

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

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?

Yes No

If yes, who have you spoken with? _____

2. Type of Consent being applied for

Change of conditions (s.127)

3. Consultation:

Have you consulted with Iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

4. Applicant Details:

Name/s:

Email:

Phone number:

Work	Home
------	------

Postal address:

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

Postcode

Office Use Only
Application Number:

5. Address for Correspondence

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

Name/s:	Barker & Associates C/o Makarena Dalton
Email:	
Phone number:	
Postal address: (or alternative method of service under section 352 of the act)	

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

6. Details of Property Owner/s and Occupier/s

*Name and Address of the Owner/Occupiers of the land to which this application relates
(where there are multiple owners or occupiers please list on a separate sheet if required)*

Name/s:	Waima Topu B (Ahuwhenua Trust)
Property Address/ Location:	

7. Application Site Details

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

Name/s:	Waima Topu B		
Site Address/ Location:	2956 State Highway 12		
	RD3		
	Kaikohe		
		Postcode	0230
Legal Description:	Wama Topu B Block	Val Number:	615/3900
Certificate of title:	NA52B/52		

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

Site visit requirements:

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

Is there a dog on the property? Yes No

7. Application Site Details (continued)

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details.

This is important to avoid a wasted trip and having to re-arrange a second visit.

8. Detailed description of the proposal:

This application relates to the following resource consent:

Specific conditions to which this application relates:

Describe the proposed changes:

9. Would you like to request Public Notification?

Yes No

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

Building Consent Enter BC ref # here (if known)

Regional Council Consent (ref # if known) Ref # here (if known)

National Environmental Standard consent Consent here (if known)

Other (please specify) Specify 'other' here

11. Assessment of Environmental Effects:

Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties (including consultation from iwi/hapū).

Your AEE is attached to this application Yes

12. Draft Conditions:

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

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

13. Billing Details:

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

Name/s: (please write in full)

Waima Topu B TRUST

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)

Miki Hains

Signature: (signature of bill paye

Date 14.01.2026

MANDATORY

14. Important Information:

Note to applicant

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

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

Privacy Information:

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

Declaration

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

Name: (please write in full)

Signature:

Date

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

Checklist (please tick if information is provided)

- Payment (cheques payable to Far North District Council)
- Details of your consultation with Iwi and hapū
- A current Certificate of Title (Search Copy not more than 6 months old)
- Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- Applicant / Agent / Property Owner / Bill Payer details provided
- Location of property and description of proposal
- Assessment of Environmental Effects
- Written Approvals / correspondence from consulted parties
- Reports from technical experts (if required)
- Copies of other relevant consents associated with this application
- Location and Site plans (land use) AND/OR
- Location and Scheme Plan (subdivision)
- Elevations / Floor plans
- Topographical / contour plans

Please refer to chapter 4 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.



S127 Waimā Topu B Papakāinga Development

Changes of condition 26, 29 & 30 of RC2250413

2956 State Highway 12, Waimā

Assessment of Environmental Effects and Statutory Analysis

20 January 2026



Prepared for:

Waimā Topu B Trust

B&A Reference:

26648

Status:

Final

Date:

21 January 2026

Prepared by:



Te Karira Ruakere-Norris

Planner, Barker & Associates Limited

Reviewed by:



Makarena Dalton

Senior Associate, Barker & Associates Limited

Contents

1.0	Applicant and Property Details	5
2.0	Introduction	6
2.1	Background	6
2.2	Approved Resource Consents	6
3.0	Site Context	8
3.1	Site Description	8
3.2	Surrounding Locality	10
4.0	Proposal	11
4.1	Proposed Changes to Consent Conditions	11
5.0	Reasons for Consent	12
5.1	Operative Far North District Plan	12
5.2	Section 127 to vary conditions	12
5.3	Activity Status	12
6.0	Public Notification Assessment (Sections 95A, 95C and 95D)	13
6.1	Assessment of Steps 1 to 4 (Sections 95A)	13
6.2	Section 95D Statutory Matters	14
6.3	Land Excluded from the Assessment	14
6.4	Assessment of Effects on the Wider Environment	15
6.5	Summary of Effects	17
6.6	Public Notification Conclusion	17
7.0	Limited Notification Assessment (Sections 95B, 95E to 95G)	17
7.1	Assessment of Steps 1 to 4 (Sections 95B)	17
7.2	Section 95E Statutory Matters	18
7.3	Assessment of Effects on Persons	18
7.4	Limited Notification Conclusion	19
8.0	Consideration of Applications (Section 104)	19
8.1	Statutory Matters	19
8.2	Weighting of Proposed Plan Changes: Far North Proposed District Plan	19
9.0	Effects on the Environment (Section 104(1)(A))	20
10.0	District Plan and Statutory Documents (Section 104(1)(B))	20
10.1	Operative Far North District Plan	20
10.2	Summary	20
11.0	Part 2 Matters	20
12.0	Other Matters (Section 104(1)(C))	21
12.1	Record of Title Interests	21
13.0	Conclusion	21

Appendices

- Appendix 1 Record of Title
- Appendix 2 RC 2250413-RMALUC Decision
- Appendix 3 RC2300211-RMALUC Decision
- Appendix 4 Copy of Proposed Conditions
- Appendix 5 Rules Assessment

1.0 Applicant and Property Details

To:	Far North District Council
Site Address:	2956 State Highway 12, Waimā
Applicant Name:	Waimā Topu B Trust
Address for Service:	Barker & Associates Ltd 62 Kerikeri Road, Kerikeri Attention: Makarena Dalton
Legal Description:	Waimā Topu B Block (refer to Record of Title as Appendix 1)
Site Area:	688.89 ha
Site Owner:	Māori Freehold Land Administered by Waimā Topu B Trust (Ahuwhenua Trust)
District Plan:	Operative Far North District Plan (ODP) Proposed Far North District Plan (PDP)
ODP Zoning:	Rural Production
PDP Zoning:	Māori Purpose – Rural
ODP Overlays & Controls:	Outstanding Landscape (outside of papakāinga site)
PDP Overlays & Controls:	N/A
Designations:	N/A
Additional Limitations:	NRC Hazard: Coastal Flood Hazard Zones 0 – 3 and NRC River Flooding 10, 50 and 100 Yr Extents (outside of papakāinga site)
Locality Diagram:	Refer to Figure 2
Brief Description of Proposal:	To amend conditions 26, 29 & 30 of RC2250413- RMALUC.
Summary of Reasons for Consent:	Variation to consent conditions pursuant to Section 127 of the Resource Management Act – discretionary activity

2.0 Introduction

This Assessment of Environmental Effects report ('AEE') has been prepared to address a s127 resource consent application submitted by Waimā Topu B Trust (hereafter referred to as 'Waimā Topu B' or the 'Applicant') for a papakāinga development at their whenua at 2956 State Highway 12, Waimā. This report is intended to address the relevant matters under the Resource Management Act 1991 ('RMA') for resource consent under the Operative Far North District Plan ('ODP') and Proposed Far North District Plan ('PDP').

2.1 Background

The subject site comprises approximately 688 hectares of Māori freehold land and is administered by Waimā Topu B on behalf of its shareholders. Waimā Topu B was established in June 1981 and currently has over 500 owners holding 15,000 shares.

In 2025, resource consent 2250413-RMALUC was granted for an integrated papakāinga development at the Waimā Topu Block to meet the demands and aspirations identified through the masterplan process. The details of this consent are outlined below.

Furthermore, Waimā Topu B has sought building consent EBC-2026-483/0 to relocate the residential unit.

2.2 Approved Resource Consents

2.2.1 RC2250413-RMALUC

On 29 July 2025, RC2250413 was approved under Far North District Council to enable an integrated papakāinga development comprising 17 Exclusive Use Areas ('EUA'), three new vehicle entrances, accessways, and associated works. The consent provides for a maximum potential development of up to 34 kāinga units (residential units), providing for two kāinga units per EUA. The project enables the whenua to be development-ready for whānau to return home and supports the realisation of Waimā Topu B's vision and mission for the whenua, being:

Vision: "Pupuri te whenua o Te Mahurehure | Holding on to the lands of Te Mahurehure"

Mission: "Mahi i te ara, haere whakamua o nga uri | Creating a pathway for our future generations going forward."

The approved resource consent enabled development to occur across three stages to align with the applicant's aspirations and anticipated demand for the construction and occupation of kāinga units. Stage 1 related to the use and development of kāinga within sites 00 – 08 shown orange in **Figure 1** below. Of particular relevance to this application is the provision of access to the relocate dwelling within Site 00 and the consolidation of vehicle crossing points to Development Area 02. RC2250413 proposed to consolidate the number of vehicle crossing points to Development Area 02 from State Highway 12 ('SH 12'). A copy of the approved resource consent is enclosed as **Appendix 2**.



Figure 1: Showing Stage 1 of RC2250413 (refer to Appendix 2).

2.2.2 RC2300211-RMALUC

On 2 November of 2022, RC2300211-RMALUC was approved to allow for the relocation of an existing kāinga from a neighbouring property at 2981 SH 12, Waimā to be located southwest within the subject site. The purpose of relocating the existing dwelling is to resolve a legacy boundary matter and reflect the updated Licence to Occupy arrangements for the subject site and Waima C30A.

This proposal did not seek the relocation of a vehicle crossing and instead proposed to continue utilising the existing entrance, as shown in **Figure 1**. See **Appendix 2** for the approved decision and plans.

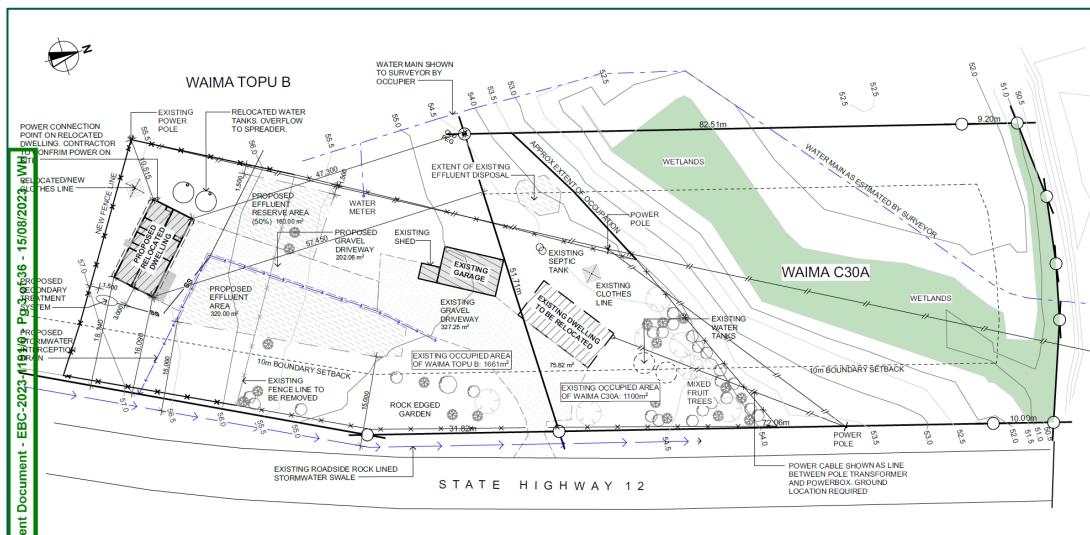


Figure 2: Approved plans for RC2300211 (Refer to Appendix 3).

As described above, RC2250413-RMALUC also assessed and approved the relocation of a kāinga from 2981 State Highway 12 to the subject site, shown as Site 00 within Development Area 02. The key difference between the resource consent approvals is that RC2250413 requires access to Site 00 to gain access via a new shared vehicle crossing to Development Area 02.

This application is therefore limited to seeking amendments to the papakāinga development approved under 2250413-RMALUC.

3.0 Site Context

3.1 Site Description

Waimā Topu B is a 688.89ha Māori land block located in Waimā and is Māori Freehold land under Te Ture Whenua Act 1993. The site is located to the northwest of State Highway 12 ('SH 12'), as shown in **Figure 2** below. The subject site is primarily used for rural farming activities. However, five rental dwellings and nine papakāinga kāinga are currently occupied on the whenua. In addition, a number of existing ancillary farm buildings are established across the site.

While the site is subject to coastal hazards and river flooding on Northland Regional Council's Natural Hazards Map, this mapping does not apply to Development Area 02 where development is proposed.



Figure 3: Locality plan. Source: Emaps

Natural features include well-established areas of native bush, pasture lands, and wetland areas. Northern Mataraua Forest Protected Natural Area (PNA) O06/002 is within and adjacent to the site. Whawharu Stream runs either through or adjacent to these areas and natural inland wetlands have been identified and mapped within or in proximity to each development area.

For the purposes of this application, the development areas which are seeking an alteration to the approved resource consent decision is within 'Development Area 02' as shown in **Figure 4**.

A summary of the key features of development area 02 is detailed as follows:

- Development Area 02 (West) is located on the western side of SH 12 and contains two existing kāinga, with the most northernmost partially situated across the common boundary with 2981 State Highway 12.
- There are two existing vehicle crossings from SH12 that serve the existing kāinga.
- Three natural inland wetlands are located northwest of Development Area 02.
- Topography is generally flat and there is a powerline traverses the site from north to south.

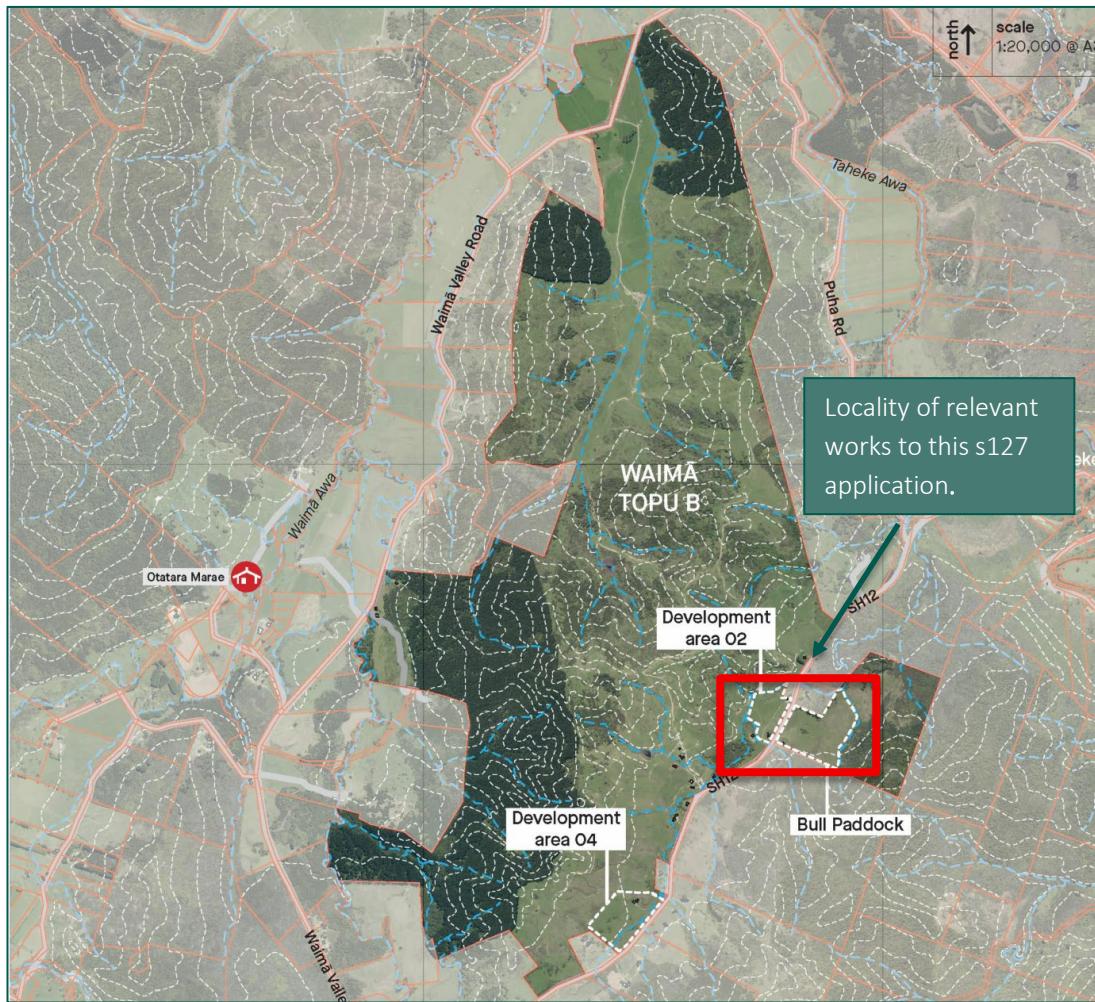


Figure 4: Development Area 02 (West).

3.2 Surrounding Locality

The surrounding area is predominantly rural in nature, with various rural lifestyle and rural production properties situated in the lowland and gently sloping terrain and areas of dense bush and forestry within the higher elevations and steep terrain. There are also a number of waterways within the wider area that flow to the Waimā River and eventually to the Hokianga Harbour to the northeast of the site.

In terms of the wider environment, the site is located within the area of Waimā and is served by the Kaikohe Town Centre which is an 18-minute drive from the application site. The town centre offers a range of services and amenities including eateries, convenience stores, health services, professional services, pharmacy and two supermarkets.

The site is also located in close proximity to a number of other amenities including Tuhirangi Marae, Otatara Marae, Moehau Marae, Taheke Marae, Te Kura O Waimā, the Waimā Forest, and Waimā settlement.

4.0 Proposal

Pursuant to Section 127 of the RMA a change of consent conditions (26, 29 & 30) to the original resource consent RC2250413, is proposed. The change of conditions to this consent enables the relocated kāinga within Site 00 to retain use of the existing vehicle crossing until such time that development will be undertaken within Development Area 02 (Sites 01 and 02) and to enable logical staging of ecological planting.

4.1 Proposed Changes to Consent Conditions

The proposed amendments to the conditions to provide for the changes set out above are set out below (deletions shown as ~~strikethrough~~ and additions as **bold underlined**) and enclosed as Appendix 4:

Ecological – All Stages

26. Within 6 Months of the occupation of the first residential unit at each stage and within an appropriate planting season, the consent holder must implement the riparian planting in accordance with the plans titled “1.01 Stage One and 2 Layout Plan and 1.02 Stage 3 Layout Plan” prepared by ĀKAU Studios. Planting must in accordance with the plan prepared under Condition 8 and evidence of compliance with this condition must be provided to Council in writing from a suitably qualified and experienced ecologist.

Advice note: This condition does not apply to Development Area 02 as all development is located outside of the 10m and 20m setback buffers that relate to earthworks, vegetation clearance and development.

Vehicle crossing Stage One

29. Prior to the occupation of the first house of the Bull Paddock within Stage One, the Consent Holder shall provide evidence to Council’s Resource Consent Engineer (planning_technicians@fndc.govt.nz), correspondence from the New Zealand Transport Agency that confirms that works in the constructed to New Zealand Transport Agency standards. In particular, that:

- a. ~~The vehicle crossing for Development Area 02 must be upgraded in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).~~
- b. The vehicle crossing for the Bull Paddock must be ~~upgraded~~ constructed in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).
- c. ~~The existing vehicle crossing located at 2981 State Highway 12 (NZTM 1657078.18, 6074262.4) must be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works must be consistent with the adjacent road reserve treatment, to the satisfaction of the New Zealand Transport Agency Network Manager.~~

29A. Prior to the occupation of the first house of Development Area 02 within Stage One, except as it relates to Site 00 as outlined below, the Consent Holder shall provide evidence to Council's Resource Consent Engineer (planning_technicians@fndc.govt.nz), correspondence from the New Zealand Transport Agency that confirms that works in the constructed to New Zealand Transport Agency standards. In particular, that:

- a. The vehicle crossing for Development Area 02 must be upgraded constructed in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).
- b. ~~The vehicle crossing for the Bull Paddock must be upgraded in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).~~
- c. The existing vehicle crossing located at 2981 State Highway 12 (NZTM 1657078.18, 6074262.4) must be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works must be consistent with the adjacent road reserve treatment, to the satisfaction of the New Zealand Transport Agency Network Manager. Except that the relocated house within Site 00 can continue to utilise the existing vehicle crossing until such time that the first house within either Site 01 or 02 of Development Area 02 is constructed and occupied as set out in condition 30.

30. Prior to the occupation of the ~~first~~ house within either in Stage One—Site 01 or Site 02 of Development Area 02, a new internal driveway must be formed from Site 01 to Site 00 to facilitate the access. Access should be obtained via the proposed vehicle crossing to Development Area 02.

5.0 Reasons for Consent

5.1 Operative Far North District Plan

A rules assessment against the relevant provisions is attached at **Appendix 5** and there are no new reasons for consent that have not already been addressed via RC2250413-RMALUC.

5.2 Section 127 to vary conditions

Variation to conditions of consent is a **discretionary activity** pursuant to Section 127 of the RMA.

The proposed changes are considered to be within the scope of the original resource consent as the proposal remains fundamentally the same in terms of the activity and scale, and does not have materially different adverse effects from that originally consented.

5.3 Activity Status

Overall, the application is for a **discretionary activity**.

6.0 Public Notification Assessment (Sections 95A, 95C and 95D)

6.1 Assessment of Steps 1 to 4 (Sections 95A)

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

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

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

The above does not apply to the proposal.

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

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

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

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

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

As noted under step 2 above, public notification is not precluded, and an assessment in accordance with section 95A is required, which is set out in the sections below. As described below, it is considered that any adverse effects will be less than minor.

6.1.4 Step 4: Public notification in special circumstances

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

Special circumstances are those that are:

- Exceptional or unusual, but something less than extraordinary; or
- Outside of the common run of applications of this nature; or
- Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

The proposed modifications are considered to be within the scope of the original application. The amendments to the consent conditions will not materially alter the approved development. Instead, the proposed variations retain the existing site conditions and vehicle crossing arrangements, with the purpose of the changes being to better align the development staging.

It is considered that there is nothing noteworthy about the proposal. It is therefore considered that the application cannot be described as being out of the ordinary or giving rise to special circumstances.

6.2 Section 95D Statutory Matters

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

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.

The land to be excluded from the assessment is listed in section 6.3 below.

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded.

It is considered that there is no permitted baseline that can be usefully applied in this case. However, the approved resource consents referred to in Section 2.1.1 above are part of the receiving environment against which any adverse effects from this proposal should be assessed.

- Trade competition must be disregarded.

This is not considered to be a relevant matter in this case.

- The adverse effects on those persons who have provided their written approval must be disregarded.

No persons have provided their written approval for this proposal.

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

6.3 Land Excluded from the Assessment

In terms of the tests for public notification (but not for the purposes of limited notification or service of notice), the adjacent properties to be excluded from the assessment are shown in **Figure 5** below, and include:

- (1) 2981 State Highway 12;

- (2) 2984 State Highway 12;
- (3) 2900 State Highway 12;
- (4) 2859 State Highway 12;
- (5) 2848 State Highway 12;
- (6) 2818 State Highway 12; and
- (7) 2795 State Highway 12.

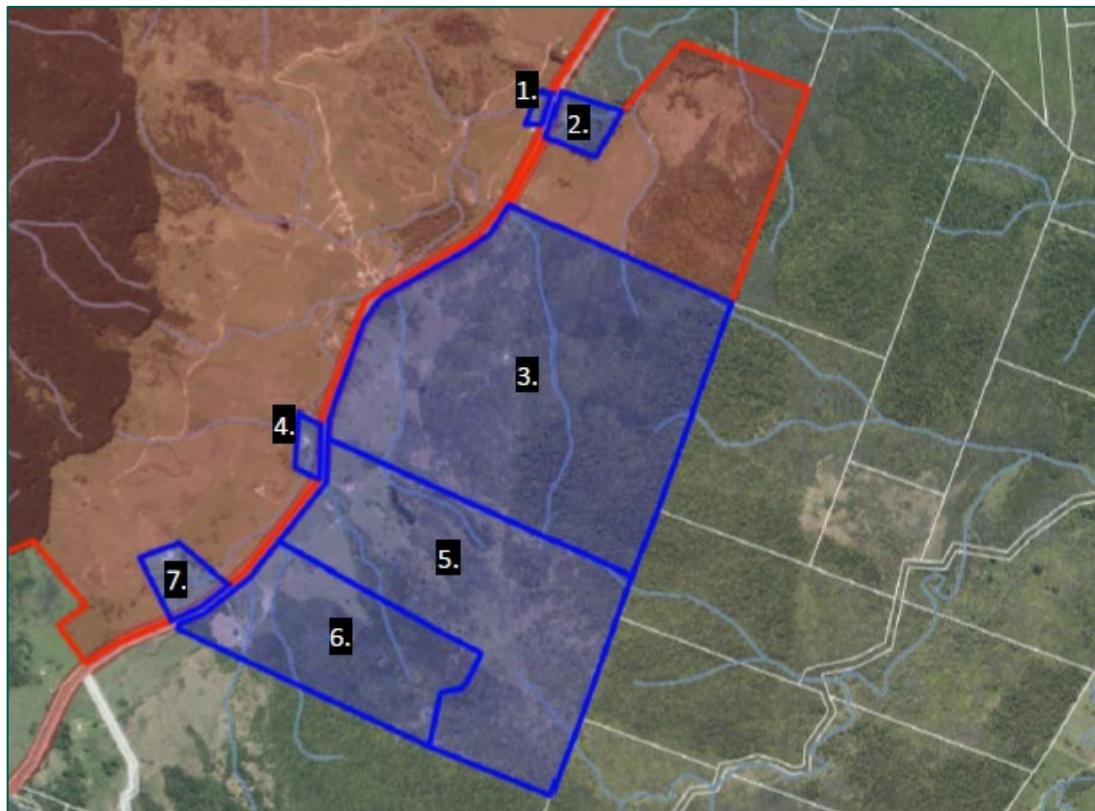


Figure 5: Adjacent properties in relation to subject site (source: Emaps).

6.4 Assessment of Effects on the Wider Environment

The following sections set out an assessment of wider effects of the proposal, and it is considered that effects in relation to the following matters are relevant:

- Rural character and amenity effects;
- Transportation; and
- Ecology.

These matters are set out and discussed below.

6.4.1 Rural Character and Amenity Effects

The proposed changes to the consent conditions will not result in any alteration to the physical bulk or location of the approved EUA's or residential units shown on the approved plans for RC2300211 and RC2250413. No amendments are sought to the approved layout or configuration

of EUA's, with the primary change relating solely the provision and timing of access and development and occupation within Development Area 02.

The proposed amendments enable development to be undertaken within Development Area 02 in a more logical and practical manner, while still ensuring vehicle access arrangements are safe and commensurate with the overall development outcomes approved at the site.

The proposal does not increase the overall scale or development capacity that is already approved by the underlying resource consent. For these reasons, it is considered that less than minor adverse effects on rural character and amenity.

6.4.2 Transportation

The proposal relates to amendments to the delivery of vehicle crossings, associated accessways, and related works. As a result of the proposed variation, the relocated kāinga will retain use of the existing vehicle crossing at 2981 SH 12 until such time that development is undertaken within Sites 01 and 02 of Development Area 02. The proposed amendments will allow Site 00 to continue to utilise the existing vehicle crossing, while ensuring that safe and suitable access arrangements are implemented at the time that traffic generation is anticipated to increase in association with the development and occupation if Sites 01 and 02.

No changes are proposed to the approved vehicle access layout or arrangements within the Bull Paddock.

The proposed variation does not introduce new activities that would increase traffic volumes or traffic intensity beyond what was previously assessed.

Taking account of the above, the existing environment and given the amendments sought still require future access to Development Area 02 to be via shared Diagram D vehicle crossing the adverse effects of the proposed amendments are considered to be negligible.

6.4.3 Ecological Effects

The proposal does not alter the layout or design of the ecological planting or the ecological features that were assessed and approved under resource consent RC2250413, for which adverse effects were assessed as negligible to less than minor in the context of the wider development. All buildings and impermeable surfaces will continue to be setback a minimum of 15 metres from wetland areas, in conjunction with the implementation of planted riparian buffers.

In relation to this application seeks clarify that Development Area 02 is exempt from the staging requirements for riparian planting as set out in Condition 26. This is on the basis that all development within Development Area 02 is located outside the approved 10 metre and 20 metre setback buffers that apply to earthworks, vegetation clearance, and development activities. This is reflected in the approved plans where it is shown that no riparian or enhancement planting is proposed for the wetlands located north of Development area 02.

The proposed variation does not fundamentally alter the ecological outcomes of the approved development. Rather, it seeks to clarify timing and delivery of ecological planting to better align with the staged construction and occupation of the residential units. The scale, extent, and intent of the approved ecological mitigation remain unchanged.

Accordingly, no additional adverse ecological effects are anticipated, and the proposed variation is considered to remain within the scope of the original consent. Overall, any adverse effects on ecological values are assessed as no more than less than minor.

6.5 Summary of Effects

As per Section 127(3)(b), the effects of the changes proposed when compared to the consent as granted are considered to be less than minor. Any adverse effects arising from the proposed change are therefore considered to be acceptable within the receiving environment.

Overall, it is considered that any adverse effects on the environment relating to this proposal will be less than minor.

6.6 Public Notification Conclusion

Having undertaken the section 95A public notification tests, the following conclusions are reached:

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

Therefore, based on the conclusions reached under steps 3 and 4, it is recommended that this application be processed without public notification.

7.0 Limited Notification Assessment (Sections 95B, 95E to 95G)

7.1 Assessment of Steps 1 to 4 (Sections 95B)

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

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

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

The above does not apply to this proposal.

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

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

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

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

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

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

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

Overall, it is considered that any adverse effects on persons will be less than minor, and accordingly, that no persons are adversely affected.

7.1.4 Step 4: Further notification in special circumstances

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

In this instance, having regard to the assessment in section 6.1.4 above, it is considered that special circumstances do not apply.

7.2 Section 95E Statutory Matters

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

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

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

These matters were addressed in section 6.2 above, and no written approvals have been obtained.

Having regard to the above provisions, an assessment is provided below.

7.3 Assessment of Effects on Persons

Wider effects, such as rural character and amenity, transportation and ecological effects were considered in section 6.4 above and considered to be less than minor.

Given the discreet nature of this s127 application with no physical changes to the original resource consent approval proposed, adverse effects on adjacent land area considered to be less than minor.

7.4 Limited Notification Conclusion

Having undertaken the section 95B limited notification tests, the following conclusions are reached:

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

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

8.0 Consideration of Applications (Section 104)

8.1 Statutory Matters

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a discretionary activity, section 104B of the Act states that a council:

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

8.2 Weighting of Proposed Plan Changes: Far North Proposed District Plan

The Far North Proposed District Plan (PDP) completed its hearing process in December 2025, with a decisions version anticipated to be released in early 2026.

For the purposes of this proposal, no additional rules are triggered or infringed, and the original application sought consent solely under the provisions of the ODP. While certain PDP provisions have immediate legal effect, including those relating to earthworks, indigenous biodiversity, and historical and cultural values, the proposal is able to comply with all relevant permitted activity standards that have immediate legal effect.

Under the PDP, the site is proposed to be zoned Māori Purpose – Rural. However, as no decisions version has been released at the time of preparing this application, and no new PDP rules are

triggered or infringed, the proposed amendments are limited to changes in consent conditions only. These changes are intended to better support the staging, development, and occupation of the approved papakāinga development within Development Area 02 and the Bull Paddock.

9.0 Effects on the Environment (Section 104(1)(A))

Having regard to the actual and potential effects on the environment of the activity resulting from the proposal, it was concluded in the assessment above that any wider adverse effects relating to the proposal will be less than minor and that no persons would be adversely affected by the proposal.

Further, it is considered that the proposal will also result in positive effects including, allowing improved staging of Development Area 02. This will enable Waimā Topu B to resolve the current boundary matters and new Licence to Occupy arrangements while ensuring future development will be served by safe and suitable access that does not compromise the overall safety and function of the State Highway.

Overall, it is considered that the proposal will have positive effects, and any actual and potential adverse effects on the environment of allowing the activity are less than minor.

10.0 District Plan and Statutory Documents (Section 104(1)(B))

10.1 Operative Far North District Plan

The ODP was made operative in part in 2007 and fully operative in 2009. Below is an assessment of the relevant objectives and policies to this application.

Of relevance to this application, Chapter 15 – Transportation is considered to be the most relevant. The objectives and policies seek to minimise the adverse effects of traffic through the provision of appropriate parking, access, and promotes the safe and efficient movement / circulation of vehicles and pedestrians.

This proposal is not considered to fundamentally change the overall access arrangements for the site, rather they enable timing of the new vehicle crossing to Development Area 02 to be timed and aligned with the introduction of new development approved by RC2250413.

Overall, the proposal is considered to be consistent with the objectives and policies of Chapter 15.

10.2 Summary

It is considered that the proposed development is generally in accordance with the objectives and policies of the ODP & PDP.

11.0 Part 2 Matters

While it is not necessary to take recourse to Part 2 given that it has already been incorporated into the ODP, we do so for completeness.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant ODP objectives and policies, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the Act.

12.0 Other Matters (Section 104(1)(C))

12.1 Record of Title Interests

The Record of Titles for the site are not subject to interests (refer **Appendix 1**) therefore, posing no effect to the resource consent application.

13.0 Conclusion

The proposal seeks a change to the conditions of resource consent RC2250413 to allow Stage One of the relocated kāinga to continue using the existing vehicle crossing and to enable a more logical staging of ecological planting. These amendments are intended to better facilitate the progressive staging of the approved papakāinga development at 2956 State Highway 12, Waimā.

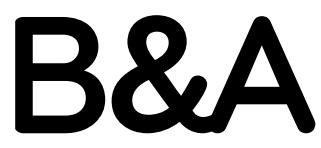
Based on the above report it is considered that:

- Public notification is not required as adverse effects in relation to rural character, building intensity, transportation and ecological effects are considered to be less than minor. There are also positive effects including enabling tangata whenua to re-establish connection with their whenua and provide for the social, economic and cultural needs of their community;
- Limited notification is not required as potential adverse effects in relation to amenity and reverse sensitivity have been appropriately managed to a level where no persons are considered adversely affected by the proposal;
- The proposal accords with the relevant ODP objectives and policies ; and
- The proposal is considered to be consistent with Part 2 of the Act.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that it can be granted on a non-notified basis.

Appendix 1

Record of Title



Urban & Environmental



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




R.W. Muir
Registrar-General
of Land

Identifier **NA52B/52**

Land Registration District **North Auckland**

Date Issued 08 April 1982

Prior References

NA52B/48

Estate Fee Simple

Area 688.8860 hectares more or less

Legal Description Waima Topu B Block

Registered Owners

Colin Fitzpatrick, Mihi Harris-Brown, Tiopira Desmond Piripi, Steven Raureti Merito, Myles Tait Hemara, James Richard Harding, Hemi (James) Sarich Toia and Jade Baker as responsible trustees jointly, no survivorship

Interests

6889303.1 Status Order determining the status of the within land to be Maori Freehold Land - 1.6.2006 at 9:00 am

9110084.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 2.7.2012 at 11:59 am

10177178.14 Forestry Right pursuant to the Forestry Rights Registration Act 1983 to Fortuna Forest Products Limited - 30.10.2015 at 2:29 pm



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

**Record(s) of Title**

NA52B/52

Identified as potentially Maori Freehold Land

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

Appendix 2

RC 2250413-RMALUC Decision

B&A

Urban & Environmental

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

Decision

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

Applicant: Waima Topu B (Ahuwhenua Trust)

Council Reference: 2250413-RMALUC

Property Address: 2907 State Highway 12, Kaikohe 0473

Legal Description: Waima Topu B Blks IV VIII Waoku SD

The activities to which this decision relates are listed below:

Proposal to undertake a papakainga development comprising 17 new exclusive use areas, 3 new entrances, accessways and associated works. Consent required for the following 8.6.5.4.2 Integrated Development on Maori freehold land, 12.7.6.1.2 setback from wetland, 12.7.6.1.4 wastewater discharge within 30m of a wetland, 15.1.6A.4.1. traffic intensity, and infringements to access standards (15.1.6C.1.1, 15.1.6C.1.3) and infringements to 12.4.6.1.2 Fire Risk to Residential Units. This is a discretionary activity

Conditions

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

General Accordance Conditions

1. The activity must be carried out in general accordance with the approved plans prepared by ĀKAU Studio Architecture referenced Module General Arrangement Layout, dated 20.02.2025, drawing number 1.01(Rev 8) and 1.02 (Rev 9), and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The activity must be carried out in general accordance with the recommendations of the Civil Suitability Report and Civil Drawings prepared by RS Eng Ltd dated 28 March 2025 and referenced 18837.
3. The activity must be carried out in general accordance with the recommendations of the Geotechnical Investigation Report prepared by RS Eng Ltd dated 20 December 2024 and referenced 18837.f

4. The activity must be carried out in general accordance with the recommendations of the Ecological Impact Assessment prepared by Bay Ecological Consultancy Ltd dated 20/02/2025.
5. The construction of buildings within individual exclusive use areas may be undertaken individually and in any order within a stage, provided that the relevant access, infrastructure and ecological enhancement conditions for that stage have been complied with.

Prior to commencing works – All Stages

6. Prior to the commencing of any physical site works, a construction management plan must be submitted to rcmonitoring@fndc.govt.nz and approved by Councils monitoring officer. The plan must contain information on, and site management procedures, for the following:
 - i. The timing and duration of building demolition and construction works, including hours of work, key project and site management personnel.
 - ii. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials.
 - iii. The excavation and earthworks, including retaining structures and any necessary dewatering facilities, prepared by a suitably qualified engineer.
 - iv. Control of dust and noise on-site and any necessary avoidance or remedial measures.
 - v. Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
 - vi. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers, pedestrians and other users of the Road.
 - vii. Erosion and sediment control measures to be in place for the duration of the works.
 - viii. All construction works on the site are to be undertaken in accordance with the approved construction management plan.
7. Prior to the commencing of any physical site works, the consent holder must submit plans & details of the vehicle crossings and shared internal accessways of each Development Area for the approval of Council's Resource Consent Engineer or delegate planning_technicians@fndc.govt.nz. In particular, the plans and details must show:
 - a) Formed and concreted vehicle crossing to each Development Area from State Highway 12 to the boundary of the site and must be designed in general accordance with the recommendations in the Traffic Report prepared by Engineering Outcomes Report, dated 29 April and the New Zealand Transport Agency - Waka Kotahi Accessway standards and guidelines as follows:
 - i) Development Area 02 (West) designed in accordance with Diagram D standard.
 - ii) Development Area 02 (East) / Bull Paddock designed in accordance with Diagram D standard; and
 - iii) Development Area 04 designed in accordance with Diagram D standard.
 - iv) Internal accessway long sections and cross sections
 - v) Signage, road marking and streetlight details
 - vi) Details of drainage associated with the crossings and internal accessways

8. Prior to the commencement of works authorised by this consent, The applicant must provide a detailed Revegetation, Pest & Weed Management Plan by a suitably qualified Ecologist for the certification by the council's monitoring officer rcmonitoring@fndc.govt.nz. The Plan must address the restoration and enhancement of the wetlands generally as proposed in the Ecological Assessment prepared by Bay Ecological Consulting dated 20 February 2025. The Plan must detail species and numbers, eco-sourcing of plants, fencing, management of biosecurity and plant diseases, ongoing maintenance and monitoring for a minimum of 5 years, pest weed control, and pest animal control, species within 20m of the proposed residential units must be low flammability species.
9. Prior commencement of any earthworks on site, an Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified and experienced person, and a copy must be made available to Councils Resource Consents Monitoring Officers rcmonitoring@fndc.govt.nz on request. The ESCP must reference the recommendations of the Civil Suitability Report compiled by RS Eng dated 28 March 2025 and submitted with the application. If the works are to be staged, the provision of the ESCP can be submitted for all development areas or by stage.
10. Prior to the commencement of earthworks for all Stages, Erosion and Sediment Controls must be installed (including earthworks required for the construction of erosion and sediment controls) in accordance with condition 9 and the GD05 'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region'. The installation of all erosion and sediment controls must be supervised by an appropriately qualified and experienced person. The Consent Holder must provide to the Council's monitoring officer rcmonitoring@fndc.govt.nz. certification from the appropriately qualified and experienced person who supervised the installation of the erosion and sediment controls that they have been installed in accordance with the requirements of GD05.
11. Prior to the commencement of works authorised by this consent, the consent holder must erect an exclusion fence between wetlands within the relevant Stage and any works area, including earthworks and must remain in place until the completion of all works are complete. The purpose of the exclusion fence is to exclude construction machinery or spoil from accidental incursion to the wetlands and to protect the wetland from the effects of earthworks, including excavation and overfilling. No work can be carried out within the protected area and no building or fill materials must be stored or placed within the protected area, either on a temporary or permanent basis. The consent holder must provide evidence of the exclusion fence to Council's monitoring officer rcmonitoring@fndc.govt.nz.
12. Prior to commencement of physical site works, the consent holder must arrange for buried services to be located and is also responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.

During Construction – general all stages

13. All earthworks must be undertaken in general accordance with the recommendations made within the report titled "Geotechnical Investigation Report" prepared by RS Eng Ltd dated December 2024 and must be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting either the site or adversely affecting any

neighbouring properties. In the event that such collapse or instability does occur, it must immediately be rectified.

14. All consented earthworks to be undertaken on the site must be supervised by an appropriately qualified and experienced person. The Council is to be advised in writing of the appointment of the engineer and notified when work is to commence, and when it has been completed. Notification can be sent to Councils Resource Consent Engineer planning_technicians@fndc.govt.nz.
15. During construction, all existing vegetation cover down slope of the proposed earthworks must be retained to facilitate the filtering of silt from the stormwater runoff. All exposed surfaces must be covered with aggregate or mulch to suppress dust and prevent erosion. The consent holder is to ensure that stormwater diversion and silt control measures are in place prior to the commencement of bulk earthworks.
16. Dust nuisance must be controlled onsite during construction (by use of a water cart or similar) by the applicant so as not to cause "offensive or objectionable" dust at or beyond the boundary of the Resource Consent.
17. Any debris deposited on public roads as a result of the development must be removed by or at the expense of the applicant.
18. All storage of materials and loading and unloading of equipment and plant associated with the development must take place within the site boundaries unless otherwise approved by Council.
19. The consent holder must be responsible for any repairs and reinstatement required of the State Highway 12 carriageway and roadside drain damaged as a result of works associated with the development. Such works, where required, must be completed to the satisfaction of the New Zealand Transport Agency - Waka Kotahi.
20. The consent holder must ensure that spoil from the site is not tracked out onto Council or State Highway Road formations or must be removed if this occurred to the satisfaction of the Council Resource Consent Engineer or New Zealand Transport Agency - Waka Kotahi.

Water supply – All Stages

21. Prior to occupation of any residential unit within each individual exclusive use area, the consent holder must install potable water tanks in general accordance with the recommendations of the report titled "Civil Suitability Report" prepared by RS Eng Ltd. (All Stages).
22. In conjunction with the building consent for a papakāinga housing unit, and in addition to a potable water supply, the consent holder must provide suitable water storage for firefighting water supply in accordance with SNZ PAS 4509:2008. Alternative firefighting water supplies must be approved in writing by a delegated representative of Fire and Emergency NZ prior to issuing of the building consent. (All Stages)

Stormwater – All Stages

23. Prior to the occupation of the first unit of each exclusive use area, Stormwater treatment will be required for runoff from accessways and paved surfaces. The treatment must be provided by grass lined swale drains running parallel to the proposed accessways in accordance with the stamped approved plans in condition 1. (All Stages) Evidence of the

treatment must be supplied to Council's Resource Consent Engineer or delegate planning_technicians@fndc.govt.nz.

24. Prior to the occupation of the first unit for Area 02 (North of SH12) & Area 04 - Stormwater from the papakainga in these areas must be discharged to ground via dispersal structures or the roadside water table drains.

Note discharge from the roadside water table drains to the SH 12 corridor may need approval from NZTA.

Wastewater – All Stages

25. In conjunction with the Building Consent application, Wastewater treatment systems and disposal fields for each exclusive use areas must be designed by a suitably qualified and experienced person in accordance with the recommendations made within the report titled "Civil Suitability Report" prepared by RS Eng Ltd. Details of the individual wastewater systems must be provided to Councils Resource Consent engineer or delegate planning_technicians@fndc.govt.nz. (All Stages)

Note:

- a) Individual wastewater systems that will exceed a daily discharge volume of 2m³/day will require FNDC wastewater discharge permits prior to installation of the systems*
- b) Individual wastewater systems that will exceed a daily discharge volume of 3m³/day will require NRC wastewater discharge permits prior to installation of the systems*

Ecological – All Stages

26. Within 6 Months of the occupation of the first residential unit at each stage and within an appropriate planting season, the consent holder must implement the riparian planting in accordance with the plans titled "1.01 Stage 1 and 2 Layout Plan and 1.02 Stage 3 Layout Plan" prepared by ĀKAU Studios. Planting must in accordance with the plan prepared under Condition 8 and evidence of compliance with this condition must be provided to Council in writing from a suitably qualified and experienced ecologist.
27. Prior to occupation of first residential unit at each stage, the riparian buffers must be fenced bordering the EUA (Exclusive use areas) as an effective visual demarcation to avoid inadvertent ingress and damage over time. As stock exclusion will no longer be required an appropriate design may take the form of driven posts with as little as 2 wires in the majority of areas. Continued grazing to the rear of all stages will necessitate stockproof fencing at these boundaries. Evidence of fencing must be provided to Council's Resource Consents Monitoring Officers rcmonitoring@fndc.govt.nz.
28. The site is identified as being within a kiwi present zone. If any owners or occupiers of or visitors to any of the lots keep or introduce onto the land any carnivorous animal (including dogs or cats) they must be kept inside and/or tied up at night. This is to reduce the risk of predation of North Island brown kiwi by domestic cats and dogs.

Vehicle crossing stage 1

29. Prior to the occupation of the first house of stage 1, the Consent Holder shall provide evidence to Councils Resource Consent Engineer (planning_technicians@fndc.govt.nz), correspondence from the New Zealand Transport Agency that confirms that works in the

State Highway, including the upgrading and closure of the vehicle crossings, have been constructed to New Zealand Transport Agency standards. In particular, that:

- a. The vehicle crossing for Development Area 02 must be upgraded in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).
- b. The vehicle crossing for the Bull Paddock must be upgraded in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).
- c. The existing vehicle crossing located at 2981 State Highway 12 (NZTM 1657078.18, 6074262.4) must be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works must be consistent with the adjacent road reserve treatment, to the satisfaction of the New Zealand Transport Agency Network Manager.

30. Prior to the occupation of the first house in stage 1, A new internal driveway must be formed from Site 01 to Site 00 to facilitate the access. Access should be obtained via the proposed vehicle crossing to Development Area 02.

Vehicle crossing – Stage 3

31. Prior to the occupation of the first house of Stage 3, the Consent Holder shall provide evidence to Councils Resource Consent Engineer (planning_technicians@fndc.govt.nz), correspondence from the New Zealand Transport Agency confirming that works in the State Highway, including the upgrading and closure of the vehicle crossings, have been constructed to New Zealand Transport Agency standards. In particular, that:

- d. The vehicle crossing for Development Area 04 must be upgraded in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).
- e. The existing vehicle crossing located at 2843 State Highway 12 (NZTM 1657095.5, 6074253.4) must be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works must be consistent with the adjacent road reserve treatment, to the satisfaction of the New Zealand Transport Agency Network Manager.

Access drainage – Stage 1

32. Prior to the occupation of the first house of exclusive use area stage 1, The consent holder must form an all-weather surfaced accessway and drainage to Site 00.

33. Prior to the occupation of the first residential unit on Site 01 or Site 02 the common access way, as shown on the plan titled “C10 AREA 2 - INTERSECTION LAYOUT” prepared by RS Eng Ltd, must be formed, with an all-weather surface, and drained. (Stage 1).

34. Prior to the occupation of the first residential unit within Sites 03-08 within Stage 1:

- a) The common access way, as shown on the plan titled “C11 AREA 2, ROAD 1 - LONGITUDINAL SECTION” prepared by RS Eng Ltd, must be formed, with an all-weather surface, and drained.
Note: This condition includes the 9.5m radius cul-de-sac head.

35. Prior to the occupation of the first residential unit on Site 07 or 08 the common access way, must be formed, with an all-weather surface, and drained up to the vehicle access point for that exclusive use area. (Stage 1)

36. On completion of the construction of the vehicle crossings and internal accessways, a Producer Statement (PS3 certificate) from the contractor must be provided to Councils Resource Consent engineer or delegate (planning_technicians@fndc.govt.nz) to confirm that the works on the vehicle crossings and internal accessways have been constructed in accordance with the approved plans.

Access drainage – Stage 2

37. Prior to the occupation of the first residential unit within any exclusive use area within Stage 2 the common access way, as shown on the plans titled “C11 and C12 AREA 2, ROAD 1 - LONGITUDINAL SECTION” prepared by RS Eng Ltd, must be formed, with an all-weather surface, and drained up to the vehicle access point for that exclusive use area.(Stage 2)
38. Prior to undertaking any earthworks associated with formation of the common accessway required, the consent holder must construct the upgraded stream crossing in accordance with the plan titled “C13 CULVERT LONGITUDINAL SECTION” and accompanying report titled “Civil Suitability Report” prepared by RS Eng Ltd. (Stage 2).

Note: The culvert construction works must not commence prior to Northland Regional Council approval being obtained

39. On completion of the construction of the vehicle crossings and internal accessways, a Producer Statement (PS3 certificate) from the contractor must be provided to Councils Resource Consent engineer or delegate planning_technicians@fndc.govt.nz to confirm that the works on the vehicle crossings and internal accessways have been constructed in accordance with the approved plans.

Access Drainage – Stage 3

40. Prior to the occupation of the first residential unit within any exclusive use area within Stage 3 the consent holder must construct the upgraded stream crossing in accordance with the plan titled “C07 CULVERT LONGITUDINAL SECTION” and accompanying report titled “Civil Suitability Report” prepared by RS Eng Ltd. (Stage 3)
Note: The culvert construction works must not commence prior to Northland Regional Council approval being obtained
41. Prior to the occupation of the first residential unit within any exclusive use area within Stage 3, the consent holder must form, with an all-weather surface, and drain the accessway for the existing dwelling in Stage 3, as shown on the plan titled “AREA 4, ROAD 2 - LONGITUDINAL SECTION” prepared by RS Eng Ltd, following the completion of the Stage 3 vehicle crossing.
42. Prior to the occupation of a residential unit within any exclusive use area within Stage 3 the common access way, as shown on the plan titled “C05 AREA 4, ROAD 1 - LONGITUDINAL SECTION” prepared by RS Eng Ltd, must be formed, with an all-weather surface, and drained up to the vehicle access point for that exclusive use area. (Stage 3)
43. On completion of the construction of the vehicle crossings and internal accessways, a Producer Statement (PS3 certificate) from the contractor must be provided to Councils Resource Consent engineer or delegate planning_technicians@fndc.govt.nz to confirm that the works on the vehicle crossings and internal accessways have been constructed in accordance with the approved plans.

Access name – All Stages

44. The consent holder must provide evidence that an access name along with two alternatives have been provided to the Community Board for approval. Access names will be required for accessways on Stage 1 (Area 2, Road 1) and Stage 3 (Area 4, Road 1) as shown on the RS Eng Civil Suitability Report dated 28 March 2025. The applicant is advised that in accordance with Community Board policy, road names should reflect the history of the area.

*Note: Please refer to the road naming policy and guidelines available on Council's website:
<https://www.fndc.govt.nz/Services/Transport/roads/Road-naming-and-renaming>*

45. The consent holder must provide evidence that road name signs for the internal accessways in the condition above have been installed to the satisfaction of the New Zealand Transport Agency - Waka Kotahi to Councils Resource Consent engineer or delegate planning_technicians@fndc.govt.nz.

General access – All Stages

46. No planting with a potential height of 1.2m, fencing greater than 1.2m, or any buildings greater than 1.2m must be erected on the site within the area identified as a 'Complying Sightline' on the plans titled "Area 2 Land Impact Plan Sightlines" and "Area 4 Land Impact Plan Sightline" prepared by Engineering Outcome Limited dated 17 February 2025.

47. Vegetation trimming within the area identified as a 'Complying Sightline' on the plans titled "Area 2 Land Impact Plan Sightlines" and "Area 4 Land Impact Plan Sightline" prepared by Engineering Outcome Limited dated 17 February 2025 shall be undertaken on a regular basis in perpetuity to ensure continued visibility and safety to the satisfaction of Councils monitoring team.

Papakāinga Exclusive use areas - All Stages

48. The construction of buildings within individual exclusive use areas may be undertaken individually and in any order within a stage, provided that the relevant access, infrastructure and ecological enhancement conditions for that stage have been complied with.

49. Exclusive use areas approved under this consent must not have more than two residential units as defined by the Operative Far North District Plan 2009.

Advice Note: Residential Unit is defined by the Operative Far North District Plan 2009 as "A building, a room or a group of rooms, used, designed or intended to be used by one or more persons as a self-contained single, independent and separate household. Any accessory building providing sleeping accommodation and bathroom facilities but no cooking or dishwashing or laundry facilities will be treated as forming part of a residential unit / dwelling."

50. Without prior written approval from Council, exclusive use areas approved under this consent must not have impervious areas exceeding 15%.

51. Exclusive use areas approved under this consent must not have a building coverage exceeding 12.5% without prior written approval from Council. (All Stages)

52. No building within an approved exclusive use area must be located within an overland flow path identified within the report titled "Civil Suitability Report" prepared by RS Eng Ltd.

53. No building within approved exclusive use areas Sites 06-17 must exceed the maximum approved building envelopes specified below within their respective exclusive use area as shown on the plans titled “1.01 Stage 1 and 2 Layout Plan” and “1.02 Stage 3 Layout Plan” prepared by ĀKAU Studios.

- Building height: The maximum height of any building must be 8m;
- Sunlight: No part of any building must project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any exclusive use boundary;
- Boundary Setback: No building must be erected within 3m of any exclusive use boundary; and
- d. Wetland Setback: No building must be erected within 20m of any mapped wetland as shown on the plans titled “1.01 Stage 1 and 2 Layout Plan” and “1.02 Stage 3 Layout Plan” prepared by ĀKAU Studio

Advisory Clauses

- 1 The Consent Holder must pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring, inspection and supervision charges relating to the conditions of this resource consent. The applicant will be advised of the charges as they fall.*
- 2 Any work activity, excavation and non- excavation carried out in the State Highway 12 road reserve, must lodge formal notice if intention to carry out Works, in the form of a Corridor Access Request, submitted to the NZTA Corridor Manager for Approval.*
- 3 A Corridor Access Request (CAR) is an application for a permit to carry out works within the road reserve, this is defined in the National Code of Practice for Utilities access to the transport Corridors and has been adopted by Council.*
- 4 A Traffic Management Plan (TMP) must be uploaded with the CAR submission, describing the proposed works, design, setup, and removal of any activity being carried out within the road Reserve. A Work Access Permit (WAP) and reasonable conditions will be issued once the TMP is Approved.*
- 5 Permits are required for drilling any bores in Northland. Therefore, resource consent will need to be gained from the Northland Regional Council if water is obtained in this way. If a bore is to be constructed, all areas used for sewage effluent disposal and reserve effluent disposal areas must be at least 20 metres away from any groundwater bore.*
- 6 Building Consents may be required for retaining structures.*
- 7 Council policy prohibits the building of any structure over an existing water/sewer/stormwater reticulation main.*
- 8 All earthworks are required to comply with the Northland Regional Council Regional Water and Soil Plan for Northland noting Erosion & sediment control and dust suppression requirements.*
- 9 Archaeological sites are protected pursuant to the Heritage NZ Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the Heritage New Zealand Pouhere Taonga (HNZPT). Should any site be inadvertently uncovered, the procedure is that work should cease, with the HNZPT and local iwi*

consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains).

- 10 *The installation of the culvert within the stream bed shown as Area 2, Road 1 Culvert Longitudinal Section on the RS Eng drawing C13 (Rev C) dated 24/03/2025 must be undertaken in accordance with the conditions of the Northland Regional Council Consent referenced "AUT.046579.01.01 Place and use culvert in the bed of a stream within 10 metres of a natural inland wetland."*
- 11 *Prior to commencing construction, the consent holder must provide a copy of the Northland Regional Council consent for the installation of new stormwater culverts within existing watercourses/streams as shown on the RS Eng engineering drawings Sheets C07 and C13. This must be submitted to rcmonitoring@fndc.govt.nz.*
- 12 *In conjunction with the construction of any new building requiring a building consent, or any development where the impermeable surface coverage exceeds the permitted coverage of the net exclusive use area, the lot owner must submit for the approval of Councils Resource Consents Engineer or other designate a stormwater management and attenuation report, such that post-development runoff flows from the site are no greater than the flows that would result from the total permitted impermeable coverage for the respective EUA for a 10% and 1% AEP storm event plus an allowance for climate change. The report is to be prepared by a Chartered Professional Engineer or other suitably qualified person in accordance with the FNDC Engineering Standards for the approval of Council's resource consent engineer or designate (planning_technicians@fndc.govt.nz).*
- 13 *For secondary treatment wastewater systems, it's recommended that the wastewater disposal area or reserve area within an approved exclusive use area is not located within 15 metres of any mapped wetland. Refer to the plans titled "1.01 Stage 1 and 2 Layout Plan" and "1.02 Stage 3 Layout Plan" prepared by ĀKAU Studios (All Stages) for wetland locations. Any reduction in the setback distance greater than the 15 metres approved by this consent may require further resource consent approval.*
- 14 *For primary treatment wastewater systems, it's recommended that the wastewater disposal area or reserve area within an approved exclusive use area is not located within 20 metres of any mapped wetland. Refer to the plans titled "1.01 Stage 1 and 2 Layout Plan" and "1.02 Stage 3 Layout Plan" prepared by ĀKAU Studios (All Stages) for wetland locations: Any reduction in the setback distance greater than the 15 metres permitted by this consent may require further resource consent approval.*

Advice Notes

Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 10 years after the date of commencement of consent unless, before the consent lapses;
 - a) The consent is given effect to; or
 - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

Right of Objection

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

Archaeological Sites

3. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed in Chapter 8, 12 and 15 are of particular relevance.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:

Rural Character, Amenity & Building Intensity:

- The proposed density of up to 34 units is significantly less than the permitted density of 57 dwellings for the 688.9 ha site under the ODP Rural Production Zone.
- The clustered layout aligns with traditional papakāinga principles, fostering multi-generational living and community interaction.
- Dwellings are sensitively positioned away from State Highway 12, utilising existing wetlands and vegetation for natural setbacks, thereby preserving rural landscape character.

- Architectural design, including single-storey height and smaller footprints (65m² or 138m²), minimises building intensity and avoids dominance.
- Proposed dwellings fully comply with external boundary bulk and location requirements (except for the 1 unit per 3000m² density rule for papakāinga, which is addressed by the overall site density).
- The Outstanding Landscape overlay and statutory acknowledgement area is not affected, as exclusive use areas are outside this zone.

Overall effects on rural character, amenity, and building intensity are considered acceptable.

Ecological Effects:

- Natural inland wetlands on site have been identified and assessed. While some indicative wastewater fields infringe the ODP 30m wetland setback, a condition will ensure a 15m setback from mapped wetlands, which is more restrictive than the proposed Northland Regional Plan's requirement for secondary/tertiary treated wastewater.
- Riparian planting and fencing are committed around all wetlands for protection and enhancement.
- No indigenous flora or fauna will be removed, nor will wetlands be disturbed during earthworks.
- Comprehensive erosion and sediment controls will be in place during earthworks.

Overall adverse ecological effects on wetlands and biodiversity are considered less than minor.

Transport Effects:

- Despite exceeding the permitted traffic intensity factor, the Traffic Impact Assessment (TIA) concludes traffic generation will be lower due to the papakāinga kaupapa (self-sufficiency, ride-sharing). The additional traffic movements are not expected to cause significant congestion on SH12.
- NZTA Waka Kotahi has provided written approval for the new vehicle crossings and closures, and conditions ensure appropriate upgrades and closures to maintain traffic safety.
- Sightlines have been assessed by a traffic engineer and are deemed acceptable, ensuring road safety.
- Internal access breaches (reduced width/no passing bays) are considered less than minor given the flat contour allows for safe manoeuvring and are internal to the site.

Servicing:

- Engineering reports demonstrate that the site can be adequately serviced.

Natural Hazards:

- Buildings are located outside the 1% Annual Exceedance Probability (AEP) floodplain, with finished floor levels (FFLs) set at least 0.5m above existing ground, complying with NZ Building Code.
- No exacerbation of flooding or natural hazard risk to the wider environment is expected. In terms of fire risk, mitigation measures have been proposed such as low

flammable species within 20m of dwellings and the provision of suitable water storage for firefighting water supply.

Earthworks, Noise and Construction Effects:

- Proposed earthworks are within permitted criteria (<5000m³).
- Effects are temporary and short-lived, with mitigation measures (erosion/sediment control, noise/dust management) managed by consented conditions.
- Overall effects are considered less than minor.

Highly Productive Land (HPL):

- The proposal is located on LUC3 Māori land and meets exemptions for "inappropriate use" under NPS-HPL (clause 3.9(c), (d), and (e)) due to its alignment with section 6(e) heritage values, specified Māori land, and support for indigenous biodiversity restoration.
- Design avoids loss of productive soils, is sited within existing natural features, and maintains separation to prevent reverse-sensitivity effects on surrounding primary production.
- The proposal gives effect to Objective 2.1 and Policies 8 & 9 of the NPS-HPL.
- Overall effects on HPL are considered less than minor.

The proposal will also result in positive effects, including enabling whānau to re-establish connection with their whenua and provide for the social, economic and cultural needs of their community. The Ecological enhancement of ecological features within the site, including historically degraded natural inland wetlands through implementation of enhancement planting and on-going protection.

4. In regard to section 104(1)(ab) of the Act protection and enhancement of two existing wetlands as offsetting or environmental compensation measures have been offered by the applicant.
5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
 - a. National Environmental Standards,
 - b. National Policy Statement,
 - c. Northland Regional Policy Statement 2016,
 - d. Operative Far North District Plan 2009,
 - e. Proposed Far North District Plan 2022

National Policy Statement for Freshwater Management 2020 (NPS-FM)

The proposal aligns with the National Policy Statement for Freshwater Management 2020 (NPS-FM) by prioritising the health and well-being of water bodies and freshwater ecosystems. This has been achieved through the assessment and classification of all watercourses within the site boundaries, leading to the identification and delineation of natural inland wetlands for long-term protection. The papakāinga development is designed to "nestle around" existing streams and wetland features, enabling whānau to reconnect with their whenua and supporting their social, economic, and cultural well-being. Furthermore, the proposal accords with Policy 6 of the NPS-FM, which aims to prevent further loss of natural inland wetlands, protect their values, and promote their restoration. An ecological assessment confirmed two natural inland

wetlands within the papakāinga extent, and no earthworks or development are proposed within a 10m setback of these wetlands. Works within 100m are not considered to result in partial or complete drainage of the wetlands.

National Policy Statement for Highly Productive Land

The proposal aligns with the National Policy Statement for Highly Productive Land 2022 (NPS-HPL). Although located on LUC 3 land, identified as Highly Productive Land, it's considered an appropriate use due to exemptions for Māori land and its purpose of enhancing cultural values (Section 6(e) RMA) and indigenous biodiversity. The design ensures no loss of productive capacity and avoids reverse sensitivity, giving effect to the NPS-HPL's objectives and policies.

National Policy Statement for Indigenous Biodiversity

The proposal aligns with the NPS-IB's relevant provisions as it will not require the clearance of indigenous vegetation or result in a loss of indigenous biodiversity or habitat. Therefore, the proposal accords with the NPS-IB.

Northland Regional Policy Statement (RPS)

Northland Regional Policy Statement (RPS), a guiding document for managing natural and physical resources across the region.

- Ecological Flows and Biodiversity (3.3 & 3.4): The development ensures permanent protection and enhancement of all ecological features within the papakāinga, safeguarding ecosystem processes, indigenous species, and freshwater. It will maintain the extent and diversity of indigenous ecosystems and habitats.
- Regional Form (3.11): The design comprehensively integrates infrastructure, transport, and residential development into the site's natural landform and ecological features, contributing to a sustainable built environment.
- Tangata Whenua Role (3.12): The proposal enables whānau to live and utilise their whenua, explicitly recognising and providing for the tangata whenua kaitiaki role in decision-making over natural and physical resources.
- Protecting Significant Ecological Areas (4.4.1): Watercourses, natural inland wetlands, and other ecological features have been identified and delineated, and the proposal ensures their protection and enhancement, mitigating potential adverse effects and giving effect to this policy.
- Planned and Coordinated Development (5.1.1): The development is designed in a planned and co-ordinated manner, addressing cumulative effects, integrating necessary infrastructure (transportation, water, wastewater, stormwater), and avoiding incompatible land uses and reverse sensitivity. It maintains the sense of place and character of the surrounding rural environment.
- Marae and Papakāinga (8.3.2): The proposal, being for papakāinga housing, is directly relevant to this policy, as it enables the ongoing use and development of papakāinga, which regional and district councils are directed to recognise for their historical, cultural, and social importance.

Operative Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan because

- Indigenous Flora and Fauna Chapter (12.2) objectives and policies, which aim to maintain and enhance ecosystems and indigenous biodiversity, are given effect as the proposal will not result in the loss of any indigenous flora and fauna, and proposed landscaping is designed for environmental enhancement.
- Soils & Minerals Chapter (12.3) objectives are met, as excavation and filling for access, are minimised and temporary effects will be managed through best practice erosion and sediment controls, thereby maintaining the life-supporting capacity of soils.
- Natural Hazards (Chapter 12.4), the proposal aligns with objectives to reduce threats. While flood hazards are identified on the subject site, they are not within the proposed papakāinga area.
- Heritage Chapter (12.5) objectives and policies are also given effect, as the site is not identified as containing heritage sites, areas of significance to Māori, or registered archaeological features under the FNDP. An Accidental Discovery Protocol (ADP) will manage any unidentified archaeology during construction.
- Lakes, Rivers, Wetlands and the Coastline Chapter (12.7) objectives and policies, which seek to avoid, remedy, or mitigate adverse effects on riparian margins, rivers, lakes, and wetlands, are supported. The applicant proposes to protect all streams and wetlands within the papakāinga area, with enhancement riparian planting and fencing to improve water quality.
- Chapter 15 – Transportation, the proposal aligns with objectives and policies that aim to minimise adverse traffic effects and promote safe movement. A Traffic Impact Assessment confirms that proposed access to the site is safe and efficient and does not compromise the safety and efficiency of State Highway 12.
- Rural Environment – Rural Production Zone, the proposal achieves Objective 8.6.3.2 by maintaining the productive function of the site while providing housing and community development that supports the social and cultural well-being of tangata whenua and re-establishes their connection with the land. Policies 8.6.4.1, 8.6.4.7, and 8.6.4.8, which manage adverse effects and avoid conflicting land uses, are met through the integrated design and location of exclusive use areas, ensuring appropriate separation of activities and efficient land use. The proposal's scale and intensity are considered appropriate for the zone, and reverse sensitivity and land use incompatibility effects are not expected to arise. Overall, the proposal is consistent with the anticipated outcomes of the Rural Production Zone.

Proposed Far North District Plan

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

The proposal strongly aligns with the objectives and policies of the Far North Proposed District Plan (PDP), particularly those within the Tangata Whenua chapter (10.6.1), Strategic Direction (10.6.2), and the Māori Purpose Zone (10.6.3). The Tangata

Whenua chapter seeks to establish strong partnerships, protect cultural heritage, and enhance tangata whenua well-being by promoting development on Māori land. The proposed papakāinga development is consistent with these aims by enabling tangata whenua to strengthen their mana whenua through the occupation and use of ancestral land, and by contributing to their economic, social, and cultural well-being through residential land use on Māori Freehold Land. The proposal, a hapū-led initiative providing papakāinga housing, gives effect to Objective SD-SP-02, which supports the well-being of tangata whenua. Furthermore, the objectives and policies of the Māori Purpose Zone, aimed at ensuring its viability for future generations and enabling social, cultural, and economic development opportunities, are supported. The proposal aligns by fostering the ongoing occupation and development of ancestral Māori land, providing affordable housing solutions with positive economic and social effects, allowing continued farming on the remainder of the site, and demonstrating an appropriate scale, design, and layout. It is confirmed to be appropriately serviced, and its effects on the surrounding road network and indigenous biodiversity values are assessed as less than minor, with wetland restoration planting proposed.

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

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

Approval

This resource consent has been prepared by Nikki Callinan, Senior Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



Name: Pat Killalea

Date: 29th July 2025

Title: Independent Commissioner



ÄKAU

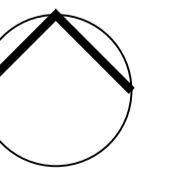
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Drawing Title:
Stage 1 and 2 Site Plan

Drawing Number: 0.01 Revision: 5

Issued for:
Resource Consent













Exclusive Use Areas and anticipated occupation

Stage 3

Site 13
3005m² exclusive use area

Site 14
3012m² exclusive use area

Site 15
3071m² exclusive use area

Site 16
3070m² exclusive use area

Site 17
3035m² exclusive use area

1.12	20.02.25	4
1.12	28.01.25	3
1.12	14.01.25	2
1.12	19.11.24	1

No. Date Revision

ĀKAU

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Waimā Topu B Papakāinga

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Drawing Title:

Stage 3 Staging Plan

Drawing Number:

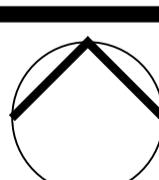
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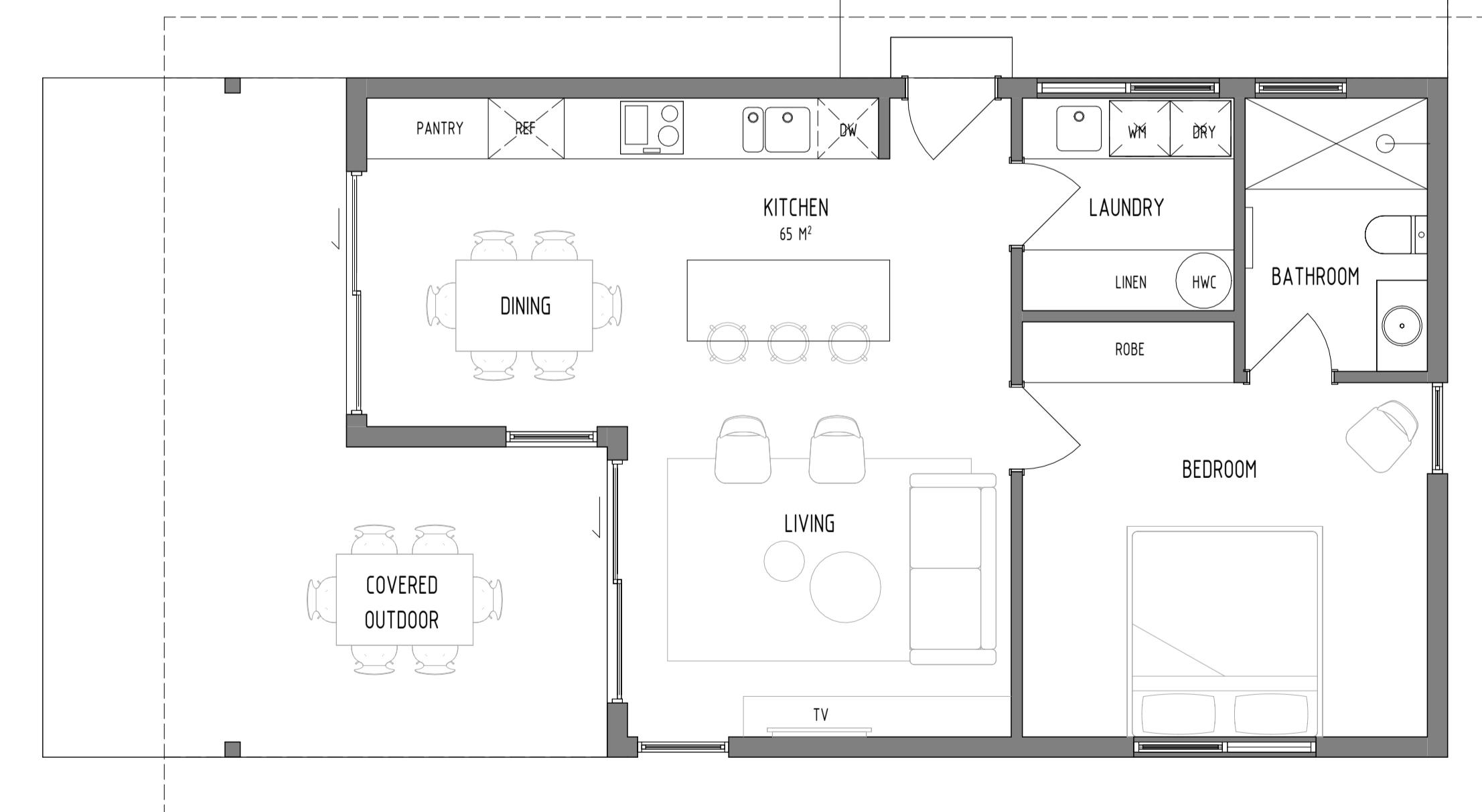
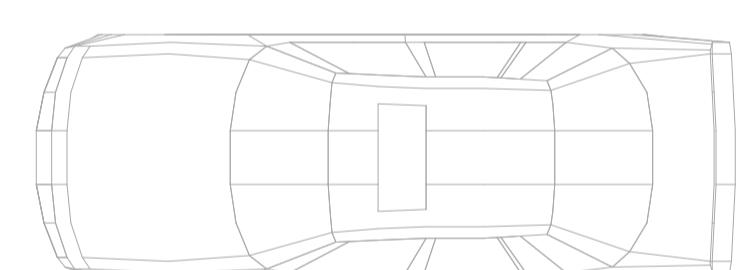
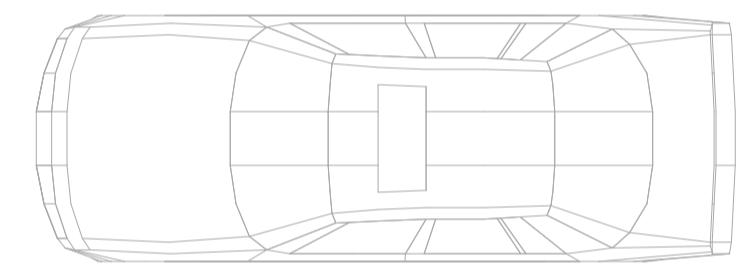
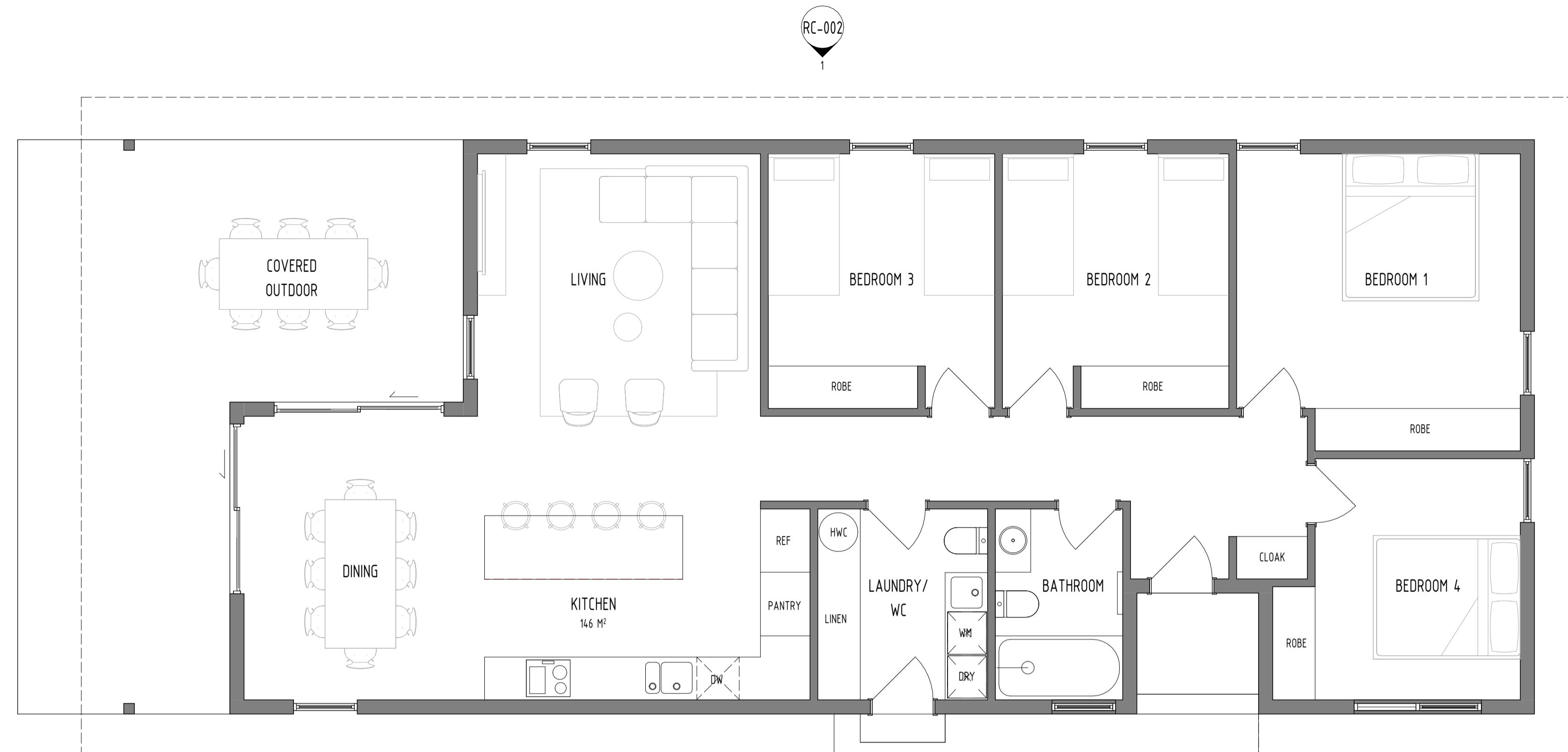
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Issued for:

Resource Consent



APPROVED PLAN
Planner: Nikki Callinan
pp: NCAllinan
RC: 2250413-RMALUC
Date: 29/07/2025



4 BED + 1 BED FLOOR PLAN
1 : 50

3
RC-002



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RESOURCE CONSENT FOR APPROVAL

REV	DATE	DETAILS	INIT
project			

NEW HOUSING
WAIMA TOPU B

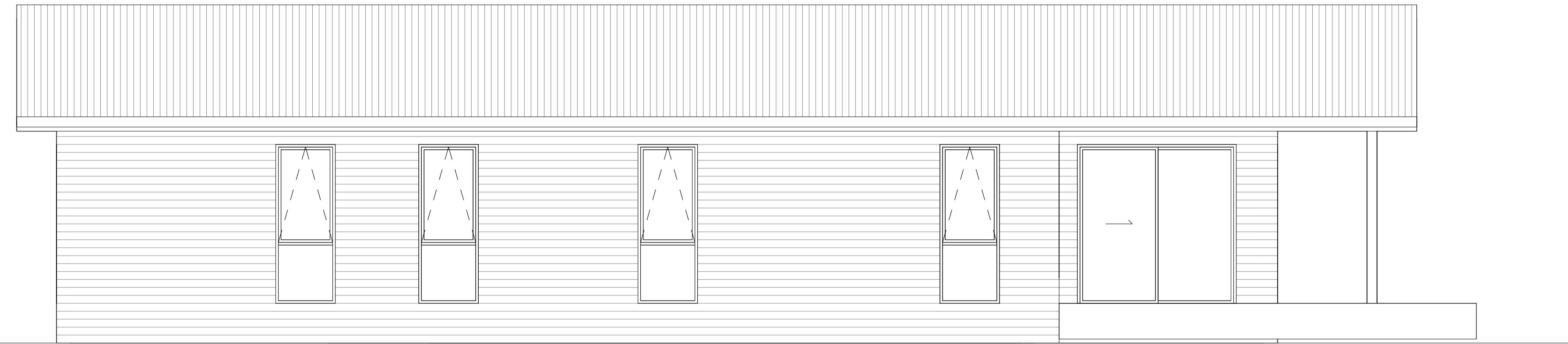
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4 BED + MINOR DWELLING
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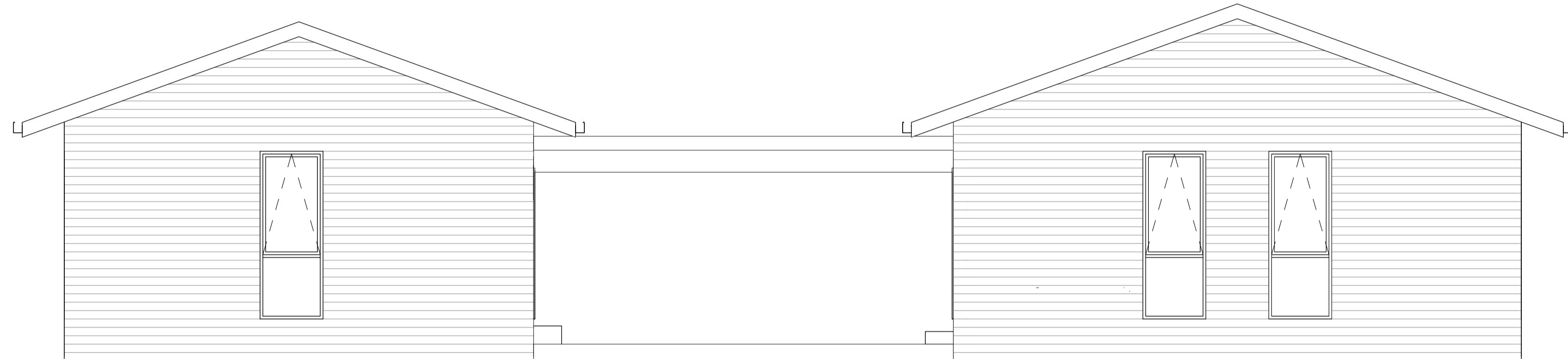
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BRENCHLEY
ARCHITECTS

p. +6421 0272 2499
e. felicity@felicitybrenchley.nz
w. felicitybrenchley.nz

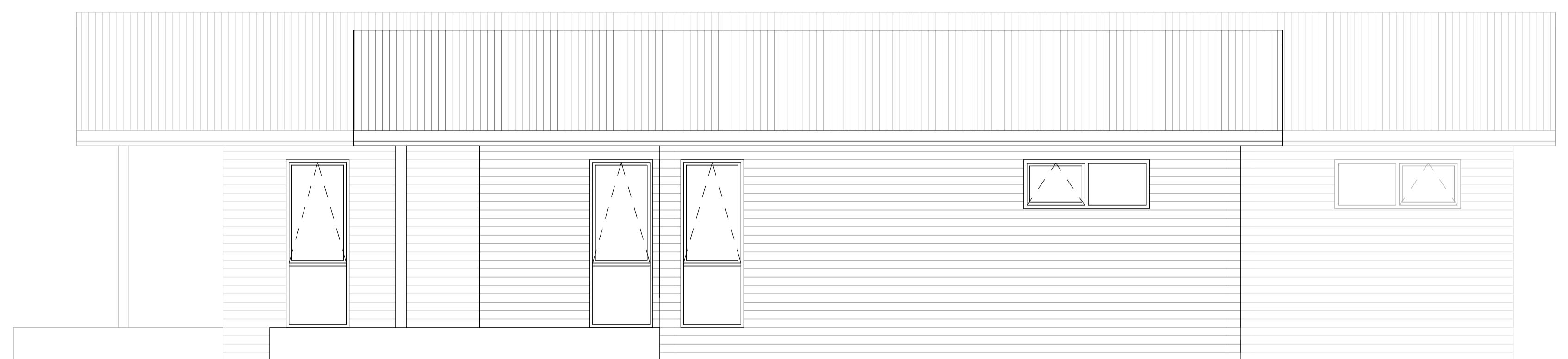
APPROVED PLAN
Planner: Nikki Callinan
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RC: 2250413-RMALUC
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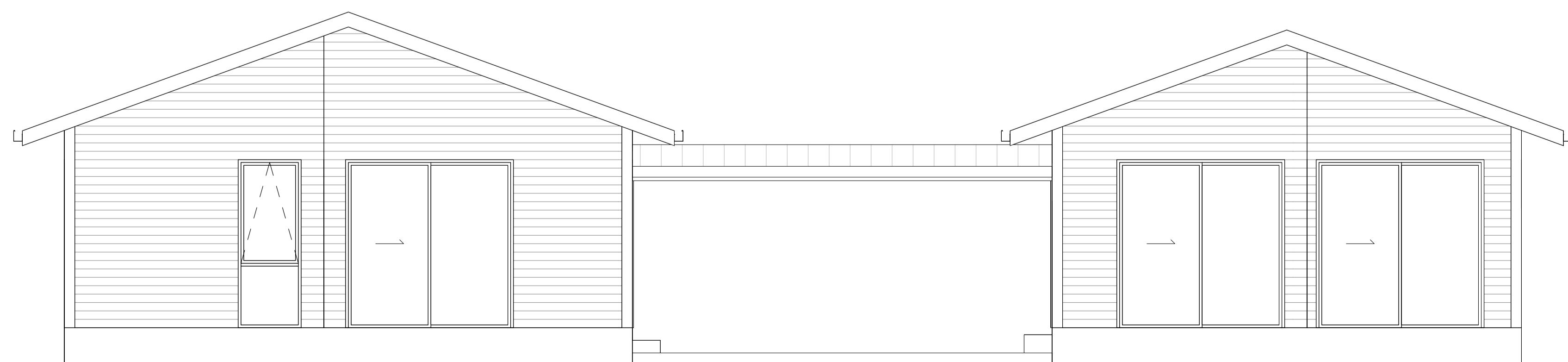
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RC-001 1 : 50



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RC-001 1 : 50



3 4 BED + 1 BED SOUTH ELEVATION
RC-001 1 : 50



4 4 BED + 1 BED WEST ELEVATION
RC-001 1 : 50

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**RESOURCE CONSENT
FOR APPROVAL**

REV DATE DETAILS INIT
project

**NEW HOUSING
WAIMA TOPU B**

drawing
**4 BED + MINOR DWELLING
TYPOLOGY ELEVATIONS**

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issue RC-002

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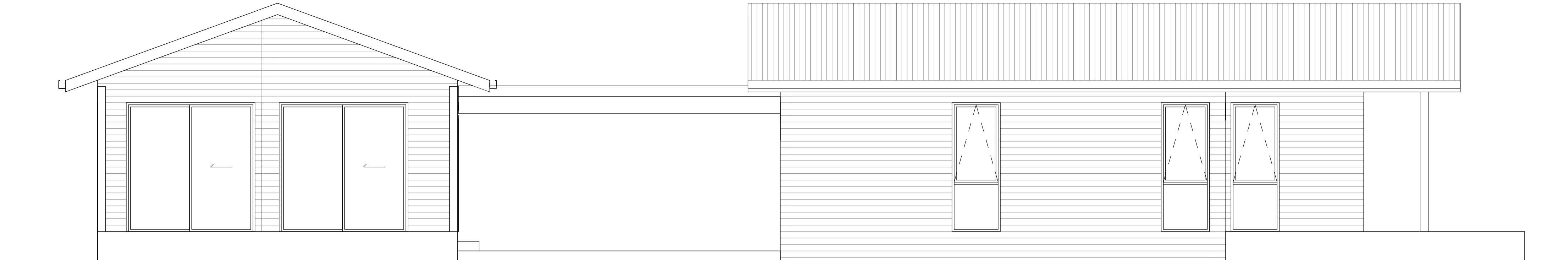
p. +6421 0272 2499
e. felicity@felicitybrenchley.nz
w. felicitybrenchley.nz



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pp: NCAllinan
RC: 2250413-RMALUC
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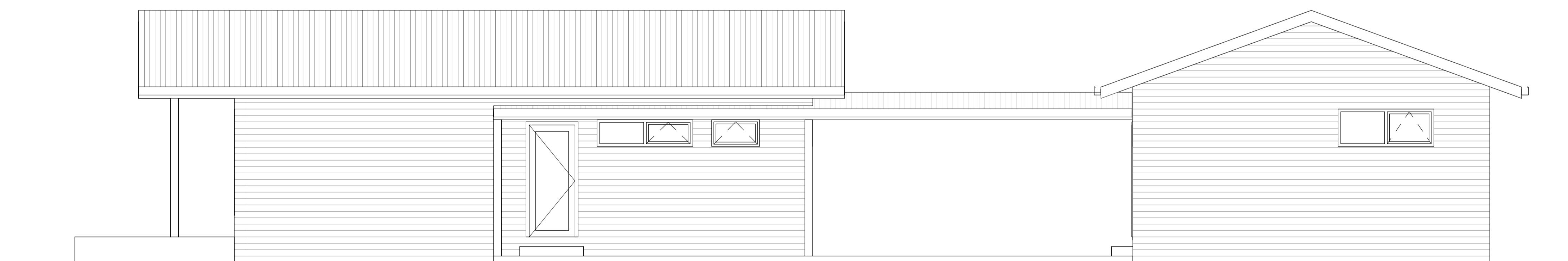
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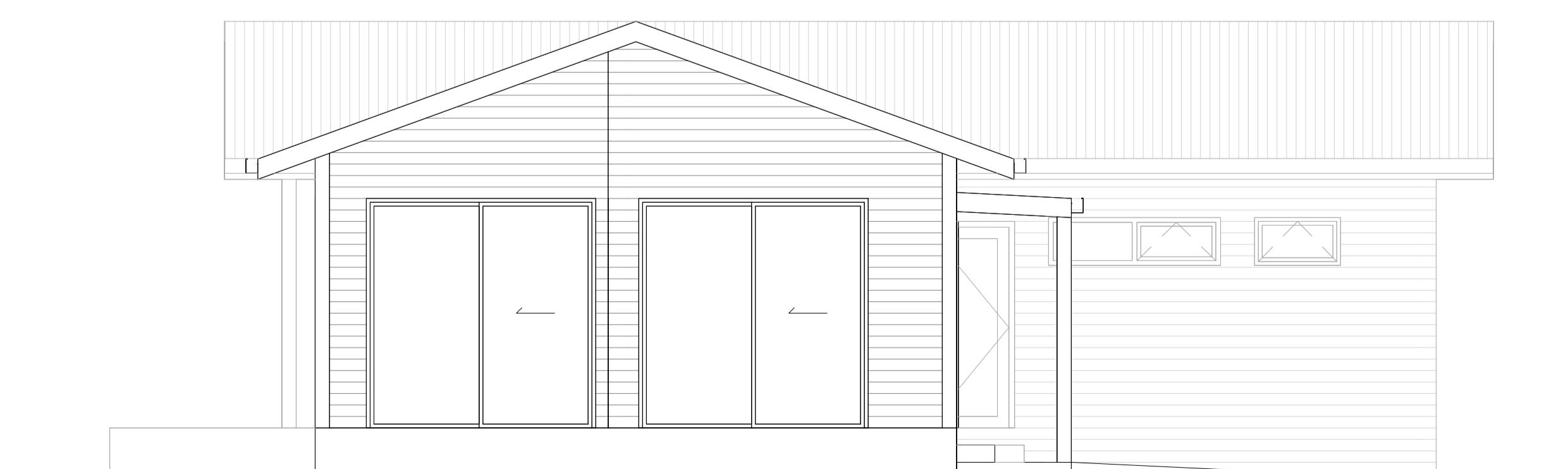
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1 BED + 1 BED SOUTH ELEVATION



4
RC-003
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1 BED + 1 BED WEST ELEVATION

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REV	DATE	DETAILS	INIT
project			

**RESOURCE CONSENT
FOR APPROVAL**

NEW HOUSING
WAIMA TOPU B

drawing
1 BED + 1 BED DWELLING
TYPOLOGY ELEVATIONS
scale 1 : 50 @ A1 date FEB 25
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issue RC-004

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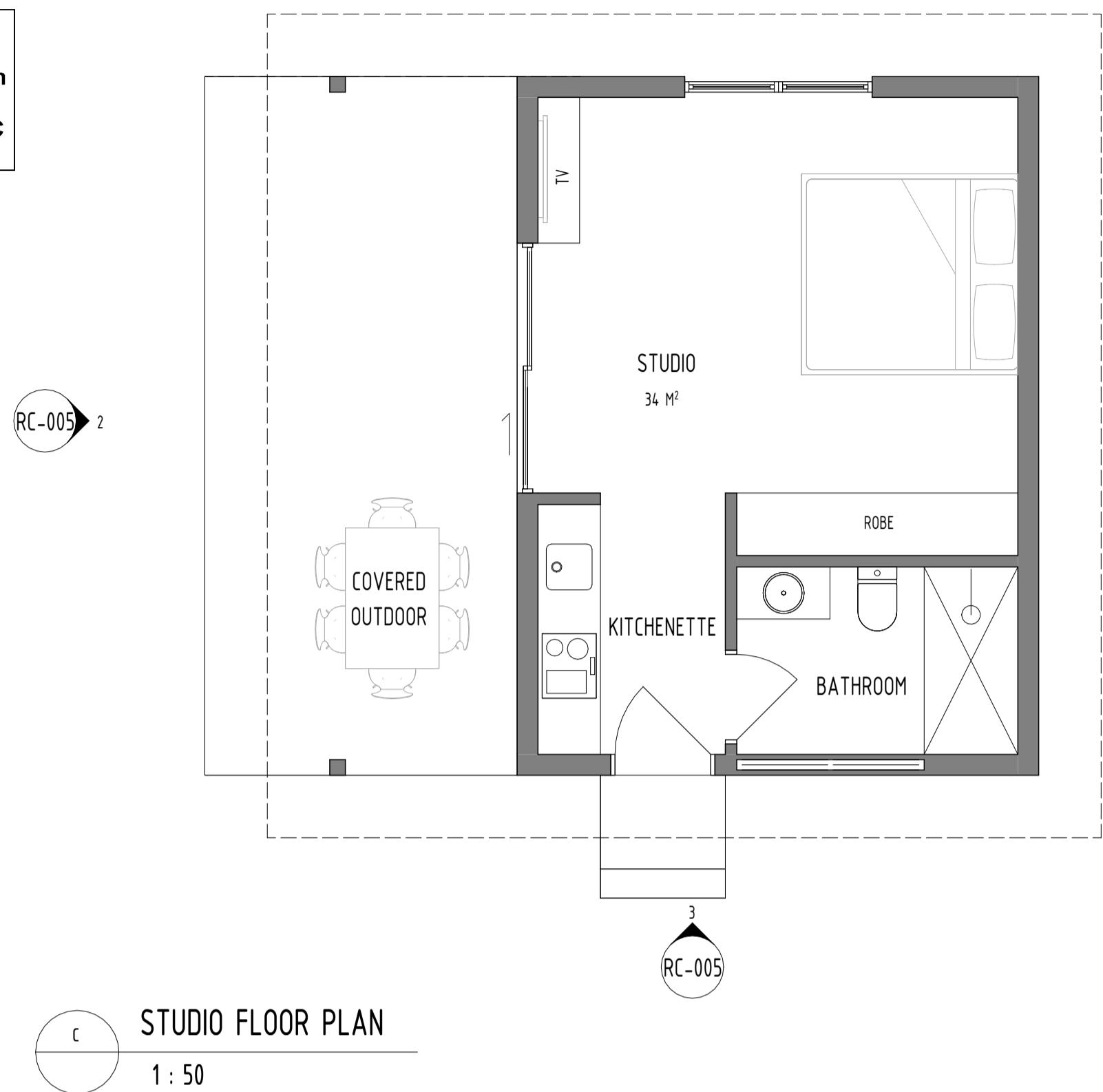
p. +6421 0272 2499
e. felicity@felicitybrenchley.nz
w. felicitybrenchley.nz



APPROVED PLAN
Planner: Nikki Callinan
pp: NCAllinan
RC: 2250413-RMALUC
Date: 29/07/2025

RC-005

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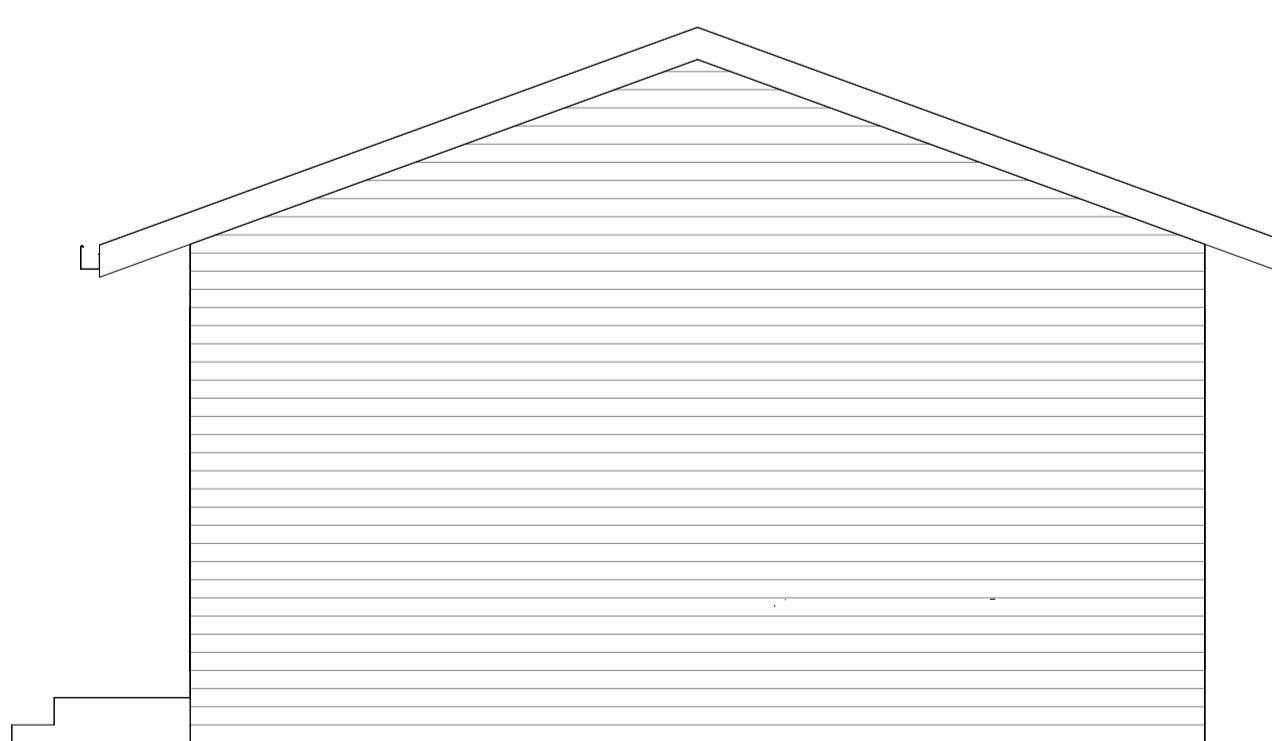


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3 STUDIO SOUTH ELEVATION
RC-005 1 : 50

2 STUDIO WEST ELEVATION
RC-005 1 : 50



4 STUDIO EAST ELEVATION
RC-005 1 : 50

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**RESOURCE CONSENT
FOR APPROVAL**

REV DATE DETAILS INIT
project

**NEW HOUSING
WAIMA TOPU B**

drawing
**STUDIO (34 SQM) DWELLING
TYPOLOGY PLAN & ELEVATIONS**

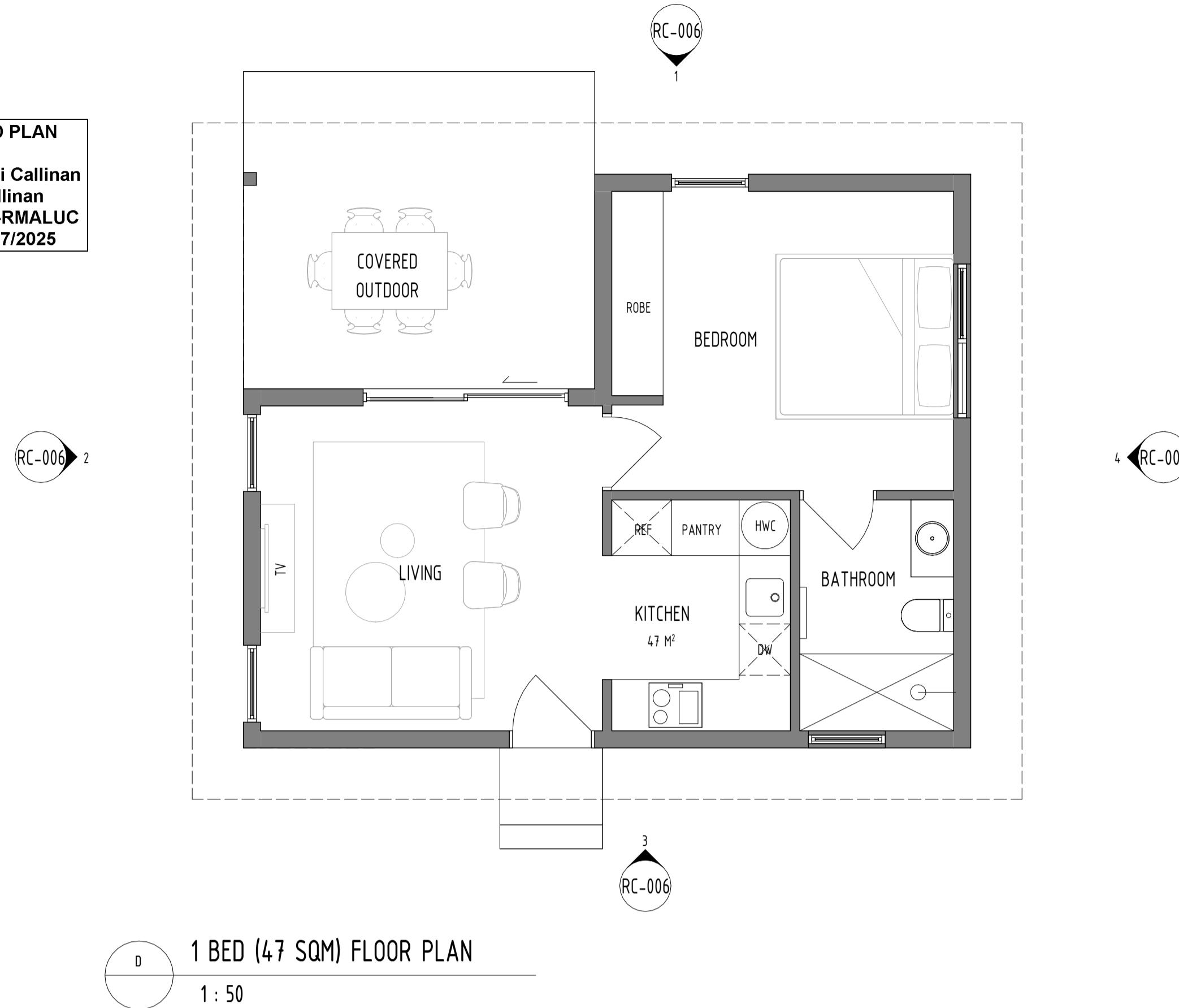
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job number FB24.13 dwg number RC-005
issue RC-005

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e. felicity@felicitybrenchley.nz
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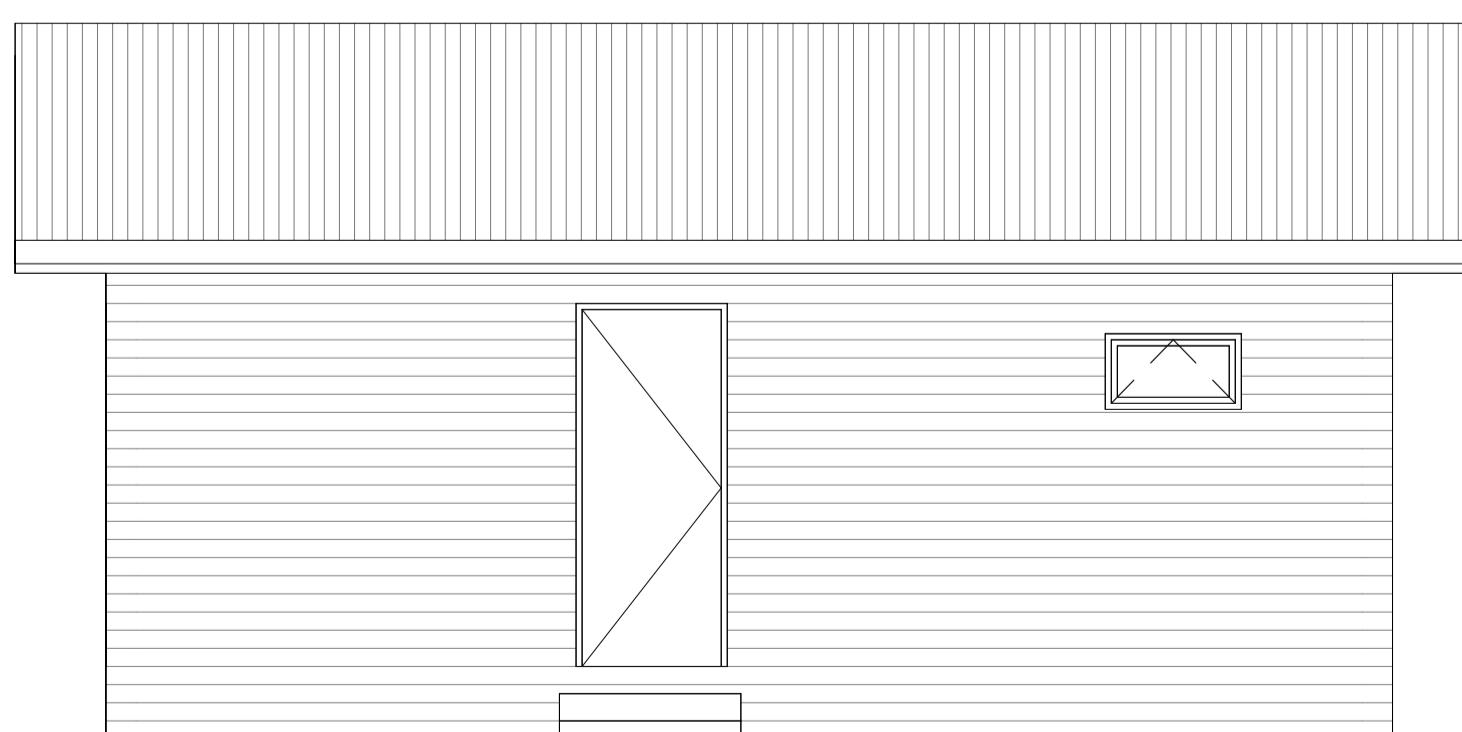
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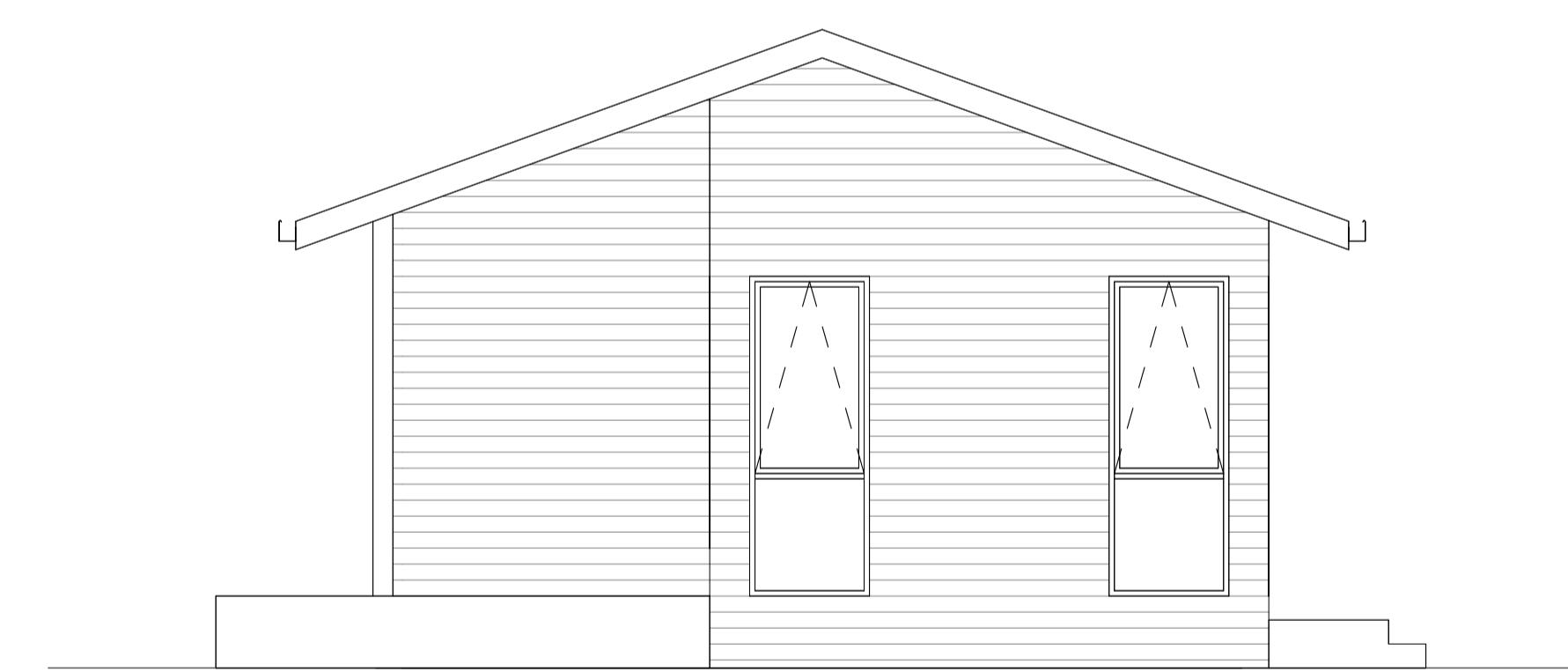
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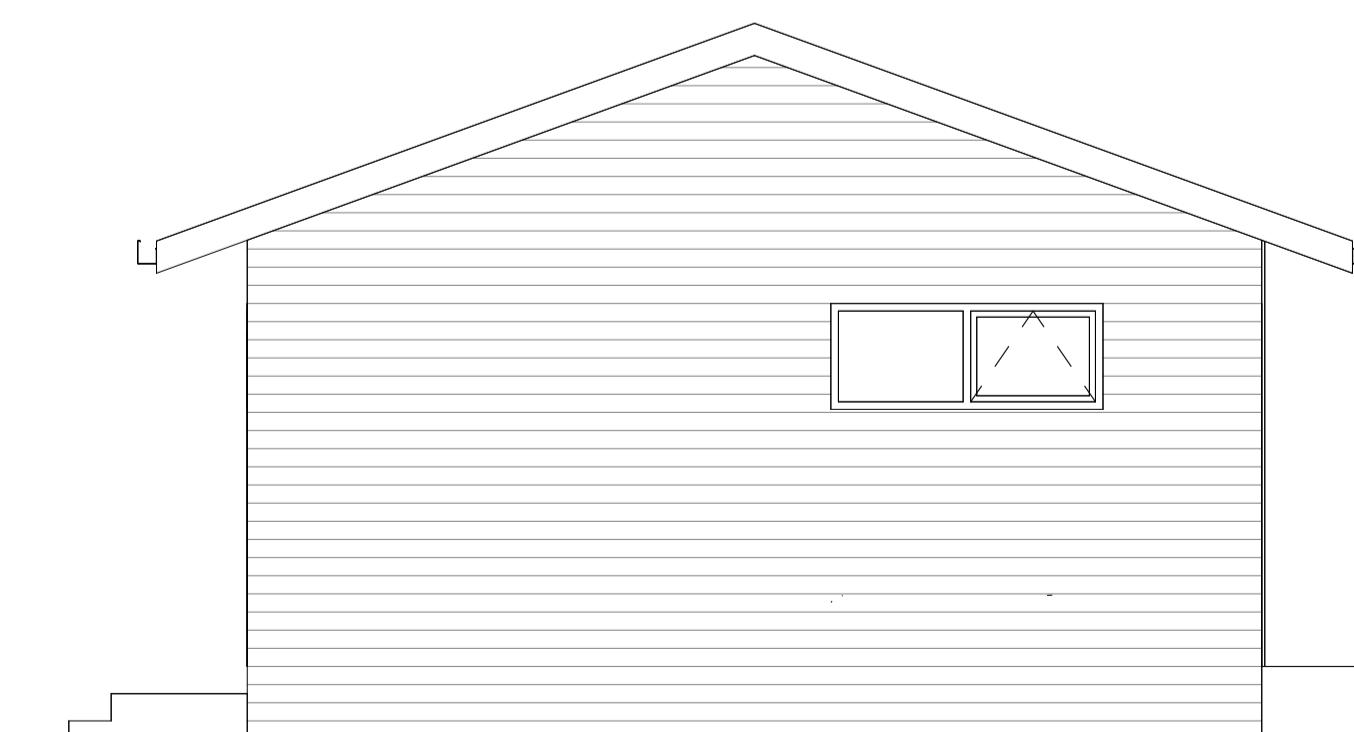
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1 BED (47 SQM) SOUTH ELEVATION



1 BED (47 SQM) WEST ELEVATION



1 BED (47 SQM) EAST ELEVATION

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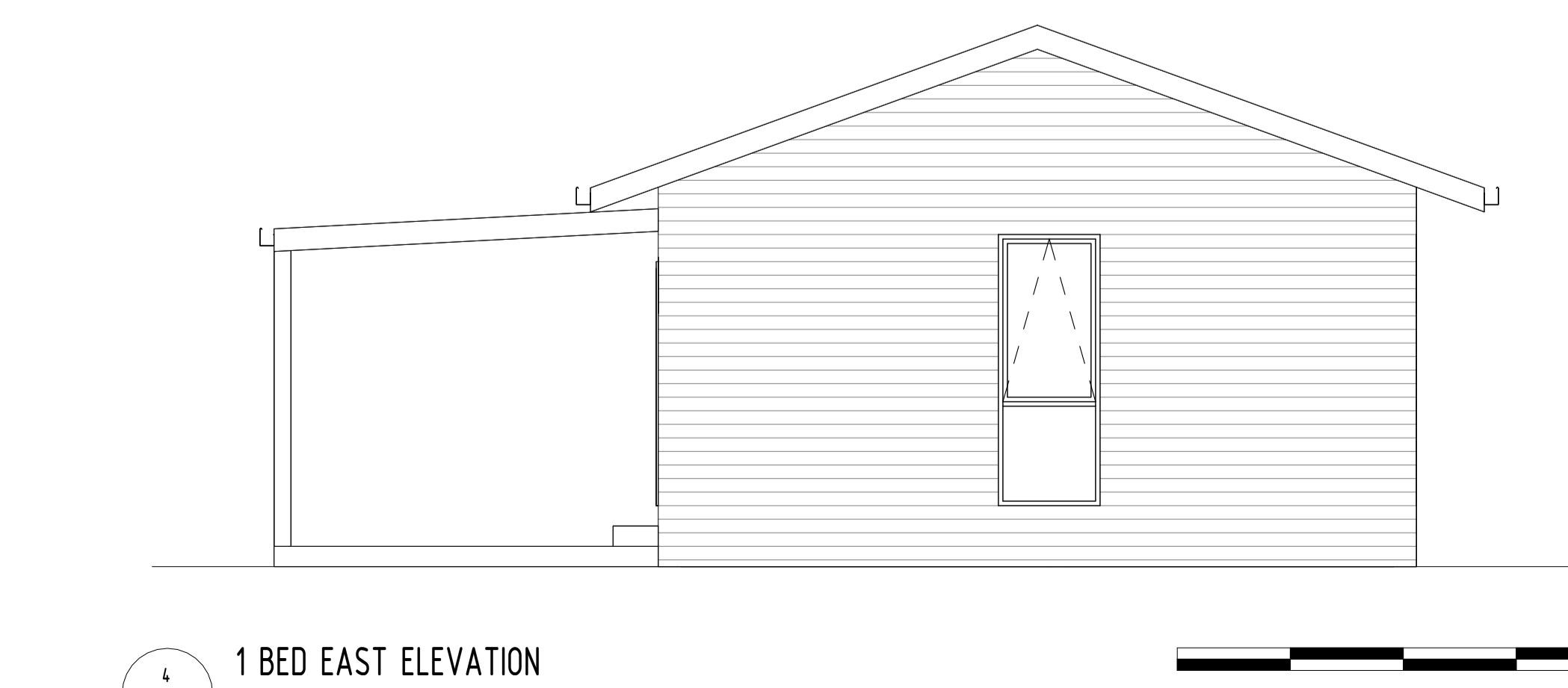
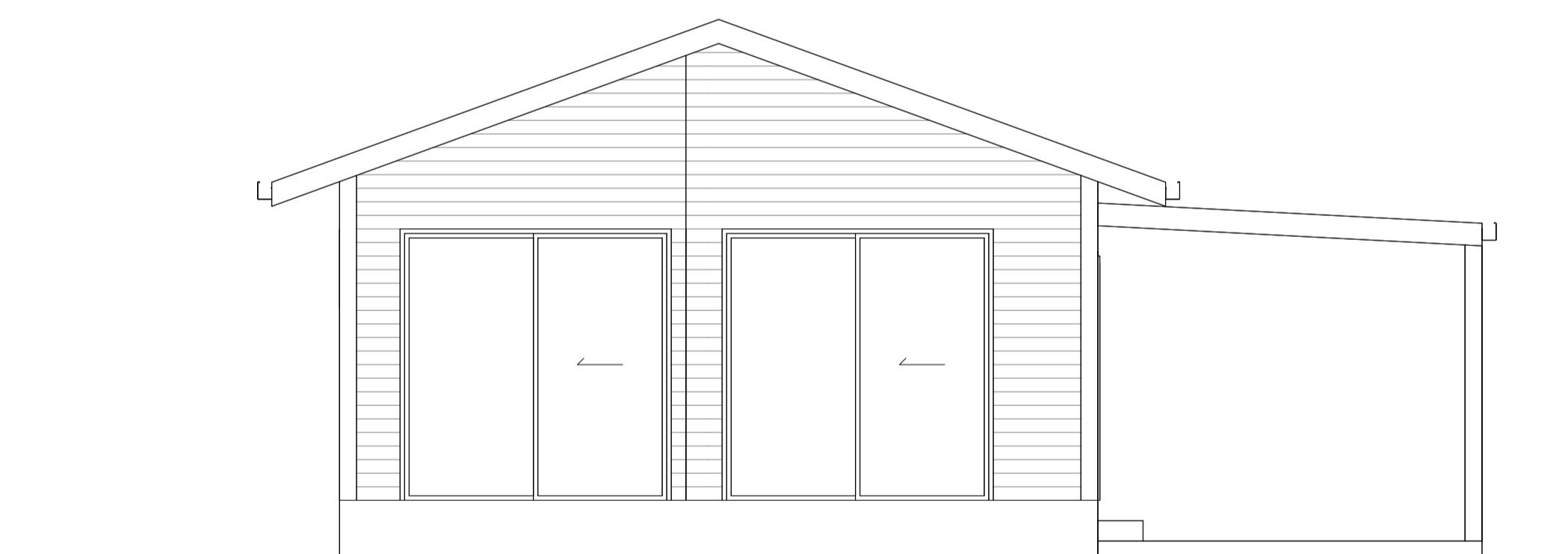
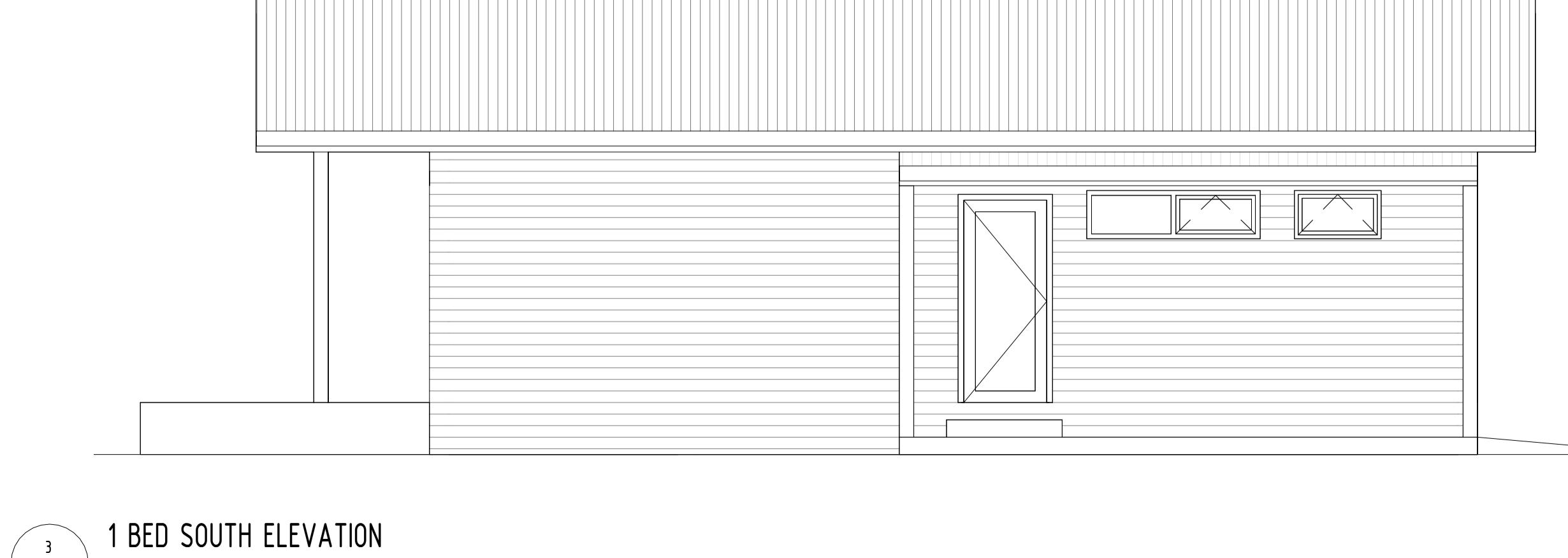
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REV	DATE	DETAILS	INIT
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drawing		
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job number	dwg number	issue
FB24.13	RC-006	

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e. felicity@felicitybrenchley.nz
w. felicitybrenchley.nz

APPROVED PLAN
Planner: Nikki Callinan
pp: NCAllinan
RC: 2250413-RMALUC
Date: 29/07/2025



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**RESOURCE CONSENT
FOR APPROVAL**

REV DATE DETAILS INIT
project

**NEW HOUSING
WAIMA TOPU B**

drawing
1 BED (65 SQM) DWELLING
TYPOLOGY PLAN & ELEVATIONS

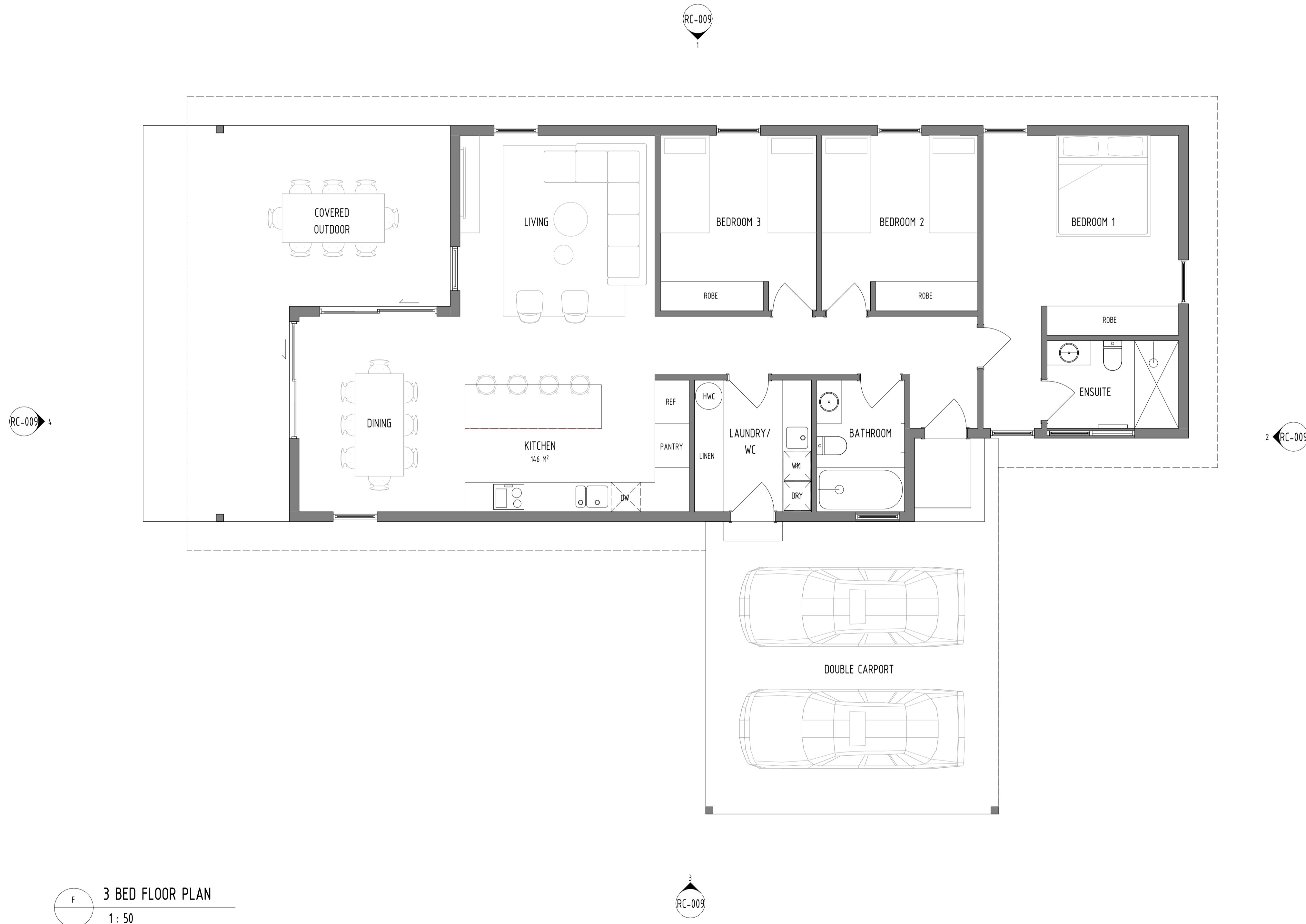
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p. +6421 0272 2499
e. felicity@felicitybrenchley.nz
w. felicitybrenchley.nz

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pp: NCAllinan
RC: 2250413-RMALUC
Date: 29/07/2025



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REV	DATE	DETAILS	INIT
project			
NEW HOUSING WAIMA TOPU B			
drawing 3 BED DWELLING TYPOLOGY PLAN			

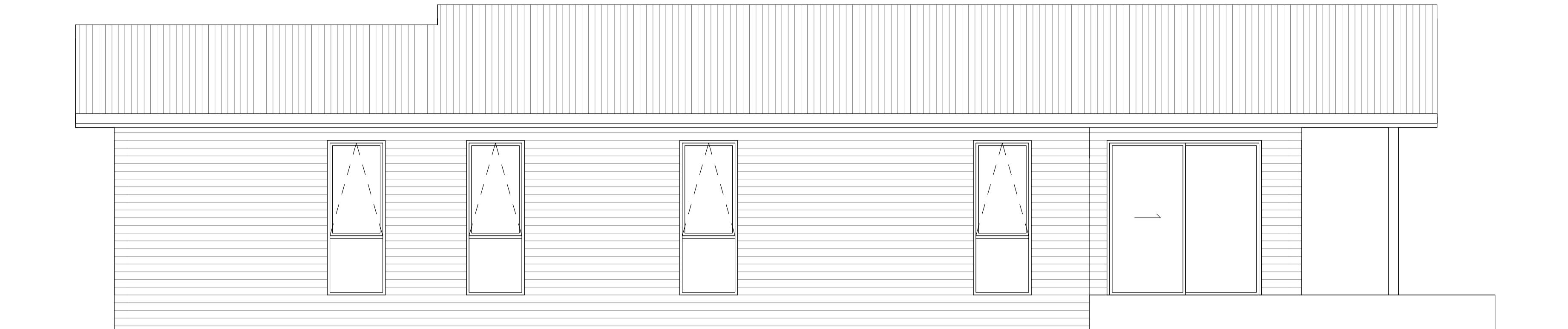
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RC-009

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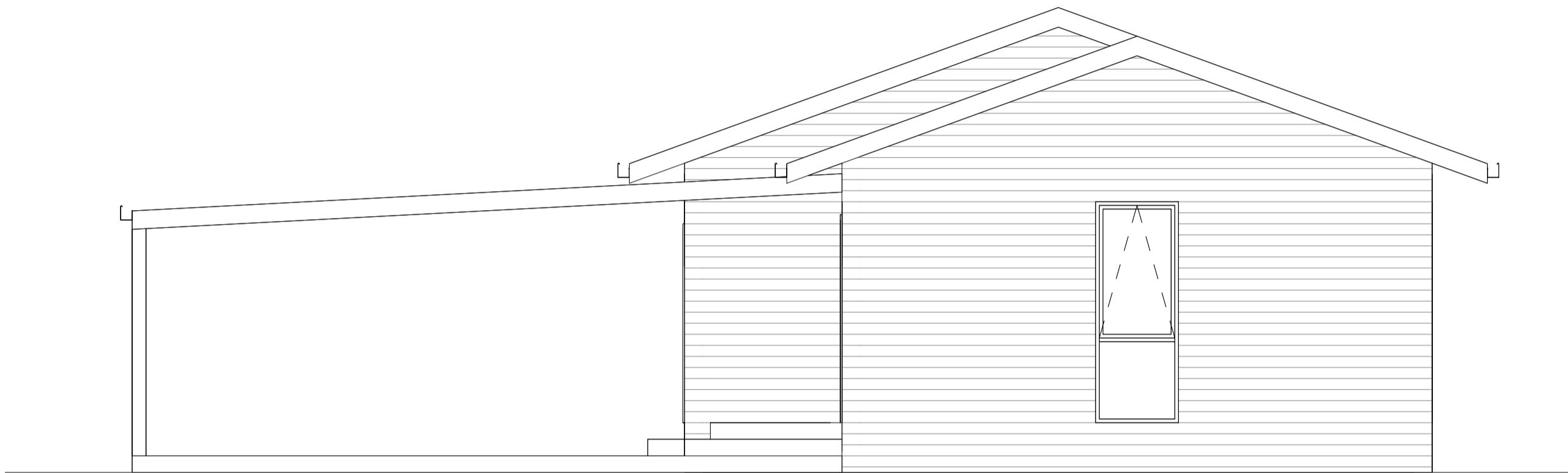
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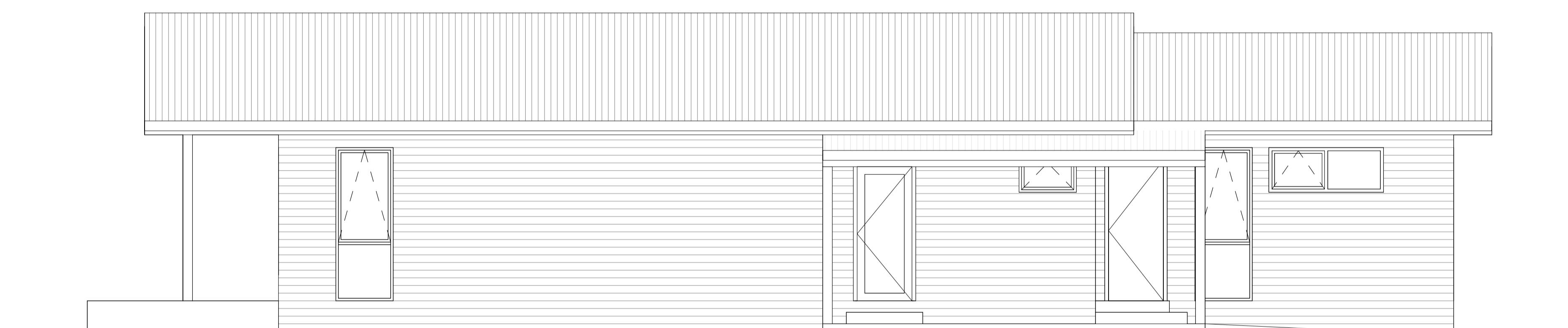
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RC: 2250413-RMALUC
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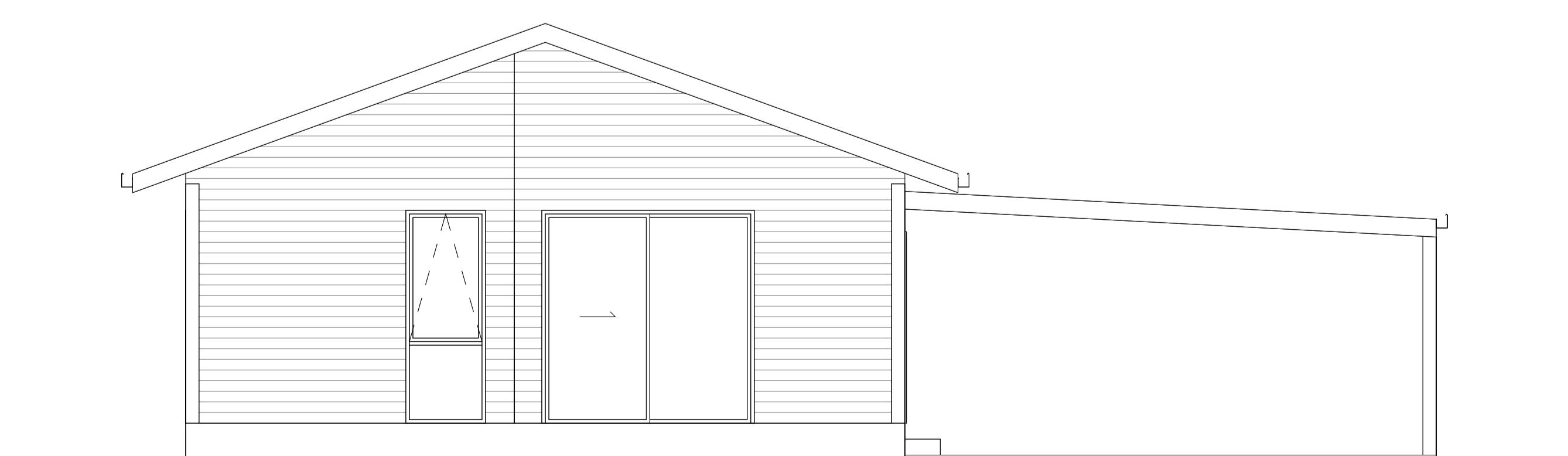
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RC-008 1 : 50



2
3 BED EAST ELEVATION
RC-008 1 : 50



3
3 BED SOUTH ELEVATION
RC-008 1 : 50



4
3 BED WEST ELEVATION
RC-008 1 : 50

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REV DATE DETAILS INIT
project

NEW HOUSING
WAIMA TOPU B

drawing
3 BED DWELLING TYPOLOGY
ELEVATIONS

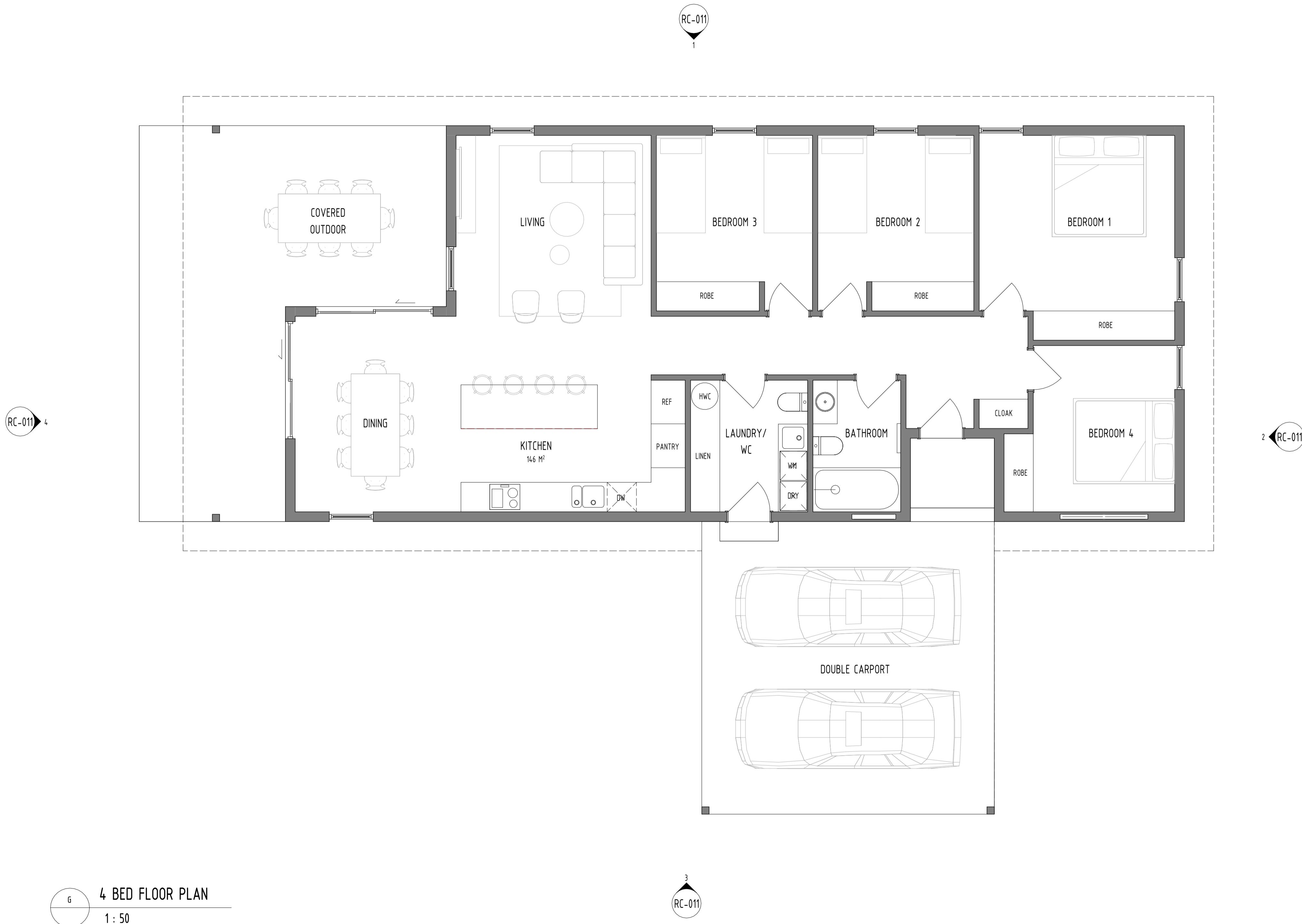
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RC: 2250413-RMALUC
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RESOURCE CONSENT
FOR APPROVAL

REV	DATE	DETAILS	INIT
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project
NEW HOUSING
WAIMA TOPU B

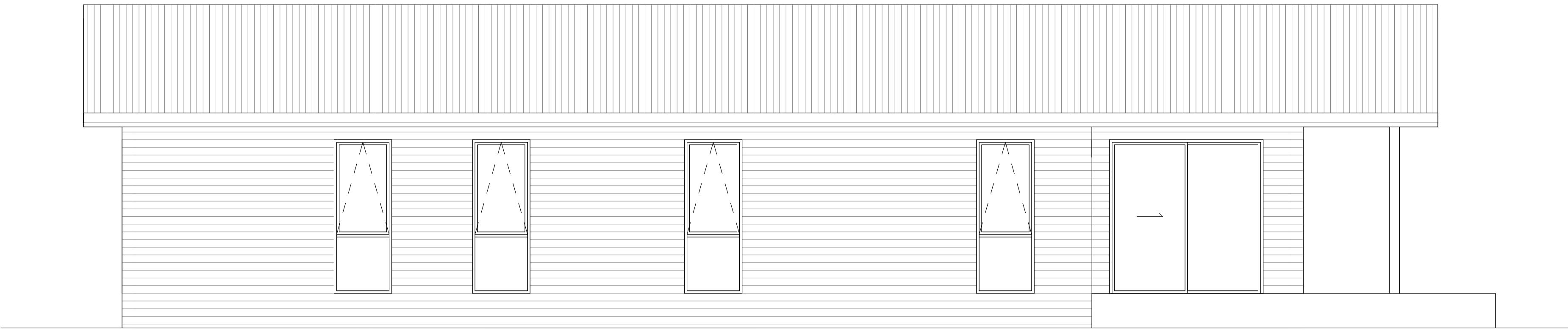
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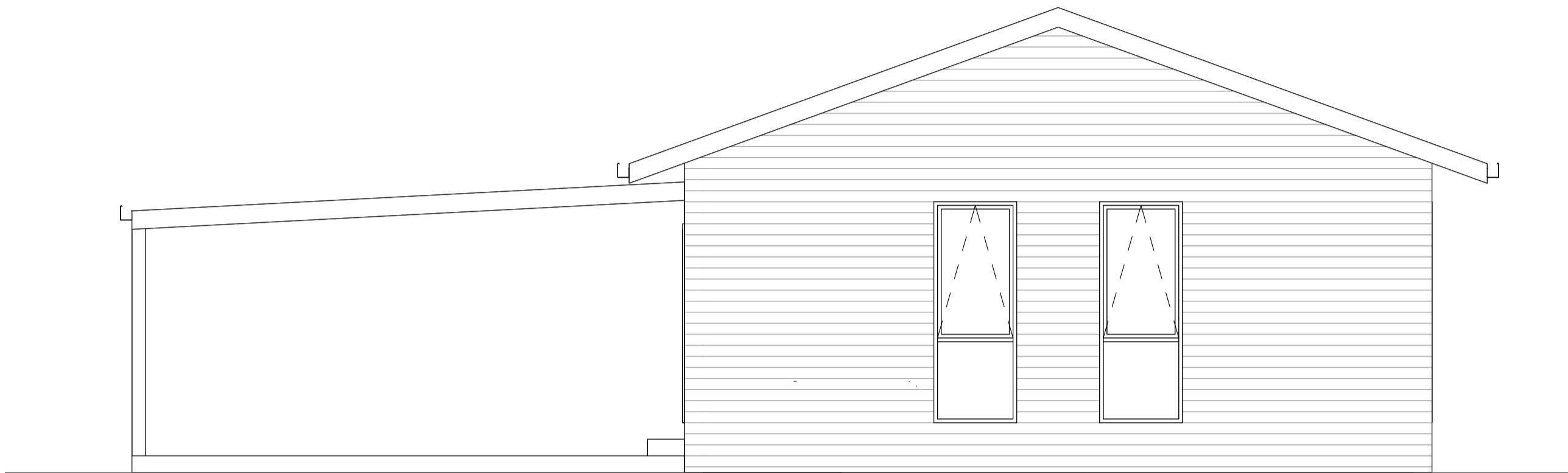
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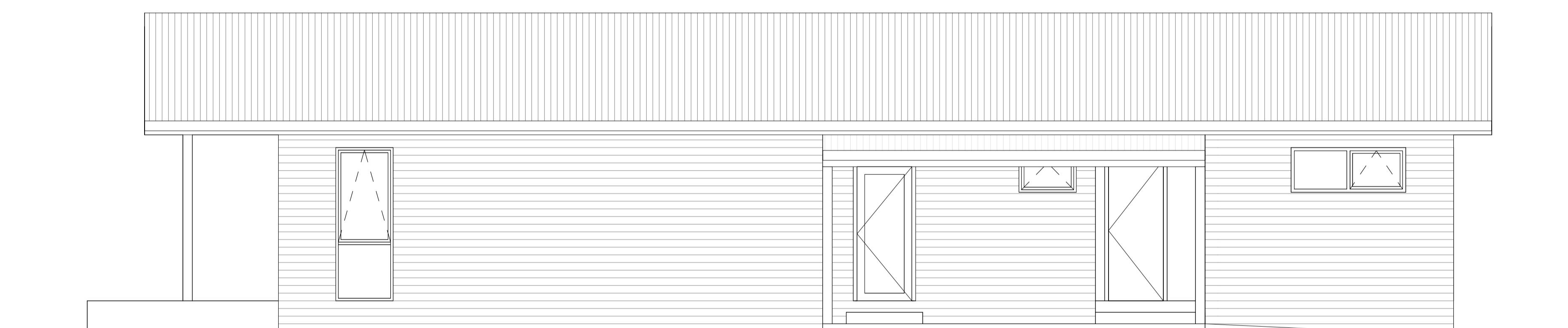
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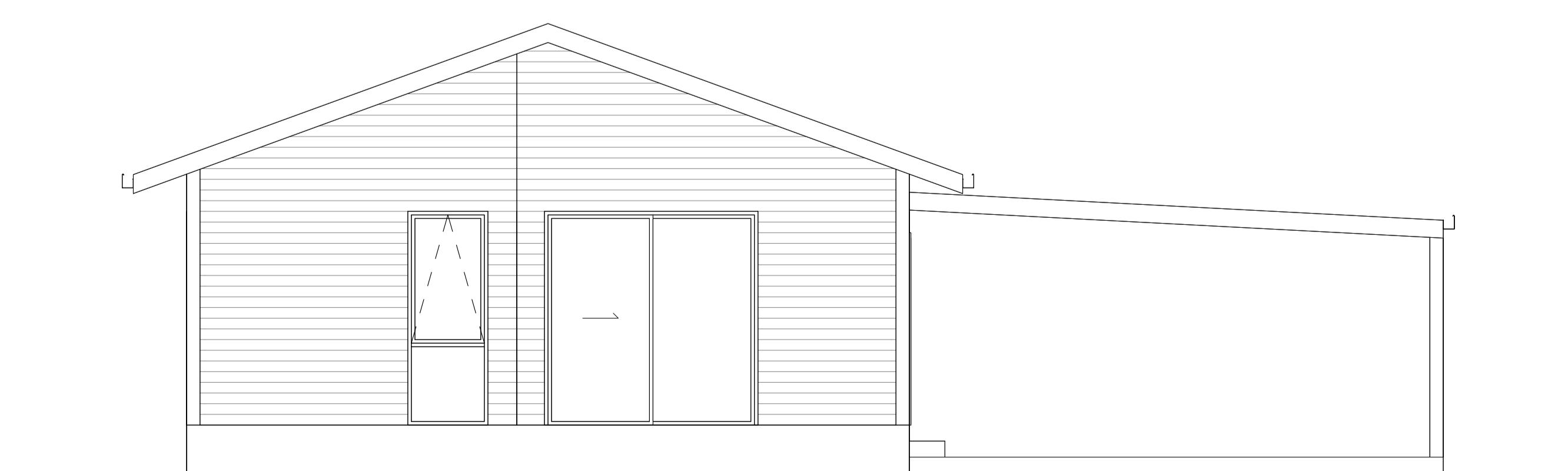
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RC-010 1 : 50



2 4 BED EAST ELEVATION
RC-010 1 : 50



3 4 BED SOUTH ELEVATION
RC-010 1 : 50



4 4 BED WEST ELEVATION
RC-010 1 : 50

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**RESOURCE CONSENT
FOR APPROVAL**

REV DATE DETAILS INIT
project

**NEW HOUSING
WAIMA TOPU B**

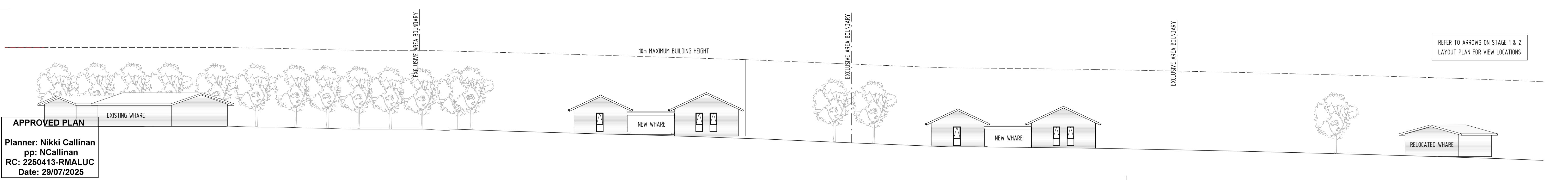
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issue RC-011

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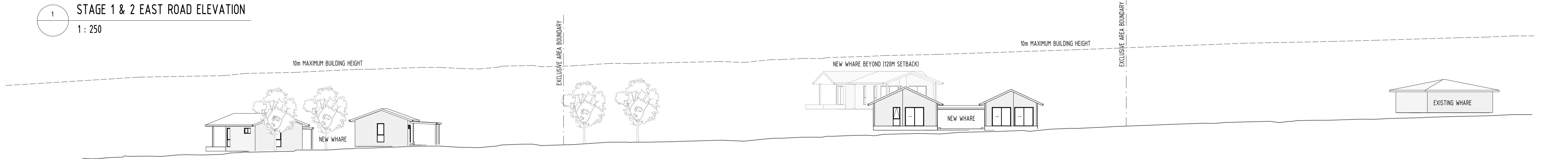
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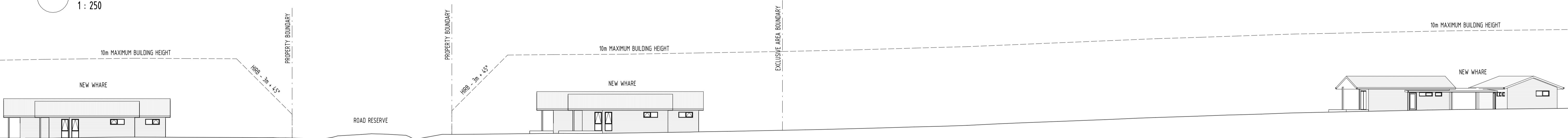
STAGE 1 & 2 EAST ROAD ELEVATION

1 : 250



STAGE 1 & 2 WEST ROAD ELEVATION

1 : 250



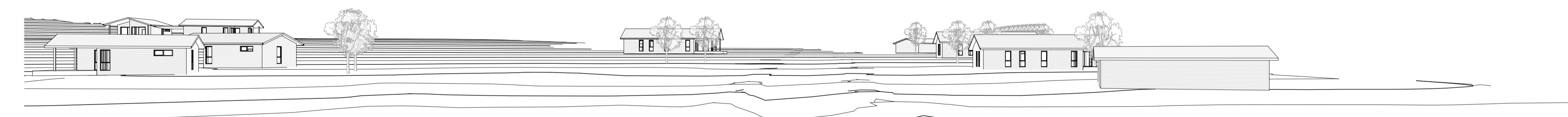
STAGE 1 & 2 SOUTH SITE ELEVATION

1 : 250



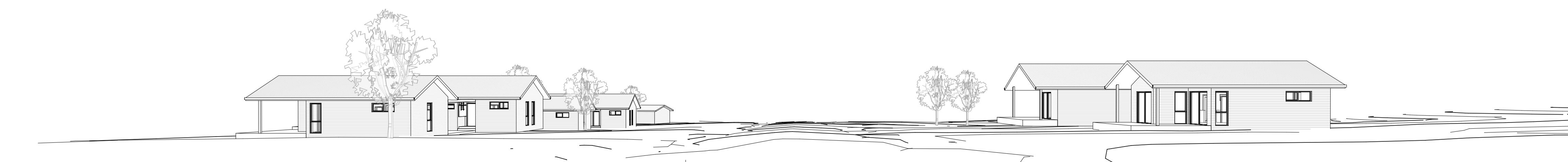
STAGE 1 & 2 NORTH SITE ELEVATION

1 : 250



VIEW ALONG ROAD TRAVELLING SOUTH

A



VIEW ALONG ROAD TRAVELLING NORTH

B

REFER TO ARROWS ON STAGE 1 & 2
LAYOUT PLAN FOR VIEW LOCATIONS

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**RESOURCE CONSENT
FOR APPROVAL**

REV	DATE	DETAILS	INIT
project			
NEW HOUSING			
WAIMA TOPU B			
drawing			
SITE ELEVATIONS			
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drawn FB plot date 18/02/2025 3:02:28 pm			
job number FB24.13 dwg number RC-012			

Appendix 3

RC2300211-RMALUC Decision

B&A

Urban & Environmental



FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN DECISION ON RESOURCE CONSENT APPLICATION (LANDUSE)

Resource Consent Number: 2300211-RMALUC

Pursuant to section 104C of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

Waima Topu B Trust

The activity to which this decision relates: To relocate an existing dwelling on Maori Land to a different location within the site, breaching the following rules:

- 8.6.5.1.1 Residential Intensity
- 15.1.6A.2.1 Traffic Intensity

Overall, the proposal is a Restricted Discretionary Activity.

Subject Site Details

Address: 2907 State Highway 12, Kaikohe 0473
Legal Description: Waima Topu B Blks IV VIII Waoku SD
Certificate of Title reference: NA-52B/52

Pursuant to Section 108 of the Act, this consent is issued subject to the following condition:

1. The activity shall be carried out in accordance with the approved plans attached to this consent with the Council's "Approved Stamp" affixed to them, specifically:

Plan Title	Prepared by	Plan Reference	Date
Site & Site Drainage Plan	Dawson Design	Drawing code 102	07/08/2020
Floor Plan	Dawson Design	Drawing code 201	07/08/2020
Elevations	Dawson Design	Drawing code 202	07/08/2020

Advice Notes

1. 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). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

2. Due to the proximity of the effluent disposal area to the proposed driveway, it is recommended that the effluent disposal area is fenced or blocked off to prevent damage from vehicles.
3. The conditions of this consent will be monitored by Council's Resource Consents Monitoring Officers. Any documentation relating to compliance with the above conditions of consent should be sent to rcmonitoring@fndc.govt.nz

Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected customary rights group or customary marine title group.
2. The application is for a Restricted Discretionary resource consent, as such under 104C only those matters over which council has restricted its discretion have been considered, these matters are:

Residential Intensity:

- a) *effects on the natural character of the coastal environment for proposed residential units which are in the coastal environment;*
- b) *for residential units within 500m of land administered by the Department of Conservation, effects upon the ability of the Department to manage and administer its land;*
- c) *effects on areas of significant indigenous flora and significant habitats of indigenous fauna;*
- d) *the mitigation of fire hazards for health and safety of residents.*
- e) *the character and appearance of building(s) and the extent to which the effects they generate can be avoided, remedied or mitigated;*
- f) *the siting of the building(s), decks and outdoor areas relative to adjacent dwellings and properties (including the road boundary) in order to avoid visual domination and loss of privacy and sunlight to those adjacent dwellings and properties;*
- g) *the size, location and design of open space associated with each residential unit, and the extent to which trees and garden plantings are utilised for mitigating adverse effects;*
- h) *the ability of the immediate environment to cope with the effects of additional vehicular and pedestrian traffic;*
- i) *any servicing requirements and/or constraints of the site;*
- j) *the ability to provide adequate opportunity for landscaping and buildings and for all outdoor activities associated with the residential unit(s);*
- k) *the extent of visual and aural privacy between residential units on the site and their associated outdoor spaces;*
- l) *The extent to which the location of the building could create reverse sensitivity effects on adjacent rural production activities*

Traffic Intensity:

- a) the time of day when the extra vehicle movements will occur;
- b) the distance between the location where the vehicle movements take place and any adjacent properties;
- c) the width and capability of any street to be able to cope safely with the extra vehicle movements;
- d) the location of any footpaths and the volume of pedestrian traffic on them;
- e) the sight distances associated with the vehicle access onto the street;
- f) the existing volume of traffic on the streets affected;
- g) any existing congestion or safety problems on the streets affected;
- h) with respect to effects in local neighbourhoods, the ability to mitigate any adverse effects through the design of the access, or the screening of vehicle movements, or limiting the times when vehicle movements occur;
- i) with respect to the effects on through traffic on arterial roads with more than 1000 vehicle movements per day, the extent to which Council's "Engineering Standards and Guidelines" (2004) are met;
- j) effects of the activity where it is located within 500m of reserve land administered by the Department of Conservation upon the ability of the Department to manage and administer that land;
- k) the provision of safe access for pedestrians moving within or exiting the site.

Comments: It is considered that any adverse effects in relation to the above matter will be less than minor for those reasons outlined in section 11 of the attached s95 report.

3. District Plan Rules Affected:

Adverse effects will be minor:

It is considered the relevant and potential effects have been addressed within the assessment of effects above, and it has been concluded that the adverse effects will be less than minor.

Positive effects of the proposal:

Under s104(1)(a) the positive and potential effects of the proposal are:

- a. The efficient use of surplus Maori Land contributing to the applicant's social well-being
- b. Reconnecting the applicant to ancestral land

Objectives and policies of the District Plan:

The following objectives and policies of the District Plan that have been considered are those contained within the:

- a) Rural Environment
- b) Rural Production Environment

The proposal is not contrary to the relevant objectives and policies of the District Plan.

4. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents.
 - a) The Northland Regional Policy Statement 2018
 - b) Northland Regional Plan 2019
 - c) New Zealand Coastal Policy Statement 2010
 - d) National Environmental Standards (Air/ NESCS/ Forestry etc)
5. No other non – statutory documents were considered relevant in making this decision.
6. No other matters were considered in relevant in making this decision.
7. **Part 2 Matters**
The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.
8. In summary it is considered that the activity is consistent with the sustainable management purpose of the RMA.

Approval

This resource consent has been prepared by Nina Pivac (Consultant Planner, Tohu Consulting), and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



Pat Killalea, Principal Planner

Date: 2nd November 202

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 Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing of Consent

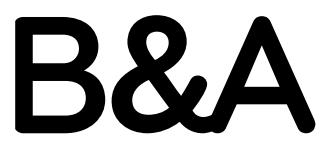
Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

Appendix 4

Copy of Proposed Conditions



Urban & Environmental

The proposed changes are marked up below with additions underlined and deletions ~~struck through~~.

Ecological – All Stages

26. Within 6 Months of the occupation of the first residential unit at each stage and within an appropriate planting season, the consent holder must implement the riparian planting in accordance with the plans titled “1.01 Stage 1 and 2 Layout Plan and 1.02 Stage 3 Layout Plan” prepared by ĀKAU Studios. Planting must in accordance with the plan prepared under Condition 8 and evidence of compliance with this condition must be provided to Council in writing from a suitably qualified and experienced ecologist.

Advice note: This condition does not apply to Development Area 02 as all development is located outside of the 10m and 20m setback buffers that relate to earthworks, vegetation clearance and development.

Vehicle crossing stage 1

29. Prior to the occupation of the first house of the Bull Paddock within stage 1, the Consent Holder shall provide evidence to Councils Resource Consent Engineer (planning_technicians@fndc.govt.nz), correspondence from the New Zealand Transport Agency that confirms that works in the constructed to New Zealand Transport Agency standards. In particular, that:

- a. ~~The vehicle crossing for Development Area 02 must be upgraded in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).~~
- b. The vehicle crossing for the Bull Paddock must be ~~upgraded~~ constructed in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).
- c. ~~The existing vehicle crossing located at 2981 State Highway 12 (NZTM 1657078.18, 6074262.4) must be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works must be consistent with the adjacent road reserve treatment, to the satisfaction of the New Zealand Transport Agency Network Manager.~~

29A. Prior to the occupation of the first house of Development Area 02 within stage 1, except as it relates to Site 00 as outlined below, the Consent Holder shall provide evidence to Councils Resource Consent Engineer (planning_technicians@fndc.govt.nz), correspondence from the New Zealand Transport Agency that confirms that works in the constructed to New Zealand Transport Agency standards. In particular, that:

- a. The vehicle crossing for Development Area 02 must be ~~upgraded~~ constructed in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).
- b. ~~The vehicle crossing for the Bull Paddock must be upgraded in accordance with New Zealand Transport Agency Diagram D standard as outlined in the Planning Policy Manual (2007).~~
- c. The existing vehicle crossing located at 2981 State Highway 12 (NZTM 1657078.18, 6074262.4) must be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works must be consistent with the adjacent road reserve treatment, to the satisfaction of the New Zealand Transport Agency Network Manager. Except that the relocated house within Site 00 can continue to utilise the existing vehicle crossing until such

time that the first house within either Site 01 or 02 of Development Area 02 is constructed and occupied as set out in condition 30.

30. Prior to the occupation of the ~~first~~ house **within either** ~~in stage 1~~ **Site 01 or Site 02 of Development Area 02**, a new internal driveway must be formed from Site 01 to Site 00 to facilitate ~~the~~ access. Access should be obtained via the proposed vehicle crossing to Development Area 02.

Appendix 5

Rules Assessment

B&A

Urban & Environmental

Rules Assessment

Proposal: S127 Waimā Topu B Papakāinga Development

Address: 2956 State Highway 12, Waimā

District Plan: Operative Far North District Plan

Site Zoning	
Zone	Rural Production
Overlays/Controls	Outstanding Landscape
Designations	N/A

Rule	Compliance	Non-Compliance
Chapter 8 - Rural Environment - Section 6 – Rural Production Zone		
8.6.5.1 Permitted Activities		
8.6.5.1.1 Residential Intensity	<p>N/A – Separate residential intensity rules apply to Papakāinga Housing.</p> <p>No changes to approved RC 2250413.</p> <p>Complies.</p>	
8.6.5.1.2 Sunlight • 2m + 45°	<p>No changes to approved RC 2250413.</p> <p>Complies.</p>	
8.6.5.1.3 Stormwater Management • Maximum 15% of impermeable surfaces	<p>No changes to approved RC 2250413.</p> <p>Complies.</p>	
8.6.5.1.4 Setback from Boundaries • 10m of any site boundary	<p>No changes to approved RC 2250413 & RC 2300211.</p> <p>Complies.</p>	
8.6.5.1.5 Transportation	Refer below.	
8.6.5.1.6 Keeping of Animals	<p>N/A – No keeping of animals proposed.</p>	
8.6.5.1.7 Noise	<p>No changes to approved RC 2250413.</p> <p>Complies.</p>	

Rule	Compliance	Non-Compliance
8.6.5.1.8 Building Height • Maximum 12m	No changes to approved RC 2250413. Complies.	
8.6.5.1.9 Helicopter Landing Area	N/A – Not relevant to the proposal.	
8.6.5.1.10 Building Coverage • Maximum 12.5%	No changes to approved RC 2250413. Complies.	
8.6.5.1.11 Scale of Activities	N/A – Not relevant to the proposal.	
8.6.5.1.12 Temporary Events	N/A – Not relevant to the proposal.	
8.6.5.2 Controlled Activities		
8.6.5.2.1 Stormwater Management • Maximum 10% of impermeable surfaces	No changes to approved RC 2250413. Complies.	
8.6.5.2.2 Papakainga Housing • Complies with all permitted activities in this zone and in Part 3 - District Wide Provisions; • Each residential unit has 3,000m ² for its exclusive use, provided that the amount of land elsewhere on the site is not less than that required for Rule 8.6.5.4.1.		Cannot comply with controlled activity standards. Discretionary activity resource consent was sought under 8.6.5.4.2 Integrated Development. No changes to approved RC 2250413. Papakāinga development is not seeking any changes in relation to the physical bulk and location of residential units.
8.6.5.2.3 Minor Residential Unit	N/A – Not relevant to the proposal.	
8.6.5.2.4 Noise Limits for Temporary Military Training	N/A – Not relevant to the proposal.	
8.6.5.2.5 Building Coverage • Maximum 15%	No changes to approved RC 2250413. Complies.	
8.6.5.3 Restricted Discretionary Activities		
8.6.5.3.1 Transportation	Refer below.	
8.6.5.4 Discretionary Activities		

Rule	Compliance	Non-Compliance
8.6.5.4.1 Residential Intensity	N/A – Separate residential intensity rules apply to Papakāinga Housing.	
8.6.5.4.2 Integrated Development		No changes to approved RC 2250413. Discretionary activity
8.6.5.4.3 Helicopter Landing Area	N/A – Not relevant to the proposal.	
8.6.5.4.4 Scale of Activities	N/A – Not relevant to the proposal.	
Chapter 15 - Transportation		
15.1.6A Traffic		
15.1.6A.2-6 Traffic Intensity	No changes to approved RC 2250413. Complies.	
15.1.6B Parking		
15.1.6B.1.1 On-Site Car Parking Spaces	No changes to approved RC 2250413, noting that the ODP has been updated to remove car minimum car parking standards.	
15.1.6B.1.5 Car Parking Space Standards	No changes to approved RC 2250413, noting that the ODP has been updated to remove car minimum car parking standards.	
15.1.6C Access		
15.1.6C.1.1 Private Accessway in All Zones	Overall private accessway arrangements remain unchanged. Site 00 will continue to use any existing vehicle crossing until development is initiated in Site's 01 or 02. Complies.	
15.1.6C.1.3 Passing Bays on Private Accessways in All Zones	No changes to approved RC 2250413. Complies.	
15.1.6C.1.4 Access Over Footpaths	N/A – No footpaths on State Highway 12.	
15.1.6C.1.5 Vehicle Crossing Standards in Rural and Coastal Zones	Overall private accessway arrangements remain unchanged. Site 00 will continue to use any existing vehicle	

Rule	Compliance	Non-Compliance
	<p>crossing until development is initiated in Site's 01 or 02.</p> <p>Complies.</p>	
15.1.6C.1.6 Vehicle Crossing Standards in Urban Zones	N/A – Not relevant to the proposal.	
15.1.6C.1.7 General Access Standards	<p>The existing access to Site 00 will be</p> <p>Complies.</p>	