



Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — both available on the Council's web page.

1. Pre-Lodgement Meeting		
Have you met with a council Reto lodgement? Yes No	source Consent representative to discuss this application prior	
2. Two of Consent being own		
2. Type of Consent being app		
(more than one circle can be tic	,	
Land Use	Discharge	
Fast Track Land Use*	Change of Consent Notice (s.221(3))	
Subdivision	Extension of time (s.125)	
Consent under National En (e.g. Assessing and Managing		
Other (please specify)	,	
* The fast track is for simple land use consents and is restricted to consents with a controlled activity status.		
3. Would you like to opt out of	of the Fast Track Process?	
Yes No		
4. Consultation		
Have you consulted with lwi/Ha	pū? Yes No	
If yes, which groups have you consulted with?		
Who else have you consulted with?		
For any questions or information re	egarding iwi/hapū consultation, please contact Te Hono at Far North District	

5. Applicant Details			
Name/s:	Nags Head Horse Hotel Limited		
Email:			
Phone number:			
Postal address: (or alternative method of service under section 352 of the act)			
6. Address for Correspo	ndence		
<u>.</u>	rvice and correspondence (if using an Agent write their details here)		
Name/s:	Williams & King, Attention: Natalie Watson		
Email:			
Phone number:			
Postal address: (or alternative method of service under section 352 of the act)			
* All correspondence will b alternative means of comn	e sent by email in the first instance. Please advise us if you would prefer an nunication.		
7. Details of Property O	wner/s and Occupier/s		

(where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s:

Property Address/ Location:

Subdivision Site: As per applicant details.

Existing Appurtenant Easements: Owned by Angela Houry, 405B Kerikeri Inlet Road,

RD 3, Kerikeri

Postcode

0293

8. Application Site Details			
Location and/or prope	rty street address of the proposed activity.		
Name/s:			
Site Address/ Location:			
	Pos	stcode	
Legal Description:	Val Numb	per:	
Certificate of title:			
	ch a copy of your Certificate of Title to the application		
Site visit requirement	s:		
Is there a locked gate of	or security system restricting access by Cou	uncil staff? Yes No	
Is there a dog on the	property? Yes No		
-	of any other entry restrictions that Council staker's details. This is important to avoid a	_	
9. Description of the	Proposal:		
	scription of the proposal here. Please refer or further details of information requireme	•	
• • •	for a Change or Cancellation of Consent N Resource Consents and Consent Notice ic s for requesting them.	•	
10. Would you like to	request Public Notification?		
Yes No			

11. Other Consent required/being applied for under different legislation			
(more than one circle can be ticked):			
Building Consent Enter BC ref # here (if known)			
Regional Council Consent (ref # if known) Ref # here (if known)			
National Environmental Standard consent Consent here (if known)			
Other (please specify) Specify 'other' here			
12. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:			
The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following:			
Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) Yes No Don't know			
Is the proposed activity an activity covered by the NES? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result. Yes No Don't know			
Subdividing land Changing the use of a piece of land Disturbing, removing or sampling soil Removing or replacing a fuel storage system			
13. Assessment of Environmental Effects:			
Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties. Your AEE is attached to this application Yes			
13. Draft Conditions:			
Do you wish to see the draft conditions prior to the release of the resource consent decision? Yes No If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? Yes No			

14. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write in full)	Nags Head Horse Hotel Limited
Email:	
Phone number:	
Postal address: (or alternative method of service under section 352 of the act)	

Fees Information

An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

Declaration concerning Payment of Fees

I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: (please write in full)

Signature:
(signature of bill payer

MANDATORY

SARAH LOWNDED

Date 3-4-2025

15. Important Information:

Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form. You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, www.fndc.govt.nz. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

15. Important information	continued
Declaration	
The information I have supp	lied with this application is true and complete to the best of my knowledge.
Name: (please write in full)	
Signature:	Date
	A signature is not required if the application is made by electronic means
Checklist (please tick if ir	nformation is provided)
Payment (cheques paya	able to Far North District Council)
A current Certificate of	Title (Search Copy not more than 6 months old)
Oetails of your consulta	tion with lwi and hapū
Copies of any listed enco	umbrances, easements and/or consent notices relevant to the application
Applicant / Agent / Prop	erty Owner / Bill Payer details provided
Location of property an	d description of proposal
Assessment of Environr	nental Effects
Written Approvals / cor	respondence from consulted parties
Reports from technical	experts (if required)
Oppies of other relevan	t consents associated with this application
OLocation and Site plans	(land use) AND/OR
OLocation and Scheme P	an (subdivision)
Elevations / Floor plans	
Topographical / contou	r plans
with an application. Please	the District Plan for details of the information that must be provided also refer to the RC Checklist available on the Council's website. hints as to what information needs to be shown on plans.

Nags Head Horse Hotel Limited

Proposed Subdivision including Property Access, Earthworks & Impermeable Surfaces

Kerikeri Inlet Road, Kerikeri

Williams & King, Kerikeri¹ 13 May 2025



Williams & King - a Division of Survey & Planning Solutions (2010) Ltd Surveyors, Planners, Resource Managers - Kerikeri and Kaitaia PO Box 937 Kerikeri Phone (09) 407 6030 Email: nat@saps.co.nz

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1. OVERVIEW

1.2 Summary of proposal

Nags Head Horse Hotel Limited propose to subdivide their property, held in Record of Title 552855 and comprising Lot 2 DP 442820 (14.3750ha) and a one third share in Lot 4 DP 167657 (5.2350ha), to create four lots, or three additional Records of Title. The subject site is located to at Kerikeri Inlet Road, approximately 4.5km north west of central Kerikeri.

The proposal is to subdivide the site to create four lifestyle sites, whilst ensuring that actual and potential adverse effects are avoided and mitigated. Lots 1, 2, 3 and 4 are vacant rural lifestyle sites with areas of 2.0720ha, 2.4820ha, 26.7465ha and 3.0740ha respectively. The Record of Title's one third share in Lot 4 DP 167657 (comprising an existing pond / lake and its margins) will be equally shared between the proposed lots, granting a one twelfth share to each of Lots 1-4. An amalgamation condition to this effect is proposed.

Legal access to the site from Kerikeri Inlet Road is via existing appurtenant easements over adjoining Lot 2 DP 210733, owned by Angela Houry. The site is currently inaccessible in this location, as the previous culverted crossing of a stream has been washed out. This is to be resolved through the construction of either a bridge or a new culverted crossing (at this stage the proposed bridge is the favoured solution but is subject to negotiations with the other landowners involved).

A new shared vehicle crossing will be constructed off Kerikeri Inlet Road, connecting to a bridge or culvert crossing over the creek bed which will straddle the road reserve and existing appurtenant easements over Lot 2 DP 210733. Private vehicle access will thereafter be established as a formed and metalled carriageway over the existing appurtenant easements and then over easements 'A' – 'C' within the subject site, to provide legal and physical access to the boundary of each lot. The earthworks and impermeable surface coverage necessary to complete property access form part of the proposal. In addition, anticipated impermeable surface coverage for residential development on each of the lots has been applied for, to ensure that stormwater management is comprehensively designed.

The proposal will revegetate and formally protect wetland areas and their margins via covenant areas and consent notice conditions, with this envisaged as being a positive ecological effect. Other ecological benefits are proposed, including a formalised pest and weed management plan for covenant areas, and control of domestic pets.

Building Development Zones ("BDZs") have been identified on each lot. Landscape integration planting for mitigation of potential adverse visual and landscape effects is proposed, together with further consent notice conditions for the purpose of avoiding and mitigating potential adverse effects arising from the development of Lots 1-4 in terms of engineering site suitability matters, servicing and landscape, visual and amenity effects.

The BDZs and proposed access route avoid known archaeological sites; however, a general precautionary archaeological authority will be sought to cover any unexpected archaeological discoveries during the course of earthworks.

1.2 District Plan zoning and activity status

The subject site is in the 'South Kerikeri Inlet Zone' in the Operative Far North District Plan and part of the land is within a 'Sensitive Area'. Only one BDZ will be located within the sensitive area. Subdivision in sensitive areas is only provided for as a discretionary activity using the Management Plan provisions, and where a 2ha average lot size is achieved. Although the proposal complies with the 2ha average lot size requirement, the proposal is not submitted as a management plan, and therefore the proposed activity has been determined to be a non-complying activity.

Under the Proposed Far North District Plan, the site is zoned 'Rural Lifestyle', with areas of 'Coastal Environment', 'River Flood' and 'Coastal Flood Hazard' Overlays. Relevant rules with legal effect under the Proposed District Plan can be met as permitted activities.

1.3 Other required approvals

A section of access over easement 'A' traverses a wetland, and upgrade of the existing culvert is a restricted discretionary activity under the National Environmental Standard for Freshwater 2020. Relatedly, the earthworks for upgrade of this culvert will require consent under the Proposed Regional Plan for Northland (February 2024). These consents will be sought from Northland Regional Council as a separate application to this one.

Building consent will be required for the bridge or culvert / embankment retaining wall, whichever is the final outcome for replacing access over the washed-out culvert. This will be sought at a later date.

Finally, a general precautionary archaeological authority will be sought from Heritage New Zealand Pouhere Taonga.

1.4 Statutory framework

This report and its appendix accompany the Resource Consent application made by the Applicant and is provided in accordance with the requirements set out in Schedule 4 of the Resource Management Act 1991 ("RMA"). It is intended to provide the necessary information, in sufficient detail, to provide an understanding of the proposal, including any actual or potential effects the proposed activity may have on the environment, any proposed or agreed to measure to ensure positive effects, and the relevant matters specified under section 104 of the RMA (Consideration of applications). The assessment incorporates the findings of the following specialist reports:

 Haigh Workman Civil & Structural Engineers Engineering Assessment for Proposed Subdivision Inlet Road, Kerikeri Lot 2 DP 442820', dated 8 May 2025, Reference 18 268 ("Engineering Assessment").

- Haigh Workman Civil & Structural Engineers Geotechnical Assessment Report dated May 2025, Reference 18 268 ("Geotechnical Assessment").
- Bay Ecological Consultancy Ltd 'Wetland Determination', Reference 'Proposed Subdivision Lot 2 DP 442820 (RT 552855) Kerikeri Inlet Road Kerikeri' ("Wetland Determination").
- Hawthorn Landscape Architects Ltd 'Landscape and Visual Effects Assessment' dated 10 January 2025 ("L&VEA").
- Geometria Limited 'Archaeological Assessment of the Proposed Subdivision of Lot 2 DP 442820 Kerikeri' dated 29 November 2024 ("Archaeological Assessment").

As the proposal is for a non-complying activity, Section 104D of the RMA applies:

104D Particular restrictions for non-complying activities

- (1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—
 - (a) the adverse effects of the activity on the environment (other than any effect to which section 10 4(3)(a)(ii) applies) will be minor; or
 - (b) the application is for an activity that will not be contrary to the objectives and policies of—
 - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
 - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
 - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

2. DESCRIPTION OF PROPOSAL

2.1 Subdivision layout, lot sizes, easements and land covenants

The purpose of the proposal is to subdivide the subject land to create three additional Records of Title through subdivision of Lot 2 DP 442820. The site includes a one-third share in Lot 4 DP 167657, and this share will be divided equally between the four resultant lots producing a one-twelfth share each. A proposed amalgamation condition to this effect is shown on the Scheme Plan.

A summary of the proposed lots is provided in **Table 1** below.

Table 1: Summary of proposed lot sizes, and land use.

Lot Description	Area (Subject to Survey)	Proposed Use
Lot 1	2.0720ha + 1/12 Share in Lot 4 DP 167657	Rural lifestyle site
	(1/12 5.2350ha = 4363m²)	· ·
Lot 2	2.4820ha + 1/12 Share in Lot 4 DP 167657	Rural lifestyle site
	(1/12 5.2350ha = 4363m²)	
Lot 3	6.7465ha + 1/12 Share in Lot 4 DP 167657	Rural lifestyle site
	(1/12 5.2350ha = 4363m²)	
Lot 4	3.0740ha + 1/12 Share in Lot 4 DP 167657	Rural lifestyle site
	(1/12 5.2350ha = 4363m²)	

The Memorandum of Easements on the Scheme Plan includes areas 'A', 'B', and 'C' over Lots 1, 2 and 3 respectively, for the purpose of Right of Way and the Right to Convey Electricity, Water & Telecommunications.

Areas 'AA', 'AB' and 'AC' are shown on the Scheme Plan as Land Covenants for the purpose of wetland protection. These areas will be enhanced through revegetation planting.

Refer to the Scheme Plan in **Appendix 1** and **Figure 1** below. All areas and dimensions are subject to final survey.

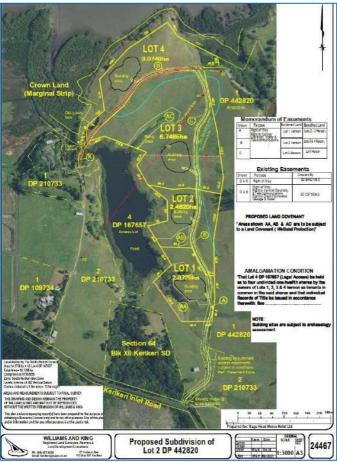


Figure 1: Proposed Scheme Plan

2.2 Property access arrangements

Vehicle access will be formed to the boundary of each lot from Kerikeri Inlet Road via the existing appurtenant easements over Lot 2 DP 210733 and Easements 'A', 'B' and 'C' in the Memorandum. Proposed vehicle access arrangements are outlined in the Engineering Assessment in **Appendix 2a**. A summary of proposed access is as follows.

2.2.1 New vehicle crossing via bridge or culvert from Kerikeri Inlet Road

As previously described, options to replace the washed-out culvert are either a bridge or a new culvert. Confirmation of the final detailed design can be supplied as part of the Engineering Plan Approval process.

A single-lane bridge supported on piled abutments can be formed to cross the existing stream to replace the washed-out culvert crossing. This option is depicted in the Vehicle Crossing Design prepared by Haigh Workman Civil & Structural Engineers in **Appendix 2c**.

A bridge or culvert from the road parcel onto Lot 2 DP 210733 is part of the vehicle crossing (the Operative District Plan definition of 'Crossing' states "In relation to vehicle access means the formed and properly constructed vehicle access from the carriage way of any road up to and including that portion of the road boundary of the site across which vehicle access is permitted by this Plan and includes any culvert, bridge or kerbing") and will not require a License to Occupy the road reserve. This has been confirmed by Council's Property Legalisation Officer. Refer to **Appendix 3**.

2.2.2 Formation of metalled carriageway over Lot 2 DP 210733 (existing appurtenant easements)

A metalled private accessway will be formed over the existing appurtenant easements shown on the Scheme Plan and on various title plans, including DP 210733. Refer to **Figure 2**, where the relevant easement areas have been highlighted. Excluding the bridge or culvert crossing from Kerikeri Inlet Road, the proposed formation will create a five-metre-wide carriageway with stormwater control, dropping to 3m width with passing bays for the last section of appurtenant easement (shown as easement '1' on DP 210733 or referred to as "C (existing appurtenant easement over Lot 2 DP 210733" in Table 4 of the Engineering Assessment).

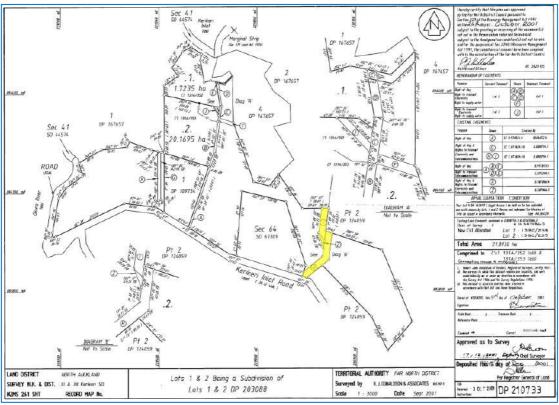


Figure 2: DP 210733

2.2.3 Formation of metalled carriageway over easements 'A', 'B' and 'C' over Lots 1 - 3

A metalled private accessway will be formed within easements 'A', 'B' and 'C' over Lots 1, 2 and 3 to a width of three metres, plus passing bays as required and stormwater control. Within easement 'A' an existing culverted crossing of a wetland will need to be improved, and this activity will require consent under the National Environmental Standards for Freshwater regulations, with consideration for the passage of fish. Refer to the Wetland Determination in **Appendix 4**, which states:

"The crossing A and culvert within are considered existing or other infrastructure under the NES- F (2020) subject to Reg 46 Maintenance and operation of specified infrastructure and other infrastructure (Refer Table 14). It is therefore a Restricted Discretionary activity as per REG 47, with matters subject to REG 56 Restricted discretionary activities: matters to which discretion is restricted. Application for resource consent will be required to NRC in this regard based on final detailed design in accordance with NES-F Regs to achieve an acceptable level of effects. Modifications to the culvert whether permitted or otherwise, are subject to NES-F (2020) Subpart 3, including emphasis on the passage of fish."

2.3 Earthworks

The internal access alignment was revised from an earlier proposal to reduce the earthworks volume.

Earthworks will be required to form property access to the boundary of each allotment and will involve topsoil stripping, excavation of unsuitable soils, filling and cuts, and laying aggregate.

Estimated earthworks volumes are specified in the Engineering Assessment as involving a total of approximately 1,737m³ of cut over Lot 2 DP 442820 and Lot 2 DP 210733, with approximately 1,386m³ to be used for filling to form the access. Excess excavated material (approximately 350m³) will be used on site (the private accessway is generally at the toe of the steeper slope, where fill could be extended to lose excess cut with contours blended), producing a total volume of approximately 3,474m³ of cut and fill plus approximately 1,205m³ of aggregate.

Cut and filled depths and heights are specified as up to 200mm of topsoil stripping, excavation of unsuitable soils, filling and cuts and laying approximately 250mm of roading aggregate. It is not anticipated that cut or fill heights will exceed 1.5m.

Earthworks undertaken at the site will need to be carried out in accordance with Auckland Council Guidance Document 2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GC05), with detail to be supplied at Engineering Plan Approval stage. Other general earthworks recommendations are specified in the Engineering Assessment, including for filling and site cuts.

2.4 Revegetation and landscape integration planting, building design guidelines

Within the proposed wetland covenants, riparian revegetation using suitable plant species will be established to provide an enhanced wetland buffer, and to contribute to improved biodiversity and landscape amenity values.

Landscape integration planting will also be introduced in strategic positions around the proposed BDZs. BDZs have been selected to provide appropriate spacing and intensity, and an appropriate level of visual change in order to not detract from the natural, coastal and rural character of the site and its surrounding environment.

All areas of vegetation will be established by the consent holder at subdivision completion stage, so that they are establishing prior to new built development being introduced to the site.

In addition to the defined BDZs, building design guidelines are proposed, to ensure that future built form is of an appropriate size, bulk, and form. These include recessive colour controls and a building height restriction of 6m on Lot 4 to avoid adverse effects upon the ridgelines and sensitive locations.

The proposed planting and building design guidelines are described in detail in the L&VEA in **Appendix 5**.

2.5 Engineering site suitability and impermeable surface coverage

The Engineering Assessment (**Appendix 2a**) and Geotechnical Assessment Report (**Appendix 2c**) assess the suitability of Lots 1 - 4 for building areas and site access, in particular terms of natural hazards, ground conditions, vehicle access, water supply (including firefighting), wastewater and stormwater.

Estimated proposed impermeable surfaces on Lots 1-4 and Lot 2 DP 210733, taking into account existing impermeable areas where relevant, are tabled in the Tables 5 and 6 of the Engineering Assessment, and summarised in **Table 2** below.

Table 2: Summary of proposed impermeable surfaces.

Lot Description	Estimated Existing & Proposed Impermeable Surface Area (ROW, Driveway & Roof Areas) (m ²)	Percentage Cover (%)
Lot 1	1320	6.4
Lot 2	1560	6.3
Lot 3	1800	2.7
Lot 4	1950	6.3
Lot 2 DP 210733	3896	1.9

2.6 Proposed conditions

A summary of proposed conditions is provided below. Final wording would need to be reviewed and an opportunity to review draft conditions is requested.

Prior to Section 223 RMA 1991:

- Show land covenant areas and memorandum of easements on the survey plan.
- Submit a Pest Management Plan for the land covenant areas 'AA', 'AB' and 'AC', prepared by a suitably qualified and experienced ecologist, specifying monitoring and reporting procedures.
- Submit plans for Engineering Plan Approval of:
 - Sealed or concreted Type 1A Sheet 21 Vehicle crossing Rural with a slip bay for turning traffic from the west.
 - Unsealed private accessway surface to widths specified in Table 4 of the Engineering Assessment, excluding the crossing structure, which is to be 4m wide with a sealed surface and sufficient waiting areas on each side.
 - Culvert sizing along private access formation adequate for the upstream catchment.
 - Detailed erosion and sediment control measures.
 - Final earthworks plans including location of stockpiles and fill resulting from surplus excavated material.

Prior to Section 224c RMA 1991:

- Complete works approved in engineering plan approval.
- Complete wetland revegetation within areas 'AA', 'AB' and 'AC' in general accordance with Appendix 6 of the Hawthorn Landscape Architects Landscape & Visual Effects Assessment. Provide sign off from suitably qualified person.
- Complete the Landscape Integration Planting (specimen trees, backdrop screen plantings and foreground plantings)
 in general accordance with Appendix 6 of the Hawthorn Landscape Architects Landscape & Visual Effects
 Assessment. Provide sign off from suitably qualified person.
- Carry out initial implementation of weed and pest management plan.

Consent notice conditions pursuant to Section 221 RMA 1991:

- The owner shall preserve the indigenous vegetation and revegetated areas within the areas shown as 'AA', 'AB' and 'AC' on the survey plan and shall not without resource consent from the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage, or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such vegetation shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. Additionally,
 - o no built development is permitted within these areas.
 - stock must be excluded from these areas.

[Lots 1 - 3]

• The lot owner is to continue the General Maintenance of landscape and revegetation plantings established under conditions x and x for a minimum period of three years following practical completion of the landscape plantings, as specified on Appendix 6, Drawing 6.0 ('Implementation + Maintenance) of the Hawthorn Landscape Architects Landscape & Visual Effects Assessment.

[Lots 1 - 4]

- No cats shall be introduced to the site or kept on the site. Any dogs kept onsite must be kept inside and/or tied up at night to reduce the risk of predation of North Island brown kiwi and wetland fauna by domestic dogs.
 [Lots 1 4]
- Site specific geotechnical investigations and foundation designs are to be carried out for proposed structures at the
 site by a Chartered Professional Engineer experienced in geotechnical engineering, and taking into account the
 building platform setback lines specified in the Geotechnical Assessment Report submitted for RC XXXXXX.
 Complete earthworks design drawings shall be supplied indicating engineered fill specifications, cut contours and final
 level contours including proposed erosion and sediment control measures required to undertake the development of
 the site.

[Lots 1 - 4]

• In conjunction with the construction of a future dwelling, the Lot owner shall obtain a Building Consent and install a wastewater treatment and effluent disposal system on the Lot. The system shall be designed by a Chartered Professional Engineer or suitably qualified person in accordance with ARC TP 58 requirements.

[Lots 1 – 4]

• In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.

[Lots 1 - 4]

• Exotic vegetation which could adversely affect natural regeneration is not to be introduced to the site. This includes environmental weeds, and those plants listed in the National Pest Plant Accord.

[Lots 1 - 4]

Any building or structures are to be located and designed to meet the Building Design Guidelines specified in the
Landscape and Visual Effects Assessment by Hawthorn Landscape Architects under the headings 'Building Form,
'Building Materials and Finishes', 'Ancillary Structures', 'Water Tanks', 'Driveways and Parking Areas' and
'Earthworks'. A statement prepared by a qualified Landscape Architect or Architect is to be provided at Building
Consent stage to demonstrate compliance.

[Lots 1 - 4]

Reticulated power supply or telecommunications services are not a requirement of this subdivision consent. The
responsibility for providing both power supply and telecommunications services will remain the responsibility of the
property owner.

[Lots 1 - 4]

Advice Notes

- Works not to commence until all necessary consents from Regional Council obtained.
- Works not to commence until archaeological authority issued.
- Accidental Discovery Protocol for unexpected archaeological finds.
- Corridor Access Request and Traffic Management Plan required prior to work within the Kerikeri Inlet Road legal road reserve.
- Attention drawn to archaeological sites P05/463 and P05/1079 and responsibilities under Heritage New Zealand Pouhere Taonga Act 2014.

3. APPLICATION SITE DETAILS AND DESCRIPTION

3.1 Location

The site is located at Kerikeri Inlet Road, approximately 4.5km north east of central Kerikeri. The subdivision site is positioned between Kerikeri Inlet Road to the south and a Marginal Strip to the north, which separates the land from Kerikeri Inlet to the north.

Refer to the Location and Cadastral Maps in Figures 3 and 4.

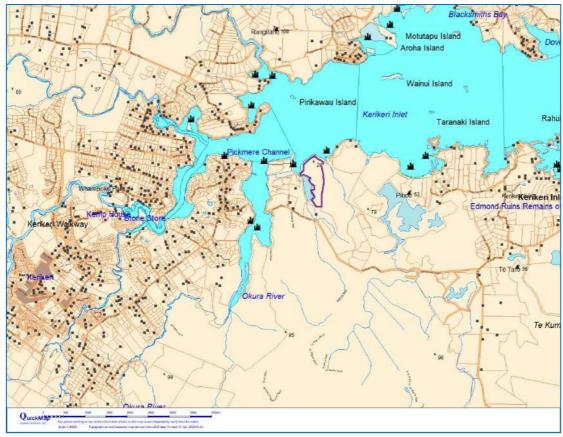


Figure 3: Location Map (Source: QuickMap)



Figure 4: Cadastral Map Highlighting the Subdivision Site (Source: QuickMap). Lot 4 DP 167657 (jointly owned lot subject included in proposed amalgamation condition) is located immediately to the west. Existing appurtenant easements over Lot 2 DP 210733 are highlighted in Figure 2.

3.2 Legal details

Legal details of the application sites are summarised below and in the Record of Title (**Appendix 7**).

RECORD OF TITLE IDENTIFIER & LEGAL DESCRIPTION	TITLE AREA	INTERESTS
SUBDIVISION SITE		
552855 Lot 2 DP 442820 1/3 share in Lot 4 DP 167657	14.3750ha more or less + 1/3 Share in Lot 4 DP 167657 (5.2350ha)	Easement Certificate B442108.5: Subject to a right of way over part Lot 4 DP 167657 marked H on DP 167657 and over part Lot 2 DP 442820 marked A on DP 442820. Subject to Section 309(1)(a) Local Government Act 1974. Easement Certificate B578021.4: Appurtenant electricity right. Easement Certificate C871824.10: Appurtenant right of way and telecommunications and electricity rights. Subject to Section 243(a) RMA 1991. Transfer C874249.1: Subject to a telecommunications right (in gross) over part Lot 4 DP 167657 marked H on DP 167657 and over part Lot 2 DP 442820 marked A on DP 442820 in favour of Telecom NZ Ltd. D088754.3 Deed of Land Covenant. D088754.4 Variation of Easement Certificate C871824.10. Transfer D587086.3: Appurtenant right of way and an electricity and telecommunications right. Transfer D587086.3: Land Covenant. Saving and excepting from the land formerly described Section 42 Block XI Kerikeri Survey District all minerals within the meaning of the Land Act 1924 on or under the land and reserving always to Her Majesty the Queen and all persons lawfully entitled to work the said minerals a right of ingress egress and regress over the said land. 9315062.1 Surrender of Land Covenant D088754.3 as to the benefit of Part Lot 1 DP 442820 formerly contained in CT NA101C/993. Subject to Section 241(2) Resource Management Act 1991 (affects DP 442820). 12736076.2 Revocation of Land Covenant D088754.3 as to Lot 7 DP 579108.
APPURTENANT EASE	MENTS	
NA138C/239 Lot 2 DP 210733 1/6 share in Lot 4 DP 167657	20.1695ha more or less + 1/3 Share in Lot 4 DP 167657 (5.2350ha)	Excepting as part (formerly part Section 14 BLK XII Kerikeri Survey District and part Sections 42 and 44 Block XI Kerikeri Survey District all minerals within the meaning of the Land Act 1924 on or under the land. Subject to Section 241(2) Resource Management Act 1991. Easement Certificate B578021.4: Appurtenant hereto is an electricity right, subject to a right of way over part marked A on DP 203088. Subject to Section 309(1)(a) Local Government Act 1974. Easement Certificate C871824.6: Subject to a right of way and rights to transmit electricity and telecommunications and drain stormwater and sewage and water over part marked H on DP 167657. Subject to Section 243(a) RMA 1991. Easement Certificate C871824.10: Appurtenant hereto is a right of way and a right to transmit electricity and telecommunications. Subject to a right of way and a right to transmit electricity and telecommunications over parts marked G, H and I on DP 210733. Subject to Section 243(a) RMA 1991. Transfer C874249.1: Subject to a telecommunications right (in gross) over parts marked A, B, C, D and H on DP 210733 in favour of Telecom New Zealand Limited. D088754.3 Variation of Easement Certificate C87424.10. D088754.3 Land Covenant in Deed. D587086.2 Land Covenant in Transfer.

Transfer D587086.4: Subject to a right of way and rights to transmit electricity and telecommunications over parts marked X and Y on DP 210733

Transfer D587086.4: Land Covenant.

Transfer D587086.3: Subject to a right of way and an electricity and telecommunications right over part parked Z on DP 210733.

Easement Certificate D664998.4: Subject to a right of way and a right to transmit power and to telephone and water rights over parts marked A, B, C, D and F and rights to transmit power and water over part marked J on DP 210733. Subject to Section 243(a) RMA 1991.

5285955.2 Land Covenant in Transfer.

9315062.1 Surrender of Land Covenant D088754.3 as to the benefit of Part Lot 1 DP 442820 formerly contained in NA101C/993.

12736076.2 Revocation of Land Covenant D088754.3 as to Lot 7 DP 579108.

12736076.3 Revocation of Land Covenant D587086.2 as to Lot 7 DP 579108.

Of particular note are Easement Certificate C871824.10 and Transfer D587086.3, which benefit Lot 2 DP 442820 with appurtenant right of way and telecommunications and electricity rights over Lot 2 DP 210733 as the burdened land. The easement areas are highlighted in **Figure 2**, but were first shown as areas 'C', 'D' and 'J' on DP 167657 and area 'Z' on DP 180325.

Land covenant in deed D088754.3 relates to management of the jointly owned Lot 4 DP 167657, using a management committee comprising a representative of each of the titles with a share in Lot 4 DP 167657.

3.3 Existing land use and structures

The subject site is a vacant rural site, used for low-density stock grazing. Existing fence lines are located along the eastern boundary, either side of the metalled access through Lot 4, and through Lot 3 to form existing paddocks. A small-scale rock quarry is located at the western end of Lot 4 to the north-west of the existing right of way and services easement 'D' and partly encroaching into the adjoining Marginal Strip.

Overhead power lines cross Lot 3 together with the supporting power poles. Top Energy has advised that this power supply is privately and collectively owned by those connected to it.

Lot 4 DP 167657, of which the subject Record of Title includes a one-third share, is occupied by a pond (described as a "constructed freshwater wetland"), which was constructed in the 1960s. A small pump shed is located on the margin of the pond, adjacent to proposed Lot 3.

Refer to **Photographs 1 - 3** below.



Photograph 1: View south from Lot 3, over Lots 3, 2 and 1. Fencelines and power poles and overhead lines are visible. The pond within Lot 4 DP 167657 is visible on the right.



Photograph 2: View south west over building site on Lot 4.



Photograph 3: Brown rock quarry on Lot 4.

3.4 Natural and recorded features

The topographical characteristics, geological setting and ground conditions are described in detail in the Engineering Assessment. Refer to **Appendix 2a**.

The Wetland Determination describes the natural inland wetland areas, their hydrological sources and hydric indicators, as well as primary wetland associations and other frequent species within the wetlands. Wetlands within the site have been identified as swamp, shallow water (emergent) and fen wetland types. Refer to **Appendix 4**.

The land has a predominant pasture cover, which covers all parts of the site outside of the areas of formed access.

The northern part of the subject land encompassing Lots 3 and 4, and part of Lot 2, is within the coastal environment. The site does not include any areas of high or outstanding natural character, or outstanding natural landscapes or features as recorded in the Regional Policy Statement.

Lots 1 – 4 are not part of any ecological unit recorded in the Department of Conservation Protected Natural Area ("PNA") mapping, however the pond and its margins within Lot 4 DP 167657 is PNA Unit P05/083 "Kerikeri Inlet Road Pond" and is also mapped by the Northland Regional Council mapping as being a known wetland.² Further description is provided within the Wetland Determination. The pond is depicted in **Photograph 4**.

² Conning, L & Miller, N: (1999) Natural areas of the Kerikeri Ecological District. Reconnaissance survey for the Protected Natural Areas Programme. Department of Conservation Northland Conservancy, Whangarei.



Photograph 4: View west from Lot 2, over the pond / Lot 4 DP 167657.

The land is not mapped as being within a kiwi habitat in Far North Maps "Species Distribution (DoC)" Map. ³ The mapping related to kiwi habitat is a non-statutory document.

The site is mapped as comprising Land Use Capability ("LUC") unit 4e7. This LUC Unit does not meet the definition of 'highly versatile soils' as per the Regional Policy Statement or the definition of 'highly productive land' in the National Policy Statement for Highly Productive Land.

3.5 Vehicle access

The subject land has legal frontage to Kerikeri Inlet Road via existing appurtenant easements over Lot 2 DP 210733. The previous culverted crossing from Kerikeri Inlet Road has been washed out, and the subdivision site is currently inaccessible from its legal access point. The site does not have any alternative legal frontage to a public road. Review of historic aerial imagery shows that farm access was previously formed along the existing appurtenant easements and into proposed Lot 1, and part of the track formation is still apparent. Refer to **Photographs 5** and **6**.



Photograph 5: Approximate northern end of proposed crossing structure, within existing appurtenant easement.

³ A map showing the distribution of Northland Brown Kiwi and Northland Mudfish in the Far North District. Kiwi habitat distribution based on call count monitoring in 2019 by Department of Conservation: Craig, E. (2020): Call count monitoring of Northland brown kiwi 2019. Department of Conservation, Whangarei, New Zealand.



Photograph 6: View South over Easement 'A' including existing culverted wetland crossing.

A metalled accessway crosses the northern part of the site within Lot 4, providing access to Lot 1 DP 172860, Lot 1 DP 143682 and Lot 1 DP 132850 to the west. It is generally covered by existing easements. However, parts of the carriageway formation are outside the easement corridor, resulting in encroachments to Lot 2 DP 442820 as well as the Crown owned Marginal Strip.

3.6 Surrounding land

The Archaeological Assessment (**Appendix 6**) describes the archaeological and heritage context of the site and its wider setting, as well as the historic background of the land.

Of particular relevance is archaeological site P05/463 on Lot 4, where subsurface midden on and adjacent to at least four terraces remain on the north facing slope of the hill below the trig point. The site does not appear to extend southwest towards the quarry and the proposed building area.

Archaeological site P05/1079 is a shell midden adjacent to the pond, within Lot 4 DP 167657. It is not affected by the works associated with the current proposal, and the intact subsurface portion of the site may have slipped into the pond.

3.7 Surrounding land

The character of the South Kerikeri Inlet Zone is described in the Operative District Plan:

"The South Kerikeri Inlet Zone is located along the southern edge of the Kerikeri Inlet and as such forms a part of the maritime gateway to the historic settlement of Kerikeri. Whilst predominantly rolling pastoral country, the landform also includes low-lying backshore flats, coastal flanks and areas of very steep and unstable terrain.

While much of the coastal margin of the inner Kerikeri inlet has been urbanised, the coastal margins of this area retain their natural qualities being relatively free of built structures. The open spaces and rural nature of the area provide visual relief from the other more modified areas of the coast. Its visual importance is increased given its proximity to the more urbanised area of adjacent Kerikeri Township. It is an area of "contrast" between the more urbanised areas to the west and the lower lying area to the east. The Okura River to the west and the Waitangi Wetland to the east form natural boundaries that set this area apart.

Because of its undulating nature, the entire area is not visible from any one location. The more elevated portions of the land which are visible from a wide area and those slopes facing the Inlet are particularly sensitive. Other areas are more introspective and contained. The natural character, open space and rural nature of the area are important to the visual context of the wider area."

Further description is provided within the L&VEA, which adds detail around existing built development and lot size density and intensity.

4. DISTRICT PLAN ASSESSMENT

4.1 Far North Operative District Plan

The application site is zoned South Kerikeri Inlet. Parts of Lots 2, 3 and 4 are recorded as 'sensitive areas' as shown in **Figure 5** below.



Figure 5: Operative District Plan map showing extent (in yellow) of South Kerikeri Inlet Zone Sensitive Area.

The proposal is assessed against the relevant rules of the Operative District Plan as follows.

4.1.1 South Kerikeri Inlet Zone

Rule	Discussion	Compliance		
10.10.5.1 PERMITTED ACTIVITIES	10.10.5.1 PERMITTED ACTIVITIES			
10.10.5.1 Visual Amenity	10.10.5.1 Visual Amenity Future buildings will need to be assessed under the visual			
	amenity rules for the zone.	subdivision		
		stage		
10.10.5.1.2 Residential Intensity	A single residential unit for a single household is intended	Complies		
	for each allotment.			
10.10.5.1.5 Sunlight	No issues.	Not applicable at		
		subdivision		
		stage		
10.10.5.1.6 Stormwater	This rule limits the maximum proportion of the gross site	Does not comply		
management	area which may be covered by buildings and other			
	impermeable surfaces to the lesser of 10% or 600m². The			
	lesser amount on Lots 1 – 4, as well as Lot 2 DP 210733,			
	is 600m², this amount is exceeded in each instance.			
10.10.5.1.7 Setback from	Building consent will be required for either crossing option.	Does not comply		
Boundaries	The 'structure' will be within 10m of the lot boundary.			
10.10.5.3 RESTRICTED DISCRETION	NARY ACTIVITIES			
10.10.5.3.6 Setback from	A breach of Rule 10.10.5.1.7 is a restricted discretionary	Complies		
Boundaries	activity.			
10.10.5.3.8 Stormwater	This rule limits the maximum proportion of the gross site	Does not		
Management	area which may be covered by buildings and other	comply		
	impermeable surfaces to the lesser of 15% or 1,500m².			
	Anticipated impermeable surface coverage on Lot 1 will			
	comply, Lots 2 – 4 and Lot 2 DP 210733 will not.			

10.10.5.4 DISCRETIONARY ACTIVITIES		
10.10.5.4 Discretionary Activities	The impermeable surface coverage proposed for Lots 2 –	Complies
	4 and Lot 2 DP 210733 requires consideration as a	
	discretionary activity.	

4.1.2 Natural & Physical Resources

Rule	Discussion	Compliance
PERMITTED ACTIVITIES		
12.3.6.1.2 Excavation and/or filling in the South Kerikeri Inlet zones	Earthworks to complete private access will exceed 300m³ – approval is sought under Rule 13.6.8	Not applicable – approval sought via Rule 13.6.8
12.7.6.1.2 Setback from Smaller Lakes, Rivers and Wetlands	This rule does not apply to river crossings, including but not limited to, fords, bridges, stock crossings and culvert crossings, or activities related to the construction of river crossings; therefore, the proposed bridge / culvert crossing and existing wetland crossing within easement 'A' can be excluded. Beyond those areas, the new accessway within Lot 2 will be within 30m of individual wetland covenant 'AB'. Individually, this covenant area is less than 1ha in area, however if measured as part of the wider wetland feature surrounding the lake, it would exceed 1ha.	Does not comply
12.7.6.1.3 Preservation of Indigenous Wetlands	The Wetland Determination specifies that upgrade of the existing culvert crossing through easement 'A' will be subject to detailed design to determine an acceptable level of effects in terms of any changes to natural range of water levels and hydrological function. This activity will be subject to further consent under the NES-F regulations, as the size of the culvert is likely to be increased and a formed accessway will be constructed.	Complies at this stage
12.7.6.1.4 Land use activities involving discharge of human sewage effluent	There is sufficient area available for onsite wastewater disposal to accommodate a 30m separation distance from natural inland wetland areas. This is also apparent in Sheets 3 - 5 of the Engineering Assessment. Indicatively, Lots 1 – 4 would require 870m² of active and reserve effluent disposal field, and the Engineering Assessment shows the available areas as being well in excess of this requirement. Detailed design is required at lot development stage.	Complies. Requires detailed design at lot development stage
12.7.6.3 DISCRETIONARY ACTIV		
12.7.6.3 DISCRETIONARY ACTIVITES	Discretionary activity due to inability to comply with Rule 12.7.6.1.2 Setback from Smaller Lakes, Rivers and Wetlands.	Complies

4.1.3 Subdivision

Rule	Discussion	Compliance
13.6 GENERAL RULES		
13.6.5 Legal Frontage	Each lot has legal frontage to Kerikeri Inlet Road via existing appurtenant and proposed Rights of Way.	Complies
13.6.8 Subdivision Consent Before Work Commences	Earthworks to form private access to the boundary of each lot are described in the Engineering Assessment.	Complies

13.6.12 Suitability for Proposed Land Use	The land is considered suitable for the proposal, namely future residential development on Lots 1 – 4 as described in the Engineering Assessment and Geotechnical Assessment Report. Consent notice conditions can be included.	Complies
13.7 CONTROLLED ACTIVITIES		
13.7.2.1 Minimum Area for Vacant New Lots	Subdivision is not a controlled activity in this zone.	Does not comply
13.7.2.2 Allotment Dimensions	Each lot includes a dimension of 30 x 30m, plus 10m boundary setbacks.	Complies
13.8.5 RESTRICTED DISCRETION	ARY ACTIVITIES	
13.7.2.1 / 13.8.5 Minimum Area for Vacant New Lots	The minimum lot size is 4ha in non-sensitive areas. Lots $2-4$ include sensitive land, and this rule is not met.	Does not comply
13.9 DISCRETIONARY (SUBDIVIS	ION) ACTIVITIES	
13.9.2 Management Plans	Although a 2ha average lot size is attained by the proposal, it will not comply with Rule 13.9, since a management plan is not provided as part of this proposal. Rule 13.9 also specifies that "Applications for discretionary and non-complying activities within the South Kerikeri Inlet Zone will require notification of all property owners within the Zone and DH Ellis (being the property owner of Lot 2 DP 114410) at least."	Does not comply
13.11 NON-COMPLYING (SUBDIVISION) ACTIVITIES		
13.11(a) Non-Complying (Subdivision) Activities	The proposal has been assessed as a non-complying activity.	Non-complying activity status

4.1.4 Financial Contributions

Rule	Discussion	Compliance
PERMITTED ACTIVITIES		
14.6 Esplanade Areas	Lots 1 – 4 do not adjoin any of the listed water bodies in 4.6.1(a)(i).	Not applicable

4.1.5 Transportation

The proposal has no implication in terms of District Plan rules relating to traffic or car parking.

Rule	Discussion	Compliance	
15.1.6C.1 PERMITTED ACTIVI	15.1.6C.1 PERMITTED ACTIVITIES		
15.1.6C.1.1 Private	Excluding the crossing structure, which will have a 4m width,	Does not comply	
Accessway in all Zones	shared access will be formed as a metalled access over existing	(minor	
	appurtenant easements over Lot 2 DP 210733 and over	dispensation	
	easements 'A', 'B' and 'C' to comply with this rule, i.e. 3m plus	required for	
	passing bays where required, within a legal width exceeding	crossing	
	7.5m in all locations.	structure)	
15.1.6C.1.3 Passing Bays on	Passing bays will be formed as specified in the Engineering	Complies.	
Private Accessways in all	Assessment.		
Zones			
15.1.6C.1.5 Vehicle crossing	A new vehicle crossing will be formed to the existing appurtenant	Complies	
standards in Coastal	easements over Lot 2 DP 210733 in accordance with the FNDC		
Zones	Engineering Standards 2023 / Sheet 21 / Type 1A Rural Crossing		
	Standard. Refer to the Engineering Assessment. Required sight		
	distances at the entrance are achieved, also outlined in the		
	Engineering Assessment.		
15.1.6C.1.7 General Access	An adequate area for future onsite manoeuvring is available on	Complies	
Standards	each lot.		

	The accessway horizontal geometry will provide sufficient radius to accommodate a Medium Rigid Truck of 8m (this is a heavy rigid vehicle).	
15.1.6C.1.8 Frontage to	Kerikeri Inlet Road is of sufficient legal width and carriageway	Complies
Existing Roads	width.	
15.1.6C.2 DISCRETIONARY A	CTIVITIES	
15.1.6C.2 DISCRETIONARY	Minor infringement of Rule 15.1.6C.1.1 gives a discretionary	Complies
ACTIVITIES	activity status.	

4.1.6 Summary of Activity Status under the Far North Operative District Plan

Overall, the proposal has been assessed as a non-complying activity. Section 104D of the RMA sets out the specific requirements for the determination of non-complying activities.

4.2 Far North Proposed District Plan

The application site is zoned 'Rural Lifestyle' in the Far North Proposed District Plan with the northern part of the site (Lots 2-4) being located with the 'Coastal Environment' Overlay. The wetland areas are within 'River Flood Hazard' Overlays (10 & 100 Year ARI Event) and a small area of Coastal Flood (Zones 2 and 3) affects the quarry area within Lot 4.

The proposal is assessed against the relevant rules of the Proposed District Plan as follows.

4.2.1 Area-Specific Matters – Rural Lifestyle Zone

Rule	Discussion	Compliance
RLZ-R2 Impermeable Surface	Impermeable surface coverage following access formation	These rules do
Coverage	and future residential development expected to be less than	not have legal
	12.5% - likely to comply.	effect
RLZ-R3 Residential activity	A single residential unit per lot is intended.	

4.2.2 District-Wide Matters – General District-Wide Matters – Energy, Infrastructure, & Transport – Transport

Rule	Discussion	Compliance
TRAN-R2 Vehicle crossings and access, including private accessways	Shared private access will serve less than 8 household equivalents and is not off the road types listed in PER-3. Access widths will be sufficient width for firefighting; manoeuvring will be available within the lots. There will be no unused vehicle crossings. The private accessway will meet TRAN-Table 9 in a rural setting. Passing bays will be formed where necessary. The new vehicle crossing will be formed to meet the permitted standard.	This rule does not have legal effect

4.2.3 District Wide Matters – Subdivision

Rule	Discussion	Compliance
SUB-R3 Subdivision of land to create a new allotment.	 CON-1 Each lot includes a 30 x 30m dimension, plus boundary setbacks. Onsite water storage, including supply or fire-fighting is proposed. Stormwater management can be achieved on site. This is reported on within the Engineering Assessment. Onsite wastewater treatment and disposal is feasible. Power and telecommunications connections can be supplied at BC stage if required. 	These rules do not have legal effect

SUB-R11 Subdivision of a site within flood hazard areas.	 Easements are shown on the Scheme Plan. CON-2 Discretionary activity minimum allotment sizes are achieved. Esplanade Reserve not proposed. There is a small incursion of river flood hazard into the site – this affects parts of the wetland covenant areas, and the quarry floor. All BDZs are outside of the flood hazard area.
SUB-R20 Subdivision of a site within	Infers a discretionary activity status.
the coastal environment.	

4.2.5 Earthworks

Rule	Discussion	Compliance
EW-R6 Earthworks for formation	Earthworks will be undertaken for this purpose.	This rule does not have
of private accessways	Standards reported on below.	legal effect
EW-R12 Earthworks and the	An Accidental Discovery Protocol advisory note	Complies - refer to
discovery of suspected sensitive	can be added to the resource consent.	EW-S3 below
material		
EW-R13 Earthworks and erosion and	Erosion and sediment control will be implemented.	Complies - refer to
sediment control		EW-S5 below
EW-S1 Maximum earthworks	More than 1000m ³ / 2,500m ² proposed.	These rules do not
thresholds.		have legal effect
EW-S2 Maximum depth and slope	Cut height not expected to exceed 1.5m.	
EW-S3 Accidental Discovery Protocol	Will be complied with.	Complies
EW-S4 Site reinstatement	Will comply.	This rule does not have
		legal effect
EW-S5 Erosion and sediment control	Will be complied with.	Complies

4.2.5 Summary of Activity Status under the Far North Proposed District Plan

Relevant rules with immediate effect are EW-R12 and EW-R13, both of which can be satisfied as a permitted activity via consent conditions and an advice note.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 104(1)(a) and (ab) requires the consent authority to have regard to any actual and potential effects on the environment of allowing the activity; and any measure proposed or agreed to by the application for the purpose 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.

Clauses 6 and 7 of Schedule 4 of the RMA indicate the information requirements and matters that must be addressed in or by an assessment of environmental effects, both of which are subject to the provisions of any policy statement or plan. This assessment of environmental effect addresses the relevant assessment criteria listed in 13.10 of the Operative District Plan as specified in Rule 13.11 (Non-Complying (Subdivision) Activities), together with Assessment Criteria 10.10.5.3.6 (Setback from Boundaries), 11.3 (Stormwater Management), 12.7.7 (Soils and Minerals) and 15.1.6C.4.1 (Property Access), where relevant.

5.1 Allotment sizes and dimensions

The proposed lots are of a sufficient size to provide for the intended land use as set out in **Table 1**. Sufficient area for future buildings as well as onsite servicing is available, as detailed in the Engineering Assessment. This advises that the four development platforms investigated are stable and generally suitable for residential development. Recommendations are made with respect to future building foundations and earthworks.

The proposed dimension of each allotment complies with the controlled activity standard for the South Kerikeri Inlet Zone.

Rule 10.10.5.1.2 of the South Kerikeri Inlet Zone limits residential development to one unit per 4ha of land as a permitted activity, with the additional provisos that the land shall be developed in such a way that each unit shall have at least 3,000m² for its exclusive use surrounding the unit plus a minimum of 3.7ha elsewhere on the property, and that the rule shall not limit the use of an existing site or a site created pursuant to Rule 13.7.2.1 (Table 7) for a single residential unit for a single household. Taking into account the one-third share in Lot 4 DP 167657, the Record of Title 552855 contains a total area of 16.1200ha, meaning that the overall density of residential development proposed does not exceed the permitted activity ratio.

Detailed building design guidelines are volunteered to integrate future built development into the landscape, and the establishment of landscape integration planting will be completed at subdivision stage. A reduced building height of 6m above existing ground level, with the top of the roofline to be below the 29m asl contour, is proposed for Lot 4, so that a future building does not protrude above the highest contours of this lot.

Although the proposed subdivision layout will increase the density of built development on the land, the overall intensity remains low, and in accordance with the nature of nearby rural lifestyle development. The L&VEA states that "The wider setting of the site is characterised by mixed land uses including pastoral farms, forestry blocks, scattered rural residential development and pockets of indigenous vegetation. The repeated occurrence of houses along the coastline within this area in the South Kerikeri Inlet zone is a characteristic element within this landscape setting.

This modification of the landscape and proximity of the site within an area that contains a similar settlement pattern to that proposed reduces the sites sensitivity to change. This landscape is more accommodating of change due to the existing land uses and present levels of development."

Further, it notes that "Due to the current settlement patterns surrounding the site any future built development upon the proposed lots will be in context with the existing character of the surrounding landscape. The receiving environment within which the development is located exhibits very similar characteristics to the proposed development. The nature and scale of the proposal will not change the key features and attributes of the landscape which currently provide the existing landscape character for this zone."

5.2 Natural and other hazards

The Engineering Assessment states that there is no significant risk from natural hazards that would cause Section 106 of the Resource Management Act to apply. In particular, it notes that the nominated building platforms are well elevated, and not within the mapped flood hazard areas.

The Geotechnical Assessment Report outlines that the proposed building platforms are sufficiently set back from steep slopes and makes recommendations for foundations and earthworks to be further considered at building consent stage via specific engineering investigation. In summary, each lot has a suitable building platform subject to specific geotechnical assessment and foundation design due to the presence of soils with expansive characteristics that typically fail to meet the "good ground" criteria defined in NZS3604(2011) i.e., soil that does not have an ultimate bearing pressure of 300 kPa or greater, as well as sloping ground.

A consent notice condition to this effect is proposed, and this will sufficiently avoid natural hazard risk such that section 106 of the Resource Management Act 1991 does not apply, and consent may be issued.

The proposed subdivision and associated earthworks do not have any known adverse effects related to soil contamination - see Section 6.1.1 of this Report.

Lots 1-4 include areas of open pasture and future residential dwellings can be sited to be set back from any large tracts of existing or proposed vegetation that may present a fire hazard.

On site collection of roof water will supply tanks, which will need to be used for firefighting water supply, given the absence of public reticulated water supply and fire hydrants in the vicinity. Suitable water supply for this purpose can be designed and provided at the building consent stage for any residential dwelling on Lots 1 - 4, as per the standard consent notice condition.

Vehicle access will be suitable for firefighting appliances, and the nearest fire station is located approximately 5km from the site, allowing quick emergency response time in the event of a fire occurring.

Overall, provided that good fire risk safety practices are applied to building construction and site management, the risk of fire can be appropriately managed to avoid and mitigate adverse effects.

5.3 Water supply

Potable water will be supplied within each vacant lot via collection and storage of rainwater. The typical consent notice condition, which requires onsite water supply to be designed to be adequate for firefighting purposes, can be applied to Lots 1 - 4. The proposal will not result in any adverse effects in terms of water supply.

5.4 Stormwater disposal

Taking into account existing impermeable areas, impermeable surfaces established on Lot 2 DP 442820 (and subsequently Lots 1-4) and on Lot 2 DP 210733 will each exceed the permitted activity standard for the South Kerikeri Inlet Zone. The permitted activity 600 m² control specified in Rule 10.10.5.1.6 is particularly onerous for large lots and rear sites requiring rights of way, as is the case for the current subdivision. Given the length of access required to service the subdivision, it is reasonable to expect that compliance with the permitted baseline threshold for stormwater management would not be possible. Assessment of the Operative District Plan criteria is provided within the Engineering Assessment.

Stormwater management within the proposed subdivision is designed to control stormwater flows, reduce scour and ensure compliance with District and Regional Plan rules. At subdivision stage, stormwater management will comprise controlling water from the new shared accessway to Lots 1 - 4, with detailed drainage design to be provided as part of the engineering plan approval, including the positioning of culverts where existing natural flow paths cross the proposed rights of way, and culvert dimensions and discharge points. The Engineering Assessment recommends grass lined swales, with crossroad culverts at low points, where existing natural flow paths cross the proposed ROW. Culverts will drain to natural flow paths on site, and where grades are steeper than 10%, flow paths should be armoured.

Long term stormwater management on the individual lots will require further refinement at the building consent stage, depending on the final design and extent of impermeable surfaces. The Engineering Assessment notes that "stormwater attenuation is not considered necessary. Runoff from developed surfaces will be discharged to ground on gentle slopes in a dispersive manner where it will be absorbed by the soils. During large rainfall events surplus runoff will drain as sheet flow, congregating in the natural gully features before entering the wetlands present on site and into the pond on the property to the west of the site". Concentrated stormwater will be dispersed via a spreader bar device onto a gently sloping grassed or well vegetated surface to avoid erosion and nuisance. As the pond in Lot 4 DP 167657 is in the lower half of the catchment, any additional impermeability will not increase downstream flooding, and stormwater attenuation is not considered necessary.

With the proposed stormwater management conditions, it is considered that the proposal will avoid and mitigate potential adverse stormwater effects arising from the proposed impermeable surface areas, such that effects will be less than minor. This includes avoidance and mitigation of detrimental effects on neighbouring properties or on the receiving environment.

5.5 Sanitary sewage disposal

On-site treatment and disposal of wastewater is addressed in the Engineering Assessment, which states that:

"It is not likely that any detectable environmental effects will arise from utilising dripper irrigation greater than 3.0 m from the disposal field. Use of the secondary treated effluent for dripper irrigation would enhance landscape vegetation growth particularly during the drier summer months. Considering the size of the assessed lots and the vegetation coverage, there is a negligible risk of off-site effects and cumulative effects. This includes the wetland reserve area to the west of the property, as all disposal fields will be located at a greater set back distance from overland flow paths than the minimum required.

To minimise any potential issues, regular inspections and servicing of the treatment plant and disposal field should be completed. Along with the appropriate inspections and approvals prior to plant commissioning.

The disposal field locations indicated by the appended drawings have taken into account the appropriate separation distances.

Effects on the environment can be further mitigated by the planting of suitable plant species in the disposal field."

Each of the proposed lots have sufficient area available, including setbacks specified in the Proposed Regional Plan, for an on-site wastewater treatment system, with final design to be submitted at building consent stage. A consent notice condition to this effect can be applied.

As the site conditions have been deemed to be suitable for onsite wastewater treatment and disposal in accordance with the relevant permitted activity Proposed Regional Plan rules, it is considered that the proposal avoids adverse effects in relation to sanitary sewage disposal.

5.6 Energy and telecommunications supply

Top Energy has been contacted for their comments; their response is provided in **Appendix 8**. Top Energy has advised that the existing overhead power supply crossing Lot 3 is privately and collectively owned by those connected to it. They recommend the creation of a private reciprocal easement for this overhead line over proposed Lot 3. As this overhead line also crosses Lot 2 DP 210733 and Lot 1 DP 442820, owned by people other than the applicant, we suggest that this matter be left for the collective owners to resolve privately.

Power or telecommunications connections will not be installed as part of this subdivision as these are not required by Rule 13.7.3.7 given that the subdivision does not create urban allotments. The consent holder may choose to supply power and telecommunications to the lot boundaries of their own volition. The standard consent notice condition, advising that electricity and telecommunications have not been made a condition of the subdivision consent, can be applied to Lots 1 - 4.

5.7 Easements for any purpose

Easements 'A', 'B' and 'C' provide for shared access over Lots 1, 2 and 3. They will also provide the right to convey water, electricity and telecommunications. These easements are shown within the memorandum of easements and will be made subject to Section 243(a) of the Resource Management Act 1991.

Other existing appurtenant easement over Lot 2 DP 710733 are shown on the scheme plan.

Refer also to comments in Section 5.6 above in relation to the recommended private reciprocal easement for the existing overhead power line across Lot 3. Again, we suggest that this matter be left for the collective owners and users of this power supply to resolve privately.

5.8 Property access

The additional traffic generated by the proposal is in the order of thirty daily one-way traffic movements based on the increase in the overall number of sites and future anticipated household equivalents.

Private vehicle access is addressed within the Engineering Assessment, which recommends that detailed design be provided at engineering plan approval stage.

Vehicle access to Lots 1 - 4 will be formed in accordance with the permitted standards of the District Plan and Council's Engineering Standards and Guidelines, with the exception that the bridge or culvert crossing from Kerikeri Inlet Road will be less than 5m in width. Sufficient waiting area will be included either side of the crossing to ensure that there is a safe space for vehicles to give way to an opposing vehicle. This minor width reduction is not considered to cause any significant risks to traffic or road safety, due to the low traffic volume that will use it.

In summary, the proposed access arrangements represent the best practicable option for providing legal and physical access to the boundary of each lot, Adverse effects are avoided and mitigated through the shared use of private access, location of the access to minimise earthworks, careful design where access will be formed in close proximity to waterways, and selecting the best option for vehicle access off Kerikeri Inlet Road to future proof continued physical access.

5.9 Earthworks

Earthworks are required to complete the proposal, being those associated with formation of access to the boundary of Lots 1 - 4. For the subdivision stage of development, detailed erosion and sediment control measures will be provided at engineering plan approval stage, to ensure that adverse environmental effects on water quality and stability are avoided.

5.10 Building locations

Suitable building sites on the lots have been identified, as outlined in the Engineering Assessment.

Each building site is able to be developed to take advantage of passive solar gain, and this matter can be considered when the lots are developed.

The L&VEA describes the location of the BDZs within the context of the South Kerikeri Inlet Zone objectives and policies as follows.

"The proposal is for a rural residential subdivision, with the appropriate placement of BDZ's so that they can be absorbed into the landscape setting with minimal adverse effects upon coastal natural character and rural and visual amenity values.

The location of the BDZ's on the lower contours, which are not readily visible from the coast will keep a large proportion of the site with an open rural character. The design guidelines and the landscape integration plantings will minimise potential visual effects. There will be no native vegetation clearance, and earthworks will be either screened by planting or revegetated.

The proposed wetland revegetation plantings will restore and rehabilitate the degraded landscape areas. The native plantings proposed, and exclusion of stock will create habitat for native fauna. As these areas are within the coastal environment, they will assist with enhancing natural character values.

The areas of high sensitively along the ridgeline on Lots 1-3 have been avoided, with the BDZ located on the lower contours close to the pond. The BDZ on Lot 4 will be located within the defined sensitive area, however, will not be located on the highest contours of the lot, and will be developed with building design guidelines, height restrictions and landscape integration plantings to ensure that there will be minimal adverse effects upon the sensitive area and natural character values of the coastal environment.

There are eight other houses located in a similar manner to the proposed BDZ on Lot 4. They are positioned along the coastal edge of this zone and are subsequently located within this sensitive area.

The nearest house to the east of the proposed BDZ on Lot 4 is 500m away, and the nearest to the west is 250m away. This creates a 750m long "gap" along the coastal edge where there are no dwellings present. The proposal for one dwelling to be located within this area will results in a dwelling density along this part of the coastline that is not intensive and will still retain the undeveloped nature of the maritime gateway to Kerikeri and the existing character of this zone.

Development on the site will be managed to protect coastal natural character, rural amenity values, and the visually sensitive areas of the South Kerikeri Inlet zone. This will protect the maritime entrance to Kerikeri."

Further comment is made in terms of the South Kerikeri Inlet Zone visual amenity criteria:

"The BDZ's have been positioned on the gentler contours on Lots 1-3 close to the pond. The BDZ on Lot 4 has been position off the highest contours of the knoll, and will be dug into the landform to minimise potential visibility."

In summary, the proposed building locations are considered to be appropriately positioned to minimise adverse effects upon the sensitive area and natural character values of the coastal environment, provide safe and stable building platforms, and avoid adverse ecological impacts.

5.11 Archaeological and cultural effects

The Archaeological Assessment states that:

"With regard to the recorded archaeological sites on or in the immediate vicinity of the subject property, none of the sites will be affected by the proposed new lot boundaries, building areas or access.

In general and away from the recorded or possible features described..., the potential for additional, significant archaeological features on Lot 2 DP 442820 is low. However other small, subsurface midden deposits of low archaeological significance are likely to be present but would be difficult to identify and avoid proactively.

Extensive topsoil stripping for sediment control/bunds, access and building areas may reveal such subsurface archaeological features prior to bulk earthworks. Mitigating effects on such features usually takes the form of identifying such features in the course of stripping by archaeological monitoring and on-call procedures, investigating features, and then allowing them to be destroyed or where possible, avoided and left in-situ.

The archaeological effects of the proposal are therefore assessed as none to low."

Further, it notes that:

"That there are no effects on broader historic heritage under the Far North District Plan and that there are no scheduled Sites of Significance to Māori, or Historic Heritage items in the Far North District Plan affected by the proposed development. There are no wāhi tapu or other sites of significance identified in any iwi/hapu environmental management plan covering the project area which the Far North District Plan might give regard to.

The historic heritage effects of the proposal are therefore assessed as none to less than minor."

In summary, a number of archaeological sites or features are identified on the property, but the proposed subdivision and development will not affect the recorded features, and the archaeological and historic heritage effects of the proposal are assessed as being none to low, or less than minor.

There is a possibility that topsoil stripping for access and services and building areas on the new lots will uncover subsurface archaeological features. These are most likely to be small shell midden in poor condition due to erosion and stock trampling, and of low archaeological significance. These features are difficult to identify in advance of large-scale topsoil stripping, and such features would need to be investigated as they are uncovered or avoided if practical. Therefore, an archaeological authority will be sought on a precautionary basis, with mitigation by monitoring and investigation as required.

The Archaeological Assessment makes further recommendations as to the future management of archaeological features recorded as part of P05/463 on Lot 4, and P05/1079 on the edge of the lake within Lot 4 DP 167657. No specific works are intended within the location of these features, and it is suggested that the recommendations are included as advisory notes to the consent.

5.12 Preservation and enhancement of vegetation and fauna

Lot 2 DP 442820 does not include any mapped areas of significant indigenous vegetation, however the adjacent pond within Lot 4 DP 167657 is a recorded protected natural area wetland, as described in the Wetland Determination.

Additional wetland areas are to be enhanced through wetland revegetation, and then permanently protected by way of consent notice condition. Enhancement of the wetland areas will result in a positive effect on habitat and biodiversity. The BDZs and proposed access do not occupy any of these wetland areas so as to avoid altering water level range or hydrological function of any wetland areas. Upgrade of vehicle access over the existing crossing within Easement 'A' will be subject to detailed design in accordance with the NES-F Regulations to achieve an acceptable level of effect and will involve a separate application to Northland Regional Council. Modifications to the culvert, whether they are a permitted activity or otherwise, are subject to the NES-F regulations Subpart 3, including emphasis on the passage of fish.

The site adjoins the Okura Rier Marginal Strip, being conservation land under the Section 24(3) of the Conservation Act 1987 (Fixed Marginal Strip). This land is administered by the Department of Conservation, who as a result of consultation, have not raised any issues with regards to their ability to ability to administer this Marginal Strip.

The subject land is not recorded as being a kiwi habitat area in Far North Maps "Species Distribution (DoC)" Map.⁴ Nevertheless, fauna species recorded for the Kerikeri Inlet Road Pond Protected Natural Area Unit P05/083 includes "water-related native bird species" including Australasian bittern, spotless crake, white-faced heron, pukeko, black shag, pied shag, little black shag, mallard and grey duck, paradise duck, pied stilt, black swan and the threatened brown teal up to 1981. The jointly owned Lot 4 DP 167657 is subject to a covenant binding the owners of this land, and includes management provisions including use of the lake, water takes, shooting, trapping of wildlife, and structures. Refer to interest D088754.3 in **Appendix 7**.

Potential adverse ecological effects arising from the subdivision will arise from future residential development on the lots, and the potential introduction of domestic animals, such as cats and dogs, which may present a threat to indigenous wildlife. A consent notice condition banning the introduction of cats and requiring dogs to be kept under control at all times will appropriately mitigate potential adverse effects on wildlife.

Other potential ecological effects of the subdivision and future development on the vacant lots are able to be controlled through standard mitigation, as outlined in the Wetland Determination in **Appendix 4**, this includes adherence to the fish passage requirements of the National Environmental Standard for Freshwater (see Section 6.1.2), avoidance of the introduction of exotic vegetation that is an environmental weed or on the National Pest Plant Accord, and controlled management of stormwater and wastewater discharge to avoid sediment input.

Positive ecological effects will arise via the proposed covenants, formalised weed and pest management, additional planting, all to provide gross ecological benefit and amenity value, and enhance natural processes and systems of the local ecosystems.

5.13 Landscape and visual effects

Landscape and visual effects are evaluated in the L&VEA, which notes that the proposed development creates appropriately placed BDZs, with building design guidelines to ensure that future built form is of an appropriate size, bulk and form. Together with proposed wetland and landscape integration planting, adverse visual and landscape effects are avoided, mitigated and remediated by the proposal. The assessment of character, visual and amenity effects is summarised below.

- Planting of 4863m² landscape integration planting and 1.0493ha of wetland restoration planting will have an overall positive effect on landscape amenity values
- Remediation of earthworks will ensure adverse visual or landscape effects are avoided
- Potential landscape and visual effects on surrounding landowners will be less than minor.
- Lots 1 3 BDZs and roading ensure no adverse effects upon the sensitive area of the zone or the natural character values of the site and wider coastal environment.
- Lot 4 BDZ will be subject to location and design controls to ensure that development in this area will
 result in less than minor potential adverse effects upon natural character values of the coastal
 environment
- Landscape enhancement and integration plantings and building design guidelines will enable the site
 to visually absorb the proposed development, ensuring that the proposal will generate less than minor
 potential adverse effects upon rural character values.
- Potential adverse visual effects on key viewpoints including the eastern facing side of Reinga Road, passing motorists on Kerikeri Inlet Road, Skudders Beach area, Blue Penguin Drive area, Rangitane Loop Road, nearby surrounding properties, and various viewing positions within the Kerikeri Inlet are all assessed as being less than minor, at most. Visual effects from existing dwellings surrounding the site will be less than minor.

⁴ A map showing the distribution of Northland Brown Kiwi and Northland Mudfish in the Far North District. Kiwi habitat distribution based on call count monitoring in 2019 by Department of Conservation: Craig, E. (2020): Call count monitoring of Northland brown kiwi 2019. Department of Conservation, Whangarei, New Zealand.

5.14 Soil

Soils on the subject site are not mapped as being Class I, II or III in the NZ Land Resource Inventory Worksheets. The mapped Land Use Capability class is IV, which does not meet the definition of 'highly productive land' under the National Policy Statement for Highly Productive Land or of 'highly versatile soils' in the Regional Policy Statement. The proposed subdivision is located on soils which are not considered to be a scarce resource, and the proposal is considered to be an efficient use of soil resources.

The proposed subdivision layout creates rural lifestyle sites within a proposed framework of revegetation and landscape integration planting. The wetland revegetation areas are naturally located in the eroding overland flow paths, and will be retired from grazing, to support enhancement of the wetland ecosystems and erosion prevention. In this way, the proposal is considered to contribute to the protection of the life supporting capacity of soils. \

5.15 Access to reserves and waterways

There are no identified Esplanade Priority Areas within or adjacent to the subject land. An existing Crown-owned Marginal Strip is located to the north of Lot 4; this separates the subject land from Kerikeri Inlet. The proposed activity has no implications in terms of public access to reserves or waterways.

5.16 Land use compatibility

The intended use of Lots 1-4 is rural lifestyle, in accordance with the zoning in this part of the South Kerikeri Inlet. Given the surrounding pattern of lifestyle development and pastoral use, no issues have been identified in terms of reverse sensitivity or land use incompatibility.

6. STATUTORY ASSESSMENT

Section 104(1)(b) of the Resource Management Act 1991 requires the consent authority, subject to Part 2 of the Act, to have regard to any relevant provisions of a national environmental standard, other regulations, a national policy statement, a New Zealand coastal policy statement, a regional policy statement, a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application. Of relevance to the proposed activity are the following documents, which are commented on in the proceeding Sections 6.1 – 6.5 of this Report. This is followed by an assessment of Part 2 of the Act.

- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- New Zealand Coastal Policy Statement
- National Policy Statement for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity
- Regional Policy Statement for Northland
- Operative Far North District Plan
- Proposed Far North District Plan
- Proposed Regional Plan for Northland

6.1 National Environmental Standards

6.1.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("NESCS")

The subject land is not recorded on the Northland Regional Council Selected Land-use Register as a site that has been used for any activity included in the Ministry for the Environment's Hazardous Activities and Industries List ("HAIL").⁵

Review of historic aerial imagery using Retrolens (aerial image from years 1951, 1965, 1968, 1971, 1978 and 1980), and more recent aerial and satellite photography indicates that the property was in pasture and scrub in 1951. By 1965, the pond within Lot 4 DP 167657 was formed, scrub was cleared to form pasture, the quarry had been established, and access had been formed over the northern part of the site (along the alignment of existing easement 'D') and into the property from Kerikeri Inlet Road via the existing appurtenant easements. Subsequently there has been little change to the land use and site conditions. There is no apparent evidence that the site has been used for any of the activities listed on the HAIL.

The small-scale farm quarry at the south-western end of Lot 4 is for extraction of brown rock and is not considered to be included in the HAIL activity E.7: *Mining industries (excluding gravel extraction) including exposure of faces or release of groundwater containing hazardous contaminants, or the storage of hazardous wastes including waste dumps or dam tailings, as there is no likelihood of soil contamination from the rock material, and the extracted material is benign. In any event, the quarry area is not going to be used for residential purposes and will not experience a change of use.*

As such, using the method set out in Section 6(2) of the above Regulations, the subject site is not considered to be a 'piece of land' in terms of the above regulations.

6.1.2 Resource Management (National Environmental Standard for Freshwater) Regulations 2020

The Wetland Determination in **Appendix 4** identifies the location of natural inland wetland and assesses subdivision and future land use activities in terms of their compliance with the above Regulations. The report notes that:

- Recognition of natural inland wetland onsite promotes avoidance of effects through adherence to protective measures as per the NES –F in design. Bunded crossing and culvert A traverses a wetland over proposed Lot 1 descending from east offsite Lot 1 DP 442820. It is considered other infrastructure under the NPS-FM and its upgrade is a Restricted Discretionary activity requiring consideration of matters in REG 56 and resource consent application to NRC once detailed design is finalised.
- Other than Crossing A, the building platforms and the majority of associated infrastructure are potentially within 100m of natural inland wetland but do not occupy critical source areas, seepage or overland flow path that through their formation may change the water level range or hydrological function of the wetland. Diversion of diffuse natural discharge naturally permeating or sheetflow downslope through the building sites or ROW across pasture will not cause drainage of all or part of the wetlands or likely change the water level range or hydrological function of the wetland in any measurable way in reference to Reg 52(i);(ii) & Reg 54 (c) & (d).

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⁵ Northland Regional Council (n.d.): *Selected Land-use Register Map.* Retrieved 11 April 2025 from https://localmaps.nrc.govt.nz/localmapsviewer/?map=65b660a9454142d88f0c77b258a05f21

⁶ Sourced from http://retrolens.nz and licensed by LINZ CC-BY 3.0

- Likewise, earthworks within 100m or 10m will not result in complete or partial drainage of all
 or part of the wetland or likely change the water level range or hydrological function of the
 wetlands as per Reg 52(i);(ii) & Reg 54 (c) & (d) if they do not occupy or intersect with the
 wetlands.
- Revegetation <10m of natural inland wetland is a permitted activity subject to general principles within NES-F REG 55.

Consent for the upgrade of the existing crossing within easement 'A' will require consent from Northland Regional Council as a restricted discretionary activity and an application will be lodged once detailed design is finalised, while all other aspects of the proposed activity will meet the permitted activity standards of the above regulations.

6.2 National Policy Statements

6.2.1 New Zealand Coastal Policy Statement 2010 ("NZCPS")

The NZCPS provides strategic direction for territorial authorities as to how coastal management should be dealt with in planning documents.

The most recent mapping of the 'coastal environment' is within the operative Regional Policy Statement. The northern part of the subject land is part of the coastal environment, encompassing Lots 3 and 4, as well as the northern part of Lot 2. Refer to **Figure 6**.



Figure 6: Extent of Coastal Environment, mapped by Regional Policy Statement for Northland

When considering an application for resource consent, the consent authority must, subject to Part 2 of the Act, have regard to, amongst other matters, any relevant provision of the NZCPS. We have assessed those parts of policies 6 (Activities in the coastal environment), 13 (Preservation of natural character), 14 (Restoration of natural character), 15 (Natural features and natural landscapes), 17 (Historic heritage identification and protection), 22 (Sedimentation), and 23 (Discharge of contaminants) that are relevant to the proposed activity. It is our opinion that the proposed subdivision appropriately endorses the relevant NZCPS provisions as follows:

- In relation to policy 6, the proposal is consistent with the character of the surrounding coastal
 lifestyle and rural residential development that is already located in the wider catchment. It
 provides for intensification of residential use in a considered way, so as to avoid detracting from
 the character of this part of the existing environment.
- Policies 13 and 15, which require preservation of natural character and protection of natural character, features and landscapes from inappropriate subdivision, use and development, have been taken into account during the selection of BDZs as well as the formulation of building design guidelines and landscape integration plantings. It is further noted that the subject land is not part of a mapped area of high or outstanding natural character and is not within an Outstanding Natural Landscape or Feature. Natural character can be preserved, significant adverse effects on natural features and landscapes are avoided, while other potential adverse effects are avoided, remedied and mitigated.
- In relation to policy 14, the proposal includes riparian restoration and landscape planting, which
 will result in both visual and ecological benefits, and therefore promotes restoration and
 rehabilitation of the natural character of the coastal environment in accordance with this policy
 direction.
- In relation to policy 17, the BDZs and access alignments within the overall subdivision layout avoid recorded archaeological sites. A precautionary application for an archaeological authority will be sought.
- In relation to policies 22 and 23, careful consideration of the designs for treatment and disposal
 of stormwater and wastewater disposal is required, with particular regard to preserving water
 quality. This has been deemed to be feasible.

Also refer to the assessment in the L&VEA.

6.2.2 National Policy Statement for Highly Productive Land 2022 – Amended 2024 ("NPSHPL")

The site is mapped as comprising Land Use Capability ("LUC") unit 4e7. This LUC Unit does not meet the definition of 'highly productive land' in the NPSHPL.

6.2.3 National Policy Statement for Indigenous Biodiversity ("NPSIB")

The objective of the above policy statement is set out in 2.1, as copied below:

- (1) The objective of this National Policy Statement is:
 - (a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and
 - (b) to achieve this:
 - (i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and
 - (ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and

- (iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and
- (iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.

There is no SNA included in the district plan or identified in a policy statement or plan. The 17 listed policies set out to achieve this objective, and of most relevant to this proposal is Policy 8:

Policy 8: The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.

Part 3 guides the implementation of the NPSIB. Of relevance is the following approach to implementing the NPSIB.

3.16 Indigenous biodiversity outside SNAs

(1) If a new subdivision, use, or development is outside an SNA and not on specified Māori land, any significant adverse effects of the new subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy.

Effects Management Hierarchy is defined as follows:

effects management hierarchy means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:

- (a) adverse effects are avoided where practicable; then
- (b) where adverse effects cannot be avoided, they are minimised where practicable; then
- (c) where adverse effects cannot be minimised, they are remedied where practicable; then
- (d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then
- (e) where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then
- (f) if biodiversity compensation is not appropriate, the activity itself is avoided.

Direct effects on indigenous vegetation are avoided as the subdivision does not require clearance of, or disturbance to, indigenous vegetation. Potential indirect effects arising from earthworks and future building and residential development can be avoided and mitigated through standard erosion and sediment control measures, careful stormwater discharge and by observing suitable buffers from wetland areas. Potential adverse effects on birds can be minimised through consent notice conditions, prohibiting cats and requiring dogs to be kept under proper control. As such, the proposal achieves (a) and (b) of the above hierarchy. There are no adverse effects which are more than minor or require remediation or biodiversity offsetting.

It is therefore considered that the proposal is consistent with the above National Policy Statement.

6.3 Regional Policy Statement for Northland ("RPS")

The RPS provides an overview of resource management issues and gives objectives, policies, and methods to achieve integrated management of natural and physical resources of the region. The northern part of the subject land is within the coastal environment. The site does not include any areas of high or outstanding natural character, or outstanding natural landscapes or features. The relevant policies from the RPS are addressed below.

4.4.1 Policy – Maintaining and protecting significant ecological areas and habitats

This policy requires adverse effects to be avoided in the coastal environment, and adverse effects outside the coastal environment to be avoided, remedied or mitigated by subdivision, use and development, so that they are no more than minor on threatened or at-risk indigenous taxa, significant areas of indigenous vegetation and habitats of indigenous fauna, and areas set aside for full or partial protection of indigenous biodiversity under other legalisation (Policy 4.4.1(1)). For other

ecological values, significant adverse effects in the coastal environment should be avoided, and outside the coastal environment, subdivision must avoid, remedy or mitigate adverse effects of subdivision, use and development so that they are not significant on areas of predominantly indigenous vegetation as well as indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, headwater streams, floodplains and margins of freshwater bodies (Policy 4.4.1(3)(a) and (c)). The relevant parts of this policy are considered to be met by the proposal, in that it provides permanent protection and enhancement of the wetland areas within the site, whilst also ensuring that direct and indirect effects of the subdivision and anticipated future development are less than minor on these areas.

4.6.1 Policy – Managing effects on the characteristics and qualities natural character, natural features and landscapes

The subdivision does not include any areas of outstanding natural character, outstanding natural features or outstanding natural landscapes. The subdivision avoids significant adverse effects, and avoids, remedies or mitigates other adverse effects on natural character and the wider landscape. The listed methods have been taken into account in the placement of BDZs, and by the location of the subdivision within an existing area of rural / coastal lifestyle development.

5.1.2 Policy – Development in the coastal environment

This policy most particularly relates to future development on Lot 4. The BDZ on this lot will have adequate setbacks from the coastal marine area and can be adequately serviced with onsite wastewater and stormwater disposal to avoid offsite effects. The proposed rural lifestyle development is located within an area zoned for this purpose.

Policy 5.1.1 – Planned and coordinated development

This policy requires co-ordinated location, design and building of subdivision, use and development. Relevant matters are listed under (a), (c), (e), (g) and (h). These matters have been considered in preceding sections of this report. In particular:

- Servicing with the necessary infrastructure is viable, with onsite storage of potable water and
 onsite wastewater disposal being feasible, as described in the Engineering Assessment. Power
 and telecommunication connections are not expected to be made a condition of consent as they
 will be supplied at the time that the lot is developed, if required by the property owner, or otherwise
 supplied by the consent holders at their own discretion.
- The site is not near any significant mineral resources the small quarry located partly on Lot 4 is not a significant mineral resource;
- The new building sites are not close to any incompatible land use activities and avoids reverse sensitivity;
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors;
- A ban on cats, and the requirement to keep dogs under control is proposed, both will manage possible predation on fauna that uses the wetland areas as habitat.
- Adverse effects associated with natural hazards and downstream flooding are avoided.
- The site does not contain highly versatile soils.
- The subdivision density matches the management plan standard provided for by the Operative District Plan and the sense of place and character of the surrounding environment can be retained – refer to the Landscape and Visual Impact Assessment.
- Matters such as renewable energy, sustainable design technologies can be further addressed at the time that development on the vacant lots is proposed.

6.4 District Plan Objectives and policies

6.4.1 Operative Far North District Plan

The objectives and policies of the Coastal Environment, South Kerikeri Inlet Zone and Subdivision Sections of the District Plan are relevant to this proposal.

As outlined below, it has been concluded that the proposal is not contrary to the overall objectives and policies of the Operative District Plan and consequently, meets the test of section 104D(1)(b) of the RMA.

Coastal Environment

Objectives and policies relating to the Coastal Environment can be grouped into twelve main themes, which are commented on below. Further detailed assessment of the South Kerikeri Inlet Zone objectives policies, together with the Context and Commentary for the zone, follows.

- Avoid, remedy or mitigate adverse effects, minimise effects that cross the coastal marine boundary
 As addressed in Section 5 of this report, adverse effects are avoided where possible through
 the subdivision design and avoidance of direct effects on habitat, and are otherwise mitigated
 through the specified measures to integrate future built form and infrastructure, as well
 engineering conditions in accordance with policy 10.6.4.4. The works required to implement the
 subdivision are separated from the coastal marine area by an existing Marginal Strip.
- Preservation, restoration, rehabilitation, protection / preservation or enhancement of character, visual and amenity values

Refer to the L&VEA, which notes that the proposed development creates appropriately placed BDZs, with building design guidelines to ensure that future built form is of an appropriate size, bulk and form. Together with proposed wetland and landscape integration planting, adverse visual and landscape effects are avoided, mitigated and remediated by the proposal. The assessment of character, visual and amenity effects is summarised below.

- Overall positive effect on landscape amenity values have been assessed.
- Remediation of earthworks will be completed to ensure adverse visual or landscape effects are avoided
- Potential landscape and visual effects on surrounding landowners will be less than minor.
- Lots 1 3 BDZs and roading ensure no adverse effects upon the sensitive area of the zone or the
 natural character values of the site and wider coastal environment. The Lot 4 BDZ will be subject to
 location and design controls to ensure that development in this area will result in less than minor
 potential adverse effects upon natural character values of the coastal environment.
- Landscape enhancement and integration plantings and building design guidelines will enable the site
 to visually absorb the proposed development, ensuring that the proposal will generate less than minor
 potential adverse effects upon rural character values.
- Potential adverse visual effects on key viewpoints including the eastern facing side of Reinga Road, passing motorists on Kerikeri Inlet Road, Skudders Beach area, Blue Penguin Drive area, Rangitane Loop Road, nearby surrounding properties, and various viewing positions within the Kerikeri Inlet are all assessed as being less than minor, at most. Visual effects from existing dwelling surrounding the site will be less than minor.

The proposal is considered to be consistent with objective 10.6.3.2 and policies 10.4.12, 10.6.4.1, 10.6.4.2 and 10.6.4.6.

• Preservation, restoration, rehabilitation, protection or enhancement of significant indigenous vegetation and habitats of indigenous fauna

The proposal avoids the need for clearance of indigenous vegetation. Existing wetland areas will be enhanced and permanently protected. Implementation of pest and weed management, together with a ban on cats and control of dogs can enhance indigenous biodiversity, resulting in a net positive ecological effect. Policy 10.4.3 is supported by the proposal.

• Ensuring suitable water supply and storage

Suitable water supply for potable and fire-fighting use can be provided using onsite water tanks, in accordance with policy 10.4.10.

• Ensure appropriate servicing with utility services

Power and telecommunication connections are not expected to be a requirement. Onsite stormwater and wastewater treatment and disposal is achievable as confirmed by the Engineering Assessment. Policy 10.4.1(c) is achieved.

· Avoid effects on local roading

The proposal uses a single access point off Kerikeri Inlet Road, which is the only existing legal access to the subject site. Together with shared private access, this is considered to be an efficient design, which will avoid adversely affecting the safety or efficiency of Kerikeri Inlet Road, with additional traffic movements catered for by the proposed private access.

• Avoid adverse effects on heritage and cultural resources

The proposal avoids effects on known archaeological sites; however, a precautionary general archaeological authority will be sought. This is in accordance with policy 10.4.1(d). Any feedback from a cultural perspective will be taken into account.

• Give effect to the NZ Coastal Policy Statement and Regional Policy Statement:

See comments in Section 6.2.1 and 6.3, which assess the proposal in terms of the relevant national and regional policy statements as required by policy 10.4.1(h).

Avoidance of natural hazards:

Refer to the Engineering Assessment, which confirms that the proposed subdivision and building sites mitigate sufficiently against natural hazards by adopting the recommendations of the report. The risk of fire hazard is also able to be mitigated to a suitable level. Policy 10.4.9 is therefore met.

Avoid sprawling or sporadic subdivision and development to the extent that is consistent with the other objectives and policies of the Plan.

The proposed lot sizes and resultant residential intensity fit within the existing range of subdivision and land use intensity and density, therefore is not considered to be sprawling or sporadic in accord with policy 10.4.2.

• Promote sustainable management.

The proposal is considered to represent a sustainable use of the land, which is already zoned for rural lifestyle use, and does not contain highly productive or versatile soils.

• Maintain and enhance public access to and along the coast, including in accordance with the Esplanade Priority Areas.

The subject site does not directly adjoin the coastal marine area, and an existing Marginal Strip provides the legal mechanism for public access to and along the coast. The proposal is not considered to have any implications in terms of the maintenance or improvement of public access to and along the coast. Objective 10.3.4 and policies 10.4.1(g) and 10.4.4 are met.

South Kerikeri Inlet Zone

OBJECTIVES

10.10.3.1 To maintain the combination of open, rural, coastal and natural characteristics of the Zone.

The proposed subdivision is described as being appropriate in terms of the maintenance of coastal character and rural and visual amenity values, and will enhance natural character, as outlined in the L&VEA:

The proposal is for a rural residential subdivision, with the appropriate placement of BDZ's so that they can be absorbed into the landscape setting with minimal adverse effects upon coastal natural character and rural and visual amenity values.

The location of the BDZ's on the lower contours, which are not readily visible from the coast will keep a large proportion of the site with an open rural character. The design guidelines and the landscape integration plantings will minimise potential visual effects. There will be no native vegetation clearance, and earthworks will be either screened by planting or revegetated.

The proposed wetland revegetation plantings will restore and rehabilitate the degraded landscape areas. The native plantings proposed, and exclusion of stock will create habitat for native fauna. As these areas are within the coastal environment, they will assist with enhancing natural character values.

10.10.3.2 To provide for the wellbeing of people by enabling low-density residential development at appropriate locations taking into account the potential adverse effects on the coastal environment.

The proposal creates low-density residential development, with appropriate building sites. Further comment on the visually sensitive area of the South Kerikeri Inlet Zone is provided in relation to objective 10.10.3 below.

10.10.3.3 To ensure that while enabling low-density development the adverse effects on the environment of such development are avoided, remedied or mitigated particularly in areas of high visual sensitivity.

This objective places emphasis on avoiding, remedying or mitigation adverse effects of low-density development particularly within the defined 'sensitive area' of the zone. The L&VEA comments that:

"The areas of high sensitivity along the ridgeline on Lots 1-3 have been avoided, with the BDZ located on the lower contours close to the pond. The BDZ on Lot 4 will be located within the defined sensitive area, however, will not be located on the highest contours of the lot, and will be developed with building design guidelines, height restrictions and landscape integration plantings to ensure that there will be minimal adverse effects upon the sensitive area and natural character values of the coastal environment.

There are eight other houses located in a similar manner to the proposed BDZ on Lot 4. They are positioned along the coastal edge of this zone and are subsequently located within this sensitive area.

Development on the site will be managed to protect coastal natural character, rural amenity values, and the visually sensitive areas of the South Kerikeri Inlet zone. This will protect the maritime entrance to Kerikeri."

Additionally, nearly all of the new access formation will be outside of the sensitive area.

POLICIES

- 10.10.4.1 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the coastal-rural character of the zone in regards to Section 6 matters, and shall avoid adverse effects as far as practicable by using techniques including:
- (a) clustering and grouping development (including new buildings) within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns and on open space and rural amenity values, including by clustering and grouping development (including new buildings) outside the visually sensitive areas of the South Kerikeri Inlet Zone as defined on Map 84;
- (b) appropriately integrating design and land use within the visually sensitive areas of the South Kerikeri Inlet Zone to maintain and enhance natural and rural amenity values associated with a broad-scale and coherent visual pattern of simple and uncluttered open spaces;
- (c) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;

(d) providing for, legal public right of access to and use of the foreshore and any esplanade areas through the siting of buildings and development and design of subdivisions;

(e) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the district (refer Chapter 2, and in particular section 2.5, and Council's "Tangata Whenua Values and Perspectives (2004)"; (f) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

(g) protecting historic heritage, and in particular of the Kerikeri Basin Heritage Precinct, through the careful siting of buildings and development and design of subdivisions in areas less visually sensitive;

(h) ensuring development reflects the role of the area as a maritime entrance to Kerikeri and that activities are of a scale and size that is consistent with the natural character of the zone.

Commenting specifically on the listed techniques:

- (a) The proposal does not involve clearance of indigenous vegetation and will enhance the natural character of the freshwater riparian areas. As outlined in the L&VEA, The nearest house to the east of the proposed BDZ on Lot 4 is 500m away, and the nearest to the west is 250m away. This creates a 750m long "gap" along the coastal edge where there are no dwellings present. The proposal for one dwelling to be located within this area will results in a dwelling density along this part of the coastline that is not intensive and will still retain the undeveloped nature of the maritime gateway to Kerikeri and the existing character of this zone.
 - Development on the site will be managed to protect coastal natural character, rural amenity values, and the visually sensitive areas of the South Kerikeri Inlet zone. This will protect the maritime entrance to Kerikeri.
- (b) and (c) The visual impact of future buildings has been considered, using techniques of building location, form, height, colouring, which will be included within the suite of proposed consent notice conditions. A reduced building height is proposed on Lot 4, where the BDZ is located within the sensitive area. Additionally, strategically placed vegetation will further mitigate and reduce the visual impact of future buildings. To expand on this, the location of the building platforms has been selected following consideration of the topographical characteristics of the land and the surrounding properties. Besides grass, vegetation clearance is not required for any of the proposed building envelopes, or for the proposed vehicle access route. Earthworks will be required at
- (d) An existing Crown-owned Marginal Strip provides legal access along the perimeter of Kerikeri Inlet. Esplanade areas are not considered an appropriate outcome for this subdivision.

subdivision stage to form vehicle access and then at building consent stage to prepare

- (e) Input with mana whenua has been sought in relation to the application for archaeological authority.
- (f) This is specifically met, as the proposal will introduce additional indigenous vegetation to provide a riparian buffer. Further enhancement will be achieved through pest and weed control, dog control and cat exclusion conditions that do not currently exist.
- (g) While the parts of the development involving land disturbance avoid known archaeological sites, there may be minor archaeological effects from forming access and building areas on the lots based on current information. Therefore, an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 will be sought.
- (h) Refer to comments under (a) above.

building platforms.

10.10.4.2 That standards are set to ensure that subdivision, use or development provides adequate infrastructure and services and that open space and rural amenity values and the quality of the environment are maintained and enhanced.

The proposal includes provision of access to the boundary of each lot, while onsite water, wastewater and stormwater management has been deemed feasible.

10.10.4.3 That a wide range of activities be permitted in the South Kerikeri Inlet Zone, where their effects are compatible with the preservation of the natural character of the coastal and rural environment.

Rural lifestyle development is an activity that is specifically provided for within the South Kerikeri Inlet Zone, and as outlined previously, the proposal will not detract from coastal and rural character and will result in a positive effect on the natural character of freshwater riparian areas through enhancement and protection.

10.10.4.4 That the visual and landscape qualities of the coastal and rural environment are protected from inappropriate subdivision, use and development.

Appropriate BDZs have been identified, and a suite of consent notice conditions has been proposed to manage the future effects of buildings, earthworks and additional residential activities within the subject site to ensure that they are managed to avoid adverse visual and landscape effects.

The Commentary gives further explanation of the South Kerikeri Inlet Zone objectives and policies.

COMMENTARY

The objectives and policies of the South Kerikeri Inlet Zone are a subset of those for the coastal and rural environment. As such they are aimed at a particular area within the coastal-rural environment and the particular constraints and opportunities inherent in the environment of this area. They are intended to be as flexible, permissive and enabling as possible given the statutory requirement to preserve the natural character of the coastal environment and the sensitivity that parts of that landscape have for the wider area.

The objectives and policies recognise that the rural-coastal character of the South Kerikeri Inlet Zone is particularly at risk from inappropriate urban intensification as the Kerikeri urban area expands, partly because of the proximity of the Waitangi Wetland, but also because of the existing residential areas to the west and east. However, because of the topography, there is potential for integrating discrete areas of built development with not more than minor effects. The landscape features of this area suggest that accommodating increased levels of development would be better absorbed by clustering development in appropriate places and maximising the visible areas of pastoral open space that is "uncompromised" or uncluttered by built development rather than spreading such development throughout the whole area. To assist development and subdivision in managing potential visual impacts, land within the zone has been identified in terms of its visual sensitivity (see Map 84). Subdivision is enabled as a restricted-discretionary activity where land is not of high sensitivity (Rule 13.7.2.1 Table 7). Otherwise, subdivision is by way of a management plan only (Rule 13.9.2).

This proposed subdivision has taken into account the need to control the amount and form of development within the sensitive area of the site. In relation to the BDZ on Lot 4, the L&VEA notes that:

"The nearest house to the east of the proposed BDZ on Lot 4 is 500m away, and the nearest to the west is 250m away. This creates a 750m long "gap" along the coastal edge where there are no dwellings present. The proposal for one dwelling to be located within this area will results in a dwelling density along this part of the coastline that is not intensive and will still retain the undeveloped nature of the maritime gateway to Kerikeri and the existing character of this zone."

Subdivision

Objectives and policies relating to Subdivision are commented on below.

- Provide for subdivision so as to be consistent with the purpose of the various zones and promote sustainable management of natural and physical resources.
 As detailed previously, the proposed activity is considered consistent with the objectives and policies of the South Kerikeri Inlet Zone.
- Ensure subdivision is appropriate and does not compromise the life supporting capacity of air, water, soil or ecosystems. Avoid, remedy and mitigate adverse effects.
 The site does not include highly versatile soils. The life supporting capacity of the soil is maintained through minimisation of earthworks (using a combined access formation), and maintenance of the

vegetation cover over the majority of the land (including additional revegetation areas). Overall, the proposed subdivision is an appropriate use of the land, which represents sustainable management, having regard to the range and scale of adverse and positive effects identified.

- Provide sufficient water storage.
- Provide electricity supply sufficient to meet the needs of activities that will establish on the lots created.
- Support energy efficient design.
- Promote efficient provision of infrastructure.
- Take into account natural and other hazards.

On site collection and storage of water, and onsite management of wastewater and stormwater can be achieved on the new rural lifestyle sites in such a way that avoids adverse effects on the environment. Electricity supply is available, and there are suitable building sites on the vacant lots that are able to be developed in accordance with energy efficient principles.

 Require safe and effective vehicular and pedestrian access. Provide in such a way as will avoid, remedy or mitigate adverse effects.

The proposed activity includes restoration of physical property access to the subject site. Vehicle access can be satisfactorily provided, as outlined in the Engineering Assessment. The shared use of vehicle access off Kerikeri Inlet Road represents an efficient outcome in a suitable location.

- Provide for the protection, restoration and enhancement of significant habitats of indigenous fauna, significant indigenous vegetation, natural character of riparian margins where appropriate.
- Preserve, and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters. The proposed subdivision retains the existing character of the environment, refer to the L&VEA, which notes that "the proposal is consistent with the character of the surrounding coastal lifestyle and rural residential development located within the wider catchment".

6.4.1 Proposed Far North District Plan

Relevant objectives and policies are set out under the chapters 'Rural Lifestyle Zone' 'Subdivision' and 'Coastal Environment' and are commented on below, and it is concluded that the proposal will be consistent with the relevant strategies.

Rural Lifestyle Zone

Objectives

RLZ-O1 The Rural Lifestyle Zone is used for predominantly low density residential activities and small scale farming activities that are compatible with the rural character and amenity of the zone.

RLZ-02 The predominant character and amenity of the Rural Lifestyle Zone is characterised by:

- a. Low density residential activities;
- b. Small scale farming activities with limited buildings and structures;
- c. Smaller lot size than anticipated in the Rural Production Zone;
- d. A general absence of urban infrastructure;
- e. Rural roads with low traffic volumes:
- f. Aras of vegetation, natural features and open space

RLZ-03 the role, function and predominant character and amenity of the Rural Lifestyle zone is not compromised by incompatible activities.

Policies

RLZ-P1 Enable activities that will not compromise the role, function and predominant character and amenity of the Rural Lifestyle Zone, while ensuring their design, scale and intensity is appropriate to manage adverse effects in the zone, including:

a. low density residential activities;

RLZ-P2 Avoid activities that are incompatible with the role, function and predominant character and amenity of the Rural Lifestyle Zone because they are:

- a. contrary to the density anticipated for the Rural Lifestyle zone;
- b. predominately of an urban form or character;
- c. primary production activities, such as intensive indoor primary production, that generate adverse amenity effects that are incompatible with rural lifestyle living; or
- d. commercial, rural industry or industrial activities that are more appropriately located in a Settlement Zone or an

urban zone.

RLZ-P4 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- a. consistency with the scale and character of the rural lifestyle environment;
- b. location, scale and design of buildings or structures;
- c. at zone interfaces:
 - i. any setbacks, fencing, screening or landscaping required to address potential conflicts;
 - ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;
- d. the capacity of the site to cater for on-site infrastructure associated with the proposed activity;
- e. the adequacy of roading infrastructure to service the proposed activity;
- f. managing natural hazards;
- g. any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and
- h. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

The strategy direction for the Rural Lifestyle Zone, where relevant for this proposal, is aimed towards enabling rural lifestyle living, while avoiding activities that are incompatible with the zone, including overly intensive urban or rural activities. The intended density of residential activity resulting from the subdivision meets the permitted activity standard for the Rural Lifestyle zone, being one residential unit per 2ha, and further, the proposal has been assessed as being compatible with the existing character in the South Kerikeri Inlet area and compatible with the characteristics expected for the Rural Lifestyle Zone. As such, the proposal is considered to be in accordance with RLZ-O1, RLZ-O2 and RLZ-O3, RLZ-P1 and RLZ-P2. The strategies listed in RLZ-P4 to manage land use and subdivision effects have all been taken into account in the design of the subdivision and the suite of conditions to manage future built development.

Subdivision

Objectives

SUB-O1 Subdivision results in the efficient use of land, which:

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

SUB-02 Subdivision provides for the:

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

SUB-O3 Infrastructure is planned to service the proposed subdivision and development where:

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

Policies

SUB-P3 Provide for subdivision where it results in allotments that:

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

SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan

SUB-P6 Require infrastructure to be provided in an integrated and comprehensive manner by:

- a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and
- b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone. SUB-P11 Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application:

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

The lot sizes proposed achieve the discretionary activity minimum lot size for the Rural Lifestyle Zone. The average lot size of the proposed titles, taking into account the proposed one-twelfth share in Lot 4 DP 167657, will not exceed one title per 4ha, which is consistent with the controlled activity minimum lot size.

The proposed subdivision is an efficient use of land and in accordance with the Rural Lifestyle Zone objectives. The proposed subdivision and future land use activity on Lots 1 - 4 can proceed, subject to the proposed mitigation measures, without generating any significant adverse impact on character, amenity values, heritage or cultural values, highly productive land, land use compatibility, and legal and physical property access. Electricity and telecommunications connections are not required as part of the subdivision consent. Provided that the recommendations of the Engineering Assessments are adhered to and further considered at building consent stage via consent notice conditions, the proposed subdivision will not increase natural hazard risk. The proposal is considered to be consistent with Objectives SUB-O1, SUB-O2 and SUB-O3 as well as Policies SUB-P3, SUB-P4, SUB-P6 and SUB-P11.

Coastal Environment

Objectives

CE-02 - Land use and subdivision in the coastal environment:

- a. Land use and subdivision in the coastal environment:
- b. preserves the characteristics and qualities of the natural character of the coastal environment;
- c. is consistent with the surrounding land use;
- d. does not result in urban sprawl occurring outside of urban zones;
- e. promotes restoration and enhancement of the natural character of the coastal environment;
- f. recognises tangata whenua needs for ancestral use of whenua Māori.

Policies

CE-P3 Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified

- a. outstanding natural character;
- b. ONL;
- c. ONF.

The above matters have been addressed previously, whereby it is concluded that the natural character of the coastal environment can be preserved, the proposal is consistent with surrounding development, and restoration and enhancement of natural character can be achieved via proposed planting. Significant adverse effects on the coastal environment are avoided, and other effects avoided, remedied and mitigated.

6.4.2 Weighting assessment of Operative and Proposed Far North District Plan

The current District Plan review process was initiated in 2016. Submissions and further submissions have been received. Public hearings are currently taking place, and in 2026 the council will give notice of its decisions on the Proposed District Plan. At this stage, as there is scope for relevant rules, objectives and policies to change, it is considered that limited weight should be attributed to the Proposed District Plan, and more weight applied to the provisions of the Operative District Plan.

6.5 Proposed Regional Plan for Northland (February 2024)

Stormwater management proposals for the subdivision stage are based on Proposed Regional Plan for Northland Rule C.6.4.2 and can comply with the permitted standard, with details of avoidance of scour and erosion to be supplied at the detailed design / engineering plan approval stage.

The discharge of sewage effluent onto land is controlled by the permitted activity rules C.6.1.3 of the Regional Plan for Northland. A feasible design that complies with that standard has been devised, as outlined in the Engineering Assessment. An effluent field and reserve area can be located on Lots 1 - 4 in compliance with the current rules.

Earthworks are required to complete the subdivision, being those associated with the establishment of shared vehicle crossing (including the proposed bridge or culvert crossing) and formation of private access over the existing appurtenant easements and easements 'A', 'B' and 'C'. The overall exposed area for this purpose will exceed 5,000m² (being approximately 2,220m² over Lot 2 DP 210733 and 6,900m² over Lot 2 DP 442820), however, it is intended to form the earthworks progressively and surface each area with aggregate before moving to the next section such that the total exposed area will not exceed 2,000m². Earthworks will be required within 10m of natural inland wetland within Lot 1 in order to upgrade the bunded culvert, and the exposed area is likely to exceed 200m² and/or 50m³, thus requiring consent under Rule C.8.3.1. This consent will be sought from Northland Regional Council separately.

Rule C.2.1.8 4) of the Proposed Regional Plan for Northland provides for the installation of a single span bridge in a stream as a permitted activity, subject to a number of conditions. A resource consent is not expected to be required for a single span bridge.

Rule C.2.1.7 provides for the removal of existing structures as a permitted activity. The debris remaining from the washed-out original culvert (600 diameter pipes and loose soil on the stream bed and banks) should be removed.

6.6 Part 2 of the Resource Management Act 1991

An assessment of the proposal in relation to the relevant purpose and principles of Part 2 of the Resource Management Act 1991 is given below.

PART 2 PURPOSE AND PRINCIPLES

5 Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-
 - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b)Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c)Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

6 Matters of national importance

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 recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (h) the management of significant risks from natural hazards.

7 Other matters

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 have particular regard to-

- (b) The efficient use and development of natural and physical resources;
- (c) The maintenance and enhancement of amenity values;
- (f) Maintenance and enhancement of the quality of the environment;

8 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).

The proposal is considered to promote sustainable management as per the purpose of the Act by creating three additional allotments while avoiding subdivision of highly versatile or highly productive soil. Lots 1 - 4 have been assessed as suitable in terms of onsite servicing for the disposal of wastewater and stormwater, and the collection and supply of water. The proposed subdivision provides for the economic and social well-being of the owners of the property by creating three additional Records of Title, producing additional rural lifestyle lots in an area where this type of land use already exists. The additional lots are deemed suitable for their intended purpose and suitable access can be provided through remediation of the existing property access point, and through formation of shared private access over existing appurtenant easements and within the proposed lots. The development can be completed in such a way that avoids and mitigates potential adverse effects arising from additional traffic, and the anticipated actual and potential effects arising from the development of each lot with dwellings, accessory buildings and access, can be avoided or otherwise readily mitigated.

The natural character of wetlands and riparian margins will be preserved and enhanced as a result of the subdivision, in accordance with Matter 6(a). The proposed subdivision and existing and future use of the lots are considered to be appropriate activities.

The Engineering Assessments provide an assessment of natural hazards, and states that there is no significant risk from natural hazards that would cause Section 106 of the RMA to apply. Reference is also made to the Geotechnical Assessment Report. A consent notice condition requiring specific foundation design at building consent stage can be applied to Lots 1 - 4 in this respect, in order to achieve consistency with Matter 6(h).

The proposed subdivision is considered to be an efficient use of this land, which is neither highly productive nor highly versatile in terms of its productive capability. The future building sites on each lot can be developed without reducing overall amenity values, while the wetland restoration and landscape integration planting that is proposed will enhance landscape amenity values. The existing character of the wider South Kerikeri Inlet area will be retained. The proposal is therefore considered to maintain amenity values and the overall quality of the environment in accordance with section 7.

The proposal has no known implications in terms of the Treaty of Waitangi. Mana whenua input has been sought in relation to the archaeological authority application; however, no feedback has been received to date.

Overall, the proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.

7. OTHER MATTERS

Section 104(1)(c) requires the consent authority, subject to Part 2 of the Act, to have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

7.1 Precedent effect

The precedent resulting from granting a resource consent is an 'other matter' that Council can have regard to in considering an application for consent for a non-complying activity. The non-complying activity status does not of itself create a precedent effect; however, a relevant consideration is whether granting this consent, and the anticipation that like cases will be treated alike, will contribute to an adverse cumulative effect that follows from this activity.

Case law has indicated that although precedent effects are relevant, they should not be attributed too much weight, as every application must be considered on its own merits and against the relevant provisions of the District Plan (Berry v Gisborne District Council [2010] NZEnvC 71).

The existing pattern of rural lifestyle development in the wider area will be continued by the proposal, allowing the additional proposed lots to be accommodated without setting a wider precedent. The proposal is based on the unique circumstances of the site, including its undivided one-third share in Lot 4 DP 167657 which increases the lot area to achieve an average density not exceeding one residential unit per 4ha, and the availability of non-sensitive land allowing three out of the four BDZs to be screened from view from Kerikeri Inlet, leaving only one BDZ within the sensitive area. Taking into account the proposed building design guidelines, as well as the building location on a lower contour and a proposed building height restriction, the placement of a single residential unit within the sensitive area is considered to be a reasonable use of the site, and as attested to within the L&VEA, it will not detract from the undeveloped nature of the Maritime gateway to Kerikeri and the existing character of the South Kerikeri Inlet Zone.

The proposal includes permanent protection of proposed revegetation areas, implementation of a formalised pest and weed control plan, a ban on cats and control of dogs, all of which will result in a gross positive ecological outcome. This is a unique aspect of the proposal to be considered.

Despite its non-complying activity status, approval of this application would not establish a precedent. The unique circumstances of the site are described above.

The proposal has been deemed to be acceptable, based in part on the specialist wetland, archaeological, landscape and visual and engineering assessments, which address both its actual and potential effects and its relationship with the relevant provisions of the Operative and Proposed District Plans. To this end, the proposal passes both limbs of the Section 104D gateway test.

For these reasons, it is considered that a precedent will not be created through the granting of this application due to its distinguishing features and circumstances. If Council is to grant consent, it would be due to this particular proposal demonstrating that it is acceptable in this respect and would not set a precedent that would guarantee approval of other future applications of a similar nature.

8. CONSULTATION & NOTIFICATION ASSESSMENT

8.1 Consultation

8.1.1 Iwi Consultation

A list of Iwi contacts for the area was requested from Council's Te Hono Support, but to date no response has been received. It is anticipated that relevant people will be notified of the application as an interested party through Council's normal process.

8.1.2 Department of Conservation

On 1 April 2025, an email setting out general relevant aspects of the proposal setting out general relevant aspects of the proposal and inviting comments was sent to Department of Conservation. They have responded that "In this instance, DOC endorses the protection of wetland and revegetation efforts. Whilst the site is not in a mapped Kiwi Present site, we support the control on pets who pose a risk to kiwi". The consultation record is attached in **Appendix 9**.

8.1.3 Heritage New Zealand Pouhere Taonga

On 1 April 2025, a copy of the Archaeological Assessment was provided to Heritage New Zealand and comments invited. It was pointed out to Heritage New Zealand that they would likely be notified as an interested party via limited notification and also would have the opportunity to consider the application for archaeological authority once it has been lodged. Heritage New Zealand has responded that "as long as the recommendations of the Carpenter archaeological assessment are followed then Heritage New Zealand Pouhere Taonga does not have any issues with the development". Refer to the consultation Record in **Appendix 10**.

8.2 Public notification

Step 1: Public notification is not requested. Sections 95A(3)(b) and (c) do not apply.

Step 2: Public notification is not precluded.

<u>Step 3:</u> There are no relevant rules that require public notification, and the adverse effects of the proposal have been assessed as being less than minor, as set out in Section 5 of this Report. As such, public notification is not considered necessary.

<u>Step 4:</u> No special circumstances are considered to exist to warrant public notification.

8.3 Limited notification

<u>Step 1:</u> There are no affected protected customary rights groups or affected customary marine title groups, the land is not subject to a statutory acknowledgement.

Step 2: Limited notification is not precluded.

<u>Step 3:</u> Section 95E describes when a person is an affected person. No person is considered to be an affected person in terms of this proposed activity as:

- The site is within 500m of land administered by the Department of Conservation; no comments have been received to date. Nevertheless, it is not expected that the proposed subdivision will adversely affect their ability to manage the adjacent Marginal Strip.
- There will be no adverse effects on any downstream land in terms of flooding or inundation.
- Private vehicle access will be formed to support the level of traffic it is anticipated to experience, in accordance with the Operative District Plan and Engineering Standards.
- The L&VEA concludes that:
 - The level of adverse effects on the specified landscape and visual attributes is less than minor.
 - The potential adverse effect on proximate and neighbouring individuals will be (at most) less than minor.
 - The existing character of this rolling rural landscape is influenced by built form albeit to a low density. The proposal will result in an outcome that will be consistent with this existing character.
 - Potential adverse visual amenity effects on the users of Kerikeri Inlet Road will be less than minor.

 The potential adverse visual amenity effect that will be experienced by occupants of neighbouring properties will be less than minor. It is proposed to plant landscape integration areas at section 224c certificate stage, so that it is established prior to a dwelling being built on the lots.

As such, it is considered that limited notification is not required via Step 3.

<u>Step 4</u>: Special circumstances exist through the Operative District Plan, which require limited notification to the property owners within the South Kerikeri Inlet Zone. This is specified via Rule 13.9 which states that:

"Applications for discretionary and non-complying activities within the South Kerikeri Inlet Zone will require notification of all property owners within the Zone and DH Ellis (being the property owner of Lot 2 DP 114410) at least."

As DH Ellis no longer owns Lot 2 DP 114410, which is on the opposite side of Kerikeri Inlet at Skudders Beach (2 Paretu Drive), we submit that there is no requirement to serve a copy of the application upon this person.

8.4 Summary of Notification Assessment

As outlined above, we anticipate that limited notification to the property owners within the South Kerikeri Inlet Zone will be required, as directed by Rule 13.9 of the Operative District Plan.

9. CONCLUSION

In terms of section 104, 104B and 104D of the Resource Management Act 1991, we consider that:

- the proposed activity achieves the "threshold test" set out in Section 104D(1) as:
 - the adverse effects of the activity on the environment resulting from the proposed activity are not more than minor and
 - the proposal is not contrary to the objectives and policies of the Operative District Plan or the Proposed District Plan.
- The proposal is not contrary to the Regional Policy Statement for Northland, the National Policy Statement for Highly Productive Land or the National Policy Statement for Indigenous Biodiversity.
- The proposal is in accordance with the Purpose and Principles of the Resource Management Act 1991.

We also note that:

• Limited notification to all property owners within the South Kerikeri Inlet Zone is directed via Rule 13.9 of the Operative District Plan.

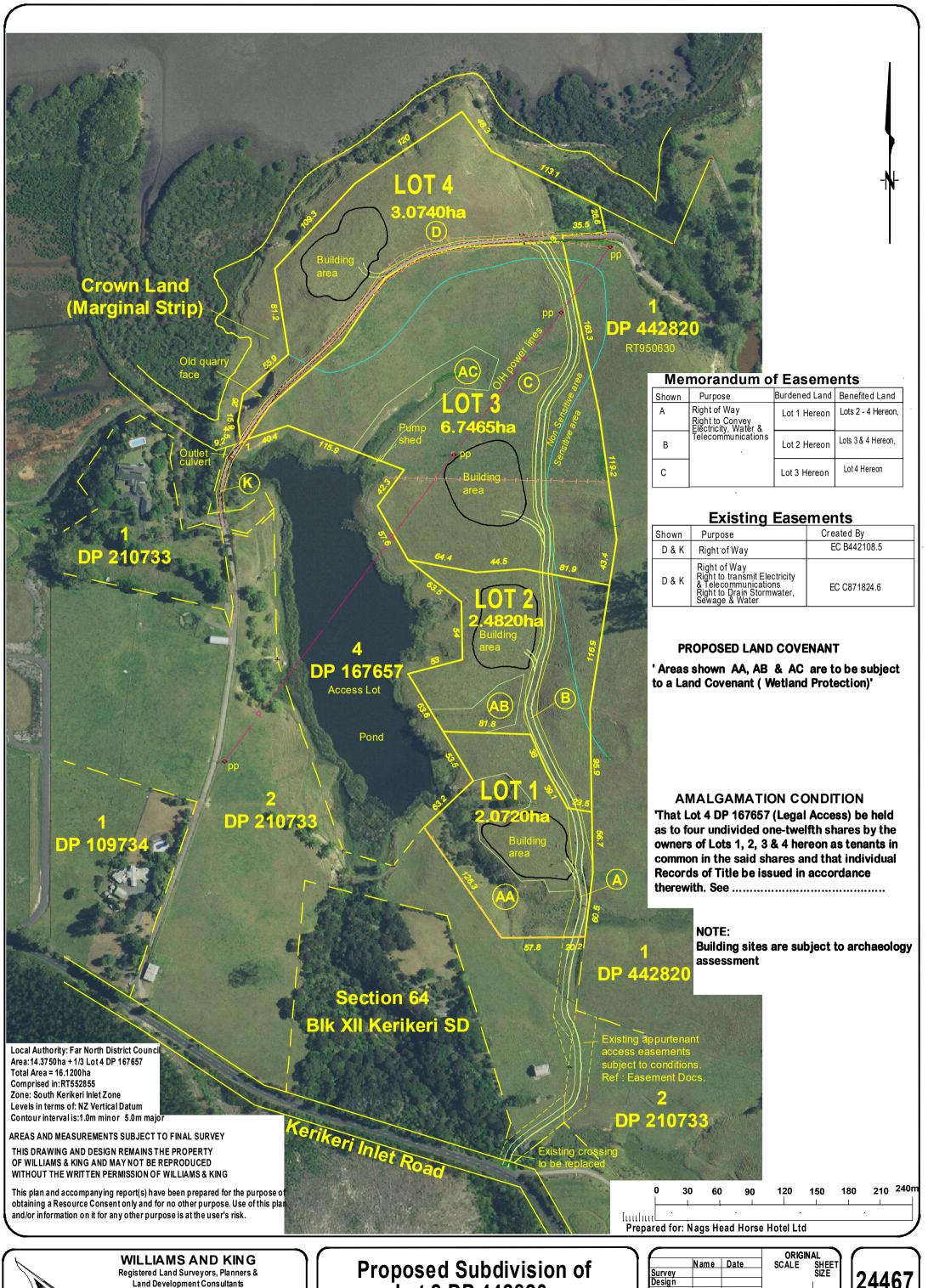
Signed Matsin Watson

Natalie Watson, Resource Planner Date: 13 May 2025 WILLIAMS & KING

Kerikeri

10. APPENDICES

Appendix 1	Scheme Plan
Appendix 2a	Haigh Workman Civil & Structural Engineers Engineering Assessment
Appendix 2b	Haigh Workman Civil & Structural Engineers Geotechnical Assessment
Appendix 2c	Haigh Workman Civil & Structural Engineers Vehicle Crossing Design
Appendix 3	Email from FNDC Property Legalisation Officer - Bridge does not require License to
	Occupy Road Reserve
Appendix 4	Bay Ecological Consultancy Wetland Determination
Appendix 5	Hawthorn Landscape Architects Landscape & Visual Effects Assessment
Appendix 6	Geometria Limited Archaeological Assessment
Appendix 7	Records of Title
Appendix 8	Top Energy Correspondence
Appendix 9	Consultation Record – Department of Conservation
Appendix 10	Consultation Record – Heritage New Zealand





Ph: (09) 407 6030 Email: kerikeri@saps.co.nz

27 Hobson Ave PO Box 937 Kerikeri Lot 2 DP 442820

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Engineering Assessment for Proposed Subdivision Inlet Road, Kerikeri Lot 2 Deposited Plan 442820 for Nags Head Horse Hotel Limited

Supporting report for RC Applications to Far North District Council

Haigh Workman reference 18 268

8 May 2025





Revision History

Revision Nº	Issued By	Description	Date
Α	Joshua Cuming	For Resource Consent	8 May 2025

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Executive Summary

Haigh Workman Ltd (Haigh Workman) was commissioned by Nags Head Horse Hotel Limited (the client) to undertake an engineering assessment of land at Inlet Road, Lot 2 DP 442820 (the site), for a proposed four Lot subdivision.

The site is zoned 'South Kerikeri Inlet' with a portion of the site designated as a sensitive area under the Far North District Council District Plan.

This report assesses geotechnical, earthworks, access, stormwater, wastewater, water supply and firefighting, with specific regard to the local authority plans and subdivision rules. The proposed subdivision is shown on Williams & King plan, Ref. 24467. Below is a synopsis of the key sections covered:

Natural Hazards

A separate report addressing geotechnical considerations and hazards has been prepared by Haigh Workman reference 18 268 – Geotechnical Assessment Report. The identified building platforms are well elevated from flood mapped flood hazards, are not subject to falling debris or erosion subject to vegetation cover being maintained.

Vehicle Crossings

A bridge or culverted crossing will be required to access the site. It is likely that a portion of bridge or culverted crossing will be located in the road reserve with the remainder within the ROW easements over Lot 2 DP 210733. The vehicle crossing can be formed compliant with Council Engineering SSDs.

Access

The accessway is formed by a number of existing and proposed easements providing a right of way for the created lots. The minimum required surfacing widths and surfacing requirements are shown below:

18 268



Easement identifier	Number of Lots proposed to be served	Minimum Required Surfacing Width	Surfacing required
J (existing appurtenant easement over Lot 2 DP 210733)	6	5m	Aggregate
D (existing appurtenant easement over Lot 2 DP 210733)	5	5m	Aggregate
C (existing appurtenant easement over Lot 2 DP 210733)	4	3m with passing bays	Aggregate
A (proposed easement)	4	3m with passing bays	Aggregate
B (proposed easement)	3	3m with passing bays	Aggregate
C (proposed easement)	2	3m	Aggregate
D (existing easement)	4	Existing width is 3m.	Aggregate

Access & Parking

All lots have adequate land available for two car parking spaces including manoeuvring.

Earthworks

The proposed earthworks at the time of subdivision are associated with the construction of ROWs A, B and C on site and C, D, J on Lot 2 DP 210733. The estimated volume of earthworks onsite is 3306m³ and 1022m³ on Lot 2 DP 210733. Proposed cut and fill heights do not exceed 1.5m.

The scale of earthworks on the site will exceed the permitted and restricted discretionary limits. The proposed earthworks are a discretionary activity for Lot 2 DP 442820 and a restricted discretionary activity for Lot 2 DP 210733.

All earthworks will comply with the proposed District Plan Rules EW-R12 and R13, and Standards EW-S3 and EW-S5. We suggest that, as a condition of consent, an Erosion and Sediment Control Plan be required to be submitted for approval by Council prior to start of earthworks.

A general precautionary archaeology authority will be applied for prior to earthworks.

Stormwater Management

Anticipated impermeable surface coverage on all lots exceed the 600m² threshold permitted by the District Plan rules. The anticipated impermeable surface coverage for lots 3 and 4 also exceed the 1500m² restricted discretionary threshold.



Due to the large lot areas and relatively low impermeable surfaces, stormwater attenuation is not considered necessary. Runoff from developed surfaces will be discharged to ground on gentle slopes in a dispersive manner where it will be absorbed by the soils. During large rainfall events surplus runoff will drain as sheet flow, congregating in the natural gully features before entering the wetlands present onsite and into the pond on the property to the west of site.

Culverts will be positioned at where existing natural flow paths cross the proposed ROW. The culverts will be sized at engineering plan approval stage.

Wastewater

All lots contain ample suitable area for effluent disposal including reserve area. The soils were categorised as AS/NZS 1547 Class 6 soils, we recommend an irrigation rate of 2mm/d which will require a disposal area of 435m² for an indicative 4-bedroom dwelling.

Water Supply

Domestic water supply may be provided using roof runoff collected in storage tanks.

Fire Fighting

Council Engineering Standards and Fire and Emergency NZ require a water supply that is adequate for firefighting purposes. There is no reticulated water supply, so each lot will be responsible for providing an on-site firefighting supply.



1 Introduction

1.1 Project Brief and Scope

Haigh Workman Ltd (Haigh Workman) was commissioned by Nags Head Horse Hotel Limited (the client) to undertake an engineering assessment of land at Kerikeri Inlet Road, Kerikeri, Lot 2 DP 442820 (the site), for a proposed four Lot subdivision.

The scope of the report includes the following assessment items:

- Natural hazards
- · Vehicle access and parking
- Earthworks to complete the subdivision
- Stormwater and wastewater
- Water supply and firefighting

A separate report addressing geotechnical considerations has been prepared by Haigh Workman reference 18 268 – Geotechnical Assessment Report.

A proposed subdivision plan prepared by Williams and King; ref. 24467 was made available at the time of writing this report.

The site is zoned 'South Kerikeri Inlet' with a portion of the site designated as a sensitive area under the Far North District Council District Plan, principally affecting the elevated land.

1.2 Limitations

This report has been prepared for our Client Nags Head Horse Hotel Limited with respect to the brief outlined to us. This report is to be used by our Client and Consultants and may be relied upon by the Far North District Council (FNDC) when considering the application for the proposed subdivision and development. The information and opinions contained within this report shall not be used in any other context for any other purpose without prior review and agreement by Haigh Workman Ltd.

It has been assumed in the production of this report that the site is to be subdivided and subsequently developed at the potential house site identified. At the time of writing there was no information available for proposed future developments on either lot following subdivision. If any of these assumptions are incorrect, then amendments to the recommendations made in this report may be required.

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

18 268



2 Site Description and Proposed Development

2.1 Site Identification

Site Address: Inlet Road, Kerikeri

Legal Description: Lot 2 DP 442820

Area: 14.3745 ha

Zone: South Kerikeri Inlet and sensitive area (Operative District Plan)

2.2 Site Description

The site is legally described as Lot 2 DP 443820 with a total land area of 14.3745 ha and is irregular in shape. It is located approximately 4.5km northeast of the centre of Kerikeri, the surrounding properties are agricultural or lifestyle. To the north of site lies the Kerikeri Inlet.

Four wetland areas have been identified on the site by Bay Ecological Consultancy Limited. These areas are shown on the appended scheme plan.

The site generally has slight to moderate slopes to the west, with the exception of the northern portion of the site which slopes to the north.

Record of Title 552855 comprises Lot 2 DP 442820 and a one third share in Lot 4 DP 167657. The one third share in Lot 4 DP 167657 will be equally divided between the proposed lots, granting a one twelfth share to each of Lots 1 - 4. An amalgamation condition to this effect is proposed.





Figure 1 - Site location (5m contours)

2.3 Proposed Subdivision

The scheme plan identifies a number of easements, as well as proposed covenant (wetland protection) areas.

Proposed Lots are described in table 1.

Table 1 Proposed Lots

Lots	Proposed Area (ha)	End-use
Lot 1	2.0720	Rural lifestyle
Lot 2	2.4820	Rural lifestyle
Lot 3	6.7465	Rural lifestyle
Lot 4	3.0740	Rural lifestyle
Total	14.3745	

We understand that the proposed subdivision will be non-complying under the Operative District Plan.



3 Environmental Setting

The published GNS geology map indicates geology for the area as Waipapa Group and described as 'massive to thin bedded, lithic volcaniclastic metasandstone and argillite, with tectonically enclosed basalt, chert and siliceous argillite' as shown in Figure 3.

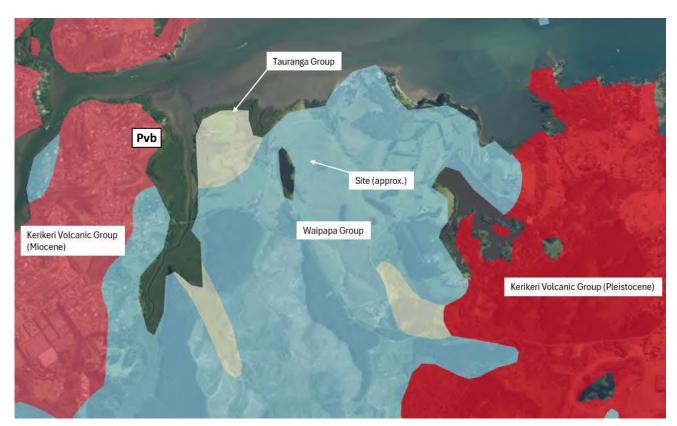


Figure 2 - Geological Map Extract

Further reference to the published New Zealand Land Inventory maps (Whangaroa – Kaikohe), indicates the site is underlain by 'interbedded sandstone and mudstone (greywacke and argillite): blue-grey quartz feldspar greywacke sandstone, thinly to thickly interbedded with dark grey argillite mudstone, with minor chert, quartzite and volcanic (spilite) beds, closely fractured and quartz veined, and locally very siliceous; hard to very hard. Weathered to soft, brown, sandy clay with harder cores to depths of 30 m.

3.1 Weathered Geology (Soils)

The majority of the site is shown to be directly underlain by soils comprising 'Hukerenui silt loam with yellow subsoil' (HKr). This soil type is categorised as 'imperfectly to very poorly drained'. Weathered soil geology is derived from weathering processes such as groundwater acting upon underlying solid bedrock strata over the course of geological history.



Figure 3 - NZMS 290 Sheet Q04/05 Soil Map

3.2 Natural Hazards

Under Section 2 of the Resource management Act 1991, **natural hazard** means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

Natural hazards listed in Section 71(3) of the Building Act 2004 include: erosion, falling debris, subsidence, inundation and slippage. We assess the susceptibility of the land associated with the nominated building platforms to these potential hazards in the table below.



Table 2 - Natural Hazards

Natural Hazard	Risk
Erosion (including coastal erosion, bank erosion, and	No, subject to maintaining vegetation cover
sheet erosion) Falling debris (including soil, rock, snow, and ice)	No
Subsidence (vertical settlement)	Addressed in Haigh Workman - Geotechnical Assessment Report
Inundation (including flooding, overland flow, storm	Small areas of the site are mapped within the 100 year flood
surge, tidal effects, and ponding)	hazard. Nominated building platforms are well elevated.
Slippage	Addressed in Haigh Workman - Geotechnical Assessment Report

There is no significant risk from natural hazards that would cause Section 106 of the Resource Management Act to apply refer to Haigh Workman - Geotechnical Assessment Report.



4 Site Access

4.1 Site Access

Upon subdivision, each lot will gain access via a series of right of ways from Kerikeri Inlet Road.

4.2 Kerikeri Inlet Road

Kerikeri Road is a Secondary Collector Road with a typical rural roading standard cross-section comprising an approximate 6m wide sealed carriageway with a speed limit of 80 km/hr.

4.3 Vehicle Crossing

A bridge or culverted crossing will be required to access the site. A culverted crossing was previously present however this was washed out. Currently there is a sealed shoulder in the location of the proposed vehicle crossing and an adjacent crossing for the neighbouring crossing. It is likely that a portion of the crossing structure will be located in the road reserve with the remainder within the ROW easements over Lot 2 DP 210733.

4.3.1 Sight Distances

For Stopping Sight Distance (SSD) assessment purposes we have used the minimum sight distance for vehicle crossings onto secondary collector roads with a posted speed limit of 80 km/h found on sheet 4 of the Far North Engineering Standards.

SSDs for the site are assessed in Table 3 below.

Table 3 - Sight distance summary table (Secondary Collector 80km/h)

Crossing	Direction of Sight	Measured SSD (m)	FNDC min. SSD (m)
ROW	Northwest	145	145
ROW	Southeast	210+	145

The vehicle crossing can be formed compliant with Council Engineering SSDs.

4.3.2 **Vehicle Crossing Standards**

The six lots (Lots 1 - 4, Lot 2 DP 210733 & Lot 1 DP 442820) to gain access via the proposed crossings have an estimated 60 one way traffic movements per day. Mobile roads estimate the daily traffic movements on Inlet Road at the location of the proposed vehicle crossing to be 554. The vehicle crossing standard has been assessed using the criteria in the FNDC Engineering Standards 2023 shown in the figure below.

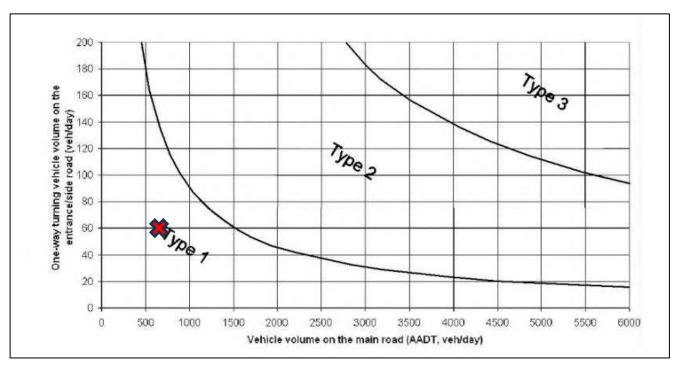


Figure 4 - Figure 3-1: Criteria for Vehicle Entrance Types (Rural) FNDC Engineering Standards 2023.

The vehicle crossing should be formed compliant with a Type 1A Sheet 21 – Vehicle Crossing – Rural, with a slip bay for turning traffic from the west. It is proposed that the carriageway width of the crossing structure is 4m with sufficient waiting areas on each side. It is proposed that the carriageway of the entirety of the crossing structure is sealed, this will exceed the required 10m length. The positioning of the vehicle crossing will be confirmed during engineering plan approval.

4.4 Right of Ways

The accessway is formed by a number of existing and proposed easements providing a right of way for the created lots.

A summary of the proposed right of way is included below.



Table 4 - Right of ways

Easement identifier	Lot Burdened	Number of Lots proposed to be served	Minimum Required Surfacing Width	Surfacing required	Notes
J (existing appurtenant easement over Lot 2 DP 210733)	Lot 2 DP 210733	6	5m	Aggregate	5m width will be achieved excluding the creek crossing
D (existing appurtenant easement over Lot 2 DP 210733)	Lot 2 DP 210733	5	5m	Aggregate	
C (existing appurtenant easement over Lot 2 DP 210733)	Lot 2 DP 210733	4	3m with passing bays	Aggregate	Passing bays at spaces not exceeding 100m and on blind corners.
A (proposed easement)	Proposed Lot 1	4	3m with passing bays	Aggregate	Passing bays at spaces not exceeding 100m and on blind corners.
B (proposed easement)	Proposed Lot 2	3	3m with passing bays	Aggregate	Passing bays at spaces not exceeding 100m and on blind corners.
C (proposed easement)	Proposed Lot 3	2	3m	Aggregate	
D (existing easement)	Proposed Lot 4	4	Existing width is 3m.	Aggregate	No additional lots will use this access following subdivision than they do currently. Therefore no widening is proposed.

No change is proposed to the ROWs in easements D and K.

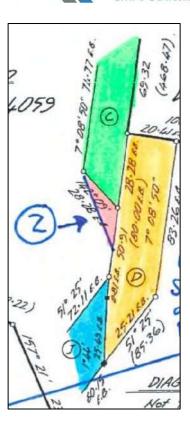


Figure 5 - ROW easements over Lot 2 DP 210733

4.5 Driveways

Driveways leading to the identified house sites can be formed in accordance with the District Plan requirements. We recommend that driveways are formed as per Sheet 3 of the Far North Engineering Standards.

4.6 Parking and Manoeuvring

Parking for two cars and manoeuvring in accordance with District Plan can be accommodated within all proposed lots.



5 Earthworks

5.1 Proposed Earthworks

Under the Operative District Plan earthworks cut and fill are added together whilst drainage is not included. Earthworks in the South Kerikeri Inlet zone are a permitted activity provided that they do not exceed 300m³ in any 12 month period and does not involve a cut or filled face exceeding 1.5m in height.

The proposed earthworks at the time of subdivision are associated with the construction of ROWs A, B and C on site and C, D, J on Lot 2 DP 210733.

Formation of the accesses will involve stripping approximately 150-200mm of topsoil, excavation of unsuitable soils, filling and cuts and laying approximately 250mm of roading aggregate. Earthworks volumes are estimated below assuming no soil is removed from site:

Existin numb	_	lot	Cut (m³)	Fill (m³)	Aggregate (m³)	Total (m³)
Lot 44282	2 0	DP	1262	1256	788	3306
Lot 21073	2 3	DP	475	130	417	1022
Total						4328

It is proposed that excess soils are placed in a manner which blends into the topography and landscape.

5.2 Regulatory Framework

Earthworks in the South Kerikeri Inlet zone are a permitted activity provided that they do not exceed 300m³ in any 12 month period and does not involve a cut or filled face exceeding 1.5m in height.

The restricted discretionary rule for earthworks is that they do not exceed 2000m³ in any 12 month period and does not involve a cut or filled face exceeding 1.5m in height.

The scale of earthworks on the site will exceed the permitted and restricted discretionary limits. The proposed earthworks are a discretionary activity for Lot 2 DP 442820 and a restricted discretionary activity for Lot 2 DP 210733.

It is not anticipated that cut or fill heights will excedd 1.5m.

The Proposed Far North District Plan was notified on 27 July 2022. The following rules and standards have legal effect and will be complied with:

- Earthworks Rule EW-R12 (Earthworks and the discovery of suspected sensitive material)
- Earthworks Rule EW-R13 (Earthworks and erosion and sediment control
- Standard EW-S3 Accidental Discovery Protocol
- Standard EW-S5 Erosion and sediment control

We suggest that, as a condition of consent, an Erosion and Sediment Control Plan be required to be submitted for approval by Council prior to start of earthworks.



A general precautionary archaeology authority will be applied for prior to earthworks.

Earthworks to form the ROW in proposed lot 1 will be required within 10m of the mapped wetland.

5.3 Earthworks Construction

Earthworks will be carried out in accordance with NZS 4404 and Council's Engineering Standards and Guidelines 2023.

Erosion and sediment control for earthworks will be carried out in accordance with Council's Engineering Standards and Guidelines and Auckland Council GD05.

6 Stormwater Management

6.1 Existing Site Drainage

The site is currently in grazed grassland. The majority of the site drains towards a natural pond on the neighbouring lot (lot 2 DP 167657) to the west via the natural flow paths present. A stormwater plan showing the natural flow paths is appended. The pond then drains under a outlet culvert to the coastal marine zone. A small portion of the north of the site drains directly to the coastal marine zone.

6.2 Regulatory Framework

6.2.1 Far North District Plan Provisions

The site is zoned as South Kerikeri Inlet. The relevant permitted activity rule for stormwater is as follows:

10.10.5.1.6 STORMWATER MANAGEMENT

The maximum proportion or amount of the gross site area which may be covered by buildings and other impermeable surfaces shall be 10% or 600m² whichever is the lesser

The relevant restricted discretionary activity rule for stormwater is as follows:

10.10.5.3.8 STORMWATER MANAGEMENT

The maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 15% or 1,500m², whichever is the lesser.

Subdivision Rule relating to stormwater disposal is 13.7.3.4. The pertinent sections relating to this site are:

13.7.3.4 STORMWATER DISPOSAL

- (a) All allotments shall be provided, within their net area, with a means for the disposal of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces, in such a way so as to avoid or mitigate any adverse effects of stormwater runoff on receiving environments, including downstream properties. This shall be done for a rainfall event with a 10% Annual Exceedance Probability (AEP).
- (d) All subdivision applications creating sites 2ha or less shall include a detailed report from a Chartered Professional Engineer or other suitably qualified person addressing stormwater disposal.



(d) Where flow rate control is required to protect downstream properties and/or the receiving environment then the stormwater disposal system shall be designed in accordance with the onsite control practices as contained in "Technical Publication 10, Stormwater Management Devices – Design Guidelines Manual" Auckland Regional Council (2003).

6.2.2 **Proposed Regional Plan**

Rule C.6.4.2 provides for the diversion and discharge of stormwater from outside a public stormwater network provided (amongst other conditions); the diversion and discharge does not cause or increase flooding of land on another property in a storm event of up to and including a 10% Annual Exceedance Probability (AEP) or flooding of buildings on another property in a storm event of up to and including a 1% AEP.

6.2.3 Council Engineering Standards 2023

The FNDC Engineering Standards have recently been updated and Council is encouraging their use. The pertinent sections relating to stormwater management are:

Chapter 4: Stormwater and Drainage

4.1.3 Performance Standards

e. The primary stormwater system shall be capable of conveying <u>10% AEP design storm events</u> without surcharge (see Section 4.3.9 Hydrological Design Criteria).

4.1.6. Managing Effects of Land Use on Receiving Environments

Hydrological balance can be partly maintained by <u>limiting the maximum rate of discharge and peak flood levels</u> <u>for post-development to that at pre-development levels</u> and enabling infiltration to minimise impacts on base flow and ground water recharge.

Peak flow management can be achieved using detention storage, utilising extended duration, for the duration of a limited peak flow event. Therefore, in the absence of more detailed assessment of stream stability, the discharges from detention devices into a stormwater network shall be constrained to 80% of pre-development peak flow rate. These constraints may be relaxed, subject to detailed assessments and hydrological/hydraulic modelling of the catchment being provided.

4.2.1. Discharge into a Stream or Watercourse

All new and existing discharges to an existing FNDC owned and / or maintained watercourse(s) located within approximately 500m require specific approval from the Stormwater Manager before proceeding with design details and, if approved, FNDC shall apply appropriate conditions to the discharge.

4.3.8. System Design

Table 4-1: Minimum Design Summary

Current rainfall (i.e. not climate change adjusted) shall be used for the following:

• Determining pre-development stormwater runoff flows and volumes for use in combination with calculated post development flows to determine stormwater treatment (quantity and quality) requirements.

<u>Climate change adjusted rainfall</u> shall be used for the following:

• Determining post-development stormwater runoff flows and volumes for stormwater infrastructure design.



<u>Flood Control</u> (1% AEP event). Detention required, limiting the post-development 1% AEP event flow rates to 80% of the pre-development 1% AEP event flow rates.

<u>Flow attenuation</u> (Attenuation of the 50% and 20% AEP events). Limit the post-development 50% and 20% AEP event flow rates to 80% of the pre-development flows through controlled attenuation and release. Typically, always required in the upper catchment and <u>sometimes not required where development site is located in proximity to the catchment outlet, discharging to a watercourse with sufficient network capacity, and where <u>flow attenuation may worsen flooding hazards due to relative timing of peak flows</u>. This is subject to assessment demonstrating no negative impacts would occur. If the proposed stormwater discharge is into a tidal zone, then no attenuation is required.</u>

6.3 Impermeable Surfaces

The proposed subdivision provides for, but does not include rural-residential / lifestyle development. It is anticipated that houses when they are built will be of a similar scale to the existing residential / lifestyle development in other rural-residential land in the Kerikeri area. A typical lot without a right of way may have $600m^2$ of impermeable surfaces once developed, amounting to 3% for a 2ha lot area.

Typical impermeable surfaces on the lots (including rights of way) when they are developed are estimated as follows:

Table 5 - Estimated Surface Coverage (Developed Condition)

Proposed Lot	Area (ha)	Estimate Driveway Area (m²)	Estimated ROW Area (m²)	Estimated Roof Area (m²)	Estimated Impermeable Surface Area (m²)	Estimated Coverage	Activity Status
1	2.0720	300	520	500	1320	6.4%	Restricted Discretionary
2	2.4820	300	760	500	1560	6.3%	Discretionary
3	6.7465	300	1000	500	1800	2.7%	Discretionary
4	3.0740	300	1150	500	1950	6.3%	Discretionary

Anticipated impermeable surface coverage on all lots exceed the 600m² threshold permitted by the District Plan rules. The anticipated impermeable surface coverage for lots 2, 3 and 4 also exceed the 1500m² restricted discretionary threshold.

Impermeable surfaces for Lot 2 DP 210733 are estimated below:

Table 6 - Estimated Surface Coverage Lot 2 DP 210733

Lot	Area (ha)	Existing Driveway Area (m²)	Estimated ROW Area (m²)	Estimated Existing Roof Area (m²)	Estimated Impermeable Surface Area (m²)	Estimated Coverage	Activity Status
Lot 2 DP 210733	20.1695	2,456	1,020	420	3896	1.9%	Discretionary



6.4 Catchment & Flooding

Flooding is mapped onsite in association with the pond in the neighbouring lot (Lot 4P 167657). Flooding is also mapped offsite in association with the outflow of the pond before it drains into the coastal marine area. The length

18 268



of the outflow to the coastal marine area is approximately 70m. Coastal flooding is mapped in two small areas in the north of the site. No buildings are present in the mapped flood zones.

The regionwide model for flooding does not account for outlet culvert flow, hence flood levels automatically match embankment crossings. In reality the flood level will be lower.

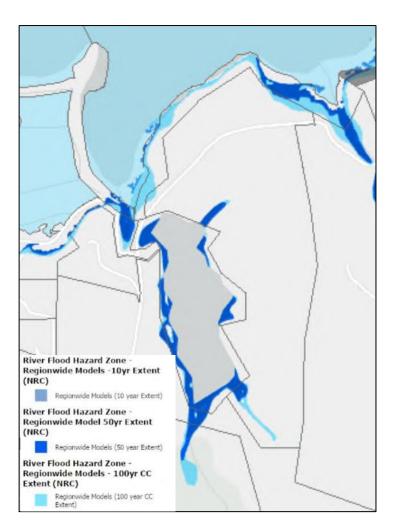


Figure 6 – River Flood Mapping, NRC



Figure 7 - Coastal flood mapping in the north of the site.



6.5 Discussion

For a non-complying activity FNDC will exercise discretion to those matters listed in 10.10.5.3.8 and 13.10.4.

Lifestyle lots are not expected to result in water-borne contaminants, litter or sediments. By discharging to ground within the lots in a dispersive manner these affects can be avoided.

The proposed lots are all large, over 2ha. Runoff from developed surfaces will be discharged to ground onto gentle / moderate slopes in a dispersive manner where the water will be absorbed by the soils. During larger rainfall events surplus runoff will drain as sheet flow, congregating in the natural flowpaths before entering the pond on the neighbouring property which drains to the coastal marine zone.

Rule 13.7.3.4 references Technical Publication 10 which has now been superseded by Stormwater Management Devices in the Auckland Region GD01 December 2017 and refers to the Countryside Living suite of documents for rural development. GD01 identifies the key approach to managing the impact of stormwater and associated pollutants is to reduce the need through prevention and considers non-structural approaches to minimise the impacts of the development on stormwater. This standard is appropriate for the low-density rural development consider for this site.

Examples of non-structural approaches that can be adopted for this site are:

- Preserve and use existing site features such as watercourses, depressions, wetlands, vegetation and permeable areas that contribute to the current hydrological cycle balance.
- Reduce impervious surfaces by using pervious channels or infiltration practices, placing houses closer to
 the main roading network to minimise driveway lengths, shared ROWs, grass swales to encourage
 infiltration, pervious paving or gravel driveways and parking areas.
- Minimise site disturbance and bulk earthwork areas, particular areas that are to remain undeveloped and permeable. Earthwork compaction produces high strength, but higher density and reduced permeability which reduces infiltration and increases runoff.

6.6 Proposed Stormwater Management

Stormwater management within the proposed subdivision is designed to control stormwater flows, reduce scour and ensure compliance with District and Regional Plan rules.

- To receive the maximum treatment benefits concentrated stormwater shall be dispersed via a spreader bar device onto a gently sloping grassed or well vegetated surface. Refer standard details appended.
- Rainwater collection tanks on each Lot, with overflows piped to dispersed outlets.
- For right of ways we recommend grass lined swales with crossroad culverts at low points. Culverts will drain to natural flow paths on site. Where grades are steeper than 10% flow paths should be armoured.
- Culverts will be positioned at where existing natural flow paths cross the proposed ROW. The culverts will be sized at engineering plan approval stage.

6.6.1 Assessment Criteria

In assessing an application under rule 10.10.5.3.8 the Council will exercise discretion on the following:



Table 7 - Far North District Plan Section 10.10.5.3.8 matters of discretion

Stormwater Disposal Assessment Criteria	Comment
(a) the extent to which building site coverage and Impermeable Surfaces contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment.	The proposed subdivision and additional building site coverage that this will allow for will have a relatively small contribution (approximately 0.5%) to overall catchment impermeability.
(b) the extent to which Low Impact Design principles have been used to reduce site impermeability.	Concentrated overflow from storage tanks will be disposed of to land in a dispersive manner to avoid erosion and nuisance.
(c) any cumulative effects on total catchment impermeability.	As the site is in the lower half of the catchment any additional impermeability will not increase downstream flooding. In addition the site borders the CMA.
(d) the extent to which building site coverage and Impermeable Surfaces will alter the natural contour or drainage patterns of the site or disturb the ground and alter its ability to absorb water.	Drainage patterns will not be altered by the proposed subdivision. Runoff from the ROW will be directed into existing flowpaths. Excavation works will only be carried out where required to not alter its ability to absorb water.
(e) the physical qualities of the soil type.	The soils present onsite are imperfectly to poorly drained.
(f) any adverse effects on the life supporting capacity of soils.	Topsoil will be retained onsite.
(g) the availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites.	There is sufficient suitable land available for the disposal of effluent including reserve areas.
(h) the extent to which paved, Impermeable Surfaces are necessary for the proposed activity.	The proposed ROW is required for access to the proposed lots.
(i) the extent to which landscaping and vegetation may reduce adverse effects of run-off.	The site is currently in pasture. Additional landscaping likely to be planted with future dwellings will further reduce effects of runoff.
(j) any recognised standards promulgated by industry groups.	The stormwater management for the proposed development is considered in line with recognised standards.
(k) the means and effectiveness of mitigating stormwater runoff to that expected by permitted activity threshold.	Stormwater attenuation to permitted levels not considered neccessary due to the proximity of the site to the coast.



(I) the extent to which the proposal has considered and	Drainage patterns will not be altered by the proposed
provided for climate change.	subdivision. Increased runoff resulting from climate
	change shall be taken into account when sizing
	stormwater devices.

Table 8 - Far North District Plan clause 13.10.4

Subdivision Stormwater Disposal Assessment Criteria	Comment
(a) Whether the application complies with any regional rules relating to any water or discharge permits required under the Act, and with any resource consent issued to the District Council in relation to any urban drainage area stormwater management plan or similar plan.	The application complies with the proposed regional plan. The site does not drain into any urban drainage areas.
(b) Whether the application complies with the provisions of the Council's "Engineering Standards and Guidelines" (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004).	The application complies with the Far North Engineering Standards 2023.
(c) Whether the application complies with the Far North District Council Strategic Plan - Drainage.	Complies.
(d) The degree to which Low Impact Design principles have been used to reduce site impermeability and to retain natural permeable areas.	Concentrated overflow will be disposed of to land in a dispersive manner to avoid erosion and nuisance. The proposed lots are all over 2 ha the vast majority of which will be retained as permeable areas.
(e) The adequacy of the proposed means of disposing of collected stormwater from the roof of all potential or existing buildings and from all impervious surfaces.	Overflow from storage tanks will be disposed of to land in a dispersive manner to encourage absorption, avoid erosion and nuisance. Runoff from paved areas will be directed into grass lined swales, culverts then into natural flow paths to avoid erosion and nuisance.
(f) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas, and of siltation.	NA to residential development.
(g) The practicality of retaining open natural waterway systems for stormwater disposal in preference to piped or canal systems and adverse effects on existing waterways.	Will discharge to natural flow paths. No reliance on piped or canal systems.
(h) Whether there is sufficient capacity available in the Council's outfall stormwater system to cater for increased run-off from the proposed allotments.	Runoff will not be directed into the council stormwater system.



(i) Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off.	We recommend as a condition of consent that it is established that the culvert at easement K has sufficient capacity for the proposed increase in run-off.
(j) The necessity to provide on-site retention basins to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before the subdivision takes place.	The site is in the lower half of the catchment and adjacent to the coastal marine zone therefore stormwater retention is not proposed.
(k) Any adverse effects of the proposed subdivision on drainage to, or from, adjoining properties and mitigation measures proposed to control any adverse effects.	We recommend as a condition of consent that it is established that the culvert at easement K has sufficient capacity for the proposed increase in run-off.
(I) In accordance with sustainable management practices, the importance of disposing of stormwater by way of gravity pipe lines. However, where topography dictates that this is not possible, the adequacy of proposed pumping stations put forward as a satisfactory alternative.	Stormwater will be disposed of by way of gravity.
(m) The extent to which it is proposed to fill contrary to the natural fall of the country to obtain gravity outfall; the practicality of obtaining easements through adjoining owners' land to other outfall systems; and whether filling or pumping may constitute a satisfactory alternative.	NA
(n) For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user.	Existing easements are included in the appended scheme plan.
(o) Where an easement is defined as a line, being the centre line of a pipe already laid, the effect of any alteration of its size and the need to create a new easement.	Proposed easements are not defined as a line.
(p) For any stormwater outfall pipeline through a reserve, the prior consent of the Council, and the need for an appropriate easement.	NA



(q) The need for and extent of any financial contributions to achieve the above matters.	NA
(r) The need for a local purpose reserve to be set aside and vested in the Council as a site for any public utility required to be provided.	NA

7 Potable Water

7.1 Potable Water Supply

There is no public water supply available at the site. Domestic water supply may be provided by roof runoff collected in storage tanks.

7.2 Fire Fighting

Council Engineering Standards and Fire and Emergency NZ require a water supply that is adequate for firefighting purposes. Where there is no reticulated water supply, then each residential lot will be responsible for providing adequate on-site firefighting supply.

For a single-family home without a sprinkler system in a non-reticulated supply area, the New Zealand Fire Service (NZFS) Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 recommends a minimum firefighting water storage capacity of 45 m³ within 90 m of the dwelling, fitted with an adequate means for extracting the water from the tank.

7.3 Alternative to Fire Fighting Supply

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

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

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

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

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



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

8 On-site Effluent Disposal

8.1 Regulatory Framework

8.1.1 Regional Plan

The discharge of wastewater effluent to land is regulated by the permitted activity Rule C.6.1.3 of the Regional Plan for Northland. Table 9 of the plan specifies exclusion areas and set-back distances as follows:

Table 9: Exclusion areas and setback distances for on-site domestic wastewater systems

Feature	Primary treated domestic type wastewater	Secondary and tertiary treated domestic type wastewater	Greywater
Exclusion areas			
Floodplain	5% annual exceedance probability	5% annual exceedance probability	5% annual exceedance probability
Horizontal setback distances	er te	· · · · · · · · · · · · · · · · · · ·	
Identified stormwater flow path (including a formed road with kerb and channel, and water-table drain) that is down-slope of the disposal area	5 metres	5 metres	5 metres
River, lake, stream, pond, dam or natural wetland	20 metres	15 metres	15 metres
Coastal marine area	20 metres	15 metres	15 metres
Existing water supply bore	20 metres	20 metres	20 metres
Property boundary	1.5 metres	1.5 metres	1.5 metres
Vertical setback distances			
Winter groundwater table	1.2 metres	0.6 metres	0.6 metres

Additional requirements under the Rule also state:

- 1) The on-site system is designed and constructed in accordance with the Australian/New Zealand Standard. On-site Domestic Wastewater Management (AS/NZS 1547:2012), and
- 2) The volume of wastewater discharged does not exceed two cubic metres per day, and
- 5) For wastewater that has received secondary treatment or tertiary treatment, it is discharged via:
- a) a trench or bed system in soil categories 3 to 5 that is designed in accordance with Appendix L of AS/NZS 1547:2012; or
- b) an irrigation line system that is dose loaded and covered by a minimum of 50mm of topsoil, mulch, or bark, and



The proposed disposal areas are not steeper than 10 degrees. However, we recommend that surface laid irrigation lines be firmly pinned to the ground and where there is an up-slope catchment that generates stormwater runoff, a stormwater interception drain be installed and maintained to divert surface runoff away from the disposal area.

District Council requires at time of subdivision a suitable reserve area equal to one hundred percent of the effluent disposal area.

The following analysis ensures that future on-site wastewater disposal on each of the four vacant lots can comply with both the Operative District Plan and Regional Plan for Northland wastewater discharge rules.

8.1.2 **Design Occupancy Rating**

The onsite wastewater disposal for the proposed development of the lots has been assessed.

It has been assumed for the purpose of this site suitability report that the lots will contain four-bedroom residential units. In reference to TP58 Section 6.3.1, it is recommended that the design occupancy of six people is adopted for this report.

8.1.3 **Design Flow Volumes**

It is assumed that the proposed residential units will be designed with standard water reduction fixtures. AS/NZS1547 estimates wastewater generation for roof water collection supply properties of 145 litres/person/day.

Total daily wastewater generation of the proposed development is calculated as follows;

Total daily wastewater generation = Daily occupancy number \times design flow allowances

 $= 6 persons \times (145 litres/person/day)$

= 870 litres/day

Design flows of 870 litres per day for a three-bedroom household has been adopted for the purpose of this assessment.

8.1.4 **Effluent Disposal**

Effluent disposal systems will need to be situated to avoid surface runoff or protected by using interception drains. In addition, site restrictions listed in Section 9.1 of this report will need to be adhered to, to ensure a suitable setback from the identified overland flow paths, boundaries and buildings.

Standard separation distances can be applied with regard to site slope, which is below 10° on all four lots assessed.

8.1.5 Land Disposal System Sizing and Design

The suitable potential building areas on are on raised ground. With allowances for the required setback distances associated with the Regional Plan, there are various suitable effluent disposal locations.

The soils encountered onsite are AS/NZS 1547 Category 6 (medium to heavy clay). For these soils we consider that subsurface dripper lines are suitable. Dripper lines require secondary treated effluent to operate effectively. For Category 6 soils AS/NZS 1547 recommends a design irrigation rate of 2mm/d. We have adopted an irrigation rate of 2 mm/d.



The total length of the trickle irrigation system required (UniBioline or similar) is calculated as follows:

Total area of dripper irrigation field =
$$\frac{Total\ daily\ wastewater\ generation}{Design\ irrigation\ rate}$$

$$= \frac{870}{2}$$

$$= 435 m^2$$

The appended drawing indicates there is space available for this dripper field area and a 100% reserve area.

8.1.6 Treatment Plant Design Sizing

The naming of a proprietary secondary treatment plant will be decided by the new owner at the building consent stage, when the position and scale of the building are known.

The system is to meet the quality output of AS/NZS 1546.3: 2003, producing effluent of less than 20 g/m 3 of 5-day biochemical oxygen demand (BOD $_5$) and no greater than 30 g/m 3 total suspended solids (TSS) at the estimated wastewater generation rate for the proposed development.

8.1.7 **Effects on Environment**

It is not likely that any detectable environmental effects will arise from utilising dripper irrigation greater than 3.0 m from the disposal field. Use of the secondary treated effluent for dripper irrigation would enhance landscape vegetation growth particularly during the drier summer months. Considering the size of the assessed lots and the vegetation coverage, there is a negligible risk of off-site effects and cumulative effects. This includes the wetland reserve area to the west of the property, as all disposal fields will be located at a greater set back distance from overland flow paths than the minimum required.

To minimise any potential issues, regular inspections and servicing of the treatment plant and disposal field should be completed. Along with the appropriate inspections and approvals prior to plant commissioning.

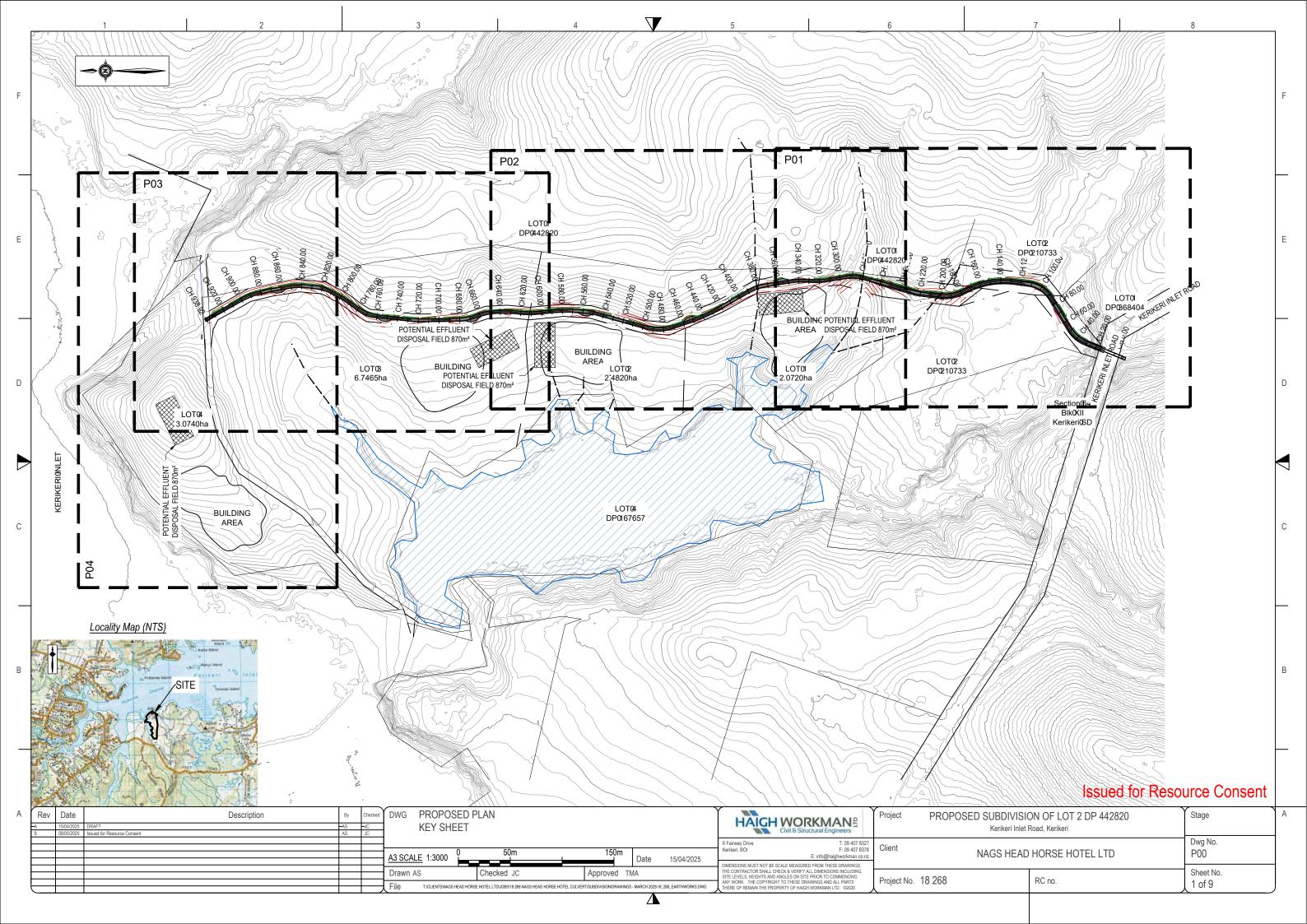
The disposal field locations indicated by the appended drawings have taken into account the appropriate separation distances.

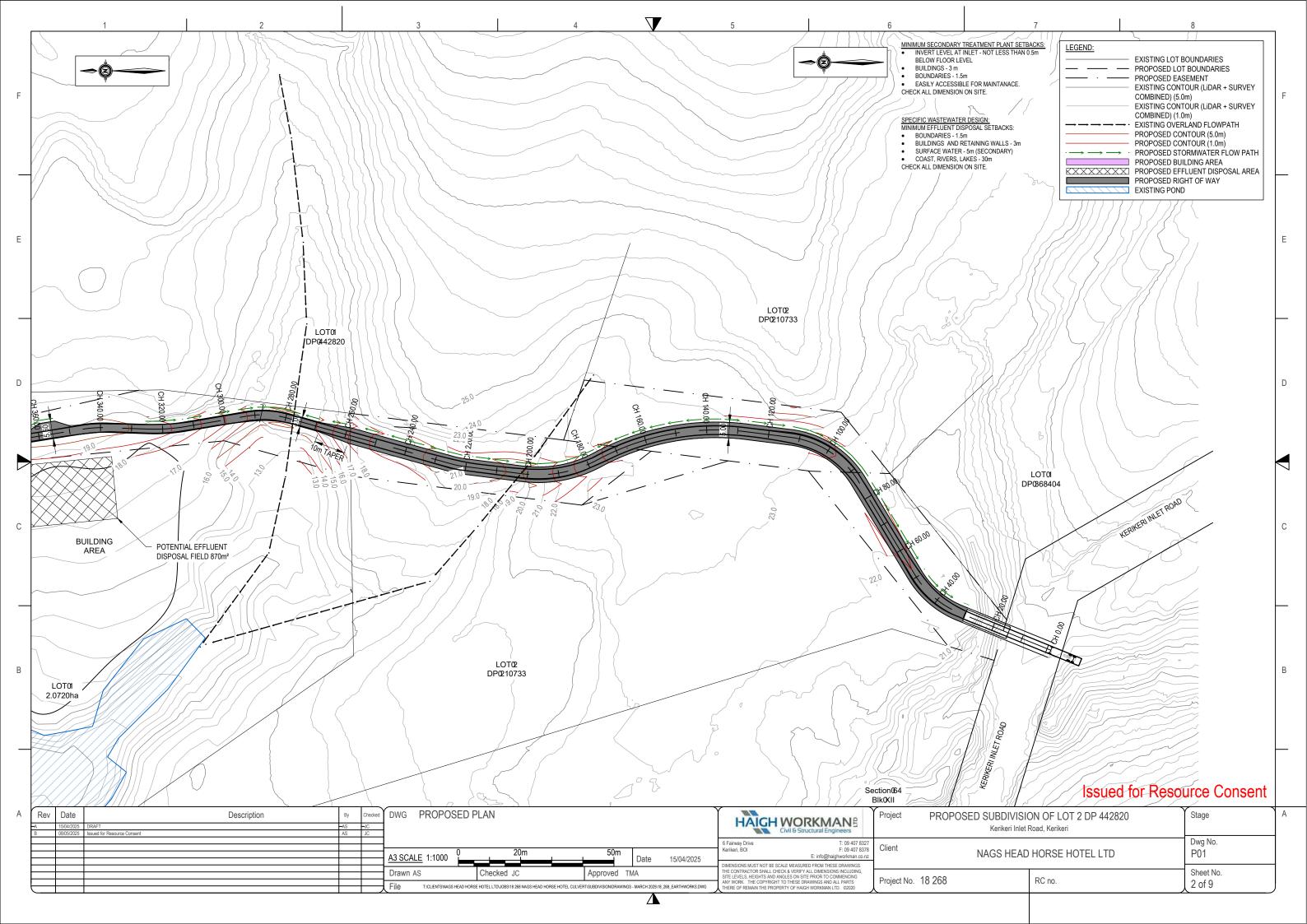
Effects on the environment can be further mitigated by the planting of suitable plant species in the disposal filed.

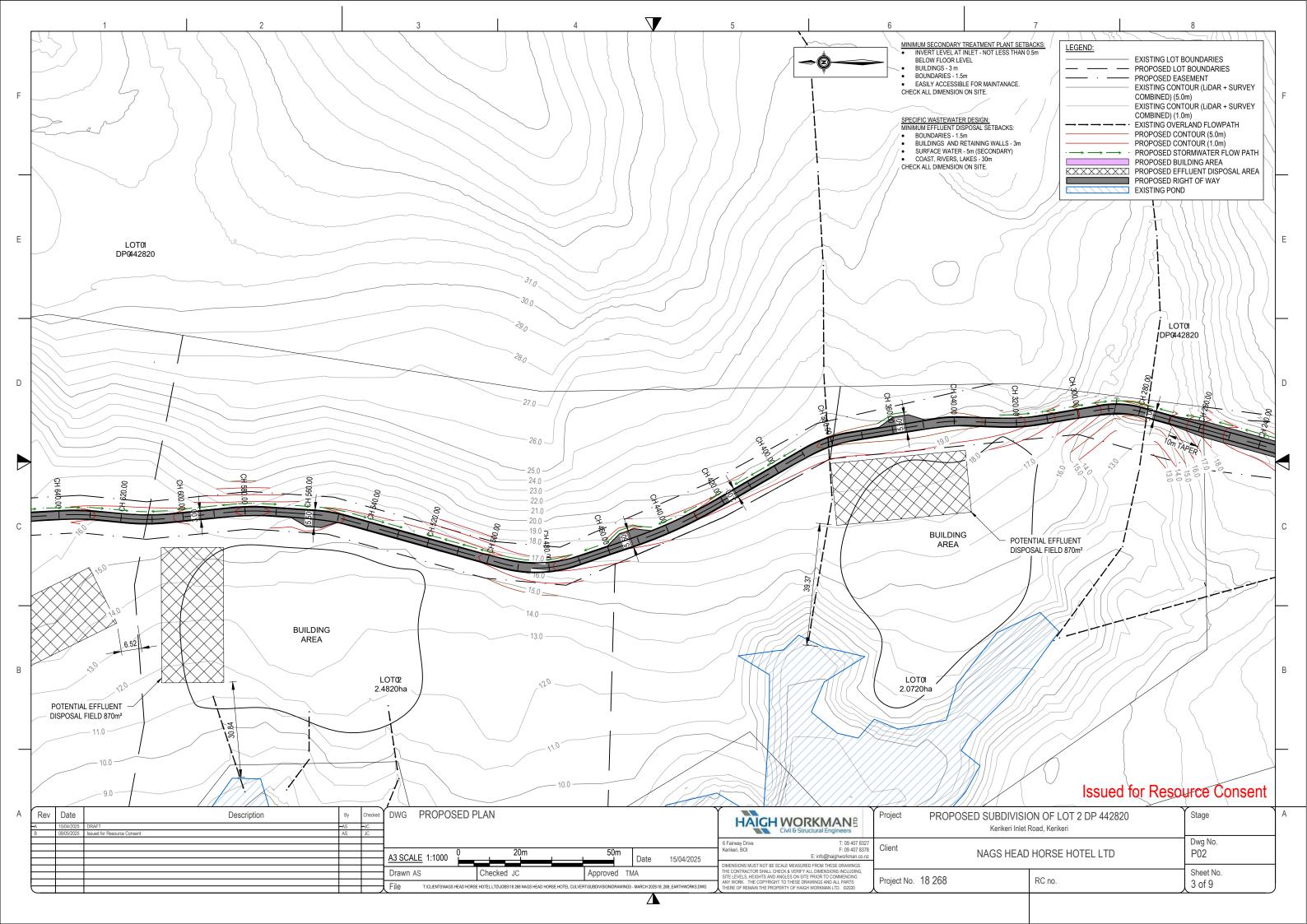


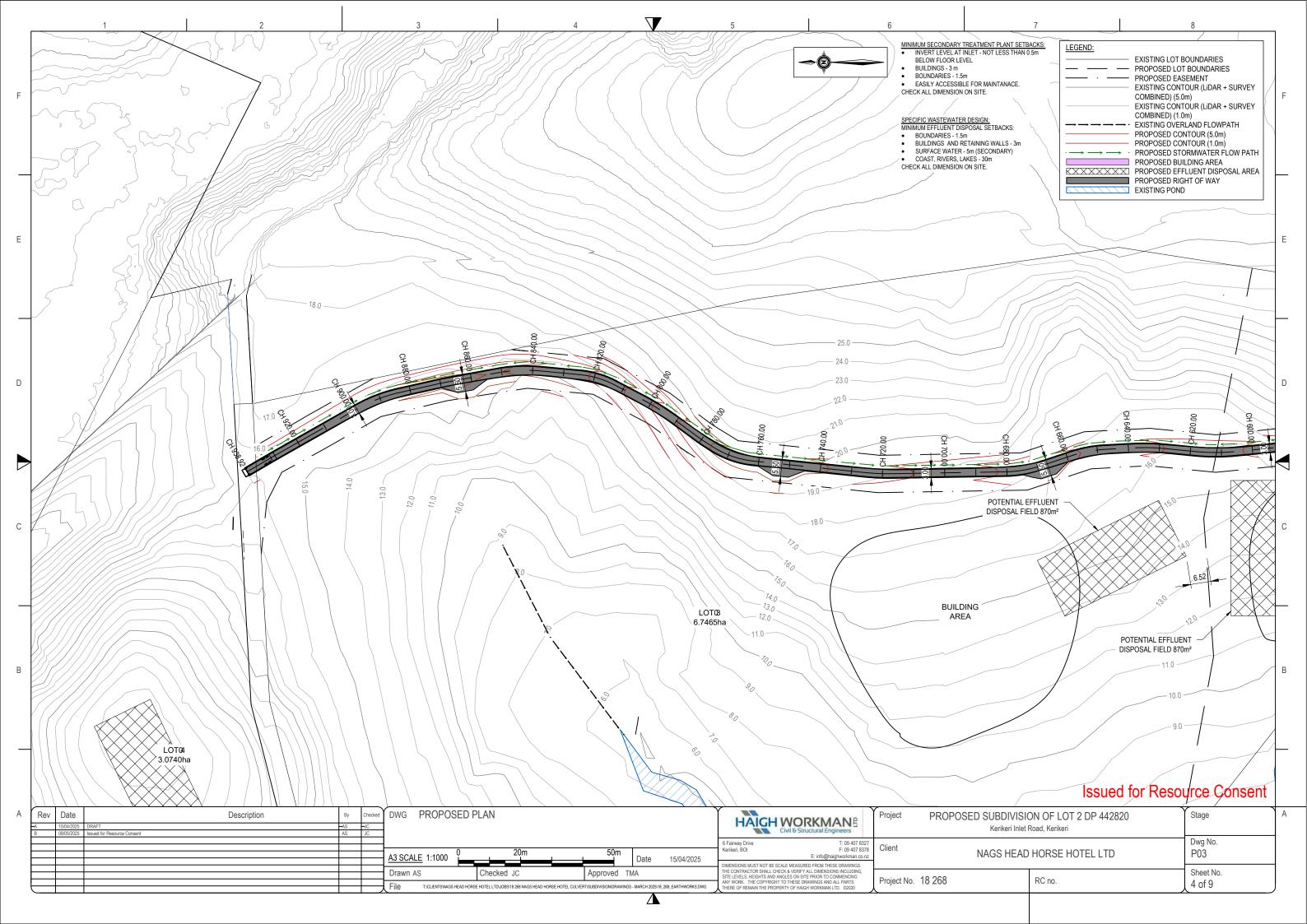
Appendix A – Drawings

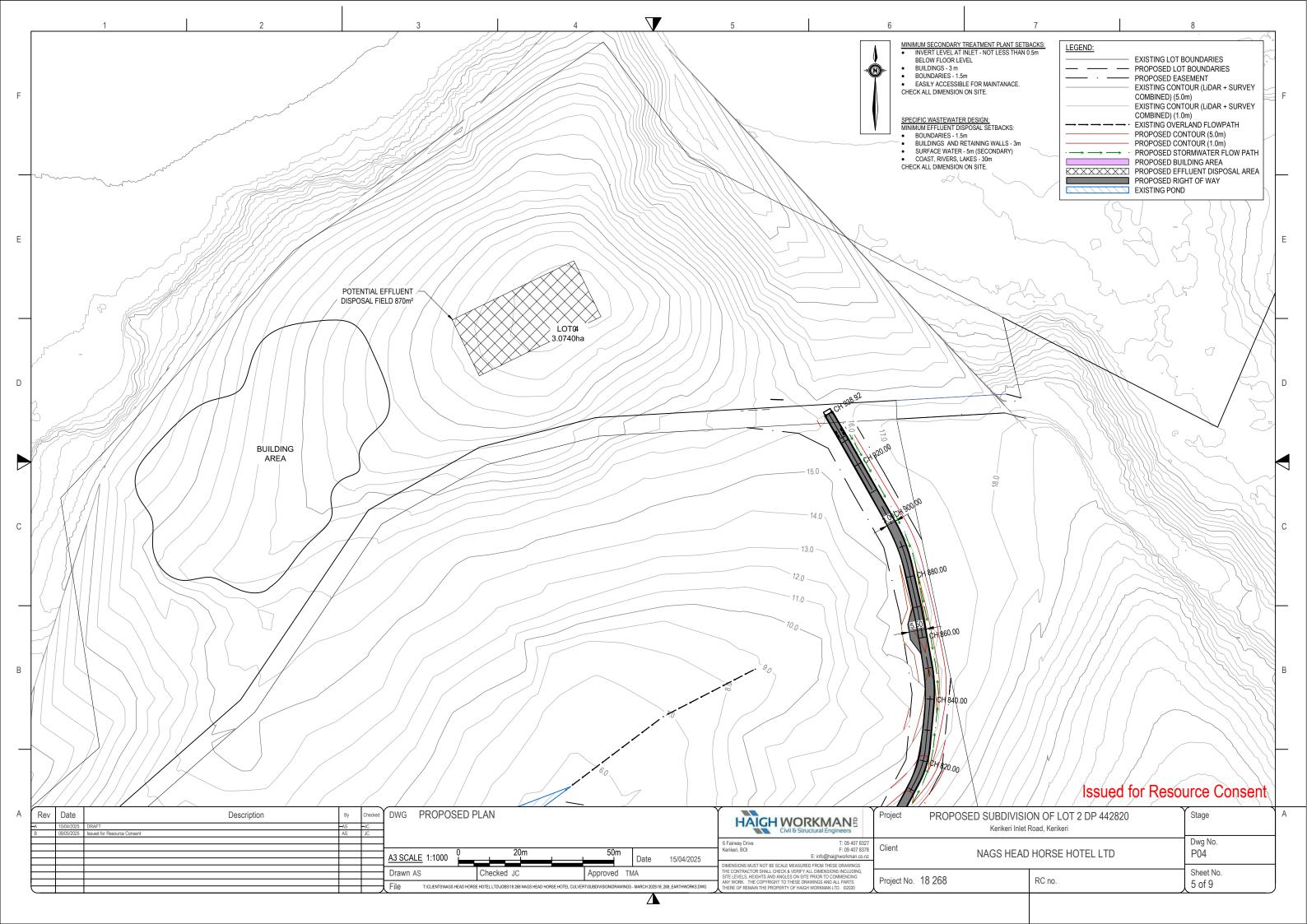
Drawing No.	Title	Scale
18 268/P00- 09	Haigh Workman – Proposed Plan	Various
18 268/SW01	Haigh Workman - Level Spreader Details	N.T.S
24467	Williams and King – Proposed Subdivision Lot 2 DP 442820	1:3000 @A3

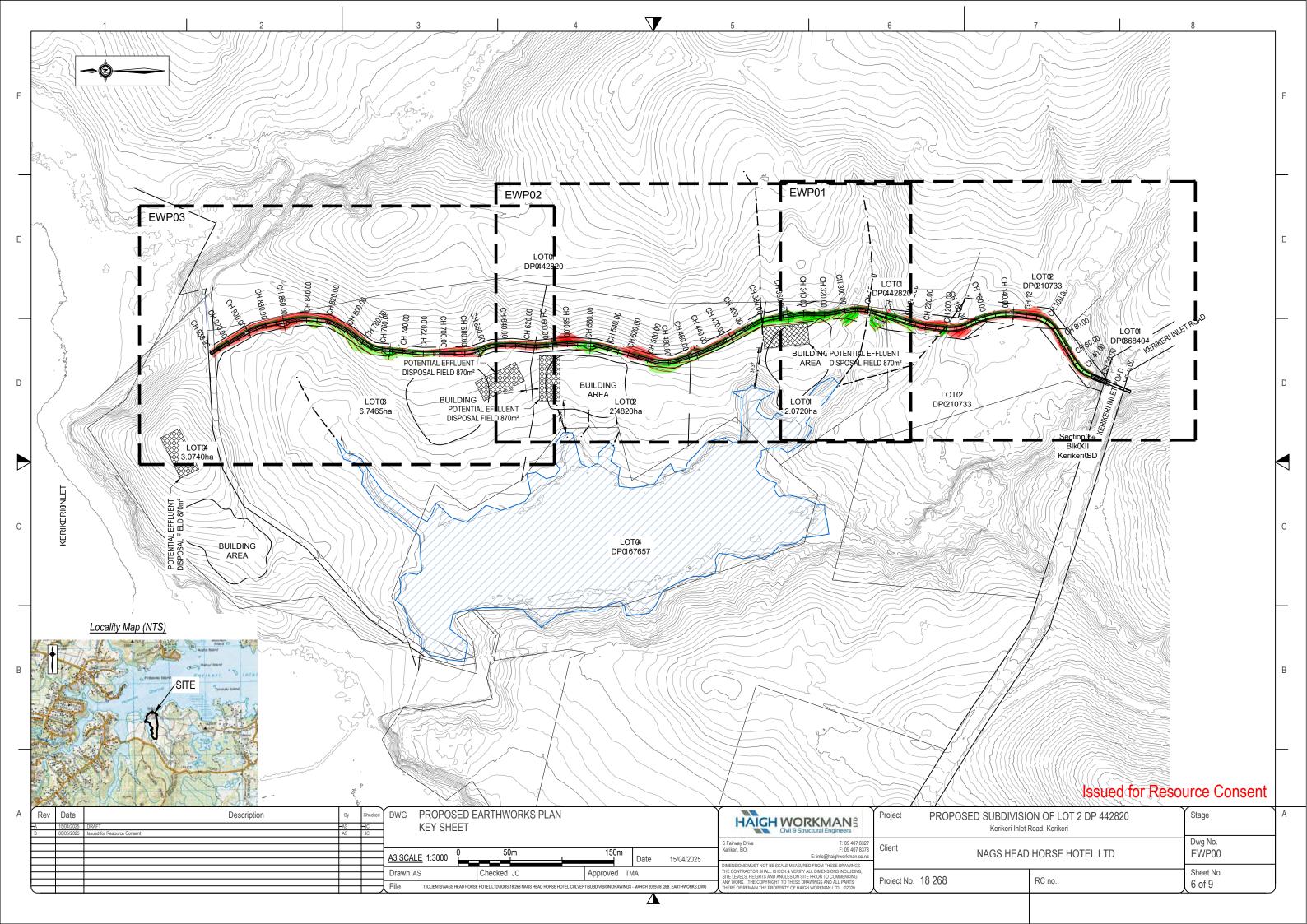


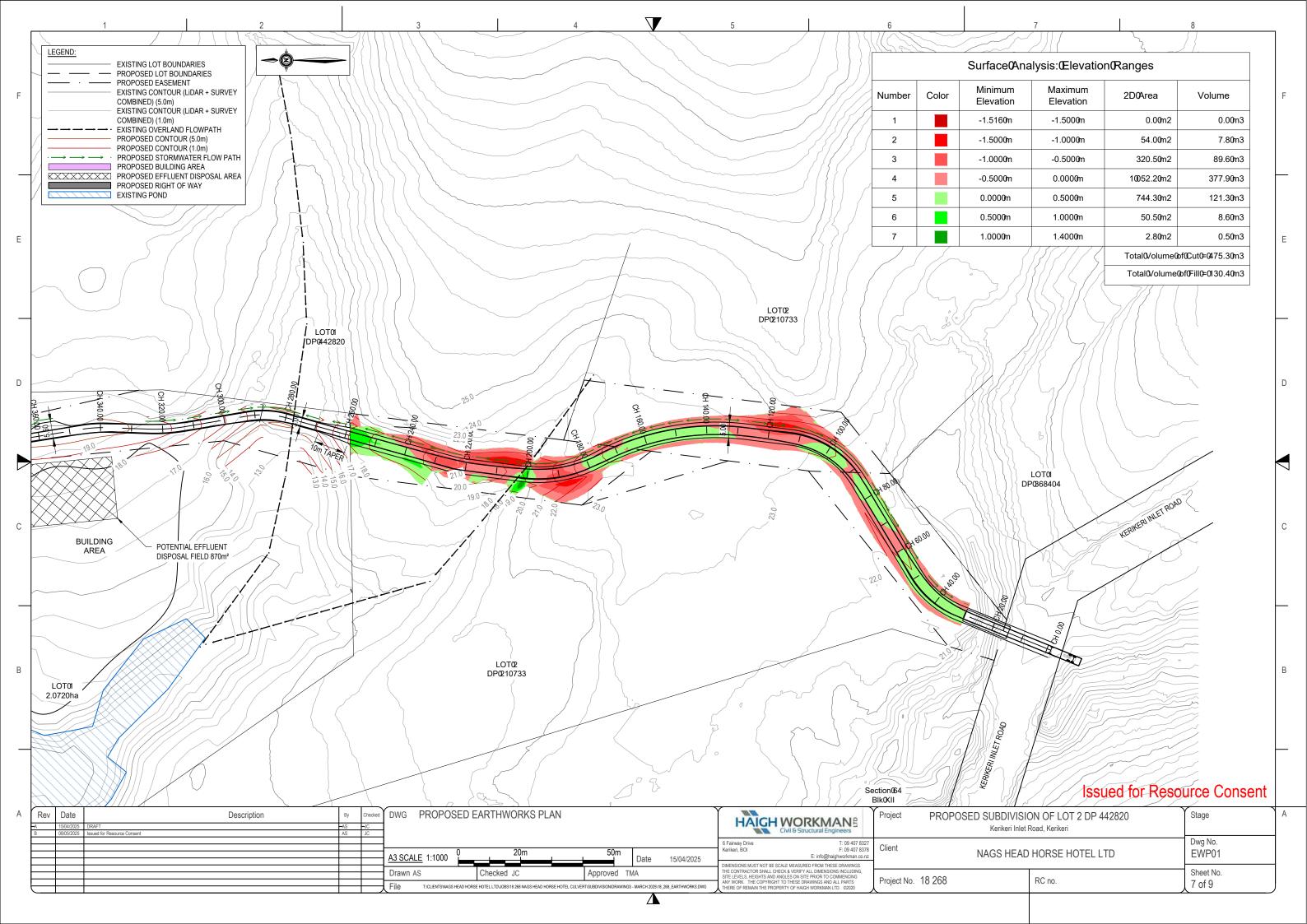


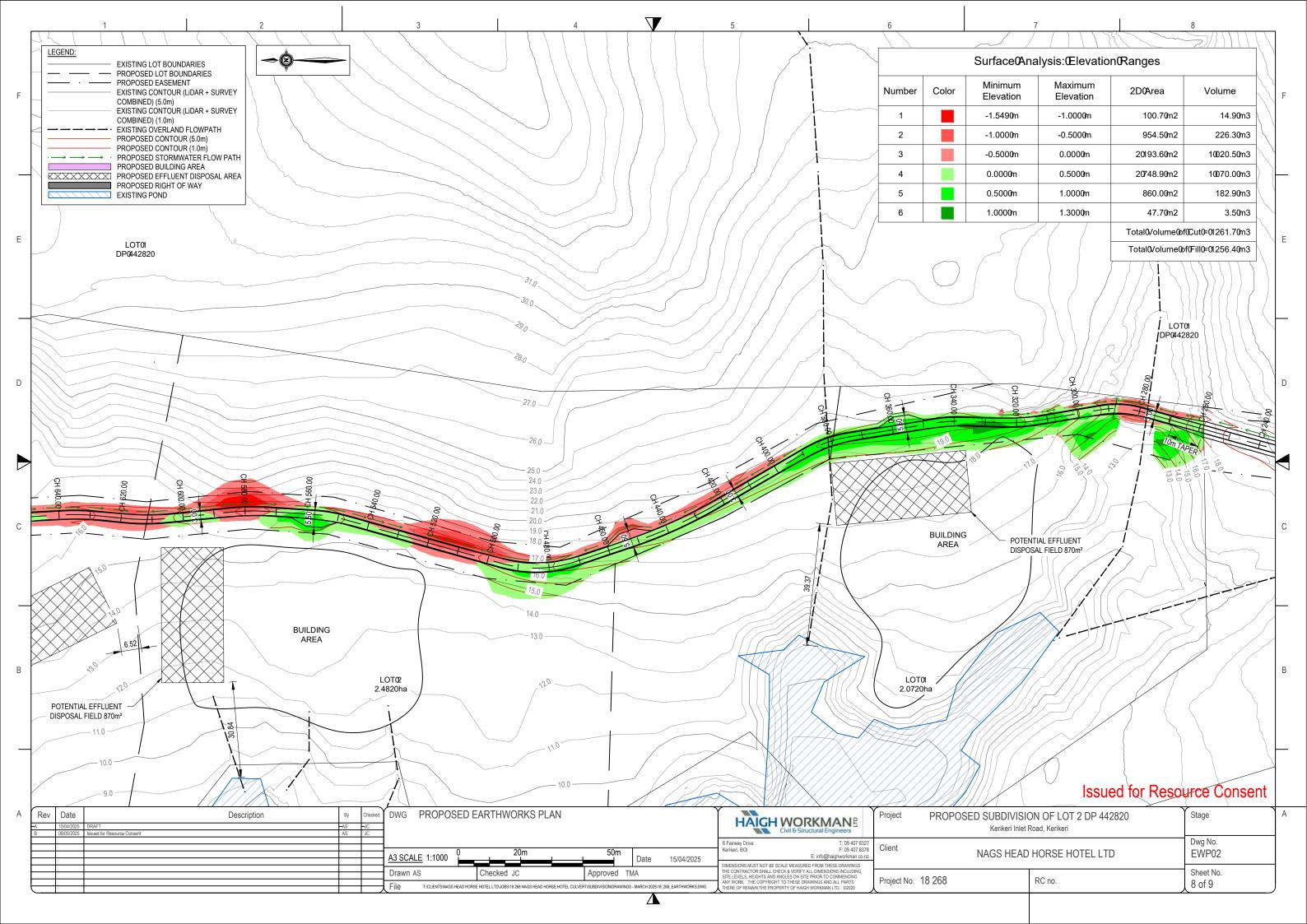


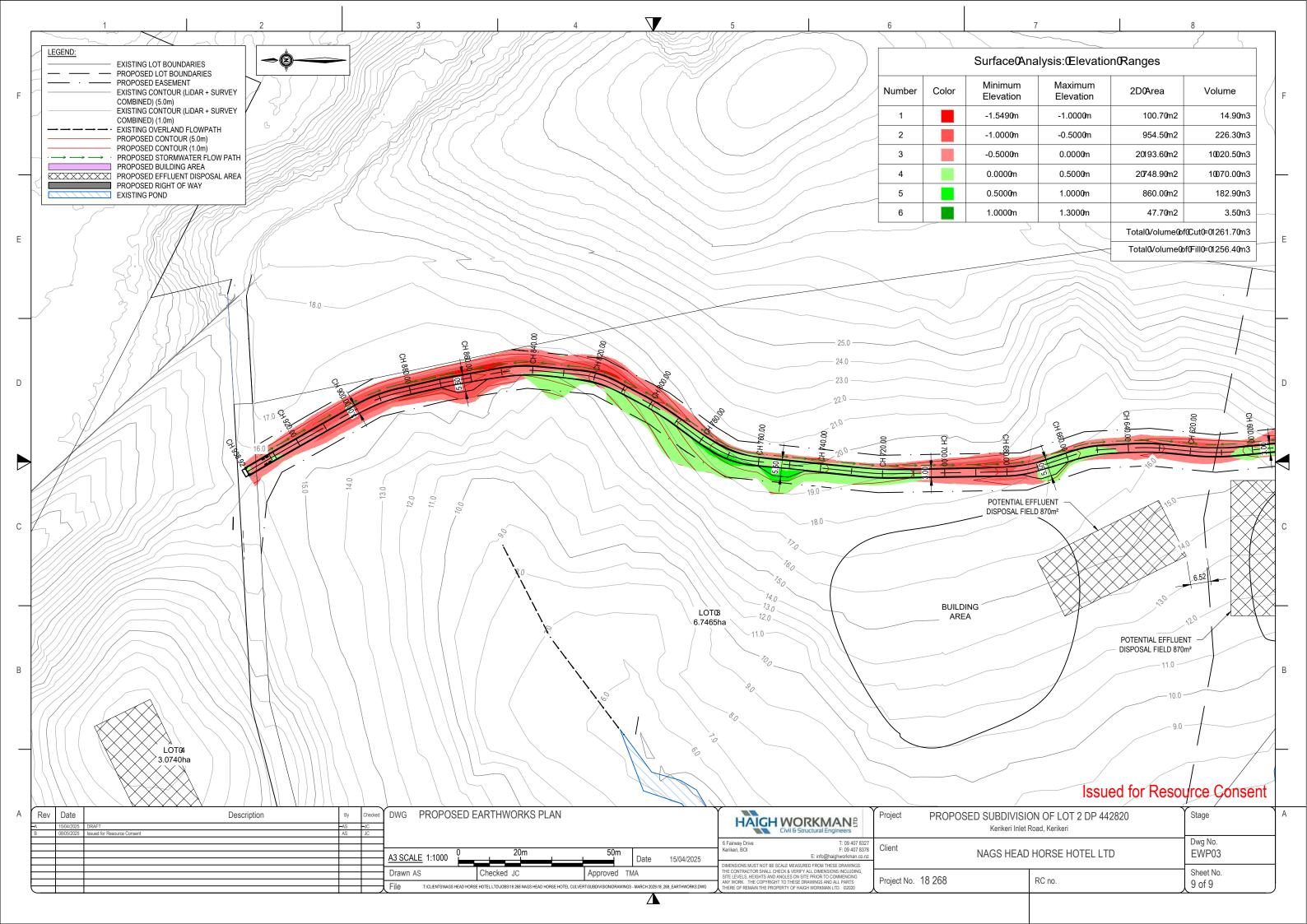


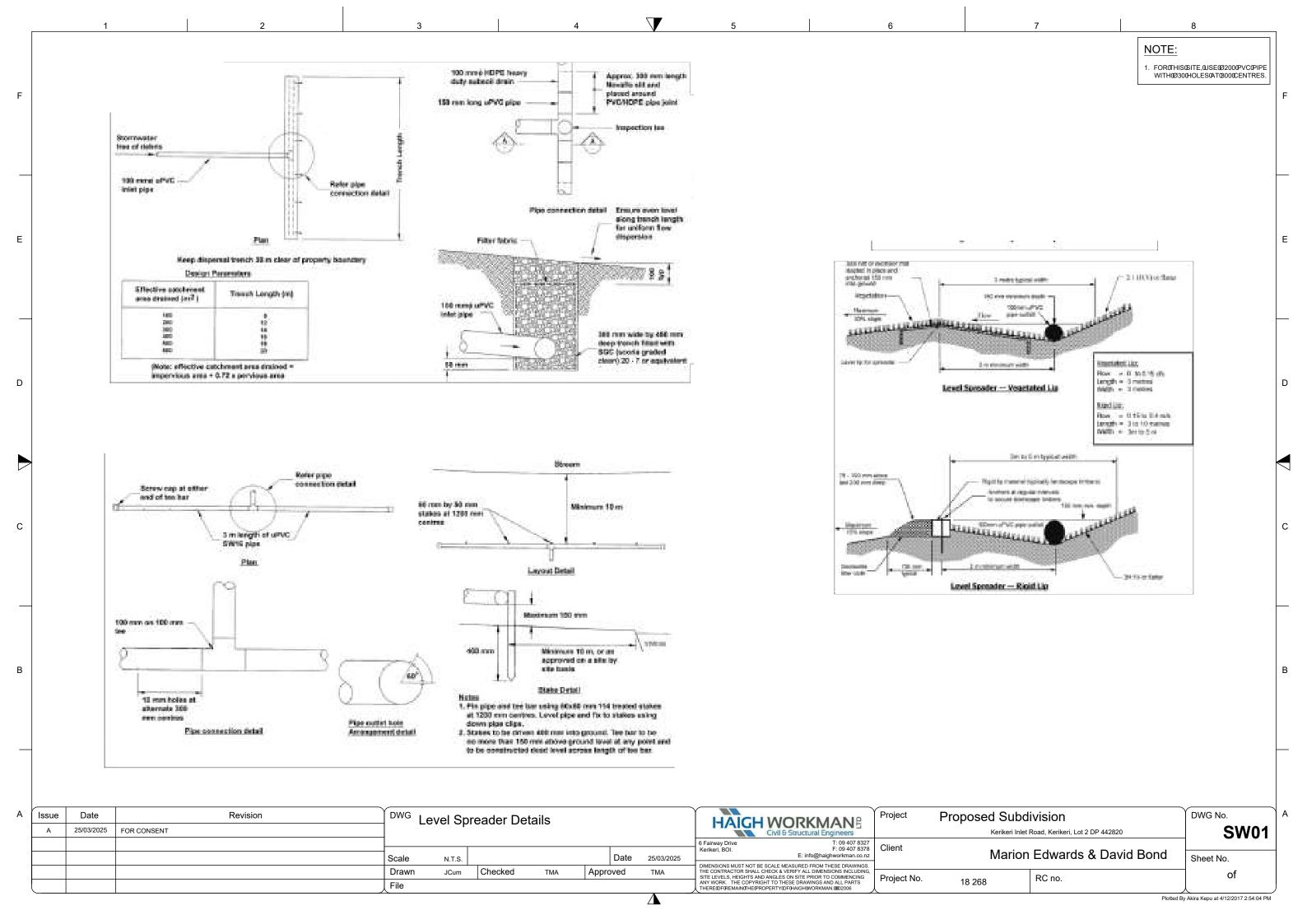


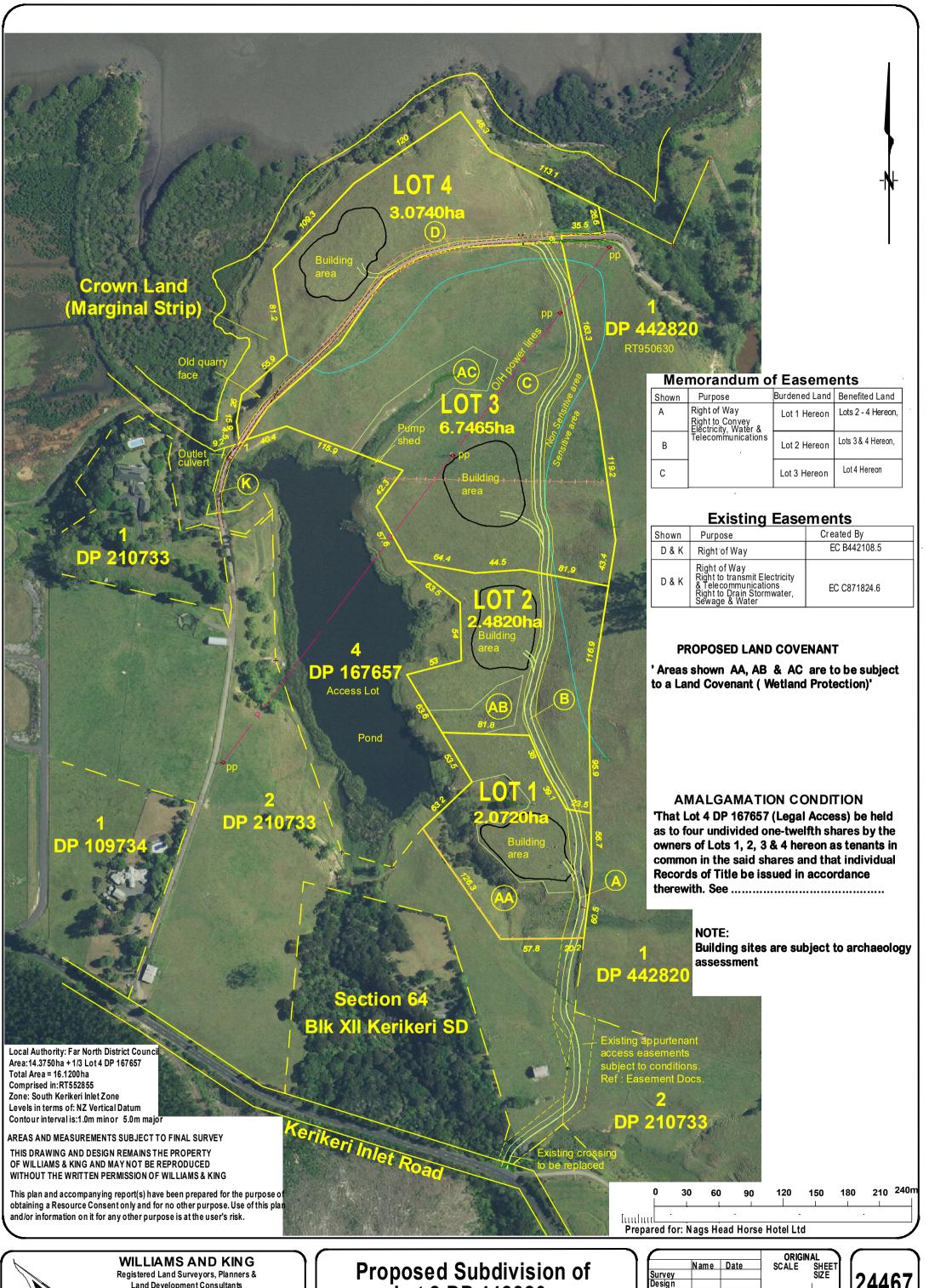














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Appendix B – Borehole Logs



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Borehole Log - BH01 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD: Date Started:** LOGGED BY: PS Hand Auger 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Graphic Vane Shear and Geology Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, dark brown, dry 0.0 10 15 20 亚亚 2 11/ 0.4m: silty CLAY, light brown with occasional light grey streaks, medium plastic, Encountered moist [Waipapa Group] 0.5 Groundwater Not Group 1.0m: clayey SILT, light grey with light brown and orange streaks, low plastic, 1.0 231 moist [Waipapa Group] 1.5 231 End of bore - 2.0 m (target depth achieved) 2.0 231 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH02 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD: Date Started:** LOGGED BY: PS Hand Auger 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Geology Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 0.25m: clayey SILT, orange and light brown, low plastic, dry [Waipapa Group] Groundwater Not Encountered 0.5 From 0.7m: light grey, orange and light brown End of bore - 1.0 m (hard material encountered) 1.0 231 1.5 2.0 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH03 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD: Date Started:** LOGGED BY: PS Hand Auger 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Geology Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, dark brown, moist 0.0 10 15 20 0.2m: TOPSOIL with clay, dark brown with orange and dark brown material **Groundwater Not Encountered** 0.5 0.7m: clayey SILT, light brown with light grey and orange streaks, low plastic, moist [Waipapa Group] 1.0 231 End of bore - 1.5 m (hard material encountered) 1.5 231 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH04 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** Hand Auger **Date Started:** LOGGED BY: PS 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 0.2m: silty CLAY, light brown with occasional light grey streaks, medium plastic moist [Waipapa Group] Encountered 0.5 **Groundwater Not** 1.0 231 1.1m: clayey SILT, light grey with light brown bands and orange mottles, low plastic, moist [Waipapa Group] 1.5 231 End of bore - 2.0 m (target depth achieved) 2.0 231 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH05 JOB No. 18 286 Hole Location: Refer to Site Plan CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** Hand Auger LOGGED BY: **Date Started:** PS 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Graphic Sensitivit Vane Shear and Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, dark brown, dry 0.0 10 15 20 **Groundwater Not Encountered** 0.2m: silty CLAY, light brown with occasional light grey streaks, medium plastic, moist [Waipapa Group] 0.5 Group 1.0 231 ipapa 1.2m: clayey SILT, light brown and light grey, low plastic, moist [Waipapa 1.5 231 End of bore - 2.0 m (target depth achieved) 2.0 231 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH06 JOB No. 18 286 Hole Location: Refer to Site Plan CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** Hand Auger LOGGED BY: **Date Started:** PS 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 0.2m: silty CLAY, light brown with occasional orange streaks, medium plastic, moist [Waipapa Group] 0.5 0.9m: silty CLAY, light brown with light grey bands and red and orange streaks, Groundwater Not Encountered 1.0 medium plastic, moist [Waipapa Group] 231 Group 231 Waipapa 231 231 2.5 From 2.7m: light brown with orange streaks 31 End of bore - 3.0 m (target depth achieved) 3.0 LEGEND Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH07 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** LOGGED BY: **Date Started:** PS Hand Auger 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Geology Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 111 0.3m: silty CLAY, light brown, medium plastic, moist [Waipapa Group] 0.5 **Encountered** 1.0 231 1.3m: clayey SILT, light brown with light grey streaks, low plastic, moist [Waipapa Group] **Groundwater Not** From 1.5m: light grey with occasional orange streaks 1.5 31 2.0 161 From 2.5m: light grey with occasional orange streaks and light brown mottles 231 31 End of bore - 3.0 m (target depth achieved) 3.0 LEGEND Corrected shear vane reading TOPSOIL CLAY GRAVEL Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH08 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** Hand Auger **Date Started:** LOGGED BY: PS 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Sensitivit Vane Shear and Geology Water Level Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 0.2m: silty CLAY, light brown with occasional red streaks, medium plastic, Groundwater Not Encountered Group moist [Waipapa Group] 0.5 231 0.6m: clayey SILT, light brown, light grey and red, low plastic, moist [Waipapa Group] End of bore - 0.9 m (hard material encountered) 231 1.0 1.5 2.0 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



Geotechnical Assessment Report

Lot 2 DP 442820, Kerikeri Inlet Road For Nags Head Horse Hotel

Haigh Workman reference 18 268

May 2025





1 Revision History

Revision Nº	Issued By	Description	Date
A	Philippe Szyncel	First Issue	May 2025

Prepared By

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Senior Geotechnical Engineer MEngNZ Reviewed By

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Executive Summary

Haigh Workman Ltd (Haigh Workman) has been engaged by Nags Head Horse Hotel to carry out a geotechnical investigation for the proposed four lot subdivision at Lot 2 DP 442820, Kerikeri Inlet Road.

This report contains information required for proposed earthworks, as well as outlining geotechnical design aspects that need to be considered for subsequent building design and subdivision construction.

The soils directly underlying the site comprise by very stiff Waipapa Group consisting of silts and clays of variable plasticity. As per results of laboratory testing, the underlying natural residual soils are considered susceptible to volume change and variations of moisture content and can be designated as moderately expansive Class M (in accordance with B1/AS1).

Building setback lines from steep slopes have been set out as shown on the attached site plan in Appendix A. We confirm the location of the building platforms respect the setback requirements.

Foundation soils lie outside the definition of 'good ground' in NZS3604:2011 due to the presence of expansive clay soils where Class M is recommended. Shallow foundations may be utilised found within the very stiff Waipapa Group or engineered fill where an ultimate bearing capacity of 300 kPa can be achieved, subject to site specific testing at the building consent stage.

We recommend cuts to be limited to a maximum height of 2.0 m and battered at a maximum gradient of 18 degrees (1V:3H). We recommend the proposed dwelling to be positioned on cut virgin ground. Filling as part of building platform construction can be considered but will be subject to specific engineering design. Filling greater than 1.0 m will be subject to specific settlement analysis.

Subject to design considerations in Sections 5,6 and 7, each proposed residential lot is considered to have a building platform area suitable for residential development subject to specific geotechnical assessment and foundation design due to the presence of expansive soils and sloping ground. Refer to Section 8 for the summary of specific site investigations and foundation design requirements.



1 Introduction

1.1 Project Brief and Scope

Haigh Workman Ltd (Haigh Workman) has been commissioned by Nags Head Horse Hotel to prepare a geotechnical assessment report for the proposed four lot subdivision at Lot 2 DP 442820, Kerikeri Inlet Road.

The scope of this report encompasses the geotechnical suitability in the context of the proposed development as defined in our Short Form Agreement dated 18/12/2024. This appraisal has been designed to assess the subsoil conditions for earthworks and identify geotechnical constraints for the proposed development. As part of this assessment, the following work has been undertaken:

- A walkover inspection of the site with surface mapping of the geomorphological features;
- Reference to geological maps to assess the underlying geology and subsoil conditions;
- Intrusive site investigation for evaluation of subsurface conditions.

This report summarises our findings and recommendations and may be used in Civil design and to support Consent applications to Far North District Council and Northland Regional Council.

The principal objectives of the investigation are to develop geotechnical models of the site so that geotechnical constraints to the proposed development can be identified and to provide assurance to Council that stable building platforms are available or can be made available to support the proposed development.

2 Site Description and Proposed Development

2.1 General

Legal Description: Lot 2, DP 363205

Site Area: 14.375 Ha

The site comprises of paddocks and is located adjacent to the coast of the Kerikeri Inlet. There is also a lake along the southern boundary of the proposed subdivision. Gradients across the site are majorly gentle up to 12 degrees. Steep slopes in the magnitude of 60 degrees are present along the coast of the Kerikeri Inlet and along the lake side. Steep slopes are also present along the eastern boundary of the site. Slopes across the proposed building platform locations and vicinity areas are gentle and up to 8 degrees.

There is a high point knoll within proposed Lot 4 which trends south westward towards the proposed platform location for Lot 4. Located approximately 26 m further downslope from the proposed building platform are steeper slopes with signs of ground movement observed through hummocks and terracettes. Refer to Figure 1 depicting the area with land movement observed. There are also steep coastal slopes located approximately 35 m north west of the building platform for Lot 4 which will require consideration.



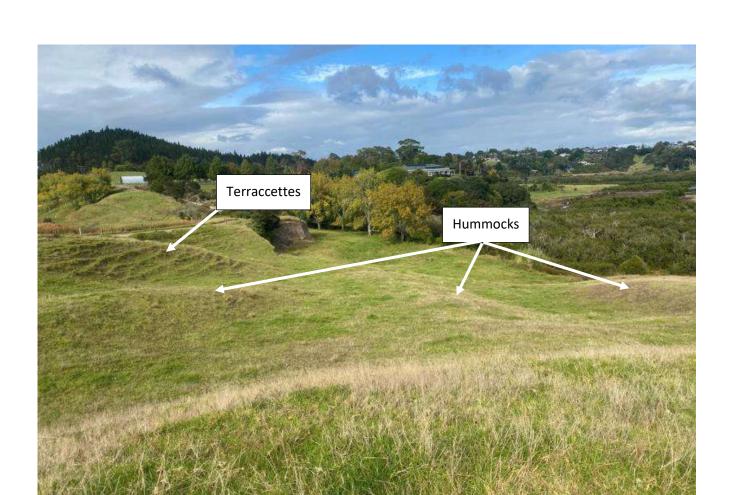


Figure 1: Ground Movement Observed South West of the Building Platform Location for Lot 4

The remainder building platforms of the subdivision are located on flattish ground at the base of the steep slopes along the eastern site boundary. Multiple overland flow paths were observed throughout the site and the presence of reeds were observed concentrated at proposed Lot 2 suggesting a higher groundwater table. A QGIS assessment was conducted to outline the geomorphological features as seen in the figure below.



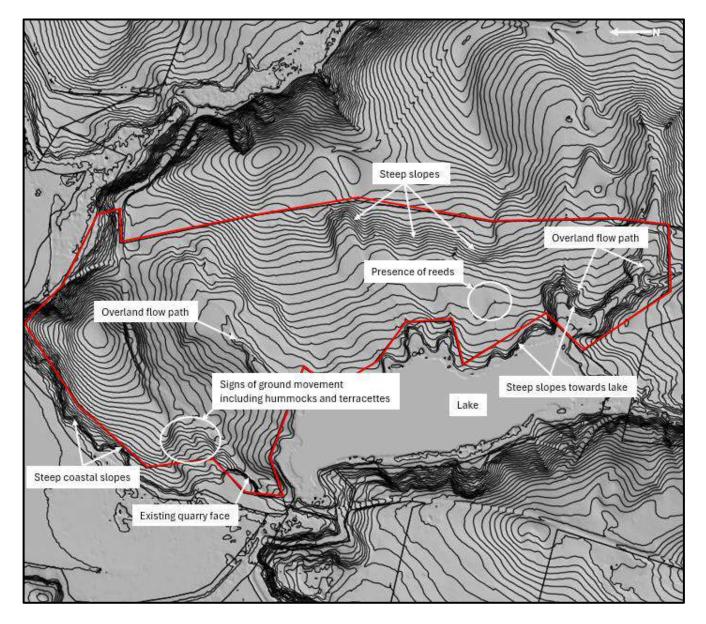


Figure 2: QGIS Extract

2.2 Proposed Development

Based on the subdivision scheme plan prepared by Williams and King, Ref. 24467, dated January 2025, it is understood that the proposed development works involve the creation of 4 residential lots with areas ranging from 2.072 Ha to 6.7465 Ha. Refer to Appendix C for the subdivision scheme plan.

3 Geology

The published GNS geology map indicates geology for the area as Waipapa Group and described as 'massive to thin bedded, lithic volcaniclastic metasandstone and argillite, with tectonically enclosed basalt, chert and siliceous argillite' as shown in Figure 3.



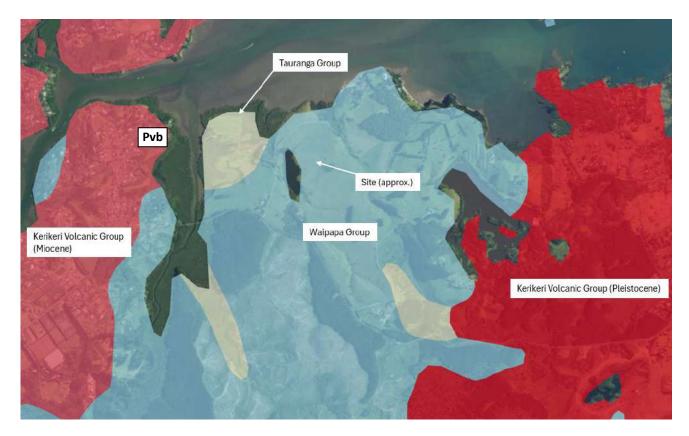


Figure 3: Geological Map Extract

Further reference to the published New Zealand Land Inventory maps (Whangaroa – Kaikohe), indicates the site is underlain by 'interbedded sandstone and mudstone (greywacke and argillite): blue-grey quartz feldspar greywacke sandstone, thinly to thickly interbedded with dark grey argillite mudstone, with minor chert, quartzite and volcanic (spilite) beds, closely fractured and quartz veined, and locally very siliceous; hard to very hard. Weathered to soft, brown, sandy clay with harder cores to depths of 30 m.

4 Geotechnical Investigations

4.1 Subsoil Investigations

Haigh Workman undertook geotechnical investigations on 12 March 2025. The investigations comprised a site walkover, the drilling of 8 hand auger boreholes (BH01 to BH08) and six cone penetration tests (CPT1-CPT6). All testing logs can be found in Appendix B.

The hand auger boreholes were drilled to depths of between 0.9 and 3.0 metres below ground level (mbgl). Investigations were logged in accordance with The New Zealand Geotechnical Society, "Guidelines for the Field Classification and Description of Soil and Rock for Engineering Purposes" (2005). Investigation locations are shown on the drawings in Appendix A. All shear strengths shown on the appended logs are Vane Shear Strengths in accordance with the NZGS; "Test Method for determining the Vane Shear Strength of a Cohesive Soil using a Hand-held Shear Vane", 2001.



Cone Penetrometer Tests (CPT) were put down utilising a track-mounted drilling rig with continuous data output throughout the exploratory holes to depths of 3.432 m and 15.747 mbgl. CPT's were formed to profile the ground model for the site at critical locations to assist in our geotechnical assessments.

4.2 Ground Conditions

Based on the results of the geotechnical investigation conducted by Haigh Workman and review of published geological maps, it is considered that the soils directly underlying the site to comprise of very stiff to hard Waipapa Group soils. The Waipapa Group consisted of silts and clays of variable plasticity. Select hand auger boreholes terminated early due to the encounter of a hard material. CPT testing terminated due to encounter of hard material resulting in anchor failure, high friction, and/or high tip pressure.

The ground surface across the development area and surrounding slopes is based on contours from topographical survey information and LiDAR contours from LINZ data service. Geological cross sections are included within Appendix A.

Subsoil conditions on the site have been interpolated between the boreholes, therefore some variation between test positions are likely. The table below summarises the materials encountered in the hand auger boreholes. Should the location of the proposed building platforms be amended, further testing and assessments may be required to confirm the ground model.



Table 1: Hand Auger Borehole Summary

		Very Stiff	Hard Waipapa	Groundwater	
Test I.D. Topsoil Wai		Waipapa Group	Group	Observations	
BH01	0.0 – 0.4 m	0.4 – 2.0 m	NE	Moist. Groundwater	
PUOT		0.4 – 2.0 m	INE	not encountered	
BH02	0.0 – 0.25 m	0.25-1.0 m	>1.0	Moist. Groundwater	
BIIOZ	0.0 - 0.25 111	0.25-1.0 111	(E.O.B)	not encountered	
ВН03	0.0 –0.2 m	0.2-1.5m	>1.5	Moist. Groundwater	
51.05	0.0 0.2 111	0.2 1.5111	(E.O.B)	not encountered	
BH04	0.0 – 0.2 m	0.2-2.0m	NE	Moist. Groundwater	
	0.0 0.2 111	0.2 2.0		not encountered	
BH05	0.0-0.2m	0.2-2.0m	NE	Moist. Groundwater	
		0.2 2.0		not encountered	
ВН06	0.0 – 0.2 m	0.2-3.0 m	NE	Moist. Groundwater	
				not encountered	
ВН07	0.0 – 0.3m	0.3-3.0m	NE	Moist. Groundwater	
				not encountered	
BH08	0.0 – 0.2 m	0.2-0.9m	>0.9	Moist. Groundwater	
			(E.O.B)	not encountered	
CPT01	NA	NE	0.0-12.29m	Groundwater not	
			(E.O.B)	encountered	
CPT02	NA	NE	0.0-8.19 m	Groundwater not	
			(E.O.B) 0.0-10.97 m	encountered Groundwater not	
СРТ03	NA	NE	0.0-10.97 m (E.O.B)	encountered	
			2.2-3.43 m	Groundwater not	
CPT04	NA	0.0-2.2 m	(E.O.B)	encountered	
			13.0- 15.74 m	encountered	
CPT05	NA	0.0-13.0 m	(E.O.B)	11.0	
			0.0-3.82 m	Groundwater not	
СРТ06	NA	NE	(E.O.B)	encountered	
	l	i l		000 000	

^{*}NE = Not Encountered. NA= Not Applicable E.O.B = End of Borehole.

4.2.1 Topsoil

Topsoil was encountered across the site testing ranging in depth between 0.2 m and 0.4mbgl.

4.2.2 Waipapa Group

Fine-grained residual soils were encountered underlaying topsoil across the development site. The hand auger boreholes encountered very stiff Waipapa Group soils with vane shear strengths exceeding dial readings up to termination depth. CPT testing outlined the extent of the hard Waipapa Group soils.

4.2.3 Groundwater Conditions

Groundwater was not encountered during investigation except for CPT05 test with a groundwater depth measured at 11.0 mbgl. Groundwater standpipes were not installed, and no further groundwater monitoring has been undertaken. Groundwater levels can and do fluctuate and higher groundwater levels may be encountered following periods of prolonged or heavy rainfall.



5 Geotechnical Assessment

5.1 Slope Stability Assessment

5.1.1 General

Due to the presence of steep slopes located 35 m north west and 26 m south west of the proposed building platform for Lot 4, a quantitative stability assessment was conducted to ensure that adequate factors of safety are achieved for residential development.

Steep slopes in the form of a short steep slope to the lake are present downslope of the proposed building platforms for Lot 1, Lot 2 and Lot 3 where stability advice is provided in Section 5.1.5.

5.1.2 Geological Ground Model

Geological ground models were produced for each lot as seen in Appendix A where ground surfaces were determined by Lidar survey data. The purpose of developing the geological ground models was to assess the overall global stability. Stability outputs for all scenarios are included within Appendix D, with geological ground models included within Appendix A. The parameters for the soil strata were interpreted based on back-analysis conducted on the critical cross-section B-B' and the results of the soil testing completed during investigation.

5.1.3 Seismic Hazard

In accordance with MBIE (Module 1, Table A1), the mean hazard value for Northland of 0.13g has been adopted and the lower-bound PGA of 0.19 g has also been modelled to ensure there are no step changes in overall performance, i.e. failure surfaces do not result in catastrophic failure.

5.1.4 Modelling Philosophy

Slope stability analyses were undertaken using computer software by Rocscience, Slide2 (Version 9.028). The criteria adopted for assessing the global stability is outlined in Table 2 below.

Groundwater conditions have been modelled using a phreatic surface. The slide model was developed based on the proposed development with its typical associated surcharge. The stability analysis indicates the site has adequate stability for development provided a suitable setback distance from the steep slopes is established. The design factors of safety required post development are provided in Table 2.

Table 2: Design Factors of Safety (FOS)

Load Case	Design Factor of Safety
Static groundwater	≥1.5
Static, elevated groundwater	≥1.3
Seismic, ULS (0.13g)	≥ 1.0

Note: Design Factors of safety taken from Auckland Council – The Auckland Code of Practice for Land Development and Subdivision CH2: Earthworks and Geotechnical.



5.1.5 Stability Analysis Results

Geological cross sections A-A' to B-B' were analysed to assess the stability for the platform of proposed Lot 4. Under seismic conditions, step change behaviour was checked, and we are confirming no step change behaviour was observed at the location of the proposed building platform. The results of the stability assessment are provided in Table 6 below.

Table 3: Stability Results

Section I.D.	Scenario	Result at the platform	Required	Outcome	Notes
A-A'	01 – Normal groundwater	3.0	1.5	ОК	 Slip planes above minimum required factor of safety. Building platform setback of 12.0 m from the steep slopes recommended.
	02 – Elevated groundwater	2.6	1.3	OK	 Slip planes above minimum required factor of safety. Building platform setback of 12.0 m from the steep slopes recommended.
	03 – Seismic (PGA = 0.13g)	1.6	1.0	ОК	 Slip planes above minimum required factor of safety. Building platform setback of 12.0 m from the steep slopes recommended.
В-В'	01 – Normal groundwater	2.3	1.5	ОК	Building platform setback of 7.0 m from steep slopes required.
	02 – Elevated groundwater	1.9	1.3	OK	Building platform setback of 15.0 m from steep slopes required.
	03 – Seismic (PGA = 0.13g)	1.5	1.0	ОК	Slip planes above minimum required factor of safety.

The stability results show acceptable factors of safety can be achieved at the location of the building platform for Lot 4 with the following stability recommendations to be considered:

- For proposed Lot 4, a minimum building platform setback of 15.0 m to be respected from the north west steep coastal slopes we note the current platform location as per our site plan in Appendix A is setback 35 m from the steep slopes and considered suitable.
- While the stability assessment for cross-section A-A' indicates satisfactory stability factors of safety are achieved for the building platform for Lot 4, signs of ground movement were observed (see Figure 1) along the steeper slopes and therefore we consider for a minimum platform setback of 12.0 m from the crest of the steeper slopes to ensure long term ground stability is achieved for the development. We note the proposed building platform is located 26 m away from the crest of the steeper slopes making it a suitable position in terms of ground stability;





- We recommend a minimum building platform setback of 10.0 m to be adopted for slopes exceeding 18 degrees for Proposed Lot 1, Lot 2 and Lot 3.
- Residual soils of the Waipapa Group soils typically exhibit shallow surface movement in the form of soil creep once slopes exceed 14 degrees and therefore we recommend all building platforms to be setback at least 6.0 m from any slopes exceeding 14 degrees. We confirm that all proposed building platform locations have achieved this as per the current platform locations.
- Refer to the site plan in Appendix A depicting the recommended stability setback lines for the site. We confirm that all building platform are located outside of the setback lines.

5.2 Seismic Site Subsoil Category

The site conditions have been assessed to be consistent with seismic subsoil Class C (Shallow site soils) in accordance with NZS1170.5.

The subsoils beneath the proposed development comprise fine grained cohesive soils which are not considered susceptible to liquefaction. Furthermore, groundwater was not encountered in any of the boreholes. On this basis, we do not consider the site to be at risk of liquefaction.

5.3 Shrink/Swell Behaviour

Laboratory testing was conducted for a soil sample within BH07 by Babbage Geotechnical Laboratory as part of establishing the reactive class of the expansive fine-grained soils that were encountered on site. Results for the soil sample indicate a liquid limit of 75% with a plastic limit of 36% equating to a plasticity index of 39% and a linear shrinkage of 14%. NZS3604:2011 elaborates expansive soils being those that have a liquid limit of more than 50% and a linear shrinkage of more than 15%. Further, based on historical cases, soils with a plasticity index exceeding 30% typically result in soil shrinkage damage. Therefore we consider the site soils to exhibit expansive behaviour. As seen in the figure below, we note that the soil sample is plotted below the A-line on the Casagrande chart which demonstrates 'good engineering behaviour' and we recommend the soils to be deemed as moderately expansive soil class M in accordance with B1/AS1.



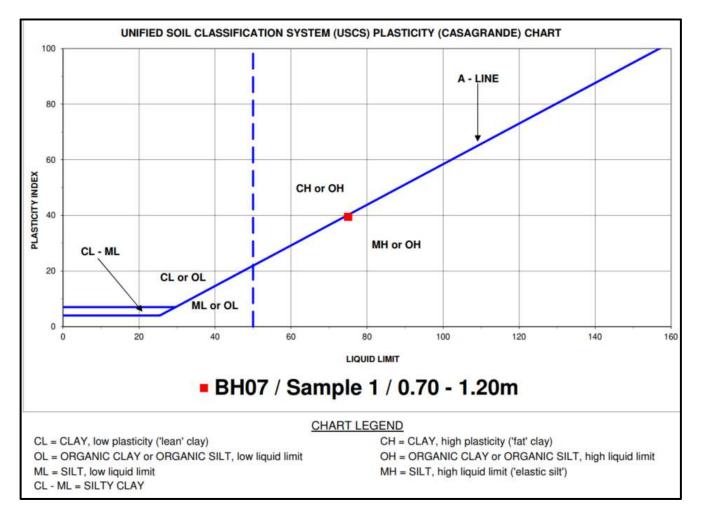


Figure 4: Casagrande Chart

6 Development Recommendations

6.1 Foundations

The site soils were found to be very stiff Waipapa Group soils underlaying topsoil. The natural soils beneath the topsoil have adequate bearing capacity for residential development.

Providing the recommendations in this report are respected, shallow foundations may be utilised found within the very stiff Waipapa Group or engineered fill where an ultimate bearing capacity of 300 kPa can be adopted for foundation design, with a geotechnical strength reduction factor of 0.5 for limit state design, subject to site specific testing at the building consent stage.

6.2 Cuts and Fills

Excavations and filling are expected as part of building platform preparation. We recommend cuts to be limited to a maximum height of 2.0 m and battered at a maximum gradient of 18 degrees (1V:3H). We recommend the proposed dwelling to be positioned on cut virgin ground. Filling as part of building platform construction can be



considered but will be subject to specific engineering design. Filling greater than 1.0 m will be subject to specific settlement analysis.

We recommend all works be carried out in accordance with NZS4404 and NZS4431. It may not be practical to carry out earthworks in winter months or periods of prolonged rainfall, therefore we recommend site formation works are undertaken in weather conditions favourable for earthworks activities.

6.3 Erosion and Sediment Control

Prior to commencing earthworks, a sediment control system needs to be constructed to ensure the Territorial and Regional Authority requirements are met. Typical details can be found in the Auckland Council publication GD05. Erosion and sediment control should be undertaken as early as possible before soil particles become dislodged and mobilised. The use of contour drains, mulching and earth bunds to control erosion during the construction phase is recommended, as is maintaining vegetation cover where possible to reduce erosion potential.

6.4 Retaining Walls

Given the nature of the topography at the location of the building platforms development, no retaining walls are envisaged however this will be confirmed during site specific investigation and will be dependent on the development plans.

6.5 Stormwater Control

All stormwater is to be diverted away from the proposed building platform to avoid over saturation of the subsoils and to maintain stability across the site. All stormwater overflow drainages should be channelled away from the development platform and discharged in a controlled manner and well away from any steep slopes.

6.6 Safety in Design

The recommendations made in this report have been made with regards to Safety in Design, which should be taken into account during the design phase. The following points were raised during planning for safety in design:

- Construction monitoring needs to be considered;
- Trench construction for services should be benched to ensure the vertical height does not exceed 1.0 m without shoring / trench shields;
- Temporary battering of excavations and fills.

7 Conclusion

Geotechnical investigations indicate that the proposed development building platforms are stable subject to the recommendations herein. The extent of the geotechnical investigations are outlined within this report.

The development will need to be undertaken in accordance with current best engineering practice and the following guidelines are applicable to the site:



- The natural ground within the specified building platform areas is considered generally suitable for residential development of residential buildings, subject to the following conditions:
 - All lots will be subject to site-specific geotechnical investigations and foundations endorsed by a Chartered Professional Engineer.
 - Building setback lines have been set out as shown on the attached site plan in Appendix A. We confirm the location of the proposed building platforms respect these setback lines.
 - Foundation soils lie outside the definition of 'good ground' in NZS3604:2011 due to the presence of expansive clay soils. We recommend the site to be designated as moderately reactive (Class M) in accordance with B1/AS1 and is to be confirmed during site specific investigation.
 - Shallow foundations may be utilised where an ultimate bearing capacity of 300 kPa can be adopted for foundation design, with a geotechnical strength reduction factor of 0.5 for limit state design, subject to site specific testing at the building consent stage.
- We recommend cuts to be limited to a maximum height of 2.0 m and battered at a maximum gradient
 of 18 degrees (1V:3H). We recommend the proposed dwelling to be positioned on cut virgin ground.
 Filling as part of building platform construction can be considered but will be subject to specific
 engineering design. Filling greater than 1.0 m will be subject to specific settlement analysis.
- Concentrated stormwater flows from all impermeable areas must be collected, carried in sealed pipes
 and discharged in a manner that will not affect the stability of the ground. Design of devices to collect,
 transport and discharge concentrated flows should be engineered.
- Our assessment is based on interpolation between borehole positions and site observations. Local
 variations in ground conditions may occur. Unfavourable ground conditions may be encountered
 during earthworks. It is important that we are contacted in this eventuality or in the event that any
 variation in subsoil conditions from this described in this report are found. Design assistance is available
 as required to accommodate any unforeseen ground conditions present.

Provided the recommendations provided in this report are followed, the subject site is capable of being developed as proposed. All works should be carried under the guidance of a Chartered Professional Engineer familiar with the contents of this report. A geotechnical completion report is recommended at the completion of the earthworks to confirm the findings in this report and document the work undertaken, e.g. earthworks compaction certification.

Should the location of the building platforms be amended, further testing and assessments will be required to confirm suitability.

This report is not intended to be used for foundation design, other than provide general framework for building platform suitability. Future specific geotechnical investigations are recommended to confirm the subsoil conditions, confirm the soil expansivity, and provide site specific geotechnical assessment for foundation design within each lot.



8 Lot Specific Geotechnical Recommendations

Summary of specific site investigation and foundation design requirements			
Lot No.	Comments on Nominated Building Platform	Shallow Bearing Capacity / Expansive Class	Anticipated scope of additional works following specific investigation and design. [Comments are given as a guide only – specific engineering to be undertaken by a Chartered Professional Engineer]
Lot 1	Detailed within this report. Earthworks expected as part of building platform preparation.	300kPa/ Class M (provided founded in very stiff Waipapa Group or engineered fill).	Site specific geotechnical report to confirm the soil conditions assumed within this report and provide site-specific foundation recommendations. Building setback from steep slopes to be respected as per the site plan in Appendix A.
Lot 2	Detailed within this report. Earthworks expected as part of building platform preparation.	300kPa/ Class M (provided founded in very stiff Waipapa Group or engineered fill).	Site specific geotechnical report to confirm the soil conditions assumed within this report and provide site-specific foundation recommendations. Building setback from steep slopes to be respected as per the site plan in Appendix A.
Lot 3	Detailed within this report. Earthworks expected as part of building platform preparation.	300kPa/ Class M (provided founded in very stiff Waipapa Group or engineered fill).	Site specific geotechnical report to confirm the soil conditions assumed within this report and provide site-specific foundation recommendations. Building setback from steep slopes to be respected as per the site plan in Appendix A.
Lot 4	Detailed within this report. Earthworks expected as part of building platform preparation.	300kPa/ Class M (provided founded in very stiff Waipapa Group or engineered fill).	Site specific geotechnical report to confirm the soil conditions assumed within this report and provide site-specific foundation recommendations. Building setback from steep slopes to be respected as per the site plan in Appendix A.



9 Limitations

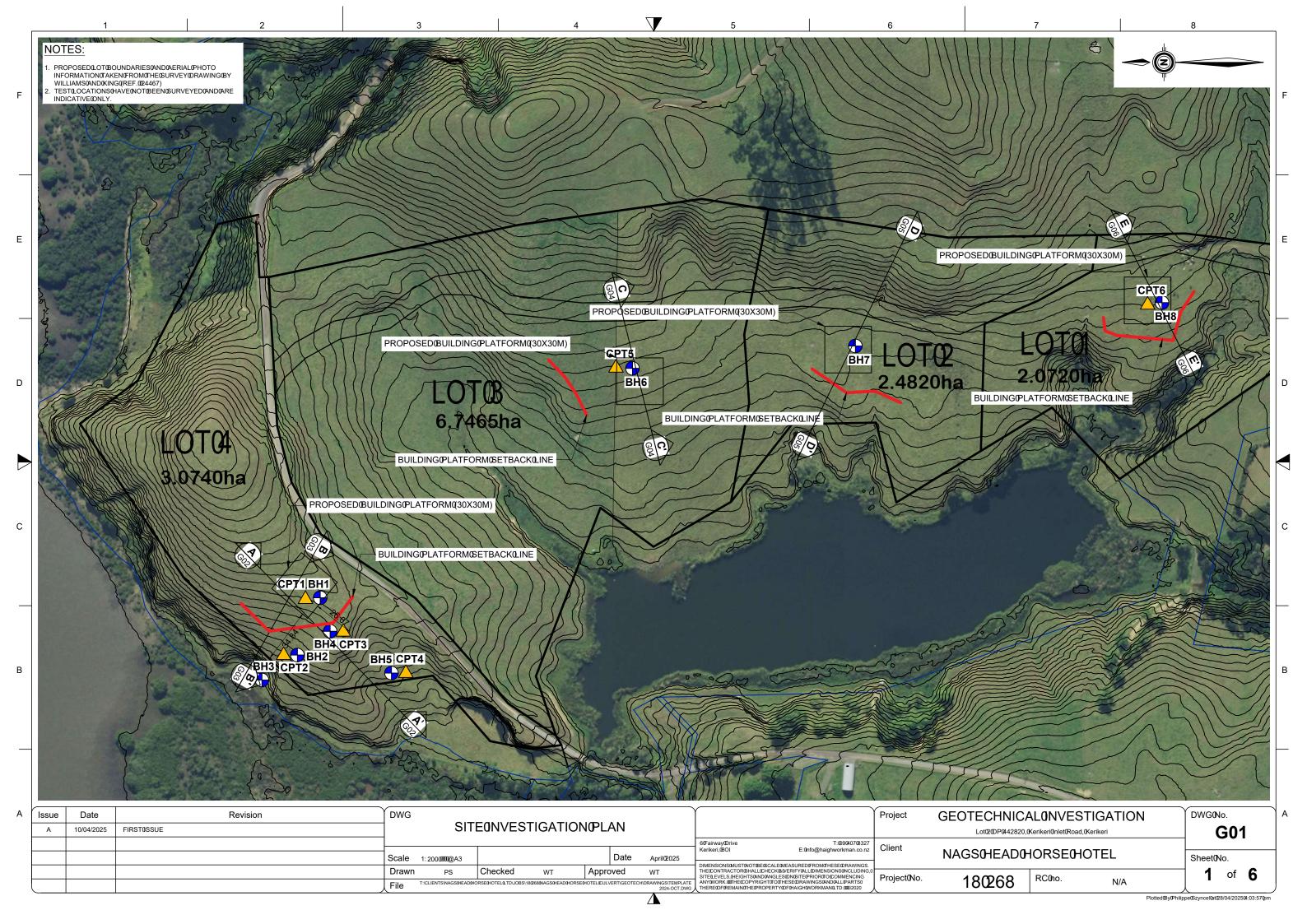
This report has been prepared for the use of Nags Head Horse Hotel with respect to the particular brief outlined to us. This letter report is to be used by our Client and their Consultants only and may be relied upon when considering geotechnical advice. Furthermore, this report may be utilised in the preparation of resource consent applications with local authorities. The information and opinions contained within this report shall not be used in other context for any other purpose without prior review and agreement by Haigh Workman Ltd.

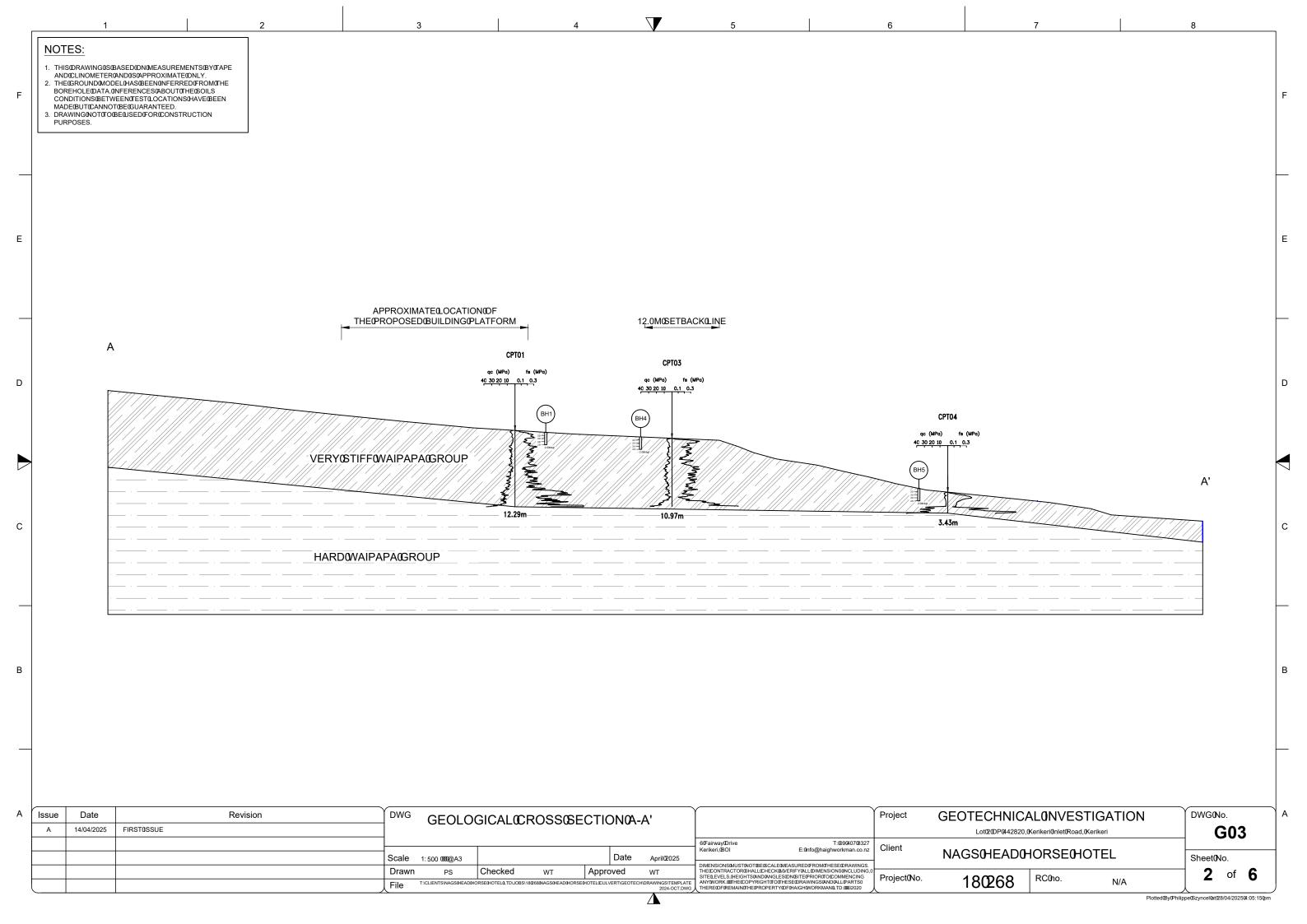
The recommendations given in this report are based on site data from discrete locations. If any changes are made, we must be allowed to review the new development proposal to ensure that the recommendations of this report remain valid Inferences about the subsoil conditions away from the test locations have been made but cannot be guaranteed. We have inferred an appropriate geotechnical model that can be applied for our analyses. However, variations in ground conditions from those described in this report could exist across the site. Should conditions encountered differ to those outlined in this report we ask that we be given the opportunity to review the continued applicability of our recommendations.

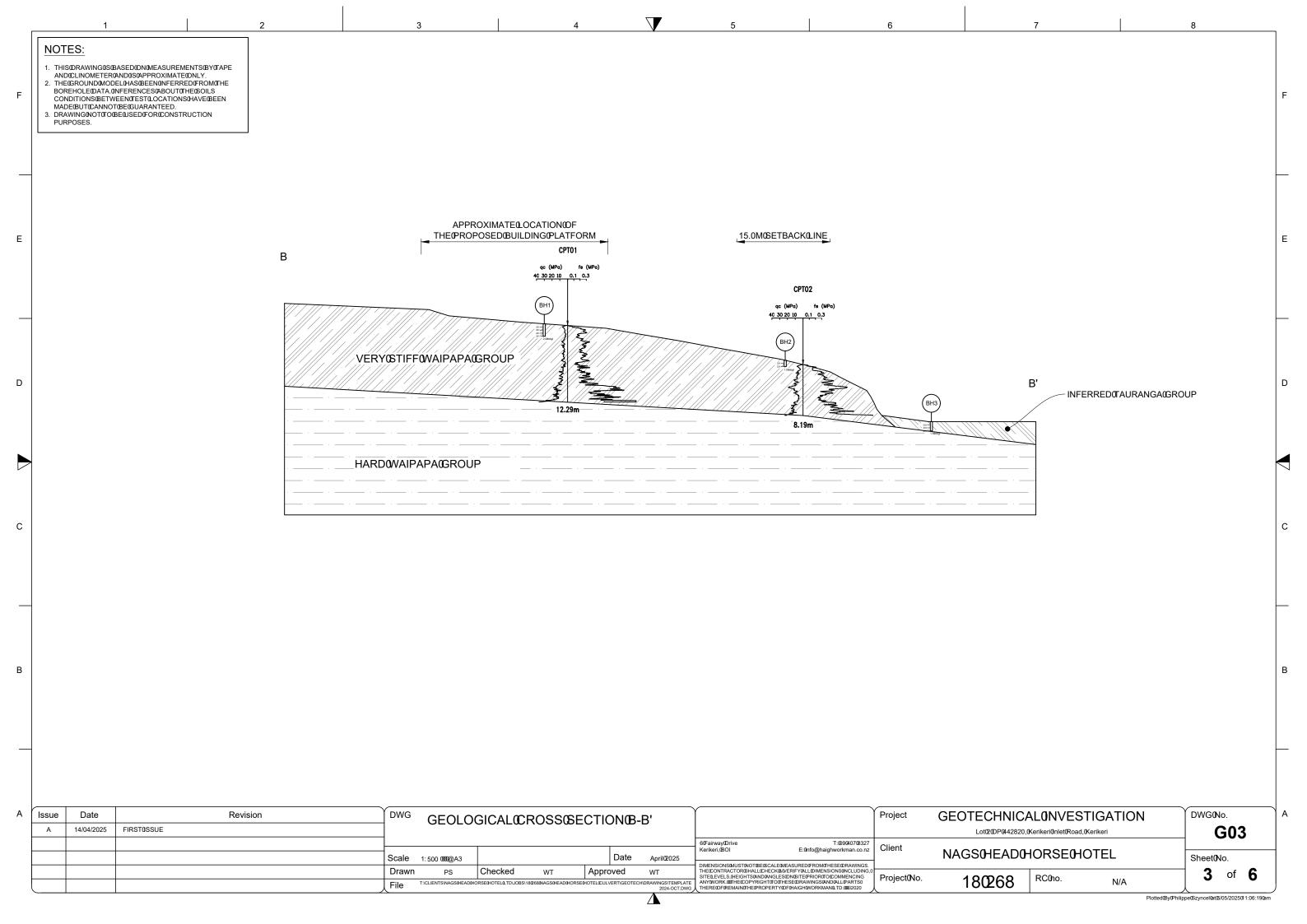


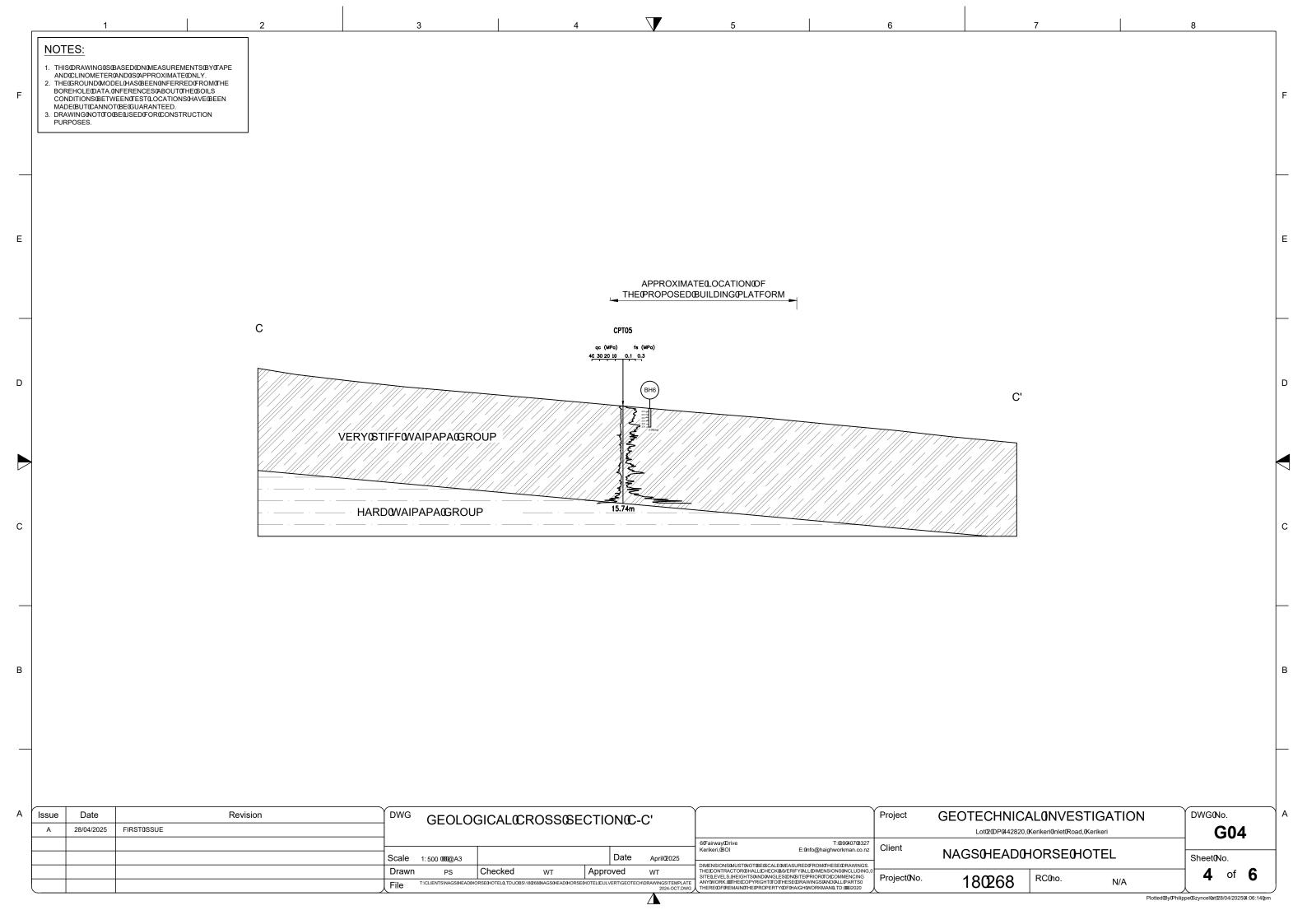
Appendix A – Drawings

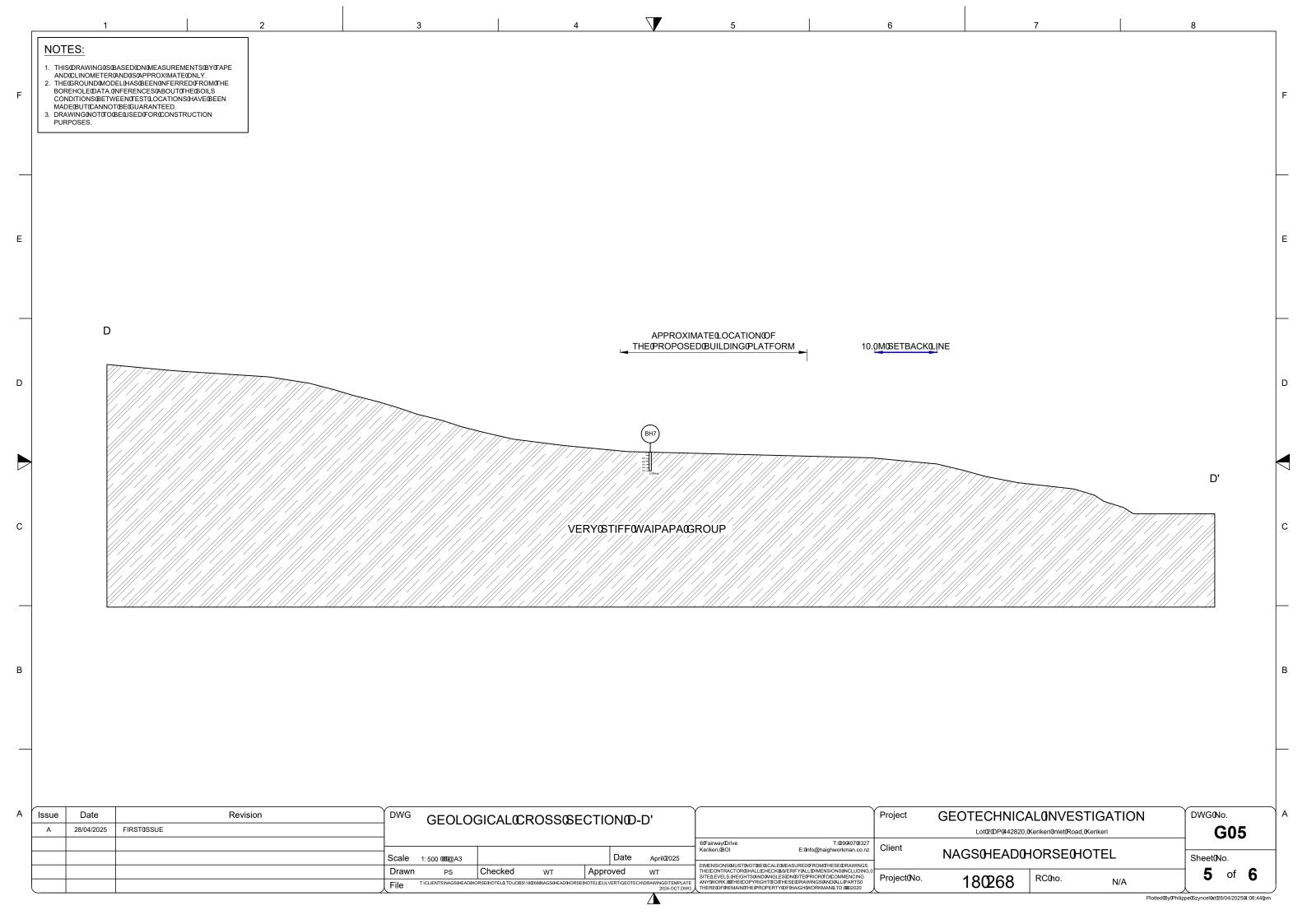
18 REVA

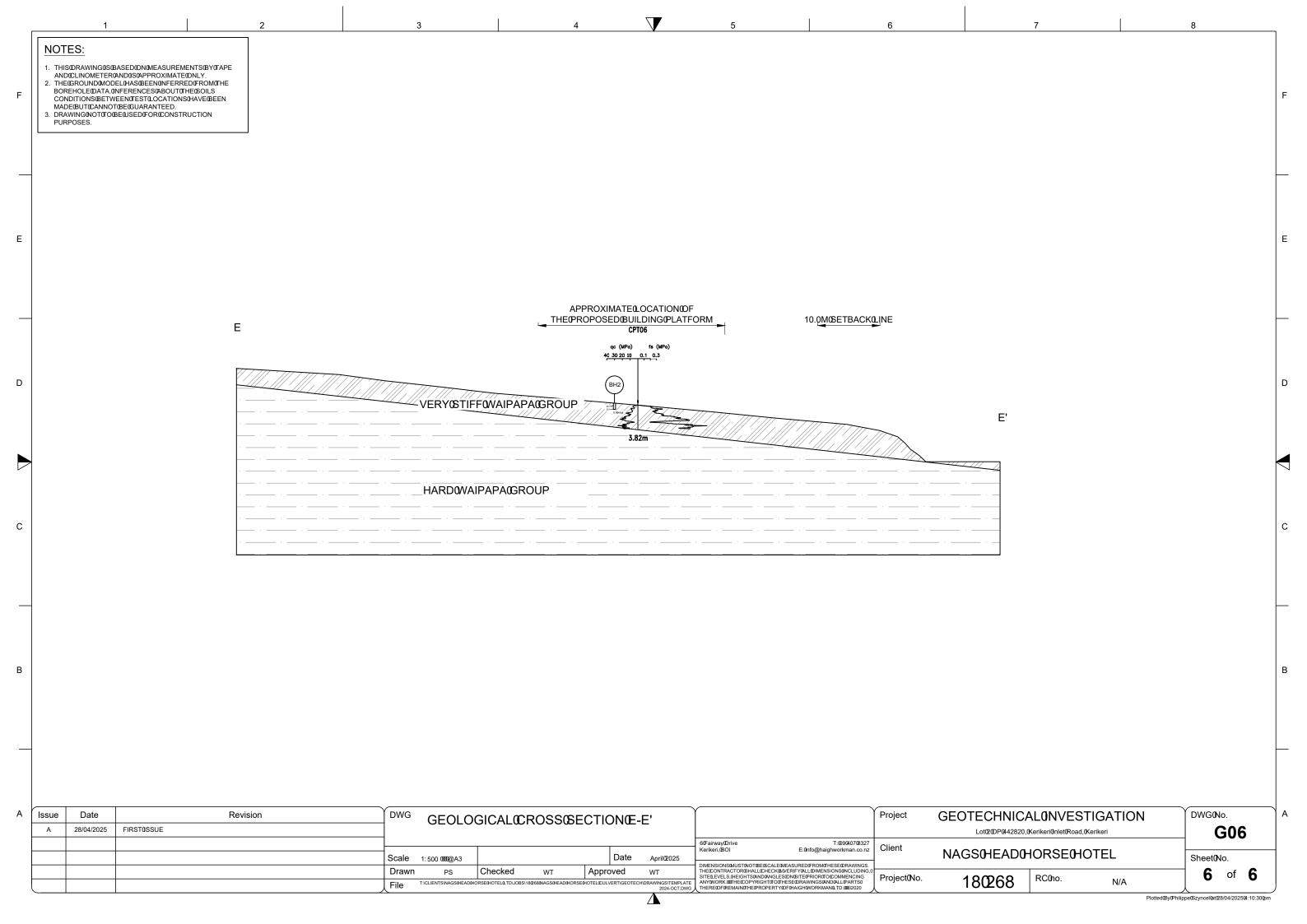














Appendix B – Investigation Material

19 REVA



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Borehole Log - BH01 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD: Date Started:** LOGGED BY: PS Hand Auger 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Graphic Vane Shear and Geology Sensitivi Soil Description Scala Penetrometer **Remoulded Vane Shear** (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, dark brown, dry 0.0 10 15 20 亚亚 2 11/ 0.4m: silty CLAY, light brown with occasional light grey streaks, medium plastic, Encountered moist [Waipapa Group] 0.5 Groundwater Not Group 1.0m: clayey SILT, light grey with light brown and orange streaks, low plastic, 1.0 231 moist [Waipapa Group] 1.5 231 End of bore - 2.0 m (target depth achieved) 2.0 231 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY GRAVEL Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH02 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD: Date Started:** LOGGED BY: PS Hand Auger 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Geology Sensitivi Soil Description Scala Penetrometer **Remoulded Vane Shear** (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 0.25m: clayey SILT, orange and light brown, low plastic, dry [Waipapa Group] Groundwater Not Encountered 0.5 From 0.7m: light grey, orange and light brown End of bore - 1.0 m (hard material encountered) 1.0 231 1.5 2.0 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH03 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD: Date Started:** LOGGED BY: PS Hand Auger 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Geology Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, dark brown, moist 0.0 10 15 20 0.2m: TOPSOIL with clay, dark brown with orange and dark brown material **Groundwater Not Encountered** Fopsoil 0.5 0.7m: clayey SILT, light brown with light grey and orange streaks, low plastic, moist [Waipapa Group] 1.0 231 End of bore - 1.5 m (hard material encountered) 1.5 231 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH04 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** Hand Auger **Date Started:** LOGGED BY: PS 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 0.2m: silty CLAY, light brown with occasional light grey streaks, medium plastic moist [Waipapa Group] Encountered 0.5 **Groundwater Not** 1.0 231 1.1m: clayey SILT, light grey with light brown bands and orange mottles, low plastic, moist [Waipapa Group] 1.5 231 End of bore - 2.0 m (target depth achieved) 2.0 231 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH05 JOB No. 18 286 Hole Location: Refer to Site Plan CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** Hand Auger LOGGED BY: **Date Started:** PS 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Graphic Sensitivit Vane Shear and Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, dark brown, dry 0.0 10 15 20 T.S **Groundwater Not Encountered** 0.2m: silty CLAY, light brown with occasional light grey streaks, medium plastic, moist [Waipapa Group] 0.5 Group 1.0 231 ipapa 1.2m: clayey SILT, light brown and light grey, low plastic, moist [Waipapa 1.5 231 End of bore - 2.0 m (target depth achieved) 2.0 231 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH06 JOB No. 18 286 Hole Location: Refer to Site Plan CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** Hand Auger LOGGED BY: **Date Started:** PS 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 0.2m: silty CLAY, light brown with occasional orange streaks, medium plastic, moist [Waipapa Group] 0.5 0.9m: silty CLAY, light brown with light grey bands and red and orange streaks, Groundwater Not Encountered 1.0 medium plastic, moist [Waipapa Group] 231 Group 231 Waipapa 231 231 2.5 From 2.7m: light brown with orange streaks 31 End of bore - 3.0 m (target depth achieved) 3.0 LEGEND Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH07 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** LOGGED BY: **Date Started:** PS Hand Auger 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Vane Shear and Sensitivi Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 111 0.3m: silty CLAY, light brown, medium plastic, moist [Waipapa Group] 0.5 **Encountered** 1.0 231 1.3m: clayey SILT, light brown with light grey streaks, low plastic, moist [Waipapa Group] **Groundwater Not** From 1.5m: light grey with occasional orange streaks 1.5 31 2.0 161 From 2.5m: light grey with occasional orange streaks and light brown mottles 231 31 End of bore - 3.0 m (target depth achieved) 3.0 LEGEND Corrected shear vane reading TOPSOIL CLAY GRAVEL Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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Borehole Log - BH08 JOB No. 286 Hole Location: Refer to Site Plan 18 CLIENT: Nags Head Horse Hotel SITE: Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri 12/03/2025 **DRILLING METHOD:** Hand Auger **Date Started:** LOGGED BY: PS 12/03/2025 CHECKED BY: **Date Completed:** HOLE DIAMETER (mm) 50mm WT Depth (m) Sensitivit Vane Shear and Geology Water Level Soil Description Scala Penetrometer Remoulded Vane Shear (blows/100mm) Based on NZGS Logging Guidelines 2005 Strengths (kPa) 0.0m: TOPSOIL, light brown, dry 0.0 10 15 20 0.2m: silty CLAY, light brown with occasional red streaks, medium plastic, Groundwater Not Encountered Group moist [Waipapa Group] 0.5 231 0.6m: clayey SILT, light brown, light grey and red, low plastic, moist [Waipapa Group] End of bore - 0.9 m (hard material encountered) 231 1.0 1.5 2.0 3.0 **LEGEND** Corrected shear vane reading TOPSOIL CLAY **GRAVEL** SAND Remoulded shear vane reading Scala Penetrometer Note: UTP = Unable to penetrate. T.S. = Topsoil. Hand Held Shear Vane S/N: 440 Scala penetrometer testing not undertaken



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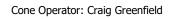
Project: Nags Head Horse Hotel

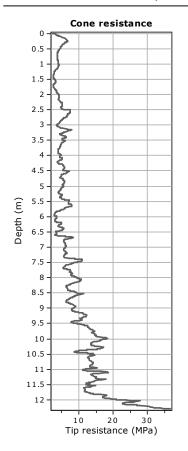
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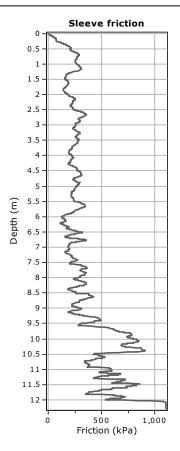
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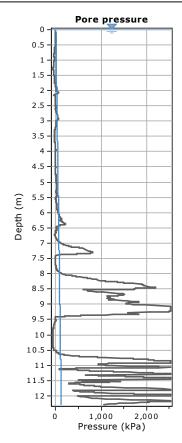
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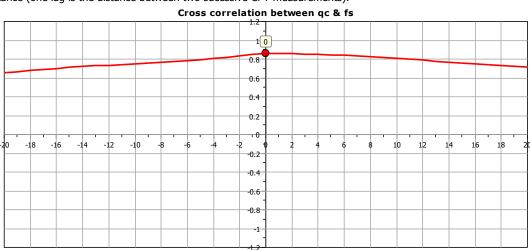








The plot below presents the cross correlation coeficient between the raw qc and fs values (as measured on the field). X axes presents the lag distance (one lag is the distance between two sucessive CPT measurements).



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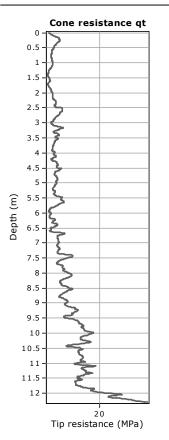
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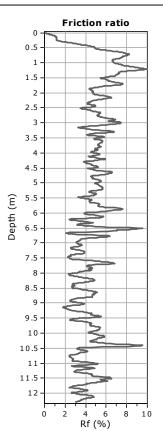
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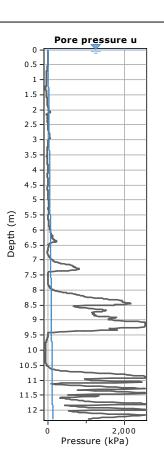
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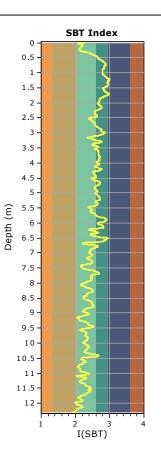
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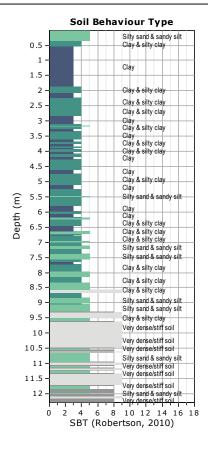
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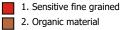


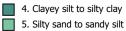


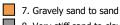




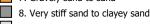
SBT legend













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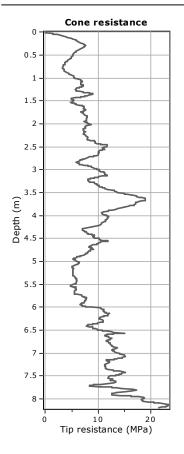
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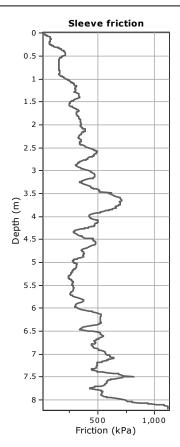
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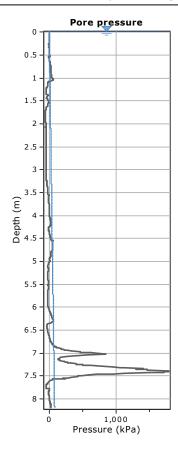
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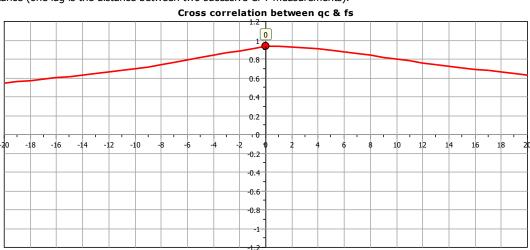
Cone Type: TE2 Cone Operator: Craig Greenfield







The plot below presents the cross correlation coeficient between the raw qc and fs values (as measured on the field). X axes presents the lag distance (one lag is the distance between two sucessive CPT measurements).





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Project: Nags Head Horse Hotel

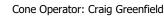
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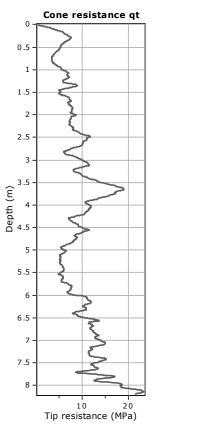
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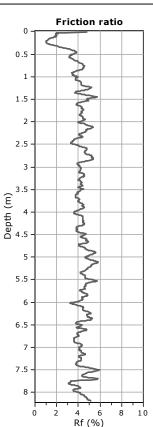
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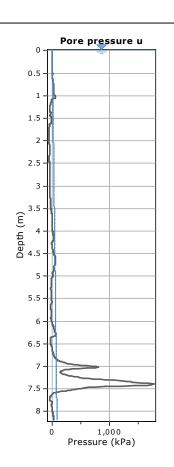
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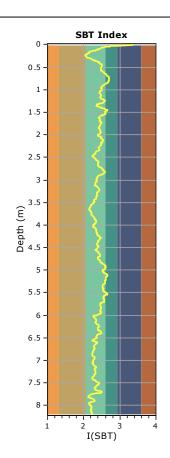
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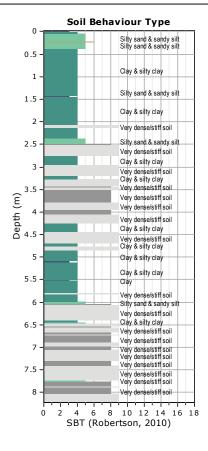




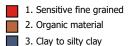


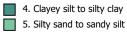


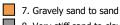












8. Very stiff sand to clayey sand 6. Clean sand to silty sand



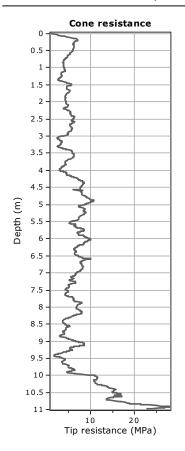
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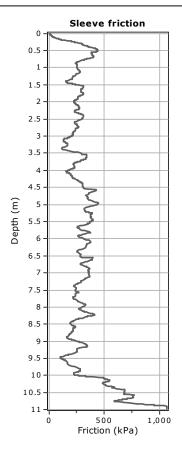
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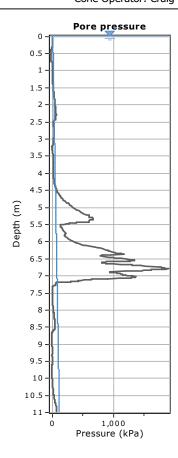
Nags Head Horse Hotel Project:

Location: Lot 2 DP 442820, Kerikeri Inlet Road

Coords: X:0.00, Y:0.00 Cone Type: TE2 Cone Operator: Craig Greenfield





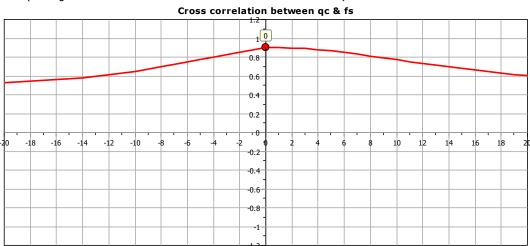


CPT: CPT03

Surface Elevation: 0.00 m

Total depth: 10.97 m, Date: 12/03/2025

The plot below presents the cross correlation coeficient between the raw qc and fs values (as measured on the field). X axes presents the lag distance (one lag is the distance between two sucessive CPT measurements).





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Project: Nags Head Horse Hotel

Location: Lot 2 DP 442820, Kerikeri Inlet Road

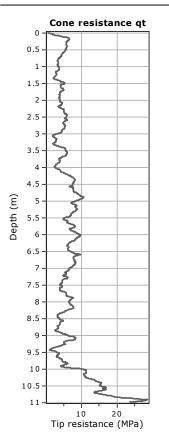
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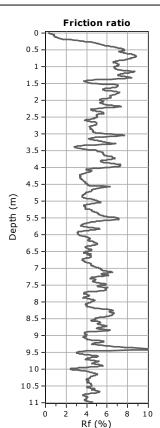
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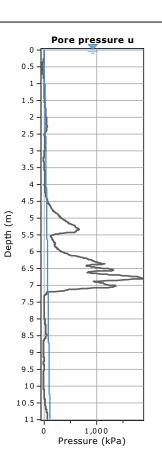
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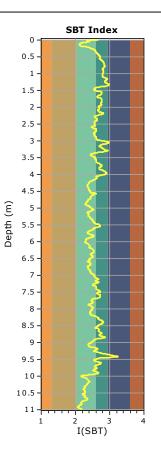
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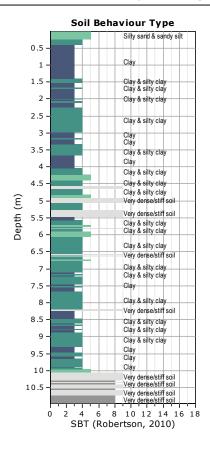
Cone Operator: Craig Greenfield



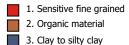


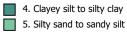


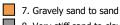












8. Very stiff sand to clayey sand 6. Clean sand to silty sand

9. Very stiff fine grained



Cone Penetration Testing craig@undergroundinvestigation.co.nz

+64211473249

Project: Nags Head Horse Hotel

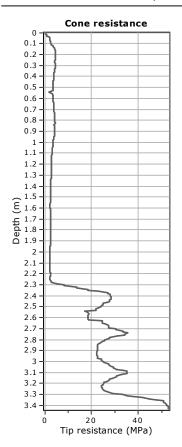
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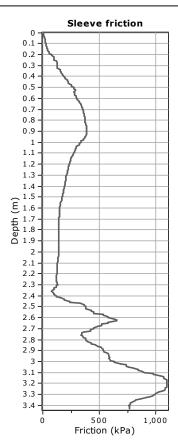
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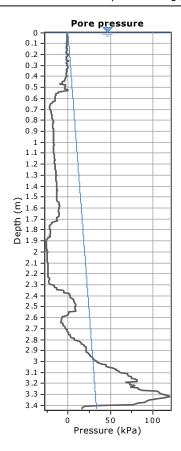
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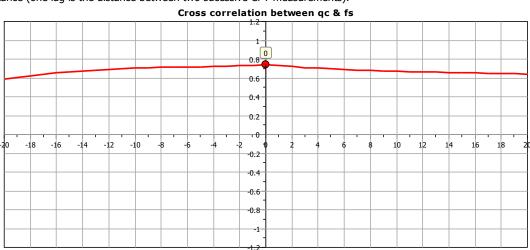
Cone Type: TE2 Cone Operator: Craig greenfield







The plot below presents the cross correlation coeficient between the raw qc and fs values (as measured on the field). X axes presents the lag distance (one lag is the distance between two sucessive CPT measurements).





Cone Penetration Testing craig@undergroundinvestigation.co.nz +64211473249

Project: Nags Head Horse Hotel

Location: Lot 2 DP 442820, Kerikeri Inlet Road

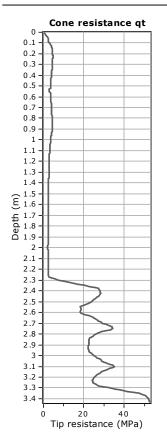
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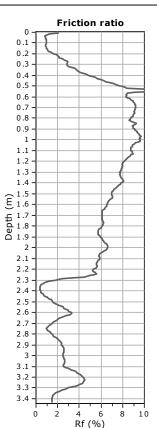
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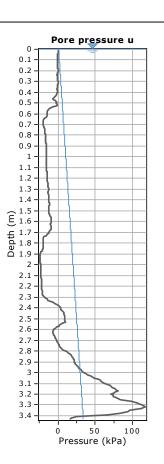
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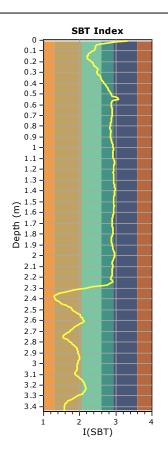
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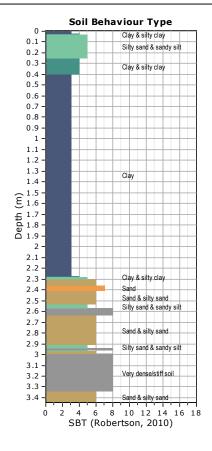
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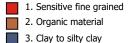


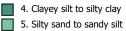


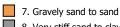




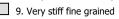














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Project: Nags Head Horse Hotel

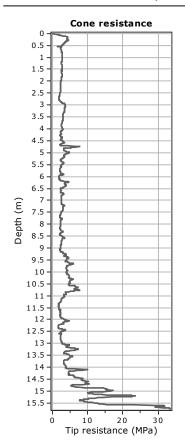
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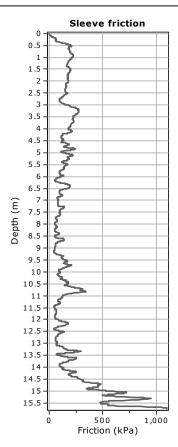
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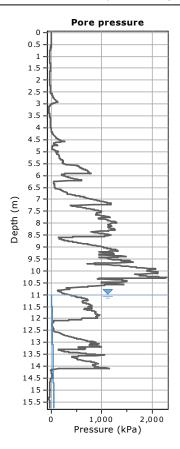
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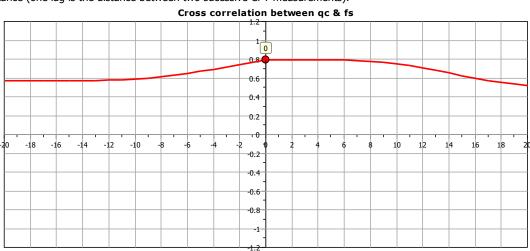
Cone Operator: Craig Greenfield







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Cone Penetration Testing craig@undergroundinvestigation.co.nz +64211473249

Project: Nags Head Horse Hotel

Location: Lot 2 DP 442820, Kerikeri Inlet Road

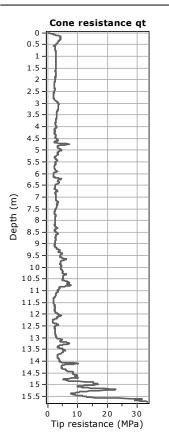
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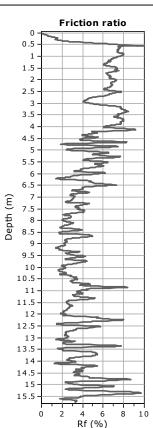
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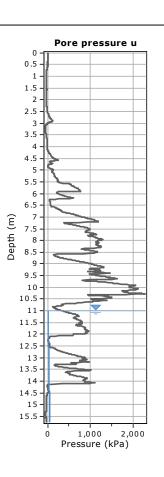
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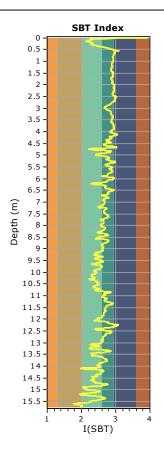
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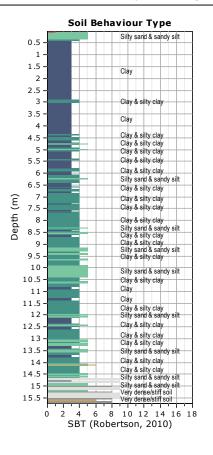
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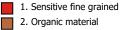


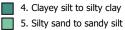


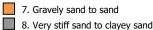


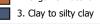


SBT legend











Cone Penetration Testing craig@undergroundinvestigation.co.nz +64211473249

Project: Nags Head Horse Hotel

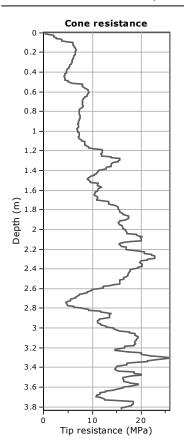
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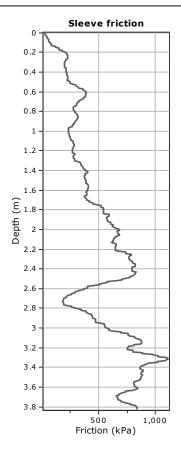
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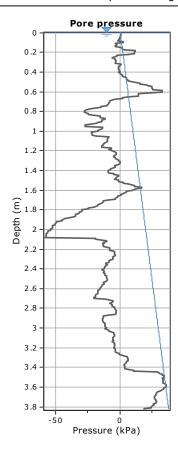
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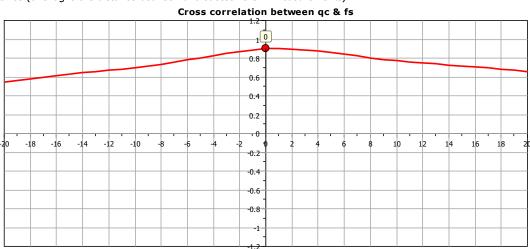
Cone Operator: Craig Greenfield







The plot below presents the cross correlation coeficient between the raw qc and fs values (as measured on the field). X axes presents the lag distance (one lag is the distance between two sucessive CPT measurements).



Geotechnical Software

Underground Investigation Ltd

Cone Penetration Testing craig@undergroundinvestigation.co.nz +64211473249

Total depth: 3.82 m, Date: 12/03/2025

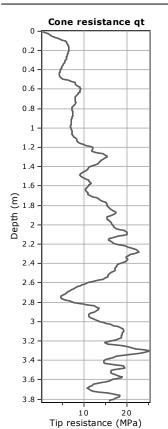
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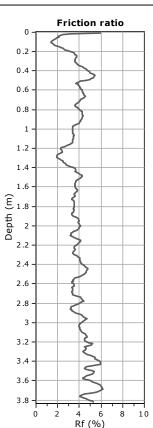
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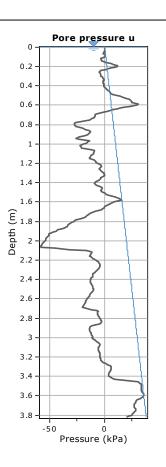
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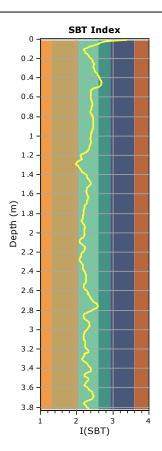
Project: Nags Head Horse Hotel

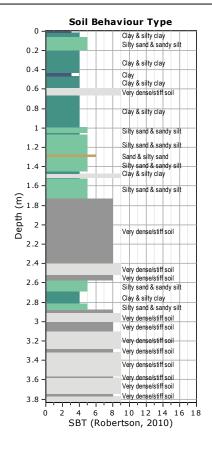
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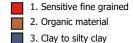


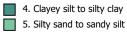


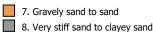


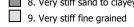








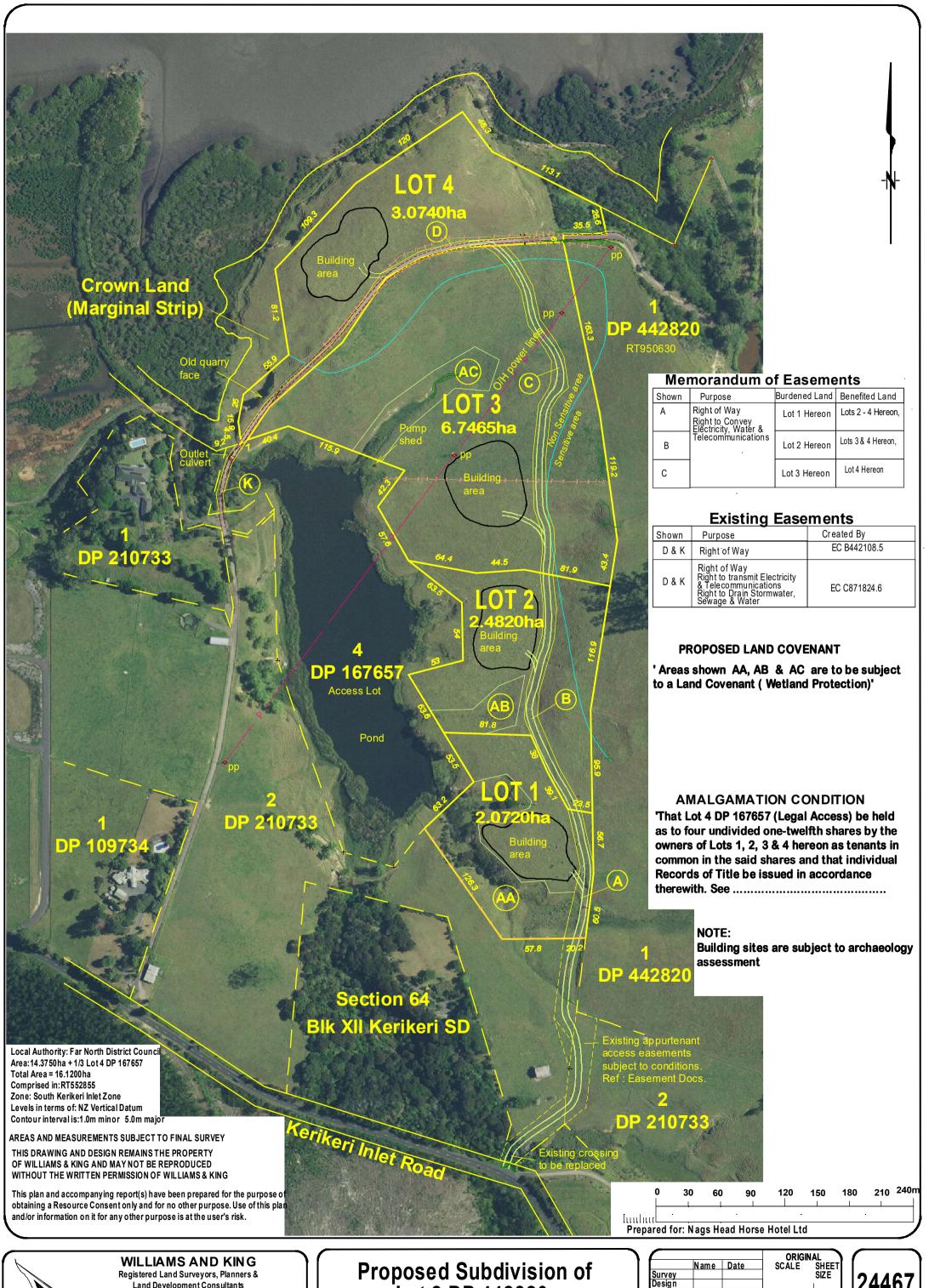






Appendix C – Survey Provided by the Client

20 REVA





Land Development Consultants

Ph: (09) 407 6030 Email: kerikeri@saps.co.nz

27 Hobson Ave PO Box 937 Kerikeri Lot 2 DP 442820

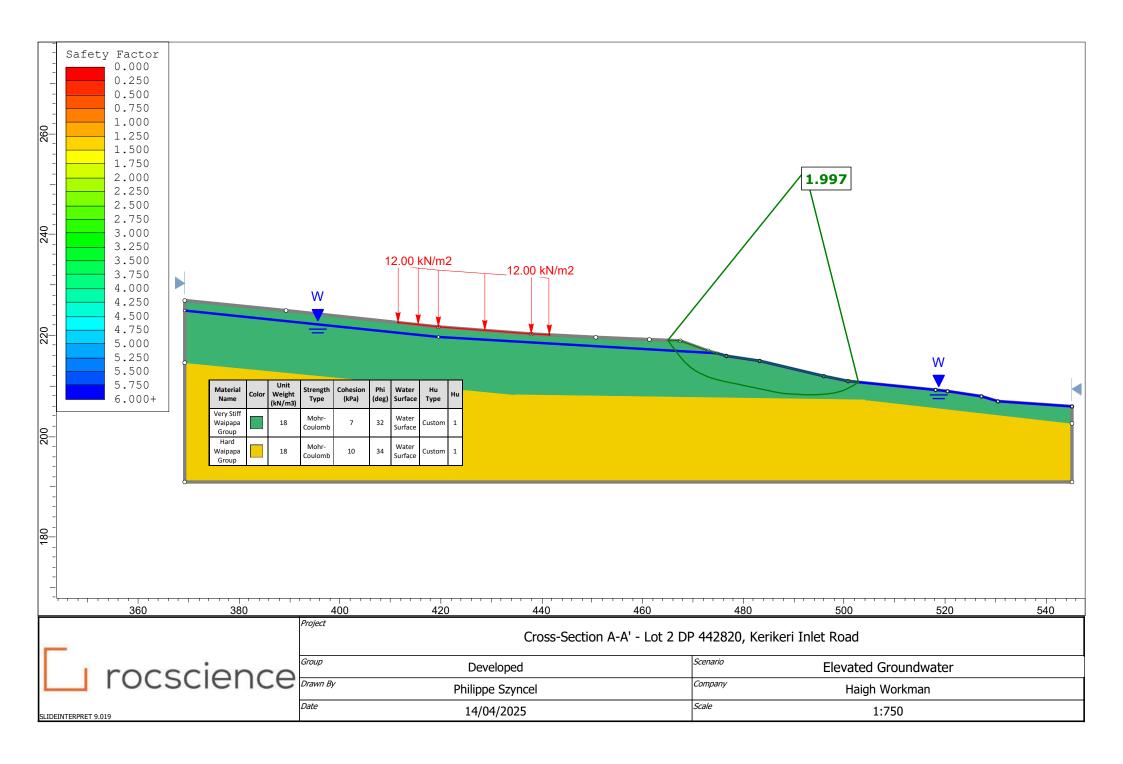
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Ĭ	Name	Date	SCALE	SHEET
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Rev	W&K	Jan 2025		· · · /

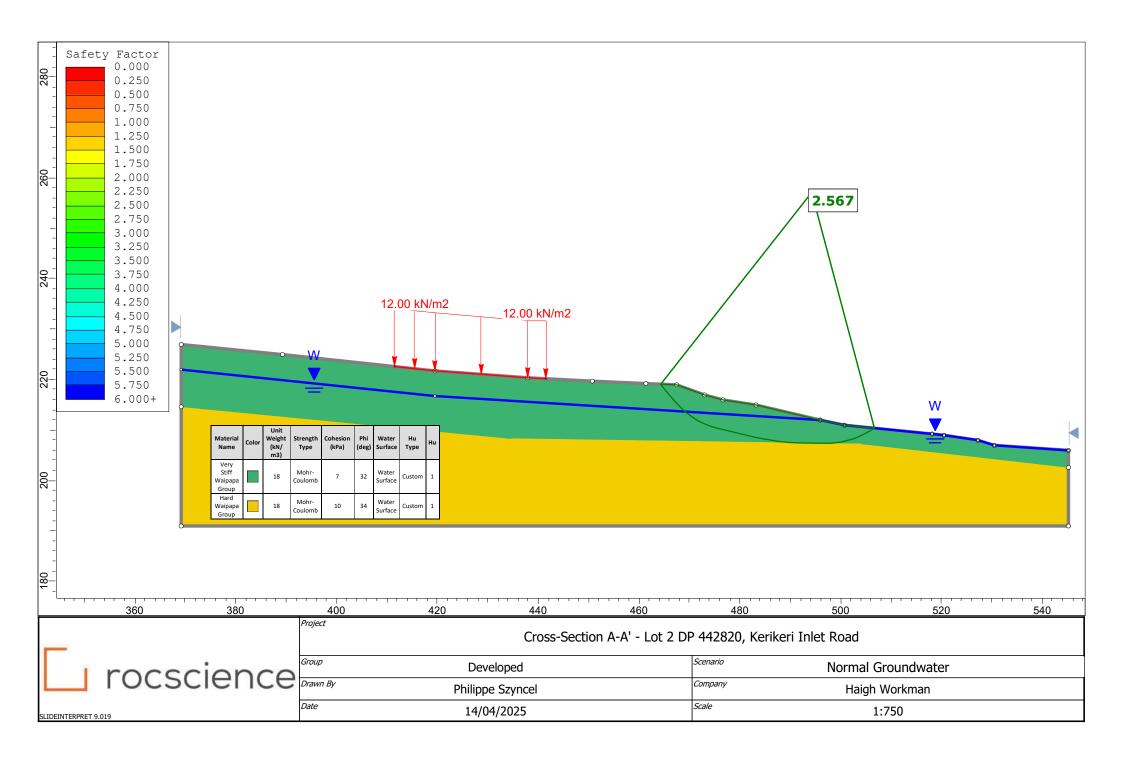
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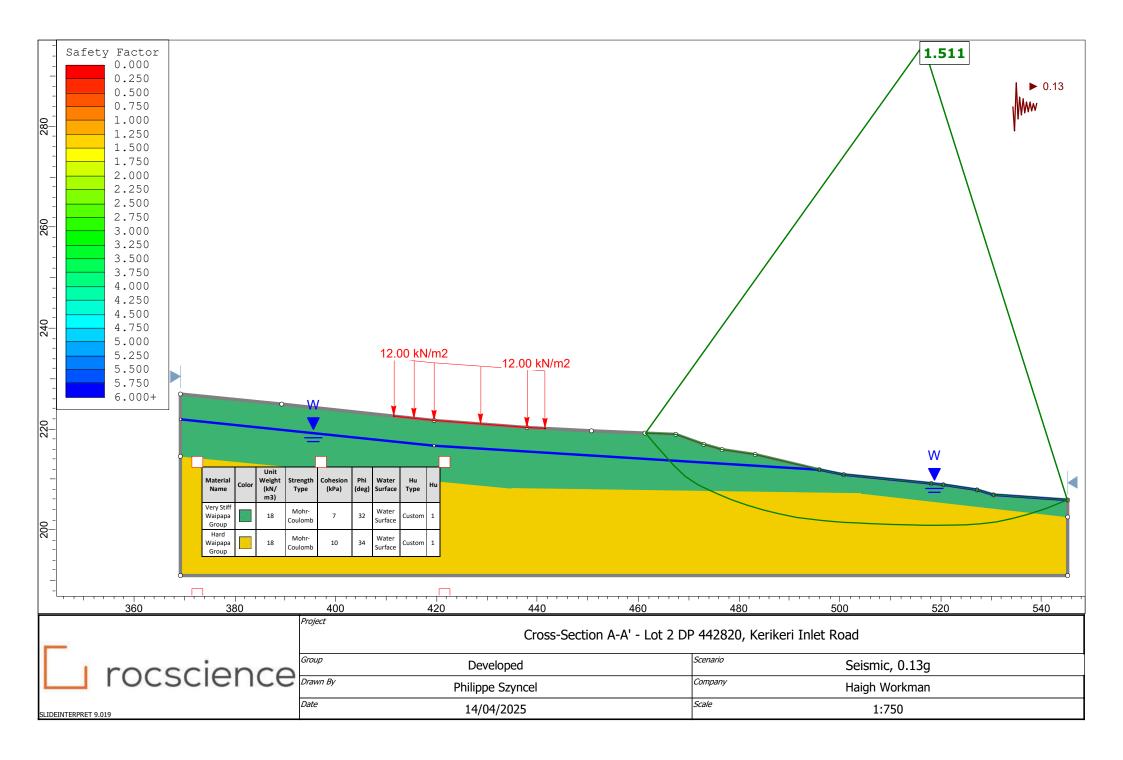


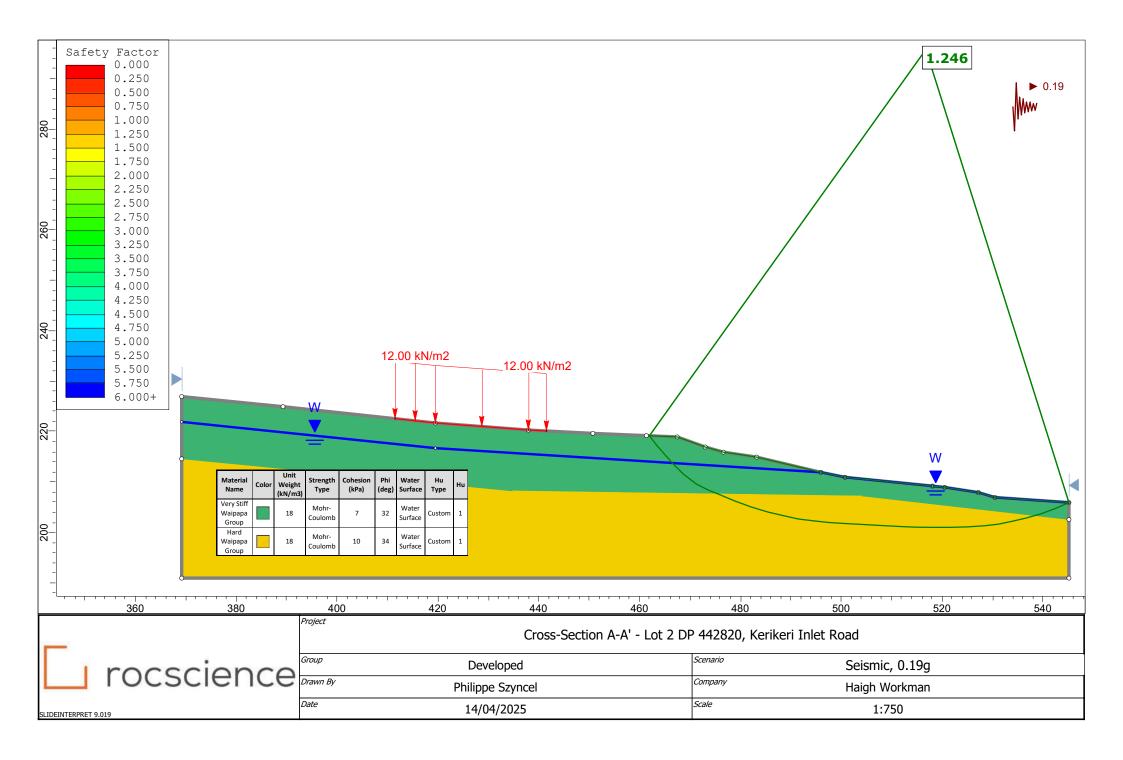
Appendix D - Stability Output

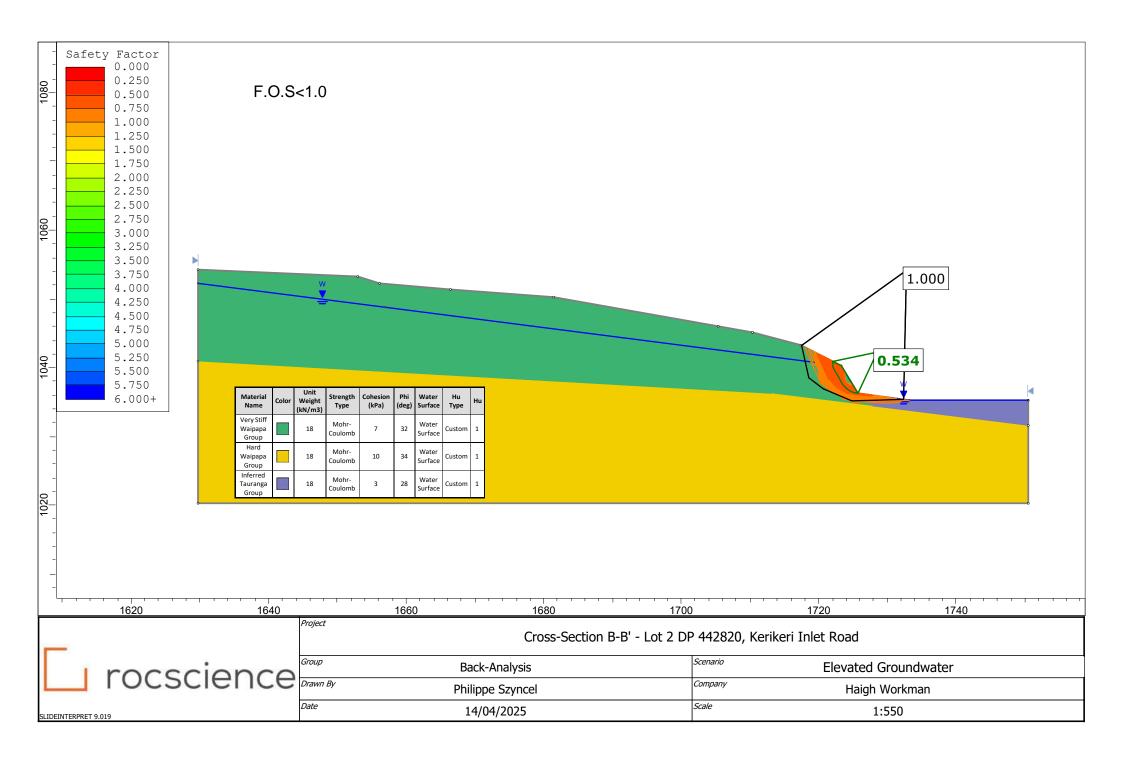
21 REV A

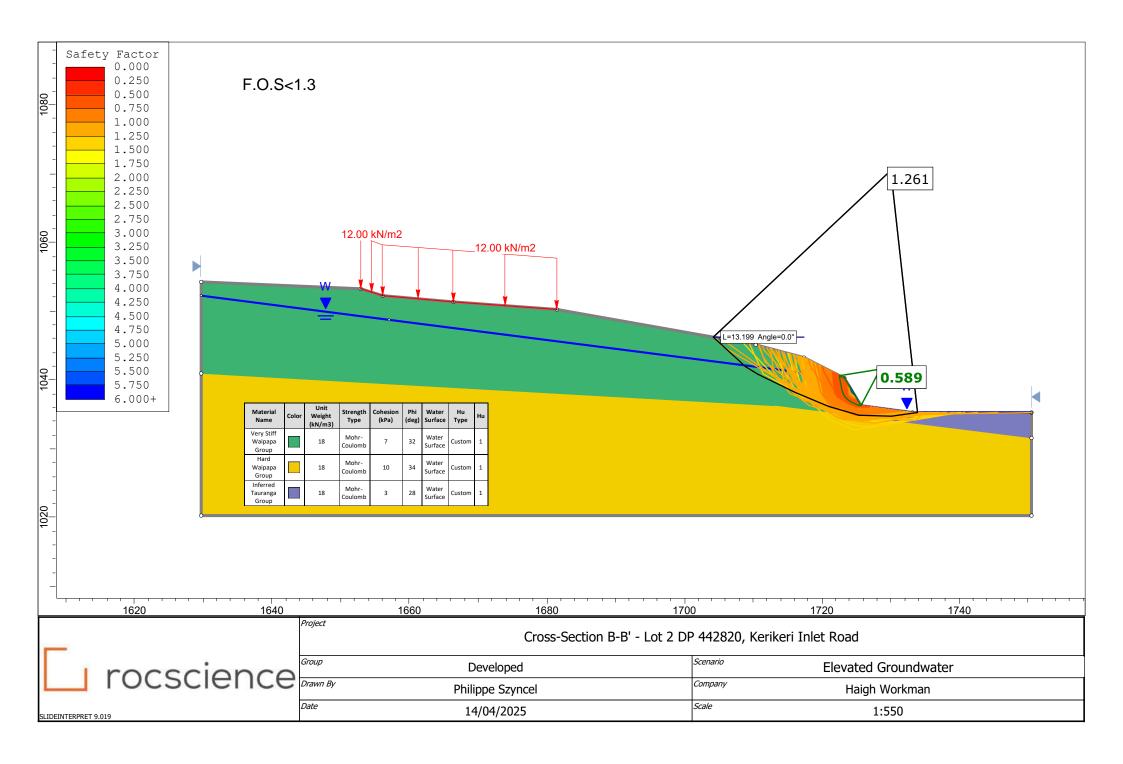


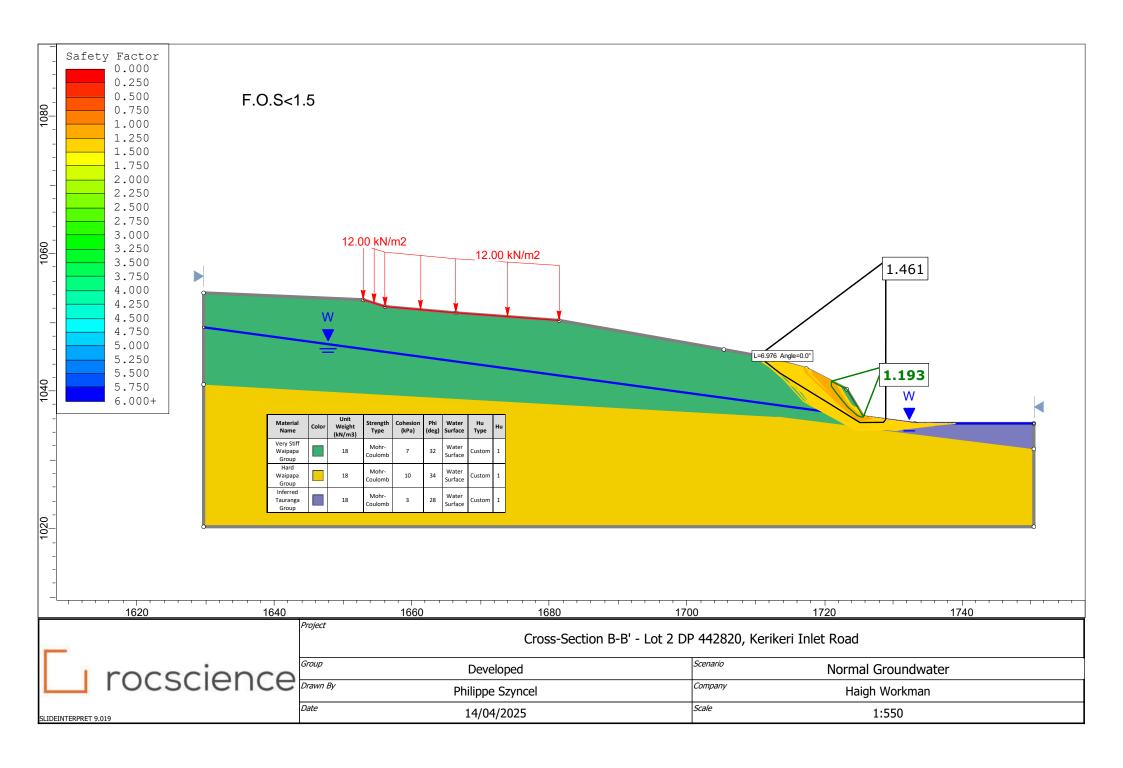


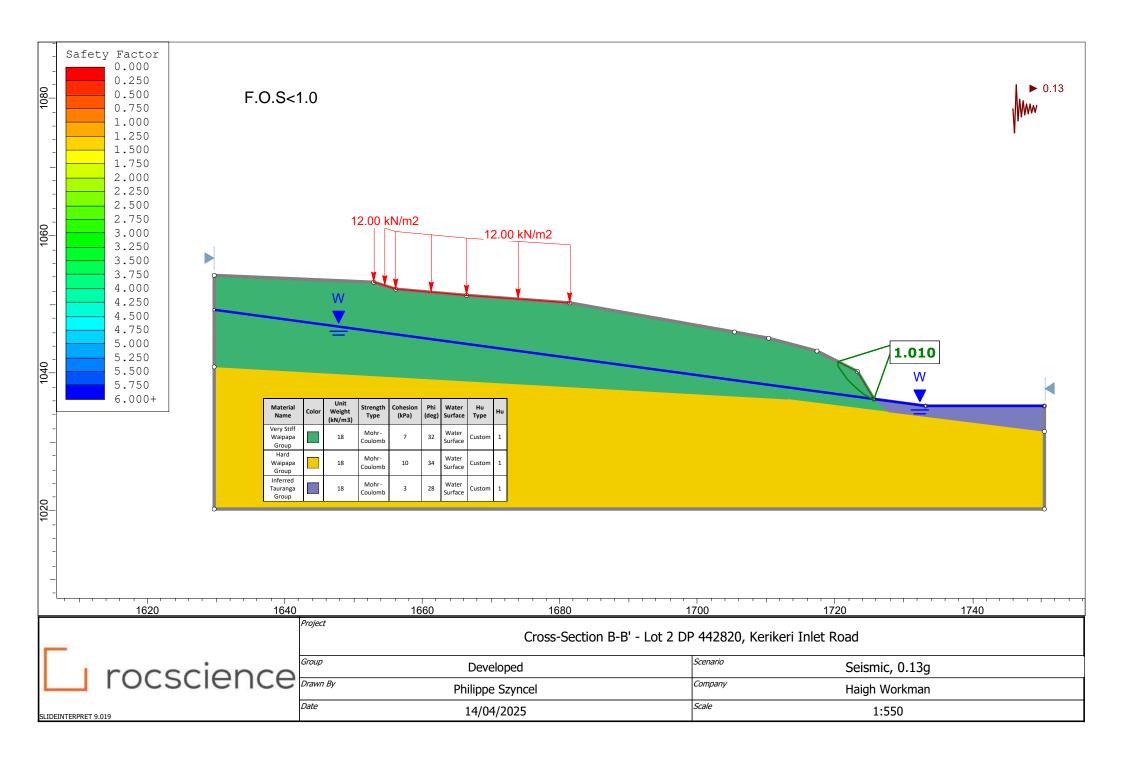


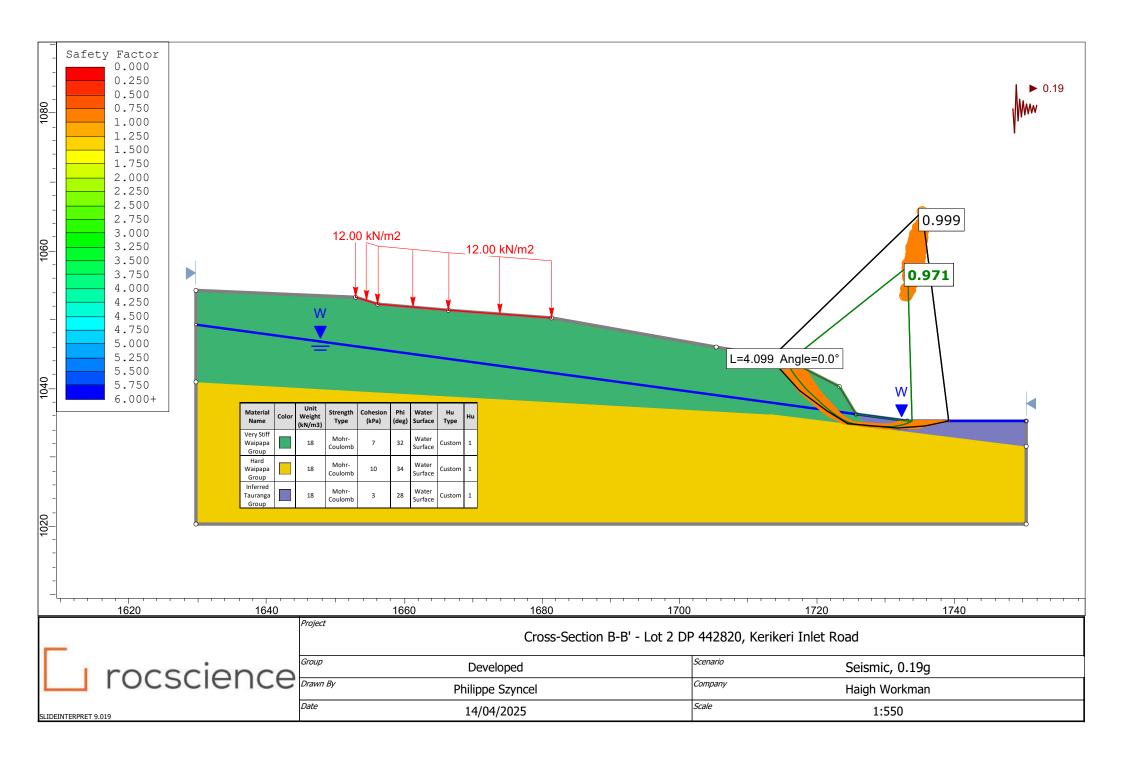




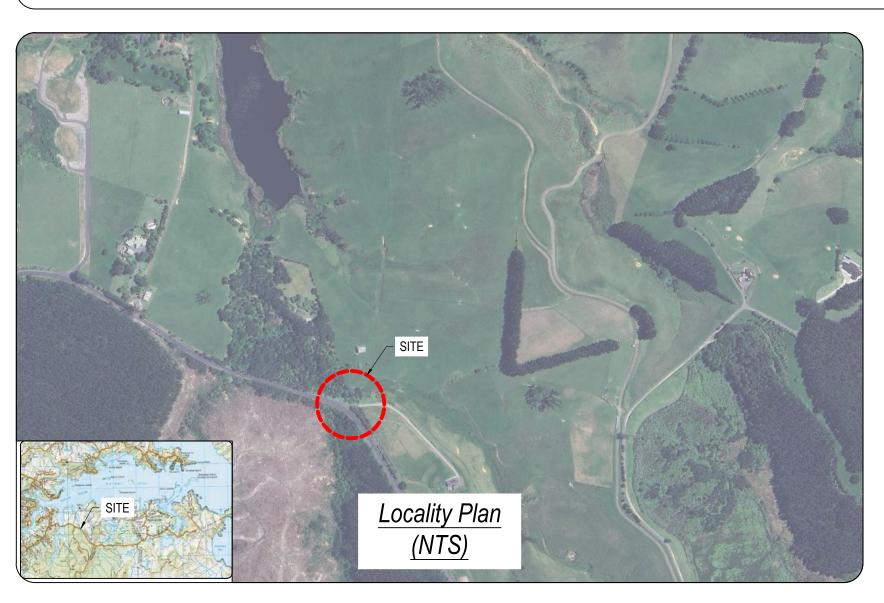








PROPOSED VEHICLE CROSSING AT KERIKERI INLET ROAD (Lot 2 DP 210733), KERIKERI NAGS HEAD HORSE HOTEL LTD



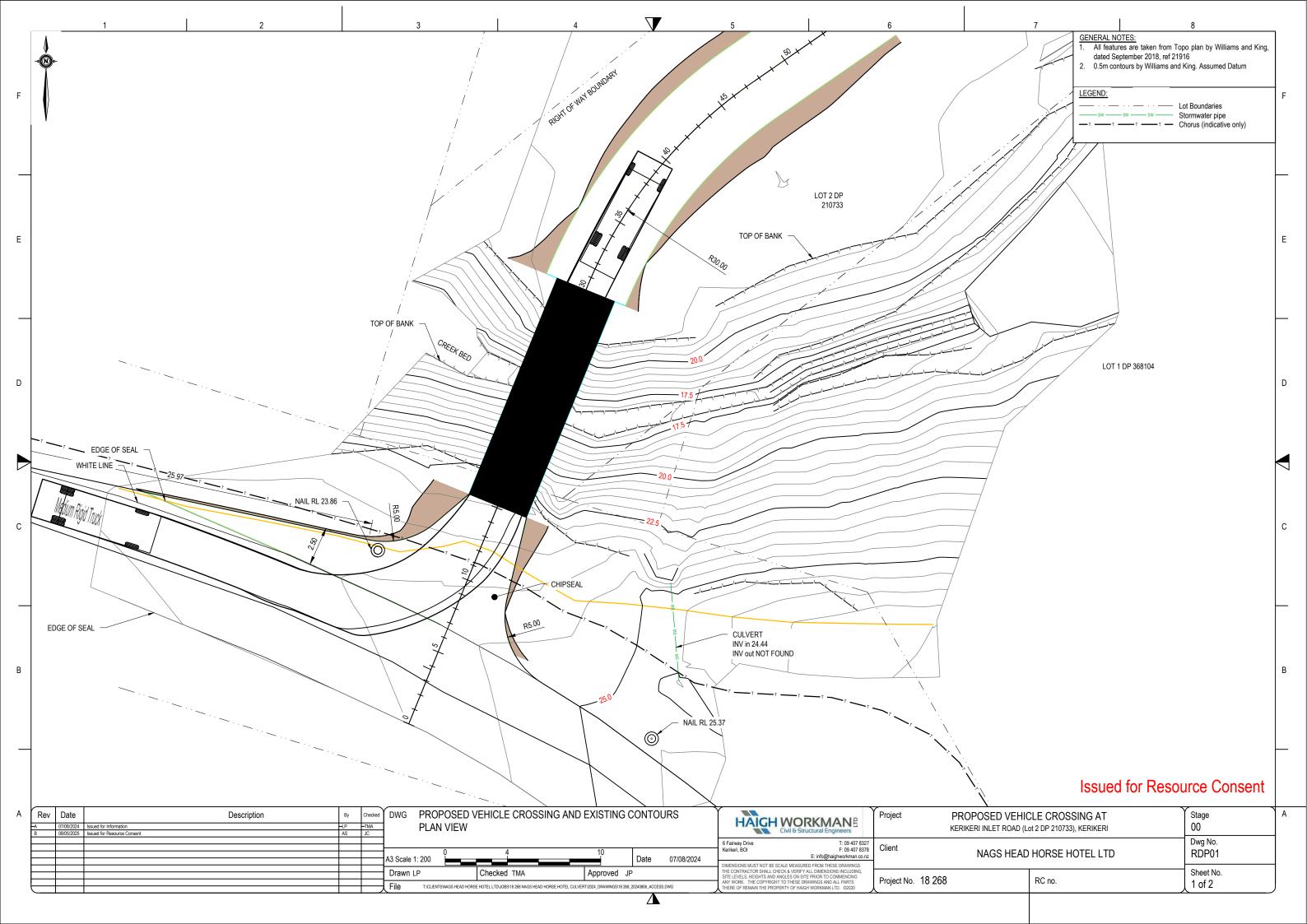
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Dwg No.	Title 01	Title 02	Rev. No.	Rev. Date	Rev. No.	Rev. Date			
COV01	COVER		А	07/08/2024	В	08/05/2025			
RDP01	PROPOSED VEHICLE CROSSING AND EXISTING CONTOURS	PLAN VIEW	Α	07/08/2024	В	08/05/2025			
RDP02	PROPOSED VEHICLE CROSSING AND FINAL CONTOURS	PLAN VIEW	Α	07/08/2024	В	08/05/2025			
RDP03	PROPOSED VEHICLE CROSSING	CUT/FILL	А	07/08/2024	В	08/05/2025			
RDL01	PROPOSED VEHICLE CROSSING	LONG SECTION	Α	07/08/2024	В	08/05/2025			
RDD01	VEHICLE CROSSING DETAILS		А	07/08/2024	В	08/05/2025			

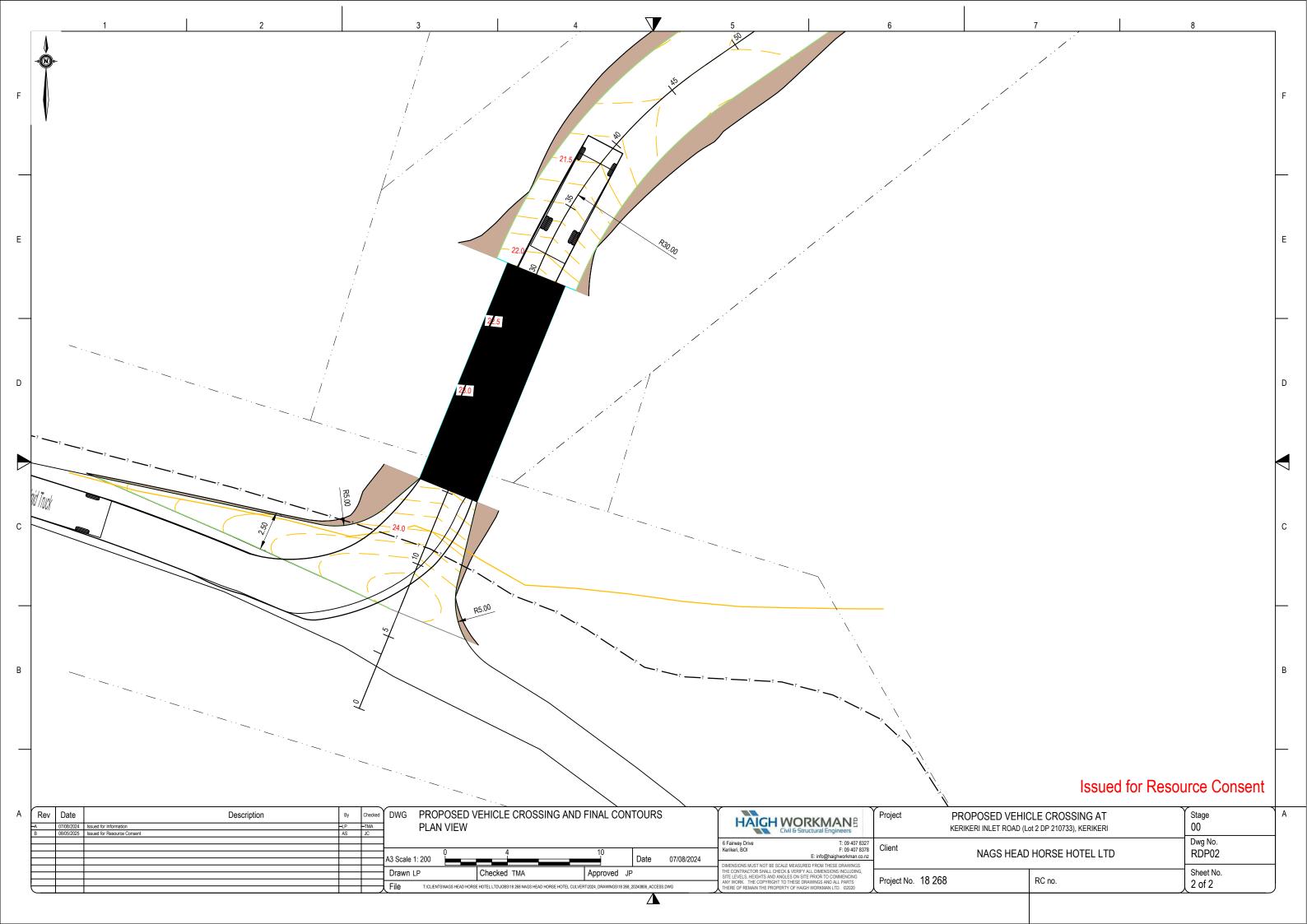


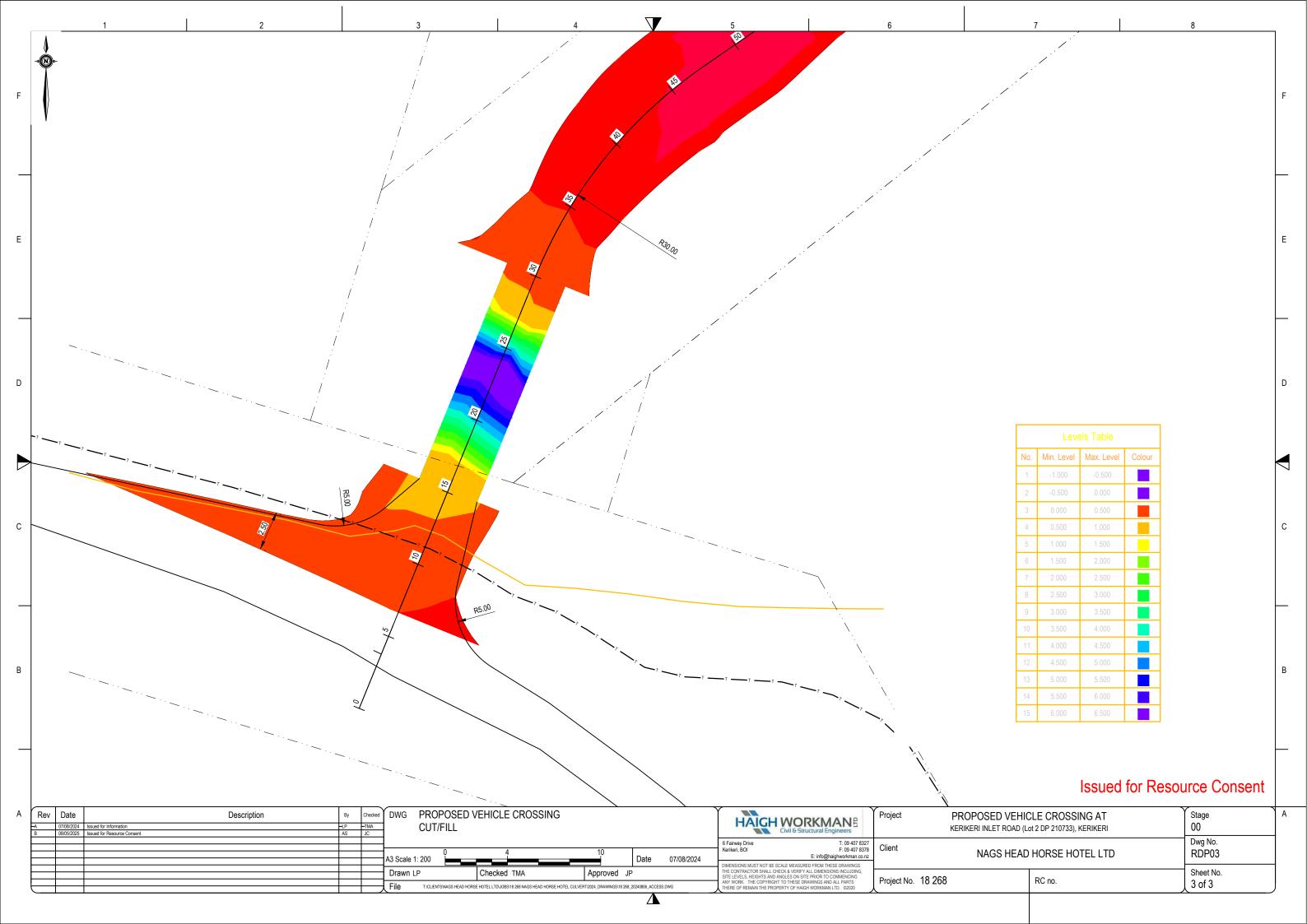
6 Fairway Drive T: 09 407 8327
Kerikeri, BOI. F: 09 407 8378
E: info@haighworkman.co.nz

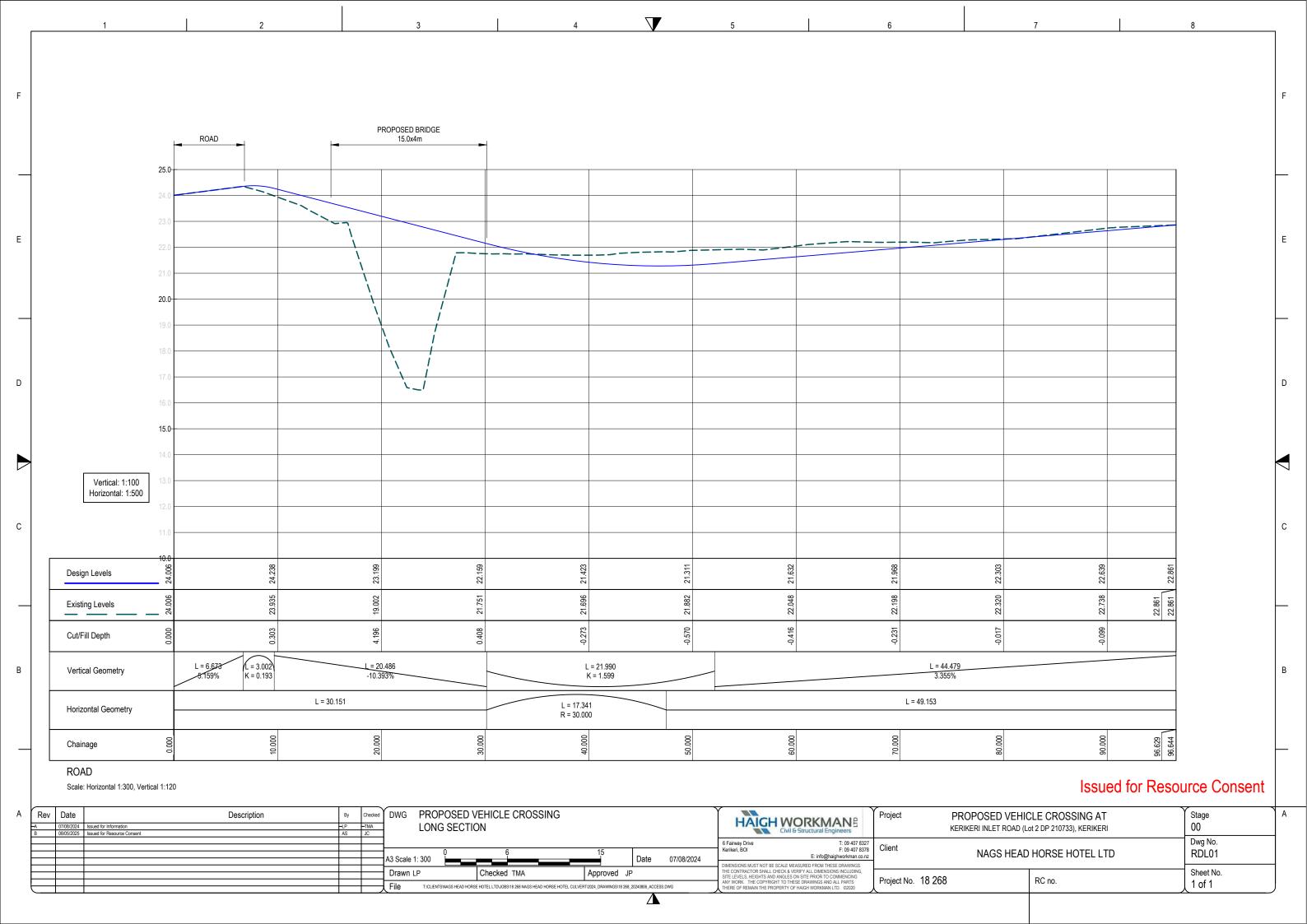
Project No. 18 268

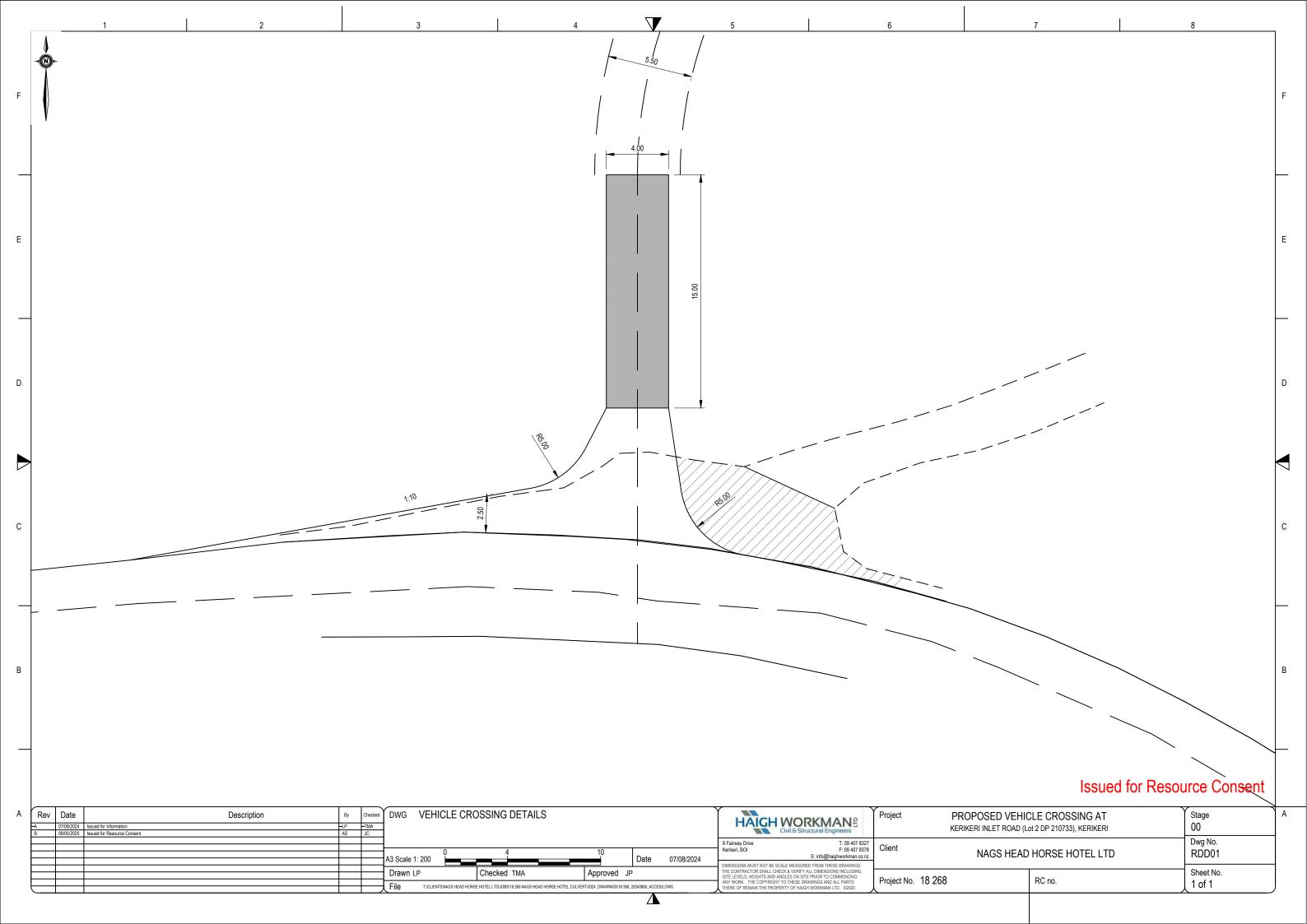
00 Issued for Resource Consent 08/05/2025











Natalie Watson

From: Kay Meekings <Kay.Meekings@fndc.govt.nz>
Sent: Tuesday, 17 September 2024 4:34 pm

To: Natalie Watson

Subject: RE: Vehicle crossing involving a bridge, does this require a License to Occupy?

Follow Up Flag: Follow up **Flag Status:** Flagged

Hi Natalie,

No LTO is required.

The bridge from the road parcel, over the water parcel onto the freehold land is considered part of the vehicle crossing.

Regards



Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029 fndc.govt.nz



Te Wiki o te Reo Mãori 14-21 o Hepetema 2024



From: Natalie Watson <nat@saps.co.nz>
Sent: Tuesday, September 17, 2024 2:44 PM

To: Nadia de la Guerre <Nadia.DeLaGuerre@fndc.govt.nz>; Kay Meekings <Kay.Meekings@fndc.govt.nz>

Subject: Vehicle crossing involving a bridge, does this require a License to Occupy?

CAUTION: This email originated from outside Far North District Council.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon Nadia and Kay,

I have a query regarding a proposed entrance upgrade, which will involve a bridge that will partly encroach into a legal road reserve.

My question is, if the relevant part of the bridge forms part of the vehicle crossing as per the Operative District Plan definition copied below, whether this would still need to be considered for a license to occupy?

CROSSING

In relation to vehicle access means the formed and properly constructed vehicle access from the carriage way of any road up to and including that portion of the road boundary of the site across which vehicle access is permitted by this Plan and includes any culvert, bridge or kerbing.

I don't have the full details of the proposed design at this stage, so am not sure of which parts of the bridge will be within the road. But I wanted to clarify whether a license to occupy is likely to be required for this. Ideally not, as the crossing is a shared one (three property owners) with the relevant properties possibly being sold on at some point, meaning that new applications for a LtO would be required as ongoing.

I think that this is a bit of a multi-discipline question, so I hope that I have asked the right people. If not, could you please point me in the right direction?

Thank you, Natalie Watson

WILLIAMS & KING
P +64 9 407 6030
27 Hobson Ave
P.O. Box 937, Kerikeri 0230, NZ
http://www.saps.co.nz

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WETLAND DETERMINATION



PROPOSED SUBDIVISION LOT 2 DP 442820 (RT 552855) KERIKERI INLET ROAD, KERIKERI



PO Box 229, KERIKERI PH 021 151 8315

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BAY ECOLOGICAL CONSULTANCY LTD (10/04/25) WETLAND DETERMINATION PROPOSED SUBDIVISION LOT 2 DP 442820 (RT 552855) V2 APRIL

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WETLAND DETERMINATION

PROPOSED SUBDIVISION LOT 2 DP 442820 (RT 552855) KERIKERI INLET ROAD, KERIKERI

10 APRIL 2025



EXECUTIVE SUMMARY

Bay Ecological Consultancy Ltd has been engaged by Sarah Lowndes of Nags Head Horse Hotel Ltd to determine the presence or otherwise of *natural inland wetland* in regard to the subdivision of the Kerikeri Inlet Rd subject property (Lot 2 DP 442820; RT 552855; approx 14.3750ha).

The property is bounded adjacent proposed Lot 1 to the south by Lot 2 DP 210733 and Kerikeri Inlet Rd, with the Okura River marginal strip and CMA saltmarsh to the north adjacent proposed Lot 4. All Lots will have a common interest in Lot 4 DP 167657 to their eastern boundary, occupied by the *Kerikeri Inlet Road Pond (PNA #05/083)*¹ and *Known Wetland*²

The activity will result in the creation of 4 Lots with designated building envelopes and landscape planting to mitigate visual impact of intensified residential occupation³. This constitutes a FNDOP *Non Complying* activity due to part of the land being in the *South Kerikeri Inlet Zone*⁴ sensitive area and not submitted as a Management Plan:

- LOT 1 2.0720ha
- LOT 2 2.2820ha
- LOT 3 6.7465ha
- LOT 4 3.0740ha

There is currently no built form. A redundant quarry is located on the southwestern corner of proposed Lot 4 adjacent the marginal strip.

A new access is proposed from Kerikeri Inlet Road across Lot 2 DP 210733, requiring the establishment of a short bridge. Easement A of the ensuing ROW over proposed Lot 1 will then traverse an existing culverted earth dam, which will require upgrade for residential purpose.

The proposal site has been considered on the basis of a desktop review of available ecological information, complimented by fieldwork (9/1/25), to determine wetland extent and associated *values*⁵, subject to regulations of the *NES-F* (2020). Extent and *values* are primary considerations in avoidance of adverse effects of any development, largely dependant on maintenance of hydrology.

¹ Conning & Miller (1999) Natural areas of the Kerikeri Ecological District. Reconnaissance survey for the Protected Natural Areas Programme. DoC, Wellington.

² NRC BIODIVERSITY WETLANDS https://localmaps.nrc.govt.nz/localmapsviewer/?map=55bdd943767a493587323fc025b1335c

³ Hawthorn Landscape Architects Ltd (2024) Visual Impact Assessment Nags Head Horse Hotel Ltd LOT 2 DP 442820 (RT 552855)

⁴ FNDOP MINIMUM LOT SIZES TABLE 13.7.2.1 (xii) SOUTH KERIKERI INLET ZONE: 4ha in non sensitive areas

⁵ VALUES (NPS FM 2020 Amendment No.1 (2022) (i) ecosystem health; (ii) indigenous biodiversity; (iii) hydrological function; (iv) Maori freshwater values; (v) amenity values

The broad extent of the Lots is short exotic pasture bounding natural inland wetland. Throughout the design development, these significant ecological site values have been acknowledged by refinement of infrastructure siting; designation within protective covenants (AA; AB; AC), complemented by planting.

KEY FINDINGS

- Ecological site values within the site are related to the wetlands terminating in the Kerikeri Inlet Rd Lake (PNA#05/083) which encompasses an unnamed A3 reach, all tributary to saltmarsh and mangrove wetlands of the Kerikeri Inlet closely offsite.
- Natural inland wetlands subject to the National Environmental Standards for Freshwater NES F (2020) have been recognized, according to definitions of the NPS FM (2020) and PNRP (2021), by dominant hydrophytic (OBL, FACW) floral assemblages.
- Wetland is visible from aerial photography dating to the 1950s showing prolonged periodicity and occupancy.
- Primary hydric indicators included saturation and surface water, with supportive indicators of the geomorphic profile and drainage patterns in the landscape.
- Site wetlands are diagnostically
 - swamp
 - shallow water (emergent)
 - fen 0
- The primary wetland associations onsite are
 - o raupō Isachne globosa (OBL) dominant Machaerina articulata (OBL)-kuta (Eleocharis sphacealata OBL)-Schoenoplectus (OBL)
 - o Paspalum distichum (FACW) Juncus (FACW)- Ludwigia (OBL)-Isolepis
 - Isachne globosa (OBL)- Isolepis (OBL)- Eleocharis acuta(OBL)
 - Machaerina juncea (FACW)

Associations vary with depth and reliability of saturation/standing water in contour.

- Other frequent species in association include Epilobium pallidiflorum (OBL); Persicaria* (OBL & FACW spp); Cyperus brevifolius* (FACW); Myriophyllum (OBL); Galium palustre (OBL); Carex secta (OBL); Parablechnum minus (FACW); Agrostis stolonifera (FACW); Ranunculus (FACW); Lotus (FAC)
- The prevailing character of the site beyond identified wetland is rough pastoral-kikuyu dominance, strong clumps of *Paspalum dilatum*; rye; browntop; clovers, & further common FACU / UPL grass and weed species e.g. Senecio; Plantago and Daucus. None of the natural inland wetland mapped in this reporting would be subject to the pastoral exclusion clause of the natural inland wetland definition⁶.
- Predicted ecosystem⁷ type on the *Hukerenui Silt Loam (HKR)* mapped⁸ soil type is
 - **WF11** Kauri podocarp broadleaved

There is no representative remnant forest, rather scattered towai and kanuka along the Lake and Lake Lot boundary adjacent the end of wetlands.

- Development areas are in bare pasture. There is no indigenous vegetation clearance designated.
- No flora species present have threat status or are regionally rare/significant.

⁽i) is within an area of pasture used for grazing; and(ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8)(iii) the wetland is a location of a habitat of a threatened species identified under clause 3.8 of this National Policy Statement, in which case the exclusion in (e) does not apply

https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/Northland_Biodiversity_Ranking/FeatureServer

⁸ https://lris.scinfo.org.nz/layer/48066-nzlri-soil/

- There are no kauri in the development areas to invoke consideration of the *Biosecurity* (National PA Pest Management Plan) Order 2022.
- Recognition of natural inland wetland onsite promotes avoidance of effects through adherence
 to protective measures as per the NES –F in design. Bunded crossing and culvert A traverses a
 wetland over proposed Lot 1 descending from east offsite Lot 1 DP 442820. It is considered
 other infrastructure under the NPS-FM and its upgrade is a Restricted Discretionary activity
 requiring consideration of matters in REG 56 and resource consent application to NRC once
 detailed design is finalised.
- Other than Crossing A, the building platforms and the majority of associated infrastructure are potentially within 100m of *natural inland wetland* but do not occupy critical source areas, seepage or overland flow path that through their formation may change the water level range or hydrological function of the wetland. Diversion of diffuse natural discharge naturally permeating or sheetflow downslope through the building sites or ROW across pasture *will not cause drainage of all or part of the wetlands or likely change the water level range or hydrological function of the wetland* in any measureable way in reference to *Reg 52(i);(ii)* & *Reg 54 (c)* & *(d)*.
- Likewise earthworks within 100m or 10m will not result in complete or partial drainage of all or part of the wetland or likely change the water level range or hydrological function of the wetlands as per Reg 52(i);(ii) & Reg 54 (c) & (d) if they do not occupy or intersect with the wetlands.
- In the absence of unmitigated point source discharge there is highly unlikely to be any wetland change in seasonal or annual range water levels, as per PNRP Policy H.4.2 Minimum levels for Lakes and natural wetlands.
- The wetland's extant hydrological sources are to upper eastern contour fed by springs / seepage with variable output highly responsive to meteorological conditions in a pastoral setting. Species composition throughout has a level of tolerance adapted to periodic moderate to high fluctuation in water levels without discernible shift in composition or aquatic life. Stormwater inputs should be controlled in a manner that prevents sediment, scouring or erosion as best practice to avoid adverse effects of such on wetland and aquatic habitat condition.
- Five minute bird counts and incidental observation during fieldwork determined habitat suitable for insectivourous generalists sighted e.g. kingfisher; pukeko; fantail; sparrow utilizing wetlands as part of wider territorial economics. In addition to common pukeko, black swan, mallard and paradise ducks, a single dabchick (*Threatened Nationally Increasing*) was observed at the southern end of the Lake near the bottom of AA.Other wetland birds may be present however they are T typically reticent even in response to playback. Bittern (*Threatened –Nationally Critical*) are suggested in the PNA documentation, and known <2km distant in the Waitangi commercial forestry estate. They have wide territories and are a *highly mobile species* under the NPS-IB (2023). Pest control, water quality maintenance and retention of tall stature wetland habitat are critical for their survival and all promoted by the proposal regardless of occupancy.
- No fish survey was undertaken. NIWA predicted species are common bully; short fin eel; banded kokupu and redfin bully. Controls on inputs and adherence to the NES-F as above are considered sufficient to avoid adverse effects on any species present.
- The covenant revegetation areas AA AB & AC includes encompass eroding overland flow paths, as CSAs to the wetlands and Lake. These provide a visually protective obvious cue, additionally buffering existing values from sediment and unmitigated pastoral stormwater inputs, providing a full length 10m minimum ⁹ advisable riparian.

5

⁹ NIWA (2000) Review of Information on riparian buffer widths necessary to support sustainable vegetation and meet aquatic functions TP350 Auckland Regional Council

- Revegetation <10m of natural inland wetland is a permitted activity subject to general principles within NES-F REG 55.
- Although there is no kiwi mapping (DoC) designation we recommend exclusion of cats and the standard consent conditions for dogs due to the high observed and implied avian values (dabchick – Threatened- Nationally Increasing); bittern Threatened -Nationally Critical) associated with the lake surrounds.

Coeval revegetation and protection of wetlands will provide focused headwater management for the Kerikeri Inlet catchment.

These mechanisms are wholly in sympathy with the intent of NPS-FM Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

Proposed management will confer ecological benefit and amenity value, enhancing biodiversity and water quality protection within the development. The outcome is aligned with the aspirations of natural environment and subdivision objectives and policies of the Operative and Proposed District Plan. In respect of these recommendations, the proposal represents a gross positive ecological effect over the current status. To avoid loss of *extent* or *values* as per the NPS- FM (2020) definitions, significant species or habitat from the development site we recommend pest and weed control of covenants.

PROPOSAL

The subject property (Lot 2 DP 442820) is located on the northern side of Kerikeri Inlet Rd, approx. 4.5km northeast of Kerikeri. The majority of the parent parcel has been in exotic pasture throughout the available historic aerial record, on gently rolling contour approx. 27-5masl. It slopes north to the Okura River marginal strip and CMA saltmarsh and east to the Lake (*Kerikeri Inlet Road Pond PNA #05/083*¹⁰; NRC *Known Wetland*¹¹) on Lot 4 DP 167657. It is our understanding the wetland area in Lot 4 DP 1 67657 is subject to land covenant (D.O 88754.3 28/6/1995), managed by a committee comprising a representative of each of the surrounding titles with a share in Lot 4 DP 1 67657. Ownership of the subject Lot includes a 1/3 share of Lot 4 DP 167657.

The current proposal will result in the creation of 4 Lots with designated building envelopes and landscape planting to mitigate visual impact of intensified residential occupation¹². This constitutes a FNDOP *Restricted Discretionary* activity due to Lot size in the *South Kerikeri Inlet Zone*¹³:

- LOT 1 2.0720ha
- LOT 2 2.4820ha
- LOT 3 6.7465ha
- LOT 4 3.0740ha

Proposed Lot 4 occupies the naturally separate extent of the parent parcel to the north, divided by existing Easement D servicing residential occupation on Lot 1 DP 172860. There is currently no built form on site. A redundant quarry is located on the southwestern corner of proposed Lot 4 adjacent the marginal strip. The new titles will have a common interest in a 1/3 share of Lot 4 DP 167657 as before.

A new access is proposed from Kerikeri Inlet Road across Lot 2 DP 210733, requiring the establishment of a short bridge. Easement A of the ensuing ROW over proposed Lot 1 will then traverse an existing culverted earth dam, which will require upgrade for residential purpose.

Conclusions of our current reporting are based on current available information and the proviso that engineering design will be best practice to minimize any potential adverse effects from increased impermeable surface, concentrated stormwater and any crossing or culvert establishment or upgrade in accordance with the NES-F (2020) protective regulations as in regard to site waterways. This report does not constitute an EcIA of the proposal. Due to the wider separate share in the Lake Lot by adjacent landowners, management recommendations therein to protect *extent and values* are limited to stock exclusion and pest control to broadly protect water quality and wildlife.

The site is described in *FIGS 1-3* and *Table 1* below. Key sources of the desktop review included:

¹⁰ Conning & Miller (1999) Natural areas of the Kerikeri Ecological District. Reconnaissance survey for the Protected Natural Areas Programme. DoC, Wellington.

¹¹ NRC BIODIVERSITY WETLANDS https://localmaps.nrc.govt.nz/localmapsviewer/?map=55bdd943767a493587323fc025b1335c

¹² Hawthorn Landscape Architects Ltd (2024) Visual Impact Assessment Nags Head Horse Hotel Ltd LOT 2 DP 442820 (RT 552855)

¹³ FNDOP MINIMUM LOT SIZES TABLE 13.7.2.1 (xii) SOUTH KERIKERI INLET ZONE: 4ha in non sensitive areas

- Retrolens aerial photography <u>www.retrolens.co.nz</u>
- https://data.linz.govt.nz/
- Conning &Miller (2004) Natural Areas of Kerikeri Ecological District Reconnaissance Survey Report for the PNA Programme. DoC, Whangarei
- Forester & Townsend (2004) Threatened plants of the Northland Conservancy
- Johnson & Gerbeaux (2004) Wetland types in NZ. DoC, Wellington
- LRIS portal https://lris.scinfo.org.nz/
- NRC Local Mapping & supporting documents Leathwick (2018); Singers (2018)
- TEC Classification https://ourenvironment.scinfo.org.nz/

PROPOSED LOT 4 QUARRY FACE



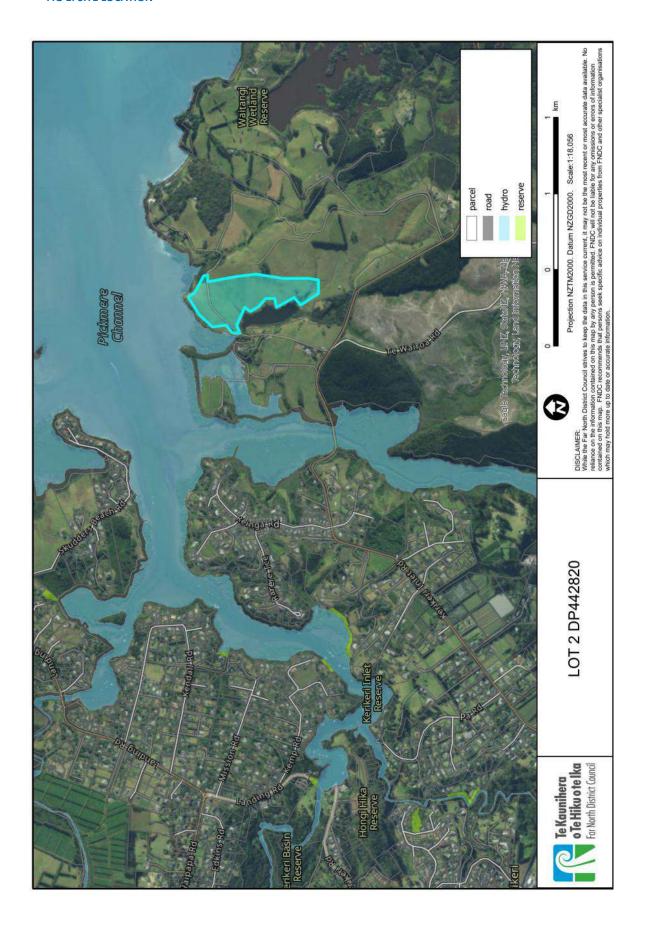


FIG 2: CURRENT PROPOSED SCHEME (APRIL 25)

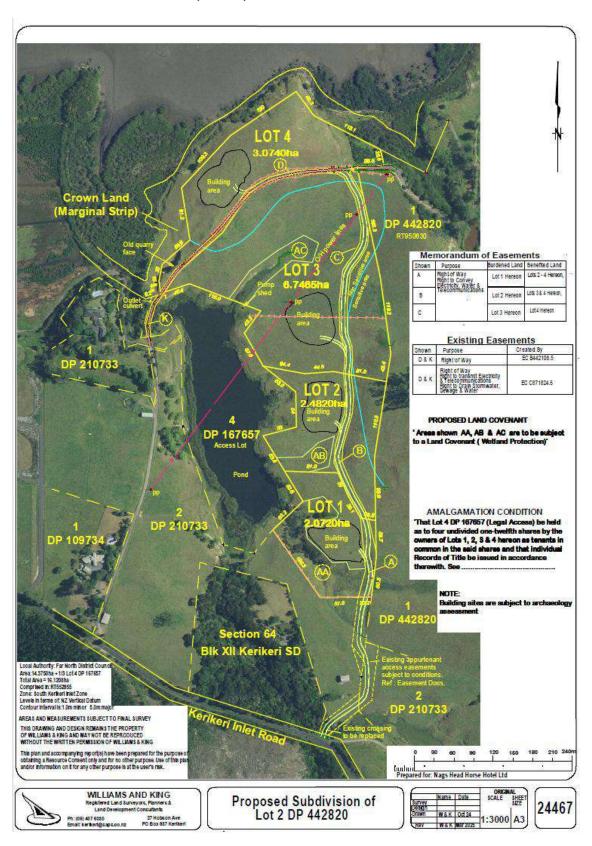
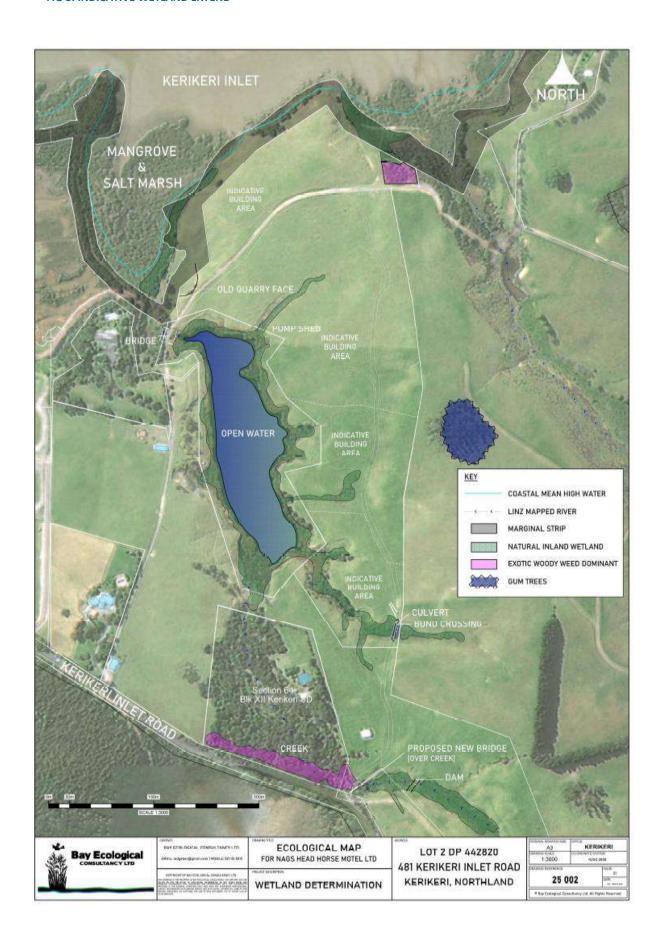


FIG 3: INDICATIVE WETLAND EXTEND



SITE CONTEXT

A desktop review of the available ecological site context and surrounding area in the potential zone of influence (ZOI) was undertaken. Although generally from broad scale mapping, requiring finer ground truthing, it suggests potential wetland presence and *values*¹⁴ including species occurrence and associations influenced by underlying abiotic influences of soils and hydrology.

TABLE 1: MAPPED SITE SUMMARY

DESCRIPTION	LOT 2 DP 442820		
	(RT 552855)		
OWNER	NAGS HEAD HORSE MOTEL LTD		
FNDP OPERATIVE ZONE	SOUTH KERIKERI INLET ZONE		
	SOUTH KERIKERI INLET ZONE SENSITIVE ZONE		
	(portion proposed Lots 4 majority ; far eastern 3 & 2)		
FNDP PROPOSED ZONE	RURAL LIFESTYLE		
RPS COASTAL ENVIRONMENT	YES EXCLUDES PROPOSED LOT 1 BEYOND WETLAND & SOUTHERN PORTION PROPOSED LOT 2		
TOTAL LOT AREA	14.3750ha approx.		
	(+1/3 share Lot 4 DP 167657 LAKE LOT)		
PROPOSED LOTS	AREA & DESCRIPTION	PROPOSED COVENANTS	
(DEC 24)	LOT 1 2.0720ha PASTURE; SCATTERED KĀNUKA & TŌWAI WETLAND PERIPHERY	AA WETLAND AND SETBACK	
	LOT 2 2.4820ha PASTURE	AB AND SETBACK	
	LOT 3 6.7465 ha PASTURE	AC AND SETBACK	
	LOT 4 3.0740ha PASTURE; OLD QUARRY FACE EXPOSED BASALT; EASTERN CORNER WOODY EXOTIC WOODY WEED DOMINANT WITH SOME KĀNUKA; MĀNUKA;HANGE HANGE; COPROAMA & MAHOE MACHAERINA DOMINANT WETLAND	NONE IN CURRENT PROPOSAL	
ECOLOGICAL DISTRICT	KERIKERI		
HYDROLOGY & RIVERS ¹⁵	 NZ SEGMENT ##1006457 2st Order A3 TYPE UNNAMED SHORT TRIBUTARY OF KERIKERI INLET AT KERIKERI INLET RD PROPOSED ENTRANCE BRIDGE & FLOWS THROUGH LOT 4 DP 167657 LAKE LOT LAKE ORIGINATES 1950s FROM RIVER/ WETLAND AS PER AERIAL REVIEW WETLANDS ON PROPOSED LOTS 1; 2; 3 TRIBUTARY TO CENTRAL LAKE SMALL WETLAND PROPOSED LOT 4 TRIBUTARY TO SALTMARSH IN CMA 		
SOIL TYPE ¹⁶	Hukerenui Silt loam (HKR)		
POTENTIAL ECOSYSTEM ¹⁷	WF11 Kauri podocarp broadleaved		
TEC CLASSIFICATION18	CLASS III: AT RISK (20-30% indigenous cover remains)		
MAPPED SNA;NORTHLAND BIODIVERSITY RANKING - TERRESTRIAL TOP 30 SITES; RANKED RIVERS; KNOWN WETLANDS; RANKED WETLANDS	NZ SEGMENT #1006457 UNNAMED RANKED 0.006(TOP 1% A3 TYPE CREEK IN NORTHLAND)		
RARE ECOSYSTEMS ¹⁹	WETLANDS		
KIWI DISTIBUTION (DoC 2018)	NONE MAPPED		

 $^{^{14}}$ Values (NPS FM 2020 Amendment No.1 (2022) (i) ecosystem health; (ii) indigenous biodiversity; (iii) hydrological function; (iv) Maori freshwater values; (v) amenity values

 $^{^{15} \} LINZ\ 2022\ NZ\ River\ Centrelines\ https://data.linz.govt.nz/layer/50327-nz-river-centrelines-topo-150k/$

 $^{^{16}\} https://nrcgis.maps.arcgis.com/apps/webappviewer/index.html?id=fd6bac88893049e1beae97c3467408a9$

¹⁷ https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/Northland_Biodiversity_Ranking/FeatureServer/0

 $^{^{18}\} https://our environment.scinfo.org.nz/maps-and-tools/app/Habitats/lenz_tec$

¹⁹Williams et al (2007) New Zealand's historically rare terrestrial ecosystems set in a physical and physiognomic framework *New Zealand Journal of Ecology 31(2):* 119-128

HISTORIC AERIAL REVIEW

Review of available aerial photography preceded fieldwork to determine historic location and subsequent persistence of any site hydrology/ wetland. Earliest illustration below (FIG 4) shows the original watercourse prior to ponding. The Lake is first illustrated in 1930 (SO 26287 FIG 5), implying ponding occurred at some point in the intervening years. Vegetation has remained pastoral from earliest photography (1951) with minimal terrestrial cover around wetlands and Lake. In addition to confirming wetland periodicity, review is useful to determine the status of any infrastructure. The existing crossings are considered *other infrastructure*²⁰, as long established before the ratification of the NES-F.



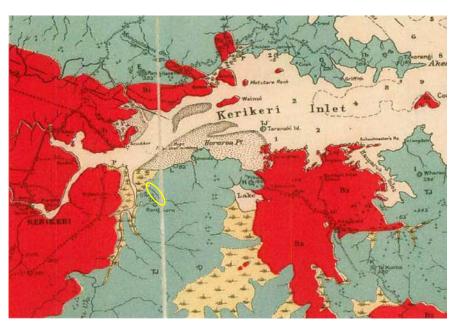
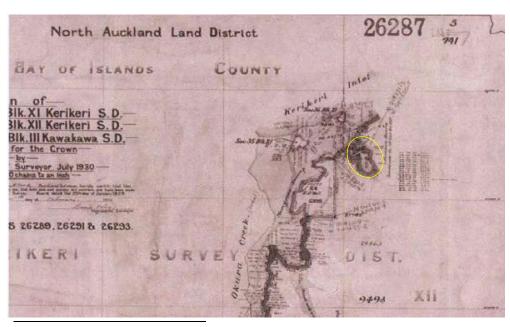


FIG 5: SO26287 1930



²⁰ As defined in the NPS-FM Infrastructure present prior to commencement of the regulations (2/9/2020) is considered *existing infrastructure*.

FIG 6: NZMS 13 NAK 19 1936

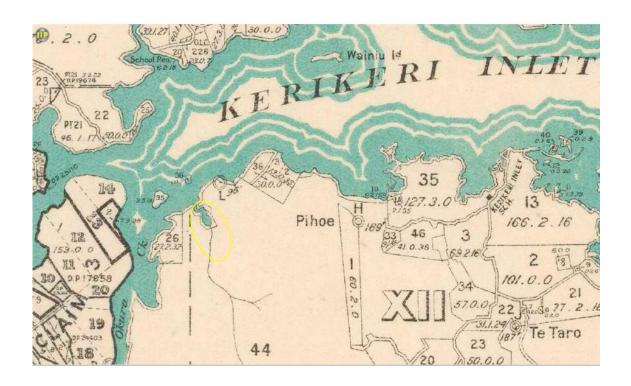
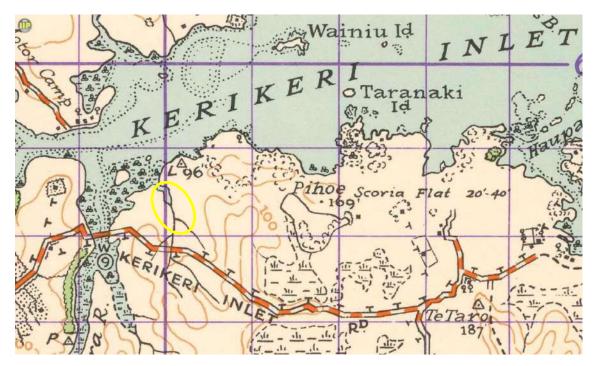


FIG 7: NZMS: NM1 1942



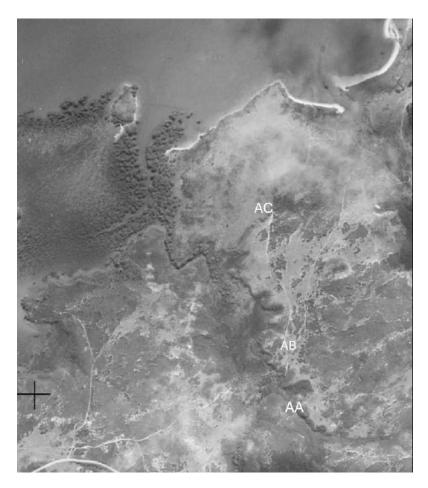


FIG 9: SO 44574 1964

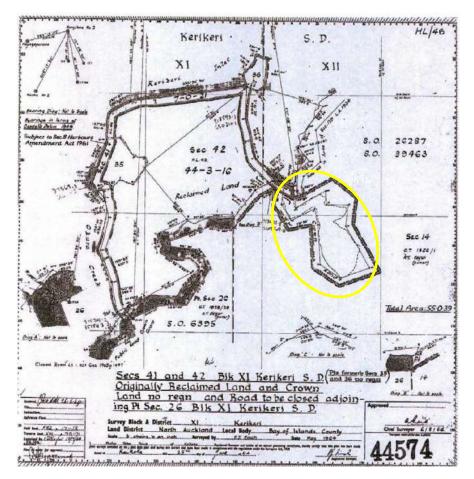


FIG 10: NZMS: NM1 1969

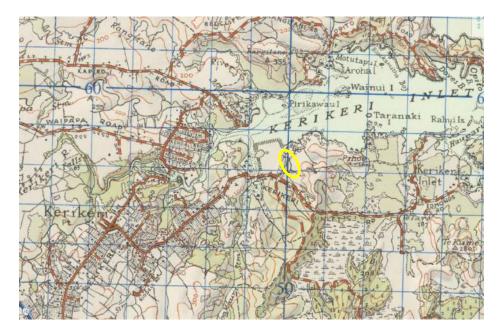


FIG 11: RETROLENS 1971

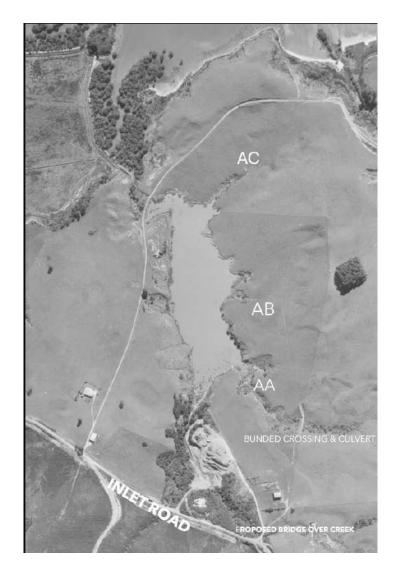


FIG 12: RETROLENS 1979

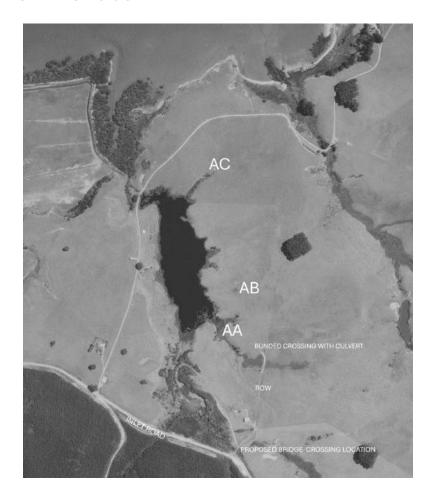


FIG 13: NZMS260: P05 19

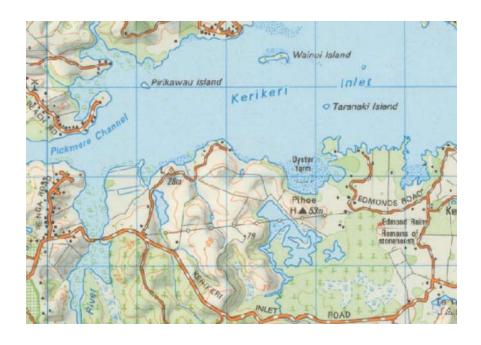


FIG 14: 1981 LINZ BASEMAPS

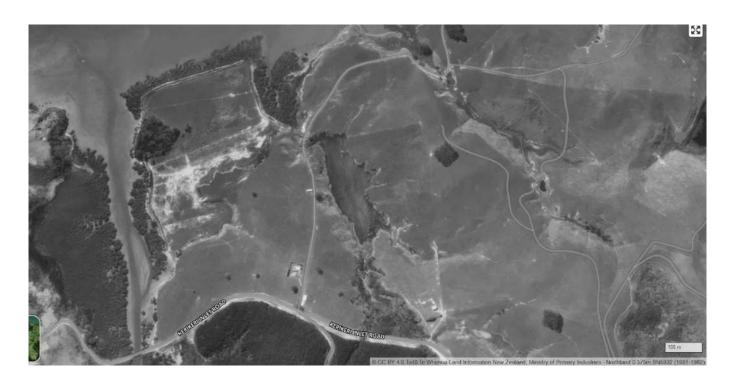


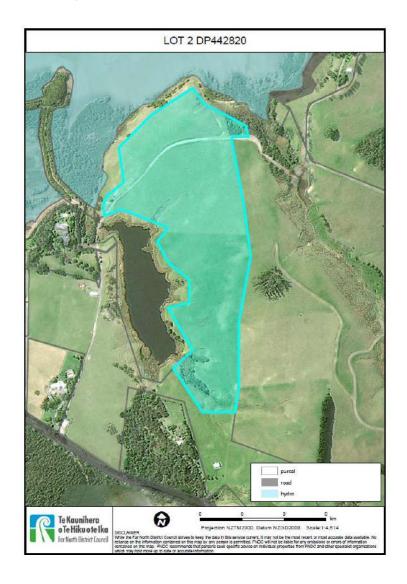
FIG 15: 2005 LINZ



FIG 16: FNDC/LINZ 2016



FIG 17: FNDC/LINZ 2023



SOILS & PREDICTED ECOSYSTEM TYPE

Underlying soil patterns provide an indication of wetland likelihood e.g. poor permeability or podzolisation. Broad scale geology changes across a site promotes the eruption of hydrological sources and are often a marker of wet areas, as on site. Soil types infer an associated historic cover, which is a relevant reference for any revegetation or amenity planting.

Site soils are mapped²¹ as *Hukerenui Silt loam*. Broad ecosystem classification²² shows the potential vegetation type mapped as correlated historically with soil type as before and climate —

WF11 - Kauri Podocarp broadleaved forest

Formerly the dominant forest type in Northland, it occurred from sea level to 300 m, typically on shallow to steep hillslopes and ridges. Although this reference type is absent, the relationship to the site soils is appropriate to guidance for post development revegetation or amenity planting directly adjacent wetlands as per NES - F (2020) regulations.

TABLE 2: MAPPED SOIL TYPE

SOIL TYPE NZRLI	SOIL TYPE FSL	DESCRIPTORS	PREDICTED FOREST TYPE
HUKERENUI SILT LOAM WITH YELLOW SUBSOIL (HKR)	TYPIC YELLOW ULTIC SOILS (UYT)	Old greywacke soil Marua soil suite Imperfectly to poorly drained Low clay content Columnar subsoils increase risk of gully erosion. Weak, podzolised soil structure makes gully sides more prone to collapse Acidic topsoil and low natural fertility but lack of binding clay means nutrients are more readily available Al may be to toxic levels for sensitive plants in the B horizon, making rooting shallow and cut faces hard to revegetate	Kauri, podocarp, broadleaved forest with occasional rimu, miro, kahikatea, kauri, taraire, tawa, tōwai, kohekohe, pūriri and rewarewa. Drivers of composition are fertility, drainage and altitude Altitude variants - taraire and kohekohe more abundant at lower altitudes, and tawa and tōwai more common at higher altitudes. Broadleaved species in gullies Commonly a secondary derivative of kauri forest Rainfall 1000–2500mm.

²¹ https://lris.scinfo.org.nz/layer/48066-nzlri-soil/

⁻

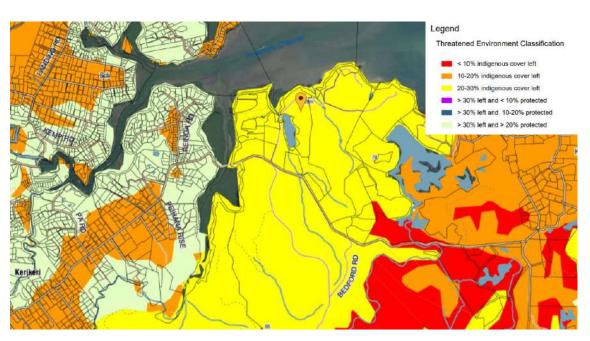
²² Singers & Rogers (2014) A classification of NZs terrestrial ecosystems. DoC Wellington; Singers, N. (2018) A potential ecosystem map for the Northland Region: Explanatory information to accompany the map. Prepared for Northland Regional Council.

THREATENED ENVIRONMENT CLASSIFICATION (TEC)

The TEC layer is most appropriately applied to help identify priorities for formal protection against clearance and/or incompatible land-uses, and/or to restore lost species, linkages and buffers. The first two levels of the Threatened Land Environment mapping has been incorporated into national and regional policy²³ to address biodiversity protection on private land. Any remaining indigenous vegetation on such sites is considered significant and a priority for formal protection, linkage and buffering, including wetland.

The proposed Lots are encompassed by TEC *Level III* mapping²⁴ - *At Risk (20 -30% indigenous cover remains)*. Indigenous biodiversity in these environments has been much reduced and habitats are seriously fragmented. Positive gains may be obtained through revegetation, buffering, pest and weed control, as standard measures.

FIG 18: TEC CLASSIFICATION



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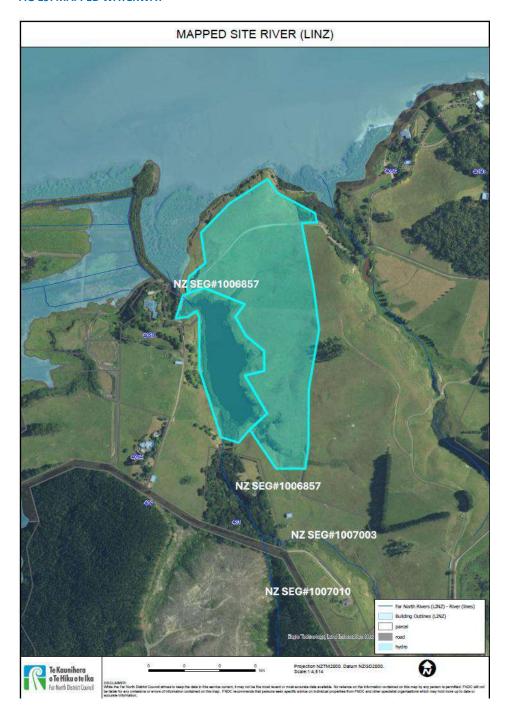
²³ National Policy Statement for Indigenous Biodiversity 2023; Northland Regional Policy Statement 2018 Appendix 5:2(a)i ²⁴ Threatened Environment Classification (2012) Landcare Research Manaaki Whenua. Based on Land Environments New Zealand (LENZ), classes of the 4th Land Cover Database (LCDB4, based on 2012 satellite imagery) and the protected areas network (version 2012, reflecting areas legally protected for the purpose of natural heritage protection). Combination of components of *Land Environments New Zealand Level VI; Land Cover Database 4 (2012); Protected Areas Network (2012).* Classifications - *Acutely Threatened (<10% Indigenous vegetation remains) Chronically Threatened (10-20% Indigenous Cover remains); At Risk (20-30%) Indigenous Cover Remains; Critically Underprotected (>30% cover, <10% protected); Underprotected(>30% Indigenous cover remains, 10-20% protected); Better Protected(>30 indigenous cover, >20% protected)*

VALUES MAPPING

HYDROLOGY

The waterway that interacts with the site is a 2nd order tributary to the lower estuarine saltmarsh/ mangrove extent, before exit to Kerikeri Inlet.

FIG 19: MAPPED WATERWAY



The A3 2nd order mapped river²⁵ that existed prior to ponding remains in part and is characterized as per the REC VII Table 3. The river is now a *modified watercourse*.

It is fed by two headwaters originating offsite- to the south in the Crown lease forestry estate (Pt Lot 1 DP 137183 #1007010) and to the east in farmland swamp (#1007003 Lot 1 DP 442820). These converge as the subject segment at the proposed crossing off Inlet Rd and travel across Sec 64 Blk XII Kerikeri and Lot 2 DP 210733 to the pond within the shared access Lot 4 DP 167657.

The low *elevation origin* (*L*), typically has marked seasonal flow patterns: high in winter, low in summer. Erosion rates in the *pastoral* (*P*) setting tend to be high, with rapid and more extreme flood peaks, resulting in low water clarity and higher suspended sediment compared to natural land cover. The A3 character was considered likely to contain wetland prior to ponding due to the typically slow flow rate for its class and low *Landform* class. This was corroborated by the aerial review.

The flow is assigned a lower condition score than the type, likely influenced by the wider catchments dominant pastoral cover. Condition scores are based on FENZ database parameters, ²⁶ values closest to 1 representing optimal condition. It has a high ranking, likely reflecting its connectivity with a NRC Biodiversity ranking unit adjacent Kerikeri Inlet Rd (Unit #298 WF11 Top 9%) the Lake, and downstream saltmarsh (Unit #292 Top 17%).

TABLE 3: REC CLASSIFICATION

CHARACTERISTIC UNNAMED CREEK NZ SEGMENT #1006457 ORDER TYPE A3 - very small, gentle gradient streams on sandy substrates occurring in coastal locations Widespread in coastal parts of the Eastern Northland unit 0.006 NRC BIODIVERSITY RANKING (Top 1% A3 type Northland) 0.07 MEAN FLOW $(m^{-3} s^{-1})$ 0.261/0.325 **CONDITION SCORE** (SITE/ A3 TYPE) CLIMATE **WW** Warm Wet **SOURCE OF FLOW L** Low Elevation GEOLOGY **HS** Hard Sedimentary LAND COVER **P** Pastoral **NETWORK POSITION** LO Low Order VALLEY -LANDFORM MG Medium Gradient

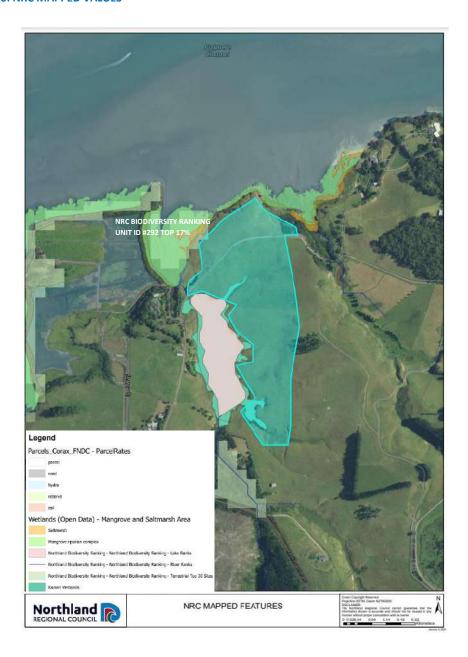
²⁶ Ranking parameters include indigenous cover in the upstream catchment; estimates of instream nitrogen concentrations; alteration of river flows and fish passage by control structures; introduced fish, discharges from industry; and impervious surfaces from development. DoC 2010

²⁵ **river** means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)

The Lake is identified in the NRC *known wetlands* layer along with tributary wetlands within proposed covenant areas AA; AB & AC (Fig 2). Currently grazed these may be considered critical source areas²⁷ (CSAs) to the receiving waterway/ wetland.

Although a useful starting point, the NRC layer carries the disclaimer that its content is incomplete and should not be relied upon as a definitive illustration of presence/ absence or extent.

FIG 20: NRC MAPPED VALUES



The Lake/pond, dug in former wetland in the path of a natural waterbody, with wetland within and remnant on edges, does not fall under the exclusions of the most recent NPS- FM (2020)

²⁷ **CSA Critical source area**: Means a landscape feature such as a gully, swale or depression that accumulates surface run-off from adjacent land; and delivers, or has the potential to deliver, one or more contaminants to one or more rivers, Lakes, wetlands, or surface drains, or their beds (regardless of whether there is any water in them at the time).

definition²⁸ and cannot be by definition considered *constructed*²⁹ wetland as per definitions of the *Proposed Northland Regional Plan H6*.

TABLE 4: LAKE CLASSIFICATION³⁰

CHARACTERISTIC	KERIKERI INLET ROAD POND		
KERIKERI PNA ³¹ #	P05/083		
NRC ID#	#150		
NRC ID#	Eastern Northland		
AREA	3.470 ha		
TYPE ³²	RIVERINE		
CONDITION SCORE ³³	0.281		
	(Average riverine type 0.29)		
AUD C DIODIU/SDC/TV DAAWANG	12 th Lake Northland		
NRC BIODIVERSITY RANKING	0.015 (Top 1.5% riverine type)		
	0.015 (10p 1.5% riverine type)		
MAPPED WETLAND ³⁴	Shallow water, largely peripheral fringe of emergent raupō & Isachne association with areas of kuta		

Riverine Lakes are the second most frequent geomorphic natural Lake type in Northland, following dune Lakes. They have small average size (2.7ha) and the lowest average condition; the majority distributed between the Eastern and Western Northland ecological units. The Lake has a high NRC Biodiversity ranking³³, based on integrated information about individual biodiversity features, and connectivity with other high value ecosystems within their surrounds. This underlying assessment may be considered as a surrogate for significant ecological aspects. There are no onsite additional regional GIS layers, however, the receiving saltmarsh mangrove environment of the site waterway at the Kerikeri Inlet is mapped as a NRC Biodiversity Terrestrial Ranking Top 30% unit (#292 Top 17%). Value is likely related to the freshwater wetland sequence to intertidal flats and channels with mangroves and saltmarsh, extending to the Okura River Estuary.

²⁸ NPS FM (2020) a natural inland wetland is **NOT** (c) a wetland that has developed in or around a deliberately constructed **water body**, since the construction of the water body.

WATER BODY is defined in the RMA as water body means fresh water or geothermal water in a river, Lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area

²⁹ **CONSTRUCTED WETLAND** wetland developed <u>deliberately</u> by artificial means or constructed on a site where: (1) a wetland has not occurred naturally previously, or (2) a wetland has been previously constructed legally.

structures including sediment traps; and roadside drainage channels are also not constructed wetlands or natural wetlands.

³⁰ Leathwick (2018) INDIGENOUS BIODIVERSITY RANKINGS FOR THE NORTHLAND REGION

³¹ Conning & Miller (1999) Natural areas of the Kerikeri Ecological District. Reconnaissance Survey Report for the PNA Programme.

³² Five natural Lake geomorphic groups in Northland, (in order of decreasing frequency of 295 Lakes > 1 ha) based on classification system of Lowe & Green (1987): dune Lakes (183); riverine Lakes (31); volcanic Lakes (7), shoreline Lakes (5), and geothermal Lakes (3); a further large group comprised artificial reservoirs (66).

³³ Condition score based on attributes of Lakes > 1 ha for the Northland Region extracted from FENZ (Department of Conservation 2010) describing a number of key environmental attributes of all New Zealand Lakes. Values within these layers are expressed in relative terms on a scale from zero to one; a value of one indicates a very high level of naturalness while values approaching zero indicate increasingly complete loss of ecological values or integrity. This is used to rank the Lakes, considering the geomorphic classification within prioritization criteria. The ranking algorithm also incorporates proximity and connectivity to other high value components.

³⁴ https://localmaps.nrc.govt.nz/localmapsviewer/?map=55bdd943767a493587323fc025b1335c#

The Lake is identified as significant in the Kerikeri Ecological District as per PNAP mapping³⁵ (#P05/083). The accompanying documentation describes values as

- o ECOLOGICAL UNITS
 - (a) Raupō-Isachne association in swamp
 - (b) Eleocharis sedgeland in swamp
 - (c) Open water
- Water-related native bird species include Australasian bittern, spotless crake white-faced heron, pukeko, black shag, pied shag, little black shag, mallard and grey duck, paradise duck, pied stilt, black swan and the threatened brown teal up to 1981. Teal may still use the site periodically.
- Unfortunately lacks riparian cover, despite this it is of obvious habitat value to waterfowl, and represents wetland vegetation types of limited abundance in the ED.

FIG 21: PNA SITE #P05/083 (CONNING & MILLER 1999)

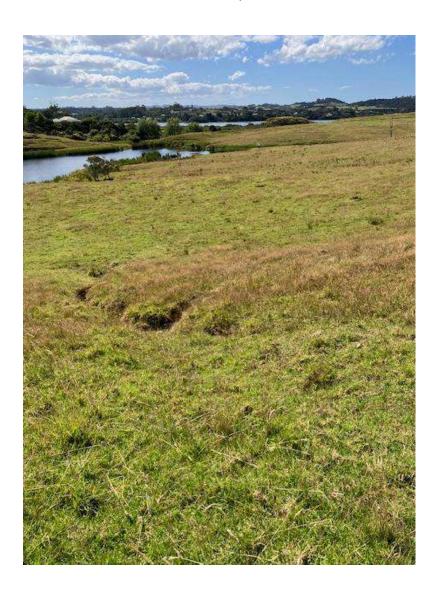


Although within a zone of influence (ZOI) of any proposal, the Lake, wetland and fauna are unlikely to be adversely affected by increased residential occupation adjacent with the proviso best practice stormwater management to avoid gross unchecked point source / sediment input; uncontrolled introduction of cats/ dogs; introduction/ infestation of exotic species that

³⁵ Conning & Miller (1999) Natural areas of the Kerikeri Ecological District. Reconnaissance survey for the Protected natural Areas Programme. DoC, Whangarei.

may then disperse downstream and into other nearby catchments. The existing Lake management covenant offers some protection mechanisms.

VIEW NORTH BROAD PASTORAL EXTENT OF SUBJECT SITE, LAKE ON LEFT



RIPARIAN VEGETATION

The broad expanse of the Lot is pasture. Beyond the mapped wetlands, indigenous riparian vegetation is largely limited to scattered decrepid kānuka and tōwai, with willow and poplars and terrestrial ferns on banks. The wetlands and Lakeside are open to stock access and pugged throughout. Cattle enter the shallow margins of the Lake to graze kuta and fresh growth of raupō.

Proposed Lot 4 has an area of exotic woody weed dominated vegetation in its north eastern corner. It is dominated by tobacco weed; gorse; privet and Taiwanese cherry, with some seral native species e.g. mānuka; kānuka; mahoe and hange hange. Efforts to control these should note the presence of wetland identified adjacent (*refer Fig 3*).

There are no kauri in the development area to invoke consideration of the *Biosecurity* (National PA Pest Management Plan) Order 2022. No flora species with threat status or locally uncommon were found within or beyond the wetlands despite search for those recorded³⁶ locally.

FROM LEFT: TŌWAI LAKESIDE; EXOTIC WEED DOMINATED CORNER OF PROPOSED LOT 4









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³⁶ ala.org.au; inaturalist,; PNA reports

WETLAND

Site investigation has been undertaken specifically with regard to the presence or otherwise of *natural inland wetland*, as defined in the National Policy Statement for Freshwater Management (NPS -FM2020) and subject to the protective regulations within the National Environmental Standards for Freshwater (NES-F 2020). Although there is mapped *known wetland*³⁷ we are not aware of any previous reporting in regards to it.

The definition of **wetland** is given in the Resource Management Act (1991):

Wetland includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals <u>adapted</u> to wet conditions.

Plants adapted to live in wetland conditions as above are defined in three categories –

- **OBL**: Obligate. Almost always is a hydrophyte, rarely in uplands (estimated probability >99% occurrence in wetlands)
- **FACW**: Facultative Wetland. Usually is a hydrophyte but occasionally found in uplands (estimated probability 67–99% occurrence in wetlands)
- **FAC**: Facultative. Commonly occurs as either a hydrophyte or non-hydrophyte (estimated probability 34–66% occurrence in wetlands)

(Clarkson, B. et al 2021)

Identification and dominance of these species in vegetation forms the basis for diagnosis as wetland and has been incorporated into the NPS –FM (2020). To this end, both exotic and native species have been categorised by NZ experts in supporting documentation.

The NPS – FM (2020) & accompanying regulations of the NPS- F (2020) have recently been amended³⁸, incorporating a revised definition of *natural inland wetland* as subject to the *NES F* (2020) as below, providing exclusions of some classes of wetland as per the broader RMA definition:

Natural inland wetland means a wetland (as defined in the Act) that is not:

- (a) in the coastal marine area; or
- (b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or
- (c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or
- (d) a geothermal wetland; or
- (e) a wetland that:
 - (i) is within an area of pasture used for grazing; and
 - (ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8); unless
 - (iii) the wetland is a location of a habitat of a threatened species identified under clause 3.8 of this National Policy Statement, in which case the exclusion in (e) does not apply

³⁷ NRC BIODIVERSITY WETLANDS https://localmaps.nrc.govt.nz/localmapsviewer/?map=55bdd943767a493587323fc025b1335c

³⁸ 8th December 2022 NPS; 5th December NES effective 5 Jan 2023

Under these updates, Regulation (e) (i) & (ii) only apply while a site is in active pastoral use, and not once its purpose changes³⁹. None of the wetland identified in this report would be subject to these exclusions.

Exotic pasture species⁴⁰ as per definition do not include common wetland/ wet pasture grasses Glyceria; Paspalum distichum*⁴¹ (FACW), Isachne globosa (OBL); Alopecaurus geniculatus (FACW) and Agrostis stolonifera* (FACW) or unpalatable exotics such as Ranunculus repens (FAC).

Visual vegetation survey was undertaken to characterize the site associations for wetland presence with regard to the MfE Wetland Delineation Protocol (2022) and supporting documents:

- A vegetation tool for wetland delineation in New Zealand (Clarkson et al 2021)
- Hydric soils a field identification guide (Fraser et al 2018)
- Wetland delineation hydrology tool for Aotearoa New Zealand. (MfE 2021)
- Wetlands types in New Zealand (Johnson & Gerbeaux 2004)

Reporting considered the presence or otherwise of *natural inland wetland (NPS FM 2020)*, including *extent* and *values*, the primary variables of any proposal to consider in avoidance of effects.

The Rapid Test, as the first strata of wetland delineation, was sufficient to determine wetland presence with dominance typified by obligate (OBL) and facultative wetland (FACW) species in depressed and saturated ground forming very obvious <u>natural inland wetland</u> communities. Hydrology and vegetation precluded the need for repeated soil observations.

Wetland determination as per the Protocols is not dependent on indigenous dominance. Regardless of origin, wetland species have high functionality in retaining sediment and protecting groundwater or open waterways from nutrient input.

Associations vary with saturation/depth of standing water, promoting biodiversity in terms of individual species and also pattern.

Classification into wetland subtype e.g. swamp; shallow water; fen follows observed vegetation associations and hydrological character. However, all wetlands are dynamic systems with potential to change extent and composition over time due to natural factors e.g. drought; invasion; interspecific competition.

Formal topographical survey of the wetlands has not been undertaken. We recommend these are demarcated, particularly where the proposal interacts closely with the indicated wetland areas e.g. upgrade of crossings.

Within and at the edge of the Lake, dominance (>50%) of rushes, sedges, rafting aquatic grasses or floating aquatic plants within and on the fringe of an open water body delineates the zone of *shallow water wetland* vegetation. This can typically extend to >2m depth with

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³⁹ "This exclusion is not targeted at pasture being targeted for urban development or for other land uses. It does not apply to wetlands in other areas of grassland that are not grazed, such as in parklands, golfcourses, landscaped areas and areas of farmland not used for grazing purposes". MfE (December 2022) Pasture Exclusion Assessment Methodology Pg 9

⁴⁰ National List of Exotic Pasture Species List (2022) MFE

⁴¹ * denotes exotic

emergent large stature species such as raupō & kuta (*Eleocharis sphacelata* OBL). Conversely, open water not considered to be wetland may be defined as:

areas that are permanently inundated at mean annual water depths >2 m or permanently inundated areas ≤ 2 m in depth that do not support rooted-emergent or woody plant species

The primary site association *OBL* raupō –*Machaerina articulata* – *Isachne globosa* represents a typical lowland scenario with reliable hydrology and indigenous dominance. *Schoenoplectus tabernaemontani* (OBL); and *Eleocharis sphacelata* are also prevalent OBL species whose perennial and large stature infers prolonged stability of deeper hydrology. It is diagnostically *WL19 Raupō Reedland* ecosystem type (*refer below Table 5*).

TABLE 5: SITE WETLAND TYPES

ТҮРЕ	SHALLOW WATER	SWAMP	FEN
CHARACTERISTIC	within or adjacent groundwater e.g. Lake river flow nil to fast water table well above surface: inundated wetness almost permanent with flashy high fluctuation in addition to seasonal	standing water and/ or surface channels; leads with gentle flow mainly surface water with groundwater water table usually above the surface moderate to high fluctuation but permanent wetness at depth poor drainage combination of mineral and peat soils wide spread - basins; valleys, gullies and plains	rain + groundwater source very slow flow poor drainage water table near surface wetness near- permanent mainly peat occupy slight slopes, such as fans or the toes of hillsides
CLASSIFICATION	Locally Bolboschoenus, Schoenoplectus and Machaerina, Carex and spiked sedges (e.g. kuta) Floating/rafted aquatics -water milfoils,	WL11- MACHAERINA SEDGELAND Shallow palustrine/riverine/lacustrine wetlands of a wide range of variants throughout New Zealand. Sedgeland, rushland with a high water table Dominated by species of Machaerina, square sedge, Eleocharis, Carex spp. & Juncus spp	WL11- MACHAERINA SEDGELAND Shallow palustrine/riverine/lacustrine wetlands of a wide range of variants throughout New Zealand. Sedgeland, rushland with a high water table Dominated by species of Machaerina, square sedge, Eleocharis, Carex spp. & Juncus spp
TYPIC SITE SPECIES	Eleocharis sphacaelata OBL Machaerina articulata OBL Myriophyllum (OBL) Isachne globosa (OBL) scrambling Schoenaplectus tahernaemontanii (OBL)	Epilobium(OBL) Myosotis(FACW) Juncus spp (FACW) Persicaria spp (FACW & OBL) Carex spp (FACW) Paspalum distichum(FACW) Isolepis spp (OBL & FACW)	Eleocharis acuta (OBL) Isolepis (OBL) Carex (FACW) Cyperus brevifolius(FACW) Isachne globosa (OBL) Epilobium (OBL) Isolepis spp (OBL & FACW)
	Within Lake margin Permanent hydrology at Lake end lead of LOT 1 (AA) & LOT 3 (AC)	Main extent AA; AB & AC	North AA toe slope





Outside raupō dominant areas wetland is representative of a broad type⁴² reference: **WL11 MACHAERINA SEDGELAND**

While all swamp type the wetlands to be encompassed in covenant vary in character. Wetland in AC is broadly *Paspalum distichum –Ludwigia- Juncus* dominant in a distinct small gully. Wetland AB is marked by density of *Juncus* and *Paspalum distichum* in flatter pasture, while AA exhibits far greater diversity within its deep hydrology within distinct broad banks, the extant source of which is east offsite Lot 1 DP 442820.

Large stature OBL Carex species were relatively infrequent, in small swathes of local dominance in upper wetland of AA below the bunded crossing.

Although *Juncus* was frequently grazed within stocked areas, complicating identification, the vast majority of *Juncus* species common to Northland are ranked *FACW* or *OBL* and their dominance is a simple diagnostic cue irrespective of species. *Juncus* species identified onsite include taller native *Juncus* edgariae, *Juncus* australis (wiwi) & exotic *Juncus* effusus, as well as smaller FACW rushes e.g. *J. acuminatus* and flat leaved *J. prismatocarpus*.

Innocuous facultative (FAC) exotics *Ranunculus repens; Lotus pendunculatus; Lolium arundinaceum and Holcus lanatus* tend to dry hummocks within wetlands and to the wetlandnon wetland ecotone. These species are common throughout many forms of wetland in Northland on margins or on slightly raised microtopography, not preferring prolonged submersion.

Wetland throughout grades quickly with reduced soil saturation and slight micro elevation to loss of dominance typified by FACU & UPL exotic grass species including kikuyu; ryegrass; browntop; cocksfoot; abundant carrotweed (UPL); *Paspalum dilatatum*; and ratstail with common herbaceous pasture weeds such as hawksbeard (FACU), plantain (FACU), and dock

⁴² Singers & Rogers (2014) A classification of New Zealand's terrestrial ecosystems. Science for Conservation 325, DoC Wellington

(FACU). This represents <u>non wetland</u> both in terms of species dominance and NEPSL⁴³ pastoral exclusion species. Grasses were recognized through professional experience from leaf form, ligule; growth habit and habitat, with simple determination from seed heads practicable at this time of year.

Swamp kiokio (*Parablechnum minus FACW*) is found scattered toward edges of AA with swathes of *Paesia scaberula (FACU)* and pockets of *Adiantum hispidulum* on drier banks.

Under prolonged stock access typical prostrate annual and stoloniferous species dominate the reduced wetland character. Although nevertheless qualifying as *natural inland wetland*, the expected vegetation composition switches to exotic hydrophilic grasses (*Paspalum distichum*; *Agrostis stolonifera*), herbaceous species such as *Ranunculus and Periscaria* (unpalatable to stock); rampant seeding and less palatable *Juncus* spp. and prolific *Isolepis* spp. Their resilient growth forms, rapid reproductive rate and even positive growth under grazing and nutrient enrichment allows their faster recovery and persistence, combined with reduction of competing palatable species through grazer selectivity. Taller palatable species are more apparent to stock and also slower to replace lost tissue, declining in biomass (*Machaerina*; *kuta*).

As per positive site indicators of current and historic hydrology areas of wetland AB & AC are assumed to have carried taller hydrophytic vegetation prior.

A small area in the north eastern corner of proposed Lot 4 is occupied by *Machaerina* dominated wetland grading into the saltmarsh of the marginal strip to the Inlet. Wetland, including saltmarsh, is considered natural inland wetland if it is above the CMA. There are no activities currently proposed with this setback. Wetlands in the marginal strip were assessed visually if access allowed.

Distinctly ephemeral upper reaches of mapped wetlands with shallow lens or incised contour do not have wetland as dominant character, however are considered CSAs⁴⁴ and are captured within the covenants to maintain hydrological integrity and avoid contravening protective regulations of the NES – F in regard to activities within 10m of *natural inland wetland*.

CSA NON WETLAND



⁴³ National Exotic Pasture Species List (2022) AgResearch for MfE

⁴⁴ **CSA Critical source area**: Means a landscape feature such as a gully, swale or depression that accumulates surface run-off from adjacent land; and delivers, or has the potential to deliver, one or more contaminants to one or more rivers, Lakes, wetlands, or surface drains, or their beds (regardless of whether there is any water in them at the time).

FROM LEFT: LOOKING NORTH WEST FROM UPPER PROPOSED LOT 4 SALTMARSH AND MANGROVE IN THE CMA TO THE INLET; LOOKING NORTH EAST FROM PROPOSED LOT 4 ILLUSTRATING NATURAL INLAND WETLAND ABOVE CMA 7 SMALL AREA OF MACHAERINA DOMINATED NATURAL INLAND WETLAND LOT 4 GRADING INTO THE SWAMP; MACHAERINA & LEPIDOSPERMA LATERALE IN LOT 4 WETLAND; EDGE OF LOT 4 WETLAND TO SALTMARSH/SWAMP; MARGINAL STRIP SWAMP DOMINANT OBL ELEOCHARIS & ISACHNE GLOBOSA













CLOCKWISE WETLAND PROPOSED LOT 3(COVENANT AC): EPHEMERAL FLOWPATH AT HEAD NON WETLAND KIKUYU DOMINANT AND SCATTERED JUNCUS STILL CAPTURED BY AC AS HYDROLOGICAL SOURCE; FACW SPP JUNCUS PAPSPALUM DISTICHUM ISOLEPIS DOMINANT NATURAL INLAND WETLAND; DENSE RAFTING P. DISTICHUM & OBL LUDWIGIA DENSE SATURATED STANDING WATER. GRADES TO RAUPŌ; MACHAERINA & ISACHNE GLOBOSA WITH DEPTH SHALLOW CLOSER TO WETLAND;







MACHAERINA ARTICULATA (OBL) EDGE OF RAUPŌ SCATTERED SITE WIDE ALSO; ISACHNE GOBOSA NATIVE SWAMP MILLET (OBL); PASPALUM DISTICHUM (FACW) & LUDWIGIA (OBL) FORM DENSE ASSOCIATION WITH SCATTERED JUNCUS (FACW)







PROPOSED LOT 2 AB COVENANT WETLAND; FACW JUNCUS & PASPALUM DISTICHUM DOMINANT REFLECTING LESS RELIABLE HYDROLOGY AND GRAZING; RECEIVING ENVIRONMENT OF AB WETLAND IS TYPICAL POCKET OF SWAMP ADJACENT SHALLOW WATER RAUPŌ ALONG SINUOUS LAKE EDGE







CLOCKWISE LAKE EDGE: VIEW FROM EASEMENT F SOUTH OVER LAKE DEVELOPMENT LOTS ON LEFTSHOWING FRINGING RAUPŌ SHALLOW WATER WETLAND; SHORT STATURE WETLAND EXTENDS BEYOND LAKE EDGE WITH FACW 7 OBL SPP. ISACHNE GLOBOSA,PASPALUM DISTICHUM, JUNCUS, ISOLEPIS,LUDWIGIA, GALLIUM PALUSTRE,ELEOCHARIS ACUTA,MYRIOPHYLLUM IN VARIED ASSOCIATION WITH FAC RANUNCULUS, LOTUS & HOLCUS TO UPPER BORDER; GRAZING & PUGGING ALONG EDGE; INDENTED WETLANDS FREQUENT ELEVATED ABOVE LAKE EDGE UPSLOPE WATER SOURCES AND SEEPAGE; ABOVE BRIDGE ON EASEMENT H WETLAND; WATER FLOWS BELOW BRIDGE CREEK AND DESCENDS SHORT FALL INTO CREEK













CLOCKWISE FROM LEFT: BUNDED CROSSING ON EASEMENT LOT FOR UPGRADE LOOKING NORTH; CULVERT LEFT HAND SIDE LOOKING EAST; UPSTREAM BEYOND CROSSING LOT 1 DP 442820; WETLAND BELOW CROSSING OBL & FACW CAREX; JUNCUS: ISACHNE GLOBOSA: PERSICARIA & ISOLEPSIS; GRADES TO RAUPŌ TOWARDS LAKE IN DEEPER HYDROLOGY; RAUPŌ AND MACHAERINA SHALLOW WETLAND AT LAKE EDGE













CLOCKWISE FROM LEFT:WETLAND ABOVE PROPOSED BRIDGE AREA LOT 2 DP 210733; DOWNSTREAM FURTHER WETLAND FINISHES WITH COVER AND MARKED NARROWING AND DROP AS CREEK CHANNEL; CREEK CHANNEL >3m BELOW UPPERBANK NO WETLAND AT PROPOSED CROSSING SITE; COVER IS MAPPED AS WF11 IN NRC BIODIVERSITY PREDICTED ECOSYSTEM HOWEVER IS DENSE AND ALMOST WHOLLY EXOTIC WOODYWEEDS AND VINES.











FAUNA

Basic observations were incidental to the main consideration of hydrology and wetland, but complement the characterisation of the site in terms of *values*.

AVIFAUNA

Six 5 minute bird counts were undertaken on the morning of the 30/11/24 under fine clear conditions to observe species utilising the site

- Lot 4 marginal strip and exotic weed area north east
- Lot 4 open pasture
- Lot 3 Lakeside adjacent pumpshed
- Lot 2 base of AB wetland in Lake Lot
- Bunded crossing Lot 1
- Proposed bridge area to Inlet Rd

Incidental observation was also made as we progressed across the site, including of the Lake through binoculars with regard to higher value species dabchick and pateke known from open water habitats in the wider Kerikeri area. A singular dabchick (*Threatened-Nationally Increasing*) was observed on the southern end of Lake (near AA) distant from other birds, performing ritualised ducking, flapping and preening for an extended period. The provision of open water and dense wetland margins is ideal habitat.

Otherwise, conspicuous terrestrial birdlife was limited largely to exotic and native insectivorous generalists for which the pasture, wetlands and scattered riparian vegetation contribute to territorial feeding areas habitat e.g. skylark; thrush, sparrow; fantail. Paradise duck, mallards and black swan were on the Lake with pukeko on the periphery. Numerous kingfisher were sighted on fenceposts and along the Lake margin. Kahu were sighted using open pasture as hunting ground, likely for rabbits.

Playback for fernbird (*At Risk – Declining*), as the most likely specialist wetland bird to respond, did not result in any reply although the habitat is suitable, also for crake (*At Risk- Declining*). Bittern (*Threatened -Nationally Critical*) are noted in the PNA documentation however we could not find any specific records They are known by the author to be within the forestry estate south beyond Inlet Rd however this an extensive area and habitat in comparison to limited fringing raupō/ rushland onsite.

The property has no kiwi designation (DoC 2018). Pasture for feeding with adjacent (<300m) wetland and terrestrial cover represents high quality territory if present.

To benefit all species occupancy, a resilient buffer to the wetlands, complimented by pest control, will allow heightened functionality of habitat.

FISH

A primary freshwater fish survey was outside the scope of this report. There are no site or reach specific FWFD records⁴⁵ onsite, in the further downstream extent of the waterway and local records are scarce largely focused within the Waitangi forest commercial estate. NIWA has combined REC V2 classification with monitoring data to extrapolate a wide range of instream water quality and fish habitat parameters for all mapped NZ rivers. This resource gives potential fish species interacting directly with the site as below *TABLE 6*. Common bully prefer the lotic environment provided by the Lake, as do shortfin eel, also common in swamp with areas of open water. Redfin are commonly associated with both species. Banded kokopu are typically found in pools further inland within creeky environments however may travel through the site waterway to further extent. All are likely able to climb up the wetted outflow of the Lake.

TABLE 6: NIWA PREDICTED SPECIES

PREDICTED SPECIES NZSEG#1006857	COMMON NAME	THREAT STATUS
Anguilla australis	SHORTFIN EEL	NOT THREATENED
Galaxias fasciatus	BANDED KŌKOPU	NOT THREATENED REGIONALLY SIGNIFICANT
Gobiomorphus cotidianus	COMMON BULLY	NOT THREATENED
Gobiomorphus hutonni	REDFIN BULLY	NOT THREATENED

REDFIN (NOT TAKEN ONSITE) BAY ECOLOGICAL CONSULTANCY 2025



INVERTEBRATES

Invertebrate survey was outside the scope of this reporting. However, the proliferation of OBL & FACW wetland species is also an indicator of niches supportive of invertebrate populations adapted to complete at least a portion of their lifecycle in wet conditions, and it may be

⁴⁵ Freshwater Fish Database records NIWA

assumed they are present. In NZ this has been shown to vary with region; wetland type and water chemistry (largely acidity) with fauna dominated by communities of five invertebrate groups -Chironomidae midges; aquatic mites (Acarina); microcrustacea (copepods &ostracods) and aquatic nematodes. The mud snail Potamopyrgus antipodarumwas cosmopolitan across NZ. Unlike aquatic insects, meiofauna such as the nematodes, copepods and ostrocods do not leave the wetland environment as winged adults.

Despite their inconspicuousness and little recognition in comparison to fauna commonly valued by society e.g. birds & fish - they have a critical role in wider ecosystem function e.g. organic carbon and nutrient turnover; as part of the food web reaching large densities and in terms of intrinsic biodiversity value -many being known only to NZ.

SUMMARY OF ECOLOGICAL ISSUES IDENTIFIED

In summary, key environmental issues existing prior to proposal development are identified below. These are a combination of implied, from desktop review, and observed common throughout Northland ecosystems and consistent with key pressures identified in Regional Policy Statement Sec 2.2 - being habitat loss and fragmentation, and the impact of weeds/pests.

TABLE 7: CURRENT SITE ISSUES IDENTIFIED PRIOR TO PROPOSAL

EXISTING ISSUE	STATUS	MANAGEMENT
STATE OF EXISTING WETLAND ECOSYSTEMS	Riparian buffer >10m; disjunct and risk of further loss of riparian vegetation from weeds and grazing Currently grazed and unbuffered wetlands represents uncontrolled CSA s to Lake	Buffer planting along proposed wetland covenants minimum 10m Formal protection Weed control; pest control to maintain revegetation and bolster fauna
LOW FAUNAL DIVERSITY	Likely pest populations a contributing factor	Revegetation Formalised pest control
FORMAL PROTECTION OF SIGNIFICANT VALUES	Voluntary	Formalised weed & pest control Formal covenanting to prevent inadvertent damage/ encroachment during residential intensification

Issues identified are common throughout Northland ecosystems, representing a baseline for cumulative effects that may occur with the increase of residential occupation but alternatively also be addressed by the proposal through exclusion form grazing; buffering and covenanting to provide a <u>positive effect</u>.

NPS-FM VALUES (2020)

Preservation of extent is central to the intent of the NPS – FM (2020) and accompanying protective regulations of the NES-F (2020). Consideration of the site wetland also informs potential *values* as per NPS- FM definition. Avoidance of *loss of values* and *extent* is core policy of the NPS – FM (2020)–

ECOSYSTEM HEALTH

- Wetland functionality of sediment retention and processing; diffuse stormwater interception
- Riparian buffer absent; stock access; no pest control; wetlands AB & AC exotics dominant
- Contribution of habitat diversity and species retention for insectivorous, wetland birds & water fowl guild in wider dry pastoral site
- Freshwater fish of a limited lotic niche

INDIGENOUS BIODIVERSITY

- Sediment retention and nutrient processing protective of groundwater
- Pastoral influence some areas largely exotic.
- Dabchick sighted. Potential wetland bird habitat unconfirmed. Common waterfowl & pukeko.Common indigenous avifauna species typical of pastoral setting
- Freshwater fish.

HYDROLOGICAL FUNCTION

- Sediment, stormwater retention and nutrient processing
- Wetland buffers immediate hydrological connection of headwater sources in pasture to Lake, saltmarsh and estuary/ Inlet
- Protective of groundwater and sediment control under rainfall when hydrological connections to ground and surface water pronounced from pastoral setting

MĀORI FRESHWATER VALUES

Potentially intrinsic and functional – outside scope of this report

Covenanting and management represents positive formal protection and enhancement of extent and values.

PASPALUM DISTICHUM* (FACW) SEEDHEAD; ISACHNE & ELEOCHARIS (OBL) FEN DOMINANTS





SIGNIFICANCE

TABLE 8: ASSESSMENT OF SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA IN TERRESTRIAL, FRESHWATER AND MARINE ENVIRONMENTS NORTHLAND REGIONAL POLICY STATEMENT (2018) APPENDIX 5

STATEMENT (2018) APPENDIX 5	
(1) REPRESENTATIVENESS (A)Regardless of its size, the ecological site is largely indigenous vegetation or habitat	WETLAND
that is representative, typical and characteristic of the natural diversity at the relevant and recognised ecological classification and scale to which the ecological site belongs (i) if the ecological site comprises largely indigenous vegetation types: and (ii) Is typical of what would have existed circa 1840 (iii)Is represented by the faunal assemblages in most of the guilds expected for the habitat type (B) The ecological site (i) Is a large example of indigenous vegetation or habitat of indigenous fauna (ii) Contains a combination of landform and indigenous vegetation and habitats of indigenous fauna that is considered to be a good example of its type at the relevant and recognised ecological classification and scale	A – Yes AA proposed Lot 1 and as contiguous with Lake raupō Eleocharis Isachne and Machaerina dominant Machaerina dominant area wetland lot 4 grading to further swamp and saltmarsh in the marginal strip Remainder of wetlands are exotic dominant (ii) In occupancy, receiving environment modified by Lake construction (iii) Internal habitat for birds/ fish/ invertebrates available. Insectivores present; wetland birds potentially limited except for common &adaptable waterfowl; pukeko. Lack of pest control likely contributing factor. B (i)meets swamp criteria in connection with further offsite extent (ii) gully wetland, impacted by weeds and little riparian vegetation MODERATE
(2) RARITY/ DISTINCTIVENESS (A)The ecological site comprises indigenous ecosystems or indigenous vegetation types that: (i) Are acutely or chronically threatened land environments associated with LENZ Level 4 (ii) Excluding wetlands, are now less than 20% original extent (iii) excluding man made wetlands are examples of wetland classes that either otherwise trigger Appendix 5 criteria or exceed any of the following area threshold (a) Saltmarsh 0.5ha (b) Shallow water Lake margins and rivers 0.5ha (c) Swamp > 0.4 (d) Bog > 0.2 ha (e) Wet heathlands > 0.2 ha (f) Marsh; fen; ephemeral wetland or seepage/flush > 0.05ha (B) Indigenous vegetation or habitat of indigenous fauna that supports one or more indigenous taxa that are threatened, at risk, data deficient, or uncommon either nationally or within the relevant ecological scale (C) The ecological site contains indigenous vegetation or an indigenous taxon that is (i) endemic to the Northland/ Auckland region (D) The ecological site contains indigenous vegetation or an association of indigenous taxa that (i) Is distinctive of a restricted occurrence (ii) Is part of an ecological unit that occurs on a originally rare ecosystem (iii) Is an indigenous ecosystem and vegetation type that is naturally rare or has developed as a result of an unusual environmental factor(s) that occur or are likely to occur in Northland: or (iv) Is an example of a nationally or regionally rare habitat as recognised in the	A(i) NO (ii)-NO (iii) AA estimated onsite YES; Lot 4 wetland too small and others are exotic dominant B) none observed however suitable habitat for At Risk wetland birds. Bittern (Threatened -Nationally Critical) and pateke noted in PNA documentation for the Lake. Bittern known >2km away C) none observed D) i)yes indigenous wetland vegetation AA & Machaerina Lot 4 MODERATE
New Zealand Marine Protected Areas Policy (3) DIVERSITY AND PATTERN (A) Indigenous vegetation or habitat of indigenous fauna that contains a high diversity of: (i) Indigenous ecosystem or habitat types; or (ii) Indigenous taxa (B) Changes in taxon composition reflecting the existence of diverse natural features or ecological gradients; or (C) Intact ecological sequences	(A)AA variation of speicies associations throughout broad extent dependant on hydrology / saturation B) Variation in species composition with saturation/ surface water within wetland e.g. raupō, Eleocharis, Schoenoplectus & Machaerina in most reliable flow; Isachne and Paspalum distichum rafting; Isolepis & Juncus margins; herbaceous component; abrupt change from wetland species to terrestrial dryland C) All wetlands - Headwater wetland & to Lake estuarine salt marsh MODERATE
(4) ECOLOGICAL CONTEXT (A) Indigenous vegetation or habitat of indigenous fauna is present that provides or contributes to an important ecological linkage or network, or provides an important buffering function: or (B) The ecological site plays an important hydrological, biological or ecological role in the natural functioning of a riverine, lacustrine, palustrine, estuarine, plutonic(including karst), geothermal or marine system (C) The ecological site is an important habitat for critical life history stages of indigenous fauna including breeding/ spawning, roosting, nesting, resting, feeding, moulting, refugia or migration staging point (as used seasonally	(A) Indigenous dominant AA as below B) All wetlands - Nutrient processing & retains sediment; buffers groundwater and surface water to near coastal environment. Short hydrological linkage of headwaters to Lake, estuarine & inlet ecosystems. C) All wetlands - Heightened feeding territorial economics for ground dwelling species and insectivores e.g. kingfisher over pasture dry extent. Likely invertebrate communities with lifestages requiring wet conditions. Habitat in standing water for freshwater fish

feeding, moulting, refugia or migration staging point (as used seasonally,

temporarily or permanently

MODERATE- HIGH

Consideration of significance is given in regard to *Northland Regional Policy Statement Appendix 5 (2018)*, with guidance contained within non statutory documents including *DOC Guidelines for Assessing Significant Ecological Values (2016); Guidelines for the Application of Ecological Significance Criteria for Indigenous Vegetation and Habitats of Indigenous Fauna in the Northland Region (Wildlands 2019).*

Appendix 5 is the standard Northland criteria for assessing significance of an ecological site, and directly reflects those contained in Appendix 1 of the recently mandated National Policy Statement for Indigenous Biodiversity (2023) including consideration of Representativeness; Diversity & Pattern; Rarity and Distinctiveness & Ecological Context.

Within the development Lot only the broad extent of AA and the *Machaerina* dominant wetland at the northeastern corner of proposed Lot 4 are indigenous dominant, the remainder are exotic associations. They therefore cannot fill specific criteria in Appendix 5 that refer to indigenous vegetation. However all wetlands are significant in the criteria of *3(B)* Changes in taxon composition reflecting the existence of diverse natural features or ecological gradients; and *4(B)* The ecological site plays an important hydrological, biological or ecological role in the natural functioning of a riverine, lacustrine, palustrine, estuarine, plutonic(including karst), geothermal or marine system. These criteria reflect their functionality in water quality protection, in which origin of vegetation is largely irrelevant. The shallow water Lake wetland is predominantly indigenous, and significant to a degree in all counts.

The significance ratings for each of the 4 criteria in RPS Appendix 5 are combined to give an overall single value according to Table 9 (*EIANZ Table 6*), below. This should not however suppress any impact consideration of a single value or component.

We consider the wetland ecosystems individually and as a combined ecological unit have *MODERATE* significance, related to variously to indigenous dominance; habitat and heightened territorial economics; pattern and integral connectivity, physical and functional buffering to downstream Lake and estuarine wetlands to the Inlet.

TABLE 9: SCORING FOR SITES COMBINING VALUES FOR SIGNIFICACE CRITERIA (TABLE 6 EIANZ)

VALUE	EXPLANATION
VERY HIGH	Area Rates VERY HIGH for 4 or all of the matters in Appendix 5 RPS. Likely to be nationally important and recognised as such
HIGH	Area rates HIGH for 2 of the assessment matters. Moderate and LOW for the remainder
MODERATE	Area rates HIGH for one matter, MODERATE & LOW for the remainder Area rates MODERATE for 2 or more of the criteria. LOW or very LOW for the remainder. Likely to be significant in the ED
LOW	Area rates LOW or VERY LOW for all but one MODERATE. Limited ecological value other than as habitat for local tolerant species.
NEGLIGIBLE	Area rates VERY LOW for 3 matters and MODERATE LOW or VERY LOW for the remainder.

In regard to *Table 10* below, individual flora species value is *LOW* as per EIANZ (2018)⁴⁶ criteria, with the higher fauna species species, other than dabchick, unconfirmed in this reporting, the scope of which was focused on *natural inland wetland* presence/absence.

TABLE 10: FACTORS TO CONSIDER IN ASSESSING SPECIES VALUE (TABLE 5 EIANZ 2018)

VALUE	EXPLANATION
VERY HIGH	Nationally Threatened species (Critical, Endangered or Vulnerable) found in the Zone of Influence or likely to occur there, either permanently or occasionally
HIGH	Nationally At Risk species (Declining) found in the Zone of Influence or likely to occur there, either permanently or occasionally
MODERATE-HIGH	Species listed in any other category of At Risk category (Recovering, Relict or Naturally Uncommon) found in the Zone of Influence or likely to occur there, either permanently or occasionally.
MODERATE	Locally uncommon/rare species but not Nationally Threatened or At Risk.
LOW	Species Not Threatened nationally and common locally.
NEGLIGIBLE	Exotic species, including pests

VERY HIGH SPECIES

- Dabchick (Poliocephalus rufopectus; Threatened- Nationally Increasing)
- Bittern (Botaurus poiciloptilus; Threatened Nationally Vulnerable) potential in raupō and taller reed and utilising shallow open water as feeding habitat e.g. lower AA & Lake perimeter

HIGH

• At Risk – Declining potential wetland birds spotless crake; banded rail, marsh crake in denser wetland habitat e.g. lower AA and Lake side perimeter

MODERATE VALUE SPECIES

- Potential banded kokopu Regionally Important
- Eleocharis sphacaelata Increasing Locally uncommon in the ED

LOW VALUE SPECIES

Common in the ED & onsite

• Coprosma; hangehange; raupō; Machaerina; Isachne; tōwai; kānuka; mahoe etc

We rate the footprint of proposed development areas in exotic pasture as **NEGLIGIBLE** significance and species value. It is not habitat for any of the potential higher value species, which are likely only present on the Lake fringe and lower AA. Smaller wetland bird species may also be present utilising the estuarine fringe and wetlands adjacent e.g. *Machaerina* proposed Lot 4 as this is ideal habitat. Interaction of the proposal with higher value species in wetlands is restrained by covenanting and revegetation, protective regulations of the NES-F; Regional Plan and best practice stormwater and sediment control.

⁴⁶ (2018) EIANZ Ecological Impact Assessment Guidelines for New Zealand 2nd Edition

NES-F (2020)

Potential development impacts may be managed by protective regulations of the NES-F and best practice stormwater design.

Drainage/ destruction of wetlands is a prohibited adverse effect as per REG 53 and it is presupposed through the current pre emptive subdivision and infrastructure design parameters that this will not occur. The existing crossings are considered *other infrastructure*⁴⁷ as illustrated in the historic aerial review as long established before the ratification of the NES-F.

TABLE 11: NES-F (2020) REG 53

DRAINAGE OF NATURAL INLAND WETLANDS: 53 PROHIBITED ACTIVITIES		
(1) Earthworks within a natural inland wetland is a prohibited activity if	it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and		
(b) does not have another status under any of regulations 38 to 51. Other infrastructure REG 46		
(2) The taking, use, damming, or diversion of water within a natural inland wetland is a prohibited activity if it—		
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and		
(b) does not have another status under any of regulations 38 to 51.	Other infrastructure REG 46	

TABLE 12: NES-F (2020) REG 52

DRAINAGE OF NATURAL INLAND WETLANDS: 52 NON-COMPLYING ACTIVITIES		
(1) Earthworks outside, but within a 100 m setback from, a natural inlan	nd wetland is a non-complying activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and NO Proposed Lot 2; 3 & 4 building platforms and access do not occupy source areas or CSAs. Planted/revegetation covenants to occupy the most protective 10m buffer and are a visual & physical constraint to works in this area. Crossing from Inlet Rd will not result in drainage		
(b) does not have another status under any of regulations 38 to 51.	N/A	
(2) The taking, use, damming, or diversion of water outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—		
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and NO Proposed Lot 2; 3 & 4 building platforms and access do not occup source areas or CSAs.		
(b) does not have another status under any of regulations 38 to 51.	N/A	

⁴⁷ As defined in the NPS-FM Infrastructure present prior to commencement of the regulations (2/9/2020) is considered *existing infrastructure*.

OTHER ACTIVITIES: 54 NON-COMPLYING ACTIVITIES	
The following activities are non-complying activities if they do not have	another status under this subpart:
(a) vegetation clearance within, or within a 10 m setback from, a natural inland wetland:	NO — vegetation clearance for revegetation or maintenance is under Subpart 1 REG 38:Restoration, wetland maintenance, and biosecurity of natural inland wetlands
(b) earthworks within, or within a 10 m setback from, a natural inland wetland:	NO – building platforms and infrastructure works all outside 10m other than crossing upgrade A under Reg 46
(c) the taking, use, damming, or diversion of water within, or within a 10	00 m setback from, a natural inland wetland if—
(i) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and NO Proposed Lot 1; 2; 3 & 4 building platforms and access are with the damming platform.	
(ii) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland:	of wetland. Minor natural diffuse or sheetflow inputs within 100m may be diverted by the change of site cover however in the absence of alteration of any point source inputs or seepages this is unlikely to change the water level range or hydrological function of the wetlands.
(d) the discharge of water into water within, or within a 100 m setback j	from, a natural inland wetland if—
(i) there is a hydrological connection between the discharge and the wetland; and	AS YET UNDEFINED
(ii) the discharge will enter the wetland; and	LIKELY
(iii) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.	NO —The swamp & shallow water wetland type current has developed in a pastoral catchment with variable output highly responsive to meteorological conditions and is adapted to moderate to high fluctuations without discernible shift in extent or value, including hydrological function under the proviso inputs should be diffuse and avoid scouring, sediment input or displacement of vegetation

None of the building platforms or access to them other than Crossing A occupy critical source areas, seepages or overland flow paths that through their formation may **change the water level range or hydrological function of the wetland.**

The crossing A and culvert within are considered existing or other infrastructure⁴⁸ under the NES- F (2020) subject to Reg 46 Maintenance and operation of specified infrastructure and other infrastructure (Refer Table 14). It is therefore a Restricted Discretionary activity as per REG 47, with matters subject to REG 56 Restricted discretionary activities: matters to which discretion is restricted. Application for resource consent will be required to NRC in this regard based on final detailed design in accordance with NES-F Regs to achieve an acceptable level of effects. Modifications to the culvert whether permitted or otherwise, are subject to NES-F (2020) Subpart 3, including emphasis on the passage of fish.

48 Infrastructure present prior to commencement of the regulations (2/9/2020) is considered *existing infrastructure*.

TABLE 14: PERMITTED ACTIVITIES REG 46 MAINTENANCE AND OPERATION OF SPECIFIED INFRASTRUCTURE AND OTHER INFRASTRUCTURE

PERMITTED ACTIVITIES REG 46 MAINTENANCE AND OPERATION OF SPECIFIED INFRASTRUCTURE AND OTHER INFRASTRUCTURE		
(1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it— (a) is for the purpose of maintaining or operating specified infrastructure or other infrastructure ; and (b) complies with the conditions.	CANNOT COMPLY WITH CONDITION 4 (B) & (C)	
(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it— (a) is for the purpose of maintaining or operating specified infrastructure or other infrastructure; and (b) complies with the conditions.	CANNOT COMPLY WITH CONDITION 4 (B) & (C)	
(3) The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural inland wetland is a permitted activity if— (a) the activity is for the purpose of maintaining or operating specified infrastructure or other infrastructure; and (b) there is a hydrological connection between the taking, use, damming, diversion, or discharge and the wetland; and (c) the taking, use, damming, diversion, or discharge will change, or is likely to change, the water level range or hydrological function of the wetland.	TO BE DETERMINED & CONTROLLED TO AN ACCEPTABLE LEVEL OF EFFECTS THROUGH ENGINEERING DETAILED DESIGN	
CONDITIONS (4) THE CONDITIONS ARE THAT—		
(a) the activity must comply with the general conditions on natural inland wetland activities in regulation 55, but regulation 55(2), (3)(b) to (d), and (5) do not apply if the activity is for the purpose of maintaining or operating— (i) hydro-electricity infrastructure; or (ii) any public flood control, flood protection, or drainage works that are specified infrastructure; and (b) the activity must not be for the purpose of increasing the size, or replacing part, of the specified infrastructure or other infrastructure unless the increase or replacement is to provide for the passage of fish in accordance with these regulations; and (c) the activity must not result in the formation of new pathways, boardwalks, or other accessways; and (d) if the activity is vegetation clearance, earthworks, or land disturbance, the activity must not occur over more than 500 m² or 10% of the area of the natural inland wetland, whichever is smaller; and (e) if the activity is earthworks or land disturbance,— (i) trenches dug (for example, to maintain pipes) must be backfilled and compacted no later than 48 hours after being dug; and (ii) the activity must not result in drains being deeper, relative to the natural inland wetland's water level, than they were before the activity; and (f) if the activity is a discharge of water, it must not be a restricted discretionary activity as described in regulation 47(3A)	CANNOT COMPLY WITH CONDITION 4 (B) & (C)	

Final stormwater engineering was not available at the time of reporting. Potential stormwater inputs to the wetland represent a discharge within 100m. As before, the extant hydrological source of the wetlands is upstream head springs in a pastoral catchment with variable output highly responsive to meteorological conditions. The swamp & shallow water type wetland has developed under reliable saturation demonstrated by the tall stature and obligate vegetation dominance e.g. *raupō*; *Machaerina*; *Schoenoplectus & Eleocharis*. As a potential receiving environment for stormwater it can naturally tolerate moderate to high fluctuations in water levels without discernible shift in composition or aquatic life; *extent or value*, *including* hydrological function with the proviso that engineering detailed design will ensure final increase in impermeable area and stormwater dispersal is unlikely to have any adverse effect. Inputs should be diffuse and not cause scouring, erosion or gross sediment input to maintain aquatic habitat condition.

Site procedures for residential and infrastructure development should include designated earthworks envelopes or marking of wetlands to ensure contractors avoid accidental incursion and unquantifiable effects.

CONCLUSION

This review included available documentation of the proposal and ecological context from aerial photography and online mapping, complimented by fieldwork.

Natural inland wetland (NPS FM 2020) of swamp character subject to the National Environmental Standards for Freshwater NES – F (2020) is present within the site waterways. Individually and as a broader ecological unit, the wetlands have both intrinsic and functional aspects that contribute to MODERATE significance in regard to Appendix 5 Northland Regional Policy Statement (2018) - indigenous character; pattern and water quality protection; linkage and buffering to further aquatic environments downstream.

The house sites development areas have NEGLIGIBLE significance as pasture, their location pre-empting impact by recognition in a strategy specifically to protect and enhance values. Integrated mechanisms of covenanting and buffering planting will concomitantly provoke gross positive amenity and ecological gain in comparison to the current status, recognising the interdependency of the wetland with surrounding terrestrial areas and hydrological linkage across the landscape to Kerikeri Inlet and Bay of Islands.

In terms of the upgrade of infrastructure the bridge from Kerikeri Inlet Rd is located over creek extent and >10m from natural inland wetland. The upgrade of the bunded culvert crossing A within proposed Lot 1 is a *Restricted Discretionary* activity, subject to REG 56 and requiring regional authority resource consent with provision of the final detailed design to ensure an acceptable level of effects.

REBECCA LODGE, PRINCIPAL ECOLOGIST

BScEcology PGDipSci (Distinction) Botany

RINLOGGE



APPENDIX 1: SPECIES LIST

Species are listed as per Clarkson, B. et al (2021):

• **OBL: OBLIGATE**. Almost always is a hydrophyte, rarely in uplands (estimated probability >99% occurrence in wetlands)

FACW: FACULTATIVE WETLAND. Usually is a hydrophyte but occasionally found in uplands (estimated probability 67–99% occurrence in wetlands)

- FAC: FACULTATIVE. Commonly occurs as either a hydrophyte or non-hydrophyte (estimated probability 34–66% occurrence in wetlands)
- **FACU: FACULTATIVE UPLAND**. Occasionally is a hydrophyte but usually occurs in uplands (estimated probability 1–33% occurrence in wetlands)
- **UPL: OBLIGATE UPLAND**. Rarely is a hydrophyte, almost always in uplands (estimated probability <1% occurrence in wetlands)

The majority of tree species are considered upland unless otherwise described.

MONOCOT TREES & SHRUBS

Cordyline australis (FAC) cabbage tree

Cortaderia selloana(FAC) pampas

Hedychium gardnerianum wild ginger

Phormium tenax (FACW) flax

DICOT HERBS

 Ageratina riparia*(FAC)
 mistflower

 Callitriche stagnalis (OBL)
 starwort

 Crepsis capillaris*(FACU)
 hawksbeard

 Daucus carota* (UPL presumed)
 carrot weed

 Epilobium pallidiflorum (OBL)
 tarawera, willowherb

 Galium palustre(OBL)
 marsh bedstraw

 Leondonton saxatilis* (FAC)
 hawkbit

 Lotus pendunculatus* (FAC)
 Lotus

 Ludwigia palustris* (OBL)
 ludwigia

Myosotis laxa subsp. caespitosa* water forget me not

Persicaria hydropiper* (FACW) Persicaria

P. decipiens (OBL) tutanawai willow weed persicaria

 Rumex acetosella*(FACU)
 sheeps sorrel

 R. conglomeratus *(FAC)
 dock

 Trifolium spp*(FACU/UPL)
 clover

GRASSES

Agrostis capillaris* (FACU) browntop

A.stolonifera* (FACW) creeping bent

Alopecurus geniculatus*(FACW)

Alopecurus pratensis* (FAC) meadow foxtail

Cenchrus clandestinus*(FACU) kikuyu

Holcus lanatus* (FAC) Yorkshire fog

^{*}Denotes exotic species

Isachne globosa (OBL) native swamp millet

Lolium arundinacaeae*(FAC) tall fescue Lolium spp* (FACU/ UPL) ryegrass Paspalum dilatatum* (FACU) paspalum P. distichum* (FACW) mercer grass

SEDGES & RUSHES

Carex. leporina* (FACW)

Carex secta(OBL) pukio

C. subdola (OBL)

globe sedge Cyperus brevifolius* (FACW)

C. ustulatus* (FACW) Eleocharis acuta (OBL)

E. sphacaelata (OBL) kuta

Isolepis prolifera (OBL) I.reticularis (FACW)

Juncus articulatus (FACW) jointed rush J.effusus* (FACW) soft rush

wiwi/ Edgars rush J.edgariae (FACW)

J. planifolius (OBL)

Machaerina articulata (OBL)

M. juncea (FACW)

Schoenoplectus tabernaemontani (OBL) Lake club rush

TREES & SHRUBS

Coprosma. robusta

Geniostoma rupestre var. ligustrifolium hangehange

Hakea salicifolia willow leaved hakea

Kunzea robusta kānuka Lantana camara var. aculeate lantana Ligustrum spp. privet Leptospermum scoparium (FAC) mānuka Melicytus ramiflorus māhoe Myrsine australis mapou

Prunus campanulata Taiwanese cherry

Pseudopanax lessoni houpara Pterophylla sylvicola tōwai Salix spp willow Solanum mauritianum* (presumed UPL) tobacco weed

gorse

Ulex europaeus* (FACU)

FERNS

Astroblechnum penna marina little hard fern Doodia australis rasp fern

Paesia scaberula (FAC) scented ring fern

Parablechnum novae zelandiae kiokio

P. minus (FACW) swamp kiokio Pteridium esculentum(FACU) bracken



Landscape and Visual Effects Assessment

Proposed Subdivision of Lot 2 DP 442820 & Proposed easements over Lot 4 DP 442820



Prepared For: Nags Head Horse Hotel Ltd Prepared By: Christine Hawthorn BLA (Hons) 9th January 2025



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APPENDICES:

Supplement A: Landscape and Visual Effects Assessment Methodology

Appendix 1 – Location Map

Appendix 2 – Surrounding Neighbours

Appendix 3 – Survey Scheme Plan

Appendix 4 – Site Photographs

Appendix 5 – Off Site Viewpoints

Appendix 6 – Landscape Plan



1. INTRODUCTION

Hawthorn Landscape Architects Ltd have been engaged by Nags Head Horse Hotel Ltd. (NHHH) to assess the potential landscape, natural character and visual amenity effects anticipated from the proposed subdivision of Lot 2 DP 442820 located at Kerikeri Inlet Road, Kerikeri. This assessment is to accompany a resource consent application to the Far North District Council (FNDC).

The applicant proposes to subdivide their 16.1200ha site (made up of 14.3750ha (Lot 2 DP 442820) and 1/3 share of Lot 4 DP 167657 (pond), into four lifestyle lots ranging in size from 6,7465ha to 2,0720ha.

The site is located within the South Kerikeri Inlet zone, the upper contours of the site and the coastal escarpment has been identified as being within the defined "sensitive area" within the South Kerikeri Inlet zone. The property has no landscape overlays as identified on the Resource Maps within the Operative Far North District Plan. Two thirds of the site is located within the Coastal Environment as mapped on the Regional Policy Statement maps.

This report will determine the potential impact of the proposed subdivision development upon the landscape, visual amenity, natural and rural character values of the site, surrounding environment and adjoining properties.

This report provides a full assessment of the landscape and visual effects associated with the proposal, in the context of the existing environment and the relevant statutory planning framework.

The potential effects are considered with respect to the subdivision and future placement of dwellings on the lots and proposed landscape integration plantings.

A landscape integration plan has been prepared that details:

- The location and extent of proposed landscape mitigation and enhancement plantings that will assist with visually absorbing the development into the landscape and retaining natural and rural character and visual amenity values,
- Plant schedule, numbers, sizes, and planting specifications and maintenance schedule.

2. METHODOLOGY

The following methodology was used in the preparation of this landscape and visual effects assessment.

- Desktop review of the relevant statutory documents (Regional and District Plan text and mapping);
- Site visits, and filed survey of the local area;
- Identification of the visual catchment and viewing audiences;
- Description of the site and existing landscape character, visual/aesthetic quality and amenity values of the surrounding environment;
- Identification and description of the nature of the proposed development;
- Assessment of anticipated character, landscape and visual effects;



- Ranking of landscape and visual effects;
- Review of the relevant planning documentation and reports;
- Identification of the proposed landscape and visual mitigation approach, options considered and recommendations.

To determine the overall nature and significance of the landscape and visual effects, an understanding of the sensitivity of the landscape and viewing audience has been combined with an assessment of the magnitude of change resulting from the proposal in order to determine the overall significance of effects.

An outline of the effects ratings and definitions used in this assessment is provided in **Supplement A**. In summary, the significance of effects identified in this assessment are based on a seven-point scale which includes very low; low; low-moderate; moderate; moderate-high; high and very high ratings.

This assessment has been prepared by a qualified Landscape Architect and in accordance with the NZILA (New Zealand Institute of Landscape Architects) Code of Conduct and with reference to the Quality Planning Guidelines Note¹.

3.0 THE SITE AND ITS LANDSCAPE CONTEXT

3.1 Location

The application site is located off Kerikeri Inlet Road, Kerikeri, it is approximately 5km drive to the east of the Kerikeri township. Informal access is currently via a private right of way to 405 Kerikeri Inlet Road. Refer to the Location Map contained within **Appendix 1**.

3.2 Application Site

The site is an irregular rectangular shape and has a total area of 16.1200ha as shown on the Survey Scheme Plan contained in **Appendix 2**. The lot is aligned north/south and extends approximately 750m inland from the coastal edge adjoining the Kerikeri Inlet. There is a Marginal Strip located along the coastal edge of the site, thus separating it from the Kerikeri Inlet.

The coastal escarpment of the property drops steeply to the mangrove lined coastal fringe and extends for approximately 350m in a west/east orientation. The elevation of the land adjoining the coastline extends from sea level up to the high point of 30m on a small knoll. This knoll screens a lot of the inland portion of the site from view within the Kerikeri Inlet. Refer to the On Site Photographs contained in **Appendix 4**.

The inland portion of the property slopes from the high point along the eastern boundary falling away to the lower contours that abut a pond along the western boundary. The elevation ranges from 29m above sea level along part of the eastern boundary, dropping to 5m along the edge of the pond where there are more gentler contours suitable to build upon. The property forms part of a larger landscape, with the contours rising further beyond the eastern boundary to a ridgeline.

¹ http://qualityplanning.org.nz/index.php/planning-tools/land/landscape



The site is vacant and fenced into several paddocks, it is currently utilised for grazing. Within the grazed areas there a few small wetland areas that have been identified, and are labelled on the Scheme Plan as AA, AB, and AC. The area labelled AA which is located close to the southern boundary also has some native tree species present, predominantly Manuka. These line the edges of the small gully adjacent to that boundary.

The application site is currently accessed via an existing driveway across Lot 2 DP 210733. This driveway currently provides right of way access to 405 A – 405 F Kerikeri Inlet Road as shown in **Figure 1** below. A portion of this driveway traverses the application site, cutting the coastal knoll off from the inland portion of the site.

The proposed legal access to the site will still be over Lot 2 DP 210733, however it will be located further to the east as shown on the Scheme Plan. A new driveway and access onto Inlet Road will be formed.

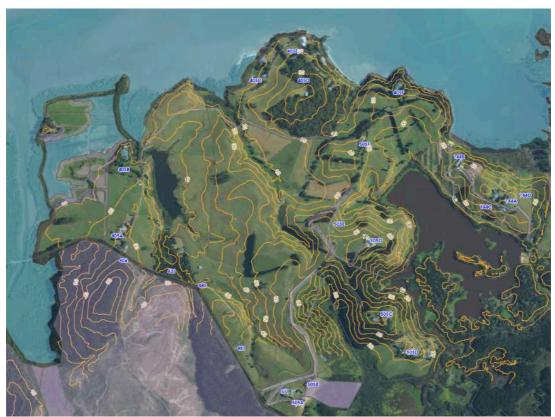


Figure 1: Properties that utilise right of way driveway access at 405 Kerikeri Inlet Road.

3.3 Neighbourhood Character and Context

The application site is located along the southern edge of the Kerikeri Inlet just to the east of the Okura River before you reach the highly built up area of Reinga Road. The application site is set within an area that has been assigned its own distinct zone, as it has been assessed as forming part of the maritime gateway to Kerikeri.

This area has been identified in the Operative District Plan as important due to distinction from other coastal margins of the Kerikeri Inlet as it has been less urbanised and retains more natural qualities, thus providing visual relief from the more modified



areas of the coast. The area provides a contrast to the more modified areas along the Inlet such as the Riverview area, Reinga Road, Skudders Beach and Rangitane.

The landscape of the Kerikeri South Inlet zone is characterised by its predominantly rolling pastoral landscape, with low-lying backshore flats, vegetation lined coastal escarpments and elevated inland ridgelines. The coastal fringe to the first ridgeline and elevated inland portions of the landscape that are more visible from within the Inlet have been identified as being within a 'sensitive area', as defined and shown on Map 84 in **Figure 3** of Section 5 of this report. Other areas which are not as visible from the coast are considered less sensitive.

Built development is present and located throughout the zone, however it is more predominantly located within the first 100m back from the coastal edge. House sites are generally located 120m to 400m apart, with some houses being more clustered together, and some being located more individually. All the houses along the coastal edge are located within the identified 'sensitive area' of the zone.

The inland portion of the zone has less residential development present and is more rural in character due to its pastural nature. Dwelling sites have been located upon the high points within this landscape to gain the coastal views. The dwelling located at 505 G Inlet Road is at an elevation of 70m asl and is within the mapped 'sensitive area' of the zone. The dwelling at 505C is at 50m asl and the dwelling at 505D is located on a knoll of 40m asl and is also within the 'sensitive area'.

Lot sizes within the zone vary from smaller single residential lots to larger farm lots that are vacant. There is a cluster of four smaller residential lots located at the end of Egret Way to the west of the site.

The landscape to the immediate south of the site across Kerikeri Inlet Road is characterised by the Waitangi Forest, in its various states of tree growth or a clear-felled harvested landscape.

The Waitangi Wetlands adjoin the inland south-eastern corner on the zone, the Wetlands are not visible from the Kerikeri Inlet. On the eastern side of the Waitangi Wetlands the coastal living areas around Edmonds and Wharau Roads extend along the coastline. These areas are visible whilst approaching Kerikeri from within the start of the Kerikeri Inlet and these along with the Opito Bay/Doves Bay and Rangitane areas effectively form the first gateway leading to Kerikeri.

4.0 THE PROPOSAL

4.1 Proposed Subdivision

The applicant proposes to subdivide their 16.1200ha site (made up of 14.3750ha (Lot 2 DP 442820) and 1/3 share of Lot 4 DP 167657 (pond), into four lifestyle lots ranging in size from 6,7465ha to 2,0720ha. Refer to the Scheme Plan attached in **Appendix 2**. All areas and dimensions are subject to final survey.

The development will be accessed off Kerikeri Inlet Road via an existing crossing that will be upgraded. An access easement over Lot 2 DP 210733 will enable a new road to be constructed to access the property. This road will then extend through the site along the base of the steeper contours to provide access to the building



development zones. Short driveways off the main access road will be formed into each lot. The cut and fill areas associated with the accessways will be topsoiled and grassed to avoid any visible bare earth.

The three wetland areas on the property will be protected by covenants, these areas are labelled AA, AB and AC on the Scheme Plan. It is proposed to restore these areas through the implementation of wetland enhancement plantings and fencing the areas off from stock.

Landscape enhancement and mitigation plantings are proposed to provide a vegetated setting for future buildings and development to be set within. This will assist with softening of the built forms and minimising the potential adverse landscape and visual effects of the proposal so that the existing visual amenity and landscape values are not adversely affected. Refer to **Appendix 6 – Landscape Plan** and **Figure 2**, and Section 7 for more details.

The key planting types include:

- Backdrop screen planting to provide a vegetated backdrop and screen dwelling sites from neighbours
- Specimen trees to provide a vegetated setting and screen dwelling sites from neighbours
- Foreground plantings to provide foreground softening of built development upon Lot 4 when viewed from the water.



Figure 2: Landscape Plan



A set of building design guidelines are proposed to assist with enabling future built development to be set into the landscape with the least amount of visual intrusion, thus minimising the potential impact upon neighbours, coastal marine area and the surrounding natural and rural character values.

The building design guidelines will control aspects such as building height, colours, reflectivity, design style and form and scale. Refer to Section 7 for more details.

5. STATUTORY CONTEXT

5.1 Far North District Plan (FNDP)

The application site is located within the South Kerikeri Inlet Zone in the FNDP and is not subject to any Resource Features. Within this zone some areas have been identified as being within a 'sensitive area'. These areas are located along the coastal edge and along the ridgelines and upper contours of the zone which are visible from the Kerikeri Inlet. **Refer to Figure 3.**

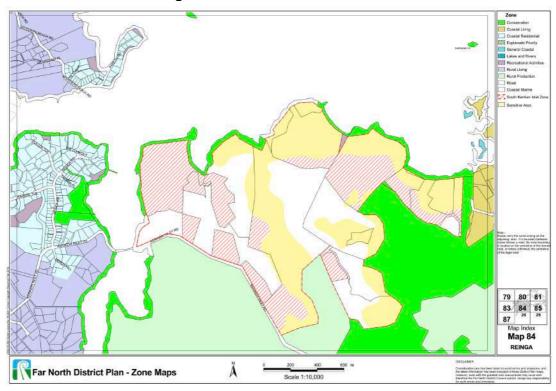


Figure 3: Zone Map 84 showing the extent of the South Kerikeri Inlet zone

Within Chapter 10 – Coastal Environment, Section 10.10 – South Kerikeri Inlet Zone the expected environmental outcomes for this zone are:

10.10.2 ENVIRONMENTAL OUTCOMES EXPECTED

10.10.2.1 A South Kerikeri Inlet Zone in which rural residential development occurs in appropriate locations that have the capacity to absorb such development.



10.10.2.2 A South Kerikeri Inlet Zone in which development does not detract from the open, rural and coastal nature of its natural character, and does not cause adverse effects to natural and physical resources in the coastal environment

10.10.3 OBJECTIVES

- 10.10.3.1 To maintain the combination of open, rural, coastal and natural characteristics of the Zone.
- 10.10.3.2 To provide for the wellbeing of people by enabling low-density residential development at appropriate locations taking into account the potential adverse effects on the coastal environment.
- 10.10.3.3 To ensure that while enabling low-density development the adverse effects on the environment of such development are avoided, remedied or mitigated particularly in areas of high visual sensitivity.

10.10.4 POLICIES

- 10.10.4.1 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the coastal-rural character of the zone in regards to Section 6 matters, and shall avoid adverse effects as far as practicable by using techniques including:
 - (a) clustering and grouping development (including new buildings) within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns and on open space and rural amenity values, including by clustering and grouping development (including new buildings) outside the visually sensitive areas of the South Kerikeri Inlet Zone as defined on **Map 84**;
 - (b) appropriately integrating design and land use within the visually sensitive areas of the South Kerikeri Inlet Zone to maintain and enhance natural and rural amenity values associated with a broad-scale and coherent visual pattern of simple and uncluttered open spaces;
 - (c) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;
 - (f) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;
 - (g) protecting historic heritage, and in particular of the Kerikeri Basin Heritage Precinct, through the careful siting of buildings and development and design of subdivisions in areas less visually sensitive;
 - (h) ensuring development reflects the role of the area as a maritime entrance to Kerikeri and that activities are of a scale and size that is consistent with the natural character of the zone.



- 10.10.4.2 That standards are set to ensure that subdivision, use or development provides adequate infrastructure and services and that open space and rural amenity values and the quality of the environment are maintained and enhanced.
- 10.10.4.3 That a wide range of activities be permitted in the South Kerikeri Inlet Zone, where their effects are compatible with the preservation of the natural character of the coastal and rural environment.
- 10.10.4.4 That the visual and landscape qualities of the coastal and rural environment are protected from inappropriate subdivision, use and development.

Comment:

The proposal is for a rural residential subdivision, with the appropriate placement of BDZ's so that they can be absorbed into the landscape setting with minimal adverse effects upon coastal natural character and rural and visual amenity values.

The location of the BDZ's on the lower contours, which are not readily visible from the coast will keep a large proportion of the site with an open rural character. The design guidelines and the landscape integration plantings will minimise potential visual effects. There will be no native vegetation clearance, and earthworks will be either screened by planting or revegetated.

The proposed wetland revegetation plantings will restore and rehabilitate the degraded landscape areas. The native plantings proposed, and exclusion of stock will create habitat for native fauna. As these areas are within the coastal environment, they will assist with enhancing natural character values.

The areas of high sensitively along the ridgeline on Lots 1-3 have been avoided, with the BDZ located on the lower contours close to the pond. The BDZ on Lot 4 will be located within the defined sensitive area, however, will not be located on the highest contours of the lot, and will be developed with building design guidelines, height restrictions and landscape integration plantings to ensure that there will be minimal adverse effects upon the sensitive area and natural character values of the coastal environment.

There are eight other houses located in a similar manner to the proposed BDZ on Lot 4. They are positioned along the coastal edge of this zone and are subsequently located within this sensitive area.

The nearest house to the east of the proposed BDZ on Lot 4 is 500m away, and the nearest to the west is 250m away. This creates a 750m long "gap" along the coastal edge where there are no dwellings present. The proposal for one dwelling to be located within this area will results in a dwelling density along this part of the coastline that is not intensive and will still retain the undeveloped nature of the maritime gateway to Kerikeri and the existing character of this zone.

Development on the site will be managed to protect coastal natural character, rural amenity values, and the visually sensitive areas of the South Kerikeri Inlet zone. This will protect the maritime entrance to Kerikeri.



SOUTH KERIKERI INLET ZONE VISUAL AMENITY ASSESSMENT CRITERIA

The following are the matters within which Council is required to restrict its discretion to when considering activities in the South Kerikeri Inlet Zone.

Commentary is provided in relation to the following:

(i) the location of the building;

The BDZ's have been positioned on the gentler contours on Lots 1-3 close to the pond. The BDZ on Lot 4 has been position off the highest contours of the knoll, and will be dug into the landform to minimise potential visibility.

(ii) the size, bulk, and height of the building or utility services in relation to areas of high sensitivity (as defined on Map 84), ridgelines and natural features;

Building design guidelines will control future development upon the BDZ's to ensure future built form is of an appropriate size, bulk and form. Recessive colour controls and building height restrictions on the lots will ensure that there will be no adverse effects upon the ridgelines and sensitive area.

(iii) the colour and reflectivity of the building;

Building design guidelines will ensure that future built form is recessive and appropriately coloured for their location within this area.

(iv) the extent to which planting can mitigate visual effects;

The landscape integration plantings as well as the wetland revegetation plantings will all assist with mitigating any potential visual effects to a less than minor level.

(v) any earthworks and/or vegetation clearance associated with the building;

There will be no vegetation removal on the site. Earthworks will be necessary to form building platforms and the access roadways. The cut and fill batters associated with these will be screened by buildings, or vegetation, or will simply be re-grassed.

(vi) the location and design of associated vehicle access, manoeuvring and parking areas;

The access road has been positioned along the toe of the hill slope on the gentler contours. There is ample room on each lot for parking and maneuvering areas. The parking areas on Lot 4 will be screened from view from the coastal aspect.

(vii) the extent to which the building will be visually obtrusive;

Building locations, coupled with finish and height controls and planting requirements, will ensure that buildings will have a subdued presence and a low level of obtrusiveness.

(viii) the cumulative visual effects of all the buildings on the site;



The configuration of the BDZ's on the site will avoid the potential for adverse cumulative visual effects.

(ix) the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;

The landscape the subdivision is located upon has been modified from its natural state, so is less sensitive to change compared to a landscape that exhibits high natural character values.

The proposal will not dimmish the existing landscape qualities of the site. The attention to the details of the design and colouring and heights of future buildings, in addition to the landscape farmwork plantings and wetland restoration plantings all assist with retaining and enhancing the existing qualities of the site.

(x) the extent to which private open space can be provided for future uses;

The BDZ's are of a generous size and spaced apart to enable ample private open space to be provided for future users.

(xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;

The design of the subdivision and building design controls and landscape integration plantings will ensure that there will be no visual dominance on landscapes, neighbours or the environment.

(xii) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.

The proposed building design guidelines and landscape integration plantings and wetland enhancement all assist with retaining the privacy, outlook and enjoyment of private open spaces on adjacent sites.

CHAPTER 13 SUBDIVISION

Following are the relevant landscape policies found in Chapter 13 Subdivision.

Policy 13.4.1

That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:

- (a) natural character, particularly of the coastal environment;
- (b) ecological values;
- (c) landscape values;
- (d) amenity values; and
- (g) existing land uses.

13.4.6

That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species,



the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.

13.4.13

Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:

- (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
- (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;
- (e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

Comment:

Although Lots 2-4 are located within the coastal environment, it is really only Lot 4 that is inherently coastal due to its close proximity and visibility from within the Kerikeri Inlet. Proposed Lot 4 has the capacity to accommodate one building site, located on the side of the hill slope upon a shelf in the contours. This will keep development off the visually sensitive knoll. This portion of the site is naturally cut off from the rest of the site by the existing right of way driveway, it is practical that this portion of the site would become one lot, with one building site. Building design guidelines and landscape integration plantings will be implemented so that the development of this lot will have minimal impact upon coastal natural character values.

The change in land use brought about by the subdivision will have positive effects upon ecological values. The currently degraded wetland areas will be fenced off from stock, and native revegetation plantings implemented to restore the habitat values. The landscape integration plantings around the BDZ's will also have some positive ecological effects.

The sizes, dimensions and distribution of the lots will enable landscape and amenity values to be retained through the implementation of building design guidelines, and through the implementation of the landscape integration plantings. These plantings will enhance the amenity values of the site and also minimise any potential cumulative effects of the development.

5.2 Proposed District Plan (PDP)

The PDP was publicly notified by FNDC on 27th July 2022. The property has been zoned Rural Lifestyle with a Coastal Environment overlay across two thirds of the property as shown in **Figure 4**.





Figure 4: PDP Map

OVERVIEW

The role of the Rural Lifestyle zone is to provide an area specifically for rural lifestyle living. Accommodating the demand for rural lifestyle living in appropriate areas of the district, close to transport routes with good access to services in urban areas and settlements, is intended to reduce ad-hoc or sporadic rural lifestyle development throughout the Rural Production zone that adversely impacts on primary production activities.

With the stronger subdivision framework for the Rural Production zone, the removal of the Coastal Living zone and the creation of a Horticulture zone for the Kerikeri and Waipapa area, it is important to still provide for rural lifestyle development of larger lots than what is promoted by the Rural Residential zone. This zone enables people to undertake primary production activities, or primarily undertake a residential activity while having the option of growing their own food, or having horses or other livestock at a domestic scale.



This zone is characterised by open space and vegetated landscapes, interspersed by farm buildings, structures and residential units. Areas suitable for rural lifestyle living have been identified because they are already fragmented with residential land uses, are on low value soils or where consent has already been granted to undertake more dense living than anticipated in the Rural Production zone. The zone is expected to provide an appropriate transition from rural residential areas to the Rural Production zone, while retaining a sense of spaciousness and rural character. For this reason, rural lifestyle character and amenity are managed through density rules and the consideration of building locations at the time of subdivision, in addition to the use of building setback controls from boundaries.

Given the proximity of this zone to urban areas and settlements, there is the potential for activities that are more typically associated with urban areas to seek to establish in this zone. Residential living at urban or rural residential densities, stand-alone retail/business activities, community facilities and industrial activities are not provided for or anticipated in the zone as they can reduce rural character and amenity, lead to reverse sensitivity and cumulative effects, and undermine the role and function of residential, commercial, industrial and mixed use zones. Activities that are complimentary to rural lifestyle living, such as farming activities and home occupations, are provided for in the zone, at a scale appropriate to the size of the lots. The Rural Lifestyle zone is not intended to transition to an urban zone or Settlement zone over time.

Council has a responsibility under the RMA and the Regional Policy Statement to protect highly versatile soils, prevent land fragmentation and sterilisation (including reverse sensitivity) and create a well functioning urban form. It is also recognised that the Rural Lifestyle zone contains ecological, historic heritage, cultural and natural character values due to the proximity of some parts of the zone to the coastal marine area. The protection of these resources must be managed in conjunction with the ability to undertake activities anticipated in this zone.

The following Objectives and Polices within the Rural Lifestyle chapter have relevance to this proposal.

Objective	es'
RLZ-O1	The Rural Lifestyle zone is used predominantly for low density residential activities and small scale farming activities that are compatible with the rural character and amenity of the zone.
RLZ-O2	The predominant character and amenity of the Rural Lifestyle zone is characterised by: a. low density residential activities; b. small scale farming activities with limited buildings and structures; c. smaller lot sizes than anticipated in the Rural Production Zone; d. a general absence of urban infrastructure; e. rural roads with low traffic volumes; f. areas of vegetation, natural features and open space.
RLZ-O3	The role, function and predominant character and amenity of the Rural Lifestyle zone is not compromised by incompatible activities.
RLZ-O4	Land use and subdivision in the Rural Lifestyle zone does not compromise the effective and efficient operation of primary production activities in the adjacent Rural Production Zones.



Policies		
RLZ-P1	Enable activities that will not compromise the role, function and predominant character and amenity of the Rural Lifestyle zone, while ensuring their design, scale and intensity is appropriate to manage adverse effects in the zone, including: a. low density residential activities; b. small scale forming activities; c. home business activities; d. visitor accommodation; and e. small scale education facilities.	
RLZ-P2	Avoid activities that are incompatible with the role, function and predominant character and amenity of the Rural Lifestyle zone because they are: a. contrary to the density anticipated for the Rural Lifestyle zone; b. predominately of an urban form or character; c. primary production activities, such as intensive indoor primary production, that generate adverse amenity effects that are incompatible with rural lifestyle living; or d. commercial, rural industry or industrial activities that are more appropriately located in a Settlement zone or an urban zone.	
RLZ-P3	Avoid where possible, or otherwise mitigate, reverse sensitivity effects from sensitive and other non-productive activities on primary production activities in the adjacent Rural Production zone.	
RLZ-P4	Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: a. consistency with the scale and character of the rural lifestyle environment; b. location, scale and design of buildings or structures; c. at zone interfaces: i. any setbacks, fencing, screening or landscaping required to address potential conflicts; ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable; d. the capacity of the site to cater for on-site infrastructure associated with the proposed activity; e. the adequacy of roading infrastructure to service the proposed activity; f. managing natural hazards; g. any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and h. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.	

The following Objectives and Polices within the Coastal Environment chapter have relevance to this proposal.

Objectiv	ves
CE-01	The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.
CE-O2	Land use and subdivision in the coastal environment: a. preserves the characteristics and qualities of the natural character of the coastal environment; b. is consistent with the surrounding land use; c. does not result in urban sprawl occurring outside of urban zones; d. promotes restoration and enhancement of the natural character of the coastal environment; and e. recognises tangata whenua needs for ancestral use of whenua Māori.
CE-03	Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.



CE-P3

Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as:

- a. outstanding natural character;
- b. ONL;
- c. ONF.

CE-P4

Preserve the visual qualities, character and integrity of the coastal environment by:

- a. consolidating land use and <u>subdivision</u> around existing <u>urban</u> centres and rural settlements;
 and
- b. avoiding sprawl or sporadic patterns of development.

CE-P8

Encourage the restoration and enhancement of the natural character of the coastal environment.

CE-P10

Manage land use and <u>subdivision</u> to preserve and protect the natural character of the <u>coastal</u> <u>environment</u>, and to address the <u>effects</u> of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- a. the presence or absence of buildings, structures or infrastructure;
- b. the temporary or permanent nature of any adverse effects;
- c. the location, scale and design of any proposed development;
- d. any means of integrating the building, structure or activity;
- e. the ability of the environment to absorb change;
- f. the need for and location of earthworks or vegetation clearance;
- g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;
- h. any viable alternative locations for the activity or development;
- i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;
- j. the likelihood of the activity exacerbating natural hazards;
- k. the opportunity to enhance public access and recreation;
- I. the ability to improve the overall quality of coastal waters; and
- m. any positive contribution the development has on the characteristics and qualities.

Comment:

This Rural Lifestyle zone is to provide for rural lifestyle living, which is what this development proposes. The application site is close to Kerikeri, and close to other existing residential areas such as Reinga Road. As the zone overview states "This zone enables people to undertake primary production activities, or primarily undertake a residential activity while having the option of growing their own food, or having horses or other livestock at a domestic scale". This can be achieved through this subdivision.

The landscape that the site is located within is already fragmented with residential land use surrounding it. The proposed subdivision will be in keeping with the character and amenity values of the surrounding landscape.

The location of a building site upon Lot 4 within the coastal environment will be in keeping with the current settlement pattern found along this part of the coastline.

The landscape integration plantings and wetland restoration plantings will assist with enhancing natural character and ecological values of the site.

5.3 New Zealand Coastal Policy Statement



The northern two thirds of the site is located within the coastal environment. This will cover the building sites on proposed Lots 2-4. Lot 1 is outside of the coastal environment.

The following policies are of relevance. Policy 6 - Activities in the coastal environment, Policy 13 - Preservation of natural character, and Policy 15 Natural features and natural landscapes.

Policy 6 Activities in the coastal environment

- (1) In relation to the coastal environment:
 - (f) consider where development that maintains the character of the existing built development should be encouraged, and where development resulting in a change in character would be acceptable;
 - (i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment;

Policy 13 Preservation of natural character

- (1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:
 - (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and
 - (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment;
- (2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:
 - (a) natural elements, processes and patterns;
 - (b) biophysical, ecological, geological and geomorphological aspects;
 - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
 - (d) the natural movement of water and sediment;
 - (e) the natural darkness of the night sky;
 - (f) places or areas that are wild or scenic;
 - (g) a range of natural character from pristine to modified; and
 - (h) experiential attributes, including the sounds and smell of the sea; and their context or setting.

Policy 15 Natural Features and natural landscapes

To protect the natural features and natural landscapes (including Seascapes) of the coastal environment from inappropriate subdivision, use and development.

(a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment;



Comment:

The proposal is consistent with the character of the surrounding coastal lifestyle and rural residential development located within the wider catchment.

The proposed BDZ on Lot 4 is located in a similar manner to other existing dwellings located along this section of coastline. With the implementation of the building design guidelines and landscape integration plantings the development upon the site will not adversely affect the natural character, open space or amenity values of the coastal environment.

The proposed development will not alter any natural elements, processes, or patterns. The experiential attributes, including the sounds and smell of the sea; and their context or setting will not be influenced by this proposal. The site has not been identified as having High or Outstanding Natural Character values.

The development is in accord with the relevant landscape objectives and policies of the NZCP.

5.4 Regional Policy Statement for Northland (RPS)

In 2012, the Northland Regional Mapping Project ("Mapping Project") was undertaken by the Northland Mapping Group (on behalf of the NRC). The purpose of the Mapping Project was to determine the delineation of the Coastal Environment, and the natural heritage areas within the region comprising Outstanding Natural Landscapes ("ONL"), Outstanding Natural Features ("ONF") and areas of High or Outstanding Natural Character.



Figure 5: RPS Map showing the extent of the Coastal Environment on the site

These are now included within the Regional Policy Statement (operative 2016) for Northland, thereby meeting the requirements under the New Zealand Coastal Policy



Statement 2010 in ("NZCPS") in the Resource Management Act 1991.

Within the RPS the northern two thirds of the site is located within the Coastal Environment. There are no recorded Outstanding Natural Landscape, Outstanding Natural Features, or areas of High or Outstanding Natural Character on the site. Refer to **Figure 5**.

The following objective and policy within the RPS have landscape relevance.

Objective 3.14

Natural Character, outstanding natural features, outstanding natural landscapes and historic heritage

Identify and protect the integrity of;

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

Policy 4.6.1

Managing effects on natural character, features/landscape and heritage.

- (1) In the coastal environment:
 - a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes.
 - b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes. Methods which may achieve this include:
 - I. Ensuring the location, intensity, scale and form of subdivision and built development is appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins; and
 - II. In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and
 - III. Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised.

Comment:

The site has not been identified as having any high or outstanding natural character values, outstanding natural features, or outstanding natural landscapes, as such the development will not affect these values.

The proposed subdivision and placement of BDZ has considered the natural elements, landforms and processes of the site. The BDZ's on Lots 1-3 have been located on the lower contours of the site where they can be easily developed without the need for



extensive earthworks and are not located on a ridgeline. There is no need for any vegetation removal or modification to the natural processes of the site.

The location of the BDZ on Lot 4 has considered the prominence of the knoll of the ridge on this lot, and positioned the BDZ on a natural ledge in the contours where a future dwelling can be dug into the side slope of the hill. This keeps it below the ridgeline and melds it into the landform. The building design controls and the landscape integration plantings will then ensure that any potential adverse effects upon natural character values are minimised.

The proposed wetland restoration plantings will restore the natural processes that once occurred within the currently grazed wetland areas. These will be planted and fenced off from stock. This will create new habitat for indigenous flora and fauna and enhance the natural character values of this part of the site.

Overall, the development is in accord with the relevant landscape objectives and policies of the NRPS.

6.0 ASSESSEMNT OF LANDSCAPE AND VISUAL EFFECTS

6.1 Introduction

The landscape and visual effects assessment process provides a framework for assessing and identifying the nature and significance of potential landscape and visual effects that may result from a proposed development.

Such effects can occur in relation to changes to physical elements and existing character of the landscape and impacts on viewing audiences and visual amenity values.

The existing landscape and it's a visual context will form the baseline for this landscape and visual effects assessments. The assessment of visual effects considers how changes to the physical landscape will impact the defined representative viewing audience.

In assessing effects on landscape there is a distinction made between landscape effects (effects on the character and amenity of a landscape, this may not be visible to the general public), and visual effects (the response of a viewing audience, principally from public viewing positions, but also surrounding privately owned properties).

These effects are assessed in terms of the degree of change brought about by the development. The degree of landscape and visual effects resulting from any development may be negative (adverse), or can be positive (beneficial), contributing to the visual character and quality of the environment.

Potential effects are also dependent upon the presence or absence of screening and/or backdrop vegetation, and the characteristics of the future activities associated with the development on the application site.

6.2 Landscape Effects



Landscape effects can either be a result of landform or land-cover modification or be more subtle such as influencing the overall pattern of the landscape.

Landscape effects take into consideration both changes to the physical landscape (physical effects) and the impact upon amenity values. Assessments therefore investigate the likely nature and scale of changes to individual landscape elements and characteristics, the consequential effect on the landscape character, and the perceptual responses that the proposal evokes.

The physical elements associated with the proposed subdivision include the subdivision roading, future residential dwellings, driveways, landscape plantings, wetland restoration and associated activities related to residential living.

The application site and surrounding landscape has been modified in the past by the removal of the original native forest many years ago. The wider setting of the site is characterised by mixed land uses including pastoral farms, forestry blocks, scattered rural residential development and pockets of indigenous vegetation. The repeated occurrence of houses along the coastline within this area in the South Kerikeri Inlet zone is a characteristic element within this landscape setting.

This modification of the landscape and proximity of the site within an area that contains a similar settlement pattern to that proposed reduces the sites sensitivity to change. This landscape is more accommodating of change due to the existing land uses and present levels of development.

No indigenous vegetation removal will occur as a result on the proposed subdivision. It is proposed to plant areas of native vegetation on the site, with 4836m3 of native backdrop plantings located around the BDZ's. The wetland restoration plantings will cover an area of 1.0493ha. These areas of indigenous vegetation will enhance the landscape values of the site and have an overall positive effect on landscape amenity values.

The earthworks associated with the subdivision include an access road, which could be established regardless of the subdivision proposal. This driveway will be located off the higher more sensitive contours of the site to minimise the potential landscape effects.

Earthwork cut and fill areas can be revegetated so that there is no visible scaring on the landscape. The BDZ shown on the Scheme Plan are large enough to allow for a dwelling, ancillary buildings and residential activities to be located within them. Any earthworks associated with forming the dwellings sites can be re-grassed and landscaped so that the earthworks do not generate any adverse visual or landscape effects.

The biophysical, sensory or associative aspects and key characteristics of the landscape will remain intact as the proposed development is of a size and scale that can be absorbed into the landscape through the implementation of landscape enhancement proposals and building design guidelines.

Due to the current settlement patterns surrounding the site any future built development upon the proposed lots will be in context with the existing character of the surrounding landscape. The receiving environment within which the development is located exhibits very similar characteristics to the proposed development. The



nature and scale of the proposal will not change the key features and attributes of the landscape which currently provide the existing landscape character for this zone.

The proposed landscape subdivision structure planting will enhance amenity and retain landscape quality values for the surrounding landowners to ensure that the potential landscape and visual effects generated upon them will be less than minor.

6.3 Natural Character & Rural Amenity Effects

The quality a landscape portrays, and its resulting "natural" character is dependent upon the degree of cultural modification, and how well the natural processes are functioning. Landscapes that exhibit the least amount of modification by human activity usually have the highest degree of natural character.

Natural character is a term used to describe the naturalness of an environment. The degree or level of natural character within an area depends on:

- The extent to which natural elements, patterns and processes are functioning,
- The nature and extent of modifications to the ecosystems and landscape/riverscape.

Natural character occurs along a continuum. The natural character of a site is the degree to which it is part of nature, particularly indigenous nature and is free from the effects of human constructions.

The effect of different types of modification upon the natural character of an area varies with the context and may be perceived differently by different individuals.

Natural elements relate to the presence of unmodified land and water bodies and the lack of built form, while natural patterns relate to the perceived naturalness of the appearance of a landscape, which appears to be a result of nature rather than being man made. Natural processes relate to the ecological workings of a landscape, and how well these processes are functioning to maintain a natural appearance to the landscape.

The natural elements of the site have been diminished almost completely, with no unmodified land or water bodies remaining. Although there is a lack of built development the landscape is of grazed paddocks devoid of any natural elements.

Again, due to the grazed nature of the site and lack of any real areas of native forest the natural patterns of the site have also been diminished. The site is viewed as being altered through human modification; it is not a landscape in its's natural state.

Due to the modification of the site through vegetation removal and grazing of stock the site is almost devoid of the once natural processes and ecological workings of this landscape. Overall the site exhibits a significant lack of natural character values.

The lack of natural character on the site is reflected within the operative Far North District Plan as the site is not mapped as having an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Features located upon it.



Within the RPS the site is not mapped as containing any Outstanding Natural Landscapes, Outstanding Natural Features or areas of High or Outstanding Natural Character.

The Proposed Far North District plan also does not map the application site as having any sensitive resource landscape overlays.

The coastal edge and the upper contours along the eastern boundary have been mapped as a "sensitive area" in the South Kerikeri Inlet zone of the FNDP. The sensitivity of these areas is not related to natural character values as such, as it's not the natural processes, patterns or elements within these areas that are defined as sensitive. It is rather the visual sensitivity of these areas and desire to retain a perceived undeveloped settlement character contrasting with other more built-up areas. This would then maintain the current gateway experience leading to Kerikeri within the Kerikeri Inlet.

The proposed development upon Lots 1-3 will be located within a valley floor overlooking the pond. This area is not readily visible from Kerikeri Inlet and the BDZ's and roading have been located away from the 'sensitive areas' of the zone. This will ensure that there will be no adverse effects upon the sensitive area of the zone, or the natural character values of the site and wider coastal environment.

The proposed wetland restoration plantings on the site will contribute to restoring some of the natural processes, patterns and elements of these areas, thus contributing to some positive effects upon natural charter values of the site.

The BDZ on proposed Lot 4 will be located within a grazed paddock adjacent to the northern coastal edge of the site, overlooking the Kerikeri Inlet.

The BDZ will be situated between the house on Lot 1 DP 210733 to the west and the house on Lot 1 DP 143682 to the east. It will be located within a 750m long stretch of coastline that has no other built development present. One additional dwelling site located within this area of the coastline will be in context with the present settlement pattern visible from water along the shoreline of the South Kerikeri Inlet zone.

Several design measures will be implemented to minimise any potential adverse natural character effects upon the wider Kerikeri Inlet vista and coastal environment. These measures will also minimise any potential landscape and visual effects upon the defined sensitive area of this zone.

The BDZ has been positioned away from the high point of the knoll on this lot. It will be located on a natural shelf on the western side of the knoll where there are gentler contours. A building height restriction of 6m will assist with ensuring any future dwelling is not visually obtrusive. It is recommended that the building platform is dug into the side of the hill slope so that the roofline is below the 29m asl contour so that it does not protrude above the highest contours on this lot.

Building design controls stipulating recessive colours will limit the visibility of any future built form on the lot. Proposed foreground, backdrop plantings, and specimen tree plantings will visually soften and absorb the future built forms into the site. All of these measures will ensure that any development upon Lot 4 will result in less than minor potential adverse effects upon natural character values of the coastal environment.



Potential adverse effects upon the rural character values of the site should be considered in the context of the present pattern of residential development that exists within the landscape backing most of the coastline associated with the Kerikeri Inlet.

Whilst the site is currently free of built development, it is near the residential settlements of Reinga Road to the west and the Edmonds Road area to the east. Between these two clusters of settlement there is scattered rural residential lifestyle lots of varying sizes located within the South Kerikeri Inlet zone. The proposal will be in keeping with the current rural lifestyle settlement patterns and character of this zone.

The implementation of the proposed landscape enhancement and integration plantings and building design guidelines will enable the site to visually absorb the proposed development, ensuring that the proposal will generate less than minor potential adverse effects upon rural character values.

6.4 Visual Effects

Visual effects are generated through visual changes to the landscape due to a development, with the significance of the effects measured by the response of a particular viewing audience.

This is influenced by the degree of visibility, whether the proposal is the focal point or part of a wider view, whether the view is transient or permanent and the degree of contrast with the surrounding environment. The second component is perceptions and expectations that people hold about amenity.

Visual impacts are considered to constitute an intrusion into, or change to an existing view, with the significance of the effects measured as the bearing of that impact upon identified viewing audiences.

The viewing audiences identified in this assessment include:

- Kerikeri Inlet Road.
- Regina Road area,
- Skudders Beach area,
- Blue Penguin Drive
- Rangitane Loop Road,
- From upon the water in Kerikeri Inlet,
- Surrounding land owners.

Refer to the Off-Site Viewpoints contained in **Appendix 5** which depict the representative views of the site from these areas. The location of the viewing positions are shown on the Location Map contained in **Appendix 1**. The surrounding neighbouring properties are labelled on the plan in **Appendix 2**.

Photographs were taken using a camera with a 50mm lens to illustrate the view of the property and the context of its setting. The individual frames were taken as portrait images and joined to create panorama's that generally have a 124 degree horizontal and 55 degree vertical field of view. The optimal viewing distance of the images printed on an A3 page is 500mm from the eye to the page.

Viewpoint 1



This view is representative of the view residents along the eastern facing side of Reinga Road have of the site.

The proposed BDZ on Lot 4 is visible approximately 1.2km away. The proposed building site on this lot is located well below the ridgeline and has a foreground context of a vegetated setting.

With the proposed landscape integration plantings, 6m building height restriction and dark building colours any future structures on this BDZ will be recessive and unobtrusive. The potential adverse visual effects are assessed as less than minor.

The other BDZ's are not visible due to their lower elevation within the valley which accommodates the pond.

The white house visible is located on Lot 1 DP 109734. This illustrates how the more reflective white coloured dwellings stand out more, rather than being recessive and blending into the backdrop vegetation.

It is noted that an area of land at the end of Egret Way (off Inlet Road) just beyond the mangrove lined Okura River has recently been subdivided and has 4 approved building sites located around the area indicated. Although not currently present these future dwellings form part of the existing environment.

Viewpoint 2

This viewing position is located on Kerikeri Inlet Road, approximately 1.3km to the southwest of the site. The proposed BDZ on Lot 4 is visible set below the ridgeline. This is a quick glimpsed view for passing motorist travelling east. It is also representative of what the surrounding residents view.

The proposed BDZ is located between the 15m and 23m contour intervals with the high point of the knoll behind the BDZ being approximately 29m asl. Any future built form placed on the BDZ will be viewed below the ridgeline.

The proposed backdrop plantings located along the western and southern side of the Lot 4 BDZ will screen and soften any built form placed on this building site. The potential adverse visual effects of the proposal for this viewer group will be less than minor.

Viewpoint 3

This viewing position is located on Kerikeri Inlet Road, to the south of the site, it is approximately 500m to the BDZ on Lot 2. This view is fleeting as motorist pass by travelling east.

All the proposed BDZ's are visible to varying degrees. The BDZ on proposed Lot 1 is mostly hidden behind existing vegetation. The BDZ's on Lots 2 and 3 are located at the base of the hill slope, adjacent to the pond which is obscured. The BDZ on Lot 4 is located on the side of the knoll overlooking the Kerikeri Inlet. The proposed landscape plantings will also screen a lot of the main access road which is located to the east of the BDZ's.

All the building sites are located below the highest contours of the site so will not be viewed on a skyline. The BDZ's on Lots 1-3 are not located within the 'sensitive area' as



defined in the South Kerikeri Inlet zone. This is they are not located on the highest ridgelines or along the coastal edge. Development upon Lots 1-3 will therefore not impact upon the experience of visitors to the Kerikeri Inlet. The proposed backdrop plantings to the south of the BDZ on Lot 4 will screen it from this viewing position.

The proposed landscape integration plantings that are located around the BDZ's on Lots 1-3 will screen most of the built form, with only small portions visible. The buildings will be set with a vegetated landscape blending development into the existing settlement pattern found within this area.

The landscape plantings and the building design guidelines will ensure that the development is subordinate to the landscape so that the existing rural and visual amenity values are retained. The potential adverse visual effects of the development upon this viewer group who gain a fleeting view as they pass by will be less than minor.

Viewpoint 4

This viewing position is located on Skudders Beach Road adjacent to the Kerikeri Inlet. This view is representative of how the surrounding residents within this area of Skudders beach view the application site, and future development upon it. The closest BDZ on Lot 4 is approximately 1km away and will be visible from this area, as will the BDZ on Lot 3. The BDZ's on Lots 1 and 2 are not visible.

All the BDZ's are located below the ridgelines and will be viewed below the skyline. The BDZ's on Lots 1-3 are not located within the 'sensitive area' as defined in the South Kerikeri Inlet zone.

The BDZ on proposed Lot 4 is located within the 'sensitive area' of this zone as it is located adjacent to the coastline. There are eight other houses located in a similar manner to the proposed BDZ on Lot 4. They are positioned along the coastal edge of this zone and are subsequently located within this sensitive area.

The nearest house to the east of the proposed BDZ on Lot 4 is 500m away, and the nearest to the west is 250m away. This results in a dwelling density along this part of the coastline that is not intensive and retains the undeveloped nature of the maritime gateway to Kerikeri and the existing character of this zone.

A building height restriction of 6m on Lot 4 and recessive building colours in addition to the building platform being dug into the side of the hill slope will all assist with visually integrating any future building into the landscape with the least amount of visual intrusion. The proposed foreground plantings, and specimen Pohutukawa trees, as well as the backdrop plantings will provide a vegetated farmwork for any buildings to be set within.

Providing any development upon Lot 4 is managed in a sympathetic manner following the recommended building design guidelines and through implementing the proposed landscape integration plantings any future buildings located on Lot 4 will be in keeping with the existing settlement pattern and will not adversely affect the sensitive area. The relatively un-developed nature of this part of the south Kerikeri Inlet will remain and the natural character and rural amenity values will also be unaffected.



Future development upon proposed Lots 3 and 4 can be managed so that development is sympathetic to the surrounding landscape. The magnitude of visual change will be small, with little change to the key features of the landscape, and a low degree of contrast with the existing landscape elements. The potential adverse visual effects generated by the development upon this viewer group will be less than minor.

Viewpoint 5

This viewing position, looking southeast towards the site is located further up the hill on Skudders Beach Road. Lot 4 BDZ is located approximately 1.5km away. The BDZ's on Lots 2 and 3 are also visible.

The assessment of potential visual effects for the residents in this area is the same as for Viewpoint 5. The potential adverse visual effects generated by the subdivision development upon this viewer group will be less than minor providing the building design guidelines and landscape integration planting is implemented.

Viewpoint 6

This viewing position is located halfway along Blue Penguin Drive, approximately 2km to the northwest of the site. Three of the proposed BDZ's are visible. The long focal length between the site and Blue Penguin Drive results in future development upon the BDZ's being viewed as a small part of the landscape scene.

With the implementation of the landscape integration plantings and the use of recessive building materials the potential adverse visual effects generated upon this viewer group will be less than minor.

Viewpoint 7

This viewing position is located on Rangitane Loop Road, approximately 1.6km to the north of the site. The proposed BDZ on Lot 4 will be located to the west of the brow of the knoll overlooking the Kerikeri Inlet. The long focal length will result in the presence of a recessively coloured dwelling set within a landscaped setting being difficult to distinguish.

Proposed Lots 1-3 will not be visible. A single additional dwelling located on Lot 4, within this landscape setting will not lower the natural character or visual amenity values associated with this stretch of coastline and will result in less than minor potential adverse visual effects for this viewer group.

Viewpoint 8

Located on Rangitane Loop Road, next to the old jetty approximately 1.7km to the north of the site. The proposed BDZ on Lot 4 is visible across the Kerikeri Inlet, below the ridgeline. The BDZ's on Lots 1-3 are not visible.

The assessment of visual effects for this viewer group is the same as for Viewpoint 7.

Viewpoint 9

This viewing position is located on the elevated hills to the east of the site on a private right of way below the house located on Lot 1 DP 439833. Expansive views are obtained across the foreground farmland, and beyond to Kerikeri Inlet and the residential areas of Skudders Beach and Blue Penguin Dive.



The BDZ on Lot 1 is visible below, adjacent to the pond approximately 950m away to the northwest, with the BDZ's on Lots 2-4 beyond this.

The long focal length will result in the future building development being viewed as small elements within a much wider landscape scene. The proposed building design guidelines will ensure that built form is coloured in dark recessive tones so not to draw attention to the buildings. In a similar manner to the house with a dark coloured roof that is present in this foreground view.

The proposed landscape integration plantings have been positioned so that the backdrop plantings will screen the future dwellings from this southeastern viewer group. Development will be difficult to distinguish and will not alter the key landscape features and qualities of the scene. Viewers in this area will still retain their unimpeded expansive views out to the northwest.

The addition of four new dwelling sites set within the landscape setting is in keeping with the local pattern of settlement. The proposal has taken steps to ensure development will not lower rural landscape values or visual amenity values.

The potential adverse visual effects of the proposal upon this viewer group is assessed as less than minor.

Viewpoint 10

Located at the start of the private right of way access that comes off Inlet Road, leading to the house on Lot 1 DP 210733 and four other lots beyond. The BDZ's on Lots 1-3 are visible at the toe of the hill slope. The ridgeline of this hill slope is identified as a sensitive area in this zone. The proposed building sites and access road are located outside of this sensitive area.

This view of the site will be a momentary view as the residents who use the right of way pass by. They will view future built form set within a vegetated landscape. The backdrop planting provides the framework to the subdivision while the specimen trees and wetland plantings soften and partially screen the foreground of the BDZ's.

The proposed development located on the application site will be viewed similarly to the other built form scattered within this zone. The proposed landscape integration planting and building design guidelines will ensure that future development is sensitive to the landscape setting and is visually recessive. The change viewed within this landscape scene is not uncharacteristic or prominent within the view and can be absorbed within the receiving environment.

The potential adverse visual effects of the proposal for this viewer group form this location is less than minor.

Viewpoint 11

Located halfway along the private right of way access leading to the house on Lot 1 DP 210733 and four other lots beyond the site. The BDZ's on Lots 1-3 will be momentarily visible as the viewer passes by.

The assessment for this viewpoint is the same as for Viewpoint 10.

Viewpoint 12



Located on the existing private right of way driveway providing access to the four lots beyond the application site. This part of the right of way is located on the application site and will be part of proposed Lot 4 as it is owned by the applicant.

The assessment for this viewpoint is the same as for Viewpoint 10.

Viewpoint 13

Located on the existing private driveway providing access to four lots beyond the application site. This viewing position is on the part of the existing right of way driveway that is owned by the applicant, which will be included in Lot 4.

The viewer group is limited to the residents of the four lots that are located beyond the application site. Future development upon this BDZ will include the digging down into the hill slope to place built form lower down on the hill slope, so that it is not viewed above the elevated knoll. A building height restriction of 6m on Lot 4 will also assist with this to ensure any structure is nestled down into the landscape.

The proposed backdrop planting that will be located along the southern and western sides of the BDZ will effectively screen future development upon this lot. Viewers will still see the water view and mangroves, whilst the planting screens development on the BDZ.

The potential adverse visual effects of the proposal for this viewer group form this location is less than minor.

Viewpoint 14

Located on the existing private driveway providing access to the four lots beyond the application site. This viewing position is on the part of the existing right of way driveway owned by the applicant, which will be part of Lot 4.

This view shaft towards the southwest takes in the lake and four other residential dwellings located in the backdrop. The BDZ on proposed Lot 3 is visible in the foreground located below the sensitive area of the zone and with a vegetated land backdrop.

The foreground gully will be fenced off from stock and the area enhanced with wetland plantings. This will provide a foreground vegetated context to the BDZ on Lot 3. The proposed backdrop plantings will also provide a framework for future built development on this lot to be set within.

Development upon this lot will be viewed in a similar manner to the existing settlement pattern found within the surrounding landscape. The potential adverse visual effects associated with this will be less than minor.

Viewpoint 15

Located on the private right of way access to the east of the application site. This view is looking west towards proposed Lot 4. The BDZ on Lot 4 is located on the western side of the knoll, off the highest contours, so will not be visible from this area to the east.

There will be no adverse visual effects generated upon this viewer group, and residents of the houses to the east of Lot 4 as they will not be able to view any development on the site from their dwellings.



Viewpoint 16

This viewing position is located on a boat within the Kerikeri Inlet to the west of the application site. The BDZ on Lot 4 is located approximately 1km away and is positioned below the high point of the knoll, with a land backdrop behind it. The BDZ on Lot 3 is also visible set further inland, again with a land backdrop. The ridgeline above the BDZ's is identified as a sensitive area within this zone. The houses visible to the right in the image are located off the end of Reinga Road.

The BDZ on proposed Lot 4 is also located within the sensitive area of this zone as it is located adjacent to the coastline. The house to the east of the site on Lot 1 DP 143682 is also located within this sensitive area, as are seven other houses located in a similar manner along the coastal edge of this zone.

The house to the east on Lot 1 DP 143682 is 500m located away from the BDZ on Lot 4, while the house on Lot 1 DP 210733 is 250m away to the west. The proposal will see two additional dwelling sites added into this landscape setting and settlement pattern.

This will result in a dwelling density along this part of the coastline which is sparse and not intensive thus retaining the undeveloped nature of the maritime gateway to Kerikeri and the existing character of this zone.

A building height restriction of 6m on Lot 4 and recessive building colours in addition to the building platform being dug into the side of the hill slope will all assist with visually integrating any future building into the landscape with the least amount of visual intrusion. The proposed foreground plantings, and specimen Pohutukawa trees, as well as the backdrop plantings will provide a vegetated farmwork for any buildings to be set within.

Providing development upon Lots 3 and 4 is managed in a sympathetic manner following the recommended building design guidelines and through implementing the proposed landscape integration plantings any future buildings will be in keeping with the existing settlement pattern and will not adversely affect the sensitive area. The relatively un-developed nature of this part of the south Kerikeri Inlet will remain and the natural character and rural amenity values will also be un-affected.

The magnitude of visual change will be small, with little change to the key features of the landscape, and a low degree of contrast with the existing landscape elements. The potential adverse visual effects generated by the development upon this viewer group will be less than minor.

Viewpoint 17

This viewing position is located on a boat within the Kerikeri Inlet to the north of the application site. The BDZ on Lot 4 is located approximately 650m away and the BDZ on Lot 3 is located to the south of this. The existing house on Lot 1 DP 210733 is visible to the west of the site.

A future dwelling located on proposed Lot 3 will be difficult to distinguish due to its set back from the coastline, within the valley floor. The proposed landscape integration plantings and the recessive building colours will ensure that there will be no adverse visual effects associated with this building site.



Future development upon proposed Lot 4 will be visible as it's located along the coastal edge of the site. It will be located below the highest point on Lot 4, and the building platform will be dug into the hill slope so that future built form is viewed below the top of the knoll. Backdrop plantings and a 6m height restriction will ensure that any building is not viewed on the skyline. The use of recessive building colours will also minimise the visibility of built form on this lot.

As discussed for Viewpoint 16 the settlement density along the coastal edge of the South Kerikeri Inlet zone is varied, with a total of eight houses being located within the sensitive area backing the coastline defined in the zone. The proposed development upon Lot 4 will also be located within this sensitive zone. The additional dwelling will not alter the current character of this coastal landscape or the maritime gateway experience whilst travelling within the Kerikeri Inlet, heading to Kerikeri.

The potential adverse visual effects of development upon Lot 4 will be managed and minimised so that there will be less than minor adverse visual effects generated upon this viewer group.

Viewpoint 18

This viewing position is located on a boat within the Kerikeri Inlet to the north of the application site. The BDZ on Lot 4 is located approximately 950m away. The existing house on Lot 1 DP 210733 is visible.

Future development upon proposed Lot 4 will be managed so that it is visually unobtrusive, so that it will not adversely affect the sensitive area of the zone or visual amenity values. The potential adverse visual effects of development on this lot have been discussed in the previous Viewpoints, with the effects from this position also being assessed as less than minor.

Viewpoint 19

Located on a boat within the Kerikeri Inlet to the northeast of the application site. The BDZ on Lot 4 is located approximately 1.7km away. The assessment of the potential adverse visual effects from this area is the same as for Viewpoint 18, albeit even less, due to the longer focal length and less of the site being visible.

Views from Houses Surrounding the Site

As I was unable to access the private residences surrounding the site I have looked at the view of these houses from the site and surrounds to determine the likely view they will gain of the proposed development and resulting potential adverse visual effects generated upon each residence.

Lot 1 DP 109734

This house is located close to Kerikeri Inlet Road, with dense plantings located along its southern and eastern sides as shown in **Figure 6**. The main view shaft from this dwelling is out to the northwest as shown in Figure 8. There are no views towards the application site.

There will be distant views form this house of the BDZ on Lot 4 as shown in **Figure 7**. The proposed backdrop plantings will screen most of the future development upon Lot 4.



The potential adverse visual impact upon the outlook from this dwelling will be less than minor.



Figure 6: View of the vegetation along the western boundary of the house site, as viewed from Lots 1-3.



Figure 7: View of the house from the BDZ on Lot 4.



Figure 8: View from Reinga Road, showing the open aspect towards the northwest

Lot 1 DP 210733

This house is located close the edge of Kerikeri Inlet, with their main view out towards the north. The house is set within a highly vegetated landscape. This vegetation screens most of the view of the BDZ's on Lots 1-3 as shown in **Figure 9**.



Views of the BDZ on Lot 4 will be obtained from this house as shown in **Figure 10**. The views towards the BDZ are out to the northeast, with the BDZ not in the middle of the main view shaft of the water from the house. The proposed backdrop plantings along the south and west of the BDZ will screen the future development upon Lot 4 so that there will be no views back from Lot 4 towards the outdoor living areas of this house, thus retaining their privacy.

The potential adverse visual impact upon the outlook from this dwelling will be less than minor.



Figure 9: View of the house from the BDZ on Lot 3



Figure 10: View of the house from the BDZ on Lot 4

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This house is located close to Kerikeri Inlet Road, set within a highly vegetated setting as shown in **Figure 11**. The orientation of the house is to the north, tending west slightly. Their view will still have an unobstructed view across the pond, with future development upon the BDZ on Lot 4 being located to the east of the small area of the Kerikeri Inlet that is visible from their house.

Figure 12 illustrates the view across the lake from their northern boundary. It shows that their view will not take in the development upon Lots 1-3. **Figure 13** illustrates the existing vegetation that is located between the BDZ on Lot 1 and this house. Proposed landscape plantings along the western boundary of Lot 1 will further screen any



development upon Lot 1 from view, as is the case with plantings on the south western sides of the BDZ's on Lots 2 and 3 and 4.

The potential adverse visual impact upon the outlook from this dwelling will be less than minor.



Figure 11: View of the house from Lot 4



Figure 12: View from the boundary of this house site, looking towards Lot 4



Figure 13: View of the house from Lot 1 BDZ

Lot 1 DP 368104 & Lot 1 DP 439833

These houses are located on the elevated hill slops to the southeast of the site. The view from the Lot 2 BDZ is shown in **Figure 14**. The proposed backdrop plantings around each of the BDZ's will screen most of the future development upon the site.



The elevated nature of these dwellings means their view is out across the top of the site as shown in **Figure 15**, so that their views will not be adversely impacted.

The potential adverse visual impact upon the outlook from these dwellings will be less than minor.



Figure 14: View of the houses from BDZ Lot 2



Figure 15: View from the elevated house site

7.0 Mitigation Measures & Design Guidelines

7.1 Subdivision Landscape Plan

Landscape mitigation and integration plantings are proposed to assist with integrating future development upon the proposed lots to minimise any potential adverse landscape and visual effects of the development and retain natural character and rural and visual amenity values.

The planting shown on the Landscape Plan contained in **Appendix 6** will create a vegetative framework for development to be set within and will assist with minimising any potential adverse landscape and visual effects. The layout of the proposed planting and species composition and maintenance has been detailed on the plan.

The planting proposed on the Landscape Plan will be implemented by the applicant so that it can become established so that there will be some existing plantings once future buildings are built on each lot. As the site is mostly devoid of vegetation the



proposed planting will be critical in providing a vegetated setting for development to be set within.

The key elements of the proposed landscape mitigation planting are:

Foreground Plantings

This planting is located within the area indicated to the north of the building area on proposed Lot 4. This planting shall be implemented once the building platform has been excavated. It is recommended that the building platform for this lot be dug down into the hill slope to minimise the visibility of future built form on this lot.

In addition to the shrubs specified there shall be 3 Pohutukawa trees strategically placed around the northern side of the building. These shall break up the northern facade of built form when viewed from the north and northwest.

Backdrop Screen Planting

This proposed planting is generally located to the south and east of the building sites. This will provide a vegetated backdrop to the building areas, thus integrating built form and partially screening it from the surrounding neighbours and when viewed from off site. This planting will also enhance the rural amenity values of the subdivision and provide privacy between building sites.

Specimen Trees

Fast taller growing trees planted in strategic positions will break up the view to specific building sites from the residences on the surrounding properties. This planting will also enhance the rural amenity values of the subdivision and provide privacy between building sites.

Wetland Revegetation Plantings

The pasture areas that will be fenced off around the wetland covenant areas AA, AB and AC shall be revegetated with a mix of wetland species to restore the ecological habitat of the wetland areas. This planting will also provide a vegetated buffer between lots and screening of the development from neighbouring properties.

7.2 Building Design Guidelines

A set of building design guidelines are proposed for future built development upon the lots to assist with enabling future development to be set into the landscape with the least amount of visual intrusion therefore minimising potential landscape and visual amenity effects. The building design guidelines will control aspects such as building height, colours, reflectivity, design style, form and scale.

Overview

The following building and landscape design guidelines have been complied so that future built development within the subdivision can achieve a high level of integration. This will be achieved through sensitive building design and location, and with landscaping to provide a foreground and background context to built development.



The guidelines recognise that it is not necessary to fully screen buildings with vegetation. However, the use of strategically placed trees and areas of structure planting around the building sites will assist with providing a vegetated context and reducing a buildings prominence by breaking up its linearity and fragmenting views of its façade.

Landscape plantings around the buildings have the ability to mitigate any potential cumulative effect of domestic form and infrastructure. For example, if there is to be a shed or swimming pool located on the site, these structures should be linked to the main dwelling with landscape plantings.

Owners should note that architectural plans and all proposed construction is subject to the consent of the Far North District Council under the RMA and other local building codes. The District Council may impose conditions and restrictions over and above those contained in these Building Design Guidelines.

Building Form

Building style, colour and form play a significant role in determining how well a building fits into the landscape. Buildings of a similar size, scale and mass to each other and painted recessively appear to belong and are less visually obtrusive. Similarly, buildings that reflect regional architectural styles appear to belong more readily than 'imported styles'.

Various building styles are possible; however, the following general guidelines will assist in diminishing the visual impact of structures in the landscape:

- 1. Building form shall flow with and follow the topography of the site,
- 2. The form of large buildings shall be broken up or indented to provide visual interest and shadows.
- 3. All built structures on proposed Lots 1 3 shall be limited to a height of no greater than 8 meters above ground level.
- 4. All built structures on proposed Lot 4 shall be limited to a height of no greater than 6 meters above ground level. The top of the roofline shall be below the 29m asl contour so that it does no protrude above the highest contours on this lot.

Building Materials and Finishes

The visual effects of the building sites will be lessened if the building materials are recessive.

Building colours from the A and B Group of the BS 5252 colour chart shall be used. The light reflectance values for the exterior roof colours shall not exceed 20% and the exterior walls shall not exceed 30% for Lot 4.

Building colours from the A and B Group of the BS 5252 colour chart shall be used. The light reflectance values for the exterior roof colours shall not exceed 30% and the exterior walls shall not exceed 40% for Lots 1-3.



It is recommended to use natural and textural materials, and make use of architectural features such as verandahs, pergolas and large eves to create shadow. These will all cast shadows on windows and ranch sliders thus limiting the reflectivity of the facades of the house.

Ancillary Structures

All ancillary structures which are separate from the primary residence (such as guest quarters, garages, storage sheds) shall be designed to complement and integrate with the primary residence. The use of landscape plantings to connect these structures with the main residence is required.

Water tanks

Water tanks, if not placed underground, shall be designed to integrate with the overall design of the main structures. Tanks that are placed above ground shall be screened by the landscape amenity plantings.

Driveways and Parking Areas

Parking areas shall be integrated with the overall design of the residence and landscaping. The parking areas on Lot 4 shall be screened from view from the coastal aspect.

Driveways shall be designed to suit rural character. Kerbs should be avoided or use low profile kerbs formed with dark grey concrete oxide and use chip seal or loose road metal. The use of swales to provide drainage should be encouraged.

Earthworks

Earthworks shall be graded gradually into adjacent contours. Earthworks that create sharp and large batters that are difficult to revegetate should be avoided.

8. CONCLUSION

The application site is located within the South Kerikeri Inlet zone. Parts of the site are identified as being with the 'sensitive area' (being visually sensitive). These areas are the more elevated contours along the eastern boundary and the coastal edge of the northern boundary of proposed Lot 4 (including the BDZ).

The site has no mapped landscape overlay features on it as defined in the OFNDP, PDP and RPS. Proposed Lots 2-4 are located within the coastal environment. Proposed Lot 4 is the predominate lot that will be visible from within the Kerikeri Inlet.

The public viewing audiences who have the potential to view the development are limited to long distance public views, with most of the development being located low on the slopes, next to the pond. Future development will be viewed in context of an existing rural lifestyle settlement pattern and will not alter the recognisable landscape elements of the present landscape setting. The potential adverse visual effects of the proposal generated upon the public viewing audience is assessed as less than minor.



From the water within the Kerikeri Inlet the main BDZ visible is that on Lot 4. Although located within the sensitive area, appropriate siting, design controls and planting will ensure that future built development upon this lot will be unobtrusive and will not adversely affect landscape, visual amenity or natural character values.

The BDZ on Lots 1-3 are not highly visible from the coastal marine area, and although located within the coastal environment, will not result in any adverse effects upon coastal natural character values due to the sites being mostly obscured from view and being integrated into the landscape through the proposed building design guidelines and landscape plantings.

The assessment of natural character values concluded that the site has been highly modified to a point where there is little remaining natural character values. The proposed landscape integration plantings, and more particularly the wetland restoration plantings will provide some positive effects upon natural character values. This will restore the diminished natural elements, processes and patterns of the degraded wetland areas.

The neighbouring landowners who have dwellings that overlook the site have been considered in this assessment. It was determined that the potential adverse visual and landscape effects generated by the development upon these residents will be less than minor. This was due to the BDZ's not being the focal point of the line of sight from the main view from their dwellings, being located at reasonably long focal distances from the dwellings, and the presence of existing intervening screening vegetation. In addition, the proposed landscape plantings will also screen and soften the views towards the BDZ's and the building design guidelines will ensure built form is recessive.

The potential effect of the development upon rural landscape character values will be minimised to a less than minor level due to the placement of the BDZ low on the contours on Lots 1-3 and the implementation of the design guidelines and integration plantings.

The proposal is located within an area that can accommodate rural lifestyle living. The proposed mitigation measures will ensure that the proposal will not adversely impact upon the sensitive areas as currently defined within the OFNDP. There will be only one BDZ on the site visible from boats approaching Kerikeri from within the Kerikeri Inlet. The proposed design controls and landscape plantings will ensure that development upon this lot is sensitive to the landscape setting and will not diminishes the values of the gateway experience to Kerikeri via the Kerikeri Inlet.

This development is consistent with the relevant objectives, policies and assessment criteria found within the OFNDP, PDP, NZCPS and RPS pertaining to landscape issue. Providing the mitigation plantings and building design guidelines are implemented the potential adverse landscape, visual and natural character effects of the development will be less than minor.

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SUPPLEMENT A:

Natural Character and Landscape Effects Assessment Method

Updated 2 November 2022

Introduction

The Natural Character, Landscape and Visual Effects Assessment (NCLVEA) process provides a framework for assessing and identifying the nature and level of likely effects that may result from a proposed development. Such effects can occur in relation to changes to physical elements, changes in the existing character or condition of the landscape and the associated experiences of such change. In addition, the landscape assessment method may include (where appropriate) an iterative design development processes, which seeks to avoid, remedy or mitigate adverse effects (see **Figure 1**).

This outline of the landscape and visual effects assessment methodology has been undertaken with reference to the **Te Tangi A Te Manu: Actearoa New Zealand Landscape Assessment Guidelines** and its signposts to examples of best practice, which include the **Quality Planning Landscape Guidance Note**¹ and the **UK guidelines for landscape and visual impact assessment**².

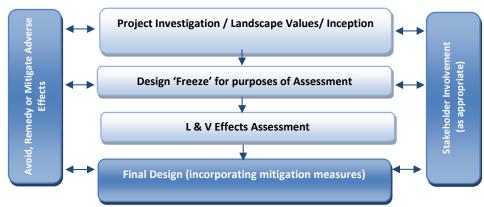
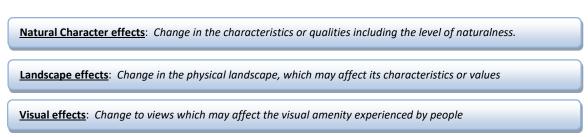


Figure 1: Design feedback loop

When undertaking any landscape assessment, it is important that a **structured and consistent approach** is used to ensure that **findings are clear and objective**. Judgement should be based on skills and experience and be supported by explicit evidence and reasoned argument.

While natural character, landscape and visual effects assessments are closely related, they form separate procedures. Natural character effects consider the characteristics and qualities and associated degree of modification relating specifically to waterbodies and their margins, including the coastal environment. The assessment of the potential effects on landscape considers effects on landscape character and values. The assessment of visual effects considers how changes to the physical landscape affect the viewing audience. The types of effects can be summarised as follows:



 $^{^1\,}http://www.qualityplanning.org.nz/index.php/planning-tools/land/landscape$

² Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3)

The policy context, existing landscape resource and locations from which a development or change is visible, all inform the 'baseline' for landscape and visual effects assessments. To assess effects, the first step requires identification of the landscape's **character** and **values** including the **attributes** on which such values depend. This requires that the landscape is first **described**, including an understanding of relevant physical, sensory and associative landscape dimensions. This process, known as landscape characterisation, is the basic tool for understanding landscape character and may involve subdividing the landscape into character areas or types. The condition of the landscape (i.e. the state of an individual area of landscape or landscape feature) should also be described together with, a judgement made on the value or importance of the potentially affected landscape.

Natural Character Effects

In terms of the RMA, natural character specifically relates to the coastal environment as well as freshwater bodies and their margins. The RMA provides no definition of natural character. RMA, section 6(a) considers natural character as a matter of national importance:

...the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.

Natural character comprises the natural elements, patterns and processes of the coastal environment, waterbodies and their margins, and how they are perceived and experienced. This assessment interprets natural character as being the degree of naturalness consistent with the following definition:

Natural character is a term used to describe the naturalness of waterbodies and their margins. The degree or level of natural character depends on:

- The extent to which natural elements, patterns and processes occur;
- The nature and extent of modifications to the ecosystems and landscape/seascape;
- The highest degree of natural character (greatest naturalness) occurs where there is least modification; and
- The effect of different types of modification upon the natural character of an area varies with the context and may be perceived differently by different parts of the community.

The process to assess natural character involves an understanding of the many systems and attributes that contribute to waterbodies and their margins, including biophysical and experiential factors. This can be supported through the input of technical disciplines such as marine, aquatic and terrestrial ecology, and landscape architecture.

Defining the Level of Natural Character

The level of natural character is assessed in relation to a seven-point scale. The diagram below illustrates the relationship between the degree of naturalness and degree of modification. A high level of natural character means the waterbody is less modified and vice versa.

Degree of N	laturalness			Degree	of modification	
Very High	High	Moderate - High	Moderate	Moderate - Low	Low	Very Low

Scale of Assessment

When defining levels of natural character, it is important to clearly identify the spatial scale considered. The scale at which natural character is assessed will typically depend on the study area or likely impacts and nature of a proposed development. Within a district or region-wide study, assessment scales may be divided into broader areas which consider an overall section of coastline or river with similar characteristics, and finer more detailed 'component' scales considering separate more local parts, such as specific bays, reaches or escarpments. The assessment of natural character effects has therefore considered the change to attributes which indicate levels of natural character at a defined scale.

Effects on Natural Character

An assessment of the effects on natural character of an activity involves consideration of the proposed changes to the current condition compared to the existing. This can be negative or positive.



The natural character effects assessment involves the following steps;

- assessing the existing level of natural character;
- assessing the level of natural character anticipated (post construction); and
- considering the significance of the change

Landscape Effects

Assessing landscape effects requires an understanding of the landscape resource and the magnitude of change which results from a proposed activity to determine the overall level of landscape effects.

Landscape Resource

Assessing the sensitivity of the landscape resource considers the key characteristics and qualities. This involves an understanding of both the ability of an area of landscape to absorb change and the value of the landscape.

Ability of an area to absorb change

This will vary upon the following factors:

- Physical elements such as topography / hydrology / soils / vegetation;
- Existing land use;
- The pattern and scale of the landscape;
- Visual enclosure / openness of views and distribution of the viewing audience;
- The zoning of the land and its associated anticipated level of development;
- The scope for mitigation, appropriate to the existing landscape.

The ability of an area of landscape to absorb change takes account of both the attributes of the receiving environment and the characteristics of the proposed development. It considers the ability of a specific type of change occurring without generating adverse effects and/or achievement of landscape planning policies and strategies.

The value of the Landscape

Landscape value derives from the importance that people and communities, including tangata whenua, attach to particular landscapes and landscape attributes. This may include the classification of Outstanding Natural Feature or Landscape (ONFL) (RMA s.6(b)) based on important physical, sensory and associative landscape attributes, which have potential to be affected by a proposed development. A landscape can have value even if it is not recognised as being an ONFL.

Magnitude of Landscape Change

The magnitude of landscape change judges the amount of change that is likely to occur to areas of landscape, landscape features, or key landscape attributes. In undertaking this assessment, it is important that the size or scale of the change is considered within the geographical extent of the area influenced and the duration of

change, including whether the change is reversible. In some situations, the loss /change or enhancement to existing landscape elements such as vegetation or earthworks should also be quantified.

When assessing the level of landscape effects, it is important to be clear about what factors have been considered when making professional judgements. This can include consideration of any benefits which result from a proposed development. **Table 1** below helps to explain this process. The tabulating of effects is only intended to inform overall judgements.

Contributing Factors		Higher	Lower	
cape ivity)	Ability to absorb change	The landscape context has limited existing landscape detractors which make it highly vulnerable to the type of change resulting from the proposed development.	The landscape context has many detractors and can easily accommodate the proposed development without undue consequences to landscape character.	
Landscape (sensitivity)	The value of the landscape	The landscape includes important biophysical, sensory and shared and recognised attributes. The landscape requires protection as a matter of national importance (ONF/L).	The landscape lacks any important biophysical, sensory or shared and recognised attributes. The landscape is of low or local importance.	
nde of nge	Size or scale	Total loss or addition of key features or elements. Major changes in the key characteristics of the landscape, including significant aesthetic or perceptual elements.	The majority of key features or elements are retained. Key characteristics of the landscape remain intact with limited aesthetic or perceptual change apparent.	
Magnitude Change	Geographical extent	Wider landscape scale.	Site scale, immediate setting.	
2	Duration and reversibility	Permanent. Long term (over 10 years).	Reversible. Short Term (0-5 years).	

Table 1: Determining the level of landscape effects

Visual Effects

Visual effects are a subset of landscape effects. They are consequences of change on landscape values as experienced in views. To assess the visual effects of a proposed development on a landscape, a visual baseline must first be defined. The visual 'baseline' forms a technical exercise which identifies the area where the development may be visible, the potential viewing audience, and the key representative public viewpoints from which visual effects are assessed.

Field work is used to determine the actual extent of visibility of the site, including the selection of representative viewpoints from public areas. This stage is also used to identify the potential 'viewing audience' e.g. residential, visitors, recreation users, and other groups of viewers who can see the site. During fieldwork, photographs are taken to represent views from available viewing audiences.

The viewing audience comprises the individuals or groups of people occupying or using the properties, roads, footpaths and public open spaces that lie within the visual envelope or 'zone of theoretical visibility (ZTV)' of the site and proposal. Where possible, computer modelling can assist to determine the theoretical extent of visibility together with field work to confirm this. Where appropriate, key representative viewpoints should be agreed with the relevant local authority.

The Sensitivity of the Viewing Audience

The sensitivity of the viewing audience is assessed in terms of assessing the likely response of the viewing audience to change and understanding the value attached to views.

Likely response of the viewing audience to change

Appraising the likely response of the viewing audience to change is determined by assessing the occupation or activity of people experiencing the view at particular locations and the extent to which their interest or activity may be focussed on views of the surrounding landscape. This relies on a landscape architect's judgement in respect of visual amenity and the reaction of people who may be affected by a proposal. This should also recognise that people more susceptible to change generally include: residents at home, people engaged in outdoor recreation whose attention or interest is likely to be focussed on the landscape and on particular views; visitors to heritage assets or other important visitor attractions; and communities where views contribute to the wider landscape setting.

Value attached to views

The value or importance attached to particular views may be determined with respect to its popularity or numbers of people affected or reference to planning instruments such as viewshafts or view corridors. Important

viewpoints are also likely to appear in guide books or tourist maps and may include facilities provided for its enjoyment. There may also be references to this in literature or art, which also acknowledge a level of recognition and importance.

Magnitude of Visual Change

The assessment of visual effects also considers the potential magnitude of change which will result from views of a proposed development. This takes account of the size or scale of the effect, the geographical extent of views and the duration of visual change, which may distinguish between temporary (often associated with construction) and permanent effects where relevant. Preparation of any simulations of visual change to assist this process should be guided by best practice as identified by the NZILA³.

When determining the overall level of visual effect, the nature of the viewing audience is considered together with the magnitude of change resulting from the proposed development. **Table 4** has been prepared to help guide this process:

Contributing Factors		Higher	Lower	Examples	
he Viewing Audience sensitivity)	Ability to absorb change	Views from dwellings and recreation areas where attention is typically focussed on the landscape.	Views from places of employment and other places where the focus is typically incidental to its landscape context. Views from transport corridors.	Dwellings, places of work, transport corridors, public tracks	
The Vi Audi (sens	Value attached to views	Viewpoint is recognised by the community such as an important view shaft, identification on tourist maps or in art and literature. High visitor numbers.	Viewpoint is not typically recognised or valued by the community. Infrequent visitor numbers.	Acknowledged viewshafts, Lookouts	
e of Change	Size or scale	Loss or addition of key features in the view. High degree of contrast with existing landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture). Full view of the proposed development.	Most key features of views retained. Low degree of contrast with existing landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture. Glimpse / no view of the proposed development.	Higher contrast/ Lower contrast. Open views, Partial views, Glimpse views (or filtered); No views (or obscured)	
Magnitude	Geographical extent	Front on views. Near distance views; Change visible across a wide area.	Oblique views. Long distance views. Small portion of change visible.	Front or Oblique views. Near distant, Middle distant and Long distant views	
_	Duration and reversibility	Permanent. Long term (over 15 years).	Transient / temporary. Short Term (0-5 years).	- Permanent (fixed), Transitory (moving)	

Table 2: Determining the level of visual effects

Nature of Effects

In combination with assessing the level of effects, the landscape and visual effects assessment also considers the nature of effects in terms of whether this will be positive (beneficial) or negative (adverse) in the context within which it occurs. Neutral effects can also occur where landscape or visual change is benign.

It should also be noted that a change in a landscape does not, of itself, necessarily constitute an adverse landscape or visual effect. Landscape is dynamic and is constantly changing over time in both subtle and more dramatic transformational ways; these changes are both natural and human induced. What is important in managing landscape change is that adverse effects are avoided or sufficiently mitigated to ameliorate the effects of the change in land use. The aim is to provide a high amenity environment through appropriate design outcomes.

³ Best Practice Guide: Visual Simulations BPG 10.2, NZILA

This assessment of the nature of effects can be further guided by Table 2 set out below:

Nature of effect	Use and Definition			
Adverse (negative):	The activity would be out of scale with the landscape or at odds with the local pattern and landform which results in a reduction in landscape and / or visual amenity values			
Neutral (benign):	The activity would be consistent with (or blend in with) the scale, landform and pattern of the landscape maintaining existing landscape and / or visual amenity values			
Beneficial (positive):	The activity would enhance the landscape and / or visual amenity through removal or restoration of existing degraded landscape activities and / or addition of positive elements or features			

Table 1: Determining the Nature of Effects

Cumulative Effects

This can include effects of the same type of development (e.g. bridges) or the combined effect of all past, present and approved future development⁴ of varying types, taking account of both the permitted baseline and receiving environment. Cumulative effects can also be positive, negative or benign.

Cumulative Landscape Effects

Cumulative landscape effects can include additional or combined changes in components of the landscape and changes in the overall landscape character. The extent within which cumulative landscape effects are assessed can cover the entire landscape character area within which the proposal is located, or alternatively, the zone of visual influence from which the proposal can be observed.

Cumulative Visual Effects

Cumulative visual effects can occur in combination (seen together in the same view), in succession (where the observer needs to turn their head) or sequentially (with a time lapse between instances where proposals are visible when moving through a landscape). Further visualisations may be required to indicate the change in view compared with the appearance of the project on its own.

Determining the nature and level of cumulative landscape and visual effects should adopt the same approach as the project assessment in describing both the nature of the viewing audience and magnitude of change leading to a final judgement. Mitigation may require broader consideration which may extend beyond the geographical extent of the project being assessed.

Determining the Overall Level of Effects

The landscape and visual effects assessment conclude with an overall assessment of the likely level of landscape and visual effects. This step also takes account of the nature of effects and the effectiveness of any proposed mitigation. The process can be illustrated in Figure 2:



Figure 2: Assessment process

This step informs an overall judgement identifying what level of effects are likely to be generated as indicated in **Table 3** below. This table which can be used to guide the level of natural character, landscape and visual effects uses an adapted seven-point scale derived from Te Tangi A Te Manu.

⁴ The life of the statutory planning document or unimplemented resource consents.

Effect Rating	Use and Definition				
Very High:	Total loss of key elements / features / characteristics, i.e. amounts to a complete change of landscape character and in views.				
High:	Major modification or loss of most key elements / features / characteristics, i.e. little of the pre-development landscape character remains and a major change in views. <u>Concise Oxford English Dictionary Definition</u> High: adjective- Great in amount, value, size, or intensity.				
Moderate- High:	Modifications of several key elements / features / characteristics of the baseline, i.e. the pre-development landscape character remains evident but materially changed and prominent in views.				
Moderate:	Partial loss of or modification to key elements / features / characteristics of the baseline, i.e. new elements may be prominent in views but not necessarily uncharacteristic within the receiving landscape. <u>Concise Oxford English Dictionary Definition</u>				
Low-Moderate:	Moderate: adjective- average in amount, intensity, quality or degree Minor loss of or modification to one or more key elements / features / characteristics, i.e. new elements are not prominent within views or uncharacteristic within the receiving landscape.				
Low:	Little material loss of or modification to key elements / features / characteristics. i.e. modification or change is not uncharacteristic or prominent in views and absorbed within the receiving landscape. <u>Concise Oxford English Dictionary Definition</u> Low: adjective- 1. Below average in amount, extent, or intensity.				
Very Low:	Negligible loss of or modification to key elements/ features/ characteristics of the baseline, i.e. approximating a 'no change' situation and a negligible change in views.				

Table 3: Determining the overall level of landscape and visual effects

Determination of "minor"

Decision makers determining whether a resource consent application should be notified must also assess whether the effect on a person is less than minor⁵ or an adverse effect on the environment is no more than minor⁶. Likewise, when assessing a non-complying activity, consent can only be granted if the s104D 'gateway test' is satisfied. This test requires the decision maker to be assured that the adverse effects of the activity on the environment will be 'minor' or not be contrary to the objectives and policies of the relevant planning documents.

These assessments will generally involve a broader consideration of the effects of the activity, beyond the landscape and visual effects. Through this broader consideration, guidance may be sought on whether the likely effects on the landscape or effects on a person are considered in relation to 'minor'. It must also be stressed that more than minor effects on individual elements or viewpoints does not necessarily equate to more than minor landscape effects. In relation to this assessment, moderate-low level effects would generally equate to 'minor' (see **Table 4**).

The third row highlights the word 'significant'. The term 'significant adverse effects' applies to particular RMA situations, namely as a threshold for the requirement to consider alternative sites, routes, and methods for Notices of Requirement under RMA s171(1)(b), the requirements to consider alternatives in AEEs under s6(1)(a) of the 4th Schedule. It may also be relevant to tests under other statutory documents such as for considering effects on natural character of the coastal environment under the NZ Coastal Policy Statement (NZCPS) Policy 13 (1)(b) and 15(b).

<u>Less than Minor</u>		<u>Minor</u>	More than Minor			
Very Low	Low	Low-Moderate	Moderate	Moderate- High	High	Very High
				Signi	ficant	

Table 4: Determining adverse effects for notification determination, non-complying activities and significance

⁶ RMA Section 95D

⁵ RMA, Section 95E



Public off site (1 - 8)

Private off site (9-15)

water based viewpoints (1-16)

HAWTHORN

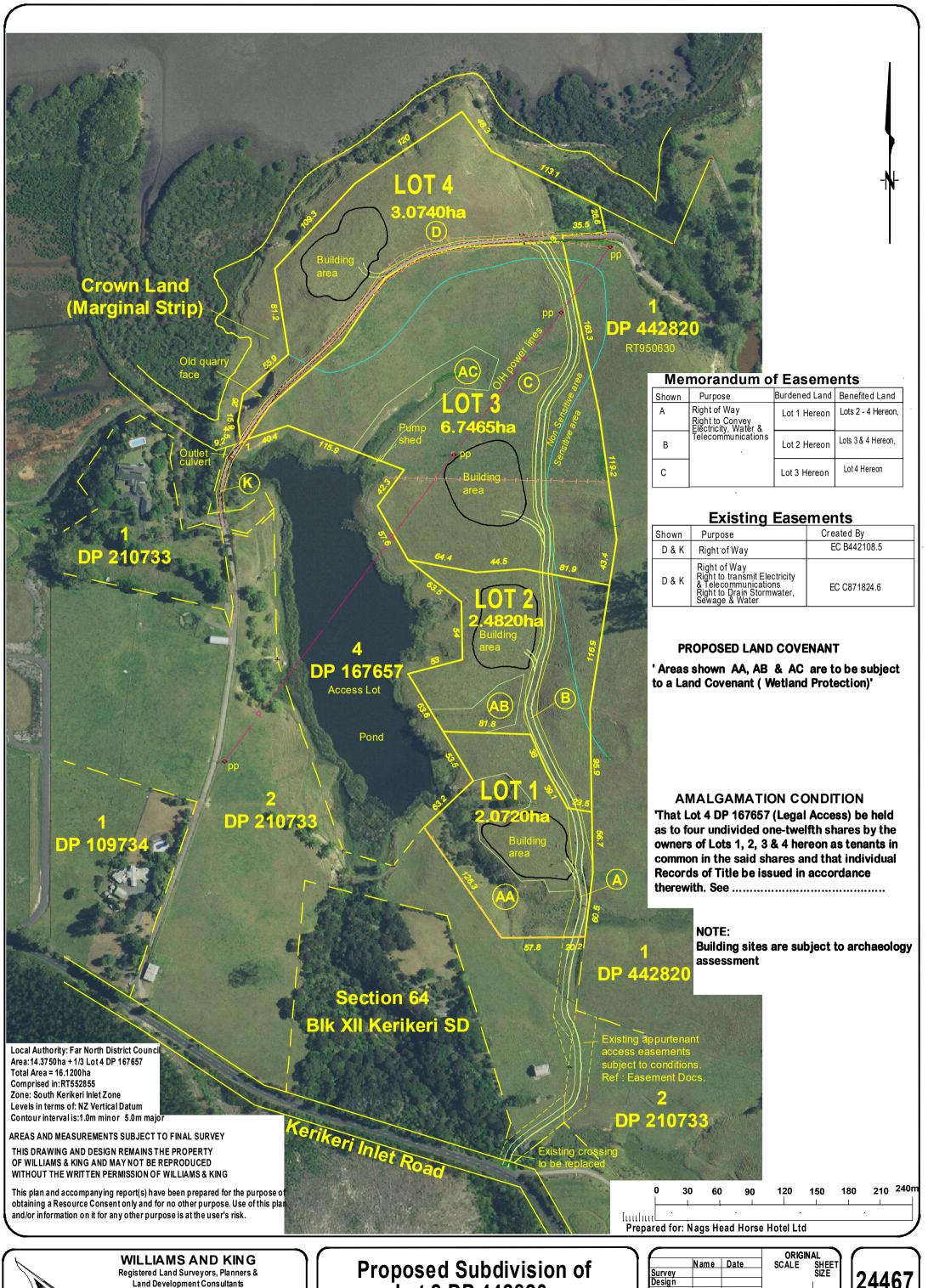
Landscape Architects

Drawn By

Cad Design Rev#

10/12/2024 APPENDIX 1







Ph: (09) 407 6030 Email: kerikeri@saps.co.nz

27 Hobson Ave PO Box 937 Kerikeri Lot 2 DP 442820

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Viewpoint 1 – View looking east from the end of Reinga Road, approximately 1.2km away. The BDZ on Lot 4 is visible as is the house on Lot 1 DP 109734. An area of land close by which has 4 approved building development zones is indicated.



Viewpoint 2 – Located on Kerikeri Inlet Road, approximately 1.3km to the southwest of the site. The proposed BDZ on Lot 4 is visible set below the ridgeline. This is a glimpse view for passing motorist.

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Viewpoint 3 – Located on Kerikeri Inlet Road, to the south of the site, it is approximately 500m to the BDZ on Lot 2. All of the proposed BDZ are visible, set below the ridgeline. This is a fleeting view as the motorist passes by.



Viewpoint 4 – Located on Skudders Beach Road adjacent to the Kerikeri Inlet. The closest BDZ on Lot 4 is approximately 1km away. All of the BDZ's are located off the ridgeline. This view is representative of the view that the surrounding residents will have.



Viewpoint 5 – Located on Skudders Beach Road, looking southeast towards the site. Lot 4 BDZ is located approximately 1.5km away.



Viewpoint 6 – Located halfway along Blue Penguin Drive, approximately 2km to the northwest of the site. Three of the proposed BDZ's are visible.





Viewpoint 7 – Located on Rangitane Loop Road, approximately 1.6km to the north of the site. The proposed BDZ on Lot 4 is visible across the Kerikeri Inlet, below the ridgeline.



Viewpoint 8 – Located on Rangitane Loop Road, next to the old jetty approximately 1.7km to the north of the site. The proposed BDZ on Lot 4 is visible across the Kerikeri Inlet, below the ridgeline.

Landscape Architects



Viewpoint 9 – Located on a private right of way below the house located on Lot 1 DP 439833. The BDZ on Lot 1 is located approximately 950m to the northwest.



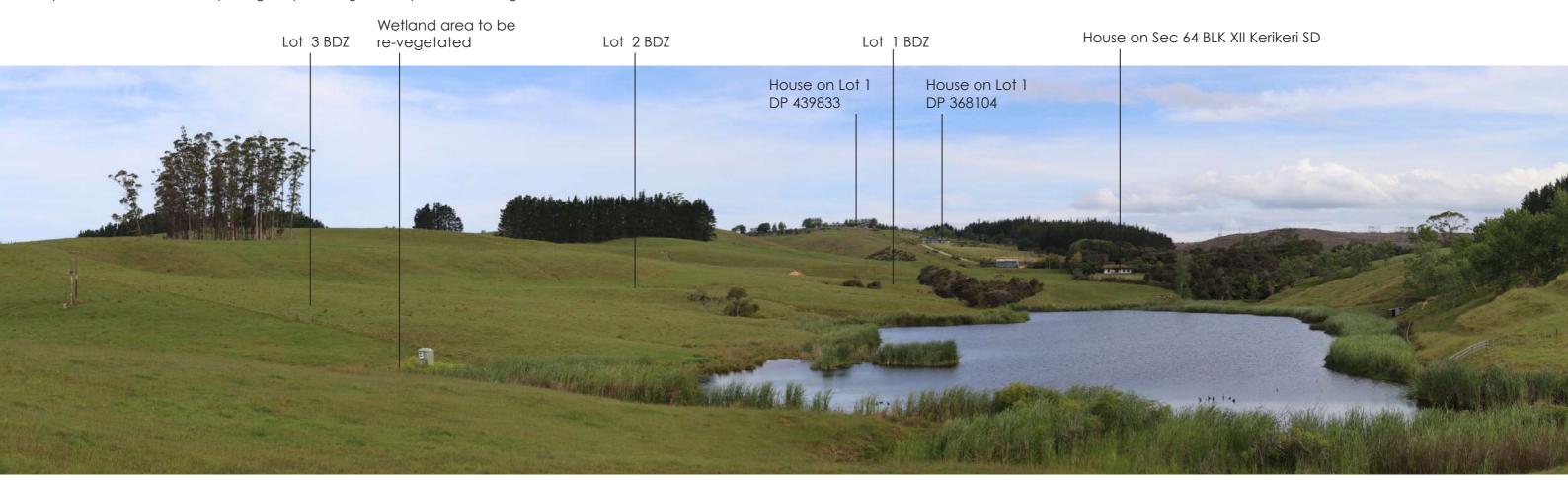
Viewpoint 10 – Located at the start of the private right of way access leading to the house on Lot 1 DP 210733. The BDZ on Lots 1-3 are visible.





Viewpoint 11 - Located halfway along the private right of way access leading to the house on Lot 1 DP 210733. The BDZ on Lots 1-3 are visible.

Landscape Architects



Viewpoint 12 – Located on the existing driveway providing access to a number of lots beyond the application site. This viewing position is on the part of the existing right of way driveway owned by the applicant, which will be part of Lot 4. Looking towards BDZ's 1 - 3.





Viewpoint 13 - Located on the existing driveway providing access to a number of lots beyond the application site. This viewing position is on the part of the existing right of way driveway owned by the applicant, which will be part of Lot 4. Looking at BDZ 4.



Viewpoint 14 - Located on the existing driveway providing access to a number of lots beyond the application site. This viewing position is on the part of the existing right of way driveway owned by the applicant, which will be part of Lot 4. Looking at BDZ 3.

Landscape Architects

Lot 4 BDZ obscured behind hill

Landscape Architects



Viewpoint 15 – Located on the private right of way access that extends from the application site to a number of other lots. This view is looking west towards proposed Lot 4. The BDZ on Lot 4 is located on the western side of the ridgeline, off the highest contours, so will not be visible from this area to the east.

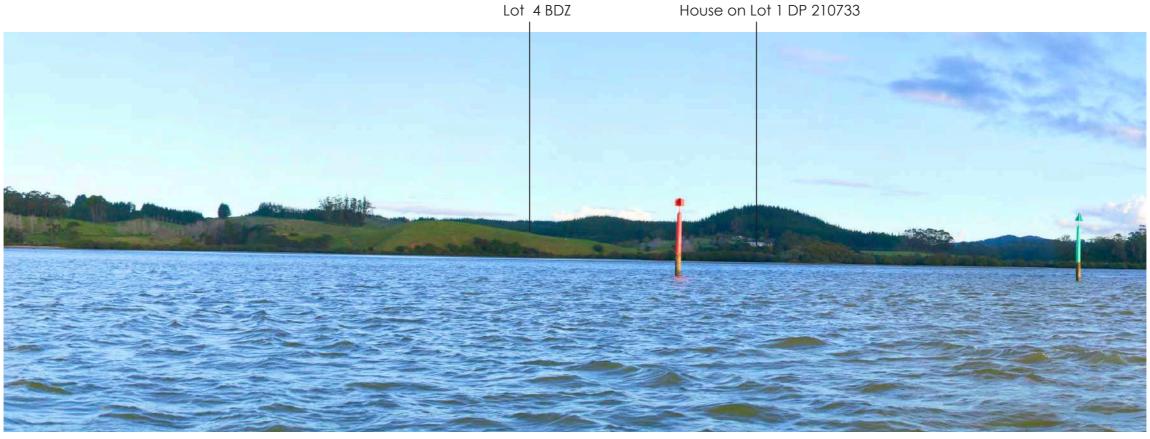


Viewpoint 16 – Located on a boat within the Kerikeri Inlet to the west of the application site. The BDZ on Lot 4 is located approximately 1km away. The existing houses in the foreground view are located at the end of Reinga Road.





Viewpoint 17 – Located on a boat within the Kerikeri Inlet to the north of the application site. The BDZ on Lot 4 is located approximately 650m away. The existing house on Lot 1 DP 210733 is visible.



Viewpoint 18 - Located on a boat within the Kerikeri Inlet to the north of the application site. The BDZ on Lot 4 is located approximately 950m away. The existing house on Lot 1 DP 210733 is visible.





Viewpoint 19 - Located on a boat within the Kerikeri Inlet to the northeast of the application site. The BDZ on Lot 4 is located approximately 1.7km away.





Landscape Integration Planting (Refer to plant schedules)



Specimen trees



Backdrop screen plantings Area 4836m²



Foreground plantings Area 666m²



Wetland revegetation plantings - Area 1.0493 HA



Existing wetland / bush areas



Building Area area that can accommodate built form



14/01/2025

APPENDIX 6

Overall Landscape Plan

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Driveway

5

15

5

15

10

15

15

15

Coprosma robusta

Cordyline australis

Isolepis nodosa

Kunzea robusta

Phormium tenax

Entelea arborescens

Leptospermum scoparium

1m

1.5m

3m

1.5m

1m

1.5m

1.5m

1m

555

90

555

555

555

555

833

Landscape Integration Planting (Refer to plant schedules)



Specimen trees



Backdrop screen plantings Area 1164m²



Wetland revegetation plantings - Area 5554m²



Existing wetland / bush areas



Building Area area that can accommodate built form



14/01/2025

APPENDIX 6 Landscape Integration Plan Lot 1

Nags Head Horse Hotel Ltd. LOT 4 DP 442820 Kerikeri Inlet Road

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4.0	A	

150 m



Landscape Integration Planting (Refer to plant schedules)

Specimen trees

Backdrop screen plantings Area 855m²

Wetland revegetation plantings - Area 1652m²

Existing wetland / bush areas

Building Area area that can accommodate built form



14/01/2025

APPENDIX 6 Landscape Integration Plan Lot 2

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Drawing #	Rev #	
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Landscape Integration Planting

Specimen trees

Backdrop screen plantings

Wetland revegetation plantings - Area 3287m²

Existing wetland /

area that can accommodate built form

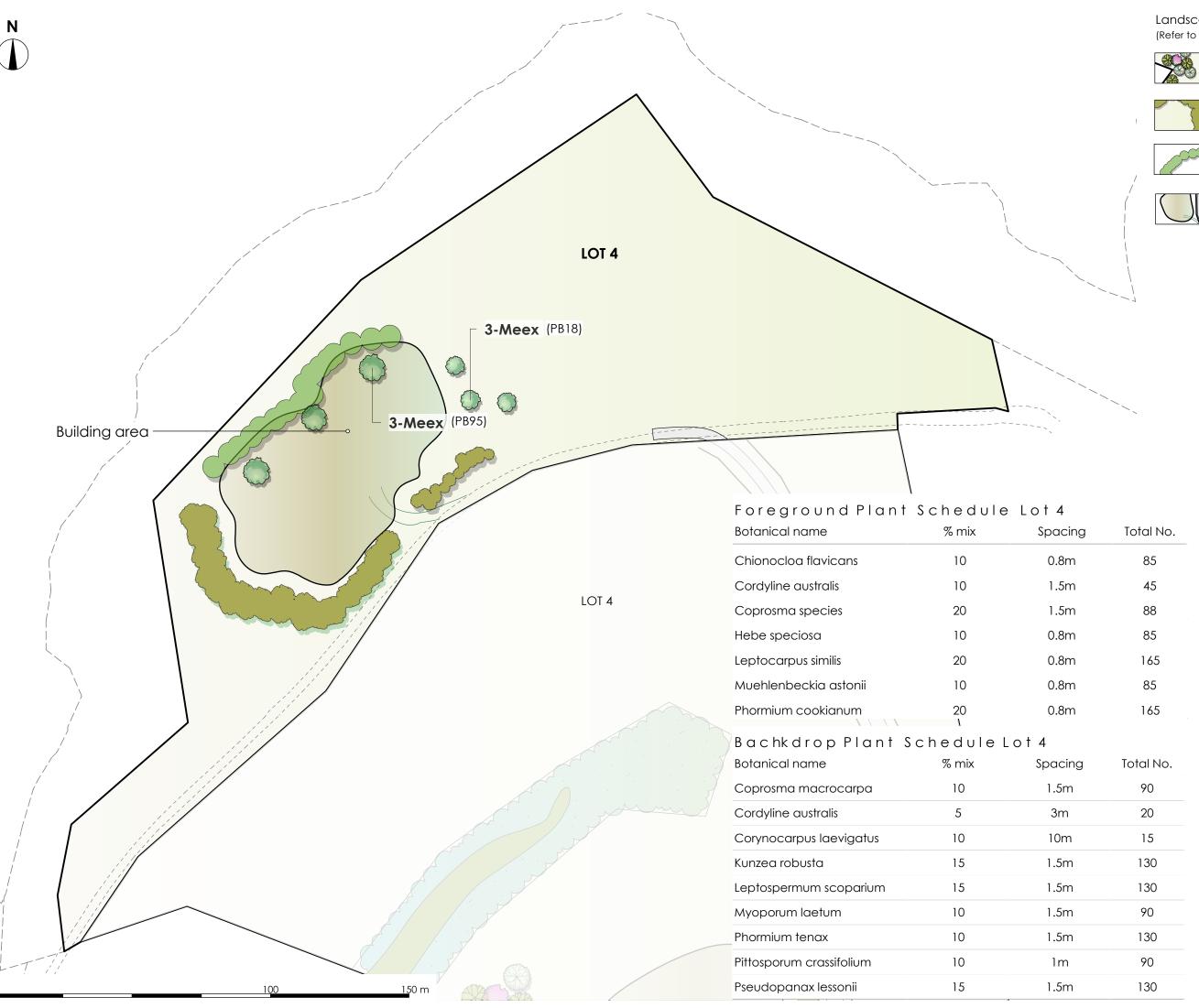
otanical name	% mix	Spacing	Total No.
Coprosma macrocarpa	10	1.5m	100
Cordyline australis	5	3m	25
Corynocarpus laevigatus	10	10m	15
unzea robusta	15	1.5m	150
eptospermum scoparium	15	1.5m	150
Nyoporum laetum	10	1.5m	100
hormium tenax	10	1m	150
ittosporum crassifolium	10	1.5m	100
seudopanax lessonii	15	1.5m	150



14/01/2025

APPENDIX 6 Landscape Integration Plan Lot 3

Scale	Drawn By	
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Drawing #	Rev #	
4.2	A	



Landscape Integration Planting (Refer to plant schedules)



Specimen trees



Backdrop screen plantings Area 1319m²



Foreground plantings Area 666m²



Building Area -area that can accommodate built form



14/01/2025 APPENDIX 6 Landscape Integration Plan Lot 4

Scale	Drawn By	
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Drawing #	Rev #	
4.3	A	

Specimen Trees

Fast growing tall trees planted in strategic positions to break up the view to specific building sites from the residences on the surrounding properties.

<u>Code</u>	Botanical name	Common name	Size	No.
Hose	Hoheria sexstylosa	Lacebark	pb18	14
Hyfl	Hymenosporum flavum	Australian frangipani tree	pb18	13
Knex	Knightea excelsa	Rewarewa	pb18	7
List	Liquidamber styraciflua	Liquidamber	pb18	11
Meex	Metrosideros excels	Pohutukawa	pb18	3
Meex	Metrosideros excels	Pohutukawa	pb95	3

Foreground Plantings

The following plants shall be planted within the area indicated to the north of the building area on proposed Lot 4. This planting shall be implemented once the building platform has been excavated. In addition to the shrubs, there shall be 3 Pohutukawa trees planted around the northern side of the building. These shall break up the northern facade of built form when viewed from the north and northwest. (Plant sizes can range from root trainers to pb5. The 3 Pohutukawa trees shall be pb95).

<u>Botanical name</u>	%mix	Spacing To	<u>tal No.</u>
Chionocloa flavicans	10	0.8m	85
Cordyline australis	10	1.5m	45
Coprosma species	20	1.5m	88
Hebe speciosa	10	0.8m	85
Leptocarpus similis	20	0.8m	165
Muehlenbeckia astonii	10	0.8m	85
Phormium cookianum	20	0.8m	165

Backdrop Screen Planting

The following plants shall be planted in the areas as shown to provide a vegetated backdrop to the building areas, thus integrating built form and partially screening it from the surrounding neighbours and when viewed from off site. This planting will also enhance the rural amenity values of the subdivision and provide privacy between building sites. (Plant sizes can range from root trainers to pb5).

%mix	Spacing	<u>Total No.</u>
10	1.5m	315
5	3m	80
10	10m	50
15	1.5m	480
15	1.5m	480
10	1.5m	315
10	1m	480
10	1.5m	315
15	1.5m	480
	10 5 10 15 15 10 10	5 3m 10 10m 15 1.5m 15 1.5m 10 1.5m 10 1m 10 1.5m

Wetland Revegetation Plantings

The pasture areas that are fenced off and within the wetland covenant areas AA, AB and AC shall be revegetated with a mix of the following species. (Plant sizes can range from root trainers to pb5).

Botanical name	%mix	Spacing	<u>Total No.</u>
Carex secta	5	1m	515
Carex virgata	5	1m	515
Coprosma robusta	15	1.5m	1050
Cordyline australis	5	3m	170
Entelea arborescens	10	1.5m	870
Isolepis nodosa	5	1m	1050
Kunzea robusta	10	1.5m	870
Leptospermum scoparium	10	1.5m	870
Phormium tenax	10	1.5m	1583



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Landscape Planting Implementation + Maintenance

Implementation Scope

The scope of the planting is:

- Preparation of planting areas;
- Timing of planting:
- Plant material:
- Siting of plants in accordance with the planting plan;
- Watering in newly planted shrubs, and;
- General maintenance, and;
- Weed pest and disease control.

Preparation of Planting Areas

- Undertake clearance of any exotic weed species.
- The initial weed control should be carried out during the autumn months prior to the winter planting, when plants are still actively growing and therefore more susceptible to herbicides.
- Spot spray planting areas three weeks before planting. A follow up spray should be applied if required.

For grasses spray:

Spray 100ml glyphosate (e.g. Roundup)+ 20ml penetrant per 10litres water

Timing of Planting

Planting shall only be undertaken when there is adequate ground moisture. If planting is undertaken early or late in the season, plants should be irrigated during any dry periods.

Plant Material

- Plants shall be purchased from a reputable nursery. All plants shall be best nursery stock, being healthy and vigorous. Root systems shall be well developed and in balance with the amount of foliage growth of the plant.
- Root-bound plants or those with badly spiraling root systems shall not be acceptable. Plants should have a root ball of fine. fresh root growth. This should be sliced through vertically with a sharp knife when removing the planter bag.
- Plants are to be planted as soon as possible after delivery and no later than 3 days after delivery.

Siting of Plants

Planting shall be in accordance with and as shown on the Landscape Plans.

Planting

- Plants should be well watered in their containers prior to planting.
- Holes for the larger (pb3 and above) plants should be dug approximately 1.5 times wider that the root ball, so that the roots are not cramped. Some loose soil should be left in the bottom of the hole to aid root growth and drainage.
- Approximately one tablespoon of good quality eighteen to twenty-four month slowrelease fertiliser should be placed in the bottom of the plant hole, and mixed in with the loose soil, ensuring that the fertiliser is not sitting directly on the roots (as it may burn them).
- Soil returned around the roots should be firmed with the foot, with a small amount of loose soil left at the top of the hole.
- Holes for large plants may exceed the depth of topsoil. In these cases the subsoil is to be thoroughly broken and well mixed with topsoil, which has been added as a 100mm layer to the bottom of the planting hole. Any compacted soil pan is to be thoroughly broken by relevant measures ensuring good root penetration and drainage.
- Individual specimens should be planted approx 50mm proud of the existing ground level to prevent waterlogging.
- The base of the planting hole is to be filled and firmed with backfilling material to a level where the top of the plant root ball is level with surrounding ground.
- All care shall be taken to keep the root ball of the plant intact during placement.
- Individual specimen trees shall be mulched with 70mm layer of bark mulch. The plantings with wetland covenant areas do not need to be barked mulched.
 - The foreground and backdrop plantings can either be bark mulch per individual tree or whole planted area mulched.

Specimen Tree Planting

- Ground preparation to take place prior to planting; consisting of a 1m3 hole for each pb95 grade tree. Integrate existing soil within this hole with a 50/50 mix of locally sourced compost and topsoil.
- Trees should be planted approx 50mm proud of the existing ground level to prevent waterlogging.
- Finish with a 70mm layer of locally sourced, high quality mulch to a 1m diameter around tree trunk, do not mound up around trunk.
- Stake trees with appropriate wooden stakes and soft tree tie.

Watering In

Immediately after planting all of the plants are to be thoroughly watered until the planting hole is saturated. The foliage of plants is also to be thoroughly wetted. This is to be done even if soil conditions are already wet.

General Maintenance

- Maintenance weed control should commence within three months following the planting, and then
- Maintenance shall be undertaken for a minimum period of 3 years following practical completion in accordance with this specification and the accompanying plan.
- Care should be taken to identify and control any weeds that may have been introduced to the property in potting mix associated with the new plants.
- All weeds should be cleared from the site by appropriate physical and chemical control. The majority of weeds growing close to the plant can be pulled by hand (taking care not to damage the roots of the plant) or, if appropriate, sprayed with herbicide by an experienced operator.
- During this three-year maintenance programme, any dead plants will need to be replaced.



Implementation + Maintenance

LOT 4 DP 442820 Kerikeri Inlet Road

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Archaeological Assessment of the Proposed Subdivision of

Lot 2 DP 442820

Kerikeri

29 November 2024

Prepared for:

S. Lowndes

Prepared by:

Geometria Limited

PO Box 1972 Whangarei





Quality Information

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Kerikeri.

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Prepared by: Jonathan Carpenter

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Glossary

Classic	The later period of New Zealand settlement			
Midden	The remains of food refuse usually consisting of shells, and bone, but can also contain			
	artefacts			
Pa	A site fortified with earthworks and palisade defences			
Pit	Rectangular excavated pit used to store crops by Māori			
Terrace	A platform cut into the hill slope used for habitation			
Wāhi	Sites of spiritual significance to Māori			
tapu				

1.0 Introduction

N. Watson commissioned Geometria Ltd on behalf of her client S. Lowndes to undertake an archaeological assessment for the proposed subdivision of Lot 2 DP 442820, with easements over Lot Lot 4 DP 442820, on Kerikeri Inlet Road. Several archaeological sites were previously recorded on Lot 2 DP 442820.

Under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) all archaeological sites are protected from any modification, damage or destruction except by the authority of Heritage New Zealand Pouhere Taonga (HNZPT).

This assessment uses archaeological techniques to assess archaeological values and does not seek to locate or identify wāhi tapu or other places of cultural or spiritual significance to Māori. Such assessments may only be made by Tangata Whenua, who may be approached independently of this report for advice.

1.1 The Heritage New Zealand Pouhere Taonga Act 2014

Under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA; previously the Historic Places Act 1993) all archaeological sites are protected from any modification, damage or destruction except by the authority of the Historic Places Trust. Section 6 of the HNZPTA defines an archaeological site as:

" any place in New Zealand, including any building or structure (or part of a building or structure), that—

- (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
- (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- (b) includes a site for which a declaration is made under section 43(1)"

To be protected under the HNZPTA an archaeological site must have physical remains that pre-date 1900 and that can be investigated by scientific archaeological techniques. Sites from 1900 or post-1900 can be declared archaeological under section 43(1) of the Act.

If a development is likely to impact on an archaeological site, an authority to modify or destroy this site can be sought from the local Heritage New Zealand Pouhere Taonga office under section 44 of the Act. Where damage or destruction of archaeological sites is to occur Heritage New Zealand usually requires mitigation. Penalties for modifying a site without an authority include fines of up to \$300,000 for destruction of a site.

Most archaeological evidence consists of sub-surface remains and is often not visible on the ground. Indications of an archaeological site are often very subtle and hard to distinguish on the ground surface. Sub-surface excavations on a suspected archaeological site can only take place with an authority issued under Section 56 of the HNZPTA issued by the Heritage New Zealand.

1.2 The Resource Management Act 1991.

Archaeological sites and other historic heritage may also be considered under the Resource Management Act 1991 (RMA). The RMA establishes (under Part 2) in the Act's purpose (Section 5) the matters of national importance (Section 6), and other matters (Section 7) and all decisions by a Council

are subject to these provisions. Sections 6e and 6f identify historic heritage (which includes archaeological sites) and Māori heritage as matters of national importance.

Councils have a responsibility to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga (Section 6e). Councils also have the statutory responsibility to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development within the context of sustainable management (Section 6f). Responsibilities for managing adverse effects on heritage arise as part of policy and plan preparation and the resource consent processes.

2.0 Location

Lot 2 DP 442820 is located four kilometres northeast of the Kerikeri township, between Kerikeri Inlet Road and the inlet to the north (Figure 1). Lot 2 is 14.375 ha in size, excluding a share of the adjacent lake lot. The property consists largely of flat to rolling pasture, and pockets of remnant and regenerating native bush and trees, and exotics. Steeper ground and low cliffs are present on the edge of the former and existing coastline, with a freshwater lake lying on the west side of the Lot, with Lot 2 and surrounding properties having a share in the lake. Existing development in the area includes features associated with the farming of the area, mid-late 20th century shell crushing for agricultural purposes, and the prior subdivision and development of the land fronting Kerikeri Road.

The underlaying geology comprises Holocene estuary deposits consisting of unconsolidated mud, sand, peat and shell banks on the low ground of the reclamation, with the higher and rolling ground behind underlain by greywacke of the Waipapa group sandstone and siltstone.

3.0 Proposed Development

S. Lowndes proposes subdividing Lot 2 DP 442820 into four new lots, ranging in size from 2-6.7ha.

Proposed Lot 4 comprises the northern hill and coastline, bounded to the south by an existing shared access providing access to other properties to the northwest. A building site is indicated on the gently sloping ridge on the southwestern side of the lot, below the summit of the hill.

The existing shared access at the northwestern side of the property encroaches on Crown Esplanade Reserve land along the top of an old farm quarry. The road above the quarry will be reduced and realigned to address the encroachment and avoid the quarry edge.

Proposed Lots 1-3 are south of the existing shared access on the rolling slope which drops westwards towards the lake from the eastern boundary. Building sites are identified on the gently rolling to flat mid-slopes between the higher ground on the eastern boundary, and a shared lot around the lake to the west.

The proposed access to these lots runs broadly along the contour between the steeper eastern third of the existing lot, and the rolling and level ground to the west, below to the lake, from Kerikeri Inlet Road to the south to the existing shared/access on the northern side.

An earlier proposal to create an access way through Lot 2 DP 442820 was assessed by J. Carpenter and R. Gibb in 2018 and took a higher line nearer the eastern boundary but this has been modified due to the landscape effects of the higher alignment (Carpenter 2018).

4.0 Methodology

4.1 Site Assessment

The methods used to assess the presence and state of archaeological remains on the property included both a desktop review and field survey. The desktop survey involved an investigation of written records relating to the history of the property. These included regional archaeological publications and unpublished reports, New Zealand Archaeological Association Site Record Files or NZAA SRF (ArchSite - www.archsite.org.nz - is the online repository of the NZAA SRF), and land plans held at Land Information New Zealand. The field survey included pedestrian surface survey, probing and spade testing.

4.2 Significance Assessment

Where archaeological sites, features and/or values are present within the proposed subdivision the following criteria are used to assess their significance:

The first set of criteria assess the potential of the site to provide a better understanding of New Zealand's past using scientific archaeological methods. These categories are focussed on the intra-site level.

4.2.1 Condition and Integrity.

How complete is the site? Are parts of it already damaged or destroyed? What information can be provided by the investigation of the site using archaeological methods.

A complete, undisturbed site with visible/accessible physical features would have high value, a partly-destroyed or damaged site would have moderate value and a site suffering from extensive modification or damage would be of low value.

4.2.2 Diversity

How diverse are the visible/accessible physical features, and those features which might be expected below the surface and amenable to archaeological investigation of the site?

A complex site like a pā or kāinga withs pits, terraces, defensive works, midden and stratified occupation deposits or other visible/accessible physical features and which could be expected to have a variety of subsurface features and associated with a long-term occupation by a large group of people would be of high significance. A smaller site, such as a complex of a few terraces, pits and midden which might be associated with a family-level occupation and used for a short period of time would be of moderate significance. A site with only one or two known or expected feature types, such as a small midden which overlay several ovens and with no other associated features is of low value.

4.2.3 Rarity and Uniqueness

How rare or unique is the site as a type? Are there features within the site that are not commonly found or are unusual?

Rarity can be described in a local, regional and national context. If the site is not rare at all, it has low significance in this category. If the site is rare in a local context only it is of low significance, if the site is rare in a regional context, it has moderate significance and it is of high significance it the site is rare nationwide. Coastal shell midden with relatively homogenous contents and not specifically associated with a larger occupation or other features are ubiquitous in Taitokerau/Northland and are the most common site type nationally, and would generally be of low archaeological significance. Small pit and terrace complexes are moderately common and typically moderately significant. Pā sites, although still numbered in the thousands nationally, are rarer and are of high significance. Sites from the earliest

period of human occupation in Aotearoa New Zealand, so-called "Archaic" sites associated with the cooked remains of moa and other extinct or locally extirpated species and Polynesian-style artefact forms are incredibly rare and unique and are of the highest significance, despite being a kind of midden.

The second set of criteria puts the archaeological site into its broader context including the wider archaeological landscape, amenity values, and historic context and associations with events and people, and the values the present-day communities of interest hold in the site.

4.2.4 Archaeological Context

What is the context of the site within the surrounding archaeological sites?

The question here is the part the site plays within the surrounding known archaeological sites. A site which sits amongst similar surrounding sites without any specific features of note, such as a coastal midden with other midden nearby is of low significance. A site which occupies a central or prominent position such as a large pā with surrounding satellite occupation, horticultural and other sites which might reasonably be associated with it is of high significance.

4.2.5 Landscape Context and Amenity Values

What is the context of the site within the landscape? Does it have visual, education, recreation or other amenity values

This question is linked to the one above, but focuses onto the position of the site in the landscape. If it is a dominant site with many features still visible from public places it has high significance, but if the sites' position in the landscape is ephemeral with little or no features visible it is of low significance. This assessment is also concerned with the amenity value of a site such as whether it is publicly accessible and used for recreational or other activities, available and useful for interpretation and education activities. A prominent pā in a public reserve with walking tracks, an urupa visible from the road, or the site of a first waka or ship landing, church service or other important event regardless of whether anything physical is visible would be of high significance. Subsurface features on private land and not otherwise associated with any important person or even would be assessed as having low significance.

4.2.6 Historic Context and Community Associations

What is the historic context of the site and is it associated with important historic events or people? How do communities of interest, be they the mana whenua, other descendant communities or local inhabitants feel about the site?

This is the question of known cultural association either by tangata whenua or other descendant groups. Sites linked with important historic events or people have higher the significance while sites with no known history are of lesser significance. Likewise sites ascribed value by communities of interest are of higher significance than those sites the community is unaware of or does not care about.

An overall significance assessment derives from weighing up the different significance values across of the six categories.

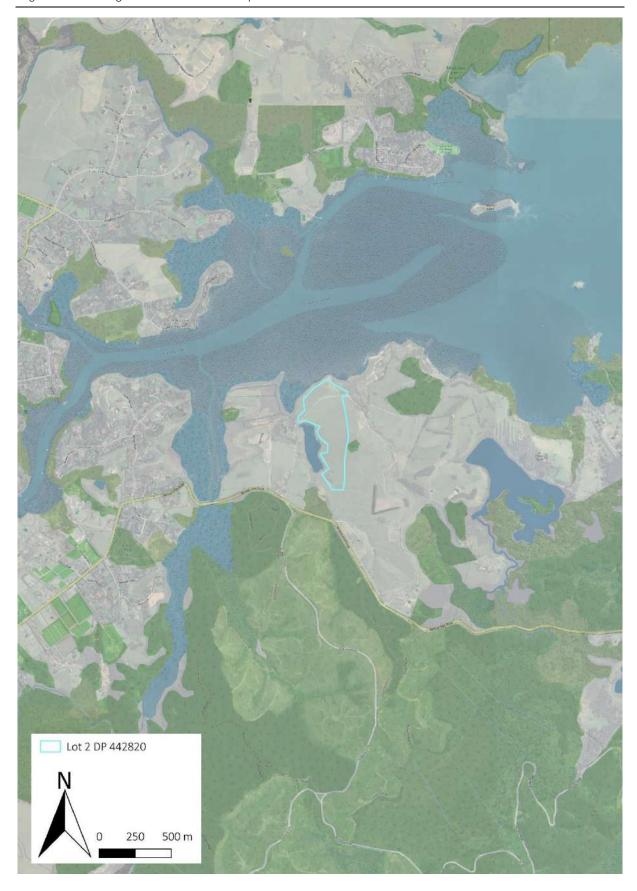


Figure 1: Location of Lot 2 DP 442820.

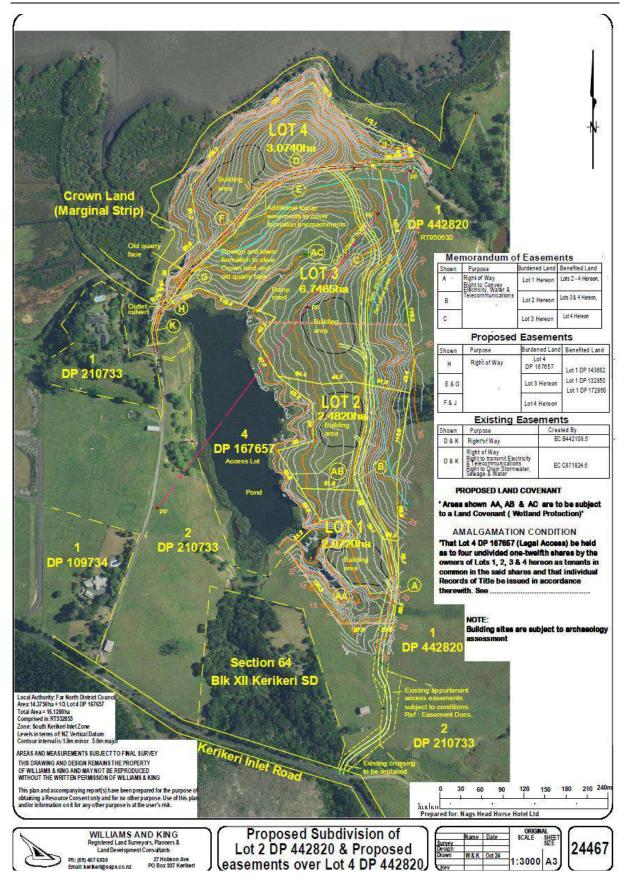


Figure 2: Proposed subdivision of Lot 2 DP 442820, and easement over Lot 4 DP 442820.

5.0 Background

5.1 Archaeological Sites and Context

Prehistoric archaeological sites tend to be located on the coast and along the tributaries of the Kerikeri Inlet, and on the ridges and minor descending spurs above them. Later historic period archaeological sites tend to be clustered around the Kerikeri Basin and associated with the mission station, or are homesteads and related features associated with the early land purchases and settlement in the area.

These sites have been recorded through several large-scale reconnaissance surveys and a larger number of survey and assessments arising out of resource consent applications and subsequent requirements to assess effects on archaeological sites.

The first formal site recording began in the early 1970s and in 1976, D. and J. Nugent undertook a four week archaeological survey for the Historic Places Trust, of the land between Wairoa Bay and Pihoe on the southern side of the Kerikeri Inlet. This area contained a very high density of archaeological sites, with 150 mostly prehistoric Māori sites being recorded, concentrated around the shoreline (very few sites were recorded inland or south of Day's Point).

A ranking from 1-5 was provided for each site based on a subjective assessment; 1 being outstanding archaeological, traditional and visual (i.e. landscape amenity) and 5 being sites of little importance due to small size, simplicity, lack of visual appeal or existing damage¹.

In the report, the Nugent's noted the increasing pressure on archaeological sites from farm and forestry-related land development, noting that while the large and obvious sites were generally recognised and avoided by landowners, less obvious sites such as midden and gardening sites were poorly understood and protected. They noted that large areas under scrub were not investigated and could contain unrecorded sites. They recommended that the entire inlet be surveyed but this never eventuated.

Sporadic site recording occurred throughout the 1980s with more than seventy sites around the Kerikeri Basin and on the northern and southern shores of the inlet to the east. Sites around the basin were recorded by Historic Places Trust and later DOC archaeologists as part of their management of historic properties in that area, and other sites were recorded on an ad-hoc basis by professional and amateur archaeologists as they were encountered.

A second major reconnaissance-level site survey occurred in 1984 when G. Nevin recorded sites on the coastal margins from Te Tii on the Purerua Peninsula on the northern side of the harbour, to Tapeka Point near Russell for the Northland Harbour Board. Nevin recorded almost 40 sites around the Inlet including three sites on or within 100m of the boundary of Lot 2 DP 442820. These sites are described in the next section.

In the late 1990s and into the 2000s, as the RMA and HPA bedded in to local planning processes, and in particular from 2003 with the RMA Amendment Act, archaeological survey and assessments for developments as part of the resource consent process increased and site recording did likewise.

B. Druskovich for Northland Archaeological Research undertook an archaeological assessment for the Lombard Lane subdivision between the subject property and Kerikeri Inlet Road in 2004 and re-recorded

¹ The Nugent's rightly had reservations about the rigour and usefulness of such an assessment, with little reference to Māori values or scientific potential.

one of the sites originally recorded by G. Nevin 20 years earlier. He also noted the presence of a 20th century shell crushing operation on the property, which had lead to the presence of numerous redeposited patches of shell as fertiliser and surfacing for farm tracks across the original property.

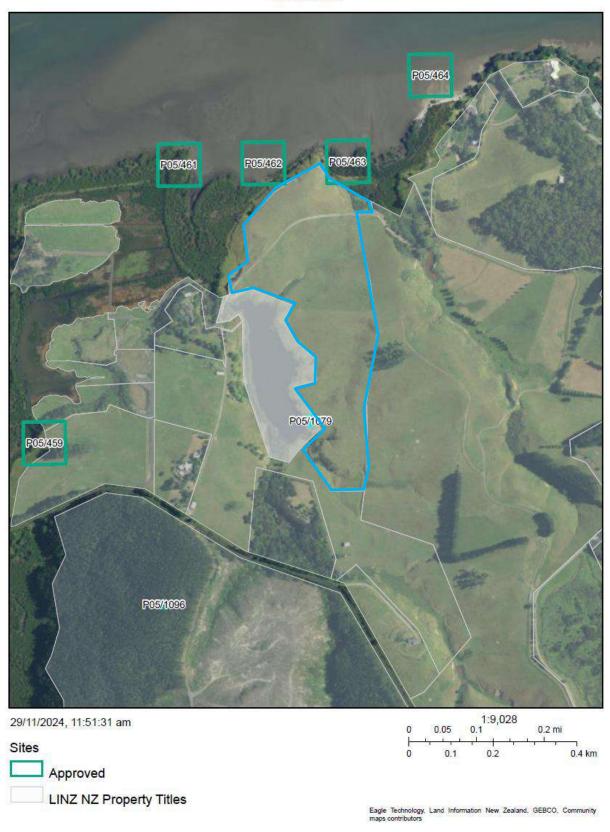
Carpenter (2017) undertook an archaeological assessment of the subdivision of another part of S. Lowndes property and re-recorded features on Korau Island, and Carpenter 2018 assessed an earlier access proposal for Lot 2 DO 442820 and revisited several of the Nevin sites and recorded one additional site.

A number of other surveys have occurred in the Kerikeri Inlet Road area to the east and south of the subject property including subdivisions around Edmunds Road and Wharau Road on the volcanic country at the eastern end of the inlet, and for forestry operations in the Waitangi Forest and Endowment Forest (Bruce 2001, 2003, Carpenter 2009, 2010, 2012, Carpenter and Crown 2012, Hawkins 2003a and b, Johnson 2000, 2002, 2003). The results of these surveys suggest that except around the coast and the immediate vicinity of waterways and swamps with their abundant natural resources, the clay country in the vicinity of the subject property was relatively less appealing in contrast to the more fertile volcanic soils to the east and south derived from the flows from the Te Puna volcanic cones between the Kerikeri Inlet and Waitangi. These were highly suitable to prehistoric Māori horticultural practices and were intensively cultivated in this period and this is reflected in the higher site density on those soils. Druskovich notes that "Sites are more concentrated in areas of good volcanic soils and are more likely to be found inland in those areas. Areas of impoverished soils typically have few, if any, occupation sites away from navigable water" (2004: 3).

Table 1: Archaeological sites recorded on or within 100m of Lot 2 DP 482820.

Site Number	Site Number	Easting	Northing	Туре
(Metric)	(Imperial)	(NZTM)	(NZTM)	
P05/461	N11/534	1690352	6103192	Midden
P05/462	N11/535	1690352	6103192	Midden/obsidian
P05/463	N11/536	1690552	6103193	Midden/Terrace/Obsidian
P05/1079		1690504	6102634	Midden

ArchSite



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Figure 3: Recorded archaeological sites in the vicinity of Lot 2 DP 482820 (in blue).

5.2 Sites on or near Lot 2 DP 482820

There are four sites recorded on or near Lot 2 DP 482820. Three of the sites were recorded during the coastal reconnaissance survey undertaken by G. Nevin in 1984, and one was re-recorded by B. Druskovich in 2004, and Carpenter in 2018. The fourth was recorded by Carpenter in 2018.

P05/461 is located on the tied island on the esplanade reserve to the north west Lot 2 DP 482820. The site has not been revisited since it was first recorded. The island was described as being covered in gorse and scrub at the time the site was recorded. The site consisted of cockle over a $20 \times 15 \text{m}$ area on top of the island. A selection of shells measured 30-39mm but no other information was recorded. The site will not be affected by the proposal described in this report.

P05/462 is located on the northern side of Lot 2, on a shell bank/mangrove island and adjacent mainland near the existing quarry. The site consisted of shell midden of cockle with fire cracked rock, charcoal, some burned shell, and obsidian, several flakes of which were collected. The site will not be affected by the proposal described in this report.

P05/463 is located on the northern side of Lot 2 on the coastal margin below the trig. Midden was observed over 200m of hillslope and coastline in 1984 and included shell, fire cracked rock and obsidian. The midden was described as up to 1m thick and contained partially burned logs and dense cockle. The midden was observed below a large natural terrace 30 x 6m in size, with two peach trees on it. The site will not be affected by the proposal described in this report.

P05/1079 is a small subsurface and eroding midden on the edge of the lake near the southern end of Lot 2 DP 482820. It was found while probing the lake edge in 2018, and confirmed by spade-testing. The site comprised a single, small subsurface probable shell midden deposit above the south-eastern corner of the lake, within the shared lake lot. The deposit consisted of an approximately 6 x 6m area of fragmentary cockle shell and charcoal in brown-black charcoal-stained soil, 5-10cm below the ground surface on a natural terrace above the lake. The area had been trampled by stock and subject to sheet wash erosion from the higher ground and did not appear to be related to any larger occupation area. This site was recorded as P05/1079 in ArchSite.

The sites described are all likely to relate to the classic or late prehistoric phase of Māori settlement, or possibly the early historic period. They are the result of food preparation and consumption, and associated living areas were likely to be adjacent to the where refuse was dumped.

5.3 Shell Crushing

B. Druskovich's survey also included a discussion of the extensive shell crushing operation on the original farm and dating to the 1950s, along with signed statements by former owners concerning the nature and extent of the operation. Both natural shell from the adjacent Okura River and Kerikeri Inlets, and shell midden from adjacent occupation sites appears to have been used as fertiliser and farm road surfacing on this and adjacent properties. While natural shell was reduced by mechanical crushing and spread on the farm, shell midden with its fire cracked rock was simply redeposited where required to avoid wear on the crusher. This operation began in the late 1950s or 1960s and is shown on aerial photography from the period. Shell was used on farm roads and around buildings up until the 1990s and Druskovich suggests that non-consolidated shell observed on the surface or near surface and around farm tracks on the property relates to this activity (Druskovich 2004: 7-10; Appendices).

5.4 Other Heritage Sites and Listings

The Far North District Plan schedules of Sites of Significance to Māori and Heritage Buildings, Sites and Objects, and the Heritage New Zealand Pouhere Taonga List of Historic Places, Historic Areas, Wāhi tapu and Wāhi tapu areas were consulted to determine whether there were any scheduled or registered historic places on or in the vicinity of the project area.

There are no such places on or in the immediate vicinity of the subject property. The nearest such places are Kororipa Pa 4kms to the west, and the Edmonds Ruins two kilometres to the east.

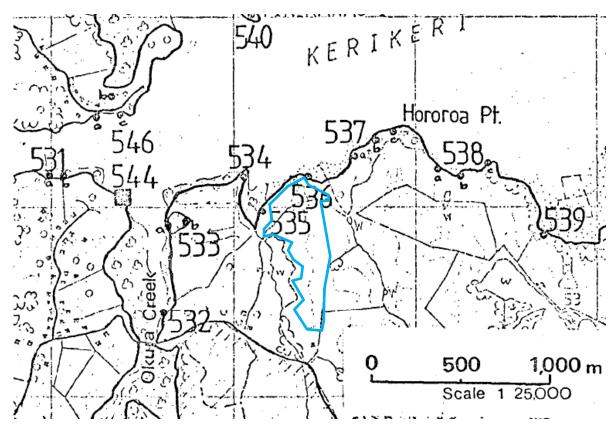


Figure 4: Original site location map of from Nevin (1984) and approximate location of Lot 2 DP 442820 (in blue).

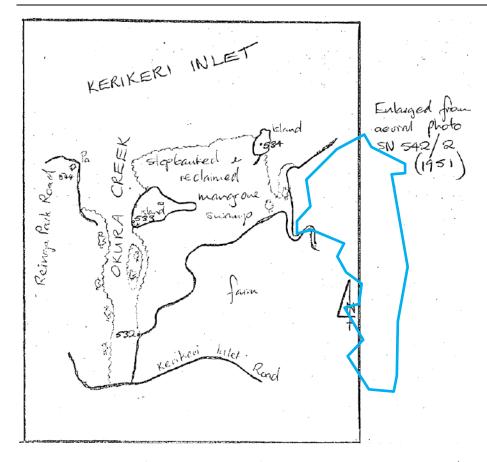


Figure 5: Locations of P05/459, 460 and 461 (N11/532, 533 and 534) from site records and approximate location of Lot $\,2\,$ DP 442820 (in blue).



Figure 6: Looking over large terrace noted as part of P05/463 in 2018, on the northeast side of Lot 2 DP 442820.



Figure 7: Looking south over lake in vicinity of subsurface midden P05/1079 in 2018 on Lot 2 DP 442820.



Figure 8: Detail of subsurface midden deposit P05/1079, consisting of fragmentary cockle in dark brown charcoal-stained soil.

5.5 Historic Background

5.5.1 Prehistoric settlement

Radiocarbon dating would suggest that the Bay of Islands was settled by the Polynesian ancestors of the Māori as early as anywhere else in New Zealand, around the middle of the 12th century (an early site on Moturua Island at Mangahawea Bay dates to the early 13th century). There have been few archaeological excavations in the Kerikeri-Waipapa area (mainly focussing around the Kerikeri Basin/Mission sites), and nothing from the earliest or "archaic" period. There is only a single radiocarbon date for the area, taken on a sample of midden from Rangitane Pa on the north side of the Kerikeri Inlet. This date suggests that site was intensively occupied by the early 17th century.

5.5.2 Traditional history

The first named inhabitants of the land around Kerikeri and Waipapa were Ngati Awa and Ngati Miru, whose lands extended from Te Waimate to the south to Rangitane to the north, and out to the coast, including Kerikeri itself. Around 1770 escalating competition over the rich lands of the Taiamai Plains and the fishing grounds of the northern Bay of Islands lead to attacks on Ngati Miru and their whanunga Nga Wahineiti, by hapu of Nga Puhi. Little is known of Ngati Miru, largely due to the loss of their lands and subsequent dispersal, their whakapapa and mana being eclipsed by Nga Puhi. It is known that although they were related to Nga Puhi, Ngati Miru and Te Wahineiti did not trace their descent from Rahiri but from Tamakitera and the eponymous ancestor Wahineiti. They were displaced as a result of a series of battles at Kerikeri and Te Waimate, by Ngapuhi.

The traditional histories state that Ngati Miru and Te Wahinenui had four principal pa around Waimate, while Nga Puhi were concentrated southwest of Kaikohe around Pakinga Pa. Events came to a head when Whakarongo of Ngati Tautahi was killed by her Ngati Miru husband, Kaihu. Whakarongo was the sister of Auha and Whaakaria (the grand father and great uncle of Hongi Hika), and when asked by her husband to provide a less than respectful meal for her visiting whanau, she disobeyed. On learning of their sister's death, Auha and Whakaaria joined with their whanaunga Ngai Tawake, Te-Uri-o-Hua, Ngati Hineira and Ngati Kura and attacked Ngati Miru, who were routed and dispersed. Ngati Miru fled north, to Rangitane on the north side of the Kerikeri Inlet, to Te Ti Mangonui on the Purerua Peninsula. Auha built his pa Te Waha o Teriri, "the Mouth of War" at Kororipo, which was previously a Ngati Miru settlement.

Subsequent battles at Rangitane and Te Ti saw Ngati Miru crushed and the hapu of Nga Puhi extend their domain into the northern Bay of Islands while the scattered remnants of Ngati Miru fled further afield to Matauri Bay, Whangaroa, the Hokianga and Waimamaku.

5.5.3 The arrival of the Europeans and the Missionary Period

In the intervening years between the Nga Puhi conquest of the land around Kerikeri, and the arrival of the Anglican missionaries in 1819, Kororipo had become an important location, commanding the main route between the Bay of Islands and the interior, and in particular the large pa Okuratope near Waimate, which had also been taken from Ngati Miru. Ngai Tawake under Hongi Hika and Rewa came to occupy Kororipo and another hapu Ngati Rehia occupied the northern side of the Kerikeri Inlet from Rangitane to Takou Bay. Hongi Hika's father Te Hotete lived at Kororipo in the 1790s, and his son would go on to build a European-style house on the summit in 1824 (although at the time the mission was established, the place was unfortified).

The other major settlements in the area were up the Wairoa Stream and Okura River, east of Kerikeri-Kororipo. The village of Okouto is recorded on several maps and plans at the time, being located

approximately three kilometres up the Wairoa Stream. At Okura, Perehiko and Te Morenga of the Urikapana/Ngari Hauata hapu had their kāinga. Rivals of Hongi, Rewa and Nga Tawake, they were jealous of the prestige acquired by having the mission settlement established at Kerikeri and this lead to a raid on Nga Tawake and the burning of their war canoes. Marsden settled the dispute by promising Urikapana their own mission, and installed the young James Shepherd at Perehiko's village. Te Morenga became a close friend of Marsden and latter accompanied him on his sojourns to Waitemata, the Bay of Plenty, Kaipara and Whangarei.

When Samuel Marsden arrived on-leave from Port Jackson with the aim of finding a more suitable location for New Zealand's second mission settlement, Kerikeri seemed perfect. Rangihoua, where he preached New Zealand's first sermon in 1814 was proving unsuitable to the purpose, being too exposed and away from Hongi's increasingly important powerbase.

Hongi made a grant of 13,000 acres to the missionaries in exchange for 48 axes, although a substantially smaller claim was later made by the CMS. The new arrivals that came over with Marsden included the Rev. John Butler, Francis Hall, and James Kemp. Work soon began on the development of the mission station.

Hongi Hika and his people left Kerikeri to live at Whangaroa at the end of 1826 and Hongi Hika, after being wounded in battle there in early 1827, died in 1828. In 1830, Rewa and his people also moved away from Kerikeri to live at Kororareka-Russell which was becoming the centre of Māori/European interaction, and Kororipo was deserted. Rewa sold seven acres including the pa to James Kemp in 1831 to be part of his farm and in 1838 the remaining six acres were sold by two sons of Hongi Hika, Hongi and Puru, also to James Kemp.

John Edmonds, the CMS mission's stone mason had arrived towards the end of the construction of the Stone Store in 1834 and found little work to engage him at Kerikeri. In 1838 he was paid off and he and his wife and their seven children found themselves in difficult circumstances. He purchased four blocks of land on the inlet, and Challis (1993) suggests that as a stone mason he was attracted to the easy availability of basalt in the area. The Edmonds family lived on the land for twenty years from 1840 although the eponymous stone house was possibly a later dwelling as in 1841 Edmunds wrote that he was living at a "Native fishing place" called Paetai.

The location of Paetai is recorded on early land plans as being west of the Edmonds house, on the Hauparapa Inlet in the vicinity of the subject property. The location of this settlement is shown on Fairburn's 1857 plan of the Crown Grant to Edmunds (OLC 211) and again in an 1871 plan where it is named Paengatai (OLC 213). A stone wall, causeway and orchards are shown on this plan.

These two areas along with 10 other allotments in the area occupied by the Edmunds family and covering 70 acres were retained by the family, following the Crown purchase of 3900 acres for the proposed Kerikeri settlement originally mooted in the late 1850s. SO 949E from 1860, showing the planned settlement, which never eventuated due to the intervention of the wars of the 1860s. The Edmonds family moved to Auckland following the sale but returned several years later, with John dying in 1865.

Lot 2 DP 442820 lay between the Edmonds purchases and the CMS and Kemp purchases. Two surveys of Māori land from the 1860s show the subject property in the course of the area being sold to the Crown. ML 586 (1867) shows the Te Papa Block, of which the northern part includes the subject property, while ML 587 (1867) shows Te Korau, the island now at the north west corner of the subject

property. Both plans state that the land shown was included in Henry Tacey Kemp's Puketutu Block purchase on behalf of the Crown.

The Puketutu transaction was undertaken in 1863 but the conveyance was not completed. A signed receipt for the purchase dated 25 February 1863 states:

I HAVE this day received thro' the hands of H.T. Kemp, L.P. Commissioner the Sum of One Hundred & twenty pounds sterg., being the payment for the piece of Land situated on the Keri Keri River and known by the name of "Puketutu" which has been surveyed by Mr. Fairburn & us together; It is also known by the name of "Hororoa," and when the map is finished and the Reserve marked off for the Natives, we undertake fully to attach our names to the Deed of Conveyance.

The document was signed by Hare Wirikake, Te Wera, Mi Haka, Piripi Korongohi, and Wi Kaire, and witnessed by Marsden Clark and William P. Kemp as interpreters and clerks, with H. T. Kemp signing for the Crown as Land Purchase Commissioner. It appears that the boundaries of the land were not described and no survey was undertaken at the time, and no land reserved for the Māori vendors.

The conveyance was completed in the early 1870s when the Te Korau and Te Papa Blocks, originally included in the Puketutu purchase as noted in the plans referred to above, but never surveyed and over which there must have been some dissent, were conveyed to the Crown by a different party, Tango Hikowai, for £60.10. The translated deed of conveyance for Te Papa and Te Korau (Turton 1877: 84) states:

"This Deed written on this tenth 10th day of November in the Year of our Lord 1873 is a full and final sale conveyance and surrender by me Tango Hikuwai whose name is hereunto subscribed And Witnesseth that on behalf of ourselves our relatives and descendants we have by signing this Deed under the shining sun of this day parted with and for ever transferred unto Victoria Queen of England Her Heirs the Kings and Queens who may succeed Her and Her and their Assigns for ever in consideration of the sum of Sixty pounds, ten shillings to us paid by Henry Tacy Kemp on behalf of the Queen Victoria (and we hereby acknowledge the receipt of the said monies) all that piece of our Land situated at Te Keri Keri and named Te Papa the boundaries whereof are set forth at the foot of this Deed and a plan of which Land is annexed thereto with its trees, minerals, waters, rivers, lakes, streams, and all appertaining to the said Land or beneath the surface of the said Land and all our right title claim and interest whatsoever thereon To hold to Queen Victoria Her Heirs and Assigns as a lasting possession absolutely for ever and ever. And in testimony of our consent to all the conditions of this Deed we have hereunto subscribed our names and marks. And in testimony of the consent of the Queen of England on her part to all the conditions of this Deed the name of H. T. Kemp Civil Commissioner is hereunto subscribed. These are the boundaries of the Land commencing at the Boundary line of the Government Block known as Pukututu, it then follows the Okura Creek until it empties itself into the Keri Keri River—it follows that River until it joins the Mangatawai proper—from thence until it meets at the commencing point at the Pukututu Boundary. The Small Island at the entrance of the River (Te Korau) is included in this purchase by theGovernment. But the Plan will accurately shew the Boundaries."

The deed was signed by Tango Hikowai and H. T. Kemp for the Crown, and witnessed by J. Kemp and R. A. Fairburn.

In February and March 1889, lands including the subject property were advertised as part of Crown Land designated Run No. 46 of the Kerikeri and Kawakawa Survey District, and was available as a yearly depasturing lease with an upset price of £10.0.0 per annum (New Zealand Herald, 26 March 1889). Run 46 included parts of Blocks 2, 3, 11, 12, 13 Kerikeri District. Survey plan SO 949 shows the land occupied by Kidd and Welby that year and the lease of the run of 9000 acres was given to Messrs Kidd and Welby for £16 per annum the next day according to the New Zealand Herald of 27 March 1889.

SO 26876 (1890) shows native cultivations in the vicinity of midden site P04/464, immediately east of the northern end of Lot 2 DP 442820. H. T. Ferrar's 1922 geological survey also shows the two large midden associated with this site, and the original field sheet is annotated noting that this is the location of the original Kerikeri settlement around Hororoa Point.

In 1892 the northern part of Block 11 Kerikeri District which included the land which would become the subject property was subdivided and free-holded, creating Section 26 of the Block 11 Kerikeri Survey District with a public road reserve surveyed along the coastal margin, as shown on plan SO 6395. At that time the block is shown as covered in tea tree and was surveyed for the Holtl brothers (no other historic information is shown apart from the surrounding land still belonging to the Crown).

The 1922 geological survey shows the name O'Neil and a house in the area. A John O'Neil is described as a fisherman living at Kerikeri in the 1917 ballot of North Auckland First Division reservists called up as reinforcements (Northern Advocate, 17 April 1917). R. O'Neil and S. E. O'Neil are listed as having been elected on to the Kerikeri Inlet School committee (New Zealand Herald, 4 May 1926).

In 1930, Te Korau Island/Block and the other island were surveyed as Sections 35 and 36 Block 11 Kerikeri Survey District, and the land to the east of Section 26 is Section 44 of Block 12 Kerikeri Survey District on plan SO 28267. R. O. Neil is shown on this plan as owning Section 26.

By 1955, Section 26 is owned or occupied by H. Allen Mills Ltd while the land to the south and east is including what would become Lot 2 DP 442820 is still Crown Land, Section 14 and 15 (formerly pt Section 44) of Block 12 Kerikeri Survey District. Aerial photography from the 1950s shows the land still under scrub and the reclamation yet to commence. The 1947 aerial doesn't show much detail apart from scrub covering most of the subject property although Te Korau Island appears to be partly cleared. The 1955 aerial shows a house and two tracks extending north and east from Kerikeri Inlet Road but otherwise no development.

By 1964 the mudflats had been reclaimed, the 1892 coastal road reserve was closed and the adjacent Crown land with no registration including Te Korau Island/Block was part of Section 42 Block 11 Kerikeri Survey District and owned by A. T. Edgar.



Figure 9SO 949/A (1867) and approximate location of subject property (in blue).

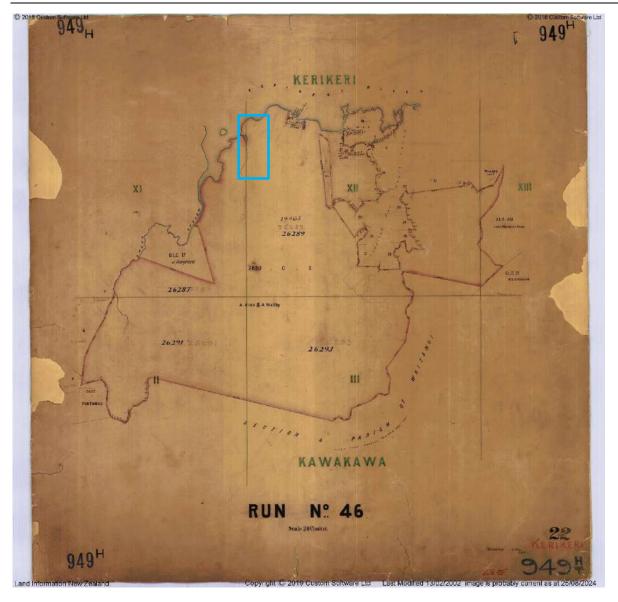


Figure 10: SO 949/H (1889) and approximate location of subject property (in blue).

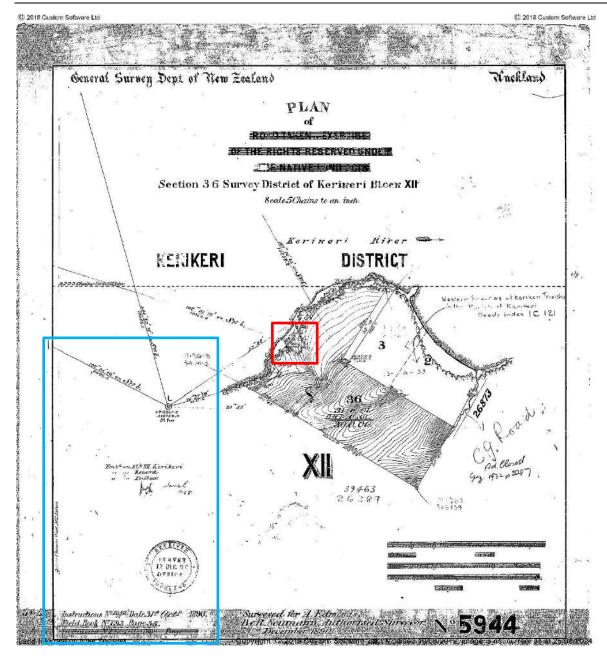


Figure 11: SO 26873 (1890) with native cultivations (red) and approximate location of subject property (blue).

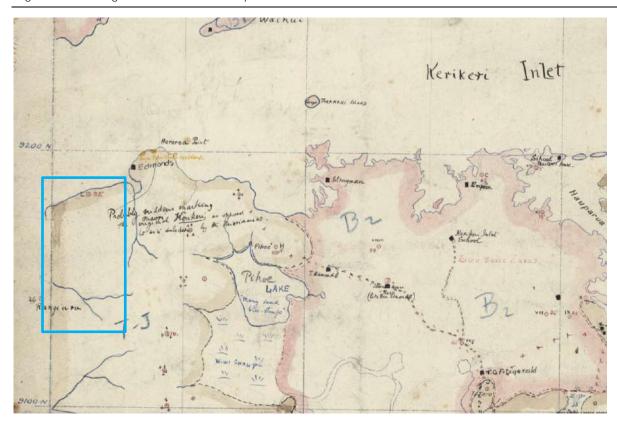


Figure 12: Subject property (arrowed blue), Edmonds/Edmunds house and shell midden recorded on Kerikeri geological survey SE fieldsheet by H. T. Ferrar (1922), with approximate location of subject property (in blue).

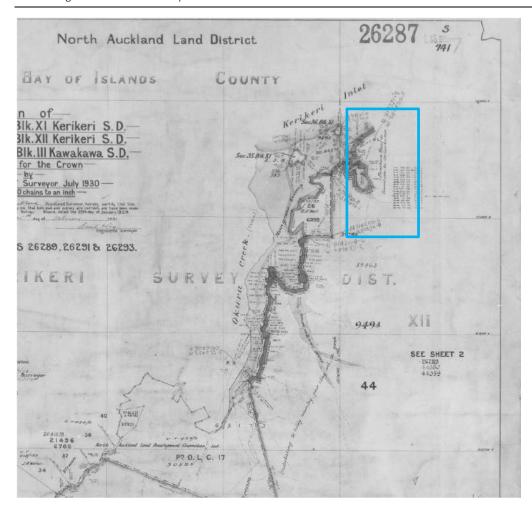


Figure 13: SO 26287 (1930) with approximate location of subject property (in blue).

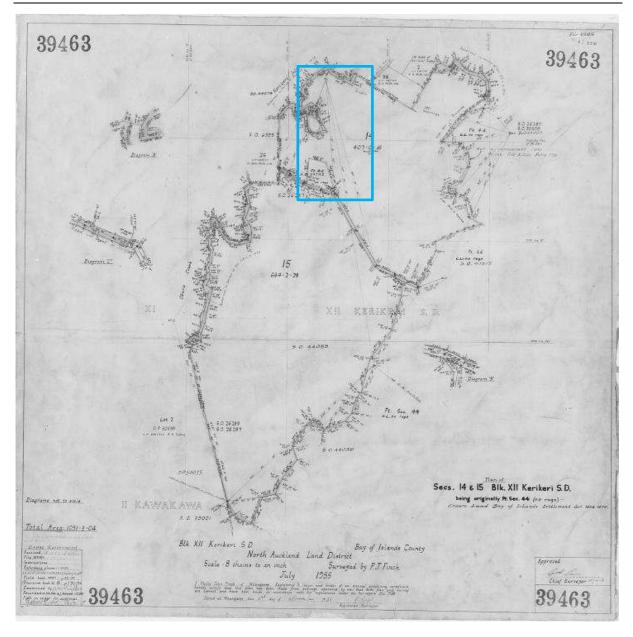


Figure 14: SO 39463 (1955) with approximate location of subject property (in blue).

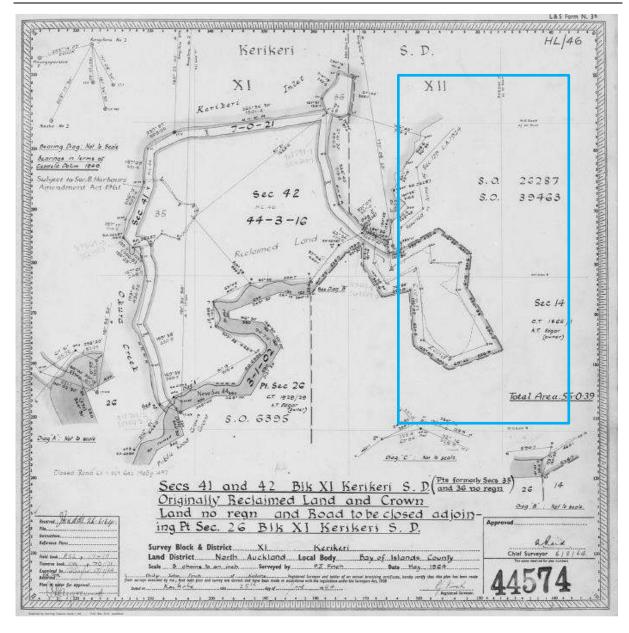


Figure 15: SO 44574 (1964) with approximate location of subject property (in blue).

Page 30 – Archaeological Assessment of the Proposed Subdivision of Lot 2 DP 442820. Kerikeri.

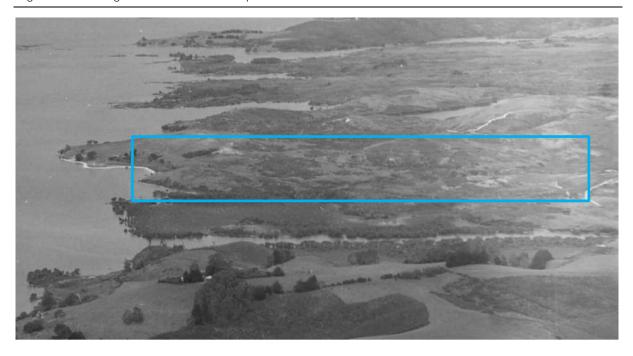


Figure 16: Detail from oblique aerial photograph from Whites Aviation showing subject property. ATL WA-04667-F (1947) with approximate location of subject property (in blue).

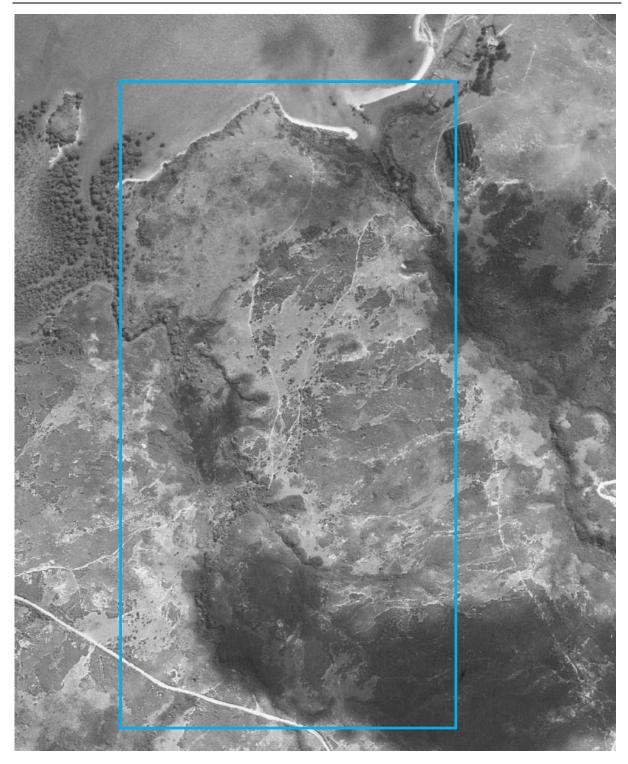


Figure 17: Detail from SN 209 Run 542/2 (1951) with approximate location of subject property (in blue).

6.0 Results

The archaeological assessment was undertaken over half a day on 22 November by J. Carpenter and G. Kerby of Geometria Ltd. Conditions for the survey were generally good, with most of the property being in short, recently grazed grass with good surface visibility and fine weather.

The survey began on proposed Lot 4, probing across the building area and recording the features of site P05/463 and then moved across the rolling farmland of Lots 1-3, probing across the building areas and relocating P05/1079.

6.1 Proposed Lot 4

This area comprises the land on the north side of the existing access/shared driveway including the high ground and trig and the steep slopes to the north which drops to the coast, and the gentler western ridge which drops away to the lake outfall and farm quarry.

No midden was noted or probed or identified by probing on top of the hill around the trig, or on the gentle descending ridge to the west or around the quarry where the changes to the existing access will be made, and the building area for the lot has been identified. This is the same finding as 2018.

The large natural terrace noted on the original site record form for P05/463 on the northern slope below the trig was revisited and recorded, along with three small terraces below it. The large terrace has been levelled but the edges of the feature are poorly defined due to stock trampling. Stock-trampled shell midden in black-charcoal stained soil was present in spade test pits on these smaller terraces, with probing suggesting subsurface deposits on the edges of the terraces and slopes below. Eroding midden of fragmented cockle shell and fire-cracked rock or oven stones were observed eroding out of stock tracks and slips below these terraces, to the west and northeast. Slipped and slope-washed midden was noted in the stock tracks along the fence line below, which forms the northern boundary of the esplanade reserve.

The extensive shell midden originally recorded on the northern slope above the coast on the site record for P04/463 was not observed, but the area has had a farm track pushed down the eastern side of the hill and along the northern coast, and the lower slopes fronting the Kerikeri Inlet have been quarried. A number of slips and slumps were also evident across the northern slope and these along with the quarrying and track may have destroyed parts of the site as originally recorded.

Further west and down on the lower ground towards quarry there was no sign of the features associated with P04/463 extending towards that area, or midden P05/462. The shell island or sandbank that site was recorded on and which is apparent in the 1955 aerial mosaic appears to have been covered by mangroves since 1984.

6.2 Proposed Lots 1-3 and New Access

This area comprises rolling country under short pasture, dropping from the eastern boundary of the lot to the lake to the west. Surface visibility was good. In 2018, particular attention was paid to the lake margins and the higher ground on the eastern boundary, and the gentle descending spurs in between. Probing was undertaken in these areas along with random spade testing in order to ascertain the local soil stratigraphy. Spade test pits typically showed 10-20cm of grey brown topsoil grading into orange yellow clay.

In 2024 probing was undertaken over the three building areas. There was no indication of surface or subsurface archaeological features in any of these areas, and if present they are likely to be of a similar form to P05/1079, small, stock trampled and eroded shell midden of low archaeological significance.

Such features are unlikely to be proactively identified in advance of large-scale topsoil stripping, except by lucky accident.

P05/1079 was revisited and is in a similar condition to 2018, albeit with more shell eroded from the bank above the lake.

The new access is more or less the same as the 2018 plan, except for at the northern end where it takes a lower and more westerly alignment through the northern end of proposed Lot 3. There was no suggestion of archaeological features on the surface or below ground from walking over and probing this new route. The balance of the alignment was assessed in 2018 and no archaeological sites or features noted.

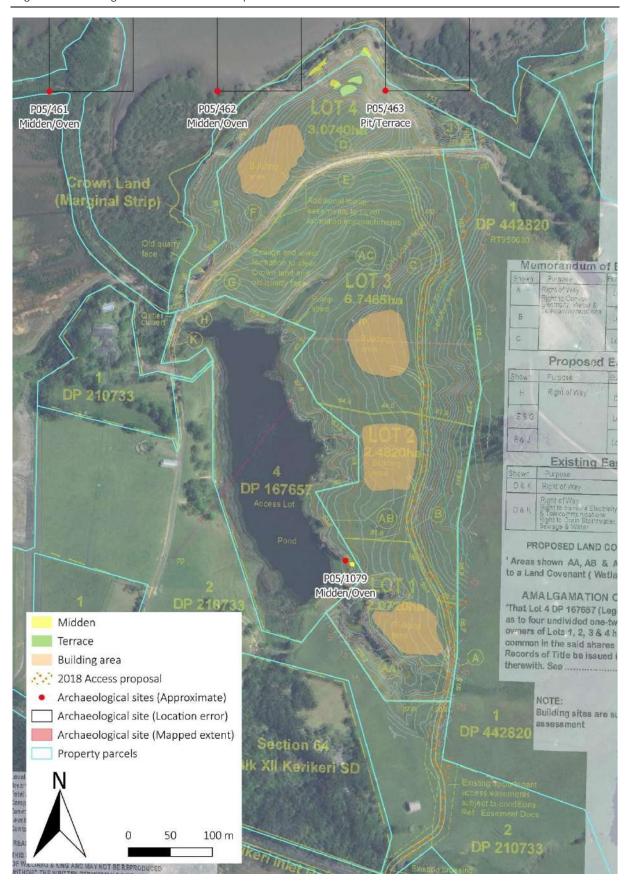


Figure 18: Archaeological sites and features and proposed subdivision scheme at Lot 2 DP 44820.

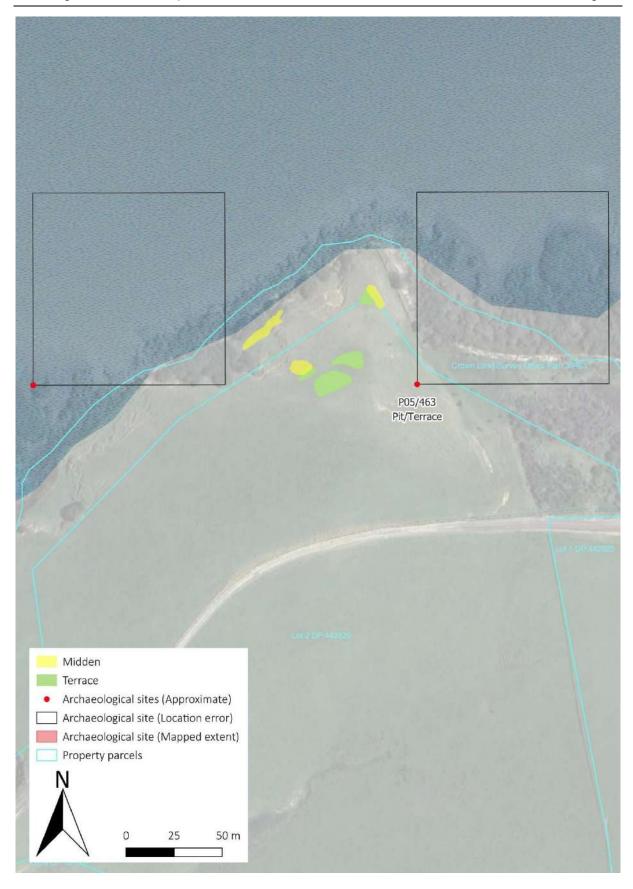


Figure 19: P05/463.

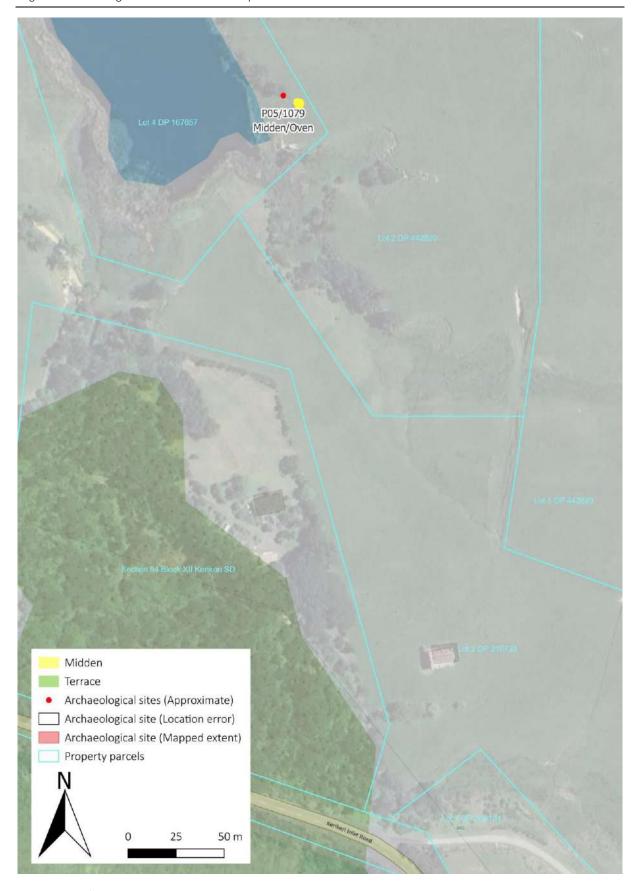


Figure 20: P05/1079.



Figure 21: Building area, proposed Lot 1.



Figure 22: Eroded midden P05/1079.



Figure 23: Location of P05/1079, Lot 1.

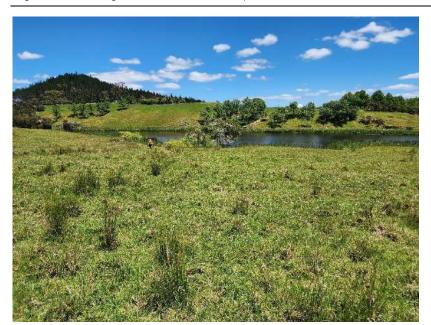


Figure 24: Building area, Lot 2.



Figure 25: Building area, Lot 3.



Figure 26: Building area, Lot 4.



Figure 27: Looking north over large upper terrace, with smaller terraces below.



Figure 28: Looking northeast over large upper and small lower terraces.



Figure 29: Looking southwest over slip, with eroding midden.



Figure 30: Looking north across subsurface midden deposit, which is eroding to the east.



Figure 31: Looking southeast across steep slope with eroding midden below terraces.



Figure 32: Detail of shell midden and fire-cracked rock eroding down steep slope.



Figure 33: Looking north along esplanade fence with eroded/slipped midden in stock track.



Figure 34: Detail of eroded/slipped midden in stock track.



Figure 35: Quarry face. Looking northeast from within esplanade.

Table 2: Significance assessment of P05/463, Lot 2 DP 442820.

Significance Category	Value	Comment
Integrity, Condition and Information Potential	Low-moderate?	The site appears to have been modified by quarrying, track construction, stock trampling and land slips. There may be intact subsurface features on the terraces or the gentle western slope
Diversity	Moderate	The presence of possible terraces and substantial midden as originally recorded, suggest the possibility of subsurface features like postholes, earth ovens, and hearths may be present.
Rarity and Uniqueness	Low	While fewer sites are recorded in this area of the Kerikeri Inlet adjacent coastal areas contain ubiquitous midden.
Archaeological Context	Low	The site is probably associated with the permanent use and occupation of the hill by Maori in the late prehistoric or 'classic' period. It may be associated with a nearby kāinga or village.
Landscape, Visual and Other Amenity Values	High	The hillside is a highly visible in the landscape and its lower slope is within the adjacent esplanade reserve. However the features are not amenable to on-site interpretation and have little educational amenity.
Historical, Community and Cultural Association	Low-moderate	The site is not associated with any known historical personality or event. With the exception of the Tangata Whenua, the local community does not have a strong association with the many Maori occupation sites in the Kerikeri area beyond the Kerikeri Basin historic area but the site is likely to be of significant value to Tangata Whenua.

Table 3: Significance assessment of P05/1079, Lot 2 DP 442820.

Significance Category	Value	Comment
Integrity, Condition and Information Potential	Low	The feature is small and likely to have little information potential. It has been subject to stock trampling and slope wash erosion.
Diversity	Low	The size of the site suggests there are unlikely to be additional features associated with the observed shell midden
Rarity and Uniqueness	Low	While fewer sites are recorded in this area of the Kerikeri Inlet adjacent coastal areas contain ubiquitous midden.
Archaeological Context	Low	The site is probably associated with the temporary or transient use of the area by Maori in the late prehistoric or 'classic' period.
Landscape, Visual and Other Amenity Values	Low	The site and feature are not visible and have no educational or recreational amenity value.
Historical, Community and Cultural Association	Low	The site is not associated with any known historical personality or event. With the exception of the Tangata Whenua, the local community does not have a strong association with the many Maori occupation sites in the Kerikeri area beyond the Kerikeri Basin historic area but the site is likely to be of significant value to Tangata Whenua.

7.0 Assessment of Significance

The archaeological significance of sites and features on the subject property are assessed using criteria derived from guidance issued by Heritage New Zealand (New Zealand Historic Places Trust 2016), as outlined in Section 4.2.

7.1 Significance Assessment of Observed Archaeological Sites and Features on Lot 2 DP 442820

Significance assessments for both sites are provided in Tables 2 and 3 above. Based on the criteria noted in Section 4.2 and observations from site visits, P05/463 is assessed as being of low to moderate significance, as such sites are relatively common and it is located on a prominent landform visible from a large part of the Kerikeri Inlet. P05/1079 the midden by the lake is assessed as being of low significance, due to its small size, poor condition, and the ubiquity of such midden features in the area.

Regardless of their significance, these sites will not be affected by the proposed subdivision.

8.0 Assessment of Effects

8.1 Effects under the Heritage New Zealand Pouhere Taonga Act 2014

With regard to the recorded archaeological sites on or in the immediate vicinity of the subject property, none of the sites will be affected by the proposed new lot boundaries, building areas or access.

P05/461 is located on the tied island 100m to the northwest of proposed Lot 4 and the changes to the existing access/quarry and building on Lot 4 will not affect the site.

P05/462 immediately northwest of proposed Lot 4 could not be relocated but given its presumed location under mangroves beyond the esplanade reserve means it will not be affected. Slope-washed midden is present in the stock track along the boundary fence between the esplanade reserve and inlet, and the slope above, and appears to be derived from slope-washed and slipped features recorded as part of P05/463 above.

P05/463 has been modified by land slips, track formation, quarrying and stock trampling, however intact subsurface midden on and adjacent to at least four terraces remain on the north slope of the hill below the trig point. The site does not appear to extend southwest towards the quarry and the proposed building area. The site will not be affected by the proposal but will need to be appropriately managed into the future.

P05/1079, the new shell midden adjacent to the lake is within the lake lot and will not be affected by the current proposal, and it appears the intact subsurface portion of the site observed in 2018 may have slipped into the lake in the intervening period.

In general and away from the recorded or possible features described in the results above, the potential for additional, significant archaeological features on Lot 2 DP 442820 is low. However other small, subsurface midden deposits of low archaeological significance are likely to be present but would be difficult to identify and avoid proactively.

Extensive topsoil stripping for sediment control/bunds, access and building areas may reveal such subsurface archaeological features prior to bulk earthworks. Mitigating effects on such features usually takes the form of identifying such features in the course of stripping by archaeological monitoring and on-call procedures, investigating features, and then allowing them to be destroyed or where possible, avoided and left in-situ.

The archaeological effects of the proposal are therefore assessed as none to low.

8.2 Effects under the Resource Management Act 1991 and Whangarei District Plan

There are no effects on broader historic heritage under the Far North District Plan.

There are no scheduled Sites of Significance to Māori, or Historic Heritage items in the Far North District Plan affected by the proposed development. There are no wāhi tapu or other sites of significance identified in any iwi/hapu environmental management plan covering the project area which the Far North District Plan might give regard to.

The historic heritage effects of the proposal are therefore assessed as none to less than minor.

9.0 Recommendations

There may be minor archaeological effects from forming access and building areas on the lots based on current information. Therefore

- 1) An archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is recommended.
- 2) Such an application will require consultation with Tangata Whenua.
- 3) Topsoil stripping for sediment control, access and building areas should be monitored by an archaeologist.
- 4) Due to the likely minor nature of the archaeological effects, no site instruction, management plan or research strategy is required. A standard excavation protocol should be used to investigate, analyse and report on any features encountered (See Appendix B).
- 5) Consideration should be given to the future management of the features recorded as part of P05/463 on Lot 4. If the area is to be retired and planted then such activity should be included in any authority application and an appropriate planting plan should be prepared, along with mitigation. If it is to remain stocked, care should be taken during winter to avoid continued pugging and erosion by over-stocking.
- 6) Similar consideration should be given to P05/1079 midden on the edge of the lake, despite its poor condition/possible destruction. Development on proposed Lot 1 is away from the feature but if the lake margins are retired, fenced, and/or planted or otherwise landscaped, an appropriate planting plan should be prepared, along with mitigation.

10.0 Conclusions

Geometria Ltd was commissioned by N. Watson on behalf of S. Lowndes to undertake an archaeological survey and assessment of the proposed subdivision of Lot 2 DP 442820 and easements over Lot 4 DP 442820 at Kerikeri Inlet Road.

A number of archaeological sites or features are identified on the property but the proposed subdivision and development will not affect the recorded features and the archaeological and historic heritage effects of the proposal are assessed as being none to low, or less than minor.

There is a possibility that topsoil stripping for access and services, and building areas on the new lots will uncover subsurface archaeological features. These are most likely to be small shell midden in poor condition due to erosion and stock trampling, and of low archaeological significance. These features are difficult to identify in advance of large-scale topsoil stripping, and such features would need to be investigated as they are uncovered, or avoided if practical.

Therefore an archaeological authority should be sought on a precautionary basis, with mitigation by monitoring and investigation as required.

If archaeological remains or buried cultural deposits (layers of shell midden, burned or fire-cracked rock, concentrations of charcoal, artefacts etc.) are encountered on the property in the course of other day to day activities, S. Lowndes or her agents should cease work in the immediate vicinity and contact Heritage New Zealand and Geometria Ltd for advice on how to proceed.

11.0 References

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Appendix A – Site Record Forms

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION



Site Record Form

NZAA SITE NUMBER: P05/463

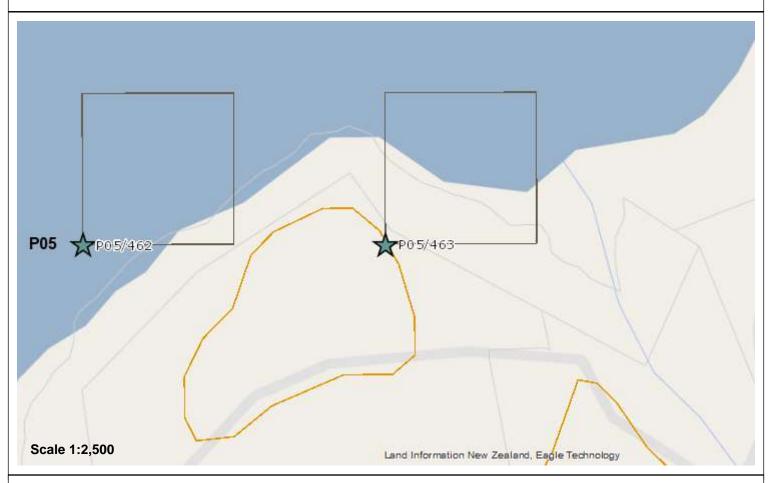
SITE TYPE: Pit/Terrace

SITE NAME(s):

DATE RECORDED:

SITE COORDINATES (NZTM) Easting: 1690552 Northing: 6103193 Source: CINZAS

IMPERIAL SITE NUMBER: N11/536 METRIC SITE NUMBER: P05/463



Finding aids to the location of the site

Brief description

MIDDEN/TERRACES

Recorded features

Terrace, Midden

Other sites associated with this site

SITE RECORD HISTORY	NZAA SITE NUMBER: P05/463
Site description	
Condition of the site	
Statement of condition	
Current land use:	
Threats:	

SITE RECORD INVENTORY

NZAA SITE NUMBER: P05/463

Supporting documentation held in ArchSite

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION SITE RECORD FORM (NZMS1) NZMS 1 map number N11 NZMS 1 map name Kerikeri NZMS 1 map edition 3rd ed. 1969	NZAA NZMS I SITE NUMBER N11/536 DATE VISITED 17/9/84 SITE TYPE Midden/terrace/ SITE NAME: MAORI obsidians OTHER
Grid Reference Easting / 5 0 1	O.O. Northing \(\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
1. Aids to relocation of site (attach a sketch map) Southern side of Upper Kerikeri Inlet, oppo Hororoa Point. See location map with N11/53	
2. State of site and possible future damage	
Good	, 1
3. Description of site (Supply full details, history, local enviror	
include a summary here) Midden seen in hillslope and stretching 200 firecracked stones have eroded on to the be	m around the beachfront. A lot of ach - where the 3 obsidian flakes were ntaining a lot of charcoal (partial logs) very densely packed cockle shells tural terrace, that has been lived
4. Owner Esplanache Roserva, Address Bay of Islando County Sound! P.O. Bax II, Kawakawa	Tenant/Manager A.T. Edgar, Address Lubet Read, Kevikevi
5. Nature of information (hearsay, brief or extended visit, etc.,	
Photographs (reference numbers, and where they are held)	no
Aerial photographs (reference numbers, and clarity of site)	SN542/3 (1951) no
	Filekeeper Achareta Date 29/4/86.
7. Key words	-
· ·	obsidian/terrace - Upper Kerikeri Inlet
New Zealand Register of Archaeological Sites (for office use NZHPT Site Field Code)
E K Type of site Local environment today Land classification A L	Present condition and future danger of destruction Security code Local body

Printed by: jonocarpenter

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(Section 11 of the Antiquities Act 1975)

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NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION



Site Record Form

NZAA SITE NUMBER: P05/1079

SITE TYPE: Midden/Oven

SITE NAME(s):

DATE RECORDED:

SITE COORDINATES (NZTM) Easting: 1690504 Northing: 6102634 Source: On Screen

IMPERIAL SITE NUMBER: METRIC SITE NUMBER: P05/1079



Finding aids to the location of the site

South east corner of the lake, inside the lake lot. On natural terrace above the water.

Brief description

Recorded features

Midden

Other sites associated with this site

SITE RECORD HISTORY	NZAA SITE NUMBER: P05/1079			
Site description				
Updated 05/03/2018 (Field visit), submitted by jonocarpenter , visited 05/03/2018 by Carpenter, Jonathan Grid reference (E1690504 / N6102634)				
A single, small subsurface probable shell midden deposit was noted above the south-eastern corner of the lake, within the shared lake lot. The deposit consisted of an approximately 6 x 6m area of fragmentary cockle shell and charcoal in brown black charcoal stained soil, 5-10cm below the ground surface on a natural terrace above the lake. The area has been trampled by stock and subject to sheet wash erosion from the higher ground and did not appear to be related to any larger occupation area.				
Condition of the site				
Statement of condition				

Printed by: jonocarpenter

Current land use:

Threats:

SITE RECORD INVENTORY

NZAA SITE NUMBER: P05/1079

Supporting documentation held in ArchSite

Site location adjacent to lake



NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

Detail of midden contents/state



Printed by: jonocarpenter

05/03/2018

Appendix B – Excavation Protocol

B1.0 Purpose of Monitoring

Subsurface archaeological features are present on Lot 2 DP 442820 and additional features are likely to be present but are difficult to identify and avoid proactively. Such features are likely to take the form of small subsurface shell midden, modified by stock trampling and erosion, and of low archaeological significance.

If they are uncovered in the course of earthworks for the subdivision access/services and building areas on the new lots, they will be avoided if possible, or investigated and destroyed.

B2.0 General Research Objectives

There have been few investigations of archaeological sites in the Kerikeri Inlet area, exceptiosn being those associated with the Kerikeri Heritage Bypass (which have not been written-up) and the Kerikeri Mission/Stone Store etc.

General aims of monitoring at Lot 2 DP 442820 are to:

- Identify any subsurface deposits not presently visible.
- Determine the state of preservation of archaeological deposits.
- Establish to what degree post-1900 events have affected the potential archaeology of the site in these areas.
- Identify the nature and extent of archaeological deposits, and identify any different activity areas, such as cooking, occupation and gardening.
- Determine the presence, depth and depositional relationship of archaeological deposits in the areas.
- Determine the relationship between stratigraphically and/or spatially separate archaeological deposits and their relative ages.
- Determine the occupational history of the site and whether the site was formed through temporary, seasonal or long-term occupation. This will be determined by taking multiple samples for radiocarbon dating (at least two samples, preferably on charcoal from short-lived tree species obtained from features with secure context), along with stratigraphic and spatial analysis of archaeological features.
- Identify economic or other activities being carried out at the site through the analysis of excavated features, and sampling midden and/or other materials.
- Reconstruct the environment and/or identify environmental change associated with human arrival and occupation of the site, through charcoal, microfossil and midden analysis.
- Understand how the midden relates to other midden and shellfish resources recorded in the Kerikeri Inlet and wider Ipiripi/Bay of Islands, and do likewise for other resource use visible archaeologically (such as lithic or stone tool resources, or wood species identification from midden charcoal).
- Interpret the sites with reference to findings from other investigations in the Kerikeri and wider area

B3.0 Methods

B3.1 Monitoring and Excavation

Topsoil stripping for access and building areas will be monitored by the archaeologist. If archaeological features are encountered, a decision will be made in consultation with the project manager and

engineer as to whether minor realignment of cuts/fills may be undertaken to preserve the site/feature in situ, whether by avoiding completely or covering with an appropriate geotextile and fill.

If the site/feature cannot be avoided, the features will be trenched by hand, with stratigraphic sections drawn and photographed, sampled with samples taken as necessary but including shell/faunal material, and material suitable for radiocarbon dating.

Following hand excavation of any trenches, features will be stripped by excavator and any underlying features will be similarly investigated.

B3.2 Recording

All features, profiles layers and artefact find spots will be recorded using an EMLID Reach2 or Leica RTK GPS tied to the NZTM 2000 map grid, and/or terrestrial 3D laser scanning, and or terrestrial or aerial photogrammetry. Obvious 20th century features will be recorded as disturbances.

Feature, layer, find acquisition, find discard and photographic information along with spatial data for those elements will be recorded in a Geographic Information System (GIS) based spatial database.

A comprehensive written, hand-drawn and photographic record of features, complex feature sets, profiles and other relevant information will be created. Plans and stratigraphic profiles will be described, drawn and photographed and registered to surveyed points. The stratigraphic relationships of the different elements and evidence of disturbance to the deposits will be recorded. A mix of field forms, registers and notebooks will be used to record the work.

B3.3 Expected Māori Features

Expected Māori archaeological features to a depth of approximately 20-30cm below the existing ground surface include:

- Midden/faunal material.
- Fire scoops and earth ovens.
- Postholes from cooking shelters, drying racks, fences o other small structures.

Given the areas involved, other typical Māori features such as posthole alignments from whare, pits or bin pits, or burials are considered unlikely.

Māori archaeological features will be excavated and sampled using standard techniques for the feature types encountered. Human remains and taonga tuturu as defined under the Protected Objects Act 1975 and including waterlogged wooden artefacts from wet areas are always a possibility and will be managed according to the specialised requirements of such finds.

B3.4 Analysis

Analysis of features and finds will be both quantitative and qualitative. Both statistical analyses of find classes as well as looking at individual, interesting finds provide important information. The same applies to features as part of a Geographical Information System as well as individual features with specific information content.

Specialist analyses including lithics (e.g. stone artefacts), midden (shell and other faunalmaterial) and wood charcoal species identification are likely to be required. Other specialist advice is less likely but may include osteo-archaeology/forensic anthropology (human remains) or waterlogged artefact

conservation may be necessary for any excavated materials, and these may take some time to complete.

A preliminary report providing basic findings will be presented within 20 days of major earthworks concluding to the client and Heritage New Zealand. A final report will be prepared outlining the results within one year of the completion offieldwork.

A minimum level of materials analysis would be expected to include:

- Two radiocarbon dates, with the sample selected from secure archaeological contexts, to be undertaken by the University of Waikato Radiocarbon Dating Laboratory. The goal would be to date the occupation represented by the midden.
- Up to 2 x 10 litre midden samples from different archaeological contexts within the trench if multiple contexts are present e.g midden, overlying an oven.
- Charcoal wood species identification as available.
- Lithic or other artefactual analysis as necessary, depending on finds.

Expected outputs of the investigation include:

- Written descriptions of observed archaeological features.
- GIS-based maps and plans of investigation areas, features and artefacts, from survey.
- Measureddrawingsincludingannotatedplans, elevations, and details of archaeological sites and features.
- Digital photos and inventory.
- Finds inventory and analysis.
- Features inventory and analysis.
- Radiocarbon dates for key features.
- Analysis of midden and artefacts.
- Identification of intact archaeological sites and features remaining in the project area at the completion of the project
- Preliminary report within 20 days of the conclusion of the investigation outlining initial findings including maps, photographs and descriptions of subsurface features and extents and their significance.
- Final report within one year of the conclusion of the investigation containing the results of analysis.

B4.0 Materials Handling

B4.1 Storage and Analysis

Following the conclusion of fieldwork which will include initial sorting and discard, excavated materials will be housed in the Geometria materials laboratory in Auckland, in the first instance during the analysis and reporting

stage. Some material may be transferred to sub-contractors for specialist analysis at their respective premises. This may include but is not limited to the University of Auckland archaeological laboratories and the University of Waikato Radiocarbon Laboratory.

B4.2 Curation

Following the conclusions of fieldwork, excavated materials will be housed in the Geometria facilities in Whangarei, in the first instance during the analysis and reporting stage. Some material may be transferred to sub-contractors for specialist analysis at their respective premises.

Any historic European artefacts will be offered to the landowner in the first instance following analysis. If the landowner does not wish to retain the materials they will be offered to the Russell Museum.

Māori artefacts which are identified as Taonga Tuturu will be managed according to Ministry of Culture and Heritage and Tangata Whenua protocols. Non-artefactual findsand ecofacts (midden, charcoal and soil samples etc.) deemed not to be Taonga willbe re-interred within the project area in the designated area with a sample retained per standard practice and which may be stored in a local institution such as the Russell Museum.

Koiwi Tangata (human remains) will be dealt with according to the wishes of Tangata Whenua.

B4.3 Archiving

Copies of the final report in hardcopy and electronic form will be submitted to HeritageNew Zealand Pouhere Taonga, New Zealand Archaeological Association, the SAE Edwards Family Trust, the University of Auckland, University of Otago and Kaipara District Library system and the Russell Museum.

B5.0 Personnel

J. Carpenter of Geometria Ltd is the project archaeologist, supported by R. Gibb and G. Kerby, also of Geometria. Other sub-contractors or specialists may be used for analysis and/or reporting. Depending on workload and availability, sub-contracting and student archaeologists may assist with fieldwork and analysis.

It is expected that the SAE Edwards will wish to undertake karakia and nominate a kaitiaki or cultural monitor to attend during earthworks and archaeological investigations, and that this will be a condition of the archaeological authority.

B6.0 Reporting

A preliminary report to Heritage New Zealand will be provided within 20 days from the conclusion of ground disturbing activity for the development. It will summarise the archaeological investigation carried out in the project, and compliance with the Authority issued. A copy will also be provided to the client and Tangata Whenua. A finalreport will be written and submitted within 12 months of the end of the site investigation in accordance with standard conditions of the archaeological authority.

B7.0 Stand Down Periods

Time delays should only occur if archaeological features, koiwi/human remains, or taonga are discovered during development. The length of the delay will depend on the nature and the extent of any finds and weather. Generally the Project Archaeologist will attempt to isolate the affected area and

shall take reasonable steps to minimise any delays to the development. Most anticipated archaeological remains should require no more than 2-3 days to be cleared and work may continue elsewhere in the project area while this occurs subject to the availability of the archaeologist to appropriately monitor that work. Exceptional, complex or extensive remains may require additional time and periods of delay will be negotiated with the Project Manager and the Client.

B8.0 On-call Procedures

B8.1 General On-Call Procedures

All staff and contractors should be alert for archaeological sites/features in the course of their duties. These may take the form of unusual surface or subsurface features (holes, pits, other cuts and fills or unusual soil formations), natural features out of context (shell in piles or layers, water rolled or fire-cracked rocks, charcoal smears or concentrations) and items of human manufacture (glass and ceramics, metals and plastics, concrete and brick, worked timber).

In the event of the discovery of sites/features by anyone on-site the following protocol and any additional measures required by the Tangata Whenua will be followed:

- 1) All work within 10m of the discovery will cease until the Project Archaeologist advises it is appropriate to proceed, except in the case of human remains/koiwi tangata where work will cease within 20m of the discovery.
- 2) The Project Archaeologist and Kaitiaki/Cultural Monitor will be informed immediately if not present.
- 3) The Project Archaeologist will carry out archaeological investigation as quickly as possible and as per the conditions of the authority.
- 4) If human remains are discovered the Koiwi Discovery Protocol set out below in 6.3 will be followed.
- 5) If taonga are unearthed the protocol set out below in 5.4 will be followed.

In the event that significant archaeological features or artefacts are found in-situ, a stand down of up to three days in the immediate vicinity of the remains may be required to inform and receive a response from the HNZPT. HNZPT may require an archaeological investigation. Work may resume when the Project Archaeologist advises that the work is complete.

B8.1 Koiwi Tangata/Human Remains On-Call Procedure

In the event of the discovery of koiwi tangata (human remains) the following protocol and any additional measures required by the Tangata Whenua will be followed:

- 1) All work on site will cease within 20m and the remains are not to be further disturbed in any way.
- 2) The area containing the koiwi/possible koiwi will be secured in such a manner as to protect the remains from further damage.
- 3) The Project Archaeologist and Kaitiaki/Cultural Monitor will be notified if not present and will undertake an initial inspection as soon as possible, and kaumatua contacted.
- 3) If it is not clear at the first inspection whether the remains are human a reference collection and/or a specialist will be consulted and identification made.

- 5) Once koiwi tangata/human remains are confirmed by the archaeologist/specialist, the appropriate statutory agencies (Police, District Health Board) will be informed and an inspection facilitated. Typically, police will make a determination as to whether the remains represent a crime scene based on their own protocols and as advised by the Project Archaeologist.
- 6) If and when the police are satisfied that no crime is involved, the Tangata Whenua's designated kaumatua and other representatives as necessary will be invited to undertaken such tikianga as they deem necessary.
- 7) Koiwi will be handled in accordance with wishes and protocols requested by the Tangata Whenua, assisted by the archaeologist.
- 8) If the remains cannot be removed by Tangata Whenua or their authorised agent within the stand down period, the Project Manager may request the Project Archaeologist to remove the remains and deposit them at the mortuary or appropriate repository until other arrangements are made.
- 9) The Project Archaeologist will give clearance for work to proceed in consultation with the Tangata Whenua representative, once the remains are removed.
- 10) The remains will be re-interred in the designated place according to the wished of the Tangata Whenua.

In the event that koiwi tangata are found, a stand down of up to three days may be required to confirm the identification, consult with affected parties, observe protocols and remove remains. Work may resume in the area once the remains are removed from the site and protocols have been observed.

B8.2 Taonga Tuturu On-Call Procedure

In the event of the discovery of taonga (treasures) such as carvings, stone adzes and greenstone objects, or other objects falling under the definition of "Taonga Tuturu" under the Protected Objects Act 1975, the following protocol and any additional measures required by the Tangata Whenua will be followed:

- 1) If necessary the area of the site containing the taonga will be secured in a way that protects the taonga as far as possible from further damage (or theft).
- 2) The Project Archaeologist will inform Heritage New Zealand and nominated Tangata Whenua representative so that appropriate actions (both archaeological and cultural) can be determined, as determined by the kaumatua.
- 3) If the Project Archaeologist is not present he will be contacted immediately and informed of the find.
- 4) If the object is determined to be Taonga Tuturu under the Protected Objects Act 1975, the Project Archaeologist will notify the Ministry of Culture and Heritage within 28 days as required under the Act.
- 5) The Ministry for Culture and Heritage, in consultation with Tangata Whenua, will decide on custody or ownership of the Taonga.
- 6) If the taonga requires conservation treatment (stabilisation), the Ministry will be informed and will arrange and pay for this to be undertaken by the Department of Anthropology, University of Auckland. It would then be returned to the custodian.

In the event that taonga are found, a stand down of up to three days may be required to consult with affected parties and undertake archaeological investigation as required. Work may resume when the Project Archaeologist or HNZ advises the Project Manager that work is complete.

B8.4 Dispute Resolution

Most disputes are a result of poor communication between the parties and can be avoided if sufficient details of the archaeological requirements and the various parties' responsibilities are included in tender and work management documentation, and understood. Disputes usually arise on-site as a result of conflicting expectations for when/how fast areas of archaeological interest can be cleared by the archaeologist and when development may continue.

In the event of a dispute relating to archaeological issues a meeting between the authority holder's representative, contractor(s) and Project Archaeologists should be convened as early as possible to resolve the dispute. If appropriate the Tangata Whenua representative should also participate. Stand down periods, which are the most common cause of dispute, are to allow for archaeological investigations are provided for in the HNZPT authority.

If the dispute cannot be resolved representatives of the HNZPT should be consulted to resolve the dispute as the HNZPT is responsible for resolving disputes relating to matters arising from authority condition.



RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



Guaranteed Search Copy issued under Section 60 of the Land Transfer Act 2017

R.W. Muir Registrar-General of Land

Identifier 552855

Land Registration District North Auckland

Date Issued 08 March 2013

Prior References

Estate Fee Simple

Area 14.3750 hectares more or less
Legal Description Lot 2 Deposited Plan 442820

Registered Owners

Nags Head Horse Hotel Limited

Estate Fee Simple - 1/3 share **Area** 5.2350 hectares more or less **Legal Description** Lot 4 Deposited Plan 167657

Registered Owners

Nags Head Horse Hotel Limited

Interests

Saving and excepting from the land formerly described Section 42 Block XI Kerikeri Survey District all minerals within the meaning of the Land Act 1924 on or under the land and reserving always to Her Majesty the Queen and all persons lawfully entitled to work the said minerals a right of ingress egress and regress over the said land

Subject to a right of way over part Lot 4 DP 167657 marked H on DP 167657 and over part Lot 2 DP 442820 marked A on DP 442820 specified in Easement Certificate B442108.5 - 30.7.1985 at 2:08 pm

The easements specified in Easement Certificate B442108.5 are subject to Section 309 (1) (a) Local Government Act 1974

Appurtenant hereto is an electricity right specified in Easement Certificate B578021.4 - 8.9.1986 at 1:32 pm

Appurtenant hereto is a right of way and telecommunications and electricity rights specified in Easement Certificate C871824.10 - 31.7.1995 at 2.34 pm

The easements specified in Easement Certificate C871824.10 are subject to Section 243 (a) Resource Management Act 1991

Subject to a telecommunications right (in gross) over part Lot 4 DP 167657 marked H on DP 167657 and over part Lot 2 DP 442820 marked A on DP 442820 in favour of Telecom New Zealand Limited created by Transfer C874249.1 - 4.8.1995 at 2.55 pm

D088754.3 Deed of Land Covenant - 20.1.1997 at 1.26 pm

D088754.4 Variation of Easement Certificate C871824.10 - 20.1.1997 at 1.26 pm

Appurtenant hereto is a right of way and an electricity and telecommunications right created by Transfer D587086.3 - 14.3.2001 at 11.04 am

Land Covenant in Transfer D587086.3 - 14.3.2001 at 11.04 am

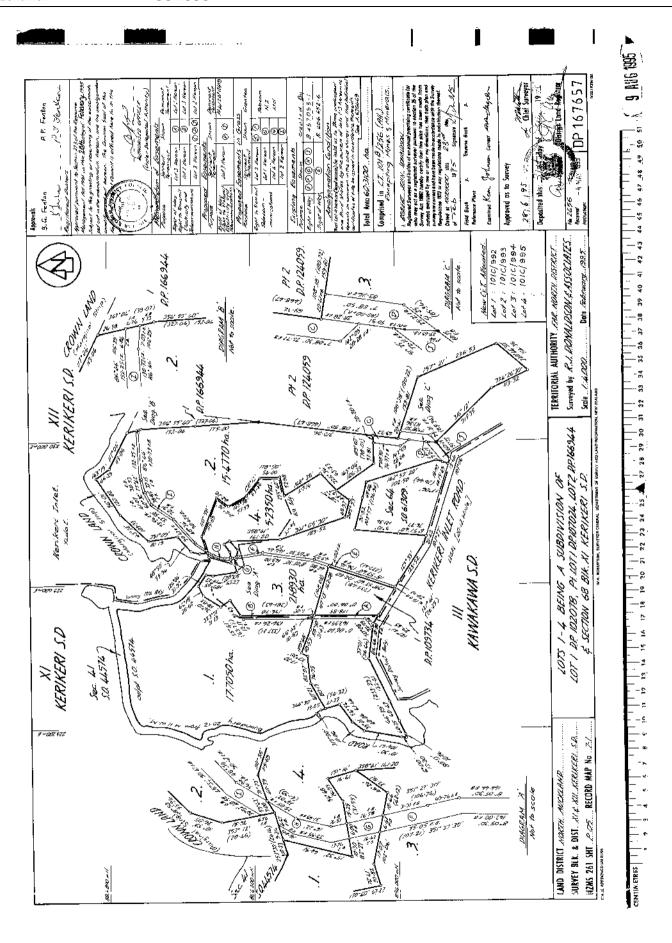
9315062.1 Surrender of Land Covenant D088754.3 as to the benefit of Part Lot 1 DP 442820 formerly contained in CT

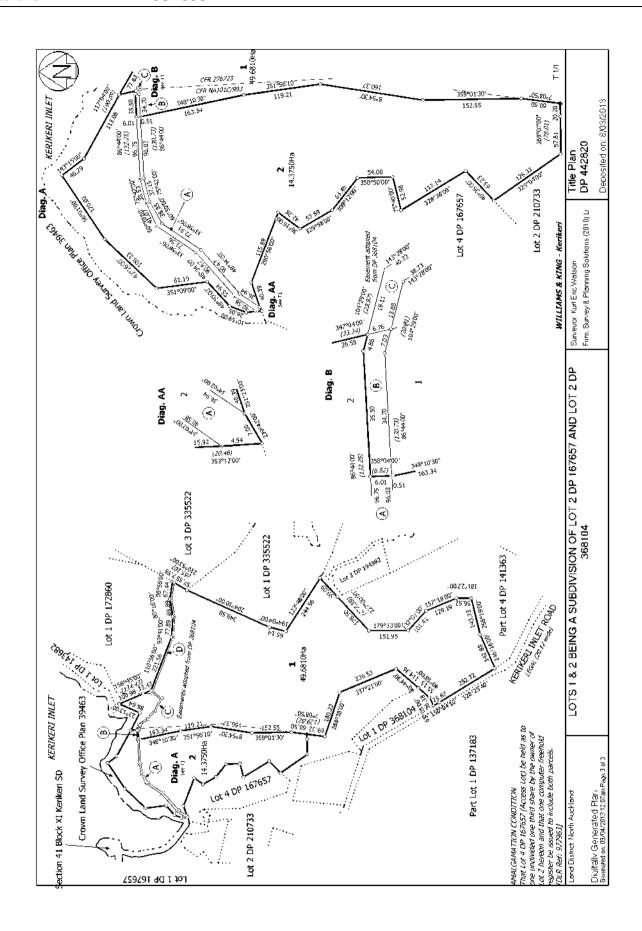
NA101C/993 - 8.3.2013 at 11:39 am

Subject to Section 241(2) Resource Management Act 1991 (affects DP 442820)

11727318.1 Mortgage to Sarah Jane Noble Lowndes - 31.3.2020 at 5:36 pm

12736076.2 Revocation of Land Covenant D088754.3 as to Lot 7 DP 579108 - 26.10.2023 at 4:16 pm





ict Land Registrar, South Auckland No. 351560

Approved by the District Land Registrar, South Auckland No. 351560 Approved by the District Land Registrar, North Auckland, No. 4380/81 Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

ROLAND LEVER HATTON SANSOM of Kerikeri, Retired and ANTHONY ALEXANDER THOMSON EDGAR of Auckland, Company Director jointly inter se (%) and ANTHONY ALEXANDER THOMSON EDGAR aforesaid, JOANNA HELEN MCKEGG of Auckland Married Woman. ALLAN DUNCAN MCLEOD of Merikeri, Solicitor jointly inter se (%) as tenants in common in the share above set forth

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the day of 1985 under No. 107204 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO. 107204

	Servie	nt Tenement			
Nature of Easement (e.g., Right of Way, etc.)	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement	Dominant Tenement Lot No.(s) or other Legal Description	Title Reference	
Right of Mav	1	A	l) Section 36 Blk XII Keri- keri Survey District	31D/421	
! !			2) Lots 2 & 3 Western Suburbs of Kerikeri Township	778/115	
Right of Way	2	r	1) Section 36 Blk XII Kerikeri Survey District	31p/421	
			2) Lots 2 & 3 Western Suburbs of Kerikeri Township	778/115	
i		•			
; ;					

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

- 1. Rights and powers: as in Seven Schedule to the Land Transfer Act 1952
- 2. Term, condition, covenants, or restrictions in respect of the above easement:-

In respect of the rights of way intended to be created the following terms and conditions shall apply to the maintenance, repair and general upkeep of certain parts of the right of way where no negligence can be attributed to any specific owner for the time being or either the dominant or servient tenements.

- i) for that part of the right of way marked A the owners for the time being of Lot 1 and Certificates of Title 31D/421 and 778/115 shall bear the costs equally.
- ii) for that part of the right of way marked B the owners for the time being of Certificates of Title 31D/421 and 778/115 shall bear the costs equally.

Executed by the Registered propriators of the land in Deposited Plan 107204 and Certificates of Title 31D/421 and 778/115 this 15% day of July 1985

Signed by the said	
ROLAND LEVER HATTON SANSOM	R.L. H. Samson
in the presence of:-	M. C. Will Supplement
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Theritan,	•
Signed by the said	<i>Q</i> >
ANTHONY ALEXANDER THOMSON EDGAR	Daywolf -
in the presence of:-	aqu
Signed by the said	
JOANNA HELEN MCKEGG	The Chego
in the presence of:-	
Dolivitor.	
Signed by the said	
ALLAN DUNCAN MCLEOD	
in the presence of:-	
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() keriken	1
Signed by the said	<i>N</i> 45
ANTHONY ALEXANDER THOMSON EDGAR in the presence of-	RUM
In the presence or-	4
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XMMMKXXXMK KH XH XH XH XH	
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in the presence of	
Witness	
Occupation	
Address	

EASEMENT CERTIFICATE

(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

Correct for the purposes of the Land Transfer Act

Solicitor for the registered proprietor

The within easement when created will be subject to Section 309 (1)
(a) Local Government Act 1974

A.L.R.

HAND REGISTRY AUCKLAND

MASSI, LAND REGISTRAR

778/115

315/421

595/432

595/433

Welch & McLeod Solicitors Kerikeri



B578021.4 EC

Approved by the District Land Registrars: North Auckland 4221775, South Auckland H.008116/1974, Canterbury 957768, Marlborough 75776, Gisborne 112239.9, Hawkes Bay 303051, Taranaki 217464.1, Wellington A038045, Westland 45629.

EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

K WE. <u>IAN CECIL KNOX</u> of Kerikeri, Real Estate Manager and <u>BEREN MARGARET KNOX</u> his

wife being the registered proprietors as tenants in common in equal shares

boing xthe considered operation of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the day of 19 86 under No. 109734

are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO. 109734

		Servient Tenement		Dominant Tenement	
ttsea	Nature of Easement (e.g., Right of Way, etc.)	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement	Lot No.(s) or other	Title Reference
uld this markin be	Electricity Supply	Part Lot 1 DP 109734	"B"	Part Lot DP 107204	59D/432
On no account should this margin be used	Right-of-Way	Part Lot 1 DP 107204	 	Lot 1 DP 109734	59D/432 Sound His number of the second His num
N.B. C				`	1
			1 2		

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

Rights and powers: XXX

ELECTRICITY SUPPLY

That upon the creation of an easement for electricity supply in terms hereof and by the operation of Section 90A of the Land Transfer Act 1952 the Grantee shall have the full free uninterrupted and unrestricted right liberty and privilege to convey electric power under the surface of or through the soil of the land over which the easement is granted or created by means of cables at such depth below the surface of the soil as may be in accordance with the requirements of the Local or National Authority Body or agency having jurisdiction thereover and in conjunction with such cable to keep and maintain such cable at such point or points the Authority shall stipulate AND the Grantee may from time to time enter upon the land for the purposes of laying, inspecting, replacing or repairing such cables PROVIDED THAT the Grantee shall return the surface of the land to its former condition.

N.B. On no account should this margin be used

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2. Terms, conditions, covenants, or restrictions in respect of any of the above easements: nil

Dated this

22 day of

Signed by the above-named

IAN CECIL KNOX and

BEREN MARGARET KNOX

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in the presence of

Witness

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Correct for purposes of the Land Transfer Act

(Solicitor for) the registered proprietor

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Particulars entered in the Register as shown in the schedule of land herein on the date and at the time stamped below

District Land Registrar Assistant of the District of

LAND RECIST

REGISTRY AUCK

F EC 830

JAFFE McLEOD & PARTNERS SOLICITORS <u>KERIKERI</u>

LT31 Avon Publishing Ltd., P.O. Box 736, Auckland

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N.B. On no account should this margin be use

Approved by the District Land Registrar, South Auckland No. 351560
Approved by the District Land Registrar, North Auckland, No. 4380/81
Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

EASEMENT CERTIFICATE

IIMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

XWWe BRUCE GORDON FENTON of Auckland, Manager and PAMELA FRANCES FENTON, His Wife

as tenants in common in equal shares being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the day of 19 under No.167657 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE
DEPOSITED PLAN NO. 167657

DEI OSITED FEAN NO. 107001				
Nature of Easement (e.g., Right of Way, etc.)	Lot No.(s) or other Legal Description	nt Tenement Colour, or Other Means of Identification, of Part Subject to Easement	Dominant Tenement Lot No.(3) or other Legal Description	Title Reference
Right of Way	Lot 3 DP 167657	A	Lot 1 DP 167657	101C/992
Right of Way	Lot 1 DP 167657	В	Lot 3 DP 167657	101C/994
Right of Way	Lot 3 DP 167657	C/D amdi J	Lot 2 DP 167657	101C/993
Right to convey electricity and telecommunication	Lot 3 DP 167657 s	Α	Lot 1 DP 167657	101C/992
Right to convey electricity and telecommunications	Lot 1 DP 167657	В	Lot 3 DP ₁₆₇₆₅₇	101C/994
Right to convey electricity and telecommunications	Lot 3 DP 167657	C/D and	Lot 2 DP 167657	101C/993
		;		

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

Rights and Powers:

- 1. In addition to the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 the following rights and powers shall apply to the right of way marked "A" on Deposited Plan 167657 :
 - (a) While the Local Authority planning requirements restrict the number of rear allotments that may be served from the right of way the registered proprietor of the servient tenement will be entitled to subdivide his property serviced by the right of way marked "A" to a maximum of one-half of such entitlement and the registered proprietor of the dominant tenement will be entitled to subdivide his property serviced by the right of way marked "A" to a maximum of one-half of such entitlement.
 - (b) After the initial formation of the right of way marked "A" either the registered proprietor of the servient tenement or the registered proprietor of the dominant tenement may further upgrade the right of way marked "A" provided that if the other party does not require the upgrading the costs thereof will be paid solely by the party desiring the upgrade.
- 2. In addition to the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 the following rights and powers shall apply to the right of way marked "B" on Deposited Plan 167657 :
 - (a) The registered proprietor of the dominant tenement will be solely responsible for the formation of the right of way marked 3". The owner of the dominant tenement may at any time upgrade the right of way marked "B" to a sufficient standard to permit further subdivision of the dominant tenement and servicing of those at litional Lots by the right of way marked "B".
- 3. In addition to the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 the following rights and powers shall apply to the right of way marked "C" on Deposited Plan 167657 :
 - (a) The registered proprietor of the dominant tenement will be solely responsible for the formation and maintenance of the right of way marked "C".
- 4. RIGHT TO CONVEY ELECTRICITY AND TELECOMMUNICATIONS
 The Grantee shall have the full free uninterrupted and
 unrestricted right limiting privilege to convey electric
 power and telecommunications under the surface of or

- apx

through the soil of the land over which the easement is granted or created by means of cables at such depth below the surface of the soil as may be in accordance with the requirements of the territorial authority, local body or agency having jurisdiction thereover and in conjunction with such cable or cables to keep and maintain such cable or cables at such point or points territorial authority, local authority or agency shall stipulate and from time to time to enter upon the land for the purposes of laying, inspecting, replacing or repairing such cables provided that the owner of the dominant tenement shall return the surface of the land to its former condition.

Dated this 24th day of July 1995
Signed by the above-named

BRUCE GORDON FENTON and

PAMELA FRANCES FENTON
in the presence of

Witness
Occupation

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Address

Address

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

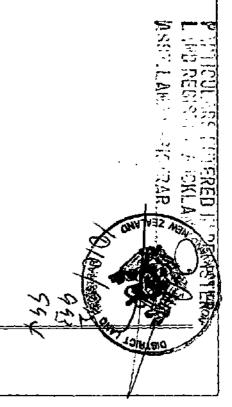
EASEMENT CERTIFICATE

(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

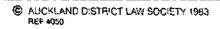
Correct for the purposes of the Land Transfer Act

Solicitor for the registered proprietor

(IIF) EC - 35



2.54 31.JUL95 6871824 · A





C874249.1 TE
Approved by the Registrar-General of Land, Wellington, No. B319989.1/93



Memorandum of Transfer

1.1" BRUCE GORDON FENTON of Kerikeri, Farmer and PAMELA FRANCES FENTON, His Wife (hereinafter with their successors in title called "the grantor")

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in the piece or pieces of land situated in the Land District of North Auckland

being

FIRSTLY 17.7050 hectares more or less being Lot 1 on Deposited Plan 167657

being all the land in certificate of title 101c/992

SECONDLY 15.4770 hectares more or less being Lot 2 on Deposited Plan 167657

being all the land in certificate of title 101c/993

Q4

THIRDLY 21.8930 hectares more or less being Lot 3 on Deposited Plan 167657

being all the land in certificate of title 101c/994

AND FOURTHLY 5.2350 hectares more or less being Lot 4 on Deposited Plan 167657

(hereinafter called "the servient land")

being all the land in certificate of title 101C/995

1013dcl 10:54:07 31/07/1995 0000005134 New Zealand Stapp Buty - Not Liable ISelf assessed duty \$8%,%6%,240.00

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995.

- 1.2 THE GRANTOR has agreed to teansfer and grant unto Telecom New Zealand Limited a duly incorporated company having its registered office at Wellington including it successors and assigns (hereinafter called "the grantee") an Easement in Gross in and over part of the servient land for the purposes of telecommunication.
- 2.0 NOW THEREFORE in pursuance of the premises and in consideration of the sum of ONE DOLLAR (\$1.00) paid to the grantor by the grantee (the receipt of which is hereby acknowledged), the grantor TRANSFERS AND GRANTS to the grantee.
- 2.1 An easement in gross for telecommunication purposes for all the time from the date of this instrument on the terms set out in the Schedule hereto over the part of the servient land marked E, F, G, H and I on Deposit d Plan 167657 (hereinafter called "the easement land")

THE GRANTOR AND THE GRANTEE COVENANT AS FOLLOWS:

- 3.1 THE grantee shall be responsible for:
 - (i) the installation of the line or works; and
 - (ii) using its best endeavours to prevent the lines or works becoming a danger or a nuisance.
- 3.2 ALL work authorised to be carried out; pursuant to this easement shall be carried out as expeditiously as possible and shall do as little damage to the easement land as is reasonably possible consistent with the rights and privileges conferred by this instrument of the grantee.
- 3.3 THE grantee will from time to time repair and make good all damage to fences, gates or erections upon the servient land directly caused by the grantee carrying out any works in terms of clause 2.1 hereof.
- 3.4 SPE grantor will not without the written permission of the
 - (i) grow or permit to be grown any trees, shrubs or bushes of any description; or
 - (ii) erect or permit to be erected any improvement or fences
 - on the easement land which will interfere with the rights granted by this easement and will not at any time hereafter do permit or suffer any act whereby the full and free use and enjoyment by the grantee of the rights and privileges granted pursuant to this instrument are interfered with or affected.
- 3.5 THIS easement is not in substitution for and is without prejudice to such statutory rights and authorities as the grantee may have from time to time in respect of the servient land.

3.6 ANY dispute as to the terms or the interpretation of this grant or the liability of the parties will be determined by an arbitrator under the Arbitration Act 1908 and this clause shall be deemed to be a "submission" within the meaning of that Act.

3.7 DEFINITIONS

"telecommunications"

means the conveyance, transmission, emission or reception of signs, signals, impulses, writing, images, sounds, instructions, information or intelligence of any nature whether by electromagnetic waves or not at any frequency and whether for the information of any person or not and includes any electronic power supply whether underground or overground includental to telecommunication;

"line or lines"

means a wire or wires, cable or conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunication and includes and pole, tower, mast, insulator, casing, fixture (major dr minor), tunnel or other equipment or material used or intended to be used supporting, enclosing, surrounding, or protecting any such wise, wires, conductor, cable or fibre optic cable and also includes any part of a line and includes "existing defined by as Telecommunications Act 1987 and its amendments:

"works"

includes a line and any instrument, tower, mast, radio apparatus comprising transmitters or receivers or a combination of both, furniture, plant, office, building, machinery, encise, escapation or work of whatever description used for the purpose or in relation to or in any way connected with telecommunication and includes "existing works" as defined by the Telecommunications Act 1987 and its amendments;

"grantee"

means Telecom New Zealand Limited and Telecom Corporation of New Zealand Limited and includes each and all its subsidiary companies (within the meaning of Sections 5 and 6 of the Companies Act 1993 or any enactment in amendment or substitution of this section).

IN WITNESS WHEREOF these presents have been executed this 24th day of $_{\rm July}$ $_{\rm 199.5}$

Signed by BRUCE GORDON FENTON and PAMELA FRANCES FENTON as grantor in the presence of:-

Benton PJ Jenton

Soliciter Andrews

Signed for and on behalf of TELECOM NEW ZEALAND LIMITED by

and

Director

OLIVER BENTON MCMILLEN

____ Director MARTIN EDWARD WYLIE

SCHRDULE

The full free right, liberty and licence for all times hereafter for the grantee, its engineers, surveyors, servants, agents, employees, workmen, contracts and invitees with or without vehicles or unladen and with materials, machinery and implements from time to time and at all times:

- (i) to lay and maintain in and under the soil of the easement land or as the case may be erect, construct and maintain on and over the easement land a line, lines or works;
- to enter and remain upon the servient land for the purposes of laying, maintaining, inspecting, repairing, renewing, replacing or altering the line, lines or works as the case may be and opening up the soil of the easement land and make any cuttings, fillings, grades, batters or trenches and to re-open the same and generally to do and perform such acts or in the same and generally to do and perform such acts or in the grantee to receive the full free use and enjoyment of the rights and privileges granted under this instrument;
- (iii) to use the line, lines or works for the purpose of telecommunication without interruption or impediment (except during any periods of inspection, repair, renewal, replacement or alteration);

PROVIDED THAT on completion of any work by the grantee on the sasement land pursuant to this easement requiring the grantee to open up the land the grantee shall restore the surface of the easement land as nearly as possible to its former condition and replace the soil at the surface and turf (if any) consolidated to its proper level.



	In Consideration of the sum of
	paid to the Transferor by
	(herein called "the Transferee") the receipt of which sum is hereby acknowledged Hereby Transfers to the
	Transferee all the Transferor's estate and interest in the said piece or pieces of land
-	
-	In witness whereof these presents have been executed this day of 19
	Signed by the Transferor
	(by the affixing of its common seal) in the presence of:
	ž

The state of the s

MEMORANDUM OF TRANSFER

TELECOM NEW ZEALAND LIMITED Transferee

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar of the

District of

Correct for the purposes of the Land Transfer Act 1952

SOLICITOR FOR THE TRANSFEREE

I hereby certify that this transaction does not contravene the provisions of Part $\square A$ of the Land Settlement Promotion and Land Acquisition Act 1952.

SOLICITOR FOR THE TRANSFEREE

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

SOLICITOR FOR THE TRANSFEREE

142 T-130 F/D C871824

MORGAN-COAKLE RYAN & BIERRE SOLICITORS AUCKLAND

AUCKLAND DISTRIĆT LAW SOCIETY 1993 (2) REF 4082 5 04. AUG 95 C 874249 / ICULARS ENTERED IN TUSTER REGISTRY AUCKLAST STRAR STRANGE STRAR STRANGE STRAR STRANGE STRAR STRANGE ST

DEED CREATING LAND COVENANTS

THIS DEED made the 28 day of

Que

1996

BETWEEN

BRUCE GORDON FENTON of Auckland, Manager and

PAMELA FRANCES FENTON, His Wife ("the first

registered proprietors") of the one part;

AND

BRUCE GORDON FENTON of Auckland, Manager and

PAMELA FRANCES FENTON, His Wife ("the second

registered proprietors") of the other part.

WHEREAS:

- A. The first registered proprietors are registered as proprietors of estates in fee simple in all those pieces of land described in the schedule hereto.
- B. The first registered proprietors have entered into an Agreement for Sale and Purchase for the sale of part of the land described in the Schedule hereto.
- C. The first registered proprietors have agreed with the purchaser that they will for the benefit of the registered proprietors from time to time of each of the pieces of land described in the schedule restrict and regulate the activities that may be carried on at any time on any part of Lot 4 on Deposited Plan 167657.
- The expression "the Registered Proprietors" shall mean the registered proprietors or any of them as appropriate of all or any parts of Lots 1, 2 and 3 on Deposited Plan 169657.

TAD

NOW THEREFORE THIS DEED WITNESSETH that the first registered proprietors and the second registered proprietors do hereby covenant with and agree with the intention of binding themselves and any subsequent Registered Proprietors of any parts of Lots 1, 2 and 3 on Deposited Plan 169657 for the benefit of the Registered Proprietors that the following covenants, conditions and restrictions shall apply in respect of Lot 4 on Deposited Plan 167657:

- A. The Registered Proprietors will not at any time suffer or permit any act, matter or thing which does or may alter the natural boundaries of the lake situated on Lot 4 Deposited Plan 167657 ("the lake").
- B. The Registered Proprietors will not at any time allow the lake to expand beyond the boundary shown as Lot 4 on Deposited Plan 167657. Should any such expansion of the lake occur at any time over the boundary between Lot 4 Deposited Plan 167657 and the other lots on Deposited Plan 167657 the Registered Proprietor of the affected lot in each case will restore the lake to within the boundaries of Lot 4 Deposited Plan 167657 at that Registered Proprietor's expense unless such alteration has been caused by the actions of one or more of the other Registered Proprietors in which case that Registered Proprietor or those Registered Proprietors shall be responsible for such restoration.
- C. The Registered Proprietors will not at any time use the lake for any purpose other than passive recreation purposes and in particular will not at any time allow or permit the lake to be used for power boating or water skiing or any other activity likely to cause an annoyance to the other Registered Proprietors.
- D. The Registered Proprietors will not at any time shoot or trap wildlife on or into Lot 4 on Deposited Plan 167657 nor permit any



such activity without the prior written approval of the other Registered Proprietors.

E. The Registered Proprietors will not at any time take nor permit the taking of water from the lake for any purpose other than reasonable domestic needs or the reasonable needs of animals for drinking water (subject to the provisions of the Resource Management Act 1991 or any Act in substitution therefor) to be taken from one point only on the lake for each of Lots 1, 2 and 3.

Such water use shall be restricted in quantity to a maximum of 20,000 litres for each of Lots 1, 2 and 3 per 24 hour period (as measured by restrictor valve to be installed and maintained by the Registered Proprietors) or such lesser daily quantity or such greater or lesser daily quantity as may be agreed taking into account the management of the lake and in particular in relation to reductions adverse conditions such as drought and the potentially adverse affect on the lake.

- F. The Registered Proprietors will not at any time erect or permit to be erected on Lot 4 on Deposited Plan 167657 any structure whether temporary or otherwise other than:
 - (a) One pumphouse for each of Lots 1, 2 and 3 to enable the taking of water for the purposes of Covenant E above.
 - (b) One jetty for each of Lots 1, 2 and 3 on the lake for the sole purpose of servicing one water intake point per Lot (subject to prior compliance with the provisions of the Resource Management Act 1991 or any Act in substitution therefor governing lake beds). Any such jetty will be of a size and type of construction consented to by all of the Registered



Proprietors such consent not to be unreasonably or arbitrarily withheld.

- (c) A conduit for the transmitting of electricity or other fuel to the pumphouse from each Lot by the shortest practicable route.
- (d) Each Registered Proprietor will not at any time use nor permit to be used any pumphouse erected by and for the purposes of the Registered Proprietors of any other Lot.
- G. The management and supervision of Lot 4 shall be carried out by a committee ("the Management Committee") comprising a representative nominated by the Registered Proprietor(s) of each Lot. If there is more than one Registered Proprietor of each of Lots 1, 2 and 3 election of a representative to the Management Committee for that Lot shall be by a majority of the Registered Proprietors for that Lot with each of such Registered Proprietors having one vote and in the event of equality of votes the majority vote shall be determined by reference to the respective areas owned by each of the Registered Proprietors of such Lot. In the absence of agreement otherwise, the costs of any works or maintenance decided upon by the Management Committee shall be spread evenly between Lots 1, 2 and 3. The Management Committee shall also have the power to implement and maintain terms and conditions of easements affecting Lot 4. Decisions of the Management Committee shall be by basis of majority decision unless the decision involves either expenditure of more than \$1,000.00 per Lot (increased by any Consumer Price All Groups index or other agreed or replacement measure of inflation commencing with a base point of 31 March 1996) or any decision which permanently affects the use or enjoyment of Lot 4 in relation



to any one or more of the Registered Proprietors in which case such decision shall be unanimous.

Any decision by the Management Committee involving demonstrable benefit to all or part of any one or two out of the three Lots shall be borne solely by the Registered Proprietors of the Lot or Lots receiving such demonstrable benefit.

H. If there is any dispute between the Registered Proprietors as to the management or supervision of Lot 4 the Registered Proprietors shall attempt to mediate a solution to the issue in dispute and in the event of failure to reach a mediated settlement any Registered Proprietor may refer the matter in dispute to an arbitrator to be appointed for the purpose by agreement between the parties or failing agreement to an arbitrator nominated by the President for the time being of the Auckland District Law Society and the arbitration shall otherwise be conducted in accordance with the Arbitration Act 1908, any amendments thereto, or reenactment thereof.

<u>IN WITNESS WHEREOF</u> these presents have been executed the day and year first above written.

Bruce Goods Fedon I and Panela Frances Feston I by Their Attorney Rhonda I Margot Graham

SIGNED by BRUCE GORDON FENTON and PAMELA FRANCES FENTON as the first registered proprietors in the presence of:-

JULIE F VIDOVICH LEGAL EXECUTIVE AUCKLAND SIGNED by BRUCE GORDON FENTON and PAMELA FRANCES FENTON as the second registered proprietors in the presence of:-

1 Bruce Godon Fedorard 1 Paneta Francos Ferborby 1 Pheir Alborray Rhonda Maryot 1 Graham TARK

JULIE F VIDOVICH LEGAL EXECUTIVE AUCKLAND

SCHEDULE

- 18.3970 hectares more or less being Lot 1 on Deposited Plan 167657 together with an undivided one-third share in 5.2350 hectares more or less being Lot 4 Deposited Plan 167657 All Certificate of Title 101C/992.
- 15.4770 hectares more or less being Lot 2 on Deposited Plan 167657 together with an undivided one-third share in 5.2350 hectares more or less being Lot 4 Deposited Plan 167657 All Certificate of Title 101C/993.
- 21.8930 hectares more or less being Lot 3 on Deposited Plan 167657 together with an undivided one-third share in 5.2350 hectares more or less being Lot 4 Deposited Plan 167657 All Certificate of Title 101C/994.

CERTIFICATE OF NON-REVOCATION

I, RHONDA MARGOT GRAHAM of Auckland, Solicitor
HEREBY CERTIFY:-
1. THAT by Deed dated the 29th day of March 1995 (a copy of which Deed
is deposited in the Land Transfer Office at Auckland under Number
) PAMELA FRANCES FENTON of Kerikeri, Married
Woman appointed me her Attorney on the terms and subject to the conditions
set out in the said Deed.
2. THAT at the date hereof I have not received any notice or information of
the revocation of that appointment by the death of the said PAMELA
FRANCES FENTON or otherwise.
SIGNED at Auckland this 28 day of Time 1996
1 AAR

CERTIFICATE OF NON-REVOCATION

I,	RHONDA	MARGOT	GRAHAM	of	Auckland,	Solicitor
----	--------	--------	---------------	----	-----------	-----------

HERI	$\mathbf{E}\mathbf{B}\mathbf{Y}$ (CERT	TIFY:-

- 1. THAT by Deed dated the 29th day of March 1995 (a copy of which Deed is deposited in the Land Transfer Office at Auckland under Number
-) BRUCE GORDON FENTON of Kerikeri, Company Director appointed me his Attorney on the terms and subject to the conditions set out in the said Deed.
- 2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said **BRUCE GORDON FENTON** or otherwise.

SIGNED at Auckland this 28 day of Twe 1996

1.26 20.UM97 D 088754-3

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AND REGISTER

1

3)

CERTIFICATE OF NON-REVOCATION

I, RHONDA MARGOT GRAHAM of Auckland, Solicitor

HEREBY CERTIFY:-

- 1. THAT by Deed dated the 29th day of March 1995 (a copy of which Deed is deposited in the Land Transfer Office at Auckland under Number
-) <u>BRUCE GORDON FENTON</u> of Kerikeri, Company Director appointed me his Attorney on the terms and subject to the conditions set out in the said Deed.
- 2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said **BRUCE GORDON FENTON** or otherwise.

SIGNED at Auckland this 6 day of December 1996

TAR

MEMORANDUM OF VARIATION OF EASEMENT

The terms, covenants and conditions contained or implied in the easements defined by Easement Certificate C.871824.10 are hereby varied as follows:

Rights and Powers

- 1. The rights and powers contained in clause 1(a) are hereby deleted.
- 2. The rights and powers in respect of the right to convey electricity and telecommunications as set out in clause 4 of the Easement Certificate are hereby varied to provide that in respect of the right to convey electrical power such power may in addition to the modes of conveying described in clause 4 of the Easement Certificate be conveyed above the surface of the land over which the easement is created or granted by means of cables on poles in accordance with the requirements of the territorial authority, local body or agency having jurisdiction thereover PROVIDED HOWEVER that the Grantee must at all times comply with the relevant requirements of the District Plan pertaining to the property which may affect the right to erect above ground transmission.

DATED this

62

day of

December

1996

SIGNED by BRUCE GORDON FENTON and PAMELA FRANCES FENTON as registered proprietors of the dominant tenement in the presence of:

COL

JULIE F VIDOVICH LEGAL EXECUTIVE AUCKLAND

ALINE NICH

SIGNED by BRUCE GORDON FENTON and PAMELA FRANCES FENTON as registered proprietors of the servient tenement in the presence of:

D-

JULIE F VIDOVICH LEGAL EXECUTIVE AUCKLAND Bruce Goodon Ferton and formela Frances Ferton by their Attorney Charles Margot Graham

| Druce Gooden Featon and | family Frances Featon by their Attorney | Charles Marget Goraham

Correct for the purposes of the Land Transfer Act

Solicitor for the Registered Brancietor

1.26 20. J. N. 97 D 088754. 4

PARTICULARS ENTERED IN REGISTER LAND REGISTRY NORTH AUCKLAND ASST. LAND REGISTRAR

(A) (A)

D587086.3 TE

TRANSFER

Land Transfer Act 1952

If there is not enough space in any of the panels below, cross-riference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District North Auckland		
Certificate of Title No. All	or Part? Area and legal d	leiription — Insert only when part or Stratum, CT
	All	when part or Stratum, CT
Transferor Surnames must be underl	ined	
BRUCE GORDON <u>FENTON</u> and	PAMELA FRANCES E	BON
Transferee Surnames must be under	lined	1
GOOD MOVE NZ PROPERTY O	O LIMITED	
Estate or Interest or Easement to be	created: Insert e.g. Fee s Right to Convey Electric	it: Leasehold in Lease No; Right of way etc. Id Telecommunications (contained on page 2 annexure
schedule)		(contained on page 2 annexure
Consideration		
\$1.00		
' i	:	
Operative Clause	<u> </u>	
	ot of which is acknowled: cribed above in the landl	e TRANSFEROR TRANSFERS to the TRANSFEREE all the bove Certificate(s) of Title and if an easement is described
Dated this 21 day of	Decelor and	
Attestation		
3 Land PJ Ferdon	Signed in my presence Signature of Witness Witness to complete K (unless typewritten of the state of the stat	letters
Signature, or common seal of Transferor	Witness name Occupation S DLICIT Address A JCKL/	НАМ
Certified correct for the purposes of	the Land Transfer Act	T WAR

Approved by Registrar-General of Land under No. 1995/1004

TRANSFER

Land Transfer Act 1952



Law Firm Acting

MORGAN COAKLE BARRISTERS & SOLICITORS P.O. BOX 114, AUCKLAND

Auckland District Law Society REF: 4135 LINZ COPY

Approved by Registrar-General of Land under No 1995/1004

Annexure Schedule

_	TRANSFER Dated Page of Pages
	Continuation of Estate or Interest to be created
! !	The Transferee shall have a right of way and right to convey electricity and telecommunications over that part of the land in Certificate of 101C/994 marked "Z" on Deposited Plan 180325 ("the specified area") being forever appurtenant to the land of the Transferee in Certificate of Title 101C/993.
I	The right of way easement shall be subject to the following terms, covenants, conditions or restrictions:
 	(a) The registered proprietor of the dominant tenement shall be solely responsible for the formation and maintenance of any driveway over the specified area.
	The right to convey electricity and telecommunications is the full, free, uninterrupted and unrestricted right, liberty and privilege for the transferee to convey electric power and telecommunications above the surface of the specified area by means of cables or under the surface of or through the soil of the specified area by means of cables at an appropriate depth below the surface of the soil in accordance with the requirements of the territorial authority, local body or agency having jurisdiction thereover and in order to construct or maintain the efficiency of any such cable or cables the full, free, uninterrupted and unrestricted right, liberty and privilege for the transferee and the transferees servants, tenants, agents and workmen with any tools, implements, machinery, vehicles or equipment of whatsoever nature necessary for the purpose to enter upon the specified area and to remain there for any reasonable time for the purpose of laying, installing, inspecting, repairing, maintaining and renewing such cable or cables or any part thereof and of opening up the soil of the land to such extent as may be necessary and reasonable in that regard proviced that the transferee shall restore the surface of the land as nearly as practicable to its former condition. The transferor covenants with the transferee that should the specified area and the land "J", "D" and "C" on Deposited Plan 167657 be required for the purpose of vesting that land as a public road without payment of any consideration. This covenant is intended to run with the servient land for the benefit of the dominant land.
	If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

CONSENT OF MORTGAGEE

THE NATIONAL BANK OF NEW ZEALAND LIMITED hereby consents to the creation of the easements set out in the attached Memorandum of Transfer. This Consent is without prejudice to the Banks rights and remedies pursuant to mortgage C890797.1.

DATED at 28 DEC 2000 this	day of	2000
SIGNED by NATIONAL BANK OF NEW ZEALAND LIMITED by its Attorney	CHERYL KATHERINE SEGEDIN	
in presence of:) /	
Witness Signature : Witness Name: Witness Occupation: ANIL SURESH BANK OFFICE Witness Address: AUCKLAND		



CHERYL KATHERINE SEGEDIN Manager Lending Services of Auckland in New Zealand HEREBY CERTIFY:

1. THAT by Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland Blenheim	as No as No	D.016180	Hokitika	as No	105147
		186002	Invercargill	as No	242542.1
Christchurch	as No	A.256503.1	Napier	as No	644654.1
Dunedin	as No	911369	Nelson	as No	359781
Gisborne	as No	G.210991	New Plymouth	as No	433509
Hamilton	as No	B.355185	Wellington	as No	B.530013

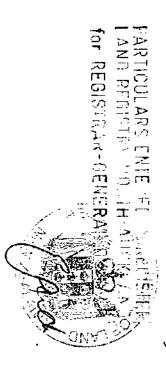
The National Bank of New Zealand Limited (the "Bank") appointed me its Attorney with the powers and authorities specified in that Deed.

- 2. THAT at the date of this Certificate, I am the Manager Lending Services. Auckland Regional Support Centre of the Bank.
- 3. **THAT** at the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the Bank or otherwise.

DATED at Auckland this

20

11.04 14.MARUI D 587086.3







RECORD OF TITLE UNDER LAND TRANSFER ACT 2017 FREEHOLD



Guaranteed Search Copy issued under Section 60 of the Land Transfer Act 2017

R.W. Muir Registrar-General of Land

Identifier NA138C/239

Land Registration District North Auckland

Date Issued 12 December 2001

Prior References

NA131A/352 NA131A/353

Estate Fee Simple

Area 20.1695 hectares more or less

Legal Description Lot 2 Deposited Plan 210733

Registered Owners

Angela Victoria Selwyn Houry

Estate Fee Simple - 1/6 share **Area** 5.2350 hectares more or less **Legal Description** Lot 4 Deposited Plan 167657

Registered Owners

Angela Victoria Selwyn Houry

Interests

excepting as part (formerly part Section 14 Block XII Kerikeri Survey District and part Sections 42 and 44 Block XI Kerikeri Survey District) all minerals within the meaning of the Land Act 1924 on or under the land Subject to Section 241(2) Resource Management Act 1991

Appurtenant hereto is an electricity right specified in Easement Certificate B578021.4

Subject to a right of way over part marked A on DP 203088 specified in Easement Certificate B578021.4

The easements specified in Easement Certificate B578021.4 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a right of way and rights to transmit electricity and telecommunications and drain stormwater and sewage and water over part marked H on DP 167657 specified in Easement Certificate C871824.6 - 31.7.1995 at 2.34 pm

The easements specified in Easement Certificate C871824.6 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a right of way and a right to transmit electricity and telecommunications specified in Easement Certificate C871824.10 - 31.7.1995 at 2.34 pm (affects part)

Subject to a right of way and a right to transmit electricity and telecommunications over parts marked G, H and I on DP 210733 specified in Easement Certificate C871824.10 - 31.7.1995 at 2.34 pm

The easements specified in Easement Certificate C871824.10 are subject to Section 243 (a) Resource Management Act 1991

Subject to a telecommunications right (in gross) over parts marked A, B, C, D and H on DP 210733 in favour of Telecom New Zealand Limited created by Transfer C874249.1 - 4.8.1995 at 2.55 pm

D088754.3 Variation of Easement Certificate C871824.10 - 20.1.1997 at 1.26 pm

D088754.3 Land Covenant in Deed - 20.1.1997 at 1.26 pm

Appurtenant hereto is a right of way and rights to transmit electricity and telecommunications created by Transfer

D587086.2 - 5.3.2001 at 9.00 am

Land Covenant in Transfer D587086.2 - 5.3.2001 at 9.00 am

Subject to a right of way and rights to transmit electricity and telecommunications over parts marked X and Y on DP 210733 created by Transfer D587086.4 - 5.3.2001 at 9.00 am

Subject to a right of way and an electricity and telecommunications right over part marked Z on DP 210733 created by Transfer D587086.3 - 14.3.2001 at 11:04 am

Land Covenant in Transfer D587086.3 - 14.3.2001 at 11:04 am

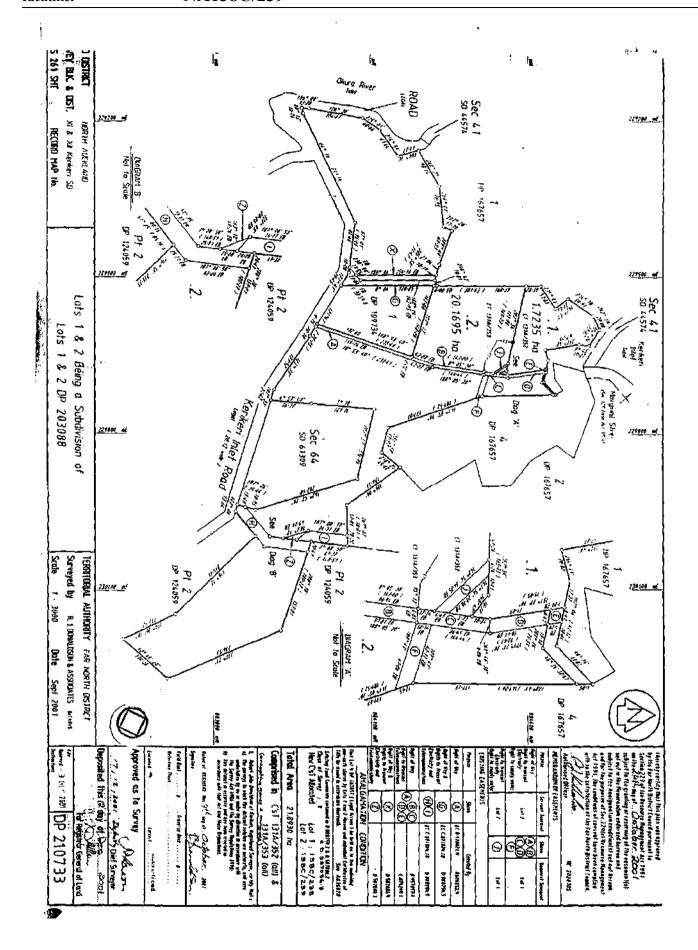
Subject to a right of way and a right to transmit power and to telephone and water rights over parts marked A, B, C, D and F and rights to transmit power and water over part marked J on DP 210733 specified in Easement Certificate D664998.4 - 12.12.2001 at 10.51 am

The easements specified in Easement Certificate D664998.4 are subject to Section 243 (a) Resource Management Act 1991 Land Covenant in Transfer 5285955.2 - 16.7.2002 at 2:12 pm

9315062.1 Surrender of Land Covenant D088754.3 as to the benefit of Part Lot 1 DP 442820 formerly contained in NA101C/993 - 8.3.2013 at 11:39 am

12736076.2 Revocation of Land Covenant D088754.3 as to Lot 7 DP 579108 - 26.10.2023 at 4:16 pm

12736076.3 Revocation of Land Covenant D587086.2 as to Lot 7 DP 579108 - 26.10.2023 at 4:16 pm



B578021.4 EC

Approved by the District Land Registrars: North Auckland 4221775, South Auckland H.008116/1974, Canterbury 957768, Marlborough 75776, Gisborne 112239.9, Hawkes Bay 303051, Taranaki 217464.1, Wellington A038045, Westland 45629.

EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

K WE. <u>IAN CECIL KNOX</u> of Kerikeri, Real Estate Manager and <u>BEREN MARGARET KNOX</u> his

wife being the registered proprietors as tenants in common in equal shares

boing xthe consists according to the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the day of 19 86 under No. 109734

are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO. 109734

		Servient Tenement		Dominant Tenement	
ttsea	Nature of Easement (e.g., Right of Way, etc.)	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement	Lot No.(s) or other	Title Reference
uld this markin be	Electricity Supply	Part Lot 1 DP 109734	"Ba	Part Lot DP 107204	59D/432
On no account should this margin be used	Right-of-Way	Part Lot 1 DP 107204	 	Lot 1 DP 109734	59D/432 59D/432 61C/1152
N.B. C				`	
			1 2		

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

Rights and powers: XXX

ELECTRICITY SUPPLY

That upon the creation of an easement for electricity supply in terms hereof and by the operation of Section 90A of the Land Transfer Act 1952 the Grantee shall have the full free uninterrupted and unrestricted right liberty and privilege to convey electric power under the surface of or through the soil of the land over which the easement is granted or created by means of cables at such depth below the surface of the soil as may be in accordance with the requirements of the Local or National Authority Body or agency having jurisdiction thereover and in conjunction with such cable to keep and maintain such cable at such point or points the Authority shall stipulate AND the Grantee may from time to time enter upon the land for the purposes of laying, inspecting, replacing or repairing such cables PROVIDED THAT the Grantee shall return the surface of the land to its former condition.

N.B. On no account should this margin be used

N.B. On no account should this margin be used

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	grant and the second
4 ·	
	u,

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements: nil

Dated this

22 day of

Signed by the above-named

IAN CECIL KNOX and

BEREN MARGARET KNOX

BYLLOX.

3

in the presence of

Witness

Occupation Zeluc

LT31

19 86

N.B. On no account should this margin be used

organización de la composición del composición de la composición d

N.B. On no account should this margin be used

Correct for purposes of the Land Transfer Act

(Solicitor for) the registered proprietor

when created will be antiject to Deution 309(1)

Work hahm no

Particulars entered in the Register as shown in the schedule of land herein on the date and at the time stamped below

District Land Registrar Assistant of the District of

LAND RECIST

REGISTRY AUCK

F EC 830

JAFFE McLEOD & PARTNERS SOLICITORS <u>KERIKERI</u>

LT31 Avon Publishing Ltd., P.O. Box 736, Auckland

THE STATE OF THE S

N.B. On no account should this margin be use

Approved by the District Land Registrar, South Auckland No. 351560
Approved by the District Land Registrar, North Auckland, No. 4380/81
Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

NOTEWAY BRUCE GORDON FENTON of Auckland, Manager and PANELA FRANCES FENTON, His Wife being registered as proprietors of Lot 2 on Deposited Plan 166944 and the residue of the land in Certificate of Title 61A/710 as tenants in common in equal shares and PETER JUHN MALCOLM of Kerikeri, Horticultural Consultant being registered as proprietor of Lot 1 on Deposited Plan 166944 and the residue of the land comprised in Certificate of Title 72B/680 being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the day of 19 under No. 166944 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO. 166944

	Servient Tenement			}
Nature of Easement (e.g., Right of Way, etc.)		Colour, or Other Means of Identification, of Part Subject to Easement	Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
Right of Way	Part Lot 1 DP 107204	С	Part Lot 2 DP 124059 and Lot 1 DP 166944	101B/255
Right of Way	Lot 2 DP 166944	В	Part Lot 2 DP 124059 and Lot 1 DP 166944	1018/255
Right to convey electricity	Part Lot 1 DP 107204	С	Part Lot 2 DP 124059 and Lot 1 DP 166944	1018/255
Right to convey electricity	Lot 2 DP 166944	₿.	Part Lot 2 DP 124059 and Lot 1 DP 166944	1018/255
Right to convey telecommunications	Part Lot 1 OP 107204	C.	Part Lot 2 DP 124059 and Lot 1 DP 166944	1018/255
Right to convey telecommunications	Lot 2 DP 166944	B .	Part Lot 2 DP 124059 and Lot 1 DP 166944	1018/255
Right to drain stormwater	Lot 2 DP 166944		Part Lot 2 DP 124059 and Lot 1 DP 166944	101B/2 5 5
Right to drain stormwater	Part Lot 1 DP 107204	C_	Part Lot 2 DP 124059 and Lot 1 DP 166944	1018/255
Right to drain sewage	Lot 2 DP 166944	В	Part Lot 2 DP 124059 and Lot 1 DP 166944	1018/255
Right to drain sewage	Part Lot 1 DP 107204	C ₋	Part Lot 2 DP 124059 and Lot 1 DP 166944	101B/255
Right to convey water	Lot 2 DP 166944	В	Part Lot 2 DP 124059 and Lot I DP 166944	1018/255
	Part Lot 1 DP 107204	С	Part Lot 2 DP 124059 and Lot 1 DP 166944	1018/255

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& py

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

Rights and Powers:

- In addition to the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 the following rights and powers shall apply to the right of way marked "C" on Deposited Plan 166944:
 - (a) The costs of formation of the right of way marked "C" will be borne equally by the registered proprietors of the servient and dominant tenements. The right of way will be formed to whatever standard is necessary at the time of formation in accordance with the then prevailing local authority or territorial requirements to provide approved access to five separate Lots. A cattle stop will be provided at the Inlet Road entrance to the right of way.
 - (b) After the initial formation of the right of way marked "C" either the registered proprietor of the servient tenement or the registered proprietor of the dominant tenement may furthes upgrade the right of way marked "C" provided that if the other party does not require the upgrading the costs thereof will be paid solely by the party desiring the upgrade.
 - (c) While the local authority planning requirements restrict to five the number of rear allotments that may be served from any right of way the registered proprietor of the servient tenement will be entitled to subdivide his property to a maximum of three allotments serviced by the right of way marked "C" and the registered proprietor of the dominant tenement will be entitled to subdivide his property to a maximum of two allotments serviced by the right of way marked "C". Should the local authority requirements alter at any time in the future to increase or further restrict the number of rear allotments which may be served by a right of way each parties entitlement to further subdivision shall reciprocally increase or reduce on the same pro-rata share of three-fifths to the registered proprietor of the servient tenement and two-fifths of the registered proprietor of the dominant tenement.
- In addition to the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 the following rights and powers shall apply to the right of way marked "B" on Deposited Plan 166944:
 - (a) The registered proprietor of the dominant tenement will be solely responsible for the formation and maintenance of the right of way marked "B". At the time of formation gates or cattle stops approved by the registered proprietor of the servient tenement will be provided at the junction between the right of ways marked "C" and "B" and the junction between the right of way marked "B" and part Lot 2 DP 124059.

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

Dated this 24th	day of July	γ 19 32	
Signed by the above-named	}	14 6	
BRUCE GORDON FENTON and PAMELA FRANCES FENTON	}	Py Ferdon	
in the presence of			
Witness 1 AAX	'		
Occupation Sollier	<u>K</u>		
Address Andle	الب	•	
Signed by the above-named PETER JUHN MALCOLM)	Pg liveal	
in the presence of:-	<u> </u>	Ú	
Occupation SETTARY TO S Address 238 CE6-RGE ST NSW AUSTRA	WINDCOR	Inter Public	
_			

EASEMENT CERTIFICATE

(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

The within easements when created will be subject to Section 243(6) Resource Management Act 1991 Correct for the purposes of the Land Transfer Act

Solicitor for the registered proprietor

ALR

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© AUCKLAND DISTRICT LAW SOCIETY 1983 REF 4050 Approved by the District Land Registrar, South Auckland No. 351560
Approved by the District Land Registrar, North Auckland, No. 4380/81
Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

EASEMENT CERTIFICATE

IIMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

XWWe BRUCE GORDON FENTON of Auckland, Manager and PAMELA FRANCES FENTON, His Wife

as tenants in common in equal shares being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the day of 19 under No.167657 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE
DEPOSITED PLAN NO. 167657

	DEFOSITED FEAR NO. 107037						
Nature of Easement (e.g., Right of Way, etc.)	Lot No.(s) or other Legal Description	nt Tenement Colour, or Other Means of Identification, of Part Subject to Easement	Dominant Tenement Lot No.(3) or other Legal Description	Title Reference			
Right of Way	Lot 3 DP 167657	A	Lot 1 DP 167657	101C/992			
Right of Way	Lot 1 DP 167657	В	Lot 3 DP 167657	101C/994			
Right of Way	Lot 3 DP 167657	C/D amdi J	Lot 2 DP 167657	101C/993			
Right to convey electricity and telecommunication	Lot 3 DP 167657 s	A	Lot 1 DP 167657	101C/992			
Right to convey electricity and telecommunications	Lot 1 DP 167657	В	Lot 3 DP ₁₆₇₆₅₇	101C/994			
Right to convey electricity and telecommunications	Lot 3 DP 167657	C/D and	Lot 2 DP 167657	101C/993			
		;					

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

Rights and Powers:

- 1. In addition to the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 the following rights and powers shall apply to the right of way marked "A" on Deposited Plan 167657 :
 - (a) While the Local Authority planning requirements restrict the number of rear allotments that may be served from the right of way the registered proprietor of the servient tenement will be entitled to subdivide his property serviced by the right of way marked "A" to a maximum of one-half of such entitlement and the registered proprietor of the dominant tenement will be entitled to subdivide his property serviced by the right of way marked "A" to a maximum of one-half of such entitlement.
 - (b) After the initial formation of the right of way marked "A" either the registered proprietor of the servient tenement or the registered proprietor of the dominant tenement may further upgrade the right of way marked "A" provided that if the other party does not require the upgrading the costs thereof will be paid solely by the party desiring the upgrade.
- 2. In addition to the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 the following rights and powers shall apply to the right of way marked "B" on Deposited Plan 167657 :
 - (a) The registered proprietor of the dominant tenement will be solely responsible for the formation of the right of way marked 3". The owner of the dominant tenement may at any time upgrade the right of way marked "B" to a sufficient standard to permit further subdivision of the dominant tenement and servicing of those at litional Lots by the right of way marked "B".
- 3. In addition to the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 the following rights and powers shall apply to the right of way marked "C" on Deposited Plan 167657 :
 - (a) The registered proprietor of the dominant tenement will be solely responsible for the formation and maintenance of the right of way marked "C".
- 4. RIGHT TO CONVEY ELECTRICITY AND TELECOMMUNICATIONS
 The Grantee shall have the full free uninterrupted and
 unrestricted right limiting privilege to convey electric
 power and telecommunications under the surface of or

- apx

Dated this 24th day of July 1995
Signed by the above-named

BRUCE GORDON FENTON and

PAMELA FRANCES FENTON
in the presence of

Witness
Occupation

Solind

Address

Address

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

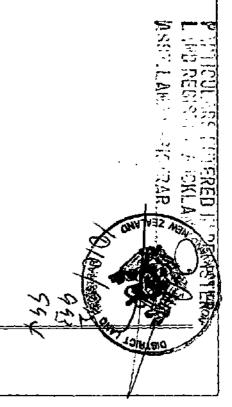
EASEMENT CERTIFICATE

(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

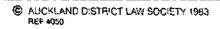
Correct for the purposes of the Land Transfer Act

Solicitor for the registered proprietor

(IIF) EC - 35



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C874249.1 TE
Approved by the Registrar-General of Land, Wellington, No. B319989.1/93



Memorandum of Transfer

1.1" BRUCE GORDON FENTON of Kerikeri, Farmer and PAMELA FRANCES FENTON, His Wife (hereinafter with their successors in title called "the grantor")

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in the piece or pieces of land situated in the Land District of North Auckland

being

FIRSTLY 17.7050 hectares more or less being Lot 1 on Deposited Plan 167657

being all the land in certificate of title 101c/992

SECONDLY 15.4770 hectares more or less being Lot 2 on Deposited Plan 167657

being all the land in certificate of title 101c/993

Q4

THIRDLY 21.8930 hectares more or less being Lot 3 on Deposited Plan 167657

being all the land in certificate of title 101c/994

AND FOURTHLY 5.2350 hectares more or less being Lot 4 on Deposited Plan 167657

(hereinafter called "the servient land")

being all the land in certificate of title 101C/995

1013dcl 10:54:07 31/07/1995 0000005134 New Zealand Stapp Buty - Not Liable ISelf assessed duty \$8%,%6%,240.00

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995.

- 1.2 THE GRANTOR has agreed to teansfer and grant unto Telecom New Zealand Limited a duly incorporated company having its registered office at Wellington including it successors and assigns (hereinafter called "the grantee") an Easement in Gross in and over part of the servient land for the purposes of telecommunication.
- 2.0 NOW THEREFORE in pursuance of the premises and in consideration of the sum of ONE DOLLAR (\$1.00) paid to the grantor by the grantee (the receipt of which is hereby acknowledged), the grantor TRANSFERS AND GRANTS to the grantee.
- 2.1 An easement in gross for telecommunication purposes for all the time from the date of this instrument on the terms set out in the Schedule hereto over the part of the servient land marked E, F, G, H and I on Deposit d Plan 167657 (hereinafter called "the easement land")

THE GRANTOR AND THE GRANTEE COVENANT AS FOLLOWS:

- 3.1 THE grantee shall be responsible for:
 - (i) the installation of the line or works; and
 - (ii) using its best endeavours to prevent the lines or works becoming a danger or a nuisance.
- 3.2 ALL work authorised to be carried out; pursuant to this easement shall be carried out as expeditiously as possible and shall do as little damage to the easement land as is reasonably possible consistent with the rights and privileges conferred by this instrument of the grantee.
- 3.3 THE grantee will from time to time repair and make good all damage to fences, gates or erections upon the servient land directly caused by the grantee carrying out any works in terms of clause 2.1 hereof.
- 3.4 SPE grantor will not without the written permission of the
 - (i) grow or permit to be grown any trees, shrubs or bushes of any description; or
 - (ii) erect or permit to be erected any improvement or fences
 - on the easement land which will interfere with the rights granted by this easement and will not at any time hereafter do permit or suffer any act whereby the full and free use and enjoyment by the grantee of the rights and privileges granted pursuant to this instrument are interfered with or affected.
- 3.5 THIS easement is not in substitution for and is without prejudice to such statutory rights and authorities as the grantee may have from time to time in respect of the servient land.

3.6 ANY dispute as to the terms or the interpretation of this grant or the liability of the parties will be determined by an arbitrator under the Arbitration Act 1908 and this clause shall be deemed to be a "submission" within the meaning of that Act.

3.7 DEFINITIONS

"telecommunications"

means the conveyance, transmission, emission or reception of signs, signals, impulses, writing, images, sounds, instructions, information or intelligence of any nature whether by electromagnetic waves or not at any frequency and whether for the information of any person or not and includes any electronic power supply whether underground or overground includental to telecommunication;

"line or lines"

means a wire or wires, cable or conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunication and includes and pole, tower, mast, insulator, casing, fixture (major dr minor), tunnel or other equipment or material used or intended to be used supporting, enclosing, surrounding, or protecting any such wise, wires, conductor, cable or fibre optic cable and also includes any part of a line and includes "existing defined by as Telecommunications Act 1987 and its amendments:

"works"

includes a line and any instrument, tower, mast, radio apparatus comprising transmitters or receivers or a combination of both, furniture, plant, office, building, machinery, encise, escapation or work of whatever description used for the purpose or in relation to or in any way connected with telecommunication and includes "existing works" as defined by the Telecommunications Act 1987 and its amendments;

"grantee"

means Telecom New Zealand Limited and Telecom Corporation of New Zealand Limited and includes each and all its subsidiary companies (within the meaning of Sections 5 and 6 of the Companies Act 1993 or any enactment in amendment or substitution of this section).

IN WITNESS WHEREOF these presents have been executed this 24th day of July 199 5

Signed by BRUCE GORDON FENTON and PAMELA FRANCES FENTON as grantor in the presence of:-

Benton PJ Jenton

Soliciter Andrews

Signed for and on behalf of TELECOM NEW ZEALAND LIMITED by

and

Director

OLIVER BENTON MCMILLEN

____ Director MARTIN EDWARD WYLIE

SCHRDULE

The full free right, liberty and licence for all times hereafter for the grantee, its engineers, surveyors, servants, agents, employees, workmen, contracts and invitees with or without vehicles or unladen and with materials, machinery and implements from time to time and at all times:

- (i) to lay and maintain in and under the soil of the easement land or as the case may be erect, construct and maintain on and over the easement land a line, lines or works;
- to enter and remain upon the servient land for the purposes of laying, maintaining, inspecting, repairing, renewing, replacing or altering the line, lines or works as the case may be and opening up the soil of the easement land and make any cuttings, fillings, grades, batters or trenches and to re-open the same and generally to do and perform such acts or in the same and generally to do and perform such acts or in the grantee to receive the full free use and enjoyment of the rights and privileges granted under this instrument;
- (iii) to use the line, lines or works for the purpose of telecommunication without interruption or impediment (except during any periods of inspection, repair, renewal, replacement or alteration);

PROVIDED THAT on completion of any work by the grantee on the sasement land pursuant to this easement requiring the grantee to open up the land the grantee shall restore the surface of the easement land as nearly as possible to its former condition and replace the soil at the surface and turf (if any) consolidated to its proper level.



	In Consideration of the sum of
	paid to the Transferor by
	(herein called "the Transferee") the receipt of which sum is hereby acknowledged Hereby Transfers to the
	Transferee all the Transferor's estate and interest in the said piece or pieces of land
-	
-	In witness whereof these presents have been executed this day of 19
	Signed by the Transferor
	(by the affixing of its common seal) in the presence of:
	ž

The state of the s

MEMORANDUM OF TRANSFER

TELECOM NEW ZEALAND LIMITED Transferee

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar of the

District of

Correct for the purposes of the Land Transfer Act 1952

SOLICITOR FOR THE TRANSFEREE

I hereby certify that this transaction does not contravene the provisions of Part $\square A$ of the Land Settlement Promotion and Land Acquisition Act 1952.

SOLICITOR FOR THE TRANSFEREE

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

SOLICITOR FOR THE TRANSFEREE

142 T-130 F/D C871824

MORGAN-COAKLE RYAN & BIERRE SOLICITORS AUCKLAND

AUCKLAND DISTRIĆT LAW SOCIETY 1993 (2) REF 4082 5 04. AUG 95 C 874249 / ICULARS ENTERED IN TUSTER REGISTRY AUCKLAST STRAR STRANGE STRAR STRANGE STRAR STRANGE STRAR STRANGE ST

DEED CREATING LAND COVENANTS

THIS DEED made the 28 day of

Tue

1996

BETWEEN

BRUCE GORDON FENTON of Auckland, Manager and

PAMELA FRANCES FENTON, His Wife ("the first

registered proprietors") of the one part;

AND

<u>PAMELA FRANCES FENTON</u>, His Wife ("the second registered proprietors") of the other part.

WHEREAS:

- A. The first registered proprietors are registered as proprietors of estates in fee simple in all those pieces of land described in the schedule hereto.
- B. The first registered proprietors have entered into an Agreement for Sale and Purchase for the sale of part of the land described in the Schedule hereto.
- C. The first registered proprietors have agreed with the purchaser that they will for the benefit of the registered proprietors from time to time of each of the pieces of land described in the schedule restrict and regulate the activities that may be carried on at any time on any part of Lot 4 on Deposited Plan 167657.
- D. The expression "the Registered Proprietors" shall mean the registered proprietors or any of them as appropriate of all or any parts of Lots 1, 2 and 3 on Deposited Plan 169657.

TO

NOW THEREFORE THIS DEED WITNESSETH that the first registered proprietors and the second registered proprietors do hereby covenant with and agree with the intention of binding themselves and any subsequent Registered Proprietors of any parts of Lots 1, 2 and 3 on Deposited Plan 169657 for the benefit of the Registered Proprietors that the following covenants, conditions and restrictions shall apply in respect of Lot 4 on Deposited Plan 167657:

- A. The Registered Proprietors will not at any time suffer or permit any act, matter or thing which does or may alter the natural boundaries of the lake situated on Lot 4 Deposited Plan 167657 ("the lake").
- B. The Registered Proprietors will not at any time allow the lake to expand beyond the boundary shown as Lot 4 on Deposited Plan 167657. Should any such expansion of the lake occur at any time over the boundary between Lot 4 Deposited Plan 167657 and the other lots on Deposited Plan 167657 the Registered Proprietor of the affected lot in each case will restore the lake to within the boundaries of Lot 4 Deposited Plan 167657 at that Registered Proprietor's expense unless such alteration has been caused by the actions of one or more of the other Registered Proprietors in which case that Registered Proprietor or those Registered Proprietors shall be responsible for such restoration.
- C. The Registered Proprietors will not at any time use the lake for any purpose other than passive recreation purposes and in particular will not at any time allow or permit the lake to be used for power boating or water skiing or any other activity likely to cause an annoyance to the other Registered Proprietors.
- D. The Registered Proprietors will not at any time shoot or trap wildlife on or into Lot 4 on Deposited Plan 167657 nor permit any



such activity without the prior written approval of the other Registered Proprietors.

E. The Registered Proprietors will not at any time take nor permit the taking of water from the lake for any purpose other than reasonable domestic needs or the reasonable needs of animals for drinking water (subject to the provisions of the Resource Management Act 1991 or any Act in substitution therefor) to be taken from one point only on the lake for each of Lots 1, 2 and 3.

Such water use shall be restricted in quantity to a maximum of 20,000 litres for each of Lots 1, 2 and 3 per 24 hour period (as measured by restrictor valve to be installed and maintained by the Registered Proprietors) or such lesser daily quantity or such greater or lesser daily quantity as may be agreed taking into account the management of the lake and in particular in relation to reductions adverse conditions such as drought and the potentially adverse affect on the lake.

- F. The Registered Proprietors will not at any time erect or permit to be erected on Lot 4 on Deposited Plan 167657 any structure whether temporary or otherwise other than:
 - (a) One pumphouse for each of Lots 1, 2 and 3 to enable the taking of water for the purposes of Covenant E above.
 - (b) One jetty for each of Lots 1, 2 and 3 on the lake for the sole purpose of servicing one water intake point per Lot (subject to prior compliance with the provisions of the Resource Management Act 1991 or any Act in substitution therefor governing lake beds). Any such jetty will be of a size and type of construction consented to by all of the Registered



Proprietors such consent not to be unreasonably or arbitrarily withheld.

- (c) A conduit for the transmitting of electricity or other fuel to the pumphouse from each Lot by the shortest practicable route.
- (d) Each Registered Proprietor will not at any time use nor permit to be used any pumphouse erected by and for the purposes of the Registered Proprietors of any other Lot.
- G. The management and supervision of Lot 4 shall be carried out by a committee ("the Management Committee") comprising a representative nominated by the Registered Proprietor(s) of each Lot. If there is more than one Registered Proprietor of each of Lots 1, 2 and 3 election of a representative to the Management Committee for that Lot shall be by a majority of the Registered Proprietors for that Lot with each of such Registered Proprietors having one vote and in the event of equality of votes the majority vote shall be determined by reference to the respective areas owned by each of the Registered Proprietors of such Lot. In the absence of agreement otherwise, the costs of any works or maintenance decided upon by the Management Committee shall be spread evenly between Lots 1, 2 and 3. The Management Committee shall also have the power to implement and maintain terms and conditions of easements affecting Lot 4. Decisions of the Management Committee shall be by basis of majority decision unless the decision involves either expenditure of more than \$1,000.00 per Lot (increased by any Consumer Price All Groups index or other agreed or replacement measure of inflation commencing with a base point of 31 March 1996) or any decision which permanently affects the use or enjoyment of Lot 4 in relation



to any one or more of the Registered Proprietors in which case such decision shall be unanimous.

Any decision by the Management Committee involving demonstrable benefit to all or part of any one or two out of the three Lots shall be borne solely by the Registered Proprietors of the Lot or Lots receiving such demonstrable benefit.

H. If there is any dispute between the Registered Proprietors as to the management or supervision of Lot 4 the Registered Proprietors shall attempt to mediate a solution to the issue in dispute and in the event of failure to reach a mediated settlement any Registered Proprietor may refer the matter in dispute to an arbitrator to be appointed for the purpose by agreement between the parties or failing agreement to an arbitrator nominated by the President for the time being of the Auckland District Law Society and the arbitration shall otherwise be conducted in accordance with the Arbitration Act 1908, any amendments thereto, or reenactment thereof.

IN WITNESS WHEREOF these presents have been executed the day and year first above written.

SIGNED by BRUCE GORDON FENTON and PAMELA FRANCES FENTON as the first registered proprietors in the presence of:-

, Bruce Goods Fedon , and Pamela Frances Fedon 1 by Their Hitborney Rhonda 1 Maryot Graham

JULIE F VIDOVICH LEGAL EXECUTIVE AUCKLAND SIGNED by BRUCE GORDON FENTON and PAMELA FRANCES FENTON as the second registered proprietors in the presence of:-

1 Bruce Godon Feston and 1 Panela Frances Feston by 1 Meir Alborney Abonda Maryot 1 Graham TARK

JULIE F VIDOVICH LEGAL EXECUTIVE AUCKLAND

SCHEDULE

- 18.3970 hectares more or less being Lot 1 on Deposited Plan 167657 together with an undivided one-third share in 5.2350 hectares more or less being Lot 4 Deposited Plan 167657 All Certificate of Title 101C/992.
- 15.4770 hectares more or less being Lot 2 on Deposited Plan 167657 together with an undivided one-third share in 5.2350 hectares more or less being Lot 4 Deposited Plan 167657 All Certificate of Title 101C/993.
- 21.8930 hectares more or less being Lot 3 on Deposited Plan 167657 together with an undivided one-third share in 5.2350 hectares more or less being Lot 4 Deposited Plan 167657 All Certificate of Title 101C/994.

CERTIFICATE OF NON-REVOCATION

I,	RHONDA	MARGOT	<u>GRAHAM</u>	of	Auckland,	Solicitor

HEDERV	CERTIFY:-
TEKED I	CERTIFI.

- THAT by Deed dated the 29th day of March 1995 (a copy of which Deed is deposited in the Land Transfer Office at Auckland under Number

 PAMELA FRANCES FENTON of Kerikeri, Married

 Woman appointed me her Attorney on the terms and subject to the conditions set out in the said Deed.
- 2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said **PAMELA FRANCES FENTON** or otherwise.

SIGNED at Auckland this 28 day of Twe 1996

CERTIFICATE OF NON-REVOCATION

I,	RHONDA	MARGOT	GRAHAM	of	Auckland,	Solicitor

HEREBY CERTIFY:-

- 1. THAT by Deed dated the 29th day of March 1995 (a copy of which Deed is deposited in the Land Transfer Office at Auckland under Number
-) BRUCE GORDON FENTON of Kerikeri, Company Director appointed me his Attorney on the terms and subject to the conditions set out in the said Deed.
- 2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said **BRUCE GORDON FENTON** or otherwise.

SIGNED at Auckland this 28 day of Two 1996

TOR

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PARTICULARS ENTERED IN REGISTER LAND REGISTRY NORTH MICKLAND

ASST. LAND REGISTRAR

1010 (2021 2)

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D587086.2 TE

TRANSFER Land Transfer Act 1952

If there is not enough space in any of the panels below, the two page form incorporating the Annexure Schedule should be used: no other format will be received. Approval 5 95/1003EF

Land Registration District

NORTH AUCKLAND			
Certificate of Title No. All or Part?	Area and legal description -	insert only when part or	Stratum, CT
101C 992 All			
Fransferor Surnames must be underline	d or in CAPITALS		
GOOD MOVE NZ PROPERTY	Y CO LIMITED		
Fransferee Sumames must be underline	od or in CAPITALS		
Bruce Gordon FENTON and Pa	amela Frances FENTO	N	
Estate or Interest or Easement to be co	reated: Insert e.g. Fee simple	; Leasehold in Lease No	; Right of way etc.
Easements of Right of Way and page 2 annexure schedule)	Right to Convey Elect	ricity and Telecomm	unications (contained on
Consideration			
\$1.00			
Operative Clause			
For the above consideration (receipt of transferor's estate and interest described above such is granted or created.			
Dated this 23 day of TE	edough appl	7	
Attestation		_	
· K	Signed in my presence by the Signature of Witness Witness to complete in BLO unless typewritten or legibly so the Cocupation Soleration Cocupation Cocupa	CK letters	
Certified correct for the purposes of the Certified that no conveyance duty is payable by virtue of Section (DELETE NAPPLICABLE CERTIFICATE)		a 1971.	Solicitor for the Transfere

REF:4130 /1

Annexure Schedule

TRANSFER	Dated 23/08/01	Page 2 of 3 Pages
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Continuation of Estate or Interest to be created

The Transferee shall have a right of way and right to convey electricity and telecommunications over that part of the land in Certificate of 101C/992 marked "Y" on Deposited Plan 180325 ("the specified area") being forever appurtenant to the land of the Transferee in Certificate of Title 101C/994.

The right of way easement shall be subject to the following terms, covenants, conditions or restrictions:

- (a) The cost of formation will be borne by the party requiring the right of way to be formed unless there is a clearly disproportionate benefit to the other party arising from such formation in which case that party will make a reasonable contribution to the costs of formation.
- (b) Should any dispute arise between the owners for the time being of the servient land and the owners for the time being of the dominant land relating to the right of way and its terms such dispute shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1996 and any amendment thereof and any other statutory provision then relating to arbitration.

The right to convey electricity and telecommunications is the full, free, uninterrupted and unrestricted right, liberty and privilege for the transferee to convey electric power and telecommunications above the surface of the specified area by means of cable on poles or under the surface of or through the soil of the specified area by means of cables at an appropriate depth below the surface of the soil in accordance with the requirements of the territorial authority, local body or agency having jurisdiction thereover and in order to construct or maintain the efficiency of any such cable or cables the full, free, uninterrupted and unrestricted right, liberty and privilege for the transferee and the transferees servants, tenants, agents and workmen with any tools, implements, machinery, vehicles or equipment of whatsoever nature necessary for the purpose to enter upon the specified area and to remain there for any reasonable time for the purpose of laying, installing, inspecting, repairing, maintaining and renewing such cable or cables or any part thereof and of opening up the soil of the land to such extent as may be necessary and reasonable in that regard provided that the transferee shall restore the surface of the land as nearly as practicable to its former condition.

The transferor and transferee hereby covenant and agree that if the registered proprietor of the land comprised in Certificate of Title 101C/992 ("the servient land") forms a roadway over the servient land which utilises the land marked "B" on Deposited Plan 167657 and an adjoining parallel strip of the servient land for the purposes of forming a wider roadway than the width of the land marked "B" on Deposited Plan 167657 then the registered proprietor of the land comprised in Certificate of Title 101C/994 ("the dominant land") is to be granted a right of way over that part of the

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Auckland District Law Society

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	Annexure Schedi	uie
TRANSFER	Dated 23/ 02/01	Page 3 of 3 Pages
any dispute arise between the own dominant land relating to the terms expert appointed by agreement bet of the Auckland District Law Society	ners for the time being of the servient is or extent of such right of way that dis etween the parties or, failing agreement,	arked "B" on Deposited Plan 167657. Should land and the owners for the time being of the spute shall be referred for determination to an appointed by the President for the time being thall be binding on all parties. This covenant in
If this Annexure Schedule is used a	as an expansion of an instrument, all si	igning parties and either their witnesses or their

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Land Transfer Act 1952





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TRANSFER

Land Transfer Act 1952

If there is not enough space in any of the panels below, cross-riference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District North Auckland		
Certificate of Title No. All	or Part? Area and legal d	leiription — Insert only when part or Stratum, CT
	All	when part or Stratum, CT
Transferor Surnames must be underl	ined	
BRUCE GORDON <u>FENTON</u> and	PAMELA FRANCES E	BON
Transferee Surnames must be under	lined	1
GOOD MOVE NZ PROPERTY O	O LIMITED	
Estate or Interest or Easement to be	created: Insert e.g. Fee s Right to Convey Electric	it: Leasehold in Lease No; Right of way etc. Id Telecommunications (contained on page 2 annexure
schedule)		(contained on page 2 annexure
Consideration		
\$1.00		
' i	:	
Operative Clause	<u> </u>	
	ot of which is acknowled: cribed above in the landl	e TRANSFEROR TRANSFERS to the TRANSFEREE all the bove Certificate(s) of Title and if an easement is described
Dated this 21 day of	Decelor and	
Attestation		
3 Land PJ Ferdon	Signed in my presence Signature of Witness Witness to complete K (unless typewritten of the complete of the co	letters
Signature, or common seal of Transferor	Witness name Occupation S DLICIT Address A JCKL/	НАМ
Certified correct for the purposes of	the Land Transfer Act	T WAR

TRANSFER

Land Transfer Act 1952



Law Firm Acting

MORGAN COAKLE BARRISTERS & SOLICITORS P.O. BOX 114, AUCKLAND

Auckland District Law Society REF: 4135 LINZ COPY

Annexure Schedule

	TRANSFER Dated Page of Pages
<u> </u>	ntinuation of Estate or Interest to be created
in	e Transferee shall have a right of way and right to convey electricity and telecommunications over that part of the land Certificate of 101C/994 marked "Z" on Deposited Plan 180325 ("the specified area") being forever appurtenant to the d of the Transferee in Certificate of Title 101C/993.
I TI	e right of way easement shall be subject to the following terms, covenants, conditions or restrictions:
(a 	The registered proprietor of the dominant tenement shall be solely responsible for the formation and maintenance of any driveway over the specified area.
primary or	a right to convey electricity and telecommunications is the full, free, uninterrupted and unrestricted right, liberty and dilege for the transferee to convey electric power and telecommunications above the surface of the specified area by ans of cable on poles or under the surface of or through the soil of the specified area by means of cables at an oropriate depth below the surface of the soil in accordance with the requirements of the territorial authority, local body agency having jurisdiction thereover and in order to construct or maintain the efficiency of any such cable or cables full, free, uninterrupted and unrestricted right, liberty and privilege for the transferee and the transferces servants, ands, agents and workmen with any tools, implements, machinery, vehicles or equipment of whatsoever nature bessary for the purpose to enter upon the specified area and to remain there for any reasonable time for the purpose aying, installing, inspecting, repairing, maintaining and renewing such cable or cables or any part thereof and of aning up the soil of the land to such extent as may be necessary and reasonable in that regard proviced that the insferee shall restore the surface of the land as nearly as practicable to its former condition. It transferor covenants with the transferee that should the specified area and the land "J", "D" and "C" on Deposited in 167657 be required for the purpose of vesting that land as a public road then the transferor will consent to that thing or sell the said land to the local authority for the purpose of public road without payment of any consideration, is covenant is intended to run with the servient land for the benefit of the dominant land.
	is Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their citors must put their signatures or initials here.

CONSENT OF MORTGAGEE

THE NATIONAL BANK OF NEW ZEALAND LIMITED hereby consents to the creation of the easements set out in the attached Memorandum of Transfer. This Consent is without prejudice to the Banks rights and remedies pursuant to mortgage C890797.1.

DATED at 28 DEC 2000 this	day of	2000
SIGNED by NATIONAL BANK OF NEW ZEALAND LIMITED by its Attorney	CHERYL KATHERINE SEGEDIN	
in presence of:) /	
Witness Signature : Witness Name: Witness Occupation: ANIL SURESH BANK OFFICE Witness Address: AUCKLAND		



CHERYL KATHERINE SEGEDIN Manager Lending Services of Auckland in New Zealand HEREBY CERTIFY:

1. THAT by Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland Blenheim	as No as No	D.016180	Hokitika	as No	105147
		186002	Invercargill	as No	242542.1
Christchurch	as No	A.256503.1	Napier	as No	644654.1
Dunedin	as No	911369	Nelson	as No	359781
Gisborne	as No	G.210991	New Plymouth	as No	433509
Hamilton	as No	B.355185	Wellington	as No	B.530013

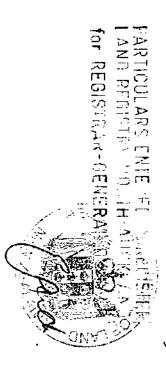
The National Bank of New Zealand Limited (the "Bank") appointed me its Attorney with the powers and authorities specified in that Deed.

- 2. THAT at the date of this Certificate, I am the Manager Lending Services. Auckland Regional Support Centre of the Bank.
- 3. **THAT** at the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the Bank or otherwise.

DATED at Auckland this

20

11.04 14.MARUI D 587086.3





EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

*/We BRUCE GORDON FENTON and PAMELA FRANCES FENTON

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the day of under No. 210733 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO. 210733

DEPOSITED PLAN NO. Servient Tenement			210/33	
Nature of Easement (e.g., Right of Way, etc.)	Lot No.(s) Colour, or Other Nor other of Identification, or Legal Description Subject to Easen		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
Right of Way,) Power,) Telephone,) Right to Convey) Water)	Lot 2	"A", "B", "C", "D" and "F"	Lot 1	138C/238
Power and) Right to Convey) Water)	Lot 2	"J"	Lot 1	138C/239
ă.				
			,	

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

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Rights and Powers:

1 Interpretation

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- 1.1 The term "specified area" in relation to any easement referred to in the Schedule shall mean that portion of the servient tenement which is identified in the Schedule as being subject to the easement in question.
- 1.2 Each of the easements referred to in the Schedule shall be forever appurtenant to the dominant tenement.

2 Right of Way

2.1 The following rights and powers shall apply to each Right of Way Easement referred to herein:

The full free uninterrupted and unrestricted right, liberty and privilege for the Grantee, the Grantee's servants, tenants, agents, workmen, licensees and invitees (in common with the Grantor, the Grantor's tenants and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass with or without horses and domestic animals of any kind and with or without carriages, vehicles, motor vehicles, machinery and implements of any kind over and along the specified area.

3 Power

3.1 The following rights and powers shall apply to each Power Easement referred to herein:

The full, free, uninterrupted and unrestricted right, liberty and privilege for the Grantee and the Grantee's tenants (in common with the Grantor, the Grantor's tenants and any other person lawfully entitled so to do) to convey electric power across the specified area and for that purpose to lay, place and maintain electricity cables under the surface of the specified area and in order to construct, or maintain the efficiency of, any such cable or cables the full, free, uninterrupted and unrestricted right, liberty and privilege for the Grantee and the Grantee's servants, tenants, agents and workmen with any tools, implements,

machinery, vehicles or equipment of whatsoever nature necessary for the purpose to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, installing, inspecting, repairing, maintaining and renewing such cable or cables or any part thereof and of opening up the soil of the land to such extent as may be necessary and reasonable in that regard.

4 Telephone

4.1 The following rights and power shall apply to each Telephone Easement referred to herein:

The full, free, uninterrupted and unrestricted right, liberty and privilege for the Grantee and the Grantee's tenants (in common with the Grantor, the Grantor's tenants and any other person lawfully entitled so to do) to convey telephone, telecommunications, television cables and similar services across the specified area and for that purpose to lay, place and maintain telephone and/or television cables under the surface of the specified area and in order to construct, or maintain the efficiency of, any such cable or cables the full, free, uninterrupted and unrestricted right, liberty and privilege for the Grantee and the Grantee's servants, tenants, agents and workmen with any tools, implements, machinery, vehicles or equipment of whatsoever nature necessary for the purpose to enter upon the servient tenement and to remain there for any reasonable time for the purpose of laying, installing, inspecting, repairing, maintaining and renewing such cable or cables or any part thereof and of opening up the soil of the land to such extent as may be necessary and reasonable in that regard.

5 Right to Convey Water

5.1 The following rights and powers shall apply to each Right to Convey Water Easement referred to herein:

The full, free uninterrupted and unrestricted right, liberty and privilege for the Grantee and the Grantee's tenants (in common with the Grantor, the Grantor's tenants, and any other person lawfully entitled so to do) from time to time and at all times to take, convey, and lead water in a free and unimpeded flow (except where the flow is halted for any reasonable period necessary for essential repairs) and in any quantity, consistent with the rights of other persons having

the same or similar rights, from the source of supply or point of entry, as the case may be, under the land within the specified area.

6 Additional Rights

- 6.1 The additional rights set out in paragraph 5 of the Seventh Schedule of the Land Transfer Act 1952 shall apply to all of the easements set out in the Schedule of this Easement Certificate with any appropriate modifications.
- 6.2 The rights implied in right of way easements as contained in the Ninth Schedule to the Property Law Act 1952.
- Il Terms, conditions, covenants or restrictions in respect of any of the above easements:
- 1.1 All of the easements set out in the Schedule on page one of this Easement Certificate save the Right of Way easements shall be subject to the following terms, conditions, covenants or restrictions:
 - (a) All pipes, cables, wires, conduits or other means of conveying a service must be installed underground at an appropriate depth beneath the surface of the land.
 - (b) The Grantee shall in exercising the Grantee's rights in relation to each of the easements:
 - give the Grantor wherever practicable a minimum of seven (7) days notice of the Grantee's intention to exercise its rights hereunder
 - take all reasonable steps to minimise disturbance to the Grantor;
 and

- (iii) cause as little disturbance as is reasonably practicable to the surface of the Grantor's land; and
- (iv) restore the surface of the Grantor's land as nearly as practicable to its original condition and repair any other damage caused in the exercise of the Grantee's rights in relation to any of the easements.
- 1.2 The Right of Way easements shall be subject to the following terms, covenants, conditions or restrictions:
 - (a) The Grantor and the Grantee shall each ensure that the specified areas are kept clear at all times and are not used for parking.
 - (b) The rights implied in right of way easements as contained in the Ninth Schedule to the Property Law Act.

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

Dated this	5.4	day of	Jaces	الورا	2 501	
Signed by the abo BRUCE GORDON and PAMELA F FENTON	FENTON			Z =	Sent	
in the presence of Witness Occupation Address	- PHONE	MA M-GRAH TOR AND	IAM	1)J Je	nton

Correct for the purposes of the Land Transfer Act 1952
(Solicitor for) the registered proprietor:

EASEMENT CERTIFICATE

Land Transfer Act 1952

Law Firm Acting

MORGAN COAKLE BARRISTERS & SOLICITORS P.O. BOX 114, AUCKLAND

Auckland District Law Society

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TRANSFER Land Transfer Act 1952

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If there is not enough space in any of the panels below, the two page form incorporating the Annexure Schedule should be used: no other format will be received.

Land Registration District		_ _	DOCID: 3104/1808
North Auckland			
Certificate of Title No.	All or Part? Area and le	egal description — Insert on	ly when part or Stratum, CT
138C/238	All		
Fransferor Surnames must t	ne underlined		
Bruce Gordon <u>FENTON</u>	and Pamela Frances <u>FEN</u>	TON	
Transferee Surnames must l	be <u>underlined</u>		
JOHN DEREK SKINN	ER and LESLEY FORBES	S <u>SKINNER</u>	
Estate or Interest or Easeme	nt to be created: Insert e.g.	Fee simple; Leasehold in L	ease No; Right of way etc.
Fee simple and the tran	sferee shall be bound by a	land covenant (continued	on annexure schedule)
Consideration			
\$1,000,000.00			
Operative Clause			
For the above consideration transferor's estate and integranted or created.	on (receipt of which is ackno erest in the land in the abov	wledged) the TRANSFERO re Certificate(s) of Title and	R TRANSFERS to the TRANSFEREE all the I if an easement is described above such is
Dated this 6 c	lay of June DE	75X	
Attestation			
3 Lendon	Signature of With	sence by the Transferor less ete in BLOCK letters en or legibly stamped) RHONDA M GRAHAI SOLICITOR AUCKLAND	м
Signature, or common seal of T			

Certified correct for the purposes of the Land Transfer Act 1952

REF: 4130

Solicitor for the Transferee X0205766.GRA/bb.v1

TRANSFER

Land Transfer Act 1952

Law Firm Acting

Auckland District Law Society REF: 4130

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Annexure Schedule

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Dated

6 June 2002

Page

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Pages

Continuation of Estate or Interest or Easement to be Created

It is the Transferor's intention to create for the benefit of the land comprised in Certificate of Title 138C/239 ("the Dominant Land") the land covenant set out in Schedule A over the transferred land contained in Certificate of Title 138C/238 ("the Servient Land") to the intent that the owners and occupiers for the time being of the Servient Land shall be bound by the stipulations and restrictions set out in Schedule A and that the owners and occupiers for the time being of the Dominant Land may enforce the observance of such stipulations against the owners for the time being of the Servient Land and so as to bind the Servient Land and for the benefit of the Dominant Land the Transferee hereby covenants and agrees in the manner set out in Schedule A so that the covenants run with the Servient Land for the benefit of the Dominant Land.

Schedule A

- Notwithstanding the terms contained in Deed of Land Covenant D 088754.3 the Transferor and Transferoe agree that the water use allocated to the Servient Land shall be restricted in quantity to a maximum of 5,000 litres per 24 hour period (as measured by restrictor valve and meter to be installed and maintained by the registered proprietor of the Dominant Land) or such lesser daily quantity as may be agreed taking into account the management of the lake comprised within Lot 4 DP 167657 in adverse conditions such as drought.
- Ownership of the pumphouse and power supply installed by the Transferor on Lot 4 on DP 167657 pursuant to paragraph F of the Deed of Land Covenant D 088754.3 is vested in the registered proprietor of the Dominant Land. The registered proprietor of the Servient Land may not at any time erect or permit to be erected on Lot 4 on DP 167657 any pumphouse or jetty of its own. The registered proprietor of the Servient Land is entitled to the use of the pumphouse belonging to the registered proprietor of the Dominant Land ("the Pumphouse"). All costs associated with the Pumphouse including maintenance, repair (including cost of replacement as necessary) and running costs (including power) will be bome by the registered proprietors of the Dominant and Servient Land in the same proportions as their use of the water pumped via the Pumphouse.

SIGNED in my presence by the Transferee

JOHN DEREK SKINNER and LESLEY FORBES SKINNER

in the presence of:

Name:

RICHARD G A PALMER

Address:

SOLICITOR

Occupation:

KERIKERI

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

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TRANSFER Land Transfer Act 1952

If there is not enough space in any of the panels below, the two page form incorporating the Annexure Schedule should be used: no other format will be received. Approval 5 95/1003EF

Land Registration District

NORTH AUCKLAND			
Certificate of Title No. All or Part?	Area and legal description -	Insert only when part or	Stratum, CT
101C 992 All			
Fransferor Surnames must be underline	d or in CAPITALS		
GOOD MOVE NZ PROPERTY	Y CO LIMITED		
Fransferee Sumames must be underline	od or in CAPITALS		
Bruce Gordon FENTON and Pa	amela Frances FENTO	N	
Estate or Interest or Easement to be co	reated: Insert e.g. Fee simple	; Leasehold in Lease No	; Right of way etc.
Easements of Right of Way and page 2 annexure schedule)	Right to Convey Elect	ricity and Telecomm	unications (contained on
Consideration			
\$1.00			
Operative Clause			
For the above consideration (receipt of transferor's estate and interest described above such is granted or created.			
Dated this 23 day of TE	edough appl	7	
Attestation		_	
· K	Signed in my presence by the Signature of Witness Witness to complete in BLO unless typewritten or legibly so the Cocupation Soleration Cocupation Cocupa	CK letters	
Certified correct for the purposes of the Certified that no conveyance duty is payable by virtue of Section (DELETE NAPPLICABLE CERTIFICATE)		a 1971.	Solicitor for the Transfere

REF:4130 /1

Annexure Schedule

TRANSFER	Dated 25/08/01	Page 2 of 3 Pages
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Continuation of Estate or Interest to be created

The Transferee shall have a right of way and right to convey electricity and telecommunications over that part of the land in Certificate of 101C/992 marked "Y" on Deposited Plan 180325 ("the specified area") being forever appurtenant to the land of the Transferee in Certificate of Title 101C/994.

The right of way easement shall be subject to the following terms, covenants, conditions or restrictions:

- (a) The cost of formation will be borne by the party requiring the right of way to be formed unless there is a clearly disproportionate benefit to the other party arising from such formation in which case that party will make a reasonable contribution to the costs of formation.
- (b) Should any dispute arise between the owners for the time being of the servient land and the owners for the time being of the dominant land relating to the right of way and its terms such dispute shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1996 and any amendment thereof and any other statutory provision then relating to arbitration.

The right to convey electricity and telecommunications is the full, free, uninterrupted and unrestricted right, liberty and privilege for the transferee to convey electric power and telecommunications above the surface of the specified area by means of cable on poles or under the surface of or through the soil of the specified area by means of cables at an appropriate depth below the surface of the soil in accordance with the requirements of the territorial authority, local body or agency having jurisdiction thereover and in order to construct or maintain the efficiency of any such cable or cables the full, free, uninterrupted and unrestricted right, liberty and privilege for the transferee and the transferees servants, tenants, agents and workmen with any tools, implements, machinery, vehicles or equipment of whatsoever nature necessary for the purpose to enter upon the specified area and to remain there for any reasonable time for the purpose of laying, installing, inspecting, repairing, maintaining and renewing such cable or cables or any part thereof and of opening up the soil of the land to such extent as may be necessary and reasonable in that regard provided that the transferee shall restore the surface of the land as nearly as practicable to its former condition.

The transferor and transferee hereby covenant and agree that if the registered proprietor of the land comprised in Certificate of Title 101C/992 ("the servient land") forms a roadway over the servient land which utilises the land marked "B" on Deposited Plan 167657 and an adjoining parallel strip of the servient land for the purposes of forming a wider roadway than the width of the land marked "B" on Deposited Plan 167657 then the registered proprietor of the land comprised in Certificate of Title 101C/994 ("the dominant land") is to be granted a right of way over that part of the

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Auckland District Law Society

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	Annexure Schedule			
TRANSFER	Dated 23/ 02/0(Page 3 of 3 Pages		
servient land which is formed as roadway in conjunction with the land marked "B" on Deposited Plan 167657. Should any dispute arise between the owners for the time being of the servient land and the owners for the time being of the dominant land relating to the terms or extent of such right of way that dispute shall be referred for determination to an expert appointed by agreement between the parties or, failing agreement, appointed by the President for the time being of the Auckland District Law Society and the determination of the expert shall be binding on all parties. This covenant in intended to run with the servient land for the benefit of the dominant land.				
		·		
, 				
If this Annexure Schedule is used as solicitors must put their signatures or	s an expansion of an instrument, all signing g	parties and either their witnesses or their		

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Land Transfer Act 1952





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Top Energy Limited

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

3 April 2025

Natalie Watson Williams & King PO Box 937 KERIKERI 0230

Email: nat@saps.co.nz

To Whom It May Concern:

RE: PROPOSED SUBDIVISION
Sarah Lowndes – Kerikeri Inlet Road, Kerikeri. Lot 2 DP 442820.

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

Top Energy's requirement for this subdivision is nil.

Top Energy advises that there is an existing overhead power supply crossing lot 3 which is privately & collectively owned by those connected to it. Top Energy recommends the creation of a private reciprocal easement for this overhead line over proposed lot 3.

Costs to supply power to these sites could be provided after application and an on-site survey have been completed. Link to application: <u>Top Energy | Top Energy</u>

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

Yours sincerely

Aaron Birt

Planning and Design

T: 09 407 0685

E: aaron.birt@topenergy.co.nz

Natalie Watson

From: James Robinson < jrobinson@heritage.org.nz>

Sent: Wednesday, 16 April 2025 10:10 AM

To: Natalie Watson

Cc: Stuart Bracey; Lisa Ahn; Bill Edwards

Subject: RE: Proposed subdivision for Nags Head Horse Hotel Ltd - Kerikeri Inlet Road, Kerikeri

Morena Natalie

As long as te recommendations of the Carpenter archaeological assessment are followed then Heritage New Zealand Pouhere Taonga does not have any issues with the development.

Kia ora mai ra

James Robinson

Dr James Robinson|Senior Archaeologist Northland | Heritage New Zealand Pouhere Taonga | PO Box 836, 21 Hobson Ave, Kerikeri 0245 | Ph: 0272490864 www.heritage.org.nz

Tairangahia a tua whakarere; Tātakihia ngā reanga o āmuri ake nei | Honouring the past; Inspiring the future

This communication may be a privileged communication. If you are not the intended recipient, then you are not authorised to retain, copy or distribute it. Please notify the sender and delete the message in its entirety.

From: Natalie Watson <nat@saps.co.nz> Sent: Friday, 11 April 2025 3:41 pm

To: Bill Edwards <BEdwards@heritage.org.nz>

Cc: James Robinson irobinson@heritage.org.nz>; Stuart Bracey <SBracey@heritage.org.nz>; Lisa Ahn

<LAhn@heritage.org.nz>

Subject: Re: Proposed subdivision for Nags Head Horse Hotel Ltd - Kerikeri Inlet Road, Kerikeri

Hi Bill.

I'm getting in touch to let you know that it is intended to lodge this application with FNDC next week. No doubt Council will contact Heritage NZ as an interested party, or via limited notification, but if you would like to discuss any aspect directly with me or the project archaeologist, feel free to reach out. I also understand that the authority application has either been lodged, or will be shortly.

Have a great weekend.

Kind regards, Natalie

From: Bill Edwards

Sent: Tuesday, April 1, 2025 1:45 PM

Please find attached an archaeological assessment and scheme plan relating to a proposed subdivision of Lot 2 DP 442820 at Kerikeri Inlet Road. The assessment recommends an archaeological authority be applied for, which Geometria will be applying for. I understand that they have attempted to engage with tangata whenu for this, but last I heard have not had a response.

Could you please let me know if Heritage NZ has any comments to make in terms of the resource consent application?

Note that the District Plan rules for subdivision in the zone require limited notification at a minimum, so you may hear from Council directly as well.

And of course, your consideration of the authority application will be required, once it is lodged.

Please let me know if you have any queries.

Kind regards, Natalie Watson

WILLIAMS & KING

P +64 9 407 6030

27 Hobson Ave

P.O. Box 937, Kerikeri 0230, NZ

http://www.saps.co.nz

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