

Office Use Only

Application Number:

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
 Fast Track Land Use*
 Subdivision
 Discharge
 Extension of time (s.125)
 Change of conditions (s.127)
 Change of Consent Notice (s.221(3))
 Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
 Other (please specify) _____

***The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.**

3. Would you like to opt out of the Fast Track Process?

Yes / ~~No~~

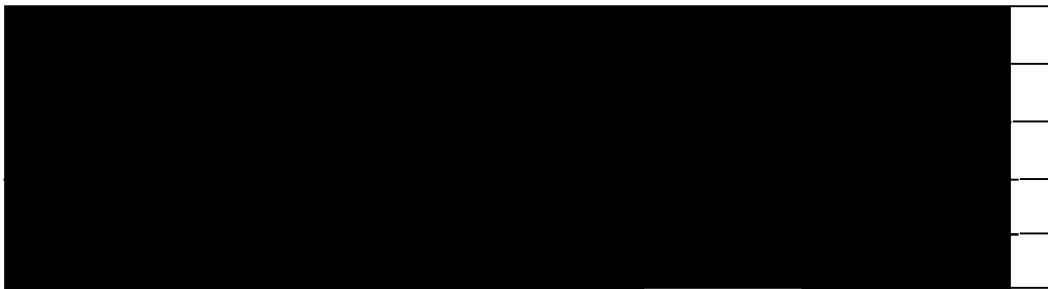
4. Applicant Details:

Name/s: John & Yuko Garrett

Electronic Address for Service (E-mail):

Phone Numbers:

Postal Address:
(or alternative method of service under section 352 of the Act)



5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).

Name/s: Northland Planning and Development

Electronic Address for Service (E-mail): info@northplanner.co.nz

Phone Numbers: Work: 09 408 1866 Home: _____

Postal Address: PO Box 526, Kaitaia

Post Code: 0441

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

6. Details of Property Owner/s and Occupier/s: Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s: John & Yuko Garrett

Property Address/ Location: 458F Hihi Road, Hihi

7. Application Site Details:

Location and/or Property Street Address of the proposed activity:

Site Address/ Location: 458F Hihi Road, Hihi

Legal Description: Lot 6 DP 195378 Val Number: _____

Certificate of Title: NA123B/759

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.**



8. Description of the Proposal:

Please enter a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

Proposal to construct a dwelling within the site as a Discretionary Activity

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or 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) or extension being sought, with reasons for requesting them.

9. Would you like to request Public Notification Yes/No

10. Other Consent required/being applied for under different legislation (more than one circle can be ticked):

- Building Consent (BC ref # if known) Regional Council Consent (ref # if known)
EBC2024-158
- National Environmental Standard consent Other (please specify)

11. 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 (further information in regard to this NES is available on the Council's planning web pages):

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? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle). yes no don't know

- Subdividing land Changing the use of a piece of land
- Disturbing, removing or sampling soil Removing or replacing a fuel storage system

12. 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.

Please attach your AEE to this application.

13. Billing Details:

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

Name/s: (please write all names in full)

Email:

Postal Address:

Phone Numbers:

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 print)

Signature: _____ (signature of bill payer – mandatory) Date: 20/11/23

14. Important Information:

Note to applicant

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

You 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.

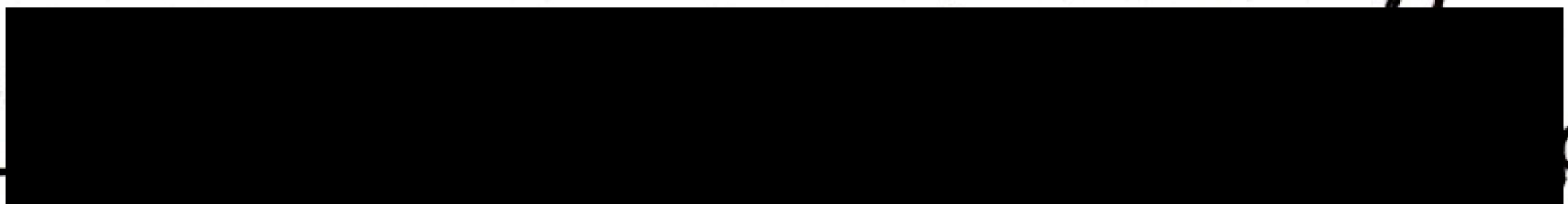
Fast-track application

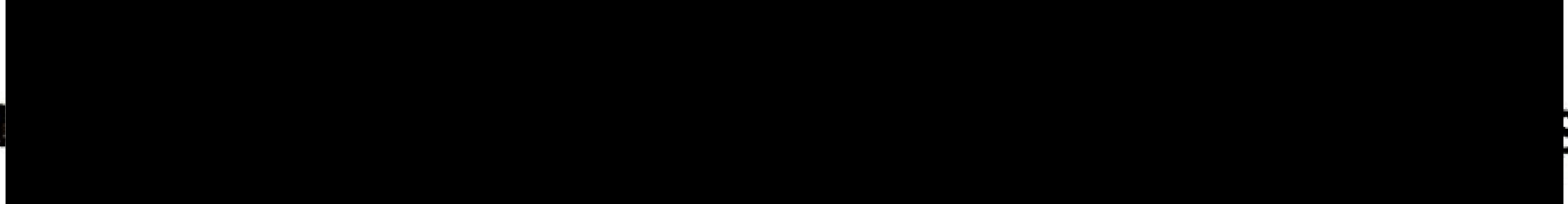
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track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

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

Name:  (please print)

Signature:  (signature)

Date: 20/11/23

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

Checklist (please tick if information is provided)

- Payment (cheques payable to Far North District Council)
- A current Certificate of Title (Search Copy not more than 6 months old)
- 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.

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:



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




R. W. Muir
Registrar-General
of Land

Identifier **NA123B/759**
Land Registration District **North Auckland**
Date Issued 07 December 1999

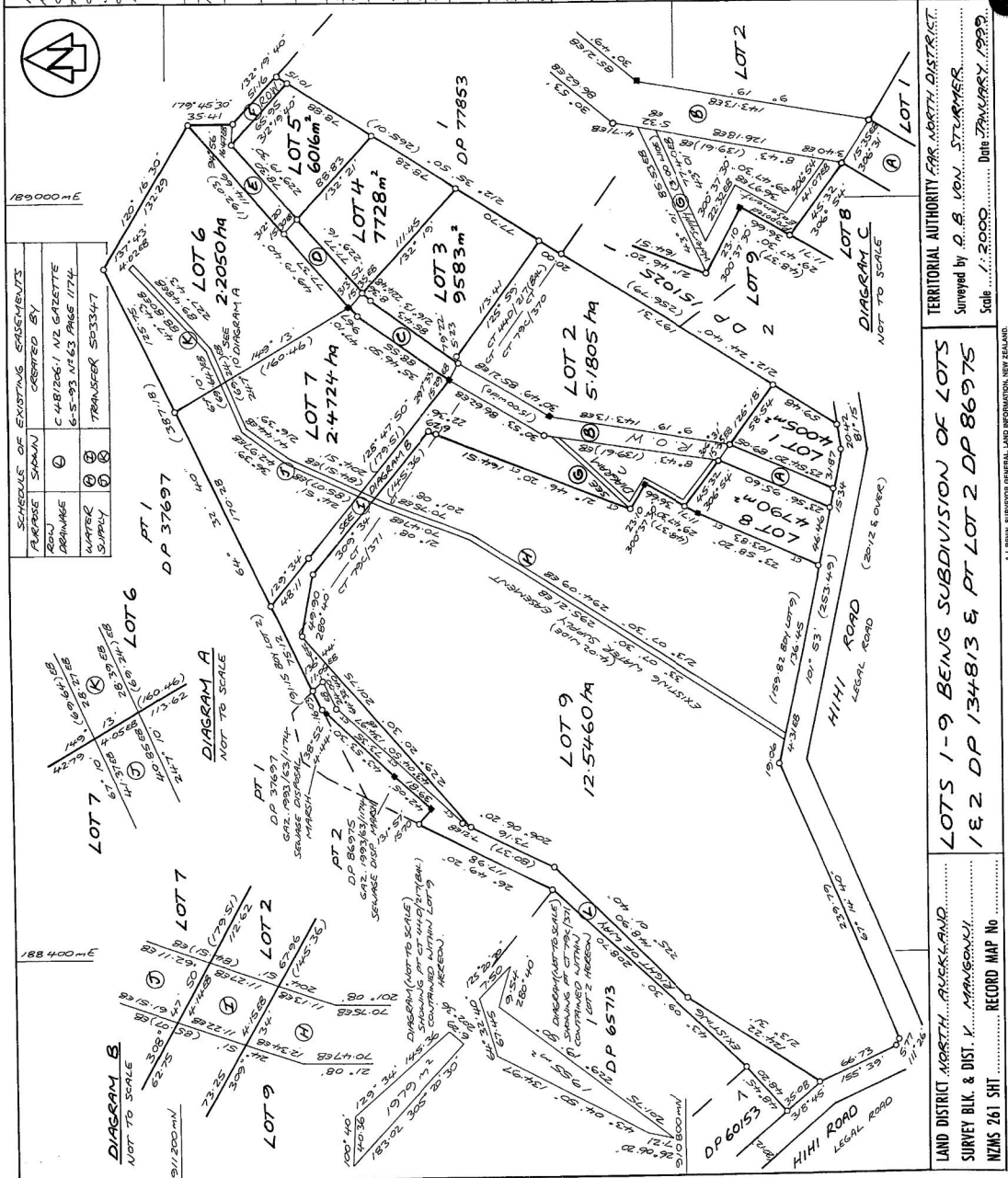
Prior References
NA44D/217

Estate Fee Simple
Area 2.2050 hectares more or less
Legal Description Lot 6 Deposited Plan 195378
Registered Owners

Interests

Subject to a water supply right over part marked K on DP 195378 created by Transfer 503347
D459841.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 7.12.1999 at 3.04 pm
Appurtenant hereto are rights of way and a water supply right specified in Easement Certificate D459841.8 - 7.12.1999 at 3.04 pm
Some of the easements specified in Easement Certificate D459841.8 are subject to Section 243 (a) Resource Management Act 1991 (See DP 195378)
Land Covenant in Easement Instrument 6079920.1 - 15.7.2004 at 9:00 am

14 DEC 1999



TERRITORIAL AUTHORITY FOR NORTH DISTRICT.
 Surveyed by **D. B. CON. STUMMER**
 Scale: 1:2000 Date: JANUARY, 1999.

**LOTS 1-9 BEING SUBDIVISION OF LOTS
 1 & 2 DP 13481/3 & PT LOT 2 DP 869/5**

LAND DISTRICT NORTH AUCKLAND
 SURVEY BLK. & DIST. K. MARANGOUKI
 NZMS 261 SH. RECORD MAP No



Land-Use Consent for**Todd Garrett****458F Hihi Road, Hihi.**

Date: 21 November 2023

To whom it may concern.

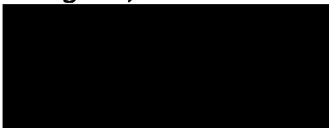
Please find attached:

- an application form for a Land-use Resource Consent to construct a residential dwelling and associated infrastructure within the ***Rural Production zone*** and
- an Assessment of Environmental Effects indicating the potential and actual effects of the proposal on the environment.

The application has been assessed as a **Discretionary Activity** under the Far North Operative District Plan and a **Permitted Activity** under the Proposed District Plan.

If you require further information, please do not hesitate to contact me.

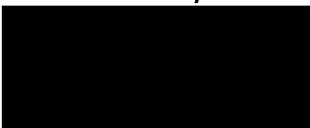
Regards,



Shanay Howard

Resource Planner

Reviewed by:



Sheryl Hansford

Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED

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Attachments:

1. **Far North District Council Application signed**
2. **Record of Title, Consent Notices - LINZ**
3. **Plans – HB Architecture.**
4. **NZ Fire Water Supply – Fire & Emergency NZ**



Assessment of Environment Effects Report

1. Description of the Proposed Activity

1.1. This land use consent application is to construct a two-level dwelling as shown in Figure 1 below.

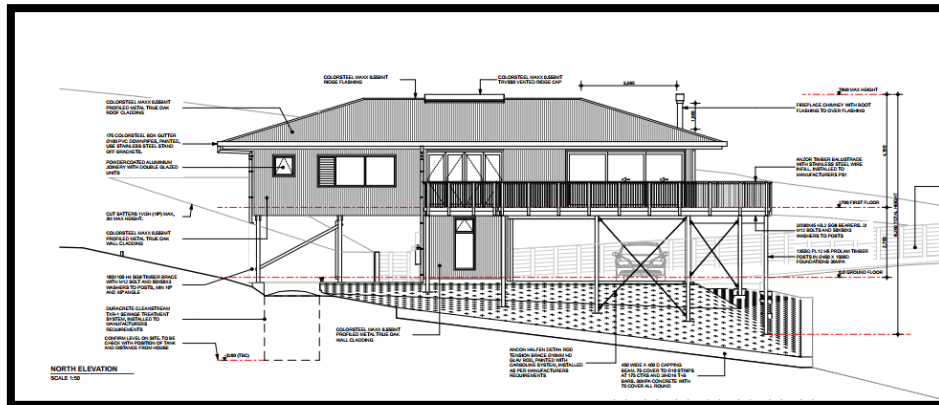


Figure 1: Elevation Plan (Source: HB Architecture).

- 1.2. The dwelling has a floor area of 237m² (inclusive of deck). The upper level of the home will contain two bedrooms, living area, kitchen and two bathrooms, while the lower level of the home will contain a bunk room with carparking located underneath the upper story.
- 1.3. The subject site is zoned Rural Production under the Operative District Plan and breaches the following permitted rules.
- **8.6.5.1.4 Setback from Boundaries.**
 - **12.4.6.1.2 Fire Risk to Residential Units.**
 - **12.3.6.1.1 Earthworks Excavation and/or Filling.**

2. Site Description

- 2.1. The property is located at 458F Hihi Road, which is legally described as Lot 6 DP 195378 with an area of 2.2 hectares.
- 2.2. The property is located off Hihi Road via a long ROW which extends through 458A Hihi Road.
- 2.3. The aerial images show the site as completely covered in vegetation, however at the time of subdivision a portion of the site was cleared. Over the years, this area has been maintained, with any young vegetation recently being cleared.
- 2.4. The site is elevated, and slopes steeply to the north-west. The site has distant views of the Hihi settlement and beach.





Figure 2: Subject site (source: Retrolens).

Surrounding Environment.

2.5. As depicted in Figure 3 and 4, the surrounding environment, consists of various sized residential allotments, overlooking Hihi with built development ranging from modest homes to larger homes. The existing built development that overlooks the bay forms part of the existing character and amenity of the surrounding environment. The immediate environment consists of sites occupied with dwellings with some vacant sites, which are anticipated to be developed in the future. The surrounding environment consists of larger residential sections with a larger bush block located to the north-east of the property.

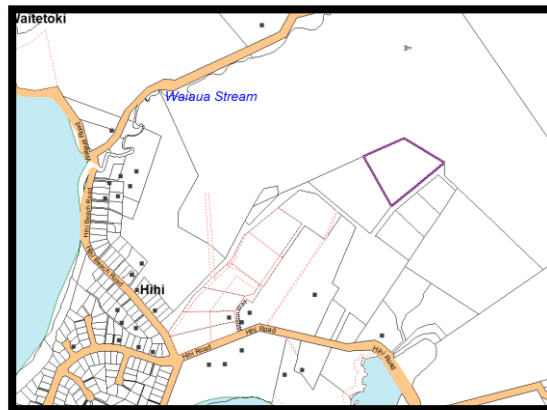


Figure 3: Surrounding Environment (Source: Quick Maps).



Figure 4: Surrounding Environment (Source: Prover).



3. Background

- 3.1. The subject site is held within Record of Title NA123B/759 and is legally described as Lot 6 DP 195378. The subject site has an area of 2.2 hectares.
- 3.2. There is one consent notice registered to the title.

Consent Notice D459841.2

This consent notice was registered to the title, during the most recent subdivision which created the site. A summation of the consent notice conditions has been provided below:

- i. Complies – Approval will be sought at Building Consent stage, where the information for effluent disposal will be provided.
- ii. Complies – This is an ongoing condition.
- iii. Not relevant – this condition only relates to Lots 2 and 8.
- iv. Not relevant – this condition only relates to Lot 2.
- v. Not relevant – this condition only relates to Lots 3, 4 and 5.
- vi. Not relevant – this condition only relates to Lots 2, 3, 4 and 5.

Site Features

- 3.3. The property is located in the Rural Production Zone and is not subject to any Outstanding Natural Landscapes or other resource features under the Operative District Plan.
- 3.4. Under the Proposed District Plan the property is zoned as Rural Production and is within the Coastal Environment overlay. The site also contains an area of High Natural Character and is located within a Treaty Settlement Area, which is a Non-District Plan layer within the Proposed District Plan.



Figure 5: Proposed District Plan Maps.



- 3.5. The site does not contain any Significant Natural Areas, Protected Areas or Wetlands. However, we have noted that the north-eastern boundary adjoins an Open Space Covenant and a PNA.
- 3.6. Council's reticulated Water Supply, Wastewater and Stormwater infrastructure is not available to the site.
- 3.7. The NRC Hazard Maps do not show the site to be prone to any Natural Hazards.
- 3.8. The site does not contain any archaeological sites.
- 3.9. The site does not contain any Wetlands or Waterbodies.
- 3.10. The site is located within a high kiwi area.
- 3.11. The site contains two types of soils. This includes soil with a Land Use Classification of LUC 6e16 and LUC 4e6; which is not considered highly versatile under the NPS-HPL.
- 3.12. The site is not located within a Statutory Acknowledgement Area and is located within a mapped area of interest to local Hapu on Councils Treaty Settlement Maps for Ngati Kahu ki Whangaroa.
- 3.13. With regard to the Regional Policy Statement for Northland, the site is located within the Coastal Environment and is identified as containing an area of High Natural Character.
- 3.14. The site is not shown to be impacted by surface water protection zones.

4. Permitted activities that are part of the proposal.

- 4.1. Clause 3(A) of Schedule 4 of the Resource Management Act requires that information about related permitted activities be provided in the resource consent application.
- 4.2. In this case there are no related permitted activities relevant to this proposal.

5. Weighting of Plans

- 5.1. The proposal is subject to the Proposed District Plan process that was notified 27 July 2022.
- 5.2. As detailed above, the site is zoned as Rural Production and is also located within the Coastal Environment overlay and within an area of High Natural Character under the Proposed District Plan. When the Proposed Plan was first notified there were a number of rules which were identified as having immediate legal effect. An assessment of the relevant rules and related objectives and policies of the Proposed District Plan now forms part of this application.



- 5.3. The submissions period has closed, and submissions are now available to view on Councils Website. We have contacted Councils Policy Team enquiring about whether any additional rules have immediate legal effect. At this point in time no further rules have been publicly identified. As such, we have taken the approach that no further rules have immediate legal effect. If this is incorrect, we ask that Council contact us at their earliest convenience to provide us with an updated assessment list.

6. Activity Status of the proposal

Operative District Plan

- 6.1. The subject site is zoned Rural Production in the Operative District Plan. An assessment of the relevant permitted District Plan rules is outlined below:

Assessment of the Permitted Section 8.6.5.1 Rural Production		
Plan Reference	Rule	Performance of Proposal
8.6.5.1.1	Residential Intensity	Permitted. The proposed residential dwelling will be the first on site. Therefore, this proposal is able to comply with Residential Intensity.
8.6.5.1.2	Sunlight	Permitted. The proposed dwelling is setback sufficiently, such that it complies with sunlight. The proposed retaining wall can comply with sunlight.
8.6.5.1.3	Stormwater Management	Permitted. The site is 2.2 hectares; to comply with this rule the site shall have less than approximately 3300m ² of impermeable surface coverage. As demonstrated on the site and location plan, prepared by HB Architecture, the proposed impermeable surfaces are considerably lower than the permitted threshold for this rule.
8.6.5.1.4	Setback from Boundaries	Restricted Discretionary Activity. The residential dwelling is able to comply with the permitted setback requirements. However, to establish the parking area and driveway, a retaining wall is required. The retaining wall has a surcharge due to the proximity of the existing ROW. Therefore, the proposal is unable to comply with the permitted threshold for this rule as the proposed retaining wall will be located 8.9m from the boundary at the closest point.
8.6.5.1.5	Transportation	Permitted. For further assessment please see below.



8.6.5.1.6	Keeping of Animals.	Not applicable.
8.6.5.1.7	Noise	Permitted. Noise is anticipated to be consistent with a residential activity.
8.6.5.1.8	Building Height.	Permitted. As shown on the plans submitted with this application the maximum height of the building will be 7.06m which is within the permitted threshold.
8.6.5.1.9	Helicopter Landing Area.	Not applicable.
8.6.5.1.10	Building Coverage.	Permitted. As shown on the plans submitted with this application, the proposal can comply with building coverage.
8.6.5.1.11	Scale of Activities.	Not applicable. No non-residential activities are proposed.

District Wide Matters

Assessment of the District Wide Matters		
Plan Reference	Rule	Performance of Proposal
12.1	Landscapes and Natural Features	Not applicable. The site is not located within an area of Outstanding Natural Landscapes or Features.
12.2.6.1.1	Indigenous vegetation clearance permitted throughout the district.	Permitted. Rule 12.2.6.1.1(n) allows for vegetation to be cleared on land that has been cleared and no older than 10 years old. As mentioned earlier, the site was cleared at the time of subdivision which provided a building platform. Further vegetation clearance will be required to achieve a 10m firebreak between the residential dwelling and bush dripline. Rule 12.2.6.1.1(m) allows for the creation and maintenance of firebreaks provided that no more vegetation clearance is cleared than is necessary to achieve the practical purpose of the firebreak. In this case a 10m firebreak is appropriate as a risk reduction tool to provide a window of opportunity for suppression and evacuation. Therefore, under 12.2.6.1.1(m) and (n) the vegetation clearance is considered to be permitted.
12.2.6.1.2	Indigenous vegetation clearance in the Rural Production and Mineral Zones.	Permitted. The site is not located in a remnant forest, or within 20m of a lake, therefore as per 12.2.6.1.2(a) the applicant can clear up to 2ha of bush in any 10-year period.



		<p>The site set out plan shows that an additional 550m² of vegetation clearance would be required to achieve the 10m buffer between the proposed dwelling and bush drip line.</p> <p>The site has a total area of approximately 2.2050 hectares, such that any vegetation clearance will be well within the permitted threshold as the applicant is wanting to retain as much of the vegetation as they can.</p>
12.2.6.1.3	Indigenous vegetation clearance in the General Coastal Zone.	<p>Not applicable. The site is not located in the General Coastal Zone.</p>
12.2.6.1.4	Indigenous vegetation clearance in other zones.	<p>Not Relevant. This rule does not relate to the Rural Production Zone.</p>
12.3.6.1.1	Excavation and/or filling, including obtaining roading material but excluding mining and quarrying, in the Rural Production zone and Kauri Cliffs Zone.	<p>Restricted Discretionary Activity. To establish the building platform for the proposed residential dwelling and parking area, 769m³ of excavation will be required, with a retaining wall as detailed on the site plan.</p> <p>As detailed on the plans, the proposal includes a continuous cut and fill face exceeding 1.5m in height, such that compliance is unable to be achieved.</p>
12.4.6.1.2	Fire Risk to Residential Units	<p>Discretionary Activity. Due to the location of the site, the proposed dwelling will be surrounded by bush which has connectivity to bush on adjoining sites which is less than 20m away.</p> <p>Therefore, compliance is unable to be achieved in this instance.</p>
Assessment of the chapter 15 Transportation		
15.1.6A	Traffic Intensity	<p>Permitted The proposed dwelling is the only activity on site, as such the activity can comply with the permitted threshold.</p>
15.1.6B	Parking	<p>Permitted The site and parking areas can easily accommodate 2 parking spaces.</p>
15.1.6C Access		
15.1.6.1.1	Private accessway in all zones	<p>Permitted No changes proposed.</p>
15.1.6C.1.3	Passing Bays on private accessways in all zones.	<p>Not relevant.</p>
15.1.6C.1.5	Vehicle crossing standards in rural and coastal zones.	<p>Permitted. The driveway is existing, no changes are sought.</p>



District Plan Breaches

- 6.2. The assessment above has identified the following breaches to the District Plan Rules:
- 8.6.5.1.4 Setback from Boundaries.
 - 12.3.6.1.2 Earthworks Excavation and/or Filling.
 - 12.4.6.1.2 Fire Risk to Residential Units.
- 6.3. When bundled the proposal will be assessed as a **Discretionary Activity** insofar as the Operative District Plan.

Proposed District Plan

- 6.4. The proposal is also subject to the Proposed District Plan process. Within the Proposed District Plan, the site is zoned Rural Production and is within the Coastal Environment, subject to an area of High Natural Character. An assessment of the matters relating to the Proposed District Plan that have immediate legal effect, has been undertaken below:

Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource Rules HS-R5, HS-R6, HS-R9	Not applicable. The site does not contain any hazardous substances to which these rules would apply.
Heritage Area Overlays	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	Not applicable. The site is not located within a Heritage Area Overlay.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10). Schedule 2 has immediate legal effect.	Permitted The site does not contain any historic heritage.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	Not applicable. The site does not contain any notable trees.
Sites and Areas of Significance to Maori	All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect	Not applicable. The site does not contain any sites or areas of significance to Maori.
Ecosystems and	All rules have immediate legal effect (IB-R1 to IB-R5)	Permitted.



Indigenous Biodiversity	IB-R1 – Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities within and outside a Significant Natural Area.	In this case Per-1 (7) applies. The vegetation clearance that has been required is for the construction of a single residential unit and essential onsite infrastructure and access. The clearance is less than 1000m ² . The chapter notes that IB-R2 – IB-R4 only apply if clearance is not permitted under IB-R1. Therefore, these are not relevant.
Subdivision	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	Not applicable. The proposal is not for subdivision.
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not applicable. The proposal does not involve activities on the surface of water.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5	Permitted. Earthworks as part of this proposal will proceed in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016, in accordance with Rules EW-12, EW-R13, EW-S3 and EW-S5.
Signs	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	Not applicable. No signs are proposed as part of this application.
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not applicable. The site is not located in the Orongo Bay Zone.

6.5. The proposed is **Permitted** within the Proposed District Plan.

National Environmental Standards

National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

6.6. The site is not identified as HAIL on the Council database of HAIL sites. A review of historic aerials has determined that there are no known activities that have previously occurred or currently occurring on the site that are registered as HAIL Activities. For this reason, the NESCS (National Environmental Standard for Assessing and Managing Contaminants in Soil



to Protect Human Health) is not a consideration of this application. The proposal is considered **Permitted** in terms of this regulation.

6.7. There are no other National Environmental Standards relevant to this application.

7. Environmental Effects Assessment

7.1. Having reviewed the relevant plan provisions and taking into account the matters to be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the following environmental effects warrant consideration as part of this application.

7.2. The proposal is to be assessed as a Discretionary Activity as per 12.4.6.3 *Discretionary Activities*. The Council may approve or refuse an application for a Discretionary Activity, and it may impose conditions on any consent. In assessing an application for a discretionary activity, the Council have full discretion.

Fire Risk to Residential Units

7.3. Due to the existing vegetation and topography of the site, the proposed development will be located within the 20m buffer to the tree dripline. An assessment of the relevant assessment criteria within 12.4.7(f) has been carried out below.

(J) in respect of fire risk to residential units:

(i) the degree of fire risk to dwellings arising from the proximity of the woodlot or forest and vice versa; and

7.3.1. As shown on the site plan provided with this application, the proposed residential dwelling will be 10.00m away from vegetation located within the property. The risk of fire arising from the proximity of these trees is considered to be low with the implementation of the proposed mitigation measures outlined later in this assessment; and the 10m setback proposed between the residential unit and bush.

(ii) any mitigation measures proposed to reduce the fire risk; and

7.3.2. The proposal has considered the use of fire-resistant materials through the design process, including a profiled metal cladding which is a low flammable material. In addition to this, the areas within 20m of the residential dwelling will be kept free of twigs, sticks and branches.

7.3.3. Given that the proposed residential dwelling will maintain a reasonable setback from the bush which the NZ Fire service has approved, adequate firefighting water supply can be provided and the considered use of fire-resistant materials; it is considered that no further mitigation is considered necessary.



(iii) the adequacy of the water supply; and

7.3.4. Two 25,000L concrete water tanks will be established on site. The water tanks will be fully buried with a filler spout to allow them to be assessable to fire and emergency responders. One of these water tanks will be reserved for firefighting purposes. FENZ have accepted a reduction in water from 45,000L to 10,000L. Therefore, it is considered that adequate water supply has been provided to the site.

(iv) the accessibility of the water supply to fire service vehicles

7.3.5. The water tanks are located in close proximity to the development, with signage on the driveway which will direct fire service to the water tanks on site.

7.3.6. In addition to this, the water tanks are assessable from the Right of Way as an alternative connection point.

7.3.7. Approval has been provided by Fire and Emergency New Zealand and has been attached with this application.

Summary

7.3.8. The proposed development is located on an allotment which is intended to be developed for residential purposes. Given the existing vegetation on site, it is unachievable to maintain a 20m setback from bush due to the topography and existing bush cover on the site. A small portion of vegetation clearance will be carried out to achieve a 10m setback. Furthermore, with the implementation of the proposed mitigation methods such as fire-resistant materials and water supply it is considered that any potential adverse effects associated with the proximity the dwelling has from the bush has been mitigated.

Earthworks

7.4. To establish the building platform for the proposed residential dwelling, 769m³ of excavation will be required, with one retaining wall as detailed in the site plan.

7.5. The proposal also includes a maximum cut height which exceeds the permitted threshold for this rule. A portion of the cut will be retained by an engineered retaining wall, with the remainder of the cut battered back on a 45 and 18-degree angle. A building consent will be obtained for the retaining wall due to the surcharge from the ROW.

7.6. The proposal is unable to comply with the permitted threshold but is able to comply with the criteria set out for *12.3.6.2 Restricted Discretionary Activities*. Therefore, an assessment has been carried out in accordance with the assessment criteria set out in Rule *12.3.6.1* which is provided below.

The Council will restrict the exercise of its discretion to:***(i) the effects of the area and volume of soils and other materials to be excavated; and***

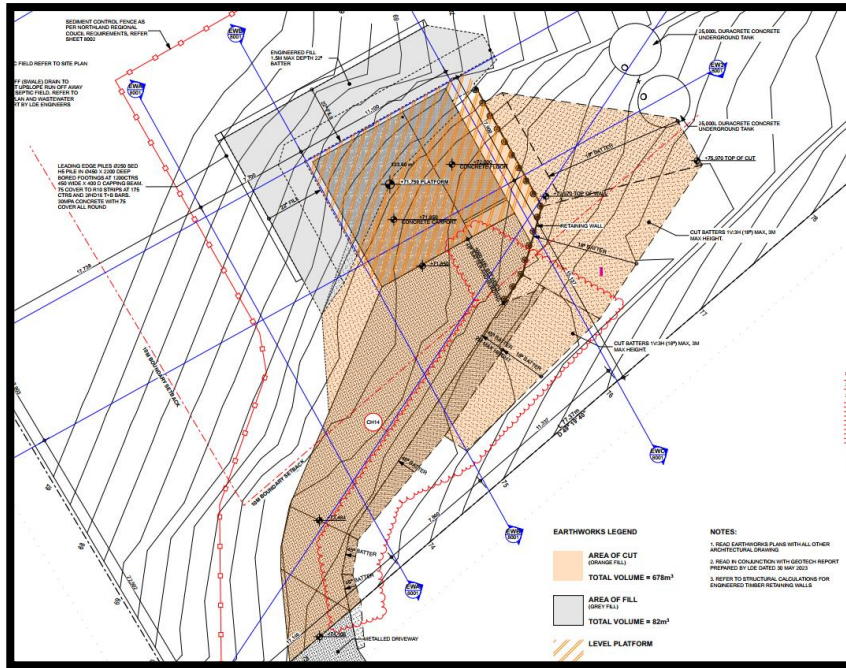


Figure 6: Detailed design showing excavation (source: HB Architecture).

- 7.6.1. As detailed in Figure 6 above, the proposed excavation will include approximately 82m³ of fill over the area highlighted in grey and 678m³ of cut over the area highlighted in orange to create the building platform and parking area.
- 7.6.2. Due to the topography of the site, the maximum total cut height required is 3m. The portion of the cut will be retained by an engineered retaining wall, with the remainder of the cut battered back on a 45 and 18-degree angle as depicted on the plan above. The retaining wall will be constructed along the eastern side of the driveway and wrap around the house, the maximum height of the retaining wall will be 1.2m as detailed in the plans.
- 7.6.3. The proposed excavation is necessary due to the topography of the site. Erosion and sediment control will be installed prior to any earthworks commencing in accordance with GD05 to mitigate potential for adverse effects.

(ii) the effects of height and slope of the cut or filled faces; and

- 7.6.4. A portion of the cut face will be retained, with the remainder of the cut battered back on an 18-degree angle. As the retaining wall has a surcharge, a building consent will be required which will ensure the retaining wall is suitable for the required cut. The fill face on the lower portion of the site, will be battered on a 22-degree angle. The cut & fill faces will be covered as soon as practically possible. In addition to this, a silt fence will be constructed which will aid in capturing any debris and sediment.
- 7.6.5. The required cut and filled faces are an anticipated outcome which would have been assessed as the time of subdivision to ensure the site is suitable for development. It is



considered that the proposed height and slope of the cut and fill faces are appropriate for sites of this nature.

(iii) the time of the year when the earthworks will be carried out and the duration of the activity; and

7.6.6. Earthworks will be carried out during periods of fine weather.

(iv) the degree to which the activity may cause or exacerbate erosion and/or other natural hazards on the site or in the vicinity of the site, particularly lakes, rivers, wetlands and the coastline; and

7.6.7. The proposal is not considered to cause or exacerbate erosion and/or other natural hazards on the site or on adjoining sites. All earthworks will have measures in place and be carried out in accordance with GDO5.

7.6.8. The site is not within close proximity to any lakes, rivers, wetlands or the CMA.

(v) the extent to which the activity may adversely impact on visual and amenity values; and

7.6.9. It is considered the site was created with the intention of a residential dwelling being developed on the site. The site is consistent with what has been developed on similar sized allotments in the vicinity that were created for residential development. All exposed surfaces will be revegetated in grass or plants after construction has finished to maintain the visual amenity of the site. Furthermore, the site is fully screened which ensures the excavation will not result in any loss of character.

7.6.10. The retaining wall will not be visible from any public areas or adjacent properties as it will be screened by the existing vegetation on site. The effects resulting from visual amenity or loss of character associated with the construction the retaining walls will be temporary and is not considered to be objectional to the surrounding environment as there is existing development and earthworks within the immediate environment.

7.6.11. Therefore, it is considered that any loss of visual amenity or loss of natural character of the coastal environment is less than minor.

(vi) the extent to which the activity may adversely affect cultural and spiritual values; and

7.6.12. The subject site is not considered to adversely affect cultural and spiritual value. The land was subdivided with the intention of a dwelling being placed on the property in the future.

(vii) the extent to which the activity may adversely affect areas of significant indigenous vegetation or significant habitats of indigenous fauna; and

7.6.13. Although the site is not mapped as a PNA, the site includes the edge of indigenous vegetation which is located within the PNA on the adjoining site (North-eastern



boundary). The proposed earthworks and development have been contained to the southern corner of the site, as this reduces the amount of vegetation clearance and associated earthworks required; mitigating the extent the activity may have on areas of significant indigenous vegetation and habitats of indigenous fauna to less than minor. Earthworks will be carried out during periods of fine weather and sediment and erosion controls in accordance with GD05 will be implemented prior to any excavation being carried out to ensure that any adverse effects on the indigenous vegetation is less than minor.

(viii) the number, trip pattern and type of vehicles associated with the activity; and

7.6.14. Any vehicle movements will occur during work hours and will be temporary.

(ix) the location, adequacy and safety of vehicular access and egress; and

7.6.15. Access to the site is existing via an existing ROW. The access has sufficient sightlines to allow work vehicles to access and egress from the site in a safe manner.

Summary

- 7.7. Silt and sediment control will be contained within the site, adequately removing pollutants from any runoff that may exit the site boundaries.
- 7.8. The proposal has proposed adequate methods to ensure that any potential adverse effects are less than minor.

Setback from Boundaries

- 7.9. The proposed 1.2m retaining wall is considered a building under Chapter 3 – Definitions as a building consent is required due to the surcharge from the Right of Way.



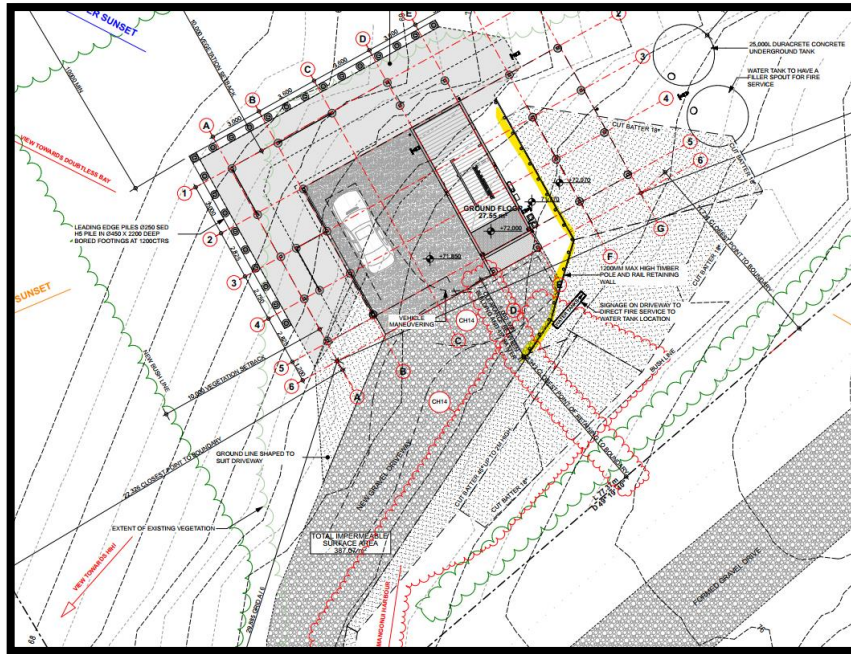


Figure 7: Proposed retaining wall within 10m of the boundary.

7.10. The proposed retaining wall will be approximately 8.9m at its closest point to the south-eastern boundary adjoining Lot 4 DP 195378. From that point, the retaining wall gradually increases its setback to follow the proposed parking and driveway area as depicted in Figure 7 above. As the proposed retaining wall is within the permitted setback; it is unable to comply with Rule 8.6.5.1.4 Setback from Boundaries, and therefore will be assessed as a Restricted Discretionary Activity as per 8.6.5.3 Restricted Discretionary Activities. An assessment has been carried out below which addresses the relevant assessment criteria listed within 8.6.5.3.4 Setback from Boundaries.

In assessing an application resulting from a breach of Rule 8.6.5.1.4 Setback from Boundaries the matters to which the Council will restrict its discretion are:

The extent to which the building(s) reduces outlook and privacy of adjacent properties.

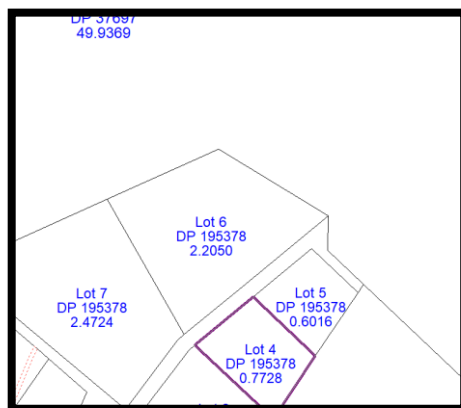


Figure 8: Site and surrounding properties.



- 7.10.1. The retaining wall is only 1.2m in height, such that it is smaller than what is anticipated by the District Plan (max 1.5m) to be classified as a building. The reasoning the retaining wall is considered a building under the District Plan is because it needs a building consent as a result of the surcharge from the right of way, therefore this has been included as a technical breach.
- 7.10.2. The proposed retaining wall will be screened from all neighbouring properties by the existing landform and vegetation. The retaining wall will be holding a cut height, such that it will not protrude above the existing ground level as it will support a cut face which faces the proposed dwelling. As mentioned earlier, the retaining wall is for the purpose of a cut which can only be viewed on the subject site. Therefore, the proposed retaining wall will not reduce the outlook or privacy of adjacent neighbours.

The extent to which the buildings restrict visibility for access and egress of vehicles.

- 7.10.3. The retaining wall will not restrict visibility for accessing and egressing vehicles. On the contrary it will improve access and manoeuvrability on the site.

The ability to mitigate any adverse effects on the surrounding environment, for example by way of planting.

- 7.10.4. The proposed retaining wall will be completely screened from the surrounding environment by the existing landform and vegetation. The proposed retaining wall is considered to be an anticipated outcome, given the topography of the site. It is considered that the proposal will not result in any adverse effects on the surrounding environment and no additional mitigation measures are necessary.

for sites having a frontage with Kerikeri Road (between its intersection with SH10 and Cannon Drive:

(i) the scale of the buildings;

(ii) the extent of set back from Kerikeri Road;

(iii) the visual appearance of the site from the Kerikeri Road frontage;

(iv) the extent to which the building(s) are in harmony with landscape plantings and shelter belts;

- 7.10.5. Not applicable, the property does not have frontage to Kerikeri Road.

(e) for residential buildings located within 100m of Minerals Zone:

(i) the position of the building platform(s) in relation to the mine or quarry.

(ii) the likelihood of the mine or quarry causing environmental effects, especially noise and loss of amenity values, that will impact adversely on the occupiers of the proposed residential building.

(iii) the effectiveness of any mitigation measures proposed; Where an application is required under this rule, the owner and/or operator of any mine or quarry within the adjacent Minerals Zone shall be considered an affected party. Where the



written approval of the owner and the mine or quarry operator has been obtained, the application will be non-notified.

7.10.6. Not applicable, the property is not located within 100m of a mineral zone.

(f) the extent to which the buildings and their use will impact on the public use and enjoyment of adjoining esplanade reserves and strips and adjacent coastal marine areas.

7.10.7. The property does not adjoin any esplanade reserves and strips, or the coastal marine area.

Summary

7.11. The retaining wall breaches the permitted threshold as a result of a surcharge. To comply with this rule, would not be achievable due to the site constraints and the surcharge created by the right of way. The retaining wall will not protrude above the natural ground level adjoining the affected boundary, such that it will not be noticeable by the adjoining landowner. In addition to this, there is a right of way that separates the subject site and the adjoining landowner which acts as both a visual and physical barrier which ensures the effects the proposal will have on Lot 4 DP 195378 will be less than minor.

7.12. The effects from the retaining wall are internalised to the one boundary and it is not considered to have a negative impact on other adjoining properties or the wider environment.

8. Statutory Assessment.

Section 104B of the Act

8.1. Section 104B governs the determination of applications for Discretionary and Non-Complying Activities. With respect to these activities, a consent authority may grant or refuse the application and if it grants the application, it may impose conditions under Section 108.

Section 104(1) of the Act

8.2. Section 104(1) of the Act states that when considering an application for resource consent –

“the consent authority must, subject to Part II, have regard to –

(a) any actual and potential effects on the environment of allowing the activity; and

(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and

(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; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.”*

- 8.3. Actual and potential effects arising from the development as described in 104(1)(a) can be both positive and adverse (as described in Section 3 of the Act). Positive effects arising from this development include that the site will be developed for its intended purposes while ensuring any effects resulting from earthworks, fire risk and setback from boundary are avoided, remedied or mitigated; such that any adverse effects resulting from the proposal are less than minor.
- 8.4. Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity’. In this case, the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment.
- 8.5. Section 104(1)(b) requires that the consent authority consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided in Section 9 below.
- 8.6. Section 104(1)(c) states that consideration must be given to ‘any other matters that the consent authority considers relevant and reasonable, necessary to determine the application.’ There are no other matters relevant to this application.

9. Policy Documents

- 9.1. In accordance with Section 104(1)(b) of the Act, the following documents are considered relevant to this application.

National Environmental Standards

National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

- 9.2. As mentioned earlier in this report, there have been no previous or current activities listed on the HAIL, undertaken on the site. The proposal is therefore considered permitted in terms of the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.



National Environment Standard for Freshwater 2020

- 9.3. There are no areas on the site which are considered to meet the definition of a natural inland wetland and therefore the NES for Freshwater is not considered applicable.

Other National Environmental Standards

- 9.4. No other National Environmental Standards are considered applicable to this development.

National Policy Statements

- 9.5. There are currently 7 National Policy Statements in place. These are as follows:

- National Policy Statement on Urban Development
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement on Electricity Transmission
- New Zealand Coastal Policy Statement
- National Policy Statement for Highly Productive Land.
- National Policy Statement for Indigenous Biodiversity.

- 9.6. In this case, the relevant National Policy Statements which are relevant to this site include the New Zealand Coastal Policy Statement and the National Policy Statement for Indigenous Biodiversity.

New Zealand Coastal Policy Statement

- 9.6.1. The New Zealand Coastal Policy Statement 2010 is relevant to the application as the subject site is mapped as being located within the Coastal Environment under the NRC Regional Policy Statement. An assessment of the relevant objectives and policies is outlined below:

Objective 1

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- *maintaining or enhancing natural biological and physical processes in the coastal environment and recognizing their dynamic, complex and interdependent nature;*
- *protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and*
- *maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.*

- 9.6.2. The proposal is not contrary to this objective as it does not affect the integrity, form, functioning or resilience of the coastal environment in its vicinity. The proposed development will see the site be developed for its intended use.



9.6.3. The majority of the site is vegetated, with a small portion of the site being cleared for the building platform at the time of subdivision; this area has been maintained. The proposed development is isolated to the southern corner of the site to minimize the volume of earthworks and vegetation clearance required to establish the building platform. Some vegetation clearance around the earthworks area and around the periphery of the proposed building is necessary; however, the applicant wishes to retain as much vegetation as possible to maintain the coastal flora and fauna on the property. Erosion and sediment control measures will form part of this consent to ensure coastal water quality is not impacted during construction works.

Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- *recognizing the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*
- *identifying those areas where various forms of subdivision, use and development would be inappropriate and protecting them from such activities; and*
- *encouraging restoration of the coastal environment.*

9.6.4. The application site is in a location where the surrounding environment has already been extensively modified as it is located on the peripheral of Hihi Settlement. The application site is located in between residential-lifestyle properties and large PNA.



Figure 9: Aerial Image of subject site showing area of High Natural Character and Coastal Environment. (Pink highlighted area indicates approximate location of building platform and parking area).

9.6.5. The application site is located within an area mapped as having High Natural Character. The area identified as having High Natural Character covers the majority of the site with a portion of land on the south-western and south-eastern boundary not identified as having High

Natural Character. Therefore, the applicant has utilized this area of land which is not located within an area of High Natural Character (shown in pink in Figure 9) to establish the building platform and parking area. By locating the proposed development in the chosen location, it limits the volume of earthworks and vegetation clearance within the area of High Natural Character to a very small amount, which ensures the existing characteristics and qualities of the shrubland are being recognized and provided for. By locating the building platform in the proposed location, it ensures the applicant is taking precautionary measures to protect the area from inappropriate use and development.

Objective 3

To take account of the principles of the Treaty of Waitangi, recognize the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

- *recognizing the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;*
- *promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;*
- *incorporating mātauranga Māori into sustainable management practices; and*
- *recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.*

9.6.6. The Operative and Proposed District Plans and the Proposed Regional Plan have not identified the site or its immediate environs as containing any sites of significance to Maori or Tangata Whenua.

9.6.7. NZAA have not mapped any areas of significance that are potentially located on the site.

Objective 4

To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- *recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;*
- *maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and*
- *recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.*

9.6.8. Not relevant.

Objective 5

To ensure that coastal hazard risks taking account of climate change, are managed by:

- *locating new development away from areas prone to such risks;*
- *considering responses, including managed retreat, for existing development in this*



situation; and

- *protecting or restoring natural defences to coastal hazards.*

9.6.9. The site is not prone to any known coastal hazard risks. The site is located further inland from the Coastal Marine Area, such that any risk of coastal hazards is avoided.

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, recognizing 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;*
- *some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;*
- *functionally some uses and developments can only be located on the coast or in the coastal marine area;*
- *the coastal environment contains renewable energy resources of significant value;*
- *the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;*
- *the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;*
- *the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected;*
- *historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*

9.6.10. The proposal is for a residential-lifestyle activity, which was intended for the site at the time it was subdivided and is consistent with the built development in the surrounding environment. The proposed dwelling is located outside of the area identified as High Natural Character with the associated infrastructure being isolated to one corner of the site. The area of high natural character essentially covers the entire site, with the exception of the southern corner of the site and a sliver of land along the south-western boundary. In addition to this, a very small volume of earthworks and vegetation clearance will be required which overlaps onto the area identified as having High Natural Character, however it is not considered to result in any adverse effects on the character and function of this area. It is anticipated that no historic heritage will be damaged as a result of this project, as there are no known archaeological sites, or sites of cultural significance located on-site. This development enables the site to be developed for its intended purpose.

Objective 7

To ensure that management of the coastal environment recognises and provides for New Zealand's international obligations regarding the coastal environment, including the coastal



marine area.

- 9.6.11. NZ international obligations regarding the coastal environment will not be compromised by this re-development.

Policy 5 - Land or waters managed or held under other acts

1. Consider effects on land or waters in the coastal environment held or managed under:

a. the Conservation Act 1987 and any Act listed in the 1st Schedule to that Act; or

b. other Acts for conservation or protection purposes;

and, having regard to the purposes for which the land or waters are held or managed:

c. avoid adverse effects of activities that are significant in relation to those purposes; and
d. otherwise avoid, remedy or mitigate adverse effects of activities in relation to those purposes.

2. Have regard to publicly notified proposals for statutory protection of land or waters in the coastal environment and the adverse effects of activities on the purposes of that proposed statutory protection.

- 9.6.12. The development adjoins an Open Space Covenant administered by the Department of Conservation. This Open Space Covenant will continue to be managed as per status quo, without any changes.

Policy 6 - Activities in the coastal environment

1. In relation to the coastal environment:

a. recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;

b. consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;

c. encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;

d. recognise tangata whenua needs for papakāinga³, marae and associated developments and make appropriate provision for them;

e. consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;

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;

g. take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;



- h. consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;*
- i. set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and*
- j. where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.*

9.6.13. Infrastructure can be accommodated onsite. There will be no extraction of minerals. The proposal is to develop the site for its intended purpose. The proposed development will remain consolidated within one area of the site to protect the existing vegetation on site and reduce the volume of earthworks. The proposal is not for papakainga or marae. There are no activities of national or regional importance within the coastal marine area which would be adversely impacted by this development. The proposed subdivision is consistent with the built development patterns in the surrounding environment. The chosen location for the proposed dwelling ensures that earthworks and indigenous vegetation clearance will be minimal. Renewable energy infrastructure does not form part of this current proposal. The development is not located within close proximity to the coastal marine area. The location of the proposed development was chosen to ensure the areas of high natural character wouldn't be impacted by development. Public access is not relevant to this application.

Policy 11 - Indigenous biological diversity (biodiversity)

To protect indigenous biological diversity in the coastal environment:

- a. avoid adverse effects of activities on:*
 - i. indigenous taxa⁴ that are listed as threatened⁵ or at risk in the New Zealand Threat Classification System lists;*
 - ii. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;*
 - iii. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare⁶;*
 - iv. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;*
 - v. areas containing nationally significant examples of indigenous community types; and*
 - vi. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and*
- b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:*
 - i. areas of predominantly indigenous vegetation in the coastal environment;*
 - ii. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;*
 - iii. indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;*



- iv. *habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;*
- v. *habitats, including areas and routes, important to migratory species; and*
- vi. *ecological corridors, and areas important for linking or maintaining biological values identified under this policy.*

9.6.14. Vegetation clearance proposed on site is 550m². It is not anticipated that these works will have adverse effects on native taxa or threatened taxa given the minor nature of the works. Again, given the minor nature of the works proposed it is unlikely that there will be adverse effects upon local ecosystems or habitats. The vegetation clearance is not anticipated to include any nationally significant community types, nor is it occurring in an area where it has been set aside for protection.

9.6.15. The area proposed for clearance is a mixture of indigenous and exotic vegetation. The clearance does not involve a habitat that is important during vulnerable life stages. The area is not specifically listed in (b)(iii). The area is not considered important for any of those matters listed in (b)(iv). The vegetation clearance is not considered to cause significant impact upon any habitats or ecological corridors.

Policy 14 - Restoration of natural character

- a. identifying areas and opportunities for restoration or rehabilitation;*
- b. providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;*
- c. where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include:*
 - i. restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or*
 - ii. encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or*
 - iii. creating or enhancing habitat for indigenous species; or*
 - iv. rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or*
 - v. restoring and protecting riparian and intertidal margins; or*
 - vi. reducing or eliminating discharges of contaminants; or*
 - vii. removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or*
 - viii. restoring cultural landscape features; or*
 - ix. redesign of structures that interfere with ecosystem processes; or*
 - x. decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.*



- 9.6.16. The proposal is not considered to have a negative impact on the character of the site or surrounding environment. Limited vegetation clearance will be carried to ensure the site can be developed for its intended use. The area of vegetation cleared has been consolidated to one area, with most of the vegetation clearance occurring outside of any areas identified as having High Natural Character. However, a very small portion of vegetation clearance will be required within this area to provide for a fire break between the bush and main dwelling for safety reasons.

Policy 19 - Walking access

- 1. Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.*
- 2. Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:*
 - a. identifying how information on where the public have walking access will be made publicly available;*
 - b. avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and*
 - c. identifying opportunities to enhance or restore public walking access, for example where:*
 - i. connections between existing public areas can be provided; or*
 - ii. improving access would promote outdoor recreation; or*
 - iii. physical access for people with disabilities is desirable; or*
 - iv. the long-term availability of public access is threatened by erosion or sea level rise; or*
 - v. access to areas or sites of historic or cultural significance is important; or*
 - vi. subdivision, use, or development of land adjacent to the coastal marine area has reduced public access or has the potential to do so.*
- 3. Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:*
 - a. to protect threatened indigenous species; or*
 - b. to protect dunes, estuaries and other sensitive natural areas or habitats; or*
 - c. to protect sites and activities of cultural value to Māori; or*
 - d. to protect historic heritage; or*
 - e. to protect public health or safety; or*
 - f. to avoid or reduce conflict between public uses of the coastal marine area and its margins; or*
 - g. for temporary activities or special events; or*
 - h. for defence purposes in accordance with the Defence Act 1990; or*
 - i. to ensure a level of security consistent with the purpose of a resource consent; or*
 - j. in other exceptional circumstances sufficient to justify the restriction.*
- 4. Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.*

- 9.6.17. Public access is not relevant to this proposal.

- 9.6.18. It can be concluded from the above review of the objectives and policies of the NZCPS 2010 that the proposal does not conflict with its overall aims.



National Policy Statement for Indigenous Biodiversity (NPS IB).

9.6.19. The NPS IB came into force on the 3rd August 2023 which sets out a direction which applies to indigenous biodiversity in the terrestrial environment throughout Aotearoa New Zealand. Many of the objectives and policies within this document relate to Significant Natural Areas (SNA's). To date, Far North District Council (FNDC) has not notified or included any Significant Natural Areas (SNA's) in a District Plan, such that until FNDC has realised SNA's maps, the objectives and policies which reference SNAs are not considered applicable. Therefore, our assessment includes the relevant objectives and policies relating to indigenous vegetation.

9.6.20. An assessment has been provided on the relevant policies and objectives below.

Objectives

The objective of this National Policy Statement is:

(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and

(b) to achieve this:

(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and

(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and

(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and

(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.

9.6.21. The proposal does involve development within close proximity to areas of vegetation which contains a mix of indigenous and exotic species. While the section is predominately covered in vegetation, the applicant has undertaken measures to reduce the amount of vegetation clearance by consolidating the development to one corner of the site that is not identified as High Natural Character. The site was subdivided along with 8 other allotments, which have been recently developed or intended for residential development, which demonstrates that while the proposal is fulfilling the intention of the site; the applicant has taken a precautionary approach to preserve as much vegetation as practically possible on-site.

9.6.22. The proposal is considered to provide for the social, economic and cultural well-being of people and communities. Therefore, the proposal is considered to meet the objective of this National Policy Statement.

Policies



Policy 3: A precautionary approach is adopted when considering adverse effects on indigenous biodiversity.

9.6.23. The applicant has undertaken a precautionary approach by consolidating the development to the southern corner of the site to reduce vegetation clearance and earthworks. Furthermore, the chosen location will mean that the development will predominantly be outside of any areas identified as having High Natural Character with the exception of a very small corner of the dwelling. Therefore, no adverse effects on indigenous vegetation are anticipated by the proposal.

Policy 4: Indigenous biodiversity is managed to promote resilience to the effects of climate change.

9.6.24. The majority of the vegetation located on the site will remain unchanged; as mentioned throughout this report, the vegetation proposed is necessary to develop the site for its intended purpose; such that it will maintain the resilient to the effects of climate change.

Policy 5: Indigenous biodiversity is managed in an integrated way, within and across administrative boundaries.

9.6.25. The proposal has limited clearance, with the development being consolidated to the southern corner of the site which allows residential activities to have an appropriate setback from the PNA on the adjacent property; such that it ensures indigenous biodiversity is managed in an integrated way.

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

9.6.26. The proposal recognises the importance of maintaining indigenous biodiversity throughout this report and has provided for it by; limiting any required clearance and earthworks; and consolidating the built development to the southern corner.

9.6.27. Overall, the proposal is considered to be consistent with the relevant objectives and policies within the National Policy Statement for Highly Productive Land 2022.

Other National Policy Statements

9.6.28. It is considered there are no other National Policy Statements applicable to this application. The subject site is zoned as Rural Production within the Operative District Plan and is located within the Coastal Environment under the Regional Policy Statement (RPS) and therefore the New Zealand Coastal Policy Statement 2010 is considered relevant to this application and has been addressed within Section 9 of this report.



Regional Policy Statement for Northland

- 9.7. The relevant policy statement applicable to the application is the Operative Regional Policy Statement for Northland (RPS). The activity is located within a portion of area identified as having High Natural Character; the site is not known to be located within an area of Outstanding Landscape. It is noted that the site is located within the Coastal Environment.
- 9.8. The relevant objectives and policies relate to Economic Wellbeing, Tangata Whenua, Natural character, Indigenous Ecosystems and Species, Historic Heritage, Infrastructure, and Water quality management.
- 9.9. The proposal is considered to create no more than minor effects on the character of the locality. The proposal will not impact upon the sustainable management of natural and physical resources of the coastal environment. The proposal is considered to have negligible effects on the life supporting capacity of air, water, soil and ecosystems. As such, it is considered the proposal is compatible with the intent of the RPS.
- 9.10. As per the assessment above, the proposal is not considered to create any adverse effects in relation to the above-mentioned themes.
- 9.11. It is considered that with the imposition of the recommendations of this report, the activity is not contrary to the RPS.

Far North Operative District Plan

Relevant Objectives and Policies

- 9.12. The relevant objectives and policies of the Plan are those related to the Rural Environment, in particular the Chapter 8.6 Rural Production Zone; Chapter 12.3 Soils and Minerals; and 12.4 Natural Hazards. The proposal is considered to create less than minor adverse effects on the surrounding environment. The proposal is considered to be consistent with the character of the surrounding area and is considered to have negligible effects on the amenity value of the area. The proposal is considered to be consistent with the objectives and policies of the Plan, as per below.

Assessment of the objectives and policies within the Rural Environment

- 9.13. The following assessment is based upon the objectives and policies contained within Sections 8.3 and 8.4.

Objectives

- *To promote the sustainable management of natural and physical resources of the rural environment.*
- *To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.*



- ***To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.***
- ***To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.***
- ***To protect outstanding natural features and landscapes.***
- ***To avoid actual and potential conflicts between land use activities in the rural environment.***
- ***To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.***
- ***To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.***
- ***To enable rural production activities to be undertaken in the rural environment.***
- **To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.**

- 9.13.1. The proposal promotes sustainable management by retaining most of the indigenous vegetation on the allotment. Furthermore, the development is consolidated to one corner of the site, to ensure as much vegetation as possible is retained while reducing fire risk. Furthermore, any earthworks will be carried out in accordance with GD05.
- 9.13.2. The life supporting capacity of the soil will not be compromised by the proposal. The site is being developed for its intended purpose which is also consistent with the development on adjacent sites.
- 9.13.3. The proposal is not considered to result in any cumulative effects given the activity is anticipated by the plan.
- 9.13.4. The proposal provides for the protection of the indigenous vegetation by retaining most of the indigenous vegetation on the allotment. Furthermore, the development is consolidated to one corner of the site, to ensure as much vegetation as possible is retained while reducing fire risk.
- 9.13.5. There are no areas of Outstanding Natural Features of Landscapes.
- 9.13.6. The proposal will allow the site to be developed for its intended use. The proposed activity is consistent with the surrounding allotments. The development has been consolidated to one corner of the site to achieve a maximum separation distance between the PNA and residential activity. The proposal is not considered to be objectional within the surrounding area.



- 9.13.7. The proposal is not considered to compromise the amenity values of the rural environment. The surrounding environment includes smaller lifestyle sections with low/medium density residential development.
- 9.13.8. Not relevant.
- 9.13.9. The proposed development will retain the rural amenity of the environment as it will remain to be covered completely in bush which is considered to be consistent with the rural environment.
- 9.13.10. The proposed activity is consistent with the amenity values of rural areas and the activities established in the surrounding environment. The proposal will fulfil the intended use of the site which is consistent with the built development on adjacent properties.

Policies.

- *That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.*
- *That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded, and rural productive activities are able to continue.*
- *That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes.*
- That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.
- That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).
- That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.
- That Plan provisions encourage the efficient use and development of natural and physical resources, including consideration of demands upon infrastructure.
- That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type



is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated. Consideration will further be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities.

- 9.13.11. The proposal contributes to the sustainable management of the rural environment by consolidating the development to one corner of the site and limiting the vegetation clearance to less than what is permitted by the District Plan. Erosion and sediment controls will be constructed in accordance with GD05 to ensure all effects resulting from earthworks are less than minor.
- 9.13.12. As demonstrated throughout this report, the proposed activity can be carried out in a manner which ensures any adverse effects arising from the proposal are avoided, remedied, or mitigated.
- 9.13.13. The proposal is considered to safeguard the life supporting capacity of soil and ecosystems.
- 9.13.14. All infrastructure has been designed in a way that safeguards the life supporting capacity of air, water, soil and ecosystems.
- 9.13.15. There are no areas of Outstanding Natural Features and Landscapes.
- 9.13.16. The proposal is considered to maintain the amenity value of the area. The proposed development is consistent with the allotments in the surrounding environment. The productive capacity of the site will remain unchanged and heavily vegetated, such that it is not considered to compromise the amenity of the Rural Production zone.
- 9.13.17. The use of the site will predominately remain unchanged as the site will predominately remain in vegetation with a small portion of the site used for residential activities which was intended for the site at the time of subdivision.
- 9.13.18. The proposal contributes to the protection of the significant indigenous vegetation and significant habitats of indigenous fauna habitats by consolidating the development to one corner of the site and limiting the vegetation clearance to less than what is permitted by the District Plan which is an integral part of protection of the natural and physical resources of the rural environment.
- 9.13.19. No additional demand is placed on infrastructure as the development can provide for its own on-site services.



- 9.13.20. The surrounding environment includes smaller lifestyle sections with low density residential development. In this case, the subject site was intended for rural lifestyle use which is consistent with existing activities, such that the proposal is not inconsistent with the intensity or scale of the Rural Environment.

Assessment of the objectives and policies within the Rural Production Zone

- 1.1 The following assessment is based upon the objectives and policies contained within Sections 8.6.3 and 8.6.4.

Objectives

- *To promote the sustainable management of natural and physical resources in the Rural Production Zone.*
 - *To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.*
 - *To promote the maintenance and enhancement of the amenity values of the Rural environment to a level that is consistent with the productive intent of the zone.*
 - *To enable rural production activities to be undertaken in the zone.*
 - *To promote the protection of significant natural values of the Rural Production Zone.*
 - *To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.*
 - *To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.*
 - *To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.*
 - *To enable rural production activities to be undertaken in the zone.*
- 9.13.21. The proposal promotes to the sustainable management of natural and physical resources in the rural production zone by consolidating the development to one corner of the site and limiting the vegetation clearance to less than what is permitted by the District Plan. Erosion and sediment controls will be constructed in accordance with GD05 to ensure all effects resulting from earthworks are less than minor.
- 9.13.22. The proposal will allow the site to be developed for its intended purpose, which is considered to be an efficient use of the Rural Production zone while providing for the social, economic and cultural well-being of the community.



- 9.13.23. The proposal maintains and enhances the existing amenity values as the proposal will retain most of the vegetation onsite while providing a residential dwelling which is consistent with those in the surrounding environment.
- 9.13.24. The subject site will retain most of the vegetation on-site which is consistent with the surrounding environment and Rural Production Zone. The proposed development is consolidated to the southern corner of the site, such that ample space remains available on the site for future rural production activities.
- 9.13.25. The proposal is not considered to create any conflicting land use or reverse sensitivity effects as the development is consistent with the existing activities in the surrounding environment.
- 9.13.26. There is a functional need for the proposed development on the subject site.

Policies

- *That a wide range of activities be allowed in the Rural Production Zone, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.*
 - *That standards be imposed to ensure that the off-site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.*
 - *That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.*
 - *That activities whose adverse effects, including reverse sensitivity effects cannot be avoided remedied or mitigated are given separation from other activities*
 - *That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.*
 - *That the intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone.*
 - *That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.*
 - *That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.*
- 9.13.27. There are no adverse effects anticipated to arise from the proposal. All effects can be managed within the respective lot boundaries.



- 9.13.28. No conflicting land uses, or reverse sensitivity effects are anticipated. The proposal will allow the site to be developed for its intended purpose. The proposed activity is consistent with those in the surrounding environment.
- 9.13.29. No adverse effects on natural and physical resources are anticipated.
- 9.13.30. Amenity values will remain unchanged from the proposal. The proposal is considered to be of appropriate type, scale and intensity for the environment.
- 9.13.31. The proposal is not considered to affect the continued operation of lawfully established existing activities.

Assessment of objectives and policies within the Soils and Minerals Chapter.

- 9.14. An assessment of the objectives and policies within the Soils and Minerals Chapter have been provided below.

Objectives

12.3.3.1 To achieve an integrated approach to the responsibilities of the Northland Regional Council and Far North District Council in respect to the management of adverse effects arising from soil excavation and filling, and minerals extraction.

12.3.3.2 To maintain the life supporting capacity of the soils of the district.

12.3.3.3 To avoid, remedy or mitigate adverse effects associated with soil excavation or filling.

12.3.3.4 To enable the efficient extraction of minerals whilst avoiding, remedying or mitigating any adverse environmental effects that may arise from this activity.

- 9.14.1. Adverse effects which may arise will be mitigated to a less than minor effect via sediment and erosion control methods during the works.
- 9.14.2. Life supporting capacity of soils is not considered to be affected by the proposal. The site was created with the intention of some form of residential development occurring on the site.
- 9.14.3. As discussed throughout this report, all effects will be mitigated to a less than minor degree through appropriate sediment and erosion control.
- 9.14.4. No extraction of minerals is proposed.

Policies

12.3.4.1 That the adverse effects of soil erosion are avoided, remedied or mitigated.

12.3.4.2 That the development of buildings or impermeable surfaces in rural areas be managed so as to minimise adverse effects on the life supporting capacity of the soil.



12.3.4.3 That where practicable, activities associated with soil and mineral extraction be located away from areas where that activity would pose a significant risk of adverse effects to the environment and/or to human health. Such areas may include those where:

(a) there are people living in close proximity to the site or land in the vicinity of the site is zoned Residential, Rural Living, Coastal Residential or Coastal Living;

(b) there are significant ecological, landscape, cultural, spiritual or heritage values;

(c) there is a potential for adverse effects on lakes, rivers, wetlands and the coastline;

(d) natural hazards may pose unacceptable risks.

12.3.4.4 That soil excavation and filling, and mineral extraction activities be designed, constructed and operated to avoid, remedy or mitigate adverse effects on people and the environment.

12.3.4.5 That soil conservation be promoted.

12.3.4.6 That mining tailings that contain toxic or bio-accumulative chemicals are contained in such a way that adverse effects on the environment are avoided.

12.3.4.7 That applications for discretionary activity consent involving mining and quarrying be accompanied by a Development Plan.

12.3.4.8 That as part of a Development Plan rehabilitation programmes for areas no longer capable of being actively mined or quarried may be required.

12.3.4.9 That soil excavation and filling in the National Grid Yard are managed to ensure the stability of National Grid support structures and the minimum ground to conductor clearances are maintained.

12.3.4.10 To ensure that soil excavation and filling are managed appropriately, normal rural practices as defined in Chapter 3 will not be exempt when determining compliance with rules relating to earthworks, except if the permitted standards in the National Grid Yard specify that activity is exempt.

- 9.14.5. Soil erosion effects will be mitigated to a less than minor degree via the incorporation of a silt fence during excavations and ensuring that exposed surfaces are grassed once excavation is completed.
- 9.14.6. The site is zoned Rural Production in a location where rural productive activities would not be feasible due to the slope and existing vegetation on site. It is considered that the site was created with the intention of some form of residential development occurring on the site. The proposal is not considered to adversely affect the life supporting capacity of soils.
- 9.14.7. The proposal is not associated with any soil and mineral extraction activities.
- 9.14.8. Earthworks will be managed within the site boundaries and are considered to be acceptable within the surrounding environment due to the nature of the works and the topography of the site.
- 9.14.9. Soil conservation is not considered to be impacted by the proposal. The site and surrounding environment were developed with the intention of residential development. The proposal only includes excavations associated with residential development.



- 9.14.10. No mining tailings make up part of this consent.
- 9.14.11. No mining or quarrying activities are proposed.
- 9.14.12. No excavation or filling in the National Grid Yard are proposed.

Assessment of objectives and policies within the Natural Hazards Chapter.

- 9.15. An assessment of the objectives and policies within the Natural Hazards Chapter have been provided below.

Objectives

12.4.3.1 To reduce the threat of natural hazards to life, property and the environment, thereby to promote the well being of the community.

12.4.3.2 To ensure that development does not induce natural hazards or exacerbate the effects of natural hazards.

12.4.3.3 To ensure that natural hazard protection works do not have adverse effects on the environment.

12.4.3.4 To ensure that the role in hazard mitigation played by natural features is recognised and protected.

12.4.3.5 To improve public awareness of natural hazards as a means of helping people to avoid them.

12.4.3.6 To take into account reasonably foreseeable changes in the nature and location of natural hazards.

12.4.3.7 To avoid fire risk arising from the location of residential units in close proximity to trees, or in areas not near fire fighting services.

- 9.15.1. The subject property contains vegetation that is within 20m of the proposed dwelling. The proposal has reduced the fire risk hazard by dedicating 10,000 litres of water for firefighting purposes which is easily accessible for firefighters. This tank will be constantly topped up with water to ensure that it is full for firefighting purposes. The applicant has advised that the separation distance between the dwelling and tree dripline will be kept clear from debris. It is considered that the proposal reduces the threat of the fire risk by the above-mentioned methods.
- 9.15.2. As mentioned above, it is considered that the proposal has incorporated effective measures to ensure that the fire risk hazard is not exacerbated.
- 9.15.3. No natural hazard protection works relate to this proposal.
- 9.15.4. There are no natural features which play a role in hazard mitigation located on the site. However, it has been recognised that Hihi Beach is located within proximity to the site which is another water source if it is required.



- 9.15.5. Public awareness has been raised through the District Plan and resource consent requirement.
- 9.15.6. The methods used to decrease the fire risk hazard, is the incorporation of a water tank which is accessible for firefighting appliances and keeping the separation distance between the dwelling and vegetation clear as well as keeping the vegetation trimmed. It is considered that these methods do not have adverse effects on the environment and take into account reasonably foreseeable changes in the nature and location of natural hazards.
- 9.15.7. As mentioned above, methods have been incorporated into the proposal to decrease the fire risk as well as approval being sought from Fire and Emergency NZ.

Policies

12.4.4.1 That earthworks and the erection of structures not be undertaken in areas where there is a significant potential for natural hazards unless they can be carried out in such a way so as to avoid being adversely affected by the natural hazards, and can avoid exacerbating natural hazards.

12.4.4.2 That the natural character of features, such as beaches, sand dunes, mangrove areas, wetlands and vegetation, which have the capacity to protect land values and assets from natural coastal hazards, is protected and enhanced.

12.4.4.3 That protection works for existing development be allowed only where they are the best practicable option compatible with sustainable management of the environment.

12.4.4.4 That the sea level rise, as predicted by the Intergovernmental Panel of Climate Change or Royal Society of NZ, be taken into account when assessing development in areas potentially affected.

12.4.4.5 That information on known natural hazards be made available in order that the public can make informed resource management decisions.

12.4.4.6 That the adverse effects on people, property and the environment from coastal hazards in Coastal Hazard Areas, as identified by the Northland Regional Council, are avoided

12.4.4.7 That the risk to adjoining vegetation and properties arising from fires be avoided

12.4.4.8 That the location, intensity, design and type of new coastal subdivision, use and development be controlled so that the need for hazard protection works is avoided or minimised.

12.4.4.9 That the role of riparian margins in the mitigation of the effects of natural hazards is recognised and that the continuing ability of riparian margins to perform this role be assured.

- 9.15.8. The subject site is located in the Rural Production Zone, and it is considered that the site was created for the purpose of residential development occurring on the site. Mitigation methods have been proposed which will decrease the fire risk potential, such that the proposal will not exacerbate the risk of fire on-site.



- 9.15.9. The site is not located within an area prone to Coastal Hazards, as the property is located further inland from the coastal marine area.
- 9.15.10. No protection works are required as part of the proposal.
- 9.15.11. The property is not known to be affected by sea level rise, due to its elevation above sea level.
- 9.15.12. The applicant is aware that the proposed dwelling is located in proximity to vegetation within the adjoining site and has provided adequate mitigation methods to decrease the fire risk.
- 9.15.13. The subject site is not known to be susceptible to Coastal Hazards.
- 9.15.14. The proposal has incorporated adequate mitigation methods to decrease the fire risk from the vegetation on the adjoining site, as has been discussed earlier in this report.
- 9.15.15. The proposal is for land use only, no subdivision is proposed.
- 9.15.16. The proposal does not include riparian margins.

Proposed Far North District Plan

- 9.16. As discussed in the sections above, the site is located within the Rural Production zone and is located within an area identified as High Natural Character. The site is also located within an area which is identified as the Coastal Environment. The proposal is considered to be consistent with the character of the surrounding area and is considered to have negligible effects on the amenity value of the area. The proposal is considered to be consistent with the objectives and policies of the Proposed District Plan.

Assessment of objectives and policies in the Rural Production zone

Objectives

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

RPROZ-O2 - The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.

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

(a) protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;

(b) protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;



- (c) does not compromise the use of land for farming activities, particularly on highly productive land;*
- (d) does not exacerbate any natural hazards; and*
- (e) is able to be serviced by on-site infrastructure.*

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

- 9.17. The proposed development is consolidated to the southern corner of the site, in a manner which ensures that the long-term availability of land for productive use.
- 4.3. The proposal will result in a residential dwelling located on the southern corner of the site which was the intention for the site which it was subdivided. The remainder of the site will remain covered in vegetation. The proposed development is consistent with the built development in the area and is considered to have a functional need to be located in the rural environment.
- 4.4. The site does not contain land which is classified as highly productive.
- 4.5. No reverse sensitivity effects are anticipated.
- 4.6. The proposal does not compromise the use of the land for farming activities.
- 4.7. The site is not prone to any known natural hazard.
- 4.8. On-site infrastructure is able to be accommodated on site.
- 4.9. Rural character and amenity will not be affected as the proposed development is consistent with other built development in the area.

Policies

RPROZ-P1 - Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.

RPROZ-P2 - Ensure the Rural Production zone provides for activities that require a rural location by:

- (a) enabling primary production activities as the predominant land use;*
- (b) enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.*

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



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

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

RPROZ-P5 - Avoid land use that:

- (a) is incompatible with the purpose, character and amenity of the Rural Production zone;**
- (b) does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;**
- (c) would result in the loss of productive capacity of highly productive land;**
- (d) would exacerbate natural hazards; and**
- (e) cannot provide appropriate on-site infrastructure.**

RPROZ-P6 - Avoid subdivision that:

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

RPROZ-P7 - Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- (a) whether the proposal will increase production potential in the zone;**
- (b) whether the activity relies on the productive nature of the soil;**
- (c) consistency with the scale and character of the rural environment;**
- (d) location, scale and design of buildings or structures;**
- (e) for subdivision or non-primary production activities:
 - i. scale and compatibility with rural activities;**
 - ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;**
 - iii. the potential for loss of highly productive land, land sterilisation or fragmentation****
- (f) at zone interfaces:
 - i. any setbacks, fencing, screening or landscaping required to address potential conflicts;****



ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;

(g)the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;

(h)the adequacy of roading infrastructure to service the proposed activity;

(i)Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;

(j)Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

- 4.10. No primary production activities are proposed; however, the proposal does not restrict these types of activities being able to occur on the site and adjoining allotments. The proposed development will be the first residential dwelling onsite with the remainder of the site retaining the existing vegetation.
- 4.11. The proposal is for a land use consent to construct the first residential dwelling. The proposed development is isolated within one corner of the site, with the remainder of the site being retained in vegetation.
- 4.12. No reverse sensitivity effects are anticipated.
- 4.13. The proposal is considered to be of low density and maintain the rural character and amenity of the rural production zone by retaining most of the vegetation on the subject site. The proposed residential dwelling will be screened and is not located within proximity to any adjacent allotments where reverse sensitivity could arise.
- 4.14. The proposal is compatible with the surrounding environment and is considered to have a functional need to be located within the site.
- 4.15. The proposal does not result in the loss of highly productive land, nor will it exacerbate natural hazards, as the site is not known to contain any area's prone to natural hazards. The proposal is able to accommodate appropriate onsite infrastructure.
- 4.16. The proposal is not for a subdivision.
- 4.17. As demonstrated through this report, the proposal is consistent with the surrounding environment and the effects generated by the proposal are less than minor. The proposed dwelling can accommodate onsite infrastructure without creating any adverse effects. The site has no known historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.



Coastal Environment

9.18. An assessment of the objectives and policies within the Coastal Environment have been provided below.

Objectives:

CE-O1 The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.

CE-O2 Land use and subdivision in the coastal environment:

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

CE-O3 Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.

9.18.1. The dwelling will be absorbed into the existing rural environment within the Rural Production zone. The natural character of the existing environment consists of rural-residential allotments throughout the landscape with dense vegetation to the east of the allotment. Due to the existing development within the area, buildings in the surrounding environment are easily integrated into the environment, which is consistent with the proposed development.

9.18.2. The proposal is consistent with the development in the immediate environment being low density rural-residential development with a coastal character and outlook. The proposal does not result in urban sprawl, the development will be the first residential dwelling on a vacant allotment which was anticipated for the allotment at the time of subdivision; this is also reflected on other allotments nearby.

9.18.3. As stated earlier in this report, the proposal is consistent with the scale and design of other properties within the existing built environment.

Policies:

CE-P1 Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1- Mapping methods and criteria.

Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as:



a) outstanding natural character;

b) ONL;

c) ONF.

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

a) Outstanding natural character;

b) ONL;

c) ONF

CE-P4 Preserve the visual qualities, character and integrity of the coastal environment by:

a) Consolidating land use and subdivision around existing urban centres and rural settlements; and

b) Avoiding sprawl or sporadic patterns of development

CE-P5 Enable land use and subdivision in urban zones within the coastal environment where:

a) There is adequacy and capacity of available or programmed development infrastructure; and

b) The use is consistent with, and does not compromise the characteristics and qualities.

CE-P6 Enable farming activities within the coastal environment where:

a) the use forms part of the values that established natural character of the coastal environment; or

b) the use is consistent with, and does not compromise the characteristics and qualities.

CE-P7 Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where:

a) the use is consistent with the ancestral use of that land; and

b) the use does not compromise any identified characteristics and qualities.'

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

CE-P9 Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.

CE-P10 Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

a) the presence or absence of buildings, structures or infrastructure;

b) the temporary or permanent nature of any adverse effects;

c) the location, scale and design of any proposed development;

d) any means of integrating the building, structure or activity;



- e) the ability of the environment to absorb change;*
- f) the need for and location of earthworks or vegetation clearance;*
- g) the operational or functional need of any regionally significant infrastructure to be sited in the particular location;*
- h) any viable alternative locations for the activity or development;*
- i) any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;*
- j) the likelihood of the activity exacerbating natural hazards;*
- k) the opportunity to enhance public access and recreation;*
- l) the ability to improve the overall quality of coastal waters; and*
- m) any positive contribution the development has on the characteristics and qualities.*

- 9.18.4. The site gains access from Hihi Road onto the ROW, which contains low density development within the Coastal Environment. The proposal will be developing the site for its intended purposes with a design that takes into consideration the contour of the land and the existing vegetation located on site. It is considered the proposed development is compatible for the site and is in keeping with the existing character and amenity of the surrounding area.
- 9.18.5. The site is not mapped as Outstanding Natural Character, ONL or ONF within the proposed District Plan maps.
- 9.18.6. The site is located within a coastal area with a pattern of low rural-residential development. The proposal is not considered to create any patterns of sporadic development. The development is for a residential activity contained within the southern corner of the site, such that the productivity of the site and existing vegetation will not be compromised.
- 9.18.7. The proposal includes two on-site water tanks to provide potable water, firefighting water supply and stormwater management. The development is consistent with the land use activities occurring in the existing environment. Mitigation measures have been included such as the location of the proposed building and retaining vegetation to ensure the development does not compromise the characterises and qualities of the coastal environment.
- 9.18.8. Not relevant, the activity is not for a farming activity.
- 9.18.9. Not relevant.
- 9.18.10. The proposal is considered to enhance the natural character of the coastal environment by retaining a significant amount of vegetation and locating the dwelling into the southern corner of the site. With the chosen location of the proposed dwelling, this results in less



vegetation clearance, earthworks and less impermeable surfaces which will enhance the character of the site by reducing the amount of works involved, avoiding scattered development (keeping the built development close to the ROW) and allowing the vegetation to further mature which will integrate the proposed development into the landscape. Most of the site has been identified as High Natural Character, the proposed building platform has been contained to the southern corner of the site; such that only a very small portion of the development will overlap into this area, to avoid any potential adverse effects of the built development onto the area of High Natural Character.

- 9.18.11. The property is not located within an area of Outstanding Natural Character.
- 9.18.12. As demonstrated throughout this report, the proposal is consistent with the existing built development in the surrounding environment. When the site was subdivided, it was intended to contain a residential dwelling, and this is reflected in the existing built development on nearby allotments. The applicant has had special consideration for the location and size of the proposed dwelling to avoid adverse impacts resulting from vegetation clearance, earthworks, and stormwater management from impervious surfaces. The vegetation being retained will effectively integrate the development into the surrounding environment and ensure the character of the site is not being compromised. The subject site is not prone to any known natural hazards and is able to accommodate all onsite infrastructure appropriately.
- 9.18.13. Under the Proposed District Plan, the site is zoned Rural Production and sits within the Coastal Environment overlay. The proposal is considered to create no more than minor adverse effects on the surrounding environment and is consistent with the intent of the surrounding environment and the zone. The proposal is consistent with the objectives and policies of the Proposed District Plan within the Coastal Environment.

Summary

- 9.18.14. The above assessment of the relevant policy documents demonstrates that the proposal will be consistent with the relevant objectives and policies of those statutory documents.

10. Notification Assessment – Sections 95A to 95G of the Act

Public Notification Assessment

- 10.1. Section 95A requires a council to follow specific steps to determine whether to publicly notify an application. The following is an assessment of the application against these steps:



Step 1 Mandatory public notification in certain circumstances

An application must be publicly notified if, under section 95A(3), it meets any of the following criteria:

(a) the applicant has requested that the application be publicly notified;

(b) public notification is required under section 95C;

(c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

- 10.1.1. It is not requested the application be publicly notified and the application is not made jointly with an application to exchange reserve land. Therefore Step 1 does not apply and Step 2 must be considered.

Step 2: Public Notification precluded in certain circumstances.

(4) Determine whether the application meets either of the criteria set out in subsection (5) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

(5) The criteria for step 2 are as follows:

(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:

(b) the application is for a resource consent for 1 or more of the following, but no other, activities:

(i) a controlled activity;

(ii) [Repealed]

(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.

(iv) [Repealed]

(6) [Repealed]

- 10.1.2. Public Notification is not precluded as the proposal is a Discretionary Activity and is not a boundary activity. Therefore Step 3 must be considered.

Step 3: Public Notification required in certain circumstances.

(7) Determine whether the application meets either of the criteria set out in subsection (8) and,—

(a) if the answer is yes, publicly notify the application; and

(b) if the answer is no, go to step 4.

(8) The criteria for step 3 are as follows:

(a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:

(b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

- 10.1.3. The proposal is not subject to a rule or NES requiring public notification and the proposal does not have effects that will be more than minor. Therefore, Public Notification is not required, and Step 4 must be considered.



Step 4: Public notification in special circumstances

- 10.1.4. Section 95A(9) states that a council must publicly notify an application for resource consent if it considers that ‘special circumstances’ exist, notwithstanding that Steps 1 – 3 above do not require or preclude public notification. Special circumstances are not defined in the Act.
- 10.1.5. There are no special circumstances that exist to justify public notification of the application because the proposal is not considered to be controversial or of significant public interest, particularly given that it is private land and the proposal will result in a residential dwelling on the site, which is considered as neither exceptional nor unusual.

Public Notification Summary

- 10.1.6. From the assessment above it is considered that the application does not need to be publicly notified, but an assessment of limited notification is required.

Limited Notification Assessment

- 10.2. If the application is not publicly notified, a consent authority must follow the steps of section 95B to determine whether to give limited notification of an application.

Step 1: Certain affected groups and affected persons must be notified.

(2) Determine whether there are any—

(a) affected protected customary rights groups; or

(b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).

(3) Determine—

(a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and

(b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.

(4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).

- 10.2.1. There are no protected customary rights groups or customary marine title groups or statutory acknowledgement areas that are relevant to this application. Therefore Step 1 does not apply and Step 2 must be considered.

Step 2: Limited notification precluded in certain circumstances.

(5) Determine whether the application meets either of the criteria set out in subsection (6) and,—

(a) if the answer is yes, go to step 4 (step 3 does not apply); and

(b) if the answer is no, go to step 3.

(6) The criteria for step 2 are as follows:



- (a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification;*
- (b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).*

10.2.2. There is no rule in the plan or national environmental standard that precludes notification. The application is not for a controlled activity. Therefore Step 2 does not apply and Step 3 must be considered.

Step 3: Certain other affected persons must be notified.

- (7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.*
- (8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.*
- (9) Notify each affected person identified under subsections (7) and (8) of the application.*

10.2.3. The proposal includes a boundary activity.

In deciding who is an affected person under section 95E, a council under section 95E(2):

- (2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—*
- (a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and*
- (b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and*
- (c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*

10.2.4. A council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval. In the case of this application no persons have given written approval to this development.

10.2.5. With respect to section 95B(8) and section 95E, the permitted baseline was considered as part of the assessment of environmental effects undertaken in Section 5 of this report, which found that the potential adverse effects on the environment will be less than minor. In regard to effects on persons, the assessment in Sections 5, 6 and 7 are also relied on and the following comments made:

- The proposed dwelling is consistent with other development in the area.
- The site is being developed for its intended purpose.
- The proposal is not considered to be contrary to the objectives and policies under the District Plan and Regional Policy Statement.
- The proposal is not considered to have any adverse effects within the site nor on any adjoining sites.
- All other persons are sufficiently separated from the proposed development and works, such that there will be no effects on these people.



With regard to the retaining wall within the permitted setback, to the adjoining boundary of Lot 4 DP 195378 located on the opposite side of the ROW. The proposed retaining wall will be screened from this property by the existing vegetation, and the topography of both sites. The retaining wall is considered to be essential to form a safe access and parking area for the proposed dwelling and given the topography of the site it is considered to be an anticipated outcome. Any effects resulting from the setback breach in relation to visual dominance, outlook and privacy on Lot 4 DP 195378 are considered to be less than minor.

- 10.2.6. Therefore, no persons will be affected to a minor or more than minor degree.
- 10.2.7. Overall, the adverse effects on any persons are considered to be no more than minor. Therefore Step 3 does not apply and Step 4 must be considered.

Step 4: Further notification in special circumstances

(10) whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons),

- 10.2.8. The proposal is to construct a dwelling and detached shed on the site. It is considered that no special circumstances exist in relation to the application.

Limited Notification Assessment Summary

- 10.2.9. Overall, from the assessment undertaken Steps 1 to 4 do not apply and there are no affected persons.

11. Part 2 Assessment

- 11.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 11.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resource whilst meeting the foreseeable needs of future generations as the site is being used for its intended use. In addition, the proposal will avoid adverse effects on the environment and will maintain the character of the site and surrounding environment.
- 11.3. Section 6 of the Act sets out a number of matters of national importance. The subject site is located within the coastal environment under the RPS. The proposed development will have a building coverage of 237m² and all stormwater run-off will be managed by being directed to multiple 25,000 litre water tanks, with overflow being dispersed in a controlled manner. Wastewater will be via onsite disposal as per the wastewater report by LDE. Public access is not considered relevant to this application. The proposal has taken into account the



relationship of Māori and their culture and traditions. The subject site is not known to contain any archaeological sites.

- 11.4. Section 7 identifies a number of “other matters” to be given particular regard by a Council in the consideration of any assessment for resource consent, including the maintenance and enhancement of amenity values. The proposal maintains amenity values in the area as the proposal is in keeping with the existing character of the surrounding environment. The proposal also maintains and enhances the quality of the environment.
- 11.5. Section 8 requires Council to take into account the principals of the Treaty of Waitangi. It is considered that the proposal raises no Treaty issues. The subject site is not located within an area of significance to Māori. The proposal has taken into account the principals of the Treaty of Waitangi and is not considered to be contrary to these principals.
- 11.6. Overall, the application is considered to be consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by section 5 of the Act.

12. Conclusion

- 12.1. The proposed development is considered consistent with the surrounding environment. All earthworks will be adequately managed within the site boundaries and is considered to have less than minor effects. Secondly, mitigation measures have been incorporated into the proposal to reduce the risk of fire, in conjunction with approval from Fire and Emergency New Zealand. Lastly any adverse effects resulting from the proposed retaining wall being with the permitted setback is considered to be less than minor.
- 12.2. The development has had special consideration towards the design, location, use of materials, and vegetation to ensure the development can be effectively absorbed into the natural environment while providing suitable mitigation such as water supply due to the proximity to the bush.
- 12.3. No significant adverse effects are anticipated to arise from the activity included in the application and no consideration of alternatives has been undertaken. All effects of the activity are being managed within the property boundaries. Overall, it is considered that the proposal will result in no more than minor effects on the environment.
- 12.4. In terms of section 104(1)(a) of the Act, the actual and potential effects of the proposal will be less than minor. The relevant provisions within Part 2 of the Act have been addressed as part of this application. The overall conclusion from the assessment of the statutory considerations is that the proposal is considered to be consistent with the sustainable management purpose of the Resource Management Act 1991.



- 12.5. It is also considered that the proposal will have less than minor adverse effects on the wider environment; no persons will be adversely affected by the proposal and there are no special circumstances.
- 12.6. In terms of section 104(1)(b) of the Act, the proposal is found to be generally consistent with the objectives, policies and assessment criteria of the relevant statutory documents as set out in this report.
- 12.7. As a Discretionary Activity, the application has been assessed under the matters specified under Section 104 and 104B of the Resource Management Act 1991. It is considered that the proposal results in no more than minor effects on the environment. It is considered appropriate for consent to be granted on a non-notified basis, subject to fair and reasonable conditions.

13. Limitations

- 13.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 13.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 13.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
- 13.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.





WHAKARATONGA IWI

FIRE
EMERGENCY

NEW ZEALAND

Non-Reticulated Firefighting Water Supplies, Vehicular Access & Vegetation Risk Reduction Application for New and Existing Residential Dwellings and Sub-Divisions



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Section A - Firefighting Water Supplies and Vegetation Risk Reduction Waiver

“Fire and Emergency New Zealand strongly recommends the installation of automatic fire detection system devices such as smoke alarms for early warning of a fire and fire suppression systems such as sprinklers in buildings (irrespective of the water supply) to provide maximum protection to life and property”.

Waiver Explanation Intent

Fire and Emergency New Zealand [FENZ] use the New Zealand Fire Service [NZFS] Code of Practice for firefighting water supplies (SNZ PAS 5409:2008) (The Code) as a tool to establish the quantity of water required for firefighting purposes in relation to a specific hazard (Dwelling, Building) based on its fire hazard classification regardless if they are located within urban fire districts with a reticulated water supply or a non-reticulated water supply in rural areas. The code has been adopted by the Territorial Authorities and Water Supply Authorities. The code can be used by developers and property owners to assess the adequacy of the firefighting water supply for new or existing buildings.

The Area Manager under the delegated authority of the Fire Region Manager is responsible for approving applications in relation to firefighting water supplies. The Area Manager may accept a variation or reduction in the amount of water required for firefighting for example; a single level dwelling measuring 200^m² requires 45,000L of firefighter water under the code, however the Area Managers in Northland have excepted a reduction to 10,000L.

This application form is used for the assessment of proposed water supplies for firefighting in non-reticulated areas only and is referenced from (Appendix B – Alternative Firefighting Water Sources) of the code. This application also provides fire risk reduction guidance in relation to vegetation and the 20-metre dripline rule under the Territorial Authority’s District Plan. Fire and Emergency New Zealand are not a consenting authority and the final determination rests with the Territorial Authority.

For more information in relation to the code of practice for Firefighting Water supplies, Emergency Vehicle Access requirements, Home Fire Safety advice and Vegetation Risk Reduction Strategies visit www.fireandemergency.nz

Section B – Applicant Information

Applicants Information	
Name:	
Address:	
Contact Details:	
Return Email Address:	info@northplanner.co.nz

Section C – Property Details

Property Details	
Address of Property:	458F Hihi Road, Hihi
Lot Number/s:	Lot 6 DP 195378
Dwelling Size: (Area = Length & Width)	3-bedroom dwelling - 237m2
Number of levels: (Single / Multiple)	Two

1. Fire Appliance Access to alternative firefighting water sources - Expected Parking Place & Turning circle

Fire and Emergency have specific requirements for fire appliance access to buildings and the firefighting water supply. This area is termed the hard stand. The roading gradient should not exceed 16%. The roading surface should be sealed, able to take the weight of a 14 to 20-tonne truck and trafficable at all times. The minimum roading width should not be less than 4 m and the property entrance no less 3.5 metres wide. The height clearance along access ways must exceed 4 metres with no obstructions for example; trees, hanging cables, and overhanging eaves.

1 (a) Fire Appliance Access / Right of Way	
Is there at least 4 metres clearance overhead free from obstructions?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Is the access at least 4 metres wide?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Is the surface designed to support a 20-tonne truck?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Are the gradients less than 16%	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Fire Appliance parking distance from the proposed water supply is approximately 3 metres	

If access to the proposed firefighting water supply is not achievable using a fire appliance, firefighters will need to use portable fire pumps. Firefighters will require at least a one-metre wide clear path / walkway to carry equipment to the water supply, and a working area of two metres by two metres for firefighting equipment to be set up and operated.

1 (b) Restricted access to firefighting water supply, portable pumps required
Has suitable access been provided? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Comments: The driveway gains access via a ROW. Parking is available within close proximity to the dwelling. In addition to this the water tanks are approximately 12m from the ROW, such that the water tanks can be accessed via the ROW.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

2. Firefighting Water Supplies (FFWS)

What are you proposing to use as your firefighting water supply?

2 (a) Water Supply Single Dwelling	
Tank	<input checked="" type="checkbox"/> Concrete Tank <input type="checkbox"/> Plastic Tank <input type="checkbox"/> Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) <input type="checkbox"/> Part Buried (max exposed 1.500 mm above ground) <input checked="" type="checkbox"/> Fully Buried (access through filler spout) Volume of dedicated firefighting water 10,000L - 20,000 litres

2 (b) Water Supply Multi-Title Subdivision Lots / Communal Supply	
Tank Farm	<input type="checkbox"/> Concrete Tank <input type="checkbox"/> Plastic Tank <input type="checkbox"/> Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) <input type="checkbox"/> Part Buried (max exposed 1.500mm above ground) <input type="checkbox"/> Fully Buried (access through filler spout) Number of tanks provided Click or tap here to enter text. Number of Tank Farms provided Click or tap here to enter text. Water volume at each Tank Farm Click or tap here to enter text. Litres Volume of dedicated firefighting water Click or tap here to enter text. litres

2 (c) Alternative Water Supply	
Pond:	Volume of water: Click or tap here to enter text.
Pool:	Volume of water: Click or tap here to enter text.
Other:	Specify: The site is near the coastal marine area
	Volume of water: Unknown

Internal FENZ Risk Reduction comments only:

[Click or tap here to enter text.](#)

3. Water Supply Location

The code requires the available water supply to be at least 6 metres from a building for firefighter safety, with a maximum distance of 90 metres from any building. This is the same for a single dwelling or a Multi-Lot residential subdivision. Is the proposed water supply within these requirements?

3 (a) Water Supply Location	
Minimum Distance:	Is your water supply at least 6 metres from the building? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Maximum Distance	Is your water supply no more than 90 metres from the building? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

3 (b) Visibility
How will the water supply be readily identifiable to responding firefighters? E.g.: tank is visible to arriving firefighters or, there are signs / markers posts visible from the parking place directing them to the tank etc.
Comments: This can be addressed at time of building consent.

3 (c) Security
How will the FFWS be reasonably protected from tampering? E.g.: light chain and padlock or, cable tie on the valve etc.
Explain how this will be achieved: This is not of a concern

<i>Internal FENZ Risk Reduction comments only:</i> Click or tap here to enter text.

4. Adequacy of Supply

The volume of storage that is reserved for firefighting purposes must not be used for normal operational requirements. Additional storage must be provided to balance diurnal peak demand, seasonal peak demand and normal system failures, for instance power outages. The intent is that there should always be sufficient volumes of water available for firefighting, except during Civil Défense emergencies or by prior arrangement with the Fire Region Manager.

4 (a) Adequacy of Water supply

Note: *The owner must maintain the firefighting water supply all year round. How will the usable capacity proposed be reliably maintained? E.g. automatically keep the tank topped up, drip feed, rain water, ballcock system, or manual refilling after use etc.*

Comments:

The water tank will maintain the firefighting water supply via rainwater.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

5. Alternative Method using Appendix's H & J

If Table 1 + 2 from the Code of Practice is not being used for the calculation of the Firefighting Water Supply, a competent person using appendix H and J from the Code of Practice can propose an alternative method to determine firefighting water supply adequacy.

Appendix H describes a method for determining the maximum fire size in a structure. Appendix J describes a method for assessing the adequacy of the firefighting water supply to the premises.

5 (a) Alternative Method Appendix H & J

If an alternative method of determining the FFWS has been proposed, who proposed it?

Name: Click or tap here to enter text.

Contact Details: Click or tap here to enter text.

Proposed volume of storage?

Litres: Click or tap here to enter text.

Comments:

Click or tap here to enter text.

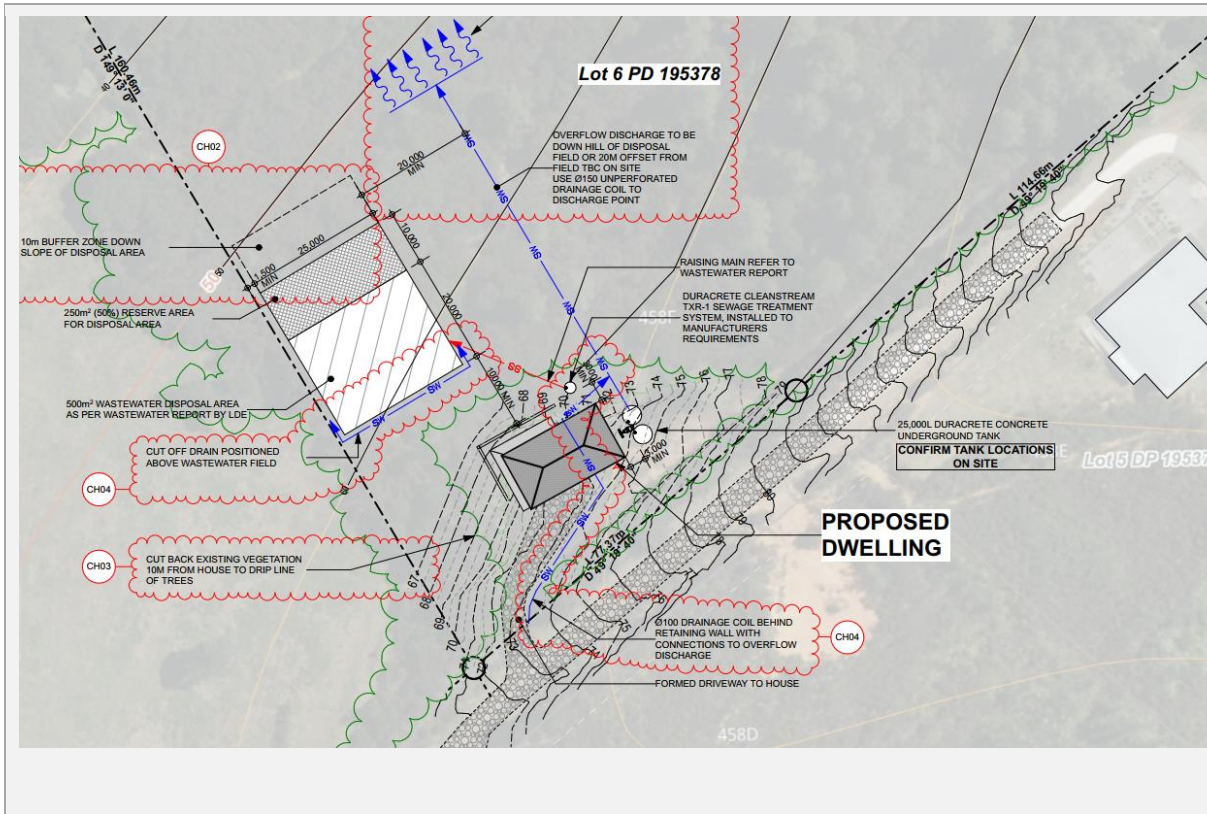
** Please provide a copy of the calculations for consideration.*

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

6. Diagram

Please provide a diagram identifying the location of the dwelling/s, the proposed firefighting water supply and the attendance point of the fire appliance to support your application.



Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

7. Vegetation Risk Reduction - Fire + Fuel = Why Homes Burn

Properties that are residential, industrial or agricultural, are on the urban–rural interface if they are next to vegetation, whether it is forest, scrubland, or in a rural setting. Properties in these areas are at greater risk of wildfire due to the increased presence of nearby vegetation.

In order to mitigate the risk of fire spread from surrounding vegetation to the proposed building and vice-versa, Fire Emergency New Zealand recommends the following;

I. Fire safe construction

Spouting and gutters – Clear regularly and consider screening with metal mesh. Embers can easily ignite dry material that collects in gutters.

Roof – Use fire resistant material such as steel or tile. Avoid butanol and rubber compounds.

Cladding – Stucco, metal sidings, brick, concrete, and fibre cement cladding are more fire resistant than wood or vinyl cladding.

II. Establish Safety Zones around your home.

Safety Zone 1 is your most important line of defence and requires the most consideration. Safety Zone 1 extends to 10 metres from your home, you should;

- a) Mow lawn and plant low-growing fire-resistant plants; and*
- b) Thin and prune trees and shrubs; and*
- c) Avoid tall trees close to the house; and*
- d) Use gravel or decorative crushed rock instead of bark or wood chip mulch; and*
- e) Remove flammable debris like twigs, pine needles and dead leaves from the roof and around and under the house and decks; and*
- f) Remove dead plant material along the fence lines and keep the grass short; and*
- g) Remove over hanging branches near powerlines in both Zone 1 and 2.*

III. Safety Zone 2 extends from 10 – 30 metres of your home.

- a) Remove scrub and dead or dying plants and trees; and*
- b) Thin excess trees; and*
- c) Evenly space remaining trees so the crowns are separated by 3-6 metres; and*
- d) Avoid planting clusters of highly flammable trees and shrubs*
- e) Prune tree branches to a height of 2 metres from the ground.*

IV. Choose Fire Resistant Plants

Fire resistant plants aren't fire proof, but they do not readily ignite. Most deciduous trees and shrubs are fire resistant. Some of these include: poplar, maple, ash, birch and willow. Install domestic sprinklers on the exterior of the sides of the building that are less 20 metres from the vegetation. Examples of highly flammable plants are: pine, cypress, cedar, fir, larch, redwood, spruce, kanuka, manuka.

For more information please go to <https://www.fireandemergency.nz/at-home/the-threat-of-rural-fire/>

If your building or dwelling is next to vegetation, whether it is forest, scrubland, or in a rural setting, please detail below what Risk Reduction measures you will take to mitigate the risk of fire development and spread involving vegetation?

7 (a) Vegetation Risk Reduction Strategy

The proposed dwelling will be located approximately 5 - 10m from the bush dripline. The water tanks are located approximately 3m from the main dwelling which can be accessed via the parking area. In addition to this, the water tanks are located approximately 12m from the ROW, such that they can be accessed from the ROW. Areas between the proposed dwelling and bush will be kept clear of twigs and branches. Furthermore, the cladding on the house will be profiled metal (corrugated iron).

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

8. Applicant

Checklist	
<input checked="" type="checkbox"/>	Site plan (scale drawing) – including; where to park a fire appliance, water supply, any other relevant information.
<input checked="" type="checkbox"/>	Any other supporting documentation (diagrams, consent).

I submit this proposal for assessment.

Name: Shanay Howard Dated: 19/04/2023

Contact No.: 09 408 1866

Email: info@northplanner.co.nz

Signature: Shanay Howard

9. Approval

In reviewing the information that you have provided in relation to your application being approximately a [Click or tap here to enter text.](#) square metre, Choose an item. dwelling/sub division, and non-sprinkler protected.

The Area Manager of Fire and Emergency New Zealand under delegated authority from the Fire Region Manager, Te Hiku, has assessed the proposal in relation to firefighting water supplies and the vegetation risk strategy. The Manager [Choose an item.](#) agree with the proposed alternate method of Fire Fighting Water Supplies. Furthermore; the Manager agrees with the Vegetation Risk Reduction strategies proposed by the applicant.

Name: [Click or tap here to enter text.](#)

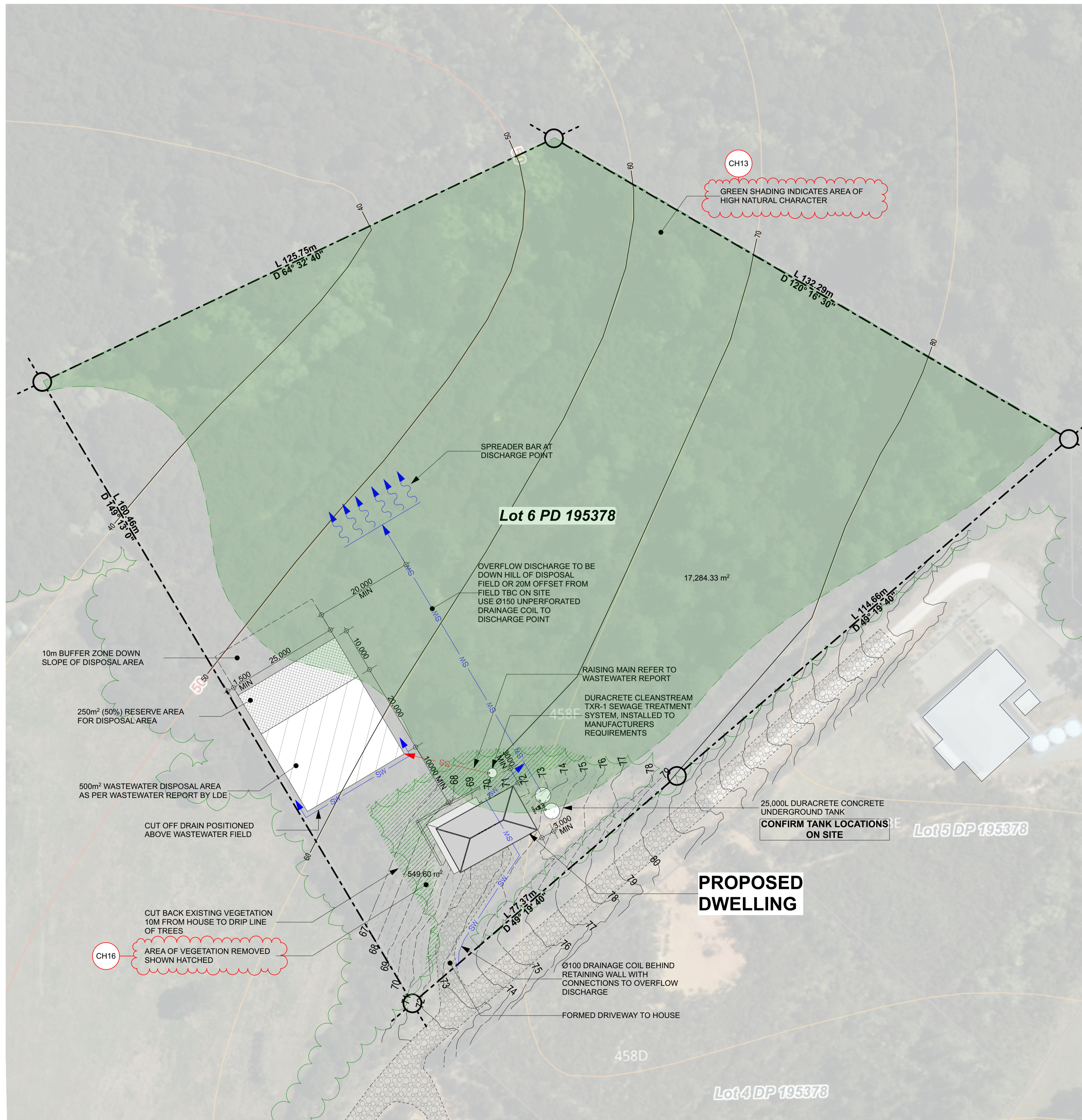
Signature: [Click or tap here to enter text.](#) Dated: [Click or tap to enter a date.](#)

P.P on behalf of the Area Manager

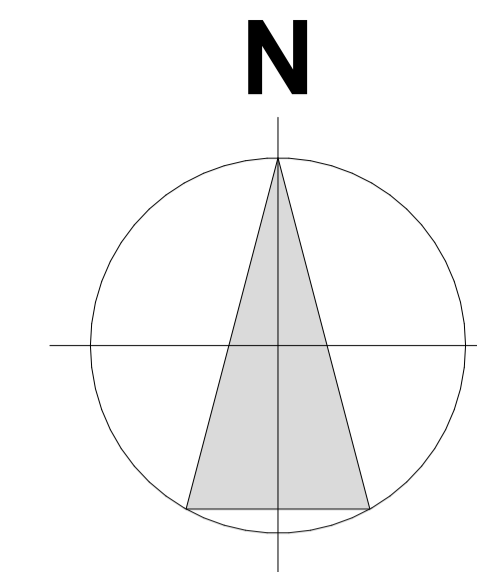
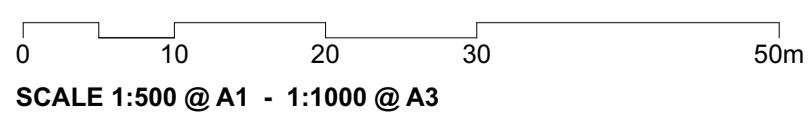
Fire and Emergency New Zealand Te Tai Tokerau / Northland District
APPROVED By GoffinJ at 9:46 am, Sep 27, 2023
Jason Goffin- Advisor Risk Reduction



LOCATION PLAN
SCALE 1:10000



OVERALL SITE PLAN
SCALE 1:500



PHYSICAL ADDRESS:
458F HIHI ROAD
MANGONUI
HIHI

LEGAL DESCRIPTION:
LOT 6
DP 195378
AREA:
2.005 ha (22,050m²)

DISTRICT PLAN ENVIRONMENT
Rural production

ZONES:
EARTHQUAKE ZONE: 1
EXPOSURE ZONE: D
CLIMATE ZONE: ZONE 1
WIND REGION: A
LEE ZONE: RAINFALL INTENSITY 90 - 100
WIND ZONE: EXTRA HIGH

ENVIRONMENT:
GROSS SITE AREA = 2.205 ha (22,050 m²)
BUILDING COVERAGE = 12.5%
ALLOWABLE COVERAGE = 2,756 m²

ACTUAL COVERAGE:
BUILDING INCLUDING DECKS - 237 m²
TOTAL COVERAGE = 1.07% Coverage
MAXIMUM HEIGHT = 12.0m

EARTH WORKS:
CUT (INCLUDING TANKS) = 687 m³
FILL = 82 m³

VEGETATION CLEARANCE:
VEGETATION CLEARANCE APPROX. = 550 m²

IMPERMEABLE SURFACE AREA:
TOTAL = 387 m²

Date	Issue	Ch. ID	Description
21.09.2023	04	CH04	CUT OFF DRAIN
		CH05	REVISED SW DISCHARGE
		CH11	VEGETATION REMOVAL
		CH12	UPDATED SITE AREA
		CH13	HIGH NATURAL CHARACTER
31/10/23	05	CH15	ADDITIONAL NOTES
		CH16	AREA OF VEGETATION REMOVED

- NOTES:**
- IF IN DOUBT ASK.
 - THE CONTRACTOR SHALL CONFIRM ALL DIMENSIONS ON SITE.
 - THE CONTRACTOR SHALL INSTALL ALL MATERIALS AND PRODUCTS IN ACCORDANCE WITH THE MANUFACTURERS SPECIFICATIONS AND INSTALLATION DOCUMENTATION.
 - UNDER THE BUILDING ACT 2004 PEOPLE WHO TAKE PART IN BUILDING WORK HAVE CERTAIN ROLES & RESPONSIBILITIES. THIS MEANS THAT ANY PERSON WHO CHANGES OR ALLOWS A VARIATION FROM THE DESIGN DOCUMENTATION MAY ASSUME LEGAL LIABILITY AS THE DESIGNER.
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198 BANK STREET,
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P.O. BOX 677,
WHANGAREI, 0140
PH: (09) 438 9545
FAX: (09) 438 7411
info@hbarchitecture.co.nz
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ISSUED FOR:
RESOURCE CONCENT
31/10/23

JOHN & YUKO GARRETT

GARRETT HOUSE

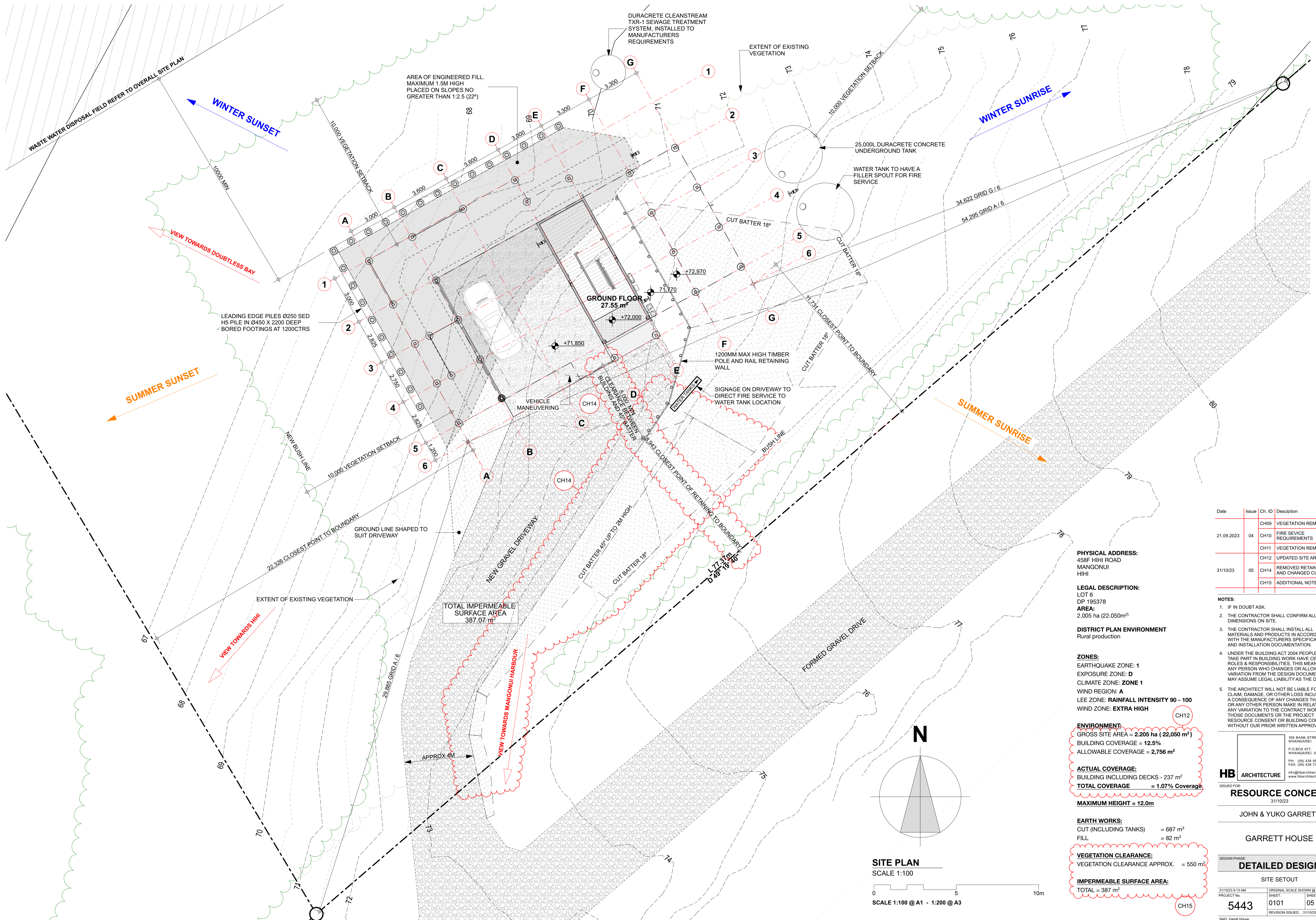
DESIGN PHASE:
DETAILED DESIGN

SITE & LOCATION PLAN

PROJECT No.	SHEET:	SHEET ISSUE / REV:
5443	0100	05

REVISION ISSUED: 31/10/23

5443_Garrett House



AREA OF ENGINEERED FILL.
MAXIMUM 1.5M HIGH
PLACED ON SLOPES NO
GREATER THAN 1:2.5 (22°)

GROUND FLOOR
27.55 m²

TOTAL IMPERMEABLE
SURFACE AREA
387.07 m²

PHYSICAL ADDRESS:
458F HIHI ROAD
MANGONUI
HIHI

LEGAL DESCRIPTION:
LOT 6
DP 195378
AREA:
2.005 ha (22,050m²)

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BUILDING INCLUDING DECKS - 237 m²
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Date	Issue	Ch. ID	Description
21.09.2023	04	CH09	VEGETATION REMOVAL
		CH10	FIRE SERVICE REQUIREMENTS
		CH11	VEGETATION REMOVAL
31/10/23	05	CH12	UPDATED SITE AREA
		CH14	REMOVED RETAINING WALL AND CHANGED CUT BATTER
		CH15	ADDITIONAL NOTES

- NOTES:**
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198 BANK STREET, WHANGAREI
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FAX: (09) 438 7411
info@hbarchitecture.co.nz
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ISSUED FOR:
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31/10/23

JOHN & YUKO GARRETT

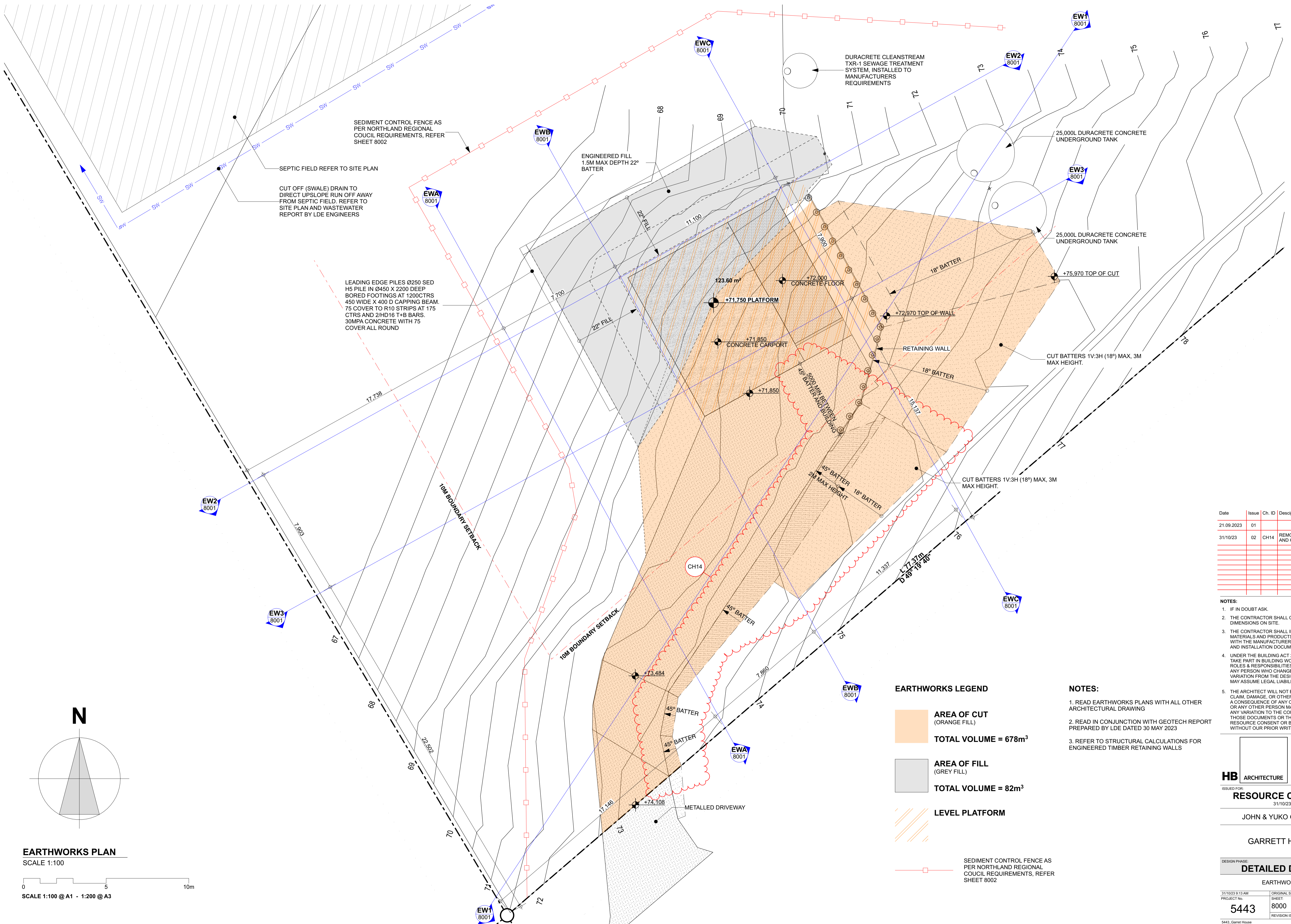
GARRETT HOUSE

DESIGN PHASE:
DETAILED DESIGN

SITE SETOUT

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PROJECT No. SHEET: SHEET ISSUE / REV:
5443 0101 05
REVISION ISSUED: 31/10/23

5443_Garrett House

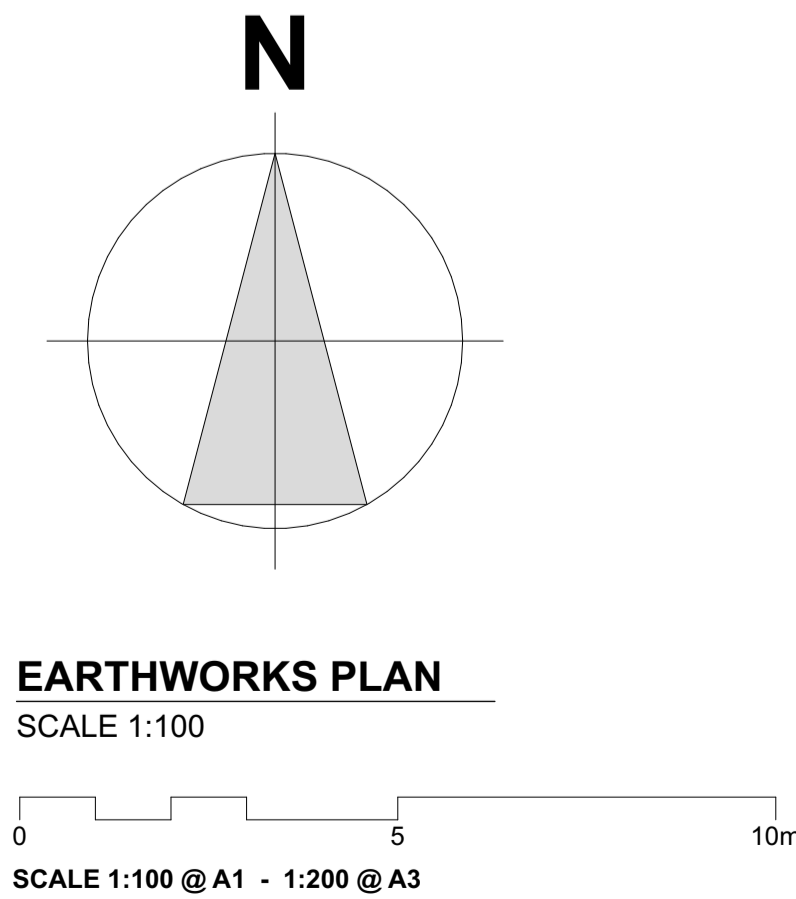


Date	Issue	Ch. ID	Description
21.09.2023	01		
31/10/23	02	CH14	REMOVED RETAINING WALL AND CHANGED CUT BATTER

- NOTES:
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- NOTES:
- READ EARTHWORKS PLANS WITH ALL OTHER ARCHITECTURAL DRAWING
 - READ IN CONJUNCTION WITH GEOTECH REPORT PREPARED BY LDE DATED 30 MAY 2023
 - REFER TO STRUCTURAL CALCULATIONS FOR ENGINEERED TIMBER RETAINING WALLS

EARTHWORKS LEGEND

	AREA OF CUT (ORANGE FILL)
	TOTAL VOLUME = 678m³
	AREA OF FILL (GREY FILL)
	TOTAL VOLUME = 82m³
	LEVEL PLATFORM
	SEDIMENT CONTROL FENCE AS PER NORTHLAND REGIONAL COUCL REQUIREMENTS, REFER SHEET 8002



188 BANK STREET, WHANGAREI
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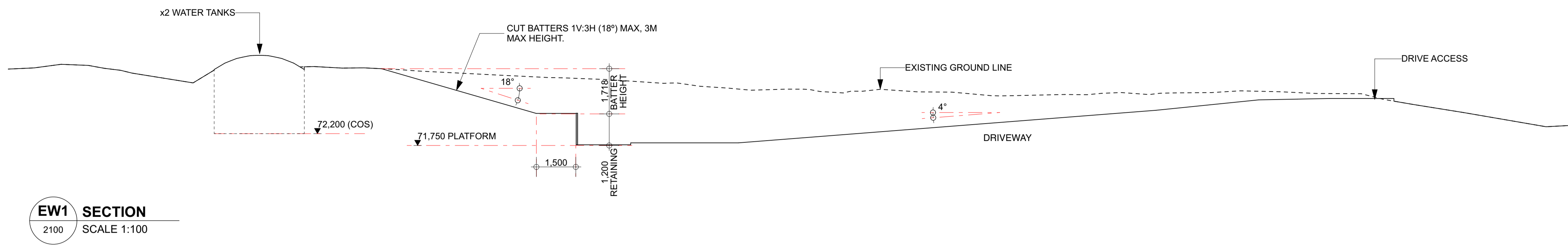
GARRETT HOUSE

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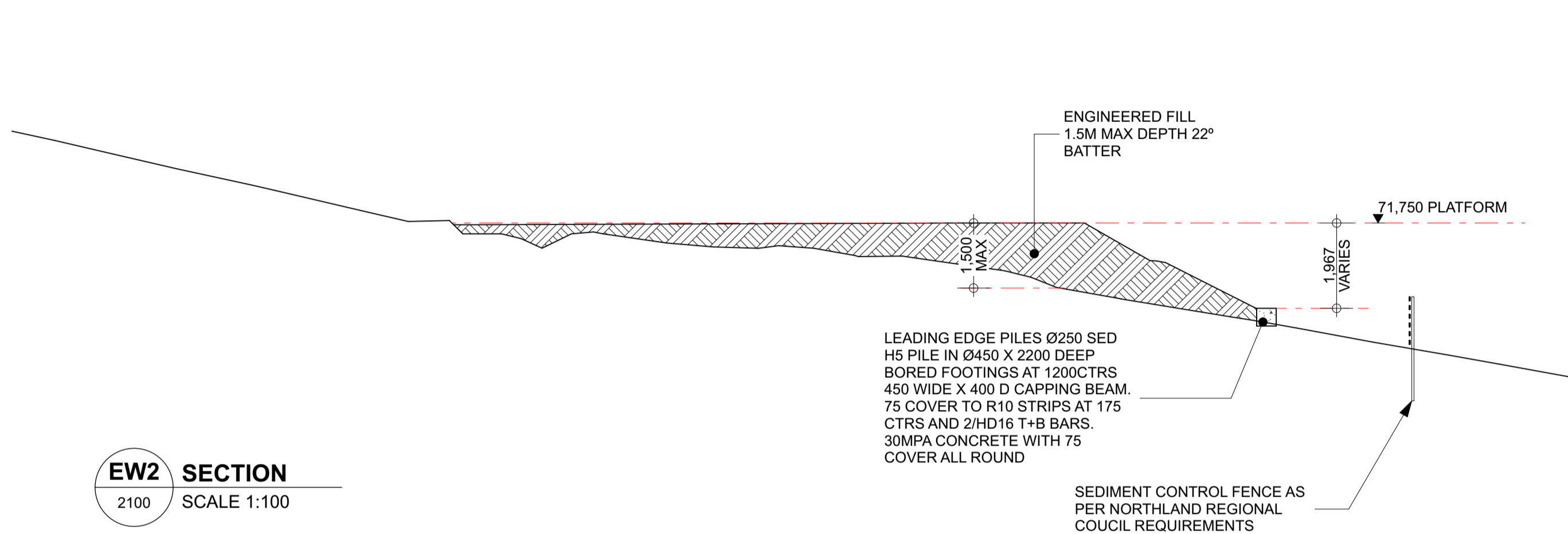
DETAILED DESIGN

EARTHWORKS

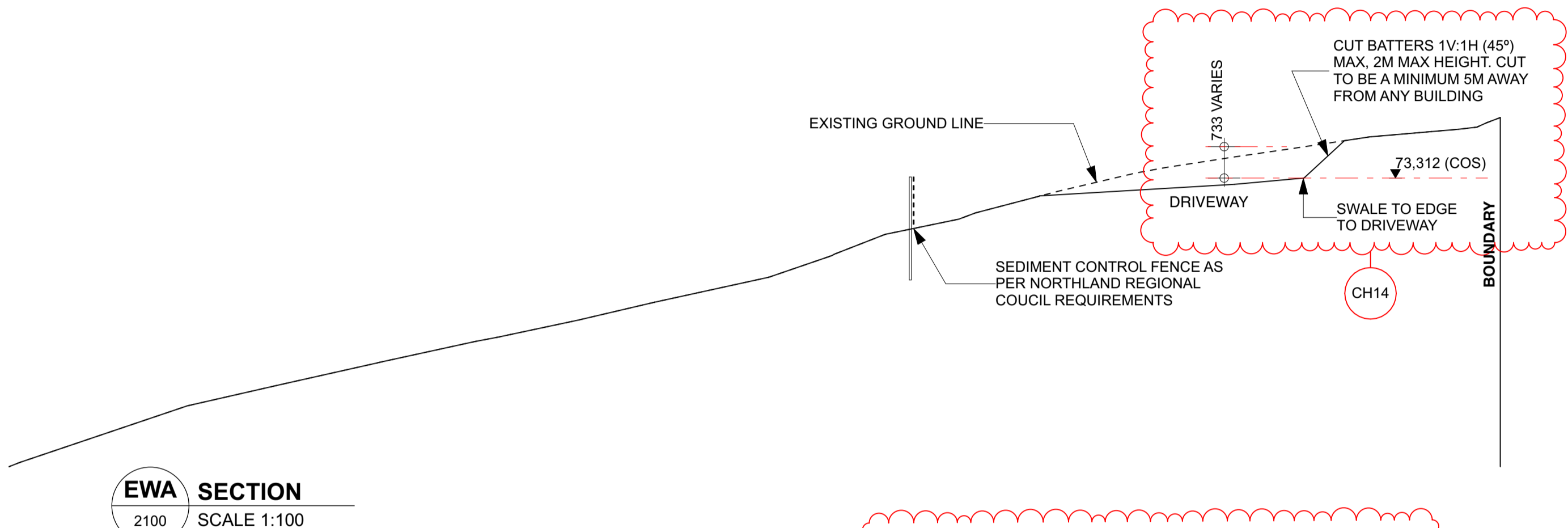
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PROJECT No.	SHEET:	SHEET ISSUE / REV:
5443	8000	02
5443_Garret House	REVISION ISSUED:	31/10/23



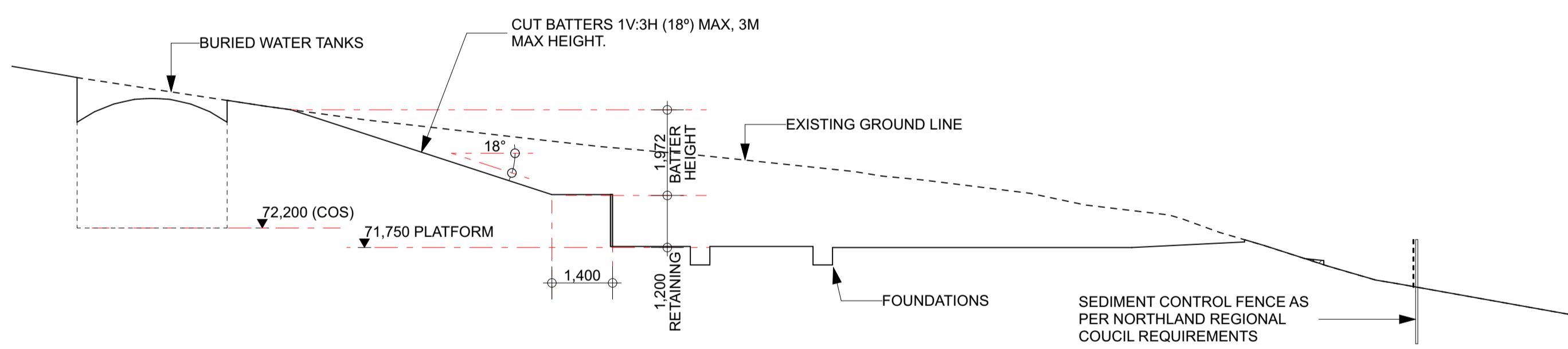
EW1 SECTION
2100 SCALE 1:100



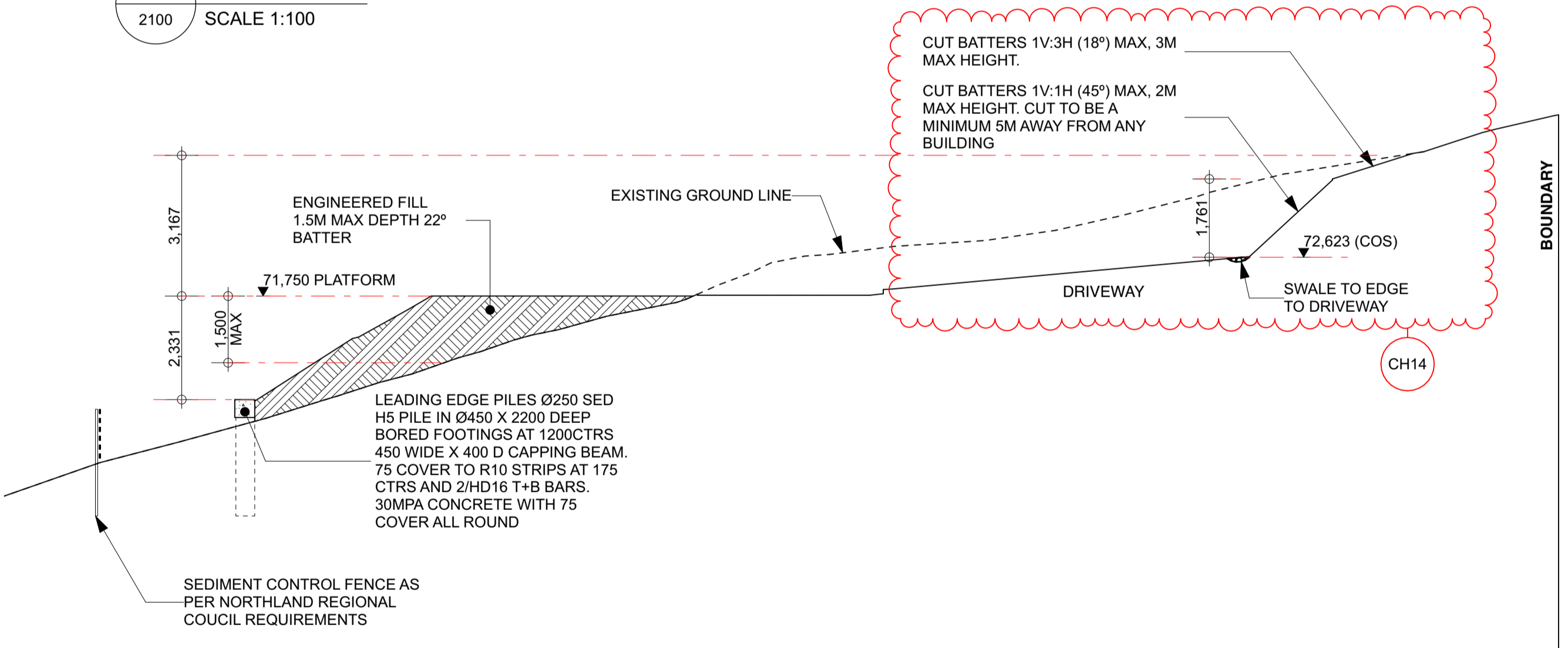
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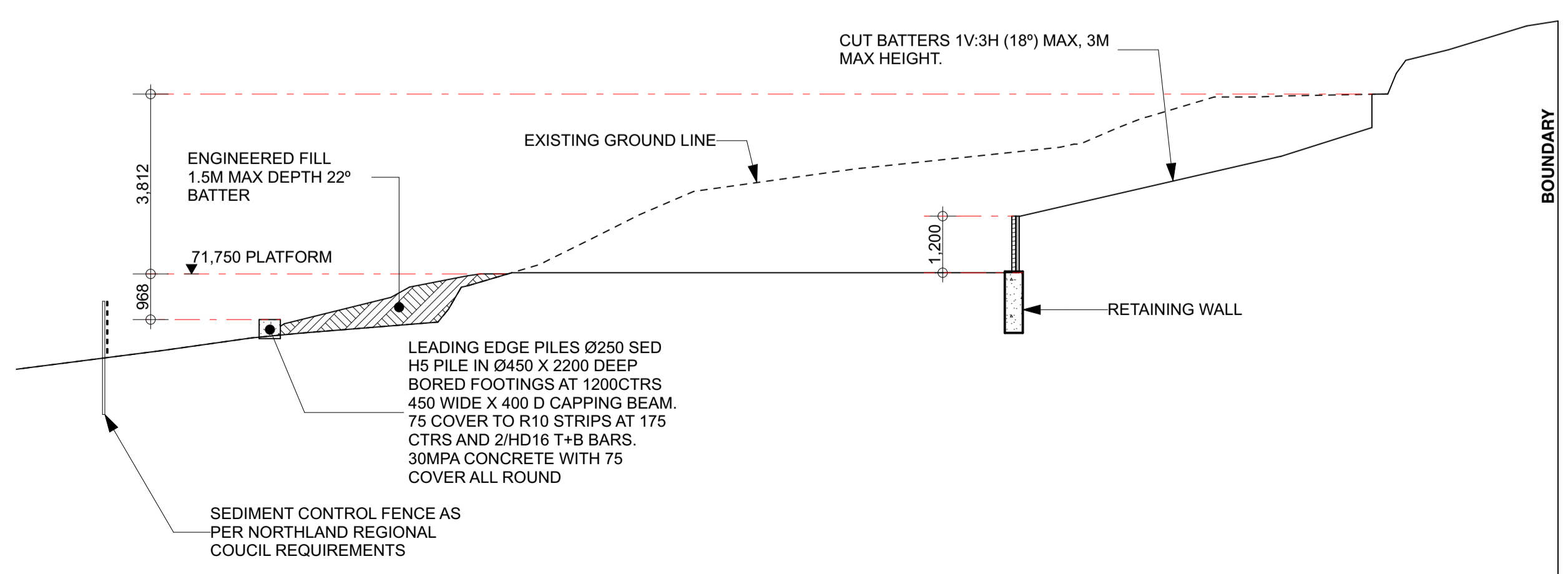
EWA SECTION
2100 SCALE 1:100



EW3 SECTION
2100 SCALE 1:100



EWB SECTION
2100 SCALE 1:100



EWC SECTION
2100 SCALE 1:100

Date	Issue	Ch. ID	Description
21.09.2023	01		
31/10/23	02	CH14	REMOVED RETAINING WALL AND CHANGED CUT BATTER

- NOTES:**
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RESOURCE CONCENT
31/10/23

JOHN & YUKO GARRETT

GARRETT HOUSE

DESIGN PHASE:
DETAILED DESIGN
EARTHWORKS SECTIONS

31/10/23 9:13 AM	ORIGINAL SCALE SHOWN @ A1
PROJECT No.	SHEET: SHEET ISSUE / REV:
5443	8001 02
REVISION ISSUED: 31/10/23	

KEY TO SITE DIAGRAM

1. Minimise exposed areas

The best way to minimise erosion and control sediment discharge is by disturbing as little soil as possible at any time and maintaining as much vegetative cover as possible. This needs planning - stage disturbance and stabilise exposed areas as soon as possible using straw mulch, aggregate or other materials such as a geotextile.

Preventive measures reduce cost and effort - unexposed soil can't erode and doesn't need capture in sediment control measures.

2. Silt fences

Silt fences are useful for small, disturbed areas or sloping areas. For steep slopes, use more than one silt fence and decrease the spacing between fences as slope increases.

3. Earthbunds

Constructed across slopes and near the edges of the site, earthbunds control and detain runoff, allowing sediment to settle out. The bund can be constructed from clay or topsoil from the site. Channels formed by bunds can also be used to divert clean water away from disturbed areas.

4. Stabilised entranceway

The stabilised entranceway should be the first works to occur on site, as soil transferred to the roadway by vehicles will be washed into stormwater systems. All vehicles should use it for site entry and exit. An entranceway constructed from a generous spread of metal aggregate will be sufficient on small sites. A wheel wash may be needed for larger sites. Wooden planks can offer protection to footpath, grass berm and kerb, and reduce reinstatement costs. Keep all traffic off grass berms, and stabilise disturbed berms immediately - during winter significant volumes of sediment can wash off them.

5. Clean water diversion

Separation of clean and dirty water will greatly reduce the effort needed to prevent sediment runoff. Divert all upstream runoff away from the site with a bund or diversion channel. Channels will need to be stabilised when gradients exceed 2%. During construction, roof runoff may be diverted to the kerb by connecting a non-perforated pipe to the downpipe outlet.

6. Haybales

Haybales can impound sediment-laden water at points of discharge, but will only be successful if installed correctly. They need to be trenched into the ground and securely staked together, with bale strings positioned on the sides.

7. Stabilising disturbed ground

After soil is disturbed, stabilise as soon as possible with straw or hay mulch or hardfill. Where appropriate grass should be sown as soon as works are completed.

8. On site works

Concrete washings, water blasting, equipment washing, concrete and tile cutting - these works can all pollute waterways unless care is taken. These products cause problems as they can be highly alkaline, or can contain oxides, heavy metals (copper drill lubricants), or petroleum products.

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CARING FOR NORTHLAND AND ITS ENVIRONMENT

CALL YOUR LOCAL NORTHLAND REGIONAL COUNCIL OFFICE ON:
WHANGAREI: Phone (09) 438 4639 **DARGAVILLE:** Phone (09) 439 3300
KAITIARA: Phone (09) 408 6600 **OPUA:** Phone (09) 402 7516
 or **Environmental Hotline 0800 504 639** for 24 hour response to Environmental Pollution.

- If washing fines, make sure the wash water is confined, filtered (for instance, across grass or through silt fence or haybales), or diverted to a soak area. If discharge is necessary, do so to the sanitary sewer, not the stormwater system.
- Don't wash vehicles and equipment on site unless there is a designated wash out area where wash water soaks into the ground, or is treated before discharging from the site.
- Settle drill slurry (See Directional Drilling, below).
- When water blasting, contain dirty waste runoff. Chemical additives must not be discharged to stormwater drains. Carefully filter out paint flakes and dirt using filter cloth, bunds or similar before discharge to stormwater drains.

9. Trenching/stockpiles

Material from trenching and excavation should be stockpiled away from low points, runoff channels or kerbs. Ideally, stockpiles should be covered immediately or stabilised with mulch or vegetation. Any runoff from stockpiles needs to be directed to suitable sediment control measures such as silt fences, earthbunds or properly installed haybales.

10. Garden tanks

The inclusion of a garden tank to collect roof rainwater can reduce the amount of stormwater runoff from the site in the short and long term. During construction it may reduce the volume of clean water runoff from the site and provide on-site water for construction activities. Long-term, it can provide free non-potable water for the property owner.

Cesspit protection

Filter cloth across cesspits may be used on a temporary basis as a last resort to capture sediment. However this is not an effective control measure, as filters block up rapidly and are difficult to install and maintain. Sediment is better managed on the site, using measures described in this guideline. When temporarily using cesspit protection, the filter cloth must fully cover the cesspit grate and inlet at the back.

Pumping water from the site

Untreated water from trenches or waterlogged areas on the site must never be pumped directly to the kerb or cesspit. If water needs to be removed from the site, wait for suspended sediment to settle out. Never pump from the bottom of the trench or impoundment area - filter the pumped water across a grassed area or into a sediment control device before discharging to a cesspit or waterway.

In short, unless it is clean, don't discharge to a cesspit or waterway.

Directional drilling

Slurry from directional drilling must be allowed to settle, with the water soaking to ground, or being disposed to sewer (with local council approval) or by a waste contractor. Settle slurry using a small excavated impoundment area on site: a silt fence, coral, or pump to a settling tank. In certain situations slurry may need to be taken off site for appropriate disposal.



EROSION AND SEDIMENT CONTROL ON CONSTRUCTION SITES

SITE MANAGEMENT FOR PERMITTED ACTIVITIES

This guideline outlines a range of measures suitable to use on small sites to minimise the effects of erosion and sediment discharge.

Sediment is the single most significant contaminant of our streams, lakes and coastal waters. The cumulative effect of sediment discharge from Northland's many individual building and earthworks sites can have a major detrimental effects on waterways, degrading their ecology and reducing recreational and economic value.

Earthworks not requiring a Resource Consent are termed Permitted Activities.

Large earthworks sites require Resource Consents from Northland Regional Council and must comply with consent conditions to minimise contamination of waterways by sediment. Smaller earthworks are termed Permitted Activities as they do not require a consent from Northland Regional Council. However these works still need to minimise sediment contamination, and may need a permit or consent from the local District Council.

Penalties for not putting protection measures in place range from abatement notices and instant fines, through to prosecution.

Northland Regional Council encourages landowners, contractors and developers to use the measures outlined in this guideline. These groups have a legal responsibility under the Resource Management Act (1991) to make sure any person

disturbing soil uses appropriate measures to minimise the impact of these works. It is important to recognise this responsibility includes Permitted Activities.

Failure to put appropriate protection measures in place can lead to the serving of an abatement notice, an instant fine or prosecution. Significant damage to the environment can result in very large fines and court costs or jail.

Need more information?

This guideline provides a brief outline of measures that should be used to control erosion and sediment control on smaller sites and for permitted activities.

More information on measures suitable for both large and small sites is outlined in Auckland Regional Council's Technical Publication No. 90 "Erosion and Sediment Control Guidelines for Land Disturbing Activities".

Call the Northland Regional Council office on: **(09) 438 4639** or

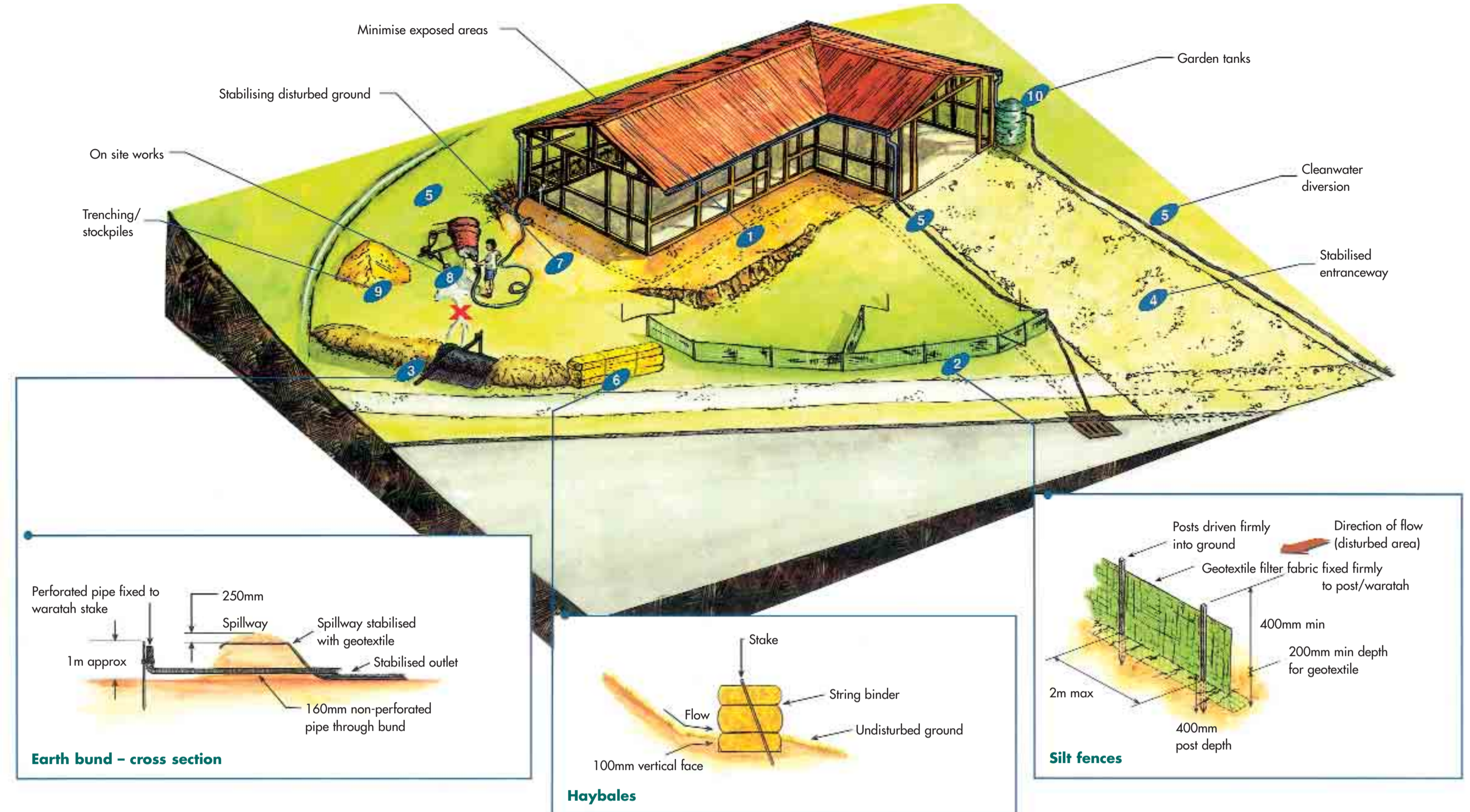
Environmental Hotline 0800 504 639 for 24 hour response to Environmental Pollution.



CARING FOR NORTHLAND AND ITS ENVIRONMENT

Here's what you can do to reduce erosion and sediment discharge from your site

Refer to number key over page



Date	Issue	Ch. ID	Description
21.09.2023	01		

- NOTES:**
1. IF IN DOUBT ASK.
 2. THE CONTRACTOR SHALL CONFIRM ALL DIMENSIONS ON SITE.
 3. THE CONTRACTOR SHALL INSTALL ALL MATERIALS AND PRODUCTS IN ACCORDANCE WITH THE MANUFACTURERS SPECIFICATIONS AND INSTALLATION DOCUMENTATION.
 4. UNDER THE BUILDING ACT 2004 PEOPLE WHO TAKE PART IN BUILDING WORK HAVE CERTAIN ROLES & RESPONSIBILITIES. THIS MEANS THAT ANY PERSON WHO CHANGES OR ALLOWS A VARIATION FROM THE DESIGN DOCUMENTATION MAY ASSUME LEGAL LIABILITY AS THE DESIGNER.
 5. THE ARCHITECT WILL NOT BE LIABLE FOR ANY CLAIM, DAMAGE, OR OTHER LOSS INCURRED AS A CONSEQUENCE OF ANY CHANGES THAT YOU OR ANY OTHER PERSON MAKE IN RELATION TO ANY VARIATION TO THE CONTRACT WORKS FROM THOSE DOCUMENTS OR THE PROJECT RESOURCE CONSENT OR BUILDING CONSENT, WITHOUT OUR PRIOR WRITTEN APPROVAL.

HB ARCHITECTURE
 198 BANK STREET, WHANGAREI
 P.O. BOX 677, WHANGAREI, 0140
 PH: (09) 438 9545
 FAX: (09) 438 7411
 info@hbarchitecture.co.nz
 www.hbarchitecture.co.nz

ISSUED FOR:
BUILDING CONSENT RFI'S
 21.09.2023

JOHN & YUKO GARRETT

GARRETT HOUSE

DESIGN PHASE:
DETAILED DESIGN

SEDIMENT CONTROL

31/10/23 9:13 AM	ORIGINAL SCALE SHOWN @ A1
PROJECT No.	SHEET
5443	8002
	01
	REVISION ISSUED: 21.09.2023

5443_Garret House

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

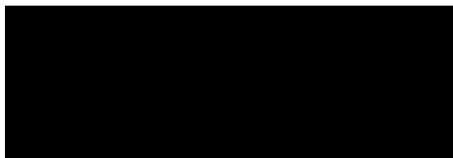
REGARDING:

The Subdivision of Lots 1 and 2 DP 134813 and Part Lot 2 DP 86975 Blocks I and V Mangonui Survey District North Auckland Registry

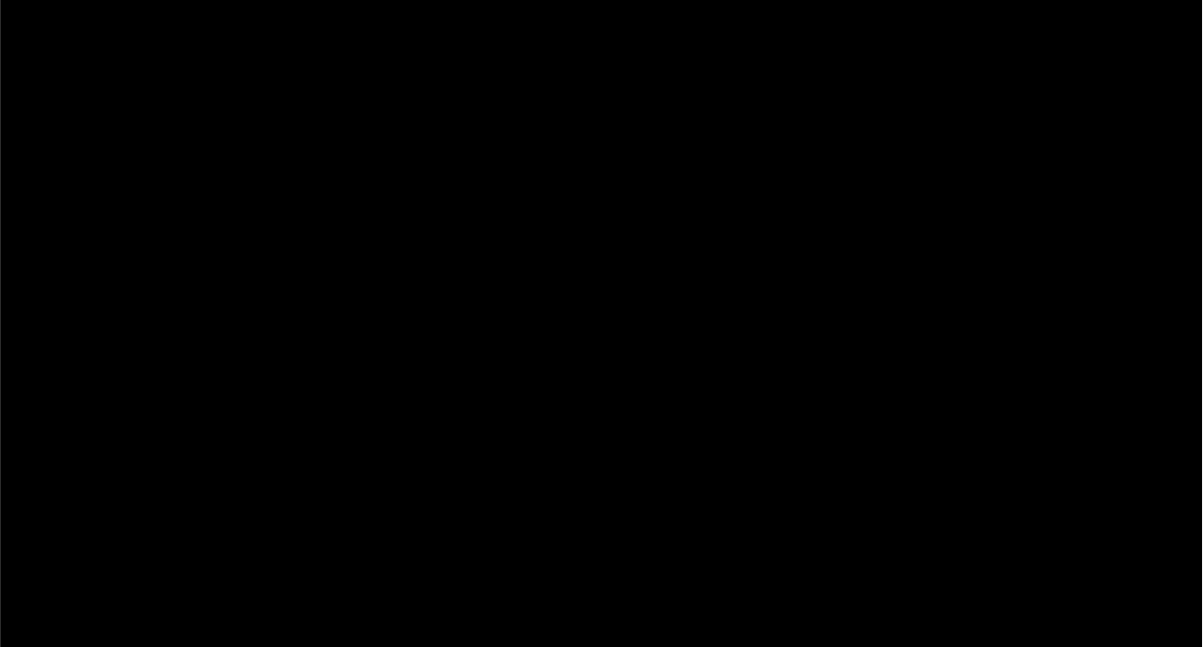
PURSUANT to Section 221 and for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that conditions described in Schedule 1 below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and this Notice is to be registered on the new titles, as set out in Schedule 2 herein.

SCHEDULE 1

- (i) No building which requires effluent disposal shall be erected on Lots 1-7 without the prior approval of the Council to specific design for such effluent disposal, including an indication of compliance with Regional Council rules. Such design may be in accordance with the recommendations of the "Site Assessment, Field Testings and Report for on-site Wastewater Disposal" prepared for this subdivision by Brown and Thomson Consulting Engineers, and dated March 1997. *Alternative designs from Registered Engineers may be accepted by Council approval should they provide to adequately avoid mitigate adverse effects.*
- (ii) Undertake at the intervals recommended, the appropriate and specified maintenance for the engineer designed sewerage system installed on each allotment.
- (iii) Stormwater control silt traps on Lots 2 and 8 are to be checked after each rainstorm exceeding 75mm and are to be cleaned out as required.
- (iv) No building shall be erected on the formed building platform on Lot 2 without the prior approval of the Council to specific designs for foundations, prepared by a registered engineer with geotechnical expertise.
- (v) No building shall be erected on the filled areas of the constructed building platforms on Lots 3, 4 and 5 without the prior approval of the Council to specific designs for foundations, prepared by a registered engineer with geotechnical expertise.
- (vi) Maintain and replace if necessary, the erosion control plantings on the earthworks embankments. (Lots 2, 3, 4 & 5).



SCHEDULE 2

- (i) Lots 1-7 DP 195378 being all Certificates of Title 123B/754, 123B/755, 123B/756, 123B/757, 123B758, 123B/759 and 123B/760.
 - (ii) Lots 1-9 DP195378 being all Certificates of Title 123B/754, 123B/755, 123B/756, 123B/757, 123B758, 123B/759, 123B/760, 123B/761 and 123B/762.
 - (iii) Lots 2 & 8 DP 195378 being all Certificates of Title 123B/755 and 123B/761.
 - (iv) Lot 2 DP 195378 being all Certificate of Title 123B/755.
 - (v) Lot 3, 4 & 5 DP 195378 being all Certificates of Title 123B/756, 123B/757 and 123B/758.
 - (vi) Lots 2, 3, 4 & 5 DP 195378 being all Certificates of Title 123B/755, 123B/756, 123B/757 and 123B/758.
- 

304 07.DEC99 D 45984412
PARTICULARS ENTERED IN REGISTERED
LAND REGISTRY NORTH
for REGISTRAR GENERAL
16/01/217
748370-371



447/217
790/370
790/371
2
Cano 48-

