

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement? ☒ Yes ☐ No

2. Type of Consent being applied for

(more than one circle can be ticked):

- | | |
|---|--|
| <input checked="" type="radio"/> Land Use | <input type="radio"/> Discharge |
| <input checked="" type="radio"/> Fast Track Land Use* | <input checked="" type="radio"/> Change of Consent Notice (s.221(3)) |
| <input type="radio"/> Subdivision | <input type="radio"/> Extension of time (s.125) |
| <input type="radio"/> Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) | |
| <input type="radio"/> Other (please specify) _____ | |

*The fast track is for simple land use consents and is restricted to consents with a controlled activity status.

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

☐ Yes ☒ No

4. Consultation

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

If yes, which groups have you consulted with?

Who else have you consulted with?

THE OTHER OWNERS OF LOT 18

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

8. Application Site Details

Location and/or property ~~Street address of the proposed activity:~~

D.M.T. & H.O.T. TRUCKS PARTNERSHIP

Name/s:

Site Address/
Location:

Legal Description:

Certificate of title:

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

Site visit requirements:

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

Is there a dog on the property? ☒ Yes ☐ No

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

CARETAKER: NEAL JONES 021443 759, OR
09 403 7227, FOR GATE ACCESS

9. Description of the Proposal:

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

- (a) NEW GARAGE FOR EXISTING DWELLING
- (b) CHANGE OF CONSENT NOTICE CONDITIONS:
REFER PARA. 6.0 OF THE ATTACHED APPLICATION

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

10. Would you like to request Public Notification?

☐ Yes ☒ No

14. Billing Details:

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

Name/s: (please write in full)

JOHN CLINTON BEDOGNI

Email:

Phone number:

Postal address:

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

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

JOHN CLINTON BEDOGNI

Signature:

(signature of bill payer)

MANDATORY

15. Important Information:

Note to applicant

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

You may apply for 2 or more resource consents that are needed for the same activity on the same form. You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

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

RESOURCE CONSENT APPLICATION FOR:

PROPOSED NEW GARAGE at:

The Homestead, Omarino Estate

285 Manawaora Road, Parekura Bay, Bay of Islands
Lots 17 & 19, DP 391213, CT 423437; 10.6490 hectares

For:

Pigeon Mountain Trustee Company Limited and
Halcyon Days Trustee Company Limited
(contact John Bedogni)

Prepared by:

Algie Architects Ltd
(contact Bill Algie)

July 2025

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for unidentified Archaeological Sites"

1.0 INTRODUCTION

1.1 The Proposal

The proposed building is for a 4-car garage, to be built adjacent to the existing Boatshed building, which is part of the historic Bentzen Farm Homestead.

This homestead was re-built 2017 to 2020 under Resource Consent No. 2160271. The Conditions of Consent, dated 4 May 2016, are attached as Appendix 3A and have been used as guidance for the siting and design of the proposed garage, and will be referenced in this application and particularly in the Assessment of Effects.

1.2 The Site

The specific site on Lot 17 for the garage has been selected so that

- (a) The proposed building is fully screened at ground and sea level by the Boatshed building and by the existing sea-front planting, such that it cannot be seen from Waipiro Bay.

The garage is within the specific area of Lot 17 approved in Resource Consent 2160271 for site development; see Appendix 3B.

- (b) There is minimal disturbance to the existing vegetation. The planting of indigenous trees on the site for the garage and its curtilage has been done by the Owner on ground which previously had low-level vegetation only.

With the exception of the trees being removed for transplanting, the proposed garage is not within the drip line of any tree.

1.3 Context of the Site

The context of the site is shown in the documents attached as Appendix 4:

- (a) Aerial view : Far North Map of the Homestead compound dated 3rd July 2025.
- (b) Photograph from Waipiro Bay foreshore of the existing buildings in the Homestead compound.
The proposed Garage (behind the Boatshed which is behind vegetation in the right end of this photo) will not be seen from the sea.
- (c) Photograph from Waipiro Bay foreshore showing the former Kill Shed to the right and with the boatshed glimpsed through the trees.
- (d) Survey Plan by Donaldsons Registered Land Surveyor, dated 8th May 2025.

1.4 The Garage Building

The proposed building is for a single-storey garage to be built fronting onto an existing circular driveway and in part covering an existing open-air parking area.

A copy of the survey plan is attached as Appendix 5, showing

- (a) the overlap of the sealed parking area (shown in Green) in the "Proposed Site Plan" as approved in Resource Consent No. 2160271.
- (b) the garage building superimposed (shown in Red).

The sealed parking area approved in the Resource Consent is significantly larger than that built and encompasses all but 35 sq.m of the site of the proposed garage.

Construction of the garage relates to and replicates the construction of the adjacent Boatshed, viz horizontal weatherboards to the walls and a hipped roof of corrugated aluminum, all in colours to match the existing buildings in the Homestead compound.

Finished floor level for the garage is 2.365m, the same as approved for the Homestead, to address the effects of climate change.

Drawings for the garage building are attached: as Appendix 6:

- | | |
|-------|--|
| Sheet | <ol style="list-style-type: none">1. Site Plan & Site Context Plan
(showing existing and proposed planting)2. Existing Boatshed
(as a reference building)3. Site Development Plan4. Garage: Cross-Section & Front
Elevation
(in the context of the site)5. Site Elevations |
|-------|--|

2.0 REASONS FOR THE APPLICATION

2.1 Far North District Council: District Plans

2.1.1 The proposal requires land use consent under the Operative District Plan with respect to

- (a) 10.6 General Coastal Zone:
Visual amenity and setback from boundaries
- (b) Part 12: Natural and Physical Resources:
Outstanding Landscapes:
Indigenous vegetation clearance, buildings and setback from the Coastal Marine Area.

2.1.2 The proposal requires land use consent under the Proposed District Plan with respect to

- (a) Part 2 District Wide Matters – Natural Environmental Values – Ecosystems and Indigenous Biodiversity: Rules IBR1 to IBR5.

2.2 Section 221(3) Application:

This application is to vary condition 30 of consent notice 7907807.2, attached as Appendix 11.

3.0 THE OPERATIVE DISTRICT PLAN

The garage proposal is considered under both

1. Section 10.6 General Coastal Zone, and
2. Part 12: Natural and Physical Resources:
Outstanding Landscapes.

3.1 The proposal is generally in accord with, and does not contradict, Para 10.6.3 Objectives and Para 10.6.4 Policies.

In particular, the existing natural character of the coastal environment is preserved as the building is subordinated into its site and cannot be seen from the public domains of the Waipiro Bay foreshore or Manawaora Road.

The siting of the garage has minimal visual impact on the character of the area.

The indigenous tree planting on the site for the garage has all been done by the Owner within the last 8 years, and these trees are going to be relocated elsewhere on the property.

Construction of the garage to match the existing homestead and ancillary buildings (the Boatshed in particular) will give a harmonious grouping of buildings in the landscape.

3.2 The proposal, as previously described, meets the objectives and policies given in Para 12.1.3 Objectives and Para 12.1.4 Policies.

In addition to the discussion in Para 2.1 above, a positive effect of the garage is that it will reduce the random parking of vehicles on the property, which will be especially noticeable from the Waipiro Bay foreshore.

4.0 ASSESSMENT ENVIRONMENTAL OF EFFECTS

4.1 Assessment of environmental effects of the proposed garage under the provisions of Part 10.6: General Coastal Zone.

4.1.1 Para 10.6.5.1.1 Visual Amenity

- (a) The allowable floor area is 50 sq.m

The proposed garage floor area is 175 sq.m

Non-Compliance

- (b) The corrugated colour steel roofing is “Sandstone Grey” with a reflectance value of 25%, and the exterior weatherboarding is painted in Resene “Sea Fog”, with a reflectance value of 81%.

These materials and colours are selected to match the existing house and outbuildings on the property, as built 2017 to 2020, under Resource Consent No. 2160271, all as given in Condition 2 of that Resource Consent.

Matching the materials and colours of the existing house and outbuildings means the garage will be part of a harmonious whole with these and thus minimize the individual impact of the garage in the landscape.

A photograph of the existing buildings in the Homestead compound at the Omarino Estate is attached in Appendix 4, item (b), to show both the colours and that the proposed Garage (behind the Boatshed which is behind vegetation in the right end of this photo) will not be seen from the sea.

			Non-Compliance
4.1.2	Para 10.6.5.1.2	Residential Intensity	Complies
4.1.3	Para 10.6.5.1.3	Scale of Activities	Complies
4.1.4	Para 10.6.5.1.4	Building Height The allowed maximum is 8m. The proposed garage has a maximum height at the ridge line of 5.6m above the floor level at existing ground level.	Complies
4.1.5	Para 10.6.5.1.5	Sunlight The relevant site boundary for this control adjoins Lot 18, the access lot for the Omarino Estate. Thus, the measurement may be taken from the boundary on the other side of Lot 18, as shown on Sheet 4.	Complies
4.1.6	Para 10.6.5.1.6	Stormwater Management Impermeable site coverage shall be 10% max. Areas: Existing buildings 988 sq.m New garage 175 sq.m Concrete paving 1,546 sq.m ----- 2,709 sq.m	

At a site area of 10.6490 hectares, impermeable site coverage is 2.54%.

Complies

4.1.7 Para 10.6.5.1.7 Setback from Boundaries

- (a) Building setback shall be 10m from any site boundary.

With reference to Sheet 1, the proposed garage complies with this setback from all site boundaries except the angled northern boundary with Lot 18. Lot 18 is the common access lot for, and is jointly owned by, all the sites in the Omarino Estate.

It is understood that this 10m rule can be varied by private agreement with all the owners of Lot 18.

These approvals have been given and are attached as Appendix 7.

Restricted Discretionary Activity

4.1.8	Para 10.6.5.1.8	Transportation	Complies
4.1.9	Para 10.6.5.1.9	Keeping of Animals	Complies
4.1.10	Para 10.6.5.1.10	Noise	Complies
4.1.11	10.6.5.1.11	Helicopter Landing Area	Complies

4.2. Assessment of effects of the Proposed garage under the provision of Part 12:

Natural and Physical Resources: Outstanding Landscapes.

4.2.1	Para 12.1.6.1.1 (a) to (d)	Protection of Outstanding Landscape Features	Complies
4.2.2	Para 12.1.6.1.2 (a) to (q)	Indigenous Vegetation Clearance in Outstanding Landscapes	Complies
4.2.3	Para 12.1.6.1.3 (a) to (c)	Tree Planting in Outstanding Landscapes	Complies
4.2.4	Para 12.1.6.1.4 (a) Volume of Work 300 cu.m max permitted Earthworks for the proposed Garage are estimated at 250cu.m (b) Permitted cut height 3m max. The maximum cut is for the retaining wall behind the garage on Line A, which requires a cut of 2.3m height, as shown on Sheet 5 in Appendix 6. (c) The site is not visible from Manawaora Road. Visibility of the site from the coastal foreshore of Waipiro Bay is totally screened by the existing foreshore trees and the existing Boat Shed building. Refer Sheet 1 in Appendix 6.	Excavation and/or Filling within an Outstanding Landscape	Complies

A photo taken from the foreshore and showing the former Kill Shed to the right and with the Boat Shed glimpsed through the trees, is attached, in Appendix 4, item (c).

Complies

4.2.5 Para 12.1.6.1.5 Buildings within Outstanding Landscapes

(a) The allowable floor area is 25 sq.m

The proposed garage floor area is 175 sq.m

Non-compliance

(b) The proposed Garage cannot be seen behind the existing Boatshed and foreshore trees;

See item 3.2.4 (c) above.

Thus, the colours comply

See also item 3.1.1 (b) above

Complies

(c) to (e)

Complies

4.2.6 Para 12.1.6.1.6 Utility Services in Outstanding Landscapes

Complies

4.3 Para 12.4.6.1.2 Fire Risk to Residential Units:

It is considered that this rule does not apply, as the garage is not a residential unit.

Complies

4.4 Para 12.7.6.1.1 Setback from the Coastal Marine Area:

The rule is for a setback of 30m for any impermeable surface.

With reference to Appendix 5, and the survey plan showing the garage building superimposed over the Approved site plan, the extent of the garage building outside the sealed parking area approved under Resource Consent 2160271 is beyond the 30m setback.

Complies

5.0 THE PROPOSED DISTRICT PLAN

The garage proposed is considered for compliance with those rules having immediate legal effect, i.e. all rules within the Chapter IB-R1 to IBR5.

The Owner has undertaken an extensive programme of planting indigenous trees and lower level vegetation as part of the construction programme approved as Resource Consent 2160271.

As an indication of the extent of this planting, an aerial map, which was part of an email dated 23rd March 2009, is attached as Appendix 8, where the land in grass is quite apparent. This map should be compared with the current map included in Appendix 4, item (a).

The trees which need to be removed for construction of the garage have all been planted by the Owner in the last 8 years as part of the construction programme. These trees will be transplanted and relocated on the property.

The effect of the removal of these trees from the garage site, and their re-planting may thus be considered as less than minor.

5.1 Assessment of effects of the proposed garage under the rules IB-R1 to IBR5

5.1.1 Rule IB-R1
Items 1 – 9 Not Applicable

Item 10:

The indigenous vegetation to be cleared for the Garage was planted by the Owner less than 10 years ago, on land that was previously grass.

Permitted

Items 11, 12 & 13

N

5.1.2 Rule IB-R2 Not Applicable

5.1.3 Rule IB-R3
Indigenous vegetation clearance not to exceed 100 sq.m.

The site for the garage is seen in 2 photographs attached in Appendix 9 item (a). The orange marker line is on the boundary between Lots 17 & 18. Trees on the Lot 18 side of this line (predominantly Pohutukawa) were planted by the Owner in 2018 and remain untouched.

These trees, together with the planting proposed given on Sheet 1 of the drawings (Appendix 6), will shield the garage from the concrete driveway on Lot 18, as can be seen in Appendix 6, Sheet 5, Elevation 1.

The indigenous planting to be cleared for the garage is itemised on the part survey plan in Appendix 9 item (b), and these trees are identified in the email from Neale Jones in Appendix 9 item (c).

These trees were planted for the Owner by Fulton Landscaping in 2018, and it is proposed that Fulton Landscaping will also transplant them.

A letter from Jonathon Fulton is attached in Appendix 9, item (d).

10 Trees are proposed to be transplanted (A to E and I to M) and 2 have been removed already (G and H; F does not need to be removed. Allowing for a clearance area of 2.5m x 2.5m for each tree, then total clearance is 75 sq.m.

Permitted

5.1.4 Rule IB-R4 Not applicable

5.1.5 Rule IB-R5 Not applicable

6.0 SECTION 221(3) APPLICATION

Consent Notice 7907807.2, as registered on the Certificate of Title (see Appendix 2) is attached as Appendix 10.

Condition 30 requires “any new buildings....to be located 30m landward of mean high water springs”.

This condition was varied in the Conditions of Consent for Resource Consent No 2160271 in Decision B (see Appendix 2).

This Application requests a like variation for the proposed garage.

7.0 LETTER FROM PATU KEHA HAPU OF NGATI KUTA

Ngāti Kuta wrote a letter in support of the application which was approved as Resource Consent 2160271. See Appendix 3, Decision A, Condition 19.

This letter is attached as Appendix 11.

That part of the Homestead site which was identified as being of significance to Ngāti Kuta was the area in the vicinity of the water tanks.

These are at the southern end of the site, as shown on the approved “Proposed Site Plan” included in Appendix 3, item B, and shown also on Sheet 1 of the drawings in Appendix 6.

The proposed garage is at the northern end of the site.

The letter lists requirements (a) to (e) for the Caretakers Cottage included in Resource Consent 2160271.

The Owner undertakes that the same requirements will be observed in the construction of the garage.

8.0 ARCHAEOLOGICAL EFFECTS

In the approval of Resource Consent 2160271, Reasons for the Decision, 3. Primary Issues, comment is made

The ‘Bentzen Farms Ltd, Bay of Islands: Archaeological Assessment prepared for Bentzen Farms Ltd’ by Clough and Associates Ltd, dated September 2004, indicates no archaeological impact, constraints or suggested actions for the site, and that the Heritage New Zealand ‘Archaeological discovery protocol’ can be regarded as appropriate under the circumstances.

This Protocol is attached as Appendix 12.

The Owner again undertakes to act in accordance with this protocol.

9.0 SUMMARY

The garage proposed has been shown to be consistent with the Objectives and Policies of the District Plan, and that any variations from the Rules of the District Plan may be considered as less than minor.

The proposed garage is completely screened by the existing foreshore planting and the existing Boatshed from the Waipiro Bay foreshore.

The garage proposed maintains the character of the existing built environment of the Omarino Homestead Compound in its setting.

The garage proposal makes no change to the natural environment as seen from the public domain of Waipiro Bay; none of the existing features of the site which contribute to its natural character and amenity are altered.

10.0 CONCLUSION

The garage proposal is consistent with the objectives and policies of the Far North District Plan and will result in less than minor adverse effects on the surrounding environment.

The application can be processed on a non-notified basis without notice to any person under the relevant provisions of the RMA, as the effect on the environment is less than minor, no persons are considered to be potentially adversely affected and no special circumstances exist.

In conclusion, it is considered that Far North District Council has the authority to grant consent for the proposed garage, under the provisions of the RMA.

APPENDIX 1:

COMPLETED APPLICATION FORM

APPENDIX 2:

CERTIFICATE OF TITLE

APPENDIX 3:

EXISTING RESOURCE CONSENT NO. 2160271:

A. RESOURCE CONSENT APPROVAL: DECISION A

B. APPROVED PROPOSED SITE PLAN



FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION FOR LAND USE CONSENT AND
AN APPLICATION TO VARY A CONSENT NOTICE CONDITION

Resource Consent Number: 2160271-RMALUC

Applicant: Pigeon Mountain and Halcyon Days Trust Partnership

Subject Site Details

Address: 285S Manawaora Road, Russell

Legal Description: Lots 17, 19 DP 391213, including a 1/17th share in Lot 18 DP 391213 (CFR 423437)

Decision A – land use

Pursuant to sections 104B and 104D of the Resource Management Act 1991 (the Act), Far North District Council hereby grants approval for the redevelopment of an 11.146 hectare site (including a 1/17th share in access Lot 18 DP 391213) located within the General Coastal zone and an area of Outstanding Landscape.

As per the plans submitted, the proposal includes:

- Replacement of the homestead (207 m² plus 34 m² covered verandah), a fisherman's building (117 m² plus 28 m² covered verandah and an undefined area of outdoor decking), an in-ground swimming pool (66 m²) and 352 m² of pathways with:
 - a homestead (395 m² plus attached 121 m² pool lounge/entrance hall and 65 m² verandah),
 - a fisherman's building (143 m² plus 28 m² covered verandah, 17 m² deck extension and an undefined deck area),
 - an elevated pool (66 m², height undetermined), and
 - 320 m² of impermeable patio/deck areas.
- Construction of a 70 m² threshold court (impermeable deck) and a 165 m² covered porch/walkway extending from the pool lounge to a vehicle turning area to the east.
- Construction of a third residential unit (105 m² caretaker's cottage plus 100 m² impermeable deck/patio (partially covered)) and dedicated water tank.
- Refurbishment of a boatshed/garage and ancillary buildings (no changes to bulk and location, limited to replacing roofing and facades, changing configuration of doors and windows, and including a toilet and wash up tub in boat shed).
- Two additional water tanks (adjacent to three existing tanks).

All site development is to be limited to the area of Lot 17 DP 391213, with site works incorporating:

- 2,195 m³ of cut and fill for the built development and access, with a maximum cut height of 3.4 metres,

- retaining walls along the northern boundary of the paved drive and to the rear of the caretaker's cottage, being up to 2.2 metres in height (for the most part), with one of the walls to the rear of the cottage being up to 2.5 metres high with a second wall to the rear of this up to a metre in height, and
- areas of indigenous vegetation clearance at the base of the hillside to accommodate the caretaker's cottage (approximately 500 m²).

The proposal requires land use consent under the District Plan rules relating to:

- visual amenity, residential intensity, excavation and water setback in the General Coastal zone,
- indigenous vegetation clearance, excavation and buildings within an Outstanding Landscape area, and
- natural hazards (fire risk to residential units).

Pursuant to section 108 of the Resource Management Act 1991, this consent is issued subject to the following conditions:

1. That subject to any changes required by the conditions of consent, all development shall be carried out in general accordance with the information submitted with the application, including the approved plans attached to this consent with Council's 'Approved Stamp' affixed. The plans include:
 - 'Existing site plan' prepared by Jurado Architects, job 14.236, drawing RC02, date printed 15 April 2016
 - 'Proposed site plan' prepared by Jurado Architects, job 14.236, drawing RC03/A, date printed 15 April 2016
 - 'Existing homestead' prepared by Jurado Architects, job 14.236, drawing RC04, date printed 15 April 2016
 - 'Proposed homestead' prepared by Jurado Architects, job 14.236, drawing RC05/A, date printed 15 April 2016
 - 'Existing/proposed fishermans building' prepared by Jurado Architects, job 14.236, drawing RC06/A, date printed 15 April 2016
 - 'Proposed caretakers collage' prepared by Jurado Architects, job 14.236, drawing RC07, date printed 15 April 2016
 - 'Existing/proposed boatshed' prepared by Jurado Architects, job 14.236, drawing RC08, date printed 15 April 2016
 - 'Earthworks plan' prepared by Jurado Architects, job 14.236, drawing RC09, date printed 15 April 2016
 - 'Existing site plan' prepared by Boffa Miskell Ltd, figure 2, dated 13 October 2015
 - 'Proposed site plan' prepared by Boffa Miskell Ltd, figure 3, date printed 15 April 2016
2. The buildings shall be finished as per the colour palette outlined in the application, incorporating British Colour Standard BS5252 exterior colours, more particularly chart columns A05 through to A14 for the roof and guttering, with a selection from chart columns A01 through A03 for the weatherboard cladding or similar detailing to facades. This is to match/complement the colour palette of the existing buildings, being a typical colonial colour scheme using lighter white for timber weather boards and windows with a shade of grey for the roof.

Any future changes to the colour scheme shall be subject to the prior written approval of Council, whereupon emphasis may be placed upon adopting a more recessive colour scheme as per the BS5252 standard colour palette range, with a reflectance value of 30% or less.

3. No mirrored glazing shall be used along the building facades where they are orientated towards the coastal marine area.
4. The existing watertanks are painted dark green and partially buried to blend in within the surrounding landscape. The consent holder shall adopt similar measures with respect to the two new water tanks to the east of the detention shed, with the water tank adjacent to the caretaker's cottage to adopt a similar colour scheme.
5. The consent holder shall submit an '*Arboricultural construction management plan*' prepared by a suitably qualified arborist for the approval of Council's duly delegated officer. The plan shall identify the trees to be retained (as shown on the '*Existing site plan*' prepared by Boffa Miskell Ltd, figure 2, dated 13 October 2015), assessing their existing health; identifying risks/potential adverse effects arising from the construction process, and specifying measures to ensure avoidance or mitigation of the potential risks/adverse effects. All construction must be undertaken in compliance with this Plan, with the trees to be maintained in perpetuity thereon (subject to the conditions outlined below).
6. In the event of any of the specimen trees that are to be retained failing, such trees shall be replaced to the satisfaction of Council's duly delegated officer no later than the end of the planting season (May to August) immediately following failure.

Prior to the replacement of any such trees, the consent holder shall provide a report/statement from a suitably qualified arborist for the approval of Council's duly delegated officer confirming the need to remove the tree and recommending suitable replacement planting, the planting techniques to be utilised, and the ongoing maintenance of the planting/s. The replacement trees shall be established and maintained in accordance.

7. Unless supported by a suitably qualified arborist and subject to the prior approval of Council's duly delegated officer, any pruning of the specimen trees shall be limited to trimming by use of secateurs or loppers, (i.e. no handsaws or chainsaws) of branches less than 50 mm in diameter.
8. With the exception of the works approved under RC2160271, no construction or alteration of any structure, excavation of land, or formation of new impervious surfaces shall be undertaken within the dripline of the specimen trees unless subject to the prior written approval of Council's duly delegated officer.
9. The earthworks shall be carried out in accordance with the approved drawings and documentation provided with the application, specifically the '*Earthworks plan*' prepared by Jurado Architects, job 14.236, drawing RC09, dated 21 December 2015, as attached to this consent with Council's 'Approved' Stamp affixed to it. In particular the volume of earthworks shall not exceed 2,195 m³.
10. All consented earthworks to be undertaken on the site shall be supervised by a chartered professional engineer. The Council shall 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 shall ensure that stormwater diversion and silt control measures are in place prior to the commencement of bulk earthworks.

12. All excess material from the earthworks not held behind a properly designed and constructed retaining wall shall be removed from the site to an approved fill disposal area.
13. All exposed surfaces shall be covered with mulch or aggregate to suppress dust, with vegetative cover to be re-established on all exposed cut surfaces no later than the end of the planting season (May to August) immediately following completion of earthworks. With respect to the area adjacent to the caretaker's cottage, this shall include reinstatement with indigenous vegetation found within the coastal locality, utilising fire resistant native species generally as per the '*Flammability of native plant species*' brochure prepared by the New Zealand Fire Service, as attached (it should be noted that flax is identified as of moderate flammability and is not considered appropriate within areas of defensible space).
14. All existing vegetation cover down slope of the proposed earthworks shall be retained to facilitate the filtering of silt from the stormwater runoff.
15. Where required, a perimeter silt fence shall be constructed in accordance with the requirements detailed in A.R.C publication TP90.
16. The area identified for on-site effluent disposal shall remain undisturbed by earthworks and un-compacted by construction vehicles, except that the area may be spread with topsoil to enhance effluent treatment and disposal.
17. Prior to site works commencing, the consent holder shall provide written confirmation from a certified kiwi dog handler approved by the Department of Conservation that a kiwi dog has checked the areas of earthworks and vegetation required for removal to ensure that any possible nesting birds are not harmed.
18. Prior to undertaking any vegetation clearance associated with the caretaker's cottage, the boundary of the area to be cleared shall be visibly marked on site, generally coinciding with the area of earthworks (being approximately 470 m² as shown on the '*Earthworks plan*' prepared by Jurado Architects, job 14.236, drawing RC09, dated 21 December 2015). The markings shall remain in place throughout the duration of all works (including vegetation clearance and building works). No further clearance outside of these boundaries is permitted without the prior written approval of Council's duly delegated officer.
19. As volunteered by the consent holder, all works shall be undertaken in accordance with the requirements outlined in the 'consultation report' prepared by Ngati Kula Patu Keha Hapu, dated 29 October 2015 and included as Appendix 8 to the assessment of effects for RC2160271.
20. Prior to occupation of the residential units, the consent holder shall remove all combustible material from the ground and beneath the adjoining bush within 20 metres of the residential units. This shall be an ongoing requirement. All additional plantings within 20 metres of the residential units shall be limited to fire resistant native species.
21. Leaf guard (or similar) shall be installed to ensure that the gutter or downpipes are not clogged with leaf/debris, with guttering to be non-plastic.

Decision B – to vary condition 30 of consent notice 7907807.2

That in accordance with section 221(3) of the Resource Management Act 1991, Far North District Council hereby resolves to vary condition 30 of consent notice 7907807.2. Condition 30 is therefore amended to read as follows (emphasis added to the approved changes):

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, except in relation to Lot 17 DP 391213 and the development approved by Far North District Council through RC2160271, more particularly as shown on the 'Proposed site plan' prepared by Jurado Architects, job 14.236, drawing RC03/A, dated 15 April 2016.

Decision C – section 37 extension of time limit

THAT pursuant to sections 37 and 37A of the Resource Management Act 1991 (the Act), Far North District Council hereby more than doubles the timeframe for processing RC2160271 to 27 April 2016 for the following reasons:

- i. The applicant agreed to more than doubling the timeframe given the complexity of issues requiring staff assessment.
- ii. The applicant requested that Council defer finalising the decision to allow for:
 - the circulation of a draft decision for comment and
 - the subsequent lodgement of revised plans (such changes as summarised and addressed in Council's notification assessment).
- iii. Council has endeavoured to minimise any further delays in finalising the attached decision.
- iv. In extending the timeframe, Council has had regard to the interests of those persons who may be directly affected by the extension and the interests of the community in achieving an adequate assessment of effects.

Advice Notes

1. The development is regarded as consistent with the requirements of the '*Omarino Management Plan*' dated October 2007, particularly the architectural design guidelines which state that the existing character of the site and buildings on Lot 17 should inform any development, and section 4.2.6 of the guidelines relating to building design. Subject to varying condition 30 as per RC2160271, the development has also been assessed as consistent with the requirements of consent notice 7907807.2.
2. The consent holder will be required to obtain all necessary building consents with associated code of compliance and completion certificates. The building consents are to be consistent with the resource consent issued.
3. Council's database indicates that the site is currently rated as a single residential unit lifestyle lot. In the event of consent issuing for the equivalent of three residential units on the site (as defined by the District Plan), the consent holder should seek advice with respect to the circumstances regarding Council's rates policy.
4. The consent holder is responsible for arranging for buried services to be located and marked prior to commencing earthworks and is also responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.
5. The consent holder is responsible to apply to the Registrar General of Land to vary condition 30 of consent notice 7907807.2.
6. In the event of any of the residential units being used for commercial purposes, such as visitor accommodation, the landowner will need to have regard to any District Plan rules, such as those applying to scale of activities.

7. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains).

Based upon the findings outlined in '*Bentzen Farm, Bay of Islands: Archaeological Assessment prepared for Bentzen Farms Ltd*' by Clough and Associates Ltd, dated September 2004, Heritage New Zealand Pouhere Taonga advised that no further archaeological assessment will be required, with an advice note attaching to any consent issuing highlighting the Trust's 'Archaeological discovery protocol' regarded as appropriate under the circumstances. The protocol is attached to this decision and should be made available to site contractors prior to earthworks commencing.

Reasons for the Decision

1. Description of the activity

The proposal is as described in the decision. Given the complexity of the application and associated assessment, it is recommended that the substantive decision be read in conjunction with the application and Council's notification assessment.

2. District Plan rules affected

General Coastal zone –

- Rule 10.6.5.1.1 relating to visual amenity provides for the following as permitted activities:
 - (a) *any new building(s) not for human habitation provided that the gross floor area does not exceed 50 m², or for human habitation provided that the gross floor area does not exceed 25 m², and*
 - (b) *the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less, or it is constructed of natural materials which fall within this range; or*
 - (c) *any alteration/addition to an existing building which does not exceed 50 m², 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*
 - (d) *renovation or maintenance of any building.*

Whilst the alterations to the existing boatshed/garage and ancillary buildings meet the above requirements for renovation or maintenance, the proposal does not satisfy the above thresholds as:

- The two residential units (referred to as the homestead and fisherman's building) are being replaced as opposed to renovated, maintained, altered or extended.
- The three new residential units each exceed 50 m² and will have reflectance values greater than 30%.
- The swimming pool is 66 m². The applicant has not confirmed the height of the pool, so adopting a worse case scenario of 1 metre it has been regarded as a building.
- The covered walkway is 165 m².

Rule 10.6.5.2.2 provides that any new buildings that do not meet the permitted activity standards in Rule 10.6.5.1.1 are a controlled activity where the new building or building alteration/addition is located entirely within a building envelope that has been approved under resource consent. This is not the case and as resource consent is required as a non-complying activity under the rule relating to residential intensity the proposal is regarded as a non-complying activity under Rule 10.6.5.5.

- Rule 10.6.5.1.2, residential intensity, limits residential development to one unit per 20 hectares of land. As the applicant is proposing three residential units on an 11.146 hectare site (including a 1/17th share in access Lot 18 DP 391213), the proposal is regarded as a non-complying activity under Rule 10.6.5.5.
- Rule 12.2.6.1.1 lists indigenous vegetation clearance permitted throughout the District where the clearance is for any of a number of stated purposes. The vegetation clearance appears to comply with the specific allowances for clearance in the General Coastal zone, as outlined in Rule 12.2.6.1.3 (sub-section (e) in particular). Hence the vegetation clearance is considered a permitted activity in the General Coastal zone.
- Rule 12.3.6.1.2 provides for excavation and/or filling in the General Coastal zone as a permitted activity provided that:
 - (a) *it does not exceed 300 m³ in any 12 month period per site; and*
 - (b) *it does not involve a cut and/or filled face exceeding 1.5 metre in height i.e. the maximum permitted cut and/or fill height may be 3 metres.*

The applicant is proposing up to 2,195 m³ of cut and fill, with a maximum cut of 3.4 metres. Therefore as consent is also required as a non-complying activity under Parts 2 and 3 of the District Plan, the excavation is a non-complying activity.

Note: Whilst the application states that the maximum cut height is 3.4 metres, as the cut heights are to be retained by properly engineered retaining walls requiring a building consent they are not regarded as a cut face (as per the District Plan definition). Therefore only the volume of earthworks exceeds the threshold for a permitted activity.

- Rule 12.7.6.1.1 requires that any building and any impermeable surface must be setback at least 30 metres from the boundary of the coastal marine area within the General Coastal zone. Whilst the caretaker's cottage complies, the homestead, fisherman's building and swimming pool have minimum setbacks of approximately 6.6 metres, 10.3 metres and 15 metres, with the nearest impermeable surface being approximately 5.2 metres from surveyed mean high water springs. The threshold court and covered porch/walkway are also unable to comply with the setback. Therefore, as consent is also required as a non-complying activity under Parts 2 and 3 of the District Plan, the reduced water setback is a non-complying activity.
- The proposal meets the permitted activity standards relating to building height, sunlight, stormwater management, setback from property boundaries, traffic intensity and parking.

Outstanding Landscape area –

- Rule 12.1.6.1.2 lists indigenous vegetation clearance permitted within an Outstanding Landscape area where it is for any of a number of stated purposes. Where the vegetation clearance is within 20 metres of the existing buildings, it is a permitted activity under sub-section (g). As the clearance associated with the

caretaker's cottage falls outside of this area it does not comply with the permitted activity thresholds. The applicant has estimated the area of clearance as 500 m², roughly corresponding with the area of earthworks shown as 470 m² on the 'Earthworks plan' prepared by Jurado Architects, job 14.236, drawing RC09, dated 21 December 2015. Therefore, as consent is also required as a non-complying activity under Parts 2 and 3 of the District Plan, the vegetation clearance associated with the caretaker's cottage is a non-complying activity.

- Rule 12.1.6.1.4 provides that excavation and/or filling within an Outstanding Landscape is permitted provided that:
 - (a) *it does not exceed 300 m³ in any 12 month period per site; and*
 - (b) *it does not involve a cut and/or filled face exceeding 1.5 metre in height i.e. the maximum permitted cut and/or fill height may be 3 metres; and*
 - (c) *any cut or fill areas that will be visible from a viewing point on a public road, public reserve, coastal marine area or the foreshore shall be stabilised using mulch, hydroseeding, or other rapid effective stabilisation technique. All other cut and fill areas will be re-vegetated as soon as practicable in the spring or autumn immediately following construction.*

The applicant is proposing up to 2,195 m³ of cut and fill, with a maximum cut of 3.4 metres. As resource consent is also required under the rule relating to buildings in Outstanding Landscapes and the proposal is non-complying under Part 2 of the District Plan, the earthworks fall to a non-complying activity status.

- Rule 12.1.6.1.5 relating to buildings in Outstanding Landscapes lists a number of criteria for buildings as a permitted activity, of which the proposal is unable to fully satisfy. Although the refurbished boatshed/garage and ancillary buildings will comply, the residential units, swimming pool and covered walkway will not. Therefore as consent is also required as a non-complying activity under Parts 2 and 3 of the District Plan, the residential units, swimming pool and covered walkway are a non-complying activity.

Natural hazards –

- Rule 12.4.6.1.2 relating to fire risk to residential units requires a 20 metre setback from the residential units to the dripline of the adjacent vegetation. The applicant is proposing a reduction in the setback from the caretaker's cottage, homestead and fisherman's cottage, with a minimum setback of 5 metres proposed. Therefore as consent is also required as a non-complying activity under Parts 2 and 3 of the District Plan, the reduced setback is a non-complying activity.

Overall the proposal is assessed as being a **non-complying** activity under the District Plan.

3. Primary issues

Land use consent -

Section 104B of the Act provides that Council may grant or refuse consent to non-complying activities, imposing conditions under section 108 where consent is granted.

Section 104D states that despite any decision made for notification purposes, Council may only grant resource consent for a non-complying activity if it is satisfied that either:

- (a) the adverse effects of the activity on the environment will be minor; or
- (b) the application is for an activity that will not be contrary to the objectives and policies of the Far North District Plan.

The primary issues requiring consideration in this instance relate to local landscape and natural character, residential density, earthworks, flora and fauna, heritage resources and natural hazards. These matters have been addressed in the notification assessment, with the adverse effects regarded as no more than minor for the following reasons:

- Council's consultant landscape architect, Simon Cocker of Simon Cocker Landscape Architecture, has visited the site and undertaken a review of the information provided, as per correspondence dated 22 January 2016. On the basis of Mr Cocker's assessment, any effects of the built development (including the residential units, the swimming pool and the covered walkway) upon local landscape and natural character are accepted as being no more than minor.

As discussed in the notification assessment, conditions of consent have been applied addressing the exterior colour palettes, glazings and retention of a number of identified specimen trees.

- With respect to considering the effects of the proposed residential density, this needs to be considered in the context of existing site development which includes two residential units (as established in the notification assessment). Therefore, any increase in residential density as a result of the proposal is limited to the addition of the caretaker's cottage.

The application has been submitted on the basis that the two primary residential units (the homestead and the fisherman's building) are to be *"used together as one household unit. The owners of the property have a large family and a large number of family visit the site, particularly over holiday periods"*. This is reflected in the design of the fisherman's building, with the three small bedroom suites more likely suited for temporary accommodation supplementing the homestead (as opposed to an independent residential unit). It is therefore unlikely, on this basis, that the fisherman's building would be fully occupied on a permanent basis.

Consent notice condition 17, which applies to each of the lifestyle lots created by the underlying management plan subdivision, anticipates that each site could contain a caretaker's cottage of the size proposed by the applicant. Hence the development is consistent with the consent notice in this regard.

Council's resource consents engineer has assessed the proposal and has not raised any concern with respect to on-site servicing for the three residential units, particularly in terms of wastewater and the proximity of the site to the coastal marine area.

- The applicant is proposing 2,195 m³ of combined cut and fill for the built development and access, with a maximum cut height of 3.4 metres. Conditions of consent have been applied to mitigate any adverse effects, particularly given the proximity of the earthworks to the coastal marine area.
- The applicant has agreed to various mitigation measures sought by the Department of Conservation, provided that the mitigation measures do not undermine the requirements of the underlying management plan applying to the site, namely the 'building, landscaping and planting requirements'. As volunteered by the applicant, conditions have been applied accordingly.

Whilst the caretaker's cottage would appear to be within an area of the revegetation plan previously approved by the Council and applying to the site, the proposed earthworks and vegetation clearance are unlikely to undermine the intent of the vegetation plan given that it is a relatively small area in proportion to the overall planting area established through the underlying subdivision consent. A condition of consent requires that all exposed surfaces adjacent to the caretaker's cottage shall be reinstated with appropriate indigenous vegetation found within the coastal locality.

- The 'Bentzen Farm, Bay of Islands: Archaeological Assessment prepared for Bentzen Farms Ltd' by Clough and Associates Ltd, dated September 2004, indicates no archaeological impact, constraints or suggested actions for the site. On review of the archaeological assessment, Heritage New Zealand Pouhere Taonga advised that no further archaeological assessment was required, with an advice note attaching to any consent issuing highlighting the Trust's 'Archaeological discovery protocol' regarded as appropriate under the circumstances.
- In a 'consultation report' dated 29 October 2015, Ngati Kuta Patu Keha Unit confirmed their support for the proposal subject to a number of specific requirements outlined in the report. As per the Augier principle, the applicant has volunteered to comply with these conditions and a condition has been applied to this effect.
- Any adverse effects of reducing the setback of the residential units from the adjacent bushline are regarded as no more than minor for the following reasons:
 - A copy of the application was circulated to the Rural Fire Service and no comment has been received, indicating no significant concerns with respect to the proposal.
 - Sealed access within access Lot 18 DP 391213 and Lot 19 DP 391213 will assist in buffering any potential fire risk from the north, and the reverse risk of fire spreading from the site to properties to the north.
 - The increase in risk associated with the homestead and fisherman's cottage is negligible in the context of the risks associated with existing site development (particularly in terms of the building locations and construction materials).
 - Whilst the applicant has not commented on the use of fire resistant building materials or the fire risks associated with the building design and construction, the following is noted:
 - the roofing is metal profile, and
 - there is an adequate water supply provided on-site for fire-fighting purposes, including tank water, the 66 m² swimming pool and the coastal marine area.

Conditions of consent have been applied to ensure that any effects with respect to fire hazards are no more than minor and consistent with the risks already borne by the site (by virtue of the close proximity of the existing habitable buildings and the vegetation cover on site).

- The floor levels proposed are consistent with the Northland Regional Policy Statement guidelines, particularly the policies and methods addressing natural hazards (including climate change). Council's resource consents engineer assessing the proposal commented further, "*Given the sheltered and enclosed aspect of Waipiro Bay and Parekura Bay I accept that it is not exposed open*

coast and when applying the Method described I in 7.1.7 of the RPS (5)(b) does not apply."

- The new development will not be located any closer to mean high water springs than the existing buildings, with the vegetated embankment to the rear of the flat development area heavily influencing the location of site development. Therefore, given the location of existing built development with respect to mean high water springs, and based upon the peer review of the landscape assessment, the potential effects upon natural character and amenity values are regarded as no more than minor. In terms of natural hazards, as per the above discussion relating to minimum floor levels any effects in this regard are considered no more than minor.

Variation of consent notice –

Section 104B of the Act provides that Council may grant or refuse consent to discretionary activities, imposing conditions under section 108 where consent is granted.

Based upon the above, the request to vary condition 30 of consent notice 7907807.2 is supported, subject to some minor changes to the wording as suggested by the applicant:

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, except in relation to Lot 17 DP 391213 and the development approved by Far North District Council through RC2160271, more particularly as shown on the 'Proposed site plan' prepared by Jurado Architects, job 14.236, drawing RC03, dated 21 December 2015.

The applicant has supported these revisions.

4. Relevant Statutory Provisions:

The General Coastal zone covers the largest area of all the zones in the coastal environment. This zone is generally rural with a coastal focus and natural character predominates. The zone rules reflect its coastal location and the inherent sensitivity of the coastal and adjoining marine environment and the vulnerability of these areas to change and development. It includes controls on development to preserve the natural character of the coastal environment and protect it from inappropriate subdivision and use. Emphasis is upon ensuring that the location, scale and design of built development have regard to potential adverse effects on the natural character of the coastal environment. The rules are intended to give effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.

The District Plan requires that activities in the zone should recognise and provide for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.

In terms of earthworks, the design, form, location and siting of earthworks is required to have regard to the natural character of the landscape including terrain, landforms and indigenous vegetation and shall avoid, remedy or mitigate adverse effects on those features.

The District Plan also acknowledges that the values that make landscapes outstanding can be adversely affected, or in some cases permanently lost or degraded. The District Plan highlights that the cumulative effect of changes to the character of Outstanding Landscapes should be taken into account in assessing applications for resource consent, particularly in terms of the adverse visual effect of built development on outstanding landscapes and ridgelines.

The objectives and policies also place an emphasis upon avoiding fire risk arising from the location of residential units in close proximity to trees, or in areas not near fire fighting services.

Based upon the matters discussed in section 3 above, the land use is considered consistent with the District Plan objectives and policies.

The primary issues with respect to the Regional Policy Statement for Northland relate to coastal water, indigenous ecosystems and biodiversity, issues of significance to tangata whenua, natural hazards and natural character, landscapes and historic heritage. Based upon the matters discussed in section 3 above, the land use is considered consistent with the regional policy statement.

The New Zealand Coastal Policy Statement (NZCPS) is of primary relevance to the proposal due to its location within the coastal environment. One of the objectives of the Statement is to safeguard the integrity, form, functioning, and resilience of the coastal environment and sustain its ecosystems. The Statement seeks to preserve the natural character of the coastal environment and protect natural features and landscapes. It recognises that the protection of values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits. The NZCPS encourages development that maintains the character of the existing built environment, and where development resulting in change in character would be acceptable. In terms of preserving natural character, the NZCPS also places emphasis upon avoiding significant adverse effects and preserving natural character and protecting it from inappropriate subdivision, use and development.

The development is consistent with the intent and projected outcomes of the management plan approved for the underlying subdivision. As the development is regarded as meeting the design parameters outlined in the management plan which address the impacts of development upon the coastal environment, the development will be consistent with the intent of the Statement.

Part 2 Matters

Section 5 sets out the Act's purpose, whilst sections 6, 7 and 8 include principles to assist in achieving that purpose.

The purpose of the Act as outlined in section 5(1) is to promote the sustainable management of natural and physical resources. As outlined in section 5(2), "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 well being 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."*

Comment: The site is part of a design concept considered for a large lot residential subdivision/farm park development that was approved subject to compliance with the parameters outlined within a management plan. As the development is consistent with the design parameters specified in the management plan, the proposal is regarded as consistent with the Act's purpose. The proposal will not undermine the site features contributing to its natural character and amenity values, particularly having regard to the level of existing development, the design of the new development and mitigation measures proposed. The proposal is therefore considered as consistent with the purpose of the Act.

Section 6 of the Act, '*Matters of national importance*', lists seven matters of national importance. The matters regarded as most relevant to the proposal relate to subsections (a), (b), (c), (d) and (f):

- (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;*
- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (f) *The protection of historic heritage from inappropriate subdivision, use, and development:*

Comment: Whilst the buildings are located within an area of Outstanding Landscape and the coastal environment, the development will not result in any further visual denigration beyond that currently existing.

The '*Bentzen Farm, Bay of Islands: Archaeological Assessment prepared for Bentzen Farms Ltd*' by Clough and Associates Ltd, dated September 2004, indicates no archaeological impact, constraints or suggested actions for the site.

The '*Omarino Management Plan*' dated October 2007, consent notice 7907807.2 and conditions of RC21600271 impose restrictions protecting threatened and regionally significant species.

As the site is accessed via a network of private access, there is no opportunity to enhance public access to the coastal marine area. It is also recognised that there is no esplanade reserve or strip adjacent to the site.

The applicant has volunteered to comply with a number of requirements as outlined in a 'consultation report' prepared by Ngati Kuta Patu Keha Hapu, dated 29 October 2015 and included as Appendix 8 to the assessment of effects for RC2160271.

On the basis of the above, the proposal provides for matters outlined in section 6 of the Act.

In achieving the purpose of the Act, section 7 imposes eleven matters for Council to have regard to in managing the use, development, and protection of natural and physical resources. These matters include the efficient use and development of natural and physical resources; the maintenance and enhancement of amenity values; intrinsic value of ecosystems; the maintenance and enhancement of the quality of the environment; and the effects of climate change.

Comment: Whilst the site is included as part of an Outstanding Landscape; as previously indicated the development will not undermine the site features contributing to its natural character and amenity values. The development is not regarded as contrary to the development pattern approved via the underlying subdivision and the associated management plan, with conditions already applying to protect the intrinsic value of ecosystems. Minimum floor levels have been proposed to address the effects of climate change. Recognising this, the application and supporting documentation are regarded as consistent with section 7 of the Act.

Section 8 of the Act requires that all persons exercising functions and powers under the Act take into account the principles of the Treaty of Waitangi in managing the use, development and protection of natural and physical resources. Undertaking the earthworks as per the conditions of consent, and as per the consent notice and management plan restrictions will ensure that the activity will not impact adversely upon the relationship of Maori and their culture and traditions with their ancestral lands, water, sites of waahi tapu and other taonga. Therefore there are no issues identified as arising under the Treaty of Waitangi and the proposal is considered to satisfy section 8.

4. Notification and Affected Parties

Section 104(3a)(ii) of the Act requires that no consideration may be had of any effect on a person who has provided their written approval to the application. As outlined in the notification assessment, it has not been considered necessary to require any additional written approvals.

5. Overall Evaluation


Having considered the application for a non-complying activity against the relevant provisions of the Act, the District Plan, the Regional Policy Statement for Northland and the New Zealand Coastal Policy Statement, the proposal is considered to satisfy both of the judicial gateway tests of section 104D of the Act. Hence Council may grant approval to the application subject to the conditions discussed above.

Approval

This resource consent has been prepared by Liz Searle (Senior Resource Consents Planner) and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Dated:



Pat Killalea

Principal Planner

(ACTING UNDER DELEGATED AUTHORITY)

Right of Objection

If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

The consent holder shall pay all charges set by the Council under section 36 of the Resource Management Act 1991, including any administration, monitoring and supervision charges relating to the conditions of this resource consent. The consent holder will be advised of the charges as they fall.

Section 357B of the Resource Management Act 1991 provides a right of objection in relation to the imposition of additional charges or recovery of costs.

Lapsing Of Consent

Pursuant to section 125 of the Resource Management Act 1991, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

- (i) The consent is given effect to; or
- (ii) An application is made to the Council to extend the period of consent, and the Council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.

A diagram of a sphere with lines representing the cardinal directions and zodiac signs. The cardinal directions are labeled: NORTH, SOUTH, EAST, and WEST. The zodiac signs are labeled: ARIES, TAURUS, GEMINI, CANCER, LEO, VIRGO, LIBRA, SCORPIO, SAGITTARIUS, CAPRICORN, AQUARIUS, and PISCES. The sphere is divided into segments by these lines, with the zodiac signs placed in the segments between the cardinal directions.

fishermans building

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SURVEYED MHW'S

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SHEED

TWO
PROPOSED
NEW WATER
TANKS



THREE
EXISTING
WATER
RE-USE


APPROVED PLAN

DI ANNER

Date: 16/07/2024

Proposed Site Plan

 $A3=1:500$ or $A1=1:250$

 jurado architects

The Homestead Lot 17

Large Densities
C-422037
D-391312
127-17
393 Jackson Ave.
Pawling, NY 12564-0141

Proposed Site Plan

RC03/A

APPENDIX 4:

CONTEXT OF SITE FOR GARAGE:

- (a) Aerial View: Far North Map of the Homestead compound dated 3rd July 2025.**
- (b) Photograph from Waipiro Bay foreshore of the existing buildings in the Homestead compound.**
The proposed garage (behind the boatshed which is behind vegetation in the right end of this photo) will not be seen from the sea.
- (c) Photograph from Waipiro Bay foreshore showing the former Kill Shed to the right and with the boatshed glimpsed through the trees.**
- (d) Survey Plan by Donaldsons Registered Land Surveyor, dated 8th May 2025.**







APPENDIX 5:

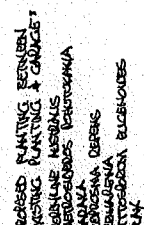
THE SURVEY PLAN SHOWING:

- (a) The overlap of the sealed parking (shown in Green) in the “Proposed Site Plan” as approved in Resource Consent No. 2160271.**
- (b) The garage building superimposed (shown in Red).**

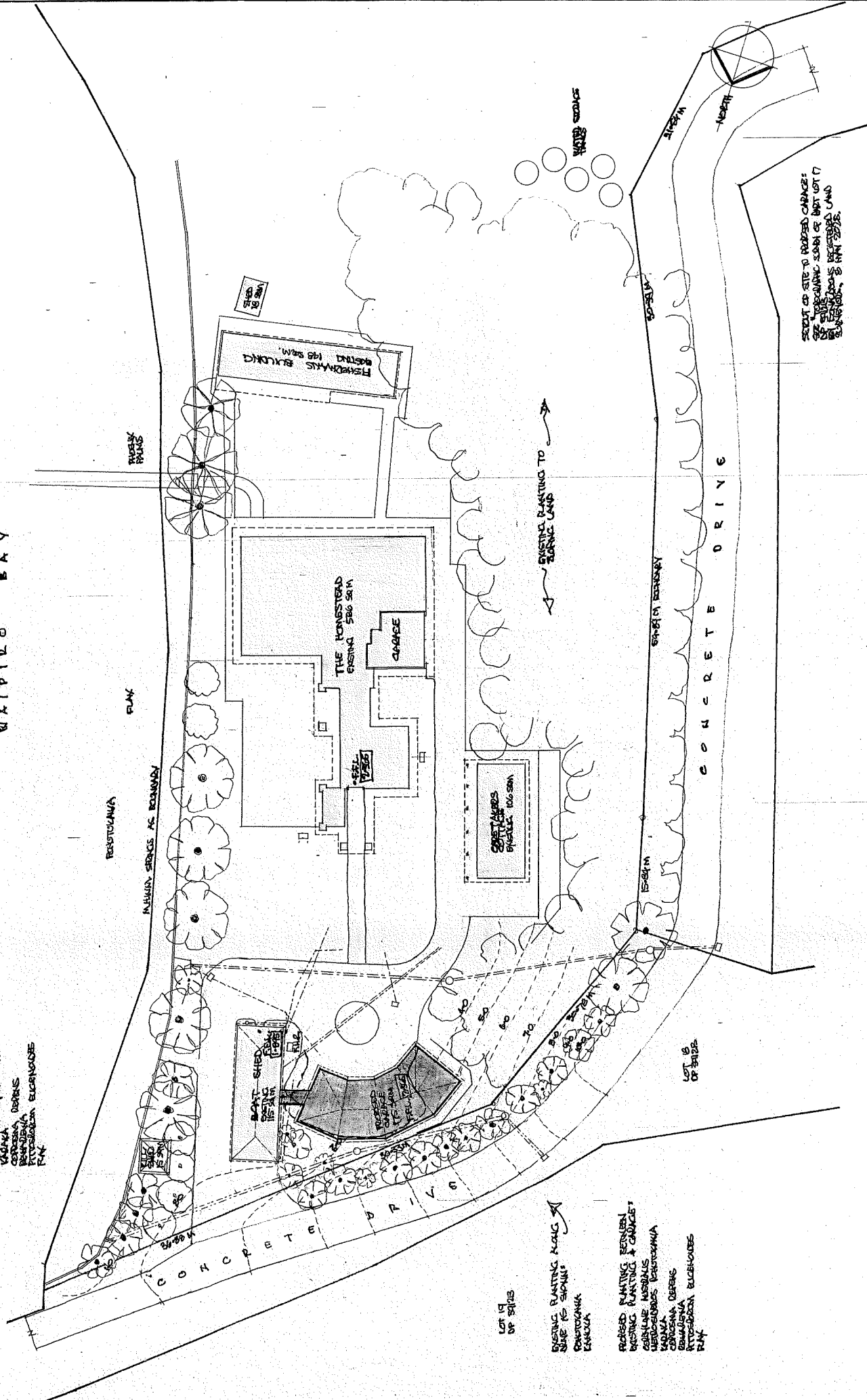
APPENDIX 6:

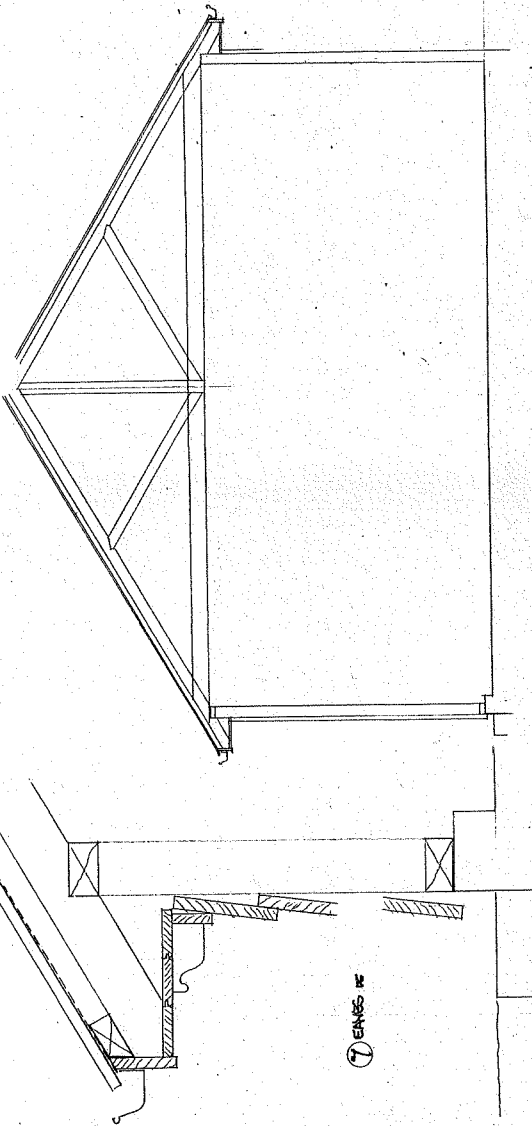
DESIGN DRAWINGS FOR GARAGE BUILDING:

- Sheet 1. Site Plan & Site Context Plan**
(showing existing and proposed planting)
- 2. Existing Boatshed**
(as a reference building)
 - 3. Site Development Plan**
 - 4. Garage: Cross-Section & Front Elevation**
(in the context of the site)
 - 5. Site Elevations**



SEARCHED SITE TO PROCEED CARAGE =
SIZE "TERRACING" SECTION OF BRIST LOST 17
DO NOT
FOR FURTHER INFORMATION
DO NOT

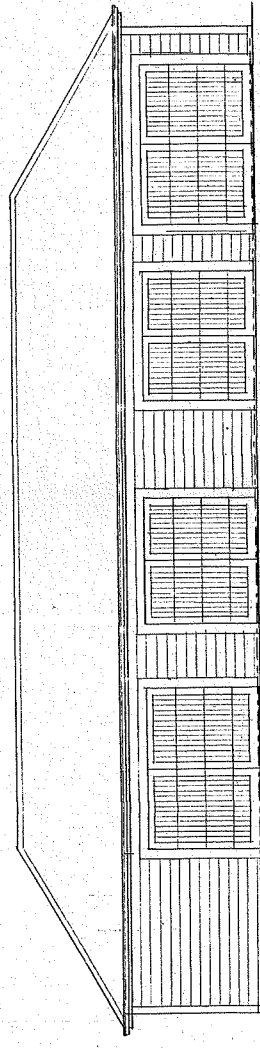




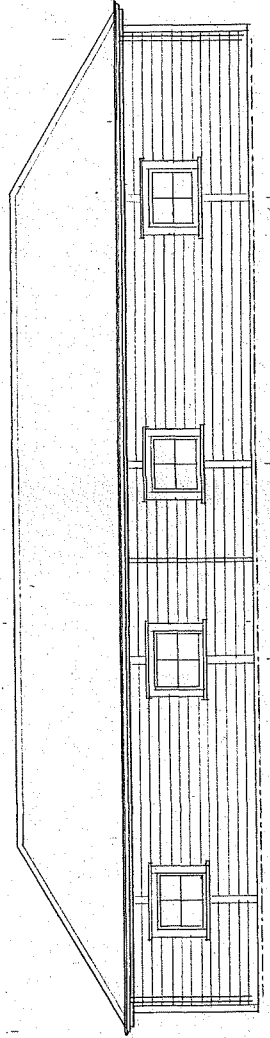
⑤ CROSS-SECTION NW

⑦ EAVES NW

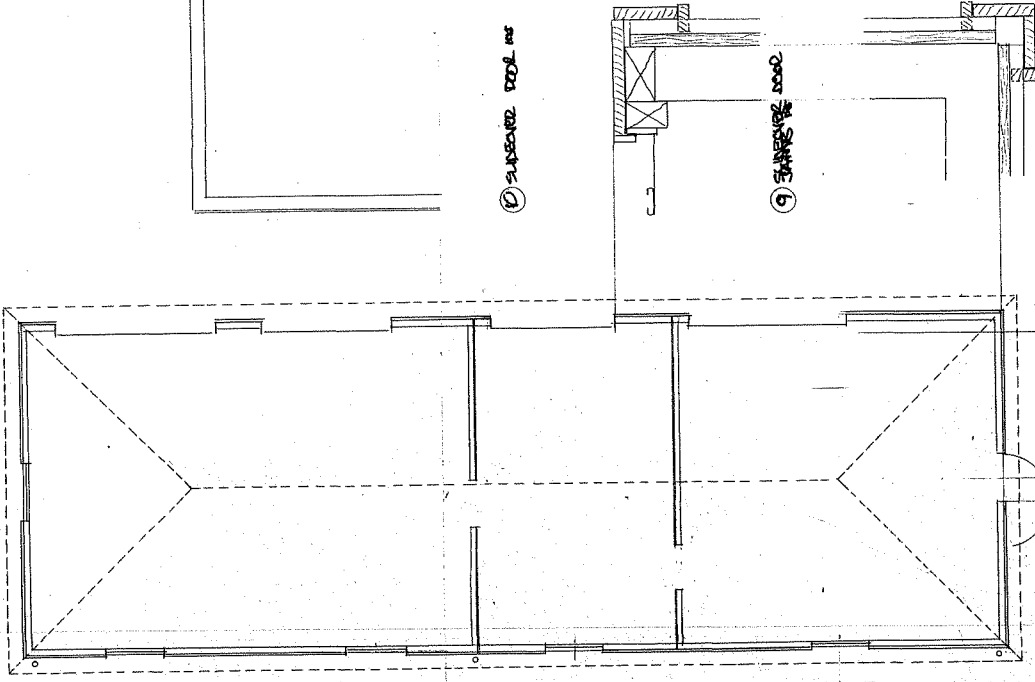
⑥ EAVES SW TO WEST SIDE WALL



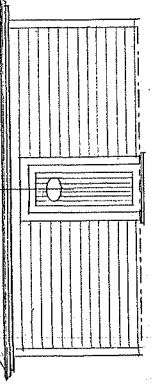
④ ELEVATION EAST SIDE WALL NW
FROM SEA



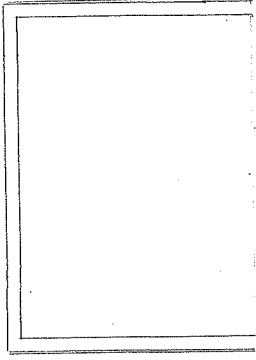
③ ELEVATION WEST SIDE WALL NW
FROM LBN CHANCE



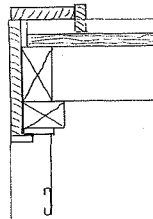
① FLOOR PLAN NW



② ELEVATION SOUTH WALL NW
FROM HONESTO



⑩ SUSPENDED CEILING NW



⑨ SUSPENDED CEILING NW

⑧ SUSPENDED CEILING NW

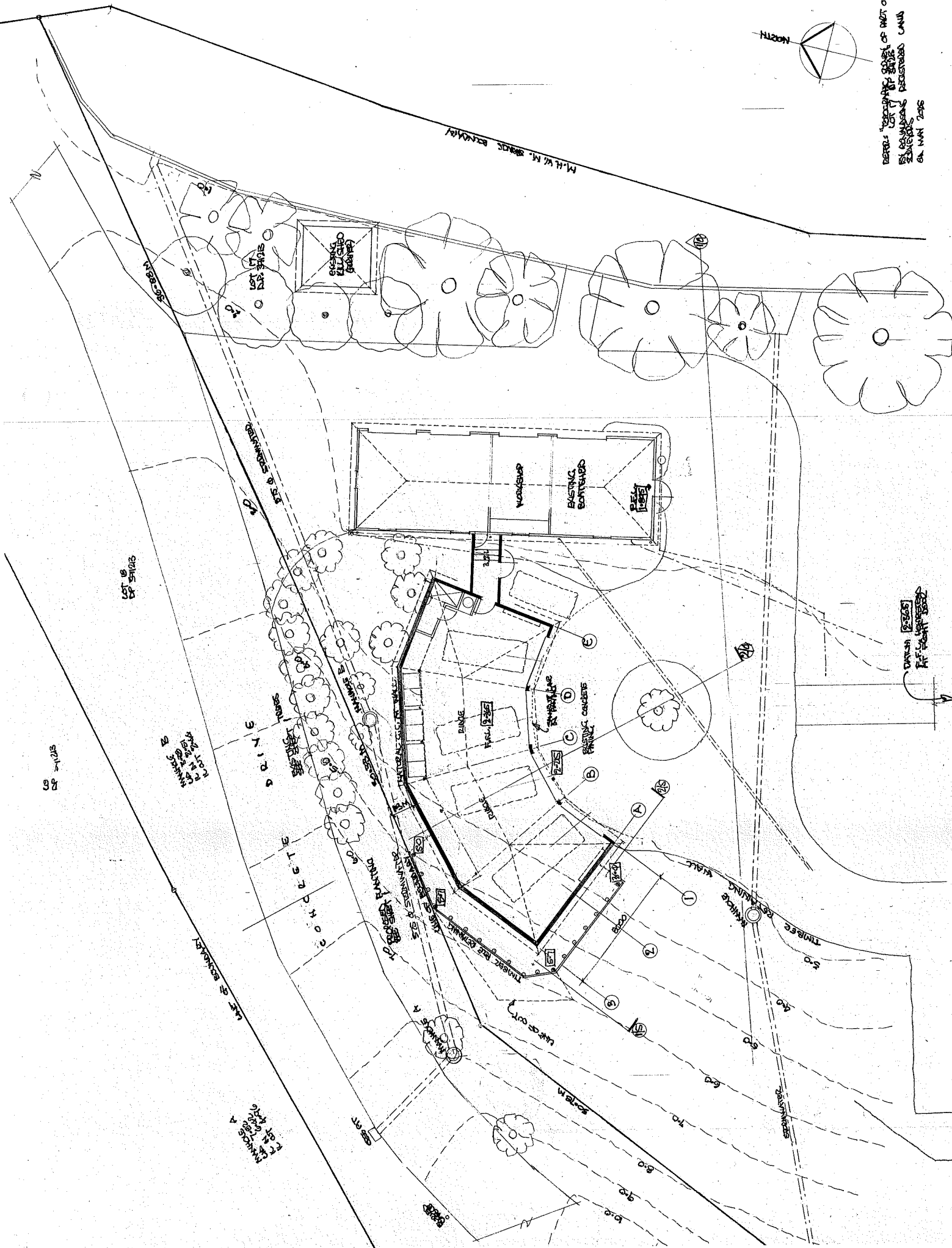
NEW CADRAGE
AT
THE HONESTO
DE HONESTO, P.O.
POSTOFFICE, P.O.

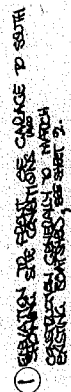
202
BUT NOT A.D.T.
HONESTO PARTNERSHIP

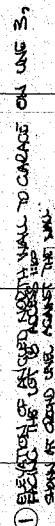
THE HONESTO PARTNERSHIP
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HONESTO PARTNERSHIP
HONESTO PARTNERSHIP
HONESTO PARTNERSHIP
HONESTO PARTNERSHIP

EXHIBIT C
REMARKS
REMARKS

REMARKS: "RECORDING GROUP OF PART OF LOT 17 OLD 34TH ST. BEYOND RECORDED PLATS 24460-24461" EA MAY 2005





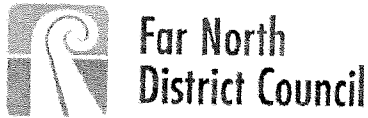


APPENDIX 7:

SETBACK FROM SITE BOUNDARY WITH LOT 18 OF 1.3M

APPROVALS OF OWNERS OF LOT 18:

Lot 1	Graham Lloyd Collie for Waipohutukawa Trustee Limited
Lot 2	Philip and Karen Thornton for Homestead Trustee Limited
Lot 3	Tom Tar Singh
Lot 4	Eric John Faesenkloet for Pareanui Bay Trust
Lot 5	Carolyn Anne Dee and Barry James Dee
Lot 6	Carolyn Anne Dee and Barry James Dee
Lots 7, 9 and 11	Craig Heatley, Hayley Pyle, Gregory Horten, Nicholas Heatley for Avenue Trust
Lot 8	Louise Marie Dingley
Lots 10, 12, 14, 15, and 16	Craig Heatley for Bentzen Farm Ltd
Lot 13	does not exist
Lot 17	not applicable
Lot 18	the common access Lot
Lot 19	held together with Lot 17
Lot 20, 21 and 22	not applicable
Lot 23	not applicable
Lot 24	not applicable
Lot 25	Dean Farmer for Ironwood Trustee Limited



**WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991**

1. Name of person giving written approval (Full Name):

Graham Lloyd Collie

2. I am the owner of the property at:

Lot 1 DP 391213 -

285 Manawhara Road, Parekura Bay Russell 0272

3. Address of the property subject to the proposal:

Lot 17 DP 391213 Omarino, 285 Manawhara Road, Parekura Bay.

4. Are you signing on behalf of other owners? ☒ Yes ☐ No

If Yes, List their names:

Waipohutukawa Trustee Limited

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signature: [Signature] (signature)

Date: 22-05-2025

5. Contact Details:

Contact Person:

Graham Collie

Electronic Address for Service:
(E-mail)

grahamc@atlasconcrete.co.nz

Phone Numbers:

Work: 0275925639 Home: 0275925639

Postal Address:

(or alternative method of service
under s352 of The Act)

20 Pohutukawa Road

Whenuapai Auckland

Post Code: 0618

Note to person signing written approval

- You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.
- Conditional written approvals cannot be accepted, and written approvals cannot be withdrawn once provided.
- There is no obligation to sign this form, and no reasons need to be given.
- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.

RATE TAX INVOICE/ CREDIT NOTE

*Paid
3/05/25*



Waipohutukawa Trustee Limited
Waipohutukawa Bay Trust C/- G L Collie
20 Pohutukawa Road
Whenuapai
Auckland 0618

Call us on: 09 4015200
or 0800 920 029

Mail us at:
ask.us@fndc.govt.nz

Visit our website:
www.fndc.govt.nz



Rating Year	01 Jul 2024 to 30 Jun 2025
Invoice Date	20 April 2025
GST Number	52-004-926

Rate Account Number RA 5010299-5

Instalment 4 of 4

Valuation Number 00413-32202

Legal Description LOT 1 DP 391213 HAVING
1/17SH IN LOT 18

Location Lot 1, Manawaora Road, Russell
0272

Land Area (m²) 51,370

Annual Rates*	NRC	FNDC
(Includes GST of \$2,789.15)	\$ 2,523.97	\$ 18,859.55

Annual Total	\$ 21,383.52
--------------	--------------

*All rates are GST inclusive except for penalties charged

Instalment
Due Dates

1 Instalment Due
20 Aug 2024

2 Instalment Due
20 Nov 2024

3 Instalment Due
20 Feb 2025

4 Instalment Due
20 May 2025

ACCOUNT BREAKDOWN

COMBINED TOTAL	Northland REGIONAL COUNCIL	+	Te Kaunihera o Te Hiku o te Ika Far North District Council	=	Total Rates
Opening balance (previous years rates incl. penalties)	\$ 0.00	\$	0.00	\$	0.00
Previous instalments this year	\$ 1,892.67	\$	14,144.88	\$	16,037.55
Penalties incurred this year	\$ 0.00	\$	0.00	\$	0.00
Remissions	\$ 0.00	\$	0.00	\$	0.00
Adjustments	\$ 0.00	\$	0.00	\$	0.00
Payments* (incl. rebates)	\$ -1,892.67	\$	-14,144.88	\$	-16,037.55
Current instalment (incl. GST of \$697.30)	\$ 631.30	\$	4,714.67	\$	5,345.97
TOTAL BALANCE NOW DUE (Due Date: 20 May 2025)					\$ 5,345.97
Amount to clear your rates for the 2024/2025 rating year					\$ 5,345.97

*recent payments and transfers may not be included in this invoice

A 10% PENALTY will be added to any portion of THIS INSTALMENT that remains unpaid after the DUE DATE

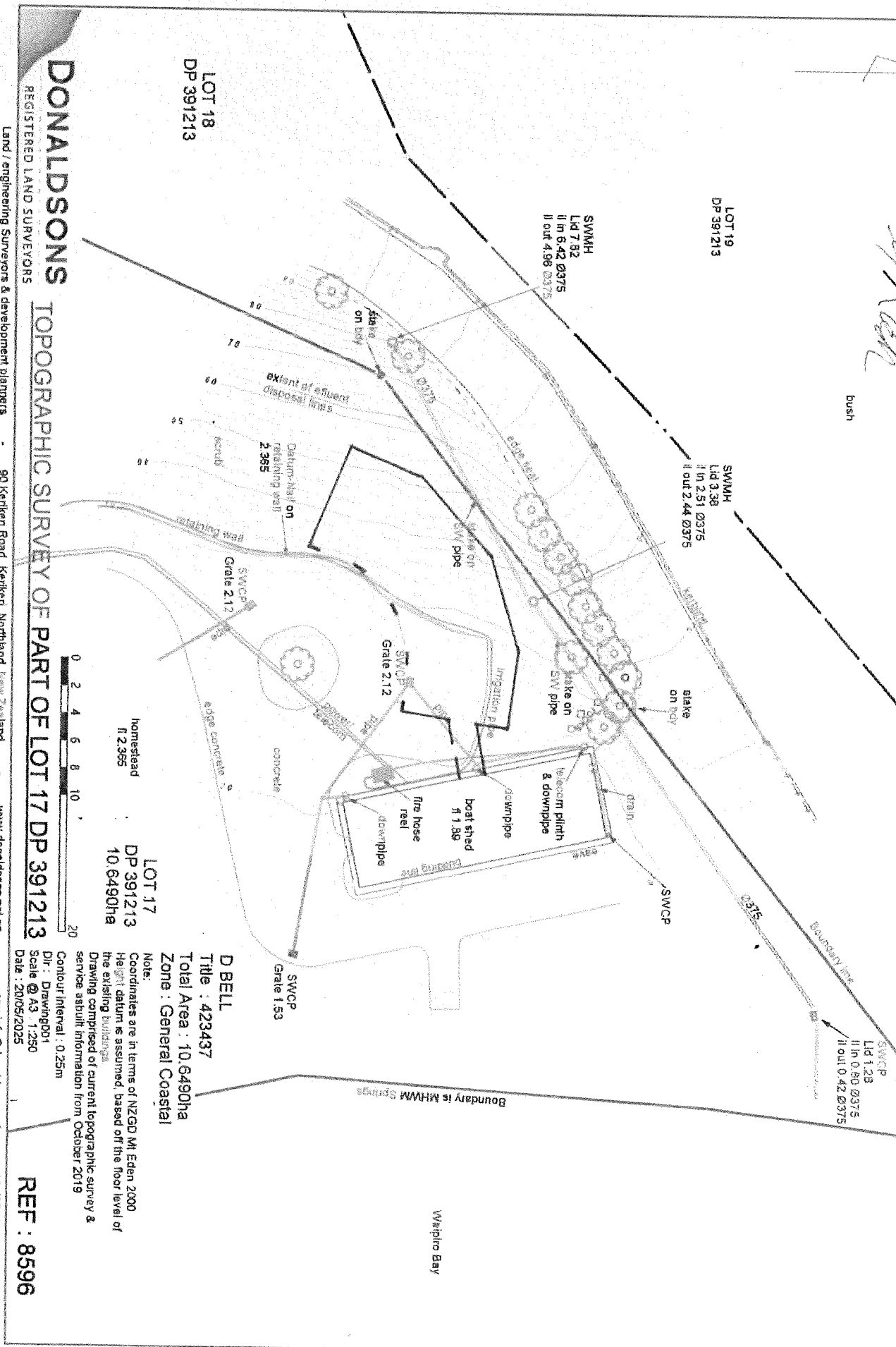


FNRAC050102995000534597

Payment due by 20 May 2025

Making payment for more than one rate account online? Use bank reference: REMIT
Email your remittance advice to: bankingservices@fndc.govt.nz

Approved G.H. Collie Lot 1 D.P. 391213 285 Manawatu Road Paekia Bay



DONALDSONS
REGISTERED LAND SURVEYORS
Land / engineering Surveyors & development planners
90 Kerikeri Road, Kerikeri, Northland, New Zealand
www.donaldsons.net.nz
em: info@donaldsons.net.nz - p:09 4079162

TOPOGRAPHIC SURVEY OF PART OF LOT 17 DP 391213

LOT 17
DP 391213
10.6490ha

LOT 18
DP 391213

D BELL
Title : 423437
Total Area : 10.6490ha
Zone : General Coastal

Note:
Coordinates are in terms of NZGD Māori 2000
Height datum is assumed, based off the floor level of
the existing buildings.
Drawing comprised of current topographic survey &
service as-built information from October 2019
Contour interval : 0.25m
DIP : DrawingD01
Scale @ A3 : 1:250
Date : 20/05/2025

REF : 8596



**WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991**

1. Name of person giving written approval (Full Name):

Philip and Karen Thornton (shareholders of Hampstead Trustee Limited)

2. I am the owner of the property at:

Lot 2, 285 Manawaora Rd, Parekura Bay, Russell

3. Address of the property subject to the proposal:

Lot 17, 285 Manawaora Rd, Parekura Bay, Russell

4. Are you signing on behalf of other owners No

If Yes, List their names:

Both of the shareholders are signing this form. This constitutes
100% of the ownership

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signature:

(signature)

Date:

22 May 2025

5. Contact Details:

Contact Person:

Philip Thornton

Electronic Address for Service:
(E-mail)

philip@thornton.co.nz

Phone Numbers:

Work:

021 798006

Home:

09 444 6185

Postal Address:

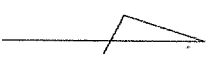
(or alternative method of service
under s352 of The Act)

P.O. Box 302-739, North Harbour, Auckland

Post Code: 0751

Note to person signing written approval

- You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.
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- There is no obligation to sign this form, and no reasons need to be given.
- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.



bush

LOT 19
DP 391213

SWMH
Lid 3.38
// in 2.51 Ø375
// out 2.44 Ø375

SWMH
Lid 7.82
// in 6.42 Ø375
// out 4.96 Ø375

SWCP
Lid 1.28
// in 0.80 Ø375
// out 0.42 Ø375

SWCP
Grate 1.53

LOT 18
DP 391213

LOT 17
DP 391213
10.6490ha

homestead
// 2.365



Approved by
Philip & Karen Thornton
Lot 2, 285 Manawaroa Rd
Parekura Bay
Russell

Waipiro Bay

[Handwritten signature]

D BELL
Title : 423437
Total Area : 10.6490ha
Zone : General Coastal

Note:

Coordinates are in terms of NZGD M Edin 2000
Height datum is assumed, based off the floor level of
the existing buildings.

Drawing comprised of current topographic survey &
service as built information from October 2019

Contour interval : 0.25m

Dir : Drawing001
Scale @ A3 : 1:250
Date : 20/05/2025

DONALDSONS
REGISTERED LAND SURVEYORS

TOPOGRAPHIC SURVEY OF PART OF LOT 17 DP 391213

Land / engineering Surveyors & development planners

90 Kenken Road, Kenken, Northland, New Zealand

www.donaldsons.net.nz

em: info@donaldsons.net.nz - p.09 4079182

REF : 8596



**WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991**

1. Name of person giving written approval (Full Name):

Tom Tar Singh

2. I am the owner of the property at:

Lot 3, Omarino, 285 Manawaora Road, Parekura Bay

3. Address of the property subject to the proposal:

Lot 17, DP 391213, Omarino, 285 Manawaora Road, Parekura Bay

4. Are you signing on behalf of other owners? ☒ Yes / ☐ No

If Yes, List their names:

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

*** If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.**

Signature:  (signature)

Date: _____

5. Contact Details:

Contact Person: Christopher Miller

Electronic Address for Service:
(E-mail) cm@riantacapital.ch

Phone Numbers: Work: +41 76 399 3364 Home: _____

Postal Address:
(or alternative method of service
under s352 of The Act) Rianta Capital Zurich AG, Raemistrasse 6, Zurich, Switzerland

Post Code 8001

Note to person signing written approval

- You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.
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- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.

APPROVED

Tom Tar Singh
Lot 3, Oamaru, 285 Manawagora Road

Signature: *Tom Tar Singh*

bush

Date:

LOT 19
DP 391213

SWMH
Lid 3.36
In 2.51 Ø375
Out 2.44 Ø375

SWMH
Lid 7.82
In 6.42 Ø375
Out 4.88 Ø375

LOT 18
DP 391213

LOT 17
DP 391213
10.6490ha

D BELL
Title : 423437
Total Area : 10.6490ha
Zone : General Coastal

Note:
Coordinates are in terms of NZGD Mā Eaten 2000
Height datum is assumed, based off the floor level of
the existing buildings.
Drawing comprised of current topographic survey &
service as-built information from October 2019

Contour interval : 0.25m
Drf : Drawing001
Scale @ A3 : 1:250
Date 20/08/2025

REF : 8596

DONALDSONS

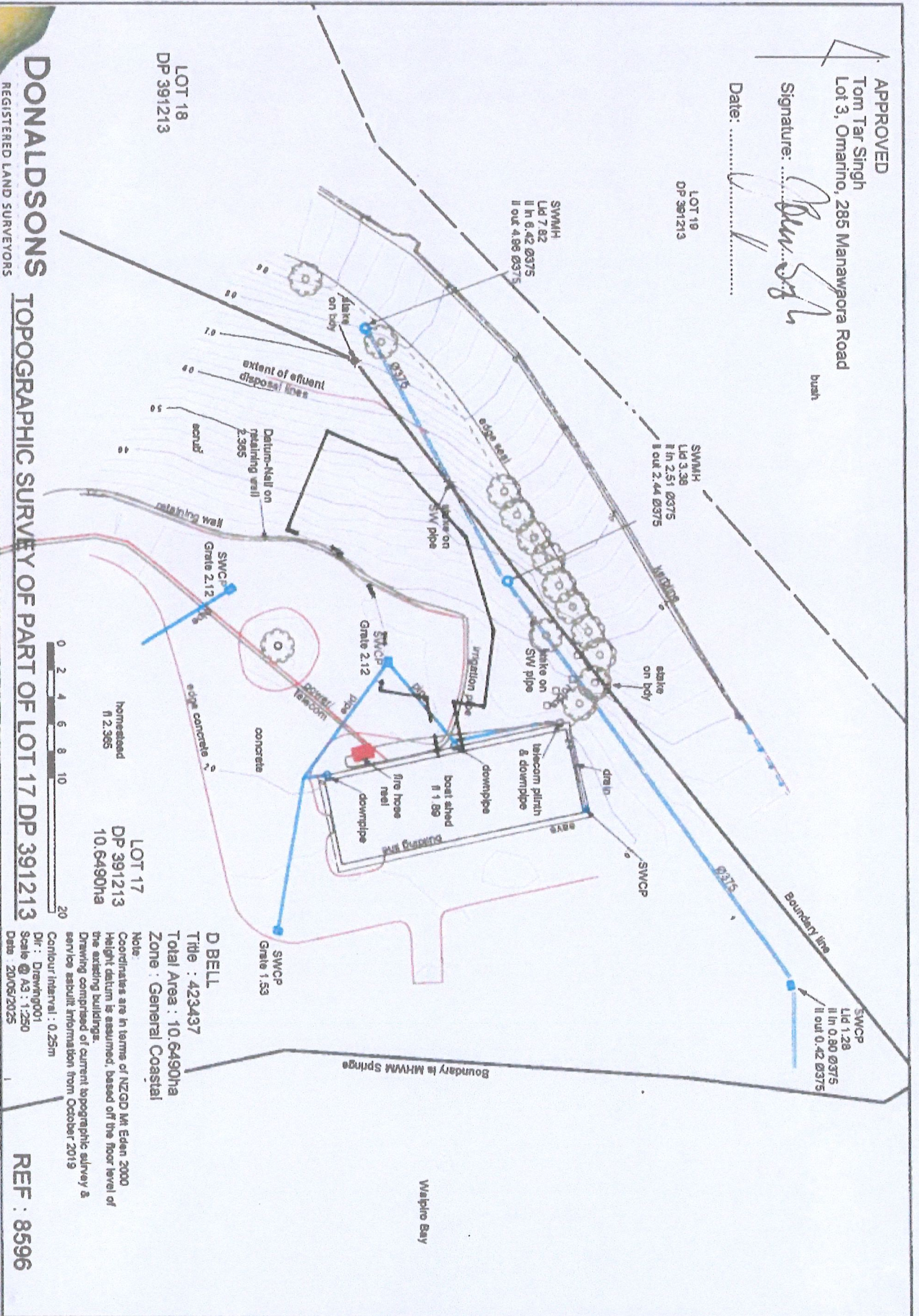
REGISTERED LAND SURVEYORS

Land / engineering surveyors & development planners

90 Karikeri Road, Karikeri, Northland, New Zealand

www.donaldsons.net.nz

em: info@donaldsons.net.nz - p:09 4079182





WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991

1. Name of person giving written approval (Full Name):

ERIC JOHN FAESENKLOET

2. I am the owner of the property at:

285 MANAWAORA RD LOT 4
RUSSELL

3. Address of the property subject to the proposal:

LOT 17 285 MANAWAORA RD

4. Are you signing on behalf of other owners? Yes ☒

If Yes, List their names:

I am the trustee of Papanui Bay Trust.
Papanui

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signature:  (signature)

Date:

22/05/25

5. Contact Details:

Contact Person:

ERIC FAESENKLOET

Electronic Address for Service:
(E-mail)

eric@gw.nz

Phone Numbers:

Work:

094866999

Home:

021755959

Postal Address:

(or alternative method of service
under s352 of The Act)

22 FARNOCH AVE TAKAPUNA
AUCKLAND

Post Code: 0612

Note to person signing written approval

- You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.
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- There is no obligation to sign this form, and no reasons need to be given.
- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.

ERIC FASEUKOBY
~~S. J. FASEUKOBY~~

bush

22/5/25

SWMM
Line 2 20

SVMH
Lid 7.82
if in 6.42 @375
if out 4.96 @375

if in 2.51 0375
if out 2.44 0375

stake
on body

MCQ

SWCP
Lid 1.28
11 in 0.80 Ø375
11 out 0.42 Ø375

Wajir Bay

homestead
2.365

LOT 17
DP 391213
10.6490ha

D BEL
Title : 423437
Total Area : 10.6490ha
Zone : General Coastal

Note:

Coordinates are in terms of NZGD M Eden 2000 Height datum is assumed, based off the floor level of the existing buildings.

Drawing comprised of current topographic survey & service as-built information from October 2019

Contour interval : 0.25m

Dir: Drawing001

Date : 20/05/2025

REF: 8596

DONALDSONS

REGISTERED LAND SURVEYORS

TOPOGRAPHIC SURVEY OF PART OF LOT 17 DP 301242

Land / engineering Surveyors & development planners

50 Kerikeri Road, Kerikeri, Northland, New Zealand

www.donaj.com

3. **Ref. 72**

em: info@donaldsons.net.nz - p:09 4079152



**WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991**

1. Name of person giving written approval (Full Name):

CAROLYN ANNE DEE and BARRY JAMES DEE

2. I am the owner of the property at:

LOT 5 "OMARINO"

285 MANAWAORA ROAD, PAREKURA BAY

3. Address of the property subject to the proposal:

LOT 17 D.P. 391213, "OMARINO"

285 MANAWAORA ROAD, PAREKURA BAY

4. Are you signing on behalf of other owners? Yes/No

If Yes. List their names.

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signature: [Signature] (signature)

Date: 23 MAY 2025

5. Contact Details:

Contact Person:

CAROLYN ANNE DEE

Electronic Address for Service:
(E-mail)

carolyn@northbeach.co.nz

Phone Numbers:

Work: +64 27 455 0331 Home: _____

Postal Address:

(or alternative method of service
under s352 of The Act)

P.O. BOX 300699

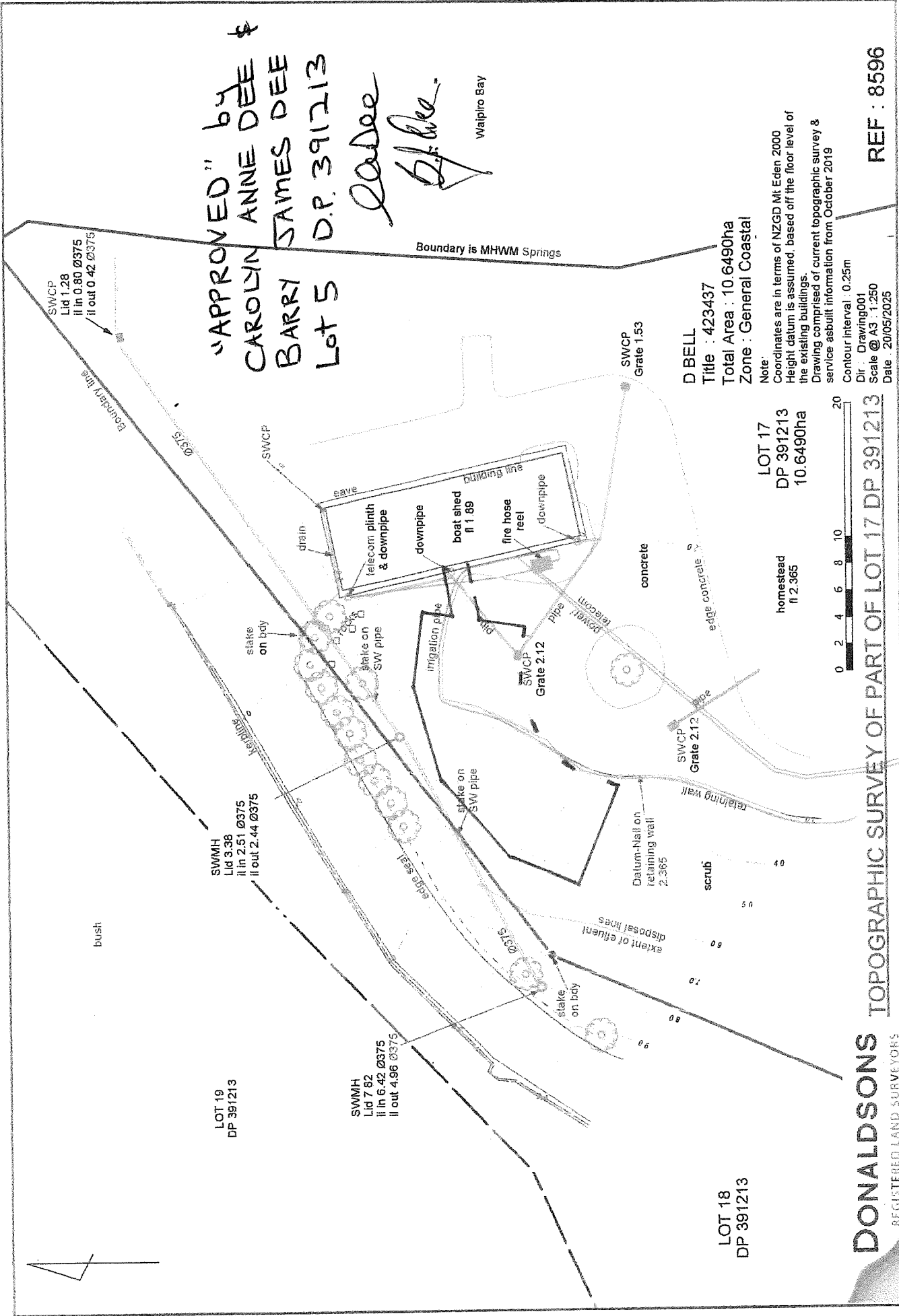
ALBANY

AUCKLAND

Post Code: 0752

Note to person signing written approval

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"APPROVED" by
 CAROLYN ANNE DEE &
 BARRY JAMES DEE
 Lot 5 D.P. 391213
Carolyn Dee
Barry Dee

Waipiro Bay

D BELL
 Title : 423437
 Total Area : 10.6490ha
 Zone : General Coastal

Note:
 Coordinates are in terms of NZGD Mt Eden 2000
 Height datum is assumed, based off the floor level of
 the existing buildings.
 Drawing comprised of current topographic survey &
 service as built information from October 2019

LOT 17
 DP 391213
 10.6490ha

homestead
 fl 2.365



REF : 8596

DONALDSONS TOPOGRAPHIC SURVEY OF PART OF LOT 17 DP 391213

REGISTERED LAND SURVEYORS

Land / engineering Surveyors & development planners

90 Kerikeri Road, Kerikeri, Northland, New Zealand

www.donaldsons.net.nz

em info@donaldsons.net.nz - p.09 4079182



**WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991**

1. Name of person giving written approval (Full Name):

CAROLYN ANNE DEE and BARRY JAMES DEE

2. I am the owner of the property at:

LOT 6 "OMARINO"

285 MANAWAORA ROAD, PAREKURA BAY

3. Address of the property subject to the proposal:

LOT 17 D.P. 391213, "OMARINO",

285 MANAWAORA ROAD, PAREKURA BAY

4. Are you signing on behalf of other owners? Yes/No

☒ No

If Yes. List their names.

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signature: [Signature] (signature)

Date: 23 MAY 2025

5. Contact Details:

Contact Person:

CAROLYN ANNE DEE

Electronic Address for Service:
(E-mail)

carolyn@northbeach.co.nz

Phone Numbers:

Work: +64 27 4550331 Home: _____

Postal Address:

(or alternative method of service
under s352 of The Act)

P.O. Box 300699

ALBANY

AUCKLAND

Post Code: 0752

Note to person signing written approval

- You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.
- Conditional written approvals cannot be accepted, and written approvals cannot be withdrawn once provided.
- There is no obligation to sign this form, and no reasons need to be given.
- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.

Waiipiro E

Waipiro Bay

Boundary is MHVM Springs

D BELL
Title : 423437
Total Area : 10.6490ha
Zone : General Coastal

Note:
Coordinates are in terms of NZGD Ml Eden 2000
Height datum is assumed, based off the floor level of
the existing buildings.
Drawing comprised of current topographic survey &
service asbuilt information from October 2019

Contour Interval : 0.25m
Dir : Drawing001
Scale @ A3 : 1:250
Date : 20/05/2025

REF 8596

em: info@donaldsons.net.nz - p:09 4079182

LOT 17
DP 391213
10.6490ha

Age Group	Control (White)	100% (Hatched)	200% (Black)
0	1	1	1
2	2	2	2
4	3	12	10
6	4	4	4
8	5	5	5
10	18	6	6
20	1	1	1

TOPOGRAPHIC SURVEY OF PART OF LOT 17 DP 391213

DONALDSONS
REGISTERED LAND SURVEYORS

Land / engineering Surveyors & development planners

90 Kerikeri Road, Kerikeri, Northland, New Zealand

www.donaldsons.net.nz

www.donaldsons.net.nz



**Far North
District Council**

**WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991**

1. Name of person giving written approval (Full Name):

Avenue Trust - Trustees Craig Heatley, Hayley Pyle, Gregory Horton, Nicholas Heatley

2. I am the owner of the property at:

Lot 7, 9 and 11 - Omarino - 285 Manawaora Road, Parekura Bay

3. Address of the property subject to the proposal:

Lot 17 DP 391213, Omarino, 285 Manawaora Road, Parekura Bay

4. Are you signing on behalf of other owners? ~~Yes~~ / No

If Yes, List their names:

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signed by:

A54C33E8523E4E5...

Signed by:

A51716CE4563464

Signature: _____ (signature)

Date: 23 May 2025

5. Contact Details:

Contact Person: Hayley Pyle

Electronic Address for Service:
(E-mail) Hayley@craigheatley.co.nz

Phone Numbers: Work: 0274982576 Home: 0274982576

Postal Address: PO Box 65504, Mairangi Bay, Auckland
(or alternative method of service
under s352 of The Act)

Post Code: 0754

Note to person signing written approval

- You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.
- Conditional written approvals cannot be accepted, and written approvals cannot be withdrawn once provided.
- There is no obligation to sign this form, and no reasons need to be given.
- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.

bush

LOT 19
DP 391213

SWMH
Lid 3.38
11 in 2.51 Ø375
11 out 2.44 Ø375

SWMH
Lid 7.82
11 in 6.42 Ø375
11 out 4.96 Ø375

SWCP
Lid 1.28
11 in 0.80 Ø375
11 out 0.42 Ø375

Approved

Signed by:

Nicholas Heatley
AS1716CE4554454...

Nicholas Heatley

Signed by:

Gary Horton
AS1716CE4554454...

Gary Horton

Craig Heatley - Trustee

Gary Horton

Hayley Pyle - Trustee

For Avenue Trust
Waipiro Bay

Lots 7, 9 and 11

Address of Avenue Tst

10C Brett Ave
Takapuna,
AKL 0622

LOT 18
DP 391213

LOT 17
DP 391213
10.6490ha

DBELL
Title : 423437
Total Area : 10.6490ha
Zone : General Coastal

Note: Coordinates are in terms of NZGD Mt Eden 2000.

Height datum is assumed, based off the floor level of the existing buildings.

Drawing comprised of current topographic survey & service as-built information from October 2019

Contour interval : 0.25m

Dir : Drawing001

Scale @ A3 : 1:250

Date : 20/05/2025

REF : 8596

DONALDSONS

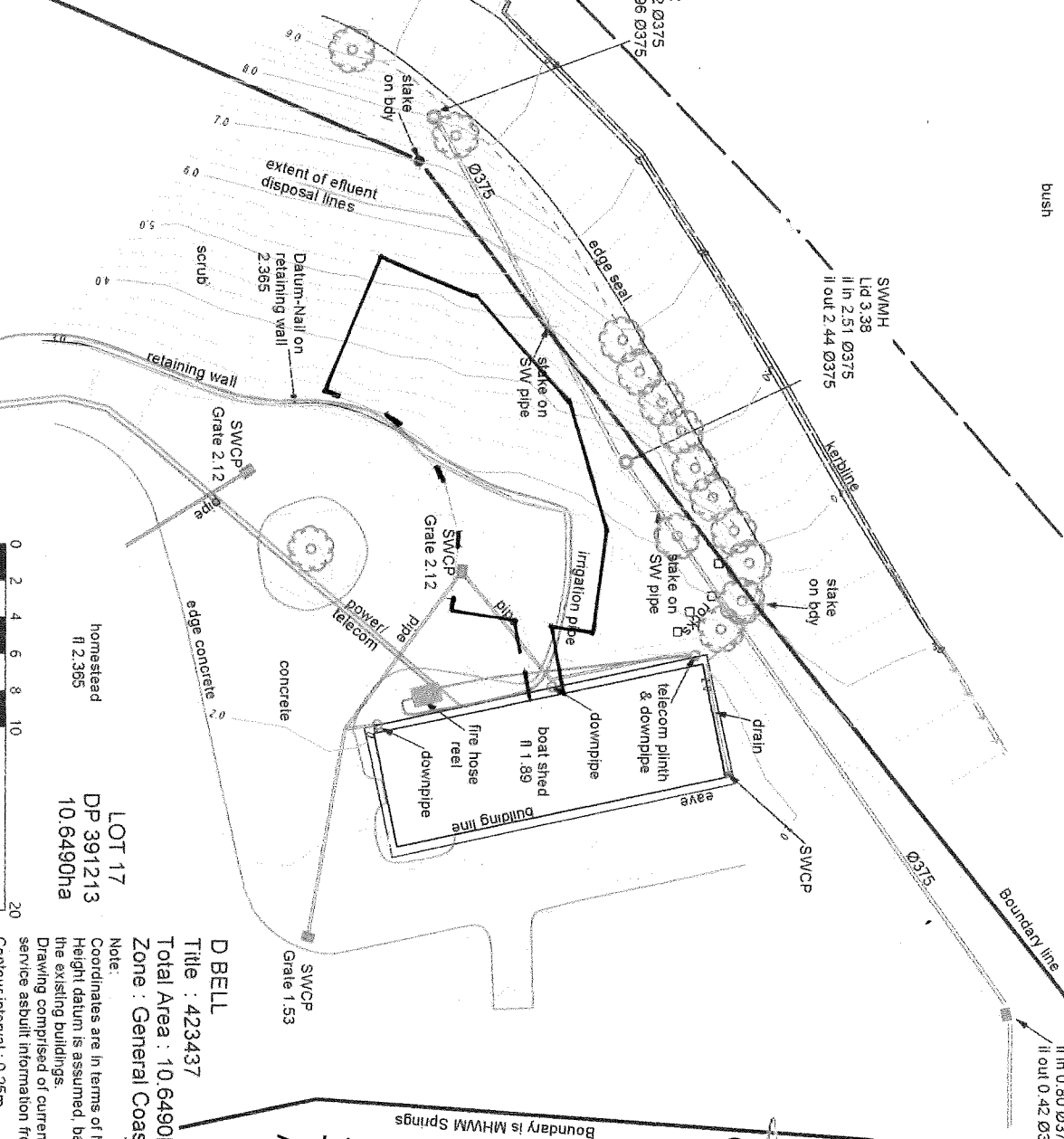
REGISTERED LAND SURVEYORS

Land / engineering Surveyors & development planners

90 Kerikeri Road, Kerikeri, Northland, New Zealand

www.donaldsons.net.nz

em: info@donaldsons.net.nz - p:09 4079182





**WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991**

1. Name of person giving written approval (Full Name):

LOUISE MARIE DINGLEY

2. I am the owner of the property at:

LOTS, DEPOSITED PLAN 391213, OMARINO,
PAREKURA BAY, MANAWAORA ROAD, BAY OF ISLANDS.

3. Address of the property subject to the proposal:

LOT 17, DEPOSITED PLAN 391213, OMARINO,
285 MANAWAORA ROAD, PAREKURA BAY, BAY OF
ISLANDS.

4. Are you signing on behalf of other owners? Yes ☐ No ☒

If Yes, List their names:

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signature: Louise Dingley (signature)

Date: 24/5/25

5. Contact Details:

Contact Person:

LOUISE DINGLEY

Electronic Address for Service:
(E-mail)

Phone Numbers:

Work: 0278860007 Home: _____

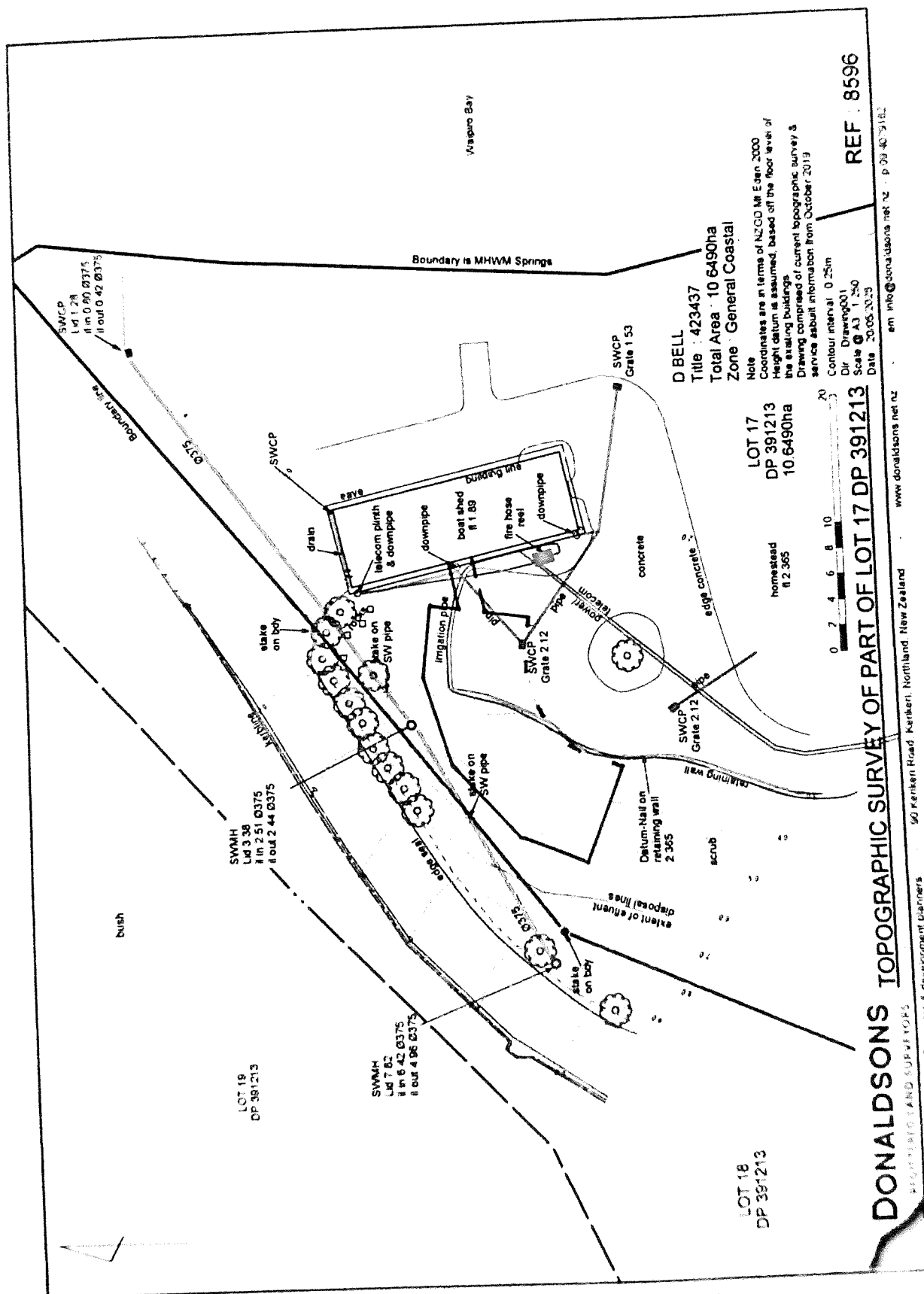
Postal Address:
(or alternative method of service
under s352 of The Act)

66 ST GEORGE'S BAY ROAD
PARNELL, AUCKLAND

Post Code: 1052

Note to person signing written approval

- You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.
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- There is no obligation to sign this form, and no reasons need to be given.
- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.



~~See Copy~~
LOUISE DINGLEY.



**WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY
s87BA of the Resource Management Act 1991**

1. Name of person giving written approval (Full Name):

Bentzen Farm Ltd (Director Craig Heatley)

2. I am the owner of the property at:

Lots 10, 12, 14, 15 and 16 Omarino 285 Manawaora Road, Parekura Bay

3. Address of the property subject to the proposal:


Lot 17 DP 391213, Omarino, 285 Manawaora Road, Parekura Bay

4. Are you signing on behalf of other owners? ~~Yes~~ / No

If Yes, List their names:

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signature:  (signature)

Date: 23 May 2025

5. Contact Details:

Contact Person:

Hayley Pyle

Electronic Address for Service:
(E-mail)

Hayley@craigheatley.co.nz

Phone Numbers:

Work:

0274982576

Home:

0274982576

Postal Address:

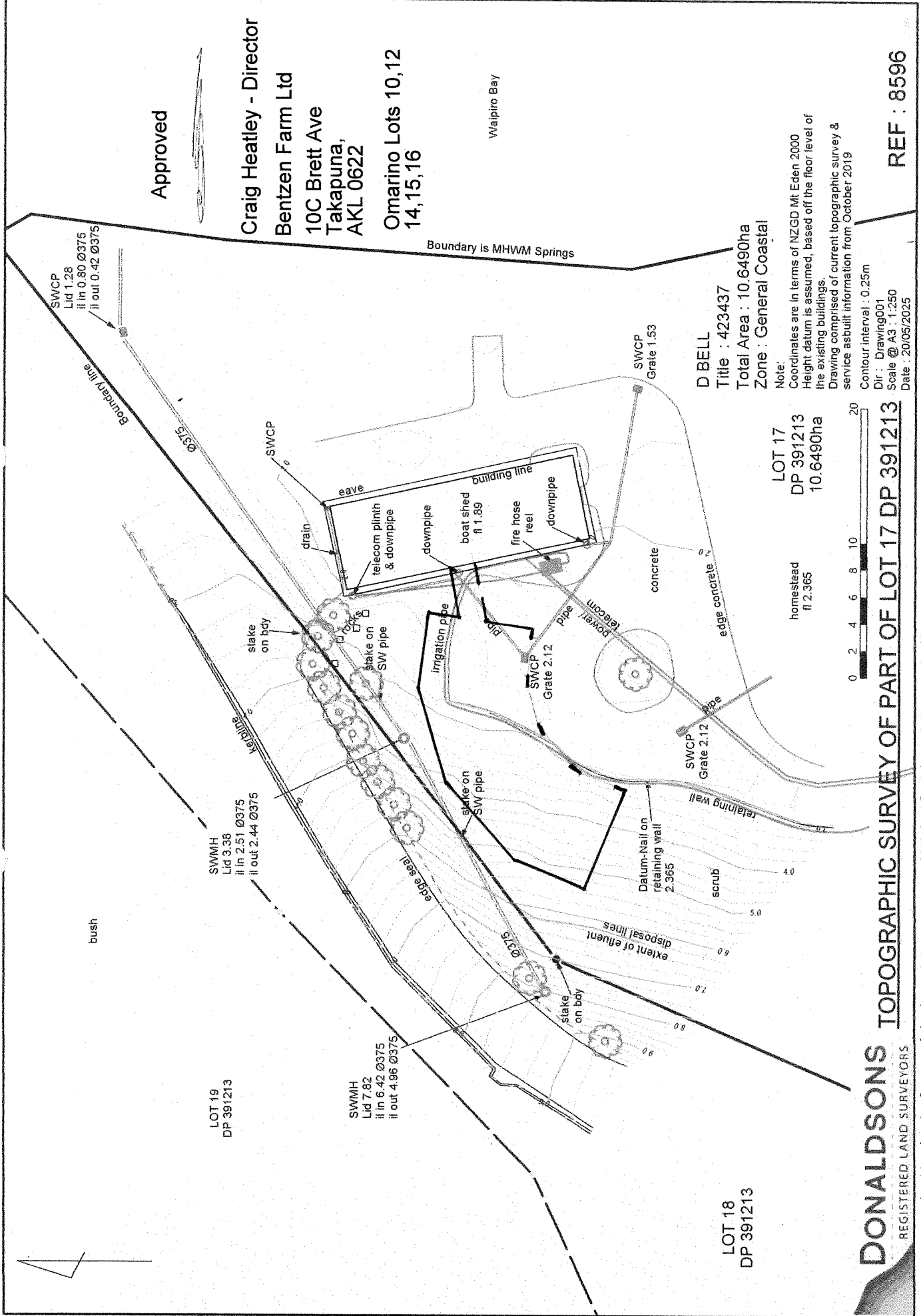
(or alternative method of service
under s352 of The Act)

PO Box 65504, Mairangi Bay, Auckland

Post Code: 0754

Note to person signing written approval

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- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.



Approved

Craig Heatley - Director
Bentzen Farm Ltd
10C Brett Ave
Takapuna,
AKL 0622
Omarino Lots 10,12
14,15,16

Waipiro Bay

Boundary is MHWM Springs

D BELL
Title : 423437
Total Area : 10.6490ha
Zone : General Coastal

Note:
Coordinates are in terms of NZGD Mt Eden 2000
Height datum is assumed, based off the floor level of
the existing buildings.
Drawing comprised of current topographic survey &
service as built information from October 2019

Contour interval : 0.25m
Dir : Drawing001
Scale @ A3 : 1:250
Date : 20/05/2025

REF : 8596

LOT 17
DP 391213
10.6490ha

homestead
fl 2.365

0 2 4 6 8 10 20

TOPOGRAPHIC SURVEY OF PART OF LOT 17 DP 391213

DONALDSONS
REGISTERED LAND SURVEYORS

Land / engineering Surveyors & development planners

90 Kerikeri Road, Kerikeri, Northland, New Zealand

www.donaldsons.net.nz

em: info@donaldsons.net.nz - p:09 4079182



WRITTEN APPROVAL FOR DEEMED PERMITTED BOUNDARY ACTIVITY s87BA of the Resource Management Act 1991

1. Name of person giving written approval (Full Name):

Ironwood Trustee Limited

2. I am the owner of the property at:

Lot 25 DP 512589, Omarino, 285 Manawaora Road, Bay of Islands

3. Address of the property subject to the proposal:

Lot 17 DP 391213, Omarino, 285 Manawaora Road, Bay of Islands

4. Are you signing on behalf of other owners? No

- I have authority to sign on behalf of the other owners of the property listed in 4*.
- I confirm that I have read the description of the activity and seen and signed the site plans attached.
- In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).
- I understand that I may not withdraw my written approval.

* If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.

Signature:  (signature)

Date: 23 May 2025

5. Contact Details

Contact Person:

Dean Farmer

Electronic Address for Service:
(E-mail)

dean@tappenden.co.nz

Phone Numbers:

Work: 09 3587 2070

Home:

Postal Address:

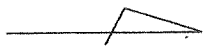
Level 6, 16 Viaduct Harbour Avenue, Auckland

(or alternative method of service
under s352 of The Act)

Post Code: 1010

Note to person signing written approval

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- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.



bush

LOT 19
DP 391213

SWMH
Lid 3.38
11 in 2.51 Ø375
11 out 2.44 Ø375

SWMH
Lid 7.82
11 in 6.42 Ø375
11 out 4.96 Ø375

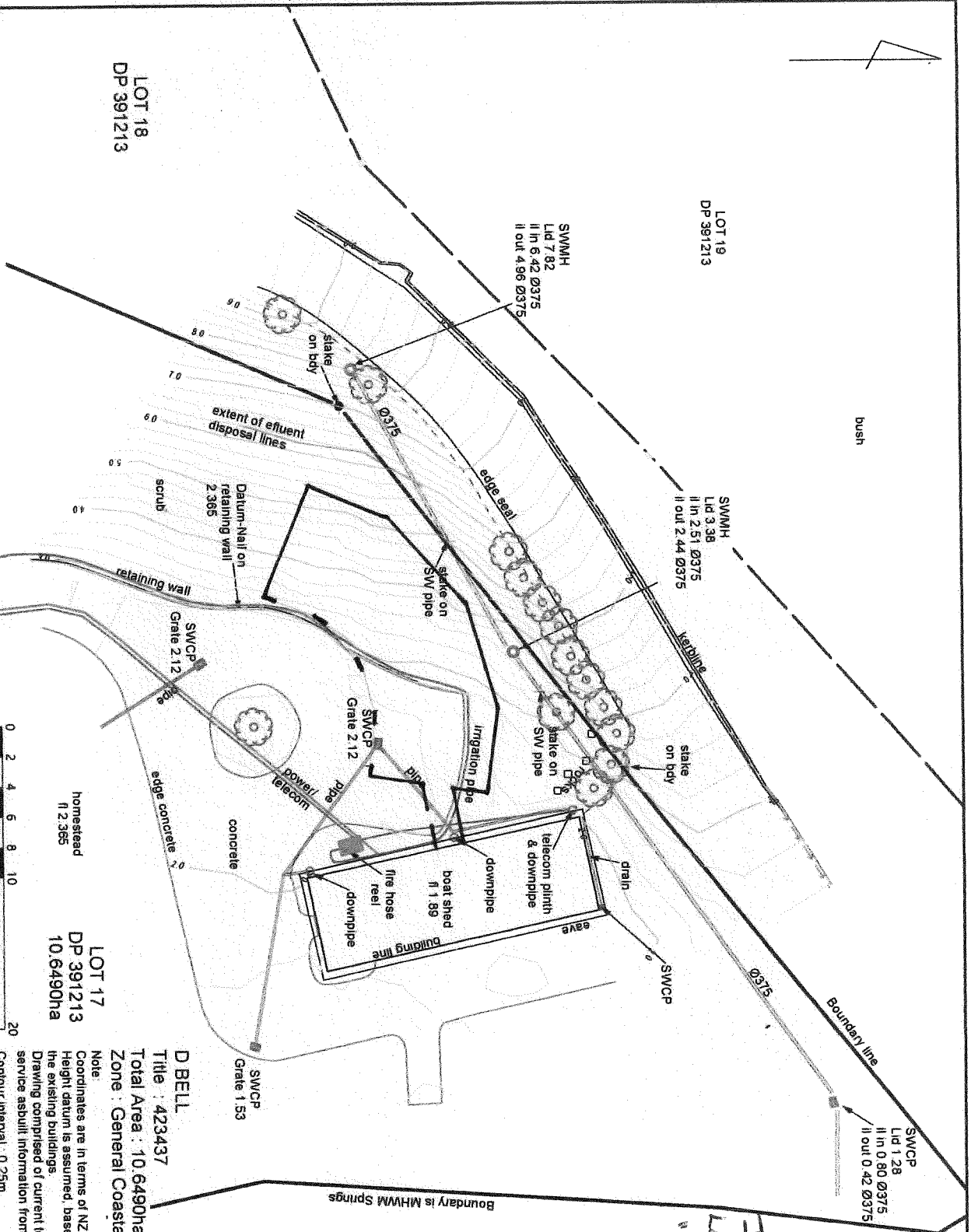
SWCP
Lid 1.28
11 in 0.80 Ø375
11 out 0.42 Ø375

Boundary is MHWM Springs

Waipio Bay

23 May 2005

Isomard Trustee Limited
Lot 25, DP 512584, Omerino
Approved
[Signature]



LOT 18
DP 391213

LOT 17
DP 391213
10.6490ha

homestead
fl 2.365



D BELL
Title : 423437
Total Area : 10.6490ha
Zone : General Coastal

Note:
Coordinates are in terms of NZGD Mt Eden 2000
Height datum is assumed, based off the floor level of
the existing buildings.
Drawing comprised of current topographic survey &
service as-built information from October 2019
Contour interval : 0.25m
Dir. : Drawing001
Scale @ A3 : 1:250
Date : 20/05/2025

DONALDSONS

REGISTERED LAND SURVEYORS

Land / engineering Surveyors & development planners

90 Kenken Road, Kenken, Northland, New Zealand

www.donaldsons.net.nz

em: info@donaldsons.net.nz - p:09 4076182

REF : 8596

APPENDIX 8:

AERIAL MAP OF SITE, MARCH 2009

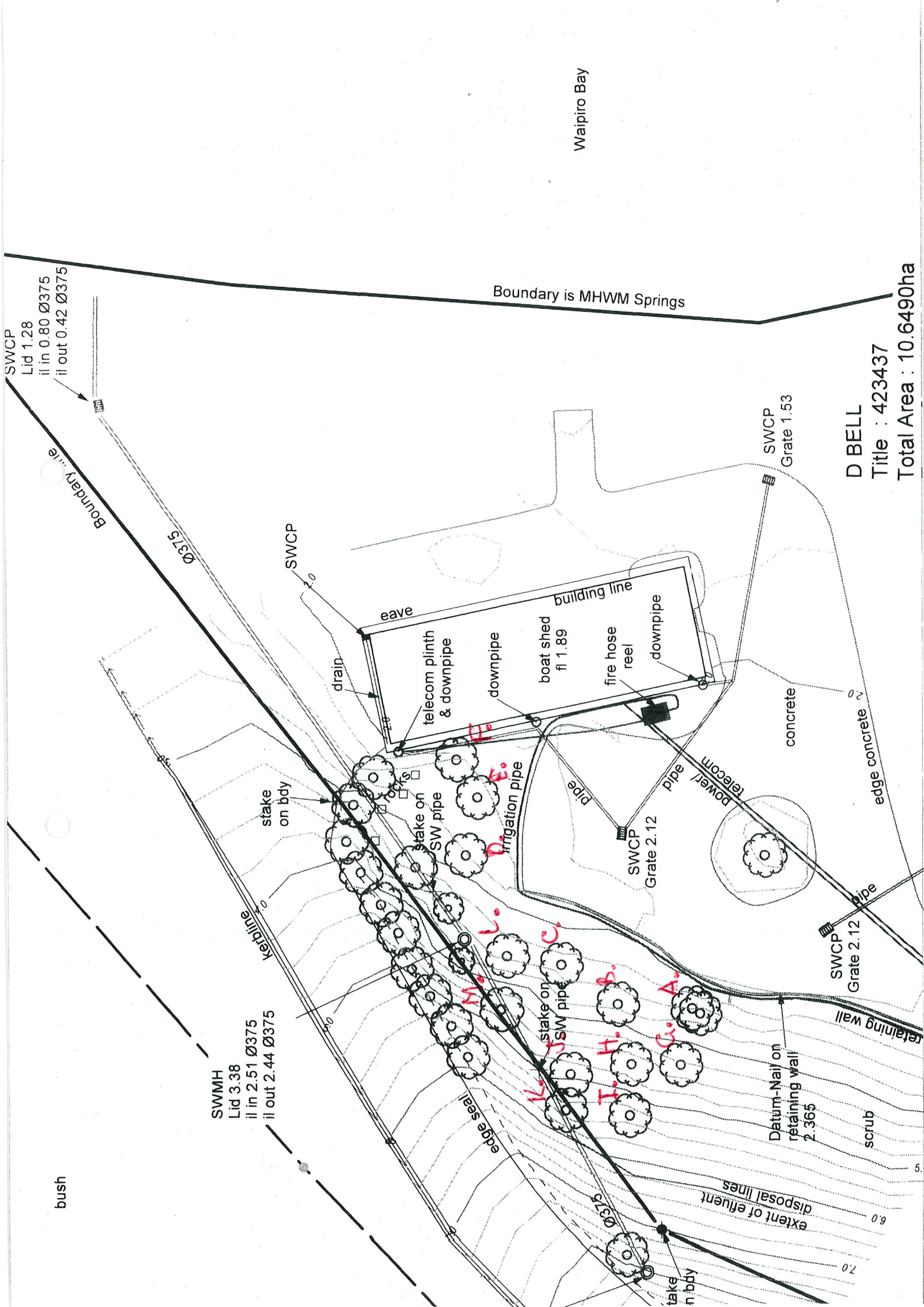


APPENDIX 9:

CLEARANCE OF INDIGENOUS VEGETATION

- (a) 2 photographs showing the site for the garage**
- (b) Part survey plan with indigenous planting to be cleared shown itemised**
- (c) Email from Neale Jones identifying the itemised trees**
- (d) Letter from Jonathon Fulton of Fulton Landscaping**





Waipiro Bay

Boundary is MHWM Springs

D BELL
Title : 423437
Total Area : 10.6490ha

SWCP
Lid 1.28
il in 0.80 Ø375
il out 0.42 Ø375

Ø375

SWCP

SWCP
Grate 1.53

eave

building line

telecom plinth
& downpipe

downpipe

boat shed
fl 1.89

fire hose
reel

downpipe

concrete

edge concrete

stake
on bdy

stake on
SW pipe

irrigation pipe

SWCP
Grate 2.12

power
telecom

SWCP
Grate 2.12

SWMH

Lid 3.38
il in 2.51 Ø375
il out 2.44 Ø375

kerline

stake on
SW pipe

Datum-Nail on
retaining wall
2.365

scrub

bush

extent of effluent
disposal lines

stake
on bdy

From: Neale Jones neale_nz@yahoo.co.nz
Subject: Re: Native Trees
Date: 6 July 2025 at 12:28 PM
To: Bill Algie bill@algiearchitects.co.nz
Cc: Hannah Godfrey hannahg_aye@hotmail.com

Hi Bill

I'm pretty sure i've got this correct.
All these trees are technically transplantable - but some with their position next to stormwater may be an issue with a digger.

A - Pohutukawa

B - Pohutukawa

C - Pohutukawa

D - Pohutukawa

E - Podocarpus

F - Podocarpus

G - Manuka (Removed already)

H - Manuka (Removed already)

I - Manuka / Kanuka

J - Mahoe - (Melicytus Ramiflorus)

K - Kohuhu - (Pittosporum Tenuifolium / Eugenioides)

L - Karo - (Pittosporum Crassifolium)

M - Manuka / Kanuka



JONATHAN FULTON
m. 021 405 546 p. 09 405 1967
e. fultonlandscaping@xtra.co.nz
RD1 • KAEO • NORTHLAND

17/07/2025

To whom it may concern,

Regarding the planned transplanting of trees for the New Garage at The Homestead, Lot 17, 285 Manawaora Rd, Parekura Bay, Omarino.

Fulton Landscaping Ltd planted the trees designated for transplanting in 2018 as part of the landscaping project at The Homestead.

We have extensive experience in the transplanting of large trees and believe that the pohutukawa and podocarpus trees identified by Neale Jones can be successfully transplanted elsewhere on Lot 17.

Root balls of large tree specimens are usually hand-dug, undercut, and plastic-wrapped for transplantation, then lifted with the assistance of an excavator or hiab to the new location.

All the pohutukawa have been pollarded in preparation for transplanting.

If you have any questions regarding the transplanting of trees at Lot 17, please do not hesitate to get in touch.

Kind regards

Jonathan Fulton

Fulton Landscaping Ltd

021405546

APPENDIX 10:

CONSENT NOTICE 79007807.2

(specific to Lot 17)

CONO 7907807.2 Consen

Cpy - 01/01, Pgs - 009, 14/08/06, 11:21



DocID: 31916699



Far North
District Council

Private Bag 752, Memorial Ave

Kaitake 0400, New Zealand

Telephone: 0800 920 029

Fax: (09) 405 2750

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: 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 30th 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 30th 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 30th 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 125m² 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 level
- with 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 4th day of July 2008

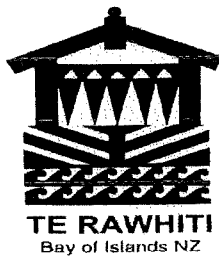
SIGNED for FAR NORTH DISTRICT COUNCIL
pursuant to the authority of the Council given pursuant
to the Local Government Act 2002 and the Resource
Management Act 1991



Authorised Signatory

APPENDIX 11:

LETTER FROM PATU HAPU OF NGATI KUTA



NGATI KUTA PATU KEHA HAPU
Resource Management Unit
Consultation Report

APPLICANT: J Bedogni <jcbedogni@xtra.co.nz>

CONTACT PERSON: Colin Lowe <lowecolinlowe@gmail.com>

APPLICATION NUMBER: N/A

PROPOSAL: Draft construction plan for Homestead

LOCATION: Huirangi, Waipiro Bay, Bay of Islands

ACTIVITY CLASSIFICATION: Draft

LEGAL DESCRIPTION:

CT 423437

DP 391213

LOT 17

AREA 5.67 ha

TANGATA WHENUA: Ngati Kuta Patu Keha

CONTACT: Helen Harte

DATE OF HIKOI: 29 October 2015

TIME SPENT ON PROPERTY: 1 hour

CONCLUSION: The application is approved based on the requirements.

STATEMENT

Ngati Kuta Patu Keha Hapu Resource Management Unit, Russell Marara and Anya Hook represented Tangata Whenua.

Our hikoi was to obtain the topographical layout of the land, identify the scale of the proposed developments, identify the culturally significant areas and assess the impact this proposal may have on the environment, cultural values and native habitat.

Our resource management unit members were accompanied by the applicants representative Colin Lowe.

We were shown the proposed site of the two water tanks, which will be sited where existing water tank is. This site is near a Pa site.

We were then shown the proposed site of the caretaker's cottage on the flat near the Homestead.

REQUIREMENTS

The Hapu approves the application with these requirements being fulfilled.

Tank site is close to a Pa site so we offer the following requirements:

- a) The tanks should be placed to use the current land space to minimise excavation into the bank.
- b) Excavation should be minimal to reduce sediment run-off and to minimise the chance of unearthing of artefacts bones or midden.
During any excavation that may unearth any bones or midden, then Hapu rep should be notified so that the site can be inspected prior to completion of site preparation. Again, proximity to historic Pa site is a factor in any reservations.
- c) Suitable silt control measures be in place.

Proposed Caretakers Cottage:

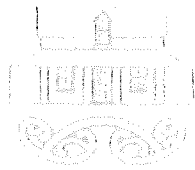
- a) Details of the finished plan and contour lines of the finished excavation be made available for viewing.
- b) The Hapu be notified before clearing of vegetation to enable a visual inspection which will reveal any signs of significant cultural concern.
- c) The Hapu be notified if any artefacts, bones or midden are unearthed.
- d) Suitable silt control management be employed in the area during construction
- e) Ngati Kuta Patu Keha Hapu be consulted again should the proposed developments and/or plans change or be altered in any way

Ngati Kua Patukeha Hapu Resource Management Unit thanks the applicant for this consultation and apologises for the delay.

APPENDIX 12:

HERITAGE NEW ZEALAND POUHERE TAONGA:

HERITAGE NEW ZEALAND DISCOVERY PROTOCOL FOR UNIDENTIFIED ARCHAEOLOGICAL SITES



HERITAGE NEW ZEALAND POUHERE TAONGA

Heritage New Zealand Discovery Protocol for unidentified Archaeological Sites:

Archaeological sites are protected from modification and damage under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act 2014). In the event that an unidentified archaeological site(s), koiwi tangata human remains or artefacts of Maori origin are located during works and an authority has not been obtained, the following applies;

1. Work shall cease immediately at that place.
2. The contractor must shut down all machinery, secure the area and advise the Site Manager.
3. The Site Manager shall secure the site and notify the Heritage New Zealand and HNZPT Northern Area Archaeologist (Heritage New Zealand; DDI 09 4070473 cell 0272490864). Further assessment by a qualified archaeologist may be required.
4. If the site is of Maori origin the Site Manager shall also notify the appropriate iwi groups/Kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (HNZPT Act 2014, Protected Objects Act 1975).
5. If skeletal remains/koiwi tangata are uncovered the Site Manager shall advise the NZ Police and HNZPT Northern Area Archaeologist (Heritage New Zealand; DDI 09 4070473 cell 0272490864) and the appropriate iwi groups/Kaitiaki representative and the above process under 4 shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have both responded.
6. Works affecting the archaeological site and any human remains (koiwi tangata), shall not resume until Heritage New Zealand gives written approval for work to continue. Further assessment by a qualified archaeologist may be required.
7. Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.
8. Heritage New Zealand will determine if an authority under the HNZPT Act 2014 is required for works to continue and shall advise timeframes and commencement of works.

It is an offence under S87 of the HNZPT Act 2014 to damage, or destroy an archaeological site without an authority from the NZHPT irrespective of whether the works are permitted or a consent has been issued under the RMA.

APPROVED PLAN

PLANNER

RC..... D-t



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



R.W. Muir
Registrar-General
of Land

Identifier **423437**
Land Registration District **North Auckland**
Date Issued 14 August 2008

Prior References

NA35A/947 NA35D/223

Estate Fee Simple
Area 10.6490 hectares more or less
Legal Description Lot 17, 19 Deposited Plan 391213
Registered Owners
Pigeon Mountain Trustee Company Limited as to a 1/2 share
Halcyon Days Trustee Company Limited as to a 1/2 share

Estate Fee Simple - 1/17 share
Area 8.4550 hectares more or less
Legal Description Lot 18 Deposited Plan 391213
Registered Owners
Pigeon Mountain Trustee Company Limited as to a 1/2 share
Halcyon Days Trustee Company Limited as to a 1/2 share

Interests

Appurtenant to the part 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 part marked K 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 part marked K 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

Appurtenant to Lots 18 and 19 DP 391213 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 K 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

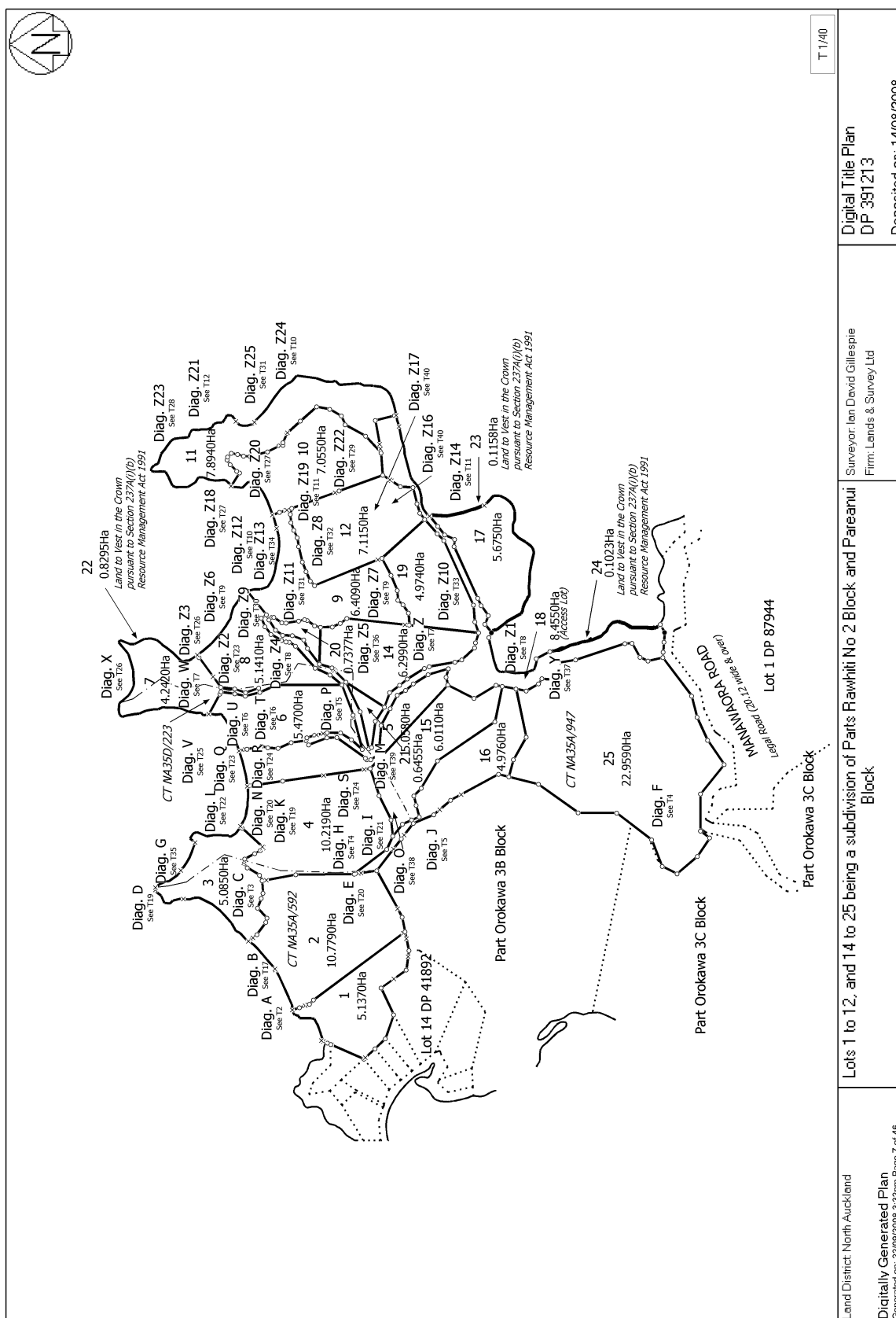
Subject to an inspection and maintenance work right (in gross) over Lot 17 DP 391213 excluding the part marked AQ on DP 391213 in favour of Omarino Residents Association Incorporated created by Easement Instrument 7907807.12 - 14.8.2008 at 9:00 am

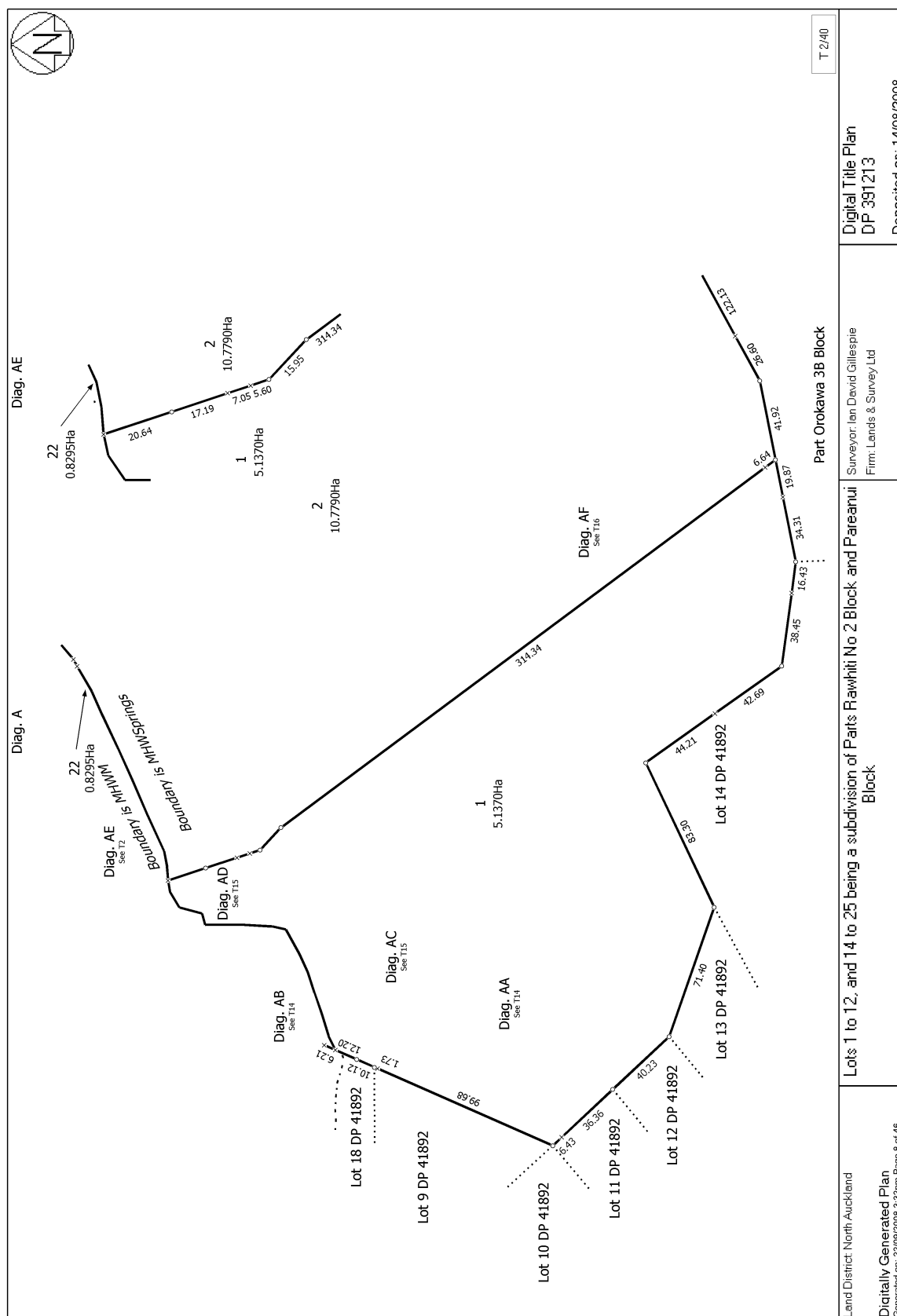
7907807.13 Encumbrance to Omarino Residents Association Incorporated - 14.8.2008 at 9:00 am

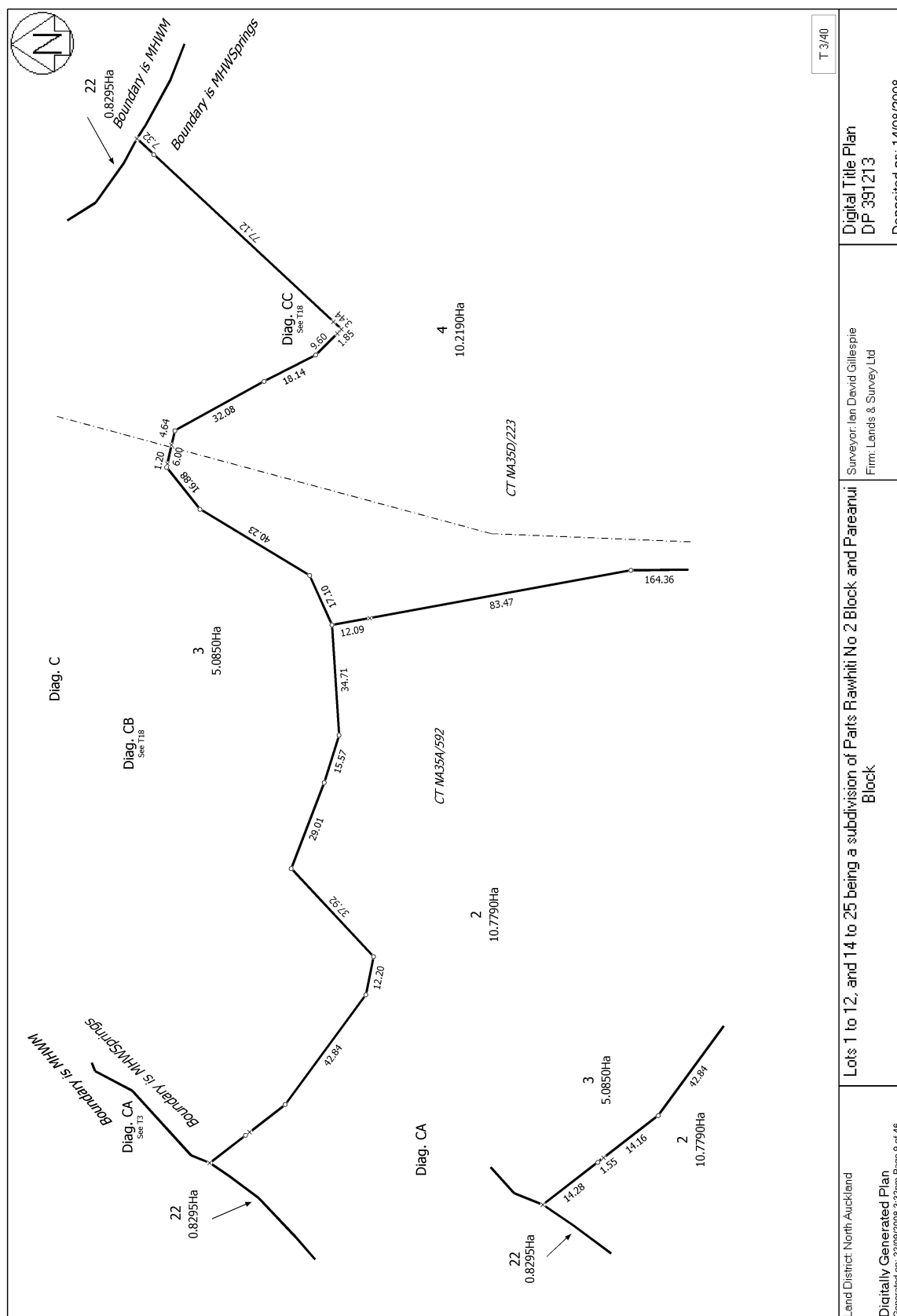
7907807.14 Lease of Lot 18 DP 391213 Term 999 years commencing on 8.8.2008 CIR 440867 issued - 14.8.2008 at 9:00 am (Right of Renewal)

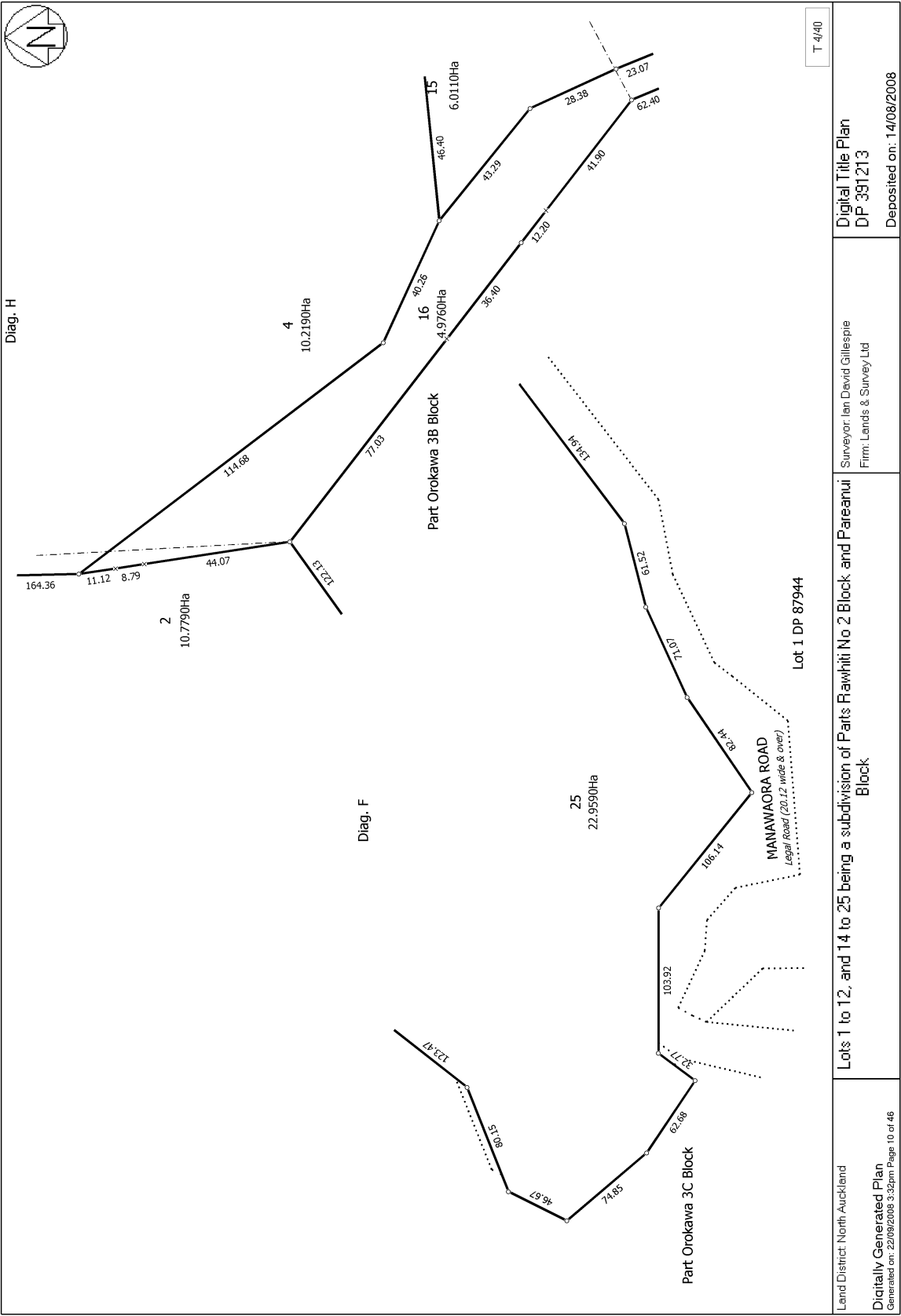
8828538.1 Variation of Consent Notice 7907807.2 - 9.8.2011 at 10:15 am

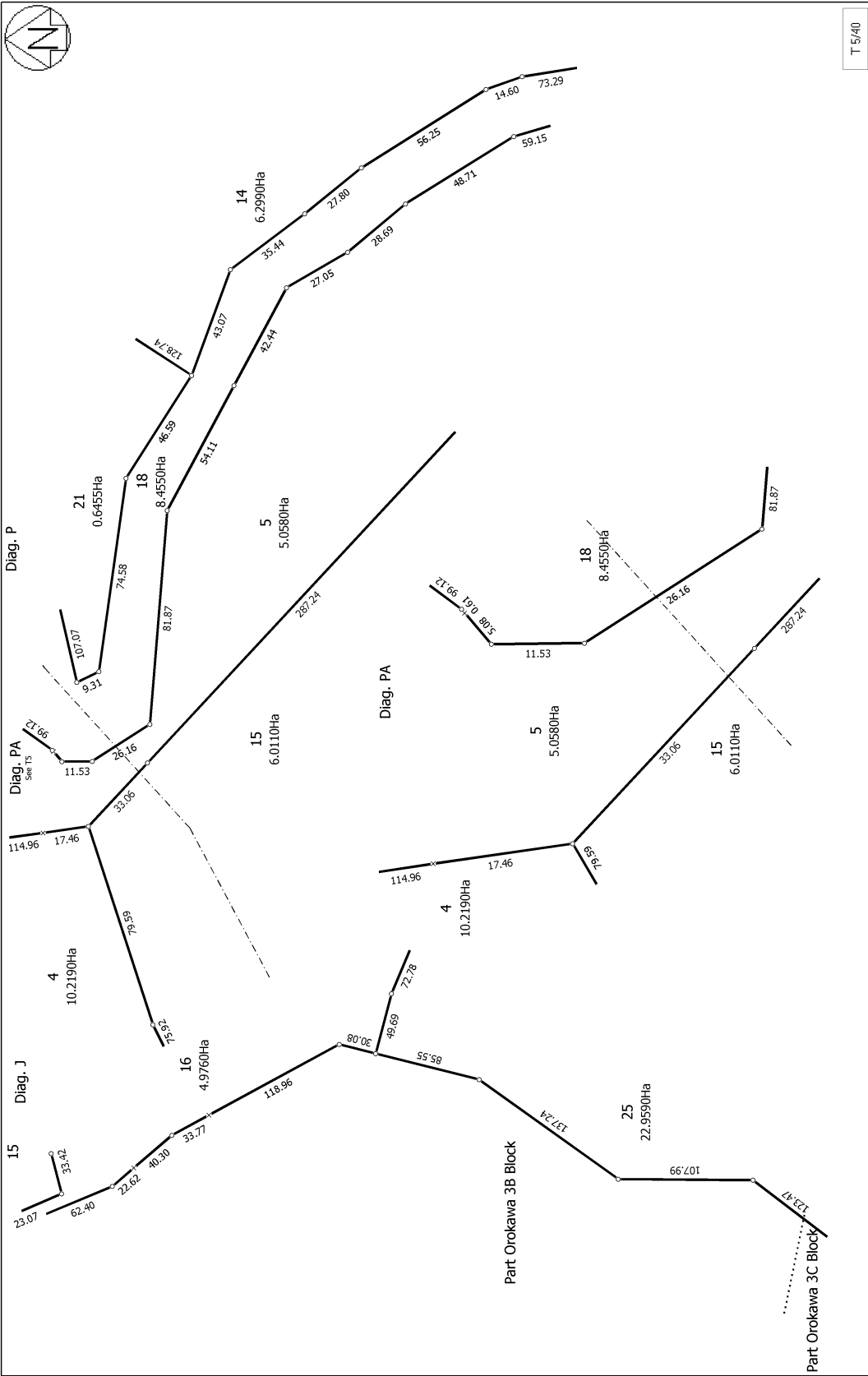
10430876.1 Variation of Consent Notice 7907807.2 pursuant to Section 221(5) Resource Management Act 1991 - 18.5.2016 at 11:45 am



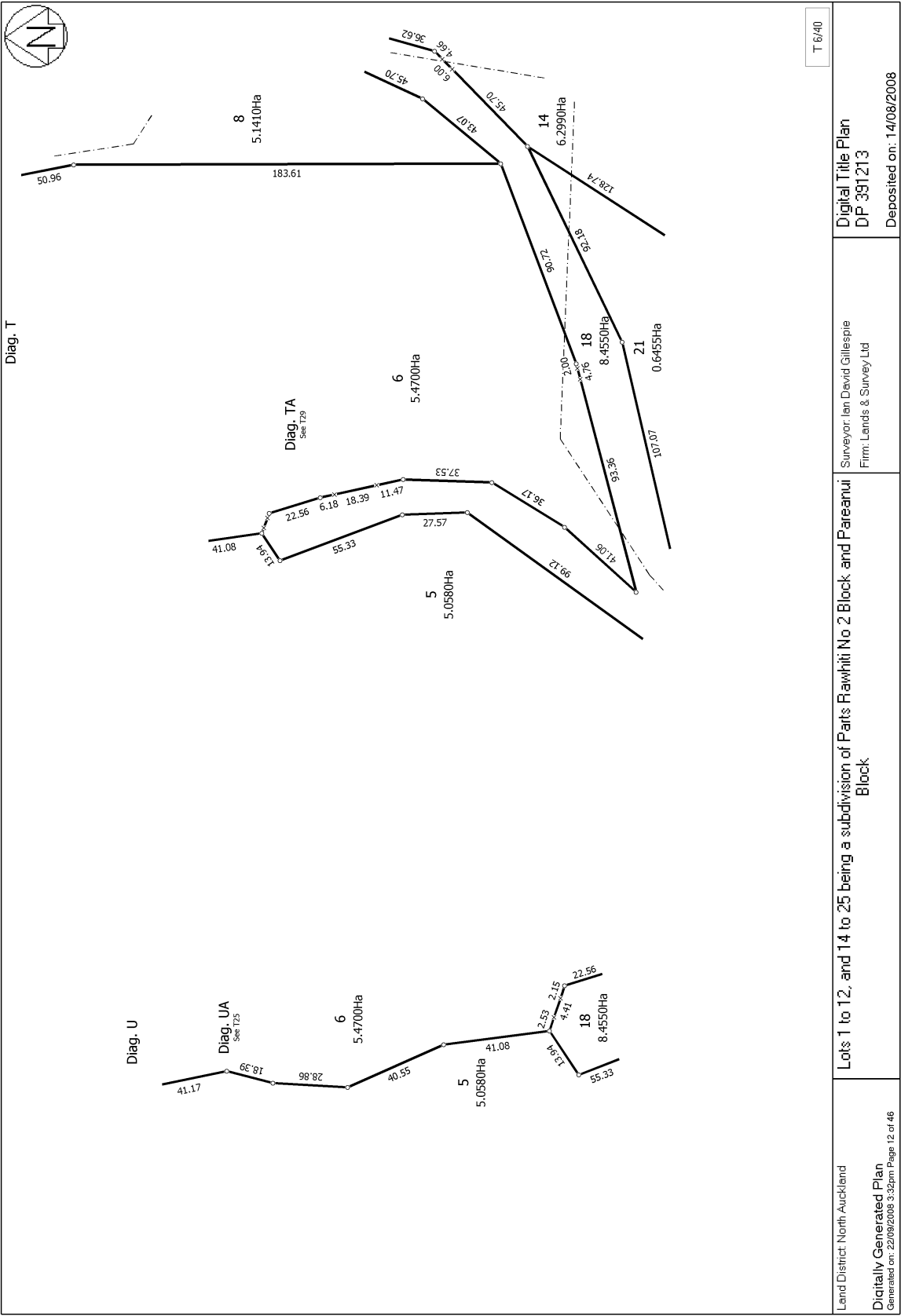


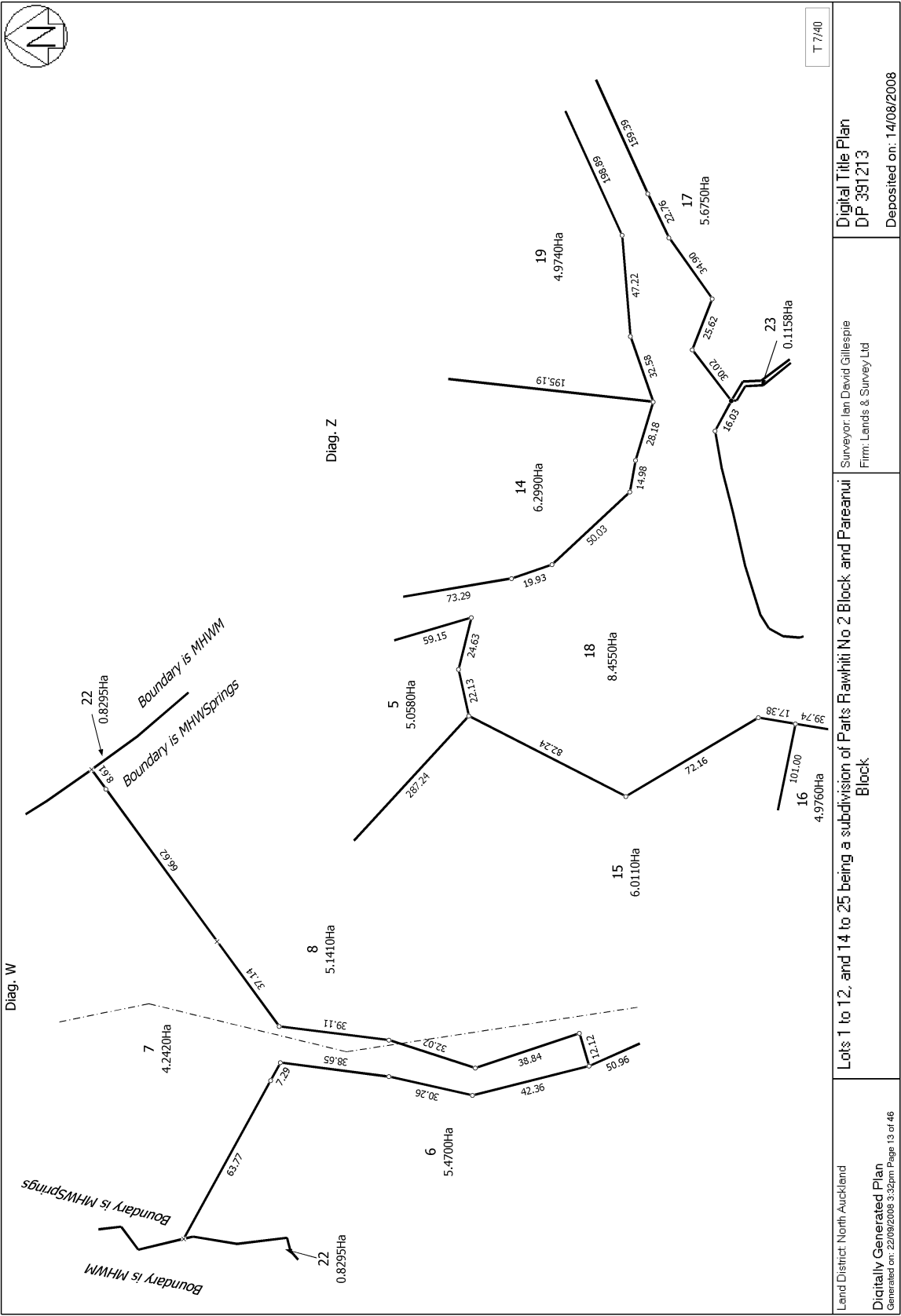


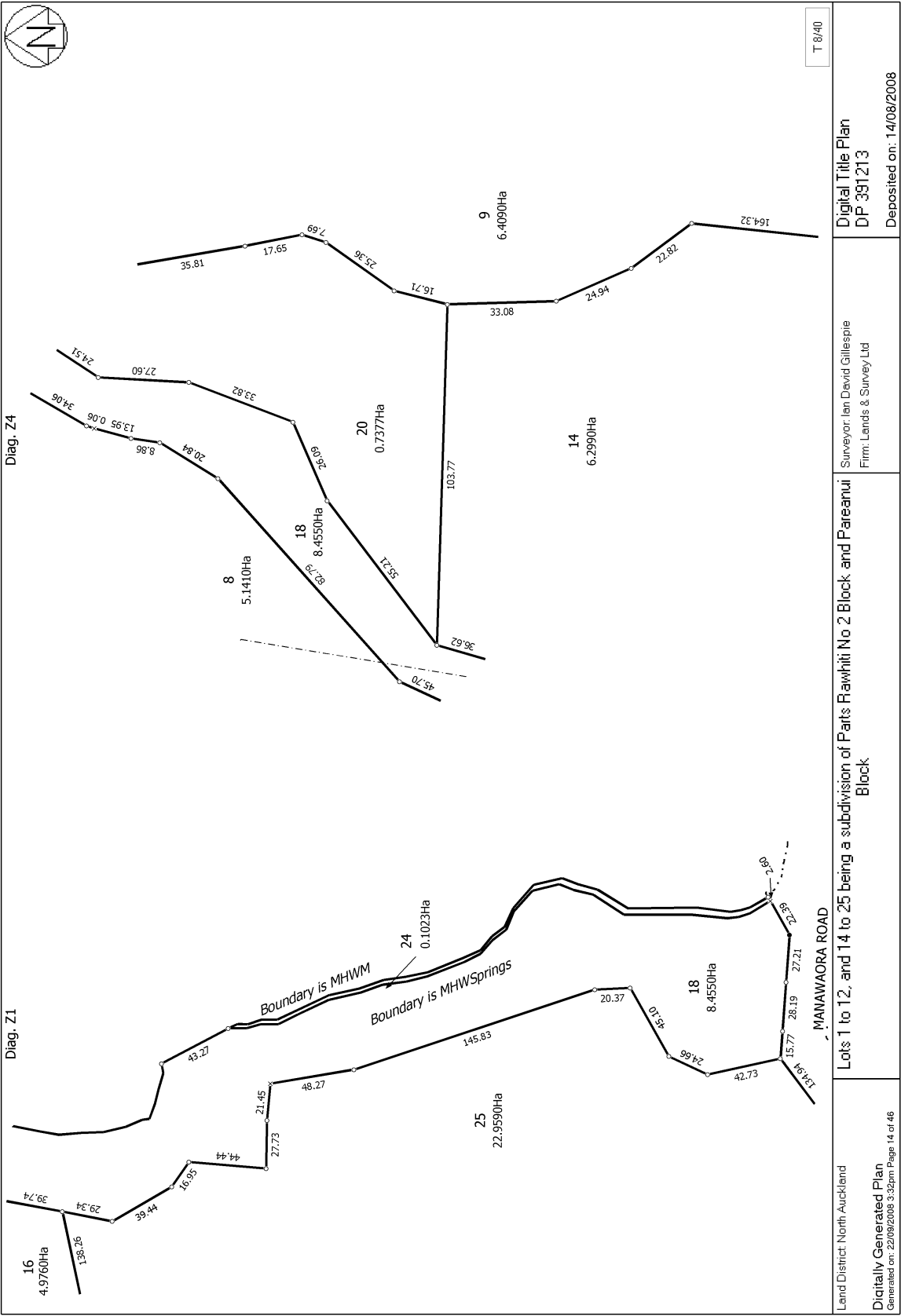


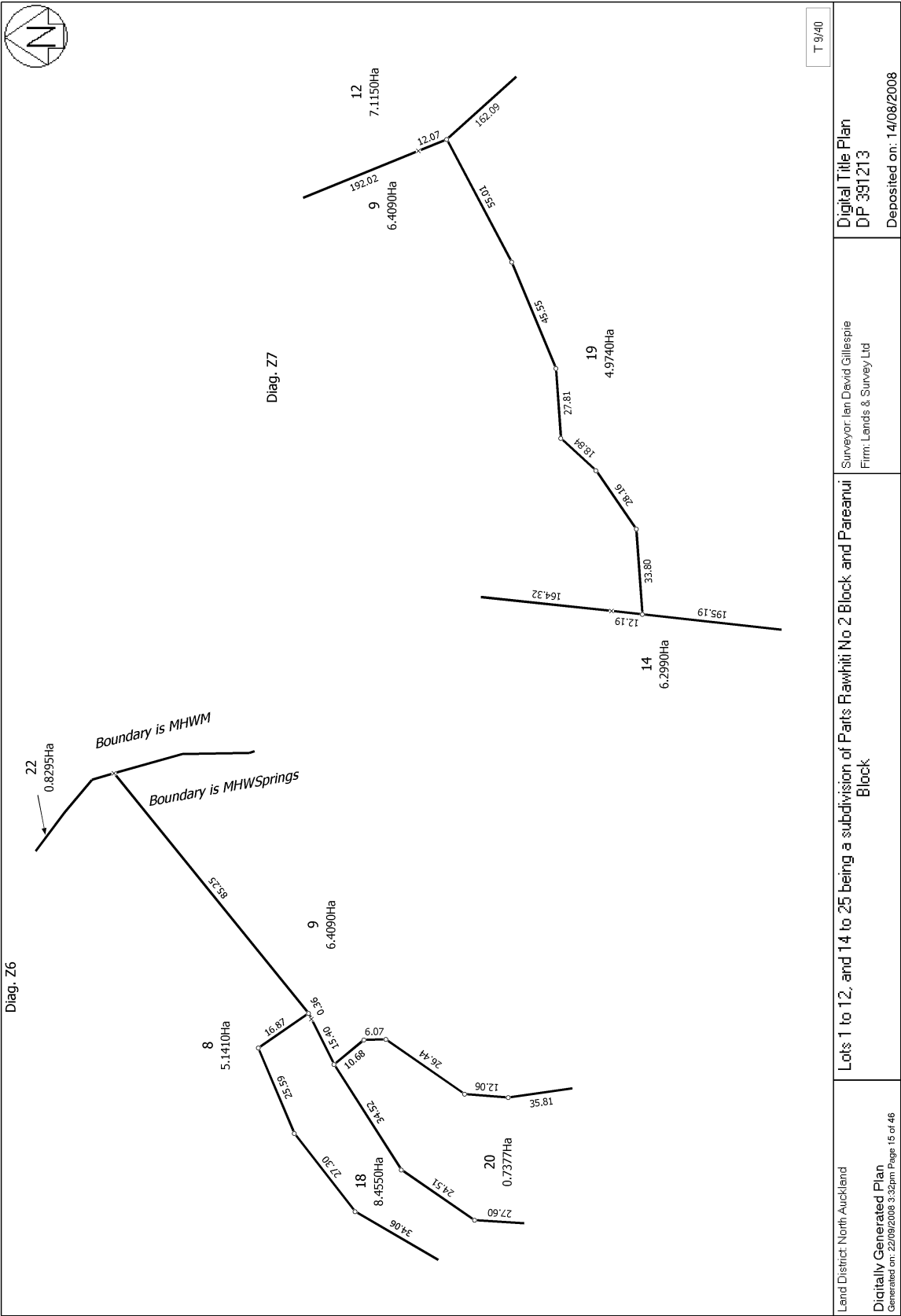


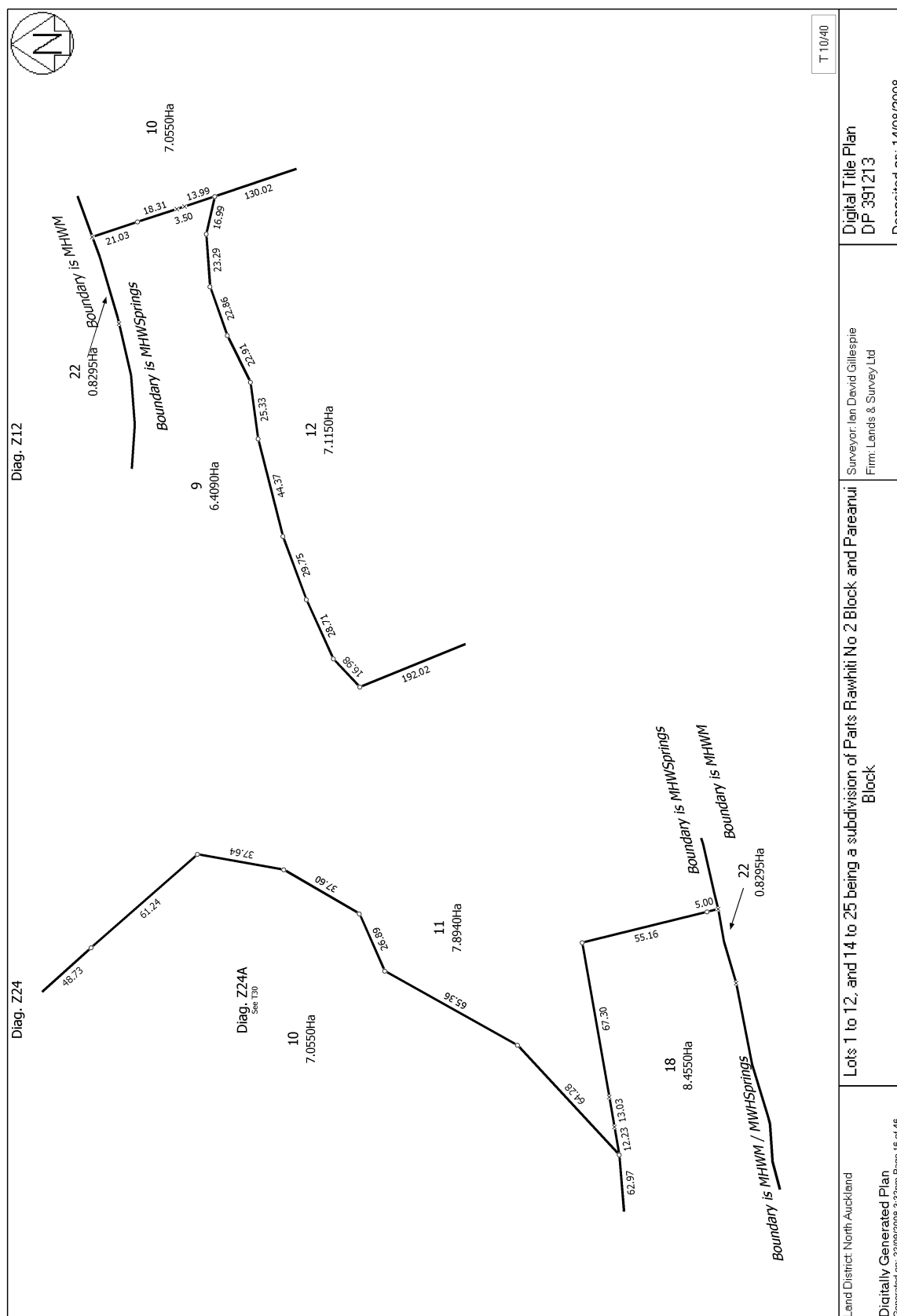
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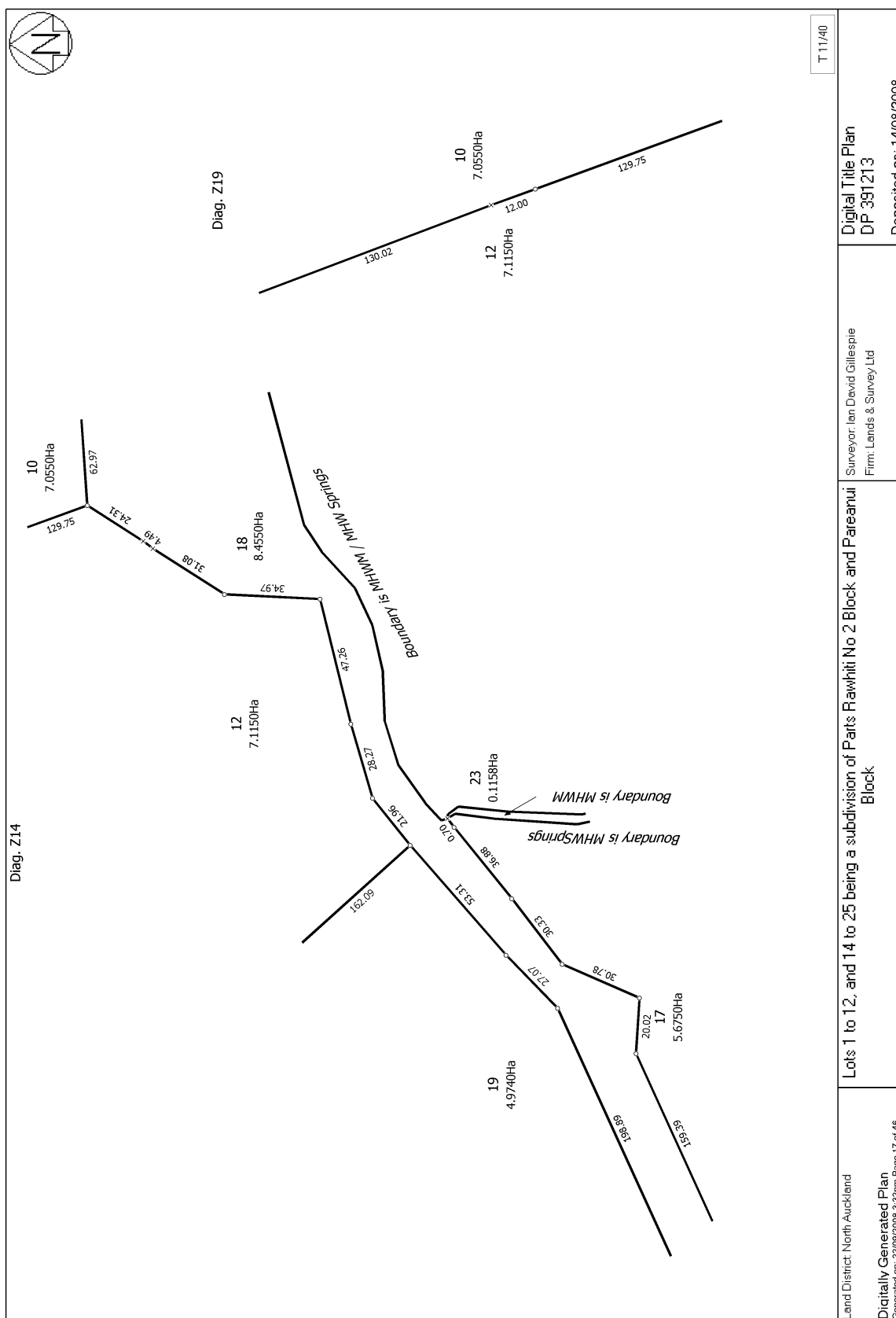


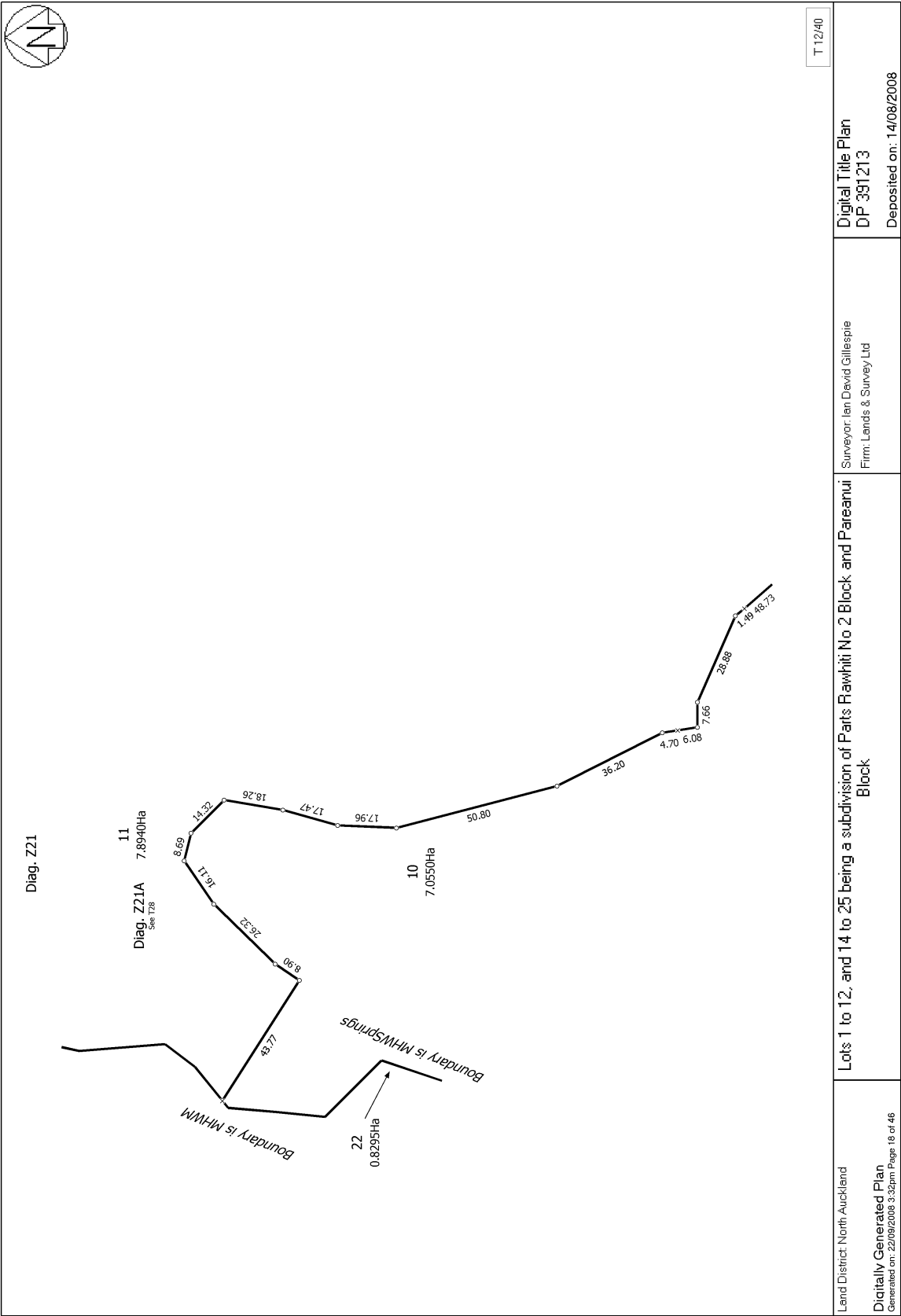


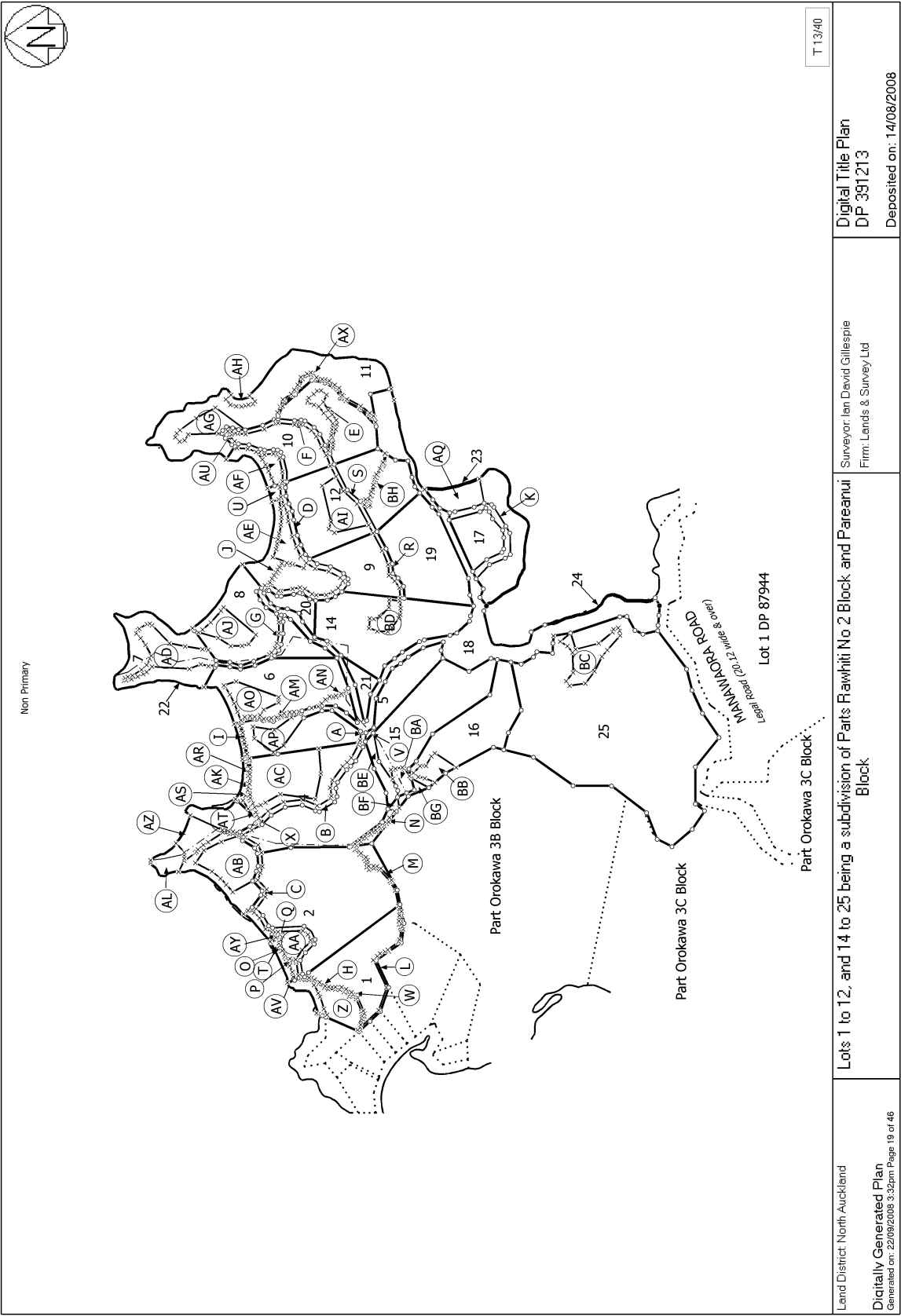


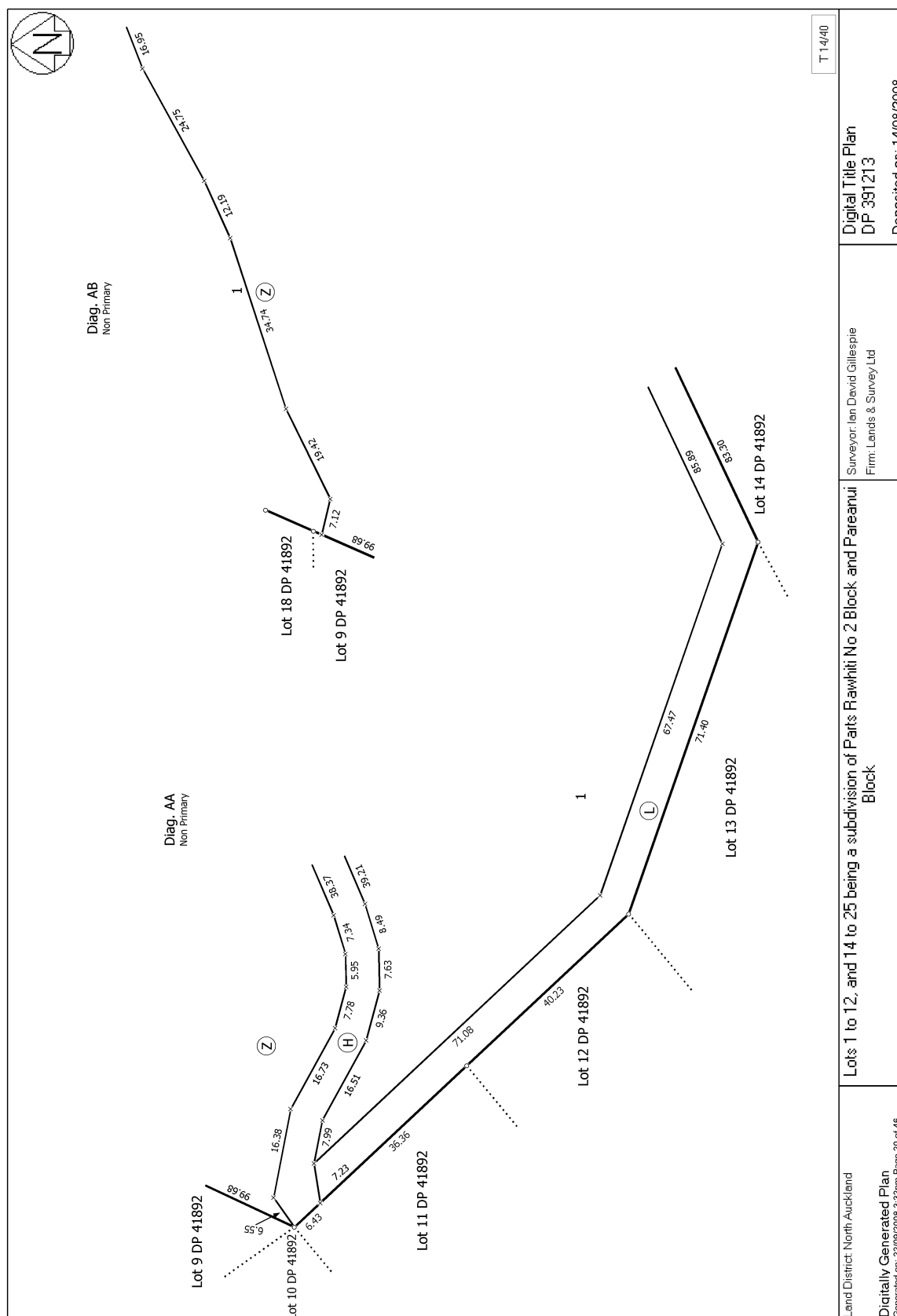


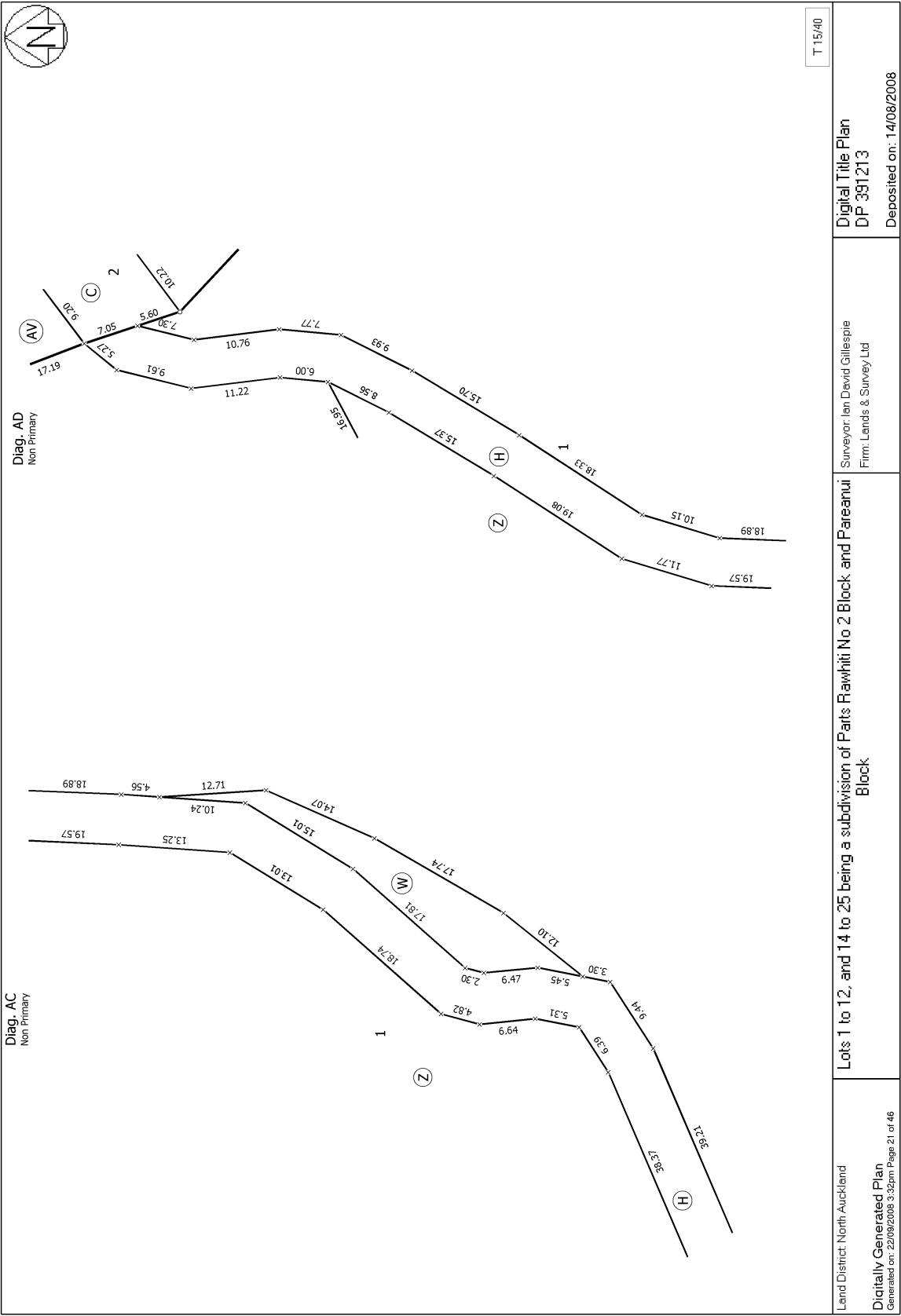


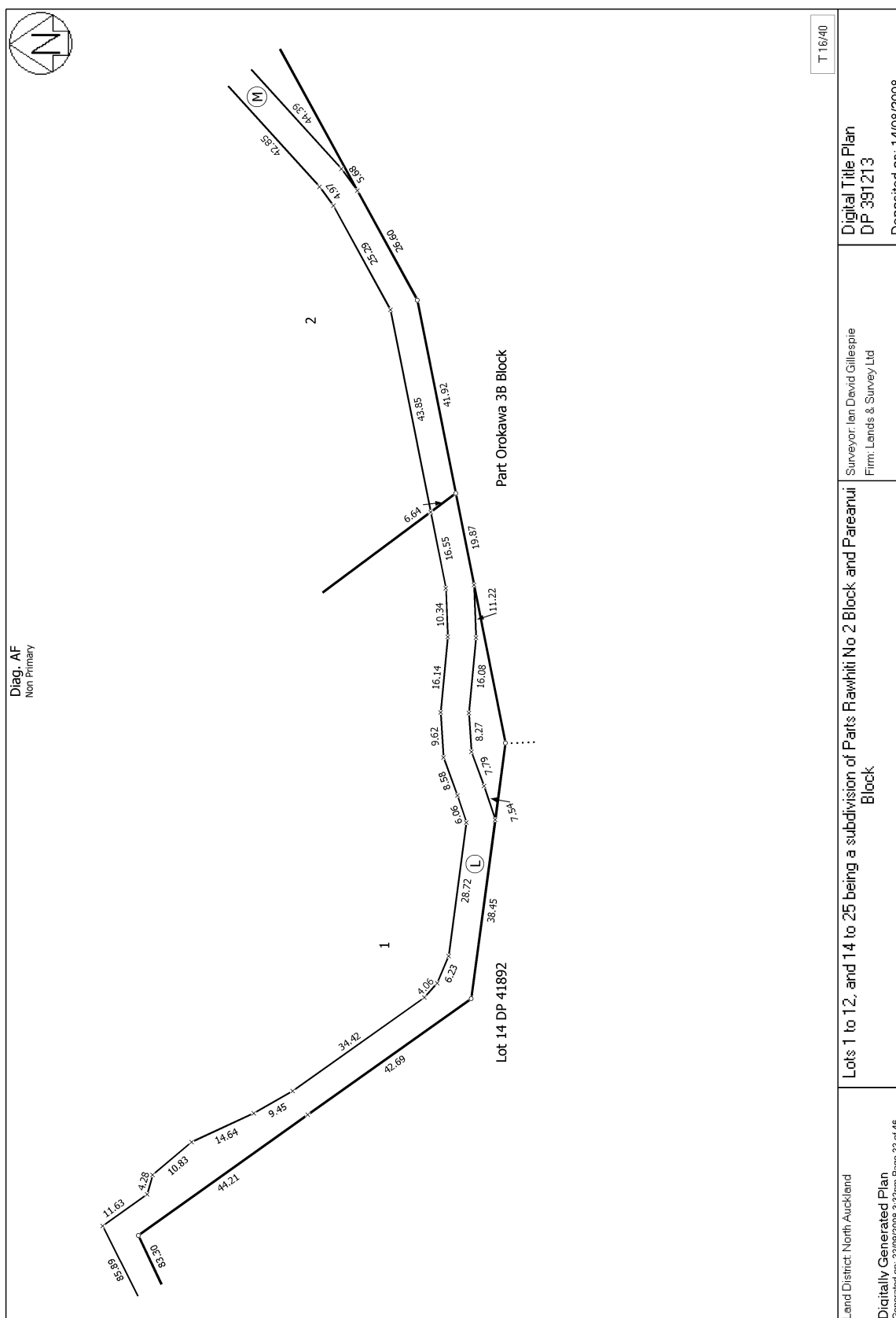


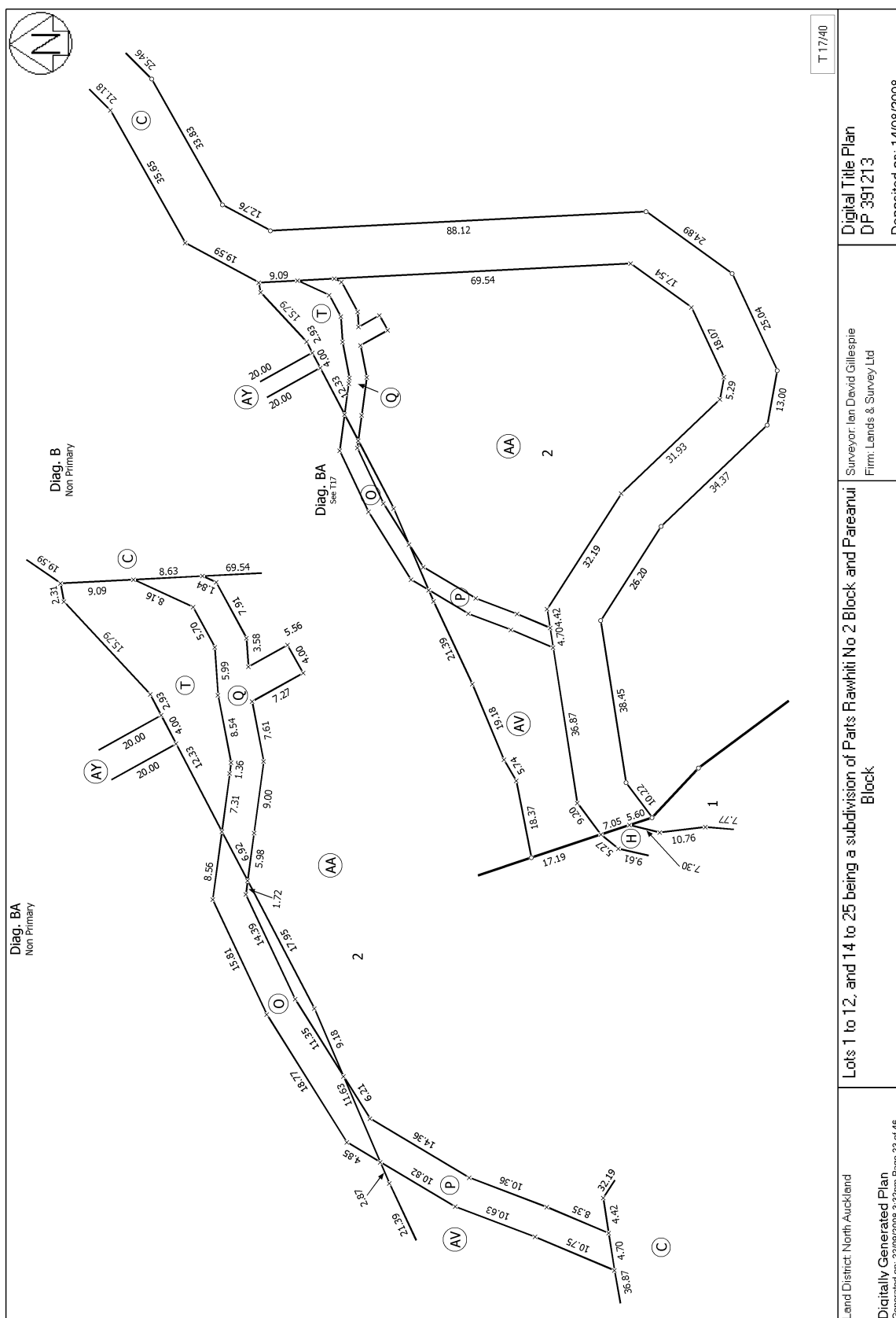


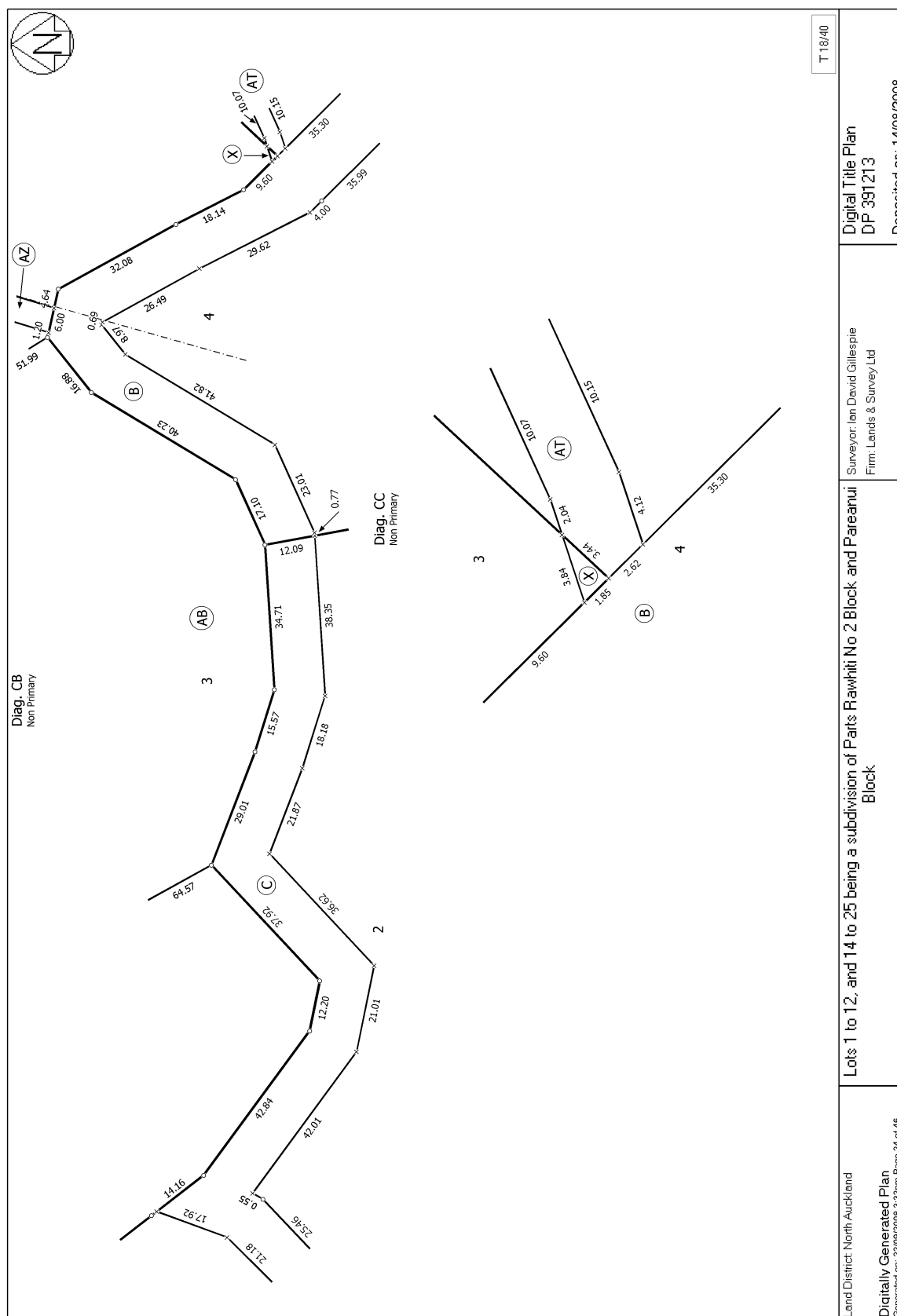


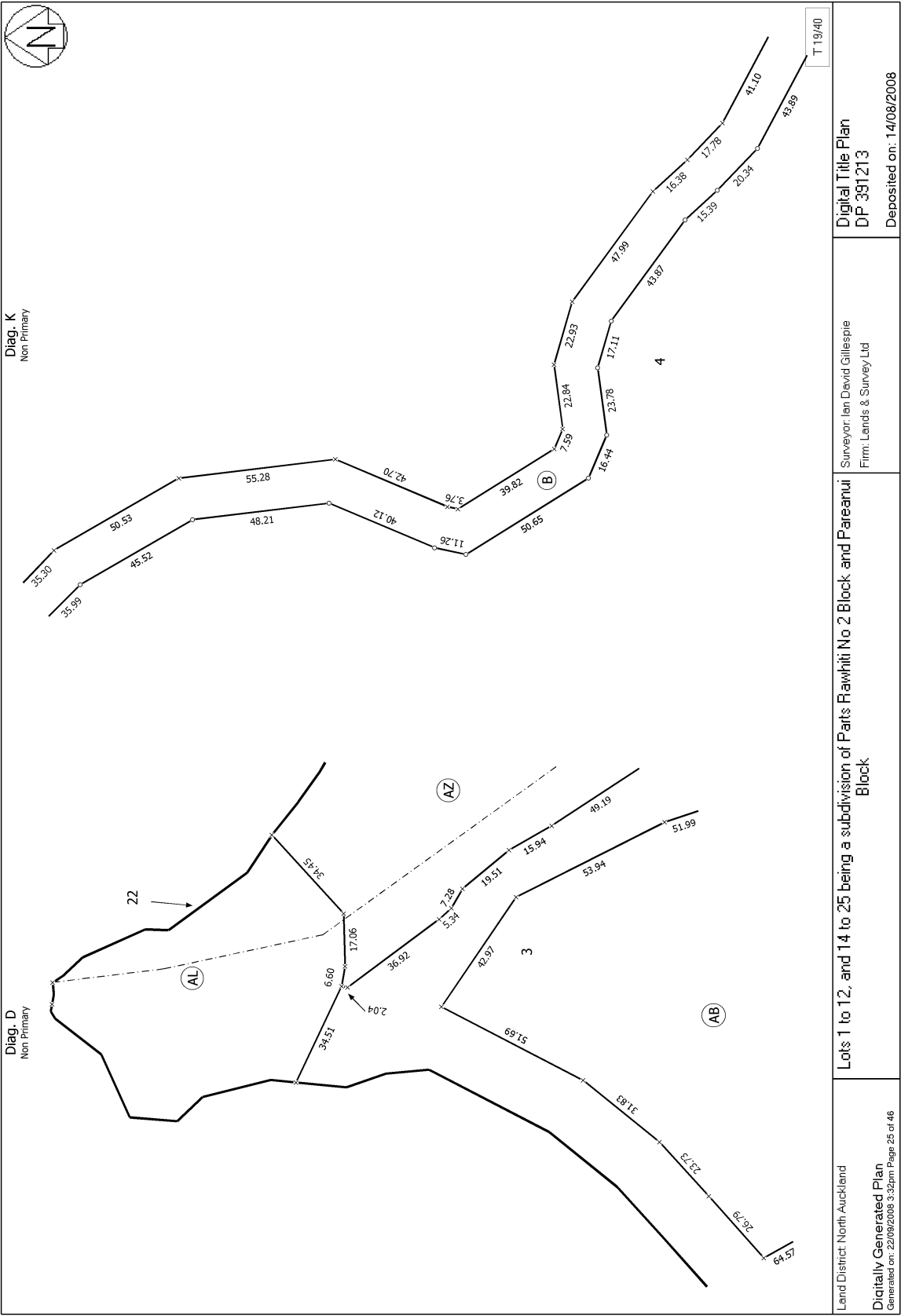










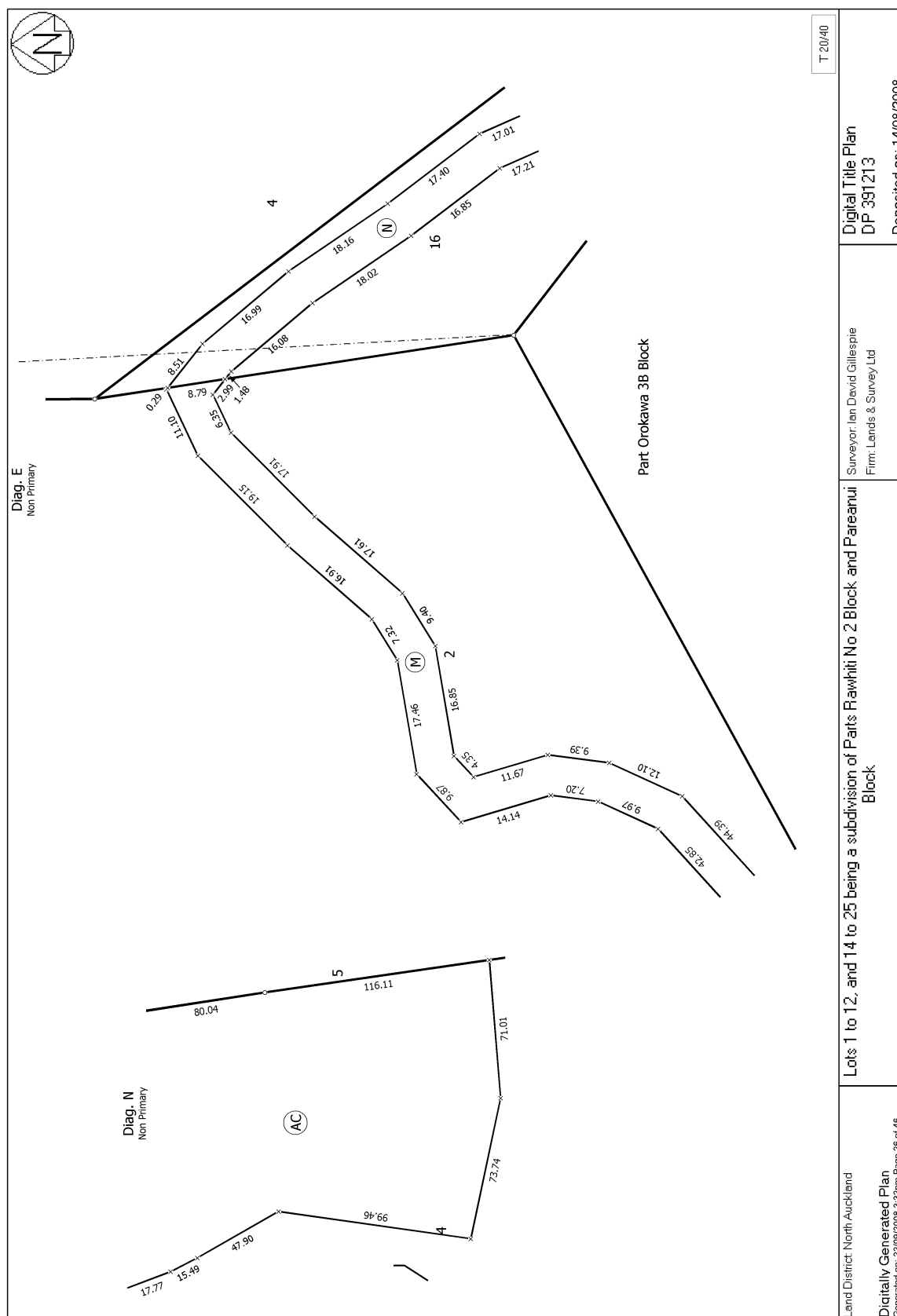


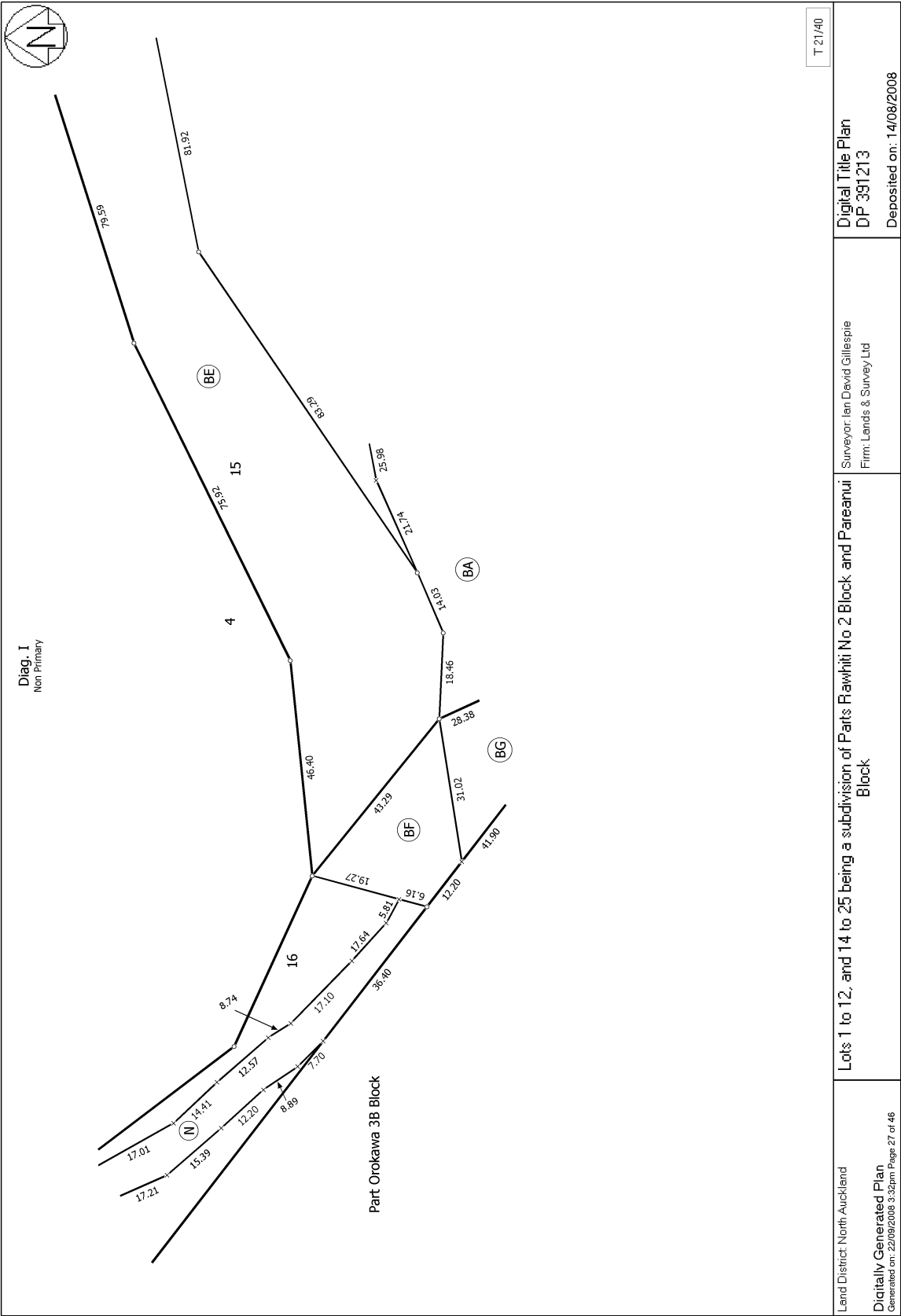
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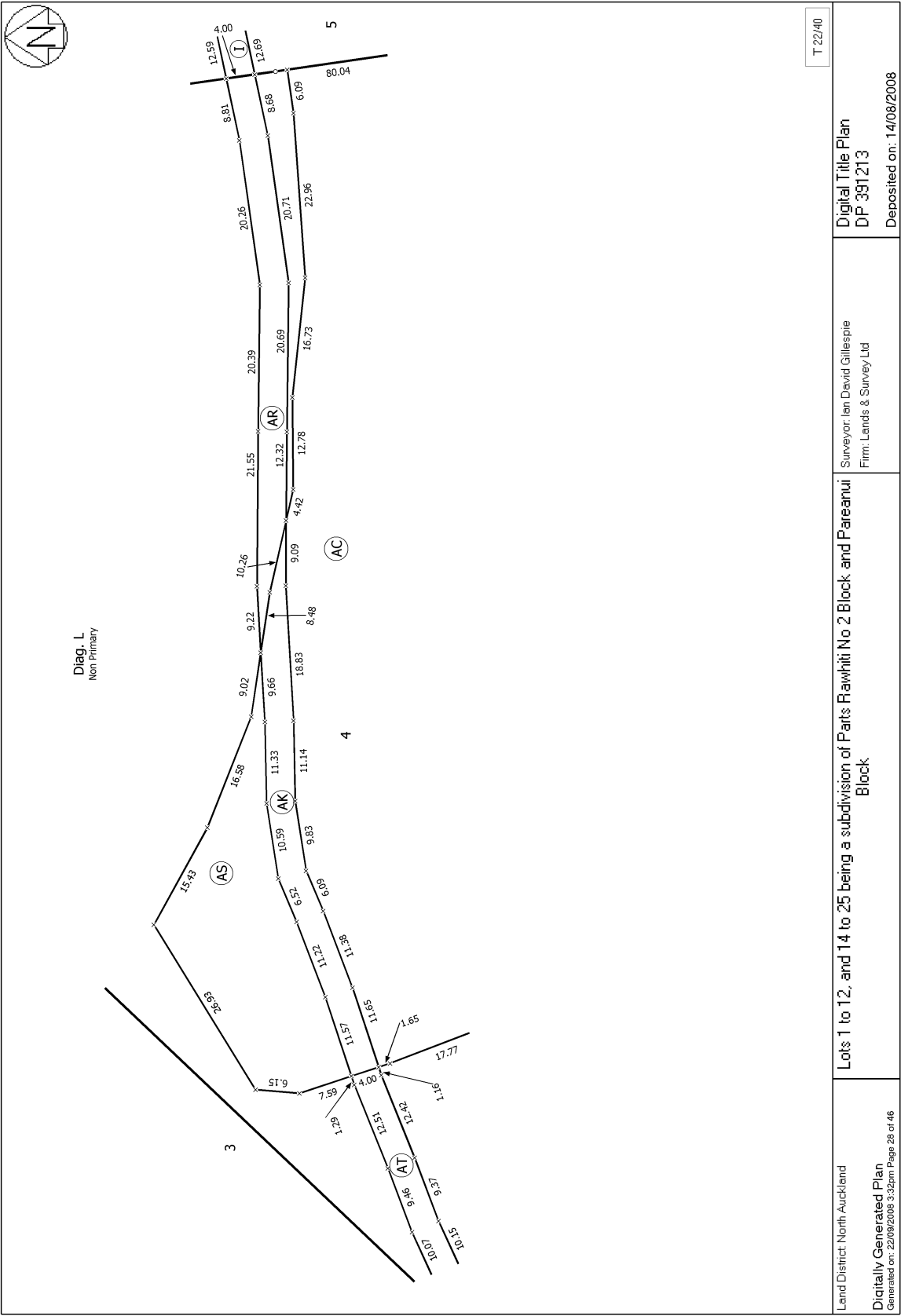
Lots 1 to 12, and 14 to 25 being a subdivision of Parts Rawhiti No 2 Block and Pareanui Block

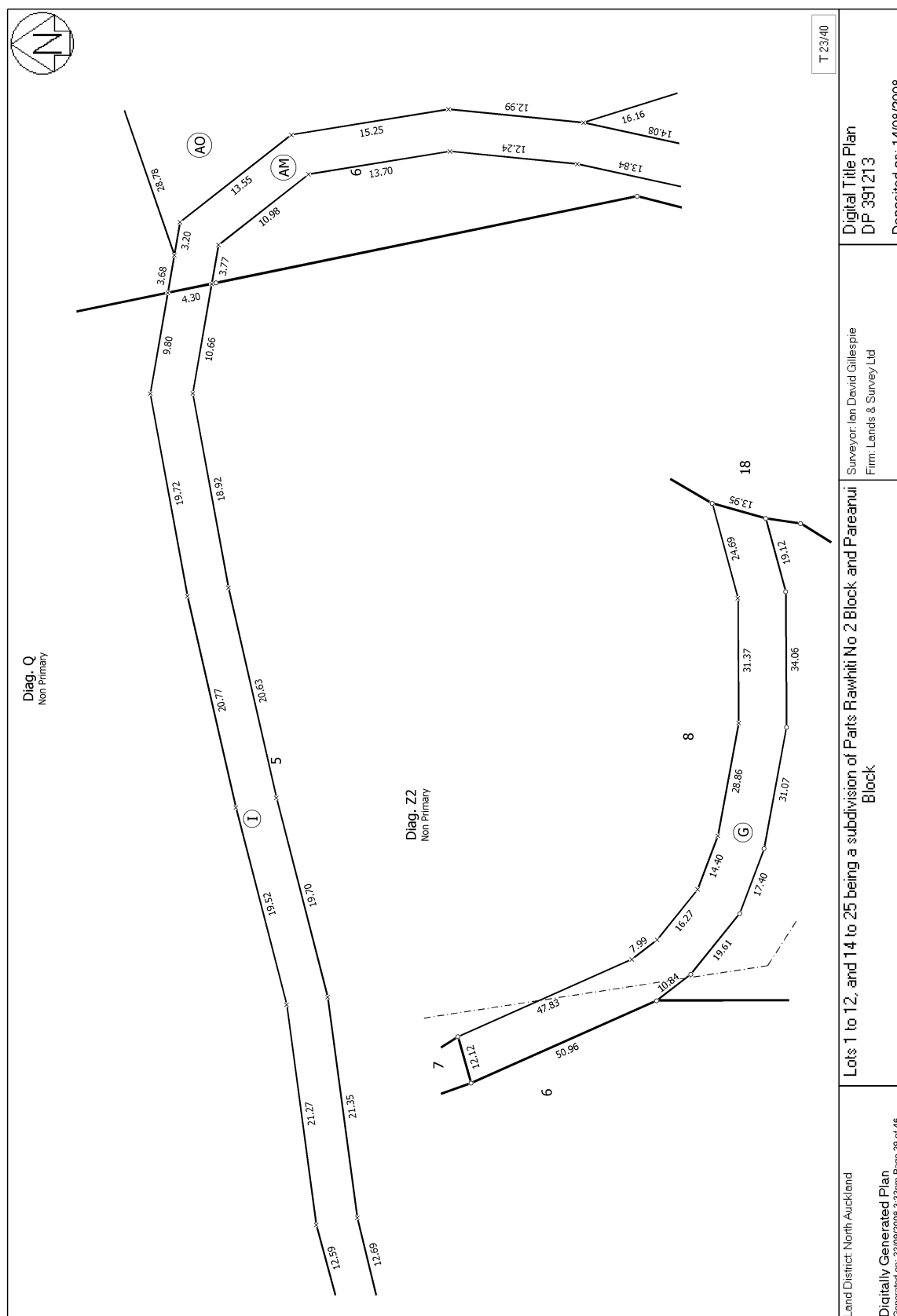
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Firm: Lands & Survey Ltd

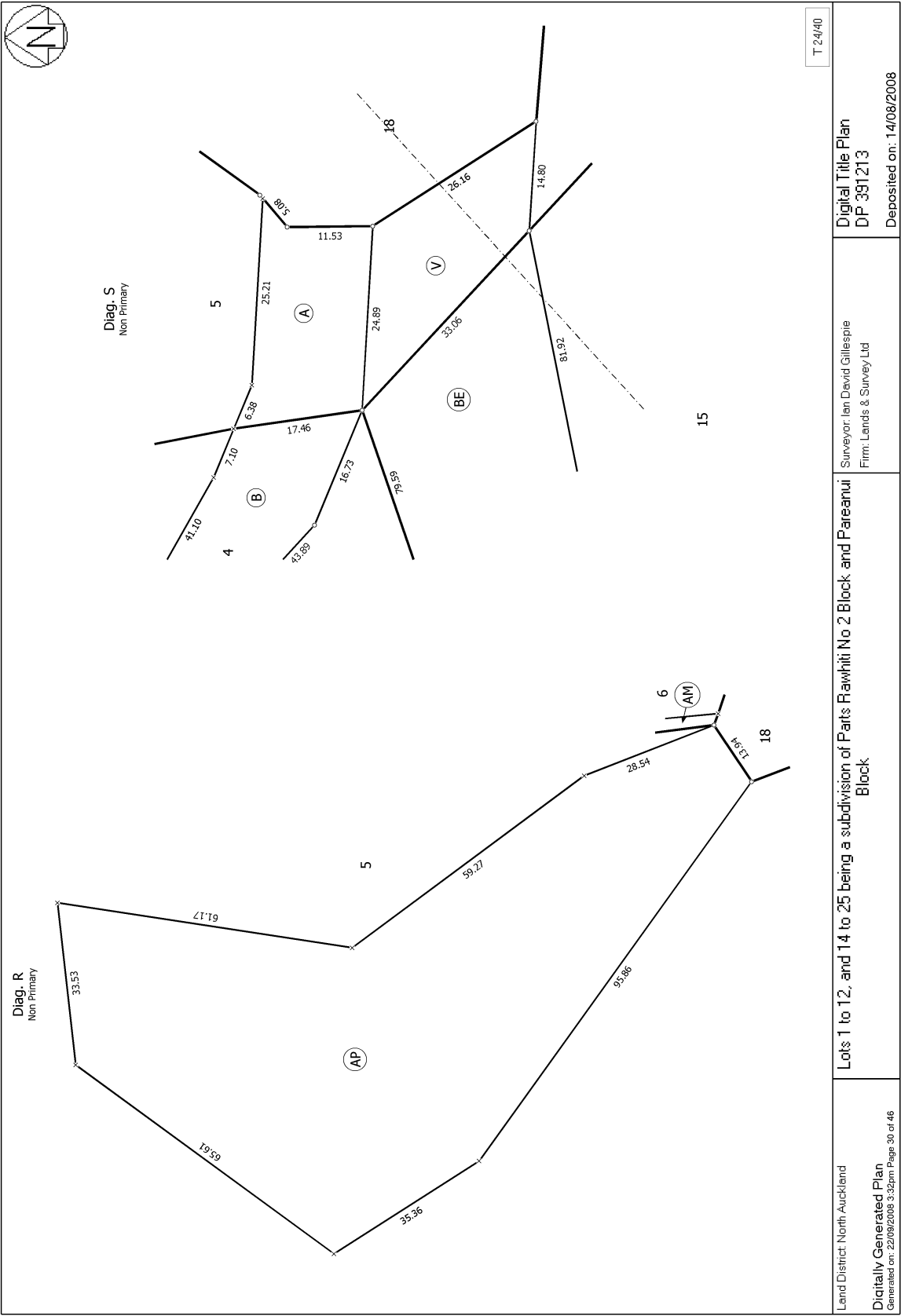
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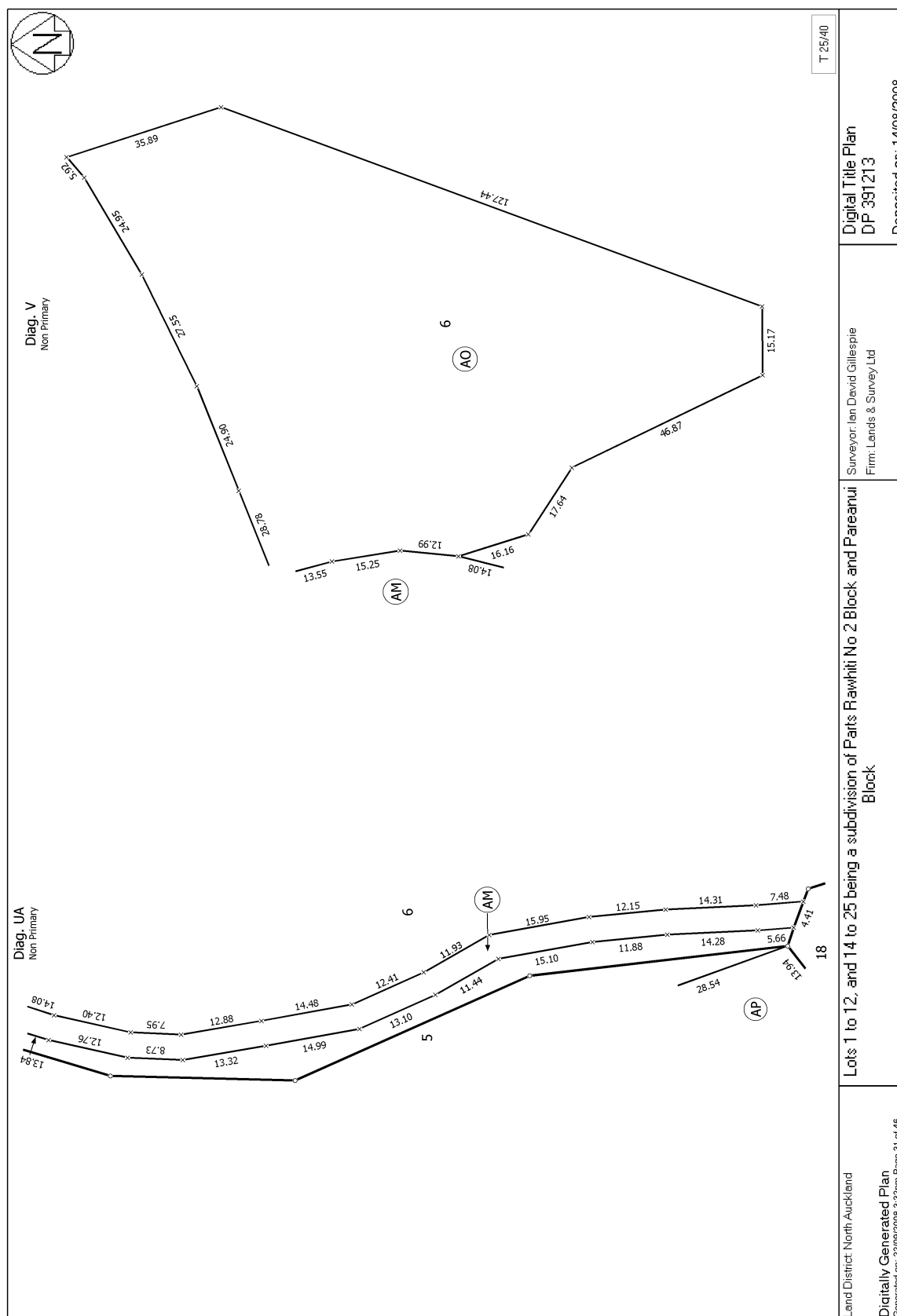


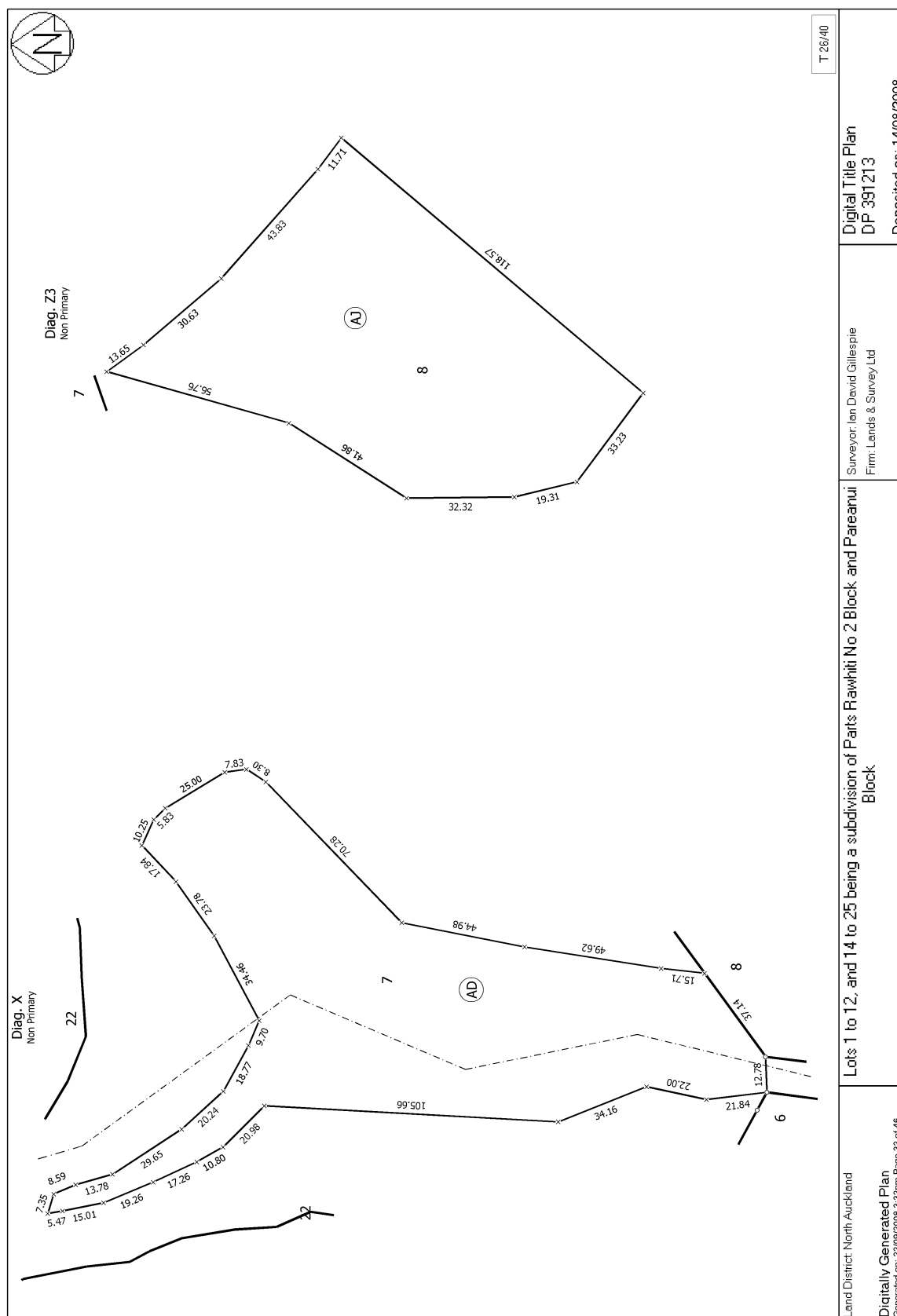


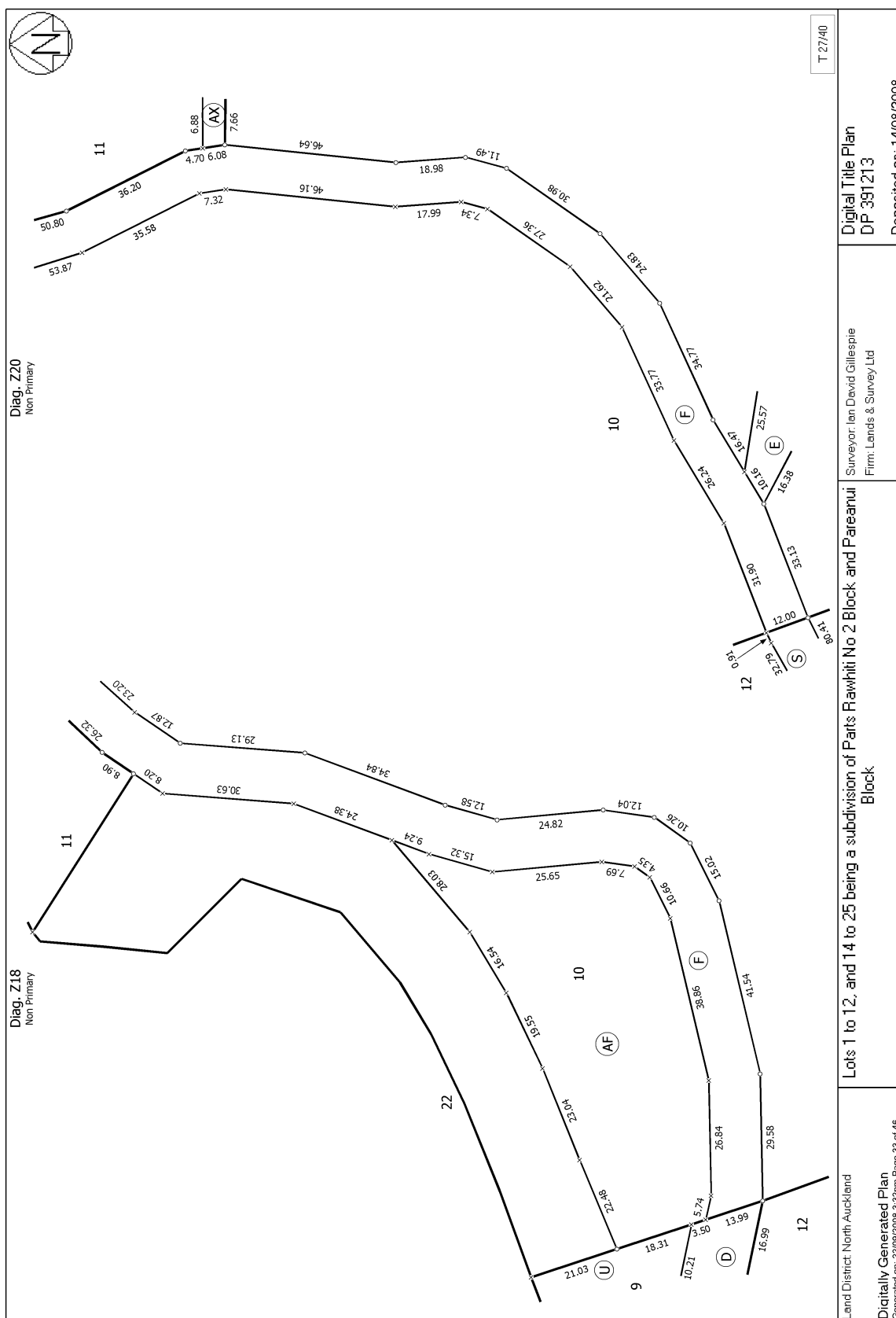


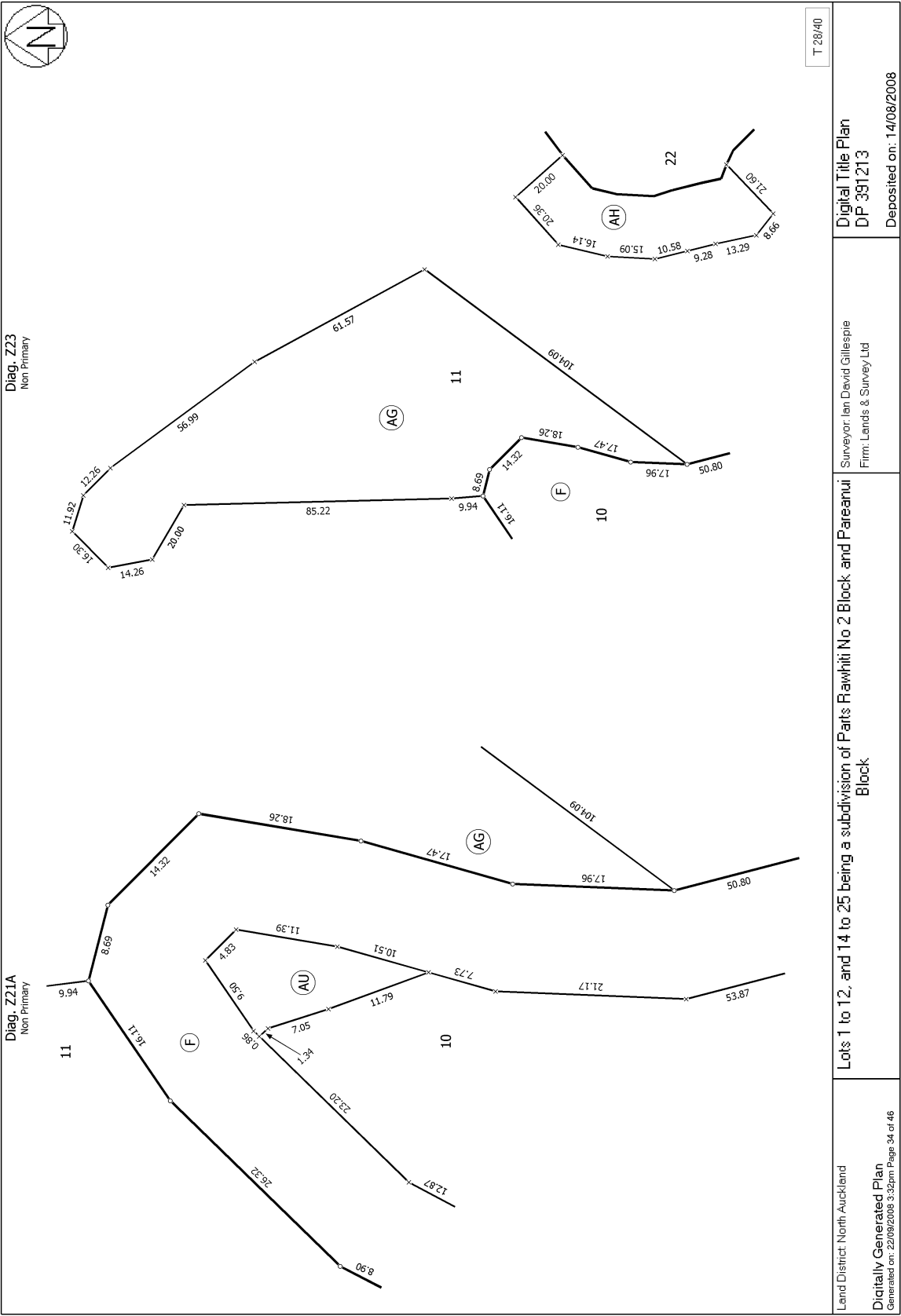


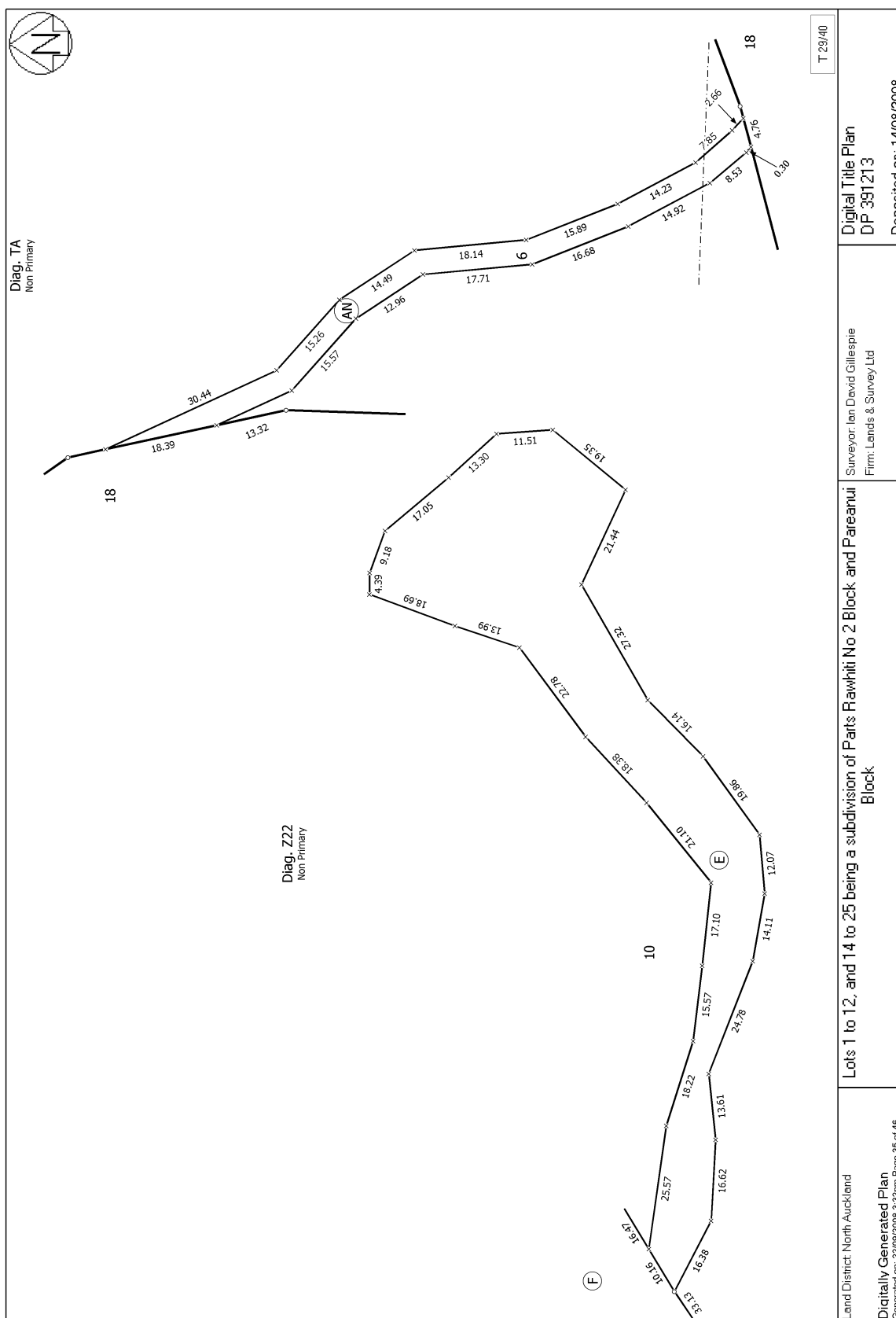


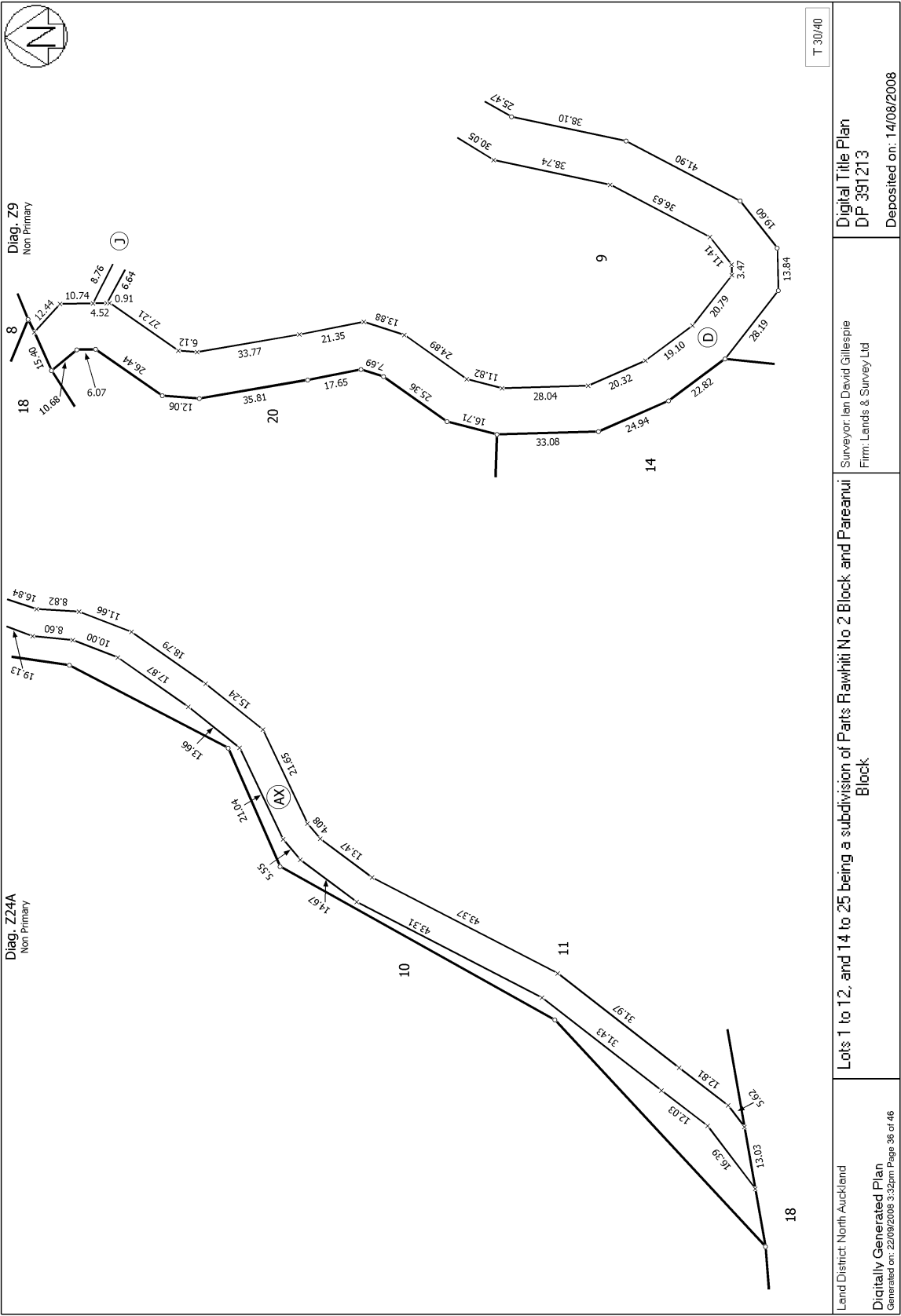


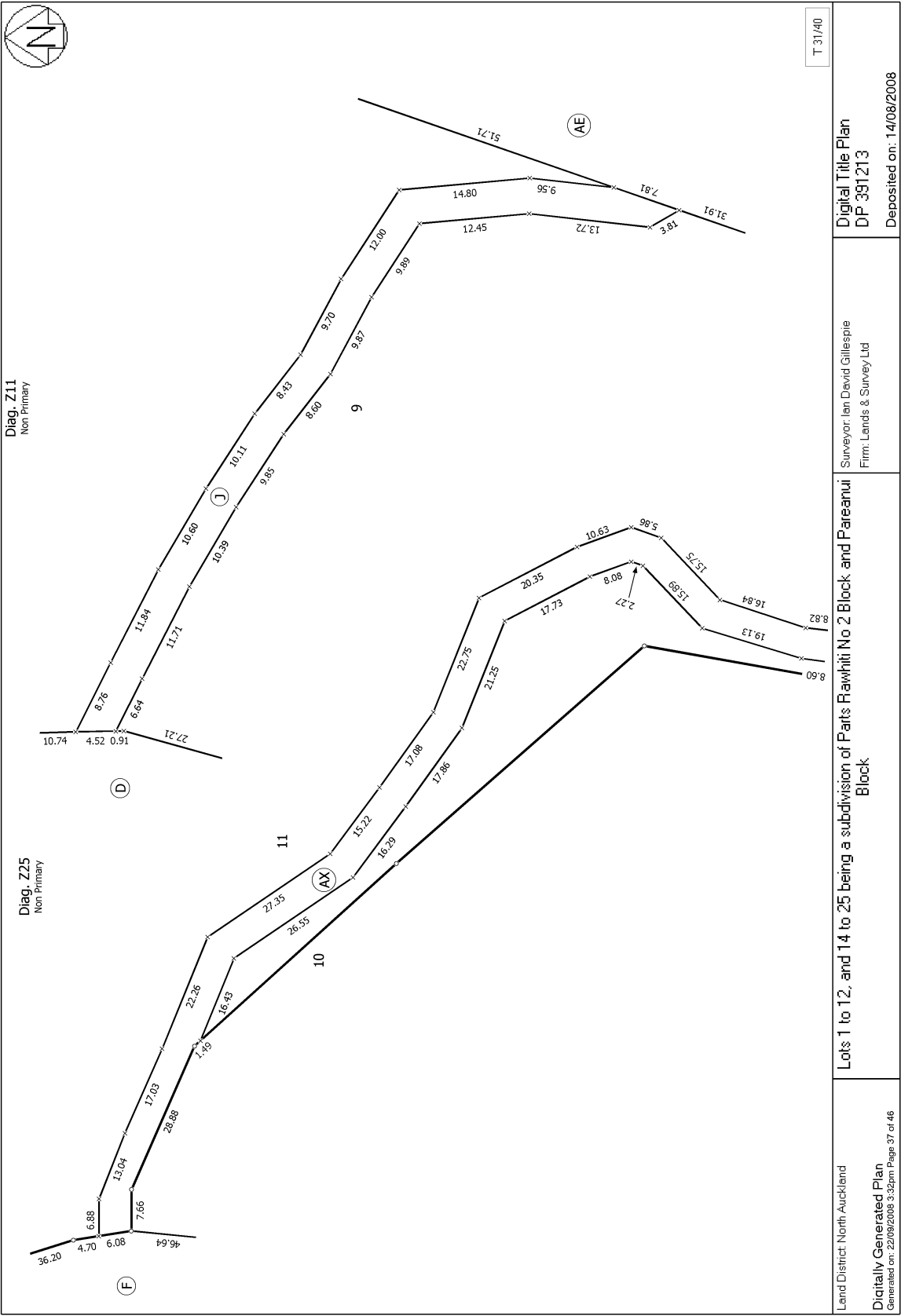


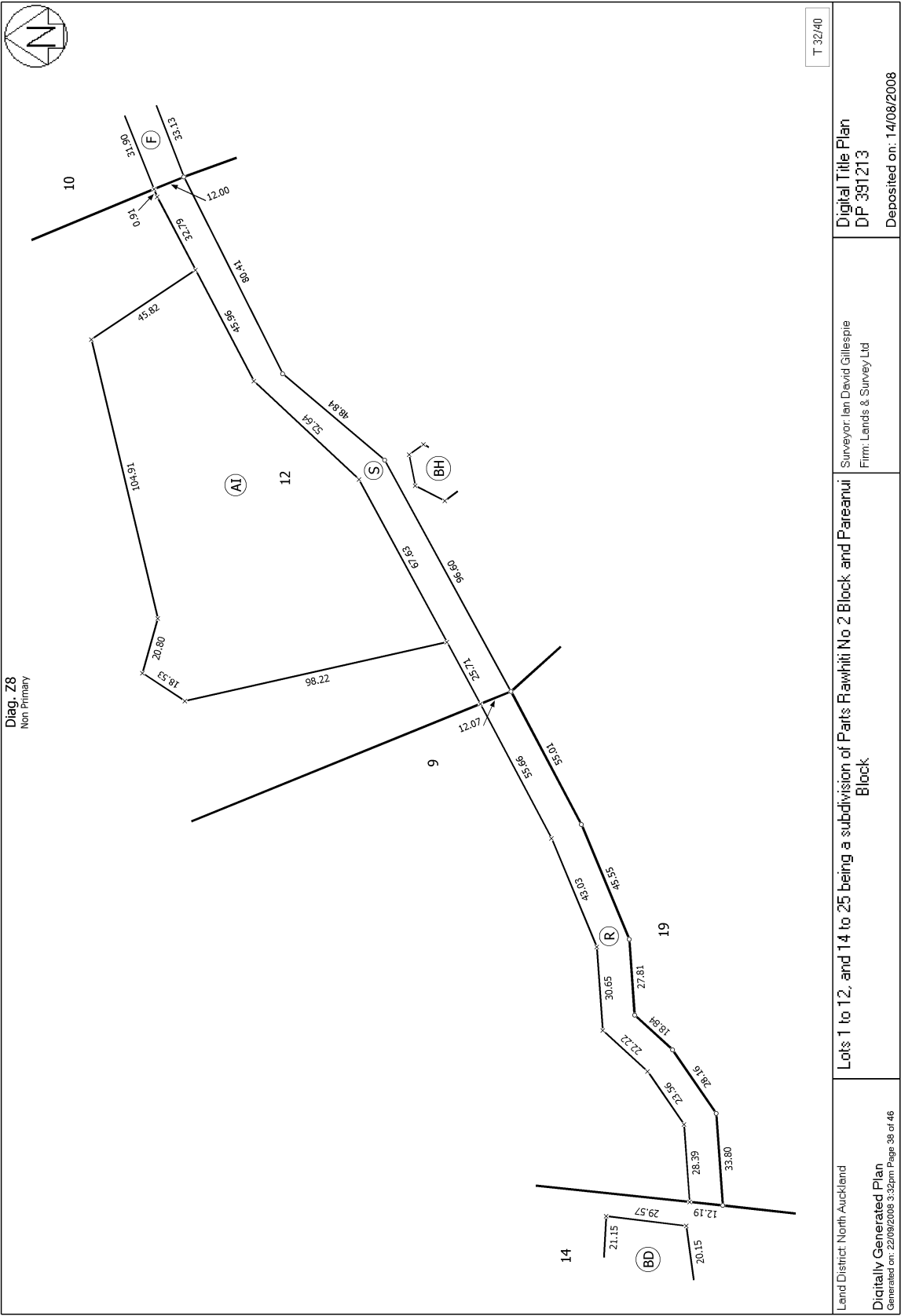


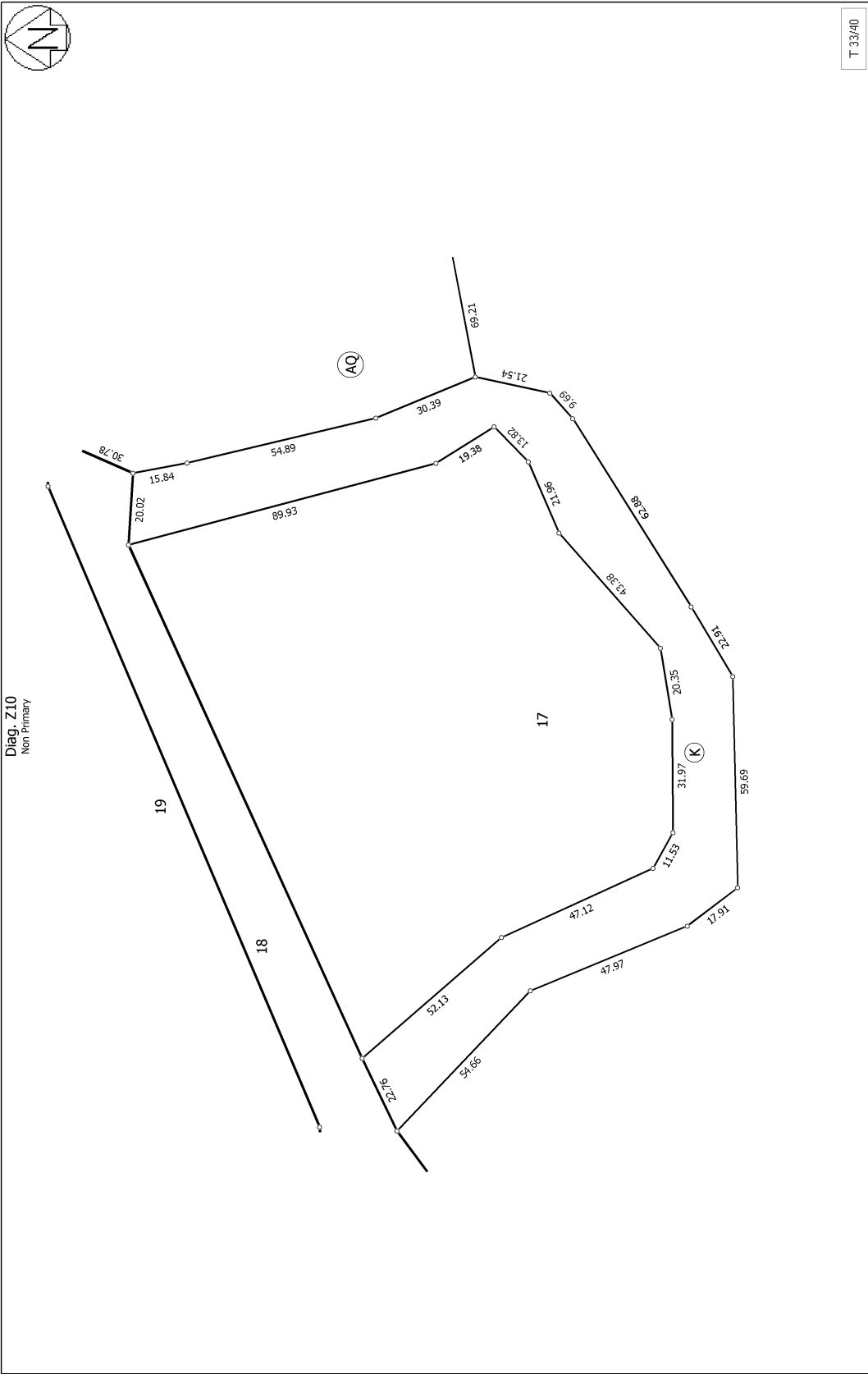




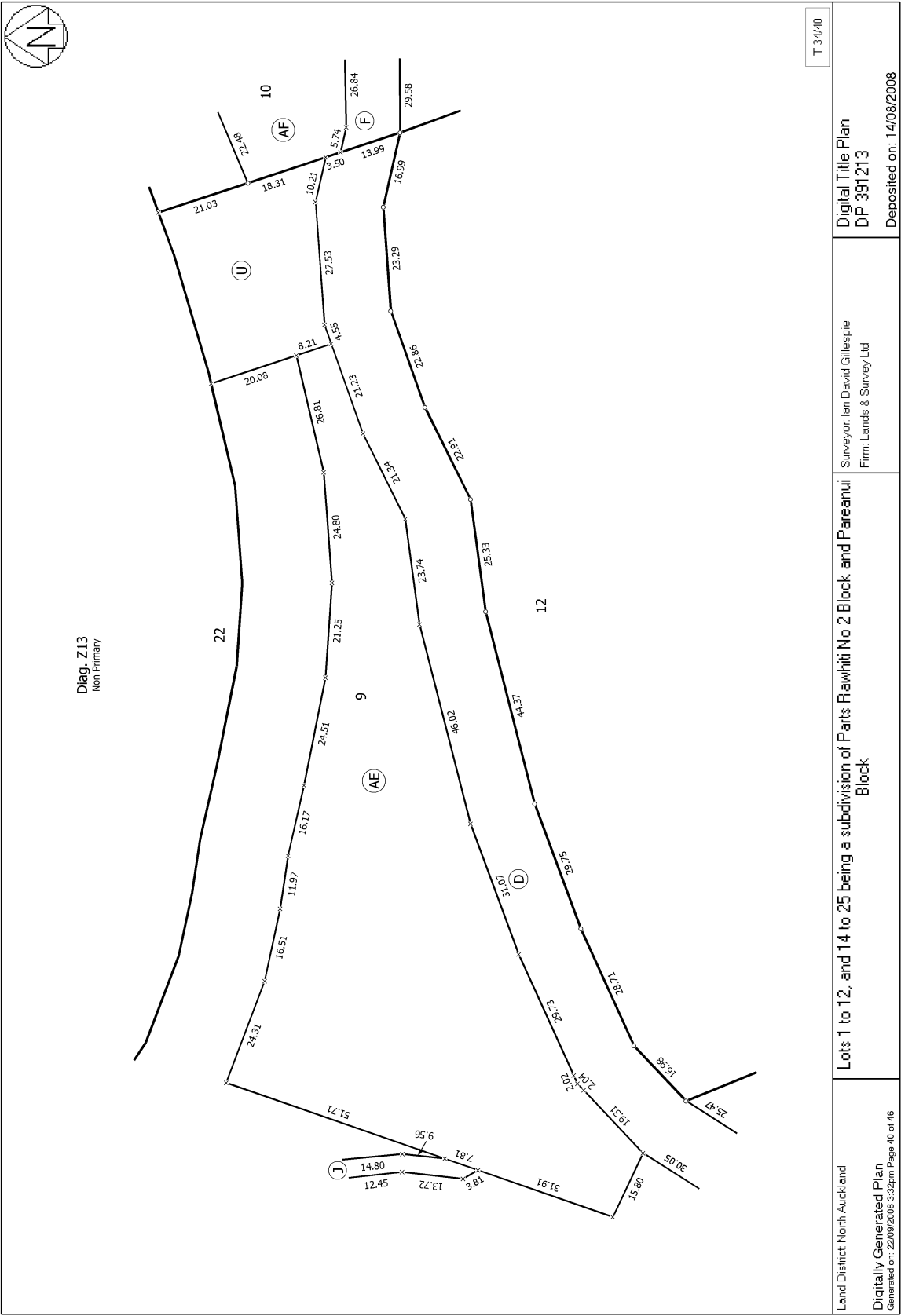


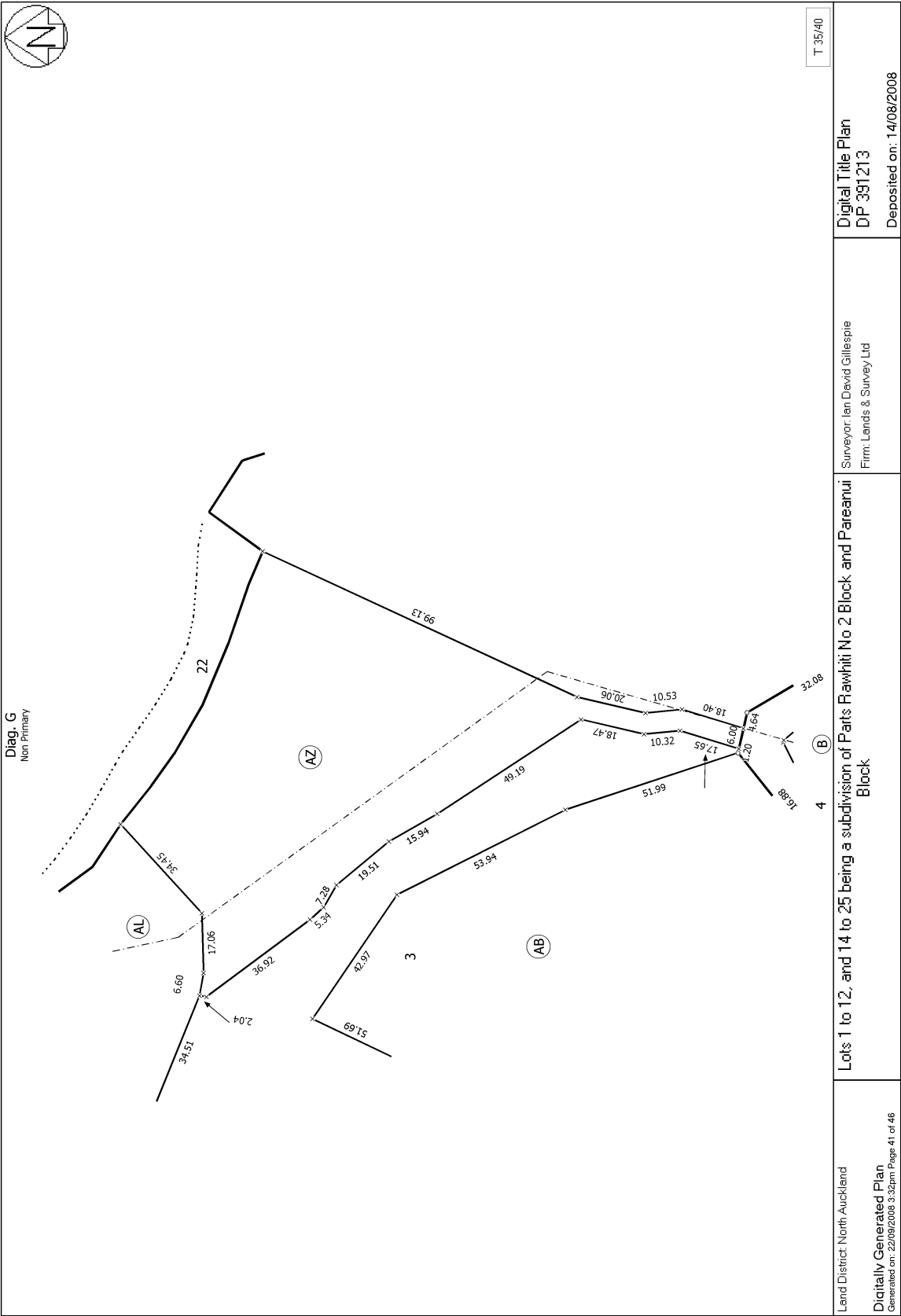


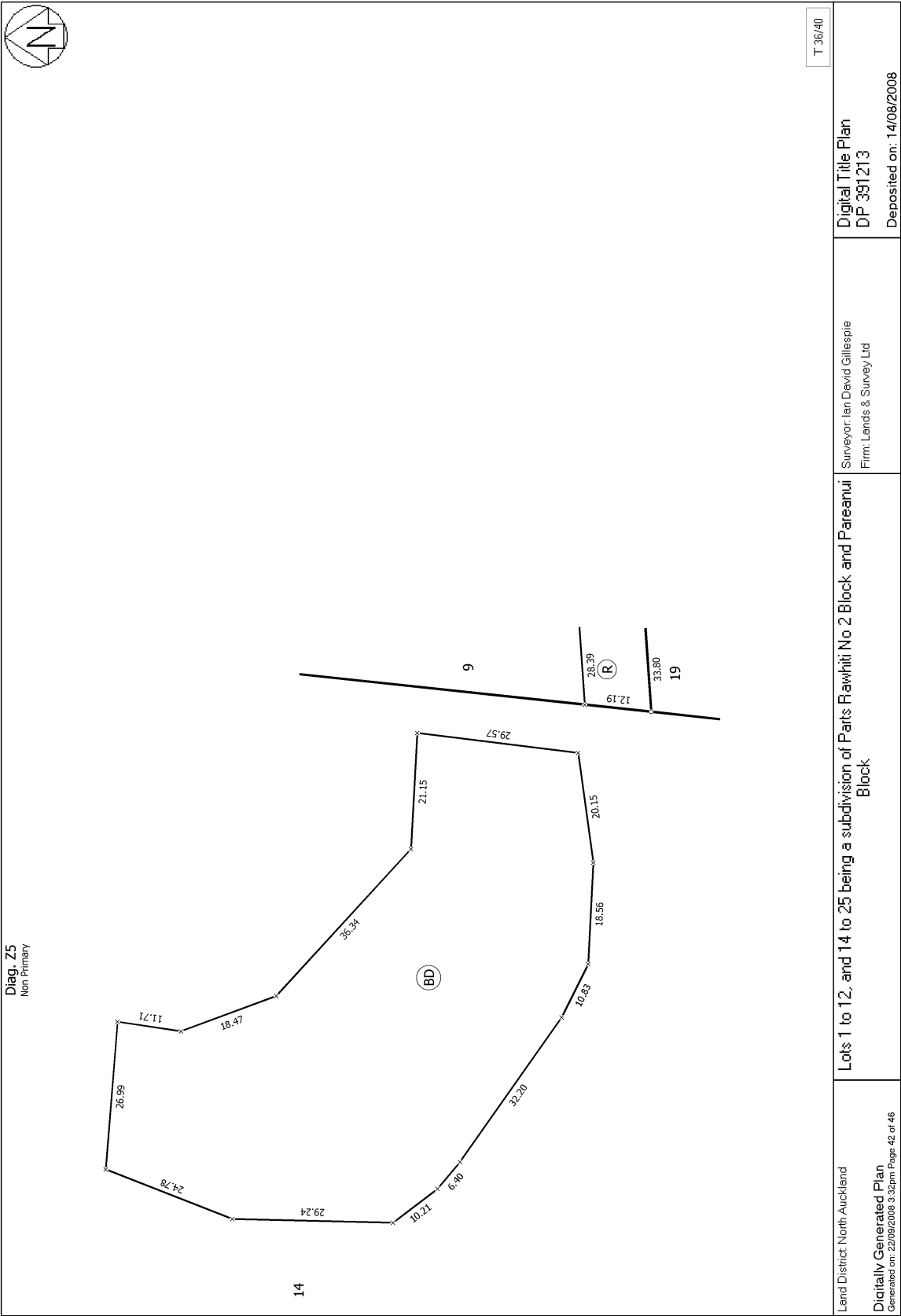


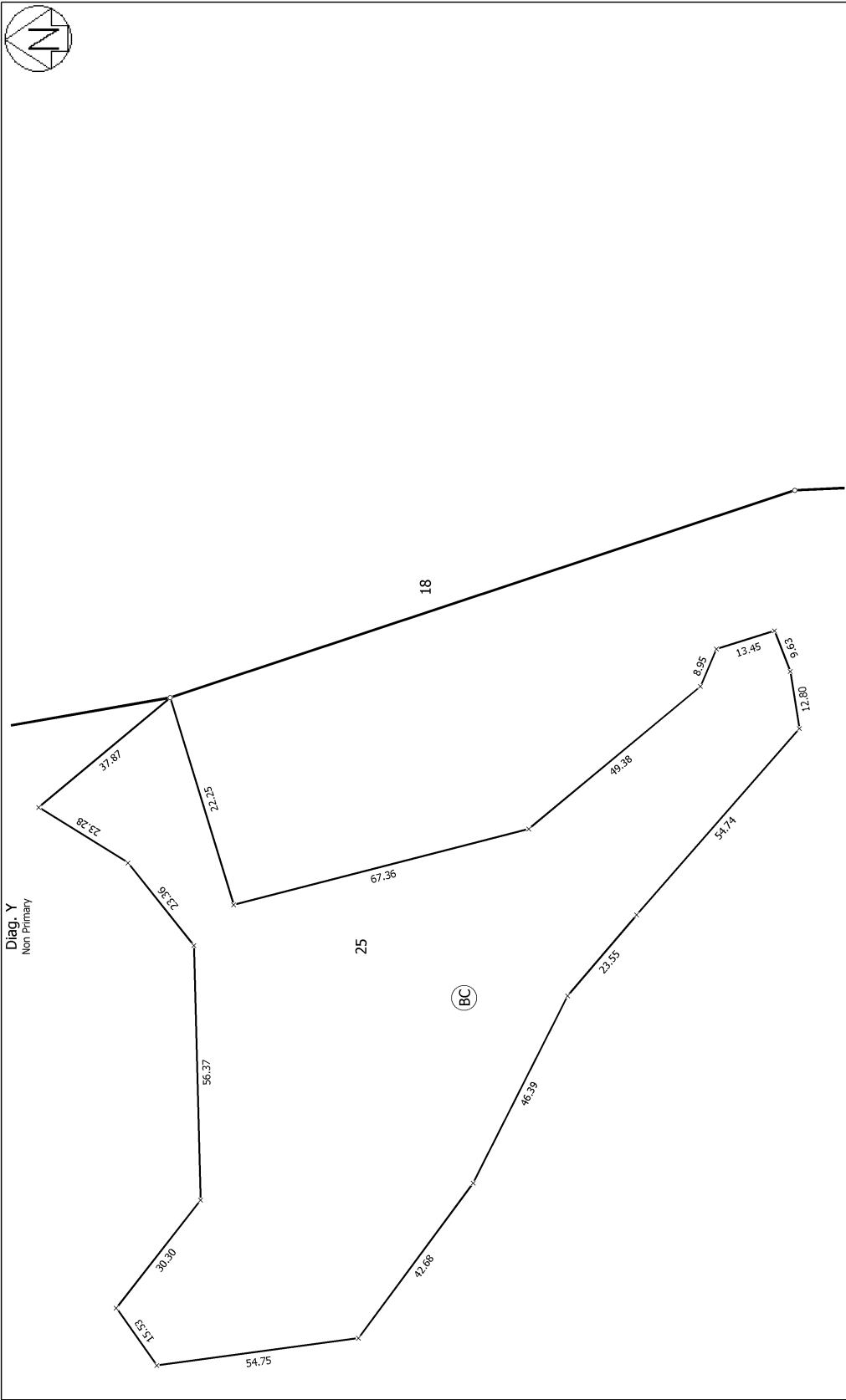


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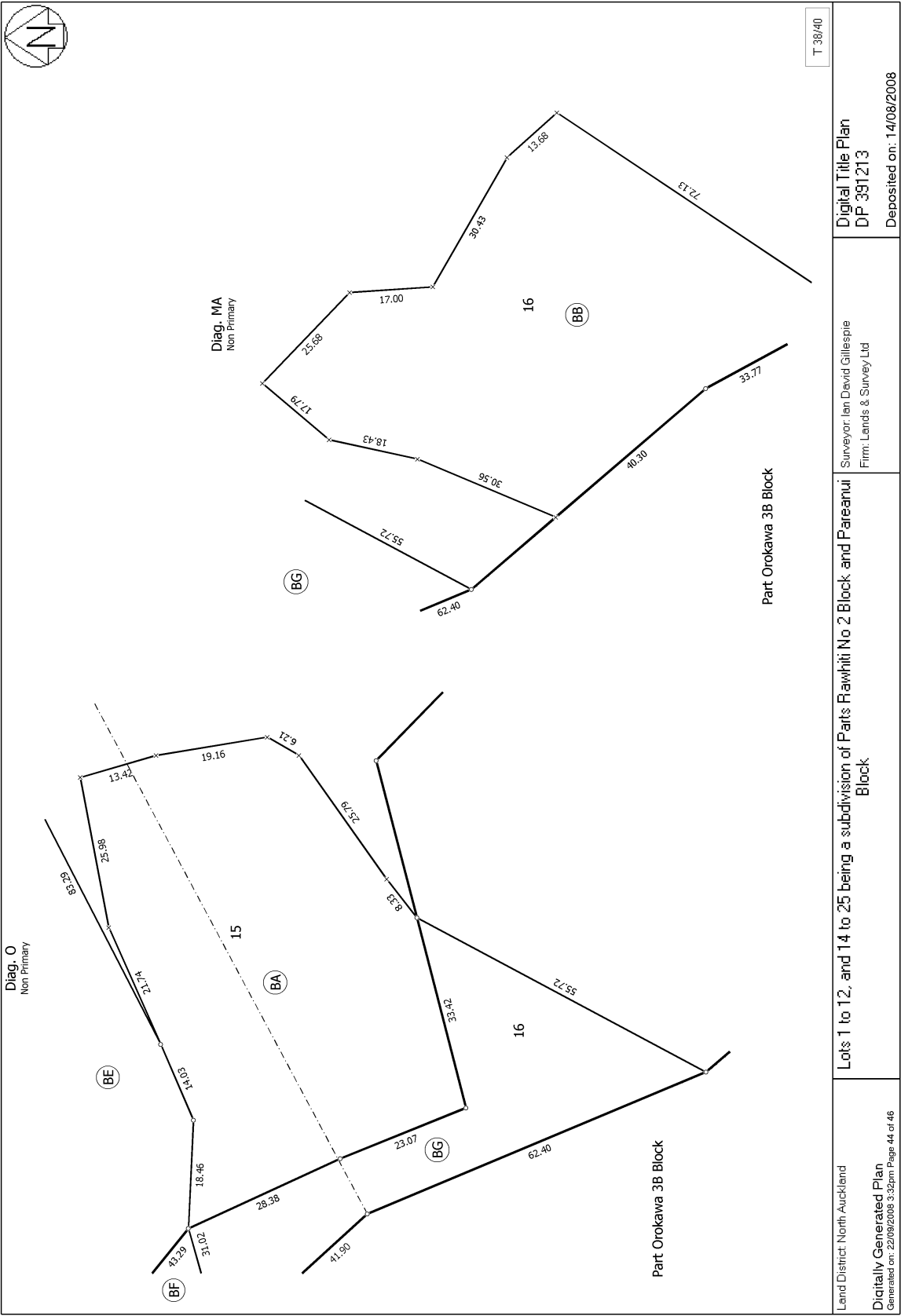


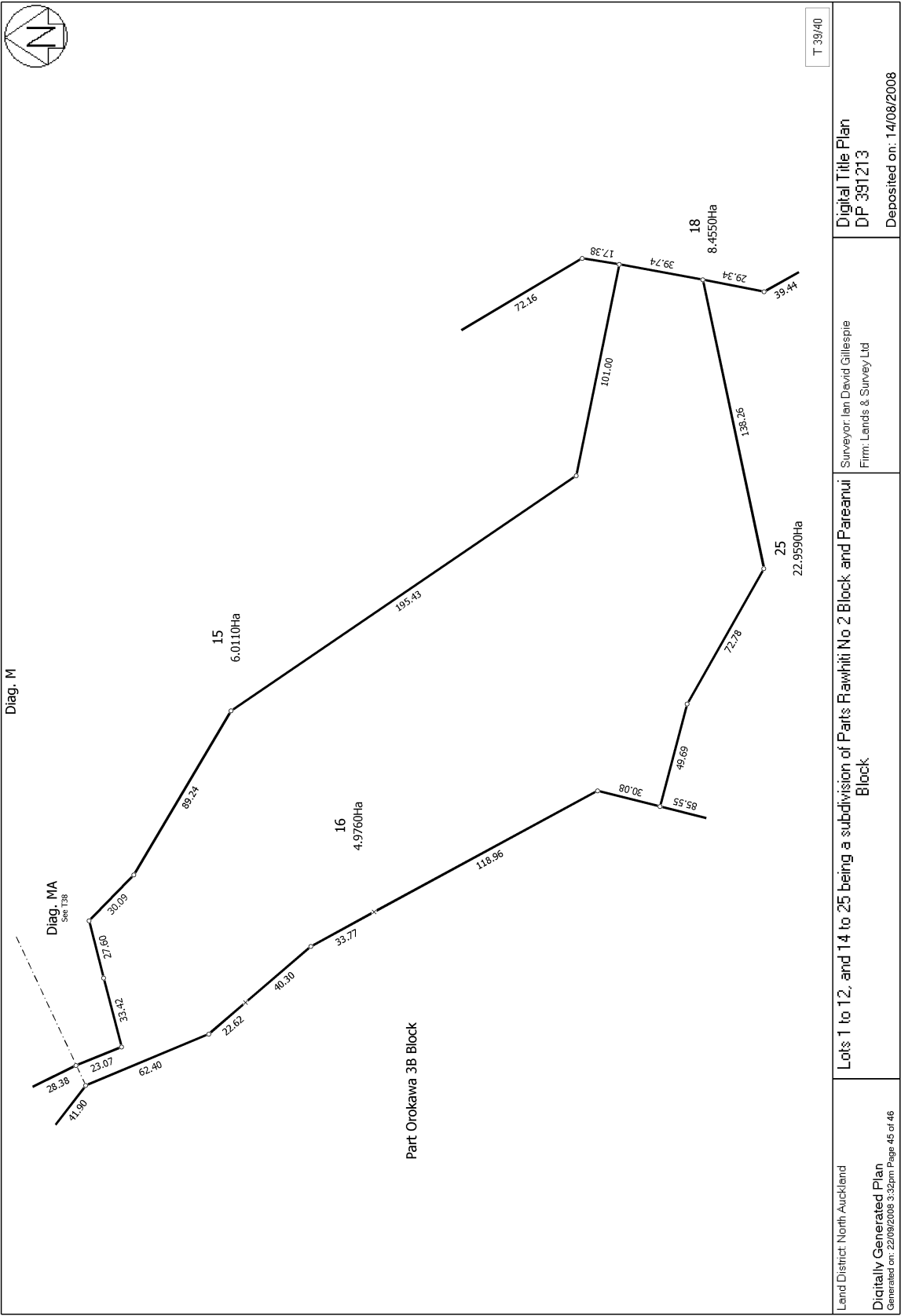


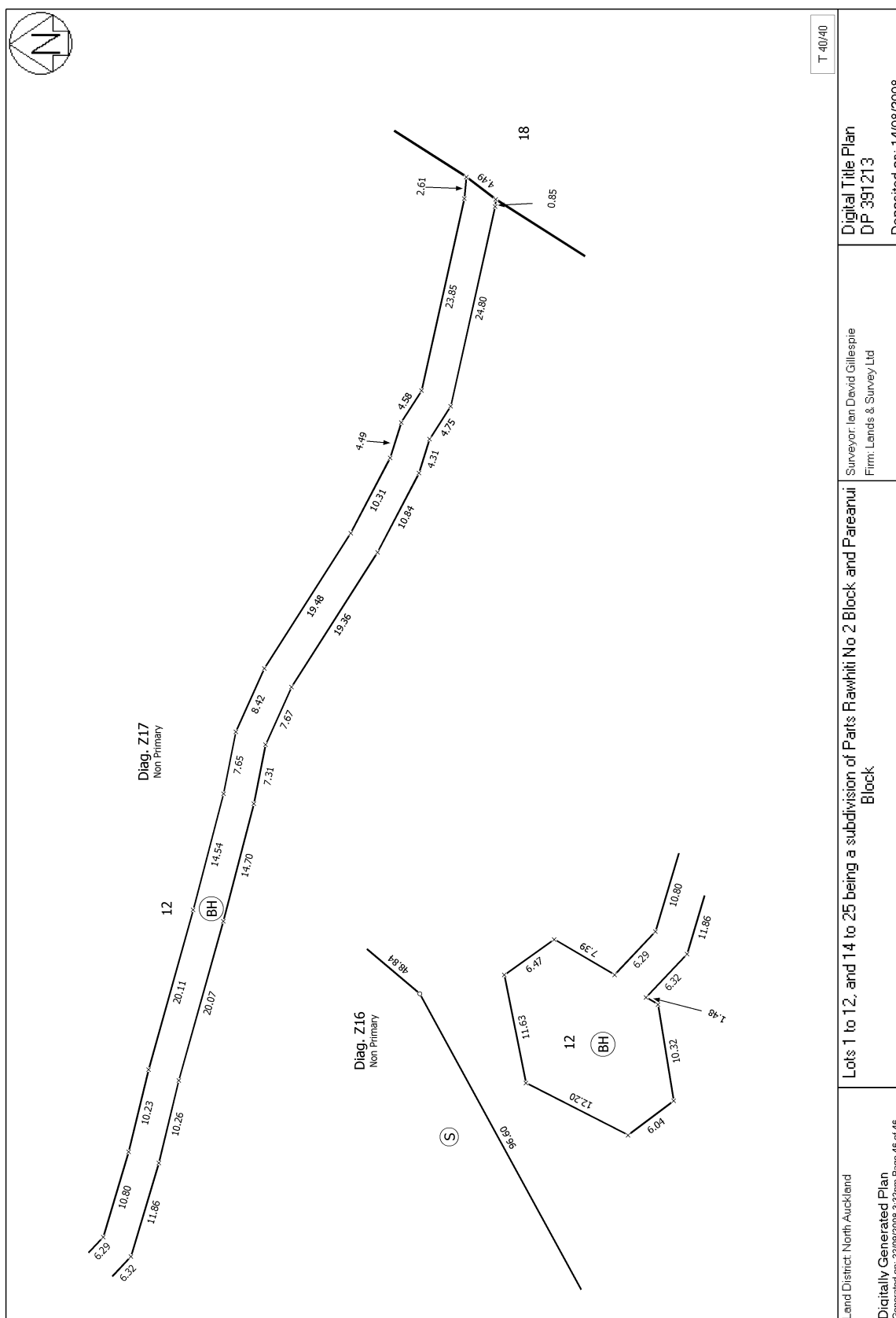


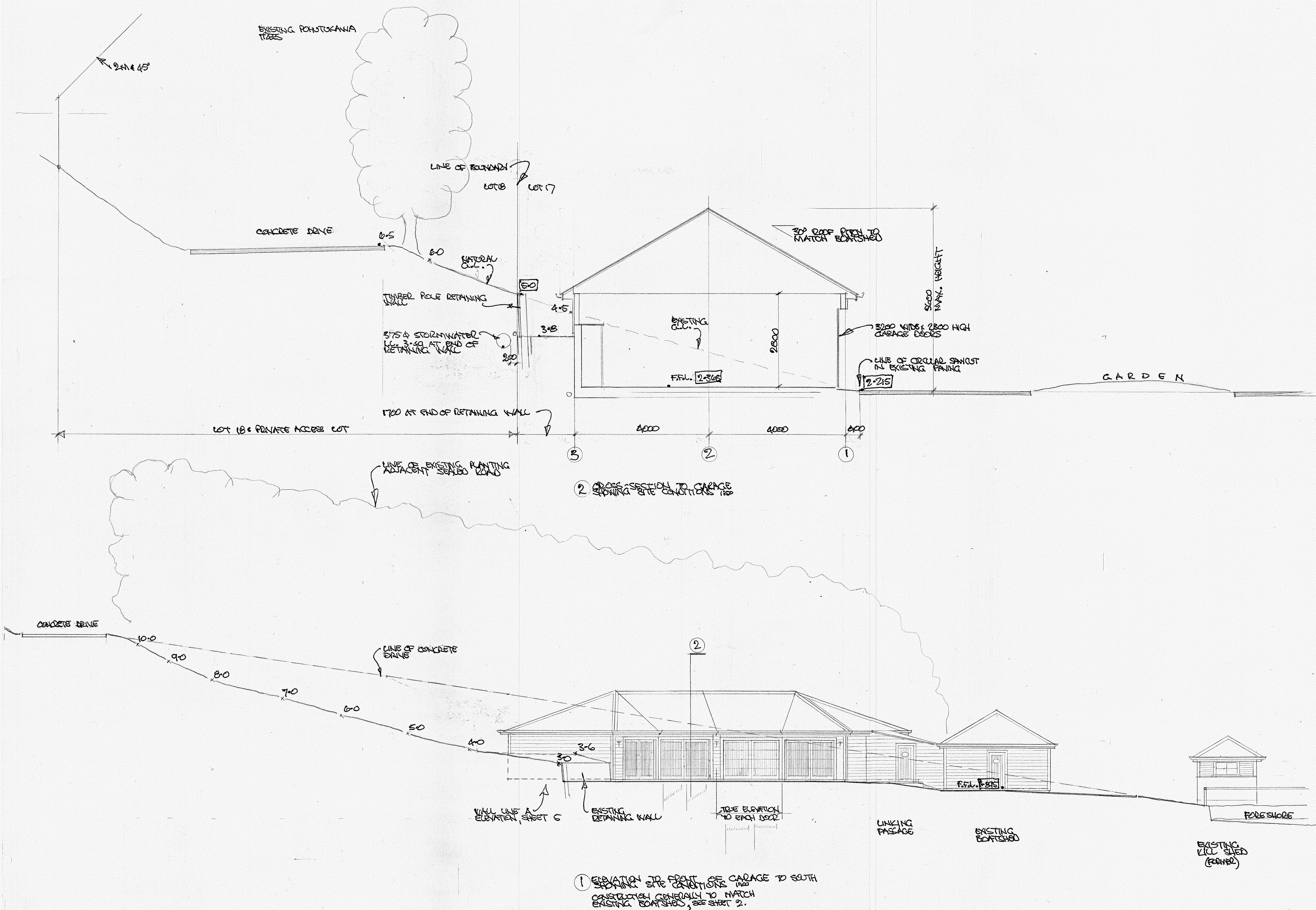


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NEW GARAGE

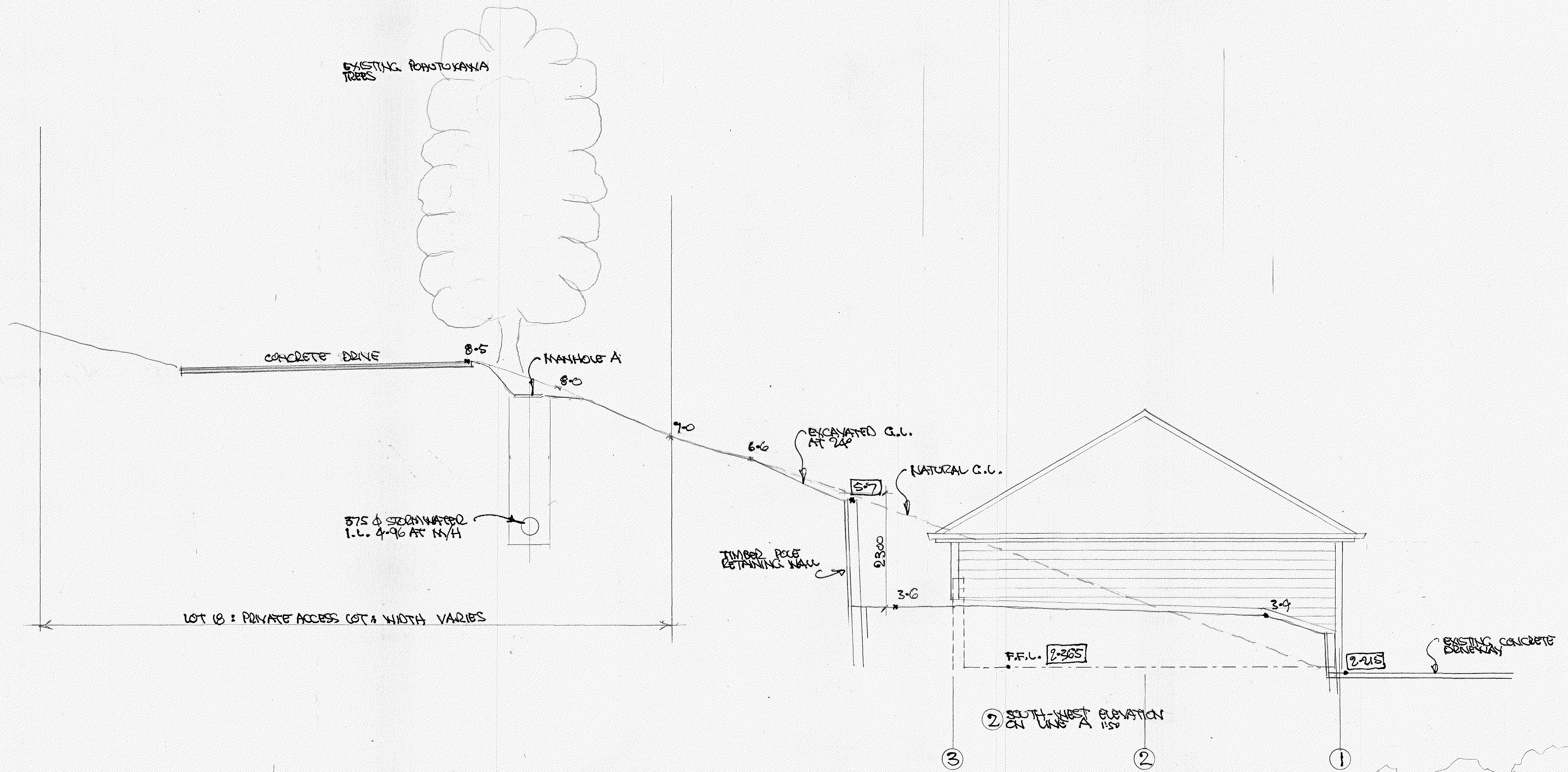
AT
THE HOMESTEAD
285 MANAWAUA ROAD
PAPEETE BAY

ER
P.M.T. AND H.O.T.
TRUSTS PARTNERSHIP

THIS DRAWING PREPARED
AND SUBMITTED BY
ALGIE ARCHITECTS:
WILLIAM ALGIE
8. ARCHIMONS AVE
REGD ARCHITECT
19 CORBIN STREET
TEL. 3766829
AUCKLAND

CROSS-SECTION &
ELEVATION

SHEET NO.



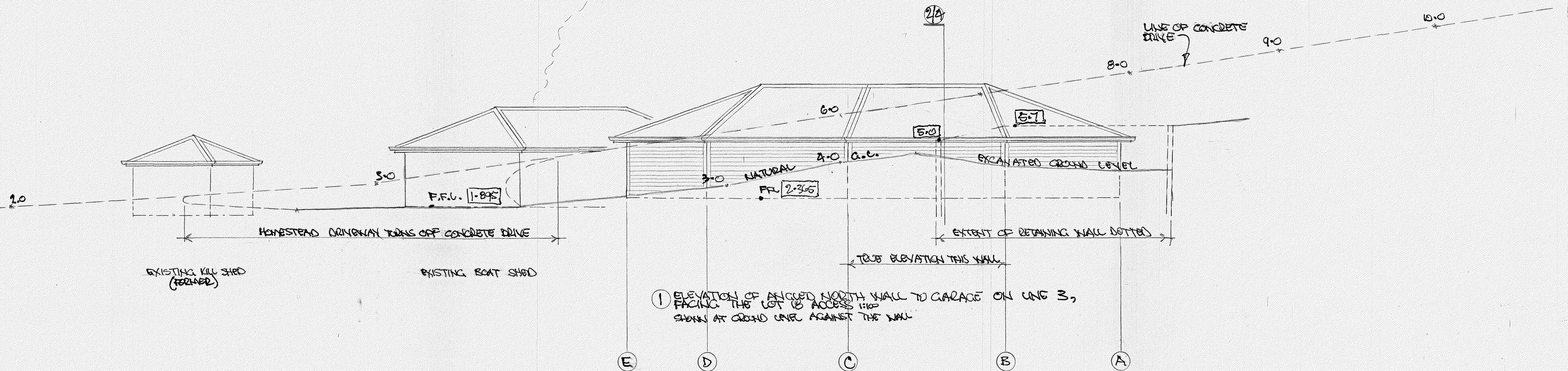
NEW GARAGE
AT
THE HOMESTEAD
285 MANAWAKA RD.
PAREKURA BAY
FOR
R.M.T. AND H.O.T.
TRUSTS PARTNERSHIP

THIS DRAWING PREPARED
AND CONTROLLED BY
ALICE ARCHITECTS:
WILLIAM ALICE
B. ARCHITECTS AREA
REGD ARCHITECT
11 DUBLIN STREET
TEL. 3766829
AUCKLAND

SITE ELEVATIONS

SHEET NO.

5



MARCH 2015

NEW GARAGE
AT
THE HOMESTEAD
SENAKAKOIA POND
PAREKURA BAY
FOR
M.T. AND H.D.T.
JOINT PARTNERSHIP

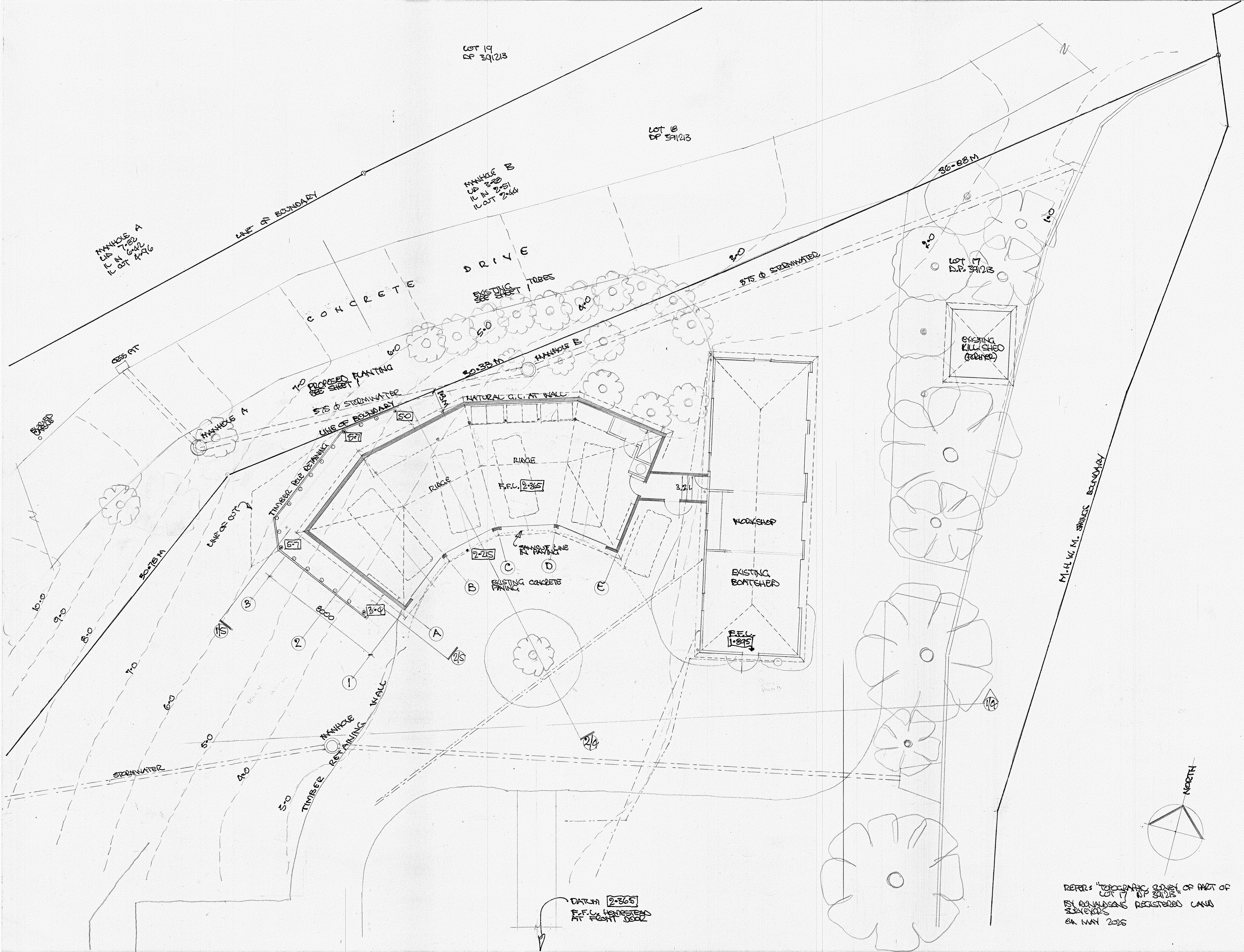
IS MAKING PREPARED
NO COMPROMISE BY
GE ARCHITECTS:
WILLIAM ALZIE
ARCH MONS ARDA
EGD ARCHITECT
1 DUBLIN STREET
CL. 3766829
UCKLAND

DATE
DEVELOPMENT
PLAN
PAGE 1:100

ST 17 D.L. 39/12/13

Net 2.00

REFER: "TOPOGRAPHIC SURVEY OF PART OF LOT 17 NW 34 215"
BY RONALD B. S. REGISTERED LAND SURVEYOR
8A MAY 2005



EXISTING PLANTING:
CORYLUS AUSTRIACA
METROSIDEROS POKUTUKANA
KARAKA
COPROSMA REPENS
PITTOCORUM EUGENOIDES
FLAX

WAIPIRO BAY

POKUTUKANA

FLAX

PHOBIA PALMS

M.H.W.M. SPRINGS AS BOUNDARY

BOAT SHED
EXISTING
15.2x3.1
F.F.L. 1.845

PROPOSED GARAGE
17.5x8M
F.F.L. 2.365

THE HOMESTEAD
EXISTING 586 SQ.M

F.F.L. 2.365

GARAGE

FISHING BUILDING
EXISTING 148 SQ.M

9.4x3.8M

CASTLEBERRY COTTAGE
EXISTING 106 SQ.M

EXISTING PLANTING TO BORING LAND

WATER STORAGE TANKS

CONCRETE DRIVE

NORTH

SECTION OF SITE TO PROPOSED GARAGE:
SEE "TOPOGRAPHIC SURVEY OF PART LOT 17
DP 391213"
BY LANDLORDS REGISTERED LAND
SURVEYORS, 2 MAY 2023.

NEW GARAGE
AT
THE HOMESTEAD
285 HAWKESBURY ROAD
WAIPIRO BAY
FOR
D.M.T. AND H.D.T.
TESTS PARTNERSHIP

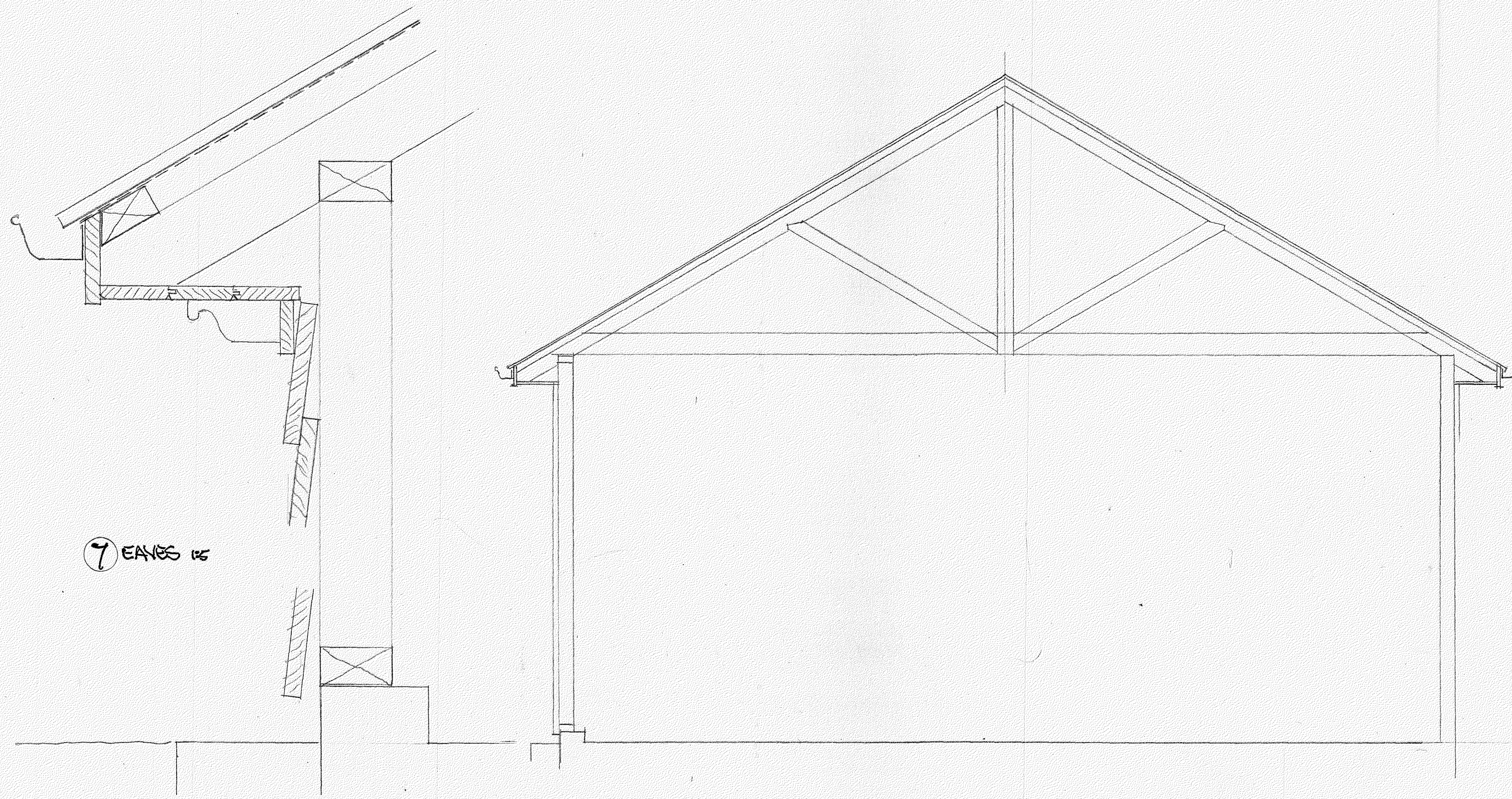
THIS WORKING DRAWING
AND CONTRACT BY
ALICE ARCHITECTS:
WILLIAM ALICE
15. BIRCH BERRY AVE
REC'D ARCHITECT
19 DUBLIN STREET
TEL. 3766829
AUCKLAND

SITE PLAN
PART LOT 17
DP 391213

SCALE 1:250

SHEET NO.

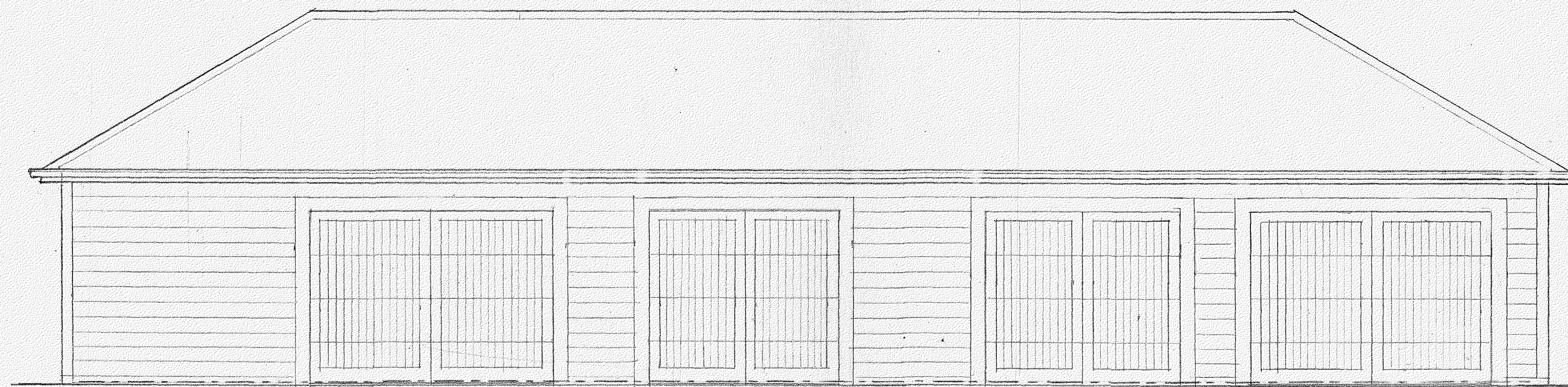
1



7 EAVES 1:5

5 CROSS-SECTION 1:25

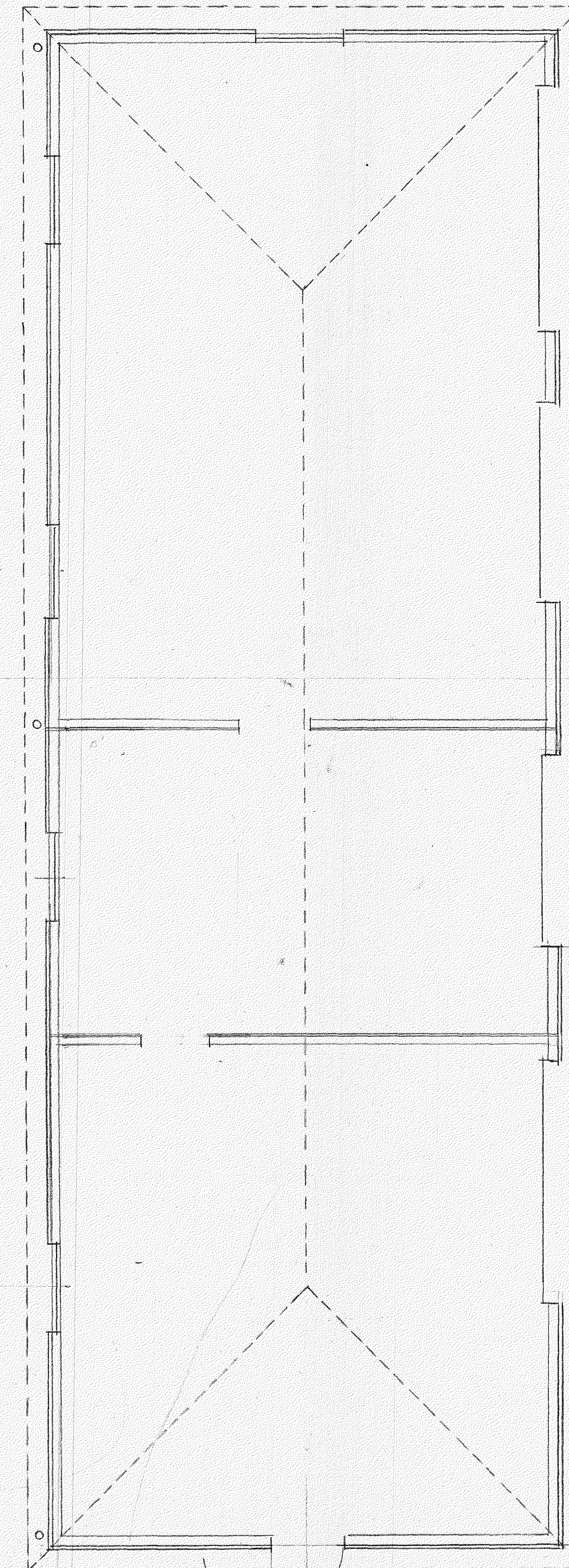
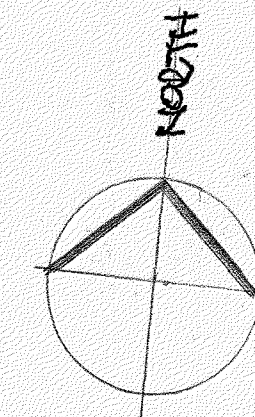
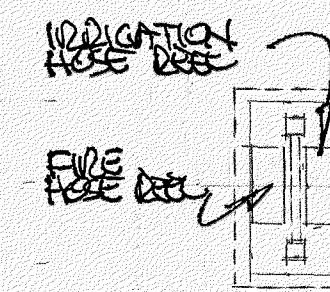
6 WALL DETAIL AT FLOOR LEVEL 1:5 TO WEST SIDE WALL



4 ELEVATION EAST SIDE WALL 1:50 FACING SEA



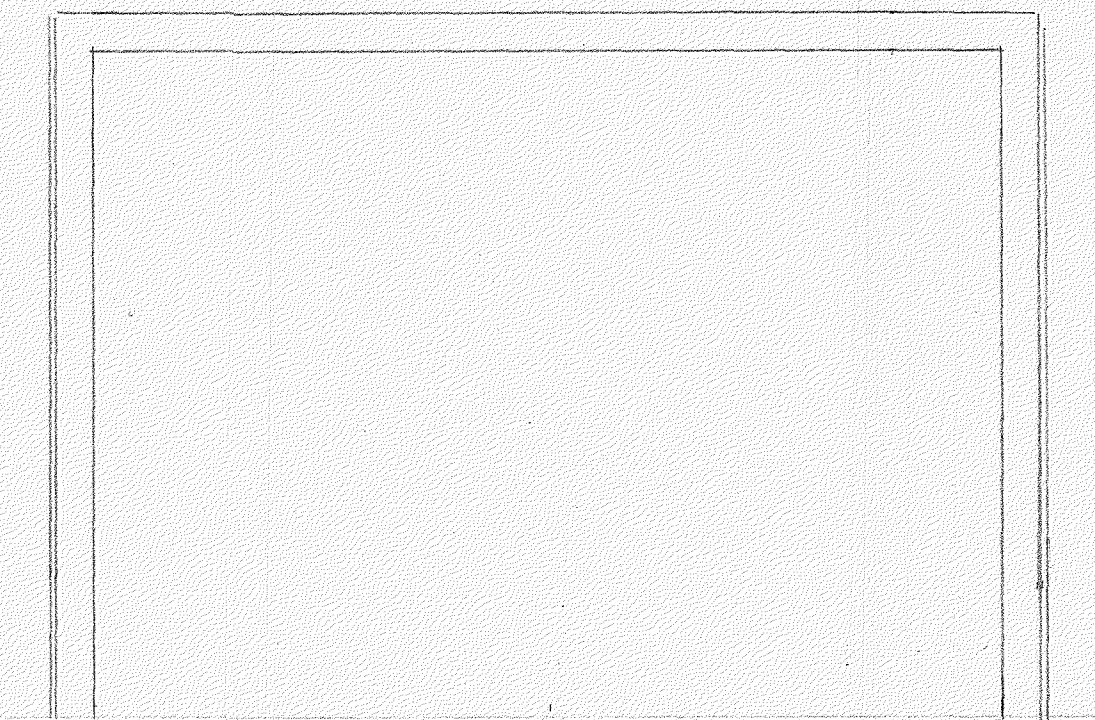
3 ELEVATION WEST SIDE WALL 1:50 FACING NEW GARAGE



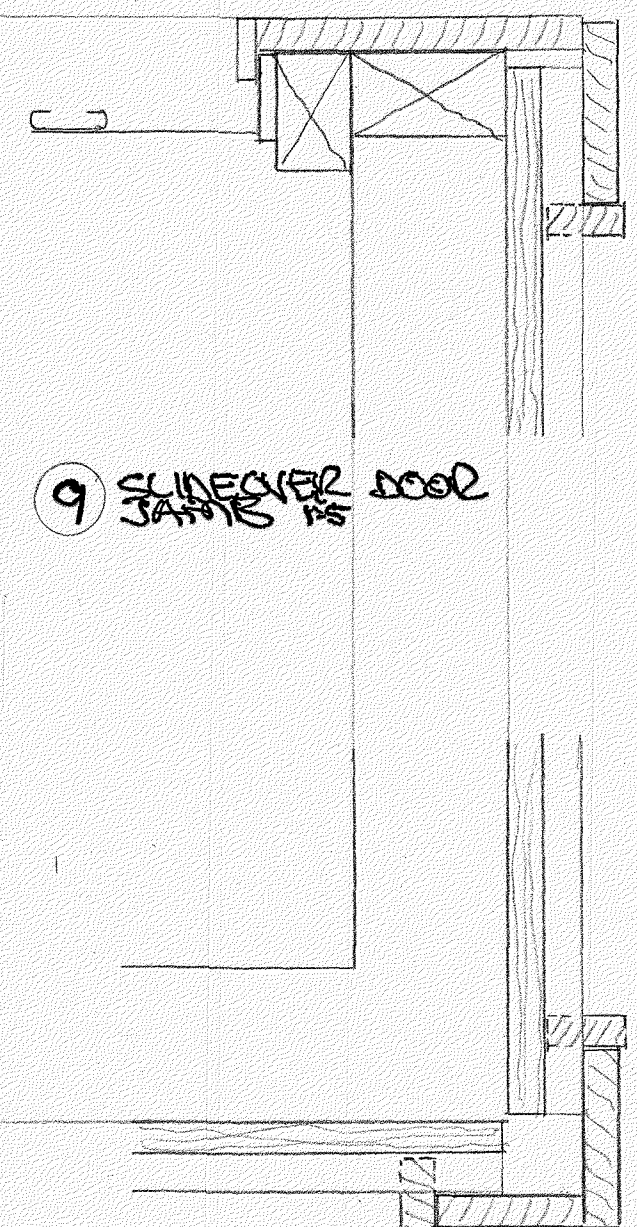
1 FLOOR PLAN 1:50



2 ELEVATION SOUTH WALL 1:50 FACING HOMESTEAD



10 SUPERDOOR DOOR 1:5



9 SLIDER DOOR 1:5

8 SLIDER DOOR 1:5

NEW GARAGE
AT
THE HOMESTEAD
285 MAHAKOA ROAD
PAREKURA BAY

FOR
P.M.T. AND H.D.T.
TRUSTS PARTNERSHIP

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AND OWNED BY
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EXISTING
ROASTED
REFERENCE BUILDING