

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

2. Type of consent being applied for

(more than one circle can be ticked):

- | | |
|---|---|
| ☐ Land Use | ☐ Discharge: Total volume = <input type="text"/> m ³ |
| ☐ Fast Track Land Use* | <i>Note; volumes >3m³ requires NRC Consent.</i> |
| ☐ Change of Consent Notice (s.221(3)) | ☒ Subdivision |
| ☐ Certificate of Compliance (s.139) | ☐ Existing Use Certificate (s.139A) |
| ☐ Extension of time (s.125) | ☐ Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) |
| ☐ Other (please specify) <input type="text"/> | |

**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:
The Resource Consents Planning Technicians, planning_technicians@fndc.govt.nz

5. Applicant details

Name/s:

MLP LLC

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:

Donaldsons Surveyors

Email:

Phone number:

Postal address:

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

Postcode 0245

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

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:

MLP LLC

Property address/
location:

8. Application site details

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

Name/s:

MLP LLC

Site address/
location:

623 RANGIHOUA ROAD, PURERUA, KERIKERI

Postcode

Legal description:

Lot 50 DP-376492

Val Number:

Certificate of title:

RT 1243094

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.

MLP LLC, the owners of The Landing development on the Purerua Peninsula, seek resource consent to undertake a subdivision of Lot 50 DP 376492 to create 1 additional lot.

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.

The proposal has been prepared in accordance with the following version of the FNDC Engineering Standards:

☐ 2009 ☒ 2023

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. Natural hazards (National Policy Statement for Natural Hazards 2025)

Is the site subject to known or potential natural hazards (for example, flooding, coastal inundation, erosion, or unstable land), as contemplated by the National Policy Statement for Natural Hazards 2025? ☒ Yes ☐ No

If yes, please identify the relevant natural hazard(s) by ticking the applicable box(es) below:

☒ Flooding

☐ Active Faults

☐ Landslips

☐ Liquefaction

☐ Coastal Erosion

☐ Tsunami

☒ Coastal Inundation

Please ensure all relevant technical reports are submitted with the application.

14. 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

15. 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.

16. 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)

Donaldson's Surveyors

Email:

Phone number:

Postal address:

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

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

Micah Donaldson

Signature:

(signature of bill payer)

Date 21-Oct-2026

MANDATORY

17. Important Information:

Note to applicant

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

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

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

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

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

18. Declaration

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

Name (please write in full)

Micah Donaldson

Signature

Date 21-Oct-2026

A signature is not required if the application is made by electronic means

See overleaf for a checklist of your information...

Checklist of your information

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.*



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



R.W. Muir
Registrar-General
of Land

Identifier **1243094**
Land Registration District **North Auckland**
Date Issued 29 April 2026

Prior References

679907 679912

Estate Fee Simple
Area 259.0693 hectares more or less
Legal Description Lot 50 Deposited Plan 617806 and Lot 6-8
Deposited Plan 395972 and Lot 50
Deposited Plan 376492

Registered Owners

MLP LLC

Interests

5667663.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 22.7.2003 at 3:35 pm (Affects Lots 6 and 7 DP 395972)

6447651.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 7.6.2005 at 9:00 am (Affects Lots 6 - 8 DP 395972)

Land Covenant in Deed 6447651.10 - 7.6.2005 at 9:00 am (Affects Lots 6 - 8 DP 395972)

Subject to a right of way over part Lot 6 DP 395972 marked A on DP 395972 created by Easement Instrument 6967025.3 - 28.7.2006 at 9:00 am

Appurtenant to Lot 50 DP 376492 and part Lot 50 DP 617806 formerly Lots 2 & 50 DP 481706 is a right of way created by Easement Instrument 6967025.3 - 28.7.2006 at 9:00 am

6967025.7 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 - 28.7.2006 at 9:00 am (affects Lot 50 DP 617806)

Subject to a right of way and right to convey water over part Lot 50 DP 617806 marked B and D on DP 617806 created by Easement Instrument 6967025.8 - 28.7.2006 at 9:00 am

Appurtenant to part Lot 50 DP 617806 formerly Lots 2 & 50 DP 481706 are rights of way and rights to convey water created by Easement Instrument 6967025.8 - 28.7.2006 at 9:00 am

The easements created by Easement Instrument 6967025.8 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity over part Lot 50 DP 617806 marked B, D, H, I, J, K, L, M, N, O and S on DP 617806 in favour of Top Energy Limited created by Easement Instrument 6967025.9 - 28.7.2006 at 9:00 am

The easements created by Easement Instrument 6967025.9 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey telecommunications and computer media over part Lot 50 DP 617806 marked B, D, H, I, J, K, L, M, N, O and S on DP 617806 in favour of Telecom New Zealand Limited created by Easement Instrument 6967025.10 - 28.7.2006 at 9:00 am

The easements created by Easement Instrument 6967025.10 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 6967025.11 - 28.7.2006 at 9:00 am (affects part Lot 50 DP 617806 formerly Lot 50 DP 361786)

7123788.16 Mortgage of Lot 50 DP 376492 and part Lot 50 DP 617806 formerly Lots 2 & 50 DP 481706 to Bank of New Zealand - 21.11.2006 at 9:00 am

7123788.18 Revocation of Covenant 6967025.11 over Lot 5 DP 361786 for the benefit of Lot 50 DP 361786 - 21.11.2006 at 9:00 am

Subject to a right of way over part Lot 50 DP 617806 marked T on DP 617806 created by Easement Instrument 7123788.23 - 21.11.2006 at 9:00 am

The easement created by Easement Instrument 7123788.23 is subject to Section 243 (a) Resource Management Act 1991

7123788.24 Variation of the conditions of the easement specified in 6967025.11 - 21.11.2006 at 9:00 am

Land Covenant in Easement Instrument 7123788.25 - 21.11.2006 at 9:00 am (Affects part Lot 50 DP 617806 formerly Lot 50 DP 393536)

7241938.7 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 - 21.2.2007 at 9:00 am (Affects Lot 50 DP 376492)

Subject to a right of way and right to convey water over part Lot 50 DP 617806 marked AZ on DP 617806 and part Lot 50 DP 376492 marked B on DP 376492 created by Easement Instrument 7241938.8 - 21.2.2007 at 9:00 am

The easements created by Easement Instrument 7241938.8 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right to convey electricity (in gross) over part Lot 50 DP 617806 marked AZ, DZ and FZ on DP 617806 and part Lot 50 DP 376492 marked B, C, G, H, I, J and K on DP 376492 in favour of Top Energy Limited created by Easement Instrument 7241938.9 - 21.2.2007 at 9:00 am

The easements created by Easement Instrument 7241938.9 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right convey telecommunications and computer media (in gross) over part Lot 50 DP 617806 marked AZ, DZ and FZ on DP 617806 and part Lot 50 DP 376492 marked B, C, G, H, I, J and K on DP 376492 in favour of Telecom New Zealand Limited created by Easement Instrument 7241938.10 - 21.2.2007 at 9:00 am

The easements created by Easement Instrument 7241938.10 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 7241938.11 - 21.2.2007 at 9:00 am (affects Lot 50 DP 376492 and part Lot 50 DP 617806 formerly Lot 50 DP 393536)

7635879.2 Partial Surrender of Land Covenant created by Easement Instrument 6967025.11 over Lot 40 DP 361786 for the benefit of Lot 50 DP 378513 - 29.11.2007 at 9:00 am

Subject to a right of way and right to convey water over part Lot 50 DP 617806 marked B, U and T on DP 617806 created by Easement Instrument 7635879.7 - 29.11.2007 at 9:00 am

The easements created by Easement Instrument 7635879.7 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity over part Lot 50 DP 617806 marked XA, XB, XC and ZA on DP 617806 in favour of Top Energy Limited created by Easement Instrument 7635879.8 - 29.11.2007 at 9:00 am

The easements created by Easement Instrument 7635879.8 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey telecommunications and computer media over part Lot 50 DP 617806 marked XA, XB, XC and ZA on DP 617806 in favour of Telecom New Zealand Limited created by Easement Instrument 7635879.9 - 29.11.2007 at 9:00 am

The easements created by Easement Instrument 7635879.9 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 7635879.13 - 29.11.2007 at 9:00 am (Affects Lot 50 DP 376492 and part Lot 50 DP 617806 formerly Lot 50 DP 393536)

7671304.1 Mortgage of Lots 6 to 8 DP 395972 to Bank of New Zealand - 15.2.2008 at 9:48 am

Land Covenant in Easement Instrument 7807927.17 - 7.5.2008 at 9:00 am (affects Lot 50 DP 376492, Lot 6-8 DP 395972 and part Lot 50 DP 617806 formerly Lot 50 DP 393536)

Land Covenant in Easement Instrument 8381071.1 - 21.12.2009 at 9:00 am (affects Lot 50 DP 376492, Lot 6-8 DP 395972 and part Lot 50 DP 617806 formerly Lot 50 DP 393536)

8850218.1 Heritage Covenant pursuant to Section 8 Historic Places Act 1993 - 2.12.2011 at 12:50 pm (affects Lot 50 DP 376492 and part Lot 50 DP 617806 formerly Lot 50 DP 393536)

8850218.3 Surrender of the right of way and right to convey water marked F on DP 361786 created by Easement Instrument 6967025.8 - 2.12.2011 at 12:50 pm

8850218.6 Surrender of the Land Covenant specified in Easement Instrument 6967025.11 over Lot 3 DP 361786 for the benefit of Lot 50 DP 393536 and over Lots 1, 2, 4, 34, 35, 36 and 41 DP 361786 for the benefit of Lots 3, 42 and 43 DP 435789 - 2.12.2011 at 12:50 pm

Subject to a right of way and a right to convey water over part Lot 50 DP 617806 marked AB, B and D, on DP 617806 created by Easement Instrument 8850218.16 - 2.12.2011 at 12:50 pm

The easements created by Easement Instrument 8850218.16 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity over part Lot 50 DP 617806 marked AA, AB and AC on DP 617806 in favour of Top Energy Limited created by Easement Instrument 8850218.17 - 2.12.2011 at 12:50 pm

The easements created by Easement Instrument 8850218.17 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey telecommunications and computer media over part Lot 50 DP 617806 marked AB, AC and AD on DP 617806 in favour of Telecom New Zealand Limited created by Easement Instrument 8850218.18 - 2.12.2011 at 12:50 pm

The easements created by Easement Instrument 8850218.18 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 8850218.19 - 2.12.2011 at 12:50 pm

10372459.5 Surrender of the right of way and right to convey water marked B on DP 435789 created by Easement Instrument 6967025.8 as appurtenant to Lots 2, 35 & 36 DP 361786 - 1.11.2017 at 3:32 pm

10372459.13 Surrender of Land Covenant 6967025.11 over Lots 2, 36 & 36 DP 361786 for the benefit of part Lot 50 DP 481706 formerly Lot 50 DP 435789 - 1.11.2017 at 3:32 pm

Appurtenant to Lot 50 DP 617806 formerly Lot 2 DP 481706 is a right of way, a right to convey water, electricity, telecommunications & computer media and a right to drain water created by Easement Instrument 10372459.19 - 1.11.2017 at 3:32 pm

The easements created by Easement Instrument 10372459.19 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way and a right to convey water over part Lot 50 DP 617806 marked B, BD, BG, BE & BF, a right to convey electricity, telecommunications & computer media over Lot 50 DP 617806 marked BD, BG, BE, BF & SG and a right to drain water over part Lot 50 DP 617806 marked SA, SC, SD, SE & SF, all on DP 617806 created by Easement Instrument 10372459.19 - 1.11.2017 at 3:32 pm

Subject to a right (in gross) to convey electricity over part Lot 50 DP 617806 marked BD on DP 617806 in favour of Top Energy Limited created by Easement Instrument 10372459.20 - 1.11.2017 at 3:32 pm

The easements created by Easement Instrument 10372459.20 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey telecommunications & computer media over part Lot 50 DP 617806 marked BD on DP 617806 in favour of Chorus New Zealand Limited created by Easement Instrument 10372459.21 - 1.11.2017 at 3:32 pm

The easements created by Easement Instrument 10372459.21 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Easement Instrument 10372459.22 - 1.11.2017 at 3:32 pm

Subject to a right (in gross) to convey electricity over part Lot 50 DP 617806 marked BJ on DP 617806 in favour of Top Energy Limited created by Easement Instrument 11456895.2 - 4.6.2019 at 2:31 pm

13544344.4 Surrender of the right to drain water marked SB on DP 481706 created by Easement Instrument 10372459.19 as appurtenant to Lot 2 DP 481706 - 29.4.2026 at 1:28 pm

Subject to Section 241(2) and Sections 242(1) and (2) Resource Management Act 1991 (affects DP 617806)

13544344.6 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 29.4.2026 at 1:28 pm (affects Lot 50 DP 617806 and Lot 50 DP 376492)

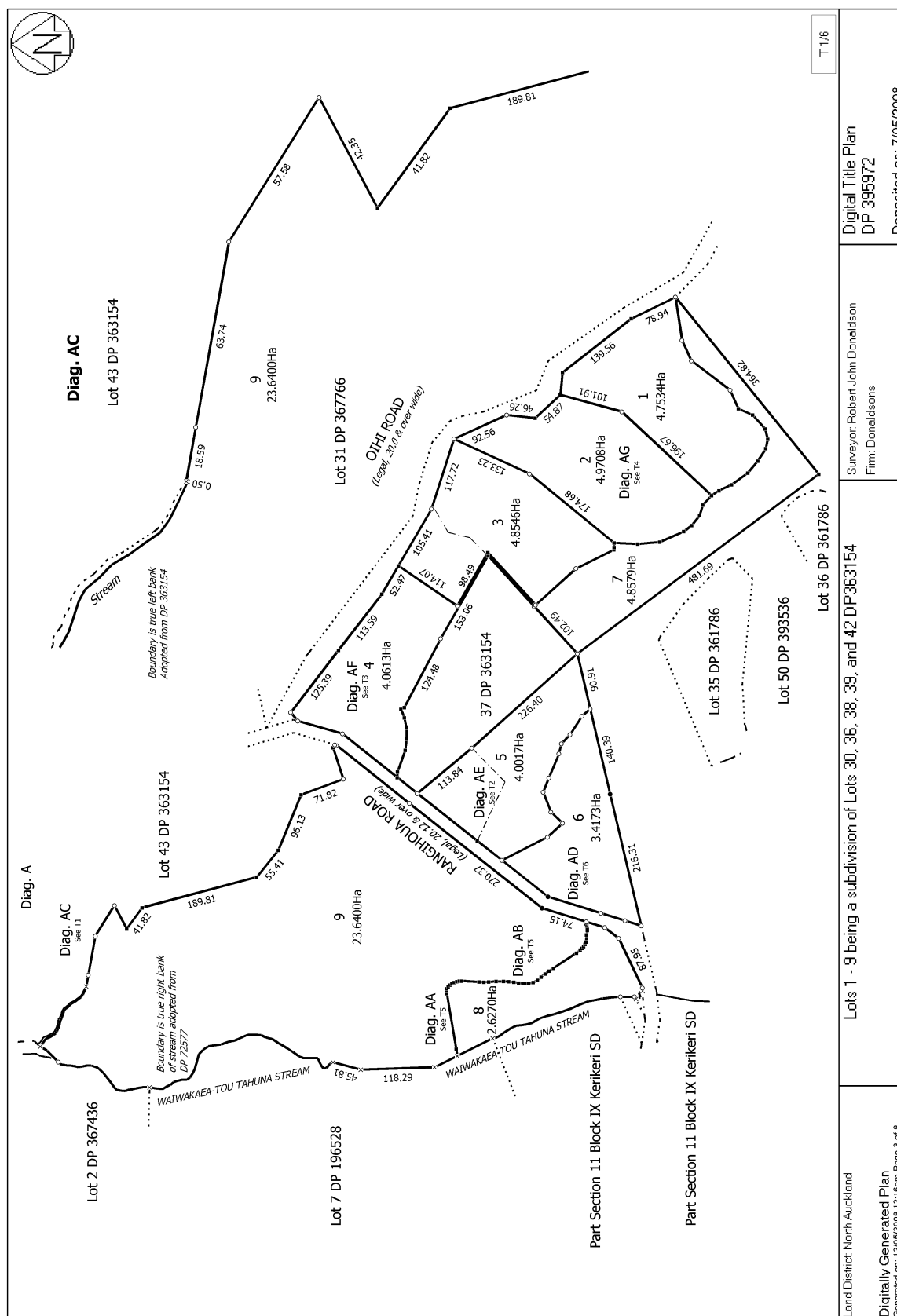
Subject to a right of way and a right to convey electricity, telecommunications and water over part Lot 50 DP 617806 marked A, a right of way and a right to convey water over part Lot 50 DP 617806 marked B and a right to drain water over part Lot 50 DP 617806 marked C all on DP 617806 created by Easement Instrument 13544344.7 - 29.4.2026 at 1:28 pm

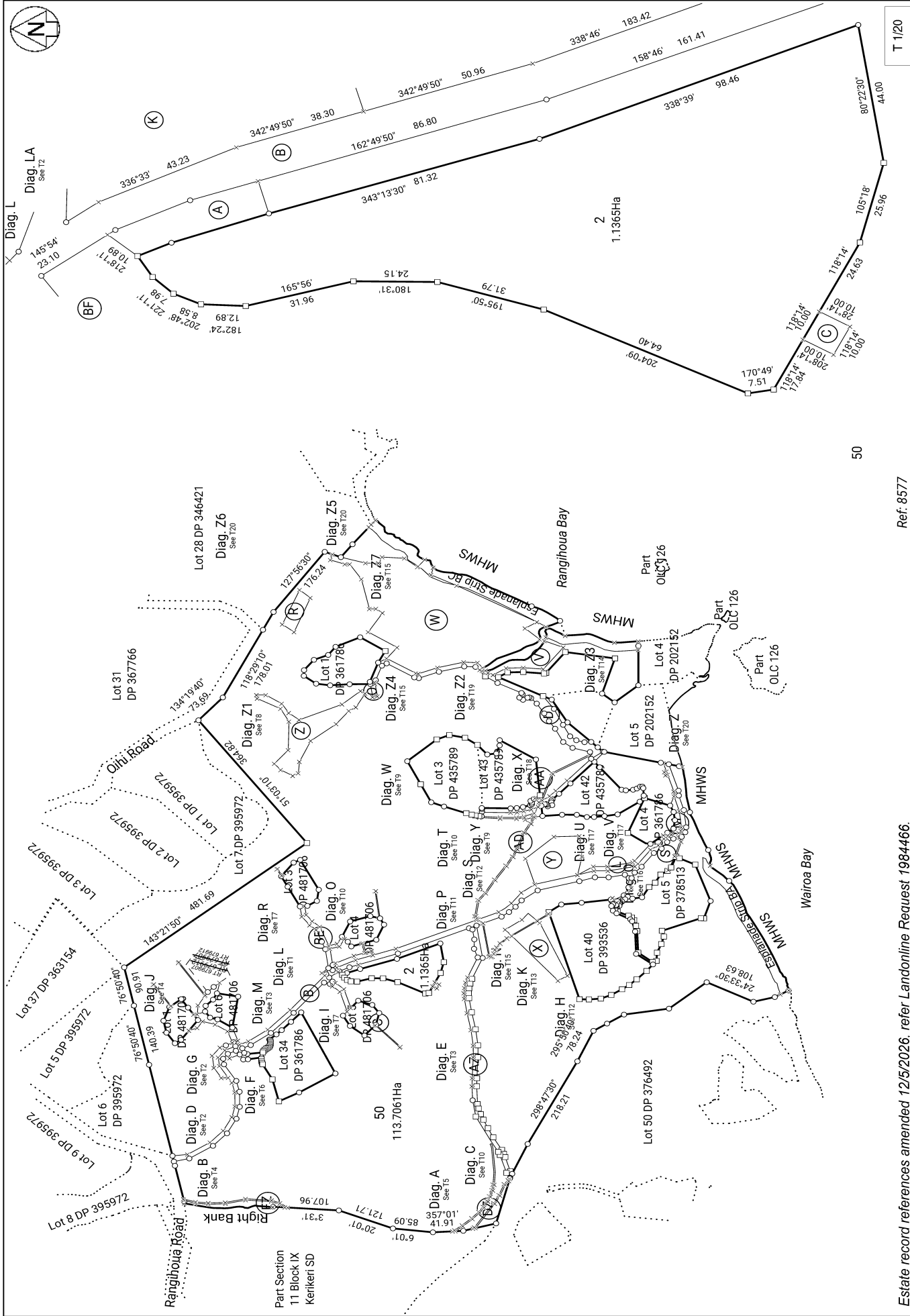
The easements created by Easement Instrument 13544344.7 are subject to Section 243 (a) Resource Management Act 1991 13544344.9 Encumbrance to Mountain Landing Trust - 29.4.2026 at 1:28 pm

13544344.10 Mortgage Priority Instrument making Encumbrance 13544344.9 first priority and Mortgage 7123788.16 second priority - 29.4.2026 at 1:28 pm

13544344.11 Mortgage Priority Instrument making Encumbrance 13544344.9 first priority and Mortgage 7671304.1 second priority - 29.4.2026 at 1:28 pm

[illegible]





Estate record references amended 12/5/2026, refer Landonline Request 1984466.	Ref: 8577	Surveyor: Robert John Donaldson Firm: Donaldsons	Title Plan LT 617806 Approved on: 5/12/2025
Land District: North Auckland	Lot 2 and Lot 50 being Subdivision of Lots 2 and 50 DP 481706	Digitally Generated Plan Generated on: 12/05/2025 11:43am Page 5 of 24	T 1/20



PLANNING REPORT

APPLICATION FOR RESOURCE CONSENT TO SUBDIVIDE

MLP LLC, 623 RANGIHOA ROAD, PURERUA, KERIKERI

DATE: 19 OCTOBER 2026

REFERENCE: 8744



CSNZ

THE CONSULTING
SURVEYORS
OF NEW ZEALAND

A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

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INTRODUCTION

1

- 1.1 MLP LLC, the owners of The Landing development on the Purerua Peninsula, seek resource consent to undertake a subdivision to create one additional lot, which affectively reapproves Lot 8 RC 2050024 contained within Stage 4.
- 1.2 The need for another resource consent to subdivide off the same lot, is because the applicant does not wish to complete all the lots in stage 4, instead only completing Lot 8, being Site 26 under the proposed district plan reference, and accordingly hereon referred to as proposed Lot 26 under this application. The alternative would be a variation to existing RC 2050024 but that option was not necessary tidier.
- 1.3 The approved allotment includes:
Lot 8 RC 2050024 = 0.9600 ha

The proposed allotment includes:

Lot 26 = 0.9600 ha

Lot 50 = 133.50 ha (balance area).

Lot 50 will continue to form part of the wider farming unit, held with adjoining parcels (*Lot 50 DP-617806, Lots 6 – 8 DP 395972 (amalgamated)*) totalling an area of 259.8088 ha. Accordingly, the applicant seeks consent to **cancel the existing amalgamation condition** and to **recreate a new one**.

The subdivision also includes establishing Rights of Way in favour of Lot 26, comprising easement 'A' over the existing farm access and easement 'AA', which corresponds with the access previously approved to Lot 8 under RC 2050024.

Subdivision of Lot 26 in accordance with PREC6 Plan 1 is a Controlled Activity under PREC6-R2. However, the district-wide natural hazard provisions also apply to the proposed access arrangements. As compliance with the relevant access requirements of SUB-R11 and SUB-R12 cannot be demonstrated for easement 'A', the overall proposal is assessed as a Non-complying Activity.

The Landing Precinct has now completed the appeals process and therefore is an **operative zone**, not to require assessment under the current district plan.

OVERVIEW

2

- 2.1 The Landing is a comprehensively planned rural-residential development approved by **RC 2050024**, and subject to a registered Quasi Management Plan that governs building design, landscaping, and land-use activities throughout the development. The plan was established to ensure a high-quality and coordinated outcome while protecting the outstanding landscape and environmental values of the Purerua Peninsula. Given the scale and complexity of the development, determining the optimal allotment configuration and selection for purpose of sale at the outset is inherently challenging.

As individual sites are developed and market preferences evolve, it is anticipated that refinements will occur from time to time. Such adjustments are a normal part of the ongoing implementation of a large master-planned development.

Several amendments have previously been approved, including:

- Modifications to Stages 1 and 2 (RC-2061182);
- The incorporation of additional land from Mataka Station into Lot 50 (RC-2070908);
- The relocation of Lot 40 (RC-2071015);

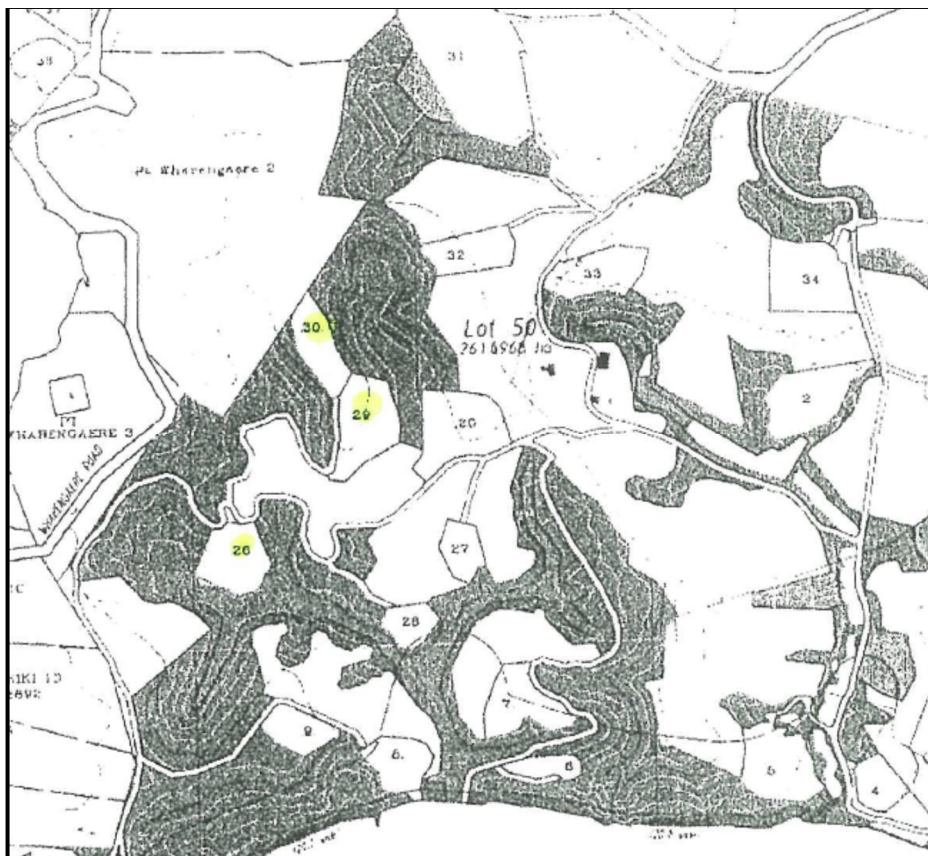
- The repositioning of Stage 3 allotments (RC-2050024-RMAVAR/A);
- A proposed boundary adjustment involving Lot 1 DP 361786 and Lot 50 DP 481706, which at this time has not been implemented (RC-2180016); and
- The relocation of Lot 2 DP 481706, which subsequently became Lot 2 DP 617806 (RC-2250333).
- Recent application to reduce the sizes of Lots 3 & 43 DP 435789 (Sites 15 & 17) by adjustment with Lot 50 DP 481706 (RC 2270006).

The current proposal represents a further refinement, although without definitive change, to the approved development pattern and is consistent with the evolution of the wider development over time.

2.2

Proposed Lot 26 and Right of Way 'AA' have already been approved under **RC 2050024**, and therefore the subdivision does not introduce any new residential development beyond those previously considered acceptable.

The principal difference under this application is the proposed legal access arrangement to Lot 26. In addition to the Right of Way, as approved under **RC 2050024**, the application proposes a further legal access over the existing farm track and bridge crossing at Wairoa West Stream, shown as proposed easement 'A'. This farm access route is already physically established and is proposed to be upgraded. **NRC** consent is additionally requested under separate cover, for earthworks within 10m of wetland and within a flood hazard area; reference **APP.047731.01.01**.



Plan of approved Right of Way

Because the Wairoa West Stream crossing is affected by flooding and coastal inundation hazard, the applicant proposes, as hazard mitigation, to retain and reapprove the

previously consented Right of Way 'AA' under RC 2050024 **as an alternative legal access**. Right of Way 'AA' is not affected by coastal inundation, although current NRC mapping indicates a limited area of flood hazard near its connection with easement 'B'. This provides additional access resilience while allowing the existing farm route over easement 'A' to be utilised as the primary practical access to Lot 26.

2.3

As detailed within the Assessment of Environmental Effects, the actual and potential effects arising from the proposal are considered to be **less than minor**, having regard to the existing farm access, the previously approved Lot 8 and alternative Right of Way 'AA', and the mitigation proposed for the access upgrade and natural hazard constraints.

SITE DESCRIPTION

3

3.1 The properties legal reference:

Appellation:	Lot 50 DP-617806, Lot 50 DP-376492, Lots 6 – 8 DP 395972 (amalgamated)
Registered Owner:	MLP LLC
Record of Title:	1243094
Total Area: Current Title)	259.0693ha (more or less)
Area Lot 50 DP-376492:	134.4610 ha
The title includes consent notice CONO10372459.18, which states “further subdivision of the lots is prohibited”. <i>This does not apply to situations where the subdivision application is a replacement for what is already approved in whole or in part. Neither does it apply to boundary adjustments subdivisions.</i>	

3.2 The subject property forms part of The Landing Estate, a large-scale rural landholding that integrates agricultural and horticultural production with premium coastal lifestyle allotments and extensive ecological restoration initiatives. The wider property is actively managed as a productive farming enterprise and includes vineyards, pastoral farming areas, indigenous revegetation projects, and significant coastal landscapes.

Access to the site is obtained from Rangihoua Road via an established internal access network. Rangihoua Road is a metalled public road connecting to a privately owned Right of Way over Lot 50. The internal accessway is formed to a high standard with concrete and sealed pavement surfaces and traverses the vineyard before providing direct access to the subject allotments.

The surrounding landscape is characterised by extensive vineyard plantings, productive farmland, and ongoing revegetation areas that collectively contribute to the rural character of the estate. The property also benefits from its proximity to the coast, with the wider coastal environment forming an important component of the landscape setting.

Lot 26 comprises an open hillside positioned to take advantage of expansive coastal views to the east. Wairoa Bay lies to the southeast, with a designated wetland to the northeast and dense bush extending to the west. The proposed lot boundary is set back

approximately 10 m from the existing 20 m wide esplanade strip along the coastal frontage.

The site contains an approved building platform within its northwestern extent. From this area the land falls toward the lower part of the site, which forms part of a gully and associated wetland system.

SITE HISTORY

4

4.1

Historically, the property formed part of a large rural holding comprising multiple records of title and operated as a sheep and cattle station by the Mountain family. Following acquisition by MLP LLC, a comprehensive planning and subdivision process was undertaken, resulting in the granting of Resource Consent RC-2050024.

That consent authorised the creation of 39 residential allotments together with a substantial balance landholding intended to remain in productive rural use while also providing for the protection of significant heritage, landscape, ecological, and conservation values. The consent established the framework for the development now known as The Landing and reflected a carefully considered balance between rural production, environmental stewardship, and low-density residential development.

4.2

As part of the original subdivision approval, Consent Notice CONO 10372459.18 was registered against the titles created by the subdivision. The consent notice includes a restriction preventing **further subdivision of the allotments**.

The purpose of this restriction was to avoid the ongoing fragmentation of productive rural land and to preserve the character and amenity values of the coastal environment. It was not intended to prevent the adjustment of allotment boundaries or as proposed, recreating the same lots already approved.

This interpretation has been consistently applied by the Far North District Council through a number of subsequent approvals within The Landing development. This approach was discussed and accepted by the Far North District Council's Principal Planner, Pat Killalea, during a meeting held on 28 July 2014.

Proposed District Plan

5

5.1

The property is located within the **Rural Production Zone** and is subject to The **Landing Precinct**. In addition, the site is affected by the **Coastal Environment**, **Outstanding Natural Landscape** and **High Natural Character** overlays.

Natural Hazard overlays are also mapped across parts of the wider property. These are confined principally to the coastal margins and lower-lying gully areas within the balance farm and do not directly affect proposed Lot 26 in particular its approved building area. Accordingly, they are not considered to have any material bearing on the assessment in that regard. However, this does have an impact on the proposed alternative access crossing at Wairoa Stream.

Outstanding Natural Landscape = *Purerua Peninsula – Wairoa Bay to Rocky Point & Related Islands*.

The Landing precinct

Overview

5.2 The purpose of The Landing precinct is to ensure the subdivision, use, and development outcomes in conjunction with the restoration and protection of the natural environment and heritage values specified in The Landing resource consent are recognised, provided for and able to be implemented. Therefore, The Landing precinct provisions enable the residential lots approved by resource consent to be established and recognised in the District Plan.

The zoning of the land within the precinct is zoned Rural Production. The objectives, policies, rules and standards of the underlying Rural Production zone apply in addition to the provisions of the precinct, except that:

- *All precinct rules relating to residential activity, residential subdivision and residential development including maximum height prevail over the corresponding Rural Production zone rules.*
- *The following standards do not apply to residential buildings within The Landing precinct:*
 - *RPROZ-S1 Maximum Height;*
 - *RPROZ-S2 Height in Relation to boundary; and*
 - *RPROZ-S4 Building or Structure Coverage*

Objectives

PREC6-O1

Subdivision, use and development of The Landing that integrates development with restoration and protection of natural character and landscape values, while protecting historic heritage and cultural values.

This objective recognises that The Landing is a unique precinct where residential development is intended to occur alongside the ongoing restoration and protection of the site's significant environmental, landscape, historic, and cultural values. Rather than preventing development, the objective seeks to ensure that future subdivision and land use are integrated with the long-term stewardship of the estate.

The proposal is consistent with this objective. It does not alter the approved pattern of development, create additional allotments, or relocate building platforms into more sensitive areas. The established environmental, landscape, heritage, and cultural outcomes approved under Resource Consent RC-2050024 are maintained.

PREC6-O2

Farming activities (including associated buildings and structures) are enabled at The Landing.

This objective recognises that productive farming remains an integral component of The Landing and should continue alongside the approved residential development.

It supports the ongoing viability and efficient management of the wider farming operation while recognising the unique character of the precinct. There is no diversion away from the farms intended productive capacity.

Policies

PREC6-P1

Provide for the subdivision, use and development of The Landing in accordance with PREC6 Plan 1 and PREC6 Plan 2, by

- a) Retaining the majority of the site in common title to be managed as a coherent landscape of open space (including farmland and vineyard and natural areas);*

This policy seeks to ensure that most of The Landing remains as a single, integrated rural landholding, preserving the continuity of the farming operation, vineyards, open space, and natural areas. It discourages unnecessary fragmentation of the wider estate. The proposal accords with this policy.

- b) Requiring the restoration of natural areas through the implementation of the Revegetation/Planting Plan for the precinct (PREC6 Plan 2) which is consistent with the consented masterplan and ecological management plan;*

This policy promotes the ongoing restoration and enhancement of indigenous vegetation and ecological values in accordance with the approved revegetation and ecological management plans. The proposal does not alter these restoration areas or affect the implementation of the approved planting programme and therefore accords with this policy.

- c) Continuing with the development of approved residential lots so that buildings are visually recessive;*

This policy seeks to ensure that residential development remains visually integrated with the surrounding landscape. All existing design controls continue to apply. Accordingly, the proposal accords with this policy.

- d) Limiting residential development on The Landing to 45 residential lots, and requiring residential dwelling footprints to be established on the house site locations identified on The Landing Precinct Plan 1 (PREC6 Plan 1);*

This policy limits the overall number of residential allotments and requires development to occur within the approved building locations. The proposal does not alter the intended buildable areas therefore accords with this policy.

- e) Providing for the subdivision of residential lots where the subdivision is in accordance with PREC6 Plan 1 and the relocation of residential lots on PREC6 Plan 1, where there is no increase in the number of residential lots and natural character and landscape values are maintained; and*

This policy expressly provides for subdivisions that do not increase the number of approved lots and natural character and landscape values are maintained. The proposal is consistent with this intent, as it does not increase the number of residential lots or adversely affect landscape or natural character values.

- f) Enabling development on approved residential lots subject to design and landscaping that is integrated with, and maintains, natural character and landscape values.*

This policy ensures that future residential development is of a high standard and remains integrated with the surrounding environment. The proposal does not

change where buildings are anticipated or the existing design and landscaping controls. Those requirements will continue to apply, and the proposal therefore accords with this policy.

PREC6-P2

Provide for the operation and development of farming (including viticulture) activities (including associated buildings and structures) at The Landing.

This policy recognises that farming and viticulture are integral to the long-term use and management of The Landing and provides for their ongoing operation and development.

There is no fragmentation of the farming operation while maintaining the functionality of the existing residential allotments, supporting the continued viability and efficient management of the wider agricultural and viticultural enterprise.

PREC6-P3

Consider the effects on historic heritage and cultural values when undertaking earthworks by:

- a) Adhering to accidental discovery protocols for sensitive material; and*
- b) Undertaking appropriate actions in accordance with mātauranga and tikanga Māori when managing effects on cultural values.*

This policy seeks to ensure that any earthworks undertaken within The Landing appropriately recognise and protect historic heritage and cultural values through the implementation of accidental discovery protocols and the application of mātauranga and tikanga Māori where relevant.

The subdivision does not require any earthworks in or around registered heritage areas. Any earthworks associated with construction of the access and crossing upgrade remain subject to the relevant consent conditions and statutory requirements, including accidental discovery protocols and any applicable heritage or cultural management procedures.

Earthworks overall are minimal and seen as normal farm track upgrades.

Rules

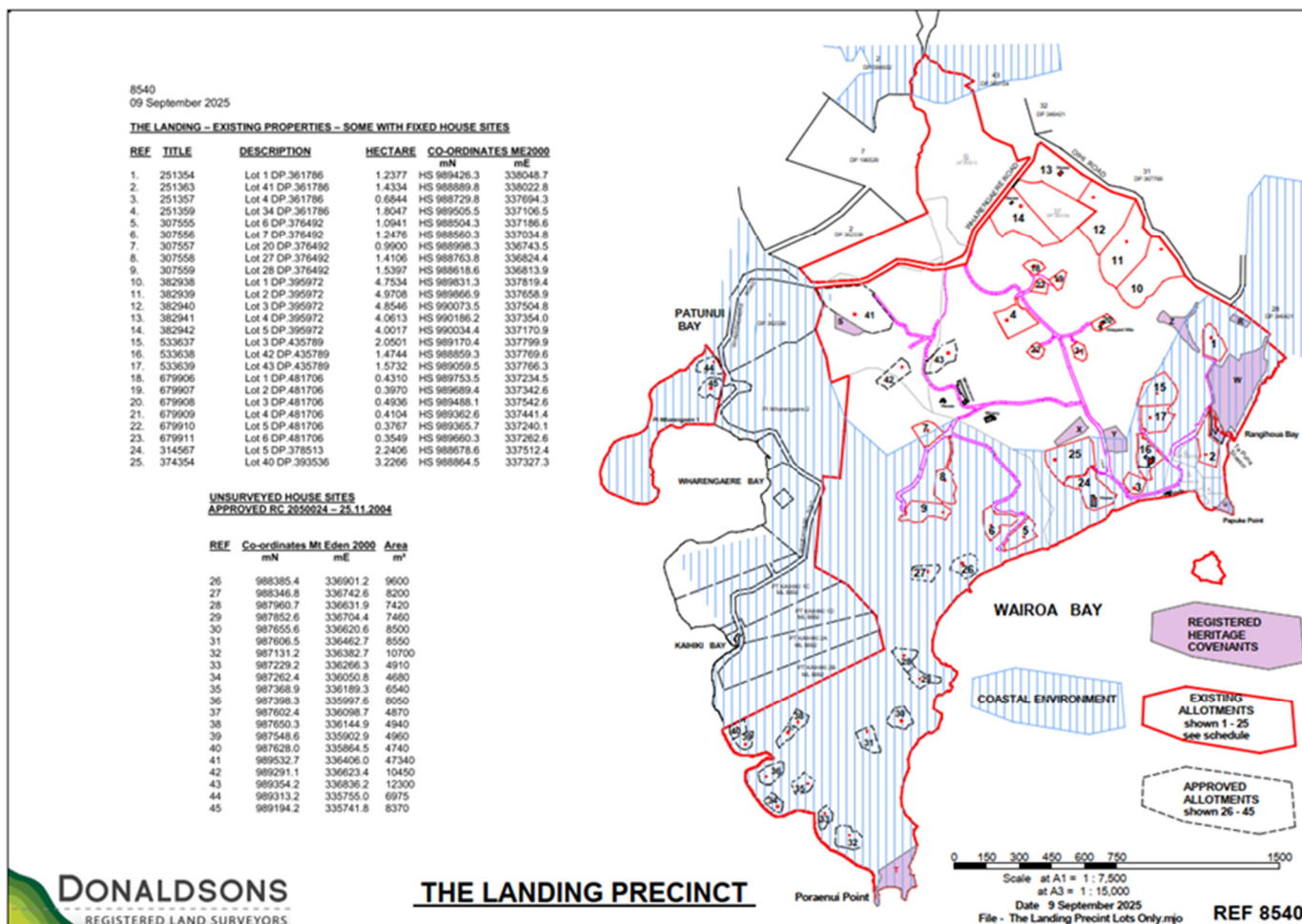
5.3 PREC6-R2 - Subdivision: Subdivision of residential lot in accordance with PREC6 Plan 1

Activity status: Controlled

Where:

CON-3

Subdivision of any Residential lot in accordance with PREC6 Plan 1 within The Landing Precinct.



Proposed Lot 26 is in accordance with the layout of PREC6 Plan 1 and therefore **complies**.

This Controlled Activity status applies specifically to PREC6-R2. The overall activity status must also reflect the district-wide rules applying to the subdivision and access. As assessed in Section 5.10 below, the proposal is assessed overall as a **Non-complying Activity** due to the natural hazard provisions applying to the access arrangements.

Matters of control are reserved over:

The location, shape, area and boundary of the lot being in accordance with PREC6 Plan 1

The shape, area and boundaries of Lot 26 are near identical to PREC6 and accordingly have been tested and approved under earlier assessment as provided future building activity is managed appropriately.

Further mitigation is achieved where future building activity is controlled by the site management plan, and building requirements set for the Landing Precinct, as follows:

Wairoa Bay Coastal Escarpment

- *Restrict house to single storey or design in a way that hugs the landform, so that it does not overpower its containment behind the coastal escarpment, and to prevent it dominating the beach.*
- *Extend coastal escarpment vegetation to envelope rear and coastal side of house.*
- *Establish sweeps of low coastal planting as foreground to house.*
- *Extend riparian margin planting along edge of stream below house.*
- *Locate domestic planting, including mown lawn, on north side of house. Use groves of pōhutukawa beside house to provide visual anchor. Extend low coastal planting to screen any lawn areas from coast.*
- *Align road around edge of re-vegetation area and plant additional groups of pōhutukawa to soften drive and provide backdrop.*

5.4

SUBDIVISION

The following describes relevant subdivision objectives and policies.

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.*

The proposal accords with this objective as it maintains the intended residential and productive rural use of the land and does not compromise the ongoing operation of the balance farming unit. The approved building area for Lot 26 is located on elevated land and is not itself materially exposed to the identified flood or coastal hazard.

The principal natural hazard consideration is confined to the proposed access, which crosses the low-lying **Wairoa West Stream and wetland corridor**. In a significant flood or coastal inundation event, the potential consequence is primarily temporary inundation, restriction of access, or damage to the access formation or bridge, rather than increased hazard to the dwelling or adjoining properties. The route follows an existing farm track and crossing, and the existing bridge is to be replaced with a purpose-designed structure, with the detailed bridge design and associated regional approvals being addressed separately.

The proposed access therefore does not create the underlying hazard, but formalises and improves an existing farm crossing through an area already subject to flooding. The previously approved legal Right of Way under **RC 2050024** is also to be retained as an alternative access, providing additional resilience should the Wairoa West Stream crossing be temporarily unavailable during an extreme event.

The subdivision therefore is not considered to materially increase natural hazard risk.

Parts of the site are identified within the coastal environment and high natural character overlays. The objectives and policies in the Natural Features and Landscapes and Coastal Environment chapters apply in addition to the provisions of The Landing precinct.

Coastal Environment

5.5

Overview

The Far North District has a vast and complex coastal environment with dynamic natural processes, unique natural and physical attributes and high cultural values. The District Plan has mapped the coastal environment and identifies areas within it that contain high or outstanding natural character.

The coastal hazard rules are located in this chapter in accordance with the National Planning Standards, while other natural hazards such as flooding are controlled in the Natural Hazards chapter.

Objectives

CE-O1 – *The natural character of the coastal environment is preserved and protected from inappropriate land use and subdivision.*

The proposal accords with this objective because it does not introduce a new pattern of development into the coastal environment or relocate residential activity closer to the coastline, wetland, Wairoa West Stream or other sensitive natural features.

Proposed Lot 26 substantially reflects the development location already approved under RC 2050024, with the approved building coordinates remaining outside the mapped High Natural Character and Outstanding Natural Landscape areas.

The proposed access also responds appropriately to the coastal setting, as it follows an existing farm access route and bridge crossing that have formed part of the working rural landscape for many years. The upgrade largely retains the existing alignment and ground profile, with only limited earthworks required to bring the route up to a residential access standard. This avoids substantial cut and fill, elevated embankments or other engineered landform changes that could increase the visual prominence of the access within the coastal environment.

Further mitigation is provided through **proposed indigenous planting** along the southern/coastal-facing edge of the access, which will soften the upgraded formation and assist its integration with the surrounding wetland, pastoral and coastal landscape.

Accordingly, the proposal maintains the established development pattern, limits new physical disturbance and incorporates specific landscape mitigation. The natural character of the coastal environment is therefore preserved and protected from inappropriate subdivision and development.

CE-O2 – *Land use and subdivision in the coastal environment is integrated and coordinated, compatible with surrounding land use, avoids urban sprawl, promotes restoration and enhancement of natural character, and recognises the relationship of tangata whenua with their ancestral lands.*

The proposal is consistent with this objective as it implements a residential allotment already contemplated as part of the comprehensively planned development of The Landing. It does not extend residential activity into a new part of the coastal environment or increase the overall number of residential lots. The established balance between farming, viticulture, ecological restoration, open space and low-density residential development is therefore maintained.

The proposed access is similarly integrated with the existing development pattern. It utilises an established farm track and existing Wairoa West Stream crossing rather than introducing an entirely new access corridor through the coastal landscape. The previously approved Right of Way under RC 2050024 is also retained, so the proposal builds upon rather than replaces the established access framework.

The subdivision therefore represents a refinement of an existing master-planned development rather than incremental or uncoordinated coastal subdivision. Existing landscape, ecological restoration, cultural and development controls applying across The Landing remain unaffected and continue to provide for the protection and enhancement of the coastal environment.

Accordingly, the proposal is considered to accord with CE-O2.

Policies

CE-P1 – ***Identify** the extent of the coastal environment and areas of high and outstanding natural character.*

The proposal identifies the mapped natural character areas. The principal residential development remains concentrated away from the more sensitive coastal margin, while the access is confined to an already established farm route and bridge crossing.

CE-P2 – *Avoid adverse effects on outstanding natural character areas within the coastal environment.*

CE-P2 is not directly applicable, while the effects of the access on the mapped High Natural Character and Outstanding Natural Landscape areas are more appropriately addressed under CE-P3 and the Natural Features and Landscapes provisions.

CE-P3 – *Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on **natural character areas** and natural features and landscapes.*

The proposal retains the development pattern previously approved under **RC 2050024**, with Lot 26 occupying the same general location and containing the approved building area on the upper hillside. The subdivision does not introduce development into a new part of the coastal environment or move residential activity closer to the more sensitive coastal, wetland, gully area, coastal margins, or bush. Lot 26 will continue to be subject to the established design and landscape controls applying to The Landing, including controls over building form, materials, colours and planting.

The additional access route shown to serve Lot 26 (easement 'A') is also already established as a farm access, including an existing timber-framed bridge crossing. Upgrading this route to provide compliant residential access would involve only limited works and minimal earthworks. In practical terms, the scale of earthworks is comparable with normal farm track maintenance and is not expected to materially alter the existing landform or landscape character.

Accordingly, with the proposed mitigation by introducing planting alongside the access, the proposal does not give rise to any significant adverse effect on natural character or landscape values. Any remaining visual or landscape effects associated with future building development within the lot are appropriately managed through the existing design and landscape controls, and therefore adverse effects are considered **less than minor**.

CE-P4 – Preserve the visual qualities, character and integrity of the coastal environment by consolidating development and avoiding sprawl.

There is no change to that already approved.

CE-P8 – Encourage the restoration and enhancement of the natural character of the coastal environment.

The proposal is consistent with this policy. It does not affect the extensive revegetation programme, ecological restoration works, or environmental management framework established for The Landing.

CE-P9 – Consider relevant matters when assessing land use and subdivision within the coastal environment.

In relation to landscape and natural character, the relevant component of the proposal is the upgrade of the existing farm access. The future building area is outside the sensitive landscape overlay and does not require further assessment under this part.

The proposed access follows an established rural track and existing bridge crossing rather than introducing a new linear feature through an otherwise unmodified landscape. The principal landscape effect will therefore arise from the increased formality of the upgraded access surface, as it passes through the lower coastal landscape toward Wairoa Bay.

The following design and mitigation measures are considered appropriate:

- retain the existing alignment and low-profile relationship with the landform as far as practicable, avoiding unnecessary widening, elevated embankments, large cut or fill batters and retaining structures;
- confine earthworks and construction disturbance to the minimum area necessary for the access upgrade, with disturbed margins reinstated and revegetated promptly;
- retain existing indigenous vegetation adjoining the stream and wetland margins and avoid unnecessary clearance;
- maintain a rural character to the access, avoiding unnecessary kerbs, lighting, , signage or other urbanising elements within the sensitive coastal setting;

- use visually recessive finishes for exposed bridge or access infrastructure where practicable, so that built elements do not create unnecessary contrast with the surrounding vegetation and landform;
- provide targeted indigenous planting along the southern/coastal-facing edge of the access, using low-growing grasses, sedges and coastal shrubs in irregular groupings that reflect the existing vegetation pattern rather than forming a formal hedge or continuous screen; and
- require the landscape plan submitted prior to section 223 certification to identify the principal coastal viewpoints, planting locations, species, grades, densities and establishment requirements, and to demonstrate that the completed access will remain a recessive feature within the wider Wairoa Bay landscape.
- Comply with any conditions imposed under the Northland Regional Council approval.

RURAL PRODUCTION ZONE

5.6

The Rural Production zone is the largest zone in the district and accounts for approximately 65% of all land. The Rural Production zone is a dynamic environment, influenced by changing farming and forestry practices and by a wide range of productive activities. The purpose of this zone is to provide for primary production activities including non-commercial quarrying, farming, intensive indoor and outdoor primary production, commercial forestry activities, and horticulture.

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-O4

The rural character and amenity values associated with a rural working environment are maintained

POLICIES

PROZ-P6

Avoid subdivision that:

- a) results in any potential cumulative loss of the availability or productive capacity of highly productive land for use by farming or forestry activities;*
- b) cannot demonstrate that the proposed lots will retain the overall productive capacity of highly productive land over the long term;*
- c) fragments land into parcel sizes that are no longer able to support farming or forestry activities, taking into account:

 - i) the type of farming or forestry proposed; and*
 - ii) whether smaller land parcels can support the proposed farming or forestry activity due to the presence of highly productive land.**
- d) provides for rural lifestyle living unless there is an environmental benefit, or is around an existing residential unit.*

In terms of clauses (a) to (c), the subdivision does not result in any meaningful fragmentation of the productive farm. The areas most suited to ongoing rural use remain within the balance holding, and the subdivision does not alter the ability of Lot 50 to continue operating as part of the wider farming unit. Lot 26 itself is an approved

residential site on an open hillside and is not being relied upon as a separate productive farming unit.

The proposal is also materially different from an ad-hoc rural lifestyle subdivision. Lot 26 forms part of **The Landing Precinct** and the wider master-planned development already approved through RC 2050024. The subdivision therefore maintains an established development pattern rather than introducing a new form of rural residential fragmentation into otherwise productive land.

On that basis, the proposal is generally consistent with the intent of **PROZ-P6**. It retains the productive integrity of the balance farm while supporting lifestyle living and avoids any meaningful additional fragmentation of rural land.

• DISTRICT WIDE - OTHER MATTERS

SUB-S3 Water supply

Lot 26 will be serviced by roof-water collection and storage in accordance with the established servicing approach at The Landing. There is adequate area to provide the required potable-water storage and no servicing constraint has been identified. Detailed design can be confirmed at building consent stage.

SUB-S4 Stormwater management

- *All allotments shall be provided, within their site area, with a means for the disposal of collected stormwater from the roof of all potential or existing buildings and from all impermeable surfaces, in such a way so as to avoid or mitigate any adverse effects of stormwater runoff on receiving environments, including downstream properties.*
- *The primary stormwater system is capable of conveying 10% AEP design storm events without surcharge;*
- *The secondary stormwater system is capable of conveying the 1% AEP storm event within a defined path and without causing undue risk or damage to persons or property;*
- *The stormwater system will not connect or be able to overflow to the wastewater network.*
- *The primary, secondary and attenuation systems are designed to accommodate an additional 20% for climate change.*

Future roof, hardstand and access drainage can be designed to incorporate the required climate-change allowance. The subdivision itself does not materially alter catchment runoff, and the access drainage is arranged so runoff is not preferentially directed toward the adjoining wetland.
- *The stormwater system is designed and constructed for an asset life of at least 50 years.*

Stormwater infrastructure associated with future development can be designed for the required asset life. No constraint to compliance has been identified.

RPROZ-R2 Impermeable surface coverage

PER-1

The impermeable surface coverage of any site is no more than 15%.

Complies. Proposed Lot 26 is 0.9600 ha and the anticipated building, access and associated hardstand area will remain well below the 15% permitted threshold.

Matters of discretion under land use activities are restricted to:

- a. the extent to which landscaping or vegetation may reduce adverse effects of run-off;*
- b. the effectiveness of the proposed method for controlling stormwater on site;*
- c. the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites or downstream sites; and*
- d. whether water sensitive design methods and use of green spaces can be used;*
- e. any cumulative effects on total catchment impermeability;*
- f. natural hazard mitigation and site constraints; and*
- g. extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies.*

No restricted discretionary assessment is required under RPROZ-R2. In any event, stormwater effects are limited: roof water will be collected to storage, access drainage is directed away from the wetland, and Lot 26 represents only a small proportion of the approximately 78 ha Wairoa West Stream catchment.

Matters of discretion under subdivision activities include:

- control of water-borne contaminants, litter and sediments;*
- the capacity of existing and proposed stormwater disposal systems (refer also to the Council's various urban stormwater management plans and any relevant Northland Regional Council stormwater discharge consents);*
- the effectiveness and environmental impacts of any measures proposed for avoiding or mitigating the effects of stormwater runoff, including water sensitive design methods;*
- the location, scale and construction of stormwater infrastructure; and*
- measures that are necessary in order to give effect to any drainage or catchment management plan that has been prepared for the area;*
- adverse effects on the surrounding environment and neighbouring properties from the collection, treatment and disposal of stormwater; and*
- The ability of the stormwater system to ensure that the peak discharge flow rates from the site are not increased beyond the levels that exist prior to the proposed subdivision and future land uses (except in circumstances where that is not appropriate).*

The subdivision and future residential development are not expected to materially increase peak discharge rates. Roof-water storage and on-site disposal, together with the limited impermeable area relative to the wider catchment, ensure stormwater effects remain less than minor.

SUB-S5 Wastewater disposal

- *Where a connection to Council owned reticulated wastewater scheme is available, all allotments must connect; and*
- *Where connection is not available, all allotments shall be provided with a means of collecting, treating and disposing of wastewater within the site area of the allotment.*

Lot 26 has sufficient area to accommodate on-site wastewater treatment and disposal. A future system will be designed in accordance with the applicable regional requirements and TP58 at building consent stage. No wastewater servicing constraint has been identified under the original assessment accompanying the approved resource consent.

SUB-S6 Telecommunications and power supply

Every new allotment (excluding any allotments for access, roads, network utilities or reserves) shall be provided with a connection, or easements to secure connection, to:

- 1. A reticulated electricity supply system at the boundary of the new allotment; and*
- 2. Telecommunications services at the boundary of the new allotment, provided by:*

Electricity and telecommunications can be extended through the established private service network serving The Landing, with any necessary easements secured at survey stage. No servicing constraint has been identified.

SUB-S7 Easements for any purpose

The scheme plan identifies the Rights of Way and other easements required to service Lot 26, including the proposed access easements 'A', 'B' and 'AA' as applicable.

SUB-S8 Esplanades

Any subdivision involving the creation of one or more allotments less than 4ha which adjoins MHWS or bank of river whose average width of 3m or more, or a lake greater than 8ha.

Not applicable. Proposed Lot 26 is set back from the Wairoa Bay frontage and does not adjoin MHWS. The existing 20 m esplanade strip remains unchanged and unaffected by the subdivision.

TRANSPORTATION

Access to Lot 26 is obtained from Rangihoua Road via the established private access network serving The Landing. The proposal does not create a new vehicle crossing onto the public road network. The transportation assessment therefore relates principally to the internal Rights of Way serving Lot 26.

Right of Way 'A' follows an existing farm access and bridge crossing and will be up-graded as the primary practical access. Right of Way 'AA' corresponds with the access previously approved under RC 2050024 and is retained as an alternative legal access for hazard resilience.

Property Access

Lot 26 will use the existing lawful connection to Rangihoua Road and the established internal access network. No new public-road vehicle crossing is proposed.

TRAFFIC INTENSITY

This rule only applies when establishing a new activity or changing an activity on a site.

The Traffic Intensity Factor for a site in this zone is 20 daily one way movements.

Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt.

The proposal provides for a single residential unit on Lot 26. The first residential unit is exempt from the Traffic Intensity Factor and the subdivision is not expected to generate traffic beyond that anticipated for the approved residential development at The Landing.

Traffic Intensities within the internal access at the Landing are already approved under RC 2050024, where Right of Way are permitted over all parts of the development from house sites, to beach access, to winery and jetty facilities. The proposal does not change that approved allowance.

TRAN-R1 PARKING

Parking and manoeuvring for the future residential unit can be provided within Lot 26 and will be confirmed at building consent stage. No parking shortfall is anticipated.

PER-1

With the exception of PER-2, parking spaces and loading spaces are located on site and they shall not be located over any footpaths, access, manoeuvring, or outdoor living areas.

Can comply at building consent stage.

PER-2

Stacked parking is permitted for one of two spaces associated with a specific residential unit, and may include a parking space on the access in front of a garage or carport.

Can comply at building consent stage.

PER-3

Parking spaces and loading spaces are permanently marked or delineated, except when they are:

- associated with a residential unit which is not a multi-unit development; or*
- associated with the fuel refill and pumps at service stations.*

Not applicable to the future single residential unit.

PER-4

All parking and loading spaces comply with: TRAN-S1 Requirements for parking.

Can comply. Sufficient area is available within Lot 26 for on-site parking and manoeuvring.

TRAN-S1 Requirements for parking

All zones

1) The minimum number of on-site bicycle spaces are provided for each activity in accordance with TRAN-Table 1 - Minimum number of bicycle parking spaces

No specific bicycle parking issue is generated by the proposed single residential allotment.

2) The minimum number of accessible car parking spaces must be provided in accordance with TRAN-Table 2 - Minimum number of accessible car parking spaces and TRAN-Table 3 - Theoretical parking demand factor;

Residential unit 1 per unit

Not applicable to the future single residential unit.

3) Loading spaces for commercial activities, offices, industrial activities, commercial service activities, hospital activities, and educational facilities are provided on site in accordance with TRAN-Table 4 - Minimum on-site loading bay requirements;

Not applicable.

4) End-of-trip facilities for commercial activities, offices, industrial activities, commercial service activities, hospital activities and educational facilities are provided for staff use in accordance with TRAN-Table 5 - End of trip facility requirements;

Not applicable.

5) All on-site car parking and manoeuvring areas are provided in accordance with TRAN-Table 6 - Parking and manoeuvring dimensions; and

Can comply. Sufficient area is available within Lot 26 to provide the required parking and manoeuvring dimensions.

6) If any activity is not represented within TRAN-Table 1 - Minimum number of bicycle parking spaces then the activity closest in nature to the proposed activity shall apply, provided that where there are two or more similar activities in the table, the activity with the higher bicycle parking rate shall apply.

Not applicable beyond the normal parking provision associated with a single residential unit.

7) Short stay bicycle parking spaces required under TRAN-Table 1 shall:

Be clearly visible or signposted.

Be located within 30m of public entrances to the activity.

Consist of stands that are securely attached to an immovable object such as a wall or the ground.

Not applicable.

8) Long stay bicycle parking spaces required under TRAN-Table 1 shall be undercover and secure from theft.

Not applicable

ACCESS

TRAN-R2

New or altered vehicle crossings and access, including private accessways (excluding access from a State Highway or Limited Access Road)

NOTE:

Altered includes, but is not limited to, any widening, narrowing, gradient changing, redesigning, change in use, and relocating of a vehicle crossing or accessway, but excludes resurfacing.

Where:

PER-1

A private accessway serves a maximum of 8 allotments.

This is an approved situation where more than 8 lots utilise the same internal access network. This matter need not be reapproved.

PER-2

Where access is required for 9 or more allotments, access shall be by public road.

Not applicable.

PER-3

The vehicle crossing is not off a road classified arterial as shown on the Transport Network Hierarchy layer.

Complies. The existing connection to Rangihoua Road is unchanged and is not an arterial-road crossing.

PER-4

Any vehicle crossings that are no longer required must be reinstated to match the existing footpath and kerbing, or the shoulder and berm are reinstated where there is no footpath or kerbing, with all works to be undertaken as per any required traffic management plan and corridor access request.

No existing public-road vehicle crossing becomes redundant as a consequence of the subdivision.

PER-5

Private accessways shall be designed and constructed in accordance with TRAN-Table 10 - Requirements for private accessways.

The proposed access easement provides a legal width of over 10m, which is sufficient for the number of users.

The primary access over easement 'A' provides a formed carriageway of approximately 3.0 m in accordance with the access design.

The access generally follows an existing gently graded farm route. Detailed formation grades are shown on the access design plans and can be further addressed through engineering conditions.

PER-6

Vehicle crossings and private accessways shall be designed and constructed in accordance with TRAN-Table 11 - Sealing requirements for vehicle crossings and private accessways.

The primary access will be upgraded in accordance with the submitted access plans and any engineering conditions of consent. Right of Way 'AA' is intended principally as a hazard-resilience route and is proposed to remain unformed or, if Council considers some formation necessary, to be formed only to a basic farm-access standard appropriate to its infrequent use. This will also address the crossing within Right of Way 'AA' influenced by minor flood hazard.

PER-7

The vehicle crossing, access, or private accessway complies with standards: TRAN-S2 Requirements for vehicle crossings; and the applicable requirements for private accessways.

TRAN-S2 Requirement for Vehicle Crossing

1) No more than the maximum number of vehicle crossings shall be provided per frontage in accordance with TRAN-Table 7 - Maximum number of vehicle crossings per frontage;

No additional vehicle crossing onto Rangihoua Road or any other public road is proposed. The existing connection to the public road network is unchanged. Accordingly, no new public-road entrance is created.

2) New vehicle crossings shall be located at least 8m from a dedicated pedestrian crossing facility;

Not applicable because no new public-road vehicle crossing is proposed.

3) Where a site has frontage to more than one road, the vehicle crossing(s) shall be provided onto the road that has the lower road classification;

Not applicable because the existing public-road access arrangement is unchanged.

4) New vehicle crossings shall meet the minimum separation distance requirements from intersections as set out in TRAN-Table 8 - Minimum distance of vehicle crossings from intersections; and

Not applicable because no new public-road vehicle crossing is proposed.

5) New vehicle crossings shall be located to meet the minimum sight distance requirements as set out in TRAN-Table 9 - Minimum sight distances for vehicle crossings.

The existing public-road crossing is retained and no new crossing is proposed.

TRAN-S3 Requirements for passing bays.

The primary access over Right of Way 'A' exceeds 100 m and would ordinarily require a passing bay under TRAN-S3. Consent is sought for this non-compliance. The route serves only Lot 26, with limited farm use, it provides good forward visibility over its entire length, and provides opportunities for vehicles to wait or pass informally without affecting the public road network. Forming a dedicated passing bay would introduce additional widening and earthworks within the sensitive coastal landscape for little practical transportation benefit.

Any non-compliance with TRAN-S3 is assessed as part of the access consent and does not alter the overall Non-complying Activity status already determined by the natural hazard provisions.

Where the standard is not met, matters of discretion are restricted to:

- any adverse effects on the ease and safety of vehicle manoeuvres;

The route is generally open and gently graded, with good forward visibility and sufficient opportunities for an approaching vehicle to wait or move aside at the intersection of Easements 'A' & 'B', where there is a wide turning area. Given the low traffic demand from a single residential unit, the absence of a formal passing bay is not expected to create a material manoeuvring or safety issue.

- the extent to which the safety and efficiency of road operations will be adversely affected;

The access is internal to The Landing and serves a single residential allotment already anticipated by the precinct. It will not materially affect the safety or efficiency of the public road network.

- any adverse effects on character and amenity of the surrounding environment;

Avoiding an unnecessary passing bay reduces additional widening and earthworks within the Coastal Environment, High Natural Character and Outstanding Natural Landscape setting. This assists in maintaining the rural and coastal character of the access.

- any impacts on public waste collection; and

No adverse effect on public waste collection is anticipated. Collection arrangements can remain consistent with the private servicing arrangements applying within The Landing.

- any characteristics of the proposed use that will make compliance unnecessary.

The very low traffic generation from a single residential unit, the existing farm-activity, and the availability of informal passing opportunities make strict compliance unnecessary in this instance.

NOTE:

Fire and Emergency New Zealand publishes guidance in the context of Building Code requirements.

Fire and Emergency access requirements for the future dwelling will be addressed through the building consent and final access design. Right of Way 'AA' also provides an additional legal route where the primary Wairoa West Stream crossing is temporarily unavailable.

TRAN-R3 Design and location of pedestrian access for allotments where vehicle access is not provided

All zones

PER-1

Where the pedestrian access serves one allotment and no vehicle access is provided, pedestrian access must be provided that:

- Has a surface treatment that is firm, stable and slip-resistant in any weather conditions; and
- Provides direct and continuous access to the buildings from a public footpath.

Not applicable because vehicle access is provided to Lot 26.

PER-2

Where 2 or more allotments require shared access and no vehicle access is provided, pedestrian access must be provided that:

- Meets the requirements in PER-1;
- Has a minimum formed width of 1.8m along its full length;
- Is free from permanent obstructions and have a clear height of at least 2.1m and a clear width of at least 3m.

Not applicable because vehicle access is provided to Lot 26.

TRAN-R4 - TRAN-R13

Not applicable.

Earthworks

5.7

Overview

Earthworks involve the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth. Earthworks are an integral part and necessary component of the use and development of rural and urban land for living, business and recreation purposes. In addition, earthworks are a key component of the development, operation, maintenance and upgrading of infrastructure.

In the Rural Production Zone, **EW-S1** otherwise provides a much larger threshold of 5,000 m³ and 2,500 m² per calendar year.

Only minor earthworks are required to form the access over easement 'A'.

Total earthworks to finished grade:

Disturbance area	= 613m ²
Cut area	= 98m ²
Fill area	= 515m ²

Cut volume	= 6m ³
Fill	= 100m ³
Average cut depth	= 0.07 m
Maximum cut depth	= 0.3 m
Average Fill depth	= 0.16 m
Maximum Fill depth	= 0.47 m

The route of proposed **Easement 'A' – Right of Way** is already established as an existing farm access and has largely been cut and shaped to its present formation. Works required to bring the access up to an appropriate residential standard are therefore expected to be limited principally to minor trimming and preparation of the existing formation, placement of basecourse and application of a running course. No cut or fill excavation over 1.5m.

The scale and nature of these works are comparable with normal maintenance and upgrading of an established farm track. They do not require substantial recontouring of the hillside or the creation of a new access corridor and are not expected to materially alter the existing landform. Accordingly, earthworks associated with the subdivision are limited in extent and do not raise any particular landscape, character or environmental concerns.

Where the works fall within the natural flood hazard NRC consent approval has been sought.

5.8

Earthworks in Outstanding Landscape

NFL-R2 *Earthworks or indigenous vegetation clearance*

PER-1

The earthworks or indigenous vegetation clearance is the minimum necessary and is:

1. *compliant with standard NFL-S3;*
2. *for the operation, **repair and maintenance** of existing lawfully established:*
 - c) *tracks, driveways, roads and access ways;*

NFL-S3 Any earthworks must (where relevant) not:

- a) in an ONL, exceed a total area of:
 - i) **50m²** in the coastal environment within any calendar year; and
 - ii) **100m²** outside the coastal environment within any calendar year.

Any indigenous vegetation clearance must not exceed a total area of:

- 50m² in ONL within any 10 year period; and*
- 100m² in ONF within any calendar year.*

PER-1 provides for earthworks where they are the minimum necessary, comply with NFL-S3, and are for the operation, repair and maintenance of existing lawfully established tracks, driveways, roads and access ways.

NFL-S3 limits earthworks within an Outstanding Natural Landscape in the Coastal Environment to a total area of 50 m² in any calendar year.

The proposed access follows an existing lawfully established farm track meaning there is no introduced impact on Outstanding Natural Landscape.

While elements of the work are consistent with maintenance and improvement of an existing access, the proposed formation works may extend beyond the permitted area threshold in NFL-S3. Accordingly, the proposal does not rely solely on the permitted activity provisions of NFL-R2, and consent is sought for the earthworks occurring within the mapped Outstanding Natural Landscape as part of this application.

The works remain confined to the existing access corridor and involve only limited modification of the underlying landform. No indigenous vegetation clearance is proposed.

There are no identified Outstanding Natural Features or Outstanding Natural Character areas affected by the proposal. The relevant mapped constraints are the Outstanding Natural Landscape and the separate High Natural Character area associated with the Wairoa Bay coastal environment.

5.9

Hazards

There are no known flood or coastal inundation hazards affecting the approved building extent of Lot 26. The building area is located on elevated land above the lower Wairoa West Stream, wetland and coastal margin, where the identified flood and coastal inundation hazards are concentrated.

The principal hazard consideration relates to the primary access over easement 'A', which crosses the low-lying Wairoa West Stream floodplain. During a significant river flood or coastal inundation event, this crossing may be temporarily inundated or unusable. The replacement bridge is being designed to provide sufficient hydraulic capacity for the assessed Q100 catchment flow of approximately 15 m³/s, with detailed hydraulic and regional consenting matters being addressed separately through the Building Consent and Northland Regional Council process under APP.047731.01.01.

The alternative Right of Way 'AA' was previously approved under RC 2050024 and is retained to provide access resilience. It is **not** affected by coastal inundation. NRC flood mapping indicates only a limited area of flood hazard near the connection between easements 'AA' and 'B'. The present level information is not sufficiently detailed to determine the precise 1% AEP flood depth over that section of the route, however this can be determined as part of verifying the crossing is adequate prior to Sec 223 RMA.

The applicant **volunteers a condition** requiring this be assessed prior to section 223 certification to demonstrate that the depth of floodwater over the formed access in the 1% AEP event does not exceed 200 mm. This is a standard engineering requirement and is part and parcel with access design. Any minor local adjustment required to achieve that standard can be incorporated without materially altering flood conveyance or increasing flood hazard elsewhere. Stormwater calculations are shown on the supporting "Right of Way Plan, with minimum dimension requirements to allow the Q100 flood event to cross the access (4m wide x 0.2m deep).

Proposed condition: Prior to certification under section 223 of the Resource Management Act 1991, the consent holder shall provide certification from a suitably qualified and experienced person demonstrating that the access over Right of Way 'AA', where it is affected by a 1% AEP flood event is adequately armoured and that the depth of floodwater over the access in the 1% AEP flood event does not exceed 200 mm. Any works required to achieve this standard shall be shown on the relevant engineering plans and completed prior to section 224(c) certification.

The proposal is also **not** expected to materially increase the existing flood hazard. The access works generally retain the existing low-lying landform and avoid the substantially greater filling and modification that would be required to raise the primary route, via easement 'A', above the mapped coastal inundation level. The residual limitation of the primary access can also be recorded by consent notice so that future owners are aware that it may be temporarily unavailable during significant flood events.

Overall, the proposal appropriately separates residential development from the lower hazard area, retains an alternative access route, provides for confirmation of an acceptable flood depth over that alternative route, and does not materially increase the existing flood hazard. As an alternative access route easement 'AA' is not expected to need full construction to anything more substantial than a farm access suited to 4x4 motor vehicle.

5.10

Overall Activity Status

Subdivision of proposed Lot 26 in accordance with PREC6 Plan 1 is a Controlled Activity under PREC6-R2. Other district-wide subdivision, natural hazard, coastal environment and landscape provisions apply in addition to the precinct rule, with the overall status determined by the most restrictive applicable rule.

SUB-R11 provides for subdivision within a flood hazard area as a Restricted Discretionary Activity where, amongst other requirements, private roads, Rights of Way and accessways are located where floodwater depth in the 1% AEP event does not exceed 200 mm above ground level. The primary access over easement 'A' traverses the mapped flood hazard area and compliance with this standard cannot be demonstrated. Failure to comply with SUB-R11 RDIS-1 results in a **Non-complying Activity status**.

SUB-R12 similarly provides for subdivision within a coastal hazard area as a Restricted Discretionary Activity where all building platforms and associated access are located wholly outside the spatial extent of the Coastal Hazard Area. The primary access over easement 'A' is affected by coastal inundation and compliance with this requirement cannot be demonstrated. Failure to comply with SUB-R12 RDIS-1 also results in a **Non-complying Activity status**.

Right of Way 'AA' is retained as the alternative legal access. It was previously approved under RC 2050024, is not affected by coastal inundation, and the limited river-flood issue near its connection with easement 'B' will be confirmed against the 200 mm standard prior to section 223 certification as described above, without concern anticipated for this smaller upper catchment.

Accordingly, applying the most restrictive activity status, the subdivision and associated access arrangements are assessed overall as a **Non-complying Activity**.

RESOURCE MANAGEMENT ACT

6

6.1 In assessing whether the adverse effects of the proposal are more than minor, consideration has been given to the nature, scale and significance of the works, the sensitivity of the receiving environment, the existing and previously approved development pattern, and the extent to which the proposal introduces any new or additional effects.

The subdivision itself largely reinstates an allotment already approved under RC 2050024. The principal additional matter requiring assessment by the District Council relates to the access serving Lot 26.

The proposed access follows and upgrades an existing farm access route that has been established and used for many years. Parts of this route traverse land identified within the Coastal Environment, High Natural Character and Outstanding Natural Landscape overlays. Notwithstanding these overlays, the physical effects of the access works are limited because the existing route is already formed and sits relatively naturally within the surrounding landform. In fact, the upgrading impacts are possible under normal farming activity and potentially are permitted, as an **existing use situation**.

The access generally occupies a flat or gently graded formation, with no substantial cut or fill batters required. The works are principally associated with improving the existing surface and formation to achieve an appropriate residential access standard, rather than creating a new access corridor through previously undisturbed land. There are therefore no significant earthworks or landform modifications that would materially alter the existing landscape character.

From a landscape and natural character perspective, the existing access is already a component of the rural environment and is visually absorbed into the wider farm landscape. The upgrading works will not introduce a materially different alignment or feature into the landscape. Any potential increase in visibility associated with the improved formation can also be appropriately mitigated through planting along the coastal-facing side of the access.

To ensure this outcome, the applicant volunteers a condition requiring landscape mitigation along the southern/coastal-facing edge of the access formation. The planting should comprise low-growing indigenous shrubs, grasses and other suitable species selected to soften and screen views of the access while maintaining the open rural and coastal character of the site.

A condition could be framed as follows:

Prior to certification under section 223 RMA, the consent holder shall submit to Council for approval a landscape planting plan. The plan shall provide for planting along the southern/coastal-facing edge of the access serving Lot 26 and shall demonstrate that the access formation will be adequately screened and visually integrated when viewed from the coastal margin.

With this mitigation in place, the access upgrade will remain a relatively recessive element within the wider landscape. The works will not result in significant alteration of the landform, nor will they materially diminish the identified High Natural Character, Outstanding Natural Landscape or Coastal Environment values.

Some of the access works occur within 10m of a wetland and those effects are subject to a separate resource consent under the Northland Regional Council as applied for on 14 October 2026. From the District Council perspective, however, the relevant landscape, natural character and visual effects associated with the access formation

can be appropriately avoided or mitigated through the existing alignment, limited earthworks and the proposed landscape planting.

By providing the alternative access route over easement 'AA', as already approved under RC 2050024, it is considered that the natural hazard risks associated with the potential loss of access via the primary route, easement 'A', are adequately mitigated.

Given the very low likelihood of such an extreme hazard event occurring, it is not considered fair, reasonable or proportionate to require the alternative access to be fully formed to normal residential access standards.

The primary purpose of easement 'AA' is to secure a legal right of access over an alternative route, which can be utilised when the primary access becomes impassable or when circumstances make the alternative route preferable. It is not intended to function as a second fully formed residential access.

Accordingly, it is considered that conditions of consent should allow easement 'AA' to remain unformed, particularly where the existing farm tracks and paddocks provide a practicable means of access. Alternatively, if some physical formation is considered necessary, this should be limited to a basic **farm access standard** appropriate to its intended infrequent emergency use. Fire & Emergency have been updated on the situation.

6.2 The proposal aligns with the Coastal Policy Statement, ensuring that coastal values are maintained while allowing for appropriate use and development. The existing character and land use patterns at the application site remain predominantly unchanged, meaning the proposal does not significantly alter the approved and partly established theme or undermine the intent of the underlying approval.

6.3 Cumulative Effects

The potential for cumulative effects is considered to be limited and acceptable.

In the wider context of the farm, further subdivision is also expressly restricted by the existing consent notice. The proposal therefore does not create an open-ended precedent for additional fragmentation or progressive intensification of the rural holding.

The proposal does not materially increase the cumulative scale, density or intensity of development across The Landing.

Although the proposed access upgrade gives rise to some landscape and visual effects, the access route is already an established component of the rural landscape and has been used for farming purposes for many years. The proposal does not introduce a new access corridor through previously undisturbed land, but rather upgrades an existing formation. In addition, the proposed landscape mitigation along the coastal-facing edge of the access will improve the way the route is integrated into the surrounding landscape compared with the existing situation.

Accordingly, the proposal does not result in any material additional cumulative effect. To the extent that effects arise from the access upgrade, they are either already part of the existing environment or are reduced through the proposed mitigation measures. On that basis, cumulative effects are considered **less than minor**.

Hazard related effects are not cumulative.

6.4 Reverse sensitivity effects

No reverse sensitivity effects are anticipated. Proposed Lot 26 is relatively isolated from other activities and is contained by the surrounding coastal margin, established bush and wetland areas.

The site is therefore unlikely to give rise to conflict with adjoining rural activities or place unreasonable constraints on their continued operation. The proposed residential use is consistent with the wider development pattern established at The Landing.

The proposed access over easement 'A' essentially already exists and does not constitute an introduced formation into the landscape.

6.5 Section 104D – Non-complying Activity Gateway

As the proposal is assessed overall as a Non-complying Activity, section 104D of the Resource Management Act 1991 applies. Council may grant consent where either the adverse effects of the activity on the environment will be minor, or the activity will not be contrary to the objectives and policies of the relevant plan or proposed plan.

The assessment above concludes that the actual and potential adverse effects of the proposal are **less than minor**. The Non-complying status arises principally from the technical natural hazard access standards applying to easement 'A', rather than from the creation of a new hazard or a materially greater environmental effect.

The primary access follows an existing farm route and stream crossing; the approved building area is on elevated land outside the principal hazard area; the replacement bridge is being designed for the assessed catchment flow; and the previously approved Right of Way 'AA' is retained as an alternative route, subject to confirmation of compliance with the engineering standards for flood-depth. Raising the primary access to eliminate coastal inundation exposure would require substantially greater filling and modification of the wetland margin, floodplain and High Natural Character area.

An adequate level of mitigation is being offered under consent conditions, and on this basis, the adverse effects on the environment are considered less than minor and the proposal satisfies the threshold in section 104D(1)(a).

It is therefore unnecessary to rely on the alternative objectives and policies gateway under section 104D(1)(b), although the policy assessment in this report demonstrates that the proposal is generally consistent with the relevant planning framework.

FOURTH SCHEDULE

Assessment of effects on the environment

7.1

Part 2 Purpose and Principles

Purpose

Section 5 of the Resource Management Act 1991 establishes the purpose of the Act as the promotion of the sustainable management of natural and physical resources.

Sustainable management enables the use and development of resources while sustaining their potential for future generations, safeguarding the life-supporting capacity of air, water, soil and ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

The proposal is considered consistent with this purpose. It provides for the continued implementation of the comprehensively planned development at The Landing while retaining and managing the natural and physical resources that contribute to the character and environmental values of the wider property.

Proposed Lot 26 does not introduce an additional residential development opportunity beyond that previously contemplated.

A significant feature of The Landing is the established **Management Plan and associated development controls**, which provide a coordinated framework for managing residential development. Rather than allowing buildings to be located sporadically across individual titles, development is directed to defined building locations. This enables development to be concentrated within areas selected having regard to landform, landscape visibility and proximity to sensitive natural features.

For proposed Lot 26, the approved building coordinates are located outside the mapped **High Natural Character** and **Outstanding Natural Landscape** areas. The lower gully, wetland and more sensitive coastal land remain within the balance Lot 50, where they can continue to be managed as part of the wider ecological and rural landscape.

Future buildings are also subject to The Landing design controls, including measures relating to building form, materials, colours, siting and landscape treatment. These controls are specifically intended to ensure that development remains visually recessive and appropriately integrated into the sensitive coastal landscape.

The proposal also maintains the wider approach to environmental management at The Landing, including the protection and enhancement of indigenous vegetation, maintaining separation from wetland and coastal margins, managing the extent and location of built development, and retaining the majority of the landholding within the balance farm where ecological enhancement and landscape management predominantly occur.

Accordingly, the proposal represents an efficient use of land already identified and approved for residential development, while retaining the more sensitive natural areas within the larger balance holding. The subdivision therefore enables the reasonable use and development of the land while maintaining the environmental safeguards required by **section 5 of the RMA**.

Matters of National Importance

Section 6(a) – Natural Character

Section 6(a) requires the preservation of the natural character of the coastal environment, wetlands, lakes and rivers and their margins, and their protection from inappropriate subdivision, use and development.

The proposal has been structured to maintain separation between residential development and the more sensitive natural features of the site. The approved building coordinates for Lot 26 are positioned on the upper hillside, outside the mapped High Natural Character area and away from the lower wetland, gully and coastal margin.

The access to Lot 26 traverses the Coastal Environment and areas identified as High Natural Character, including the vicinity of Wairoa West Stream and the associated wetland system. However, the works do not involve establishing a **new** access corridor through previously undisturbed land. The proposed right of way follows an **existing farm access route that has been established and used for many years**, including an existing timber-framed bridge crossing.

The access design deliberately retains the existing alignment and works closely with the present ground profile. The existing formation is generally flat to gently graded and sits naturally within the surrounding landform, without substantial cut or fill batters. The proposed works are principally an upgrade of the existing formation.

The physical works are consequently limited. Over much of the route, the existing access surface is simply excavated approximately 300 mm to allow construction of an improved pavement comprising compacted GAP 65 and GAP 40 basecourse. This approach substantially retains the existing access levels and avoids unnecessary modification of the surrounding landform.

An important component of the design is the manner in which flood flows through the wetland and stream system are accommodated. The bridge opening remains the primary flowpath.

It is intended to retain the existing manner in which the wetland and stream system responds during significant rainfall events. At present, when the stream channel becomes hydraulically constrained or congested, water is able to spread across the adjoining low-lying wetland and access area. The proposed design retains that overtopping function rather than constructing an elevated access embankment that would artificially contain those flows.

From a natural character perspective, the access upgrade represents a relatively low level of intervention.

The applicant also **proposes a condition of consent** for landscape mitigation along the southern, coastal-facing edge of the access formation.

Together with the proposed planting mitigation, the works are considered to appropriately preserve the natural character of the coastal environment, wetland and stream margins, with the adverse effects considered **less than minor**.

(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna

The proposal does not require clearance or development of any identified area of significant indigenous vegetation or significant habitat of indigenous fauna.

(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers

The proposal does not restrict existing public access to the coastal marine area. The existing 20 m wide esplanade strip along the Wairoa Bay frontage is retained and remains unaffected by the subdivision. Public access opportunities along the coastal margin are maintained.

(e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga

There are no specific adverse effects on identified Māori cultural values, wāhi tapu or other taonga have been identified as arising from the proposal. The subdivision re-establishes an allotment already approved.

The proposal has been designed to avoid or minimise effects on the more sensitive parts of the site, and this transpired during the original consents processing.

The potential visual effects on areas of High Natural Character and the coastal environment are mitigated through the use of the existing farm track and proposed landscape planting. The resulting physical and visual effects are therefore generally consistent with the existing situation.

On the information available, and having regard to the avoidance of wetland impacts and the mitigation of coastal and landscape effects, the proposal is not considered to adversely affect the relationship of Māori with their ancestral lands, water, sites, wāhi tapu or other taonga.

(f) The protection of historic heritage from inappropriate subdivision, use, and development

No identified historic heritage feature is directly affected by the proposed Lot 26 subdivision or access works. Historic heritage effects are therefore not considered to be a material issue.

(g) The protection of protected customary rights

No protected customary rights have been identified as being affected by the proposal. The subdivision therefore does not give rise to any identified effect requiring specific mitigation under this matter.

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—

8

(a) Kaitiakitanga and (aa) the ethic of stewardship

The proposal adopts a restrained approach to development by making use of an existing approved residential opportunity and, importantly, by utilising an existing farm access corridor and stream crossing rather than establishing a new route through the coastal environment.

The proposed access nevertheless passes through a sensitive part of the site associated with the Wairoa West Stream, wetland margin, High Natural Character area and Outstanding Natural Landscape. Stewardship of these values therefore requires the access works to remain confined to the existing corridor, minimise alteration of landform, avoid indigenous vegetation clearance, maintain the functioning of the stream and wetland system, and reinstate disturbed margins following construction.

The proposed landscape treatment along the coastal-facing side of the access also provides an opportunity to improve the integration of the existing farm route within the wider coastal setting.

(b) Efficient use and development of natural and physical resources

The proposal makes efficient use of existing physical resources by upgrading an established farm access and bridge crossing rather than constructing an entirely new road corridor.

This substantially reduces the extent of additional earthworks, vegetation disturbance and landscape modification that would otherwise be required. The access generally follows the existing ground profile and requires only limited reshaping of the existing route.

The previously approved Right of Way under RC 2050024 is also retained as an alternative legal access. This avoids reliance on a single crossing while making efficient use of both existing and previously approved infrastructure.

(ba) Efficiency of the end use of energy

This matter has limited relevance to the subdivision. The proposal does not introduce an access or development pattern that would result in any material inefficiency in energy use.

(c) Maintenance and enhancement of amenity values

The principal amenity effect associated with the proposal arises from the more formal appearance of the upgraded access, particularly where it passes through the lower coastal landscape toward Wairoa West Stream and Wairoa Bay.

The access is already an established and visible element of the rural landscape, and the proposed works retain substantially the same alignment. The effect is therefore one of intensification of an existing feature rather than introduction of a completely new feature.

The potential visual effect can be reduced by keeping the formation low in profile, avoiding unnecessary widening and urban-style infrastructure, reinstating disturbed margins and providing indigenous planting along the southern/coastal-facing side of the access. The planting should be informal and integrated with the existing wetland and coastal vegetation pattern, rather than forming a formal hedge or roadside treatment.

Subject to these measures, the access is expected to remain a recessive rural feature and the adverse effects on amenity values are considered **less than minor**.

(d) Intrinsic values of ecosystems

The Wairoa West Stream, adjoining wetland and associated low-lying corridor have intrinsic ecological and hydrological values that require particular consideration because the proposed access crosses this environment.

The proposal avoids creating a new crossing and instead upgrades the existing farm route and bridge location. The works are confined to the existing modified corridor and do not require indigenous vegetation clearance. The replacement bridge is being designed to maintain appropriate hydraulic conveyance through the stream crossing, while the detailed effects of works within and adjoining the wetland environment are being separately assessed through the Northland Regional Council consent process.

The access formation is also arranged so that runoff is not preferentially directed toward the wetland. Together, these measures limit the potential for the access works to alter wetland hydrology, stream function or ecological values.

(f) Maintenance and enhancement of the quality of the environment

The principal environmental change resulting from the proposal is the upgrading of the existing access through the lower coastal landscape.

The access follows the existing farm route to the Wairoa West Stream crossing, rather than establishing a new corridor through the surrounding landscape. The existing route already forms part of the working rural landscape, but the upgraded formation and replacement bridge will inevitably result in some increase in the visibility and formality of the access.

That effect is moderated by the limited nature of the physical works. The access generally follows the existing ground profile and does not require substantial cut batters, elevated embankments or major alteration of the surrounding landform. The works should remain confined to the minimum width reasonably necessary, with unnecessary retaining structures, kerbing, lighting, formal barriers and other urbanising elements avoided where practicable.

The principal residual landscape effect will occur when the upgraded surface is viewed from the southern and coastal side. This can be appropriately mitigated through reinstatement of disturbed margins and targeted indigenous planting along the coastal-facing edge.

With the proposed mitigation, the adverse effects on environmental quality are considered less than minor.

(g) Finite characteristics of natural and physical resources

The coastal landscape, wetland environment, areas of High Natural Character and Outstanding Natural Landscape are finite resources.

The access design responds to these constraints by making use of an existing route and crossing, thereby reducing the need for more significant landscape modification that would arise from forming a new access corridor elsewhere through the property.

The works should remain tightly confined to the existing access footprint, with disturbed areas reinstated and landscape planting used to integrate the completed works into the surrounding environment.

(h) Protection of the habitat of trout and salmon

No trout or salmon habitat has been identified as being affected by the proposal. This matter is therefore not considered relevant.

(i) Effects of climate change

Climate change is principally relevant to the proposal through its potential influence on future flooding at the Wairoa West Stream access crossing.

The building area is located on elevated land, whereas the access crossing occupies the lower flood-prone part of the site. The replacement bridge is therefore being designed to provide appropriate capacity for the assessed design flood, with detailed hydraulic matters addressed through the regional consenting process.

The previously approved Right of Way is also retained as an alternative legal access. This is particularly relevant because flood risk is not limited to damage to structures but also includes the potential for flooding to isolate people by making access routes temporarily impassable. The flood hazard guideline specifically identifies isolation and loss of access as relevant components of flood risk (Flood Hazard guideline-7-3)

The proposal therefore responds to climate-related flood risk without requiring substantial filling or raising of the access through the sensitive wetland and coastal landscape.

(j) Benefits from the use and development of renewable energy

The proposal does not involve renewable energy generation and does not constrain any identified renewable energy resource.

This matter is not directly relevant.

Overall Section 7 Assessment

Overall, the proposal has appropriate regard to the relevant section 7 matters, with particular consideration given to the effects of the proposed access through the lower coastal landscape and Wairoa West Stream environment.

The access utilises an existing farm route and stream crossing, which substantially reduces the need for new landscape disturbance. Its effects are further limited by maintaining a low-profile formation, minimising earthworks and widening, avoiding indigenous vegetation clearance, maintaining stream and wetland function, reinstating disturbed margins and providing targeted indigenous planting along the coastal-facing edge.

The adverse effects arising from the access can therefore be appropriately avoided, remedied and mitigated and are considered **less than minor**.

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

The proposal is not considered to contradict the Treaty of Waitangi's interpretations.

9

ASSESSMENT OF THE ACTIVITY AGAINST SECTION 104(1)(B)

Section 104(1)(b)

any relevant provisions of—

- (i) a national environmental standard;
- (ii) other regulations;
- (iii) a national policy statement;
- (iv) a New Zealand coastal policy statement;
- (v) a regional policy statement or proposed regional policy statement;
- (vi) a plan or proposed plan;

CLAUSE 6

9.2

(1)(a) Alternative locations or methods where significant adverse effects are likely

No significant adverse effects are anticipated at the building site.

Access is however compromised by natural hazards “flooding” & “coastal inundation”.

Proposed access Right of Way ‘AA’ to Lot 26 is already approved under RC 2050024 as the legal access to former Lot 8 (shown in image below). *Note Lot 8 is now described as Lot 26.* The existing farm access proposed to be upgraded under the current application, and defined by Right of Way ‘A’ on the proposed subdivision plan is an established farm route that would remain in place and continue to be used irrespective of whether this application proceeds.



Plan of original approved access Right of Way ‘AA’ under RC 2050024 to Lot 8.

Because both access arrangements are either already approved or physically existing, the associated effects are not new. The environmental outcome arising from the current proposal is therefore expected to be the same as, or similar to, that already authorised under RC 2050024 and presently occurring as part of normal farm operations. The limited flood constraint affecting Right of Way ‘AA’ is addressed through the section 223 certification condition described in Section 5.9.

(b) Actual or potential effects on the environment

The actual and potential effects of the proposal have been assessed in detail above, including landscape and natural character effects, earthworks, wetland hydrology, visual amenity and effects on the balance rural holding.

As described earlier, the proposal largely utilises an existing development and access pattern, with mitigation incorporated where required, particularly during earthworks. The approved building location remains outside the more sensitive overlay areas and impacts on the wetland are manageable without cause to adverse effects.

Overall, the actual and potential effects of the proposal are considered **less than minor**.

(c) Hazardous substances and installations

Not applicable.

(d) Discharge of contaminants

Not applicable to the subdivision consent.

(e) Mitigation measures

Mitigation is largely embedded within the existing development framework, including the approved building location and the controls established through earlier assessment and consent processes. For the current proposal, the principal new effects relate to upgrading the existing farm access. Mitigation is therefore focused on managing construction effects and integrating the upgraded access into the surrounding environment.

Sediment and erosion control measures will be implemented during construction to minimise the potential for sediment to enter Wairoa West Stream or the adjoining wetland.

The existing farm access and bridge crossing already function as rural infrastructure. The proposed works will formalise that route with an improved pavement structure, replacement bridge and associated drainage treatment. This will provide a more stable and durable access surface and reduce the potential for rutting, scour and mobilisation of loose material during wet conditions compared with the existing farm track.

Proposed planting will soften views of the upgraded formation and assist its integration with the surrounding coastal and wetland landscape.

The retained alternative access route will provide additional resilience where the primary crossing may be temporarily restricted during significant natural hazard events.

These measures complement the established controls applying through the relevant consent notices and **The Landing Management Plan**, which continue to manage building siting, design, materials, landscaping and the relationship of future development with the surrounding environment.

(f) Affected persons and consultation

No affected persons have been identified, having regard to the nature and scale of the proposal, its separation from neighbouring development, managed impacts on the wetland and coastal character, with any adverse effects being **less than minor**.

(g) Monitoring

The scale and significance of the effects do not warrant ongoing environmental monitoring.

(h) Protected customary rights

Not applicable.

(2)

The assessment has also been undertaken having regard to the relevant provisions of the applicable statutory planning documents, including the **Northland Regional Policy Statement**, as addressed below.

CLAUSE 7

9.3

(a) Effects on the neighbourhood and wider community, including social, economic or cultural effects

The proposal is contained within The Landing and is well separated from neighbouring residential activity. It does not alter the established scale or pattern of development and is not expected to give rise to any loss of privacy, amenity or rural productive opportunity beyond that already anticipated by the approved development.

No adverse social, economic or cultural effects have been identified.

(b) Physical effects on the locality, including landscape and visual effects

The physical changes are confined principally to the existing access corridor and the previously approved Lot 26 development area. As assessed earlier, the access works follow the existing landform and avoid substantial new earthwork cut, fill areas or pronounced change to current far access routes.

The more formal appearance of the upgraded access will be offset by targeted landscape treatment along its coastal-facing edge. The proposal therefore retains the existing broad landscape pattern of open pasture, wetland, bush and coastal margin, with the adverse landscape and visual effects considered **less than minor**.

(c) Effects on ecosystems, including plants, animals and disturbance of habitats

Any works requiring Regional Council approval are being addressed separately NRC reference APP.047731.01.01. Overall, the ecological effects are considered **less than minor**.

(d) Effects on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, cultural or other special values

The principal resources of special value are the coastal landscape, Wairoa Bay, wetland system and associated natural character. These values are retained through the location of the building area away from the more sensitive parts of the site and through the continued retention of the coastal and wetland margins within the wider landholding.

The existing **20 m esplanade strip** remains unaffected, preserving the recreational and public access function of the coastal margin. No identified scientific, historic, spiritual or cultural resource is directly displaced by the subdivision.

(e) Discharge of contaminants, including noise, and treatment or disposal options

No ongoing discharge of contaminants arises directly from the subdivision. Construction activities may generate temporary sediment, dust and noise, but these effects are short-term and can be managed through normal construction, erosion and sediment-control practices, as proposed.

The upgraded access surface and defined drainage arrangements will provide a more controlled runoff environment than the existing farm track. No unusual or unreasonable operational noise effects are anticipated.

(f) Risk to the neighbourhood, wider community or environment from natural hazards or hazardous substances

No hazardous substances or hazardous installations are proposed.

Natural hazard considerations are principally associated with flooding and coastal inundation affecting the primary Wairoa West Stream crossing. These effects are addressed through the bridge design, retention of Right of Way 'AA' as an alternative access, the proposed section 223 flood-depth certification for the limited affected part of 'AA', and a consent notice recording the residual limitation of the primary access.

There is no material increase in risk to the neighbourhood or wider community.

Overall, the proposal is consistent with the purpose and principles of the Resource Management Act 1991, including the matters of national importance under section 6 and the other matters requiring particular regard under section 7.

Any actual or potential adverse effects are considered less than minor, and the proposal is therefore consistent with the purpose of sustainable management under the Resource Management Act 1991.

COASTAL POLICY STATEMENT 2010

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10.1 In reference to the Coastal Policy Statement, the following were considered to support the proposed activity:

Policy 3 Precautionary approach

- (1) *Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood but potentially significantly adverse.*

The application is well understood and does not relate to Policy 3 to require a precautionary approach.

Policy 6(1) Activities in the coastal environment

(f) *consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable.*

(h) *consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgeline....*

(i) *set back development from the coastal marine area...*

Policy 13 Preservation of natural character

(1) *Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:*

(g) *a range of natural character from pristine to modified*

Legal Interpretation of "Pristine"

Landscape case law generally defines a **pristine** landscape as one that:

- *Remains in an unmodified or near-natural state, free from human influence.*
- *Exhibits high levels of ecological and visual integrity, with little to no evidence of development, structures, or anthropogenic alterations.*
- *Has intact natural processes, unaltered landforms, and an absence of infrastructure or modifications that would disrupt its natural character.*

Application to the Subject Landscape

The subject landscape does **not** meet this definition of pristine for the following reasons:

- **Presence of Human Modification:** The landscape has already been subject to subdivision, land use changes, and infrastructure development, including accessways, fencing, nearby existing dwellings, and crops, indicating human influence.
- **Alteration of Natural Processes:** Historical land management practices, such as vegetation clearance, drainage modifications, and the introduction of crops, have altered the natural ecological balance.
- **Visual and Physical Impact:** The presence of built elements and human activity, including roads, buildings, and managed vegetation, means the landscape does not exhibit the untouched character required to be considered pristine.

The application site is not considered to represent the description of 'pristine' due to the modified landscape.

Assessment of environmental effects is accordingly representative of a **modified** natural character.

Policy 15 Natural features and natural landscapes

To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development.

Although no restoration is proposed, the lot captures an already approved building site.

Objective 6

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use and development recognising that:

The protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits.

The proposal is consistent with Objective 6, which recognises that the protection of coastal environmental values does not preclude subdivision, use, and development where it occurs in appropriate locations, forms, and within appropriate environmental limits.

Particular issues outlined in the coastal policy statement include:

- *Continuing decline in species, habitats and ecosystems in the coastal environment;*
- *Poor and declining coastal water quality in many areas as a consequence of point and diffuse sources of contamination, including stormwater and wastewater discharges;*
- *Continuing coastal erosion and other natural hazards that will be exacerbated by climate change and which will increasingly threaten existing infrastructure, public access and other coastal values as well as private property;*

It is considered that the proposal does not undermine the intentions of the Coastal Policy Statement.

□ **Protection of Species, Habitats, and Ecosystems:** The subdivision overall has been designed to avoid significant ecological impacts, with measures in place to protect and, where possible, restore native vegetation and habitats. No clearance of ecologically sensitive areas is proposed, ensuring that biodiversity values are maintained.

□ **Maintaining Coastal Water Quality:** The proposal incorporates best-practice wastewater management systems to prevent contamination. Stormwater is able to be treated through natural low impact process, without cause to degradation of coastal water quality.

□ **Managing Coastal Hazards and Climate Change Effects:** The subdivision ensure building platforms and infrastructure are set back from high-risk areas. Geotechnical investigation secured during the original resource consent process and further become a requirement for any future building activity.

The proposed activity is furthermore not considered of significant proportion to threaten or measurably decline any habitats or ecosystems on the site, and consequently upholds the Coastal Policy Statement 2010.

11

Northland Regional Policy Statement

The Northland Regional Policy Statement presents foundation development guidelines for the northland region.

PART 3: OBJECTIVES

11.1

3.4 Indigenous ecosystems and biodiversity

The proposal does not require clearance of significant indigenous vegetation. Proposed Lot 26 is predominantly open pastoral land, while the lower gully, wetland and more established vegetation remain associated with the balance Lot 50.

The principal ecological consideration is the relationship between the existing access, Wairoa West Stream and the adjoining wetland under the context of the Regional Policy Statement. The access follows an established farm route and existing bridge crossing, with the replacement bridge to provide sufficient hydraulic opening for the assessed Q100 flow.

The catchment plan identifies a contributing catchment of approximately 78 ha to Wairoa West Stream, with a time of concentration of approximately 30 minutes and an assessed Q100 flow of approximately **15 m³/s**. This demonstrates that the wetland and stream are influenced by a comparatively large upstream catchment, therefore runoff generated from Lot 26 presents no hydrologically concerns.

Any increase in impermeable surface associated with development of Lot 26 will be very small in the context of this catchment. The entire 0.96 ha allotment represents only approximately **1.2% of the 78 ha catchment**, while the actual future impermeable area will comprise only a small percentage of the lot. Roof water will also be captured to storage, further reducing immediate runoff. Accordingly, the subdivision is not expected to materially alter catchment runoff volumes, peak flows or the hydrological functioning of the wetland.

Works associated with the access upgrade, within 10m of the wetland and Wairoa West Stream are subject to separate approval from the **Northland Regional Council** (APP.047731.01.01), through which the detailed freshwater and wetland effects have been considered.

The access formation on either side of the bridge is also designed with crossfall toward the coastal side rather than toward the wetland. As a result, runoff from the limited additional impermeable surface associated with the upgraded access will not be directed into the wetland. In the context of the much larger contributing catchment, any change in runoff attributable to the access surfacing material & compaction is therefore expected to be **negligible**.

Overall, the proposal is not expected to materially alter wetland hydrology, diminish indigenous biodiversity, or adversely affect ecological function.

11.2

6.1.1 Policy – Regional and district plans

The proposal is consistent with the effects-based approach promoted by this policy. It represents the reapproval of an established development opportunity within The Landing Precinct, with effects managed through the existing development controls and specific mitigation associated with the access and stream crossing.

The subdivision can therefore be enabled while maintaining the environmental outcomes sought by the Regional Policy Statement.

11.3

5.1.1 Policy – Planned and coordinated development

(a) Secure supply of water

Future development of Lot 26 will be serviced by roof-water collection and storage in accordance with the established servicing approach at The Landing. There is no identified constraint to providing an adequate potable water supply.

(b) Effective wastewater treatment

Lot 26 has sufficient area to accommodate on-site wastewater disposal. Future wastewater servicing will be undertaken in accordance with TP-58.

(c) Residential development and connection with existing development

Although rural rather than urban in character, the proposal forms part of an existing comprehensively planned residential development. It does not establish an isolated new development pattern.

(d) Access to a range of transport modes

Not applicable.

(e) Community-scale social infrastructure

Not applicable.

(f) Parks associated with medium or large-scale residential development

Not applicable.

(g) Accessibility to social infrastructure

The proposal is for a single rural-residential allotment within an established coastal development. This provision has limited relevance to the scale of the application.

(h) Regionally significant mineral resources

No regionally significant mineral resource or associated access route has been identified as being affected by the proposal.

(i) Energy transmission corridors and renewable energy generation sites

Not applicable.

(j) Transportation corridors

The proposal does not adversely affect any regionally significant transport corridor. Access is obtained through the established private access network serving The Landing.

(k) Flood and coastal hazard areas

Natural hazard overlays affect parts of the wider coastal and low-lying landholding, particularly the wetland and stream margins associated with Wairoa West Stream. The approved building location for proposed Lot 26 is situated on elevated land away from the principal flood and coastal inundation areas. The relevant natural hazard consideration for this application therefore relates primarily to the lower section of the proposed access and its crossing of Wairoa West Stream.

Flooding associated with Wairoa West Stream has been specifically considered as part of the access and bridge design. The contributing upstream catchment is approximately 78 ha, with the calculated 1% AEP (Q100) catchment flow being approximately 15 m³/s. The replacement bridge will be designed to provide an appropriate hydraulic opening for passage of this catchment-generated flood flow without creating an inappropriate restriction within the stream corridor. The final bridge dimensions and levels will be confirmed through detailed design and application by others (BridgeIT NZ).

The lower part of the access is also affected by coastal flood inundation and mapped 1% AEP flooding shown on Northland Regional Council hazard mapping. These are existing physical constraints affecting the low-lying land adjoining Wairoa West Stream and the wetland system and are recognised limitations of the existing and proposed access through this area.

It is important to distinguish between catchment-generated flooding within Wairoa West Stream and coastal inundation associated with storm surge and future sea-level rise. While the bridge will be designed to accommodate the assessed Q100 catchment flow, it is not intended to provide flood-free access during all coastal inundation events or during a combined coastal and catchment flood event.

NRC hazard mapping indicates that coastal inundation may extend across the lower access area to approximately RL 4.0 m, that's about 2m above the existing low-lying access and bridge approaches. During such a significant coastal inundation event, the primary access to Lot 26 may therefore be temporarily unavailable irrespective of the hydraulic capacity of the bridge. To mitigate this event alternative legal Rights of Way are proposed over Lot 50, as shown easement 'AA'.

Raising the access above the mapped coastal inundation level would have the potential to create considerably greater effects through increased earthworks, alteration of existing flood conveyance, and potential changes to wetland hydrology. The wetland and surrounding area are also identified as being within a High Natural Character overlay, which further reinforces the need to avoid unnecessary landform modification and visually intrusive engineering works in this sensitive coastal environment.

In this context, raising the access to achieve a flood-free route above the mapped coastal inundation level is not practical or supported.

The proposed approach therefore accepts the existing low-lying nature of this part of the access, rather than seeking to eliminate the hazard through extensive filling and physical modification of the wetland margin and floodplain.

This provides an additional level of resilience by ensuring that Lot 26 is not legally dependent solely upon the access route through the low-lying wetland and Wairoa West Stream area.

The residual limitation associated with the primary access will also be made transparent to future owners. It is proposed that a consent notice pursuant to **section 221** of the RMA be registered against Lot 26 advising that; ***the primary access traverses low-lying land affected by river flooding and coastal inundation and may be temporarily unavailable during significant flood events.***

Accordingly, the mitigation approach comprises retaining the primary access at a comparatively low level clear of the wetland to ensure the high natural character remains unchanged, whilst providing an alternative access route and formally recording the residual flood limitation on the title. In combination, these measures recognise the existing natural hazard rather than attempting to eliminate it through potentially greater modification of the wetland and natural character.

The approved building location itself remains on elevated land outside the principal inundation area. On this basis, and having regard to the alternative legal access and proposed consent notice, the residual flood and coastal hazard effects associated with access to Lot 26 are considered appropriately addressed.

(I) Outstanding landscape, natural character, historic and cultural heritage

Parts of the property are within the Coastal Environment, Outstanding Natural Landscape and High Natural Character overlays.

The approved building location is outside the more sensitive landscape and natural character areas, while the access follows an existing farm route and retains a low-profile relationship with the surrounding landform. Landscape planting along the coastal-facing side of the access will further reduce its visual prominence.

The proposal therefore maintains the broader landscape and natural character values of The Landing.

(m) Significant ecological areas and indigenous biodiversity

No significant indigenous vegetation is proposed to be removed and the wetland forms part of the considerably larger 78 ha Wairoa West Stream catchment. Any additional impermeable area associated with Lot 26 represents a very small proportion of that catchment and is not expected to materially change the quantity, timing or distribution of flows entering the wetland.

Accordingly, the proposal is not expected to materially diminish indigenous biodiversity or ecological function.

(n) Public access to the coastal marine area, lakes and rivers

The existing 20 m wide esplanade strip along the Wairoa Bay frontage is retained and unaffected by the subdivision. Public access opportunities along the coastal margin are therefore maintained.

(o) Natural hydrological characteristics, soil stability, water quality and aquatic ecosystems

The proposal has been considered in the context of the wider hydrological system rather than Lot 26 in isolation. Wairoa West Stream receives runoff from an approximately 78 ha catchment, with a calculated Q100 flow of approximately 15 m³/s.

Against this catchment scale, the additional impermeable area associated with Lot 26 is immaterial.

The large wetland system is well suited to the treatment of stormwater before discharge is directed to the coastal environment.

The improved access surface and drainage treatment will also provide a more stable formation than the existing farm track, reducing the potential for erosion, sediment displacement and scour.

(p) Sustainable design technologies

Future buildings will utilise rainwater collection and designed to maximise sun angles.

(q) Adaptation to projected effects

The bridge crossing is being designed having regard to the assessed Q100 flow from the 78 ha catchment, providing an appropriate level of resilience for significant rainfall events.

(r) Tangata whenua relationships and values

On the information available, no specific adverse effect on identified tangata whenua values, wāhi tapu or other taonga has been identified.

(s) Waste minimisation and efficient use of resources

No concern.

(t) Regional and sub-regional growth strategies

No particular regional or sub-regional growth strategy is considered to be adversely affected by the proposal.

(u) Housing choice and business opportunities

The proposal provides for a rural-residential development opportunity already anticipated through the planning framework for The Landing. It does not materially alter the overall scale or density of development within the precinct.

(b) Regional Urban Design Guidelines

Not applicable.

(c) Cumulative effects

As assessed earlier, the proposal does not create an additional residential development opportunity beyond that already approved under RC 2050024. Further subdivision of the wider holding is also restricted through existing title controls. Accordingly, cumulative effects are considered less than minor.

(d) Integration with infrastructure

The proposed lot can be serviced through the existing infrastructure and private access arrangements established for The Landing. No new public infrastructure is required.

(e) Incompatible land uses and reverse sensitivity

The proposal is consistent with the established development pattern at The Landing and is sufficiently separated from incompatible activities. No material reverse sensitivity effects are anticipated.

(f) Primary production and highly versatile soils

The site does not contain highly versatile soils of significance to the proposal. The subdivision does not materially reduce the productive capacity of the wider farming unit. Lot 26 represents a very small component of the overall landholding and is already identified for residential development, while the balance land remains available for productive rural use.

(g) Sense of place and character

The proposal retains the established character of The Landing, which combines open pastoral land, vineyards, indigenous vegetation, stream corridors, coastal margins and discreet residential development.

The approved building location, use of the existing farm access and proposed coastal-facing planting allow the development to remain subordinate to the broader rural and coastal landscape.

(h) Necessary infrastructure

Lot 26 can be serviced through the existing access and utility framework applying to The Landing, together with on-site water and wastewater systems, electricity and telecommunications. No servicing constraint has been identified that would prevent the subdivision from proceeding.

NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2022

Highly productive land is to be protected for use in land based primary production, both now and for future generations, and is to be recognised as a resource with finite characteristics and long term values for land based primary production.

1.3 Interpretation

Highly productive land – means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).

The site does not have highly productive class 1 – 3 soils.

NATIONAL POLICY STATEMENT

For Freshwater Management 2020

Part 1

1.3 Fundamental concept – Te Mana o te Wai

(1) Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

13.1

Objectives and Policies

2.1

The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that priorities:

- (a) first, the health and wellbeing of water bodies and freshwater ecosystems*
- (b) second, the health needs of people (such as drinking water)*
- (c) third, the ability of people and communities to provide for their social, economic and cultural wellbeing, now and in the future.*

2.2

Policy 3

Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

Policy 4

Freshwater is managed as part of New Zealand's integrated response to climate change.

Policy 6

There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration promoted.

Policy 9

The habitats of indigenous freshwater species are protected.

13.2

3.5 Integrated management

(1) Adopting an integrated approach ki uta ki tai, as required by Te Mana o te Wai, requires that local authorities must:

(a) recognise the interconnectedness of the whole environment, from the mountains and lakes, down the rivers to lagoons, estuaries and to the sea.

(b) recognise interactions between freshwater, land, water bodies, ecosystems, and receiving environments.

(c) manage freshwater, and land use and development, in catchments in an integrated and sustainable way to avoid, remedy, or mitigate adverse effects, including cumulative effect on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.

(d) Encourage the co-ordination and sequencing of regional or urban growth.

The National Policy Statement for Freshwater Management 2020 (NPS-FM) is relevant because the proposed access crosses Wairoa West Stream and passes within 10m of the associated natural inland wetland.

The proposal has been developed having regard to Te Mana o te Wai and the priority afforded to the health and wellbeing of freshwater bodies and freshwater ecosystems. Through utilising a bridge structure there is no loss of wetland extent, and the residential development associated with Lot 26 remains physically separated from the stream and wetland environment. Importantly, the access utilises an existing farm route and established stream crossing, avoiding the greater disturbance that would arise from establishing a new access corridor and crossing elsewhere.

Of particular relevance to Policy 3 and clause 3.5, the stream crossing has been considered within the context of the wider catchment. The Wairoa West Stream catchment. The replacement bridge is to provide sufficient hydraulic opening to accommodate that design flow so that the crossing does not materially impede floodwater or create an inappropriate hydraulic restriction within the stream system.

A separate resource consent application is also being made to the Northland Regional Council for works within 10 m of the wetland. The detailed freshwater, wetland and hydraulic effects of those works will therefore be considered through the regional consenting process, with any necessary conditions and mitigation secured through that approval.

Subject to the separate Regional Council approval, the proposal is considered consistent with the relevant freshwater management outcomes sought by the NPS-FM.

CONCLUSION

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This application seeks consent for a relatively limited subdivision within the established and comprehensively managed development at The Landing. Proposed Lot 26 re-establishes the residential allotment previously approved as Lot 8 of Stage 4 under RC 2050024, retaining the same 0.9600 ha area and development opportunity.

The subdivision is appropriately considered in the context of the now operative **The Landing Precinct**, together with the wider management framework established through the original resource consents, consent notices and The Landing Management Plan.

The principal change from the earlier approval relates to access. Right of Way 'A' formalises and upgrades the existing farm route and Wairoa West Stream crossing, while Right of Way 'AA' re-establishes the previously approved alternative access under RC 2050024. Retaining both routes provides additional resilience where the lower crossing may be temporarily affected by significant flood or coastal inundation events.

The replacement bridge over Wairoa West Stream and works associated with the adjoining wetland environment are being separately addressed through the Northland Regional Council consent process under application reference APP.047731.01.01.

Subdivision of Lot 26 in accordance with PREC6 Plan 1 is Controlled under PREC6-R2. However, because compliance with the access requirements of SUB-R11 and SUB-R12 cannot be demonstrated for the primary access over easement 'A', the overall proposal is assessed as a Non-complying Activity. The alternative access over Right of Way 'AA' is retained as hazard mitigation, with confirmation of the 1% AEP flood depth over its limited affected section required prior to section 223 certification.

Overall, the actual and potential adverse effects of the subdivision and associated access works are considered less than minor. The proposal therefore satisfies the section 104D(1)(a) gateway for a **Non-complying Activity**. It represents an appropriate and practical implementation of an already approved component of The Landing, while recognising and managing the residual natural hazard affecting the access. Accordingly, resource consent is considered appropriate to grant.

Micah Donaldson

Assoc.NZPI

DONALDSONS

Land / Engineering Surveyors and Development Planners





FAR NORTH DISTRICT COUNCIL

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CONSENT NOTICE PURSUANT TO SECTION 221 OF THE RESOURCE MANAGEMENT ACT 1991

In the matter of a Consent Notice issued pursuant to Section 221 of the Resource Management Act 1991 ("Act") in respect of Subdivision Consents RC 2010428, RC 2020211, RC 2030467 and RC 2030988 for the subdivision ("subdivision") on the survey plan DP 323083 showing Lots 1-27 and 29-32 being a subdivision of Pt's OLC 56, Lots 2 and 3 DP 78755, Lot 1 DP90149, Pt Sec 5 Blk V Kerikeri SD, Pt Sec 4, Sec 5, Sec 7 and Sec 8 of Te Puna OLC No 21, Sec 1 Blk IX Bay of Islands SD, Pt Sec 12 Blk IX Kerikeri SD, OLC 20 and Barbers Grant No 165.

I, P J Killalea, the Resource Consents Manager of the Far North District Council, hereby certify that pursuant to conditions of the Council's consent of 12 February 2001, as varied on 20 November 2001, 23 December 2002 and 30 May 2003, the following shall apply:

In relation to all Lots

1. Prior to any earthworks commencing on site the registered proprietor of a lot or part thereof ("**registered proprietor**") shall advise Iwi that such earthworks are commencing and invite Iwi to be present during such work. If during earthworks, any Koiwi or other archaeological remains are uncovered, works shall cease and the Iwi and the New Zealand Historic Places Trust shall be advised immediately.
2. The registered proprietor shall procure that Mataka Limited shall carry out archaeological survey and assessment work by an appropriately qualified archaeologist in order to:
 - (a) Identify and record Pa sites and associated features on Mataka Station;
 - (b) Relocate previously recorded archaeological sites and record the current state and location of such sites where possible;
 - (c) Accurately transpose the location of surveyed sites to updated plans, including where possible GPS positions;

The archaeological survey and assessment is to be completed within 1 year of the issue of a certificate under Section 224 of the Act and upon completion of the archaeological survey and assessment copies of such survey and assessment are to be forwarded to the Historic Places Trust and the Far North District Council. Each registered proprietor may fulfil the obligation contained in this condition by entering into a contract with Mataka Limited to comply with this condition.

3. The registered proprietor shall ensure that the rules of the Mataka Residents Association Incorporated shall include covenants providing for registered proprietors of lots to be notified of the archaeological records affecting the lot purchased by each such registered proprietor, prohibiting the destruction of any archaeological site in contravention of the Historic Places Act 1993, and requiring the registered proprietor to undertake prior archaeological assessment when undertaking any earthworks near a recorded site. The registered proprietor shall ensure that such rules shall also prohibit the keeping of cats and mustelids. The keeping of dogs shall be limited to a maximum of 2 per lot which must be confined (by way of an escape proof enclosure) to the registered proprietor's exclusive use area, except when in the company of that registered proprietor (or other invitee) and then on a leash at all times.
4. The registered proprietor of each lot on deposited plan 323083 may erect one (1) dwelling house together with accessory buildings, including water storage facilities, except as may be provided by a subsequent resource consent or where the provisions of the District Plan applicable to the lot allow any additional building as a permitted activity. The dwelling houses and accessory buildings shall be located as shown on the Lands and Survey plan reference 5670/12 dated 24 February 2003 and shall be consistent with the relevant design criteria in the applicable District Plan.
5. No building development may be located less than 10 metres from any archaeological sites, details of which are contained in the Architage Reports prepared by Diane Harlow dated November 2000 and May 2002.
6. All electricity, telecommunication and other utility services shall be underground, save that the electricity supplied to each lot may be supplied from an overhead supply existing as at the date of this consent notice.
7. Any earthworks including those required to construct accessways to building sites shall be so designed to cause minimal impacts on the landscape and any exposed cuts shall be regrassed or planted in native vegetation.
8. An effective Possum Control and Goat Eradication Program shall be established in consultation with and to the satisfaction of the Environmental Services Manager of the Far North District Council and thereafter shall be maintained by or on behalf of the registered proprietors of each of the lots on deposited plan 323083 at Mataka Station to minimise damage to existing and regenerating indigenous vegetation. In December of each year, the registered proprietor of each of the lots on deposited plan 323083 at Mataka Station or the Mataka Residents Association Incorporated shall provide a report to the Environmental Services Manager on the Possum and Goat Eradication Programme that has been done on such registered proprietor's lot by reference to that approved Eradication Programme. It is acknowledged that registered proprietors may discharge such obligations through the Possum Control and Goat Eradication Programme approved by the Environmental Services Manager and undertaken by the Mataka Residents Association.
9. All conservation areas as shown on a lot on deposited plan 323083 shall be preserved by the registered proprietor of that lot, and the registered proprietor shall not, without the written approval of the Council, and then only in strict compliance with any of the conditions imposed by the Council, cut down, damage or destroy any of such conservation areas or suffer or permit the cutting down, damaging or destruction of the trees, bush or other areas comprising the conservation areas. No registered proprietor shall be in breach of this provision if any of the trees, bush or features within the conservation areas shall die from natural causes not attributed to any act or default, by or on behalf of the registered proprietor, or for which the registered proprietor is not responsible. All fencing required as a condition of consent shall be maintained in stockproof condition. Each registered proprietor may comply with such obligation by or through the Mataka Residents Association.

10. All areas on a lot subject to the landscaping plan prepared by DJ Scott Associates Ltd dated December 2000 or the landscaping plan prepared by Linda Clapham for Lot 19 dated 20 June 2003 shall be preserved by the registered proprietor of that lot in the same manner and to the same extent as provided for in the relevant landscaping plan and the registered proprietor shall not, without the written approval of the Council, and then only in strict compliance with any of the conditions imposed by the Council, cut down, damage or destroy any of the landscaping or suffer or permit the cutting down, damaging or destruction of the trees, bush or other features comprising the landscaped areas. No registered proprietor shall be in breach of this provision if any of the trees, bush or features within the landscaped areas shall die from natural causes not attributed to any act or default, by or on behalf of the registered proprietor, or for which the registered proprietor is not responsible.

In relation to Lots 8, 9, 10, 12, 13, 15 and 18

11. Earthworks for Lots 8, 9, 10, 12, 13, 15 and 18 as shown on deposited plan 323083 are to be monitored by a suitably qualified archaeologist for the purposes of identifying any unrecorded subsurface archaeological remains.

In relation to Lots 19 and 23

12. Development on Lots 19 and 23 shall be limited to one building only of not more than 500m² per lot and shall be within the building areas identified on deposited plan 323083 as "BR" in respect of Lot 19 and "BS" in respect of Lot 23. The buildings on Lots 19 and 23 shall be located below the ridgeline behind the building site and shall not exceed a height of 5 metres above natural ground level or finished ground height whichever results in the height of the building being lower when measured above sea level. Any parking areas shall be located landward of the building. The exterior appearance of any buildings shall be designed to be visually unobtrusive by the use of appropriate design, materials and exterior colours. The access to the building areas including landscaping shall be completed generally in accordance with the plans and details provided to Council and approved by Council's Resource Consents Manager.

This Consent Notice is to be registered on the new Certificates of Title to be issued for Lots 1-27 and 29-32 DP 323083.

Dated this 18th day of July 2003

Signed by **P J Killalea** of the Far North District Council on behalf of, and by the authority of the said Council

P.J. Killalea



FAR NORTH DISTRICT COUNCIL

CONSENT NOTICE
PURSUANT TO SECTION 221 OF THE
RESOURCE MANAGEMENT ACT 1991

CONO 6447651.5 Cons

Cpy - 01/01, Pgs - 003, 07/06/06, 06:43



DocID: 811962006

In the matter of a Consent Notice issued pursuant to Section 221 of the Resource Management Act 1991 ("Act") in respect of Subdivision Consents RC 2041080 for the subdivision ("subdivision") on the survey plan DP 346421 showing Lots 10, 14, 24-41, Lots 23, 27 and 32 DP 323083 and Lot 10 DP 72577 being a subdivision of Lots 10, 14, 23, 27, 29, 30 and 32 DP 323083 and Lot 10 on DP 72577.

I, P J Killalea, the Resource Consents Manager of the Far North District Council, hereby certify that pursuant to conditions of the Council's consent of 16 September 2004 the following shall apply:

In relation to all Lots

1. Prior to any earthworks commencing on site the registered proprietor of a lot or part thereof ("**registered proprietor**") shall advise Iwi that such earthworks are commencing and invite Iwi to be present during such work. If during earthworks, any Koiwi or other archaeological remains are uncovered, works shall cease and the Iwi and the New Zealand Historic Places Trust shall be advised immediately.
2. Any earthworks shall be undertaken in accordance with the recommendations of the archaeological report as prepared by Dianne Harlow of Architage Heritage Management Consultancy, dated March 2004. Prior to any earthworks being undertaken on site the registered proprietor shall advise the Far North District Council in writing that all recommendations relating to the site have/will been satisfied.
3. The registered proprietor of a lot shall, upon agreeing to sell such lot, provide to the purchaser of the lot a copy of the archaeological guidance list as referred to in the archaeological report as prepared by Dianne Harlow of Architage Heritage Management Consultancy, dated March 2004.
4. Where a lot is subject to and has the benefit of the building scheme created by easement instrument 5667663.9, the registered proprietor of such lot shall ensure that the rules of the Mataka Residents Association Incorporated shall include covenants providing for registered proprietors of lots to be notified of the archaeological records affecting the lot purchased by each such registered proprietor, prohibiting the destruction of any archaeological site in contravention of the Historic Places Act 1993, and requiring the registered proprietor to undertake prior archaeological assessment when undertaking any earthworks near a recorded site. Such registered proprietor shall ensure that such rules shall also prohibit the keeping of cats and mustelids. The keeping of dogs shall be limited to a maximum of 2 per lot, which must be confined (by way of an escape proof enclosure), to the

registered proprietor's exclusive use area, except when in the company of that registered proprietor (or other invitee) and then on a lease at all times.

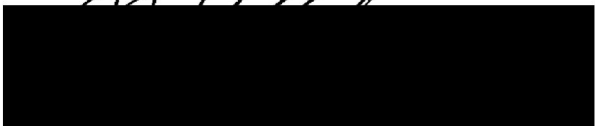
5. The registered proprietor of each lot on deposited plan 346321 may erect one (1) dwelling house together with accessory buildings, including water storage facilities, except as may be provided by a subsequent resource consent or where the provisions of the District Plan applicable to the lot allow any additional building as a permitted activity. The dwelling houses and accessory buildings shall be located and be designed in accordance with the detailed house design information as shown in the Mataka Station Stage II Subdivision, Assessment of Landscape and Visual Effects report prepared by Boffa Miskell, dated May 2004. Any building consent application shall be accompanied by a statement from a registered architect or a suitably qualified landscape architect that the dwelling is in accordance with the design criteria. Any building consent application shall also be accompanied by a detailed landscaping plan based on the "Detailed House Site Design" contained in the Boffa Miskell report. The registered proprietor of a lot shall ensure that all plantings on that lot shall be undertaken within the first planting season following completion of the exterior of the dwelling and be maintained by the registered proprietor, on a continuing basis thereafter.
6. No building development may be located less than 10 metres from any archaeological sites, details of which are contained in the Architage report prepared by Dianne Harlow dated March 2004.
7. All electricity, telecommunication and other utility services shall be underground, save that the electricity supplied to each lot may be supplied from an overhead supply existing as at the date of this consent notice.
8. Any earthworks, including those required to construct accessways to building sites shall be so designed to cause minimal impacts on the landscape and any exposed cuts shall be regrassed or planted in native vegetation.
9. An effective Possum Control and Goat Eradication Program shall be established in consultation with, and to the satisfaction of the Environmental Services Manager of the Far North District Council and thereafter shall be maintained by or on behalf of the registered proprietors of each of the lots on deposited plan 346321 to minimise damage to existing and regenerating indigenous vegetation. In December of each year, the registered proprietor of each of the lots on deposited plan 346321 or the Mataka Residents Association Incorporated shall provide a report to the Environmental Services Manager on the Possum and Goat Eradication Programme that has been done on such registered proprietor's lot by reference to that approved eradication programme. It is acknowledged that registered proprietors may discharge such obligations through the Possum Control and Goat Eradication Programme approved by the Environmental Services Manager and undertaken by the Mataka Residents Association.
10. All conservation areas identified in the Boffa Miskell Limited Mataka Station Stage 2 Subdivision Landscape Rehabilitation and Management Plan dated January 2005 shall be preserved by the registered proprietor of that lot, and the registered proprietor shall not, without the written approval of the Council, and then only in strict compliance with any of the conditions

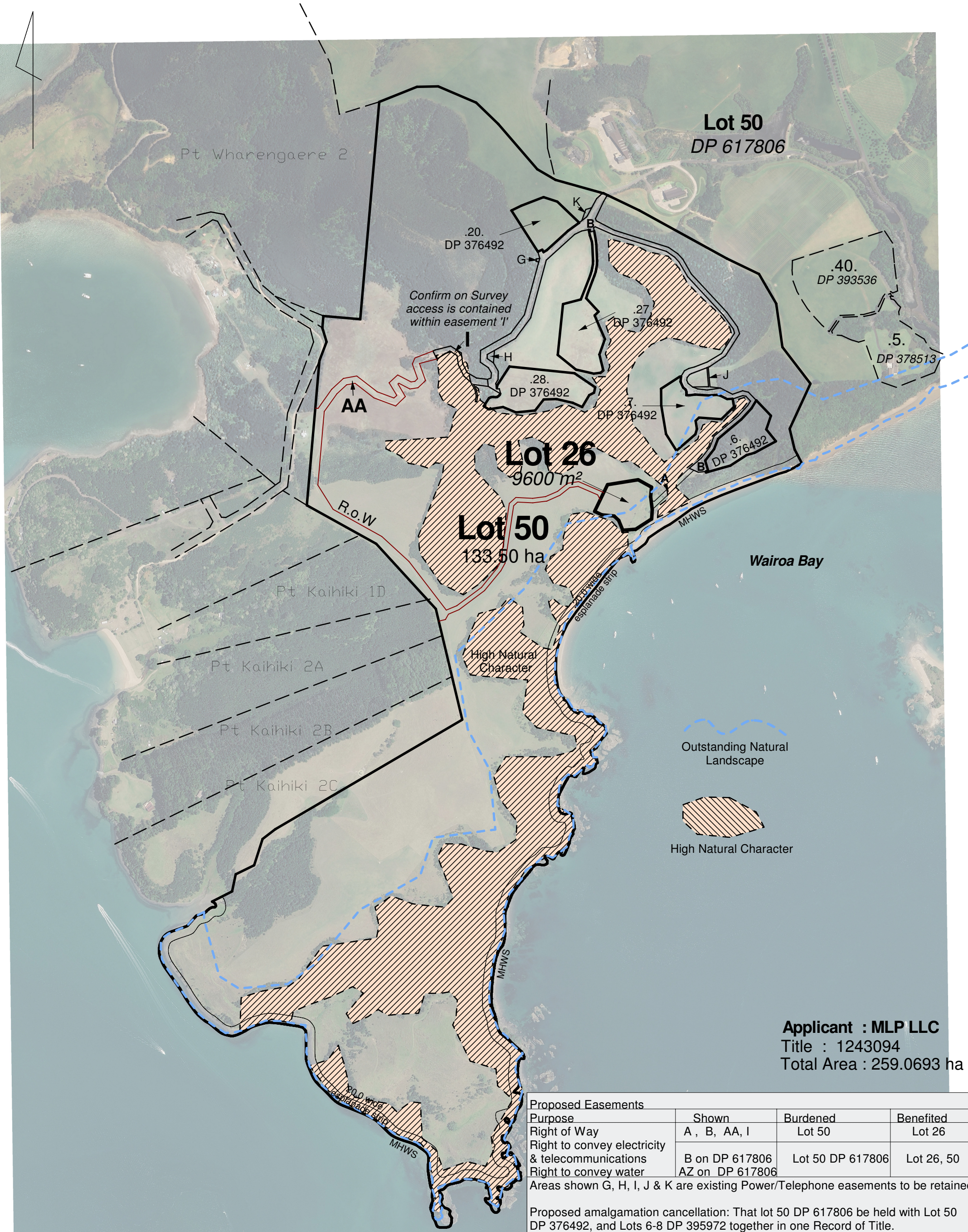
imposed by the Council, cut down, damage or destroy any of such conservation areas or suffer or permit the cutting down, damaging or destruction of the trees, bush or other areas comprising the conservation areas. No registered proprietor shall be in breach of this provision if any of the trees, bush or features within the conservation areas shall die from natural causes not attributed to any act or default, by or on behalf of the registered proprietor, or for which the registered proprietor is not responsible. Each registered proprietor may comply with such obligation by or through the Mataka Residents Association.

This Consent Notice is to be registered on the new Certificates of Title to be issued for Lots 10, 14 and 24-41 DP 346321.

Dated this 18th day of May 2005

Signed by **P J Killalea** of the Far North)
District Council on behalf of, and by the)
authority of the said Council)
)





Lot 50
DP 617806

Confirm on Survey
access is contained
within easement 'I'

.20.
DP 376492

.27.
DP 376492

.28.
DP 376492

DP 376492

.6.
DP 376492

.40.
DP 393536

.5.
DP 378513

Lot 26
9600 m²

Lot 50
133.50 ha

Wairoa Bay

Pt Kaihiki 1D

Pt Kaihiki 2A

Pt Kaihiki 2B

Pt Kaihiki 2C

High Natural
Character

Outstanding Natural
Landscape

High Natural Character

Applicant : MLP LLC
Title : 1243094
Total Area : 259.0693 ha

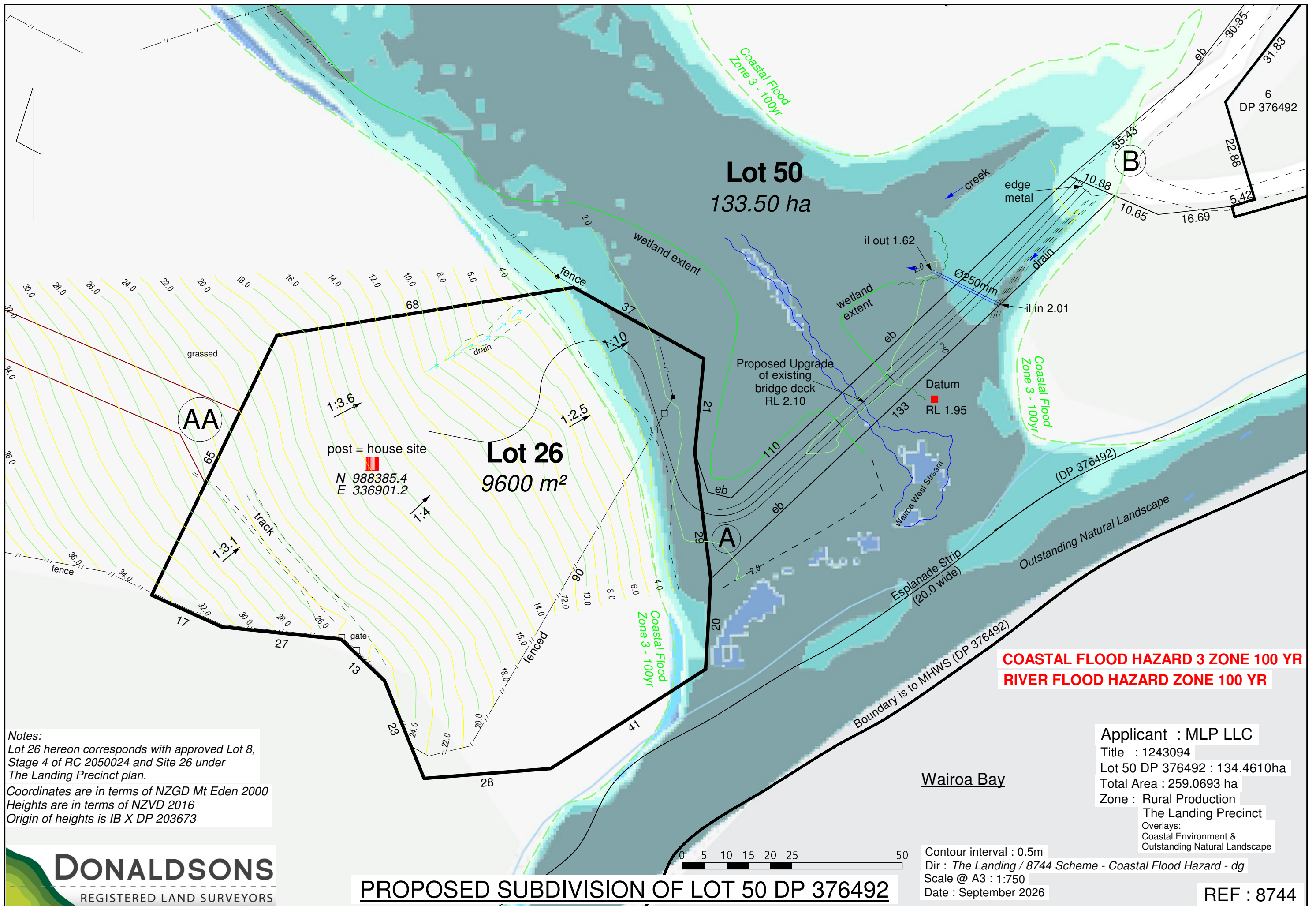
Proposed Easements			
Purpose	Shown	Burdened	Benefited
Right of Way	A , B, AA, I	Lot 50	Lot 26
Right to convey electricity & telecommunications	B on DP 617806	Lot 50 DP 617806	Lot 26, 50
Right to convey water	AZ on DP 617806		

Areas shown G, H, I, J & K are existing Power/Telephone easements to be retained

Proposed amalgamation cancellation: That lot 50 DP 617806 be held with Lot 50 DP 376492, and Lots 6-8 DP 395972 together in one Record of Title. (LINZ reference 1944201)

Proposed Amalgamation Condition: That Lot 50 hereon be held with Lot 50 DP 617806, and Lots 6-8 DP 395972 together in one Record of Title

Notes:
Areas and measurements are subject to survey
For resource consent purpose only.



Notes:
Lot 26 hereon corresponds with approved Lot 8,
Stage 4 of RC 2050024 and Site 26 under
The Landing Precinct plan.
Coordinates are in terms of NZGD Mt Eden 2000
Heights are in terms of NZVD 2016
Origin of heights is IB X DP 203673

DONALDSONS
REGISTERED LAND SURVEYORS

PROPOSED SUBDIVISION OF LOT 50 DP 376492

COASTAL FLOOD HAZARD 3 ZONE 100 YR
RIVER FLOOD HAZARD ZONE 100 YR

Applicant : MLP LLC
Title : 1243094
Lot 50 DP 376492 : 134.4610ha
Total Area : 259.0693 ha
Zone : Rural Production
The Landing Precinct
Overlays:
Coastal Environment &
Outstanding Natural Landscape

Wairoa Bay

Contour interval : 0.5m
Dir : The Landing / 8744 Scheme - Coastal Flood Hazard - dg
Scale @ A3 : 1:750
Date : September 2026
REF : 8744

Sub Catchment
Access - Minimum Overtopping Dimensions
Concrete Structure
Top width 4m
Base width 2m
Depth 0.2m
Crossfall -3%
= 2400 lt/sec OK

BOUNDARY

R.o.W easement bdy

Sub Catchment
Q100 = 2000 lt/sec

High Natural Character

AA

B

B

7
DP 376492

6
DP 376492

Lot 50

AA

Lot 26

A

Te Kaunihera
o Te Hiku o te Ika
Far North District Council

Far North Map

High Natural Character

R.o.W easement bdy

Eagle Technology, LINZ, StatsNZ, NIWA, Natural Resources, Open Space, etc. Copyright 2016
Cross-sections, Land Information New Zealand, Water Resources, GIS & MWH, NRC Natural
Resources, DP, eCoast, NRC, Tonkin Strait, etc. Copyright 2016
Scale: 1:2,732
Projection NZTM2000. Datum NZGD2000. Scale: 1:2,732
Created: 19/10/2026

Wairoa Bay

PROPOSED EASEMENTS

Areas shown 'A', 'B', 'AA' & 'I' are proposed
Rights of Way in favour of Lot 26

Notes:

Lot 26 hereon corresponds with approved Lot 8,
Stage 4 of RC 2050024 and Site 26 under
The Landing Precinct plan.

Applicant : MLP LLC

Title: 1243094

Lot 50 DP 376492 : 134.4610ha

Total Area : 259.06

RIGHT OF WAY & FLOOD HAZARD PLAN

PROPOSED SUBDIVISION OF LOT 50 DP 376492

Dir : The Landing / 8744 Right of Way Plan

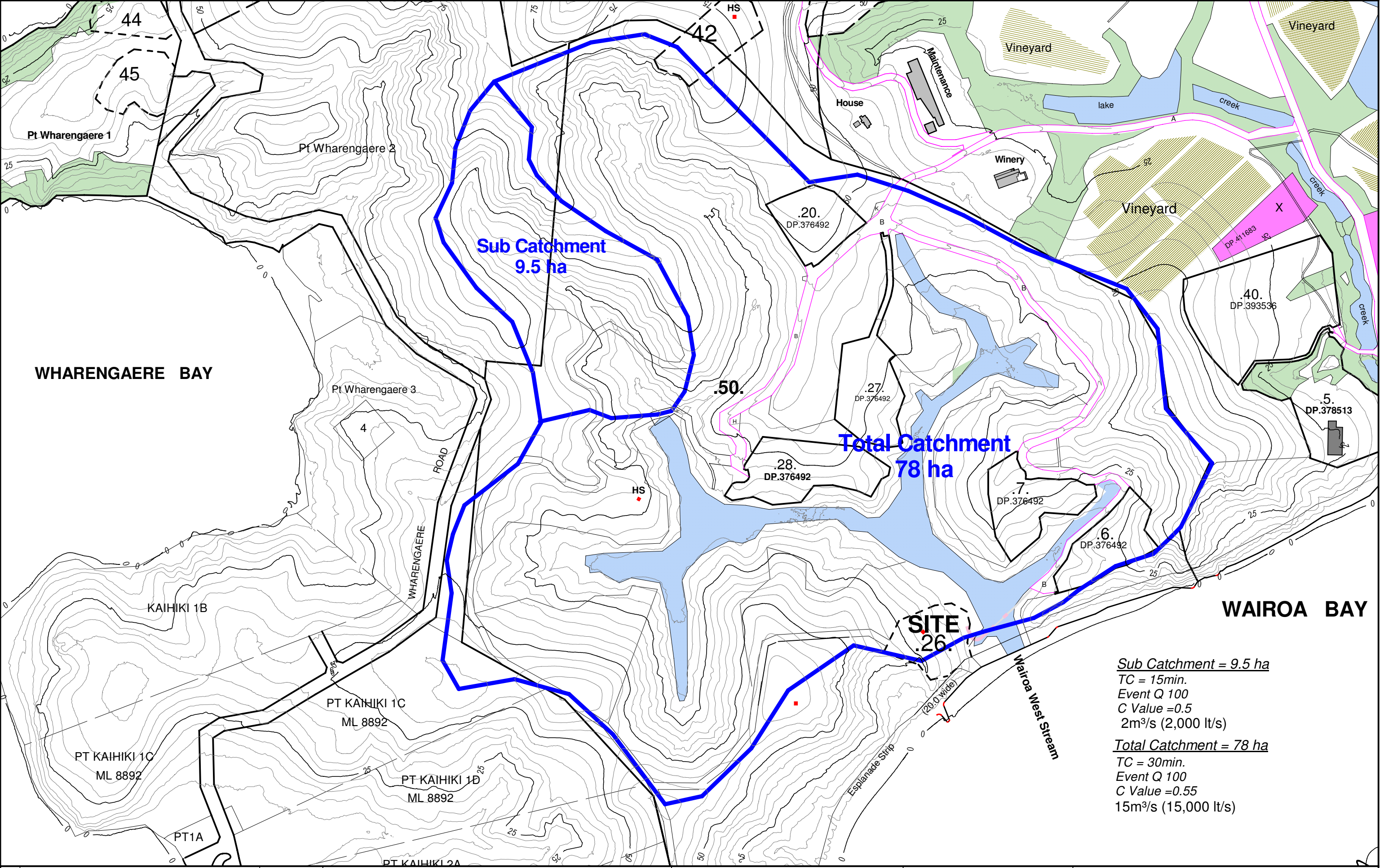
Scale @ A3 : 1:3500

Date : September 2026

REF : 8744

DONALDSONS

REGISTERED LAND SURVEYORS



Sub Catchment = 9.5 ha
TC = 15min.
Event Q 100
C Value =0.5
2m³/s (2,000 lt/s)

Total Catchment = 78 ha
TC = 30min.
Event Q 100
C Value =0.55
15m³/s (15,000 lt/s)

No.	Revision	Date Approved



DONALDSONS
REGISTERED LAND SURVEYORS

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Nominal scale shown are @ A3
For Resource Consent Purposes

	Checked	Date
Surveyed		
Designed		
Drawn		Sept. 2026
Approved		

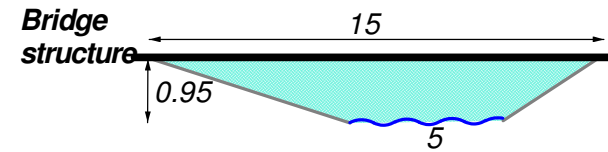
Project: MLP LLC
Stormwater Catchment - Wairoa West Stream

Contours: 5m Intervals
Scale 1 : 5000

Job No. 8744

Bridge Underpass Detail

Minimum Q100 flow depth below structure
(Not to scale & distorted)



Flowrate Quantity 15m³/s
Grade -0.5% (c value 0.03)

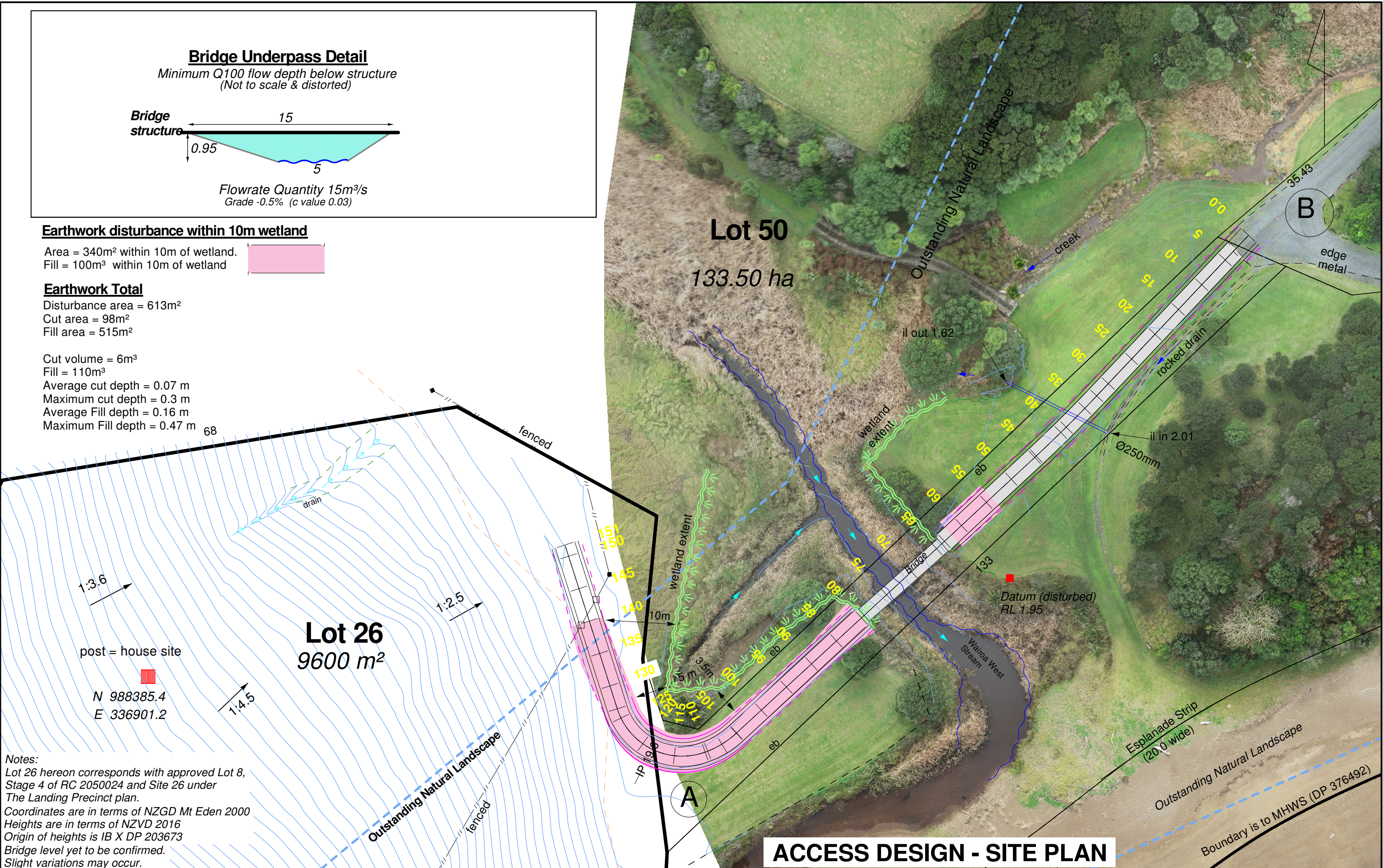
Earthwork disturbance within 10m wetland

Area = 340m² within 10m of wetland.
Fill = 100m³ within 10m of wetland

Earthwork Total

Disturbance area = 613m²
Cut area = 98m²
Fill area = 515m²

Cut volume = 6m³
Fill = 110m³
Average cut depth = 0.07 m
Maximum cut depth = 0.3 m
Average Fill depth = 0.16 m
Maximum Fill depth = 0.47 m



Notes:
Lot 26 hereon corresponds with approved Lot 8,
Stage 4 of RC 2050024 and Site 26 under
The Landing Precinct plan.
Coordinates are in terms of NZGD Mt Eden 2000
Heights are in terms of NZVD 2016
Origin of heights is IB X DP 203673
Bridge level yet to be confirmed.
Slight variations may occur.

No.	Revision	Date Approved

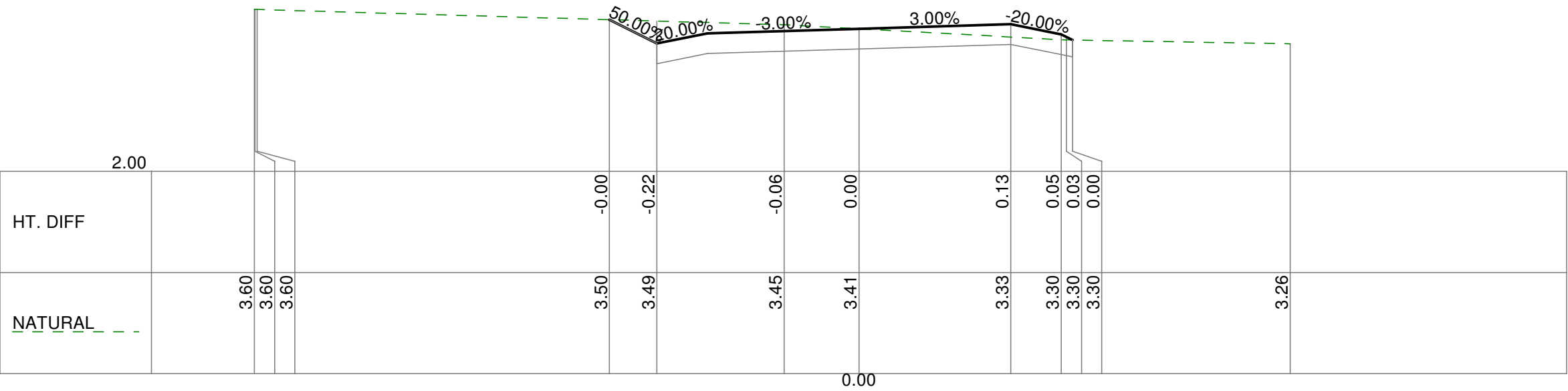
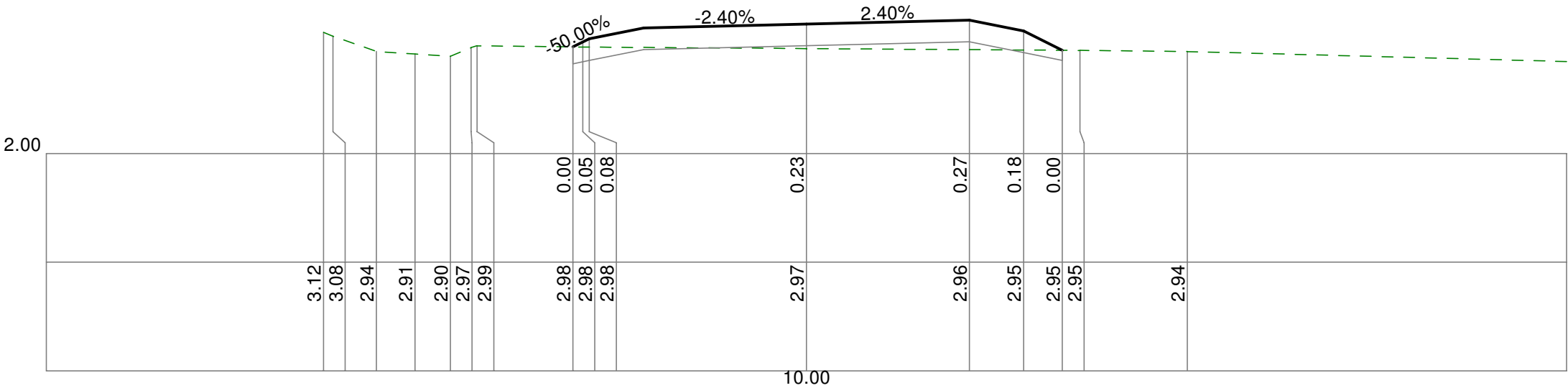


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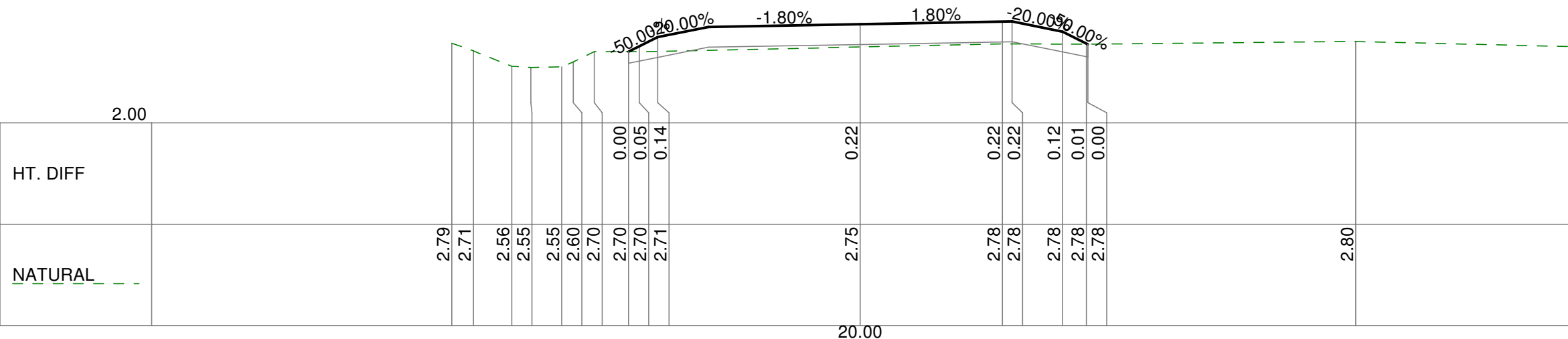
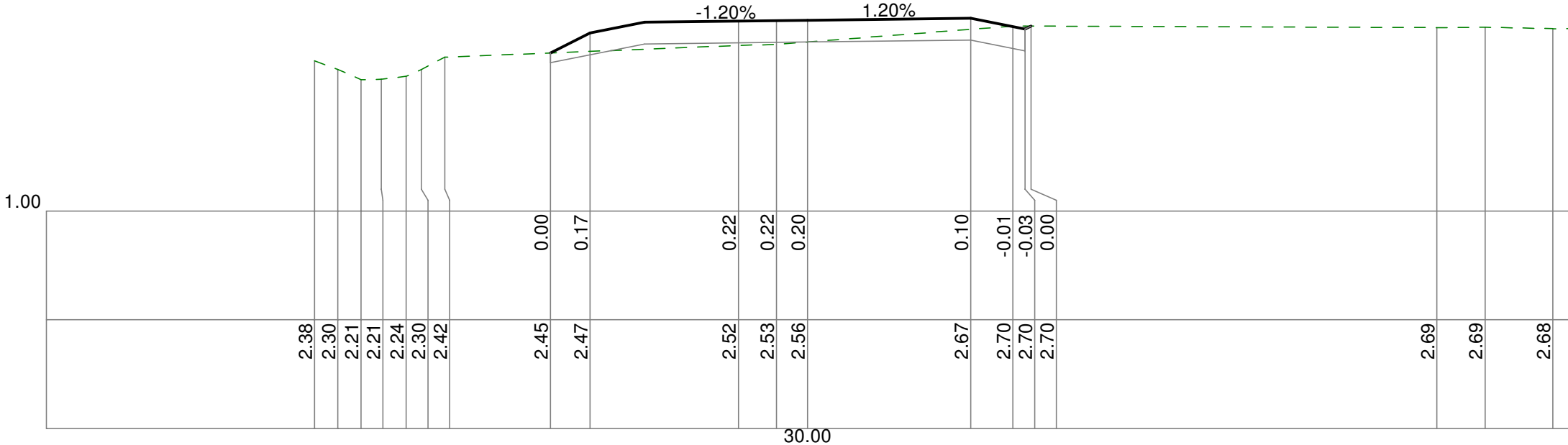
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Check all dimensions on site before construction

	Checked	Date
Surveyed		
Designed		Sept. 2026
Drawn		
Approved		

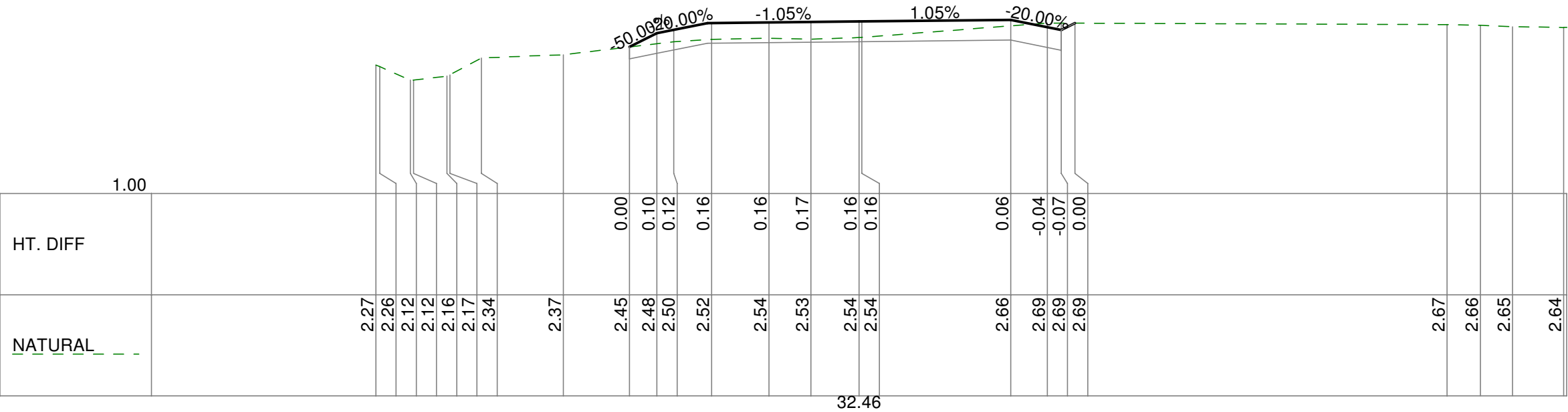
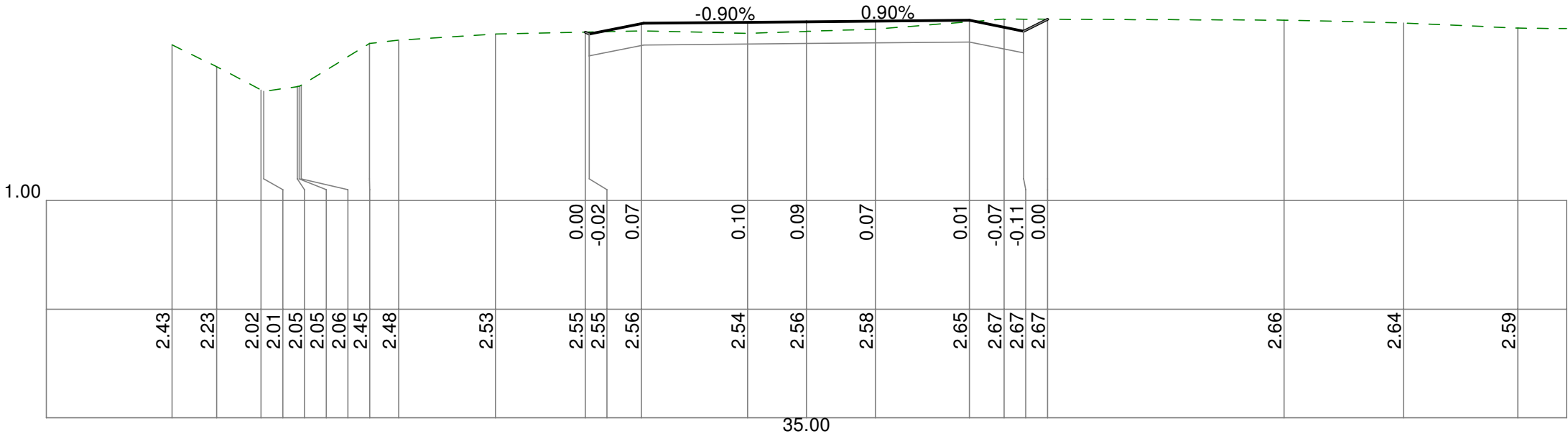
Project: MLP LLC - The Landing Lot 50 DP 376492 : 134.4610ha
Title: Access Design to Proposed Lot 26
Overlays District Plan:
Coastal Environment & Outstanding Natural Landscape
High Natural character
Contour Interval 0.5m
Scale 1:500 at A3
Job No. 8744



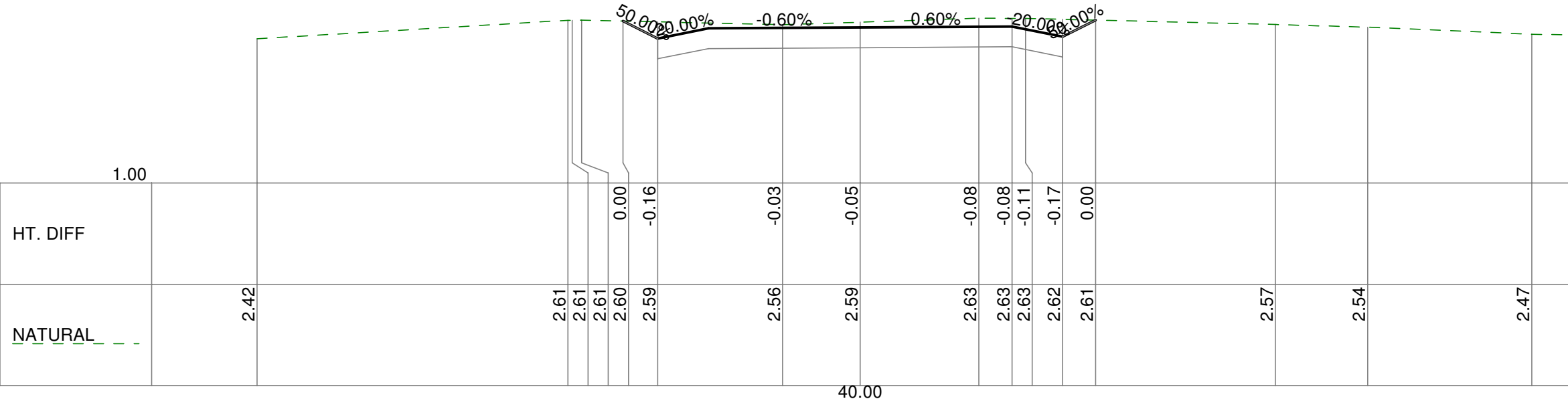
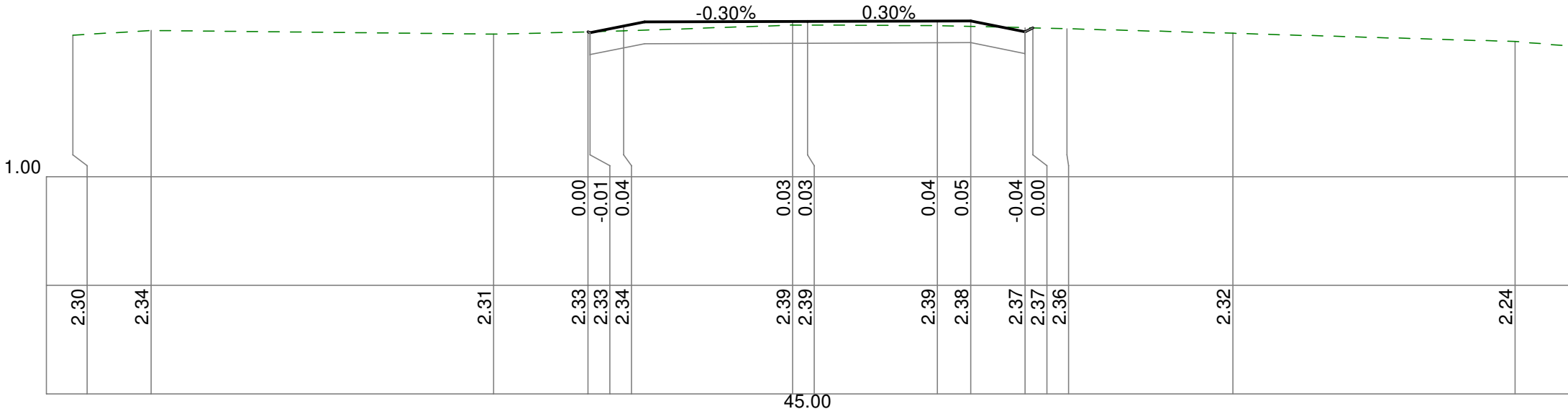
CROSS SECTIONS - ACCESS LOT 26



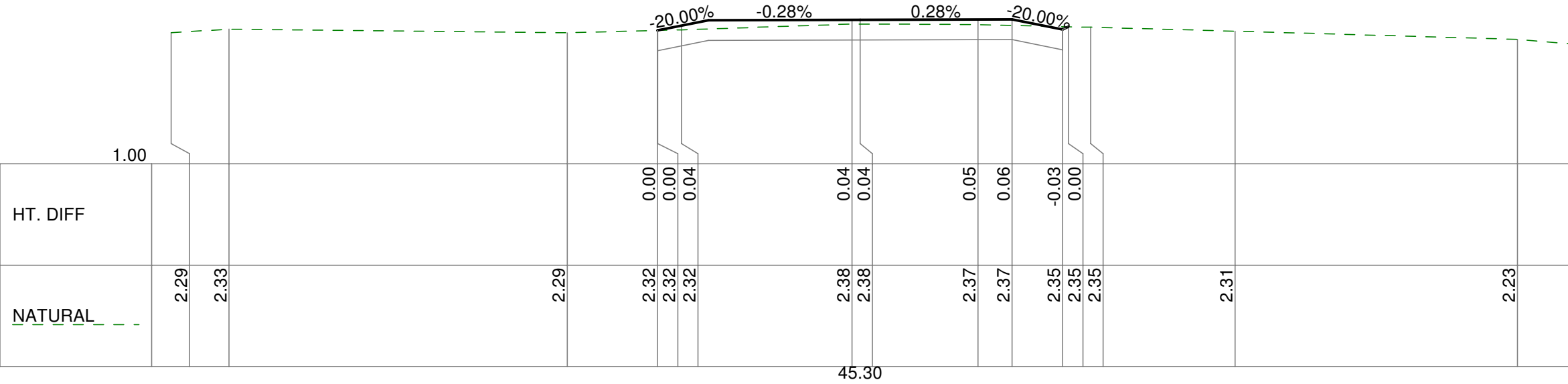
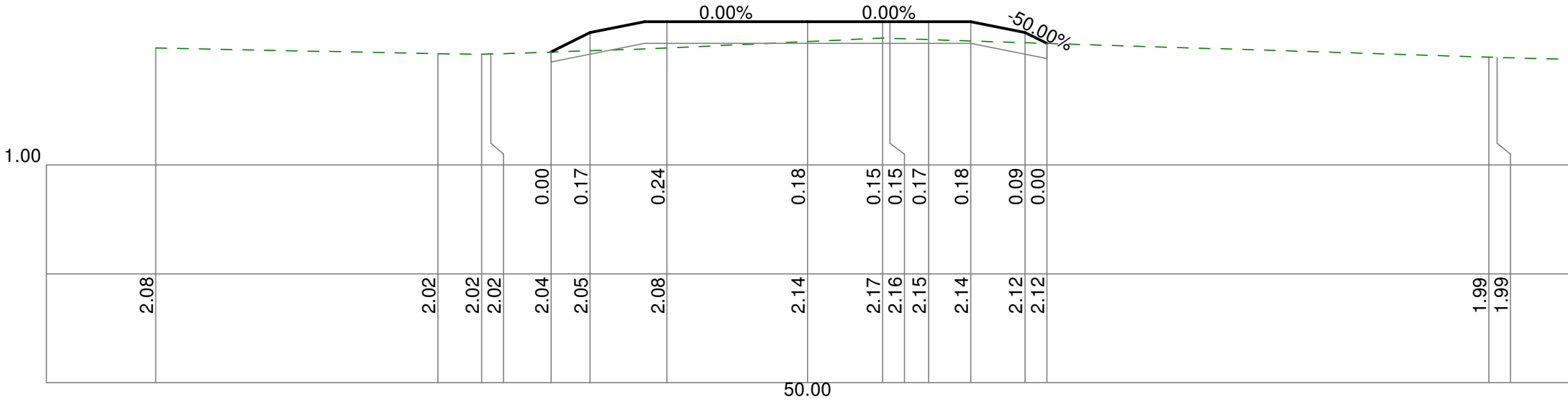
CROSS SECTIONS - ACCESS LOT 26



CROSS SECTIONS - ACCESS LOT 26



CROSS SECTIONS - ACCESS LOT 26

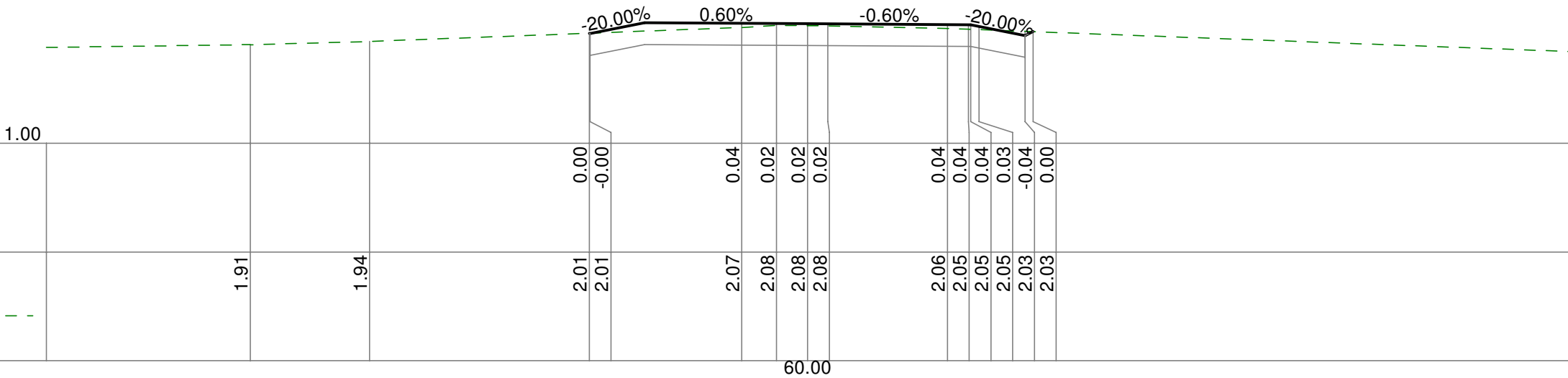
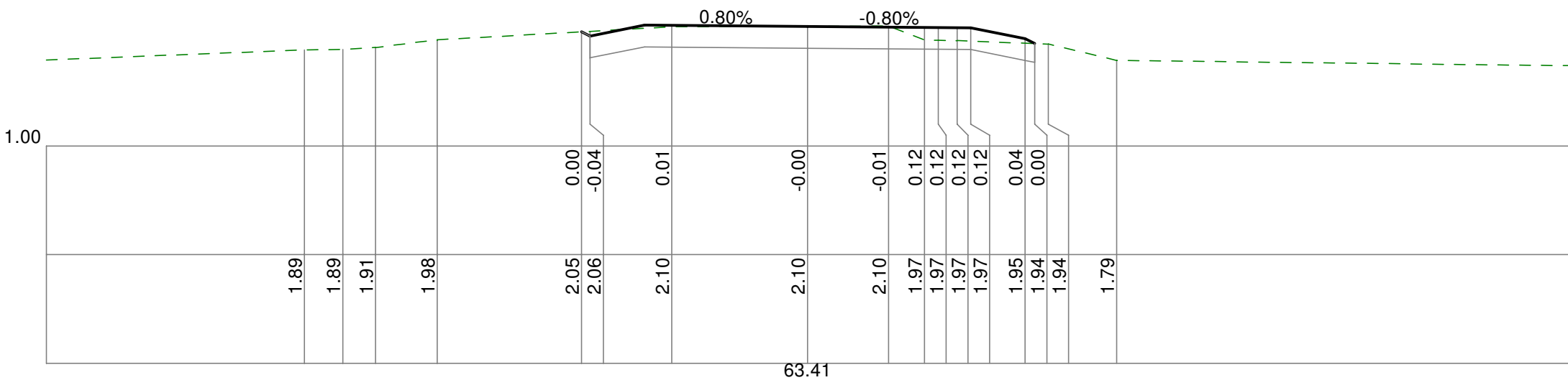


CROSS SECTIONS - ACCESS LOT 26

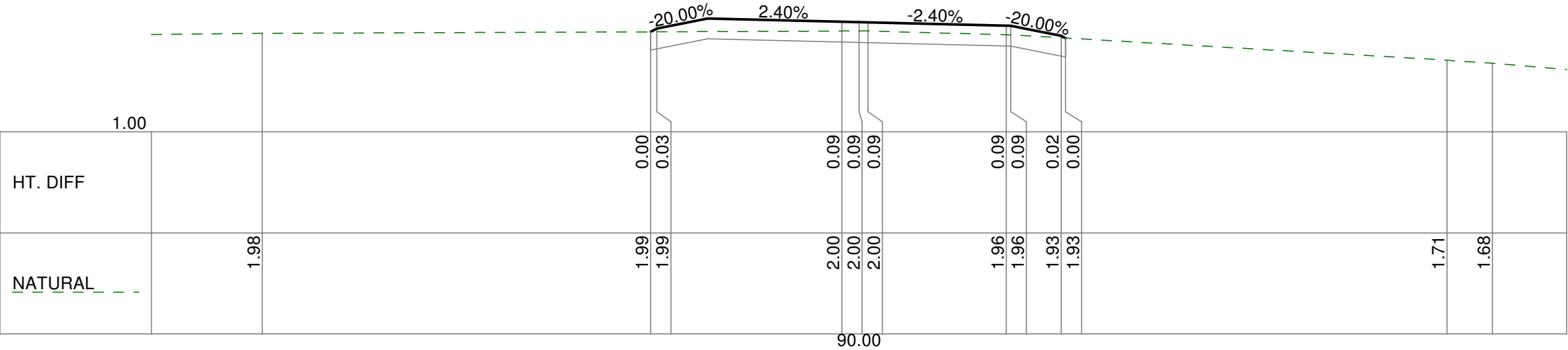
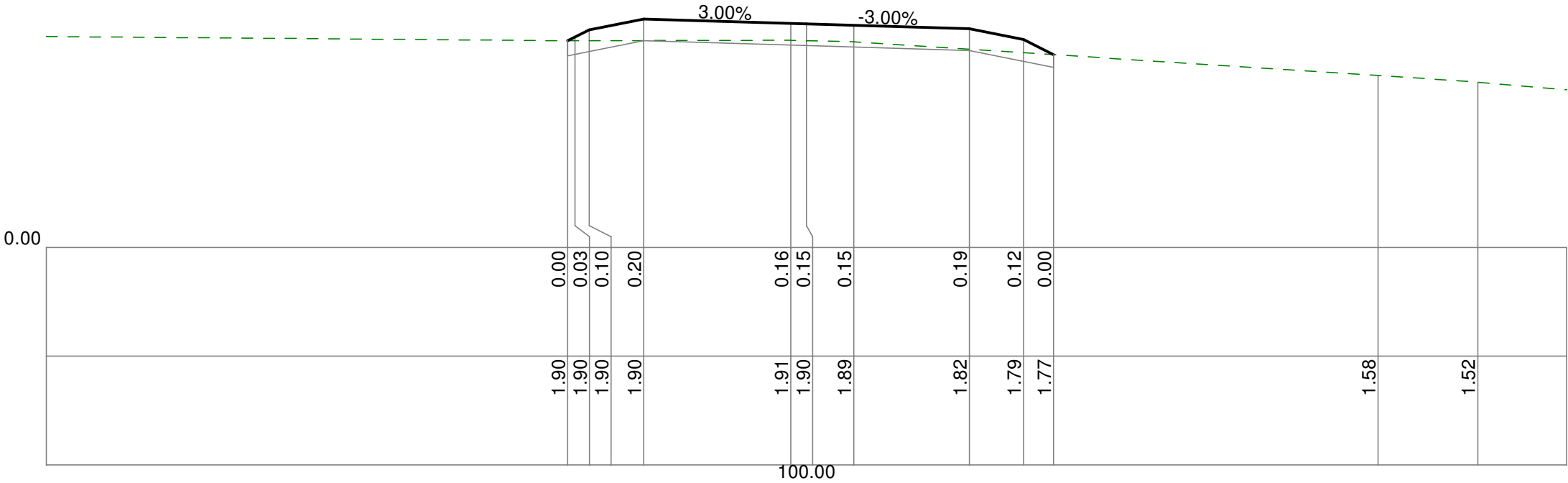
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Sheet No. 5 of 15

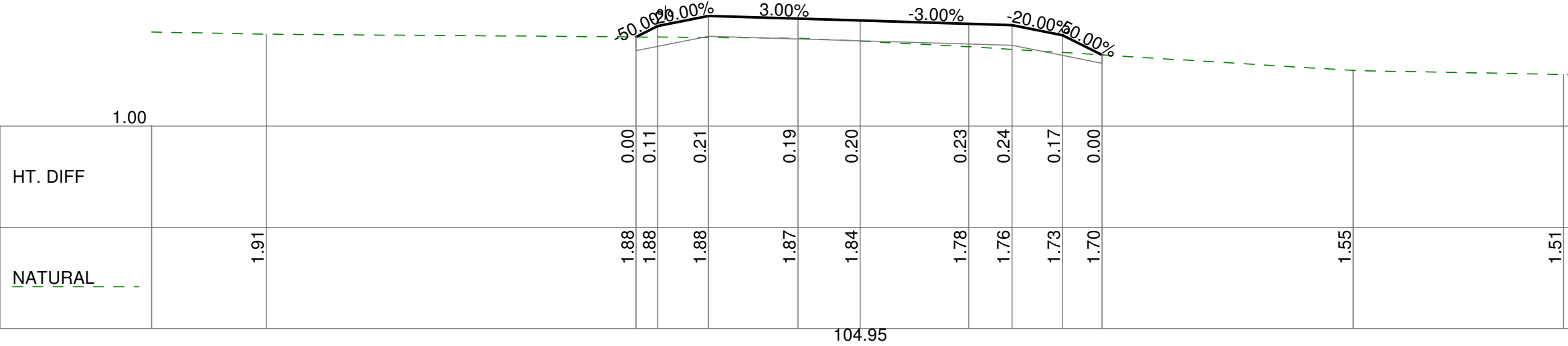
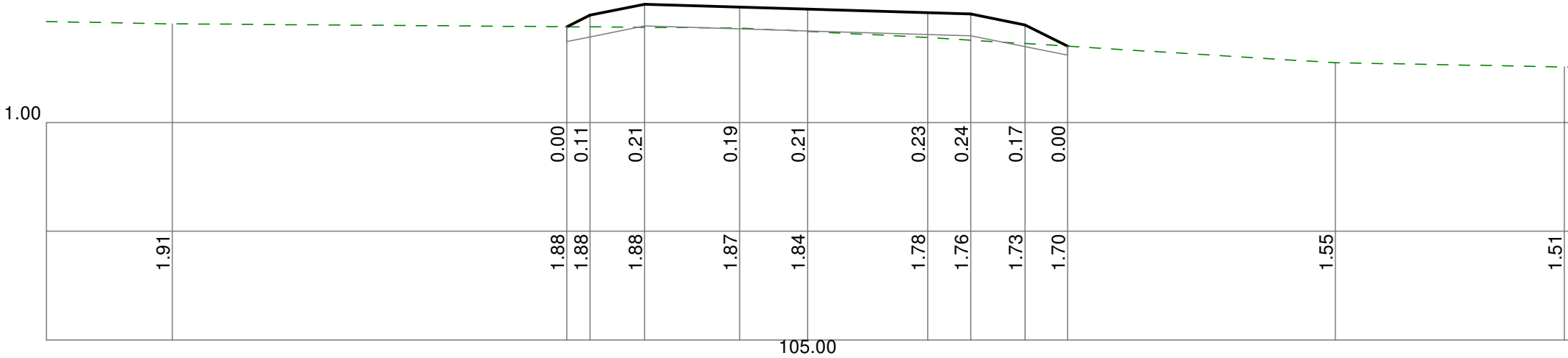
			Copyright - This drawing must not be copied or reproduced by any means without written permission of Donaldsons Surveyors. Do not scale drawing Nominal scale shown are @ A3 Check all dimensions on site before construction	Checked		Date	Project: MLP LLC - The Landing Title: Access Design to Lot 26
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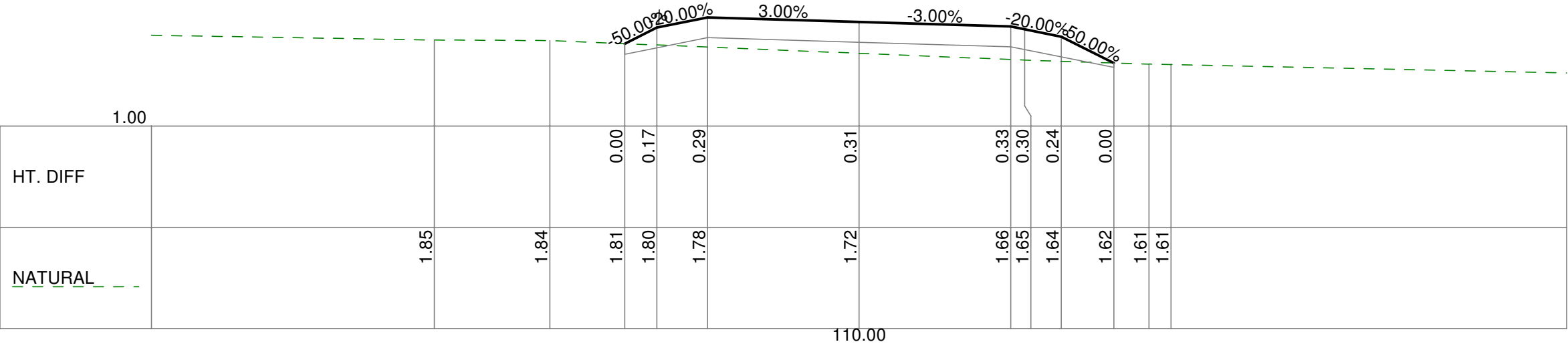
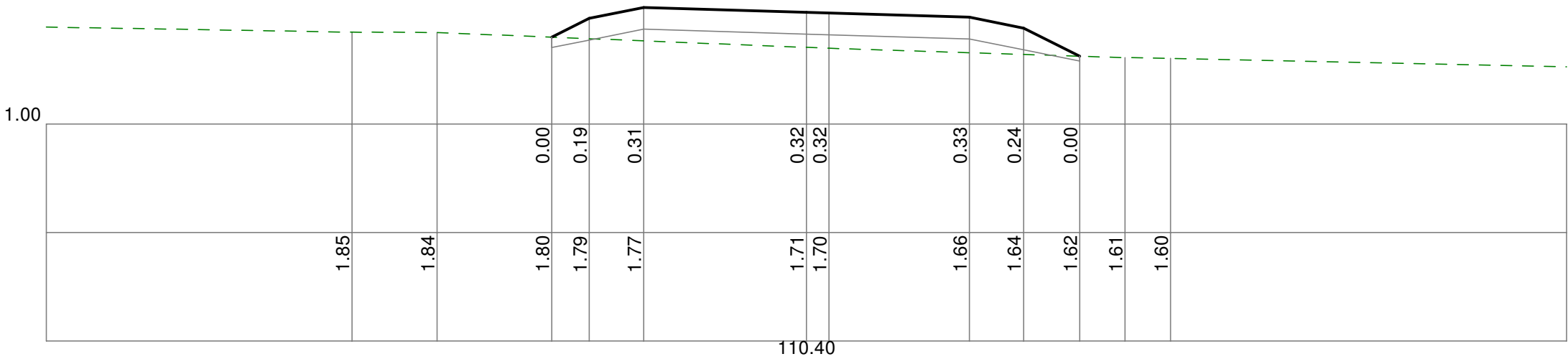
CROSS SECTIONS - ACCESS LOT 26



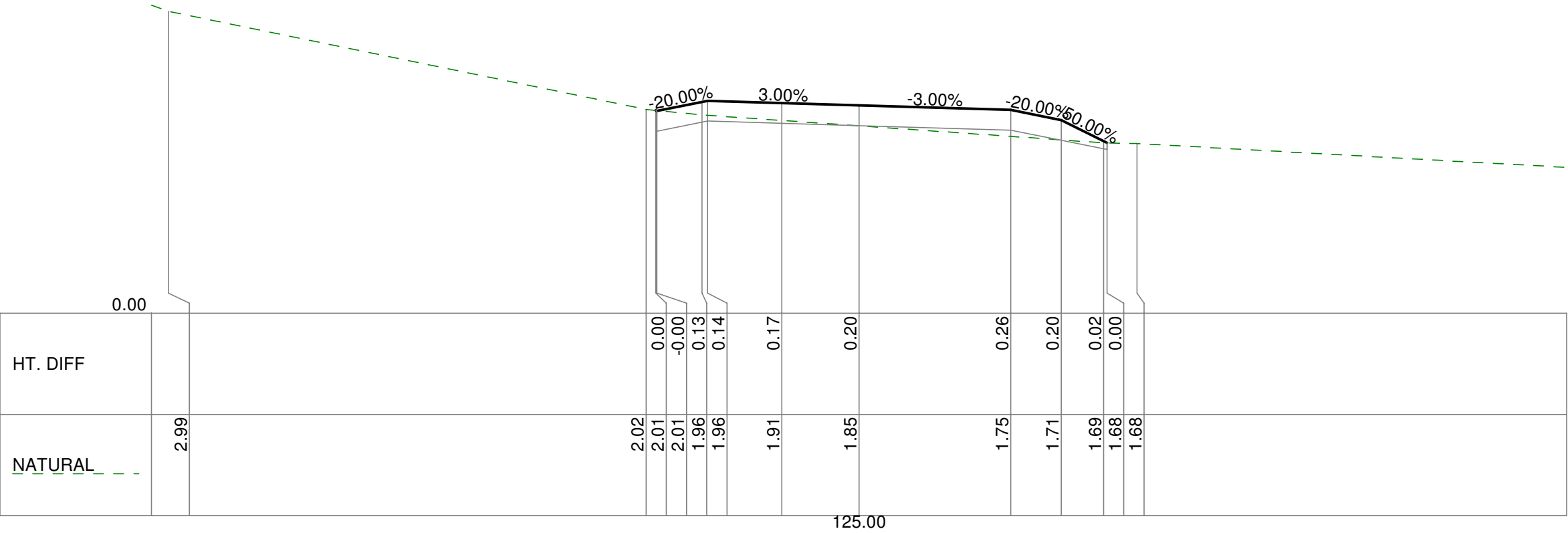
CROSS SECTIONS - ACCESS LOT 26



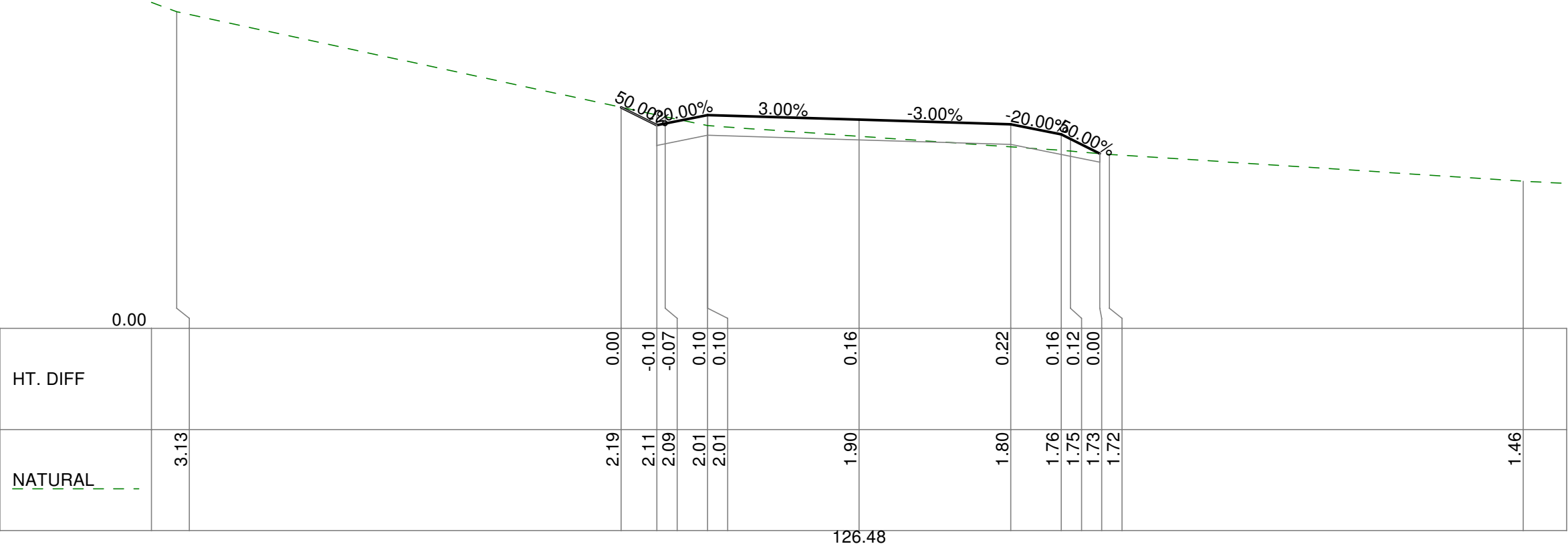
CROSS SECTIONS - ACCESS LOT 26



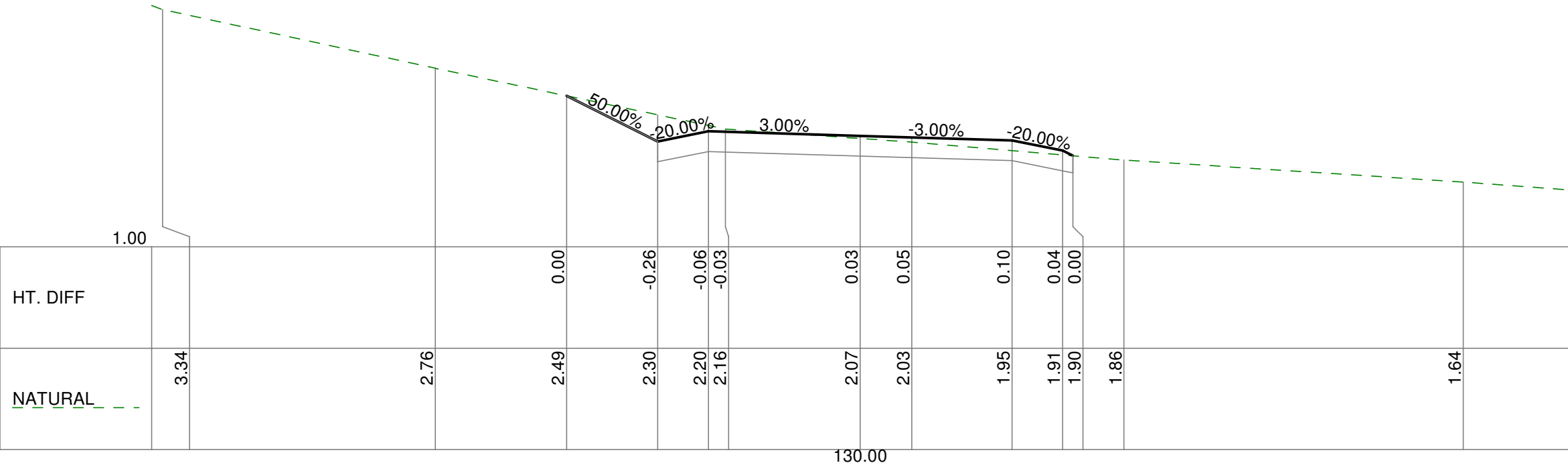
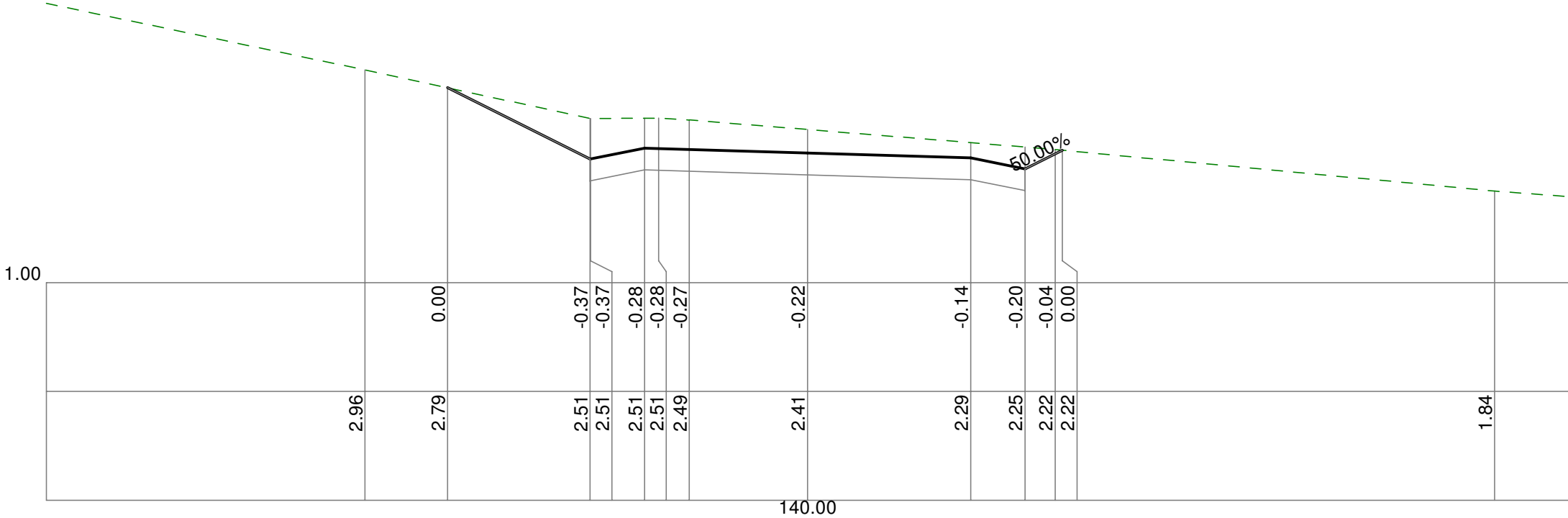
CROSS SECTIONS - ACCESS LOT 26



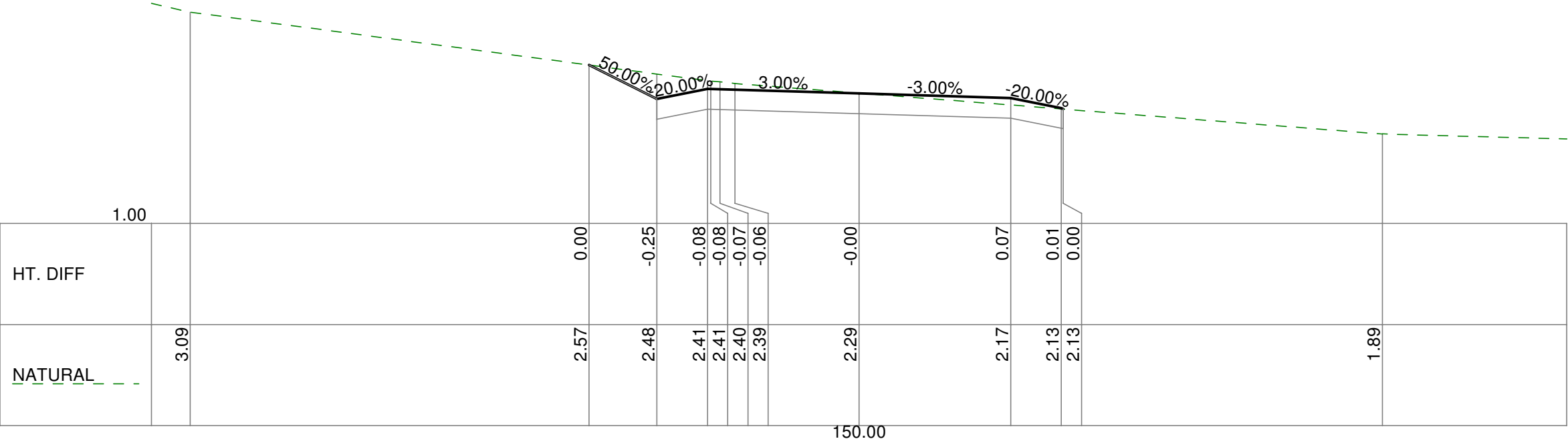
CROSS SECTIONS - ACCESS LOT 26



CROSS SECTIONS - ACCESS LOT 26



CROSS SECTIONS - ACCESS LOT 26



CROSS SECTIONS - ACCESS LOT 26

Lot 50
133.50 ha

Lot 26

ACCESS DESIGN - SEDIMENT CONTROL

Sediment fence
in accordance with GD05



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Check all dimensions on site before construction

	Checked	Date
Surveyed		
Designed		Sept. 2026
Drawn		
Approved		

Project: MLP LLC - The Landing Lot 50 DP 376492 : 134.4610ha
Title: Access Design to Proposed Lot 26

Overlays District Plan:
Coastal Environment & Outstanding Natural Landscape
High Natural character

Contour Interval 0.5m
Scale 1:500 at A3

Job No. 8744

DONALDSONS

REGISTERED LAND SURVEYORS

8744

19 October 2026

N. Cowley & J. Graham
Planning Division
Far North District Council
Private Bag 752
Kaikohe

Dear Nicola & Jo,

PROPOSED SUBDIVISION **MLPLLC, 623 RANGIHOA ROAD, PURERUA, KERIKERI**

We hereby submit this application for Resource Consent to subdivide to create one additional lot located in the Rural Production Zone - The Landing Precinct. The proposal is assessed as a Non-Complying Activity under the Proposed District Plan.

This application is accompanied by the following supporting documentation:

-  Application Form & Deposit \$5000
-  Planning Report
-  Record of Title
-  Stormwater Catchment Calculations
-  Access Design Plans
-  Scheme Plan – Subdivision

Yours faithfully

Micah Donaldson
Assoc. NZPI - RPSURV

DONALDSONS

Registered Land / Engineering Surveyors and Development Planners



CSNZ

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SURVEYORS
OF NEW ZEALAND
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