



Cable Bay Consulting Ltd  
11 Bush Point Road  
Cable Bay 0420  
Phone 021 2929226

---

31 March 2025

Resource Consents Department  
Far North District Council  
Memorial Avenue  
Private Bag 752  
Kaikohe 0440

**By Email Only**

Dear Sir / Madam,

**Re: RESOURCE CONSENT APPLICATION : 42 POWELLS ROAD, CABLE BAY**

- 1.0 Yvonne, Des, Frances, and Brian Going (the Applicant) have instructed us to lodge a resource consent application for their captioned property.
- 1.1 A full AEE in accordance with the requirements of the RMA 1991 is attached. The requisite FNDC Application form is included in the appendices.
- 1.2 If you could kindly advise a reference number, we will arrange for the Client to make the necessary deposit payment to the FNDC by bank transfer.

Yours sincerely,

**Neil Mumby**  
**Director**  
**Cable Bay Consulting**



**APPLICATION FOR RESOURCE CONSENT TO THE FAR  
NORTH DISTRICT COUNCIL PURSUANT TO SECTION 88 OF  
THE RESOURCE MANAGEMENT ACT 1991**

**Combined Subdivision and Land Use Consent for a  
Subdivision around existing development in the  
Residential Zone, with a consequential internal HIRTB  
infringement.**

**42 Powells Road, Cable Bay**

**Assessment of Environmental Effects**

**March 2025**



## INTRODUCTION AND PROPOSAL

- 1.1 Yvonne, Des, Frances, and Brian Going “(the Applicant)” seek resource consent under the Resource Management Act 1991 and the Far North District Council District (“FNDC”) Operative District Plan (“ODP”) for a two lot subdivision in the Residential Zone.
- 1.2 The subdivision will take place around two existing dwellings, and the proposed internal boundary will also result in a consequential Height in Relation to Boundary infringement.
- 1.3 The Register of Title information is summarised in Table 1 below;

Existing Title	Existing Area
Lot 1 DP 84505, created in 1979, with Water Easement.	3,904m <sup>2</sup>

Table 1 :

Register of Title Information

- 1.4 In summary form, this proposed subdivision will result in one allotment of approximately 1638m<sup>2</sup> (Lot 1) which contains the “western dwelling” and one allotment of 2266m<sup>2</sup> (Lot 2) which contains the “eastern dwelling.”

## DOCUMENTATION

- 1.5 This application is accompanied by the following documents;
- i. Register of Title & Instruments (**Attachment 1**)
  - ii. Adjacent Land Analysis (**Attachment 2**)
  - iii. Rates Notice (**Attachment 3**)
  - iv. Scheme Plan (**Attachment 4**)
  - v. Engineering Report (**Attachment 5**)
  - vi. Section 86B of the RMA 1991 Check (**Attachment 6**)
  - vii. Operative District Plan Development Control Check (**Attachment 7**)
  - viii. Relevant ODP Assessment Criteria (**Attachment 8**)
  - ix. Fourth Schedule Compliance Assessment (**Attachment 9**)
  - x. NRPS : Relevant Objectives & Policies (**Attachment 10**)
  - xi. ODP : Relevant Objectives & Policies (**Attachment 11**)
  - xii. PDP : Relevant Objectives & Policies (**Attachment 12**)
  - xiii. Service Provider Correspondence (**Attachment 13**)
  - xiv. FNDC Concept Development Meeting Minutes (**Attachment 14**)
  - xv. Application Form & Checklist (**Attachment 15**).

## DESCRIPTION OF SITE AND SURROUNDS

- 1.6 The land is as legally described in Table 1 with a total land area of approximately 3904m<sup>2</sup> and has been in the Applicants family ownership since the 1950’s. The current Register of Title is appended in **Attachment 1** for ease of reference.



- 1.7 The topography of the site is relatively flat and is located within a gully head, immediately north and below State Highway 10. The site contains a stream of less than three metres in average width on the eastern boundary, and there are scattered Pohutukawa and other native and exotic tree species present on the site.
- 1.8 The site is accessed via a metalled carriageway from Powells Road. As already stated, there are two existing dwellings present on the site, and the history of these dwellings is addressed in paragraphs 1.17 to 1.23 of this report. There are no other notable features present. This detail can be seen in the image in Figure 1 below.



Figure 1 : Aerial Imagery

Source FNDC GIS as at 19/02/25.

- 1.9 In general terms, the site is located centrally within the settlement of Cable Bay / Coopers Beach with views out over Doubtless Bay. As a consequence, adjacent land uses are all residential in nature, with the exception of the State Highway 10 corridor to the south. Adjacent land analysis for the purposes of later assessment under s95D of the Act is contained in **Attachment 2**.
- 1.10 The subject site is zoned Residential under the Operative District Plan (“ODP”), with no limitations listed in the Resource Maps, as illustrated in Figures 2 & 3 below.

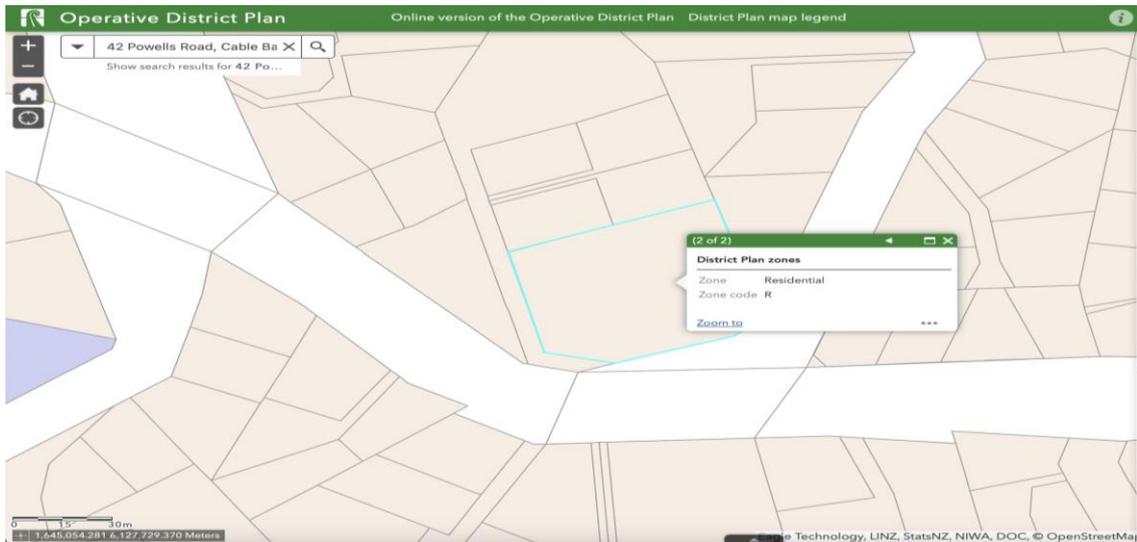


Figure 2 : FNDC ODP Zoning Map

Source FNDC GIS 21/11/24



Figure 3 : FNDC Resource Maps

Source FNDC ODP Map 15

1.11 The site is located within 500 metres of land administered by the Department of Conservation as shown in figure 4 below.

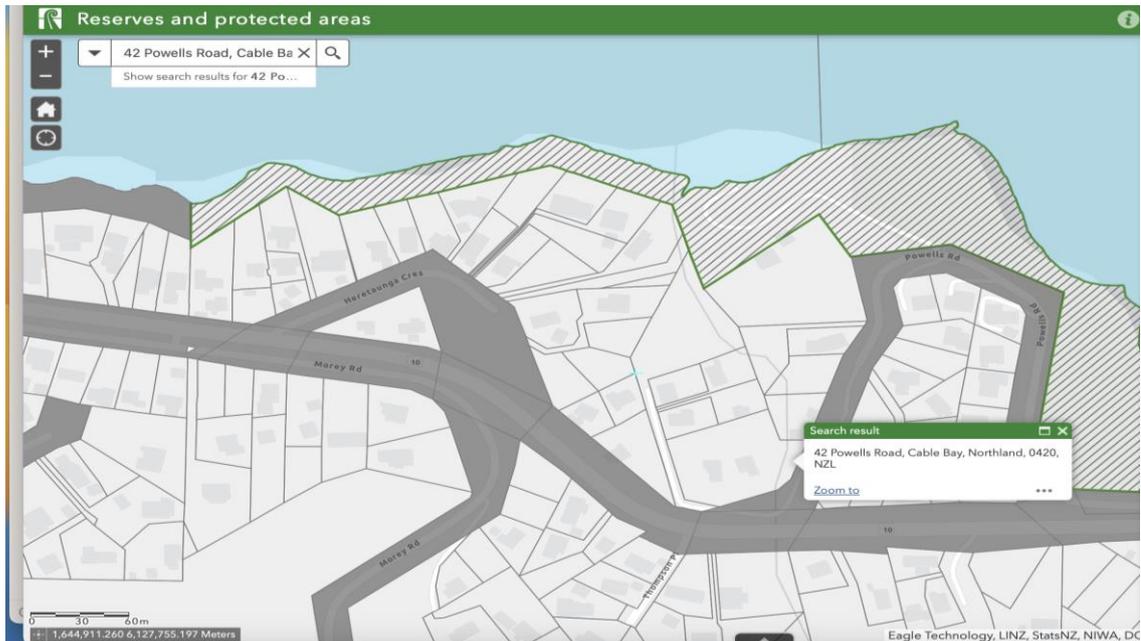


Figure 4 : Department of Conservation Land

Source FNDC GIS as at 26/01/25.

1.12 No HAIL sites are present as per screenshot below;

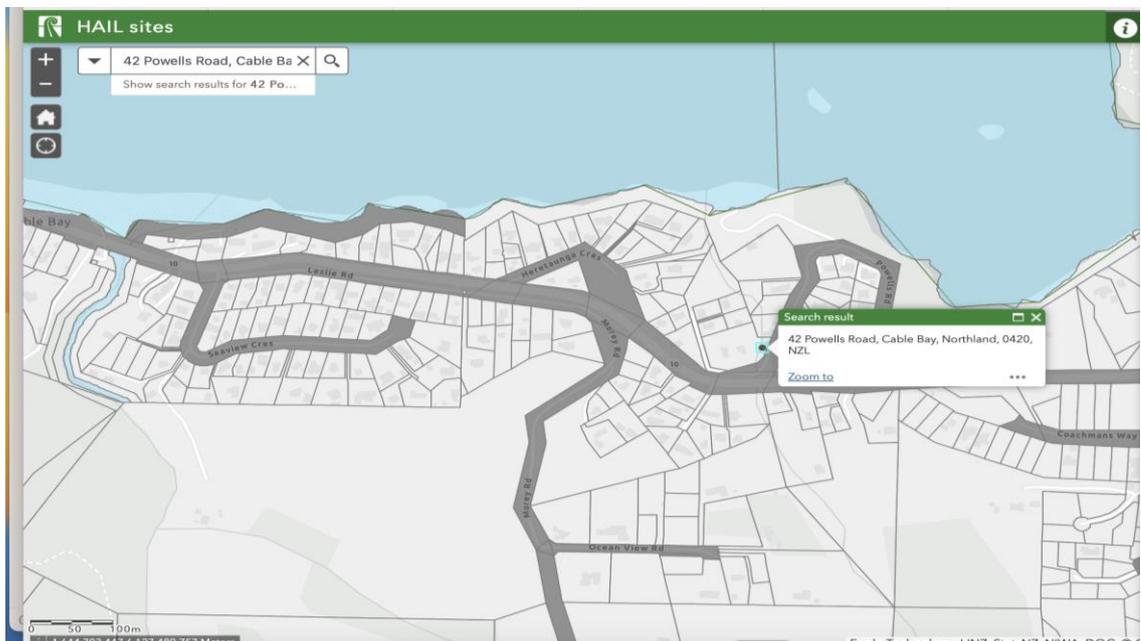


Figure 5 : HAIL Map

Source FNDC GIS 19/0245

1.13 No recorded NZAA Archaeological sites are shown on the site in Councils GIS. The site does not contain any District Plan Historic Sites, District Plan Archaeological Sites, or District Plan sites of Significance to Māori.

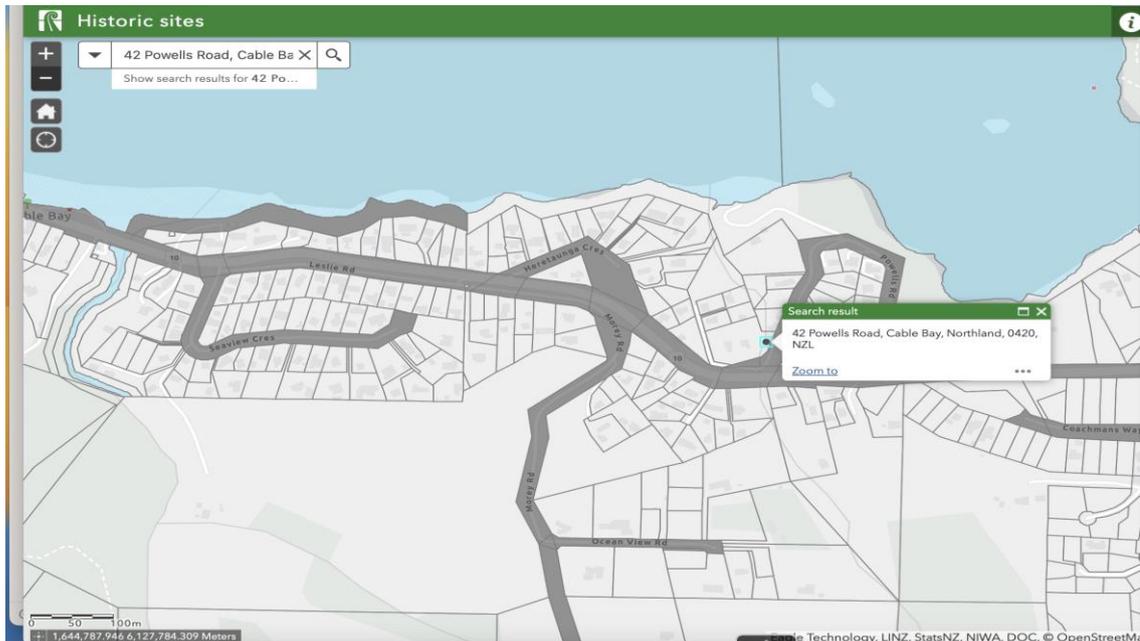


Figure 6: NZAA Archaeological Sites

Source FNDC GIS 19/02/25

1.14 The site is not located within a Kiwi Present area as per the screenshot below.

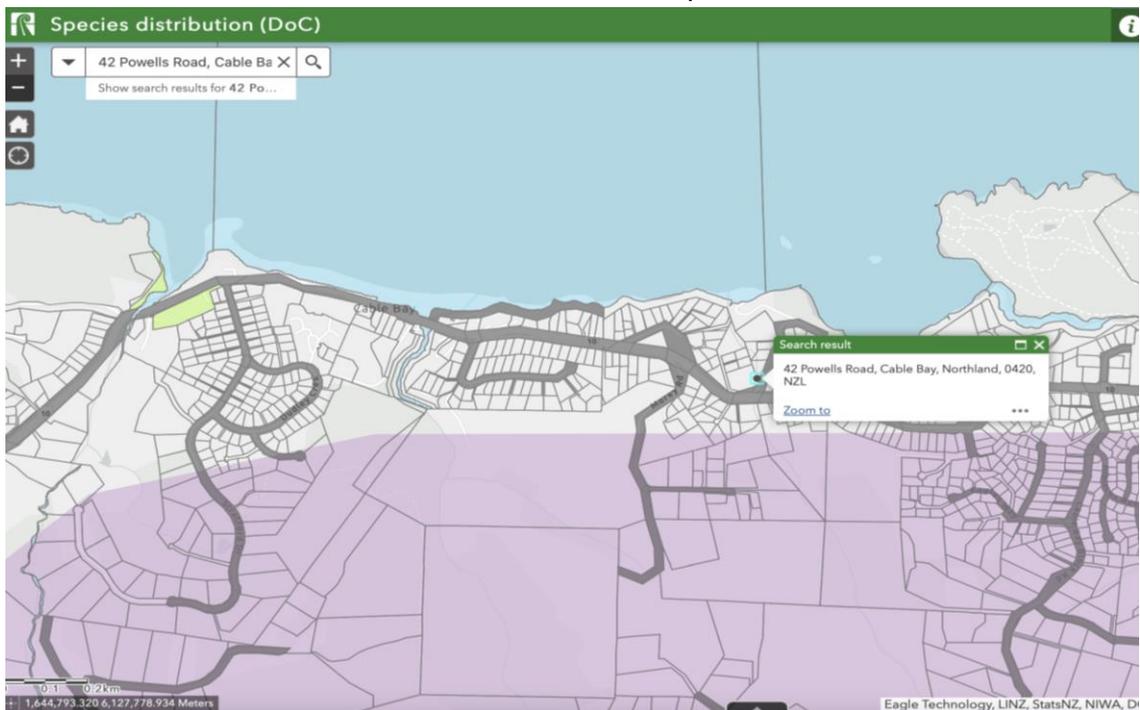


Figure 7: Kiwi Present Area – Not Present

Source FNDC GIS 19/02/25

1.15 The site as a whole is also zoned “General Residential” under the Proposed District Plan (“PDP”). The site is also notated as falling within the “Coastal Environment” and also as being affected by flooding on the eastern boundary. The two existing dwellings are located clear of the flood plain but are within the Coastal Environment overlay. This can be seen in Figure 8 below.



Figure 8 : FNDC PDP Zoning Maps

Source FNDC GIS 21/11/24

- 1.16 No heritage matters, notable trees, Sites and Areas of Significance to Māori, Outstanding Natural Landscapes, Outstanding Natural Features, or Statutory Acknowledgment Areas are notated on the PDP maps.

### Site History

- 1.17 A review of the FNDC property files shows that Council has records that pertain to both dwellings on the site. The eastern dwelling appears to have been located on the subject site since at least 1959, and the western dwelling is more recent, being constructed in 1998.
- 1.18 The 1959 subdivision consent file indicates a dwelling in the same location and with the same footprint as currently exists. Please refer to the screenshot and site photo in Figure 9 and 10 below.
- 1.19 This dwelling predates the Building Act 1991 and as such there is no record of a building consent or building permit for this dwelling. This is not unexpected given it's apparent age, and it is noted that the Applicants have been paying residential rates on the dwelling. Please refer to a rates notice from 1995 for the eastern dwelling (which predates the construction of the western dwelling in 1998), in **Attachment 3**.

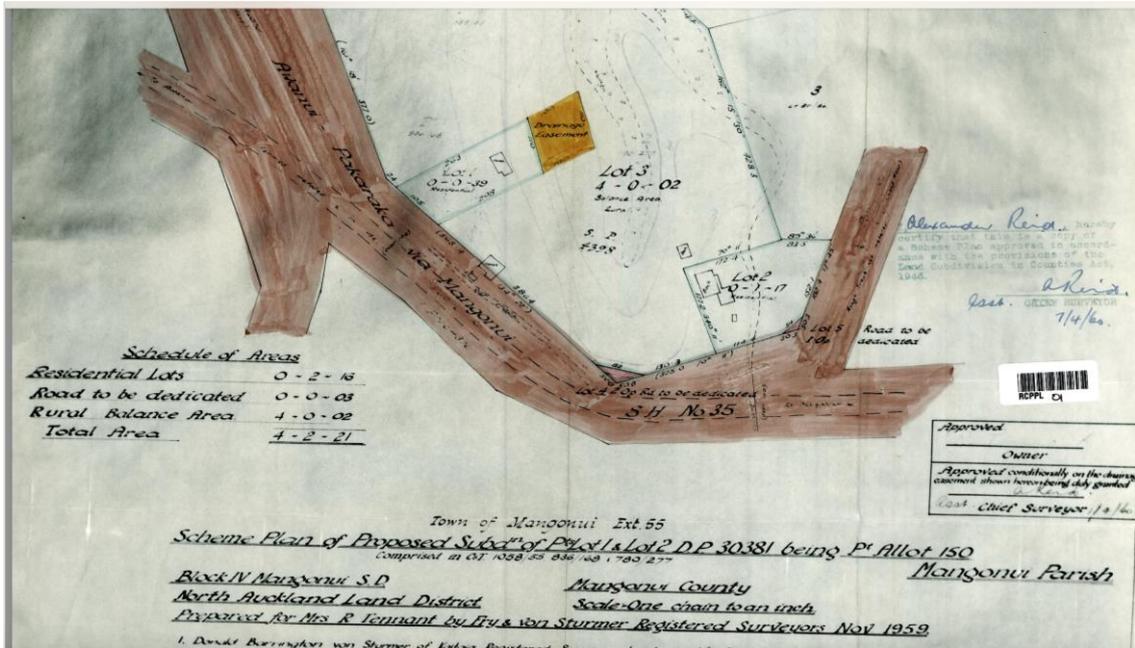


Figure 9 : 1959 Subdivision Plan showing eastern dwelling [Source FNDC Property File](#)



Figure 10 : Photo of Eastern Dwelling from proposed internal boundary [Source November 2024 Site Visit](#)

1.20 Conversely, whilst the western dwelling was constructed after 1991 and had a building consent issued in 1998 by the FNDC, it is apparent that there were errors on the plans submitted to the FNDC at the time of the Building Consent. Specifically, the 1998 Building Consent plans not only mislabel the eastern dwelling as an “existing shed” but also show it incorrectly located and also mis-orientated all the dwellings by some 90



degrees on the site. This can be seen in Figure 11 below.

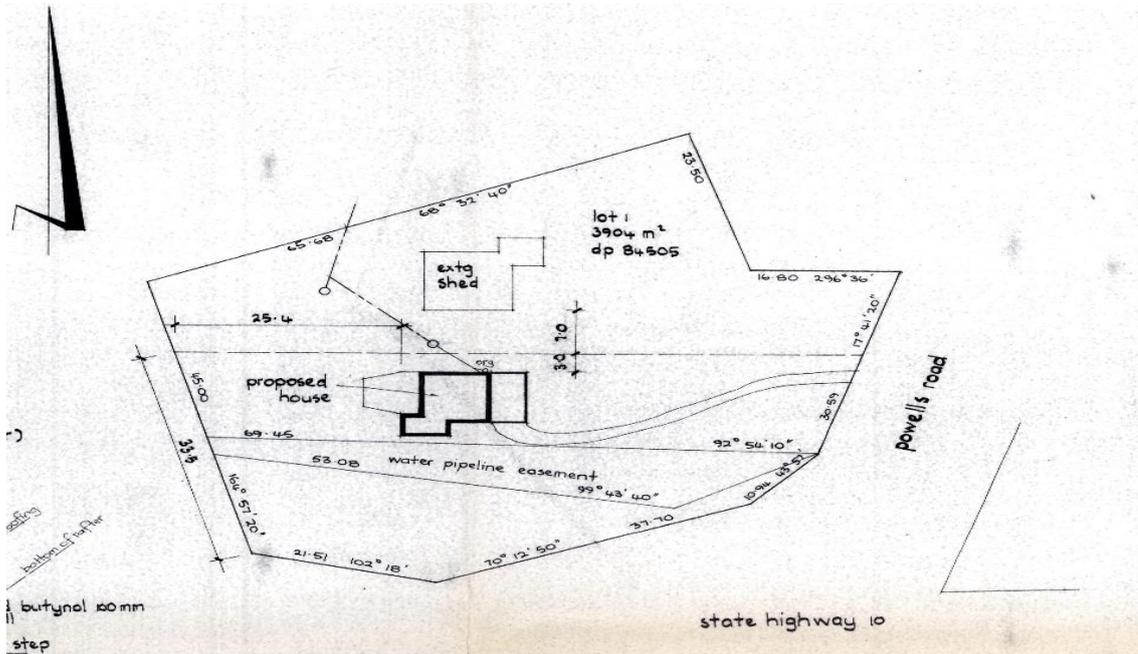


Figure 11 : FNDC Approved Building Consent Plans

Source 1998 Building Consent

1.21 Figure 12 below in turn shows how the buildings are actually laid out on the site, and it is clear that the western dwelling has also been located in a different location from that shown on the 1998 Building Consent Plans. This illustrates that the western dwelling has been located over waste water easement "F" – that runs east – west through the bottom portion of the site.



Figure 12 : Western Dwelling and Easement Location

Source Sapphire Surveyors Concept Plan



Figure 13 : Photo of Western Dwelling from proposed internal boundary Source Site Visit November 2024

1.22 However, a closer review of the property files indicates that Council have consented to this arrangement, as there are notes on the building consent file requiring the location of the waste water line itself (as opposed to the easement boundary) to be undertaken at the time of construction to ensure foundations were sufficiently clear. Please refer to Figure 14 below.

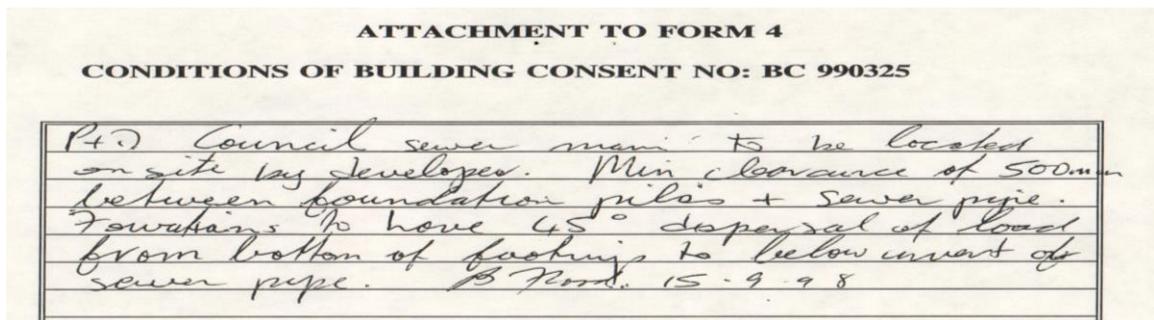


Figure 14 : FNDC Building Consent File Notes

Source FNDC Property File

1.23 All of this indicates that the dwellings on the site, despite differences with the approved plans, have existing use rights. However, and as addressed later in this AEE it is considered appropriate that onsite wastewater infrastructure be upgraded to bring matters up to current day standard.



## Subdivision Concept Design

- 2.1 The proposed subdivision layout is shown below, with a further full detailed plan set in **Attachment 4** for ease of reference.

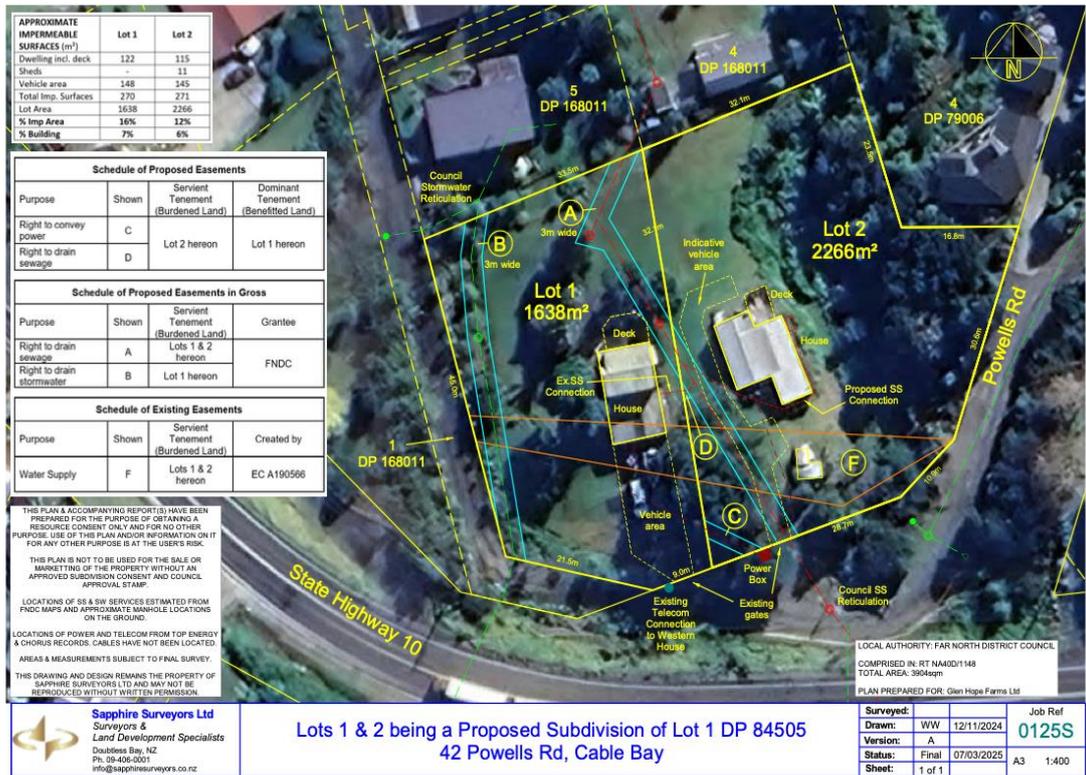


Figure 15 : Overall Scheme Plan

Source Sapphire Surveyors March 2025

- 2.2 The Applicants have given much thought to the design of their subdivision, which reflects family discussions and agreements made over the years about the optimum layout. This has however resulted in the agreed boundary position resulting in an internal Height In Relation to Boundary Infringement for the western dwelling.

### Planning Design Considerations

- 2.3 The creation of lot boundaries around existing dwellings with consequential infringements of standards or rules within District Plans is common. In respect of this application, it is noted that the infringement occurs on the eastern boundary of Lot 1, which will have little to no adverse effects in terms of shading or access to sunlight on Lot 2 due to the relatively flat site topography and the setback distance of the eastern dwelling from the proposed boundary.
- 2.4 In effect, the central area of the site that abuts the height in relation to boundary infringement is a common access area bisected by a north south easement that provides little amenity for the Applicants in any case. As a consequence, the Applicants fully understand (and consent to) the effects of this infringement under s.104 (3) (a) (ii)



of the Act as they are the only parties potentially affected by the proposal.

#### Engineering Design Considerations

- 2.5 The proposed subdivision around the existing dwellings have been subject to an engineering assessment. This has confirmed that adequate stormwater, water supply and access provisions are in place. However conditions requiring the eastern dwelling to close off the existing wastewater field and instead connect to Councils reticulated wastewater network are recommended. A copy of the engineering report is contained in **Attachment 5**.



## DISTRICT PLANNING FRAMEWORK

- 3.1 At the present time, the principal district planning instruments relevant to this subdivision are the ODP, PDP and Variation 1 to the PDP. There are no other plan changes relevant to this proposal.

### Proposed District Plan

- 3.2 The FNDC publicly notified its PDP on 27th July 2022. Whilst hearings on the PDP have commenced, no decisions have yet been issued by the Hearings Commissioners. It is understood that decisions will be issued by Council in May 2026.
- 3.3 Under s86B of the Resource Management Act 1991 a rule in a Proposed District Plan has legal effect only once a decision on submissions have been made, unless the criteria under s.86B(3)(a) to (e) apply.
- 3.4 In terms of s.86B(3) of the Act, a review of the PDP shows that there are no provisions that relate to water, air or soil, significant indigenous vegetation, significant indigenous habitats of fauna, historic heritage or aquaculture activities that require resource consent in this intervening period.
- 3.5 Tabulated analysis of the PDP provisions are contained in **Attachment 6**. As there are no relevant rules within the PDP with immediate legal effect that affect the proposed activity status, the activity status of this application is prescribed by the current FNDC ODP. The objectives and policies of the PDP are however relevant for the s.104 assessment undertaken later in this report. This matter is discussed further in paragraph 5.11 to 5.14 of this report.

### Operative District Plan

- 3.6 As already stated, the ODP is the dominant planning document in considering this proposal. Tabulated analysis of the ODP provisions is contained in **Attachment 7**. The analysis confirms that consent is required under the following rules of the ODP;
- Controlled Activity subdivision consent under Rule 13.7.2.1 (v) as the proposal meets the minimum lot size of 600m<sup>2</sup> for sewered sites.
  - Discretionary Activity land use consent for height in relation to boundary as the proposed subdivision boundary will result in the western dwelling exceeding height in relation to boundary standard within Rule 7.6.5.3.4 for a maximum vertical height of 1000mm and a maximum horizontal distance of 2000mm pursuant to Rule 7.6.5.4.

Overall this combined subdivision and land use consent application is considered a discretionary activity.



### **Section 104 & 106 of The RMA 1991**

- 3.7 As a discretionary activity, and in addition to s.106 matters, Council has the ability to approve or decline the application. The ODP provides a range of assessment criteria that are relevant for this application. This includes the criteria for discretionary land use activities set out in Rule 11.2 (a) to (e) and in Rule 13.10.1 to 13.10.20 of the ODP that may be considered by the FNDC. These are included in **Attachment 8**.
- 3.8 With respect to the land use elements, the proposal will not result in adverse visual domination, overshadowing, loss of privacy or daylight or sunlight. The infringement occurs on the eastern boundary of Lot 1, which will have little to no adverse effects in terms of shading or access to sunlight on Lot 2 due to the setback distance of the eastern dwelling from the proposed boundary, and the fact that the infringement is modest in size and is as a consequence of the gable roof.
- 3.9 The central area of the site which abuts the height in relation to boundary infringement is a common access area bisected by a north south easement that provides little scope for further development in any case.
- 3.10 As a consequence the Applicants fully understand (and consent to) the effects of this infringement under s.104 (3) (a) (ii) of the Act as they are the only parties potentially affected by this element of the proposal. The proposal is in accordance with these assessment criteria.
- 3.11 With respect to the subdivision assessment criteria, the proposal results in lots that are of sufficient size to accommodate dwellings clear of natural hazards, and adequate water supply, stormwater and wastewater disposal is able to be provided as set out in the attached engineering report. Moreover service providers have been consulted, whom have confirmed that adequate power and telecommunications can be provided. Appropriate easements have also been provided. There are no listed heritage matters or sensitive ecological areas present on the site that will be affected by the proposal. Whilst located in the coastal environment, the proposal will not result in adverse effects on coastal character or amenity, as the form of development (that is two dwellings) are specifically envisaged by the plan provisions. The proposal is in accordance with these assessment criteria.
- 3.12 The supporting engineering report elaborates on these assessment criteria and recommends conditions for adoption by Council to mitigate effects. When reading the assessment criteria in **Attachment 8** as well as the supporting engineering report we do however suggest the following consent notice wording (or to like effect) is appropriate:



## Lot 2 – Natural Hazards

*“The existing dwelling has existing use rights under s.10 of the RMA 1991. Any further development of this dwelling may be subject to a natural hazard notice under Section 72 of the Building Act 1991. This is because the existing dwelling is located adjacent a stream riverbank with associated slippage risk. The landowner at the time of any future building consent application for either the existing dwelling or replacement dwelling elsewhere on the site must demonstrate that future works will not accelerate, worsen, or result in a natural hazard on the subject site or neighbouring land.”*

- 3.13 We also request specific wording for the easement conditions imposed on this subdivision consent. The wording should state *“Easements in the Schedule of Proposed Easements to be duly granted, where required”*. This wording is requested given uncertainty (given the age of buildings) over the precise location of services which will be verified at the time of survey.

## STATUTORY REQUIREMENTS

### 4.0 Section 5 – Purpose of the RMA

#### *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 wellbeing and for their health and safety while –*
  - (a) *Sustaining the potential of natural and physical resources (excluding the 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.*

### 4.1 Section 104 – Consideration of Applications

- 4.2 Section 104 of the Resource Management Act 1991 sets out those matters that must be considered when assessing an application for resource consent. Subject to Part II of the Act, Section 104B requires a consent authority to have regard to the following matters in this instance:

*“s. 104B Determination of applications for discretionary or non-complying activities*

*After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—*

- (a) *may grant or refuse the application; and*



*(b) if it grants the application, may impose conditions under section 108.”*

- 4.3 The Fourth Schedule of the Act outlines the matters that must be included in an assessment of effects. A compliance schedule demonstrating how this AEE meets the requirements of the Fourth Schedule contained in **Attachment 9**.
- 4.4 The subsequent sections of this AEE address the requirements of s.5, s.104 and the Fourth Schedule of the Act as appropriate to the scale of the activity, and as necessary to provide an informed assessment of this proposal.



## ASSESSMENT OF EFFECTS

- 4.5 The Council must decide whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

### *Permitted Baseline*

- 4.6 The permitted baseline may be taken into account and the Council has the discretion to disregard those effects. In terms of the subject site, it is noted that under the ODP, units on a sewerred site can be constructed at the rate of one unit per 600m<sup>2</sup> of site area, and there is space within this site for density to more than double from that existing.

### *Receiving Environment*

- 4.7 The receiving environment beyond the subject site includes permitted activities under the relevant plans, lawfully established activities (via existing use rights or resource consent), and any unimplemented resource consents that are likely to be implemented. The effects of any unimplemented consents on the subject site that are likely to be implemented (and which are not being replaced by the current proposal) also form part of this reasonably foreseeable receiving environment. This is the environment within which the adverse effects of this application must be assessed. There are no known consents in the area or that have been recently applied for on adjacent sites that may impact this proposal. However if the FNDC is aware of any relevant applications, this AEE can be updated as required to reflect any change in circumstances.

### *Section 106 Matters*

- 4.8 The engineering report in **Attachment 5** contains an assessment on engineering matters, including stability. A consent notice is recommended for the existing dwelling on Lot 2. Moreover, the proposed subdivision appropriately provides for legal access to each of the proposed lots. There are no adverse effects of the nature identified in s.106 of the Act that preclude this subdivision from proceeding.

### *Subdivision and Consequential Land Use Effects*

- 4.9 The effects arising from the proposal have been assessed using the objectives and policies and the relevant assessment criteria within the ODP as a guide. Please refer to Attachments 2, 5, 7-12 and Paragraphs 2.1 to 3.13 of this AEE for this assessment. The effects are considered minor.



## **PROVISIONS OF ANY RELEVANT PLAN, POLICY STATEMENT, OR OTHER REGULATION**

### ***National Environmental Standards for Assessing and Managing Contaminated in Soils to Protect Human Health (2011) (NES :CS)***

- 5.0 With respect to the NES:CS specifically, the site has not been used for cropping purposes and the Applicants have advised that they are not aware of any HAIL activities present. In addition, the HAIL GIS Maps on Councils website have been reviewed, and this does not indicate any HAIL sites on the property.

### ***National Policy Statement for Freshwater Management(2022) (“NPS:FW)***

- 5.1 The NPS : FW sets out objectives and policies that direct local government to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits. It is considered that the proposal is not inconsistent with the objectives of the NPS FW in that the density of development is specifically envisaged by the zone provisions and the dwellings exist.

### ***NPS Indigenous Biodiversity***

- 5.2 The site contains no significant natural area or other indigenous vegetation of note.

### ***New Zealand Coastal Policy Statement***

- 5.3 The site is visible from the coast, but as already stated, the proposed building platform will appear as part of the existing Cable Bay / Coopers Beach settlement when viewed from the coastline. Moreover, the proposal will comply with the FNDC ODP standards for density of development, impermeable surfaces and stormwater control. As a consequence no adverse effects on the coasts natural character, intrinsic values or water quality that will arise.

### ***The Northland Regional Policy Statement***

- 5.4 The Northland Regional Policy Statement (“NRPS”) was made operative in May 2016. The site is located outside of any outstanding natural landscape, outstanding natural features, natural character areas, but is within the coastal environment. This can be seen in Figure 16 below.



Figure 16: Regional Policy Statement Map

Source NRC GIS 20/02/25

- 5.5 The NRPS contains objectives and policies related to infrastructure and the coastal environment. The objectives and policies considered relevant to this proposed subdivision are contained in **Attachment 10**.
- 5.6 As outlined earlier in this report, the building platform has been sited clear of the modelled flood plain. The hazard risk has been addressed in the supplied engineering report. This proposal does not detract from the qualities and characteristics that make up the natural character of the coastal environment, the natural character of freshwater bodies or their margins. The proposal is consistent with the relevant NRPS objectives and policies.

#### ***FNDC ODP Objectives and Policies***

- 5.7 As already stated, the proposal constitutes a discretionary activity overall under the FNDC DP. The pertinent objectives and policies are contained in **Attachment 11**.

#### *Commentary – Subdivision Objectives and Policies*

- 5.8 The proposed subdivision is of a nature specifically envisaged by the zone provisions (13.3.1). The lot sizes, dimensions and location of the allotments have been designed so as to take into account existing land uses (13.4.1). The existing dwellings are located in the less environmentally sensitive portions of the site, clear of flood hazard (13.4.3), and are north facing and take into account solar gain to facilitate energy efficient design (13.3.9, 13.4.15 (a)) . There are no scheduled heritage resources present on the site (13.3.4), and stormwater management will also be in place for the proposed development (13.3.5). The proposal contains a set of suggested resource consent conditions to address environmental effects arising from the proposal (13.3.2).



Particular consideration has been given to ensuring adverse effects are appropriately avoided, remedied or mitigated. The proposal is in accordance with these objectives and policies.

*Commentary – Residential Zone Objectives and Policies*

- 5.9 The proposed subdivision and consequential effects of the HIRTB infringement are appropriate for a residential zoned site in an urban area. The proposal will enable the continued use of the existing dwellings (7.3.2) appropriately avoid, remedy or mitigate effects on amenity values (7.3.3) The proposal contains a set of suggested resource consent conditions to address environmental effects arising from the proposal, including water supply (7.3.6). The proposal is in accordance with these objectives. The proposal will adequately maintain the amenity values of the local area (7.4.1) and the supporting infrastructure will be appropriately designed (7.4.8). The proposal is consistent with the density of development in the immediate surrounding area (7.6.3.1).

**Summary**

- 5.10 In summary, for the reasons detailed above, the proposal can be considered consistent with the relevant objectives and policies contained within the FNDC ODP.

*PDP Objectives and Policies*

- 5.11 The pertinent objectives and policies are contained in **Attachment 12**. As the objectives and policies of the General Residential zone are consistent with the ODP, this proposal sits comfortably with these as the proposed development will achieve the objectives of the zone as it will cater for variety of densities in an area identified to accommodate growth (GRZ-01 and GRZ-04)n with appropriate infrastructure being in place (GRZ-P8 (f)).
- 5.12 The proposal is also consistent with the objectives and policies of the coastal environment as the proposal will result in a land use and subdivision consistent with surrounding existing built development, and with appropriate infrastructure being able to be provided ( CE-01 & CE03 and CE-P5).
- 5.13 As with the General Residential zone objectives and policies, the associated subdivision objectives and policies sit comfortably alongside this proposal as the proposal will achieve the objectives of the zone SUB-01 (a), contribute to local character and sense of place (SUB01 ( b)) and SUB-P3 (a) to (d) and does not increase risk from natural hazards (SUB 01 (e) and SUB-P11 (d). Moreover, appropriate infrastructure is able to be provided (SUB-03(a) and SUB-P6 (a) and (b).
- 5.14 With respect to natural hazards, the existing buildings are sited clear of the modelled flood plain. The hazard risk has been assessed in the supporting engineering report and the recommended conditions will ensure that the proposal is consistent with policies regarding flood hazard (NH-01 & NH-02, NH-P2, NH-P5, NH-P6, NH-P8).



### ***Variation 1 to the PDP***

- 5.15 The Far North District Council has notified Proposed Plan Variation 1 (Minor Corrections and Other Matters) to the Proposed District Plan. Proposed Plan Variation 1 makes minor amendments to correct minor errors, amend provisions that are having unintended consequences, remove ambiguity and improve clarity and workability of provisions. There are multiple zones and provisions of the PDP that are affected by this variation. Examples of this include changes to the wording of both rural, urban and special purpose zones. The variation does not seek changes to the subdivision provisions in the General Residential Zone. Submissions for this variation closed in December 2024 so the provision have no effect on activity classification and little if any weight in the decision making process for this application at the current time.



## **ANY OTHER RELEVANT AND REASONABLY NECESSARY MATTER**

### ***Weighting of District Planning Documents***

- 5.16 In general terms the weight afforded to the objectives and policies of a PDP are determined by the extent to which the PDP provisions have been tested in the statutory process. Typically, a PDP notified by a consent authority will garner greater weighting in the process a few years after notification as decisions are issued and appeals are resolved in accordance with the time frames prescribed in the RMA 1991.
- 5.17 However this is not the case with FNDC PDP. Whilst the statutory process for the PDP substantively commenced on 27 July 2022 with the public notification of the PDP, according to the FNDC website, the PDP received “...*a high number of submissions with 580 original submissions (with over 8,500 original submission points), and 549 further submissions (with 26,174 further submission points) covering a broad range of issues...*”
- 5.18 As a consequence of that significant number of submissions, as well as staffing issues, Council wrote to the Minister for Environment on 15 July 2024 seeking an extension of time until 27 May 2026 for the issue of Council decisions on the PDP. This extension of time was granted by the Minister for the Environment on 17 September 2024.
- 5.19 All of this means that despite being in the public realm for a number of years, the PDP has not yet had any decisions issued on submissions by either the Hearings Panel or Council.
- 5.20 As a consequence, the PDP carries less weighting in the decision making process at the present time, than would otherwise be expected. This is setting aside the fact that the Council will still need to make a decision as to whether or not they will accept the recommendations of the Hearings Panel. The Council decisions will then be subject to potential challenge via appeal.
- 5.21 We also note that in parallel with this Council has recently notified a plan variation to correct errors, including corrections to zoning and other amendments to the PDP. Submissions for this variation closed in December 2024.
- 5.22 In our opinion all of this means that the Operative District Plan is the dominant document in the weighing up of the objectives and policies of the district planning documents.



## **PART 2 OF THE RMA**

- 6.0 The purpose of the RMA under s5 is to promote the sustainable management of natural and physical resources. This means managing the use of natural and physical resources in a way or at a rate that enables people and communities to provide for their social, cultural and economic well-being while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.
- 6.1 This application is considered to be consistent with this purpose. In particular, the proposal seeks to enable the wellbeing (social and economic) of the applicants by allowing efficient utilisation of their site and will ensure that adverse effects of the proposal on the environment will be avoided, remedied and/or mitigated.
- 6.2 Section 6 of the Act sets out a number of matters of national importance which need to be recognised and provided for and includes among other things and in no order of priority, the protection of outstanding natural features and landscapes, the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and the protection of historic heritage. The site does not contain any identified “outstanding landscape” or features. It does not contain records of any significant indigenous vegetation and/or habitats of indigenous fauna, or any archaeologically significant or heritage items.
- 6.3 Section 7 identifies a number of “other matters” to be given particular regard by a council in the consideration of any assessment for resource consent, and includes the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values. The proposal is considered to be consistent with the maintenance and enhancement of amenity values.
- The development has been designed to take into account the existing dwellings, and will not result in any adverse impacts on adjacent sites.
  - The proposal will enable an efficient use of physical resources as it will utilise land already used for residential purposes.
- 6.4 Section 8 requires all persons exercising functions and powers under the RMA to ‘take into account’ the Principles of the Treaty of Waitangi. No section 8 issues are considered to result.
- 6.5 Overall, the application is consistent with Part 2 of the RMA for the following reasons:
- The proposal provides for the wellbeing of people within the FNDC District by providing for the efficient utilisation of an existing site.;
  - The proposal avoids, remedies or mitigates adverse effects on the environment.



## WRITTEN APPROVALS / CONSULTATION

- 7.1 No other written approvals have been sought with this application as the nature of the subdivision is specifically provided for in the zone, and no other parties are adversely affected.
- 7.2 Moreover, the proposed subdivision layout has been informed by the engineering assessment that have been undertaken on the site. This layout will ensure that the proposed subdivision will not result in adverse effects on adjacent / other parties.
- 7.3 The Applicant has however consulted with service providers (Top Energy, Chorus) and confirmation of servicing is contained in **Attachment 13**.
- 7.4 Moreover, a concept development plan meeting was held with the FNDC on 25 November 2024 and a copy of these minutes together with associated correspondence is contained in **Attachment 14**.



## **SECTION 95 NOTIFICATION**

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

### **Step 1: mandatory public notification in certain circumstances**

8.1 No mandatory notification is required as:

- the applicant has not requested that the application is publicly notified (s95A(3)(a))
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b)), and
- the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)(c)).

### **Step 2: if not required by step 1, public notification precluded in certain circumstances**

8.2 The application is not precluded from public notification as:

- the activities are not subject to a rule or national environmental standard (NES) which precludes public notification (s95A(5)(a)); and
- the application does not involve one or more of the activities specified in s95A(5)(b).

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

8.3 The application is not required to be publicly notified as the activities are not subject to any rule or a NES that requires public notification (s95A(8)(a)). For the reasons outlined earlier in this report public notification is not required as the activities will have or are likely to have adverse effects on the environment that are less than minor (s95A(8)(b)). An adjacent land assessment for the purposes of s95D (a) (ii) has been provided in **Attachment 2**.

### **Step 4: public notification in special circumstances**

8.4 If an application has not been 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 (s95A(9)).

Special circumstances are those that are:

- Exceptional, abnormal or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make notification desirable, notwithstanding the conclusion that the activities will not have adverse effects on the environment that are more than minor.



- 8.5 Special circumstances” have been defined by the Court of Appeal as those that are unusual or exceptional, but they may be less than extraordinary or unique (*Peninsula Watchdog Group (Inc) v Minister of Energy* [1996] 2 NZLR 529). With regards to what may constitute an unusual or exceptional circumstance, Salmon J commented in *Bayley v Manukau CC* [1998] NZRMA 396 that if the district plan specifically envisages what is proposed, it cannot be described as being out of the ordinary and giving rise to special circumstances.
- 8.6 In *Murray v Whakatane DC* [1997] NZRMA 433, Elias J stated that circumstances which are “special” will be those which make notification desirable, notwithstanding the general provisions excluding the need for notification. In determining what may amount to “special circumstances” it is necessary to consider the matters relevant to the merits of the application as a whole, not merely those considerations stipulated in the tests for notification and service.
- 8.7 In this instance there are no special circumstances as the nature of the consent application is consistent with the rules, and objectives and policies for subdivision in the Residential zone.

**Public notification conclusion**

- 8.8 Having undertaken the s95A public notification tests, the following conclusions are reached:
- Under step 1, public notification is not mandatory.
  - Under step 2, there is no rule or NES that specifically precludes public notification of the activities, and the application is for activities other than those specified in s95A(5)(b).
  - Under step 3, public notification is not required as the application is for activities that are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.
  - Under step 4, there are no special circumstances that warrant the application being publicly notified.
- 8.9 It is therefore recommended that this application be processed without public notification.

**Limited notification assessment (sections 95B, 95E-95G)**

- 8.10 If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

**Step 1: certain affected protected customary rights groups must be notified.**



- 8.11 There are no protected customary rights groups or customary marine title groups affected by the proposed activities (s95B(2)).
- 8.12 In addition, the council must determine whether the proposed activities are on or adjacent to, or may affect, land that is subject of a statutory acknowledgement under schedule 11, and whether the person to whom the statutory acknowledgement is made is an affected person (s95B(3)). In this instance, the proposal is not on and will not affect land that is subject to a statutory acknowledgement, and will not result in adversely affected persons in this regard.

**Step 2: if not required by step 1, limited notification precluded in certain circumstances**

- 8.13 The application is not precluded from limited notification as:
- the application is not for one or more activities that are exclusively subject to a rule or NES which preclude limited notification (s95B(6)(a)); and
  - the application is not exclusively for a controlled activity, other than a subdivision, that requires consent under a district plan (s95B(6)(b)).

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

- 8.14 As this application is not for a boundary activity, there are no affected persons related to that type of activity (s95B(7)).

The following assessment addresses whether there are any affected persons that the application is required to be limited notified to (s95B(8)).

In determining whether a person is an affected person:

- a person is affected if adverse effects on that person are minor or more than minor (but not less than minor);
- adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded; and
- the adverse effects on those persons who have provided their written approval must be disregarded.

**Adversely affected persons assessment (sections 95B(8) and 95E)**

- 8.15 As already stated, and as illustrated earlier in this AEE, there are less than minor effects on persons arising from this application.

**Step 4: further notification in special circumstances**

- 8.16 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 warrants it being notified to any other persons not already determined as eligible for limited notification (excluding persons assessed under section 95E as not being affected persons).



Special circumstances are those that are:

- Exceptional, abnormal or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make limited notification to any other person desirable, notwithstanding the conclusion that no other person has been considered eligible.

8.17 In this instance there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that notification to any other persons should occur.

#### **Limited notification conclusion**

8.18 Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory.
- Under step 2, there is no rule or NES that specifically precludes limited notification of the activities, and the application is for activities other than that specified in s95B(6)(b).
- Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.
- Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

8.19 It is therefore recommended that this application be processed without limited notification.



## CONCLUSION

- 9.0 Under the FNDC ODP the application site is zoned Residential. The proposal seeks combined subdivision and land use consent which is consistent with the assessment criteria as well as the objectives and policies of the zone.
- 9.1 The application has been assessed in terms of the matters detailed in the relevant sections of the RMA (1991), and the FNDC ODP. The environmental effects arising from the proposal are less than minor.
- 9.2 In my opinion, the proposal accords with Section 104 of the RMA and can be granted resource consent on a non-notified basis.

Neil Mumby  
Planning Consultant  
B. Soc.Sci (REP) (Hons)  
MNZPI(Full),  
Member  
ISOCARP  
March 2025

# Attachment 1



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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **NA40D/1148**  
**Land Registration District** **North Auckland**  
**Date Issued** 17 May 1979

**Prior References**  
NA10A/1270

---

**Estate** Fee Simple  
**Area** 3904 square metres more or less  
**Legal Description** Lot 1 Deposited Plan 84505

**Registered Owners**

Frances Lynne Going as to a 1/4 share  
Brian Lionel Going as to a 1/4 share  
Des Raymond Going, Yvonne Maree Going and DR & YM Going Trustee Limited as to a 1/2 share

---

**Interests**

Subject to a water right over part marked F on DP 84505 specified in Easement Certificate A190566



## Attachment 2

## Adjacent Land Assessment

### 42 Powells Road, Cable Bay

- 1.1 Adjacent land uses are residential in nature and also include the State Highway 10 corridor to the immediate south. A table identifying the legal descriptions of adjacent land (where available) and associated land uses are contained in Table 1 below;

Street Address	Legal Description	Property Description
56 Powells Road	Lot 1 DP 168011	A rear vacant residential lot served by a panhandle access from Powells Road (with easements over for neighbouring sites).
48 Powells Road	Lot 5 DP 168011	Rear residential allotment with dwelling greater than 30 metre distance from existing dwellings on subject site. Access from Right of Way to Powells Road.
50 Powells Road	Lot 4 DP 168011	Rear residential allotment with dwelling greater than 30 metre distance from existing dwellings on subject site. Access from Right of Way to Powells Road.
295 State Highway 10	Lot 2 DP 162264	Residential allotment with dwelling some 40 metres from existing dwellings on the subject site, with access directly onto State Highway.
40 Powells Road	Lot 4 DP 79006	Residential allotment with dwelling some 26 metres from existing dwellings on the subject site, separated by stream and existing vegetation. Direct access onto Powells Road.

- 1.2 An image showing the location of the adjacent land is below in Figure 2 below;

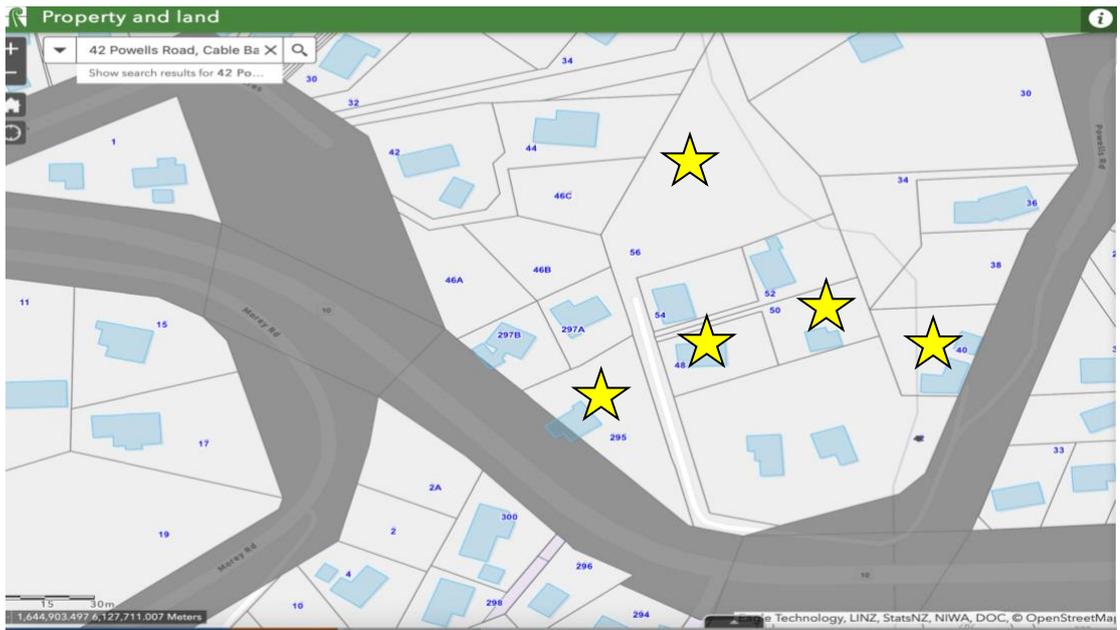


Figure 2 : Adjacent Land Assessment

Key

★ = Adjacent Land

## Attachment 3

# 1995 Residential Rates Notice – 42 Powells Road, Cable Bay



**FAR NORTH DISTRICT COUNCIL**  
MEMORIAL AVENUE, KAIKOHE  
TELEPHONE 0-9-401 2101 FAX 0-9-401 2137  
Office Hours 8.30am – 5.00pm MONDAY TO FRIDAY

**RATES AND CHARGES**  
CURRENT RATING YEAR 1-JUL-94 TO 30-JUN-95  
TAX INVOICE  
G.S.T. REG. No. 52-004-926

THIS INSTALMENT	NUMBER 3 OF 4	NOTICE DATE 20-JAN-95
-----------------	------------------	--------------------------

Rates as shown are due and payable by you as OWNER or OCCUPIER to the FAR NORTH DISTRICT COUNCIL.

**MORRISON FLORENCE ALISON**  
10 FRANKLIN ST  
OPUA 0290

**DESCRIPTION OF PROPERTY**  
LOT 1 DP 84505 BLK IV MANGONUI SD  
  
NONE POWELLS ROAD  
EAST COAST RIDING  
  
AREA 0.39040 hectares

VALUATION NUMBER 00040-604-01

**RATEABLE VALUE OF PROPERTIES (See key overleaf)**

LV \$47000	IV \$10000	CV \$57000	S/PLV
------------	------------	------------	-------

**RATES AND CHARGES DETAIL (See overleaf for explanation on '\*' rates)**

DESCRIPTION	CALCULATION	AMOUNT
UNIFORM ANNUAL CHARG		250.00
NORTHERN AMENITIES		5.00
WORKS & SERV-GENERAL	0.76548 CENTS/\$ ON \$47000	359.78
NORTHERN GENERAL	0.24002 CENTS/\$ ON \$47000	112.81
SEWERAGE NOT-SERVICE		77.00
SEWERAGE EAST COAST		291.84
REFUSE RECYCLING		9.19
*N.R.C. GENERAL LEVY	0.04943 CENTS/\$ ON \$47000	23.23
*N.R.C. WORKS & SERV	0.03165 CENTS/\$ ON \$47000	14.88



**FINANCIAL STATEMENT**

† Payments received after 09-JAN-95 are not included.

BALANCE AT 30-JUN-94	
PREVIOUS INSTALMENTS	599.69
ADDITIONAL CHARGES	
ADJUSTMENTS	
† PAYMENTS THANK-YOU	599.69 CR
THIS INSTALMENT	273.52

**TOTAL NOW DUE** \$ 273.52  
FINAL PAYMENT DATE 20-FEB-95  
TO AVOID 10% FIRST ADDITIONAL CHARGE

**WARNING!**  
Further 10% additional charges will be added to ARREARS as listed overleaf.

DATE OF SECOND ADDITIONAL CHARGE	04-FEB-95
----------------------------------	-----------

TOTAL AMOUNT TO CLEAR ACCOUNT FOR THE YEAR ENDING 30-JUN-95 \$ 547.04

003416

G.S.T. CONTENT THIS INSTALMENT 30.39

G.S.T. CONTENT OF ANNUAL RATES 127.41

ANNUAL RATE \$ 1146.73

INSTAL	AMOUNT	DUE DATE	FINAL PAYMENT DATE
1	326.17	20-JUL-94	22-AUG-94
2	273.52	20-OCT-94	21-NOV-94
3	273.52	20-JAN-95	20-FEB-95
4	273.52	20-APR-95	22-MAY-95



**FAR NORTH DISTRICT COUNCIL**  
PRIVATE BAG 752 KAIKOHE 400

RATEPAYER **MORRISON FLORENCE ALISON**

PARTICULARS OF CHEQUES Bank Branch

IF RECEIPT REQUIRED PLEASE TICK

CREDIT FAR NORTH DISTRICT COUNCIL

PLEASE USE THIS FORM WHEN MAKING PAYMENT

VALUATION NUMBER 00040-604-01

TOTAL NOW DUE 273.52

AMOUNT PAID

CASH

CHEQUE

TOTAL \$

*Paid thru bank*

## Attachment 4

APPROXIMATE IMPERMEABLE SURFACES (m <sup>2</sup> )	Lot 1	Lot 2
Dwelling incl. deck	122	115
Sheds	-	11
Vehicle area	148	145
Total Imp. Surfaces	270	271
Lot Area	1638	2266
% Imp Area	16%	12%
% Building	7%	6%

Schedule of Proposed Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefitted Land)
Right to convey power	C	Lot 2 hereon	Lot 1 hereon
Right to drain sewage	D		

Schedule of Proposed Easements in Gross			
Purpose	Shown	Servient Tenement (Burdened Land)	Grantee
Right to drain sewage	A	Lots 1 & 2 hereon	FNDC
Right to drain stormwater	B	Lot 1 hereon	

Schedule of Existing Easements			
Purpose	Shown	Servient Tenement (Burdened Land)	Created by
Water Supply	F	Lots 1 & 2 hereon	EC A190566

THIS PLAN & 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.

THIS PLAN IS NOT TO BE USED FOR THE SALE OR MARKETTING OF THE PROPERTY WITHOUT AN APPROVED SUBDIVISION CONSENT AND COUNCIL APPROVAL STAMP.

LOCATIONS OF SS & SW SERVICES ESTIMATED FROM FNDC MAPS AND APPROXIMATE MANHOLE LOCATIONS ON THE GROUND.

LOCATIONS OF POWER AND TELECOM FROM TOP ENERGY & CHORUS RECORDS. CABLES HAVE NOT BEEN LOCATED.

AREAS & MEASUREMENTS SUBJECT TO FINAL SURVEY.

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF SAPHIRE SURVEYORS LTD AND MAY NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION.



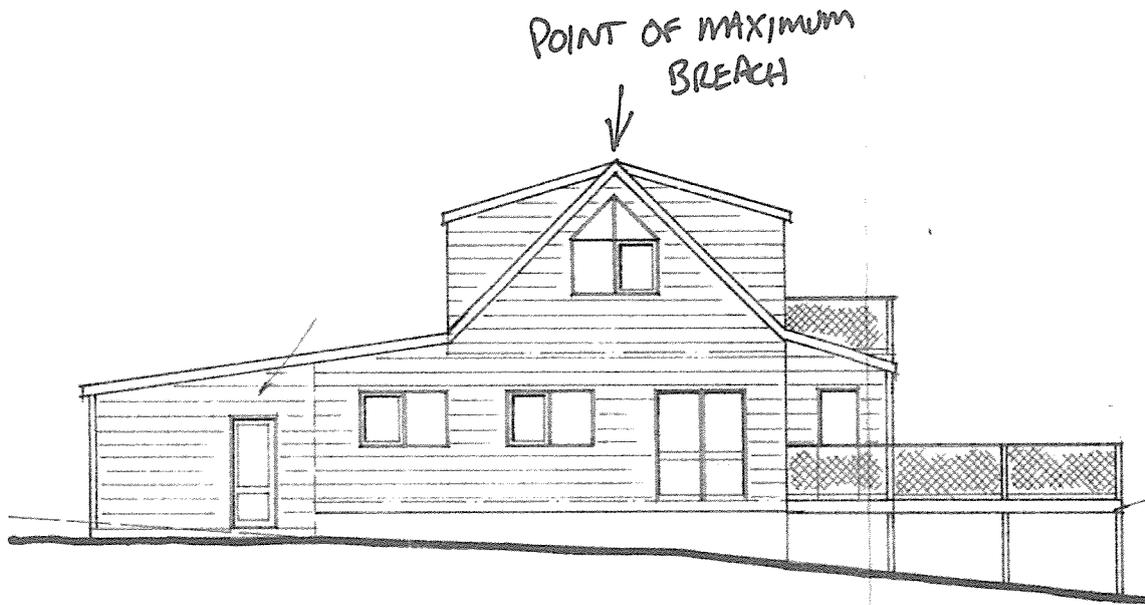
LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL  
 COMPRISED IN: RT NA40D/1148  
 TOTAL AREA: 3904sqm  
 PLAN PREPARED FOR: Glen Hope Farms Ltd

**Sapphire Surveyors Ltd**  
 Surveyors &  
 Land Development Specialists  
 Doubtless Bay, NZ  
 Ph. 09-406-0001  
 info@sapphiresurveyors.co.nz

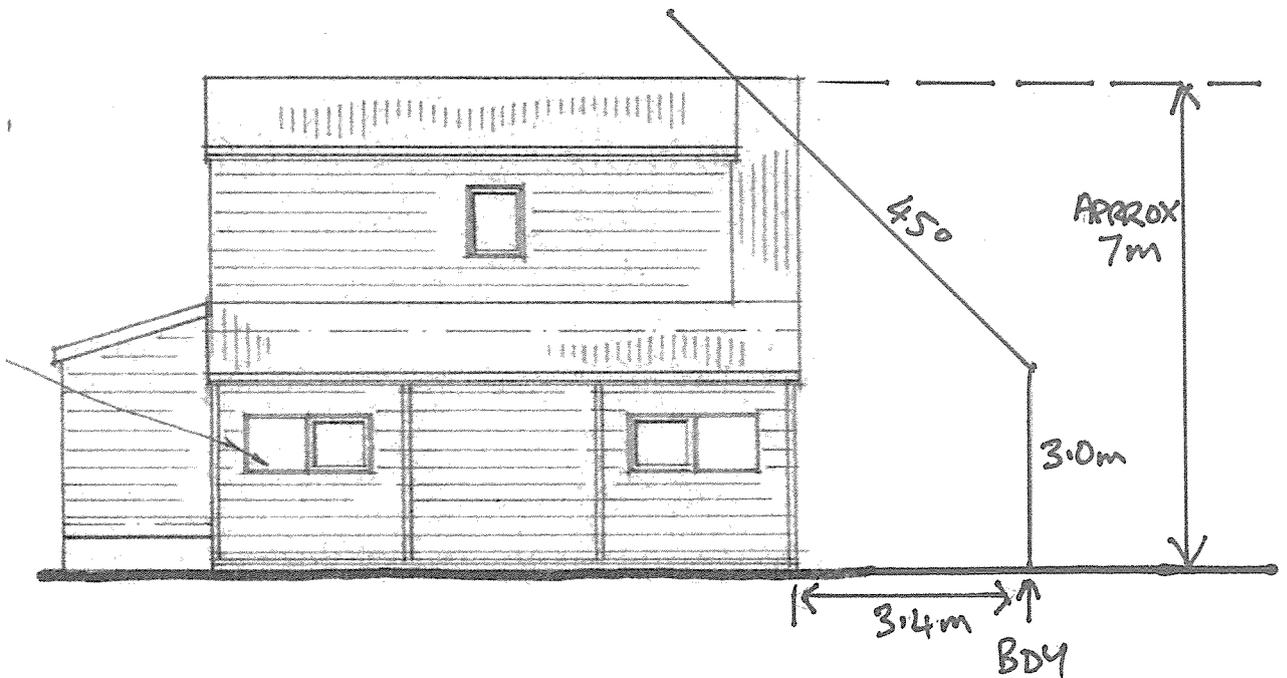
**Lots 1 & 2 being a Proposed Subdivision of Lot 1 DP 84505  
 42 Powells Rd, Cable Bay**

<b>Surveyed:</b>			Job Ref <b>0125S</b>
<b>Drawn:</b>	WW	12/11/2024	
<b>Version:</b>	A		A3 1:400
<b>Status:</b>	Final	07/03/2025	
<b>Sheet:</b>	1 of 1		

# Going - 42 Powells Rd, Cable Bay - ELEVATIONS



NOT TO SCALE.



## Attachment 5

Engineering Assessment Report for  
Proposed Subdivision at

42 Powells Road, Cable Bay  
(Lot 1 DP 84505)

Glen Hope Farms Limited  
*Supporting report for RC Applications to Far North District Council*  
*Haigh Workman reference 24 252*  
*Rev A*

**27 February 2025**



## Revision History

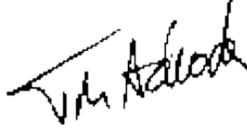
Revision N <sup>o</sup>	Issued By	Description	Date
A	Aaron Thorburn	Engineering Assessment Report for Resource Consent	27 February 2025

Prepared by



**Aaron Thorburn**  
Senior Environmental Advisor  
BAppSc (Env), CEnvP

Reviewed by



**Tom Adcock**  
Senior Civil Engineer  
BEng (Civil), MEngNZ

Approved by



**John Fapesch**  
Senior Civil Engineer  
BE (Civil Engineering),  
CPEng, CMEngNZ

**COPYRIGHT:**

The information presented in this document is the property of Haigh Workman Limited. Use of copying of this document in whole or in part without the previous permission of Haigh Workman Limited implies a breach of copyright.

## Executive Summary

Haigh Workman Limited was commissioned by Glen Hope Farms Limited to undertake an engineering assessment at 42 Powells Road, Cable Bay (the site).

It is proposed to subdivide Lot 1 DP 84505 (3,904m<sup>2</sup>) into two lots, proposed Lot 1 – 1,638m<sup>2</sup> and Lot 2 – 2,266m<sup>2</sup>. Both proposed Lots contain a dwelling and associated structures with the balance of the Lots grassed with gardens and mature trees, including large Pohutukawa trees.

This report assesses access, stormwater, wastewater and water supply with specific regard to Council subdivision rules. Earthworks and development is not proposed. A proposed subdivision concept plan prepared by Sapphire Surveyors Limited was made available to us at the time of writing this report.

The site is zoned '*Residential*' under the Far North District Council District Plan.

### Natural Hazards

Flooding is constrained to the river channel on proposed Lot 2 based on NRC regionwide flood hazard modelling. The dwelling on proposed Lot 2 site has minimal setback from riverbank. As a result, land intimately connected with the building works on Lot 2 may possibly be at risk of slippage during extreme events. Geotechnical assessment would be necessary to evaluate natural hazard risk further.

### Access

The site has two separate accessways to both dwellings off Powells Road, consisting of a single width gravel driveway from Powells Road that is a single lane gravel road with no pedestrian footpath.

It is proposed that these existing gravelled accessways remain to service proposed Lot 1 and Lot 2. We consider that the existing accessways are adequate to provide safe access to the proposed lots.

### Proposed Stormwater Management

The total impermeable areas for both Lots once developed will be within the 50% permitted activity coverage threshold.

The Far North District Council stormwater network is located on the property near the western boundary towards a drainage easement immediately north of the site discharging into Cable Bay. It is recommended for proposed Lot 2 that stormwater overflow (from existing rainwater tanks) is diverted to the watercourse located immediately east of the existing dwelling.

The dwellings on proposed Lot 1 and Lot 2 are existing and it is assumed that the dwellings are legally established and therefore do not require attenuation. (no property records available from Far North District Council).

The existing stormwater management is working effectively with no adverse effects such as erosion, instability or scour observed. No additional impermeable surfaces will be created as a result of the subdivision. Hence, no stormwater quantity mitigation devices or other measures are necessary.

### Water Supply

There is no Council reticulated water supply network in Cable Bay. The Doubtless Bay Water Supply Company has a private network for domestic supply but not firefighting.

The existing dwellings on proposed Lot 1 and Lot 2 have dedicated rainwater collection tanks currently in use.

Far North District Council Engineering Standards require a water supply that is adequate for firefighting purposes. Where there is currently no reticulated water supply, then each residential lot will be responsible for providing adequate on-site firefighting supply.

### **Wastewater**

The dwelling on proposed Lot 1 is connected to the Council sewer that passes through the site. The dwelling on proposed Lot 2 is currently connected to a septic system on the eastern side of the dwelling. The tank is in poor condition and the disposal system was not able to be located. The proximity of the system close to the watercourse means that Regional Council setbacks are not achievable.

It is recommended that a new wastewater connection be installed to the Council sewer where this passes through the Lot, and that the existing septic system be disconnected and blanked off. This should be made a condition of the subdivision consent.

**Table of Contents**

Executive Summary .....ii

1 Introduction.....1

    1.1 Project Brief and Scope .....1

    1.2 Limitations .....1

2 Site Description .....1

    2.1 Proposed Subdivision.....2

    2.2 District Plan Zoning .....3

3 Environmental Setting .....3

    3.1 Geology .....3

    3.2 Surface Water Features and Flooding.....4

    3.3 Site Walkover .....4

    3.4 Subsoil Investigations.....4

4 Natural Hazards .....4

    4.1 NRC Flood Mapping .....5

    4.2 Tsunami.....6

5 Access .....7

    5.1 Site Access.....7

    5.2 Powells Road, Cable Bay .....7

    5.3 Parking and Manoeuvring.....7

6 Stormwater Management .....7

    6.1 Existing Site Drainage.....7

    6.2 Regulatory Framework.....8

    6.3 Regulatory Framework.....9

7 Wastewater Management .....10

    7.1 Existing Wastewater Management .....10

8 Water Supply .....11

    8.1 Potable water supply .....11

    8.2 Fire Fighting .....11

    8.3 Alternative to Fire Fighting Supply.....11

**Appendices**

Appendix A – Site Drawings

Appendix B – Photographic Documentation

# 1 Introduction

## 1.1 Project Brief and Scope

Haigh Workman Limited (Haigh Workman) were engaged by Glen Hope Farms Limited (the client) to undertake an Engineering Assessment of 42 Powell Road, Cable Bay (the site) in association with the proposed two lot subdivision. It is proposed to subdivide the property (Lot 1 DP 84505 – 3,904m<sup>2</sup>) into two lots of similar size (Lot 1 – 1,638m<sup>2</sup> and Lot 2 – 2,266m<sup>2</sup>). Both proposed Lots contain a dwelling and associated structures with the balance of the Lots grassed with trees, including large Pohutukawa trees.

This report assesses both lots for access, stormwater, wastewater with specific regard to Far North District Council (FNDC) subdivision rules. As the site is already developed, geotechnical assessment has not been undertaken.

A proposed concept plan prepared by Sapphire Surveyors Limited has been provided to Haigh Workman and is shown in Figure 2 below and is provided in **Appendix A**.

The site is zoned 'Residential' under the FNDC District Plan (Operative), 2009.

## 1.2 Limitations

This report has been prepared by Haigh Workman Limited for the sole benefit of Glen Hope Farms Limited (the client), with respect to the brief outlined to us. This report is to be used by the client and their consultants and may be relied upon by the FNDC when considering the application for the proposed subdivision and future development. The information and opinions contained within this report shall not be used in any other context for any other purpose without prior review and agreement by Haigh Workman Limited.

It has been assumed in the production of this report that the site is to be subdivided with no subsequent redevelopment planned at this time. No future development is proposed at the writing of this report as two dwellings are already located on the site.

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

# 2 Site Description

Site Address:	42 Powells Road, Cable Bay
Legal Description:	Lot 1 DP 84505
Area:	3,904m <sup>2</sup>
Council Zoning:	Residential

The site is a square shaped parcel (more or less) positioned in a coastal residential setting in the Cable Bay township, the site has existing access from Powells Road to the south of the site. The site has two existing dwellings that are assumed to be legally established (in the absence of property files) and associated structures (garage / shed and water tanks) with the balance of the site grassed with medium to large trees. The site location is shown on Figure 1 below and on drawings provided in **Appendix A**.

The site is on a gentle sloping bench in a gully sloping towards the north to northwest with an elevation above the watercourse located near the eastern boundary of the site, State Highway 10 is located immediately south moving from east to west and is elevated above the investigation site supported by gabion baskets tied into embankment, the surrounding area is made up of residential properties interspersed with vacant (grassed) and vegetated land. Cable Bay is located approximately 180m north of the site (from the closest point).



Figure 1: Site Location (Source: Google Earth Pro Webservice)

## 2.1 Proposed Subdivision

The proposed subdivision will create two Lots as shown in Table 1 below, the proposed subdivision concept plan is provided in **Appendix A**.

Table 1: Proposed Lots

Lots	Proposed Area (m <sup>2</sup> )	End-use
Lot 1	1,638	Residential (no change)
Lot 2	2,266	Residential (no change)
<b>Total</b>	<b>3,904</b>	

## 2.2 District Plan Zoning

The site is zoned as 'Residential' under the FNDC Operative District Plan.

It is our understanding that the proposed subdivision is a Controlled Activity.

Proposed Lot 1 and Lot 2 both contain an existing dwelling and associated structures, and no further development is planned for both Lots. As per 13.7.2.2 for Allotment Dimensions for 'residential' zone, the required minimum dimensions are 14 m x 14 m. This is achieved for both proposed Lot 1 and Lot 2.

## 3 Environmental Setting

### 3.1 Geology

Sources of Information:

- Institute of Geological & Nuclear Sciences (GNS) 1:250,000 Geological Map.

The published geology shows the site to be underlain by Tangihua complex of the Northland Allochthon, which consists of basaltic pillow lava and pillow breccia, with sills and dikes of basalt and dolerite. Nearby geology includes Awhitu Group alluvium to the south and Holocene sediments to the east. The site is likely to include alluvial and colluvial deposits given the site setting (being on a bench in a gully next to a river).

An extract of the geological map is shown below in **Error! Reference source not found.**, with geological units presented below.

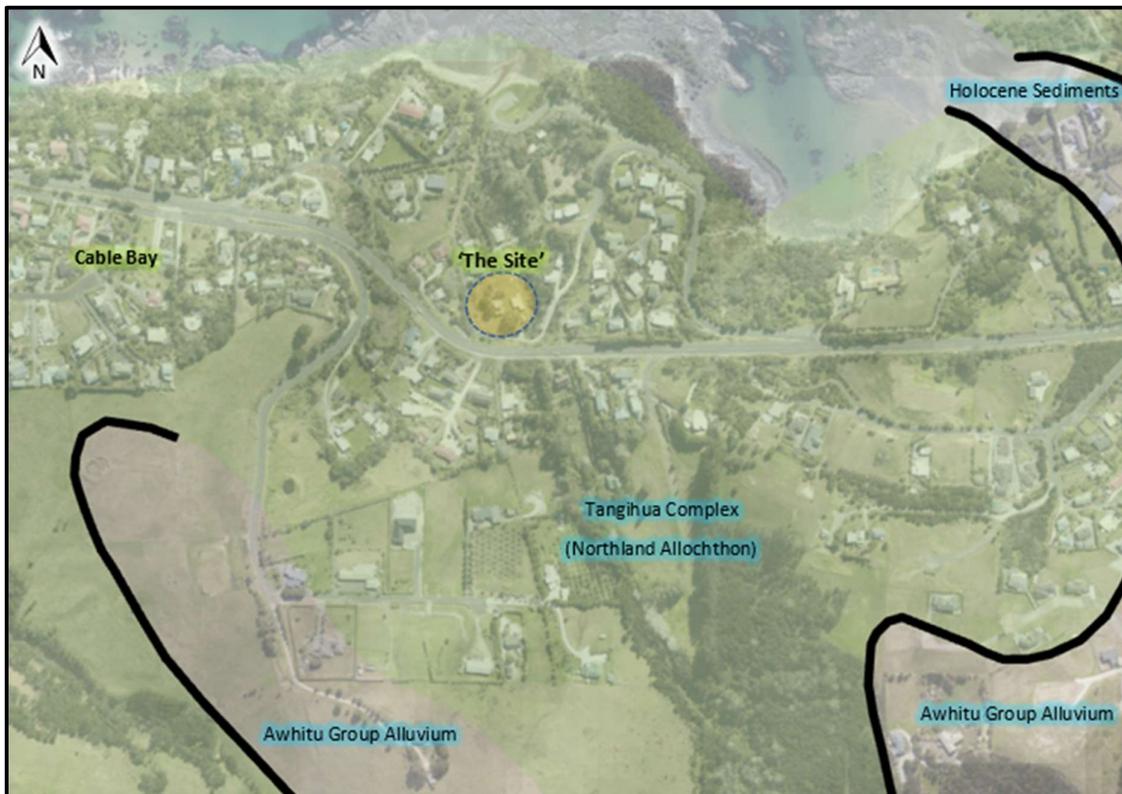


Figure 2 – GNS Geological Map (1:250,000)

### 3.2 Surface Water Features and Flooding

A summary of available information pertaining to hydrology and hydrogeology is presented in Table 2 below.

Table 2: Surface Water Features & Flooding

	Presence / Location	Comments
<b>Groundwater sources including springs / wells (within 200 m)</b>	There are no bores located nearby.	-
<b>Surface Water Features (Ponds, Lakes, etc.)</b>	Cable Bay is approximately 180m north of the site.	-
<b>Watercourses (within 500 m)</b>	On the sites eastern boundary.	An unnamed watercourse is located on the eastern boundary of the site flowing north to Cable Bay with approximately 6m elevation difference between the watercourse and the closest dwelling on the site
<b>Flood Risk</b>	Part of proposed Lot 2 is modelled as a flood hazard zone under regionwide flood mapping.	The eastern boundary of the proposed Lot 2 site is within the NRC Regionwide flood hazard model area (10-year, 50-year and 100-year+CC events). The existing building on Lot 2 is outside of this flood hazard area and approximately 1.5m – 2m higher in elevation than the 100-year + CC regionwide flood hazard model height.

### 3.3 Site Walkover

A site walkover was undertaken on 17 December 2024 and was limited to the proposed subdivision site (proposed Lots 1 and 2) to evaluate access, stormwater and wastewater management and water supply, which are discussed further in Sections 4 – 7 below.

The site is varied, with both proposed Lot 1 generally sloping towards the northwest and proposed Lot 2 towards the north and east (towards the water feature on the properties eastern boundary). The existing ground level of the proposed Lots varies from RL 7.0m to 16.0m NZVD.

A subsequent site walkover was undertaken on 23 January 2025 to confirm the location of the Council wastewater network and confirm the wastewater configuration for the existing dwelling on proposed Lot 2, which are discussed further in Section 7 below.

### 3.4 Subsoil Investigations

Geotechnical assessment was not included in the scope.

## 4 Natural Hazards

Under Section 2 of the Resource Management Act (RMA) 1991, **natural hazard** means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip,

subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

Natural hazards listed in Section 71(3) of the Building Act 2004 include: erosion, falling debris, subsidence, inundation or slippage. We assess the susceptibility of the existing dwellings on the proposed Lots to the potential hazards identified in Table 3 below:

**Table 3:** Natural Hazards.

Natural Hazard	Risk
Erosion (including coastal erosion, bank erosion, and sheet erosion)	see slippage below
Falling debris (including soil, rock, snow, and ice)	Nil
Subsidence (vertical settlement)	Not assessed (existing buildings)
Inundation (including flooding, overland flow, storm surge, tidal effects, and ponding)	Flooding is constrained to the river channel on proposed Lot 2 based on NRC regionwide flood hazard modelling.
Slippage	The dwelling on proposed Lot 2 site has minimal setback from riverbank. As a result, land intimately connected with the building works on Lot 2 may <i>possibly</i> be at risk of slippage during events. Geotechnical assessment would be required to evaluate this risk further.

#### 4.1 NRC Flood Mapping

An examination of published environmental data relating to the site from FNDC and Northland Regional Council (NRC) online GIS databases is presented below.

The NRC Regionwide flood hazard model includes modelling of the river channel in Lot 2 for the 10-year, 50-year and 100-year + CC extent (Figure 3 below). The modelling shows that the river flood hazard is contained within the stream banks, and that there is no inundation risk to the existing building on Lot 2, see Figure 2 below.



Figure 2 – Mapped River Flood Hazard Zones (Regionwide Model) (Source: Northland Regional Council GIS Website)

## 4.2 Tsunami

The site is modelled by the NRC as being subject to flooding during extreme Tsunami events.

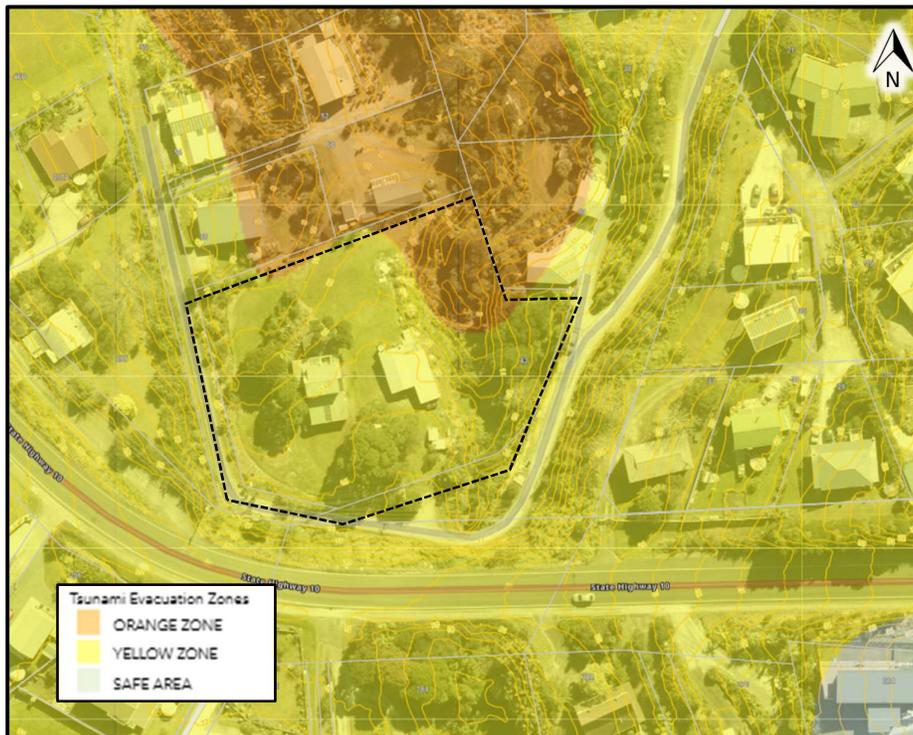


Figure 3 – Tsunami Zone Modelling (Source: Northland Regional Council GIS Website)

The site is indicated to be within orange and yellow Tsunami zones. The Tsunami evacuation zones are described by Civil Defence as:

- **Orange Zone** – the orange zone is intended to be the area evacuated in most if not all distant and regional-source official warnings (i.e., warnings that extend beyond the red zone, for tsunami from sources more than one hour of travel time away from the mapped location). Local differentiation of this zone can be achieved using terms that are familiar to the community such as street names and key landmarks.
- **Yellow Zone** - the yellow zone should cover all maximum credible tsunami, including the highest impact events. The intention is that the yellow zone provides for local-source maximum credible events, based on locally determined risk. People should evacuate this zone in natural or informal warnings from a local source event. The yellow zone may be removed from published, publicly available evacuation maps in a region where the orange zone includes the local-source maximum credible tsunami. In this case it is very important that the boundaries of the orange zone are particularly cautious – that is, there should be negligible chance an official evacuation will be called that requires evacuation of an area larger than the mapped orange zone.

The Tsunami risk in orange and yellow Tsunami evacuation zones is managed by Civil Defence evacuation warnings that are intended to protect human life.

## 5 Access

### 5.1 Site Access

The site has separate crossings leading to both dwellings off Powells Road, each consists of a single width gravel driveway. The crossings are considered fit for purpose to service the new subdivision without the need for any additional works.

### 5.2 Powells Road, Cable Bay

Powells Road is classified as an access road according to the One Network Road Classification. Despite the residential zoning, the length of Powells Road fronting the property has an unkerbed rural cross-section comprising an approximate 5 m wide gravelled carriageway, with poorly formed water table and culvert drainage. The posted speed limit is 60 km/hr. This was confirmed during a site visit undertaken by Haigh Workman on 17 December 2024.

Since both lots already contain dwellings, no additional traffic movements will be generated as a result of the proposed subdivision.

### 5.3 Parking and Manoeuvring

Proposed Lot 1 and Lot 2 contain existing dwellings with adequate area for 2 car parking spaces, as required in the District Plan.

## 6 Stormwater Management

### 6.1 Existing Site Drainage

Proposed Lot 1 has an existing dwelling. Roof runoff is connected to downpipes which flow into 25,000 litre and 10,000 litre plastic water tanks on the western side of the dwelling, the overflow for these tanks is discharged to ground and flows into the Council open stormwater drain located near the western boundary of the site. The Council

stormwater drain is indicated on Far North Water Services GIS service but is incorrectly drawn as indicated in Figure 5 below, this was confirmed during a site visit undertaken by Haigh Workman on 17 December 2024.

Proposed Lot 2 has an existing dwelling and a shed structure. Roof runoff is connected to downpipes which flow into two 1,000 plastic intermediate bulk containers (IBC) on the southern side of the dwelling, the overflow for the IBC's is discharged into the watercourse immediately east of the dwelling.

The shed structure near the southern boundary has no stormwater system, with stormwater discharge to ground and natural dispersion to vegetation to the east and south.

The Council stormwater network for the site is provided in Figure 3 below.

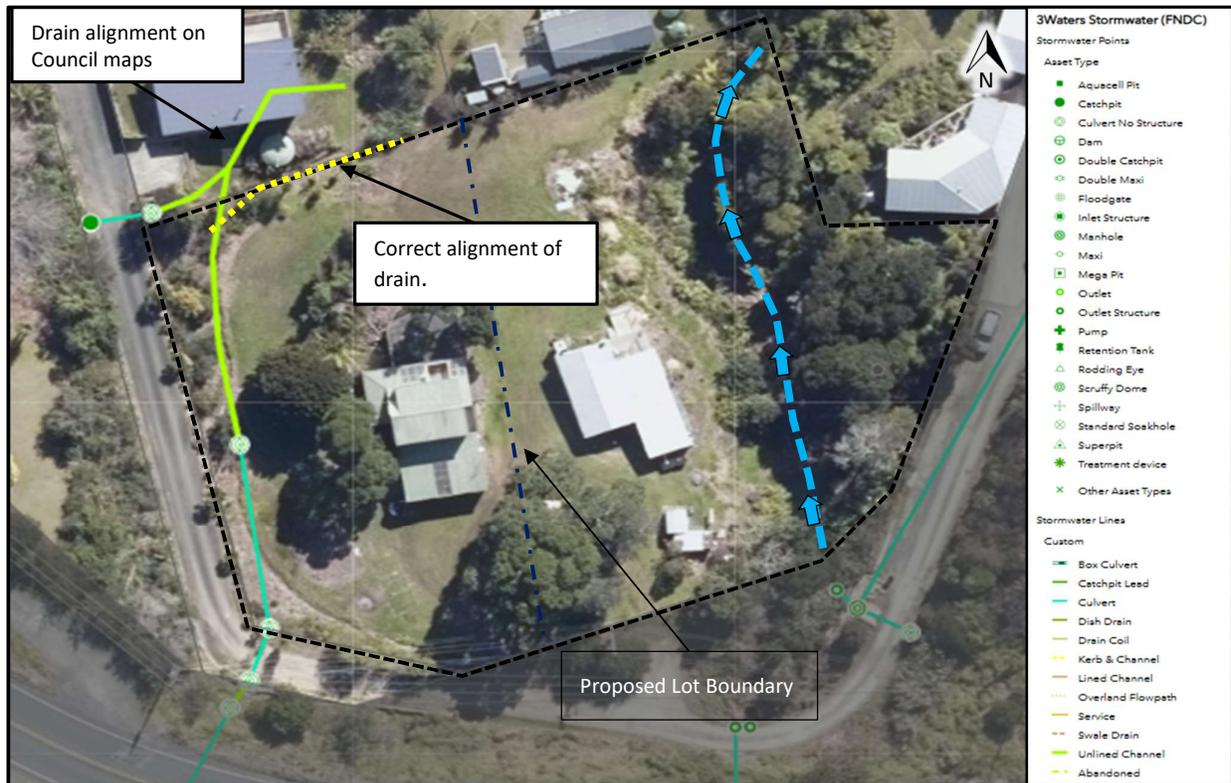


Figure 3: Existing stormwater network arrangement (Source: FNDC Water Services GIS service).

## 6.2 Regulatory Framework

### 5.2.1 FNDC Operative District Plan

The Site is zoned as 'Residential'. The relevant activity rule for impermeable surfaces is as follows:

Permitted Activity

#### 7.6.5.1.6 STORMWATER MANAGEMENT

*The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 50%.*

It is intended that the proposed stormwater management system will comply with the Permitted Activity coverage limit.

### Impermeable Surfaces Coverage

Estimated impermeable surface coverage following subdivision is calculated as follows. There are no additional impermeable surfaces as a consequence of the proposed subdivision.

The subdivision plan indicates vehicle areas. No existing metalled parking areas have been formed and the soils appear sufficiently strong not to require a gravel surface. However, should parking areas be metalled at a future date, then we have made a provision in our impermeable surfaces calculations, see Tables 4 and 5 below.

**Table 4: Existing Impermeable Surfaces Coverage**

Lot	Existing Area (m <sup>2</sup> )	Existing Impermeable Surfaces		Total Impermeable Surface (m <sup>2</sup> )	Coverage (%)	Activity Status
		Structures (m <sup>2</sup> )	Driveways (m <sup>2</sup> )			
Lot 1 DP 84505	3,904	280	248	528	13.5%	Permitted

**Table 5: Proposed Impermeable Surfaces Coverage**

Lot	Proposed Area (m <sup>2</sup> )	Impermeable Surfaces		Future		Total Impermeable Surface (m <sup>2</sup> )	Coverage (%)	Activity Status
		Structures (m <sup>2</sup> )	Driveways (m <sup>2</sup> )	Structures (m <sup>2</sup> )	Driveways (m <sup>2</sup> )			
Lot 1	1,638	137	128	-	-	265	16%	Permitted
Lot 2	2,266	143	120	-	-	263	12%	Permitted

As detailed above, the expected impermeable surfaces calculation for proposed Lot 1 and Lot 2 are 16% and 12% respectively, both proposed Lots comply with FNDC Permitted Activity criteria.

### 5.2.2 Regional Plan for Northland

The Regional Plan for Northland (operative in part, dated 13 October 2023) is now operative in respect of stormwater discharge rules.

Proposed Rule C.6.4.2 provides for the diversion and discharge of stormwater into water or onto land from an impervious area or by way of a stormwater collection system, is a permitted activity, provided (amongst other conditions):

*2) the diversion and discharge does not cause or increase flooding of land on another property in a storm event of up to and including a 10 percent annual exceedance probability, or flooding of buildings on another property in a storm event of up to and including a one percent annual exceedance probability, and*

*6) the diversion and discharge does not cause permanent scouring or erosion of the bed of a water body at the point of discharge.*

Stormwater overflow (from existing rainwater collection tanks) will continue to be disposed of onto ground within the proposed lots. No changes to the existing arrangements are proposed.

## 6.3 Regulatory Framework

The total impermeable areas for the proposed Lots following subdivision are less than 50% and are therefore permitted.

The existing stormwater management is working effectively with no adverse effects such as erosion, instability or scour observed. No additional impermeable surfaces will be created as a result of the subdivision. Hence, no stormwater quantity mitigation devices or other measures are necessary.

## 7 Wastewater Management

### 7.1 Existing Wastewater Management

Proposed Lot 1 has an existing dwelling. A gravity connection from the dwelling connects to the Council sewer that passes through the site. This was confirmed during the 23 January 2025 site visit undertaken by Haigh Workman, the asset was operating as expected.

The Council wastewater drain is indicated on Far North Water Services GIS service but is incorrectly drawn as indicated in Figure 4 below, this was also confirmed during a site visit undertaken by Haigh Workman on 23 January 2025.

Proposed Lot 2 has an existing dwelling. Wastewater from the dwelling is currently connected to a septic system on the eastern side of the dwelling. The tank was in a poor condition and the disposal system was not able to be located. The proximity of the system close to the watercourse means than Regional Council setbacks are not achievable.

It is recommended that a new wastewater connection be installed to the Council sewer where this passes through the Lot, and that the existing septic system be disconnected and blanked off. This should be made a condition of the subdivision consent. A proposed wastewater connection is indicated on drawings provided in **Appendix A**.



Figure 4: Existing wastewater network (Source: FNDC Water Services GIS service).

## 8 Water Supply

### 8.1 Potable water supply

There is no Council reticulated water supply network in Cable Bay. The Doubtless Bay Water Supply Company has a private network for domestic supply but not firefighting.

The existing dwellings on proposed Lot 1 and Lot 2 have dedicated rainwater collection tanks currently in use.

### 8.2 Fire Fighting

FNDC Engineering Standards (2023) require a water supply that is adequate for firefighting purposes. Where there is currently no reticulated water supply, then each residential lot will be responsible for providing adequate on-site firefighting supply.

For a single family home without a sprinkler system in a non-reticulated supply area, the New Zealand Fire Service (NZFS) Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 recommends for a firefighting supply a minimum water storage capacity of 45m<sup>3</sup> within 90m of the dwelling, fitted with an adequate means for extracting the water from the tank.

### 8.3 Alternative to Fire Fighting Supply

The NZFS Fire Fighting Water Supplies Code of Practice (SNZ PAS 4509:2008) specifically allows for alternative methods to be used in meeting the Code requirements, as long as there is approval from an appropriate person nominated by the NZFS National Commander. Clause 4.4 of the Code states that:

- Fire engineers or similar competent persons may use alternative methods to determine firefighting water supplies. To comply with this code of practice, such alternatives must be submitted for approval to the person(s) nominated by the National Commander. The person(s) so nominated will approve these cases on confirmation that the method and calculations used are correctly applied.
- Alternative methods will need to show that the calculated firefighting water supply makes allowances for tactical flow rates (that is, the amount needed above a theoretical amount to absorb the released heat for operational effectiveness).

The procedure to be followed in the case of an alternative fire-fighting supply is as follows:

- The competent person should submit a firefighting facilities checklist (FFFC), with a scale site map showing contours and proposed alternatives to Table 2 with rationale for assessment to NZFS.

If the proposed supply is approved by a nominated NZFS person, Council will accept the FFFC and compliance with the Code will be achieved.

NZFS considers that a 'one size fits all' volume is not appropriate in all circumstances. There are alternatives to firefighting couplings but firefighters are not expected to lift pumps or hoses onto the top of water tanks

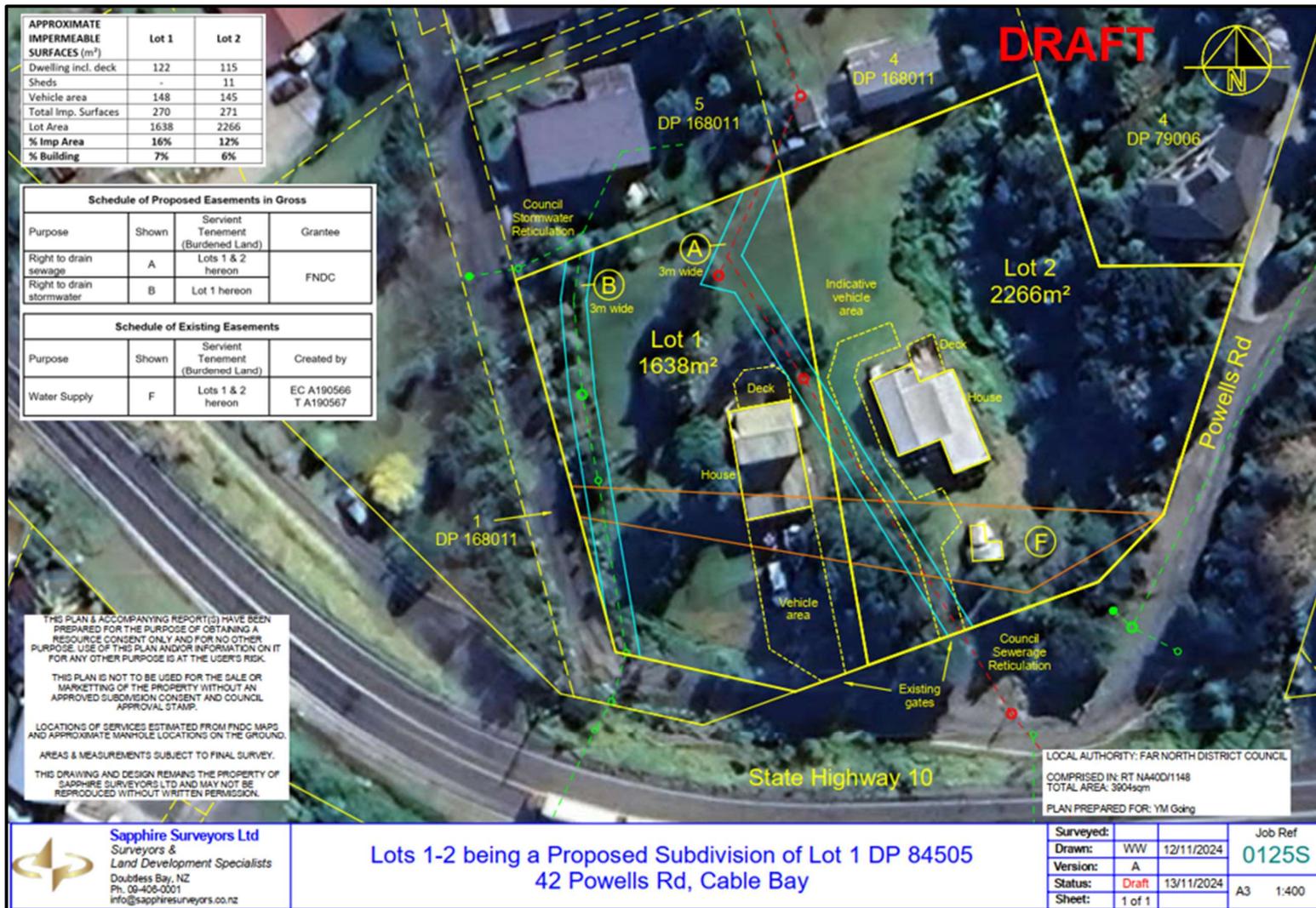
**End of Report – Appendices to follow.**

## Appendix A – Drawings

Drawing No.	Title
24 252 / 1	Site Location Plan
24 252 / 2	Proposed Subdivision Concept Plan
24 252 / 3	Recommended Wastewater Connection Plan (proposed Lot 2)



24 252 / 1 – Site Location Plan



24 252 / 2 – Proposed Subdivision Plan



24 252 / 3 – Recommended Wastewater Connection for Proposed Lot 2

## Appendix B – Photographs



Photograph 1 – Powell Road looking towards the west. Gravel accessways to the proposed Lots are located where the vehicles are parked, beyond the access gates to the proposed Lots are no defined driveways.



Photograph 2 – Inspection of wastewater network running alongside the eastern side of the dwelling on proposed Lot 2 (refer Figure 9 above). Looking south towards the access to the proposed Lots, gravel accessways from Powell Road to the site boundary, access once onto proposed Lot 2 is grass, access once onto proposed Lot 1 is a short gravel accessway.



Photograph 3 – Culvert pipes beneath Powell Road immediately east of the property following south to north (discharging to Cable Bay).



Photograph 4 - Existing dwelling proposed Lot 1 (looking towards the northeast). The balance of the proposed Lot 1 site is grass and gardens.



Photograph 5 - Existing dwelling proposed Lot 2 (looking towards the southeast). There is a garden shed and attached structure to the south of the existing dwelling (refer Photograph 6 below), the balance of proposed Lot 2 is grass and riparian margin planting along the OLFP.



Photograph 6 - Garden shed with attached structure located south of the existing dwelling on proposed Lot 2 (looking towards the south).

## Attachment 6

**PROPOSED DISTRICT PLAN – DEVELOPMENT CONTROL CHECK S.86B OF THE RMA 1991**

**42 Powells Road, Cable Bay**

<b>Rule</b>	<b>Assessment</b>
Hazardous Substances HS-R2, R5, R6, R9	The site does not contain, nor are any hazardous substance facilities proposed.
Heritage Area Overlays HA-R1 to R14 inclusive. HA S1 & S2	N/A as none apply to the application site.
Historic Heritage Rules and Schedule 2. Rules HH R1-R9 Inclusive.	N/A as the site does not have any identified (scheduled) historic heritage values.
Notable Trees NT R1 – R9 inclusive and NT S1 & S2	N/A – no notable trees present on the site.
Sites and Areas of Significance to Māori SASM R1 – R7 inclusive.	The PDP does not list any site or area of significance to Māori as being present on the site.
Ecosystems and Indigenous Biodiversity – IB-R1 to R5	No indigenous vegetation clearance is proposed.
Subdivision SUB R6, R13, R14, R15, R17.	The site contains no Heritage Resources, Scheduled Sites of Significance to Māori or a Scheduled Significant Natural Area. No Environmental Benefit subdivision is proposed.
Activities on the Surface of Water ASW R1 – R4 inclusive.	N/A as no such activities are proposed.
Earthworks EW R12 & EW R13 and EWS3 & EWS5	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 EW-S5 refer to operating under appropriate Erosion and Sediment Control measures. These are not applicable to the proposal as all activities exist.
Signage – SIGN R9 & R10 and S1 to S6 Inclusive.	N/A – No heritage resources are present on the site and signage does not form part of this application.

## Attachment 7

## OPERATIVE DISTRICT PLAN – DEVELOPMENT CONTROL CHECK

### 42 Powells Road, Cable Bay

Chapter / Rule	Compliance Statement
Chapter 12.1 - Landscapes and Natural Features	Does not apply as there is no landscape or natural feature overlay applying to the site.
Chapter 12.2 Indigenous Flora and Fauna	Does not apply as there is no clearance of indigenous vegetation proposed.
Chapters 12.5, (5A) and (5B) Heritage	Does not apply as the site does not contain any heritage sites, notable trees, sites of cultural significance to Māori that are scheduled in the ODP.
Chapter 12.7 Waterbodies	The eastern dwelling (which has existing use rights) does not comply with the minimum setback requirements from the stream on the eastern boundary and nor does the existing wastewater field. Nonetheless the dwelling is located in an elevated position above the modelled flood plain, and the existing wastewater field will be removed and the eastern dwelling will be connected to the reticulated wastewater system that is present on the site.
Chapter 12.8 Hazardous Substances	Does not apply as the activity being applied for is not a hazardous substances facility.
Chapter 12.9 Renewable Energy	Does not apply as the activity does not involve renewable energy.
13.6.5 Legal Road Frontage	The lots have adequate legal frontage as shown on plan of subdivision.
13.6.8 Subdivision Consent before work commences	No site works or vegetation clearance is proposed as all buildings, and access exist.
13.7.2 Allotment size	Complies with standards for a controlled activity subdivision under Rule 13.7.2.1 (v).
13.7.2.2 Allotment Dimensions	14 metre by 14 metre building platforms are able to be provided within the proposed allotments.
13.7.2.3 Amalgamation of Land	N/A
13.7.2.4 Lots Divided by Zone Boundaries	N/A
13.7.2.5 Outstanding Landscape, Outstanding Landscape Feature Or Outstanding Natural Feature	N/A as the ODP does not list any of these items on the site.
13.7.2.6 Access, Utilities, Roads, Reserves	N/A
13.7.2.7 Savings as to previous proposals	N/A

13.7.2.8 Proximity To Top Energy Transmission Lines	N/A
13.7.2.9 Proximity To The National Grid	N/A
13.7.3.1 Property Access	The existing dwellings (including access) have existing use rights. The attached engineering report addresses these matters and confirms that the crossings are “fit for purpose” and no concerns have been raised with the access.
13.7.3.2 Natural And Other Hazards	Complies – see attached engineering report on s.106 matters.
13.7.3.3 Water Supply	Complies - Water supply will be via roof catchment and also used for firefighting. See attached engineering report.
13.7.3.4 Stormwater Disposal	Complies – an engineering report from a Chartered Professional Engineer has been supplied.
13.7.3.5 Sanitary Sewage Disposal	Complies - a report from a Chartered Professional Engineer has been supplied.
13.7.3.6 Energy Supply	Complies - see correspondence from Top Energy confirming connections available.
13.7.3.7 Telecommunications	See correspondence from Chorus confirming connections are available.
13.7.3.8 Easements For Any Purpose	Please refer to proposed scheme plan. Note that the 223 conditions imposed on this consent should state “ <b>Easements in the Schedule of Proposed Easements to be duly granted, where required</b> ”. This wording is requested given uncertainty (given the age of buildings) over the precise location of services.
13.7.3.9 Preservation Of Heritage Resources, Vegetation, Fauna And Landscape, And Land Set Aside For Conservation Purposes	N/ A as there are no listed items present.
13.7.3.10 Access To Reserves And Waterways	N/A
13.7.3.11 Land Use Compatibility	N/A
13.7.3.12 Proximity To Airports	N/A

Chapter 14 Financial Contributions	No esplanade reserve or strip is offered is as part of this subdivision.
Chapter 15.1.6A.1 & 15.1.6A.2 & 15.1.6A.2.1 – Traffic Movements	The rules in Chapter 15.1.6A.1 & 15.1.6A.2 are clear that they are to be applied in conjunction with the Traffic Intensity Factor (“TIF”) Tables in Appendix 3A. These only apply to land use activities, and in the instance of this proposal the dwellings exist and have existing use rights, so are not relevant to the proposed subdivision as nothing will change.
15.1.6B - Parking Requirements)	As above, these rules apply to land use activities and not subdivision, and in the instance of this application both existing dwellings have existing use rights. Nonetheless onsite parking for two vehicles is able to be provided for each unit. See attached engineering report.
Rule 15.1.6C.1.1 to 15.1.6C.1.11 inclusive. Access	The existing dwellings (including access) have existing use rights. The attached engineering report addresses these matters and confirms that the crossings are “fit for purpose” and no concerns have been raised with the access.
7.6.5.1.1 Relocated Buildings	N/A
7.6.5.1.2 Residential Intensity	Each unit has greater than 600m <sup>2</sup> of land associated with it.
7.6.5.1.3 Scale of Activities	N/A as standard residential activity.
7.6.5.1.4 Building Height	Complies – the western dwelling is the highest of both dwellings and is approximately seven metres in height.
7.6.5.1.5 Sunlight	<b>Infringes</b> and requires Discretionary Activity Resource Consent under Rule 7.6.5.4
7.6.5.1.6 Stormwater Management	Complies - Lot 1 will have an impervious area of some 16% and Lot 2 will have an impervious area of some 12%.
7.6.5.1.7 Setback from Boundaries	Complies within minimum 1.2 metre setback.
7.6.5.1.8 Screening from Neighbours	N/A
7.6.5.1.9 Outdoor Activities	N/A
7.6.5.1.10 Visual Amenity	N/A
7.6.5.1.11 Transportation	See Chapter 15 assessment above.
7.6.5.1.12 Site intensity Non Residential activities	N/A
7.6.5.1.13 Hours of Operation Non Residential Activities	N/A
7.6.5.1.14 Keeping of Animals	N/A
7.6.5.1.15 Noise	N/A
7.6.5.1.16 Helicopter Landing Area	N/A
7.6.5.1.17 Building Coverage	Complies – Building coverage is less than 45% of gross site area on each of the newly created lots. Lot 1 has a building coverage of some 7% and Lot 2 has a building coverage of some 6%.



## Attachment 8

## Operative District Plan – Relevant Assessment Criteria

### 42 Powells Road

#### Discretionary Land Use Consent Criteria for Sunlight Infringement

##### 11.2 BUILDING HEIGHT, SCALE AND SUNLIGHT

- (a) The extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.
- (b) The ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.
- (c) The extent of the building area and the scale of the building and the extent to which they are compatible with both the built and natural environments in the vicinity.
- (d) The spatial relationship between the new building and adjacent residential units, and the outdoor space used by those units.
- (e) The nature of the activity to be carried out within the building and its likely generated effects.

#### Discretionary Subdivision Consent Assessment Criteria

In considering whether or not to grant consent or impose conditions on applications for discretionary (subdivision) activities, the Council will have regard to s104, s105 and s106 of the Act, the objectives and policies of the Plan and to the assessment criteria set out below.

**Note:** Attention is drawn to the need to also refer to **Chapter 15.1** for rules relating to property access.

##### 13.10.1 ALLOTMENT SIZES AND DIMENSIONS

- (a) Whether the allotment is of sufficient area and dimensions to provide for the intended purpose or land use, having regard to the relevant zone standards and any District wide rules for land uses.
- (b) Whether the proposed allotment sizes and dimensions are sufficient for operational and maintenance requirements.
- (c) The relationship of the proposed allotments and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.
- (d) Whether the cumulative and long term implications of proposed subdivisions are sustainable in terms of preservation of the rural and coastal environments.

##### 13.10.2 NATURAL AND OTHER HAZARDS

In assessing any subdivision, and for the purposes of s106 of the Act, the Council will have regard to:

- (a) Any information held by the Council or the Northland Regional Council regarding natural hazards, contaminated sites or other hazards.
- (b) Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications.
- (c) Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities.
- (d) In relation to inundation from any source, the Council shall have regard to the following factors:
  - (i) the effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and adjoining land;
  - (ii) flood plain management measures proposed;
  - (iii) the proposed coastal protection mechanisms / techniques / measures and their environmental effects;
  - (iv) any proposed boundary drainage to protect surrounding properties;
  - (v) the adequacy of existing outfalls and any need for upgrading;
  - (vi) any need for retention basins to regulate the rate and volume of surface run-off.
- (e) In relation to erosion, falling debris or slippage, the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the allotment's Certificate of Title, pursuant to **Rule 13.6.7**.

- (f) In relation to subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title, pursuant to **Rule 13.6.7**.
- (g) In relation to contaminated sites, any soil tests establishing suitability, and methods to avoid, mitigate or remedy the effects, including removal to approved disposal points.
- (h) In relation to land filling and excavation operations, the following factors:
  - (i) the effects on surrounding properties in terms of dust nuisance, visual detracton, or the potential height of buildings on filled land;
  - (ii) any adverse impacts on the natural pattern of surface drainage both on and outside the site;
  - (iii) the type of, and placement of, fill material in terms of its potential for contamination of land or water, or potential subsidence;
  - (iv) mitigation, or avoidance, of adverse effects caused by filtration affecting neighbouring properties;
  - (v) remedies necessary during emergencies;
  - (vi) the rules contained in **Section 12.3** relating to filling and excavation of land;
  - (vii) the impact of filling or excavation on heritage values, ecological values, cultural values, surface water quality, and access along waterways;
  - (viii) any beneficial effects in terms of waterway enhancement.

Attention is drawn to Northland Regional Council's natural hazards information and to s106 of the Resource Management Act 1991 which allows a consent authority to refuse subdivision consent in certain circumstances.

#### 13.10.3 WATER SUPPLY

- (a) Where there is no reticulated water supply available for connection, whether it would be appropriate to allow a private restricted flow rural-type water supply system; such supply being always available and complying with "*Drinking Water Standards of New Zealand*" (1995).
- (b) Whether the provisions of the "*Engineering Standards and Guidelines 2004 – Revised March 2009*" (to be used in conjunction with NZS 4404:2004) have been met in respect of fire fighting water supply requirements.
- (c) Whether the provisions of the Council's "*Engineering Standards and Guidelines*" (2004) - *Revised March 2009* (to be used in conjunction with NZS 4404:2004) have been met in respect of installation of all necessary water supply pipe lines, and ancillary equipment necessary for the subdivision, including extensions to existing supply systems, and including mains, sub-mains, service and fire hydrants.
- (d) Whether the existing water supply systems, to which the connection will be made, have sufficient capacity to service the subdivision.
- (e) Whether it may be necessary to provide new reservoirs, pumping stations and rising mains, or increased pipe sizes leading to the subdivision in existing streets, or providing new wells and new pumping units.
- (f) Whether there is a need for a local purpose reserve to be set aside and vested in the Council as a site for any public water supply utility required to be provided.

#### 13.10.4 STORMWATER DISPOSAL

- (a) Whether the application complies with any regional rules relating to any water or discharge permits required under the Act, and with any resource consent issued to the District Council in relation to any urban drainage area stormwater management plan or similar plan.
- (b) Whether the application complies with the provisions of the Council's "*Engineering Standards and Guidelines*" (2004) - *Revised March 2009* (to be used in conjunction with NZS 4404:2004).
- (c) Whether the application complies with the Far North District Council Strategic Plan - Drainage.
- (d) The degree to which Low Impact Design principles have been used to reduce site impermeability and to retain natural permeable areas.
- (e) The adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces.
- (f) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas, and of siltation.

- (g) The practicality of retaining open natural waterway systems for stormwater disposal in preference to piped or canal systems and adverse effects on existing waterways.
- (h) Whether there is sufficient capacity available in the Council's outfall stormwater system to cater for increased run-off from the proposed allotments.
- (i) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.
- (j) The necessity to provide on-site retention basins to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before the subdivision takes place.
- (k) Any adverse effects of the proposed subdivision on drainage to, or from, adjoining properties and mitigation measures proposed to control any adverse effects.
- (l) In accordance with sustainable management practices, the importance of disposing of stormwater by way of gravity pipe lines. However, where topography dictates that this is not possible, the adequacy of proposed pumping stations put forward as a satisfactory alternative.
- (m) The extent to which it is proposed to fill contrary to the natural fall of the country to obtain gravity outfall; the practicality of obtaining easements through adjoining owners' land to other outfall systems; and whether filling or pumping may constitute a satisfactory alternative.
- (n) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.
- (o) Where an easement is defined as a line, being the centre line of a pipe already laid, the effect of any alteration of its size and the need to create a new easement.
- (p) For any stormwater outfall pipeline through a reserve, the prior consent of the Council, and the need for an appropriate easement.
- (q) The need for and extent of any financial contributions to achieve the above matters.
- (r) The need for a local purpose reserve to be set aside and vested in the Council as a site for any public utility required to be provided.

#### 13.10.5 SANITARY SEWAGE DISPOSAL

- (a) Whether the capacity, availability, and accessibility of the reticulated system is adequate to serve the proposed subdivision.
- (b) Whether the application includes the installation of all new reticulation, and complies with the provisions of the Council's *"Engineering Standards and Guidelines" (2004) - Revised March 2009* (to be used in conjunction with NZS 4404:2004).
- (c) Whether the existing sanitary sewage disposal system, to which the outfall will be connected, has sufficient capacity to service the subdivision.
- (d) Whether a reticulated system with a gravity outfall is provided, and where it is impracticable to do so, whether it is feasible to provide alternative individual pump connections (with private rising mains), or new pumping stations, complete pressure, or vacuum systems.  
**Note:** Council consent to install private rising mains within legal roads will be required, under the Local Government Act.
- (e) Where a reticulated system is not available, or a connection is impractical, whether a suitable sewage treatment or other disposal systems is provided in accordance with regional rules or a discharge system in accordance with regional rules or a discharge permit issued by the Northland Regional Council.
- (f) Where a reticulated system is not immediately available but is likely to be in the near future, whether a temporary system is appropriate.  
**Note:** Consent notices may be registered against Certificates of Title pursuant to **Rule 13.6.7** requiring individual allotments to connect with the system when it does become available.
- (g) Whether provision has been made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from a suitable sewage treatment or other disposal system, together with any consent notices to ensure compliance.
- (h) Whether there is a need for, and the extent of, any development contributions to achieve the above matters.
- (i) Whether there is a need for a local purpose reserve to be set aside and vested in the Council as a site for any public sewage utility for sanitary disposal purposes required to be provided.
- (j) Whether the subdivision represents the best practical option in respect of the provision that is made for the disposal of sewage and waste water.

#### 13.10.6 ENERGY SUPPLY

- (a) Where the subdivision involves the construction of new roads or formed rights of way, whether an extended reticulation system will be installed (at the subdivider's cost), having regard to the provisions of the Council's *"Engineering Standards and Guidelines 2004 - Revised March 2009* (to be used in conjunction with NZS 4404:2004). The application for subdivision consent should also indicate how lots are to be reticulated.
- (b) Whether the proposed reticulated system to be installed by the subdivider is adequate for the likely development.
- (c) Where the proposed system will serve other land that is not part of the subdivision, whether the network operator is providing sufficient capacity as initially installed and the cost of such provision.  
**Note:** Upgrading or cost sharing will be solely a matter for the network operator.
- (d) Where a gas supply is proposed, whether the gas network operator is responsible for the installation of all pipelines and their future maintenance, in line with the provisions of the Council's *"Engineering Standards and Guidelines" (2004)- Revised March 2009* (to be used in conjunction with NZS 4404:2004).
- (e) Whether there is a need for a local purpose reserve to be set aside as a site for any public utility required to be provided.
- (f) Whether there will be potential adverse effects of the proposed reticulation system on amenity values.
- (g) Whether the subdivision design, location of building platforms and proposed electricity supply has had adequate regard to the future adoption of appropriate renewable energy initiatives and technologies.

### 13.10.7 TOP ENERGY TRANSMISSION LINES

Where it is proposed to subdivide land to create new allotments within an area measured 20m of either side of the centre point of an electrical transmission line designed to operate at or above 50 kV, particular regard shall be had to the following matters:

- (a) The extent to which the subdivision design mitigates the effects of the lines through the location of roads and reserves under the route of the line.
- (b) The ability to carry out maintenance and inspection of transmission lines to avoid risk of injury and/or property damage.
- (c) The outcomes of consultation with the affected utility operator.
- (d) The subdivision design, location of building platforms, location of any proposed tree planting, extent and nature of earthworks.

### 13.10.8 TELECOMMUNICATIONS

- (a) Where the subdivision involves construction of new roads or formed rights of way, whether an extended reticulation system has been installed (at the subdivider's cost), having regard to the Council's "*Engineering Standards and Guidelines 2004 – Revised March 2009* (to be used in conjunction with NZS 4404:2004) and "The National Environmental Standard for Telecommunication Facilities 2008".
- (b) Where the proposed system will serve other land which is not part of the subdivision, whether the network operator is providing sufficient capacity as initially installed, and the cost of such provision.
- (c) Whether the proposed reticulation system will have potential adverse effects on amenity values.

**Note:** Upgrading or cost-sharing will be solely a matter for the network operator.

### 13.10.9 EASEMENTS FOR ANY PURPOSE

Whether there is a need for an easement for any of the following purposes:

- (a) Easements in gross where a service or access is required by the Council.
- (b) Easements in respect of other parties in favour of nominated allotments or adjoining Certificates of Title.
- (c) Service easements, whether in gross or private purposes, with sufficient width to permit maintenance, repair or replacement. Centre line easements shall apply when the line is privately owned and unlikely to require upgrading.

- (d) Easements for any of the following purposes:
  - (i) private ways, whether mutual or not;
  - (ii) stormwater, sanitary sewer, water supply, electric power, gas reticulation;
  - (iii) telecommunications;
  - (iv) party walls and floors/ceilings.
  - (v) any other network utilities.
- (e) Easements in gross in favour of the Council adjoining banks of rivers, streams, lakes, wetlands or the coastal marine area not subject to an esplanade reserve or strip.
- (f) Stormwater easements passing through esplanade reserves where drainage will be to the adjoining lake or river.

### 13.10.10 PROVISION OF ACCESS

- (a) Whether provision for access to and within the subdivision, including private roads, has been made in a manner that will avoid, remedy or mitigate adverse effects on the environment, including but not limited to traffic effects, including effects on existing roads, visual effects, effects on vegetation and habitats, and natural character.

### 13.10.11 EFFECT OF EARTHWORKS AND UTILITIES

- (a) Whether the effects of earthworks and the provision of services to the subdivision will have an adverse effect on the environment and whether these effects can be avoided, remedied or mitigated.

### 13.10.12 BUILDING LOCATIONS

- (a) Whether the subdivision provides physically suitable building sites.
- (b) Whether or not development on an allotment should be restricted to parts of the site.
- (c) Where a proposed subdivision may be subject to inundation, whether the establishment of minimum floor heights for buildings is necessary in order to avoid or mitigate damage.
- (d) Whether the subdivision design in respect of the orientation and dimensions of new allotments created facilitates the siting and design of buildings able to take advantage of passive solar gain (e.g. through a northerly aspect on an east/west axis).

**Note:** Attention is also drawn to the Visual Amenity rules applying in the General Coastal, South Kerikeri Inlet and Coastal Living Zones and in Outstanding Landscapes (see **Chapter 10** and **Section 11.1**).

**13.10.13 PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES**

- (a) Whether any vegetation, habitats of indigenous fauna, heritage resources and landscape features are of sufficient value in terms of the objectives and policies in **Chapter 12** of the Plan, that they should be protected.
- (b) Whether the means (physical and/or legal) by which ongoing preservation of the resource, area or feature will be achieved is adequate.
- (c) Where there are Sites of Cultural Significance to Maori, (refer to **Appendix 1F** and the **Resource Maps**), whether it is appropriate to require their protection by physical or legal means and/or to provide for access to the site over the land to be subdivided.
- (d) Where a reserve is to be set aside and vested in the Council, whether the value of the reserve land is offset against the assessment of any financial contribution.
- (e) Whether any measures are proposed to protect known high density kiwi habitats from predation by dogs, cats, rats, mustelids, pigs, and other animal pests.
- (f) Whether the subdivision would have an adverse effect on the ability to protect listed historic buildings, places or objects and their setting or surrounds; and the protection of listed notable trees.
- (g) Whether the subdivision will result in the permanent protection and/or enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding landscapes, outstanding landscape features or outstanding natural features.
- (h) Whether the subdivision will result in the significant enhancement of biodiversity values through planting of native flora (preferably those species that naturally grow in the area) and ongoing management (including pest animal and plant control, fencing and replacement of failed plantings, stream enhancement and waterway protection).

**Note:** There are many ways in which preservation/protection can be achieved, and the appropriate means will vary according to the circumstance. In some cases physical means (e.g. fencing) may be appropriate. In other cases, a legal means will be preferred instead of (or as well as) physical means. Mechanisms other than a Consent Notice which may be acceptable include:

- (i) a Maori reservation under s338 and s340 of Te Ture Whenua Maori (Maori Land) Act;
- (ii) a conservation covenant with the Department of Conservation or the Council;
- (iii) an open space covenant with the Queen Elizabeth II National Trust;
- (iv) a heritage covenant with the Heritage New Zealand Pouhere Taonga;
- (v) a reserve under the Reserves Act.

**13.10.14 SOIL**

- (a) The extent to which any subdivision will contribute to or affect the ability to safeguard the life supporting capability of soil.
- (b) The degree to which the life supporting capacity of the soil may be adversely affected by the subdivision and the degree to which any soils classified as I, II or III in the NZ Land Resource Inventory Worksheets are adversely affected by the subdivision.

**13.10.15 ACCESS TO WATERBODIES**

- (a) Whether the subdivision provides public access to and along the coastal marine area or to and along banks of lakes or rivers, and whether that access is appropriate, given the nature of the land subject to the subdivision application, and the sensitivity of the waterbody to environmental effects resulting from the use of that access by the public.

**13.10.16 LAND USE INCOMPATIBILITY**

- (a) The degree to which the proposed allotments take into account adverse effects arising from incompatible land use activities (including but not limited to noise, vibration, smell, smoke, dust and spray) resulting from an existing land use adjacent to the proposed subdivision.

**13.10.17 PROXIMITY TO AIRPORTS**

- (a) The degree to which the proposal takes into account reverse sensitivity - adverse effects arising from incompatible land use activities arising from being in proximity to an airport (including, but not limited to, the hours of operation, flight paths, noise, vibration, glare and visual intrusion).

**13.10.18 NATURAL CHARACTER OF THE COASTAL ENVIRONMENT**

- (a) The degree to which the proposal takes into account the preservation and/or enhancement of the natural character of the coastal environment.

**13.10.19 ENERGY EFFICIENCY AND RENEWABLE ENERGY DEVELOPMENT/USE**

The extent to which the application promotes energy efficiency and renewable energy development and use through the following initiatives:

- (a) ability to develop energy efficient buildings and structures (e.g. by providing a north-facing site with the ability to place a building on an east/west axis);
- (b) reduced travel distances and car usage by designing a layout with as many links to adjacent sites and surrounding roads as practicable;
- (c) encouragement of pedestrian and cycle use by designing a layout that allows easy direct access to and from, shops, schools, work places, reserves and other amenities;
- (d) access to alternative transport facilities;
- (e) domestic or community renewable electricity generation;
- (f) solar street lighting.

**13.10.20 NATIONAL GRID CORRIDOR**

Where it is proposed to have development within the National Grid Corridor particular regard shall be had to the following matters:

(a) Whether the design and construction of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) Provision for the ongoing operation, maintenance and planned upgrade of the National Grid.

Where an application is made for development within the National Grid Corridor as a non complying activity, Transpower New Zealand Limited will be considered an affected party in accordance with the Act.

## Attachment 9

**Fourth Schedule Assessment under Resource Management Act 1991**

**Compliance Check for Information Required**

**42 Powells Road**

<b>Clause 2 Information Required in all applications</b>	
<i>(1) An application for a resource consent for an activity must include the following:</i>	
<i>(a) a description of the activity:</i>	Refer Paragraphs 2.1 to 2.5 of this Planning Report.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Paragraphs 3.7 to 3.13 and paragraphs 4.5 to 4.9 of this Planning Report.
<i>(b) a description of the site at which the activity is to occur:</i>	Refer to Paragraphs 1.6 to 1.23 of this Planning Report.
<i>(c) the full name and address of each owner or occupier of the site:</i>	This information is contained in the Form 9 attached to the application.
<i>(d) a description of any other activities that are part of the proposal to which the application relates:</i>	Refer to Paragraphs 1.6 to 1.23 of this Planning Report. The application is for subdivision and land use consent under the FNDC's ODP. No other breaches of the ODP have been identified.
<i>(e) a description of any other resource consents required for the proposal to which the application relates:</i>	Consent is being sought for subdivision and land use, under the FNDC ODP only.
<i>(f) an assessment of the activity against the matters set out in <a href="#">Part 2</a>:</i>	Refer to Paragraphs 6.0 to 6.5 of this Planning Report.
<i>(g) an assessment of the activity against any relevant provisions of a document referred to in <a href="#">section 104(1)(b)</a>, including matters in Clause (2):</i>	Refer to Paragraphs 3.7 to 3.13 and Paragraph 5 to 5.15 of this Planning Report.
<i>(2) The assessment under subclause (1)(g) must include an assessment of the activity against—</i>	
<i>(a) any relevant objectives, policies, or rules in a document; and</i>	
<i>(b) any relevant requirements, conditions, or permissions in any rules in a document; and</i>	
<i>(c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).</i>	
<i>(3) An application must also include an assessment of the activity's effects on the environment that—</i>	
<i>(a) includes the information required by clause 6; and</i>	
<i>(b) addresses the matters specified in clause 7; and</i>	
<i>(c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.</i>	

**Clause 3. Additional Information Required in Some Applications**

An application must also include any of the following that apply:

- a. *if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under [section 87A\(1\)](#)):*
  
- b. *if the application is affected by [section 124](#) or [165ZH\(1\)\(c\)](#) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of [section 104\(2A\)](#)):*
  
- c. *if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under [section 85](#) of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of [section 104\(2B\)](#)).*

Refer to paragraphs 1.17 to 1.23.

There is no existing resource consent. Not applicable.

The site is not within an area subject to a customary marine title group. Not applicable.

**Clause 4 Additional Information required in application for subdivision consent**

An application for a subdivision consent must also include information that adequately defines the following:

<p>(a) the position of all new boundaries: (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan: (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips: (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips: (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under <a href="#">section 237A</a>: (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under <a href="#">section 237A</a>): (g) the locations and areas of land to be set aside as new roads.</p>	<p>Refer to Scheme Plans in Attachment 4.</p>
---	---

**Clause 6: Information required in assessment of environmental effects**

(1) An assessment of the activity's effects on the environment must include the following information:

<p>(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:</p>	<p>The activity will not result in any significant adverse effect on the environment.</p>
<p>(b) an assessment of the actual or potential effect on the environment of the activity:</p>	<p>Refer to Paragraphs 3.7 to 3.13 and paragraphs 4.5 to 4.9 of this Planning Report.</p>
<p>(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:</p>	<p>Not applicable as the application does not involve hazardous installations.</p>
<p>(d) if the activity includes the discharge of any contaminant, a description of—</p>	<p>The subdivision does not involve any discharge of contaminant (subject to conditions).</p>

<p><i>(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and</i></p> <p><i>(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:</i></p>	
<p><i>(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:</i></p>	<p>Refer to paragraphs 3.7 to 3.13 of this planning report.</p>
<p><i>(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:</i></p>	<p>Refer to Paragraphs 7.1 to 7.4 of this planning report. No affected persons have been identified.</p>
<p><i>g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:</i></p>	<p>No monitoring is required as the scale and significance of the effects do not warrant it.</p>
<p><i>(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).</i></p>	<p>No protected customary right is affected.</p>

<b>Clause 7: Matters that must be addressed by assessment of environmental effects</b>	
<i>(1) An assessment of the activity's effects on the environment must address the following matters:</i>	
<i>(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:</i>	Refer to Paragraphs 8 to 8.18 of this planning report and to the assessment of objectives and policies in paragraphs 5 to 5.15 of this planning report.
<i>(b) any physical effect on the locality, including any landscape and visual effects:</i>	Refer to paragraphs 3.7 to 4.9 of this planning report. The site has no high or outstanding landscape or natural character values.
<i>(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:</i>	Refer to paragraphs 3.7 to 4.9 of this planning report. The subdivision has no effect on ecosystems or habitat.
<i>(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:</i>	The site has no aesthetic, recreational, scientific, spiritual or cultural values that will be adversely affected by the act of subdividing.
<i>(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:</i>	The subdivision will not result in the discharge of contaminants, nor any unreasonable emission of noise.
<i>(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</i>	The site is partially within a mapped flood hazard area but is addressed in the engineering report contained in Attachment 5. The proposal does not involve hazardous installations.

# Attachment 10

## **Northland Regional Policy Statement – Objectives and Policies**

### **Objective 3.13 - Natural Hazard Risk**

*The risks and impacts of natural hazard events (including the influence of climate change) on people, communities, property, natural systems, infrastructure and our regional economy are minimised by:*

- (a) Increasing our understanding of natural hazards, including the potential influence of climate change on natural hazard events;*
- (b) Becoming better prepared for the consequences of natural hazard events;*
- (c) Avoiding inappropriate new development in 10 and 100 year flood hazard areas and coastal hazard areas;*
- (d) Not compromising the effectiveness of existing defences (natural and man-made);*
- (e) Enabling appropriate hazard mitigation measures to be created to protect existing vulnerable development; and*
- (f) Promoting long-term strategies that reduce the risk of natural hazards impacting on people and communities.*
- (g) Recognising that in justified circumstances, critical infrastructure may have to be located in natural hazard-prone areas.*

### **Objective 3.14 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage**

*Identify and protect from inappropriate subdivision, use and development;*

- (a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;*
- (b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes;*
- (c) The integrity of historic heritage.*

#### **7.1.1 Policy – General risk management approach**

*Subdivision, use and development of land will be managed to minimise the risks from natural hazards by:*

- (a) Seeking to use the best available information, including formal risk management techniques in areas potentially affected by natural hazards;*
- (b) Minimising any increase in vulnerability due to residual risk;*
- (c) Aligning with emergency management approaches (especially risk reduction);*
- (d) Ensuring that natural hazard risk to vehicular access routes and building platforms for proposed new lots is considered when assessing subdivision proposals;  
and*
- (e) Exercising a degree of caution that reflects the level of uncertainty as to the likelihood or consequences of a natural hazard event.*

# Attachment 11

## Operative District Plan - Subdivision Objectives and Policies

### Objectives

- 13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.
- 13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.
- 13.3.3 To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.
- 13.3.4 To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.
- 13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.
- 13.3.6 To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.
- 13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.
- 13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.
- 13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).
- 13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.
- 13.3.11 To ensure that the operation, maintenance, development and upgrading of the existing National Grid is not compromised by incompatible subdivision and land use activities.

### Policies

- 13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:
  - (a) natural character, particularly of the coastal environment;
  - (b) ecological values;
  - (c) landscape values;
  - (d) amenity values;
  - (e) cultural values;
  - (f) heritage values; and
  - (g) existing land uses.
- 13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.
- 13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.

- 13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.
- 13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.
- 13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.
- 13.4.7 That the need for a financial contribution be considered only where the subdivision would:
- (a) result in increased demands on car parking associated with non-residential activities; or
  - (b) result in increased demand for esplanade areas; or
  - (c) involve adverse effects on riparian areas; or
  - (d) depend on the assimilative capacity of the environment external to the site.
- 13.4.8 That the provision of water storage be taken into account in the design of any subdivision.
- 13.4.9 That bonus development donor and recipient areas be provided for so as to minimise the adverse effects of subdivision on Outstanding Landscapes and areas of significant indigenous flora and significant habitats of fauna.
- 13.4.10 The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.
- 13.4.11 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.
- 13.4.12 That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.
- 13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:
- (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
  - (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;
  - (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;
  - (d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer **Chapter 2** and in particular **Section 2.5** and Council's "*Tangata Whenua Values and Perspectives*" (2004);

(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

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

13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of **Part 3** of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

13.4.15 That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following:

(a) development of energy efficient buildings and structures;

(b) reduced travel distances and private car usage;

(c) encouragement of pedestrian and cycle use;

(d) access to alternative transport facilities;

(e) domestic or community renewable electricity generation and renewable energy use.

13.4.16 When considering proposals for subdivision and development within an existing National Grid Corridor the following will be taken into account:

(a) the extent to which the proposal may restrict or inhibit the operation, access, maintenance, upgrading of transmission lines or support structures;

(b) any potential cumulative effects that may restrict the operation, access, maintenance, upgrade of transmission lines or support structures; and

(c) whether the proposal involves the establishment or intensification of a sensitive activity in the vicinity of an existing National Grid line.

**Note 1:** Structures and activities located near transmission lines must comply with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001). Compliance with this plan does not ensure compliance with NZECP34:2001.

**Note 2:** Vegetation to be planted within, or adjacent to, the National Grid Corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

## Operative District Plan – Residential Zone Objectives & Policies

### Objectives 7.3

- 7.3.1 To ensure that urban activities do not cause adverse environmental effects on the natural and physical resources of the District.
- 7.3.2 To enable the continuing use of buildings and infrastructure in urban areas, particularly where these are under-utilised.
- 7.3.3 To avoid, remedy or mitigate the adverse effects of activities on the amenity values of existing urban environments.
- 7.3.4 To enable urban activities to establish in areas where their potential effects will not adversely affect the character and amenity of those areas.
- 7.3.5 To achieve the development of community services as an integral and complementary component of urban development.
- 7.3.6 To ensure that sufficient water storage is available to meet the needs of the community all year round.

### Policies 7.4

- 7.4.1 That amenity values of existing and newly developed areas be maintained or enhanced.
- 7.4.2 That the permissible level of effects created or received in residential areas reflects those appropriate for residential activities.
- 7.4.3 That adverse effects on publicly-provided facilities and services be avoided or remedied by new development, through the provision of additional services.
- 7.4.4 That stormwater systems for urban development be designed to minimise adverse effects on the environment.
- 7.4.5 That new urban development avoid:
  - (a) adversely affecting the natural character of the coastal environment, lakes, rivers, wetlands or their margins;
  - (b) adversely affecting areas of significant indigenous vegetation or significant habitats of indigenous fauna;
  - (c) adversely affecting outstanding natural features, landscapes and heritage resources;
  - (d) adversely affecting the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;
  - (e) areas where natural hazards could adversely affect the physical resources of urban development or pose risk to people's health and safety;
  - (f) areas containing finite resources which can reasonably be expected to be valuable for future generations, where urban development would adversely affect their availability;
  - (g) adversely affecting the safety and efficiency of the roading network;
  - (h) the loss or permanent removal of highly productive and versatile soils from primary production due to subdivision and development for urban purposes.
- 7.4.6 That the natural and historic heritage of urban settlements in the District be protected (refer to **Chapter 12**).
- 7.4.7 That urban areas with distinctive characteristics be managed to maintain and enhance the level of amenity derived from those characteristics.
- 7.4.8 That infrastructure for urban areas be designed and operated in a way which:
  - (a) avoids remedies or mitigates adverse effects on the environment;
  - (b) provides adequately for the reasonably foreseeable needs of future generations; and

(c) safeguards the life-supporting capacity of air, water, soil and ecosystems.

7.4.9 That the need for community services in urban areas is recognised and provided for.

### **7.6.3 Objectives**

"These objectives supplement those set out in **Section 7.3**.

7.6.3.1 To achieve the development of new residential areas at similar densities to those prevailing at present.

7.6.3.2 To enable development of a wide range of activities within residential areas where the effects are compatible with the effects of residential activity.

### **7.6.4 Policies**

These policies supplement those set out in **Section 7.4**.

7.6.4.1 That the Residential Zone be applied to those parts of the District that are currently predominantly residential in form and character.

7.6.4.2 That the Residential Zone be applied to areas which are currently residential but where there is scope for new residential development.

7.6.4.3 That the Residential Zone be applied to areas where expansion would be sustainable in terms of its effects on the environment.

7.6.4.4 That the Residential Zone provide for a range of housing types and forms of accommodation.

7.6.4.5 That non-residential activities only be allowed to establish within residential areas where they will not detract from the existing residential environment.

7.6.4.6 That activities with net effects that exceed those of a typical single residential unit, be required to avoid, remedy or mitigate those effects with respect to the ecological and amenity values and general peaceful enjoyment of adjacent residential activities.

## Attachment 12

## **Proposed District Plan – Objectives and Policies**

### **Objectives – Residential Zone**

GRZ-01 - The General Residential Zone provides a variety of densities, housing types and lot sizes that respond to:

- a. housing needs and demand
- b. the adequacy and capacity of available or programmed development infrastructure.
- c. the amenity and character of the receiving residential environment

GRZ-04 - Land use and subdivision in the General Residential zone is supported where there is adequacy and capacity of available or programmed development infrastructure.

### **Policies – Residential Zone**

GRZ -P8 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. Consistency with the scale, design, amenity and character of the residential environment;
- b. The location, sale and design of buildings or structures, potential for overshadowing and visual dominance;
- c. For residential activities
  - i. Provision for outdoor living space;
  - ii. Privacy for adjoining sites
  - iii. Access to sunlight
- d. For residential activities:
  - i. Scale and compatibility with residential activities
  - ii. Hours of operation
- e. At zone interfaces, any setbacks, fencing, screening or landscaping required to address potential conflicts;
- f. The adequacy or capacity of available or programmed development infrastructure to accommodate the proposal including:
  - i. Opportunities for low impact design principles
  - ii. Ability of the site to address stormwater and soakage
- g. Managing natural hazards; and
- h. Any historical, spiritual or cultural association held by tangata whenua, with regards to matters set out in Policy TW-P6

### **Objectives – Coastal Environment**

CE-01 - The natural character of the coastal environment is identified and managed to ensure its long term preservation and protection for current and future generations

CE-03 - Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development

### **Policies – Coastal Environment**

CE-P5 Enable land use and subdivision in urban zones within the coastal environment where:

- a. There is adequacy and capacity of available or programmed development infrastructure: and
- b. The use is consistent with, and does not compromise the characteristics and qualities.

## **Objectives – Subdivision**

### **SUB-O1**

Subdivision results in the efficient use of land, which:

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

### **SUB-O2**

Subdivision provides for the:

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

### **SUB-O3**

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

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

### **SUB-O4**

Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:

- a. public open spaces;
- b. esplanade where land adjoins the coastal marine area; and
- c. esplanade where land adjoins other qualifying waterbodies.

## **Subdivision - Policies**

### **SUB-P1**

Enable boundary adjustments that:

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

### **SUB-P2**

Enable subdivision for the purpose of public works, infrastructure, reserves or access.

### **SUB-P3**

Provide for subdivision where it results in allotments that:

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

#### SUB-P4

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

#### SUB-P5

Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by:

- a. minimising vehicle crossings that could affect the safety and efficiency of the current and future transport network;
- b. avoid cul-de-sac development unless the site or the topography prevents future public access and connections;
- c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces;
- d. contributing to a well connected transport network that safeguards future roading connections; and
- e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.

#### SUB-P6

Require infrastructure to be provided in an integrated and comprehensive manner by:

- a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and
- b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone.

#### SUB- P7

Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying waterbodies.

#### SUB-P8

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

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

#### SUB-P9

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

#### SUB-P10

To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum allotment size and residential density.

#### SUB-P11

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

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

### **Objectives - Natural Hazards**

#### NH-O1

The risks from natural hazards to people, infrastructure and property are managed, including taking into account the likely long-term effects of climate change, to ensure the health, safety and resilience of communities.

#### NH-O2

Land use and subdivision does not increase the risk from natural hazards or risks are mitigated, and existing risks are reduced where there are practicable opportunities to do so.

#### NH-O3

New infrastructure is located outside of identified natural hazard areas unless:

it has a functional or operational need to be located in that area;

it is designed to maintain its integrity and function, as far as practicable during a natural hazard event; and

adverse effects resulting from that location on other people, property and the environment are mitigated.

#### NH-O4

Natural defences, such as natural systems and features, and existing structural mitigation assets are protected to maintain their functionality and integrity and used in preference to new structural mitigation assets to manage natural hazard risk.

### **Policies - Natural Hazards**

#### NH-P2

Manage land use and [subdivision](#) so that [natural hazard](#) risk is not increased or is mitigated, giving consideration to the following:

- a. the nature, frequency and scale of the [natural hazard](#);
- b. not increasing [natural hazard](#) risk to other people, property, [infrastructure](#) and the [environment](#) beyond the [site](#);
- c. the location of [building](#) platforms and vehicle access;
- d. the use of the [site](#), including by [vulnerable activities](#);
- e. the location and types of [buildings](#) or [structures](#), their design to mitigate the [effects](#) and risks of [natural hazards](#), and the ability to adapt to long term changes in [natural hazards](#);
- f. [earthworks](#), including excavation and fill;
- g. location and design of [infrastructure](#);
- h. activities that involve the use and storage of hazardous substances;
- i. aligning with emergency management approaches and requirements;
- j. whether mitigation results in transference of [natural hazard](#) risk to other locations or exacerbates the [natural hazard](#); and
- k. reduction of risk relating to existing activities.

NH-P3 Take a precautionary approach to the management of [natural hazard](#) risk associated with land use and [subdivision](#).

NH – P5 Require an assessment of risk prior to land use and [subdivision](#) in areas that are subject to identified [natural hazards](#), including consideration of the following:

- a. the nature, frequency and scale of the [natural hazard](#);
- b. the temporary or permanent nature of any adverse [effect](#);
- c. the type of activity being undertaken and its vulnerability to an event, including the [effects](#) of climate change;
- d. the consequences of a [natural hazard](#) event in relation to the activity;

- e. any potential to increase existing risk or creation of a new risk to people, property, [infrastructure](#) and the [environment](#) within and beyond the [site](#) and how this will be mitigated;
- f. the design, location and construction of [buildings](#), [structures](#) and [infrastructure](#) to manage and mitigate the [effects](#) and risk of [natural hazards](#) including the ability to respond and adapt to changing hazards;
- g. the [subdivision/site](#) layout and management, including ability to access and exit the [site](#) during a [natural hazard](#) event; and .
- h. the use of natural features and natural buffers to manage adverse [effects](#).

NH – P6 Manage land use and [subdivision](#) in [river flood hazard areas](#) to protect the subject [site](#) and its development, and other property, by requiring:

- a. subdivision applications to identify [building](#) platforms that will not be subject to inundation and material damage (including erosion) in a 1 in 100 year flood event;
- b. a minimum freeboard for all [buildings](#) designed to accommodate [vulnerable activities](#) of at least 500mm above the 1 in 100 year flood event and at least 300mm above the 1 in 100 year flood event for other new [buildings](#);
- c. commercial and industrial [buildings](#) to be constructed so they will not be subject to material damage in a 1 in 100 year flood event;
- d. [buildings](#) within a 1 in 10 Year [River Flood Hazard Area](#) to be designed to avoid material damage in a 1 in 100 year flood event;
- e. storage and containment of hazardous substances so that the integrity of the storage method will not be compromised in a 1 in 100 year flood event;
- f. [earthworks](#) (other than [earthworks](#) associated with flood control works) do not divert flood flow onto surrounding properties and do not reduce flood plain storage capacity within a 1 in 10 Year [River Flood Hazard area](#);
- g. the capacity and function of [overland flow paths](#) to convey [stormwater](#) flows safely and without causing damage to property or the [environment](#) is retained, unless sufficient capacity is provided by an alternative method; and
- h. the provision of safe vehicle access within the [site](#)

NH P8 - Locate and design [subdivision](#) and land use to avoid [land](#) susceptible to [land](#) instability, or if this is not practicable, mitigate risks and [effects](#) to people, [buildings](#), [structures](#), property and the [environment](#).

# Attachment 13

## Chorus Confirmation

### Great, Chorus can provide network for your development

This quote is subject to these [terms and conditions](#)

Quote: Q-58240

for: 42 Powells Road, Cable Bay 0420

Quote date: 12 March 2025

Quote valid until: 10 June 2025

#### Important notes

IMPORTANT - PLEASE READ



##### Developer Notes:

Developer to liaise with Service Company designer regarding Inside development ducting to boundary location for lot 2.

Developer to lay their service lead-in / 20mm duct to the "green dot" indicated on developers plan as existing telecom connection to western house for lot 1 to where the existing fibre drop off is located. NB: additional fees will apply should we need to reposition the existing connection to a new location on boundary for lot 1.

#### Documentation

IMPORTANT - PLEASE REVIEW



Name	Type
 <a href="#">Going SP vA Final 07-03-2025.pdf</a>	( Scheme plan , 249.28 KB)



*Top Energy Limited*

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

12 March 2025

Neil Mumby  
Cable Bay Consulting Ltd

Email: [neil.mumby@cablebayconsulting.co.nz](mailto:neil.mumby@cablebayconsulting.co.nz)

To Whom It May Concern:

**RE: PROPOSED SUBDIVISION**

**Yvonne and Des Going – 42 Powells Road, Cable Bay. Lot 1 DP 84505.**

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

Top Energy's requirement for this subdivision is nil.

Top Energy advises that proposed Lot 1 and 2 have an existing power supply.

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

Yours sincerely

**Aaron Birt**

Planning and Design

T: 09 407 0685

E: aaron.birt@topenergy.co.nz

## Attachment 14

# Concept Development Meeting Minutes

**Date:** 25-Nov-2024  
**Concept Number:** CDM-2025-69  
**Address:** 42 Powells Road, Cable Bay 0420  
**Duration of Meeting:**

## 1. Meeting Attendees

### Council:

- IAMS (Development Engineer)
- RC Engineer
- Planner

### Applicant:

- Agent (Neil Mumby)

## 2. Proposal & Documents Submitted for CDM

- Meeting Request Form
- Easement certificate
- Draft scheme plan
- Elevations plan for proposed Lot 1 (western dwelling) showing Sunlight breach
- Snippet of previous scheme plan

## 3. Detail of Proposal – as outlined by the applicant at the meeting

- Looking at a Controlled activity 2-lot subdivision; and
- Sunlight breach for Lot 1

## 4. Discussion – at the meeting

- Potential condition of consent in relation to as-built for sewer line – coordinates of the manholes.
- SW easement on Lot 1 – no comment from IAMS due to it being existing
- No fenceline in between two dwellings – no proposal to put up a fence at this stage. Could trigger a BC at a later stage due to sewerline

- Access currently unsealed – don't expect anything in relation to this sealing. Can stay unsealed. Will still check compliance with the District Plan rules (if there are any breaches). Assessment of Engineering standards/District Plan access rules still required. If there are breaches in Chapter 15, it could change the activity status.
- Look at Appendix 3B-2
- Possible rule breach of Rule 15.1.6C.1.6 VEHICLE CROSSING STANDARDS IN URBAN ZONES (need to provide evidence compliance). – could be Discretionary if there is a breach.
- Current District Plan operates on the old Engineering Standards. But the 2023 Engineering Standards are more feasible according to RC Engineer. So applicant may choose to opt to comply with the 2023 standards instead.
- Proposed Lot 2 is within River Flooding Area - Consent Notice may be required to advise future owners of flooding in that area. No flood assessment needed at this stage. If impermeable surfaces exceed 50% in the future, a flood assessment may be required.
- BC from 1998 has mucked up the location of the building and shed (inaccurate representation of existing dwelling).

## 5. Conclusion and Next Steps

A potential condition of consent may require the provision of as-built plans for the sewer line, including accurate coordinates for all manholes. This ensures that future works or maintenance activities can proceed without complications due to inaccurate or incomplete information about the existing infrastructure.

### **SW Easement on Lot 1:**

The stormwater easement on Lot 1 is an existing feature, and no comments have been made by IAMS regarding it. As it does not involve any new works or changes, it is likely to remain unaffected by the current proposal.

### **Fenceline Between Two Dwellings:**

There is currently no fenceline proposed between the two dwellings, and there is no intention to install one at this stage. However, if a fence is constructed in the future, it may trigger a Building Consent (BC) due to the proximity of the sewer line and potential compliance requirements.

### **Unsealed Access:**

The existing access is unsealed, and there is no expectation for it to be sealed as part of this proposal. However, compliance with District Plan rules regarding access is still required. If any breaches of Chapter 15 are identified during the assessment, they could alter the activity status of the proposal. An evaluation of both the Engineering Standards and District Plan access rules will be necessary to confirm compliance. It was highlighted that the proposal may breach Rule 15.1.6C.1.6 of the District Plan, which relates to vehicle crossing standards in urban zones. Evidence of compliance will need to be provided to confirm adherence to this rule. If a breach is identified, the activity could be classified as Discretionary, requiring a higher level of assessment. However, it is noted that despite being Discretionary, Council will still need to look at the crux of the proposal and assess it exactly based on what is being proposed.

### **Appendix 3B-2 Reference:**

As per the RC Engineer's comments, Appendix 3B-2 of the District Plan should be reviewed as part of the assessment to ensure that all relevant requirements and provisions are accounted for in the proposal.

**Engineering Standards Compliance:**

While the current District Plan operates under the older Engineering Standards, the applicant may choose to comply with the more feasible 2023 Engineering Standards as recommended by the RC Engineer. Opting for the updated standards could streamline the compliance process and ensure alignment with modern best practices.

**Flooding Area on Proposed Lot 2:**

Proposed Lot 2 (eastern dwelling) is situated within a River Flooding Area. While no flood assessment is required at this stage, a Consent Notice may be imposed to inform future owners of the flooding risk (as per RC Engineer's comments). Additionally, if impermeable surfaces on the lot exceed 50% in the future, a flood assessment may be required to address potential drainage and flooding issues.

**1998 Building Consent Issues:**

A Building Consent issued in 1998 has resulted in inaccuracies in the recorded location of the existing building and shed. This discrepancy should be resolved to ensure that the current proposal accurately reflects the site's existing structures and conditions. It was discussed in the meeting that sufficient evidence will be provided to show that this is an error.

**Please Note:**

The views and opinions by Council Officers at the Concept Development Meetings and in these associated notes provide their preliminary view only. A final determination on whether Council can support the consent or not, and whether the resource consent application will be processed on a notified or non-notified base can only be made upon receipt of a formal application, site visit and review.

**From:** Gio Alagao [Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)  
**Subject:** RE: CDM-2025-69, 42 Powells Road, Cable Bay  
**Date:** 28 November 2024 at 3:43 PM  
**To:** Neil Mumby [neil.mumby@cablebayconsulting.co.nz](mailto:neil.mumby@cablebayconsulting.co.nz)  
**Cc:** Ishan Koshatwar [Ishan.Koshatwar@fndc.govt.nz](mailto:Ishan.Koshatwar@fndc.govt.nz), Yvonne Going [yvonnemgoing@gmail.com](mailto:yvonnemgoing@gmail.com)



Hi Neil,

The Development Engineer has advised that it is feasible - manhole co-ordinates are fine to update the GIS system.

Kind regards,

**Gio Alagao**  
Intermediate Resource Planner - Resource Consents Team 2  
M 64272548053 | P 6494015521 | [Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)  
Te Kaunihera o Te Hiku o te Ika | Far North District Council

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029  
[fndc.govt.nz](http://fndc.govt.nz)



**From:** Neil Mumby [neil.mumby@cablebayconsulting.co.nz](mailto:neil.mumby@cablebayconsulting.co.nz)  
**Sent:** Thursday, November 28, 2024 2:57 PM  
**To:** Gio Alagao [Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)  
**Cc:** Ishan Koshatwar [Ishan.Koshatwar@fndc.govt.nz](mailto:Ishan.Koshatwar@fndc.govt.nz); Yvonne Going [yvonnemgoing@gmail.com](mailto:yvonnemgoing@gmail.com)  
**Subject:** Re: CDM-2025-69, 42 Powells Road, Cable Bay

**CAUTION:** This email originated from outside Far North District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Gio - thanks for sending through the draft minutes so promptly.

I have just finished a discussion with the surveyor about potential conditions on the subdivision consent pertaining to the provision of as-built drawings and the location of the WW line as discussed in the meeting.

Apparently it can be dangerous for existing sewer lines to be formally surveyed and could also involve pipe inspections etc by engineers. The surveyor has advised however they are happy instead to identify the location of the manholes and provide the location data to Council in DXF format so that Council can update their GIS system to more accurately reflect where the WW line is located on the site for their records.

Will this work as a practical alternative condition?

Kind regards

Neil

On Thu, Nov 28, 2024 at 1:47 PM Gio Alagao <[Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)> wrote:

Kia ora Neil,

It was a pleasure discussing the proposal with you in the meeting earlier.

Please see my attached preliminary assessment notes and meeting minutes for your review.

[@lshan](#), do you have anything to add?

Kind regards,

**Gio Alagao**

Intermediate Resource Planner - Resource Consents Team 2

M 64272548053 | P 6494015521 | [Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)

Te Kaunihera o Te Hiku o te Ika | Far North District Council

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029  
[fndc.govt.nz](http://fndc.govt.nz)



**From:** Neil Mumby <[neil.mumby@cablebayconsulting.co.nz](mailto:neil.mumby@cablebayconsulting.co.nz)>

**Sent:** Wednesday, November 27, 2024 1:20 PM

**To:** Gio Alagao <[Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)>

**Cc:** Planning Support <[Planning.Support@fndc.govt.nz](mailto:Planning.Support@fndc.govt.nz)>; Yvonne Going <[yvonnemgoing@gmail.com](mailto:yvonnemgoing@gmail.com)>

**Subject:** Re: CDM-2025-69, 42 Powells Road, Cable Bay

**CAUTION:** This email originated from outside Far North District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Gio if it is standard procedure to have a Three Waters representative for anything to do with a WW line (even though nothing is changing with the proposed subdivision) then yes we are agreeable to their attendance.

Thanks

Neil

On Wed, Nov 27, 2024 at 9:37 AM Gio Alagao <[Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)> wrote:

Morning Neil,

I am the attending Planner for this CDM.

The site is within the Residential zone and some of the queries in the application are related to the WW line.

The 1998 Building Consent site plan is incorrect with buildings mislabeled and buildings shown in incorrect locations on the site. In addition, it appears that Council has consented to the location of a dwelling within an easement on the proviso that the sewer line itself was located prior to construction. The dwelling appears clear of the WW line.

Would you like IAMs (3 Waters) to attend?

Kind regards,

 **Gio Alagao**

Intermediate Resource Planner - Resource Consents Team 2

M 64272548053 | P 6494015521 | [Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)

Te Kaunihera o Te Hiku o te Ika | Far North District Council

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029  
[fndc.govt.nz](http://fndc.govt.nz)



**Te Pātukurea**  
Kerikeri-Waipapa Spatial Plan  
Tō Tātou Arataki kia Anga Whakamua  
Guide our future together  
Have your say on the future of Kerikeri-Waipapa

Feedback is open  
from **1 November**  
to **29 November 2024**.

[Click here to engage](#)

 Te Kaunihera  
o Te Hiku o te Ika  
Far North District Council

**From:** Ishan Koshatwar [Ishan.Koshatwar@fndc.govt.nz](mailto:Ishan.Koshatwar@fndc.govt.nz)   
**Subject:** Re: CDM-2025-69, 42 Powells Road, Cable Bay  
**Date:** 28 November 2024 at 4:03 PM  
**To:** Gio Alagao [Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz), [neil.mumby@cablebayconsulting.co.nz](mailto:neil.mumby@cablebayconsulting.co.nz)  
**Cc:** [yvonnemgoing@gmail.com](mailto:yvonnemgoing@gmail.com)

IK

Hi Neil,

I have discussed your proposal and question with one of the FNDC Roding Engineers, no upgrades to Powells Road will be conditioned or required.

Kind regards,

<sup>r</sup> **Ishan Koshatwar**

Resource Consents Engineer - Resource Consents - Engineering

M 0273026261 | P +6494015357 | [Ishan.Koshatwar@fndc.govt.nz](mailto:Ishan.Koshatwar@fndc.govt.nz)

Te Kaunihera o Te Hiku o te Ika | Far North District Council

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029

[fndc.govt.nz](http://fndc.govt.nz)



---

**From:** Gio Alagao <[Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)>  
**Sent:** Thursday, November 28, 2024 1:47 PM  
**To:** Neil Mumby <[neil.mumby@cablebayconsulting.co.nz](mailto:neil.mumby@cablebayconsulting.co.nz)>  
**Cc:** Ishan Koshatwar <[Ishan.Koshatwar@fndc.govt.nz](mailto:Ishan.Koshatwar@fndc.govt.nz)>; Yvonne Going <[yvonnemgoing@gmail.com](mailto:yvonnemgoing@gmail.com)>  
**Subject:** RE: CDM-2025-69, 42 Powells Road, Cable Bay

Kia ora Neil,

It was a pleasure discussing the proposal with you in the meeting earlier.

Please see my attached preliminary assessment notes and meeting minutes for your review.

[@Ishan](#), do you have anything to add?

Kind regards,



**Gio Alagao**

Intermediate Resource Planner - Resource Consents Team 2

M 64272548053 | P 6494015521 | [Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)

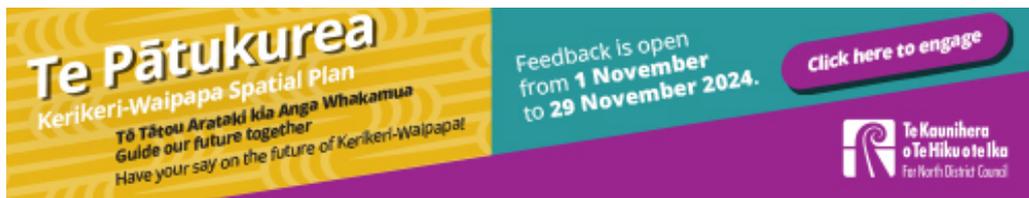
Te Kaunihera o Te Hiku o te Ika | Far North District Council

---

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029

[fndc.govt.nz](http://fndc.govt.nz)





**From:** Neil Mumby <neil.mumby@cablebayconsulting.co.nz>  
**Sent:** Wednesday, November 27, 2024 1:20 PM  
**To:** Gio Alagao <Gio.Alagao@fndc.govt.nz>  
**Cc:** Planning Support <Planning.Support@fndc.govt.nz>; Yvonne Going <yvonnemgoing@gmail.com>  
**Subject:** Re: CDM-2025-69, 42 Powells Road, Cable Bay

**CAUTION:** This email originated from outside Far North District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Gio if it is standard procedure to have a Three Waters representative for anything to do with a WW line (even though nothing is changing with the proposed subdivision) then yes we are agreeable to their attendance.

Thanks

Neil

On Wed, Nov 27, 2024 at 9:37 AM Gio Alagao <[Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)> wrote:

Morning Neil,

I am the attending Planner for this CDM.

The site is within the Residential zone and some of the queries in the application are related to the WW line.

The 1998 Building Consent site plan is incorrect with buildings mislabeled and buildings shown in incorrect locations on the site. In addition, it appears that Council has consented to the location of a dwelling within an easement on the proviso that the sewer line itself was located prior to construction. The dwelling appears clear of the WW line.

Would you like IAMs (3 Waters) to attend?

Kind regards,



**Gio Alagao**

Intermediate Resource Planner - Resource Consents Team 2

M 64272548053 | P 6494015521 |

[Gio.Alagao@fndc.govt.nz](mailto:Gio.Alagao@fndc.govt.nz)

Te Kaunihera o Te Hiku o te Ika | Far North District Council

Pokapū Kōrero 24-hāora | 24-hour Contact  
Centre 0800 920 029

[fndc.govt.nz](http://fndc.govt.nz)



# Te Pātūkuhanga

## Kerikeri-Waipapa Spatial Plan

Tō Tātou Arataki ika Anga Whakamua  
Guide our future together  
Have your say on the future of Kerikeri-Waipapa

Feedback is open  
from **1 November**  
to **29 November 2024**.

[Click here to engage](#)



Te Kaunihera  
o Te Hiku o te Ika  
The North District Council

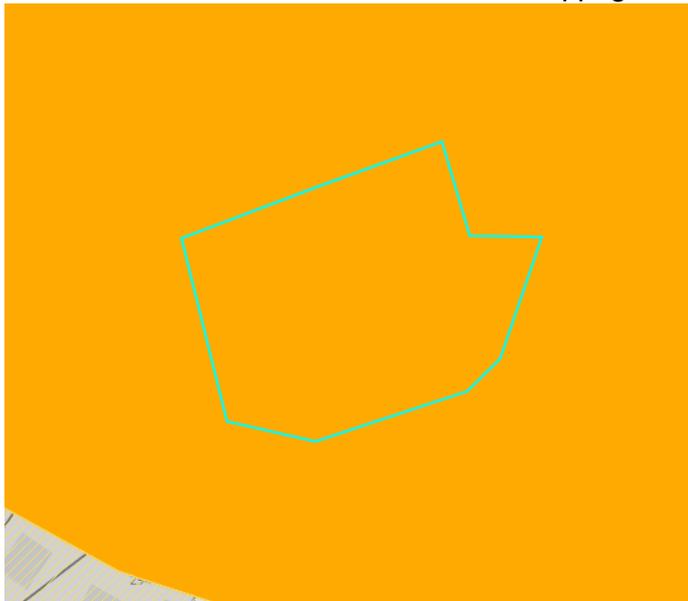
**Notes for CDM-2025-69:**  
**42 Powells Road, Cable Bay**



Zone	Residential
Title Area	3901.88 m <sup>2</sup>

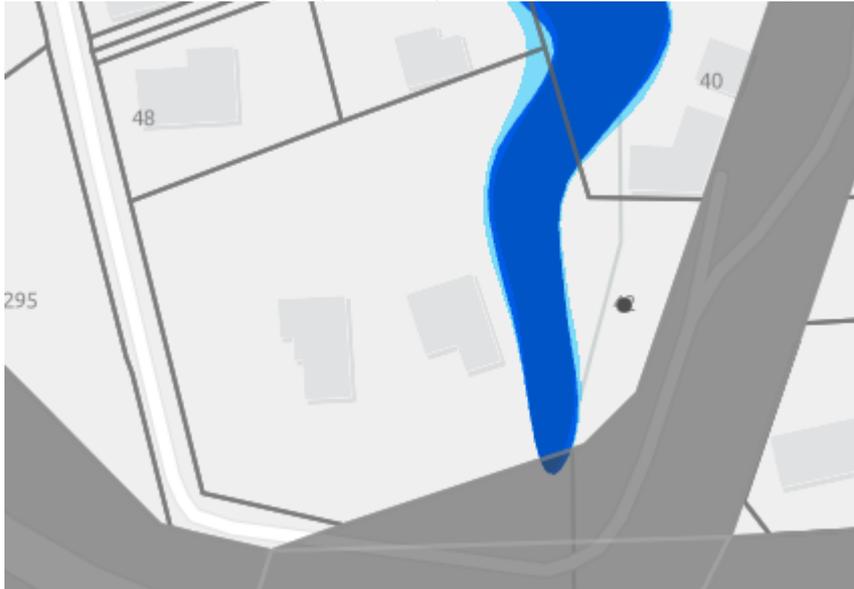
**Site Notations:**

- Watercourse feature onsite (unnamed tributary). See blue line in first image above.
- Entire site within GEO Hazards area for Slippage & Suspect Ground



- Iwi AOI: Ngāti Kahu

- River Flood Hazard (10-year, 50-year & 100-year CC extent)



- Within Coastal Environment (NRC Regional Policy Statement map)



- Stormwater and Wastewater Council reticulated services available
- Property accessed off a low volume road

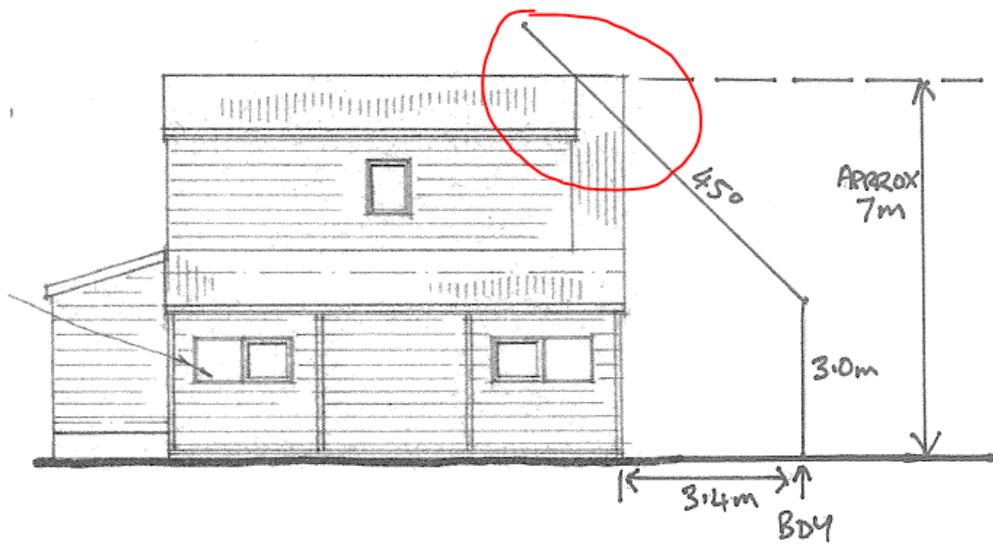
---

### **Assessment:**

- Sewered site. 600m<sup>2</sup> minimum lot size for subdivision.
- Approximately 8.8m gap between two buildings. A 1.2m setback is required from any other boundary other than road boundary, except that no setback is required for a maximum total length of 10m along any one such boundary (both dwellings appear to have a total length greater than 10m).



- Sunlight rule triggered:



# Attachment 15

# 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):*

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

\* 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?

Top Energy, Chorus and FNDC

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

## 5. Applicant Details

**Name/s:**

Yvonne, Des, Frances & Brian Going

**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:**

Neil Mumby, Cable Bay Consulting Ltd

**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:**

Yvonne, Des, Frances & Brian Going

**Property Address/  
Location:**

42 Powells Road, Cable Bay

**Postcode**

0420

## 8. Application Site Details

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

**Name/s:**

Yvonne, Des, Frances & Brian Going

**Site Address/  
Location:**

42 Powells Road

Cable Bay

**Postcode** 0420

**Legal Description:**

Lot 1 DP 84505

**Val Number:**

00083-6330

**Certificate of title:**

NA/40D/1148

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.

Please refer to the attached AEE. Subdivision and Land Use consent is sought.

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**
- Changing the use of a piece of land**
- Disturbing, removing or sampling soil**
- 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)

Yvonne Going

**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 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)

Yvonne Going

**Signature:**

(signature of bill payer)

**Date** 25-3-25

**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](http://www.fndc.govt.nz). These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

## 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)

Neil Mumby

**Signature:**

[Redacted Signature]

**Date** 250325

*(Signature made by electronic means)*

### 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.