



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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **371324**  
**Land Registration District** **North Auckland**  
**Date Issued** 14 August 2008

**Prior References**

NA35A/592      NA35A/947      NA35D/223

---

**Estate** Fee Simple  
**Area** 10.2190 hectares more or less  
**Legal Description** Lot 4 Deposited Plan 391213

**Registered Owners**

Pareanui Bay Corporate Trustee Limited

---

**Estate** Fee Simple - 1/17 share  
**Area** 8.4550 hectares more or less  
**Legal Description** Lot 18 Deposited Plan 391213

**Registered Owners**

Pareanui Bay Corporate Trustee Limited

---

**Interests**

Appurtenant to part Lot 18 DP 391213 formerly Part Rawhiti No 2 Block in CT NA35A/947 is a right of way created by Deed of Grant 638899.1 - 2.3.1977 at 2.20 pm

7907807.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 14.8.2008 at 9:00 am

Subject to Section 241(2) Resource Management Act 1991 (affects DP 391213)

Subject to a right (in gross) to convey telecommunications and computer media over Lot 18 and parts marked B, AK, AR and AT on DP 391213 in favour of Telecom New Zealand Limited created by Easement Instrument 7907807.4 - 14.8.2008 at 9:00 am

Some of the easements created by Easement Instrument 7907807.4 are subject to Section 243 (a) Resource Management Act 1991 (See DP 391213)

Subject to a right (in gross) to convey electricity over Lot 18 and parts marked B, AK, AR and AT on DP 391213 in favour of Top Energy Limited created by Easement Instrument 7907807.5 - 14.8.2008 at 9:00 am

The easements created by Easement Instrument 7907807.5 are subject to Section 243 (a) Resource Management Act 1991 Land Covenant in Easement Instrument 7907807.7 - 14.8.2008 at 9:00 am

Appurtenant hereto are walkway and riding rights created by Easement Instrument 7907807.8 - 14.8.2008 at 9:00 am

Subject to walkway and riding rights over part marked B on DP 391213 created by Easement Instrument 7907807.8 - 14.8.2008 at 9:00 am

Appurtenant hereto is a right of way and a right to convey electricity, telecommunications and computer media created by Easement Instrument 7907807.9 - 14.8.2008 at 9:00 am

Subject to a right of way and a right to convey electricity, telecommunications and computer media over part marked B on DP 391213 created by Easement Instrument 7907807.9 - 14.8.2008 at 9:00 am

Some of the easements created by Easement Instrument 7907807.9 are subject to Section 243 (a) Resource Management Act 1991 (See DP 391213)

Appurtenant to Lot 18 DP 391213 is a right to convey water and electricity created by Easement Instrument 7907807.10 - 14.8.2008 at 9:00 am

Appurtenant hereto is a right of use and enjoyment created by Easement Instrument 7907807.11 - 14.8.2008 at 9:00 am

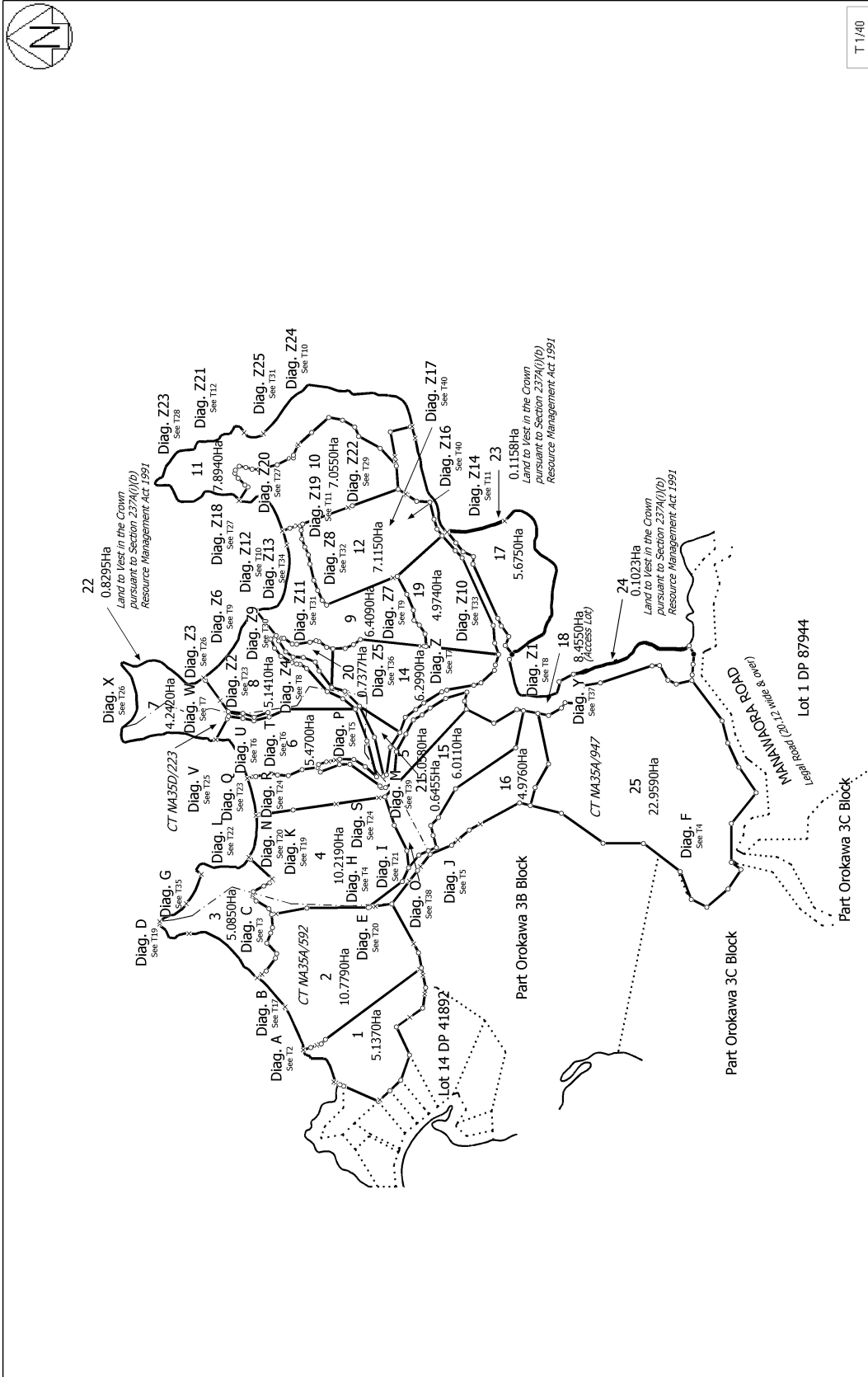
Subject to an inspection and maintenance work right (in gross) over Lot 4 DP 391213 excluding the part marked BA on DP 391213 in favour of Omarino Residents Association Incorporated created by Easement Instrument 7907807.12 - 14.8.2008 at 9:00 am

7907807.13 Encumbrance to Omarino Residents Association Incorporated - 14.8.2008 at 9:00 am

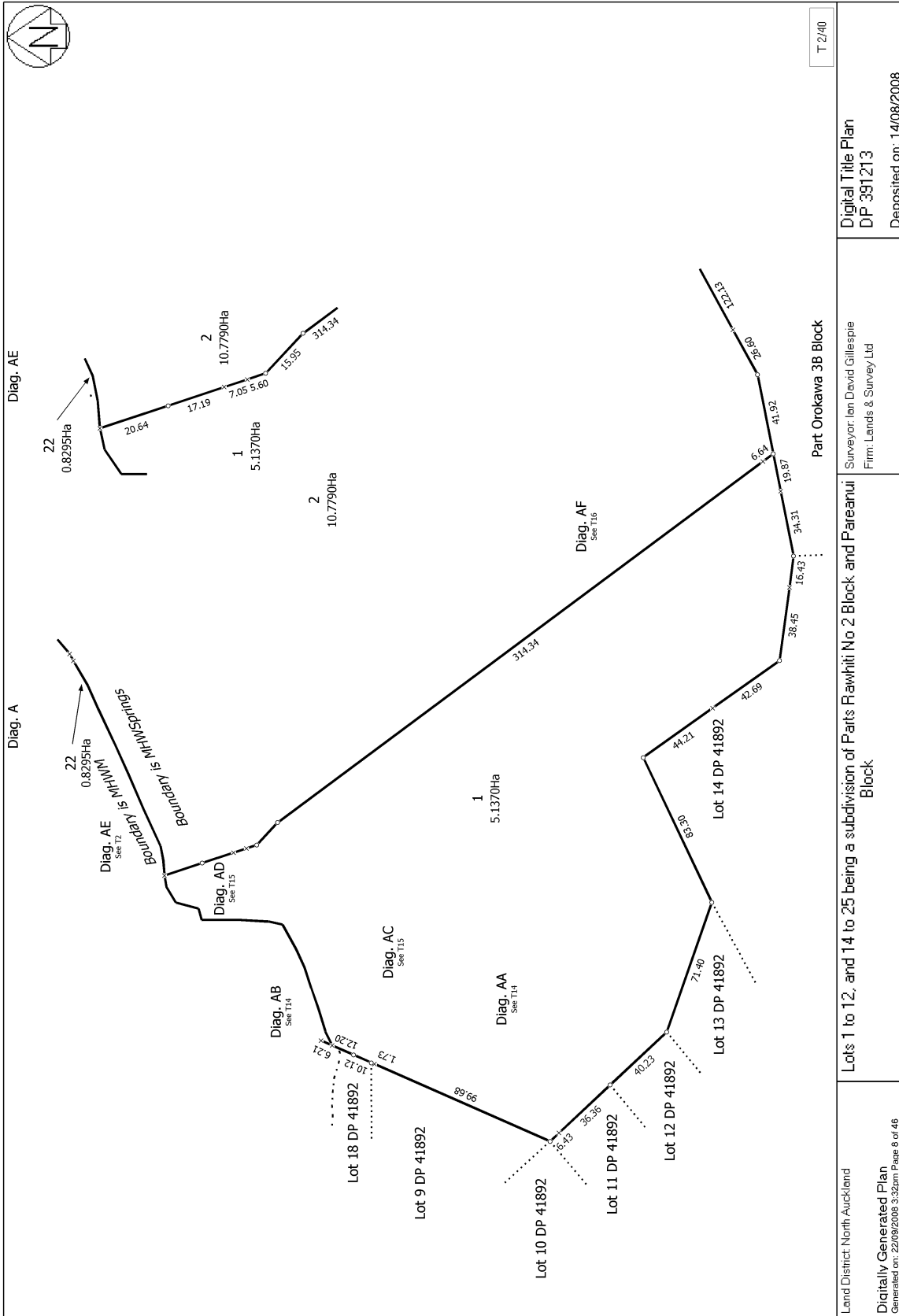
7907807.14 Lease of Lot 18 DP 391213 Term 999 years commencing on 8.8.2008 CIR 440867 issued - 14.8.2008 at 9:00 am (Right of Renewal)

8238237.1 Covenant pursuant to Section 108(2)(d) Resource Management Act 1991 - 30.7.2009 at 10:17 am

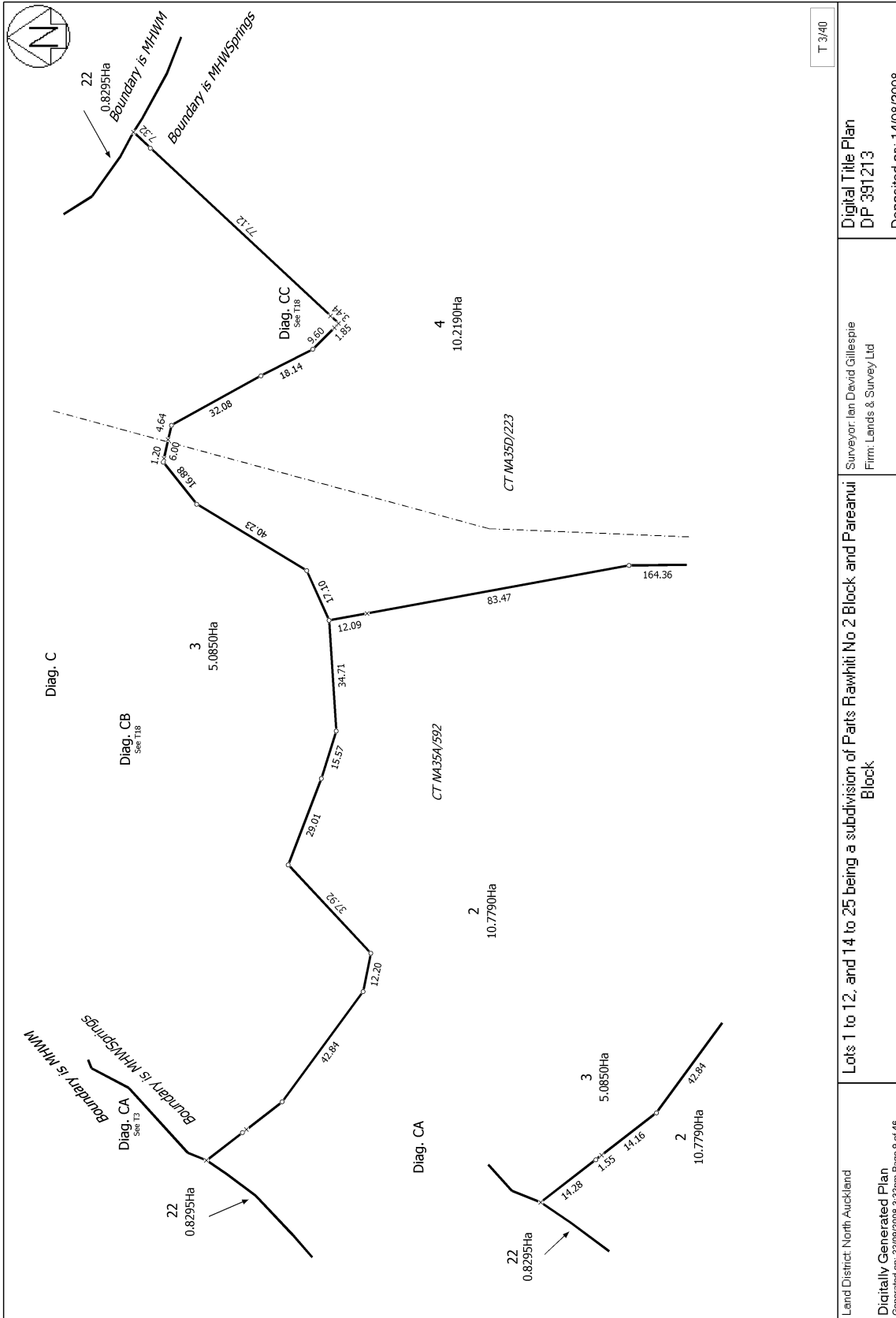
8828538.1 Variation of Consent Notice 7907807.2 - 9.8.2011 at 10:15 am



T 1/40	Digital Title Plan DP 391213	Deposited on: 14/08/2008
Land District: North Auckland	Digitally Generated Plan Generated on: 22/09/2008 3:52pm Page 7 of 46	Surveyor: Ian David Gillespie Firm: Lands & Survey Ltd
Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block		







T 3/40

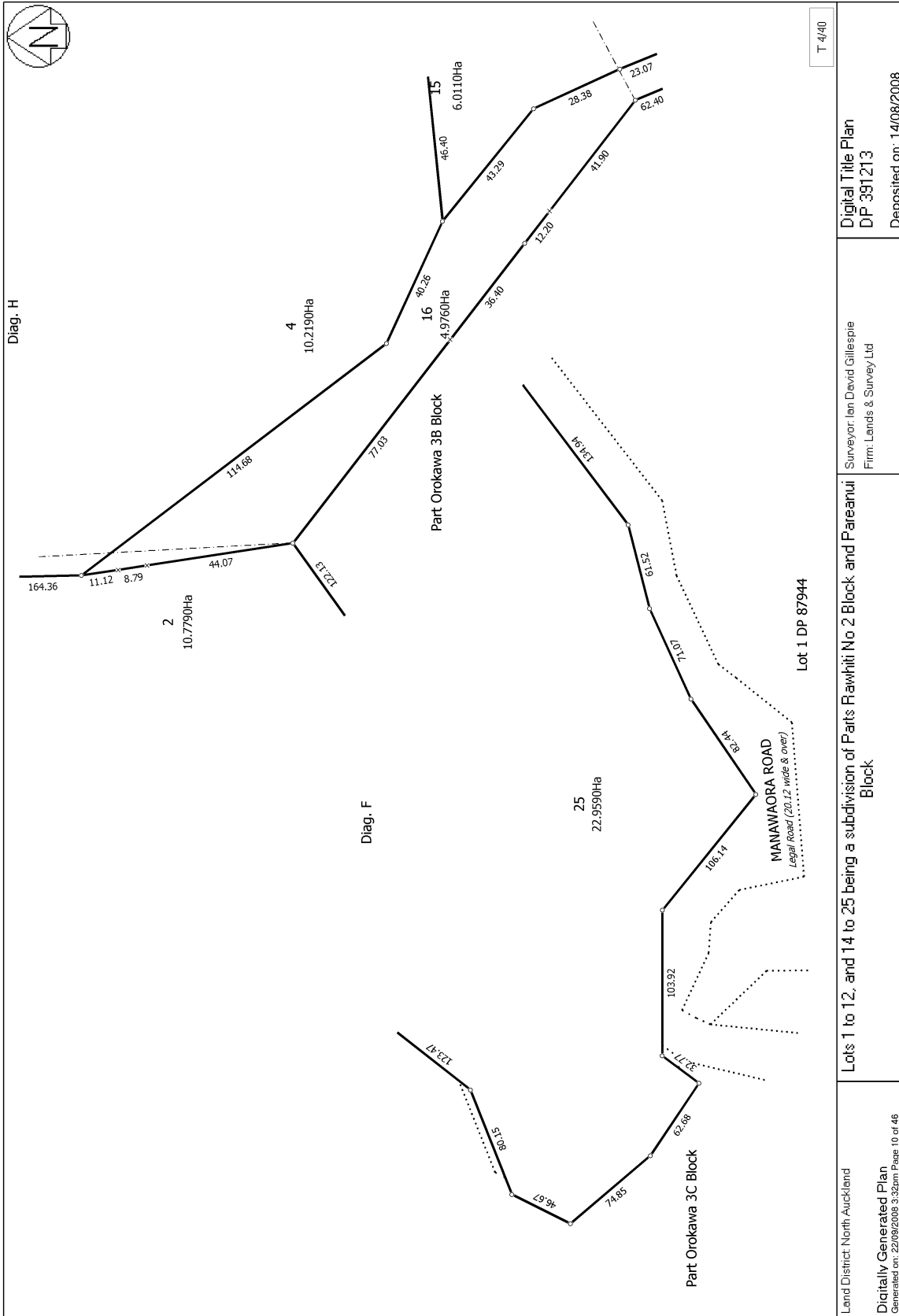
Digital Title Plan  
DP 391213

Surveyor: Ian David Gillespie  
Firm: Lands & Survey Ltd

Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block

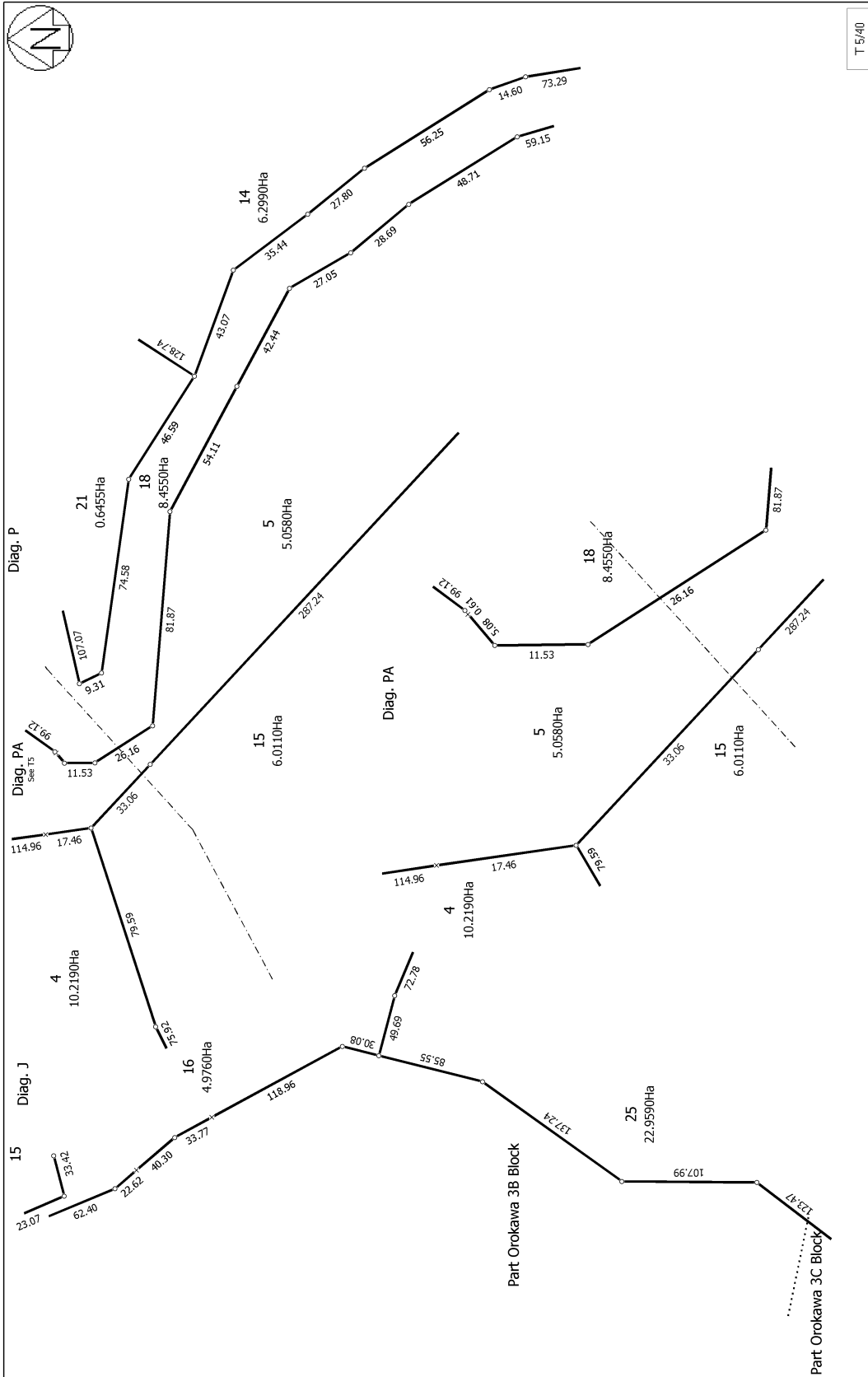
Land District: North Auckland  
Digitally Generated Plan  
Generated on: 22/09/2008 3:32pm Page 9 of 46

Deposited on: 14/08/2008



T 4/40

<p>Land District: North Auckland</p> <p>Digitally Generated Plan</p> <p>Generated on: 22/09/2008 3:32pm Page 10 of 46</p>	<p>Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block</p>	<p>Surveyor: Ian David Gillespie</p> <p>Firm: Lends &amp; Survey Ltd</p>	<p>Digital Title Plan</p> <p>DP 391213</p> <p>Deposited on: 14/08/2008</p>
---	--	--	--



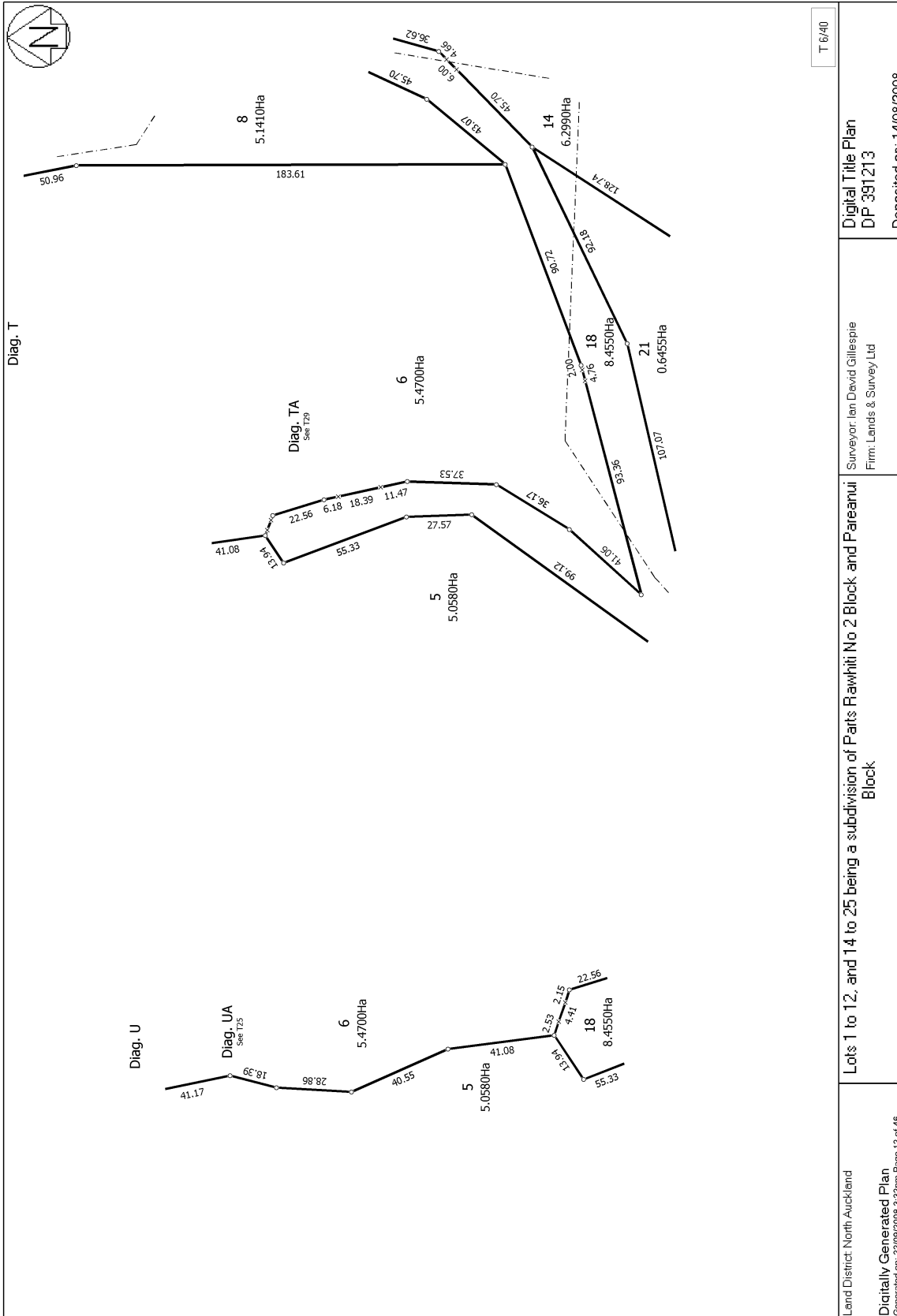
T 5/40

Land District: North Auckland  
 Digitally Generated Plan  
 Generated on: 22/09/2008 3:32pm Page 11 of 46

Surveyor: Ian David Gillespie  
 Firm: Lends & Survey Ltd

Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block

Digital Title Plan  
 DP 381213  
 Deposited on: 14/08/2008

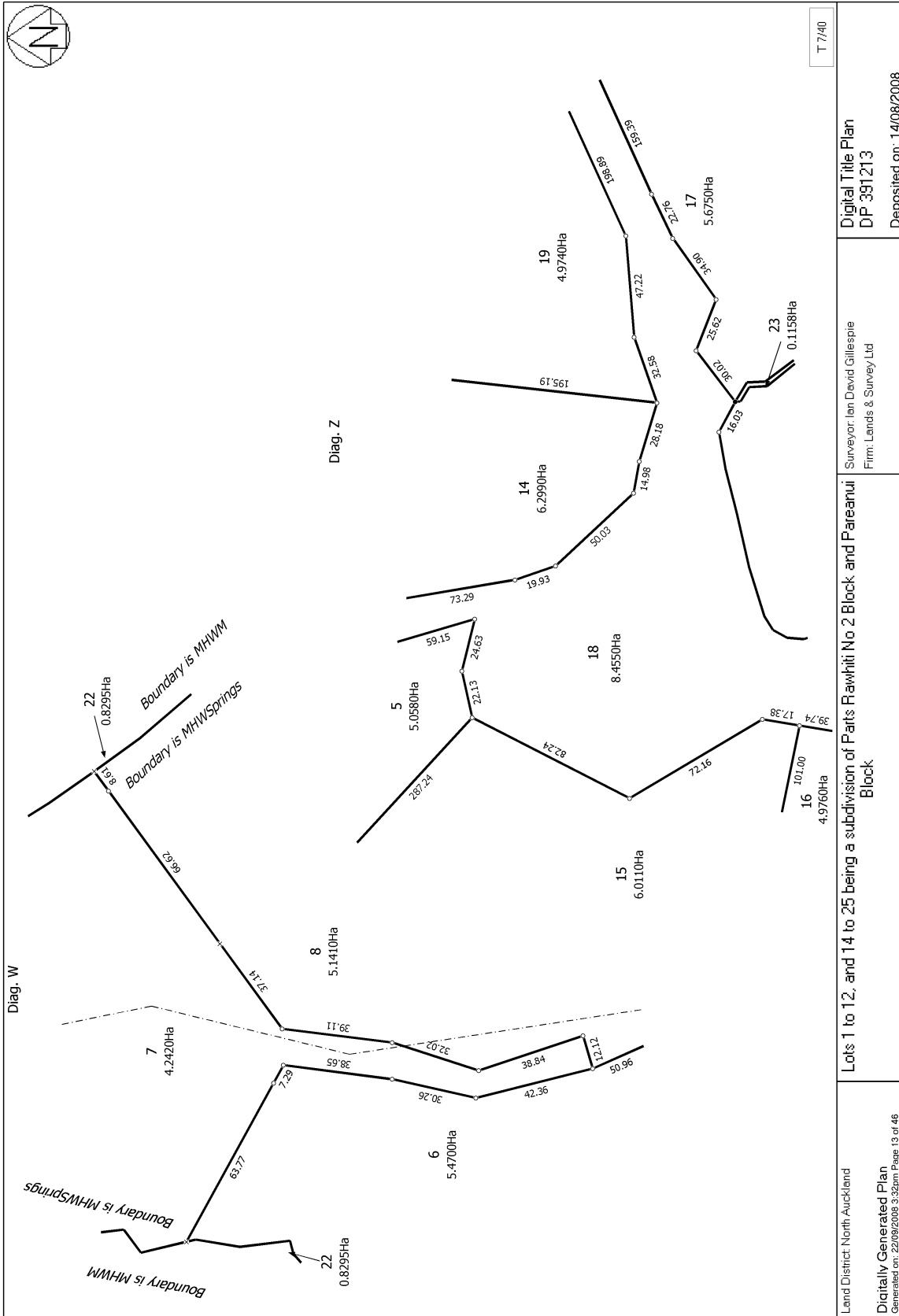


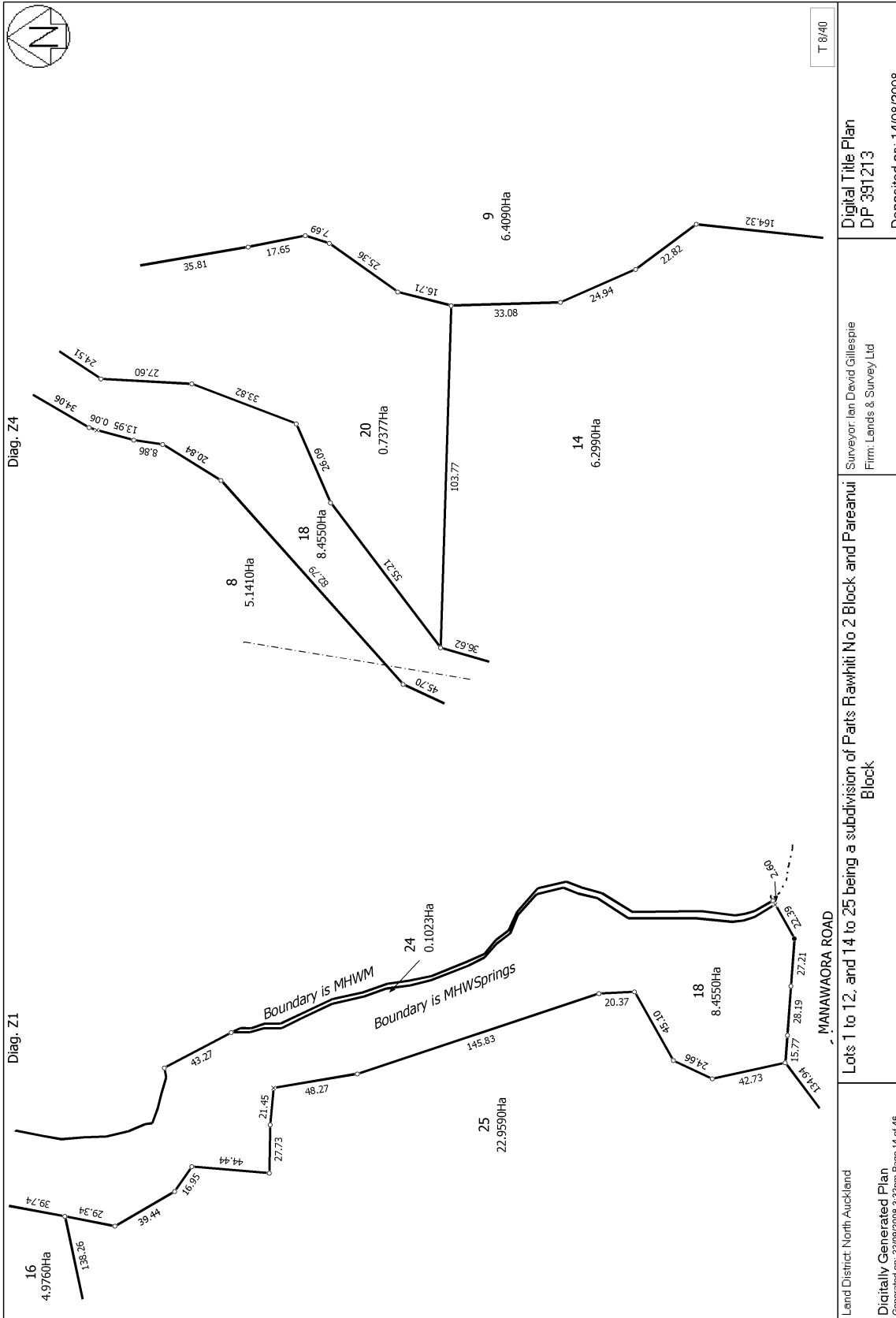
Land District: North Auckland  
 Digitally Generated Plan  
 Generated on: 22/09/2008 3:32pm Page 12 of 46

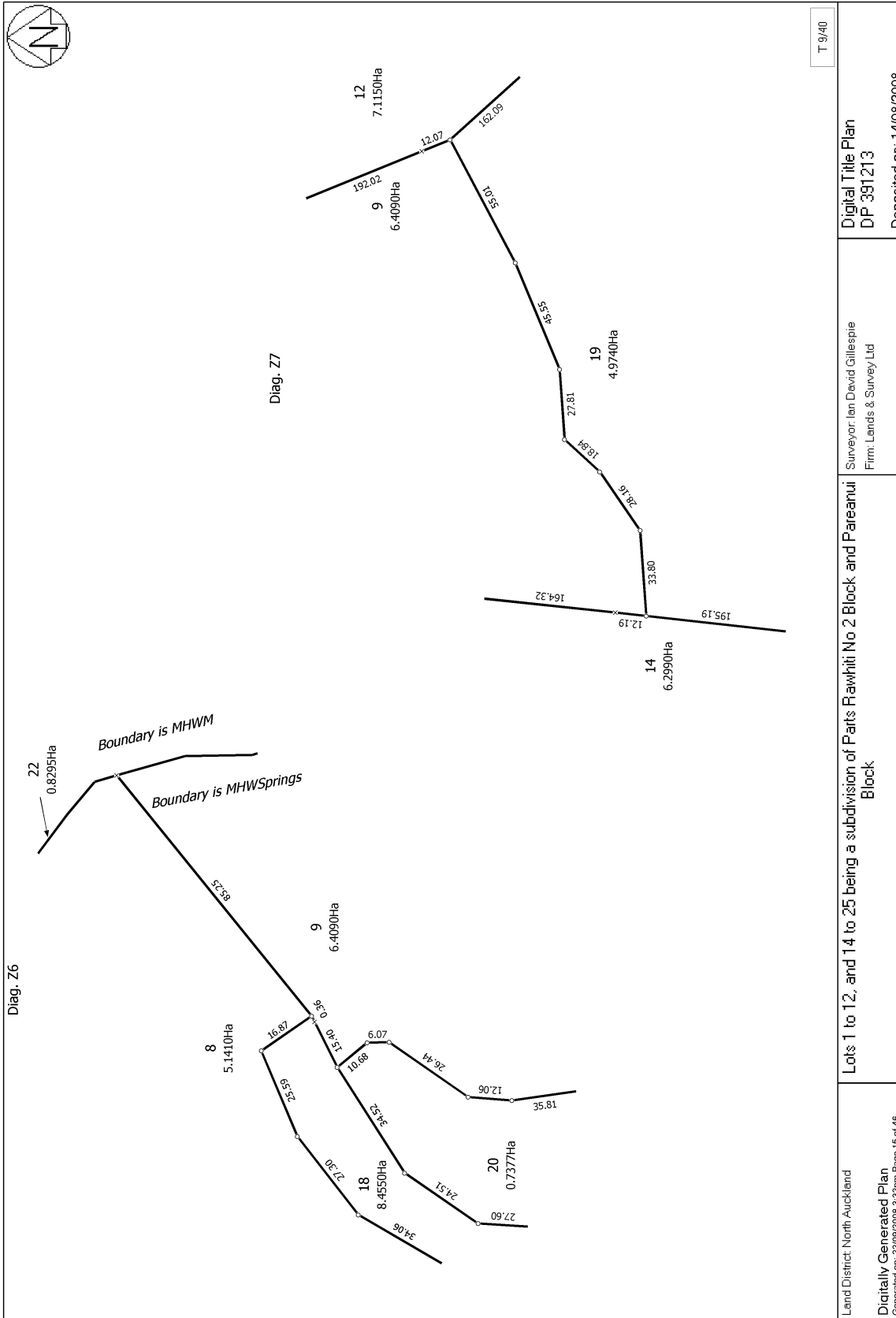
Surveyor: Ian David Gillespie  
 Firm: Lends & Survey Ltd

Digital Title Plan  
 DP 391213

Deposited on: 14/08/2008



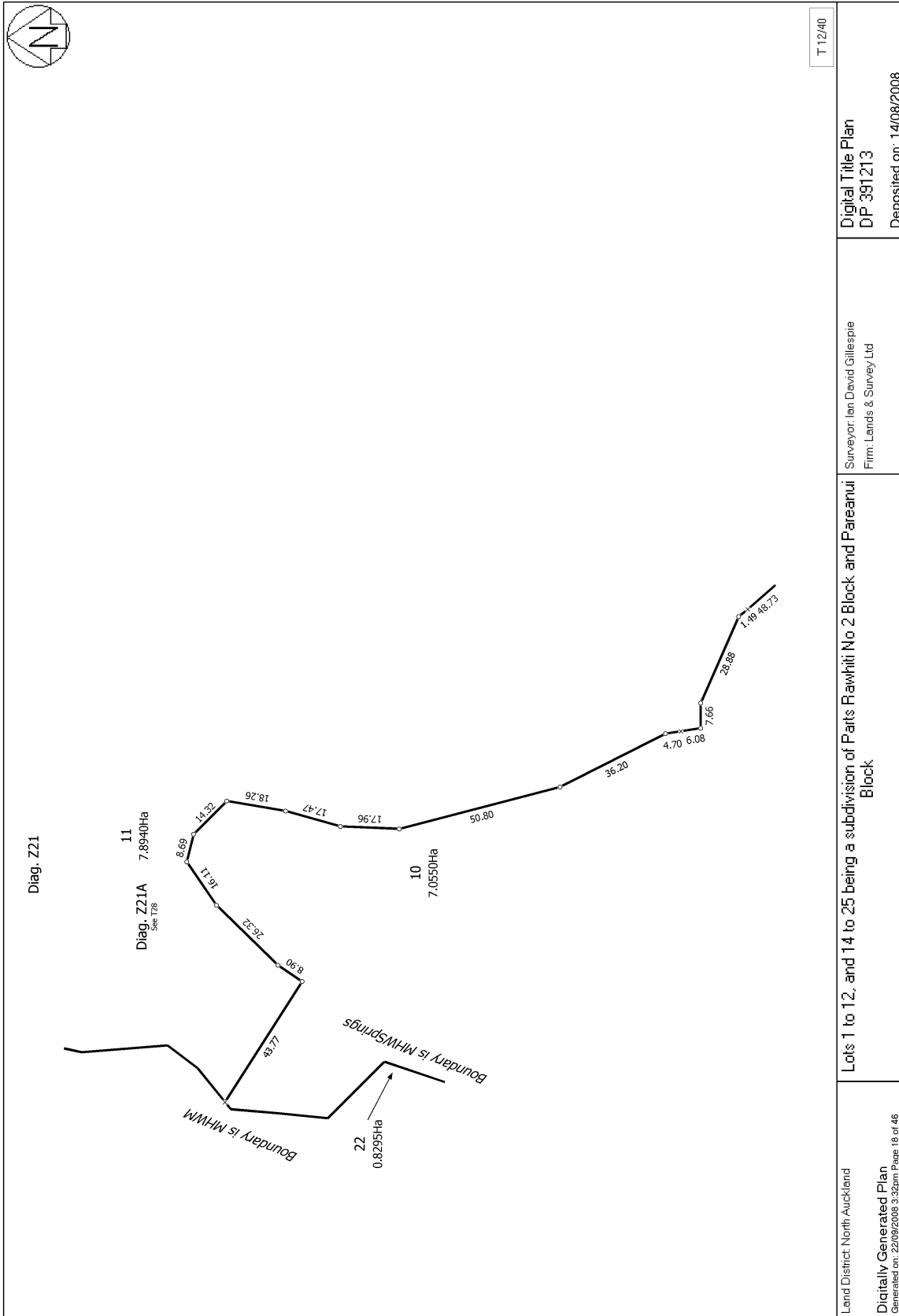


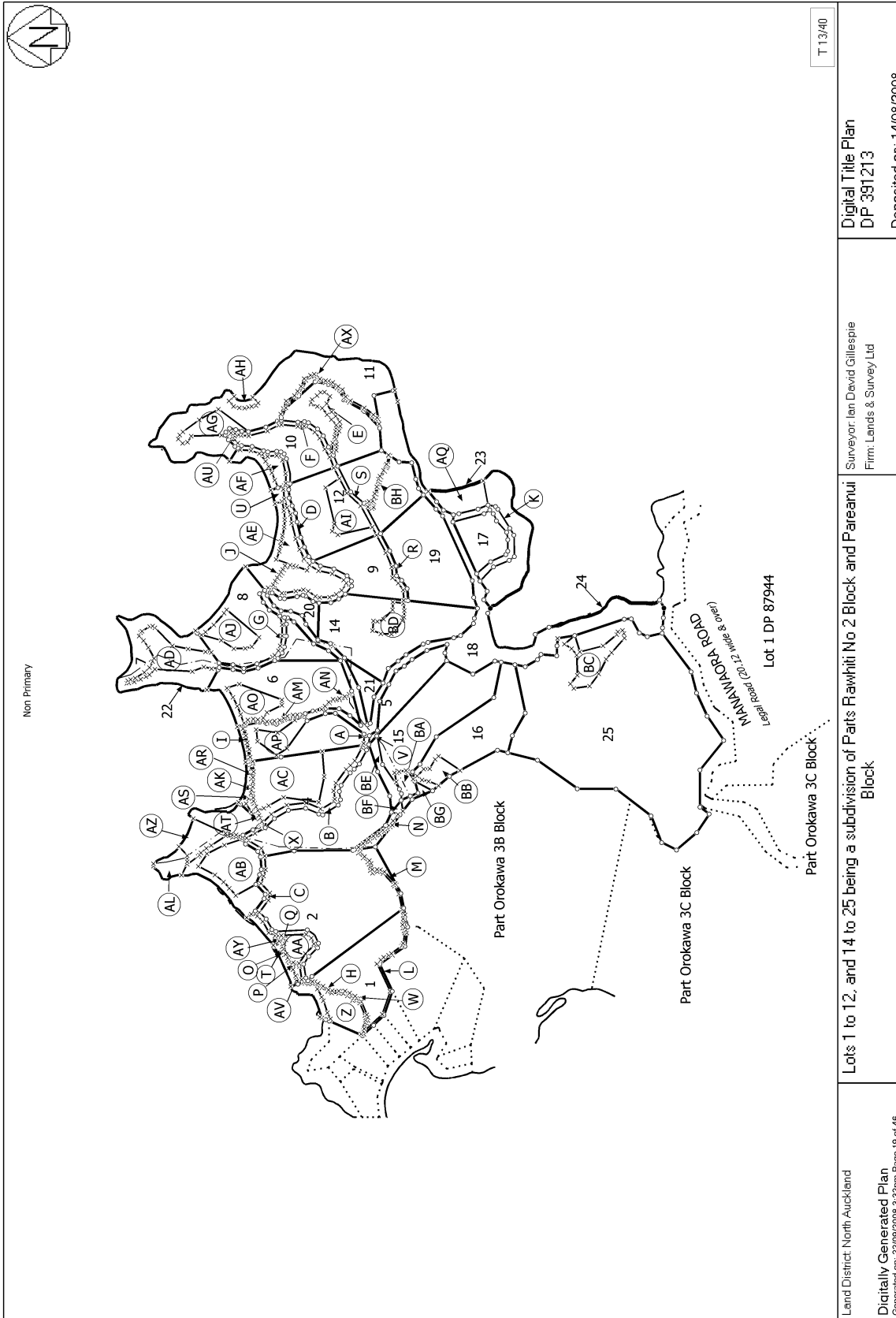












T 13/40

Surveyor: Ian David Gillespie  
 Firm: Lends & Survey Ltd  
 Deposited on: 14/08/2008

Lot 1 DP 87944

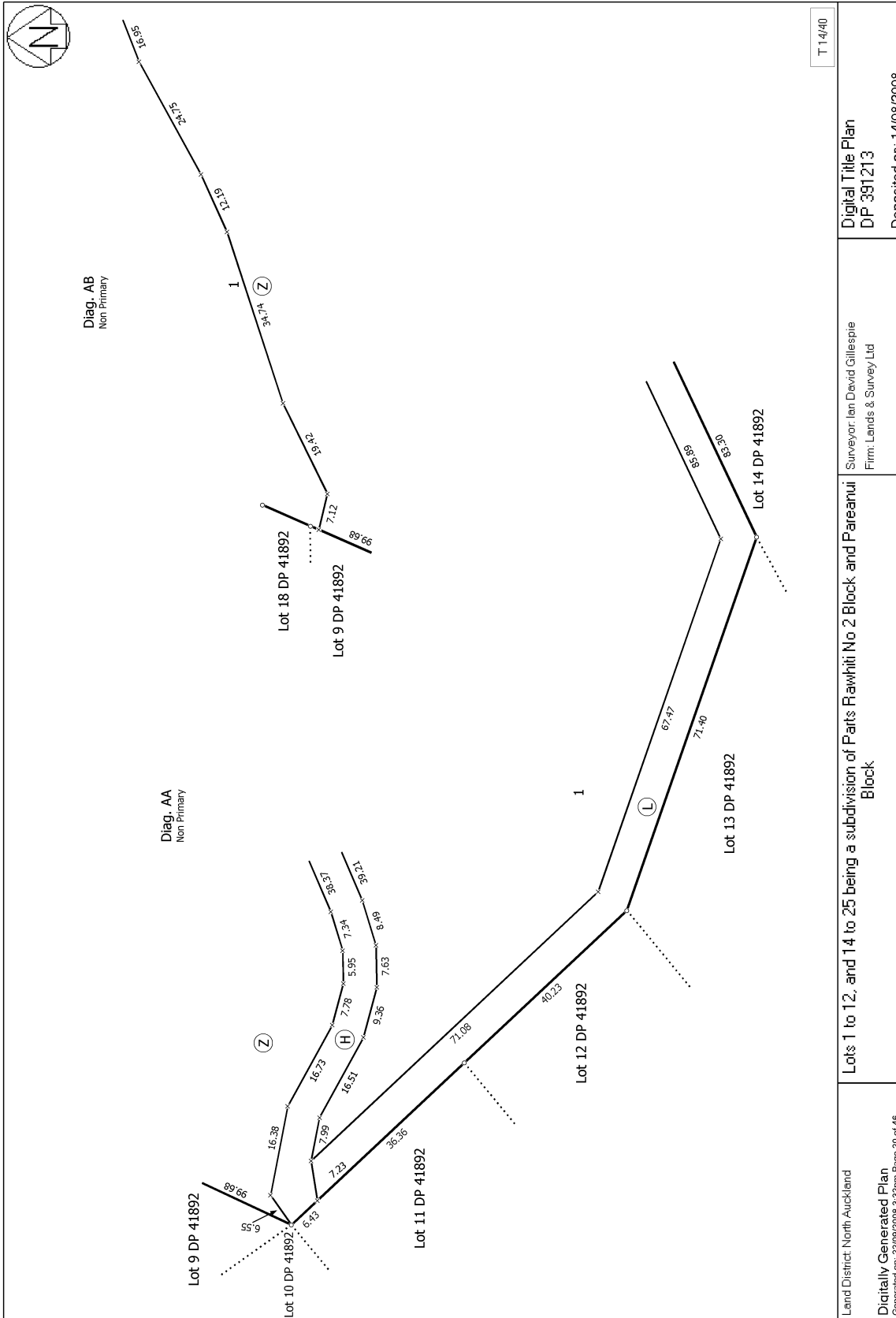
Part Orokawa 3B Block  
 Part Orokawa 3C Block  
 Part Orokawa 3C Block

Manakora Road  
 Legal road (20.13 wide @ here)

Lot 1 DP 87944

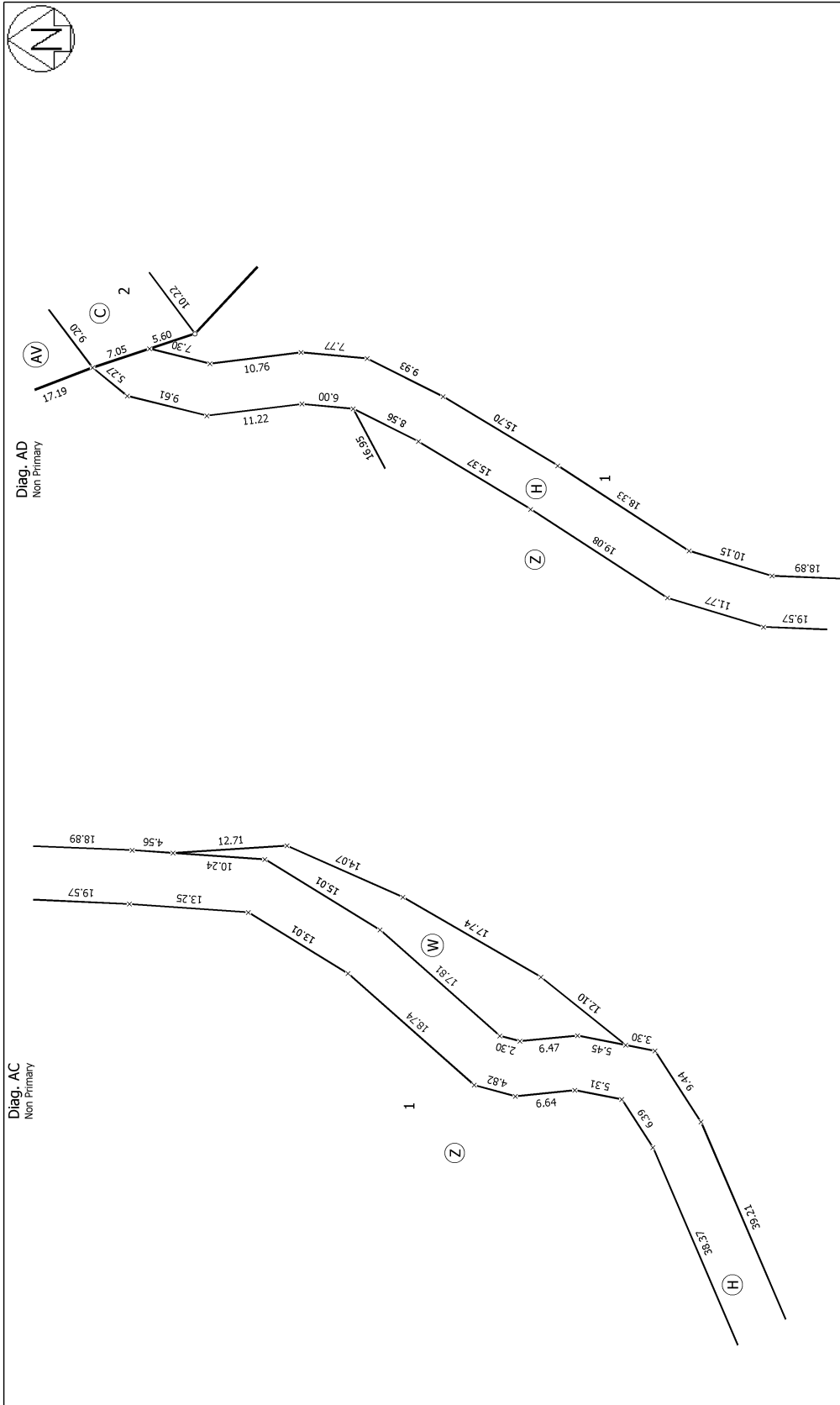
Land District: North Auckland  
 Digitally Generated Plan  
 Generated on: 22/09/2008 3:32pm Page 19 of 46

Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block



T 14/40

<p>Land District: North Auckland</p> <p>Digitally Generated Plan</p> <p>Generated on: 22/09/2008 3:32pm Page 20 of 46</p>	<p>Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block</p>	<p>Surveyor: Ian David Gillespie</p> <p>Firm: Lands &amp; Survey Ltd</p>	<p>Digital Title Plan</p> <p>DP 391213</p> <p>Deposited on: 14/08/2008</p>
---	--	--	--



T 15/40

Surveyor: Ian David Gillespie  
Firm: Lends & Survey Ltd

Land District: North Auckland

Digitally Generated Plan  
Generated on: 22/09/2008 3:32pm Page 21 of 46

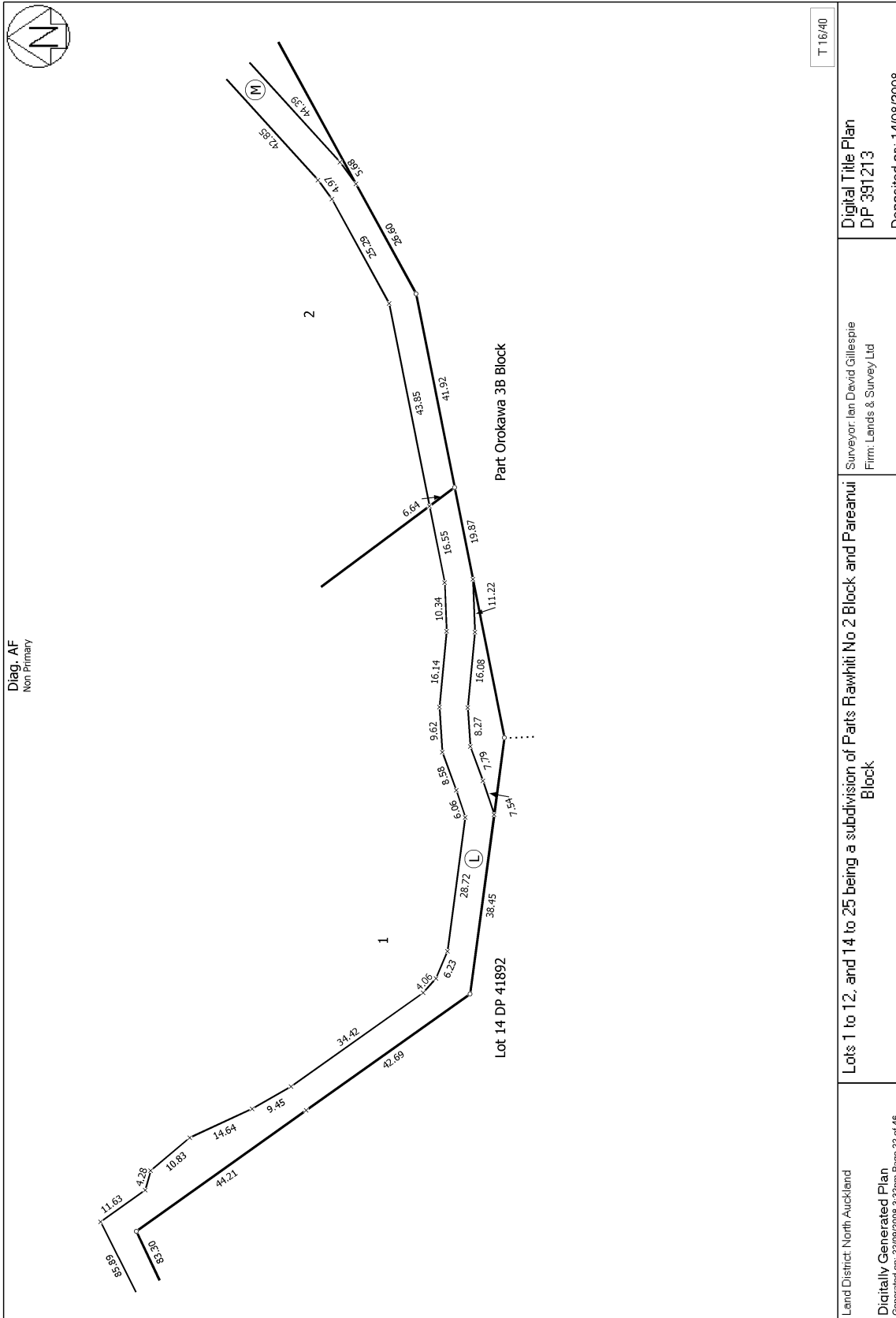
Diag. AD  
Non Primary

Diag. AC  
Non Primary

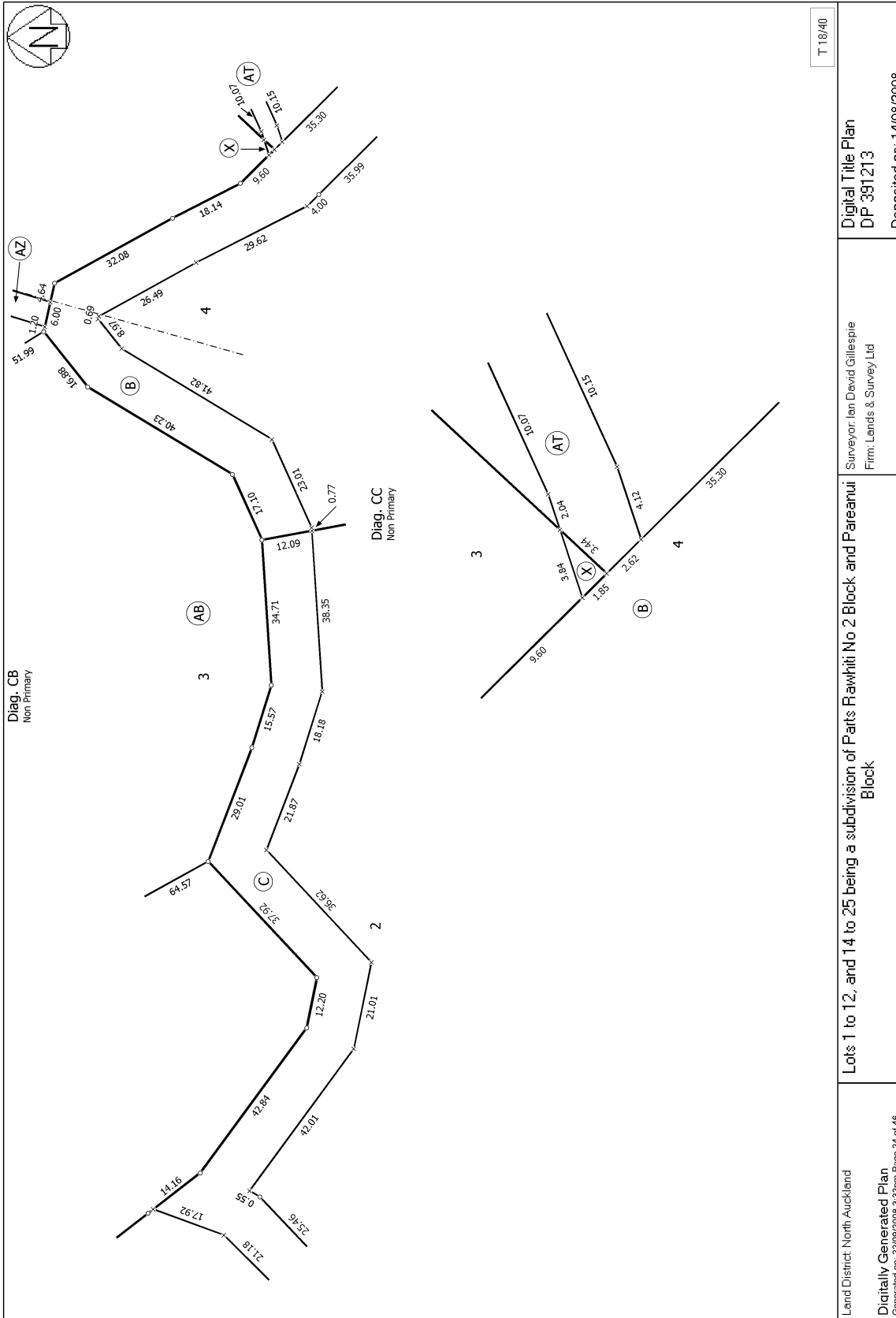
Lot 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block

Digital Title Plan  
DP 391213

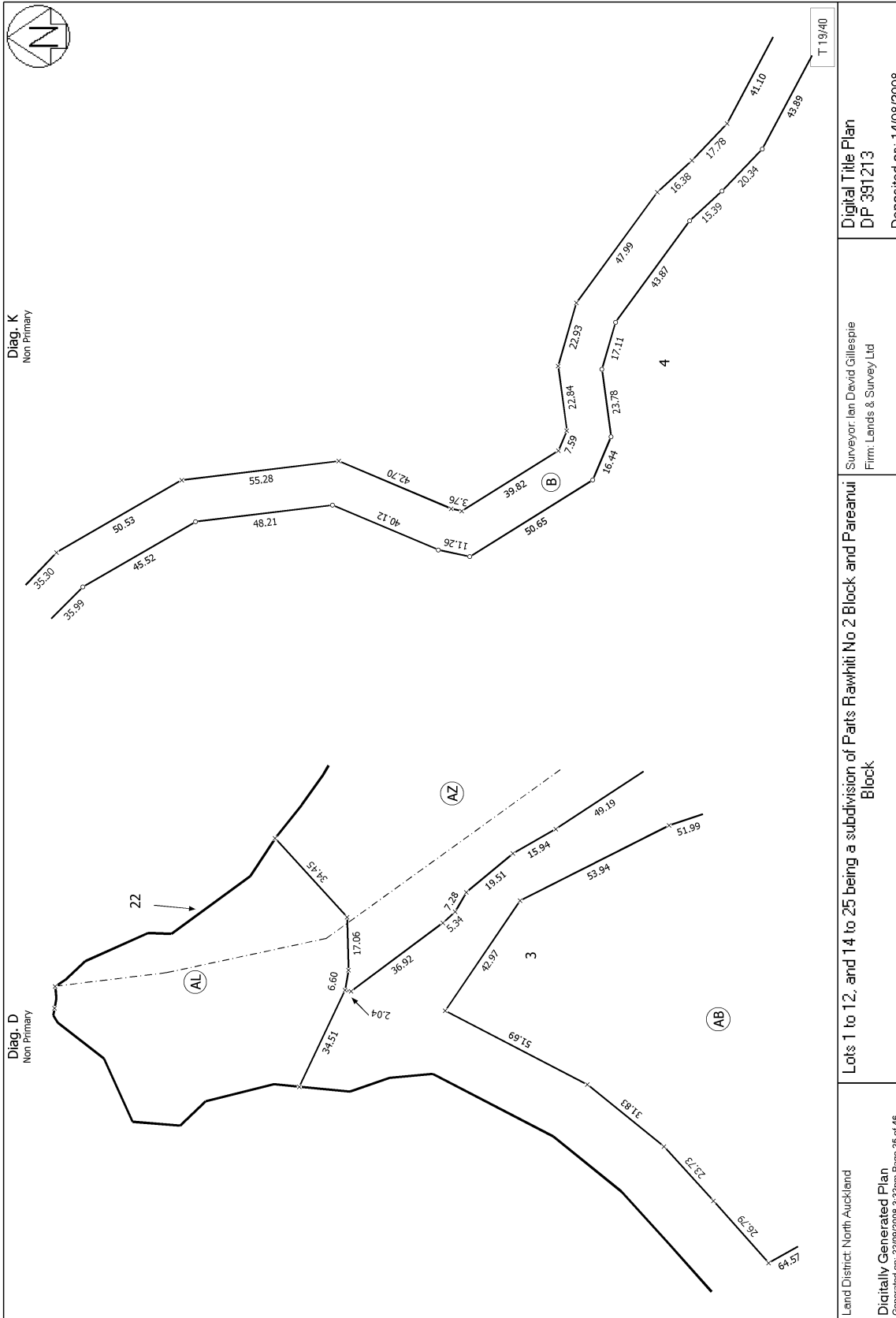
Deposited on: 14/08/2008



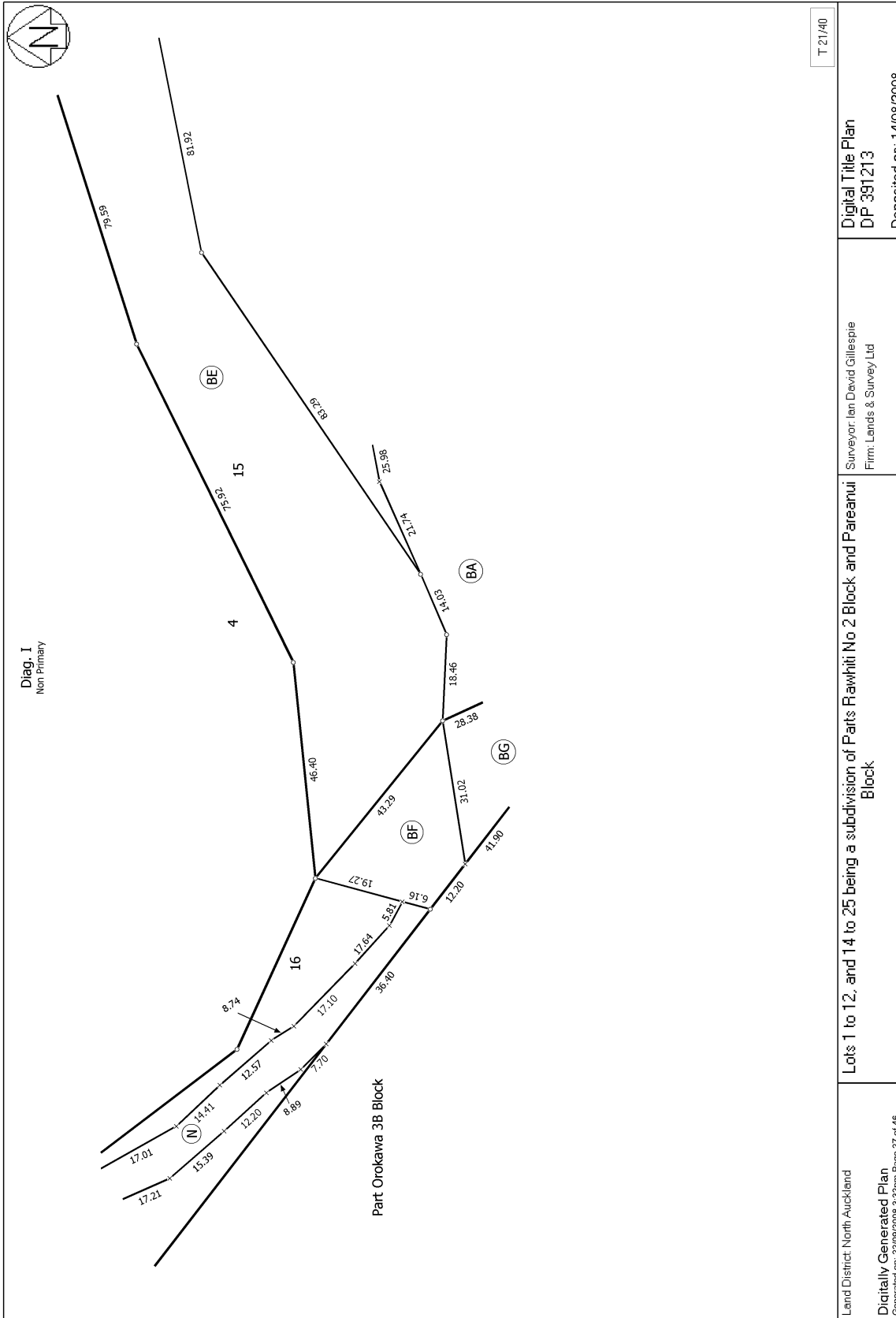


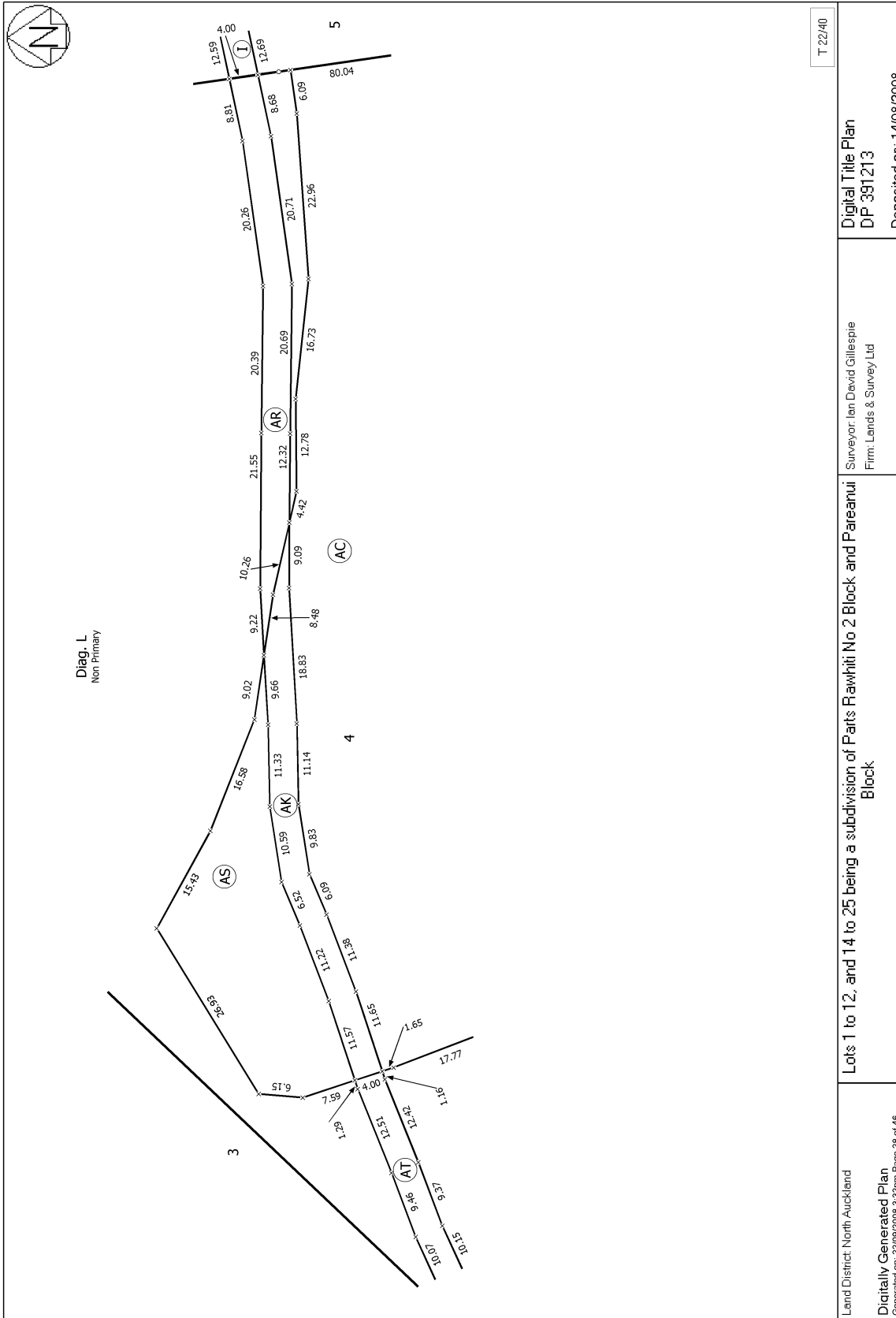




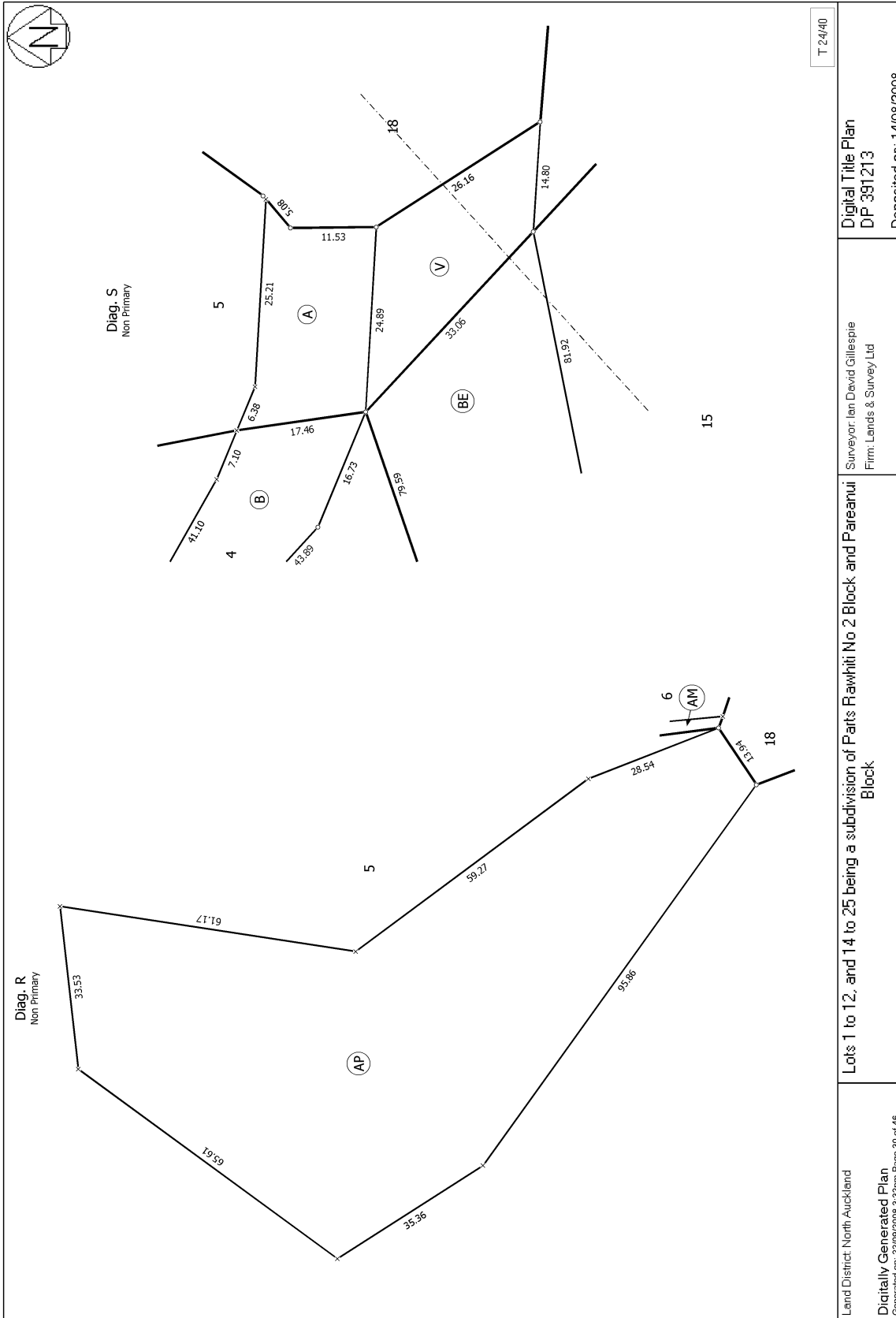








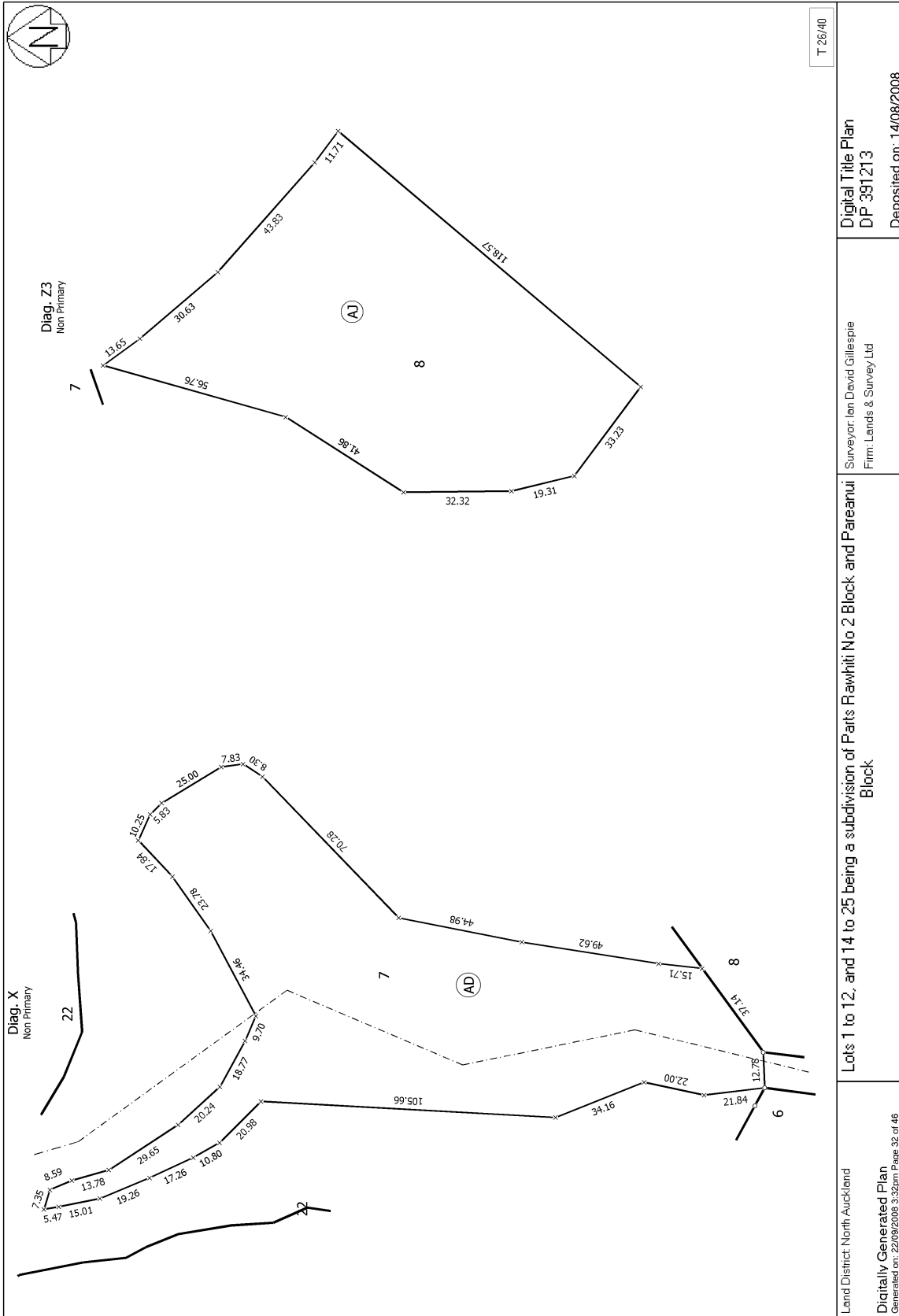




T 24/40

Land District: North Auckland Digitally Generated Plan Generated on: 22/09/2008 3:32pm Page 30 of 46	Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block	Surveyor: Ian David Gillespie Firm: Lands & Survey Ltd	Digital Title Plan DP 391213 Deposited on: 14/08/2008
--	---	---	---





T 26/40

Digital Title Plan  
DP 391213  
Deposited on: 14/08/2008

Surveyor: Ian David Gillespie  
Firm: Lends & Survey Ltd

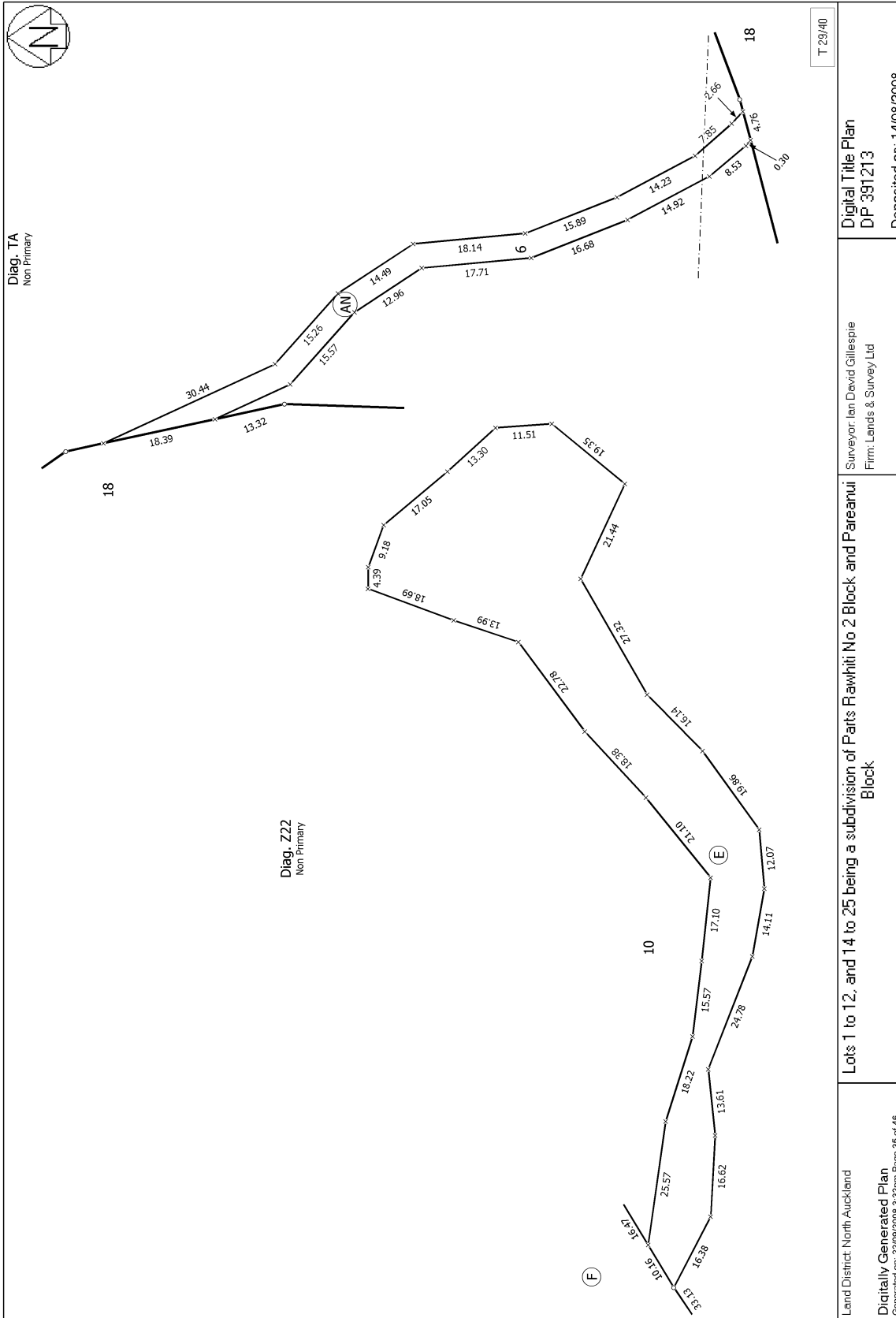
Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block

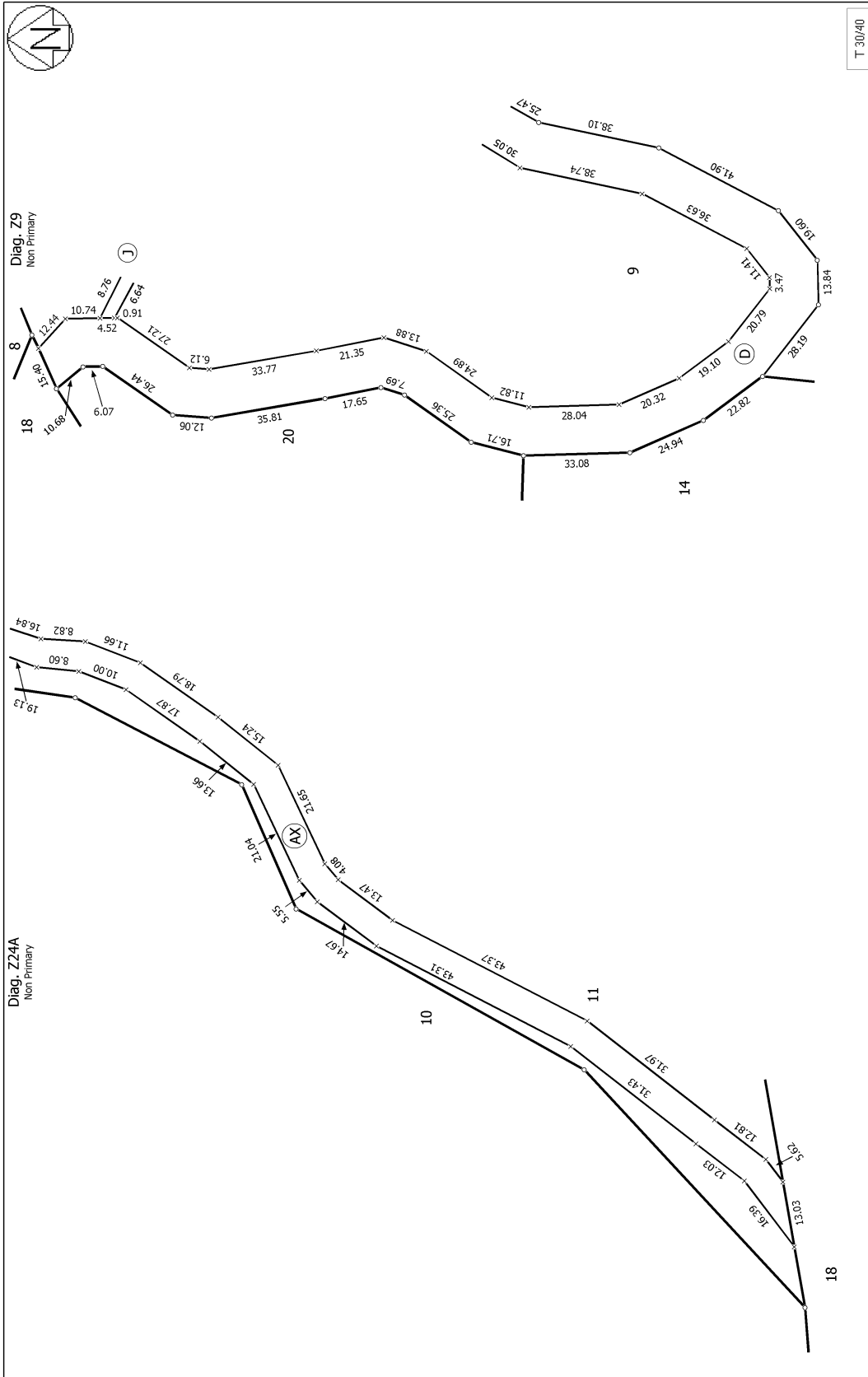
Land District: North Auckland  
Digitally Generated Plan  
Generated on: 22/09/2008 3:52pm Page 32 of 46











Land District: North Auckland  
Digitally Generated Plan  
Generated on: 22/09/2008 3:32pm Page 36 of 46

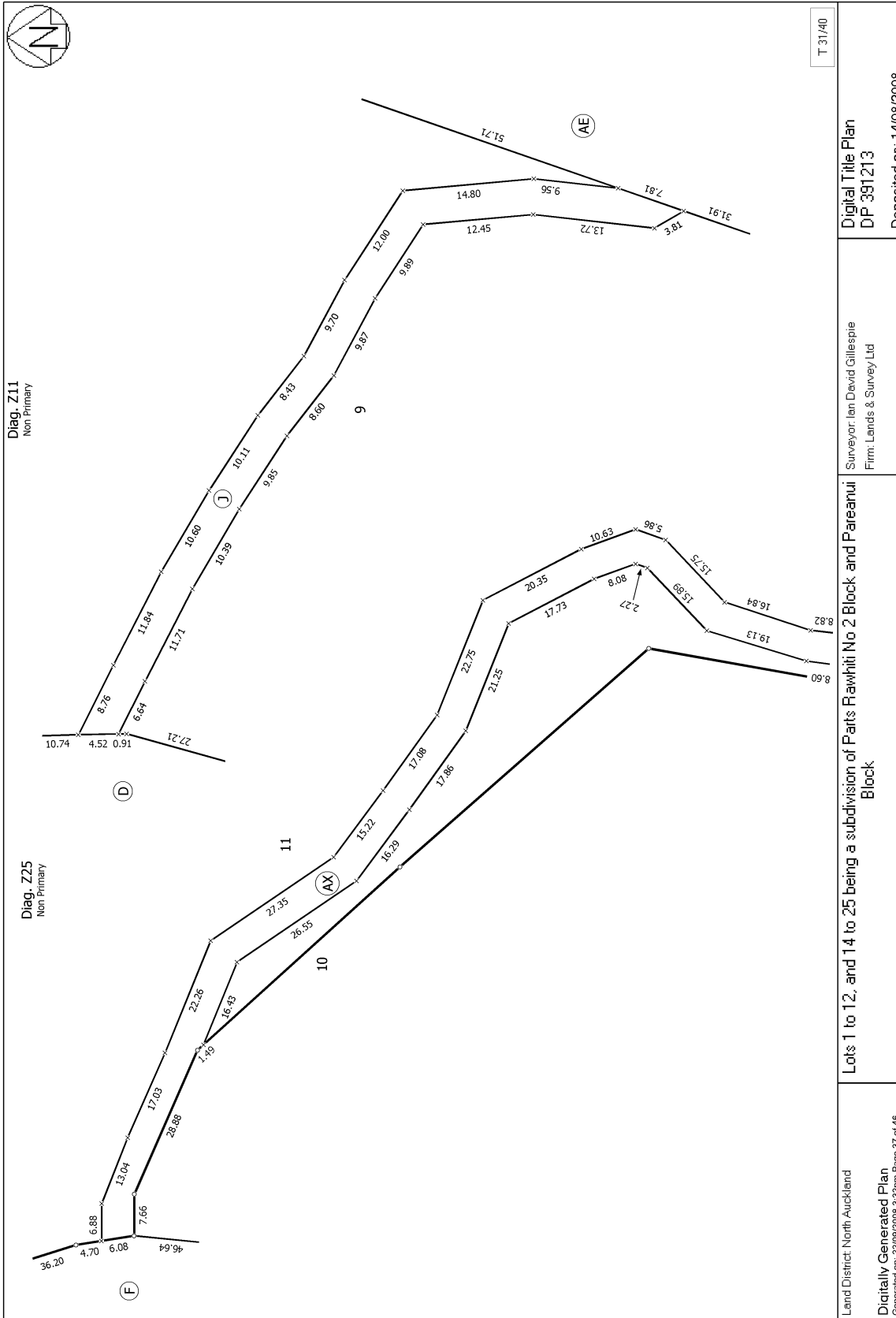
Surveyor: Ian David Gillespie  
Firm: Lands & Survey Ltd

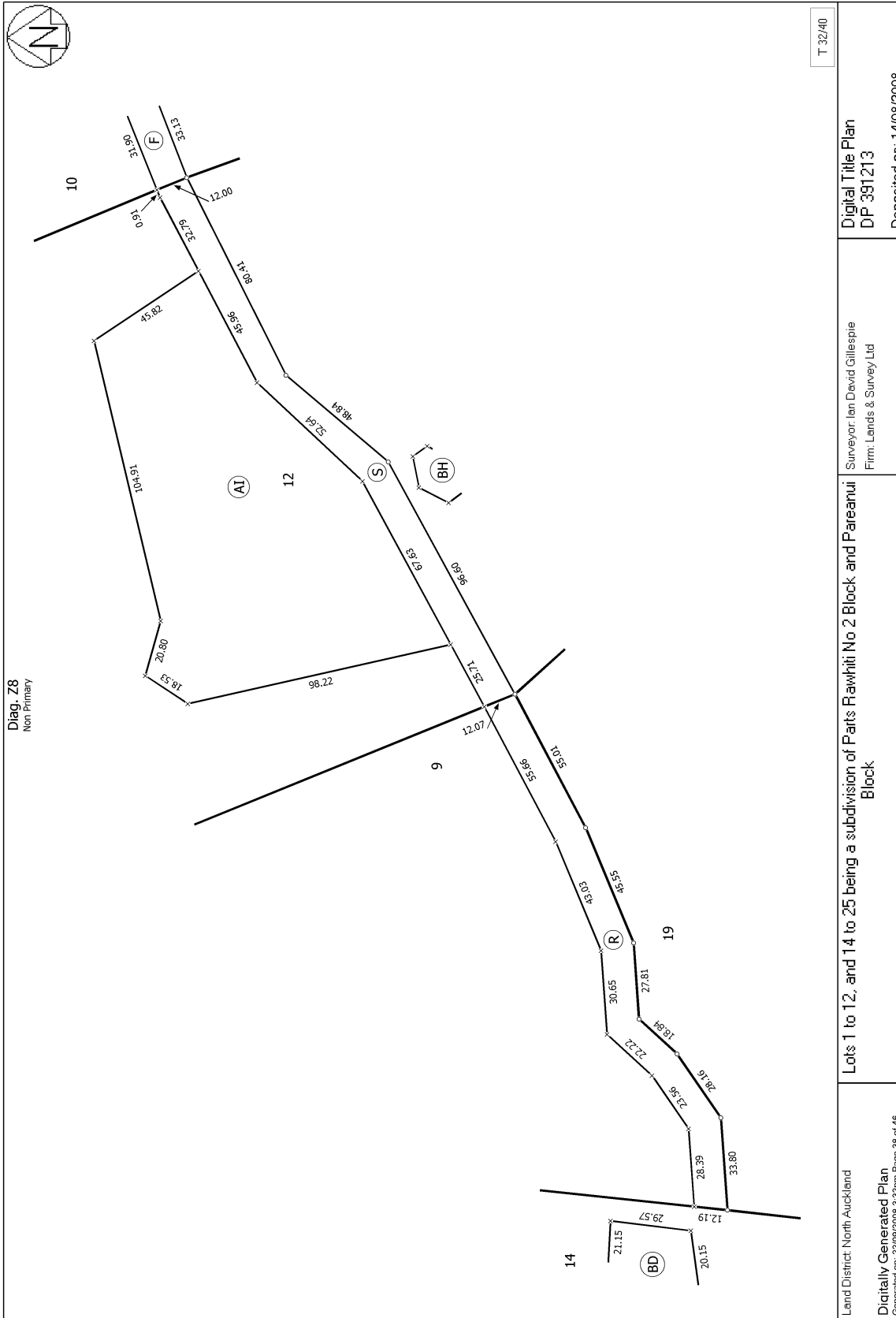
Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block

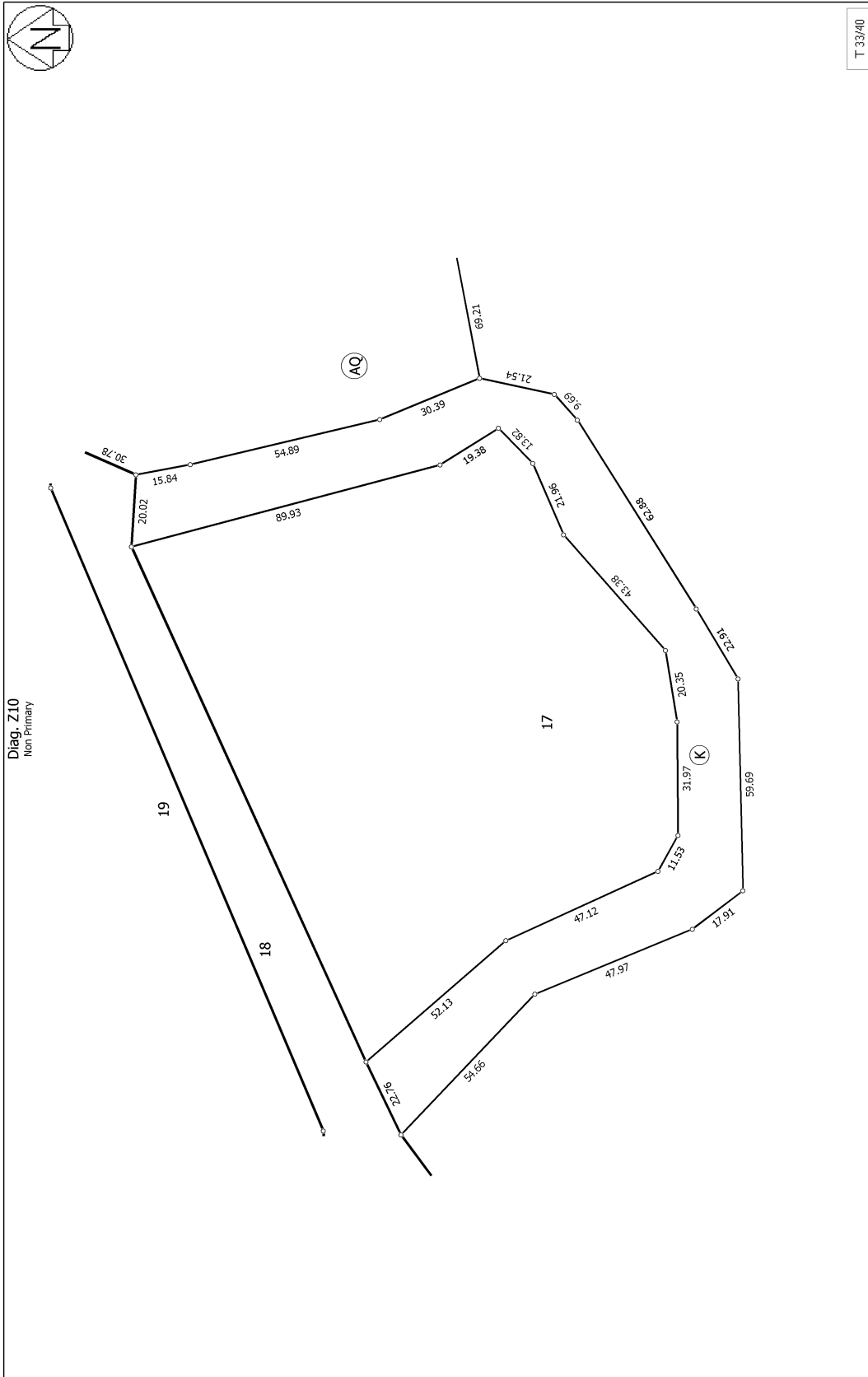
Digital Title Plan  
DP 391213

Deposited on: 14/08/2008

T 30/40







T 33/40

Digital Title Plan  
DP 391213  
Deposited on: 14/08/2008

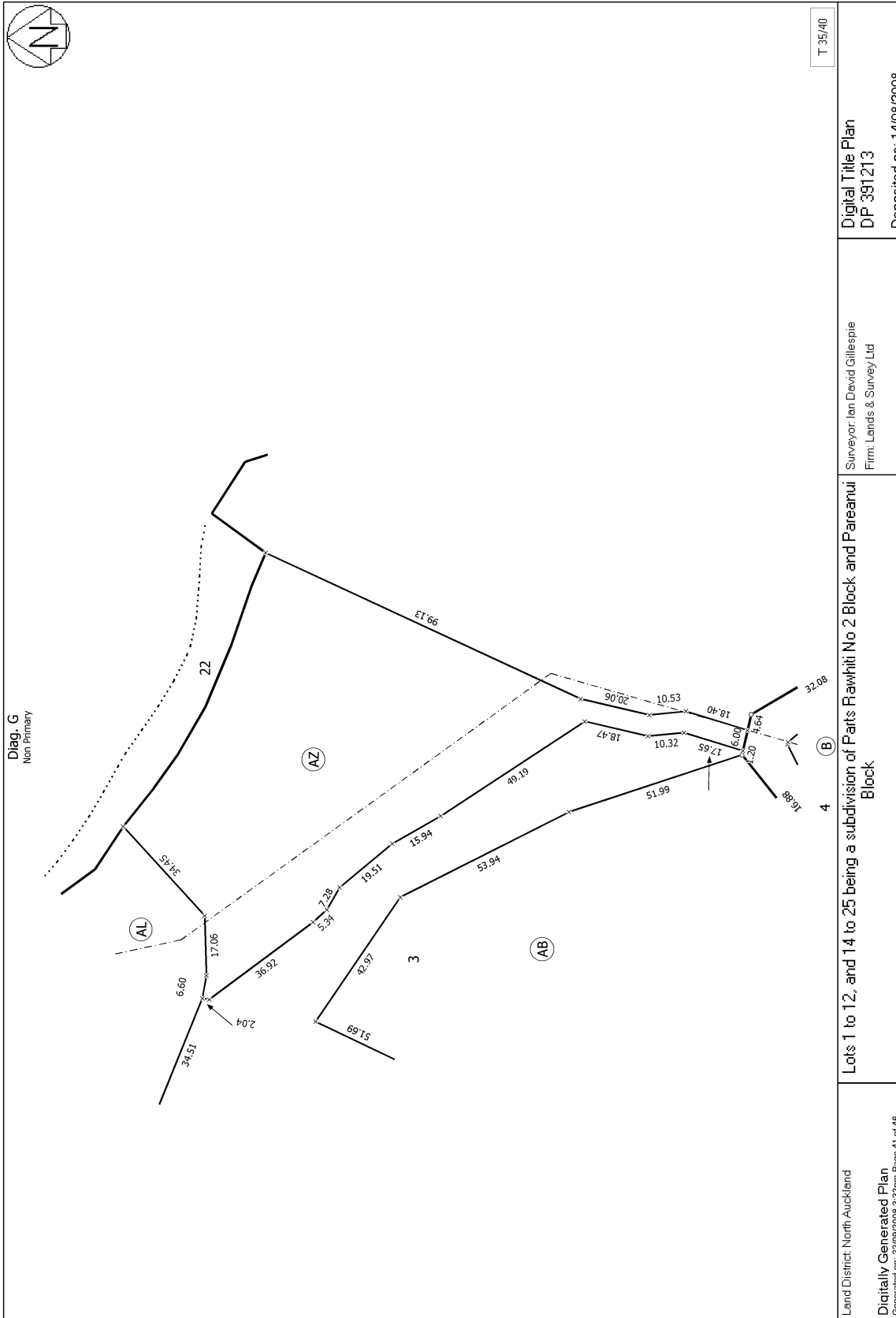
Surveyor: Ian David Gillespie  
Firm: Lands & Survey Ltd

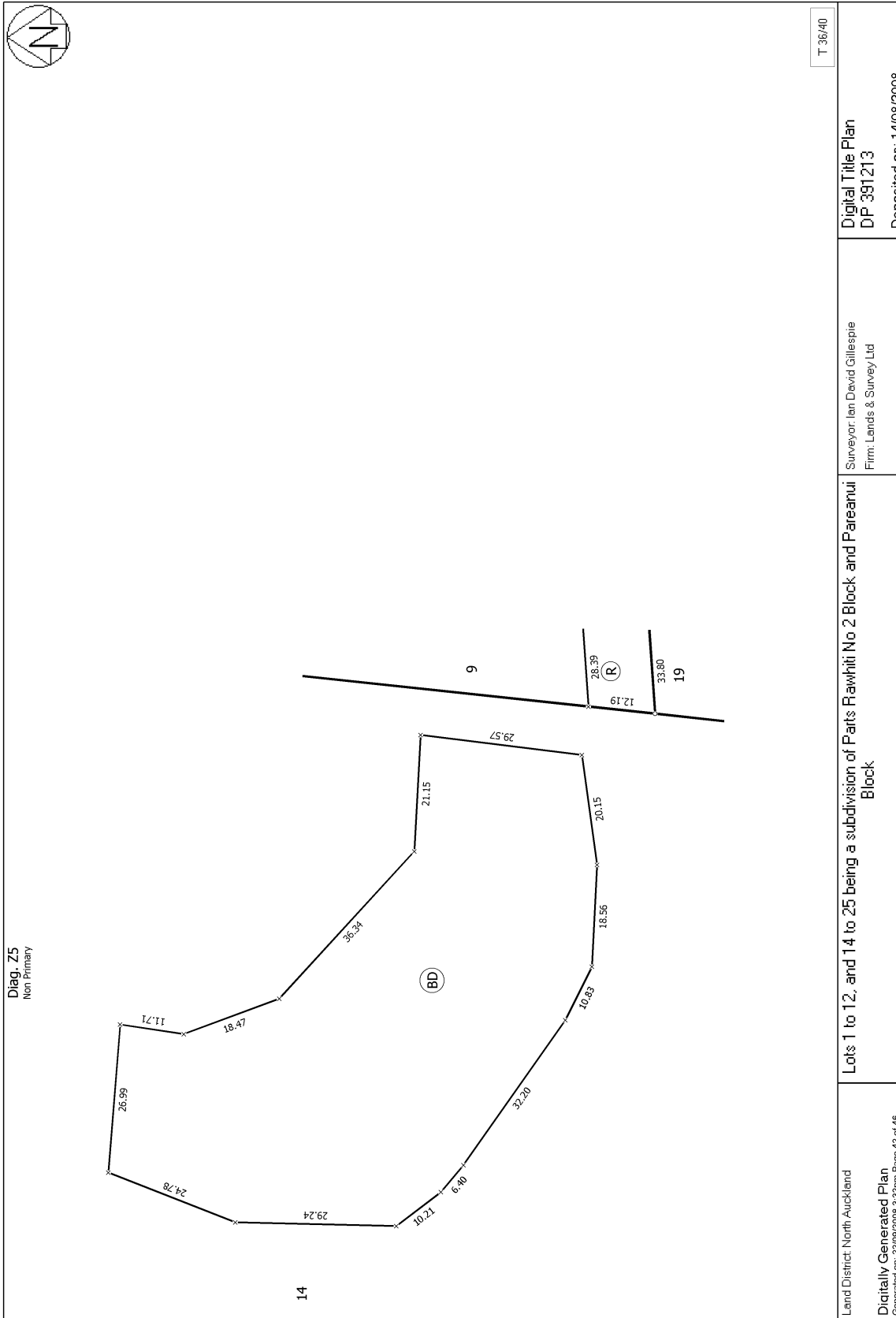
Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block

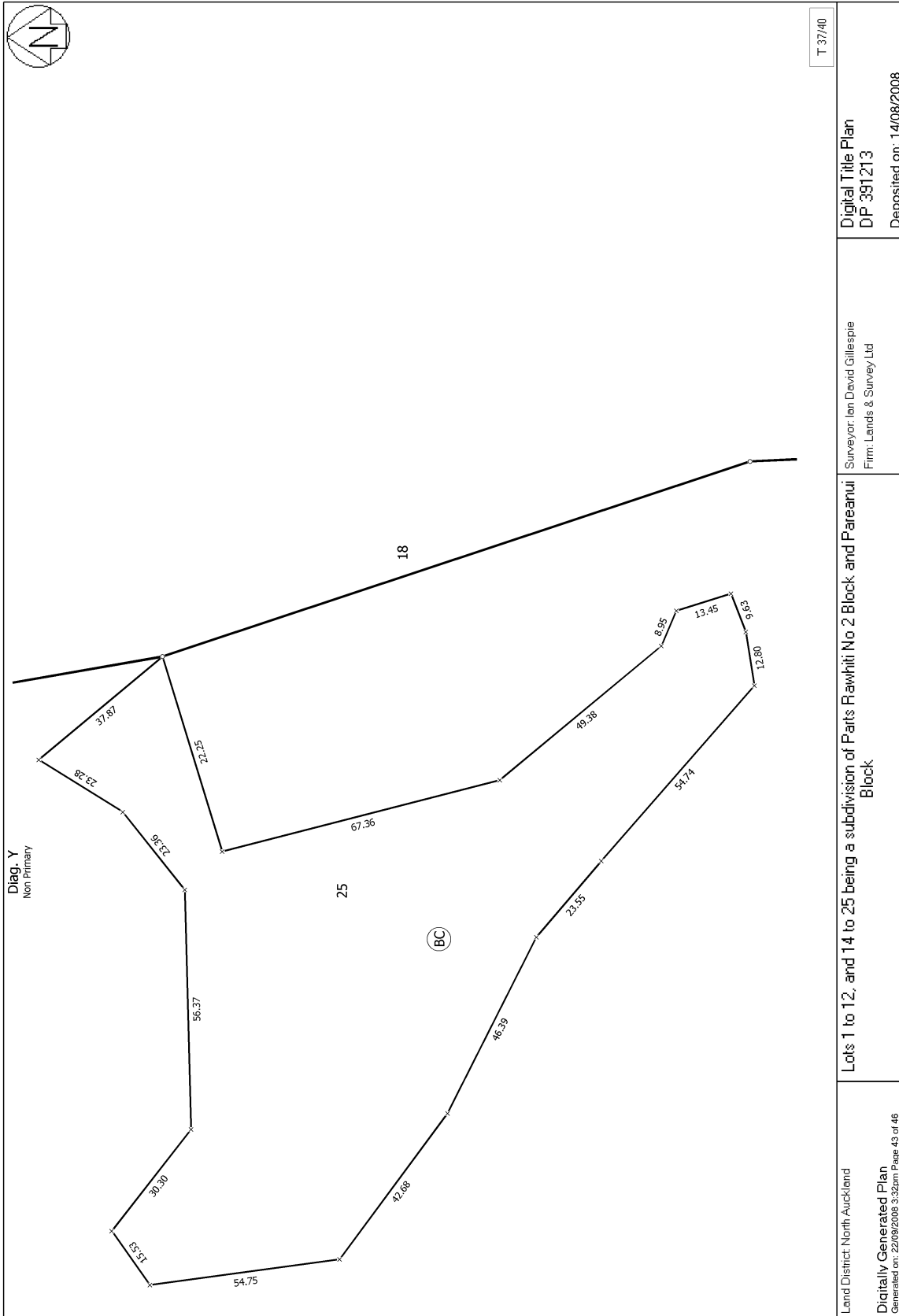
Land District: North Auckland  
Digitally Generated Plan  
Generated on: 22/09/2008 3:32pm Page 39 of 46

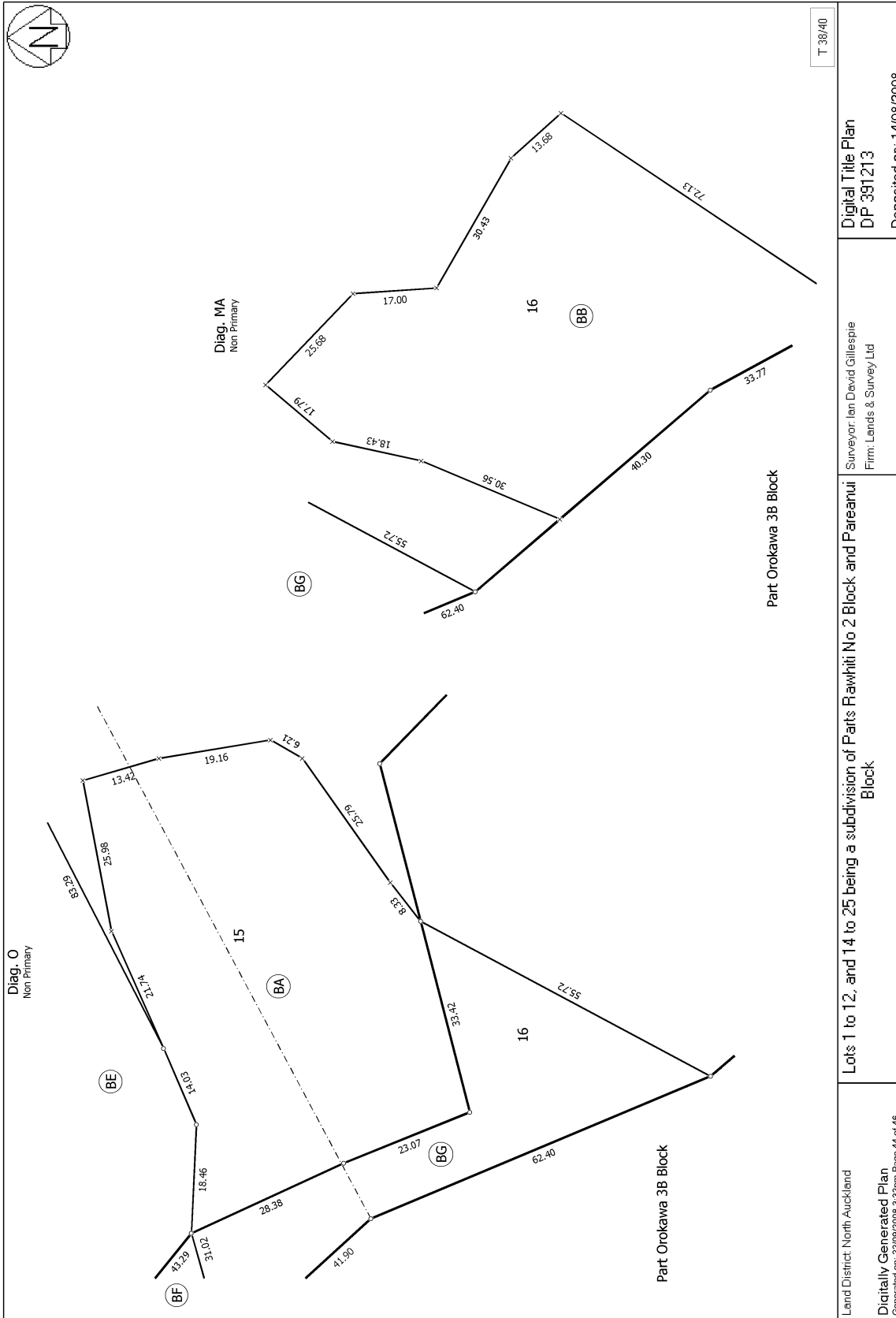


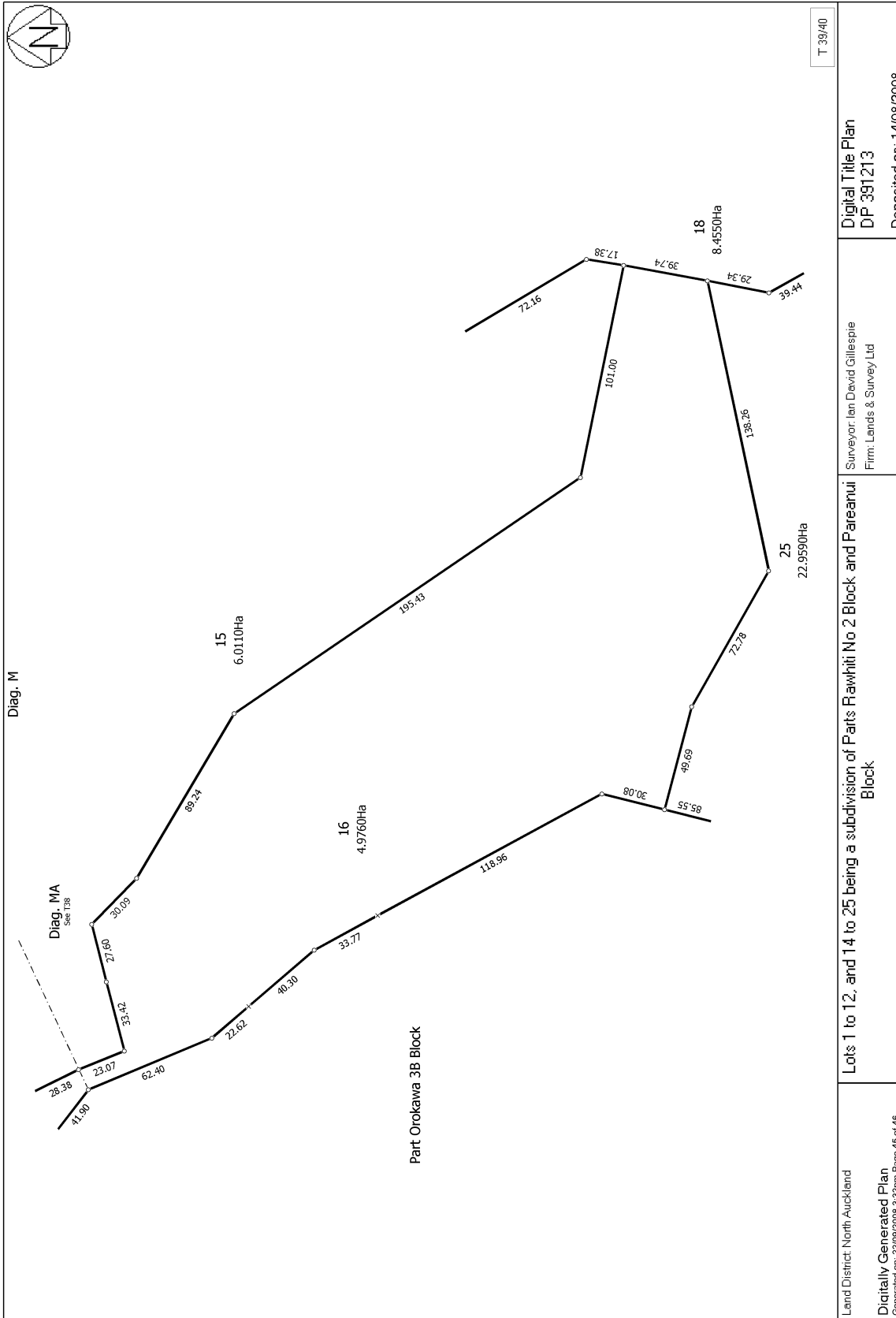


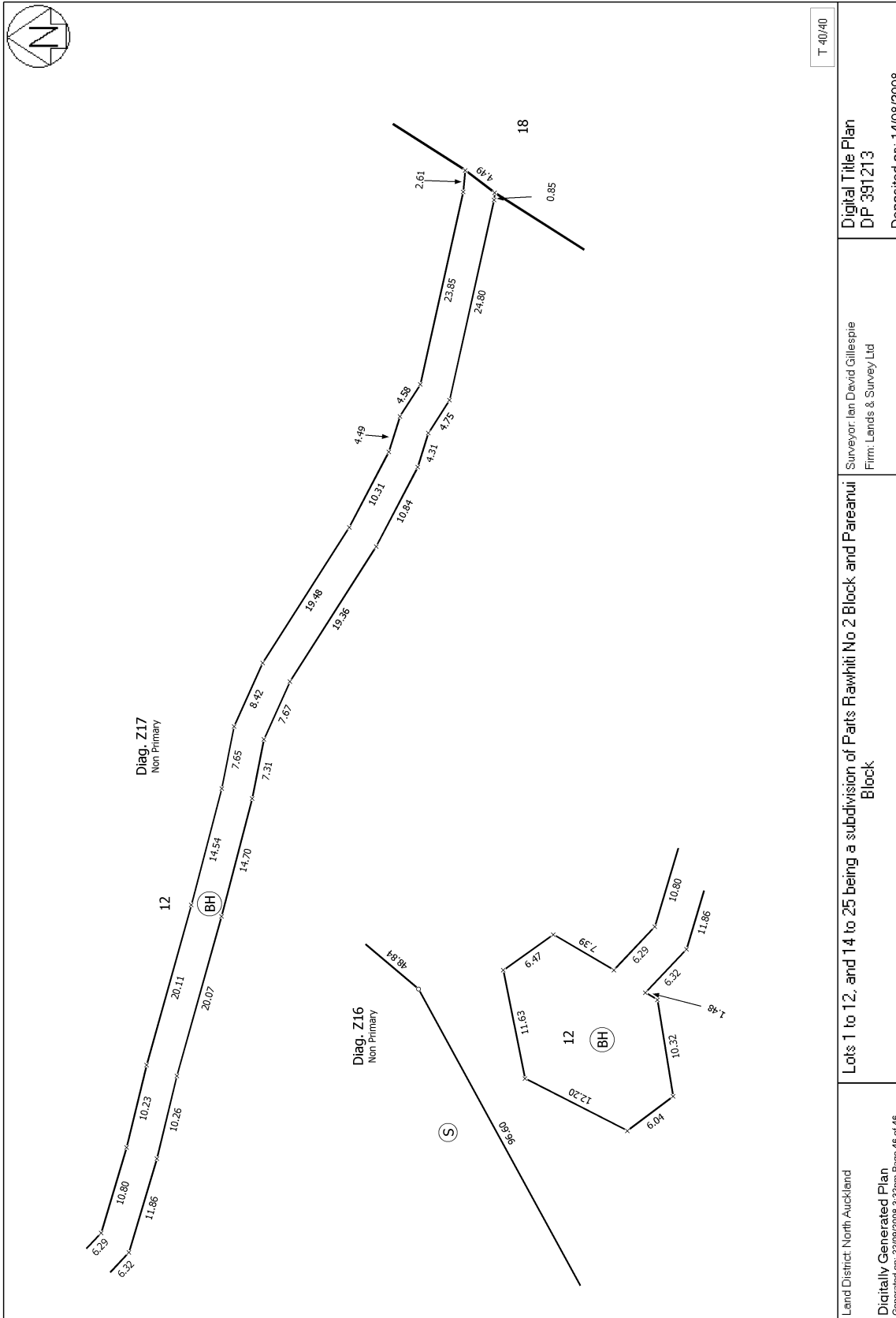












**CONO 7907807.2 Consen**

Cpy - 01/01, Pgs - 009, 14/08/08, 11:21



DocID: 313165939



**Far North  
District Council**

Private Bag 752, Memorial Ave

Kaikōhe 0400, New Zealand

Freephone: 0800 920 029

Phone: (09) 405 2750

Fax: (09) 401 2137

Email: [ask.us@fndc.govt.nz](mailto:ask.us@fndc.govt.nz)

Website: [www.fndc.govt.nz](http://www.fndc.govt.nz)

IN THE MATTER of the Resource Management Act 1991 ("the Act")

A N D

IN THE MATTER of a subdivision consent as evidenced by Land Transfer Plan No. 391213

A N D

IN THE MATTER of a Consent Notice issued pursuant to Section 221 of the Act by FAR NORTH DISTRICT COUNCIL ("the Council")

IT IS HEREBY CERTIFIED that the following conditions to be complied with on a continuing basis by the subdividing owner and subsequent owners were imposed by the Council as conditions of approval for the subdivision as effected by Land Transfer Plan No. 391213 ("the plan")

1. Further subdivision of lots 1 through 12, 14 through 17, 19, 20, 21 and 25 on the plan is prohibited.
2. The maximum rolling height above ground level (using the definition in the district plan as at the 30<sup>th</sup> of May 2005) of each building on lots 7, 11 and 12 on the plan shall be no more than 4 metres above ground level.
3. No buildings shall be erected on lot 7 on the plan until such time as the native screen planting backdrop has reached a height of 4 metres when viewed from a position no closer than 500 metres offshore with such backdrop planting to be maintained at a height of no less than the building thereafter.
4. The maximum rolling height above ground level (using the definition in the district plan as at the 30<sup>th</sup> of May 2005) of any building on lots 1, 2, 4, 6, 8, 9 and 10 on the plan shall be no more than 5 metres above ground level.
5. The maximum rolling height above ground level (using the definition in the district plan as at 30 May 2005) of any building on lot 5 on the plan shall be no more than 6 metres.
6. The maximum rolling height above ground level (using the definition in the district plan as at the 30<sup>th</sup> of May 2005) of any building on lot 3 on the plan shall be:

- (i) No more than 6 metres if the structure or any part thereof is located above a topographical line that is 16 metres or more above mean high water springs; or
- (ii) No more than 8 metres if the structure or any part thereof is located below a topographical line that is 16 metres or more above mean high water springs.
7. Buildings are prohibited on lots 19, 20 and 21 on the plan.
8. The external cladding of all buildings constructed on all lots on the plan shall be in accordance with the management plan as approved for the subdivision evidenced by the plan such management plan being entitled "Omarino Residents Association Management Plan dated October 2007" ("the management plan").
9. The revegetation of those parts of lots 1 through 12, 14 through 17 and 19, 20, 21 and 25 on the plan that are outside of the curtilage areas of each of such lots such being
- that part of lot 1 on the plan as is shown marked with the letter "Z"
  - those parts of lot 2 on the plan as are shown marked with the letters "AA", "AV", "P", "Q" and "T"
  - that part of lot 3 on the plan as is shown marked with the letters "AB"
  - those parts of lot 4 on the plan as are shown marked with the letters "AC", "AK" and "AS"
  - that part of lot 5 on the plan as is shown marked with the letters "AP"
  - that part of lot 6 on the plan as is shown marked with the letters "AO"
  - that part of lot 7 on the plan as is shown marked with the letters "AD"
  - that part of lot 8 on the plan as is shown marked with the letters "AJ"
  - that part of lot 9 on the plan as is shown marked with the letters "AE"
  - that part of lot 10 on the plan as is shown marked with the letters "AF"
  - that part of lot 11 on the plan as is shown marked with the letters "AG"
  - that part of lot 12 on the plan as is shown marked with the letters "AI"
  - that part of lot 14 on the plan as is shown marked with the letters "BD"
  - that part of lot 15 on the plan as is shown marked with the letters "BA"
  - that part of lot 16 on the plan as is shown marked with the letters "BB"
  - that part of lot 17 on the plan as is shown marked with the letters "AQ"
  - that part of lot 25 on the plan as is shown marked with the letters "BC"
- shall be maintained in perpetuity.
10. All the archaeological sites ("the archaeological sites") located within Lots 1 through 12, 14 through 21 and 25 on the plan shall remain undisturbed.
11. Access to the heritage covenant areas being:
- (a) That part of lot 3 on the plan as is shown marked thereon with the letters "AL"; and
  - (b) That part of lot 10 on the plan as is shown marked thereon with the letter "E"

and access to the archaeological sites and other waahi tapu shall be provided to members of Patukeha Hapu, Ngati Kuta Hapu, and other tangata whenua for the purposes of enabling tangata whenua to conduct their kaitiaki responsibilities provided always that:



- (i) Such access is to be on 48 hours notice to the Lot owner (or agent) and for such period and frequency to be agreed upon by the Lot owner (or agent) and tangata whenua, and that access to the archaeological sites be provided to tangata whenua on such terms as may be agreed between the Lot owner and tangata whenua following them having given 48 hours notice to the Lot owner;
  - (ii) Access shall be limited to the hours of daylight and the frequency of visits and the number of visitors (being tangata whenua) shall be such that they do not cause a nuisance or disturbance to the archaeological sites, other waahi tapu and heritage covenant areas or to the vegetation or improvements on the lots, or other activities;
  - (iii) The tangata whenua that visit the archaeological sites, other waahi tapu and heritage covenant areas shall ensure that the sites are protected and remain undisturbed with any other members of the public, being those that have not sought, or been provided with permission from the Lot owner, being trespassers in the context of this condition of consent; and
  - (iv) A lot owner shall not unreasonably withhold or decline consent and if there is any dispute as to the interpretation of this condition or as to the exercise by the Lot owner or tangata whenua of their respective entitlements or obligations under this condition then before the Lot owner may deny access to the sites or before members of the public visit the sites pursuant to this condition, the dispute shall be referred to the President of the Auckland District Law Society whose decision shall be binding on all parties.
12. The registered proprietors for the time being of the properties being lots 1 through 12, 14 through 17, 19, 20, 21 and 25 on the plan shall ensure that the approved landscaping planting for each lot is commenced within 12 months of the landscape plan being approved and is maintained for the duration of the consent with any plants that are removed or damaged to be replaced as soon as possible or within the next planting season (being 1 May to 30 September in each calendar year).
13. The registered proprietors for the time being of the properties being lots 1 through 12, 14 through 21 and 25 on the plan shall adhere to the management plan and ensure:
- (i) The ongoing management of the revegetation, archaeological, heritage utility and recreational areas shown on the plan;
  - (ii) Compliance with the design guidelines for buildings on the lots; and
  - (iii) All revegetation requirements of the revegetation plan approved by the Council applicable to each lot is undertaken.
14. The registered proprietors for the time being of the properties being lots 1 through 12 on the plan will not for the duration of the consent granted by Northland Regional Council under Consent No. CON20041055810 authorising the alterations to a jetty at Waipiro Bay at location co ordinates 1712030E 6098240N:

- (a) Erect, place, use or keep on any of such lots nor permit any other person or organisation of any kind to erect, place, use or keep on such lot any building, wharf, jetty, marina, boat ramp or facility associated with access to and across the coastal marine area boundary within a setback of 20 metres inland from the mean high water mark of each lot; and
  - (b) Erect, place, use or keep on any of such lots nor permit any other person or organisation of any kind to erect, place, use or keep on such lot any building, wharf, jetty, marina, boat ramp or facility associated with access to and across and use of the coastal marine area which is 50 metres seaward of the mean high water springs boundary of their property.
15. The registered proprietors for the time being of the properties being lots 1 through 12, 14 through 21 and 25 on the plan shall in constructing any new buildings thereon adhere to the design guidelines as were outlined in the Assessment of Environmental Effects lodged with the application for the consent evidenced by the deposit of the plan (Council reference RC2050363) and the management plan.
16. No cats and no mustelids shall be kept on or brought onto any of the lots on the plan.
17. Unless authorised by a resource consent or by the district plan as a permitted activity buildings on each lot in the plan shall be restricted to:
- (i) One residential unit;
  - (ii) One caretaker's residential unit not more than 125m<sup>2</sup> in gross floor area;
  - (iii) One non-residential building; and
  - (iv) Water storage facilities
- with the combined size of any caretaker's unit and non-residential building not exceeding 50% of the residential unit's gross floor area.
18. The external appearance of all buildings constructed on lots 1 through 12, 14, 15, 16 and 25 on the plan shall be in accordance with the design details contained in the management plan and shall in the case of buildings on lots 17 and 18 on the plan be traditional cladding and colours.
19. All electricity, telecommunication and other utility services shall be laid underground.
20. All earthworks including those required to construct accessways to building sites shall be so designed to cause minimal impacts on the landscape and any exposed cuts shall be regrassed or planted in native vegetation.
21. The keeping of dogs on each lot is limited to a maximum of two per lot with all dogs to be:
- (i) Confined to the registered proprietors' curtilage area when in the company of that registered proprietor or their invitees, or otherwise enclosed in an escape proof enclosure; or
  - (ii) If outside the registered proprietors curtilage area then secured by way of a hand held leash.

22. The development of each buildable area on each lot is to proceed in accordance with the recommendations contained within the geotechnical report prepared by Tonkin & Taylor Limited dated September 2004 (Job No. 21778) and submitted with the application for consent such specifically requiring that a site specific geotechnical investigation be carried out for all of the proposed building platforms, accessways and effluent fields prior to any building consent application and earthworks commencing.
23. None of the non-residential ancillary buildings and water storage facilities on lots 1 through 12, 14 through 17 and 25 on the plan shall be used for residential purposes without the prior written consent of the Council and no cooking or food preparation facilities are to be installed in these non-residential buildings or water storage facilities.
24. No part of the recreation facility on lot 18 on the plan is to be used as a licensed restaurant/hotel/bar without further written consent from the Council.
25. Effluent disposal on each lot shall be allocated in accordance with the recommendations contained in the Richardson Stevens Consultants (1996) Limited report dated 28 September 2004 as submitted with the assessment of Environmental Effects lodged with the application for the consent evidenced by the deposit of the plan (Council reference RC2050363) with each effluent disposal field on lots 1 through 12, 17 and 18 on the plan to be located at least 30 metres from mean high water springs with the ongoing operation and maintenance of each system to be covered by a maintenance agreement undertaken by the system supplier or its authorised agent.
26. The registered proprietor(s) of each of the lots on the plan shall implement and continue to maintain and replant revegetation on each lot in terms of the relevant revegetation plan approved for each lot outside of the curtilage area including the first 20 metres landward of mean high water springs.
27. The registered proprietor(s) of each of the lots on the plan shall implement and continue to maintain and replant revegetation landscape planting as provided for in the management plan of all covenanted areas and maintain or repair any stock exclusion structures.
28. The registered proprietors for the time being of the properties being lots 1 through 12, 14 through 21 and 25 on the plan acknowledge the archaeological records affecting the lots and as detailed in the report prepared by Clough & Associates Limited dated September 2004 and acknowledge that:
  - (i) There is a prohibition on the destruction on any archaeological site such being in contravention of the New Zealand Historic Places Act 1993; and
  - (ii) There is a requirement to carry out an archaeological assessment prior to undertaking any earthworks near a recorded site.
29. All building platforms on lot 7 on the plan shall be located below the dominant ridgeline and no building consent will be granted for this lot until such time as a backdrop of native vegetation reaches 4 metres above ground height.
30. All buildings on lots 1 through 12, 14 through 16, 19 through 21 and 25 on the plan and any new buildings on lots 17 and 18 on the plan erected after June 2005 shall be located at least 30 metres landward of mean high water springs.

31. No construction of buildings or construction activity shall be located on any of the lots on the plan within 10 metres of the outer edge of any archaeological site protected by the NZ Historic Places Act 1993 in the absence of an authority to modify or destroy that site protected by the NZ Historic Places Act 1993.
32. The registered proprietors for the time being of the properties being lots 14, 15, 16 and 25 on the plan shall in constructing any buildings thereon adhere to the design guidelines outlined in the Assessment of Environmental Effects submitted with the application for the consent for the subdivision as evidenced by the plan, the draft management plan submitted to the Council on 30 May 2005 at the hearing of the application for consent, (which will include conditions that reflectivity will not exceed a maximum of 30%), and the management plan all as amended by:
  - (i) the details and plans submitted with resource consent application RC2070967 – RMAVAR; and
  - (ii) the details and plan submitted with the resource consent application RC2080375 – RMAVAR including the Section 127 application dated 14 March 2008 and the Omarino Management Plan (September 2007).
33. The maximum rolling height above ground level (as defined in the Council's district plan as at 30 May 2005) of each building on lots 14, 15, 16 and 25 shall be as follows:
  - (a) on lot 14 no more than 4.5 metres above ground level with a maximum RL of 83 metres ASL;
  - (b) on lot 15 no more than 5 metres above ground level providing that the eastern end of the buildable area a maximum RL of 122 metres ASL applies and for the remainder of the buildable area a maximum RL of 123 metres ASL applies;
  - (c) on lot 16 no more than 4.5 metres above ground level with a maximum RL of 118 metres ASL; and
  - (d) on lot 25 no more than 5 metres above ground levelwith these rolling heights being defined within the Omarino Property Architectural design guidelines (dated 2 October 2007).
34. No building shall be erected on lot 15 on the plan until such time as the proposed amenity tree planting as illustrated on Figure 5 of the Boffa Miskell folio drawing dated October 2007, or native screen planting backdrop/foreground to the south east and the south west of the proposed dwelling has achieved a height of RL 124.0m ASL with this planting to be maintained at a height of no less than this level.
35. Prior to any development occurring on lots 14, 15 and 16 on the plan a full assessment of visual and landscaping effects is to be undertaken by a qualified and experienced landscape architect as part of any future resource consent application to the Council such to include the provision of a landscape planting plan and specifications to be provided at the building resource consent stage

for approval by the Council. This is to include all areas within these allotments not covered by the actual building and accessways.

36. Effluent disposal on lots 14, 15, 16 and 25 on the plan shall be allocated in accordance with the recommendations contained in the Soil and Rock report dated 5 September 2007 as submitted in the Assessment of Environmental Effects (RC 2080375 RMAVAR) with each effluent disposal field on lots 14, 15, 16 and 25 to be located at least 30 metres from mean high water springs and with the ongoing operation and maintenance of each system to be covered by a maintenance agreement undertaken by the system supplier or its authorised agent.
37. The development of each buildable area on lots 14, 15, 16 and 25 on the plan is to proceed in accordance with the recommendations contained within the geotechnical report prepared by Soil and Rock Consultants entitled "Geotechnical Appraisal For Additional Development Sites Bentzen Farm, Te Awhi Awhi, Bay of Islands" and dated 5 November 2007 and specifically with a site-specific geotechnical investigation to be carried out for all of the proposed building platforms, accessways and effluent fields prior to the building consent application and earthworks commencing.

DATED at Kerikeri this 4<sup>th</sup> day of July 2008

SIGNED for FAR NORTH DISTRICT COUNCIL  
pursuant to the authority of the Council given pursuant  
to the Local Government Act 2002 and the Resource  
Management Act 1991

  
\_\_\_\_\_  
Authorised Signatory



**Bank of New Zealand**

**CERTIFICATE OF NON-REVOCATION  
OF POWER OF ATTORNEY**

I, **Mary Goddard**, **Quality Assurance Officer of** Auckland, New Zealand, Bank Officer, certify:

1. That by deed dated 12 July 2005, Bank of New Zealand, of Level 14, BNZ Tower, 125 Queen Street, Auckland, New Zealand, appointed me its attorney.
2. A copy of the deed is deposited in the North Auckland registration district of Land Information New Zealand as dealing No. 6508607.1
3. That I have not received notice of any event revoking the power of attorney.

SIGNED at Auckland 11 August 2008

  
Goddard

**Annexure Schedule - Consent Form**

Land Transfer Act 1952 section 238(2)



Insert type of instrument  
"Caveat", "Mortgage" etc

Mortgage

Page 1 of 1 pages

**Consentor**

Surname must be underlined or in CAPITALS

**Capacity and Interest of Consentor**

(eg. Caveator under Caveat no./Mortgagee under Mortgage no.)

**BANK OF NEW ZEALAND**

**Mortgage under Mortgage No. 6633581.1**

**Consent**

Delete Land Transfer Act 1952, if inapplicable, and insert name and date of application Act.

Delete words in [ ] if inconsistent with the consent.

State full details of the matter for which consent is required.

Pursuant to [section 238(2) of the Land Transfer Act 1952]

[section of the Act]

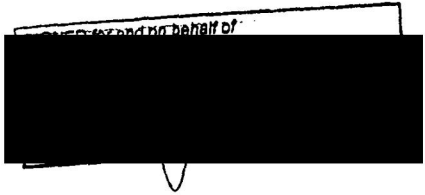

[Without prejudice to the rights and powers existing under the interest of the Consentor]

the Consentor hereby consents to:

**The consent notice specifying the conditions of the Far North District Council subdivision consent and the Northland Regional Council for the jetty and the boat ramp to be complied with on a continuing basis in the form of the instrument attached**

Dated this 11 day of August 2008

**Attestation**

	<p>Signed in my presence by the Consentor</p> <p></p>
	<p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name ROBYN WATKIN</p> <p>Occupation BANK OFFICER AUCKLAND</p> <p>Address</p>
<p>Signature of Consentor</p>	

An Annexure Schedule in this form may be attached to the relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed.

# View Instrument Details



**Instrument No** 8828538.1  
**Status** Registered  
**Date & Time Lodged** 09 August 2011 10:15  
**Lodged By** Berry, Robert Dudley  
**Instrument Type** Variation of Consent Notice Condition under s221(5) Resource Management Act 1991



---

<b>Affected Computer Registers</b>	<b>Land District</b>
371321	North Auckland
371322	North Auckland
371323	North Auckland
371324	North Auckland
371325	North Auckland
371326	North Auckland
371327	North Auckland
371328	North Auckland
371329	North Auckland
371330	North Auckland
371331	North Auckland
371332	North Auckland
382667	North Auckland
411669	North Auckland
411670	North Auckland
423436	North Auckland
423437	North Auckland

---

**Annexure Schedule:** Contains 2 Pages.

---

## Signature

Signed by Robert Dudley Berry as Territorial Authority Representative on 09/08/2011 10:14 AM

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





Private Bag 752, Memorial Ave

Kaikōhe 0400, New Zealand

Freephone: 0800 920 029

Phone: (09) 405 2750

Fax: (09) 401 2137

Email: [ask.os@fndc.govt.nz](mailto:ask.os@fndc.govt.nz)

Website: [www.fndc.govt.nz](http://www.fndc.govt.nz)

## THE RESOURCE MANAGEMENT ACT 1991

### SECTION 221 (3) VARIATION TO CONDITIONS OF CONSENT NOTICE

PURSUANT to section 221 (3) of the Resource Management Act 1991, the **FAR NORTH DISTRICT COUNCIL** hereby consents to the variation of Consent Notice 7907807.2 insofar as it affects Lot 2 DP 391213.


The varied conditions are:

9. The re-vegetation of those parts of lots 1 through 12, 14 through 17 and 19, 20, 21 and 25 on the plan that are outside of the curtilage areas of each of such lots such being
  - that part of lot 1 on the plan as is shown marked with the letter "Z"
  - those parts of lot 2 on the plan as are shown marked with the letters "AA", "AV", "P", "Q" and "T"
  - that part of lot 3 on the plan as is shown marked with the letters "AB"
  - those parts of lot 4 on the plan as are shown marked with the letters "AC", "AK" and "AS"
  - that part of lot 5 on the plan as is shown marked with the letters "AP"
  - that part of lot 6 on the plan as is shown marked with the letters "AO"
  - that part of lot 7 on the plan as is shown marked with the letters "AD"
  - that part of lot 8 on the plan as is shown marked with the letters "AJ"
  - that part of lot 9 on the plan as is shown marked with the letters "AE"
  - that part of lot 10 on the plan as is shown marked with the letters "AF"
  - that part of lot 11 on the plan as is shown marked with the letters "AG"
  - that part of lot 12 on the plan as is shown marked with the letters "AI"
  - that part of lot 14 on the plan as is shown marked with the letters "BD"
  - that part of lot 15 on the plan as is shown marked with the letters "BA"
  - that part of lot 16 on the plan as is shown marked with the letters "BB"
  - that part of lot 17 on the plan as is shown marked with the letters "AQ"
  - that part of lot 25 on the plan as is shown marked with the letters "BC"shall be maintained in perpetuity except as shown on the amended plans (reference RC 0-03, RC 2-04, RC 2-05, RC 8-02 and RC 8-03 all dated 05/10/2010 and approved by Far North District Council in RC 2110147 to allow the construction of the water tanks and access track on Lot 2.



13. The registered proprietors for the time being of the properties being lots 1 through 12, 14 through 21 and 25 on the plan shall adhere to the management plan and ensure:
- (i) The ongoing management of the revegetation, archaeological, heritage utility and recreational areas shown on the plan;
  - (ii) Compliance with the design guidelines for buildings on the lots except as shown on the amended plans (reference RC 0-03, RC 2-04, RC 2-05, RC 8-02 and RC 8-03 all dated 05/10/2010 and approved by Far North District Council in RC 2110147 to allow the construction of the water tanks and access track on Lot 2; and
  - (iii) All revegetation requirements of the revegetation plan approved by the Council applicable to each lot is undertaken.
15. The registered proprietors for the time being of the properties being lots 1 through 12, 14 through 21 and 25 on the plan shall in constructing any new buildings thereon adhere to the design guidelines as were outlined in the Assessment of Environmental Effects lodged with the application for the consent evidenced by the deposit of the plan (Council reference RC2050363) and the management plan except as shown on the amended plans (reference RC 0-03, RC 2-04, RC 2-05, RC 8-02 and RC 8-03 all dated 05/10/2010 submitted to Far North District Council to allow the construction of the water tanks and access track on Lot 2.

SIGNED:

 Mr Murray McDonald  
By the FAR NORTH DISTRICT COUNCIL  
Under delegated authority:  
MANAGER – RESOURCE MANAGEMENT

DATED at KERIKERI this

15<sup>th</sup> day of

July

2011.





Pareanui Bay Corporate Trustee Limited  
Lot 4 Ōmarino, Manawaora Road, Bay of Islands:  
Addition of Second Level on Existing Dwelling Wing

Resource Consent Application to the Far North District Council  
Assessment of Effects on the Environment Report

21 November 2023

---



## Revision Summary

Report prepared by Peter Hall Planning Limited for Pareanui Bay Corporate Trustee Limited

Rev:	Date:	Issue To:	Version:
A	19/11/23	Client	Draft
B	21/11/23	Far North District Council	Final

*Cover Image: Visual Simulation of existing Dwelling with Proposed Addition (from Pareanui Bay)*

# Contents

Resource Management Act 1991	1
Form 9: Application for resource consent	1
1.0 Introduction	1
2.0 Applicant and Property Details	2
3.0 Site Description	3
4.0 Proposal	8
5.0 Reasons for the Applications	12
5.1 Far North District Plan	12
5.2 National Environmental Standard: Freshwater 2020 (“NES: Freshwater”)	13
5.3 National Environmental Standard: Contaminated Land	13
5.4 Permitted Activity Assessment	14
5.5 Application under s221(3) RMA 1991 to vary Consent Notice 8090109.3 Condition 6.2	14
6.0 Assessment of Effects on the Environment	15
6.1 Schedule 4 of the RMA 1991	15
6.2 Section 104(2) Permitted Baseline	16
6.3 Landscape, Natural Character and Visual Amenity Effects	17
6.4 Fire Hazard	21
6.5 Social and Economic Effects	21
7.0 Policy Assessment	22
7.1 New Zealand Coastal Policy Statement 2010	22
7.2 Regional Policy Statement for Northland	22
7.3 Operative Far North District Plan 2009	23
7.4 Proposed Far North District Plan 2022	24
8.0 Part 2 of the RMA 1991	25
9.0 Consultation	27
10.0 Notification	27
10.1 Public Notification (RMA 1991 Sections 95A, 95C and 95D)	27
10.2 Limited Notification (section 95B, 95E to 95G)	30
11.0 Conclusions	33

## Appendices

- Appendix 1      Record of Title and Consent Notices
- Appendix 2      Architectural Drawings
- Appendix 3      Ōmarino Management Plan 2007 and Ōmarino Architectural Guidelines
- Appendix 4      Ōmarino Design Review Panel Approval
- Appendix 5      Assessment Against Relevant Rules

## Resource Management Act 1991

### Form 9: Application for resource consent

#### **Application: Land Use Consent Far North District Council**

To: Far North District Council

1. **Pareanui Bay Corporate Trustee Limited, applies for the following type(s) of resource consent:**

Land Use Consent for an addition of a second level on a wing of an existing dwelling for a gym, family room and bowling alley ancillary to the dwelling activity.

Consent is also sought under s221(3) of the RMA 1991 to vary a consent notice (7907807.2) on the title to allow an exceedance to the 5-metre height limit that applies to the property under this consent notice.

2. **The activity to which the application relates (the proposed activity) is as follows:**

To construct and use an addition on an existing dwelling for a proposed new gym, family room and bowling alley ancillary to the dwelling activity, as described in the AEE, and as shown on the drawings submitted with the application.

3. **The site at which the proposed activity is to occur is as follows:**

The 10.2190 hectares more or less site at Lot 4 Ōmarino, 285 Manawaora Road, Pareanui Bay, in the Bay of Islands.

The site is legally described as Lot 4 Deposited Plan 391213, North Auckland Land Registration District, held on record of title ID 371324 (refer **Appendix 1**).

Refer Section 3.0 of this Assessment of Effects on the Environment (“AEE”) for a full description of the site.

4. **The other activities that are part of the proposal to which the application relates are as follows:**

Refer Section 4.0 of this AEE for a description of the other activities that are part of the proposal to which the application relates. For any activities that are permitted activities, **Appendix 1** explains how the activity complies with the requirements, conditions, and permissions for the permitted activity so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991.

5. **Additional resource consents are not needed for the proposal to which this application relates.**

6. **I attach** an assessment of the proposed activity’s effect on the environment that–

(a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and

(b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and

(c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

7. I **attach** an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.
8. I **attach** an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.
9. The proposed activity **does not occur** in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011.

Date: 21/11/23

Signature:



Peter Hall (Peter Hall Planning Limited)

*(Applicant/person authorised to sign on behalf of applicant)*

**Contact details**

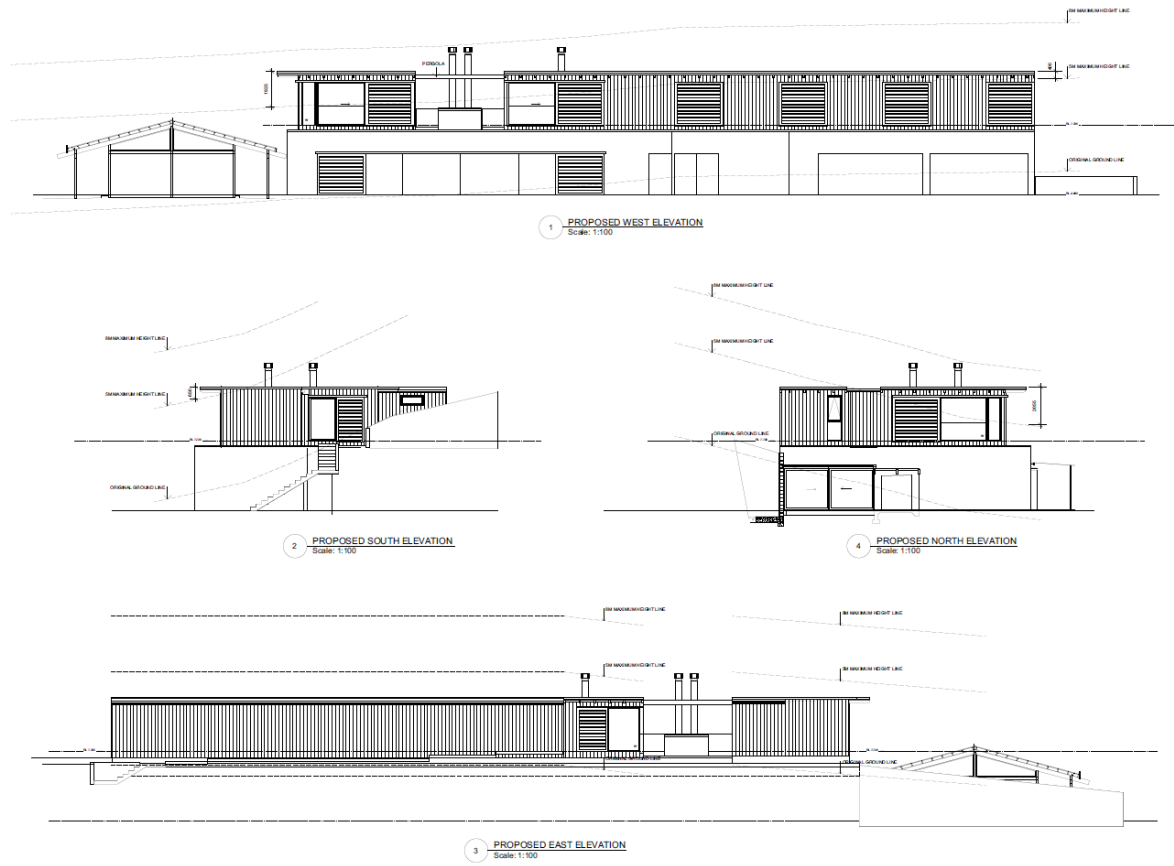
Electronic address for service of applicant: [peter@phplanning.co.nz](mailto:peter@phplanning.co.nz)

Telephone: 0274 222118

Postal address (*or alternative method of service under section 352 of the Act*): Peter Hall Planning Limited, PO Box 226, Shortland Street, Auckland 1140.

Contact person: Peter Hall





**jcm design**  
 5th Floor, 100 Beach Road,  
 Singapore 189622  
 Tel: 65 6337 3839  
 info@jcmdesign.com  
 LRP Number: 89721538

**NOTES**

ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.  
 DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.  
 THIS DRAWING IS THE PROPERTY OF JCM DESIGN.

**REVISIONS**

A 01/10/23 REDUCED OVERHANG SIZE

**CONSULTANTS**

STRUCTURAL ENGINEER

**CLIENT**

E. & S. FAESSEN KLUJET

**PROJECT TITLE**

PROPOSED NEW  
 GYM/FAMILY ROOM &  
 BOWLING ALLEY  
 LOT 4 OMARINO  
 BAY OF ISLANDS

**DRAWING TITLE**

NEW ELEVATIONS

DRAWING STATUS

File Name: C:\Users\jcm\Documents\Projects\Lot 4 Om

**DRAWING DETAILS**

SCALE 1:200/50/40  
 DATE OCT 2023  
 PROJECT NO 2111  
 DRAWN C.A.  
 CHECKED

RC106 A

Figure 1: Proposed Elevations (JCM Design 2023)

## 1.0 Introduction

Pareanui Bay Corporate Trustee Limited (**“the applicant”**) seeks resource consent to construct and use a new second level on a wing of an existing dwelling for a proposed new gym, family room and bowling alley ancillary to the dwelling activity.

Consent is also sought under s221(3) to vary a Consent Notice (7907807.2) on the title of the subject property to allow for an exceedance of a 5-metre height limit that applies to the property under this consent notice. While the height limit imposed by the Consent Notice is exceeded, the zone height limit of 8 metres is complied with.

Resource consent is required from the Far North District Council for the project, due to the subject site being located in the Coastal Zone and in an outstanding landscape overlay under the Operative Far North District Plan 2009, whereby additions to existing buildings require resource consent.

The existing house on which the extension will be built is located entirely within the buildable area on Lot 4 as confirmed at subdivision stage for the Ōmarino subdivision.

The proposal is described in full in this AEE, with an assessment of effects provided, together with an assessment against relevant planning policy documents and the Resource Management Act 1991 (**“RMA 1991”**).

The architectural drawings by JCM Design accompanying the application are provided at **Appendix 2**. This drawing set includes photographs from coastal viewpoints showing an outline of the proposed extension. The viewing audience for the site is relatively confined in this respect and limited to the immediate coastal area, due to the high rising land which envelops the subject site on its landwards sides.

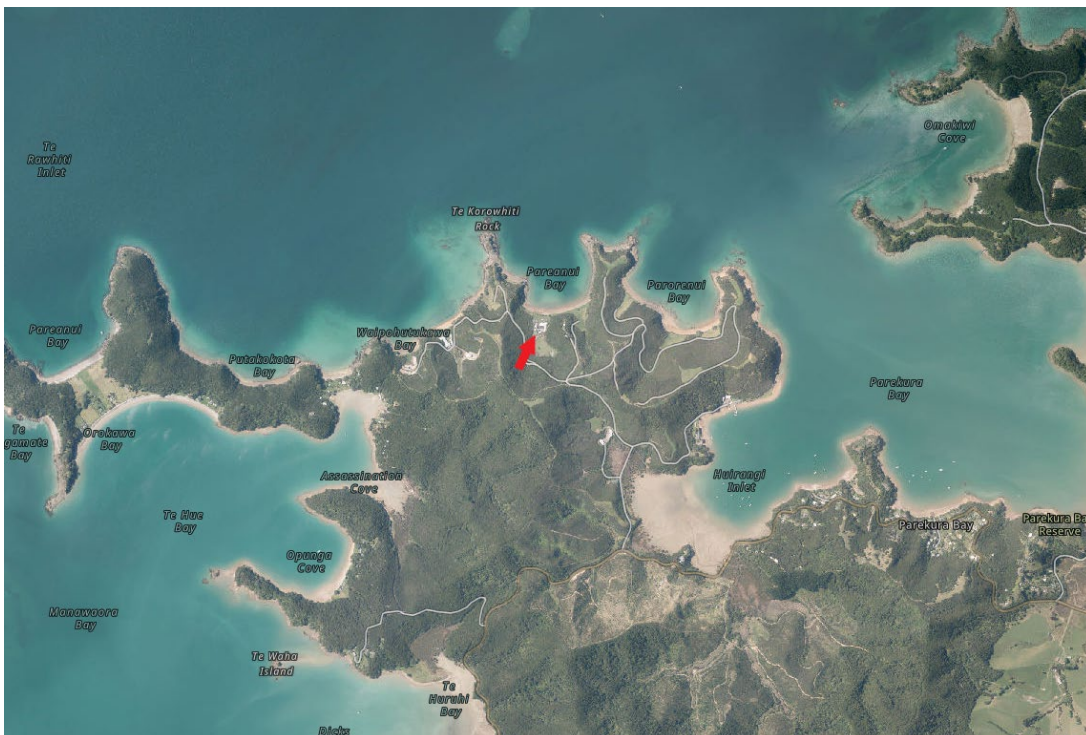


Figure 2: Location of the subject site at Lot 4 Ōmarino

## 2.0 Applicant and Property Details

To:	Far North District Council
Applicant's Name:	Pareanui Bay Corporate Trustee Limited
Address for Service:	Peter Hall Planning Limited PO Box 226, Shortland Street, Auckland 1140 Attn: Peter Hall Phone: 0274222118 Email: Peter@phplanning.co.nz
Contact Details for Fees:	Pareanui Bay Corporate Trustee Limited c/- Eric Faesen Kloet (as director) <a href="mailto:eric@gw.co.nz">eric@gw.co.nz</a>
Site Address:	Lot 4 Ōmarino, 285 Manawaora Road, Pareanui Bay, Bay of Islands
Legal Description:	Lot 4 Deposited Plan 391213, North Auckland Land Registration District, held on record of title ID 371324 (refer Record of Title, Consent Notice- Instrument 7907807.2 and Variation to Consent Notice- Instrument 8828538.1 in <b>Appendix 1</b> )
Owner/Occupier Name and Address:	Pareanui Bay Corporate Trustee Limited 22 Earnoch Avenue, Takapuna, Auckland, 0622 (Eric & Suzanne Faesen Kloet as occupiers are the directors of Pareanui Bay Corporate Trustee Limited)
Site Area:	10.2190 hectares more or less
2009 Operative Far North District Plan Zoning:	General Coastal Zone Zone
2009 Operative Far North District Plan Designations / Notations/ Overlays:	Outstanding Natural Landscape
2022 Proposed Far North District Plan Zoning:	Rural Production Zone
2022 Proposed Far North District Plan Designations / Notations/ Overlays:	Coastal Environment/Outstanding Natural Landscape (Reference: 49 Parekura headland & Orokawa peninsula). The north eastern coastal edge corner of the subject site is also just fractionally within the High Natural Character Overlay (reference uncertain) although not where the existing dwelling and proposed extension is.

## 3.0 Site Description

### 3.1.1 Description of the Site and Locality

The subject site is at Pareanui Bay in the eastern Bay of Islands. It was created following the 2008 subdivision of Bentzen Farms for the Ōmarino subdivision, itself comprising 17 rural-residential lots, with accessory lots. Ōmarino was a Management Plan subdivision under the then Proposed Far North District Plan, meaning that subdivision entitlements were granted in exchange for significant environmental benefits. In this case those included the planting of circa 900,000 native plants on the property, on-going pest and predator control, development in accordance with Architectural Design Guidelines and the protection of sites of significance to tangata whenua.

The Ōmarino subdivision was approved on 30 August 2006 by way of Environment Court Consent Order ENV-2006-AKL-000194.

The work to implement the subdivision and management plan transformed the former farm and forestry property, linking existing native forested areas inland to the coast, and providing a vegetated context for the new dwellings.

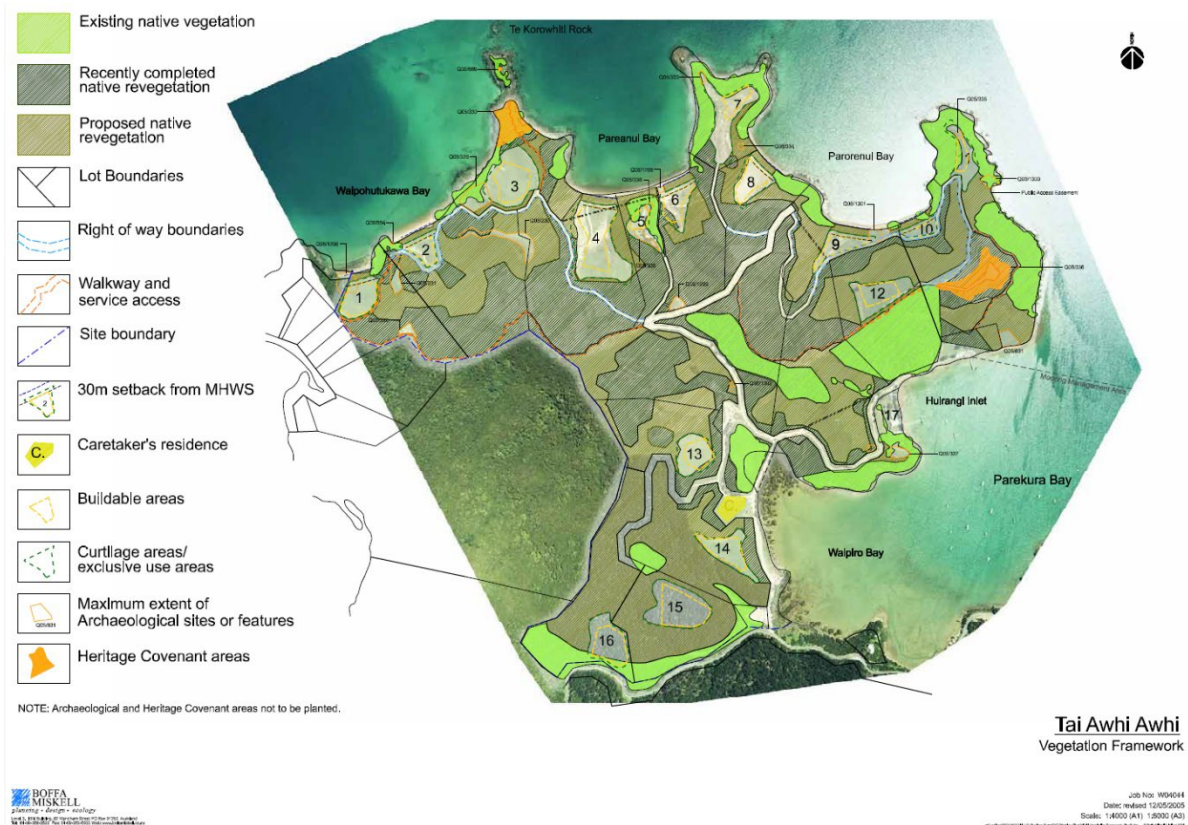


Figure 3: Master Plan For Ōmarino (from the 2005 resource consent application)

As at 2023, some but not all lots have been built on at Ōmarino.

The subject Lot 4 is one of the sites that has been built on, with a single storey house, garage and caretakers unit set within several buildings, plus landscaped grounds and revegetated coastal edge

being completed in 2011<sup>1</sup>. The coastal edge planting comprises a full frontage of low coastal native species (coprosma, nikau, harakeke, oioi, grasses and sedges) as well as three medium sized pohutukawa which were planted as specimen trees at the time of subdivision to mitigate the visual effect of the future house and are now well established.

The existing house, garage and caretakers unit have low pitched coloursteel roofs (ironsand colour) which provide eaves to the building faces behind. The walls comprise weatherboards (grey stained cedar), cedar shutters and sections of solid plaster with a natural grey finish. Rafter and fascia details are white.

The front face of the main house is set back at least 30 metres from mean high water springs in compliance with the buildable area limitation and District Plan setback requirements. The proposed addition is to the building immediately behind this and set back some 40 metres from MHWS.

The existing house is well set back from site boundaries. At its closest, the proposed addition is approximately 20 metres to the nearest site boundary located on elevated land to the east.

There is considerable distance to the nearest existing dwelling which is 500m to the west on Lot 2 in the next bay and 80m to the nearest as yet unbuilt building platform to the east on Lot 5 (both locations are within the Ōmarino Subdivision).

The existing dwelling is spread across multiple buildings, facing into an internal courtyard.

No earthworks or vegetation removal is required or proposed for the addition.

Lot 4 is one of three lots within Pareanui Bay, with the immediately adjoining Lot 5 on a high vegetated spur, which divides the bay, and Lot 6 on flat land to the north of this. The site occupies a small valley which has heavily vegetated sides on either side and up to the ridge behind, where access to the lot drops down. This vegetation was part of the Ōmarino revegetation scheme which was mostly undertaken between 2005 and 2008. It is now very well established, comprising a canopy of manuka with other coastal native species emerging through this.

The location of the proposed addition relative to the existing buildings on the site is shown below where the addition is shown in black. The addition runs generally north-south, such that its short face is to the coast (at the bottom of the page on the image below).

---

<sup>1</sup> Resource consent was granted to Embar Holdings Limited for the existing house, caretaker's cottage, garage, earthworks retaining walls on 20 September 2007 (Council reference RC-2070715-RMALUC)







*Figure 5: Subject Site - Lot 4 Ōmarino as at 2023*

On each lot at Ōmarino a curtilage area (exclusive use area) is identified, and within that a buildable area. Buildable areas are set back at least 30m from the coast, and buildings are required to be situated within the buildable areas by way of a consent notice on the property titles. The existing house is within the buildable area and so the proposed extension will also comply with that restriction. These building areas were sited at the time of subdivision to ensure that buildings minimised landscape and visual impacts.

The Ōmarino Architectural Guidelines were prepared by Pete Bossley Architecture in 2007. Lot 4 is identified as one of the Coastal/Bay sites at Ōmarino. For these sites a single level or split-level buildings with a maximum height of 5-metres is specified, with forms that accentuate the horizontal, identifying a connection with the ground<sup>2</sup>. Flatter roof forms are specified to minimise visual impact with a maximum pitch of 10 degrees allowed, as well as flat roofs<sup>3</sup>. Materials are specified in the Guidelines, together with colours whereby use of bright colours and painted surfaces is to be limited to defined architectural surfaces. The Guidelines set out the internal approval process for new

<sup>2</sup> Page 6, Ōmarino Architectural Guidelines 2007

<sup>3</sup> Page 20, Ōmarino Architectural Guidelines 2007

designs by the Ōmarino Design Review Panel before an application is made for resource consent, including for exterior alterations.

The Guidelines note that height variation may be permitted on a case by case basis but not greater than the District Plan Height Controls<sup>4</sup>.

The Ōmarino Architectural Guidelines as appended to the Ōmarino Management Plan 2007 are attached at **Appendix 3**.

The Ōmarino Design Review Panel has reviewed the proposed extension against these Guidelines and provided its written approval (refer **Appendix 4**).

For completeness, a resource consent was granted by the Council recently for a helicopter landing area on the subject site.

### 3.1.2 Consent Notices

Consent Notice- Instrument 7907807.2 and Variation to Consent Notice- Instrument 8828538.1 which are registered on the title of the subject site are attached at **Appendix 1**.

The following conditions from consent notice instrument 7907807.2 are relevant to the subject proposal:

- “4. *The maximum rolling height above ground level (using the definition in the district plan as at the 30<sup>th</sup> May 2005) of any building on lots 1, 2, 4, 6, 8, 9 and 10 on the plan shall be no more than 5 metres above ground level”.*
- “8. *The external cladding of all buildings constructed on all lots on the plan shall be in accordance with the management plan as approved for the subdivision evidenced by the plan such management plan being entitled “Omarino Residents Association Management Plan dated October 2007” (“the management plan”).*

And from the 2011 amendments documented in consent notice instrument 7907807.2:

- “13. *The registered proprietors for the time being of the properties being lots 1 through 12, 14 through 21 and 25 on the plan shall adhere to the management plan and ensure:*
- (i) The ongoing management of the revegetation, archaeological, heritage utility and recreational areas shown on the plan;*
  - (ii) Compliance with the design guidelines for buildings on the lots except as shown on the amended plans (reference RC 0-03, RC 2-04, RC 2-05, RC 8-02 and RC 8-03 all dated 05/10/2010 and approved by Far North District Council in RC 2110147 to allow the construction of the water tanks and access tracks on Lot 2; and*
  - (iii) All revegetation requirements of the revegetation plan approved by the Council applicable to each lot is undertaken”.*
15. *The registered proprietors for the time being of the properties being lots 1 through 12, 14 through 21 and 25 on the plan shall in constructing any new buildings thereon adhere to the design guidelines as were outlined in the Assessment of Environmental Effects lodged with the application for the consent evidenced by the deposit of the plan (Council reference RC2050363) and the management plan except as shown on the amended plans (reference RC 0-03, RC 2-04, RC 2-05, RC 8-02 and RC 8-03 all dated 05/10/2010 submitted to the Far*

<sup>4</sup> Page 6, Ōmarino Architectural Guidelines 2007



*North District Council to allow the construction of the waters tanks and access track on Lot 2”.*

As set out below, the requirement to comply with the 5-metre height limit on lot 4, only in relation to the specific building extension sought in this application, is sought to be amended under s221(3) of the RMA 1991.

The remaining conditions set out above which require adherence to the Ōmarino Residents Association Management Plan dated October 2007 and design guidelines for buildings on the lots, are not sought to be amended on the basis that the design guidelines are part of the Management Plan and that they specify that the height variation may be permitted on a case by case basis but not greater than the District Plan Height Controls. In this case the extension complies with the District Plan height controls, necessitating only an amendment to consent notice condition 4 above which specifies the maximum height for the subject lot of 5 metres.

## 4.0 Proposal

It is proposed to construct and use an addition on a wing of an existing dwelling for a new gym, family room and bowling alley.

The facilities within the proposed addition will only be used ancillary to the normal residential activities within the existing dwelling.

The addition will be built on top of the eastern wing of the dwelling, which itself comprises several connected and separate buildings. This wing runs generally north-south in its orientation, such that it has a narrow face to the sea, as will the proposed addition above.

The existing single level wing is used for a garage and workshop and plant room. It also semi-encloses a BBQ area, with its associated store, pantry and toilet. This wing connects behind and perpendicular to the main house, providing an ensuite. These ground floor spaces will remain, with the addition on top of this wing being within its footprint, and comprising two forms connected by an open pergola covered area. The northernmost new area will provide a home gym and bathroom. This presents a large window to the north for the gym, which will be able to be shuttered with rolling cedar shutters, plus a small bathroom window on this elevation. The new area to the south will mostly comprise a long internal bowling alley with associated family room.

These facilities will only be for the use of the occupants and their guests (ie they will not have a commercial function).

The addition will comprise generally the same colours and materials as the existing dwelling, except that grey (BS 5252 Range “CONCORD N62-007-087”) will be used instead of white for the exposed rafters, to reduce visibility and ensure colours on the addition comply with current District Plan standards<sup>5</sup> and are recessive. In addition a flat roof with grey membrane will be used rather than a pitched roof as is used elsewhere on the existing building, again to minimise visibility. As specified in the application drawing titled “Materials and Colour Board” (sheet RC111), the following will be utilised for the addition:

- Membrane roof - grey.
- Exposed rafter colour - BS 5252 range Concord n62-007-087 30% light reflection value.

<sup>5</sup> Operative Far North District Plan Rule 10.6.5.1.1 requires that exterior in the Coastal Environment is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less

- Copper soakers to ends of rafters.
- Shutter colour to match existing house - dark grey stained cedar.
- Vertical weatherboard colour to match existing house - dark grey stained cedar.
- Silver anodised aluminium joinery with clear glazing.
- Solid plaster with natural grey finish.

The addition will have a total gross floor area of 192m<sup>2</sup> (the existing dwelling has a GFA of 1050m<sup>2</sup>). No earthworks or vegetation removal is required for the addition.

The existing building has a ground level height of RL 4.000 and a parapet height of RL7.450 (ie a maximum height of 3.45m). The proposed addition will have maximum roof height of RL10.625<sup>6</sup> - bringing the building to a maximum height above ground level of 6.625m.

#### Note on Determination of Ground Levels:

Consistent with the definition of height from the District Plan, the ground level as existed prior to development has been used as the basis for determining compliance with the height limits<sup>7</sup>. This is the ground level shown on the elevations and sections included with the application drawing set and labelled as 'original ground level' or 'original ground line'. These levels are taken from the Crosson Clarke Carnachan drawing set approved with the 2007 resource consent for the dwelling, caretakers cottage etc on the site (Council reference RC-2070715-RMALUC). 3900m<sup>3</sup> of earthworks were approved as part of this 2007 resource consent, and subsequently undertaken to form the current ground levels<sup>8</sup>. The 2006 resource consent for the Ōmarino subdivision did not approve the significant earthworks undertaken to form the existing site levels (whereby only earthworks for access, retrospective logging platforms and retaining walls were approved). As such, and with reference to the definition of "Ground Level" footnoted below, the ground level shall be taken as the level of the ground resulting from completion of all works authorised by the most recent subdivision resource consent, ie the 2006 resource consent which had the original, rather than subsequently modified, ground levels for the site.

---

<sup>6</sup> Per project architect Corbett Madden, JCM Design.

<sup>7</sup> "Ground Level" is defined in the Operative District Plan as "Ground level shall be taken as the level of the ground resulting from completion of all works authorised by the most recent subdivision resource consent. i.e. at the time of section 224(c) certification for the subdivision, but before excavation for new buildings or infrastructure on the land has commenced".

<sup>8</sup> Boffa Miskell AEE, February 2007



*Figure 6: Proposed addition (internal view looking south east)*



*Figure 7: Proposed addition (internal view looking east over pool)*





*Figure 8: Proposed addition (internal view looking north east)*



*Figure 9: House with addition (view from coast)*

## 5.0 Reasons for the Applications

### 5.1 Far North District Plan

Resource consent is required under the Operative Far North District Plan for the reasons set out in the table below.

Rule	Provision	Compliance
<b>10.6.5.1.1 VISUAL AMENITY</b>	<p>The following are permitted activities in the General Coastal Zone:</p> <p>(a) any new building(s) not for human habitation provided that the gross floor area of any new building permitted under this rule, does not exceed 50m<sup>2</sup> or for human habitation provided that the gross floor area does not exceed 25m<sup>2</sup>; and</p> <p>(b) the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or are constructed of natural materials which fall within this range; or</p> <p>(c) any alteration/addition to an existing building which does not exceed 50m<sup>2</sup>, provided that any alteration/ addition does not exceed the height of the existing building and that any alteration/addition is to a building that existed at 28 April 2000; or</p> <p>(d) renovation or maintenance of any building.</p> <p>Note: The effect of this rule is that a resource consent is needed for any new building(s) not for human habitation with a gross floor area of greater than 50m<sup>2</sup> or any building(s) for human habitation with a gross floor area of greater than 25m<sup>2</sup></p>	<p>In respect of clause (c), the permitted activity clause is not met because the addition to the existing building exceeds 50m<sup>2</sup> (an addition of 192m<sup>2</sup> is proposed), it exceeds the height of the existing building, and the existing building did not exist before 28 April 2000 (being completed in 2011).</p> <p>Rule 10.6.5.3 specifies that an activity is a restricted discretionary activity in the General Coastal Zone if it does not comply with rule 10.6.5.1.1 Visual Amenity.</p> <p><b>Restricted Discretionary Activity</b></p>
<b>12.1.6.1.5 BUILDINGS WITHIN OUTSTANDING LANDSCAPES</b>	<p>The following are permitted activities in an Outstanding Landscape, as shown on the Resource Maps:</p> <p>(a) where the zoning of the building platform is General Coastal any new building(s) not for human habitation provided that the gross floor area of any new building or buildings permitted under this rule, does not exceed 25m<sup>2</sup>; and;</p> <p>(b) where that building will be visible from a viewing point on a public road, public reserve, coastal marine area or the foreshore that is within 500m of that building, the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or is constructed of natural materials which fall within this range; or</p> <p>(c) any alteration/addition to an existing building where:</p> <p>i. the alteration/addition does not exceed 25m<sup>2</sup> in area or does not exceed 20% of the gross floor area</p>	<p>The proposed addition does not comply with sub-clause (b) in that it exceeds 25m<sup>2</sup> and exceeds the height of the existing building.</p> <p>Under rule 12.1.6.2 an activity is a restricted discretionary activity if it does not comply with 12.1.6.1.5 Buildings within Outstanding Landscapes.</p> <p><b>Restricted Discretionary Activity</b></p>

	<p>of the existing building which is being altered or added to, whichever is the lesser; and</p> <p>ii. the alteration/addition does not exceed the height of the existing building.</p> <p>(d) where the building site is not in the General Coastal Zone construction of one residential dwelling per site, provided that the building is not visible from a public viewing point on a public road, public reserve, or the foreshore that is within 2km of the site;</p> <p>(e) where the building site is not in the General Coastal Zone any new building, including relocated buildings, with a gross floor area of less than 25m<sup>2</sup>.</p> <p>Note : Some cladding materials may fail when painted with colours of reflectance value of 40% or less. Please check to ensure that the types of cladding used are suitable for using paints to comply with the above standards</p>	
<p><b>12.4.6.1.2 FIRE RISK TO RESIDENTIAL UNITS</b></p>	<p>(a) Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest;</p> <p>(b) Any trees in a deliberately planted woodlot or forest shall be planted at least 20m away from any urban environment zone, Russell Township or Coastal Residential Zone boundary, excluding the replanting of plantation forests existing at July 2003.</p>	<p>The existing residential unit is built in immediate proximity to the planted revegetation on the slope to the east. On the basis that this existing building does not comply, and that existing use rights would not apply to the proposed addition, the construction of the addition on top of this building would trigger a consent under this rule. Under rule 12.4.6.3 an activity is a discretionary activity if:</p> <p>(a) it does not comply with one or more of the standards for permitted or controlled activities as set out under Rules 12.4.6.1.</p> <p><b>Discretionary Activity</b></p>

Overall, land use consent for a **discretionary activity** is required for the proposal under the Far North District Plan.

## 5.2 National Environmental Standard: Freshwater 2020 (“NES: Freshwater”)

The activity does not require a resource consent under the NES: Freshwater regulations because no earthworks are within 10m of natural wetlands. In addition, no diversion or overland discharge of stormwater or wastewater occurs within 100m of a natural wetland.

## 5.3 National Environmental Standard: Contaminated Land

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health do not apply to the subject proposals under clause 5 because the land is not a piece of land described in clause 7 which has had in the past, is likely to have, or is having now a HAIL activity

undertaken on it, being a section of the previous farm not used for potential HAIL activities such as sheepyards, and more recently (pre 2011) significantly earthworked to provide for the existing development.

## 5.4 Permitted Activity Assessment

Schedule 4 Clause 3 of the RMA 1991 specifies that, if a permitted activity is part of the proposal, the application must also include a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)).

The assessments against the relevant rules and provisions of the Operative Far North District Plan is attached at **Appendix 5**.

## 5.5 Application under s221(3) RMA 1991 to vary Consent Notice 8090109.3 Condition 6.2

Condition 4 of Consent Notice 7907807.2 registered on the title specifies a height limit of 5.0m for the site as follows:

- “4. The maximum rolling height above ground level (using the definition in the district plan as at the 30th May 2005) of any building on lots 1, 2, 4, 6, 8, 9 and 10 on the plan shall be no more than 5 metres above ground level”.*

As shown on the Architectural Drawings at **Appendix 2**, the proposed addition on the West Elevation exceeds this maximum rolling height limit above ground level by a maximum of 1.925 metres at the front northern end of the building, tapering up to 0.4m at the southern end of the building. At the North Elevation, due to the cross-fall of the original ground level, the western end of the building exceeds the maximum height limit by 2.055m, while the eastern end complies where the original ground level rises up.

An assessment of the effects of this additional height is set out below in section 6.0 of this AEE.

Section 221(3) of the RMA 1991 specifies that at any time after the deposit of the survey plan,—

- “(a) the owner may apply to a territorial authority to vary or cancel any condition specified in a consent notice:*
- (b) the territorial authority may review any condition specified in a consent notice and vary or cancel the condition”.*

The following variation to condition 6.2 is sought by the owner who is also the applicant (being Pareanui Bay Corporate Trustee Limited) (amendment sought shown underlined):

- “4. The maximum rolling height above ground level (using the definition in the district plan as at the 30th May 2005) of any building on lots 1, 2, 4, 6, 8, 9 and 10 on the plan shall be no more than 5 metres above ground level”.* *, except for in relation to Lot 4, the specific height infringements as shown on the drawings prepared by JCM Design, drawing set titled “Proposed New Gym, Family Room & Bowling Alley, Lot 4 Omarino Bay of Islands”, drawing numbers RC100A to RC111A, dated October 2023”.*

The purpose of this amendment is to maintain the general obligation to comply with the 5m height limit at the site, while providing for the specific exception sought with the subject application.

An application to vary a consent notice under section 221(3) of the RMA 1991 is a **discretionary activity**.



## 6.0 Assessment of Effects on the Environment

### 6.1 Schedule 4 of the RMA 1991

This assessment has been prepared in accordance with the requirements of sections 6 and 7 of Schedule 4 of the RMA 1991. In summary and in respect of these matters:

#### 6.1.1 Section 6 (Schedule 4) Information required in assessment of environmental effects

***(1) An assessment of the activity's effects on the environment must include the following information:***

***(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:***

The activities will not result in any significant adverse effects on the environment, and therefore no assessment of alternatives is required.

***(b) an assessment of the actual or potential effect on the environment of the activity:***

These matters are addressed in the relevant parts of section 6.0 of this AEE.

***(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:***

The activities do not include the use of hazardous installations.

***(d) if the activity includes the discharge of any contaminant, a description of–***

***(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and***

***(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:***

The proposal not involve the diversion of stormwater beyond that of the existing building (being contained with the existing footprint of that building).

***(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:***

Mitigation measures proposed are described in in the relevant parts of section 6.0 of this AEE.

***(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:***

Consultation has occurred with the Ōmarino Design Review Panel, which has provided its written approval to the proposal (refer **Appendix 4**). The Ōmarino Design Review Panel is the body constituted by the Ōmarino Residents Association to review new houses and additions against the Ōmarino Architectural Guidelines.

Given the nature and scale of the works and the general avoidance of adverse effects, lack of visibility from adjoining building platforms and also the addition being a sympathetic design on an already developed site, wider consultation is not considered necessary in this instance.

***(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:***

The scale and significance of the effects of the activity, as described in section 6.0 of the AEE, are such that monitoring will not be required.



*(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).*

There are no protected customary rights that the activities may have an adverse effect on.

*(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.*

The requirements of the relevant policy statement and plans have been incorporated into this AEE.

### 6.1.2 Section 7 (Schedule 4) Matters that must be addressed by assessment of environmental effects

*(1) An assessment of the activity's effects on the environment must address the following matters:*

*(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*

*(b) any physical effect on the locality, including any landscape and visual effects:*

*(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*

*(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*

*(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:*

*(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.*

These matters are assessed to the extent they are relevant to the proposal in the relevant parts of section 6.0 of this AEE.

*(2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.*

The requirements of the relevant policy statement and plans have been incorporated into this AEE.

## 6.2 Section 104(2) Permitted Baseline

Under section 104(2) of the RMA 1991, when forming an opinion for the purposes of subsection s104(1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the District Plan permits an activity with that effect.

In this instance the effects of the following activities proposed can be disregarded under s104(1)(a) because they are permitted by the District Plan, Regional Plan and/or NES: Freshwater:

- Effects arising from the use of the proposed addition for residential activities, on the basis that the residential development complies with District Plan rule 12.10.3 a Dwellings and 12.10.18 Traffic Intensity, and assuming activities comply with rule 12.10.14 General Noise. These effects are those from normal residential use of the proposed addition, including indoor and outdoor recreation and traffic movement.

### 6.3 Landscape, Natural Character and Visual Amenity Effects

The building height and location controls which apply to lots at Ōmarino, were imposed at the time of subdivision, principally for the purpose of managing effects of buildings on landscape, natural character and visual amenity effects<sup>9</sup>. This, combined with the significant regeneration and design guidelines, were intended to integrate buildings with the landscape, enhance natural and coastal character and mitigate visual amenity effects.

As noted above, the height controls were not intended to be absolutely fixed under the Design Guidelines, allowing as they do exceedances to be assessed on a case by case basis.

At the time of this original subdivision, the locality was, as it is now, identified in planning documents as being an Outstanding Natural Landscape (ONL).

The current Northland Regional Policy Statement also identifies pockets of High Natural Character (HNC) across Ōmarino, representing the original remnants of native coastal vegetation. A tiny slither of the coastal HNC is identified over the coastal edge extremity of the subject site, however that is not affected by the proposed addition.

The figure below shows in wider context the ONL and HNC overlays from the Northland Regional Policy Statement. These overlays have been carried over into the 2022 Proposed District Plan.

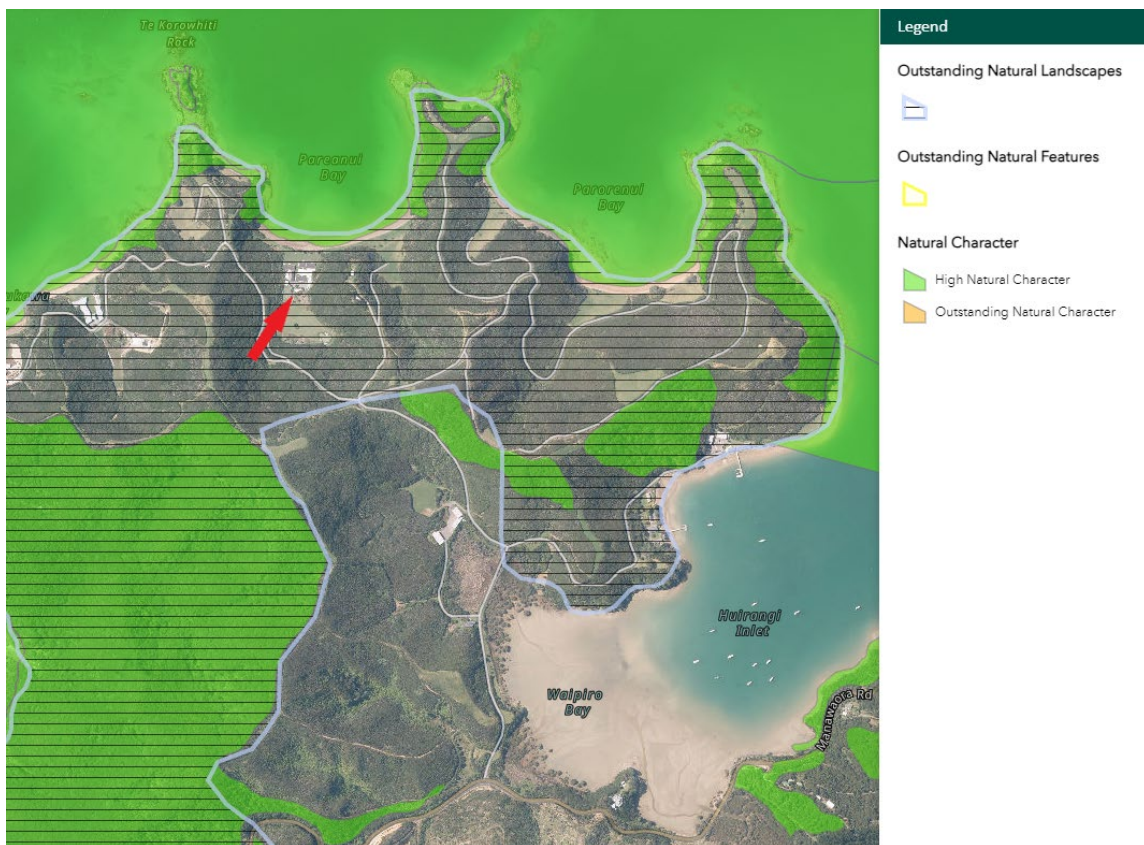


Figure 10: Outstanding Natural Landscape and Natural Character Overlays from the Northland Regional Policy Statement (subject site marked with arrow)

<sup>9</sup> The author of this AEE was the consultant planner for the applicant for the Ōmarino subdivision. Managing effects on archaeological sites, geotechnical suitability and coastal hazards also came into play, however because the subject addition is within the existing building footprint, are not relevant for this application.

The applicable ONL is the “Parekura headland & Orokawa Peninsula”. The Worksheet for this recognises that settlement is part of the locality’s natural character, noting the following<sup>10</sup>:

*“A settled landscape, albeit sporadically, in which the overriding landscape form and patterns prevail and unify over that level of development.*

*Landform largely intact, with only minor modification associated with dwellings and access. More substantial landform changes in the recent subdivision have been comprehensively addressed through detailing and planting.*

*Connections with the sea are integral to this ONL and bring a strong component of natural character”.*

The positive contribution of Ōmarino is recognised in this Worksheet as follows:

*“...An extensive and relatively recently subdivision on the headland has continued that pattern, and linked the coastal sequence with an extensive restorative planting programme”.*

Against this backdrop, the landscape, natural character and visual impact effects of the proposed addition are assessed.

Visually, the position, orientation and design of the proposed addition, will mitigate any adverse effects. This will be further ensured by the extensive existing backdrop planting and the large pohutukawa along the coastal frontage of the site.

In this regard, the addition is positioned at the eastern extreme of the buildable area of the site. In this position, the vegetated landform rises steeply to the side and rear of the building, effectively integrating and backdropping this additional building form. That would not necessarily be the case were the addition to be in the middle of the site, where it would be more prominent; however that is not the case with this eastern building wing.

The orientation of the proposed addition puts its short end to the coastal edge, mitigating the visual effects of the longer face which will be viewed internally only.

The design of the building, including importantly colours and materials, will also minimise visual effects. Relevant here is the grey stained cedar of the cladding, together with the large, shuttered window which faces to the sea. Unlike the rest of the house, a grey rather than white will be used on facias and external rafters on this new upper level. This colour selection ensures the addition as a whole will be recessive -when viewed against the greens and greys of the vegetated backdrop behind. The addition’s flat roof further mitigates visual impact, as compared to a pitched roof which would be more visible from the coastal marine area.

No vegetation will be removed, and the existing vegetation along the foreshore will be retained, as its required to be under the consent conditions for the existing dwelling. The effect of this coastal vegetation, and the large pohutukawa in the foreground is shown on the photographs below.

These photographs were taken from the water at a distance of approximately 100m from the shoreline. Two slightly different positions are shown illustrating the screening effect of the three large foreground pohutukawa as the viewpoint moves across the bay (the outline of the addition is shown on these images which are included also for better clarity in the architectural drawings set attached to this AEE).

---

<sup>10</sup> Northland Regional Landscape Assessment Worksheet





*Figure 11: Viewpoint 1 (approximately 100m from shore, height of 1.5m above sea level)*



*Figure 12: Viewpoint 2 (approximately 100m from shore to the west of Viewpoint 1, height of 1.5m above sea level)*

The subject site is shown in wider context below, showing the high vegetated land behind.



*Figure 13: Viewpoint 3 (approximately 1000m from shore at a height of 3m above sea level)*

Finally, a visual simulation has been prepared which shows in the figure below the effect of the materials and colours proposed for the addition, plus the foreground pohutukawa, in effectively mitigating landscape, natural character and visual effects.





*Figure 14: Visual Simulation of Existing House Plus Proposed Addition*

In conclusion, the position, orientation and design of the proposed addition will ensure it is properly integrated with the landscape and mitigate any visual effects when viewed from publicly accessible locations. There will be no adverse effects on the identified outstanding natural landscape values of the locality and these will continue to be enhanced by the significant planting which has occurred across the wider property. The selection of materials and colours is suitable to maintain natural character values of the coastal environment. The building is set well below the high dominant ridgeline, and will still largely present as a horizontal mass, as was envisaged with the 5m height limit was originally set in the Ōmarino Design Guidelines. As such any adverse landscape, natural character and visual effects of the proposal will be less than minor.

## 6.4 Fire Hazard

Fire hazard is referred to here, because as noted above, the proximity of the existing building to vegetation triggers the need for consent. This however only arises as a result of utilising the existing building footprint, with the additional activity proposed in this application not increasing any risk from fire hazard. The planting in question is part of the wider revegetation scheme and there would be no benefit in removing it.

## 6.5 Social and Economic Effects

The addition will have positive benefits for the applicant, providing additional private recreational opportunities on the property and in doing so maintain a beneficial relationship with the property. Economic benefits will derive from construction of the addition through employment of builders and contractors.

## 7.0 Policy Assessment

In accordance with Section 104(1)(b) of the Resource Management Act 1991 ('RMA'), this part of the report addresses the following statutory documents which are relevant to the assessment of this application:

- New Zealand Coastal Policy Statement 2010 (“NZCPS”)
- Northland Regional Policy Statement 2016 (“NRPS”)
- Operative Far North District Plan 2009
- Proposed Far North District Plan 2022
- Part 2 of the RMA 1991

There are no other matters considered to be relevant and to be reasonably necessary to determine the application.

There are no relevant planning documents prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act

### 7.1 New Zealand Coastal Policy Statement 2010

The subject works are in the coastal environment as defined in the NRPS.

Policy 13 of the NZCPS requires the preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use, and development. It requires avoidance of adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and avoidance of significant adverse effects and to avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment.

As noted above, effects on the natural character will be mitigated through the location and design of the addition and the retention on the property of extensive revegetation that has occurred.

High Natural Character areas are avoided, in relation to the NZCPS obligations for areas of High Natural Character.

Policy 15: “Natural features and natural landscapes” is relevant because the site is identified as an Outstanding Natural Landscape (“ONL”) in the Operative and Proposed District Plans and the NRPS.

Policy 15 of the NZCPS seeks to protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development. It directs the avoidance of adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment.

Through careful siting and design, the proposal responds to the identified landscape values and natural attributes of the site. The height, materials, and colours of the addition together with the avoidance of vegetation clearance will ensure the characteristics and qualities of the ONL will not be adversely affected.

### 7.2 Regional Policy Statement for Northland

The NRPS implements the NZCPS through its section 4.6 “Managing effects on natural character, features / landscapes and heritage”.

**Policy 4.6.1** repeats NZCPS obligation to avoid adverse effects of subdivision use, and development on areas of outstanding natural landscapes in the coastal environment; specifying though that it is the “characteristics and qualities” of these features which adverse effects should be avoided.

Section (3) of Policy 4.6.1 provides further direction here on “adverse effects” in this context, stating that:

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

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

This policy (and the Northland Regional Landscape Assessment Worksheet quoted above) recognises that, although identified as an ONL, the Ōmarino subdivision, including its house sites, are an anticipated part of this landscape. Where development is in accordance with the various controls and guidelines that apply, as is the case here apart from height, are an appropriate part of the landscape.

Policy 4.4.1 requires development to avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects on (a) areas of predominantly indigenous vegetation, (b) habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes, and (c) indigenous ecosystems and habitats that are particularly vulnerable to modification (including coastal wetlands and coastal streams).

Adverse effects on these features will be avoided.

### 7.3 Operative Far North District Plan 2009

The principal objective and policy set governing development in the coastal environment is in Chapter 10 - Coastal Environment. Here objectives 10.3.1 and 10.3.2 are relevant.

*“10.3.1 To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.*

*10.3.2 To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance:*

- (a) the natural character of the coastline and coastal environment;*
- (b) areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (c) outstanding landscapes and natural features;*
- (d) the open space and amenity values of the coastal environment;*



*(e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council)".*

In relation to built development, these objectives are implemented by policy 10.4.12 as follows:

*10.4.12 That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:*

- (a) the siting of buildings relative to the skyline, ridges, headlands and natural features;*
- (b) the number of buildings and intensity of development;*
- (c) the colour and reflectivity of buildings;*
- (d) the landscaping (including planting) of the site;*
- (e) the location and design of vehicle access, manoeuvring and parking areas.*

These matters have been addressed in the AEE above, where it is noted that the proposed addition will be situated well below ridgelines to the rear and side of the subject site, and appropriate colours and material reflectivity have been selected which comply with the District Plan requirements.

Objectives and policies in relation to landscapes and natural features are contained in Chapter 12 of the Operative Plan. Broadly these seek to protect outstanding landscapes and natural features from inappropriate, subdivision use and development (Objective 12.1.3.1). In relation to the coastal environment at least, this objective set does not properly implement the NZCPS, having been prepared before it came into effect in 2010. The assessment against the NZCPS above is therefore considered more relevant as it better implements the RMA in respect of the coastal environment.

## 7.4 Proposed Far North District Plan 2022

The objectives and policies of the Proposed District Plan, although carrying very little weight having not been tested through the statutory hearing and appeal process, are still a relevant matter under the RMA 1991.

As noted above, the subject site is located within an ONL under the Proposed Plan.

Objective NFL-O2 directs that land use in an ONL is consistent with and does not compromise the characteristics and qualities of that landscape or feature. As concluded above, the proposed addition will not compromise the characteristics and qualities of the ONL.

Policy NFL-P8 directs that when managing land use to Protect ONL and address the effects of the activity requiring resource consent, include 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 outside the landscape or feature;

- i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;
- j. the characteristics and qualities of the landscape or feature;
- k. the physical and visual integrity of the landscape or feature;
- l. the natural landform and processes of the location; and
- m. any positive contribution the development has on the characteristics and qualities.

In respect of these matters, under a. the subject site and locality already features building and this is recognised in the relevant ONL Worksheet. The location and scale of the proposed addition as referred to in c. above is discussed in detail in the AEE. These factors are key to integrating the addition into the landscape as at d. above. The environment has considerable ability to absorb change as at e. where that occurs within the identified buildable areas at Ōmarino: here change is anticipated and provided for. There are no viable alternative locations for the activity or development outside the landscape or feature as referred to in h, with the identified buildable areas already determined to be the most appropriate areas for built development on the property. The physical and visual integrity of the landscape referred to in k. above will be retained as described above in this AEE.

The objectives and policies of the Coastal Environment which applies under the Proposed Plan are in essence a repetition of those under the NZCPS assessed above ( eg. Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as ONL).

Finally, the site's Rural Production Zone does not provide any particular policy direction of relevance to the subject proposal, with high level policies such as avoiding land use that is incompatible with the purpose, character and amenity of the Rural Production zone (Policy RPROZ-P5). Suffice to say, the proposed addition will have no impact on the rural production focus of this zone (ie farming and forestry), with none such activities occurring within Ōmarino.

## 8.0 Part 2 of the RMA 1991

The application has been assessed against all relevant planning documents and is consistent with those instruments.

Those documents are not considered to be invalid, incomplete, or uncertain, and in turn can be assumed to have particularised and already given effect to Part 2 of the Act, therefore the activities are also consistent with Part 2.

However, for the purposes of completeness, and in compliance with Schedule 4(2)(a) RMA, a separate assessment of the three applications against Part 2 of the Act follows.

Part 2 of the RMA sets out the purpose (**Section 5**) and principles (**Sections 6-8**) of the RMA.

**Section 5** of the RMA states that the purpose of the RMA is:

*“to promote the sustainable management of natural and physical resources”.*

**Section 5** also states:

*“(2) In this Act, “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while–*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

The proposal represents the sustainable management of natural and physical resources as it enables the owner of the property to add to an existing dwelling to meet their needs, while avoiding adverse impacts on the life-supporting capacity of air, water, soil, and ecosystems and the wider environment.

**Section 6** “Matters of National Importance” of the RMA states:

*“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance.”*

The “Matters of National Importance” considered potentially relevant to this proposal are:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.*
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*
- (h) The management of significant risks from natural hazards*

In respect of these matters, the activity ensures the preservation of the natural character of the coastal environment, avoids outstanding natural features and is an appropriate development in the outstanding landscape as recognised in the District Plans and NRPS. The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga has already been achieved through the avoidance of archaeological sites, Pā and ridgeline through the identification of buildable areas at the time of the original subdivision . Significant risks from natural hazards are managed through avoiding identified mapped coastal hazard areas (flooding and sea level rise mapped by the Northland Regional Council and as also in the 2022 Proposed District Plan).

**Section 7** “Other Matters” of the RMA states:

*“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to–”*

The “Other Matters” considered potentially relevant to this proposal are:

- (aa) The ethic of stewardship.*
- (b) The efficient use and development of natural and physical resources.*

- (c) *The maintenance and enhancement of amenity values.*
- (f) *Maintenance and enhancement of the quality of the environment.*
- (i) *The effects of climate change.*

The activities demonstrate the ethic of stewardship through the careful approach adopted with the location and design of the addition to minimise adverse effects. Utilising the existing buildable area enabled by an existing subdivision is an efficient use of existing resources. Amenity values and the quality of the environment are maintained through design and location that is sympathetic to the coastal environment. The effects of climate change are managed through avoiding identified mapped coastal hazard areas.

Section 8 of the RMA states:

*"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)."*

The activities takes into account relevant principles of the Treaty of Waitangi. In this regard, the principle of Active Protection is taken into account by avoidance of known sites and areas of cultural significance (archaeological sites, Pā, hilltops and ridgelines) and avoidance of adverse impacts on waterways and wetlands.

## 9.0 Consultation

Consultation has occurred with the Ōmarino Design Review Panel, which I has provided its written approval to the proposal (refer **Appendix 6**). The Ōmarino Design Review Panel is the body constituted by the Ōmarino Residents Association to review new houses and additions against the Ōmarino Architectural Guidelines.

## 10.0 Notification

### 10.1 Public Notification (RMA 1991 Sections 95A, 95C and 95D)

Section 95A sets out the steps the Consent Authority is to follow to determine whether an application is to be publicly notified. These are addressed below.

#### 10.1.1 Steps to Determining Public Notification under Section 95A

##### Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application is made jointly with an application to exchange of recreation reserved land under section 15AA of the Reserves Act 1977.

*These circumstances do not apply to the proposal.*

## Step 2: If not required by step 1, public notification precluded in certain circumstances.

Step 2 describes that public notification is precluded where all applicable rules and national environmental standards preclude public notification; or where the application is for a controlled activity; or a restricted discretionary, discretionary or non-complying boundary activity.

*In this case, the applicable rules do not preclude public notification, and the proposal is not a controlled activity or boundary activity. Therefore, public notification is not precluded.*

## Step 3: If not required by step 2, public notification required in certain circumstances.

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or national environmental standards require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

*As concluded under step 2 above, public notification is not precluded, and an assessment in accordance with section 95A is required, which is set out in the sections below. As set out below, any adverse effects on the environment from the proposal will be no more than minor, and so public notification is not required under step 3.*

## Step 4: Public notification in special circumstances

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

*There is nothing about the proposal which would warrant notification under special circumstances. In particular, the circumstances of the proposal are not exceptional or unusual, outside of the common run of applications of this nature or would otherwise make notification desirable.*

### 10.1.2 Approach to adverse effects assessment under Section 95D

In determining whether to publicly notify an application, section 95D specifies a Consent Authority must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor.

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.
- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded.
- If a restricted discretionary activity, only those effects on persons that fall within the matters of discretion restricted under the plan can be considered.
- Trade competition must be disregarded.
- The adverse effects on those persons who have provided their written approval must be disregarded.

Land adjacent to the subject site that must be disregarded and the permitted baseline for the purpose of assessment under 95D is identified below.

In respect of the remaining matters above: the activity is not a restricted discretionary activity; trade competition is not a relevant matter in this case; and no persons other than the Design Review Panel have provided their written approval for this proposal.

### 10.1.3 Land Excluded from the Assessment

In respect of the tests for public notification (but not for the purposes of limited notification or service of notice), the adjacent properties to be excluded from the assessment are shown in the Figure below; and are Lots 2, 3, 5, 15 and 16 (by virtue of an access leg), all within Ōmarino.



*Figure 15: Adjacent Land under Section 95D*

### 10.1.4 The Permitted Baseline under s95D

In this instance the effects of the following activities proposed can be disregarded under s95D because they are permitted by the District Plan, Regional Plan and/or NES: Freshwater:

- Effects arising from the use of the proposed addition for residential activities, on the basis that the residential development complies with District Plan rule 12.10.3 a Dwellings and 12.10.18 Traffic Intensity, and assuming activities comply with rule 12.10.14 General Noise. These effects are those from normal residential use of the proposed addition, including outdoor recreation and traffic movement.

### 10.1.5 Assessment of Effects on the Environment under s95D

Based on the assessment above in this AEE and the conclusions of the reports attached, the activities will not have adverse effects on the wider environment that are more than minor because:

- The addition is connected with the site's designated buildable area where built form should be reasonably anticipated based on the entitlements under the Ōmarino subdivision.



- Beyond the site itself, the addition will only be visible from the coastal marine area. As demonstrated in the AEE, the position, orientation and design of the proposed addition will mitigate any adverse effects such that they are less than minor from coastal view points. This will be further ensured by the extensive existing backdrop planting and the existing large pohutukawa along the coastal frontage of the site.
- The selection of materials and colours is suitable to maintain natural character values of the coastal environment.
- There will be no loss of vegetation or earthworks.

### 10.1.6 Public Notification Conclusion

Based on the above assessment under the Section 95A Public Notification steps, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as it is considered that the activity will result in minor adverse effects; and
- Under step 4, there are no special circumstances.

Therefore, based on the conclusions reached under steps 3 and 4, the application shall be processed without public notification.

## 10.2 Limited Notification (section 95B, 95E to 95G)

### 10.2.1 Steps to Determining Public Notification under Section 95B

If the application is not publicly notified under section 95A, the Consent Authority must follow the steps set out in section 95B to determine whether to limited notify the application. These steps are addressed below.

#### Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups; or affected persons under a statutory acknowledgement affecting the land.

*There are no affected protected customary rights groups or customary marine title groups, or affected persons under a statutory acknowledgement.*

#### Step 2: If not required by step 1, limited notification precluded in certain circumstances

Step 2 describes that limited notification is precluded where all applicable rules and national environmental standards preclude limited notification; or the application is for a controlled activity (other than the subdivision of land).

*In this case, the applicable rules do not preclude limited notification and the proposal is not a controlled activity. Therefore, limited notification is not precluded.*

### Step 3: if not precluded by step 2, certain other affected persons must be notified

Step 3 requires that, where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of any other activity, a person affected in accordance with s95E.

*The application is not for a boundary activity, and therefore an assessment in accordance with section 95E is required and is set out below.*

### Step 4: further notification in special circumstances

In addition to the findings of the previous steps, the Consent Authority is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification, excluding persons assessed under s 95E as not being affected persons.

*There are no other persons (other than those who have been excluded under s 95E as not being affected persons), and therefore an assessment of special circumstances is not required under Step 4.*

## 10.2.2 Affected Persons Assessment Under Section 95E

If the application is not publicly notified and the application is not for a boundary activity, a Consent Authority must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

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

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded;
- Only those effects that relate to a matter of control or discretion can be considered (in the case of controlled or restricted discretionary activities); and
- The adverse effects on those persons who have provided their written approval must be disregarded.

These matters were addressed above in relation to public notification, and no written approvals beyond the Ōmarino Design Panel have been sought or obtained in relation to this application.

With reference to Section 95E there is no adversely affected person who must be notified of this application because:

- There are no direct views from the designated building platforms on the adjacent Lots 2, 3, 5, 15 and 16 of the proposed additions.
- There is considerable distance to the notional boundary of the nearest existing dwelling which is 500m to the west on Lot 2, over a ridgeline in the next bay and 80m to the nearest as yet unbuilt building platform to the east on Lot 5. Therefore, compliance with the noise and lighting standards can be reasonably assumed to be able to be achieved. In any event, the use of the addition for activity ancillary to residential as is proposed can be disregarded for the purposes of this assessment, being as it is, within the 'permitted baseline'.



Accordingly, as it is considered that any adverse effects on persons at the aforementioned properties will be less than minor the consent authority need not give notice of this proposal to any person.

### 10.2.3 Limited Notification Conclusion

Based on the above assessment under section 95B for limited notification, the following conclusions are made:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any effects on any affected person that are minor or more than minor; and
- Under step 4, there are no special circumstances.

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

## 11.0 Conclusions

Resource consent is sought from the Far North District Council for the proposed second level addition to an existing dwelling as set out in this AEE. Land use consent for a discretionary activity is required due to an exceedance of the height limit that applies to the site under a consent notice and proximity to existing vegetation (in relation to potential fire risk).

The new gym, family room and bowling alley facilities within the proposed addition will only be used ancillary to the normal residential activities within the existing dwelling.

The addition is contained within the site's designated buildable area where built form should be reasonably anticipated based on the entitlements under the Ōmarino subdivision.

The height limit that applies under the Consent Notice derives from the Ōmarino Architectural Guidelines 2009. Lot 4 is identified here as one of the Coastal/Bay sites at Ōmarino. For these sites a single level or split-level buildings with a maximum height of 5-metres is specified, with forms that accentuate the horizontal, identifying a connection with the ground.

The Guidelines note that height variation may be permitted on a case by case basis but not greater than the District Plan Height Controls.

The Ōmarino Design Review Panel has reviewed the proposed extension against these Guidelines and provided its written approval.

Visually, the position, orientation and design of the proposed addition, will mitigate any adverse effects. This will be further ensured by the extensive existing backdrop planting and the large pohutukawa along the coastal frontage of the site. In this regard, the addition is positioned at the eastern extreme of the buildable area of the site. In this position, the vegetated landform rises steeply to the side and rear of the building, effectively integrating and backdropping this additional building form. The orientation of the proposed addition puts its short end to the coastal edge, mitigating the visual effects of the longer face which will be viewed internally only. The design of the building, including importantly colours and materials, will also minimise visual effects. The addition's flat roof further mitigates visual impact, as compared to a pitched roof which would be more visible from the coastal marine area.

A visual simulation from the coastal marine area prepared in support of the application shows the effect of the materials and colours proposed for the addition, plus the foreground pohutukawa, in effectively mitigating landscape, natural character and visual effects.

The addition will have positive benefits for the applicant, providing additional private recreational opportunities on the property and in doing so maintain a beneficial relationship with the property. Economic benefits will derive from construction of the addition through employment of builders and contractors.

The proposal satisfies all relevant planning policy considerations as described in this AEE.

In terms of Part 2 of the RMA 1991, the overall proposal represents the sustainable management of natural and physical resources as it enables the owner of the property to construct an addition to meet their future needs, while avoiding adverse impacts on the life-supporting capacity of air, water, soil, and ecosystems and the wider environment. Section 6 RMA matters are recognised and provided for as set out in this AEE and particular regard has been had to section 7 matters.

For the reasons set out in this AEE, the application can be properly processed without full or limited notification, and then granted consent subject to fair and reasonable conditions.

**Peter Hall**

BPlan, MNZPI

Peter Hall Planning Limited

PO Box 226

Shortland Street

Auckland 1140

[peter@phplanning.co.nz](mailto:peter@phplanning.co.nz)

0274222118

## Assessment Against Relevant Rules of the Far North Operative District Plan

Clause	Rule	Compliance
<p><b>10.6.5.1.1 VISUAL AMENITY</b></p>	<p>The following are <b>permitted activities</b> in the General Coastal Zone:</p> <p>(a) any new building(s) not for human habitation provided that the gross floor area of any new building permitted under this rule, does not exceed 50m<sup>2</sup> or for human habitation provided that the gross floor area does not exceed 25m<sup>2</sup>; and</p> <p>(b) the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or are constructed of natural materials which fall within this range; or</p> <p>(c) any alteration/addition to an existing building which does not exceed 50m<sup>2</sup>, provided that any alteration/ addition does not exceed the height of the existing building and that any alteration/addition is to a building that existed at 28 April 2000; or</p> <p>(d) renovation or maintenance of any building.</p> <p>Note: The effect of this rule is that a resource consent is needed for any new building(s) not for human habitation with a gross floor area of greater than 50m<sup>2</sup> or any building(s) for human habitation with a gross floor area of greater than 25m<sup>2</sup></p> <p>.</p>	<p>In respect of clause (b) the proposed exterior is natural materials or coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less (refer materials sheet included with the application drawings). <b>Complies with this requirement.</b></p> <p>In respect of clause (c), the permitted activity clause is not met because the addition to the existing building exceeds 50m<sup>2</sup> (an addition of 192m<sup>2</sup> is proposed), it exceeds the height of the existing building, and the existing building did not exist before 28 April 2000 (being completed in 2011).</p> <p>Rule 10.6.5.3 specifies that an activity is a <b>restricted discretionary activity</b> in the General Coastal Zone if it does not comply with rule 10.6.5.1.1 Visual Amenity.</p> <p>Rule 10.6.5.3.1 specifies that when considering an application under this provision the Council will restrict the exercise of its discretion to matters relating to:</p> <ul style="list-style-type: none"> <li>(i) the location of the building;</li> <li>(ii) the size, bulk, and height of the building in relation to ridgelines and natural features;</li> <li>(iii) the colour and reflectivity of the building;</li> <li>(iv) the extent to which planting can mitigate visual effects;</li> <li>(v) any earthworks and/or vegetation clearance associated with the building;</li> <li>(vi) the location and design of associated vehicle access, manoeuvring and parking areas;</li> <li>(vii) the extent to which the building and any associated overhead utility lines will be visually obtrusive;</li> <li>(viii) the cumulative visual effects of all the buildings on the site;</li> </ul>

Clause	Rule	Compliance
		<p>(ix) the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;</p> <p>(x) the extent to which private open space can be provided for future uses;</p> <p>(xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;</p> <p>(xii) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites</p>
<p><b>10.6.5.1.2 RESIDENTIAL INTENSITY</b></p>	<p><i>Residential development shall be limited to one unit per 20ha of land. In all cases the land shall be developed in such a way that each unit shall have at least 3,000m<sup>2</sup> for its exclusive use surrounding the unit plus a minimum of 19.7ha elsewhere on the property.</i></p> <p><i>Residential unit is defined as follows:</i></p> <p><b>RESIDENTIAL UNIT / DWELLING</b>  <i>A building, a room or a group of rooms, used, designed or intended to be used by one or more persons as a self-contained single, independent and separate household. Any accessory building providing sleeping accommodation and bathroom facilities but no cooking or dishwashing or laundry facilities will be treated as forming part of a residential unit / dwelling.</i></p>	<p>The proposed addition is to an existing residential unit, for uses ancillary to that residential unit, and do not increase the residential intensity of the site.</p> <p><b>Complies</b></p>
<p><b>10.6.5.1.3 SCALE OF ACTIVITIES</b></p>	<p><i>The total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed 4 persons per site or 1 person per 1ha of net site area whichever is the greater.</i></p>	<p>The proposed addition is to an existing residential unit, for uses ancillary to that residential unit, and do not increase scale of activities on the site. In this respect it will be used by people who normally reside on the site.</p> <p><b>Complies</b></p>

Clause	Rule	Compliance
	<i>Provided that...(various exceptions apply)</i>	
<b>10.6.5.1.4 BUILDING HEIGHT</b>	<p><i>The maximum height of any building shall be 8m.</i></p> <p><u>Definitions</u>  <i>For the purpose of calculating height, account shall not be taken of:</i></p> <p>....</p> <p><i>(ii) chimneys, steeples, turrets, spires or towers provided that the maximum height normally permitted by the rules for the area is not exceeded by more than 2m height (and not exceeding 1.1m in any horizontal direction);</i></p>	<p>The proposed addition complies with the 8-metre rolling height limit as shown on the elevations included with the drawing set (including chimneys).</p>
<b>10.6.5.1.5 SUNLIGHT</b>	<p><i>No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary (refer to definition of Recession Plane in Chapter 3 - Definitions), except where a site boundary adjoins a legally established entrance strip, private way, access lot, or access way serving a rear site, the measurement shall be taken from the farthest boundary of the entrance strip, private way, access lot, or access way).</i></p>	<p>The house and addition is set well back from site boundaries and so complies with this sunlight requirement. At its closest the addition is approximately 20 metres to the nearest site boundary located on elevated land to the east.</p> <p><b>Complies</b></p>
<b>10.6.5.1.6 STORMWATER MANAGEMENT</b>	<p>The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 10%.</p>	<p>The 10.2190 hectare site would permit 10,219m<sup>2</sup> in coverage.</p> <p>The proposed addition is on top of an existing building and so does not increase coverage.</p> <p><b>Complies</b></p>
<b>10.6.5.1.7 SETBACK FROM BOUNDARIES</b>	<p><i>(a) no building shall be erected within 10m of any site boundary, except that on any site with an area of less than 5,000m<sup>2</sup>, this setback shall be 3m from any site boundary;</i></p>	<p>At its closest the addition is approximately 20 metres to the nearest site boundary.</p> <p><b>Complies</b></p>

Clause	Rule	Compliance
	<p><i>(b) no building for residential purposes shall be erected closer than 100m from the boundary of the Minerals Zone.</i></p> <p>....</p>	
<p><b>10.6.5.1.8 TRANSPORTATION</b></p>	<p><i>Refer to <b>Chapter 15 – Transportation</b> for Traffic, Parking and Access rules</i></p>	<p>See below</p>
<p><b>10.6.5.1.9 KEEPING OF ANIMALS</b></p>	<p><i>Any building, compound or part of a site used for factory farming, boarding kennels or a cattery shall be located no closer than 50m from any site boundary except for a boundary which adjoins the Residential, Coastal Residential or Russell Township Zones where the distance shall be a minimum of 600m.</i></p>	<p><b>Complies</b></p>
<p><b>10.6.5.1.10 NOISE</b></p>	<p><i>All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits at or within the boundary of any other site in this zone, or at any site zoned Residential, Russell Township or Coastal Residential, or at or within the notional boundary of any dwelling in any other rural or coastal zone:</i></p> <p><i>0700 to 2200 hours 55 dBA L10</i> <i>2200 to 0700 hours 45 dBA L10 and</i> <i>70 dBA Lmax</i></p>	<p>There is considerable distance to the notional boundary of the nearest existing dwelling which is 500m to the west in the next bay and 80m to the nearest as yet unbuilt building platform to the east. Therefore, compliance with the noise standards can be reasonably assumed to be able to be achieved.</p> <p><b>Complies</b></p>
<p><b>10.6.5.1.11 HELICOPTER LANDING AREA</b></p>	<p><i>A helicopter landing area shall be at least 200m from the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones.</i></p>	<p>No new helicopter landing areas are proposed (beyond the consented helicopter landing area on the site).</p> <p><b>Complies</b></p>
<p><b>12.1.6.1.1 PROTECTION OF OUTSTANDING LANDSCAPE FEATURES</b></p>	<p><i>(a) no tree planting consisting of more than 50 trees of a single species shall occur on any site in an Outstanding Landscape Feature as listed in Appendix 1B in Part 4, and shown on the Resource Maps;</i></p> <p><i>(b) above ground utility services shall not be located on or within an Outstanding Landscape Feature as listed in Appendix 1B in Part 4, and shown on the Resource Maps;</i></p>	<p>(a) No single species tree planting is proposed – <b>Complies</b></p> <p>(b) services will be underground – <b>Complies</b></p> <p>(c) No excavation and filling is proposed – <b>Complies</b></p> <p>(d) No vegetation clearance will occur – <b>Complies</b></p>

Clause	Rule	Compliance
	<p><i>(c) excavation and/or filling shall not occur within an Outstanding Landscape Feature as listed in Appendix 1B in Part 4, and shown on the Resource Maps;</i></p> <p><i>(d) no vegetation clearance shall occur within an Outstanding Landscape Feature as listed in Appendix 1B in Part 4, and shown on the Resource Maps, except that the clearance of pest plants where the clearance does not involve disturbance of the ground surface, is permitted.</i></p>	
<p><b>12.1.6.1.2 INDIGENOUS VEGETATION CLEARANCE IN OUTSTANDING LANDSCAPES</b></p>	<p><i>Notwithstanding any rule in the Plan to the contrary but subject to Rules 12.5.6.1.1, 12.5.6.1.3 and 12.5.6.2.2 in the Heritage section of this Plan, indigenous vegetation clearance is a permitted activity in an Outstanding Landscape, as shown on the Resource Maps, where the clearance is for any of the following purposes:</i></p> <p><i>(a) to provide for a building platform for a building (where a rule in the Plan provides for this as a permitted activity), and/or access and/or construction of a boundary fence so long as the area cleared for that purpose is no more than 1,000m<sup>2</sup> per site; or</i></p> <p><i>...</i></p> <p><i>(p) vegetation clearance of land which has been previously cleared and where the vegetation to be cleared is less than 10 years old; or</i></p> <p><i>...</i></p> <p><i>(q) for the maintenance and replacement of existing water supply facilities, including reservoirs, dams, water treatment plants and pipelines, provided that no more vegetation is cleared or trimmed than is necessary for the efficient operation of those facilities.</i></p>	<p>No vegetation clearance will occur – <b>Complies</b></p>
<p><b>12.1.6.1.3 TREE PLANTING IN</b></p>	<p>Single species tree planting is permitted in an Outstanding Landscape, as shown on the Resource Maps:</p> <p><i>(a) if the species is indigenous; or</i></p>	<p>No single species tree planting in an outstanding landscape is proposed.</p>



Clause	Rule	Compliance
<b>OUTSTANDING LANDSCAPES</b>	<i>(b) it is replanting an area of established plantation forest; or (c) the planting does not exceed 4ha in area on any one site in a rural environment zone, or 2ha in area on any one site in a coastal environment zone.</i>	<b>Complies</b>
<b>12.1.6.1.4 EXCAVATION AND/OR FILLING WITHIN AN OUTSTANDING LANDSCAPE</b>	Excavation and/or filling on any site within an Outstanding Landscape as shown on the Resource Maps, is permitted provided that:	No excavation and filling is proposed– <b>Complies</b>
<b>12.1.6.1.5 BUILDINGS WITHIN OUTSTANDING LANDSCAPES</b>	The following are permitted activities in an Outstanding Landscape, as shown on the Resource Maps: (a) where the zoning of the building platform is General Coastal any new building(s) not for human habitation provided that the gross floor area of any new building or buildings permitted under this rule, does not exceed 25m <sup>2</sup> ; and; (b) where that building will be visible from a viewing point on a public road, public reserve, coastal marine area or the foreshore that is within 500m of that building, the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or is constructed of natural materials which fall within this range; or (c) any alteration/addition to an existing building where: i. the alteration/addition does not exceed 25m <sup>2</sup> in area or does not exceed 20% of the gross floor area of the existing building which is being altered or added to, whichever is the lesser; and	The proposed addition complies with sub-clause (b) in that the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or is constructed of natural materials which fall within this range.  The proposed addition does not comply with sub-clause (b) in that it exceeds 25m <sup>2</sup> and exceeds the height of the existing building.  Under rule 12.1.6.2 an activity is a <b>restricted discretionary activity</b> if it does not comply with 12.1.6.1.5 Buildings within Outstanding Landscapes.  Rule 12.1.6.2.1 specifies the following matters of discretion: (i) the location of the building; and (ii) the size, bulk and height of the building in relation to ridgelines, areas of indigenous vegetation and habitats of indigenous fauna, existing trees and other natural features; and (iii) the degree to which the landscape will retain the qualities that make it outstanding, including naturalness, and visual and amenity values; and (iv) the design of the building; and

Clause	Rule	Compliance
	<p>ii. the alteration/addition does not exceed the height of the existing building.</p> <p>(d) where the building site is not in the General Coastal Zone construction of one residential dwelling per site, provided that the building is not visible from a public viewing point on a public road, public reserve, or the foreshore that is within 2km of the site;</p> <p>(e) where the building site is not in the General Coastal Zone any new building, including relocated buildings, with a gross floor area of less than 25m<sup>2</sup>.</p> <p>Note : Some cladding materials may fail when painted with colours of reflectance value of 40% or less. Please check to ensure that the types of cladding used are suitable for using paints to comply with the above standards</p>	<p>(v) the location and design of associated vehicle access, manoeuvring and parking areas; and</p> <p>(vi) the extent to which planting can mitigate visual effects; and</p> <p>(vii) the means by which permanent screening of the building from public viewing points on a public road, public reserve, or the foreshore may be achieved, and</p> <p>(viii) the cumulative visual effects of all buildings on the site</p>
<p><b>12.2.6.1.1 INDIGENOUS VEGETATION CLEARANCE PERMITTED THROUGHOUT THE DISTRICT</b></p>	<p><i>Notwithstanding any rule in the Plan to the contrary but subject to Rules 12.5.6.1.1, 12.5.6.1.3 and 12.5.6.2.2 in the Heritage section of this Plan, indigenous vegetation clearance is permitted throughout the District where the clearance is for any of the following purposes: .... (no relevant purposes listed)</i></p>	<p>No vegetation clearance will occur – <b>Complies</b></p>
<p><b>12.3.6.1.2 EXCAVATION AND/OR FILLING, INCLUDING OBTAINING ROADING MATERIAL BUT EXCLUDING MINING AND QUARRYING, IN THE RURAL</b></p>	<p><i>Excavation and/or filling, excluding mining and quarrying, on any site in the Rural Living, Coastal Living, South Kerikeri Inlet Zone, General Coastal, Recreational Activities, Conservation, Waimate North and Point Veronica Zones is permitted, provided that:</i></p> <p><i>(a) it does not exceed 300m<sup>3</sup> in any 12-month period per site; and</i></p> <p><i>(b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m.</i></p>	<p>No excavation and filling is proposed– <b>Complies</b></p>

Clause	Rule	Compliance
<b>LIVING, COASTAL LIVING, SOUTH KERIKERI INLET, <u>GENERAL COASTAL</u>, RECREATIONAL ACTIVITIES, CONSERVATION, WAIMATE NORTH AND POINT VERONICA ZONES</b>	....	
<b>12.4.6.1.2 FIRE RISK TO RESIDENTIAL UNITS</b>	<p><i>(a) Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted <u>area of scrub or shrubland, woodlot or forest</u>;</i></p> <p><i>(b) Any trees in a deliberately planted woodlot or forest shall be planted at least 20m away from any urban environment zone, Russell Township or Coastal Residential Zone boundary, excluding the replanting of plantation forests existing at July 2003.</i></p>	<p>The existing residential unit is built in immediate proximity to the planted revegetation on the slope to the east. On the basis that this existing building does not comply, and that existing use rights would not apply to the proposed addition, the construction of the addition on top of this building would trigger a consent under this rule.</p> <p>Under rule 12.4.6.3 DISCRETIONARY ACTIVITIES An activity is a discretionary activity if: (a) it does not comply with one or more of the standards for permitted or controlled activities as set out under Rules 12.4.6.1 and 12.4.6.2. ... <b>Discretionary activity.</b></p>
<b>12.5.6.1.2 ALTERATIONS TO/AND MAINTENANCE OF HISTORIC SITES, BUILDINGS AND OBJECTS</b>	<p>There are no sites, buildings or objects on the property (ie as listed in Appendix 1E of the District Plan and shown on the Zone Maps and Heritage Precinct Maps).</p>	

Clause	Rule	Compliance
<p><b>12.5.6.1.3 REGISTERED ARCHAEOLOGICAL SITES</b></p>	<p><i>Activities involving the alteration of land, including building, excavation, filling, planting of trees and disturbance of ground, shall not disturb, modify, damage or destroy a registered archaeological site (as listed in Appendix 1G and shown on the Resource Maps), unless an Authority to Destroy, Damage or Modify an Archaeological Site has been issued by the New Zealand Historic Places Trust.</i></p> <p><i>For the purpose of this rule a registered archaeological site is one that is included on the New Zealand Historic Places Register pursuant to the Historic Places Act 1993.</i></p> <p><i>Where an application is required because of non-compliance with this rule, the New Zealand Historic Places Trust, Department of Conservation and where appropriate, the tangata whenua for whom the archaeological site has significance, shall be considered an affected party.</i></p>	<p>No archaeological sites will be impacted by the works.</p> <p><b>Complies</b></p>
<p><b>12.7.6.1.1 SETBACK FROM LAKES, RIVERS AND THE COASTAL MARINE AREA</b></p>	<p><i>Any building and any impermeable surface must be set back from the boundary of any lake (where a lake bed has an area of 8ha or more), river (where the average width of the riverbed is 3m or more) or the boundary of the coastal marine area, except that this rule does not apply to man-made private water bodies other than the Manuwai and Waingaro Reservoirs.</i></p> <p><i>The setback shall be:</i></p> <p><i>(a) a minimum of 30m in the Rural Production, Waimate North, Rural Living, Minerals, Recreational Activities, Conservation, General Coastal, South Kerikeri Inlet and Coastal Living Zones;</i></p>	<p>The front face of the existing house is set back approximately 30metres from MHWS. The proposed addition is to the building immediately behind this and set back some 40 metres from MHWS.</p> <p><b>Complies</b></p>

Clause	Rule	Compliance
<p><b>12.7.6.1.3 PRESERVATION OF INDIGENOUS WETLANDS</b></p>	<p>....</p> <p><i>Any land use activity within an indigenous wetland of 200m<sup>2</sup> or more that does not change the natural range of water levels or the natural ecosystem or flora and fauna it supports is a permitted activity, provided that the harvesting of plantation forestry that existed prior to 28 August 2004 is permitted where it is provided for by a rule in a Regional Plan for Northland or by a resource consent granted by Northland Regional Council.</i></p>	<p>No activity occurs within a wetland.</p> <p><b>Complies</b></p>
<p><b>12.7.6.1.4 LAND USE ACTIVITIES INVOLVING DISCHARGES OF HUMAN SEWAGE EFFLUENT</b></p>	<p><i>Land use activities which produce human sewage effluent (including grey water) are permitted provided that:</i></p> <p><i>(a) the effluent discharges to a lawfully established reticulated sewerage system; or</i></p> <p><i>(b) the effluent is treated and disposed of on-site such that each site has its own treatment and disposal system no part of which shall be located closer than 30m from the boundary of any river, lake, wetland or the boundary of the coastal marine area.</i></p>	<p>The addition will utilise the existing approved wastewater treatment and disposal system on the site and will not add any additional bedroom, kitchen or laundry facilities to this.</p> <p><b>Complies</b></p>
<p><b>15.1.6A.2.1 TRAFFIC INTENSITY</b></p>	<p><i>The Traffic Intensity threshold value for a site shall be determined for each zone by Table 15.1.6A.1 [below]. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to Appendix 3A in Part 4.</i></p> <p><i>This rule only applies when establishing a new activity or changing an activity on a site. However, when considering a new activity or changing an activity, the Traffic Intensity Factor for the existing uses (apart from those exempted above) on site need to be taken into account in order to address cumulative effects.</i></p>	<p>The existing dwelling is exempt as the first residential unit on the site, with the proposal being an addition to that, but not one that will result in an additional dwelling.</p> <p><b>Complies.</b></p>

Clause	Rule	Compliance														
	<p><u>Exemptions: The first residential unit on a site, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.</u></p> <p>Table 15.1.6A.1 MAXIMUM DAILY ONE WAY TRAFFIC MOVEMENTS</p> <table border="1" data-bbox="483 448 1189 632"> <thead> <tr> <th data-bbox="483 448 607 555">Zone</th> <th data-bbox="613 448 759 555">Permitted Activity</th> <th data-bbox="766 448 911 555">Controlled Activity</th> <th data-bbox="918 448 1104 555">Restricted Discretionary Activity</th> <th data-bbox="1111 448 1189 555">Discretionary Activity</th> </tr> </thead> <tbody> <tr> <td data-bbox="483 555 607 632">General Coastal</td> <td data-bbox="613 555 759 632">30</td> <td data-bbox="766 555 911 632">-</td> <td data-bbox="918 555 1104 632">-</td> <td data-bbox="1111 555 1189 632">1</td> </tr> </tbody> </table> <p>APPENDIX 3A: TRAFFIC INTENSITY FACTORS Applicable notes: .... <u>3A.1: The Traffic Intensity Factor (TIF) does not apply to, or limit, existing activities already established and operating on a site, and does not limit future increases in traffic generation from a site unless:</u> (a) this is the subject of a condition in a resource consent; or (b) the effect of an increase in traffic is such that the scale, intensity, or character of the activity changes, in which case existing use rights no longer apply. ... ...</p> <table border="1" data-bbox="483 1171 1189 1254"> <thead> <tr> <th data-bbox="483 1171 920 1224">LAND USE ACTIVITY</th> <th data-bbox="927 1171 1189 1224">TRAFFIC INTENSITY FACTOR (based on average daily one-</th> </tr> </thead> <tbody> <tr> <td data-bbox="483 1224 920 1254">Standard Residential Unit</td> <td data-bbox="927 1224 1189 1254">10 per unit</td> </tr> </tbody> </table>	Zone	Permitted Activity	Controlled Activity	Restricted Discretionary Activity	Discretionary Activity	General Coastal	30	-	-	1	LAND USE ACTIVITY	TRAFFIC INTENSITY FACTOR (based on average daily one-	Standard Residential Unit	10 per unit	
Zone	Permitted Activity	Controlled Activity	Restricted Discretionary Activity	Discretionary Activity												
General Coastal	30	-	-	1												
LAND USE ACTIVITY	TRAFFIC INTENSITY FACTOR (based on average daily one-															
Standard Residential Unit	10 per unit															
<p><b>15.1.6B.1.1 ON-SITE CAR PARKING SPACES</b></p>	<p>Where: (i) an activity establishes; or (ii) the nature of an activity changes; or</p>	<p>The requirement of 2 spaces per unit is complied with, including by the retention of garaging beneath the proposed addition, and also elsewhere on the site.</p>														

Clause	Rule	Compliance						
	<p><i>(ii) buildings are altered to increase the number of persons provided for on the site; the minimum number of on-site car parking spaces to be provided for the users of an activity shall be determined by reference to Appendix 3C, unless an activity complies with the exemptions below....</i></p> <p>(there are no applicable exemptions).</p> <p>APPENDIX 3C: PARKING SPACES REQUIRED</p> <table border="1" data-bbox="483 592 1189 697"> <thead> <tr> <th data-bbox="483 592 920 628">LAND USE ACTIVITY</th> <th data-bbox="925 592 1189 628">CAR PARKING SPACES REQUIRED <i>(based on average daily one-</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="483 632 920 668">Standard Residential Unit</td> <td data-bbox="925 632 1189 668">2 per unit</td> </tr> <tr> <td data-bbox="483 671 920 697">Farming</td> <td data-bbox="925 671 1189 697">Exempt from parking requirements</td> </tr> </tbody> </table>	LAND USE ACTIVITY	CAR PARKING SPACES REQUIRED <i>(based on average daily one-</i>	Standard Residential Unit	2 per unit	Farming	Exempt from parking requirements	<p><b>Complies</b></p>
LAND USE ACTIVITY	CAR PARKING SPACES REQUIRED <i>(based on average daily one-</i>							
Standard Residential Unit	2 per unit							
Farming	Exempt from parking requirements							

16 November 2023

JCM Design-Corbett Madden  
c/o Peter Hall  
Peter Hall Planning Ltd  
peter@phplanning.co.nz

Dear Corbett Madden

**Re: Omarino Lot 4 Design Review-alterations + additions**

The Design Review Panel has reviewed the proposal for works within the Building Platform on Lot 5, being the alteration + addition of a new upper level to the B6 OUTDOOR BBQ WING.

The drawings we have seen are:

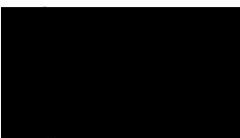
- RC100 A EXISTING SITE PLAN
- RC101 A NEW SITE PLAN
- RC102 A PART NEW SITE PLAN
- RC103 A EXISTING L1 FLOOR PLAN
- RC104 A NEW L1 & L2 FLOOR PLAN
- RC105 A EXISTING ELEVATIONS
- RC106 A NEW ELEVATIONS
- RC107 A NEW CROSS SECTIONS
- RC108 A VIEWPOINT LOCATION 1
- RC109 A VIEWPOINT LOCATION 2
- RC110 A VIEWPOINT LOCATION MAPS
- RC111 A MATERIALS & COLOUR BOARD

We note that the proposed new building work is significantly through the 5.0m height limit as identified in drawings RC106 A & RC107 A, but as described in the viewpoints the panel is satisfied that the alteration + additions will not provide negative impact on the landscape when viewed from the land or the foreshore.

*Please note this Review does not replace the need for the project to be granted Resource Consent, nor a Building Consent if required. It is up to you and the Owners to ascertain what Consents are required before construction.*


Kind Regards

BOSSLEY ARCHITECTS LTD



Pete Bossley  
Director/Registered Architect  
BArch (Hons), FNZIA  
NZIA Gold Medal 2012  
pete@bossleyarchitects.co.nz  
www.bossleyarchitects.co.nz



The background of the slide is a photograph of water with gentle ripples on the left side, transitioning to a rocky shoreline on the right. The rocks are smooth and come in various shades of brown, tan, and grey. A large, semi-transparent white circle is overlaid on the right side of the image, partially covering the water and the rocks.

# MANAGEMENT PLAN

OCT 2007

ōmarino

# Ōmarino Management Plan

*This Management Plan dated September 2007, replaces the Draft management Plan submitted with the Resource Consent Application titles “Tai Awhi Awhi Management Plan May 2005”*



## CONTENTS

Executive Brief .....	1
Context.....	1
1.0 Purposes of the Management Plan .....	2
2.0 Ōmarino Ownership Structure and Residents Association .....	3
3.0 Design Guidelines .....	4
3.1 Objective .....	4
3.2 Implementation.....	5
4.0 Site Rehabilitation .....	5
4.1 Objective .....	5
4.2 Background .....	5
4.2.1 Revegetation Areas and Management .....	6
4.2.2 Existing Planting Specifications .....	7
4.2.3 Maintenance and Weed Management.....	10
4.3 Implementation.....	10
4.4 Suggested Replacement Planting Composition .....	11
4.5 Specific Lot Treatment .....	12
4.6 Planting and Archaeological Sites .....	13
5.0 Brown Teal Conservation Management Initiatives .....	13
5.1 Objective .....	13
5.2 Background .....	13
5.3 Implementation.....	15

6.0	Animal Pest and Predator Control.....	15
6.1	Objective .....	15
6.2	Background .....	15
6.2.1	Possums .....	15
6.2.2	Rodent Control.....	16
6.2.3	Predators .....	17
6.2.4	Hedgehogs .....	17
6.2.5	Rabbits And Hares.....	17
6.2.6	Pukeko.....	18
6.2.7	Other Matters.....	18
6.3	Implementation.....	18
7.0	Maori Culture and Heritage .....	19
7.1	Objective .....	19
7.2	Introduction and Overview.....	19
7.3	Maori Principles and Key Values.....	20
7.3.1	Principles .....	20
7.3.2	Koiwi (Human Remains).....	21
7.3.3	Maori Taonga And Wahi Tapu.....	21
7.4	Archaeology .....	21
7.5	Implementation.....	21
7.5.1	Appointment of a Representative .....	22
7.5.2	Identified Archaeological Areas Identified on Development Plan .....	22
7.5.3	Areas With Exclusive Use Curtilage Which Do Not Have Identified Archaeological Sites .....	24
7.5.4	Areas Outside Exclusive Use Curtilages .....	25
7.5.5	Discovery of Potential Archaeological Sites/Places of Cultural Value .....	25
7.6	Changes To The Maori Culture And Heritage Section .....	26

7.7	Contact Details .....	26
8.0	Communal Property Management .....	27
8.1	Objective .....	27
8.2	Implementation .....	27

**ATTACHMENTS**

- Attachment 1: Ōmarino Development Plan
- Attachment 2: Ōmarino Architectural Design Guidelines
- Attachment 3: Ōmarino Vegetation Framework
- Attachment 4: Ōmarino Resource Consents (as approved by Environment Court consent order)
- Attachment 5: New Zealand Historic Places Trust Authority
- Attachment 6: Plant Numbers

# ŌMARINO MANAGEMENT PLAN

---

## EXECUTIVE BRIEF

This Management Plan has been prepared for the Ōmarino Eco Development. The objective of this proposal is to provide for a low-impact and appropriate residential subdivision on the property, with a programme for native forest restoration and ongoing care. The Management Plan also describes sites of cultural and historical significance on the property and provides protocols for ensuring these are respected and protected.

This Management Plan document outlines the means to achieve this objective and details programmes and methods for implementation.

In this regard, the responsibility for the implementation of the Management Plan will fall on both the Ōmarino Residents Association for the property and/or individual property owners. These roles are described further in this plan.

Whilst covenants on the property titles will bind future owners to protect certain features of the property and protection measures in perpetuity, this Management Plan is intended as a 'living document' which is capable of responding to change over time.

This Management Plan should be read in conjunction with the Assessment of Environmental Effects (AEE) submitted with the resource consent application for the subdivision dated October 2004.

This AEE included information on the following:

- Size and location of lots, roads, infrastructure and encumbrances

- Topography
- Geotechnical Matters
- Presence of Natural Hazards
- Soil Classifications
- Outstanding Landscapes and Natural Features including vegetation, habitats and heritage items
- Measures to protect indigenous vegetation and habitats
- Engineering reports
- Low impact design measures
- Relevant information regarding adjoining properties
- Compatibility with existing uses and resources in the area

## CONTEXT

The Ōmarino property is a 141 ha site located on Manawaora Road, Russell. It is a coastal block incorporating five bays and inlets and has outstanding views into the Parekura Bay and the greater Bay of Islands. Previously being property that has been farmed in its recent past, with some areas in pine plantation.

The present proposal is the result of intensive and detailed site investigations and follows recommendations by Boffa Miskell Limited to achieve an appropriate level of housing development on the site, while restoring and enhancing the land. A copy of the

# ŌMARINO MANAGEMENT PLAN

---

development plan for Ōmarino, showing the location of lots, buildable and curtilage areas, sites of historic and cultural features and other site and development features, is included at Attachment 1 to this Management Plan.

The Ōmarino development will encourage purchasers who desire to live in an outstanding 'natural environment'. It proposes significant restoration and conservation measures which will leave a legacy of landscape and ecological benefit.



**Photograph 1: Waipiro Bay**

## 1.0 PURPOSES OF THE MANAGEMENT PLAN

The purposes of this Management Plan are as follows:

- To provide for the use and enjoyment of the Ōmarino residential properties for owners, their families and guests.
- To provide a basis for the development of resident's association rules which will give effect to the purpose and provisions of the Management Plan.
- To establish Design Guidelines which will ensure that the development of buildings, structures and site landscaping have design integrity, and are sympathetic to the landscape and character of the property as a whole.
- To provide a method/approach for undertaking the proposed native forest restoration and ensuring its ongoing maintenance.
- To provide a regime for controlling animal pests and predators on the property.
- To provide detailed provisions for the management of Brown Teal, an "at risk" bird species, for which the wetland on the property is a recognised habitat.
- To provide for the maintenance of roads, tracks, communal buildings and other utilities on the property.
- To provide controls and protocols to ensure the protection and maintenance of heritage sites and sites of cultural significance on the property. These include the creation of heritage covenants on the two pa sites on the property.
- To establish a framework to ensure that the communal facilities provided at Ōmarino for the use of its residents, such as the recreation room and boating facilities, are used in a manner that respects neighbours in the Bay.
- To bring the requirements of the resource consents authorising the subdivision and development, and the New Zealand Historic Places Trust Authority, to the attention of property owners. (the relevant consents issued by the Far North District Council and the Northland Regional Council are attached as Attachment 4, to this Management Plan and

# ŌMARINO MANAGEMENT PLAN

---

the New Zealand Historic Places Trust Authority at Attachment 5).

## **2.0 ŌMARINO OWNERSHIP STRUCTURE AND RESIDENTS ASSOCIATION**

This Management Plan will be administered by the Ōmarino Residents Association (ORAI). All purchasers of an allotment are required, by virtue of their sale and purchase contract, to become a member of the ORAI. In addition, a covenant is placed on each of the titles in the subdivision, requiring that all owners are to be a member of the ORAI, and comply with the rules of the ORAI.

This Management Plan forms the basis of the residents association rules and is required to be implemented under those rules.

All members of the ORAI will have a copy of the Management Plan.

The ORAI shall comprise of Ōmarino land owners and will establish its own charter, budget and rules to give effect to the responsibilities outlined in this Management Plan.

An on-site caretaker shall be contracted by the ORAI for the day-to-day running of the property and to implement the duties and responsibilities as outlined in this Management Plan.

Owners of allotments within Ōmarino will have exclusive use of a “curtilage area” identified within each allotment on the development plan. Within each curtilage area a “buildable area” is identified, setting the boundaries on each site within which buildings can be erected.

In recognition of the desire to preserve the environment of Ōmarino and to protect and respect matters of historical and cultural significance, property titles for each of the 17 lots at Ōmarino are subject to the following covenants and/or consent notices:

- The areas outside of the exclusive use curtilage areas on each allotment shall be re-vegetated and maintained in accordance with the site rehabilitation plan and subject to a covenant in favour of the Far North District Council These areas will remain free of buildings and structures, other than allowing a drive to each lot and plant for wastewater disposal. The on-going management of these areas shall be the responsibility of the ORAI.
- All new buildings, additions and alterations to buildings and landscaping of the exclusive use curtilage areas shall be approved by the ORAI Landscape and Architecture Review Panel in accordance with the processes set out in this Management Plan. All owners are required to be a member of the ORAI.
- Consent notices on each of the property titles shall specify that no further subdivision of the individual allotments may occur.
- Covenants are placed on each title specifying that all buildings contained on each allotment will remain in single ownership and will not be sold, leased or otherwise disposed of. The covenant also restricts the location of buildings to within the “buildable areas” identified on the development plan.



# ŌMARINO MANAGEMENT PLAN

---

- A covenant applies to each of the allotments adjoining the coast specifying that the consent holder will not for the duration of this consent, erect, place, use or keep on the land defined below, nor permit any other person or organisation of any kind to erect, place, use or keep on the land any building, wharf, jetty, marina, boat ramp or facility associated with access to and across the coastal marine area boundary within a setback of 20 metres inland from the mean high water mark. This restrictive covenant specifically applies to Lots 1 – 11.
- Lots 3 and 10 are subject to heritage covenants, registered in favour of the New Zealand Historic Places Trust, to protect and preserve a historic Pa site on each of these properties.
- Where an allotment has an archaeological site, this will be recorded on the title of that allotment to ensure future owners are fully aware of its existence.

## 3.0 DESIGN GUIDELINES

### 3.1 Objective

Design Guidelines for buildings and landscaping at Ōmarino are included as Attachment 2 to this Management Plan. The Design Guidelines seek to ensure that the development of buildings, structures and landscaping have design integrity and are sympathetic to the landscape and character of the property as a whole.



**Photograph 2: Moturua Island**

The Guidelines cover the following matters:

- The establishment of an Architecture and Landscape Review Panel to review and approve all house and curtilage area landscape designs. Processes for approval are set out in the Design Guidelines.
- Controls on building scale (including maximum height of buildings) and form tailored to each site.
- Controls specifying appropriate roof forms, walls / fences / screens, materials, colour, service courts, pools and services.

# ŌMARINO MANAGEMENT PLAN

---

- Controls on both soft and hard landscaping elements of the curtilage areas.
- Controls on infrastructure, including signage, letterboxes and lighting.
- A description of the design approval process.
- Protocols for construction (to be read in conjunction with the protocols for site works included in Section 7.0 Maori Culture and Heritage).

## 3.2 Implementation

- (i) Implementation of the Design Guidelines will be the responsibility of the Ōmarino Residents Association. The ORAI will appoint an Architecture and Landscape Review Panel (ALRP), which will review and approve all building and landscaping proposals on the property.
- (ii) The following will be required to be presented to the ALRP for review and approval, prior to commencement of construction and/or submission of plans to the Council for resource or building consent approval:
  - a. All new buildings or structures on lots 1 – 17.
  - b. All external alterations or additions to buildings or structures on lots 1 – 17, other than regular maintenance and unless the ORAI is satisfied that such alterations or additions are sufficiently minor in extent as to not change the off-site (or general) appearance of the building or structure.

- c. All major landscaping on lots 1 – 17.

- (iii) The ALRP will be appointed by the Ōmarino Residents Association. The ALRP shall consist of no fewer than three qualified design professionals (at least two registered architects and a landscape architect) and an elected representative from the ORAI.

The process for approval of buildings and landscaping is set out in Section 7.0 of the Design Guidelines (see Attachment 2). All members are required by the rules of the ORAI to comply with the design approval process.

## 4.0 SITE REHABILITATION

### 4.1 Objective

To restore and enhance the natural character and ecological values of the property by revegetating all areas outside of curtilage areas, but excluding heritage sites and sites of cultural importance and utility/access areas.

### 4.2 Background

The application site at Ōmarino has undergone substantial land use change in order to return it to the vegetation that typifies the Bay of Islands. Initially a significant portion of the application site was a pine forest. Harvesting of an area of pines on the coast on the property was undertaken from December 2002 and completed in May 2003 with the last remaining pocket removed from the property in 2006. The land was then progressively revegetated with native

# ŌMARINO MANAGEMENT PLAN

---

revegetation using a selected composition of native shrub and tree species.

A detailed site investigation was undertaken by Boffa Miskell Limited in 2004 and identified seven discrete native vegetation groups/assemblages and one exotic pine forest.

These are:

1. Pohutukawa–kanuka forest
2. Kanuka–haekaro forest with some pohutukawa
3. Kanuka shrubland forest
4. Mixed coastal shrubland
5. Kanuka with some pohutukawa
6. Kanuka with pohutukawa and broadleaf forest
7. Freshwater wetland
8. Pine forest

The management approach at the property operates within a holistic view of the ecological parameters at hand. The staffing for all work was undertaken initially by on property staff under the guidance of Shane Hyde (of Ecoland Ltd) and Barry Gordon, the farm manager at Ōmarino. In addition to the areas of existing vegetation Ecoland Ltd has undertaken a substantial amount of revegetation in conjunction with Ōmarino personnel.

## 4.2.1 Revegetation Areas and Management

Previously, cattle were used to maintain all pasture areas at the application site, but have now been removed (as of February 2005) to allow for the uninhibited continuation of the full scope of the revegetation works. Revegetation is now complete.

The initial land preparation to provide for the implementation of planting utilised cattle to heavily graze planting areas as an initial site preparation and farm maintenance practice. After the first substantial rain all planting areas were sprayed. Sprayed areas were seeded with a lotus and clover mix, the rationale being to fix nitrogen, suppress weed growth and act as a short pasture medium into which planting can occur.

Following growth the lotus/clover mix, planting was undertaken. This planting occurred in Autumn, (dependant on weather conditions). All areas where the soil moisture is high were planted first, and those having low soil moisture were planted at a later date once the soil moisture increases.

Evidence of the health and vigour of planted native vegetation on the site indicates that the current process of planting and maintenance at the Ōmarino property is effective and is functioning well.

Plant mortality or establishment failure of native plantings sometimes occurs, particularly in planting operations of the size and scale that is being undertaken at Ōmarino. Any such loss of plants in excess of 10 percent and spread evenly over the site, shall be replanted with replacement native plants of the same species. Similarly, if large areas of planting fail, these areas are to be replaced in full. Areas that require replacement planting shall have

# ŌMARINO MANAGEMENT PLAN

---

these works undertaken during the winter planting season of the following maintenance year.

Planting undertaken since 2005 onwards has been staged to begin at the western end (back) of the property and progress forward to the entrance of the application site. The spacing for these plantings varied and was approximately 1 to 1.5 metres depending on the species.

As at August 2007, 897,000 plants had been planted on the property. The total number of plants for each year ins included on the Table in Appendix 6.

## 4.2.2 Existing Planting Specifications

Numerous different sized revegetation plants have been used on the property, these include the following:

- PB ¾, 2,3,5. (all species)
- PB 40,80 (pohutukawa and cabbage tree only)
- 7 cm tube (all species)
- 80 cm<sup>2</sup> (all species)
- Root Trainer (hardy species)
- Side sock pruner (hardy species)



**Photograph 3: February 2005**

Photograph 3 illustrates the nature of the 2005 plantings. The planting composition and mix is shown in Table 1.

Aside from this direct planting, a substantial quantity of seed is dispersed in an attempt to replenish the seed bank and promote natural regeneration. To date three kilograms of manuka seed, one and a half kilograms of kanuka seed and two kilograms of flax seed have been distributed widely across the existing revegetation areas.

Ecoland Ltd identifies that natural regeneration of kanuka, mahoe, clematis, mingimingi, karamu, matipo, whau, hebe, flax and rangaranga lilies has occurred, assisted by the removal of stock, and animal pest and weed control.

The planting at Ōmarino has consisted of a number of variations to the base composition; these are primarily based on the spatial proximity to the coast, slope, aspect and accessibility to water, together with the enrichment of existing native forest.

# ŌMARINO MANAGEMENT PLAN

**Table 1: Existing Planting Base Composition**

<b>FOREST PLANTING SPECIES</b>		<b>MIX %</b>
<b>Mass Planting Species</b>		
<i>Agathis australis</i>	Kauri	0.03
<i>Alectryon excelsus</i>	Titoki	0.16
<i>Aristotelia serrata</i>	Wineberry	0.29
<i>Arthropodium cirratum</i>	Rengarenga	1.02
<i>Beilshmedia tarair</i>	Taraire	0.07
<i>Carex spp</i>	Grasses	5.82
<i>Coprosma robusta</i>	Karamu	4.36
<i>Cordyline australis</i>	Cabbage Tree	1.16
<i>Coriaria sarmentosa</i>	Tutu	1.45
<i>Cortaderia splendens</i>	Toetoe	1.16
<i>Corynocarpus laevigatus</i>	Karaka	0.15
<i>Cyanthea smithii</i>	Ponga	0.22
<i>Dacrycarpus dacrydioides</i>	Kahitatea	0.03
<i>Dodonaea viscosa</i>	Akeake	1.16
<i>Entelea arborescens</i>	Whau	0.31
<i>Geniostoma rupestre</i>	Hangehange	0.03
<i>Griselinia littoralis</i>	Puka	0.84

<b>FOREST PLANTING SPECIES</b>		<b>MIX %</b>
<b>Mass Planting Species</b>		
<i>Hebe spp</i>	Hebe	1.74
<i>Knightia excelsa</i>	Rewarewa	0.15
<i>Kunzea ericoides</i>	Kanuka	10.18
<i>Leptospermum scorapium</i>	Manuka	58.30
<i>Melicytus ramiflorus</i>	Mahoe	0.76
<i>Metrosideros excelsa</i>	Pohutukawa	0.51
<i>Pittosporum crassifolium</i>	Karo	0.87
<i>Pittosporum eugenoides</i>	Lemonwood	0.87
<i>Pittosporum tenuifolium</i>	Kohuhu	0.73
<i>Phorium tennax</i>	Flax	5.52
<i>Plagianthus regius</i>	Ribbonwood	0.03
<i>Podocarpus totara</i>	Totara	0.45
<i>Pseudopanax arboreus</i>	Five Finger	0.87
<i>Rubus species</i>	Creepers	0.44
<i>Sophora microphylla</i>	Kowhai	0.22
<i>Vitex lucens</i>	Pururi	0.09
<i>Weinmannia silvicola</i>	Towai	0.02

(Planting composition continued)



# ŌMARINO MANAGEMENT PLAN

---



**Photograph 4: Well-established 2-year-old native planting at Ōmarino (2005)**

The use of a variety of plant sizes has allowed the contractor to better understand the dynamics of the site and plant specifications most suited to it. The use of various plant stock sizes has occurred due to the availability of different sized plant material from local nurseries and from stock produced on site. The different planting sizes are also reflected in their primary purpose (i.e. amenity trees or bush revegetation), along with the requirement for small and light plant grades for transporting to difficult planting sites, and the suitability of different plant grades for different species.

Initially a large quantity of plant stock was sourced externally from local nurseries. The sourcing of the plant stock has mainly been acquired from the on site nursery which undertook the majority of

the propagation itself. Local nurseries now act to supplement the on site nursery stock.



**Photograph 5: Edge and under planting of previously grazed manuka shrubland (2005)**

A combination of species have been utilised at a variety of locations over the site. In terms of site specificity these are, in the main appropriate for the site. Some of the *Hebe* species are not recognised as being specific to the site and the genetic origin of some pohutukawa material is also questionable. The effect of this is likely to encourage diversity and provide amenity at or near roadside edges. Despite this, their use will be discontinued with the exception of *Hebe stricta*, and *Metrosideros excelsea* sourced locally from naturally occurring specimens.

# ŌMARINO MANAGEMENT PLAN

---

The approach to plant size has been to use PB2 or PB3 sized plants for more sensitive plants and with PB<sup>3</sup>/<sub>4</sub> grade used extensively for hardier species. Other grades which have been used and trialled include PB5 / 7cm Tubes / 80cm<sup>2</sup> / RTT / Side sock pruners / PB40 / PB80 (as mentioned previously).

## 4.2.3 Maintenance and Weed Management

The major maintenance issue for the property is the control of kikuyu grass which is managed by release spraying of plants as required. Staff traverse the entire application site four times annually to conduct the required maintenance and enrichment planting with secondary succession planting species.

The current weed management regime consists of a vigilant identification and control approach, which is ongoing and includes numerous recognised weeds. These include convolvus, ginger, gorse, kikuyu, moth plant, pampas, ragwort, woolly nightshade and thistle species.

Gorse is controlled where it occurs in isolation, but where present within existing forest or revegetation it is left to act as a nurse crop for native species. Other species are controlled on an as required basis. Wilding Pines are removed.

## 4.3 Implementation

- (i) Implementation of the site restoration programme shall be the responsibility of the ORAI in accordance with the approved rehabilitation plan.

- (ii) The ORAI shall ensure it has sufficient funds for the establishment and ongoing maintenance of the planting, in accordance with the approved site rehabilitation plan.
- (iii) The site rehabilitation plan shall make provision for the following:
  - a. Native planting shall utilise the species, types and quantities set out in 4.4 (Revegetation Species Lists). These species will be planted at an overall average of 1.5 metre spacings.
  - b. Rehabilitation and re-vegetation of all cut and fill batters, exposed earth areas following earthworks, and the formation of private roads and access ways is to be undertaken in accordance with (a).
  - c. Rehabilitation and reshaping of the logging head platform is to be undertaken in accordance with Figures 23 and 24 of "Bentzen Farm", Folio of Drawings, October 2004.
  - d. The planting is to be completed within a date of no more than three years of the granting of resource consent.
  - e. Invasive weed control is to continue as per the existing methods identified in this Management Plan, both at the time of planting and on an ongoing basis.
  - f. Residents should be provided with an information booklet detailing and illustrating actual and potential animal and weed pests for the application site.

# ŌMARINO MANAGEMENT PLAN

- g. That only locally eco-sourced seed stock shall be used to propagate plants for supply and planting at Ōmarino.
- h. Planting around the margins of the Waipiro Bay wetland to provide optimum habitat for brown teal shall be followed as per the table titled “Freshwater Wetland Enrichment Revegetation Species List” in Section 4.4.
- i. Planting at or near archaeological sites shall occur in accordance with details specified in 4.6 “Planting and Archaeological Sites”.

## 4.4 Suggested Replacement Planting Composition

For any replacement planting, three discrete planting pockets have been identified as a guide to the existing composition and any additional works that will take place. All replanting with native species shall occur within three years of resource consent approval.

The geographical nature of the site and its interaction with the coastal environment requires a differentiation between some of the more exposed and sheltered planting areas. Three differentiations have been made in relation to the site being exposed coastal, inland coastal and wetland vegetation. These species lists are included as Tables 2-4.

**Table 2: Exposed Coastal Revegetation Species List**

Exposed Coastal Revegetation Species List		
Scientific Name	Common Name	% Composition
<i>Astelia fragrans</i>	Coastal astelia	1
<i>Coprosma macrocarpa</i>	Coastal coprosma	7.5
<i>Coprosma repens</i>	Taupata	7.5
<i>Coprosma robusta</i>	Karamu	7.5
<i>Cordyline australis</i>	Cabbage tree	5
<i>Corynocarpus laevigatus</i>	Karaka	2
<i>Cyperus ustulatus</i>	Cutty grass	2
<i>Dysoxylum spectabile</i>	Kohekohe	2
<i>Gahnia lacera</i>	Tarangarara	2
<i>Hebe stricta</i>	Koromiko	5
<i>Kunzea ericoides</i>	Kanuka	7.5
<i>Leptospermum scorapium</i>	Manuka	12.5
<i>Macropiper excelsum</i>	Kawakawa	2
<i>Metrosideros excelsa</i>	Pohutukawa	7.5
<i>Myrsine australis</i>	Mapou	5
<i>Pittosporum eugenioides</i>	Lemonwood	2
<i>Pittosporum umbellatum</i>	Haekaro	5
<i>Phorium cookianum</i>	Mountain Flax	2
<i>Phorium tennax</i>	Flax	7.5
<i>Podocarpus totara</i>	Totara	2.5
<i>Sophora microphylla</i>	Kowhai	2.5
<i>Vitex lucens</i>	Pururi	2.5



# ŌMARINO MANAGEMENT PLAN

**Table 3: Inland Coastal Revegetation Species List**

Inland Coastal Revegetation Species List		
Scientific Name	Common Name	% Composition
Beilschmiedia tarairi	Taraire	2
Beilschmiedia tawa	Tawa	2
Coprosma arborea	Mamangi	1
Coprosma macrocarpa	Coastal coprosma	7.5
Coprosma robusta	Karamu	7.5
Cordyline australis	Cabbage tree	5
Corynocarpus laevigatus	Karaka	5
Dysoxylum spectabile	Kohekohe	2
Gahnia lacera	Tarangarara	2
Geniostoma rupestre	Hangehange	2
Hebe stricta	Koromiko	5
Hoheria populnea	Lacebark	2
Knightia excelsa	Rewarewa	2
Kunzea ericoides	Kanuka	7.5
Leptospermum scorapium	Manuka	10
Macropiper excelsum	Kawakawa	2
Melicytus ramiflorus	Mahoe	5
Metrosideros excelsa	Pohutukawa	5
Myrsine australis	Mapou	5
Olearia furfuracea	Akepiro	5
Pittosporum umbellatum	Haekaro	2.5
Phorium tennax	Flax	5
Podocarpus totara	Totara	2
Pseudopanax arboreus	Fivefinger	2
Pseudopanax lessonii	Houpara	2
Vitex lucens	Pururi	2

**Table 4: Freshwater Wetland Enrichment Revegetation Species List**

Freshwater Wetland Enrichment Species List		
Scientific Name	Common Name	% Composition
Baumea juncea	Baumea spp.	7.5
Beilschmiedia tawa	Tawa	5
Blechnum minus	Swamp kiokio	5
Carex secta	pukio	7.5
Carex geminata	rautahi	7.5
Carex virgata	pukio	7.5
Cordyline australis	Cabbage tree	10
Cyperus ustulatus	Cutty Grass	7.5
Dacrycarpus dacrydioides	Kahikatea	7.5
Juncus pallidus	Giant rush	7.5
Leptospermum scorapium	Manuka	12.5
Phorium tennax	Flax	10
Isachne globosa	Swamp millet grass	5

## 4.5 Specific Lot Treatment

In addition to the above, large grade PB90-PB150 (i.e. 2-3 Metres high). Pohutukawa shall be planted in foreshore locations as generally indicated on the detailed house sites 1-11 in areas outside the garden/curtilage area. Details of this planting shall be forwarded to the Council for approval prior to implementation.

Furthermore a double row of Acacia melanoxylon shall be planted to the south of the house site on Lot 7 within the garden areas to provide a backdrop for future housing in this area. This planting will

# ŌMARINO MANAGEMENT PLAN

---

be removed once the native revegetation reaches the height of the rest of the house.

Additional interplanting of canopy specimens from Table 2 will be planted within existing kanuka areas around the house site on Lot 11. This shall include the following species – Cabbage Tree, Karaka, Kohekohe, Pohutukawa, Lemonwood, Totara, Kowhai and Pururi.

## 4.6 Planting and Archaeological Sites

All archaeological sites are to be maintained in their current state (grassed). Pits and midden (identified by archaeologists Rod Clough & Associates Limited) are required to have a buffer of 2-metres from their extremity to the surrounding land matrix. Both Pa sites identified at the application site will also be free of additional vegetation. Full details on planting and on-going management of sites of heritage and cultural significance are set out in Section 7.0 (Maori Culture and Heritage).

## 5.0 BROWN TEAL CONSERVATION MANAGEMENT INITIATIVES

### 5.1 Objective

To provide for the protection of brown teal on the property and the enhancement of its habitat.

### 5.2 Background

The New Zealand brown teal (*Anas chlorotis*) is an endemic species identified as “Nationally endangered” by the Department of

Conservation. This status stems from the fact that brown teal are a small population and have had moderate to high recent decline. The Northland region is the only brown teal stronghold on the mainland, with Great Barrier Island also a historical stronghold. Predators are a major element in the decline of the brown teal alongside the destruction, modification and removal of wetland habitat.



**Photograph 6: Illustrates the wetland site used by Brown Teal.**

The Brown Teal Conservation Trust has identified two sites within the Northland region that have the potential as mainland sites for re-establishing populations of brown teal. These two sites include the Purerua Peninsula, north of Kerikeri (and approximately 15 kilometres directly to Ōmarino) together with Parekura Bay immediately adjacent to the existing freshwater wetland of the

# ŌMARINO MANAGEMENT PLAN

---

Ōmarino property. Large numbers of brown teal were recorded at this roost site until the late 1990s. The last sighting of brown teal at Ōmarino was in 2002 when 4-5 pairs raised their young.

The freshwater wetland present at Ōmarino is approximately 2 hectares in size and is recommended for protection and enhancement to satisfy both requirements for brown teal and other waterfowl. This wetland is directly adjacent to Waipiro Bay and Parekura Bay, and therefore represents a significant opportunity to restore both the natural ecosystem and provide a haven for the endangered brown teal in years to come.



**Photograph 7: Illustrates the wetland and its proximity to Waipiro Bay.**

There are a number of critical requirements to allow brown teal to utilise the resources at hand. Firstly, and most importantly, brown teal require a protected habitat. Due to their susceptibility to pests and predators, a long-term control of cats, mustelids (ferrets, stoats, weasels) and rats must be seen as a priority. Other animals that can have serious effects on localised teal populations include the Australasian harrier hawk (predation), pukeko (predation of young) together with feral and domestic dogs.

The three key factors for brown teal habitat enrichment at Ōmarino are:

1. Elimination of all predators;
2. Provision of ample food and resources (invertebrates and aquatic vegetation); and
3. Protection and enhancement of habitat.

Brown teal are recognised to feed both diurnally and nocturnally being extremely active at night. Their feeding habitat is varied from within freshwater wetland environs, estuarine areas and within pastoral areas. In the wild their diet consists mainly of invertebrates, however other estuarine species are consumed such as fairy shrimps, snails, isopods, water boatmen, small shellfish, waterweeds, seeds and gravel. Whilst information on brown teal diet is not well documented, key invertebrate communities include all aquatic insects, insects with in-water larval stages, insects that do not enter the water but utilise wetlands extensively, and crustaceans.

Broad vegetation types that typify good brown teal habitat include many seed bearing plants and wetland vegetation such as

# ŌMARINO MANAGEMENT PLAN

---

kahikatea, tawa, titoki, raupo, rushes, sedges, grasses, ferns, flowering plants, and flaxes. Overhanging vegetation is also important for brown teal because it provides protection from aerial predation from the Australasian Harrier.

Predator control is understood to be the primary restoration goal for the brown teal. A comprehensive predator control program is recommended in section 6.0 this Management Plan and should provide the backbone for brown teal restoration efforts at Ōmarino.

Providing the required resources in a safe environment the attractiveness to teal populations by predator control and enrichment planting will increase utilisation of the available habitat and success of the brown teal populations.

## 5.3 Implementation

Relevant implementation measures for the protection of brown teal are included in Sections 4.3 and 6.3. A detailed planting plan has been prepared for the margin of the wetland including around the caretakers house, boatsheds, and along the access road to provide for the necessary benefit to enhance the brown teal habitat.

## 6.0 ANIMAL PEST AND PREDATOR CONTROL

### 6.1 Objective

To provide for a programme of pest and predator control in order to restore, enhance and maintain the natural character and ecological values of the property.

### 6.2 Background

The existing management has undertaken significant pest control within the application site and are anticipated to continue this control on an ongoing basis and through the ORAI. The following sections outline this in relation to specific animal pests or predators.

In time, the requirements in terms of mammalian pest control will encompass the following physical works:

- Rodent Control
- Possum Control
- Set-up and operation of a bait station buffer
- Set-up and operation of predator control traps
- Rabbit control
- Monitoring, reporting and approvals

#### 6.2.1 Possums

The Ōmarino property was heavily treated with Feratox (encapsulated cyanide) to control possums during 2003-2005. This pesticide was distributed heavily along boundaries and on or near significant pohutukawa trees.

Feratox application generally occurs every six months in October and in February. Pesticide is laid at these times for the following reasons:

# ŌMARINO MANAGEMENT PLAN

---

- In October pesticide application kills adult possums and the foetus within the female pouch.
- Applying pesticide in February coincides with increasing possum movement, thus combating the increased risk of colonisation at this time and removing invading possums.

Rodent control (rats and mice) is always undertaken prior to possum control. Rodents (particularly rats) will remove large quantities of Feratox possum pesticide and reduce the effectiveness of the control operation. Therefore, it is important to control rats prior to undertaking any possum control.

Several bait stations have been installed on the perimeter and are checked for bait take and maintained accordingly. Buffer control is undertaken within the adjacent pine trees (owned by Bentzen Farms Ltd). Cyanide paste has been used as the pesticide for this control in recent times.

As possums have been controlled to very low numbers across the site using feratox-encapsulated cyanide. The general timeframes from initial control through to a requirement for maintenance control is approximately 3-4 years, and native forest habitats can sustain a residual population of about 8% Residual Trap Catch Index (RTCI) before impacts on native forest become evident. With this in mind, maintenance control is likely to be required within the next 2-3 years and be undertaken to a level of a post control RTCI that is less than 5%, but ideally 2-3% or lower.

Possum control should be undertaken using Feratox encapsulated cyanide. These pellets are placed within a biodegradable bag with a small amount of ferafeed-lured paste. Bags (with pellets and lure inside) are stapled to trees and posts within areas of habitat (all

bush areas and significant trees), from which possums consume the pesticide and it becomes lethal. As outlined the possum population should be reduced to below 5% residual trap catch index. Feratox is a controlled pesticide and caution should be exercised when applying it near public access, dwellings, water bodies or adjacent to boundaries and warning signage shall be erected to advise of this risk.

The ORAI should consult with the Medical Officer of Health for the region and advise the Department of Conservation prior to undertaking these works with controlled substances.

Following possum control, residual populations can be measured using the Residual Trap catch method, a standardized index for possum population monitoring.

Bait stations should also be located approximately 50 - 100 meters apart and bordering adjacent habitat near the Ōmarino property boundary. Each bait station should be filled with approximately 750grams of pesticide and pulse fed on for one week every month. Bait stations shall be checked and filled as required and dependant on bait take.

## 6.2.2 Rodent Control

Prior to any control occurring at the application site, rats were present in large numbers. A combination of techniques has been employed to both maintain very low rat densities and prevent rat invasion from adjacent land outside the Ōmarino property.

The initial control application consisted of Pindone distributed in Feratox style bags that are stapled to trees. Ecoland Ltd advises that this has been very successful.

# ŌMARINO MANAGEMENT PLAN

---

The previous approach targeted rat access to the application site from the foreshore and its environs. Therefore at the extent of the property, bait stations have been erected within 100 meters of the high tide mark. Bait stations are treated with Pindone and Rackam pesticides at different times.

An attempt in 2005, to trap rats along the coastal foreshore was unsuccessful, and therefore is testament to the success of the current control program.

The recommended program for rodent control should seek to utilise pesticides like 'ditrac' or 'contrac' or similar suitable pesticide.

This pesticides should be distributed at a rate of 20 blocks per hectare. The procedure for deploying this pesticide is by simply nailing the block to trees or other objects away from stock and persons. Typically rodent control of this nature should be undertaken 2-4 weeks prior to a possum control operation.

### **6.2.3 Predators**

Aside from shooting (where predators are shot on an as seen basis), no specific control is currently undertaken. Ecolands records show that in 2005, two feral cats were shot in the preceding two-year period with few others being sighted. No ferrets have been seen on the site, but stoats and weasels have been sighted near built structures at the property in the past. Ecoland believes predators persist in low numbers at the site.

It is anticipated that mustelids are present in low numbers; however even at low levels, localised effects on native species can be severe. The farm manager caught and killed four juvenile weasels in 2005. No formal control operation is active at Ōmarino at this

time, however a mustelid control program has been recommended, and is outlined below. Significant sites for avifauna such as the wetland situated on lot 18 are recommended as valuable sites for a cat and mustelid-trapping program.

The most effective method of controlling cats and mustelids is by using kill traps. It is recommended that approximately 30 mark 6 double Fenn sets, with double covers and potentially 10 Connie bear traps (for cats) should be acquired for ongoing predator control at the site. The traps should be set in a series of lines along linear landscape features (ridges and fencelines etc).and will require checking and rebaiting weekly. Salted rabbit meat is recommended as bait. It is suggested that one of these trap lines focus around the area of wetland and Brown teal habitat.

Success is generally more common throughout the summer months when mustelids are more active, and as such control efforts should focus around this time.

### **6.2.4 Hedgehogs**

No control of hedgehogs occurs at the application site and no mainstream and targeted hedgehog control technique is recognised at this time.

### **6.2.5 Rabbits and Hares**

Rabbit control is undertaken by spotlight hunting and no hares have been seen on the site. The rabbit control operation is ongoing and whilst progress is being made, the contractor is aware that a sustained control effort is required. Tallies from kills in 2003 were in excess of 100 rabbits, compared to 2004 when 70 rabbits were shot. A concerted effort is likely to reduce rabbit numbers to very

# ŌMARINO MANAGEMENT PLAN

---

low levels. Observations at the site determined that low rabbit numbers exist at the application site at this present time.

Spotlight hunting and shooting is used as the most direct means of controlling rabbits. Combined with this is the application of pinedone and is undertaken around areas where rabbit scat and environmental damage is present. Pinedone should be laid on fresh turf spits and in specialized bait stations where rabbits are affecting plantings.

## 6.2.6 Pukeko

Pukeko have been a problem over past years because of their effects on ducklings and the damage they cause to native plantings. The population reduction of pukeko at the central wetland has resulted in a higher incidence of brown teal visits and successful breeding of teal at the application site. The removal of pukeko is seen as a major factor in the restoration of brown teal habitat and brown teal nesting success. Pukeko hunting is allowable with consent from Fish and Game. Alternatively pukeko can be trapped and released away from the restoration site.

## 6.2.7 Other Matters

Infrequently dogs from neighbouring residents visit the application site. This is a concern not only for the substantial faunal values present at Ōmarino but also for conservation within the wider district. Increased awareness of the sensitivity of the local ecology is recognised as a prudent measure to prevent any unnecessary species deaths.

In terms of ecology, anecdotal evidence of penguins nesting on the foreshore, and coastal skinks and geckos present on the foreshore, are indicators of successful pest control.

Resident cats will not be permitted, and dogs must be controlled (see implementation below).

## 6.3 Implementation

- (i) Implementation of the Animal Pest and Predator Control Programme shall be the responsibility of the ORAI and shall be undertaken in accordance with an approved programme.
- (ii) The ORAI shall ensure it has sufficient funds for the establishment and ongoing operation of the programme.
- (iii) The pest and predator control programme shall include the following actions:
  - a. Continued identification of animal pests and predators through on-going monitoring by the caretaker.
  - b. Possum and rat control shall continue to be undertaken using the existing methodology or a similar methodology approved by a suitably qualified expert.
  - c. Possum and rat control shall be conducted over the full extent of the Ōmarino property on an ongoing basis.
  - d. Monitoring of possum and rat populations over the entire property biannually and be used as a trigger for animal pest control.
  - e. A comprehensive predator control program be undertaken, focusing on existing areas where predators are observed, the central wetland and any additional areas significant to avifauna. This will

# ŌMARINO MANAGEMENT PLAN

---

require trapping, baiting, monitoring and maintenance of all traps.

- f. Pukeko populations shall be managed to low levels at or near Brown Teal habitat.
  - g. Dogs shall be restricted to a maximum of two per allotment and confined to the exclusive use area of each lot when in the company of the registered proprietor of that allotment or their invitee, or otherwise enclosed in an escape-proof enclosure and are required to be secured by way of a handheld leash when outside of this area.
  - h. Resident cats and mustelids shall not be permitted.
- (iv) During implementation of the programme, the ORAI's caretaker may, from time to time, require access to the exclusive use curtilage areas for the purposes of monitoring, trapping and safely laying bait for pests and predators.
  - (v) Access shall be by approval of the owner of the lot, or their nominated representative, and shall not be unreasonably withheld.

## 7.0 MAORI CULTURE AND HERITAGE

### 7.1 Objective

To protect, preserve and maintain areas of cultural or archaeological value.

### 7.2 Introduction and Overview

The Bay of Islands has a rich historical legacy. Evidence exists of Maori occupation on the subject site including two prominent Pa: Huirangi on Lot 10 and Te Korowhiti on Lot 3. The Ōmarino area also features evidence of occupation in the form of agricultural drains, food storage pits, a number of shell middens and Maori wahi tapu (sacred sites). These are an important heritage resource and have particular importance to local Maori. Owners are requested to respect these places.

There are several documented incidents of early European-Maori encounters in the vicinity of Ōmarino property. Although none of these historically documented incidents occurred on the property, the archaeological sites recorded suggest that a cautious approach is required in undertaking any buildings or earthworks. In addition, consultation with local Maori during the development phase of the subdivision, and a detailed site investigation by archaeologists engaged during the project development, has identified places of historical and cultural importance. The design of the subdivision and siting of buildable areas has taken account of and avoided these places.



# ŌMARINO MANAGEMENT PLAN

---



**Photograph 8:**

This section of the Management Plan sets out the procedures and protocols for ensuring that these areas are properly protected and respected. Because the property has such a rich historic legacy, as-yet undiscovered archaeological features may be discovered either during earthworks for the establishment or alteration of houses or simply be uncovered over time naturally. This section of the management plan also includes protocols and procedures to ensure minimal disturbance of any sites and ensure that proper processes are followed, including the legal requirements of the New Zealand Historic Places Trust (NZHPT).

## **7.3 Maori Principles and Key Values**

Local Iwi contributed in the planning stage of the Ōmarino subdivision proposal. They identified their fundamental principles for protecting and preserving cultural values.

### **7.3.1 Principles**

(i) **To Avoid Contact and Impacts**

Ultimately, best practice planning is required to avoid contact or intrusion in areas significant to Maori that may threaten or impact upon heritage and cultural values. Maori input into this plan aims to provide appropriate information to assist the ORAI with the future management and development of their property.

(ii) **Remedy Proposals**

In the event that a proposed activity or development suggests contact or impact to heritage and cultural values, remedying the proposal to avoid such contact or impact must then be approached. Residents are encouraged to discuss their proposals with local Maori prior to initiating any developments.

(iii) **Mitigating Negative Effects**

In the event that principles 1 and 2 cannot be achieved, negative impacts to heritage and cultural values is most certain. This is the least desired outcome as it contradicts the objectives of this management plan. In most cases, mitigating negative effects results in loss of values. It must be clearly understood that Maori do not favourably support

# ŌMARINO MANAGEMENT PLAN

---

mitigating negative effects therefore extensive discussions with Maori must be engaged for all proposals.

## 7.3.2 Koiwi (Human Remains)

Koiwi were often buried in areas throughout the Bay of Islands that have no identification as to their whereabouts. However, they are largely discovered along beach-front areas, at times in great numbers. As the property contains several fortified pa, there is a high likelihood that koiwi are buried within each bay on the Ōmarino property. To protect these values the management plan aims to provide buildable areas where developments can take place. Precautions must be taken along all coastal lots.

## 7.3.3 Maori Taonga and Wahi Tapu

Certain areas within Ōmarino are also significant to Maori and require protection. In particular, swamps, ridgelines, the foreshore above MHWS and wahi tapu (sacred areas) hold great historic and cultural value, although they are not yet registered archaeological sites. There are several swamp wetlands, ridgelines and wahi tapu located within the property and the management plan aims to protect these areas. The rules and procedures described in 7.4 Archaeology, will also apply in these areas, which are identified on the Development Plan in Attachment 1.

## 7.4 Archaeology

The ongoing protection, maintenance and integrity of heritage sites and matters of cultural importance is the responsibility of both individual lot owners in the development and maintenance of their properties, and is the responsibility of the ORAI in its management of the property as a whole. All recorded archaeological sites on the property are shown on the development plan included as

Attachment 1 to this Management Plan. The plan shows the location and maximum extent of all recorded archaeological sites on the property. Each site is given a unique reference number by the New Zealand Archaeological Association, and these are also shown on the development plan.

The two Pa on the property are protected by Heritage Covenant. The covenants are in favour of the NZHPT and set out limitations on the use and protection of these Pa in perpetuity.

In this case, the sites are fully protected in perpetuity whereby no developments may occur unless expressly authorised by NZHPT.

The resource consent deals with modifications to archaeological sites (refer to Attachment 4). A separate authority to modify has also been issued by the NZHPT and this also contains conditions on works on, or near archaeological sites (refer to Attachment 5).

## 7.5 Implementation

The implementation section is broken down into protocols and controls for the following:

- (i) Appointment of a representative on the ORAI to carry out a range of functions associated with these implementation measures;
- (ii) Identified archaeological sites;
- (iii) Works within private exclusive use curtilages which do not relate to known sites;

# ŌMARINO MANAGEMENT PLAN

---

- (iv) Works outside the private use cartilages which do not relate to known sites; and
- (v) Discovery of potential sites of archaeological or cultural value.

This section also includes guidelines for felling of pines in relation to archaeological matters. The section concludes with the protocols for consultation with Iwi representatives if changes are proposed to the Management Plan, and the contact details of relevant parties in relation to this section.

## 7.5.1 Appointment of a Representative

The ORAI shall appoint a representative(s) who will be responsible to oversee and advise residents of procedures with regard to this section of the plan. The representative(s) shall:

- (i) Register their contact details with the Maori contacts detailed in this plan and notify them should their contact details change at any time
- (ii) Ensure the Maori contact details are up dated annually
- (iii) Assist residents to engage in consultation with Maori for any proposed development in identified archaeological areas on the development plan, outside the exclusive use curtilages or in regards to any new discoveries of potential or actual areas of heritage or cultural importance.
- (iv) Advise all contractors and sub-contractors, caretakers or other persons on the property of the existence of the areas

and features shown on the attached plan ensure the areas and features are not disturbed.

- (v) Encourage residents to advise all contractors and sub-contractors, caretakers or other persons on the property of the need for a cautious approach in relation to works in other areas.
- (vi) Ensure residents understand the protocols to be followed in relation to undiscovered areas or features and that residents shall ensure all contractors and sub-contractors, caretakers or other persons on the property are also aware of such protocols.

## 7.5.2 Identified Archaeological Areas Identified on Development Plan

The purpose of the following is to set out the measures for implementation of the Management Plan in relation to those areas where there are identified areas of heritage or cultural importance on the Development Plan. The following rules shall apply to these areas:

- (i) No modification whatsoever of these sites may occur without approval firstly from the ORAI and from the New Zealand Historic Places Trust. Consultation must also be undertaken with Maori (contacts as identified in part 7.7 of this section). In this regard, the Historic Places Act 1993 requires that an authority to modify be obtained prior to any work that may damage or destroy on archaeological site or sites of Maori significance.

# ŌMARINO MANAGEMENT PLAN

---

- (ii) The areas shall be managed in accordance with Section 10 of the Historic Places Act 1993.
- (iii) The areas shall not be used for any purpose other than maintained in a generally open state, unless prior approval is obtained from the NZHPT for the site or part of the site to be vegetated.
- (iv) None of the following activities may be undertaken within the areas, without the prior approval of the NZHPT and consultation with Maori (contacts as identified in section 7.7):
  - a. The creation of any internal or external vehicle track or road or any walking track.
  - b. The erection of any building or structure.
  - c. The planting of trees or shrubs or vegetable garden.
  - d. The erection of fencing.
  - e. The construction or laying of any ditches, drains, pipes or cables below the surface of the ground.
  - f. Discing or ploughing or other earthworks.
  - g. Any digging or excavation in any way to or below the surface of the ground on any part of the area.
  - h. Any filling in of any trench, pit or other depression in the surface of the ground.
- i. Farm machinery will not be used on the areas
- j. The construction or laying of any concrete or asphalt surface
- k. Any grazing, retention or housing of any animal
- (v) Owners of lots containing areas with values will, as far as practicable:
  - a. Keep the heritage areas free from rubbish or other unsightly or offensive material;
  - b. Comply with the relevant provisions of the Biosecurity Act 1993 in relation to the control of environmental weeds and animal pests on the archaeological sites.
  - c. Avoid location of temporary structures or activities in proximity to these heritage areas.
- (vi) The ORAI will not allow any electricity or gas company, telecommunications company, mining company or other body or person to undertake any of the following activities within the areas unless the ORAI and NZHPT has first given its written consent and undertaken consultation with Maori (contacts as identified in section 7.7). to the proposed works:
  - a. The erection of any utility transmission line or facility or any variation in the alignment of the route of any such existing line or facility; and
  - b. The laying of any cable or pipeline in the ground; and

# ŌMARINO MANAGEMENT PLAN

---

- c. The carrying out of any prospecting, mining or quarrying for minerals, coal or other deposit on or under the land and involving activities to the same or greater extent as those defined as minimum impact activities under section 2 of the Crown Owned Minerals Act 1991.
  - d. The establishment of any transmitter, tower structure or beacon
  - e. Heavy machinery shall at all times be kept within the boundaries of the identified buildable areas and access roads, to prevent accidental damage to the areas. These activities will also be monitored by the representative appointed by the Association
  - f. Temporary fencing shall be erected to protect archaeological sites during construction of houses.
  - g. proximity to these heritage areas.
- (vii) No construction of buildings, or construction activity shall be located within 10 metres of the outer edge of any archaeological site protected by the NZ Historical Places Act.
- (viii) Conditions 10-18 of the Resource Consent, relate to works on, or near archaeological sites and should be referred to prior to any such works (refer to Attachment 4). The NZHPT Authority also contains conditions relating to works on, or near archaeological sites and should also be referred to (refer to Attachment 5).

## **7.5.3 Areas with Exclusive Use Curtilage which do not have identified archaeological sites**

Works within exclusive use curtilages (including buildable areas) which are not identified as archaeological sites on the development plan shall be undertaken in the following manner:

- (i) A cautious approach shall be exercised in relation to all works in exclusive use curtilages (including buildable areas) due to the rich heritage values of the area and the likelihood that further items of value may be discovered in use of the site. A cautious approach should particularly be taken when undertaking any works near ridgelines, near coastal areas or near identified archaeological sites.
- (ii) The original archaeological report for the site identified that any future earthworks on Sites 2, 6 and 11 should be monitored by an archaeologist.
- (iii) Heavy machinery shall at all times be kept within the boundaries of the identified buildable areas and access roads, to prevent accidental damage to undiscovered features in the exclusive use curtilage.
- (iv) Temporary fencing shall be erected during construction of houses or other works to minimise disturbance.

Please refer to section 7.5.5 regarding the protocol to adopt in relation to discovery of potential features of archaeological or cultural value.

# ŌMARINO MANAGEMENT PLAN

---

## 7.5.4 Areas Outside Exclusive Use Curtilages

All areas outside the exclusive use curtilage areas are protected by way of covenant in favour of Far North District Council.

- (i) All proposed activities must be presented to the ORAI for approval.
- (ii) The ORAI representative(s) shall seek advice from NZHPT with regard to unrecorded archaeological areas prior to initiating the project.
- (iii) The ORAI representative(s) shall seek advice from the Maori representatives to identify best practice methods for the proposed development.

Please refer to section 7.5.5 regarding the protocol to adopt in relation to discovery of potential new archaeological features or areas.

## 7.5.5 Discovery of Potential Archaeological Sites/Places of Cultural Value

In some instances, such as natural erosion, archaeological material or koiwi may become unearthed. If subsurface evidence (e.g. pipi shell or other shellfish material, signs of charred wood and rock and any other material which may indicate possible historic activities or bones of any kind) should be unearthed during earthworks or construction, earthworks, other activities or natural events, the following protocol shall be followed:

- (i) Work shall cease in the vicinity of the remains immediately. Maori remains shall not be removed from their resting place and no other archaeological items shall be removed.

- (ii) The person undertaking or monitoring the works shall contact the NZHPT. If the archaeological remains relate to Maori occupation of the land, then the Iwi contacts (on the list at the end of this section) shall also be advised. If the remains are koiwi then the New Zealand Police, NZHPT and local Iwi shall be advised; in that order.
- (iii) No work shall resume around the area of the remains until the following procedure has been undertaken and the approval of the New Zealand Police, NZHPT and Iwi (contacts as identified in section 7.7) has been obtained as required.
- (iv) Local Iwi have identified sites on the property for the placement of archaeological remains and re-interment of koiwi (urupa). Any koiwi uncovered on the property shall be interred in these locations by Iwi and in accordance with their cultural requirements. Property owners shall allow access to the urupa for the re-interment of koiwi and shall respect and not disturb these places.
- (v) Unless otherwise approved by local Iwi, archaeological remains shall stay on the Ōmarino property in depositories approved by local Iwi. Property owners shall allow access to these for the placement of archaeological remains and shall respect and not disturb these places.
- (vi) The Residents Association, in conjunction with local Iwi, shall keep a record of koiwi and archaeological remains interred on the property, including their locations.
- (vii) Residents shall advise all visitors to their properties of areas that should not be disturbed.

# ŌMARINO MANAGEMENT PLAN

---

## 7.6 Changes to the Maori Culture and Heritage Section

No changes to the Maori Culture and Heritage section of this Management Plan may occur without full consultation from local Iwi representatives and NZHPT. No change to this Management Plan should be contrary to the resource management purpose of this document or the consent granted for the proposal.

- (i) The ORAI shall notify the Iwi representatives and NZHPT as identified in part 7.7 of this section of any proposed changes and shall invite the parties to meet and discuss them.
- (ii) The ORAI shall give the parties reasonable notice of no less than two weeks, of any such meeting.
- (iii) Should any alterations or additions be made to any other section within the Management Plan which affects the objectives, procedures and protocols detailed in this section, whether complimentary or other, a copy of the changes shall be sent to NZHPT and Iwi for comment prior to the change taking effect.
- (iv) Should any alterations or additions contradict the objectives or procedures or protocols of this plan, NZHPT and Iwi can notify the ORAI in writing to request a meeting. The ORAI shall make available their time to meet with the parties to discuss the issues and seek resolve.

## 7.7 Contact Details

This section of the Management Plan details procedures and protocols which involve local Maori and the New Zealand Historic Places Trust. At present the key contact people in this regard are as follows:

### New Zealand Historic Places Trust

Dr Marianne Turner, Regional Archaeologist Northland  
PO Box 836  
Kerikeri  
Telephone: (09) 401-7947  
Facsimile: (09) 407-3454  
Mobile: (027) 249-0864  
Email: [mturner@historic.org.nz](mailto:mturner@historic.org.nz)

### Iwi Contacts:

(The ORAI representative shall keep the following contact details updated as described in section 7.5.1).

### Ngati Kuta Hapu Resource Management Unit

Helen Mountain Harte / Marara Te Tai Hook  
Email: [helen-harte@xtra.co.nz](mailto:helen-harte@xtra.co.nz)  
[mkhook@xtra.co.nz](mailto:mkhook@xtra.co.nz)

### Patukeha

Richard Witehira  
Email: [mosricw@slingshot.co.nz](mailto:mosricw@slingshot.co.nz)

# ŌMARINO MANAGEMENT PLAN

---

Ngatiwai Trust Board Resource Management Unit  
Hori Parata/Fiona Davidson  
PO Box 1332  
Whangarei  
Phone: (09) 430-0939  
Facsimile: 4380-0182  
Email: [ngatiwai.rmu@xtra.co.nz](mailto:ngatiwai.rmu@xtra.co.nz)

- (iv) The Ōmarino caretaker shall be available to respond to any complaints from neighbours about unreasonable noise arising from activities within the recreation room and shall ensure that the room is used in a responsible and neighbourly manner at all times.

## 8.0 COMMUNAL PROPERTY MANAGEMENT

### 8.1 Objective

To provide for the maintenance of the Ōmarino property and assets to meet the needs of its property owners and ensure that the use of the communal boating facilities is undertaken in a neighbourly manner.

### 8.2 Implementation

- (i) Use of the recreation room and accommodation units at Waipiro Bay shall be with the approval of the caretaker and subject to availability.
- (ii) These facilities shall only be available to owners at Ōmarino and their invitees.
- (iii) The recreation room shall not be used for meetings, gatherings or parties between 10pm and 9am. Between these hours, the room shall only be used for quiet activities relating to boating and fishing. Amplified music likely to disturb other residents in the Bay shall not be permitted between the hours of 10pm and 9am.



# ŌMARINO MANAGEMENT PLAN

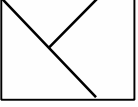

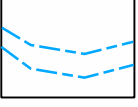
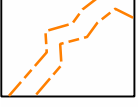
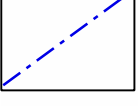

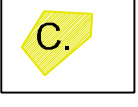




---

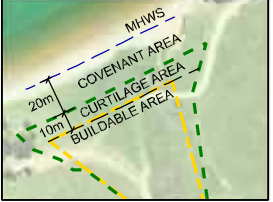
## ATTACHMENT 1: ŌMARINO DEVELOPMENT PLAN



Te Korowhiti Rock



-  Lot Boundaries
-  Public Access Easement boundary
-  Right of way boundaries
-  Walkway and service access
-  Site boundary
-  30m setback from MHWS
-  Caretaker's residence
-  Buildable areas
-  Curtilage areas/ exclusive use areas
-  Maximum extent of Archaeological sites or features
-  Heritage Covenant areas



Typical Relationship with MHWS (Lots 1,2,4,5,6,8,9,10)  
30 metre setback diagram

# Tai Awhi Awhi Development Plan

# ŌMARINO MANAGEMENT PLAN

---

## ATTACHMENT 2: ŌMARINO ARCHITECTURAL DESIGN GUIDELINES

ŌMARINO PROPERTY  
ARCHITECTURAL DESIGN GUIDELINES  
2 October 2007

**petebossley**

ARCHITECTS LTD

---

## 1.0 VISION

The unique feature of the Ōmarino Property is that it combines the spectacular coastal landscape and beaches of the outer Bay of Islands with existing and regenerating native bush on a scale rarely seen privately. The principal objective for the development of the Ōmarino Property is to preserve and enhance the quality of its natural assets and visual amenity and make them available to the owners, family and friends to enjoy collectively as a community.

The Ōmarino Project development offers the opportunity to create something out of the ordinary, a beautiful place with irresistible appeal. The purchaser has the opportunity to be part of a positive regenerative process and enjoy the results of those processes. These include the long term stewardship of the land, provision of a legacy of which one can proud and being part of a unique environment unlike any other in the area.



Ōmarino Property – View of the Northern Slopes



## **2.0 PURPOSE OF THE GUIDELINES**

### **2.1 WHY?**

These architectural and landscape guidelines are intended to protect and enhance the unique qualities of the Ōmarino environment. To ensure that the development of the buildings, structures and landscape have design integrity, are sympathetic to the landscape and the character of the property as a whole. Most of the buildings are not visible to the public (nor other residents in many cases) from viewpoints on land. However they will be visible from the sea and it is important that the values and intentions of the development be expressed in built forms that do not detract from the natural character of the coastline.

### **2.2 WHO DECIDES?**

The Ōmarino Residents Association consisting of the owners of the property, will appoint the 'The Architecture and Landscape Review Panel' (ALRP). The ALRP shall consist of no fewer than 3 qualified design professionals (two registered architects and a landscape architect) and an elected member from the Ōmarino Residents Association to review and approve all new architectural and landscape plans. Approval from the panel must be obtained before applying to the council for any Resource or Building Consent. Refer to Section 7.0.

### **2.3 PROFESSIONAL DESIGN**

All buildings will be designed by a Registered Architect (registered by the NZAERB or foreign equivalent). Standard builder designs, catalogue, relocated or kitset homes will not be permitted. Landscaping will be designed by a recognised Landscape Designer or Landscape Architect.

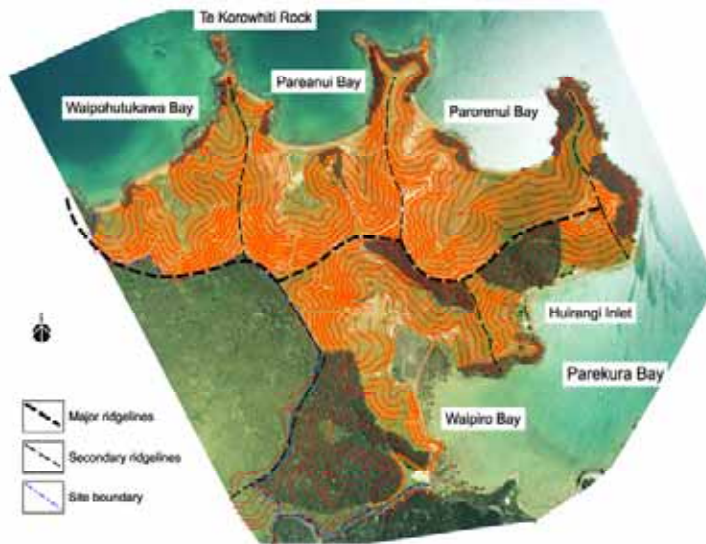
### 3.0 SITE

#### 3.1 EXISTING QUALITIES

The coastal block of the Ōmarino property, the site, occupies land forming the western mouth of Parekura Bay including the western shore of Waipiro Bay, Huirangi Inlet, Parorenui Bay, Pareanui Bay, Te Korowhiti Rock and Waipohutukawa Bay at the western extent. The northern coastline of the site, in line with the character of much of the southern coastline of the Bay of Islands, comprises rocky headlands interspersed with small bays and sandy beaches. Distinct headlands form the three named bays on the northern coastline of the property. An area of mangroves is found in the upper reaches of Waipiro Bay.

The topography of the site is of a steeply undulating ridge, gully and basin landscape. A dominant east-west aligned ridgeline runs parallel to the northern coastline, with steep slopes to the north of this ridgeline having an exposed coastal aspect across the Bay of Islands, and land to the south having a more sheltered aspect onto Waipiro and Parekura Bay to the east. A number of secondary ridges delineate catchments or basins within the site.

Established indigenous vegetation within the site is mostly located along the coastline, in the form of pohutukawa fringed headlands and coastal slopes supporting indigenous shrub land. Larger blocks of shrub land are located on the east facing slopes of the property, with a remaining pine plantation situated in the southern corner of the property.



### 3.2 CONCEPT FOR THE INDIVIDUAL SITES

The Ōmarino Project is a premium residential enclave containing 17 house sites. These sites have been selected to ensure that all owners enjoy both privacy and also the natural beauty that the site has to offer. The sites have a designated buildable area (refer to the Ōmarino Management Plan, Attachment 1 figure 7, Ōmarino Development Plan, prepared by Boffa Miskell Ltd). Each site has its own particular characteristics including:

- landform
- vegetation
- access roads
- foreshore setbacks
- adjacency to archaeological sites
- location on the property
- views to and from the sites

The sites can be generally divided into 6 types:

- |                        |   |
|------------------------|---|
| -Coastal / Bay         | -These sites are characterised by being located in one of the many bays on Ōmarino property and have direct and easy access to the water. Sites included in this type are; 1, 2, 4, 6, 8, 9, 10.              |
| -Headland              | -These sites are the most visually prominent and have spectacular views out to sea. Sites included in this type are; 7, 11.   |
| -Ridge                 | -These sites also have expansive views but are more inland with a backdrop of native bush. Sites included in this type are; 5, 12,15,16,19.   |
| -Edge                  | -These sites are located on a relatively steep slope directly above the water. Sites included in this type are; 3.  |
| -Southern Bay Hillside | -These sloping hillside sites although set back from the water still have beautiful but more intimate views across Waipiro Bay. Sites included in this type are; 14.  |
| -Existing Homestead    | -These sites are located in Huirangi Bay where there is an existing colonial homestead. The existing character of this site and buildings should inform any development. Sites included in this type are; 17. |



## 4.0 BUILDING DESIGN

The architectural design principles aim to assist in the creation of a unique environment of contemporary architecture attuned to unpretentious relaxed living. The architectural design principles are:

- Development that enforces the idea of stewardship of land: with structures that work with the landscape rather than against it and make consideration to long term responsibilities.
- Buildings that relate to and enhance the setting and landscape.
- Integration between the building and the immediate landscape i.e. siting to be naturalistic.
- Aesthetic controls aimed at achieving coherence between buildings and the landscape and each other.
- Consideration that at numerous locations on the water several of these buildings will be visible at the same time.
- All buildings to have views and appropriate exposure/shelter in relation to sun, wind, views etc.

## 4.1 STYLE

One of the main aims of the Ōmarino Project is to promote harmonious integration of buildings with the landscape and each other. Architectural expression that reflects the uniqueness of the landscape and the place will be encouraged. Replication of historical or regional architectural styles (e.g. "Tudor", "Colonial", "Balinese" etc) is not permitted. Architects are encouraged to contribute to the development of a recognisable architectural context.

The architecture should be informed by:

- the context
- the nature of the site
- views
- sun and prevailing winds
- visibility from near and distant viewpoints.

## 4.2 BUILDING SCALE + FORM

The building scale, mass, and form will be dependant on the site type and location. Designs that reduce mass and visual impact are preferred. Please note that the following will apply to all sites:

- Site Coverage –maximum site coverage is to be 10% of the lot area.
- Height variation may be permitted on a case by case basis but not greater than the District Plan Height Controls.

### 4.2.1 Coastal / Bay - Sites: 1, 2, 4, 6, 8, 9, 10

The open coastal edge position of these sites, often with streams, water courses, and wetlands lends itself to building designs which recede and integrate into this sensitive environment.

Scale: -Single level or split level buildings with a maximum rolling height of 5 metres relative to original ground level.

Form: -Variation in form and/ or materials is encouraged to reduce the scale of buildings, for example wall panels separated by areas of glazing or different materials and colour.  
-Forms that accentuate the horizontal identifying a connection with the ground are appropriate.

Forms that accentuate the horizontal



Rifkind House - Williams & Tsien Architects



Williams House – Emerson Stewart Williams Architects

#### 4.2.2 Headland - Sites: 7, 11

Given the open and exposed position of these sites, which are visible from the water and beyond, buildings which are low and nestled into the ridge are appropriate.

Scale: -Buildings visible above the ridgeline have a maximum rolling height of 4 metres relative to original ground level. Further no part of any building, excluding chimneys, is to exceed a level of 36.0M above sea level.  
-Buildings set down from the ridge or headland as described below will have height assessed on a case by case basis, but height will not be greater than that allowed by the district plan.

Form: -The form of the building can be a single element or multiple elements depending on preference, however variation in form and materials is encouraged to reduce the scale of the building, for example, wall panels separated by areas of glazing or different materials and colour.  
-If the building takes the form of multiple elements there should be a relationship between those separate elements so that they read as a cohesive group of buildings and part of a 'household unit'.  
-Forms that are set down from the top of the ridge or headland so that planting and ridge are visible behind and above the building may be able to be stepped or split level forms cut into the hillside however, the horizontal, rather than the vertical built form should be the dominant element.

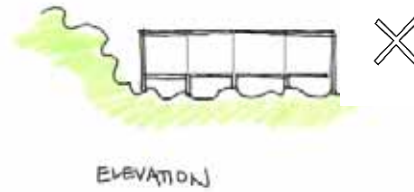
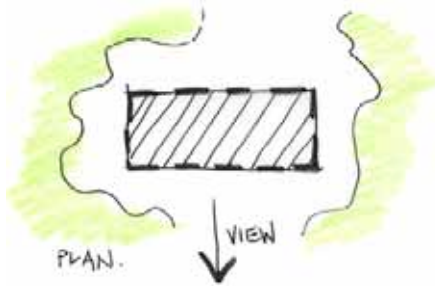


Casa Jax – Rick Joy

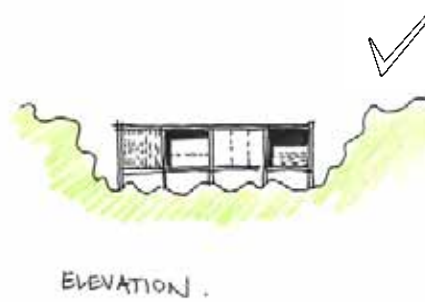
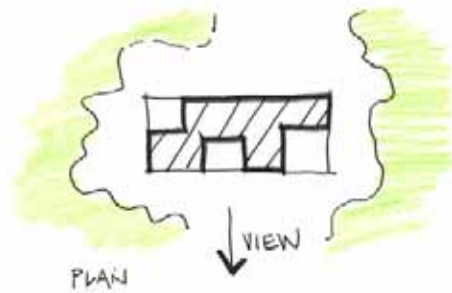


De Blas House – Alberto Campo Baeza + Raul del Valle

Variation in form and composition reduces the scale of the building.



This building presents a solid mass with flat facades and no overhangs. The mass is accentuated.



This building has an articulated form which results in overhangs creating shadow lines. Materials are varied to break up the form.



Fenn House – William Beckett

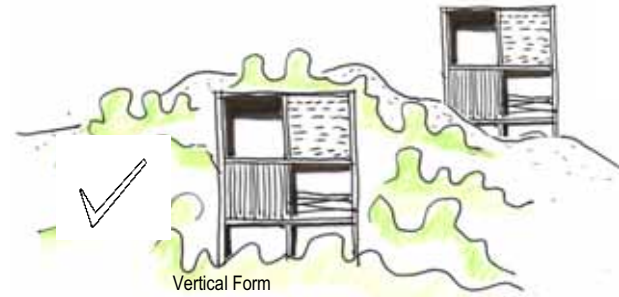


Americano House – Oswaldo Bratke

Variation in form and materials.



Horizontal Form



Vertical Form



Buildings set down from the ridge or headland with a stepped form where the horizontal rather than the vertical form is dominant.



Johnson House BSPL Architects

#### 4.2.3 Ridge - Sites : 5, 12, 15, 16, 19

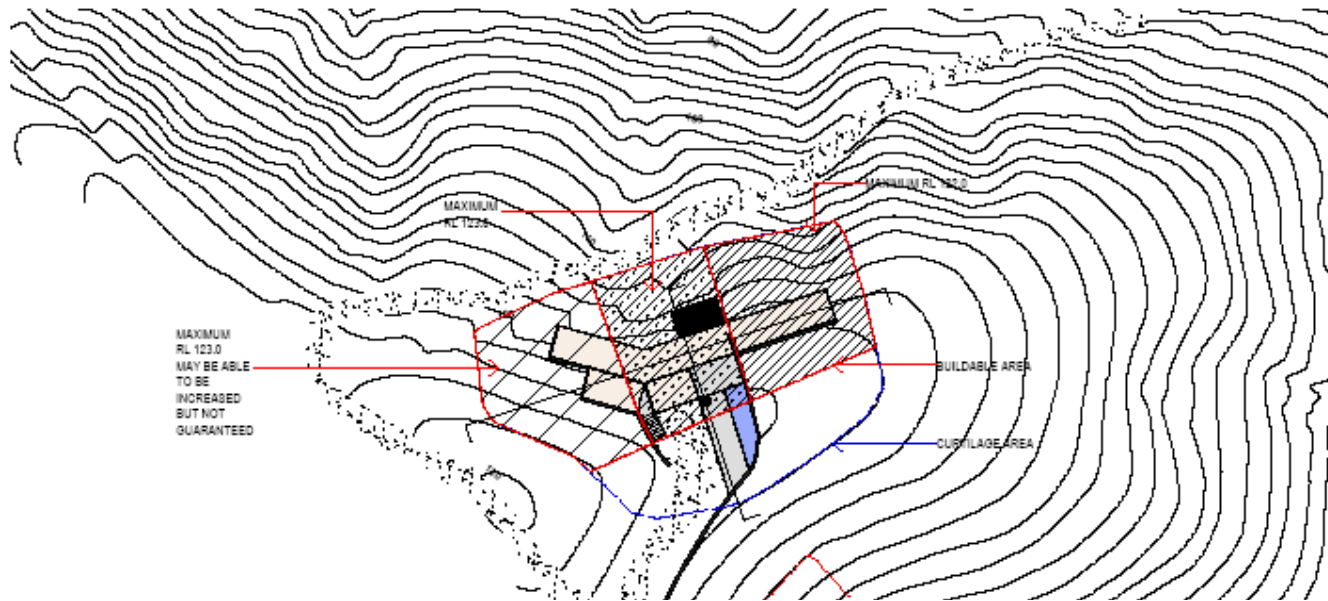
These sites are located on seaward slopes above the northern facing bays. The buildable areas are below the ridgelines and set back from the water. Some backdrop of native bush is currently present and will be greatly expanded under proposed regeneration of native vegetation on the property.

- Scale:
- Visibility of buildings above the ridgeline is prohibited as illustrated in “Vertical Form” on page 9.
  - On site 5 buildings set down from the ridge or headland as described below will have height assessed on a case by case basis, but height will not be greater than that allowed by the district plan.
  - On site 12 a maximum rolling height of 4 metres relative to original ground level applies.
  - On site 15 a slightly more generous maximum rolling height of 5 metres relative to original ground level applies because of the tightness of the buildable area and maximum RLs. No part of the building is to be visible above the ridgeline, hence at the eastern end of the buildable area a maximum R.L of 122.0 M above sea level applies. For the rest of the buildable area the building must not exceed a maximum R.L of 123.0 M above sea level, refer to diagrams below. There may be (but not guaranteed) an opportunity to raise this level at the western end of the buildable area where the building will be read against the knoll and as illustrated in the possible configurations diagrams for site 15, but this will be assessed on a case by case basis and subject to resource consent .
  - On site 16 a maximum rolling height of 4.5 metres relative to original ground level applies but no part of any building is to exceed a maximum R.L of 118.0 M above sea level, refer to diagram below.
  - On site 19 a maximum rolling height of 4.5 metres relative to original ground level applies but no part of any building is to exceed a maximum R.L of 83.0 M above sea level, refer to diagram below.
- Form:
- Forms that are set down from the top of the ridge so that planting and ridge are visible behind and above the building may be able to be stepped or split level forms cut into the hillside however, the horizontal, rather than the vertical built form should be the dominant element.

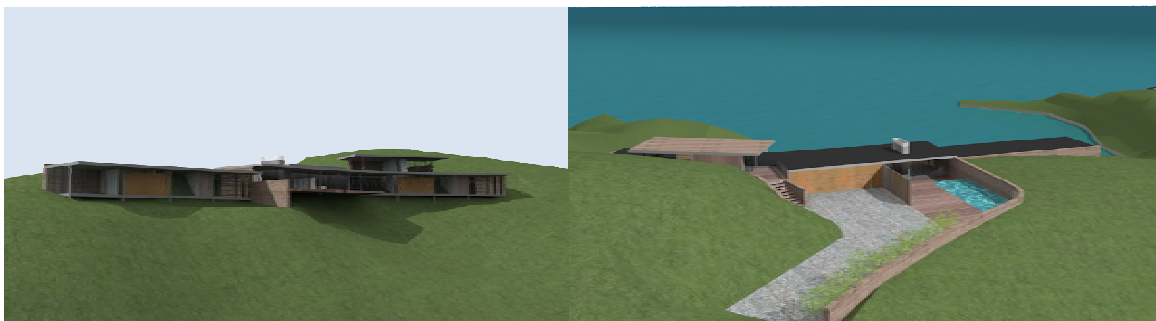


Seresin House - Pete Bossley Architects

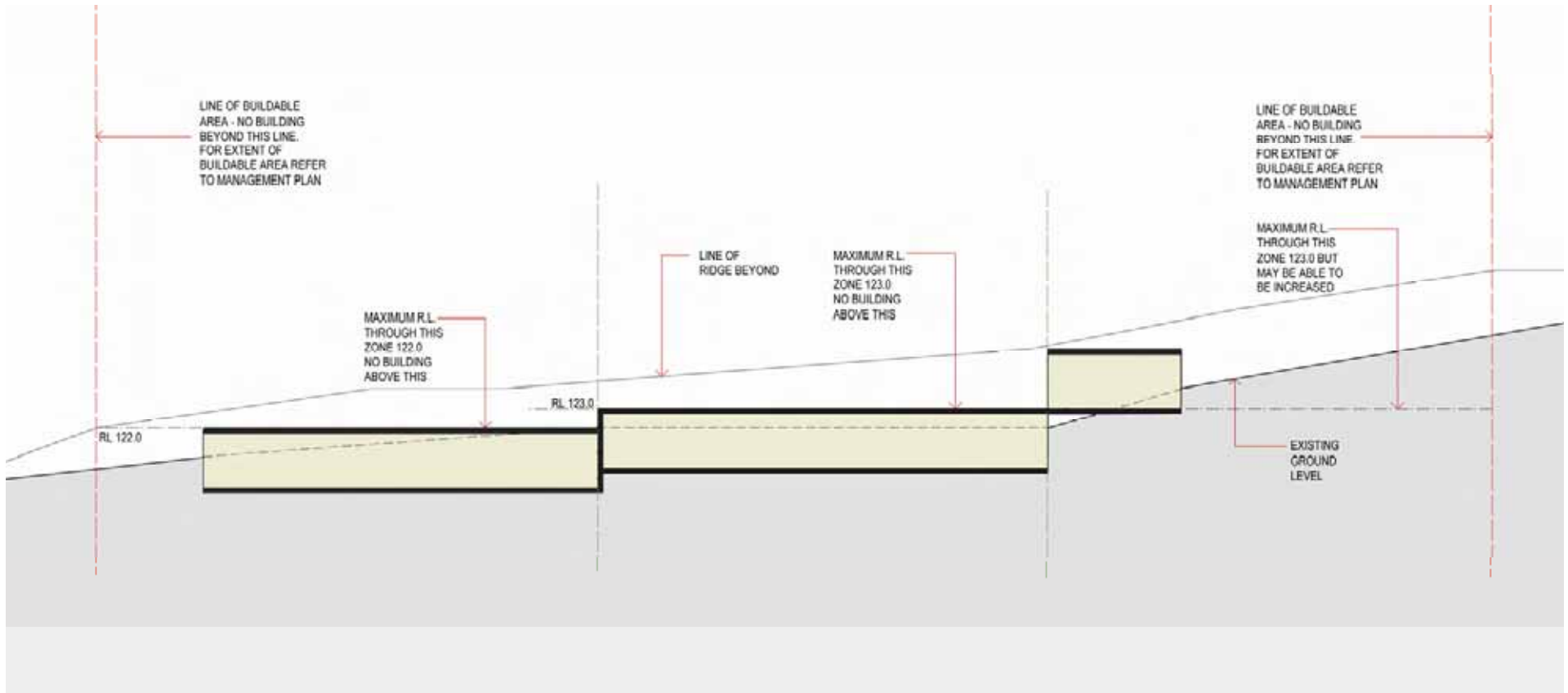




Site 15 Plan showing the buildable area and where the different maximum RLs apply

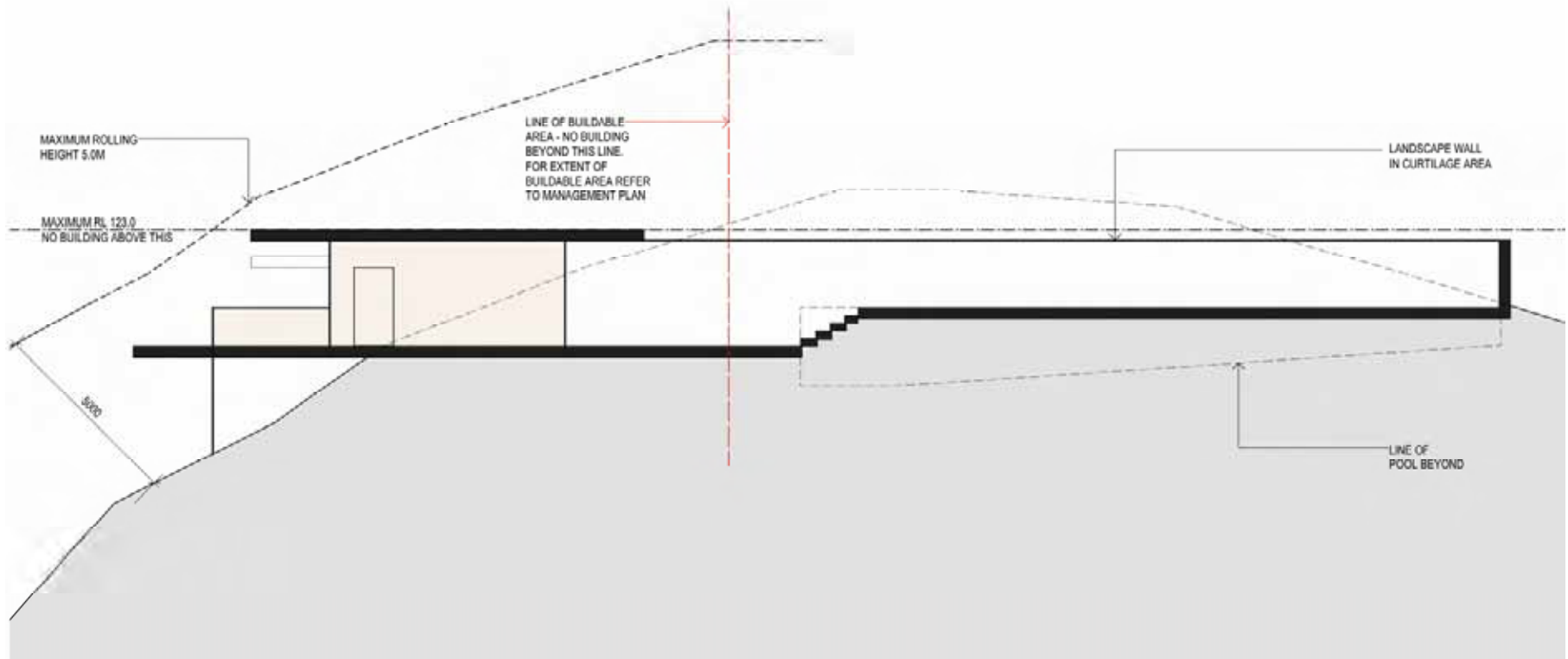


Site 15 Possible configurations for the building (note trees not shown for clarity)

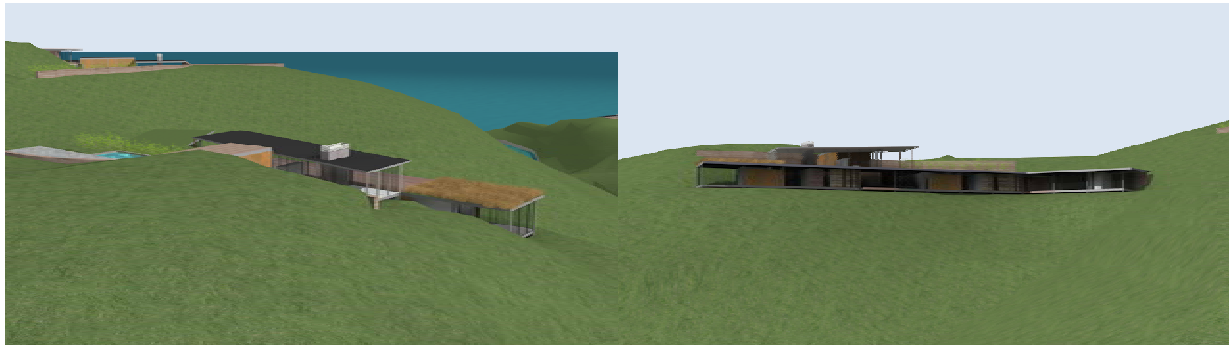


Site 15 Long Section showing different maximum RLs and where they apply

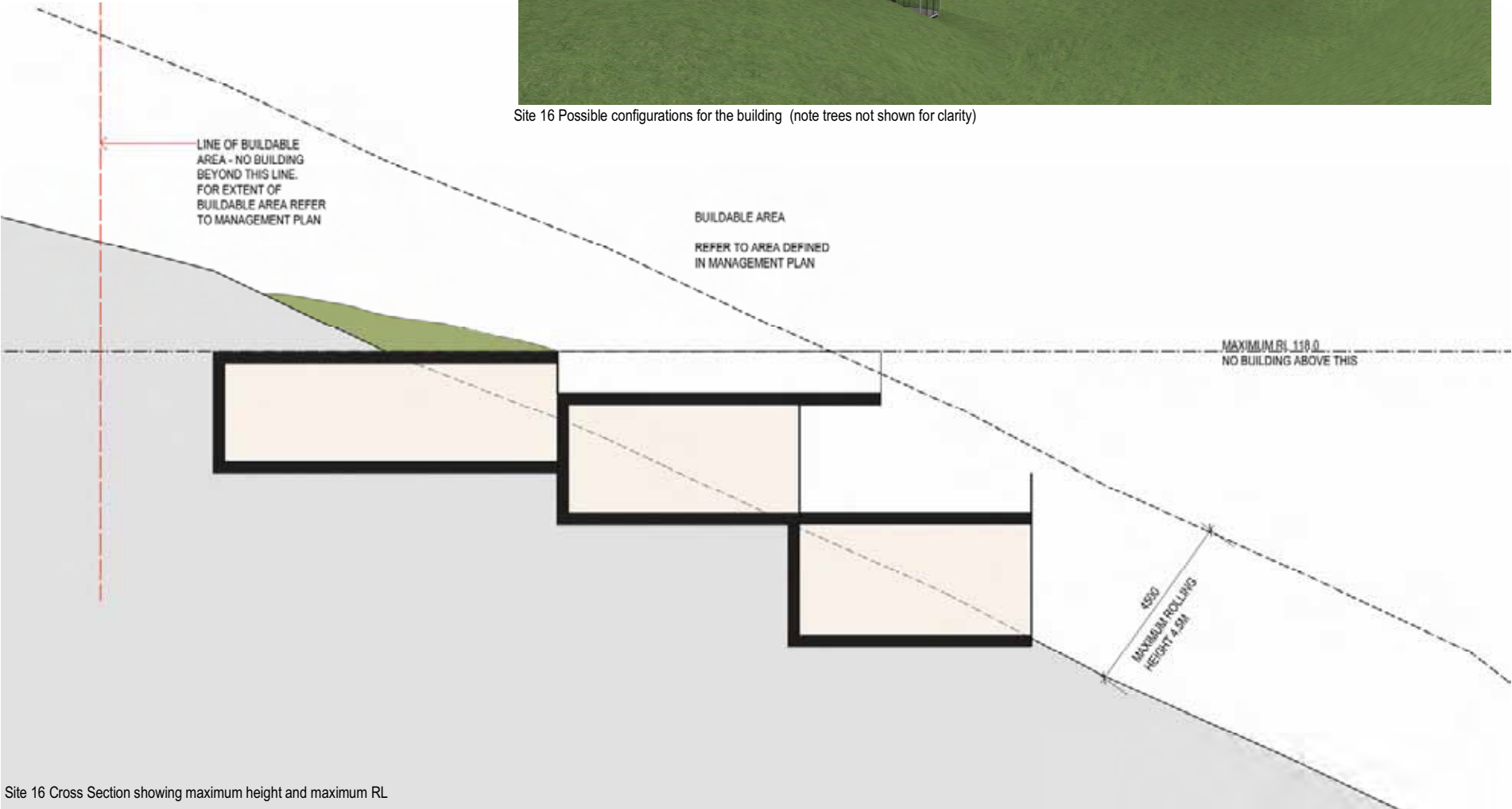




Site 15 Cross Section showing maximum height and maximum RL



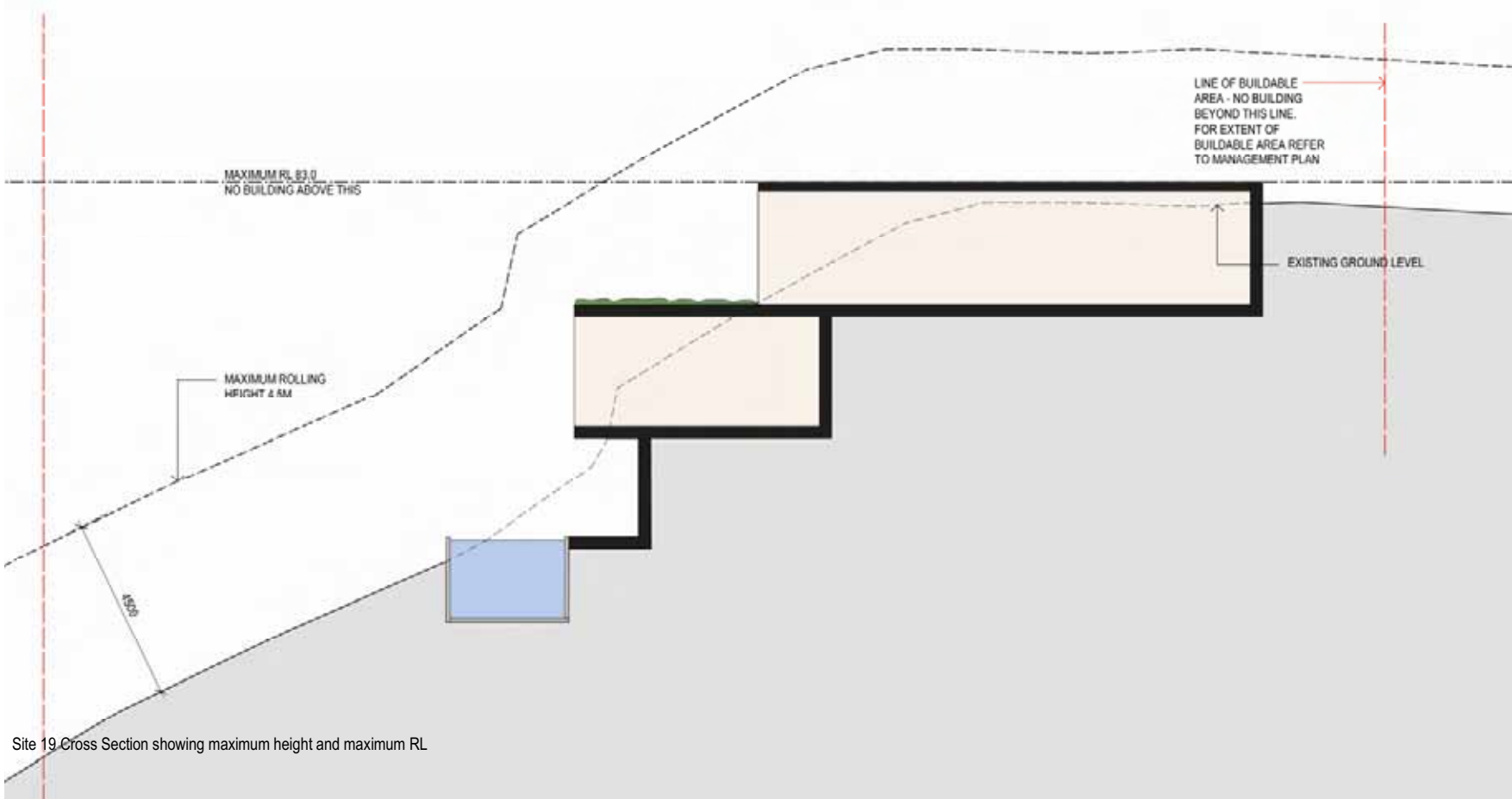
Site 16 Possible configurations for the building (note trees not shown for clarity)



Site 16 Cross Section showing maximum height and maximum RL



Site 19 Possible configurations for the building (note trees not shown for clarity)



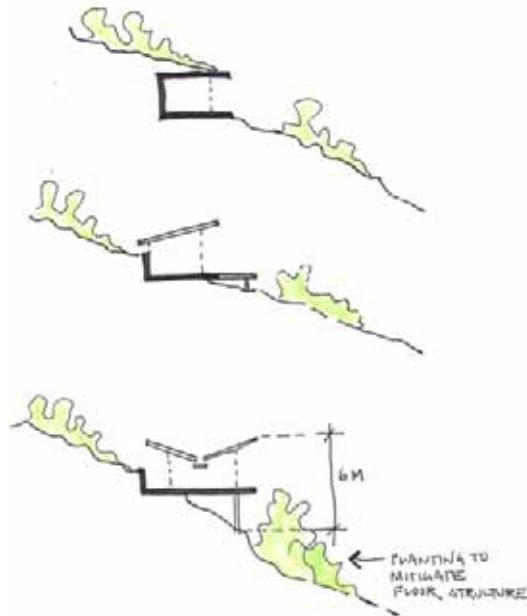
Site 19 Cross Section showing maximum height and maximum RL

#### 4.2.4 Edge - Sites: 3

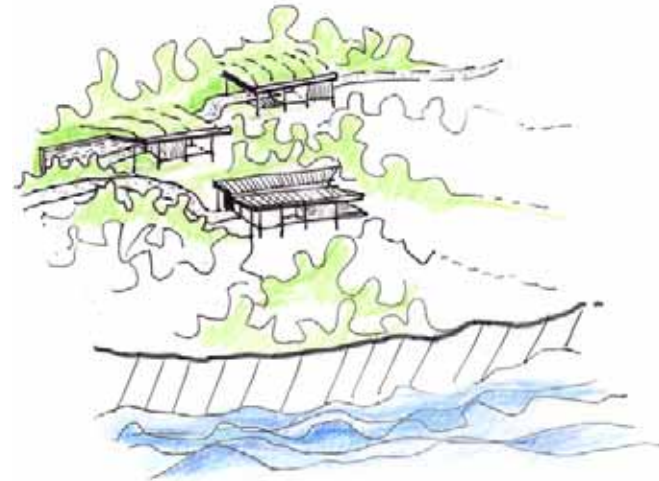
There are two aspects to this site; the steep sloped area relatively higher up and the lower portion of the site which nestles in behind the existing trees. If the position of the building platform is on the relatively steep slope above the water this calls for building designs that integrate the built form into the inclined topography, as follows:

Scale: -Single level buildings with a maximum rolling height of 6 metres relative to original ground level.  
-Note: Exposed floor structure will need to be mitigated so that it is not visible from the water.

Form: -Broken forms that allow the native bush to grow in and around structures are appropriate for these sites as a single form will be too dominant from the water. The multiple forms should have open space between them as they step up and/or across the site but can be linked by a walkway or covered link which has a maximum width of 2 metres.



Multiple forms with open space between them as they step up and across the site allowing the bush to grow in + around them.



Buildings that integrate with the topography of the site.

If the position of the building platform is on the lower portion of the site screened by the existing trees from the water the following will apply:

Scale: -Single or two level buildings with a maximum rolling height of 8.0 metres relative to original ground level.

Form: - The form of the building can be a single element or multiple elements depending on preference, however variation in form and materials is encouraged to reduce the scale of the building, for example; wall panels separated by areas of glazing or different materials and colour.  
- Upper + lower floor levels should be of different floor area + orientation. Large bulky buildings with overbearing mass will not be permitted.



Bartlit Residence-Lake Flato Architects

Broken forms that allow the bush to grow in around them.

#### 4.2.5 Southern Bay Hillside - Sites: 14

Buildings on these sites should integrate into the native bush that surrounds them to reduce their visibility from across the bay.

Scale: -Single level or split level buildings with a maximum rolling height of 5 metres relative to original ground level.

Form: -Because these sites are on sloping ground differentiated forms are encouraged with elements separated by open spaces, indentations, and or panels of glazing.  
-In the case of split level construction is allowed upper and lower levels should be of different floor area and/or orientation.

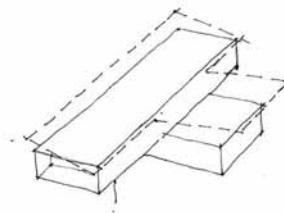
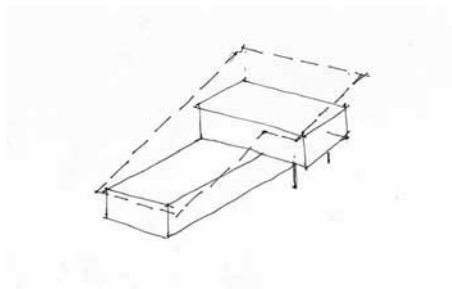


Soltan House Kahn, Kappe, Lotery Architects



Dubnoff House Buff, Straub, Hensman Architects

Differentiated forms with elements separated by open spaces, indentations and panels of glazing.



Upper + lower floor levels of different floor area + orientation.



4.2.6 Homestead - Sites: 17

This site is located in Huirangi Bay where the existing qualities of the bay and buildings are unique. New buildings in this bay would expand and develop the existing colonial character and context of this site. This does not mean a replication of a historical style but rather an architecture that through, mass, form and materials expands and reinterprets the colonial architectural language, that already exists on the site.

Scale: Single level or split level buildings with a maximum height of 6 metres. The scale of the development needs to be in proportion with the land-form in which it is situated.

Form: -The form of the building can be a single element or multiple elements depending on preference, however variation in form and materials is encouraged to reduce the scale of the building, for example, wall panels separated by areas of glazing or different materials and colour.  
-If the building takes the form of multiple elements there should be a relationship between those separate elements so that they read as a cohesive group of buildings and part of a 'household unit'.



Replication of historical styles is not appropriate.



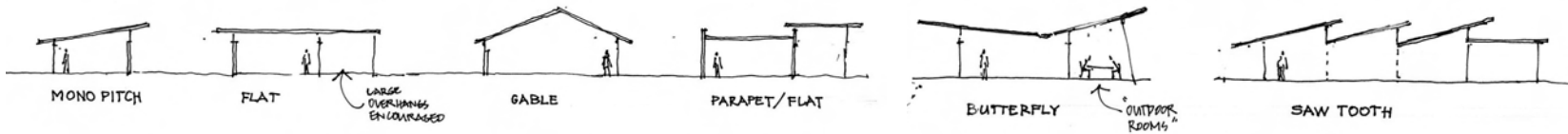
Magney House – Glenn Murcutt



Fredericks Farm House – Glenn Murcutt

### 4.3 ROOF FORMS

Roofs have a potential danger of presenting large unrelieved expanses which will not be permitted. For this reason all roofs shall be at a pitch less than 10 degrees. Viewpoint needs to be considered when designing the roof/s and the principle of broken forms will apply. Flat, monopitch, gable, and butterfly forms are generally permitted. Hip roofs and “dormer” windows are not permitted. Large overhangs creating shadow lines and depth are encouraged. Outdoor areas protected from prevailing winds are encouraged. Some designated sites will have further restrictions refer to Site Diagrams.



Acceptable Roof Forms (sketches only not to be taken literally)

This roof form presents minimum mass when viewed from the water and allows the building to dissolve into its context.

This roof form presents a large unrelieved expanse when viewed from the water which is not acceptable.





#### 4.4 WALLS/FENCES/SCREENS

The definition of site boundaries is not consistent with the aims and principles of the development at Ōmarino Property. Therefore walls, screens and fences are envisioned only where necessary for shelter and privacy not to define the edge or boundary of a site. They should read as extensions of the building, and be rendered in like materials to the building.



Burnette Residence – Paul Rudolph



Bourne Residence - Paul Rudolph

Walls as extensions of the building, used to define exterior spaces



Boxley Residence- Harold Bissner

## 4.5 MATERIALS

Generally the use of materials which age well naturally with weathering is encouraged.

### 4.5.1 Roof Materials

-Reflectivity to comply with the District Plan.

-Areas of glazing are not limited.

-Permitted materials are:

Profiled roll-formed or folded metal is permitted subject to colour and reflectivity controls. Materials include colour steel, zinc, and copper.

Membranes

Turf



Tennis House – Gray Organschi

Turf Roof

Natural Materials in natural weathered colours

Building dug in and low lying

Horizontal line emphasised

4.5.2 Wall Materials:

-Wall materials will be subject to an assessment of visual impact including reflectivity, colour, extent and location.

-Areas of glazing are not limited, but mirror glass is not permitted.

-Permitted materials are:

Masonry - local or imported stone.

Concrete - in situ and/or precast.

Blockwork and bricks - subject to the approval of the ALRP as to finish and colour and extent.

Solid Plaster

Rammed earth.

Weatherboards - natural finish, stained or painted subject to colour controls.

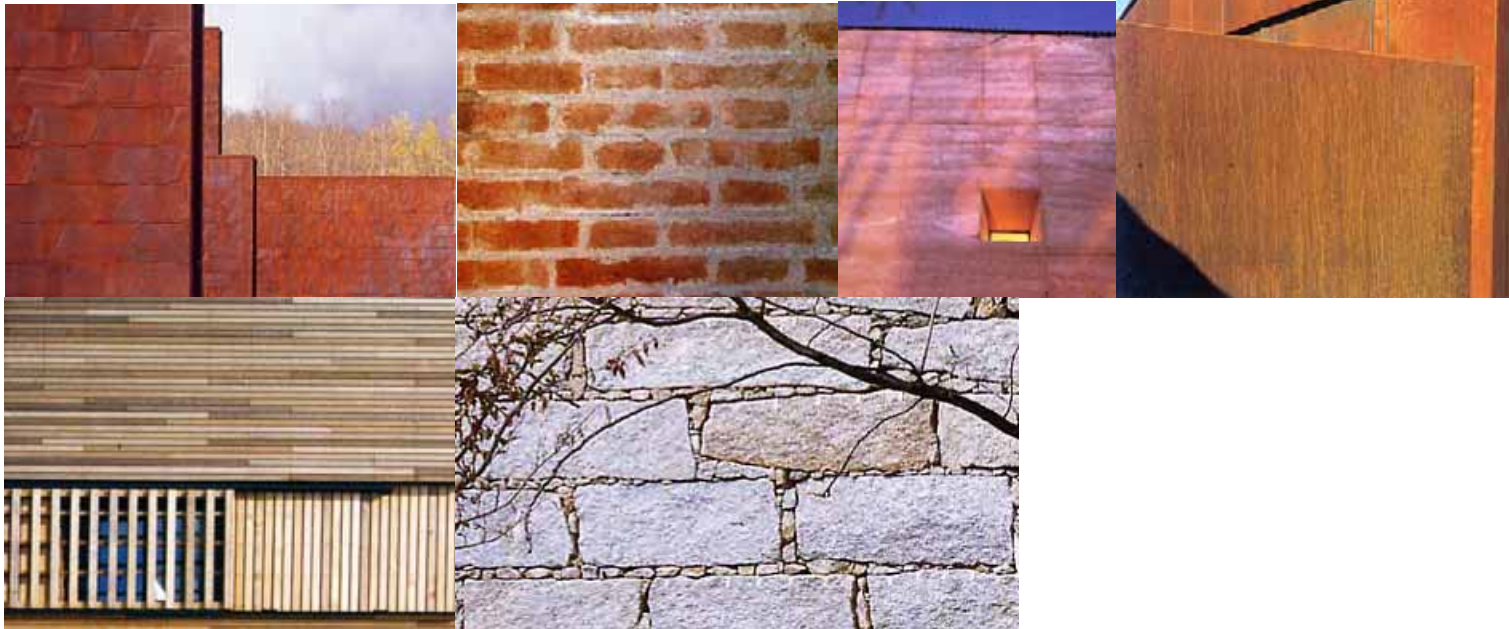
Plywood - natural finish or stained subject to colour controls.

Corten Steel

Aluminium

Copper

Zinc



- 4.5.3 Window and Door Joinery Materials: -Timber, aluminium, and steel joinery may be used  
 -Ornate fenestration is discouraged  
 -Multiple glazing bars with numerous small panes of glass are discouraged  
 -“Applied” glazing bars in aluminium joinery are prohibited  
 -Arched windows are not permitted.
- 4.5.4 Garage Door Materials: -Glazing, Timber, Plywood, and aluminium may be used. The treatment of the garage door/s should be appropriate to the materials used on the house.
- 4.5.5 Skylight Materials: -Glass “joinery type” only permitted.
- 4.5.6 Floor Materials: -If buildings have floors raised above grade the treatment of the sub floor area must be approved by the ALRP.  
 -Raised floor levels with exposed soffits must have the treatment described for approval by the ALRP

## 4.6 COLOUR

Use of bright colours and painted surfaces should be limited to defined architectural elements. The area of colour should constitute not more than one third of any elevation.

- 4.6.1 Roof Colour: -“Natural weathered” colours are preferred.  
 -The naturally weathered colours of zinc and copper are permitted.  
 -Aluminium louvres in grey tones (including silver anodised) are permitted.
- 4.6.2 Wall Colour: -The natural weathered colours of materials are encouraged.  
 -Limited areas of bright colours are permitted on some elevations.  
 -Transparent stains for timber are permitted.  
 -Aluminium louvres in grey tones (including silver anodised) are permitted. Other colours may be permitted but will need to be approved by the ALRP.
- 4.6.3 Window and Door Joinery Colour: -Bright colours are not permitted and the seaward side.  
 -“Transparent” stains for timber are encouraged.



Convent Avenue Studios - Rick Joy

Michaels/Sisson Residence – Miller/Hull

Appropriate use of colour, as distinct isolated panels.

#### 4.7 SERVICE COURTS

Each house must have an enclosure to conceal rubbish bins, plant and equipment, electrical meters, clotheslines (clothes lines must be concealed from public view), etc

#### 4.8 POOLS

Location of swimming pools should be designed to avoid large areas of fencing.

Pools must comply with the Building Act.

Plant rooms to be approved by the ALRP.

Fencing must comply with the Pool Fencing Act but also satisfy the ALRP as being aesthetically acceptable.

#### 4.9 SERVICES

All sanitary pipe work must be concealed. Only down pipes may be visible on exterior elevations.

Any gas bottles must be concealed.

All wiring is underground.

Security systems must be of approved type and have minimum exposed components on exterior walls.

Exterior Lighting brightness, orientation, and duration must be controlled to support the aims of the guidelines avoid creating any nuisance to neighbours.

Water tanks must be concealed or integrated into the building design appropriately.

## 5.0 LANDSCAPE

The Ōmarino Property is predominantly surrounded by dense native shrub land and forest, both along adjoining coastline and occupying the hinterland. Existing and proposed regenerating indigenous shrub land within the site will restore the character of the property to that of vegetated headlands, slopes, gullies and bays.

The treatment of proposed hard and soft landscape elements, including earthworks, roading, drainage, retaining walls, surfacing and landscape planting, should complement the character of both the site, and its surroundings. Materials and species used should allow integration of elements into the landscape with limited artificial modification evident.

### 5.1 HARD LANDSCAPE ELEMENTS:

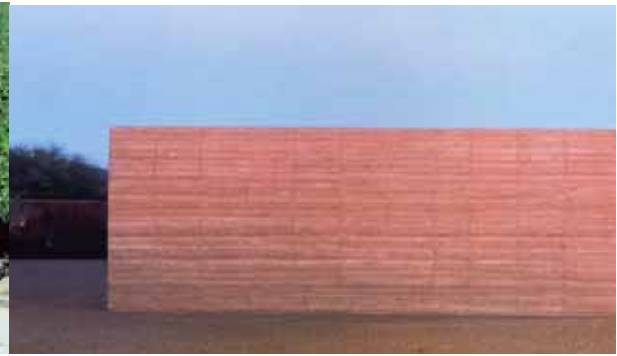
The hard landscape elements include retaining walls, road edges, gates and fences, etc.

- |       |   |   |
|-------|---|---|
| 5.1.1 | Surfacing of Decks, Forecourts and Terraces     | -Natural materials, such as timber and stone are encouraged. Colour and finish should promote integration into the existing landscape. Concrete should have an exposed aggregate finish of approved colour and finish. All material colours and finishes will need to be approved. Area limitations will apply.   |
| 5.1.2 | Internal Roding and Driveways                   | -To be formed with exposed aggregate finish and natural oxides added to match colour to that of the surrounding landscape. Colours and finishes to be approved. Area limitations apply.   |
| 5.1.3 | Fences, Walls, Screens and Boundary Delineation | -(Refer to Section 4.4 for additional guidance) Fences, walls and screens should be used for shelter, privacy and screening associated with buildings and outdoor living areas. Fences, walls, and screens associated with living areas should read as extensions of the building and be formed of similar materials.<br>-Solid structures should not be used for boundary delineation. Should boundary definition of house curtilages be required, visually permeable materials are to be used, including post and wire fencing or 'ha-ha' structures. |
| 5.1.4 | Retaining Walls                                 | -With the potential to be visually significant elements in the landscape., retaining walls should be detailed sensitively. Natural materials, such as timber, rammed earth and stone, with vegetation incorporated to soften the impact of the structure. Colours and finishes to be approved<br><br>-Systems include:  |

- vegetated gabions
- vegetated gabion bags and poles
- woven embankment stabilization
- rammed cement-earth walls



Vegetated Gabions – Winter + Summer



Rammed cement-earth walls

## 5.2 PLANTING

Landscape plans within house curtilages must be submitted to the ALRP for approval, see Section 7 – Design Approval Process.

Landscape planting within the individual house curtilages is divided into two separate categories; larger scale structural planting and more intimate domestic planting. Structural planting should form the framework of the planting within the house curtilages, bold and simple in character and providing a visual and physical link with the balance of the vegetation within the site. Domestic planting may be more intimate in character, providing an amenity setting in the area immediately surrounding the house sites.

The treatment of these two planting types is set out in the guidelines below.

### 5.2.1 Structural Planting

-The purpose of structural planting should be to provide a bold framework of appropriate vegetation within the house curtilages that will link with vegetation within the balance of the site. Structural planting should be used to integrate the proposed buildings into the landscape as well as providing them with an attractive outlook and environment.

-Trees and shrub land can be used to integrate buildings into the landscape by:

- providing a contrast to built forms;
- breaking up the mass and bulk of buildings,
- providing a foreground setting and a grounding for buildings;
- providing a backdrop to buildings; and
- providing full or partial screening of utility or service areas.

-Within the house curtilages, structural planting should utilise native plant species and be of a character and form that will integrate with the character of the surrounding landscape and vegetation.

-A list of recommended or preferred coastal species, for use within house sites throughout the site, is included as an appendix to these guidelines.

-In particular, certain species should be avoided:

- Those with a form and or colour that will not integrate with the indigenous vegetation typical to this coastline. For example: exotic species with an overly fastigate nature, e.g. (fastigate conifer); and exotic



species with particularly bright colours that are discordant with the indigenous vegetation, e.g. uncharacteristically bright foliage, e.g. variegated, golden and purple cultivars;

-Those species listed as environmental weeds or pest plants in documents prepared in accordance with the Biosecurity Act 1993.

### 5.2.2 Domestic Planting

-Domestic planting can be used within the framework of structural planting, in the immediate environs of the buildings. Planting should largely follow the above guidelines for structural planting. However, being of a smaller scale and visually contained within the framework of the structural planting, the palette of species appropriate for use within domestic planting areas is less restricted, and may include a range of native and exotic shrub and tree species suitable for northern coastal locations. Any species which are known or potential weeds, eg. *Agapanthus*, should be avoided.

### 5.3 RECOMMENDED / PREFERRED COASTAL SPECIES LIST

#### 5.3.1 Tree and Shrub Species

-Titoki	<i>Alectryon excelsus</i>
Tawa	<i>Beilschmiedia tawa</i>
*Mamangi	<i>Coprosma arborea</i>
*Coprosma (Coastal)	<i>Coprosma macrocarpa</i>
Coprosma (Twiggy)	<i>Coprosma rhamnoides</i>
*Karamu	<i>Coprosma robusta</i>
*Cabbage tree	<i>Cordyline australis</i>
Karaka	<i>Corynocarpus laevigatus</i>
Hangehange	<i>Geniostoma rupestre</i>
Hebe	<i>Hebe macrocarpa</i>
*Koromiko	<i>Hebe stricta</i>
Pigeonwood	<i>Hedycarya arborea</i>
Lacebark	<i>Hoheria populnea</i>
Rewarewa	<i>Knightia excelsa</i>
*Kanuka	<i>Kunzea ericoides</i>
*Manuka	<i>Leptospermum scoparium</i>
Mingimingi	<i>Leucopogon fasciculatus</i>
Kawakawa	<i>Macropiper excelsum</i>
Mahoe	<i>Melicytus ramiflorus</i>
*Pohutukawa	<i>Metrosideras excelsa</i>
Mapou	<i>Myrsine australis</i>
Akepiro	<i>Olearia furfuracea</i>
*Flax	<i>Phormium tenax</i>
*Haekaro	<i>Pittosporum umbellatum</i>
*Totara	<i>Podocarpus totara</i>
*Lancewood	<i>Pseudopanax crassifolius</i>
*Houpara	<i>Pseudopanax lessonii</i>
Kowhai	<i>Sophora microphylla</i>

\*Puriri

*Vitex lucens*

\*Species most likely to establish successfully

-Planting on house sites **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11** and **17**, which are located on the coast, should include hardy, salt tolerant species such as, pohutukawa, houpara, coastal coprosma, flax, kanuka and manuka, as the dominant species, either as individual specimens or within mixes.

-Planting on house sites **12, 14, 15, 16** and **19**, which are set back from the coast, should include broadleaf species such as, puriri, karaka, tawa and titoki, as well as totara and a selection of forest shrub species as the main component of mixes or as specimen planting.

## **6.0 INFRASTRUCTURE**

### **6.1 SIGNAGE & LETTERBOXES**

Both of these are architectural elements and should therefore support the architectural aims of the development. A generic design for markers and signage has been established and will need to be adhered to. Designs must be assessed and approved by the ALRP.

### **6.2 LIGHTING**

Outdoor lighting may be provided for security and safety. Lighting must be located so not to interfere with traffic or become a nuisance to neighbours. Excessive lighting will not be permitted. All exterior lighting (design and location) must be submitted to the ALRB for approval.

## 7.0 DESIGN APPROVAL PROCESS

These Guidelines supplement, but do not replace, the requirements of the Far North District Council. Written design approval from the Ōmarino Resident's Association Architecture and Landscape Review Panel (ALRP) is required before application is made to the Council for a Resource or Building Consent, or any works begin. This includes any form of new construction, accessory buildings or structures, major landscaping and exterior alterations other than regular maintenance.

Resource or building consent applications made to the Council, or works initiated without the prior approval of the ALRP, run the risk of forfeiting the Owner's Compliance Deposit and violating the covenants registered on each title (refer to bylaws and rules of the Residents Association).

The design approval process is as follows:

1. Preliminary Submittal  
(three sets of preliminary drawings – see checklist)  
Review of concept plans by the ALRP to discuss the site planning, landscape and building concepts and provide comments prior to the owner's design team commencing detailed design drawings.
2. Final Submittal  
(three sets of final drawings and supporting information – see checklist)  
Final review of the detailed architectural and landscape plans by the ALRP. Formal written approval by the ALRP is required before the Owner, Architect or Builder can make application for Resource or Building Consent and begin any works on site.
3. Plans are reviewed by the ALRP within 15 working days of a complete submission being received.
4. Approved plans will be returned to the Owner. In the event of non-approval by the ALRP the Owner and/or their architect may work with the ALRP to obtain approval.
5. The Owner may apply for and acquire the Resource Consent and Building Permit from Council once ALRP approval is obtained.
6. The owner contacts the ALRP when the house and landscaping is complete.
7. The Compliance and Damage Deposits minus the approval fee set by the Association and the cost of any damages will be returned to the Owner once the finished project matches the approved drawings to the satisfaction of the ALRP. No interest shall be payable.
8. In the event that the ALRP refuses to approve a design, an appeal directly to the Association may be made. The expense of this appeal and costs of any arbitration will be borne by the appellant.
9. Gaining ALRP approval does not imply Resource Consent Approval.

## 8.0 CONSTRUCTION

The cooperation of owners, builders and trades people is sought so ensure that the environment and neighbours are not unnecessarily disrupted.

(a) **Construction Time Limit**

While there is not time limit for Owners to build, once construction has started, the exterior of all buildings and all landscaping must be completed within 18 months of the date of commencement. All un-built sites shall be grassed, regularly mown and maintained by the Owner to best horticultural practice.

(b) **Legal Survey and Grades**

It is suggested that the Owner, the design team and builder first visit the site and inspect legal, grade, easement, and other engineering plans to ensure that there is no conflict between driveway/pathway locations, signs, electrical and telephone services, etc. A legal survey is available from the Residents Association.

(c) **Survey Stakes and Markers**

Each lot will be staked at all corners with wooden pegs. Builders (and their subcontractors) must be very careful when working around these pegs. The Residents Association accepts no responsibility for their replacement or for locating pegs that are buried. Costs for replacement of pegs shall be charged to the Owner.

(d) **Erosion Control and Damages during Construction**

All disturbed areas of the site shall be protected from wind and water erosion during and after the construction period. All earthworks shall be re-vegetated within one month of completion by either the spreading of a grass seed mix (perennial rye grasses and clover) or by planting ground cover.

(e) **Protecting Existing Trees and Vegetation**

The Owner and Builder shall ensure that temporary construction fence to protect existing and regenerating vegetation shall be constructed around the perimeter of each buildable area and its accessway. This shall be in place before any earthworks or construction begins, and shall remain in place until construction is complete.

(f) **Damages during Construction**

Damage caused by the Builder to services such as roads, curbs, street trees, cesspits, lights, power, sewers, etc. adjacent to any lot will be charged to the Owner. The Owner must immediately notify the Residents Association in writing of any damage to services.

(g) **Construction Storage**

All construction materials, rubbish, and excavation materials, shall be stored within the boundaries of the site. Builders shall provide adequate rubbish containers on the site and control waste materials so as to prevent dispersal by wind onto other properties. No fires are permitted. If proper clean up does not occur, debris will be removed and the costs charged to the Owner.

(h) **Compliance and Damage Deposits**

Compliance and damage deposits (value to be determined ALRP) will be deposited by the Owner with the Residents Association at time of Preliminary Drawing Submittal to ensure that all development is completed in accordance with the approved plans. Part, or all, of these deposits may be retained by the Residents Association in the

event that the completed project does not comply with the approved plans, damage is caused to services or other properties, or application is made to the Council for Resource or Building Consent without prior approval of the ALRP.

(i) **Right of Refusal**

The ALRP retain the right, at their sole discretion, to refuse approval of any plans that, in its sole opinion, does not meet its expected minimum standards of design quality or the appropriate character of design and development.




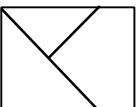
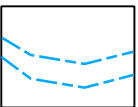
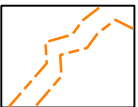
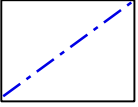
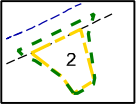



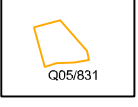

# ŌMARINO MANAGEMENT PLAN

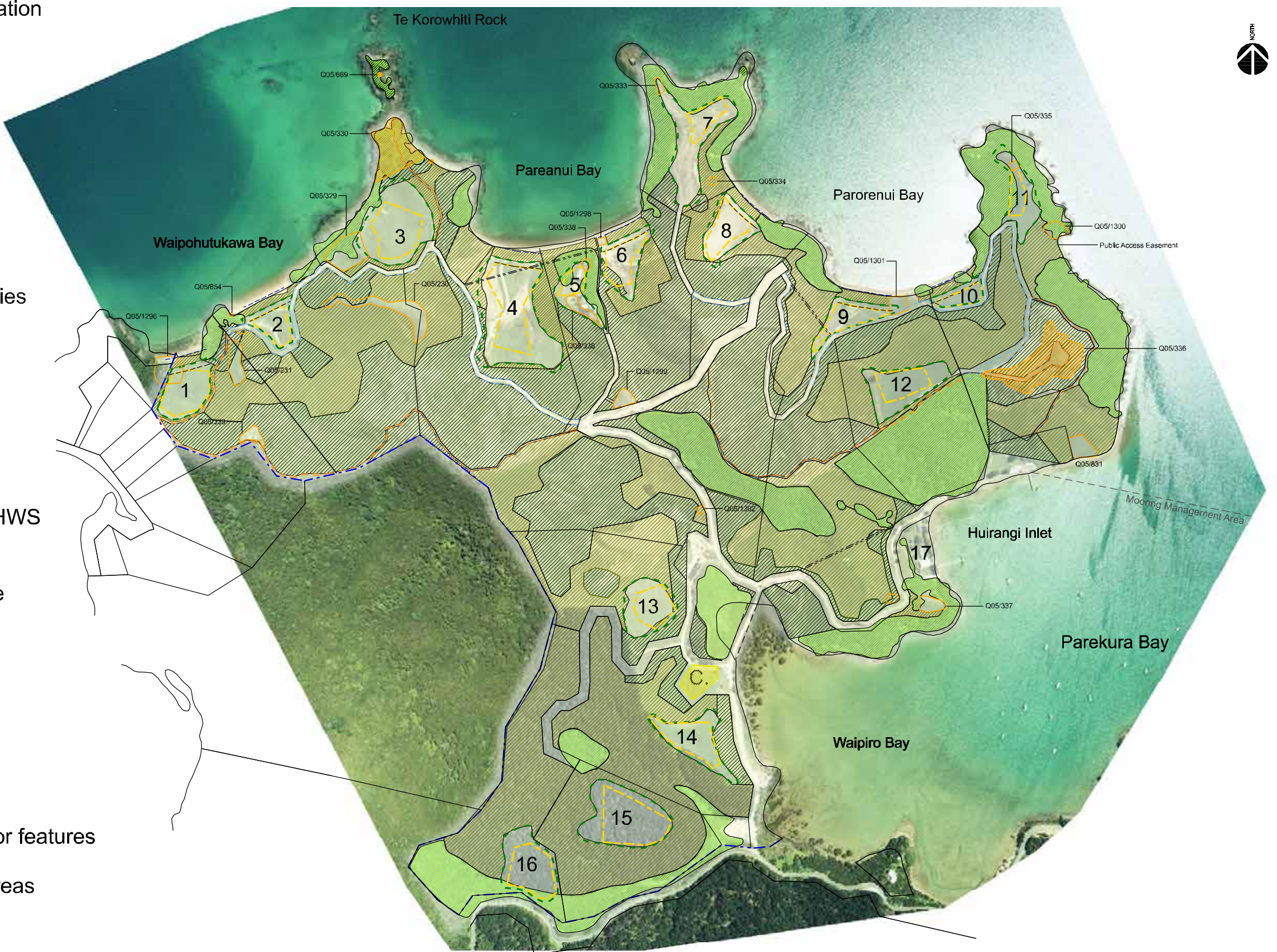
---

## ATTACHMENT 3: ŌMARINO VEGETATION FRAMEWORK





-  Existing native vegetation
-  Recently completed native revegetation
-  Proposed native revegetation
-  Lot Boundaries
-  Right of way boundaries
-  Walkway and service access
-  Site boundary
-  30m setback from MHWS
-  Caretaker's residence
-  Buildable areas
-  Curtilage areas/ exclusive use areas
-  Maximum extent of Archaeological sites or features
-  Heritage Covenant areas



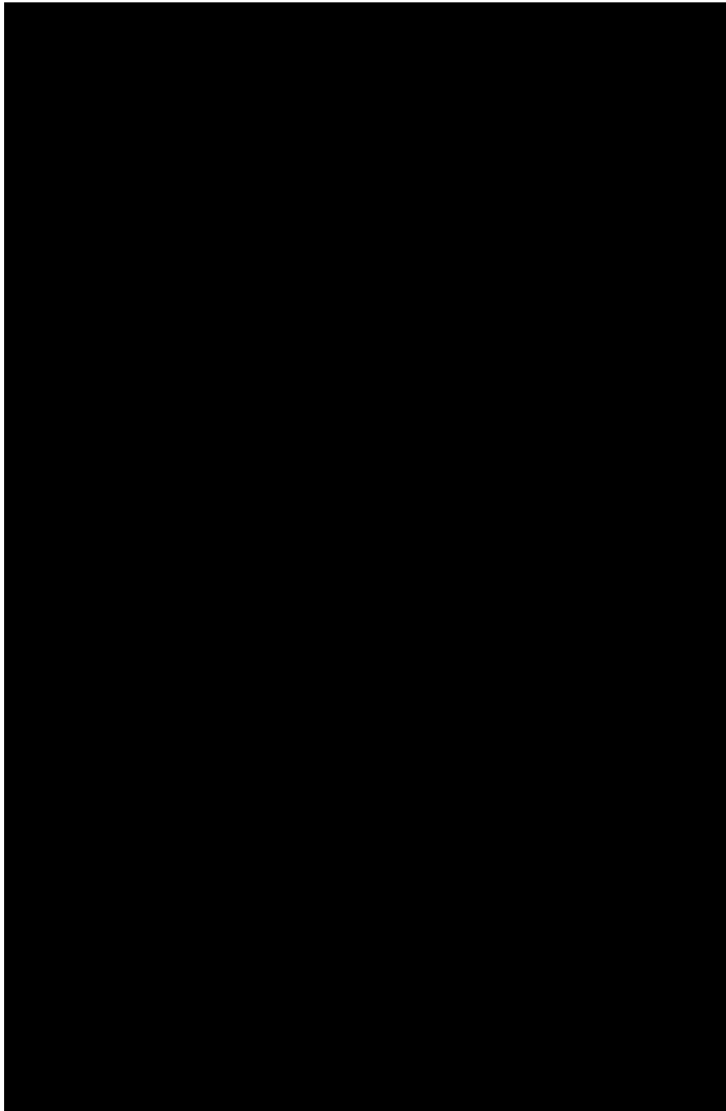
# Tai Awhi Awhi Vegetation Framework



# ŌMARINO MANAGEMENT PLAN

---

## ATTACHMENT 4: ŌMARINO RESOURCE CONSENTS



**BEFORE THE ENVIRONMENT COURT**

Environment Court Judge L.J. Newhook sitting alone under Section 279 of the Act

In Chambers at Auckland on the 30<sup>th</sup> day of August 2006

**CONSENT ORDER**



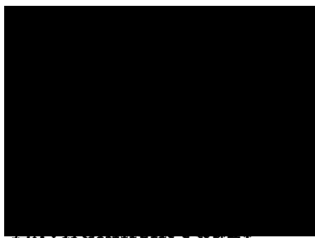
Having considered the appeal lodged in this matter, the reply filed by the Respondent and the consent memorandum submitted on behalf of the parties this Court hereby orders that the conditions of consent attaching to the grants of consent by the Respondent authorising the Appellant to:

- Subdivide Pt Rawhiti No. 2 Block CT 35A/947, Pareanui Block ML 8418, Russell SD CT 35D/223, and Pt Rawhiti No. 2 Block CT 35A/592, into 17 house site allotments and an access utility lot.
- Establish two separate boatshed buildings each containing storage for 8 boats both on lot 18, construct and operate a recreation facility and one 4 bedroom accommodation building and a utility building all to be on lot 18.
- Retrospective consent for earthworks at logging platform and retaining wall already completed.
- Conduct earthworks to construct access and to reinstate logging platform subject to the following conditions.

be amended to read in the manner set out in the Schedule attached.

The appeal is otherwise dismissed.

There is no order for costs.



review the conditions of this consent annually during the month of May. The review may be initiated for any one or more of the following purposes:

- (a) To deal with any adverse effects on the environment that may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or to deal with any such effects following assessment of the results of the monitoring of the consent and/or as a result of the Far North District Council monitoring of the state of the environment in the area.
- (b) To require the adoption of the best practicable option to remove or reduce any adverse effect on the environment.
- (c) To provide for compliance with rules in any district plan that has been made operative since the commencement of the consent.
- (d) To deal with any inadequacies or inconsistencies the Far North District Council considers there to be, in the conditions of the consent, following the establishment of the activity the subject of this consent.
- (e) To deal with any material inaccuracies that may in future be found in the information made available with the application. (Notice may be served at any time for this reason)
- (f) The Consent Holder shall meet all reasonable costs of any such review.

#### **EARTHWORKS & ARCHAEOLOGY CONDITIONS**

10. All earthworks to be undertaken on the site are to be supervised by a Chartered Professional Engineer to be engaged by the Consent Holder. Council is to be advised in writing of the appointment of the engineer, and notified when work is to commence, and when it has been completed.
11. The Consent Holder, or subsequent owners of Lots 1-17 and the Resident's Association in the context of Lot 18, should notify the New Zealand Historic Places Trust one week prior to commencing any work involving building, ground disturbance or tree planting, with regard to the historic (archaeological) sites registered on each lot, and should comply with the requirements and provisions of the Historic Places Act 1993.
12. All earthworks shall be undertaken such that the camber or gradient of accessways does not result in stormwater ponding or scouring.
13. That any earthworks or vegetation clearance be undertaken in strict compliance with the recommendations of the Clough & Associates Archaeological Assessment dated 2004 as submitted with the application.
14. Prior to the commencement of any earthworks in the immediate vicinity of any registered archaeological sites, such archaeological sites are to be temporarily fenced off to protect them.
15. All earthworks within a 10 m radius of any archaeological site shall be monitored by an appropriately qualified archaeologist.



## MODIFICATION CONDITIONS

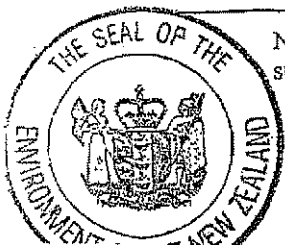
Explanation: Conditions 1 - 5 record amendments to the proposal arising from evidence or modification the Applicant has proposed during the course of the hearing, and conditions 6 and 7 are required by the Council to mitigate adverse effects:

1. That two boatshed buildings contain 8 sheds in each building be located in the two positions on lot 18 as shown on Pete Bossley Architects Plan 0-01~3-03 Revision A (Dated for issue 05/05), and 0-01~0-02 Revision B (dated for issue 23/09/04) as submitted at the hearing on 3<sup>rd</sup> June 2005<sup>1</sup>.
2. That the woolshed roof be replaced with an iron roof in a colour that is in keeping with the existing buildings on that foreshore location,
3. That the proposed accommodation on Lot 18 be modified to a one unit 4 bedroom accommodation as detailed in the closing submission of Mr Cavanagh on 3rd June 2005.
4. That all building platforms on Lot 7 be located below the dominant ridgeline and that no building consent can be granted for this lot until such time as a backdrop of native vegetation reaches 4 m above ground height.
5. That a small area of foreshore on Lot 11, as proposed, be a public access easement as shown on the Development Plan contained in the Draft Management Plan Ref: W04044 Revision 20/05/05 as Attachment 1 as presented at the hearing.
6. That all buildings on Lots 1- 16 and any new buildings on Lots 17 & 18 erected after (the date of this resource consent) be located at least 30 m landward of MHWS.
7. No construction of buildings or construction activity shall be located within 10 m of the outer edge of any archaeological site protected by the NZ Historic Places Act 1993 in the absence of an authority to modify or destroy that site protected by the NZ Historic Places Act 1993.

## GENERAL CONDITIONS

8. That the proposal proceeds in general accordance with the details and plans submitted with this application including the Assessment of Environmental Effects (AEE), evidence presented at the hearing and the Draft Management Plan submitted at the hearing on 30th May 2005.
9. In accordance with Section 128 of the Resource Management Act 1991, the Far North District Council may serve notice on the Consent Holder of its intention to

Note this is not the same drawing as that which was attached to Mr Bossley's evidence as submitted to the hearing on 30<sup>th</sup> May 2005.



16. That if subsurface archaeological remains (eg intact shell midden, hangi, storage pits relating to Maori occupation, or building foundations and rubbish pits relating to 19th century occupation) are unearthed during construction or landscaping, work shall cease in the immediate vicinity of the remains and a representative of the local Iwi, a suitably qualified archaeologist and the New Zealand Historic Places Trust shall be advised.
17. Where the modification or destruction of recorded archaeological sites cannot be avoided an application under Section 11 of the Historic Places Act 1993 shall be lodged with the NZ Historic Places Trust seeking the appropriate approvals.
18. If, during earthworks any kiwi or human remains are uncovered, work shall cease, the area shall be temporarily fenced off and the NZ Police, Iwi and the New Zealand Historic Places Trust shall be advised immediately.

#### **BOATSHED CONDITIONS**

19. The location, and external cladding of the two boatshed buildings to be in accordance with the details submitted by Pete Bossley in evidence at the hearing and the modifications presented on 3rd June 2005 being Plans: 0-01~3-03 Revision A, 0-01~0-02 Revision B, 3-01~3-04 Revision B.
20. The boatsheds shall remain as non-residential ancillary buildings and shall not to be used as a separate residential unit without prior written consent from the Council. No cooking or food preparation facility is to be installed in these buildings.

#### **RESTORATION OF LOGGING HEAD CONDITIONS**

21. That the area be re-contoured with properly compacted hard fill material.
22. That the area be covered with a layer of topsoil and re grassed.
23. That stormwater control measures be implemented to control stormwater runoff and remove silt and debris from the runoff.
24. That all measures be implemented in accordance with the ARC publication TP10 and maintained until the vegetation cover has completely re-established.

#### **RETAINING WALL CONDITION**

25. That the Consent Holder obtains a building consent for each of the proposed walls. A building consent is required where the retained height exceeds 1.5m or for any wall subject to a surcharge loading.

#### **CONSTRUCTION MANAGEMENT CONDITION**

26. Ten working days before the commencement of any physical work on the site, provide a construction management plan from a suitably qualified project manager for approval by the Council. The plan is to contain information on, and site management procedures for, the following matters:



- a. The timing of civil engineering, building construction and any demolition works, including hours of operation and key project and site management personnel and their contact details;
- b. The transportation of demolition, construction and waste materials to and from the site, the loading and unloading of materials and the associated controls on vehicles through sign-posted site entrances and exits;
- c. The excavation and filling works, including any retaining structures and any necessary de-watering requirements/methods, to be prepared by a Chartered Professional Engineer with suitable geotechnical qualifications and expertise;
- d. Control of dust and on-site noise (including compliance with construction noise standards) and any appropriate avoidance or remedial measures;
- e. Prevention of earth, mud, gravel or other material being deposited on adjoining roads by vehicles exiting the site, and proposing remedial measures should that occur;
- f. Identification measures, including signage, to inform adjacent landowners, occupiers, pedestrians and other users of Manawaora Road.

## CONDITIONS RELATING TO ALL STAGES OF SUBDIVISION

### Utilities

27. All electricity, telecommunications and other utility services shall be underground except where a building site is adjacent to an existing overhead supply.
28. All effluent disposal fields shall be located at least 30 m landward of MHWS. [REDACTED]

### Private Land Covenants

29. Further subdivision of Lots 1 - 18 is prohibited *(at the invitation of the Appellant)*.
30. The agreement for sale and purchase for the individual house lots, shall include the following covenants:
  - a. The imposition of Development Covenants that require adherence to Design Guidelines outlined in the AEE with the application and the Draft Management Plan submitted on 30<sup>th</sup> May 2005 at the hearing<sup>2</sup> and the final approved Management Plan as required in Conditions 41 and 52 below.



Which will include conditions that reflectivity will not exceed a maximum of 30%



- b. Notification of the archaeological records affecting the lot purchased by each owner. A prohibition on the destruction of any archaeological site in contravention of the Historic Places Act 1993. A requirement to carry out an archaeological assessment prior to undertaking any earthworks near a recorded site.
- c. A prohibition on future subdivision *(at the invitation of the Appellant)*.
- d. A prohibition on the keeping or bringing of cats and mustelids to the lots.
- e. Unless authorised by a resource consent or by the District Plan as a permitted activity, buildings on each lot in this subdivision (RC 2050363) be restricted to:
- i) One residential unit.
  - ii) One caretaker's residential unit not more than 125m<sup>2</sup> in gross floor area.
  - iii) One non-residential building, and
  - iv) Water storage facilities
- With the combined size of any caretaker's unit and non-residential building not exceeding 50% of the residential unit's gross floor area.
- f. The external appearance of all buildings on Lots 1-16 shall be in accordance with the design details contained in the approved Management Plan and shall be traditional cladding and colours for buildings on Lots 17 & 18.
- g. All electricity, telecommunication and other utility services shall be underground.
- h. Any earthworks including those required to construct accessways to building sites shall be so designed to cause minimal impacts on the landscape and any exposed cuts shall be re-grassed or planted in native vegetation.
- i. The keeping of dogs is limited to a maximum of 2 per lot. All dogs must be:
- (i) Confined to the registered proprietors curtilage area when in the company of that registered proprietor or their invitees or otherwise enclosed in an escape proof enclosure; or
  - (ii) If outside the registered proprietors curtilage area then secured by way of a handheld leash.



VEGETATION AND ENHANCEMENT CONDITIONS

31. Revegetation plans shall be submitted first within 6 months of the consent being granted for Stage 1 of the subdivision and secondly within 6 months of the pines being removed for Stage 2 of the subdivision for all of the areas of each lot outside of the curtilage area (including the first 20m landward of MHWS) where proposed planting is to occur within each lot to the satisfaction of the Environmental Services Manager of Far North District Council. The Revegetation Plan shall be consistent with the information submitted in the AEE, evidence and draft Management Plan presented at the hearing and any approved Management Plan under Conditions 41 and 52. The Revegetation Plan shall provide for:

- a. The ongoing re-planting and maintenance programme.
- b. The ongoing pest and weed management programme.
- c. The maintenance and enhancement of vegetated areas and understorey planting

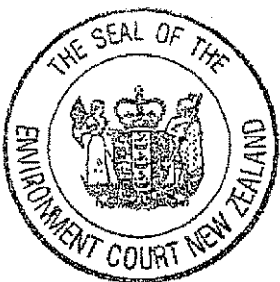
#### CONTINUING CONDITIONS:

32. The following are conditions that must be complied with on a continuing basis by the consent holder and its successors in title, and a consent notice pursuant to Section 221 of the Act shall be entered into by the consent holder. Such consent notices shall be prepared at the Consent Holder's expense and be to the satisfaction of Council's solicitor:

- a. Condition 29 a prohibition on the subdivision of Lots 1 - 18 *(at the time of the consent)*
- b. Condition 30.c a prohibition on the subdivision of Lots 1-18 *(at the time of the consent)*
- c. The maximum rolling height above ground level (as defined in the District Plan as at 30<sup>th</sup> May 2005) of each building on Lots 7, 11 & 12 shall be no more than 4 m above ground level.
- d. No buildings on lot 7 shall be erected until such time as the native screen planting backdrop has reached a height of 4 m when viewed from a position no closer than 500 m offshore. This backdrop planting shall be maintained at a height of no less than the building thereafter.
- e. The maximum rolling height above ground level (as defined in the District Plan as at 30<sup>th</sup> May 2005) of any building on lots 1, 2, 4, 6, 8, 9, 10, 13, 14, 15 and 16 shall be no more than 5 m.



- f. The maximum rolling height above ground level (as defined in the district plan as at 30 May 2005) of any building on lot 3 shall be:
- (i) No more than 6 metres if the structure or any part thereof is located above a topographical line that is 16 metres or more above mean high water springs; or
  - (ii) No more than 8 metres if the structure or any part thereof is located below a topographical line that is 16 metres or more above mean high water springs.
- g. The external cladding of all buildings shall be in accordance with the approved Management Plan that is required as part of Conditions 41 and 52.
- h. Heritage Covenants for those areas on Lots 3 & 10 as identified on Plan "Tai Awhi Awhi" Job No W04044 revised 05/05/2005 in favour of the NZ Historic Places Trust.
- i. Revegetation Covenant that covers all land on Lots 1-17 that are outside of the curtilage areas of each allotment in favour of the Tai Awhi Awhi Resident's Association and the Far North District Council.
- j. A consent notice, in accordance with Section 221 of the Resource Management Act, shall be registered against Lots 1-18, including the heritage covenant areas on Lots 3 & 10 and all archaeological sites and other waahi tapu, which is identified in the Assessment of Environmental Effects and Archaeological Assessment, of national historic and inter-generational heritage significance.
- a. Such consent notice shall require that all the archaeological sites located within the proposed Lots 1-18 remain undisturbed, and that access to the archaeological sites, other waahi tapu and heritage covenant areas be provided to members of Patukeha Hapu, Ngati Kuta Hapu, and other Tangata whenua for the purposes of enabling Tangata whenua to conduct their kaitiaki responsibilities. Such access is to be on 48 hours notice to the Lot owner (or agent) and for such period and frequency to be agreed upon by the Lot owner (or agent) and Tangata whenua, and that access to the archaeological sites be provided to Tangata whenua on such terms as may be agreed between the Lot owner and Tangata whenua following them having given 48 hours notice to the Lot owner.



- b. Access shall be limited to the hours of daylight and the frequency of visits and the number of visitors (being Tangata whenua) shall be such that they do not cause a nuisance or disturbance to the archaeological sites, other waahi tapu and heritage covenant areas or to the vegetation or improvements on the lots, or other activities. The Tangata whenua that visit the archaeological sites, other waahi tapu and heritage covenant areas shall ensure that the sites are protected and remain undisturbed. Other members of the public being those that have not sought, or been provided with permission from the Lot owner are trespassers in the context of this condition of consent.
  - c. Lot owner consent shall not be unreasonably withheld or declined. If there is any dispute as to the interpretation of this condition or as to the exercise by the Lot owner or Tangata whenua of their respective entitlements or obligations under this condition then before the Lot owner may deny access to the sites or before members of the public visit the sites pursuant to this condition, the dispute shall be referred to the President of the Auckland District Law Society whose decision shall be binding on all parties.
  - k. Conditions 50 and 61 a requirement to maintain and replant vegetation in landscaping planting.
  - l. Conditions 41 and 52 requiring adherence to an approved Management Plan.
  - m. The maximum rolling height above ground level (as defined in the district plan as at 30 May 2005) of any building on lot 5 shall be no more than 6 metres.
33. The development of each buildable area is to proceed in accordance with the recommendations contained within the Geotechnical Report prepared by Tonkin & Taylor and submitted with the application. Specifically, that a site-specific geotechnical investigation be carried out for all of the proposed building platforms, accessways and effluent fields prior to the building consent application and earthworks commencing.
34. None of the non-residential ancillary buildings and water storage facilities on lots 1-17 shall be used for residential purposes without the prior written consent of Council. No cooking or food preparation facilities are to be installed in these non residential buildings or water storage facilities.



35. No part of the recreation facility on Lot 18 is to be used as a licensed restaurant / hotel / bar without further written consent from Council.
36. That effluent disposal on each lot shall be located in accordance with the recommendations contained in the Richardson Stevens report dated 28 September 2004 as submitted in the AEE. Each effluent disposal field on Lots 1-18 shall be located at least 30 m from MHWS. The ongoing operation and maintenance of the system is to be covered by a maintenance agreement undertaken by the system supplier or its authorized agent.

**ROADING CONDITIONS:**

37. Prior to being approved under Section 223 of the Act the survey plan shall:
- a. Submit plans and details of all works on public land and all work on private land for the approval of Council prior to commencing construction. Such works are to be designed in accordance with Council's Engineering Standards and Guidelines: 2004 and NZS 4404 2004.

*In particular these plans shall show:*

- i) The intersection of the internal access road and Manawaora Road
- ii) The widened section sealed with a 2 coat chip seal.
- iii) Road markings, and signage at the intersection.
- iv) The main internal road on Lot 18 upgraded and sealed or concreted to 5.5m carriageway width with all corners designed to accommodate a heavy rigid vehicle provided that the spur to Lot 17 and the jetty be a 3.5m carriageway width with all corners and passing bays designed to the satisfaction of the Environmental Services Engineer.
- v) The secondary access road on Lot 18 to serve lots 13, 14, 15, and 16 formed and sealed to provide a 3.5m carriageway width with all corners designed to accommodate a heavy rigid vehicle and passing bays complying with rule 14.1.6.1.2 of the Revised Proposed District Plan.
- vi) Access on ROW A, B, D, E and F formed and sealed or concreted to 3m finished carriageway width with passing bays.
- vii) Access on ROW C & G formed and sealed to 3m finished metallised carriageway width
- viii) Stormwater collection and disposal from the roading access network.
- ix) The gated entrance to the property set back at least 25m and



complying with the Council Standard FNDC/S/6D.

- b. Following approval of the plans and selection of the contractor provide to Council;
- i) Details of the successful contractor
  - ii) Details of the planned date and duration of contract
  - iii) Details of the supervising engineer
  - iv) A traffic management plan.

**STAGE 1 (LOTS 1-13, 17 & 18)**

38. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Lands and Survey Ref: 7271 dated May 2005 and as submitted in evidence at the hearing on 30th May 2005, (as attached to this consent with Council's APPROVED stamp affixed).
39. Pursuant to section 220 (1)(b)(iii) the following amalgamation conditions will apply [DLR ref: 465028]:
- a) Lots 6 and Lot 6A shall be amalgamated and be held together and one certificate of title be issued to include both parcels.
  - b) Lots 8 and Lot 8A shall be amalgamated and be held together and one certificate of title be issued to include both parcels.
  - c) Lots 17 and Lot 17A shall be amalgamated and be held together and one certificate of title be issued to include both parcels.
40. The endorsement of the following conditional amalgamation, pursuant to Section 220 (1)(b)(iv) of the Resource Management Act 1991; That Lot 18 [legal access] be held as to seventeen undivided one- 17 shares by the owners of Lots 1 - 17 thereon as Tenants in Common in the said shares and that individual certificates of title be issued in accordance therewith.
41. By the time of the lodgement of the Survey Plan under section 223 of the Resource Management Act, there shall at all times be an approved Management Plan for Lots 1-13, 17 & 18 in accordance with Rule 12.9.2 of the Proposed District Plan for the approval of the Council's Resource Consents Manager. The Management Plan is to:
- a. Clearly specify the responsibilities of the Residents' Association (management entity termed the Tai Awhi Awhi Residents Association) and of the individual lot owners particularly in relation to the on-going



management of the revegetation, archaeological, heritage utility and recreational areas,

- b. Contain mechanisms for compliance with the design guidelines for buildings,
- c. Detail the covenants for the heritage and revegetation,
- d. Incorporate both the Northland Regional Council conditions and those conditions of the landuse and subdivision consents that are relevant to the Management Plan in these conditions of consent.

42. This Management Plan may be reviewed on an annual basis by the Resident's Association, and any necessary changes to the Management Plan are to be sought in writing for the approval of and to the satisfaction of Council's Resource Consents Manager.

43A To ensure the performance of Condition 10 - (Earthworks) the consent holder shall pay a bond to the sum of - \$150,000.00 to Council, to be held under the following conditions:

- (a) *This bond shall be paid prior to the commencement of construction work on the site and shall be either cash or guaranteed in accordance with Council's Bonds and Undertakings Policy # 3102.*
- (b) *The bond shall be held for a minimum period of 6 months for the earthworks under Condition 10 from the date of receipt, and shall be released when in the opinion of Council's Monitoring Officer the said conditions have been satisfied.*
- (c) *Any costs incurred in the preparing, checking, monitoring and release of the bond are to be met by the consent holder.*

43B To ensure the performance of Condition 49 (Stage 1 of the subdivision) and Condition 60 (Stage 2 of the subdivision) the consent holder shall pay a bond to the sum of \$225,000.00 inclusive of GST to Council, to be held under the following conditions:

- (a) *This bond shall be paid prior to approval of both the landscape plan and any building consents or any allotment and shall be either cash or guaranteed in accordance with Council's Bonds and Undertakings Policy # 3102.*
- (b) *The bond shall be held for a minimum period of 36 months for the landscaping under Condition 49 from the date of receipt, and shall be released when in the opinion of Councils Monitoring Officer the said conditions have been satisfied. The landscaping bond shall be*



*reviewed on an annual basis and if satisfactory progress has been made the bond will be refunded on the following basis:*

- *50% after planting*
- *25% after plants have been planted for 1 year*
- *25% after plants have been planted for 3 years.*

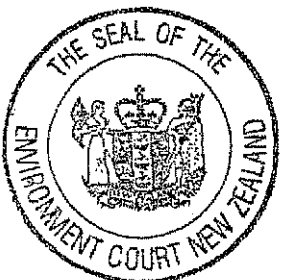
*(c) Any costs incurred in the preparing, checking, monitoring and release of the bond are to be met by the consent holder.*

44. Prior to being approved under Section 223 of the Act the survey plan shall:

- a. Show all easements to be duly granted or reserved.
- b. Show the Public Access Easement Boundary on Lot 11
- c. Show all land below MHWS that is contained within any of the Certificates of Title involved in the overall subdivision, to be vested in the Crown pursuant to section 237(1)(b)(ii).

45. That before a certificate is issued pursuant to Section 224(c) of the Act, the Consent Holder shall:

- a. Provide access to all lots created under Stage 1 and upon completion of the work provide certification of the work from a Chartered Professional Engineer that all work has been completed in accordance with the approved plan.
- b. Provide three copies of as-builts for all work located within the legal road. Plans of which are to include the following information:
  - i) *Drawings showing the location of all underground services, valves and manhole lids and levels of manhole inverts and lids to DOSDLI datum. This information is also to be provided in a digital format to enable it to be added to Council's GIS data base.*
  - ii) *Information for RAMM database;*
    - *Subgrade depth, aggregate Type and source*
    - *Base course depth, aggregate type and source*
    - *Lime or cement stabilisation details*
    - *Seal coat details including binder type/grade and residual*





*application rate.*

46. Provide evidence that the private land covenants and the public access easements required by Condition 5 will be registered against the appropriate lots by providing a letter of undertaking from a solicitor. The details of the proposed covenants are to be to the satisfaction of Council.
47. Provide evidence to the Council that all underground power and telephone services have been reticulated to the boundary of each Lot.
- 48A      Revegetation plans shall be submitted first within 6 months of the consent being granted for stage 1 of the subdivision and secondly within 6 months of the pines being removed for Stage 2 of the subdivision for all of the areas of each lot outside of the curtilage area (including the first 20m landward of MHWS) where proposed planting is to occur within each lot to the satisfaction of the Environmental Services Manager of Far North District Council. The Revegetation Plan shall be consistent with the information submitted in the AEE, evidence and draft Management Plan presented at the hearing and any approved Management Plan under Conditions 41 and 52. The Revegetation Plan shall provide for:
- a. The ongoing re-planting and maintenance programme.
  - b. The ongoing pest and weed management programme.
  - c. The maintenance and enhancement of vegetated areas and understorey planting.
- 48B      Implement and continue to maintain and replant vegetation in terms of the relevant revegetation plan approved pursuant to Condition 48A of this consent.
49. Ensure that the approved landscape planting is commenced within 12 months of the landscape plan being approved, and is maintained for the duration of the consent. Any plants that are removed or damaged are to be replaced as soon as possible, or within the next planting season (1st May to 30th September each calendar year).
50. Implement and continue to maintain and replant revegetation landscape planting as provided for in the approved Management Plan under Condition 41 of all covenanted areas and maintain or repair any stock exclusion structures

**Stage 2 Lots 14 – 16**

51. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Lands and Survey Ref: 7271 dated May 2005 and as submitted in evidence at the hearing on 30th May 2005, (as attached to this consent with Council's APPROVED stamp affixed).
52. By the time of lodgement of the Survey Plan under section 223 of the Resource Management Act, there shall at all times be an approved Management Plan for Lots 14 -16 in accordance with Rule 12.9.2 of the Proposed District Plan for the



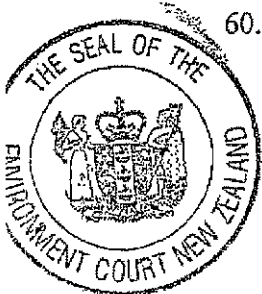
approval of the Council's Resource Consents Manager. The Management Plan is to:

- a. Clearly specify the responsibilities of the Residents' Association (management entity termed the Tai Awhi Awhi Residents Association) and of the individual lot owners particularly in relation to the on-going management of the revegetation, archaeological, heritage utility and recreational areas,
  - b. Contain mechanisms for compliance with the design guidelines for buildings,
  - c. Detail the covenants for the heritage and revegetation,
  - d. Incorporate both the Northland Regional Council conditions and those conditions of the landuse and subdivision consents that are relevant to the Management Plan in these conditions of consent.
  - e. This Management Plan may be incorporated with the Management Plan required under Condition 41.
53. This Management Plan may be reviewed on an annual basis by the Resident's Association, and any necessary changes to the Management Plan are to be sought in writing for the approval of and to the satisfaction of Council's Resource Consents Manager.
54. To ensure the performance of Condition 60 (landscaping) the consent holder shall pay a bond to the sum of \$225,000.00 inclusive of GST to Council, to be held under the following conditions:
- (a) *This bond shall be paid prior to the commencement of construction work on the site and prior to the approval of both the landscape plan and any building consent for any allotment and shall be either cash or guaranteed in accordance with Council's Bonds and Undertakings Policy # 3102.*
  - (b) *The bond shall be held for a minimum period of 36 months for the landscaping under Condition 60 from the date of receipt, and shall be released when in the opinion of Council's Monitoring Officer the said conditions have been satisfied. The landscaping bond shall be reviewed on an annual basis and if satisfactory progress has been made the bond will be refunded on the following basis:*
    - 50% after planting
    - 25% after plants have been planted for 1 year
    - 25% after plants have been planted for 3 years.



(c) *Any costs incurred in the preparing, checking, monitoring and release of the bond are to be met by the consent holder.*

55. Prior to being approved under Section 223 of the Act the survey plan shall:
- a. Show all easements to be duly granted or reserved.
  - b. Show any land below MHWS that is contained within any of the Certificates of Title involved in the overall subdivision, to be vested in the Crown pursuant to Section 237(1)(b)(ii).
56. That before a certificate is issued pursuant to Section 224(c) of the Act, the Consent Holder shall:
- a. Complete all work required to provide access to lots created by Stage 2 of the proposed subdivision and provide certification from a Chartered Professional Engineer that all work has been completed in accordance with the plans approved under Condition 37 of this consent.
57. Provide evidence that the private land covenants will be registered against the appropriate lots by providing a letter of undertaking from a solicitor. The details of the proposed covenants are to be to the satisfaction of Council.
58. Provide evidence to the Council that all underground power and telephone services have been reticulated to the boundary of each Lot.
59. Provide a landscape and revegetation plan for all lots within this stage of the subdivision for all the areas of each lot outside of the curtilage area to the satisfaction of the Resource Consents Manager of Council. The plan has been prepared by a suitably qualified professional, which details the species proposed to be planted in all of the native revegetation areas, including the means of reducing the visual impact of the buildings, associated structures and earthworks, by way of suitable plantings. The plan is to identify the species of plants to be used, their numbers and locations on the site, and the means of maintaining these plants for a minimum of 10 further years, until they have become established. The plants proposed to be used shall be:
- a. Appropriate to the landscape and ecological area and the coastal environment that they are proposed to be planted in, and
  - b. Native species, and where practical be derived or sourced from local stock as specified in the Management Plan.
60. Ensure that the approved landscape planting is commenced within 12 months of the landscape plan being approved, and is maintained for the duration of the consent. Any plants that are removed or damaged are to be replaced as soon as



possible, or within the next planting season (1st May to 30th September each calendar year).

61. Implement and continue to maintain and replant revegetation landscape planting as provided for in the approved Management Plan under Conditions 41 & 52 of all covenanted areas and maintain or repair any stock exclusion structures.

*Records of*  
**FURTHER RESOLUTION**

*HAS*  
**THAT** THE FAR NORTH DISTRICT COUNCIL APPROVED PURSUANT TO SECTION 348 OF THE LOCAL GOVERNMENT ACT 1974, THE ACCESS LOT 18 AND RIGHTS-OF-WAY "A" TO "G" SHOWN ON PLAN REF 7271 BY LANDS & SURVEY DATED MAY 2005, BEING GRANTED AS FOLLOWS FOR ACCESS OVER LAND CONTAINED IN LOT. PT RAWHITI NO.2 BLOCK CT 35A/947, PAREANUI BLOCK ML 8418, RUSSELL SD CT 35D/223, AND PT RAWHITI NO.2 BLOCK CT 35A/592

Proposed Rights-of-Way		
Shown	Servient tenement	Dominant Tenement
A	Lot 5	Lots 1 - 4
B	Lot 4	Lots 1 - 3
C	Lot 2	Lot 1
D	Lot 9	Lots 8A, 10 - 12
E	Lot 9	Lots 10 - 12
F	Lot 10	Lots 11 & 12
G	Lot 8	Lot 7

**Advice Notes:**

1. That the Consent Holder be advised that an invoice will follow this decision being additional to the costs incurred in the processing of this consent.
  2. Development contributions may be payable for this proposal. This will be advised under separate cover.
  3. Buildings over 50 m<sup>2</sup> require a resource consent of the Far North District Council.
  4. That effluent disposal over 5 m<sup>3</sup>/ day will require a resource consent of the Northland Regional Council.
  5. Consent of the Northland Regional Council is required for the existing ROW causeway that is located within the coastal marine area.
  6. Redevelopment of the existing woolshed and shearer's quarters may require strengthening and fire alarms under the provisions of the Building Act 2002.
  7. Any spill or washdown that drains to the coastal marine area requires a resource consent from the Northland Regional Council.
- Compliance with the provisions of the Historic Places Act 1993 is required.



9. That a landscape planting plan for planting within the curtilage areas (that area of land between the external perimeter of the curtilage area and the buildable area) of each lot shall be lodged for approval prior to the issuing of any building consent for the lot. The Planting Plan shall be consistent with the information submitted in the AEE, evidence and draft Management Plan presented at the hearing and any approved Management Plan under Conditions 41 and 52. The Planting Plan shall provide for:
- a. The ongoing re-planting and maintenance programme.
  - b. The on-going pest and weed management programme.
  - c. The maintenance and enhancement of vegetated areas and understorey planting.



IN THE MATTER

of the Resource  
Management Act 1991

AND

IN THE MATTER

of an appeal under s120 of  
the Act

BETWEEN

**BENTZEN FARM  
LIMITED**

ENV-2006-AKL-000193  
(formerly ENV A 0204/05)

Appellant

AND

**NORTHLAND REGIONAL  
COUNCIL**

Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge L.J. Newhook sitting alone under Section 279 of the Act

IN CHAMBERS at Auckland.

CONSENT ORDER

HAVING CONSIDERED the appeal lodged in this matter, the reply filed by the  
respondent and the consent memorandum submitted on behalf of the parties

THIS COURT HEREBY ORDERS BY CONSENT that :



The coastal permit granted by the Northland Regional Council to  
Bentzen Farms Limited authorising it to carry out alterations to an

existing jetty (by way of the addition of a pontoon, gangway and associated piles) be allowed by deleting conditions 14 and 15 attaching to resource consent number CON200410558-10 and substituting in its place the resource consent set out in the schedule to this order.

2. The appeal is otherwise dismissed.
3. There is no order as to costs.

DATED at Auckland this *4<sup>th</sup>* day of *October* 2006



\_\_\_\_\_  
L

Environment Judge

## SCHEDULE

### RESOURCE CONSENT FOR ALTERATIONS TO JETTY

That resource consent (CON20041055810) be granted to:

**BENTZEN FARM LIMITED, PAREKURA BAY, R D 4, HIKURANGI 0251**

To carry out the following activities associated with the development of a 17 lot subdivision in the catchment of Waipiro Bay, Bay of Islands on Pt Rawhiti 2 and Pt Pareanui Blk III Russell SD at about location co-ordinates 1711895E 6098092N (jetty) (*Note: All location co-ordinates in this document refer to Geodetic Datum 2000, New Zealand Transverse Mercator Projection*):

**(10) Coastal Permit: To carry out alterations to an existing jetty**

Subject to the following conditions:

- 1 The works shall be constructed in accordance with the following Bellingham Marine drawing (**attached** as Appendix "A"):  
"Alternative Layout 3", Drawing BFM 1-04, Rev. 0, dated August 2005.
- 2 The Consent Holder shall notify the Northland Regional Council in writing of the date the works are intended to commence, at least one week beforehand.
- 3 No construction shall commence on the facility until its position has been set out and the set out is verified on site by the Council as being in accordance with the approved plans referred to in these conditions.
- 4 The Consent Holder shall ensure that a copy of this consent is provided to the person who is to carry out the work, prior to construction. A copy of this consent shall be held on site, and available for inspection by the public, during construction.
- 5 The Consent Holder shall mark the structure(s) with the number **10558** in black lettering on a white background clearly displayed and in such a manner as to be clearly visible from the land and sea.





6 The structures shall either be finished in, or give the impression they are finished in, unpainted timber.

7 The Consent Holder shall, immediately upon completion of the installation of all works associated with this consent, notify in writing:

- Nautical Information Advisor, Land Information New Zealand, Private Bag 5501, Wellington
- Maritime New Zealand, P O Box 27-006, Wellington
- The Far North District Council, Private Bag 752, Kaikohe
- The Northland Regional Council, Private Bag 9021, Whangarei

The Consent Holder shall include a scale plan of the completed works with the notification.

8 Navigation aids shall be provided for the jetty and pontoons.

*Advice Note: All navigation aids are required to be in accordance with any current Maritime Safety Guidelines for providing aids to navigation and are to be approved by the Maritime New Zealand. Other than any lighting required by the Director of Maritime New Zealand for navigational safety purposes, lighting in and around the facility shall not create light spill to surrounding areas in such a manner as to create nuisance in the opinion of an enforcement officer of the Northland Regional Council.*

9 The Consent Holder shall maintain the structures covered by this consent in good order and repair. Replacement of piles covered by this consent may be carried out during the term of this consent without further approval being required under the Resource Management Act 1991, provided:

- (a) The position of replaced piles is not altered from the original position;
- (b) No significant discharge or deposition of contaminants occurs into the coastal marine area;
- (c) There is no use of explosives.



10 Notwithstanding any other conditions of this consent, the discharges associated with the works authorised by this consent shall not cause the water quality of the receiving waters at a radius of 20 metres of the site of the works to fall below the following:

- (a) The production of conspicuous oil or grease films, scums or foams, floatable or suspended materials, or emissions of objectionable odour;
- (b) The natural pH of the waters shall not be changed by more than 0.5 unit and at no time shall be less than 6.7 or greater than 8.5;
- (c) There shall be no destruction of natural aquatic life by reason of a concentration of toxic substances; and
- (d) The natural colour and clarity of the waters shall not be changed to a conspicuous extent.

11 The Consent Holder shall, for the purposes of adequately monitoring the consent as required under s.35 of the Resource Management Act 1991, on becoming aware of any contaminant associated with the Consent Holder's operations escaping otherwise having conformity with this consent:

- (a) Immediately take such action or execute such work as may be necessary to stop and/or contain such escape;
- (b) Immediately notify the Northland Regional Council by telephone of an escape of contaminant;
- (c) Take all reasonable steps to remedy or mitigate any adverse effects on the environment resulting from the escape;
- (d) Report to the Northland Regional Council in writing within one week on the cause of the escape of the contaminant and the steps taken or being taken to effectively control or prevent such escape.



12 This consent shall expire as soon as marina berth facilities become available in the outer Bay of Islands provided always that should this consent expire for this reason then the Consent Holder shall be entitled to reinstate a jetty structure within the footprint of the jetty existing at the date of commencement of this consent.

13 The Consent Holder will not for the duration of this consent, erect, place, use or keep on the land defined below nor permit any other person or organisation of any kind to erect, place, use or keep on the land any building, wharf, jetty, marina, boat ramp or facility associated with access to and across the coastal marine area boundary within a setback of 20 metres inland from the mean high water mark. The land to which this Condition applies is the land identified as Lots 1-12 inclusive, shown on the Lands and Survey plan of subdivision "Tai Awhi Awhi" proposed subdivision layout, plan reference 7271 dated May 2005 (attached as Appedix "B"), being a subdivision of:

- The land described in Certificate of Title NA35A/592 – 19.225 hectares more or less being part Rawhiti No 2 Block;
- The land described in Certificate of Title NZ35A/947 being 96 hectares more or less being part Rawhiti No 2 Block; and
- The land described in Certificate of Title NZ35D/223 being 24.5847 hectares more or less being Paraenui Block.

To secure this condition, a covenant under s.108(2)(d) of the Resource Management Act must be prepared and be registered at the Consent Holder's expense on the certificates of title to the land. The covenant shall be in terms of the draft covenant in the schedule attached (as Appendix "C") to this consent.

*This condition has been volunteered by the Consent Holder.*

14 The Consent Holder will not for the duration of this consent, erect, place, use or keep nor permit any other person or organisation of any kind to erect, place, use or keep any building, wharf, jetty, marina, boat ramp or facility associated with access to and across and use of the coastal marine area which is 50 metres seaward of the mean high water springs



boundary of their property. The land to which this condition applies is the land identified as Lots 1-12 inclusive, shown on the **attached** Lands and Survey plan of subdivision "Tai Awhi Awhi" proposed subdivision layout, plan reference 7271 dated May 2005, being a subdivision of:

- The land described in Certificate of Title NA35A/592 – 19.225 hectares more or less being part Rawhiti No 2 Block;
- The land described in Certificate of Title NZ35A/947 being 96 hectares more or less being part Rawhiti No 2 Block; and
- The land described in Certificate of Title NZ35D/223 being 24.5847 hectares more or less being Paraenui Block.

To secure this condition, a covenant under s.108(2)(d) of the Resource Management Act must be prepared and be registered at the Consent Holder's expense on the certificates of title to the land. The covenant shall be in terms of the draft covenant in the **schedule** to this consent.

*This condition has been volunteered by the Consent Holder.*

15

The Northland Regional Council may in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent. Such notice may be served annually during the month of October. The review may be initiated for any one or more of the following purposes:

- (a) To deal with any adverse effects on the environment that may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or to deal with any such effects following assessment of the results of the monitoring of the consent and/or as a result of the Northland Regional Council's monitoring of the state of the environment in the area;
- (b) To require the adoption of the best practicable option to remove or reduce any adverse effect on the environment;
- (c) To provide for compliance with rules in any regional plan that has been made operative since the commencement of the consent;



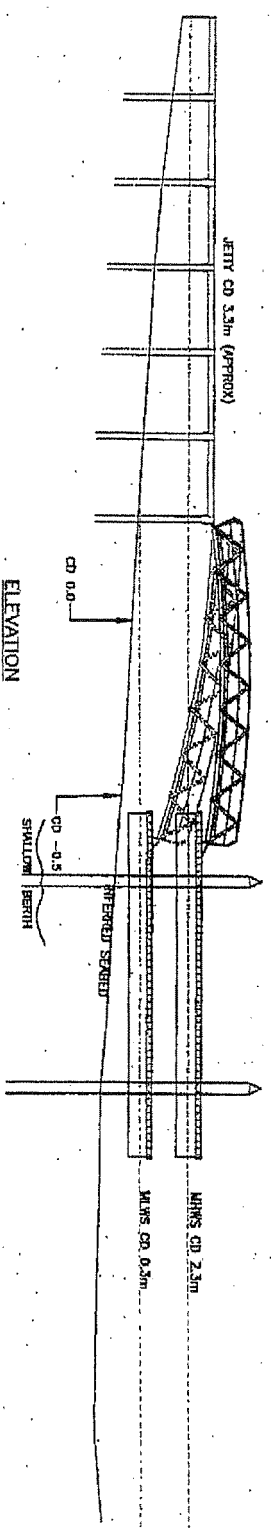
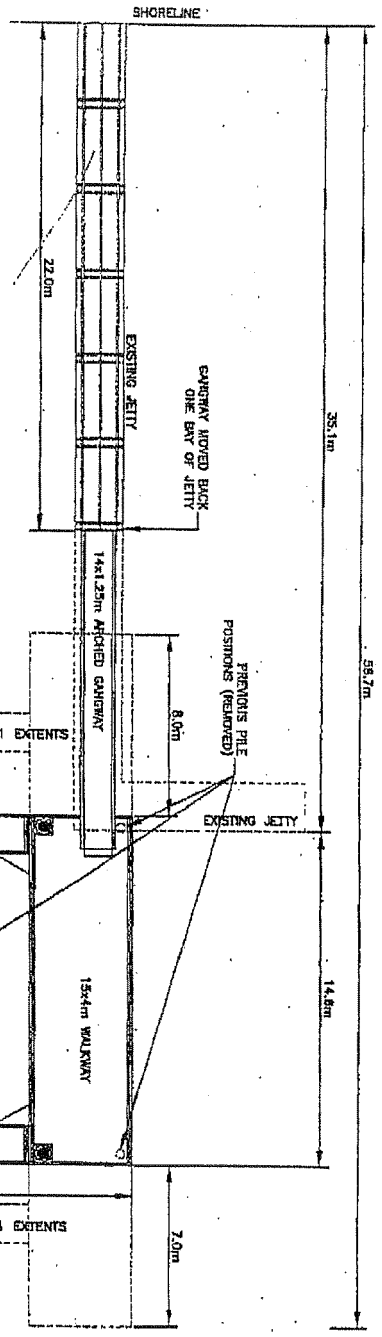
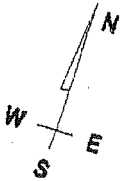
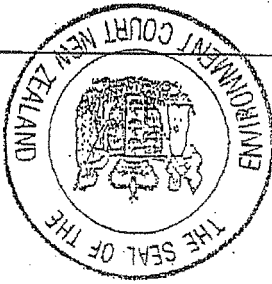
- (d) To deal with any material inaccuracies that may in future be found in the information made available with the application. (Notice may be served at any time for this reason.)

The Consent Holder shall meet all reasonable costs of any such review.

- 16 Fuelling and maintenance of plant and equipment, other than any vessel, used in any activity associated with the exercise of this consent shall not be carried out in the coastal marine area or in any other location near the site where fuel or oil could enter the coastal marine area or that soil or fresh water is contaminated.

**EXPIRY DATE:** Twenty years from the date of the grant of consent or, subject to Condition 12 of this consent, as soon as marina berth facilities become available in the outer Bay of Islands, whichever is the sooner.





PLAN

ELEVATION

**Bellingham**  
MARINE

FAIR  
KNIGHTS  
LIMITED

**UNIFLOAT**  
Process engineering flotation systems

PO Box 3, Oroua Dist  
Oroua Marina Park  
Bay of Islands

Tel: (06) 492 5311  
Fax: (06) 492 5312  
International (064)

Eng: bellingham@unifloat.com  
Web: www.bellingham-marine.com

REV. DATE: Inspection  
0. Date of first issue

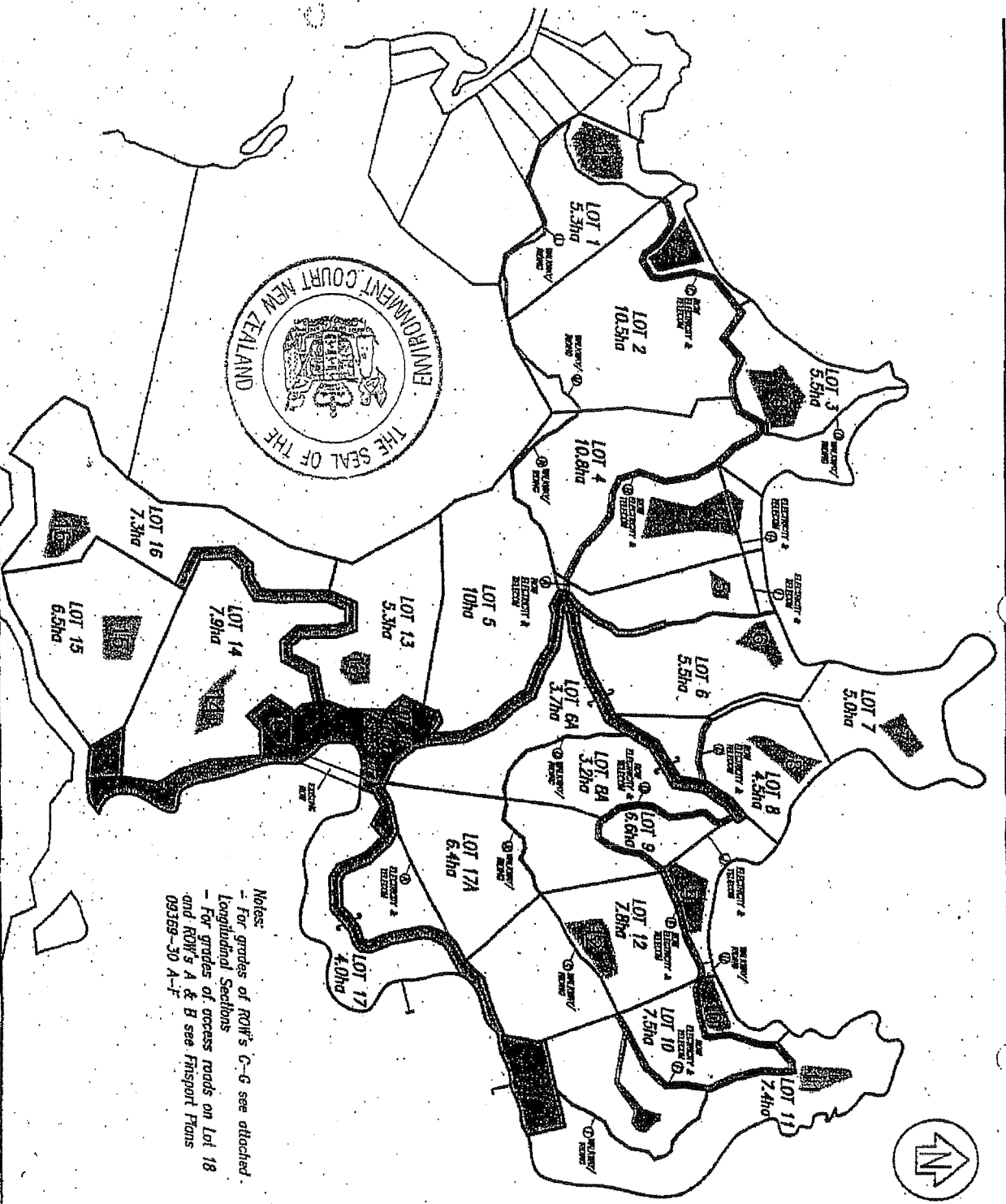
CLIENT: BENITZEN FARM LTD  
PROJECT: WHARF DEVELOPMENT  
TITLE: ALTERNATIVE LAYOUT 3

Date: Aug. 05  
Drawing: BFM 1-04  
Revision No.: 0  
Scale: 1:200 @A3

Drawn by: JJP  
App'd by:

14

LANDS & SURVEY  
 THE SEAL OF THE GOVERNMENT OF NEW ZEALAND  
 THE SEAL OF THE GOVERNMENT COURT NEW ZEALAND



Notes:  
 - For grades of ROW's C-G see attached Longitudinal Sections  
 - For grades of access roads on Lot 18 and ROW's A & B see Fritsport Plans 09369-30 A-J



TAI AWHI AWHI  
 PROPOSED SUBDIVISION LAYOUT

PROPOSED FOR  
 BENTZEN FARMS  
 SHEET 1  
 OF 1  
 DATE 20/5/05

PROPOSED WALKWAY & RIDING EASEMENTS		
Shown	Partient Easement	Partient Easement
A	Lot 5	Lots 1-4, 6-18
B	Lot 4	Lots 1-3, 6-18
C	Lot 2	Lots 1, 3-18
D	Lot 9	Lots 1-4, 10-18
E	Lot 9	Lots 1-6, 10-18
F	Lot 10	Lots 1-6, 11-18
G	Lot 8	Lots 1-7, 9-18
L	Lot 1	Lots 2-18
M	Lot 2	Lots 1, 3-18
N	Lot 4	Lots 1-3, 5-18
O	Lot 3	Lots 1-2, 4-18
P	Lot 7	Lots 1-6, 8-18
Q	Lot 8A	Lots 1-4, 8-18
R	Lot 9	Lots 1-4, 10-18
S	Lot 12	Lots 1-11, 13-18
T	Lot 11	Lots 1-10, 12-18
U	Lot 9	Lots 1-4, 10-18

PROPOSED EASEMENTS			
Purpose	Shown	Partient Easement	Width
Right of Way	(A)	Lot 5	20m
Right of Way	(B)	Lot 4	20m
Right of Way	(C)	Lot 2	10m
Right of Way	(D)	Lot 9	20m
Right of Way	(E)	Lot 9	10m
Right of Way	(F)	Lot 10	10m
Right of Way	(G)	Lot 8	10m
Right of Way	(H)	Lot 4	3m
Right of Way	(I)	Lot 5	3m
Right of Way	(J)	Lot 9	3m
Right of Way	(K)	Lot 17A	3m

*Handwritten signature and date: 20/5/05*

"C"

**SCHEDULE**

**COVENANT**

**IN THE MATTER** of a Covenant entered into  
under Section 108(2)(d) of the  
Resource Management Act  
1991

**WHEREAS**

- A. **BENTZEN FARM LIMITED** ("the Covenantor") is the registered proprietor of an estate in fee simple in those parcels of land comprising:
- (i) 19.2225 hectares more or less being part Rawhiti No.2 Block and being all the land comprised in Certificate of Title NA35A/592 (North Auckland Registry)
  - (ii) 96.0000 hectares more or less being part Rawhiti No.2 Block and being all the land comprised in Certificate of Title NA35A/947 (North Auckland Registry)
  - (iii) 24.5847 hectares more or less being Pareanui Block and being all the land comprised in Certificate of Title NA35D/223 (North Auckland Registry)
- ("the land").
- B. The Covenantor applied to the **NORTHLAND REGIONAL COUNCIL** ("the Council") for certain resource consents under the Resource Management Act 1991 ("the Act") including a coastal permit to enable the Covenantor to carry out alterations to a jetty on or adjacent to the land.
- C. The Council has granted a coastal permit for alterations to the jetty (CON 2004 1055810) subject to the Covenantor entering into this covenant under section 108(2)(d) of the Act.

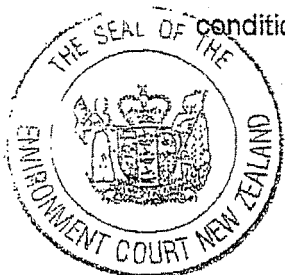




**NOW THEREFORE** in order to comply with the conditions attaching to the Council's grant of the coastal permit the Covenantor **COVENANTS** with the Council under section 108(2)(d) of the Resource Management Act so as to bind the Covenantor and the registered proprietor or registered proprietors for the time being of the land defined in clause 1 below or any part of such land as follows:

1. "The land" means all the land in Lots 1-12 inclusive in the Lands and Survey plan of subdivision called "Tai Awhi Awhi proposed subdivision layout", reference 7271, dated May 2005, a copy of which is attached to this covenant.
2. The Covenantor will not erect, place, use or keep on the land, nor permit any other person or organisation of any kind to erect, place, use or keep on the land, any building, wharf, jetty, marina, boat ramp or facility associated with access to and across the coastal marine area boundary within a set back of 20 metres inland from the mean high water mark (inland from mean high water springs).
3. The Covenantor will not erect, place, use or keep within the coastal marine area adjacent to the land nor permit any other person or organisation of any kind to erect, place, use or keep any building, wharf, jetty, marina, boat ramp or facility associated with access to and across and use of the coastal marine area with that part of the coastal marine area which is 50 metres seaward of the mean high water springs boundary of their property.

**THIS** Covenant shall have effect so long as there is a resource consent held by the Covenantor or its successor in title for a jetty in Huirangi Inlet, Parekura Bay, Bay of Islands in the terms granted by resource consent No. CON20041055810 by the Council and there is a condition of that consent requiring a covenant with the terms set out in this covenant. Further, if a resource consent for the jetty shall expire and a new consent for a jetty is granted (such new consent containing a condition requiring a covenant in terms of the present covenant) this covenant



shall remain in force, notwithstanding any lapse in time between the expiry of one resource consent and the grant of a new consent.

IN WITNESS WHEREOF these presents have been executed this \_\_\_\_\_ day  
of \_\_\_\_\_ 2006.

**SIGNED** on behalf of **BENTZEN FARM** )  
**LIMITED** by a director in the presence of: )

\_\_\_\_\_  
Director

*Witness Signature:*

*Witness Name:*

*Witness Occupation:*

*Witness Address*

**THE COMMON SEAL** of **THE NORTHLAND** )  
**REGIONAL COUNCIL** was hereunto affixed )  
by Order of the Council in the presence of: )

\_\_\_\_\_



# ŌMARINO MANAGEMENT PLAN

---

## **ATTACHMENT 5: NEW ZEALAND HISTORIC PLACES TRUST AUTHORITY**

New Zealand Historic Places Trust  
Pouhere Taonga



S:/Arch/2005/149

Patron:  
Her Excellency The Hon  
Dame Silvia Cartwright, PCNZM, DBE  
Governor General of New Zealand

HP 11013-014  
In reply please quote 2005/149

6 April 2006

Bentzen Farms Limited  
C/- Boffa Miskell  
PO Box 91 250  
AUCKLAND

RECEIVED

6 APR 2006

Attn: Peter Hill

Tena koe Peter

**AUTHORITY PURSUANT TO SECTION 14, *HISTORIC PLACES ACT 1993* -  
No. 2005/149 Bentzen Farm, Manawaora Rd, Rawhiti, Bay of Islands.**

#### **APPLICATION**

The Trust has considered your application on behalf of Bentzen Farms Limited for an authority to modify, damage and destroy part of sites Q05/1296, Q05/335, Q05/1301, Q05/338, and Q05/854 comprising a pit, horticultural drains, midden and terraces, to take a midden sample from Q05/1331, and to modify, damage and destroy any unrecorded sites in Lots 14-16.

The Trust has made the following decision on your application.

#### **DECISION**

In accordance with section 14 (1) of the *Historic Places Act 1993*, the New Zealand Historic Places Trust grants an general authority in whole to Bentzen Farms Ltd to modify, damage or destroy archaeological sites or parts of archaeological sites Q05/1296 (horticultural drains), Q05/854 (midden), Q05/338 (specified as terraces, pits and midden with the curtilage area), Q05/335 (specified as pit only), Q05/1301 (specified as horticultural drains within the curtilage area only) and to take a sample from midden site Q05/1331. This authority also extends to any other archaeological sites in Lot 14-16 for the purpose of development associated with subdivision subject to the following conditions:

1. That the authority shall not be exercised until and unless any required consent has been granted by the appropriate local authority for this activity.

2. The authority holder shall inform the Trust and the project section 17 archaeologist of the intention to commence works in advance, at which time the project archaeologist shall inform the Trust of the start and finish dates of any archaeological work required as a condition of this authority.
3. That the Research Strategy prepared by the archaeologist approved under section 17, Rod Clough, to guide the archaeological work carried out as a requirement of this authority, shall be followed and adhered to.
4. This Strategy shall direct investigations, analysis and monitoring work towards questions relating to settlement that can be answered by information from archaeological sources. These archaeological sources include archival and historic records, in-ground and buildings archaeological material, and the analysis and interpretation of artefacts and other material found.
5. That the Trust is notified without delay if there appear to be any reasonable grounds on which an archaeological investigation of any site(s) encountered could provide significant information as to the historical and cultural heritage of New Zealand (in relation to section (15(1) of the Act). Any earthworks that may affect a site shall cease until the Trust has given its response (this response would be given in 5 working days).
6. The discovery of taonga and recognized Maori cultural material is notified to the Ministry for Culture and Heritage or local public museum (pursuant to the requirements of the *Antiquities Act 1975*).
7. If any koiwi tangata (human remains) are encountered, no further modification of the site concerned shall occur until Ngati Kuta Hapu and the Trust have been advised and their responses received.
8. Any archaeological work shall be undertaken in conformity with any tikanga Maori protocols or monitoring requirements agreed to by Ngati Kuta Hapu and the authority holder in the Tai Awhi Awhi Management Plan.
9. That in accordance with section 15 of the Act, an archaeological investigation shall be carried out by an archaeologist approved under section 17 of the Act on sites Q05/335 (pit), Q05/1296 (if anything remains), Q05/338, part of Q05/1301 (within the curtilage area), Q05/854 and any unrecorded sites found within Lots 14-16.
10. This investigation shall be carried out in accordance with the Research Strategy required in Condition 4. In this investigation, the archaeologist shall:

- (a) Research, identify, record, measure, sample and analyse as may be reasonable and practicable any archaeological stratigraphy, features and remains encountered during the on-site investigation, in accordance with the research strategy and accepted archaeological practice;
  - (b) Ensure any material culture remains encountered are recorded, sampled, investigated and cared for as may be appropriate and practicable, in accordance with accepted archaeological and conservation practice; *and*,
  - (c) Ensure that at least 4 samples are submitted for radiocarbon dating, as appropriate
  - (d) Note that the discovery of taonga and recognised Maori cultural material is notified to the Ministry for Culture and Heritage or local public museum (pursuant to the requirements of the *Antiquities Act 1975*),
  - (e) Ensure that if any koiwi tangata (human remains) are encountered, no further modification of the site concerned shall occur until Ngati Kuta Hapu and the Trust have been advised and their responses received, *and*
  - (f) Ensure that any archaeological work shall be undertaken in conformity with any tikanga Maori protocols or monitoring requirements as agreed by Ngati Kuta Hapu and the authority holder.
11. That in this particular case (pursuant to section 15 (2)), the authority may be exercised in association with, or without delay following, the carrying out of any investigation required under condition 2, provided that the Trust is notified to its satisfaction of the completion of any investigation required before further archaeological site evidence is destroyed.
12. That within 20 working days of the completion of the on-site archaeological work associated with this authority:
- a) A brief written summary outlining the archaeological work undertaken, the preliminary results, and the approximate percentage of archaeological material remaining *in-situ*, is submitted to the Trust, and to Ngati Kuta Hapu,
  - b) Site Record Forms are updated in, and/or submitted to, the NZAA Site Recording Scheme as appropriate by the archaeologist.
13. That within 12 months of the completion of the on-site archaeological work a final report is submitted to the Trust. As a minimum standard this report shall contain: site plans; section drawings; inventory of material recovered, including a catalogue of artefacts; location of where the material is

currently held; and, analysis of recovered material in accordance with accepted archaeological practice. Copies of the report shall be lodged with the Trust, the NZAA Central Filekeeper, and to Ngati Kuta Hapu.

14. In accordance with judicial guidance of the Environmental Court derived from *Duncan & Orrs v New Zealand Historic Places Trust/Pouhere Taonga* (Decision No.A33/01, dated 13 March 2001), in particular at paragraph 21, this authority may not be exercised during the appeal period of 15 working days or until any appeal that has been lodged is resolved.

Pursuant to section 17 (1) and (3) of the Act, consent is notified for Rod Clough with such assistants as may be necessary, as a person approved by the Trust to undertake the archaeological work required under this authority, and to compile and submit a report on the work done.

You should be aware of the provisions of the Act summarised below. These concern the rights and obligations of the holder of an authority, and (with respect to section 20) of any person who is directly affected by an authority decision. If you are unsure of these provisions, you may wish to contact the Trust, or to seek legal advice.

- (a) EXPIRY DATE - S 14 (10) - An authority shall be deemed to lapse five years after the date of the granting of that authority.
- (b) CONDITION OF PRIOR INVESTIGATION - S 15 (2) - Where the Trust has imposed a condition of investigation under section 15, then, unless determined otherwise in any particular case, the authority shall not be exercised until the Trust has been advised in writing of the completion of the on-site investigation, and twenty working days have elapsed after receipt of that advice.
- (c) COST OF INVESTIGATION - S 15 (3) Where an archaeological investigation is to be carried out by or on behalf of the Trust under section 15 (1) of the Act, the authority may not be exercised unless an amount equal to the cost of the investigation has been paid to the Trust, except at the discretion of the Trust in special circumstances, or where the Trust has given its consent for an approved person to carry out the investigation under section 17 of the Act.
- (d) REVIEW OF CONDITIONS - S 16 - The holder of an authority may apply to the Trust for the change or cancellation of any condition of the authority. The Trust may also initiate a review of all or any conditions of an authority.
- (e) RIGHTS OF APPEAL - S 20 - Any person who is directly affected by any decision, condition, or review of a condition made under sections 14 (1) (a) and (b), 15, 16, 17 and 18 may appeal against that decision or condition to the Environment Court. The notice of appeal shall - (1) state the reasons for the appeal and the relief sought; (2) state any matters referred to in section 120 of the *Resource Management Act 1991*; (3) be lodged with the Environment Court and served on the Trust within 15 working days of receiving the Trust's

decision; (4) be served on the applicant or owner within five working days of lodging the appeal.

### **ASSESSMENT AND ADVICE**

In considering this application, the Trust notes that you wish to complete earthworks for the development of a residential subdivision at Manawaora Road, Russell. This activity may destroy archaeological features including a pit, midden, terraces and horticultural drains. These features are part of a cultural landscape that has considerable archaeological values and is highly significant to Ngati Kuta Hapu.

The Trust appreciates the effort you have made to consult with Ngati Kuta Hapu. It is the view of the Trust that an authority may be granted in this case on conditions of monitoring, excavation and recording with tangata whenua involvement as appropriate.

Thank you in anticipation of your compliance with the conditions of this authority. The Trust looks forward to receiving a report on the work done, which will make a valuable contribution to the knowledge of New Zealand's past. In the first instance, please refer any questions and the report to:

Dr Marianne Turner  
NZHPT Regional Archaeologist (Northland)  
Private Box  
Kerikeri

Phone: 09 401 7947  
Email: [mturner@historic.org.nz](mailto:mturner@historic.org.nz)

Kia ora



Te Kenehi Teira  
Kaihautu Maori



cc: Rod Clough  
321 Forest Hill Rd  
Waiatarua  
WAITAKERE CITY

cc: Natasha Clarke  
Ngati Kuta Hapu  
Te Rawhiti  
R.D 4  
Rawhiti  
BAY OF ISLANDS

cc: NZHPT Northland Regional Archaeologist (Marianne Turner)

cc: NZHPT Northern General Manager, Sherry Reynolds

cc: NZAA Regional Filekeeper, NORTHLAND

cc: Planning Manager  
Far North District Council  
Private Bag 752  
KAIKOHE

Pursuant to Section 14 (9) *Historic Places Act* 1993 the Trust must notify TLAs of any decision made on an application to damage, modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

cc: Heritage Operations  
Ministry for Culture and Heritage  
PO Box 5364  
WELLINGTON

Section 19 *Historic Places Act* 1993 refers

cc: NZAA Central Filekeeper, c/o DOC, P O Box 10420, Wellington - Tony Walton

# ŌMARINO MANAGEMENT PLAN

---

## ATTACHMENT 6: PLANT NUMBERS

# ŌMARINO MANAGEMENT PLAN

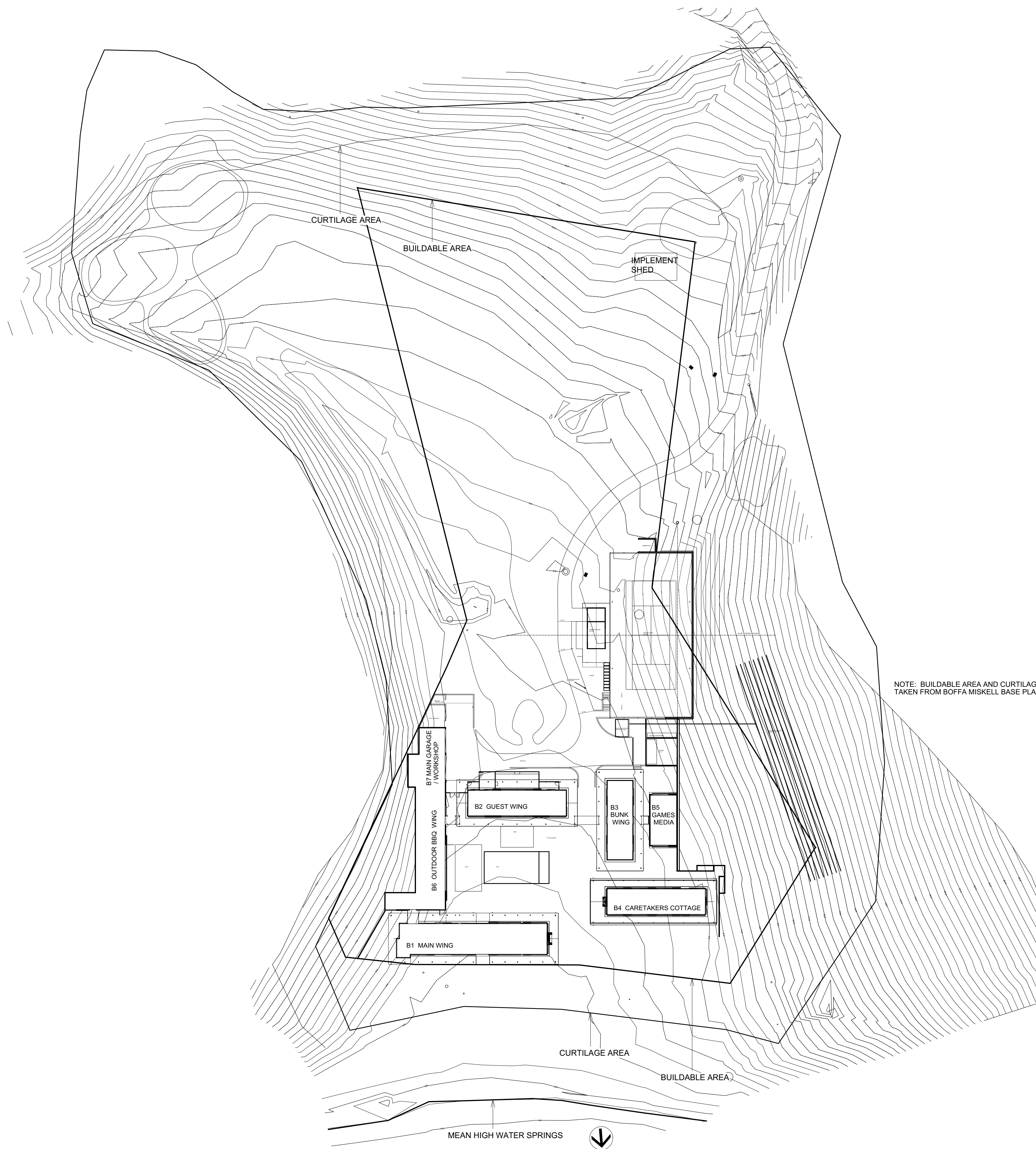
---

<b>PLANT NUMBERS</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>	<b>TOTAL</b>
	<b>2007</b>	<b>2006</b>	<b>2005</b>	<b>2004</b>	<b>2003</b>	<b>2002</b>	
Kerikeri Plant Production	4,881	36,821	31,132	14,138			
damNatives		9,647	945				
Paremoremo		3,654		41,000			
Forest Floor		15,057	34,079	20,000			
L.J. Nursery - Waikare	37,636	30,551					
Bentzen Farm	27,820	16,320		80,000	40,000		
Te Hana		60,815	72,015	73,816			
Dean Satchell		8,596	5,008	5,900			
Paroa Bay Nurseries			600				
			6,000				
Ardmore				6,000	463		
Oratia Native	15,857			4,444	157,786		
Baker Boys	507	577					
PlantPro	25						
Native Plant Centre		2,000					
Ngaiotonga Native Nurseries	2,716						
Ecoland		1,287					
Northland Plant Production				6,880			
Tony Reti						16,000	
Springfield Nursery					6,000		
A White						176	
<b>TOTAL PLANTS</b>	<b>89,442</b>	<b>185,325</b>	<b>149,779</b>	<b>252,178</b>	<b>204,249</b>	<b>16,176</b>	<b>897,149</b>

# ŌMARINO MANAGEMENT PLAN

---

SPECIES	
Aristolea racemosa	Pittosporum eugenioides (Lemonwood)
Coprosma karamu	Plagianthus (Ribbonwood)
Coprosma lucida Waitakere	Podocarpus totara
Coprosma repens	Ponga
Coprosma robusta (Taupata)	Pseudopanax arboreus (Fivefinger)
Cordyline australis (Cabbage tree)	Pseudopanax lessoni Waitakere
Cortaderia fulvida	Pseudopanax lessoni North Cape
Corynocarpus laevigatus (Karaka)	Sophora chatamica Waitakere
Dodonea viscosa (Akeake green)	Toetoe
Dodonea viscosa purpureum (Ake ake purple)	Vitex lucens (Puriri)
Entelea aborescens	Weinmannia sylvicola (Towhai)
Griselinia littoralis	
Griselinia Lucata	
Griselinia lucida (Puka)	
Hebe diosmifolia Wairua Beauty	
Hebe macrocarpa North Shore	
Hebe stricta Waitakere	
Knightia excelsa (Rewarewa)	
Kunzea ericoides (Kanuka)	
Leptospermum scoparium (Manuka)	
Melicytus ramiflorus (Mahoe)	
Melycytus macrophylla (large leaved Whitywood)	
Metrosideros excelsa (Pohutukawa)	
Myoporum laetum "Nelson"(Ngaio)	
Phormium cookianum	
Phormium tenax	
Pittosporum tenuifolium (Kohuhu)	
Pittosporum crassifolium Waitakere	
Pittosporum crassifolium Waitakere (Karo)	



NOTE: BUILDABLE AREA AND CURTILAGE AREA  
TAKEN FROM BOFFA MISKELL BASE PLAN

**jcm design**  
56 Halton Street Stroran  
Christchurch 8052  
+64 021379639  
corbettkathryn41@gmail.com  
LBP Number BP121638

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
WORK. DO NOT SCALE.  
  
THIS DRAWING IS COPYRIGHT AND IS THE  
PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
GYM, FAMILY ROOM &  
BOWLING ALLEY  
LOT 4 OMARINO  
BAY OF ISLANDS

DRAWING TITLE

EXISTING SITE PLAN

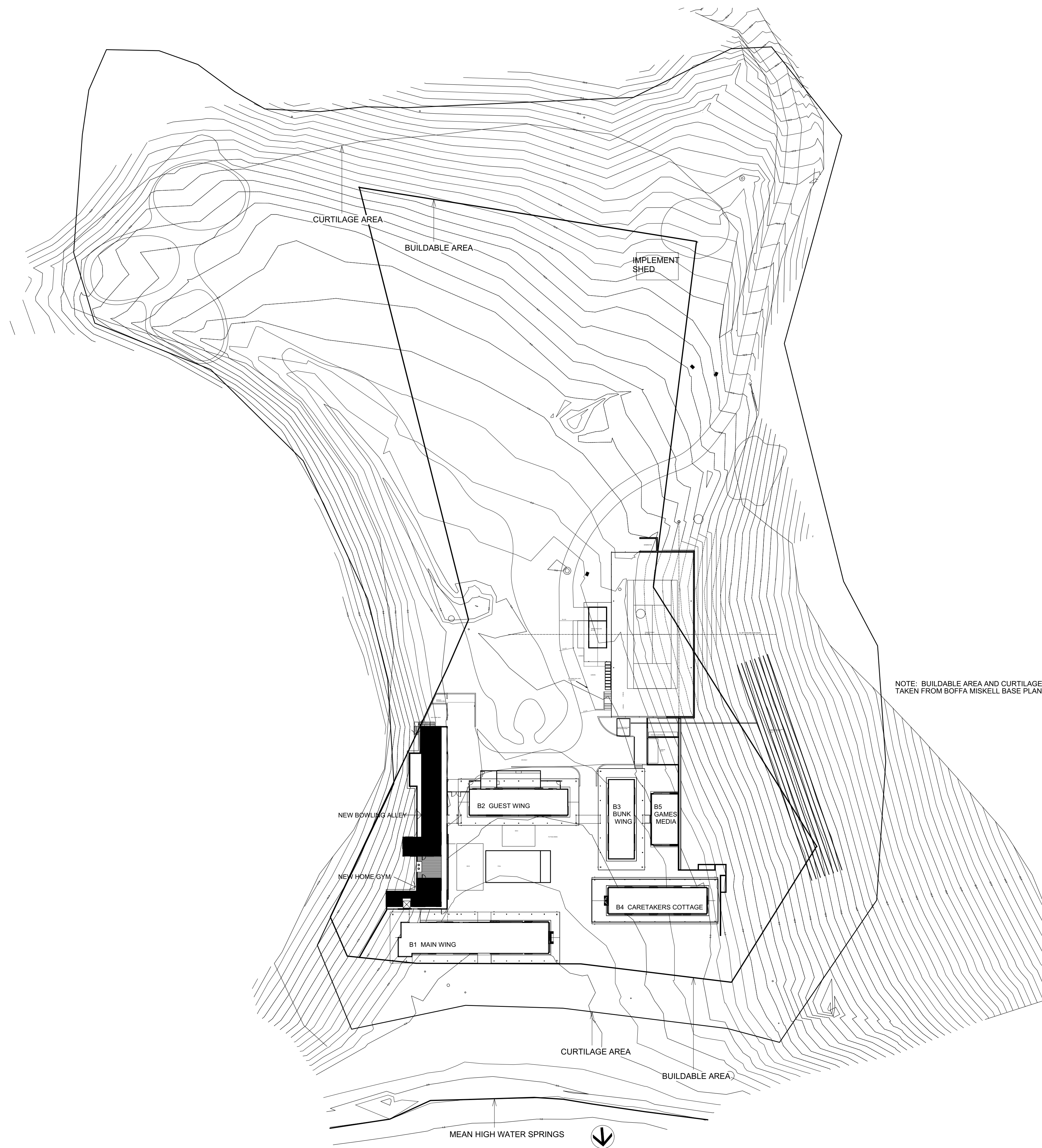
DRAWING STATUS

File name: /Users/corbettmadden/Documents/FaesensKloet Lot 4 Om

DRAWING DETAILS

SCALE 1:1000@A3  
DATE OCT 2023  
PROJECT NO. 2111  
DRAWN CAL  
CHECKED

RC100 A



NOTE: BUILDABLE AREA AND CURTILAGE AREA  
TAKEN FROM BOFFA MISKELL BASE PLAN

File name: /Users/corbettmadden/Documents/FaesensKloet Lot 4 Om

**jcm design**  
56 Halton Street Stroran  
Christchurch 8052  
+64 021379639  
corbettkathryn41@gmail.com  
LBP Number BP121638

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
WORK. DO NOT SCALE.  
  
THIS DRAWING IS COPYRIGHT AND IS THE  
PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
GYM, FAMILY ROOM &  
BOWLING ALLEY  
LOT 4 OMARINO  
BAY OF ISLANDS

DRAWING TITLE

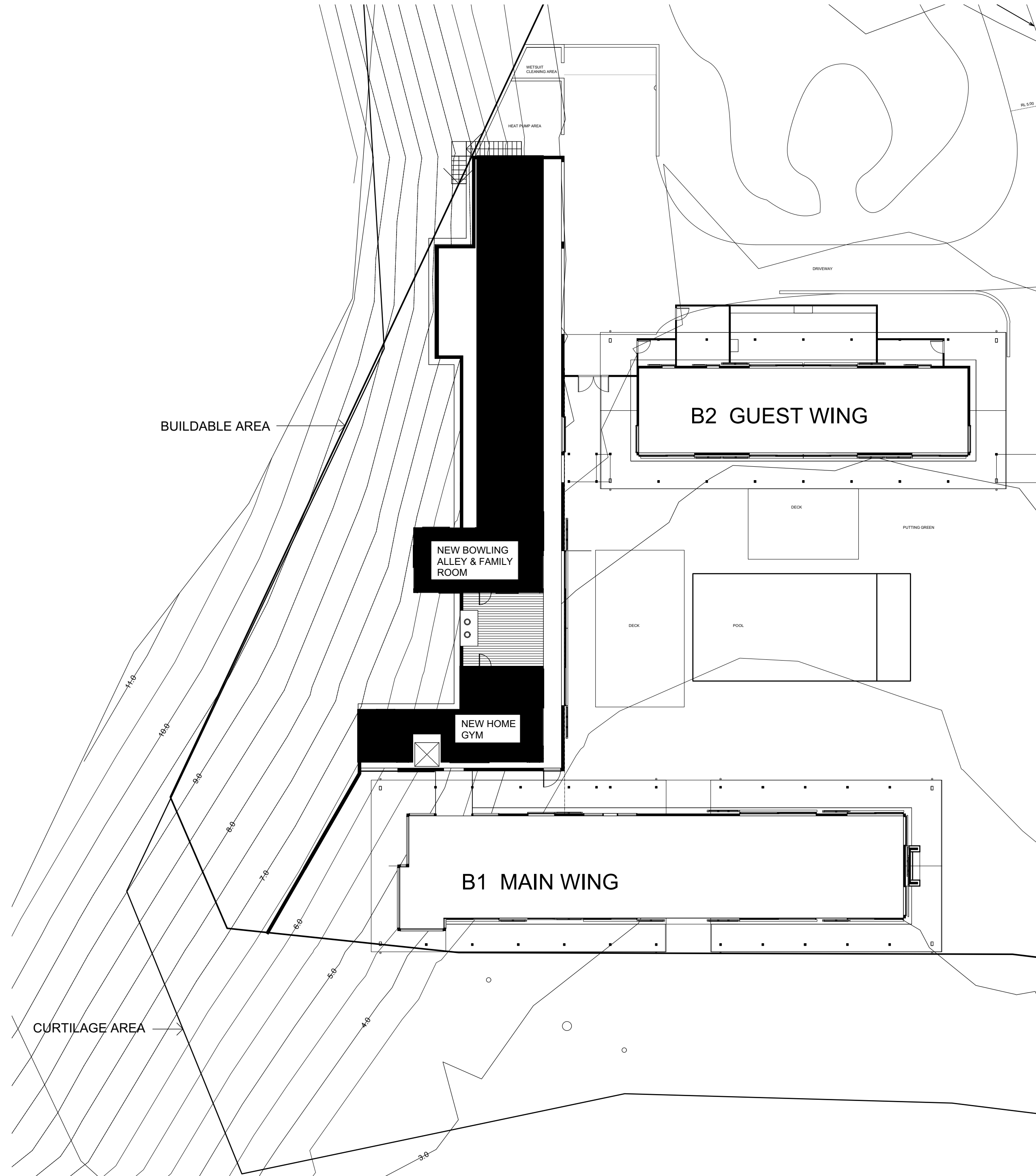
NEW SITE PLAN

DRAWING STATUS

DRAWING DETAILS

SCALE 1:1000@A3  
DATE OCT 2023  
PROJECT NO. 2111  
DRAWN CAL  
CHECKED

RC101 A



**NOTES**

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE PRODUCING SHOP DRAWINGS OR COMMENCING ANY WORK. DO NOT SCALE.  
 THIS DRAWING IS COPYRIGHT AND IS THE PROPERTY OF JCM DESIGN

**REVISIONS**

A 27/10/23 RESOURCE CONSENT ISSUE JM

**CONSULTANTS**

STRUCTURAL ENGINEER

**CLIENT**

E. & S. FAESEN KLOET

**PROJECT TITLE**

PROPOSED NEW GYM, FAMILY ROOM & BOWLING ALLEY LOT 4 OMARINO BAY OF ISLANDS

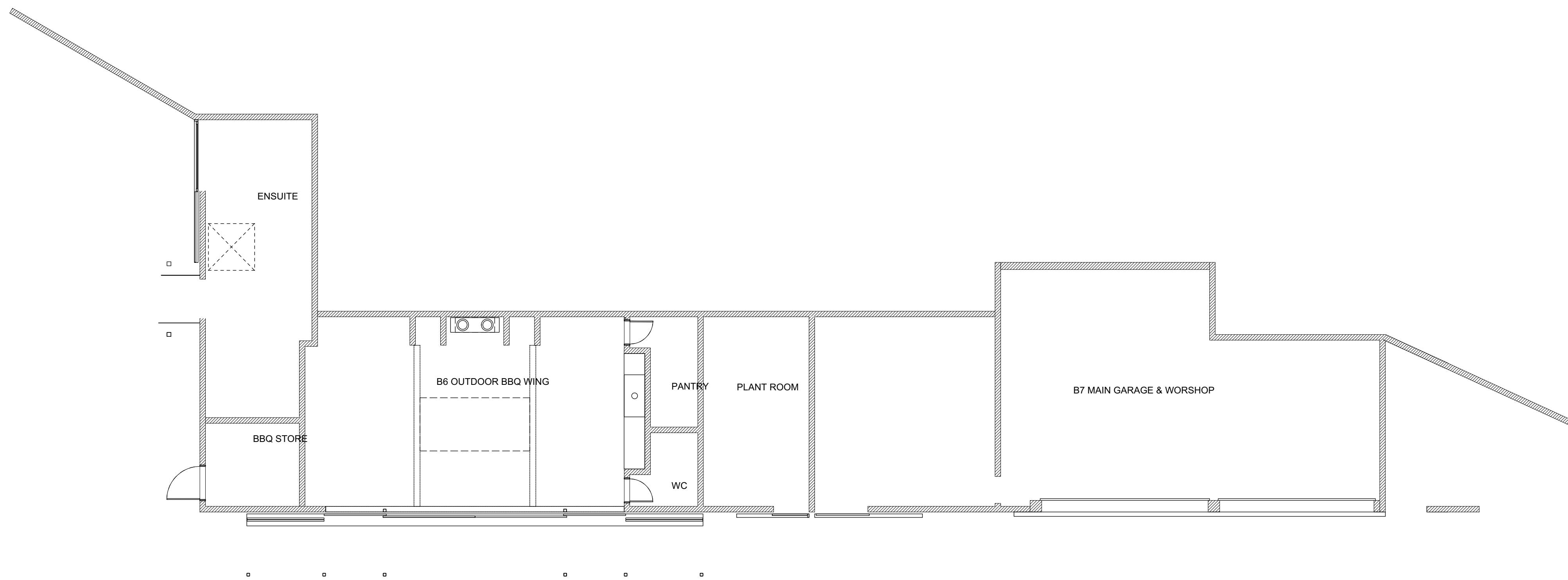
**DRAWING TITLE**

PART NEW SITE PLAN

DRAWING STATUS

**DRAWING DETAILS**

SCALE 1:400@A3  
 DATE OCT 2023  
 PROJECT NO. 2111  
 DRAWN CAL  
 CHECKED



1 EXISTING L1 FLOOR PLAN  
Scale: 1:100

File name: /Users/corbettmadden/Documents/Faesekloet Lot 4 Om

**jcm design**  
56 Halton Street Stroran  
Christchurch 8052  
+64 021379639  
corbettkathryn41@gmail.com  
LBP Number BP121638

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE PRODUCING SHOP DRAWINGS OR COMMENCING ANY WORK. DO NOT SCALE.  
THIS DRAWING IS COPYRIGHT AND IS THE PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW GYM, FAMILY ROOM & BOWLING ALLEY  
LOT 4 OMARINO  
BAY OF ISLANDS

DRAWING TITLE

EXISTING L1 FLOOR PLAN

DRAWING STATUS

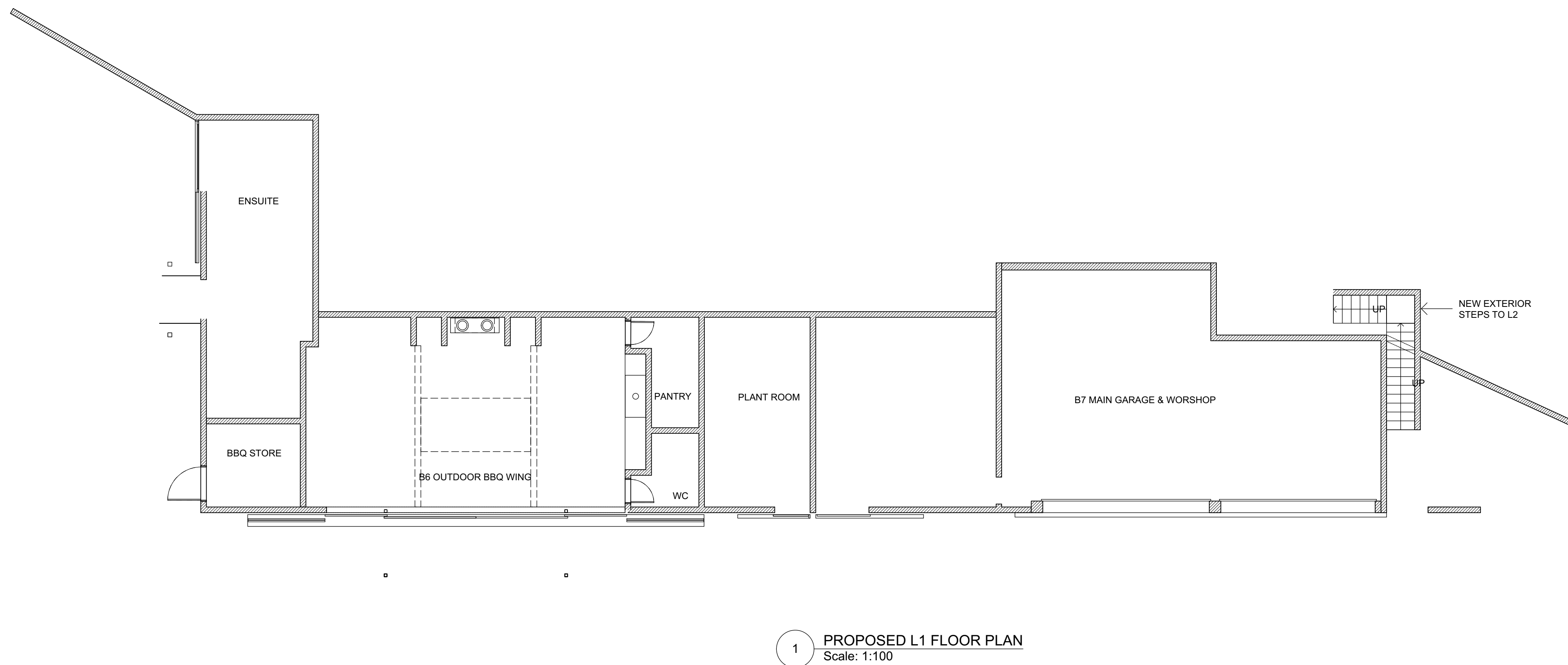
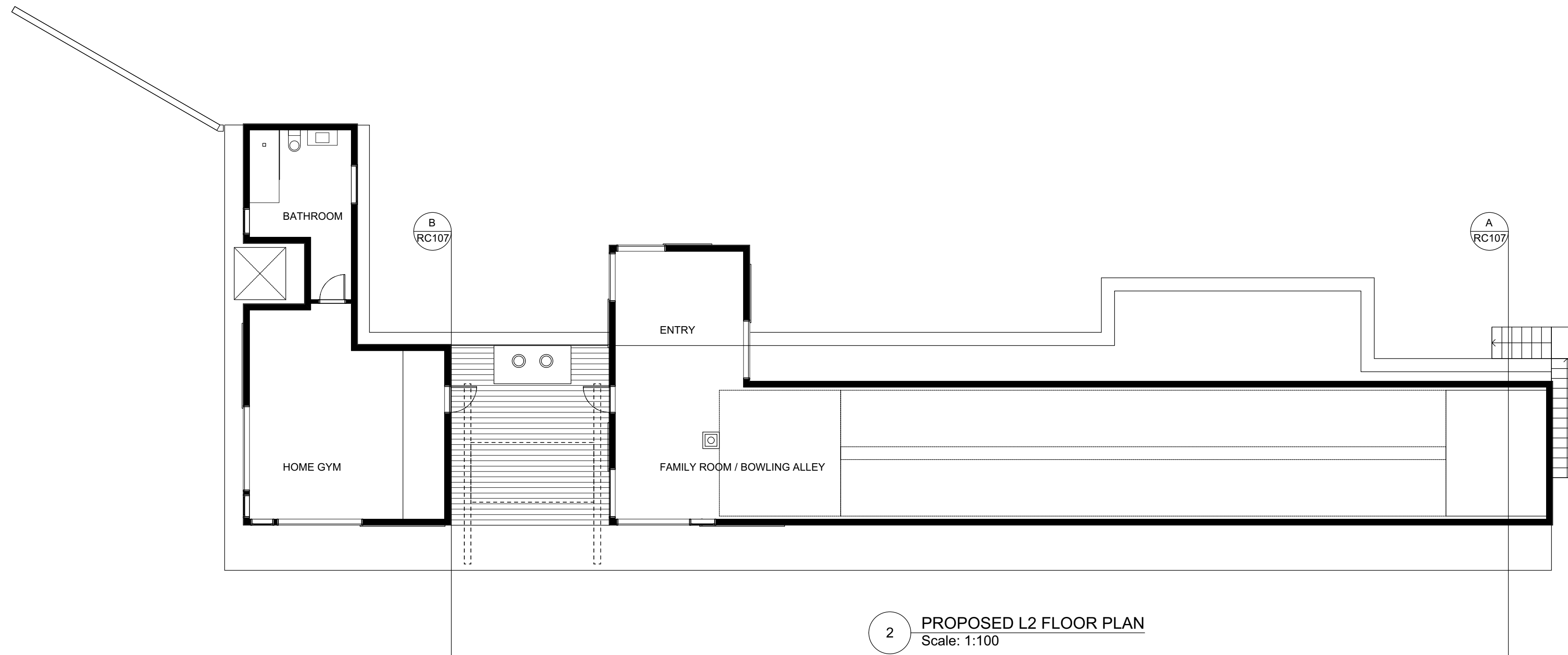
DRAWING DETAILS

SCALE	1:200@A3
DATE	OCT 2023
PROJECT NO.	2111
DRAWN	CAL
CHECKED	

RC103 A



PROPOSED ADDITION:  
GROSS FLOOR AREA: 192 SQ.M



NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE PRODUCING SHOP DRAWINGS OR COMMENCING ANY WORK. DO NOT SCALE.  
THIS DRAWING IS COPYRIGHT AND IS THE PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW GYM, FAMILY ROOM & BOWLING ALLEY  
LOT 4 OMARINO  
BAY OF ISLANDS

DRAWING TITLE

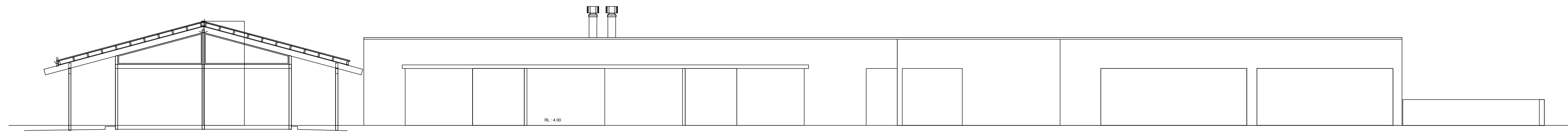
NEW L1 & L2 FLOOR PLAN

DRAWING STATUS

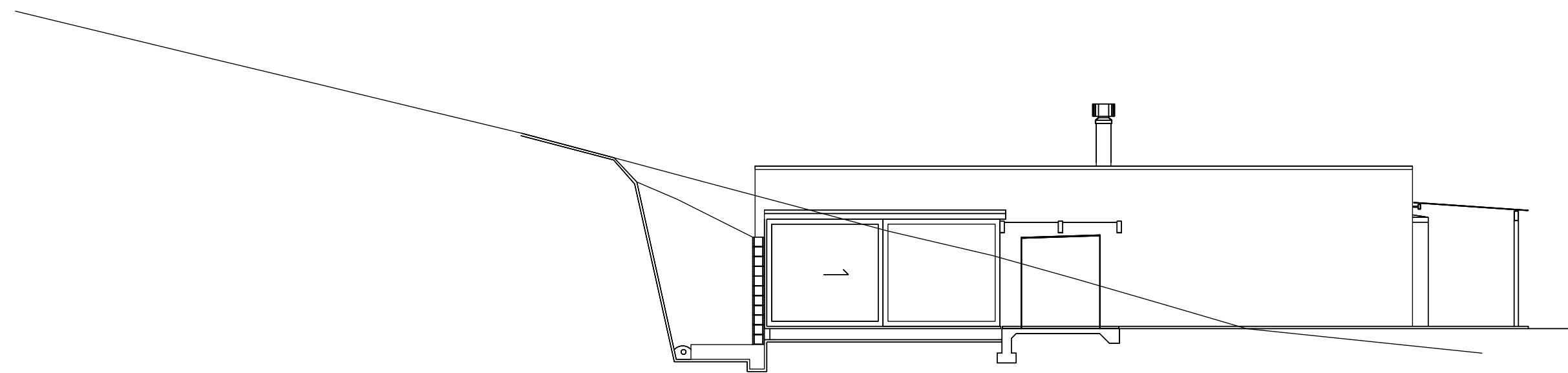
DRAWING DETAILS

SCALE 1:200@A3  
DATE OCT 2023  
PROJECT NO. 2111  
DRAWN CAL  
CHECKED

RC104 A



1 **B6 OUTDOOR BBQ WING EXISTING WEST ELEVATION**  
Scale: 1:100



2 **EXISTING NORTH ELEVATION**  
Scale: 1:100

File name: /Users/corbetmadden/Documents/Faesekloet Lot 4 Om

**jcm design**  
56 Halton Street Strowan  
Christchurch 8052  
+64 021379639  
corbettkathryn41@gmail.com  
LBP Number BP121638

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
WORK. DO NOT SCALE.  
THIS DRAWING IS COPYRIGHT AND IS THE  
PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
GYM, FAMILY ROOM &  
BOWLING ALLEY  
LOT 4 OMARINO  
BAY OF ISLANDS

DRAWING TITLE

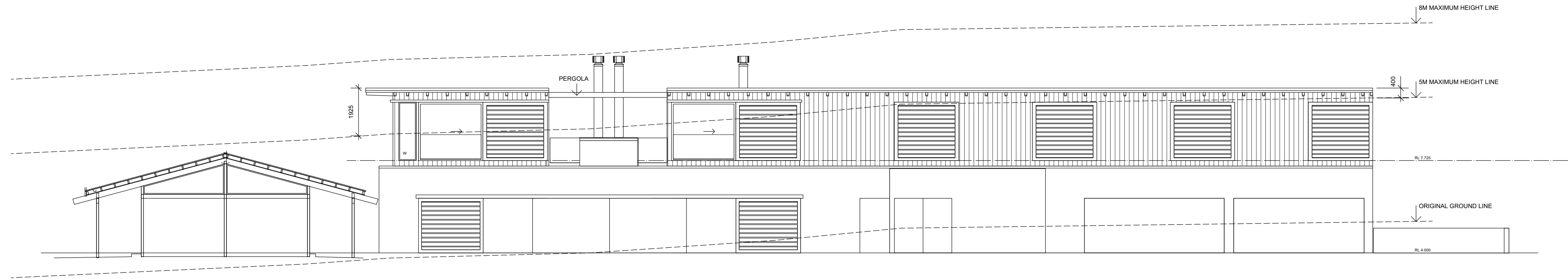
EXISTING ELEVATIONS

DRAWING STATUS

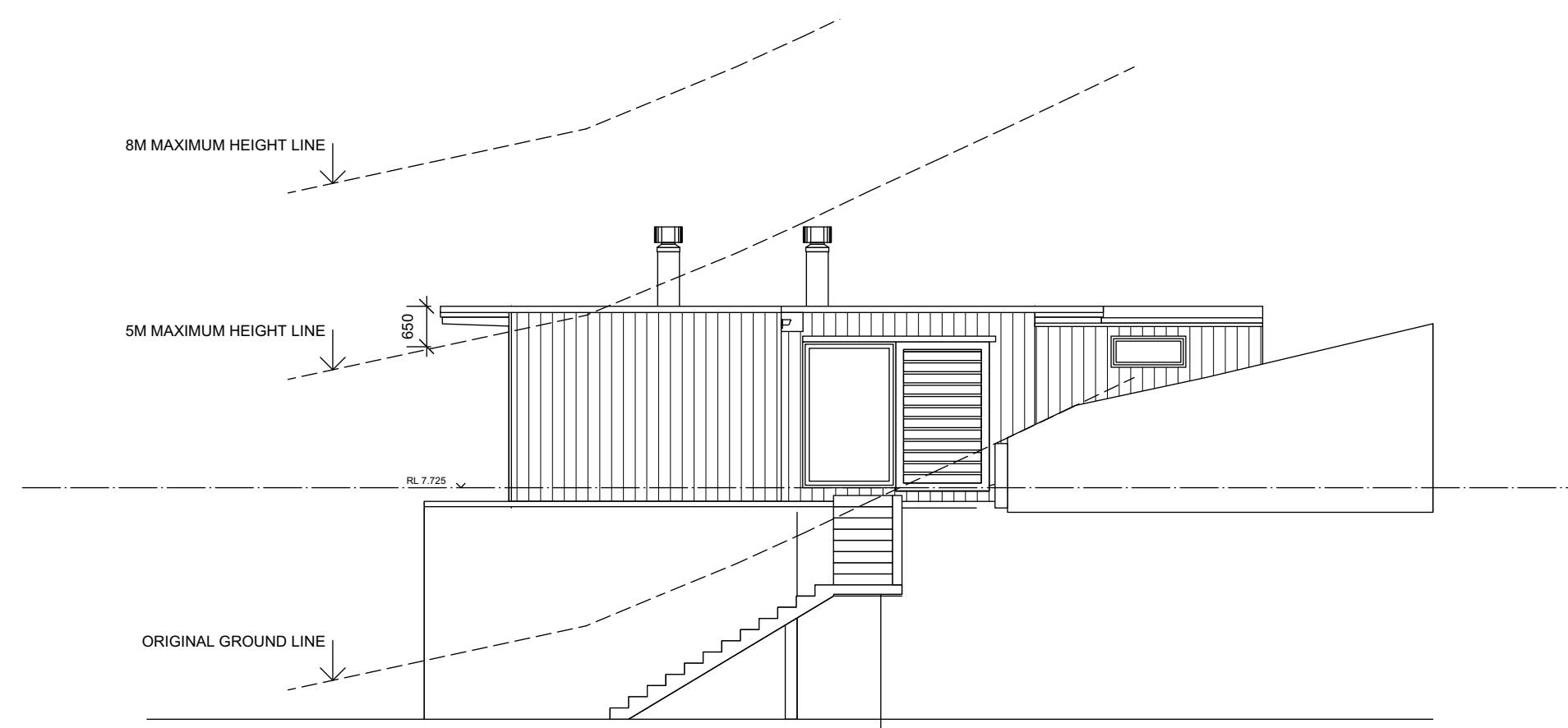
DRAWING DETAILS

SCALE	1:200@A3
DATE	OCT 2023
PROJECT NO.	2111
DRAWN	CAL
CHECKED	

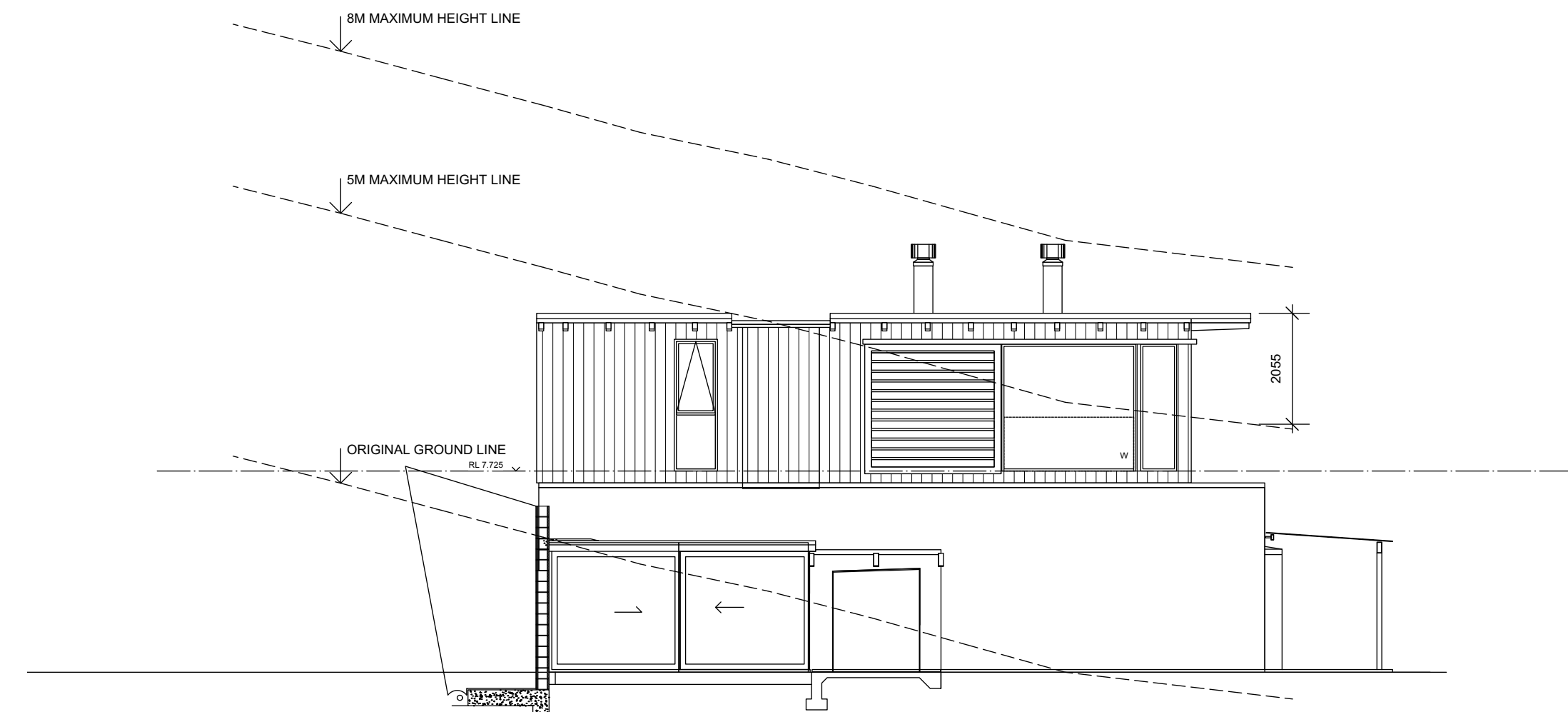
**RC105 A**



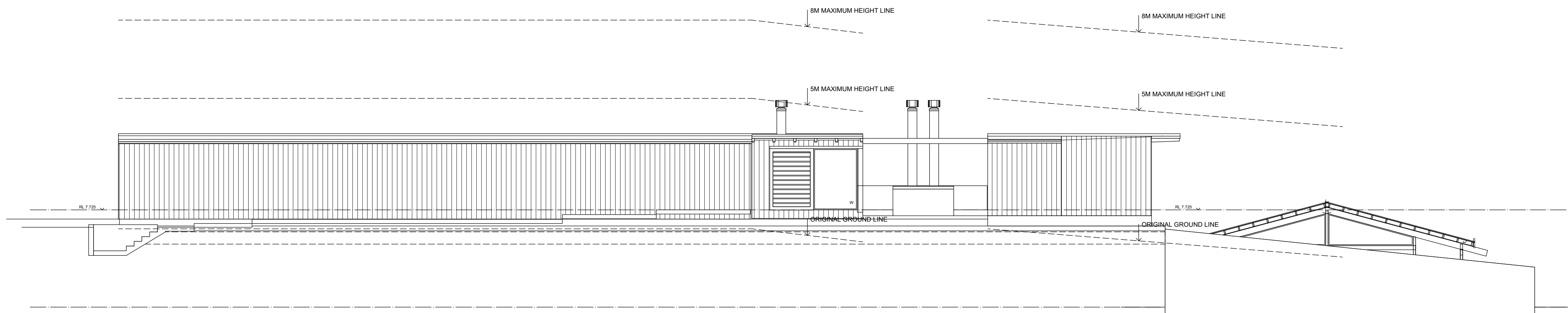
1 PROPOSED WEST ELEVATION  
Scale: 1:100



2 PROPOSED SOUTH ELEVATION  
Scale: 1:100



4 PROPOSED NORTH ELEVATION  
Scale: 1:100



3 PROPOSED EAST ELEVATION  
Scale: 1:100

**jcm design**  
56 Halton Street Stroran  
Christchurch 8052  
+64 021379639  
corbettkathryn41@gmail.com  
LBP Number BP121638

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
WORK. DO NOT SCALE.  
THIS DRAWING IS COPYRIGHT AND IS THE  
PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
GYM, FAMILY ROOM &  
BOWLING ALLEY  
LOT 4 OMARINO  
BAY OF ISLANDS

DRAWING TITLE

NEW ELEVATIONS

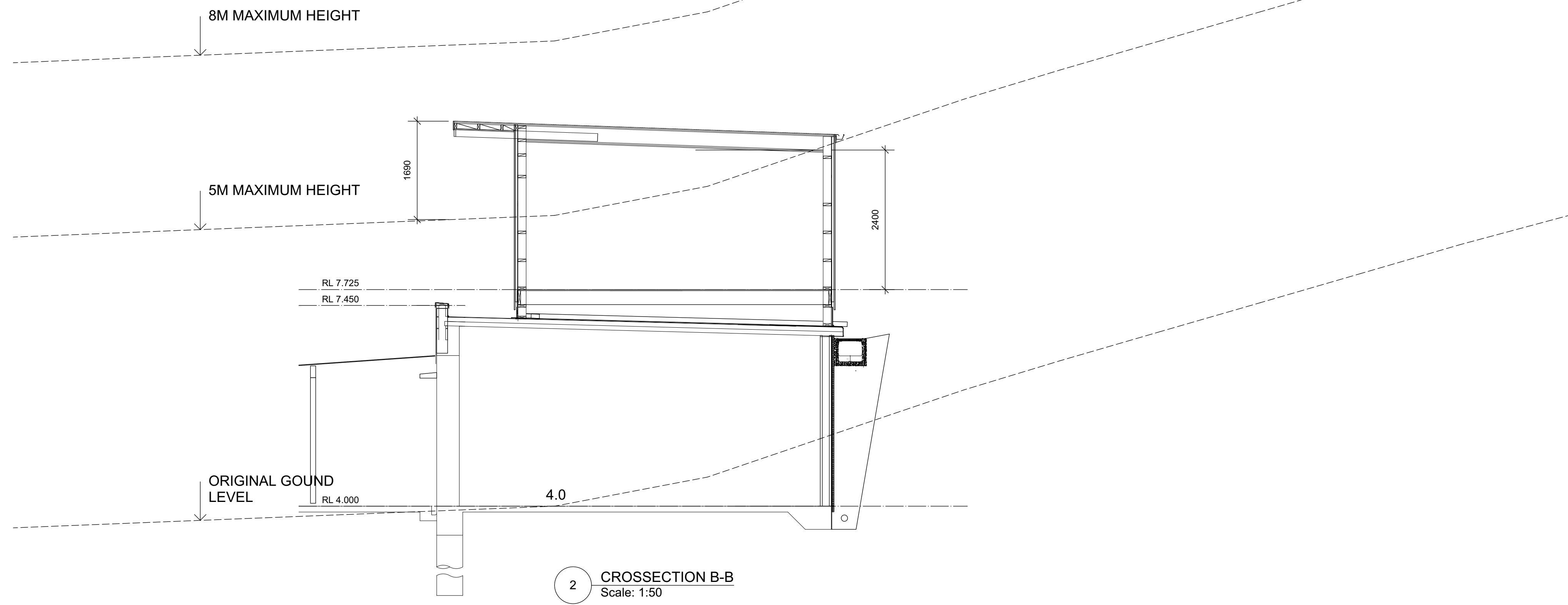
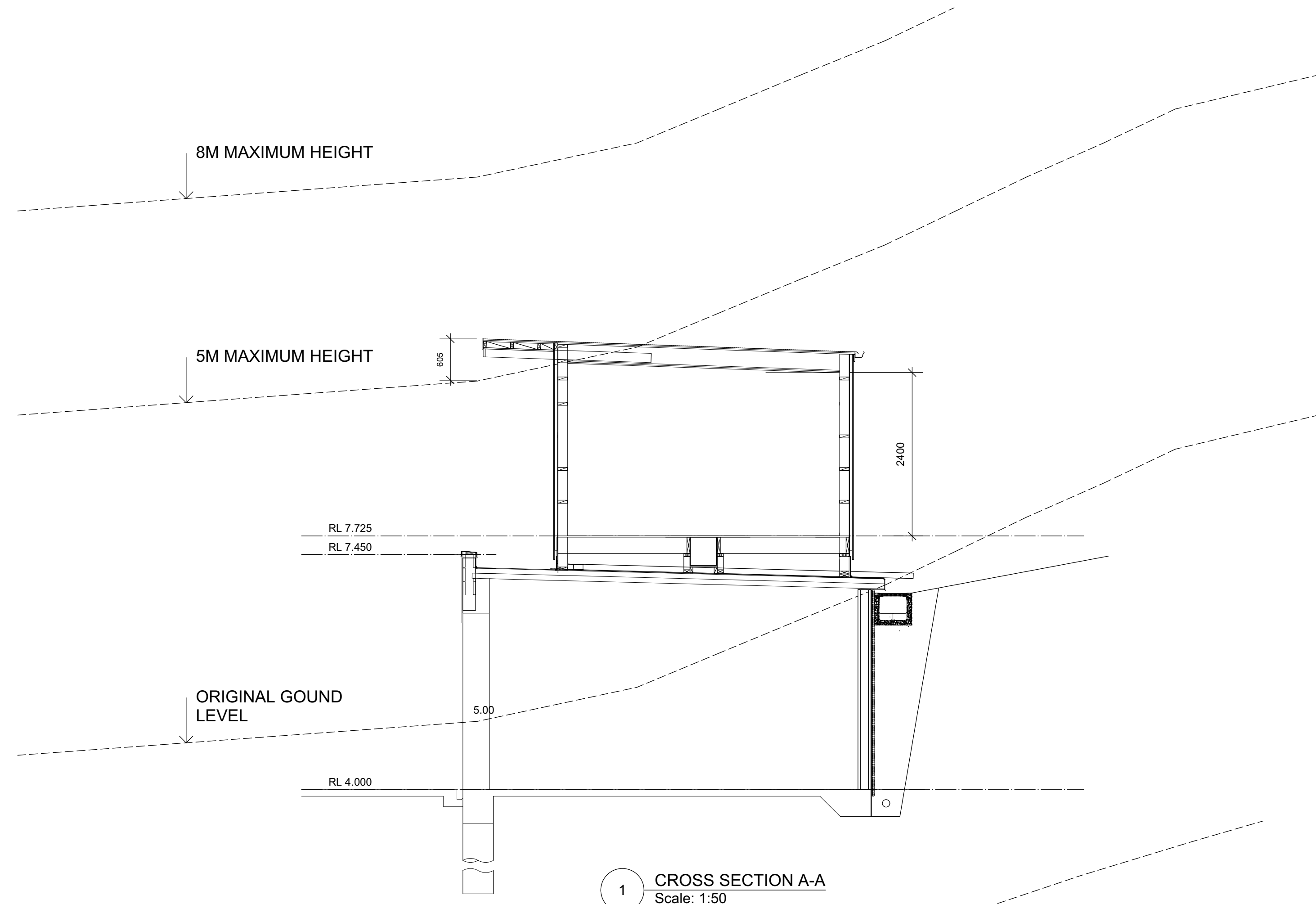
DRAWING STATUS

File name: /Users/corbettmadden/Documents/FaesenKloet Lot 4 Om

DRAWING DETAILS

SCALE 1:200@A3  
DATE OCT 2023  
PROJECT NO. 2111  
DRAWN CAL  
CHECKED

RC106 A



NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
 PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
 WORK. DO NOT SCALE.  
 THIS DRAWING IS COPYRIGHT AND IS THE  
 PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
 GYM, FAMILY ROOM &  
 BOWLING ALLEY  
 LOT 4 OMARINO  
 BAY OF ISLANDS

DRAWING TITLE

NEW CROSS SECTIONS

DRAWING STATUS

DRAWING DETAILS

SCALE 1:100@A3  
 DATE OCT 2023  
 PROJECT NO. 2111  
 DRAWN CAL  
 CHECKED





VIEWPOINT LOCATION 1 : REFER TO SHEET RC 110 FOR VIEWPOINT LOCATION MAP

**jcm design**  
 56 Halton Street Stroran  
 Christchurch 8052  
 +64 021379639  
 corbettkathryn41@gmail.com  
 LBP Number BP121638

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
 PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
 WORK. DO NOT SCALE.  
 THIS DRAWING IS COPYRIGHT AND IS THE  
 PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
 GYM, FAMILY ROOM &  
 BOWLING ALLEY  
 LOT 4 OMARINO  
 BAY OF ISLANDS

DRAWING TITLE

VIEWPOINT LOCATION 1

DRAWING STATUS

File name: /Users/corbettmadden/Documents/Faesenkloet Lot 4 Om

DRAWING DETAILS

SCALE	1:500 @A3
DATE	OCT 2023
PROJECT NO.	2111
DRAWN	CAL
CHECKED	

RC108 A





VIEWPOINT LOCATION 2 : REFER TO SHEET RC 110 FOR VIEWPIONT LOCATION MAP

**jcm design**  
 56 Halton Street Stroran  
 Christchurch 8052  
 +64 021379639  
 corbettkathryn41@gmail.com  
 LBP Number BP121638

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
 PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
 WORK. DO NOT SCALE.  
 THIS DRAWING IS COPYRIGHT AND IS THE  
 PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
 GYM, FAMILY ROOM &  
 BOWLING ALLEY  
 LOT 4 OMARINO  
 BAY OF ISLANDS

DRAWING TITLE

VIEWPOINT LOCATION 2

DRAWING STATUS

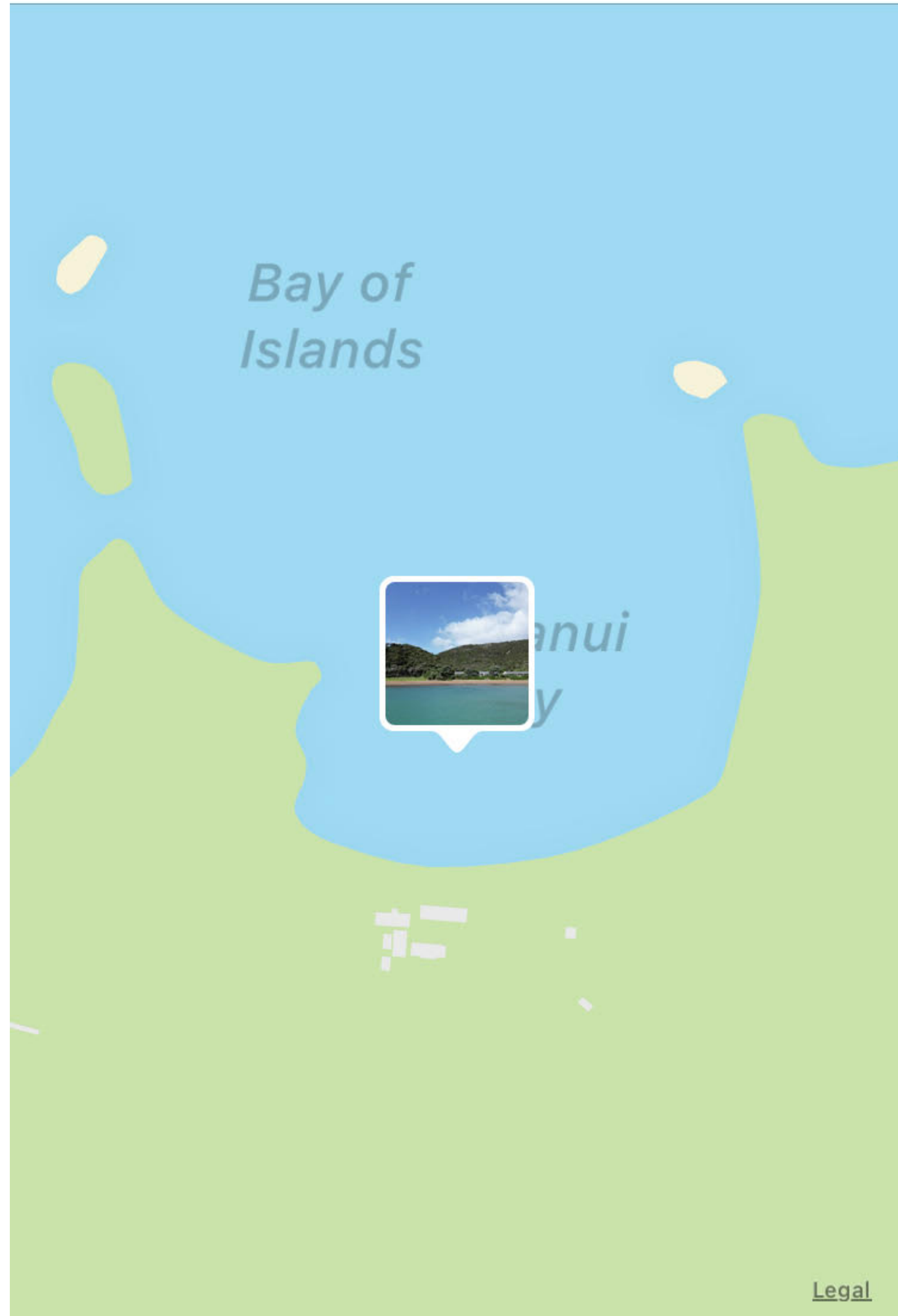
File name: /Users/corbettmadden/Documents/FaesensKloet Lot 4 Om

DRAWING DETAILS

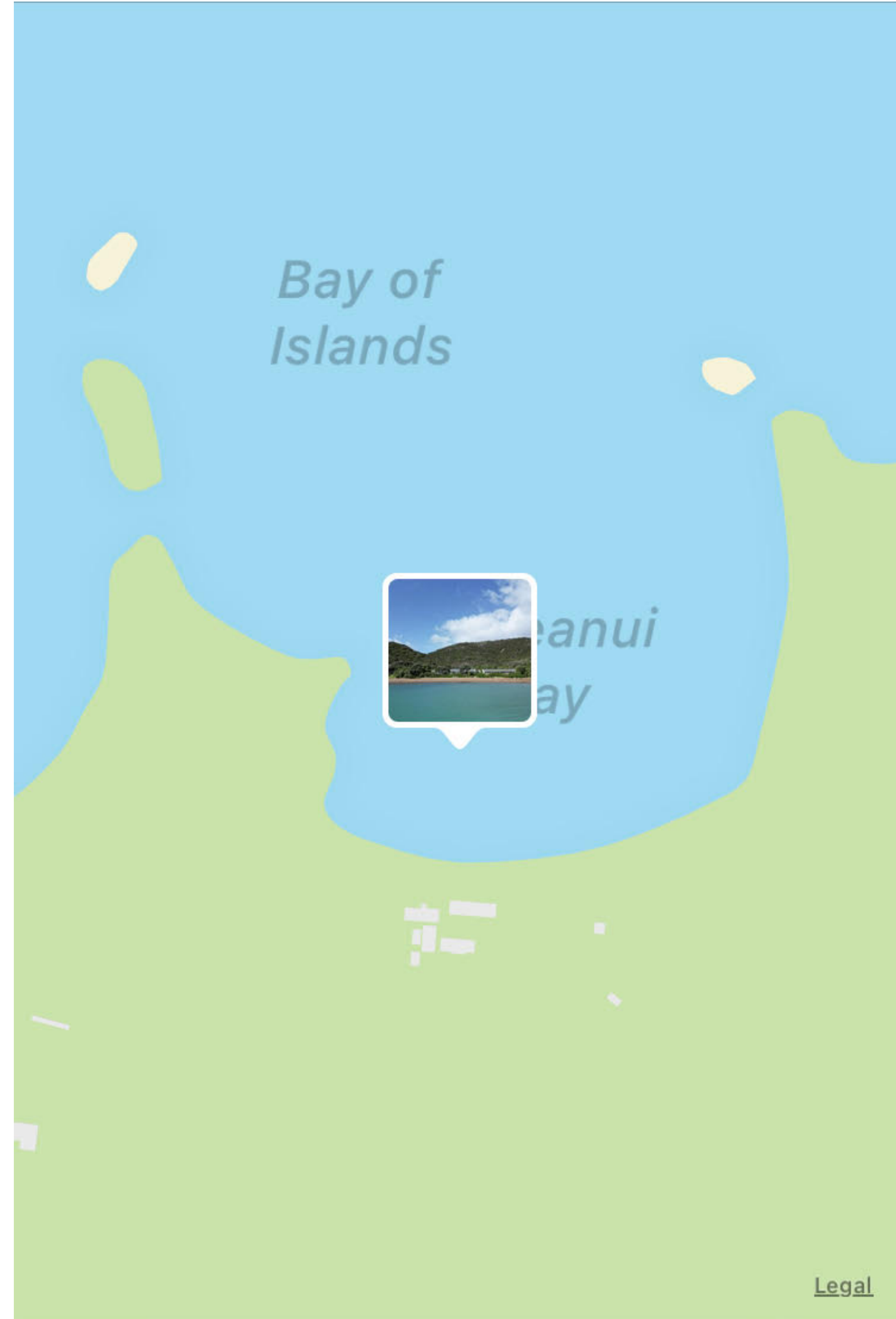
SCALE	1:500 @A3
DATE	OCT 2023
PROJECT NO.	2111
DRAWN	CAL
CHECKED	

RC109 A





VIEWPOINT LOCATION 1



VIEWPOINT LOCATION 2

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
 PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
 WORK. DO NOT SCALE.  
 THIS DRAWING IS COPYRIGHT AND IS THE  
 PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
 GYM, FAMILY ROOM &  
 BOWLING ALLEY  
 LOT 4 OMARINO  
 BAY OF ISLANDS

DRAWING TITLE

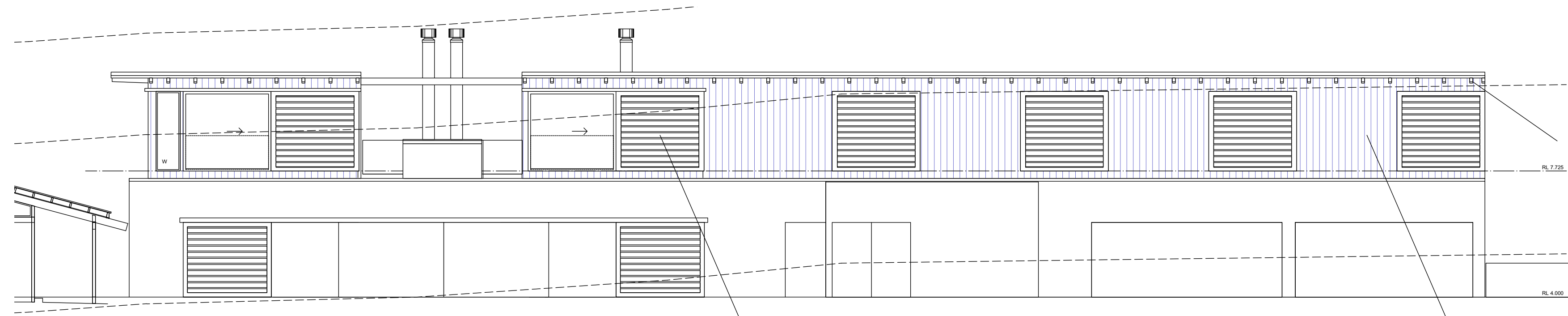
VIEWPOINT LOCATION MAPS

DRAWING STATUS

DRAWING DETAILS

SCALE	NTS
DATE	OCT2023
PROJECT NO.	2111
DRAWN	CAL
CHECKED	





EXPOSED RAFTER COLOUR  
 BS 5252 RANGE  
 CONCORD N62-007-087  
 30% LIGHT REFLECTION VALUE  
 COPPER SOAKERS TO ENDS  
 OF RAFTERS



EXPOSED RAFTER AND  
 SOFFIT COLOUR



MEMBRANE ROOF : GREY

BOARD AND BATTEN  
 CLADDING – DARK GREY  
 STAINED CEDAR

SLATTED TIMBER  
 SHUTTERS – DARK GREY  
 STAINED CEDAR

SILVER ANODISED  
 ALUMINIUM JOINERY WITH  
 CLEAR GLAZING

SOLID PLASTER –  
 NATURAL GREY FINISH

**MATERIALS AND COLOURS  
 FOR PROPOSED NEW GYM AND BOWLING ALLEY  
 FASENKLOET HOUSE LOT 4 OMARINO**



SHUTTER COLOUR  
 TO MATCH EXISTING HOUSE

VERTICAL WEATHERBOARD  
 COLOUR TO MATCH  
 EXISTING HOUSE

NOTES

ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE  
 PRODUCING SHOP DRAWINGS OR COMMENCING ANY  
 WORK. DO NOT SCALE.  
 THIS DRAWING IS COPYRIGHT AND IS THE  
 PROPERTY OF JCM DESIGN

REVISIONS

A 27/10/23 RESOURCE CONSENT ISSUE JM

CONSULTANTS

STRUCTURAL ENGINEER

CLIENT

E. & S. FAESEN KLOET

PROJECT TITLE

PROPOSED NEW  
 GYM, FAMILY ROOM &  
 BOWLING ALLEY  
 LOT 4 OMARINO  
 BAY OF ISLANDS

DRAWING TITLE

MATERIALS & COLOUR  
 BOARD

DRAWING STATUS

DRAWING DETAILS

SCALE	NTS
DATE	OCT2023
PROJECT NO.	2111
DRAWN	CAL
CHECKED	