

**BEFORE THE NEW PLYMOUTH DISTRICT COUNCIL APPOINTED
INDEPENDENT HEARINGS COMMISSIONER GINA SWEETMAN**

IN THE MATTER

of the Resource
Management Act 1991
("RMA")

AND

IN THE MATTER OF

Section 357 objection to
the decline of a non-
notified subdivision
consent SUB22/48013
at 118 Wortley Road,
Lepperton, New
Plymouth

**MEMORANDUM OF COUNSEL
FOR THE APPLICANT AARON STEPHENS**

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Fax No. 06 757 9852
Email: scottg@connectlegal.co.nz
Lawyer Acting: SWA Grieve

MAY IT PLEASE THE COMMISSIONER:

1. Counsel has been instructed to file this Memorandum on behalf of the Applicant Mr Aaron Stephens in respect of the Commissioner's 1st Minute dated 17 October 2025.
2. The Applicant and counsel thank the Commissioner for her 1st Minute and for the opportunity to provide further evidence in due course – and obviously the Applicant's team will respond to the Commissioner's specific questions to the parties substantially, and in full, in due course as directed.
3. In the interim, counsel is instructed to note that the Applicant was disappointed that while the Council's processing planner commented, inter alia, to the Applicant's consultant planner by email on 17 February 2025, "*Let's settle the s95 matters and then we can work through the substantive decision*" - and a final technical detail regarding s95 was resolved on 19 February 2025 - which was when the processing planner sent her report to NPDC for review - no further meaningful correspondence was entered into between the processing planner/NPDC and the Applicant and his consultant planner. No further updates were provided to them other than advice from NPDC that, "it [the application] is with NPDC" until the Council's Decision was released on 1 May 2025.
4. The Applicant and their consultant planner were willing and able to work through any substantive concerns with the application which the processing planner or NPDC had (and were expecting that to occur as per the abovementioned email of 17 February 2025) – however, as noted in the Applicant's Objection - it seems that NPDC had already decided and predetermined the outcome of the application based on Council Officer Zane Wood's (NPDC team lead) phone call to the Applicant's consultant planner on 18 September 2024 stating that the application would be declined.
5. As noted in the Objection dated 19 May 2025 - the Applicant is happy to put forward an alternative scheme plan which retains more potentially productive land with the primary parcel. The Applicant applied with the larger lots as they understood this would be preferable for NPDC. However, the commentary in the Decision report indicates that retaining the potentially productive land in one lot is NPDC's preference. So, an alternative scheme dated 21 October 2025 has been drafted and is attached. This scheme is based around house and curtilage without reducing the lot size to the extent it becomes inappropriately small in a rural context. The smaller second lot may also address some of the Council's processing planner's concerns that the current house will be demolished and a large dwelling constructed (as the revised site layout will provide less space for this to occur). For ease of reference, and comparison, the original Scheme Plan, Version 1 dated 24 January 2022, which was part of the original application is also attached. It is noted that the changes to the

alternative new Scheme Plan are within the scope of the original application.

6. The Applicant can, and will (or is happy to work with NPDC to), supply a proposed suite of consent conditions to enable a proactive discussion between the processing planner and the Applicant's planner addressing matters such as:
 - Reverse sensitivity:
 - no complaints covenant regarding potential 'rural production' activities on larger title;
 - no complaints covenant (tegel);
 - No further subdivision or additional independent dwellings while the land remains 'RPROZ';
 - Services to each title;
 - A 15m esplanade strip be set aside the Waiongana Stream, (and potential for further widening if desired by NPDC – noting adjacent titles only have 10m);
 - The Waiongana Stream should (and can) be fenced with a stock proof fence to prevent stock from accessing the stream;
 - A minimum of five metres of the Waiongana Stream edge should (and can) be planted with native vegetation using TRC riparian guidelines "Establishing Riparian Vegetation - number 26";
 - The tributary of the Waiongana Stream should (and can) be planted with native vegetation using TRC riparian guidelines Establishing Riparian Vegetation - number 26, "(fencing this can also be attached as a condition).
7. In part response to the Commissioner's query in bullet point 3, paragraph 4 of the abovementioned Minute # 1 the following conditions/restrictions apply to the landuse consent for the second dwelling on the site:
 1. The use and development of the land shall be as described within the application and shall be in accordance with the plans endorsed **LUC17/47028 marked A, B, C D and E prepared by Location Homes, project 16-26, Sheets L01 (Issue A dated 03.03.17), L03 (Issue A dated 03.03.17), L11 (Issue A dated 03.03.17), B01 (Issue B dated 06.06.17 and B02 (Issue B dated 06.06.17).**
 2. The shed shall be located no closer than 5m from the south eastern side boundary of the site.
 3. The consent holder shall pay the Council's costs of any monitoring that may be necessary to ensure compliance of the use with the conditions specified.
8. A full copy of the relevant consent granted to construct that second dwelling and shed on the property at 118 Wortley Road, Lepperton, and accompanying letter from the Council dated 4 July

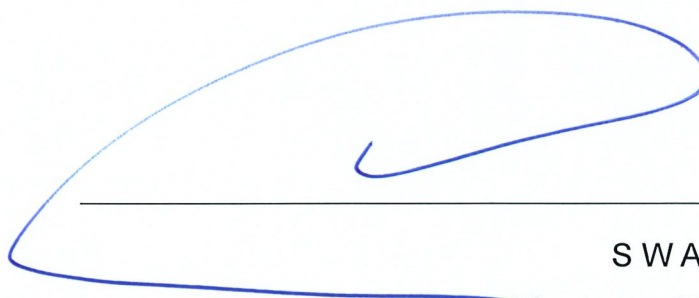
2017 and Planning Report dated 3 July 2017, being Resource Consent No. LUC17/47028 dated 4 July 2017 is attached for the Commissioner's reference with this Memorandum.

9. Of relevance to this case counsel notes some of the rationale in that Planning Report dated 3 July 2017 regarding granting that consent in the Description of Proposal, District Plan Provisions, Relevant Objectives and Policies and Assessment of the Application and in particular notes paragraphs 3, 18, 19, 20 and 21, for example, in this context. It is noted by counsel in this regard that that Report also records that the Applicant was contemplating the future subdivision now being considered at the time that consent was granted, at paragraph 18, point 6 where it states:

"The applicant has advised that the new dwelling has been located in a position that could be able to be subdivide in the future. Should a subdivision be applied for in the future it would be considered as a non-complying activity under the current operative District Plan."

10. As noted earlier, further substantive evidence will be provided for the Applicant in respect of such matters in due course. If it would be helpful in due course, then the Applicant is more than happy to make his expert planning consultant (Mr Chris Rendall, Landpro) available for Joint Witness Conferencing and/or to prepare a Joint Witness Statement at some stage prior to the hearing if it would assist the parties. In counsel's respectful view the opportune time for that could potentially be after the Applicant's expert evidence is filed by no later than 4pm, Tuesday 9 December 2025 as directed. We look forward to receiving the Commissioner's further Directions in this regard if any in due course – and if the Commissioner has any further queries or would like any further information in the interim then we look forward to hearing from the Commissioner in respect of same.

Dated at New Plymouth this 31st day of October 2025



S W A Grieve
Counsel for Aaron Stephens



Te Kaunihera-ā-Rohe o Ngāmotu
NEW PLYMOUTH DISTRICT COUNCIL
newplymouthnz.com

When replying please quote - LUC17/47028
Property: 110390
Land: 109839

4 July 2017

Mr A W Stephens
118 Wortley Road
R D 3
NEW PLYMOUTH 4373

email: Tara.Aaron@xtra.co.nz

Dear Aaron

**CONSENT IS GRANTED TO CONSTRUCT A SECOND DWELLING AND A SHED
ON THE PROPERTY AT 118 WORTLEY ROAD, LEPPERTON**

I am pleased to be able to **enclose** the Resource Consent Approval and my Planners Report prepared under the Resource Management Act 1991, for the above project. In accordance with section 37A of the Resource Management Act 1991 (RMA) the Council advises that it has extended the 20 working day time frame for resource consent processing pursuant to section 37 and 37A of the RMA. The period of extension is 6 additional days.

The extension is considered appropriate for the following reason; the application triggers three rules including a new habitable building within close proximity to an intensive poultry farming operation (Rule Rur31) and the additional time has enable assessment of the application in respect of additional built form in the rural environment.

If you are unhappy with any part of this decision you have the right to object in accordance with section 357A(1)(g) and (2) of the Resource Management Act 1991. Any objection shall be made in writing, setting out the reasons for the objection. This must be lodged with council within 15 working days after receiving this decision.

Please note that further monitoring or time involved in ensuring compliance with the conditions of consent will result in extra charges being invoiced to you. In addition, please contact the writer to inform us when work is about to commence.

Please do not hesitate to contact me if you wish to discuss this matter further.

Yours faithfully

Peter Davis
ENVIRONMENTAL PLANNER - CONSENTS



When replying please quote - LUC17/47028

Property: 110390

Land: 109839

Planner: Peter Davis

RESOURCE CONSENT No. LUC17/47028

Granted under Section 95, Section 104A and Section 104B of the Resource Management Act.

<u>APPLICANT:</u>	Aaron William Stephens
<u>LOCATION:</u>	118 Wortley Road, Lepperton
<u>LEGAL DESCRIPTION:</u>	Lot 1 DP 452310
<u>STATUS:</u>	The proposal is a Controlled Activity under Rule Rur31 and a Discretionary Activity under Rules Rur12A and Rur18 of the New Plymouth District Plan
<u>PROPOSAL:</u>	To construct a dwelling within 400m of a poultry farm with more than 80,000 poultry while exceeding the maximum separation distance from another dwelling on site and to construct a shed while not meeting side boundary setbacks

DECISION:

The proposal (**Resource Consent No: LUC17/47028**), as described above and in the application is **granted** under Section 104A and Section 104B of the Resource Management Act 1991. The following conditions are imposed under Section 108 of the Resource Management Act 1991 as they are considered necessary to promote the sustainable management of natural and physical resources subject to Part II of the Resource Management Act 1991.

These conditions must be complied with when exercising this Resource Consent:

1. The use and development of the land shall be as described within the application and shall be in accordance with the plans endorsed **LUC17/47028 marked A, B, C, D and E prepared by Location Homes, Project 16-26, Sheets L01 (Issue A dated 03.03.17), L03 (Issue A dated 03.03.17), L11 (Issue A dated 03.03.17), B01 (Issue B dated 06.06.17) and B02 (Issue B dated 06.06.17).**
2. The shed shall be located no closer than 5m from the south eastern side boundary of the site.
3. The consent holder shall pay the Council's costs of any monitoring that may be necessary to ensure compliance of the use with the conditions specified.

This application for Resource Consent has been considered in accordance with Section 104 of the Resource Management Act 1991 and has been approved, as the Council is satisfied that the proposal is consistent with Part II of the Resource Management Act 1991 in that the adverse

effects on the environment of the activity will be minor and that no persons will be adversely affected by the granting of the Resource Consent.

This Resource Consent lapses on 4 July 2022 unless the consent is given effect to before that date; or unless application is made within three (3) months of the expiry of that date for the Council to grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of Section 125 of the Act.

This Consent is subject to the Right of Objection as set out in Section 357 of the Resource Management Act 1991.

DATED: 4 July 2017



Rowan Williams
PLANNING LEAD – CONSENTS

SITE DATA

Environment Area = Rural

Corrosion Zone: Zone C

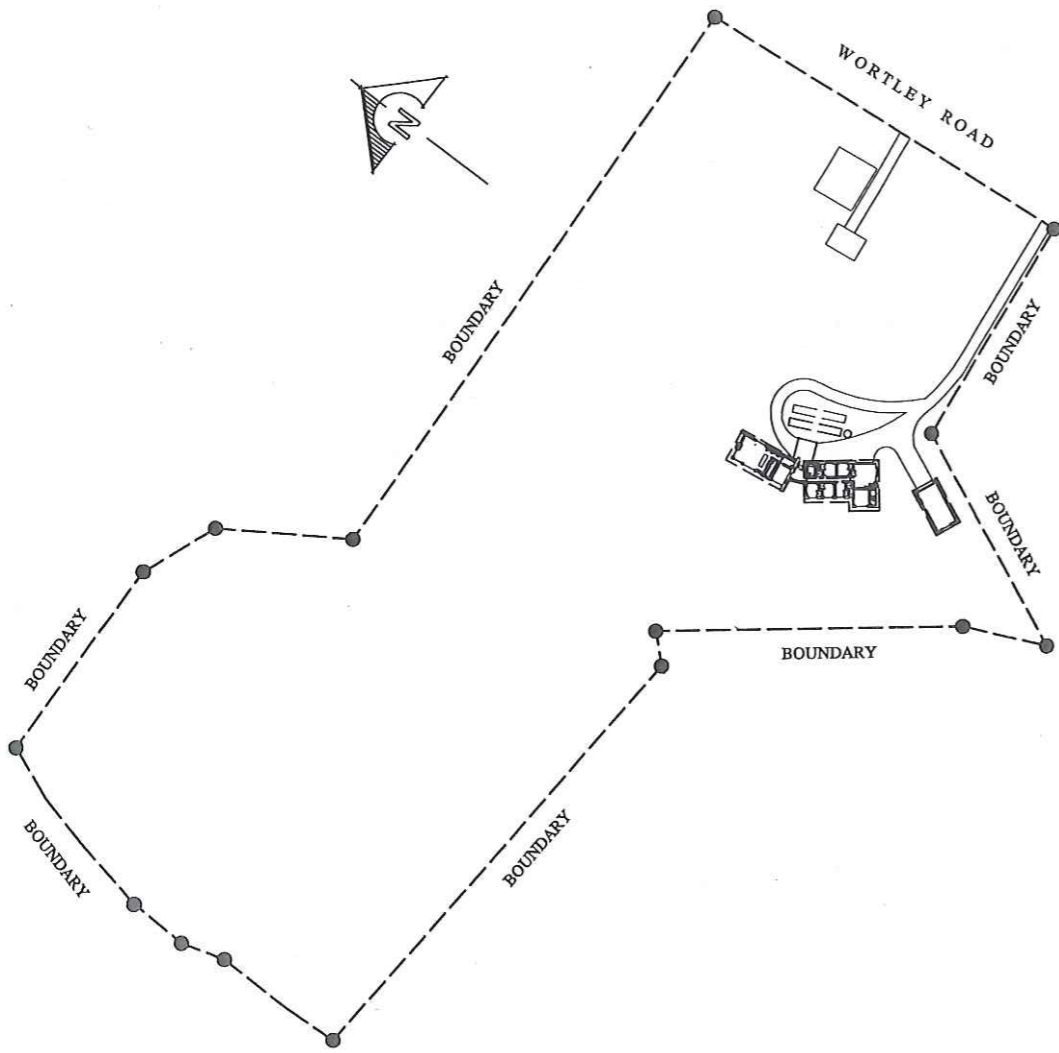
Earthquake Zone: 1

Wind Zone: HIGH

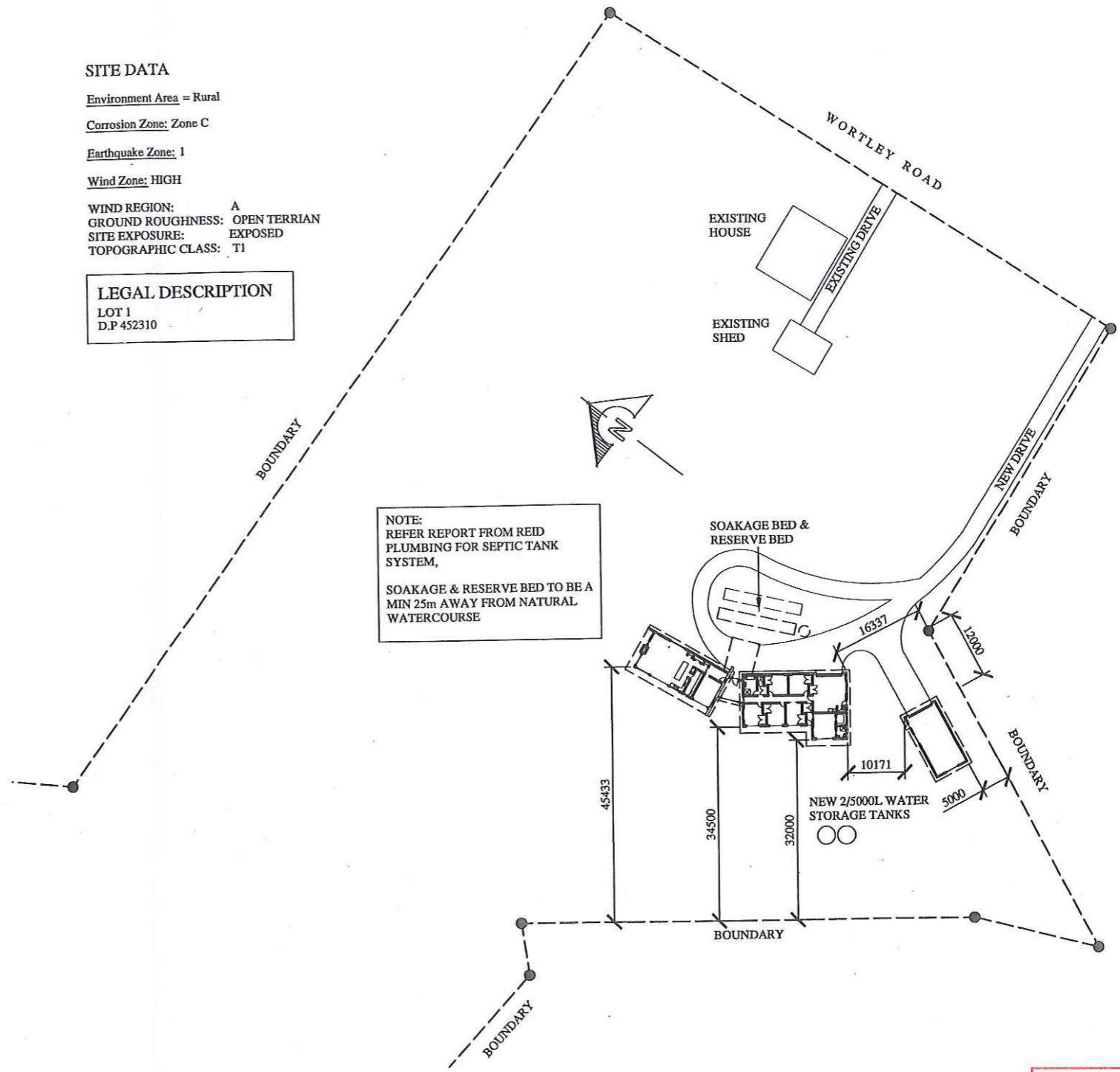
WIND REGION: A
 GROUND ROUGHNESS: OPEN TERRIAN
 SITE EXPOSURE: EXPOSED
 TOPOGRAPHIC CLASS: T1

LEGAL DESCRIPTION

LOT 1
 D.P 452310



SITE PLAN
 1:2000

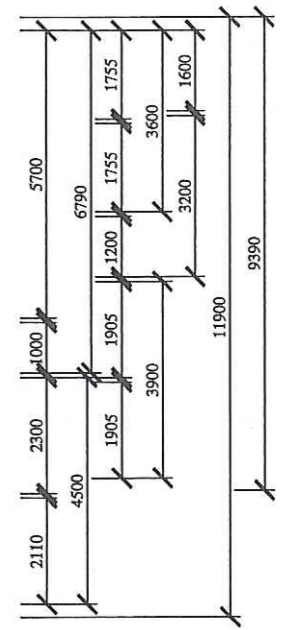
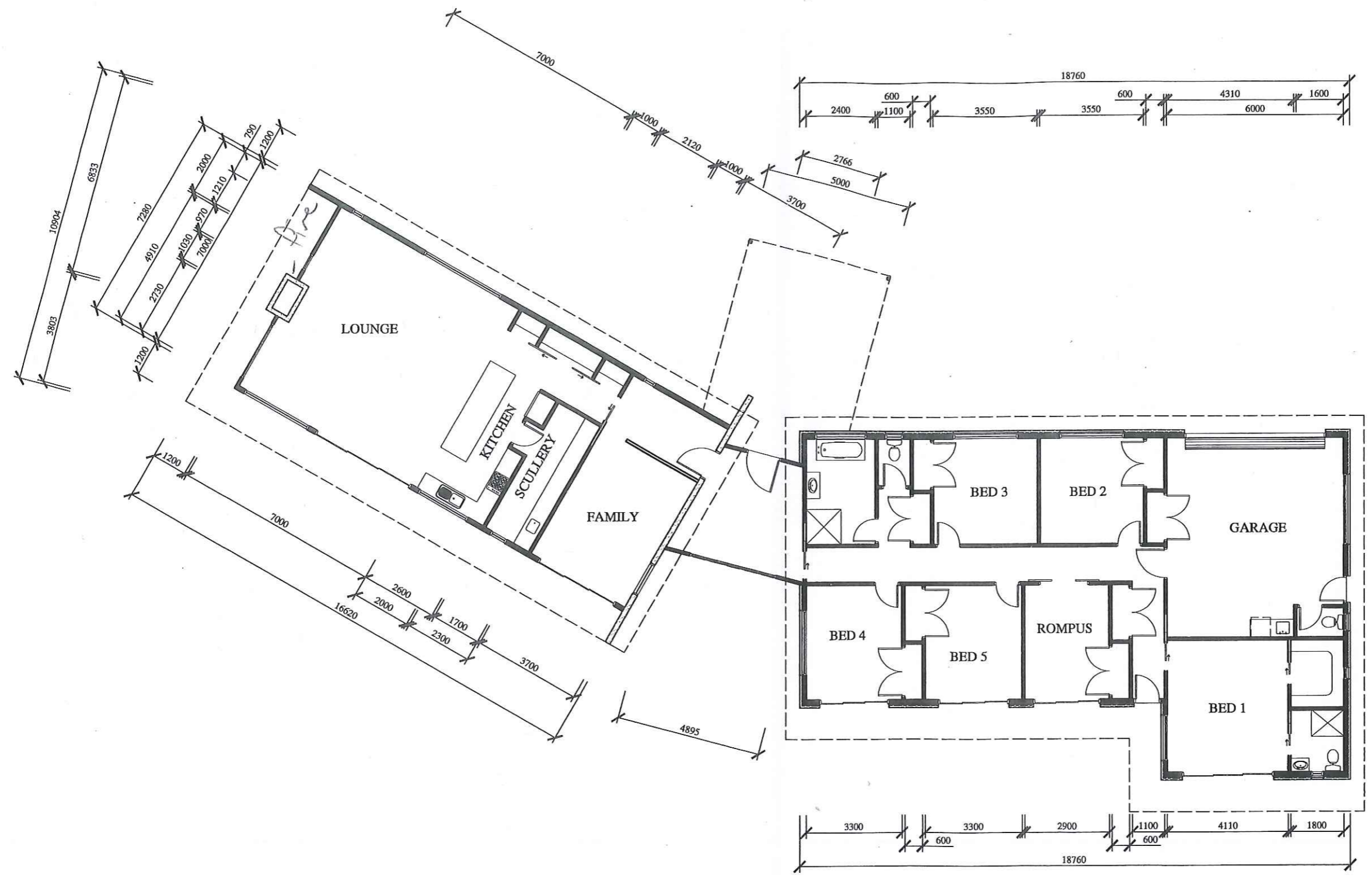
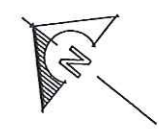


NOTE:
 REFER REPORT FROM REID
 PLUMBING FOR SEPTIC TANK
 SYSTEM,
 SOAKAGE & RESERVE BED TO BE A
 MIN 25m AWAY FROM NATURAL
 WATERCOURSE

PART SITE PLAN
 1:1000

APPROVED
 LUC17/47028-A
 Rc No:
 Date: 4-7-2017
 Sign: *[Signature]*

<p>NOTES THE DESIGN, CONCEPT OR DRAWINGS SHOWN ON THIS SHEET ARE NOT TO BE REPRODUCED WITHOUT WRITTEN AUTHORITY OF, AND COPYRIGHT SHALL REMAIN VESTED TO LOCATION HOMES NZ LIMITED</p>						<p>TITLE PROPOSED HOUSE FOR A. & T. STEPHENS 118 WORTLEY RD LEPPERTON</p>		<p>Drawn J McCULLOCH MARCH 2017 A3 SCALE 1:100 SHEET CONTENTS SITE PLAN</p>		<p>ISSUE A JOB No. 16-26</p>		<p>SHEET No. LO1</p>	
A	FOR APPROVAL	03.03.17	JM										
ISSUE	AMENDMENT	DATE	BY										



FLOOR PLAN 1:150 FLOOR AREA 320.5m² ROOF AREA 433.5m²

APPROVED
 LUC17/47028-B
 Rc No: _____
 Date: 4-7-2017
 Sign: _____

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A ISSUE	FOR APPROVAL AMENDMENT	03.03.17 DATE	JM BY			FLOOR PLAN	16-26	JOB No.	16-26



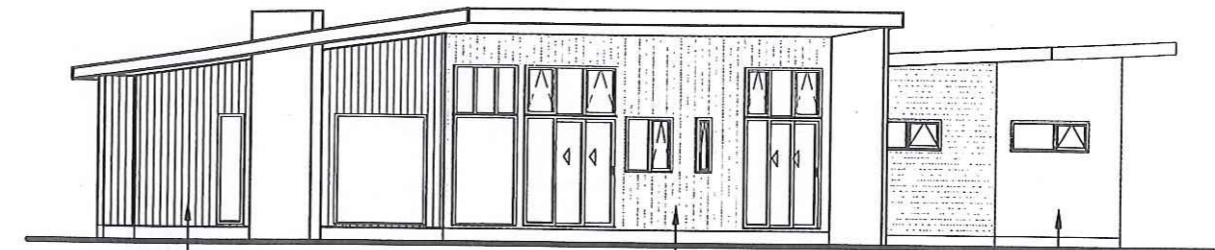
WEST ELEVATION
1:150

SHIPLAP CEDAR
CLADDING

SHIPLAP CEDAR
CLADDING

BRICK VENEER
CLADDING

BRICK VENEER
CLADDING

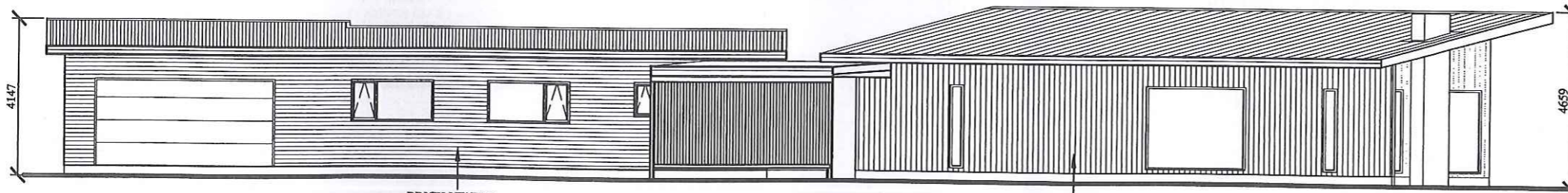


NORTH ELEVATION
1:150

SHIPLAP CEDAR
CLADDING

SHIPLAP CEDAR
CLADDING

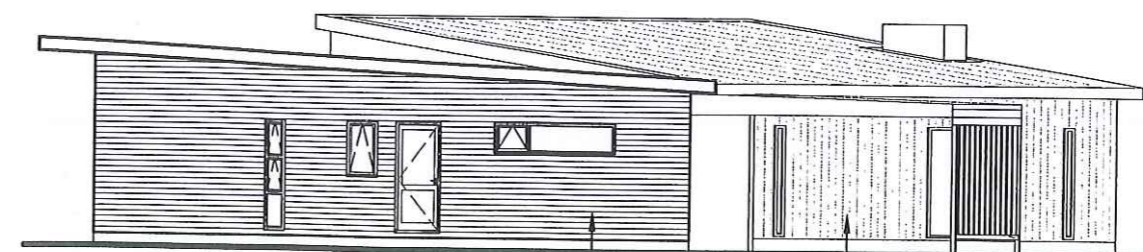
BRICK VENEER
CLADDING



EAST ELEVATION
1:150

BRICK VENEER
CLADDING

SHIPLAP CEDAR
CLADDING



SOUTH ELEVATION
1:150

BRICK VENEER
CLADDING

SHIPLAP CEDAR
CLADDING

APPROVED
LUC17/47028-C
Rc No:
Date: 4/7/2017
Sign: *[Signature]*

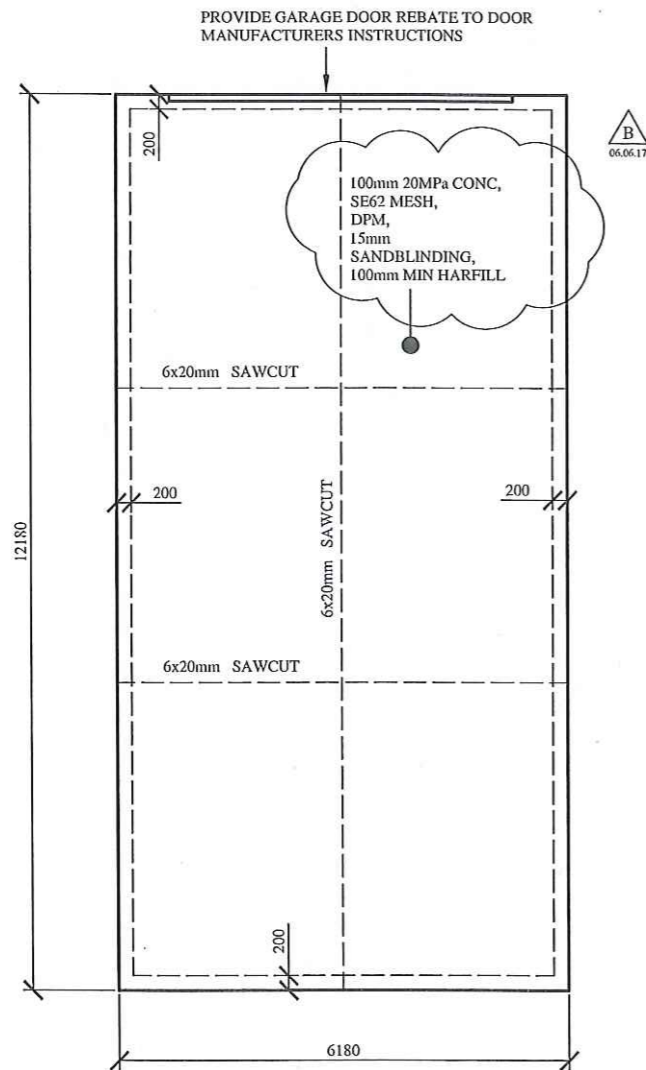
A	FOR APPROVAL	03.03.17	JM
ISSUE	AMENDMENT	DATE	BY

NOTES
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TITLE
PROPOSED HOUSE FOR
FOR A. & T. STEPHENS
118 WORTLEY RD
LEPPERTON

Drawn	J McCULLOCH	MARCH 2017	A3 SCALE	1:150
SHEET CONTENTS		ISSUE		SHEET No.
ELEVATIONS		A		L11
		JOB No.		
		16-26		



FOUNDATION PLAN
1:100

DOOR SCHEDULE

D1 4000x2.1m
D2 810x2.0m

WINDOW SCHEDULE

W1 2000x800
W2 2400x800

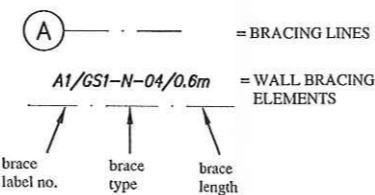
DOOR LINTELS

D1 300x90 HYONE LINTEL, TYPE H FIXING
D2 90x90 LINTEL, TYPE F FIXING

WINDOW LINTELS

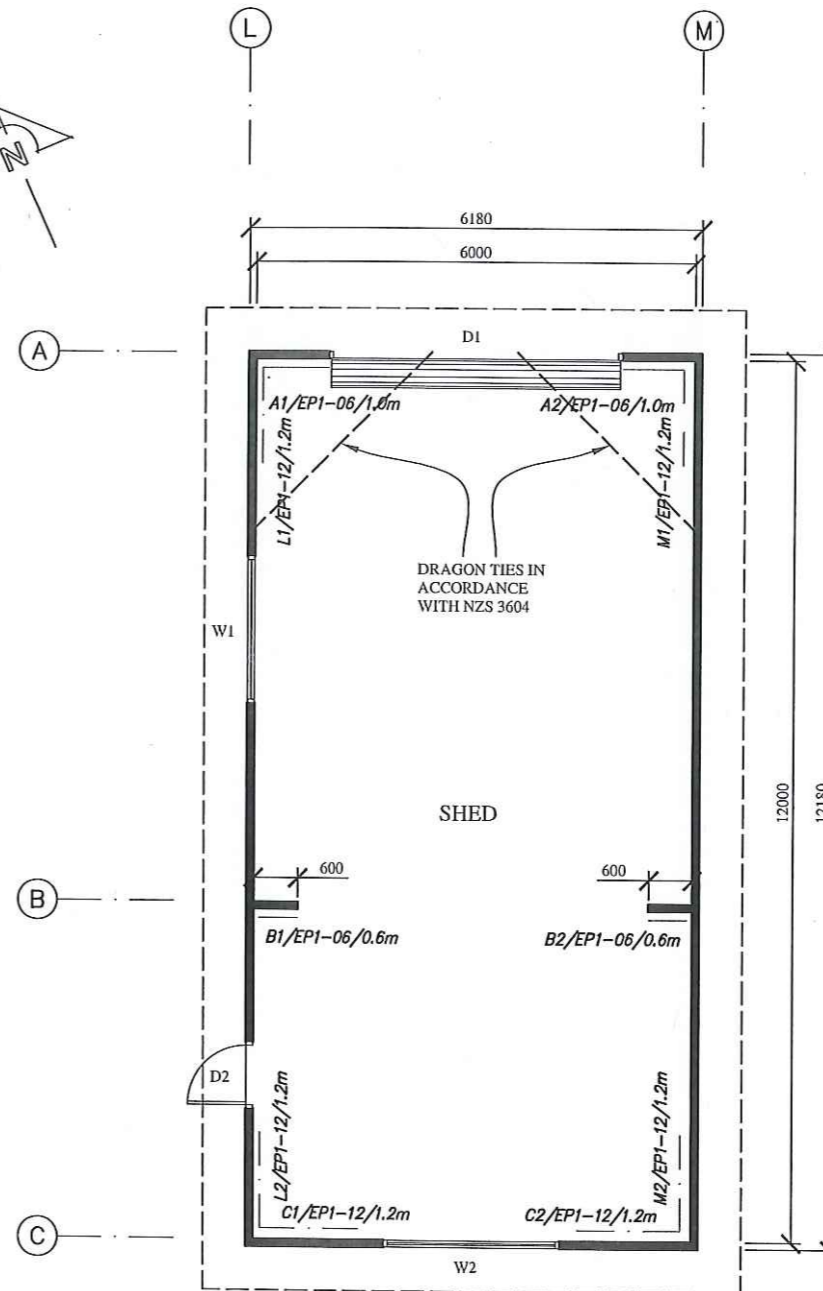
W1 140x45 LINTEL, TYPE G FIXING
W2 190x45 LINTEL, TYPE F FIXING

BRACING LEGEND:



BRACE TYPES:

- EP1-04 7mm Ecoply or 12mm Shadowclad (0.4m or longer) on one face, with hold-downs
- EP1-06 7mm Ecoply or 12mm Shadowclad (0.6m or longer) on one face, with hold-downs
- EP1-12 7mm Ecoply or 12mm Shadowclad (1.2m or longer) on one face, with hold-downs



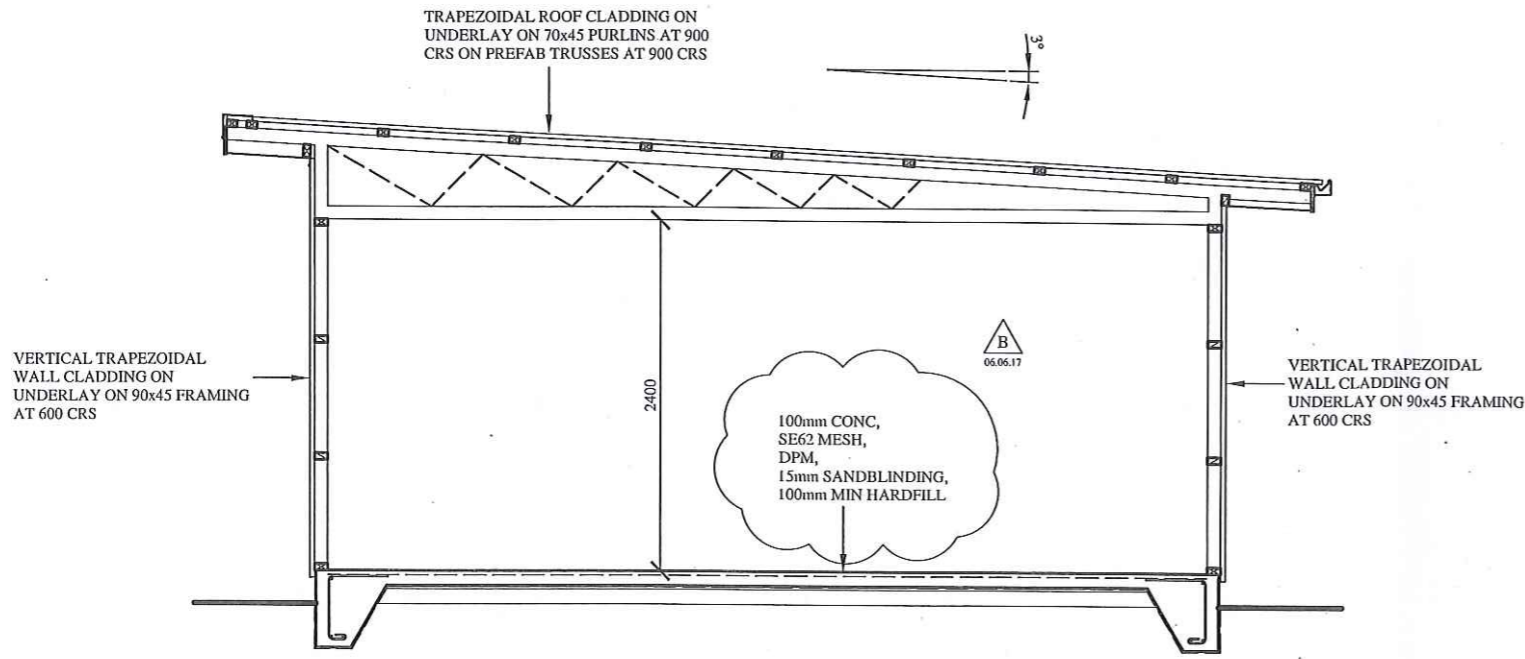
FLOOR PLAN 1:100
FLOOR AREA 75.2m²
ROOF AREA 98.7m²

21 361 017

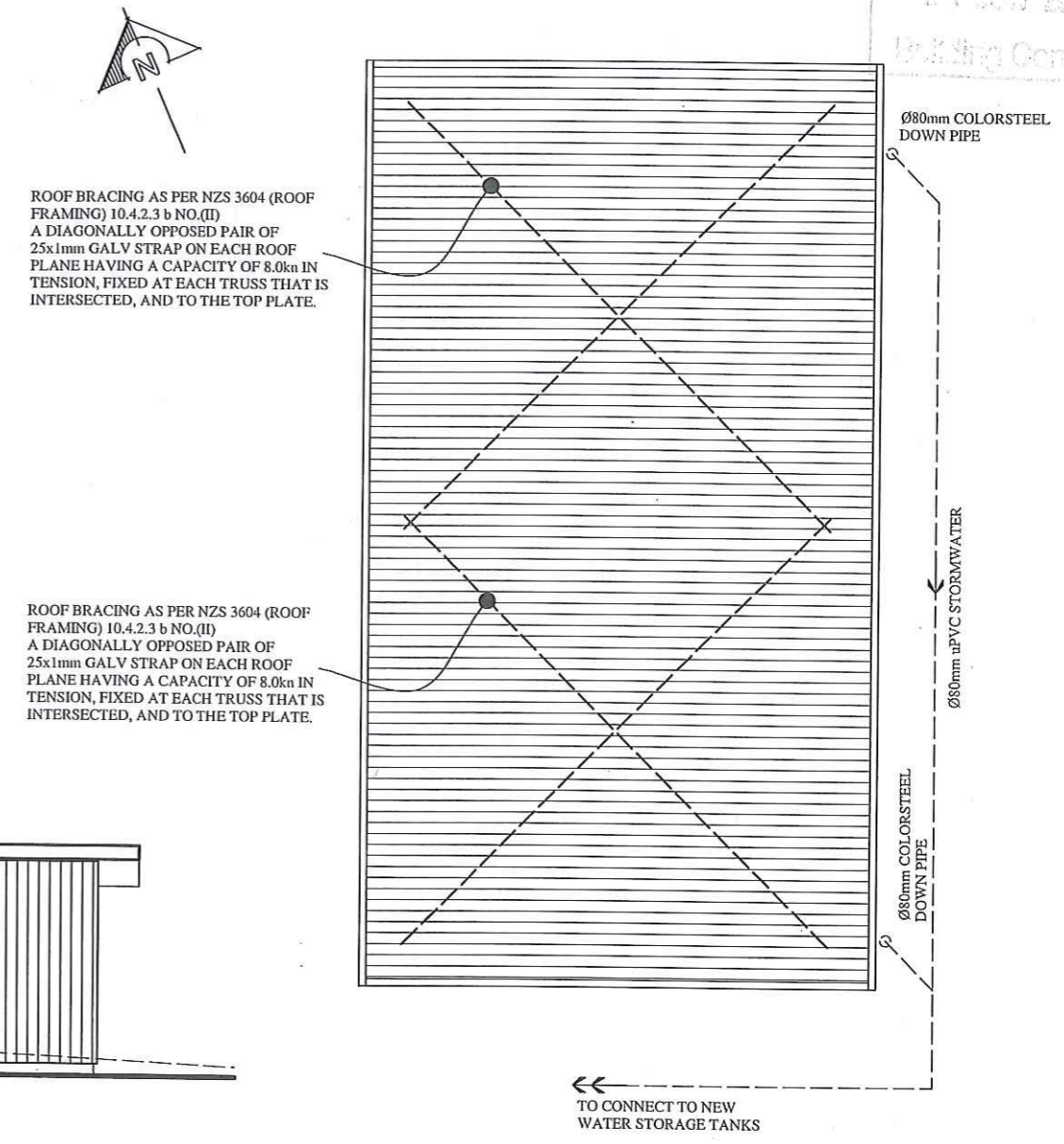
APPROVED
Rc No: LUC17/47028-D
Date: 4/7/2017
Sign: [Signature]

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<p>B MESH UPDATED A FOR APPROVAL ISSUE AMENDMENT</p>	<p>06.06.17 03.03.17 DATE</p>	<p>JM JM BY</p>	<p>16-26</p>						

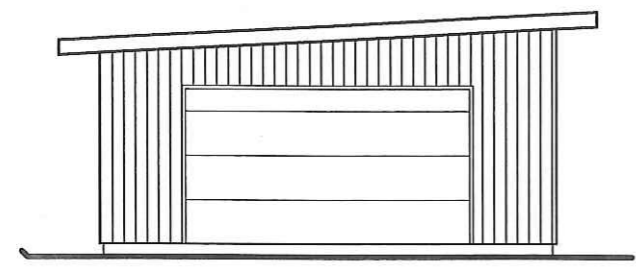
15/10/2016
21 9:53 2017
Building Consent



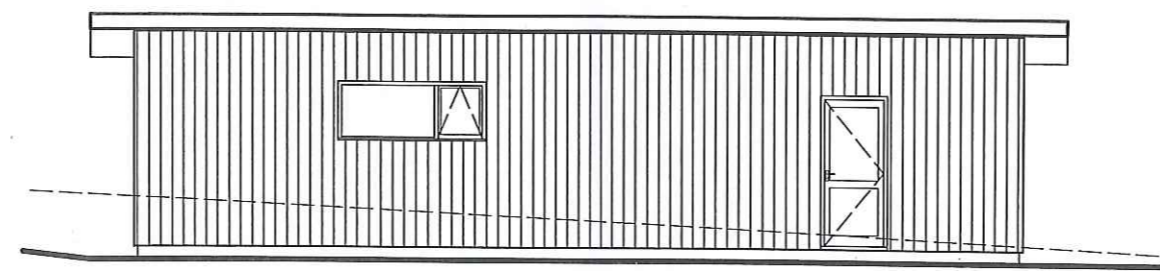
TYPICAL SECTION
1:50



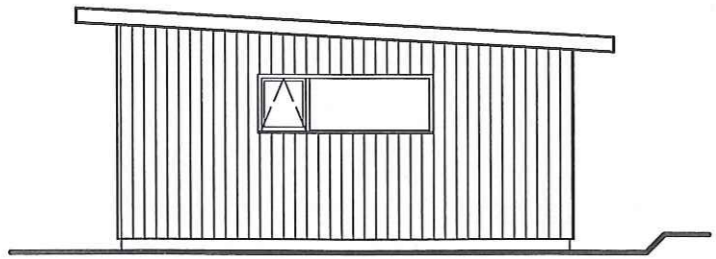
ROOF PLAN
1:100



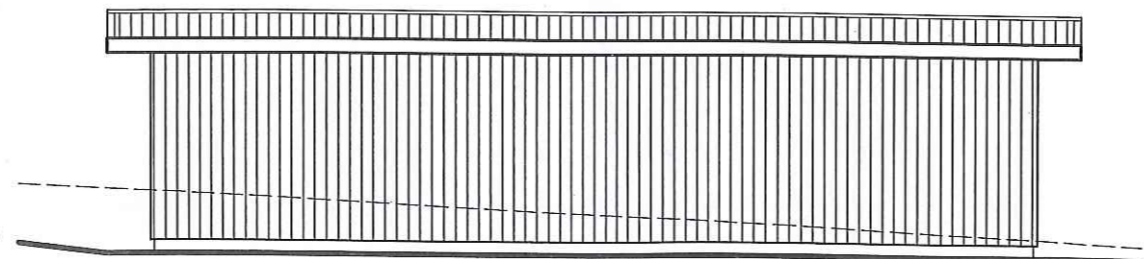
NORTH ELEVATION
1:100



WEST ELEVATION
1:100



SOUTH ELEVATION
1:100



EAST ELEVATION
1:100

APPROVED
LUCY/147028-E
Rc No
Date: 4/7/2017
Sign: [Signature]

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B MESH UPDATED 06.06.17 JM	A FOR APPROVAL 17.12.16 JM	ISSUE AMENDMENT DATE BY			SHEET CONTENTS SECTION ELEVATIONS		



Te Kaunihera-ā-Rohe o Ngāmotu

NEW PLYMOUTH DISTRICT COUNCIL

newplymouthnz.com

When replying please quote - LUC17/47028

Property: 110390

Land: 109839

DATE: 3 July 2017

**PLANNING REPORT TO THE PLANNING LEAD
RESOURCE CONSENT FOR LAND USE CONSENT NO. LUC17/47028**

Applicant:	Aaron William Stephens
Location:	118 Wortley Road, Lepperton
Legal Description:	Lot 1 DP 452310
Status:	The proposal is a Controlled Activity under Rule Rur31 and a Discretionary Activity under Rules Rur12A and Rur18 of the New Plymouth District Plan
Proposal:	To construct a dwelling within 400m of a poultry farm with more than 80,000 poultry while exceeding the maximum separation distance from another dwelling on site and to construct a shed while not meeting side boundary setbacks

DESCRIPTION OF PROPOSAL:

1. The subject site is a 3.3120 hectare site located at the western side of Wortley Road approximately 1.18 kilometres south of the intersection of Wortley Road and Richmond Road. The site is a life style block with the Waiongana Stream flowing along the western side boundary. An existing dwelling is located on the subject site with an existing vehicular access located mid-point along the road reserve.
2. The surrounding environment is characteristic of the rural area. The overall area is generally used for productive purposes such as farming and growing crops. The boundaries are lined by standard boundary fences and the eastern, southern and western portions of the site overlook further paddocks and lifestyle areas. To the north of the site at 72 Wortley Road is a poultry farm.
3. Compared to the traditional rural environment where there is a greater distance and sense of spaciousness and low density between buildings in this area are a number of smaller lifestyle blocks which result in an increased amount of built infrastructure in this area generally.
4. The applicant proposes to construct a second habitable building and a stand-alone shed on the subject site located at 118 Wortley Road in an area to the south west of the existing dwelling and within 400m of an intensive poultry farming operation with over 80,000

poultry located on another property to the north of the subject site. Vehicle access to the proposed new habitable building will be via a newly created vehicle entrance point situated at the southern end of the road frontage.

5. A site visit was undertaken on 6 June 2017.

DISTRICT PLAN PROVISIONS:

6. The property is located within the Rural Environment Area (Map D5). Wortley Road is an local road. The site is subject to an intensive poultry farming operation overlay.
7. **Rule Rur12A** This rule allows up to two habitable buildings per site provided that the habitable building gross floor area of one of the habitable buildings is no more than 75% of the habitable building gross floor area of the other habitable building; and the two habitable buildings are located no more than 25m from each other at the closest point. Although the existing habitable building will be no more than 75% in area than the proposed building they will be located 65m apart.
8. **Rule Rur18** - The proposed shed infringes the 10 metre minimum setback from the south western side boundary. The shed will be 5 metres from the south western side boundary.
9. **Rule Rur31** states that the minimum setback of a habitable building from the perimeter of an intensive poultry farming operation not on the same site where the farm has greater than 80,000 poultry is 400m is a Permitted Activity. Where a building is less than 400m, then the placement of the habitable building is assessed as a **Controlled Activity** under the District Plan. The habitable building is 350m from the perimeter of an intensive poultry farming operation not on the same site where the farm has greater than 80,000 poultry.
10. Where an activity is unable to comply with multiple District Plan provisions of differing activity status, they must be considered at the most onerous activity status and assessed using the more stringent criteria. In this application, individually the status of the rules infringed includes Controlled, Restricted Discretionary and Fully Discretionary. However, I consider the various aspects of the application to be inseparable from the proposed activity as a whole. Therefore, the proposal shall be assessed as a *discretionary* activity.
11. The proposal is a Discretionary Activity, and therefore only the relevant policies, objectives and assessment criteria for Rules Rur12A, Rur18 and Rur31 of the District Plan can be considered when determining this application (Section 104 of and 104B of the RMA).

RELEVANT OBJECTIVES AND POLICIES:

12. In regards to the aforementioned rules, the proposal is a restricted discretionary activity under the New Plymouth District Plan. I have not assessed the proposal against the remaining rules in the rural environment area.

Relevant District Plan Policies and Objectives:

- Objective 1; Policy 1.1 & 1.3
- Objective 4; Policy 4.3, 4.4 & 4.7

NOTIFICATION DECISION:

13. The proposal has been assessed under Section 95A through to 95E of the Resource Management Act 1991. It is considered that the effects of the activity would be less than minor for the following reasons:
- The proposal is not considered to be out of character within this rural environment. Any effects will be localised to directly adjacent property owners to the south.
 - The habitable building will be single-storied and will be constructed using materials of a low reflectivity value which will not be obtrusive on the rural character of the area.
 - The habitable building will be located approximately 80m from the road boundary and any impact on rural character experienced by road users would be minimal.
 - The proposed residential activity taking place from the site will remain the same, with the exception of a new vehicle access point being utilised.
 - Landscaping will soften the visual effect of the building from the view of the road users and adjoining neighbours.
14. The written approval of the following parties have been provided:
- T F Quilter, Owner of 108 Wortley Road
 - Mary Bunning, owner of 126 Wortley Road
 - R I Ngaia, J M Madwick & R I Gordon, owners of 134 Wortley Road
 - Alexander Klette, (Tegel Foods Ltd) owner/operator at 72 Wortley Road
15. As the written approval of the above parties have been provided, the Council must conclude under section 95E(3) of the RMA that they are not an affected person and any adverse effects on these parties must be disregarded. No other parties are considered to be affected by the proposal.
16. The Council may choose to notify an application if it considers that special circumstances exist, even if the effects will be no more than minor or a rule or national environmental standards preclude notification (s95A(4)). Special circumstances are circumstances which are unusual or exceptional but may be less than extraordinary or unique.
- No special circumstances exist which warrant notification of the application.
17. Therefore, the consent can be processed on a **non-notified** basis.

ASSESSMENT OF THE APPLICATION:

18. The following relevant matters have been considered in the assessment of this application in terms of Rule Rur12A, Rur18 and Rur31 under section 104B of the RMA:
- The applicant proposes to construct a second single storey habitable building and shed on the site setback 80m from the Wortley Road boundary. The proposed habitable building will be setback 16.3m from the southern side boundary and the stand alone shed will be setback 5m from the southern side boundary. The habitable building gross floor area of the existing habitable building will be no more than 75% of the habitable building gross floor area of the proposed habitable building however the separation between the two habitable buildings will be more than 25m (approximately 65m).
 - There will be minimal effects on the rural character as a result of the additional habitable building being erected on the rural property. The building has been designed to consider elements of the rural character.
 - The proposed habitable building is single storied and will be clad in brick veneer and cedar cladding with a mono pitch roof. The building has been designed to have a

westerly outlook so that there is sufficient space for outdoor living requirements and reasonable access to sunlight and privacy; which will protect amenity values (Objective 4, Policy 4.4). Existing landscaping will soften the visual effects of the building from the road users and adjoining properties.

- The habitable building will be used for residential purposes and will be consistent with the surrounding activities. The farming activities on-site will not be disrupted and will be able to continue as a result of the additional habitable building. Open space will be maintained by the farming activities and vegetation will be enhanced with the proposed landscaping plan. It is considered that the proposed habitable building is compatible with the character of the area (Objective 1, Policy 1.1).
- The location of the dwelling is setback further than 25m from the existing habitable building to allow for a greater separation distance to the adjoining poultry farm activity to the north and to ensure that space between the buildings is maintained and the current stock grazing can continue to occur on the site. The applicant has advised that they will stay in the existing habitable building while the proposed habitable building is being constructed. And that the existing habitable building may be unused when the new build is completed.
- The applicant has advised that the new dwelling has been located in a position that could be able to be subdivide in the future. Should a subdivision be applied for in the future it would be considered as a non-complying activity under the current operative District Plan.
- The proposed freestanding shed is single storied and will be clad in vertical trapezoidal cladding with a 3° mono pitch roof with the low side facing the adjoining property to the south east. With the proposed shed floor being approximately 2m lower in elevation than the floor of the dwelling on the adjoining property to the southeast, the visual effect of the stand-alone shed when viewed from the neighbouring property will be minor.
- It is not expected that the construction of the stand-alone shed will have any adverse effect on the privacy and outlook of the adjoining sites.
- The consent process encourages sitting away from the intensive poultry farm activity but where this is not possible the consent creates a record that the decision to site the habitable building within the setback was made in the knowledge of the potential adverse effects such as odour that could arise.
- The poultry farm to the north of the site at 72 Worley Road is setback approximately 385m from the proposed habitable building with two other lifestyle blocks separating the poultry farm from the subject site.
- The District Plan sets out the matters the Council has reserved control over for Rule Rur31. These matters are the construction and siting of the habitable building and mitigation measures such as landscaping or screening.
- I believe that the siting and the construction of the habitable building has been considered with this application and due to the setback distance and the fact that the site is separated from the poultry farm by two lifestyle blocks, no further mitigation measures such as landscaping will be required.

19. Overall, it is considered that the effect of the second habitable building being greater than 25m from the existing habitable building, and also being located within the poultry farm buffer, and the construction of a stand-alone shed within 10 metres of a side boundary will not result in any actual or potential effect on the environment that would be contrary to promoting sustainable management of natural and physical resources in terms of section 104(1) of the RMA. I consider the effects on the existing level of amenity within the immediate rural environment area to be acceptable.

20. The relevant assessment criteria of the Plan are not compromised and the Policies and Objectives will be met. Accordingly, the proposal will meet the purpose and principles of the RMA.
21. It is concluded that the relevant assessment criteria of the Plan is not compromised and the policies and objectives can be met. Accordingly, the proposal will meet the purposes and principles of the Resource Management Act 1991.

RECOMMENDATION:

22. Given the above assessment, it is my recommendation that consent must be granted, pursuant to sections 95, 104A, 104B and 108 of the Resource Management Act 1991. I recommend that consent be granted, subject to the following conditions:
 1. The use and development of the land shall be as described within the application and shall be in accordance with the plans endorsed **LUC17/47028 marked A, B, C, D and E prepared by Location Homes, Project 16-26, Sheets L01 (Issue A dated 03.03.17), L03 (Issue A dated 03.03.17), L11 (Issue A dated 03.03.17), B01 (Issue B dated 06.06.17) and B02 (Issue B dated 06.06.17).**
 2. The shed shall be located no closer than 5m from the south eastern side boundary of the site.
 3. The consent holder shall pay the Council's costs of any monitoring that may be necessary to ensure compliance of the use with the conditions specified.



Peter Davis
ENVIRONMENTAL PLANNER - CONSENTS

SUBJECT TO RESOURCE CONSENT



WAIONGANA STREAM

WORTLEY RD

LOT 2
DP 444491

2
3.23ha
(BALANCE AREA)

1
1245m²

LOT 2
DP 587306

LOT 3
DP 377488

NEW ESPLANADE STRIP
15m WIDE

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ISSUED FOR REVIEW 21.10.25

LANDPRO.

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Client
T STEPHENS

NOTES
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**PROPOSED SUBDIVISION OF LOT 1 DP 452310
118 WORTLEY RD, LEPPERTON**

Rev.	Date	Revision Details	By	Surveyed	Signed	Date	Job No.	Drawing No.
A	21.10.25	DWG ISSUE	ID	-	-	-	24283	01
B	30.10.25	AMEND ESPL STRIP DETAILS	ID	Drawn	Signed	Date	Scale	1:500 @ A1 1:1,000 @ A3
				ID		21.10.25	Datum & Level	Rev.
				Designed	Signed	-	T2000	B

C:\12d\stata\SERVER\2008R2\24283-SUB22_48013_118 Wortley s92_6341\CAD\24283_01_SCHEME.dwg Plotted: 30.10.2025



WRITTEN APPROVAL
 Name: _____
 Date: _____
 Signature (s): _____

This plan is produced for the sole purpose of obtaining a subdivision consent under the RMA 1991. Dimensions and areas are subject to final survey. The use of this drawing for any other purpose is at the users risk.



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Title
Lots 1 & 2 being a Proposed Subdivision of Lot 1 DP 452310

Location 118 Wortley Road

Rev	Amendment Description	Date	Dr.	Appr
01	Lots Amended	30.11.20	sm	gb
00	Issued	29.10.20	am	mb

Client
A Stephens

Drawing Scale (Original Size - A3)
1:1000

Project No.	Drawing File	Sheet No.	Revision
9682	S00	1 / 1	R01