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# INTERNAL ASSESSMENT

**DETERMINATION AS TO WHETHER A RESOURCE CONSENT APPLICATION SHOULD BE NOTIFIED OR NON-NOTIFIED UNDER SECTIONS 95A, 95B & 95C, OF THE RESOURCE MANAGEMENT ACT 1991**

**1. Application details**

Council Reference: 2150068-RMASUB  
Reporting Planner: Felicity Foy  
Applicant: Kingi  
Description of Application: Subdivision in the Rural Production Zone to create three allotments being 6770m<sup>2</sup> [Lot 1], 10.1509Ha [Lot 2], and 5.3595Ha [Lot 3] in area and also a waiver from esplanade requirements for Lot 1. Lot 3 is to be amalgamated with two adjoining lots to create a new title with an area of 50.09Ha.  
Property Address: 193 Peria Road, Peria  
Legal Description: Lot 2 DP 34669 and Middle Portion Section 59 Parish of Mangataniwha and Part Section 4 Block I Manngataniwha Survey District.  
Date Received: 8 September 2014  
Site Visit: 30<sup>th</sup> September 2014  
Further Information Requested: 30<sup>th</sup> September 2014  
Further Information Received: 11<sup>th</sup> November 2014  
Additional Comments: The consent was not taken off suspend until Council's Resource Consents Engineer undertook a site visit to inspect the proposed new vehicle crossing location for Lot 2. This new site visit was undertaken on the 13<sup>th</sup> November and comments from Council's Resource Consents Engineer were provided on the 14<sup>th</sup> of November 2014.  
Consultation by Applicant: No evidence of consultation provided.

**2. Has the applicant requested that the application be publicly notified? (Section 95A(2)(a)).**

No.

**3. Does a rule in the district plan or a national environmental standard require public notification of the application? (Section 95A(2)(b)).**

No.

**4. Distributions**

<b>Internal:</b>	<b>Date Sent:</b>	<b>Comments Received:</b>
Engineers:	11/09/2014	14/11/2014
Road Legalisation:	11/09/2014	15/10/2014
Reserves:	18/11/2014	19/11/2014

<b>External:</b>	<b>Date Sent:</b>	<b>Comments Received:</b>
QEII:	11/09/2014	No Comments Provided
DoC:	11/09/2014	24/09/2014

## 5. District Plan Zoning & Notations

Zone: Rural Production

Other Notations (OLU, Coastal hazard etc): No Resource Overlays

## 6. Full description of application & reasons for the consent application

### Description:

The proposal is for a subdivision in the Rural Production Zone to create three allotments being 6770m<sup>2</sup> [Lot 1], 10.1509Ha [Lot 2], and 5.3595Ha [Lot 3] in area and also a waiver from esplanade requirements for Lot 1. Lot 3 is to be amalgamated with two adjoining lots to create a new title with an area of 50.09Ha.

### Operative District Plan Activity Status:

The proposed subdivision will not create any additional titles (as proposed Lot 3 is to be amalgamated with Pt Section 3 Blk I Maungataniwha SD), however it cannot comply with the boundary adjustment rule 13.7.1, shown below, as the proposal will result in different access provisions to Lot 2 and the lots are less than the controlled activity lot size for the Rural Production Zone, (being 20 hectares).

### **13.7.1 BOUNDARY ADJUSTMENTS: ALL ZONES EXCEPT THE RECREATIONAL ACTIVITIES AND CONSERVATION ZONES**

#### **Boundary Adjustments Performance Standards**

*Boundary adjustments to lots may be carried out as a controlled (subdivision) activity provided that:*

- (a) there is no change in the number and location of any access to the lots involved; and*
- (b) there is no increase in the number of certificates of title; and*
- (c) the area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer **Table 13.7.2.1**); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment; and*
- (d) the area affected by the boundary adjustment is within or contiguous with the area of the original lots; and*
- (e) all boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal); and*
- (f) all existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites.*

*Applications under this rule will not be notified but where these conditions cannot be met the application will be considered under the relevant zone rules set out in **Rules 13.7.2 to 13.7.10**.*

The proposal complies with criteria (b) of rule 13.8.1, of the restricted discretionary activity rule shown below. The title dates of the allotments in the subdivision are all dated prior to 28 April 2000 and the minimum lot sizes comply with the lots sizes under criteria (b).

### **13.8.1 SUBDIVISION WITHIN THE RURAL PRODUCTION ZONE**

Subdivision is a restricted discretionary activity where:

- (a) the minimum lot size is 12ha; or alternatively
- (b) a maximum of 3 lots in any subdivision, provided that the minimum size of any lot is 4,000m<sup>2</sup> and there is at least one lot in the subdivision with a minimum lot size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000; or alternatively
- (c) a maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of lots is 2ha, and where the subdivision is created from a lot that existed at or prior to 28 April 2000.

In considering whether or not to grant consent on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to the following matters:

- (i) for applications under **13.8.1(a)**:

- effects on the natural character of the coastal environment for proposed lots which are in the coastal environment.
- (ii) for applications under **13.8.1(b)** or **(c)**:
  - effects on the natural character of the coastal environment for proposed lots which are in the coastal environment;
  - effects of the subdivision under **(b)** and **(c)** above within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land;
  - effects on areas of significant indigenous flora and significant habitats of indigenous fauna;
  - the mitigation of fire hazards for health and safety of residents.

In considering whether or not to impose conditions on applications for restricted discretionary subdivision activities the Council will restrict the exercise of its discretion to the following matters:

(1) the matters listed in **13.7.3**;

(2) the matters listed in **(i)** and **(ii)** above.

For the purposes of this rule the upstream boundary of the coastal environment in the upper reaches of harbours is to be established by multiplying the width of the river mouth by five.

The proposal does not comply with rule 14.6.1, shown below, as the Proposed Lot 1 is less than 4Ha in area and it has been requested to not provide an esplanade reserve or strip.

#### **14.6.1 ESPLANADE AREAS**

(a) The Council will require a financial contribution of an esplanade reserve or strip in the following circumstances:

(i) where lots less than 4ha in area are created along the edge of the coastal marine area, or along the bank of any river with a bed having an average width of 3m or more, or along the margin of any lake whose bed has an area of 8ha or more an esplanade reserve or strip will be required;

(ii) where lots 4ha or greater in area are created along the edge of the coastal marine area or along the bank of any river with a bed having an average width of 3m or more, or along the margin of any lake whose bed has an area of 8ha or more an esplanade reserve or strip may be required (s237F of the Act requires the Council to pay compensation to the landowner unless otherwise agreed between the parties that this is not necessary);

(iii) where any land use requires a resource consent for an activity or activities and the Council considers it necessary to require an esplanade reserve or strip for any of the purposes outlined in s229 of the Act, an esplanade reserve or strip may be required;

(iv) when considering whether to take an esplanade reserve or strip, and the location, type and extent of that reserve or strip, the Council shall give priority to riparian areas identified as an Esplanade Priority Area (as shown on the **Zone Maps**), or where they meet the criteria under **Policy 14.4.9**.

The request for the waiver of the esplanade reserve or strip is pursuant to rule 14.6.3, shown below. As per criteria (c) of this rule, the application of a waiver of an esplanade strip or reserve shall be considered as a discretionary activity.

#### **14.6.3 WAIVERS AND REDUCTIONS**

(a) Notwithstanding **Rule 14.6.1** the Council may, upon application and at its discretion, reduce or waive any required financial contribution, esplanade reserve or strip, after considering the following matters:

(i) the purpose of the particular contribution;

(ii) the extent to which the proposed activity generates those adverse effects which the particular contribution provides for the mitigation or remediation of;

(iii) the extent to which measures, either on-site or elsewhere, are proposed or provided which achieve the purpose of the particular contribution (in perpetuity);

(iv) the history of previous financial contributions related to the site, including the amount of and reason for any previous contributions; and

(v) the extent to which any charge is fair and reasonable.

(c) Any application for a waiver of, or reduction to, the level of financial contribution required or alternative to an esplanade reserve or strip **shall be considered as a discretionary activity**.

The application is overall a **Discretionary** activity.

## **7. Description of site**

The subject site is located at 193 Peria Road, Peria. Peria is a rural area that is characterised by rural grazing land, allotments that contain some extensive bush areas and the proposal

involves the subdivision of 3 existing allotments. Allot M59 Parish of Maungataniwha, which is currently 16.4Ha and is bisected by Peria Road. An existing dwelling is located on the northern side of Peria Road, and is adjoined by stream. This site has vegetation coverage of pasture with scattered bush areas and undulating topography.

Pt Section 3 Blk I Maungataniwha SD has extensive bush coverage and contains a large QEII covenant which occupies much of the site. This site contains an existing dwelling, and gains access via an existing vehicle crossing from Peria Road in the south western corner of the site.

Lot 2 DP 34669 is currently undeveloped. It does not have a formed access and is used for grazing purposes in conjunction with adjoining allotment that are owned by the applicant.

**7A. Pursuant to section 95D, will the activity have, or is likely to have adverse effects on the environment that are more than minor?**

An analysis of all of the effects of the proposal of the Resource Management Act 1991 has been undertaken. Effects on persons who own or occupy the land in, on, or over which the activity will occur or any land adjacent to that land must be disregarded (section 95D(a)). In the case of a controlled or restricted discretionary activity, adverse effects of the activity that do not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion must be disregarded. (Note all adverse effects for Discretionary/Non Complying Activities must be considered). Trade competition and the effects of trade competition must be also disregarded (section 95D(d) as must be any effect on a person who has given written approval to the application.

Possible Effects	Scale of Effect/Mitigation/Neighbour's Approval/Other Comments
<p><b>13.8.1 SUBDIVISION WITHIN THE RURAL PRODUCTION ZONE</b></p> <p>In considering whether or not to grant consent on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to the following matters:</p> <p><i>(ii) for applications under 13.8.1(b) or (c):</i></p> <ul style="list-style-type: none"> <li>• effects on the natural character of the coastal environment for proposed lots which are in the coastal environment;</li> <li>• effects of the subdivision under (b) and (c) above within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land;</li> <li>• effects on areas of significant indigenous flora and significant habitats of indigenous fauna;</li> <li>• the mitigation of fire hazards for health and safety of residents.</li> </ul> <p>In considering whether or not to impose conditions on applications for restricted discretionary subdivision activities the Council will restrict the exercise of its discretion to the following matters:</p> <p>(1) the matters listed in 13.7.3;</p> <p>(2) the matters listed in (i) and (ii) above.</p> <p><i>The relevant Matters listed in 13.7.3</i></p>	<p>The subject site is not located within the coastal environment.</p> <p>The site is not located within 500m of land that is administered by the Department of Conservation.</p> <p>Pt Section 3 Block I Manungataniwha SD have coverage of indigenous mature bush and contains a 35.56Ha QEII covenant area. This covenant area will not be affected by the proposed subdivision. The Department of Conservation has provided comments on the proposal, these are addressed in the preservation of indigenous flora and fauna section of this report.</p> <p>Proposed Lot 1 is fully developed and contains an existing dwelling with water tank storage for potable use. A continually flowing stream adjoins Lot 1; this would be used as the logical means of water supply in the event of a fire on proposed Lot 1. The standard consent notice condition for minimum water tank storage with fittings that are compatible with the rural fire service is a recommended condition for proposed Lots 2 and 3. It is considered that the subdivision includes adequate measures for fire hazard mitigation for the health and safety of residents.</p>

<p>are shown below:</p> <p><b>PROPERTY ACCESS and ROADING</b></p>	<p>Proposed Lot 1 contains an existing garage that is partly location on the road, the applicant can provided an email that details that the he has communicated with Council's Road Legalisation Officer Mark Lagerstedt about this issue. The legal road width at the point where the shed is located is nearly 35 metres in width and the shed itself is some 15 metres from the formed carriageway of the road. It was noted by Council's Road Legalisation Officer that there is no issue with the current location of the shed, however a 'notice to occupy' has not been granted for the structure to be located on the road reserve. An advice note is recommended to advise the applicant that a license to occupy for this structure should be obtained from Council's Roading Department.</p> <p>Proposed Lot 1 and Pt Section 3 Blk I Maungataniwha SD have existing formed crossing places. These entrances are considered to be formed to an adequate standard. Lot 2 requires a new crossing place that meets Council's Rural Engineering Standards to be formed.</p> <p>The application requested that the location of the crossing place be determined at the time of the building consent for a proposed dwelling on Lot 2, however Council's Resource Consents Engineer requested information (including a plan) to show how the existing entrance to Lot 2 can be upgraded to comply with Council's Engineering Standards or where the crossing place could be relocated to in order to provide sight distances along Peria Road.</p> <p>Following this request the agent proposed that the existing crossing place be relocated 20m to the east, therefore increasing sight distances to 50 metres to the west and 120 metres to the east. It was also requested that the relocation of this vehicle crossing be undertaken at construction of dwelling on Lot 2.</p> <p>Council's Resource Consents Engineer undertook a second site visit to determine if the new proposed vehicle crossing place complied with Council's Engineering Standards and was a safe for traffic and access to proposed Lot 2. It was considered that the proposed new vehicle crossing place improved sight distances from entrance along Peria Road.</p> <p>Lot 2 is currently used for rural grazing purposes and this use is not proposed to change as a result of the subdivision. The applicant has requested that a consent notice condition be imposed for the formation of the new crossing place for Lot 2 for when a dwelling is constructed on it as the existing crossing place can be utilised currently for the rural use.</p> <p>A consent notice condition is recommended that the vehicle crossing place to proposed Lot 2 is formed at the time for a building consent being applied for a habitable building on the site. With this condition of consent given effect to, it is considered that the proposal will have no more than minor traffic and access issues on the receiving environment.</p>
<p><b>NATURAL AND OTHER HAZARDS and the NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH</b></p>	<p>The subject sites are not known to contain or have contained land use activities that would result in the property being identified as being HAIL sites. The application states that the applicant has owned the subject sites since 2003 and previous to this that the sites were farmed from 1957-1973. The owner of the subject sites has not identified any of the items on the HAIL as applying to the subject property, either currently or historically and therefore does not consider that the NES for Assessing and Managing Contaminants in Soil to Protect Human Health applies to the subject sites.</p> <p>The application details that the existing dwelling on Lot 1 is approximately 90 years old and is sited on piles, off the ground.</p>

	<p>Lot 1 is within an area that is identified as containing a potential 1 in 100 year flood event hazard on the Council GIS mapping system. The application also notes that the dwelling within Lot 1 has not been known to have ever been flooded, and that the current location of the dwelling is suitable.</p> <p>The existing dwelling on Pt Section 3 Blk I Maungataniwha SD is not within a known hazard area. The application states that there are numerous building sites available for the development of proposed Lot 2, which are not subject to any flooding, erosion, or any other natural hazards. Council's Resource Consents Engineer did not identify any natural hazard issues as there are existing dwellings on two of the proposed lots and Lot 2 contains several options for building sites. The development is considered to have negligible effects on natural hazards.</p>
<b>WATER SUPPLY</b>	<p>Lot 2 does not currently contain any buildings and proposed Lot 3 (after being amalgamated with Pt Section 3 Blk I Maungataniwha SD) will be over 50Ha and therefore is currently permitted to establish 3 additional residential units as a permitted activity. It is therefore recommended to include a consent notice condition for minimum tank storage for water to mitigate potential effects of fire hazards and also provide a potable water supply for residents for proposed Lots 2 and 3.</p> <p>This condition would apply to any future residential units established on the site, and is considered to mitigate the potential fire hazards for health and safety of residents by providing water storage/supply for fire fighting. The condition is not proposed for Lot 1 as this site contains an existing dwelling with an existing water supply and the site cannot establish additional residential units as a permitted activity. With this proposed consent notice condition given effect to it is considered that the proposed allotments will have adequate provision of water supply.</p>
<b>STORMWATER DISPOSAL</b>	<p>Proposed Lot 1 and Pt Section 3 Blk I Maungataniwha SD contain an existing dwelling that has stormwater that runs to natural overland flow paths. Proposed Lot 2 is of an adequate size/area to provide for on-site stormwater disposal without creating adverse effects on the receiving environment. There are no buildings on proposed Lot 2 currently; therefore water runs to natural overland flow paths.</p>
<b>SANITARY SEWAGE DISPOSAL</b>	<p>Effluent disposal has not been addressed for Pt Section 3 Blk I Maungataniwha SD and Lot 3 as it contains an existing dwelling and the site is very large. A TP58 report prepared by TP58 writer Eric Wagner was provided as part of the application. The report concludes that the existing on-site wastewater system for the dwelling on Lot 1 is in working order and that the 'system in place is within the performance design criteria required under TP58'. The application notes that proposed Lot 2 can 'comfortably accommodate on-site sewage disposal', however a TP58 report was not provided for proposed Lot 2, which is currently a vacant site. Council's Resource Consents Engineer has not identified any issues with on-site wastewater treatment and disposal on proposed Lot 2. Lot 2 is over 10 hectares in area, is not located within a flood hazard area, and is considered to be of an adequate size to allow for future wastewater disposal without creating potential adverse effects.</p> <p>A condition of consent is recommended to advise that a TP58 wastewater report is required for any future building that requires wastewater disposal on Lot 2. This report is to be prepared and provided to Council's building department for approval and is to be written by a Chartered Professional Engineer or approved TP58 writer. Overall, it is considered that on-site wastewater disposal</p>

	<p>can be achieved on the site without creating more than minor adverse effects.</p>
<p><b>ENERGY SUPPLY and TELECOMMUNICATIONS</b></p>	<p>Comments have been provided from energy supplier Top Energy that detail that they have no issues with the development. Comments have not been provided from telecommunications supplier Chorus, however as the site is located within a rural the subdivision is not required to be reticulated with power and telecommunications supply. A consent notice is recommended to advise the future owners of the Lots that power and telecommunications supply were not a requirement of this subdivision and are the responsibility of the property owner.</p>
<p><b>EASEMENTS FOR ANY PURPOSE</b></p>	<p>The application includes one easement for the purpose of water supply over Lot 1 in favour of Lot 2 from the existing stream that adjoins proposed Lot 1. This easement is not a requirement of the subdivision and no further easements are required as part of this application.</p>
<p><b>PRESERVATION OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES</b></p>	<p>The subject sites are not located within an outstanding landscape area and do not contain any known archaeological sites or sites of significance to Maori.</p> <p>Pt Section 3 Blk I Maungataniwha SD (that is proposed to be amalgamated with Lot 3) contains a 35.56Ha area of existing indigenous bush that is protected by way of a QEII covenant area. This QEII covenant will be transferred to the new title that will be created and the proposal will not result in the removal of any of this native vegetation or other vegetation on the subject sites. The QEII covenant is considered to provide protection of a large area of indigenous flora and potential habitat of indigenous fauna that the applicant owns. The application notes that the applicant is a conservation minded person who owns working dogs, which have been given kiwi aversion training.</p> <p>The Department of Conservation provided comments on the proposal and requested that a 'no cats or dogs' covenant be placed on proposed Lot 3 and that an advice note be placed on proposed Lots 1 and 2 that dogs or cats be tied up or kept in at night and also that kiwi aversion training would also be recommended.</p> <p>The application will not result in any additional titles being provided and will not result in any indigenous vegetation being removed, therefore in this instance it is considered that an advice note with regard to the potential for kiwi in the area and that cats or dogs be kept inside at night be applied to inform the applicant and future owners such that the potential effects on indigenous flora and habitats of indigenous fauna can be avoided.</p> <p>With this advice note, it is considered that the proposed subdivision will have negligible effects on indigenous flora and habitat of indigenous fauna.</p>
<p><b>ACCESS TO RESERVES AND WATERWAYS</b></p>	<p>The northern most boundary of the Lot 1 is defined by a stream. Proposed Lot 1 is under 4ha in area and the stream is greater than 3m in width, therefore the stream fits the definition under Section 230(4) of the Resource Management Act 1991 and an esplanade strip or reserve may be requested by Council.</p> <p>Rules 14.6.1 'esplanade areas' and 14.6.1 'Waivers and Reductions' of the District Plan relate to requiring or waiving esplanade areas. The application requests that the requirement to vest an esplanade reserve area be waived given the sites remote location, that it is unlikely that there is a demand for public access over the waterway, and that give the location of the existing dwelling on Lot 1, the create of an esplanade strip or reserve could potentially impact on the privacy of the users of this existing</p>

	<p>dwelling.</p> <p>In this instance it is not considered that an esplanade strip or reserve is required. In terms of the criteria under rule 14.6.3 'Waivers and Reductions' of the District Plan, the reserve or strip is not considered to result in preservation of ecological values, the stream is not within an area of demand for public access to the waterway, and the physical attributes, location and connection with surrounding features is not considered to provide significant benefit in terms of public recreational use.</p>
<b>LAND USE COMPATIBILITY</b>	<p>The proposed land use for both Lots will continue to be used for rural lifestyle and rural grazing activities (if a dwelling is built on proposed Lot 2 in the future) and will also contain the existing bush areas. The surrounding area is currently used for farming and lifestyle purposes. The subdivision is considered to be of a similar character and use as the properties in the surrounding area.</p>

**7B Overall effects consideration conclusion**

Overall, it is considered that subject to conditions of consent, the proposal will have no more than minor effects on the receiving environment. The proposal is a restricted discretionary activity and is considered to be generally consistent with the objectives and policies of the Far North District Plan. The proposal is also considered to be consistent with the sustainable management purpose of the Resource Management Act 1991.

**8. Do any special circumstances exist which would lead to the conclusion that the application should be notified? (Section 95A(4))**

No special circumstances exist.

**9. Recommendation:**

That the application **need not be publicly notified** in accordance with Section 95A of the Resource Management Act 1991.

**10. Are the activity's adverse effects on any person minor or more than minor (but not less than minor)? (Section 95E)**

The proposal is a restricted discretionary activity. It will not result in any additional titles being created and is considered to have less than minor effects on the surrounding properties in the area. The proposal is considered to have less than minor effects on the receiving environment.

**11. Is a person an affected order holder? (section 95F)**

No, there are no customary rights orders presently within the Far North District.

**12. Limited notification or non-notification?**

The application is recommended to be processed on a non-notified basis.

**13. Recommendation:**

That the application be processed on a **non-notified** basis as there are no affected persons or affected order holders, or a rule or national environmental standard precludes limited notification and the application does not require public notification.

Report & Recommendation prepared by:

F Foy.  
Felicity Foy, Resource Planner

Dated: 20<sup>th</sup> November 2014

**14 Decision: That the above recommendation be adopted.**

P. Killalea  
Pat Killalea  
**Principal Planner, Resource Consents**  
(ACTING UNDER DELEGATED AUTHORITY)

Dated: 21/11/2014.



# MEMO

**To:** Felicity Foy **Department:** Resource Management

**From:** Sue Hodge **Department:** Strategic Policy and planning

**Date:** 19 November 2014

**Subject:** Esplanade waiver Kingi – Lot 1 and 3 Allot M59

Rule 14.6 of the District Plan states the Council will require a financial contribution of an esplanade area where lots are less than 4ha in area are created along the coastal marine area.

The proposed subdivision by Kingi is to create two lots either side of a small stream that is shown to be less than 3m in width on the Shane Stratton Surveying Ltd scheme plan and described as 3-4m wide in the application. Lot 1 is less than 4ha and Council could require an esplanade and the applicant has requested a waiver of this requirement.

The Council may upon application and at its discretion reduce or waive the requirement for an esplanade after considering the relevant matters.

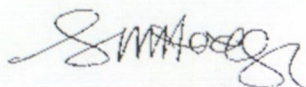
This request has been assessed against the following criteria:

- Ecological values, including the riparian vegetation, water quality, potential for erosion, the impact of flooding and the enhancement of aquatic and terrestrial habitat.
- The need for public access to and along the water body.
- The rights of property owners and the security of private property.
- The width of the river or stream concerned.
- The width of any adjoining esplanade reserve or strip.

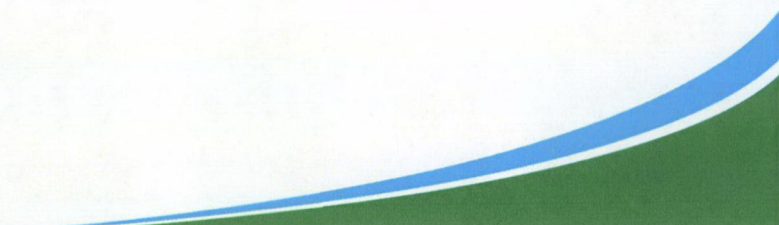
Based on an assessment of the criteria I would recommend to the planning department a waiver of the requirement for an esplanade requirement on Lot 1 for the following reasons:

1. It will impact on the rights and security of the owners of the existing house, shed and garden
2. There is limited need for public access along this small stretch of the stream. Long term the plan should be to acquire access along the stream to the west of the property.

Yours sincerely



Sue Hodge  
**Community Policy Manager**



## **Felicity Foy**

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**From:** Sue Hodge  
**Sent:** Wednesday, 19 November 2014 5:27 p.m.  
**To:** Felicity Foy  
**Subject:** esplanade waiver

I was hoping to do this but you have not sent a plan for me to work from.

I have drafted up some words but I need the details of the application and name etc

Kind regards

Sue Hodge  
Community Policy Manager  
**Strategic Planning and Policy**  
**FAR NORTH DISTRICT COUNCIL**

Ph: (09) 4015200 or 0800 920 029  
Cellphone: 0274-394988



# MEMO

<b>To:</b>	Felicity Foy	<b>Department:</b>	Environmental Management
<b>From:</b>	Rex Shand	<b>Department:</b>	Environmental Management
<b>Date:</b>	14-Nov-2014		
<b>Subject:</b>	ENGINEERING CONDITIONS & COMMENTS 2150068-RMASUB, 193 Peria Road, Peria 0482		

Site Visit Observation / Notes

The existing garage is partly into the Legal Road, they will need to provide evidence of a Notice to Occupy to cover the encroachment, or, remove the garage.

As per Engineering Site Assessment Sheet

Conditions to be imposed:

Parking & Access	<p><b>Consent Notice</b></p> <p><b>016 Prior</b> to constructing a vehicle access point to Lot 2, the lot owner is to obtain a permit from the Council as to the siting (from a traffic safety point-of-view), earthworks, formation and drainage of such access in terms of the Council's control of Vehicle Crossings Bylaw 2004.</p>
Wastewater	<p><b>Consent Notice Wording</b></p> <p><b>Lot 2</b></p> <p>035 In conjunction with the construction of any building which includes a wastewater treatment &amp; effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment &amp; disposal system can be fully contained within the lot boundary and comply with the Regional Water &amp; Soil Plan Permitted Activity Standards.</p>
Other Services (Water, Power, Telephone)	<p><b>054 Reticulated power</b> supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.</p> <p><b>056 In</b> conjunction with the construction of a new dwelling, a roof water collection system with a minimum tank storage of 45,000 litres shall be provided. The tank(s) shall be positioned so that they are safely accessible for fire-fighting purposes and</p>

	fitted with an outlet compatible with rural fire service equipment. Where more than one tank is utilised they shall be coupled together and at least one tank fitted with rural fire service equipment. Alternatively, the dwelling can be fitted with a sprinkler system approved by Council.
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Yours sincerely

Rex Shand  
RC Engineer



**ENGINEERING SITE VISIT NOTES**

TO RESOURCE PLANNER:	Sheryl Hansford
ON PLANNING APPLICATION NO:	2150068-RMASUB
APPLICANT:	Kingi
PROPERTY LOCATION:	193 Peria Road, Peria 0482
FROM:	Resource Consent Engineer
Clock start date:	8 September 2014
ASPECT	COMMENTS/ CONDITIONS REQUIRED
<b>Site Suitability:</b>	
Topography, Stability, Erosion Flooding, Ground Cover, etc	Floodable area?
Existing driveway ~ 90 year old. accepted that it is down a 1:100 year flood	garage over boundary need evidence of licence to occupy the legal road - or remove
<b>Access/Vehicle Circulation</b>	
Adequacy for Use Traffic Flows, etc Need for upgrading adjacent areas	The existing entry point to proposed lot 3 on the southern side of the road is
	Consent Notice requested - will need to obtain a Vehicle crossing Permit. - CAR
	Carriageway Access Request.
	check revised entrance plan to lot 2
<b>Stormwater, Wastewater &amp; Effluent Disposal:</b>	
	Woodenite assessment parallel to existing system on Lot 1
	Lot 2 - 10 ha - no report
	Lot 3 - amalgamation

ASPECT	COMMENTS/ CONDITIONS REQUIRED
<b>Earthworks:</b> Controls required etc    	
<b>Easements/encumbrances:</b> ROW, water, drainage, power   	
<b>Services:</b> Water, Irrigation, Power, Telephone Street Lighting  	
<b>Amenities/Reserves:</b> Internal Accessways Surfacing of Car Parks etc    	
<b>Consent Notices:</b>  	Enhance Wastewater water power
<b>Other:</b> NES    	
<b>Proposed Conditions:</b>   	

Signed: *R. M. Shaw*

Date: *14/10/04*

Mileage: *40 km*

Time: *entered*

*return  
Kaifun*

**PLANNERS ASSESSMENT CHECKLIST**

Resource Consent Number:	2150068-RMASUB
Site Location:	193 Peria Road, Peria 0482
Site Legal Description:	Allot M59 Maungataniwha Psh Lot 2 DP 34669 Blk V Maungataniwha SD
Description of activity:	proposed boundary adjustment of three adjoining sites

Plan Provisions Check - Far North District Plan		
Zone – specify below:		
<i>Rural Production</i>		
Compliance Check: (Part 2 Zone Rules)	Y/N	Category of Activity it defaults to if "N"
Residential Intensity		
Scale of Activities		
Height		
Sunlight		
Impermeable Surfaces		
Setback from Boundaries		
Screening for Neighbours		
Traffic Intensity		
Hours of Operation		
Keeping of Animals		
Noise		
Helicopter Landing Area		
Other zone rules – specify:		
Resource Features? – specify: (there may be more than one)		<i>QETI Covenant</i>

• Records advised only rates on file.

Compliance Check: (Part 3 District Wide Rules)	Y/ N	Category of Activity it defaults to if "N"
12.1 Development (inc earthworks) within: Outstanding Landscape Outstanding Natural Feature Outstanding Landscape Feature		
12.2 Clearance of Indigenous Vegetation		
12.3 Excavation/Filling Nature of Filling Material Mining and Quarrying		
12.4 Coastal Hazards		
12.5 Notable Trees Historic Sites/Buildings/Objects Registered Archaeological Sites Sites of Cultural Significance		
12.5A Heritage Precincts, specify which		
12.5B – Paihia Heritage Area		
12.6 Air		
12.7 Setback Indigenous Wetlands Disposal Areas (human effluent) Motorised Craft Noise		
12.8 Hazardous Substances		
12.9 Renewable Energy		
15.1 Traffic, Parking, Access Appendix 3A, 3B and 3C NZTA involved		Vehicle crossing not up to standard - Lot 2.
15.2 Airports Is activity subject to 1.2km Airport buffer rule?		
16 Signs Lighting NZTA involved?		

17.1 Is application a Notice of Requirement? (designation), either new or alteration? Is the application for an Outline Plan or Outline Plan Waiver?			
17.2 Utilities Telecoms Power Other?			
Is the application a subdivision pursuant to Chapter 13?		Category of activity:	
Is amalgamation condition required? And has DLR approval letter been sent?			
Is any waiver of esplanade requirements being sought?	✓	yes	→ Discretionary Activity → financial contribution Chapter of the Plan.
<b>Comments:</b>			
<b>Other Checks:</b>			
Recorded Archaeological Sites (NZAA)		NRC Hazards	None
Protected Natural Areas (DoC)		FNDC GIS Hazards	—
Water bodies		National Environmental Standard	—
Kiwi Habitat	PRESENT	National Policy Statement	
Within Coastal Environment		Regional Policy Statement	
Other:		Regional Plan	
<b>Other Consents Required</b>			
Land Use		NRC coastal permit	
Subdivision		NRC discharge permit	
Discharge consent (FNDC)		NRC water permit	
Earthworks permit		NRC bore permit	
S348 / Variation / Objection		NRC land disturbance permit	
FNDC Drainage Permit		Other:	
<b>Site Visit Notes:</b>			

DoC  
Comments  
provided

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**Mileage:**

**Time:**

**Ferry tickets:**

**Anticipated Adverse Environmental Effects**

<i>List of those anticipated by applicant</i>	<i>Have they been adequately addressed?</i>
---	---

<i>List of those anticipated by applicant</i>	<i>Have they been adequately addressed?</i>

**What effects still need to be addressed and what information is required?**

--

**Is specialist advice (or peer review) required in relation to all or some effects? (list effects)**

--

**Who is to be approached to provide specialist advice? Or Peer Review?**

--

**Consultation:**

Have Tāngata Whenua been Consulted?

Yes/No

Should they have been consulted?

Yes/No

Have any written approvals been provided?

Yes/No (attach map)

Have any interested/affected parties been consulted? Yes/No

Additional Consultation / Approvals required? - list

Summary of Further Information to be requested pursuant to S.92

**REPORTING PLANNER & TEAM LEADER ASSESSMENT**

**To be completed following initial assessment & prior to commencing s95 report**

Further issues raised by Team Leader:

Likely processing method (non-notified, limited or public notification) & reasons:

Section 95 report to be prepared by:

Decision report to be prepared by:

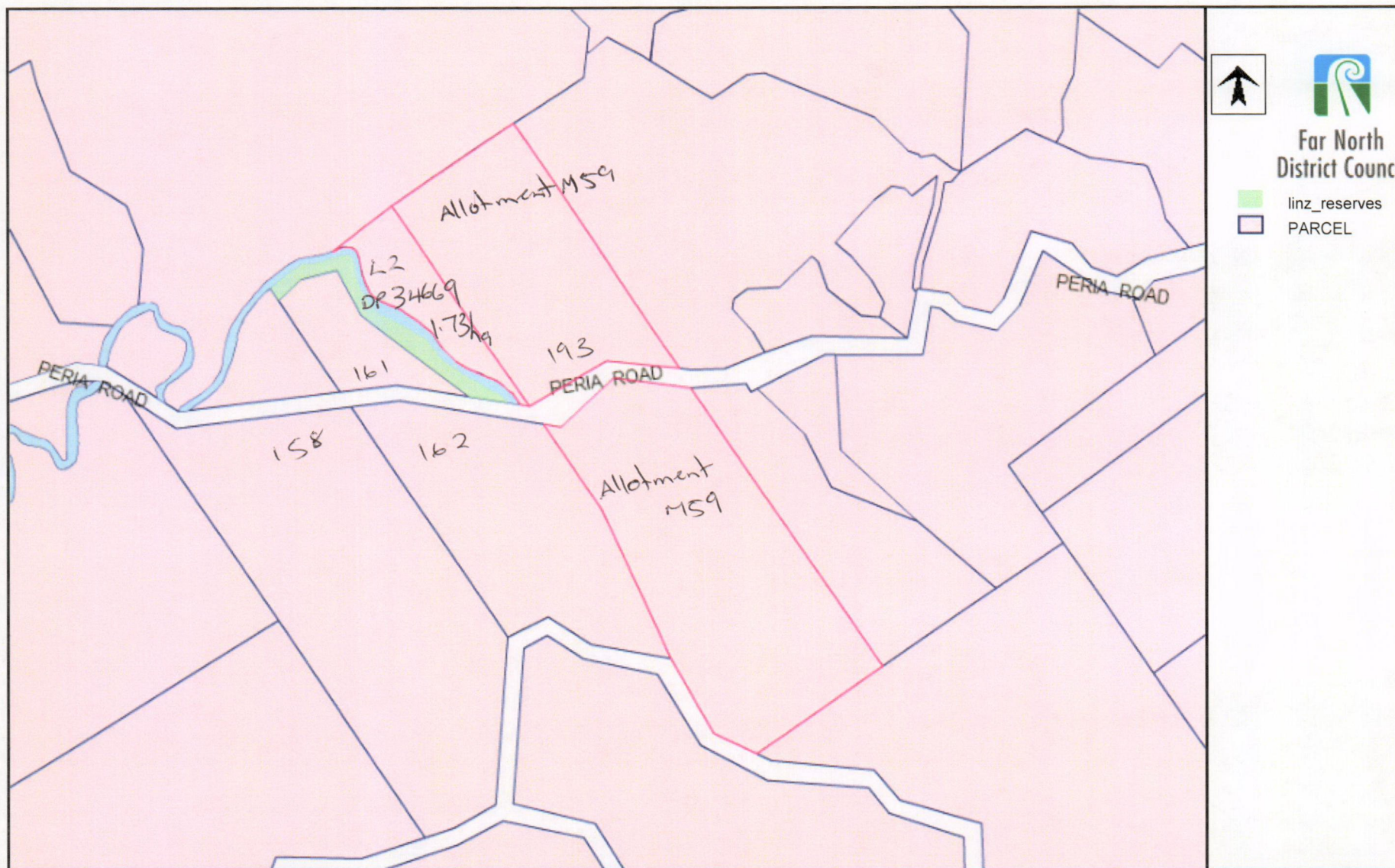
Agreed Time Estimates:

Agreed Time Frames:

20 working days:

Planners initials:

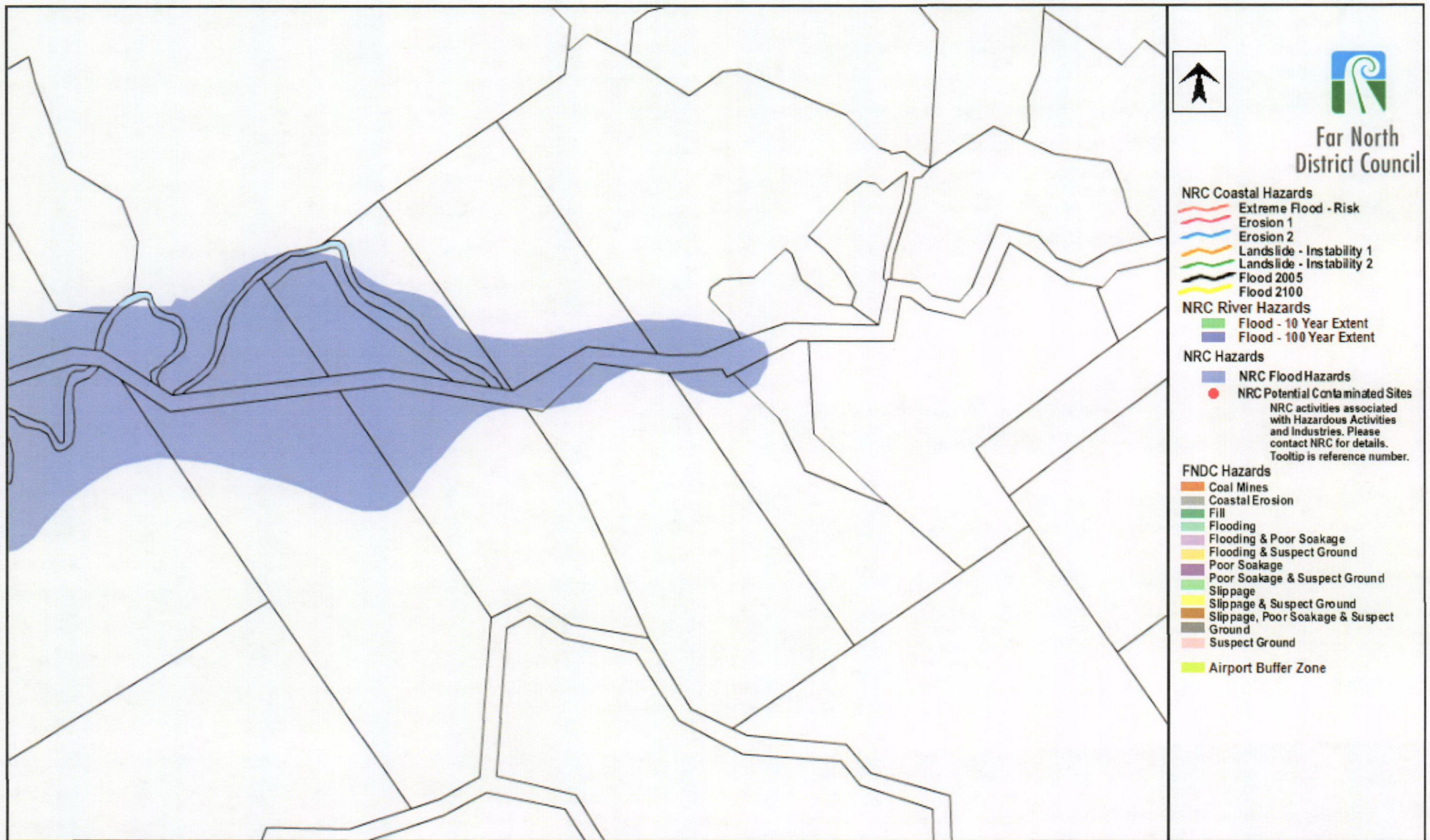
Team Leader's initials:



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## Sheryl Hansford

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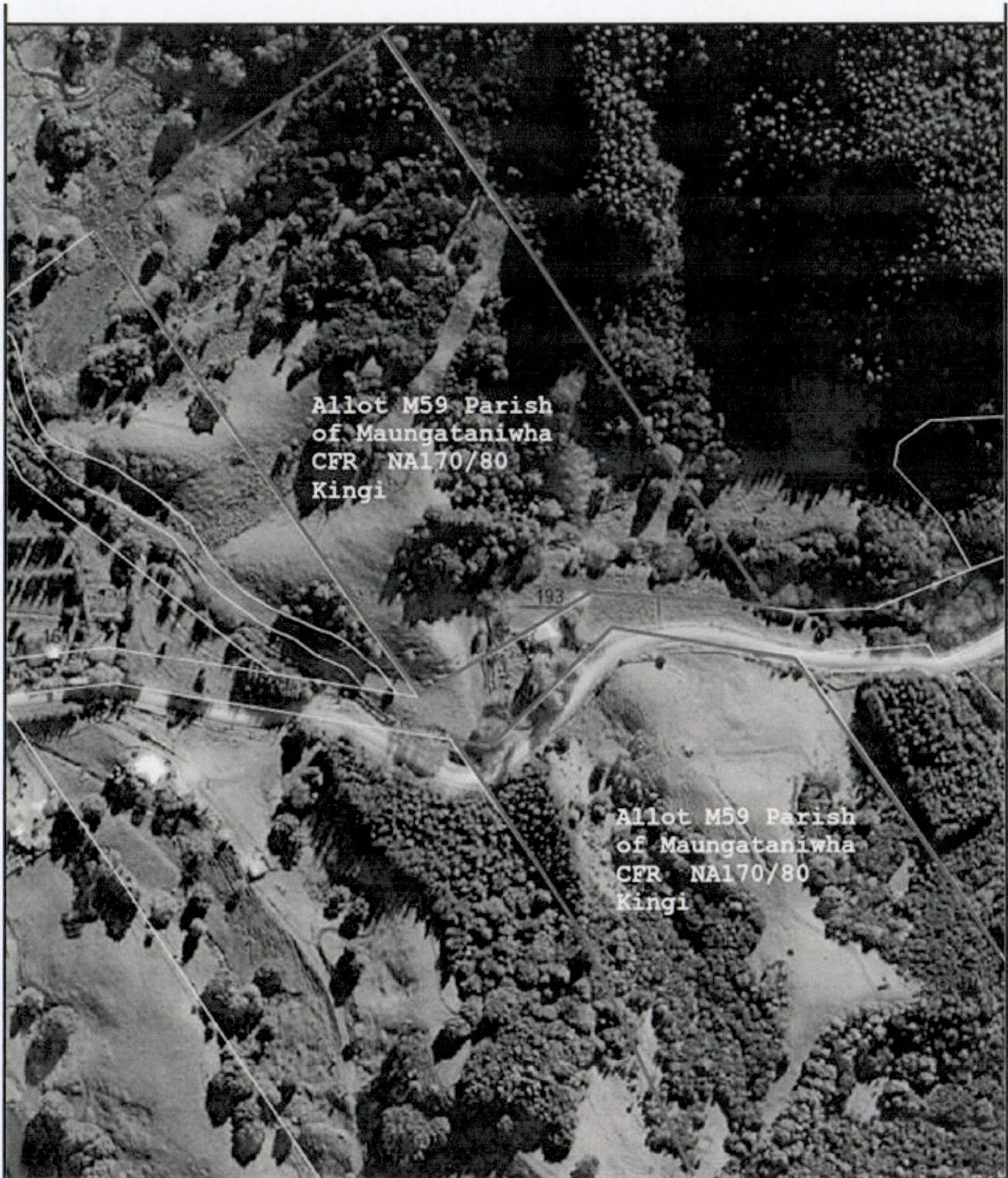
**From:** Mark Lagerstedt  
**Sent:** Friday, 12 September 2014 11:09 a.m.  
**To:** Sheryl Hansford  
**Subject:** FW: 2150068-RMASUB, 193 Peria Road, Peria 0482, New Application Lodged  
**Attachments:** Pathway\_LAP.pth

Hi Sheryl

It looks like we have a vesting and road stopping action here if the aerial below is reasonably accurate.

I will give the surveyor a call.





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Regards

Mark Lagerstedt  
Far North District Council  
Land Title Specialist – Licensed Cadastral Surveyor  
Corporate Services  
Ph. 09 401 5200 or 0800 920 029

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

From: Shivon Gadsby