

# Application for change or cancellation of resource consent condition (S.127)

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) 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

☒ Change of conditions (s.127)

## 3. Consultation:

Have you consulted with iwi/Hapū? ☐ Yes ☒ No

If yes, which groups have you consulted with?

Who else have you consulted with?

Existing Consent, minor change proposed.

*For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council [tehonosupport@fndc.govt.nz](mailto:tehonosupport@fndc.govt.nz)*

## 4. Applicant Details:

Name/s:

Brian John Reti and Kaylem Harris

Email:

Phone number:

Postal address:

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

Home

Postcode

Office Use Only  
Application Number:

## 5. Address for Correspondence

*Name and address for service and correspondence (if using an Agent write their details here)*

**Name/s:**

Kelly Haora

**Email:**

**Phone number:**

Home

**Postal address:**

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

Postcode

All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.

## 6. 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:**

Brian John Reti and Kaylem Harris

**Property Address/  
Location:**

Postcode

## 7. Application Site Details

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

**Name/s:**

**Site Address/  
Location:**

Postcode

**Legal Description:**

LOTS 1 2 DP 117798 BLK VII RUS

**Val Number:**

**Certificate of title:**

NA67D/232

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

## 7. Application Site Details (continued)

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.*

## 8. Detailed description of the proposal:

This application relates to the following resource consent:

Specific conditions to which this application relates:

Describe the proposed changes:

## 9. Would you like to request Public Notification?

☐ Yes ☐ No

## 10. 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)

## 11. 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 (including consultation from iwi/hapū).*

Your AEE is attached to this application ☐ Yes

## 12. Draft Conditions:

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

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? ☒ Yes ☐ No

## 13. 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) Kaylem Harris

**Email:**

**Phone number:**

**Postal address:**  
(or alternative method of service under section 352 of the act)

Home

Postcode

### Fees Information:

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

### Declaration concerning Payment of Fees:

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

**Name:** (please write in full)

Kaylem Harris

**Signature:** (signature of bill payer)

**Date** 01/09/2025

**MANDATORY**



## 14. 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 must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

### Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive

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

### Declaration

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

Name: (please write in full)

Kaylem Harris

Signature:

  
A signature in ink or by electronic means

Date 01/09/2025

### Checklist (please tick if information is provided)

- ☒ Payment (cheques payable to Far North District Council)
- ☐ Details of your consultation with Iwi and hapū
- ☐ A current Certificate of Title (Search Copy not more than 6 months old)
- ☐ 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 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.

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# **VARIATION TO 2230598-RMALUC – FOR 1837 WAIKARE ROAD, WAIKARE**

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**AUGUST 2025**

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## APPLICANT DETAILS

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Applicant/Owner: Te Totara Papakainga - Brian John Reti and Kaylem Enrika Harris as Trustees

Site Address: 1837 Waikare Road, Waikare, Karetu

Legal Description: Lots 1 and 2 DP 117798 (Maori Freehold Land)

Site Area: 14.3830 hectares

Type of Consent: Variation to Subdivision Consent – s127

Activity: Variation conditions of consent 2230598-RMALUC to increase the footprint of the proposed shed associated with the papakainga dwellings.

District Plan Zones:  
Operative District Plan  
Zone  
General Coastal  
Overlays  
Outstanding Natural Landscape

Proposed District plan  
Zone  
Maori Purpose – Rural  
Overlays  
Coastal Environment  
Outstanding Natural Landscape (Lot 2 DP 117798 only)  
High Natural Character

Address for Service: Claire Phillips  
Consultant Planner  
CPPC Planning  
PO Box 550, Warkworth, 0941, New Zealand  
Mobile: 021302340  
Email: [claire.phillips1@xtra.co.nz](mailto:claire.phillips1@xtra.co.nz)

Land Use Consent 2230598-RMALUC was issued by Independent Hearings Commissioner on 12 September 2023 to relocate three pre-built dwellings to the site to be used as papakainga. The dwellings will be supported by a shed. Accessory activities include earthworks, access and mitigation planting

Reasons for consent as per the AEE dated June 2023:

### ***Chapter 10 – Coastal Environment***

#### ***Section 6 – General Coastal Zone***

- Papakainga housing is a controlled activity in the General Coastal Zone under Rule 10.6.5.2.1. The dwellings fail to meet controls (a) and (b) and therefore Rule 10.6.5.4.4 for Integrated Development applies as a Discretionary Activity.
- New buildings (dwellings and shed) within the General Coastal zone are a Controlled Activity under Rule 10.6.5.2.2.

### ***Chapter 12 – Natural and Physical Resources***

#### ***Section 1 – Landscape and Natural Features***

- Tree planting within the outstanding natural landscape (ONL) provided it is indigenous species is a permitted activity under rule 12.1.6.1.3. The proposed landscape planting is permitted as it consists of indigenous species as specified by Northscape.
- Buildings (dwellings and shed) within the outstanding natural landscape (ONL) overlay are a restricted discretionary activity under rule 12.1.6.2.1. The three dwellings and shed are within the ONL.
- The proposed excavation and filling within the outstanding natural landscape (ONL) is a restricted discretionary activity under Rule 12.1.6.2.2 as it exceeds 300m<sup>3</sup>. The proposal involves earthworks over an area of 2204m<sup>2</sup> and with a volume of 1906m<sup>3</sup>.

#### ***Section 3 – Soils and Minerals***

- The proposed excavation and filling within the General Coastal Zone are a restricted discretionary activity under Rule 12.3.6.2.1 as it exceeds 300m<sup>3</sup>. The proposal involves earthworks over an area of 2204m<sup>2</sup> and with a volume of 1906m<sup>3</sup>.

#### Section 4 – Natural Hazards

- Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest as outlined in Rule 12.4.6.1.2. The proposed dwellings are located at least 20 metres from the scrub line, thus are permitted. While the shed is within 20 metres, it is not defined as a residential unit.

#### **FAR NORTH DISTRICT COUNCIL – PROPOSED DISTRICT PLAN**

The Far North Proposed District Plan was notified on July 27, 2022. Only some parts of this plan have legal effects and only those rules where relevant are assessed below.

The subject site is zoned Maori Purpose – Rural, Coastal Environment, Outstanding Natural Landscape (Lot 2 DP 117798 only) and High Natural Character as shown on the portion of planning map below:



*Figure 9: Zone Map Source – Far North Proposed District Plan*

#### **PART 2 - DISTRICT-WIDE MATTERS GENERAL DISTRICT-WIDE MATTERS - Coastal Environment**

No parts of this chapter have legal effect.





## PROPOSAL DESCRIPTION

Pursuant to sections 88 and 127 of the Resource Management Act, consent is being sought to vary conditions of consent 2230598-RMALUC to increase the footprint of the proposed shed associated with the papakainga dwellings.

In particular:

- Increase the area of the shed from 54m<sup>2</sup> to 15.2 metres and measuring 8 x 14.4 metres. The shed will still be accessory to the papakainga as well as the farming activities. The will appear more of a farm building with roller doors as oppose to ranch sliders. The shed will continue to be finished in colours and materials being less than Light Reflectivity Values of 30%.

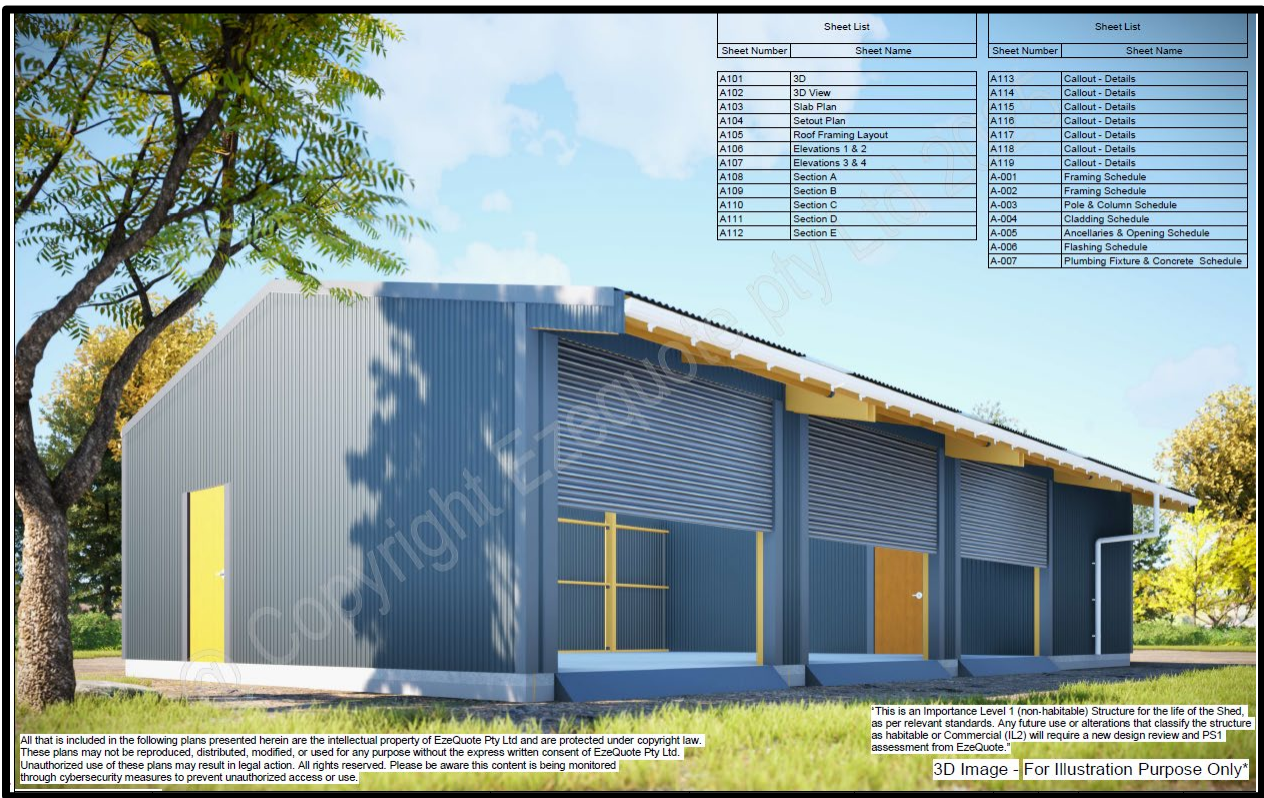


Figure 2: 3D Image of Shed

- There are no changes to earthworks and landscape planting or the papakainga.

The specific condition changes to condition 1 of resource consent 2230598-RMALUC are as follows (**bolded and underlined** for additions and ~~struck-through~~ for deletions):

Changes to Condition 1:

The activity shall be carried out in accordance with the approved plans prepared by Advance Build Limited, titled "Proposed New Dwelling 1837 Waikare Road, Waikare For: Te Totara Papakainga Concept Plans Concept 1", dated August 2023, and attached to this consent with the Council's "Approved Stamp" affixed to them.



### SITE DESCRIPTION

The subject property is currently legally described as Lots 1 and 2 DP 117798 (Maori Freehold Land) with a combined area of 14.3830 hectares. Lot 1 contains a cleared platform that contains the existing dwelling and farm accessory building that are to be removed, with the building platform generally clear of vegetation and in grass. Access to the site is over an existing crossing and driveway from Waikare Road, which is formed to a metalled standard.

The remainder of Lot 1 and Lot 2 are in native vegetation (kanuka and manuka dominated scrub). There are some weedy patches of gorse and long exotic grasses. The surrounding area is made up large areas of vegetation, the coastal environment, with views out over the Waikare Inlet.



*Figure 3: Aerial Photo of Lot 1 DP 117798 – Source – FNDC maps*





*Figure 4: Aerial Photo of Lot 2 DP 117798 – Source – FNDC maps – No development*



*Photo 1: View of existing buildings and cleared platform looking north.*





*Photo 2: View of existing buildings and cleared platform looking east.*



*Photo 3: Birds eye view of existing buildings and cleared platform.*

## **RECORD OF TITLE**

The subject property is currently legally described as Lots 1 and 2 DP 117798 with a combined area of 14.3830 hectares and is contained with Identifier NA67D/232. B972878.1 declares the land Maori Freehold Land.



### SECTION 127 – CHANGE OR CANCELLATION OF CONDITIONS

Section 127(1) of the Resource Management Act 1991 states that the holder of a resource consent application may apply to a council to change or cancel a condition of their resource consent (other than any condition as to the duration of the consent).

Section 127(3) states that sections 88 to 121 apply, with all necessary modifications as if:

- (a) the application were an application for a resource consent for a discretionary activity; and*
- (b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*

Section 127(4) provides guidance in terms of determining who must be considered as being potentially adversely affected by the change or cancellation of a condition(s), specifically a council must consider every person who:

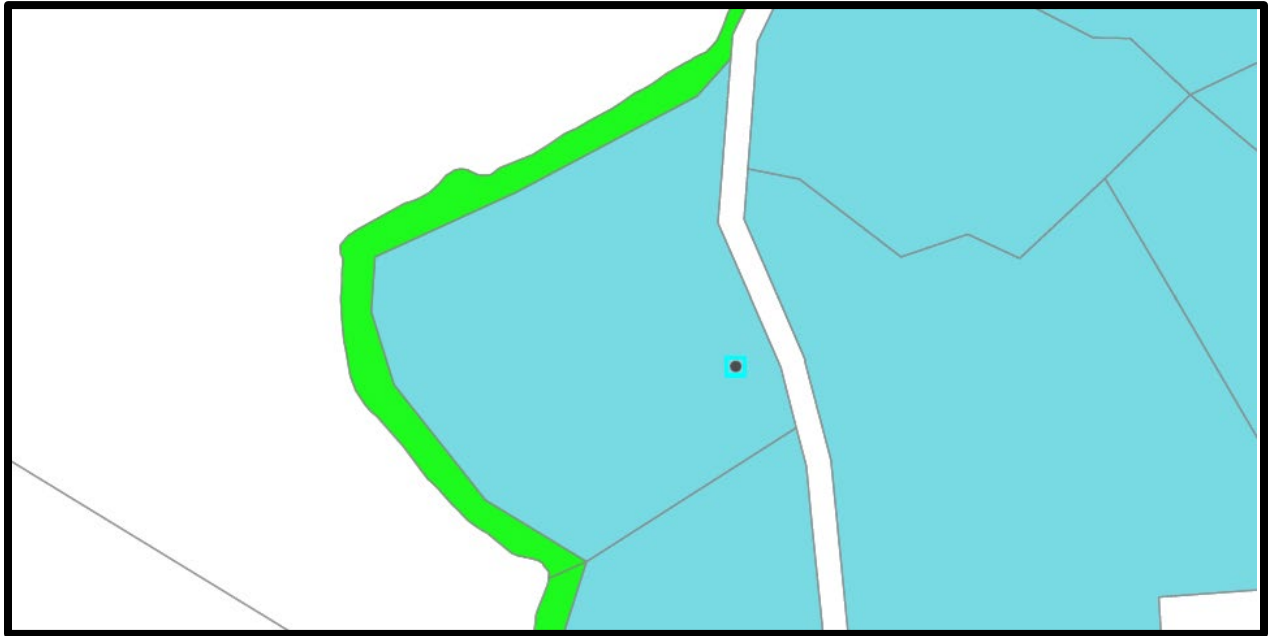
- (a) made a submission on the original application; and*
- (b) may be affected by the change or cancellation.*

The proposed change to condition is considered to fall within the scope of the original 2230598-RMALUC for papakainga and shed with associated earthworks.

Overall the consent is considered to be a Discretionary Activity under s127.

## **FAR NORTH DISTRICT COUNCIL – OPERATIVE DISTRICT PLAN**

The subject site is zoned General Coastal and has an outstanding natural landscape overlay as shown on the portion of planning map below:



**Figure 5: Zone Map – Source – Far North Operative District Plan**



**Figure 6: Outstanding Natural Landscape Overlay – Source – Far North Operative District Plan**

**There are no changes to the reasons for consent. The following are still relevant:**

***Chapter 10 – Coastal Environment***

**Section 6 – General Coastal Zone**

- Papakainga housing is a controlled activity in the General Coastal Zone under Rule 10.6.5.2.1. The dwellings fail to meet controls (a) and (b) and therefore Rule 10.6.5.4.4 for Integrated Development applies as a Discretionary Activity.
- New buildings (dwellings and shed) within the General Coastal zone are a Controlled Activity under Rule 10.6.5.2.2.

***Chapter 12 – Natural and Physical Resources***

**Section 1 – Landscape and Natural Features**

- Tree planting within the outstanding natural landscape (ONL) provided it is indigenous species is a permitted activity under rule 12.1.6.1.3. The proposed landscape planting is permitted as it consists of indigenous species as specified by Northscape.
- Buildings (dwellings and shed) within the outstanding natural landscape (ONL) overlay are a restricted discretionary activity under rule 12.1.6.2.1. The three dwellings and shed are within the ONL.
- The proposed excavation and filling within the outstanding natural landscape (ONL) is a restricted discretionary activity under Rule 12.1.6.2.2 as it exceeds 300m<sup>3</sup>. The proposal involves earthworks over an area of 2204m<sup>2</sup> and with a volume of 1906m<sup>3</sup>.

**Section 3 – Soils and Minerals**

- The proposed excavation and filling within the General Coastal Zone are a restricted discretionary activity under Rule 12.3.6.2.1 as it exceeds 300m<sup>3</sup>. The proposal involves earthworks over an area of 2204m<sup>2</sup> and with a volume of 1906m<sup>3</sup>.

**Section 4 – Natural Hazards**

- Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest as outlined in Rule 12.4.6.1.2. The proposed dwellings are located at least 20 metres from the scrub line, thus are permitted. While the shed is within 20 metres, it is not defined as a residential unit.

## **FAR NORTH DISTRICT COUNCIL – PROPOSED DISTRICT PLAN**

The Far North Proposed District Plan was notified on July 27, 2022, with further submissions and appeals. Only some parts of this plan have legal effects and only those rules where relevant are assessed below.

The subject site is zoned Maori Purpose – Rural, Coastal Environment, Outstanding Natural Landscape (Lot 2 DP 117798 only) and High Natural Character as shown on the portion of planning map below:



*Figure 7: Zone Map Source – Far North Proposed District Plan*

**There are no changes to the reasons for consent. The following are still relevant:**

### **PART 2 - DISTRICT-WIDE MATTERS GENERAL DISTRICT-WIDE MATTERS - Coastal Environment**

No parts of this chapter have legal effect.

### ***PART 2 – DISTRICT-WIDE MATTERS - NATURAL ENVIRONMENT VALUES - Natural character***

No parts of this chapter have legal effect.

### ***Part 2 – District Wide – General District Wide Matter Earthworks***

- Earthworks that comply with the standards in EW-S5 Erosion and Sediment Control are permitted under rule EW-R13. As demonstrated on the plans and within this application, the proposal involves the installation of a stabilized crossing and silt fencing, that is commensurate of the level of earthworks proposed. Accidental discovery protocol will be employed should discovery occur.

### ***PART 3 – AREA-SPECIFIC MATTERS - SPECIAL PURPOSE ZONES - Māori Purpose***

No parts of this chapter have legal effect.

*Note: The above only reflects those rules that have immediate legal effect. If the Council considers that more rules require assessment, I am sure you will let us know.*

**Overall, the proposal is considered to be a Restricted Discretionary Activity.**

### **SUMMARY OF ACTIVITY STATUS**

Overall the proposal is deemed to be a **Discretionary Activity**.

We consider that all relevant consents have been applied for to enable the proposed coastal and land use activities. However, please treat this as a full application to cover any other aspects of the proposal that Council considers require consent.

## **PUBLIC NOTIFICATION ASSESSMENT**

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### **ASSESSMENT OF STEPS 1 TO 4 (SECTION 95A)**

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These steps are addressed in the statutory order below.

#### **STEP 1: MANDATORY PUBLIC NOTIFICATION IN CERTAIN CIRCUMSTANCES**

Step 1 states that no mandatory notification is required as:

- the applicant has not requested that the application is publicly notified (s95A(3)(a));
- there are no outstanding or refused requests for further information (s95C and s95A(3)(b)); and
- the application does not involve any exchange of recreation reserve land under s15AA of the Reserves Act 1977 (s95A(3)(c)).

In this case the applicant does not request notification.

#### **STEP 2: IF NOT REQUIRED BY STEP 1, PUBLIC NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES**

Step 2 states that the application is not precluded from public notification as:

- The activities are not subject to a rule or national environmental standard (NES) which precludes public notification (s95A(5)(a)); and
- The application does not exclusively involve one or more of the activities described in s95A(5)(b).

In this case, the proposal is not precluded from notification.

### **STEP 3: IF NOT PRECLUDED BY STEP 2, PUBLIC NOTIFICATION REQUIRED IN CERTAIN CIRCUMSTANCES**

The application is not required to be publicly notified as the activity are not subject to any rule or a NES that requires public notification (s95A(8)(a)).

The following assessment addresses the adverse effects of the activities on the environment, as public notification is required if the activities will have or are likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

### **STEP 4: PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES**

If an application has not been publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified (s95A(9)).

Special circumstances are those that are:

- exceptional, abnormal or unusual, but something less than extraordinary or unique;
- outside of the common run of applications of this nature; or
- circumstances which make notification desirable.

In this instance I have turned my mind specifically to the existence of any special circumstances and conclude that there is nothing exceptional or unusual about the application, and that the proposal has nothing out of the ordinary run of things to suggest that public notification should occur.

## **ASSESSMENT OF ENVIRONMENTAL EFFECTS**

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### **EXISTING ENVIRONMENT AND PERMITTED BASELINE**

#### **ENVIRONMENT**

The 'Environment' includes the 'Existing Environment' which includes all lawfully established activities that exist – and the 'Future Environment' which includes the effects of activities enabled by an unimplemented consent where the consent is 'live' that have not lapsed and there are no reasons why the consent is not likely to be implemented.

These activities and their constituent effects form part of the existing (lawfully established) environment. In this case 22230598-RMALUC forms part of the consented environment.

There is an existing dwelling and sheds as well as access from Waikare Road.

#### **PERMITTED BASELINE**

RMA states that for the purposes of formulating an opinion as to whether the adverse effects on the environment will be minor or more than minor a consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect.

In this case, there are limited activities that are permitted.

- Residential Unit at least 20 metres from dripline of any trees.
- Dwelling up to a floor area of 25m<sup>2</sup>.
- Earthworks within an ONL up to 300m<sup>3</sup> and with a cut/fill less than 1.5 metres in height.
- Earthworks outside an ONL up to 2000m<sup>3</sup> and with a cut/fill less than 1.5 metres in height.

### **ASSESSMENT OF ACTUAL AND POTENTIAL EFFECTS**

Having regard to the above and after an analysis of the application, including any proposed mitigation measures, the adverse effects of the activity on the environment are identified and discussed below.

#### **RURAL CHARACTER AND AMENITY VALUES**

The character and amenity values of an area are those special qualities, in particular natural and physical characteristics that make an area pleasant, unique or different.

In this case, the site is within the General Coastal Zone and is generally rural with a coastal focus and natural character predominates. The property is located amongst Kanuka dominated scrubland in close proximity to the Waikare Inlet. The property contains existing built



development, which is to be replaced with Papakainga housing within the existing cleared area of the site. The proposed shed is to be double in area, however will continue to form a cluster of residential buildings within the rural size having been approved by the existing land use consent. Whilst the shed is slightly larger, the proposal will not result in adverse effects or development will not result in buildings that could be considered dominant or out of character, particularly when viewed in conjunction with other dwellings of this nature and are considered to be an improvement on the existing buildings within the site to be removed.

The landscape mitigation package will continue to be implemented, with no changes necessary as a result of the increased floor area. The scale and design of the proposed shed will continue to have a recessive colour pallet.

These factors when combined with the minor nature of the infringement, ensures that any effects on are considered to be no more than minor. There will be no obvious differences which differentiate the infringement from that of a complying activity, particularly when viewed from adjacent properties.

### **PRESERVATION OF NATURAL CHARACTER**

The subject site is located within the Coastal environment of the Waikare Inlet within the Bay of Island. The preservation of the natural character of the coastal environment is a matter of national importance as outlined in Section 6 of the Resource Management Act.

The subject site and associated Papakainga Housing are adjacent to the coastal environment. The design, location and development of the development has taken into consideration the natural character.

The primary natural character elements of the site will continue, with the proposal being designed to take into consideration the coastal factors influencing the site, including the recessive colour pallet utilized, earthworks to integrate the development into an area that has been previously cleared of vegetation, thus retaining the natural character elements within the site and enhanced with native planting as per the Northscape landscape plan.

The effects of the proposed variation will be able to be located within this coastal environment without generating any adverse effects on the natural character of the coastal environment that will be less than minor.

### **CULTURAL/HISTORIC HERITAGE**

There are no known heritage sites or archaeological sites within the area adjacent to the application site. As shown in the map below, there is a history of occupation around the coastal area. There are a variety of structures adjacent to the coastal marine area, such as stairs and paths, with the historical access to the river evident.

In accordance with standard protocols accidental discovery, work must cease immediately, and Council and Heritage NZ notified should any archaeological or heritage site be uncovered during the earthworks. Given this standard and the relatively unlikely nature of any archaeological site being uncovered, it is considered that the effects of the proposal on cultural matters will be less than minor.

The proposal will not have effects on the cultural or heritage values of the area.

## **SUMMARY**

In summary, having assessed the adverse effects of the activity on the environment, it is considered that the proposed variation will have less than minor adverse effects on the environment.

## **LIMITED NOTIFICATION ASSESSMENT**

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### **ASSESSMENT OF STEPS 1 TO 4 (SECTION 95B)**

If the application is not publicly notified under s95A, the council must follow the steps set out in s95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

#### **STEP 1: CERTAIN AFFECTED PROTECTED CUSTOMARY RIGHTS GROUPS MUST BE NOTIFIED**

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups or affected persons under a statutory acknowledgement affecting the land (ss95B(2) and 95B(3)).

The application site is not affected by customary rights.

#### **STEP 2: IF NOT REQUIRED BY STEP 1, LIMITED NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES**

Step 2 describes that limited notification is precluded where all applicable rules and NES preclude public notification; or the application is for a controlled activity (other than the subdivision of land) or a prescribed activity (ss95B(5) and 95B(6)).

The proposal is a Restricted Discretionary activity and there are no rules precluding notification.

#### **STEP 3: IF NOT PRECLUDED BY STEP 2, CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED**

Step 2 requires that where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of a prescribed activity under s360H(1(b)), a prescribed person; and
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary or prescribed activity, and therefore an assessment in accordance with s95E is required. This assessment is set out below.

Overall, it is considered that any adverse effects in relation to adjacent properties will be less than minor, and accordingly that no persons are adversely affected.

#### **STEP 4: FURTHER NOTIFICATION IN SPECIAL CIRCUMSTANCES**

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

There are not considered to be any special circumstances that would warrant notification.

#### **SECTION 95E STATUTORY MATTERS**

As required by step 3 above, certain other affected persons must be notified, and the following assessment addresses whether there are any affected persons in accordance with s95E. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded.
- The adverse effects on those persons who have provided their written approval must be disregarded.

Because of the minor scale of the proposal no written approvals have been sought for this proposal.

The sections below set out an assessment in accordance with section 95E, including identification of adjacent properties, and an assessment of adverse effects.

## AFFECTED PARTIES

The original consent stated that no parties were considered to be affected by the proposal. The variation to the shed will not result in any additional effects that would create any additional impacts on neighbouring sites, therefore no persons are considered affected by the variation to this consent.

Taking the above into account, it is considered that any adverse effects on persons will be less than minor. It is considered, therefore, that there are no adversely affected persons in relation to this proposal.

## LIMITED NOTIFICATION CONCLUSION

Having undertaken the s95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

## SECTION 104 MATTERS

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The matters that require consideration in assessing this application are set out in section 104 of the Resource Management Act 1991. These matters include the actual and potential effects of the allowing the activity on the environment and the relevant rules and assessment criteria. Given that the proposal is deemed to be in keeping with the assessment criteria, a separate analysis of objectives and policies is considered to be unnecessary. The provisions of section 104 are subject to the matters set out in Part II of the Act.

In summary it is concluded that this proposal satisfies the relevant matters requiring consideration under section 104.

## **NATIONAL ENVIRONMENTAL STANDARD**

### **THE NATIONAL POLICY STATEMENT FOR ASSESSMENT AND MANAGING CONTAMINANTS TO SOIL**

The National Environmental Standard for assessing and managing contaminants to soil to protect human health is relevant to the application. The site however is used for farming and it is less than likely that a HAIL activity has occurred on the site in the past. A consent is therefore considered not to be triggered by this application for a new dwelling and associated earthworks.

## **NATIONAL POLICY STATEMENTS**

### **THE NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020**

The National Policy Statement for Freshwater Management 2020 (NPSFM) came into effect on 3 September 2020. It replaced the first generation NPSFM. There are no wetland areas within 100 metres of the application site.

## **PART 1 OF THE AUCKLAND UNITARY PLAN**

The AUP sets out the strategic RMA framework for the identified issues of significance, and resultant priorities and outcomes sought. These align with the direction contained in the Auckland Plan. The proposal is not inconsistent with this document as while it will provide for further development in a rural zone, it will provide for additional housing with the creation of some positive ecological effects and an acceptable level of adverse effects.

## **OBJECTIVES AND POLICIES**

### **FAR NORTH DISTRICT COUNCIL – OPERATIVE DISTRICT PLAN**

The following objectives and policies are considered relevant when considering this application:

#### ***Chapter 10.3.1 Coastal Environment***

- *Objectives 10.3.1 to 10.3.9*
- *Policies 10.4.1 to 10.12*

The above objectives and policies seek to manage coastal areas to avoid adverse effects from the use and development, and where avoidance is not practical, effects are remedied or mitigated. They seek to preserve and where appropriate restore, rehabilitate or enhance the natural character of the coastline and coastal environment, indigenous flora and fauna, indigenous habitats, outstanding landscapes and natural features, water quality and soil conservation. The proposed Papakainga housing takes into consideration the existing features of the property as well as the proximity to the coastal environment and is considered to adequately avoid, remedy and mitigate any potential effects through the design of the buildings, including recessive colours

and materials, the earthworks to integrate these buildings and the landscape planting mitigation package. Overall, the proposal is in keeping with these objective and policies.

#### ***Chapter 10.6 General Coastal Zone***

- *Objectives 10.6.3.1 to 10.6.3.3*
- *Policies 10.6.4.1 to 10.6.4.6*

The objectives and policies seek to provide for appropriate use and development consistent with the need to preserve its natural character and to manage the use of natural and physical resources (excluding minerals) in the general coastal area to meet the reasonably foreseeable needs of future generations. The proposed Papakainga housing takes into consideration the existing features and the natural character of the area and is considered to adequately avoid, remedy and mitigate any potential effects through the design of the buildings, including recessive colours and materials, the earthworks to integrate these buildings and the landscape planting mitigation package. Overall, the proposed variation continues to be in keeping with these objective and policies.

#### ***Chapter 12.1 Landscape and Natural Features***

- *Objectives 12.1.3.1 to 12.1.3.4*
- *Policies 12.1.4.1 to 12.1.4.10*

The objectives and policies seek to protect outstanding landscapes and natural features from inappropriate use and development, to the scientific and amenity values of outstanding natural features, to recognise and provide for the distinctiveness, natural diversity and complexity of landscapes as far as practicable including the complexity found locally within landscapes and the diversity of landscapes across the District and to avoid adverse effects and to encourage positive effects resulting from land use or development in outstanding landscapes and natural features and Maori cultural values associated with landscapes. The proposed Papakainga housing is to be undertaken on an existing cleared area within the site, with no alternatives. The location avoids the removal of any indigenous vegetation and is where existing development has occurred. The variation to the shed continues to take into consideration the outstanding natural landscape, by integrating the development into the site through the design of the buildings, including recessive colours and materials, the earthworks to integrate these buildings and the landscape planting mitigation package. Overall, the proposed variation continues to be in keeping with these objective and policies.

#### ***Chapter 12.3 Soils and Minerals***

- *Objectives 12.3.3.1 to 12.3.3.4*
- *Policies 12.3.4.1 to 12.3.4.10*

The objectives and policies seek to manage adverse effects arising from soil excavation and filling and to maintain the life supporting capacity of the soils. Land disturbance is a prerequisite for any form of development and this proposal is no exception. It is considered that the amount of earthworks being undertaken are in accordance with the nature and scale of the application. All earthworks will be carried out in accordance with a suite of erosion and sediment methodologies in line with GD05, and relative to the area and volume of earthworks that are proposed on the site. By undertaking the earthworks with such measures in place and in accordance with appropriate conditions of consent, any sediment discharge effects will be avoided, remedied or mitigated. It is therefore considered that the land modification will not result in an increase in the potential for natural hazards to adversely affect the environment. Overall, the proposed variation continues to be in keeping with these objective and policies.

In summary it is concluded that this proposal satisfies the relevant matters requiring consideration under section 104.

## **FAR NORTH DISTRICT COUNCIL – PROPOSED DISTRICT PLAN**

### ***Part 2 – District Wide – Natural Environmental Values – Natural Character***

- *Objectives NATC01 – NATC02*
- *Policies NATC-P1 – NATC-P6*

The objectives and policies seek to manage the preservation and protection of the natural character of wetland, lake and river margins for future generations, ensure that and use is consistent with and does not compromise the characteristics and qualities of the natural character of wetland, lake and river margins. The proposed Papakainga housing takes into consideration the existing features and the natural character of the area and is considered to adequately avoid, remedy and mitigate any potential effects through the design of the buildings, including recessive colours and materials, the earthworks to integrate these buildings and the landscape planting mitigation package. Overall, the proposed variation continues to be in keeping with these objective and policies.

### ***Part 2 – District Wide – Natural Environmental Values – Natural Features and Landscapes***

- *Objectives NFL01 – NFLC03*
- *Policies NFL-P1 – NFL-P8*

The objectives and policies seek to identify and manage the ONL and ONF to ensure their long-term protection for current and future generations, to ensure that land use in ONL and ONF is consistent with and does not compromise the characteristics and qualities of that landscape or feature and the ancestral relationships Tangata Whenua has with the land is recognised and provided for as a part of the characteristics and qualities of ONL and ONF. Under the proposed



plan, the Papakainga housing development falls outside the ONL, thus ensuring that the surrounding ONL is maintained and protected. Overall, the proposed variation continues to be in keeping with these objective and policies.

### ***Part 2 – District Wide – General District Wide Matter – Coastal Environment***

- *Objectives CE01 – CE03*
- *Policies CE-P1 – CE-P10*

The objectives and policies seek to preserve and protect the natural character of the coastal environment for current and future generations. Ensure that land use within the coastal environment preserves the characteristics and qualities of the natural character of the coastal environment, is consistent with the surrounding land use, promotes restoration and enhancement of the natural character of the coastal environment; and recognises tangata whenua needs for ancestral use of whenua Māori. The proposed Papakainga housing takes into consideration the existing features of the property as well as the proximity to the coastal environment and is considered to adequately avoid, remedy and mitigate any potential effects through the design of the buildings, including recessive colours and materials, the earthworks to integrate these buildings and the landscape planting mitigation package. Overall, the proposed variation continues to be in keeping with these objective and policies.

### ***Part 2 – District Wide – General District Wide Matter – Earthworks***

- *Objectives EW01 – EW03*
- *Policies EW-P1 – EW-P8*

The objectives and policies seek to ensure earthworks are enabled where they are required to facilitate the efficient development of land, while managing adverse effects on waterbodies, coastal marine area, public safety, surrounding land and infrastructure. Further earthworks are appropriately designed, located and managed to protect historical and cultural values, natural environmental values, preserve amenity and safeguard the life-supporting capacity of soils. Further earthworks are undertaken in a manner which does not compromise the stability of land, infrastructure and public safety. It is considered that the amount of earthworks being undertaken are in accordance with the nature and scale of the application. All earthworks will be carried out in accordance with a suite of erosion and sediment methodologies in line with GD05, and relative to the area and volume of earthworks that are proposed on the site. By undertaking the earthworks with such measures in place and in accordance with appropriate conditions of consent, any sediment discharge effects will be avoided, remedied or mitigated. It is therefore considered that the land modification will not result in an increase in the potential for natural hazards to adversely affect the environment.

### ***Part 3 – Area Specific Matters – Special Purpose Zones – Maori Purpose***

- *Objectives MPZ-01 – MPZC03*

- *Policies MPZ-P1 – MPZ-P4*

The above objectives and policies seek to ensure the viability of the Māori Purpose zone is for future generations, to enable a range of social, cultural and economic development opportunities that support the occupation, use, development and ongoing relationship with ancestral land and the use and development in the Māori Purpose zone reflects the sustainable carrying capacity of the land and surrounding environment. The variation to the shed continues to take into consideration the outstanding natural landscape, by integrating the development into the site through the design of the buildings, including recessive colours and materials, the earthworks to integrate these buildings and the landscape planting mitigation package. Overall, the proposed variation continues to be in keeping with these objective and policies.

In summary it is concluded that this proposal satisfies the relevant matters requiring consideration under section 104.

## **NATIONAL ENVIRONMENTAL STANDARD**

There are no NES or other regulations in effect that apply to this application.

## **PART II OF THE RESOURCE MANAGEMENT ACT**

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Part II of the Act sets out the Purpose and Principles. This proposal is in keeping with Part II as the effects of the proposal on the environment will be minor and the proposal will not compromise the ability of this site to be used by existing and future generations, also the life supporting capacity of air, water, soil and ecosystems will not be compromised.

*Section 5* of the Resource Management Act 1991 (the Act) describes the Purpose and Principles of the Act and provides a definition of 'sustainable management' which includes reference to managing the use and development of natural and physical resources at a rate that allows people and communities to provide for their wellbeing, whilst avoiding, remedying and mitigating any adverse effects of activities on the environment.

This involves sustaining resource potential (excluding minerals), safeguarding the life supporting capacity of air, water, soil and ecosystems and avoiding, remedying or mitigating adverse effects. The effects of this proposal on the environment have been described above.

The proposal is considered to be consistent with the Purposed and Principles outlined above as the effects on character and amenity will be no more than minor. Further any potential effects can be adequately avoided, remedied and mitigated.

*Section 6* of the Act requires all persons exercising functions and powers under the Act to recognise and provide for matters of national importance in relation to the natural character of the coastal environment, wetlands, lakes and rivers and the protection of them from inappropriate subdivision use and development. Outstanding natural features and landscapes are also to be protected from inappropriate subdivision, use and development.

The proposal is considered to be consistent with section 6 of the Act. The natural character of the coastal environment is considered to be maintained, being a matters of national importance.

*Section 7* relates to other matters that are to which regard must be had in achieving the sustainable management of natural and physical resources: The proposed shed is considered to be consistent with the provisions of the section of the Act.

*Section 8* requires that account shall be taken of the principles of the Treaty of Waitangi. The proposal is considered to be consistent with the matters outlined in Section 8.

Overall, it is considered that the proposal is in keeping with Part II of the Resource Management Act 1991.

## CONCLUSION

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It is concluded that the proposed variation will have less than minor adverse effects on the surrounding environment. Further the proposed variation is considered to be in keeping with the relevant assessment criteria, objectives and policies set out in Auckland Unitary Plan.

As a result of the above granting consent to this proposal will be in keeping with the provisions set out in Part II of the Resource Management Act 1991 and sections 104 and 104B.

## **Appendix 1 – Record of Title**

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## **Appendix 2 – Architectural Plans**

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## Appendix 3 – Existing Consent

---



**RECORD OF TITLE**  
**UNDER LAND TRANSFER ACT 2017**  
**FREEHOLD**  
**Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA67D/232**  
**Land Registration District** **North Auckland**  
**Date Issued** 22 April 1988

**Prior References**  
NA55B/955

---

**Estate** Fee Simple  
**Area** 14.3830 hectares more or less  
**Legal Description** Lot 1-2 Deposited Plan 117798

**Registered Owners**

Brian John Reti and Kaylem Enrika Harris as responsible trustees jointly, no survivorship to a 10.0000000000 share

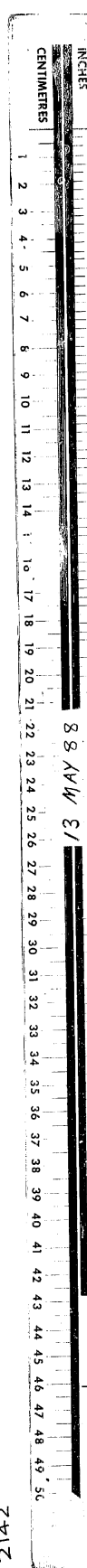
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**Interests**

The proprietors listed above hold the shares out of a total of 10.0000000000 shares.

Subject to Section 308 (4) Local Government Act 1974

B972878.1 TRANSFER DECLARING THE WITHIN LAND TO BE MAORI FREEHOLD LAND - 31.3.1989 AT 9.00 AM







## Report on Maori Land details for the following Record(s) of Title



---

**Record(s) of Title**

NA67D/232

Identified as potentially Maori Freehold Land

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\*\*\* End of Report \*\*\*

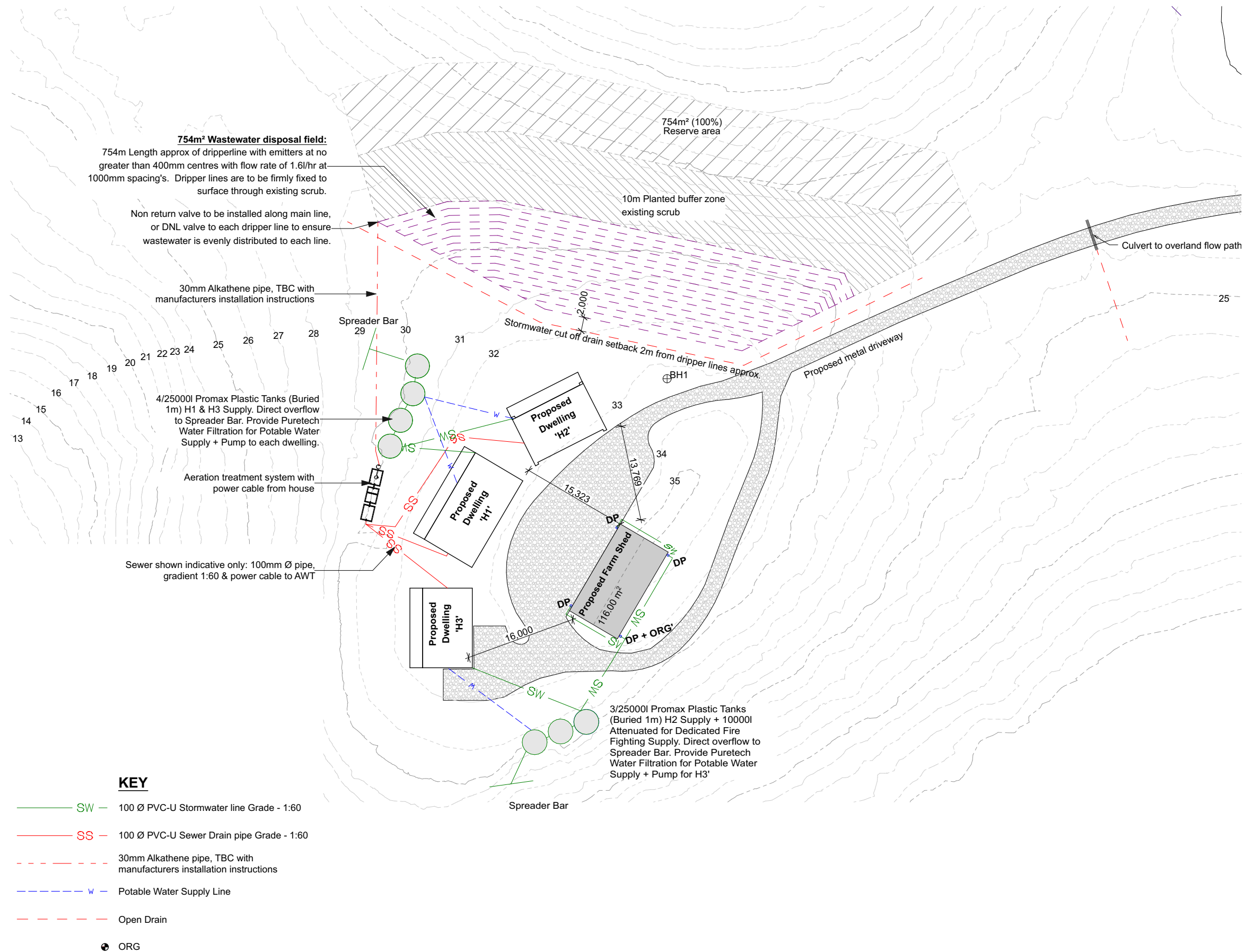
All construction shall be carried out in accordance with NZBC, and NZS 3604:2011 + Amendments. Aswell to comply with any local authority bylaws.

ALL FIXINGS SUBJECT TO WEATHERING TO BE STAINLESS STEEL.  
ALL FIXINGS WITHIN 600mm OF THE GROUND TO BE STAINLESS STEEL.

Locate existing power, water, telephone and sanitary drainage services. Allow to inform network operators as necessary

All work to comply with NZBC, NZS3604 and all relevant local authority by laws and council regulations.

All drainage is Diagramatical, Drainlayer to determine on site drainage layout and provide asbuilt plan when complete.



kyle@masonstreet.co.nz

www.masonstreet.co.nz

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Drawn	KK
Checked	Kyle Kake_ BP130188
Print Date	29/07/25
Scale @ A3	1:500

01






Sheet List	
Sheet Number	Sheet Name
A101	3D
A102	3D View
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A104	Setout Plan
A105	Roof Framing Layout
A106	Elevations 1 & 2
A107	Elevations 3 & 4
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A115	Callout - Details
A116	Callout - Details
A117	Callout - Details
A118	Callout - Details
A119	Callout - Details
A-001	Framing Schedule
A-002	Framing Schedule
A-003	Pole & Column Schedule
A-004	Cladding Schedule
A-005	Ancellaries & Opening Schedule
A-006	Flashing Schedule
A-007	Plumbing Fixture & Concrete Schedule

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"This is an Importance Level 1 (non-habitable) Structure for the life of the Shed, as per relevant standards. Any future use or alterations that classify the structure as habitable or Commercial (IL2) will require a new design review and PS1 assessment from EzeQuote."

3D Image - For Illustration Purpose Only\*

	PROJECT <b>763142</b>  Site <b>1837 Waikare Rd, Waikare, New Zealand</b>	Drawing Title  <b>3D</b>	Notes  1. All dimensions are in millimetres. 2. All dimensions are to be checked on site. 3. Any discrepancy between the architectural drawing and other drawings relevant for construction should be notified before commencement.	Project Status <b>Working Drawings</b>		Rev. <b>1</b>	Drawn	TAMOOR	Dwg. No.  <b>A101</b>
				Rev	Description	Date	Checked	M. ZEESHAN	
				1	Issue for Consent	07-07-2025			
							Scale	1 : 50 on A3	



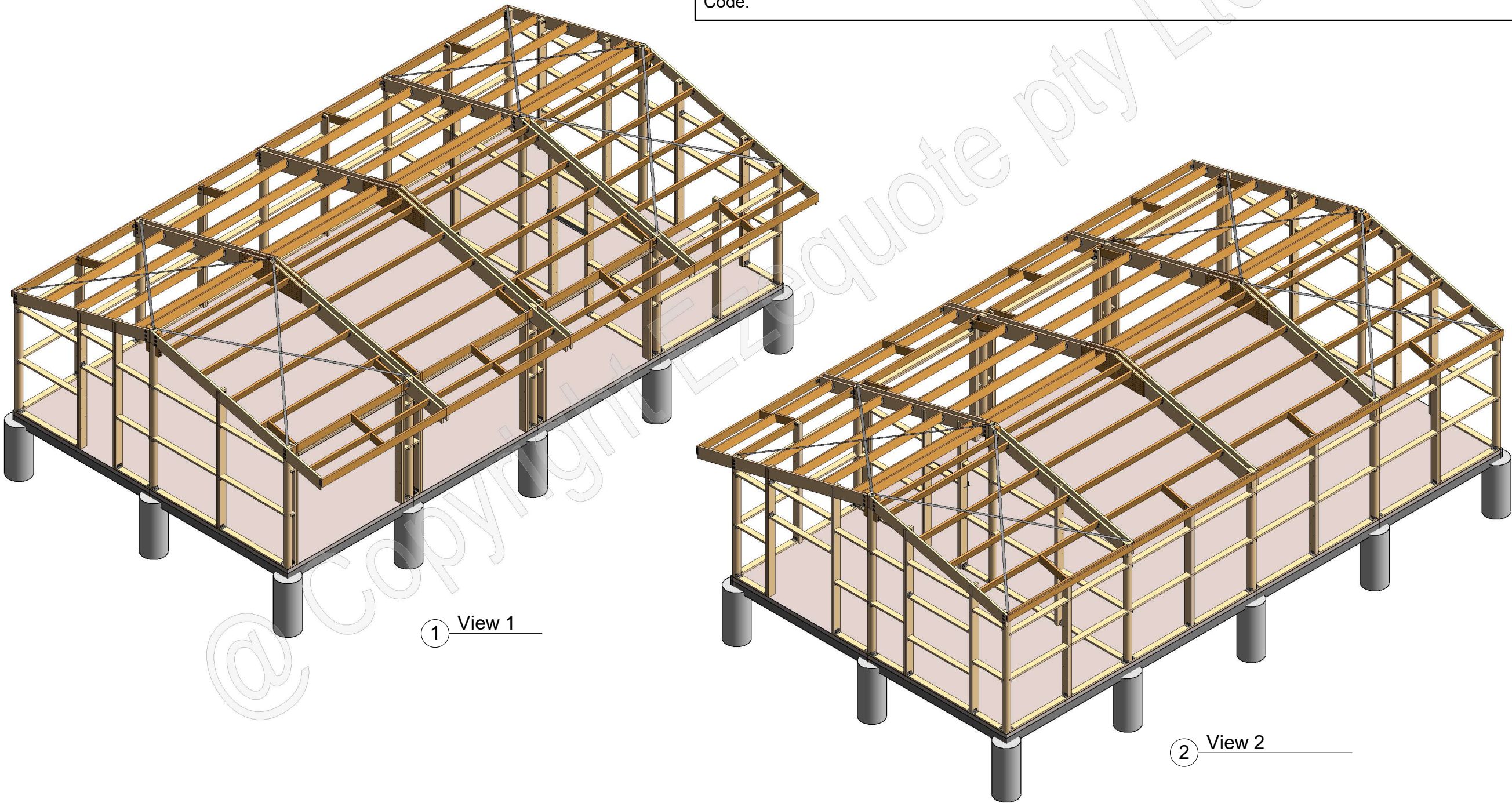
**Durability Note:**

The structural design for the pole barn/structure has been prepared in compliance with the New Zealand Building Code, specifically Clause B2 (Durability). While we do not provide a Producer Statement for durability, the following measures have been included in the design to ensure compliance:

- **Timber Treatment:** Selected in accordance with Table 1A of B2/AS1 to meet or exceed the durability requirements.
- **Steel Fixings:** Protected against weather conditions in line with Tables 4.1 and 4.2 of NZS 3604:2011.

It is the responsibility of the customer and their contractor to ensure that the construction adheres to these design parameters and uses materials and methods that comply with the durability requirements as outlined in the Building Code.

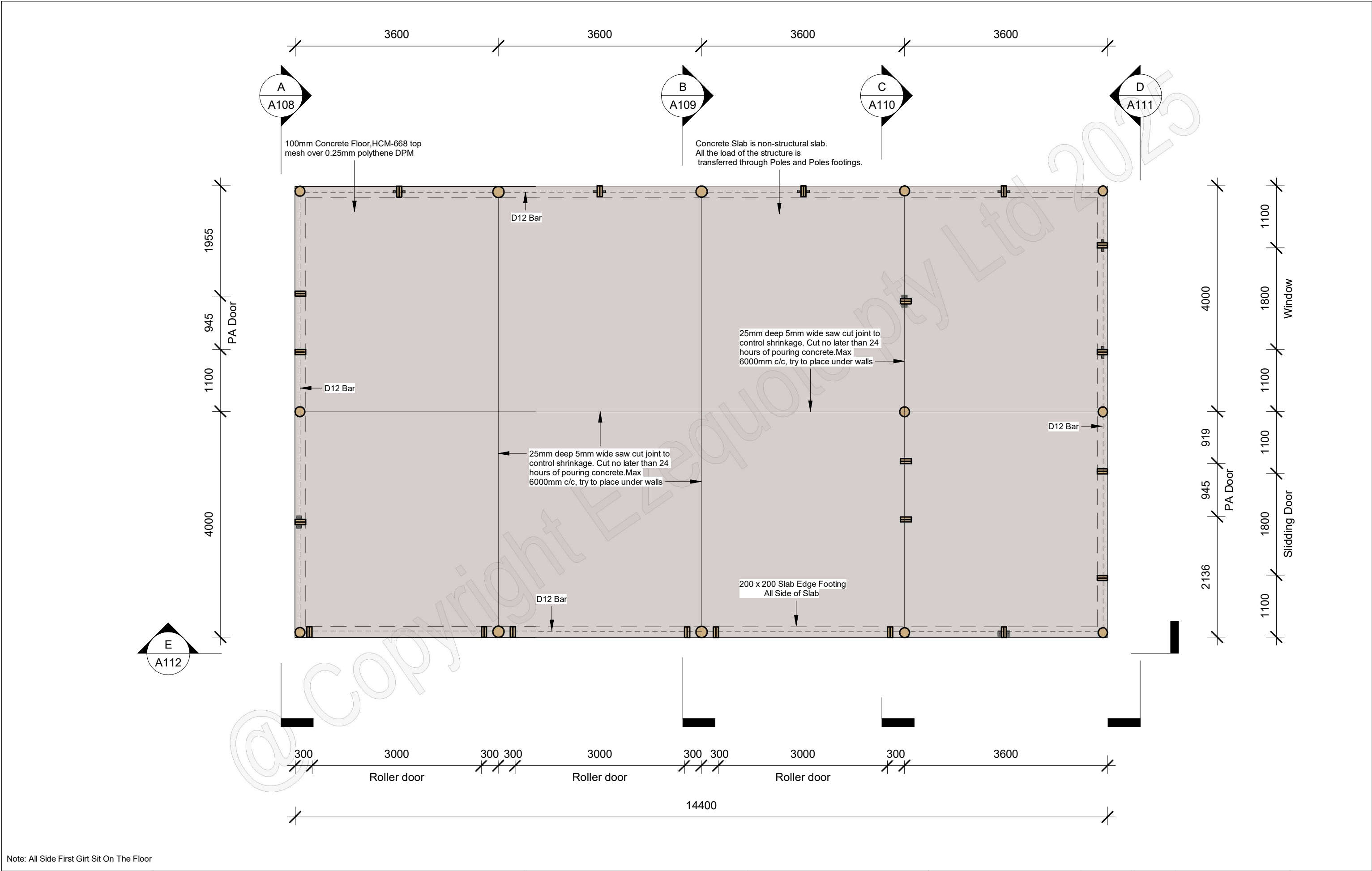
These provisions ensure that the structural elements designed will meet the durability requirements as outlined in the Building Code.




1 View 1

2 View 2

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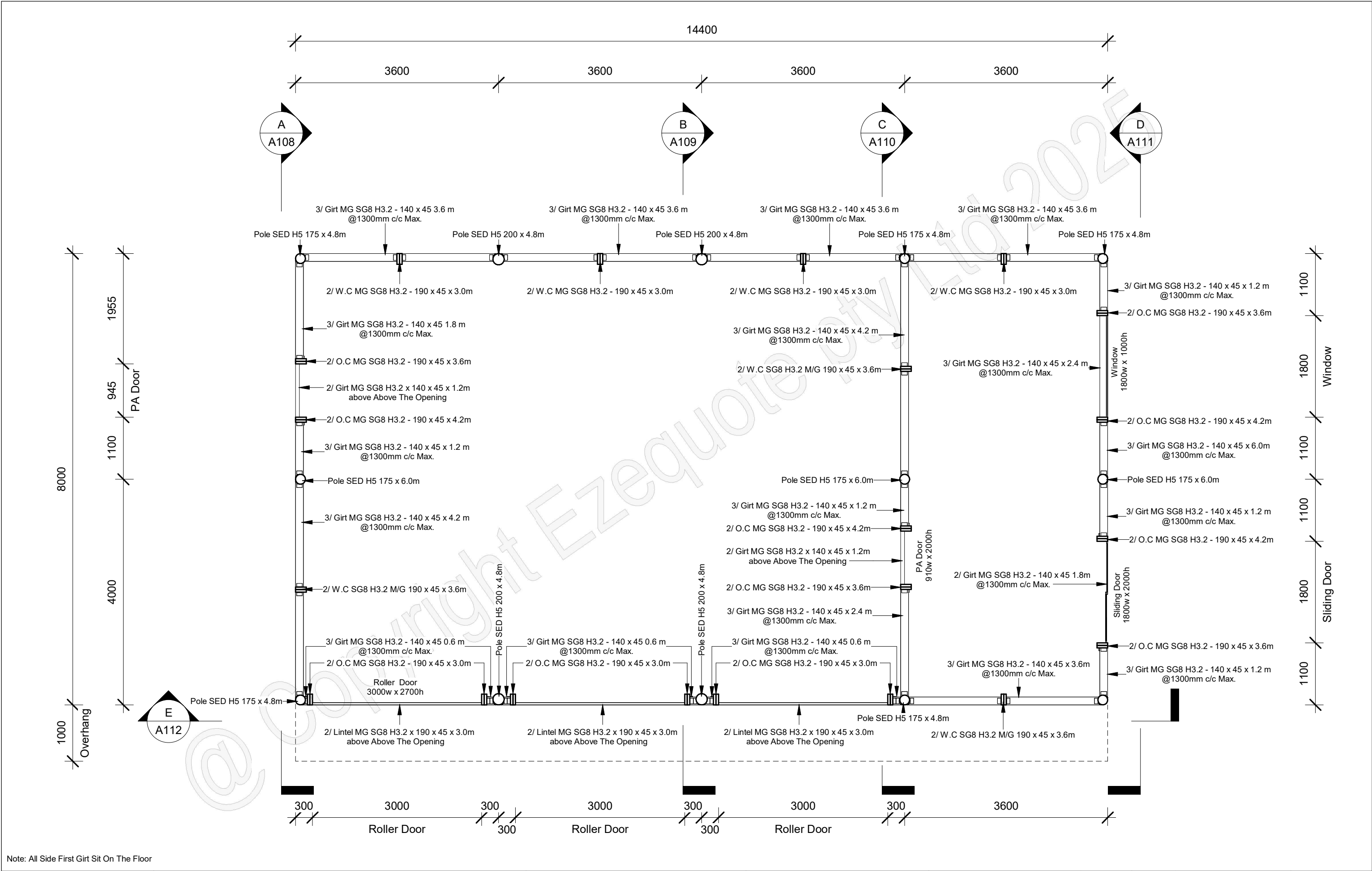


Note: All Side First Girt Sit On The Floor

	PROJECT <b>763142</b>  Site <b>1837 Waikare Rd, Waikare, New Zealand</b>	Drawing Title <b>Slab Plan</b>	Notes 1. All dimensions are in millimetres. 2. All dimensions are to be checked on site. 3. Any discrepancy between the architectural drawing and other drawings relevant for construction should be notified before commencement.	Project Status Working Drawings		Rev. 1	Drawn	TAMoor	Dwg. No. <b>A103</b>
				Rev	Description	Date	Checked	M. ZEESHAN	
				1	Issue for Consent	07-07-2025			
							Scale	As indicated on A3	



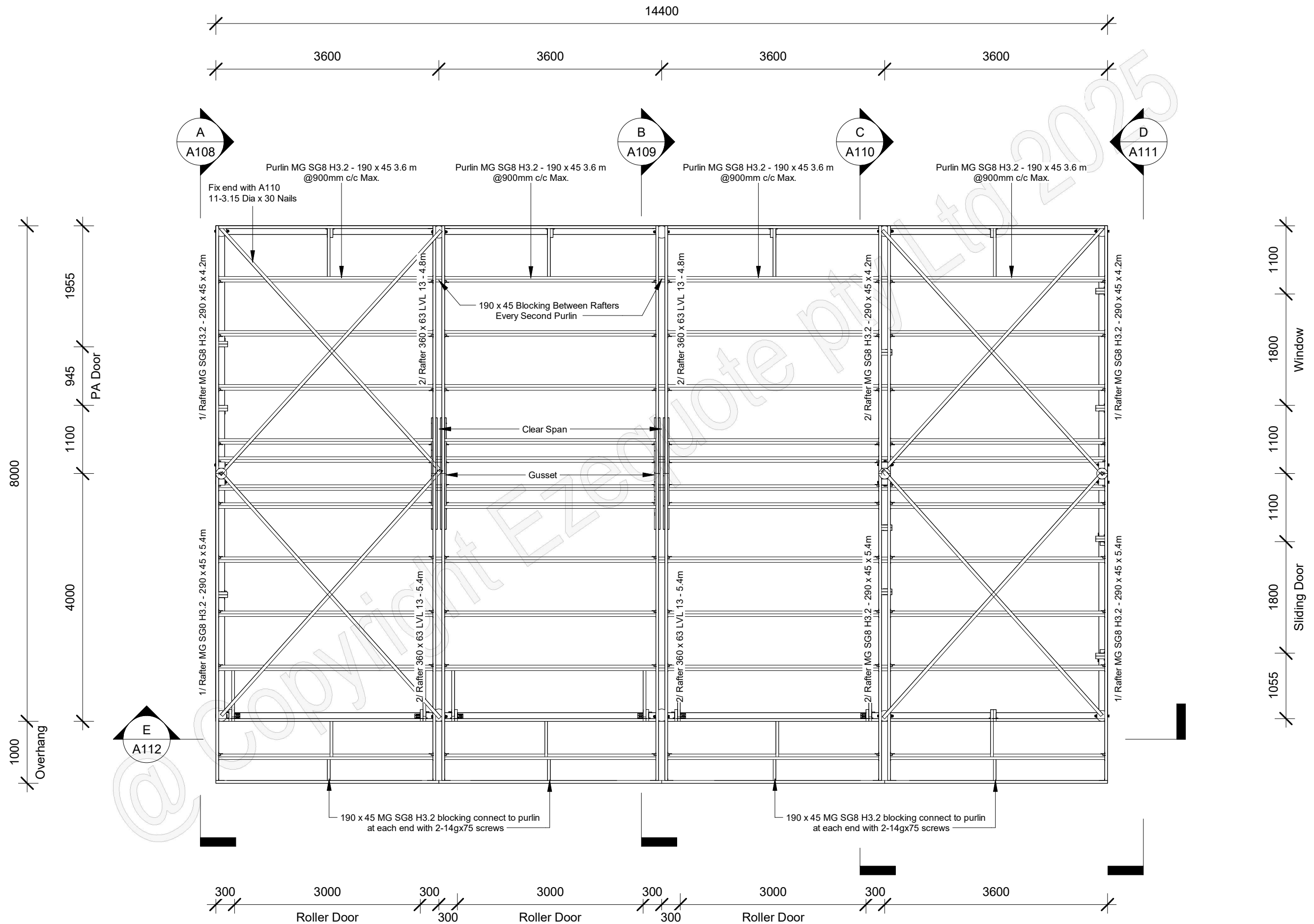
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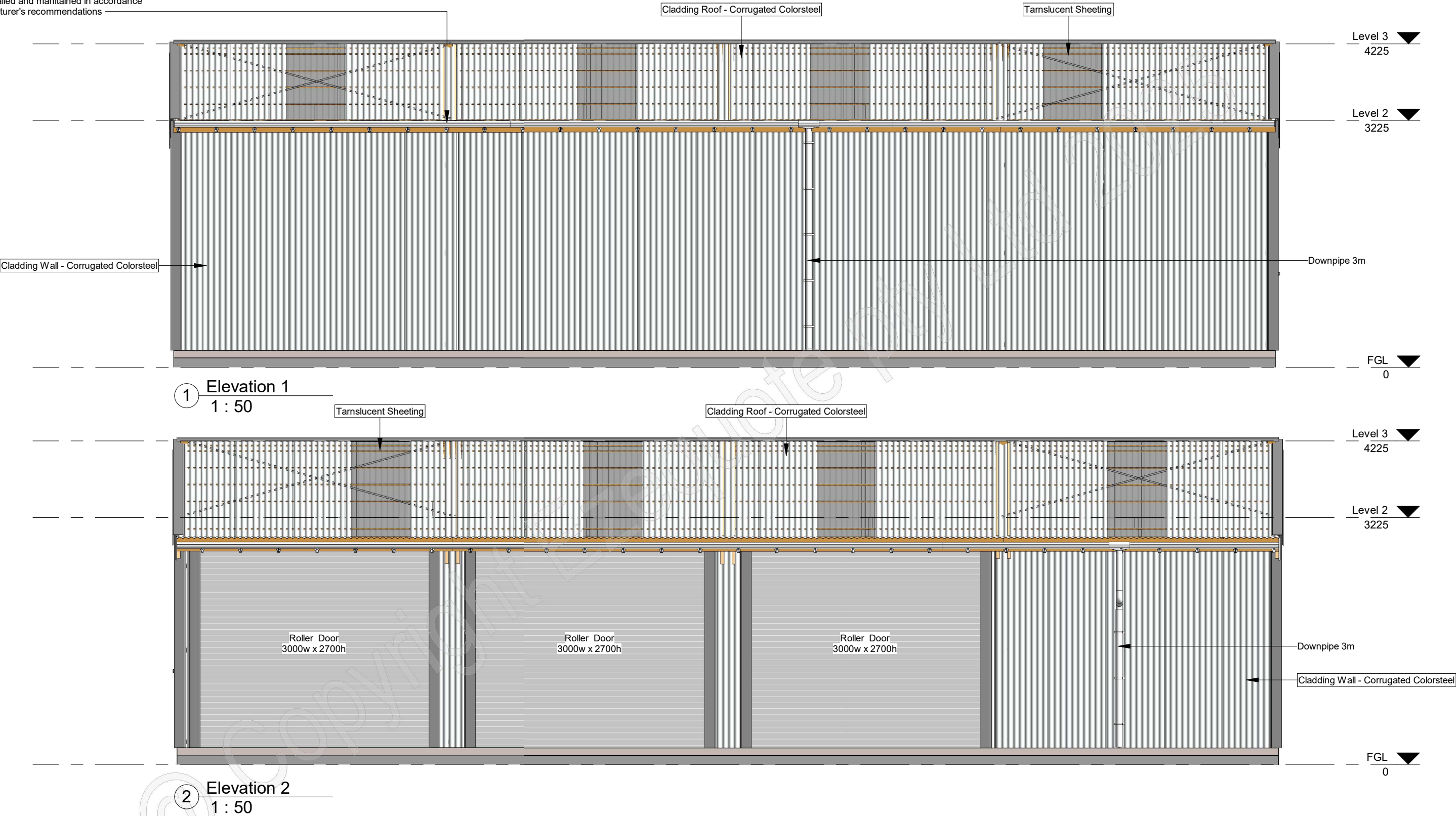
Note: All Side First Girt Sit On The Floor

<div><div>YOUR ADVANTAGE</div></div>	PROJECT <b>763142</b>  Site <b>1837 Waikare Rd, Waikare, New Zealand</b>	Drawing Title <b>Setout Plan</b>	Notes 1. All dimensions are in millimetres. 2. All dimensions are to be checked on site. 3. Any discrepancy between the architectural drawing and other drawings relevant for construction should be notified before commencement.	Project Status <b>Working Drawings</b>		Rev. <b>1</b>	Drawn	TAMOOR	<b>Dwg. No.</b>  <b>A104</b>
				Rev	Description	Date	Checked	M. ZEESHAN	
				1	Issue for Consent	07-07-2025			
							Scale	As indicated on A3	

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Guttering and downpipes shall be selected in accordance with figure 15 and tabels 4,5 and 6 of E1/AS1 and installed and mantained in accordance with the manufacturer's recommendations

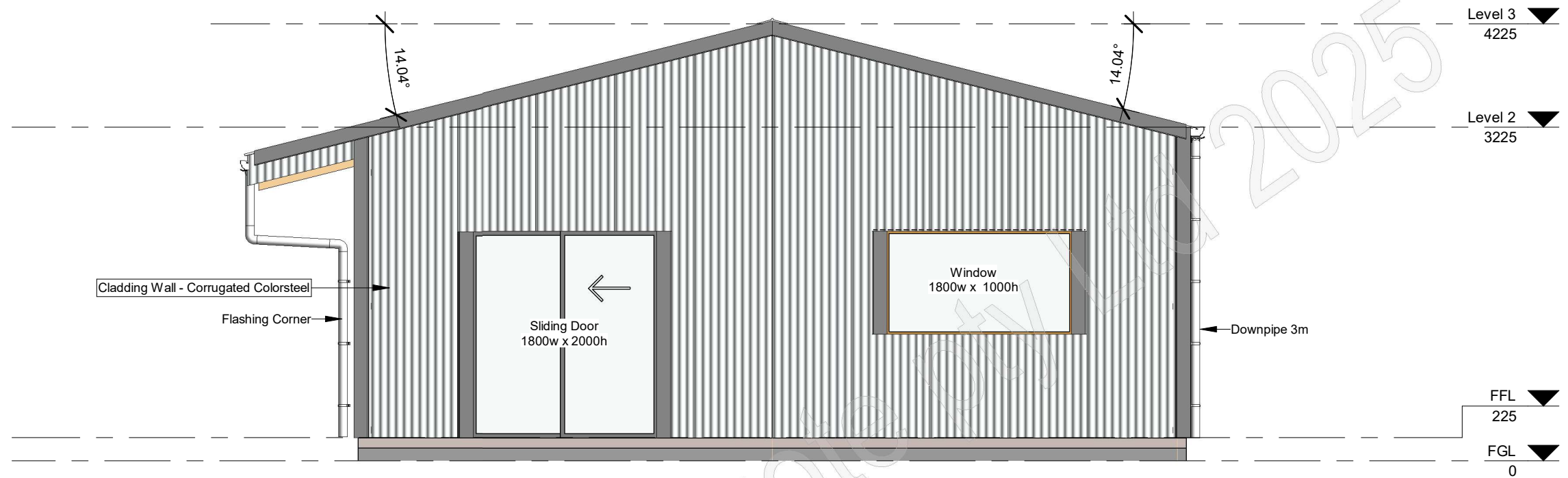


Note:  
- Roof and wall flashings are to be supplied to suit the specific roofing and wall cladding profile.  
- All flashings and measurements are intended as a guide only and must be confirmed by a site measure by the builder or roofer.  
- All flashings are shown for reference only and may or may not be included in any quotation provided.  
- Please refer to your builder, roofer, supplier product literature and/or local territorial authority for further information and advice.

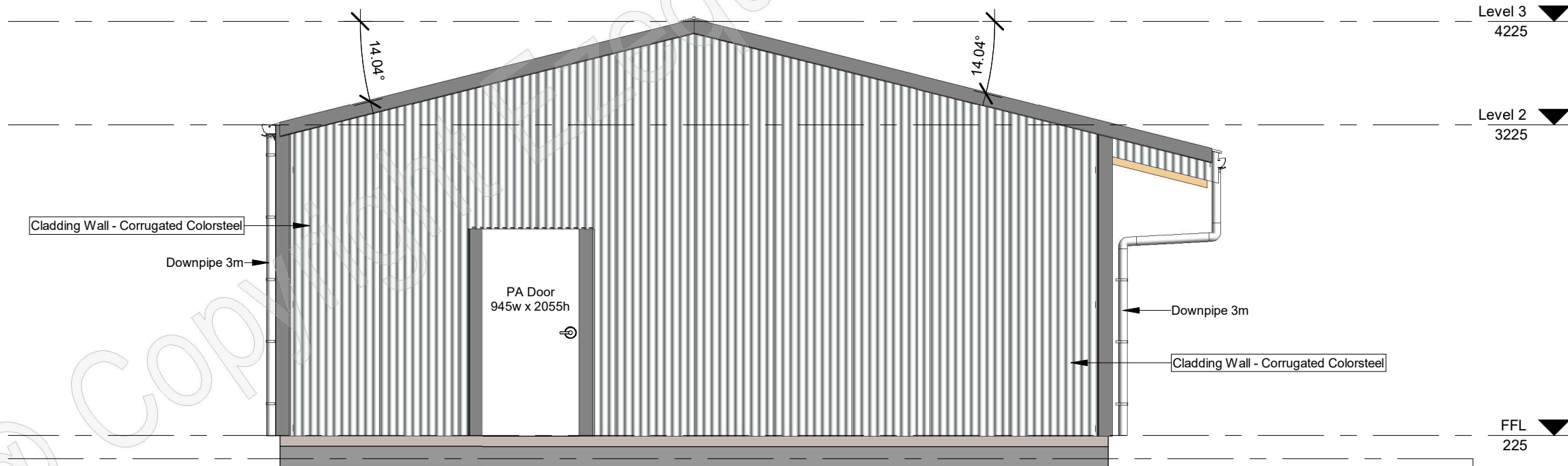
Note:  
- Roof and Wall cladding is to be supplied to suit the specific roofing and wall cladding profile.  
- All Cladding/Roofing and measurements are intended as a guide only and must be confirmed by a site measure by the builder or roofer.  
- All Cladding/Roofing are shown for reference only and may or may not be included in any quotation provided.  
- Please refer to your builder, roofer, supplier product literature and/or local territorial authority for further information and advice.

	PROJECT <b>763142</b>  Site <b>1837 Waikare Rd, Waikare, New Zealand</b>	Drawing Title <b>Elevations 1 &amp; 2</b>	Notes 1. All dimensions are in millimetres. 2. All dimensions are to be checked on site. 3. Any discrepancy between the architectural drawing and other drawings relevant for construction should be notified before commencement.	Project Status Working Drawings		Rev. 1	Drawn	TAMOOR	Dwg. No. <b>A106</b>
				Rev	Description	Date	Checked	M. ZEESHAN	
				1	Issue for Consent	07-07-2025			
							Scale	1 : 50 on A3	





1 Elevation 3  
1 : 50



2 Elevation 4  
1 : 50

Note:  
- Roof and wall flashings are to be supplied to suit the specific roofing and wall cladding profile.  
- All flashings and measurements are intended as a guide only and must be confirmed by a site measure by the builder or roofer.  
- All flashings are shown for reference only and may or may not be included in any quotation provided.  
- Please refer to your builder, roofer, supplier product literature and/or local territorial authority for further information and advice.

Note:  
- Roof and Wall cladding is to be supplied to suit the specific roofing and wall cladding profile.  
- All Cladding/Roofing and measurements are intended as a guide only and must be confirmed by a site measure by the builder or roofer.  
- All Cladding/Roofing are shown for reference only and may or may not be included in any quotation provided.  
- Please refer to your builder, roofer, supplier product literature and/or local territorial authority for further information and advice.

# Proposed New Dwelling

*1837 Waikare Road, Waikare*

*For: Te Totara Papakainga*

## Contents

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P01B	Site Plan
P01C	Site Plan - No Services
P01D	Site Plan - S/W & Water
P01E	Site Plan - Sewer & Power
P01F	Site Plan - Cut & Fill
P01G	Site Plan - Landscaping



### APPROVED PLAN

Planner: Simeon McLean  
pp: ENathan  
RC: 2230598-RMALUC  
Date: 12/09/2023

## Concept Plans

*Concept 1*  
*August 2023*

Revision:  
Project No.  
Drawn By:

C01  
1196  
NMB





**APPROVED PLAN**

**Planner: Simeon McLean**  
**pp: ENathan**  
**RC: 2230598-RMALUC**  
**Date: 12/09/2023**

Revision	By:	Date:
Drawn	NMB	Apr 12 2023

Verify all dimensions on site before commencing work. Refer to figured dimensions. Refer any discrepancies to Advance manufacturing Ltd.  
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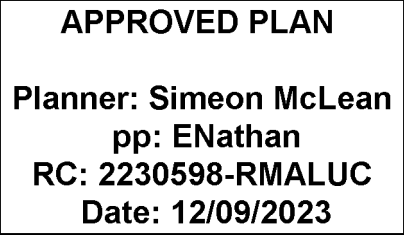


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Proposed New Home for:  
Te Totara Papakainga  
1837 Waikare Road  
Waikare

Sheet Title: Site Location Plan		
Scale: NTS		
Project No:	Page:	Revision:
1196	01	C01





Revision	By:	Date:
Drawn	NMB	Apr 12 2023
Rev	NMB	Apr 18 2023
Rev	NMB	May 24 2023
Rev	NMB	Jun 06 2023
Rev	NMB	Aug 09 2023

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Proposed New Home for:  
Te Totara Papakainga  
1837 Waikare Road  
Waikare

Sheet Title:  
Overall Site Plan

Scale: 1 : 1500 (A3 Original)

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Project No:

Page:

Revision:

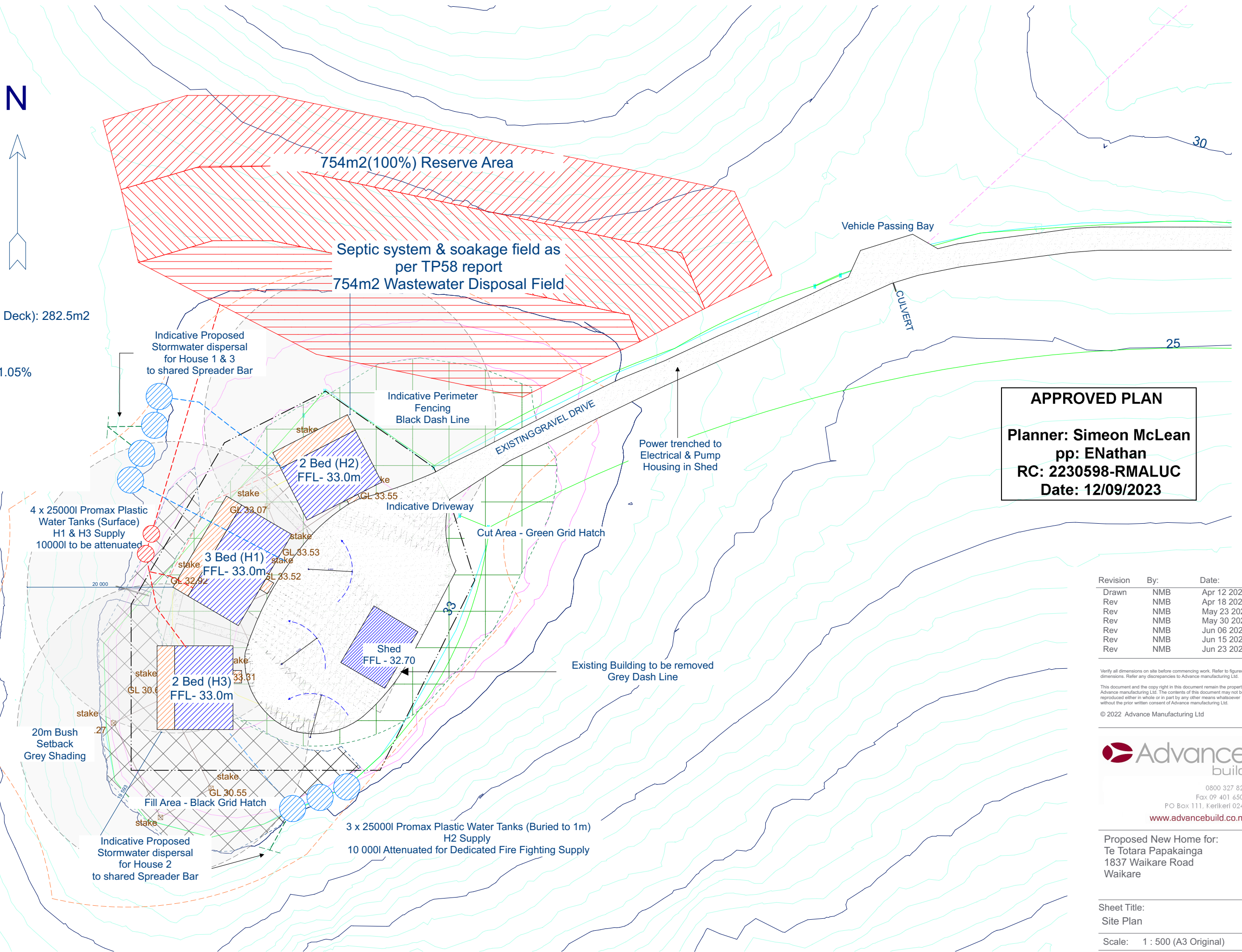
1196 01A C01

# Site Information

1837 Waikare Road, Waikare  
Lot 1  
DP 117798  
Very High Wind Zone  
Corrosion Zone D  
Earthquake Zone 1  
Zone: General Coastal

Site area: 143830m2  
Existing Driveway area: 424m2  
New Driveway area(incl paths): 706m2  
New buildings area:  
Floor Area(excl Garage, excl. slatted Deck): 282.5m2  
Roof Area(excl Garage): 322.46m2  
Shed Area: 54m2  
Existing buildings are: Nil(to be removed)  
Total impermeable surfaces: 1506.46m2 = 1.05%  
Earthworks:  
Max Cut Depth - 1.30m  
Max Fill Depth - 1.30m  
Total House Cut Area= 2012m2  
Total House Cut Volume= 1609m3  
Total House Fill Area= 705m2  
Total House Fill Volume= 730m3  
Vegetation Removal: Nil

N



## APPROVED PLAN

Planner: Simeon McLean  
pp: ENathan  
RC: 2230598-RMALUC  
Date: 12/09/2023

Revision	By:	Date:
Drawn	NMB	Apr 12 2023
Rev	NMB	Apr 18 2023
Rev	NMB	May 23 2023
Rev	NMB	May 30 2023
Rev	NMB	Jun 06 2023
Rev	NMB	Jun 15 2023
Rev	NMB	Jun 23 2023

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Proposed New Home for:  
Te Totara Papakainga  
1837 Waikare Road  
Waikare

Sheet Title:  
Site Plan

Scale: 1 : 500 (A3 Original)

Project No: 1196 Page: 01B Revision: C01

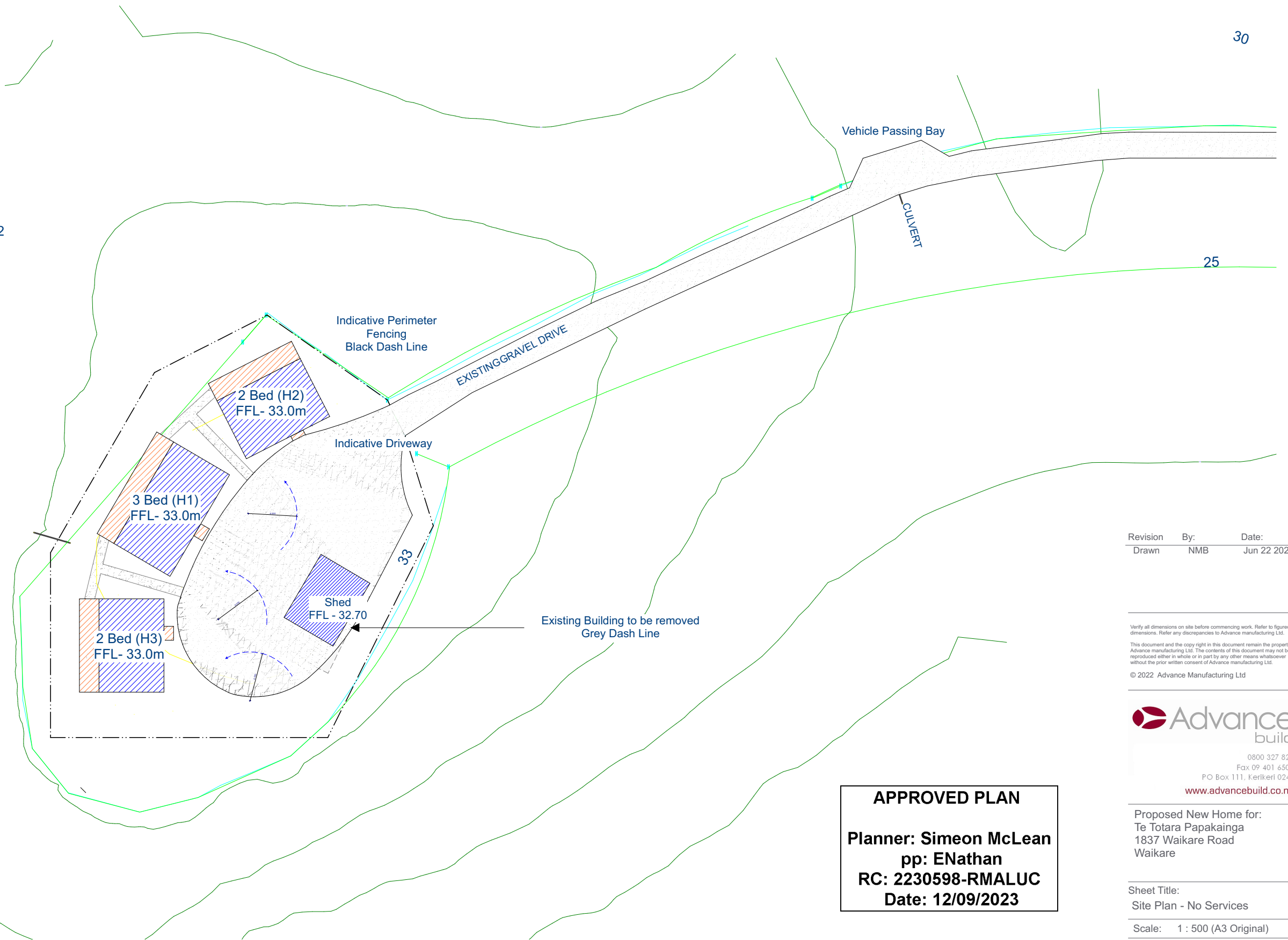


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N



Revision	By:	Date:
Drawn	NMB	Jun 22 2023

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**APPROVED PLAN**  
**Planner: Simeon McLean**  
**pp: ENathan**  
**RC: 2230598-RMALUC**  
**Date: 12/09/2023**

Proposed New Home for:  
Te Totara Papakainga  
1837 Waikare Road  
Waikare

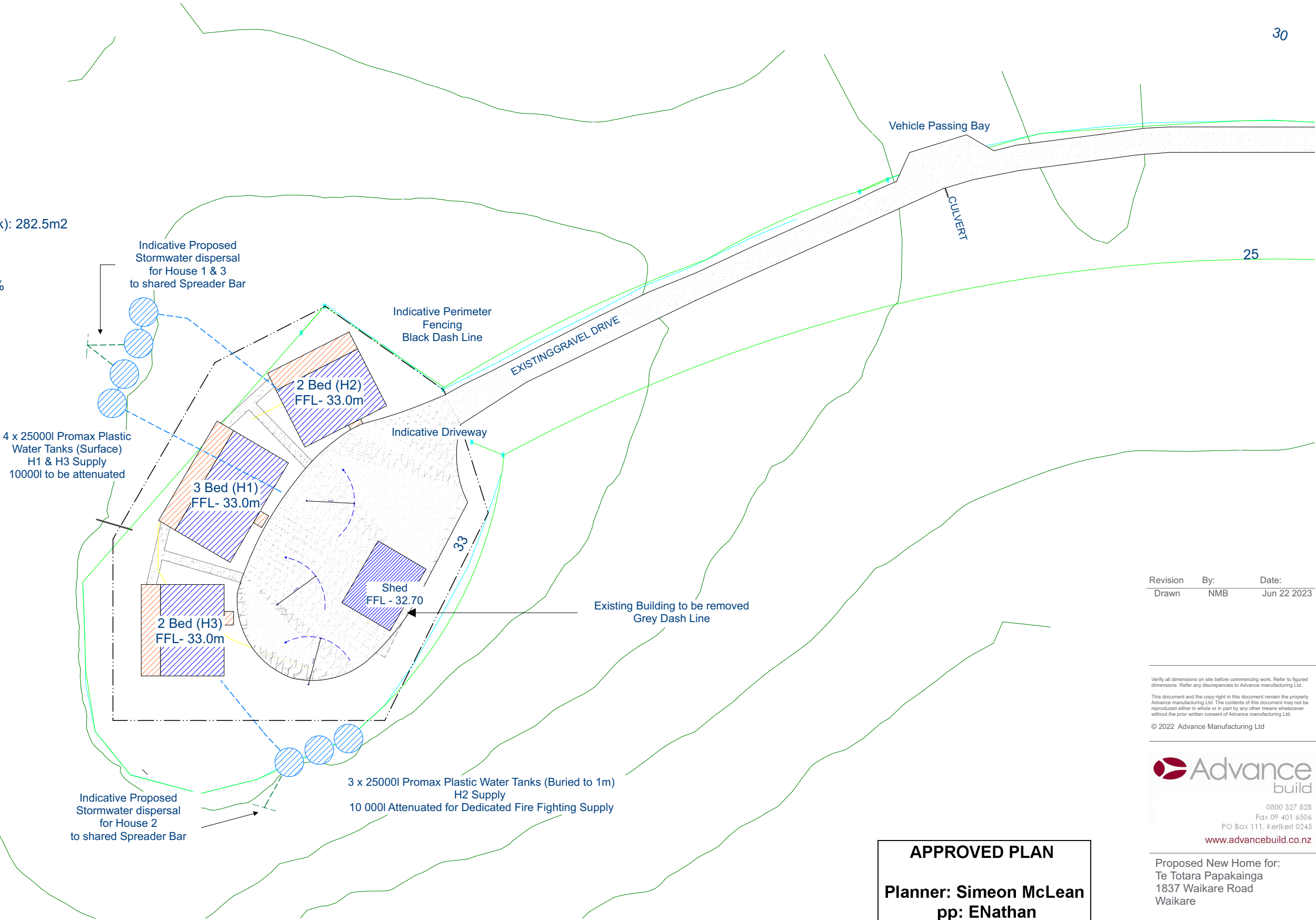
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Scale: 1 : 500 (A3 Original)		
Project No:	Page:	Revision:
1196	01C	C01

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N



Revision	By:	Date:
Drawn	NMB	Jun 22 2023

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Proposed New Home for:  
Te Totara Papakainga  
1837 Waikare Road  
Waikare

Sheet Title:  
Site Plan - S/W & Water

Scale: 1 : 500 (A3 Original)

Project No:	Page:	Revision:
1196	01D	C01

APPROVED PLAN

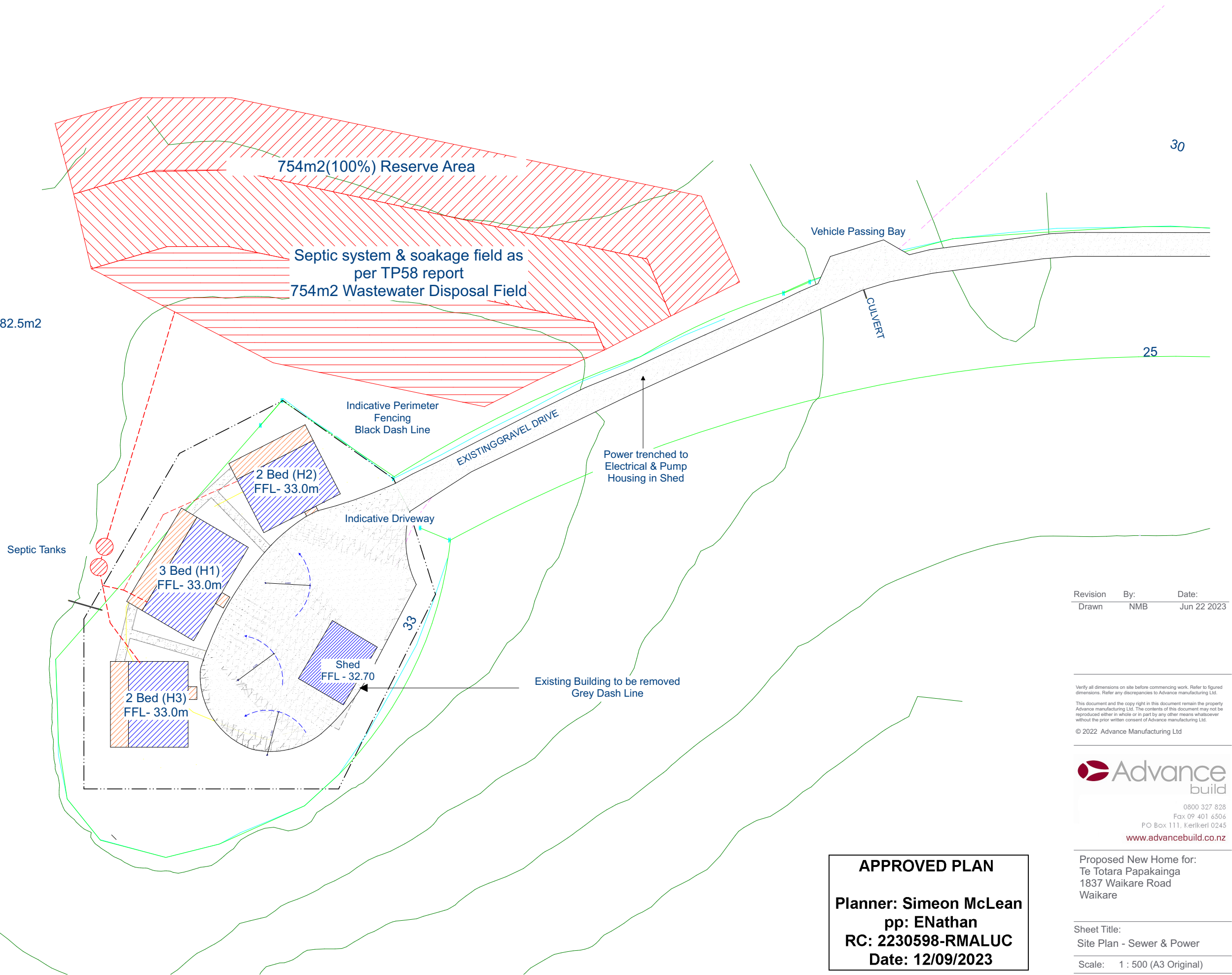
Planner: Simeon McLean  
pp: ENathan  
RC: 2230598-RMALUC  
Date: 12/09/2023

Site Information

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Revision	By:	Date:
Drawn	NMB	Jun 22 2023

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Proposed New Home for:  
Te Totara Papakainga  
1837 Waikare Road  
Waikare

Sheet Title:  
Site Plan - Sewer & Power

Scale: 1 : 500 (A3 Original)

Project No:	Page:	Revision:
1196	01E	C01

**APPROVED PLAN**  
**Planner: Simeon McLean**  
**pp: ENathan**  
**RC: 2230598-RMALUC**  
**Date: 12/09/2023**



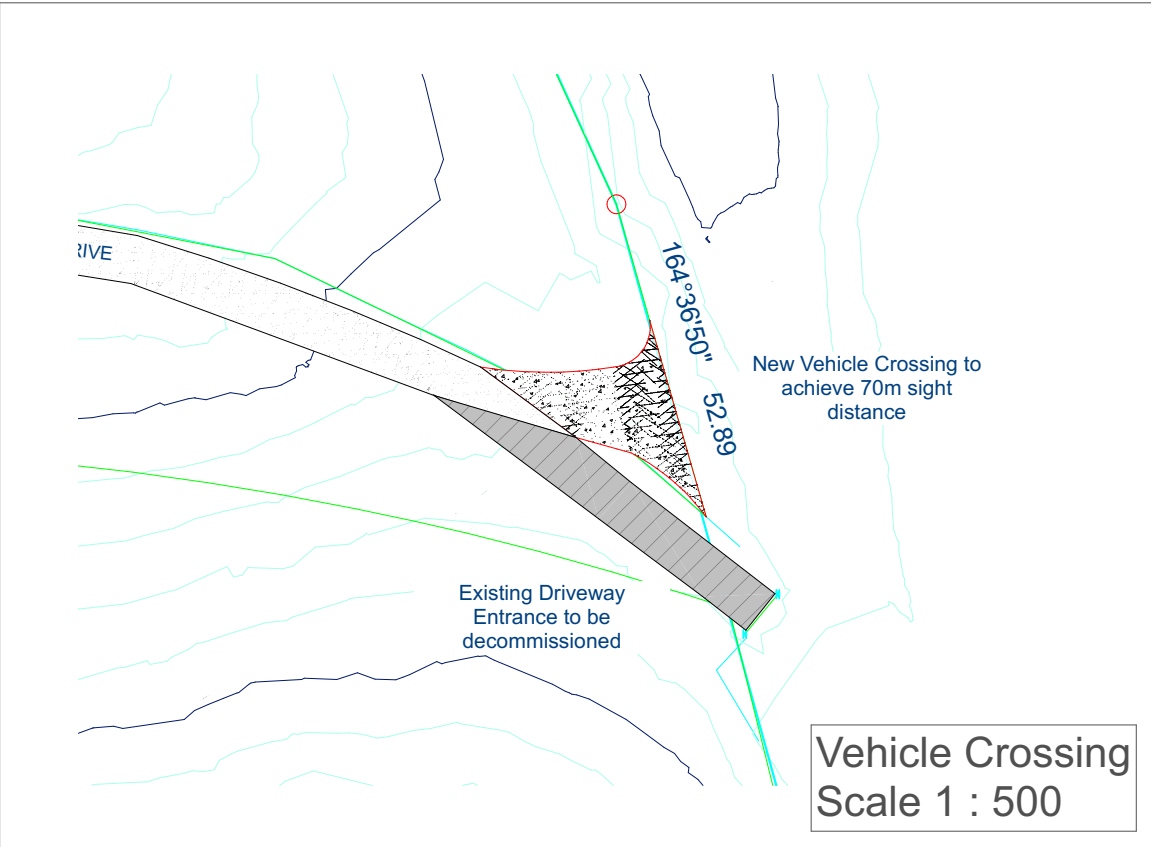
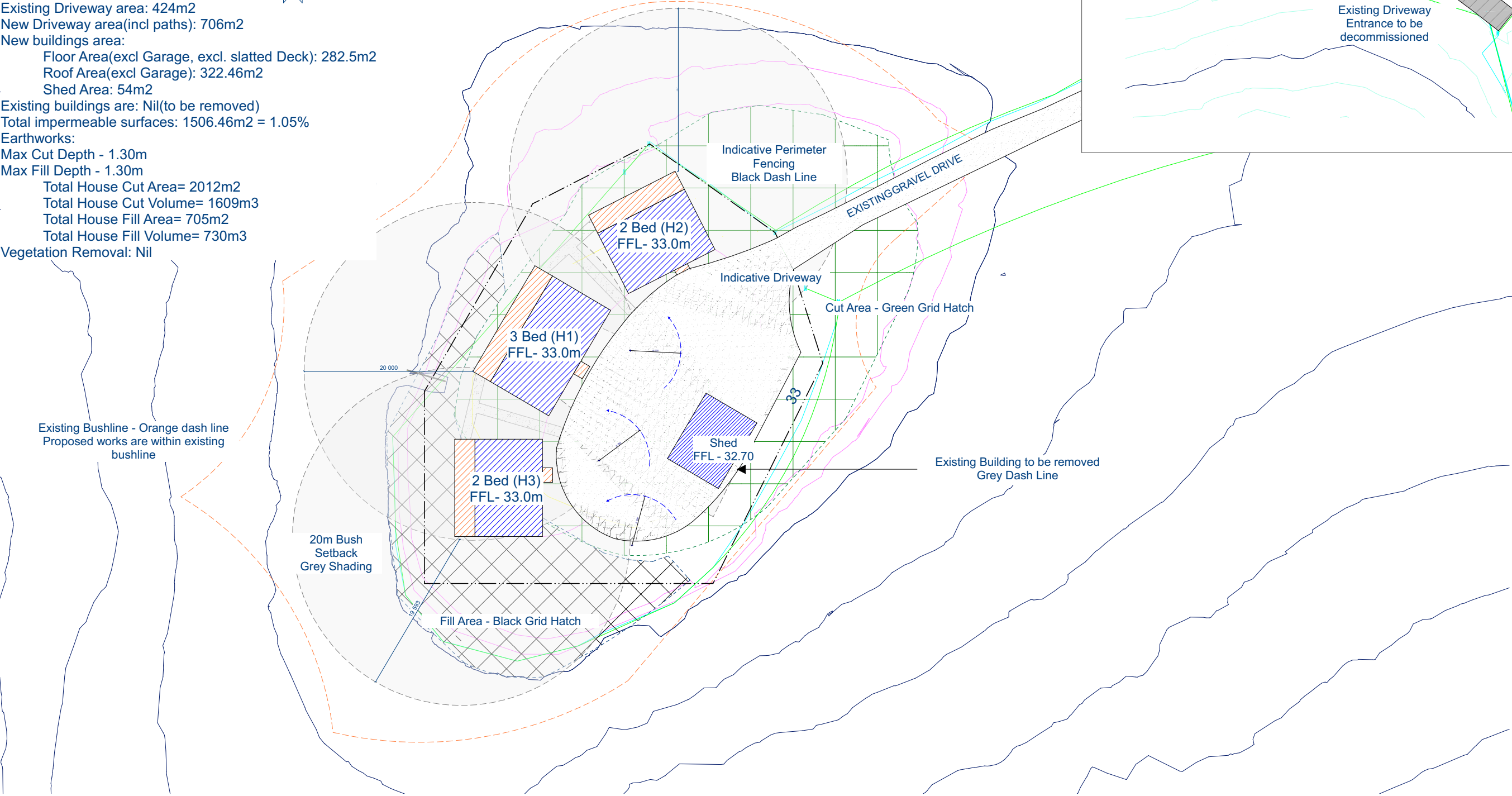
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**APPROVED PLAN**  
  
**Planner: Simeon McLean**  
**pp: ENathan**  
**RC: 2230598-RMALUC**  
**Date: 12/09/2023**



Revision	By:	Date:
Drawn	NMB	Apr 12 2023
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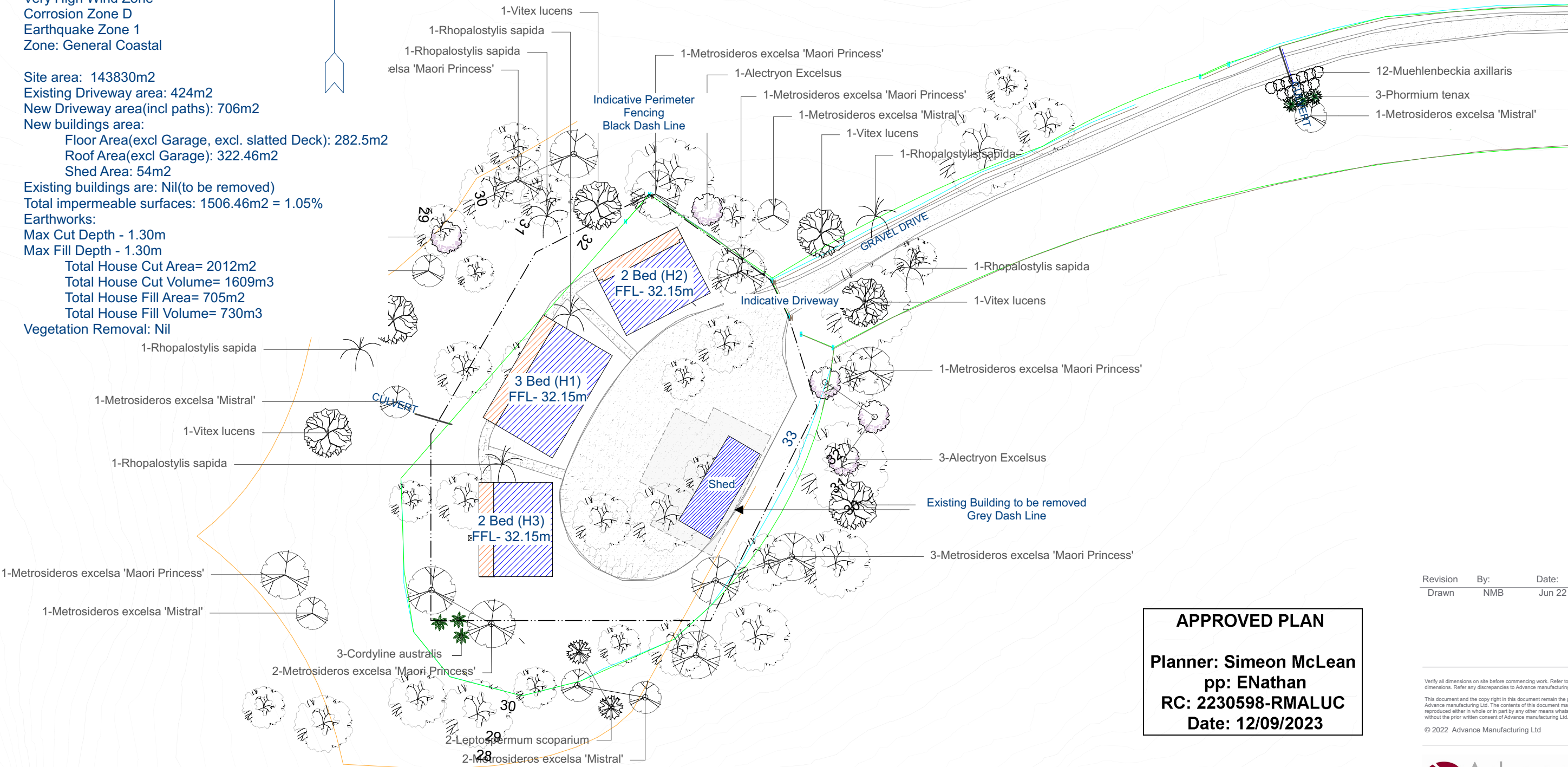
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Te Totara Papakainga  
1837 Waikare Road  
Waikare

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Planner: Simeon McLean  
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RC: 2230598-RMALUC  
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Proposed New Home for:  
Te Totara Papakainga  
1837 Waikare Road  
Waikare

Sheet Title:  
Site Plan - Landscaping

Scale: 1 : 500 (A3 Original)

Project No: 1196 Page: 01G Revision: C01

Native Revegetation Planting			
NOTE: The cut and fill batters around the tanks shall be revegetated with native species and will be eco-sourced if necessary. This will enhance the amenity and value of the property and visually soften the presence of the new papakainga dwellings. Plant a mix of the following species in groups of 3, 5 and 9 plants (This will be will be calculated in percentages as this is optional).			
Botanical name	Common name	Spacing	Qty
Apodasmia similis	Oioi	7cm	10%
Muehlenbeckia astonii	Shrubby tororaro	1.5m	20%
Muehlenbeckia axillaris	Pohuehue	1m	10%
Phormium cookianum	Mountain flax	1.5m	30%
Phormium tenax	Harakeke flax	1.5m	30%

Native Specimen Trees			
NOTE: All Specimen trees and plantings shall be strictly native and eco-sourced locally.			
Botanical name	Common name	Spacing	Qty
Alectryon Excelsus	Titoki	4m	5
Cordylina australis	NZ Cabbage tree	2m	3
Leptospermum scoparium	Mānuka	2m	2
Metrosideros excelsa 'Maori Princess'	Pohutukawa	8m	11
Metrosideros excelsa 'Mistral'	Pohutukawa	5m	7
Muehlenbeckia axillaris	Pohuehue	1m	12
Phormium tenax	Harakeke flax	1.5m	3
Rhopalostylis sapida	Nikau palm	2m	6
Vitex lucens	Puriri	4m	6

## **DECISION ON LAND USE CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991**

### **Decision**

Pursuant to section 34(1) and sections 104, 104B, and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council grants land use resource consent for a Discretionary Activity, subject to the conditions listed below, to:

<b>Applicant:</b>	Kaylem Harris and Brian Reti as Trustees for Te Totara Papakainga
<b>Council Reference:</b>	2230598-RMALUC
<b>Property Address:</b>	1837 Waikare Road, Kawakawa 0283
<b>Legal Description:</b>	LOTS 1-2 DP 117798 BLK VII RUSSELL SD

#### **The activities to which this decision relates are listed below:**

To relocate three pre-built dwellings to the site to be used as papakainga. The dwellings will be supported by a shed. Accessory activities include earthworks, access and mitigation planting.

### **Conditions**

Pursuant to sections 108 of the Act, this consent is granted subject to the following conditions:

1. The activity shall be carried out in accordance with the approved plans prepared by Advance Build Limited, titled "*Proposed New Dwelling 1837 Waikare Road, Waikare For: Te Totara Papakainga Concept Plans Concept 1*", dated August 2023, and attached to this consent with the Council's "Approved Stamp" affixed to them.
2. All works must be undertaken in general accordance with the Management Plan titled Management Plan Te Totara 1837 Waikare Road, prepared by CPPC Planning and Dated 29 June 2023.
3. All earthworks must be undertaken in accordance with the recommendations of Site Suitability Report, prepared by T&A Structures Ltd and dated 21 May 2023.
4. Prior to commencing any physical site works, a construction management plan must be submitted to and approved by the Council. The plan shall contain information on, and site management procedures, for the following:
  - i. The timing of construction works, including hours of work, key project and site management personnel.
  - ii. Signage to identify the entrance and nature as a construction site.

- iii. Erosion and sediment control measures to be in place for the duration of the works and details of remedial measures.
- 5. The consent holder shall ensure that stormwater runoff from the new impermeable surface is collected and carried in sealed pipes or drains and discharged in a controlled manner to a disposal point in accordance with Section 4 of FNDC Engineering Standards and Guidelines 2009.
- 6. The consent holder shall ensure that the wastewater treatment and disposal system is constructed generally in accordance with the recommendations contained within Onsite Wastewater Report prepared by O'Brien Design Consulting dated 2 June 2023 (ref: 2875-A).
- 7. The consent holder shall provide a water collection system with sufficient supply for firefighting purposes generally in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509 or that is approved by Fire & Emergency New Zealand.
- 8. The consent holder shall upgrade the existing driveway to provide formed and metalled access to a 3m finished carriageway width with passing bays provided to comply with Rule 15.1.6C.1.1 and 15.1.6C.1.3 of the District Plan. The formation is to consist of a minimum of 200mm of compacted hard fill plus a GAP 30 or GAP 40 running course and is to include water table drains and culverts as required to direct and control stormwater runoff.
- 9. In conjunction with a building consent, provide for the approval of the Council's duly delegated officer, a schedule of natural, recessive colours and textures to be utilised in finishing the buildings. The exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or constructed of natural materials which fall within this range. The buildings are to be finished in accordance with this schedule prior to occupation of the buildings and the approved schedule shall be adhered to for the duration of this consent.
- 10. No building, or part thereof, excavation or other work shall be left unfinished, or shall be allowed to fall into such a condition; and no land shall be allowed to deteriorate or to remain in such a condition that it would, in the opinion of the Council, visually detract from the amenities of the property, or adjoining properties, or the neighbourhood.
- 11. All earthworks for the building site and access thereto are to be trimmed and finished to blend into the existing contours, with bare ground vegetated as soon as possible.
- 12. Any vegetation that is to be planted on the site must be at least 20m away from any dwelling on the site.
- 13. Implementation of the landscape plan is to be undertaken within the first two planting seasons (approximately March-September) directly following commencement of any of the works relating to the application and maintained by the consent holder from that



point onwards for a minimum period of 4 years, all to the satisfaction of the Far North District Council or duly delegated officer.

14. Pest and weed control must be undertaken in accordance with the management plan referenced in condition 2.
15. Prior to occupation of any dwelling, the consent holder must provide evidence to Council that sight distance of 75m is available from the vehicle crossing.
16. The site is identified as being within a kiwi present zone. No cats are to be kept on site. Dogs kept onsite must be kept inside and/or tied up at night to reduce the risk of predation of North Island brown kiwi and must hold a current kiwi aversion certificate.
15. In order to protect the ecological significance of the wider site habitat and those adjacent to the site; the consent holder must:
  - i. Not use plant varieties.
  - ii. Ensure that species are ecosourced from the Eastern Northland coastal area at minimum if Whangaruru E.D. are not available. Plants must be sourced from a reliable nursery to avoid incursion of rainbow skink.
  - iii. Undertake a preworks check for daytime sheltering kiwi in rank exotic vegetation/earthworks area.
  - iv. Limit the number of dogs to one (1) dog per household and exclude cats on the site.
  - v. Undertake stock exclusion; and
  - vi. Should kiwi or green gecko be present, undertake any vegetation alteration or removal manually, beginning from the cleared edge and working backward.

## Advice Notes

### Lapsing of Consent

1. *Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;*
  - a) *The consent is given effect to; or*
  - b) *An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.*

### Right of Objection

2. *If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.*

### Archaeological Sites

3. *Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease in the vicinity*

*of the remains immediately; with the Trust and local iwi also consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.*

### **General Advice Notes**

4. *The site is accessed off an unsealed road. Unsealed roads have been shown to create a dust nuisance from vehicle usage. It is advised that the existing/proposed planting within the site are utilised to assist with this nuisance.*

### **Weed Control**

5. *For the avoidance of doubt this consent requires weed control to be undertaken within the areas of planting that are proposed. Weed control on the wider site is however encouraged.*

### **Construction and Hours of Operation**

6. *For the avoidance of doubt, relocatable houses may be moved at night.*
7. *The existing sign stating Advance Build is sufficient to meet the intent of conditions of this consent regarding construction management. More detailed signage providing a contact person for any complaints is however encouraged .*

### **Sight Distance Works**

8. *It is the responsibility of the applicant to obtain any and all approvals that may be necessary to undertake works, including within the road reserve, to achieve 75m sight distances and upgrade the vehicle crossing.*

## **Reasons for the Decision**

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
1. The application is for a Discretionary activity resource consent; as such, under section 104, the Council can consider all relevant matters. In particular; the matters relating to infringement of the standards for papakainga, buildings in an Outstanding Natural Landscape, development in a High Natural Character Area, and integrated residential development are of particular relevance.
2. In regard to section 104(1)(a) of the Act; the actual and potential effects of the proposal will be acceptable, as:
  - a. The site is adjacent to significant natural areas and Waikare Inlet has significant ecological values. There is a natural wetland on the site that flows to a coastal wetland. The site is within an area where North Island Kiwi are potentially present in high density and may provide habitat for threatened green gecko. The applicant



has provided an ecological assessment that concludes that without mitigation, ecological effects are very low. The dwellings are to be located in an area that has been cleared since the early 1980s and this minimises vegetation clearance. Wastewater and stormwater discharge are not expected to impact on the hydrology of the wetland and wastewater will be managed in accordance with the recommendations of the wastewater report. A Management Plan has been submitted with the application. During construction, erosion and sediment controls will be in place in order to minimise sediment loss as much as is practicable. All plants are to be eco-sourced and; prior to any vegetation removal, a check is to be made for kiwi and gecko. Should any be present, any vegetation clearance is to be undertaken manually. Further, any kiwi and gecko present are to be sheltered, prior to vegetation removal. To reduce ongoing risk to kiwi, dogs are to be kept indoors or controlled at night and cats are excluded. These mitigation measures; as well as a requirement for pest control, are incorporated into conditions of consent.

- b. The site is Māori Freehold Land and papakainga housing is proposed. Whilst this introduces three houses that do not have an exclusive area of 3,000m<sup>2</sup> each, the overall ratio of site area to buildings is appropriate. The development will provide sufficient amenity to occupants that is balanced with the ecological and landscape values of the site. The proposal directly provides for the relationship of the occupants with their ancestral land.
  - c. The dwellings have been designed to be recessive in colour and be screened from public viewpoints. This will minimise effects on the Outstanding Natural Landscape and High Natural Character Area.
  - d. The site has not been identified to be at risk from natural hazards; noting the proposed dwellings and access are outside of the Coastal Inundation Zones identified in the Proposed Far North District Plan. The site is within a tsunami evacuation zone; however, the risk to occupants resulting from tsunami is reduced by the close proximity of the site to safe zones, as this would provide reasonable opportunity for occupants to take refuge.
  - e. Sufficient parking is provided on site and a condition of consent requires the driveway to be upgraded to adequately provide for traffic movements associated with the proposal. The vehicle crossing is to be upgraded and the applicant has offered a condition of consent to achieve the 75m sight distance expectation set out by the Northern Transport Alliance.
  - f. The proposal will also result in positive effects, including the provision of papakainga and the associated benefits this has.
3. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
4. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
- a. National Policy Statement Indigenous Biodiversity 2023,
  - b. National Policy Statement Freshwater Management 2020,
  - c. New Zealand Coastal Policy Statement 2011,
  - d. Northland Regional Policy Statement 2016,
  - e. Operative Far North District Plan 2009, and
  - f. Proposed Far North District Plan 2022.

The following sections of this report summarise the information provided in the AEE in regard to consistency with the Operative and Proposed Far North District Plans and provide additional assessment where necessary. I note that the application was lodged prior to enactment of the National Policy Statement for Indigenous Biodiversity and the assessment in that section is my own. The AEE does not assess consistency with the Northland Regional Policy Statement or any national policy documents and; as such, the assessment made in these sections is also my own. I note that; in this case, the site does not contain Highly Productive Land, so there is no requirement to have regard to the National Policy Statement for Highly Productive Land 2022.

#### National Policy Statement for Indigenous Biodiversity 2023 (NPSIB)

The objective of the NPSIB is to maintain indigenous biodiversity so there is at least no overall loss in indigenous biodiversity. Policies are to manage biodiversity in a way that gives effect to the principles of the Treaty of Waitangi, that Tangata Whenua exercise kaitiakitanga in their rohe through maintaining indigenous biodiversity, protecting species and ecosystems that are taonga and participating in decision making. Further policies are to take a precautionary approach, to manage biodiversity to promote resilience to the effects of climate change, and in an integrated way. Policy 6 states that significant vegetation and habitats are identified as SNAs using a consistent approach. Policy 8 seeks to recognise the importance of maintaining significant biodiversity outside of SNAs.

Of particular relevance. Clause 3.18 relates to activities on specified Māori Land. This clause recognises the role of Papakainga and the relationship of Māori to land. In this case, the proposal is consistent with the NPSIB; as the indigenous vegetation that contributes to biodiversity is being maintained, with the proposal using an existing cleared area. Further planting and pest control is proposed within the newly planted area. Ecological effects are less than minor and the proposal is not expected to impact on the significant ecological areas and values of the wider area. The proposal directly recognises the role of tangata whenua in decision making, regarding the use of the site.

#### National Policy Statement for Freshwater Management 2020 (NPSFM)

The NPSFM aims to maintain and enhance freshwater quality. In this case; whilst the site does contain an inland wetland, effects on this wetland are less than minor. The ecological assessment submitted with the application does not consider it likely that the proposed stormwater overflow or wastewater discharge will alter the hydrology of the wetland, noting separation distances and the fact there is no direct discharge.

#### New Zealand Coastal Policy Statement 2011 (NZCPS)

The most relevant policies of the NZCPS are the preservation of the natural character of the coastal environment and maintenance of access to the coast. The proposal does not change the level of access to the coast. As set out in the landscape assessment, natural character is preserved by the screening of the proposed dwellings; noting that they will be a recessive colour.

### Northland Regional Policy Statement 2016

The proposal is consistent with the Northland Regional Policy Statement for the following reasons:

- By locating the dwellings within an already cleared area, the proposal is consistent with integrated management (Objective 3.1)
- The proposal is not inconsistent with improving freshwater quality (Objective 3.2, Policy 4.2.1) and no change to ecological flows and water levels has been identified (Objective 3.3, Policy 4.3.1). Further, the proposal is consistent with maintaining ecological integrity (Objective 3.4) and maintaining and protecting significant ecological areas and habitats (Policy 4.4.1).

### Operative Far North District Plan 2009

I agree with the assessment within the AEE in that the activity is consistent with the relevant objectives, policies and assessment criteria of the Operative Far North District Plan, because:

- The scale of the earthworks is in accordance with the nature and scale of the application and all earthworks will be carried out with erosion and sediment controls in place (Objectives 12.3.3.1 to 12.3.3.4 and Policies 12.3.4.1 to 12.3.4.10)
- The papakainga housing and associated earthworks take into account the Outstanding Natural Landscape by integrating the dwellings into the site through the design of the buildings, including recessive colours, and materials, the earthworks to integrate the buildings and the landscape planting mitigation package (Objectives 10.6.3.1 to 10.6.3.3 and Policies 10.6.4.1 to 10.6.4.6).
- Due to the management of the effects incorporated into the proposal, it is consistent with the objectives and policies for the coastal environment to avoid adverse effects from the use and development and; where avoidance is not possible, remedy or mitigate adverse effects. More specifically; the proposal seeks to preserve and, where appropriate; restore, rehabilitate, or enhance the natural character of the coast, indigenous flora and fauna, Outstanding Natural Landscapes and natural features, water quality, and soil conservation (Objectives 10.3.1 to 10.3.9. Policies 10.4.1 to 10.12).
- The proposal is an appropriate use and takes into consideration the existing features and natural character of the area. This maintains consistency with the provisions of the General Coastal Zone (Objectives 10.6.3.1 to 10.6.3.3 and Policies 10.6.4.1 to 10.6.4.6).

### Proposed Far North District Plan

The activity is consistent with the relevant objectives and policies of the Proposed District Plan because

- The proposal is consistent with managing the preservation and protection of the natural character of wetland, lake and river margins for future generations. The

land use is consistent with and does not compromise these features (Objectives NATC01 – NATC02, Policies NATCP1 – NATCP6).

- In regard to natural features and landscapes the proposal does not compromise the characteristics and qualities of the outstanding natural landscape. The relationship of Tangata Whenua to the outstanding natural landscape is recognised through the provision of papakainga (Objectives NFL01 – NFLC03 and Policies NFL – P1 – NFL-P8).
- The proposal is consistent with enabling a range of social, cultural and economic development opportunities that support the occupation, use, development and ongoing relationship with ancestral land (Objectives MPZ-01 – MPZC03 and Policies MPZP1 – MPZP4)
- Earthworks will be undertaken to facilitate development on the land in a way where potential adverse effects are managed. The earthworks are not expected to exacerbate natural hazards (Objectives EW01 – EW03 and Policies EW- P1 – EW – P8).
- The proposal is consistent with the preservation and protection of the natural character of the coastal environment for current and future generations, as set out above (Objectives CE01 – CE03 and Policies CE-P1 – CEP10)

For this resource consent application the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

5. In regard to section 104(1)(c) of the Act there are no other matters relevant and reasonably necessary to determine the application.
6. Based on the assessment above the activity will be consistent with Part 2 of the Act. The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
7. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

## Approval

This resource consent has been prepared by Angela Goodwin - Potentialis, Ltd, Consultant Resource Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.

A handwritten signature in black ink, appearing to read 'WS' followed by a stylized surname.

**Name: William (Bill) Smith**

**Date: 12 September 2023**

**Title: Independent Hearings  
Commissioner**