

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

5. Applicant details

Name/s:

Rosemorn Industries Limited C/O- Stephen Guy

Email:

Phone number:

Postal address:

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

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

If yes, please provide details.

6. Address for correspondence

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

Name/s:

Melissa Mcgrath

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:

Rosemorn Industries Limited

Property address/
location:

Cottle Hill Drive, Kerikeri (Lot 2 DP 556235)

Postcode 0230

8. Application site details

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

Name/s:	Rosemorn Industries Limited C/O- Stephen Guy		
Site address/ location:	Cottle Hill Drive, Kerikeri (Lot 2 DP 556235)		
	Postcode 0230		
Legal description:	Lot 2 DP 556235	Val Number:	219/70001
Certificate of title:	Lot 2 Deposited Plan 556235		

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 agent (Melissa McGrath) to arrange a site 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 is sought to establish rural buildings.

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 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)

Email:

Phone number:

Postal address:

(or alternative method of service under section 220 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)

Stephen Guy

Signature:

(signature of bill payer)

Date 18/02/26

MANDATORY

16. Important Information:

Note to applicant

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

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

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

Fast-track application

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

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

Privacy Information:

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

Melissa McGrath

Signature

Date 18/02/2026

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

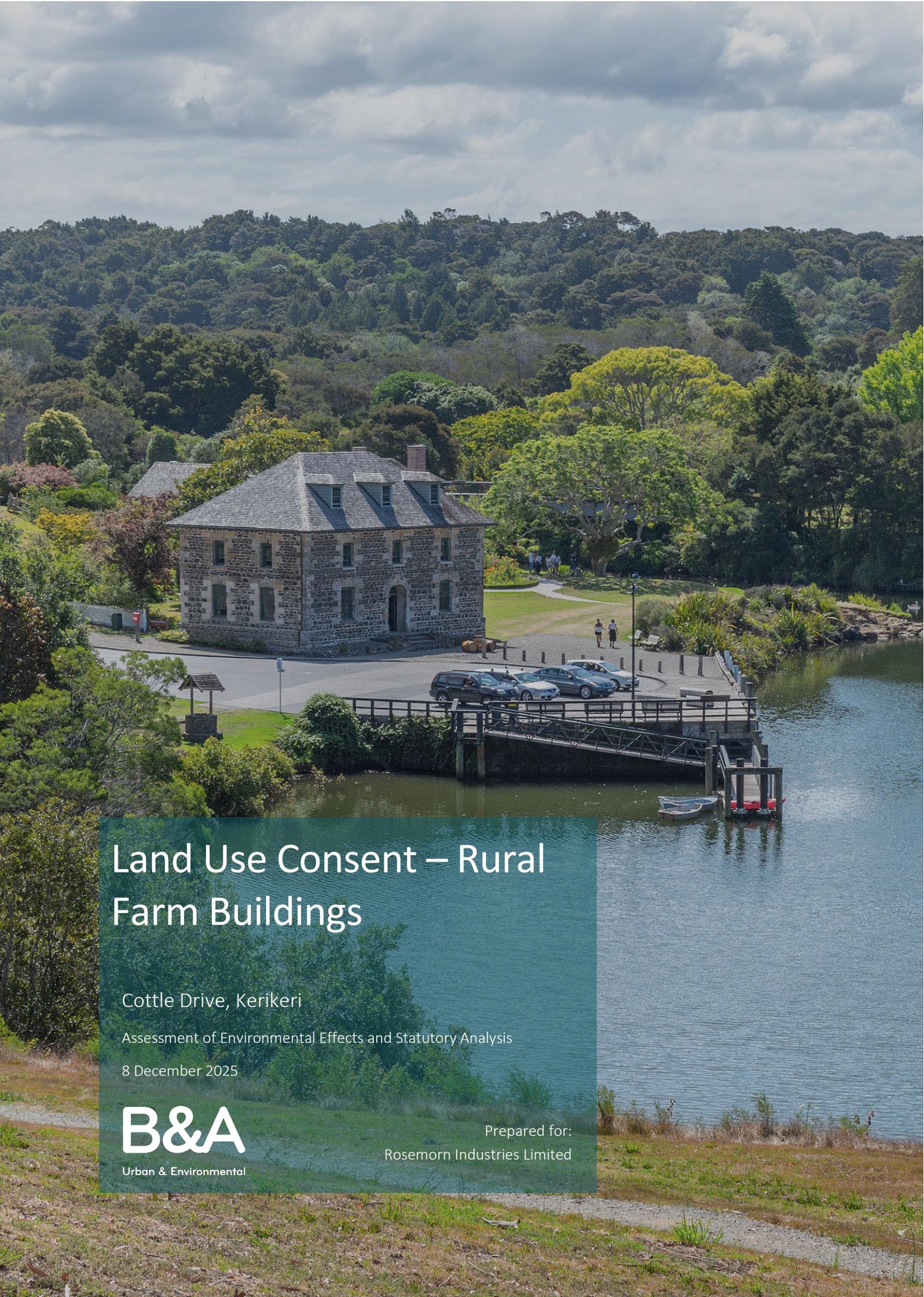
See overleaf for a checklist of your information...

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 Consent – Rural Farm Buildings

Cottle Drive, Kerikeri

Assessment of Environmental Effects and Statutory Analysis

8 December 2025

B&A

Urban & Environmental

Prepared for:
Rosemorn Industries Limited

B&A Reference:

026454

Status:

Final

Date:

17 February 2026

Prepared by:



Melissa McGrath

Senior Associate, Barker & Associates Limited

Reviewed by:



David Badham

Partner, Barker & Associates Limited

Contents

1.0	Applicant and Property Details	6
2.0	Introduction	7
2.1	S88 Rejection	7
3.0	Site Context	8
3.1	Site Description	8
3.2	Surrounding Locality	9
4.0	Proposal	9
5.0	Reasons for Consent	11
5.1	Far North District Council, Operative District Plan	11
5.2	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health	11
5.3	Activity Status	11
6.0	Public Notification Assessment (Sections 95A, 95C and 95D)	12
6.1	Assessment of Steps 1 to 4 (Sections 95A)	12
6.2	Section 95D Statutory Matters	13
6.3	Land Excluded from the Assessment	14
6.4	Matters of Control	14
6.5	Assessment of Effects on the Wider Environment	16
6.6	Summary of Effects	17
6.7	Public Notification Conclusion	17
7.0	Limited Notification Assessment (Sections 95B, 95E to 95G)	18
7.1	Assessment of Steps 1 to 4 (Sections 95B)	18
7.2	Section 95E Statutory Matters	19
7.3	Assessment of Effects on Persons	19
7.4	Limited Notification Conclusion	20
8.0	Consideration of Applications (Section 104)	20
8.1	Statutory Matters	20
8.2	Weighting of Proposed Plan Changes: Proposed District Plan	21
9.0	Effects on the Environment (Section 104(1)(A))	21
10.0	District Plan and Statutory Documents (Section 104(1)(B))	21
10.1	New National Direction	21
10.2	Objectives and Policies of the Operative District Plan	22
10.3	Objectives and Policies of the Proposed District Plan	24
10.4	Summary	26
11.0	Part 2 Matters	26
12.0	Other Matters (Section 104(1)(C))	27
12.1	Record of Title Interests	27
13.0	Section 104(6A) Significant Non-compliances	27
14.0	Section 106A Natural Hazards	27

15.0 Conclusion

28

Appendices

Appendix 1	Record of Title and Interests
Appendix 2	Site Plan
Appendix 3	Infrastructure Report
Appendix 4	Rules Assessment
Appendix 5	Building and Elevation Plans

1.0 Applicant and Property Details

To:	Far North District Council
Site Address:	Cottle Hill Drive, Kerikeri
Applicant Name:	Rosemorn Industries Limited
Address for Service:	Barker & Associates Ltd PO Box 1986, Shortland Street, Auckland 1140 Attention: Melissa McGrath
Legal Description:	Lot 2 DP 556235 (refer to Record of Title as Appendix 1)
Site Area:	2.3224 ha
Site Owner:	Rosemorn Industries Limited
District Plan:	Far North District Operative District Plan (ODP)
ODP Zoning:	Rural Production Zone
ODP Precinct:	Nil
ODP Overlays & Controls:	Nil
Designations:	Nil
Additional Limitations:	Nil
Locality Diagram:	Refer to Figure 1
Brief Description of Proposal:	Land use consent is sought to establish rural farm buildings.
Summary of Reasons for Consent:	OPD: The proposed farm buildings will infringe the permitted stormwater management rules requiring controlled activity consent under 8.6.5.2.1 Stormwater Management.

2.0 Introduction

This report has been prepared to address a resource consent application submitted by Rosemorn Industries Limited (hereafter referred to as ‘Rosemorn’ or the Applicant) for the establishment of rural buildings at Cottle Drive, Kerikeri. This report is intended to address the relevant matters under the Resource Management Act 1991 (‘RMA’).

This revised AEE has been prepared to address FNDC’s assessment feedback on an application lodged on 8 December 2025. The revised proposal now complies with Rule 8.6.5.1.10 (Building Coverage) by reducing the overall coverage from 14.55% of the gross site area to within the permitted baseline of 12.5%. As a result, the revised design only infringes the permitted Stormwater Management Rule 8.6.5.1.3 and is therefore sought as a controlled activity pursuant to Rule 8.6.5.2.1.

In accordance with FNDC’s assessment request, this AEE also includes the following information

- Further information on the building’s use, scale, and layout;
- Further assessment of the relevant Part 3 District-Wide Provisions; and
- A farming activity assessment in accordance with the definition of Rural Production in the Operative Far North District Plan.

2.1 S88 Rejection

An application for the proposal was originally lodged on 8 December 2025.

Councils’ key reasons for rejecting the application were as follows:

- (1) The proposal breached both the Stormwater Management and Building Coverage permitted activity standards and therefore did not meet limb (a) of the Controlled Activity rule framework.
- (2) The application did not provide sufficient information to demonstrate that the proposal qualified as “Farming” under the Operative District Plan definition, and therefore Council could not confirm whether the Traffic Intensity Factor exemption applied.
- (3) In the absence of building plans and operational details, Council was unable to confirm compliance with relevant Part 3 District Wide Provisions, including transport-related effects, and considered the application did not contain adequate information to meet Schedule 4 requirements of the RMA.

All of these matters have been addressed within this revised AEE as follows:

- (1) This application has been updated to reflect an updated to reflect the council interpretation of rule 8.6.5.2 which maintains a controlled activity status pursuant to only one rule being triggered within the controlled activity framework.
- (2) Additional information has been provided to demonstrate compliance as a “Farming” activity under the Operative District Plan – including details of the operational and intended use, as demonstrated in section 4.0.
- (3) Building Plans and Elevations (as shown in **Appendix 2**) have been provided to confirm the layout and scale of the proposed farming buildings.

- (4) As detailed in **Appendix 4** of this AEE, the proposal will comply with all permitted activity rules of Part 3 District Wide Provisions of the Operative District Plan, as a controlled activity assessment of this proposal is limited to the relevant matters of control as such no further consideration of Part 3 District Wide Provisions is required.

3.0 Site Context

3.1 Site Description

The subject site legally described as Lot 2 DP 556235 being approximately 2.3224ha in area, is regularly shaped and located at Cottle Hill Drive, Kerikeri adjacent to State Highway 10, south of Kerikeri. The site is gently sloping contour, being predominantly pasture segregated by shelterbelts. Site access is provided via an existing formed vehicle crossing off Cottle Hill Drive.

The site contains no wetlands or indigenous vegetation. The site is not subject to any identified natural hazards, nor does it contain any identified areas or sites of significance to Māori or archaeological sites.



Figure 1: Locality plan. Source: Emaps

The site is identified by Landcare Research as Land Use Capability Class 2 Soils, which are defined as:

Arable. Very good multiple-use land, slight limitations, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.

Land that is zoned Rural Production or General Rural in a district plan and is LUC 1 – 3 is defined as 'Highly Productive' under the National Policy Statement for Highly Productive Land ('NPS-HPL').

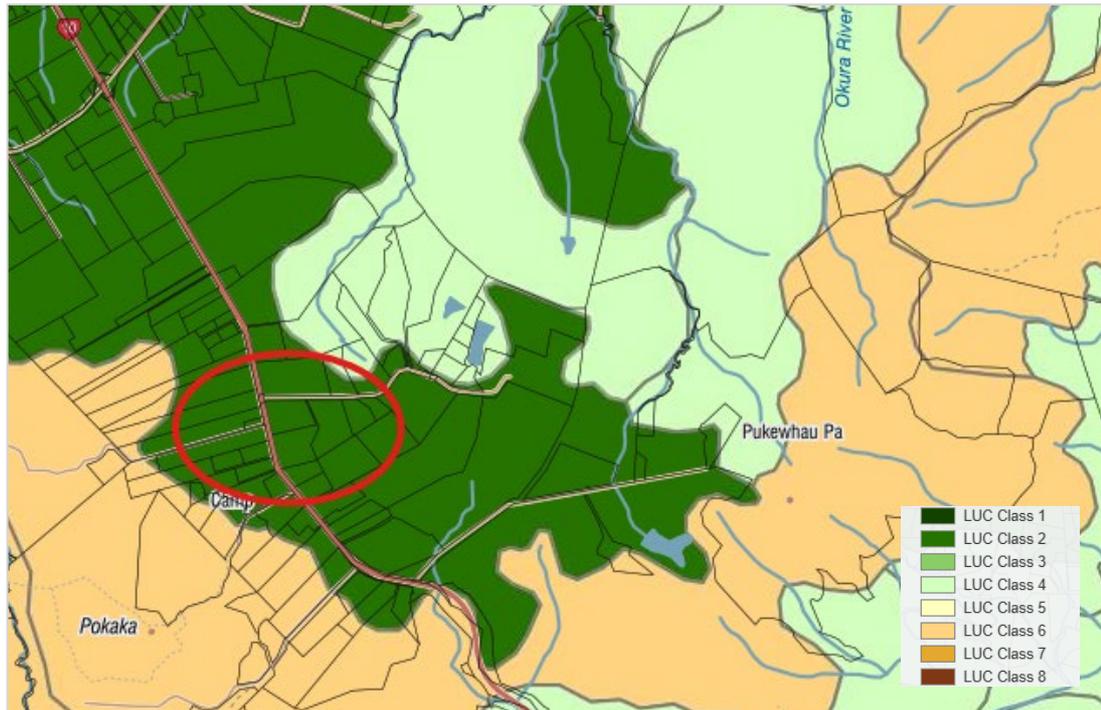


Figure 2: LUC Maps. Source: Land Care Research.

3.2 Surrounding Locality

The subject site is situated to the east of State Highway 10m, being approximately 1.5km from the Kerikeri Road and State Highway 10 round about. The site is centrally located within a cluster of mixed-use activities adjacent to both sides of State Highway 10. Cottle Hill Nursery is located directly adjacent to the north of the site, with Living Nature located directly adjacent to the south.

Rural lifestyle allotments occupied by residential units are located directly to the east, with lifestyle development spanning to the east off Cottle Hill Drive.

4.0 Proposal

A summary of the key elements of the proposal is set out below to reflect the revised design of the proposal. More detailed descriptions on particular aspects of the proposal are set out in the specialist reports and plans accompanying the application.

Building plans are provided as **Appendix 2** and include the site layout, elevations, scale and intended use.

- **Farming Buildings:** 4 x Farm Sheds ranging in size from 675m² – 740m², equating to 12.47% building coverage of gross site area, with a maximum building height approximately 7m above the existing ground level.
 - The intended use for the proposed buildings is to be used as farming sheds and associated rural production structures, including but not limited to:
 - Storage of farming machinery, implements and equipment;
 - Storage of farming inputs and supplies; and

- Ancillary staff amenities typical of a farming operation.

This is consistent with the definition of “farming” within the Far North District Plan which is (see highlighted text):

Any agricultural or horticultural activity having as its primary purpose the commercial production of any livestock or vegetative matter for human or animal consumption. The production of livestock or vegetative matter utilises the in-situ production capacity of the soil, water and air as a medium for production. Farming includes:

- (a) all types of livestock breeding, cropping, grazing, aquaculture;*
 - (b) horticulture, including covered cropping as in greenhouses;*
 - (c) apiaries;*
 - (d) normal rural practices including associated building and structures***
 - (e) crop support structures and artificial crop protection;*
 - (f) airstrips;*
- But excludes;*
- (i) plantation forestry activities and factory farming.*

The site is used (and will continue to be used) for commercial rural production activities typical of land within the Rural Production Zone. The buildings are proposed to support that productive use.

The farming activity is reliant on the site’s productive capacity in particular the sites soil and water. The proposed buildings occupy only 12.5% of the gross site area and are located and designed to support ongoing productive use of the balance of the site. In addition, rainwater is to be collected and stored on-site from proposed farm buildings, this is intended to support the ongoing productive use of the land while providing drinking water for on-site users.

The ODP ‘Farming’ definition explicitly includes “normal rural practices including associated buildings and structures”. The proposed farming sheds are consistent with that limb of the definition because they provide enclosed space for storage and operational support functions that are standards and necessary to enable efficient farming of the land and surrounding area (e.g., storing farm machinery and inputs used on-site, and ancillary items associated with on-site production).

To the extent that any minor, incidental handling of on-site produce occurs within the sheds (such as temporary holding, basic handling, or packaging directly associated with production on the land), this is consistent with the Plan’s definition of Activities Ancillary to Farming, which captures processing/packaging facilities and other rural industry dependent primarily on direct handling of raw produce or services to farming/horticulture.

For the reasons above, the proposed use is appropriately characterised as Farming (and/or activities ancillary to farming where relevant), as defined by the ODP. The buildings are appropriately described as farming sheds / associated rural buildings, and their scale and function are consistent with the Rural Production Zone’s anticipated productive intent.

- **Access:** Access continues via the existing Cottle Hill Drive crossing. An internal 3m wide driveway and yard area are proposed to provide practical farm access to sheds.
- **Impervious Area:** 17.81% of gross site.
- **Site Works:** Earthworks to establish internal driveways, building platforms and yard area will comprise of approximately 1044m³ cut and 705.8m³ of fill across an area of 4703m².
- **Stormwater Management:** Stormwater management is proposed including collection of runoff from the driveway to scruffy dome inlets and conveyed to spreader bars. Collection of roof runoff from the proposed farming sheds will be directed to appropriately sized rainwater tanks.

Detail of each element described above is provided in the relevant reports or plans.

5.0 Reasons for Consent

A rules assessment against the provisions of the Far North District Council Operative District Plan ('ODP') is attached as **Appendix 4**. The site is Rural Production Zone. The proposal requires consent for the matters outlined below.

5.1 Far North District Council, Operative District Plan

Rural Production Zone

- Rule 8.6.5.1.10 Building Coverage – is 12.47% and therefore a permitted activity.
- Rule 8.6.5.1.3 Stormwater Management – The proposal will result in 17.81% gross site area coverage by buildings and other impermeable surfaces which exceeds the permitted limit of 15% and is therefore a **controlled activity** in accordance with rule 8.6.5.2.1.

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

Resource consent is not required under the provisions of the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health ('NES-CS').

The NES was dealt with as part of the underlying subdivision process that created the subject site. In this regard, a combined preliminary/detailed site investigation report and remedial action plan completed by NZ Environmental (NZE) was provided in support of the subdivision.

The PSI report identified that there was one portion of the site being subdivided where the contamination levels were above the applicable guidelines, identifying that remediation was required. The remediation action plan provided the methodology for the remediation of the contaminated soils. Removal of soil to an approved landfill was selected as the preferred option. The remediation actions have now been implemented.

As the site is production land, no change of land use is proposed, and the soil disturbance is for the purpose of farm buildings, the regulations do not apply in accordance with regulation 5 (8).

5.3 Activity Status

Overall, this application is for a **controlled activity**.

6.0 Public Notification Assessment (Sections 95A, 95C and 95D)

6.1 Assessment of Steps 1 to 4 (Sections 95A)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These are addressed in statutory order below.

6.1.1 Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application is made jointly with an application to exchange of recreation reserved land under section 15AA of the Reserves Act 1977.

The above does not apply to the proposal.

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

Step 2 describes that public notification is precluded where all applicable rules and national environmental standards preclude public notification; or where the application is for a controlled activity; or a restricted discretionary, discretionary or non-complying boundary activity.

In this case, the proposal is a controlled activity or a boundary activity. Therefore, public notification is precluded.

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

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or national environmental standards require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

As noted under step 2 above, public notification is precluded, and an assessment under section 95A is not required.

6.1.4 Step 4: Public notification in special circumstances

If an application is not required to be publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- Exceptional or unusual, but something less than extraordinary; or
- Outside of the common run of applications of this nature; or
- Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

The proposal seeks to establish rural farm buildings within scope of controlled activity bulk and location controls, consistent with and enabled by the Rural Production Zone.

It is considered that there is nothing noteworthy about the proposal. It is for a controlled activity anticipated and provided for by the ODP provisions that must be granted, subject to the imposition of conditions in accordance with the matters of control. It is therefore considered that the application cannot be described as being out of the ordinary or giving rise to special circumstances.

6.2 Section 95D Statutory Matters

In determining whether to publicly notify an application, section 95D specifies a council must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor.

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.

The land to be excluded from the assessment is listed in section 6.3 below.

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded.

In this case ODP provides for the following within the Rural Zone as a permitted activity:

- Buildings – 10m setback from site boundary, compliant with sunlight recession plane, 12m in height, not exceeding gross site area of 12.5%.
- Stormwater management – maximum proportion of gross site area covered by buildings and other impervious surfaces less than 15%.
- Scale of activity a maximum of 4 persons per site or 1 person per 1 hectare of net site area, whichever is the greater.
- Excavation and/or filling, excluding mining and quarrying, on any site in the Rural Production Zone or Kauri Cliffs Zone is permitted, provided that: (a) it does not exceed 5,000m³ in any 12 month period per site; and (b) it does not involve a continuous cut or filled face exceeding an average of 1.5m in height over the length of the face i.e. the maximum permitted average cut and fill height may be 3m.
- Any building and impermeable surface set back 30m from the boundary of wetlands of 1ha or more in area.
- 60 maximum daily one-way traffic movements or unlimited traffic movements associated with a farming activity.

Given the productive nature of the proposed activity, it is considered appropriate to apply the permitted baseline.

- As a controlled activity, only those matters within the council's control can be considered.

The matters of control are listed in section 6.4 below.

- Trade competition must be disregarded.

This is not considered to be a relevant matter in this case.

- The adverse effects on those persons who have provided their written approval must be disregarded.

No persons have provided their written approval for this proposal.

The sections below set out an assessment in accordance with section 95D, including identification of adjacent properties, matters of control, and an assessment of adverse effects.

6.3 Land Excluded from the Assessment

In terms of the tests for public notification (but not for the purposes of limited notification or service of notice), the adjacent properties to be excluded from the assessment are shown **Figure 3** below, and include:

- 10 Cottle Hill Drive;
- 28 Cottle Hill Drive;
- 1244 State Highway 10;
- 1246B State Highway 10;
- State Highway 10 (Lot 1 DP 551648);
- 1273 State Highway 10; and
- 1283 and 1283A State Highway 10.



Figure 3: Adjacent properties in relation to subject site. Source: CoreLogic Emaps.

6.4 Matters of Control

Under section 104A of the Act, as a controlled activity, the consent authority must consider only those matters over which it has reserved its control in its plan, being:

- 8.6.5.2.1 Stormwater Management.

Overall, it is considered that the proposal meets the matters of control of the ODP.

Table 1: Matters of Control Assessment

Matters of Control	Assessment
8.6.5.2.1 Stormwater Management	
(a) the extent to which building site coverage and impermeable surfaces contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment;	All stormwater will be appropriately managed and attenuated within the subject site. The subject site is not located within a catchment or drainage plan area.
(b) the extent to which Low Impact Design principles have been used to reduce site impermeability;	Given the extent of permeable area within the site, low impact design of stormwater is not considered to be necessary.
(c) any cumulative effects on total catchment impermeability;	All stormwater will be appropriately managed and attenuated within the subject site and will not result in any cumulative effects.
(d) the extent to which building site coverage and impermeable surfaces will alter the natural contour or drainage of the site or disturb the ground and alter its ability to absorb water;	The stormwater has been designed to maintain existing flow within existing overland flow paths, with stormwater being conveyed to ground through dispersed overland flow.
(e) the physical qualities of the soil type;	The stormwater management system has been designed in accordance with the site characteristics and soil type.
(f) the availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites;	There are no waterbodies within the subject site, the proposed stormwater management system has been designed to ensure appropriate attenuation prior to dispersal to land, avoiding risk of adverse effects to water quality.
(g) the extent to which paved, impermeable surfaces are necessary for the proposed activity;	Impervious areas are proposed to establish access to the proposed farm buildings, ensuring all weather access and use of the site.
(h) the extent to which landscaping and vegetation may reduce adverse effects of run-off;	All stormwater will be appropriately managed and attenuated within the subject site and will not result in any landscaping or vegetation to reduce adverse effects.
(i) the means and effectiveness of mitigating stormwater runoff to that expected by permitted activity threshold.	The proposal includes an effective stormwater management system which will appropriately mitigate the potential effect of the proposal beyond than provided for by the permitted activity threshold.

Overall, it is considered that the proposal meets the matters of control of the ODP.

6.5 Assessment of Effects on the Wider Environment

The following sections set out an assessment of wider effects of the proposal, and it is considered that effects in relation to the following matters are relevant:

- Rural Character and Amenity; and
- Stormwater management .

These matters are set out and discussed below.

6.5.1 Rural Character and Amenity

The site and surrounds can be classified as a mixed-use rural environment comprising of a range of commercial, light industrial, rural and residential uses. Predominantly, the surrounding area consists of commercial or light industrial activities located to maximise access and frontage to State Highway 10, with rural lifestyle activities to the east. Taking the surrounding land uses into account, the site and surrounding environment is not considered to be a true or fully intact Rural Production environment.

The Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the environment. The farm buildings will be used for rural production activities and are compatible with and are of a scale that complies with the majority of the bulk and location controls relevant to the underlying zone. The farm buildings have been centrally located within the site which will not impose on the location and nature of future land use activities that will be undertaken on neighbouring land. Although the total impervious area coverage will infringe the permitted standards, farm buildings are of a scale consistent with that anticipated in a rural context.

Proposed farm buildings will be setback further than 60m from the boundary of State Highway 10 and existing large shelterbelts within the site effectively soften the built form such that less than minor amenity effects will result.

Based on the above, it is considered that the proposed activity on the site is appropriate and in keeping with the anticipated character of the site and surrounding area. As such, the development will not detract from the character of the surrounding environment and any adverse effects on the rural character and amenity of the wider environment are considered to be less than minor.

6.5.2 Stormwater Management

All stormwater runoff generated by the proposed building and impervious surfaces will be suitably captured and treated prior to discharge. Maven have undertaken an assessment of potential stormwater effects and recommend the following management strategy:

- Runoff generated on the proposed driveway will be collected via scruffy dome inlets and conveyed to spreader bars, allowing the flows to be dissipated and discharged evenly overland.
- Roof runoff from the proposed sheds will be directed to appropriately sized rainwater tanks, where attenuation will occur before controlled overland discharge to ground.

The Infrastructure Report details measures proposed to ensure that sediment is removed from stormwater runoff prior to discharge from the site. The proposed erosion and sediment control measures will be implemented in accordance with the Auckland Council's Guidance Document 005 (GD05) for the duration of the activity.

The proposal is therefore considered to provide adequate services and infrastructure, subject to compliance with conditions of consent and any adverse effects will be less than minor.

6.5.3 Construction Activities

The location of the earthworks proposed are as shown on the drawings prepared by Maven (provided in **Appendix 3**). The works are wholly within the application site and outside of any mapped wetland areas.

The proposal will comply with the construction noise limits as set out within the NZS 6803: 1999 “Acoustics – Construction Noise”. Should further detail with regards to this matter be required, it is requested that this be made a condition of consent to be added to the construction management plan once an earthworks contractor has been nominated.

Any adverse effects generated by the location, extent, timing and duration of the earthworks will be temporary in nature.

The proposal is considered to have less than minor construction activity effects.

6.5.4 Impact on Sites or Areas of Significance to Māori and Historic Heritage

There are no sites of historic heritage including sites of significance to Māori identified on FNDC’s GIS system. There are no identified archaeological sites in proximity to the proposal.

Therefore, the proposal will not have any adverse effects on cultural values, historic heritage or the surrounding environment. As such, it is considered that any cultural and historic heritage effects of the proposed subdivision will be less than minor and acceptable.

6.6 Summary of Effects

Overall, it is considered that any adverse effects on the environment relating to this proposal will be less than minor.

6.7 Public Notification Conclusion

Having undertaken the section 95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is precluded;
- Under step 3, public notification is not required as it is considered that the activity will result in less than minor adverse effects; and
- Under step 4, there are no special circumstances.

Therefore, based on the conclusions reached under steps 2, 3 and 4, it is recommended that this application be processed without public notification.

7.0 Limited Notification Assessment (Sections 95B, 95E to 95G)

7.1 Assessment of Steps 1 to 4 (Sections 95B)

If the application is not publicly notified under section 95A, the council must follow the steps set out in section 95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

7.1.1 Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups; or affected persons under a statutory acknowledgement affecting the land (being on land, or adjacent to land, that is subject to a statutory acknowledgement area).

The above does not apply to this proposal.

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

Step 2 describes that limited notification is precluded where all applicable rules and national environmental standards preclude limited notification; or the application is for a controlled activity (other than the subdivision of land).

In this case, the proposal is a controlled activity (other than the subdivision of land). Therefore, limited notification is precluded.

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

Step 3 requires that, where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary activity, and therefore an assessment in accordance with section 95E is required and is set out below.

Overall, it is considered that any adverse effects on persons will be less than minor, and accordingly, that no persons are adversely affected.

7.1.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

In this instance, having regard to the assessment in section 6.1.4 above, it is considered that special circumstances do not apply.

7.2 Section 95E Statutory Matters

If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded;
- Only those effects that relate to a matter of control or discretion can be considered (in the case of controlled or restricted discretionary activities); and
- The adverse effects on those persons who have provided their written approval must be disregarded.

These matters were addressed in section 6.2 above, and no written approvals have been obtained.

Having regard to the above provisions, an assessment is provided below.

7.3 Assessment of Effects on Persons

Adverse effects on persons and wider effects in relation to stormwater effects are to be less than minor.

Wider effects, such as rural character and amenity, stormwater management, construction activities and cultural effects were considered in section 6.5 above and considered to be less than minor.

The persons potentially affected by stormwater generated by the proposal include the adjoining properties at 10 and 28 Cottle Hill Drive, 1244 and 1246B State Highway 10, as well as the State Highway 10 corridor and adjacent properties (Lot 1 DP 551648; 1273 SH10; 1283 SH10; and 1283A SH10).

Stormwater will be managed entirely on-site, as the site is not connected to a reticulated stormwater network. Driveway runoff will be collected via sumped inlets and conveyed to spreader bars to dissipate flows and enable even overland discharge. Roof runoff will be directed to appropriately sized rainwater tanks for collection.

Stormwater modelling confirms that the preferred disposal method (discharge to land via spreader bars) maintains existing disposal conditions. Detention to pre-development levels is proposed to mitigate downstream effects, and post-development peak discharges are modelled to be equal to or lower than pre-development flows. The proposed attenuation measures are therefore considered sufficient to avoid adverse effects on downstream properties.

A review of the Northland Regional Council flood hazard mapping indicates that no identified flood hazards affect the site. The proposal will not create additional flood risk on or adjacent properties to the implementation of the proposed onsite stormwater controls.

During the construction phase, the primary stormwater-related risk to adjacent properties and SH 10 is sediment-laden runoff from exposed soils. However, earthworks are limited in scale (approximately 5,200 m² of disturbance), and sediment control measures will be installed and operational prior to the commencement of works, in accordance with Council standards and GD05.

With these measures in place, construction-phase effects are anticipated to be no more than minor. Overall, stormwater effects on surrounding properties are assessed as less than minor. It is therefore considered that there are no adversely affected persons in relation to stormwater effects arising from the proposal, as all stormwater can be appropriately managed and controlled on site.

7.3.1 Summary of Effects

Taking the above into account, it is considered that any adverse effects on persons at the aforementioned properties will be less than minor in relation to stormwater effects. Wider effects, including to rural character and amenity, stormwater management, construction activities and cultural effects were assessed in section 6.5 above and are considered to be less than minor.

It is considered, therefore, that there are no adversely affected persons in relation to this proposal.

7.4 Limited Notification Conclusion

Having undertaken the section 95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

8.0 Consideration of Applications (Section 104)

8.1 Statutory Matters

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a controlled activity, section 104A of the Act states that a council:

- (a) must grant the resource consent, unless it has insufficient information to determine whether or not the activity is a controlled activity; and
- (b) may impose conditions on the consent under section 108 only for those matters over which it has reserved its control in its plan.

8.2 Weighting of Proposed Plan Changes: Proposed District Plan

On the 27th July Far North District Council (FNDC) notified their Proposed District Plan (PDP).

Under the Proposed Far North District Plan, the application site is zoned Rural Lifestyle and is not subject to any overlays. It is noted that there are broad submissions and further submissions opposing large portions of the PDP provisions, including provisions and spatial extent of the Rural Lifestyle Zone.

At the time of preparing this AEE, only rules identified as having immediate legal effect have been considered. This will remain the case until FNDC releases a decision on the Proposed Far North District Plan (this will occur once hearings have been completed).

An assessment against both of the ODP and PDP provisions has been undertaken below, and it is concluded that the proposal finds support in both. Nevertheless, giving the extent of submissions and that there are no final decisions on the PDP provisions and zoning, it is considered that greater weight at this time should be given to the ODP provisions.

9.0 Effects on the Environment (Section 104(1)(A))

Having regard to the actual and potential effects on the environment of the activity resulting from the proposal, it was concluded in the assessment above that any wider adverse effects relating to the proposal will be less than minor and that no persons would be adversely affected by the proposal.

Further, it is considered that the proposal will also result in positive effects including efficient productive use of the land by providing rural farm buildings that enable farming activities to operate efficiently and safely on the site. Overall, it is considered that the proposal will have positive effects, and any actual and potential adverse effects on the environment of allowing the activity are appropriate.

10.0 District Plan and Statutory Documents (Section 104(1)(B))

10.1 New National Direction

10.1.1 NPS-Natural Hazards

The National Policy Statement for Natural Hazards (NPS-NH) requires natural hazard risk to people and proposed works associated with subdivision, use, and development to be managed using a risk-based and proportionate response. Resource consent applications are to be assessed against the prescribed risk matrix, which considers the likelihood and consequence of potential natural hazard events.

In this instance, a desktop assessment of the Northland Regional Council Advanced Natural Hazards GIS Viewer has been undertaken. This confirms that the subject site is not located within any mapped natural hazard areas.

For completeness, the proposed stormwater management system has been designed to ensure that it will not exacerbate flooding effects on the subject site or adjoining properties.

Accordingly, the NPS-NH has limited relevance to the proposal, and no further assessment against the NPS-NH risk matrix is considered necessary.

10.1.2 NPS-Highly Productive Land

The subject site contains LUC Class 2 soils, which are defined as highly productive soils under the NPS-HPL. However, the proposal is assessed as a Controlled Activity, with Council's discretion restricted to the matters outlined in Section 6.4 above.

The proposed farm building is primary production in nature and is intended to support the productive capacity of the land by facilitating the storage of farming machinery, implements, and equipment. The activity is therefore considered to be a supporting activity associated with rural production.

Whilst the proposal is not generally consistent with the NPS-HPL the controlled activity status, limits councils' discretion to the matters listed in section 6.4. Thus, this resource consent shall be approved subject to conditions.

10.2 Objectives and Policies of the Operative District Plan

10.2.1 Rural Production Zone

Objectives of the Rural Production Zone are focused upon the management of effects and enablement of rural production activities.

8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.

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

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

8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.

8.6.3.5 To protect and enhance the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri.

8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.

8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.

8.6.3.8 To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.

8.6.3.9 To enable rural production activities to be undertaken in the zone.

Policies achieve these objectives, enabling activity that avoid, remedy or mitigate effects of activities:

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

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

8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.

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

8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.

8.6.4.6 That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.

8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.

8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities

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

The proposal will give effect to these objectives and policies because:

- (a) The proposed farm buildings will be utilised for the purpose of rural production activities, and the buildings comply with all permitted activity bulk and location standards except impervious area coverage, being a type, scale and nature anticipated and provided for in the Rural Production Zone.
- (b) The proposal will avoid conflicting activities and reverse sensitivity effects.
- (c) The proposed farm buildings are centrally located within the site, avoiding any compromise of existing lawfully established existing activities.
- (d) The central location of the proposed farm buildings, existing contour and vegetation onsite will maintain the wider landscape.
- (e) The proposed bulk and scale of farm buildings are consistent with that of the surrounding rural environment.

10.3 Objectives and Policies of the Proposed District Plan

10.3.1 Horticulture Zone

The objectives and policies of the PDP seek to manage land and development to ensure the long-term availability for horticultural activities.

HZ-O1 The Horticulture zone is managed to ensure its long-term availability for horticultural activities and its long-term protection for the benefit of current and future generations.

HZ-O2 The Horticulture zone enables horticultural and ancillary activities, while managing adverse environmental effects on site.

HZ-O3 Land use and subdivision in the Horticulture zone:

- a. avoids land sterilisation that reduces the potential for highly productive land to be used for a horticulture activity;*
- b. avoids land fragmentation that comprises the use of land for horticultural activities;*
- c. avoids any reverse sensitivity effects that may constrain the effective and efficient operation of primary production activities;*
- d. does not exacerbate any natural hazards;*
- e. maintains the rural character and amenity of the zone;*
- f. is able to be serviced by on-site infrastructure.*

HZ-P1 Identify a Horticulture zone in the Kerikeri/Waipapa area using the following criteria:

- a. presence of highly productive land suitable for horticultural use;*
- b. access to a water source, such as an irrigation scheme or dam able to support horticultural use; and*
- c. infrastructure available to support horticultural use.*

HZ-P2 Avoid land use that:

- a. is incompatible with the purpose, function and character of the Horticulture zone;*
- b. will result in the loss of productive capacity of highly productive land;*
- c. compromises the use of highly productive land for horticultural activities in the Horticulture zone; and*
- d. does not have a functional need to be located in the Horticultural zone and is more appropriately located in another zone.*

HZ-P3 Enable horticulture and associated ancillary activities that support the function of the Horticulture zone, where:

- a. *adverse effects are contained on site to the extent practicable; and*
- b. *they are able to be serviced by onsite infrastructure.*

HZ-P4 Ensure residential activities are designed and located to avoid, or otherwise mitigate, reverse sensitivity effects on horticulture activities, including adverse effects associated with dust, noise, spray drift and potable water collection.

HZ-P5 – Not relevant

HZ-P6 - Not relevant

HZ-P7 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

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

The proposal will give effect to these objectives and policies because:

- (a) The proposed farm buildings will be utilised for the purpose of rural production activities, being a type, scale and nature anticipated and provided for in the proposed Horticulture Zone.
- (b) The proposal will avoid conflicting activities and reverse sensitivity effects.
- (c) The proposed farm buildings are centrally located within the site, avoiding any compromise of existing lawfully established existing activities.
- (d) The central location of the proposed farm buildings, existing contour and vegetation onsite will maintain the wider landscape.
- (e) The proposed bulk and scale of farm buildings is consistent with that of the surrounding rural environment.
- (f) The Infrastructure Report confirms that the proposal can be appropriately serviced via onsite stormwater management.
- (g) The subject site is not identified as containing or being within an area or site of significance to Māori or Historic Heritage.
- (h) The proposal will not result in any increase to traffic or effect to the roading infrastructure.

10.4 Summary

It is considered that the proposed development is generally in accordance with the objectives and policies of the ODP and PDP.

11.0 Part 2 Matters

While it is not necessary to take recourse to Part 2 given that it has already been incorporated into the OPD and PDP, we do so for completeness.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant ODP and PDP objectives and policies, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the Act.

12.0 Other Matters (Section 104(1)(C))

12.1 Record of Title Interests

The Record of Title for the site are subject to a number of interests (refer **Appendix 1**). None of these are anticipated to affect the resource consent application as discussed in **Table 2** below:

Table 2: Record of Title interests

Interest	Comment
Appurtenant hereto is a right to drain water created by Easement Instrument 11937177.3	Created a right to drain water over a portion of Lot 1 DP 556235 (shown as "A" on DP 556235) in favour of the subject site.
11937177.2 Consent Notice pursuant to Section 221 Resource Management Act Management Act 1991	Includes 6 conditions that were registered as part of the underlying subdivision. Includes a condition specifying that access is not permitted from SH10 without the prior approval of NZTA, requiring that stormwater attenuation is provided, requiring that a firefighting water supply is provided, requiring that a TP58 report is provided for wastewater, outlining that electricity and telecommunications connections were not a requirement of the subdivision, and outlining that any cats or dogs kept on the site must be inside or tied up at night.
573901.1 Gazette Notice declaring the adjoining State Highway (No 10) to be a limited access road	Access to State Highway 10 is limited, prior approval from NZTA is required.

13.0 Section 104(6A) Significant Non-compliances

Under Section 104(6A) of the RMA, a consent authority may decline an application for resource consent if the applicant has a record of significant non-compliance with a requirement of this Act.

The Applicant, Rosemorn Industries Limited, is not a natural person and has not been the subject of a non-compliance.

14.0 Section 106A Natural Hazards

Under section 106A of the Act, a consent authority may refuse to grant a land use consent, or may grant the consent subject to conditions, if it considers that there is a significant risk from natural hazards.

The subject site is not identified as being within an area of Natural Hazard, therefore it is considered that the proposal will not result significant risk.

15.0 Conclusion

The proposal involves construction and use of rural farm buildings and associated works at Cottle Hill Drive, Kerikeri.

Based on the above report it is considered that:

- Public notification is not required as adverse effects in relation to rural character and amenity, stormwater management, cultural and construction activity are considered to be less than minor;
- Limited notification is not required as effects to adjacent properties are considered to be less than minor;
- The proposal accords with the relevant ODP and PDP objectives and policies;
- The proposal will not give rise to or be at significant risk from natural hazards; and
- The proposal is considered to be consistent with Part 2 of the Act.
- The proposal is also considered to generate positive effects by improving the efficient productive use of the land.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that it can be granted on a non-notified basis. The applicant respectfully requests that draft conditions of consent be provided to them pursuant to section 107G of the Act.



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




R. W. Muir
Registrar-General
of Land

Identifier **970800**
Land Registration District **North Auckland**
Date Issued 11 June 2021

Prior References
NA101D/169

Estate Fee Simple
Area 2.3224 hectares more or less
Legal Description Lot 2 Deposited Plan 556235

Registered Owners
Rosemorn Industries Limited

Interests

573901.1 Gazette Notice declaring the adjoining State Highway (No 10) to be a limited access road - 31.1.1979 at 10.51 am

11937177.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 11.6.2021 at 10:57 am

Appurtenant hereto is a right to drain water created by Easement Instrument 11937177.3 - 11.6.2021 at 10:57 am

The easements created by Easement Instrument 11937177.3 are subject to Section 243 (a) Resource Management Act 1991

View Instrument Details



Instrument No 11937177.2
Status Registered
Date & Time Lodged 11 June 2021 10:57
Lodged By Thompson, Emma Jane
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
970799	North Auckland
970800	North Auckland
970801	North Auckland

Annexure Schedule Contains 2 Pages.

Signature

Signed by Emma Jane Thompson as Territorial Authority Representative on 11/06/2021 10:50 AM

*** End of Report ***



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THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC2200562-VAR/A
Being the Subdivision of LOT 3 DP 167754
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 below.

SCHEDULE

Lots 2 & 3 DP 556235

- (i) No vehicle access is permitted off State Highway 10 without the prior approval of NZTA.
- (ii) In conjunction with the construction of any building, the lot owner shall install the stormwater attenuation system as detailed in the Stormwater Report, prepared by PK Engineering, referenced Job No. 20-001 and dated March 2020 and submitted with resource consent RC2200562-RMACOM, OR an alternative design prepared by a suitably qualified engineer that references the aforementioned report.
- (iii) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- (iv) In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan Permitted Activity Standards.



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- (v) Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.

Lots 1 – 3 DP 556235

- (vi) The subdivision is identified as being within a kiwi present zone. Any cats and/or dogs kept onsite must be kept inside and/or tied up at night to reduce the risk of predation of North Island brown kiwi by domestic cats and dogs.

Lot 3 DP 556235

- (vii) In conjunction with the construction of any dwelling, provide a formed and concreted/sealed entrance crossing that complies with the Council's Engineering Standard FNDC/S/6 and section 3.3.7.1 of the Engineering Standards and NZS 4404:2004. The crossing shall not be located any closer than 30 meters from the intersection of the State Highway and Cottle Hill Drive Boundary.

SIGNED:  Mr Patrick John Killalea - Authorised Officer
By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 26th day of May 2021





- NOTES
1. ALL WORKS TO BE IN ACCORDANCE WITH FAR NORTH DISTRICT COUNCIL STANDARDS.
 2. COORDINATES IN TERMS OF NZ GEODETIC DATUM MT EDEN 2000.
 3. LEVELS IN TERMS OF THE NEW ZEALAND VERTICAL DATUM 2016.
 4. CONTOUR INFORMATION SOURCED FROM LINZ DATABASE.
 5. BOUNDARIES ARE SUBJECT TO FINAL SURVEY.

COTTLE HILL DRIVE 20.12 Wide, Sealed Formation

STATE HIGHWAY 10 20.12 Wide, Sealed Formation

Lot 3
DP 556235

Lot 1
DP 41114

Lot 1
DP 556235

Lot 1
DP 183320

Lot 2
DP 556235

Lot 1
DP 551648

Lot 2
DP 149610

Lot 1
DP 486295

Lot 1
DP 330440

Lot 1
DP 149610

Proposed 3m
Wide Access

165.00

162.50

160.00

157.50

157.50

10.00m

Proposed Shed
675m² max
coverage

Proposed Shed
740m² max
coverage

Proposed Shed
740m² max
coverage

Proposed Shed
740m² max
coverage

LEGEND

	SITE BDY
	10m MIN SETBACK
	EXIST MAJOR CONTOUR
	EXIST MINOR CONTOUR
	PROPOSED FORMATION: 1241m ² (5.34%)
	PROPOSED SHEDS: 2895m ² (12.47%)

D	Add Elevations	SB	02/26
C	+ Setbacks & Amend to meet min.	SB	12/25
B	Redesign	SB	11/2025
A	Draft for Client Consideration	SB	11/2025
Rev	Description	By	Date
Survey	BY	MM/YYYY	
Design	SB	11/2025	
Drawn	SB	11/2025	
Checked	CP	11/2025	

M Maven Associates
 09 571 0050
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 www.maven.co.nz
 5 Owens Road, Epsom
 Auckland 1023

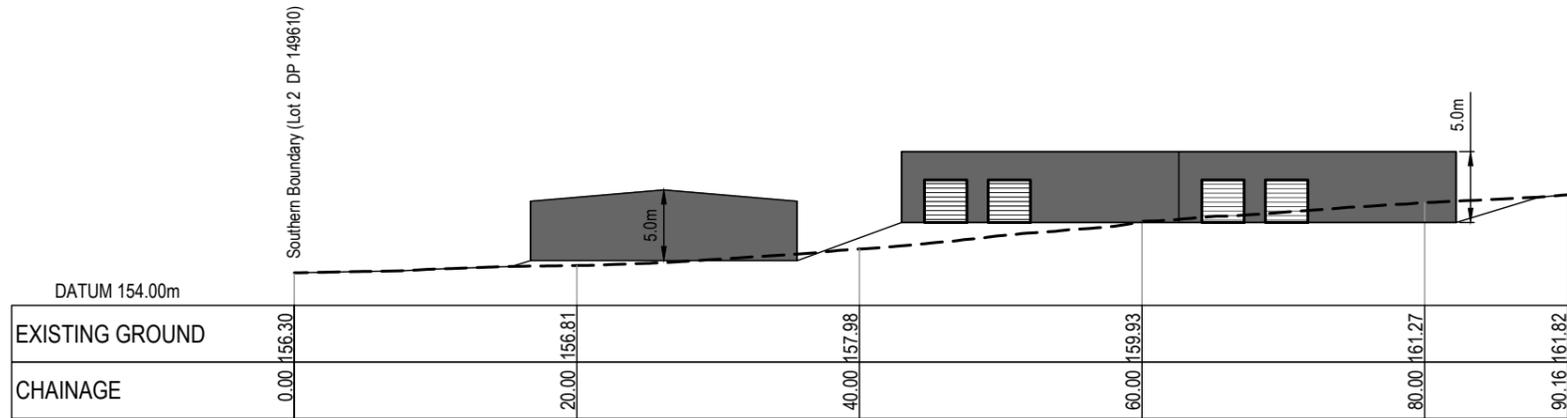
Project
Proposed Site Plan
Cottle Hill Drive
Kerikeri
FOR
Rosemorn Industries Ltd

Title
PROPOSED
SHEDS AND ACCESS
PLAN

Project no.	135051
Scale	1:1500 @ A3
Cad file	COTTLE HILL DRIVE C100 - REV D.DWG
Drawing no.	C100-1
Rev	D

RESOURCE CONSENT

DATE: 2/2/26 FILEPATH: F:\Maven\PROJECTS\135051 - COTTLE HILL DRIVE, KERIKERI\COTTLE HILL DRIVE C100 - REV D.DWG



Section A1-A2: Typical Shed Elevations
Horizontal Scale 1:500 Vertical Scale 1:500

NOTES

1. ALL WORKS TO BE IN ACCORDANCE WITH FAR NORTH DISTRICT COUNCIL STANDARDS.
2. COORDINATES IN TERMS OF NZ GEODETIC DATUM MT EDEN 2000.
3. LEVELS IN TERMS OF THE NEW ZEALAND VERTICAL DATUM 2016.
4. CONTOUR INFORMATION SOURCED FROM LINZ DATABASE.
5. BOUNDARIES ARE SUBJECT TO FINAL SURVEY.

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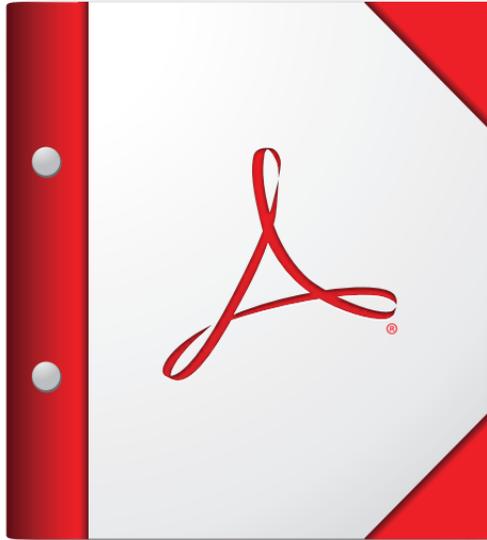


Project
Proposed Site Plan
Cottle Hill Drive
Kerikeri
FOR
Rosemorn Industries Ltd

Title
PROPOSED
SHEDS AND ACCESS
TYPICAL ELEVATIONS

Project no.	135051		
Scale	1:500 @ A3		
Cad file	COTTLE HILL DRIVE C100 - REV D.DWG		
Drawing no.	C100-2	Rev	D

RESOURCE CONSENT



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Rules Assessment

Proposal: Land use consent to establish and use rural buildings and associated works

Address: Cottle Hill Drive, Kerikeri (Lot 2 DP 556235)

District Plan: Operative Far North District Plan and Proposed Far North District Plan

Operative District Plan Assessment

Site Zoning	
Zone	Rural Production Zone
Overlays/Controls	Nil
Designations	Nil

Rule	Compliance	Non-Compliance
Rural Production Zone		
8.6.5.1.1 Residential Intensity Residential development shall be limited to one unit per 12ha of land. In all cases the land shall be developed in such a way that each unit shall have at least 3,000m ² for its exclusive use surrounding the unit plus a minimum of 11.7ha elsewhere on the property – permitted activity	N/A	
8.6.5.1.2 Sunlight No part of any building shall project beyond a 45-degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary, except where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site, the measurement shall be taken from the farthest boundary of the entrance strip, private way, access lot, or access way - permitted activity	Complies.	
8.6.5.1.3 Stormwater Management The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15% - permitted activity		Does not comply – The total coverage associated with all impervious areas on the Site is 19.88% for the entire site. Resource consent is required in accordance with rule 8.6.5.2.1 as a controlled activity as the

Rule	Compliance	Non-Compliance
		proposed impervious surfaces will not exceed 20%.
<p>8.6.5.1.4 Setback from boundaries No building shall be erected within 10m of any site boundary; with the following exceptions:</p> <ul style="list-style-type: none"> a) No accessory building shall be erected within 3m of boundaries other than road boundaries, on sites less than 5000m²; b) No crop protection structures shall be located within 3m of boundaries; c) No building shall be erected within 12m of any road boundary with Kerikeri Road on properties with a road frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive; d) No building for residential purposes shall be erected closer than 100m from any zone boundary with the Minerals Zone; e) No building shall be erected within the building line restriction area as marked in Appendix 6C, located immediately north of the Te Waimate Heritage Precinct. Any proposed building to be erected within this building line restriction area shall be deemed a discretionary activity and the Heritage New Zealand Pouhere Taonga will be considered an affected party to any such application made under this rule. <p>Permitted activity</p>	<p>The proposed buildings are setback further than 10m from the site boundary. Complies.</p>	
<p>8.6.5.1.5 Transportation Refer to Chapter 15 – Transportation for Traffic, Parking and Access rules.</p>	<p>Complies</p>	
<p>8.6.5.1.7 Noise All activities except Temporary Military Training Activities shall be conducted as to ensure that noise from the site shall not exceed the following noise limits as measured at or within the boundary of any other site in this zone,</p>	<p>Complies</p>	

Rule	Compliance	Non-Compliance
<p>or at any site in the Residential, Coastal Residential or Russell Township Zones, or at or within the notional boundary of any dwelling in any other rural or coastal zone:</p> <ul style="list-style-type: none"> • 0700 to 2200 hours – 65 dBA L₁₀; • 2200 to 0700 hours – 45 dBA L₁₀ and 70 dBA L_{max}. <p>Sound levels shall be measured in accordance with NZS 6801:1991 “Measurement of Sound” and assessed in accordance with NZS 6802:1991 “Assessment of Environmental Sound”. Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with, NZS 6803P:19894 “The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work”.</p> <p>Permitted activity</p>		
<p>8.6.5.1.8 Building Height The maximum height of any building shall be 12m - permitted activity</p>	<p>The proposed buildings will not exceed 7m in height. Complies.</p>	
<p>8.6.5.1.9 Helicopter Landing Area A helicopter landing area shall be at least 200m from the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones. Permitted activity</p>	<p>N/A</p>	
<p>8.6.5.1.10 Building Coverage Any new building or alteration / addition to an existing building is a permitted activity if the total Building Coverage of a site does not exceed 12.5% of the gross site area - permitted activity.</p>	<p>The total building coverage proposed is 12.5%. Complies.</p>	
<p>8.6.5.1.11 Scale of Activities For activities other than those provided for in the exemptions below, the total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed</p>	<p>N/A</p>	

Rule	Compliance	Non-Compliance
<p>i. For activities ancillary to farming or plantation forestry activities, 8 persons per site or 2 person per 1 hectare of net site area, whichever is the greater</p> <p>ii. For all other activities, 4 persons per site or 1 person per 1 hectare of net site area, whichever is the greater.</p> <p>Provided that:</p> <p>(a) this number may be exceeded for a period totalling not more than 60 days in any 12 month period where the increased number of persons is a direct result of activities ancillary to the primary activity on the site; or</p> <p>(b) this number may be exceeded where persons are engaged in constructing or establishing an activity (including environmental enhancement) on the site; or</p> <p>(c) this number may be exceeded where persons are visiting marae.</p> <p>In determining the total number of people engaged at any one period of time, the Council will consider the maximum capacity of the facility (for instance, the number of beds in visitors accommodation, the number of seats in a restaurant or theatre), the number of staff needed to cater for the maximum number of guests, and the number and nature of the vehicles that are to be accommodated on site to cater for those engaged in the activity.</p> <p>Exemptions: the foregoing limits shall not apply to farming and forestry or Temporary Military Training activities. All other activities shall comply with the requirements of s16 of the Act</p>		

Rule	Compliance	Non-Compliance
<p>Note: a definition of Activities Ancillary to Farming or Forestry, is contained in Chapter 3 and reads as follows:</p> <p>Processing and packaging facilities for farming, forestry, and any rural industry that is dependent primarily on the direct handling of raw produce, or that primarily supplies services to farming, horticulture, or forestry. Includes premises used for the manufacture of dairy products, abattoirs, timber processing, stock yards and sale yards, cool stores and pack houses and rural contractor depots.</p>		
Indigenous Flora and Fauna		
<p>12.2.6.1.2 Indigenous Vegetation Clearance in the Rural Production Zone</p> <p>Clearance of indigenous vegetation in the Rural Production and Minerals Zones which is more than 10 years old is a permitted activity where:</p> <p>(a) it is not in a remnant forest, not within 20m of a lake (as scheduled in Appendix 1C), indigenous wetland or continually flowing river, and the clearance does not exceed 2ha per site existing as at 1 February 2005 in any 10 year period while this rule is in force; or</p> <p>(b) if in a remnant forest, it is not within 20m of a lake (as scheduled in Appendix 1C), indigenous wetland or continually flowing river, and the clearance does not exceed 500m² per site existing as at 1 February 2005 in any 10 year period while this rule is in force.</p>	<p>No indigenous vegetation clearance is proposed.</p> <p>Complies</p>	
Soils and Minerals		
<p>12.3.6.1.1 Excavation and/or filling, excluding mining and quarrying, in the Rural Production Zone or Kauri Cliffs Zone</p> <p>Excavation and/or filling, excluding mining and quarrying, on any site in the</p>	<p>Excavation and fill will be 1044.0m³ cut and 705.8m³ of fill across an area of 4703m².</p> <p>Complies</p>	

Rule	Compliance	Non-Compliance
<p>Rural Production Zone or Kauri Cliffs Zone is permitted, provided that:</p> <ul style="list-style-type: none"> It does not exceed 5,000m³ in any 12 month period per site; and It does not involve a continuous cut or filled face exceeding an average of 1.5m in height over the length of the face i.e. the maximum permitted average cut and fill height may be 3m. <p>Permitted Activity</p>		
Transportation		
<p>15.1.6A.2.1 Traffic Intensity</p> <p>The Traffic Intensity threshold value for a site shall be determined for each zone by Table 15.1.6A.1 above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to Appendix 3A in Part 4.</p> <p>Rural Production Zone – 30 if access is via a State Highway.</p>	<p>Farming buildings are exempt.</p> <p>Complies</p>	
<p>15.1.6C.1.1 Private Accessway in all Zones</p> <ul style="list-style-type: none"> a) The construction of private accessway, in addition to the specifics also covered within this rule, is to be undertaken in accordance with Appendix 3B-1 in Part 4 of this Plan. b) Minimum access widths and maximum centreline gradients, are set out in the Appendix 3B-1 table. c) A private accessway may serve a maximum of 8 household equivalents. d) N/A e) Access shall not be permitted: <ul style="list-style-type: none"> i. onto a State Highway or a Limited Access Road; 	N/A	
<p>15.1.6C.1.2 Private Accessways in Urban Zones</p>	N/A - Not an urban zone.	
<p>15.1.6C.1.3 Passing Bays on Private Accessways in all Zones</p> <ul style="list-style-type: none"> Where required, passing bays on private accessways are to be at least 	N/A	

Rule	Compliance	Non-Compliance
<p>15m long and provide a minimum usable access width of 5.5m.</p> <ul style="list-style-type: none"> • Passing bays are required: <ul style="list-style-type: none"> ○ in rural and coastal zones at spacings not exceeding 100m; ○ on all blind corners in all zones at locations where the horizontal and vertical alignment of the private accessway restricts the visibility. • All accesses serving 2 or more sites shall provide passing bays and vehicle queuing space at the vehicle crossing to the legal road. 		
<p>15.1.6C.1.5 Vehicle Crossing Standards in Rural and Coastal Zones</p> <ul style="list-style-type: none"> • Private access off roads in the rural and coastal zones the vehicle crossing is to be constructed in accordance with Council's "Engineering Standards and Guidelines" (June 2004 – Revised 2009). • Where the access is off a sealed road, the vehicle crossing plus splays shall be surfaced with permanent impermeable surfacing for at least the first 5m from the road carriageway or up to the road boundary, whichever is the lesser. • Where the vehicle crossing serves two or more properties the private accessway is to be 6m wide and is to extend for a minimum distance of 6m from the edge of the carriageway. 	<p>Vehicle crossing existing. Complies.</p>	
<p>15.1.6C.1.7 General Access Standards</p> <ul style="list-style-type: none"> • Provision shall be made such that there is no need for vehicles to reverse off a site except where there are less than 4 parking spaces gaining access from a local road. • All bends and corners on the private accessway are to be constructed to allow for the passage of a Heavy Rigid Vehicle. 	<p>Complies.</p>	

Rule	Compliance	Non-Compliance
<ul style="list-style-type: none"> Any access where legal width exceeds formation requirements shall have surplus areas (where legal width is wider than the formation) grassed. Runoff from impermeable surfaces shall, wherever practicable, be directed to grass swales and/or shall be managed in such a way as will reduce the volume and rate of stormwater runoff and contaminant loads. 		

Proposed Far North District Plan ‘PDP’ Assessment

Site Zoning	
Zone	Rural Production Zone
Overlays/Controls	Nil
Designations	Nil

Rule	Compliance	Non-Compliance
Rules and Standards That Have Immediate Legal Effect under the PDP		
Part 2 – District Wide Matters / Historical and Cultural Values		
Heritage Areas	N/A The proposal is not located in a Heritage Area.	
Historic Heritage	N/A The proposal does not involve any scheduled heritage resources.	
Notable Trees	N/A The proposal does not involve any notable trees.	
Sites and Areas of Significance to Māori	N/A The application site is not located within and sites or areas of significance to Māori.	
Part 2 – District Wide Matters / National Environment Values		
Ecosystems and Indigenous Biodiversity	Complies No indigenous vegetation clearance proposed.	
IB-R1 Indigenous vegetation pruning, trimming and clearance and any associated land		

Rule	Compliance	Non-Compliance
disturbance for specified activities. IB-R4 Indigenous vegetation clearance and any associated land disturbance outside of Significant Natural Area.		
Part 2 – District Wide Matters / General District Wide Matters		
Earthworks		
EW-R12 Earthworks and the Discovery of Suspected Sensitive Material	Complies - Accidental discovery protocols will be followed as necessary.	
EW-R13 Earthworks and Erosion and Sediment Control	Complies - All necessary erosion and sediment control guidelines.	