup> /s)	Description
10.0					Direct Entry,

**Subcatchment 48S: Permitted 12.5%****Hydrograph**

**Summary for Subcatchment 51S: Other impermeable surfaces**

Runoff = 2.7 L/s @ 7.94 hrs, Volume= 38.8 m<sup>3</sup>, Depth> 160 mm  
Routed to Link 29L : Existing

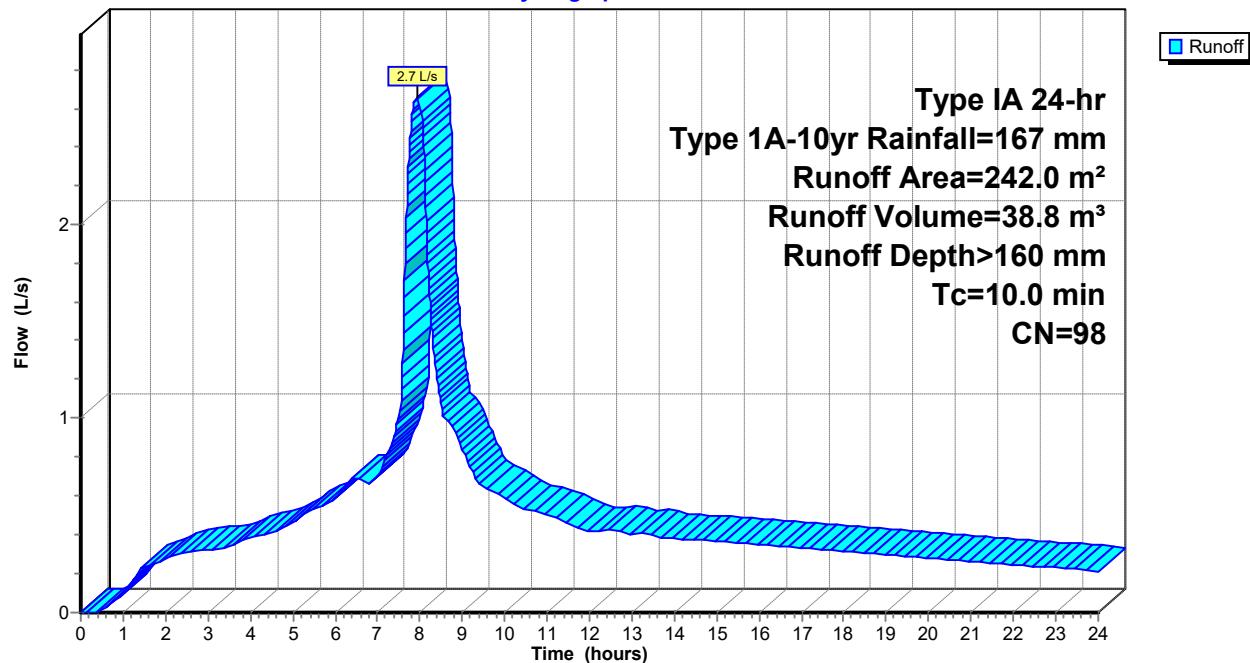
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs  
Type IA 24-hr Type 1A-10yr Rainfall=167 mm

Area (m <sup>2</sup> )	CN	Description
0.0	91	Gravel roads, HSG D
*	0.0	Tanks
*	242.0	Concrete
242.0	98	Weighted Average
242.0		100.00% Impervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m <sup>3</sup> /s)	Description
10.0					Direct Entry,

**Subcatchment 51S: Other impermeable surfaces**

Hydrograph



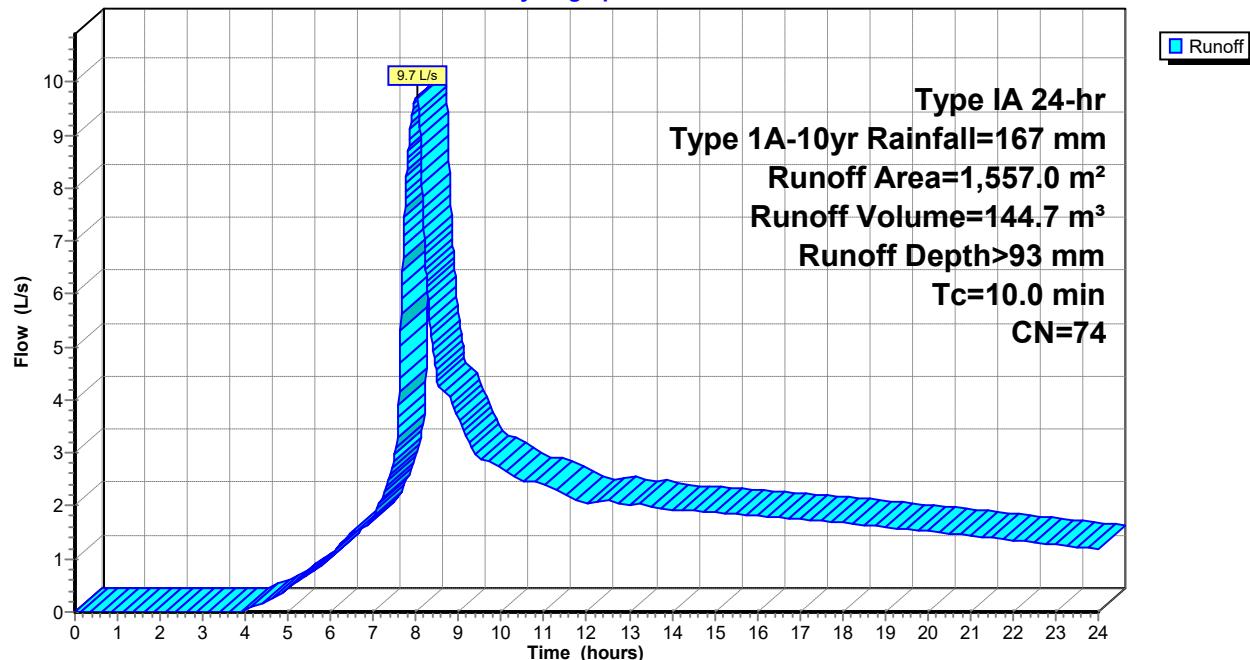
**Summary for Subcatchment 54S: Lawn / Garden**

Runoff = 9.7 L/s @ 8.01 hrs, Volume= 144.7 m<sup>3</sup>, Depth> 93 mm  
Routed to Link 29L : Existing

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs  
Type IA 24-hr Type 1A-10yr Rainfall=167 mm

Area (m <sup>2</sup> )	CN	Description
*	1,557.0	74 Lawn / Garden
	1,557.0	100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m <sup>3</sup> /s)	Description
10.0					Direct Entry,

**Subcatchment 54S: Lawn / Garden****Hydrograph**

**Summary for Pond 27P: 1xTank 2.16m dia**Inflow Area = 202.0 m<sup>2</sup>, 100.00% Impervious, Inflow Depth > 160 mm for Type 1A-10yr eventInflow = 2.2 L/s @ 7.94 hrs, Volume= 32.4 m<sup>3</sup>Outflow = 0.7 L/s @ 9.04 hrs, Volume= 31.8 m<sup>3</sup>, Atten= 69%, Lag= 65.9 minPrimary = 0.7 L/s @ 9.04 hrs, Volume= 31.8 m<sup>3</sup>

Routed to Link 29L : Existing

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs

Peak Elev= 1.82 m @ 9.04 hrs Surf.Area= 3.7 m<sup>2</sup> Storage= 6.7 m<sup>3</sup>Plug-Flow detention time= 107.1 min calculated for 31.8 m<sup>3</sup> (98% of inflow)

Center-of-Mass det. time= 91.9 min ( 743.3 - 651.4 )

Volume	Invert	Avail.Storage	Storage Description
#1	0.00 m	10.6 m <sup>3</sup>	<b>2.16 mD x 2.90 mH Vertical Cone/Cylinder</b>

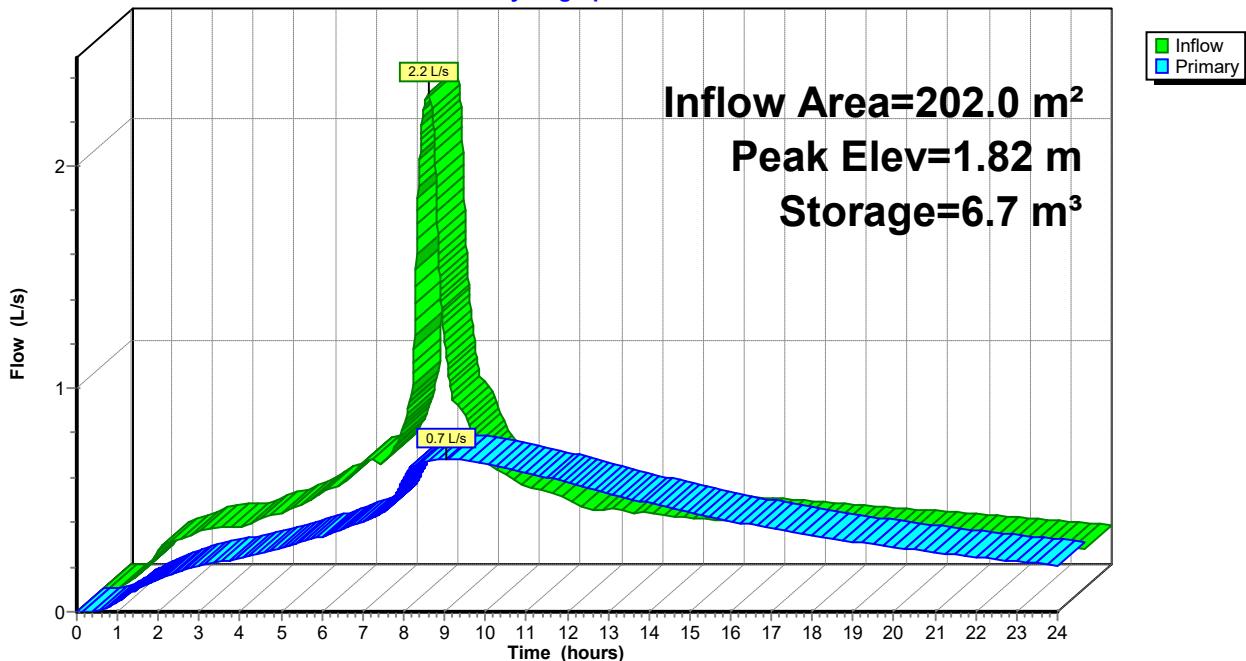
Device	Routing	Invert	Outlet Devices
#1	Primary	0.00 m	<b>15 mm Vert. Orifice/Grate</b> C= 0.650 Limited to weir flow at low heads

**Primary OutFlow** Max=0.7 L/s @ 9.04 hrs HW=1.82 m (Free Discharge)

↑ 1=Orifice/Grate (Orifice Controls 0.7 L/s @ 3.87 m/s)

**Pond 27P: 1xTank 2.16m dia**

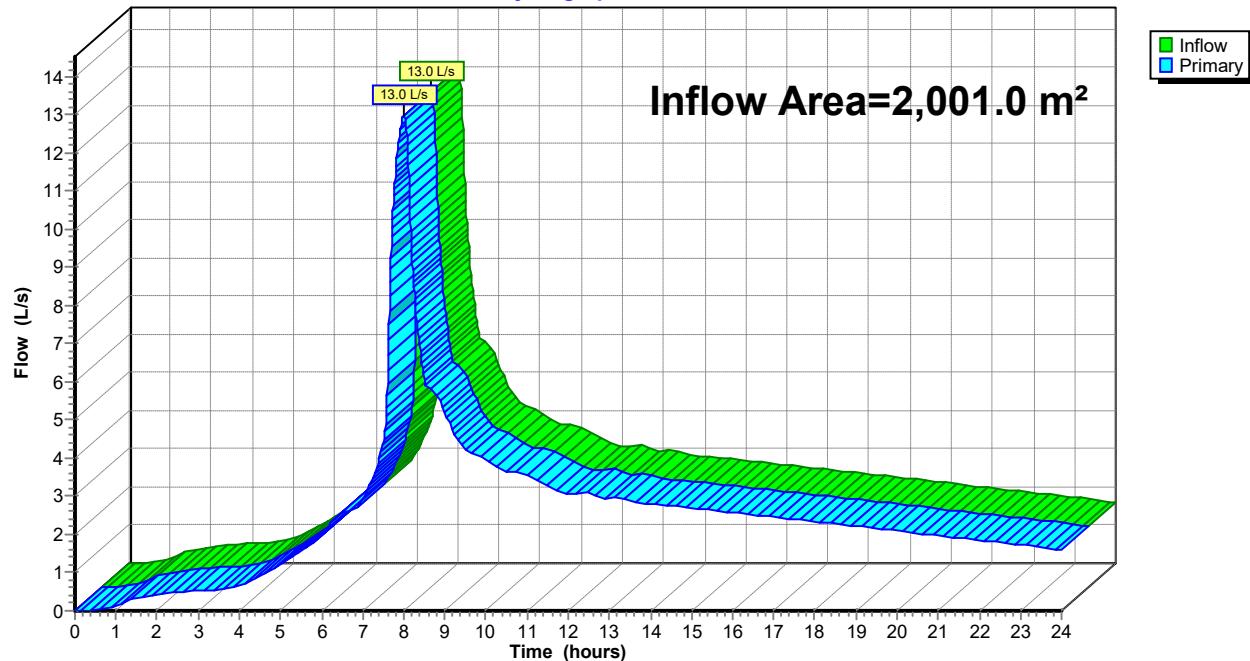
Hydrograph



**Summary for Link 29L: Existing**

Inflow Area = 2,001.0 m<sup>2</sup>, 22.19% Impervious, Inflow Depth > 108 mm for Type 1A-10yr event  
 Inflow = 13.0 L/s @ 8.01 hrs, Volume= 215.3 m<sup>3</sup>  
 Primary = 13.0 L/s @ 8.01 hrs, Volume= 215.3 m<sup>3</sup>, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs

**Link 29L: Existing****Hydrograph**

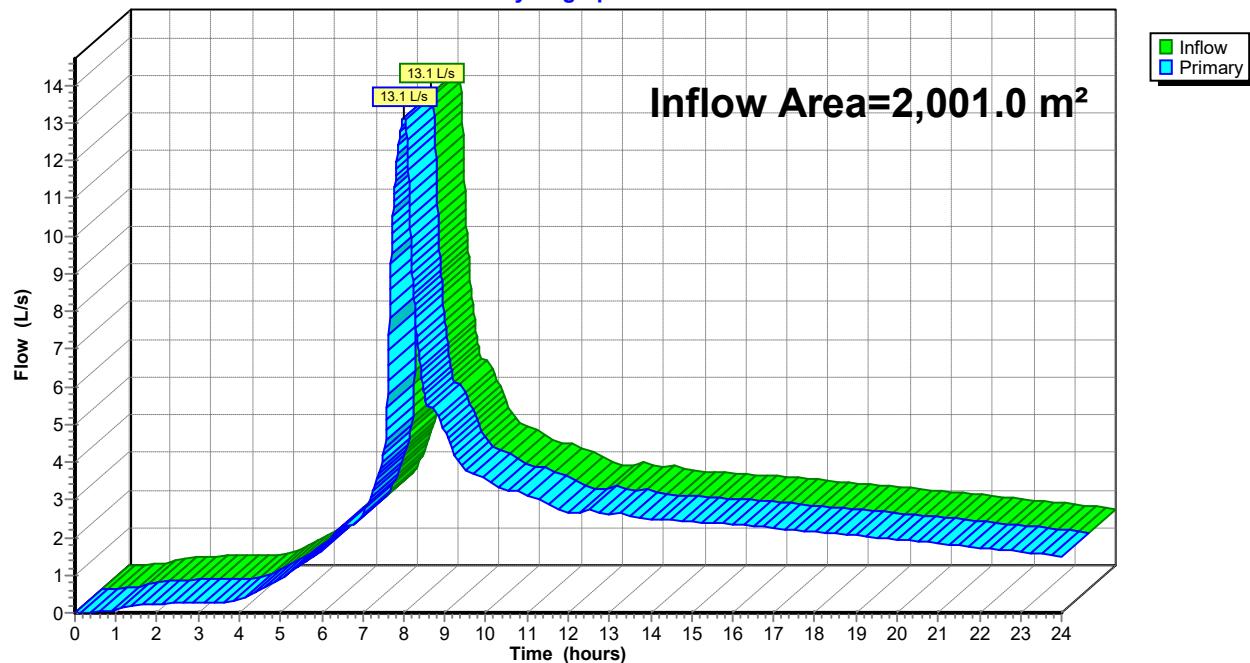
**Summary for Link 47L: Permitted (100%)**

Inflow Area = 2,001.0 m<sup>2</sup>, 12.50% Impervious, Inflow Depth > 97 mm for Type 1A-10yr event  
 Inflow = 13.1 L/s @ 8.01 hrs, Volume= 194.8 m<sup>3</sup>  
 Primary = 13.1 L/s @ 8.01 hrs, Volume= 194.8 m<sup>3</sup>, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs

**Link 47L: Permitted (100%)**

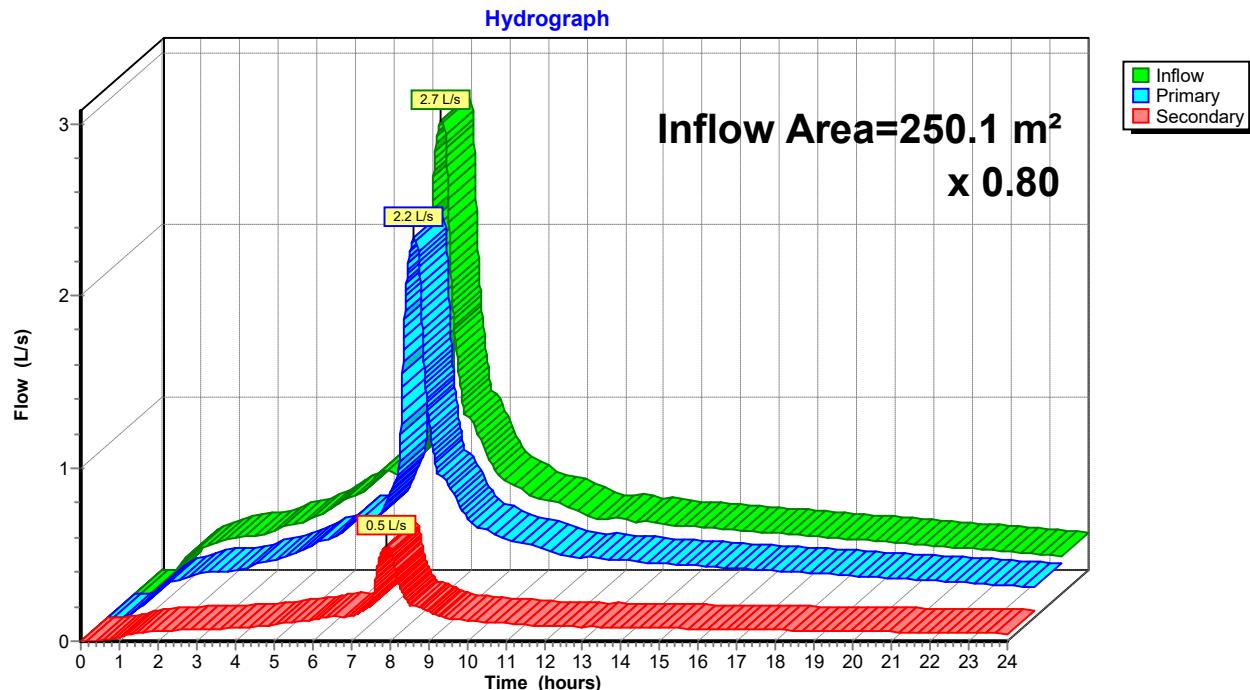
Hydrograph



**Summary for Link 48L: 80%**

Inflow Area = 250.1 m<sup>2</sup>, 100.00% Impervious, Inflow Depth > 160 mm for Type 1A-10yr event  
 Inflow = 2.7 L/s @ 7.94 hrs, Volume= 40.1 m<sup>3</sup>  
 Primary = 2.2 L/s @ 7.94 hrs, Volume= 32.1 m<sup>3</sup>, Atten= 20%, Lag= 0.0 min  
 Routed to Link 47L : Permitted (100%)  
 Secondary = 0.5 L/s @ 7.94 hrs, Volume= 8.0 m<sup>3</sup>

Primary outflow = Inflow x 0.80, Time Span= 0.00-24.00 hrs, dt= 0.01 hrs

**Link 48L: 80%**

### **Operative Far North District Plan -Chapter 13 Subdivision Objectives and Policies**

<b>OBJECTIVES</b>	
<b>13.3.1</b>	<i>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.</i>
<b>13.3.2</b>	<i>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.</i>
<b>13.3.3</b>	<i>To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.</i>
<b>13.3.4</b>	<i>To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.</i>
<b>13.3.5</b>	<i>To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.</i>
<b>13.3.6</b>	<i>To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.</i>

<b>13.3.7</b>	<i>To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.</i>
<b>13.3.8</b>	<i>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.</i>
<b>13.3.9</b>	<i>To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).</i>
<b>13.3.10</b>	<i>To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.</i>
<b>13.3.11</b>	<i>To ensure that the operation, maintenance, development and upgrading of the existing National Grid is not compromised by incompatible subdivision and land use activities.</i>
<b>Policies</b>	
<b>13.4.1</b>	<p><i>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:</i></p> <ul style="list-style-type: none"> <li>• <i>natural character, particularly of the coastal environment;</i></li> <li>• <i>ecological values;</i></li> <li>• <i>landscape values;</i></li> <li>• <i>amenity values;</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>cultural values;</i></li> <li>• <i>heritage values; and</i></li> <li>• <i>existing land uses</i></li> </ul>
<b>13.4.2</b>	<i>That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.</i>
<b>13.4.3</b>	<i>That natural and other hazards be taken into account in the design and location of any subdivision.</i>
<b>13.4.4</b>	<i>That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.</i>
<b>13.4.5</b>	<i>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.</i>
<b>13.4.6</b>	<i>That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.</i>
<b>13.4.7</b>	<i>That the need for a financial contribution be considered only where the subdivision would:</i> <ul style="list-style-type: none"> <li><i>(a) result in increased demands on car parking associated with non-residential activities; or</i></li> <li><i>(b) result in increased demand for esplanade areas; or</i></li> <li><i>(c) involve adverse effects on riparian areas; or</i></li> </ul>

	<i>(d) depend on the assimilative capacity of the environment external to the site.</i>
<b>13.4.8</b>	<i>That the provision of water storage be taken into account in the design of any subdivision.</i>
<b>13.4.9</b>	<i>That bonus development donor and recipient areas be provided for so as to minimise the adverse effects of subdivision on Outstanding Landscapes and areas of significant indigenous flora and significant habitats of fauna.</i>
<b>13.4.10</b>	<i>The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.</i>
<b>13.4.11</b>	<i>That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.</i>
<b>13.4.12</b>	<i>That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.</i>
<b>13.4.13</b>	<i>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:</i>  <i>(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;</i>

	<ul style="list-style-type: none"> <li>(b) <i>minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;</i></li> <li>(c) <i>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;</i></li> <li>(d) <i>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);</i></li> <li>(e) <i>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;</i></li> <li>(f) <i>protecting historic heritage through the siting of buildings and development and design of subdivisions.</i></li> <li>(g) <i>achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.</i></li> </ul>
<b>13.3.14</b>	<i>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.</i>
<b>13.4.15</b>	<i>That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following:</i>

	<ul style="list-style-type: none"> <li>(a) development of energy efficient buildings and structures;</li> <li>(b) reduced travel distances and private car usage;</li> <li>(c) encouragement of pedestrian and cycle use;</li> <li>(d) access to alternative transport facilities;</li> <li>(e) domestic or community renewable electricity generation and renewable energy use.</li> </ul>
<b>13.4.16</b>	<p>When considering proposals for subdivision and development within an existing National Grid Corridor the following will be taken into account:</p> <ul style="list-style-type: none"> <li>(a) the extent to which the proposal may restrict or inhibit the operation, access, maintenance, upgrading of transmission lines or support structures;</li> <li>(b) any potential cumulative effects that may restrict the operation, access, maintenance, upgrade of transmission lines or support structures; and</li> <li>(c) whether the proposal involves the establishment or intensification of a sensitive activity in the vicinity of an existing National Grid line.</li> </ul>

## OPERATIVE DISTRICT PLAN – RURAL ENVIRONMENT OBJECTIVES AND POLICIES

OBJECTIVES	
<b>8.3.1</b>	<i>To promote the sustainable management of natural and physical resources of the rural environment.</i>
<b>8.3.2</b>	<i>To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.</i>
<b>8.3.3</b>	<i>To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.</i>
<b>8.3.4</b>	<i>To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna</i>
<b>8.3.5</b>	<i>To protect outstanding natural features and landscapes.</i>
<b>8.3.6</b>	<i>To avoid actual and potential conflicts between land use activities in the rural environment.</i>
<b>8.3.7</b>	<i>To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.</i>
<b>8.3.8</b>	<i>To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.</i>
<b>8.3.9</b>	<i>To enable rural production activities to be undertaken in the rural environment.</i>

<b>8.3.10</b>	<i>To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.</i>
<b>POLICIES</b>	
<b>8.4.1</b>	<i>That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.</i>
<b>8.4.2</b>	<i>That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded, and rural productive activities are able to continue.</i>
<b>8.4.3</b>	<i>That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features, and landscapes.</i>
<b>8.4.4</b>	<i>That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.</i>
<b>8.4.5</b>	<i>That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).</i>
<b>8.4.6</b>	<i>That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.</i>

<b>8.4.7</b>	<i>That Plan provisions encourage the efficient use and development of natural and physical resources, including consideration of demands upon infrastructure.</i>
<b>8.4.8</b>	<i>That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated. Consideration will further be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities.</i>

**Commented [ND1]:** Move to appendix ...

#### OPERATIVE DISTRICT PLAN – RURAL LIVING ZONE - OBJECTIVES AND POLICIES

<b>OBJECTIVES</b>	
<b>8.7.3.1</b>	<i>To achieve a style of development on the urban periphery where the effects of the different types of development are compatible.</i>
<b>8.7.3.2</b>	<i>To provide for low density residential development on the urban periphery, where more intense development would result in adverse effects on the rural and natural environment.</i>
<b>8.7.3.3</b>	<i>To protect the special amenity values of the frontage to Kerikeri Road between SH10 and the urban edge of Kerikeri.</i>

POLICIES	
<b>8.7.4.1</b>	<i>That a transition between residential and rural zones is achieved where the effects of activities in the different areas are managed to ensure compatibility.</i>
<b>8.7.4.2</b>	<i>That the Rural Living Zone be applied to areas where existing subdivision patterns have led to a semi-urban character but where more intensive subdivision would result in adverse effects on the rural and natural environment.</i>
<b>8.7.4.3</b>	<i>That residential activities have sufficient land associated with each household unit to provide for outdoor space, and where a reticulated sewerage system is not provided, sufficient land for onsite effluent disposal.</i>
<b>8.7.4.4</b>	<i>That no limits be placed on the types of housing and forms of accommodation in the Rural Living Zone, in recognition of the diverse needs of the community.</i>
<b>8.7.4.5</b>	<i>That non-residential activities can be established within the Rural Living Zone subject to compatibility with the existing character of the environment.</i>
<b>8.7.4.6</b>	<i>That home-based employment opportunities be allowed in the Rural Living Zone</i>
<b>8.7.4.7</b>	<i>That provision be made for ensuring that sites, and the buildings and activities which may locate on those sites, have adequate access to sunlight and daylight.</i>
<b>8.7.4.8</b>	<i>That the scale and intensity of activities other than a single residential unit be commensurate with that which could be expected of a single residential unit.</i>
<b>8.7.4.9</b>	<i>That activities with effects on amenity values greater than a single residential unit could be expected to have, be controlled so as to avoid, remedy or mitigate those adverse effects on adjacent activities.</i>
<b>8.7.4.10</b>	<i>That provision be made to ensure a reasonable level of privacy for inhabitants of buildings on adjoining sites.</i>

<b>8.7.4.11</b>	<i>That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.</i>
<b>8.7.4.12</b>	<i>That the Council maintains discretion over new connections to a sewerage system to ensure treatment plant discharge quality standards are not compromised (refer to Rule 13.7.3.5).</i>

#### OPERATIVE DISTRICT PLAN – DISTRICT WIDE – CHAPTER 12 – SECTION 5 – HERITAGE

<b>OBJECTIVES</b>	
<b>12.5.3.1</b>	<i>To protect and retain the heritage values of resources, such values to include those of an archaeological, architectural, cultural, historic, scientific, and technological nature.</i>
<b>12.5.3.2</b>	<i>To protect waahi tapu and other sites of spiritual, cultural or historical significance to Maori from inappropriate use, development and subdivision.</i>
<b>12.5.3.3</b>	<i>To protect the notable trees of the District</i>
<b>12.5.3.4</b>	<i>To conserve the historic and amenity values of settlements with significant historic character.</i>
<b>12.5.3.5</b>	<i>To protect the cultural, spiritual, scientific and historic values of archaeological sites from inappropriate use, development and subdivision.</i>
<b>12.5.3.6</b>	<i>To assist landowners' understanding and appreciation of the heritage resources located on their land.</i>
<b>12.5.3.7</b>	<i>To ensure that subdivision and land use management practices avoid adverse effects on heritage values and resources.</i>
<b>12.5.3.8</b>	<i>To support landowners who protect heritage resources by providing financial relief and incentives.</i>

POLICIES	
<b>12.5.4.1</b>	<i>That a heritage resource be recognised as a complete entity whose surrounds or setting may have an important relationship with the values of the resource. For instance the coastal setting of places like Kohukohu, Rawene, Mangonui and The Strand in Russell is an important part of the heritage value of these Precincts.</i>
<b>12.5.4.2</b>	<i>That the heritage values of any building, object, vegetation or heritage site shall not be adversely affected by subdivision or land use activities.</i>
<b>12.5.4.3</b>	<i>That notable trees be provided protection, except where it can be demonstrated that they pose a hazard to people or habitable buildings.</i>
<b>12.5.4.4</b>	<i>That land use activities in the vicinity of Sites of Cultural Significance to Maori shall not compromise their spiritual, cultural or historical values and that the effect on cultural, spiritual and historical values is taken into account in the assessment of applications.</i>
<b>12.5.4.5</b>	<i>That the Council consult with whanau, hapu and iwi to develop appropriate and acceptable consultation processes for Maori.</i>
<b>12.5.4.6</b>	<i>That maintenance, repairs or redecoration of historic buildings or objects shall retain their historic value and character.</i>
<b>12.5.4.7</b>	<i>That activities on any archaeological sites shall be managed in order to avoid or minimise any adverse effects.</i>
<b>12.5.4.8</b>	<i>That where areas have significant historic character, their heritage values are not compromised by inappropriate activities.</i>
<b>12.5.4.9</b>	<i>That where there is evidence demonstrating support for heritage values attributed to a place by individuals, groups and agencies, these values shall be taken into account in considering applications to alter or destroy such places.</i>

<b>12.5.4.10</b>	<i>That landowners shall be encouraged to protect and enhance heritage sites on their land through the provision of information and incentives.</i>
<b>12.5.4.11</b>	<i>That settlements that contain a high degree of heritage value be protected from subdivision, use and development that would adversely affect these values and their landscape setting.</i>
<b>12.5.4.12</b>	<i>That the Council will utilise, where appropriate, its heritage protection authority status under s187 of the Act, to protect any place of special interest, character, intrinsic or amenity value or visual appeal, or of special significance to the tangata whenua for spiritual, cultural or historical reasons and such area of land (if any) surrounding that place as is reasonably necessary for the purpose of ensuring the protection and reasonable enjoyment of the place.</i>
<b>12.5.4.13</b>	<i>That landowners be assisted financially where heritage resources are protected.</i>
<b>12.5.4.14</b>	<i>That Council will ensure that, before seeking to include within the Plan any heritage resource that occurs on private land, consultation will be undertaken with the landowner affected.</i>

#### OPERATIVE DISTRICT PLAN – DISTRICT WIDE – CHAPTER 12 – SECTION 5A – HERITAGE PRECINCTS

<b>OBJECTIVES</b>	
<b>12.5A.3.1</b>	<i>To recognise and protect retain the heritage values of the various heritage precincts derived from the sites, buildings and objects of historic significance, and to protect such sites, buildings and objects from inappropriate subdivision, use and development.</i>
<b>12.5A.3.2</b>	<i>To recognise and protect the heritage values of the various heritage precincts derived from the archaeological sites of the precincts and to retrieve and record archaeological evidence where appropriate.</i>

<b>12.5A.3.3</b>	<i>3 To recognise and protect the special character of the various heritage precincts that derives from the built form in combination with the landforms.</i>
<b>12.5A.3.4</b>	<i>To retain The Strand Heritage Precinct as predominantly a pedestrian area.</i>
<b>POLICIES</b>	
<b>12.5A.4.1</b>	<i>That the type, scale and nature of alterations to existing buildings be limited so as to ensure the retention of the heritage character of the various heritage precincts and of buildings of historic significance within those heritage precincts.</i>
<b>12.5A.4.2</b>	<i>That the removal or demolition of buildings be restricted to those of little or no historic significance which do not contribute significantly to the streetscape values of the various heritage precincts.</i>
<b>12.5A.4.3</b>	<i>That the location, scale and nature of new buildings and structures be controlled so as to not adversely affect the historic character, streetscape or landscape values of the various heritage precincts and of buildings of historic significance within those heritage precincts.</i>
<b>12.5A.4.4</b>	<i>That archaeological sites are protected from damage or destruction, and that archaeological information is retrieved whenever appropriate.</i>
<b>12.5A.4.5</b>	<i>That the heritage values of The Strand and Kerikeri Basin Heritage Precincts are not adversely affected by inappropriate outdoor advertising.</i>
<b>12.5A.4.6</b>	<i>That activities which conflict with pedestrian use of The Strand be restricted.</i>
<b>12.5A.4.7</b>	<i>That further subdivision in the Pouerua Heritage Precinct does not result in adverse effects on historic heritage values from the construction of buildings and development (refer to Chapter 13).</i>
<b>12.5A.4.8</b>	<i>That normal farm practices do not adversely affect the historic heritage and Maori heritage values of the Pouerua Heritage Precinct.</i>



**PROPOSED FAR NORTH DISTRICT PLAN – SUBDIVISION OBJECTIVES AND POLICIES**

<b>OBJECTIVES</b>	
<b>SUB-01</b>	<p><u>Subdivision</u> results in the efficient use of <u>land</u>, which:</p> <ul style="list-style-type: none"> <li>a. achieves the objectives of each relevant zone, overlays and district wide provisions;</li> <li>b. contributes to the local character and sense of place;</li> <li>c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on <u>land</u> from continuing to operate;</li> <li>d. avoids land use patterns which would prevent <u>land</u> from achieving the objectives and policies of the zone in which it is located;</li> <li>e. does not increase risk from <u>natural hazards</u> or risks are mitigated and existing risks reduced; and</li> <li>f. manages adverse <u>effects</u> on the <u>environment</u>.</li> </ul>
<b>SUB-02</b>	<p><u>Subdivision</u> provides for the:</p> <ul style="list-style-type: none"> <li>a. Protection of <u>highly productive land</u>; and</li> <li>b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the <u>Coastal Environment</u>, Areas of High Natural Character, Outstanding Natural Character, <u>wetland, lake and river margins</u>, Significant Natural Areas, Sites and Areas of Significance to Māori, and <u>Historic Heritage</u>.</li> </ul>
<b>SUB-03</b>	<p><u>Infrastructure</u> is planned to service the proposed <u>subdivision</u> and development where:</p> <ul style="list-style-type: none"> <li>a. there is existing <u>infrastructure</u> connection, <u>infrastructure</u> should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of <u>subdivision</u>; and</li> <li>b. where no existing connection is available <u>infrastructure</u> should be planned and consideration be given to connections with the wider <u>infrastructure</u> network.</li> </ul>

<b>SUB-04</b>	<p><u>Subdivision</u> is accessible, connected, and integrated with the surrounding <u>environment</u> and provides for:</p> <ul style="list-style-type: none"> <li>a. <i>public open spaces</i>;</li> <li>b. <i>esplanade where <u>land</u> adjoins the coastal marine area; and</i></li> <li>c. <i>esplanade where <u>land</u> adjoins other qualifying <u>waterbodies</u></i>.</li> </ul>
<b>SUB-P1</b>	<p><u>Enable boundary adjustments</u> that:</p> <ul style="list-style-type: none"> <li>a. <i>do not alter:</i> <ul style="list-style-type: none"> <li>i. <i>the degree of non compliance with District Plan rules and standards;</i></li> <li>ii. <i>the number and location of any access; and</i></li> <li>iii. <i>the number of certificates of title; and</i></li> </ul> </li> <li>b. <i>are in accordance with the minimum <u>lot</u> sizes of the zone and comply with access, <u>infrastructure</u> and esplanade provisions.</i></li> </ul>
<b>SUB-P2</b>	<p><u>Enable subdivision</u> for the purpose of public works, <u>infrastructure</u>, reserves or access.</p>
<b>SUB-P3</b>	<p><u>Provide for subdivision</u> where it results in <u>allotments</u> that:</p> <ul style="list-style-type: none"> <li>a. <i>are consistent with the purpose, characteristics and qualities of the zone;</i></li> <li>b. <i>comply with the minimum <u>allotment</u> sizes for each zone;</i></li> <li>c. <i>have an adequate size and appropriate shape to contain a <u>building</u> platform; and</i></li> <li>d. <i>have legal and physical access.</i></li> </ul>
<b>SUB-P4</b>	<p><u>Manage subdivision of land</u> as detailed in the district wide, natural <u>environment</u> values, historical and cultural values and hazard and risks sections of the plan.</p>
<b>SUB-P5</b>	<p><u>Manage subdivision</u> design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by:</p>

	<ul style="list-style-type: none"> <li>a. minimising vehicle <u>crossings</u> that could affect the safety and efficiency of the current and future transport network;</li> <li>b. avoid cul-de-sac development unless the <u>site</u> or the topography prevents future public access and connections;</li> <li>c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces;</li> <li>d. contributing to a well connected transport network that safeguards future roading connections; and</li> <li>e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.</li> </ul>
<b>SUB-P6</b>	<p>Require <u>infrastructure</u> to be provided in an integrated and comprehensive manner by:</p> <ul style="list-style-type: none"> <li>a. demonstrating that the <u>subdivision</u> will be appropriately serviced and integrated with existing and planned <u>infrastructure</u> if available; and</li> <li>b. ensuring that the <u>infrastructure</u> is provided is in accordance the purpose, characteristics and qualities of the zone.</li> </ul>
<b>SUB-P7</b>	<p>Require the vesting of <u>esplanade reserves</u> when subdividing <u>land</u> adjoining the coast or other qualifying <u>waterbodies</u>.</p>
<b>SUB-P8</b>	<p>Avoid rural lifestyle <u>subdivision</u> in the Rural Production zone unless the <u>subdivision</u>:</p> <ul style="list-style-type: none"> <li>a. will protect a qualifying <u>SNA</u> in perpetuity and result in the <u>SNA</u> being added to the District Plan <u>SNA</u> schedule; and</li> <li>b. will not result in the loss of versatile soils for <u>primary production</u> activities.</li> </ul>
<b>SUB-P9</b>	<p>Avoid <u>subdivision</u> rural lifestyle <u>subdivision</u> in the Rural Production zone and <u>Rural residential subdivision</u> in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan <u>subdivision</u> rule.</p>

<b>SUB-P10</b>	<p><i>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:</i></p> <ul style="list-style-type: none"> <li><i>a. consistency with the scale, density, design and character of the environment and purpose of the zone;</i></li> <li><i>b. the location, scale and design of buildings and structures;</i></li> <li><i>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;</i></li> <li><i>d. managing natural hazards;</i></li> <li><i>e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and</i></li> <li><i>f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</i></li> </ul>
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## PROPOSED FAR NORTH DISTRICT PLA – RURAL RESIDENTIAL ZONE OBJECTIVES AND POLICIES

OBJECTIVES	
<b>RRZ-01</b>	<i>The Rural Residential zone is used predominantly for rural <u>residential activities</u> and small scale <u>farming</u> activities that are compatible with the rural character and amenity of the zone.</i>
<b>RRZ-02</b>	<i>The predominant character and amenity of the Rural Residential zone is maintained and enhanced, which includes:</i> <ul style="list-style-type: none"> <li><i>a. peri-urban scale <u>residential activities</u>;</i></li> <li><i>b. small-scale <u>farming</u> activities with limited <u>buildings and structures</u>;</i></li> <li><i>c. smaller <u>lot</u> sizes than anticipated in the Rural Production or Rural Lifestyle zones; and</i></li> <li><i>d. a diverse range of rural residential environments reflecting the character and amenity of the adjacent <u>urban</u> area.</i></li> </ul>
<b>RRZ-03</b>	<i>The Rural Residential zone helps meet the demand for growth around <u>urban</u> centres while ensuring the ability of the <u>land</u> to be rezoned for <u>urban</u> development in the future is not compromised.</i>
<b>RRZ-04</b>	<i>Land use and <u>subdivision</u> in the Rural Residential zone:</i> <ul style="list-style-type: none"> <li><i>a. maintains rural residential character and <u>amenity values</u>;</i></li> <li><i>b. supports a range of rural residential and small-scale <u>farming</u> activities; and</i></li> <li><i>c. is managed to control any reverse sensitivity issues that may occur within the zone or at the zone interface.</i></li> </ul>
POLICIES	
<b>RRZ-P1</b>	<i>Enable activities that will not compromise the role, function and predominant character and amenity of the Rural Residential zone, while ensuring their design, scale and intensity is appropriate, including:</i> <ul style="list-style-type: none"> <li><i>a. rural <u>residential activities</u>;</i></li> <li><i>b. small-scale <u>farming</u> activities;</i></li> <li><i>c. <u>home business</u> activities;</i></li> </ul>

	<p>d. <u>visitor accommodation</u>; and</p> <p>e. <u>small-scale education facilities</u>.</p>
<b>RRZ-P2</b>	<p><i>Avoid activities that are incompatible with the role, function and predominant character and amenity of the Rural Residential zone including:</i></p> <p>a. <i>activities that are contrary to the density anticipated for the Rural Residential zone;</i></p> <p>b. <i><u>primary production</u> activities, such as <u>intensive indoor primary production</u> or <u>rural industry</u>, that generate adverse amenity <u>effects</u> that are incompatible with rural <u>residential activities</u>; and</i></p> <p>c. <i>commercial or <u>industrial activities</u> that are more appropriately located in an <u>urban</u> zone or a Settlement zone.</i></p>
<b>RRZ-P3</b>	<p><i>Avoid where possible, or otherwise mitigate, reverse sensitivity <u>effects</u> from sensitive and other non-productive activities on <u>primary production</u> activities in adjacent Rural Production zones and Horticulture zones.</i></p>
<b>RRZ-P4</b>	<p><i>Require all <u>subdivision</u> in the Rural Residential zone to provide the following reticulated services to the <u>boundary</u>:</i></p> <p>a. <i>telecommunications:</i></p> <p>i. <i>fibre where it is available;</i></p> <p>ii. <i>copper where fibre is not available;</i></p> <p>iii. <i>copper where the area is identified for future fibre deployment.</i></p> <p>b. <i>local electricity distribution network.</i></p>
	<p><i>Manage land use and <u>subdivision</u> to address the <u>effects</u> of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</i></p> <p>a. <i>consistency with the scale and character of the rural residential <u>environment</u>;</i></p> <p>b. <i>location, scale and design of <u>buildings</u> or <u>structures</u>;</i></p> <p>c. <i>at zone interfaces:</i></p>

	<ul style="list-style-type: none"> <li>i. any <u>setbacks</u>, <u>fencing</u>, <u>screening</u> or <u>landscaping</u> required to address potential conflicts;</li> <li>ii. the extent to which adverse <u>effects</u> on adjoining or surrounding <u>sites</u> are mitigated and internalised within the <u>site</u> as far as practicable;</li> <li>d. the capacity of the <u>site</u> to cater for on-site <u>infrastructure</u> associated with the proposed activity;</li> <li>e. the adequacy of roading <u>infrastructure</u> to service the proposed activity;</li> <li>f. managing <u>natural hazards</u>;</li> <li>g. any adverse <u>effects</u> on <u>historic heritage</u> and cultural values, natural features and landscapes or indigenous biodiversity; and</li> <li>h. any historical, spiritual, or cultural association held by <u>tangata whenua</u>, with regard to the matters set out in Policy <u>TW-P6</u>.</li> </ul>
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#### PROPOSED FAR NORTH DISTRICT PLAN – HERITAGE AREA OVERLAYS – OBJECTIVES AND POLICIES

<b>OBJECTIVES</b>	
<b>HA-O1</b>	<i>The heritage values of <u>Heritage Area</u> Overlays, as derived from the <u>sites</u>, <u>buildings</u> and objects of historic significance, archaeological sites and landform, are identified and protected.</i>
<b>POLICIES</b>	
<b>HA-P1</b> <b>Policy for all</b> <b>Heritage Area</b> <b>overlays</b>	<i>To protect the unique heritage values of each <u>Heritage Area</u> overlay by:</i> <ul style="list-style-type: none"> <li><i>a. identifying and protecting the heritage <u>buildings</u>, <u>objects</u> and <u>sites</u>, and archaeological sites within the <u>Heritage area</u> overlay;</i></li> <li><i>b. maintaining the architectural and historical integrity of scheduled Heritage Resources;</i></li> <li><i>c. acknowledging the surrounds or setting of the <u>Heritage area</u> overlay which has an important relationship with the values of the Heritage Resources;</i></li> <li><i>d. providing for construction and alteration of <u>buildings</u> or <u>structures</u> when they contribute to the cultural values, character and heritage values of the <u>Heritage area</u> overlay; and</i></li> </ul>

	<p><i>e. providing for the demolition of non-heritage <u>buildings or structures</u> when they do not contribute to the cultural values, character and heritage values of the <u>Heritage area</u> overlay.</i></p>
<b>HA-P2</b> <b>Policy for Kerikeri</b> <b>Heritage overlay</b>	<p><i>To maintain the integrity of the Kerikeri <u>Heritage area</u> overlay and protect the heritage values by retaining the visual dominance and connection of the Kerikeri Mission Station <u>buildings</u> and Kororipo Pa through:</i></p> <p><i>a. the control of the scale, form, colour; and</i></p> <p><i>b. location of alterations and development of <u>buildings or structures</u>.</i></p>
<b>HA-P3</b> <b>Policy for Kerikeri</b> <b>Heritage overlay</b>	<p><i>To maintain visual connection to Kororipo <u>Pā</u>, the Stone Store and Kemp House by limiting built development and <u>landscaping</u> within Part B to protect viewshafts of Kororipo <u>Pā</u>.</i></p>

## Rochelle

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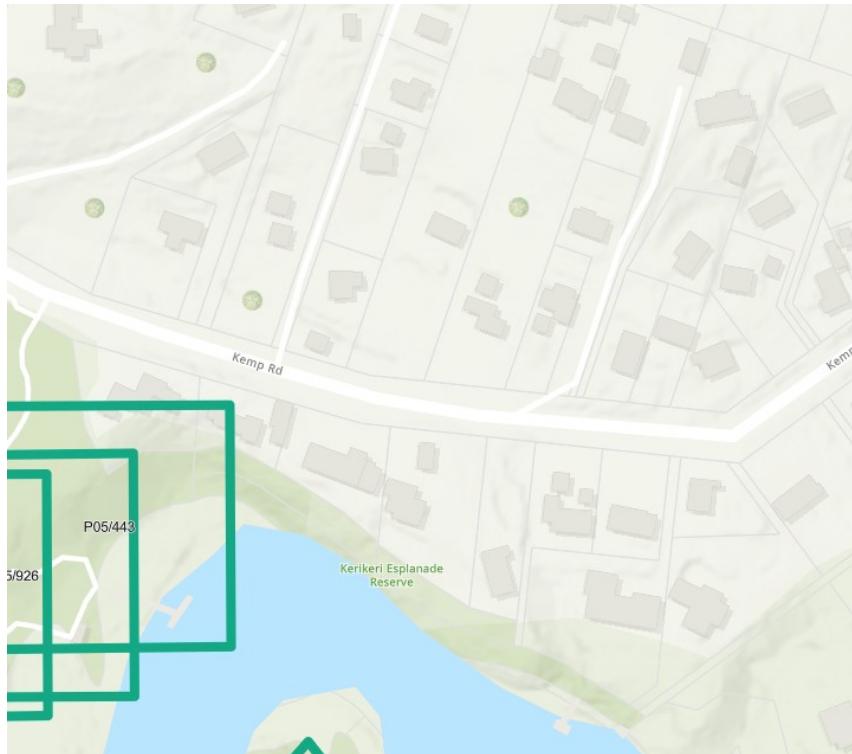
**From:** Stuart Bracey <SBracey@heritage.org.nz>  
**Sent:** Tuesday, 25 November 2025 9:32 am  
**To:** Deanne Rogers  
**Cc:** Rochelle; James Robinson; Atareiria Heihei; Bill Edwards; Jan Danilo; Lisa Ahn  
**Subject:** RE: Proposed subdivision within the Kerikeri Heritage Basin Precinct Visual Buffer - Gareth Jones 38 Kemp Road

Hi Deanne,

Thanks for the early engagement on this development proposal – this is always much appreciated. I confirm that due to the urban landform around this site HNZPT has little concern in relation to any impacts on possible archaeological values. Any values that potentially exist would follow the edge of the nearby waterway, as have been found in the past.

HNZPT would take an ADP approach to development works on this site.

Cheers,  
Stuart



**Stuart Bracey | Kaiwhakamāhere | Heritage Planner | Northern Region |** Heritage New Zealand Pouhere Taonga | L10 SAP  
Tower 151 Queen Street Auckland CBD | Private Box 105 291 Auckland City 1143 | mobile 027 684 0833 | visit  
[www.heritage.org.nz](http://www.heritage.org.nz) and learn more about NZ's heritage places.

***Tairangahia a tua whakarere; Tatakihia nga reanga o amuri ake nei – Honouring the past; Inspiring the future***

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**From:** Deanne Rogers <Deanne@northplanner.co.nz>  
**Sent:** Monday, 24 November 2025 1:04 pm  
**To:** Stuart Bracey <SBracey@heritage.org.nz>  
**Cc:** Rochelle <rochelle@northplanner.co.nz>  
**Subject:** Proposed subdivision within the Kerikeri Heritage Basin Precinct Visual Buffer - Gareth Jones 38 Kemp Road

You don't often get email from [deanne@northplanner.co.nz](mailto:deanne@northplanner.co.nz). [Learn why this is important](#)

Good afternoon Stuart,

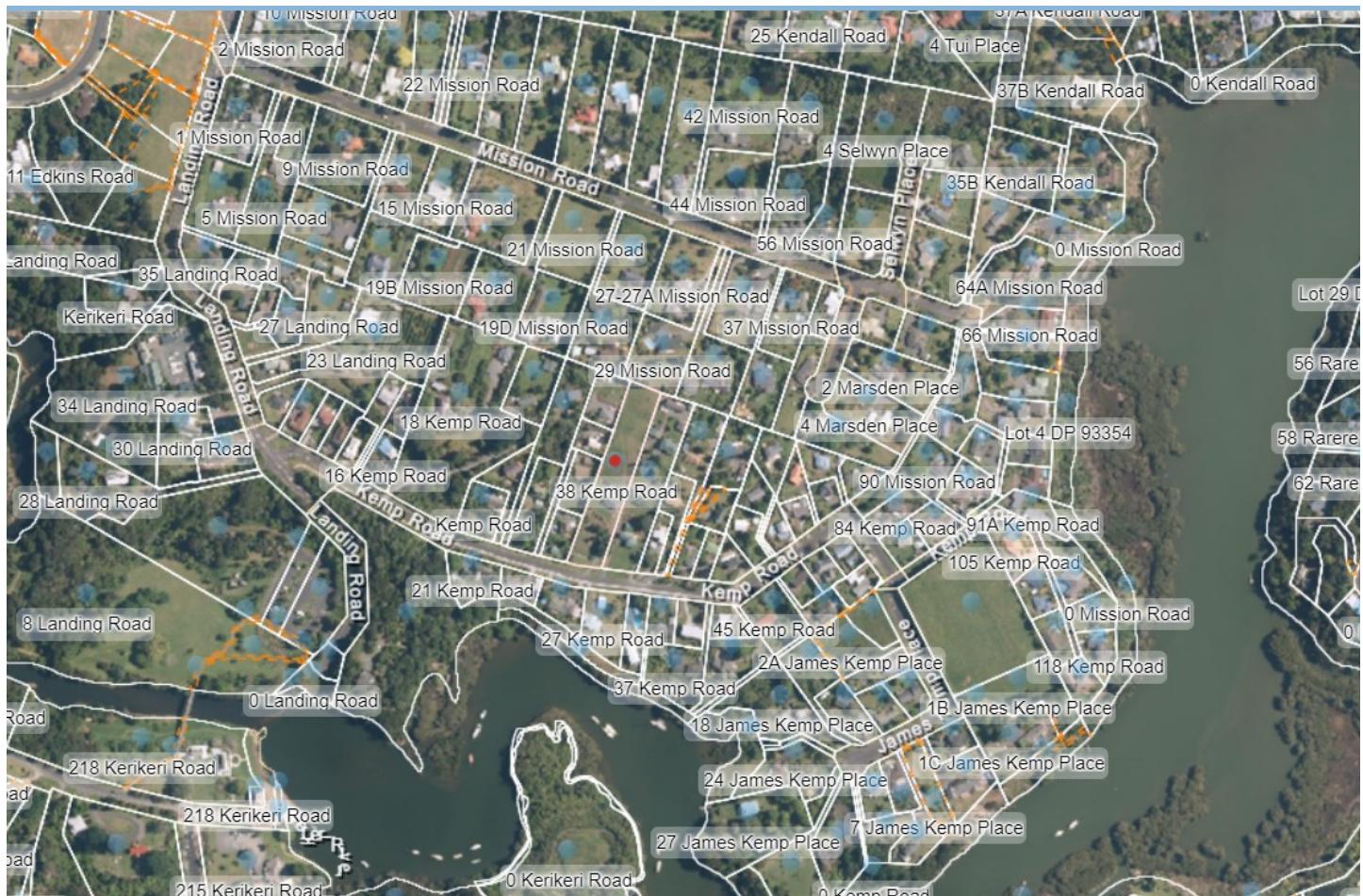
Our client Gareth Jones is proposing to subdivide a residential Rural Living Zone property at 38 Kemp Road, Kerikeri. I have attached a copy of the subdivision plan that will be undertaken in 2 stages and the Haigh Workman Engineering Assessment Report.

The site is within the Kerikeri Heritage Basin Precinct Visual Buffer. The subdivision proposal is a non-complying activity for reasons relating to proposed lot sizes that are below the Rural Living Zone CA, RDA and DA standards. There is an existing house and accessory buildings within the proposed lot 2 boundary. No other building works that would be subject to the Chapter 12.5A Heritage Precinct rule 12.5A.6.3.3 standard as it relates to alterations to existing and/or new buildings. Any future buildings would be subject to this rule, depending on timing of the PDP becoming operative.

The site is to be zoned Rural-Residential under the PDP. It is within the PDP Kerikeri Heritage Area – Part B overlay. Part B covers the '*archaeologically sensitive slopes surrounding Kororipo Pa and the Church Missionary Settlement (CMS). The north and east ridgeline also provide the sight lines from Kororipo Pa. There still remains are legacy of early horticultural subdivision pattern which supports the identity of Kerikeri, predominantly located along the Kerikeri Inlet Road ridgeline.*' Building development is subject to Rules HA-R2 and HA-R4 that have immediate legal effect.

The site is surrounded by similar size sites as compared to the proposed lot sizes. The area was formerly zoned Residential and was rezoned Rural Living when it was determined that the area could not be serviced by reticulated wastewater. Retrolens images suggest that the site was never used for horticultural activity.

Are you able to confirm any interest Heritage NZ may have in this proposal and/or if just regular ADP applies. 129m<sup>3</sup> cut and fill earthworks is required to form the ROW driveway and vehicle crossing. All future building activity will be subject to the above building land use rules.



Site location within the Kerikeri Heritage Precinct Visual Buffer area

Nga mihi,



**Deanne Rogers**

Consultant Planner

Offices in Kaitaia & Kerikeri

09 408 1866 | 027 449 8813

Northland Planning & Development 2020 Limited  
(office days: Mon & Wed)

## Rochelle

---

**From:** Deanne Rogers  
**Sent:** Monday, 24 November 2025 1:11 pm  
**To:** taiao@ngatirehia.co.nz  
**Cc:** Rochelle  
**Subject:** Proposed subdivision of 38 Kemp Road that is within the Kerikeri Basin Heritage Precinct Visual Buffer  
**Attachments:** Scheme Stage 1.pdf; Scheme Stage 2.pdf; Scheme Stage Overall.pdf; 25 187 Engineering Assessment Issue.pdf

Tena koe,

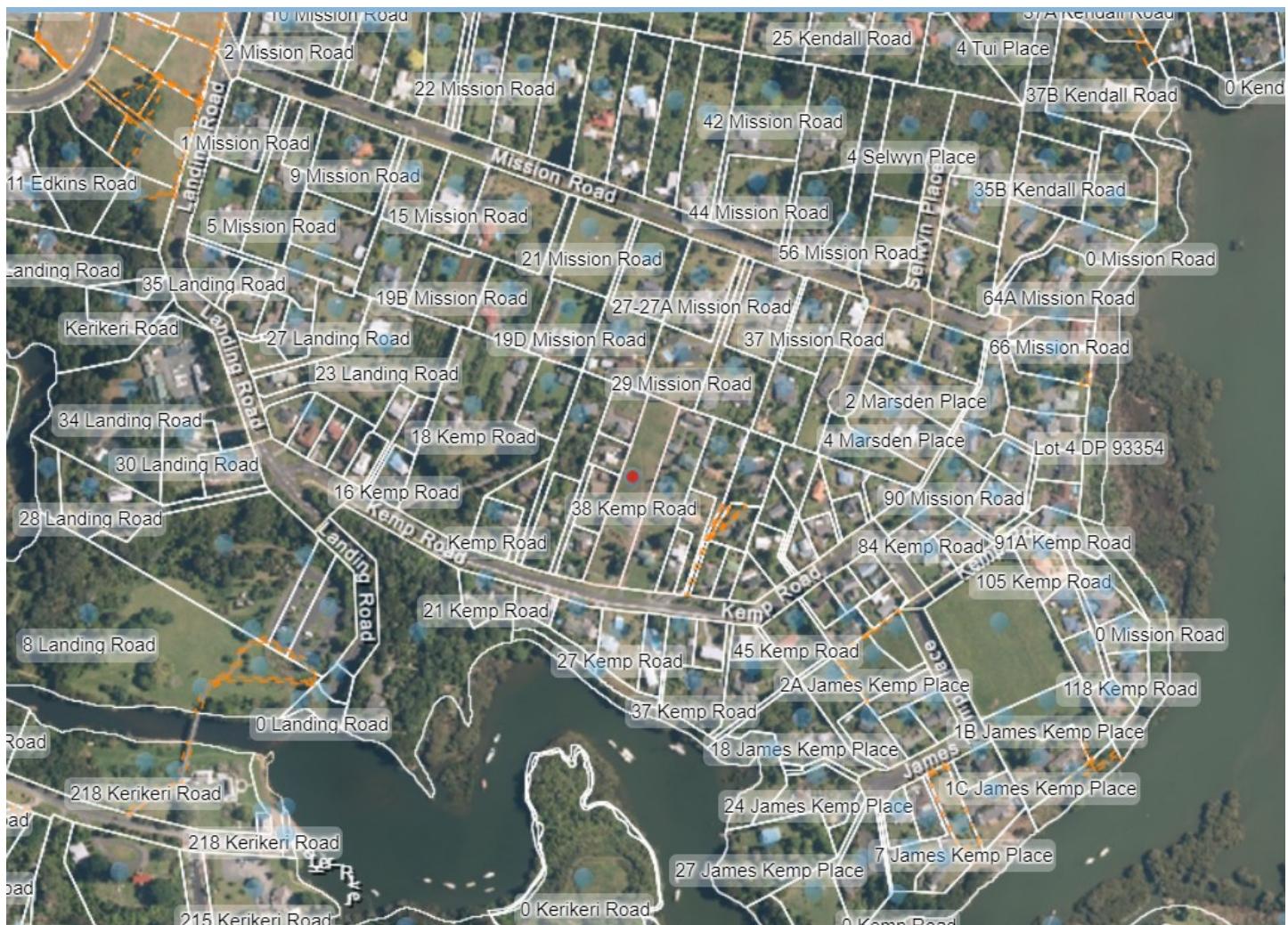
Our client Gareth Jones is proposing to subdivide a residential Rural Living Zone property at 38 Kemp Road, Kerikeri. I have attached a copy of the subdivision plan that will be undertaken in 2 stages, and the Haigh Workman Engineering Assessment Report.

The site is within the Kerikeri Heritage Basin Precinct Visual Buffer. The subdivision proposal is a non-complying activity for reasons relating to proposed lot sizes that are below the Rural Living Zone CA, RDA and DA standards. There is an existing house and accessory buildings within the proposed lot 2 boundary. No other building works that would be subject to the Chapter 12.5A Heritage Precinct rule 12.5A.6.3.3 standard as it relates to alterations to existing and/or new buildings are proposed. Any future buildings would be subject to this rule, depending on timing of the PDP becoming operative.

The site is to be zoned Rural-Residential under the PDP. It is within the PDP Kerikeri Heritage Area – Part B overlay. Part B covers the *‘archaeologically sensitive slopes surrounding Kororipo Pa and the Church Missionary Settlement (CMS). The north and east ridgeline also provide the sight lines from Kororipo Pa. There still remains are legacy of early horticultural subdivision pattern which supports the identity of Kerikeri, predominantly located along the Kerikeri Inlet Road ridgeline.’* Building development is subject to Rules HA-R2 and HA-R4 that have immediate legal effect.

The site is surrounded by similar size sites as compared to the proposed lot sizes. The area was formerly zoned Residential and was rezoned Rural Living when it was determined that the area could not be serviced by reticulated wastewater. Retrolens images suggest that the site was never used for horticultural activity.

Are you able to confirm any interest Ngati Rehia may have in this proposal given its proximity to the Kerikeri Heritage Basin Precinct. 129m<sup>3</sup> cut and fill earthworks is required to form the ROW driveway and vehicle crossing. All future building activity will be subject to the above building land use rules.



Nga mihi,



**Deanne Rogers**

Consultant Planner

Offices in Kaitaia & Kerikeri

09 408 1866 | 027 449 8813

Northland Planning & Development 2020 Limited

(office days: Mon & Wed)

Location ▾

Development type ▾

Connections ▾

Network ▾

Add-ons ▾

Quote

## Great, Chorus can provide network for your development

This quote is subject to these [terms and conditions](https://www.chorus.co.nz/develop-with-chorus/quote-and-agree#quotation-terms-and-conditions) (<https://www.chorus.co.nz/develop-with-chorus/quote-and-agree#quotation-terms-and-conditions>)

**Quote: Q-69959**

**for: 38 Kemp Road, Kerikeri 0230**

*Quote date: 5 December 2025*

*Quote valid until: 5 March 2026*

### Important notes

**IMPORTANT - PLEASE READ**



#### Developer Notes:

Developer to liaise with Service Company designer regarding Inside development ducting to boundary location for new lots 1 and 3.

Please note you are responsible for maintaining integrity of the existing connection for lot 2 during construction of the driveway.

### Documentation

**IMPORTANT - PLEASE REVIEW**



Name	Type
<a href="https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000abqmGIAQ?operationContext=S1">Scheme Stage 1.pdf</a> ( <a href="https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000abqmGIAQ?operationContext=S1">https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000abqmGIAQ?operationContext=S1</a> )	( Scheme plan , 5813.03 KB)
<a href="https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000abhJ9IAI?operationContext=S1">Scheme Stage Overall.pdf</a> ( <a href="https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000abhJ9IAI?operationContext=S1">https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000abhJ9IAI?operationContext=S1</a> )	( Scheme plan , 5809.27 KB)
<a href="https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000absXlIAI?operationContext=S1">Scheme Stage 2.pdf</a> ( <a href="https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000absXlIAI?operationContext=S1">https://chorusnz.my.site.com/npd/sfc/servlet.shepherd/document/download/069Mp00000absXlIAI?operationContext=S1</a> )	( Scheme plan , 5803.64 KB)

### Quote details



## Fibre network

A discount has been applied to this development

	Qty.	Standard unit cost	Discounted unit cost	Total
Empty section				
Individual connections	2	\$1,200.00	\$0.00	<b>\$0.00</b>
<b>Total</b>				
\$0.00 (incl. \$0.00 GST)				

This quote has been saved to [your dashboard](#) and is available to view any time.

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PDF Documents

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# Chorus New Zealand Limited

08 December 2025

Chorus reference: 11446470



CHORUS

**Attention:** Sheryl Hansford

**Quote: New Property Development**

**2 connections at 38 Kemp Road , Kerikeri, Far North District, 0230**

**Your project reference: Gareth Jones subdivision, Stage 1**

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

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

Fibre network	\$0.00
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The total contribution we would require from you is **\$0.00 (including GST)**. This fee is a contribution towards the overall cost that Chorus incurs to link your development to our network. This quote is valid for 90 days from 05 December 2025. This quote is conditional on you accepting a New Property Development Contract with us for the above development.

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

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

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

Kind Regards

Chorus New Property Development Team



*Top Energy Limited*

4 December 2025

Rochelle Jacobs  
Northland Planning & Development 2020 Ltd

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

Email: [info@northplanner.co.nz](mailto:info@northplanner.co.nz)

To Whom It May Concern:

**RE: PROPOSED SUBDIVISION**  
**Gareth Jones – 38 Kemp Road, Kerikeri. Lot 3 DP43386.**

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

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

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

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

Yours sincerely

**Aaron Birt**  
Planning and Design  
E: aaron.birt@topenergy.co.nz

## Northland Planning Development

---

**From:** Aaron Birt <aaron.birt@topenergy.co.nz>  
**Sent:** Friday, 19 December 2025 8:19 am  
**To:** Northland Planning Development  
**Subject:** Top Energy Subdivision Requirements Letter [ ref:!00D0K024I6a.!500RA0ykwhj:ref ]

To Rochelle Jacobs

These lines have been there for quite some time and have statutory rights so Top Energy would not require an easement. If you have any queries please do not hesitate to contact Top Energy.  
Kind regards,

Aaron Birt  
Planning and Design Engineer  
Distributed Generation  
**Top Energy Group**  
Level 1 John Butler Center,  
PO Box 43, Kerikeri, 0245  
[www.topenergy.co.nz](http://www.topenergy.co.nz)



Top Energy is a member of the [Utilities Disputes](#) complaints scheme.?If you have raised a complaint that we have been unable to resolve, you can contact Utilities Disputes, a free and independent service for resolving complaints.?



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----- Original Message -----

**From:** Northland Planning Development [info@northplanner.co.nz]  
**Sent:** 18/12/2025, 9:26 am  
**To:** subdivisions@topenergy.co.nz  
**Subject:** RE: Top Energy Subdivision Requirements Letter [ ref:!00D0K024I6a.!500RA0ykwhj:ref ]

**WARNING: External email from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.**

Hi Aaron,

Thank you for sending through the requirements letter for this application.

As shown on the scheme plan, there are overhead powerlines located within the subject site parallel to Kemp Road.

Can you please advise if an easement would be required over these lines?

Thanks.

Kind regards,



**Alex Billot**

Resource Planner

Offices in Kaitaia & Kerikeri

09 408 1866

Northland Planning & Development 2020  
Limited

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

---

**From:** Subdivision Consents <[subdivisions@topenergy.co.nz](mailto:subdivisions@topenergy.co.nz)>  
**Sent:** Thursday, 4 December 2025 12:02 pm

**To:** Northland Planning Development <info@northplanner.co.nz>  
**Subject:** Top Energy Subdivision Requirements Letter [ ref:100D0K024I6a.!500RA0ykwhj:ref ]

To Rochelle Jacobs

Please find attached the Subdivision Requirements letter. If you have any queries please do not hesitate to contact Top Energy.  
Kind regards,

Aaron Birt  
Planning and Design Engineer  
Distributed Generation  
**Top Energy Group**  
Level 1 John Butler Center,  
PO Box 43, Kerikeri, 0245  
[www.topenergy.co.nz](http://www.topenergy.co.nz)



Top Energy is a member of the [Utilities Disputes](#) complaints scheme.?If you have raised a complaint that we have been unable to resolve, you can contact Utilities Disputes, a free and independent service for resolving complaints.?

 Please consider the environment before printing this email.

CAUTION: This message and accompanying data/attachments may contain information that is confidential and subject to legal privilege. If you are not the intended recipient, you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you have received this e-mail message in error, please notify us immediately and erase all copies of the message and attachments. This message and any attachments have been scanned for viruses prior to leaving the originators network. The originator does not guarantee the security of this message and will not be held responsible for any damages arising from any alteration of this message by a third party or as a result of any virus being passed on. Thank you.

----- Original Message -----

**From:** [subdivisions@topenergy.co.nz]  
**Sent:** 2/12/2025, 9:48 am  
**To:** [info@northplanner.co.nz](mailto:info@northplanner.co.nz)  
**Subject:** Top Energy has received your application. Your reference number is 00109365

Thank you for your Subdivision Consent application.

You can track the progress of your application by visiting [JobTracker](#).

If you have any questions, please reply to this email or call 0800 867 363 and quote your reference number 00109365

Your application details:

Submitted on: Tuesday 2/12/2025, 9:48 am

First name: Rochelle

Last name: Jacobs

Company name: Northland Planning & Development 2020 Ltd

Contact number: 094081866

Email Address: [info@northplanner.co.nz](mailto:info@northplanner.co.nz)

Applicant first name: Gareth

Applicant last name: Jones

Applicant company name:

Applicant phone: 094081866

Applicant email address:

Site address: 38 Kemp Road

Site town / city: Kerikeri

Title number / land parcel identifier: Lot 3 DP43386 / NA1667/39

Additional notes or comments: Proposed two stage subdivision. Stage 1 will see Lot 1 created which is a vacant lot and Lot 4 which will be the balance lot containing the existing dwelling. Stage 2 will see Lot 4 of Stage 1 subdivided to create one additional vacant allotment - Lot 3.

Further information: Proposed two stage subdivision. Stage 1 will see Lot 1 created which is a vacant lot and Lot 4 which will be the balance lot containing the existing dwelling. Stage 2 will see Lot 4 of Stage 1 subdivided to create one additional vacant allotment - Lot 3.



ref!:00D0K024I6a.!500RA0ykwhj:ref

