



Our Reference: 9304.1 (FNDC)

10 October 2024

Resource Consents Department
Far North District Council
JB Centre
KERIKERI

Dear Sir/Madam

RE: Proposed Crossing to State Highway at Mangonui – J Brown

I am pleased to submit application on behalf of J Brown, for the formation of crossing to State Highway 10 at Mangonui, requiring the consent of the Council. There is only the single rule breach where the roading authority is NZTA, not the FNDC and therefore not requiring any engineering assessment at FNDC. Whilst the application is a discretionary activity, because of the circumstances outlined above, agreement has been reached with the Council that the Simple Land Use fee can apply when lodging. The fee of \$1,535 has been paid separately via direct credit.

Regards

Lynley Newport
Senior Planner
THOMSON SURVEY LTD

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 Schedule 4). 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?

NZTA; RC Manager - Agreement reached that the application can be regarded as a "Simple Land Use" because no FNDC engineering assessment required, and single breach

For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council tehonosupport@fndc.govt.nz

5. Applicant Details

Name/s:

J Brown

Email:

Phone number:

Postal address:

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

6. Address for Correspondence

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

Name/s:

Lynley Newport

Email:

Phone number:

Postal address:

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

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

7. Details of Property Owner/s and Occupier/s

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

Name/s:

George Shing and Joseph Brown as Executors

Property Address/
Location:

see item 4.

Postcode

8. Application Site Details

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

Name/s:	see item 4.	
Site Address/ Location:	State Highway 10,	
	Mangonui	
	Postcode	
Legal Description:	Pukenui 1B1 Block	Val Number:
Certificate of title:	NA52B/853	

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

Site visit requirements:

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

Is there a dog on the property? Yes No

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

9. Description of the Proposal:

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

Land Use consent pursuant to Rule 15.1.6C.1.1(e)(i) - construct access/crossing to State Highway.

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

10. Would you like to request Public Notification?

Yes No

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

(more than one circle can be ticked):

- Building Consent
- Regional Council Consent (ref # if known)
- National Environmental Standard consent
- Other (please specify)

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

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

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

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

- Subdividing land
- Disturbing, removing or sampling soil
- Changing the use of a piece of land
- Removing or replacing a fuel storage system

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application Yes

13. Draft Conditions:

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

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? Yes No

14. 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)

JOE BROWN

Email:

Phone number:

Postal address:

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

Fees Information

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

Declaration concerning Payment of Fees

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

JOE BROWN

Signature:

(signature of bill payer)

Date 09/10/24

MANDATORY

15. 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.

15. Important information continued...

Declaration

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

Name: (please write in full)

JOE BROWN

Signature:

[Redacted Signature]

made by electronic means

Date 09/10/24

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.

J Brown

**Construction of access
Onto State Highway**

Pt Pukenui 1B1, SH 10, Mangonui

**PLANNING REPORT &
ASSESSMENT OF ENVIRONMENTAL EFFECTS**

Thomson Survey Ltd
Kerikeri

1.0 PROPOSAL

The applicant has been seeking approval from NZTA for the construction of access to their property, onto State Highway 10 at Mangonui. The property has frontage only to the state highway and this would be its only point of access. Design work has been completed and NZTA has indicated its approval, subject to conditions, but in doing so has requested that the applicant confirm acceptance of those conditions and incorporate them into the resource consent required by the District Council for the access.

Discussions have been held with Council staff and it has been confirmed that consent is required under Rule 15.1.6C.1.1(e)(i) of the Operative District Plan. Given the nature of the application, which is a single rule breach where NZTA is the roading authority and will therefore be responsible for assessing the proposal (already done), monitoring construction and signing the work off rather than the District Council, agreement has been reached that the application can be regarded as a simple land use.

The Proposed entrance diagram is attached in Appendix 1. The entrance is to be located at the southern end of the property's frontage. NZTA's email approval subject to conditions is attached in Appendix 2. A location map is attached in Appendix 3 and the Record of Title is attached in Appendix 4.

The site is zoned General Coastal under the Operative District Plan and Rural Production with a partial Coastal Environment overlay, under the Proposed District Plan.

2.0 SCOPE OF THIS REPORT

This assessment and report accompanies the Resource Consent application and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks simple land use consent as a discretionary activity. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. The name and address of the applicant and owner of the property are contained in the Form 9 application form 9.

3.0 PROPERTY DETAILS

Location:	State Highway 10, Mangonui
Legal Description:	Pt Pukenui 1B1
Record of Title:	NA52B/853, 11.57ha in area (attached in Appendix 4)

4.0 SITE DESCRIPTION

4.1 Physical and mapped characteristics

The site is vacant. It has a 230m frontage to the state highway and no alternative frontage. Across the highway is the upper Mangonui Harbour estuary. The site rises up from the state highway. The slope is gentle where the access is proposed. Vegetative coverage is scrubland/shrubland of mixed indigenous/exotic species (including weed species), with pampas predominating at the road edge.

The site is not shown as containing any heritage or cultural resources, nor any high or outstanding landscape or natural character values. It does not contain any area mapped as significant indigenous vegetation. There are no NZAA recorded archaeological sites. As stated in section 1.0 of this report, the site is zoned General Coastal in the ODP and Rural Production with coastal environment overlay in the PDP. The area of works is within the part of the site mapped as being within the coastal environment.

The site is not mapped as being subject to any coastal flood hazard and the site is not a HAIL site.

4.2 Legal Interests

The property's status changed from Maori Freehold Land to Fee Simple Title in 1983. The title is subject to a 1984 road vesting where NZTA acquired 490m² for road.

5.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION

Given the nature of the application I do not believe the application warrants a full assessment against Schedule 4 requires. In summary, the information required in Clauses 2 & 3 and Clauses 6 and 7 of Schedule 4 is included in the application.

6.0 COMPLIANCE ASSESSMENT

6.1 Operative District Plan

The property is zoned General Coastal in the Operative District Plan (ODP). No resource features apply. The activity for which consent is being sought involves no buildings or structures. An assessment of the proposal against relevant rules in the ODP follows:

Far North Operative District Plan

GENERAL COASTAL ZONE RULES:		
Permitted Standards	Comment	Compliance Assessment
10.6.5.1.6 STORMWATER MANAGEMENT The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 10%.	The site is over 11ha in area and the area of works very small. Impermeable surface coverage will be less than 10% of total site area.	Permitted.
District Wide Rules		
12.2.6.1.3 INDIGENOUS VEGETATION CLEARANCE IN THE GENERAL COASTAL ZONE The clearance of indigenous vegetation is a permitted activity in the General Coastal Zone, provided that: (a) the vegetation is less than 6m in height or 600mm in girth (measured at a height of 1.5m); and (b) the clearance is not within 20m of a lake (as scheduled in Appendix 1C), coastal marine area, indigenous wetland or continually flowing river; and (c) any clearance involving remnant forest does not exceed 500m ² ; and (d) in relation to the total area of any site existing as at 1 February 2005 which has more than 50%	The vegetation in the area of works is mixed exotic and indigenous. There is very little mature indigenous and none in excess of 6m in height. There is no clearance within 20m of the coastal marine area, indigenous wetland or continually flowing river. There is no remnant forest. Part (d) is thought to apply rather than part (e) and this being the case, clearance up to 1ha is allowed for.	Permitted.

<p>of that area in indigenous vegetation, the total clearance does not exceed 1ha or 15% of that area, whichever is the lesser, in any 10 year period; or (e) in relation to the total area of any site existing as at 1 February 2005 which has less than 50% of that area in indigenous vegetation, the total clearance does not exceed 1,000m² of that area in any 10 year period.</p>		
<p>12.3.6.1.2 EXCAVATION AND/OR FILLING, INCLUDING OBTAINING ROADING MATERIAL BUT EXCLUDING MINING AND QUARRYING, IN THE GENERAL COASTAL.... ZONES Excavation and/or filling, excluding mining and quarrying, on any site in the General Coastal,Zones is permitted, provided that: (a) it does not exceed 300m³ in any 12 month period per site; and (b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m.</p>	<p>Having spoken with our Survey Manager who has drawn up the design details, I am advised that the total volume of cut and fill will not exceed 300m³ and there will be no cut or fill face in excess of 1.5m in height. The works are only entrance works (10-20m in extent) and do not involve formation of any internal access within the site.</p>	<p>Permitted.</p>
<p>12.7.6.1.1 SETBACK FROM LAKES, RIVERS AND THE COASTAL MARINE AREA Any building and any impermeable surface must be set back from the boundary of any lake (where a lake bed has an area of 8ha or more), river (where the average width of the riverbed is 3m or more) or the boundary of the coastal marine area, except that this rule does not apply to man-made private water bodies other than the Manuwai and Waingaro Reservoirs. The setback shall be: (a) a minimum of 30m in the Rural Production, Waimate North, Rural Living, Minerals, Recreational Activities, Conservation, General Coastal, South Kerikeri Inlet and Coastal Living Zones; (b)</p>	<p>There will be additional impermeable surface where the access meets the carriageway. This is less than 30m from the edge of the mangroves. However, exemption (vii) applies in that there is a <i>legally formed and maintained road between the property and the coastal marine area.</i></p>	<p>Permitted.</p>

<p>Provided that these setbacks do not apply: (vii) where there is a legally formed and maintained road between the property and the coastal marine area, lake or river; or ...</p>		
<p>15.1 TRAFFIC, PARKING and ACCESS</p>		
<p>15.1.6A and 15.1.6B</p>	<p>The traffic intensity rule provides for 60 daily one way traffic movements, with the traffic movements of one residential unit exempt. This is reduced to 30 where the site has state highway frontage. There is no land use activity yet established on the site.</p> <p>Similarly, with no land use activity established there is no requirement for carparking spaces.</p>	<p>Permitted.</p> <p>Permitted.</p>
<p>15.1.6C.1.1 PRIVATE ACCESSWAY IN ALL ZONES (e) Access shall not be permitted: (i) onto a State Highway or a Limited Access Road;</p>	<p>The proposal involves constructing new access onto a state highway</p>	<p>Consent required as a discretionary activity</p>

The only identified consent requirement under the ODP is for a breach of 15.1.6C.1.1(e). The application is **a discretionary activity**.

6.2 Proposed District Plan

The FNDC publicly notified its PDP on 27th July 2022. The vast majority of rules in the PDP do not yet have legal effect. There are, however, a limited number that do, and these include:

Rules HS-R2, R5, R6 and R9 in regard to hazardous substances on scheduled sites or areas of significance to Maori, significant natural areas or a scheduled heritage resource.

As the application site and proposal does not involve hazardous substances, these rules are not relevant to the proposal.

Heritage Area Overlays – N/A as none apply to the application site.

Historic Heritage rules and Schedule 2 – N/A as the site does not have any identified (scheduled) historic heritage values.

Notable Trees – N/A – no notable trees on the site.

Sites and Areas of Significance to Maori – N/A – the site does not contain any site or area of significance to Maori.

Ecosystems and Indigenous Biodiversity – Rules IB-R1 to R5 inclusive.

Minimal clearance of indigenous vegetation proposed – less than 100m².

Subdivision (specific parts) – N/A as the proposal is not a subdivision.

Activities on the surface of water – N/A as no such activities are proposed.

Earthworks – Only some rules and standards have legal effect. These are Rules EW-R12 and R13 and related standards EW-S3 and ES-S5 respectively. EW-R12 and associated EW-S3 relate to the requirement to abide by Accidental Discovery Protocol if carrying out earthworks and artefacts are discovered. EW-R13 and associated ES-S5 relate to Erosion and Sediment Control. A small amount of earthworks will be required and conditions of consent can require compliance in regard to the ADP and Erosion and Sediment Control.

Signs – N/A – signage does not form part of this application.

Orongo Bay Zone – N/A as the site is not in Oronga Bay Zone.

There are no zone rules in the PDP with immediate legal effect that affect the proposal's activity status.

7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

It is important to note that the access has already had conditional approval from NZTA. This approval is currently in the form of an email, and summarises NZTA's assessment and the conditions they would like to see in place. There is only one assessment criterion in the ODP relating to access to a state highway:

the effects on the safety and/or efficiency on any SH and its connection to the local road network and the provision of written approval from the New Zealand Transport Agency

NZTA has already assessed effects and provided conditional written approval, asking that the applicant agree to those conditions and ensure they are included in any resource consent application lodged with the Council. A copy of this application has been sent to NZTA accordingly, concurrent with lodging the application with FNDC.

Sight distance to the north is 240m and to the south is 260m. No vegetation removal is required to achieve these site distances. This information has been previously provided to NZTA. These sight distances are less than those required for a 100kph posted speed, but applicable to the 85th percentile operating speed of 100kph. NZTA has confirmed that the chosen location for the entrance is the 'safest location without requiring extensive earthworks and vegetation removal', but has also stated that they would not support intensive development on the site in the future due to the sight lines. The applicant has acknowledged this comment. The site is currently vacant and I believe only residential development is proposed.

Pursuant to NZTA's requirements, this application accepts the following conditions:

1. The proposed vehicle crossing shall be upgraded in accordance with the plans prepared by Thomson Survey Ltd titled "Proposed NZTA Diagram C Entrance into Pt Pukenui 1B1, State Highway 10, Mangonui" dated 16/01/2023 and to the satisfaction of the NZ Transport Agency Network Manager.
2. Additional stormwater will be managed on site and no additional stormwater runoff will enter the state highway network unless deemed appropriate by the NZ Transport Network Manager.
3. The Consent Holder shall provide to Council, correspondence from the NZ Transport Agency confirming that works in the State Highway, including the construction of the new vehicle crossing, have been constructed to the NZ Transport Agency Standards.

8.0 STATUTORY ASSESSMENT

8.1 Operative District Plan Objectives and Policies

Objectives and policies relevant to this application are limited.

15.1.3.1 To minimise the adverse effects of traffic on the natural and physical environment.

15.1.4.1 That the traffic effects of activities be evaluated in making decisions on resource consent applications.

15.1.4.6 That the number, size, gradient and placement of vehicle access points be regulated to assist traffic safety and control, taking into consideration the requirements of both the New Zealand Transport Agency and the Far North District Council.

The relevant roading authority in this instance is NZTA. They have assessed the effects of the proposed access construction and location and advised of their conditional approval.

8.2 Proposed District Plan Objectives and Policies

The PDP's rules in regard to access to a state highway are similar to those in the ODP, albeit to not have legal effect. An assessment against the relevant objectives and policies in the Proposed District Plan (PDP) follows.

Objectives

TRAN-O1

The State Highways, transport networks and cycleways of strategic significance are recognised and managed as regionally significant infrastructure to support the economic, cultural, environmental and social wellbeing of current and future generations

TRAN-O4

Parking, loading and access provisions support the needs of land use and subdivision activities, and ensure safe and efficient operation for users.

The importance of SH 10 is recognised. The application has discussed the proposal at length with NZTA. In order to access the site an entrance is required, where none exists currently. This will meet the needs of the property owner. NZTA is satisfied the entrance can be formed whilst ensuring safe and efficient operation for users.

Policies

TRAN-P4

Ensure the safe, efficient and well connected operation of the transport network through the management of:

- a.
- b. *the design of access and parking;*
- c. *vehicular access to and from sites;...*

The proposed access has been assessed by NZTA and deemed acceptable, subject to conditions.

8.3 Part 2 Matters

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposal provides for peoples' social and economic well being, and for their health and safety, while sustaining the potential of natural and physical resources, safeguarding the life-supporting capacity of air, water, soil and the ecosystems; and avoiding, remedying or mitigating adverse effects on the environment.

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga:
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:
- (g) the protection of protected customary rights:
- (h) the management of significant risks from natural hazards.

No matters of national importance are affected by the proposal.

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:
 - (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
 - (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

Part (b) is relevant insofar as providing access to a site off a state highway represents the efficient use and development of natural and physical resources. None of the other matters listed in Section 7 of the RMA appear relevant.

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The principles of the Treaty of Waitangi have been considered and it is believed that this proposal does not offend any of those principles.

8.4 National Policy Statements & Environmental Standards

I have not identified any National Policy Statements or Standards that are relevant to the proposal.

8.5 Regional Policy Statement for Northland (RPS)

The proposal is consistent with RPS objectives and policies seeking to enable economic wellbeing and encouraging use of existing infrastructure.

8.6 Regional Plan

The proposal does not require any consent under any regional plan.

9.0 s95A-E ASSESSMENT & CONSULTATION


The applicant has consulted at length with NZTA with the result being a conditional approval. Refer to earlier commentary in this report and to the information in appendices. I have not considered it necessary to consult with any other party. The effects on the environment are less than minor.

10.0 CONCLUSION

I believe that the proposed crossing can be consented with less than minor adverse effects resulting from its construction and ongoing operation. The proposal is not contrary to relevant objectives and policies of the Operative or Proposed District Plans, or relevant national and regional policy statements. The proposal is consistent with Part 2 of the Resource Management Act.

There is no District Plan rule or national environmental standard that requires the proposal to be publicly notified and no persons have been identified as adversely affected by the proposal. No special circumstances have been identified that would suggest notification is required.

It is therefore requested that the Council grant approval on a non notified basis.



Lynley Newport
Senior Planner,
Thomson Survey Ltd

Date

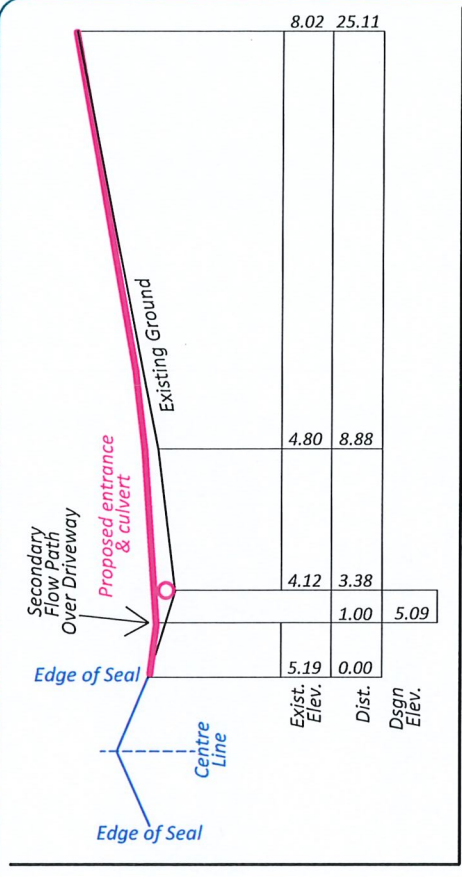
10th October 2024

11.0 APPENDICES

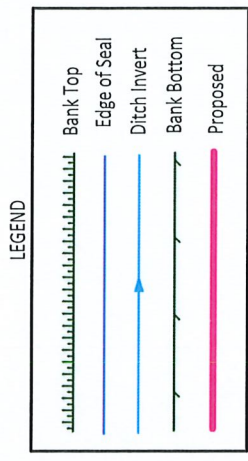
Appendix 1	Design Plans
Appendix 2	Consultation with NZTA
Appendix 3	Location Map
Appendix 4	Record of Title

Appendix 1

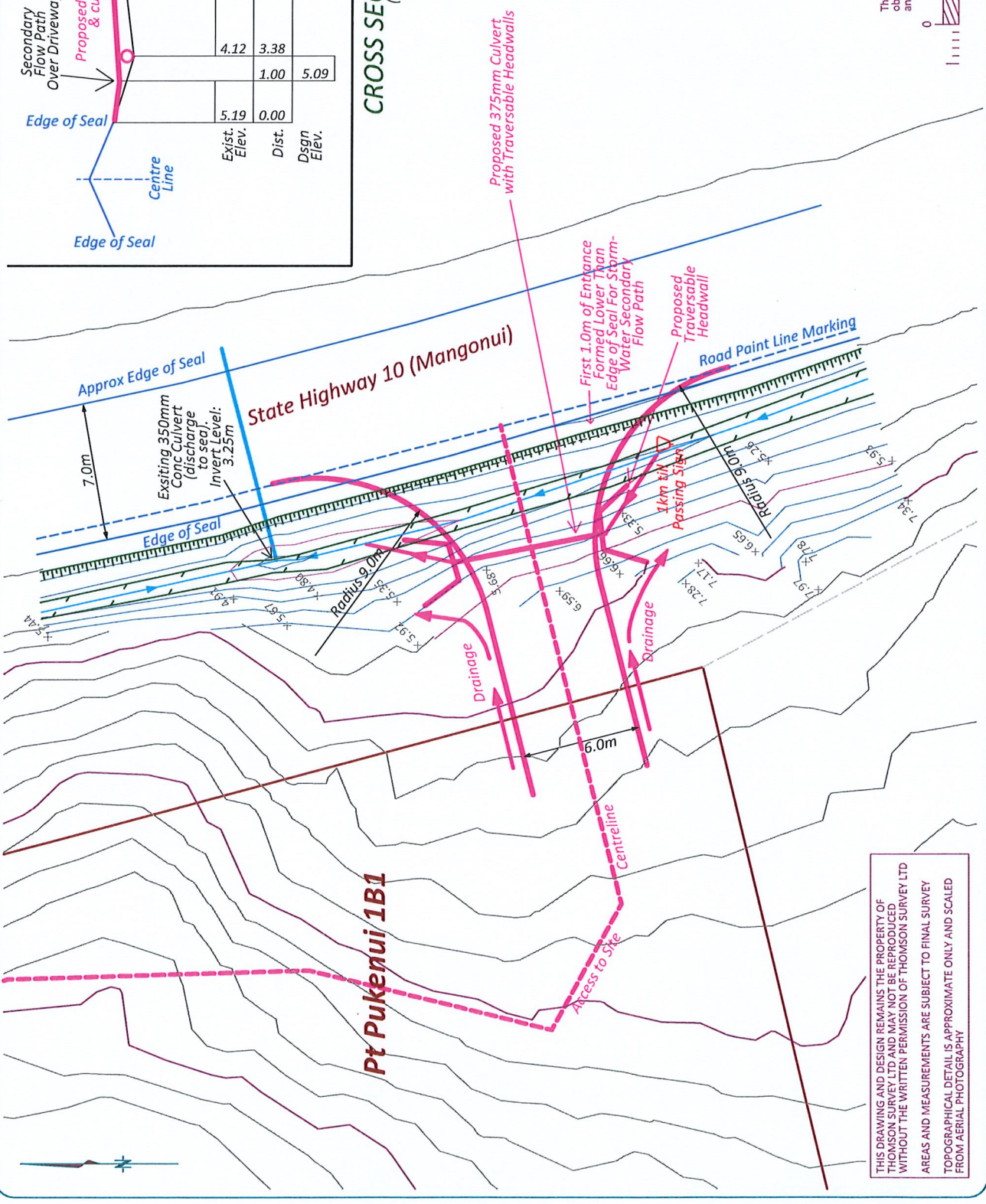
Design Plans



CROSS SECTION OF ACCESS
(NOT TO SCALE)



This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent, only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.



**PROPOSED NZTA DIAGRAM C
ENTRANCE INTO PT PUKENUI 1B1**
STATE HIGHWAY 10, MANGONUI

PREPARED FOR: J. BROWN

Surveyors Ref. No: **9304**
Sheet 1 of 1

Name	Date	ORIGINAL
Survey	MD 05.09.23	SCALE
Design		SHEET SIZE
Drawn	KY 16.01.23	1:200
Approved		A3
Rev		

Registered Land Surveyors, Planners & Land Development Consultants

THOMSON SURVEY
315 Kerikeri Rd
P.O. Box 372 Kerikeri
Email: kerikeri@survey.co.nz
Ph: (09) 4077360
www.tsurvey.co.nz

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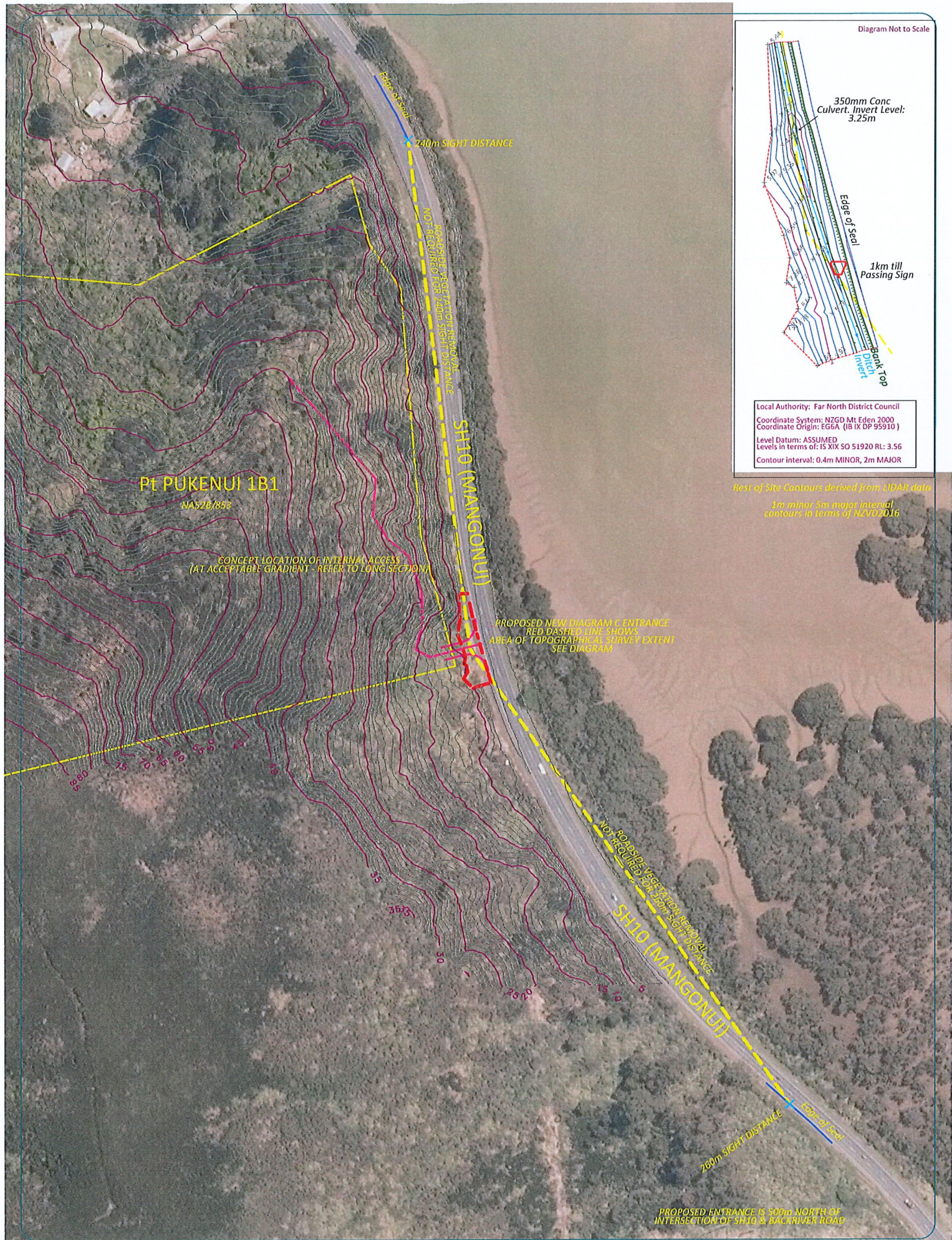


Diagram Not to Scale

350mm Conc Culvert. Invert Level: 3.25m

Edge of Seal

1km till Passing Sign

Bank Top

Invert

Local Authority: Far North District Council
 Coordinate System: NZGD Mt Eden 2000
 Coordinate Origin: EG6A (18 IX DP 95910)
 Level Datum: ASSUMED
 Levels in terms of: IS XIX SO 51920 RL: 3.56
 Contour interval: 0.4m MINOR, 2m MAJOR

Rest of Site Contours derived from JDAR data
 1m minor, 2m major interval
 contours in terms of NZVD2016

PROPOSED ENTRANCE IS 500m NORTH OF INTERSECTION OF SH10 & BACKRIVER ROAD

315 Kerikeri Rd
 P.O. Box 372 Kerikeri
 Email: kerikeri@tsurvey.co.nz
 Ph: (09) 4077360 Fax (09) 4077322

Registered Land Surveyors, Planners & Land Development Consultants

PROPOSED SH10 ENTRANCE FOR Pt PUKENUI 1B1

PREPARED FOR: BROWN

Name	Date	ORIGINAL
Survey	MD 5.09.2023	SCALE SHEET SIZE
Design		
Drawn	SL 5.05.2023	1:1500 A3
Approved		
Rev	MD 13.09.23	
9304 NZTA DIAG C MD SURVEY.LCD		

Surveyors Ref. No:
9304

Series
 Sheet of

Appendix 2

Consultation with NZTA

Subject:RE: FW: 2023-1137 - Proposed new access off SH10

Date:Thu, 25 Jul 2024 23:54:44 +0000

From:Susan Rawles <Susan.Rawles@nzta.govt.nz>

To:michael@tsurvey.co.nz <michael@tsurvey.co.nz>

Kia ora Mike,

This application has been re-allocated to me so I can draft the approval for you. Can you please send through the updated resource consent application, including the conditions requested by Tessa.

Once we have the updated resource consent, I can draft the approval for you. I will also need to get it peer reviewed internally prior to sending it to you, which is standard practice. It is likely this will take a couple of weeks minimum.

Kind regards,

Susan Rawles (she/her)

Senior Planner, Poutiaki Taiao / Environmental Planning

Transport Services

Email: susan.rawles@nzta.govt.nz

Phone: 04 830 6291

Mobile: 021 947 657

Waka Kotahi NZ Transport Agency

I currently work 10 hours per week, Monday to Wednesday. I may send emails outside normal business hours but do not expect a response. If your enquiry is urgent, please contact environmentalplanning@nzta.govt.nz.

From: Tessa Robins [<mailto:Tessa.Robins@nzta.govt.nz>]
Sent: Monday, 22 April 2024 12:41 pm
To: sam@tsurvey.co.nz
Cc: judd.brown@hotmail.com
Subject: RE: 2023-1137 - Proposed new access off SH10

Kia ora Sam,

Thank you for being patient while Waka Kotahi reviewed your client's proposal to establish a vehicle crossing for access to Part Pukenui 1B1 Block (RT – NA52B/853) off State Highway 10.

Waka Kotahi considers the below conditions would help mitigate potential effects on the operation and users of State Highway 10.

Please note it is considered that no location along your client's site boundary would enable a vehicle crossing to achieve the required sight distances of the NZTA Planning Policy Manual Appendix 5B. Waka Kotahi does consider the proposed location at co-ordinates 1649203.84, 6126021.23 will provide the safest access location without requiring extensive earthworks and vegetation removal. As such, Waka Kotahi would not support intensive development on this site due to the restricted sight lines.

Conditions:

1. Proposed Vehicle crossing shall be upgraded in accordance with the plans prepared by Thomson Survey Ltd titled "Proposed NZTA Diagram C Entrance into Pt Pukenui 1B1, State Highway 10, Mangonui" dated 16/01/2023 and to the satisfaction of the NZ Transport Agency Network Manager.
2. Additional stormwater will be managed on site and no additional stormwater runoff will enter the state highway network unless deemed appropriate by the NZ Transport Network Manager.
3. The Consent Holder shall provide to Council, correspondence from the NZ Transport Agency confirming that works in the State Highway, including the construction of the new vehicle crossing, have been constructed to the NZ Transport Agency standards.

Please consider the above and, if your client agrees please amend your resource consent application to include the above conditions and provide a copy of this revised consent application to

NZTA. Upon receiving your revised application NZTA will continue to process the application with a view to providing S95E approval (subject to delegated authority).

If you have any queries regarding the above, please feel free to contact me via the details below.

Ngā mihi

Tessa Robins

Senior Planner, Environmental Planning (Auckland/Northland)

Poutiaki Taiao | System Design

Email: Tessa.robins@nzta.govt.nz

Mobile: 021 557 568

Waka Kotahi New Zealand Transport Agency

Auckland, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

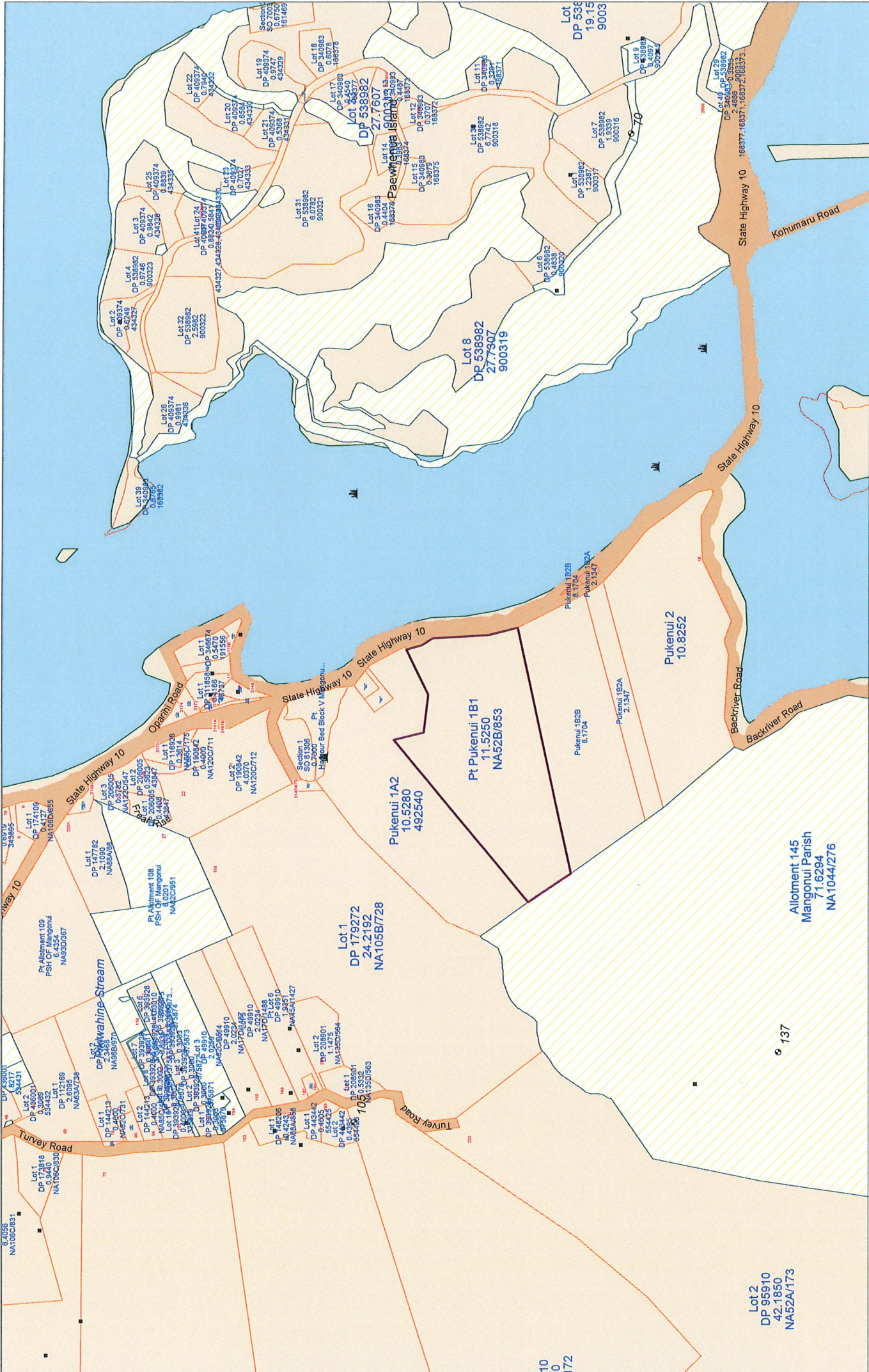
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www.nzta.govt.nz

Appendix 3

Location Map



Any person wishing to rely on the information shown on this map must independently verify the information
 Topographical and Cadastral map derived from LINZ data. Printed: 30-Sep-2024 01:37.

Appendix 4

Record of Title



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




R.W. Muir
Registrar-General
of Land

Identifier NA52B/853
Land Registration District North Auckland
Date Issued 13 April 1983

Part-Cancelled

Prior References
NAPR52B/852

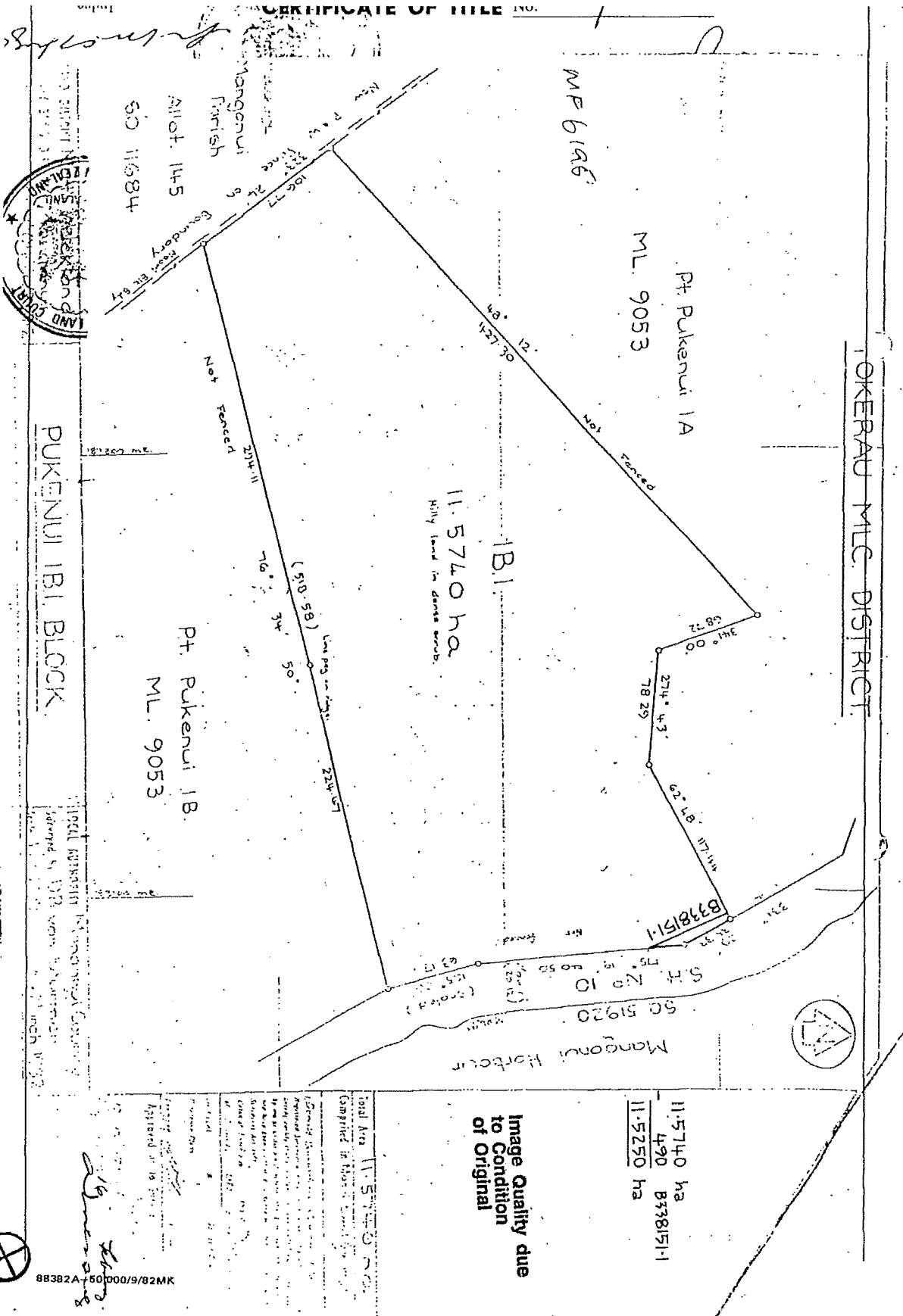
Estate Fee Simple
Area 11.5740 hectares more or less
Legal Description Pukenui 1B1 Block
Registered Owners
George Shing and Joseph Percy Brown as Executors

Interests

B164915.6 Status order declaring that the status of the within land shall cease to be Maori Freehold Land and shall become General Land - 13.4.1983 at 10.50 am

B338151.1 Gazette Notice (NZ Gazette 20.9.1984 No 166 page 3967) acquiring part (490 square metres) for road and vesting same in Crown and pursuant to Section 11 (1A) National Roads Act 1953 shall form part of State Highway No 10 - 10.10.1984 at 2.45 pm

CERTIFICATE OF TITLE No.



PUKENUI 1B1 BLOCK

IKERAPU MLC DISTRICT

MP 6195

ML 9053

Pt. Pukenui 1A

11.5740 ha
Hilly land in dense scrub.

1B1

Aliot. 145
SD 11684

Pt. Pukenui 1B
ML 9053

11.5740 ha
490 B338151-1
11.5250 ha

Image Quality due
to Condition
of Original

88382A-50/000/9/82MK

NZ Transport Agency Waka Kotahi Reference: 2023-1137

15 October 2024

Thomson Survey Ltd
C/ Joe Brown
315 Kerikeri Road,
Kerikeri 0245

Sent via Email: lynley@tsurvey.co.nz

Dear Lynley,

Proposed new access off SH10 – 500m north of Backriver Road SH10 – Joe Brown

Thank you for your request for written approval from NZ Transport Agency Waka Kotahi (NZTA) under section 95E of the Resource Management Act 1991. Your proposal has been considered as follows:

Proposal

Resource consent is sought for the following activities:

- To construct a vehicle crossing for access to Pukenui 1B1 Block (RT – NA52B/853) off State Highway 10.

Assessment

In assessing the proposed activity, NZTA notes the following:

- The subject site currently has no formed vehicle access.
- The proposed access is off State Highway 10 with an Average Annual Daily Traffic (AADT) count of 3408 and speed limit of 100km/h.
- NZTA subject matter experts agree that the Diagram C access standard is appropriate, and the applicant has volunteered appropriate conditions to ensure that this formation standard is complied with.
- It is considered that no location along your client's site boundary would enable a vehicle crossing to achieve the required sight distances of the NZTA Planning Policy Manual Appendix 5B.
- NZTA considers that the proposed location at co-ordinates 1649203.84, 6126021.23 will provide the safest access location without requiring extensive earthworks and vegetation removal.
- NZTA would not support intensive development on this site due to the restricted sight lines and anticipates the site would not be developed above and beyond one dwelling.
- Your client has confirmed that all stormwater will be managed on site and in the event that the vehicle crossing culvert is blocked or inundated, water will flow in to the roadside drain and not enter the state highway. The applicant has volunteered a condition that reinforces the requirement for stormwater to be managed within the site.
- If future development proposes a stormwater connection to a NZ Transport Agency asset, additional approvals will need to be sought.

Conditions

In discussion with NZTA your client has agreed to include the following conditions as part of your client's resource consent application. The legal name of NZTA is the **New Zealand Transport Agency**; therefore our full legal name is referred to in the conditions and approval.

1. The proposed vehicle crossing shall be constructed in accordance with the plans prepared by Thomson Survey Ltd titled "Proposed NZTA Diagram C Entrance into Pt Pukenui 1B1, State Highway 10, Mangonui" dated 16/01/2023 and to the satisfaction of the NZ Transport Agency Network Manager.

2. Additional stormwater will be managed on site and no additional stormwater runoff will enter the state highway road corridor unless deemed appropriate by the NZ Transport Agency Network Manager.
3. The Consent Holder shall provide to Council, correspondence from the NZ Transport Agency confirming that works in the State Highway, including the construction of the new vehicle crossing, have been undertaken to the NZ Transport Agency standards.

Determination

On the basis of the above assessment of the proposed activity, and the conditions volunteered by the applicant, the New Zealand Transport Agency provides written approval under section 95E of the Resource Management Act 1991.

Advice Notes

Before you undertake any physical work on the state highway, including the formation of any vehicle crossing, you are legally required to apply to the New Zealand Transport Agency for a Corridor Access Request (CAR) and for that request to be approved.

Please submit your CAR to the NZTA CAR Manager via www.submitica.com a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is advised for complex works.

Expiry of this approval

Unless resource consent has been obtained this approval will expire two years from the date of this approval letter. This approval will lapse at that date unless prior agreement has been obtained from The New Zealand Transport Agency.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact the Environmental Planning team at environmentalplanning@nzta.govt.nz.

Yours sincerely,



Tessa Robins (Chester Consultants)

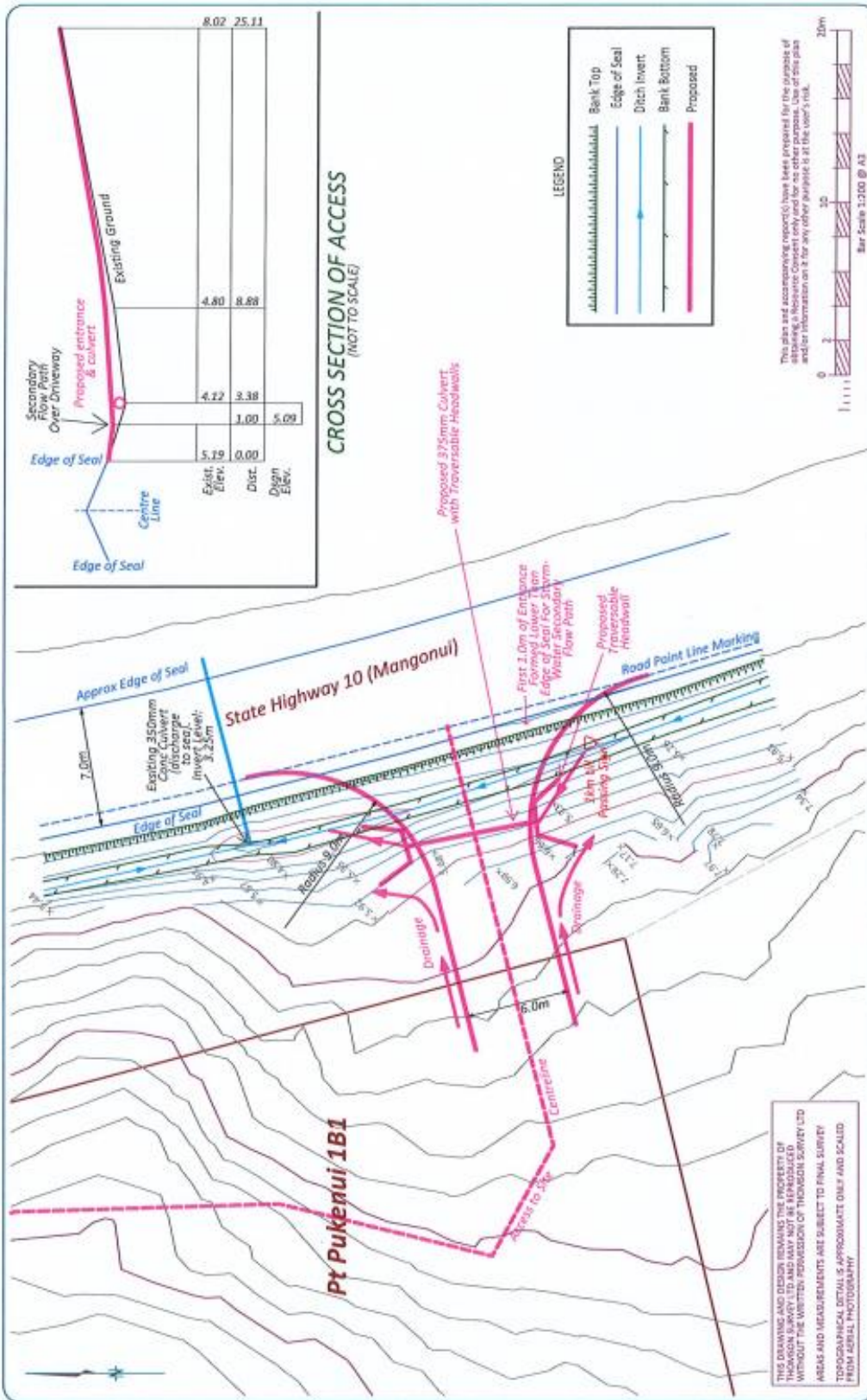
Consultant Planner

Poutiaki Taiao / Environmental Planning, System Design, on behalf of NZ Transport Agency Waka Kotahi.

Enclosed:

- Attachment 1: Proposed Entrance Upgrade Plan
- Attachment 2: Diagram C Access Standard

Attachment 1: Proposed Entrance Upgrade plan



DATE	15/09/22	ORIGINAL	
SURVEY	15/09/22	SCALE	1:200
DESIGN	16/07/23	SHEET	A3
APPROVED			
BY			
315 Kerkira Rd, P.O. Box 372, Kerkira, Auckland, New Zealand www.thomson-survey.co.nz			

PROPOSED NZTA DIAGRAM C ENTRANCE INTO PT PUKENUI 1B1
STATE HIGHWAY 10, MANGONUI

PREPARED FOR: J. BROWN

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Registered Land Surveyors, Planners & Land Development Consultants

Attachment 2: Diagram C Access Standard

