

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 [Form 9](#)). 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 Resource Consent representative to discuss this application prior to lodgement?

Yes No

If yes, who have you spoken with?

2. Type of consent being applied for

(more than one circle can be ticked):

Land Use

Discharge

Fast Track Land Use*

Change of Consent Notice (s.221(3))

Subdivision

Extension of time (s.125)

Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil)

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 the fast track process?

Yes No

4. Consultation

Have you consulted with iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council, tehonosupport@fndc.govt.nz

5. Applicant details

Name/s:

Catherine Bew

Email:

Phone number:

Postal address:

(or alternative method of service under section 352 of the act)

Have you been the subject of abatement notices, enforcement orders, infringement notices and/or convictions under the Resource Management Act 1991? Yes No

If yes, please provide details.

6. Address for correspondence

Name and address for service 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 be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.

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7. Details of property owner/s and occupier/s

Name and Address of the owner/occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s:

Catherine Bew & Michael Barickman

Property address/
location:

As per applicant details.

Postcode

8. Application site details

Location and/or property street address of the proposed activity:

Name/s:

Site address/
location:

 Postcode

Legal description:

Val Number:

Certificate of title:

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? Yes No

Is there a dog on the property? Yes No

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. This is important to avoid a wasted trip and having to re-arrange a second visit.

9. Description of the proposal

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the *District Plan, and Guidance Notes*, for further details of information requirements.

If this is an application for a Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s), with reasons 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

Regional Council Consent (ref # if known)

National Environmental Standard Consent

Other (please specify)

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

Disturbing, removing or sampling soil

Changing the use of a piece of land

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

14. Draft conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision? Yes No

If yes, please be advised that the timeframe will be suspended for 5 working days as per s107G of the RMA to enable consideration for the draft conditions.

15. 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)

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.

15. Billing details continued...

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)

Catherine Jane Bew . . .

Signature:

(signature of bill payer)

16. 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.fnfdc.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.

17. Declaration

The information I have supplied with this application is true and complete to the best of my knowledge.

Name (please write in full)

Catherine Jane Bew . . .

Signature

See overleaf for a checklist of your information...

Checklist

Please tick if information is provided

- Payment (cheques payable to Far North District Council)
- A current Certificate of Title (Search Copy not more than 6 months old)
- Details of your consultation with Iwi and hapū
- Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- Applicant / Agent / Property Owner / Bill Payer details provided
- Location of property and description of proposal
- Assessment of Environmental Effects
- Written Approvals / correspondence from consulted parties
- Reports from technical experts (if required)
- Copies of other relevant consents associated with this application
- Location and Site plans (land use) AND/OR
- Location and Scheme Plan (subdivision)
- Elevations / Floor plans
- Topographical / contour plans

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

Catherine Bew

Proposed Subdivision

81 Waihuka Road, Omapere

Williams & King, Kerikeri¹

February 27, 26



¹ Williams & King - a Division of Survey & Planning Solutions (2010) Ltd
Surveyors, Planners, Resource Managers - Kerikeri and Kaitia
PO Box 937 Kerikeri Phone (09) 407 6030 Email: nat@saps.co.nz

1.0 Background & Overview

Catherine Bew is seeking consent for subdivision of land with Rural Production zoning under the Far North Operative District Plan.

The subdivision proposes intensification through the creation of two additional rural residential sites, one of which is already developed for rural residential use. An area of land adjacent to Omapere Stream is proposed to be vested as Esplanade Reserve.

The application site was created by a previous boundary adjustment, which has meant that the “one-off” restricted discretionary activity subdivision options, which would otherwise be met, are not available to due to the subject site’s Record of Title post-dating 28 April 2000. The application has therefore been assessed as being a non-complying activity overall under the Far North Operative District Plan.

The application site is also zoned Rural Production in the Proposed District Plan. There are no relevant rules with legal effect at this time.

Property access to the lots from Waihuka Road is provided via existing concrete entrances and unsealed accessway. Creation of easements shown in the Memorandum of Easements will be a condition of the subdivision consent, with these following the existing private access formation.

The application is supported by a Subdivision Suitability Report prepared by RS Eng Ltd. This was written in relation to an earlier subdivision proposal, which was subsequently withdrawn.² However, the recommendations made remain valid for this revised proposal, including the likely building site on Lot 2 and a possible building site on Lot 3.

This assessment accompanies the Resource Consent application made by the Applicant and is provided in accordance with Schedule 4 of the RMA. It is intended to provide the necessary information, in sufficient detail, to provide an understanding of the proposal and any actual or potential effects the proposed activity may have on the environment.

2.0 Description of Proposal

2.1 Proposed Subdivision

The proposed subdivision is depicted on the Scheme Plan in **Appendix 1** and **Figure 1**. All areas and dimensions are subject to final survey, although the survey plan will be in general accordance with the proposed Scheme Plan.

The subdivision creates Lots 1 – 4 as indicated in **Table 1**, which indicates the size and purpose of each proposed lot.

Lot Number	Purpose	Area (Subject to Survey)
1	Existing Dwelling.	6650m ²
2	Vacant rural residential site. Unconsented buildings removed.	7,800m ²
3	Rural Site with small existing equestrian corral, fencing and access.	14.38ha
4	Esplanade Reserve to Vest in FNDC. Minimum 10m in width to match adjoining Esplanade Reserve.	1,050m ²

Table 1: Summary of Proposed Subdivision

² RC 2230039-RMASUB, with drawn on 4 April 2024.

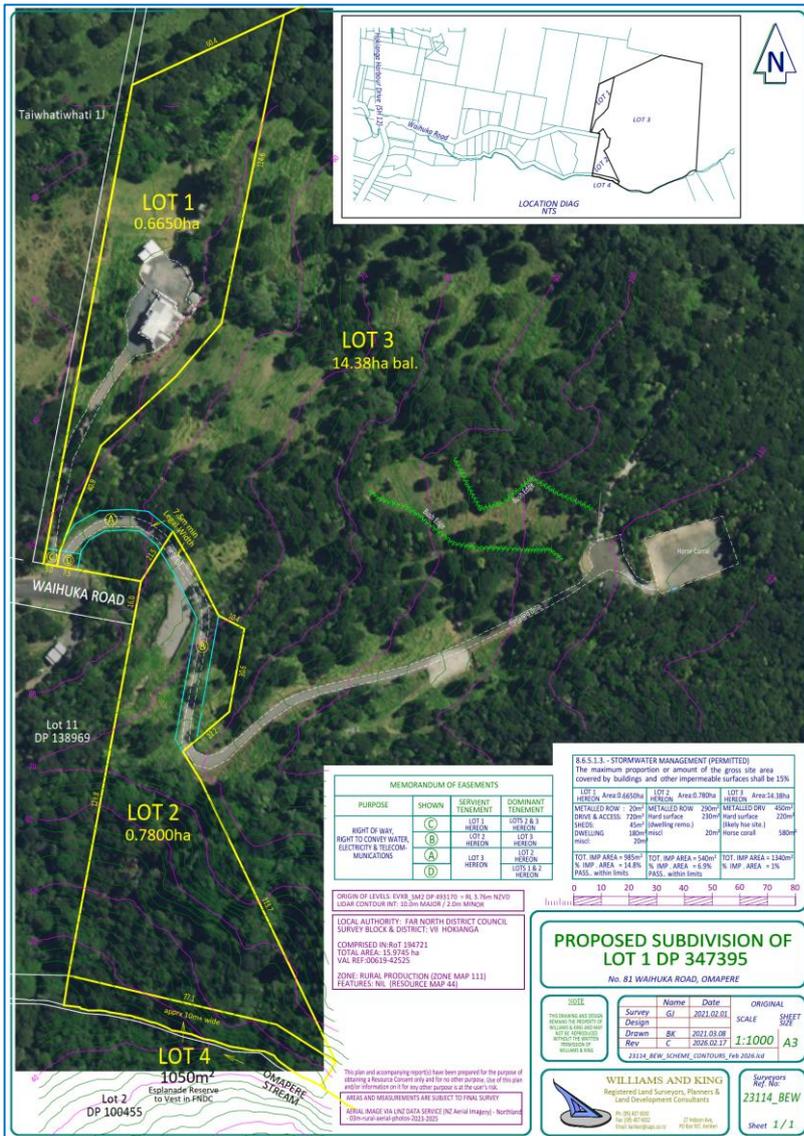


Figure 1: Scheme Plan

2.2 Subdivision Suitability Report

A Subdivision Suitability Report is submitted as part of the application. This has been prepared by RS Eng Ltd, and is dated 23 June 2022. Refer to **Appendix 2**. The report is based on an earlier subdivision design, as per RC 2230039 (withdrawn). There is no change to the building area on Lot 2 and Lot 3 can retain the same indicative building site within a larger area of land. Shared vehicle access to Lots 2 and 3 is unchanged physically, however, in terms of the subdivision requirements, only requires confirmation of suitable formation over easements A and B. Lot 1 retains the existing dwelling in a reduced area of land.

2.3 Legal & Physical Access

Property access to the lots from Waihuka Road is already formed by way of concreted vehicle crossings and unsealed driveway. From the property entrance off the eastern / cul de sac end of Waihuka Road, a driveway heads north to provide access to the existing dwelling on Lot 1 and veers towards the south and east to provide access to Lots 2 and 3, as far as the equestrian corral located on the higher elevation of Lot 3.

2.4 Memorandum of Easements

The proposed memorandum of easements on the Scheme Plan shows:

- Reciprocal easements, also benefitting Lot 2, over the combined crossing area beyond the boundary of Waihuka Road as areas C and D over Lots 1 and 3 respectively.
- Easement A over Lot 3 covering the first section of driveway formation used by Lots 2 and 3.
- Easement B over Lot 2 covering a subsequent section of driveway used by Lots 2 and 3.

The above easements are for the purpose of Right of Way and the Right to Convey Water, Electricity, and Telecommunications.

2.5 Proposed Esplanade Reserve

The area of the site to the north of Omapere Stream is a steep slope in indigenous vegetation. With the steepness of the land contour, this area is not easily accessible for recreational use, with the grade being in the vicinity of 1:2.5. The steepness of the slope adjacent to Omapere Stream also makes surveying the width of the stream difficult and no survey data on the width of the Stream in this location is apparent. Nevertheless, to match the adjacent esplanade reserve to the west (Lot 12 DP 138969), Lot 4 is proposed as an Esplanade Reserve to Vest with a minimum width of 10m.

2.6 Existing Conservation Covenant

An existing conservation covenant pursuant to Section 77 of the Reserves Act 1977 applies to 12.0745ha of the subject site. Resultantly, the property has had a portion of its rates postponed under Far North District Council Policy P04/01 – Postponement for Natural, Cultural or Conservation (see **Appendix 3**). The conservation covenant is an agreement between the property owner and the Council and compels the landowner to not cut down, damage or destroy living indigenous vegetation (except for maintenance of walking tracks, roadways or pest control tracks), prevent intrusion of grazing stock into indigenous vegetation, not keep or introduce carnivorous or omnivorous animals which have the potential to be kiwi predators, not introduce pest plants or other exotic vegetation that could adversely affect the indigenous vegetation, and carry out predator / pest control work in a manner which will not endanger kiwi or other indigenous fauna and flora.

The conservation covenant was ratified in October 2011 and has a duration of ten years – the covenant states that *“it is understood that it is the intention of the parties to renew this covenant every ten years on the anniversary of its initial signing”*. It is the intention of the applicant to continue with the covenant for the time being; however, it is expected that a new agreement will be required to reflect the new boundaries and Records of Titles created by the proposed subdivision. Alternatively, it is proposed that the existing protection of ecological values afforded by the existing conservation covenant will become permanent (subject to one revision relating to the keeping of dogs), through consent notice condition, as discussed subsequently in Section 5.13 of this Report.

2.7 Earthworks

As vehicle access is already formed to the boundary of each lot, no further work is necessary to complete the subdivision.

2.8 Wastewater and Stormwater

Council sewer reticulation in Omapere does not extend to the end of Waihuka Road to service the property.

Lot 1 has an existing on site wastewater system, which is well documented within the Council's Property File documentation for BC-2019-415-1. This shows that there is an existing biorock sewerage treatment

plant (providing secondary treatment) installed immediately to the east of the carport on the eastern side of the dwelling, this discharges to dripper lines located to the west of the building. Refer to **Figures 2 and 3**. A setback exceeding 1.5m around the treatment plant can be retained, and the disposal area is located away from the proposed boundary, and is unaffected. Lot 1 will retain sufficient reserve disposal area; this having been assessed as requiring 64m² of land in the TP58 provided for BC-2019-415-1.

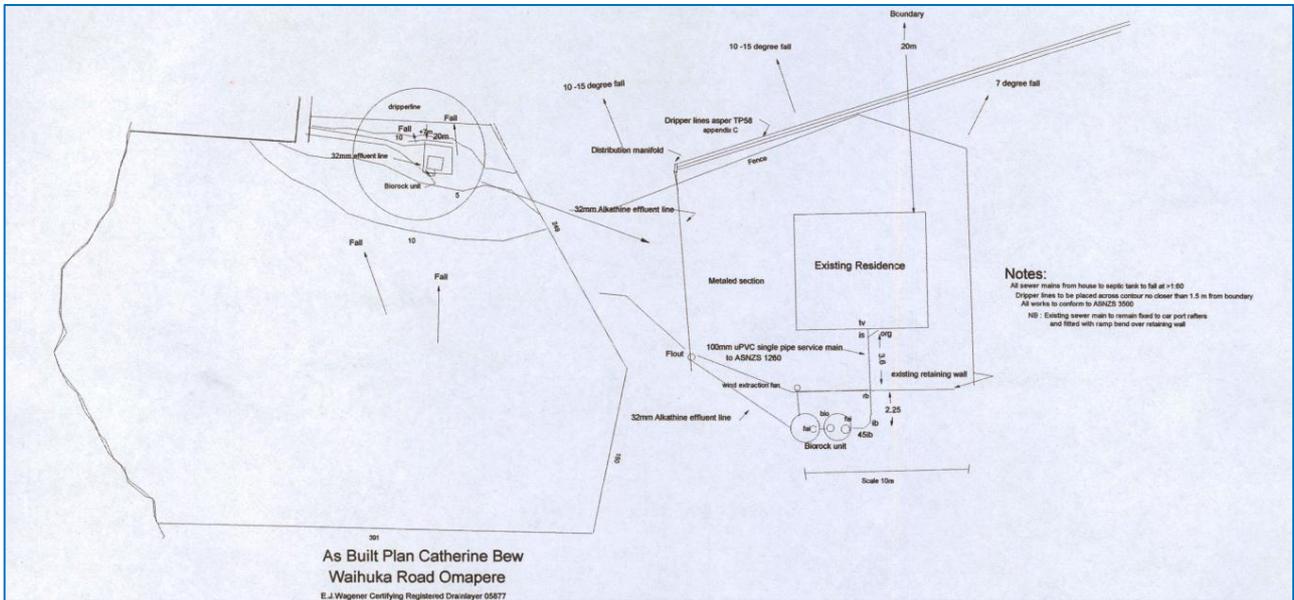


Figure 2: As built plan of Onsite Wastewater Treatment and Disposal Area (Source: FNDC Property File, BC-2019-415-1 Plans).



Figure 3: Photographs of Installed Onsite Wastewater Treatment Plant (Source: FNDC Property File, IBC-2019-415-0 241 and 245 Drains and Septic 20190114).

Onsite treatment and disposal of wastewater is feasible on Lots 2 and 3 in accordance with permitted activity standards of the Regional Plan, as described in the Subdivision Suitability Report. This recommends the use of a secondary treatment system loading surface pressure compensating drip irrigation line, which will be suitable in terms of its lower application rates and ability to be laid on sloping ground. The typical consent notice condition is therefore proposed for Lots 2 and 3, requiring specific design for onsite wastewater treatment and disposal to be provided in conjunction with any building consent application for a building which generates wastewater.

Stormwater management is also addressed in the Subdivision Suitability Report, which makes the following recommendations:

- *Uncontrolled stormwater discharge can cause erosion and/or activate slope instability. To suitably discharge stormwater, RS Eng recommends that stormwater is collected from all paved and roof surfaces and discharged in a controlled manner.*
- *Lot 3 may discharge to the overland flow path located in the southern area of the property. (Note that this area will now be within the Lot 3 boundary) The outlet should disperse stormwater in a controlled manner to eliminate erosion and /or scouring (i.e., rip rap, dispersal trench, or similar).*
- *Given that there is no suitable means for on-site disposal of stormwater for Lot 2, RS Eng recommends that provisions are made to provide a stormwater connection to the stormwater system at the existing RoW.*
- *Given the known flooding issues of the lower catchment including Omapere Stream, RS Eng recommend that all impervious areas be attenuated to predevelopment levels for the 10 and 100-year storm events. A suitable design should be completed at Building Consent Stage.*

A consent notice condition applicable to Lots 2 and 3 is therefore proposed, which will require final design of stormwater management at building consent stage, including details of the stormwater discharge from Lot 3 to avoid scour and erosion and details of the attenuation to predevelopment levels for the 10 and 100-year storm events.

2.9 Consent Period

The standard consent period of five years is sought.

3.0 Application Site Details and Description

3.1 Legal Details

Details of the application site are provided in **Table 2**, below. The Record of Title is attached in **Appendix 4**.

Record of Title Identifier	194721
Legal Description	Lot 1 DP 347395
Area	15.9745 hectares more or less
Registered Owner	Catherine Jane Bew
Interests / Encumbrances	9370025.5 Conservation Covenant Pursuant to Section 77 Reserves Act 1977 (Limited as to Duration) - Refer to Appendix 3 . 9370025.6 Statutory Land Charge Pursuant to Section 87 Local Government (Rating) Act 2002 - Relates to rates postponement for conservation covenant.

Table 2: Summary of Record of Title

3.2 Location

The application site is located at 81 Waihuka Road, in Omapere. The property is located at the eastern end of Waihuka Road (with access off the cul-de-sac at Waihuka Road's termination) and occupies generally well elevated land on the hill slope to the east of the coastal settlement of Omapere, overlooking Hokianga Harbour. Omapere Stream forms the southern boundary of the site. Refer to the Location and Cadastral Maps in **Figures 4 and 5**, below.



Figure 4: Location Map (Source: QuickMap)

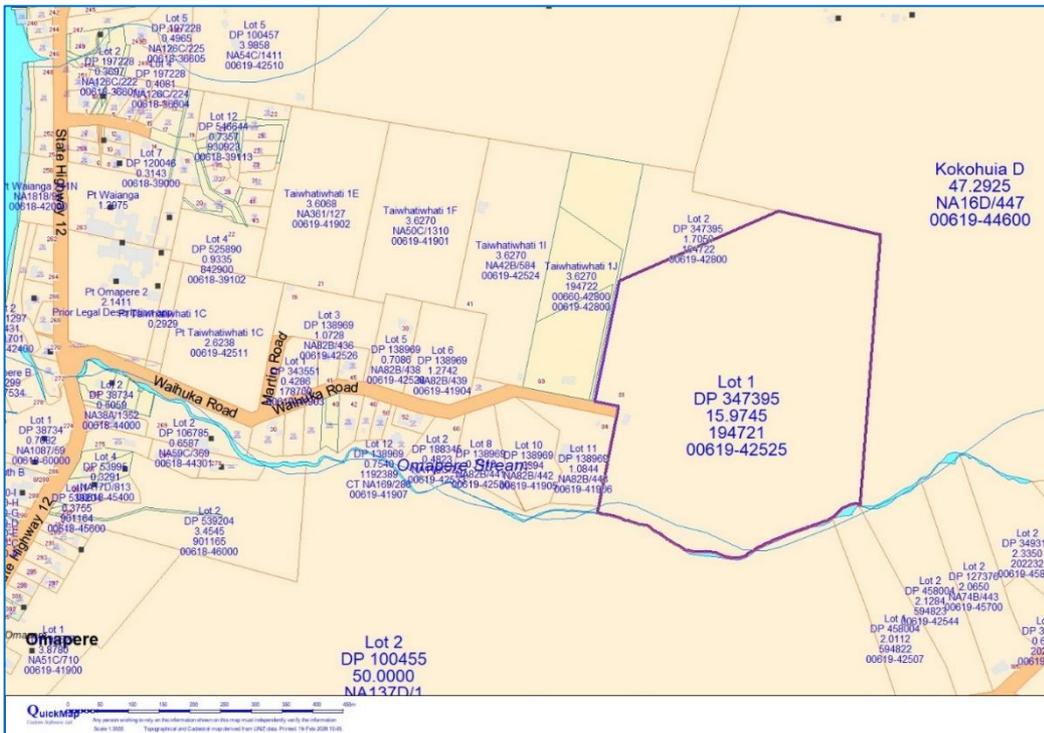


Figure 5: Cadastral Map

3.3 Existing Buildings and Land use

Lot 1 contains an existing dwelling, originally approved by BC-2009-1533/1 as “Stables / Shed, Tack Room and Loft for Hay”. A building consent was issued under BC-2019-415-0 & 1, which authorised replacement of the onsite wastewater disposal system, and referred to the building as being of residential use. The existing building is located adjacent to the western boundary of the site.

Lot 2 has recently had unconsented buildings removed, and is now occupied by a formed and retained building platform.

On the higher slopes of Lot 3, a levelled area used as an equestrian corral has been constructed, with a small storage shed nearby. Lot 3 is otherwise vacant land.

Refer to **Photographs 1 - 7**.



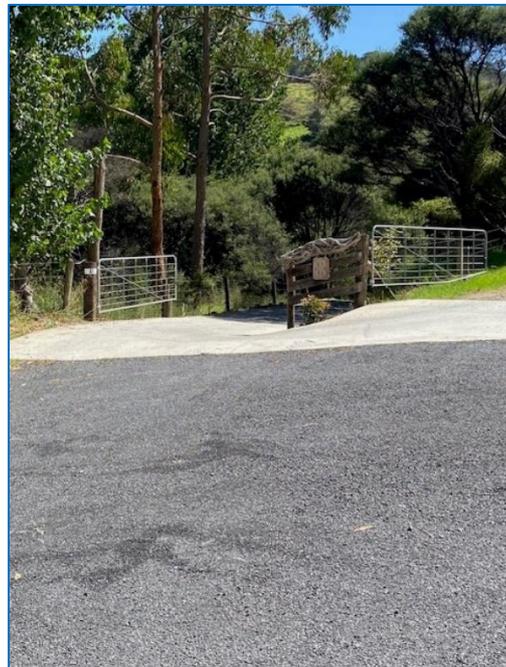
Photograph 1: View south over Western Side of Dwelling on Lot 1.



Photograph 3: Building Platform and retaining wall on Lot 2.



Photograph 2: Lawn area to the north of the dwelling on Lot 1.



Photograph 4: Existing entrances to Lots 1 - 3.



Photograph 5: Equestrian Corral on Lot 3.



Photograph 7: Possible building site on Lot 3.



Photograph 6: Storage Shed on Lot 3.

3.4 Natural Features

A detailed description of topography, surface water drainage, geology and soil type, is provided in the Subdivision Suitability Report. In general, the land can be described as moderate to steep slopes forming hilly to steepland terrain. Omapere Stream forms the southern boundary of the site, and another narrow unnamed tributary to Omapere Stream is located along the northwestern corner of the site.

The land use capability of the site is recorded as unit V1e8, which does not comprise highly versatile soils as defined by the Northland Regional Policy Statement or highly productive land as defined by the National Policy Statement for Highly Productive Land 2022.

Vegetation on the site was described in an ecological report, which was prepared by a contractor engaged by Council as part of the Conservation Covenant process. Refer to **Appendix 5**. A subsequent inspection report is attached in **Appendix 6**.

The vegetation on the site is within the south-western extent of an ecological unit mapped by the Department of Conservation 'Natural areas of Tutamoe Ecological District Reconnaissance Survey Report for the Protected Natural Areas Programme' as Waitemarama Gorge Forest.³

The site is recorded as being a wider kiwi habitat in the Far North Maps "Species Distribution (DoC)" Map ("kiwi present" zoning).⁴ Refer to **Figure 6**.

³ Miller, N. & Holland, W. (2008): *Natural areas of Tutamoe Ecological District Reconnaissance Survey Report for the Protected Natural Areas Programme*. Department of Conservation, Whangarei New Zealand.

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.

The maps and reports relating to kiwi distribution and protected natural areas are non-statutory documents.

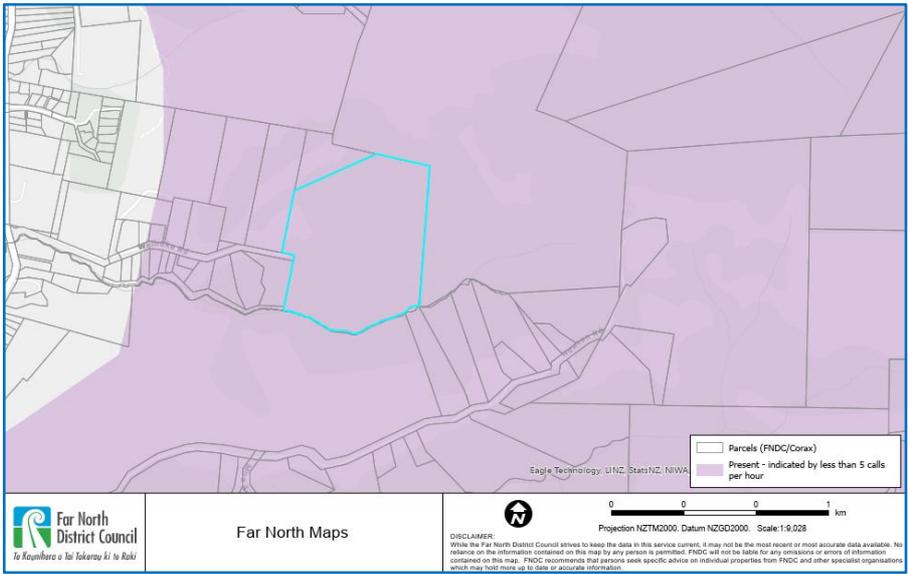


Figure 6: Far North Maps Species Distribution (DoC) Map.

3.5 Historic and Cultural Features

An earlier version of Far North Maps showed the wider environment containing archaeological sites such as O06/462, O06/391 and O06/392 on adjacent properties, and sites of cultural significance in the wider environment, but nothing on the subject site. Refer to **Figure 7**.

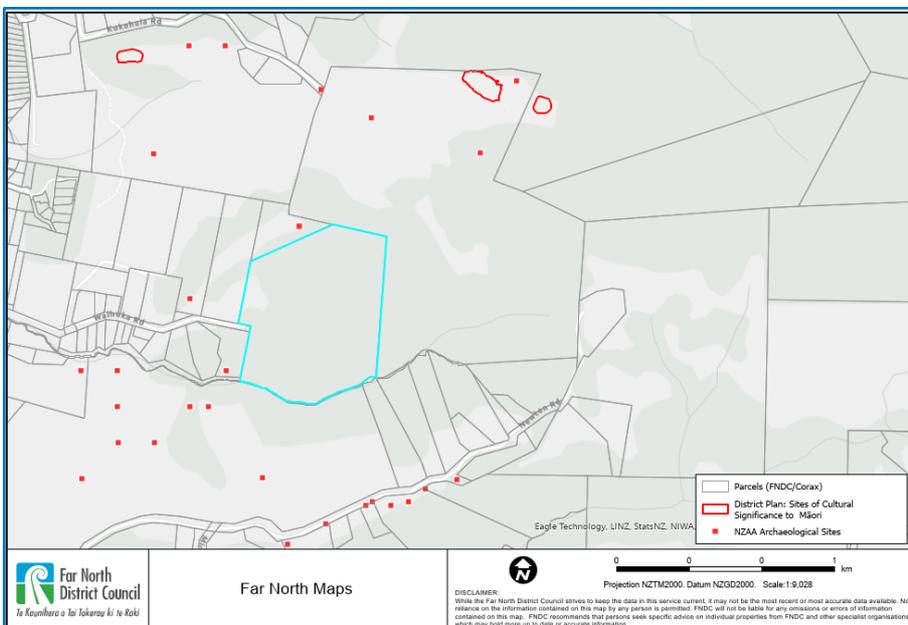


Figure 7: Far North Maps Historic Sites Map.

Current mapping of archaeological sites within the Heritage Layers in Far North Atlas attaches a 100m x 100m square polygon to the southwest corner of the co-ordinate shown in the earlier Far North Maps and ArchSite versions.

4.0 District Plan Assessment

The application site is zoned Rural Production in the Far North Operative District Plan. The site is not subject to any Resource Features or Overlays. The proposal is assessed against the relevant rules of the District Plan as follows.

4.1 Operative Far North District Plan

4.1.1 Rural Production Zone

Rule	Discussion	Compliance
8.6.5.1 PERMITTED ACTIVITIES		
8.6.5.1.1 RESIDENTIAL INTENSITY	Existing residential unit on Lot 1. Lots 2 and 3 have no existing residential use.	Complies
8.6.5.1.2 SUNLIGHT	Existing buildings will comply with permitted sunlight standard in terms of new site boundaries.	Complies
8.6.5.1.3 STORMWATER MANAGEMENT	Existing impermeable surfaces on each of the proposed sites does not exceed 15%.	Complies
8.6.5.1.4 SETBACK FROM BOUNDARIES	Existing buildings will achieve a 10m minimum setback in terms of the new site boundaries.	Complies

4.1.2 Subdivision

Rule	Discussion	Compliance
13.6 GENERAL RULES		
13.6.5 LEGAL FRONTAGE	Each lot has frontage to Waihuka road, either directly or by way of proposed Rights of Way.	Complies
13.6.8 SUBDIVISION CONSENT BEFORE WORK COMMENCES	Earthworks are not required to complete the subdivision.	Not applicable
13.6.12 SUITABILITY FOR PROPOSED LAND USE	The Engineer's report includes the necessary evidence to show that the land is suitable for the proposed development.	Complies
13.7 CONTROLLED ACTIVITIES		
13.7.2.1 MINIMUM AREA FOR VACANT NEW LOTS	Lots 1 - 3 do not comply with the controlled activity minimum lot size. Lot 4 is subject to Rule 13.7.2.6, which specifies that there shall be no minimum allotment areas in any zone for allotments created for access, utilities, roads and reserves.	Does Not Comply
13.7.2.2 ALLOTMENT DIMENSIONS	Controlled activity Rule 13.7.2.2 requires new allotments to contain a square dimension exceeding 30m x 30m plus boundary setbacks (10m). This standard is achieved by all lots – note that on Lot 2 the dimensions is located within the steeper bush area to the south.	Complies
13.7.2.6 ACCESS, UTILITIES, ROADS, RESERVES	Lot 4 is subject to this rule.	Complies.
13.7.3 CONTROLLED (SUBDIVISION) ACTIVITIES: OTHER MATTERS TO BE TAKEN INTO ACCOUNT		
13.7.3.1 PROPERTY ACCESS	These matters are addressed subsequently - Waihuka Road does not meet the required standard, and no upgrade is proposed.	Does not comply

13.7.3.2 NATURAL AND OTHER HAZARDS	The Subdivision Suitability Report concludes that the nominated building sites will be suitable and stable provided that its recommendations are adhered to and further detailed geotechnical assessment is provided at Building Consent stage.	Complies
13.7.3.3 WATER SUPPLY	Individual onsite storage of water is proposed for the vacant lot. Water supply for fire fighting on the vacant will be designed at building consent stage and be sufficient for this purpose.	Complies
13.7.3.4 STORMWATER DISPOSAL	The stormwater management for the proposal is discussed in the Subdivision Suitability Report.	Complies
13.7.3.5 SANITARY SEWAGE DISPOSAL	Onsite wastewater disposal on the lots is assessed in the Subdivision Suitability Report, where general recommendations are made to comply with relevant standards. Final site-specific wastewater design will be done at building consent stage.	Complies
13.7.3.6 ENERGY SUPPLY	The site is not within an urban or other zone listed in this rule.	Complies
13.7.3.7 TELECOMMUNICATIONS	The site is not within an urban or other zone listed in this rule.	Complies
13.7.3.8 EASEMENTS FOR ANY PURPOSE	Easements for the conveyance of electricity and telecommunications and right of way are on the scheme plan.	Complies
13.7.3.9 PRESERVATION OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES	Preservation of the existing habitat (if no longer achieved through the existing conservation covenant) is proposed. Accidental discovery protocol proposed. No earthworks are required near recorded heritage resources, which are understood to be located on adjacent properties. There are no landscape features recorded.	Complies
13.7.3.10 ACCESS TO RESERVES AND WATERWAYS	The proposal includes a proposed Esplanade Reserve adjacent to Omapere Stream.	Complies
13.7.3.11 LAND USE INCOMPATIBILITY	No land use incompatibility issues are identified.	Complies
13.7.3.12 PROXIMITY TO AIRPORTS	There are no airports within 500m of the subject land.	Complies
13.8 RESTRICTED DISCRETIONARY ACTIVITIES		
13.8.1(A) – (C) SUBDIVISION WITHIN THE RURAL PRODUCTION ZONE	The subject site was created through boundary adjustment subsequent to 28 April 2000. Therefore, the proposal does not comply with 13.8.1(b) and (c). Lots 2 and 3 are less than 12ha and do not comply with 13.8.1(a).	Does Not Comply
13.9 DISCRETIONARY ACTIVITIES		
13.9 DISCRETIONARY ... ACTIVITIES	Lots 1 and 2 are less than 4ha.	Does not comply

4.1.3 Financial Contributions

Rule	Discussion	Compliance
PERMITTED ACTIVITIES		
14.6.1 ESPLANADE AREAS	Lot 2 is less than 4ha adjoining Omapere Stream. It is unclear whether Omapere Stream has an average width of 3m or more where it passes the site. Through analysis of LIDAR contours, Omapere Stream is in a steeply incised channel and challenging to define by survey. An Esplanade Reserve at least 10m wide is proposed to align with the esplanade reserve to the west (Lot 12 DP 138969), and a waiver pursuant to Rule 14.6.3 is sought, with consent required as a discretionary activity.	Does not comply
14.6.3 WAIVERS AND REDUCTIONS		Complies – Discretionary Activity.

4.1.5 Transportation

Rule	Discussion	Compliance
15.1.6C.1 PERMITTED ACTIVITIES		
15.1.6C.1.1 PRIVATE ACCESSWAY IN ALL ZONES	Private access is already generally formed in accordance with the permitted standards as set out in Appendix 3B-1 of the District Plan. Private access will serve less than eight lots.	Complies.
15.1.6C.1.3 PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES	Access over easements 'A' and 'B' is shared by two lots. Passing bays not required except if visibility not achieved.	Complies.
15.1.6C.1.5 VEHICLE CROSSING STANDARDS IN RURAL ... ZONES	The adjacent vehicle crossings off Waihuka Road are concreted and appear to comply with this rule. Refer to Photograph 4.	Complies.
15.1.6C.1.7 GENERAL ACCESS STANDARDS	The proposed access provisions meet these standards. Future lot development will need to ensure adequate on-site manoeuvring.	Complies
15.1.6C.1.8 FRONTAGE TO EXISTING ROADS	Waihuka Road has a legal width of 20m apart from the last ~150m (serving less than 15 household equivalents) which is 16m wide. Waihuka Road is unsealed to begin with, however the steeper area on the eastern end of the road is sealed to the cul de sac end. The carriageway width varies but does not achieve a carriageway width of 6.5m along its entire length where it serves more than fifteen household equivalents. No upgrade is proposed.	Does not comply.
15.1.6C.2 DISCRETIONARY ACTIVITIES		
15.1.6C.2 Discretionary Activities	Dispensation for the breach of Rule 15.1.6C.1.8, relating to the existing formation standard of Waihuka Road.	Complies

4.1.6 Summary of Activity Status

Overall, the proposal has been assessed as a non-complying activity. The relevant considerations specified in Sections 104, 104B, 104D and 106 of the Resource Management Act 1991 are addressed in Sections 5 and 6 below.

4.2 Proposed Far North District Plan

The application site is zoned Rural Production in the Far North Proposed District Plan and is partly covered by Coastal Environment and High Natural Character Overlays. The proposal is assessed against the relevant rules of the Proposed District Plan as follows.

4.2.1 Area-Specific Matters – Rural Production Zone

Rule	Discussion	Compliance
RPROZ-R2 IMPERMEABLE SURFACE COVERAGE	Existing and anticipated future impermeable surface coverage on each lot will be less than 15%.	These rules do not have legal effect.
RPROZ-R3 RESIDENTIAL ACTIVITY	A single residential unit per lot is intended.	
RPROZ-S2 HEIGHT IN RELATION TO BOUNDARY	No issues in terms of the proposed new boundaries to be created by the subdivision.	
RPROZ-S3 SETBACK	A 10m setback is retained between the building on Lot 1 and proposed boundary.	
RPROZ-S5 BUILDING OR STRUCTURE COVERAGE	Existing and anticipated future coverage on each lot will comply.	

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	<p>Shared private access over ROW 'A' and 'B' will serve less than 8 household equivalents and is not off the road types listed in PER-3. Access widths will be sufficient for fire fighting, or parking available on Waihuka Road.</p> <p>There will be no unused vehicle crossings.</p> <p>The private accessway over ROW 'A' and 'B' will meet TRAN-Table 9 for up to two residential units in a rural setting. Passing bays will be formed where necessary.</p> <p>The existing vehicle crossings are suitably formed.</p>	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.	<p>CON-1</p> <ul style="list-style-type: none"> • Each lot includes a 30 x 30m dimension, plus 10m boundary setbacks. • Onsite water storage, including supply or fire-fighting is proposed. • Stormwater management recommendations made. • Onsite wastewater treatment and disposal is feasible. • Power and telecommunications connections can be supplied at BC stage if required. • Easements are shown on the Scheme Plan. <p>CON-2</p> <ul style="list-style-type: none"> • Controlled activity minimum allotment sizes are not achieved; Lots 1 and 2 do not achieve discretionary activity minimum lot size. • Esplanade Reserve proposed but less than 20m wide. 	These rules do not have legal effect.
SUB-R20 SUBDIVISION OF A SITE WITHIN THE COASTAL ENVIRONMENT ...	The subject site is located within a Coastal Environment Overlay.	

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

There are no relevant rules with immediate effect.

5.0 Assessment of Environmental Effects

Section 104(1)(a) and (ab) require the consent authority, subject to Part 2 of the Act, 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 applicant 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. Section 104(2) indicates that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard of the plan permits an activity with that effect and Section 104(3)(a)(ii) requires a consent authority to not, when considering an application, have regard to any effect on a person who has given written approval to the application (unless that person has withdrawn the written approval before the date of a hearing or before the application is determined, as set out in 104(4)).

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 therefore also addresses the relevant matters listed in Rule 13.10 (Subdivision - Assessment Criteria), 14.6.3 (Waivers and Reductions) and 15.1.6C.4.2 (Frontage to Existing Roads) that Council will consider in relation to making a decision and imposing conditions.

This assessment of environmental effects should be read in conjunction with the Subdivision Suitability Assessment attached in Appendix 2.

5.1 Allotment Sizes and Dimensions

Excluding the subject property, sites located along Waihuka Road range in size from 1,088m² to 5.0320ha, reflecting the transition from the Coastal Residential Zone to the Rural Production Zone.

The proposal creates two smaller rural residential sites and a larger balance bush block with may also support future residential and/or rural buildings. The previous boundary adjustment with a neighbouring property has contributed to the overall non-complying activity status of the proposed subdivision. However, the density of the rural residential lots within the rural environment is considered appropriate and in accordance with what could have been achieved under a restricted discretionary activity subdivision, had the previous boundary adjustment not occurred.

The general pattern of subdivision and land use along Waihuka Road is predominantly a mixture of rural residential and rural lifestyle properties. Refer to **Photograph 8**. Although the size of proposed Lots 1 and 2 are slightly smaller than the adjacent Rural Production zoned sites to the west, the overall average density of residential development, which will result from having three lots over the current area of 15.9745ha, is compatible with the wider pattern of subdivision and land use activities being accessed from Waihuka Road.



Photograph 8: View from western end of Waihuka Road, overlooking Opononi Area School field towards existing residential properties to the bush clad slopes beyond. The peak to the left of the photo is the steep slopes to the east of Kohohuia Road. Existing dwellings along Newton Road are visible on the ridgeline in the centre of the photograph.

The Site Suitability Report has confirmed that the proposed allotments can be developed for their intended purpose from an engineering perspective, with consideration of stormwater and wastewater disposal. The building site on Lot 2 is somewhat limited to the location of the recently removed structures; and although this lot has a limited dimension in the vicinity of the prepared building platform, its presence and previous residential buildings there, indicates that there is sufficient area and dimension for residential use on this proposed lot.

The shape and size of Lot 3 means that it is able to be built on the east – west axis, to take advantage of passive solar gain, with sufficient dimension and area to be able to comply with the permitted activity land use standards of the Rural Production Zone.

5.2 Natural and Other Hazards

The Subdivision Suitability Assessment concludes that building areas on Lots 2 and 3 are suitable for residential development provided that the recommendations and limitations of that report are complied with. One of the recommendations requires a site/project specific geotechnical assessment to be provided at Building Consent Stage – this recommendation can be applied as a consent notice condition on Lots 2 and 3, as suggested below.

Lots 2 & 3

In conjunction with any building consent application, provide specific geotechnical report to confirm the stability of the proposed development including any proposed earthworks, and provide specific engineering design of any stabilising structures. Final foundation layout plans shall be reviewed by a professional geotechnical engineer to consider the recommendations of the RS Eng Ltd Subdivision Suitability Report dated June 2022 and to confirm any further geotechnical recommendations deemed necessary.

The remaining preliminary development recommendations are listed in Section 6.0 of the Subdivision Suitability Report.

Subject to the recommendations of the Subdivision Suitability Report, adverse effects in terms of site stability can be avoided, and the conclusion that “*the land in respect of which a consent is sought, or any structure on the land, is not or is not likely to be subject to material damage by subsidence or slippage from any source*” and “*any subsequent use that is likely to be made of the land is not likely to accelerate, worsen, or result in material damage to the land, other land, or structure by subsidence or slippage from any source*” made in the Subdivision Suitability Report can be adopted.

The land is not subject to any other natural hazards, as recorded on the Northland Regional Council Natural Hazards GIS mapping.

Fire hazard can be mitigated by designing the domestic on-site water storage for future residential units on each lot in such a way that is suitable for firefighting purposes. This requirement can be imposed as a consent notice condition using the standard wording – refer to Section 5.3 below. Depending on the final location and design of any future buildings and their proximity to existing areas of vegetation, further mitigation measures, such as the use of fire resistance building materials, use of low flammability planting, and maintenance of a cleared area immediately surrounding a building, may be required.

5.3 Water Supply

As no reticulated water supply is available, any future residential uses on the lots will collect rainwater from roof surfaces and store it in a tank for domestic purposes. This is an adequate method of water supply and can be configured to be available for fire-fighting use. A consent notice can be applied to these lots as follows.

Lots 2 & 3

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 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.

5.4 Stormwater

Refer to the Subdivision Suitability Assessment, which details the design proposals for stormwater management, including the requirement for specific engineering design at building consent stage to be subject to Council's approval in order to minimise the risk of erosion or environmental damage.

The concept stormwater design includes low impact design measures to reduce peak flows and achieve hydrological neutrality and for avoidance of scour and erosion, stormwater treatment and avoidance of downstream flooding effects, and accordingly, avoid adverse effects on downstream properties.

Recommended consent notice condition wording to this effect is outlined below.

Lots 2 & 3

At the time of development, a stormwater management system shall be designed, for the approval of Council, and implemented for that Lot to ensure peak stormwater runoff from the developed lot does not exceed pre-development runoff during a design 10 and 100 year storm event with a recognised allowance for climate change. The stormwater management system should refer to the recommendations of the RS Eng Subdivision Suitability Report dated 23 June 2022.

Subject to the recommendations of the Subdivision Suitability Report, it is considered that adverse effects in relation to stormwater are able to be avoided and mitigated to be less than minor.

5.5 Sanitary Sewage Disposal

Onsite treatment and disposal of wastewater is considered feasible in accordance with the recommendations of the Subdivision Suitability Report in order to avoid adverse environmental effects. The final design for onsite wastewater treatment and disposal will be completed at building consent stage, when a development specific onsite wastewater report will be supplied to Council. The standard consent notice condition (below) can be applied to the new Records of Title to require site specific design of on-site wastewater treatment and disposal to be submitted in conjunction with a building consent application.

Lots 2 and 3

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 registered drainlayer.

5.6 Energy & Telecommunications Supply

As the proposed lots are not urban allotments, Rules 13.7.3.6 and 13.7.3.7 do not require the lots to be provided with the ability to connect to an electrical utility or telecommunications system.

5.7 Easements for any Purpose

The Memorandum of easements is shown on the Scheme Plan.

5.8 Provision of Access

Within the subdivision, access to the boundary of each lot is generally provided in accordance with the permitted standards of the District Plan to cater for the level of traffic that will be generated. All private subdivision access follows existing formations, which avoids the need for further earthworks or vegetation removal to complete the subdivision. As such, the provision of access avoids adverse visual effects and effects on natural character and habitats.

The existing vehicle crossings are located at the end of Waihuka Road, where there is limited traffic. Waihuka Road is a Low Volume Access Road, terminating in a cul-de-sac, used primarily by the occupants of properties that are accessed from it or from Martin Road. Minimal additional traffic is generated by the proposal, all of which will use the existing vehicle crossing to minimise disruption to other users of Waihuka Road.

Most of Waihuka Road is wide enough to provide two effective lanes at low to moderate speeds. Waihuka Road includes more open sections of road where visibility is readily available, and other winding sections where maintenance of roadside vegetation would improve visibility. No specific improvements to Waihuka Road are proposed, as these are not considered necessary based on the volume of traffic generated by the proposed subdivision.

Overall, it is assessed that the adverse effects of the proposal in terms of vehicle access are less than minor.

5.9 Effect of Earthworks and Utilities

As property access is already in place, earthworks are not required to complete the subdivision. Any earthworks required for future development can use typical erosion and sediment control measures and will not be in close proximity to the coastal marine area. Large areas of existing indigenous shrubland will be left undisturbed. Although no earthworks are required at this stage, future earthworks are able to be undertaken in a way that will avoid adverse effects on the life supporting capacity of soils, as soil beyond the development area will remain suitable for pasture, lawn, and landscape planting.

5.10 Building Locations

Suitable building locations have been confirmed on Lots 2 and 3 based on geotechnical investigation, and with consideration of availability of existing vehicle access. Refer to the Subdivision Suitability Assessment. Possible building locations are available on existing cleared areas to avoid the need for clearance of large areas of indigenous vegetation.

5.11 Preservation & Enhancement of Heritage Resources & Sites of Cultural Significance

The earlier application (RC 2230039) was submitted on the basis that no archaeological or heritage sites or sites of cultural significance to Māori were recorded on the property in the Far North Maps database.

No land disturbance works are required to implement the proposed subdivision, given that access is already formed to the boundary of each lot. Therefore, the subdivision itself is considered unlikely to affect any previously unrecorded archaeological heritage sites.

Future development may occur upon Lots 2 and 3 associated with the development of the lots for residential use. In the case of Lot 2, the building site is prepared, having been prepared and used to accommodate a small house, sheds, and outdoor parking areas, together with onsite wastewater system and other utilities, all of which have since been removed. Future development of this lot is unlikely to result in any disruption to previously undisturbed areas and is also considered unlikely to affect any previously unrecorded archaeological heritage sites. Lot 3 has no known heritage sites in close proximity to it. Nevertheless, potential adverse effects of the development on any unrecorded or unidentified archaeological sites or other cultural sites can be mitigated through compliance with Heritage New Zealand's Accidental Discovery Protocol, which can be attached to the consent as an Advice Note.

5.12 Preservation & Enhancement of Landscape & Natural Character

The subject site contains an area of high natural character (as mapped by the Regional Policy Statement), which is associated with the hill slopes and largely indigenous vegetation cover, minimal human mediated hydrological or landform change, and few obvious human structures. A further description of this natural character unit is provided in Section 6.2 of this Report, including the statement in the summary description of the natural character unit that "*Patches of introduced grasses have been excluded as much as possible*". The area of high natural character generally corresponds with the southern portion of Lot 2 and the eastern / southern side of Lot 3, excluding the south eastern corner. The majority of the high natural character area is incorporated within the existing land covenant; including the southern portion of Lot 2 and most of Lot 3, excluding fingers of vegetation cover extending west.

The large proportion of vegetation protection over Lots 2 and 3 will ensure that the natural character and amenity values associated with the bush cover on the property is maintained.

Existing buildings on Lot 1 and the existing building platform on Lot 2 are excluded from the area of high natural character, and there remains a suitable building area on Lot 3 that is within an existing cleared area, but just on the western edge of the high natural character area. This possible building site on Lot 3 is primarily located on a cleared area, where only scattered indigenous vegetation remains, surrounded by a framework of regenerating bush to the north and south. The surrounding vegetated foreground and backdrop areas adjacent to this building site provide the ability to appropriately integrate future buildings, without them becoming a prominent feature. The building site is also located well below the ridgeline and skyline, which is generally located along the Newton Road alignment, approximately 100m higher in elevation. Refer to **Photograph 9**. The effectiveness of the existing vegetation in providing screening the existing buildings is also illustrated by **Photographs 8 and 9**.



Photograph 9: View east from Waihuka Road, approximately 500m from its intersection with State Highway 12.

The indicative Lot 3 building site is set back more than one kilometre from the coastal marine area. It's vehicle access uses an existing formation, which is already screened from public viewpoints on Waihuka Road by existing vegetation. Further building development techniques can be used to minimize adverse effects on the natural character of the lower Hokianga catchment. To this end, the following draft conditions are proposed.

Lot 3

Any building located within, or partially within, the area of 'high natural character' as mapped by the Northland Regional Policy Statement must:

- *be constructed of materials and/or finished such that the reflectance value of the exterior does not exceed 40% and have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette.*
- *In conjunction with any new building on the lot, a landscape plan and report must be prepared by a suitably qualified landscape architect and submitted to Council in conjunction with a building consent application to show the retention of existing vegetation and/or proposed new plantings to provide a vegetated backdrop and foreground to mitigate adverse visual effects on natural character arising from new buildings and their access and parking areas.*

With these conditions implemented in relation to future development on Lot 3, it is anticipated that the site can retain the overall existing level of natural character associated with the bush clad hill slopes without generating any significant adverse landscape or visual effects, and mitigating other adverse effects.

As such, it is considered that the proposed development will be an appropriate development, which avoids significant adverse effects, and mitigates other adverse effects on landscape, visual values and natural character, so that they will not be more than minor.

5.13 Preservation & Enhancement of Vegetation & Fauna

The proposed subdivision avoids direct adverse effects on ecological resources through the availability of building platforms on Lots 2 and 3 on existing cleared areas.

The existing protection of ecological values afforded by the existing Conservation Covenant will become a permanent mitigation measure, by way of the following draft conditions. These match the conditions of the existing covenant, with the exception that the third bullet point has been altered to allow keeping of dogs subject to controls. Cats will continue to be excluded. This approach is considered to be reasonable, in that it provides sensible mitigation measures to protect kiwi and other birdlife, while it is likely to be more consistent with other nearby properties where pets are able to be kept.

Lots 1 - 3

If the Conservation Covenant pursuant to Section 77 of the Reserves Act 1977 (9370025.5) ceases to apply, then the lot owner shall permanently protect the same area of vegetation subject to the Conservation Covenant and the following conditions will apply to Lots 1 - 3:

- The living indigenous vegetation on the land shall not be cut down, damaged or destroyed (except for the maintenance of roadways and walking tracks, and tracks for pest control operations) without prior consent of the Council. Such consent may be given in the form of resource consent. The landowner shall be deemed not to be in breach of this prohibition if any such vegetation dies from natural causes, which are not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.*
- There shall be no intrusion of grazing stock (including cows, sheep, goats and pigs) into any areas of indigenous vegetation on the land.*
- No occupier of the land shall keep or introduce on to the site cats. A maximum of two dogs may be kept provided that any dog must be micro-chipped and kept within a dog-proof fenced area on the lot and under effective control at all times when outside of the fenced area, e.g. on a lead. At night, any dog must be kept inside, kept inside a secure kennel, or tied up.*
- Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced to the land. This includes the introduction of invasive plant species, including those currently listed on the nationally-banned-for-sale list (see Northland Regional Pest Management Strategy). Species such as agapanthus which have already exhibited a tendency to naturalise in coastal areas shall be avoided.*
- Dead wood and vegetation may be removed by the owners for their own use on the land.*
- Any predator/pest control work carried out is to be done in a manner which will not endanger Kiwi or other indigenous fauna and flora.*

The adverse effects generated by the proposed development in terms of significant natural and ecological resources are therefore considered to be less than minor.

5.14 Soil

The site does not contain highly versatile soil or highly productive land and is not used for a primary production purpose. As such, the proposal is not considered to have any adverse effect on the productive capability of the site above a less than minor level.

Soil erosion will be minimised through retention of the existing vegetated cover over the steeper land within the lots. The Subdivision Suitability Report also recommends erosion / scour avoidance works at the points of stormwater discharge, which is suggested to be designed at building consent stage.

5.15 Land Use Incompatibility

The proposed subdivision is considered to avoid adverse effects associated with land use compatibility or reverse sensitivity issues, as there are no nearby activities that would conflict with the introduction of a low density of residential use as proposed.

6.0 Statutory Assessment

Section 104(1)(b) 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 – 6.6:

- *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*
- *National Policy Statement for Indigenous Biodiversity 2023 Amended 2025*
- *National Policy Statement for Natural Hazards*
- *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

The subject site is not recorded on Northland Regional Council's Selected Landuse Register.⁵ The land is not known to be currently, or historically, used for any activity or industry on the Hazardous Activities and Industries List, and the activity is not subject to the above regulations.

⁵ Northland Regional Council. Retrieved 24 February 2026 from <https://localmaps.nrc.govt.nz/localmapsviewer/?map=65b660a9454142d88f0c77b258a05f21>

6.1.2 Resource Management (National Environmental Standard for Freshwater) Amendment Regulations 2025

There are no wetland areas mapped within the Northland Regional Council Biodiversity Wetlands Mapping on or within 100m of the subject site. No works are required within 100m of Omapere Stream or its unnamed tributary. As such, the proposal has no known implications in terms of the above Regulations.

6.2 National Policy Statements

6.2.1 New Zealand Coastal Policy Statement 2010 with 2025 Amendment

Relevant policies of the NZCPS are commented on below:

In relation to Policy 6.1(j), retention of indigenous vegetation within the existing conservation covenant will buffer the remainder of ecological unit O06/001 from the development.

Adverse effects on the ecological values present within the coastal environment are avoided in accordance with Policy 11a(i).

In terms of Policy 13, the subject site does not have outstanding natural character, and significant adverse effects on the remaining area of high natural character within Lot 3 can be avoided through minimising the need for clearance of indigenous vegetation (this being the characteristic that contributes to the high natural character unit), use of conditions to limit appearance and use of vegetation for mitigation in relation to future buildings, and consideration of visual amenity values at building consent stage.

6.2.2 National Policy Statement for Indigenous Biodiversity 2023 Amended December 2025

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 and implementation approach 3.16:

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

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 any indigenous vegetation. Potential indirect effects arising from future building and residential development on Lots 2 and 3 can be avoided and mitigated through continued observation of the existing conservation covenant, either in its current form or as consent notice conditions if the covenant is concluded. This includes provisions for the protection of a large area of existing indigenous vegetation and exclusion of grazing stock from the areas of indigenous vegetation. 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.

6.2.3 National Policy Statement for Natural Hazards 2025

Risk Matrix

When undertaking an assessment of natural hazard risk, the following risk matrix and associated tables must be applied to enable assessment of the consequence level and likelihood level and to determine the level of natural hazard risk applicable.

There are no recorded natural hazards that affect the subject land as shown on the NRC Natural Hazard mapping; and liquefaction vulnerability assessment shows either undetermined or unlikely liquefaction vulnerability in the Far North Atlas Hazards Map. Lots 2 and 3 have building platforms elevated well above Omapere Stream. Erosion can be avoided, subject to suitable stormwater discharge, and maintaining vegetation cover. Finally, there is a low risk of slope instability, which can be addressed at building consent stage. Therefore, the likelihood level (using Table 1) has been classified as 'Unlikely', the consequence level (Table 2) can be described as minor, and the level of natural hazard risk is considered to be low.

Part 2: Objective and policies

2.1 Objective

- 1. Natural hazard risk to people and property associated with subdivision use and development is managed using a risk-based proportionate approach.*

Comment: This has been considered using the risk matrix and in response to the policies below.

2.2 Policies

Policy 1: *When considering natural hazard risk associated with subdivision, use or development, the risk level must be assessed using the risk matrix.*

Comment: A low level of natural hazard risk has been assessed.

Policy 2: Natural hazard risk associated with subdivision, use and development must be managed using an approach that is proportionate to the level of natural hazard risk.

Comment: Specific engineering design of foundations can be completed at building consent stage.

Policy 3: Where subdivision, use or development is assessed as having very high natural hazard risk, that risk must be avoided.

Not applicable.

Policy 4: Where subdivision, use or development, including any associated mitigation measures, will create or increase significant natural hazard risk on other sites, that risk must be avoided or mitigated using an approach that is proportionate to the level of natural hazard risk.

Not applicable.

Policy 5: Natural hazard risk assessment and decisions must be based on the best available information and must be made even when that information is uncertain or incomplete.

Latest NRC Natural Hazard mapping has been referred to.

Policy 6: The potential impacts of climate change to at least 100 years into the future must be considered.

Not applicable.

6.3 Regional Policy Statement for Northland (“RPS”)

The Regional Policy Statement 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 site is predominantly within the coastal environment, and an area of bush is part of an area of high natural character – ‘ID 66/09 Catchment of lower Hokianga’. Refer to **Figures 8 and 9**.

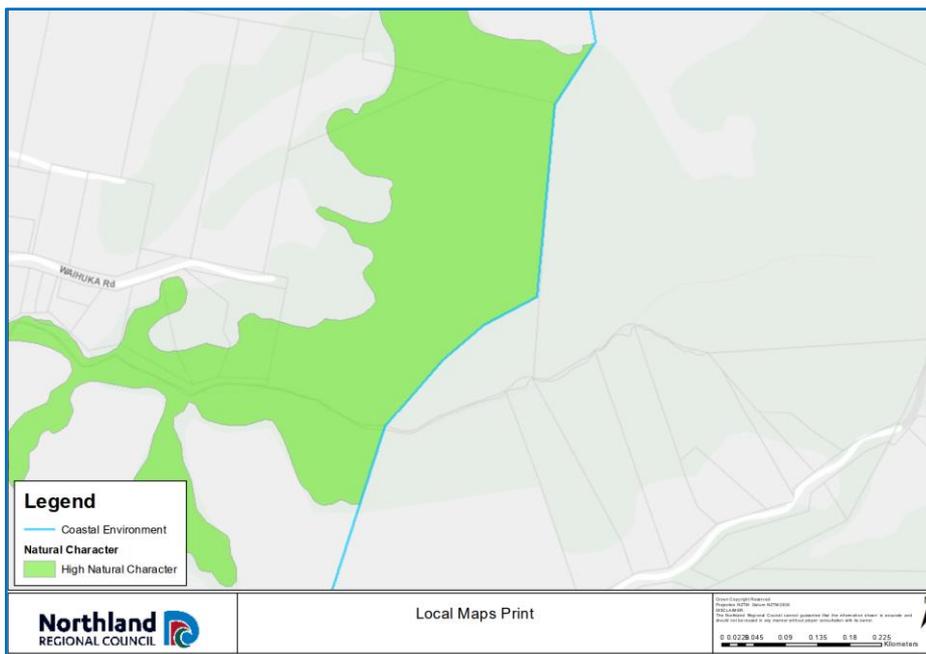


Figure 8: Northland Regional Council Regional Policy Statement Map



Figure 9: Northland Regional Council Regional Policy Statement Map

The natural character unit is described as “Hill slopes with mature mixed broadleaved forest on upper slopes; kahikatea/mixed broadleaved forest on valley floors and lowest slopes; kanuka-manuka dominant shrubland & forest; introduced grasses. Patches of introduced grasses have been excluded as much as possible. There is some tracking and several houses.”. Contributing values are identified as “Largely indigenous vegetation with some introduced grasses. Includes mature indigenous forest over about half the unit. Minimal human-mediated hydrological or landform change. Few obvious human structures.”.

Relevant policies from the Regional Policy Statement are listed in **Appendix 7** and are addressed beneath the applicable heading below.

4.4.1 Policy – Maintaining and protecting significant ecological areas and habitats

Protection of a large area of indigenous vegetation within the lots is already formalised through the existing conservation covenant but can be made a permanent requirement through the proposed conditions. The conservation covenant prohibits the keeping or introduction of carnivorous or omnivorous animals which have the potential to be kiwi predators, and this can also be formalised through a revised consent notice condition (banning cats but allowing up to two dogs, subject to control measures) if the covenant is discontinued, to ensure that adverse effects on indigenous wildlife are avoided and mitigated. The building sites proposed do not require clearance of any indigenous vegetation besides scattered trees on Lot 3, and direct adverse effects are avoided.

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

RPS Mapping identifies areas that are sensitive to subdivision, use and development. The maps identify where caution is required to ensure activities are appropriate. However, suitably qualified assessment at a site or property-specific level can be used to demonstrate lesser (or greater) sensitivity to particular subdivision, use and development proposals given the greater resolution provided.

As the site is within the coastal environment, and includes areas of high natural character, but not outstanding areas of natural character, outstanding natural features and outstanding natural landscapes, clause (b) applies. This requires significant adverse effects to be avoided, and other adverse effects to be remedied or mitigated, on natural character, natural features and natural landscapes.

This policy relates to the part of the site covered by a high natural character area, which excludes the building site on proposed Lot 2, but covers parts of Lot 3. Consent notice conditions with controls on the colouring of buildings within the area of high natural character on Lot 3 are proposed to achieve policy 4.6.1(b).

The existing conservation covenant covers the majority of the area of high natural character, and this area will be legally protected, should the existing conservation covenant be cancelled.

4.6.2 Policy – Maintaining the integrity of heritage resources

An Advice Note setting out the Accidental Discovery Protocol can be added to the consent to ensure that the correct procedures are followed in the event that any unrecorded archaeological evidence is uncovered.

5.1.1 Policy – Planned and coordinated development

The new rural lifestyle sites will not be in close proximity to any existing incompatible activities and are not anticipated to generate any incompatible land uses in close proximity or encourage reverse sensitivity effects commensurate with policy 5.1.1(e).

5.1.1(f) seeks to ensure that plan changes and subdivision to/in a primary production zone does not materially reduce the potential for soil-based primary production on land with highly versatile soils, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities. The site is not mapped as having “highly versatile soils” in terms of the Regional Policy Statement categorisation.

Policy 5.1.1(g) requires subdivision to “*maintain or enhance the sense of place and character of the surrounding environment except where changes are anticipated by approved council growth strategies and/or plan provision*”. The character of the environment can be maintained through the overall retention of the bush cover and use of building and development controls on Lot 3.

Policy 5.1.1(h) requires subdivision, use and development to be, or be able to be, serviced by necessary infrastructure. In terms of this policy, the Subdivision Suitability Assessment demonstrates that appropriate servicing with onsite wastewater and stormwater disposal is available.

5.1.2 Policy – Development in the coastal environment

The application site is partly within the coastal environment but is set back more than 800m from the coastal marine area of Hokianga Harbour. The proposed subdivision will not impact the natural functioning of coastal processes and ecosystems and stormwater will be attenuated so as to avoid any increased flooding risk downstream. The development is not urban in nature and is neither sprawling nor sporadic. Public access to Omapere Stream is proposed by way of an Esplanade Reserve, although this area is steep and bush covered, it provides a connection with the existing Esplanade Reserve to the west to future proof any potential access requirements.

6.4 Objectives and Policies – Operative Far North District Plan

Relevant objectives and policies of the District Plan are listed under the Rural Environment, Rural Production Zone, Subdivision, Financial Contribution, and Transportation sections of the District Plan. These objectives and policies are attached in **Appendix 8**. It has been concluded that the proposal is not contrary to the overall objectives and policies of the District Plan and consequently meets the test of section 104D(1)(b).

Rural Environment and Rural Production Zone

Comments on the objectives and policies of the Rural Environment and Rural Production Zone have been grouped together due to their overlapping themes, which can be summarised as relating to the protection and maintenance of natural and amenity values and managing effects on rural production; all with the goal of promoting sustainable management of natural and physical resources.

Promote sustainable management.

Overall, the proposed subdivision is considered to represent sustainable management, resulting in minimal adverse effects on natural and physical resources. Conditions are proposed.

Ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.

The site does not include highly versatile soils. The life supporting capacity of the soils is maintained through the avoidance of earthworks (using combined existing access formations), and maintenance of the existing bush cover over the site.

Avoid, remedy or mitigate adverse effects.

As outlined in Section 5 of this report, adverse effects are avoided, remedied or mitigated.

Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna / promote protection of significant natural values.

These strategies are achieved through proposed consent conditions for the protection of bush and control of domestic pets, which will generally replicate the existing conservation covenant requirements. No vegetation clearance is intended.

Avoid conflicts between land use activities / reverse sensitivity.

With the low density of proposed rural residential development and the low intensity and nature of rural activities on the balance land, together with the remainder of Waihuka being predominantly rural residential and rural lifestyle development, the subdivision avoids adverse effects related to reverse sensitivity.

Promote maintenance and enhancement of amenity values.

Section 5 of this Report details that the natural and amenity values of the site and its wider context can be maintained by the proposed subdivision.

Enable efficient use and development of the Rural Production Zone, enable people and communities to provide for their social, economic and cultural well being and for their health and safety.

The proposed subdivision is an efficient use of the land, which retains the overriding character provided by the bush cover on the site, whilst allowing an increase in sites suitable for rural residential development, including the existing dwelling on Lot 1.

Subdivision

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 Rural Production 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 soils is maintained through the minimisation of earthworks (using combined existing access formations), and maintenance of the bush cover over the majority of the site. 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 vacant sites in such a way that avoids adverse effects on the environment – refer to the Subdivision Suitability Report. Electricity supply is available, and there are suitable building sites on Lots 2 and 3 (subject to detailed geotechnical assessment, onsite effluent disposal design and stormwater management) 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.

Vehicle access can be satisfactory provided generally using the existing access formations. The shared use of vehicle access off Waihuka Road represents an efficient use of an existing accessway. Waihuka Road is a no-exit road serving a limited number of properties.

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, in particular the large area of bush cover which will be permanently protected in accordance with the existing conservation covenant. Adverse effects on the high natural character can be managed through the use of conditions to control future built development on Lot 3.

Financial Contributions

Esplanade areas to be provided upon subdivision. Land preferred where the financial contribution relates to esplanade areas and the access to them, or the land has important natural, amenity, heritage or cultural values that should be protected.

The proposed Esplanade Reserve is steep land with high ecological values and the offer of land in this location will permanently reserve this land from future development.

Transportation

Relevant objectives and policies are to minimise adverse effect of traffic on the natural and physical environment and that these effects be evaluated in making decisions on resource consent applications.

Within the subdivision, access to each lot will be provided in accordance with the permitted standards of the District Plan, to cater for the level of traffic that will be generated. No earthworks or vegetation clearance are required for this purpose. Waihuka Road is a no exit road, used primarily by the occupants of properties that are accessed from it or from Martin Road. Minimal additional traffic is generated by the proposal, all of which will use the existing vehicle crossing to minimise disruption to other users of Waihuka Road.

6.5 Objectives and Policies - Proposed Far North District Plan

Relevant objectives and policies are set out under the chapters 'Rural Production Zone' and 'Subdivision' (attached in **Appendix 9**), and are commented on below. It is concluded that the proposal will generally be consistent with the relevant strategies with the exception that Policy SUB-P8(a) is not met, as the proposal does not intend to add a Significant Natural Area ("SNA") to the SNA Schedule.

Rural Production Zone

Protection of primary production activities and highly productive land

As noted, the site does not contain highly productive land, and given the nature of the site and existing land use, will not result in any change to the availability of land for primary production. In particular, it is noted that the existing conservation covenant requires grazing stock to be kept out of areas of indigenous vegetation. There are no nearby primary production activities, and the proposal is not considered to generate any reverse sensitivity effects that would constrain any primary production activities.

Avoid exacerbating natural hazards

Natural hazards are not exacerbated, provided that the Subdivision Suitability Report recommendations are followed. Consent notice conditions are to be applied to ensure this.

Ability to provide on-site infrastructure

On site servicing of the new lots is feasible, as described in the Subdivision Suitability Report.

Rural character and amenity associated with a rural working environment is maintained or enhanced

Rural character and amenity values can be preserved. The increase in rural lifestyle development is considered not to have a significant impact on the existing rural amenity values in the local environment.

Avoid rural lifestyle living unless there is an environmental benefit

Environmental benefit is proposed by way of permanent observance of consent notice conditions similar to the conditions of the existing limited as to duration conservation covenant.

Manage land use and subdivision to address the effects of the activity

The proposed subdivision and future land use activity on Lots 2 and 3 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.

Subdivision

Subdivision results in the efficient use of land

The subdivision continues with existing patterns of development and land use in the area, can manage natural hazard risk through consent conditions, and avoids and mitigates adverse effects. The proposed subdivision is an efficient use of land and in accordance with the Rural Production Zone objectives.

Subdivision provides for protection of highly productive land, protection, restoration or enhancement of natural features, sites and areas of significance to Māori, and historic heritage

The subdivision does not impact highly productive land. The majority of the high natural character area will remain within the conservation covenant, which correlates to the highest quality vegetation cover on the site; otherwise, new buildings on proposed Lot 3 will be subject to development controls to avoid adverse effects on the natural character of the coastal environment.

There are no known heritage features or sites / areas of significance to Māori on the site.

Infrastructure planned to service the proposed subdivision

On site servicing is proposed, given the lack of available infrastructure connections. Electricity and telecommunications connections are not required as part of the subdivision consent.

Provide for subdivision where it results in allotments that are consistent with the zone, comply with allotment sizes, dimensions, have legal and physical access

The areas of Lots 1 and 2 are less than required in the Rural Production Zone, however they have adequate dimension with existing residential buildings / building platform as well as legal and physical access.

Manage subdivision in accordance with district wide sections of the plan

Provided that the recommendations of the Subdivision Suitability Report is adhered to, and further considered at building consent stage, via consent notice conditions, the proposed subdivision will not increase natural hazard risk. Indigenous biodiversity is proposed to be protected, while the subdivision and future building sites are considered to avoid scheduled heritage resources.

Avoid rural lifestyle subdivision in the Rural Production Zone unless SNA protected and no loss in versatile soils for primary production activities

Policy P8 specifically relates to rural lifestyle subdivision in the Rural Production Zone. It directs the avoidance of rural lifestyle subdivision unless it (a) protects a qualifying SNA in perpetuity and the SNA is added to the District Plan SNA schedule, and (b) it will not result in the loss of versatile soils for primary production activities. The proposal does not add a Significant Natural Area to the SNA schedule, so is unable to meet clause (a), although a similar outcome is achieved through permanent protection of indigenous vegetation. Clause (b) is achieved, as the site does not contain highly versatile soils.

Manage subdivision to address effects of the activity

The proposed subdivision and future land use activity on Lots 2 and 3 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.

6.6 Proposed Regional Plan for Northland (February 2024)

Relevant Proposed Regional Plan mapping shows the following:

- 'Other' aquifer recorded as a groundwater management unit across the subject land.
- The site is part of a 'Coastal River Water Quantity Management Unit'
- The site comprises hill country.
- The site does not comprise Erosion Prone Land.

Rule C.6.4.2 provides for diversion and discharge of stormwater from outside a public stormwater network, provided that (amongst other requirements), *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 percent annual exceedance probability, or flooding of buildings on another property in a storm event of up to and including a one percent annual exceedance probability.* The site is not an industrial or trade premises, and the site does not discharge into contaminated land. Stormwater discharge from a hazardous substance storage or handling area is not proposed. Stormwater attenuation is proposed, as described in the Subdivision Suitability Report, to ensure that downstream flooding is not exacerbated. Erosion and/or scour protection at the discharge point from Lot 3 is also proposed. Compliance is expected with the requirements of Rule C.6.4.2 – refer to the Subdivision Suitability Report.

7.0 Part 2 of the Resource Management Act 1991

An assessment of the proposal in relation to Part 2 of the Act 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;*
- (c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;*
- (f) *the protection of historic heritage from inappropriate subdivision, use, and development;*

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;*
- (d) *Intrinsic values of ecosystems;*
- (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 provides for the economic and social well-being of the applicant and provides additional low density rural lifestyle housing opportunities at an appropriate scale and in an appropriate location. The sites can be developed without resulting in any significant adverse effects on the natural character of the site and the surrounding environment.

The proposal is considered to be an efficient use of the land, with the subdivision being sited on soils which are not highly versatile, and with shared vehicle access being used to minimise the extent of land covered by formed access. Future development of the lots will represent an overall appropriate change, which is in context with the existing overall pattern of development in order to avoid significant impacts on amenity values. The natural character of existing areas of indigenous vegetation within the coastal environment can be maintained. Permanent preservation of the ecological resources on the site are proposed.

The proposal avoids any adverse effects that will extend beyond the property boundary to affect the common marine and coastal area. The site does not include any recorded sites of cultural significance. It is considered that the proposal will not have any implications in terms of the Treaty of Waitangi.

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

8.0 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.

8.1 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.

The application site was created through a previous boundary adjustment, which has meant that the date of the title postdates 28 April 2000, and that the restricted discretionary activity "one-off" subdivision options are not available to the site. The site is located at the end of a no-exit road, which serves predominantly Coastal Residential zoned properties. Only two other properties adjacent to Waihuka Road are zoned Rural Production, and these are 3.6270ha and 5.3320ha, both considerably smaller than the subject site, such that the average lot size of proposed Lots 1 – 3 will be in accordance with the size of those lots.

Considering the circumstances of this application, it is concluded that it presents a unique set of circumstances, that are highly unlikely to be replicated by any other application, and this allows the proposed activity to be granted consent without setting a wider precedent.

9.0 Consultation

9.1 Public Notification Assessment

Step 1: Public notification is not required in terms of the criteria listed in 95A(3).

Step 2: Public notification is not precluded in terms of 95A(5).

Step 3: There are no relevant rules that require public notification. Section 95A(8)(b) requires Council to assess, in accordance with section 95D, whether the activity will have or is likely to have adverse effects on the environment that are more than minor. Section 95D directs Council, among other things, to disregard any effects on persons who own or occupy the application site and any adjacent land; and allows adverse effects of activities permitted by a rule or national environmental standard to be disregarded.

As detailed in Section 5.0 of this Report, the proposed development is not expected to result in adverse environmental effects that are more than minor, and public notification is not required.

Step 4: No special circumstances are considered to exist that warrant the application being publicly notified in terms of 95A(9).

9.2 Limited Notification Assessment

Step 1: The proposed subdivision is located inland, more than 800m from the coastal marine area. As such, the proposed activity will not have adverse effects on any protected customary right in terms of Section 95F(a). Hokianga Harbour is a Statutory Acknowledgement area for Te Rarawa. The subject land is not immediately adjacent to this Statutory Acknowledgement Area.

Step 2: Limited notification is not precluded in terms of Section 95B(6).

Step 3: There are no affected persons in terms of 95B(7).

In terms of 95B(8) an assessment has been undertaken in accordance with section 95E.

Section 95E(1) specifies that a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).

Section 95E(2) provides guidance as to how a consent authority should assess an activity's adverse effects on a person for the purposes of Section 95E, including clause (a), where they may disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect.

The proposal creates three Records of Title from the existing Record of Title. Lot 1 contains an existing dwelling. Lot 2 also contains an existing building platform, which, from review of Google Earth aerial imagery, appears to have been established between the years 2011 and 2013. Future buildings on Lot 3 will be located internally within the site and will not be close to boundaries with any property adjacent to the subject site. Furthermore, the Subdivision Suitability Report outlines a proposal for stormwater attenuation to avoid adverse downstream effects. For these reasons, it is considered that no person will be adversely affected to a level that is minor or greater.

Step 4: There are no special circumstances that warrant notification of the application to any other person.

9.3 Notification Assessment Summary

As outlined above we are of the opinion that the proposal satisfies the statutory requirements for non-notification, and we respectfully request that it be processed on that basis.

10.0 Conclusion

In terms of sections 104, 104B and 104D of the Resource Management Act 1991, it is considered 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;
 - the proposal is not contrary to the objectives and policies of the Operative District Plan;
 - the proposal is generally not contrary to the objectives and policies of the Proposed District Plan, with the exception that an SNA is not being added to a schedule (environmental benefit is proposed).
- The proposal is not contrary to the Regional Policy Statement for Northland, or the National Policy Statements for Indigenous Biodiversity and Natural Hazards.
- The proposal is in accordance with the Purpose and Principles of the Resource Management Act 1991.

We also note that:

- The proposal has been assessed as satisfying the statutory requirements to proceed as non-notified.

For these reasons it is requested this application be considered to be a non-notified application, and that the Council grant consent to the proposal, under delegated authority, as detailed in the application and supporting information.

Signed 

Natalie Watson,
Resource Planner

Date 27 February 2026

WILLIAMS & KING
Kerikeri

11.0 Appendices

Appendix 1: Scheme Plan

Appendix 2: RS Eng Subdivision Suitability Report

Appendix 3: Conservation Covenant

Appendix 4: Record of Title

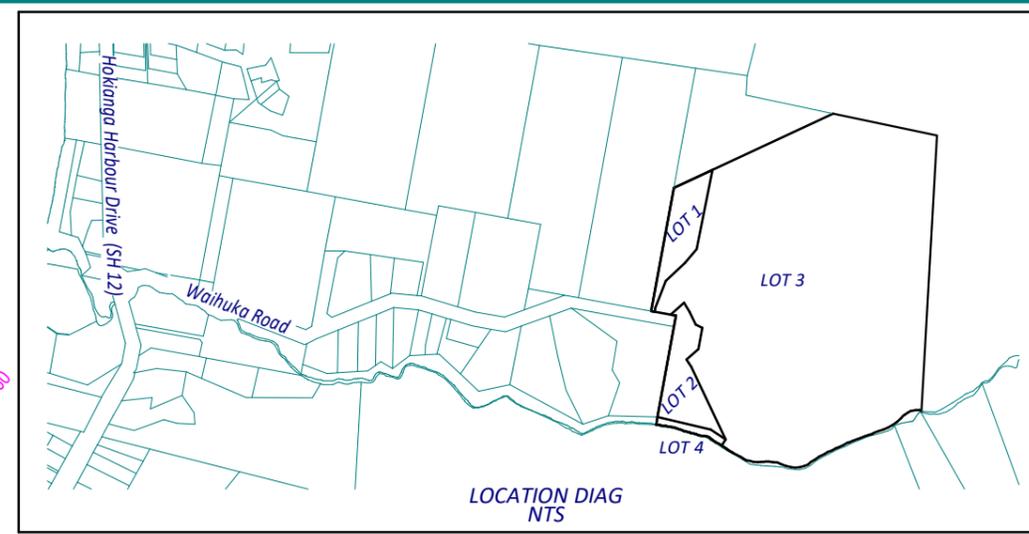
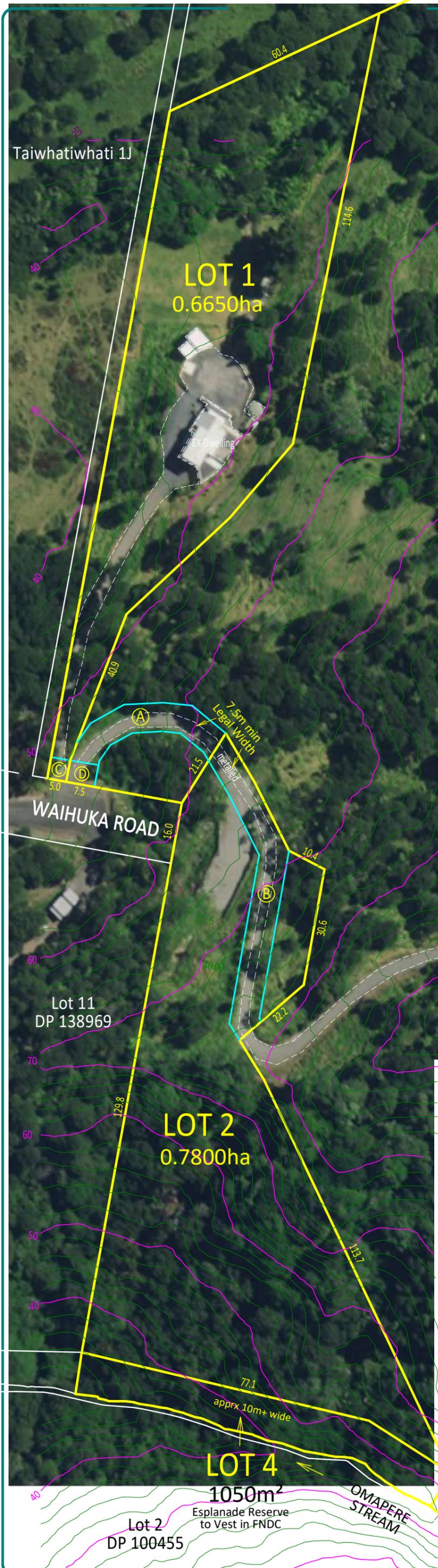
Appendix 5: Ecological Assessment of Site for Conservation Covenant

Appendix 6: Conservation Covenant Inspection Report

Appendix 7: Regional Policy Statement for Northland Policies

Appendix 8: Far North Operative District Plan Objectives and Policies

Appendix 9: Far North Proposed District Plan Objectives and Policies



LOT 3
14.38ha bal.

LOT 1
0.6650ha

LOT 2
0.7800ha

LOT 4
1050m²

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, RIGHT TO CONVEY WATER, ELECTRICITY & TELECOM- MUNICATIONS	(C)	LOT 1 HEREON	LOTS 2 & 3 HEREON
	(B)	LOT 2 HEREON	LOT 3 HEREON
	(A)	LOT 3 HEREON	LOT 2 HEREON
	(D)		LOTS 1 & 2 HEREON

ORIGIN OF LEVELS: EVXB_SM2 DP 493170 = RL 3.76m NZVD
LIDAR CONTOUR INT: 10.0m MAJOR / 2.0m MINOR

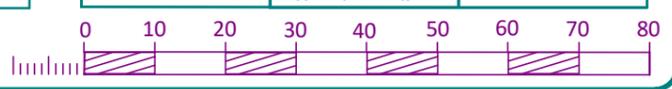
LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL
SURVEY BLOCK & DISTRICT: VII HOKIANGA

COMPRISED IN: RoT 194721
TOTAL AREA: 15.9745 ha
VAL REF: 00619-42525

ZONE: RURAL PRODUCTION (ZONE MAP 111)
FEATURES: NIL (RESOURCE MAP 44)

8.6.5.1.3. - STORMWATER MANAGEMENT (PERMITTED)
The maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 15%

LOT 1 HEREON Area: 0.6650ha	LOT 2 HEREON Area: 0.780ha	LOT 3 HEREON Area: 14.38ha
METALLED ROW : 20m ²	METALLED ROW 290m ²	METALLED DRV 450m ²
DRIVE & ACCESS: 720m ²	Hard surface 230m ²	Hard surface 220m ²
SHEDS: 45m ²	(dwelling remo.)	(likely hse site.)
DWELLING 180m ²	misc 20m ²	Horse corral 580m ²
misc: 20m ²		
TOT. IMP AREA = 985m ²	TOT. IMP AREA = 540m ²	TOT. IMP AREA = 1340m ²
% IMP. AREA = 14.8%	% IMP. AREA = 6.9%	% IMP. AREA = 1%
PASS.. within limits	PASS.. within limits	



PROPOSED SUBDIVISION OF LOT 1 DP 347395

No. 81 WAIHUKA ROAD, OMAPERE

NOTE
THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

Name	Date	ORIGINAL SCALE 1:1000 SHEET SIZE A3
Survey	GJ 2021.02.01	
Design		
Drawn	BK 2021.03.08	
Rev	C 2026.02.17	

23114_BEW_SCHEME_CONTOURS_Feb 2026.lcd

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY
AERIAL IMAGE VIA LINZ DATA SERVICE (NZ Aerial Imagery) - Northland - 03m-rural-aerial-photos-2023-2025

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Surveyors
Ref. No:
23114_BEW

Sheet 1 / 1



SUBDIVISION SUITABILITY REPORT

**81 Waihuka Road
Omapere
(Lot 1 DP 347395)**

SUBDIVISION SUITABILITY REPORT

81 Waihuka Road

Omapere

(Lot 1 DP 347395)

Report prepared for: Catherine Bew

Report prepared by: Bradley Vuletich

Report reviewed by: Matthew Jacobson

Report reference: 18100

Date: 23 June 2022



association of
consulting and
engineering

Issue	Details	Date
1	Building Consent Issue	23 June 2022

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SUBDIVISION SUITABILITY REPORT

81 Waihuka Road, Omapere

(Lot 1 DP 347395)

1.0 Introduction

RS Eng Ltd (RS Eng) has been engaged by Catherine and Michael Bew to investigate the suitability of their property (Lot 1 DP 347395) for a proposed three lot subdivision. The purpose of this report is to assess the suitability of the subdivision for residential development in support of Resource Consent application to the Far North District Council (FNDC).

This report assesses the geotechnical suitability, stormwater disposal and on-site wastewater management for the proposed Lots 2 and 3. RS Eng understands that the existing dwelling on Lot 2 is unconsented and will be removed. RS Eng notes that building areas outside of those identified in this report may be available on proposed Lots 2 and 3, however, they should be subject to a specific geotechnical investigation and assessment.

The report is based on the scheme plan prepared by Williams and King titled *“Proposed Subdivision of Lot 1 DP 347395, No. 81 Waihuka Road, Omapere”* dated 8 March 2021. The scheme plan has been appended in Appendix A.

2.0 Site Description

The property, being 81 Waihuka Road, is located on the western side of Hokianga Harbour drive accessed off the cul-de-sac at the end of Waihuka Road. The property is generally well elevated overlooking the Hokianga Harbour. Ground cover consists of dense mature bush and isolated areas of pasture. The Omapere Stream runs adjacent to the southern boundary. See Figure 3 below.



Figure 1 - Lot 1 DP 347395

3.0 Desk Study

3.1 Referenced/Reviewed Documents

The following documents have been referenced in this report:

- Record of Title.
- GNS – Geology of The Kaitaia Area – Isaac – 1996

3.2 Site Geology

The GNS 1:250,000 scale New Zealand Geology Web Map indicates that the property is located within an area that is underlain by Otaua Group, described as follows: *“Conglomerate and sandstone derived from the Northland Allochthon.”*

3.3 Aerial Photography

RS Eng has undertaken a review of historical aerial photography, specifically two images from 1942 and 1968. In the images, the property is in dense natural bush, making identifying any land features difficult. Ground slopes appear to be hummocky, forming shallow ridge and gully features, with several water courses eventually discharging to the Omapere Stream. See figure 2 below of the 1968 aerial image, the yellow marker indicates the approximate location of Lot 3.



Figure 2 - 1968 Aerial Image (Source: [www. retrolens.co.nz](http://www.retrolens.co.nz))

4.0 Field Investigation

Technicians from this office visited the property on 10 December 2021 and 17 May 2022 to undertake subsoil investigations and a walkover inspection of proposed Lots 2 and 3.

Lot 2 is confined by the existing gravel access (proposed RoW) on the northern and western boundaries. The topography consisted of steep (approximately 20°) hummocky and undulating ground slopes trending in the western direction. The southern half of the property falls steeply in a southern direction towards the Omapere Stream. An existing unconsented dwelling is located in the northern area of the lot, founded on a timber floor. A cut approximately 1.5m high retained by a timber retaining wall forms the building area. Ground cover is mixture of rank pasture, shrubbery and mature trees.

Lot 3 is split by a rounded ridge-like feature, trending in a western direction. The topography consists of moderate to steep hummocky and undulating ground slopes generally falling in the western direction. Ground cover is rank pasture and shrubbery, becoming dense on the steeper slopes north and south of the ridge-like feature. Overland flow paths were noted to run outside the northern boundary and in the southern area of Lot 3

Two hand augers were completed Lots 2 and 3, all being excavated to depths greater than 4.0m except Hand Auger 4 (2.4m). The hand augers were logged to NZGS guidelines, with In-situ Undrained Shear Strengths recorded at regular intervals using a Shear Vane. Refer Appendix B and C for tests locations and results.

4.1 Subsoil Conditions

Interpretation of subsurface conditions are based on the investigations shown on the drawings in Appendix B. The conditions are summarised below;

- No fill was encountered in the hand augers.
- Topsoil was found to have an average depth of approximately 0.3m.
- Residual soils were encountered from below the topsoil layer and are made up from Otatau Group, consisting of stiff to very stiff silty clays and clay silts. In-situ Undrained Shear Strengths ranged between 74kPa and 200+kPa.
- Completely weathered rock was encountered from 2.5m bgl but is expected to be at variable depths throughout the site, consisting of layers of interbedded completely weathered sandstone and conglomerate lithologies generally being very weak.
- Groundwater was recorded in Hand Auger 2 at 4.2m bgl.

5.0 Geotechnical Assessment

5.1 Slope Stability

The land is underlain by the residual soils and weathered products of the Otatau Subgroup conglomerates, derived from the Northland Allochthon. The weathered conglomerate material is expected to extend to significant depth, likely greater than 10m, and most likely to have relatively high rock mass strength being less susceptible to weathering and slope instability, represented by the typically steeper slopes.

The geomorphic features observed on the land and adjacent to the identified building areas do not display any features consistent with deep seated slope instability, though areas of local shallow erosional slope failures and soil creep were observed.

RS Eng expect that significant site works will be required to create level building areas. Such earthworks could be detrimental to the overall stability of the site. Therefore, it is recommended that any site works proposed on the lots is subject to a specific assessment from a suitably experienced Chartered Professional Engineer.

Provided careful consideration is given to earthworks and a project geotechnical assessment is completed by a suitably experienced Chartered Professional Engineer, RS Eng considers the risk of slope instability as low. Site development recommendations have been given in Section 6.0.

5.2 Liquefaction

The building areas identified on Lot 2 and 3 is elevated approximately 60-90m above sea level and positioned on land underlain by Otatau Group (*Conglomerate and sandstone derived from the Northland Allochthon.*). Given the underlying geology and elevation of the proposed building site, RS Eng consider the risk of liquefaction to be low.

5.3 Expansive Soils

The clayey soils encountered on-site are likely to be subject to volumetric change with seasonal changes in moisture content (wet winters / dry summers); this is known as expansive or reactive soils. Apart from seasonal changes in moisture content other factors that can influence soil moisture content at the include:

- Influence of garden watering and site drainage.
- The presence of large trees close to buildings. Large trees can cause variation in the soil moisture content for a distance of up to 1.5 times their mature height.
- Initial soil moisture conditions during construction, especially during summer and more so during a drought. Building platforms that have dried out after initial excavation should be thoroughly wet prior to any floor slabs being poured.
- Plumbing leaks.

Based on the experience of RS Eng in similar materials, we expect the soils to be classified as Class M to H (Moderately to Highly Reactive), in accordance with AS 2870:2011. To demonstrate compliance with the New Zealand Building Code (NZBC) B1, site specific testing will be required at the Building Consent stage to confirm the classification of expansive soils.

6.0 Engineering Recommendations

6.1 Earthworks

To form level building areas, earthworks will be required. It is recommended that at the building consent stage, a specific geotechnical assessment is completed by a suitably qualified Chartered Professional Engineer for the proposal. Where cuts are required (including existing cuts), RS Eng recommends specifically designed retaining walls providing a net stabilising affect to suitably develop the building area.

6.2 Foundations

RS Eng assess that natural ground conditions are not consistent with 'good ground' as defined in the New Zealand Building Code due to the presence of expansive clays. Ultimate Bearing Capacities are expected to vary between 250-300kPa.

All foundations shall be specifically designed by a Chartered Professional Engineer familiar with the site, mitigating potential soil creep and localised erosional slope instability. For light timber framed structures, foundations are expected to extend 5mbgl and consist of 250-275SED piles, although will required specific engineering design.

7.0 On-site Wastewater Management

The FNDC sewer reticulation in the Omapaere area does not extend far enough up Waihuka Road to service the property. Therefore, effluent will be disposed of using an on-site system.

The following presents a suitable design in accordance with Technical Publication (58), AS/NZS 1547:2012, and the NRC proposed Regional Plan for a three-bedroom dwelling.

7.1 Site Evaluation

The land available for effluent disposal is moderately to steeply sloped (approximately 15-25°). Subsoil investigation have assessed the soil as Category 6 in accordance with Technical Publication 58 (Category 5 as per AS/NZS 1547:2012).

Given the topography and slope stability risk. RS Eng recommend the use of a secondary treatment system loading surface pressure compensating drip irrigation line as these systems use lower application rates and are easily laid on sloping ground.

7.2 Design

Proposed Lot 2 and 3 will source water from rainwater storage tanks. Design calculations for a three-bedroom dwelling have been presented in Table 1 below.

Table 1: Wastewater Disposal Calculations

Number of Bedrooms	3	No.
Number of Persons	5	No.
Flow Allowance	180	L/person/Day
Total Flow	900	L/Day
Irrigation Rate (DIR)	3.0	L/m ² /day
Slope Reduction Factor	20	%
Irrigation Area Required	375	m ²
Irrigation Line Spacing	1.0	m

7.3 Northland Regional Council Discharge Compliance

Table 2 below demonstrates compliance with the Northland Regional Council’s (NRC) New Regional Plan. A disposal field location complying with the below setbacks has been provided in Appendix B.

Table 2: NRC Permitted Discharge Compliance

Feature	Proposed Regional Plan	Available
Identified Stormwater Flow Path	5m	>5m
River, Lake, Pond, Stream, Dam or Wetland	15m	>15m
Existing Water Supply Bore	20m	>20m
Property Boundary	1.5m	>1.5m
Groundwater	0.6m	>0.6m
10m Buffer Zone	Slopes >10°	10m
Floodplain Exclusion	5% AEP	>5% AEP
Reserve area	30%	33%

8.0 Stormwater Management

Stormwater runoff currently discharges via surface runoff (sheet flow) and overland flow paths discharging to the Omapere Stream and eventually the Hokianga Harbour. The identified building areas on Lots 2 and 3 are clear of any existing overland flow paths.

Uncontrolled stormwater discharge can cause erosion and/or activate slope instability. To suitably discharge stormwater, RS Eng recommends that stormwater is collected from all paved and roof surfaces and discharged in a controlled manner.

Lot 3 may discharge to the overland flow path located in the southern area of the property. The outlet should disperse stormwater in a controlled manner to eliminate erosion and/or scouring (i.e. rip rap, dispersal trench, or similar).

Given that there is no suitable means for on-site disposal of stormwater for Lot 2. RS Eng recommend that provisions are made to provide a stormwater connection to the stormwater system at the existing RoW.

Given the known flooding issues of the lower catchment including Omapere Stream, RS Eng recommend that all impervious areas be attenuated to predevelopment levels for the 10 and 100-year storm events. A suitable design should be completed at Building Consent stage.

9.0 Conclusions

It is the conclusion of RS Eng Ltd that in relation to the material covered by this report, the identified building areas on Lot 2 and 3 is suitable for residential development provided the recommendations and limitations of this report are complied with.

A site/project specific geotechnical assessment will be required at the Building Consent stage, completing specific testing of the soils to assess the expansive soil class and foundation design parameters. Alternative building sites may be available subject to an appropriate assessment by a suitably experienced Chartered Professional Engineer.

RS Eng conclude that in terms of Section 106 of the Resource Management Act 1991 and subject to the recommendations of this report that:

- a) the land in respect of which a consent is sought, or any structure on the land, is not or is not likely to be subject to material damage by subsidence or slippage from any source; and
- b) any subsequent use that is likely to be made of the land is not likely to accelerate, worsen, or result in material damage to the land, other land, or structure by subsidence or slippage from any source.

10.0 Limitations

This report has been prepared solely for the benefit of our client and the Far North District Council. The purpose is to determine the engineering suitability of the proposed subdivision, in relation to the material covered by the report. The reliance by other parties on the information, opinions or recommendations contained therein shall, without our prior review and agreement in writing, do so at their own risk.

Recommendations and opinions in this report are based on data obtained as previously detailed. The nature and continuity of subsoil conditions away from the test locations are inferred and it should be appreciated that actual conditions could vary from those assumed. If during the construction process, conditions are encountered that differ from the inferred conditions on which the report has been based, RS Eng should be contacted immediately.

Construction site safety is the responsibility of the builder/contractor. The recommendations included herein should not be construed as direction of the contractor's methods, construction sequencing or procedures. RS Eng can provide recommendations if specifically engaged to, upon request.

This report does not address matters relating to the National Environmental Standard for Contaminated Sites, and if applicable separate advice should be sought on this matter from a suitably qualified person.

RS Eng advise our clients that it is Whangarei District Council policy to not accept engineering report, dated more than two years prior to the application date.

Prepared by:



Bradley Vuletich
Engineering Technician

Reviewed by:



Matthew Jacobson
Director
BE(Civil), CPEng, CMEngNZ

RS Eng Ltd

Appendix A

Scheme Plan



LOT 1
14.67ha bal.

LOT 3
4050m²

LOT 2
7825m²

LOT 4
1050m²

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, RIGHT TO CONVEY WATER, ELECTRICITY & TELECOM- MUNICATIONS	(A)	LOT 1 HEREON	LOTS 2 & 3 HEREON
	(C)		LOT 3 HEREON
	(B)	LOT 2 HEREON	LOTS 1 & 3 HEREON

ORIGIN OF LEVELS: EVXB_SM2 DP 493170 = RL 3.76m NZVD
LIDAR CONTOUR INT: 10.0m MAJOR / 2.0m MINOR

LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL
SURVEY BLOCK & DISTRICT: VII HOKIANGA

COMPRISED IN: RoT 194721
TOTAL AREA: 15.9745 ha
VAL REF: 00619-42525

ZONE: RURAL PRODUCTION (ZONE MAP 111)
FEATURES: NIL (RESOURCE MAP 44)

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY

AERIAL IMAGE VIA LINZ DATA SERVICE (NZ Aerial Imagery) - Northland 0.1m Urban Aerial Photos (2014-2015)

8.6.5.1.3 - STORMWATER MANAGEMENT (PERMITTED)
The maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 15%

LOT 1 HEREON	Area: 14.67ha	LOT 2 HEREON	Area: 7900m ²	LOT 3 HEREON	Area: 4000m ²
METALLED DRV	1580m ²	METALLED DRV	260m ²	METALLED DRV	0m ²
PATH	580m ²	PATH	40m ²	PATH	0m ²
HORSE CORRAL	140m ²	DECKS	151m ²	DECKS	0m ²
ROOF		ROOF		ROOF	0m ²
TOT. IMP AREA = 2300m ²		TOT. IMP AREA = 451m ²		TOT. IMP AREA = m ²	
% IMP. AREA = 2%		% IMP. AREA = 5.7%		% IMP. AREA = %	
PASS. within limits		PASS. within limits		PASS. within limits	



PROPOSED SUBDIVISION OF LOT 1 DP 347395

No. 81 WAIHUKA ROAD, OMAPERE

NOTE
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Name	Date	ORIGINAL
Survey	GJ 2021.02.01	SCALE SHEET SIZE 1:1000 A3
Design		
Drawn	BK 2021.03.08	
Rev		

23114_BEW_SCHEME_CONTOURS_MAR 2021.lcd



WILLIAMS AND KING
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PO Box 937, Kerikeri

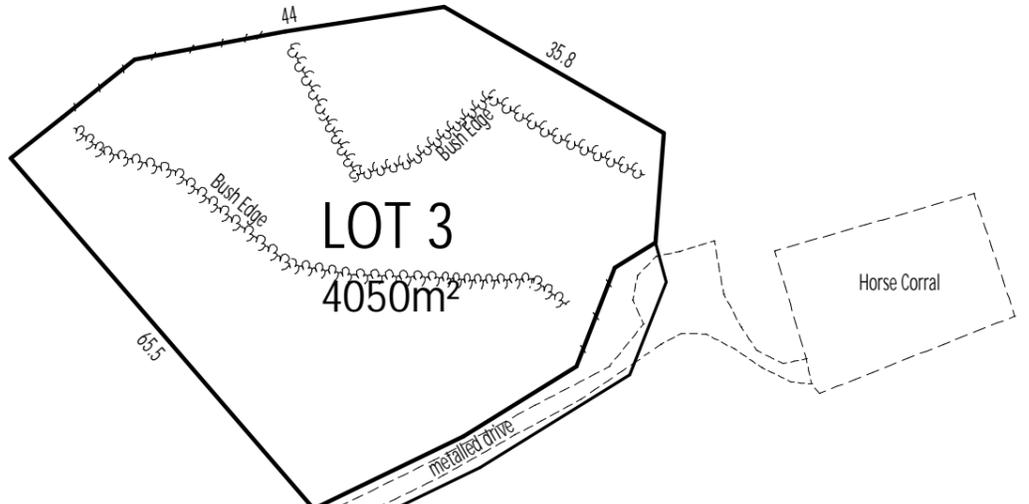
Surveyors Ref. No:
23114_BEW

Sheet **1 / 1**

Taiwhatiwhati 1J



LOT 1
14.67ha bal.



WAIHUKA ROAD

Lot 11
DP 138969

LOT 2
7825m²

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, RIGHT TO CONVEY WATER, ELECTRICITY & TELECOM- MUNICATIONS	(A)	LOT 1 HEREON	LOTS 2 & 3 HEREON
	(C)		LOT 3 HEREON
	(B)	LOT 2 HEREON	LOTS 1 & 3 HEREON

ORIGIN OF LEVELS: EVXB_SM2 DP 493170 = RL 3.76m NZVD
LIDAR CONTOUR INT: 10.0m MAJOR / 2.0m MINOR

LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL
SURVEY BLOCK & DISTRICT: VII HOKIANGA
COMPRISED IN: RoT 194721
TOTAL AREA: 15.9745 ha
VAL REF: 00619-42525
ZONE: RURAL PRODUCTION (ZONE MAP 111)
FEATURES: NIL (RESOURCE MAP 44)

8.6.5.1.3 - STORMWATER MANAGEMENT (PERMITTED)
The maximum proportion or amount of the gross site area covered by buildings and other impermeable surfaces shall be 15%

LOT 1 HEREON	Area: 14.67ha	LOT 2 HEREON	Area: 7900m ²	LOT 3 HEREON	Area: 4000m ²
METALLED DRV	1580m ²	METALLED DRV	260m ²	METALLED DRV	0m ²
PATH	580m ²	PATH	40m ²	PATH	0m ²
HORSE CORRAL	140m ²	DECKS	151m ²	DECKS	0m ²
ROOF		ROOF		ROOF	0m ²
TOT. IMP AREA =	2300m ²	TOT. IMP AREA =	451m ²	TOT. IMP AREA =	m ²
% IMP. AREA =	2%	% IMP. AREA =	5.7%	% IMP. AREA =	%
PASS.. within limits		PASS.. within limits		PASS.. within limits	



LOT 4
1050m²
Esplanade Reserve
to Vest in FNDC

Lot 2
DP 100455

OMAPERE STREAM

**PROPOSED SUBDIVISION OF
LOT 1 DP 347395**

No. 81 WAIHUKA ROAD, OMAPERE

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Survey	Name	Date	ORIGINAL SCALE	SHEET SIZE
Design	GJ	2021.02.01		
Drawn	BK	2021.03.08		
Rev				

23114_BEW_SCHEME_CONTOURS_MAR 2021.lcd

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AERIAL IMAGE VIA LINZ DATA SERVICE (NZ Aerial Imagery) - Northland
0.1m Urban Aerial Photos (2014-2015)

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Surveyors
Ref. No:
23114_BEW
Sheet 1 / 1

Appendix B

Drawings



NOTES:

- Do not scale off drawings.
- If any part of these documents are unclear, please contact RSEng Ltd.
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KEY

- ⊗ Hand Auger Location
- ⊕ Cone Penetrometer Location

Contours are shown at 2.5m crs. Contours are derived from LIDAR (2018) and are shown at OTP64 Vertical Datum.

RS Eng Ltd
 09 438 3273
 office@RSEng.co.nz
 2 Seaview Road,
 Whangarei 0110

Title			
PROPOSED SUBDIVISION SUITABILITY REPORT SITE PLAN			
Client			
CATHERINE BEW			
Location			
81 WAIHUKA ROAD OMAPERE			
Date	Rev	Notes	
Scale	Original	Rev	
1:500	A3	A	
Drawn	Approved	File #	Sheet
BV	MJ	18100	1



NOTES:

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KEY

- ⊗ Hand Auger Location
- ⊕ Cone Penetrometer Location

Contours are shown at 2.5m crs.
Contours are derived from LIDAR (2018) and are shown at OTP64 Vertical Datum.

	RS Eng Ltd 09 438 3273 office@RSEng.co.nz 2 Seaview Road, Whangarei 0110
	Title PROPOSED SUBDIVISION SUITABILITY REPORT SITE PLAN

Client
CATHERINE BEW

Location
**81 WAIHUKA ROAD
OMAPERE**

Date	Rev	Notes

Scale 1:500	Original A3	Rev A
Drawn BV	Approved MJ	File # 18100
Sheet 2		

Appendix C

Subsurface Investigations



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Whangarei 0110

HAND AUGER LOG

HOLE NO.:
HA01

CLIENT: Catherine Bew
PROJECT: Geotechnical Investigations

JOB NO.:
18100

SITE LOCATION: 81 Waihuka Road, Omapere
CO-ORDINATES: 1636286mE, 6068005mN (NZTM)

ELEVATION: 103m (NZVD2016)

START DATE: 10/12/2021

END DATE: 10/12/2021

LOGGED BY: BV

UNIT	MATERIAL DESCRIPTION (See Classification & Symbology sheet for details)	SAMPLES	DEPTH (m)	LEGEND	SCALA PENETROMETER (Blows / 0mm)							VANE SHEAR STRENGTH (kPa) Vane: GEO200				WATER				
					2	4	6	8	10	12	14	16	18	50	100		150	200	Values	
TS	Silty TOPSOIL, with some sand; brown. Stiff; dry; non-plastic.		0.2	TS																
Chaua Group	Silty CLAY, with trace rootlets and sand. Stiff; moist; high plasticity; sand, fine to medium.		0.4	TS															120	
			0.6	TS															49	
	Orange, grey.		0.8	TS																
			1.0	TS																123
			1.2	TS																50
	Light brown, grey, orange veins.		1.4	TS																
			1.6	TS																109
			1.8	TS																51
	Clayey SILT, with some sand; brown, orange, grey, iron oxide staining. Stiff; moist; high plasticity; sand, fine to coarse.		2.0	TS																143
			2.2	TS																43
Completely weathered; SANDSTONE; Intermittent pockets. Silty SAND, with some gravel; orange, red. Very stiff; moist; non-plastic; gravel, fine to medium, angular.		2.4	TS																143	
		2.6	TS																37	
		2.8	TS																	
		3.0	TS																149	
		3.2	TS																36	
Completely weathered; SANDSTONE. Silty SAND, with some gravel; black, grey, brown, orange mottled. Very stiff; moist; non-plastic; sand, fine to coarse; gravel, fine to medium, angular.		3.4	TS																174	
		3.6	TS																47	
Completely weathered; orange, red, black; SANDSTONE; intermittent pockets. Silty CLAY, with some sand and gravel; light grey, brown. Stiff; moist; high plasticity; sand, fine to coarse, gravel, fine to medium, angular.		3.8	TS																	
		4.0	TS																200+	
		4.2	TS																-	
		4.4	TS																	
End Of Hole: 4.50m			4.6	TS															111	
			4.8	TS															31	

Groundwater Not Encountered

PHOTO(S)



REMARKS

Target Depth
No groundwater encountered

WATER

- ▼ Standing Water Level
- ▽ Out flow
- ↖ In flow

INVESTIGATION TYPE

- Hand Auger
- Test Pit



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HAND AUGER LOG

HOLE NO.:
HA02

CLIENT: Catherine Bew
PROJECT: Geotechnical Investigations

JOB NO.:
18100

SITE LOCATION: 81 Waihuka Road, Omapere
CO-ORDINATES: 1636272mE, 6068010mN (NZTM)

ELEVATION: 98m (NZVD2016)

START DATE: 10/12/2021

END DATE: 10/12/2021

LOGGED BY: BV

UNIT	MATERIAL DESCRIPTION (See Classification & Symbology sheet for details)	SAMPLES	DEPTH (m)	LEGEND	SCALA PENETROMETER (Blows / 0mm)						VANE SHEAR STRENGTH (kPa) Vane: GEO200				WATER			
					2	4	6	8	10	12	14	16	18	50		100	150	200
TS	Silty TOPSOIL, with some sand; brown. Stiff; dry; non-plastic.		0.2	TS														
Chaua Group	Silty CLAY; orange, brown, grey mottled. Stiff; moist; high plasticity.		0.4	TS														74
			0.6	TS														31
			0.8	TS														
			1.0	TS														100
			1.2	TS														49
			1.4	TS														
			1.6	TS														100
		With some sand; orange veins - iron oxide staining. Sand, fine to medium.		1.8	TS													50
		Clayey SILT, with minor sand; orange, grey mottled. Stiff; moist; low plasticity; sand, fine.		2.0	TS													86
		Clayey SILT, with some sand, with trace gravel; brown, orange. Stiff; moist; low plasticity; sand, fine to coarse; gravel, fine to medium, angular, breaking down to silt.		2.2	TS													36
	Clayey SILT, with trace sand; grey, white/orange streaking. Stiff; moist; high plasticity; sand, fine.		2.4	TS													200+	
	Clayey SILT, with trace sand; grey, white/orange streaking. Stiff; moist; high plasticity; sand, fine.		2.6	TS													-	
	Iron oxide staining. Stiff; low plasticity.		2.8	TS													189	
	Clayey SILT, with some sand, with trace gravel; bluish grey. Very stiff; moist; low plasticity; sand, fine to medium; gravel, fine to medium, angular.		3.0	TS													53	
	Gravel ceases.		3.2	TS													200+	
			3.4	TS													-	
			3.6	TS													200+	
			3.8	TS													-	
			4.0	TS													200+	
			4.2	TS													-	
			4.4	TS													200+	
	End Of Hole: 4.50m		4.6														-	
			4.8														-	

PHOTO(S)



REMARKS

Target Depth
Groundwater seepage at 4.2m

WATER

- ▼ Standing Water Level
- ▽ Out flow
- ↔ In flow

INVESTIGATION TYPE

- Hand Auger
- Test Pit



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2 Seaview Road,
Whangarei 0110

HAND AUGER LOG

HOLE NO.:
HA03

CLIENT: Catherine Bew
PROJECT: Geotechnical Investigations

JOB NO.:
18100

SITE LOCATION: 81 Waihuka Road, Omapere
CO-ORDINATES: 1636141mE, 6067982mN

ELEVATION: 62.17m

START DATE: 17/05/2022
END DATE: 17/05/2022
LOGGED BY: CH

UNIT	MATERIAL DESCRIPTION (See Classification & Symbology sheet for details)	SAMPLES	DEPTH (m)	LEGEND	SCALA PENETROMETER (Blows / 0mm)										VANE SHEAR STRENGTH (kPa) Vane: GEO200				WATER			
					2	4	6	8	10	12	14	16	18	50	100	150	200	Values				
TS	Topsoil		0.2	TS																		
Otaua Group	Clayey SILT; brownish grey. Firm; moist; low plasticity. Brown/grey mottled white		0.4	TS																	100	
			0.6	TS																	49	
	Silty CLAY; brown/grey/yellow. Stiff; moist; high plasticity.		0.8	TS																	97	
			1.0	TS																	49	
			1.2	TS																		
			1.4	TS																		117
			1.6	TS																		60
	Clayey SILT; grey/yellow/white. Very stiff; moist; high plasticity.		1.8	TS																		126
			2.0	TS																		69
	Silty CLAY, with trace sand; greyish blue. Very stiff; moist; high plasticity; sand, fine.		2.2	TS																		120
		2.4	TS																		63	
		2.6	TS																			
		2.8	TS																			
		3.0	TS																		100	
		3.2	TS																		54	
		3.4	TS																			
		3.6	TS																		134	
		3.8	TS																		57	
		4.0	TS																		129	
	End Of Hole: 4.00m		4.0	TS																	83	
			4.2																			
			4.4																			
			4.6																			
			4.8																			

Groundwater Not Encountered

PHOTO(S)



REMARKS

Target Depth
No groundwater encountered

WATER

- ▼ Standing Water Level
- ▽ Out flow
- ↖ In flow

INVESTIGATION TYPE

- Hand Auger
- Test Pit



RS Eng Ltd
09 438 3273
office@RSEng.co.nz
2 Seaview Road,
Whangarei 0110

HAND AUGER LOG

HOLE NO.:
HA04

CLIENT: Catherine Bew
PROJECT: Geotechnical Investigations

JOB NO.:
18100

SITE LOCATION: 81 Waihuka Road, Omapere
CO-ORDINATES: 1636145mE, 6067957mN

ELEVATION: 66.76m

START DATE: 17/05/2022
END DATE: 17/05/2022
LOGGED BY: CH

UNIT	MATERIAL DESCRIPTION (See Classification & Symbology sheet for details)	SAMPLES	DEPTH (m)	LEGEND	SCALA PENETROMETER (Blows / 0mm)										VANE SHEAR STRENGTH (kPa) Vane: GEO200				WATER		
					2	4	6	8	10	12	14	16	18	50	100	150	200	Values			
TS	Topsoil		0.0	TS																	
Olaus Group	Clayey SILT; orangish brown. Very stiff; moist; low plasticity.		0.2	TS																	
			0.4	TS																	131
			0.6	TS																	51
	Sandy SILT, with trace clay; yellowish orange. Very stiff; moist; non-plastic; sand, fine.		0.8	TS																	200+
			1.0	TS																	-
	Orangish grey		1.2	TS																	200+
		1.4	TS																		-
		1.6	TS																		200+
		1.8	TS																		-
	Clayey SILT, with minor sand; grey. Very stiff; moist; low plasticity; sand, fine.		2.0	TS																	126
			2.2	TS																	54
	Silty SAND; grey/orange. Dense; moist; non-plastic; sand, fine to medium.		2.4	TS																	
	End Of Hole: 2.40m		2.4	TS																	
			2.6																		
			2.8																		
			3.0																		
			3.2																		
			3.4																		
			3.6																		
			3.8																		
			4.0																		
			4.2																		
			4.4																		
			4.6																		
			4.8																		

PHOTO(S)



REMARKS

Refusal due to being unable to penetrate

WATER

- ▼ Standing Water Level
- ▽ Out flow
- ↖ In flow

INVESTIGATION TYPE

- Hand Auger
- Test Pit

CONSERVATION COVENANT
(Section 77 Reserves Act 1977)

BETWEEN

CATHERINE JANE BEW
("the Landowners")

AND

FAR NORTH DISTRICT COUNCIL
("Council")

WHEREAS:

A. Section 77 of the Reserves Act 1977 provides that:

- (i) The Minister, any local authority, or any other body approved by the Minister, is satisfied that any private land or any Crown land held under Crown lease should be managed so as to preserve the natural environment, or landscape amenity, or wildlife or freshwater-life or marine-life habitat, and that the particular purpose or purposes can be achieved without acquiring the ownership of the land, or, as the case may be, of the lessee's interest in the land, for a reserve, may treat and agree with the owner or lessee for a covenant to provide for the management of that land in a manner that will achieve the particular purpose or purposes of conservation.
- (ii) Any covenant under this section may be in perpetuity or for any specific term.

B. The Far North District Council's Rates Postponement Policy provides that:

- (i) Land that has been set aside to protect particular outstanding landscape, historical, ecological or cultural values, under a formal protection agreement, in a form acceptable to Council and for a term of not less than ten years will be eligible to receive a postponement of rates for the period during which the protection remains in place.

C. Catherine Jane Bew (hereinafter called "the Landowners") are the registered proprietors of the land described in the schedule ("the land"), consisting of mainly of advanced shrubland and regenerating native bush and forest.

D. The Landowner and the Council have agreed that the land be managed with the following conservation objectives:

- (i) *To preserve and protect the regenerating bush and native forest.*

E. The Landowner and the Council have agreed that:

- (i) That the Landowner may reside on, occupy or use an area of 3.9 ha, as delineated on the attached *aerial/map*. This area of land (hereinafter referred to as "the excluded area") will not receive any benefit of rates relief and will be defined as a separate division of the Rating Unit pursuant to Section 45(3) of the Local Government (Rating) Act.

NOW THEREFORE THIS DEED WITNESSES that in accordance with Section 77 of the Reserves Act 1977 the Landowner and the Council **MUTUALLY COVENANT** that the land shall be managed for the purposes and objectives listed in recital D above, and in particular on the following conditions:

1. The Landowner covenants that:

- (a) *The living indigenous vegetation on the land shall not be cut down, damaged or destroyed (except for the maintenance of roadways and walking tracks, and tracks for pest control operations) without prior written consent of the Council. Such consent may be given in the form of resource consent. The landowner shall be deemed not to be in breach of this prohibition if any such vegetation dies from natural causes, which are not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.*
- (b) *There shall be no intrusion of grazing stock (including cows, sheep, goats and pigs) into any areas of indigenous vegetation on the land.*
- (c) *No occupier of the land shall keep or introduce on to the site carnivorous or omnivorous exotic animals (such as ferrets, cats or dogs) which have the potential to be Kiwi predators.*
- (d) *Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced to the land. This includes the introduction of invasive plant species, including those currently listed on the nationally-banned-for-sale list (see Northland Regional Pest Management Strategy). Species such as Agapanthus which have already exhibited a tendency to naturalise in coastal areas should be avoided.*
- (e) *Dead wood and vegetation may be removed by the owners for their own use on the land.*
- (f) *Any predator/pest control work carried out is to be done in a manner which will not endanger Kiwi or other indigenous fauna and flora.)*

2. The Landowner shall pay the costs of preparation and registration of this Covenant.
3. Subject to Council continuing to provide for the postponement of rates pursuant to a policy adopted in terms of Section 110 of the Local Government Act 2002, Council shall postpone the rates on all of "the land" with the exception of the area of land defined as "the excluded area" so long as this Covenant remains in force.
4. The duration of this covenant is for a period of ten years. It is understood that it is the intention of the parties to renew this covenant every ten years on the anniversary of its initial signing.
5. As provided for in Section 88 of the Local Government Rating Act 2002, Council will add a postponement fee to the accumulated postponed rates each year. This postponement fee will not exceed the administrative cost together with the cost of financing the postponed rates.

6. Subject to this covenant remaining in force, Council will remit any postponed rates together with any accumulated postponement fees upon the tenth anniversary of those rates and fees being assessed on the land.

SCHEDULE

Certificates of Title 194721 (North Auckland Registry)

DATED this 21 day of ^{October} 2011

SIGNED by

in the presence of:



Landowner


Witness Signature
Solicitor

Witness Name
Kerikeri

Witness Address

THE COMMON SEAL OF THE
FAR NORTH DISTRICT COUNCIL
was hereunto affixed in the presence
of:



Chief Executive




Adele Thomson
CH FNDC
Memorial Avenue
Kaitoke 0440.



Figure 1: Proposed area for covenant is shown within the blue hatched line. Hatches show fence-lines that are fenced. The area that needs fencing is the reverse 'c' shape with the bite out of it



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier 194721
Land Registration District North Auckland
Date Issued 30 March 2005

Prior References
NA8D/738

Estate Fee Simple
Area 15.9745 hectares more or less
Legal Description Lot 1 Deposited Plan 347395

Proprietors
Catherine Jane Bew

Interests



**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 194721
Land Registration District North Auckland
Date Issued 30 March 2005

Prior References
NA8D/738

Estate Fee Simple
Area 15.9745 hectares more or less
Legal Description Lot 1 Deposited Plan 347395
Registered Owners
Catherine Jane Bew

Interests

9370025.5 Conservation Covenant pursuant to Section 77 Reserves Act 1977 (Limited as to duration) - 16.4.2013 at 7:00 am
9370025.6 STATUTORY LAND CHARGE PURSUANT TO SECTION 87 LOCAL GOVERNMENT (RATING) ACT 2002 - 16.4.2013 at 7:00 am

COV 9370025.5 Covenant
Cpy - 01/01.Pgs - 004,30/04/13,11:43
DocID 513962664
DocID 513962664

CONSERVATION COVENANT
(Section 77 Reserves Act 1977)

BETWEEN **CATHERINE JANE BEW**
("the Landowners")

AND **FAR NORTH DISTRICT COUNCIL**
("Council")

WHEREAS:

A. Section 77 of the Reserves Act 1977 provides that:

- (i) The Minister, any local authority, or any other body approved by the Minister, is satisfied that any private land or any Crown land held under Crown lease should be managed so as to preserve the natural environment, or landscape amenity, or wildlife or freshwater-life or marine-life habitat, and that the particular purpose or purposes can be achieved without acquiring the ownership of the land, or, as the case may be, of the lessee's interest in the land, for a reserve, may treat and agree with the owner or lessee for a covenant to provide for the management of that land in a manner that will achieve the particular purpose or purposes of conservation.
- (ii) Any covenant under this section may be in perpetuity or for any specific term.

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15.9745
- 3.9000

12.0745

Handwritten signature

NOW THEREFORE THIS DEED WITNESSES that in accordance with Section 77 of the Reserves Act 1977 the Landowner and the Council **MUTUALLY COVENANT** that the land shall be managed for the purposes and objectives listed in recital D above, and in particular on the following conditions:

1. The Landowner covenants that:
 - (a) *The living indigenous vegetation on the land shall not be cut down, damaged or destroyed (except for the maintenance of roadways and walking tracks, and tracks for pest control operations) without prior written consent of the Council. Such consent may be given in the form of resource consent. The landowner shall be deemed not to be in breach of this prohibition if any such vegetation dies from natural causes, which are not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.*
 - (b) *There shall be no intrusion of grazing stock (including cows, sheep, goats and pigs) into any areas of indigenous vegetation on the land.*
 - (c) *No occupier of the land shall keep or introduce on to the site carnivorous or omnivorous exotic animals (such as ferrets, cats or dogs) which have the potential to be Kiwi predators.*
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 - (f) *Any predator/pest control work carried out is to be done in a manner which will not endanger Kiwi or other indigenous fauna and flora.)*
2. The Landowner shall pay the costs of preparation and registration of this Covenant.
3. Subject to Council continuing to provide for the postponement of rates pursuant to a policy adopted in terms of Section 110 of the Local Government Act 2002, Council shall postpone the rates on all of "the land" with the exception of the area of land defined as "the excluded area" so long as this Covenant remains in force.
4. The duration of this covenant is for a period of ten years. It is understood that it is the intention of the parties to renew this covenant every ten years on the anniversary of its initial signing.
5. As provided for in Section 88 of the Local Government Rating Act 2002, Council will add a postponement fee to the accumulated postponed rates each year. This postponement fee will not exceed the administrative cost together with the cost of financing the postponed rates.

6. Subject to this covenant remaining in force, Council will remit any postponed rates together with any accumulated postponement fees upon the tenth anniversary of those rates and fees being assessed on the land.

SCHEDULE

Certificates of Title 194721 (North Auckland Registry)

DATED this 21 day of ^{October} 2011

SIGNED by

in the presence of:

[Signature]
Landowner
Ng Prouser
Witness Signature
Solicitor
Witness Name
Low Dred
Witness Address
Kerua

THE COMMON SEAL OF THE
FAR NORTH DISTRICT COUNCIL
was hereunto affixed in the presence
of:

W D Edmunds
Chief Executive



[Signature]
Adele Thomson
C/- FND C
Memorial Avenue
Kaikohe 0440.

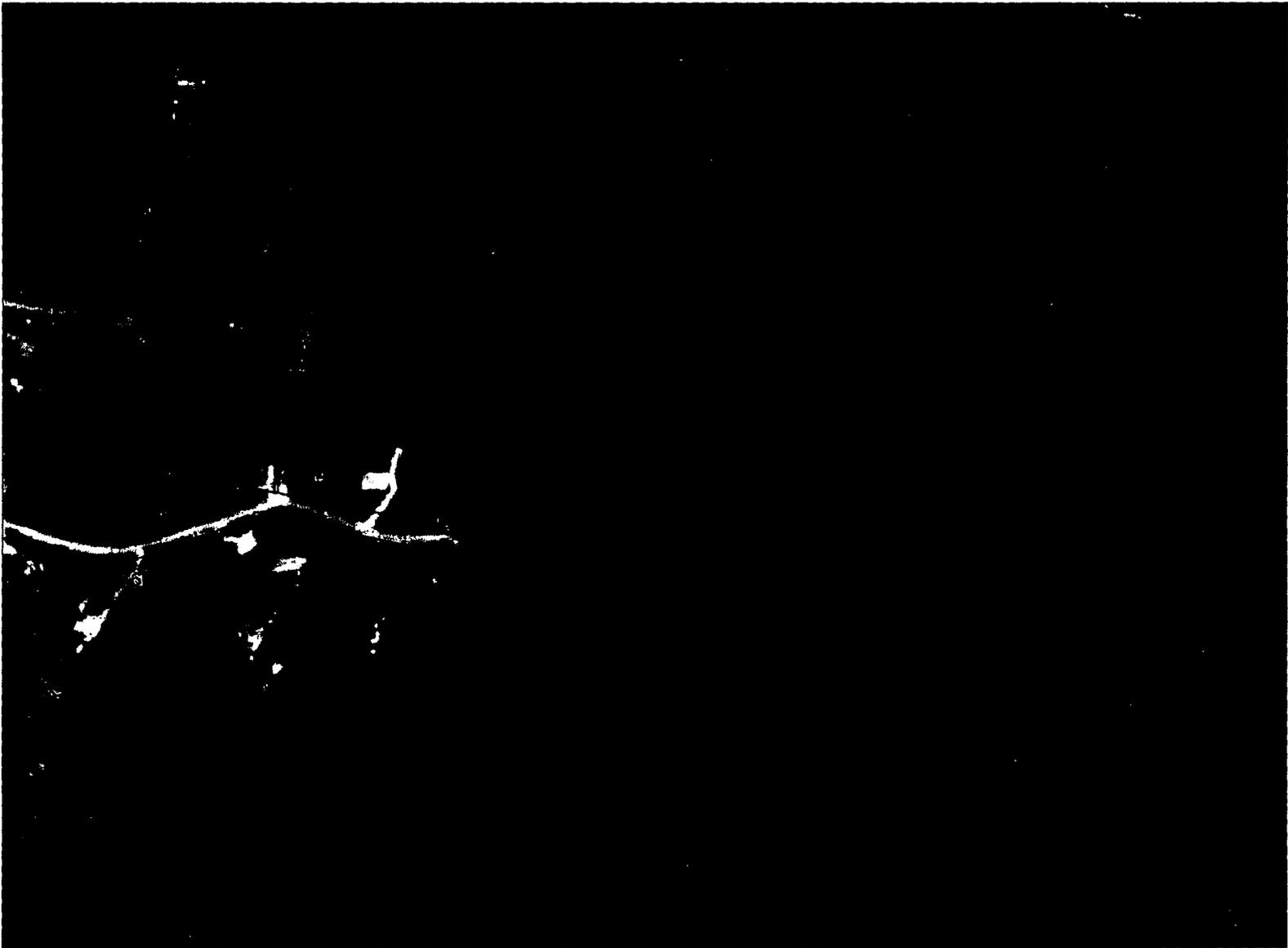


Figure 1: Proposed area for covenant is shown within the blue hatched line. Hatches show fence-lines that are fenced. The area that needs fencing is the reverse 'c' shape with the bite out of it

NOTICE OF LAND CHARGE FOR POSTPONED RATES

TO: Land Information New Zealand

SLC 9370025.6 Statutor

Cpy - 01/01, Pgs - 001, 15/04/13, 13:23



DocID: 513962567

TAKE NOTICE that the land hereinafter described is subject to a charge on account of the total amount of rates from time to time payable to the Far North District Council, the payment of which has been postponed by the local authority pursuant to Section 87 of the Local Government (Rating) Act 2002 and that you are hereby required to register the charge.

DESCRIPTION OF LAND AFFECTED BY CHARGE:

Name of Registered Proprietor: **Catherine Jane Bew**
Situation of Land: **81 Waihuka Road, Omapere 0473**
Area of Land: **15.9745 hectares more or less**
Legal Description of Land: **Lot 1 Deposit Plan 347395**
Computer Freehold Register No: **194721**

DATED at Kaikohe this *14th* day of *March* Month 2013.

SIGNED for and on behalf of the
FAR NORTH DISTRICT COUNCIL

By:

N D Edmunds

DAVID EDMUNDS,
Chief Executive Officer

Witnessed By: *Tracy Thomson*
Witness Signature: *[Signature]*
Witness Occupation: *Executive Assistant*

Full name of Witness: *Tracy Thomson*
Witness Address: *C/- FNDC
Memorial Avenue
Kaikohe 0440.*

SARAH ROBSON



Far North
District Council

Catherine Bew
PO Box 102
OMAPERE 0444

Private Bag 752, Memorial Ave

Kaikōhe 0440, New Zealand

Freephone: 0800 920 029

Phone: (09) 405 2750

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: www.fndc.govt.nz

Te Kaunihera o Tai Tokerau Ki Te Raki

Wednesday, January 21, 2009

Kia Ora

RE: PROTECTION OF INDIGENOUS FLORA AND FAUNA REPORT

Thank you for allowing our ecologist to carry out a site visit, with you, to your property. The Far North District Council appreciates your time and effort in helping to maintain, enhance and protect flora and fauna in the Far North.

Please find enclosed a copy of the report with recommendations prepared by Councils contracted ecologist.

If you would like to progress with the Covenanting process you will need to undertake the following actions:

- Fill in or delete where applicable, those sections in the Conservation Covenant template (previously sent to you) that have been highlighted,
- Acquire legal assistance to write up your covenant.
- Provide to the Council, 3 signed copies of your Conservation Covenant.

If you have any enquiries regarding this report, or in general please contact me on 0800 920 029.

A te wa

A handwritten signature in cursive script, appearing to read 'Harirewa Watene-Te Haara'.

Harirewa Watene-Te Haara
SUPPORT OFFICER / DISTRICT PLAN & MAORI DEVELOPMENT

Site Name: Bew; Waihuka Road, Omapere

Registration Number: VP2008-0074

Grid Reference: NZMS No. 260 472 303

PROTECTED AREA: ~12 Ha

Legal Descriptions: Lot 1 DP 347395

Valuation Numbers: 00619-42525

Owners: Catherine and Michael Bew

Contact numbers: 09 405 8145

Aerial Photograph: Attached

Area: 15.9 ha

Ecological District: Tutamoe

Description

The property is located at the end of Waihuka Road approximately one kilometre east of Omapere School and with the Omapere Stream forming the southern boundary and another unnamed stream forming the north-western boundary. The land is zoned Rural Production. The landform is coastal dissected hill country underlain by Tangihua complex igneous rock units (Holland, 2008). It ranges from 60 to 140 m asl. The property is mainly rolling but moderately steep near the stream and has a westerly aspect. It also forms part of the south-western arm of the Waiotemarama gorge forest which has an area of 421 ha and ranges from 10 to 414 m asl.

An ecological assessment was carried out on 13 January 2009. Representative areas were walked with the owners who have owned the property for approximately two years.

Vegetation and Fauna

The area was cleared for farming but has been regenerating for approximately 50 years. The vegetation on the area proposed for covenant (Figure 1) contains kanuka/ taraire/ towai; manuka/ cabbage tree/ mamangi; rewarewa/ puriri/ taraire/ tawa/ rata forest on hillslope; and karaka/ kowhai vegetation associations. It is contiguous with the Waiotemarama gorge forest on the three main boundaries but on a small proportion of the land along the western boundary, and within the property a few horses are grazed.

Through the middle of the property advanced shrubland forms the dominant ecological unit; on the northern flank kowhai forest features, while on the southern flank, adjacent the Omapere Stream, diverse secondary broadleaf forest is the dominant ecological unit. Here emergent northern rata, rimu, puriri, taraire and rewarewa are present reaching heights greater than 12 metres. Unusually individual native broom trees were seen in the canopy. Small areas of localized dieback were present in the canopy and localized browse in the understory. The understory shows good diversity with an abundance of plants preferred by possums and goats and a considerable number of seedlings and saplings around the edge of the canopy. Ground cover is abundant and birdsong present some of the time but with extended breaks (mid-morning, cool and overcast). Kauri snails are present. The riparian margin is intact and aquatic habitat in good health with banded kokopu (*Galaxias fasciatus*) and koura (*Paranephrops planifrons*) present.

The forest interior was virtually weed-free. A few isolated ginger plants (*Hedychium flavescens*) were seen. Near the edge a number of pasture grasses occur with very small patches of Mexican devilweed and the occasional gorse and pampas plant. Outside the area proposed for covenant there are three invasive species of note: goats rue, Japanese honey suckle, pampas and ragwort.



Plates 1 to 4: Representative photographs of the vegetation in the proposed covenant area

Significance

This property is part of the Waiotemarama gorge forest SNA O06/013 which was identified as significant in that it comprises a large forested habitat supporting threatened and regionally significant species, within close proximity to the Waima forest (O06/001) including kukupa, kauri snail and possibly the tusked weta. It contains representative examples in an ecological district of at least three particular habitat types, has a high diversity of taxa for the ecological district and serves as an ecological linkage to other areas of significant habitats of indigenous fauna. It also has an important function for soil and water protection in the catchment. It is visible from both the land and mouth of the Hokianga Harbour. The property is ranked highly (Table 1) for its habitat values, soil and water protection and landscape values.

Table 1: Summary of Ecological Assessment

Evaluation Table	Protection Ranking		
	High	Medium	Low
Ecological Criteria	√		
Representativeness	√		
Sustainability	√		
Rarity		√	
Diversity and pattern	√		
Distinctiveness	√		
Size and shape		√	
Connectivity	√		
Overall Ecological Ranking	√		
Overall Other Criteria		√	
Overall Ranking	√		
Aerial extent	12 hectares		
Ecological value	High		

Threats and Management

The main threat to the protection of this area is habitat loss through development and grazing stock. The highest priority is to permanently fence off the grazing area from the regenerating forest. The next priority is to remove isolated weeds from within the forest identified above and discussed during the site visit. The most invasive weeds on the farmed area, outside the 'Covenant' should also be tackled promptly as the longer they are left the larger the effort will be required. Once the weeds are controlled then more rigorous pest control needs to be undertaken to improve the habitat for birds and other fauna as discussed.

Table 2: Summary of Threats and Priorities for Active Management

Threats	Threat	Priority	Aim
Animal species	Possums	High	Control
	Dogs	High	Control
	Rabbits	Low	Control
	Cats	High	Control
	Stoats	Medium	Control
	Rats	Medium	Control
Weed species	Pampas	High	Progressive control
	Japanese honeysuckle	High	Progressive control
	Yellow ginger	High	Progressive control
	Goat's rue	Moderate	Progressive control
	Gorse	Moderate	Progressive control
	Mexican devilweed	Moderate	Progressive control

The owners are seeking Conservation Covenant with the Far North District Council over approximately 70% of the land (Figure 1). The habitat is worthy of formal protection. Recommendations are provided below.

Incentives

Given that the landowners are passionate about, and committed to protecting and enhancing the forested habitat through removal of stock, fencing, weed and pest control together with the fact that it ranks as significant, securing a covenant and applying rates relief is appropriate here.

Recommendations

It is recommended that:

- Complete fencing around southern perimeter;
- Evaluate whether QEII or FNDC covenant is what you want;

- Poison the high priority weed species identified this autumn;
- Set possum traps now;
- Do kiwi listening this June – assistance can be obtained with this through FNDC, kiwi foundation or QEII Trust;
- Establish property wide pest control programme – consult with NRC and work in with neighbours;
- No carnivorous or omnivorous exotic animals be introduced or housed on the property (including cats and dogs);
- Any pest control work be done in a manner that is safe for kiwi which could potentially be present;
- Apply for funding such as the NRC Environment Fund to augment pest control work.

Summary

The property has high ecological values that would be enhanced with conscientious weed and pest management. The land has been farmed and could be farmed but for soil and water protection and the sustainability of the adjoining Waiotemarama Gorge Forest it would be far better to retain the current forest and promote natural regeneration. In summary, covenanting this land is endorsed, and restoration is desirable; rates postponement to achieve superior environmental outcomes as proposed here is consistent with the objectives in the District Plan.

Follow-up

January 2010.



Figure 1: Proposed area for covenant is shown within the blue hatched line. Hatches show fence-lines that are fenced. The area that needs fencing is the reverse 'c' shape with the bite out of it.

Biodiversity Management Limited

Dr Greg Blunden

404A Kapiro Rd

RD1, Kerikeri

09 407 9311

021 710 441

nz.kiwi.foundation@gmail.com

10th June 2013

Steven Sanson
Far North District Council
Private Bag
Kerikeri
By PDF to steven.sanson@fndc.govt.nz

Reference: Inspection of existing FNDC covenant at Bew property, located at Waihuka Road, Omapere

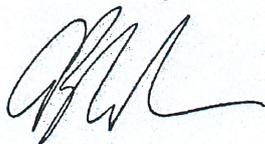
This report refers to the inspection carried out on 8th June 2013 at the Bew property.

The Bew covenant was registered with FNDC in October 2011. This inspection and report have the purpose of setting a baseline for future inspections of this covenant in order to ascertain if the conditions of the covenant are being met.

The methodology used in this report is as follows:

1. Check literature for any reference to this land in ecological reports and assemble brief summary information if required in addition to the original report on the suitability of this land as a covenant.
2. Site visit with owner if possible to establish ecological baseline and management system.
3. Set-up a series of identifiable photo-points that can be re-taken accurately in the same season in the future to ascertain the trend in conditions of the protected area.
4. Conclude as to whether or not the conditions of the covenant are being met.
5. Recommendations for covenant management.

Yours sincerely



Dr Greg Blunden

**INSPECTION OF EXISTING FNDC COVENANT AT BEW PROPERTY
LOCATED IN WAIHUKA ROAD, OMAPERE**

Site Address	Waihuka Road, Omapere
Legal Description	Lot 1, Deposited Plan 347395
Title and Valuation Number	00619-42525
Owners	Catherine Jane BEW
Contact number	09 405 8145
Area of protection	12 hectares
Ecological District	Tutamoe
Follow up visit due	01/06/18
Last site visit and who did it	Biodiversity Management Limited, 8 June 2013

1. Ecological references to Bew, Waihuka Road, Omapere

The Bew property is shown in Figure 1. It is a small part, an outlier, of the Waitemarama Gorge Forest (O06/013), and it is the closest part of this SNA to Omapere. The house and amenity area are located in the north and west part of the property adjacent to Waihuka Road on c.3.9 hectares which is not included in the covenant area of c.12 hectares.

This forest remnant is particularly notable for a very large rimu (the base of which is photographed at Photopoint 2 in Figure 4), unusually common kowhai and cabbage tree, and the Omapere Stream which flows through the covenant.

Cathrine Bew maintains possum control on the block.

2. Site visit with owner if possible to establish ecological baseline and management system

The owner took me on a guided walk through the covenant to the large rimu. I then did several cross-sections of the covenant, checked the boundary fences, and set-up representative photopoints.

Figure 1: Bew Covenant relative to Omapere on Goggle Earth (non-covenant area approximately marked with dashed line)



3. Establishment of photopoints

Seven photopoints (PPTs) were established during my visit on 8th June 2013 (Figure 2).

Figure 2: Location of Photopoints 8th June 2013



Figure 3: Bew ground cover and understory at PPT1 @ 150 degrees



Figure 4: Bew ground cover and understory towards huge rimu at PPT2 @ 300 degrees



Figure 5: Bew ground cover and understory at PPT3 down the track @ 255 degrees



Figure 6: Bew ground cover and understory at PPT4 up the track @ 90 degree



Figure 7: Bew toru and broom at PPT5 near angle post @ 90 degrees



Figure 8: Bew Kowhai and cabbage tree at PPT5 @ 160 degrees



Figure 9: Bew canopy from Newtons Road @ 15 degrees



4. Is this covenant being managed in terms of the covenant document?

I have read the FNDC covenant document and find that this covenant is being managed in terms of that document.

5. Recommendations as to management to maintain and/or enhance this covenant

This covenant is well-managed in terms of possum control and general attention. I recommended to the owners that they keep an eye on and control the relatively small amount of gorse in the higher, drier parts of the covenant especially on the track up the hill which has only a partial canopy.

Yours sincerely

A handwritten signature in black ink, appearing to be 'G Blunden', written over a light blue circular stamp.

Dr Greg Blunden

Appendix 7:

Regional Policy Statement for Northland Policies

4.4.1 Policy – Maintaining and protecting significant ecological areas and habitats

(1) In the coastal environment, avoid adverse effects, and outside the coastal environment avoid, remedy or mitigate adverse effects of subdivision, use and development so they are no more than minor on:

- (a) Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;
- (b) Areas of indigenous vegetation and habitats of indigenous fauna, that are significant using the assessment criteria in Appendix 5;
- (c) Areas set aside for full or partial protection of indigenous biodiversity under other legislation.

(3) Outside the coastal environment and where clause (1) does not apply, avoid, remedy or mitigate adverse effects of subdivision, use and development so they are not significant on any of the following:

- (a) Areas of predominantly indigenous vegetation;
- (b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;
- (c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, dunelands, northern wet heathlands, headwater streams, floodplains and margins of freshwater bodies, spawning and nursery areas.

(4) For the purposes of clause (1), (2) and (3), when considering whether there are any adverse effects and/or any significant adverse effects:

- (a) Recognise that a minor or transitory effect may not be an adverse effect;
- (b) Recognise that where the effects are or maybe irreversible, then they are likely to be more than minor;
- (c) Recognise that there may be more than minor cumulative effects from minor or transitory effects.

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

(1) In the coastal environment:

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.

(2) Outside the coastal environment avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of outstanding natural features and outstanding natural landscapes and the natural character of freshwater bodies. Methods which may achieve this include:

c) Minimising, indigenous vegetation clearance and modification (including earthworks / disturbance and structures) to natural wetlands, the beds of lakes, rivers and their margins.

(3) When considering whether there are any adverse effects on the characteristics and qualities⁹ of the natural character, natural features and landscape values in terms of (1)(a), whether there are any significant adverse effects and the scale of any adverse effects in terms of (1)(b) and (2), and in determining the character, intensity and scale of the adverse effects:

- a) Recognise that a minor or transitory effect may not be an adverse effect;
- b) Recognise that many areas contain ongoing use and development that:
 - (i) Were present when the area was identified as high or outstanding or have subsequently been lawfully established
 - (ii) May be dynamic, diverse or seasonal;
- c) Recognise that there may be more than minor cumulative adverse effects from minor or transitory adverse effects; and
- d) Have regard to any restoration and enhancement on the characteristics and qualities of that area of natural character, natural features and/or natural landscape.

4.6.2 Policy – Maintaining the integrity of heritage resources

(1) Protect the integrity of historic heritage resources that have been identified in plans in accordance with Policy 4.5.3 and Method 4.5.4(3):

- a) By avoiding significant adverse effects of subdivision, use and development and avoiding, remedying or mitigating other adverse effects (including cumulative adverse effects) on historic heritage in the following way: For areas that have been mapped, the worksheets referred to in Appendix 1 identify characteristics and qualities.
 - (i) Requiring careful design and location of subdivision, use and development to retain heritage buildings and other physical elements of historic heritage and where practical enhance public use and access;
 - (ii) Restricting the demolition / relocation of and / or inappropriate modifications, additions or alterations to physical elements of historic heritage;
 - (iii) Recognising that the integrity of many historic heritage resources relies on context and maintain these relationships in the design and location of subdivision, use and development;
 - (iv) Recognising the collective value of groups of heritage buildings, structures and / or places, particularly where these are representative of Northland's historic settlements, architecture or periods in history and maintain the wider character of such areas; and
 - (v) Restricting activities that compromise important spiritual or cultural values held by Māori / Mana Whenua and / or the wider community in association with particular heritage places or features.

(2) Despite the above:

- a) Clause 1 does not apply where natural hazards threaten the viability of regionally significant infrastructure and / or public health and safety; or
- b) Regionally significant infrastructure proposals that cannot meet 4.6.2(1) may still be appropriate after assessment against the matters in Policy 5.3.3(3).

4.7.3 Policy – Improving natural character

Except where in conflict with established uses promote rehabilitation and restoration of natural character in the manner described in Policy 4.7.1 in the following areas:

- (a) Wetlands, rivers, lakes, estuaries, and their margins;
 - (b) Undeveloped or largely undeveloped natural landforms between settlements, such as coastal headlands, peninsulas, ridgelines, dune systems;
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- (c) Areas of high natural character;
 - (d) Land adjacent to outstanding natural character areas, outstanding natural features, and outstanding natural landscapes;
 - (e) Remnants of indigenous coastal vegetation particularly where these are adjacent to water or can be linked to establish or enhance ecological corridors; and
 - (f) The areas or values identified in Policy 4.4.1 (protecting significant areas and species).

5.1.1 Policy – Planned and coordinated development

Subdivision, use and development should be located, designed and built in a planned and co-ordinated manner which:

- (a) Is guided by the 'Regional Form and Development Guidelines' in Appendix 2;
- (b) Is guided by the 'Regional Urban Design Guidelines' in Appendix 2 when it is urban in nature;
- (c) Recognises and addresses potential cumulative effects of subdivision, use, and development, and is based on sufficient information to allow assessment of the potential long-term effects;
- (d) Is integrated with the development, funding, implementation, and operation of transport, energy, water, waste, and other infrastructure;
- (e) Should not result in incompatible land uses in close proximity and avoids the potential for reverse sensitivity;
- (g) Maintains or enhances the sense of place and character of the surrounding environment except where changes are anticipated by approved regional or district council growth strategies and / or district or regional plan provisions.
- (h) Is or will be serviced by necessary infrastructure.

Note: in determining the appropriateness of subdivision, use and development (including development in the coastal environment – see next policy), all policies and methods in the Regional Policy Statement must be considered, particularly policies relating to natural character, features and landscapes, heritage, natural hazards, indigenous ecosystems and fresh and coastal water quality.

5.1.2 Policy – Development in the coastal environment

Enable people and communities to provide for their wellbeing through appropriate subdivision, use, and development that:

- (a) Consolidates urban development within or adjacent to existing coastal settlements and avoids sprawling or sporadic patterns of development;
- (b) Ensures sufficient development setbacks from the coastal marine area to;
 - (i) maintain and enhance public access, open space, and amenity values; and
 - (ii) allow for natural functioning of coastal processes and ecosystems;

Appendix 8:

Operative District Plan Objectives and Policies

RURAL ENVIRONMENT

8.3 OBJECTIVES

- 8.3.1 To promote the sustainable management of natural and physical resources of the rural environment.
- 8.3.2 To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.
- 8.3.3 To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.
- 8.3.4 To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- 8.3.7 To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.

8.4 POLICIES

- 8.4.1 That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.
- 8.4.2 That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded and rural productive activities are able to continue.
- 8.4.3 That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes.
- 8.4.4 That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.
- 8.4.6 That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.
- 8.4.8 That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated. Consideration will further be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities.

RURAL PRODUCTION ZONE

10.9.3 OBJECTIVES

- 8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.
- 8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.
- 8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.
- 8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.

10.9.4 POLICIES

- 8.6.4.1 That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.
- 8.6.4.2 That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.
- 8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.
- 8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.
- 8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.
- 8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.

SUBDIVISION

13.3 OBJECTIVES

13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.

13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.

13.3.5 To ensure that all new subdivisions provide ... on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.

13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.

13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).

13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.

13.4 POLICIES

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;
- (e) cultural values;
- (f) heritage values; and
- (g) existing land uses.

13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.

13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.

13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.

13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.

13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of ... significant habitats of indigenous fauna, threatened species, the natural character of ... riparian margins ... where appropriate.

13.4.7 That the need for a financial contribution be considered only where the subdivision would:

- (b) result in increased demand for esplanade areas; or
- (c) involve adverse effects on riparian areas; or
- (d) depend on the assimilative capacity of the environment external to the site.

13.4.8 That the provision of water storage be taken into account in the design of any subdivision

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.
- (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;
- (d) 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);
- (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;
- (f) protecting historic heritage through the siting of buildings and development and design of subdivisions.
- (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

13.4.15 That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following:

- (a) development of energy efficient buildings and structures;
- (b) reduced travel distances and private car usage;
- (c) encouragement of pedestrian and cycle use;
- (d) access to alternative transport facilities;
- (e) domestic or community renewable electricity generation and renewable energy use.

FINANCIAL CONTRIBUTIONS

14.3 OBJECTIVES

14.3.2 To provide for esplanade reserves, esplanade strips and access strips, collectively known as esplanade areas, upon subdivision.

14.4 POLICIES

14.4.1 Financial Contributions can be in money, land or a combination of the two.

Generally speaking:

(b) land will be preferred where:

- (i) the financial contribution relates to esplanade areas including the access to them; or
- (ii) the land proposed for the financial contribution has important natural, amenity, heritage or cultural values that should be protected.

14.4.8 That esplanade reserves or esplanade strips (as appropriate) be required where the land involved will serve one or more of the purposes of esplanade reserves and esplanade strips set out in s229 of the Act.

TRANSPORTATION

15.1 OBJECTIVES

15.1.3.1 To minimise the adverse effects of traffic on the natural and physical environment.

15.2 POLICIES

15.1.4.1 That the traffic effects of activities be evaluated in making decisions on resource consent applications.

Appendix 9:

Proposed District Plan Objectives and Policies

Rural Production Zone

Objectives

RPROZ-O1 The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.

RPROZ-O3 Land use and subdivision in the Rural Production zone:

- a. protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;
- b. protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;
- c. does not compromise the use of land for farming activities, particularly on highly productive land;
- d. does not exacerbate any natural hazards; and
- e. is able to be serviced by on-site infrastructure.

RPROZ-O4 The rural character and amenity associated with a rural working environment is maintained.

Policies

RPROZ-P3 Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.

RPROZ-P4 Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:

- a. a predominance of primary production activities;
- b. low density development with generally low site coverage of buildings or structures;
- c. typical adverse effects such as odour, noise and dust associated with a rural working environment; and
- d. a diverse range of rural environments, rural character and amenity values throughout the District.

RPROZ-P6 Avoid subdivision that:

- a. results in the loss of highly productive land for use by farming activities;
- b. fragments land into parcel sizes that are no longer able to support farming activities, taking into account:
- c. the type of farming proposed; and
- d. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.
- e. provides for rural lifestyle living unless there is an environmental benefit.

RPROZ-P7 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. whether the proposal will increase production potential in the zone;
- b. whether the activity relies on the productive nature of the soil;
- c. consistency with the scale and character of the rural environment;
- d. location, scale and design of buildings or structures;
- e. for subdivision or non-primary production activities:
- f. scale and compatibility with rural activities;
- g. potential reverse sensitivity effects on primary production activities and existing infrastructure;
- h. the potential for loss of highly productive land, land sterilisation or fragmentation at zone interfaces:
- i. any setbacks, fencing, screening or landscaping required to address potential conflicts;
- j. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;
- k. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;
- l. the adequacy of roading infrastructure to service the proposed activity;
- m. Any adverse effects on historic heritage and cultural values, natural features and landscapes or

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- indigenous biodiversity;
- n. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

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;
- c. 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 mitigated and existing risks reduced; and
- f. manages adverse effects on the environment.

SUB-O2 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 be 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 in accordance with the purpose, characteristics and qualities of the zone.

SUB-P8 Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:

- a. will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and
- b. will not result in the loss of versatile soils for primary production activities.

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;

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- 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
 - f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.