Kaitaia

APPLICATION FOR SUBDIVISION CONSENT

Applicant

Davidson, Colin D.

Resource Applicantion No.

RC 2060877

Date Received		28.3.06
Application Fees		$615-
Receipt/Number		683266
Type of Application		
Zoning of Land		
Legal Description		Pt Allot 11 Oruru PSH Blk I Maungataniwha SD
Property Address and Location		284 Taylor Rd, Peria
Valuation Reference No./Property ID		085-35902
Cross References Bldg		BP 990333 add'n to dwlg
Cross References RC		RFS 3375629 to Mayor
Section 88 Date		
Section 92		
Notification Date		
Amendments/dated		
Notification Date/Closing Date		
Hearing Date		
Decision		
Deposited plan number		
Survey Plan Approval...S223		
Certification...S.224 (c)		
Other Certificate...S.221/222		
Monitoring		Yes ☐ No ☐
Planner		NEW

RCINF

PLANNING COST SHEET

PRE-APPROVAL

RC 2060877

Date	Initial	Description	Time	Rate	Cost
29/3/06	QTH	Set up file	1hr	57-	57-
3/4/06	WES	Check/allocate	.25	101	25.25
	Admin	Photocopying 5x22=110+18=128x.2			25.60
6/4/06	KAG	x-Ref	.10	57	5.70
	NEW	Site Inspection-	.5	111	55.50
	DOW	Initial Assessment	.5		55.50
		Sec 92 letter.	.5		55.50
12.5.06	GHD	Engineering Report	1-	111-	111-
✓	✓	✓ ✓ mileage	30Km	.89	26.70
24/06/08	PJK	RFS 6Hr	1.5	140-	210-
18.08.08	Lew	Take over File, file note.	0.75	102-	76.50
25.08.08	Lew	Write 93/94	1.75		178.50
27.08.08	Lew	Finish 93/94. Decision	2.0		204-
29.8.08	✓	Edits	.25		25.50
29/08/08	PJK	Review, amend, sign off	.5	140-	70-
31.3.08	GFP	report on Consent review	2.10	127	266.70
2.4.08	✓	Email from PJK	.45		57.15
3.4.08		Email Pat	.40		50.80
4.4.08		Discuss with Pat	.25		31.75
8.4.08		Meeting with Pat	.30		38.10
13.8.08	RKS	Correspondence to applicant	.25	72-	18-
1.9.08	QTH	Final invoice fax to agent file mngmt	.25	72-	18-
		Base Monitoring fee			127-
Copy + Postage		Check 18x.2=3.60+2			5.60
1.9.08	Admin	Mail Out Decision + file Admin	1.00	72-	72-
				Sub Total	1867.35
				Less Deposit	615-
				TOTAL	$1252.35

** Applicant is only to be charged travel time and mileage from nearest Service Centre.*

Enviro/forms/1plancostsheet

DETERMINATIONS [redacted] TIONS 93 AND 94 OF THE RESOURCE MANAGEMENT ACT 1991

(Note: for applications other than minor / straight forward ones, also complete the 3 sheet 593 / 94 Determination form, attached to the consent template).

Applicant:..... RC.....

Activity: Permitted ☐ Controlled ☐ Discretionary ☐ Non-Complying ☐

Permitted ☐ Controlled ☐ Discretionary or Restricted Discretionary ☐ Non-Complying ☐

A. WRITTEN APPROVAL REQUIRED **Obtained**

Name:	How Affected:	Yes	No

"THAT pursuant to Section 94 Council considers that the above persons/no persons may ely affected by the granting of this resource consent."

lanner ..... Date:.....

..... Date:.....

N-NOTIFICATION

or Non-Notification:

Decision "THAT pursuant to Sections 93 and 94 Council determines, for the reasons outlined above that this application need not be notified."

Resource Planner ..... Date:.....

ESM/RCM ..... Date:.....

C. NOTIFICATION / LIMITED NOTIFICATION

Decision "THAT pursuant to Sections 93 and 94 Council determines, for the reasons outlined above that this application be notified / processed by serving notice."

Resource Planner ..... Date:.....

ESM/RCM ..... Date:.....

FILECORP EZi-Clip Re-order No: 06FCH3001

DETERMINATION AS TO WHETHER A RESOURCE CONSENT APPLICATION SHOULD BE NOTIFIED OR NON NOTIFIED UNDER SECTIONS 93 AND 94 OF THE RESOURCE MANAGEMENT ACT 1991

Colin Cairn Davidson
C/- Von Sturmers
PO Box 128
Kaitaia 0441

284 Taylor Road, Kaitaia

Subdivision Consent to create two additional titles RC-2060877-RMASUB

1. Status of Application

Resource Consent is sought to subdivide Pt allotment 11 Oruru (13.9224ha) into 3 titles; Lot 1 (2.5ha), Lot 2 (2ha), Lot 3 (9.4ha). At the time the application was lodged the Rural Production zone provisions allowed for subdivision proposals of pre 28 April 2000 titles with a maximum of 3 lots, a minimum lot size of 4000m2 and a balance lot with a minimum of 4ha as Restricted Discretionary activities. The proposed subdivision was therefore assessed using the Restricted Discretionary assessment criteria. The same criteria can now be found in Chapter 13.7.3 and 13.8.1 of the Operative District Plan.

2A. Are the adverse effects minor?

An analysis of all of the effects of the proposal, pursuant to Sections 93(1) and 94A of the Resource Management Act 1991 has been undertaken; except where, under Section 93(1)(a), the presumption for non-notification of a Controlled Activity is set out, or under Section 94A(b), where the Council's discretion is limited by Restricted Discretionary Activity (RDA) provisions within the District Plan.

NOTE that all of the adverse effects arising from Discretionary or Non-Complying Activities must be considered here.

Possible Effects	Scale of Effect/Mitigation/Neighbour's Consent/Other Comments
Flora and fauna (including Kiwi Habitat)	This 13.9224ha Rural Production zone site contains two areas that are part of two Significant Natural Areas (SNA's). The DOC Maungataniwha Ecological District Report identifies these areas as Burma Road and Paranui Stream Swamp. The area is also known to have medium kiwi habitat value. The applicant has agreed to a vegetation and habitat protection consent notice being placed on the Title of Lot 3. An advice note regarding Councils vegetation clearance rules could also be placed on the consent. Overall the adverse effects of the proposed subdivision on flora and fauna will be no more than minor.
Landscape	The site is not within an area of Outstanding Landscape. The proposed subdivision, and any subsequent residential development, will have a no more than minor effect on the landscape value of the neighbourhood.
Water bodies	The NW boundary of Pt Allot 11 is Paranui Stream. The applicant has suggested that a stream bank protection consent notice could be placed on the title of proposed Lots 1 and 3. The site is not within a flood prone area. No adverse effect.
Stormwater	Councils Consents Engineer has reviewed the application and determined that stormwater can be disposed to natural channels on site without adverse effects.
Waste water	Resource Consent conditions will reflect Council's current on site effluent disposal policy. The applicant did not provide a TP58 report with he subdivision application.

Site stability	The site has a flat to rolling topography. Councils Consents Engineer has no concerns about site stability.
Shadowing / Sunlight / Privacy	There is adequate space on each proposed lot to construct a building platform and residence that complies with the setback and sunlight provisions of the District Plan.
Visual Amenity/Character	There is no visual amenity rule in the Rural Production zone. The surrounding neighbourhood mostly contains lots that are over 4ha and there are still some large farming blocks along Taylor Road. The proposed lots are therefore slightly smaller than the existing existing lots. However, the proposed subdivision complies with the Restricted Discretionary dimension criteria and is in general accordance with thesubdivision provisions of the Operative District Plan.
Noxious Effects	The proposed subdivision will not directly result in any noxious effects.
Infrastructure Traffic and Parking / Access from State Highway	When the application was originally lodged there were concerns about the capacity of Taylor Road. Council commissioned GHD to inspect the road in May 2006. GHD reported that improvements were required for safety and recommended that the applicant contribute $5000/lot for road works or carry out specific works as per Council's letter dated 17 May 2006. A 224 condition will be imposed requiring evidence the work has been carried out or the contribution has been paid. The applicant has not provided letters from Top Energy or Telecom. These will need to be provided at 224 stage or a consent notice will be required on the titles to warn future owners that electricity and telecommunications have not been provided. ROW's A and B are well formed and metalled. An advice note regarding maintenance of ROW's could be placed on the consent to ensure future owners of the sites realize that Council does not maintain the ROW.
Cultural	Ngati Kahu was sent a copy of the application but has not responded to Council.
Socio-economic	No issues.
Open space	No adverse effects on access to open space.
Natural Hazards	The site is not subject to any known natural hazards.
Reverse sensitivity	The NW boundary of the site is shared with a quarry owned by Alma Collings. The Collings initially refused to give unconditional consent to the subdivision as they were concerned that reverse sensitivity effects may adversely affect the operation of the quarry. On 19 April 2006 Council requested that the applicant provide the written approval of the quarry owner. The applicant suggested that a consent notice would suffice. Council countered that a consent notice would not waive the RMA's requirement (Section 94 (2))for written approval from affected parties and that limited notification would be required if approval could not be obtained. The quarry owner and the applicant agreed on a wording for a consent notice in August 2008 and the application was able to begin to be processed without notification.

2B. If there are adverse effects, are these effects more than those permitted in the District Plan?

No. The proposed subdivision is consistent with the policies and objectives of the Operative District Plan.

3. **Consent of Affected Persons (section 94B of the Act)**
A written agreement has been recorded between the applicant and the affected party.

Has the applicant consulted with iwi?
No.

4. **Is limited notification considered appropriate?**
No. Written approval has already been obtained from the only affected party.

5. **Public notification of proposal if requested by applicant or if special circumstances exist**
Notification was not requested and no special circumstances exist.

6. **Conclusions**
1. The adverse effects of the proposed subdivision can be mitigated and are consistent with the provisions of the Operative District Plan.
2. Affected parties have given their written approval.
3. There are no special circumstances requiring notification.

7. **Recommendation:**
The application continues to be processed without notification.

RESOLUTION
That pursuant to Section 93(1)(b) and Section 94(2) of the Resource Management Act 1991, the Council considers that the Subdivision Consent Application RC-2060877-RMASUB by Colin Cairn Davidson will be processed without the need to serve notice (non-notified).

The reasons for this resolution are:

1. Taking into account the effect of the proposal, the adverse effect on the environment of the activity for which consent is sought will be no more than minor.
2. Written approval has been obtained from the only affected party.
3. Special circumstances requiring notification do not exist.

SIGNED:

Lew _____ Dated: 29.08.08

Louise Wilson
Assistant Resource Planner

Approved By:

PJ Killalea _____ Dated: 29/08/08

Pat Killalea
Resource Consents Manager

(ACTING UNDER DELEGATED AUTHORITY)

Far North District Council

FILE NOTE

From:	Louise Wilson
Department	Development Consents Department
Date	18 August 2008
Subject	**Colin Cairn Davidson, RC-2060877-RMASUB, Subdivision**

Council received this application for a 3 Lot subdivision in two stages in March of 2006. The application was considered to be a Restricted Discretionary activity under provision 12.3.7,12.8, 12.8A and 12.9 of the Transitional District Plan (as per Environment Court Decision on 16 February 2006). The proposed subdivision also did not comply with the setback/shape factors, was near a Significant Natural Area (SNA) and moderate kiwi habitat, and there were concerns about access onto Taylor Road. In addition the proposed subdivision was near a quarry and the quarry owner was deemed to be an "affected party" the written approval of this party had not been obtained. These factors were not addressed adequately in the original application so a Section 92 letter requesting further information was sent on 19 April 2006.

The requested information was provided and feedback was received from GHD and Council's Engineers in May/June of 2006. The only outstanding issue was to do with the Quarry and reverse sensitivity. In a letter dated 12 May 2006 the applicant's lawyer suggested a consent notice could be registered on the titles warning any future owners of the subdivision of the quaries existing use rights.

In a letter dated 12 October 2006 Council stated concerns about the lawfulness and effectiveness of the consent notice and would have preferred an unconditional approval from the affected party/quarry owner after the applicant and the quarry owner had come to their own agreement. Alternatively Council would have preferred to process the application by way of limited notification. A further letter explaining this stance was issued on 11 July 2007.

After further correspondence between Council and the applicant an acceptable consent notice wording was suggested by Council on 24 June 2008 and agreed upon on 4 August 2008. The file was reallocated to Louise Wilson on 14 August 2008. Louise will write the 93/94 report and decision in due course.

Far North
District Council

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

Te Kaunihera o Tai Tokerau Ki Te Raki

RFS Number: 3388132
RC 2060877

13 August 2008

Colin Cairn Davidson
Taylors Road
RD 3
Kaitaia 0483

Dear Mr & Mrs Davidson

Re: Subdivision application, Taylor Road, Paranui

Thank you for your letter of 4 August 2008 confirming your acceptance of the consent notice wording outlined in my letter of 24 June 2008.

Your file will be re-allocated to a planner to complete and you will be advised of the Councils' decision within the next few weeks.

Yours faithfully

P J Killalea.

P J Killalea
Resource Consents Manager

3388132

04-08-08

To RECOURCE CONSENTS MNGR.
FAR NORTH DISTRICT COUNCIL
PRIVATE BAG 752
KAIKOHE 0400

From COLIN & AUDREY DAVIDSON
284 TAYLOR Rd
R.D.3
KAITAIA 0483

FNDC ADMIN
06 AUG 2008

ATTN P.J. KILLALEA re RC 2060877 RMASUB
RFS 3375629.

Dear Mr Killalea,

Thankyou for the courteous and helpful attention you and Mayer Brown have given to our application for subdivision.

We have discussed with our lawyer MR R. FOUNTAIN the wording of the consent notice required for our application to proceed.

On our agreement and instructions he has contacted MR C PATTERSON lawyer for A.M. COCINOS the owner of the quarry to which the consent notice refers.

We have now received a written reply via MR FOUNTAIN that MR PATTERSONS client A COCINOS "quote" has no problems in consenting to the subdivision in the light of the councils latest letter "unquote.

If this is acceptable to yourself could our application please proceed to the next stage.

MR FOUNTAIN has requested that we keep him informed of the progress.

Thankering you

Yours sincerely
C & Davidson
A Davidson

CC DAVIDSON
AJ DAVIDSON

Far North
District Council

Private Bag 752, Memorial Ave
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Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

RFS- 3375629
RC-2060877-RMASUB

24 June 2008

Colin and Audrey Davidson
284 Taylor Road
Paranui, RD3
KAITAIA 0483

Dear Mr & Mrs Davidson

Re: Subdivision Application, Taylor Road, Paranui

I refer to your letter of 28 March 2008 addressed to Mayor Brown and apologize for the delay in replying. The Mayor has requested that I investigate the situation and reply directly to you.

I have examined the file and note the solution proposed by your solicitor in conjunction with the solicitor acting for Alma Collings. Council's consultant planner has advised that the proposed consent notice condition could not be supported as it could not be enforced by Council. However, it does appear that the proposed consent notice condition could be reworded to make it acceptable to Council. My suggested wording is as follows:
"The Lot is adjacent to, or nearly adjacent to an active quarry which from time to time will produce noise, dust and possibly involve blasting. The owner of the Lot shall provide evidence when any application is made for a building consent for a habitable building that consideration had been given to these effects by the siting and/or by design of such building."

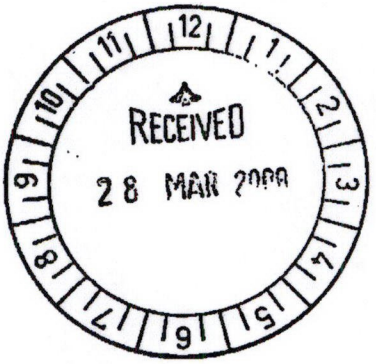
This removes the onus on the vendor (and thereby the Council) to ensure that prospective purchasers are advised of the situation. It is suggested that you discuss the revised condition with your lawyer and if it is acceptable to all parties we can complete the processing of your application

Please contact me should you wish to discuss the situation further.

Yours faithfully,

PJ Killalea
Resource Consents Manager

COLIN & AUDREY DAVIDSON
284 TAYLOR Rd.
PARANUI. R.D.3
KAITAIA 0483
Ph. 09 4085535
PROPERTY I.D. NO 00085-35902



ATTN.
THE MAYOR. WAYNE BROWN
F.N.D.C
PRIVATE BAG 752
KAIKOHE 0400

SUBJECT - RESOURCE CONSENT application R.C 2060877

Dear Sir,

Greetings to you, your councillors and support staff.

We the undersigned, write to you seeking reason in the process we have encounted with the PLANNING DEPT of the F.N.D.C.

We are a retried couple residing happily at our property at the end of TAYLOR Rd. PARANUI.

One of the attractions of this property which we purchased in 1994 was that it had never been farmed and only approx. 1ac. of land had been cleared. The balance of the land is MANUKA/KANUKA/ scrub and regenerating natives. Some larger trees exist having escaped a previous generations fire.

We do not intend to clear the land and have undertaken to plant extra native and exotic trees to enhance what is already here.

Our land is approached via OAKURA/PARANUI/ TAYLOR Rd a distance of 11 Ks from TAIPA (8 Ks metal) The property is 13.9224 ha and begins near a bridge that crosses the PARANUI STREAM. It is narrow at this point (52m) widening to 90m over a

distance of approx 375m. This area of land 2.5 ha. had mature pines on it at the time of our purchase. In 1998 we obtained N.R.C resource consent to harvest these trees. With the proceeds from the trees we extended and renovated the existing small cottage. (BC 990333)

In Sept. 1998 we replanted the block with over 600 exotic trees mostly CUPRESSUS LUSITANICA. this was to prevent soil wash entering the stream - suppress gorse growth and provide future harvesting (30-45 yrs). These trees have had their 1st prune and are now ready for the 2nd lift.

We did not purchase this property for speculative purposes - but as not uncommon the land becomes a challenge with age. We have no income other than National Super and we are limited in being able to afford help to maintain this forest block.

In January 06 we were approached by a young man enquiring about the possibility of purchasing this forest block. We reviewed our position and the viability of perhaps subdividing this peece of land from the parent block.

In February 06 we approached the F.N.D.C PLANNING DEPT by way of appointment and spoke with GREG PHILLIPS about our plans. He directed us to the to the PLANNING GUIDE SUBDIVISION PAMPHLET NO 1 clause (3) indicating that we came in the general rural zone. He also provided us with the DEVELOPMENT CONTRIBUTION pamphlet indicating the charges that could be levied.

At a second appointment we discussed the process required and that under the rules

2 blocks could be separated from the parent block. He confirmed that this was possible.

With this information we then approached the Kaitaia office of VON STURMERS LAND SURVEYORS and RESOURCE PLANNERS. and spoke with PETER WILD the manager of this firm.

We chose VON STURMERS as our agent because we knew that they were familiar with our area, having been the surveyors involved in previous subdivisions, the most recent in 2005 of the land adjoining our own on the eastern side Pt ALLOT 69 PSH OF ORURU 96·7887 SO 49091

PETER WILD discussed our options and confirmed that it was more economical to go for a 2 lot subdivision. Lot 1 though would be only a matter of joining two already surveyed points

We considered all this and decided to apply for a 2x2ha lot staged subdivision. Our decision was partially prompted by the fact that our daughter died suddenly in 2004 leaving us as guardians of our then aged 12 granddaughter. We feel it is our responsibility to provide for her and her older siblings, what would have been their mothers portion should she not have predeceased us. Rather than wait till some future date we would 'tidy-up' our affairs now.

Subsequently our application was lodged on the 28·03·06 as a non notified 2 lots staged subdivision.

In April 2006 we received a letter from the PLANNING DEPT. via our agent with a request for further information. We also received a visit from the LOCAL IWI.

There are (4) items of query (letter encl) and no. 2 is the reason we are appealing for help. REVERSE SENSITIVITY.

We approached the quarry operator IAN COLLINGS seeking his signature and/or any objection he might have. Rightly so he consulted with his mother ALMA COLLINGS the land owner

ALMA COLLINGS phoned her solicitor CLIVE PATTERSON who told her "don't sign anything to do with the council".

Although ALMA C. has stated she has no objections to us selling land she has remained steadfast in her refusal to sign anything

We discussed this with PETER WILD and then our lawyer ROBIN FOUNTAIN who suggested we enter a consent notice against our title.

With this and other consents by ourselves PETER WILD responded on our behalf to the PLANNING DEPT requests and forwarded all documents to the F.N.D.C.

Although we have never heard whether items 1, 3 & 4 were satisfactory; item (2) was soundly rejected by the assigned planner NICK WILLIAMSON.. Many phone calls and much correspondence ensued and another letter written in collaboration between CLIVE ~~PATTERSON~~ PATTERSON + ROBIN FOUNTAIN was forwarded to the F.N.D.C. on the 23-08-06 (copy encl.) this letter was also rejected by NICK WILLIAMSON.

On the last occasion that ALMA COLLINGS was asked for comment, all documents / letters relating to our application were placed in

Limited notification

1855-00 ~~cost~~

~~600~~

615-00 – amount paid 22-03-06

1240-00

Obtained from KTA FNDC office

the hands of the COLLINGS family so that it could be plainly seen what we were proposing and our legal responsibility.

ALMA again contacted her lawyer whose message to us thru her was - "It is up to the DAVIDSONS to sort out the council."

Our lawyer has closed his involvment in this matter - the young man - employed in the building trade has gone to the Waikato area - dissapointed that he was unable to buy land here.

The way forward that has been suggested to us by NICK WILLIAMSON and others is that we upgrade our application to a 'limited notified' status. On enquiry at the F.N.D.C we were told that it would be another $1240 up front fee. this would take us 1 year to obtain to pay for what we understand from previous requests - a refusal to sign anything.

Some of the other options we have considered are -

ACCOUSTIC REPORT - OPUS ENGINEERING quote - $3-4000.

ACCOUSTIC REPORT E-H-O - they cannot help unless we complain - we do not consider this an option.

WRITTEN REPORT - We do not know who would be considered 'qualified' by the planning dept.

APPEAL COURT - Lawyers fee $1000 plus appeal costs.

We acknowledge the 'RECOGNIZED CUSTOMARY ACTIVITY' status of the quarry known as PARANUI LIMEWORKS.
It has been established in excess of 40 yrs. Anecdotal evidence would suggest that although lime is processed the bulk of the quarry production is metal uplifted by COUNCIL contractors for roading use.

According to the N.R.C (quote) "The PARANUI LIMEWORKS do not have resource consent as they apparently fall beneath the 5000 m^3 per year level. They work under the Permitted 'LAND DISTURBANCE' rules"

We have never felt the need to nor do we wish to complain about the quarry however, we have been unable to establish quarry standards within the REVERSE SENSITIVITY & SNA requirements requested of us.

On average over the years we have been here, the road use by private individuals has reduced. When LOT 1 DP 80136 4.6420ha changed hands the new owners closed the TAYLOR Rd entrance and requested that all affected property owners move their letter boxes to the PERIA side of the hill. This resulted in a reduction of traffic to and from at least 3 households. Also the only dairy farm on our road has ceased production removing the need for daily tanker visits. The road is serviced by a school bus with student pick up and drop off point being 30m past the quarry entrance at the crest of a hill. (from our side)

Between the COCKINGS family home and the quarry entrance there is an entrance to the PARANUI CEMETARY.

A well known beekeeper acesses our property when he has his bees on our place during the honey season.

We have reached a stalemate in matters pertaining to our R.C. application.

While acknowledging you as a 'busy MAYOR' we respectfully request that a thorough review of our case be considered and that 'discretion' be applied, not just a set of rules.

It would seem to us that the 'way forward' will be at your instigation and we seek communication with you.

Yours faithfully

C C DAVIDSON C C Davidson

A J DAVIDSON A J Davidson

Signed. 25/03/08.

Far North District Council

To:	Pat Killalea	**Department:**	Development Consents
From:	Greg Phillips	**Department:**	Development Consents
Date:	31 March 2008		
Subject:	Correspondence number RFS 3375629 -- RC 2060877 **Colin Cairn Davidson** RMA – Planning General		

On 28 March 2008 we received correspondence from Colin Cairn Davidson concerning an alleged stalemate with regard to the processing of his proposed subdivision.

Brief History

The application was lodged at the end of March 2006 and as stated in the RFS letter, the s92 letter was sent on 19 April 2006. The s92 covered the fact that von Sturmers assessed the application as a Controlled Activity (instead of the RDA that it had been for 6 weeks, at that time); the quarry-related reverse sensitivity issues; the commissioning of a road upgrading report; and SNA-Kiwi habitat matters. On 26 June 2006 the applicant provided their approvals in respect of the road upgrading and SNA matters, and the agent assessed the proposal in terms of the RDA criteria.

Nick Williamson replied to the applicant on 12 October 2006 that, in his view, the consent notice to require prospective purchasers to be informed of the existing quarry use (proposed jointly by Messrs Patterson and Fountain, acting for the applicants and the quarry owner) was not enforceable by the Council, and accordingly *ultra vires*. The applicants replied on 15 May 2007 by asking the Council to provide a "precisely worded agreement notice" for them to present to the quarry owner as a side agreement. They also requested a copy of "Quarry Operational Standards" to work toward. Nick's reply of 11 July 2007 reiterated that the two viable options in his view (an earlier option of providing an assessment of the quarry effects was not pursued, as even a thorough assessment with acoustic reports *etc* might not be sufficient to avoid consideration of reverse sensitivity effects and/or make the quarry owner non-affected) were a side agreement between the parties leading to an unconditional written approval from the quarry owner **or** an agreement to proceed under the limited notification process.

Recommendation

Because of my past and future relationship with XPlan Ltd, I do not consider that I am in a position to provide the "thorough review of [the Davidson's] case" that they are seeking from the Mayor.

The file is quite self-explanatory. The only 'alternative' solution that I could think of was for Cr Bamber to act in his mediator's role to see if any progress could be made in getting the applicants and the quarry owner together to find a way forward toward a workable side agreement, as there don't seem to be any 'in principle' matters [except that neither of the lawyers seems willing to put in the effort] which are in the way of such a win-win result.

Greg Phillips
Resource Consents Team Leader

COLIN & AUDREY DAVIDSON
284 TAYLOR Rd.
PARANUI. R.D.3
KAITAIA 0483
Ph. 09 4085535
PROPERTY I.D. NO 00085-35902

ATTN.
THE MAYOR. WAYNE BROWN
F.N.D.C
PRIVATE BAG 752
KAIKOHE 0400

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We did not purchase this property for speculative purposes - but as not uncommon the land becomes a challenge with age. We have no income other than National Super' and we are limited in being able to afford help to maintain this forest block.

In January '06 we were approached by a young man enquiring about the possibility of purchasing this forest block. We reviewed our position and the viability of perhaps subdividing this peece of land from the parent block.

In February '06 we approached the F.N.D.C PLANNING DEPT by way of appointment and spoke with GREG PHILLIPS about our plans. He directed us to the to the PLANNING GUIDE SUBDIVISION PAMPHLET NO1 clause(3) indicating that we came in the general rural zone. He also provided us with the DEVELOPMENT CONTRIBUTION pamphlet indicating the charges that could be levied.

At a second appointment we discussed the process required and that under the rules

2 blocks could be separated from the parent block. He confirmed that this was possible.

With this information we then approached the Kaitaia office of VON STURMERS LAND SURVEYORS and RESOURCE PLANNERS. and spoke with PETER WILD the manager of this firm.

We chose VON STURMERS as our agent because we knew that they were familiar with our area, having been the surveyors involved in previous subdivisions, the most recent in 2005 of the land adjoining our own on the eastern side Pt ALLOT 69 PSH OF ORURU 96-7887 SO 49091

PETER WILD discussed our options and confirmed that it was more economical to go for a 2 lot subdivision. Lot 1 though would be only a matter of joining two already surveyed points

We considered all this and decided to apply for a 2x2ha lot staged subdivision. Our decision was partially prompted by the fact that our daughter died suddenly in 2004 leaving us as guardians of our then aged 12 granddaughter. We feel it is our responsibility to provide for her and her older siblings, what would have been their mothers portion should she not have predeceased us. Rather than wait till some future date we would 'tidy-up' our affairs now.

Subsequently our application was lodged on the 28-03-06 as a non notified 2 lots staged subdivision.

In April 2006 we received a letter from the PLANNING DEPT. via our agent with a request for further information. We also received a visit from the LOCAL IWI.

There are (4) items of query (letter encl) and no. 2 is the reason we are appealing for help. REVERSE SENSITIVITY.

We approached the quarry operator IAN COLLINGS seeking his signature and/or any objections he might have. Rightly so he consulted with his mother ALMA COLLINGS the land owner

ALMA COLLINGS phoned her solicitor CLIVE PATTERSON who told her "don't sign anything to do with the council".

Although ALMA C. has stated she has no objections to us selling land she has remained steadfast in her refusal to sign anything

We discussed this with PETER WILD and then our lawyer ROBIN FOUNTAIN who suggested we enter a consent notice against our title.

With this and other consents by ourselves PETER WILD responded on our behalf to the PLANNING DEPT requests and forwarded all documents to the F.N.D.C.

Although we have never heard whether items 1, 3 & 4 were satisfactory; item (2) was soundly rejected by the assigned planner NICK WILLIAMSON. Many phone calls and much correspondence ensued and another letter written in collaboration between CLIVE ~~PATTERSON~~ PATTERSON + ROBIN FOUNTAIN was forwarded to the F.N.D.C on the 23-08-06 (copy-end.) this letter was also rejected by NICK WILLIAMSON.

On the last occasion that ALMA COLLINGS was asked for comment, all documents / letters relating to our application were placed in

Limited notification

1855-00

615-00 - amount paid 28-03-06

1240-00

Obtained from KTA FNDC office

the hands of the COLLINGS family so that it could be plainly seen what we were proposing and our legal responsibility.

ALMA again contacted her lawyer whose message to us thru her was - "It is up to the DAVIDSONS to sort out the council."

Our lawyer has closed his involvment in this matter - the young man - employed in the building trade has gone to the Waikato area - dissapointed that he was unable to buy land here.

The way forward that has been suggested to us by NICK WILLIAMSON and others is that we upgrade our application to a 'limited notified' status. On enquiry at the F.N.D.C we were told that it would be another $1240 up front fee. this would take us 1 year to obtain to pay for what we understand from previous requests - a refusal to sign anything.

Some of the other options we have considered are -

ACCOUSTIC REPORT - OPUS ENGINEERING quote - $3-4000.

ACCOUSTIC REPORT E.H.O - they cannot help unless we complain - we do not consider this an option.

WRITTEN REPORT - We do not know who would be considered 'qualified' by the planning dept.

APPEAL COURT - Lawyers fee $1000 plus appeal costs.

We acknowledge the 'RECOGNIZED CUSTOMARY ACTIVITY' status of the quarry known as PARANUI LIMEWORKS.
It has been established in excess of 40yrs. Aneedotal evidence would suggest that although lime is processed the bulk of the quarry production is metal uplifted by COUNCIL contractors for roading use.

According to the N.R.C (quote) "The PARANUI LIMEWORKS do not have resource consent as they apparently fall beneath the 5000m^3 per year level. They work under the Permitted 'LAND DISTURBANCE' rules"

We have never felt the need to nor do we wish to complain about the quarry however, we have been unable to establish quarry standards within the REVERSE SENSITIVITY & SNA requirements requested of us.

On average over the years we have been here, the road use by private individuals has reduced. When LOT 1 DP 80136 4.6420ha changed hands the new owners closed the TAYLOR Rd entrance and requested that all affected property owners move their letter boxes to the PERIA side of the hill. This resulted in a reduction of traffic to and from at least 3 households. Also the only dairy farm on our road has ceased production removing the need for daily tanker visits. The road is serviced by a school bus with student pick up and drop off point being 50m past the quarry entrance at the crest of a hill. (from our side)
Between the COCINAS family home and the quarry entrance there is an entrance to the PARANUI CEMETARY.
A well known beekeeper acesses our property when he has his bees on our place during the honey season.

We have reached a stalemate in matters pertaining to our R.C. application.

While acknowledging you as a 'busy MAYOR' we respectfully request that a thorough review of our case be considered and that 'discretion' be applied, not just a set of rules.

It would seem to us that the 'way forward' will be at your instigation and we seek communication with you.

yours faithfully

C C DAVIDSON

A J DAVIDSON

Signed. 25/03/08.

P0030106

Far North District Council

Davidson looking @ Collins ppty file, just as Collins did to his.

Valuation Number 00085-35700

FAR NORTH DISTRICT COUNCIL PROPERTY FILES

Council has made the information available under Sections 10 – 18 (inclusive) of the local Government Official Information and Meetings Act 1987 ONLY.

Council does not warrant its accuracy and disclaims all liability what so ever for any error, inaccuracy or incompleteness of the information.

No person should rely on any information without seeking appropriate independent and professional advice.

The information provided does not constitute a Land Information Memorandum or any similar document.

I have read the above.

Signed : .....

Please print name : A.J. DAVIDSON

Date : 5/7/07

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

10 NOV 1973

SPECIFICATION

POOR QUALITY

for

WEIGHBRIDGE PIT.

Pt Allot N35 Oruru Parish
& Lot 1 DP 72870

Customer: ...PARANUI LIME WORKS, KAITAIA

Capacity of Weighbridge: ...22 TONNE.....

Size: ...20 FT. x 10 FT

Type: ...STEELMASTER

Dwg. No.: ...6919 & 6919/1

PIER LOADS:

P1 Main Lever Piers: 20000 Lb. each

P2 Back Bone Lever Piers: 4000 Lb. each

PIT DESIGN SPECIFICATIONS:

The design of pit is based on superimposed scale loads, normal truck, surcharge and uniform soil conditions. (Such soils as clay, sandy clays, etc., dry or wet, having a minimum bearing pressure of 1500 lb/sq. ft.)

UNUSUAL CONDITIONS:

For unusual soil conditions, loading conditions, architectural requirements, or an increase in pit depth, this design must be altered to suit conditions. In all cases, the pit bottom must be below the local frost line.

CONCRETE AND STEEL SPECIFICATIONS:

Use 3,000 p.s.i. strength concrete at 28 days age. If subject to severe weather conditions use air entraining agent. All deformed bars to A.S.T.M. A305-50T. Concrete and steel reinforcing to be placed according to the best practice.

SCALE HEAD CLEARANCES:

Minimum distance scale head centre line to wall or other obstacle: dial head 15", "Printweigh" 26". To ensure clearance for all scale heads a 42" minimum distance from wall or other obstacle to scale head centreline is recommended.

DIMENSIONAL TOLERANCE:

All inside dimensions of pit and all grout holes to be located true and accurate to 1/8" of dimensions given from centreline of pit. It is important that the pit be constructed truly square and the tops of the walls and the pedestals are screeded off smooth and level. DO NOT SCALE.

NOTE TO CONTRACTOR:

The pedestals are to be poured integral with walls. Bottom of pit to be sloped to a convenient drainage point.

½" M.S. Plate to be provided by contractor 3'-4" ..... x 2'-9" .....
Angle iron curbing 4" x 4" x ¼" Angle to be provided by contractor
- 2 lengths 20'-1" ..... x 2 lengths. 10'-9" .....
Angle iron to be fitted with grouting pegs 12" apart.
Contractor fits and grouts 4" x 4" angle around pit AFTER the

Suspended

s92

~~11 July 07~~

19 April 2006

Our Reference: RC 2060877

11 July 2007

CC & AJ Davidson
284 Taylor Road
RC3
KAITAIA 0483

Dear Sir & Madam

APPLICATION FOR SUBDIVISION CONSENT – FURTHER INFORMATION

I refer to your letter addressed to the Resource Consents Manager dated 14 May 2007 which has been forwarded to me for a detailed reply.

You have requested two items from the Council to enable you to provide a response to our request for further information dated 12 October 2006. Firstly, you sought a 'precisely worded agreement notice' for you to present to your neighbours for approval and signing. Secondly, you sought a schedule of 'Quarry Operational Standards'. Although we are not in a position to be able to provide you with the specific information you have requested, we would like to assist you with your enquiries by providing you with the following information.

Agreement Notice

Based on the information provided by your surveying advisor, the subdivision you proposed is classified as a 'discretionary activity' in terms of the Resource Management Act 1991. Under the Act, all applications for resource consent are required to be publicly notified unless the Council is satisfied that the effects on the environment are no more than minor, and the written approval of all persons who may be adversely affected by the proposed activity has been obtained.

In the case of your site, there is a rule in the District Plan that requires the Council to consider the effects of incompatible land uses (reverse sensitivity) resulting from the proposed subdivision's proximity to existing adjacent activities. In this instance the Council considers that the owner and operator of the adjacent quarry operation are affected persons within the meaning of the Resource Management Act 1991. To be able to consider the proposed subdivision without notifying the application on a public or on a limited basis, you need to secure the written approval of these persons.

I have enclosed for your information a Council brochure relating to neighbours' approvals and the issues surrounding this process. I have also enclosed a copy of the 'agreement notice' that your neighbours will need to sign. If your neighbour requires a separate 'side agreement' in exchange for providing their written approval, then this will need to be in a form that is agreeable to both you and your neighbours. The Council will not be in a position to administer or enforce any side agreement that

you may reach with your neighbour, so our only requirement is that the attached form is completed and signed without any conditions attached.

In the event that you cannot reach agreement with your neighbour, then the Council will only be able to proceed to consider your proposal after a copy of it is served on all affected persons. This 'notification' process provides all affected persons with 20 working days in which to make a submission on your application, and gives them a right to be heard before the Council. All submitters have the right of appeal to the Environment Court in the event that they are not satisfied with the Council's decision, as do you as applicant.

Quarry Operational Standards

Other than the environmental performance standards set out in the District Plan in relation to earthworks, traffic, noise, dust, vibration, vegetation clearance and other such controls, the Far North District Council has no 'Quarry Operational Standards' of the nature you seem to be referring to. However, the 'standards' by which the adjacent quarry activity must operate are those rules that applied at the time that the quarry was originally established, and not necessarily the rules that are presently set out in the District Plan. In addition to any standards imposed by the District Council, the Northland Regional Council has a number of statutory responsibilities in relation to the management of quarry activities, and they will be in a better position to advise you in relation to these aspects.

What I can confirm is that in terms of the District Plan rules, the Council will be paying particular attention to the adverse effects arising from incompatible land use activities including (but not limited to) noise, vibration, smell, smoke, dust and spray drift. Based on the assumption that the existing quarry activity is presently operating lawfully, you can expect the effects of the activity to continue at the levels presently being experienced.

If you require any further clarification in relation to the matters raised in this letter, please contact the undersigned on email nick.williamson@fndc.govt.nz or mobile 027 555 5454.

Yours faithfully

Nick Williamson
CONSULTANT PLANNER (*x*plan Ltd)

CC & A.J. DAVIDSON
284 TAYLOR Rd
R.D. 3
KAITAIA 0483
14-05-07

FAR NORTH DISTRICT COUNCIL
RECEIVED
15 MAY 2007
KAITAIA
SERVICE CENTRE

THE MANAGER
THE PLANNING DEPT.
FAR NORTH DISTRICT COUNCIL
PRIVATE BAG 752
KAIKOHE

RE: R.C 2060877
Item - request for further information
dated 12-10-06 REVERSE SENSITIVITY.

Since our last written communication from your consultant NICK WILLIAMSON (X PLAN LTD) we have had regular dialogue with the parties concerned in our subdivision application.
As our lawyers agreed consent notice has been rejected we now require the planning department to supply us with a precisely worded agreement notice for us to present to our neighbour (A COLLINGS) for approval and signing. This notice should satisfy your consultants requirements and that of the F.N.D.C. also the lawyers who represent us.

A COLLINGS - C PATTERSON PATTERSON LAW KAITAIA

CC+AJ DAVIDSON R. FOUNTAIN MANGONUI

We also require the F.N.D.C to supply a schedule regarding QUARRY OPERATIONAL STANDARDS so that we are all fully informed of what we are being sensitive to.

C & C Davidson yours faithfully

Far North District Council

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

Te Kaunihera o Tai Tokerau Ki Te Raki

Valuation Number RC 2060877.

FAR NORTH DISRICT COUNCIL PROPERTY FILES

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Council does not warrant its accuracy and disclaims all liability what so ever for any error, inaccuracy or incompleteness of the information.

No person should rely on any information without seeking appropriate independent and professional advice.

The information provided does not constitute a Land Information Memorandum or any similar document.

I have read the above.

Signed: Ian Collings

Please print name: IAN. COLLINGS

Date: 27-2-07

FAR NORTH DISTRICT COUNCIL
RECEIVED
17 OCT 2006
KAITAIA
SERVICE CENTRE

To - ***Nick Williamson***
Planning Consultant

Far North District Council

From - *Colin Davidson, c/- Von Sturmers*

Resource Consent *RC 2060877*

Regarding letter dated 12-10-06 under Section 92 of the Resource Management Act.

(*Note to the applicant* – please mark the option/s you have taken)

a) I have provided the following information requested in your letter.

i) .....

ii) .....

b) I accept to provide the information requested by Council before Xmas - 2006

(*Note to applicant* – please indicate the date by which you are able to provide this information)

i) .....

ii) .....

c) I wish to make a formal objection under Section 357(1)(b) of the Act to the request for additional information by Council under Section 92(1) of the Act due to the following reasons.

(*Note to applicant* – Please provide detailed reasons with respect to each item of request and send with the Objection lodgement fee of $290.00)

i) .....

ii) .....

Name of Applicant/ Applicants agent Von Sturmers

Signature of Applicant/ Applicants agent .....

Date 17/10/06

Application No: RC 2060877
Your Reference: 11302/887

12 October 2006

Colin Davidson
C/- Von Sturmers
PO Box 128
KAITAIA 0500

Dear Sir

RESOURCE CONSENT APPLICATION – request for further information

I refer to the letter dated 23 August 2006 from *Robin Fountain* that was forwarded to the Council by *Von Sturmers* on 20 September 2006 in relation to the adjoining quarry activities.

The Council previously expressed concern with the use of a consent notice to enforce what is essentially a side agreement between the subdividing owner and the adjoining quarry operator. The latest suggestion details the nature of the wording that both parties appear to have agreed upon. Our concerns regarding the lawfulness of the proposed condition still remain.

In particular, conditions of consent are required to be enforceable by the Council to be considered valid conditions. The suggested wording of the condition requires the Council to have knowledge that the landowner has advised a purchaser of certain things before entering into any agreement to sell the land. The difficulty with this approach is that the sale and purchase process very often occurs without any reference to the Council, with the exception of the LIM process, which more often than not occurs as a condition of purchase after an agreement is entered into. If the condition is breached, then there is very little recourse available to bring the situation back into compliance.

The suggested consent notice is therefore not supported by the Council, and will not form a condition of consent. We would be happy to include an equivalent caution as a Statutory Information notice on any decision. With this in mind, the potential ways forward for your client are these:

(a) Obtain an unconditional agreement from the Quarry Operator, which they may be prepared to give subject to any private covenant arrangement that you can enter into with them; or

(b) Proceed with the proposal on a 'limited notification' basis, whereby the adjoining Quarry Operator would be one of the parties that is served notice of the application under the Act.

In accordance with the Act, your application will remain suspended until we receive this information. Once we have received this information to our satisfaction, a decision will be made regarding notification.

Under Section 92A(1) of the Act you are required to respond to this request before **3 November 2006** by either

a) Providing the requested information; OR

b) By informing Council of your acceptance to provide the information within a reasonable time period to be agreed with the Council; OR

c) Making a formal objection to this request stating your reasons why you consider this information is not required by Council

Please use the attached form when sending in your response to Council. Please note that under Section 92A(3) of the Act Council may decline this application

a) You do not respond to this request; OR

b) Council considers that the application contains insufficient information to enable determination of the application.

Please feel free to contact the undersigned if you have any questions or concerns.

Yours faithfully

13.10

Nick Williamson
Planning Consultant (*x*plan Ltd)

To - ***Nick Williamson***
Planning Consultant

Far North District Council

From - *Colin Davidson, c/- Von Sturmers*

Resource Consent *RC 2060877*

Regarding letter dated .....under Section 92 of the Resource Management Act.

(*Note to the applicant* – please mark the option/s you have taken)

a) I have provided the following information requested in your letter.

i) .....

ii) .....

b) I accept to provide the information requested by Council before .....

(*Note to applicant* – please indicate the date by which you are able to provide this information)

i) .....

ii) .....

c) I wish to make a formal objection under Section 357(1)(b) of the Act to the request for additional information by Council under Section 92(1) of the Act due to the following reasons.

(*Note to applicant* – Please provide detailed reasons with respect to each item of request and send with the Objection lodgement fee of $290.00)

i) .....

ii) .....

Name of Applicant/ Applicants agent .....

Signature of Applicant/ Applicants agent .....

Date .....

With Compliments of:

Ref: 11302|887.

- ❑ As requested
- ❑ For your information
- ❑ For your comment
- ❑ Cheque herewith
- ❑ Signature required
- ❑ Forward to solicitor
- ❑ Please Return
- ❑ Document Transfer

VON STURMERS

A Division of Survey & Planning Solutions Ltd
LAND SURVEYORS - RESOURCE PLANNERS
Kaitaia, Kerikeri & Paihia
www.surveyandplanning.co.nz

117 Commerce St
P.O. Box 128
Kaitaia

Phone: (09) 408 6000
Fax: (09) 408 6002

FAR NORTH DISTRICT COUNCIL
RECEIVED
20 SEP 2006
KAITAIA
SERVICE CENTRE

To: FNDC - Kaitaia (Attn: Nick Williamson).
(R/C 2060877)

Re: Davidson CC & AJ - please find attached correspondence from Robin Fountain - understood he had forwarded same directly to you which is apparently not the case - forwarded now.

From: Peter Wild. Date:

email: kaitaia@surveyandplanning.co.nz

ROBIN FOUNTAIN
LLB, CORONER.

SOLICITOR

PO BOX 292
27 BEACH ROAD
MANGONUI, NORTHLAND
TELEPHONE (09) 406 0690
FAX (09) 406 0691
MOBILE (021) 871456
EMAIL: drf@robinfountain.co.nz

23 August, 2006

The Manager
The Planning Department
Far North District Council
Private Bag 752
KAIKOHE

Fax (09)401 2137

Dear Sir/Madam

RE: RC2060877 CC & AJ DAVIDSON

I have received from my abovenamed clients copies of correspondence between you and Von Sturmers. I have discussed the matter with Mr Patterson of Patterson Law who acts for Alma Collings, the owner of the quarry. We find that we are in agreement and I have Mr Patterson's approval to write this letter to you advising that what we propose is a consent notice in order to give notice to any purchaser from my clients' Davidson. That consent notice should say that the registered proprietor for the time being will, before transferring any lot, advise any purchaser that adjacent or nearly adjacent to the land is an active quarry which from time to time will produce noise, dust and possibly involve blasting and that any registered proprietor will, before transferring any lot, ensure that the purchaser is aware of the existing use and its effects before entering into any agreement to sell the land.

This of course does not preclude the Environment Court from considering any rights of relief, does not prevent any person from making a complaint but it does ensure that such complaint is made only after due acknowledgement of the existing use including the normal workings of the quarry on Lot 1 DP728720 has first been given.

Both Mr Patterson and I think that this resolves the problem and do not see how there can be any future issue or how such a consent notice could be ultra vires.

Yours faithfully
ROBIN FOUNTAIN

DRF:EFB

20.9.06

Phoned Audrey Davidson to advise that we received our copy of this letter today, and it has <u>not</u> been with Council's Planning Manager for the last few weeks as she had indicated to me on Monday (18.9.06).

VON STURMERS

A Division of Survey & Planning Solutions Ltd
LAND SURVEYORS - RESOURCE PLANNERS
Kaitaia, Kerikeri & Paihia
www.surveyandplanning.co.nz

FAR NORTH DISTRICT COUNCIL
RECEIVED
- 4 JUL 2006

File 11302/887
Attn Nick Williamson

4 July 2006

The Planning Department
Far North District Council
Kaitaia Service Centre
KAITAIA

Dear Nick

Re – R/C 2060877 – C & A DAVIDSON
STAGED DEVELOPMENT

I refer to your letter of 19th April 2006 and enclose letters from the owners in satisfaction of a number of your requests.

The Restricted Discretionary status appears to be aimed at the coastal environment with it being obvious that this proposal does not fall into that category.

There is no Department of Conservation land in the near vicinity. Effects on flora and fauna have been mitigated by the offer from the owners of a Consent Notice protection area in the normal way.

The mitigation of fire hazard/s for health and safety of residents can be achieved by a further Consent Notice. I feel Council must, by now, have a standard approach for rural properties (ie – access to water tanks, planting distances from dwellings etc). For this purpose I enclose a list of native plant species, listed in order of flammability, with fire safety tips which I believe will be helpful in the wording should Council not have a standard format of Consent Notice as yet.

I also enclose a copy of a plan showing the Paranui Stream Swamp [004-106 (Y)] and the area marked (X) within the Burma Road area [004/99 shrubland] as it affects Lot 3 (balance area). Once the survey is completed (subject to approval) I will place these areas on a copy of the final survey plan, in the usual way, suitable for attachment to the Consent Notice documents.

I trust this satisfies Council concerns and that the application can now proceed toward approval.

Yours faithfully

P G S WILD
Manager

Kaitaia Office
117 Commerce Street
P.O. Box 128, Kaitaia, New Zealand
Telephone: 09 408 6000
Facsimile: 09 408 6002
Email: kaitaia@surveyandplanning.co.nz

After Hours:
Manager/Surveyor: Peter Wild 09-408 0677

Flammability of native plant species

The following flammability classes are based on a series of surveys conducted by staff from Forest Research's rural fire research programme.

Experienced fire managers throughout New Zealand were asked to rank a list of native species in terms of flammability in the light of their observations at wildfires and prescribed burns under different fire danger conditions.

The final list of 42 species in five flammability classes is intended as a guide only. Genetic and environmental factors will affect the flammability of particular species, eg older plants carrying more dead material, drought conditions, or where a plant is situated.

Flammability class: Low

Suitable for green breaks or defensible space/fire safety zone, but when in the immediate vicinity of buildings, leave at least a 3 to 4 metre break between the crowns to reduce fuel continuity.

Kotukutuku	*Fuchsia excorticate*
Horoekea/Lancewood	*Pseudopanax crassifolius*
Five finger	*Pseudopanax arboreus*
Karamu	*Coprosma robusta*
Raurekau/Kanono	*Coprosma grandifolia*
Hangehange	*Geniostoma ligustrifolium*
Raurekau	*Coprosma australis*
Taupata	*Coprosma repens*
Putaputaweta	*Carpodetus serratus*
Karaka	*Corynocarpus laevigatus*
Papauma/Broadleaf	*Griselinia littoralis*
Puka	*Griselinia lucida*
Kawakawa/Peppertree	*Macropiper excelsum*
Poroporo	*Solanum aviculare*

Flammability class: Low/Moderate

Not recommended for planting in green breaks. If planted in defensible space/fire safety zone, remove elevated dead material and litter regularly, leave greater than 4 metres between tree crowns, and don't plant trees or shrubs in this category within 10 metres of buildings

Koromiko	*Hebe salicifolia* and *H. stricta*
Mahoe wao	*Melicytus lanceolatus*
Mahoe/Whiteywood	*Melicytus ramiflorus*
Mako-mako/Wineberry	*Aristotelia serrata*
Tutu	*Coriaria arborea*
Ngaio	*Myoporum laetum*
Karo	*Pittosporum crassifolium*
Tarata/Lemonwood	*Pittosporum eugenioides*
Hoheria/Lacebark	*Hoheria spp.*
Rewarewa	*Knightia excelsa*
Tawhai/Silver beech	*Nothofagus menziesii*
Toatoa	*Phyllocladus glaucus*
Manatu/Ribbonwood	*Plagianthus regius*
Kamahi	*Weinmannia racemosa*

Appendix 13
Flammability of Native Plant Species *(2 pages)*
(Guidelines established in the NZ Fire Service - copy of flyer)

Flammability class: Moderate

Most of these species produce heavy accumulations of flammable litter and elevated dead material, and/or have flammable green foliage. Not recommended for green breaks or for planting in defensible space/fire safety zone.

Tawa	*Beilschmiedia tawa*
Ti kouka/Cabbage tree	*Cordyline australis*
Kohuhu	*Pittosporum tenuifolium*
Rimu	*Dacrydium cupressinum*
Southern rata	*Metrosideros umbellata*
Kauri	*Agathis australis*
Flax	*Phormium* spp.
Kahikatea/White pine	*Podocarpus dacrydioides*
Tawhero/Towhai	*Weinmannia silvicola*

Flammability class: Moderate/high

Species may have flammable green foliage and/or produce high levels of litter and elevated fuel. Not recommended for green breaks or defensible space/fire safety zone.

Totara	*Podocarpus totara*
Ake-ake	*Dodonaea viscose*
Tree ferns	*Cyathea and Dicksonia* spp.
Mingimingi	*Cyathodes fasciculata*
NZ Toi Toi	*Cortaderia Fulvida*

Flammability class: High

Species burn readily at low/moderate forest fire danger conditions.

Kanuka	*Kunzea ericoides*
Manuka	*Leptospermum scoparium*

FIRE SAFETY TIPS:

- Establish lawns, paths, drives and cultivated soil between buildings and flammable vegetation.
- Saw or prune all dead or cured (dried up) branches, twigs and leaves from existing vegetation, and remove.
- Compost, mulch or remove any section of yard waste materials.

It has been important to ensure that a practical total site layout can be achieved within the site development area relating to each house site, while keeping any adverse impacts on the natural state of the coastal environment to a practical minimum. Consistent with this, indigenous vegetation clearance is to be restricted to the minimum necessary to construct a dwelling together with domestic space within the defined areas and related vehicle access including maneuvering space.

Minimising Fire Risk with Vegetation Close to Buildings

It is not uncommon for there to be a strong preference for retaining vegetation close to buildings for a variety of reasons. In this case key reasons include ecological values, visual screening and the general maintenance of aesthetic values. With this subdivision clearance of wide fire buffers will not generally be a practical alternative. I discussed ways of dealing with this common situation, with Craig Bain, Senior Station Officer (Fire Safety) Northland Fire Region.

In the first instance, meeting NZ Fire Service regulations and the related standards is a requirement to gain approval for any subdivision or residential development project.

Additionally where houses are to be located within or immediately adjoining bush areas, the following measures are proposed to contribute in a practical manner to fire safety:

- ROW and driveway access to houses within bush areas is to be established and maintained with a minimum clearance of 4 metres wide, 4 metres high and is to have adequate turn around provision for large NZ Fire Service vehicles.

- Flammable material near buildings is to be reduced to the practical minimum on an ongoing basis. Elevated dead vegetation material as well as ground litter is to be removed regularly. Roof gutters are to be maintained clear of accumulating vegetation litter.

- When planting in the immediate vicinity of buildings, "low" flammability class vegetation is to be used. The guidelines established in the NZ Fire Service flyer "Flammability of Native Plant Species" are to be followed (refer Appendix 13).

- Standards for fire fighting water storage and the use of standard Fire Service couplings are addressed within the engineering report.

Earthworks

Throughout the development site, earthworks have been kept to the minimum that will enable practical and efficient utilization of the site. Existing farm track alignments have been followed to reduce excavation and its various potential impacts such as scarring and sedimentation. Some slopes resulting from cutting and filling, particularly in "tight" areas, are to be retained with timber retaining walls. Some cut and fill batters of minimal height will be required and are to be contoured back into the existing landform to create a

30-6-06

To
FAR NORTH
DISTRICT COUNCIL

From
C + A DAVIDSON
284 TAYLOR RD
R.D. 3
KAITAIA
09 408 5535

re RECOURSE CONSENT APPLICATION 2060877

ITEM 3 SNA

We the undersigned consent to a legal consent notice as required by the District plan and as noted on District plan map ref {004-106 / 004-99} applied to lot 3 of our subdivision application comprising an area of - approx 2ha.

signed C C DAVIDSON C C Davidson
A J DAVIDSON A J Davidson

26·06·06 ——

TO

FAR NORTH
DISTRICT COUNCIL

FROM

C+A DAVIDSON
284 TAYLOR Rd.
R.D.3
KAITAIA
09 408 5535

re RECOURCE CONSENT APPLICATION R.C. 2060897
- request for further information

ITEM 4 SIGNIFICANT NATURAL AREA and HABITAT.
(Ref. 004-99 BURMA ROAD.)

(1) It is noted that our property is affected by this reference and identified S = shrubland. It is also noted that the property ajoining ours on the eastern boundary namely - PT Allot 69 PSH OF ORURU 96 7887 SO 49091 is also affected by this reference. This ajoining property was subdivided during 2005 with no reported SNA protection applied or required.

(2) (Ref 004-106 PARANUI STREAM SWAMP.)

We share a boundary line with -
LOT 1 DP 72870 6.9430 L. 28D/354 A.M. COLLINGS -
being the Paranui Stream. Reason suggests and discussion with D.O.C confirm that 1 side of a stream being protected is not -

a satisfactory arrangement unless the neighbouring side is also (ref pg 181) NB. QUARRY

(3) KIWI HABITAT 004/103.

This is an area 3km from our property and we are separated by open farmland being —

(1) LOT 1 DP 72870

(2) Pt ALLOT. N 35 PSH of ORURU CT 509/177

(3) ALLOT S 37 PSH of ORURU SO 1099 CT 509/175

(4) ALLOT S 37 PSH of ORURU SO 1099 CT 752/173

IN SUMMARY

The resource maps as provided show that a survey of the area was carried out in August 1994.

We purchased our land in July 1997 aware of the term S.N.A. however when we become ratepayers there was no notification of the S.N.A area involved on the property details or legal description

We respectfully ask — at what stage does an owner become aware of Council requirments regarding S.N.A.?

In our case it would seem only when subdivision is applied for.

This is hardly conducive to genuine awareness of the land should one never have contemplated subdivision

LOT 1 in application to Council was a pine block which we harvested in 1998 under N.R.C supervision. This area has since been replanted with c. lusitanica and although regenerating natives have been encouraged it essentially remains a forest block with a 35-45yr. maturity. Examined by local IWI.

LOT 2 no significant areas - regenerating natives are being encouraged plus some additional planting has taken place - bounded by maturing pine trees - moderately sloping land with some flat areas. Examined by local IWI

LOT 3 Parent block - We have observed the area noted as SNA (map F9 pg61) and see that this area applies only to the Parent block which we are not planning to sell - in view of this we respectfully request an exemption to any alteration in the status quo. Examined by local IWI

Signed COLIN C DAVIDSON C C Davidson
Audrey J DAVIDSON A J Davidson.

26-06-06

To
FAR NORTH
DISTRICT COUNCIL

FROM
C + A DAVIDSON
284 TAYLOR Rd
R.D.3
KAITAIA
09 408 5535

Re RECOURCE CONSENT APPLICATION RC 2060877
- request for further information.

ITEM 3. ROADING.

We the undesigned have fully discussed the roading requirements needed and undertake to carry out the improvements as outlined in the attached letter from G.H.D These improvements will be done in suitable weather conditions when the application is approved.

Signed
COLIN. C. DAVIDSON C C Davidson
AUDREY J DAVIDSON. A Davidson

26-06-06.

To

FAR NORTH
DISTRICT COUNCIL

FROM

C + A DAVIDSON
284 TAYLOR Rd
R.D. 3
KAITAIA
09 4085535

Re RESOURCE CONSENT APPLICATION RC 2060877
- request for further information.

ITEM 2. REVERSE SENSITIVITY. -

WE the undersigned consent to the consent notice as described in the attached letter being registered against our title, details of which have been forwarded to our solicitor R. FOUNTAIN
27 BEACH Rd
MANGONUI (406 0690)

Signed.

COLIN C. DAVIDSON C C Davidson
AUDREY J DAVIDSON A J Davidson

CLIVE PATTERSON BARRISTER & SOLICITOR

Professional Chambers: 117 Commerce Street, Kaitaia, New Zealand

12 May 2006

Ref: 8176

Alma Collings
Paranui
RD 3
KAITAIA

Dear Alma

Re: Davidson – Subdivision

I have discussed this matter briefly with the subdivider and have seen a copy of the Far North District Council's requirements in this matter.

Obviously because there is an existing use in the area, anyone coming to it would have to appreciate that there might be noise vibration and general quarrying-type activity.

I am suggesting that a consent notice be imposed on the new titles to issue to the following effect:

> That a restriction be registered against Lots 1, 2 and 3 of the plan that prohibits the owners making any objection to the normal workings of the quarry on Lot 1 DP 728720.

I think if that happens your rights will be protected and I will keep you advised of progress.

Regards

Clive Arthur Patterson
Principal
LLB Notary Public

Mark Stephen Patterson
Staff Solicitor
BSc LLB

Jan MacLean
Registered Legal Executive
NZILE Fellow

PO BOX 283 **DX AA20002**

KAITAIA

PH: 09 408 1600 **FAX: 09 408 1602**

Email: clivepatlaw@xtra.co.nz

☐ memorandum ☐ meeting minutes ☐ discussion record ☐ file note

To/With: MARIUS GABRIELS

From: JANE WILSON

Subject: RC. 7060877 - DAVIDSON

Project No:

Copy:

Date: 9.6.06.

Page: 1

GHD

Action

- TAYLORS ROAD - WORK on Road - Contributions

- Met on road with MR & MRS DAVIDSON.

- Identified a section of road at RP 672 - 715m that is narrow & limited visibility and currently creates a traffic hazard.

- Work to be done here involves removal of a range totara tree, cutting back of a bank (1.5m high) by 3-4m - LAND owners here are Certings. There is a fence (not on boundary) that needs to be shifted & telecom pillar to be shifted.

- Explained to Davidsons that they can arrange for the work to be done. They have a local contractor from the limestone quarry who they will approach to do the work for them. They will also approach the land owner to discuss the work & boundary location.

- Emphasised to them that if they employ their own contractor that they require correct traffic signage & controls.

Jane

Copy to DAVIDSONS

RCD 22-06-06.

Application No: RC 2060877
Your Reference: 11302/887

17 May 2006

Colin Cairn Davidson
C/- Von Sturmers
PO Box 128
KAITAIA 0500

Dear Sir

RESOURCE CONSENT APPLICATION – ROAD UPGRADING

Council has instructed GHD consultants to undertake a preliminary investigation of Taylor Road to ascertain what extent of upgrading would be required in respect of the proposed subdivision. Council's Roading Manager has advised that improvements to the road will be required and several corners can be re-shaped to improve the safety of Taylor Road.

Please liaise directly with GHD (Kaitaia) at 5 Allen Bell Drive Kaitaia, Phone: (09) 408-3767 or Fax: (09) 408-3793 to determine the location of work and extent of contribution required. Please note that a maximum value of works had been set at $5,000 (plus GST) per additional allotment being created. Please advise what works will be undertaken once agreement has been reached between yourselves and GHD.

Should you have any queries about this please feel free to contact the writer.

Yours faithfully

17/5

Nick Williamson
CONSULTANT PLANNER (*x*plan Ltd)

Cc: CC & AJ Davidson
284 Taylor Road
RD 3
KAITAIA

Derryn Williamson

From: Derryn Williamson
Sent: Tuesday, 16 May 2006 4:07 p.m.
To: Marius Gabriels
Subject: RE: Taylor road- Davidson RC2060877

Thanks Marius,

Davidson - Sweet!

Northcorp - I agree that the Northcorp (RC2060696) should be required to upgrade along that frontage. We also required them to extend the new length of footpath to the existing one which is about 10m down the road which we don't believe is onerous. I will request a copy of the quotation of works from the applicant to assist your calculation of the contribution and then see if they are happy with a % contribution from the Council before heading to a hearing.

Cheers
Derryn

-----Original Message-----
From: Marius Gabriels
Sent: Thursday, 11 May 2006 12:47 p.m.
To: Derryn Williamson
Subject: Taylor road- Davidson RC2060877

Hi Derryn

GHD have commented on Taylor road and Davidson, they say that improvement to the narrow road is required and that several corners can be improved for safety. They recommend that Davidson liaise with GHD Kaitaia to determine location of work and extent of contribution under the RMA, a figure of $5000 per lot should remain as our extreme limit.

RC 2060696 Northcorp Developments
We have received the objection regarding the upgrade of Donald rd. This is the first time I have seen it as no copy was ever forwarded to roading.
This developer is proposing the development of 68 sections, or 680 additional traffic movements on our roads, the requirement to have him widen to 7 meters provide kerb & channel and footpath between the 2 entrances is not considered excessive but required to create a safe and healthy environment. I have not done the figures but $300K sounds very high for what is required. Council will look at what % of public benefit is gained over this small section and as a proportion will contribute to some of the road upgrade, remember though that the subdivision will create a greater number of traffic movements than is currently using the road.
Anyway I hold with my views that the section of road between the two entrances should be upgraded to Councils requirements by the developer. This includes a right turn bay at the first entrance and an FNDC/6/D widening at the second entrance. I will be happy to submit this to the hearings committee should this be required.

Regards

Marius Gabriels
Development Engineer
Roading & Stormwater
Far North District Council

To GHD.

Far North District Council

RECEIVED - 9 MAY 2006

ENGINEERING REPORT

TO RESOURCE PLANNER:	**Nick Williamson**
ON PLANNING APPLICATION NO:	RC-2060877-RMASUB
APPLICANT:	**Colin Cairn Davidson**
FROM:	284 Taylor Rd, Peria
	Development Engineer
(Clock start date:	28/3/06

ASPECT	COMMENTS/ CONDITIONS REQUIRED
Site Suitability: Topography, Stability, Erosion Flooding, Ground Cover, etc	Flat to rolling topo. - Tree & shrub covered with areas of grass. No issues with stability or erosion " " with flooding apart from adjacent to stream.
Access onto Site Adequacy for Use Traffic Flows, etc Need for upgrading adjacent areas	Row A & B are well formed & metaled - no work required here. Appears that council are actually maintaining this Row as part of network at present. Once 4 boundarys are pegged for Lot 1 need to determine extent of legal Rd & get contractor to step around at this point.
Drainage Stormwater and Effluent Disposal	On Site Sewer & Stwater disposal.
Earthworks: Controls required etc	Minimal earthworks - only for future house sites & access driveways.

ASPECT	COMMENTS/ CONDITIONS REQUIRED
Easements:	
ROW, water, drainage, power	/
Services:	
Water, Irrigation, Power, Telephone	Power to sites
Street Lighting – n/a .	
Amenities:	
Internal Accessways	N/A .
Surfacing of Car Parks etc	
Upgrading Contributions:	
Roading, water, sewerage, Stormwater, footpaths	applicable to roading .
Engineering Fees	
Other:	
Signed: [signature] **Date:** 10/5/06 **Mileage:** 30km **Time:** 1HR.	

Time $111 –

mileage $ 26.70

Far North District Council

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

MEMO

To:	Marius Gabriels – Roading Manager
CC:	
From:	Derryn Williamson
Department	Planning Consultant – Kaitaia Office
Date	5 May 2006
Subject	**GHD – Road Upgrading Reports**

Hi Marius,

Can you please either action or reply to the following matters;

RC2060877 – Davidson

Can you please commission a report from GHD in respect of road upgrading for the proposed subdivision located on Taylor Road, Peria. I have attached a copy of the subdivision proposal for GHD's information.

RC2050886 – Mills

Can you please advise what the outcome of the GHD report for Burma Road in respect of this proposal. If the report has not been completed yet can please let me know a timeframe so I can inform the applicant.

RC2060696 – Northcorp Developments

A copy of this objection was sent to Tanya in February and to date we have received no formal response from you. The objection relates to the road upgrading requirement to provide a footpath and associated kerb and channelling along the frontage of the site and to connect the new section of footpath to the existing section along the southern side of Donald Road. The applicant is happy to upgrade the section of road in front of the site (Being the location of the two new roads to vest) but does not want to do the require upgrading which would be necessary to create footpath from the eastern entrance to the existing footpath located to the west of the site. I have attached a further copy of the objection with their reasons, can you please have a look and come back to me with Councils position.

Any queries about these matter give me a call on 027-555-5452 or email me at the Council.

Regards,

Derryn Williamson
Planning Consultant (Xplan Ltd)

5 May 2006 16:45

FAR NORTH DISTRICT COUNCIL
RECEIVED
02 MAY 2006

To - ***Nick Williamson***
Planning Consultant

Far North District Council

From - *Colin Davidson*

Resource Consent *RC 2060877*

Regarding letter dated 16 April 2006 ..... under Section 92 of the Resource Management Act.

(*Note to the applicant* – please mark the option/s you have taken)

a) I have provided the following information requested in your letter.

i) .....

ii) .....

b) I accept to provide the information requested by Council before As Soon as Possible

– Having discussions with the owners –

(*Note to applicant* – please indicate the date by which you are able to provide this information)

i) .....

ii) .....

c) I wish to make a formal objection under Section 357(1)(b) of the Act to the request for additional information by Council under Section 92(1) of the Act due to the following reasons.

(*Note to applicant* – Please provide detailed reasons with respect to each item of request and send with the Objection lodgement fee of $290.00)

i) .....

ii) .....

Name of Applicant/ Applicants agent ..... Ian Sturmer .....

Signature of Applicant/ Applicants agent .....

Date 2-5-06 .....

Application No: RC 2060877
Your Reference: 11302/887

19 April 2006

Colin Davidson
C/- Von Sturmers
PO Box 128
KAITAIA 0500

Dear Sir

RESOURCE CONSENT APPLICATION – request for further information

A preliminary assessment of your application for a resource consent to subdivide an existing site into three rural allotments has been undertaken.

Under Section 92(1) of the Resource Management Act 1991, Council needs further information to be able to consider your proposal. This additional information will help us to better understand the proposed activity, its effect on the environment and the ways any adverse effects on the environment might be avoided, remedied, or mitigated.

The additional information needed by Council is listed below with reasons why we require this information.

Activity Status & Assessment of Environmental Effects

1. On the 16th February 2006 the Environment Court made a decision on the outstanding appeal to the Rural Production subdivision provisions. The Court has determined that the following minimum allotment sizes and corresponding activity status should apply.

Activity Status	Minimum Allotment
Controlled	• 20ha
Restricted Discretionary	• 12ha; or • Maximum of three lots (including parent title), provided that the minimum lot size is 4,000m2 and there is at least 1 lot size of 4ha, and provided that the parent title existed prior to 28 April 2000; or • Maximum of five lots (including parent title), where the minimum lot size is 2ha, and provided that the parent title existed prior to 28 April 2000.

The application presently before the Council was received on the 28th March 2006 and therefore is assessed as being a Restricted Discretionary Activity. The Assessment of Environment Effects has not considered this activity status or the new criteria for a RDA subdivision. Please therefore provide an appropriate assessment of the subdivision against these new provisions.

Reverse Sensitivity

2. During the site inspection it has been found that the subject site is located near an operating quarry. Your application fails to mention this or address the effects that this may have on the application, therefore please provide an assessment of effects that takes into account the surrounding activities being undertaken and any reverse sensitivity issues that may arise. Please note that in the absence of any acoustic reports being provided with the application to demonstrate that noise and vibration from the quarry activity will not cause such effects the written approval of the quarry operator will be required.

Roading

3. Due to the quarrying activity and additional traffic movements being proposed as a result of this subdivision Council will be commissioning a report from GHD on the current formation of Taylor Road and if any upgrading is required as a result of the additional two allotments. You will be advised in due course of the outcome of this report.

Significant Natural Area and Habitat

4. On viewing the Department of Conservation's Maungataniwha Ecological District Report it would seem that the subject site contains two areas of SNA (Ref: O04-99 Burma Road and O04-106 Paranui Stream Swamp). The site is also located within a known area of medium kiwi habitat value. Your assessment of effects states that there are no areas of significance which appears to be contrary to the above report. Please provide sufficient evidence such as an ecological report by a suitably qualified ecologist that supports your assessment of the vegetation or provide a suitable legal mechanism to protect the vegetation as required by the District Plan. I have attached a copy of the DoC reports for your information.

In accordance with the Act, your application will be suspended until we receive this information. Once we have received this information to our satisfaction, a decision will be made regarding notification.

Under Section 92 A (1) of the Act you are required to respond to this request before **11 May 2006** by either

a) Providing the requested information; OR

b) By informing Council of your acceptance to provide the information within a reasonable time period to be agreed with the Council; OR

c) Making a formal objection to this request stating your reasons why you consider this information is not required by Council

Please use the attached form when sending in your response to Council.

Please note that under Section 92A (3) of the Act Council may decline this application

a) You do not respond to this request; OR

b) Council considers that the application contains insufficient information to enable determination of the application.

Please feel free to contact the undersigned if you have any questions or concerns.

Yours faithfully

19/4

Nick Williamson
Planning Consultant

DEVELOPMENT PROCESSES – COMMENTS (as of 01 July 2005)

FROM:	DEVELOPMENT ENGINEERS		
CONSENT #	2060877	**DCF #** 2901	**PLANNER:** NEN
APPLICANT:	DAVIDSON		**LUC / (SUB) / BC**
Water	NO ISSUES AS NOT IN AOB.		
Wastewater			
Roading	As per discussion with Greg Phillips we need time to get GHD to inspect Taylor road to see if safety or environment ~~test~~ is affected		
Stormwater	No Issues		
Community Infrastructure			
Reserves			
Parking			

TOP ENERGY®
TePuna Hihiko

Top Energy Limited
Station Road
P O Box 243
Kaikohe 0400
New Zealand
Telephone +64-9 401 5440
Facsimile +64-9 401 5611
Web www.topenergy.co.nz

RECEIVED
04 APR 2006

4 April 2006

Attn: Nick Williamson.
R/C. 2060877
Re: Davidson CC & AJ

Peter Wild
Von Sturmers
P O Box 128
KAITAIA

Dear Peter,

Proposed Subdivision: - C C & A J Davidson – Taylor Road - Paranui.

Thank you for your letter and a copy of your proposed subdivision scheme plan.

Top Energy's requirements are nil.

Costs for supply will be provided to a prospective electricity consumer after application and on site survey has been completed.

Yours sincerely

Heather Fitchett
Network Administrator
i:\engadmin\typist\resrce.con\von sturmer\2006\davidson c & a 040406.doc

FAR NORTH DISTRICT COUNCIL
RECEIVED
06 APR 2006

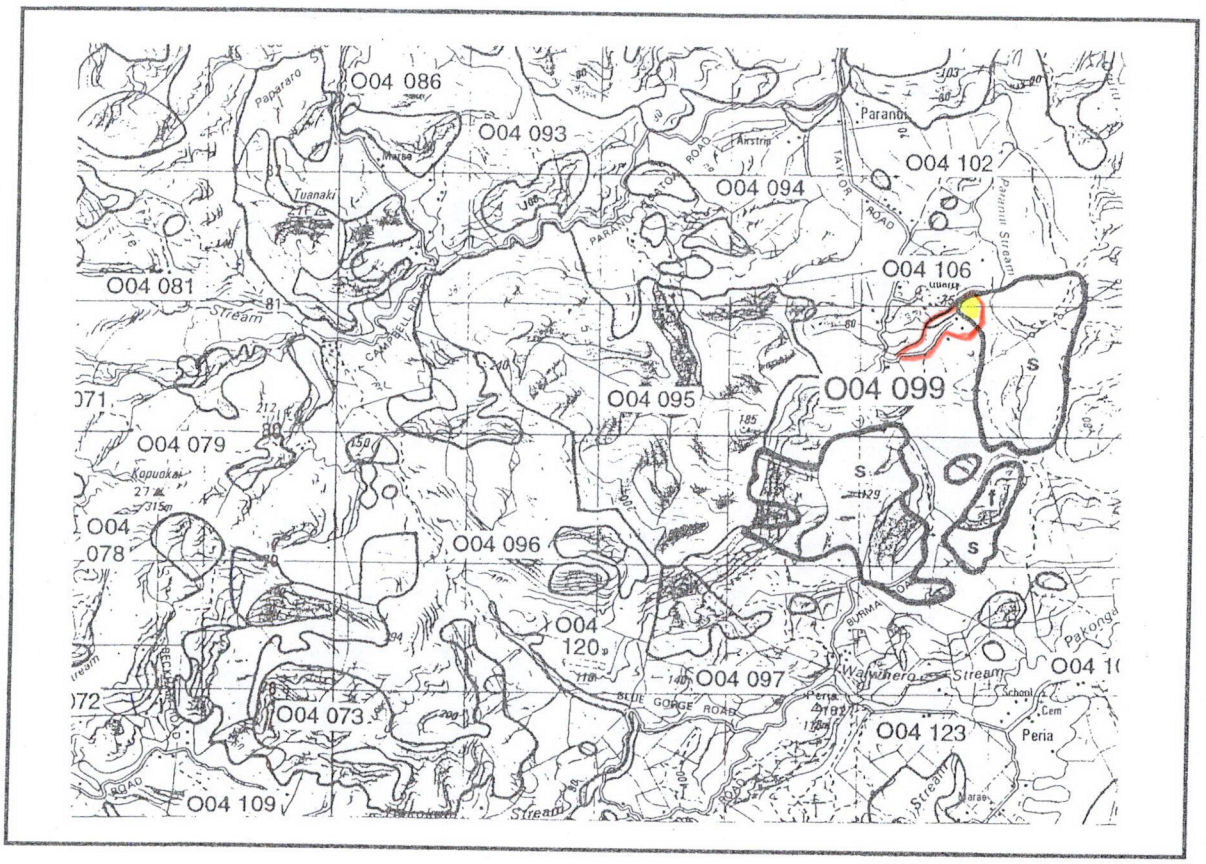
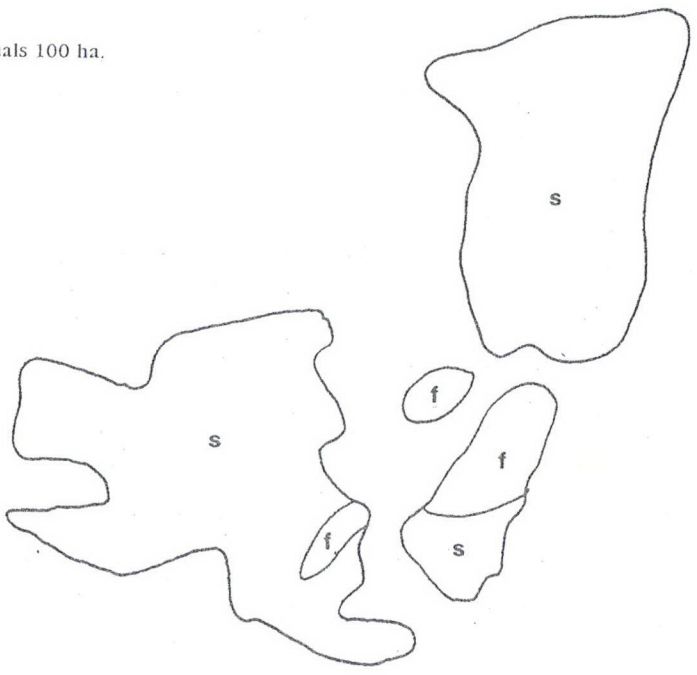


Figure 87. Burma Road, O04 099

Each grid is 1000 m × 1000 m and equals 100 ha.

f = forest; s = shrubland.



(c) Secondary kanuka forest on hillslope

(d) Taraire forest on hillslope

(e) Secondary kahikatea-totara forest in gully

(f) Taraire-kanuka forest on hillslope

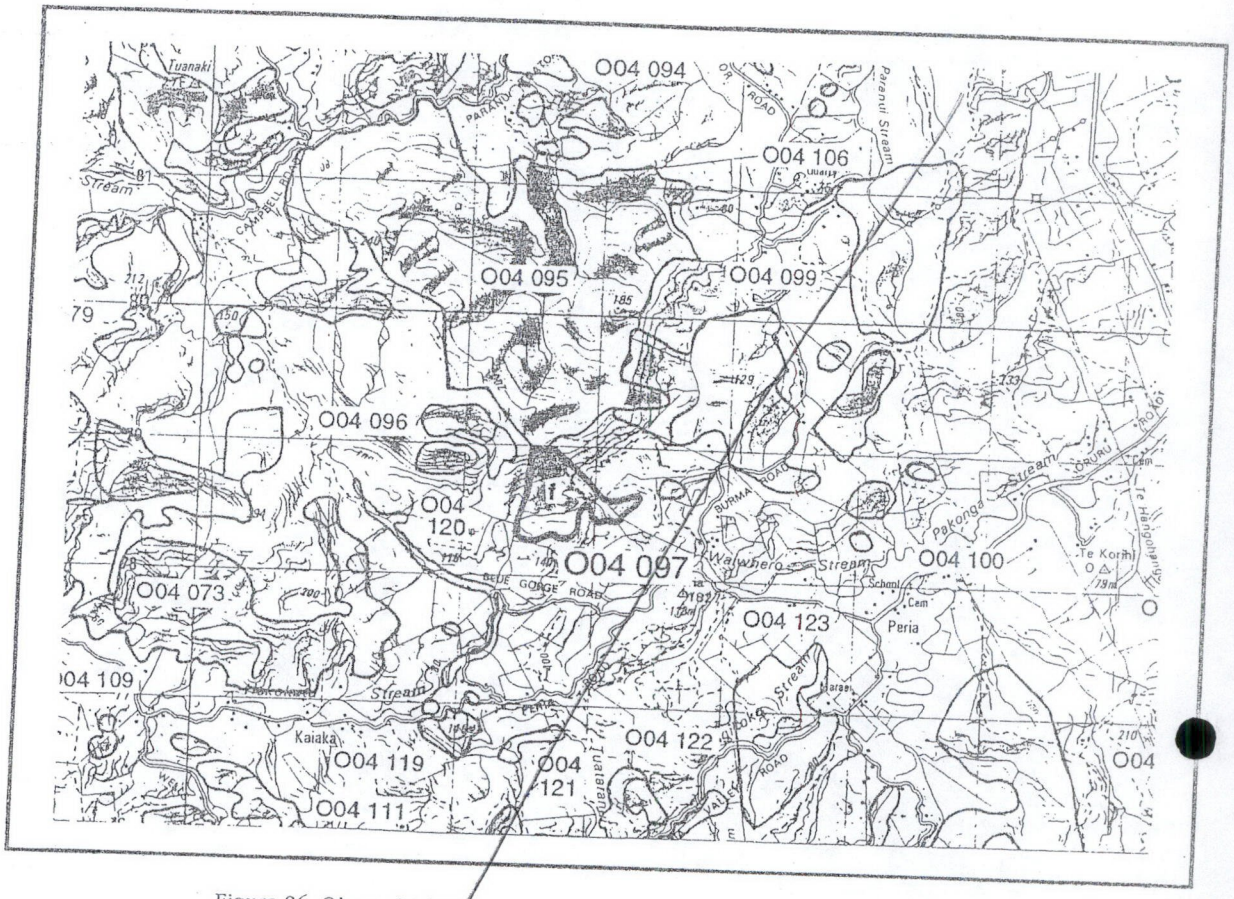


Figure 86. Olsen, O04 097

Each grid is 1000 m × 1000 m and equals 100 ha. f = forest.

Type (b) Secondary kauri forest. There is a small area of secondary kauri with kanuka and tanekaha.

Type (c) Secondary kanuka forest. About 20% is kanuka with rimu and towai with kahikatea, kauri and rewarewa scattered.

Fauna

NI brown kiwi (Category A threatened species).

Significance

A large area, almost contiguous with the Paranui Scenic Reserve.

Kiwi habitat.

It is a representative site for taraire forest and secondary kauri forest.

BURMA RD

Survey no.	O04/099
Survey date	4-5 August 1994
Grid reference	O04 555 800
Area	266.7 ha
Altitude	20-130 m asl

Ecological unit

(a) Manuka-kanuka shrubland on hillslope

(b) Manuka-gorse shrubland on hillslope

Landform/geology

Hill country of Mangakahia Complex sandstone and siliceous mudstone.

Vegetation

Type (a) Manuka-kanuka shrubland. The majority of this area is manuka-kanuka shrubland between 2 and 4 m tall which also contains gorse. The gorse is common in the north-eastern part (Type (b)), where scattered pine, *Hakea* and tree fern occur. Elsewhere totara, tanekaha, kahikatea, rimu and tree fern are scattered.

Type (c) Secondary kanuka forest. Occurs in a gully in the south-eastern block with kauri and puriri and occasional rewarewa, towai, tanekaha and taraire.

Also occurs in the south-western block with kahikatea, totara, tanekaha, rimu and mamaku.

Type (d) Taraire forest. A separate remnant (GR O04 547 797) is taraire with puriri and nikau. Other species present are kauri, kahikatea, rewarewa, pukatea, northern rata and rimu.

Type (e) Secondary totara-kahikatea forest. A small area (< 5 % of the south-east block).

Type (f) Taraire-kanuka forest. Occurs in the south-east block with frequent kauri. Rimu, kahikatea, tanekaha, rewarewa, totara, puriri and emergent northern rata are occasional.

Fauna

NI brown kiwi (Category A threatened species).

Significance

A large area providing a partial link through a pine plantation from Paranui Scenic Reserve through to the Paranui Stream Bush and Shrubland O04/103.

Habitat for kiwi.

Representative site for taraire-kanuka forest.

MILLS

Survey no.	O04/100
Survey date	4 August 1994
Grid reference	O04 553 786
Area	12 ha
Altitude	60-120 m asl

Ecological unit

(a) Puriri forest on hillslope

(b) Taraire-kanuka forest on hillslope

Landform/geology

Hill country of Mangakahia Complex sandstone.

Vegetation

Three broadleaf remnants.

Type (a) Puriri forest comprises the two smaller remnants. In the northern-most, kanuka and taraire are frequent and rewarewa occasional. In the

Ecological unit

(a) Manuka-kanuka shrubland on hillslope

(b) Manuka-gorse shrubland on hillslope

(c) Totara-towai-kanuka-rimu-tanekaha forest

Landform/geology

Hill country of Mangakahia Complex siliceous mudstone in the east, Motatau Complex calcareous mudstone in the south-west, and with Holocene alluvial flats and wetlands along the Paranui Stream valley.

Vegetation

Types (a) and (b) Manuka-kanuka shrubland and manuka-gorse shrubland. The majority of the area is manuka-kanuka shrubland between 2 and 4 m tall. Gorse, *Hakea*, pine, cabbage tree, pate, mahoe, and mamaku are present, as is the vine *Cassytha* (near Paranui Quarry – approaching its southern naturally occurring limit). Closer to Taylor Rd is some taller manuka-kanuka shrubland with occasional puriri, kahikatea, cabbage tree and mamaku. This area is joined to Burma Rd (O04/099) by gorse and pine.

Type (c) Totara-towai-kanuka-rimu-tanekaha forest. At the Paranui Quarry is a tiny but intact remnant of forest in which the main species are totara, towai, tanekaha and kanuka. Also present are rewarewa, rimu, kohekohe, karaka, kowhai, and emergent kauri and matai.

Fauna

NI brown kiwi in low numbers (Category A threatened species).

Significance

Kiwi habitat and a buffer to the Paranui Stream, one of the least modified streams in the Ecological District.

Adjoins O04/106, Paranui Stream Swamp.

It is the only site in the Ecological District where a totara-towai-kanuka-rimu association has been recorded.

7.81 ha of this site protected under a Queen Elizabeth II National Trust covenant.

PARANUI STREAM SWAMP

Survey no.	O04/106
Survey date	5 August 1994
Grid reference	O04 533 850
Area	45.3 ha
Altitude	0-20 m asl

Ecological unit

(a) Kahikatea-cabbage tree swamp forest on alluvium

(b) Cabbage tree-flax swamp on alluvium

(c) Raupo reedland on alluvium

(d) Flax swamp on alluvium

(e) Cabbage tree swamp on alluvium

(f) Bracken-manuka shrubland on hillslope

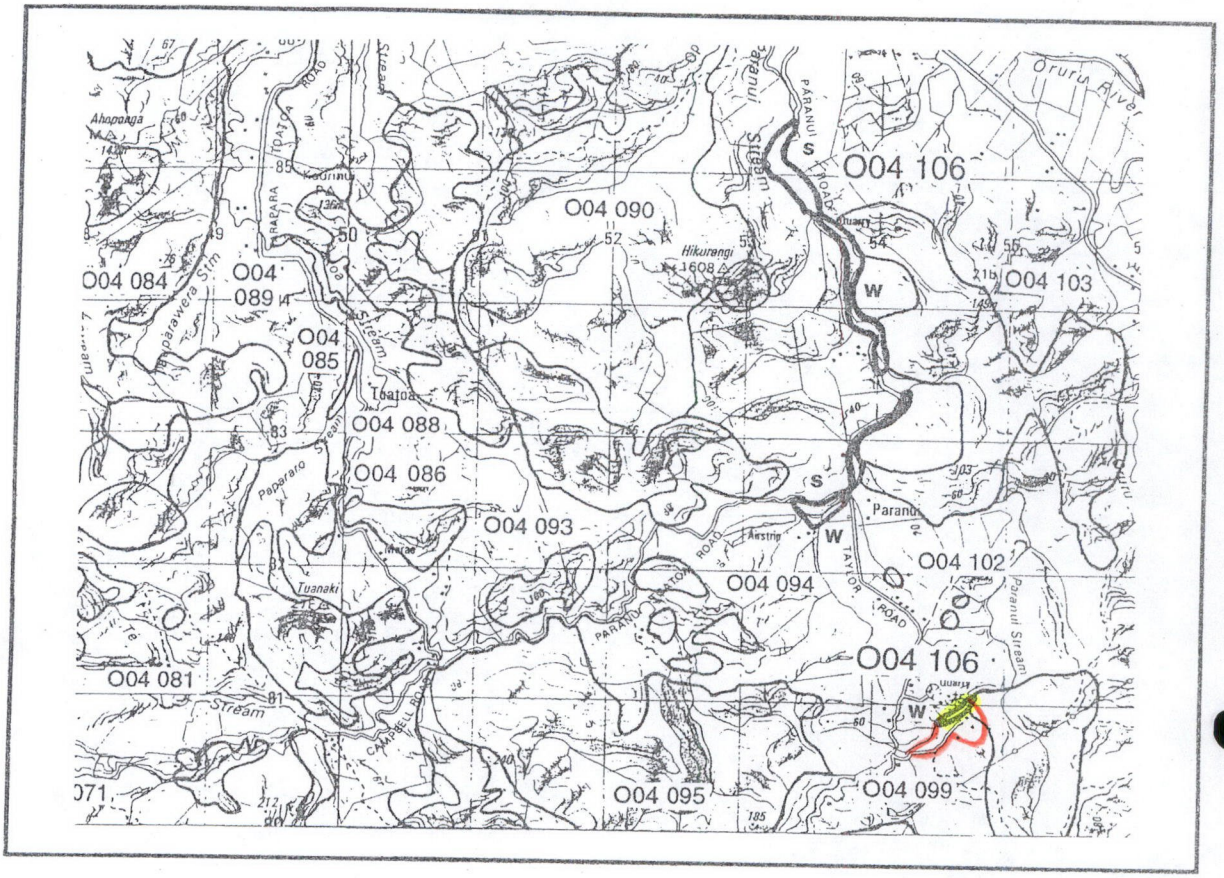


Figure 90. Paranui Stream Swamp, O04 106

Each grid is 1000 m × 1000 m and equals 100 ha.

s = shrubland; w = wetland.

Landform/geology

Holocene swamp in the upper reaches of the Paranui Stream valley.

Vegetation

Type (a) Kahikatea-cabbage tree swamp forest. Downstream of the Paranui Rd bridge, kahikatea and cabbage tree are dominant with frequent putaputaweta, kohuhu, *Coprosma tenuicaulis* and flax. Also present are swamp maire, kowhai, lacebark, koromiko, *Astelia grandis, Coprosma propinqua* and on the drier ground, *Gleichenia* sp., kanuka, mahoe, mapou and bracken.

Type (b) Flax and cabbage tree swamp. Occurs upstream of the bridge, with kahikatea frequent. Swamp maire and *Coprosma propinqua* recur. There is some raupo on the stream margin and *Potomogeton suboblongus* within the stream.

Upstream of the quarry is an extensive area of wetland of three main types:

Type (c) Raupo reedland. With frequent flax and cabbage tree and occasional *Coprosma propinqua* and kahikatea.

Approaching Taylor Rd there is more open water and occasional willow. Raupo continues to occur as well as cabbage tree and flax. *Carex secta* is also present.

North of the Taylor Rd intersection, and in the stream headwaters there are numerous areas of raupo. Other species occurring are cabbage tree, willow, *Carex* sp., *Juncus* sp. and kiokio.

Near the limeworks is an area of open water. There is some kahikatea on the banks near Taylor Rd

Type (d) Flax swamp. With frequent cabbage tree and occasional raupo and kahikatea.

Type (e) Cabbage tree swamp. With frequent flax and occasional kahikatea.

Type (f) Bracken-manuka shrubland. Occurs near the Taylor Rd intersection.

Significant flora

Astelia grandis - regionally significant.

Swamp maire - uncommon in the Ecological District.

Fauna

Australasian bittern (Category O threatened species), NI fernbird, spotless crake (both regionally significant species), grey duck; banded kokopu (Category C threatened species); giant bully (regionally significant species).

Significance

The least modified and best example of a lowland waterway in the Ecological District, and potentially valuable for freshwater fish such as the threatened giant and short-jawed kokopu. A continuous sequence from mangroves, saltmarsh to freshwater swamp and rare kahikatea swamp forest.

About 25% of this site (13.4 ha) is administered by the Department of Conservation under the Conservation Act. At the time of writing, a further area is being considered for land exchange.

RESOURCE CONSENT INFORMATION
Resource Planners

To be loaded into pathway by Technical Support Officer must be completed during initial assessment.

RC Number: RC 2060877 **:Applicant: Davidson Colin D**

RFS Type :

Hearing Date :

Activity (TDP/PDP) :

No. of lots :

Types of lots :

Zone (TDP/PDP) :

Area of Site :

Proposal :

APPLICATION ASSESSMENT

This form is to be included in all consent application files received by Council.

APPLICANT: _Davidson Colin D RC 2060877
ADMINISTRATION CHECKLIST – Standard letters (as advised by RCM)

☐ Transit New Zealand ☐ NZHPT

☐ Department of Conservation ☐ Northland RC

☐ Community Board ☐ Other _____

☐ Applicant advised of application receipt – date _____

☐ Copy of application to Engineer – date _____

ASSESSMENT

☐ Subdivision ☐ Landuse ☐ Discharge

Pre-application meeting held? _____ (record sheet to be attached)

Activity status

TDP - _____

PDP - _____

Comments

_____

_____

_____

SECTION 92 CONSIDERATION

Additional information required?

☐ No ☐ Yes – Date sent _____

Additional information received – Date _____

Refer to Section 94 form for decision regarding notification once all information has been received.

APPLICATION ASSESSMENT – SUBDIVISION

APPLICANT: Davidson Colin D RC 2060877

AGENT ---------- Related Files ----------

(Note - this form is available in RMA folder to complete electronically and to add any other requirements or to delete parts which may not be applicable to a particular application)

SUMMARY OF SUBDIVISION PROPOSAL	
Title date	
Legal Description	
Site Area	
Number of Lots proposed	
Lot sizes	
Access (SH/Council/ROW/Road to vest)	
Site features (Flora/fauna/ archaeological/ water body)	
Land use consent required (Building setback/earthworks)	
Written approvals provided (Neighbours/ Utilities/ TNZ/DOC)	
Notification requested by applicant	

Applicable zones Planning Map Resource Maps (OL, Heritage Precinct, Heritage site, etc)	TDP	RPDP	Comments

Transitional District Plan			
	Controlled standard	**Discretionary standard**	**Compliance**
Allotment size			
Other criteria • Title date • No of lots • Access width • Other			

Revised Proposed District Plan			
12.8.1 Allotment size			
12.8.1.2 Allotment Dimension	(15 x15) OR (30x30) + setback required as a Permitted Activity		
12.8.1.3 Amalgamation of land in Rural zone with urban zone			
12.8.1.4 Lots subdivided by zone boundaries			
12.8.1.5 Lots divided by an OL, OLF or ONF			
12.8.1.6 Access, Utilities, Road, Reserves			
12.8.1.7 Savings as to previous approvals			
12.8.1.8 Proximity to transmission Lines			
12.8.2.1 Property access			
12.8.2.2 Natural and other Resources			
12.8.2.3 Water supply			
12.8.2.4 Stromwater disposal			
12.8.2.5 Sanitary Sewerage Disposal			
12.8.2.6 Energy Supply			
12.8.2.7 Telecommunication			
12.8.2.8 Easements for any purpose			
12.8.2.9 Preservation of Heritage resources, vegetation, fauna, landscape and land			

set aside for conservation purpose			
12.8.2.10 Access to reserves& water ways			
12.8.2.11 Land use incompatibility			
12.8.2.12 Proximity to airport			
12.8.3 Land subject to a consent under integrated development			
12.9A Restricted Discretionary Activities Subdivision within 100m of minerals zone			
12.9A.2 Subdivision within Golf Living sub zone			
12.9.1 Minimum **net** area for vacant new Lots and new Lots which accommodate structures. Refer to table 7 'Discretionary Activity Status"			
12.9.2 Management Plans			
12.9.3 Development Bonus			
12.10 Assessment Criteria			
12.11 Non complying subdivision	Subdivisions in Coastal 1 hazard area, Recreation & Conservation zone & Non compliance with 123.7, 12.8, 12.8A, 12.9		
12.12 Structure Plans			
14.0 Transportation			

14.1.6.1.2 Access (attach rules)			
14.1.6.1.3 & **14.1.6.1.4 14.1.6.1.** Limited Access Roads (see note 4)			

MATTERS TO NOTE

1 Response from Community Board

2 Response from TNZ

3 Response from Utilities

4 Are any financial contributions payable?

5 Are any esplanade reserves or strips necessary?

6 Are any covenants / consent notices / building line restrictions necessary?

7 Are any amalgamation conditions required?

8 Are any new assets to be vested to Council?

9 Section 106 – Refusal of Subdivision

APPLICATION ASSESSMENT Resource Manager page 1 of 2

This form is to be included in all consent application files received by Council.

APPLICATION:Davidson Colin D RC: RC 2060877

ADMINISTRATION CHECKLIST – Standard letters (as advised by RCM)

☑ Application Complete ☐ Application Incomplete

☐ Time Recording ☐ Letter Required

☐ S88 Letter

☑ Planner NEW ☐

☐ **Interested Parties List Attached : Please tick which is appropriate**

☑ Department of Conservation ☑ Northland RC

☐ Community Board ☑ Other ~~WDC~~ WDE ~~GHD~~ IWI – Ngati Kahu

☑ Application advised of applicant receipt – date 4/4/03

☑ Copy of application to Engineer – date GHD 4/4/03

ASSESSMENT

☐ Subdivision ☐ Landuse ☐ Discharge

Pre-applicant meeting held? _____ (record sheet to be attached)

Activity status

TDP - _____

PDP - _____

Comments

_____

_____

Far North
District Council

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

Application No: RC-2060877-RMASUB

4 April 2006

Colin Cairn Davidson
C/O Von Sturmers
P O Box 128
Kaitaia 0500

Dear Sir / Madam

Acknowledgement of Receipt of Resource Consent Application - Colin Cairn Davidson

Thank you for your application for Subdivision.

This letter serves as an acknowledgement of receipt of your application, and to advise you that the application has been allocated to the following Planner with a number for future reference:

Nick Williamson **RC-2060877-RMASUB**

We are currently checking your application to ensure that we have all the information we require to properly assess your proposal. In the event that further information is required, you will be advised within 10 working days of the date of this letter. The processing of your application will stop until all the requested information has been received.

In the event that a site visit is required, the Planner will contact you to verify the time and place of the visit.

Once we are satisfied that we have all the information necessary, we will decide how your application will be processed. Either your application will be publicly notified or will be processed without public notification (non-notified).

If the application is to proceed on a non-notified basis, you will most likely receive a decision within 20 working days from either the date we receive any further information requested, or if we did not request further information, the date we received your application.

If you have any further queries regarding the process or progress of the application, please contact the assigned Planner.

Yours faithfully

QH

Queenie Harding
Technical Support Officer - Regulatory & Customer Services Department

RC2060877

ENVIRONMENTAL

28 MAR 2006

RECEIVED (See Notes Opposite)

1. I (full name of applicant)

Surname Davidson First Names Colin Cairn

Hereby apply for **a) LAND USE CONSENT** ☐ **b) SUBDIVISION CONSENT** ☐

I am the Owner of the property, (Owner, Occupier, Lessee, etc.,)

Name and Address of Owner (If different from above) CC o AJ Davidson

Address 284 Taylor Road RD 3 Kaitaia

2. Any Additional **FEES & CHARGES** relating to this application shall be invoiced to : **(Please tick appropriate box)**

A. APPLICANT **(as in 1.above)** ☑ or **B.** AGENT **(as in Note 6 opposite - application must be signed by agent)** ☐

3. The following additional resource consents are required in relation to this proposal and have/have not been applied for :

Have you lodged an application with Council for a building consent ? No ☑ Yes **BC N°**

4. DESCRIPTION OF ACTIVITY : Subdivision as a Controlled Activity under the Proposed Plan as a "once off" 2x2ha Blocks with a Balance over 4ha (5 Block Maximum) AS A STAGED DEVELOPMENT"

5. LEGAL DESCRIPTION
The application site is located at : Pt Allot 11 Parish of Oruru.

Street address Taylor Road Paranui **RAPID** Number :

Valuation Roll Number 85-35-902 (Can be obtained from your rates notice or a Customer Liaison Officer PH : 0800 920029)	Lot(s) or Section N° : as above DP N° BLK	Certificate of Title : (Not more than 6 months old) 540/1294

6. *ADDRESS FOR SERVICE/CORRESPONDENCE - AGENT/REPRESENTATIVE :*

Name of Agent/Representative (if appropriate) Don Sturmer

Address For Service : PO Box 128 KAITAIA

Phone : Home Business 408 6000 Fax N° 408 9002

Email Address : Kaitaia@surveyandplanning.co.nz

7. *ADDRESS FOR SERVICE/CORRESPONDENCE - APPLICANT :*

Name of Applicant CC o AJ Davidson

Address For Service : 284 Taylor Road RD3 Kaitaia

Phone : Home 408 5535 Business 408 5535 Fax N°

Email Address :

Subdivision - 2 lots - $615.00
Don Sturmer - File 11302/587

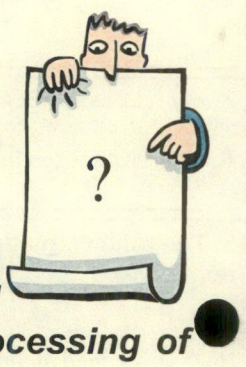
Far North District Council
Te Kaunihera o Tai Tokerau Ki Te Raki

APPLICATION FOR A RESOURCE CONSENT

In the Far North District

Section 88, Resource Management Act 1991

IMPORTANT INFORMATION
TO ASSIST IN COMPLETING THE APPLICATION FORM



Lack of information is the most likely cause of hold-ups in the processing of your consent.

Please Ensure all information as listed in the check box on the back page, is provided when lodging your application. This will assist in reducing delays and incurring further costs in the processing of your consent.

- Your application should include, where relevant, any other information required by the District Plan or Regional Plan or Resource Management Act or Regulations including, where appropriate, environmental impact assessment. **(For further information, see the pamphlet 'Assessment of Environmental Effects' which gives details of the 4th Schedule of the Act).**
- The pamphlet 'Neighbours Approval' provides information in regard to obtaining written approval from your neighbours, should this be a requirement.
- A resource consent application must include adequate supporting information, in the form of written material and plans. The level of detail and scope of the information must be appropriate to the particular application and must be sufficient to enable those who might wish to make a submission on the application, to be able to assess its likely effects on the environment.

Please read notes on page 3 thoroughly.....

Would you Like to Know More?

Far North District Council Staff will be happy to assist you if you have any further queries.

Local Offices Here to Help

Kaikohe Service Centre
Memorial Avenue
KAIKOHE

Kaeo Service Centre
Main Road
KAEO

Kawakawa Service Centre
Gillies Street
KAWAKAWA

Kaitaia Service Centre
Redan Road
KAITAIA

Kerikeri Service Centre
Cobham Road
KERIKERI

Rawene Service Centre
Parnell Street
RAWENE

SPECIALIST STAFF

Specialist staff are available by appointment. *Dialing **0800 920029** will connect you with a Customer Liaison Officer who will assist in making an appointment with the appropriate officer.*

Far North District Council
www.fndc.govt.nz

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

The information supplied with this application is true and complete to the best of my knowledge. I understand that Council is relying on this information in making its decision on this resource consent.

Signature of Applicant/Agent : .....
(Strike out that which does not apply)

Dated : 24-3-06

ENVIRONMENTAL
28 MAR 2006
RECEIVED

Please Note : Council is unable to accept your application until *all* details are completed, *all* relevant information provided, the application signed and the Standard fees paid. (See notes below and check list back page). Application must be signed by agent if receiving invoices as in question 2 opposite.

NOTES

1. Full name and address of applicant must be given, however if applicant is not the owner of the property, name and postal address of owner must be supplied.

2. Additional fees and charges associated with the processing of the consent can be invoiced directly to the applicant or alternatively, to the agent who is acting on his/her behalf.

3. Additional consents - Specify the following : Land use consent, subdivision consent, coastal permit, water permit, discharge permit or other consents as relevant, as well as any consent required under other legislation or other authority (ie Northland Regional Council) that may be important in regard to the proposal. Indicate if this application is in relation to a Building Consent, if so, give BC number.

4. Briefly describe the activity, i.e. Subdivide into three Lots; Build new cattery; New building too close to boundary etc.,

5. Legal Description. Describe the location in a manner which will allow it to be readily identified, eg. The street address, legal description, the name of any relevant stream, river or other body to which the application may relate, proximity to any well known landmark, etc.

6.& 7 Address for Service/Correspondence - If you are making your application through a consultant or other agent, then those details must also be provided. The agent is authorised to sign on behalf of the person making an application, and **must** sign the application if '**Box B**' is ticked in question 2.

SUBDIVISION APPLICATIONS - You are advised to employ a registered land surveyor or other professional to submit your application. He or she can advise you about the most appropriate type of subdivision for your land and estimate the total cost.

Office Use Only

Resource Consent N° : 20060877

Valuation N° : .....

Applicant I.D. N° : Soas430(3)

Agent/Rep I.D. : .....

RECEIVED AT Kaitaia ***OFFICE***

DATE 28/3/06 ***RECEIPT N°*** 683266.

FEES RECEIVED $ 615.00

CHECKED BY TM Codlin

Customer Liaison Officer

APPLICATION CHECK LIST

Please Mark with a √ for **yes**	√	Office Use Only
ALL APPLICATIONS		
Completed application Form (or equivalent). Please ensure that all questions are answered correctly		
Standard Charge A Standard Charge ($635 for Land Use; $615 for 1 or 2 Lot Subdivisions; $765 for Subdivisions of 3 to 9 Lots; $1100 10 or more Lots) must be paid when the application is lodged. Any costs incurred over and above this amount will be invoiced prior to release of the consent. A full schedule of fees is available on request.	✓	Rec N° ✓
Copy of Certificate of Title (must be less than 6 months old) Can be obtained from "Land Information New Zealand, PO Box 92016, Auckland (small fee charged).		
Completed Assessment of Effects of the Environment * (see separate leaflet) • All applications are required to include an assessment as prescribed under the Fourth Schedule of the Resource Management Act 1991		
Written Approvals from Affected Parties * (see separate leaflet) • Ensure that you include written approvals from potentially affected persons such as surrounding land owners/occupiers		
LAND USE APPLICATIONS - All boxes must be ticked		
Full Set of Plans and Drawings (Drawn to an approved scale—No larger than A3) • Site Plan showing all property boundaries, existing and proposed buildings, existing and proposed vegetation, any watercourses, contours, driveways and parking/maneuvering space.		
• Floor Plan showing details of interior of building (area and use).		
• Elevations of every exterior face of the building (existing and or proposed) showing height, and height in relation to boundary. **Please note that all plans must indicate the degree of infringement and must be labeled, numbered and dated and drawn to an appropriate scale.**		
SUBDIVISION APPLICATIONS - All boxes must be ticked		
Full Set of Plans and Drawings (drawn to an approved scale - No larger than A3) • The position of all new boundaries	✓	✓
• The areas of all new allotments	✓	✓
• The location and areas of land below mean high water springs of the sea or of any part of the bed of river or lake which is to be vested in the Crown under Section 235 of the Act	NA	
• The location and areas of land to be set aside as new road	NA	
• Dimension of all boundaries	✓	✓

RESOURCE CONSENT INFORMATION PACK

PLEASE COMPLETE THIS FORM TO THE BEST OF YOUR ABILITY AND INCLUDE WITH YOUR RESOURCE CONSENT APPLICATION FORM

"STAGED Development"

WHAT ARE YOU PROPOSING TO DO? Subdivision as a Controlled Activity under the Proposed Plan. - The "Bona fide" role in the Transitional Plan has not been challenged (to bring it back) and Sec. 9 RMA applies and this effect/Role is nullified

WILL YOUR PROPOSAL REQUIRE ANY OF THE FOLLOWING?

- The Construction / Extension / Demolition of Buildings — Yes / No
  If yes, please provide plans / diagrams drawn to scale showing the location, design and finished exteriors of the building(s)
- Earthworks — Yes / No
  If yes - What volume — Existing Row shown (A) is regularly maintained
  - Maximum height / depth
  (Please note that Council requires an engineers report for any earthworks over 50 cubic metres in volume and / or creates a cut face over 1.5 metres in height)
- Vegetation Clearance — Yes / No
  If yes - What type
  - How much
- Formation of an Accessway and / or Parking Area — Yes / No
  If yes, the parking and associated manoeuvring areas will need to be shown on a site plan drawn to scale
- Effluent and Stormwater Disposal Systems — Yes / No
  If yes - How will effluent be disposed of (on-site or to a reticulated system) — on-site effluent disposal system in place on lot 3 lots 1 & 2 have ample area available
  - How will stormwater be disposed of (on-site or to a reticulated system) — on-site Natural Ground Soakage Controlled by dam and road channels and on to the Swampy Stream
  - Has an engineer designed the system(s) — Yes / No
- Any Buildings Within 40 Metres of a Water Body (i.e. stream, river, the sea, lake, etc.) — Yes / No
  If yes - How far

WHERE POSSIBLE PLEASE USE DIAGRAMS AND PLANS DRAWN TO A RECOGNISED SCALE TO DETAIL THE PROPOSAL

DESCRIPTION OF THE SITE AND SURROUNDING AREA

(STAGE 1
Lot 1 2.5ha
Lot 2 2ha - STAGE 2
Lot 3 9.4ha Balance Area)

- **What is the Area of the Site**

- **What is the Topography of the Site (Flat / Rolling / Sandy / Wetland, etc.)**

Flat - rolling.

- **What Vegetation is Contained on the Site**

Some grass - some scrub
Nothing of significance on this Land (A continuation of the Ridge - Lot 2 DP 353533 Re 20411/77) as determined on this neighbouring Consent.

- **Are There any Existing Buildings on the Site** Yes / ~~No~~
  If yes, please describe and provide a site plan showing their location and any access to these buildings

House + shed on Lot 3 (Balance Area)
No buildings on Lots 1 or 2 - However Both Lots 1 & 2 have good raised building sites well away from the Parawai Stream

- **Are There any Special Features On or Near the Site** ~~Yes~~ / No
  (e.g. archaeological sites, notable trees, historic buildings)
  If yes, please describe

If you are unsure regarding the possibility of historic sites, such as pa sites and buildings, you are advised to contact the New Zealand Historic Places Trust, who will be able to tell you more regarding possible sites.

- **What is the Current Use of the Site and Surrounding Areas**

Small farms - Pines + Lifestyle living
This Sub'n is in fitting with Surrounding properties

ASSESSMENT OF ENVIRONMENTAL EFFECTS

An Assessment of Environmental Effects is required with all resource consent applications. You will need to consider actual and potential effects, and whether they will be minor or significant.

The detail of the assessment should reflect the magnitude of your proposal, i.e. if you are constructing a garage, your Assessment of Environmental Effects will be simple, as opposed to an Assessment for a motel complex. If any effects are unknown, it is recommended that you obtain professional advice to determine what the effects will be.

WHAT ASPECT(S) OF YOUR PROPOSAL WILL AFFECT:

- **Others on Your Property and / or Your Neighbours?**
  (e.g. shading of their property, stormwater flows, increased noise)

Nil Stormwater on Lot 1 will "overland" flow toward the Paranui Stream & Lot 2 will follow thro' the dam and on to the Stream

Will these Effects be Significant or Minor, and How Can They be Reduced?

Minor

- **What Effects Will the Proposal Have on the Wider Community?**

Nil

Will these Effects be Significant or Minor, and How Can They be Reduced?

-

- **Maori Culture? (e.g. destroy or occupy site of significance to Maori)**

Nil

- **Any Ecosystems? (e.g. habitats for flora / fauna)**

Nil

- **The Landscape and Visual Amenity of the Environment?**
  (e.g. buildings seen from the coast, vegetation clearance / earthworks)

Nil

Will these Effects be Significant or Minor, and How Can They be Reduced?

Minor

- **Any Archaeological Sites, Historic Buildings, Notable Trees, or any other Area with a Recognised Value? (e.g. recreation or scientific area or site)**

Nil

Will these Effects be Significant or Minor, and How Can They be Reduced?

Minor

- **Waterways in the Area?** Paranui Stream - is generally 1-2m wide Cattle walk over & through it. It is wett in the winter & reduces to a central flow in Summe. the land surrounding the Stream is very flat and Swampy in the winter.

Will these Effects be Significant or Minor, and How Can They be Reduced?

Minor. - the boundary of the Stream is accepted as being the Right Bank of the central 1-2m flow

- **Any Existing or Potential Natural Hazards? (e.g. flooding, slips)**

Nil

Will these Effects be Significant or Minor, and How Can They be Reduced?

Minor

WILL YOUR PROPOSAL INVOLVE THE:

- **Discharge of Contaminants Into the Environment?** Yes / No
  If yes, please describe

We request that a TP58 report be Commissioned at Building permit stage on Both lots 1 & 2 have sufficient area to accomodate a Standard Septic Tank System

- **Use of Hazardous Substances or Hazardous Installations** Yes / No
  If yes, please describe

CONSULTATION WITH POTENTIALLY AFFECTED PARTIES

Where the District Plan(s) provides, and / or where Council deems it necessary, you may be required to undertake consultation with any parties who may be affected by your proposal, to obtain their written approval consenting to your proposal. As a guideline, Council generally requires written consents from all adjoining landowners and a local Iwi representative.

- **Have you Discussed your Proposal with People who may be Affected by your Proposal?** Yes / No
  If yes, please list those people

  Top Energy & Telecom
  Letters to Come

- **Have any People Given Their Written Approval?** Yes / No
  If yes, you will need to include these as part of your consent

Taylor Road is maintained by Council to a Standard acceptable to Council. The road at this end has very little traffic and does not require further maintenance as a result of this subdivision.
re - We believe that the road is up to a Standard suitable to cater for the additional traffic potentially created by this subdivision if general maintenance is continued. We believe that Sec 108(2)(c) of the RMA 1991 and rule 14.1.6.1.3(b) of the Proposed Plan should not be applicable in this instance / situation. There is a purchaser waiting for Stage 1 (Lot 1) — Stage 2 (Lot 2) is for family "FINANCE IS AN ISSUE HERE"

COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952

REGISTRAR-GENERAL OF LAND NEW ZEALAND

R.W. Muir
Registrar-General
of Land

Search Copy

Identifier	**NA54D/1294**
Land Registration District	**North Auckland**
Date Issued	12 October 1984

Prior References
NA43B/428

Estate	Fee Simple
Area	13.9224 hectares more or less
Legal Description	Part Allotment 11 Parish of Oruru

Proprietors
Colin Cairn Davidson and Audrey Joan Davidson

Interests

Subject to a right of way over part marked A on Plan 102703 specified in Easement Certificate B338647.6 - 12.10.1984 at 9.10 am

The easements specified in Easement Certificate B338647.6 are subject to Section 309 (1) (a) Local Government Act 1974

D242883.2 Statutory Land Charge pursuant to Section 40 Legal Services Act 1991 - 10.2.1998 at 2.59 pm

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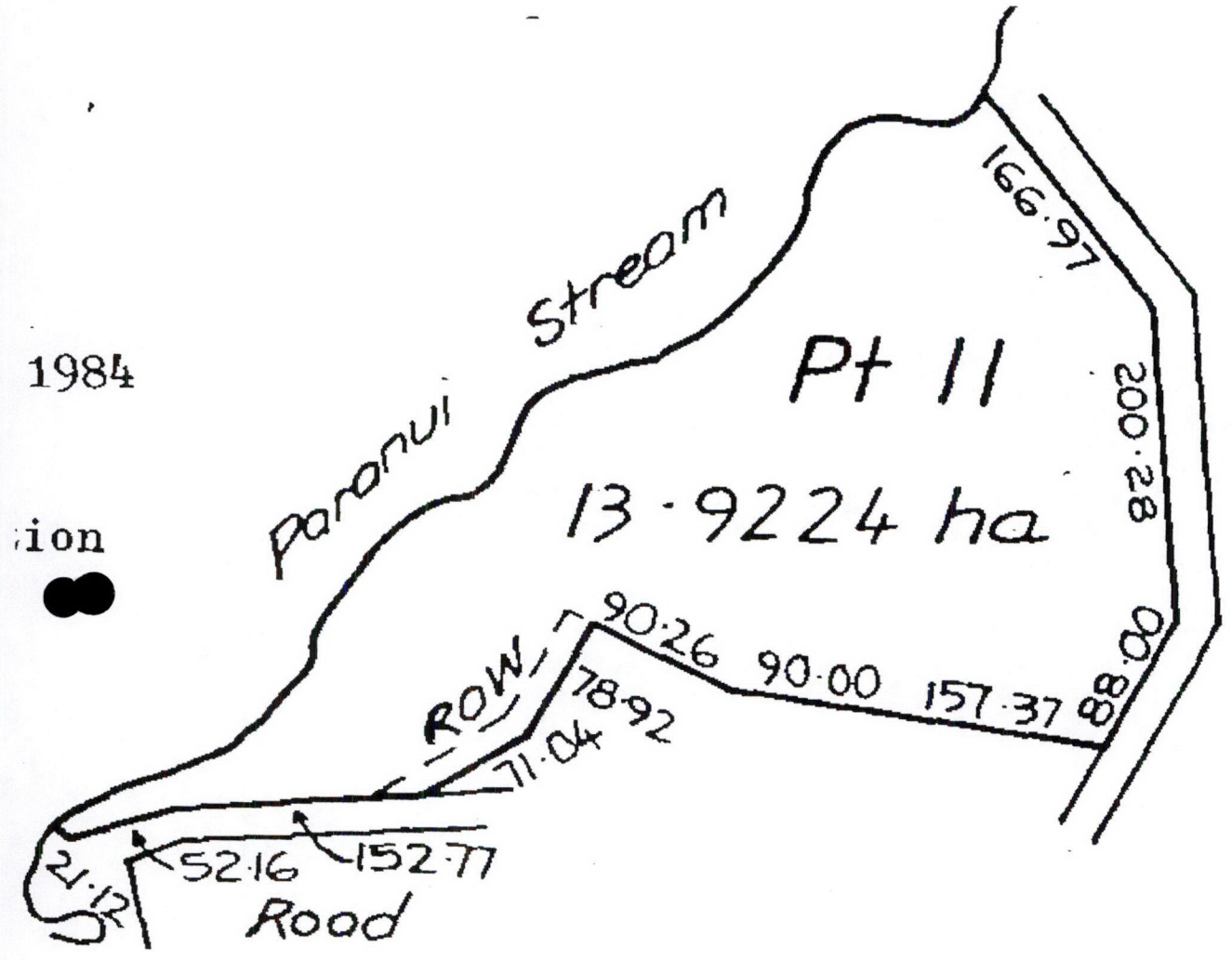

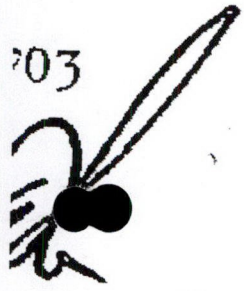

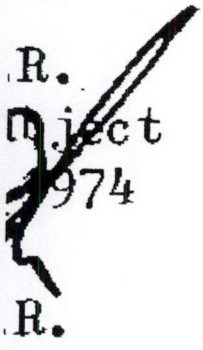

SO 22371

BL AA

Far North
District Council

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

Application No: **RC-2060877-RMASUB**

4 April 2006

Development Engineer
C/O Tanya Nowell - Utilities Dept, P O Box 752, Kaikohe 0400

Dear Sir / Madam

RE: **RESOURCE CONSENT APPLICATION - Colin Cairn Davidson - Subdivision, 284 Taylor Road, Peria 0500**

Please find enclosed a resource consent application received by the Council for a subdivision, which may be interest to your organisation. A GIS printout is attached.

If you have any comments or interest in this application, could you please advise the Council within ten (10) working days of the receipt of this letter. If no comments are received within this time, it will be assumed that you have no interest.

If you have any further queries regarding the process or progress of the application, please contact the undersigned.

Yours faithfully

Nick Williamson
RESOURCE PLANNER

Far North
District Council

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

Application No: **RC-2060877-RMASUB**

4 April 2006

Northland Regional Council
Private Bag 9021, Whangarei 0101

Dear Sir / Madam

RE: **RESOURCE CONSENT APPLICATION - Colin Cairn Davidson - Subdivision, 284 Taylor Road, Peria 0500**

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Website: www.fndc.govt.nz

Application No: **RC-2060877-RMASUB**

4 April 2006

Department Of Conservation
P O Box 842, Whangarei 0101

Dear Sir / Madam

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Application No: **RC-2060877-RMASUB**

4 April 2006

Te Runanga A Iwi O Ngati Kahu
C/O Tania Thomas, P O Box 392, Kaitaia 0500

Dear Sir / Madam

RE: RESOURCE CONSENT APPLICATION - Colin Cairn Davidson - Subdivision 284 Taylor Road, Peria 0500

Please find enclosed a resource consent application received by the Council for a subdivision, which may be interest to you r organisation. A GIS printout is attached.

If you have any comments or interest in this application, could you please advise the Council within ten (10) working days, or as soon as possible thereafter receipt of this letter. If no comments are received within this time, it will be assumed that you have no interest.

If you have any further queries regarding the process or progress of the application, please contact the undersigned.

Yours faithfully

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Website: www.fndc.govt.nz

COPY

G.S.T. REG No. 52-004-926

TAX INVOICE ONLY

Colin Cairn Davidson
C/- Von Sturmers
PO Box 128
Kaitaia 0441

DEBTOR No: 30019343
INVOICE DATE: 1 September 2008
PAYMENT REF: 238607
DOCUMENT NO:
RMA NUMBER: RC-2060877-RMASUB

RESOURCE MANAGEMENT APPLICATION CHARGES

Details: 2 Lot Subdivision
Site Address: 284 Taylor Road, Kaitaia 0483

Description	**$ Amount**
1&2 LOT SUB/BOUNDARY ADJUST>2 LOTS - NOT NOTIFIED	-615.00
Travel Costs - Consultants	26.70
Hourly Processing Charges	1,682.45
General Fee-Base Monitoring, Admin & Supervision	127.00
Postage, Photocopying etc.	31.20

This Invoice includes GST of $ 139.16 **TOTAL** $1,252.35

Where the standard charges fixed by Council are inadequate to enable the Council to recover its actual and reasonable costs in respect of a particular application, the Council shall require the applicant to pay an additional charge.
"An applicant required to pay an additional charge has a right of objection to the Council in respect of that requirement, and has a right of appeal to the Environment Court in respect of the Council's decision on that objection.
"An applicant shall upon request be entitled to an itemised breakdown of costs."

NAME OF A/C:

Colin Cairn Davidson
C/- Von Sturmers
PO Box 128
Kaitaia 0441

DEBTOR No: 30019343
RMA NUMBER: RC-2060877-RMASUB
INVOICE DATE: 1 September 2008
PAYMENT REF: 238607
DOCUMENT NO:
TOTAL: $1,252.35

Far North District Council

Application Fees Summary

Application Number : 2060877 , Colin Cairn Davidson

2 Lot Subdivision

Fees from Timesheets

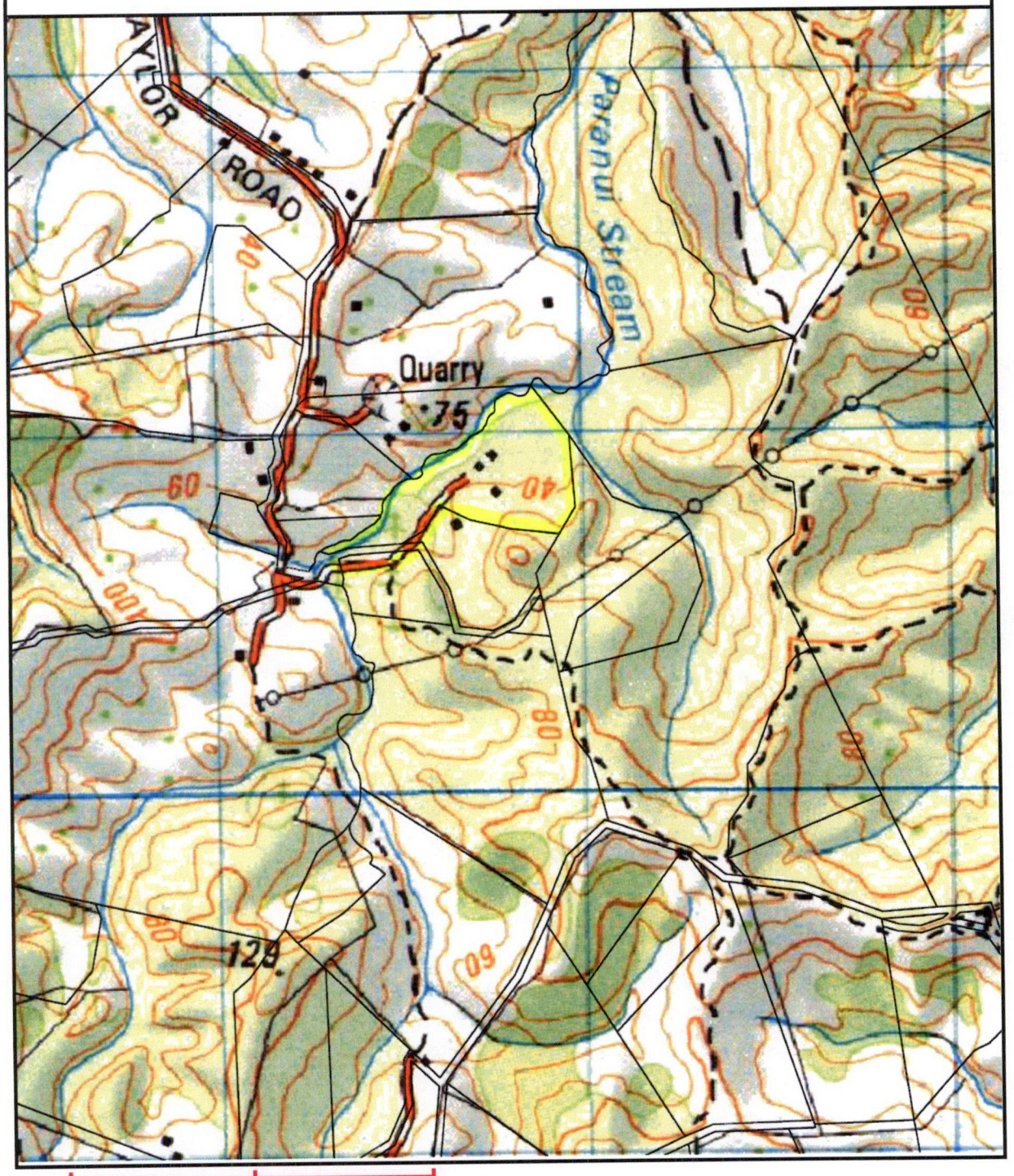
Date	Officer	Comment		Units	Rate	Amount
29/03/2006	Queenie Harding	Lodge application		1.00	57.00	57.00
3/04/2006	Wayne Smith	Check & allocate to a planner		0.25	101.00	25.25
6/04/2006	Adele Gardner	x-ref		0.10	57.00	5.70
6/04/2006	Nick Williamson	Site inspection		0.50	111.00	55.50
6/04/2006	Derryn Williamson	Initial Assessment		0.50	111.00	55.50
6/04/2006	Derryn Williamson	Sec 92 Letter		0.50	111.00	55.50
12/05/2006	GHD Consultants	engineering report		1.00	111.00	111.00
31/03/2008	Greg Phillips	report on consent review		2.10	127.00	266.70
2/04/2008	Greg Phillips	consider / reply to PJK "small stuff" email		0.45	127.00	57.15
3/04/2008	Greg Phillips	email Pat		0.40	127.00	50.80
4/04/2008	Greg Phillips	discuss w/ Pat		0.25	127.00	31.75
8/04/2008	Greg Phillips	meeting with Pat		0.30	127.00	38.10
24/06/2008	Pat Killalea	RFS letter		1.50	140.00	210.00
13/08/2008	Raewyn Smythe	correspondence to applicant		0.25	72.00	18.00
18/08/2008	Louise Wilson	Re-read file and take over processing.		0.75	102.00	76.50
25/08/2008	Louise Wilson	Write 93/94 report.		1.75	102.00	178.50
27/08/2008	Louise Wilson	Decision		2.00	102.00	204.00
29/08/2008	Louise Wilson	edits		0.25	102.00	25.50
29/08/2008	Pat Killalea	Review amend & sign off		0.50	140.00	70.00
1/09/2008	Queenie Harding	Mail out decision & file admin		1.00	72.00	72.00
1/09/2008	Queenie Harding	Final invoice fax to agent & file management		0.25	72.00	18.00
			Total from Timesheets			**1682.45**

Miscellaneous Administration

Description		Amount
1&2 LOT SUB/BOUNDARY ADJUST>2 LOTS - NOT NOTIFIED - paid		615.00
Travel Costs - Consultants		26.70
12/05/2006	GHD engineering report site visit 12/5/06 30kms@.89=26.70	
Hourly Processing Charges - as detailed above		1682.45
General Fee-Base Monitoring, Admin & Supervision		127.00
Postage, Photocopying etc.		31.20
	Subtotal	**1867.35**
	Less Payments	**-615.00**
	Amount Due	**1252.35**

Far North District Council

Land etc



1 km

1 : 16793

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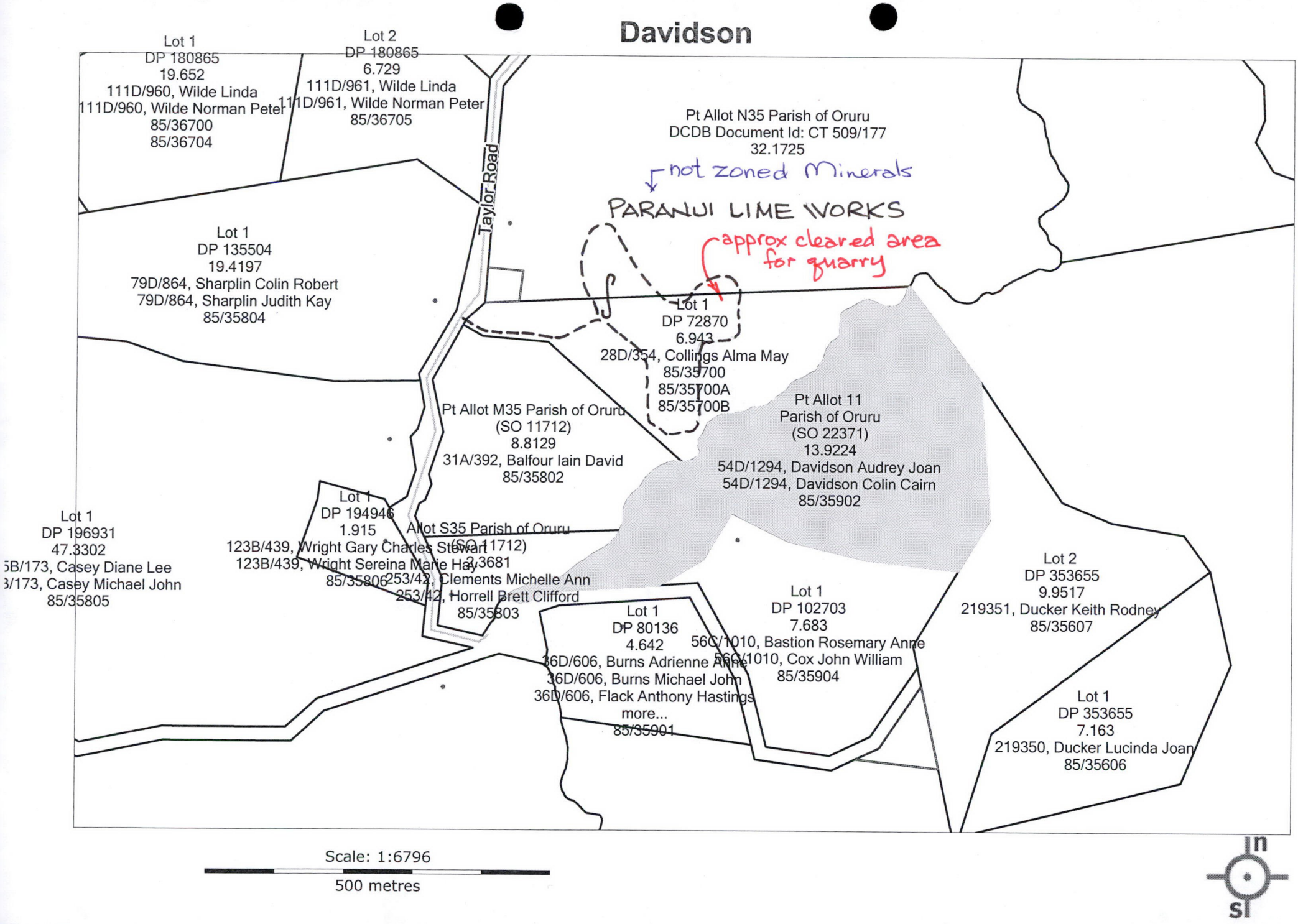
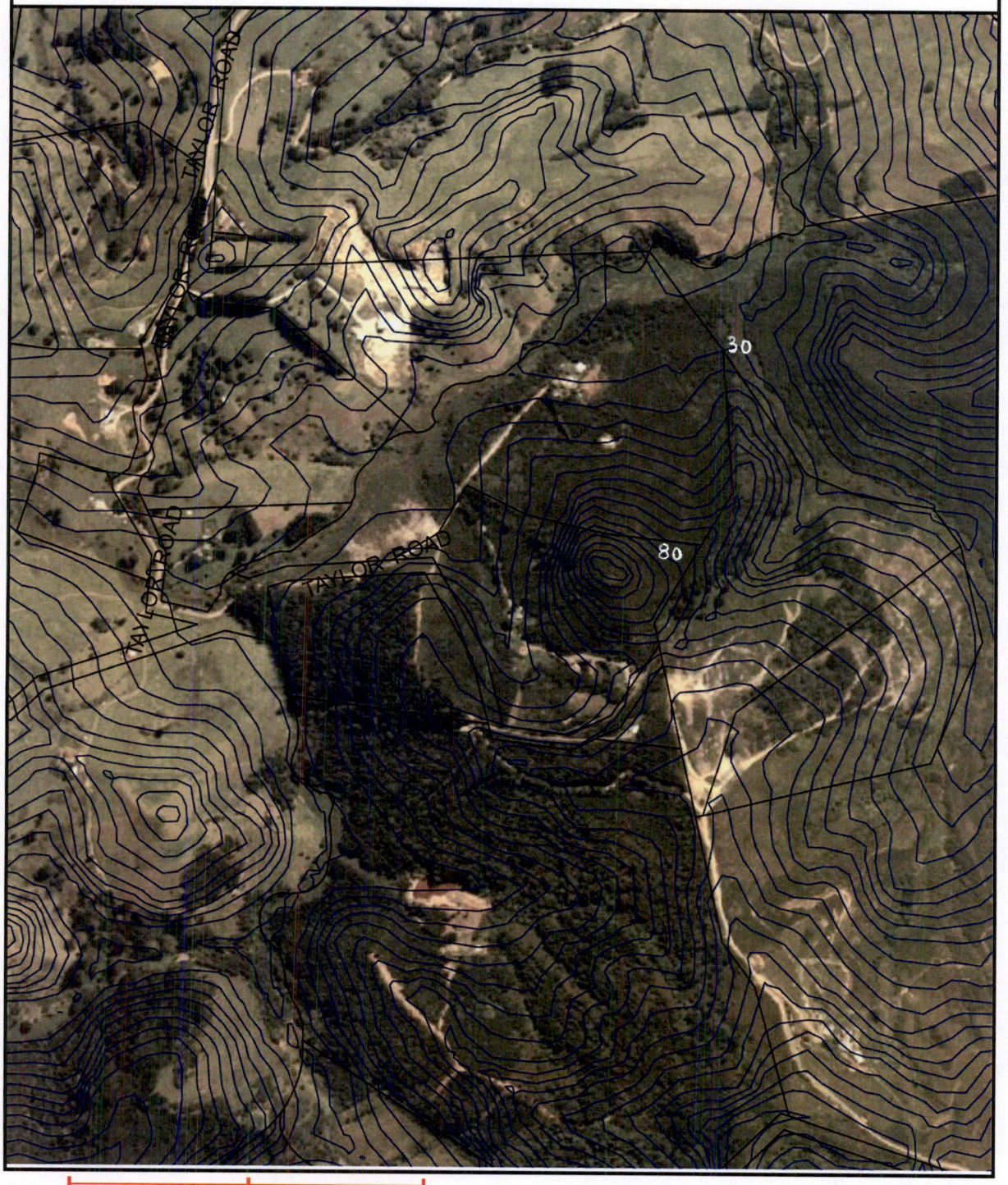
Davidson


Lot 1
DP 180865
19.652
111D/960, Wilde Linda
111D/960, Wilde Norman Peter
85/36700
85/36704
Lot 2
DP 180865
6.729
111D/961, Wilde Linda
111D/961, Wilde Norman Peter
85/36705
Taylor Road
Pt Allot N35 Parish of Oruru
DCDB Document Id: CT 509/177
32.1725
not zoned Minerals
PARANUI LIME WORKS
approx cleared area for quarry
Lot 1
DP 135504
19.4197
79D/864, Sharplin Colin Robert
79D/864, Sharplin Judith Kay
85/35804
Lot 1
DP 72870
6.943
28D/354, Collings Alma May
85/35700
85/35700A
85/35700B
Pt Allot M35 Parish of Oruru
(SO 11712)
8.8129
31A/392, Balfour Iain David
85/35802
Pt Allot 11
Parish of Oruru
(SO 22371)
13.9224
54D/1294, Davidson Audrey Joan
54D/1294, Davidson Colin Cairn
85/35902
Lot 1
DP 196931
47.3302
5B/173, Casey Diane Lee
3/173, Casey Michael John
85/35805
Lot 1
DP 194946
1.915
123B/439, Wright Gary Charles Stewart
123B/439, Wright Sereina Marie Hay
85/35806
Allot S35 Parish of Oruru
(SO 11712)
2.3681
253/42, Clements Michelle Ann
253/42, Horrell Brett Clifford
85/35803
Lot 1
DP 80136
4.642
36D/606, Burns Adrienne Anne
36D/606, Burns Michael John
36D/606, Flack Anthony Hastings
more...
85/35901
Lot 1
DP 102703
7.683
56C/1010, Bastion Rosemary Anne
56C/1010, Cox John William
85/35904
Lot 2
DP 353655
9.9517
219351, Ducker Keith Rodney
85/35607
Lot 1
DP 353655
7.163
219350, Ducker Lucinda Joan
85/35606
Scale: 1:6796
500 metres
N
S

Far North District Council

Land etc
Contour
Aerial Photos



500 m 1 : 8587

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1. 2.5ha
2. 2ha
3. 9.4ha

Aerial

300 m

1 : 5637

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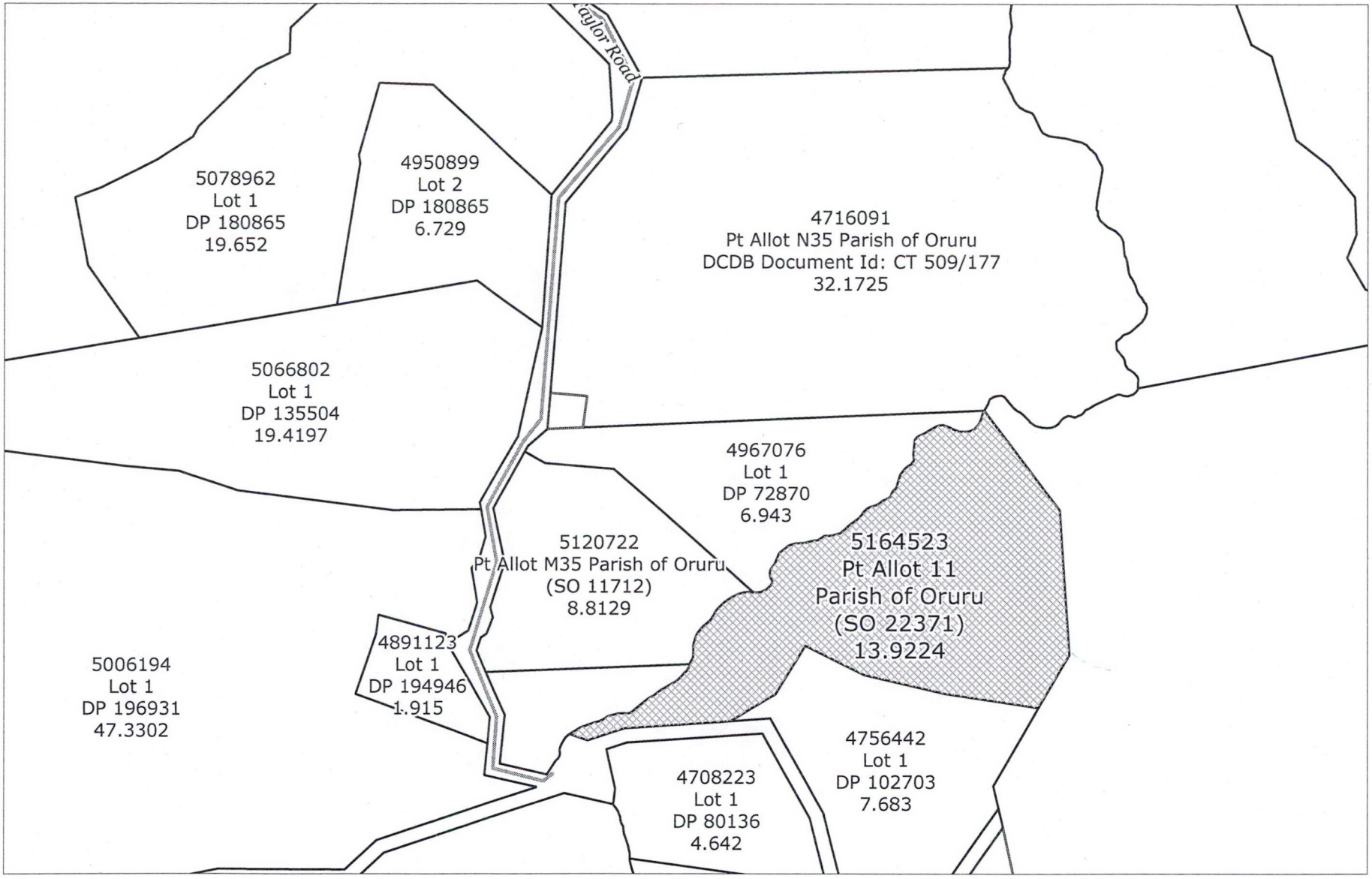

Taylor Road
5078962
Lot 1
DP 180865
19.652
4950899
Lot 2
DP 180865
6.729
4716091
Pt Allot N35 Parish of Oruru
DCDB Document Id: CT 509/177
32.1725
5066802
Lot 1
DP 135504
19.4197
4967076
Lot 1
DP 72870
6.943
5120722
Pt Allot M35 Parish of Oruru
(SO 11712)
8.8129
5164523
Pt Allot 11
Parish of Oruru
(SO 22371)
13.9224
4891123
Lot 1
DP 194946
1.915
5006194
Lot 1
DP 196931
47.3302
4708223
Lot 1
DP 80136
4.642
4756442
Lot 1
DP 102703
7.683
Scale: 1:7920
842.0 metres
NORTH

Parcel Summary:

Legal description	Pt Allotment 11 PSH OF ORURU	**No of properties**	1
No of parcels	1		

Parent Property Details:

Property address	284 Taylor Road Peria 0500	**Legal description**	PT ALLOT 11 ORURU PSH BLK I MAUNGATANIWHA SD
Property type	STND	**Area**	139224.00000 M2
Ward name	Northern Community	**Geac assessment no**	2409519
Geac property id	3309519	**Geac old assess no**	3309519
No of parcels	1		

Assessment Details:

Rate payer	Colin Cairn Davidson and Audrey Joan Davidson	**Vg number**	00085-35902
Rate payer address1	Taylors Rd	**Land value**	97000
Rate payer address2	Paranui 0500	**Capital value**	250000
Rate payer address3		**Valuation year**	2006
Rate payer address4		**Rates struck**	1040.55

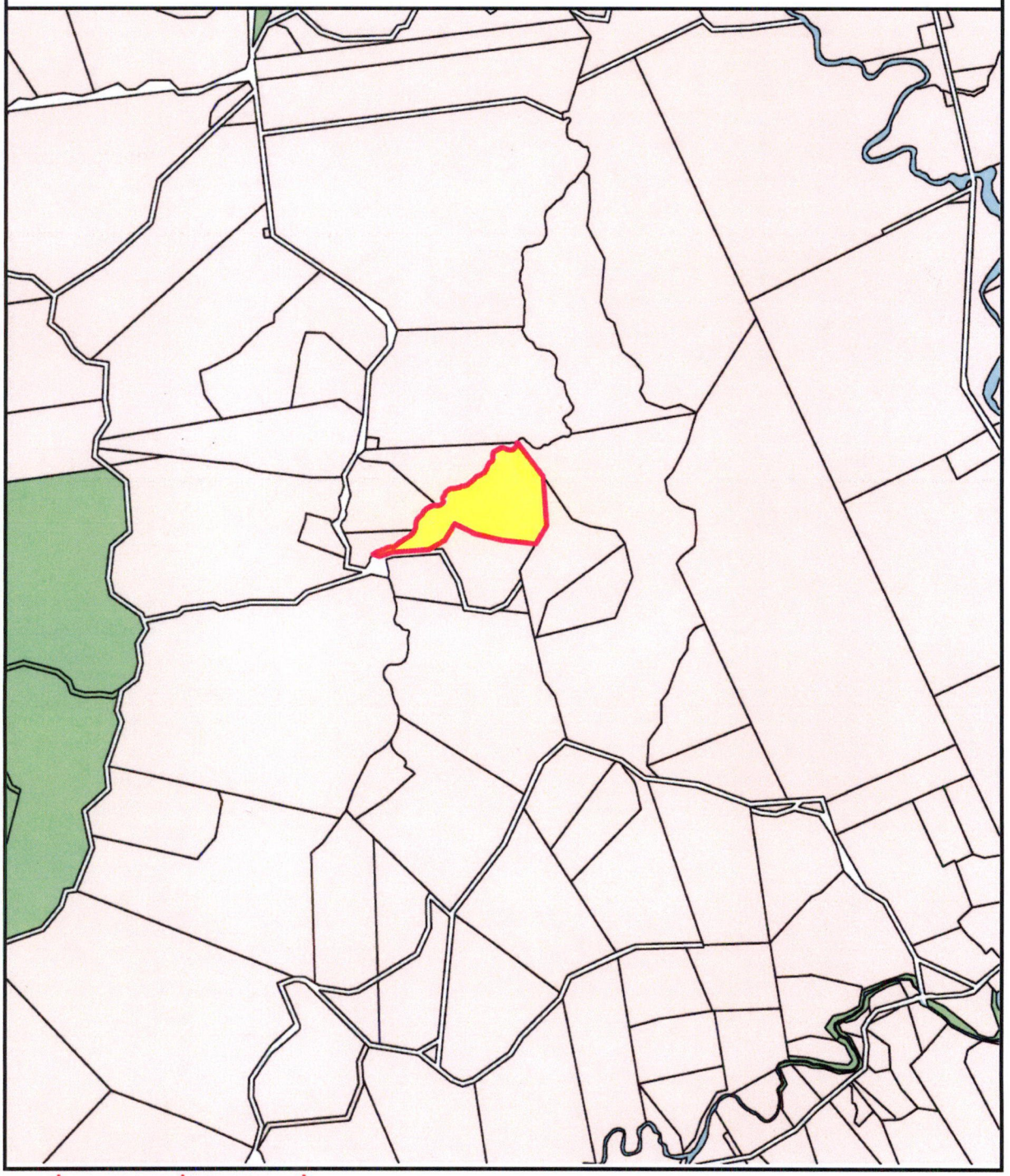
Information from LandOnLine (LINZ)

LandOnLine does not necessarily reflect Pathway dataset. Pathway data is considered the authoritative record. LandOnLine information provided for cross-refrence purposes only.

Gdo bm key	11719938
Pathway parcel legal	PT ALLOTMENT 11 PSH OF ORURU
Parcel key	57912
Pathway parcel status	Current
Pathway parcelcode	PTALLT
Pathway parcelnum	11
Pathway plancode	PARO
Pathway plannum	ORURU
Pathway area	137591.27777
Pathway dimensions	Appellation Unknown Block XV Takahue Survey District
Par id	5164523
Landonline legal1	Pt Allotment 11
Landonline legal2	PSH OF Oruru
Landonline name	
Landonline purpose	
Landonline other legality	
Landonline area	137591.277766
Landonline perimiter	2001.387293
Landonline intent	DCDB
Landonline featcode	parcel
Id	57680

Far North District Council

Land etc



1 km 1 : 25000

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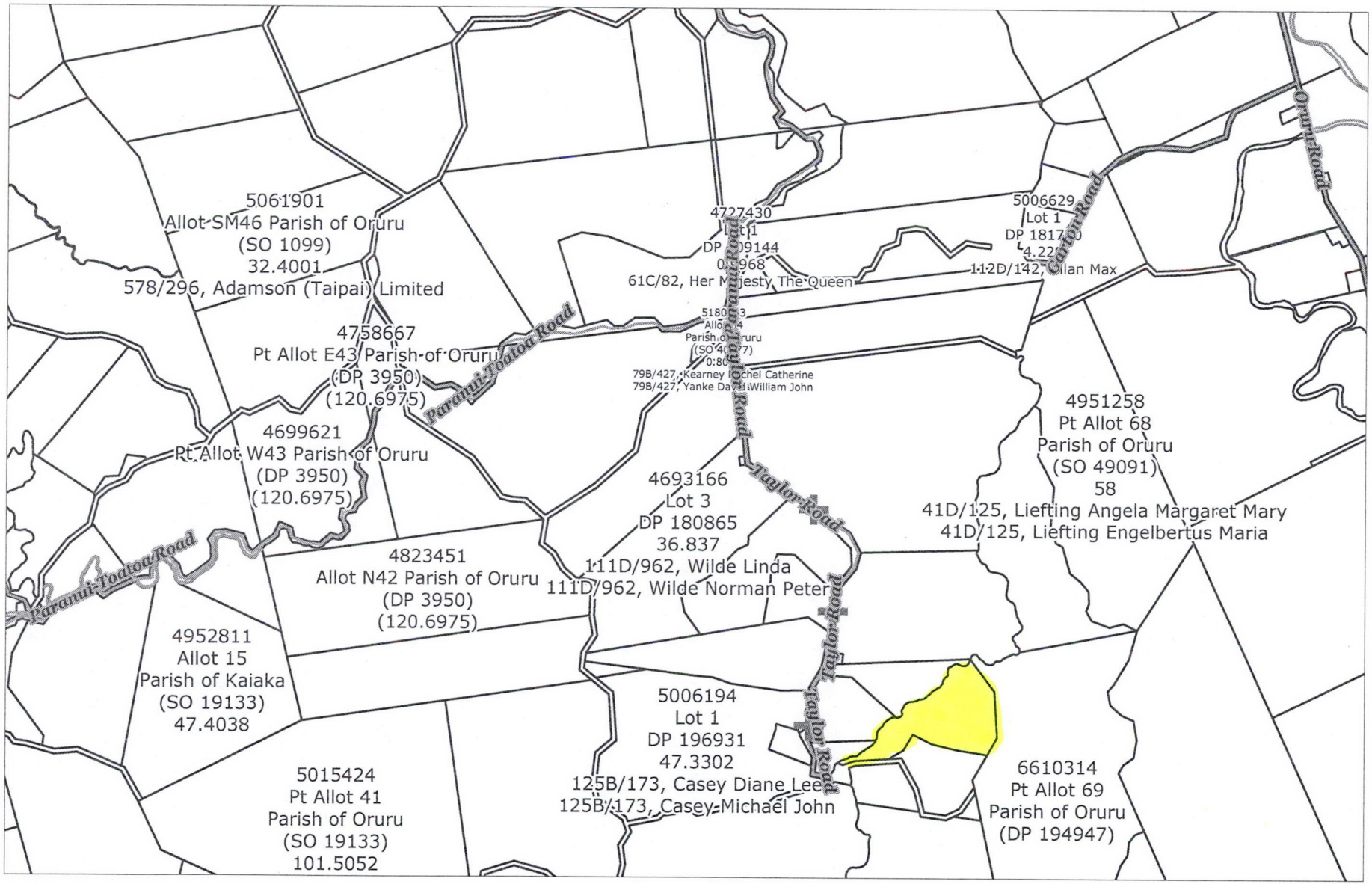
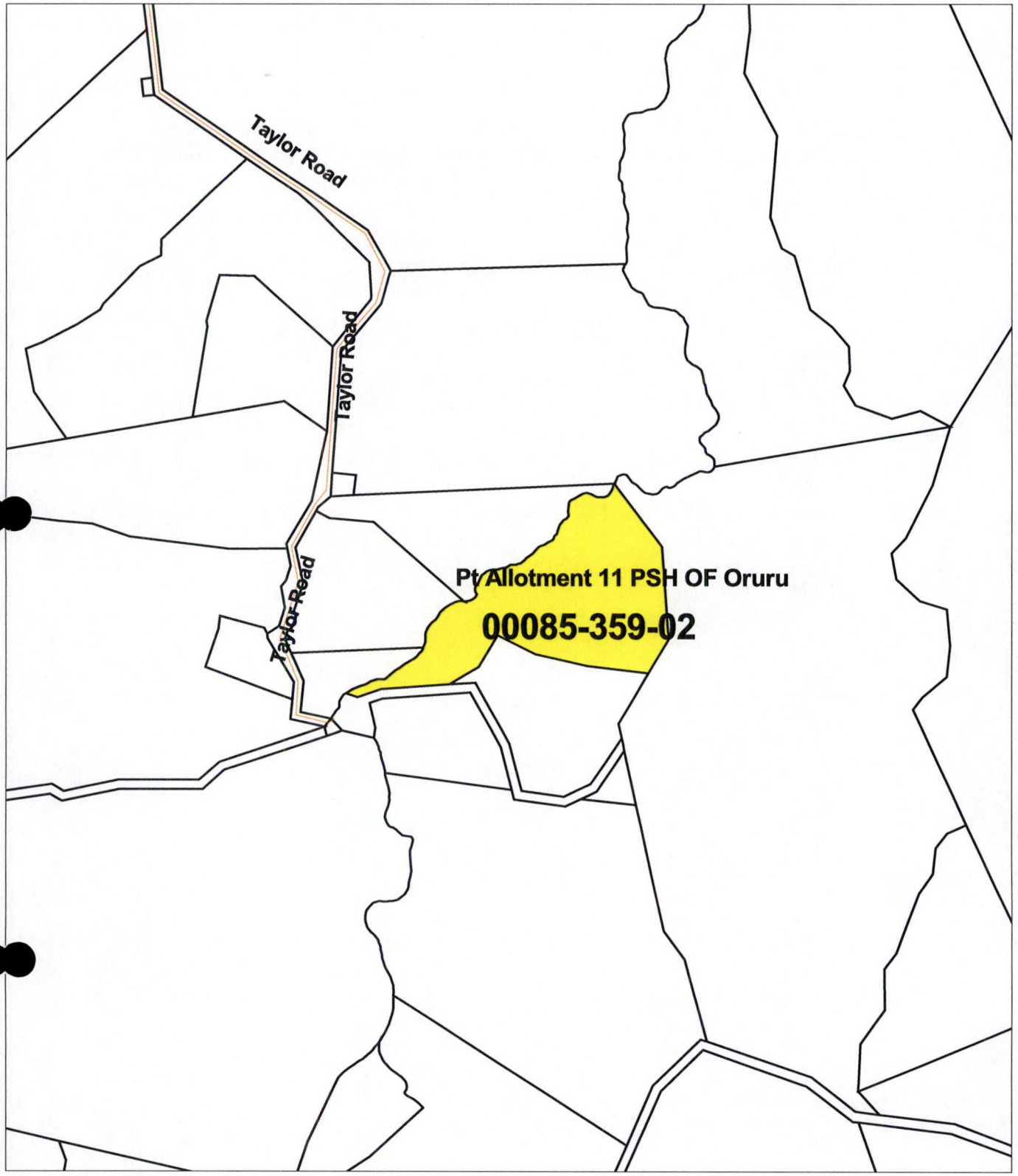
RC 2060877 - Davidson
Taylor Road, Peria



Scale: 1:24785

2717.6 metres

NORTH



Property Location: 284 Taylor Road Peria

Property Area: 13.9224ha.

00085-359-02
PT ALLOT 11 ORURU PSH BLK I MAUNGATANIWHA SD

Far North District Council

PROPERTY INQUIRY

This map is for illustration purposes only and is not necessarily accurate to surveying, engineering or ortho-photographic standards.
While every effort has been made to ensure correctness and timeliness of the information presented. Far North District Council assumes no responsibility for errors or omissions.

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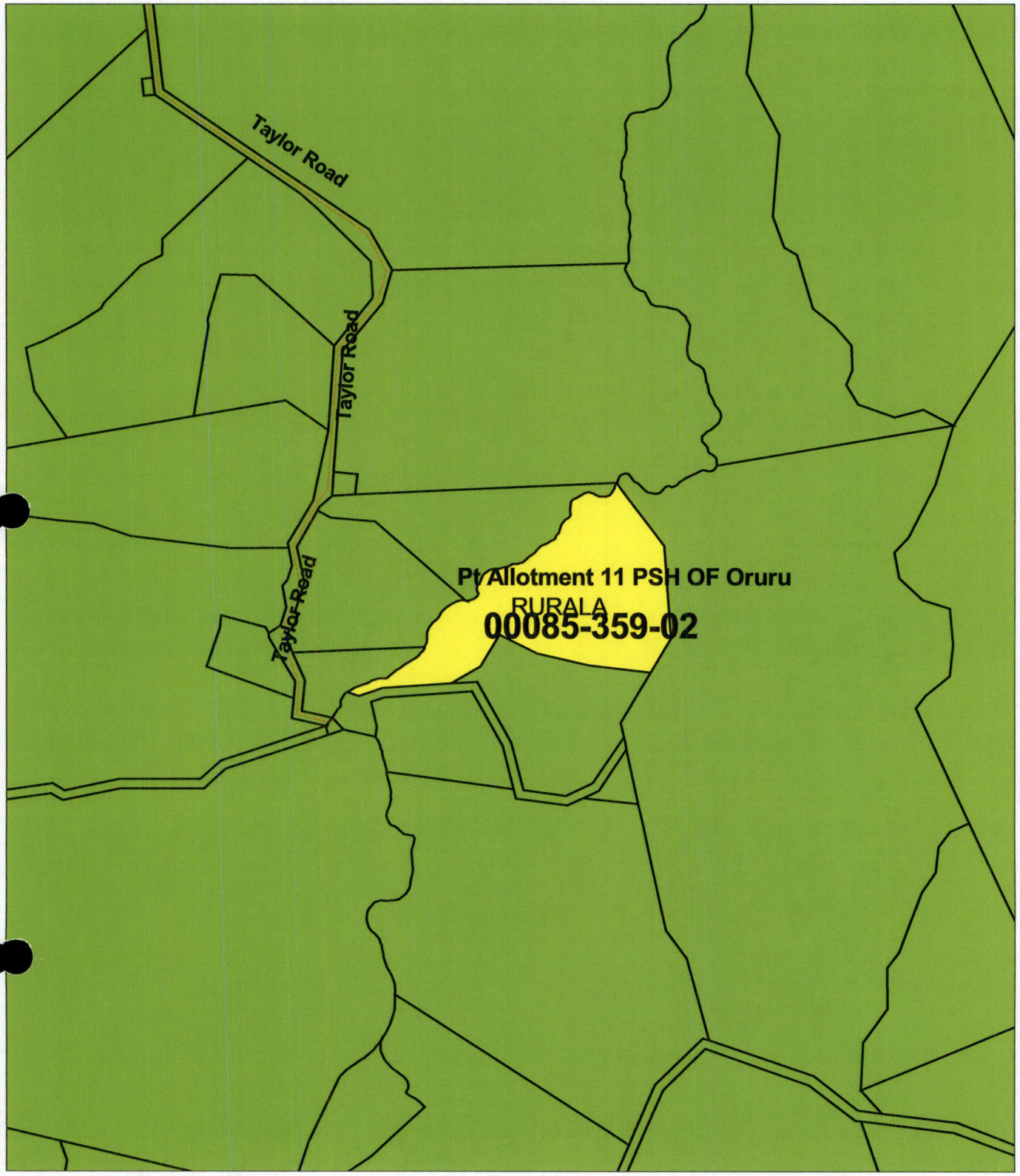
Date: 29/3/6



Property Location: 284 Taylor Road Peria

Property Area: 13.9224ha.

00085-359-02
PT ALLOT 11 ORURU PSH BLK I MAUNGATANIWHA SD

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Website: www.fndc.govt.nz

G.S.T. REG No. 52-004-926

TAX INVOICE ONLY

Colin Cairn Davidson
C/O Von Sturmers
P O Box 128
Kaitaia 0500

DEBTOR No: 50054303
INVOICE DATE: 28 March 2006
PAYMENT REF: 238607
RMA NUMBER: RC-2060877-RMASUB

RESOURCE MANAGEMENT APPLICATION CHARGES

Details: 2 Lot Subdivision
Site Address: 284 Taylor Road, Peria 0500

Description	$ Amount
1&2 LOT SUB/BOUNDARY ADJUST>2 LOTS - NOT NOTIFIED	615.00

Far North District Council
GST No 52-004-926
Phone: 0800 920029
09 4052750
Private Bag 752
Memorial Ave
Kaikohe 0400
Receipt No 683266
Date: 28-MAR-2006 Drawer:KTCS1
Colin Cairn Davidson
Taylors Rd
Paranui 0500
615.00
DR 50054303 -615.00
CC & AJ DAVIDSON Cheq
Receipt Amount: 615.00
Amount Tendered: 615.00
Change Issued:
Rounding Amount:
*Includes GST

This Invoice includes GST of $ 68.33 TOTAL $ 615.00

Where the standard charges fixed by Council are inadequate to enable the Council to recover its actual and reasonable costs in respect of a particular application, the Council shall require the applicant to pay an additional charge.
"An applicant required to pay an additional charge has a right of objection to the Council in respect of that requirement, and has a right of appeal to the Environment Court in respect of the Council's decision on that objection.
"An applicant shall upon request be entitled to an itemised breakdown of costs."

NAME OF A/C:

Colin Cairn Davidson
C/O Von Sturmers
P O Box 128
Kaitaia 0500

DEBTOR No: 50054303
RMA NUMBER: RC-2060877-RMASUB
INVOICE DATE: 28 March 2006
PAYMENT REF: 238607
TOTAL: $ 615.00

ENVIRONMENTAL
28 MAR 2006
RECEIVED

Master Details

Qpid: 21517 **Val.Ref.:** 85/35902 << >>

Situation: 284 TAYLOR Road **Property Name:**
Territorial Authority: 1 Far North District **Category:** LI198B Lifestyle-1980's-average
Date Revised: 01/09/2007 **Nature of Imp:** DWG FG OBS OI
No. of Extensions: 0 **Plan:** 04 **Suspect Valuation** No
Objections: No **Subdivisions:** No **Consents:** No **SRAs:** No
Photos: No **Floor Plans:** No **Survey Plans:** No

Valuations	Capital	Land	Improvements	Trees
Rating Valuation:	375000	195000	180000	1000

Owner/Occupier Details

Type	Name	Address
Occupier	COLIN CAIRN DAVIDSON	Taylors Rd, RD 3, Kaitaia, 0483
Occupier	AUDREY JOAN DAVIDSON	

Certificates of Title: NA54D/1294
Legal Descriptions: PT ALLOT 11 ORURU PSH BLK I MAUNGATANIWHA SD
Land Area: 13.9224Ha

LINZ Title Details

Certificates of Title	Land Area	Legal Descriptions
NA54D/1294	13.9224 ha	Part Allotment 11 Parish of Oruru

TORAS

Code: 11100

Tenure	Ownership	Rateability	Apportionment	Special
Not Leased (Owner is Occupier)	Individual	Rateable	NOT APPLICABLE	

Last Sale

Date of Agreement	Net SP	Chattels	Classification	Sale Status	Remarks
30/06/1997	108000	0	S13	Confirmed	POOR IMPROVEMENTS, NEEDS A BIG TIDY

Land Use Data

Zone: 1A **Use:** Residential
Units: 2 **Sub:**
Car Parks: **Maori Land:**
Age: Mixed/Remod
Wall Cond.: Good **Roof Cond.:** Good
Wall Const.: Weatherboard **Roof Const.:** Steel/G-Iron
Site: 98 **Floor Area:** 131
Production:

MAS Appraisal Data

CSI	Lot Position	Contour	Landscaping
View	View Scope	House Type	Modernisation

EYB	Main	Total	Fdn	Deck	LDY	Ols	Acc	Drv	UMR	FS	Out
									0	0	

Additional Data

No. of Bedrooms **No. of Toilets**