HAURAKI
DISTRICT COUNCIL

AGENDA | RĀRANGI TAKE

Regulatory Hearings Committee
Komiti Whakariterite Kōrero

Date: **Tuesday, 03 November 2026**
Time: **9.00am**
Venue: **Council Chambers, Hauraki House, 1 William Street, Paeroa**



Membership

Committee Members

Mayor Toby Adams
Deputy Mayor Paul Milner (Chair)
Cr Austin Rattray (Deputy Chair)
Cr Anne Marie Spicer
Cr Stephen Crooymans
Cr Ray Broad

HDC Staff

P A Thom
A de Laborde
E Kroukam
M Dyer
M Matich
A Harris
D Hannah
C Hannah

D A Speirs
Chief Executive | Tumuaki

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Delegations: Regulatory Hearings Committee

Membership	Mayor Toby Adams Deputy Mayor Paul Milner (Chair) Cr Austin Rattray (Deputy Chair) Cr Anne Marie Spicer Cr Stephen Crooymans Cr Ray Broad *Note: All members of this Committee must be trained (or undertaking training) in accordance with section 39B the Resource Management Act 1991. This Committee has the power to appoint approved Independent Commissioners as required to a hearings sub-committee.*
Meeting frequency	Monthly meeting (if required) on the first or third Tuesday of each month, starting in February 2026, commences at 9:00am.
Quorum	Two members present.
Purpose	This committee is responsible for resource management and regulatory hearings.

Delegation	All delegations made to this Committee are to be exercised within the framework of the Council's adopted regulatory policies, plans, strategies, and bylaws.
	
	The Council delegates to the Regulatory Hearings Committee the following powers, duties and responsibilities:
	▪ Implementation of the Resource Management Act, the Operative District Plan and other regulatory Acts and Regulations in terms of regulatory responsibilities.
	▪ All powers, duties and discretions under the Resource Management Act 1991 to allow the above matters to be undertaken, other than:
	  The consideration or hearing of any application where the Council is the applicant.
	  The making of a recommendation on a requirement for a Designation or a Heritage Order where the Council is the Requiring Authority.
	  Exercising the power of delegation.
	
	Provide governance oversight of the Council's regulatory service delivery functions, including:
	▪ Powers, duties and discretions vested in the Council by the Crown Minerals Act 1991.
	▪ Powers, duties and discretions in respect to the Dog Control Act 1996.
	▪ Powers, functions and discretions under Building (Pools) Amendment Act 2016.
	▪ Powers, duties and discretions pursuant to section 232 of the Building Act 2004 except for the power to set fees and charges.
	▪ Determining any appeals to a determination made by the Chief Executive under the Council's Bylaws.
	▪ The Council's Compliance, Monitoring and Enforcement Policy and activity.
	▪ Approval of legal action taken by the Council in relation to the Council's Bylaws made under the Local Government Act 2002 or any other legislation.
	▪ Reviewing and deciding on objections to development contributions payment requests in relation to the Council's Development Contributions Policy.

	▪ Determine and grant of Territorial Authority consents under s100 of the Gambling Act 2003 (as it relates to Class 4 Gambling Venues) and s65C of the Racing Act 2003 (as it relates to Board Venues). In accordance with section 34 of the Resource Management Act 1991 and clause 32 of Schedule 7 of the Local Government Act 2002 the Council directs that: ▪ Commissioners appointed to deal with all other matters shall be the Chairman of the Hearings Committee together with not less than one other elected member. ▪ Commissioners, except the Chairperson of the Regulatory Hearings Committee, shall attend to applications as far as practicable on a rotational basis.
Specific Delegations	The Council delegates to the Regulatory Hearings Committee the following powers, duties and responsibilities in respect to the: Resource Management Act: ▪ Pursuant to section 34A, approve applications where delegated staff acting under delegated authority do not consider they can approve an application. ▪ Section 87E: Decision to return, defer, decline or grant a request to transfer an application for resource consent or application for a change or cancellation of consent condition to the Environment Court. ▪ Section 132: Change conditions of resource consent on a review. Cancel a resource consent following a review. ▪ Section 189: Give notice of a requirement for a heritage order. ▪ Where no agreement can be reached with staff, sections 357 & 357D: Authority to consider any objection (pursuant to this section) to an officer's decision when the objection cannot be wholly upheld by staff or agreement is reached with applicant on partial upholding of the objection. Dog Control Act 1996: ▪ Section 22: Hear and determine an objection to classification as a probationary owner. ▪ Section 25: Specify period of disqualification. ▪ Determine whether the circumstances are such that disqualification is not warranted, or the person should instead be classified as a probationary owner. ▪ Section 26: Hear and determine an objection to disqualification. ▪ Section 28: Extend period of disqualification. ▪ Section 31: Hear and determine an objection to classification of any dog as a dangerous dog. ▪ Section 33B: Hear and determine an objection to classification of a dog as a menacing dog. ▪ Section 33D: Hear and determine an objection to classification of a dog as a menacing dog. ▪ Section 55: Consider and determine an objection to a notice to abate a barking dog nuisance. ▪ Section 70: Determine an application for return of a dog – barking. ▪ Section 71: Determine an application for return of a dog – danger. ▪ Section 71A: Determine that a dog shall be sold, destroyed or otherwise disposed of.

	Building Act 2004 to: ▪ Sections 107(3)(b) and (c): Hear and determine appeals on proposed amendment to a compliance schedule. ▪ Section 109: Hear and determine appeals on a recommendation made by a licensed building practitioner under section 108(3)(d) for a compliance schedule to be amended. Food Act 2014: ▪ Section 355(2) & (3): Determine a request for reconsideration of a decision to which section 354(4) applies.

Procedure for Hearings

1. Chairman

The Chairman will declare the hearing open and will advise on the procedure to be followed.

2. Council Secretary

The Council Secretary will read the applications ***(****in the case of matters to be heard under the Resource Management Act)* and determine:

- If the applicant is in attendance, or represented;
- If there are any witnesses in support.
- If there are any submitters in attendance;
- If there are any witnesses in support.

3. Applicant/Appellant

The applicant/appellant will present the application/appeal and call any witnesses in support and answer any questions from the Councillors.

4. Submissions to be heard

(in the case of matters to be heard under the Resource Management Act)

The submitters may present their submissions, calling any witnesses in support and answering any questions from the Councillors.

5. Planning Officer/Animal Control Staff

The Planning Officer/Animal Control staff will present a report and answer any questions from the Councillors.

6. Right of Reply

The applicant/appellant has the right of reply.

7. Close of Hearing

The Chairman will close the hearing and advise that Council's decision is reserved until it has considered the evidence presented and all relevant matters.

Regulatory Hearings Committee Agenda

Tuesday, 03 November 2026 – 9.00am

Schedule of Hearings

9.05am	Application under Section 88 of the Resource Management Act 1991 to: - to carry out a rural subdivision to create one lifestyle lot and one general rural lot at 546 Maratoto Road, Hikutaia, Paeroa

Order of Business

Pages

Meeting opening | Karakia timatanga

Procedural | Ā-Tikanga

1. **Apologies | Ngā Matangaro or Te hunga kāore I tae**
   The Chair will call the meeting to order and call for apologies.

2. **Declarations of Late Items | Whākī pānga**
   Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full agenda item.

3. **Declarations of Interests |Whakapuakitanga Whaipānga**
   Members are reminded to declare and stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interest they may have.

4. **Confirmation of Minutes | Te Whakaū i ngā Meneti**

4.1 Regulatory Hearings Committee Minutes – 15-09-2026 **8**
4.2 Regulatory Hearings Committee Minutes – 20-10-2026 **13**

5. LIMITED NOTIFIED RESOURCE CONSENT APPLICATION

5.1 Applicant: Jacqueline Rae Shadbolt **20-236**
546 Maratoto Road, Maratoto (Paeroa)
Proposed activity(s):
To carry out a rural subdivision to create one lifestyle lot and one general rural lot.

Close of meeting | Karakia whakamutunga

HAURAKI DISTRICT COUNCIL

REGULATORY HEARINGS COMMITTEE

MINUTES OF A MEETING OF THE REGULATORY HEARINGS COMMITTEE HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON TUESDAY, 20 OCTOBER 2026 COMMENCING AT 9.00AM

PRESENT Cr. P A Milner (Chairperson) and Mayor, D A Adams

IN ATTENDANCE P. A. Thom (Community Development and Regulatory), A. Harris (Administration Officer – Animal and Food Control), C. Hannah (Dog Control Officer), M Varga (Building Control Manager) and C. Black (Council Secretary)

APOLOGIES | Te hunga kāore I tae

RESOLVED

THAT the apologies of Cr. S Crooymans, Cr. A Spicer, Cr. R Broad and Cr. A Rattray be received and sustained.

RHC26/46 Milner/Adams **CARRIED**

LATE ITEMS | Whākī Pānga

There were no late items.

DECLARATIONS OF INTERESTS | Whakapuakitanga Whaipānga

There were no declarations.

unconfirmed

Ngā take kia tū te hui o te Kaunihera anake |
Reasons for Matters to be taken with the Public Excluded

RESOLVED

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) Under Section 48(1) for the Passing of this Resolution
1	Objection to Menacing Classification – K Baranyai Ainsley	**Section 7(2)(a)** – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
2	Objection to Menacing Classification - K Barron	**Section 7(2)(a)** – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
3	Objection to Disqualification Classification – K Karu	**Section 7(2)(a)** – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
4	Objection to Disqualification Classification - W Te Moananui	**Section 7(2)(a)** – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
5	Decision for non-compliance with an issued Dangerous Building Notice – Golden Cross Hotel, Waihi	**Section 7(2)(a)** – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

RHC26/47 Milner/Adams **CARRIED**

unconfirmed

confidential pages 10 and 11 have been removed

The meeting concluded and was closed at 9.20am.

CONFIRMED

P A Milner
Chairperson

03 November 2026

unconfirmed

HAURAKI DISTRICT COUNCIL

REGULATORY HEARINGS COMMITTEE

MINUTES OF A MEETING OF THE REGULATORY HEARINGS COMMITTEE HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON TUESDAY, 15 SEPTEMBER 2026 COMMENCING AT 9.00AM

PRESENT Cr. P A Milner (Chairperson), Mayor - D A Adams and Cr. S Crooymans

IN ATTENDANCE E. Kroukam (Development Engineer), M. Matich (Regulatory Services Team Leader), A. Harris (Administration Officer – Animal and Food Control), D. Hannah and C. Hannah (Dog Control Officers) and C. Black (Council Secretary)

Meeting opening | Karakia timatanga

Chair Cr. Milner opened meeting.

APOLOGIES | Te hunga kāore I tae

RESOLVED

THAT the apology of Cr. A Spicer, Cr. A Rattray and Cr R. Broad be received and sustained.

RHC26/35 Milner/Adams **CARRIED**

LATE ITEMS | Whākī Pānga

There were no late items.

DECLARATIONS OF INTERESTS | Whakapuakitanga Whaipānga

There were no conflicts of interest.

CONFIRMATION OF MINUTES

RESOLVED

THAT the minutes of the Regulatory Hearing s Committee meeting held on Tuesday, 18 August 2026 are confirmed as a true and correct record.

RHC26/36 Milner/Adams **CARRIED**

unconfirmed

Ngā take kia tū te hui o te Kaunihera anake |
Reasons for Matters to be taken with the Public Excluded

RESOLVED

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) Under Section 48(1) for the Passing of this Resolution
2	Disqualification as Dog Owner – S Green	**Section 7(2)(a)** – Protect the privacy of natural persons, including that of deceased natural persons	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
1	Objection to Disqualification as Dog Owner – P Smith	**Section 7(2)(a)** – Protect the privacy of natural persons, including that of deceased natural persons	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
3	Development Contribution Reconsideration Request for ADAPT (Assisting Different Abilities People Trust)	**Section 7(2)(a)** – Protect the privacy of natural persons, including that of deceased natural persons	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

RHC26/37 Crooymans/Adams **CARRIED**

unconfirmed

confidential pages 15-18 have been removed

RESOLVED

THAT the public be re-admitted to the meeting and that the business in committee discussed be confirmed.

RHC26/45 Milner/Adams **CARRIED**

Cr Milner closed the meeting at 10.05am.

CONFIRMED

P A Milner
Chairperson

03 November 2026

unconfirmed

MŌ TE WHAKATAUNGA
FOR DECISION

To:	Hearings and Regulatory Committee
From:	Jason Ward, Consultant Planner – Cheal Consultants
Date:	Monday, 12 October 2026
File reference:	Doc 4185324 – Subdivision 201.2025.00002113.001 Appendix A – Application Appendix B – Scheme Plan Appendix C – Landscape and Visual Assessment Appendix D – Land Development Engineer Report Appendix E – Submission Appendix F – Titus Engineering Assessment Appendix G – Notification Report Appendix H – Response to Further Information
Hearing date:	Tuesday, 3 November 2026
Subject:	Application under Section 88 of the Resource Management Act 1991 to: - to carry out a rural subdivision to create one lifestyle lot and one general rural lot at 546 Maratoto Road, Hikutaia, Paeroa.

Recommendation:

- That the report be received;
- For the following reasons, it is recommended that the Hearings and Regulatory Committee approve the consent:

  Overall, the application has been considered in relation to the matters set out in Section 104. The effects on the environment are considered be no more than minor and the proposal is not considered to be contrary to any relevant provisions, standards or regulations created under the RMA (1991).

  Additionally, the proposal is considered to be consistent with the policies and objectives of the Operative Hauraki District Plan (2014). Conditions can be imposed to reasonably mitigate the effects that are of concern to the submitter.

MagiQ Reference: 4185324

Consent Application Number:	201.2025.00002113.001 and 202.2025.00002113.001
Application Summary:	Application under Section 88 of the Resource Management Act 1991 to carry out a rural subdivision to create one lifestyle lot and one general rural lot
Lodged:	25th March 2026
Further Info Requested:	14th April 2026
Further Info Received:	8th June 2026
Applicant:	Jacqueline Rae Shadbolt
Notified (Limited):	5th August 2026
Agent:	Waihi Land Surveyors Limited
Site address:	546 Maratoto Road, Maratoto
Legal Description of Site:	Lot 2 DP 462101 (RT 608935)
Zone:	Rural Zone Outstanding Natural Landscape Overlay
Rule:	Rule 9.4.1.2(4) – lifestyle lots in the Rural Zone Rule 8.4.3.3 – Vehicle access and crossing standards
Activity Status:	**Discretionary**
NES Consideration:	**N/A**
Right of Objection (s357A)	**Yes**: For applications made under Section 88
Right of Appeal (s120)	**Yes**

SUMMARY OF RECOMMENDATION

Pursuant to sections **88, 104, 104B, 220, 221** of the RMA the application is recommended to be Granted subject to conditions.

1.0 Executive Summary

This report is an assessment of the application(s) pursuant to Section 104 of the Resource Management Act 1991 (RMA). The purpose of this executive summary is to provide a summary of the application, process to date (Section 95 RMA), principal issues and recommendation. Please note that the full Section 95 (notification assessment) which provides further detail and context is attached to this report.

MagiQ Reference: 4185324

1.1 Proposal

To subdivide Lot 2 DP 462101 to create a lifestyle lot of approximately 5.97 hectare and a balance lot of 41.93 hectares. Refer Figure 1 – Scheme Plan and appended to this report.

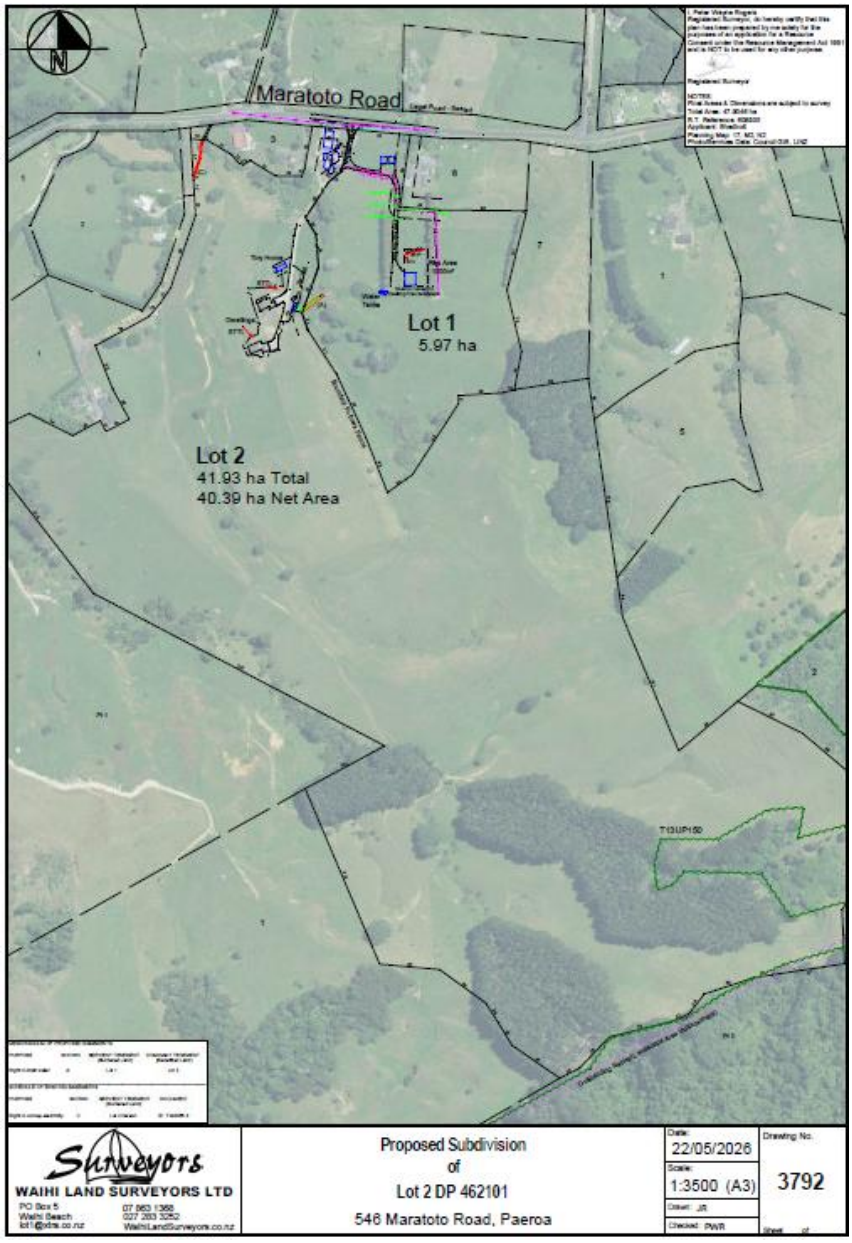


Figure 1: Scheme Plan of Proposed Subdivision

1.2 Existing Environment

The site currently contains three dwellings (two dwellings and a tiny house) and a recently constructed shed. The site gains access via two entrances to Maratoto Road. The existing dwellings are accessed via metalled driveway. The recently built shed (on proposed Lot 1) as shown in image 1is accessed via a metalled driveway as shown in image 2.

MagiQ Reference: 4185324



Image 1: Existing Shed on Proposed Lot 1 (Photo taken by Jason Ward on 6 October 2026)

MagiQ Reference: 4185324



Image 2: Existing Driveway on Proposed Lot 1 (Photo taken by Jason Ward on 6 October 2026)

1.3 Activity Status

Discretionary Activity due to:

- Age of title;
- Previous subdivision(s) created 5 lifestyle lots – this will be the sixth;
- Servicing.

1.4 Process to date

The application has been processed on a limited notified basis. The application was notified to the adjoining neighbour at 564 Maratoto Road. The applicant has obtained the written approval from several adjoining neighbours.

1.5 Reasons for notification (refer notification assessment) to the persons of 564 Maratoto Road

- Additional traffic movements;
- Nuisance amenity effects of:
    - Dust
    - Headlight glare
    - Driveway proximity and noise

1.6 Submission received and key issues

Refer to full submission appended to this report.

The persons located at 564 Maratoto Road lodged a submission. This submission confirmed the issues that were discussed in the notification report. The submitters are concerned with:

- Traffic adjoining their boundary;
- Nuisance / amenity effects of:
    - Dust
    - Headlight glare
    - Noise of driveway
- Privacy;
- Stormwater and overland flowpath;
- Works having commenced before the subdivision and the standard of work.

1.7 Suite of conditions – if the committee determine to grant consent

The application, as lodged, included minimal mitigation measures. Having now assessed the submission received, a comprehensive suite of conditions are recommended, should consent be granted. These conditions contain standard engineering conditions and additional conditions to address the submitters concerns.

On the basis that the Committee impose these, or similar, conditions I recommend that the proposal is granted. It is to be noted that my recommendation is at the time of writing and noting that the applicant and submitter are yet to present their written and oral evidence.

2.0 Section 104 Assessment

This report is prepared based on the law as it stands at the time of writing. An update will be provided on any relevant amendments at the hearing.

A decision was made under Section 95 of the RMA to process the application on a limited notified basis. As assessment of the application under section 104 of the RMA is provided below.

In accordance with section 104(1) of the RMA (1991), and subject to Part 2, when considering an application for resource consent and any submissions received a Council must have regard to:

- *any actual and potential effects on the environment of allowing the activity;*
- *any measure proposed or agreed to by the Applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity;*
- *any relevant provisions of a National Environmental Standard, other regulations, National Policy Statement, a New Zealand Coastal Policy Statement; a Regional Policy Statement or proposed Regional Policy Statement; a Plan or proposed Plan; and*
- *any other matter a council considers relevant and reasonably necessary to determine the application.*

2.1 Assessment of Actual and Potential Effects (S104(1)(a)):

The assessment of adverse effects in the approved notification report (section 95 report) is also relevant for the purpose of the assessment required under s104(1)(a) and therefore will not be repeated here. Please refer to the notification report for further detail regarding actual and potential effects.

It was considered that the proposal is not likely to have adverse effects on the environment that are more than minor.

It was also considered that the proposal is likely to have adverse effects on persons that are minor or more than minor.

2.2 Section 104(1) (ab) – Positive Effects

The applicant has not offered any offset or compensation matters, and none are considered necessary. Assessment of Actual and Potential Effects (S104(1)(a))

2.3 Effects Disregarded

Pursuant to s104(2), when forming an opinion for the purposes of s104(1)(1) a council may disregard an adverse effect of the activity on the environment if the plan or a NES permits an activity with that effect (i.e. a council may consider the "permitted baseline").

The "permitted baseline" was discussed in the approved notification report. It was concluded that no permitted baseline is relevant as all subdivision within the Hauraki District requires resource consent. I do note, however, that the built form of the existing shed forms part of the existing environment.

MagiQ Reference: 4185324

This discussion and conclusion are also considered relevant for the purposes of the assessment under s104(1)(a). A permitted baseline has not been applied.

Pursuant to s104(3)(a), when forming an opinion for the purposes of s104(1)(a) a council must not have regard to any effect on a person who has given written approval to the proposal, nor any trade competition or effects of trade competition. Written approval was provided by the following:

Reference	Address	Owner(s)
2	580 Maratoto Road	Joe & Amy Earnshaw
3	590 Maratoto Road	Jason & Lisa Willetts
4	596, 606 & 608 Maratoto Road	Cecil Horan & Jennifer Russek
7	464 Maratoto Road	Walter & Janet Tye
8	538A Maratoto Road	Steven & Tina Foster

Table 1: Written Approvals

The location of these properties is included in image 3 below. All those properties (persons) were considered as part of the notification assessment.

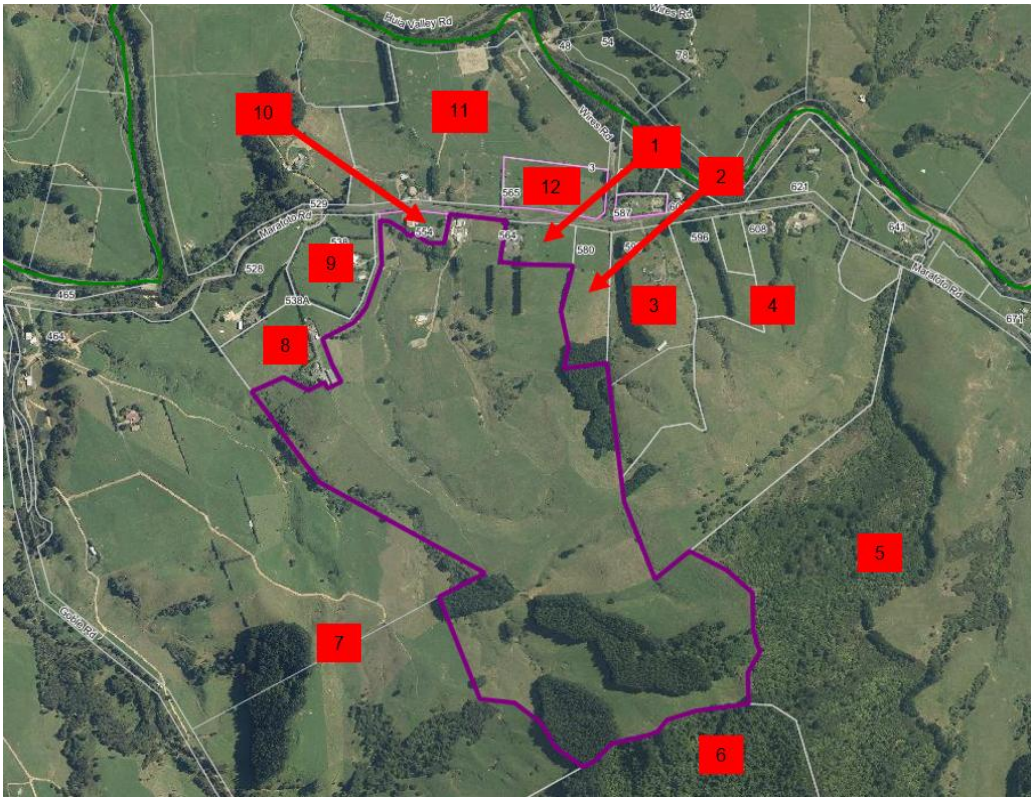


Image 3: Neighbouring Properties Considered for Affected Persons Assessment

In terms of the above neighbouring properties (persons) only property one was considered to be potentially affected for notification purposes.

Effects of trade competition are not considered relevant.

2.4 Engineering

The application included engineering assessments. These have been reviewed by Council's Land Development Engineers. This review resulted in the engineering conditions included in the recommended conditions of consent. I therefore rely on that assessment and recommended conditions of consent. A copy of the engineering memorandum by Council's Land Development Engineer Mr Vignesh Ram (who has now left Council) is attached to this report. Therefore, I conclude that any adverse effects associated with engineering matters including servicing, geotechnical, flooding / inundation, earthworks and stormwater management are acceptable (subject to conditions). It is important to note that while some of the works have been 'completed', the proposed conditions are recommended to ensure that the works are to the standard that meets accepted engineering practice and mitigates environmental effects.

2.5 Relevance of proffered conditions

In considering effects, regard may be had to any condition which would avoid, mitigate or remedy any adverse effect. Proffered conditions of consent are able to be considered as part of the s104 assessment. In this case, the applicant has proffered conditions of consent in relation to landscape treatment. These proffered conditions form part of the mitigation measures and have been taken into consideration in the s104 assessment.

2.6 Summary

In summary, it is considered the actual and potential effects of the proposal are able to be avoided, remedied or mitigated through the imposition of conditions and therefore are acceptable. This is on the basis that the recommended suite of conditions, or similar, are imposed.

2.7 Other Relevant Provisions (s104(1)(b))

2.7.1 Relevant National Policy Statement / National Environmental Standards / statutory provisions

I have turned my mind to all National Policy Statements, National Environmental Standards and other statutory provisions. The following national policy statements (NPS) and national environmental standards (NES) are considered relevant to this proposal.

- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
- National Policy Statement for Highly Productive Land
- National Policy Statement for Natural Hazards

2.7.1.1 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

The application refers to the NES-CS but does not contain a Preliminary Site Inspection (PSI) or assessment against the NES-CS. The key question is whether this site is defined as a "piece of land" under the NES-CS.

MagiQ Reference: 4185324

The conclusion that needs to be reached is:

> *"It is highly unlikely that any risk to human health would arise from the proposed rural-residential subdivision and that the activity is therefore Permitted under Regulation 8(4) of the NES-CS."*

The application does not contain sufficient evidence to reach the above conclusion. The application requests that

> "*Council use its discretion in this particular matter, that the information provided is sufficient to conclude that the residential areas showed do not have any negative effects due to this change in land use*."

While the applicant requests "Council use its discretion" this 'discretion' needs to be based on evidence. While the property is not shown on the Waikato Regional Council as a piece of land that has a history of being a HAIL (Hazardous Activities and Industries List), the applicant has not carried out a PSI to confirm whether any HAIL activities have been, or likely to have been, carried out. A PSI needs to be carried out by a Suitably Qualified and Experienced Person (SQEP) and involve a desktop review (historical land use records, Land Information Reports (LIMS), aerial photographs, Council databases, site walkover and a professional opinion. Where a PSI is not provided, the NES-CS requires consent for a Discretionary Activity.

I recommend that, due to the lack of information, and the request for Council to use its discretion, that the proposal is assessed under the NES-CS as a Discretionary Activity. Refer Regulation 11 of the NES-CS.

Conditions of consent are recommended to address this information shortfall at this stage. While I accept that the site is not a listed HAIL activity, the application is seeking that the risk of the site having contained activities that may pose a risk to future residential owners, be transferred to Council and future owners. Therefore, this recommended condition will provide reasonable certainty to owners and future owners that the site is highly unlikely to pose a risk to human health. This condition provides a trigger to carry out a desktop assessment (PSI) prior to the residential activity or change of use to a residential activity.

2.7.1.2 National Policy Statement for Highly Productive Land

The subject site contains a mix of Class 4 and 6 land. Therefore, the land is not defined as being Highly Productive and no further assessment of the NPS-HPL is required.

2.7.1.3 National Policy Statement for Natural Hazards

The application includes technical assessments assessing natural hazards. The principal natural hazard is flooding and inundation. The Titus engineering assessment contains a risk assessment. This has been reviewed by Council's land development engineer.

2.7.2 Relevant Regional Policy Statement and Plans

The Waikato Regional Policy Statement guides the development of the Waikato Regional Plan, Regional Coastal Plan and Hauraki District Plan, and provides an overview of resource management issues in the Waikato Region. It provides policies and a range of methods to achieve integrated management of natural and physical resources across resources,

jurisdictional boundaries and agency functions, and guides the development of sub-ordinate plans (regional as well as district) and the consideration of resource consent applications.

The proposal does not conflict with the Operative Regional Policy Statement and complies with the provisions of the Regional Plan prepared by the Waikato Regional Council because minimal earthworks are proposed as part of the subdivision. The only earthworks required will be if through the approval of the engineering plans that additional work is required on the driveway and / or stormwater matters. Any further earthworks associated with the building platforms will be undertaken at the time of building consent. It is expected that erosion and sediment control measures will be installed should any earthworks be undertaken, therefore reducing the potential for sediment to enter neighbouring sites or waterbodies. All services will be self-contained and constructed as part a building consent application in the future.

2.7.3 Objectives and Policies – Operative Hauraki District Plan (2014)

Chapter 5: Rural Zone Objectives and Policies

The objectives and policies are listed below and are appended to this report.

- Objectives:5.1.2(1), (2) and (4)
- Policies: 5.1.2(1)(a)(i) – (iv), 2(i) and (4)(i) – (iii)

Assessment:

The subdivision creating one additional lifestyle lot is within keeping with the surrounding environment. The rural character of this environment is a combination of rural production and rural lifestyle. The site is not classed as containing highly productive soils. The location of the building platform along with mitigation through conditions of consent is considered to maintain the open and low density-built character of the rural zone.

Chapter 9: Subdivision Objectives and Policies

- Objectives:9.1.3(1), (3), (6) and (7)
- Policies:9.1.3(1)(a), (6) and (7)(a)(i)-(iii)

Assessment:

The proposal is not contrary to the objectives and policies due to:

- The land is not classed as highly productive land;
- The future dwelling is located within an existing shed;
- The scale and intensity are controlled through the design of the proposed subdivision and conditions of consent;
- Both Lots are self sufficient in terms of servicing and are appropriately serviced for the scale of built form;
- The proposal has been designed and conditions recommended to ensure that the proposal does not create or increase a risk to people, property or infrastructure.

MagiQ Reference: 4185324

2.7.4 Hauraki District Plan Assessment Criteria

2.7.4.1 Hauraki District Plan Subdivision Discretionary Activity Assessment Criteria

The assessment criteria have been considered. The relevant assessment criteria are 8.4.3.4, 8.5.6.4, 9.5(1), 9.6(1) and 9.6(2). While the District Plan contains assessment criteria Council must consider all matters considered relevant to the proposal.

The application as lodged has been designed to address the majority of the assessment criteria. However, there are effects that are not internalized to the site. Should the committee impose the recommended conditions the effects are reasonably internalized, and the assessment criteria can be satisfied.

While proposed Lot 1 currently includes a farm access track and shed(s) existing use rights do not apply to subdivision. The assessment has considered the change in use of an existing rural access track to rural implement sheds compared with a future residential use. Conditions are recommended to ensure that the existing farm access track complies with the relevant engineering standards. This needs to be met on an on-going basis so consent notices are also recommended.

It is noted that the application also requested land use consent for an existing shed being located near the proposed boundary of Lot 1 and 2. This is assessed as part of this subdivision and does not require a separate land use consent for the location of the existing shed.

The subdivision design and recommended conditions ensure that:

- The subdivision takes into account the topography and natural features of the site;
- The access and building platform minimize visual impacts by:
    - Establishing the future dwelling within the existing shed on proposed Lot 1;
    - Requiring a landscape plan to mitigate the effects of the access and use of the dwelling;
    - The dwelling is set within the site and does not break a skyline
- The size of proposed Lot 1 is within keeping with the surrounding amenity;
- Landscaping will provide appropriate screening for the neighbouring property;
- Consent notices are recommended to ensure that the conditions are met on an on-going basis – i.e. after the creation of new record of titles.

2.7.5 Conclusion

Overall, the proposal is considered to be consistent with the relevant Hauraki District Plan objectives, policies and assessment criteria.

MagiQ Reference: 4185324

2.8 Any Other Matter

Section 106 of the Act sets out additional circumstances when a consent authority may refuse to grant subdivision consent or impose conditions in the grant of a subdivision consent, if it considers that there is significant risk from natural hazards or sufficient provision has not been made for access.

The applicant has assessed the level of hazards and provided technical reports. Council's engineers have assessed the assessments and have recommended conditions of consent to ensure that the effects are do not result in material damage and the subsequent use (residential development) will not accelerate or worsen damage. The applicant has identified a residential area on Proposed Lot 1.

Council also needs to ensure that sufficient provision has been made for legal and physical access to each lot. Legal and physical access, for both stages, has been provided and provides legal and practical access for all lots.

To add further analysis, the submitter is concerned that the works, in relation to the overland flow paths, have already been completed ahead of the subdivision. The conditions that are recommended include standard engineering conditions and that the applicant will need to comply with those conditions. Whether the works have been carried out or not already is not a consideration to lower the standards. The works will need to comply with the relevant engineering standards and to ensure that environmental effects are reasonably internalised.

While considering whether there is significant risk from natural hazards, the Council has assessed the following matters:

- *The likelihood of natural hazards occurring (whether individually or in combination; and*
- *The material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and*
- *Any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to above.*

There are no section 106 reasons to refuse consent.

2.9 Part 2 of the Resource Management Act – Purpose and Principles

Section 5	-	Purpose
Section 6	-	Matters of National Importance (which shall be recognised and provided for in achieving the purpose)
Section 7	-	Other matters (that shall be had regard to)
Section 8	-	Treaty of Waitangi (its principles are to be taken into account)

The proposal is considered to be in accordance with Part 2 of the Act. There will be no adverse effects more than minor on the life supporting capacity of air, water, soils and ecosystems, and any adverse effects of the activity on the environment, including cultural can be avoided, remedied or mitigated. It is considered that the proposal, with conditions, is not contrary to Sections 5, 6, 7 and 8 of the Resource Management Act 1991.

MagiQ Reference: 4185324

3.0 Conclusions and Recommendations

As a discretionary activity, section 104B of the RMA (1991), states that council;

- *may grant or refuse the application; and*
- *if it grants the application, may impose conditions under section 108.*

Overall, the application has been considered in relation to the matters set out in Section 104. The effects on the environment are considered be no more than minor and the proposal is not considered to be contrary to any relevant provisions, standards or regulations created under the RMA (1991). Additionally, the proposal is considered to be consistent with the policies and objectives of the Operative Hauraki District Plan (2014). Conditions can be imposed to reasonably mitigate the effects that are of concern to the submitter. Therefore, the application is recommended for **approval subject to conditions**.

Recommended Conditions:

1. That the subdivision authorised by this consent must proceed in accordance with the information provided with the application, namely (unless otherwise modified by a condition of consent):

    - Resource Consent Application prepared by Waihi Land Surveyors Limited, reference 3792 dated 25th March 2026, including response to further information dated 8th June 2026;
    - Scheme Plan prepared by Waihi Land Surveyors Limited, reference 3792 dated 24th May 2026;
    - Engineering Assessment and Design Report prepared by Titus Consulting Engineers, referenced 15725, dated 16 March 2026.
    - Landscape Assessment prepared by Peak Design Limited, dated 13 May 2026

Engineering Plans and methodology

2. That Prior to commencement of physical works, the consent holder shall submit detailed engineering plans and methodology, prepared by a suitably qualified and experienced person, for approval that includes, but not limited to:

    - Access formation;
    - stormwater management including erosion and sediment controls and;
    - construction dust management.

    Advice Note: where works have already been carried out, detailed engineering plans are still required for those works and confirmation that the works have been constructed in accordance with Regional Infrastructure Technical Specification (RITS).

3. The stormwater design shall ensure that the naturally occurring overland flow paths within Proposed Lot 1 is protected and results in hydraulic neutrality.

4. That the earthworks must be undertaken in accordance with the approved Engineering Design Plans.

MagiQ Reference: 4185324

5. The consent holder shall appoint a representative(s) prior to the exercise of this resource consent that shall be the Hauraki District Council's principal contact person in regard to all matters relating to this resource consent.

    - The consent holder shall inform the Hauraki District Council of the representative's name and how they can be contacted prior to the exercise of this consent.
    - Should that person(s) change during the term of this resource consent, the consent holder must immediately inform the Hauraki District Council in writing of the new representative's name and their contact details.

Entranceway and Internal Access to Lot 1

6. That the entrance to proposed Lot 1 must be upgraded to the minimum requirements of Class C: Standard Vehicle Crossing for Residential Activities in Rural Area, in accordance with Section 8.4.3.3(1)e(i) of the Operative Hauraki District Plan and the Hauraki Engineering Manual 2010 Version 1.

7. That access to the building site on proposed Lot 1 shall be via the vehicle crossing and access as shown on the approved Scheme Plan prepared by Waihi Land Surveyors Limited, reference 3792 dated 22 May 2026.

8. That the internal access to the approved building site on proposed Lot 1 shall be sealed and maintained in permanent wearing materials.

9. That the access to proposed Lot 1 shall be designed to ensure that stormwater is collected and disposed of wholly within Proposed Lot 1.

Landscaping

10. That a landscape planting plan shall be prepared by an appropriately qualified and experienced person to the satisfaction of the Principal Planner, Consents. The landscape and planting plan shall include, but not limited to:

    a) Screen planting to the boundary of proposed Lot 1 and Lot 6 DP 337477 (564 Maratoto Road);
    b) Screen planting to avoid light glare from vehicles into Lot 6 DP 337477 (564 Maratoto Road);
    c) Where the screen planting is proposed within the existing swale between proposed Lot 1 and Lot 6 DP 337477 (564 Maratoto Road) it shall be demonstrated that the species can co-exist within a stormwater swale. The landscape plan shall be integrated with the approved stormwater management design;
    d) Hard landscaping, such as fences, driveways, parking areas, shall be shown on the landscape plan.

    Advice Note: Conditions 9 (d) are proffered conditions – refer landscape assessment by Peake Design Limited dated 13 May 2026.

11. That the consent holder shall implement the approved landscaping plan prior to the section 224(c) certification.

MagiQ Reference: 4185324

Pre-Start Notification

12. That the consent holder shall notify Hauraki District Council's RMA Compliance Officer not less than five working days before commencement of physical works.

Engineering Certification

13. A Chartered Professional Engineer shall certify that:

- The stormwater solution achieves hydraulic neutrality and that the effects are contained within proposed Lot 1;
- culverts will perform as designed;
- the swale performs as designed with no conflict between stormwater management and screen planting.

Preliminary Site Inspection

14. That prior to section 224(c) certification a Preliminary Site Inspection in accordance with the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health shall be carried out to the satisfaction of the Principal Planner, Consents.

15. That the recommendations of the Preliminary Site Inspection, as a result of Condition 13, shall be implemented prior to section 224(c) certification.

Land Transfer Plan

16. The right to drain water shall be shown in a memorandum of easements endorsed on the survey plan. The consent holder must meet all costs relating to the creation of easements.

17. Residential curtilage, as shown on the approved scheme plan prepared by Waihi Land Surveyors Limited, reference 3792 dated 22 May 2026 shall be shown as a Consent Notice area on the Survey Plan and shall not exceed 1000m^2.

Consent Notice

18. That the consent holder shall prepare, at their cost, a consent notice pursuant to Section 221 of the RMA to be registered against the Record of Title for proposed Lot 1 advising owners and future owners that conditions 19 - 25 need to be complied with on an on-going basis.

Consent Notice Conditions

19. That access to the building site shall be via the vehicle crossing and access as shown the approved Scheme Plan prepared by Waihi Land Surveyors Limited, reference 3792 dated 22 May 2026.

20. That internal access to the approved building site shall be maintained in permanent wearing materials.

21. That the landscaping, as shown on the approved landscape plan, shall be maintained and where any plant that dies shall be replaced during the next planting season.

MagiQ Reference: 4185324

22. That all habitable buildings shall be contained within the approved building platform shown as Area A on the Land Transfer Plan.

23. That no buildings or structures shall be constructed within 12m of the rear boundary with Lot 6 DP 337477 (564 Maratoto Road).

24. That there is no power connection. If a power connection is required, the cost of the connection will be the responsibility of the landowner.

25. That there is no telecommunication connection and that if a telecommunication connection is required, the cost of the connection will be the responsibility of the landowner.

Advice Notes

a) There shall be no soil spilled onto any public road. In the event that soil is spilled or tracked onto any public road during earthworks and construction activities associated with this development the RMA Compliance Officer, Hauraki District Council, must be advised immediately. All material must be removed from the road immediately and without being allowed to enter stormwater channels and catchments. This must be to the acceptance of the RMA Compliance Officer, Hauraki District Council.

b) There shall be no damage to infrastructure caused as a result of construction operations. In the event that there is damage, the consent holder must make good any damage to public infrastructure caused as a result of construction operations as soon as practicable. This must be to the satisfaction of the Group Manager Service Delivery, Hauraki District Council.

c) The consent notice area is not confirmation that all the area is suitable for building.

Contractors

d) The consent holder must be responsible for all sub-contracted operations relating to the exercise of this resource consent. The consent holder must ensure staff and sub-contractors are made aware of all the conditions of this resource consent and ensure compliance with those conditions.

Vehicle crossings

e) For any new or upgrading of vehicle crossings, a vehicle crossing permit is required. The permit application is available on request at a HDC office or via the HDC website.

- *Any work undertaken in the road reserve, including entrance construction, requires a Corridor Access Request (CAR), which includes a Traffic Management Plan (TMP). This must be submitted for approval 10 working days prior to the commencement of any works. All enquiries in this regard must be directed to the Road Corridor coordinator on 07-862 8609*
- *Two (2) Inspections are required for each vehicle crossing. A pre-pour / Pre-Seal Inspection and on completion of the vehicle crossing.*
- *Concrete Class E Vehicle Crossings are required to be a minimum strength of 20 Mpa with a minimum thickness of 125mm reinforced with ref 665 mesh.*

MagiQ Reference: 4185324

Corridor Access Request (CAR)

f) Any work undertaken in the road reserve, including entrance construction, shall be processed under a Corridor Access Request. This must be submitted for approval 10 working days prior to the commencement of any works.
All enquiries in this regard must be directed to the Road Corridor coordinator on 07-862 8609

Inspections

48 Hours' notice must be given for any engineering inspections that are required to be undertaken during engineering works.

All requests in this regard must be directed to the Development Engineer on 07-8628609

Development Contributions

g) A development contribution for the additional units of demand is required. The existing Lot and buildings are considered to have already had a development contribution paid.

The development contribution is based on the available local utilities, including Council Land Transport, Solid Waste and Community Infrastructure.

*The applicant is required to pay a total of **$4,162.47** plus GST as a capital development contribution for the increase in units of demand, in accordance with the Hauraki DC Development Contributions Policy effective from 1st July 2024*

Location	Land Transport	Solid Waste	Community Infrastructure	Stormwater	Water Supply	Wastewater Treatment
546 Maratoto Road	**$2,159.76**	**$311.05**	**$1,691.66**	Nil	Nil	Nil

(prices exclude GST)

Reported and recommended by:



Jason Ward, Consultant Planner, MNZPI
Dated:12th October 2026

Relevant Objectives and Policies and Assessment Criteria as referred to in Section 42A report – Jacqueline Rae Shadbolt, 546 Maratoto Road, Maratoto.

Rural Zone Objectives and Policies

5.1.2 OBJECTIVES AND POLICIES

(1) OBJECTIVE 1

To ensure a range of compatible rural land use activities can be undertaken, which benefit from the productive potential, location and rural character of the zone.

(a) Policies

Objective 1 will be achieved by implementation of the following policies:

(i) Rural production activities that require the use of land with productive capability should be able to locate on land with such value.

(ii) Land use activities which do not rely on land with high productive capability (including urban development and rural lifestyle activities) should not be sited on land with high productive capability, except where the character, scale and intensity

(Words in italics in rules and assessment criteria are defined in Section 4.0 Definitions)

of those activities ensures that the land remains available for other activities in future that can utilise its high productive capability.

(iii) Ensure buildings (including dwellings) and rural activities maintain the amenity value of a predominantly open rural character and the productive use of the land.

(iv) Activities with a functional or legitimate need for a rural location should not be established in rural areas unless they are able to be undertaken without constraining the lawful operation of rural production activities which are carried out in accordance with accepted management practices.

(b) Reasons

(i) To protect rural production resources identified as being significant to the District for rural production activities requiring land with productive capability.

(ii) To achieve a flexible approach to land use management with emphasis being placed on the effects of activities.

(iii) To achieve a flexible approach to subdivision management.

(iv) To retain the open character of the rural area.

(2) OBJECTIVE 2

To preserve and enhance the open rural landscape character of the zone.

(a) Policies

Objective 2 will be achieved by implementation of the following policy:

(i) Ensure the erection of buildings does not detract from the open rural landscape character values of the Rural Zone.

(b) Reasons

(i) To maintain and enhance important amenity values in the District.

Note: Refer to section 6.3.3 for the objectives and policies relating to the Outstanding Natural Landscape Area and District Amenity Landscape Area within the Rural zone.

(4) OBJECTIVE 4

To ensure that adverse effects of a land use activity on the environment or on the amenities of neighbours are avoided, remedied or mitigated.

(a) Policies

Objective 4 will be achieved by implementation of the following policies:

(i) Require that all effluent is able to be safely disposed of to protect human health, and there is no associated smell nuisance from effluent or any other aspect of the activity.

(ii) Ensure the implications of land use activities for the safety and efficiency of the roading network (especially through the integration of land uses with the roading network) are properly addressed.

(iii) Other adverse effects (eg noise, smell, glare, vibration, visual) on the environment and amenity of the District (particularly where they are near to residential or other sensitive activities) should where practicable be avoided, or remedied or mitigated.

(iv) Development in natural hazard areas that is likely to be adversely affected by such hazards should be avoided, where necessary, in preference to mitigating adverse hazard effects.

(b) Reasons

(i) Whilst accepting that a range of activities should be provided for in the Rural Zone, care must be taken to ensure that: any adverse effect arising from the activities does not result in traffic hazard or traffic safety problems; nor that any dangerous, public health related or nuisance elements arise; and that there is minimal detraction from the amenities of the locality either at present or in the future, including cumulatively.

Subdivision Objectives and Policies

9.1.3 OBJECTIVES AND POLICIES

(1) OBJECTIVE 1

The productive potential and use of the rural land resource is protected from fragmentation of land and associated non-rural development and activities (including housing).

(a) Policies

Objective 1 will be achieved by implementation of the following policies:

(i) Ensure allotments created by subdivision, particularly in areas containing high quality soils, are appropriately located and shaped and of sufficient size to enable the establishment and efficient operation of rural production activities based on the soil resource.

(ii) Control the scale and intensity of residential activity in the rural area in order to safeguard the life supporting capacity of the soil resource and avoid reverse sensitivity effects on rural production activities.

(b) Reasons for Objective 1

(i) Protection of good quality land for agricultural purposes has been identified by the community as a matter of importance to the District. The type of subdivision pattern provided for has an integral part to play in facilitating the establishment and development of activities that will promote that objective.

(ii) Providing for a range of allotment sizes (from rural lifestyle through to large scale grazing) appropriate to specific land types enables land to be valued at its "productive" value, rather than at its "residential" value.

(iii) The size, shape and location of allotments can assist in reducing or removing the effects of activities on the environment (eg if a factory farming activity is located on a large lot, effects such as smell from effluent disposal can be alleviated by proper treatment on site and the provision of a buffer distance), and sensitive activities can be sited away from the boundaries of high impact rural production activities such as factory farming and mineral extraction.

(3) OBJECTIVE 3

Subdivision is provided with the necessary infrastructure and services to ensure that the land is able to be used for its intended purpose, the future needs and health and safety of people and communities are protected, and amenity values are maintained and enhanced, while avoiding, remedying and mitigating adverse effects on the environment.

(6) OBJECTIVE 6

The creation of lots and intensification of subdivision does not create or increase a risk (including residual risk) to people, property, infrastructure and the environment due to natural hazards.

(a) Policies

Objective 6 will be achieved by implementation of the following policies:

(i) Ensure that new subdivision and development is located, designed and undertaken so as to avoid the need for further hazard protection works.

(ii) Ensure that where hazard protection works are necessary as part of subdivision, their form, location and design are such as to avoid or mitigate potential adverse environmental effects.

(b) Reasons for Objective 6

(i) It is consistent with 'sustainable management' to avoid development in known hazard areas, rather than using resources on an ongoing basis to protect developments from hazards.

(ii) Some areas of the District are unsuitable for development, or require specific measures to be undertaken to avoid the effects of natural hazards, including flooding, inundation, erosion, subsidence or slippage.

(7) OBJECTIVE 7

To provide for a range and choice of rural living environments appropriate to specific land types recognising the different lifestyle and cultural requirements of the District's inhabitants.

(a) Policies

Objective 7 will be achieved by implementation of the following policies:

(i) Identifying areas specifically for low density residential development where rural amenity values will not be compromised and provision of public services is not a constraint.

(ii) Providing for small lot lifestyle subdivision on less productive rural land, subject to ensuring that the rural character, landscape and amenity values are protected.

(iii) Providing for subdivision in the Marae Development zone as one of the means of taking into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

(b) Reasons for Objective 7

(i) Development of rural "lifestyle" blocks can have the effect of removing land from productive use, and reducing the "viability" of the towns and townships.

Assessment Criteria as referred to in section 42A report

(2) ASSESSMENT CRITERIA FOR LIFESTYLE LOTS IN THE RURAL ZONE (DISTRICT AMENITY LANDSCAPE AREA, QUARRY RESOURCE AREA, QUARRY REVERSE SENSITIVITY AREA) AND COASTAL ZONE

(a) Whether the *subdivision* layout has taken sufficient account of the topography of the *site* and surrounding land, through providing for house sites and access thereto that will, when built on, minimize the visual impact of *buildings* and the access (both individually and cumulatively) on the open rural character or landscapes of district significance or coastal character values of the Rural or Coastal Zones and locality. In particular, the

subdivision design should avoid the positioning of proposed building platforms that will give rise to any *structures* being located where they will break the line and form of any skylines or prominent ridges or be highly visible from any approved building site on an adjoining property, a *state highway* or *arterial road*, or the surface of water along the eastern coastline of the District.

(b) Whether the cumulative effects of the *subdivision* will adversely effect:

(i) the open rural/coastal character and *amenity* of a particular area;

(ii) the natural character and landscape values of the District Amenity Landscape Area;

(iii) the use of the adjoining/surrounding properties for *farming* and other established rural activities.

(c) Whether the *subdivision* layout has taken sufficient account of the need to provide open space around *buildings* and especially between existing houses and potential house sites on adjoining *lots* and/or adjacent properties.

(d) Whether the *subdivision* is designed to minimise conflicts (including from reverse sensitivity effects) that can arise between existing and potential *rural production activities* and lifestyle residents. Particular attention is required to the design of the *subdivision* (especially the ability to achieve acceptable internal noise levels within *habitable rooms* of future *dwellings*) where located within a *quarry resource area* and the associated *quarry reverse sensitivity* area as identified on the planning maps.

(e) The appropriateness of mechanisms proposed by the applicant, or the need for consent notices on the resultant *titles*, to:

(i) ensure that restrictions are placed on the area of any *allotment* not nominated for construction of a *dwelling* and associated *accessory buildings* to ensure that this area is kept free of any future *building* development in perpetuity;

(ii) specify the location and size of building platforms and access thereto;

(iii) specify the formation standards and design of driveways;

(iv) provide foundation, wastewater and stormwater disposal designs in accordance with any specified engineering assessments;

(v) retain, enhance and maintain areas in *indigenous vegetation*;

(vi) remove and control noxious plants or other exotic species incompatible with ecological values of the area;

(vii) prohibit cats, mustelids or ferrets and require ongoing control of feral animal pests;

(viii) place controls on dogs and grazing of stock.

Note: The *subdivision* application may be required by *Council* to be supported by a report from suitably qualified professionals in landscape architecture, ecology, archaeology and traffic engineering specifying any necessary *conditions* to achieve the above outcomes.

Appendix A

WAIHI LAND SURVEYORS LTD
Registered Licensed Professional Surveyors
13B Tauranga Road, Waihi
PO Box 5, Waihi Beach
Ph 07 8631368
Lot1@xtra.co.nz
www.WaihiLandSurveyors.co.nz

Our Ref: 3792

25th March 2026

Chief Executive Officer
Hauraki District Council
PO Box 17
PAEROA

Resource Consent Application

Subdivision & Land Use Consent - Rural Zone

This Application Is For:

- Lifestyle Lot Subdivision
- Land Use Consent for Yard Encroachment
- The subdivision is a Discretionary Activity in terms of the Operative Hauraki District Plan: Encroachment
- The subject land is zoned: All Other Parts Of The Rural Zone (Outside Outstanding Natural Landscape Area And District Amenity Landscape Area)
- Applicant: Jacqueline Rae Shadbolt
- Landowner: Jacqueline Rae Shadbolt
- Location: 546 Maratoto Road, Paeroa
- Legal Descriptions: Lot 2 DP 462101
- Record of Title: 608935
- Total Area: 47.9046 ha (from RT)

This Application Will Be Assessed Under:

- Section 9 – Subdivision
- Section 5 – Zone Development Standards
- Section 7 – National Environment Standards
- Section 8 – District-Wide Performance Standards for Development and subdivision.

Followed By Recommendations

Prepared by: Waihi Land Surveyors Ltd
Registered Licensed Professional Surveying
RPSurv MNZIS B.Surv (Otago)

Form 9

**APPLICATION FOR RESOURCE CONSENT (SUBDIVISION)
UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991**

To: Hauraki District Council.

1. I, Jacqueline Rae Shadbolt, c/o Waihi Land Surveyors Ltd, P O Box 5, Waihi Beach, apply for Resource Consent (Subdivision & Land Use) as outlined below.

2. A description of the activity to which this application relates to in accordance with the fourth schedule of the Resource Management Act 1991 is outlined in the following report attached:

3. The site at which this application relates is:

Location: 546 Maratoto Road, Paeroa
Legal Descriptions: Lot 2 DP 462101
Record of Title: 608935
Total Area: 47.9046 ha (from RT)

4. The Owner and occupier of the land: Jacqueline Rae Shadbolt.

5. There are no other activities that are part of the proposal to which this application relates.

6. Additional Resource Consents Required: No

7. I attach an assessment of the proposed activity's effects on the environment that;

(a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
(b) Addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
(c) Includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

8. I attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

9. I attach an assessment of the proposed activity against any relevant provisions of a document referred to in Section 104(1)(b) of the Resource Management Act 1991 including the information required by clause 2(2) of Schedule 4 of that Act.

10. Marine and Coastal area – not applicable.

11. I attach information that adequately defines the following:

(a) The position of all new boundaries.
(b) The areas of all new allotments.
(c) The locations and areas of new reserves to be created, including any esplanade reserves and esplanade reserve strips; and
(d) The locations and areas of any existing esplanade reserves, esplanade strips and access strips; and
(e) The locations and areas of any parts of the bed of a river or lake to be vested in the territorial authority under Section 237A of the Resource Management Act 1991; and
(f) The locations and areas of any land within the coastal marine area; and
(g) The locations and areas of land to be set aside as new roads.

12. I attach the following further information required to be included in the application by the Hauraki District Plan, the Regional Plan Resource Management Act 1991, or any regulations made under that Act:

(a) Scheme Plan 3792
(b) Record of Title
(c) Quick Map Overview
(d) Geotechnical Report
(e) Sewer Disposal Field Diagrams
(f) Planning Maps 17, M2, N2
(g) WRC HAIL Information
(h) Application Fee to be Invoiced

13. May the Hauraki District Council staff extend the standard processing timeframe for this application (beyond the statutory doubling of the timeframe available to the Council) if it is considered necessary: No.

AGENT: **Waihi Land Surveyors Ltd.**
P O Box 5
Waihi Beach 3642

Contact Person: Peter Rogers – Surveyor

APPLICANT: **Jacqueline Rae Shadbolt**
546 Maratoto Road
Paeroa

0274753224
jacqallans@xtra.co.nz
Please contact the applicant prior to any site visit.

Supporting Information to the Resource Consent Application:

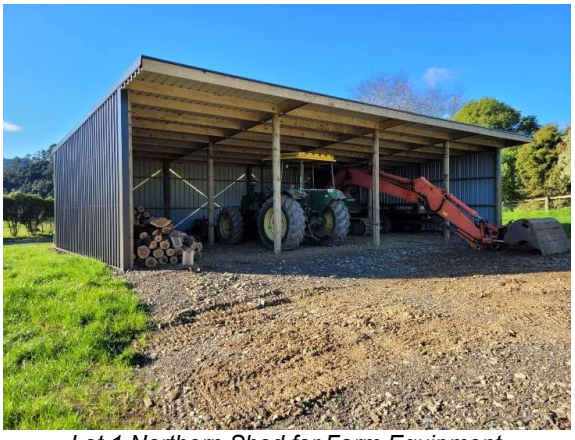
i) SUBDIVISION & LAND USE PROPOSAL

This proposal is to create one additional Lifestyle Lot as shown on the attached scheme plan 3792. Proposed Lot 1 has already begun development with a new shed recently constructed within the proposed Residential Area, while also containing an existing shed towards the road frontage. The client's son intends to purchase the new Lot 1 with the intention of converting the shed into a residential living area for his future home. Geotechnical, stormwater and sewer disposal reports have all been obtained for this shed for this purpose. Proposed Lot 2 contains two existing dwellings and a tiny home, along with sheds and animal yards near the road frontage.

Areas:

- Lot 1: 5.97 ha
- Lot 2: 41.92 ha (40.39 ha Net Area)

Note: The areas and dimensions of the lots have been derived from the field survey but may be subject to amendment upon final survey.



Lot 1 Northern Shed for Farm Equipment



New Shed on Lot 1 in Residential Area





Old Cowshed on Lot 2 Now Used for Storage

Land Use Proposal:

- A land use consent is required for the existing shed (old cow shed) on proposed Lot 2 which encroaches the new internal boundary side yard setback requirement.
- A land use consent is required for the existing animal yards on proposed Lot 2 which encroaches the new internal boundary animal side yard setback requirement.

As shown on the scheme plan the shed is now 9m to the new internal boundary and the animal yards are now 7m at the northern end and are 4m at the southern end to the new internal boundary. The effects of these encroachments are considered to be less than minor due to the infrastructure already existing for many years, the access into proposed Lot 1 is also existing with regards to its proximity. The animal yard loading ramp may also be relocated further west so that it can use the Lot 2 driveway in the future. Signed affected person forms are attached for these encroachments. There were no mitigation measures requested by the Affected Persons, therefore none are proposed as they approve of the encroachments. The house site on Lot 1 is also situated a great distance from the encroachments and therefore the occupant's rural amenity is not expected to be adversely affected, also considering the viewshafts are above the buildings towards the hills.

ii) BACKGROUND PROPERTY INFORMATION

Location: The property is located on the southern side of Maratoto Road. The site is bordered by both lifestyle and general rural properties. The property is situated on a Road that has a mixture of developed lifestyle properties, with large areas of farmland and bush.

Size: 47.9046 ha (from RT).

Shape: The property is irregular in shape.

Land Use: The property is currently being used for stock grazing and lifestyle purposes.

Title Encumbrances: Shown on the RT is a Land Improvement Agreement. The subdivision will not affect this right and this right will automatically be brought down onto both of the new titles created by the subdivision. Comment from Waikato Regional Council has been sought.

Existing Right of Ways: N/A.

Existing Easements: Existing electricity easement as shown on the scheme plan will remain on proposed Lot 2.

Existing Approved Resource Consent: Parent Subdivision Consent granted 25/01/2013 RC-201.2012.94.1.

Consultation: Waihi Land Surveyors representatives have liaised with the applicant to discuss their purpose and intentions regarding the subdivision as part of the application process. It has been considered and recommended that no other parties are affected. Our firm has asked HDC staff for any information if there has been previous granted LUC's on this property, we have not had any response to date.

Topography & Soils: The land is variable in topography. The Land Use Capability Class is 4e along the northern 1/4 of the property and 6e forming the southern 3/4 of the property from QuickMap LUCC data.

Topographic Survey: A topographical survey has been conducted on this site. The existing buildings, fence lines, relevant features, associated services and roading infrastructure have been recorded and shown on the attached subdivision scheme plan 3792.

Road: Access to the property is from Maratoto Road, which has a sealed formation along the property road frontage.

Entranceways: There are currently two existing metal vehicle crossings into the property.

Zoning & Planning Maps: The area land to subdivision is located within the Rural Zone of the Hauraki District and is subject to the "All Other Parts of the Rural Zone (Outside Outstanding Natural Landscape Area and District Amenity Landscape Area)" subdivision rules for the Lifestyle Lots.

Planning Maps 17, M2 and N2 highlight some designations over this subject property for consideration such as the SNA at the rear of the property – this is a great distance from the new Lot. A very small portion of ONLA exists at the rear of the property in the back corner, this portion can be considered to have no effect on the subdivision, it is approximately 1000m² worth.

Planning Map M2 allocates the property to be located within the Rural Zone, 'Land subject to other subdivision rules'.

iii) ASSESSMENT OF THE SUBDIVISION PROPOSAL WITH THE OPERATIVE DISTRICT PLAN

The subdivision will be assessed in terms of Section 9.4.1.2(2) of the Hauraki District Plan.

SECTION 9.4.1.2 – LIFESTYLE LOTS IN THE RURAL ZONE

9.4.1.2 (2) ALL OTHER PARTS OF THE RURAL ZONE (OUTSIDE OUTSTANDING NATURAL LANDSCAPE AREA AND DISTRICT AMENITY LANDSCAPE AREA)

In the Rural Zone, land may be subdivided to create lifestyle lots as a Controlled Activity as specified in 9.4.1.2(2) below:

Rule: 9.4.1.2(2) (a)

Rule	Compliance
For each certificate of title that existed at 26 September 2000, or that was issued as a result of a Resource Consent granted on or before 26 September 2000, the land may be subdivided to create a maximum of five lifestyle lots.	Title Date does not comply 5 other lifestyle lots exist from the pre 2000 title (one was adjusted to make smaller). This subdivision creates Lot 1 as the 6th Lifestyle Lot.

Rule: 9.4.1.2(2) (b) The lifestyle lots provided for in (a) above shall comply with the following:

Rule	Compliance
(i) No more than 2 lots shall be between 5000m² and 2ha. Other lots a minimum of 2 hectares.	Complies – over 2ha
(ii) The lifestyle lot shall as a minimum contain a residential area of 1000m².	Complies – shown for Lot 1
(iii) The lots shall not contain land with a Land Use Capability Class of Class VII or VIII.	Complies – 4e & 6e from Quickmap data
(iv) No lot shall be located within a quarry resource area and the associated reverse sensitivity area.	Complies
(v) The lot balance area of any subdivision creating the lifestyle lot shall comply with the requirements for either General Lots or Lifestyle Lots in the Rural Zone.	Complies – Lot 2 is a General Lot with a Net Lot Area over 40ha

'The balance area of any subdivision creating the lifestyle lot shall have a minimum area of 5000m² and as a minimum a residential area of 1000m².'	

Comment: The Controlled Activity rules contained in Section 9.4.1.2(2) for Lifestyle Lots in the Rural Zone cannot all be met by this proposed subdivision due to the title date and more than 5 lifestyle Lots being created.

Cumulative effects of the creation of Lot 1 are considered to be less than minor due to Lot 1 already containing most of the required infrastructure for a Lifestyle Lot such as the existing entranceway, driveway, large sheds, water supply and a wastewater disposal system. The proposed house site is also a considerable distance away from other lifestyle lots within the vicinity and to the south which keeps it out of the way of the neighbouring dwellings view shafts, as the neighbouring dwellings are orientated to look north to make the most of the sun. It is also considered that the surrounding neighbours are not considered as being potentially affected by the proposed activity, due to the new Lot 1 already having a building within the residential area with intentions to convert this to a dwelling, while keeping its shed appearance so that it blends into the rural landscape.

9.4.1.2 (4) DISCRETIONARY ACTIVITY STANDARDS

Lifestyle lots in the Rural Zone (Outside Outstanding Natural Landscape Area and District Amenity Landscape Area) that do not meet one or more of the provisions of Rule 9.4.1.2(2) shall be assessed as a Discretionary Activity provided that:

(a) The maximum number of Lifestyle Lots created shall not exceed ten:

The subject subdivision proposal complies with this requirement. For Lot 1, this subdivision creates the 6th Lifestyle Lot being 7.75ha (one new residential area).

9.4.1.2 (3) CONTROLLED ACTIVITY MATTERS

(a)(i) Section 9.5 – Controlled Activity Assessment Matters

(a) Area and Shape: The area and shape of the proposed lots are appropriate to their specified purposes and intended uses being the creation of Lifestyle Lots within the Rural Zone. This will allow for diversity of lifestyle activities, whilst overall retaining the rural outlook and character of the desirable landscape and open pasture.

The shape of the Lots, as much as practicable, follows the natural features of the land and existing fence lines around the majority of Lot 1. The availability of undeveloped land gives options as to its development and use. Overall, this will ensure that the Lots can be maintained with the least amount of disturbance to existing infrastructure and the surrounding environment.

(b) Boundary Location Practicalities:

- **(i)** The proposed layout of the new internal Lot boundaries has been designed to create allotments based on their existing and intended land uses.
- **(ii)** The Lots differ in size, which is compatible with their existing and intended uses.
- **(iii)** The house site is located a reasonable distance away from the nearby water courses.
- **(iv)** Each Lot has a range of existing infrastructure retained within each Lot boundary. The residential area on Lot 1 has been placed in a position to ensure that an adequate level of privacy and separation concerning dwellings on Lot 2 and adjoining Lots can be maintained.

(v) There is no proposed future development that is likely to impede or alter surface and groundwater conditions. The land-use activities will remain rural in nature which will not alter the quality and quantity of the water or the direction of existing water flows.

(vi) All Lots can have a north-westerly orientation allowing for existing buildings to take advantage of solar energy for heating if desired. In addition, future plantings of trees and shrubs by occupants if desired can create both a visual barrier and windbreak from prevailing winds.

(vii) There are no known environmental features identified via the district plan as requiring additional protection from this development. A Land Improvement Agreement is already in place for the pine block on the land. The SNA is already considered to be protected via the district plan.

(viii) The Lots are of an area capable of on-site stormwater and wastewater disposal systems, a geotechnical report is attached, various systems are already in place on both Lots.

(ix) There are no known existing resource consents and/or conditions that need to be accommodated as part of this development.

(c) Ecological, Heritage or Cultural Value Affected:
The subject property has not been identified through the District Plan as having significance to either ecological, heritage or cultural values other than the Land Improvement Agreement already in place for the pine block on the land and the SNA is already considered to be protected via the District Plan, none of these will be physically modified by the subdivision.

Consultation from many Iwi has been requested (on 19/12/25) regarding any potential cultural effects, one Iwi responded that they had nothing to contribute to this proposal, refer to the attached email. No other contribution regarding this proposal has been received from the other Iwi.

(d) Whether necessary easements have been provided for:
No new easements are proposed, the existing easement C on the property will be transferred down to the new Lot 2 as it is only on Lot 2.

9.4.1.2(3)(a)(ii) Whether the lifestyle lot subdivision compromises the use of the balance of the holding for a range of rural production activities:
The remaining land area for both lots outside of the residential land uses will remain productive via stock grazing and pines.

(iii) Whether the lifestyle lot subdivision is designed (e.g. through identified building platforms, the orientation of dwellings) to provide the occupants of the lot(s) with an adequate level of privacy and separation in relation to dwellings on adjacent lifestyle or general rural lots, and in relation to rural production activities on adjacent lots:
Both Lots are large enough in an area to allow for building platforms to be located in various locations, whilst providing an adequate level of privacy and separation between other dwellings on adjacent lots. The residential area on Lot 1 is already under development due to the recent construction of the shed. Once titles for Lot 1 come through then the client's son can convert the shed into his residential dwelling. Dwellings are already established on Lot 2.

(iv) Whether the internal access serving any lots is sufficiently separated or appropriately formed to mitigate potential nuisance effects for dwellings on adjoining lots or on adjacent properties:
The proposed Right of Way A is already mostly formed in metal and requires a small extension of 11m up to the boundary of Lot 3. 20m sealing from the edge of seal is required.

SECTION 9.6 - DISCRETIONARY ACTIVITY ASSESSMENT CRITERIA

(1) GENERAL
The following criteria will be used to assess a subdivision application as a Discretionary Activity:

(a) Controlled Activity Assessment Criteria Section 9.5: See above for comments.

(b) Area and Shape for the Land Use Activity: The proposed subdivision has been designed to accommodate activities that align with rural residential land use, maintaining consistency with the existing pattern of development along Maratoto Road. Each Lot has been designed with a shape and size suitable for rural residential living, along with compatible secondary uses that reflect the rural character of the area. The topography of the Lots allows for flexibility in how each site may be developed, enabling a range of potential uses tailored to the preferences of future owners, while still offering distinctive individual characteristics.

(c) Objectives and Policies:

Rural Zone – Section 5.1:
The objectives and policies of the Rural Zone seek to ensure that land use activities such as rural lifestyle activities are not sited on land with high productive capability, that the amenity value of a predominantly open rural character is maintained, and that reverse sensitivity effects are avoided. The proposed development is aligned with the Objectives and Policies of the Rural Zone, in that the area is already developed with a variety of lots already in existence and developed with rural lifestyle activities with large lot balance sizes in relation to the number of dwellings within the area. It is considered that the creation of one additional lifestyle Lot will not be greatly detrimental to the overall productivity of the parent lot as the pasture can still be farmed as it currently is outside of the proposed residential area, we note that the development of this area within Lot 1 has already begun with a shed and various services already constructed within the area.
The open rural character will not be greatly adversely affected as there is a number of existing dwellings located within the area and along the roads getting to the property and past the property. There is adequate separation physically between the existing surrounding dwellings and the buildings already on the lot and the proposed residential area via open space, undulating contour, building orientation and rural side yards. No reverse sensitivity effects are anticipated as a result of this development.
For Lot 1 any new dwelling will have to comply with the planning rules during the building consent process, there Council can have control over the materials used and the scale of the building in relation to the neighbouring properties to not detract from the open rural landscape character values of the Rural Zone. However, in this instance there is no intention to build a new dwelling, as the shed is in place and would be converted to a residential dwelling post title.
One additional Lot here should not create any extreme adverse effects resulting in traffic hazards or traffic safety problems. Council's Legal Road should be up to standard for the Rural environment to support subdivision regarding safety and efficiency, also the actual speeds of the road are greatly reduced from its speed limit due to the nature of the road such as the many bends, and narrower areas.

Subdivision – Section 9.1.3:
The closer subdivision of rural land can lead to the intensification of activities on or associated with the use of the land which can lead to adverse effects on the environment. The proposed Lots will retain and use the existing infrastructure such as the existing dwellings, buildings and accesses, therefore any increase in infrastructure development will be kept to a minimum such as what's needed for a new dwelling in the future (this is not the intention). It is considered that the proposed lot size and dimensions are in keeping with the existing rural landscape and would not detract from the rural amenity of the area, given that the lots are already remote via the existing vegetation and accesses. There are no significant ecological, landscape, amenity, cultural, heritage or natural character values identified by the District Plan within the Lots which should require further protection as the SNA is already considered to be protected. Overall, the proposal is considered to comply with the objectives and policies of the Rural Zone that allow for the creation of one additional Lifestyle Lot.

(d) Residential Development: As this is a small-scale infill rural subdivision, in a local rural area on a back road, it is considered that no great adverse effect on the existing landscape, and/or rivers and streams are foreseen as part of this simple rural subdivision process.

(e) Visual Amenity: The proposed allotments are compliant with the District Plan minimum areas for this zone and yard setback requirements. This property contains areas of bush and undulating contour which contributes to visual amenities and provides nice rural outlook and a habitat for indigenous fauna. The buildings on the property are all existing and the impact of the closer visual effects are negligible, as the buildings are placed within the landscape of this area. Notwithstanding the proximity to the existing residential areas, the subdivision site is relatively secluded - due to the topography and access via the winding Maratoto Road, and will not detract from the existing character of the wider landscape. Visibility beyond the subdivision site will also be restricted to consented lots with very limited visibility outside the subdivision site.
Significant landscape features and values are protected, with all residential areas located away from sensitive areas, which are fenced.
It is considered that there will be negligible physical and visual changes arising from development , also the accessways are already existing, the proposed layout has taken this into account in the layout and design so that effects are minor.

(f) Traffic Movements: It is considered that the creation of one additional lot will have little impact on the safe and efficient operation of the adjacent Maratoto Road and surrounding roads. The existing carriageway is formed to fit in with the remote rural environment with visibility in both directions considering the lesser actual speeds and the road features such as the bends and roadside vegetation. The locations of the existing vehicle entrances would have been previously located to ensure that any potential traffic hazard was avoided or mitigated.

(g) Road Access: The addition of one more Lot is not expected to significantly affect the safe and efficient functioning of Maratoto Road or the nearby road network. The current carriageway is considered to be appropriately designed for its rural setting, offering adequate visibility in both directions, taking into account the reduced travel speeds and existing road characteristics such as curves and roadside vegetation. Both vehicle crossings are already existing and are expected to have been previously located to ensure that any potential traffic hazard was avoided or mitigated.

(h) Upgrading or Extension of Public Services: The proposed subdivision will not create any significant demands that would contribute to the uneconomic or premature upgrading or extension of public services. The property is rural in nature without Council reticulation available. The road is existing and can be considered of adequate formation for the remote Rural environment for one additional Lot.

(i) Access Provision: It is considered that the site can have adequate access into the proposed Lot. Manoeuvring and parking can also be accommodated without excessive earthworks or the removal of indigenous vegetation. No restrictions on access will detract from maintaining the rural and natural character values of the local area, vehicle crossings already exist both for both proposed Lots.

(j) Service Provision: The proposed allotments can be self-contained, regarding stormwater drainage and effluent disposal, various systems already exist on both Lots, a Geotech report is attached for additional information.

(k) Open Space: The proposed allotment layouts are designed to be in accordance with the guidelines as laid out in the District Plan and are not foreseen to adversely affect the recreational, ecological, or cultural values of any adjoining public open space or the coast. The two Lots will be accessed off an existing road and lots are located at various setbacks to avoid ribbon development.

(l) Hazard Area: The subdivision is not identified through the District Planning Maps as being located within a hazard area.

(m) Services Provision: Power Lines are available within the road reserve, the dwellings on Lot 2 already have electricity connections provided. Lot 1's shed within the house site already has solar panels installed and so would remain an off-grid system for the foreseeable future.

(n) Ecological, Heritage or Cultural Value Affected: The subject property has not been identified through the District Planning Map review process as having significant significance to other heritage or cultural values, as the SNA has been discussed above.

(o) Lifestyle lots in the Rural Zone: (With regard to 9.6(2)): Only one additional lifestyle Lot will be created by this development. It is considered that the layout of the proposed Lots will not cause potential reverse sensitivity issues for the neighbouring rural properties due to the rural location and existing separation via side yards, contour and building orientations/view shafts.
All Lots meet the minimum required standards for lifestyle lots in the rural zone therefore it is considered that overall, the area of the Lot allows for open space areas between the residential development and adjoining properties which will not adversely affect the open rural character or the surrounding areas.

(p) Creation of lots for the protection of a significant heritage or environmental feature: Not applicable.

SECTION 5.1.5 (3) – RURAL ZONE DEVELOPMENT STANDARDS

Rule	Compliance
Maximum Height Permitted: 11.0m Restricted Discretionary: 15.0m	All Lots Comply
Daylight Control Permitted: 2m in height at 45° plane Restricted Discretionary: No restriction	All Lots Comply
Minimum Yards Front Yard: 12m, SH N/A Other Yards: 12m a) Animal enclosure: 50m b) Lot <2500m²: 3m - N/A c) Railway Designation: 20m - N/A	**Front yard:** Existing. **Other Yards:** New internal Boundaries: Lot 2's old shed and animal yards do not comply as shown on the scheme plans
Shelter Belts and Forestry Front yard: 10m Other yards: Nil	Not Applicable
Traffic Noise Sensitivity Within 80m from State Highway	Not Applicable

Comment: The rules contained in Section 5.1.5(3) for Rural Zone Development standards cannot all be met by this proposal. The activity status is Restricted Discretionary in relation to Section 5.1.5(3) – Rural Zone.

SECTION 6.2 – INDIGENOUS BIODIVERSITY AND SIGNIFICANT NATURAL AREAS

6.2.5.8 Assessment Criteria for Discretionary Activities

1. Criteria to access for a discretionary activity:

(a) The characteristics and values that deem the area to be significant and the extent to which the activity adversely affects those characteristics and values, including in terms of:

(i) Fragmentation and isolation of indigenous ecosystems and habitats…

Comment: As shown on the Planning Maps and scheme plan attached, the affected Significant Natural Area is retained within its parent Lot at the rear of the property and is not included within the new Lifestyle Lot. No land-use activities will change in the direct vicinity of the SNAs – Lot 1's residential area is located approximately 650m away. The proposal does not seek to fragment the SNA area, nor does it isolate the ecosystem and existing habitats. The native blocks as a whole are to remain. The subdivision design incorporates the SNAs within their existing parcel boundaries; therefore, the subdivision does not incur fragmentation or isolation to the Significant Natural Area, i.e. no trees are being taken away from the site due to subdivision. Our clients have no intention of clearing the bush.

(ii) Reduction in the extent of indigenous ecosystems and habitats (including loss of riparian and buffer vegetation) and impact on the ecological functions and integrity of the SNA…

Comment: The SNAs will remain unaffected by this subdivision with no new internal boundaries dissecting the SNAs, thus enabling the ecosystem to thrive as it currently is; the ground cover has a good density and contains a wide range of different species, the understorey and canopy being very healthy. The subdivision does not seek to disrupt or destroy the integrity of the SNA. The ecological system will remain intact and will continue to support habitats.

(iii) Impact on the ecological relationship between SNA features e.g; connectivity and buffering…

Comment: The SNAs within the parcel boundaries adjoin neighbouring properties. The subdivision design is to retain the existing SNA by keeping it within its existing parcel boundaries.

(iv) Loss or disruption to migratory pathways and water, land or air…

Comment: The subdivision design does not require any additional access through the Significant Natural Area. No new tracks will be required for access purposes as a result of this subdivision.

(v) Loss or diminishment of hydrological lows, water levels and water quality…

Comment: There is considered to be no loss or diminishment of hydrological lows, water levels and water quality as a result of this subdivision. The ecological system will remain intact in its current state post-subdivision.

(vi) Changes resulting in an increased threat from animal and plant pests…

Comment: There is considered to be no increased threat from animal and plant pests as a result of this subdivision. All ecosystems are subject to normal animal/pests throughout the region.

(vii) The effects which contribute to a cumulative loss or degradation of indigenous habitats and ecosystems…

Comment: There are considered to be no detrimental effects that would contribute to the degradation of indigenous habitats and the ecosystems located on this property as a result of this subdivision. The ecological systems and habitats will remain intact.

(viii) Loss or reduction of amenity values, cultural values, natural character…

Comment: There is a significant distance between the new Lot and the SNA to be able to maintain rural amenity value in the vicinity. The open rural character of the area can be maintained with the new

Lot being separated via open space, undulating contours and vegetation. It is considered that the new Lot has been positioned where the shed is as part of the building consent to not create an adverse effect on the open rural character of this particular site. Also the shed is to be converted into a dwelling once title is obtained, the shed is rural in nature and sit's acceptably within the rural environment.

(viii) A reduction in the value of cultural and spiritual association with indigenous biodiversity which is held by Tangata Whenua…

Comment: As the native bush area is to remain intact as part of this subdivision process, it is considered that there will be no impact upon the cultural and spiritual association. Also, this area is not flagged by the District Plan as having significance to Māori.

(ix) Noise and disturbance (from people and vehicles) on indigenous species, particularly within the coastal environment…

Comment: The impact of the subdivision, noise and disturbance is not foreseen to create a negative effect upon the indigenous species located within this property. The dwellings and associated buildings are residential and rural in nature, with no industrial or amplified levels being created. Access to the new Lot is not through areas identified as SNA.

(x) Loss of habitat that supports indigenous species under threat of extinction…

Comment: The native bush area is to remain intact as part of this subdivision process, not applicable.

(xi) The threat of non-native pest species…

Comment: It is not foreseen that the subdivision would seek to create additional or impose a threat for the introduction of any non-native pest species within this property; where a future dwelling were to be sited on Lot 1, this can be located a great distance away from the SNA.

2. The ability for the activity to be reasonably located or undertaken on another part of the site in a way that will result in a nil or lesser impact on the SNA…

Comment: The subdivision design has not placed any new allotment within a Significant Natural Area. Also, no native vegetation would be affected by this subdivision as the new Lot is situated away from the SNA.

3. The extent to which any run-off or stormwater resulting from the establishment of the activity will lead to siltation, sedimentation, or a reduction of water quality in natural watercourses, wetlands and groundwater that leads to adverse effects on the SNA….

Comment: No proposed structures or alterations are located within or near the SNA; therefore, not applicable.

4. For Network utilities, the proposal must demonstrate the necessity to locate within the SNA….

Comment: No proposed utilities are located within the SNA; therefore, not applicable.

5. The extent to which the activity can provide opportunities for enhancement of ecological health and values of the SNA, including legal and physical protection and active management….

Comment: As the SNA located on this property has been identified through the Council Planning Maps review process, it is considered that the area is protected by the District Plan.

6. The extent to which adverse effects that cannot be avoided are appropriately remedied or mitigated through the protection and enhancement of indigenous biodiversity and

ecosystem processes either on-site, or off-site if improved ecological outcomes will result, and that replaces "like for like" habitats and ecosystems….

Comment: The native bush area is to remain intact as part of this subdivision process, not applicable.

SECTION 7 – HAZARDOUS SUBSTANCES AND CONTAMINATED LAND

7.7.14.1 – National Environment Standards

The property has been flagged due to the proposed change of use of the land from a rural farmed land to a residential area identified on the attached scheme plan.

This property does not currently appear on the Land Use Information Register from Waikato Regional Council. It is only known by us to have been used as animal grazing/dairy farm in the past where the proposed house site is. All proposed house sites are at a reasonable distance away from the existing animal infrastructure. There as recently been a shed built within the residential area which can be used to support a dwelling in the future.

It is recommended that Council use its discretion in this particular matter, that the information provided is sufficient to conclude that the residential areas showed do not have any negative effects due to this change in land use.

SECTION 8 – DISTRICT WIDE PERFORMANCE STANDARDS FOR DEVELOPMENT AND SUBDIVISION

8.2 – Design and Location of Buildings

8.2.1 Setback from public drains, lakes, rivers, streams, floodways, spillways & flood protective works:

8.2.1.3 - STANDARDS

(1) Rural and Reserve (Passive)

(a) Building located within a floodway or spillway: Not applicable.
(b) No building is permitted within 100 metres of a spillway: Not applicable.
(c) No building is permitted within 12 metres of the boundary of a Flood Protection Works: Not applicable.

(2) All Zones

(a) No building is permitted within 20 metres of the margin of a river or stream identified for a future esplanade reserve or strip: Not applicable.

8.2.2 Floor Levels: Not yet determined – existing buildings located on-site.
8.2.3 Erosion Protection Setback Lines (Whiritoa Beach): Not applicable.
8.2.4 Sewage Plant Buffer Areas: Not applicable.
8.2.5 Glare and Lighting: Not applicable.
8.2A Buildings, Structures, Subdivision and Earthworks within a High Voltage Transmission Corridor: Not applicable

8.3 Amenity Matters: Not applicable.

8.4 Vehicle Parking, Loading and Access

8.4.1.4 - STANDARDS

(1) (a) Number and Location of Parking Space: All Lots have sufficient area to allow for two on-site car-park spaces.

(b) Number and Location of Loading Spaces: All Lots are of sufficient size to allow for parking and loading.

(c) Transportation Impact Assessment: Not required.

8.4.2 Number and Location of Loading/Drop off Spaces: Not applicable.

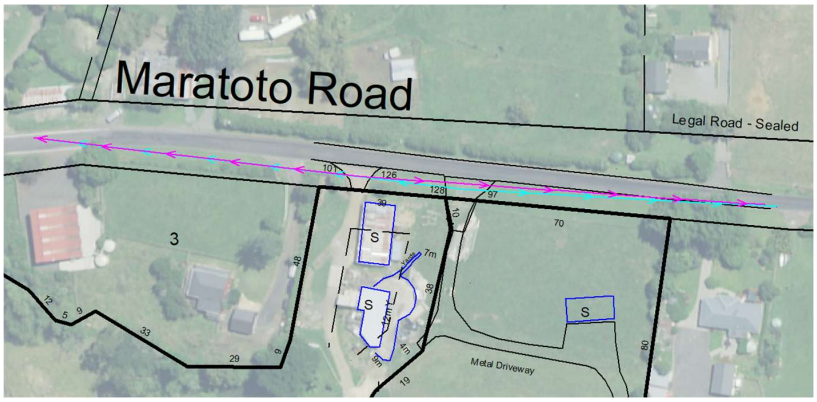
8.4.3 VEHICLE ACCESS AND CROSSINGS

8.4.3.3 - STANDARDS

(1) Vehicle crossings for an activity shall be provided from the formed carriageway of a public road, other than a state highway, in accordance with the following standards:

(a) Sight Distances

(i) The minimum sight distances from a vehicle crossing in all zones shall be in accordance with the HDC Engineering Manual: Sight Distances do not comply for the 100km/hr speed limit, actual speeds along this section of Maratoto Road are between 70km/hr and 100km/hr depending on the direction.



Sight Distances from the Existing Entranceways



Lot 1's Vehicle Crossing Sight Distances 128m West & 97m East



Lot 2's Vehicle Crossing Sight Distances 101m West & 125m East

(b) Separation

(i) Speed limit is 50km/hr or less - intersection minimum separation = 10m: Not applicable.

(ii) Speed limit is greater than 50km/hr - intersection minimum separation 100km = 200m: Refer below for measurements.

(iii) The minimum separation distances between vehicle crossings in all zones - 100km = 200m: Does not comply – vehicle crossings already exist.

(iv) The minimum separation distance between a vehicle crossing and a railway level crossing shall be 30 metres: Not applicable.

(c) Number of Vehicle Crossings – Urban only.

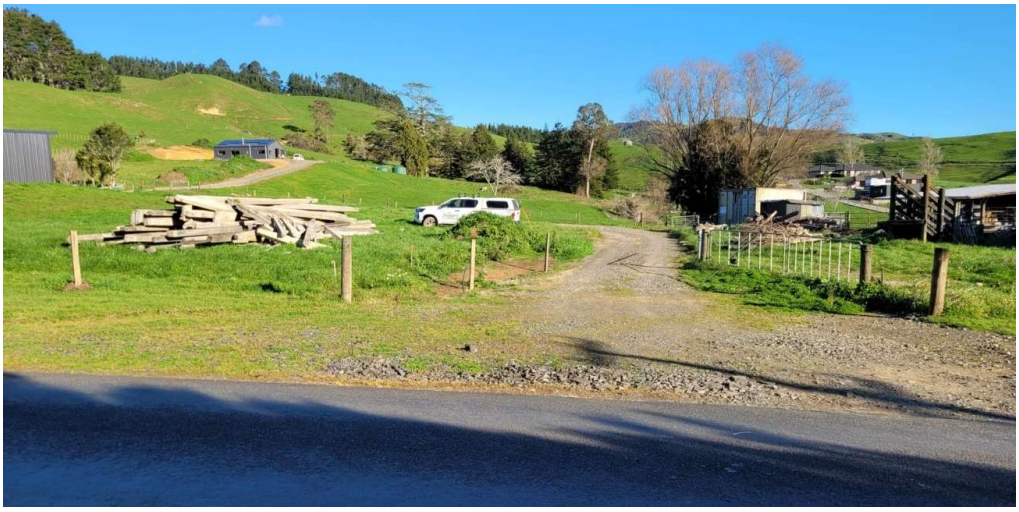
(i) Site less than 20m frontage: One crossing: Not applicable.
(ii) Site greater than 20m frontage: Two crossings: Not applicable.

(d) Location of Vehicle Crossings

(i) Except in the rural area, for any corner site, only one vehicle crossing per frontage shall be permitted: Not applicable.
(ii) In the rural area where a corner site has a frontage to a state highway or arterial road as well as to a collector road or local road, then the vehicle crossing shall be limited to the frontage located on the collector or local road. Not applicable.
(iii) For 12 Magnolia Lane, Waihi Not applicable.
(iv) For the land to the east of Smith Street and north of Wenlock Street: Not applicable.
(v) No new vehicle crossing is permitted onto a State Highway: Not applicable

(e) Dimensions, Formation and Construction of Vehicle Crossing Points:

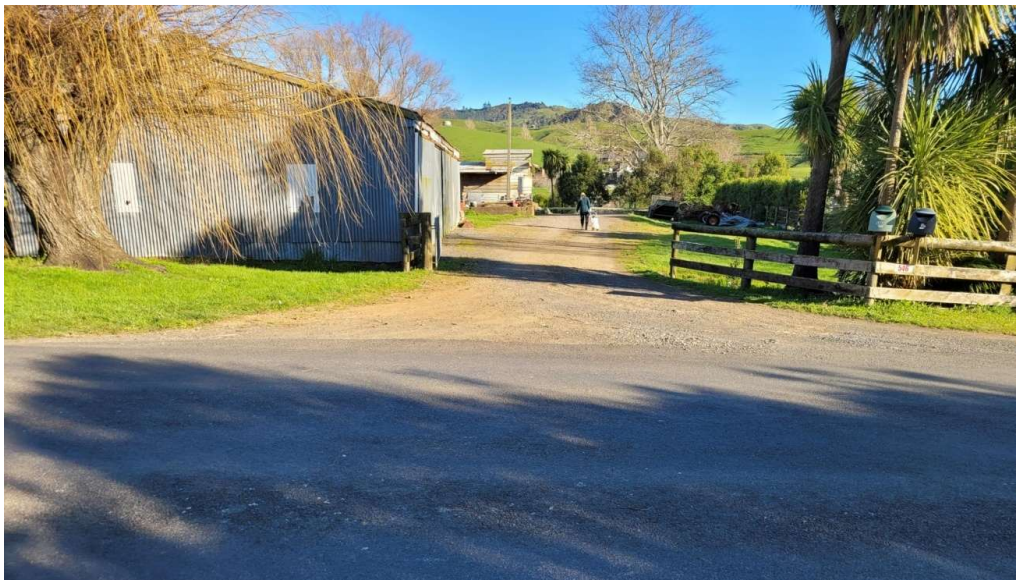
Details of existing vehicle crossing – Proposed Lot 1:



Lot 1 Existing Entranceway

- Width at carriageway: 15.8m
- Width at boundary 9.1m
- Depth eos to bdy: 6.7m
- Access Construction: Metal

Details of existing vehicle crossing – Proposed Lot 2:



Lot 2 Existing Entranceway

- Width at carriageway: 16m
- Width at boundary 3.6m
- Depth eos to bdy: 7.5m
- Access Construction: Metal

No upgrades are proposed for the existing entranceways due to them both being existing and servicing each Lot already.

(f) Gradient

The existing accesses into the new vacant lots comply with this requirement. The driveways to the Lot 2 dwelling and the Lot 1 shed are also existing. Access to the Lot 1 shed exceeds 12.5% in the location shown below;



Area of Driveway over 12.5%

Sealing of this section of driveway is not proposed due to its relatively short length and only going over the percentage recommendation a small amount, the access is also being used regularly by the owners with no issues. We apply to depart from forming this access in seal or concrete, but for it to remain in metal.

(g) Additional Standards Applicable to Subdivision

(i) All Lots can gain legal access from Maratoto Road.
(ii) All Lots can be provided with physical access to the proposed allotments.
(iii) Internal access – no right of ways are proposed.
(iv) Limited Access Road – this Road is not a State Highway.

Section 8.4.3.4 – RESTRICTED DISCRETIONARY ACTIVITY ASSESSMENT

(1) The Council will restrict the exercise of its discretion to the ability of the activity or development to achieve the particular environmental result in Section 8.4.3.2 of the Standards in Rule 8.4.3.3 for which compliance is not met, and the following relevant matters:

(a) In order to achieve this, regard shall be given to the following:

(i) Disruption to on-street parking: The position of the vehicle crossings will not inhibit or disrupt the existing ability for on-street parking, which is varied given the nature of the road, relatively small road frontage and long length of road frontage. Also, there is ample onsite parking available within the Lots due to their large size.

(ii) Detract from the amenity of residential properties: It is considered that the proposed vehicle crossing will not detract from the amenity of the locality. The locale is rural in nature, with many existing crossings and gates for lifestyle properties and farm accesses within the vicinity.

(iii) Create Additional Traffic Hazards: This application seeks to create an additional Lot, any additional traffic hazards can be considered less than minor because of one additional user along Maratoto Road within a straight section of road with reasonable sight distances given the actual speeds of traffic.

(iv) Cause Conflict with normal traffic flow: It is considered that the addition of these Lots should not cause significant conflict with normal traffic flow, as this is a rural backroad and not a 'main road' with reduced actual speeds due to the nature of the road, with most users being property owners and the occasional tradesman/sightseer.

(v) Obstruction to Services: It is expected that no obstruction to services will occur as part of this development.

(vi) Inhibit utilisation of the site: As this is a rural infill subdivision, resulting in the creation of one additional Lot, there will be no restraint to the scale of activities, or its operational needs, posed by the location of the existing and proposed vehicle access points.

(vii) Restriction of ready access to the site: As this is a rural infill subdivision, it is not anticipated that large vehicles or any excessive increase in traffic movements will restrict access to the site.

(viii) Gradient and design matters: The existing accesses are of a reasonable gradient for their current uses.

(ix) Physical Ground Restrictions: Physical ground restrictions include the existing fence lines, contour, vegetation, and existing buildings. The access locations consider all of these features.

(x) Number of Vehicle Crossing Points: The number of vehicle entranceways will not increase as a result of this development as both are already existing.

(xi) Intersection or Limited Access Road Compromised: The location of the vehicle access points are at an adequate distance away from the nearest intersection to ensure that traffic safety is not diminished.

(xii) Corner Site: Not applicable.

(xiii) Access from 12 Magnolia Lane: Not applicable.

(xiv) Comment from Relevant Road Controlling Authority: Not applicable.

8.4.4 Design of Parking, Drop off and Loading Spaces, Access and Turning Areas: All Lots can have areas for site turning.

8.4.5 Formation, Screening and Landscaping of Parking and Loading and Manoeuvring Areas: All Lots can have areas for site parking, loading and manoeuvring.

8.4.6 Protection of Traffic Sight Lines: Not applicable

8.4.7 Corner Splays: Not applicable

8.4.8 Internal Access: Not applicable

8.4.9 Street and Road Design: Not applicable

8.5 Infrastructure and Services

8.5.1.3 - STANDARDS

(1) **Domestic Effluent Disposal:** All of the residential areas are adequate in size to allow for a septic tank disposal system, various systems are already existing on the Lots, refer to the attached diagrams. These diagrams show that the disposal fields will not cross the new internal boundaries. A Geotech report is attached for Lot 1's recently constructed shed as it contains a disposal system.

(2) **Reticulated Effluent Disposal:** Not applicable.

8.5.2 **Non-Domestic Effluent Disposal:** Not applicable.

8.5.3 **Water Supply:** Lot 2 has roof catchment to tank for potable water supplies for each dwelling. Lot 1's new shed also has roof catchment to tank for potable water supply. The farm is supplied from a bore. Any water cross-connections for the troughs between the new lots can also be cut prior to 224c.

8.5.4 **Stormwater Drainage:** All Lots are large enough to be able to accommodate on-site stormwater disposal where retention tanks are not utilised for potable water supply such as the sheds near the road frontage. An easement has been shown over Lot 1 for Lots 2's existing overflow disposal to the drain.

8.5.5 **Drains:** This property is not within a drainage district.

8.5.6 **Telecommunications and Power:** Various services are available in the road reserve.

Power: Proposed 2 has an existing power connection for the dwellings. A power supply is not proposed for Lot 1 due to solar already installed on the new shed. For power supply, we suggest a Consent Notice advising "that no power landline connection has been provided to the Lot 1 as part of the subdivision".

Telecommunications: Hard wired telecommunication lines will not be provided to the new lots as part of this development. For telecommunications, we suggest a Consent Notice advising "that no telephone landline connection has been provided to the lots as part of the subdivision".

STATUTORY ASSESSMENT

Part II of the RMA - Purposes and Principles

This application for Resource Consent is to be considered under the Resource Management Act 1991. The sustainable management of natural and physical resources is the overriding purpose of the Act.

Section 5 identifies the purpose of the RMA as promoting the sustainable management of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while:

- Sustaining the potential of natural and physical (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
- Avoiding, remedying, or mitigating any adverse effects or activities on the environment.

It is contended that the proposal does not contradict the purpose of the Act. The actual and potential effects on the environment have been assessed in this report and it is considered that the effect of the activity on the surrounding environment will be less than minor. The activity is to be located within the Rural Zone of Paeroa being of a rural nature and appearance in an open rural area, and, as such will not have any additional impact on natural resources or the life supporting capacity of the water, soil and ecosystems.

Section 6 sets out matters of national importance, including preservation of the natural character of the coastal environment and preservation and protection of natural features from inappropriate subdivision, use and development. The proposal does not impinge on the natural character of the coastal environment.

Section 7 identifies 'other matters' to be considered, including the efficient use of natural and physical resources, and the maintenance and enhancement of amenity values. The proposal is not detrimental to the current level of amenity values, and will largely mimic the expected rural development comprising a dwelling with separate sheds for agricultural farming purposes.

Section 8 of the RMA, Identifies the Treaty of Waitangi, in achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). It is considered that the proposal raises no issues with regard to Te Tiriti o Waitangi and that the principles of the Treaty will be unaffected by the approval of this application.

The proposal is considered to be in accordance with Part 2 of the RMA. There will be no adverse effects that are more than minor on the life supporting capacity of air, water, soils and ecosystems, and any adverse effects of the activity on the environment can be avoided, remedied, or mitigated. It is considered that the proposal is not contrary to the above sections of the RMA.

Section 95 Public notification and limited notification of applications

Pursuant to Section 95 of the Resource Management Act 1991 is considered that full public notification is not required for this proposal as it has been demonstrated in the preceding report that the effects of the activity on the environment are less than minor and is not considered necessary due to the following reasons:

- The applicant does not request public notification of the application.
- The application does not involve the exchange of recreation reserve land under s15AA of the Reserves Act 1977.
- There is no applicable rule or NES that requires notification.
- The adjoining properties are not considered to be affected by this application.
- The application has demonstrated that the activity will have or is likely to have adverse effects on the environment that are no more than minor.
- There are no special circumstances that warrant the application being notified.

Limited notification as outlined under Section 95B of the RMA is not considered necessary for the following reasons:

- There are no protected customary rights or customary marine title groups affected by this proposal.
- There are no persons to whom a statutory acknowledgement is made who are adversely affected by this proposal.
- There is no applicable rule or NES that requires notification.
- There are no adversely affected persons.
- There are no special circumstances that warrant the application being notified

Section 141 Consideration of Applications

Section 104 (1) requires the consent authority to have regard to any actual and potential effects on the environment from allowing the activity, and to any relevant provisions contained in national policy statements, NZ coastal policy statements, regional policy, or plans.

The actual and potential effects on the environment have been addressed in preceding sections of this report, and it is concluded that the potential adverse effects of the activity on the surrounding environment are less than minor. As such, it is considered that the proposal is consistent with the

relevant objectives and policies as contained within the Hauraki District Plan. Although this is a Discretionary Activity where it is unable to comply with a permitted or controlled activity standard, Council may issue resource consent for a Discretionary Activity pursuant to Section 104B.

Section 106

Refer to the attached Geotechnical Report which contains a natural hazard risk assessment for the proposal.

iv) APPLICATION TO DEPART FROM DISTRICT PLAN STANDARDS:

Summary of mentioned standards departed from within this report;

- Yard Encroachments
- Accessway Sealing for Lot 1
- Electricity Main Supply for Lot 1

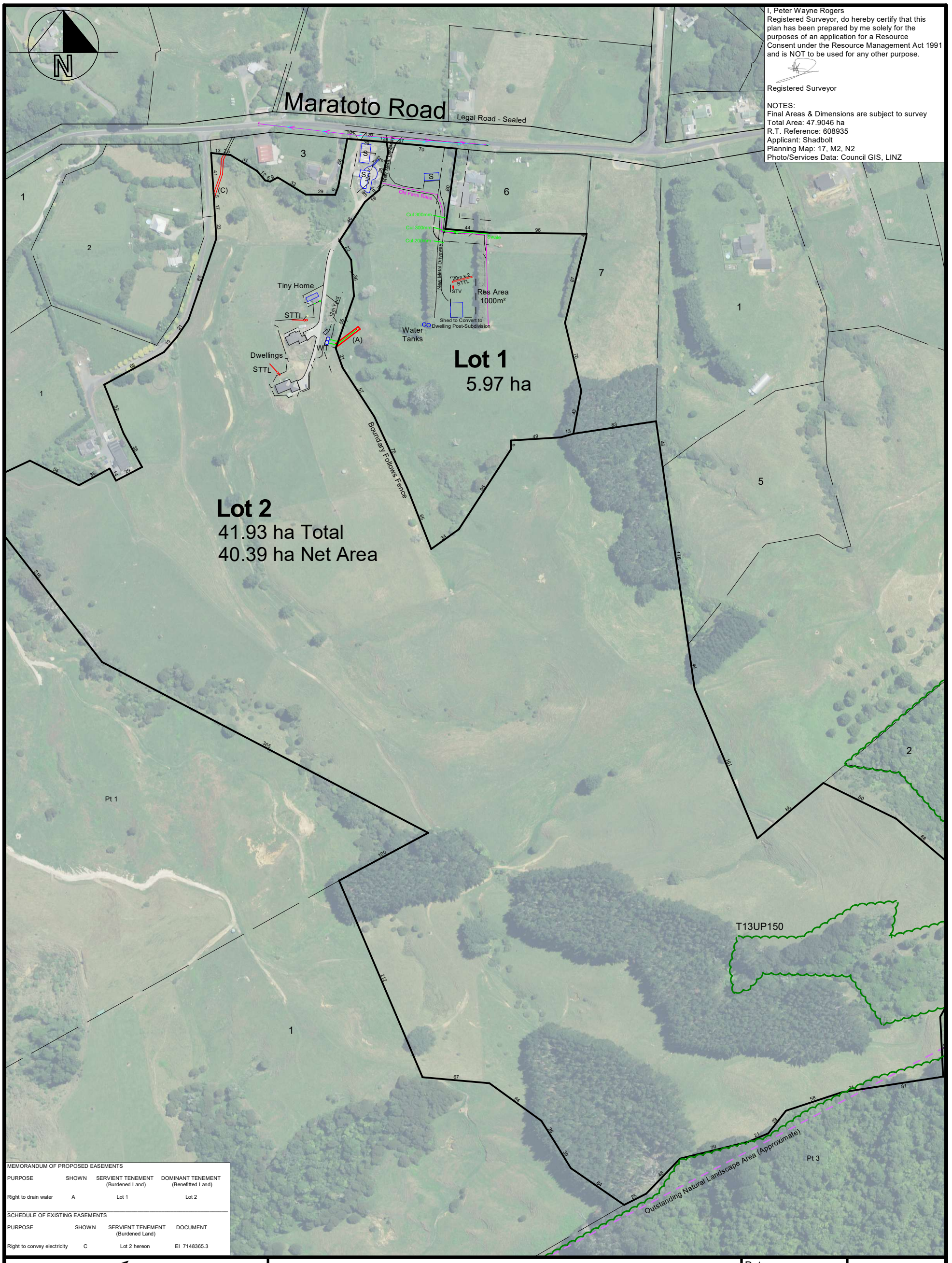
v) RECOMMENDATIONS

The proposal has been assessed in terms of the provisions in the District Plan for the subdivision of Lifestyle Lots in the Rural Zone. Whilst this report has shown that the proposal is a Discretionary Activity in accordance with District Plan rules, it is considered that these potential adverse effects have been mitigated to ensure that the development will have no more than minor adverse effects on the environment. It is submitted that Council can grant consent to this subdivision proposal pursuant to Section 104, 108 and 220 of the Resource Management Act 1991.

_____

Prepared by: Waihi Land Surveyors Ltd
Registered Licensed Professional Surveying
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Appendix B



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Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa

Date: 22/05/2026
Scale: 1:3500 (A3)
Drawn: JR
Checked: PWR
Drawing No. **3792**
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Appendix C

PEAKE DESIGN

LANDSCAPE ARCHITECTURE ❑ URBAN DESIGN ❑ PROJECT MANAGEMENT

Landscape and Visual Assessment For 546 Maratoto Road, Paeroa

Prepared for:
Jacqueline Shadbolt
c/o Waihi Land Surveyors Ltd
PO Box 5
Waihi Beach 3642

Prepared by:
Sally Peake
Principal, Peake Design Ltd
Registered NZILA Landscape Architect

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1. INTRODUCTION

Peake Design Ltd was requested by Waihi Land Surveyors Ltd, on behalf of Jacqueline Shadbolt, to undertake an evaluation of the potential landscape and visual effects of a proposed subdivision at 546 Maratoto Road, Paeroa.

The proposed subdivision is for an additional lifestyle lot for the owner's son and the conversion of an existing shed into a dwelling.

In order to undertake the evaluation a site visit was made to the site and surrounding context on 6th May 2026. The assessment is based on the Proposed Plan prepared by Waihi Land Surveyors Ltd ref. 3792 and dated 24/03/2026.

The purpose of the landscape and visual assessment is to gain an understanding of the existing landscape and how the proposed subdivision and development will potentially affect that landscape, its rural character and also the visual amenity of local communities.

The report describes the outcomes of the evaluation of landscape and visual effects, and considers the effects with reference to the objectives and policies of the Hauraki District Plan.

2. EXISTING LANDSCAPE CHARACTER AND CONTEXT

The site is located in the Maratoto Valley, approximately 6 km east of Hikutaia Village and 10km northeast of Paeroa. The valley is alongside the Hikutaia River with numerous streams from the adjoining Coromandel Ranges (Figure 1).



Figure 1 Site context (sourced from Topomaps)

Close to SH 26, The area is well served with links to nearby towns and villages as well as recreation facilities including the Hauraki Rail Trail and tracks in the Coromandel Forest Park.

Containing moderately steep rolling land in the upper southern part, the large property covers an area of 47.9ha and currently comprises pasture, farm buildings and two existing dwellings (Figure 2) as well as the shed in the land proposed to be subdivided.



Figure 2 Aerial photograph of site with contours (sourced from Hauraki District Plan online maps)

The property also contains large patches of forest as well as scattered specimen trees.

In addition to the farm buildings on the site close to Maratoto Road, dwellings and shed are common elements along Maratoto Road, and Figure 3 shows that there is a mix of lot sizes and buildings along the road.



Figure 3 Development pattern along Maratoto Road

As a result of historical land use, and land management decisions, the state of the environment and biodiversity in Hauraki has been significantly altered from its pre-human state. In the past, the district would have had a rich biodiversity, from the thriving forests and wetlands of the Hauraki Plains to the coastlines at Wharekawa and Whiritoa. The Hauraki Plains in the past were home to a mix of podocarp-dominant forests and extensive wetlands. The forested sites would have been dominated by kāhikatea and totara trees, with the kāhikatea thriving in lesser-drained soils and the totara dominating on better drained soils.

Currently, 30% of the District is covered with indigenous vegetation and habitats of one form or another, with indigenous forest and broadleaved indigenous hardwood species (such as rimu-tawa forest) making up the largest percentage. Rimu-tawa forest within the Coromandel Ranges and Hapuakohe Ranges is the most well represented indigenous forest type in the district, followed by secondary growth kanuka forest and logged kauri and tawa forest.

A landscape assessment for the Hauraki District was carried out in 2006 by prepared by LA4 Landscape Architects and O'Connor Planning Consultants. This identified landscape units and valued them on ratings for value and vulnerability. This was then used to establish a sensitivity rating for each landscape unit. The study was summarised in the s32 review of the district plan in 2012, with the following landscape units relevant to the proposed subdivision site:

3 – Coromandel Ranges

5 - Foothills

Extracts from the S32 report that cover these is included in this report as Appendix A.

In addition, there are areas of Amenity Landscape and Outstanding Landscape identified to the south of the property. The Maratoto Valley is outside these areas, however.

The Waikato Regional Landscape Assessment was also carried out in 2012, with a primary aim to identify Outstanding Natural Features and Landscapes. In the assessment, although the boundaries are difficult to discern the site appears to be located in the Eastern Ranges with the following particular sensitivities:

The main pressures on this landscape are the potential for new gold mines, and the spread of exotic forestry, pasture or quarrying over the ranges on land not in public ownership. These activities have the potential to threaten the landscape quality and the landscape character of some areas, particularly those areas that are elevated.

In addition to the above of the Eastern Ranges activities mentioned, rural residential development creeping up the slopes also poses a significant threat to the quality and character of this landscape. Due to the topography of the land such development results in the need for earthworks to construct access ways and building platforms. In many instances these earthworks result in vegetation removal and the combined effects on the landscape can potentially be significantly adverse.

Regionally important landscapes were classified as Pristine Landscapes, Outstanding Natural Features and Landscapes, High Value Amenity Natural Features and Landscapes, Significant Natural Landscape Features, and Significant Indigenous Forest Areas. Features identified in the Hauraki District included the Coromandel and Moehau Range, Kaimai Range, and the Kopuatai Peat Dome as part of the Whangamarino, Kopuatai and Torehape Wetlands. The site was not identified as being part of a regionally significant landscape or area.

3. THE PROPOSAL

The proposal is described in the Application prepared by Waihi Land Surveyors. One additional lot of 5.97ha is proposed to be created to be accessed from one of the two existing access points from Maratoto Road.

The area of land for subdivision is located within the Rural Zone of the Hauraki District and is subject to the “All Other Parts of the Rural Zone (Outside Outstanding Natural Landscape Area and District Amenity Landscape Area)” subdivision rules for the Lifestyle Lots.

Land use consent is also sought to convert the existing shed on the new lot to a dwelling.

The application also identifies land use consents needed for yard infringements.

4. STATUTORY FRAMEWORK

The landscape planning objectives and policies applicable to the site are outlined in the Application Report prepared by Waihi Land Surveyors. The following provides a summary of the planning provisions relevant to the assessment of landscape and visual effects.

4.1 Resource Management Act

With regard to the Resource Management Act 1991 (RMA) provisions, the table below shows the relationship between the relevant RMA provisions and the assessment of landscape and visual amenity effects.

RMA Provision	Landscape and visual assessment category
s 6(a);Effects on the natural character of the coastal environment, wetlands and rivers and their margins	Physical Attributes/Landscape Quality Landscape Character
6(b) Effects on outstanding natural features and landscapes	Physical Attributes/Landscape Quality Landscape Character Visual amenity
s 7(c) Effects on amenity values; and	Visual amenity
s 7(f) Effects on the quality of the environment	Physical Attributes/Landscape Quality

4.1 Hauraki District Plan

The Hauraki District Plan sets out the management and planning framework for the site, which is zoned Rural. The zone purpose explains that this covers most of the land outside the towns and is almost exclusively a farming area. Extensive grazing and production forestry occurs in the hill country with lifestyle lots enabled in the zone under 9.4.1.2.

Objectives and policies are focused on enabling rural production activities, and preserving and enhancing open rural landscape character. Specifically, with regard to the proposed subdivision, the following objectives and policies for the Rural Zone are applicable.

5.1.2(1)(a)

(ii) Land use activities which do not rely on land with high productive capability (including urban development and rural lifestyle activities) should not be sited on land with high productive capability, except where the character, scale and intensity of those activities ensures that the land remains available for other activities in future that can utilise its high productive capability.

(iii) Ensure buildings (including dwellings) and rural activities maintain the amenity value of a predominantly open rural character and the productive use of the land.

5.1.2(2)(a)

(i) Ensure the erection of buildings does not detract from the open rural landscape character values of the Rural Zone.

5.1.2(4)(a)

(iii) Other adverse effects (e.g. noise, smell, glare, vibration, visual) on the environment and amenity of the District (particularly where they are near to residential or other sensitive activities) should where practicable be avoided, or remedied or mitigated.

The application is for a discretionary activity, with the following general assessment criteria:

(1) The degree to which buildings, other structures and activities will adversely affect the rural landscape characteristics, particularly in relation to the open rural character.

(6) Whether buildings are sufficiently set back from the boundaries of neighbouring properties to avoid causing a nuisance by way of overshadowing, obstruction of views, noise, glare and loss of privacy.

(8) Whether features of the proposal including the location, design, and colour of buildings and structures, the planting of trees and shrubs, and the shaping of earth avoid, remedy or mitigate any adverse effect on the existing landscape.

(21) Whether the activity and any buildings and structures are of a scale and intensity which are in keeping with the character and amenity values of the existing rural environment.

In addition, the Subdivision objectives and policies are applicable, together with the discretionary activity assessment criteria. These include:

9.1.3(7) (a) (ii) Providing for small lot lifestyle subdivision on less productive rural land, subject to ensuring that the rural character, landscape and amenity values are protected.

9.6(1)(o)Where the subdivision involves the creation of lifestyle lots in the Rural Zone (Outside District Amenity Landscape Area) in accordance with Rule 9.4.1.2(4), regard shall be had to the relevant assessment criteria in 9.6(2) below to ensure the open rural character and *amenity* of the area are maintained and potential reverse sensitivity effects on rural production activities are minimised.

9.6(2)

(a) Whether the subdivision layout has taken sufficient account of the topography of the *site* and surrounding land, through providing for house sites and access thereto that will, when built on, minimize the visual impact of *buildings* and the access (both individually and cumulatively) on the open rural character or landscapes of district significance or coastal character values of the Rural or Coastal Zones and locality. In particular, the subdivision design should avoid the positioning of proposed building platforms that will give rise to any structures being located where they will break the line and form of any skylines or prominent ridges or be highly visible from any approved building site on an adjoining property, a state highway or arterial road, or the surface of water along the eastern coastline of the District.

(b) Whether the cumulative effects of the *subdivision* will adversely effect:

(i) the open rural/coastal character and amenity of a particular area;

(ii) the natural character and landscape values of the District Amenity Landscape Area;

(iii) the use of the adjoining/surrounding properties for farming and other established rural activities.

(c) Whether the subdivision layout has taken sufficient account of the need to provide open space around buildings and especially between existing houses and potential house sites on adjoining *lots* and/or adjacent properties.

(d) Whether the subdivision is designed to minimise conflicts (including from reverse sensitivity effects) that can arise between existing and potential rural production activities and lifestyle residents. Particular attention is required to the design of the subdivision (especially the ability to achieve acceptable internal noise levels within habitable rooms of future dwellings) where located within a quarry resource area and the associated quarry reverse sensitivity area as identified on the planning maps.

(e) The appropriateness of mechanisms proposed by the applicant, or the need for consent notices on the resultant *titles*, to:

(i) ensure that restrictions are placed on the area of any allotment not nominated for construction of a dwelling and associated accessory buildings to ensure that this area is kept free of any future building development in perpetuity;

(ii) specify the location and size of building platforms and access thereto;

(iii) specify the formation standards and design of driveways;

(iv) provide foundation, wastewater and stormwater disposal designs in accordance with any specified engineering assessments;

(v) retain, enhance and maintain areas in indigenous vegetation;

(vi) remove and control noxious plants or other exotic species incompatible with ecological values of the area;

(vii) prohibit cats, mustelids or ferrets and require ongoing control of feral animal pests;

(viii) place controls on dogs and grazing of stock.

5. ASSESSMENT OF EFFECTS

The assessment of landscape and visual effects is based upon the professional judgement of the author, and uses ratings that evaluates the level of landscape and visual effects resulting from the proposed development. The assessment of landscape and visual effects has been undertaken with reference to the methodology contained in Te Tangi a te Manu: Aotearoa Landscape Assessment Guidelines[1].

It should be noted that change in a landscape does not necessarily constitute an adverse landscape or visual effect. Landscape is dynamic and naturally changes over time in both subtle and more dramatic transformational ways. These changes are both natural and human induced. What is important is the management of landscape change so that significant adverse effects are avoided or sufficiently mitigated to ameliorate the effects of the change in land use. Effects are assessed with regard to the way in which a proposal will impact on the character and values of the place.

5.2 Methodology

The assessment of landscape and visual effects evaluates the level or magnitude of effects that will result from the proposed works, with reference to the site context and relevant planning framework outlined above. The methodology consists of three stages.

Firstly, the existing landscape values are defined and the attributes underpinning those values are described (refer to sections 2 and 4). The magnitude and nature of the impacts arising from the proposal in relation to the values are then evaluated and the significance of the impact is assessed. Impacts may be positive or negative, direct or indirect and may be short, medium or long-term in duration. The long-term or residual impacts likely to result from the proposals (those that remain after the establishment of the mitigation measures) form the final results of the assessment. A rating scale is used to determine the degree of effect.

In summary, the method has entailed

(i) A site visit to the site and surrounding context,

(ii) A description of the relevant attributes of the existing environment,

(iii) A description of the proposal,

[1] 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', July *2022'*

(iv) A review of the relevant planning context and identification of key matters for assessment

(v) Assessment of effects with respect to landscape values, including effects on natural and rural character, and visual amenity effects.

There is an interrelationship between landscape and visual matters, whereby landscape impacts relate to physical, associative and perceptual dimensions of the landscape, and visual impacts relate to the consequences of change on landscape values as experienced in views. In the rating the scale or magnitude of effects, effects are based on an overall judgment on landscape values that also has regard to the site context and its planned environment as expressed in the planning documents.

Landscape and visual impacts result from natural or induced change in the components, character, or quality of the landscape. Usually these are the result of landform or vegetation modification or the introduction of new structures, facilities, or activities. Landscape effects arise when such change affects the values of that landscape either in beneficial or adverse ways.

The landscape effects generated by any proposal can, therefore, be perceived as:

- Positive (beneficial), contributing to the character and quality of the environment;
- Negative (adverse), detracting from existing character and quality of the environment;
- Neutral (benign), with essentially no effect on existing character or quality of the environment.

Visual amenity is a component of the overall amenity of a place and therefore contributes to peoples' appreciation of the pleasantness and aesthetic coherence of the environment. This aspect considers the visual effects on landscape values for the viewing audience.

Contributing factors that affect the relative sensitivity of receptors/viewers and the magnitude of effects include:

- Physical catchment and character that would be exposed to visual change
- Nature of the audience who would experience that change
- Type/size of view (orientation; elevation; peripheral/central)
- Scale, type and intensity of change

The methodology uses a 7-point scale of effects ranging from very low to very high, consistent with Te Tangi a Te Manu guidelines. For completeness, a comparison between

level of effect and RMA equivalent[2] (less than minor, minor and more than minor) is provided below



The overall level of effects is based on an overall judgment that has regard to the site context and its planned environment as expressed in the planning documents.

5.3 Landscape and visual effects assessment

For this proposal, landscape values are clearly aligned with the rural values and characteristics of the site and area. These include the rolling landform, existing pastoral, forestry and kiwifruit land use, and (beyond the site) the ranges, bush and stream corridors.

Generally, it is considered that there are three main sets of values that can be attributed to the setting. These are:

1. the degree of builtness or naturalness of the surrounding landscape, i.e. the degree of modification in terms of development and buildings

2. the landscape values and vulnerability or fragility of the environment to absorb development or change, and

3. the nature of the development itself

The first two define the “fitness” of the landscape to accept the new development, and allow decisions to be made regarding the impact of a development on the receiving environment, while the third defines how well equipped the design of the development is to “fit” the landscape, taking account of physical and cultural values as well as from an aesthetic point of view. The landscape character and nature of the landform and vegetation also determines the available views of the development, depending on the exact location and disposition of elements.

In this situation, the Plan provisions are focused on limiting lifestyle activity on productive farm land and preserving and enhancing open rural landscape character. The landscape setting, location and design of the lot and building(s) will determine the suitability of proposed development and subdivision.

[2] To enable a test against s95A and s95E of the RMA as outlined in 6.38 of Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022

The images attached to this report show that the proposed lot is located in a discrete area with hobby farms and lifestyle lots set against a backdrop of pastoral and land and forestry (as well as kiwifruit in other parts of the valley). Sheds and dwellings are scattered along the road and on the lower slopes, and together with the sense of containment (from surrounding landform and bush/forest) provide a strong sense of identity to the hamlet.

The addition of the new lot is not expected to interrupt or modify the existing pattern and identity of the landscape and environment, and is able to be comfortably integrated into the setting.

While the change from a shed to a dwelling will introduce physical and visual change, it is considered that the effects will not be out of place or inconsistent with other residential activity in the neighbourhood.

In this regard it is not considered that there will be cumulative adverse effects; rather the effects will be readily absorbed into the existing scene and landscape.

The design of the lot is appropriate within its setting and is sized sufficiently to maintain rural aspect and spaciousness. There are no proposed changes to the lot other than the conversion of the shed to a dwelling and a new driveway and no vegetation is proposed to be removed. It is recommended, however, that conditions be placed on the development to maintain rural character. These include conditions to control the height and type of fencing and the driveway material.

Due to the discrete location of the lot and limited change to the building and site, landscape effects from the proposed subdivision and development are rated low.

5.4 Visual effects

Images are included in the attachment to this report that show the nature of the existing environment and landscape, and views of the site from locations on Maratoto Road. As noted in Section 5.3 above, although the change from a shed to a dwelling will introduce visual change, it is considered that the effects will not be out of place or inconsistent with the nature of development in the neighbourhood.

Due to the characteristics of the road and the surrounding landform and vegetation, there will be very limited views of the site and building, despite its elevated location on the hillside. Any views from the road will be brief and transient and it is not expected to be a focus of attention.

The dwelling will have sufficient separation from adjacent dwellings to protect their privacy and amenity. There is some potential for the dwelling to overlook 564 Maratoto Road, but there is more than 100m separation and the dwelling at #564 is oriented toward the north with the car and service area to the south.

It is therefore considered that visual amenity effects for road users and residents are low.

6. PLANNING ASSESSMENT AND PROPOSED MITIGATION

The site is not identified as being part of a regionally or locally significant landscape or area. It is , however, zoned Rural where rural production activities are expected to be predominant and where subdivision and lifestyle development is required to maintain or enhance rural landscape character.

In this situation, the subdivision is considered to be appropriately located, within an established hamlet and close to amenities and services. It is also small scale, comprising on lot and the conversion of a small recessive shed to a dwelling. The overall size of the property also allows for a predominant area of productive land to be maintained, as well as maintaining the wider rural landscape character values of the zone.

The planning and design of the subdivision includes:

- Avoiding gullies and catchment areas for the building
- Using the existing farm access and shed for development
- Locating the lot on the lower slope and within existing fence patterns to integrate it into the landscape and retain a farmed/forested backdrop
- Locating the lot within a variable pattern of existing similar (lifestyle) development
- Locating the dwelling to maintain spaciousness and adequate separation and privacy for neighbouring residents

It is concluded that the lot and building will maintain the amenity value of a predominantly open rural character, with the balance lot maintaining productive use of the land. The discrete and relatively secluded location as part of a hamlet of similar development also ensures that the proposal will not detract from the open rural landscape character values of the wider Rural Zone.

It is considered that there are no other residential or sensitive activities (outside the property) that would be adversely affected by the proposal, acknowledging that there is potential for overlooking of 564 Maratoto Road but that effects are mitigated both by the orientation of that dwelling and the generous separation distance. Nevertheless, a condition could be offered to prohibit any buildings or structures within 12m of the boundary with this property.

It is considered that that the subdivision and building(s) are of a scale and intensity which are in keeping with the character and amenity values of the existing rural environment, and will enable rural character, landscape and amenity values to be protected.

It is not considered that the proposal will result in cumulative effects as the proposal is small in scale and will be readily absorbed into the existing scene and landscape.

Proposed conditions.

1. Fences shall be post and wire or timber post and rail. No closeboard fencing will be permitted.
2. Driveways or parking areas shall be formed in natural stone or gravel, or be coloured in dark/earth tones.
3. (Potential offer) No buildings or structures shall be constructed within 12m of the rear boundary with 564 Maratoto Road.

Sally Peake

Registered FNZILA Landscape Architect



APPENDIX A – Description of landscape units and recommended provisions

3 - Coromandel Ranges

- *Much of the land contained in this unit is owned by the Department of Conservation. The forest areas are indicated on Hauraki District Plan planning maps (8, 13 and 14).*

- *This area displays high levels of remoteness and wildness, as well as significant natural character values.*

- *This is an outstanding landscape and therefore in terms of section 6 of the Resource Management Act 1991 any subdivision, use or development of the land has to be very carefully managed to ensure that this landscape is protected.*

- *The key elements to be protected are:*

  - *The bush covered ridgelines;*
  - *The homogeneity of the bush covered hills;*
  - *Wildness and remoteness which is achieved by a lack of built structures; and*

  - *the very high natural character.*

- *These elements can be protected by avoiding activities such as the following on the steep vegetated slopes and flanks of the range:*

  - *monoculture forestry;*

  - *quarrying;*

  - *roading patterns and earthworks;*

  - *rural residential development;*

  - *buildings and structures, such as power pylons, cell sites and wind turbines (though the adverse effects of these may be able to be mitigated through appropriate sitting and design); and*

  - *the removal of indigenous vegetation.*

- *Some activities will be able to be located in the lower portions of the valleys where there are already cleared areas and a mix of activities.*

- *Appropriate plan provisions will need to be drafted to protect the outstanding landscape and provide for an appropriate level of development in the areas not identified as outstanding that will not detract from or adversely affect the outstanding landscape values.*

- *The fact that much of the land in the Coromandel Range is in Crown ownership will ensure that development can be avoided or carefully controlled."*

5 - Foothills

- *This landscape unit can accommodate additional development such as rural residential and a range of rural land use activities so long as:*

  - ❖ *The rolling rural/native forest character of this unit is retained;*

  - ❖ *that areas of native forest on the slopes and in the valleys is protected; and*

  - ❖ *that buildings, roads and accessways are sited within the folds of valleys and not on the outer flanks of the ranges. Also, that any earthworks and vegetation removal are undertaken in a manner that preserves the integrity of the visually exposed slopes.*

- *As development increases in this landscape unit it will be increasingly important to retain and protect existing pockets of native vegetation in order to mitigate the effects of development on this landscape."*

Appendix D

HAURAKI DISTRICT COUNCIL

Report

To:	Planner
From:	Vignesh Ram - Development Engineer
Date:	13/11/2025
File reference:	SUBD: 201.2025.00002113.001 LUSE: 202.2025.00002113.001 M#: 3986738 WO: 39954
Subject:	**Subdivision – Create on additional lot** **Land Use – Yard infringement for shed on lot 2**

Summary

The proposal involves a two-lot rural subdivision at 546 Maratoto Road, Hikutaia, separating the existing rural holding into Lot 1 (1.3 ha) and Lot 2 (3.9 ha).

Lot 1 contains an existing shed proposed to be converted into a dwelling, with access via an existing metalled driveway from Maratoto Road, on-site wastewater disposal, roof water collection for domestic supply, and solar power.

Lot 2 retains the existing farmhouse, cowshed, and yards, continuing to operate as a small rural unit with its own on-site water and wastewater systems. Both lots will use existing vehicle crossings from Maratoto Road, which have substandard sight distances and inadequate separation for a 100 km/h rural road but no upgrade works are currently proposed. Stormwater will be managed on-site through roof water collection and ground soakage, with existing culverts to remain in place.

Applicant & Location – Jacqueline Ray Shadbolt at 546 Maratoto Road, Hikutaia

Proposal – The proposal seeks subdivision consent to create two rural-residential allotments at 546 Maratoto Road, Hikutaia. The parent title currently operates as a small-scale rural holding with a dwelling, farm structures, and ancillary infrastructure. The subdivision would formalize these activities into separate lifestyle-sized lots while retaining access to existing facilities.

The subdivision does not propose any additional buildings or significant earthworks, aside from minor access improvements if required by engineering conditions. Access for both lots is taken from Maratoto Road via existing vehicle crossings. Both crossings have reduced sight distances for a 100 km/h environment and insufficient separation, though the applicant relies on actual travel speeds being lower. Each access is currently unsealed, with grades and surfacing that require local improvements to meet safety and maintenance standards.

Initial Assessment

- Have all appropriate reports been provided with the application (Geotechnical Report, Stormwater Report, Services Report.

  Geotechnical report for 546 Maratoto Road concludes that the site is suitable for the proposed subdivision and future development, provided standard engineering controls are followed. The underlying ground consists of firm alluvial and weathered materials with good bearing capacity and no evidence of significant instability or geohazards such as slips or subsidence.

Groundwater was observed at manageable depths, and the site is not prone to flooding. Earthworks, if required for building platforms or accessways, should be carried out under geotechnical supervision to maintain slope stability and ensure proper drainage. The report recommends standard shallow foundations in accordance with NZS 3604:2011, with localised strengthening where softer soils are encountered. Overall, the land is considered geotechnically stable and suitable for subdivision, with only routine engineering measures required to ensure safe and durable development.

Stormwater report - The stormwater report for 546 Maratoto Road confirms that the site can effectively manage runoff generated by the proposed subdivision and future development. The existing drainage patterns direct surface water naturally toward stable low-lying areas, and no significant flooding or ponding issues were identified.

The proposed stormwater management approach relies on on-site soakage and overland flow dispersal, using grassed swales or level spreaders to slow runoff and promote infiltration. Impervious areas such as roofs and driveways will be connected to these systems to prevent concentrated discharge and erosion. The design ensures post-development runoff rates will not exceed pre-development levels, maintaining downstream capacity and protecting water quality

Wastewater report - The wastewater report for 546 Maratoto Road concludes that the site is suitable for on-site wastewater treatment and disposal to support the proposed subdivision. Soil testing indicates adequate permeability for effluent absorption, with gentle to moderate slopes that allow safe disposal without risk of surface breakout or runoff.

The recommended system consists of individual on-site treatment units, such as advanced aerated wastewater treatment systems, discharging to subsurface disposal fields sized according to daily flow requirements. Disposal areas are appropriately separated from boundaries, buildings, and waterways, ensuring compliance with council and environmental standards.

- Is the development in a Structure Plan Area – requires specific considerations. Not in a structure plan area

S92 request discussed with planner and responses received.

Engineering Assessment

Excavations and Placement of Fill (Earthworks) (7.8)
What earthworks are proposed? N/A, For Servicing Only, Retaining Walls, Retaining Walls > 1.5m and/or surcharged, Cut, Engineered Fill.

Application Proposes: Earthworks proposed to create a stable building platform in accordance with the recommendations under the Geotech report.

Comments: The proposed earthworks for the subdivision at 546 Maratoto Road are limited to what is necessary to create stable and level building platforms, accessways, and associated service corridors. Minor cut and fill operations are planned to achieve suitable gradients for driveways and drainage, ensuring compliance with council design and stability requirements.

All earthworks will be carried out under geotechnical supervision to maintain slope integrity and proper surface drainage. Excavated material will be reused on-site where possible to minimise the need for imported fill, and any fill will be compacted in controlled layers to engineering standards. Erosion and sediment control measures, such as silt fences and stabilised entry points, will be implemented during construction to prevent sediment runoff to nearby watercourses.

Number and Location of Parking Spaces (8.4.1)

Application Proposes: Two parking spaces available for each lot

Comments: Based on the lot sizes and intended residential use, each new lot will be able to accommodate at least two on-site parking spaces in accordance with district plan standards, typically provided as part of driveways or garages on the individual building platforms.

Number and Location of Loading/Drop off Spaces (8.4.2)

Application Proposes: No dedicated Loading/Drop off spaces proposed

Comments: The proposed lots are located within a rural residential area and are each provided with two on-site parking spaces. The lot has direct access to the ROW or road reserve; any loading or drop-off activities can occur informally within the private property. Given the residential nature of the development and the lack of demand for public servicing, a dedicated loading or drop-off area is not considered necessary.

Vehicle Access (8.4.3)

Sight Distances (8.4.3.3(1)(a)
Application Proposes: The sight distance assessment undertaken by the applicant shows that the distances are not compliant with the District plan and engineering manual standards.

Comments: The proposed vehicle crossing for 546 Maratoto Road has been assessed for adequate sight distances in both directions along the adjoining road. The site is located on a relatively straight and gently graded section of Maratoto Road, providing clear visibility for approaching traffic but is not compliant with the District Plan standards. Crossings are existing, so risk is deemed to be minimal based on the RAMM data for crashes in the area.

Vehicle Access Separation (8.4.3.3(1)(b))
Application Proposes: Crossings are informal and existing – no changes proposed

Comments: Upon assessment, the accessways between properties are located close to each other and is non-compliant. Based on the data from RAMM, the risk is minimal for the new crossing. No further consideration is required

Dimensions, Formation, Construction, and Gradient of Vehicle Crossings Construction/ Gradient (8.4.3.3(1)(e) & (f))
Application Proposes: No new vehicle crossing proposed, all lots to use the existing crossings
Comments: Upgrades to the existing informal crossings are required. The crossings shall be to the standard specified under the HDC Engineering manual. After site visit, the driveway was deemed to be private, so no issues around the gradients

Internal Access (8.4.8.3 & 8.4.8.4)
Application Proposes: No ROW proposed – approved as part of the previous subdivision consent
Comments: Not applicable

Street and Road Design (8.4.9.3 & 8.4.9.4)
Application Proposes: No changes proposed
Comments: Not applicable

Corner Splays (8.4.7.3 & 8.4.7.4)
Application Proposes: The site is not located on a corner adjoining two roads.
Comments: No assessment required – not applicable to this consent.

Wastewater Connections (8.5.1.3 & 8.5.1.4)
Application Proposes: Wastewater for the new lots will be managed through individual on-site effluent treatment and disposal systems.
Comments: On site disposal. Each lot has been assessed as suitable for this purpose, with sufficient land area available for both a primary and reserve disposal field located on stable ground with gentle slopes. The systems will treat domestic wastewater to secondary standard and discharge via subsurface irrigation within the designated disposal areas. Final system design, sizing, and placement will be confirmed at the building consent stage in accordance with the AS/NZS 1547:2012 standard and Council's on-site wastewater requirements.

Wastewater location and reserve size to be managed through conditions

Non-Domestic Effluent Disposal (8.5.2)
Application Proposes: Not applicable – Domestic Effluent disposal
Comments: Not applicable

Water Connections (8.5.3.3 & 8.5.3.4)
Application Proposes: Water to be harvested through retention tanks on site
Comments: Water supply for the new lots will be provided through individual on-site rainwater collection systems. Each dwelling will use roof catchment to supply domestic water storage tanks sized to meet household demand. No connection to a reticulated network is proposed or available in this rural location. Overflow from the tanks will be directed to the on-site stormwater management system to ensure controlled discharge and avoid surface runoff issues.

Stormwater Drainage (8.5.4.3 & 8.5.4.4)
Application Proposes: The stormwater from the lot will be managed on site through retention systems
Comments: Stormwater for the proposed subdivision will be managed on-site using low-impact methods. Roof water from buildings on both lots will be collected in storage tanks for domestic use, with overflow directed to ground soakage within each property. Driveway and accessway runoff will disperse naturally across grassed areas and existing table drains, and no piped or reticulated stormwater network is proposed.

Existing culverts under the vehicle crossings will remain in use to convey roadside drainage, though their capacity and condition may need to be verified to meet council standards. The large lot sizes and permeable rural soils are expected to provide adequate soakage, with final design details and erosion control measures to be confirmed at the engineering approval stage.

Stormwater Overland Flow Paths
Are there any existing overland flow paths on the site? Overland flow paths on the site are managed by maintaining natural drainage patterns and ensuring stormwater is dispersed evenly across stable, vegetated ground. Building platforms and accessways have been positioned away from concentrated flow paths or low-lying areas prone to ponding.

Stormwater from roofs and impervious surfaces will be directed through detention tanks and level spreaders, which release water at low velocities to mimic natural sheet flow. No filling or obstruction of existing overland flow paths is proposed, and any minor reshaping will ensure runoff is safely conveyed around structures and disposed of without causing erosion or instability.

Drainage (8.5.5.3 & 8.5.5.4)
Application Proposes: No proposal
Comments: Site is not located within the drainage district.

Roading Financial Contributions (7.10)
Not required.

Wastewater Financial Contributions ($2,026 plus GST for connecting into the Waitete Trunk Main)
Not required

Natural Hazards Risk Assessment (Section 106 of RMA) – No natural hazards

Coastal Erosion (Whiritoa) – Not applicable

Flooding (Due to Rainfall)

- **Floor Levels (DP 8.2.2)**
    - The area falls outside of The Paeroa flood ponding zones and outside the Piako Flood Ponding Area therefore the provisions of the Building Act 2004 apply to all new dwellings.

Slopes (Less than 10% is considered manageable. 10-20% is moderately steep, Over 20% is very steep) – Slope is between 10-20% which is considered moderately steep – Geotech report provided to ensure site stability is not a concern.

Liquefaction Vulnerability WRC Hazards Portal Undetermined, Unlikely, Possible (Geotech Report Required if Undermined or Possible) – Liquefaction on site is unlikely.

Vested Infrastructure (To Be Discussed With Each Of The Asset Managers. Requires As-Builts with Relevant Data Sheets)

Infrastructure to vest – No council services available to site
☐ Stormwater
☐ Wastewater
☐ Water
☐ Road

Development Contributions
The readjusting of boundaries will trigger Development Contributions for 1 additional lot.

RFI

(1) Please provide a site plan showing the approximate location of the effluent and reserve fields and any other septic systems.
Response – Managed through condition

(2) Please confirm that the vehicle crossings will be upgraded to meet the standards set out in the Hauraki District Council Engineering Manual or provide justification if a departure from this requirement is proposed.
Response – Managed through condition

(3) Provide information on any erosion and sediment control measures adopted on site
Response – To be addressed under building consent

(4) Please outline the reasons for not upgrading the crossing to the applicable council standard, including any justification for this departure.
Response – Managed through condition

Engineering Conditions Proposed

(a) The consent holder must provide a scaled plan and written confirmation from a Licensed Cadastral Surveyor that all existing onsite stormwater, wastewater systems and associated reticulation are located or have been relocated within the Lot boundaries.

(b) That the entrance/s to existing informal crossing on Lot 1 must be upgraded to the minimum requirements of a Class C: Standard Vehicle Crossing for Residential Activities in Rural Area, Low Density Residential, Reserve (Active) and Reserve (Passive) Zones (HDC - 303), generally in accordance with section 8.4.3.3(1)(e)(i) of the operative Hauraki District Plan and the HDC Engineering Manual 2010 Version 1.

Advice Notes:

Storm water

Storm water from the ROW shall be contained within the boundaries of the ROW or discharged so as not to runoff into neighbouring properties, the post development runoff rates shall not exceed the pre-development runoff rates.

Vehicle crossings

- *For any new or upgrading of vehicle crossings, a vehicle crossing permit is required. The permit application is available on request at a HDC office or via the HDC website.*
- *Any work undertaken in the road reserve, including entrance construction, requires a Corridor Access Request (CAR), which includes a Traffic Management Plan (TMP). This must be submitted for approval 10 working days prior to the commencement of any works. All enquiries in this regard must be directed to the Road Corridor coordinator on 07-862 8609*
- *Two (2) Inspections are required for each vehicle crossing. A pre-pour / Pre-Seal Inspection and on completion of the vehicle crossing.*
- *Concrete Class E Vehicle Crossings are required to be a minimum strength of 20 Mpa with a minimum thickness of 125mm reinforced with ref 665 mesh.*

Corridor Access Request (CAR)

Any work undertaken in the road reserve, including entrance construction, shall be processed under a Corridor Access Request. This must be submitted for approval 10 working days prior to the commencement of any works.
All enquiries in this regard must be directed to the Road Corridor coordinator on 07-862 8609

Inspections

48 Hours' notice must be given for any engineering inspections that are required to be undertaken during engineering works.
All requests in this regard must be directed to the Development Engineer on 07-8628609

Overland flow paths

Site works should not obstruct existing overland flow paths or concentrate flows onto neighbouring properties or the carriageway.

Development Contributions

A development contribution for the additional units of demand is required. The existing Lot and buildings are considered to have already had a development contribution paid.

The development contribution is based on the available local utilities, including Council Land Transport, Solid Waste and Community Infrastructure.

*The applicant is required to pay a total of **$4,162.47** plus GST as a capital development contribution for the increase in units of demand, in accordance with the Hauraki DC Development Contributions Policy effective from 1st July 2024*

Location	Land Transport	Solid Waste	Community Infrastructure	Stormwater	Water Supply	Wastewater Treatment
546 Maratoto Road	**$2,159.76**	**$311.05**	**$1,691.66**	-	-	-

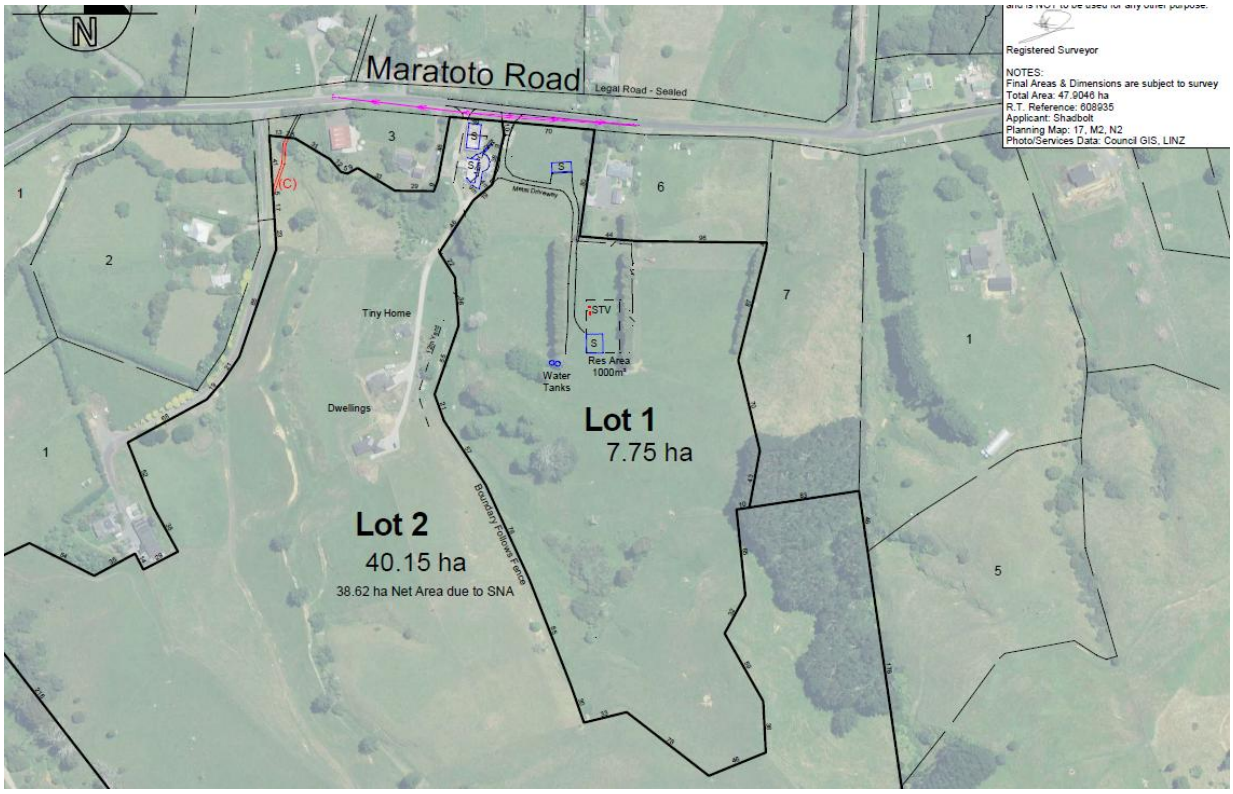
(prices excl GST)

Calculation Sheet Reference

Vignesh Ram

Development Engineer (Hauraki District Council)

Plan



Appendix E

FORM A:
Submission on Resource Consent Application

To carry out a rural subdivision to create one lifestyle lot and one general rural lot at 546 Maratoto Road, Maratoto, Paeroa

HAURAKI DISTRICT COUNCIL

Notice of submission under the Resource Management Act 1991 (pursuant to section 96) form 13

This submission must be sent to Hauraki District Council by:
Postal: PO Box 17, Paeroa 3640
Delivery: Council offices at William Street Paeroa, 40 Rosemont Road, Waihi, or Orchard West Road, Ngatea
Email: submissions@hauraki-dc.govt.nz

Office Use:
201.2025.00002113.001
Doc no: 4135266

The closing date for providing your submission to Hauraki District Council is 1st September 2026.

As soon as is reasonably practicable after you have served your submission on Hauraki District Council, you must also provide a copy of your submission to the applicant at: Waihi Land Surveyors Ltd, PO Box 5, Waihi Beach 3642.

Any person may make a submission on the application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that:

(a) Adversely affects the environment; and
(b) Does not relate to trade competition or the effects of trade competition.

Section 1: Application details

This is a submission on an application from **Jacqueline Rae Shadbolt** for a resource consent for a Rural Subdivision.

Hearing of proposals
Do you wish to be heard in support of this submission? ✓ Yes ❍ No
If yes, will you consider presenting a joint case at a hearing if others make a similar submission? ❍ Yes ✓ No

Section 2: Submitter details

Name:	Full name of submitter: David John and Janet Rosemary Stuart	
	Contact person: *(include designation if applicable)* Janet Stuart	
Postal address:	Street/RD/PO Box/Private Bag: 564 Maratoto Road	
	Suburb: RD4	
	Town/city: Paeroa	Postcode: 3674
Contact details:	Home phone: Dave 027 224 1049	Business phone:
	Mobile phone: Janet 02102453039	Email address: davjanstuart@gmail.com

Section 3: Submission on proposal

Please detail your submission below. Attach additional pages if necessary.

I/we (tick one option only):
❍ Support the application or specific parts of it
✓ Oppose the application or specific parts of it
❍ Neither support or oppose the application or specific parts of it (neutral submission)

What are the specific parts of the combined subdivision and land-use proposal that you are submitting on?

The specific part of the subdivision application we oppose are outlined in more detail in the attached additional pages but mainly relates to;

1.the location of part of the new driveway to the shed/dwelling being located so close to our boundary and causes noise, dust, headlight glare and loss of privacy to our backyard area and;

2. The overland flow path that crosses our property has been modified with the construction of the new driveway, this has been filled and replaced with a culvert

What are the reasons for your views?

The reasons for our views are again outlined in more detail in the attached additional pages, however one of the main reasons we state here is that we have highlighted the driveway location right on the boundary as as something we felt we would be adversely affected by some time ago (years) in relation to proposed subdivision of this property and we believe that the physical work (construction) has been completed recently (in the last 2 years) prior to this subdivision application and so our views have not been considered in the time when they should have been and the work completed is now being presented and assessed with the application as existing infrastructure.

I seek the following decision:
(Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought).

We would like to see the driveway to the shed/dwelling relocated further away from our boundary and angled away from our backyard and appropriate screen planting provided. This will mitigate the noise, dust and headlight glare affects to our property from vehicles using the driveway. This would also remove any adverse affects from culverting the overland flow path from our property.

Signature of submitter _____ _____ Date: 26/8/2026_____

(or person authorised to sign on behalf of submitter)

A signature is not required if you are lodging your submission by electronic means.

Notes to submitter

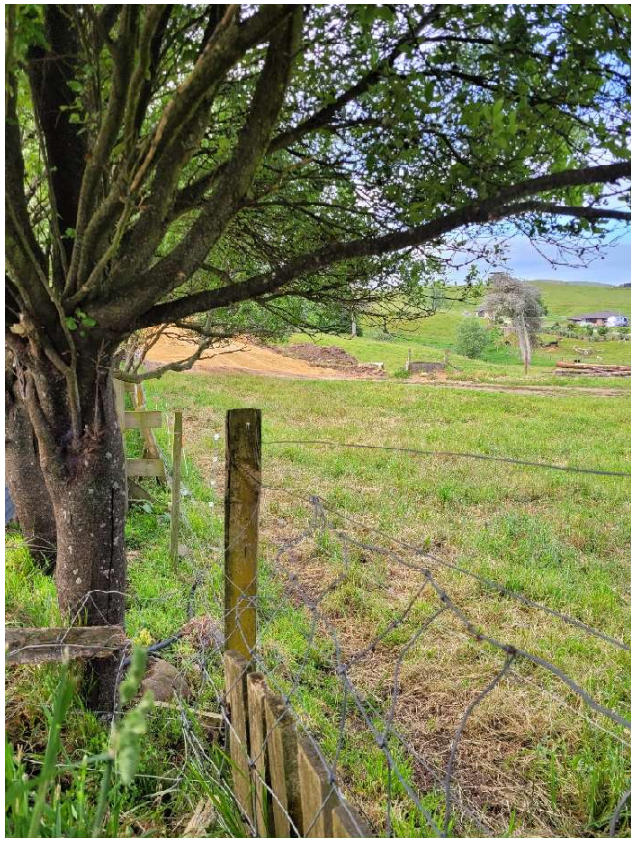
Please note that your submission (or part of your submission) may be struck out if Hauraki District Council is satisfied that at least one of the following applies to the submission (or part of the submission):

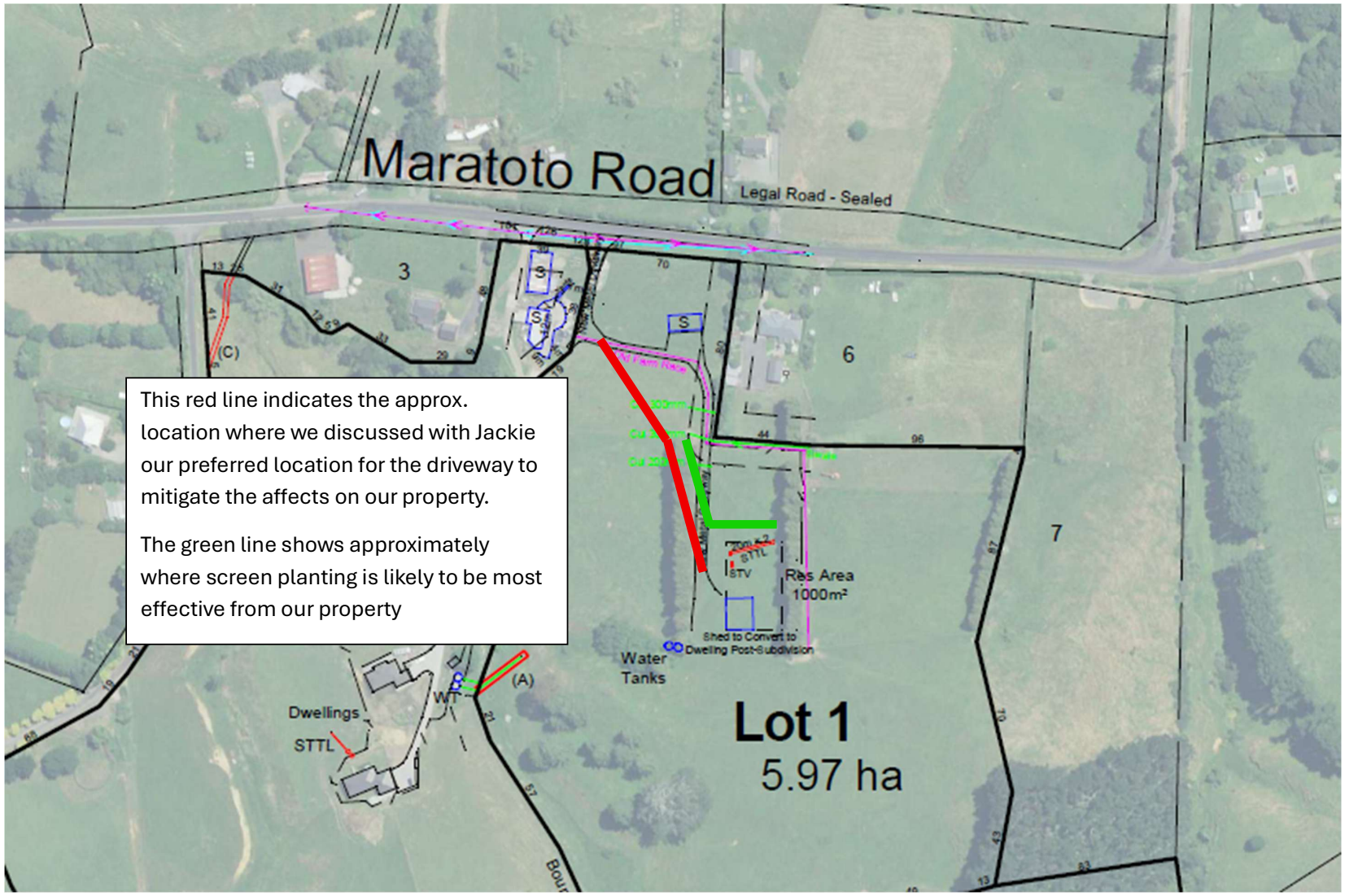
- *It is frivolous or vexatious*
- *It discloses no reasonable or relevant case*
- *It would be an abuse of the hearing process to allow the submission (or part) to be taken further*
- *It contains offensive language*
- *It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.*
- *If you need any further help, please phone 0800 734 834 (call free within District) or 07 862 8609.*

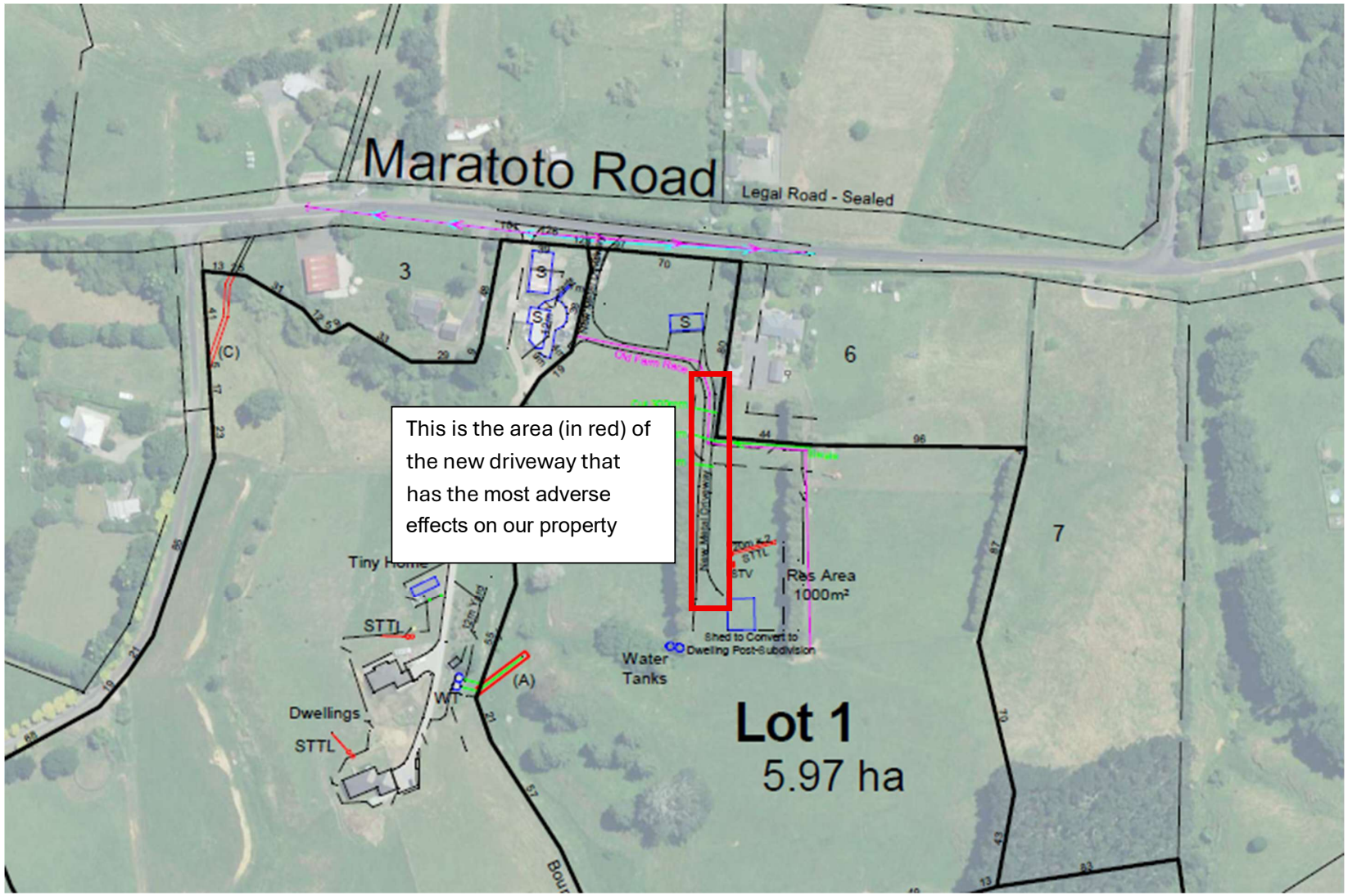




These photos show the before and after the driveway being constructed on our shared boundary. The photo on the left is before, while there was an old farm race along this fence is was healed over with grass and not regularly used (see photo below). The old race also following the contours of the land allowing overland flow of surface water from our property towards the creek further down the valley. The photo on the right shows the new driveway located right on the boundary, our garden here is now rarely used due to loss of privacy. The new driveway is also a lot higher than the old farm race which makes traffic more noticeable from our property when you are in our back yard area.




Maratoto Road
Legal Road - Sealed
This red line indicates the approx. location where we discussed with Jackie our preferred location for the driveway to mitigate the affects on our property.
The green line shows approximately where screen planting is likely to be most effective from our property
3
6
7
(C)
(A)
Res Area
1000m²
STTL
STV
Shed to Convert to Dwelling Post-Subdivision
Water Tanks
Dwellings
STTL
WT
Lot 1
5.97 ha


Maratoto Road
Legal Road - Sealed
This is the area (in red) of the new driveway that has the most adverse effects on our property
3
6
7
(C)
(A)
Tiny Home
STTL
Dwellings
STTL
WT
Water Tanks
Shed to Convert to Dwelling Post-Subdivision
Res Area 1000m²
Lot 1
5.97 ha

The following is additional pages to our submission to the limited notification submission form for the subdivision design at 546 Maratoto Road by Jacqueline Shadbolt, submission made by Dave and Janet Stuart at property 564 Maratoto Road on the 28/8/2026.

We oppose parts of the subdivision proposal outlined in the information provided to us on 5/8/2026 as part of the limited notification process for the reasons as previously stated and included with our response to the affected persons response form dated 21/5/2026.

These reasons relate to the location of part of the driveway which causes, noise, dust and headlight glare, lack of privacy, has altered the overland flow path from our property and reduced our property aesthetic.

We have also included these reasons again with this submission, as following a recent conversation with the subdivider Jackie these concerns are still very relevant to us. We acknowledge that Jackie recently offered some mitigations verbally, but these were in our opinion, insufficient, for example, installing a corrugated iron fence on part of the boundary, relocating some of the trees planted and placing a drainage easement on the new lot.

We also acknowledge that we have, very much tried to maintain a friendly neighbourly relationship with Jackie, many of the statements relating to prior conversations with us, as provided in the further information by Waihi land surveyors are either incorrect or taken out of context. We have in no way have indicated our agreement or consent of the specific work we have noted as being affected by eg the location of the driveway and modification of the overland flow path.

Back in 2020 the Shadbolt's contacted us and advised verbally of their intent to subdivide and present a plan for us to view. They requested we support the plan; this was informal/verbal. We did at that time advise Jackie the location of the driveway for the new subdivision being right on the boundary with our property was a concern for us and we would prefer this to be located away from the boundary.

Our understanding is that this earlier subdivision was not advanced.

The current subdivision application was made in October 2025. We believe work related to the subdivision started before January 2025, but we were unaware of their renewed intent to subdivide.

We are aware that an entranceway application was made not related to subdivision in 2024. We became aware of this through a chance meeting with Council staff outside our entranceway. We raise this now as it was the same location of the previous subdivision proposal driveway location that we had previously advised Jackie we would be adversely affected by.

At that time, we wrote to HDC regarding the entranceway application and our concerns relating to this. Following this, we believe Jackie chose to use one of the existing entranceways to the property to build a new driveway to the new shed/dwelling. We met Jackie on her property at this time, and she advised us of her plan for the driveway location. We then reiterated our concerns as the driveway would effectively switched back from the roadside entrance to hard against our shared boundary (the location it has now been constructed). At that time, we proposed a location of the driveway for her to consider that we felt would have minimal effect on our property. We have drawn this onto the attached subdivision plan for your reference.

At this point in time, to our knowledge, there was no subdivision application in place, only the building of a shed, so therefore we were hoping for a considerate neighbour response to our request, and we believed we could not formally oppose.

We feel strongly that our views should have been considered as affected neighbours, as the subdivision was likely in the pipeline at this time, and had the correct process and assessment of effects for a consent application been followed before physical works, our current situation potentially would have been avoided.

We have read the subdivision application information provided with the limited notification and with this submission provide our comments relating to parts of the assessment:

Within the resource consent application, several sections refer to existing infrastructure or environments, and we believe this does not effectively take into account the work that has been recently completed prior to the subdivision application for example;

Section iii) 9.4.1.2, comment refers to the cumulative effects of the creation of lot 1 are considered less than minor due to lot 1 already having most of the required infrastructure; it also comments that the shed is out of the viewing shafts of neighbouring dwelling because this orients to the north and that surrounding neighbours are not considered potentially affected due to the new lot already having the building and that this will be converted into a dwelling so that it blends into the rural landscape.

We disagree with the above assessment relating to already having the required infrastructure – the accessway and planting (and shed/dwelling) in particular were only recently constructed in the 12-18 months before the subdivision application. We also disagree with the assessment surrounding neighbours are not affected and that the proposed dwelling blends into the rural landscape. While our house is oriented north, we have a bedroom that faces south. See photos attached showing the current view from this room and the change in rural landscape from our backyard since the construction of the driveway and shed/dwelling.

Section 9.6 (o) access provision. The assessment states this can be accommodated without excessive earthworks. We consider considerable earthworks have been recently completed in advance of this subdivision application to provide for the driveway and building platform and should be considered with the application.

Section 8.4.5 Formation, Screening and Landscaping of parking and loading and manoeuvring. The assessment states all lots have adequate areas, as above, considerable earthworks have already been completed in advance of this subdivision application and screen planting offered in current locations is ineffective from our property for privacy, noise, dust and headlight glare.

We note the Landscape and Visual assessment report included in the subdivision application was completed on 13th May 2026. This assessment was completed after the physical work has been completed/changes have been made prior to the subdivision application, and we don't believe a site assessment has been made from our property outlook. It notes in section 5.3 that there are no proposed changes to the lot other than the conversion of the shed to a dwelling and a new driveway, as noted above, we consider that significant changes have been made prior to the assessment date. It goes on in section 6 to state that the planning and design of the subdivision includes using the existing farm access and shed for development. As noted previously, significant changes have been made prior to this assessment to both the accessway and the introduction of the shed in the recent time prior to the subdivision application.

It's also noted in section 5.4 that there is potential to overlook our property 564 Maratoto Road but due to the orientation of our house and the separation the effects are considered low. We disagree entirely with this. Our backyard is an important living space for us, having a yard like ours is why we live rurally, to enjoy the outdoors, space and privacy, and we consider the effect on this area of our property has been significant. The attached photos show the outlook from our property in this area before and after the work completed.

We do not agree with the proposed conditions of the landscape assessment. From our side of the fence these conditions do not mitigate the loss of privacy, introduction of noise, dust and headlight glare from the driveway being located right on our boundary and overlooking our back yard area. We have marked the area of most concern to us on the attached subdivision plan.

We would like to be able to be heard in relation to this application so we can speak to the points we raise above.

Please see attached the subdivision plan that shows the location of the driveway we indicated to Jackie as being of least effect to us and our property. We have also indicated where we believe suitable screen planting should be placed to mitigate the effects on our property.

We also attached the following photos:

- Earthworks in progress and the fill placed in the overland flow path for the new driveway
- The view of the new driveway from both our backyard and bedroom of our house which does present noise and headlight glare.
- The view from our backyard before the work started and the view now following the work completed in advance of the subdivision application.

The following are the reasons we presented with our affected persons form relating to the subdivision and the reasons stated here are still relevant so we present these again as part of this submission.

- Part of the new driveway to the new house is located very close to the boundary with our property. Both the house and the driveway are recently built (approx. 18mths ago)
  This now causes dust, noise and headlight glare directly into our back yard area.
  The shed marked on the plan is incorrect this is a dwelling.
  It seems common for a second dwelling these days, so the driveway will very likely have traffic from two homes.
- The owner of the new house has two excavators, one is large. These are operated from this new house, so the machinery uses this new driveway regularly.
  This can be very disruptive and noisy due to the location of the driveway right on our boundary and very close to our backyard.
- The overland flow path that crosses our property has been modified with the construction of the new driveway. The flow path has been filled and replaced with a culvert. The fill is >1m in height from what was the original low point.
- A swale and berm have also been made on the adjacent boundary line, apparently to mitigate the overflow onto our property, but this is also planted with trees, it hard to see how this swale can ever be maintained due to the trees.
  We had no issues with the existing overland flow path and would prefer it returned to its previous state.
- Any adverse effects of the swale/berm and culvert will be almost entirely on our property. Should this new drainage system become blocked or unmaintained over time it will result in ponding on our property. While dry right now, in very wet winters and events like cyclone Gabriel, this area can get a lot of water.

We’re not opposed to subdivision generally but we are concerned that the adverse effects to our property in this case have not been given any consideration because the work was completed prior to the subdivision application.

We would like to see the driveway to the new house relocated further away and angled away from our boundary. This will lessen the noise, dust and headlight glare effects to our property, and any potential ponding from culverting the overland flow path will be on their own property, not ours.

We would also like to see the second house site indicated on the plan and screening for both houses provided.

It does seem the work has been done in advance of a subdivision application to remove the need to really consider our concerns, and we believe the value, aesthetics and privacy of our property have been reduced with the location of the driveway and being so close to our property boundary.

We are happy to discuss and to meet at our property, see these things from our side of the fence and we can share our concerns in person.

Dave and Janet Stuart
564 Maratoto Road
Dated: 26/8/2026 and submitted with our submission to the limited notification resource consent application for subdivision of 546 Maratoto Road

The photos below show the amount of fill that has been placed to build up the driveway through the natural contours and overland flow path, dated January 2025.







The photos below show the extensive earthworks completed prior to the subdivision consent application to provide for the driveway and the shed/dwelling building platform.





The photo below shows the current view from our backyard, August 2026.



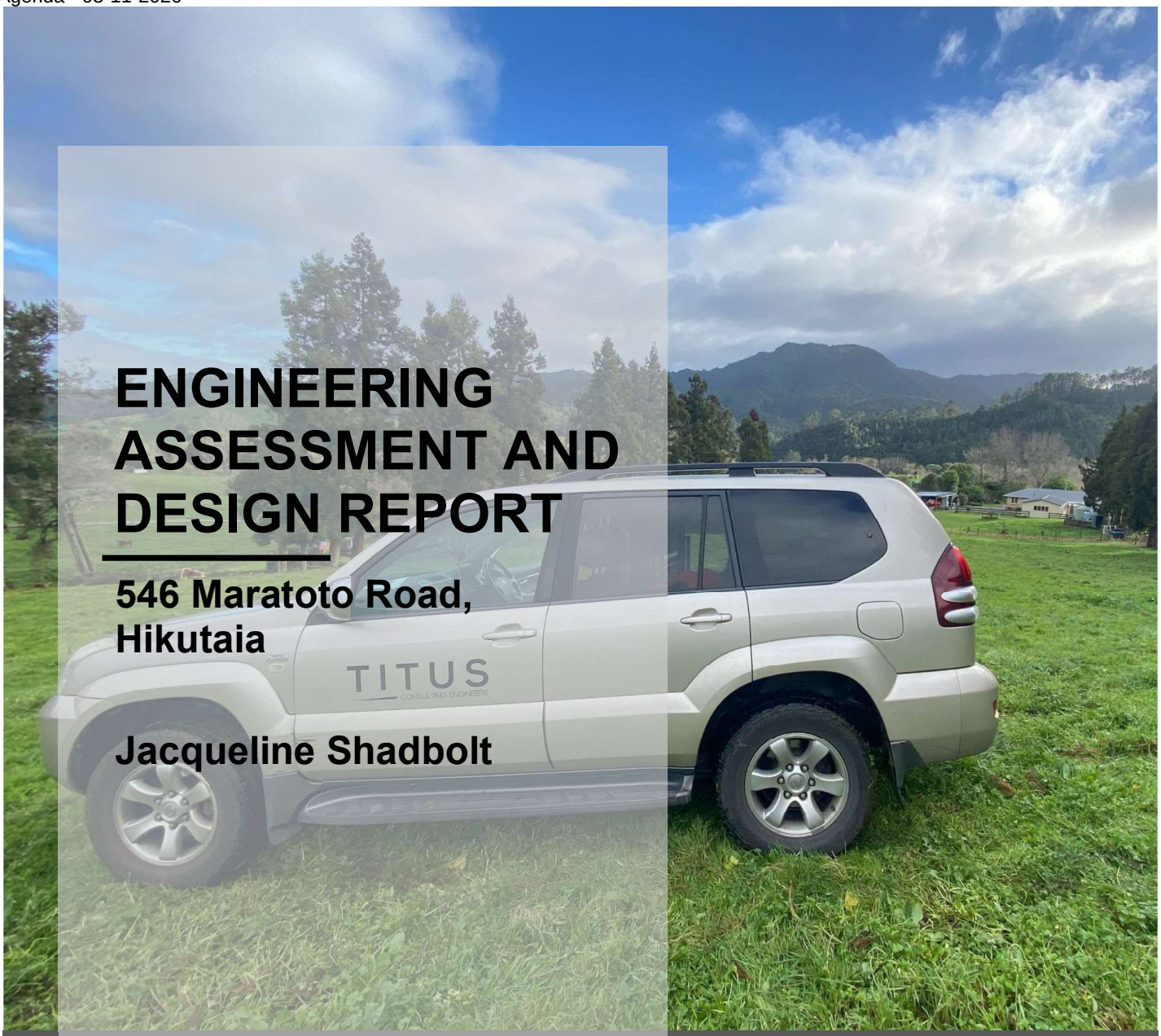
The photo below shows the view from our south facing bedroom in our house.







While not taken from exactly the same place these photos represent the outlook from our back yard before and after the work completed in advance of the subdivision application. The driveway location causes noise, dust and headlight glare into our property and we have a loss of privacy as the screen planting offered is located at the bottom of the hill in relation to the new building. The photo on the left is taken approximately 2 years ago and the photo on the right is August 2026.



ENGINEERING ASSESSMENT AND DESIGN REPORT

546 Maratoto Road, Hikutaia

Jacqueline Shadbolt

16 MARCH 2026

PROJECT NO. 15725

TITUS
CONSULTING ENGINEERS

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Principal Project Engineer

DOCUMENT HISTORY AND STATUS

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RECORD OF REVISION CHANGES

Revision A: First Issue.

Revision B: Wastewater Design Updated.

Revision C: Added Natural Hazard Assessment.

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1 INTRODUCTION

Titus Consulting Engineers has been engaged by Jacqueline Shadbolt to prepare an 'Engineering Assessment and Design Report' for a development proposed at 546 Maratoto Road, Hikutaia. It is understood this report will be used as part of a Building Consent application for the proposed development.

Requirements detailed within the Hauraki District Council Plan, Waikato Regional Council Plan, Consent Notices and Subdivisional Reports have been duly considered in the report and its recommendations.

The report includes the following:

- Background Information
- Site and Ground Investigation
- Natural Hazards Assessment
- Geotechnical Assessment
- Foundation Recommendations
- Stormwater Assessment and Design
- Wastewater Assessment and Design

The following technical documentation has been used in the preparation of the report:

- The Building Code
- NZS1170.5:2004
- NZS3604:2011
- MBIE/ NZGS Canterbury Guidance Modules
- AS/NZS 1547/2012
- WLASS RITS

The report is subject to revision based on any unsighted planning requirements.

2 BACKGROUND INFORMATION

Background information as summarised in the following sections, has been reviewed in preparation of this report.

2.1 Historical Imagery

An investigation of historical imagery relating to the site has been conducted using the Retrolens database. The investigation indicates the site land use has been farmland.

There is evidence of slope instability on the hills to the south of the site in the form of minor slips on the steeper hill slopes.

2.2 New Zealand Geotechnical Database

There are no relevant entries within the New Zealand Geotechnical Database to the site.

2.3 Previous Reports and Consent Notices

No previous reports, consent notices, or planning requirements are noted for the site.

2.4 Geological Setting

According to GNS Science (GNS Science, 2018), the underlying geological formation of this site is Minden Rhyolite Subgroup (Whitianga Group) of Coromandel Volcanic Zone, as shown in Appendix D. This was deposited between 8.69ma and 9.19ma. This formation is described as "Rhyolite flow and dome complexes with associated breccia and tuff; extensive hydrothermal alteration."

2.5 Seismic Hazard

The NZ Active Faults database (GNS Science, 2017) indicates that the nearest active fault is the Kerepehi Fault which is approximately 14km to the southwest of the site. The Kerepehi Fault is described as a Normal fault with a recurrence interval between 2,000 and up to and including 3,500 years.

Design earthquake magnitude and ground acceleration are determined in accordance with MBIE Guidelines Module 1 (NZGS/MBIE, 2021). The following design parameters have been adopted:

- Site Soil ‘Class D (Deep Soil site) based on NZS1170.5:2004.
- Importance Level 2 based on Table 3.2 of AS/NZS1170.0:2002.
- 50-year Building Design Life.

Seismic parameters determined for the site are detailed in Table 1 below.

Table 1: Seismic parameters (NZGS/MBIE, 2021)

Module 1 MBIE/NZGS					
Importance Level 2					
Design Life:		50 Years			
Ground Acceleration (SLS)		**Ground Acceleration (ULS)**		**Ground Acceleration (INT)**	
Paeroa		Paeroa		Paeroa	
Class D		Class D		Class D	
1/25		1/500		1/100	
M_{eff}	5.9	M_{eff}	5.9	M_{eff}	5.9
PGA, a_{max} (g)	**0.07**	PGA, a_{max} (g)	**0.3**	PGA, a_{max} (g)	**0.15**

3 SITE AND GROUND INVESTIGATION

3.1 Site Investigation

The site is located in Hikutaia, approximately 10km to the northeast of Paeroa centre. The site is currently an undeveloped paddock. The site is bordered by farmland and a residential dwelling to the north. The area near the proposed foundation is gently sloping to the north and the west. No retaining was noted on the site.

There are no significant water courses or gullies on the site. The proposed works will not influence the existing stormwater overland flow path/s (OLFP).



Figure 1: Site Photo

3.2 Ground Investigation

The site assessment conducted on 17th of June 2024 included the following:

- General site walkover
- Hand Auger Tests: 4
- Scala Penetrometer Tests: 18
- Percolation Test: 1

Test locations are shown in Appendix A.

Topsoil was found between 200mm and 300mm below the ground level. Underlying soils consist predominantly of clay. Overall, the hand augers showed a very stiff brownish orange silts and clays in all boreholes. Soil investigation logs are attached in Appendix B.

The ground water table was not found within 2.0m of the surface (tested mid-June).

No soft clays were found on the site (kPa < 25).

No peat soils were found on the site.

Soakage testing yielded a raw soakage rate of 840mm/hr.

4 NATURAL HAZARD ASSESSMENT

4.1 Potential Natural Hazards

Table 1 summarises the preliminary assessment of the site for Natural Hazards per Section 106 of the Resource Management Act 1991 (RMA) and the National Policy Statement for Natural Hazards (NPS for NH) 2025.

The NPS for NH includes:

- Flooding
- Landslips
- Coastal erosion
- Coastal inundation
- Active faults
- Liquefaction
- Tsunami

These hazards have been identified in the Table below. In some cases, they may be separated into multiple hazards (liquefaction), and additional hazards have also been included. The degree of damage incurred for each event is considered where no appropriate remedial actions are undertaken. The site risk potential for each natural hazard is interpreted by this preliminary assessment and is not necessarily conclusive.

Table 2: Natural hazard risk matrix key and risk assessment

DEGREE OF DAMAGE			
Low	Medium	High	Very High

	Likelihood						
	Almost Certain	**Very Likely**	**Likely**	**Possible**	**Unlikely**	**Rare**	**Very Rare**
ARI (years)	**up to 10**	**10 to 20**	**20 to 50**	**50 to 100**	**100 to 500**	**500 to 5000**	**> 5000**
AEP	**10% or More**	**10% to 5%**	**5% to 2%**	**2% to 1%**	**1% to 0.2%**	**0.2% to 0.02%**	**< 0.02%**
Catastrophic							
Major							• Volcanic eruption/ash fall
Moderate					• Flooding*	• Liquefaction* • Vertical settlements • Lateral spreading	
Minor					• Underground services uplift • Soft/Compressible Soils	• Landslips* • Tsunami* • Active faults* • Seismicity • Soil Expansivity	• Coastal Erosion* • Coastal inundation*
Negligible							

*Listed in NPS NH 2025

The potential risk for Natural Hazards at the site is discussed in the following sections.

4.2 Active Faults

As per Section 2.5.

4.3 Seismic Hazard

As per Section 2.5.

4.4 Liquefaction Assessment

A liquefaction assessment has been undertaken which consider the requirements of MBIE Guidance (Module 1 and 4 (2021)), planning and engineering guidance for potentially liquefaction prone land (2017) and the "ensuring new buildings can withstand liquefaction effects" section of the Building Performance website.

Waikato Regional Council have produced a 'Level A' liquefaction map for the region (Waikato Regional Hazards Portal, 2021). This shows that liquefaction at the site is considered "possible". The site is considered to be "Small-scale urban infill" as defined in Table 2 below.

Table 3: Liquefaction Study Detail Level

Table 3.7: Example matrix for determining minimum level of detail required for liquefaction categorisation at building consent stage

		Increasing likelihood and severity of ground damage			
		LIQUEFACTION VULNERABILITY CATEGORY[1,3,4]			
		LIQUEFACTION CATEGORY IS UNDETERMINED			
		LIQUEFACTION DAMAGE IS UNLIKELY		LIQUEFACTION DAMAGE IS POSSIBLE	
Increasing new capital investment and total exposure to a single event	DEVELOPMENT SCENARIO[2]	Very Low	Low	Medium	High
	Sparsely populated rural area (lot size more than 4 Ha) eg A new farm building	Level A	Level A	Level A[5]	Level A[6]
	Rural-residential setting (lot size of 1 to 4 Ha) eg A 'lifestyle' property	Level A	Level B	Level B[5]	Level B[6]
	Small-scale urban infill (original lot size less than 2500 m²) eg Demolish old house and replace with four townhouses	Level B	Level B	Level B[5]	Level D
	Commercial or industrial development[7] eg A warehouse building in an industrial park	Level B	Level B	Level C	Level D
	Urban residential development (lot size less than 1 Ha; typically <1000 m²) eg Home in a new subdivision	Level B	Level C[8]	Level C	Level D

As such a 'Level B' study is recommended for the development to gain building consent and has been conducted below. A 'Level B' study consists of the information used in a 'Level A' assessment but is calibrated against subsurface investigations on site. A comparison between the ideal conditions for liquefaction occurrence and conditions found on site is shown in the Table below.

Table 4: Conditions for liquefaction occurrence

Soil conditions considered susceptible to liquefaction occurrence	Site
Holocene to Late Pleistocene sediments	No
Cohesionless	No
Non-cohesive silt to medium to fine sand	No
Loosely packed	No
Shallow water table (<4m)	No
Thick non-liquefiable crust at the ground surface	Likely
Within 100m of a free face less than 2.0m high or within 200m of a face greater than 2.0m high	Yes

The seismic PGA given to this site (or nearest appropriate location) as derived from Module 1 (MBIE 2021) is listed in Table 1 for both SLS and ULS scenarios. This table shows the seismic risk on the site is considered relatively high.

Table 3 shows that ideal conditions are not present for the formation of liquefaction in the case of a large enough seismic event.

Using the information provided in Table 1 and Table 3 it is considered that liquefaction at this location is unlikely.

This site is within 100m of a free face less than 2.0m high or within 200m of a face greater than 2.0m high. Liquefaction at this location is considered unlikely as such lateral spread is also considered unlikely. No mitigation for lateral spread is deemed necessary.

Based on the above and in line with MBIE guidance the site shall be classed as TC1-like.

4.5 Underground Services

Given that the development is within a rural undeveloped site, the presence of buried services is not anticipated.

As liquefaction is considered unlikely service uplift is also considered unlikely.

4.6 Slope Stability Assessment

The slope on site complies with clause 3.1.2 (b) of NZS 3604:2011 with respect to building foundations located near the top of a bank.

The site is not affected by any slope instability, and the proposed works will not cause any slope instability.

Any cut to fill earthworks required to establish a suitable building platform shall be carried out under engineering supervision and in accordance with NZS4431:2022.

4.7 Volcanic Hazard

According to the available information obtained from the "GNS Science Volcano Geology and Hazards in New Zealand", the nearest active volcano is Rotorua, located approximately 85km east of the site. The volcano field is currently at 'Alert Level 0 – No volcanic unrest.' As such it is considered that no volcanic hazard is posed to the site currently. Long term volcanic hazards at this location include the possibility of ash fall. However, Alert Levels are subject to change resulting in hazards that may include 'near vent' hazards such as the creation of lahars in addition to ash falls. As such, Alert Levels will need to be monitored and action taken as appropriate to manage any risks.
Ash rarely causes direct damage, but instead accumulates and causes structures to collapse, especially if the ash becomes wet and heavy. It is generally recognised that ash falls of >50mm should be removed from roofs.

4.8 Flooding

The proposed works will not influence existing stormwater overland flow path/s (OLFP) and will not need to be redirected. Contours on site shows that any secondary overland flow paths will not affect any dwellings adjacent to the site. Hauraki District Council and the Waikato Regional Council Hazards Portal show no risk of flooding in the area.

4.9 Tsunami

The site is situated inland such that land damage due to tsunami or coastal processes is not expected at this location.

4.10 Static Settlement

Based on the building weight, proposed foundation type, ground improvement, and the absence of soft or organic material immediately beneath the building footprint; the assessed differential static settlements are estimated to be less than 25mm over a horizontal distance of 6m (1 in 240), as required by the Building Code, Appendix B Sections B1/VM4, clause B1.0.2.

4.11 Soil Expansivity

Ground investigations indicate near surface soils comprise of sand and do not contain potentially expansive clays. Accordingly, and in the absence of laboratory shrinkage tests, the soil behaviour has been considered as 'little to no ground movement from moisture changes' (A Class) in accordance with AS2870:2011. No mitigation of shrink/swell effects on foundations is considered necessary.

5 GEOTECHNICAL ASSESSMENT

This section details findings of a site and soils assessment in accordance with NZS3604:2011 cl. 3.1.3.1 "Determination of "Good Ground'" and the New Zealand Building Code – B1 (NZBC). This requires soils to have a minimum Geotechnical Ultimate Bearing Capacity of (GUBC) of 300 kPa (Allowable Bearing Capacity of 100 kPa for a Factor of Safety of 3) below foundations. For cohesionless soils, 5 blows per 100mm down to a depth of twice the footing width or 3 blows per 100mm at greater depths is required for bearing. For cohesive soils a GUBC of 300kPa is indicated by soils having a minimum undrained shear strength Su of 60kPa.

The investigation focussed on assessing the following key items:

- The bearing capacity of the soil in accordance with the NZBC.
- Potentially compressible ground causing static settlement. Including organic materials (peat/topsoil), un-engineered fill, soft cohesive materials or loose granular materials.
- Potentially expansive soils. Primarily cohesive materials capable of swelling and contracting due to seasonal variations in water content.
- Risk of potential movement. Including slope instability, soils erosion and effects from tree roots, any of which have the potential to cause movement in excess of 25mm.
- Liquefaction in accordance with the MBIE Canterbury Guidance.

Foundations outside of the scope of NZS 3604:2011, the NZBC or proprietary specifications would require *Specific Engineering Design* (SED).

5.1 Bearing Capacity

The ground investigation indicates that very stiff clays are present at a depth of 400mm below the ground level that are capable of providing a GUBC of 300kPa.

5.2 Good Ground Assessment

"Good Ground" in terms of NZS3604:2011 was found at 400-600mm bgl.

6 FOUNDATION RECOMMENDATIONS

The following foundations options are suitable given the soil conditions on site, however, are subject to the specific requirements of each of the foundation options as stated below.

In all cases, any cut to fill earthworks required to establish a suitable building platform should be out in accordance with NZS4431:2022.

These recommendations should be considered in conjunction with any other subdivisional reports for the site. Any discrepancies between consultant recommendations shall be clarified prior to finalising the works on site.

6.1 NZS3604:2011 Slab on ground

A NZS3604:2011 slab on good ground with site preparation in accordance with the table below is acceptable.

The excavations should be inspected by a suitably qualified engineer and any topsoil, soft areas or tree roots should be under cut. The whole excavation shall then be backfilled in accordance with the table below.

Table 5: NZS3604:2011 Slab on Ground Digout and SandPad Recommendation

Minimum depth of excavation to base of footings (good ground)	400-600mm
Backfill material	Sand (Granular fill (brown rock) below 500mm)
Compaction standard / base of footings	5 blows/100mm (Scala penetrometer) 300kPa (Vane Shear)
Inspection Schedule	1a - Base of footing 1b - and Sub grade prior to back fill (if required) 2 - Compacted and finished sand pad (if required) 3 - Compacted top of rock: clegg test (if required)
Foundation type	NZS3604:2011 slab on ground with footings
Comments	The foundation designer shall ensure adherence to all NZS3604:2011 specifications.

6.2 Specific Engineering Design Foundation

Alternative foundations may be considered and are required to be designed by a suitably qualified engineer.

Titus Consulting Engineers shall be engaged to perform inspections in compliance with the Building Code.

7 STORMWATER ASSESSMENT AND DESIGN

7.1 Design Parameters

- Lot Size: 479,046m^2
- Proposed roof area: 170m^2
- Land is sloping: towards the road
- Design storms:
  - Primary: 10yr ARI
  - Secondary: 100yr ARI
- Rainfall data: HIRDS 24hr Storm
- Climate change: 2.1 degrees warming
- Raw soakage rate: 840mm/hr (tested 17th of June 2024) – Refer to Appendix C for results.
- Adopted soakage rate: 420mm/hr

Figure 2 below summarises the catchment characteristics that have been adopted.

TANK DESIGN CALCULATIONS AND OUTPUTS

Rainfall Location	Event	ARI
Paeroa	Primary	10
	Secondary	100

Catchment	Area (m2)		C
	Existing	Proposed	
Grass	170		0.30
Roof		170	0.95
Concrete			0.90
Gravel			0.70
Other			-
TOTAL	**170**	**170**	
Composite C	0.30	0.95	
Adopted C	**0.30**	**0.95**	

Existing	Input / Select
Proposed	Answer

Existing Catchment Characteristics, Time of Concentration (Tc)	
Average grassed surface	0.045
Length of flow path (m)	15.00
Slope (%)	2.00
Tc (min)	10.34

Existing Q(max) (l/s) (interpolated wrt Tc)	1.22
Proposed Q(max) (l/s)	4.94

Figure 2: Stormwater Design Parameters

7.2 Design Results

The recommendations below are for the proposed site development.

Refer to Appendix F for the stormwater calculations and Appendix G for the indicative stormwater plan and typical details.

7.2.1 Attenuation Tank

It is proposed that the runoff from the design storm for the proposed roof is attenuated in a rainwater tank and released via a 30mm orifice to match the existing flow rate. The minimum detention storage is 2,900L. It is proposed that the site will use two tanks sized at 25,000L

each which may be located at the Client's discretion given that Council's requirements are met. The orifice shall be located 160mm below the overflow pipe of the tank.

The rainwater tank outlet and overflow shall discharge via level spreader at the base of the slope.

Subsurface water drains shall be sized in accordance with Acceptable Solutions and Verification Methods for New Zealand Building Code Clause E1 Surface Water (E1/AS1) Section 3.

7.2.2 Secondary flow path

The stormwater runoff from the proposed roof has been designed to be routed via the level spreader to the surrounding area inside the property.

7.3 Operation and maintenance

It is recommended that first flush devices are installed upstream of the rainwater tanks and that these devices are regularly checked and cleaned along with the catchpits and overflow pipes.

Any catchpits installed are required to have 90° bends at the inlets and outlets.

7.4 Construction Monitoring Inspection Schedule

Titus Consulting Engineers shall inspect the storm water system during construction. All key components of the stormwater system shall be inspected, including the installation of underground devices and outlets.

8 WASTEWATER ASSESSMENT AND DESIGN

8.1 Design Parameters

The following design parameters have been adopted to design the system to meet the requirements:

- Water supply to the property will be roof water tank supply.
- 1 bedroom dwelling
- 2 people occupancy.
- 145L/day/person.
- Peak daily flow 290L/day.
- The soil at the site is classified as a soil 4 (Clay Loams) (AS/NZS 1547:2012).
- Council planning maps show no flooding on site

8.1.1 Water Use Requirements

The following water use requirements are noted:

- Design information of 145L/day/person is based on AS/NZS 1547:2012. This requires the proposed building to have standard water reduction fixtures.
- Standard water reduction fixtures include: dual flush water closets, shower flow restrictors, aerator faucets, and water-conserving automatic washing machines.
- Food preparation facilities, which are not domestic for a single household, are to have grease traps installed upstream of the septic system.

8.2 Pump Requirements

A pump may be required due to the flat nature of the ground. Maximum depth of disposal beds is 600mm below the surface.

8.3 Treatment Design

8.3.1 Primary Treatment System

Primary treatment will be achieved using a septic tank (with Zabel filter). This system can treat up to a maximum of 1,300l/day (averaged over a one-month period) under the Waikato Regional Council conditions for rule 3.5.7.5 of the Waikato Regional Plan.

Limitations of the primary system include:

- Average Daily Flow shall be <1,300l/day;
- Water table shall have a 0.6m offset;
- Slope of disposal field shall be <15%;
- Size of property shall be ≥2,500m^2;
- Difficult in category 5 soils; and
- Not acceptable in category 6 soils.

The proposed primary system has been designed as per the table below.

Table 6: System Specifications

Min Septic Tank (L)	24hr settling volume (L)	Scum and sludge capacity (L)	Max Pump out frequency (Yrs)
3000	290	800	5
DLR recommended (mm/d)	DLR adopted (mm/d)	Daily Flow (L/day)	Basal area (m^2)
4-15	10	290	29

8.3.2 Wastewater Disposal

Primary treatment will be achieved using a septic tank (with Zabel filter) with disposal through conventional beds. The design is outlined in the table below.

Table 7: Disposal Method Specifications

Disposal Method / Specification	Beds
Number of beds	1
Length (m)	20
Width (m)	1.5
Spacing (m)	1
Basal area (m^2)	29
Total area (m^2)	29 + 29 Reserve Area

It is required that the flows be distributed evenly to each trench. This can be achieved with an open splitter box (Dart developments or similar) that provides even distribution to all outlet pipes. Conventional Y or T-junctions with or without flow baffles should not be used. The levels of the pipes installed in each trench are to be closely monitored to ensure even distribution of flows across the length of each disposal trench. It is specifically required that each trench / bed be constructed flat and parallel to the contours of any slope. Disposal fields shall be constructed in natural soil and located away from any isolated low points or areas where ponding of stormwater may occur.

Appendix G provides an indicative layout of the proposed wastewater system and typical details.

8.4 Maintenance, Operation and Planting

Maintenance and Operation of the system shall be as per the manufacturers specifications, AS/NZS 1547:2012 and the recommendations contained in the appendices.

Planting shall be as per AS/NZS 1547:2012 and the recommendations contained in the appendices.

8.5 Construction Monitoring Inspection Schedule

Titus Consulting Engineers shall inspect the installation of the Septic Treatment and Land Disposal Systems prior to any excavations and pipe installations being buried.

9 REFERENCES

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10 LIMITATIONS

This report does not assess risk of contamination of soils. This report does not provide, a foundation design, an assessment of flood risk or a FFL recommendation.

Testing portrays a limited percentage of ground conditions at 546 Maratoto Road, Hikutaia and may not be representative of all soils present on site.

Assessment of the water table depth and moisture content is subject to seasonal variation.

On site wastewater disposal systems which rely on soakage to ground are subject to performance deterioration over time and temporary inundation due to perched or shallow water tables which may occur after periods of heavy rain. Additionally, inundation of distribution boxes or septic tanks may cause systems to temporarily backup and stop functioning. These conditions are generally temporary and normalise with pumping out of the system and once elevated water table levels have subsided. The client accepts responsibility for the maintenance, operation, and remediation of the system under the above-mentioned conditions.

During excavation and construction, the site should be examined by a suitably qualified engineer in order to assess whether the exposed subsoils are compatible with the inferred soil conditions on which the recommendations have been based and potentially further investigation and design rationalisation may be required.

This report has been prepared solely for Jacqueline Shadbolt, its professional advisors and local authorities in relation to 546 Maratoto Road, Hikutaia. No liability is accepted for its use for any other purpose or by any other entity. Reliance by other parties or future owners of the property on the information or opinions contained in the report shall be verified with Titus Consulting Engineers.

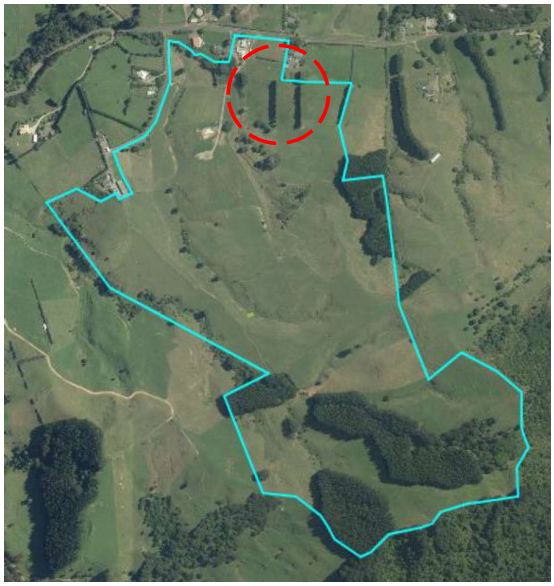
Should you be in any doubt as to the recommendations of this report it is essential that you discuss these issues with Titus Consulting Engineers prior to proceeding with any work based on this report.

The recommendations in this report do not supersede recommendations of other engineering reports and shall be considered in conjunction with all other information available for the site.

APPENDICES



APPENDIX A –Test Locations





APPENDIX B - Ground Investigation Logs

TITUS CONSULTING ENGINEERS

Log: 1 of 1

HA1

Address: 546 Maratoto Road
Date: 18/06/2024
Testers: MichaelF, HarryG

Project №: 15725

Water Table:	Depth (mm):	Geology:	Graphic Log:	Material Description:	Blows /100mm: 5 10 15	Shear Strength (kPa): Undrained:	Remoulded:	Sensitivity:
Not Found	100–300	Undefined		Topsoil				
	400–1200	Minden Rhyolite Subgroup		SILT with some clay, brownish orange, low plasticity, moist, stiff		158	63	2.5
						132	53	2.5
						139	59	2.3
	1200			*End of Borehole @1200mm*				

TITUS CONSULTING ENGINEERS

Log: 1 of 1

HA2

Address: 546 Maratoto Road
Date: 18/06/2024
Testers: MichaelF, HarryG

Project №: 15725

Water Table:	Depth (mm):	Geology:	Graphic Log:	Material Description:	Blows /100mm: 5 10 15	Shear Strength (kPa): Undrained:	Remoulded:	Sensitivity:
Not Found	100	Undefined		Topsoil				
	200							
	300	Minden Rhyolite Subgroup		SILT with minor clay, brownish orange, low plasticity, moist, stiff				
	400					83	46	1.8
	500							
	600							
	700							
	800					162	66	2.4
	900							
	1000							
	1100			Silty CLAY, light brown, high plasticity, moist, very stiff				
	1200					168	92	1.8
	1300			CLAY with some silt, brownish orange, high plasticity, moist, stiff to very stiff				
	1400							
	1500							
	1600					149	78	1.9
	1700							
	1800							
	1900							
	2000					173	99	1.8
	2100			*End of Borehole @2000mm*				

TITUS CONSULTING ENGINEERS

Log: 1 of 1

HA3

Address: 546 Maratoto Road
Date: 18/06/2024
Testers: MichaelF, HarryG

Project №: 15725

Water Table:	Depth (mm):	Geology:	Graphic Log:	Material Description:	Blows /100mm: 5 10 15	Shear Strength (kPa): Undrained:	Remoulded:	Sensitivity:
Not Found	100	Undefined		Topsoil				
	200							
	300	Minden Rhyolite Subgroup		CLAY with some silt, brownish orange, high plasticity, moist, stiff		149	76	2
	400							
	500							
	600							
	700					155	83	1.9
	800							
	900							
	1000							
	1100							
	1200					152	66	2.3
	1300							
	1400			SILT with minor clay, brownish orange, low plasticity, dry to moist, very stiff				
	1500							
	1600					215	79	2.7
	1700							
	1800			CLAY, brownish orange, high plasticity, moist, very stiff				
	1900							
	2000					231	66	3.5
	2100			*End of Borehole @2000mm*				

TITUS CONSULTING ENGINEERS

Log: 1 of 1

HA4

Address: 546 Maratoto Road
Date: 18/06/2024
Testers: MichaelF, HarryG

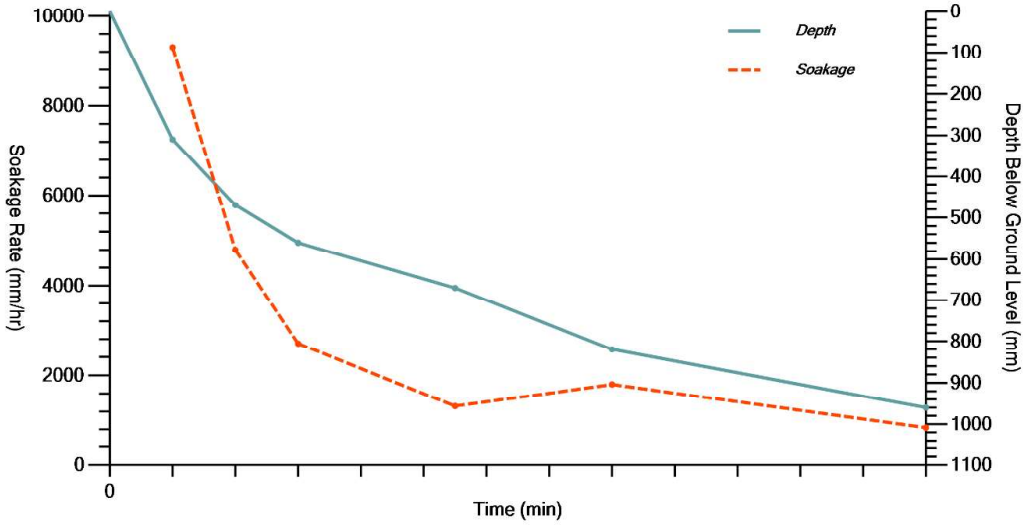
Project №: 15725

Water Table:	Depth (mm):	Geology:	Graphic Log:	Material Description:	Blows /100mm: 5 10 15	Shear Strength (kPa): Undrained:	Remoulded:	Sensitivity:
Not Found	100, 200, 300	Undefined		Topsoil				
	400, 500, 600, 700, 800, 900, 1000	Minden Rhyolite Subgroup		SILT with minor clay, brownish orange, low plasticity, moist, stiff to very stiff		162	50	3.3
						215	88	2.5
	1100, 1200			Clayey SILT, light brown, low plasticity, moist, hard		2146	116	18.6
	1300, 1400, 1500, 1600, 1700, 1800, 1900, 2000			CLAY with some silt, brownish orange, high plasticity, moist, very stiff to hard		1816	116	15.7
						195	116	1.7
	2100			*End of Borehole @2000mm*				

APPENDIX C - Percolation Test

Percolation Test Sheet

Project ID 15725
Address 546 Maratoto Road



Reading	Time Elapsed (min)	Drop (mm)	Soakage Rate (mm/hr)	Refill
1	2	310	9300	
2	4	160	4800	
3	6	90	2700	
4	11	110	1320	
5	16	150	1800	
6	26	140	840	

Log	HA1
Date	18/06/2024
Staff	MichaelF, HarryG
BH Depth	1200 mm
Ground Water	Not Encountered
Main Soil Type	SILT
Seasonal Variation	Conservative
Raw Soakage	840 mm/hr

APPENDIX D - Underlying Geology



Name:	Minden Rhyolite Subgroup (Whitianga Group) of Coromandel Volcanic Zone
Simple name:	Neogene igneous rocks
Main rock name:	rhyolite
Stratigraphic age:	IMi, PI
Description:	Rhyolite flow and dome complexes with associated breccias and tuffs.

APPENDIX E – Desktop Slope Investigation



TITUS CONSULTING ENGINEERS

APPENDIX F - Calculation Sheet

TANK DESIGN CALCULATIONS AND OUTPUTS

Existing	Input / Select
Proposed	Answer

Rainfall Location	Event	ARI
Paeroa	Primary	10
	Secondary	100

Existing Catchment Characteristics, Time of Concentration (Tc)	
Average grassed surface	0.045
Length of flow path (m)	15.00
Slope (%)	2.00
Tc (min)	10.34

Catchment	Area (m2)		C
	Existing	Proposed	
Grass	170		0.30
Roof		170	0.95
Concrete			0.90
Gravel			0.70
Other			-
TOTAL	**170**	**170**	
Composite C	0.30	0.95	
Adopted C	**0.30**	**0.95**	

Existing Q(max) (l/s) (interpolated wrt Tc)	1.22
Proposed Q(max) (l/s)	4.94

ARI	10									
Duration(min)	10	20	30	60	120	360	720	1440	2880	4320
Intensity	87.2	60.4	49.3	35.2	25.2	14.5	9.8	6.4	3.9	2.9
Intensity CC	111.2	77.0	62.9	44.9	31.9	17.8	11.8	7.5	4.5	3.2
Existing Q (l/s)	1.2	0.9	0.7	0.5	0.4	0.2	0.1	0.1	0.1	0.0
Proposed Q (l/s)	5.0	3.5	2.8	2.0	1.4	0.8	0.5	0.3	0.2	0.1

ARI	10									
Duration	10m	20m	30m	60m	2h	6h	12h	24h	48h	72h
Depth EX	14.5	20.1	24.6	35.2	50.4	86.8	118.0	153.0	188.0	205.0
Depth CC	18.5	25.6	31.4	44.9	63.7	106.5	141.5	179.0	215.6	233.0
Existing Vol m3	0.7	1.0	1.3	1.8	2.6	4.4	6.0	7.8	9.6	10.5
Proposed Vol m3	3.0	4.1	5.1	7.2	10.3	17.2	22.9	28.9	34.8	37.6

Effective Tank Dia (m	4.8	effective head m		0.16	Sharp edge	
ARI	10.0	orifice size mm		37.6	Cd	0.62

Duration	10m	20m	30m	60m	2h	6h	12h	24h	48h	72h
Volume in	3.0	4.1	5.1	7.2	10.3	17.2	22.9	28.9	34.8	37.6
Volume out	0.7	1.5	2.2	4.4	8.8	26.4	52.8	105.6	211.3	316.9
Volume store	2.3	2.7	**2.9**	2.8	1.5	-9.2	-30.0	-76.7	-176.4	-279.2

Tank Calc

Height	2.80
Volume (m3)	50.00
Volume MAX (m3)	2.87
Diameter (m)	4.77

Capacities	
Run off reuse (m3)	47.1
Detention (m3)	2.9

APPENDIX G – Engineering Plans & Typical Details

Attached separately

APPENDIX H - Key Do's & Don'ts for the Householder

DO

- Minimise your water use.
- Minimise the length of showers.
- Use showers in preference to baths.
- Use bio-degradable soaps and cleaners
- Check all your cleaning products to see if they are suitable for septic tanks.
- Minimise use of strong toilet cleaners.
- Scrape all plates and dishes to remove as much fat and grease as possible. Clean with paper towels and place in the rubbish.
- Report/fix all leaking taps as soon as possible.
- Use phosphate free/low phosphorus based laundry detergents.

DO NOT

- Don't pour any toxic/strong chemicals (paint, oil, grease, paint thinners, pesticides down any drains).
- Don't flush any products down the toilet, other than standard toilet paper.
- Don't discard any drugs down the sink or toilet.
- Don't use strong cleaners.
- Don't tip chlorine cleaners or disinfectant based products into the system.
- Don't use huge amounts of cleaners.
- Don't use chemical drain cleaning products.
- Don't do all your laundry on one day.
- Don't install in-sink garbage grinders. If a grinder exists, don't discharge high volumes of scraps, especially carbohydrates or fats/oils down it.
- Don't put coffee grounds down the sink.

APPENDIX I - Maintenance, Operation and Planting Recommendations

Attached separately

Appendix G

MagiQ Reference: 4135058

DECISIONS OF THE HAURAKI DISTRICT COUNCIL

NOTIFICATION UNDER s95 AND DETERMINATION UNDER s104

RESOURCE MANAGEMENT ACT 1991

Consent Number:	201.2025.00002113.001
Application Summary:	Application under Section 88 of the Resource Management Act 1991 to carry out a rural subdivision to create one lifestyle lot and one general rural lot
Lodged:	25th March
Further Info Requested:	14th April
Further Info Received:	8th June
Applicant:	Jacqueline Rae Shadbolt
Agent:	Waihi Land Surveyors Limited
Site address:	546 Maratoto Road, Maratoto
Legal Description of Site:	Lot 2 DP 462101 (RT 608935)
Zone:	Rural Zone Outstanding Natural Landscape Overlay
Rule:	Rule 9.4.1.2(4) – lifestyle lots in the Rural Zone Rule 8.4.3.3 – Vehicle access and crossing standards
Activity Status:	**Discretionary**
NES Consideration:	**N/A**
Right of Objection (s357A)	**Yes**: For applications made under Section 88
Right of Appeal (s120)	**Yes**

SUMMARY OF NOTIFICATION DECISION

1. Pursuant to sections 95A-95G of the RMA the application will be processed on a limited notified basis given the findings of Section 8.0 of this report. This decision is made by Council's Principal Planner Consents on 5th day of August 2026 under delegated authority pursuant to Sections 34 and 34A of the RMA.

MagiQ Reference: 4135058

1.0 SITE DESCRIPTION, LOCALITY, AND HISTORY

1.1 Site Locality and Surrounding Environment

The subject site is located within the Maratoto Valley at 546 Maratoto Road, approximately 10km north-east of Paeroa Town and 6km east of Hikutaia Township.

The surrounding environment is characterised by steep and rolling topography, with the site situated on the western foothills of the Coromandel Ranges. The Hikutaia River is located north of the site, this river receives flows from several other streams that originate within the ranges. The river also forms part of the territory boundary between Hauraki District and Thames-Coromandel District.

Land use within the wider area is predominantly pastoral farming, although several horticultural activities, including orchards, are established to the west of the site. The area also contains large areas of indigenous vegetation associated with the nearby Coromandel Forest Park.

Properties adjoining Maratoto Road comprise a mixture of larger rural farming properties and smaller rural lifestyle blocks. Residential activities associated with the lifestyle properties are generally dispersed along the road frontage, although development density varies throughout the valley. The land immediately surrounding the subject site is predominantly characterised by rural lifestyle properties and associated residential development.

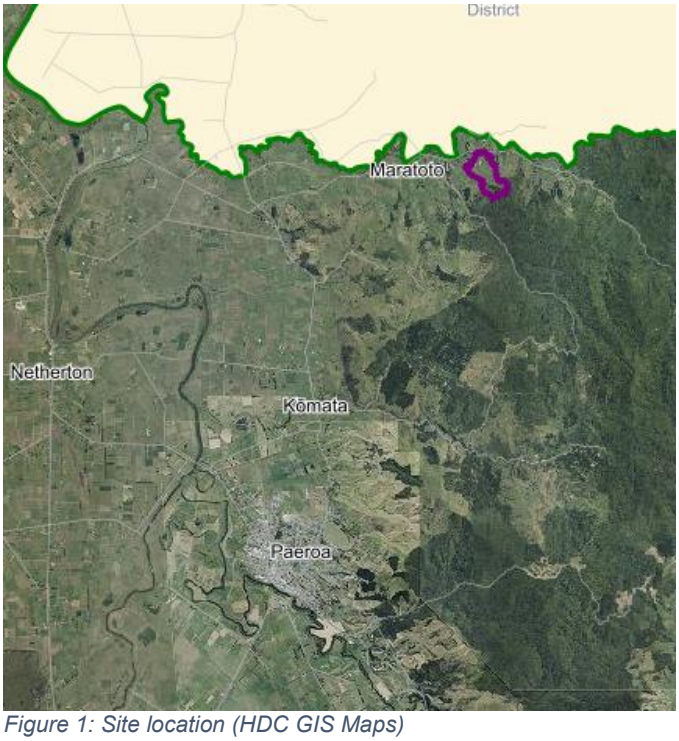


Figure 1: Site location (HDC GIS Maps)

MagiQ Reference: 4135058

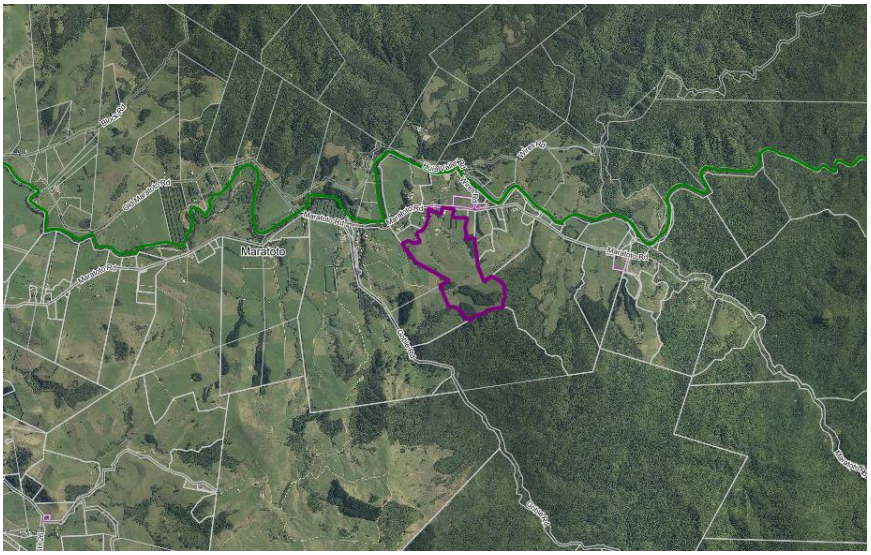


Figure 2: Surrounding environment (HDC GIS Maps)

1.2 Existing Environment

The subject site has an area of 47.9 hectares and is characterised by moderately steep rolling topography across the southern portion of the property, which gradually becomes gentler toward the Maratoto Road frontage. The site contains several gullies that function as natural overland flow paths, conveying stormwater through the property during rainfall events.

Several areas of vegetation are present throughout the site, an area of indigenous bush is located in the south-eastern corner of the property.

The site is presently utilised for pastoral farming activities. The property currently comprises predominantly of grazed pasture together with a number of farming accessory buildings, two existing dwellings, one minor dwelling and a recently built shed that has bathroom facilities and a fireplace.

MagiQ Reference: 4135058



Figure 3: Subject site (HDC GIS Maps)

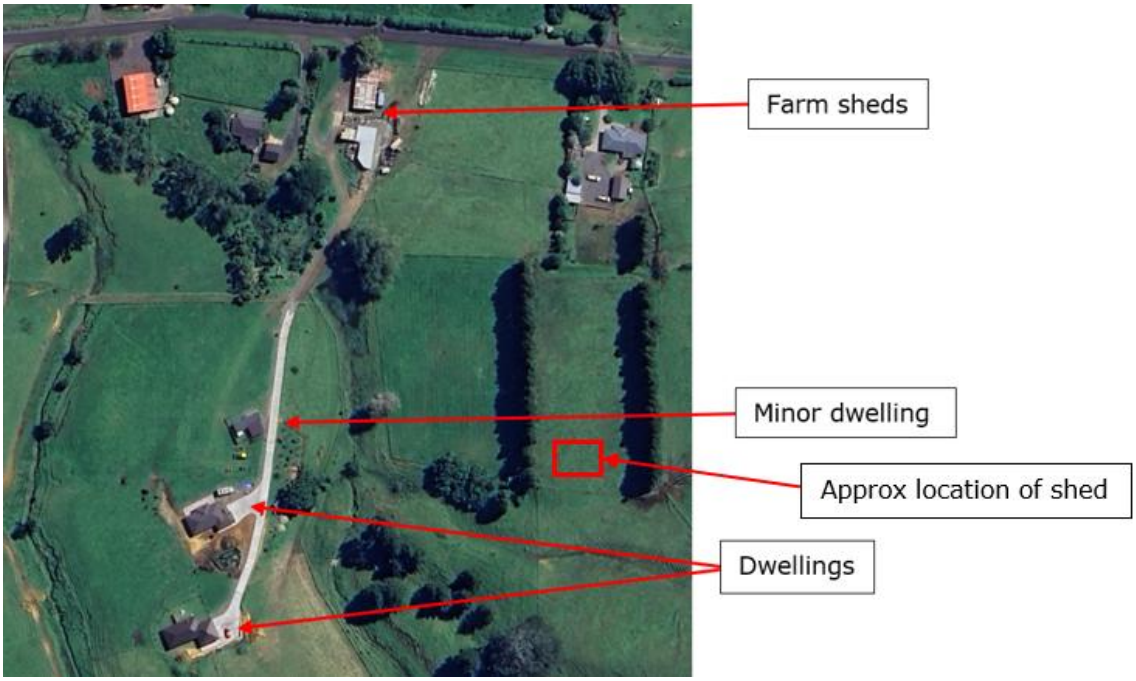


Figure 4: Existing buildings onsite (HDC GIS Maps)

1.3 Site Visit

A site visit was undertaken on 18th November 2025.

2.0 LEGAL AND PLANNING

2.1 Record of Title and Registered Interests

MagiQ Reference: 4135058

The site is legally described as Lot 2 DP 462101 And held under Record of Title 608935, which is a freehold title.

The is subject to the following interests:

- *B324831 Land Improvement Agreement pursuant to Soil Conservation and Rivers Control Act 1941 - 16.2.1996 at 11.15 am*
- *Subject to a right to convey electricity and telecommunications over part marked C on DP 462101 created by Easement Instrument 7148365.3 - 6.12.2006 at 9:00 am*
- *Appurtenant to part formerly Lot 4 DP 366390 is a right to convey electricity and telecommunications created by Easement Instrument 7148365.3 - 6.12.2006 at 9:00 am*
- *The easements created by Easement Instrument 7148365.3 are subject to Section 243 (a) Resource Management Act 1991*

The applicant has provided comments from Waikato Regional Council regarding the Land Improvement Agreement (LIA) that is in place. The LIA will be transferred onto both new titles as the agreement contains areas within both proposed lots.

The existing easements will remain in place.

No interests registered on the title will prevent the proposal from proceeding.

2.2 Roading

Maratoto Road is classified as a collector road under the Hauraki District Plan. Hauraki District Council is the controlling authority for collector roads.

2.3 Planning

The subject site is located within District Plan Map 17 and is zoned Rural.

The site contains a small area identified as a Significant Natural Area (SNA), which corresponds with the indigenous vegetation located in the south-eastern corner of the property (shown as green below).

A small portion of the southern area of site is also identified as an Outstanding Natural Landscape Area (ONLA) (shown as grey below).

The site is within Land Use Capability Class 4 and 6.

Other than the SNA and ONLA overlays, there are no identified amenity protection areas, heritage overlays, natural features, or other planning overlays affecting the subject site.

MagiQ Reference: 4135058

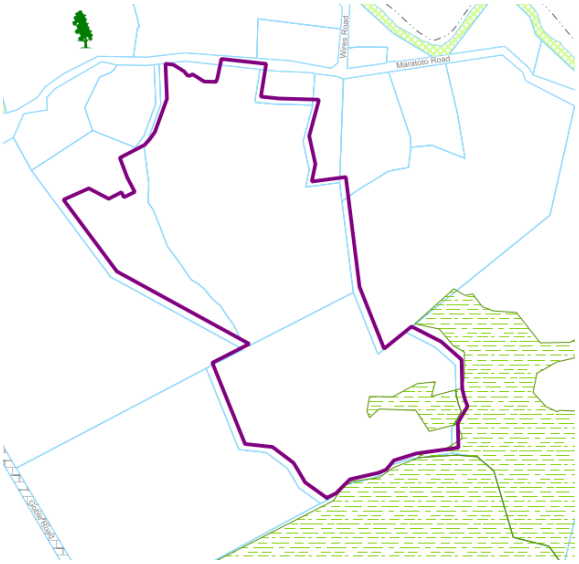


Figure 5: District Plan Map - SNA Overlay (HDC GIS Maps)

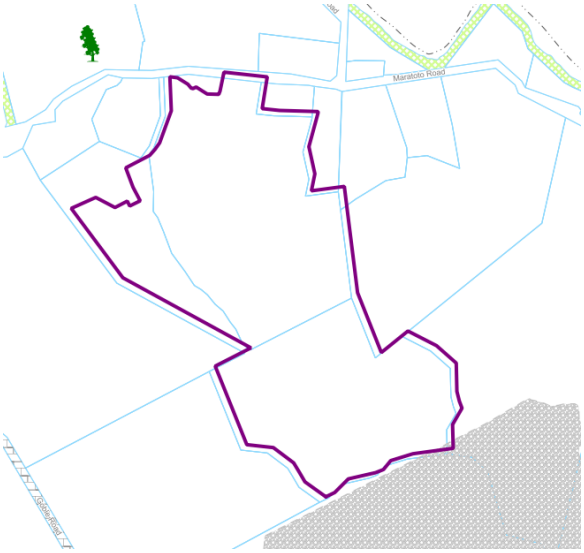


Figure 6: District Plan Map - ONLA Overlay (HDC GIS Maps)

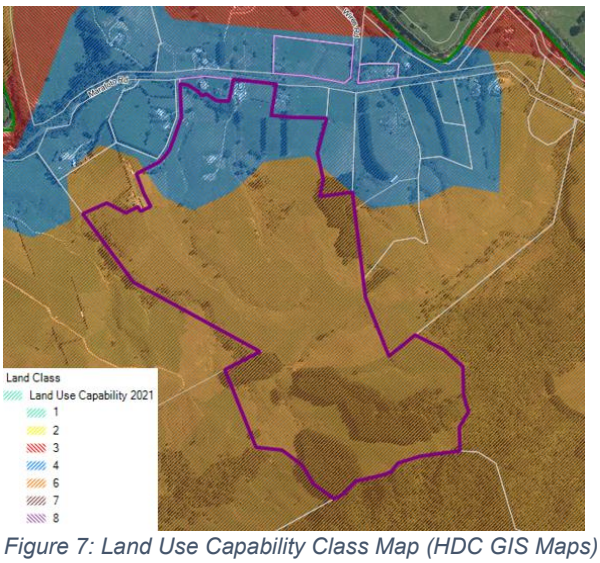


Figure 7: Land Use Capability Class Map (HDC GIS Maps)

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2.4 Planning History

The site is subject to a number of previous subdivisions and associated variations. These are outlined below:

- RC 81.363.433 granted 15 February 1996, which created one lifestyle lot (shown as the blue star below in figure 8).

- RC 82.363.046 (05070/099.01) granted on the 20 November 2003, which approved 6 lifestyle lots. Several variations were then approved, including completing the subdivision in two stages and variations to the consent notices that were imposed as part of the consent. The final lot configuration resulted in three lifestyle lots being created (shown as red stars below).

- SUBD-201.2012.00000094.001 granted on 25th January 2013, which approved another 2 lifestyle lots (shown as yellow stars below).



Figure 8: Previous subdivision consents from the parent title (HDC GIS Maps)

In 2020, the owners submitted a subdivision application to create 2 lifestyle lots and 1 general rural lot. A section 92 was sent to the agent, and the application was placed on hold. Several responses from the agent were received, however, not all section 92 matters were addressed, and the consent has remained on hold.

The site has more recently obtained resource consent for a minor dwelling (LUSE-202.2024.00001978.001) which was granted on 22nd November 2024. The minor dwelling location is shown above in figure 4.

No building consent of certificate of acceptance was obtained for the minor dwelling.

Table 1 below outlines all previous building consents that Council have on file that have been issued for the site.

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Table 1: Existing Building Consents

BC Number	Description of Work	Date Received
101.2012.00000601.001	Implement Shed	18/09/2012
101.2017.00002453.001	New Dwelling	20/10/2017
101.2018.00003001.001	Alterations to Dwelling	14/11/2018
101.2019.00003098.001	New Dwelling	25/02/2019
101.2024.00051560.001	Shed with fireplace	01/08/2024

3.0 PROPOSAL

3.1 Proposal

Pursuant to Section 88 of the Resource Management Act 1991 ('the Act'), Waihi Land Surveyors Limited (WLS), on behalf of Jacqueline Rae Shadbolt, have applied to the Hauraki District Council to carry out a rural subdivision to create a lifestyle lot and a general rural lot.

The application is supported by the following technical reports and documentation:

- Engineering Assessment & Design Report – Titus Consulting Engineers
- Landscape & Visual Assessment – Sally Peake of Peake Design Limitied

WLS have provided a description of the proposal in their AEE, which I adopt. A summary of the proposal as detailed in the application and supporting reports is provided below.

Further Information Received
During the process, the application has been varied and amended. An application was originally submitted to Council by the applicant in October 2025, this application was to create 2 lifestyle lots.

A section 92 letter was sent by Council. In response to this section 92 letter, WLS withdrew their existing application and submitted a new one which changed the proposal to create 1 lifestyle lot and 1 general rural lot.

From there, after further discussions around effects on the adjacent neighbours and potential cumulative effects, WLS requested the application be put on hold so they could further address these in the application. WLS then submitted an amended application and further information which included a landscape and visual assessment and written approvals from several of the neighbours.

Lot Configuration

Table 2: Proposed lot configuration

Proposed Lot	Area	Lot Description
Proposed Lot 1 (lifestyle lot)	5.97ha	This lot will include the existing shed with the fireplace. The applicant has advised that the shed will be converted to a dwelling once new titles have been obtained. One of the existing farm sheds will also be located within this lot.

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Proposed Lot 2 (general rural lot)	41.93ha	This lot will contain the two existing dwellings, minor dwelling and the rest of the farm buildings within its boundaries. The SNA will also be contained within this lot as well as the small area of ONLA.

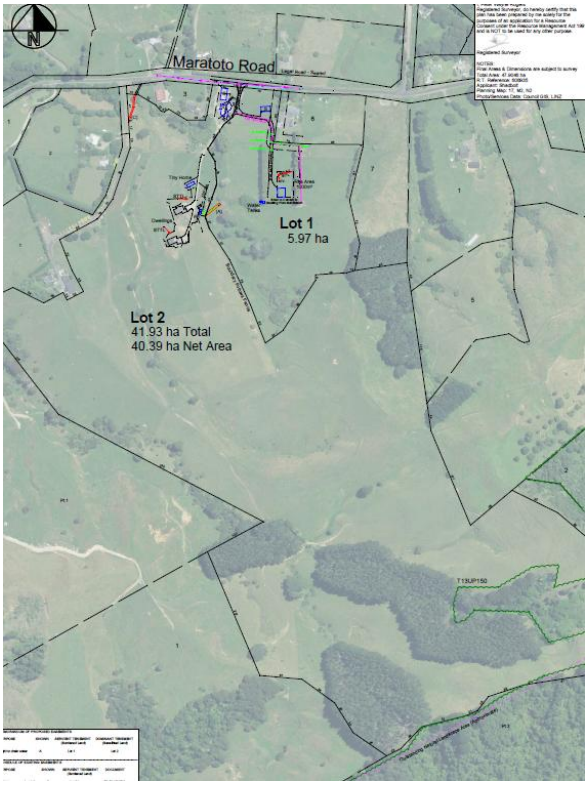


Figure 9: Proposed subdivision layout (Scheme Plan)

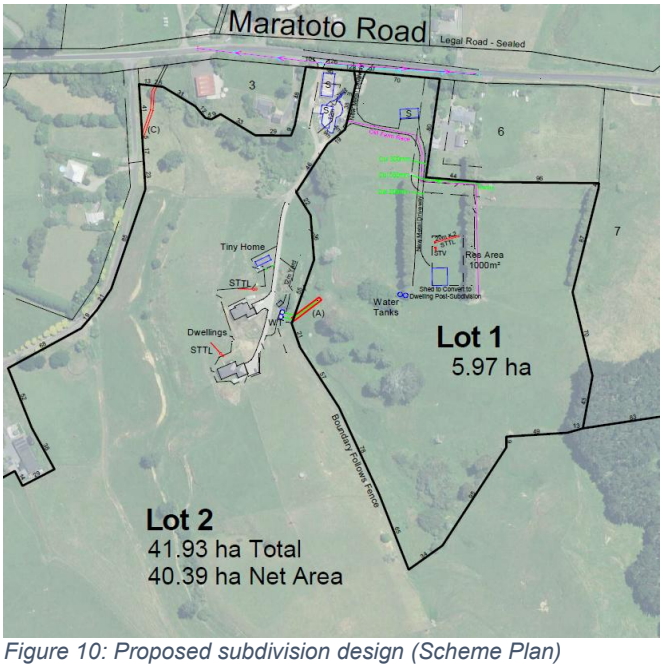


Figure 10: Proposed subdivision design (Scheme Plan)

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Access
Proposed lot 1 and 2 will continue to be accessed via the separate existing vehicle crossings from Maratoto Road.

There has been no upgrade proposed for either of the vehicle crossings as part of the application due to both being existing and servicing each lot already.

Proposed lot 1 will utilise the existing driveway that provides access to the shed. It utilises the old farm race and a metal driveway the applicant has recently constructed. The application identified that the newly formed driveway to the proposed residential area on lot 1 will not meet the gradient standards, they have not proposed to seal or concrete this part of the driveway due to the it being relatively short in length and only being a small portion in excess of the 12.5% required. Additionally, they have stated that the existing driveway is also being used regularly by the owners with no issues. Therefore, they have proposed it remain formed in metal as it currently is.

The driveway to the dwellings on proposed lot 2 is all existing and no changes are proposed to this existing situation.



Figure 11: Proposed lot 1 existing vehicle crossings (AEE)



Figure 12: Proposed lot 2 existing vehicle crossing (AEE)

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Figure 13: Recently formed driveway to lot 1 (AEE)

Servicing

Table 3: Proposed servicing for the lots

Proposed Lot	Water	Wastewater	Stormwater	Power
Proposed Lot 1	Lot 1's shed has roof catchment to tanks for potable water supply.	The application has provided plans that show that the disposal fields for each lot will not cross the new internal boundaries.	There is existing on-site stormwater disposal for the farm sheds near the road frontage, the existing dwellings and shed on lot 1 utilise retention tanks for potable water supply. An easement has been shown over lot 1 for lots 2's existing overflow disposal to the overland flow path within the site.	A power supply is not proposed for lot 1 due to solar already installed on the new shed. The application has suggested a Consent Notice advising "that no power landline connection has been provided to the Lot 1 as part of the subdivision".
Proposed Lot 2	This lot has roof catchment to tanks for potable water supplies for each dwelling. The farm is supplied from a bore. The application has advised that any water cross-connections for the troughs			This lot has an existing power connection to the dwellings onsite.

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	between the new lots can also be cut prior to 224c.			

Landscaping
A Landscape and Visual Assessment (LVA) was submitted as part of the application. The LVA proposed no planting but did recommend the following consent notice conditions:

- Fences shall be post and wire or timber post and rail. No close board fencing will be permitted.
- Driveways or parking areas shall be formed in natural stone or gravel, or be coloured in dark/earth tones.
- (Potential offer) No buildings or structures shall be constructed within 12m of the rear boundary with 564 Maratoto Road.

4.0 ACTIVITY STATUS

4.1 The District Plan

Table 4: Assessment against Subdivision Rules

Lifestyle Lots in the Rural Zone (District Plan Rule 9.4.1.2)				
LIFESTYLE LOTS IN THE RURAL ZONE In the Rural Zone, land may be subdivided to create lifestyle lots as a Controlled Activity as specified in 9.4.1.2(1) and (2) below:				
Standard	**Complies**	**Does not comply**	**N/A**	**Comment**
(1) PLAINS AND WAIHI BASIN AREA			N/A	Not applicable. Outside these overlay areas.
(2) ALL OTHER PARTS OF THE RURAL ZONE (OUTSIDE OUTSTANDING NATURAL LANDSCAPE AREA AND DISTRICT AMENITY LANDSCAPE AREA)		X		Part of the land subject to subdivision (title being subdivided) is within the ONLA.
(a) For each certificate of title that existed at 26 September 2000, or that was issued as a result of a Resource Consent granted on or before 26 September 2000, the land may be subdivided to create a maximum of five lifestyle lots.		X		Title date does not comply.

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(b) The lifestyle lots provided for in (a) above shall comply with the following: (i) No more than two lots shall be between 5000m2 and 2 hectares; all other lifestyle lots shall be a minimum of 2 hectares. (ii) The lifestyle lots shall as a minimum contain a residential area of 1000m2. (iii) The lifestyle lots shall not contain land with a Land Use Capability Class of Class VII or VIII. (Note: A report on the Land Use Capability Class of the site shall be prepared by a suitably qualified expert, except where the Land Use Capability Class is clearly beyond doubt by reference to the New Zealand Land Resource Inventory Worksheets, the Council may waive this requirement.) (iv) No lifestyle lot shall be located within a quarry resource area and the associated quarry reverse sensitivity area, as identified on the planning maps. (v) The balance area of any subdivision creating one or more lifestyle lots shall comply with the requirements for General Lots (see Rule 9.4.1.1(1)), unless the balance area also complies with the requirements for creating Lifestyle Lots.	✓			Lot 1 will comply with all standards outlined under (b).
(3) CONTROLLED ACTIVITY MATTERS			N/A	Not applicable. Does not meet the controlled activity matters as part of the site is within the ONLA.

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(4) Lifestyle lots in the Rural Zone (Outside Outstanding Natural Landscape Area and District Amenity Landscape Area) that do not meet one or more of the provisions of Rule 9.4.1.2(2) shall be assessed as a Discretionary Activity provided that:	✓			The lifestyle lot being created by the subdivision will be located wholly outside of the ONLA with the title. The rule references the lifestyle lot specifically, therefore, I have determined that because no part of the lifestyle lot being created is within the ONLA this rule can be complied with and the proposal can be considered a discretionary activity.
(a) the maximum number of lifestyle lots created shall not exceed ten.	✓			There is only 1 lifestyle lot proposed as part of this subdivision. The previous subdivisions from the parent title created 6 lifestyle lots, this proposed lot will be the 7th lifestyle lot created from the parent title.

Table 5: District Plan Assessment

Compliance with all other District Plan Standards				
Standard	**Complies**	**Does not comply**	**N/A**	**Comment**
Section 7 – Specific and District Wide Matters	✓			No earthworks have been proposed as part of this proposal. Compliance is demonstrated with all Section 7 matters.

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Section 8 - District Wide Performance Standards for Development and Subdivision		X		The proposal will not comply with all rules outlined under 8.4.3.3 - vehicle access and crossings standards. The proposal does not meet the following standards: - sight distances - separation distances - formation & construction - gradient The proposal does not include installing a power connection to proposed lot 1.

The proposed activity requires resource consent for the following reasons:

- A **discretionary** activity resource consent pursuant to Rule 9.4.1.2(4) – Lifestyle lots in the rural zone (outside the outstanding natural landscape and district amenity landscape area) that do not meet one or more of the provisions outlined under 9.4.1.2(2).

- A **restricted discretionary** activity resource consent pursuant to Rule 8.4.3.3 – Vehicle access and crossing standards.

- A **restricted discretionary** activity resource consent pursuant to Rule 8.5.6.3 – Power and telecommunication connections for proposed allotments at the time of subdivision.

The proposal complies with all other development controls contained in the Operative Hauraki District Plan (2014).

4.2 Overall Activity Status

The overall status of the application is a **discretionary** activity.

5.0 ASSESSMENT OF ADVERSE EFFECTS ON THE ENVIRONMENT (S95D)

A consent authority is required to publicly notify an application in accordance with section 95A(8)(b) if it decides in accordance with s95D that the activity will have or is likely to have adverse effects on the environment that are more than minor.

5.1 Mandatory Exclusions from Assessment (s95D and B)

Section 95D requires that in determining whether an activity will have, or is likely to have, adverse effects on the environment that are *more than minor*, the consent authority *must disregard* the following matters:

a) must disregard any effects on persons who own or occupy—
(i) the land in, on, or over which the activity will occur; or
(ii) any land adjacent to that land; and
b) may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and
c) in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts discretion; and
d) must disregard trade competition and the effects of trade competition; and
e) must disregard any effect on a person who has given written approval to the relevant application.

5.2 Permitted Baseline (s95D(b))

The consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case, no permitted baseline is relevant as all subdivision within the Hauraki District requires resource consent of at least a controlled activity.

5.3 Relevant Assessment Matters

Regard shall be given to the assessment criteria found in Rules 8.4.3.4, 8.5.6.4, 9.5(1), 9.6(1) and 9.6(2). However, as a Discretionary Activity Council must consider **all** matters considered relevant to the proposal.

5.4 Assessment: Effects on the Environment

Taking into account Sections 5.1 - 5.3 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor:

Size, Shape and Dimensions of Lots
The proposal involves the creation of one lifestyle lot (Lot 1), with the balance of the site retained as a larger rural lot (Lot 2). Lot 1 will contain the existing shed that is proposed to be converted into a dwelling, while the existing dwellings and farm buildings will remain within Lot 2.

The proposed subdivision complies with the controlled activity size standards for lifestyle lots within the Rural Zone. Sufficient area is available to accommodate a dwelling and associated residential curtilage, and the proposed boundaries have been logically aligned with the existing pattern of development, land use activities, and topographical features of the site. Each lot has an established access arrangement, including separate driveways and vehicle crossings from Maratoto Road.

Overall, the size, shape, and dimensions of both proposed lots are considered suitable for their intended purposes. The proposed boundaries have been practically and appropriately located, taking into account the site's existing development, activities, and physical characteristics.

Site Suitability
Proposed Lot 1 will have sufficient area within its boundaries to accommodate future development that can comply with the relevant provisions of the Hauraki District Plan. To support the application, the applicant has provided an Engineering Assessment and Design

Report prepared by Titus Consulting Engineers, which assesses the suitability of the site for the proposed lifestyle lot.

An overland flow path has been identified within Lot 1, running adjacent to the western boundary. Notwithstanding this constraint, there is ample land available within the lot to provide an appropriate residential building area that can be located well clear of the overland flow path and any associated hazards.

Council's Development Engineer, Mr Vignesh Ram, has reviewed both the application and supporting engineering information. In his assessment, Mr Ram concluded:

"… that the site is suitable for the proposed subdivision and future development, provided standard engineering controls are followed. The underlying ground consists of firm alluvial and weathered materials with good bearing capacity and no evidence of significant instability or geohazards such as slips or subsidence.
Groundwater was observed at manageable depths, and the site is not prone to flooding. Earthworks, if required for building platforms or accessways, should be carried out under geotechnical supervision to maintain slope stability and ensure proper drainage. The report recommends standard shallow foundations in accordance with NZS 3604:2011, with localised strengthening where softer soils are encountered. Overall, the land is considered geotechnically stable and suitable for subdivision, with only routine engineering measures required to ensure safe and durable development."

Having considered the Engineering Assessment and Design Report, together with Mr Ram's assessment, I agree with the conclusion drawn that the site is suitable for the proposed subdivision. The identified overland flow path does not compromise the ability to establish an appropriate residential building platform on Lot 1, and the site is capable of accommodating future residential development without creating significant geotechnical or natural hazard concerns. Accordingly, the proposed lifestyle lot is considered suitable for its intended residential use.

Open Rural Character and Amenity Effects
The surrounding environment is characterised by a mix of rural lifestyle properties and larger rural holdings. The proposed subdivision will create one additional lifestyle lot, being the seventh lifestyle lot created from the parent title. While this contributes to the ongoing pattern of rural-residential development within the locality, the Hauraki District Plan anticipates and provides for up to ten lifestyle lots as a discretionary activity within these circumstances. As such, the proposal remains within the overall subdivision framework contemplated by the District Plan. The proposed lifestyle lot is also larger than many of the surrounding lifestyle properties, resulting in greater separation distances between development and the retention of a more open rural setting.

The applicant has provided a Landscape and Visual Assessment (LVA) prepared by Sally Peake, which considers the effects of the proposal on rural character, visual amenity, and cumulative subdivision patterns within the surrounding environment. The assessment concludes that the proposal is consistent with the established character of the locality and will not result in unacceptable adverse effects on rural character or amenity values.

I adopt Ms Peake's assessment and concur with her conclusion that the proposed subdivision and associated development are of a scale and intensity that are consistent with the character and amenity values of the existing rural environment. The proposal reflects the established pattern of development within the Maratoto Valley, where lifestyle properties are already interspersed amongst larger rural holdings, and does not introduce a form of development that is inconsistent with the surrounding land use pattern.

Ms Peake has also recommended a number of measures to maintain the rural character of the site and mitigate the visual effects of future development within Lot 1. These

measures, outlined in Section 3.0 of this report, include restrictions on fencing types, requirements for driveway and parking surface materials and colours, and controls relating to setbacks from neighbouring properties.

Having regard to the findings of the LVA, the size and configuration of the proposed lifestyle lot, and the existing character of the surrounding environment, I consider that the proposal will maintain the open rural character and amenity values of the locality. Any adverse effects in terms of visual amenity, rural character, or cumulative subdivision patterns are therefore considered to be less than minor.

Ecological Effects
As outlined in Section 2.3 of this report, an area of Significant Natural Area (SNA) is located within the subject site. The SNA corresponds with the area of indigenous vegetation situated in the south-eastern portion of the property and will be retained entirely within proposed Lot 2, the general rural lot.

The subdivision does not involve the removal, modification, or disturbance of any part of the SNA. Furthermore, no earthworks, building platforms, accessways, or other development are proposed within or adjacent to the SNA as part of this application. The proposed lot boundaries have been designed so that the SNA remains within a single lot, thereby avoiding any fragmentation of the ecological feature.

Given that no physical works are proposed within the SNA and no adverse effects on the indigenous vegetation or ecological values of the area have been identified, I consider that any ecological effects associated with the proposed subdivision are considered to be less than minor.

Servicing Effects
Proposed Lots 1 and 2 will both be serviced primarily by existing on-site infrastructure, as outlined in Section 3.0 of this report. Appropriate conditions will be imposed to ensure that any existing service cross-connections between the proposed lots are disconnected and that all easements identified on the subdivision scheme plan are created.

Proposed Lot 1 does not currently have a reticulated power connection. The existing shed located within the proposed lot is presently serviced by a solar power system. The applicant has requested that a power connection not be provided as part of the subdivision, on the basis that the shed is intended to be converted into a dwelling following completion of the subdivision. Instead, the applicant has proposed a consent notice requiring any future owner of Lot 1 to bear the cost of establishing a power connection. However, I do not consider this to be sufficient justification for departing from the District Plan servicing requirements. In particular, the application has not been supported by written confirmation from the electricity network provider demonstrating that a connection is available to the lot at the standard connection fee. In the absence of such information, it cannot be concluded that the lot is appropriately serviced by network utilities for its intended residential use. Accordingly, a condition will be imposed requiring a power connection to be provided to Proposed Lot 1 prior to the issue of the Section 224(c) certificate.

Council's Development Engineer, Mr Vignesh Ram, has reviewed the proposed servicing arrangements and is satisfied that the subdivision can be appropriately serviced in terms of stormwater and wastewater disposal, subject to the imposition of suitable conditions. Mr Ram's detailed comments are contained within the Engineering Assessment (MagiQ Document 3986738). Having considered that assessment, I am satisfied that the proposed lots can be adequately serviced and that any associated adverse effects will be less than minor.

Access and Traffic Effects

The proposed access arrangements are outlined in Section 3.0 of this report. The applicant proposes that both Lots 1 and 2 continue to utilise existing and separate vehicle crossings from Maratoto Road. Maratoto Road is a sealed collector road and is capable of accommodating the small increase in vehicle movements associated with the creation of one additional lifestyle lot. As such, the proposal is not expected to result in any adverse effects on the capacity or function of the surrounding road network.

The applicant has requested that both existing vehicle crossings remain without upgrade on the basis that they are established crossings currently servicing the property. However, while the access serving proposed Lot 2 will continue to function in its existing manner, the access serving proposed Lot 1 has historically been used primarily for farming purposes. The subdivision will result in a change in the nature of use of this crossing, from farm access to residential access associated with a future dwelling.

Council's Development Engineer, Mr Vignesh Ram, has reviewed and assessed the proposed access arrangements. His detailed comments are contained within the Engineering Assessment (MagiQ Document 3986738). In summary, Mr Ram is satisfied that proposed Lot 2 can continue to utilise its existing vehicle crossing without modification, as the subdivision will not result in any increase in the level of use beyond that already anticipated by the existing residential activities on the lot. In relation to proposed Lot 1, Mr Ram has determined that, notwithstanding the existing use of the crossing, an upgrade is required to ensure compliance with the relevant formation standards. Appropriate conditions will therefore be imposed requiring the access to be upgraded prior to the issue of the Section 224(c) certificate.

Having considered the advice of Council's Development Engineer, I agree with his conclusions. Subject to the recommended conditions of consent, the proposed access arrangements will provide safe and suitable access to both allotments, and any adverse effects associated with traffic generation, vehicle access, and the operation of the surrounding road network will be less than minor.

5.5 Decision: Effects On The Environment (s95A(8)(b))

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor.

6.0 ASSESSMENT OF EFFECTS ON PERSONS (S95E)

Section 95B(9) requires limited notification if there are any affected persons (under s95E) in relation to the activity. Section 95E requires that a person is an affected person if the adverse effects of the activity on the person are minor or more than minor (but not less than minor).

6.1 Permitted Baseline

The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect. In this case the permitted baseline is outlined within Section 5.2 above.

6.2 Relevant Assessment Matters

Regard shall be given to the assessment criteria found in Rules 8.4.3.4, 8.5.6.4, 9.5(1), 9.6(1) and 9.6(2). However, as a Discretionary Activity Council must consider **all** matters considered relevant to the proposal.

Figure 14 below identifies the properties that adjoin or are adjacent to the subject site. The numbers identified are used as references for Sections 6.3 and 6.4 below.

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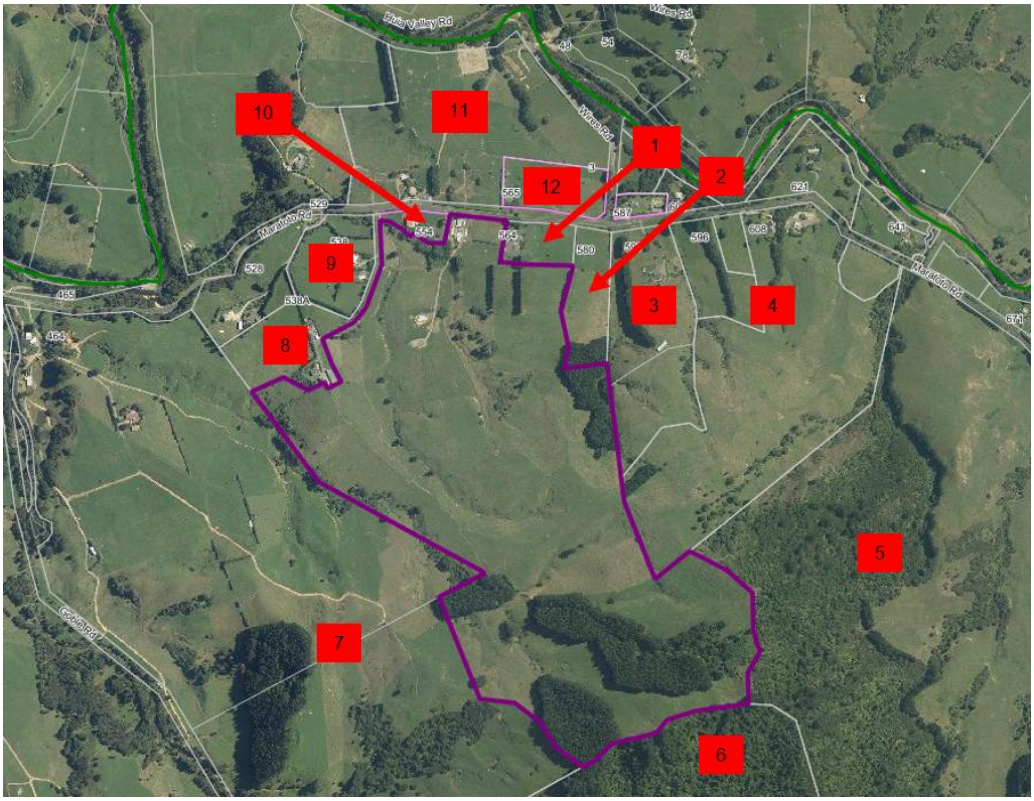


Figure 14: Adjoining and Adjacent Properties

6.3 Written Approvals

Written approval has been obtained from the persons listed below in Table 6. The effects on these properties will be disregarded.

Table 6: Written Approvals

Reference	Address	Owner(s)
2	580 Maratoto Road	Joe & Amy Earnshaw
3	590 Maratoto Road	Jason & Lisa Willetts
4	596, 606 & 608 Maratoto Road	Cecil Horan & Jennifer Russek
7	464 Maratoto Road	Walter & Janet Tye
8	538A Maratoto Road	Steven & Tina Foster

6.4 Assessment: Effects on Persons

Table 7 below identifies persons who are considered to be potentially affected pursuant to s95D.

Table 7: Persons considered under s95D

Reference	Address	Owner(s)
1	564 Maratoto Road	David & Janet Stuart
5	686 Maratoto Road	Gary Mudford
6	Maratoto Road	Queen Elizabeth II National Trust
9	538 Maratoto Road	Joseph Morrison & Helen Ghezzi
10	554 Maratoto Road	Aiden & Carmen Page
11	3 Wires Road	The Supported Lifestyle Hauraki Trust

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12	565 Maratoto Road	Marilyn Vilicich

Taking into account sections 5.2, 5.4, 6.1, and 6.2 above, the following provides an assessment of whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor.

564 Maratoto Road (1)
The owners of 564 Maratoto Road, David and Janet Stuart, provided comments to the applicant when approached for their written approval of the proposal. These comments can be found in MagiQ Document 4135057, I have taken these into account in undertaking my assessment below.

The proposal will result in additional vehicle movements associated with the establishment of one additional lifestyle lot. The accessway serving proposed Lot 1 is unsealed and is located immediately adjacent to the common boundary with this property. As a result, vehicles entering and exiting the site have the potential to create dust and direct headlights toward the neighbouring residential area. Furthermore, no mitigation measures, such as landscaping, fencing, or screening, have been proposed to reduce these effects.

While the level of traffic generated is expected to be low, given that only one dwelling will utilise the accessway, the proposal will nevertheless introduce a new source of residential traffic where the access has historically been used primarily for farm-related purposes. Consequently, there is the potential for adverse effects arising from increased driveway noise, dust generation from the unsealed accessway, and headlight glare affecting the neighbouring residential environment.

Having considered these effects collectively, and noting the absence of any proposed mitigation measures, I consider that the occupants of 564 Maratoto Road will be affected and those effects are likely to be minor.

686 Maratoto Road (5) & Maratoto Road (6)
These properties adjoin the southern extent of the subject site. Both properties are situated at a higher elevation than the proposed lifestyle lot, and as a result, the proposed lifestyle lot may be visible from certain parts of these properties. However, the separation, existing topography and areas of protected indigenous vegetation provide substantial visual separation between the proposed lifestyle lot and these neighbouring properties. These features significantly restrict views from the existing dwelling located at 686 Maratoto Road.

Having regard to the distance between the proposed lifestyle lot and these properties, together with the screening provided by existing vegetation and landform, I consider that any visual, amenity, or character effects experienced by the owners or occupiers of these properties will be less than minor.

538 Maratoto Road (9)
This property does not directly adjoin the application site, as a right-of-way separates the two properties. In addition, the proposed lifestyle lot is located more than 200m from the nearest boundary of 538 Maratoto Road. Given this separation distance, together with the intervening right-of-way and the rural nature of the surrounding environment, it is not anticipated that the proposal will result in any appreciable adverse effects on the occupants of this property.

Having regard to the location of the proposed lifestyle lot relative to this property, I consider that any visual, amenity, character, traffic, or other effects experienced by the owners or occupiers of 538 Maratoto Road will be less than minor.

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554 Maratoto Road (10)
This property adjoins proposed Lot 2 (balance rural allotment). Proposed Lot 2 will contain the existing dwellings, minor dwelling, farm buildings, and associated access arrangements currently established on the site. The subdivision does not create any additional residential development rights within proposed Lot 2, nor does it facilitate any intensification of activities beyond those that already exist on the property.

While the existing driveway serving proposed Lot 2 is located adjacent to the common boundary with this property, the subdivision will not result in any increase in the level of use of that accessway. The existing residential activities on Lot 2 are already established and will continue to operate in the same manner following subdivision. As such, no additional effects relating to traffic, noise, dust, or amenity are anticipated.

Having regard to the nature of the proposal and the retention of the existing development pattern on proposed Lot 2, I consider that the effects of the proposal on the owners or occupiers of 554 Maratoto Road will be less than minor.

3 Wires Road (11) & 565 Maratoto Road (12)
These properties are located adjacent to the subject site on the northern side of Maratoto Road. While the proposed lifestyle lot may be visible from parts of these properties, there is a substantial separation distance between the proposed lot and the existing residential activities on these sites. In addition, several areas of existing vegetation provide visual screening and assist in maintaining the rural character of the locality.

Having regard to the separation distance, existing vegetation, and the established rural setting, I consider that the proposal will not result in any adverse effects on the visual amenity of these properties. Accordingly, any effects experienced by the owners or occupiers of 3 Wires Road and 565 Maratoto Road are considered to be less than minor.

6.5 Decision: Effects on Persons

Overall the proposed activity is likely to have adverse effects on persons that are minor or more than minor.

Table 8 below outlines the persons who are considered to be adversely affected based on the assessment above in Section 6.4. No other persons adjacent or adjoining the site are considered adversely affected by the proposal, as any effects on those properties have been assessed as less than minor.

Table 8: Identifying affected persons address, owner/occupier details and legal description for limited notification.

Address	Legal Description	Owner(s)
564 Maratoto Road	Lot 6 DP 337477	David & Janet Stuart

7.0 NOTIFICATION ASSESSMENT

7.1 Statutory Context

Section 95 of the RMA states that:

1) *A consent authority must, within the time limit specified in subsection (2),—*
   a. *decide, in accordance with sections 95A and 95B, whether to give public or limited notification of an application for a resource consent; and*
   b. *notify the application if it decides to do so.*

2) *The time limit is,—*

a. in the case of a fast-track application, 10 working days after the day the application is first lodged; and
b. in the case of any other application, 20 working days after the day the application is first lodged.

In accordance with Section 95 of the RMA, Sections 7.2 and 7.3 of this Report determine whether the application for resource consent shall be publicly notified or limited notified, respectively.

7.2 Public Notification Determination (s95A)

To determine whether to publicly notify an application for resource consent, a consent authority must follow the steps set out under Section 95A of the Resource Management Act (1991).

Mandatory Public Notification (Step 1)

Section 95A(3) states that it is mandatory to publicly notify an application for resource consent if:

a) the applicant has requested that the application be publicly notified:
b) public notification is required under section 95C:
c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Pursuant to Section 95A(2)(b) the subject application does not meet the mandatory notification criteria of Step 1.

Precluded from Public Notification (Step 2)

As public notification is not required under Step 1, the consent authority must determine whether the application for resource consent is *precluded* from public notification. Public notification is precluded if the application meets either of the following criteria:

a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:
b) the application is for a resource consent for 1 or more of the following, but no other, activities:
  (i) a controlled activity:
  (ii) repealed
  (iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity:
  (iv) repealed

Pursuant to Section 95A(4)(b) the subject application does not meet the preclusion criteria of Step 2.

Required Public Notification (Step 3)

If public notification is not required under Step 1, and is not precluded under Step 2, the consent authority must determine if public notification is still required under Step 3. The criteria for Step 3 are as follows:

a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:

b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

The application is not subject to a rule or an NES which requires public notification.

In accordance with Section 95A(8)(b) an assessment of the application must be made under Section 95D to determine whether the application will have, or is likely to have adverse effects on the environment.

Section 5 of this report has concluded that the application is unlikely to have adverse effects on the environment which are more than minor. Therefore, the application is not required to be publicly notified under Step 3, and an assessment under Step 4 must be considered.

Special Circumstances (Step 4)

Finally, the consent authority must determine whether there are special circumstances existing in relation to the application that warrant the application being publicly notified.

Case law has defined special circumstances to be those "*outside the common run of things which is exceptional, abnormal or unusual, but they may be less than extraordinary or unique*." There are no features of this site or aspects of this application which fall within this definition.

Pursuant to Section 95A(9)(b), it is considered that no special circumstances exist in relation to the application which would warrant public notification. However, determination of limited notification must be undertaken.

7.3 Limited Notification Determination (s95B)

To determine whether to limited notify an application for resource consent, a consent authority must follow the steps set out under Section 95B of the Resource Management Act (1991).

Certain Groups and Persons must be Notified (Step 1)

Step 1 of Section 95B states that it is mandatory to notify certain affected groups and affected persons.

In accordance with Section 95B(2), the consent authority must determine whether there are any:

a) Affected protected customary rights groups, or
b) Affected customary marine title groups.

In accordance with Section 95B(3), the consent authority must also determine:

a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and
b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.

If any affected group or affected person is identified under Section 95B(2) or 95B(3), then pursuant to Section 95B(4) they must be notified.

In accordance with Step 1, no affected groups or persons are identified.

MagiQ Reference: 4135058

Precluded from Limited Notification (Step 2)

If limited notification is not required under Step 1, the consent authority must determine whether the application for resource consent is *precluded* from limited notification. Limited notification is precluded if the application meets the criteria of Section 95(B)(6):

a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:
b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

Pursuant to Section 95B(5)(b) the subject application does not meet the preclusion criteria of Step 2.

Required Limited Notification (Step 3)

If limited notification is not required under Step 1, and is not precluded under Step 2, the consent authority must determine under Step 3 whether certain other affected parties must be notified.

(7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.
(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

The consent authority must determine whether a person is an affected person in accordance with Section 95E. If it is determined that they are affected, each person identified under either Section 95B subsections (7) or (8) must be notified directly of the application.

In accordance with Section 95B(8) an assessment of the application has been made. Section 6 of this report has concluded that the application is likely to have adverse effects on persons which are minor or more than minor. Therefore, the application must be limited notified to those persons. A table identifying the persons who shall be served notice of application has been provided above in Section 6.5 of this report.

Special Circumstances (Step 4)

Finally, the consent authority must determine whether there are special circumstances existing in relation to the application that warrant the application being limited notified.

Case law has defined special circumstances to be those "outside the common run of things which is exceptional, abnormal or unusual, but they may be less than extraordinary or unique." There are no features of this site or aspects of this application which fall within this definition and would then lead to identification of any affected parties.

Pursuant to Section 95B(10)(b), it is considered that no special circumstances exist in relation to the application which would warrant limited notification.

MagiQ Reference: 4135058

8.0 NOTIFICATION RECOMENDATION

In accordance with Section 95B(8) of the Resource Management Act 1991, the application be **limited notified** to all those persons and parties identified as being adversely affected by the proposal under section 95E of the RMA.

Reporting Officer:



Gemma Walker / Planner

Date: 22nd July 2026

Peer Reviewer:



Jason Ward / Consultant Planner

Date: 4th August 2026

9.0 NOTIFICATION DECISION

DECISION: That the above recommendation is adopted.

Delegated Officer:



Mark Dyer / Principal Planner Consents

Date: 5th August 2026

Decision No. 2026/2027-21

Appendix H - Further

WAIHI LAND SURVEYORS LTD
Registered Licensed Professional Surveyors
13B Tauranga Road, Waihi
PO Box 5, Waihi Beach
Ph 07 8631368
Lot1@xtra.co.nz
www.WaihiLandSurveyors.co.nz

Ref: 3792
Your Ref: 201.2025.2113.001

8th June 2026

Chief Executive Officer
Hauraki District Council
PO Box 17
PAEROA

To Gemma Walker – Planner

Re: Further Information: **Shadbolt Subdivision**
546 Maratoto Road, Paeroa
Lot 2 DP462101

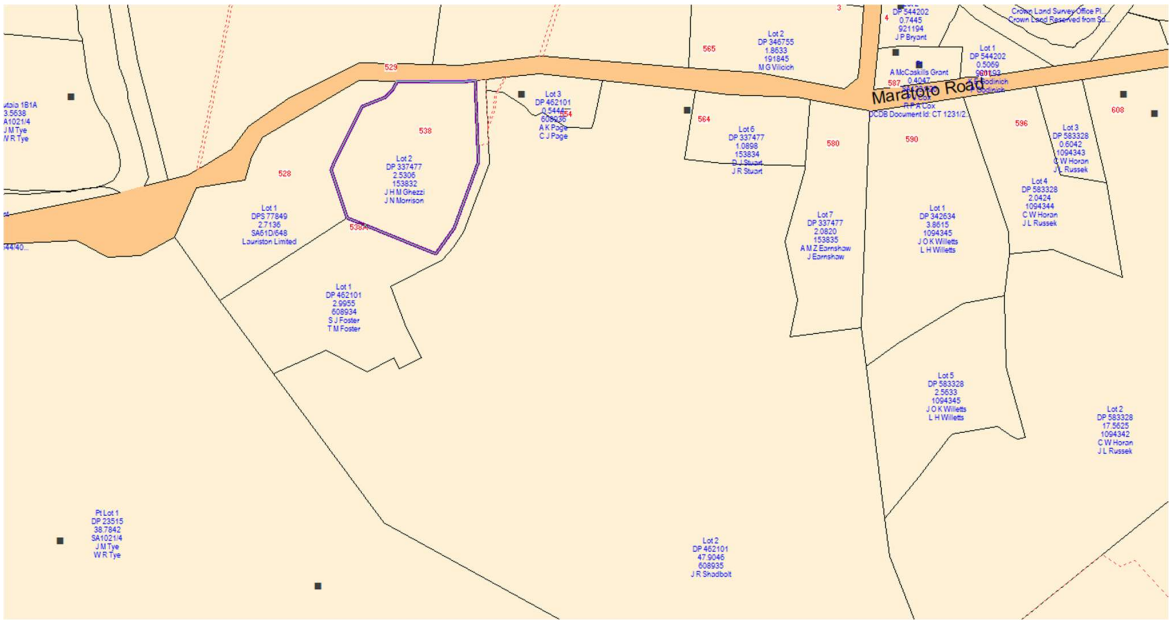
Thank you for your discussion regarding the proposed subdivision process.

Please find attached the Landscape Architect Report that address the cumulative effects arising from this proposal. This report provides the effects with mitigation measures that have been put in place.

Consultation with the neighbours has been undertaken, this is outlined below.

Agrees – No effects – Steven & Tina Foster – Lot 1 DP462101
Agrees – No effects – Aiden & Carmen Page – Lot 3 DP46101
Agrees – No effects – Walter & Janet Tye – Part Lot 1 DP23515
Agrees – No effects – Amy & Joe Earnshaw – Lot 7 DP337477
Agrees – No effects – Jason & Lisa Willetts – Lot 5 DP583328
Agrees – No effects – Cecil Horan & Jenny Russek – Lot 2 DP583328

Opposes with comments – David & Janet Stuart - Lot 6 DP337477
The Stuarts have a list of comments, these have been addressed below.



Part of the new driveway to the new house is located very close to the boundary with our property. Both the house and the driveway are recently built (approx. 18mths ago)
This now causes dust, noise and headlight glare directly into our back yard area.
The shed marked on the plan is incorrect this is a dwelling.
It seems common for a second dwelling these days, so the driveway will very likely have traffic from two homes.

Please note that the Stuart's continually call the consented shed a house, please refer to BC 101.2024.00051560.001 – this is a fully consented shed.

Comment: The applicant has stated that there has only been one complaint during the existing farm tracks, driveway upgrades and extension, this complaint was from the dust associated with the construction. The occupier started works after they had left the property and was completely unaware of the dust that was going into the property. Once the neighbours arrived home the dust nuisance was noticed and they approached the occupier completing the works and he stopped work immediately. The occupier since then has been very considerate and has kept the dust to an absolute minimum. Also, when driving his vehicle is aware of their location and drives in low gear at a very low speed to keep them happy. There has been no further discussion or complaints.

The owner of the new house has two excavators, one is large. These are operated from this new house, so the machinery uses this new driveway regularly.
This can be very disruptive and noisy due to the location of the driveway right on our boundary and very close to our backyard.

This is incorrect. The owner of the shed is waiting until title is obtained as then the land being Lot 1 can be purchased by the occupier. As only when a separate title is issued, will an application be made to council to convert a small part of the shed to a dwelling and the occupier can live in it full-time. The occupier of the shed can't live in the shed as it is consented as a shed meanwhile he is adhering to the District Plan rules. Once he is able to live in the consented dwelling, he will be able to reduce the traffic movement significantly because he will be permitted to live in it and not have so many traffic movements.
The occupier currently travels there to get ready for work and is backwards and forwards more due to him not being able to live within the shed.
Dave Stuart is aware of this as he has asked the occupy several times. "When are you moving in?"

A 12 Tonne digger is owned by the applicant, which is used to service the farm as a whole which includes the new shed site and race upgrade. This digger when stored down the front of the farm is mainly housed in a hay barn. The occupier of the shed owns one small Kubota KX41-3 digger, that is 1.8 Tonne. This is a small enough digger to fit on his car trailer. This digger is rarely used on farm, it is mainly trailered off site.
It is to be noted that the occurrence of use is random, not daily not even weekly. Sometimes once every two months, it is ad hoc use for when the need arises. The 12T farm digger is quite often working up the back of the farm thus stays up the back.
These diggers have been used for development of the site which is normal development activities for buildings and driveways and landscaping.
The 12T diggers was purchased for continued normal farming race activities and maintenance. It should be noted that these diggers are not used continuously, and the applicant finds the comment for it to be disruptive is unnecessary as they are certainly not used on a daily or even regular basis.

The owners and occupier have only had the one compliant from the Stuarts regarding the use of either digger (see comment above regarding dust during initial upgrade and construction). This comes as a complete surprise to them, considering Dave Stuart has hired both diggers for required work on his property.

The overland flow path that crosses our property has been modified with the construction of the new driveway. The flow path has been filled and replaced with a culvert. The fill is >1m in height from what was the original low point.

The existing farm race has been improved significantly. It has been built up with stormwater mitigation measures in place. The oversize culverts have been put in due to discussions between the occupier and Janet Stuart at the time of construction.
The occupier intended to place 200mm diameter culvert pipes. However, after discussions with Janet Stuart she wanted a larger 300mm diameter pipe put in, therefore this extra size of 300mm diameter was placed as per Janets request.
All of the stormwater overland flow paths grades have been placed for excellent flow and is captured by the new swale drains to disperse within the applicants own property.
The applicant noted that Dave Stuart has commented to her that there was less groundwater on their land than previous stormwater events, note; both of these stormwater events were very significant high water rainfall events in the District in 2026.

The statement is incorrect. This has been upgraded and diverted to be taken away from the Stuart's land to be collected via the swale drain and directed to the culverts. The bund has been put in place to ensure this stormwater is directed away from the Stuart‘s property also.

Note: During the construction stage the Waikato Regional Council had a complaint, they visited the application site to check the earthworks being undertaken. WRC email response, is attached. The occupier did place hay bales for stormwater runoff during the construction phase.

Good morning Mark,

Thanks for your time on site last week. We undertook a site inspection following up concerns raised with our team regarding your earthworks site.

As discussed with you, you have applied and received consent from Hauraki DC to built an implement shed on the property owned by your Mum – Jacqueline Shadbolt.

In our opinion, the works you are undertaking would be permitted under the Waikato Regional Plan without the requirement of a consent (see rule 5.1.4.11 attached), however there does need to be consideration of erosion and sediment controls, (5.1.5) in order to contain soil on site and reduce any impact of runoff on water bodies. As outlined to you, you have topsoil that you have used for bunding and/or hay available to assist both with mulching and grass strike, once you have completed the building works. Erosion and sediment control fencing could also be considered, if you deem it appropriate.

A swale and berm have also been made on the adjacent boundary line, apparently to mitigate the overflow onto our property, but this is also planted with trees, it hard to see how this swale can never be maintained due to the trees.
We had no issues with the existing overland flow path and would prefer it returned to its previous state.

The swale drain has been dug out and firmly compacted with old race metal and has grass growing in it to slow down the traverse of stormwater flow. This is standard good Engineering practice. The applicant assures that this will continue to be maintained as it is in their best interest to continue this as otherwise the farm race system and access to the shed would be compromised.

Any adverse effects of the swale/berm and culvert will be almost entirely on our property. Should this new drainage system become blocked or unmaintained over time it will result in ponding on our property. While dry right now, in very wet winters and events like cyclone Gabriel, this area can get a lot of water.

It is also noted that during storm events that the Stuart's own Horse paddock/Orchard area was very wet. Our applicant noted this and took it upon themselves to divert the flow path to be within the applicant's own property.
The applicant notes that Janet Stuart spoke directly with the occupier stating that she wanted a larger culvert pipe than what was originally going to be put in. The larger culvert size of 300mm diameter was agreed upon with the proviso that the occupier would remove and enlarge the culvert pipe if an issue was to arise that deems it necessary, this to ensure that the stormwater from Stuarts own property could flow easily through that culvert pipe to then be dispersed onto our applicant's property to collect to the pond. The inlet of this culvert pipe is located within the applicant's property who will continue to maintain this. Note this culvert pipe was originally installed to collect the Overland Flow path from the Stuart's farmland.

This statement seems to be contradictory to what has been written to what has been spoken by Dave Stuart to the applicants out on site. Prior to the shed build Dave Stuart has commented positively of our visual improvements to the farm.

We're not opposed to subdivision generally but we are concerned that the effects to our property in this case have not been given any consideration with the work already done.

We would like to see the driveway to the new house relocated further away and angled away from our boundary. This will lessen the noise, dust and headlight glare effects to our property, and any potential ponding from culverting the overland flow path will be on their own property, not ours.

The applicants have gone to the extent of upgrading at significant costs to make these improvements. It is not in our applicant's interest for the system to not be maintained. This is all part of living in a rural environment. This is why they have invested in the right equipment being the farm digger (12T) alongside the occupiers 1.8T digger to be able to continuously maintain their property without having to rely on outside contractors. This request is not considered topographically feasible. This would be a huge amount of unnecessary earthworks including crossing three waterways, it is noted that these waterways are also the overland flow paths that have been diverted from the Stuart's property. This is considered an exorbitant request.

It is noted that the Stuart's Horse paddock area is elevated in topography and this Overland flow disperses into our applicants property. The applicants have diligently redirected this into a culvert system that disperses into their own land. Our clients have never complained about this to the Stuarts and continue to try to be good helpful neighbours.

We would also like to see the second house site indicated on the plan and screening for both houses provided.

There is no second house to be placed on this property. The existing shed is located within the residential area. This is all that is required to be shown under the District Plan rules.

It does seem the work has been done in advance of a subdivision application to remove the need to really consider our concerns, and we believe the value, aesthetics and privacy of our property have been reduced with the location of the driveway and being so close to our property boundary.

As can be seen from the before and after photos below the applicant planted these trees two years ago to provide amenity and privacy and reduce any effects to these neighbours. Previously there were direct views into the Stuart's property. The trees will only continue to grow and provide more rule amenity than previously ever had.
We believe that the aesthetics and privacy to the Stuarts property has been increased by the applicant, they have planted screening trees within their boundary to give the Stuarts improved aesthetics and privacy that was not previously in place between these two properties.

It is noted that the Stuart's have buildings located very close to the existing boundary containing a carport, hay shed, lean to and wood shed. These are all located well within the 12m side yard requirement within the Rural Zone. These buildings, are all existing and no doubt provide a significant visual barrier.



New trees planted two years ago close to the boundary.



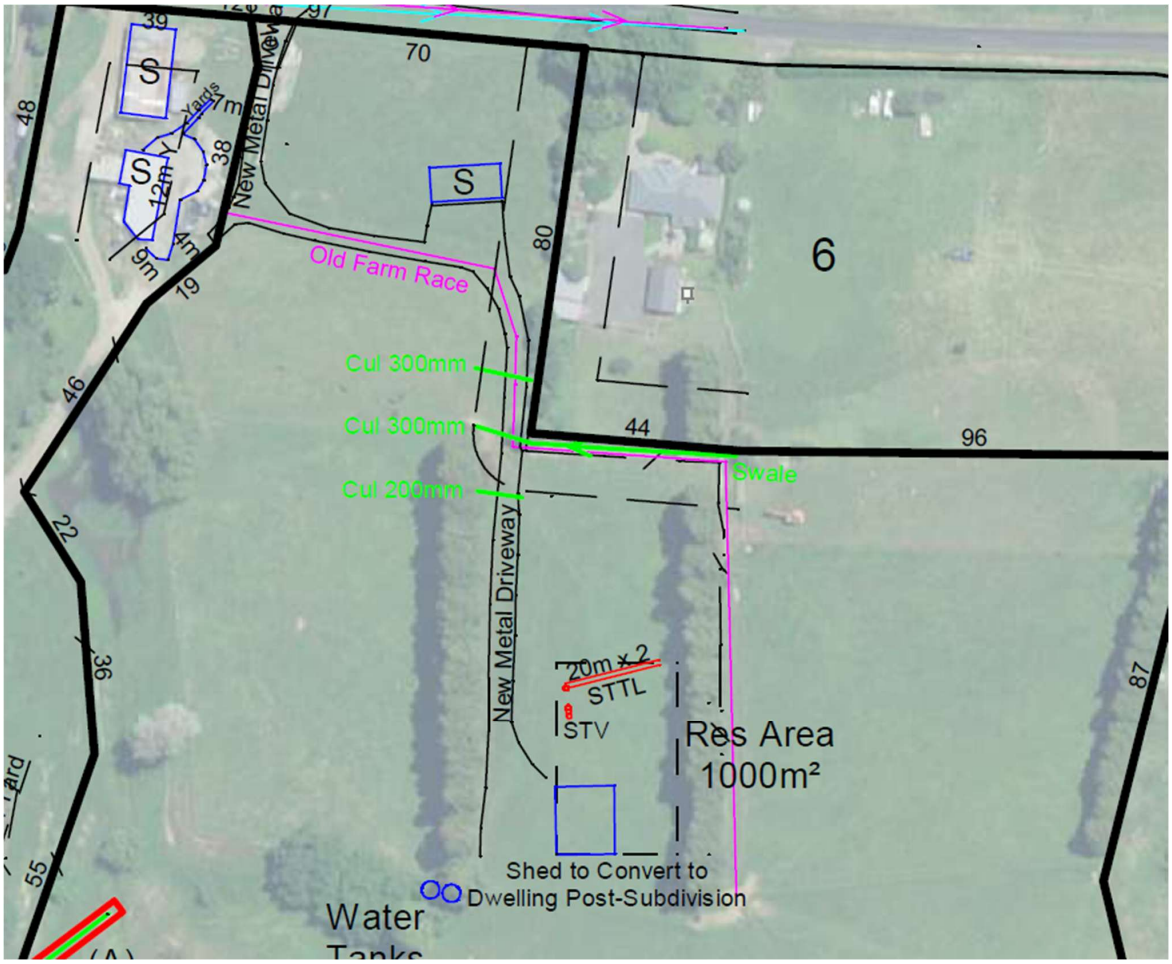
Growth of the tree plantings

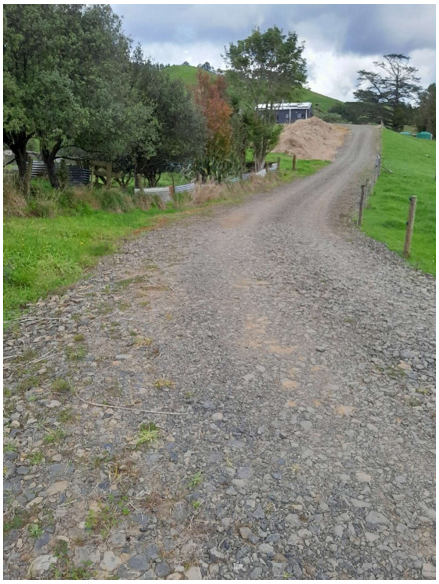




Plantings and 6 wire fence to be stock proof. 2 electric wires

Farm Race Track Upgrades - Stormwater upgrades







Farm track race upgrades.




300mmdia pipe inlet and outlet from farm race and the Stuarts property

Second Culvert Pipe placement




Second Culvert Pipe placement – 300mmdia Inlet and Outletfrom the swale drain



Inlet for the 200mm dia pipe down the side of the driveway

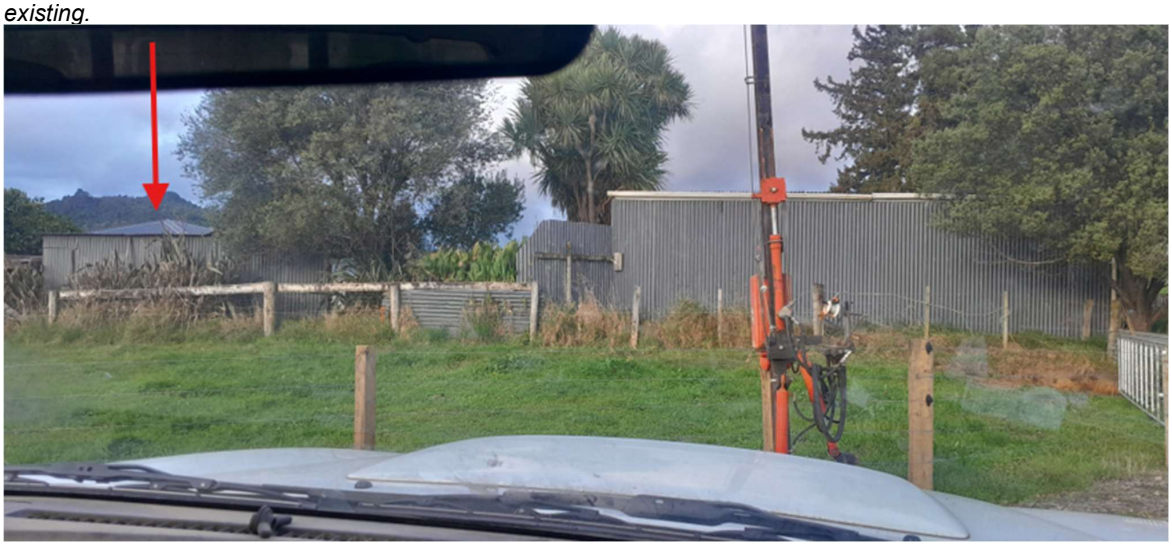


Contour of the land for drainage to the pond – drains away from the Stuarts land.

View of Stuarts Property - sheds and vegetation located close to the boundary



Red arrow - shows the roof of the house in relation to the driveway into the shed for access. Large established trees, existing sheds located very close to the common boundary to promote rural amenity and privacy are all existing.



Farm race upgrades to the new shed



Yours faithfully,

Leonie Rogers
Office Manager
Waihi Land Surveyors Ltd

Mark Shadbolt <jimmy_jo_bob@msn.com> 23/5/2026 21:15

Fw: Earthworks site - 546 Maratoto Road, Paeroa (Reference REQ216078)

To lot1@xtra.co.nz <lot1@xtra.co.nz>

From: Novalea Crowe <Novalea.Crowe@waikatoregion.govt.nz>
Sent: Wednesday, 22 January 2025 9:34 am
To: jimmy_jo_bob@msn.com <jimmy_jo_bob@msn.com>
Subject: Earthworks site - 546 Maratoto Road, Paeroa (Reference REQ216078)

Good morning Mark,

Thanks for your time on site last week. We undertook a site inspection following up concerns raised with our team regarding your earthworks site.

As discussed with you, you have applied and received consent from Hauraki DC to built an implement shed on the property owned by your Mum – Jacqueline Shadbolt.

In our opinion, the works you are undertaking would be permitted under the Waikato Regional Plan without the requirement of a consent (see rule 5.1.4.11 attached), however there does need to be consideration of erosion and sediment controls, (5.1.5) in order to contain soil on site and reduce any impact of runoff on water bodies. As outlined to you, you have topsoil that you have used for bunding and/or hay available to assist both with mulching and grass strike, once you have completed the building works. Erosion and sediment control fencing could also be considered, if you deem it appropriate.

I have attached a copy of our rules for your information. If you have any queries or concerns please don't hesitate to contact me on (07) 859 0729.

This matter will now be closed.

Kind regards,

Novalea Crowe | SENIOR INCIDENT RESPONSE OFFICER | Incident Response, Resource Use
WAIKATO REGIONAL COUNCIL | Te Kaunihera ā Rohe o Waikato
P: +6478590729
F: facebook.com/waikatoregion
Private Bag 3038, Waikato Mail Centre, Hamilton 3240, New Zealand

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5.1.4.11 Permitted Activity Rule – Soil Disturbance, Roading and Tracking and Vegetation Clearance

1. Unless otherwise provided for by Rules 5.1.4.14, 5.1.4.15, 5.1.4.16 or 5.1.4.17, soil disturbance, roading and tracking, and vegetation clearance and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air;
2. Any roading and tracking activities associated with the installation of bridges or culverts permitted by Rules 4.2.8.1, 4.2.9.1 and 4.2.9.2, within 20 metres of that bridge or culvert and any associated deposition of slash into or onto the beds of rivers and any subsequent discharge of contaminants into water or air;
3. Vegetation clearance of planted production forest as planted at the date upon which this Plan becomes operative;

are **permitted activities** subject to the conditions in Section 5.1.5.

5.1.5 Conditions for Permitted Activity Rule 5.1.4.11 and Standards and Terms for Controlled Activity Rules

a. Organic material shall not be placed in fill where its subsequent decomposition will lead to land instability.

b. Erosion/sediment controls shall be installed and maintained on all earthworks during and on completion of the works to avoid the adverse effects of sediment on water bodies.

c. Cut-offs or culverts shall be designed and installed to prevent scour, gullying or other erosion.

d. Any erosion or instability of the coastal environment, or the beds of rivers and lakes or wetlands shall be avoided or remedied if it does occur.

e. The activity shall not result in neighbouring land becoming subject to flooding.

f. All disturbed vegetation, soil or debris shall be deposited or contained to prevent the movement of disturbed matter so that it does not result in:

   i. the diversion, damming or blockage of any river or stream, or

   ii. the passage of fish being impeded, or

   iii. the destruction of any habitat in a water body or coastal water, or

   iv. flooding or erosion.

g. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.

h. The concentration of suspended solids in any point source discharge arising from the activity shall comply with the suspended solids standards as set out in Method 3.2.4.6. This condition applies only to permitted activity rules and excludes any non-point source discharges from roading, tracking and vegetation clearance activities (refer condition o) below).

i. Any discharge of contaminants into air arising from the activity shall comply with the permitted activity conditions in Section 6.1.8 except where the matters addressed in Section 6.1.8 are already addressed by conditions on resource consents for the site.

j. In the event of any waahi tapu that is not subject to g) above being identified by the Waikato Regional Council to the person undertaking the activity, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council.

k. No storage or mixing of fuels, oils, or agrichemicals shall be undertaken in areas where deliberate or inadvertent discharge is likely to enter any permanent natural surface water body.

l. All vegetation that is being felled within five metres of a perennial water body shall be felled away from the water body, except edge vegetation, or vegetation leaning over a water body, which if necessary may be felled in accordance with safety practices.

m. All exposed areas of soil resulting from the activity shall be stabilised against erosion by vegetative cover or other methods as soon as practical following completion of the activity and no later than six to twelve months from the date of disturbance to avoid the adverse effects of sediment on water bodies.

n. The activity shall not be located within 20 metres of a Significant Geothermal Feature.

o. The concentration of suspended solids in any non-point discharges from roading, tracking and vegetation clearance activities shall meet the following standards;

    i. The activity or discharge shall not result in any of the following receiving water standards being breached:

    ii. in Waikato Region Surface class waters - 100 grams per cubic metre suspended solids concentration

    iii. in Indigenous Fisheries and Fish Habitat class waters - 80 grams per cubic metre suspended solids concentration

    iv. in Trout Fisheries and Trout Spawning Habitat class waters - 25 grams per cubic metre suspended solids concentration

    v. in Contact Recreation class waters - black disc horizontal visibility greater than 1.6 metres

    vi. in Natural State class waters - the activity or discharge shall not increase the concentration of suspended solids in the receiving water by more than 10 percent

    Standard a) shall apply, except where the suspended solids concentration or black disc horizontal visibility in the receiving water is greater than the standards specified, at the time and location of discharge or of undertaking the activity. Then there shall not be any increase (i.e. further deterioration)

in the receiving water suspended solids concentration or black disc horizontal visibility of more than 20% as a result of the activity or discharge.

The point at which compliance with this standard shall be measured is after reasonable mixing has occurred which in any instance does not exceed 200 metres from the point of discharge.

p. Soil disturbance associated with the construction of a road or track within 20 metres of a culvert or bridge provided for in Rules 4.2.8.1, 4.2.8.2, 4.2.9.1, 4.2.9.2 and 4.2.9.3;

   i. Shall not occur adjacent to Significant Indigenous Fisheries and Fish Habitat Class waters during August to December inclusive and Significant Trout Fisheries and Trout Habitat class waters during May to September inclusive; and,

   ii. Shall be stabilised against erosion by vegetative cover or other methods as soon as practical following completion of the activity and no later than two months from the date of disturbance to avoid the adverse effects of sediment on water bodies; and

   iii. The location of the proposed soil disturbance shall be notified to the Waikato Regional Council in writing at least 10 working days prior to commencing construction.

Form 7
Code compliance certificate

Section 95, Building Act 2004

The building

Street address of building:	546 Maratoto Road, Hikutaia, Paeroa 3674
Legal description of land where building is located:	LOT 2 DP 462101
Building name:	Shed
Location of building within site/block number:	546 Maratoto Road, Hikutaia, Paeroa 3674
Level/unit number:	0
Current, lawfully established, use:	7.0.1 Outbuildings with 1 occupant
Year first constructed:	2024

The owner

Name of owner:	Jacqueline Shadbolt
Contact person:	Jacqueline Shadbolt
Mailing address:	546 Maratoto Road, Hikutaia, Paeroa 3674
Street address/registered office:	546 Maratoto Road, Hikutaia, Paeroa 3674
Phone number:	Landline: 0274753224 Mobile: 0274753224
Daytime:	Landline: 0274753224 Mobile: 0274753224
After hours:	Landline: 0274753224 Mobile: 0274753224
Facsimile number:	N/A
Email address:	jacqallans@gmail.com

First point of contact for communications with the council/building consent authority:
Andrew Day ; Mailing Address: 16 Cellbridge Place, East Tamaki, Auckland 2016 2016; Phone: 0274845833; Email: andrewday@xtra.co.nz

Building work

Building consent number:	101.2024.00051560.001
Description:	New colorsteel implemenet shed with internal bathroom. Amendment 1: Installation of a new Metro Wee Rad fireplace New colorsteel implemenet shed with internal bathroom.
Issued by:	Hauraki District Council

Code compliance

The building consent authority named below is satisfied, on reasonable grounds, that -

the building work complies with the building consent.

Attachment

No attachments



Signature: Elyse Kassebaum
Position: Consultant CCC Officer
On behalf of: Hauraki District Council
Date: 18 October 2025

Hauraki District Council 1.

Affected Persons Response Form

Resource Management Act 1991, Section 94

Applicant Details	
Full Name(s)	Jacqueline Rae Shadbolt
Address of Proposed Activity	546 Maratoto Road, Paeroa
Brief Description of Proposed Activity for a Resource Consent application:	Agree to the Subdivision Design and house site locations as shown on scheme plan 3792.

Affected Persons		
Full Name(s)	Cecil William **Horan** and Jennifer Lynn **Russek**	
Address for Service	608 Maratoto Road, Paeroa	
Address of Property (if not as above)	608 Maratoto Road, Paeroa	
Owner(s)/Occupier(s) ☑	Owner(s) ☐ Occupier(s) ☐	(tick as applicable)
Legal Descriptions	Lot 2 Deposited Plan 583328	

Type of Consent: ~~Land Use~~ / Subdivision / ~~ROW easement~~

☑ I / We have examined the plans attached.

☑ I / We have considered the effect the application will have on me/us.

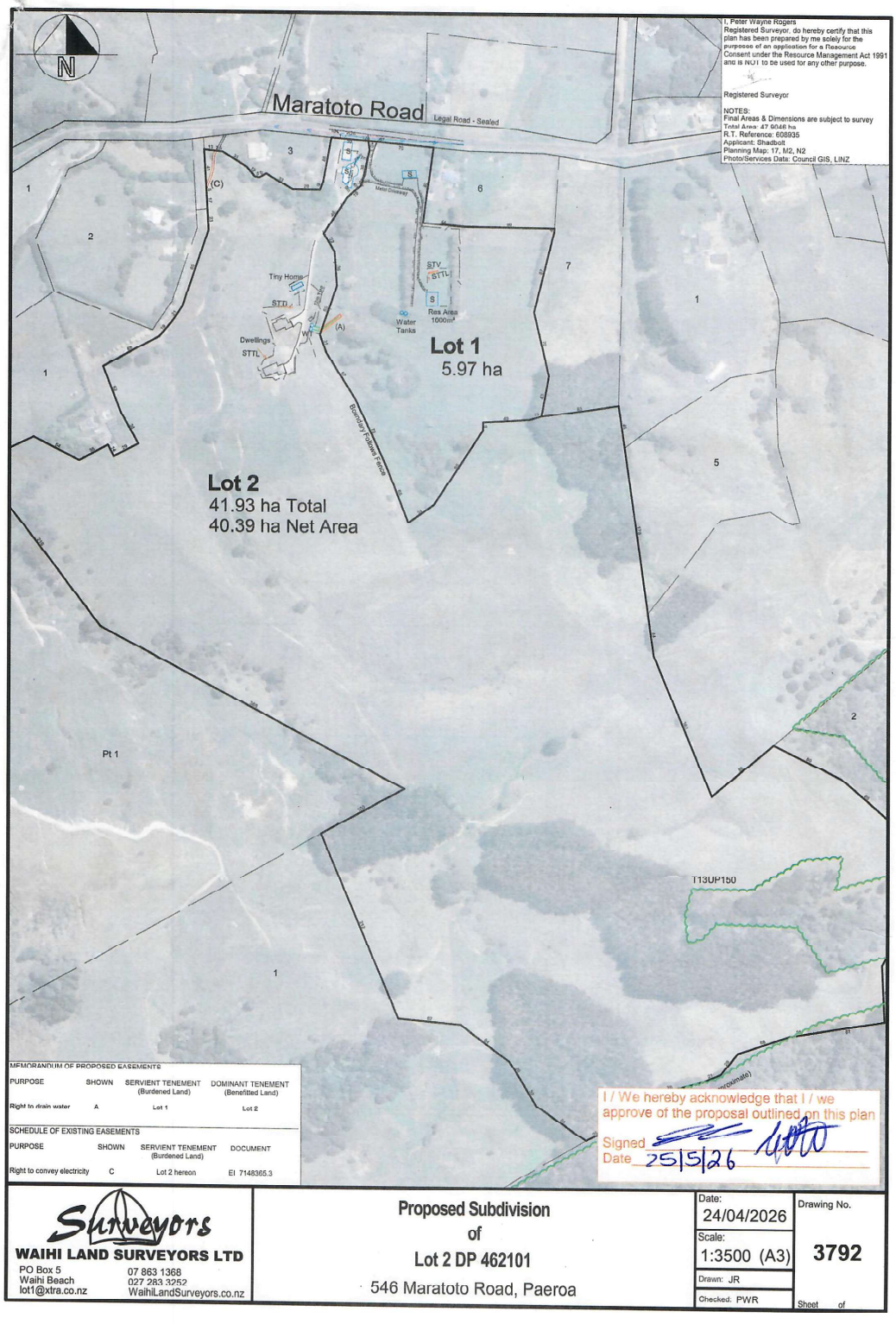
Please consider the effect the application may have on you (if you are unsure you should seek advice). If you approve of the application the Council cannot take into account any effect of the application on you when it considers the application. (If the application is publicly notified you may, however, make a submission in support of or against the proposal).

☑ I / we hereby support the proposal outlined on this plan

☐ I / we hereby do not support the proposal outlined on this plan – please list reasons below:

Signed. ..... Date 25/5/26

Return to:
Waihi Land Surveyors Ltd – Peter Rogers
PO Box 5
Waihi Beach
07 863 1368


N
Maratoto Road
Legal Road - Sealed
I, Peter Wayne Rogers
Registered Surveyor, do hereby certify that this plan has been prepared by me solely for the purposes of an application for a Resource Consent under the Resource Management Act 1991 and is NOT to be used for any other purpose.
Registered Surveyor
NOTES:
Final Areas & Dimensions are subject to survey
Total Area: 47.9046 ha
R.T. Reference: 608935
Applicant: Shadbolt
Planning Map: 17, M2, N2
Photo/Services Data: Council GIS, LINZ
Lot 1
5.97 ha
Lot 2
41.93 ha Total
40.39 ha Net Area
Tiny Home
STTL
Dwellings
STTL
Water Tanks
Res Area 1000m²
STV
STTL
Water Driveway
Boundary Fence Line
Pt 1
T13UP150
MEMORANDUM OF PROPOSED EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOMINANT TENEMENT (Benefitted Land)
Right to drain water | A | Lot 1 | Lot 2
SCHEDULE OF EXISTING EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOCUMENT
Right to convey electricity | C | Lot 2 hereon | EI 7148365.3
I / We hereby acknowledge that I / we approve of the proposal outlined on this plan
Signed
Date 25/5/26
Surveyors
WAIHI LAND SURVEYORS LTD
PO Box 5
Waihi Beach
lot1@xtra.co.nz
07 863 1368
027 283 3252
WaihiLandSurveyors.co.nz
Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa
Date: 24/04/2026
Scale: 1:3500 (A3)
Drawn: JR
Checked: PWR
Drawing No. 3792
Sheet of

Hauraki District Council 1.

Affected Persons Response Form

Resource Management Act 1991, Section 94

Applicant Details	
Full Name(s)	Jacqueline Rae Shadbolt
Address of Proposed Activity	546 Maratoto Road, Paeroa
Brief Description of Proposed Activity for a Resource Consent application:	Agree to the Subdivision Design and house site locations as shown on scheme plan 3792.

Affected Persons		
Full Name(s)	Steven James **Foster** and Tina Marie **Foster**	
Address for Service	Maratoto Road, Paeroa	
Address of Property (if not as above)	Maratoto Road, Paeroa	
Owner(s)/Occupier(s) ☐	Owner(s) ☐ Occupier(s) ☐	(tick as applicable)
Legal Descriptions	Lot 1 Deposited Plan 462101	

Type of Consent: ~~Land Use~~ / Subdivision / ~~ROW easement~~

☑ I / We have examined the plans attached.

☑ I / We have considered the effect the application will have on me/us.

Please consider the effect the application may have on you (if you are unsure you should seek advice). If you approve of the application the Council cannot take into account any effect of the application on you when it considers the application. (If the application is publicly notified you may, however, make a submission in support of or against the proposal).

☑ I / we hereby support the proposal outlined on this plan

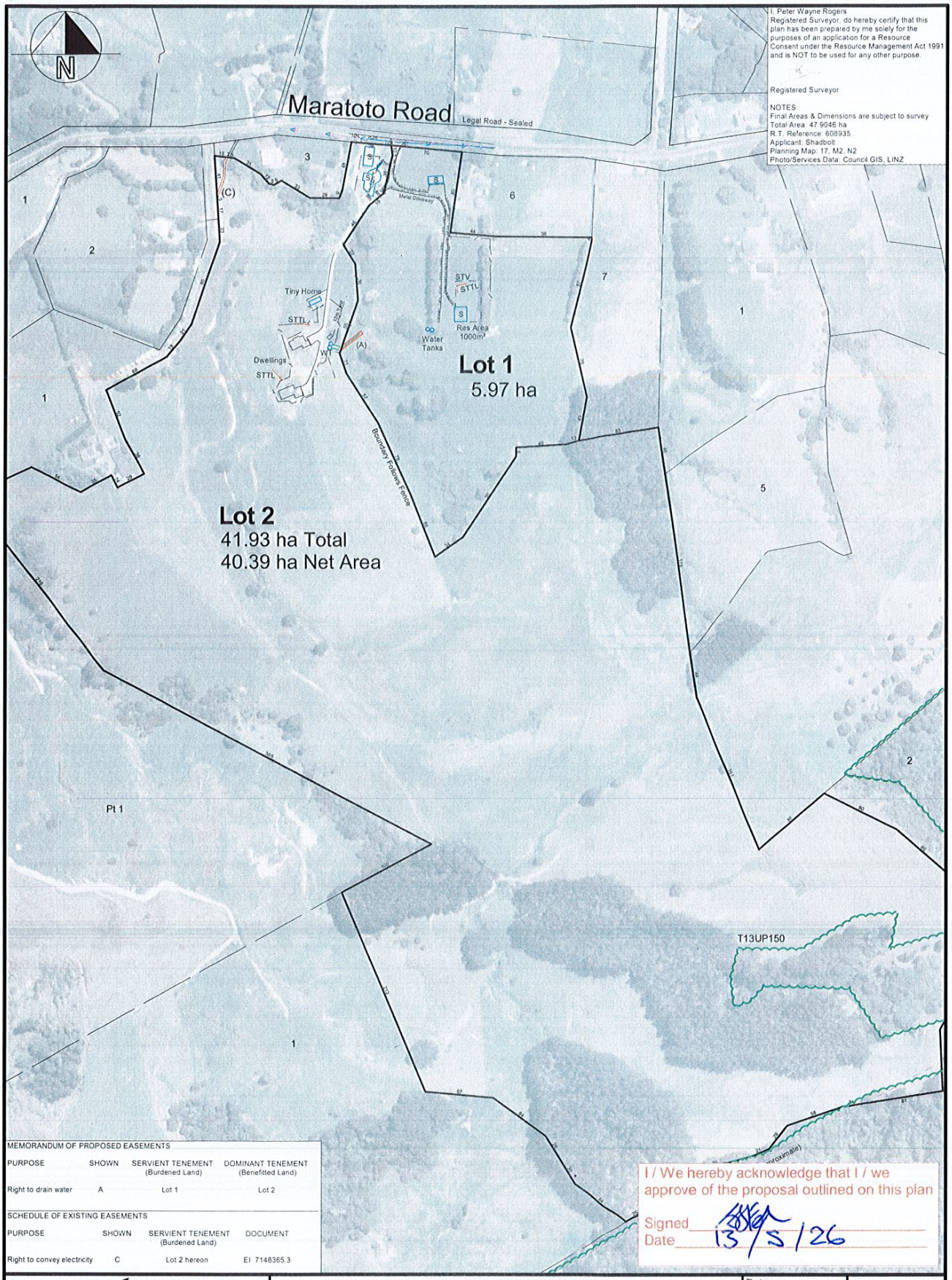
☐ I / we hereby do not support the proposal outlined on this plan – please list reasons below:

_____

_____

Signed..... Date. 13./5./26.

Return to:
Waihi Land Surveyors Ltd – Peter Rogers
PO Box 5
Waihi Beach
07 863 1368


N
Maratoto Road
Legal Road - Sealed
I, Peter Wayne Rogers
Registered Surveyor, do hereby certify that this plan has been prepared by me solely for the purposes of an application for a Resource Consent under the Resource Management Act 1991 and is NOT to be used for any other purpose.
Registered Surveyor
NOTES:
Final Areas & Dimensions are subject to survey
Total Area: 47.9046 ha
R.T. Reference: 608935
Applicant: Shadbolt
Planning Map: 17, M2, N2
Photo/Services Data: Council GIS, LINZ
Lot 1
5.97 ha
Lot 2
41.93 ha Total
40.39 ha Net Area
Tiny Home
STTL
Dwellings
STTL
Water Tanks
Res Area 1000m²
STV
STTL
Metal Driveway
Boundary Follows Fence
Pt 1
T13UP150
(A)
(C)
MEMORANDUM OF PROPOSED EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOMINANT TENEMENT (Benefitted Land)
Right to drain water | A | Lot 1 | Lot 2
SCHEDULE OF EXISTING EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOCUMENT
Right to convey electricity | C | Lot 2 hereon | EI 7148365.3
I / We hereby acknowledge that I / we approve of the proposal outlined on this plan
Signed
Date 13/5/26
WAIHI LAND SURVEYORS LTD
PO Box 5
Waihi Beach
lot1@xtra.co.nz
07 863 1368
027 283 3252
WaihiLandSurveyors.co.nz
Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa
Date: 24/04/2026
Scale: 1:3500 (A3)
Drawn: JR
Checked: PWR
Drawing No. 3792
Sheet of

Hauraki District Council 1.

Affected Persons Response Form

Resource Management Act 1991, Section 94

Applicant Details	
Full Name(s)	Jacqueline Rae Shadbolt
Address of Proposed Activity	546 Maratoto Road, Paeroa
Brief Description of Proposed Activity for a Resource Consent application:	Agree to the Subdivision Design and house site locations as shown on scheme plan 3792.

Affected Persons		
Full Name(s)	Aiden Kylie **Page** and Carmen Jane **Page**	
Address for Service	554 Maratoto Road, Paeroa	
Address of Property (if not as above)	554 Maratoto Road, Paeroa	
Owner(s)/Occupier(s) ☐	Owner(s) ☐ Occupier(s) ☐	(tick as applicable)
Legal Descriptions	Lot 3 Deposited Plan 462101	

Type of Consent: ~~Land Use~~ / Subdivision / ~~ROW easement~~

☑ I / We have examined the plans attached.

☑ I / We have considered the effect the application will have on me/us.

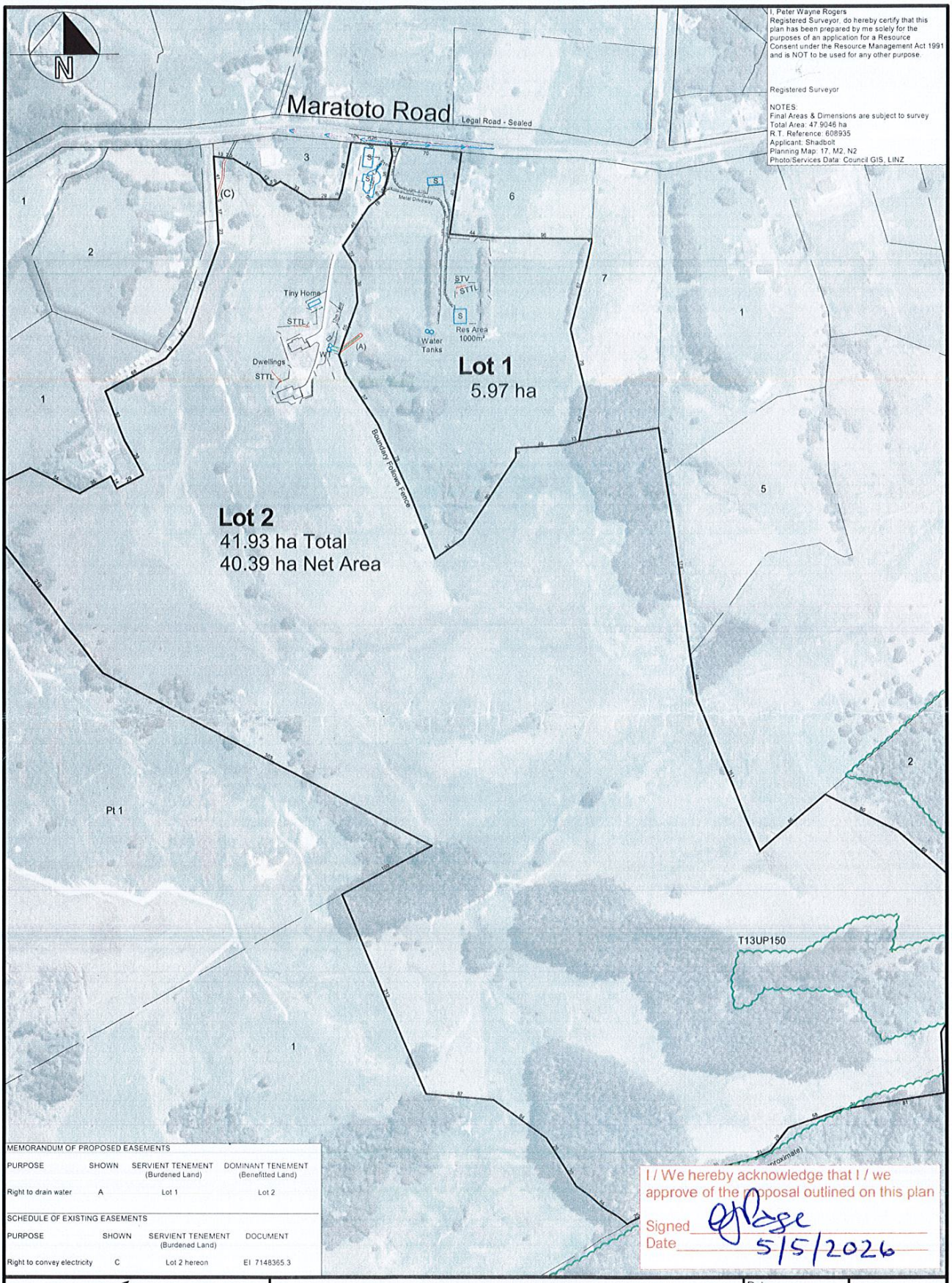
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☑ I / we hereby support the proposal outlined on this plan

☑ I / we hereby do not support the proposal outlined on this plan – please list reasons below:

Signed..... Date 5/5/2026

Return to:
Waihi Land Surveyors Ltd – Peter Rogers
PO Box 5
Waihi Beach
07 863 1368


N
Maratoto Road
Legal Road - Sealed
I, Peter Wayne Rogers
Registered Surveyor, do hereby certify that this plan has been prepared by me solely for the purposes of an application for a Resource Consent under the Resource Management Act 1991 and is NOT to be used for any other purpose.
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Total Area: 47.9046 ha
R.T. Reference: 608935
Applicant: Shadbolt
Planning Map: 17, M2, N2
Photo/Services Data: Council GIS, LINZ
Lot 1
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Lot 2
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40.39 ha Net Area
Tiny Home
STTL
Dwellings
STTL
Water Tanks
Res Area 1000m²
STV
STTL
Metal Driveway
Boundary Follows Fence
Pt 1
T13UP150
MEMORANDUM OF PROPOSED EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOMINANT TENEMENT (Benefitted Land)
Right to drain water | A | Lot 1 | Lot 2
SCHEDULE OF EXISTING EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOCUMENT
Right to convey electricity | C | Lot 2 hereon | EI 7148365.3
I / We hereby acknowledge that I / we approve of the proposal outlined on this plan
Signed
Date 5/5/2026
Surveyors
WAIHI LAND SURVEYORS LTD
PO Box 5
Waihi Beach
lot1@xtra.co.nz
07 863 1368
027 283 3252
WaihiLandSurveyors.co.nz
Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa
Date: 24/04/2026
Scale: 1:3500 (A3)
Drawn: JR
Checked: PWR
Drawing No. 3792
Sheet of

Hauraki District Council **1.**

Affected Persons Response Form

Resource Management Act 1991, Section 94

Applicant Details	
Full Name(s)	Jacqueline Rae Shadbolt
Address of Proposed Activity	546 Maratoto Road, Paeroa
Brief Description of Proposed Activity for a Resource Consent application:	Agree to the Subdivision Design and house site locations as shown on scheme plan 3792.

Affected Persons		
Full Name(s)	Janet Mary **Tye** and Walter Rufus **Tye**	
Address for Service	464 Maratoto Road, Paeroa	
Address of Property (if not as above)	464 Maratoto Road, Paeroa	
Owner(s)/Occupier(s) ☐	Owner(s) ☐ Occupier(s) ☐	(tick as applicable)
Legal Descriptions	Pt Lot 1 Deposited Plan 23515	

Type of Consent: ~~Land Use~~ / Subdivision / ~~ROW easement~~

☑ I / We have examined the plans attached.

☑ I / We have considered the effect the application will have on me/us.

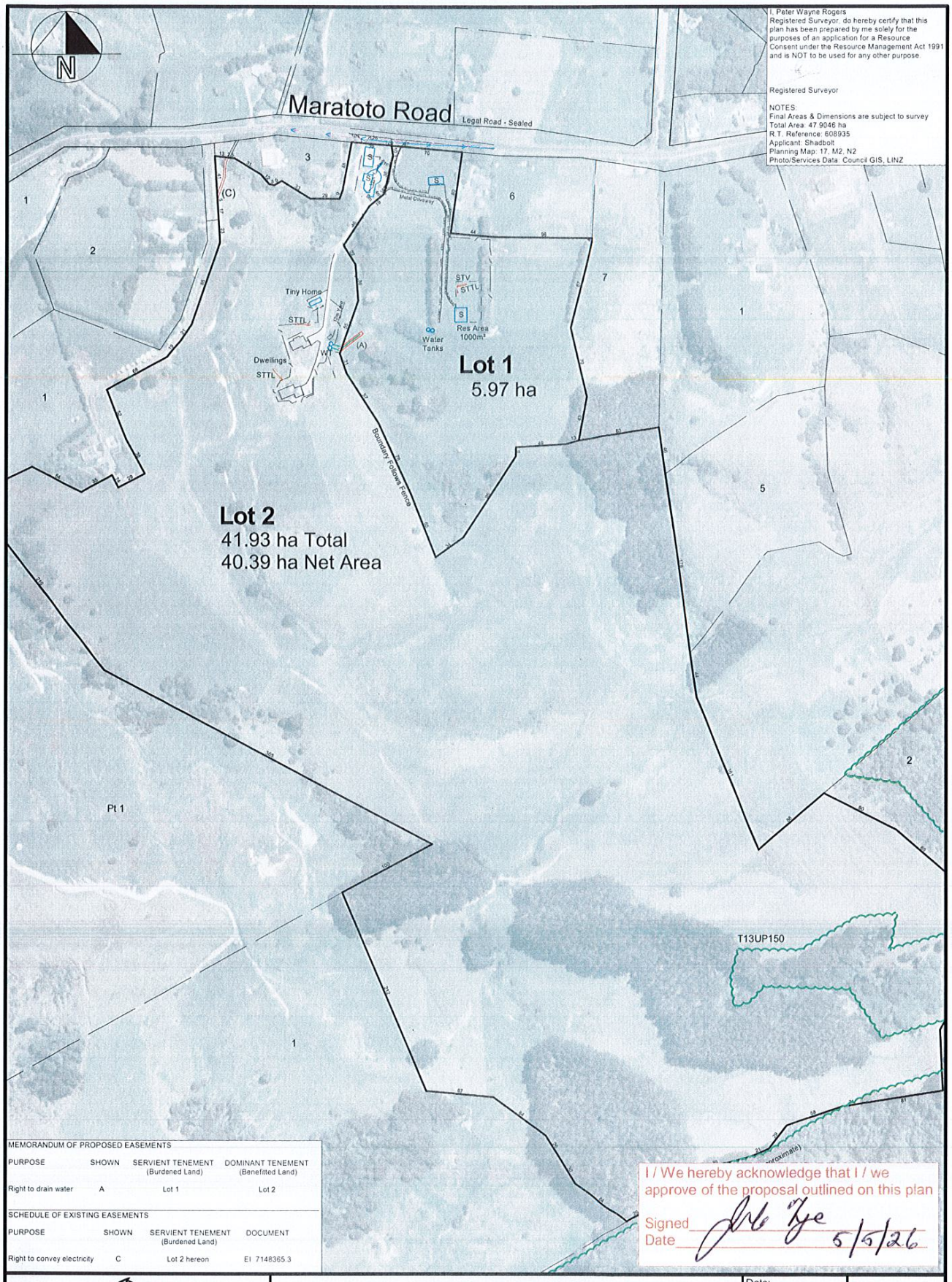
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☑ I / we hereby support the proposal outlined on this plan

☐ I / we hereby do not support the proposal outlined on this plan – please list reasons below:

Signed..... Date.5./.5./.2026

Return to:
Waihi Land Surveyors Ltd – Peter Rogers
PO Box 5
Waihi Beach
07 863 1368


N
Maratoto Road
Legal Road - Sealed
I, Peter Wayne Rogers
Registered Surveyor, do hereby certify that this plan has been prepared by me solely for the purposes of an application for a Resource Consent under the Resource Management Act 1991 and is NOT to be used for any other purpose.
Registered Surveyor
NOTES:
Final Areas & Dimensions are subject to survey
Total Area: 47.9046 ha
R.T. Reference: 608935
Applicant: Shadbolt
Planning Map: 17, M2, N2
Photo/Services Data: Council GIS, LINZ
Lot 1
5.97 ha
Lot 2
41.93 ha Total
40.39 ha Net Area
Tiny Home
STTL
Dwellings
STTL
Water Tanks
Res Area 1000m²
STV
STTL
Metal Driveway
Boundary Follows Fence
Pt 1
T13UP150
(A)
(C)
MEMORANDUM OF PROPOSED EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOMINANT TENEMENT (Benefitted Land)
Right to drain water | A | Lot 1 | Lot 2
SCHEDULE OF EXISTING EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOCUMENT
Right to convey electricity | C | Lot 2 hereon | EI 7148365.3
I / We hereby acknowledge that I / we approve of the proposal outlined on this plan
Signed
Date 5/5/26
Surveyors
WAIHI LAND SURVEYORS LTD
PO Box 5
Waihi Beach
lot1@xtra.co.nz
07 863 1368
027 283 3252
WaihiLandSurveyors.co.nz
Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa
Date: 24/04/2026
Scale: 1:3500 (A3)
Drawn: JR
Checked: PWR
Drawing No. 3792
Sheet of

Hauraki District Council 1.

Affected Persons Response Form

Resource Management Act 1991, Section 94

Applicant Details	
Full Name(s)	Jacqueline Rae Shadbolt
Address of Proposed Activity	546 Maratoto Road, Paeroa
Brief Description of Proposed Activity for a Resource Consent application:	Agree to the Subdivision Design and house site locations as shown on scheme plan 3792.

Affected Persons			
Full Name(s)	Amy Maria Zara Earnshaw and Joe Earnshaw		
Address for Service	580 Maratoto Road, Paeroa		
Address of Property (if not as above)	580 Maratoto Road, Paeroa		
Owner(s)/Occupier(s) ☑	Owner(s) ☐	Occupier(s) ☐	(tick as applicable)
Legal Descriptions	Lot 7 Deposited Plan 337477		

Type of Consent: ~~Land Use~~ / Subdivision / ~~ROW easement~~

☑ I / We have examined the plans attached.

☑ I / We have considered the effect the application will have on me/us.

Please consider the effect the application may have on you (if you are unsure you should seek advice). If you approve of the application the Council cannot take into account any effect of the application on you when it considers the application. (If the application is publicly notified you may, however, make a submission in support of or against the proposal).

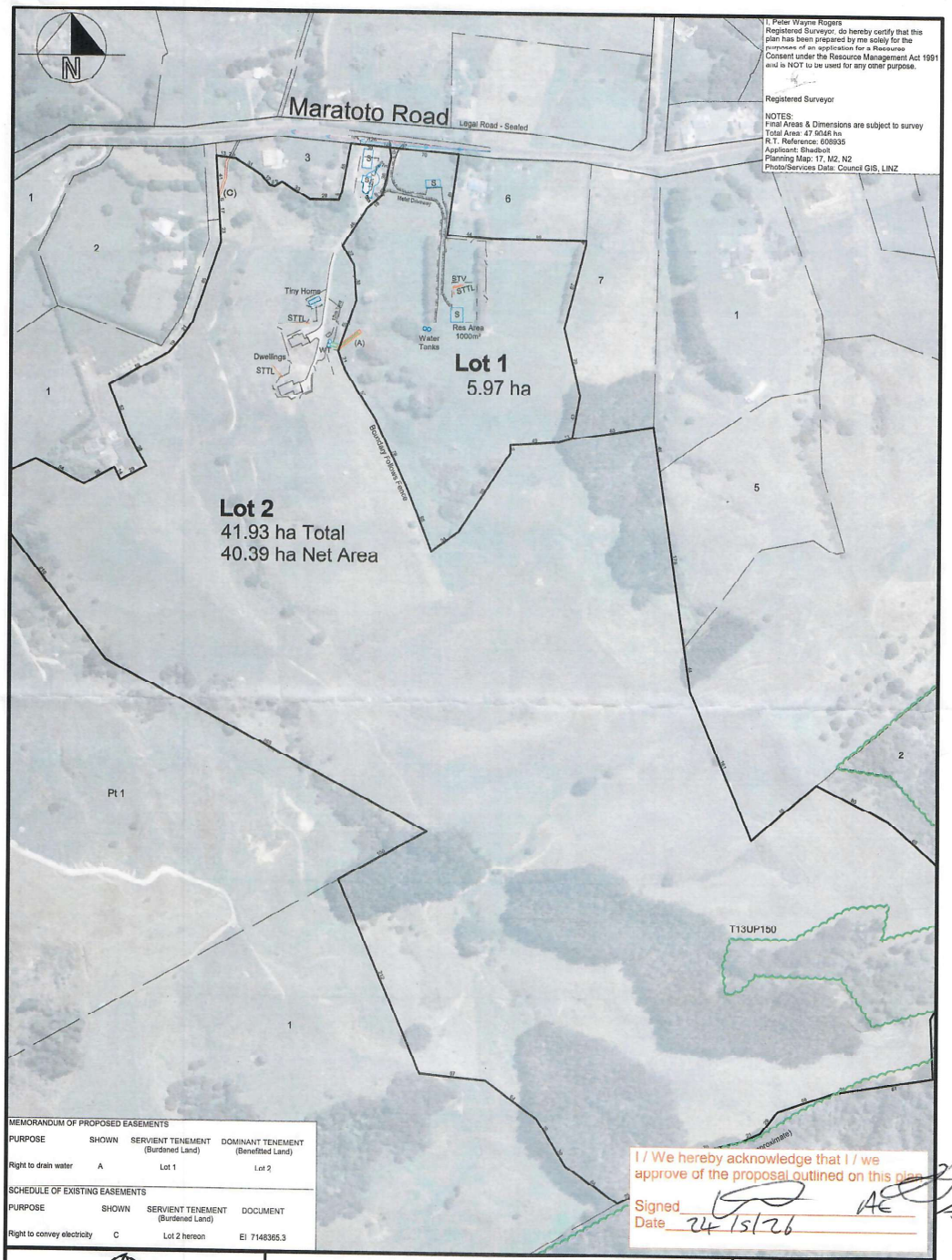
☑ I / we hereby support the proposal outlined on this plan

☐ I / we hereby do not support the proposal outlined on this plan – please list reasons below:

Amy Earnshaw & Joe Earnshaw

Signed..... Date.24./.5./.26...

Return to:
Waihi Land Surveyors Ltd – Peter Rogers
PO Box 5
Waihi Beach
07 863 1368


N
Maratoto Road
Legal Road - Sealed
I, Peter Wayne Rogers
Registered Surveyor, do hereby certify that this plan has been prepared by me solely for the purposes of an application for a Resource Consent under the Resource Management Act 1991 and is NOT to be used for any other purpose.
Registered Surveyor
NOTES:
Final Areas & Dimensions are subject to survey
Total Area: 47.9048 ha
R.T. Reference: 608935
Applicant: Shadbolt
Planning Map: 17, M2, N2
Photo/Services Data: Council GIS, LINZ
Lot 1
5.97 ha
Lot 2
41.93 ha Total
40.39 ha Net Area
Tiny Home
STTL
Dwellings
STTL
Water Tanks
Res Area 1000m²
STV
STTL
Water Driveway
Boundary follows fence
Pt 1
T13UP150
MEMORANDUM OF PROPOSED EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOMINANT TENEMENT (Benefitted Land)
Right to drain water | A | Lot 1 | Lot 2
SCHEDULE OF EXISTING EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOCUMENT
Right to convey electricity | C | Lot 2 hereon | EI 7148365.3
I / We hereby acknowledge that I / we approve of the proposal outlined on this plan
Signed
Date 24/5/26
Surveyors
WAIHI LAND SURVEYORS LTD
PO Box 5
Waihi Beach
lot1@xtra.co.nz
07 863 1368
027 283 3252
WaihiLandSurveyors.co.nz
Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa
Date: 24/04/2026
Scale: 1:3500 (A3)
Drawn: JR
Checked: PWR
Drawing No. 3792
Sheet of

Hauraki District Council 1.

Affected Persons Response Form

Resource Management Act 1991, Section 94

Applicant Details	
Full Name(s)	Jacqueline Rae Shadbolt
Address of Proposed Activity	546 Maratoto Road, Paeroa
Brief Description of Proposed Activity for a Resource Consent application:	Agree to the Subdivision Design and house site locations as shown on scheme plan 3792.

Affected Persons	
Full Name(s)	Jason Owen Keith **Willetts** and Lisa Heather **Willetts**
Address for Service	590 Maratoto Road, Paeroa
Address of Property (if not as above)	590 Maratoto Road, Paeroa
Owner(s)/Occupier(s) ☑ Owner(s) ☐ Occupier(s) ☐ (tick as applicable)	
Legal Descriptions	Lot 1 Deposited Plan 342634 & Lot 5 Deposited Plan 583328

Type of Consent: ~~Land Use~~ / Subdivision / ~~ROW easement~~

☑ I / We have examined the plans attached.

☑ I / We have considered the effect the application will have on me/us.

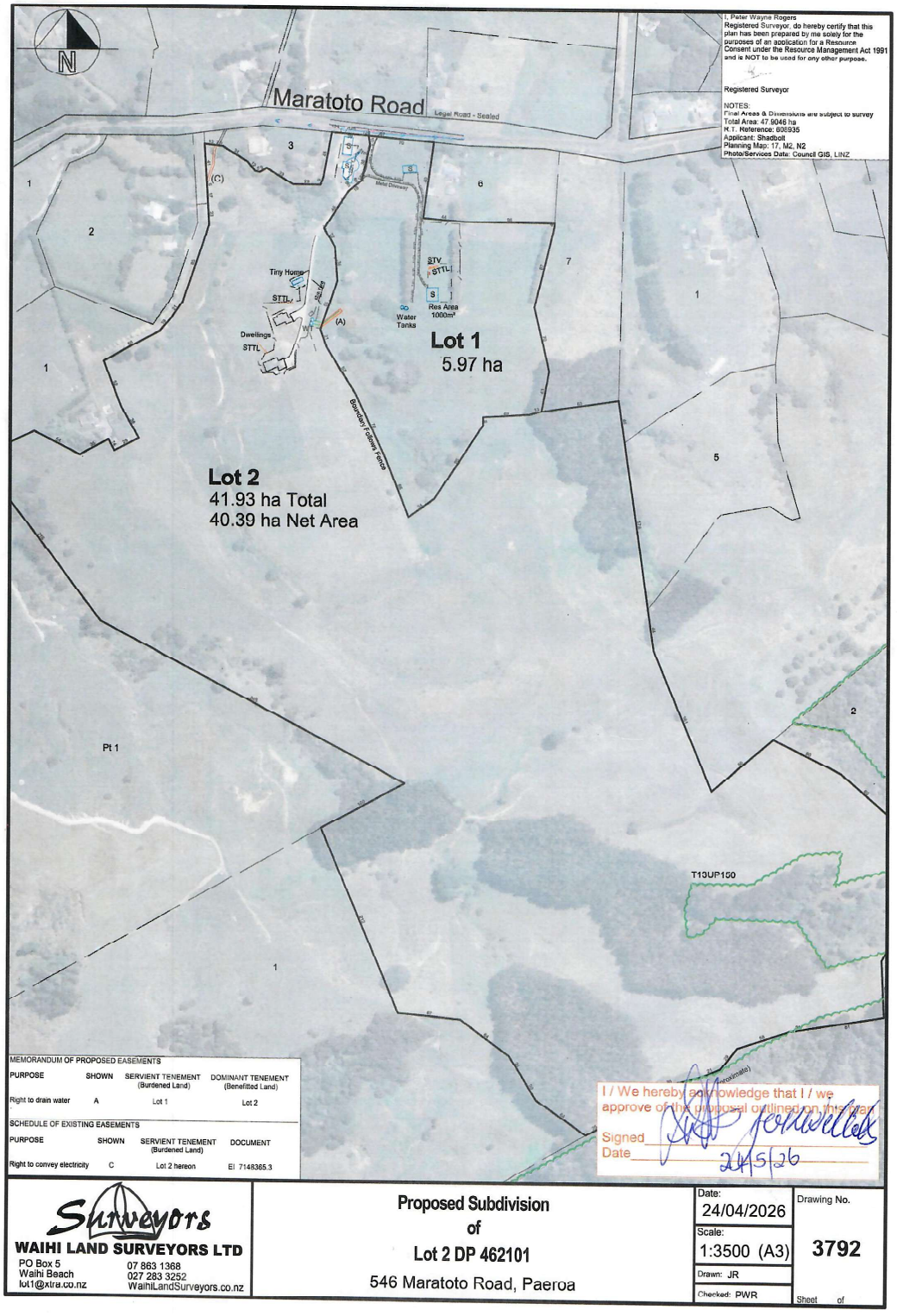
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☑ I / we hereby support the proposal outlined on this plan

☐ I / we hereby do not support the proposal outlined on this plan – please list reasons below:

Signed ..... Date 24/05/26.

Return to:
Waihi Land Surveyors Ltd – Peter Rogers
PO Box 5
Waihi Beach
07 863 1368


N
Maratoto Road
Legal Road - Sealed
I, Peter Wayne Rogers
Registered Surveyor, do hereby certify that this plan has been prepared by me solely for the purposes of an application for a Resource Consent under the Resource Management Act 1991 and is NOT to be used for any other purpose.
Registered Surveyor
NOTES:
Final Areas & Dimensions are subject to survey
Total Area: 47.9046 ha
R.T. Reference: 608935
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STTL
Bore
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STTL
Res Area 1000m²
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Boundary Adjustment Fence
Pt 1
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MEMORANDUM OF PROPOSED EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOMINANT TENEMENT (Benefitted Land)
Right to drain water | A | Lot 1 | Lot 2
SCHEDULE OF EXISTING EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOCUMENT
Right to convey electricity | C | Lot 2 hereon | EI 7148365.3
I / We hereby acknowledge that I / we approve of the proposal outlined on this plan
Signed
Date 24/5/26
Surveyors
WAIHI LAND SURVEYORS LTD
PO Box 5
Waihi Beach
lot1@xtra.co.nz
07 863 1368
027 283 3252
WaihiLandSurveyors.co.nz
Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa
Date: 24/04/2026
Scale: 1:3500 (A3)
Drawn: JR
Checked: PWR
Drawing No. 3792
Sheet of

Hauraki District Council 1.

Affected Persons Response Form

Resource Management Act 1991, Section 94

Applicant Details	
Full Name(s)	Jacqueline Rae Shadbolt
Address of Proposed Activity	546 Maratoto Road, Paeroa
Brief Description of Proposed Activity for a Resource Consent application:	Agree to the Subdivision Design and house site locations as shown on scheme plan 3792.

Affected Persons		
Full Name(s)	David John **Stuart** and Janet Rosemary **Stuart**	
Address for Service	564 Maratoto Road, Paeroa	
Address of Property (if not as above)	564 Maratoto Road, Paeroa	
Owner(s)/Occupier(s) ☑	Owner(s) ☐ Occupier(s) ☐	(tick as applicable)
Legal Descriptions	Lot 6 Deposited Plan 337477	

Type of Consent: ~~Land Use~~ / Subdivision / ~~ROW easement~~

☑ I/ We have examined the plans attached.

☑ I/ We have considered the effect the application will have on me/us.

Please consider the effect the application may have on you (if you are unsure you should seek advice). If you approve of the application the Council cannot take into account any effect of the application on you when it considers the application. (If the application is publicly notified you may, however, make a submission in support of or against the proposal).

☐ I / we hereby support the proposal outlined on this plan

☑ I / we hereby do not support the proposal outlined on this plan – please list reasons below:

The reasons are listed on a separate page attached.

Signed..... Date 21/5/26

Return to:
Waihi Land Surveyors Ltd – Peter Rogers
PO Box 5
Waihi Beach
07 863 1368

email: lotl@xtra.co.nz

Extra page to the Affected persons response form for the subdivision design at 546 Maratoto Road by Jacqueline Shadbolt

We do not support the proposal outlined on the plan provided to us – scheme plan 3792 for the following reasons:

- Part of the new driveway to the new house is located very close to the boundary with our property. Both the house and the driveway are recently built (approx. 18mths ago)
  This now causes dust, noise and headlight glare directly into our back yard area.
  The shed marked on the plan is incorrect this is a dwelling.
  It seems common for a second dwelling these days, so the driveway will very likely have traffic from two homes.
- The owner of the new house has two excavators, one is large. These are operated from this new house, so the machinery uses this new driveway regularly.
  This can be very disruptive and noisy due to the location of the driveway right on our boundary and very close to our backyard.
- The overland flow path that crosses our property has been modified with the construction of the new driveway. The flow path has been filled and replaced with a culvert. The fill is >1m in height from what was the original low point.
- A swale and berm have also been made on the adjacent boundary line, apparently to mitigate the overflow onto our property, but this is also planted with trees, it hard to see how this swale can never be maintained due to the trees.
  We had no issues with the existing overland flow path and would prefer it returned to its previous state.
- Any adverse effects of the swale/berm and culvert will be almost entirely on our property. Should this new drainage system become blocked or unmaintained over time it will result in ponding on our property. While dry right now, in very wet winters and events like cyclone Gabriel, this area can get a lot of water.

We're not opposed to subdivision generally but we are concerned that the effects to our property in this case have not been given any consideration with the work already done.

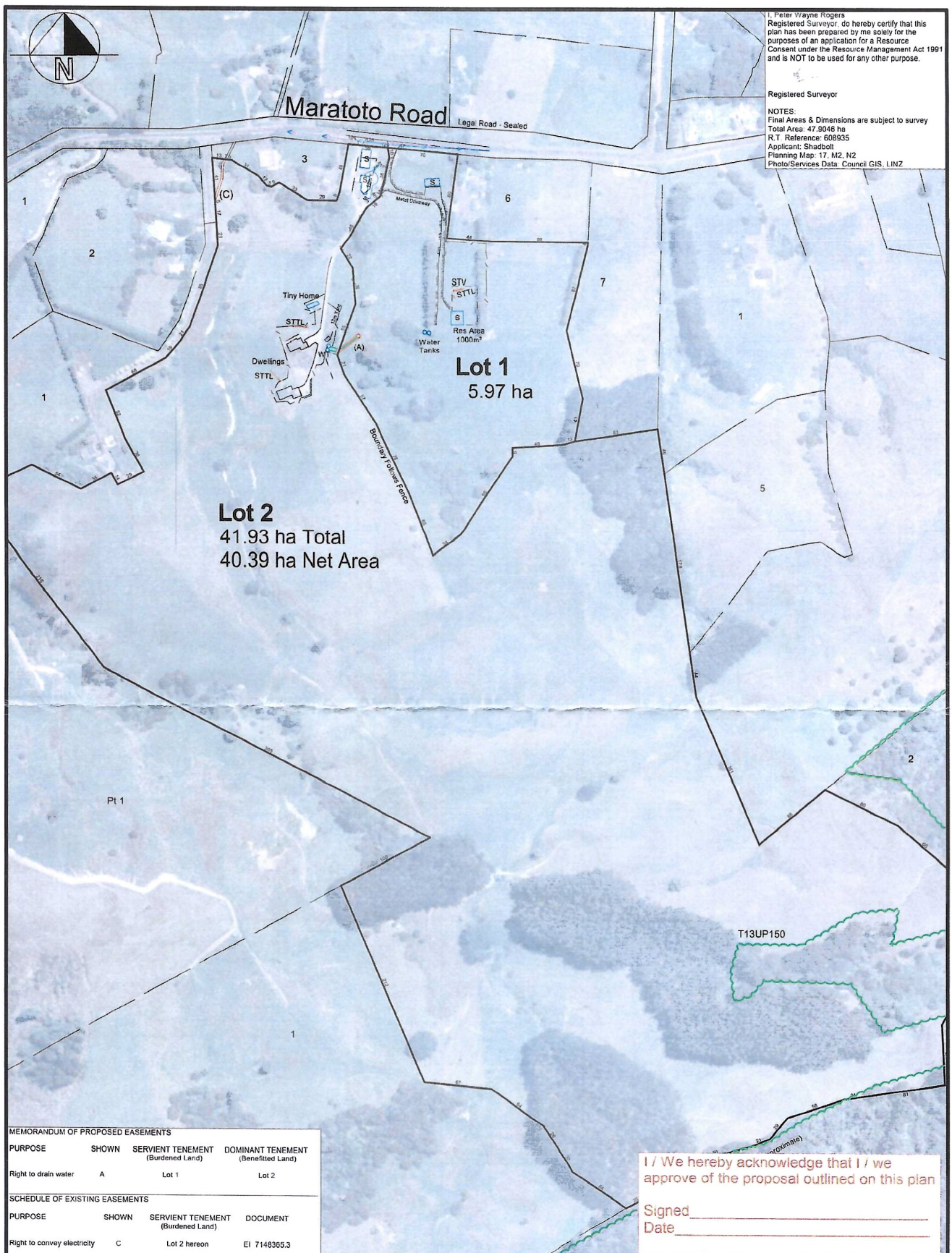
We would like to see the driveway to the new house relocated further away and angled away from our boundary. This will lessen the noise, dust and headlight glare effects to our property, and any potential ponding from culverting the overland flow path will be on their own property, not ours.

We would also like to see the second house site indicated on the plan and screening for both houses provided.

It does seem the work has been done in advance of a subdivision application to remove the need to really consider our concerns, and we believe the value, aesthetics and privacy of our property have been reduced with the location of the driveway and being so close to our property boundary.

We are happy to discuss and to meet at our property, see these things from our side of the fence and we can share our concerns in person.

Dave and Janet Stuart
564 Maratoto Road
Dated: 21/5/26


N
Maratoto Road
Legal Road - Sealed
I, Peter Wayne Rogers
Registered Surveyor, do hereby certify that this plan has been prepared by me solely for the purposes of an application for a Resource Consent under the Resource Management Act 1991 and is NOT to be used for any other purpose.
Registered Surveyor
NOTES:
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Total Area: 47.9046 ha
R.T. Reference: 608935
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Planning Map: 17, M2, N2
Photo/Services Data: Council GIS, LINZ
Lot 1
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Lot 2
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Tiny Home
STTL
Dwellings
STTL
Water Tanks
STV
STTL
Res Area 1000m²
Metal Driveway
Boundary Follows Fence
(A)
(C)
Pt 1
T13UP150
1
2
3
5
6
7
MEMORANDUM OF PROPOSED EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOMINANT TENEMENT (Benefitted Land)
Right to drain water | A | Lot 1 | Lot 2
SCHEDULE OF EXISTING EASEMENTS
PURPOSE | SHOWN | SERVIENT TENEMENT (Burdened Land) | DOCUMENT
Right to convey electricity | C | Lot 2 hereon | EI 7148365.3
I / We hereby acknowledge that I / we approve of the proposal outlined on this plan
Signed
Date
Surveyors
WAIHI LAND SURVEYORS LTD
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Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa
Date: 24/04/2026
Scale: 1:3500 (A3)
Drawn: JR
Checked: PWR
Drawing No. 3792
Sheet of

PEAKE DESIGN

LANDSCAPE ARCHITECTURE ❑ URBAN DESIGN ❑ PROJECT MANAGEMENT

Landscape and Visual Assessment For 546 Maratoto Road, Paeroa

Prepared for:
Jacqueline Shadbolt
c/o Waihi Land Surveyors Ltd
PO Box 5
Waihi Beach 3642

Prepared by:
Sally Peake
Principal, Peake Design Ltd
Registered NZILA Landscape Architect

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1. INTRODUCTION

Peake Design Ltd was requested by Waihi Land Surveyors Ltd, on behalf of Jacqueline Shadbolt, to undertake an evaluation of the potential landscape and visual effects of a proposed subdivision at 546 Maratoto Road, Paeroa.

The proposed subdivision is for an additional lifestyle lot for the owner's son and the conversion of an existing shed into a dwelling.

In order to undertake the evaluation a site visit was made to the site and surrounding context on 6th May 2026. The assessment is based on the Proposed Plan prepared by Waihi Land Surveyors Ltd ref. 3792 and dated 24/03/2026.

The purpose of the landscape and visual assessment is to gain an understanding of the existing landscape and how the proposed subdivision and development will potentially affect that landscape, its rural character and also the visual amenity of local communities.

The report describes the outcomes of the evaluation of landscape and visual effects, and considers the effects with reference to the objectives and policies of the Hauraki District Plan.

2. EXISTING LANDSCAPE CHARACTER AND CONTEXT

The site is located in the Maratoto Valley, approximately 6 km east of Hikutaia Village and 10km northeast of Paeroa. The valley is alongside the Hikutaia River with numerous streams from the adjoining Coromandel Ranges (Figure 1).



Figure 1 Site context (sourced from Topomaps)

Close to SH 26, The area is well served with links to nearby towns and villages as well as recreation facilities including the Hauraki Rail Trail and tracks in the Coromandel Forest Park.

Containing moderately steep rolling land in the upper southern part, the large property covers an area of 47.9ha and currently comprises pasture, farm buildings and two existing dwellings (Figure 2) as well as the shed in the land proposed to be subdivided.



Figure 2 Aerial photograph of site with contours (sourced from Hauraki District Plan online maps)

The property also contains large patches of forest as well as scattered specimen trees.

In addition to the farm buildings on the site close to Maratoto Road, dwellings and shed are common elements along Maratoto Road, and Figure 3 shows that there is a mix of lot sizes and buildings along the road.



Figure 3 Development pattern along Maratoto Road

As a result of historical land use, and land management decisions, the state of the environment and biodiversity in Hauraki has been significantly altered from its pre-human state. In the past, the district would have had a rich biodiversity, from the thriving forests and wetlands of the Hauraki Plains to the coastlines at Wharekawa and Whiritoa. The Hauraki Plains in the past were home to a mix of podocarp-dominant forests and extensive wetlands. The forested sites would have been dominated by kāhikatea and totara trees, with the kāhikatea thriving in lesser-drained soils and the totara dominating on better drained soils.

Currently, 30% of the District is covered with indigenous vegetation and habitats of one form or another, with indigenous forest and broadleaved indigenous hardwood species (such as rimu-tawa forest) making up the largest percentage. Rimu-tawa forest within the Coromandel Ranges and Hapuakohe Ranges is the most well represented indigenous forest type in the district, followed by secondary growth kanuka forest and logged kauri and tawa forest.

A landscape assessment for the Hauraki District was carried out in 2006 by prepared by LA4 Landscape Architects and O'Connor Planning Consultants. This identified landscape units and valued them on ratings for value and vulnerability. This was then used to establish a sensitivity rating for each landscape unit. The study was summarised in the s32 review of the district plan in 2012, with the following landscape units relevant to the proposed subdivision site:

3 – Coromandel Ranges

5 - Foothills

Extracts from the S32 report that cover these is included in this report as Appendix A.

In addition, there are areas of Amenity Landscape and Outstanding Landscape identified to the south of the property. The Maratoto Valley is outside these areas, however.

The Waikato Regional Landscape Assessment was also carried out in 2012, with a primary aim to identify Outstanding Natural Features and Landscapes. In the assessment, although the boundaries are difficult to discern the site appears to be located in the Eastern Ranges with the following particular sensitivities:

The main pressures on this landscape are the potential for new gold mines, and the spread of exotic forestry, pasture or quarrying over the ranges on land not in public ownership. These activities have the potential to threaten the landscape quality and the landscape character of some areas, particularly those areas that are elevated.

In addition to the above of the Eastern Ranges activities mentioned, rural residential development creeping up the slopes also poses a significant threat to the quality and character of this landscape. Due to the topography of the land such development results in the need for earthworks to construct access ways and building platforms. In many instances these earthworks result in vegetation removal and the combined effects on the landscape can potentially be significantly adverse.

Regionally important landscapes were classified as Pristine Landscapes, Outstanding Natural Features and Landscapes, High Value Amenity Natural Features and Landscapes, Significant Natural Landscape Features, and Significant Indigenous Forest Areas. Features identified in the Hauraki District included the Coromandel and Moehau Range, Kaimai Range, and the Kopuatai Peat Dome as part of the Whangamarino, Kopuatai and Torehape Wetlands. The site was not identified as being part of a regionally significant landscape or area.

3. THE PROPOSAL

The proposal is described in the Application prepared by Waihi Land Surveyors. One additional lot of 5.97ha is proposed to be created to be accessed from one of the two existing access points from Maratoto Road.

The area of land for subdivision is located within the Rural Zone of the Hauraki District and is subject to the “All Other Parts of the Rural Zone (Outside Outstanding Natural Landscape Area and District Amenity Landscape Area)” subdivision rules for the Lifestyle Lots.

Land use consent is also sought to convert the existing shed on the new lot to a dwelling.

The application also identifies land use consents needed for yard infringements.

4. STATUTORY FRAMEWORK

The landscape planning objectives and policies applicable to the site are outlined in the Application Report prepared by Waihi Land Surveyors. The following provides a summary of the planning provisions relevant to the assessment of landscape and visual effects.

4.1 Resource Management Act

With regard to the Resource Management Act 1991 (RMA) provisions, the table below shows the relationship between the relevant RMA provisions and the assessment of landscape and visual amenity effects.

RMA Provision	Landscape and visual assessment category
s 6(a);Effects on the natural character of the coastal environment, wetlands and rivers and their margins	Physical Attributes/Landscape Quality Landscape Character
6(b) Effects on outstanding natural features and landscapes	Physical Attributes/Landscape Quality Landscape Character Visual amenity
s 7(c) Effects on amenity values; and	Visual amenity
s 7(f) Effects on the quality of the environment	Physical Attributes/Landscape Quality

4.1 Hauraki District Plan

The Hauraki District Plan sets out the management and planning framework for the site, which is zoned Rural. The zone purpose explains that this covers most of the land outside the towns and is almost exclusively a farming area. Extensive grazing and production forestry occurs in the hill country with lifestyle lots enabled in the zone under 9.4.1.2.

Objectives and policies are focused on enabling rural production activities, and preserving and enhancing open rural landscape character. Specifically, with regard to the proposed subdivision, the following objectives and policies for the Rural Zone are applicable.

5.1.2(1)(a)

(ii) Land use activities which do not rely on land with high productive capability (including urban development and rural lifestyle activities) should not be sited on land with high productive capability, except where the character, scale and intensity of those activities ensures that the land remains available for other activities in future that can utilise its high productive capability.

(iii) Ensure buildings (including dwellings) and rural activities maintain the amenity value of a predominantly open rural character and the productive use of the land.

5.1.2(2)(a)

(i) Ensure the erection of buildings does not detract from the open rural landscape character values of the Rural Zone.

5.1.2(4)(a)

(iii) Other adverse effects (e.g. noise, smell, glare, vibration, visual) on the environment and amenity of the District (particularly where they are near to residential or other sensitive activities) should where practicable be avoided, or remedied or mitigated.

The application is for a discretionary activity, with the following general assessment criteria:

(1) The degree to which buildings, other structures and activities will adversely affect the rural landscape characteristics, particularly in relation to the open rural character.

(6) Whether buildings are sufficiently set back from the boundaries of neighbouring properties to avoid causing a nuisance by way of overshadowing, obstruction of views, noise, glare and loss of privacy.

(8) Whether features of the proposal including the location, design, and colour of buildings and structures, the planting of trees and shrubs, and the shaping of earth avoid, remedy or mitigate any adverse effect on the existing landscape.

(21) Whether the activity and any buildings and structures are of a scale and intensity which are in keeping with the character and amenity values of the existing rural environment.

In addition, the Subdivision objectives and policies are applicable, together with the discretionary activity assessment criteria. These include:

9.1.3(7) (a) (ii) Providing for small lot lifestyle subdivision on less productive rural land, subject to ensuring that the rural character, landscape and amenity values are protected.

9.6(1)(o)Where the subdivision involves the creation of lifestyle lots in the Rural Zone (Outside District Amenity Landscape Area) in accordance with Rule 9.4.1.2(4), regard shall be had to the relevant assessment criteria in 9.6(2) below to ensure the open rural character and *amenity* of the area are maintained and potential reverse sensitivity effects on rural production activities are minimised.

9.6(2)

(a) Whether the subdivision layout has taken sufficient account of the topography of the *site* and surrounding land, through providing for house sites and access thereto that will, when built on, minimize the visual impact of *buildings* and the access (both individually and cumulatively) on the open rural character or landscapes of district significance or coastal character values of the Rural or Coastal Zones and locality. In particular, the subdivision design should avoid the positioning of proposed building platforms that will give rise to any structures being located where they will break the line and form of any skylines or prominent ridges or be highly visible from any approved building site on an adjoining property, a state highway or arterial road, or the surface of water along the eastern coastline of the District.

(b) Whether the cumulative effects of the *subdivision* will adversely effect:

(i) the open rural/coastal character and amenity of a particular area;

(ii) the natural character and landscape values of the District Amenity Landscape Area;

(iii) the use of the adjoining/surrounding properties for farming and other established rural activities.

(c) Whether the subdivision layout has taken sufficient account of the need to provide open space around buildings and especially between existing houses and potential house sites on adjoining *lots* and/or adjacent properties.

(d) Whether the subdivision is designed to minimise conflicts (including from reverse sensitivity effects) that can arise between existing and potential rural production activities and lifestyle residents. Particular attention is required to the design of the subdivision (especially the ability to achieve acceptable internal noise levels within habitable rooms of future dwellings) where located within a quarry resource area and the associated quarry reverse sensitivity area as identified on the planning maps.

(e) The appropriateness of mechanisms proposed by the applicant, or the need for consent notices on the resultant *titles*, to:

(i) ensure that restrictions are placed on the area of any allotment not nominated for construction of a dwelling and associated accessory buildings to ensure that this area is kept free of any future building development in perpetuity;

(ii) specify the location and size of building platforms and access thereto;

(iii) specify the formation standards and design of driveways;

(iv) provide foundation, wastewater and stormwater disposal designs in accordance with any specified engineering assessments;

(v) retain, enhance and maintain areas in indigenous vegetation;

(vi) remove and control noxious plants or other exotic species incompatible with ecological values of the area;

(vii) prohibit cats, mustelids or ferrets and require ongoing control of feral animal pests;

(viii) place controls on dogs and grazing of stock.

5. ASSESSMENT OF EFFECTS

The assessment of landscape and visual effects is based upon the professional judgement of the author, and uses ratings that evaluates the level of landscape and visual effects resulting from the proposed development. The assessment of landscape and visual effects has been undertaken with reference to the methodology contained in Te Tangi a te Manu: Aotearoa Landscape Assessment Guidelines[1].

It should be noted that change in a landscape does not necessarily constitute an adverse landscape or visual effect. Landscape is dynamic and naturally changes over time in both subtle and more dramatic transformational ways. These changes are both natural and human induced. What is important is the management of landscape change so that significant adverse effects are avoided or sufficiently mitigated to ameliorate the effects of the change in land use. Effects are assessed with regard to the way in which a proposal will impact on the character and values of the place.

5.2 Methodology

The assessment of landscape and visual effects evaluates the level or magnitude of effects that will result from the proposed works, with reference to the site context and relevant planning framework outlined above. The methodology consists of three stages.

Firstly, the existing landscape values are defined and the attributes underpinning those values are described (refer to sections 2 and 4). The magnitude and nature of the impacts arising from the proposal in relation to the values are then evaluated and the significance of the impact is assessed. Impacts may be positive or negative, direct or indirect and may be short, medium or long-term in duration. The long-term or residual impacts likely to result from the proposals (those that remain after the establishment of the mitigation measures) form the final results of the assessment. A rating scale is used to determine the degree of effect.

In summary, the method has entailed

(i) A site visit to the site and surrounding context,

(ii) A description of the relevant attributes of the existing environment,

(iii) A description of the proposal,

[1] 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', July *2022'*

(iv) A review of the relevant planning context and identification of key matters for assessment

(v) Assessment of effects with respect to landscape values, including effects on natural and rural character, and visual amenity effects.

There is an interrelationship between landscape and visual matters, whereby landscape impacts relate to physical, associative and perceptual dimensions of the landscape, and visual impacts relate to the consequences of change on landscape values as experienced in views. In the rating the scale or magnitude of effects, effects are based on an overall judgment on landscape values that also has regard to the site context and its planned environment as expressed in the planning documents.

Landscape and visual impacts result from natural or induced change in the components, character, or quality of the landscape. Usually these are the result of landform or vegetation modification or the introduction of new structures, facilities, or activities. Landscape effects arise when such change affects the values of that landscape either in beneficial or adverse ways.

The landscape effects generated by any proposal can, therefore, be perceived as:

- Positive (beneficial), contributing to the character and quality of the environment;
- Negative (adverse), detracting from existing character and quality of the environment;
- Neutral (benign), with essentially no effect on existing character or quality of the environment.

Visual amenity is a component of the overall amenity of a place and therefore contributes to peoples' appreciation of the pleasantness and aesthetic coherence of the environment. This aspect considers the visual effects on landscape values for the viewing audience.

Contributing factors that affect the relative sensitivity of receptors/viewers and the magnitude of effects include:

- Physical catchment and character that would be exposed to visual change
- Nature of the audience who would experience that change
- Type/size of view (orientation; elevation; peripheral/central)
- Scale, type and intensity of change

The methodology uses a 7-point scale of effects ranging from very low to very high, consistent with Te Tangi a Te Manu guidelines. For completeness, a comparison between

level of effect and RMA equivalent[2] (less than minor, minor and more than minor) is provided below



The overall level of effects is based on an overall judgment that has regard to the site context and its planned environment as expressed in the planning documents.

5.3 Landscape and visual effects assessment

For this proposal, landscape values are clearly aligned with the rural values and characteristics of the site and area. These include the rolling landform, existing pastoral, forestry and kiwifruit land use, and (beyond the site) the ranges, bush and stream corridors.

Generally, it is considered that there are three main sets of values that can be attributed to the setting. These are:

1. the degree of builtness or naturalness of the surrounding landscape, i.e. the degree of modification in terms of development and buildings

2. the landscape values and vulnerability or fragility of the environment to absorb development or change, and

3. the nature of the development itself

The first two define the “fitness” of the landscape to accept the new development, and allow decisions to be made regarding the impact of a development on the receiving environment, while the third defines how well equipped the design of the development is to “fit” the landscape, taking account of physical and cultural values as well as from an aesthetic point of view. The landscape character and nature of the landform and vegetation also determines the available views of the development, depending on the exact location and disposition of elements.

In this situation, the Plan provisions are focused on limiting lifestyle activity on productive farm land and preserving and enhancing open rural landscape character. The landscape setting, location and design of the lot and building(s) will determine the suitability of proposed development and subdivision.

[2] To enable a test against s95A and s95E of the RMA as outlined in 6.38 of Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022

The images attached to this report show that the proposed lot is located in a discrete area with hobby farms and lifestyle lots set against a backdrop of pastoral and land and forestry (as well as kiwifruit in other parts of the valley). Sheds and dwellings are scattered along the road and on the lower slopes, and together with the sense of containment (from surrounding landform and bush/forest) provide a strong sense of identity to the hamlet.

The addition of the new lot is not expected to interrupt or modify the existing pattern and identity of the landscape and environment, and is able to be comfortably integrated into the setting.

While the change from a shed to a dwelling will introduce physical and visual change, it is considered that the effects will not be out of place or inconsistent with other residential activity in the neighbourhood.

In this regard it is not considered that there will be cumulative adverse effects; rather the effects will be readily absorbed into the existing scene and landscape.

The design of the lot is appropriate within its setting and is sized sufficiently to maintain rural aspect and spaciousness. There are no proposed changes to the lot other than the conversion of the shed to a dwelling and a new driveway and no vegetation is proposed to be removed. It is recommended, however, that conditions be placed on the development to maintain rural character. These include conditions to control the height and type of fencing and the driveway material.

Due to the discrete location of the lot and limited change to the building and site, landscape effects from the proposed subdivision and development are rated low.

5.4 Visual effects

Images are included in the attachment to this report that show the nature of the existing environment and landscape, and views of the site from locations on Maratoto Road. As noted in Section 5.3 above, although the change from a shed to a dwelling will introduce visual change, it is considered that the effects will not be out of place or inconsistent with the nature of development in the neighbourhood.

Due to the characteristics of the road and the surrounding landform and vegetation, there will be very limited views of the site and building, despite its elevated location on the hillside. Any views from the road will be brief and transient and it is not expected to be a focus of attention.

The dwelling will have sufficient separation from adjacent dwellings to protect their privacy and amenity. There is some potential for the dwelling to overlook 564 Maratoto Road, but there is more than 100m separation and the dwelling at #564 is oriented toward the north with the car and service area to the south.

It is therefore considered that visual amenity effects for road users and residents are low.

6. PLANNING ASSESSMENT AND PROPOSED MITIGATION

The site is not identified as being part of a regionally or locally significant landscape or area. It is , however, zoned Rural where rural production activities are expected to be predominant and where subdivision and lifestyle development is required to maintain or enhance rural landscape character.

In this situation, the subdivision is considered to be appropriately located, within an established hamlet and close to amenities and services. It is also small scale, comprising on lot and the conversion of a small recessive shed to a dwelling. The overall size of the property also allows for a predominant area of productive land to be maintained, as well as maintaining the wider rural landscape character values of the zone.

The planning and design of the subdivision includes:

- Avoiding gullies and catchment areas for the building
- Using the existing farm access and shed for development
- Locating the lot on the lower slope and within existing fence patterns to integrate it into the landscape and retain a farmed/forested backdrop
- Locating the lot within a variable pattern of existing similar (lifestyle) development
- Locating the dwelling to maintain spaciousness and adequate separation and privacy for neighbouring residents

It is concluded that the lot and building will maintain the amenity value of a predominantly open rural character, with the balance lot maintaining productive use of the land. The discrete and relatively secluded location as part of a hamlet of similar development also ensures that the proposal will not detract from the open rural landscape character values of the wider Rural Zone.

It is considered that there are no other residential or sensitive activities (outside the property) that would be adversely affected by the proposal, acknowledging that there is potential for overlooking of 564 Maratoto Road but that effects are mitigated both by the orientation of that dwelling and the generous separation distance. Nevertheless, a condition could be offered to prohibit any buildings or structures within 12m of the boundary with this property.

It is considered that that the subdivision and building(s) are of a scale and intensity which are in keeping with the character and amenity values of the existing rural environment, and will enable rural character, landscape and amenity values to be protected.

It is not considered that the proposal will result in cumulative effects as the proposal is small in scale and will be readily absorbed into the existing scene and landscape.

Proposed conditions.

1. Fences shall be post and wire or timber post and rail. No closeboard fencing will be permitted.
2. Driveways or parking areas shall be formed in natural stone or gravel, or be coloured in dark/earth tones.
3. (Potential offer) No buildings or structures shall be constructed within 12m of the rear boundary with 564 Maratoto Road.

Sally Peake

Registered FNZILA Landscape Architect



APPENDIX A – Description of landscape units and recommended provisions

3 - Coromandel Ranges

- *Much of the land contained in this unit is owned by the Department of Conservation. The forest areas are indicated on Hauraki District Plan planning maps (8, 13 and 14).*

- *This area displays high levels of remoteness and wildness, as well as significant natural character values.*

- *This is an outstanding landscape and therefore in terms of section 6 of the Resource Management Act 1991 any subdivision, use or development of the land has to be very carefully managed to ensure that this landscape is protected.*

- *The key elements to be protected are:*

  - *The bush covered ridgelines;*
  - *The homogeneity of the bush covered hills;*
  - *Wildness and remoteness which is achieved by a lack of built structures; and*

  - *the very high natural character.*

- *These elements can be protected by avoiding activities such as the following on the steep vegetated slopes and flanks of the range:*

  - *monoculture forestry;*

  - *quarrying;*

  - *roading patterns and earthworks;*

  - *rural residential development;*

  - *buildings and structures, such as power pylons, cell sites and wind turbines (though the adverse effects of these may be able to be mitigated through appropriate sitting and design); and*

  - *the removal of indigenous vegetation.*

- *Some activities will be able to be located in the lower portions of the valleys where there are already cleared areas and a mix of activities.*

- *Appropriate plan provisions will need to be drafted to protect the outstanding landscape and provide for an appropriate level of development in the areas not identified as outstanding that will not detract from or adversely affect the outstanding landscape values.*

- *The fact that much of the land in the Coromandel Range is in Crown ownership will ensure that development can be avoided or carefully controlled."*

5 - Foothills

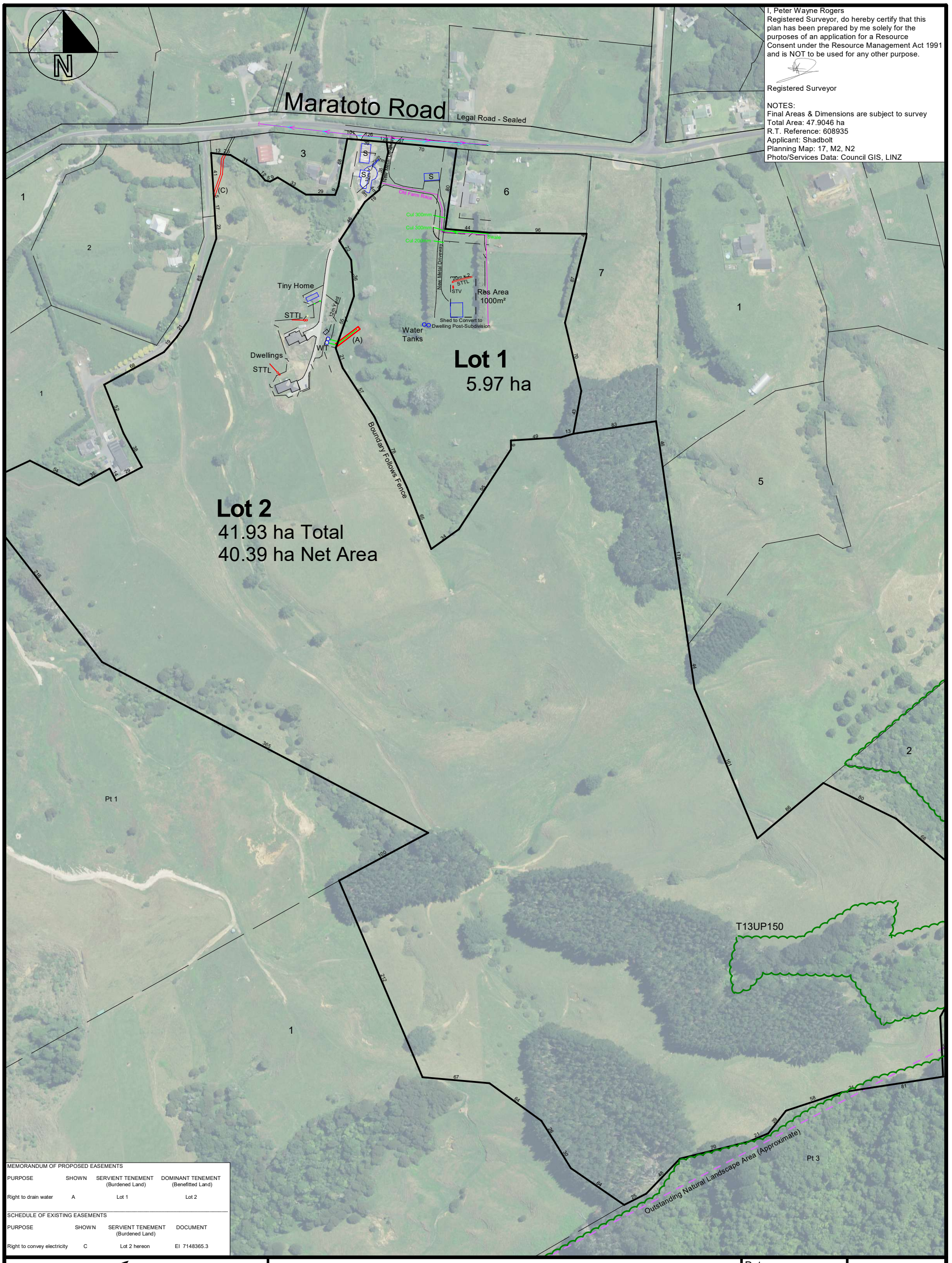
- *This landscape unit can accommodate additional development such as rural residential and a range of rural land use activities so long as:*

  - ❖ *The rolling rural/native forest character of this unit is retained;*

  - ❖ *that areas of native forest on the slopes and in the valleys is protected; and*

  - ❖ *that buildings, roads and accessways are sited within the folds of valleys and not on the outer flanks of the ranges. Also, that any earthworks and vegetation removal are undertaken in a manner that preserves the integrity of the visually exposed slopes.*

- *As development increases in this landscape unit it will be increasingly important to retain and protect existing pockets of native vegetation in order to mitigate the effects of development on this landscape."*



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Proposed Subdivision
of
Lot 2 DP 462101
546 Maratoto Road, Paeroa

Date: 22/05/2026
Scale: 1:3500 (A3)
Drawn: JR
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Our Ref: 3792

Date: 20th October 2026

To: Chief Executive Officer
Hauraki District Council
PO Box 17
PAEROA

RESOURCE CONSENT APPLICATION FOR:
SUBDIVISON CONSENT

JUDICIAL COMMITTEE SUBMISSION

Council reference	**-**	**SUBD 201.2025.00002113.001**
Applicant	**-**	**Jacqueline Shadbolt.**
HDC Planner	**-**	**Jason Ward.**
Location	**-**	**546 Maratoto Road, Paeroa.**
Appellation	**-**	**Lot 2 DP 462101.**
Record of Title	**-**	**RT-SA608935 dated 20/12/2013.**

1. SYNOPSIS:

Property Location:

This property is located on the southern side of Maratoto Road. This area of the district is one of the main areas of Lifestyle development as seen in the attached graphic which shows subdivisions in yellow that have occurred since the year 2000.

The property has been owned by Mrs Shadbolt since 14/12/2016. The property has two existing modern dwellings and a relocatable dwelling all occupied by Mrs Shadbolt and Mrs Shadbolt's brother. Mrs Shadbolt's mother occupied the minor dwelling has recently passed away and the minor dwelling is being sold for relocation off the property.

2. DEVELOPMENT OF THE PROPERTY:

The property development is to provide for another dwelling through subdivision for Mrs Shadbolt's son - Mark. The shed has been recently built of which a portion will be converted to a dwelling under building consent once Title is issued for the subdivision. The property will still continue as one farming entity encompassing 48ha.

Property History

The land parcel size at September 2000 was eligible for 5 Lifestyle Lots under Councils planning rules as a Controlled Activity.

- The parent parcel of land was Lot 2 DPS77849 with a Title date of 03/2/1998 being 59.9817 ha.

- Three lifestyle lots and a balance lot were created in 21/10/2005 - survey plan DP337477. Lot 2 - 2.5036ha, Lot 6 - 1.0898 and Lot 7 - 2.0820ha.

- The balance lot of 51.4359 ha was again subdivided by survey in 06/12/2006 – survey DP366390 into two lifestyle lots. Lot 4 - 28.2051ha and Lot 5 - 23.2388ha. Here the five lot lifestyle threshold has been reached from the parent title as of Sept 2000.

- A subsequent subdivision by DP462101 in 20/12/2013 made one further lifestyle lot and converted a lifestyle lot to a general lot. Lot 3 - 5444m², Lot 1 - 2.9955ha, Lot 2 - 47.9046 ha – keeping the threshold of five lifestyle lots.

This proposed subdivision will make a sixth lifestyle lot which is provided for as a Discretionary Activity in the District Plan – see below for District Plan extract.

9.4.1.2 LIFESTYLE LOTS IN THE RURAL ZONE
In the Rural Zone, land may be subdivided to create lifestyle *lots* as a *Controlled Activity* as specified in 9.4.1.2(1) and (2) below:

(1) PLAINS AND WAIHI BASIN AREA (Refer to Planning Maps M1 - M4) (a) Land may be subdivided to create a lifestyle *lot* where the lifestyle *lot* is physically separated from the balance area of the *title* by: **(i)** a permanent watercourse or wetland not less than 3 metres in width; or
(ii) an existing formed public *road* currently maintained by the *Council*; or
(iii) an operative railway; or
(iv) a reserve under the Reserves Act 1977; or
(v) an area protected under the Wildlife Act 1953, Te Ture Whenua Māori Act (the Māori Land Act) 1993 or the Conservation Act 1987; or
(vi) such other severe physical or legal feature.

(b) The lifestyle *lot* shall comply with the following: **(i)** *Lot* size shall be a minimum of 5,000m2 and a maximum of 2 hectares.
(ii) The lifestyle *lot* shall as a minimum contain a *residential area* of 1000m2.
(iii) The *lot* shall have a minimum *road frontage* of 6 metres.
(iv) The balance area of any *subdivision* creating the lifestyle *lot* shall have a minimum area of 5000m2 and as a minimum a *residential area* of 1000m2.

Hauraki District Plan 16 September 2019
Section 9.4: Subdivision Rules Applicable for Specific Zones *(Words in italics in rules and assessment criteria are defined in Section 4.0 Definitions)* **9.4-3**

(2) ALL OTHER PARTS OF THE RURAL ZONE (OUTSIDE OUTSTANDING NATURAL LANDSCAPE AREA AND DISTRICT AMENITY LANDSCAPE AREA)
(a) For each *certificate of title* that existed at 26 September 2000, or that was issued as a result of a Resource Consent granted on or before 26 September 2000, the land may be subdivided to create a maximum of five lifestyle *lots*.
(b) The lifestyle *lots* provided for in (a) above shall comply with the following:
(i) No more than two *lots* shall be between 5000m2 and 2 hectares; all other lifestyle *lots* shall be a minimum of 2 hectares.
(ii) The lifestyle *lots* shall as a minimum contain a *residential area* of 1000m2.
(iii) The lifestyle *lots* shall not contain land with a *Land Use Capability Class* of Class VII or VIII. (Note: A report on the *Land Use Capability Class* of the *site* shall be prepared by a suitably qualified expert, except where the *Land Use Capability Class* is clearly beyond doubt by reference to the New Zealand Land Resource Inventory Worksheets, the *Council* may waive this requirement.)
(iv) No lifestyle *lot* shall be located within a *quarry resource area* and the associated *quarry reverse sensitivity area*, as identified on the planning maps.
(v) The balance area of any *subdivision* creating one or more lifestyle *lots* shall comply with the requirements for General *Lots* (see Rule 9.4.1.1(1)), unless the balance area also complies with the requirements for creating Lifestyle *Lots*.

(3) CONTROLLED ACTIVITY MATTERS

In assessing a *subdivision* for Lifestyle *Lots* provided for in accordance with Rule 9.4.1.2(1) and (2), *conditions* may be imposed in relation to the matters over which *Council* has reserved control as specified below:
(a) Location, Size, Shape and Dimension of the *Lots* and Access Thereto (i) Refer to Section 9.5 – *Controlled Activity* Assessment Matters.
(ii) Whether the lifestyle *lot subdivision* compromises the use of the balance of the *holding* for a range of *rural production activities*.

(iii) Whether the lifestyle *lot subdivision* is designed (eg through identified building platforms, orientation of *dwellings*) to provide the occupants of the *lot(s)* with an adequate level of privacy and separation in relation to *dwellings* on adjacent lifestyle or general rural *lots*, and in relation to *rural production activities* on adjacent *lots*.
(iv) Whether the *internal access* serving any *lots* is sufficiently separated or appropriately formed to mitigate potential nuisance effects for *dwellings* on adjoining *lots* or on adjacent properties.

Hauraki District Plan 16 September 2019
Section 9.4: Subdivision Rules Applicable for Specific Zones *(Words in italics in rules and assessment criteria are defined in Section 4.0 Definitions)* **9.4-4**

(4) DISCRETIONARY ACTIVITY STANDARDS

Lifestyle *lots* in the Rural Zone (Outside Outstanding Natural Landscape Area and District Amenity Landscape Area) that do not meet one or more of the provisions of Rule 9.4.1.2(2) shall be assessed as a *Discretionary Activity* provided that:
(a) the maximum number of lifestyle *lots* created shall not exceed ten.

Note: Where the above standard for a *Discretionary Activity* is not complied with the *subdivision* is required to be assessed as a *Non Complying Activity*.

Adjacent Developments:

Properties surrounding the Shadbolt property are generally 2ha or greater with the property near the north-eastern boundary being 1.0898 ha and the north-western boundary corner being 5444m². The history of the creation of larger land parcels supports the rural nature of the area and allows for increased separation of the residential dwellings.

Property Use:

This property is operated as dry stock unit and has the normal farm machinery with the addition of a large excavator, which is essential to keep access tracks in good condition particularly in the upper reaches of the property.

Application Status:

The Planner's Report was released dated 13 October 2026 after limited notification with a recommendation to grant the consent.

3. ADDITIONAL PLANING REPORTS:

To supplement the Resource Consent Application expert reports were provided for:

- Geotechnical Report by Titus Engineers.
- Landscape Architect Report - Peake Design Ltd
- Flood Assessment (for access culverts) – Titus.

Further Information was also provided by:

- WRC – Hail site review.
- WRC - site visit during driveway earthworks.
- IWI liaison.
- Neighbours Consent – Affected persons forms and the subsequent Form A

4. EXISTING AND POTENTIAL LAND USAGE

In addition to the established land use activities being dairy grazing, beef, sheep, pine plantation with the added option of deer, goats, alpacas, poultry, this parcel of land has further economic subdivision potential on the eastern boundary to maximise subdivision of up to Ten lots as allowed for in the District Plan as a Discretionary Activity.

5. RESOURCE CONSENT APPLICATION:

A number of land parcels within the Hauraki District have completed subdivisions past the Five-lot Controlled Activity status. For this subdivision we have one additional lot being Six from the parent title at September 2000 and road frontage access to all of the lots. This subdivision being a Discretionary Activity requires a Landscape Report which has been completed by a Registered Landscape Architect.

6. REVIEW OF COUNCILS ENGINNERS/PLANNERS REPORT:

The planner's report was received on 13/11/2026.

We note the recommendation to grant this Subdivision Consent, which is not surprising as the number of Subdivision Consents granted past the Five-lot threshold for a Controlled activity is significant and the properties created are sought after.

Discussion with the Engineers report dated 13/11/2025.

RFI

RFI (1) – Effluent fields – an asbuilt plan is a condition of building consent and they do not cross the proposed new property boundary. An asbuilt of the works is on file dated 26/02/2026.

RFI (2) - Vehicle Crossing – The vehicle crossing is existing but will be upgraded to Councils Class C standards.

RFI (3) – Sediment Control. Bulk earthworks have already been completed and vegetation has regenerated on the access batters. Further earthworks will remove the soil bunds for redistribution around the farm now dry weather is approaching. Sediment control will be required over the disturbed land areas.

RFI (4) - The vehicle crossing is existing but will be upgraded to Councils Class C standards including sealing and a culvert installation.

Engineering Conditions Proposed

(a) Stormwater and Wastewater plans.
(b) Class C vehicle crossing upgrade.

Advice Notes

- Stormwater from the ROW …..
- Vehicle Crossings – Class E
- Overland Flow Paths

I am wondering if the Advice Notes are the residual of a cut and paste from another engineering document for the following reasons.

- The text is not red like the rest of the document,
- The subdivision does not have a ROW either new or existing,
- The vehicle crossing stated is a Class E. The condition proposed is for a Class C.
- Site works are complete and culverts already installed – I would assume that the Overland Flow Paths is an advice note for an urban environment not a rural one.

Discussion with the planner's report dated 12/10/2026:

Conditions 3 – 5 Engineering:

We all accept that the bulk earthworks have been undertaken as part of the shed build prior to subdivision application under a building consent. The track has been completed using a portion of the exiting farm race and the proposed track built in an alternative location as part of the neighbours request away from the living portion of the neighbour's western boundary where a vehicle crossing location has been approved by Council. The access track has been built to subbase level with a basecourse of new GAP 40 metal still to be applied.

Stormwater discharge is prior to subdivision application for access to the shed with an additional culvert installed to deal with the stormwater leaving the Stuarts property. At the neighbours request it was upgraded to a 300mm culvert and Mrs Shadbolt is prepared to replace the said culvert with a larger one if deemed necessary. Titus Engineers have confirmed the 300mm culvert is adequate. This being one of three culverts to handle stormwater flows from Lot 1 to the ponds on Lots 1 and Lot 2.

A swale drain has been previously built to redirect the overland flow of stormwater from the Shadbolt's into the access leg culvert and away from the Stuart's property.

All of the above items are an existing situation completed prior to the subdivision application and during the building consent time frame. The access is private and not a shared ROW as the engineering report suggests therefore all risk associated of the access construction lies with the applicant.

Conditions 6-9 Access:

Condition 8 – Sealed access. No comment is made in the engineers report apart from the driveway is deemed to be private. A sealed access to the building site is impractical and the sealing of a farm access in the Hauraki District is simply never undertaken by farmers as stock effluent and farming equipment destroys sealed formations very quickly. The access is part of a functioning farm with stock, future residential, machinery movements all occurring on the access. Ex HDC development engineer makes the comments attached to this report regarding formation of the access.



Photo of Farm Equipment in the Barn.



Photo of vehicle path driving east towards Stuarts Property



Close-up Photo of dwelling window

Condition 9 – Stormwater disposal – nominally additional stormwater is mitigated through detention tanks, ponds or soakage (swales, rock pits, soak rings). Here stormwater pre subdivision is the same as post subdivision. Runoff is through overland flow to either the existing pond in the low-lying area of Lots 1 and 2. The net increase of stormwater flows caused by the application of a metal GAP40 basecourse is negligible.

Conditions 10 & 11 - Landscaping:

Condition 10 & 11 – Landscaping – a report has already been prepared by Peake Design a Registered NZILA Landscape Architect. The small area whereby headlights may enter a dwelling from a vehicle passing the barn is small. Mrs Shadbolt has agreed to fill the gap with matching iron to blend with Stuarts sheds and trees have already been planted along the southern boundary.

Visibility looking north from the shed, this view shaft is already screened on the property boundary. The trees are growing well with tree height recently measured at 2.60m.



Photo looking north towards Stuarts rear boundary.



Photo of plantings near Stuarts rear boundary.

Conditions 14 & 15 – Preliminary Site Inspection:

Condition 14 & 15 – PSI – this is an operational farm and as such the farming side has no change in land use. Hail activities such as stock yards, fuel and oils, fertiliser can all carry on. Any surrender of land for residential activities could be subject to a PSI study however this area is restricted to the 1000m² residential area shown on the scheme plan.

7. AFFECTED PERSONS COMMENTS

David & Janet Stuart property (Lot 6 DP337477) is located on the eastern boundary of proposed Lot 1 oppose the creation of this lot with a comprehensive submission for the following reasons:

- Dust generated along the section of internal farm access servicing the existing 3 bay barn and the shed.
- Night time head light disturbance issues associated with vehicle access servicing the future dwelling conversion on Lot 1 as there are several newly created access locations where vehicle head lights shine momentarily directly onto the Stuarts dwelling,
- Heavy vehicle access to and from Lot 1 associated with the 2 existing excavators located at the newly constructed shed located on Lot 1,
- Recent access construction issues associated with upstream flooding effects associated with potential access track embankment damming and
- Potential overland flow path issues associated with the potential blockage of existing culvert and the future maintenance existing drainage channels which may result in periodic flooding onto the south-west corner of the Stuart property.

The potential adverse effects identified by the Stuarts relate to the recently constructed internal access track servicing the newly erected shed located to the south of the Stuarts property. Part of this newly formed access track is positioned close to the Stuarts western boundary where the Stuarts existing dwelling is located close to this western boundary.

It is acknowledged:

- This recently constructed internal access track for Lot 1 connects Maratoto Rd with the recently erected shed located on the proposed building platform nominated for Lot 1.
- This shed has Council's building consent signoff.
- The shed is not yet consented for habitable living however this is the future proposal.
- The applicant proposes upgrading this new shed to a habitable building status via a future Council Building Consent once Council grants this 2 Lot subdivision approval.
- The applicant currently sleeps each night in his bus located on Lot 2 for the remaining timeframe for the legalization of this 2 Lot subdivision and building consent signoff for the existing shed habitable building compliance.

Section 9.6 of the operative district plan does not provide assessment criteria relating to "adverse effects" for internal access construction requirements for each lot.

Based on the Stuarts strong opposition to the recent internal access construction on Lot 1 Council has instructed the internal access treatment for Lot 1 to be processed as a "notified hearing" based on the Stuarts documented adverse effects. A notified hearing for this 2 lot subdivision is where we are now.

Internal Access Discussion

a) Traffic Assumptions:

- Section 7.10.5 (4) (b) of the operative district plan state each new lot generates 10 vehicle movement per day, this being 5 return trip,
- Data gathered by Waikato Regional Council, a number of years ago, indicated the vehicle number per lot reduced to 4 to 6 vehicle movement per day (2 to 3 return trips) in a rural to remote roading network. The reason for this is trips are combined.
- Once the new shed is consented as habitable then it is proposed the consented dwelling would generate between 2 and 3 return trips per day.
- The Stuarts have identified they have issues related to a large digger visible to the Stuarts parked on site. The smaller digger strapped onto a tandem trailer is parked behind the new shed out of site. This digger is associated with the farming activity. There are no rules in the operative district plan requiring the larger digger to be hidden from view.
- Night time internal access to service the habitable compliant shed on Lot is likely to be minimal in terms of head light shining on to Stuarts dwelling. This may occur minimally in summer months and say 3 to 5 times a week in winter months.
- This recently constructed internal access track is a multi-farm access servicing the farm by tractors, farm bikes and other normal periodic farm vehicle use.

b) Vehicle head light glare from the recent entrance construction to the Stuarts dwelling:

There are two of locations along the lot 1 access track where the Stuarts dwelling may be subjected to vehicle head light glare.



Photo of view north towards Stuarts Dwelling

The following comments are tabled:

- The new internal access servicing the new 3 bay barn runs parallel with Maratoto Rd. East bound vehicles along this access track shine directly on to the western side of the Stuarts sheds with one dwelling window affected. There is a gap in the tree line that is already planted with small trees,
- Vehicle headlight glare onto the Stuarts property would be minimal during summer months,
- Entertainment areas in the Stuarts dwelling would be likely on the northern side of the dwelling facing towards the road,

- The potential vehicle headlight glare in winter months would be in the order of 1 vehicle movement per night. It can be argued this is unlikely to be an issue as generally living and bedroom areas would normally shut curtains in winter months to minimize heat escaping through single glassed windows and
- It is therefore unlikely the Stuarts dwelling be disturbed after dark by a vehicle leaving the lot 1 building site.
- Planting has already occurred along the southern boundary and the trees are growing well to provide screening in the near future.

c) Dust issues for the Stuarts property generated from the new lot 1 access track.

It is acknowledge there would be some dust generated onto the Stuarts property where an internal access track is located on the lot boundary. This is likely to be minimal due to the predicted daily vehicle numbers. Also the prevailing wind is generally from the north, west and south where these wind direction(s) extend over into the Stuarts property.

There is no requirement in the operative district plan for Council to enforce dust suppression of metaled/ unsealed internal access tracks located in a rural zone.

Recent site observations identified:

- There was minimal dust generated by my car travelling past the Stuarts dwelling. The weather had been fine for say several days previously.
- The track surface appeared to be locked up well with no abundance of excess fines.
- No wheel track rutting was identified suggesting the track pavement depth was adequate.

Mark Shadbolt has said on site that the current metal track surfacing is the top of the lower pavement structure. The plan is to complete the upper pavement construction once Council grants resource consent approval.

It was agreed on site that the upper pavement be 50mm to 80mm nominal depth of GAP 20/40 basecourse with sufficient fines to allow the surface to be locked into place with good roller compaction. It is proposed to roll in a sealing chip opposite the Stuarts dwelling to provide a relativity dust free surface.

d) Traffic Noise Exposure to the Stuarts dwelling

It is acknowledged:

- There will be some vehicle tyre/ traction noise where the section of newly construction access track traverses past the Stuarts dwelling,
- Potential mitigation for noise in the evening for maybe 0 to 2 vehicles per night opposite the Stuarts dwelling is unlikely to be a significant issue and
- Shifting the new internal access away from the Stuarts western boundary, based on 0 to 2 vehicle movements is unlikely to have a significant effect to vehicle access noise to the Stuarts dwelling.

Again it is difficult to determine what the vehicle noise is based on when comparing other daily traffic noise along Maratoto Rd which borders the Stuarts dwelling.

e) Internal Track Drainage Treatment

The Stuarts have documented a strong opposition with the recently installed internal access drainage system opposite their property on their western boundary.

The following overland flow drainage treatments were incorporated as part of the recent internal track construction:

- The recent track construction has resulted in damming the upstream shallow gully catchment as the track profile above the natural ground level is close to 1m in height. After consultation with the Stuart's it was agreed for the installation of a 300mm dia. plastic pipe,
- The applicant excavated a cut off drain parallel to the Stuarts southern boundary to reduce the upstream runoff from the Stuarts property. A 300mm plastic culvert pipe was installed to reticulate this channel flow across the new internal access track. This cut off drain treatment was completed several years ago and
- Another 200mm access track culvert was installed to reticulate a small flow of runoff at the track edge on the uphill south east edge of the access track.

The Stuarts have indicated that the damming of the natural overland flow path by the access embankment opposite their property may have a significant damming affect to their property. The overland flow cut off drain completed several years ago would have reduced the storm flows onto their property.

The Stuarts are also concerned about the long term maintenance of the new culverts and culvert inlet drains

The applicant has engaged Titus Consultants to complete a culvert capacity assessment and determine the flooding foot print upstream effects to their property. The Titus report confirms that the installed culverts are adequate.

f) Screening

The screening treatment has adopted a combination of mass plantings and / or dense hedging near the southern boundary of Stuarts property around the swale drain.

g) Farm Machinery Storage within Lot 1

The Stuarts have commented about the large excavator parked lot 1 building platform.

The Stuarts have stated this machine will be used for future contracting work however the Shadbolt's have stated for the record that this large excavator was purchased for future farm upgrading works only.

The Shadbolt's have stated the Lot 1 building platform will not be used in the future as a "contractor's rural depot".

This large excavator does not require special screening and we note it is often in a different location upon our visits to the site.

Solutions proposed by the client and concessions already made in this development.

- Driveway alignment – the driveway was designed to run entirely along the western boundary of Stuarts property. A vehicle crossing permit has been obtained from Council for this location. Mrs Shadbolt has at her expense built a driveway which enters the property away from the Stuarts and then turns 90° to the barn turning again 90° to head due south to the shed site. The diagonal access option suggested by the Stuarts has not been formed due to the undulating terrain, steepness of grade and the fragmentation of the farming paddocks.

- Driveway Culverts – one larger stormwater culvert was installed to make 2x 300mm culverts and 1x200mm culvert underneath the formed access. As mentioned previously an Engineers assessment has been undertaken to ensure that the capacity for a 100 year storm including an assessment if the pipes become blocked.

- A swale drain has been installed along the southern boundary to divert overland flow of stormwater away from the Stuarts property into a 300mm culvert underneath the access.

- Planting of the swale drain has been completed to allow for screening of the Stuarts property from the shed on Lot 1. No internal planting is proposed to ensure visibility from the shed to the road and barn for security purposes. The rural view shaft from the Stuarts to the hills to the south is not a privately protected view shaft which has now changed due to the new shed. With the proposed shed conversion, no further structures are anticipated.

- The shed colour has been chosen to be a dark colour to help blend into the natural environment.

- The excavator has been relocated to be either parked in the barn or behind an existing earth bund near the shed.

- Further hard iron screening for the Stuarts dwelling to obscure headlights when travelling east past the barn. Note that this is actually a very small area required.

- Suggests an easement over the stormwater pipes to allow for access to clear blockages in the need arose.

- Rock matrix armour the culvert pipe intake barrels to ensure that they are kept clear of vegetation.

- Adopted a 12m side yard for the erection of further buildings - supported by a Consent Notice.

- Installing an all weather pavement utilising the best metal aggregate from the four quarries in close proximity to the site using the expertise of Councils ex Development Engineer whose forte is in Road Design.

8. CLOSING COMMENTS

We ask that the Judicial Committee to i) approve the proposed subdivision and ii) review the proposed subdivision conditions and take into consideration the comments we have made for the development of the site as it pertains to the subdivision whereby the shed built under building consent is gaining a Record of Title solely for the purposes of accommodation of the client's son Mark.

The farming activity will remain ongoing and with the only change in the location of the sleeping location of Mrs Shadbolt's son.

The existing shed has a Code of Compliance from the Council and is connected to a septic tank system and potable water supply by Roof Harvest.

With the coming of the dryer period the stock-piles of soil will be removed and spread and re-grassed and the access track will have its basecourse applied.

With regard to the proposed Resource Consent Conditions we make the following comments:

Condition 3 - delete as this would appear to be a cut and paste error relating to an urban development.

Condition 4 - delete as the works are largely complete except for metal basecourse overlay.

Condition 8 - modify to an all weather surface constructed with proposed GAP 40 basecourse over topped with a rolled-in metal chip.

Condition 9 - delete as this would appear to be a cut and paste error relating to an urban development. Stormwater from rural environments are allowed to enter existing water catchments for downstream flow and do not have to be contained onsite.

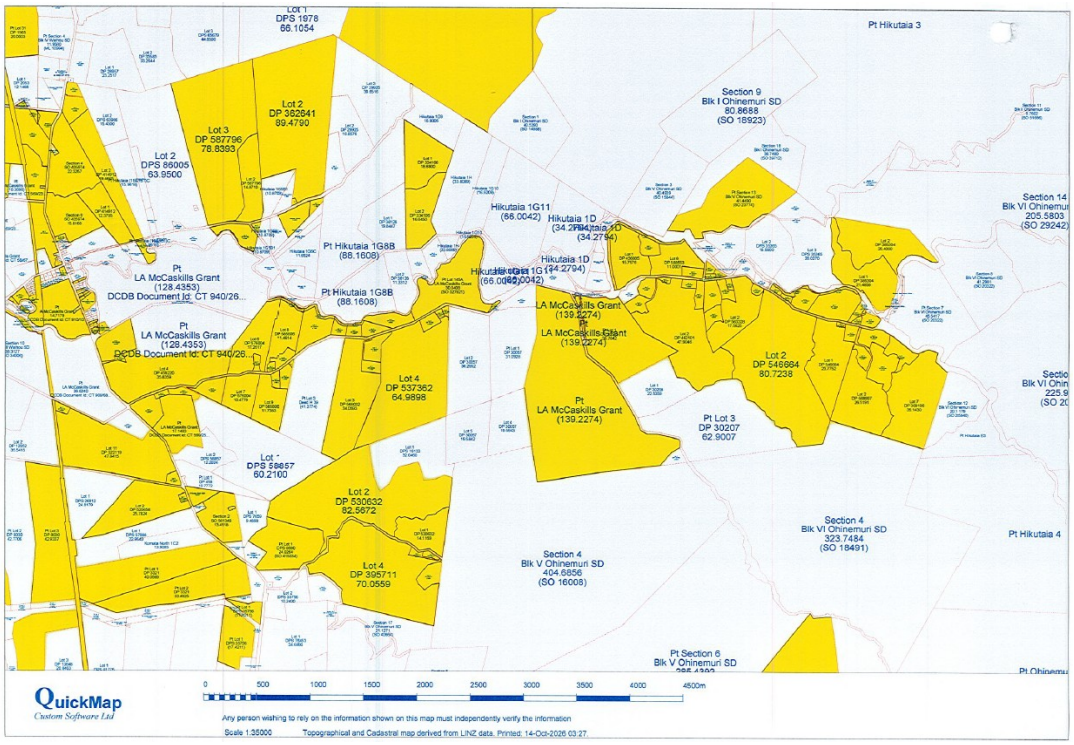
Condition 13 - Completed see Titus Report regarding Culvert capacity.

Condition 14 - Modify wording to address residential area for the PSI investigation only as this is an active working farm.

Prepared by:

Peter Wayne Rogers
B.Surv (Otago)
Licensed Cadastral Surveyor

Appendix A – Recent Development in the Maratoto Valley



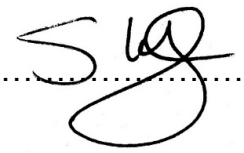
Appendix B – Engineering Lot 1 Internal Access Assessment Report

Shadbolt 2 Lot Rural Subdivision
546 Maratoto Rd Hikutaia

Engineering Lot 1 Internal Access Assessment Report

October 2026

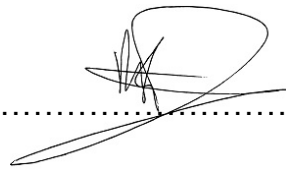
Prepared by



……..

Steve Lye
NZCE Civil and Structural (1979)

Reviewed by:



……

Peter Rogers

Date: 20 October 2026

Reference:3792

Status: Final

Issue

546 Maratoto Rd Hikutaia - S42A Report for Hearing Internal Access Treatment

The above report documents Council's requirements for the approval of this 2 Lot rural subdivision.

Condition 8. That the internal access to the approved building site on proposed Lot 1 shall be sealed and maintained in permanent wearing materials.

Condition 8 of this report requires the applicant to seal the 220m long recently constructed internal access located on proposed Lot 1. This track connects Maratoto Rd with the new shed which has a Code of Compliance issue by Council.

Discussion:

- Council's operative district plan generally does not require the sealing of internal farm combined use access tracks,
- The daily traffic generated along this internal access track is assessed at 3 return trips per day plus some farm machinery access,
- Dust generated from this track if sealing was not required would be very minimal to the adjacent Stuarts property based on:
  - the number of vehicles per day,
  - low speed environment due to driveway bends,
  - the wind velocity,
  - distance to dwelling (approx 25m).
- Condition 8 suggests the entire length of the access track (220m) however the section of track adjacent to the Stuarts rear paddock where dust may be a nuisance is directly next to the Stuarts rear paddock not the full length of the track 220m and
- It is assumed the proposed sealing is to mitigate dust from the access track adjacent to the Stuart's rear paddock which is probably only a length of 40m to 50m. This shortened length has yet to be determined on site.

Site observations identified:

- There was minimal dust generated by my car travelling past the Stuarts property. The weather had been fine for say several days previously.
- The track surface appeared to be locked up well with no abundance of excess fines.
- No wheel track rutting was identified suggesting the track pavement depth was adequate with large aggregate.

Recent internal track discussions with the applicant's son (Mark Shadbolt):

Mark stated on site:

- The current metal track surfacing is the top of the lower pavement structure.
- Their plan for the completion of the access track is to complete the upper pavement construction once Council grants resource consent approval for the subdivision.
- It was discussed on site that the upper pavement adopt an 80mm nominal depth of GAP 20/ 40 basecourse with sufficient fines to allow the surface to be locked into place with good roller compaction – Leaches quarry was recommended due to the hard and clean aggregate.
- It was suggested, based on past dust mitigation pavement treatment approved by Council an alternative dust suppression treatment could adopt the rolling in a coarse sealing chip to provide a relatively dust free surface. This treatment be considered opposite the Stuarts paddock orchard.

Conclusion

1. Dust generated from the internal farm access track to the Stuarts boundary is likely to be minimal due to the low daily traffic numbers,
2. The dwelling is not directly adjacent to the access formation, and the existing sheds create a natural barrier leaving the rear paddock the most affected area.
3. The preliminary additional costs for sealing only is likely to be in the order of $18k to $24k + GST,
4. The upper track pavement construction is required if sealing is required or not required,
5. Sealing the internal access track opposite the Stuarts paddock say for 50m would cost in the order of $5k to $6k + GST
6. The existing track if sealed would be subjected in particular to stock movements, farm vehicle loadings and the Shadbolt's large digger with self-laying tracks,
7. A 2 coat seal has a limited life ideally between 12 to 20 years before resurfacing is required. The effects of stock effluent, the large excavator, tractors and other farm vehicles will greatly reduce the seal life.
8. It may be unrealistic for Council to condition the Shadbolt's to complete future ongoing maintenance repairs however enforcement maybe difficult.

Due to the potential minimal dust problem versus the high cost of sealing it may be difficult for Council to argue that the approval of this subdivision be to seal the internal accessway at $18k to $24k+ GST.

Recommendation

The proposed surface treatment for the recently constructed internal access track be to:

- Construct the upper pavement structure with 80mm nominal depth of GAP 20/40 basecourse.
- Rolling in coarse sealing chip at the final stages of compaction to provide a relativity all weather dust free surface.