

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

Yes No

2. Type of consent being applied for

(more than one circle can be ticked):

Land Use

Discharge

Fast Track Land Use*

Change of Consent Notice (s.221(3))

Subdivision

Extension of time (s.125)

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

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

8. Application site details

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

Name/s:	Leon and Sonia Collins		
Site address/ location:	188 Aucks Road, Russell		
	0272		
	Postcode		
Legal description:	Lot 3 DP368059	Val Number:	00413-37102
Certificate of title:	276579		

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.

Please contact applicant for details to access the site.

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.

Proposal to relocate a dwelling to the site which infringes the permitted standards for visual amenity and setback within the General Coastal zone. Consent is also sought for fire risk to residential units. Proposal assessed as a Discretionary Activity under the ODP. Consent to cancel consent notice conditions under s221(3) of the Act and BLR document.

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):

<input checked="" type="radio"/> Building Consent	Enter BC ref # here (if known)
<input type="radio"/> Regional Council Consent (ref # if known)	Ref # here (if known)
<input type="radio"/> National Environmental Standard Consent	Consent here (if known)
<input type="radio"/> 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)

Leon and Sonia Collins

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)

Sonia Collins

Signature:

(signature of bill payer)

Date 14-Apr-2026

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. 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)

Sonia Collins

Signature

Date 14-Apr-2026

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.

Land Use Resource Consent

Sonia and Leon Collins

188 Aucks Road, Russell

17 April 2026

Attention: Liz Searle and Jo Graham – Team Leader(s) Resource Consents

Sonia and Leon Collins are seeking a land use consent to relocate a dwelling onto their vacant property at 188 Aucks Road, Russell. The site is zoned General Coastal under the Operative District Plan (ODP) and Rural Production under the Proposed District Plan (PDP). The PDP also has overlays of Coastal Environment and High Natural Character which apply to the site.

The proposed activity requires a resource consent under the ODP for visual amenity, setback from boundaries and fire risk to residential units. The proposal is a **'Discretionary Activity'** overall.

There is an existing consent notice condition registered on the title for the site under Document 7997710.1 which was created as part of the subdivision which created the subject site in 2009. A Building Line Restriction is also registered on the title under Document 768219.1 which was registered in 1980. It is proposed to cancel both of these instruments as they are no longer relevant to the subject site given previous subdivision and current supporting reports.

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

Regards,



Alex Billot
Resource Planner



Rochelle Jacobs
Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED

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Appendices

- 1. Far North District Council Application Form**
- 2. Record of Title – *LINZ***
- 3. Consent Notice 7997710.1 – *LINZ***
- 4. Building Line Restriction 768219.1 - *LINZ***
- 5. Site and Building Plans – *Absolute Build***
- 6. Landscape Memorandum – *Simon Cocker Landscape Architect***
- 7. FFWS - *FENZ***
- 8. Correspondence – *HNZPT***
- 9. RC2041029 - *FNDC***
- 10. ODP and PDP Objectives and Policies – *Northland Planning and Development 2020 Ltd***

Assessment of Environment Effects Report

1. Description of the Proposed Activity

Land Use

1.1. The Applicants are seeking to relocate a dwelling onto their site at 188 Aucks Road, Russell. The site is within the General Coastal zone under the ODP and is proposed to be rezoned to Rural Production under the PDP. The proposed relocated dwelling will be an elevated single storey building, with a maximum ridge height of 6.2 metres, as per the site plan contained within the Plan Set in **Appendix 5**. The relocated dwelling will have 3 bedrooms, one with ensuite, one separate bathroom and a kitchen, living, dining area. Decks will be added to the northern and southern side of the dwelling and a carport added underneath the dwelling.

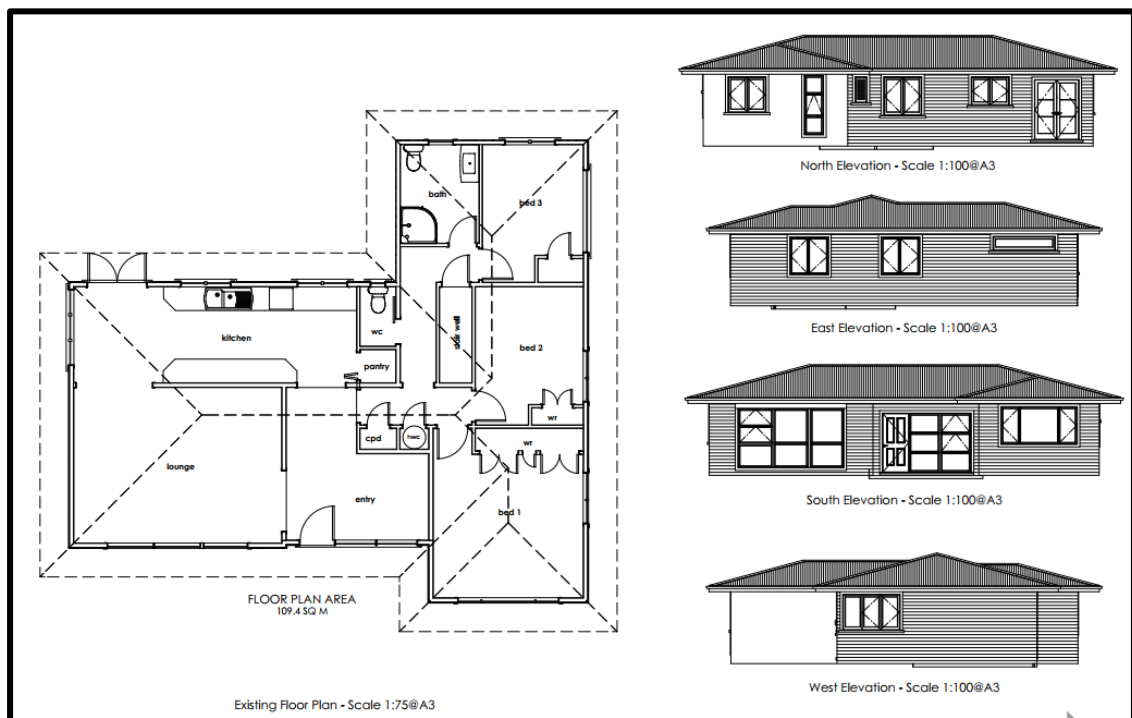


Figure 1: Proposed Floor Plan & Elevations.

1.2. The building design is a response to the gently sloping site topography and its vegetated location. Exterior building materials comprise coloursteel roof and cladding. Exterior colours will be recessive Resene 'Quarter Grey Friars' (LRV 19%), with the roof being Coloursteel 'Grey Friars' (LRV 8%). The exterior cladding and roof colours will have a reflectance value that is less than 30%.

- 1.3. The floor area of the dwelling will be 109.4m² and therefore triggers consent under 10.6.5.1.1 Visual Amenity. The stairs attached to the northernmost deck as well as 100mm of eaves along the western side of the dwelling, encroach into the permitted 10 metre setback with adjoining Lot 2 DP 368059, and as such, consent is triggered for this infringement under Rule 10.6.5.1.7. The dwelling will also be located within 20 metres of the existing bush within the site and as such, consent under Rule 12.4.6.1.2 is required.
- 1.4. The proposal has been assessed as a **Discretionary Activity** under the Operative District Plan (ODP).
- 1.5. The building will be located within the north-western portion of the site, which was the indicated building location within RC2041029 which created the subject site (see **Appendix 9**). The existing site features, including existing vegetation, restrict the location of the building. Vehicle access will be via the existing shared access point with adjoining Lot 2 DP 368059, where a right of way exists over the first portion of the drive within Lot 2 DP 368059, to provide rights of access to the subject site. The internal access then veers within the subject site's boundary and provides access to the proposed building location.



Figure 2 - First portion of internal access within right of way, looking towards Aucks Road.



Figure 3 - Internal driveway which veers into subject site (right hand drive).

1.6. The area of impermeable surfaces within the site comprises the following:

Existing Driveway (metalled)	618m ²
Proposed Driveway (metalled)	205m ²
Proposed relocated residence (to eaves)	152m ²
Existing container	33m ²
Total	1008m² or 10% of the site area

1.7. The proposed dwelling and driveway area will be within an existing cleared area of the site such that no vegetation clearance is required. Some vegetation clearance has occurred on the site which predominantly consisted of exotic pinus radiata. In accordance with FENZ recommendations, buffer areas around the perimeter of the house will be maintained to mitigate future fire risk.



Figure 4: Cleared area of the site where dwelling is to be located. Fence to left of the image is located along the western boundary.

1.8. Only 41m³ of cut/fill earthworks is required to construct an area for the water tanks as well as excavation for the lower-level carport. All cut faces will be below 0.7 metres in height as per the site plans, with all excavated soil to remain onsite.

1.9. On-site infrastructure services include aerated secondary treatment plant and disposal area and also potable water tanks. Haigh Workman have designed a wastewater disposal system

for the site to comply with NRC Regional Plan and FNDC Engineering standards. The design is based on a 3-bedroom dwelling that assumes a 5-person occupancy. The treatment plant and disposal area will be located on the southeast side of the proposed dwelling as per the site plan.

- 1.10. Two, 25000 litre potable water tanks will be provided to the north of the house. 10,000 litres within one of the tanks will be dedicated fire-fighting water supply. Approval from FENZ for the proposed house design, including access for fire trucks and proximity to fire-fighting water supply is attached at **Appendix 7**.

Cancellation of Consent Notice Document

- 1.11. There is an existing consent notice registered on the title under 7997710.1. This consent notice includes two conditions which require that no dwelling to be located above the ridgeline and the colours of all buildings to comply with BS5252 colour range and have a LRV of 30% or less. Given the existing development in the area, the existing vegetation on the site and surrounding environment and the redundancy of the BS5252 resene colour scheme, it is requested that this consent notice document is deleted in its entirety as it affects the subject site. A Memorandum has been completed by Simon Cocker Landscape Architect (**Appendix 6**) in support of cancelling this consent notice document.
- 1.12. The cancellation of the consent notice is sought under S221(3) of the Act and is assessed as a **Discretionary Activity**.

Cancellation of Building Line Restriction Document

1.13. There is an existing Building Line Restriction (BLR) registered on the title under Document 768219.1 which is dated 1980. This BLR was created for the previous parent allotment, Lot 12 DP 90789. A building envelope was created on Lot 12 DP 90789 as part of the original subdivision PA810, which included an area shown within *Figure 5*. Subsequently, a dwelling was erected within this envelope and is now wholly contained within adjoining Lot 1 DP 368059 given the subsequent subdivision which created Lots 1-3 DP 368509.

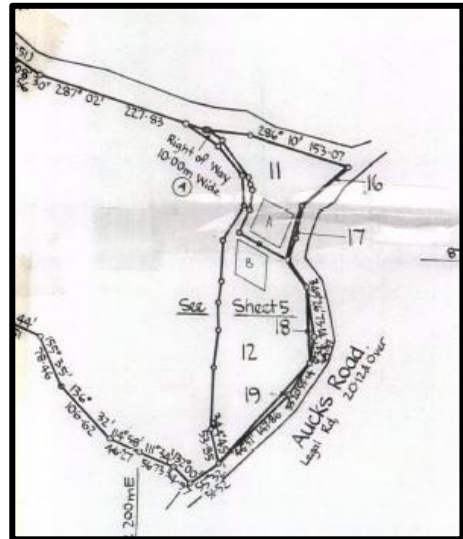


Figure 5: Snip of DP90789 showing location of subject BLR building envelope as it affected the parent lot, Lot 12 DP90789.

1.14. It is considered that this BLR should have been removed as part of the subdivision which created the subject site (RC2041029), however upon investigation of RC2041029, it appears that the BLR was not addressed at all.

1.15. Given the fact that the BLR does not provide for development on the subject site and is redundant, it is requested to delete/cancel the BLR document from the subject site to avoid confusion. As per s327A of the Local Government Act 1974 (LGA), this can be completed under the LGA with the Council sending notice of the cancellation to the BLR or Registrar of Deeds so the records can be amended.

'327A Building-line restrictions

Where a building-line restriction has been imposed under this Act or any former enactment, and the council subsequently determines that the building-line restriction be cancelled, the council shall send notice of cancellation to the District Land Registrar or Registrar of Deeds, as the case may require, who shall amend his or her records accordingly.'

2. Description of the Site and Surrounding Environment

- 2.1. The application site is located at 188 Aucks Road, Russell. The site is legally described as Lot 3 DP 368059. A copy of the record of title is attached at **Appendix 2**.
- 2.2. The site is 1.01ha located to the northeast of the Okiato settlement and southwest of Russell. The site is irregular in shape and is bordered by two neighbouring properties to the north and west, with the eastern boundary shared with Aucks Road. The eastern portion of the site is vegetated with native shrubland, with the Applicant actively undertaking weed control to enhance the regeneration of native vegetation within this area.



Figure 6: View from the proposed building area to the south-eastern boundary. The Waikare Inlet is located in the background.

- 2.3. To the west is a defined boundary containing a solid timber fence and a half round barn which is located on the neighbouring lot.



Figure 7: Existing timber fence along western boundary and half round barn on neighbouring lot.

- 2.4. The site is within an area which is largely dominated by bush lots, with more intensely developed settlements to the north along Te Wahapu Road, and to the southwest, within Okaito.
- 2.5. The site is within the mapped Regional Policy Statement for Northland (RPSN) and the PDP 'Coastal Environment' and area of 'High Natural Character' (Refer *Figure 8* below). Further west is Conservation Land which was vested as Scenic Reserve as part of the subdivision which created the original parent lot and shown on DP 90785. The site and surrounding environment are shown to form part of PNA Edwards Tikitikioure Coastal Habitat which is noted as shrubland. The site and surrounding environment are also located within an area where kiwi are known to be present in high densities.



Figure 8: PDP Maps showing HNC and Coastal Environment Overlay.

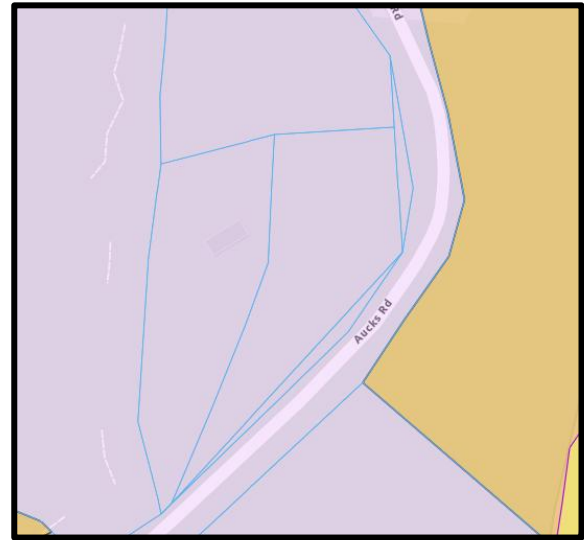


Figure 9: FNDC Natural Environment Maps showing PNA (purple shade).

- 2.6. Far North District Plan maps indicate that there are no known archaeological sites within the site or immediate environment. The application has been sent to Heritage NZ Pouhere Taonga (HNZPT) for their comment with their recommendation being that the proposal shall proceed under the guidance of an ADP (see **Appendix 8**).
- 2.7. The site is not shown to be susceptible to natural hazards.

3. Reasons for Consent

Operative District Plan (ODP)

- 3.1. The site is zoned 'General Coastal' (GCZ) under the Operative Far North District Plan (ODP). There are no other resource layers that apply to the site.



Figure 10: FNDC ODP Zoning Maps.

- 3.2. The proposed activity is assessed against the following GCZ rules set out in [Table 1](#) below and the District-wide rules in [Table 2](#).

Table 1 - Assessment of the Permitted Section 10.6.5.1 General Coastal Zone		
Plan Reference	Rule	Performance of Proposal
10.6.5.1.1	Visual Amenity	Restricted Discretionary. The dwelling will have a floor area over 25m ² and therefore triggers consent under this rule.
10.6.5.1.2	Residential Intensity	Permitted. The proposal will result in one dwelling on the site.

10.6.5.1.3	Scale of Activities	<p>Permitted.</p> <p>No non-residential activities are proposed.</p>
10.6.5.1.4	Building Height	<p>Permitted.</p> <p>The maximum height of the building is 6.2m (shown on Sheet 2 of the Plan Set) which is well within the permitted height of 8m.</p>
10.6.5.1.5	Sunlight	<p>Permitted.</p> <p>The proposed dwelling will comply with the sunlight recession plane building setback requirements.</p>
10.6.5.1.6	Stormwater Management	<p>Permitted.</p> <p>The permitted impermeable surface coverage for the General Coastal zone is 10% of the total site area, which amounts to 1010m² for the subject site.</p> <p>As stated earlier in this report, the existing and proposed impermeable surface coverage amounts to 1008m² which complies with the permitted standard.</p>
10.6.5.1.7	Setback from Boundaries	<p>Restricted Discretionary.</p> <p>The stairs attached to the northernmost deck as well as 100mm of eaves along the western side of the dwelling, encroach into the permitted 10 metre setback with adjoining Lot 2 DP 368059.</p>
10.6.5.1.8	Transportation	<p>Permitted.</p> <p><u>Traffic</u></p> <p>The proposal will result in a residential dwelling which is exempt from these rules given it will be the first dwelling on the site.</p>

		<u>Parking</u> Parking will be provided for as per the Plan set. <u>Access</u> Access will be provided for via existing provisions.
10.6.5.1.9	Keeping of Animals	Not applicable. No keeping of animals is proposed.
10.6.5.1.10	Noise	Permitted.
10.6.5.1.11	Helicopter Landing Area	Not applicable. No helicopter landing area is proposed

TABLE 2 - ASSESSMENT AGAINST THE APPLICABLE OPERATIVE PLAN DISTRICT-WIDE RULES:

Plan Reference	Rule	Performance of Proposal
12.1	LANDSCAPE AND NATURAL FEATURES	Not applicable The proposed building site is not within any mapped outstanding landscape or natural feature.
12.2	INDIGENOUS FLORA AND FAUNA	Permitted. The proposal does not include any indigenous vegetation clearance. The Applicant has advised that the vegetation cleared onsite to establish the building area was predominantly exotic. Given the small area of clearance combined with the predominant exotic composition the clearance is considered to sit well within the permitted standards.
12.3	SOILS AND MINERALS	Permitted.

		Less than 50m ³ of excavations are required to establish the dwelling and tanks. There will not be a cut/fill face greater than 1.5m in height.
12.4	NATURAL HAZARDS (Fire Risk to Residential Units)	Discretionary The proposed dwelling building will be located within 20m of existing bush areas.
12.5	HERITAGE	Permitted There are no registered archaeological sites that would be affected by the proposed development.
12.7	LAKES, RIVERS, WETLANDS AND THE COASTLINE	Permitted
12.8	HAZARDOUS SUBSTANCES	Not applicable
12.9	RENEWABLE ENERGY AND ENERGY EFFICIENCY	Not applicable
15.1	TRANSPORTATION (TRAFFIC, ACCESS AND PARKING)	Permitted

Operative District Plan Activity Status

3.3. Overall, the proposed activity is a **‘Discretionary’** activity under the ODP. This relates to the combined visual amenity, setback from boundaries and fire risk to residential unit’s aspects of the proposed activity.

Proposed District Plan

3.4. Under the Proposed Far North District Plan (PDP), the site is zoned ‘Rural Production.’ The building is within the ‘Coastal Environment’ and ‘High Natural Character’ overlays. It is noted

that the area of HNC does not include the proposed building location (refer *Figure 11* below). The High Natural Character reference is 427 and is described as follows:

‘Description: Hill slopes with kanuka dominant shrubland & forest with some mixed broadleaved species in some gullies. Some wilding pines. Includes some patches of more mature podocarp- mixed broadleaved forest (totara- puriri-taraire)’

3.5. There are no historic or natural hazard overlays that apply to the site.



Figure 11: PDP Zoning & Overlay Maps.

3.6. The Council notified its’ PDP on 27 July 2022. The period for public submissions closed on the 21 October 2022. A summary of submissions was notified on the 4 August 2023. The further submission period closed on the 5 September 2023. District Plan hearings on submissions concluded at the end of 2025. Hearings Panel recommendations on submissions were due end of March 2026. A decision on submissions is expected by 11th June 2026, however until such time as decisions on submissions are issued, limited weight is given to the PDP provisions.

3.7. An assessment against PDP rules that have immediate legal effect is set out in **Table 3** below.

TABLE 3 - ASSESSMENT AGAINST THE PDP RULES THAT HAVE IMMEDIATE LEGAL EFFECT¹

Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource Rules HS-R5, HS-R6, HS-R9	Not applicable
Heritage Area Overlays	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	Not applicable The application site is not within a proposed Heritage Area.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10) Schedule 2 has immediate legal effect	Permitted The site does not contain any scheduled heritage items.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	Not applicable. The site does not contain any scheduled notable trees.
Sites and Areas of Significance to Māori	All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect	Not applicable

¹ As updated by PDP Plan Variation 1 dated 14 October 2024

Ecosystems and Indigenous Biodiversity	All rules have immediate legal effect (IB-R1 to IB-R5)	Permitted Permitted Rule IB-R1(7) provides for the construction of a single residential unit on a title and essential on-site infrastructure and access that does not exceed 1,000m ² . Recent vegetation clearance was undertaken. The clearance was predominantly exotic such that this standard is considered to be met.
Subdivision	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	Not applicable. The proposal is not a subdivision
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not applicable.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5	Permitted The proposed earthworks will adhere to the accidental discovery protocol (EW-12) and erosion and sediment control (EW-13) rule standards that have immediate legal effect.
Signs	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	Not applicable.

Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not applicable.
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Proposed District Plan Activity Status

3.8. The proposal is a 'Permitted' activity under the notified PDP rules that have current legal effect.

Cancellation of Consent Notice

3.9. As detailed earlier in this application, it is requested to delete/cancel the conditions held within CN Document 7997710.1 as they affect the subject site. This request is completed under s221(3) of the Act and is assessed as a **Discretionary Activity**.

Cancellation of Building Line Restriction

3.10. As per s327A of the Local Government Act 1974 (LGA), this cancellation is completed under the LGA. No activity status is recorded as applying to this activity.

National Environmental Standards

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

3.11. The site is not a HAIL site and has no known history of HAIL activity.

National Environmental Standards for Freshwater Management 2020

3.12. There are no freshwater wetlands or other stream bodies affected by the proposal.

4. Statutory Assessment

Section 104B of the Resource Management Act 1991 (RMA)

4.1. Section 104B governs the determination of applications for a Discretionary Activity. A consent authority may grant or refuse consent and impose conditions under section 108.

RMA Section 104

- 4.2. The application proposal is subject to the matters set out in Section 104.
- 4.3. Section 104(1) of the RMA states that when considering an application for resource consent –
- “the consent authority must, subject to Part 2, and section 77M have regard to –*
- (a) any actual and potential effects on the environment of 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 reasonably necessary to determine the application.”*

Assessment of Effects on the Environment

- 4.4. 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 RMA). Positive effects arising from this proposal include the establishment of a single dwelling on site as enabled by an earlier decision on a subdivision proposal that determined the site’s suitability for residential development. The new dwelling will be a residence for the Applicants and contribute to housing supply within the Russell surrounds.
- 4.5. Potential adverse effects on the environment that go beyond the threshold of effects permitted in the General Coastal zone include the visual amenity and setback impact of a new building in the landscape and fire risk to residential buildings.

Visual Amenity Effects

- 4.6. The ODP limits the permitted area of buildings in coastal environment landscapes to protect natural character. This is an RMA section 6(a) matter. The site is in the General Coastal zone, which is generally a rural area with a coastal influence, where natural character predominates. Residential buildings are provided for, however habitable buildings larger than 25m² are required to meet specified criteria to minimise their visual impact. The PDP proposes a Rural Production zone. In terms of the management of visual effects, proposed coastal environment overlay rules will regulate the size of permitted buildings outside of an area of ONC or HNC to 100m², with controls on exterior colour and materials. Permitted building height will be limited to 5m above ground level.
- 4.7. The proposal is for a modest sized, single storey dwelling with carport underneath designed for a gently sloping site. The suitability of the site for residential purposes was determined by a previous subdivision consent (RC2041029) that created in the site, with the proposed dwelling being within the intended building area of the site under RC2041029. The size and location of the house within bush surrounds is similar to other sites in the surrounding area. Exterior colours will be recessive Resene 'Quarter Grey Friars' (LRV 19%), with the roof being Coloursteel 'Grey Friars' (LRV 8%).
- 4.8. A Memorandum ('Landscape Memo') has been prepared by Simon Cocker Landscape Architect in support of the application and is attached within **Appendix 6**. We accept and adopt the recommendations and conclusions made within the Landscape Memo and will refer back to statements made in the Landscape Memo within our assessment below.
- 4.9. The proposed activity is a Discretionary Activity overall. Section 11.5 of the ODP contains discretionary assessment criteria for visual amenity. These are commented on as follows:
- (a) The size, bulk, height and siting of the building or addition relative to skyline, ridges, areas of indigenous vegetation and habitat of indigenous fauna, or outstanding landscapes and natural features.*
- 4.9.1. The Landscape Memo provides a thorough assessment of the site and the suitability of the design in terms of visual effects. The Landscape Memo details that *'Lot 3 occupies the eastern facing upper flank of the ridge which is traced by Aucks Road. This ridge forms the*

'spine' of the peninsula, the western tip of which is occupied by the Okiato Settlement.' The site is contained within a vegetated landscape, with the proposed dwelling location being located outside of the areas of HNC within the site and within the indicated building area shown on the approved plan for RC2041029. The Landscape Memo then goes on to state that *'the proposed building will be visually contained on its eastern, northern and north western sides by vegetation, and by landform and vegetation on the western sides. There is potential for the building to be visible from spatially separated locations within the rural landscape to the south east, but from this area, the building will be viewed with a backdrop of existing vegetation. Seen against this backdrop, the building will not form a skyline element, and will be rendered very difficult to discern by virtue of its dark and recessive external finishes.'* As such, it is considered that the proposed size, bulk, height and siting of the building is appropriate in terms of the stated features.

(b) The extent to which landscaping of the site, and in particular the planting of indigenous trees, can mitigate adverse visual effects.

4.9.2. The proposed dwelling will be located in an existing cleared area of the site, with the balance of the site remaining in bush. This is appropriate for a site in this location where houses are situated within bush settings. Fire risk limits the extent to which cleared areas around the building can be replanted. The Landscape Memo did not recommend any additional landscaping given the vegetated surroundings of the site.

(c) The location and design of vehicle access, manoeuvring and parking areas.

4.9.3. Vehicle access will be via the existing consented crossing place and shared right of way. The driveway then veers into the subject site, following the western boundary to the proposed house site. Vehicle parking will be within the driveway and proposed understorey carport area. A wrap around driveway will be created around the dwelling to provide ease of manoeuvring within the site and to accommodate existing site features such as vegetation and topography.

(d) The means by which permanent screening of the building from public viewing points on a public road, public reserve, or the foreshore may be achieved.

4.9.4. The Landscape Memo has stated that the building will be visually contained on its eastern, northern and western sides by vegetation and landform. Potential views from the rural landscape to the southeast may be possible but the backdrop of vegetation combined with the natural recessive colour scheme will mitigate visual effects. The proposed dwelling development is consistent with development in the immediately surrounding area. No permanent screening is proposed, nor has any been recommended.

(e) The degree to which the landscape will retain the qualities that give it naturalness and visual value as seen from the coastal marine area.

4.9.5. The proposal will alter the site given a residential dwelling is proposed. However, as the vegetation will be maintained within the remainder of the site and the extent of the dense vegetation on adjoining lots, the proposal is considered to be adequately absorbed into the natural environment, retaining these qualities. To the extent possible, the natural state of the site will be preserved while utilising it for its' residential purpose.

(f) Where a building is in the coastal environment and it is proposed to be located on a ridgeline, whether other more suitable sites should be used and if not, whether landscaping, planting or other forms of mitigation can be used to ensure no more than minor adverse visual effects on the coastal environment.

4.9.6. The Landscape Memo concluded that the proposal '*will not detract from the visual amenity nor from the rural character of the landscape.*' The proposal was found to be visually contained and with the use of a natural and recessive colour scheme, will be difficult to discern. It is considered that the proposed location is the most suitable for the site.

(g) The extent to which the activity may cause or exacerbate natural hazards or may be adversely affected by natural hazards, and therefore increase the risk to life, property and the environment.

4.9.7. Other than fire risk to residential units, there are no other mapped or otherwise identified natural hazards that apply to the site. FENZ have been contacted as part of the application process with approval received. This is attached within **Appendix 7**.

(h) The extent to which private open space can be provided for future uses;

4.9.8. The proposal is a residential development on A coastal/rural site. Private open space is provided in the form of outdoor deck areas and around the perimeter of the building for domestic utility.

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

4.9.9. As per the Landscape Memo, the proposal is not considered to create visual dominance given the proposed design and location. Setback infringements are created along the western boundary given that the stairs attached to the deck and the eaves along the western side of the house, encroach into the 10m setback provision. Given the western boundary is constructed with a close boarded timber fence and the nature of the built form which causes the infringements, no visual dominance is anticipated.

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

4.9.10. Compliance matters relate to visual amenity and the visual impact of larger buildings in the coastal landscape. The dwelling exceeds the permitted and controlled thresholds. The effect of these non-compliances will not affect the privacy, outlook and enjoyment of private open spaces on adjacent sites.

Summary

4.10. In the context of what is anticipated in the GCZ for a single residential dwelling on an established site and the development constraints presented by the location, potential adverse effects are assessed to be no more than minor. Potential changes to the visual appearance of the site to include a dwelling have been inevitable since the site was created. Whilst new residential buildings and associated development activities are not permitted by the zone, they are in accordance with its intended purpose which is to enable low density residential development to locate in rural/coastal areas where use and development and the associated effects are consistent and compatible with the preservation of the natural character of the coastal environment.

(b) The extent to which the building(s) intrudes into the street scene or reduces outlook and privacy of adjacent properties.

4.12.2. The proposal does not result in a setback infringement from the road boundary and is therefore not considered to intrude into the street scene. The setback infringement relates to the eaves and stairs attached to the deck. The adjoining site to the west contains an existing half round barn, which is not orientated towards the site and with the existing close boarded fence, any views of Lot 2 DP 368059 are obscured. The deck attached to the dwelling is located to the north, not the west, such that private outdoor space of the subject dwelling will be focused to the north. Outlook and privacy of adjacent properties are therefore not considered to be adversely affected.

(c) The extent to which the buildings restrict visibility for vehicle manoeuvring.

4.12.3. Vehicle manoeuvring will not be restricted as determined by the design.

(d) The ability to mitigate any adverse effects on the surrounding environment, for example by way of street planting.

4.12.4. Given there is an existing close boarded timber fence located along the western fenceline, no additional landscaping is proposed nor considered necessary as any landscaping would not aid in visual mitigation. Furthermore, no adverse effects are anticipated as detailed above.

(e) The extent to which provision has been made to enable and facilitate all building maintenance and construction activities to be contained within the boundaries of the site.

4.12.5. Building maintenance and construction activities can be adequately contained within the boundaries of the site.

Summary

4.12.6. The proposal results in minor setback infringements given the location of the stairs attached to the deck and the eaves along the western side of the dwelling. The existing

close boarded timber fence will adequately mitigate any visual effects of the dwelling as well as protect outlook and privacy. The half round barn is assumed to be non-habitable, and is orientated away from the subject site, such that no effects on privacy are anticipated. It is considered that even if the dwelling was shifted to comply with the setback requirements, this change would be indiscernible from what is proposed and not change the level of effects created by the proposal, still remaining as less than minor. The position of the dwelling has been such to suit the existing topography, vegetation and to minimise earthworks. It is considered that the effects of the setback infringements are less than minor and as such, no written approvals have been sought nor considered necessary.

Fire Risk Effects

4.13. The proposed house site location is within 20m of existing bush areas as indicated on the site plan. To accommodate the house and avoid excessive vegetation clearance, fire risk to the house building will remain a potential hazard at the site. Houses situated in bush settings are a feature of the immediate area. To mitigate this risk, the proposal includes provision for dedicated on-site fire-fighting water supply and access and parking for a fire truck. The proposal has been assessed by FENZ, who have approved the site layout, the way fire risk will be mitigated and fire-fighting services accessed at the property. Potential adverse effects from fire risk are assessed to be no more than minor.

4.14. Rule 12.4.7 sets out the discretionary activity assessment matters for residential development proposals that may generate a fire risk. The matters that are relevant to fire risk are commented on below:

(a) the degree to which the activity may cause or exacerbate natural hazards or may be adversely affected by natural hazards, and therefore increase the risk to life, property and the environment;

4.14.1. The introduction of a residential activity into bush environments has the potential to exacerbate fire risk. The ODP seeks to manage fire risk to residential units, that is ensuring that any risk to life or property is avoided or mitigated where possible. The application site is an existing property that is currently partially covered in bush. Similar to other sites in the immediate area, houses are located within the bush, and mitigation measures put in place to ensure that fire risk to life and buildings is minimised. This includes the distance

between remaining bush areas and buildings, the provision of adequate on-site (or nearby) fire-fighting water supply. All of these methods have been adopted and approved by FENZ.

(b) – (i) not relevant

(j) in respect of fire risk to residential units:

(i) the degree of fire risk to dwellings arising from the proximity of the woodlot or forest and vice versa; and

4.14.2. Without resulting in excessive clearance, the proximity of vegetation to the proposed dwelling is 10 metres. This is less than the permitted standard and will remain a risk for the dwelling should the bush ignite. The roof material is coloursteel which is a non-flammable building material that will reduce building fire risk.

(ii) any mitigation measures proposed to reduce the fire risk;

4.14.3. Fire risk mitigation includes ensuring that there are properly fitted and operational smoke alarms inside the dwelling, adequate fire-fighting water supply that is readily accessible to FENZ fire trucks. 10,000L supply dedicated for firefighting purposes will be provided for as well as maintaining the 10 metre clearance area around the dwelling.

(iii) the adequacy of the water supply; and

4.14.4. An adequate and approved volume of fire-fighting water supply will be available at the site.

(iv) the accessibility of the water supply to fire service vehicles

4.14.5. Tank fire-fighting water supply will be available at the site and readily accessible to fire service vehicles.

Cancellation of Consent Notice

4.15. As detailed earlier in this report, there is an existing consent notice registered on the title under 7997710.1. This consent notice includes two conditions which require no dwelling to be

located above the ridgeline and the colours of all buildings to comply with BS5252 colour range and have a LRV of 30% or less (see **Appendix 3**). Given the existing development in the area, the existing vegetation on the site and surrounding environment and the redundancy of the BS5252 resene colour scheme, it is requested that this consent notice document is deleted/cancelled in its entirety as it affects the subject site. The cancellation of the consent notice is sought under S221(3) of the Act and is assessed as a **Discretionary Activity**.

- 4.16. To provide some context, this consent notice was created as part of RC2041029 which subdivided the parent allotment to create three lots. From reviewing the property file for the site, including documents within RC2041029, there was no explanation found as to why there was a consent notice condition imposed in terms of the ridge height. It is therefore assumed that this consent notice was placed to ensure that any future building on the lots would not be visually obtrusive within the surrounding environment.
- 4.17. A Memorandum has been completed by Simon Cocker Landscape Architect (**Appendix 6**) in support of cancelling the consent notice condition which states *‘No dwelling is to be located above the ridgeline’*. It was the opinion of Mr Cocker that *‘the building will not detract from the visual amenity, nor from the rural character of the landscape and I believe that the deletion of this consent notice which states – ‘No dwelling is to be located above the ridgeline’ – is appropriate from a landscape perspective.’*

- 4.18. The suitability of the site for residential purposes was determined by the subdivision consent (RC2041029) that created the site. Within this application a potential house site was shown, as depicted within Figure 14 adjacent. The current proposal seeks to place the dwelling within close proximity to this identified location. This further reinforces that a dwelling within this approximate location was anticipated at time of subdivision. This combined with the findings of Mr Cocker, reassures Council that the proposal is not objectionable nor inconsistent with the intended development within the site or development in the surrounding environment.

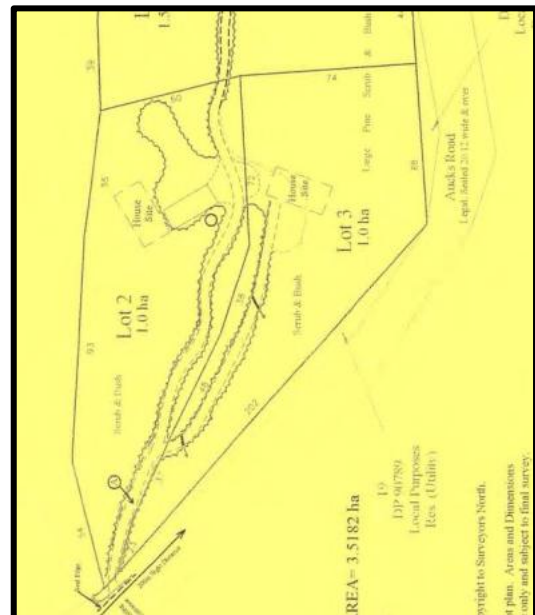


Figure 14: RC2041029 Approved Plan depicting intended development area within the site which is consistent with the proposal.

- 4.19. It is considered based on the findings of Mr Cocker and the existing development in the surrounding environment being of similar height and character, it is appropriate to delete Condition 1 of Consent Notice document 7997710.1. Given the lot size as well as the current GCZ and the proposed zoning of RPZ within a CE and HNC overlay, a second dwelling within the site would require further resource consent, with the proposed PDP permitted building height within the CE being 5 metres. As such, a second dwelling on the site would require a thorough assessment which provides Council reassurance that removing this consent notice condition will not enable buildings which could adversely impact visual amenity.
- 4.20. In terms of Condition 2 which states ‘the colours of all buildings are to comply with the BS5252 colour range and have a reflectance value of 30% or less’, this colour standard is now considered to be redundant. Within the PDP s42A Report for the Coastal Environment, the Report Writer determined that the specific Resene colour range was no longer used and should rather not specify a particular company, and instead be a separate Appendix to the PDP. This was determined given that the standard should not be limited to a colour range from one paint manufacturer, given there are many other paint manufacturers (for example, Coloursteel) which create finishes on products that achieve the required LRV of 30% or less. Also, given roofs frequently utilise coloursteel products, it is considered unnecessary to restrict these to Resene paint Products when alternative products can achieve the LRV required. As such, to ensure consistency with proposed and future legislation, it is considered appropriate to cancel Condition 2 of Consent Notice Document 7997710.1. Future buildings will be controlled by the District Plan standards.

Relevant Statutory Provisions

- 4.21. Section 104(1)(b) requires the consideration of any relevant provisions found in national policy statements or standards, regional policy statements or plans and operative or proposed district plans. Relevant statutory documents include:
- New Zealand Coastal Policy Statement
 - Regional Policy Statement for Northland
 - Far North District Plan
 - Proposed Far North District Plan

- 4.22. The scale of development is such that the National Policy Statement for Indigenous Biodiversity has limited relevance.

New Zealand Coastal Policy Statement 2010 (with 2025 amendments)

- 4.23. The NZCPS provisions apply to this proposal but are generally given effect to within the context of the District Plan and the higher order RPSN. The NZCPS is concerned with sustainable management of the coastal environment including its ecological function, and the preservation of its natural character and landscape values. Effects on Te Tiriti values, public access to the coast, coastal hazards and the wellbeing of people are also relevant considerations.
- 4.24. The site is within the coastal environment as mapped by the Regional Policy Statement for Northland. The current District Plan site zone is GCZ, which is within the ODP coastal environment. The PDP zoning is Rural Production. Coastal values and features are to be managed via a coastal environment overlay. Matters relating to the preservation of natural character and associated landscape and ecological values subject to building (visual amenity) that are directly relevant to RMA s6(a) matters of national importance.
- 4.25. The proposed house site is existing and was indicated within the original subdivision, RC2041029, which created the subject site. Despite the relatively intact natural character of the site that sits above the coastal marine area, the District Plan zone does enable associated built development on the site. This is consistent with development within the surrounding environment which in this location is characterised by dwellings scattered within both native and exotic vegetation. The consolidation of development within existing coastal settlements is supported by the NZCPS (Policy 6). The proposal will maintain and enhance the existing native vegetation on the site by ensuring areas within the HNC are maintained and preserved via ongoing pest and weed management and locating the built development and access outside of these areas (Objective 1 & Policy 11). Natural character will be preserved and visual effects mitigated as concluded within the Landscape Memo, given the vegetated backdrop and use of natural and recessive colours (Objective 2 & Policy 6, 13 & 15).

Regional Policy Statement for Northland (2016 - updated 2018)

- 4.26. The purpose of the Regional Policy Statement for Northland (RPS) is to promote the sustainable management of Northland's natural and physical resources by providing an overview of the region's resource management issues.

- 4.27. The RPS sets out policies and methods to achieve integrated management of Northland's natural and physical resources. The proposed building location will be located outside of any regionally mapped outstanding landscape. The site does include areas of high natural character, however the proposed building location will be located outside of these areas. It is noted that the 2009 ODP predates the 2016 RPSN and does not reflect the mapped areas of high natural character that were applied to the site. This has been rectified in the PDP which includes a high natural character overlay.
- 4.28. Objective 3.4 seeks to protect areas of significant indigenous vegetation and fauna habitats, maintain the extent of ecosystem diversity and habitat and where practicable, enhance these environments. Within the coastal environment, this includes avoiding adverse effects on threatened or at-risk indigenous species and avoiding significant adverse effects on areas of indigenous vegetation, habitats that have recreational, commercial, traditional or cultural value.² The application site is within a previously developed area and is zoned for low density residential development. Existing indigenous vegetation and associated habitat values will be protected to the extent possible, whilst enabling a residential dwelling on a site that was previously subdivided for residential purposes.
- 4.29. It is considered that in the context of the existing site zoning and the extent to which existing vegetation will be retained, the proposed residential development will not be contrary to the objectives and policies of the RPSN.

Far North District Plan

- 4.30. The proposed residential activity has been assessed against the applicable objectives and policies of the ODP. A copy of these provisions is attached at **Appendix 10**.

Coastal Environment & General Coastal Zone

- 4.31. The application site is within the ODP Coastal Environment which comprises rural and coastal land along the District's coastline. The site location sits above the settlement of Okiato, where there is residential development of varying intensity, significant bush areas, indigenous fauna habitat (particularly for kiwi). Within the Coastal Environment, it is expected that where natural character exists it will be preserved and that landscape and visual qualities will be

² RPSN Policy 4.4.1(1)-(2)

protected from inappropriate development. Wherever possible, development is to be consolidated within existing settlements to provide medium and low-density settlements along the coastline.³

- 4.32. Coastal Environment Objective 10.3.1 recognises the tension between managing avoiding the adverse effects of subdivision and development and the practicalities around providing for appropriate development. As per s6(a) of the RMA, the NZCPS and the RPSN, the preservation of the natural character of the coastline and the coastal environment and any other associated natural and landscape values is sought (Objective 10.3.2). The GCZ forms part of the coastal environment and is generally a rural area with a coastal focus and where natural character predominates. Generally, lots within the GCZ are relatively large, encapsulating areas of bush or rural land mixed with bush. Given the vulnerability of the natural environment, preserving and restoring the environment is a key objective.
- 4.33. In the context of that application, appropriate development includes development consistent with the need to preserve natural character (Objective 10.6.3.2 & 10.6.3.2, Policy 10.6.4.1). The proposal achieves this by developing an existing cleared area of the site located outside of the areas of HNC. The use of a natural recessive colour scheme with the vegetated backdrop ensures that natural character is preserved. The Landscape Memo attached within **Appendix 6** of this application concluded that the visual and landscape qualities of the site will be protected (Policy 10.6.4.2). The preservation and enhancement of the vegetation on the site will ensure that the vegetated landscape is maintained throughout the site with connectivity through adjoining lots. The proposal will see the intended purpose of this allotment fulfilled whilst ensuring effects on natural character and amenity are mitigated to a less than minor degree.
- 4.34. In accordance with Policy 10.6.4.3, the proposed building location will be within an existing cleared area of the site, where there will be least impact on the natural character and indigenous vegetation and as was intended within RC2041029. Visual impacts will be mitigated as detailed within the Landscape Memo attached with this application. The proposed development will not adversely affect nearby archaeological sites or sites of interest to Iwi. Adverse effects are considered to have been mitigated to a less than minor degree through the visual considerations and location of the proposed building (Policy 10.6.4.4). Earthworks

³ Coastal Environment – Expected Outcomes 10.2.1, 10.2.2, 10.2.3

will be minimal and given this, is not expected to create adverse effects on natural character (Policy 10.6.4.6).

- 4.35. It is considered that the proposed dwelling would not be contrary to the coastal environment or the GCZ objectives and policies.

Natural Hazards – Fire Risk

- 4.36. The location of residential buildings in bush environments generates a potential risk to human life and property. Conversely, there is an increased risk to vegetated bush areas from residential activity. The ODP seeks to manage the risk of fire to residential units where these are located within 20m of established vegetation. Avoiding the risk of severe damage to property and loss of indigenous vegetation, particularly where sites are not close to firefighting services is an objective of the ODP (Objective 12.4.3.1 and 12.4.3.7, Policy 12.4.4.7).
- 4.37. The proposal includes methods for avoiding the risk of fire to adjoining vegetation and properties. As described above, these include the proposed type of inflammable roofing materials, providing adequate fire-fighting water supply and access for fire truck vehicles and having a cleared maintained area around the perimeter of the house. FENZ has approved the proposal in terms of managing fire risk and meeting the relevant NZ standards. It is considered that fire risk will be sufficiently mitigated at the site and the proposed activity will not be contrary to ODP objectives and policies that manage natural hazards.

Proposed Far North District Plan

Rural Production Zone, coastal environment, and high natural area overlay

- 4.38. The proposed site zoning is Rural Production which has been applied to coastal land that is currently zoned 'General Coastal'. Zone rules, objectives and policies do not have current legal effect, however they do provide an indication of how this part of the district is to be managed. RPROZ-O1, RPROZ-O2, RPROZ-O3 state that the RPZ is primarily to ensure availability for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment. Protecting highly productive land and protecting primary production from reverse sensitivity effects is also an objective (RPROZ-O3). The site is an already subdivided parcel of land of around 1 hectare,

which contains soils of LUC 6 (not classified as highly versatile). The site contains areas of native bush identified as HNC and is bounded by similar sized lots on the western and northern boundaries and Aucks Road on the eastern boundary. As such, the land is not considered suitable for primary production use, nor are reverse sensitivity effects anticipated given the intended land use and surrounding land use. The proposed land use is not considered to be incompatible with the character and amenity of the zone or surrounding environment and does not result in loss of HPL, exacerbation of natural hazards and can provide onsite infrastructure (RPROZ-P5).

- 4.39. To manage resource management issues relating to the coastal environment, a mapped coastal overlay has been applied to District land to differentiate between land that is within, or outside of, the mapped coastal environment. To manage effects on the natural environment, the PDP has adopted environment overlays, including a high natural character overlay, which applies to the site. This overlay adopts the same RPSN high natural character area overlay.
- 4.40. Currently, in respect of this application, only rules relating to aspects of earthworks activities have current legal effect. The proposed excavation volumes are anticipated to be minimal with the relevant standards being adhered to. No indigenous vegetation clearance is proposed.
- 4.41. The location of a single residential dwelling on an existing site in the coastal environment would not be contrary to the objectives and policies of the PDP that have current legal effect.

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

5.4. 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.

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

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

5.7. 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- (i) The land in, on, or over which the activity will occur, or (ii) Any land adjacent to that land
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

- 5.8. 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 proposal is not considered to create adverse effects as detailed within this application.

Step 4: Public notification in special circumstances

S95(9)	Do special circumstances exist in relation to the application that warrant the application being publicly notified?
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- 5.9. When considering public notification, current caselaw has defined ‘special circumstances’ as those outside the common run of things which are exceptional, abnormal or unusual, but they may be less than extraordinary or unique. The proposed activity is a single dwelling on a low-density coastal living type site that is anticipated by the District Plan. There are no extraordinary or unique circumstances.
- 5.10. Potential adverse effects beyond the immediate site boundary are less than minor. Public notification of the application is not deemed necessary, nor is it required.

Section 95B – Limited Notification Assessment

- 5.11. 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?

- 5.12. 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).

- 5.13. 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.

- 5.14. The proposed activity does include a boundary activity, which are setback infringements of the stairs attached to the deck and the eaves located along the western side of the dwelling, along the western side of the site, which adjoins Lot 2 DP 368059.
- 5.15. 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 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.

- 5.16. The application proposal is a Discretionary 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.

5.17. There are no other persons on adjacent sites that would be adversely affected to a minor or more than minor extent. There is an existing close boarded timber fence located along the western boundary which adequately screens the proposed development and Lot 2 DP 368059. The existing half round barn, assumed non-habitable, is not orientated towards the site, such that effects on privacy and outdoor space are not anticipated. The setback infringements are minimal and enable adequate area for maintenance and construction activities within the site boundaries. The infringements are not considered to create any effects that would be more than if the proposal complied with the required setback distances. As such, effects on adjoining property owners are considered to be no more than minor. 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. The proposed activity will contribute to housing supply in and around Russell.
- 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 located within the coastal environment. The site has high natural character in the form of intact indigenous vegetation. Residential development on the site is enabled by the Plan zone(s). Providing for the social and economic wellbeing of the Applicant must be balanced with natural environment protection policies where locations are not identified as being outstanding and where residential development potential is signalled as being appropriate.
- 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.
- 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 within a documented area of significance to Māori and HNZPT have recommended proceeding on the

basis of an ADP. The proposal has considered the principals of the Treaty of Waitangi and would not 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 relocate a dwelling on to a vacant site at 188 Aucks Road, Russell. The site was created in 2009 and contains vegetated areas of HNC which will not be affected by the proposal.
- 7.2. The proposal also includes cancellation of the existing consent notice conditions as they affect the site as well as the cancellation of the BLR, given these documents are now redundant. A Landscape Memorandum has been provided in support of this from a Landscape Architect.
- 7.3. The site is zoned 'General Coastal' in the ODP and 'Rural Production' in the PDP. Low density residential activity is enabled by both zones, subject to avoiding and / or mitigating potential adverse effects on the natural character values of the site, including coastal character. The activity is Discretionary overall for matters relating to visual amenity, setback from boundaries and fire risk to residential units.
- 7.4. An assessment of potential adverse effects on the environment concludes that these effects will be no more than minor. The zone and site subdivision history envisages residential development in this location. To the extent possible, the proposal has been designed to comply with the permitted standards of both the ODP and the PDP.
- 7.5. In the context of the ODP and PDP zone framework, the activity is a consentable proposal, being a single residential dwelling on a vacant rural/coastal site. The Applicant requests that the application be 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 **276579**
Land Registration District **North Auckland**
Date Issued 02 July 2009

Prior References

NA47D/1269

Estate Fee Simple
Area 1.0100 hectares more or less
Legal Description Lot 3 Deposited Plan 368059

Registered Owners

Leon Leslie Collins and Sonia Fransiena Johanna Collins

Interests

768219.1 Resolution imposing Building Line Restriction - 11.6.1980 at 2:13 pm

7997710.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.7.2009 at 11:36 am

Appurtenant hereto is a right of way and a right to convey electricity and telecommunications created by Easement Instrument 7997710.3 - 2.7.2009 at 11:36 am

The easements created by Easement Instrument 7997710.3 are subject to Section 243 (a) Resource Management Act 1991

11974299.2 Mortgage to Kiwibank Limited - 22.12.2020 at 6:17 pm



Far North
District Council

Private Bag 752, Memorial Ave
Kaikohe 0400, New Zealand
Freephone: 0800 920 029
Phone: (09) 405 2750
Fax: (09) 401 2137
Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING RC 2041029
The Subdivision of Lot 12 DP 90789
North Auckland Registry

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

SCHEDULE

Lots 2 & 3 DP 368059

- i) No dwelling is to be located above the ridgeline.
- ii) The colours of all buildings are to comply with British Standard Specification Bs5252 colour range and have a reflectance value of 30% or less.

SIGNED:

Mr M A McDonald

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

DATED at Kerikeri this 13th day of October 2008

COPY

- Resolved(1) That the Survey Plan of subdivision comprising Lots 11 and 12, 16-19, being a subdivision of Pt Lot 77, D.P. 17693-6, and Section 58, Blk V, Russell S.D. be approved pursuant to Section 305 of the Local Government Act, 1974, conditional upon the granting or reserving of the easements shown in the Memorandum endorsed thereon; And, it is hereby certified that the plan is in accordance with a specified departure consented to under Section 74 of the Town and Country Planning Act, 1977 and that the Common Seal of the Council be affixed thereto.
- (2) That the Survey Plan of subdivision comprising Lots 13 & 20, being a subdivision of Part Lot 77, D.P. 17693-6, Part Section 46, Blk I, Russell S.D. be approved pursuant to Section 305 of the Local Government Act, 1974; And is hereby certified that the plan is in accordance with the requirements and provision of the operative district scheme; And that the Common Seal of the Council be affixed thereto.
- (3) That the Survey Plan of subdivision comprising Lots 5, 6, and 15, being a subdivision of Part Lot 77, D.P. 17693-6, be approved pursuant to Section 305 of the Local Government Act, 1974. And, it is hereby certified that the plan is in accordance with the specified departure consented to under Section 74, of the Town and Country Planning Act, 1977; And that the Common Seal of the Council be affixed thereto.

continued:

- 16 APR 1980
- (4) That the survey plan of subdivision comprising Lots 1-4 and 14, being a subdivision of Part Lot 77, D.P. 17693-6, and Part Section 46, Blk I, Russell S.D. be approved pursuant to Section 305 of the Local Government Act, 1974, subject to the building line restriction over parts of the land thereon as imposed by resolution No. 9.2 B (1) (c) of 15th August, 1979.
- And, it is hereby certified that the plan is in accordance with a specified departure consented to under Section 74 of the Town and Country Planning Act, 1977; And, that the Common Seal of the Council be affixed thereto.
- (5) That the survey plan of subdivision comprising Lots 7-10, being a subdivision of Part Lot 77, D.P. 17693-6, Part Section 55, Blk V, Russell SD be approved pursuant to Section 305 of the Local Government Act, 1974, subject to the building line restriction over parts of the land thereon as imposed by resolution No. 9.2 B (1) (c) of 15th August, 1979.
- And, it is hereby certified that the plan is in accordance with a specified departure consented to under Section 74 of the Town and Country Planning Act, 1977; And, that the Common Seal of the Council be affixed thereto.

RESOLUTION

Pursuant to a resolution of the Bay of Islands County Council passed on the
21st day of MAY 1980 approving the attached
survey plan (L T 90789) pursuant to Section 305 of the Local Government
Act 1974 subject to a building restriction that no wall or building will
be erected on Lots 11 and 12 thereon other than within the areas marked
"X" and "Y" thereon respectively and certifying that the plan is in accor-
dance with a specified departure consented to under Section 74 of the Town
and Country Planning Act 1977 the Common Seal of The Bay of Islands County
Council was affixed hereto in the presence of:

J. M. V. [Signature] CHAIRMAN

[Signature] COUNTY CLERK



P.O. Box:— Private Bag

[L.&D.—52

Telephone No:— 771-499



New title references have been allocated for the lots on this plan as follows: Lots 11 & 12 47D/1268, 1269
Lots 16 to 19 47D/1270 to 1273
These references must be used in any documents registered in terms of this plan.

DEPARTMENT OF JUSTICE

LAND REGISTRY OFFICE,

DATE - 5 SEP 1980

ACTION

CT / Rate 5 September 19 80

DEAR SIR,— PLAN No. 90789 being a subdivision of Plan of Lots 11 & 12, 16-19 being subd. of pt Lot 77, DP 17693-6 & Sec. 58 Blk V Russell S.D.

CT 26D/804

signed by Kauri Developments Limited as the owner

was deposited on 21st August 1980

Bay of Islands County Council

Box 11

KAWAKAWA


Yours faithfully,

[Signature]
for District Land Registrar

Approved Pursuant to a resolution of the Bay of Islands County Council passed on the day of 1980 approving pursuant to Section 305 of the Local Government Act 1974 this survey plan conditional upon the granting or reserving of the easements shown in the memorandum endorsed hereon, and subject to the building line restrictions over parts of the land herein imposed by resolution and certifying that the plan is in accordance with a specified departure consented to under Section 74 of the town and country planning Act 1977, the Common Seal of the Bay of Islands County Council was affixed hereto in the presence of:-

Chairman
County Clerk

Memorandum of Easement			
Shown	Purpose	Serv. Ten.	Dom. Ten.
A	Right of Way	Pl Lot 12 hereon	Lot 11 hereon

Approved

 Director
 Registered Owners

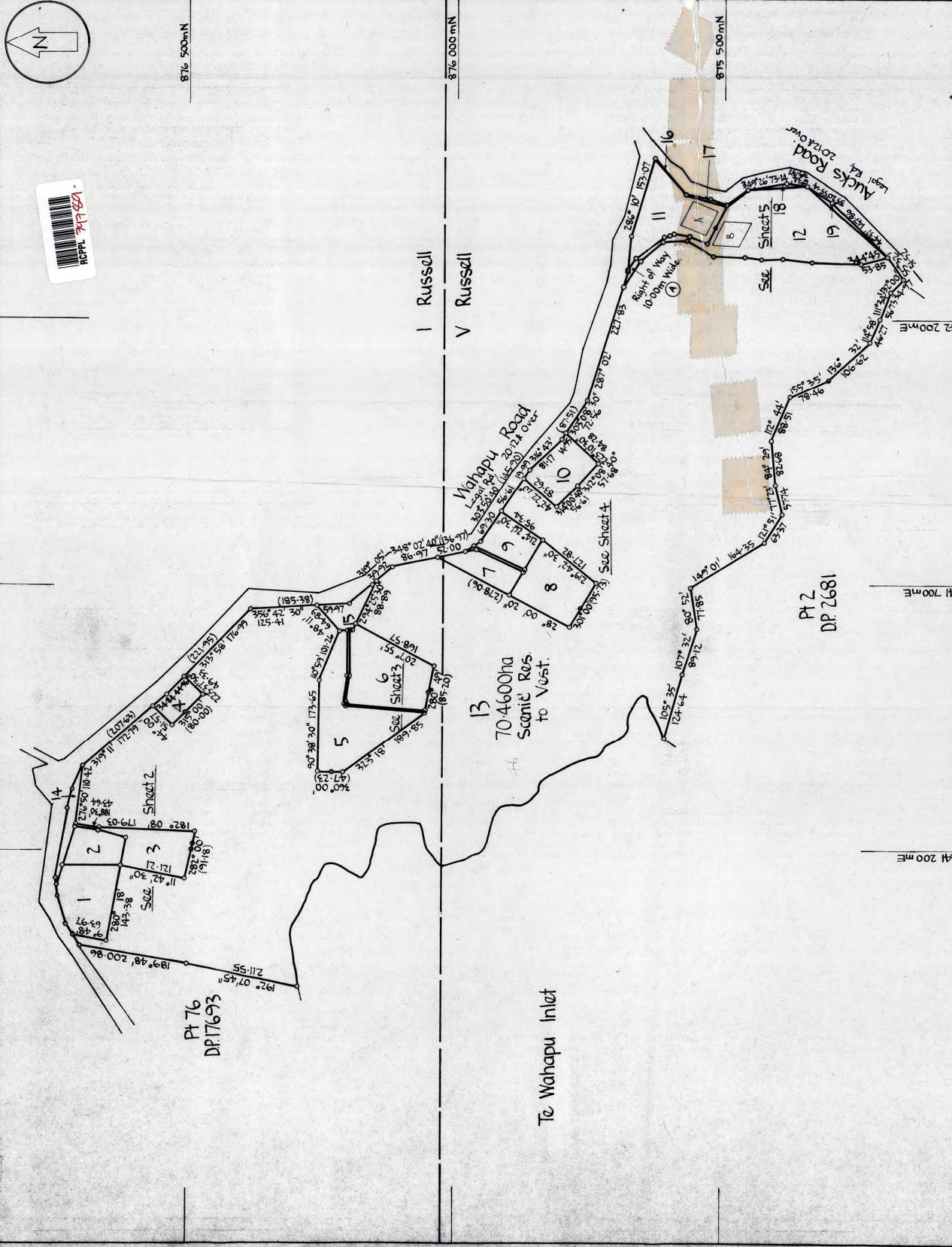
Total Area 87.4594ha
 Comprised in CT 260-804-All, CT 29A-473 All.

I, Kenneth Leonard Simpson of Whangarei Registered Surveyor and holder of an annual practising certificate hereby certify that this plan has been made from surveys executed by me or under my direction; that both plan and Survey are correct and have been made in accordance with the regulations under the Surveyors Act 1966
 Done at Whangarei this 14th day of February 1980 Signature *Kenneth Simpson*

Field Book p. Traverse Book p.
 Reference Plans DP 17693-6, S.O. 47453, S.O. 48679, S.O. 36173, D.P. 2681.
 Examined Correct

Approved as to Survey
 Chief Surveyor
 Deposited this day of 19

File Received
 Instructions
 District Land Registrar



sheet 1 of 5 sheets
 LOCAL AUTHORITY BAY OF ISLANDS COUNTY
 Surveyed by Ken Simpson Shaw & Co
 Scale 1:5000 Date January 1980

Lots 1-19 being a Subdn of Pt Lot 77 DP 17693-6, Sec 46
 Blk I Russell S.D. & Secs 55 & 58 Blk V Russell S.D.

LAND DISTRICT NORTH AUCKLAND
 SURVEY BLK. & DIST. I & V Russell
 NZMS SHEET NO.

Approved Pursuant to a resolution of the Bay of Islands County Council passed on the 19th day of 1980, approving pursuant to Section 305 of the Local Government Act 1974 this survey plan conditions upon the granting or reserving of the easements shown in the memorandum endorsed hereon and certifying that the plan is in accordance with a specified departure consented to under Section 74 of the Town and Country Planning Act 1977, the common seal of the Bay of Islands County Council was affixed hereto in the presence of:-

Chairman
County Clerk

Note: This Plan is concurrent with DP's

Memorandum of Easement		
Shown	Serv. Ten.	Dem. Ten.
A	Right of Right of Way	Lot 11 hereon

Approved

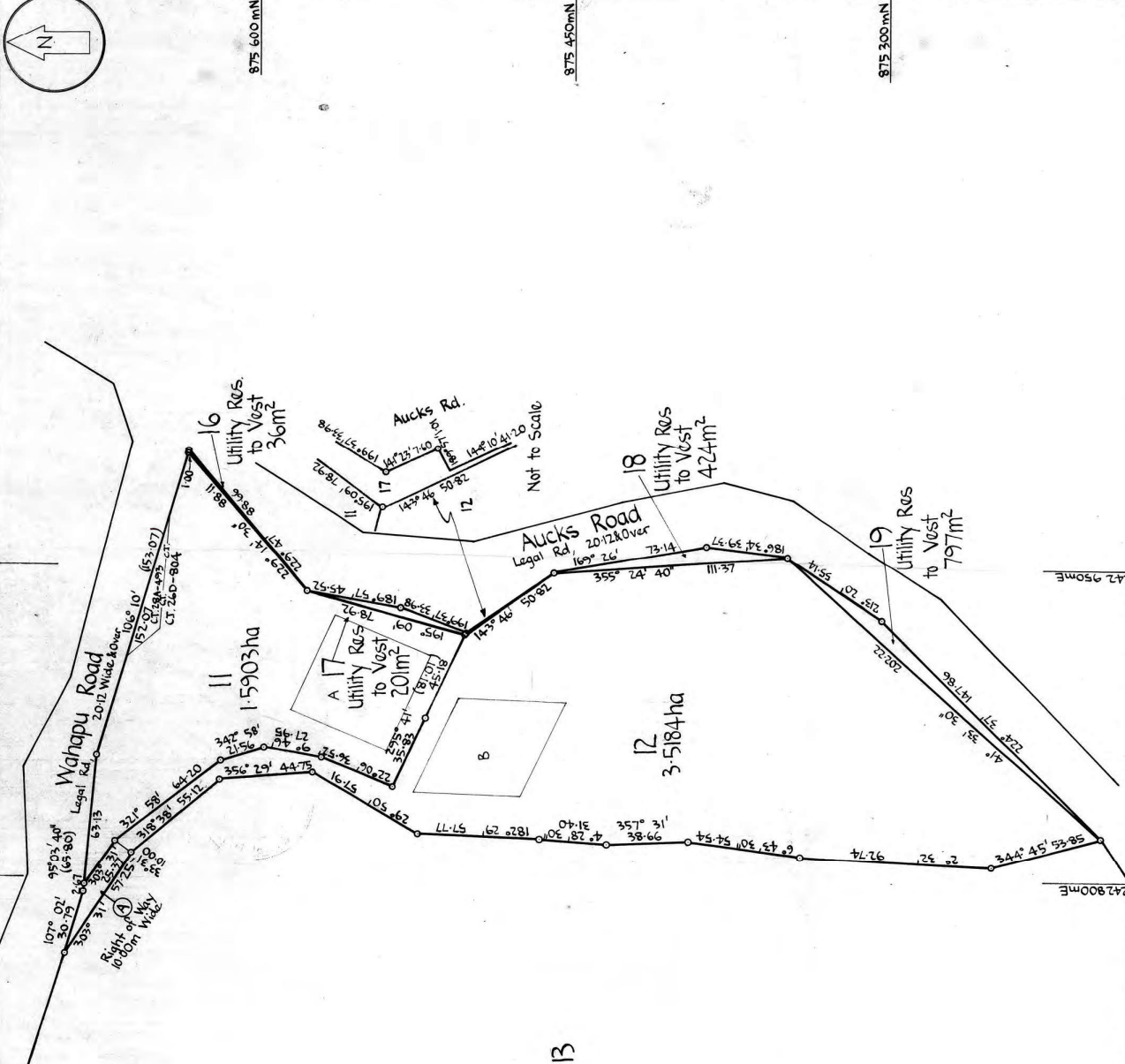
 The Common Seal of Kaur Developments Limited
 Director
 Registered Owners

Total Area
 Comprised in CT. 260-804, CT. 29A-473

I, Kenneth Leonard Simpson of Whangarei Registered Surveyor and holder of an annual practising certificate hereby certify that this plan has been made from surveys executed by me or under my direction; that both plan and survey are correct and have been made in accordance with the regulations under the Surveyors Act 1966
 Dated at Whangarei this 19th day of February 1980
 Signature
 Field Book p. Traverse Book p.
 Reference Plans D.P. 17693-6, S.O. 44453, S.O. 45879, S.O. 30179
 D.P. 260-804
 Examined Correct

Approved as to Survey
 Chief Surveyor
 Deposited this 19 day of 19
 District Land Registrar

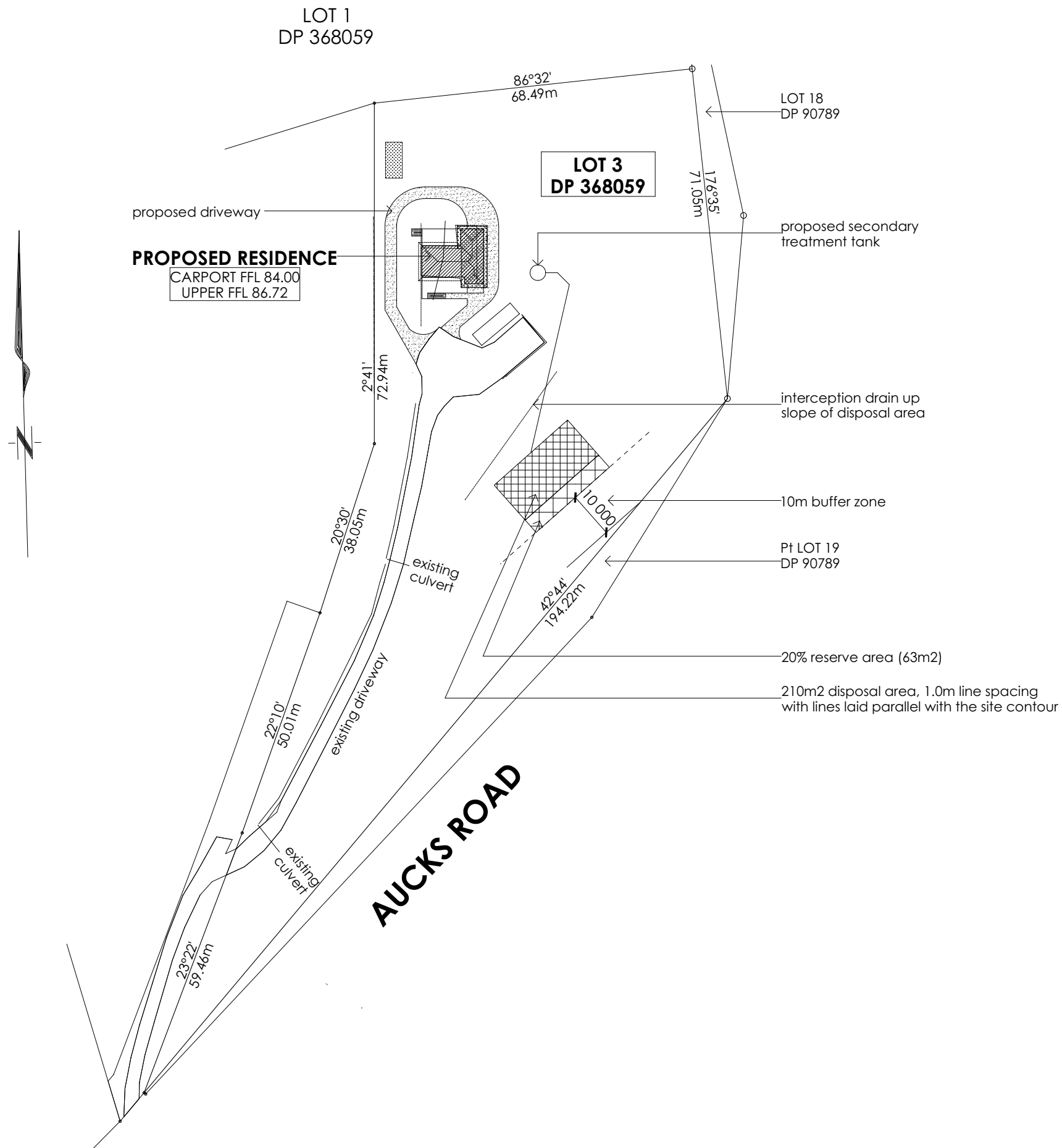
File Received
 Instructions



LOCAL AUTHORITY BAY OF ISLANDS COUNTY
 Surveyed by Ken Simpson Shaw & Co
 Scale 1:1500 Date January 1980

Lots 11 & 12, 16-19 being a Subdn of Pt Lot 77,
 DP. 17693-6, & Sec 58 Blk V Russell S.D.

LAND DISTRICT NORTH AUCKLAND
 SURVEY BLK. & DIST. 1 & V Russell
 NZMS SHEET NO.
 Printed by Starling Imparts Ltd. Auckland, New Zealand

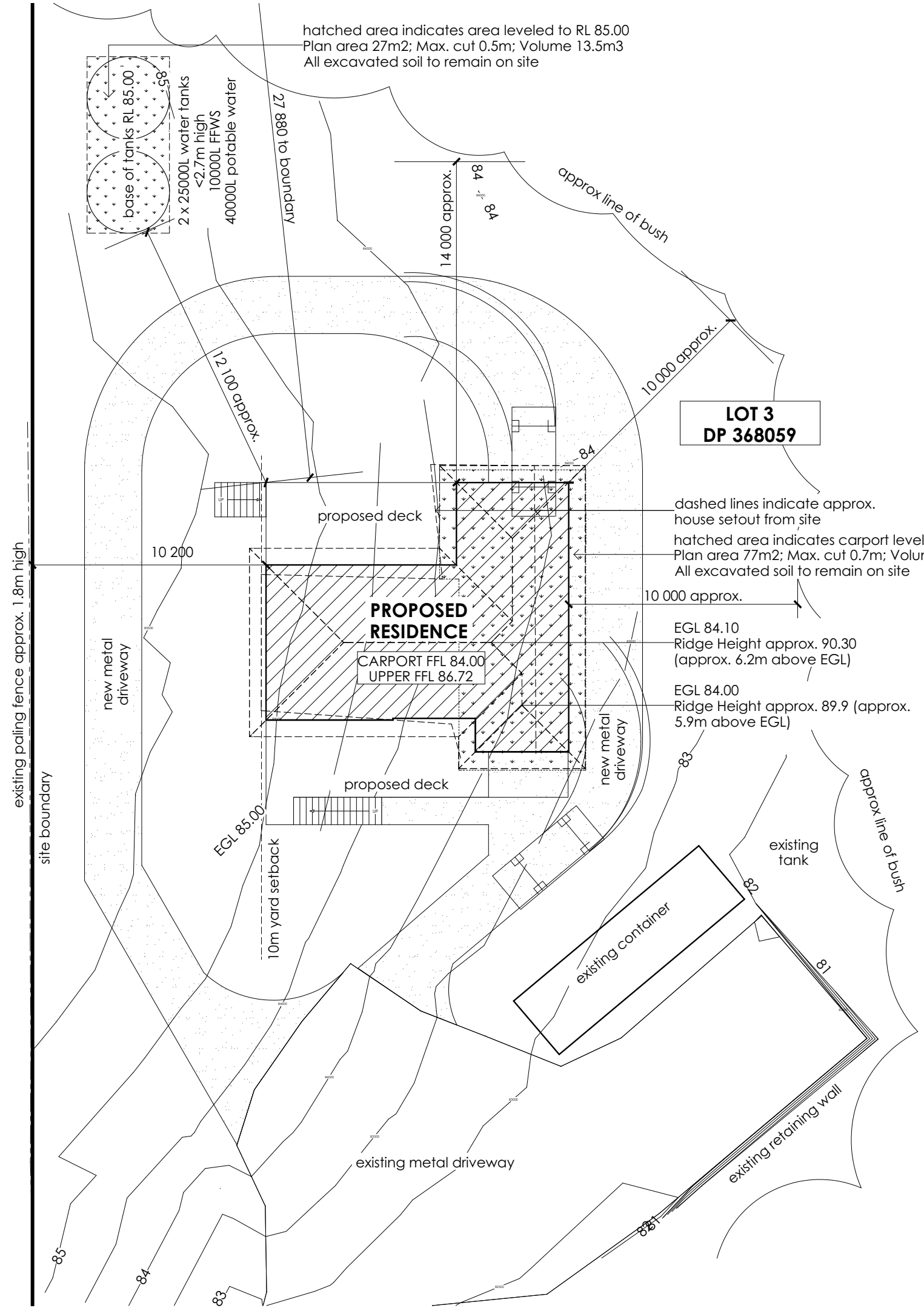


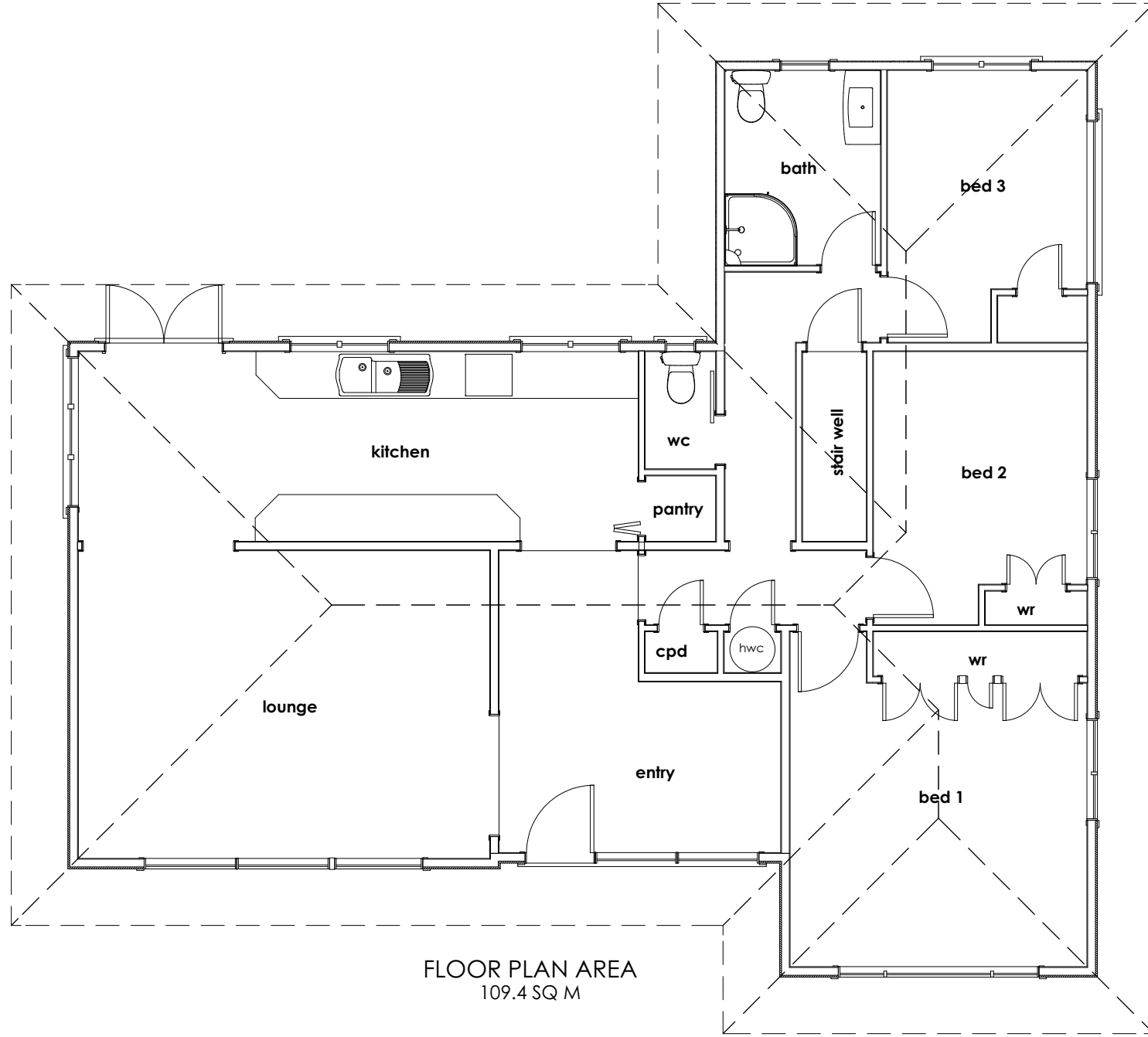
STORMWATER MANAGEMENT

Site Area 1.0100 Ha (10100m²)

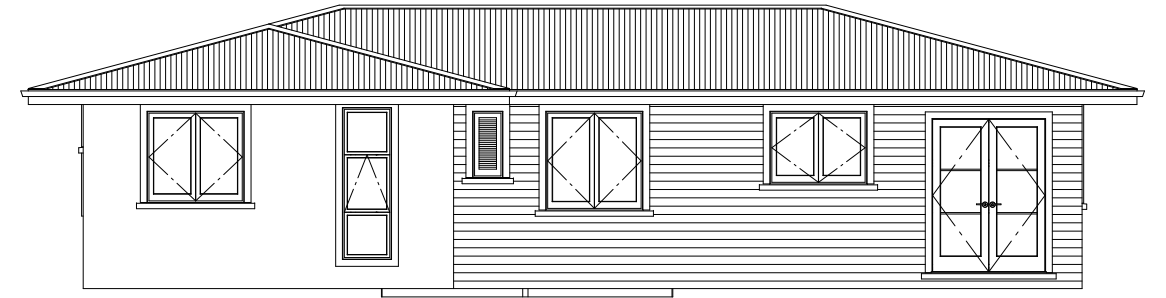
Relocated residence to eaves	152m ²
Existing metal driveway	618m ²
Existing container	33m ²
Proposed metal driveway	205m ²
Total	1008m² (10% COMPLIES)

LOT 2
DP 368059

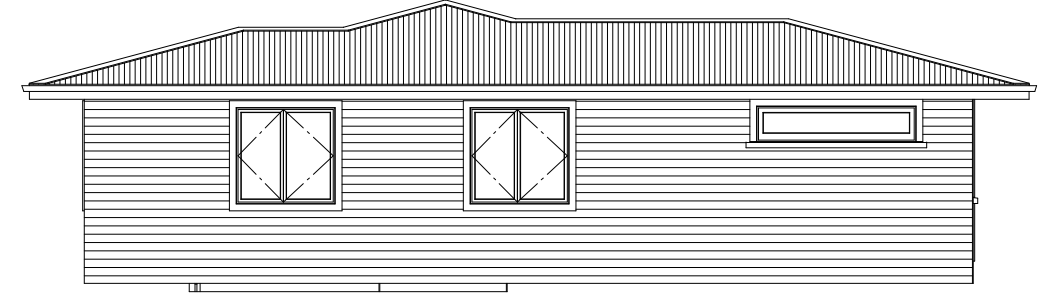




Existing Floor Plan - Scale 1:75@A3



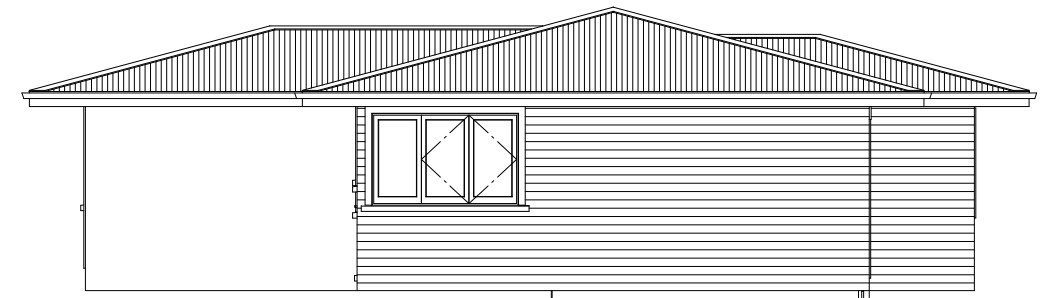
North Elevation - Scale 1:100@A3



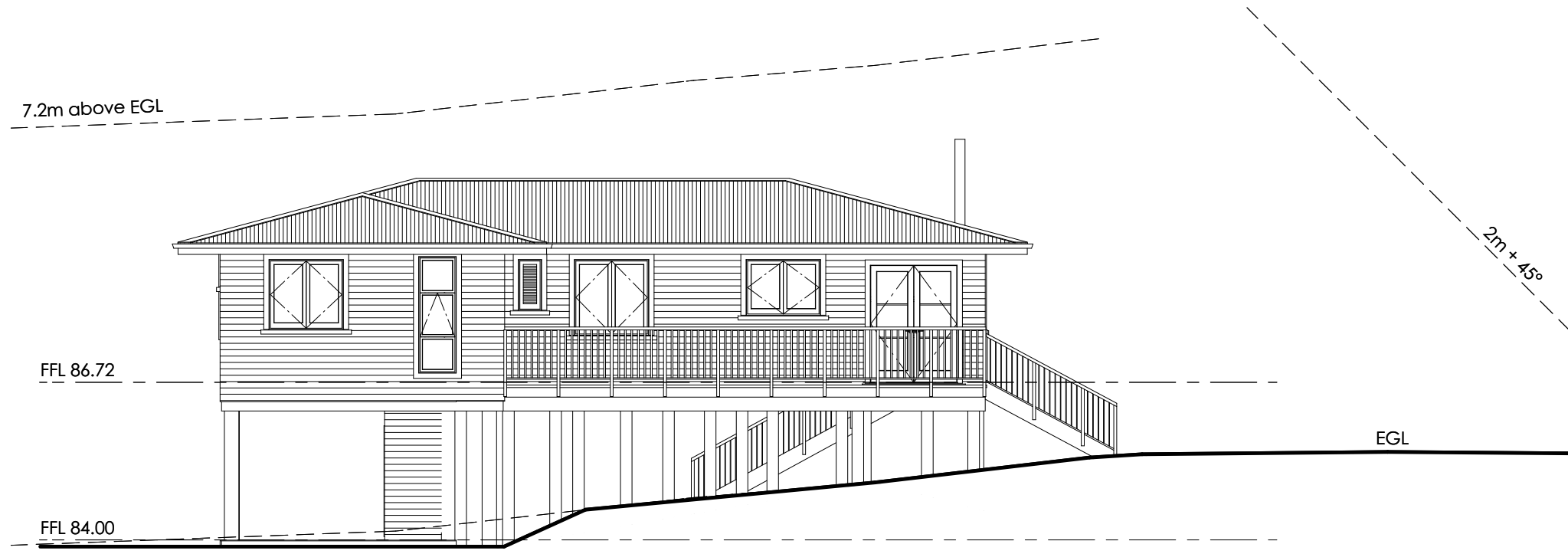
East Elevation - Scale 1:100@A3



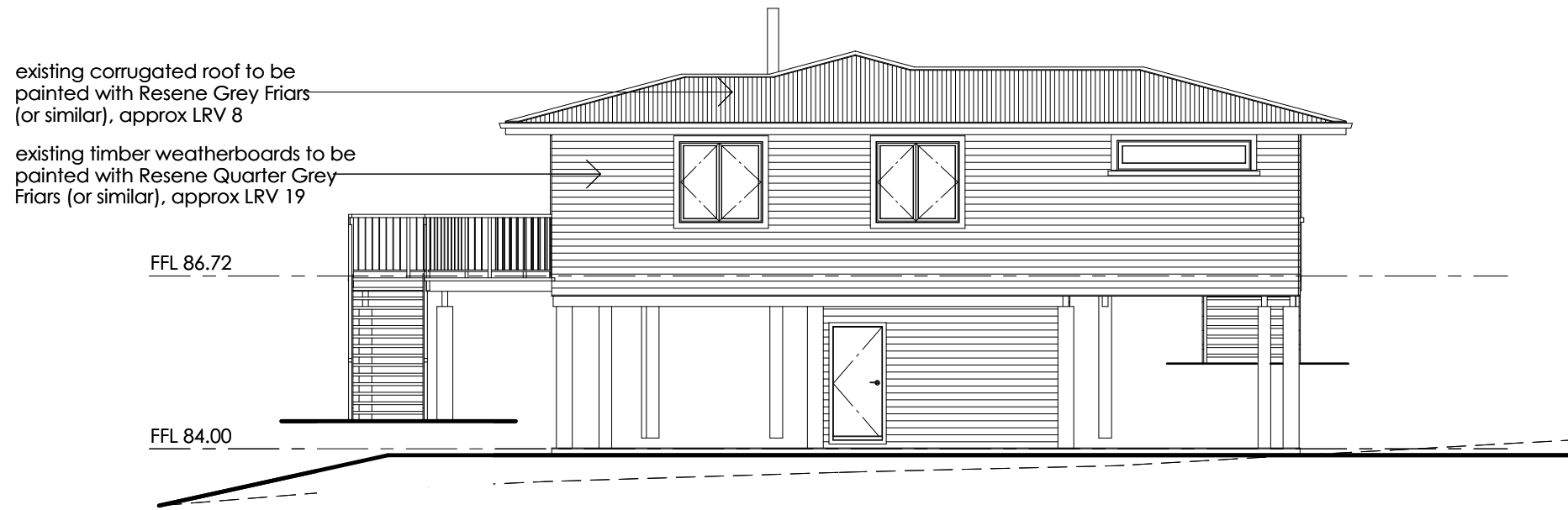
South Elevation - Scale 1:100@A3



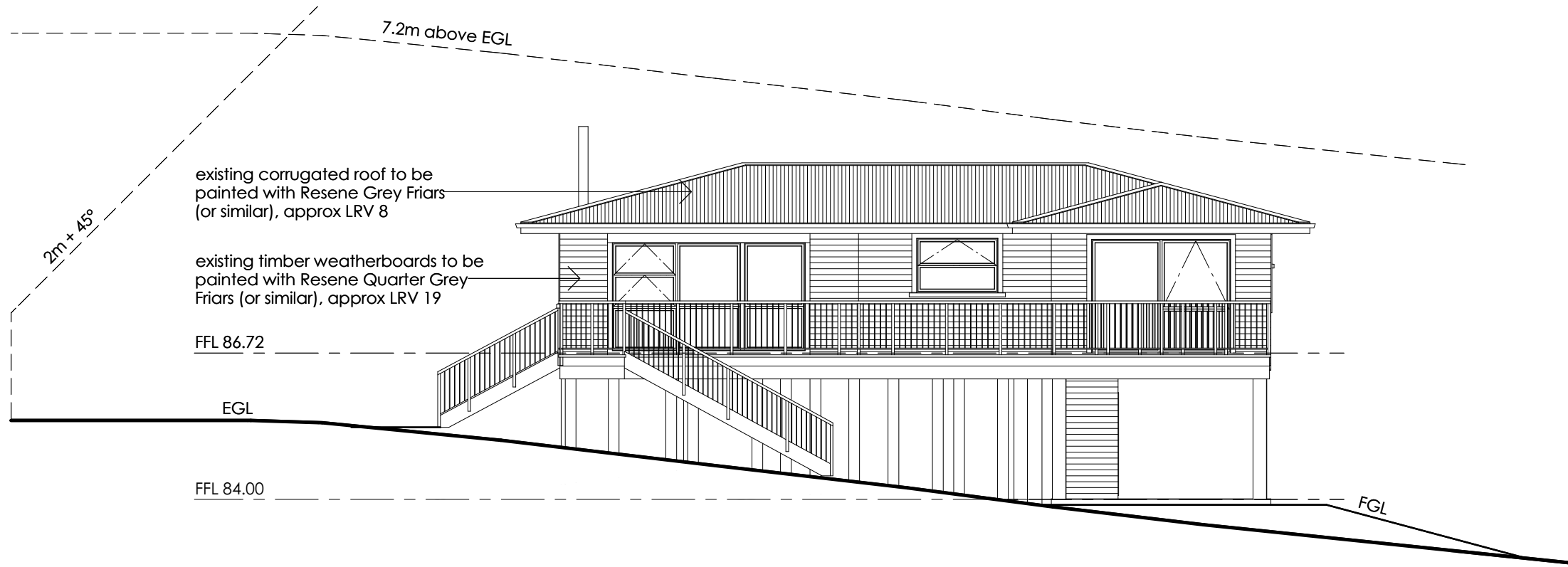
West Elevation - Scale 1:100@A3



Proposed North Elevation



Proposed East Elevation



Proposed South Elevation



Proposed West Elevation

MEMORANDUM

To: Rochelle Jacobs
From: Simon Cocker
Simon Cocker Landscape Architecture
Date: 27 March 2026
Subject: Northland Planning and Development
Application #: RC2041029

Dear Rochelle,

The applicant is seeking consent to vary or cancel a consent notice condition applying to their property, specifically, the requirement that the future building not to be higher than the ridge crest to the east. The property is identified as Lot 3 DP 368059 and is located at 188 Aucks Road, Okiato (refer to [Figure 1](#) in the attachments).

The consent notice associated with RC 2041029 requires the following:

Lots 2 and 3 DP 368059:

- I. *No dwelling is to be located above the ridgeline;*
- II. *The colour of all buildings are to comply with British Standard Specification BS5252 Colour Range and have a reflectance values of 30% or less.*



Plate 1. Landscape context of the Site

Lot 3, illustrated in [Figure 2a](#) occupies the eastern facing upper flank of the ridge which is traced by Aucks Road. This ridge forms the 'spine' of the peninsula, the western tip of which is occupied by the Okiato settlement. It also forms a visual catchment boundary which separates a catchment to the east (the Waikare Inlet, and the terrestrial landscape to the north of the Inlet), from one to the west (encompassing Veronica Channel and Paihia).

As is evidenced by [Plate 1](#) above, the flanks of the ridge, and the dissected landscape particularly to the west is densely vegetated with native forest, regenerating shrubland with pockets of exotic vegetation including wilding pine trees. This is also the case to the south east of the Site, although to the east, the rural landscape retains a more open and pastoral character.

The subject Site is contained within the aforementioned vegetated landscape and, as is shown in Figure 2a, the eastern portion of the Site – comprising the ridge crest in the north east corner, and the eastern ridge flank (within the eastern and south eastern portions of the Site), are vegetated in native shrubland. These areas are visible in photos 1, and 2, and the applicant has been actively undertaking weed control for the purpose of enhancing regeneration of the native vegetation.

As can be seen from photos 3, 4 and 5, the native vegetation within the north eastern and eastern portion of the lot precludes views from the wider landscape to the east whilst vegetation on the ridge crest to the north and north west (which includes some large pines and other trees) visually contains the subject Site from the northern quadrant.

Photo 6 shows the view from the Site to the west. This boundary is defined by a recently constructed solid timber fence, and a half round barn is visible on the neighbouring lot. Views from the west to the Site from the wider landscape are not possible due to the ridge landform.

Views to the wider south eastern landscape (but not from Aucks Road due to the difference in level – refer to photo 7), are possible from the Site and proposed building site (refer to photos 1 and 2). These are filtered by vegetation growing on the upper eastern facing ridge flank. Views to the Site from the wider landscape are backdropped by the vegetation growing on the ridge crest to the north west and north of Lot 3.

The applicant proposes to relocate / construct a dwelling within the subject Site. Figures 2a and 2b illustrates the proposed location for this building and Figures 2c and 2d show elevations of the proposed building. Located on gently sloping ground, the building will have a height of some 5m on its 'uphill' (western) side, and approximately 6.5m on its 'downhill' (eastern) side. As is confirmed on these elevations, the roof of the building will be coloured Grey Friars (LRV = 8%), and the façades will be painted Resene Quarter Grey Friars (LRV = 19%). The external finish for the building will therefore fully comply with the 30% maximum required under the consent notice.

As described above, the proposed building will be visually contained on its eastern, northern and north western sides by vegetation, and by landform and vegetation on its western sides.

There is the potential for the building to be visible from spatially separated locations within the rural landscape to the south east, but from this area, the building will be viewed with a backdrop of existing mature vegetation. Seen against this backdrop, the building will not form a skyline element, and will be rendered very difficult to discern by virtue of its dark and recessive external finishes.

As such, I am of the opinion that the building will not detract from the visual amenity, nor from the rural character of the landscape and I believe that deletion of the consent notice which states – '*No dwelling is to be located above the ridgeline*' – is appropriate from a landscape perspective.

Yours sincerely,



Simon Cocker





188 Aucks Road, Okiato
Proposed relocated dwelling
Landscape Assessment
FIGURE 1: The location of the Site



Site
 Relo
 Existi
 Existi
 Prop
 Total

Jason Goldie & Emma Kirk
 30 Blue Penguin Drive
 Landscape Assessment
 FIGURE 2a: The Proposal

LOT 1
 DP 368059

LOT 3
 DP 368059

LOT 18
 DP 90789

PROPOSED RESIDENCE
 CARPORT FFL 84.00
 UPPER FFL 86.72

proposed secondary
 treatment tank

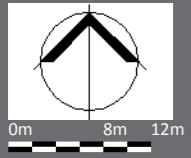
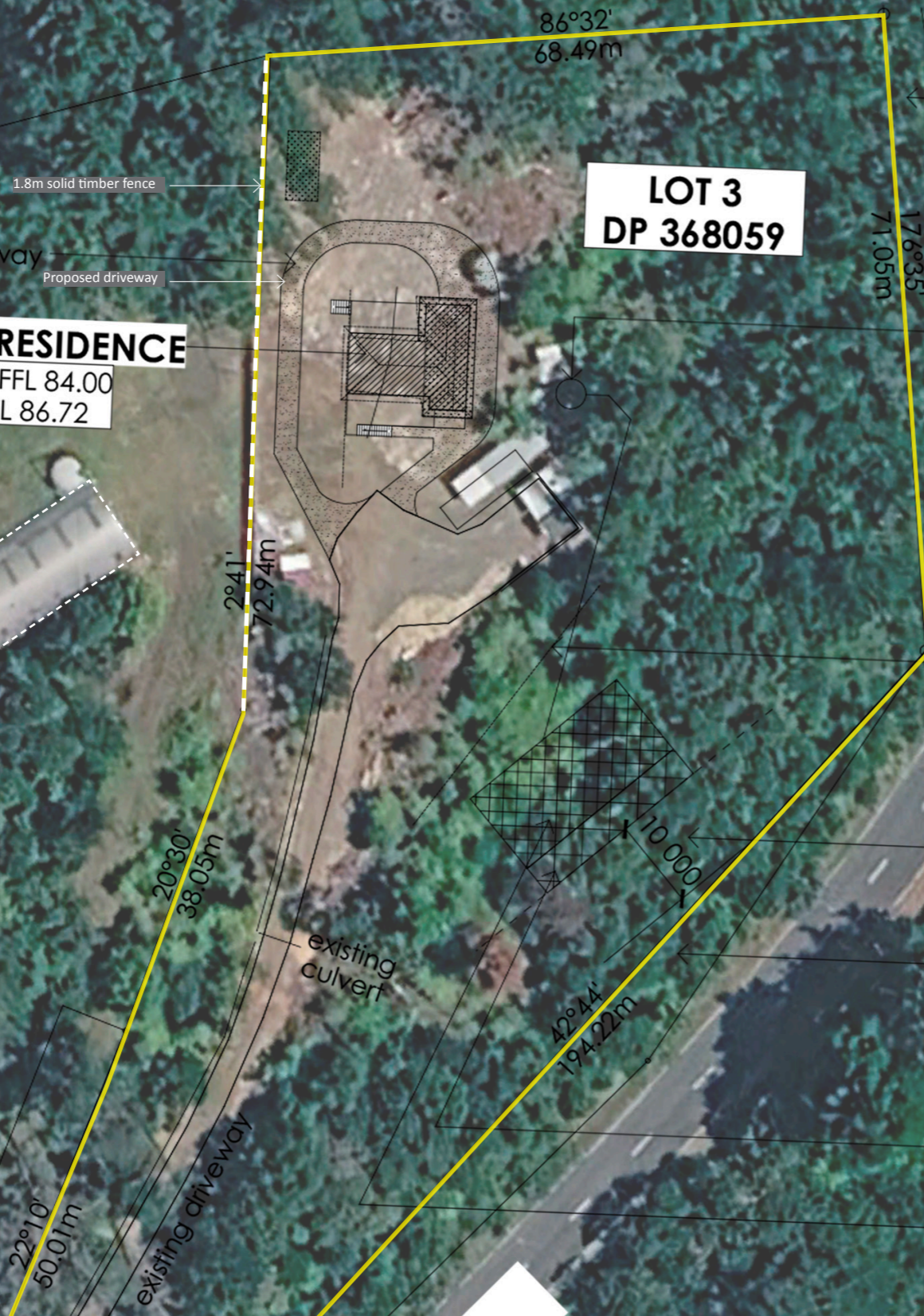
interception drain up
 slope of disposal area

10m buffer zone

Pt LOT 19
 DP 90789

20% reserve area (63m²)

210m² disposal area, 1.0m line spacing
 with lines laid parallel with the site contour

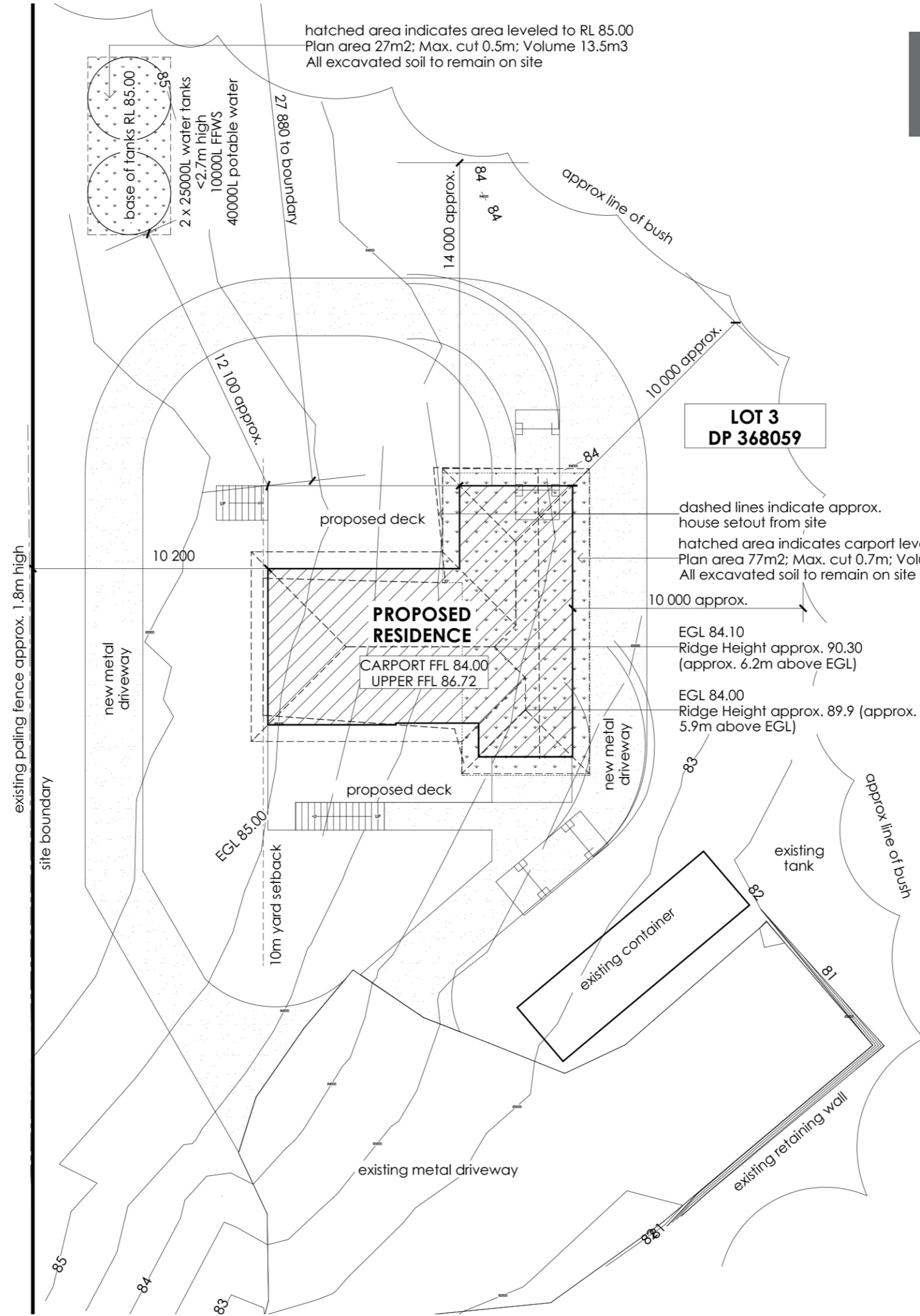


188 Aucks Road, Okiato
 Proposed relocated dwelling
 Landscape Assessment

FIGURE 2a: The proposal in its landscape context



LOT 2
 DP 368059



188 Aucks Road, Okiato
 Proposed relocated dwelling
 Landscape Assessment
 FIGURE 2b: The proposal

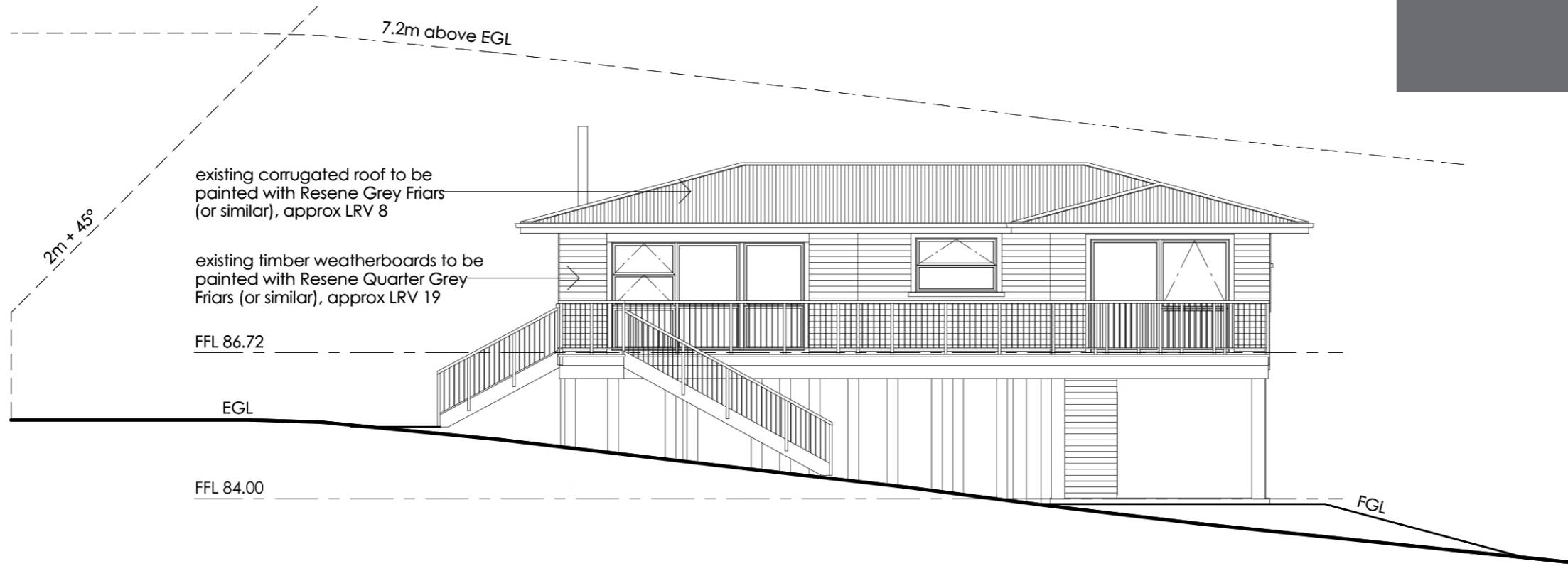




Proposed North Elevation



Proposed East Elevation



Proposed South Elevation



Proposed West Elevation



Photo 1: View from building area towards the south eastern boundary

Photo date - 16 March 2026

188 Aucks Road, Okiato
Proposed relocated dwelling
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)



Simon Cocker
Landscape Architecture



Photo 2: View from top of access track towards the south eastern boundary

Photo date - 16 March 2026

188 AUCKS ROAD, UKIATO
Proposed relocated dwelling
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





Photo 3: View across building area towards north western boundary

Photo date - 16 March 2026

188 Aucks Road, Okiato
Proposed relocated dwelling
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





Photo 4: View towards northern / north eastern boundary

Photo date - 16 March 2026

188 Aucks Road, Okiato
Proposed relocated dwelling
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)



Simon Cocker
Landscape Architecture



Photo 5: View towards eastern boundary

Photo date - 16 March 2026

188 Aucks Road, Okiato
Proposed relocated dwelling
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)



Photo 6: View towards western boundary

Photo date - 16 March 2026

188 Aucks Road, Okiato
Proposed relocated dwelling
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)





Photo 7: View to north east up access track

Photo date - 16 March 2026

188 Aucks Road, Okiato
Proposed relocated dwelling
Photos

(Photographs taken with digital equivalent of 50mm focal length unless otherwise specified)



Simon Cocker
Landscape Architecture



WHAKARATONGA IWI

FIRE
EMERGENCY

NEW ZEALAND

Non-Reticulated Firefighting Water Supplies, Vehicular Access & Vegetation Risk Reduction Application for New and Existing Residential Dwellings and Sub-Divisions



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Section A - Firefighting Water Supplies and Vegetation Risk Reduction Waiver

“Fire and Emergency New Zealand strongly recommends the installation of automatic fire detection system devices such as smoke alarms for early warning of a fire and fire suppression systems such as sprinklers in buildings (irrespective of the water supply) to provide maximum protection to life and property”.

Waiver Explanation Intent

Fire and Emergency New Zealand [FENZ] use the New Zealand Fire Service [NZFS] Code of Practice for firefighting water supplies (SNZ PAS 5409:2008) (The Code) as a tool to establish the quantity of water required for firefighting purposes in relation to a specific hazard (Dwelling, Building) based on its fire hazard classification regardless if they are located within urban fire districts with a reticulated water supply or a non-reticulated water supply in rural areas. The code has been adopted by the Territorial Authorities and Water Supply Authorities. The code can be used by developers and property owners to assess the adequacy of the firefighting water supply for new or existing buildings.

The Area Manager under the delegated authority of the Fire Region Manager is responsible for approving applications in relation to firefighting water supplies. The Area Manager may accept a variation or reduction in the amount of water required for firefighting for example; a single level dwelling measuring 200^m² requires 45,000L of firefighter water under the code, however the Area Managers in Northland have excepted a reduction to 10,000L.

This application form is used for the assessment of proposed water supplies for firefighting in non-reticulated areas only and is referenced from (Appendix B – Alternative Firefighting Water Sources) of the code. This application also provides fire risk reduction guidance in relation to vegetation and the 20-metre dripline rule under the Territorial Authority’s District Plan. Fire and Emergency New Zealand are not a consenting authority and the final determination rests with the Territorial Authority.

For more information in relation to the code of practice for Firefighting Water supplies, Emergency Vehicle Access requirements, Home Fire Safety advice and Vegetation Risk Reduction Strategies visit www.fireandemergency.nz

Section B – Applicant Information

Applicants Information	
Name:	Sonia & Leon Collins
Address:	2/9 Portage Road, Otahuhu
Contact Details:	094081866
Return Email Address:	info@northplanner.co.nz

Section C – Property Details

Property Details	
Address of Property:	188 Aucks Road, Russell
Lot Number/s:	Lot 3 DP 368059
Dwelling Size: (Area = Length & Width)	152m2
Number of levels: (Single / Multiple)	single

1. Fire Appliance Access to alternative firefighting water sources - Expected Parking Place & Turning circle

Fire and Emergency have specific requirements for fire appliance access to buildings and the firefighting water supply. This area is termed the hard stand. The roading gradient should not exceed 16%. The roading surface should be sealed, able to take the weight of a 14 to 20-tonne truck and trafficable at all times. The minimum roading width should not be less than 4 m and the property entrance no less 3.5 metres wide. The height clearance along access ways must exceed 4 metres with no obstructions for example; trees, hanging cables, and overhanging eaves.

1 (a) Fire Appliance Access / Right of Way	
Is there at least 4 metres clearance overhead free from obstructions?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Is the access at least 4 metres wide?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Is the surface designed to support a 20-tonne truck?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Are the gradients less than 16%	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Fire Appliance parking distance from the proposed water supply is Click or tap here to enter text. metres	

If access to the proposed firefighting water supply is not achievable using a fire appliance, firefighters will need to use portable fire pumps. Firefighters will require at least a one-metre wide clear path / walkway to carry equipment to the water supply, and a working area of two metres by two metres for firefighting equipment to be set up and operated.

1 (b) Restricted access to firefighting water supply, portable pumps required
Has suitable access been provided? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Comments: Click or tap here to enter text.

Internal FENZ Risk Reduction comments only:

[Click or tap here to enter text.](#)

2. Firefighting Water Supplies (FFWS)

What are you proposing to use as your firefighting water supply?

2 (a) Water Supply Single Dwelling	
Tank	<input type="checkbox"/> Concrete Tank <input checked="" type="checkbox"/> Plastic Tank <input type="checkbox"/> Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) <input type="checkbox"/> Part Buried (max exposed 1.500 mm above ground) <input type="checkbox"/> Fully Buried (access through filler spout) Volume of dedicated firefighting water 10,000 litres

2 (b) Water Supply Multi-Title Subdivision Lots / Communal Supply	
Tank Farm	<input type="checkbox"/> Concrete Tank <input type="checkbox"/> Plastic Tank <input type="checkbox"/> Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) <input type="checkbox"/> Part Buried (max exposed 1.500mm above ground) <input type="checkbox"/> Fully Buried (access through filler spout) Number of tanks provided Click or tap here to enter text. Number of Tank Farms provided Click or tap here to enter text. Water volume at each Tank Farm Click or tap here to enter text. Litres Volume of dedicated firefighting water Click or tap here to enter text. litres

2 (c) Alternative Water Supply	
Pond:	Volume of water: Click or tap here to enter text.
Pool:	Volume of water: Click or tap here to enter text.
Other:	Specify: Click or tap here to enter text.
	Volume of water: Click or tap here to enter text.

Internal FENZ Risk Reduction comments only:

Coupling will be required if tank lid exceeds 1.5m above ground level

3. Water Supply Location

The code requires the available water supply to be at least 6 metres from a building for firefighter safety, with a maximum distance of 90 metres from any building. This is the same for a single dwelling or a Multi-Lot residential subdivision. Is the proposed water supply within these requirements?

3 (a) Water Supply Location	
Minimum Distance:	Is your water supply at least 6 metres from the building? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Maximum Distance	Is your water supply no more than 90 metres from the building? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

3 (b) Visibility
How will the water supply be readily identifiable to responding firefighters? E.g.: tank is visible to arriving firefighters or, there are signs / markers posts visible from the parking place directing them to the tank etc.
Comments: Tank is visible as you come up the driveway.

3 (c) Security
How will the FFWS be reasonably protected from tampering? E.g.: light chain and padlock or, cable tie on the valve etc.
Explain how this will be achieved: Tank is within private property and not accessible unless you come up the driveway. It is not considered necessary to have padlocks etc.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

4. Adequacy of Supply

The volume of storage that is reserved for firefighting purposes must not be used for normal operational requirements. Additional storage must be provided to balance diurnal peak demand, seasonal peak demand and normal system failures, for instance power outages. The intent is that there should always be sufficient volumes of water available for firefighting, except during Civil Défense emergencies or by prior arrangement with the Fire Region Manager.

4 (a) Adequacy of Water supply

Note: *The owner must maintain the firefighting water supply all year round. How will the usable capacity proposed be reliably maintained? E.g. automatically keep the tank topped up, drip feed, rain water, ballcock system, or manual refilling after use etc.*

Comments:

Tank will be kept topped up..

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

5. Alternative Method using Appendix's H & J

If Table 1 + 2 from the Code of Practice is not being used for the calculation of the Firefighting Water Supply, a competent person using appendix H and J from the Code of Practice can propose an alternative method to determine firefighting water supply adequacy.

Appendix H describes a method for determining the maximum fire size in a structure. Appendix J describes a method for assessing the adequacy of the firefighting water supply to the premises.

5 (a) Alternative Method Appendix H & J

If an alternative method of determining the FFWS has been proposed, who proposed it?

Name: Click or tap here to enter text.

Contact Details: Click or tap here to enter text.

Proposed volume of storage?

Litres: Click or tap here to enter text.

Comments:

Click or tap here to enter text.

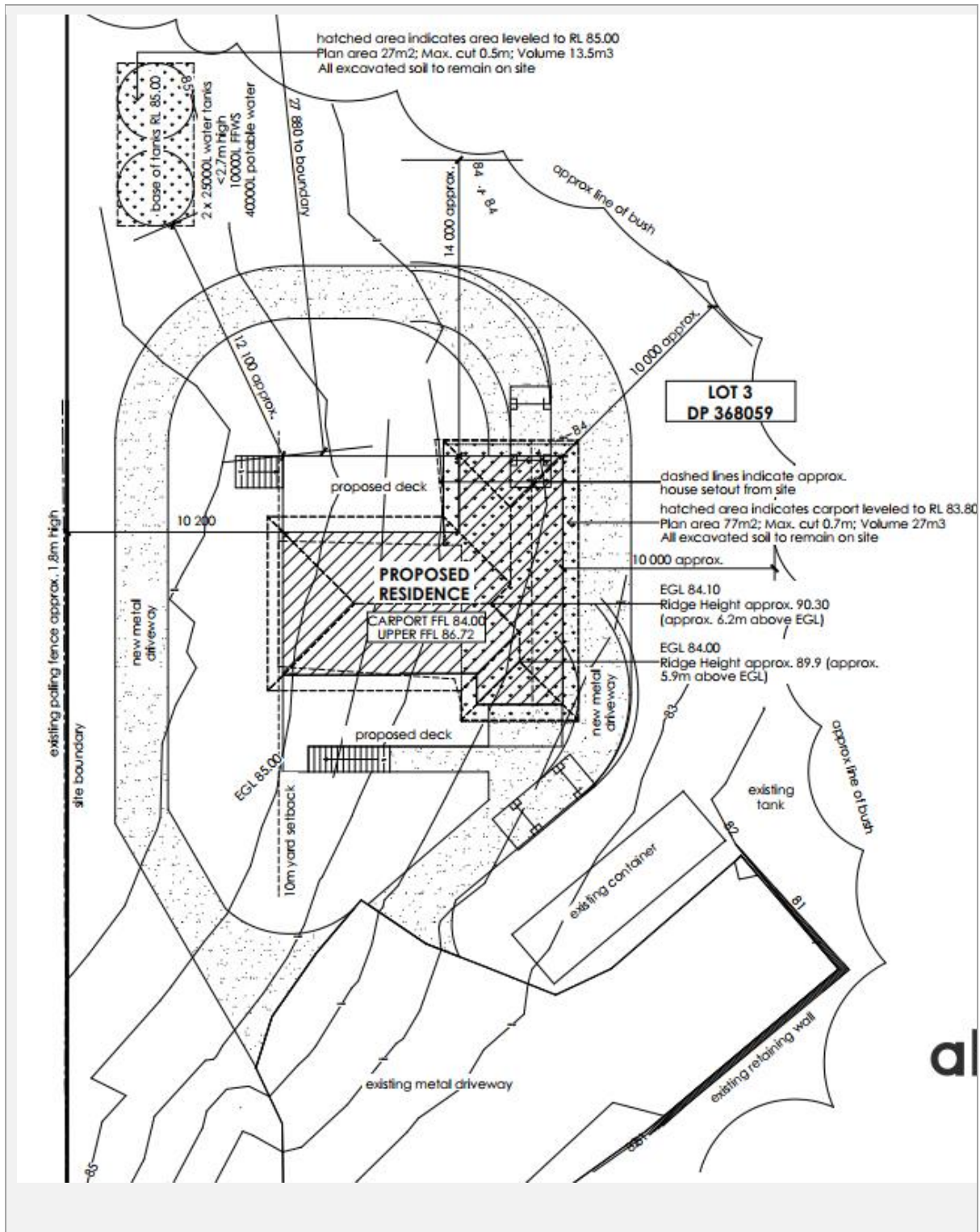
** Please provide a copy of the calculations for consideration.*

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

6. Diagram

Please provide a diagram identifying the location of the dwelling/s, the proposed firefighting water supply and the attendance point of the fire appliance to support your application.



Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

7. Vegetation Risk Reduction - Fire + Fuel = Why Homes Burn

Properties that are residential, industrial or agricultural, are on the urban–rural interface if they are next to vegetation, whether it is forest, scrubland, or in a rural setting. Properties in these areas are at greater risk of wildfire due to the increased presence of nearby vegetation.

In order to mitigate the risk of fire spread from surrounding vegetation to the proposed building and vice-versa, Fire Emergency New Zealand recommends the following;

I. Fire safe construction

Spouting and gutters – Clear regularly and consider screening with metal mesh. Embers can easily ignite dry material that collects in gutters.

Roof – Use fire resistant material such as steel or tile. Avoid butanol and rubber compounds.

Cladding – Stucco, metal sidings, brick, concrete, and fibre cement cladding are more fire resistant than wood or vinyl cladding.

II. Establish Safety Zones around your home.

Safety Zone 1 is your most important line of defence and requires the most consideration. Safety Zone 1 extends to 10 metres from your home, you should;

- a) Mow lawn and plant low-growing fire-resistant plants; and*
- b) Thin and prune trees and shrubs; and*
- c) Avoid tall trees close to the house; and*
- d) Use gravel or decorative crushed rock instead of bark or wood chip mulch; and*
- e) Remove flammable debris like twigs, pine needles and dead leaves from the roof and around and under the house and decks; and*
- f) Remove dead plant material along the fence lines and keep the grass short; and*
- g) Remove over hanging branches near powerlines in both Zone 1 and 2.*

III. Safety Zone 2 extends from 10 – 30 metres of your home.

- a) Remove scrub and dead or dying plants and trees; and*
- b) Thin excess trees; and*
- c) Evenly space remaining trees so the crowns are separated by 3-6 metres; and*
- d) Avoid planting clusters of highly flammable trees and shrubs*
- e) Prune tree branches to a height of 2 metres from the ground.*

IV. Choose Fire Resistant Plants

Fire resistant plants aren't fire proof, but they do not readily ignite. Most deciduous trees and shrubs are fire resistant. Some of these include: poplar, maple, ash, birch and willow. Install domestic sprinklers on the exterior of the sides of the building that are less 20 metres from the vegetation. Examples of highly flammable plants are: pine, cypress, cedar, fir, larch, redwood, spruce, kanuka, manuka.

For more information please go to <https://www.fireandemergency.nz/at-home/the-threat-of-rural-fire/>

If your building or dwelling is next to vegetation, whether it is forest, scrubland, or in a rural setting, please detail below what Risk Reduction measures you will take to mitigate the risk of fire development and spread involving vegetation?

7 (a) Vegetation Risk Reduction Strategy

The proposed dwelling will be located approximately 10 metres from the bush to the east. This bush then adjoins Aucks Road, which provides a buffer from the larger bush areas to the east. 10,000L fire fighting supply will be provided for in one of the tanks. The 10 metre clearance area around the dwelling will be maintained by the owners.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

8. Applicant

Checklist	
<input checked="" type="checkbox"/>	Site plan (scale drawing) – including; where to park a fire appliance, water supply, any other relevant information.
<input type="checkbox"/>	Any other supporting documentation (diagrams, consent).

I submit this proposal for assessment.

Name: Rochelle Jacobs Dated: 10/04/2026

Contact No.: 094081866

Email: info@northplanner.co.nz

Signature:

9. Approval

In reviewing the information that you have provided in relation to your application being approximately a [Click or tap here to enter text.](#) square metre, Choose an item. dwelling/sub division, and non-sprinkler protected.

The Area Manager of Fire and Emergency New Zealand under delegated authority from the Fire Region Manager, Te Hiku, has assessed the proposal in relation to firefighting water supplies and the vegetation risk strategy. The Manager [Choose an item.](#) agree with the proposed alternate method of Fire Fighting Water Supplies. Furthermore; the Manager agrees with the Vegetation Risk Reduction strategies proposed by the applicant.

Name: [Click or tap here to enter text.](#)

Signature: [Click or tap here to enter text.](#) Dated: [Click or tap to enter a date.](#)

P.P on behalf of the Area Manager

Fire and Emergency New Zealand Te Tai Tokerau / Northland District
APPROVED By GoffinJ at 9:18 am, Apr 14, 2026
Jason Goffin- Advisor Risk Reduction

Alex Billot

From: Stuart Bracey <SBracey@heritage.org.nz>
Sent: Monday, 13 April 2026 9:18 am
To: Alex Billot
Cc: Lisa Ahn; James Robinson
Subject: RE: Proposed relocated dwelling - 188 Aucks Road, Russell

Morena Alex,

Thanks for the early consultation on this development proposal. I confirm HNZPT has few concerns with the relocation of the house onto this site. An ADP approach is sufficient.

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 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: Alex Billot <Alex@northplanner.co.nz>
Sent: Friday, 10 April 2026 1:49 pm
To: Stuart Bracey <SBracey@heritage.org.nz>
Subject: Proposed relocated dwelling - 188 Aucks Road, Russell

Hi Stuart,

We are in the process of preparing a land use resource consent application for a relocated dwelling at 188 Aucks Road, Russell. Refer to Plan set attached to this email.

The Architect has advised that excavations will be less than 50m³. Dwelling is to be located on an existing cleared portion of the site with access being from the existing metalled driveway and a portion of new driveway.

Can you please advise any comments on behalf of HNZPT which we can include with our application.

Thanks in advance.

Kind regards,

Alex Billot
Resource Planner



Offices in Kaitaia & Kerikeri
☎ 09 408 1866
Northland Planning & Development 2020
Limited

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

FAR NORTH DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991:

AND

IN THE MATTER of an application under the aforesaid Act, 1991 by RK Woodworth

APPLICATION NUMBER RC 2041029

Hearings application to subdivide Lot 12 DP 90789 to create 3 allotments. The property in respect of which the application is made, is situated on the corner of Aucks Road and Te Wahapu Road, Russell.

HEARING

Before the Hearings Committee of the Far North District Council, on the 4th April 2005 and decision of 20th June 2005 the following decision was made;

DECISION

THAT PURSUANT TO SECTIONS 104B, 104D, AND 220 OF THE RESOURCE MANAGEMENT ACT 1991, COUNCIL GRANTS CONSENT TO THE RESOURCE CONSENT APPLICATION BY RK WOODWORTH TO SUBDIVIDE LOT 12 DP 90789 TO CREATE THREE ALLOTMENTS, SUCH LAND BEING SITUATED AT THE CORNER OF AUCKS ROAD AND TE WAHAPU ROAD, RUSSELL, SUBJECT TO THE FOLLOWING CONDITIONS.

1. THE PROPOSAL SHALL PROCEED IN ACCORDANCE WITH THE PLAN OF SUBDIVISION PREPARED BY SURVEYORS NORTH FRASER THOMAS LIMITED, AS AMENDED AND REFERENCED AS 5063 REV A DATED 19/05/05. ✓
2. THAT THE SURVEY PLAN SHALL SHOW:
 - A. ALL EASEMENTS DULY GRANTED OR RESERVED ✓
3. THAT BEFORE A CERTIFICATE IS ISSUED PURSUANT TO SECTION 224(C) OF THE ACT THE SUBDIVIDING OWNER SHALL:
 - A. PROVIDE EVIDENCE THAT UNDERGROUND POWER AND TELEPHONE SERVICES HAVE BEEN RETICULATED TO THE BOUNDARY OF EACH LOT IN ACCORDANCE WITH THE REQUIREMENTS OF THE RESPECTIVE SUPPLY AUTHORITY.
 - B. UPGRADE THE EXISTING ENTRANCE OFF AUCKS ROAD TO PROVIDE A DOUBLE WIDTH ENTRANCE COMPLYING WITH THE COUNCIL STANDARD FNDC/S/06 AND 6B. SEAL THE ENTRANCE PLUS SPLAYS

BETWEEN THE EXISTING SEAL EDGE AND THE PROPERTY BOUNDARY.

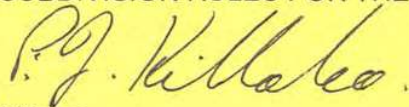
- C. UPGRADE THE ACCESS ON ROW A TO PROVIDE A 3M WIDE FINISHED CARRIAGEWAY WIDTH. THE FORMATION IS TO CONSIST OF A MINIMUM OF 100MM OF COMPACTED HARDFILL PLUS A GAP 30 RUNNING COURSE. THE FORMATION IS TO INCLUDE A ROCK LINED WATER TABLE DRAIN TO CONTROL STORMWATER.
- D. PROVIDE EVIDENCE THAT THE CONTRIBUTIONS AS REQUIRED AND DETAILED IN THE LETTER FROM COUNCIL'S UTILITIES DEPARTMENT HAS BEEN PAID.
- E. SECURE THE CONDITIONS DETAILED BELOW BY WAY OF A CONSENT NOTICE ISSUED UNDER SECTION 221 OF THE ACT, TO BE REGISTERED AGAINST THE TITLE OF LOTS 2 AND 3. THE COSTS OF PREPARING, CHECKING AND EXECUTING THE NOTICE SHALL BE MET BY THE APPLICANT:
 - i) NO DWELLING IS TO BE LOCATED ABOVE THE RIDGELINE.
 - ii) THE COLOURS OF ALL BUILDINGS ARE TO COMPLY WITH BRITISH STANDARD SPECIFICATION BS5252 COLOUR RANGE AND HAVE A REFLECTANCE VALUE OF 30% OR LESS.

Advice Note

If any activity associated with this proposal, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority from the New Zealand Historic Places Trust must be obtained for the work to proceed lawfully. An authority is required whether or not the land on which an archaeological site may be present is designated, a resource or building consent has been granted, or the activity is a permitted activity under the district or regional plan.

Reasons for the Decision

1. PROPOSED LOTS 2 AND 3 ALTHOUGH FAILING TO MEET THE MINIMUM LOT SIZE AS DETAILED WITHIN THE REVISED PROPOSED PLAN IS CONSISTENT WITH EXISTING DEVELOPMENT WITHIN THE LOCALITY. FURTHERMORE THE CONTROLS ON FUTURE DEVELOPMENT WILL ENSURE THAT THE EFFECTS OF THE PROPOSED SUBDIVISION WILL BE NO MORE THAN MINOR.
2. THE SUBDIVISION ALTHOUGH NON-COMPLYING IS NOT CONSIDERED TO CHALLENGE THE INTEGRITY OF THE PLAN NOR THE RESPECTIVE SUBDIVISION RULES FOR THE ZONE.


P J Killalea

RESOURCE CONSENTS MANAGER

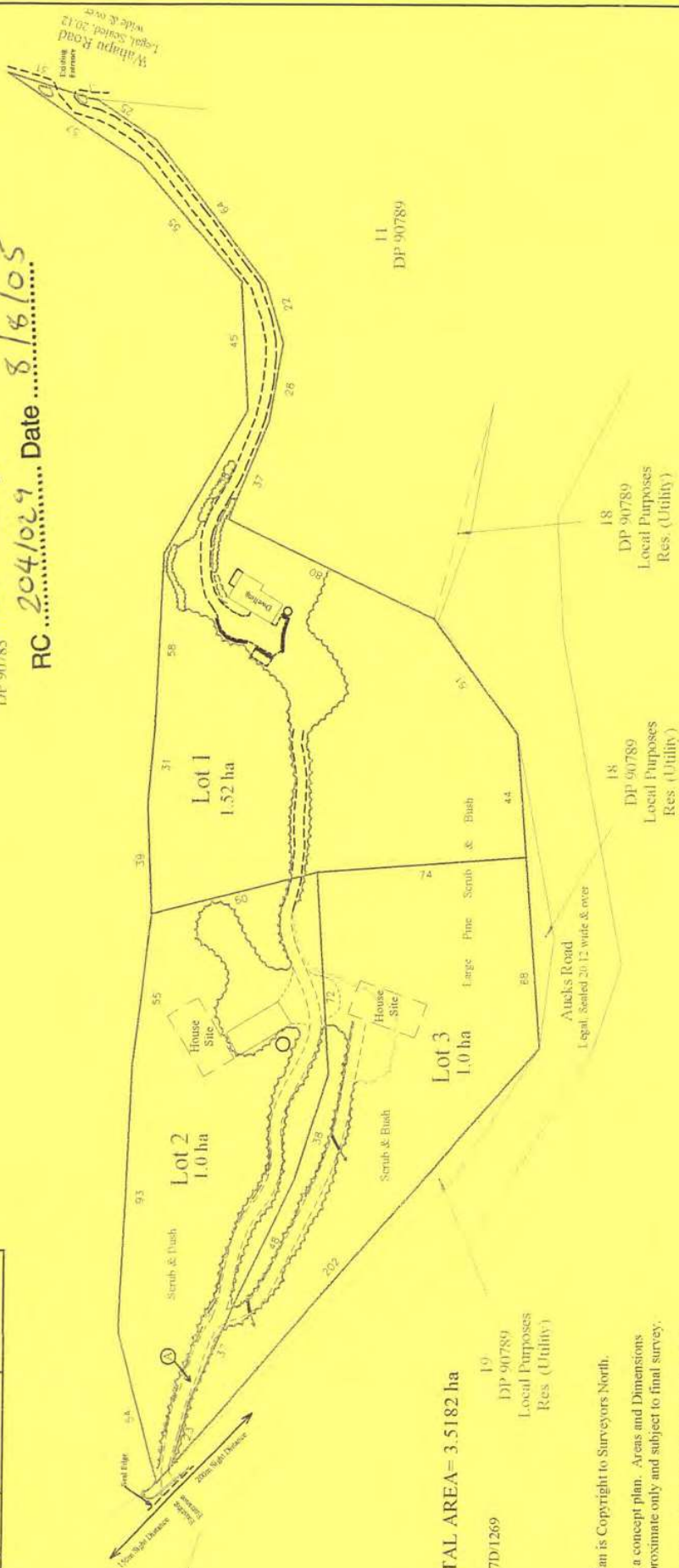
Date 9th August 2005

Revision			
No.	Description	Date	Sig.
A	Increased Lots 1&2 to 1 ha	19-05-05	JSL

Proposed Easement			
Purpose	Shown	Serv. Ten.	Dom. Ten.
Electricity	(A)	Lot 2 hereon	Lot 3 hereon
Telecom			

APPROVED PLAN

PLANNER
 DP 90789
 RC 204/02.9 Date 8/8/05



TOTAL AREA = 3.5182 ha

CT 47D/1269
 19
 DP 90789
 Local Purposes
 Res. (Utility)

- NOTE:
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SURVEYORS NORTH
 Planning & Surveying & Engineering
 DEVELOPMENT CONSULTANTS
 Kaitiaki
 67 435 3000
 100 Auklands Road
 Whangarei
 0541 4114
 0541 4114
 survey@surveyors-nz.com

Proposed Subdivision of Lot 12 DP 90789

Prepared For: **Woodworth**
 Drawn: JSL
 Checked:

Scale 1:1500(A3)
 Date DEC 2002
 Ref. 5063

Sheet 1
 Series 2

Operative Far North District Plan – Objectives and Policies

Coastal Environment	
Objectives	
10.3.1	<i>To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.</i>
10.3.2	<i>To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance:</i> <i>(a) the natural character of the coastline and coastal environment;</i> <i>(b) areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i> <i>(c) outstanding landscapes and natural features;</i> <i>(d) the open space and amenity values of the coastal environment;</i> <i>(e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council).</i>
10.3.3	<i>To engage effectively with Maori to ensure that their relationship with their culture and traditions and taonga is identified, recognised, and provided for.</i>
10.3.4	<i>To maintain and enhance public access to and along the coast whilst ensuring that such access does not adversely affect the natural and physical resources of the coastal environment, including Maori cultural values, and public health and safety.</i>
10.3.5	<i>To secure future public access to and along the coast, lakes and rivers (including access for Maori) through the development process and specifically in accordance with the Esplanade Priority Areas mapped in the District Plan.</i>
10.3.6	<i>To minimise adverse effects from activities in the coastal environment that cross the coastal marine area boundary.</i>
10.3.7	<i>To avoid, remedy or mitigate adverse effects on the environment through the provision of adequate land-based services for mooring areas, boat ramps and other marine facilities.</i>

10.3.8	<i>To ensure provision of sufficient water storage to meet the needs of coastal communities all year round.</i>
10.3.9	<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>
Policies	
10.4.1	<p><i>That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:</i></p> <ul style="list-style-type: none"> <i>(a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and</i> <i>(b) is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and</i> <i>(c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and</i> <i>(d) avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and</i> <i>(e) promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</i> <i>(f) 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</i> <i>(g) where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and</i>

	<i>(h) gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.</i>
10.4.2	<i>That sprawling or sporadic subdivision and development in the coastal environment be avoided through the consolidation of subdivision and development as far as practicable, within or adjoining built up areas, to the extent that this is consistent with the other objectives and policies of the Plan.</i>
10.4.3	<i>That the ecological values of significant coastal indigenous vegetation and significant habitats are maintained in any subdivision, use or development in the coastal environment.</i>
10.4.4	<i>That public access to and along the coast be provided, where it is compatible with the preservation of the natural character and amenity, cultural, heritage and spiritual values of the coastal environment, and avoids adverse effects in erosion prone areas.</i>
10.4.5	<i>That access by tangata whenua to ancestral lands, sites of significance to Maori, maahinga mataitai, taiapure and kaimoana areas in the coastal marine area be provided for in the development and ongoing management of subdivision and land use proposals and in the development and administration of the rules of the Plan and by non-regulatory methods. Refer Chapter 2, and in particular Section 2.5, and Council's "Tangata Whenua Values and Perspectives (2004)".</i>
10.4.6	<i>That activities and innovative development including subdivision, which provide superior outcomes and which permanently protect, rehabilitate and/or enhance the natural character of the coastal environment, particularly through the establishment and ongoing management of indigenous coastal vegetation and habitats, will be encouraged by the Council.</i>
10.4.7	<i>To ensure the adverse effects of land-based activities associated with maritime facilities including mooring areas and boat ramps are avoided, remedied or mitigated through the provision of adequate services, including where appropriate:</i> <i>(a) parking;</i> <i>(b) rubbish disposal;</i> <i>(c) waste disposal;</i> <i>(d) dinghy racks.</i>

10.4.8	That development avoids, remedies or mitigates adverse effects on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
10.4.9	<i>That development avoids, where practicable, areas where natural hazards could adversely affect that development and/or could pose a risk to the health and safety of people.</i>
10.4.10	<i>To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.</i>
10.4.11	<i>To promote land use practices that minimise erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the coastal marine area.</i>
10.4.12	<p><i>That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:</i></p> <ul style="list-style-type: none"> <i>(a) the siting of buildings relative to the skyline, ridges, headlands and natural features;</i> <i>(b) the number of buildings and intensity of development;</i> <i>(c) the colour and reflectivity of buildings;</i> <i>(d) the landscaping (including planting) of the site;</i> <i>(e) the location and design of vehicle access, manoeuvring and parking areas</i>

General Coastal Zone	
Objectives	
10.6.3.1	<i>To provide for appropriate subdivision, use and development consistent with the need to preserve its natural character.</i>
10.6.3.2	<i>To preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.</i>
10.6.3.3	<i>To manage the use of natural and physical resources (excluding minerals) in the general coastal area to meet the reasonably foreseeable needs of future generations.</i>
Policies	
10.6.4.1	<i>That a wide range of activities be permitted in the General Coastal Zone, where their effects are compatible with the preservation of the natural character of the coastal environment.</i>
10.6.4.2	<i>That the visual and landscape qualities of the coastal environment in be protected from inappropriate subdivision, use and development.</i>
10.6.4.3	<p><i>Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including:</i></p> <ul style="list-style-type: none"> <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> <i>(b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;</i> <i>(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;</i> <i>(d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2, and in particular Section 2.5, and Council's "Tangata Whenua Values and Perspectives (2004)");</i>

	<p><i>(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;</i></p> <p><i>(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.</i></p>
10.6.4.4	<i>That controls be imposed to ensure that the potentially adverse effects of activities are avoided, remedied or mitigated as far as practicable.</i>
10.6.4.5	<i>Maori are significant land owners in the General Coastal Zone and therefore activities in the zone should recognise and provide 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>
10.6.4.6	<i>The design, form, location and siting of earthworks shall have regard to the natural character of the landscape including terrain, landforms and indigenous vegetation and shall avoid, remedy or mitigate adverse effects on those features.</i>
12.4 Natural Hazards	
Objectives	
12.4.3.1	<i>To reduce the threat of natural hazards to life, property and the environment, thereby to promote the well being of the community.</i>
12.4.3.2	<i>To ensure that development does not induce natural hazards or exacerbate the effects of natural hazards.</i>
12.4.3.3	<i>To ensure that natural hazard protection works do not have adverse effects on the environment.</i>
12.4.3.4	<i>To ensure that the role in hazard mitigation played by natural features is recognised and protected.</i>
12.4.3.5	<i>To improve public awareness of natural hazards as a means of helping people to avoid them.</i>
12.4.3.6	<i>To take into account reasonably foreseeable changes in the nature and location of natural hazards.</i>
Policies	

12.4.4.1	<i>That earthworks and the erection of structures not be undertaken in areas where there is a significant potential for natural hazards unless they can be carried out in such a way so as to avoid being adversely affected by the natural hazards, and can avoid exacerbating natural hazards.</i>
12.4.4.2	<i>That the natural character of features, such as beaches, sand dunes, mangrove areas, wetlands and vegetation, which have the capacity to protect land values and assets from natural coastal hazards, is protected and enhanced.</i>
12.4.4.3	<i>That protection works for existing development be allowed only where they are the best practicable option compatible with sustainable management of the environment.</i>
12.4.4.4	<i>That the sea level rise, as predicted by the Intergovernmental Panel of Climate Change or Royal Society of NZ, be taken into account when assessing development in areas potentially affected.</i>
12.4.4.5	<i>That information on known natural hazards be made available in order that the public can make informed resource management decisions.</i>
12.4.4.6	<i>That the adverse effects on people, property and the environment from coastal hazards in Coastal Hazard Areas, as identified by the Northland Regional Council, are avoided.</i>
12.4.4.7	<i>That the risk to adjoining vegetation and properties arising from fires be avoided.</i>
12.4.4.8	<i>That the location, intensity, design and type of new coastal subdivision, use and development be controlled so that the need for hazard protection works is avoided or minimised.</i>
12.4.4.9	<i>That the role of riparian margins in the mitigation of the effects of natural hazards is recognised and that the continuing ability of riparian margins to perform this role be assured.</i>

Proposed District Plan

Part 3 – Rural Production Zone	
Objectives	
RRPOZ-O1	<i>The Rural Production zone is managed to ensure its availability for <u>primary production</u> activities and its long-term protection for current and future generations</i>
RPROZ-O2	<i>The Rural Production zone is used for <u>primary production</u> activities, <u>ancillary activities</u> that support <u>primary production</u> and other compatible activities that have a <u>functional need</u> to be in a rural environment</i>
RPROZ-O3	<p><i>Land use and <u>subdivision</u> in the Rural Production zone:</i></p> <ul style="list-style-type: none"> <i>a. protects <u>highly productive land</u> from <u>sterilisation</u> and enables it to be used for more productive forms of <u>primary production</u>;</i> <i>b. protects <u>primary production</u> activities from reverse sensitivity <u>effects</u> that may constrain their effective and efficient operation;</i> <i>c. does not compromise the use of <u>land</u> for <u>farming</u> activities, particularly on <u>highly productive land</u>;</i> <i>d. does not exacerbate any <u>natural hazards</u>; and</i> <i>e. is able to be serviced by on-site <u>infrastructure</u></i>
RPROZ-O4	<i>The rural character and amenity associated with a rural working <u>environment</u> is maintained</i>
Policies	
RPROZ-P1	<i>Enable <u>primary production</u> activities, provided they internalise adverse <u>effects</u> onsite where practicable, while recognising that typical adverse <u>effects</u> associated with <u>primary production</u> should be anticipated and accepted within the Rural Production zone.</i>
RPROZ-P2	<p><i>Ensure the Rural Production zone provides for activities that require a rural location by:</i></p> <p><i>enabling primary production activities as the predominant land use;</i></p> <ul style="list-style-type: none"> <i>a. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses..</i>
RPROZ-P3	<i>Manage the establishment, design and location of new <u>sensitive activities</u> and other non-productive activities in the Rural Production zone to avoid where possible, or otherwise mitigate, reverse sensitivity <u>effects</u> on <u>primary production</u> activities.</i>

RPROZ-P4	<p><i>Land use and <u>subdivision</u> activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:</i></p> <ol style="list-style-type: none"> <i>a. a predominance of <u>primary production</u> activities;</i> <i>b. low density development with generally low <u>site</u> coverage of <u>buildings</u> or <u>structures</u>;</i> <i>c. typical adverse <u>effects</u> such as odour, <u>noise</u> and <u>dust</u> associated with a rural working <u>environment</u>; and</i> <i>d. a diverse range of rural environments, rural character and <u>amenity values</u> throughout the district.</i>
RPROZ-P5	<p><i>Avoid land use that:</i></p> <ol style="list-style-type: none"> <i>a. is incompatible with the purpose, character and amenity of the Rural Production zone;</i> <i>b. does not have a <u>functional need</u> to locate in the Rural Production zone and is more appropriately located in another zone;</i> <i>c. would result in the loss of productive capacity of <u>highly productive land</u>;</i> <i>d. would exacerbate <u>natural hazards</u>; and</i> <i>e. cannot provide appropriate on-site <u>infrastructure</u>.</i>
RPROZ-P6	<p><i>Avoid <u>subdivision</u> that:</i></p> <ol style="list-style-type: none"> <i>a. results in the loss of <u>highly productive land</u> for use by <u>farming</u> activities;</i> <i>b. fragments <u>land</u> into parcel sizes that are no longer able to support <u>farming</u> activities, taking into account:</i> <ol style="list-style-type: none"> <i>i. the type of <u>farming</u> proposed; and</i> <i>ii. whether smaller <u>land</u> parcels can support more productive forms of <u>farming</u> due to the presence of <u>highly productive land</u>.</i> <i>c. provides for rural lifestyle living unless there is an environmental benefit</i>
RPROZ-P7	<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> <ol style="list-style-type: none"> <i>a. whether the proposal will increase production potential in the zone;</i> <i>b. whether the activity relies on the productive nature of the soil;</i> <i>c. consistency with the scale and character of the rural environment;</i> <i>d. location, scale and design of <u>buildings</u> or <u>structures</u>;</i> <i>e. for <u>subdivision</u> or non-<u>primary production</u> activities:</i>

	<ul style="list-style-type: none"> i. scale and compatibility with rural activities; ii. potential reverse sensitivity <u>effects</u> on <u>primary production</u> activities and existing <u>infrastructure</u>; iii. the potential for loss of <u>highly productive land</u>, land sterilisation or fragmentation <p>f. at zone interfaces:</p> <ul style="list-style-type: none"> i. any <u>setbacks</u>, fencing, screening or <u>landscaping</u> required to address potential conflicts; 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; <p>g. the capacity of the <u>site</u> to cater for on-site <u>infrastructure</u> associated with the proposed activity, including whether the <u>site</u> has access to a <u>water</u> source such as an irrigation network supply, dam or <u>aquifer</u>;</p> <p>h. the adequacy of roading <u>infrastructure</u> to service the proposed activity;</p> <p>i. Any adverse <u>effects</u> on <u>historic heritage</u> and cultural values, natural features and landscapes or indigenous biodiversity;</p> <p>j. Any historical, spiritual, or cultural association held by <u>tangata whenua</u>, with regard to the matters set out in Policy TW-P6</p>
Part 2 – Coastal Environment	
Objectives	
CE-O1	<i>The natural character of the <u>coastal environment</u> is identified and managed to ensure its long-term preservation and protection for current and future generations.</i>
CE-O2	<p><i>Land use and <u>subdivision</u> in the <u>coastal environment</u>:</i></p> <ul style="list-style-type: none"> a. <i>preserves the characteristics and qualities of the natural character of the <u>coastal environment</u>;</i> b. <i>is consistent with the surrounding land use;</i> c. <i>does not result in urban sprawl occurring outside of urban zones;</i> d. <i>promotes restoration and enhancement of the natural character of the <u>coastal environment</u>; and</i> e. <i>recognises <u>tangata whenua</u> needs for ancestral use of <u>whenua</u> Māori.</i>
CE-O3	<i>Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.</i>
Policies	
CE-P1	<i>Identify the extent of the <u>coastal environment</u> as well as areas of high and outstanding natural character using the assessment criteria in <u>APP1- Mapping methods and criteria</u>.</i>

CE-P2	<p>Avoid adverse <i>effects</i> of land use and <i>subdivision</i> on the characteristics and qualities of the <i>coastal environment</i> identified as:</p> <ul style="list-style-type: none"> a. outstanding natural character; b. <i>ONL</i>; c. <i>ONF</i>.
CE-P3	<p>Avoid significant adverse <i>effects</i> and avoid, remedy or mitigate other adverse <i>effects</i> of land use and <i>subdivision</i> on the characteristics and qualities of the <i>coastal environment</i> not identified as:</p> <ul style="list-style-type: none"> a. outstanding natural character; b. <i>ONL</i>; c. <i>ONF</i>.
CE-P4	<p>Preserve the visual qualities, character and integrity of the coastal environment by:</p> <ul style="list-style-type: none"> a. consolidating land use and subdivision around existing urban centres and rural settlements; and b. avoiding sprawl or sporadic patterns of development.
CE-P5	<p>Enable land use and <i>subdivision</i> in urban zones within the <i>coastal environment</i> where:</p> <ul style="list-style-type: none"> a. there is adequacy and capacity of available or programmed <i>development infrastructure</i>; and b. the use is consistent with, and does not compromise the characteristics and qualities
CE-P6	<p>Enable farming activities within the coastal environment where:</p> <ul style="list-style-type: none"> a. the use forms part of the values that established the natural character of the coastal environment; or b. the use is consistent with, and does not compromise the characteristics and qualities.
CE-P7	<p>Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where:</p> <ul style="list-style-type: none"> a. the use is consistent with the ancestral use of that land; and b. the use does not compromise any identified characteristics and qualities.
CE-P8	<p>Encourage the restoration and enhancement of the natural character of the <i>coastal environment</i>.</p>
CE-P9	<p>Prohibit land use and <i>subdivision</i> that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.</p>

CE-P10	<p><i>Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and 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"><i>a. the presence or absence of buildings, structures or infrastructure;</i><i>b. the temporary or permanent nature of any adverse effects;</i><i>c. the location, scale and design of any proposed development;</i><i>d. any means of integrating the building, structure or activity;</i><i>e. the ability of the environment to absorb change;</i><i>f. the need for and location of earthworks or vegetation clearance;</i><i>g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;</i><i>h. any viable alternative locations for the activity or development;</i><i>i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;</i><i>j. the likelihood of the activity exacerbating natural hazards;</i><i>k. the opportunity to enhance public access and recreation;</i><i>l. the ability to improve the overall quality of coastal waters; and</i><i>m. any positive contribution the development has on the characteristics and qualities.</i>
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