

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

2. Type of Consent being applied for

(more than one circle can be ticked):

- | | |
|--|--|
| ☐ Land Use | ☐ Discharge |
| ☐ Fast Track Land Use* | ☒ Change of Consent Notice (s.221(3)) |
| ☒ Subdivision | ☐ Extension of time (s.125) |
| ☐ Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) | |
| ☒ Other (please specify) <u>application to cancel existing right of way easement under s243(e) of the Act</u> | |

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

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

☒ Yes ☐ No

4. Consultation

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

If yes, which groups have you consulted with?

See email correspondence attached to this application

Who else have you consulted with?

Heritage NZ Pouhere Taonga
Department of Conservation

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

5. Applicant Details

Name/s:

Aroona Group Limited

Email:

[REDACTED]

Phone number:

Work

Home

Postal address:

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

797A Waimate North Road

Waimate North

Postcode

0293

6. Address for Correspondence

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

Name/s:

Northland Planning & Development 2020 Ltd

Email:

[REDACTED]

Phone number:

✓ [REDACTED]

Home

Postal address:

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

112 Commerce Street, Kaitaia

Postcode

0441

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

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

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

Name/s:

Aroona Group Limited

**Property Address/
Location:**

797A Waimate North Road

Waimate North

Postcode

0293

8. Application Site Details

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

Name/s:

Aroona Group Limited

**Site Address/
Location:**

797A Waimate North Road

Waimate North

Postcode

0293

Legal Description:

Lot 3 DP582867

Val Number:

00227-16731

Certificate of title:

1091946

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

Site visit requirements:

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

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

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

Please contact applicant to organise site visit.

9. Description of the Proposal:

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

A subdivision application to create one additional allotment in the Rural Production Zone as a Non-Complying Activity.
An application to cancel an existing right of way easement under Section 243(e) of the Act.
An application to cancel consent notice conditions under s221(3) of the Act.

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

10. Would you like to request Public Notification?

☐ Yes ☒ No

11. Other Consent required/being applied for under different legislation

(more than one circle can be ticked):

- ☐ Building Consent
- ☒ Regional Council Consent (ref # if known)
- ☐ National Environmental Standard consent
- ☐ Other (please specify)

12. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following:

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) ☐ Yes ☒ No ☐ Don't know

Is the proposed activity an activity covered by the NES? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result. ☒ Yes ☐ No ☐ Don't know

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

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☒ Yes

13. 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

14. Billing Details:

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

Name/s: (please write in full)	Rui Martins c/o Aroona Group LTD	
Email:		
Phone number:	Work	Home
Postal address: (or alternative method of service under section 352 of the act)	797 Waimate North Rd Kerikeri Postcode 0293	

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)	Rui DS Martins	
Signature: (signature of bill payer)		Date 04-Nov-2025

MANDATORY

15. Important Information:

Note to applicant

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

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

Fast-track application

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

Privacy Information:

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

15. Important information continued...

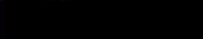
Declaration

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

Name: (please write in full)

Rochelle Jacobs

Signature:



Date 04-Nov-2025

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

Checklist (please tick if information is provided)

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

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

Subdivision Resource Consent Proposal
Aroona Group Limited
797A Waimate North Road, Waimate North

5 November 2025

Attention: Liz Searle & Nick Williamson

Please find attached:

- an application form for a Subdivision Consent in the Rural Production Zone to create one additional allotment and;
- an application to cancel an existing right of way easement under Section 243(e) of the Act;
- an application to cancel consent notice conditions under s221(3) of the Act;
- an Assessment of Environmental Effects indicating the potential and actual effects of the proposals on the environment.

The proposed subdivision application has been assessed as a **Non-Complying Activity** under the Far North Operative District Plan and **Permitted** under the Proposed District Plan.

A Concept Development Meeting (CDM) was had with FNDC referenced CDM-2025-83, regarding the proposal. No notes were provided from the CDM.

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

Regards,

Alex Billot



Resource Planner

Reviewed by:

Rochelle Jacobs



Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED



Table of Contents

TABLE OF CONTENTS	2
1.0 DESCRIPTION OF THE PROPOSED ACTIVITY	5
SUBDIVISION	5
CANCELLATION OF EXISTING RIGHT OF WAY EASEMENT UNDER S243(E) OF THE ACT	6
CANCELLATION OF CONSENT NOTICE CONDITIONS	6
2.0 SITE DESCRIPTION	7
SITE PHOTOS	9
TITLE	10
<i>Easement Instrument 12287417.3</i>	<i>10</i>
<i>Easement Instrument 12287804.5</i>	<i>11</i>
<i>Easement Instrument 13363654.3</i>	<i>12</i>
<i>Consent Notice 13363654.2</i>	<i>12</i>
SITE HISTORY	14
SITE FEATURES	14
3.0 ACTIVITY STATUS OF THE PROPOSAL	16
WEIGHTING OF PLANS	16
OPERATIVE DISTRICT PLAN	16
SUBDIVISION	16
RURAL PRODUCTION ZONE	17
DISTRICT WIDE MATTERS	18
OVERALL STATUS OF THE PROPOSAL UNDER THE OPERATIVE DISTRICT PLAN	22
<i>Subdivision</i>	<i>22</i>
<i>Overall status of the application</i>	<i>22</i>
CANCELLATION OF CONSENT NOTICE CONDITIONS	22
PROPOSED DISTRICT PLAN	22
NATIONAL ENVIRONMENTAL STANDARDS	24
<i>National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS)</i>	<i>24</i>
<i>National Environmental Standards for Freshwater 2020</i>	<i>24</i>
<i>Other National Environmental Standards</i>	<i>31</i>
PROPOSED REGIONAL PLAN FOR NORTHLAND 2024	31
4.0 STATUTORY ASSESSMENT	32
SECTION 104B OF THE ACT	32
SECTION 104D OF THE ACT	32
SECTION 104(1) OF THE ACT	32



5.0 ENVIRONMENTAL EFFECTS ASSESSMENT	33
SUBDIVISION	33
ALLOTMENT SIZES AND DIMENSIONS.....	33
NATURAL AND OTHER HAZARDS	36
WATER SUPPLY	36
STORMWATER DISPOSAL	36
SANITARY SEWAGE DISPOSAL	37
ENERGY SUPPLY, TOP ENERGY TRANSMISSION LINES, & TELECOMMUNICATIONS	38
EASEMENTS FOR ANY PURPOSE	38
PROVISION OF ACCESS	39
EFFECT OF EARTHWORKS AND UTILITIES.....	40
BUILDING LOCATIONS	41
PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES	41
SOIL	45
ACCESS TO RESERVES AND WATERWAYS	46
LAND USE INCOMPATIBILITY.....	46
PROXIMITY TO AIRPORTS.....	48
NATURAL CHARACTER OF THE COASTAL ENVIRONMENT.....	48
ENERGY EFFICIENCY AND RENEWABLE ENERGY DEVELOPMENT/USE.....	48
NATIONAL GRID CORRIDOR	48
Summary.....	48
OTHER MATTERS	49
Precedence.....	49
CANCELLATION OF CONSENT NOTICE CONDITIONS	50
6.0 POLICY DOCUMENTS.....	54
NATIONAL ENVIRONMENTAL STANDARDS	54
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health.....	54
National Environmental Standards for Freshwater 2020	54
Other National Environmental Standards.....	54
NATIONAL POLICY STATEMENTS.....	54
National Policy Statement for Freshwater Management	55
REGIONAL POLICY STATEMENT.....	57
Summary.....	63
FAR NORTH DISTRICT PLAN	63
Relevant objectives and policies	63
Assessment of the objectives and policies within the Rural Environment	63
Assessment of the objectives and policies within the Rural Production Zone.....	67



<i>Assessment of the objectives and policies for Subdivision Activities</i>	<i>70</i>
PROPOSED DISTRICT PLAN.....	76
<i>Assessment of Objectives and Policies for Subdivision Activities</i>	<i>76</i>
<i>Assessment of Objectives and Policies of the Rural Production zone</i>	<i>80</i>
SUMMARY.....	83
7.0 NOTIFICATION ASSESSMENT – SECTIONS 95A TO 95G OF THE ACT.....	84
PUBLIC NOTIFICATION ASSESSMENT	84
<i>Step 1 Mandatory public notification in certain circumstances.....</i>	<i>84</i>
<i>Step 2: Public Notification precluded in certain circumstances</i>	<i>84</i>
<i>Step 4; Public notification in special circumstances.....</i>	<i>85</i>
<i>Public Notification Summary.....</i>	<i>85</i>
LIMITED NOTIFICATION ASSESSMENT.....	85
<i>Step 1: Certain affected groups and affected persons must be notified</i>	<i>86</i>
<i>Step 2: Limited notification precluded in certain circumstances.....</i>	<i>86</i>
<i>Step 3: Certain other affected persons must be notified.</i>	<i>86</i>
<i>Step 4: Further notification in special circumstances.....</i>	<i>88</i>
<i>Limited Notification Assessment Summary.....</i>	<i>88</i>
NOTIFICATION ASSESSMENT CONCLUSION.....	88
8.0 PART 2 ASSESSMENT.....	89
9.0 104D ASSESSMENT.....	89
10.0 CONCLUSION	90
11.0 LIMITATIONS	91

Attachments

1. FNDC Application Signed
2. Certificate of Title – LINZ
3. Consent Notice 13363654.2 – LINZ
4. Easement Instrument 12287417.3 - LINZ
5. Easement Instrument 12287804.5 - LINZ
6. Easement Instrument 13363654.3 - LINZ
7. Land Covenant 12287417.4 – LINZ
8. Subdivision Plan - Williams and King
9. Site Suitability Report – LDE
10. Ecological Impact Assessment – Bay Ecological Consultancy Ltd
11. Written Approval – Lot 3 DP566421 & Lot 4 DP566421
12. Correspondence – Heritage NZ
13. Correspondence – Te Hono Support
14. Correspondence – Iwi
15. Fencing Covenant 12338818.1 – LINZ
16. RC2200445 Archaeological Assessment – Time Depth Enterprises Heritgae Consultants
17. Audiologist Letter – Triton Hearing Whangarei
18. Correspondence – Department of Conservation



Assessment of Environment Effects Report

1.0 DESCRIPTION OF THE PROPOSED ACTIVITY

Subdivision

1.1 The proposal seeks to undertake a subdivision of Lot 3 DP 582867 to create one additional allotment. Lot 2 will contain the existing dwelling on the site and Lot 1 will be vacant. Access to Lot 1 will be via the existing crossing place and right of way easement to the north-eastern corner of the site. A new access will be formed from the existing crossing place within the north-western corner of the site to access Proposed Lot 2 and the adjoining Lot 1 DP 582867. An Ecological Impact Assessment (EclA) has been completed by Bay Ecological Consultancy (BEC) in support of the application which is attached within **Appendix 10**. The identified areas of wetland and riparian margins will be set aside as Reserve Areas under the Reserves Act 1977, which will be discussed further in this report. LDE have also completed a Site Suitability Report (SSR) in support of the application, which is attached within **Appendix 9** of this application.

1.2 Given the location of the proposed building platform within Proposed Lot 1, the existing right of way easement over the existing driveway which provides access to the existing dwelling on the site and adjoining Lot 1 DP 582867, will be cancelled as part of this application under s243(e) of the Act. This will be discussed further in this report.

1.3 The proposed lot sizes are as follows:

- Lot 1 – 2.0927ha (vacant lot)
- Lot 2 – 2.6045ha (to contain the existing dwelling)

1.4 The site is zoned Rural Production, and the title is dated post 2000 (title date is 28 July 2025) and therefore will be assessed as a **Non-Complying Activity**.

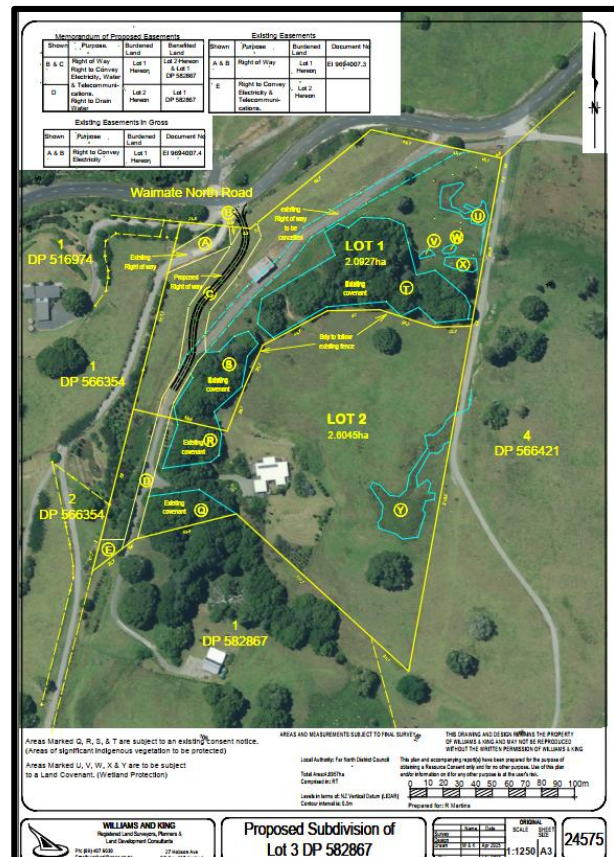


Figure 1: Proposed Scheme Plan



Cancellation of existing right of way easement under s243(e) of the Act

- 1.5 There is an existing Easement labelled 'B' on the Title Plan for the subject site, which is held within Easement Instrument 13363654.3. This easement provides for right of way, right to convey electricity & telecommunications, right to convey water and right to drain water over the subject site (burdened land) for adjoining Lot 1 DP 582867 (benefited land). The existing metalled accessway which services the existing dwelling on the subject site and adjoining Lot 1 DP 582867, is contained within Easement 'B'.
- 1.6 As detailed earlier in this report, the proposed building platform for Proposed Lot 1 has been determined to be in the location of part of the existing right of way easement, such that it is proposed to cancel the existing Easement 'B' and provide provision for new easements to service Proposed Lot 2 and adjoining Lot 1 DP 582867.
- 1.7 As per the Memorandum of Easements shown on the scheme plan, proposed Easements B & C will be introduced, which will provide access rights to Proposed Lot 2 and adjoining Lot 1 DP 582867 over Proposed Lot 1. A new metalled accessway will be created within these easement boundaries. Easement D will also be created over Proposed Lot 2, to provide access rights to adjoining Lot 1 DP 582867. Proposed Easement D will follow the existing metalled accessway.
- 1.8 The cancellation of existing Easement 'B' held within Easement Instrument 13363654.3 and created as part of RC2200445, is applied for in accordance with s243(e) of the Act.

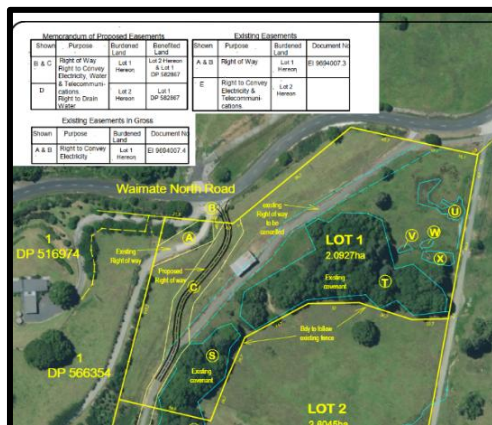


Figure 3 - Aerial view of easement B



Figure 2 - Plan view of Easement B

Cancellation of Consent Notice Conditions

- 1.9 The Title for the subject site records one consent notice under 13363654.2. Application is sought to cancel the consent notice conditions within this registered document as they affect land within Lot 3 DP 582867 on Record of Title 1091946 pursuant to s221(3).
- 1.10 The consent notice conditions require updated wording to reflect current standards and to ensure there is no repetition between current and past consent notice documents. Further detail will be provided throughout this application.



- 1.11 The cancellation is to be completed under Section 221(3) of the RMA and is requested to be included as a separate resolution within the decision document.

Regional Consent

- 1.12 The relocation of the access will trigger consent under the NES-F due to the culvert upgrade. Regional consent will be sought in conjunction with this application.

2.0 SITE DESCRIPTION

- 2.1 The property is located at 797A Waimate North Road, Waimate North. The property is bounded by rural lifestyle blocks of similar use to the subject site, along all other boundaries. The site currently contains one existing dwelling, with access to the dwelling from an existing access leg and crossing place within the north-eastern corner of the site. The existing development will be contained within Proposed Lot 2.
- 2.2 Areas of existing covenanted bush run through the site, which are contained within both proposed lots. The areas of open pasture within the site are utilized for small-scale grazing of livestock, which consists of rolling topography. The northern portion of the site slopes downhill from the road boundary towards the areas of bush in the middle of the site. The southern portion of the site is moderately sloping towards the north, towards the area of bush.
- 2.3 The surrounding environment consists of allotments predominantly within 2-4 hectares along Waimate North Road, with some smaller allotments scattered throughout of less than 2 hectares. There are some larger allotments in excess of 20 hectares further afield. The zoning of the site and surrounding environment is Rural Production, with a mix of general title and Māori Freehold Land.

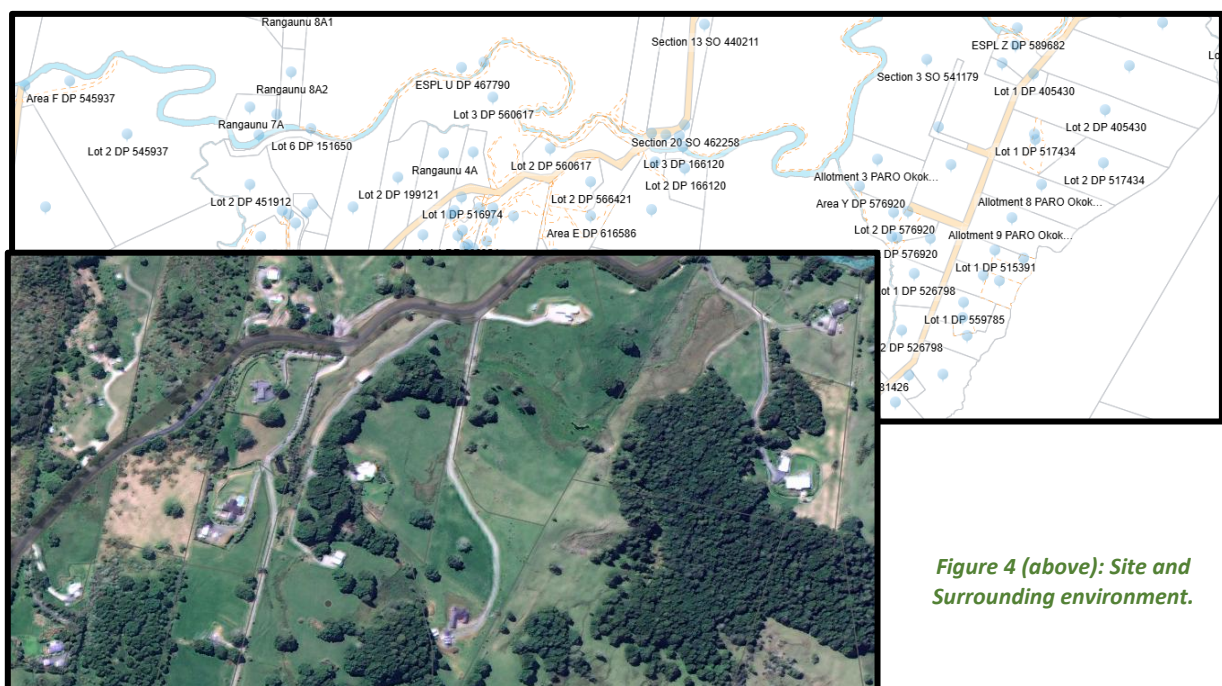


Figure 4 (above): Site and Surrounding environment.

Figure 5 (left): Aerial view of the site and surrounding environment.



Site Photos

2.4 A site visit was completed in December 2024, with a compilation of these photos shown below.



Figure 6 – Existing dwelling on Lot 2 looking south



Figure 7 – Vegetation indicating boundary between Lot 1 & 2, as viewed from dwelling on Lot 2



Figure 8 – View from dwelling towards wetland Y



Figure 9 – View from Lot 1 looking towards Covenant S



Figure 10 – View from easement C adjacent to easement A towards shed



Figure 11 – Driveway on easement A



Figure 12 – Existing shed on Lot 1



Figure 13 – Boundary between Lot 1 & 2



Figure 14 - Wetland Area U



Figure 15 - Wetland Areas V, W & X

Title

- 2.5 The subject site is legally described as Lot 3 DP 582867 and is held within Record of Title 1091945 with a land area of 4.6957 hectares. The title is dated 28th July 2025. There are existing easements registered on the title which are detailed below:

Easement Instrument 12287417.3

- 2.6 This easement is existing, where the subject site is 'benefited land.' This easement is shown as 'A' on DP 566421 and provides rights of way, right to convey electricity, telecommunications and water and right to drain water. This easement will remain unaffected by the proposal.

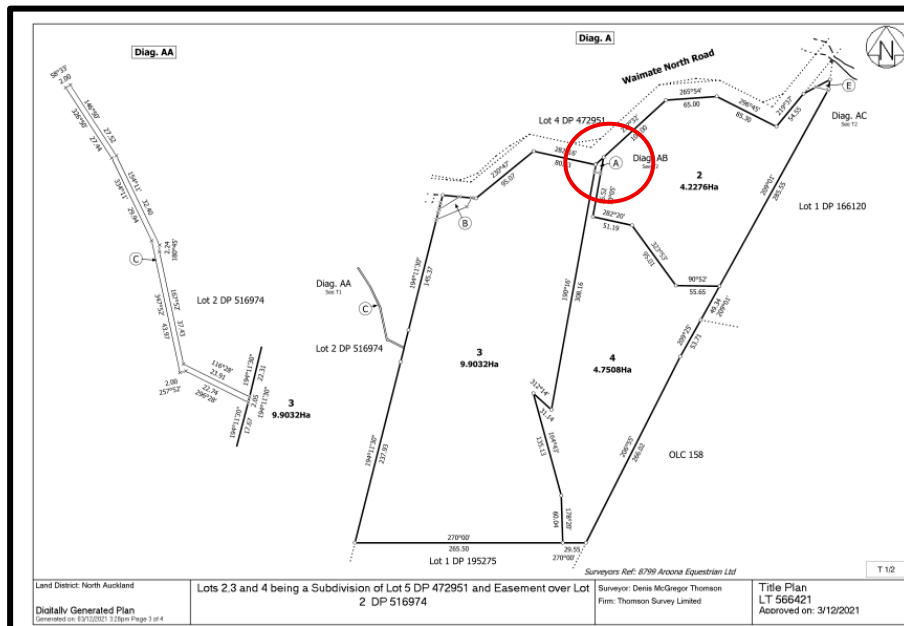


Figure 16: DP 566421 showing location of Easement A, which provides rights to the subject site.

Easement Instrument 12287804.5

- 2.7 This easement instrument contains Area Q (registered over Lot 1 DP 566354 being the burdened land) and Area S (registered over Lot 2 DP 566354 being the burdened land), which provides the right to convey electricity to Lot 3 DP 566421 (subject site). These easements will continue to be registered and will not be affected by the proposal.

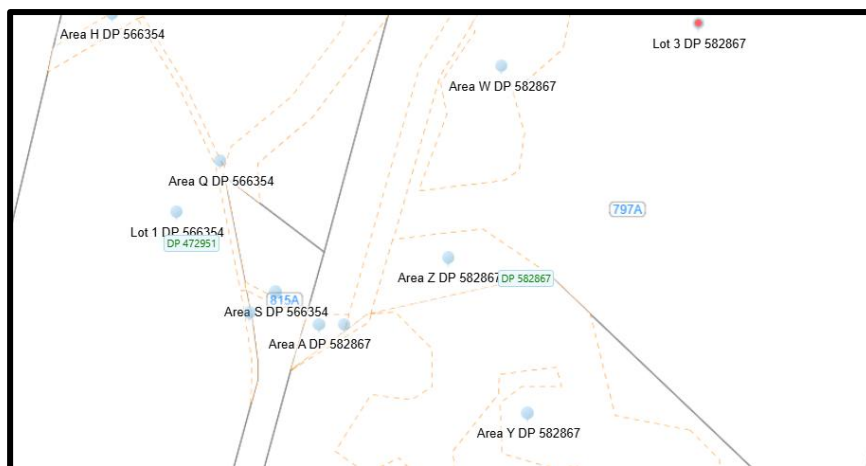


Figure 17 – showing location of Area Q & S.



Easement Instrument 13363654.3

2.8 This easement instrument includes the rights to convey electricity and telecommunications over part marked 'A' on DP 582867 over the subject site to benefit adjoining Lot 1 DP 582867. This will remain unchanged by the proposal and brought forward on to the new titles. It is shown as 'E' on the proposed scheme plan.

2.9 This Easement instrument also includes right of way, right to convey electricity, telecommunications and water and right to drain water over part marked B on DP 582867, where the subject site is the burdened land and Lot 1 DP 582867 is the benefited land. As detailed earlier in this application, this easement will be cancelled and a new easement proposed to include the same provisions detailed above.

2.10 There is also an Easement C registered over Lot 1 DP 582867 which provides the same rights to Lot 3 DP 582867 (subject site). This will remain unchanged.

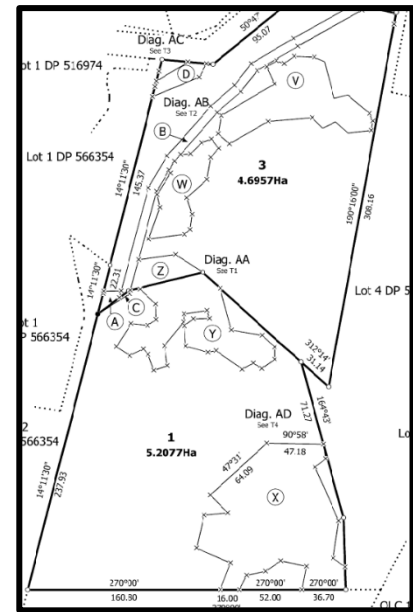


Figure 18: Snip of DP582867 which shows location of Easements A, B & C.

Consent Notice 13363654.2

2.11 There is one consent notice registered on the title under Document 13363654.2. The conditions held within Consent Notice Document 13363654.2 are listed below.

2.12 It is requested as part of this application to cancel the consent notice conditions within 13363654.2 in so far as they affect the subject lot and reimpose these on a fresh new consent notice document. This will ensure future owners can easily comprehend what is required for the site and refer to the correct reports. Due to the nature of the proposal, some of the existing consent notice conditions are to be reworded to include more detail. This will be discussed further in this report.

Consent Notice 13363654.2 Conditions		Compliance of Proposal
(i)	Not applicable as applies to Lot 1 DP582867	Not applicable to the subject site.
(ii)	Not applicable as applies to Lot 1 DP582867.	Not applicable to the subject site.
(iii)	The landowners and occupiers of Lot 1 & 3 shall not utilise the "farm access" marked on the attached plans for the purpose of residential use. Note: the 'farm access' is reserved for rural and farming activity only, any occupation or use for residential activities is prohibited.	The proposal does not involve utilising the 'farm access.' This condition will be brought forward for the new title for Proposed Lot 1. Complies.
(iv)	The areas of significant indigenous vegetation to be protected as identified as areas 'V', 'W', 'X', 'Y', 'Z' on the survey plan shall be protected in perpetuity to the satisfaction of the Council's	The areas of significant indigenous vegetation will not be adversely affected by the proposal. This condition is proposed to be deleted and amended as the areas of



Team Leader. The owners or their successors in title of Lots 1 and 3 shall: a) Not (without the prior written consent of the council and then only in strict compliance with any conditions imposed by the council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the protected areas; b) Not do anything that would prejudice the health or ecological value of the areas of riparian margin to be protected, their long-term viability and/or sustainability; c) The fencing required by conditions 3(a) and 4(a) of RC 2200445 shall be maintained by the lot owner”. d) The lot owner shall be deemed to be not in breach of this prohibition if any such vegetation dies from natural causes which are not attributed to any act or default by or on behalf of the owner or for which the owner is responsible	indigenous vegetation are identified by different identifiers on the proposed scheme plan. It is noted that the fencing around the existing dwelling ensures grazing animals are excluded from covenant areas R & Q such that no further fencing requirements are necessary to comply with this standard. Complies.
(v) In conjunction with the lodging of a building consent application for the construction of any building on 1 and 3, the applicant shall provide a design for stormwater management, prepared by a suitably qualified and experienced practitioner, which addresses stormwater management, and provides suitable mitigation measures to reduce flows from development.	No building consents form part of this proposal. This condition will be brought forward on to the new titles. Complies.
(vi) Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.	This is an advice condition for the owners of the lots. This will be brought forward on to the new vacant title. Complies.
(vii) No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. Within 2 months of consent being issued provide the Resource Consent Monitoring Officer with evidence for Council’s records of the two existing dogs owned by Rui and Kim Martins, this shall include: a) A photograph of the existing dog/s b) Written confirmation that the dog(s) have been micro-chipped This prohibition shall not apply to a maximum of two dogs owned by Rui and Kim Martins while they reside on the site, on whether that be on	This is an advice condition for the owners and remains applicable. As such it will be brought forward on to the new titles, with some minor amendments made to reflect the new proposal. Complies.



Lot 3 or Lot 1. Any such dog shall be micro-chipped and kept indoors and/or tied up at night.

Site History

2.13 The subject site was created under RMA SUB-2200445, which was approved on 17th December 2020. The original proposal included the creation of four lots in two stages. Stage 1 created the subject Lot 1 and adjoining Lot 2 plus the balance land. Stage 2 included the subdivision of the balance lot as part of Stage 1, to create two allotments (Lots 1 & 3, with Lot 3 being the subject site). The proposal was assessed as a Discretionary Activity in the Rural Production zone.

2.14 As part of this subdivision, the vehicle crossings to the lots were required to be upgraded to Council's standards. Consent Notice conditions were also imposed as detailed above.

2.15 An Archaeological Assessment was completed as per the Section 92 request. This assessment was completed by Mr Donald Price. It is stated within the s95 Report for RMA SUB-2200445, that 'Having reviewed Mr. Prince's comments, Heritage NZ was able to confirm that "no previously recorded archaeological sites are located within the property, but two sites have been identified relatively short distances to the properties east" and that "no archaeological evidence was detected with the area designated for earthworks". Therefore, it has been determined that consent was not required from Heritage NZ in relation to the subdivision works.... A consent notice condition was offered by the applicant to be imposed on the title of Lot 4, requiring a 20m setback from the boundary along the eastern boundary to mitigate any potential adverse effects relating to heritage resource.'

2.16 Heritage NZ Pouhere Taonga have been contacted as part of the pre-application process, with no response received at time of lodgement.

Site Features

2.17 Under the Operative District Plan (ODP), the site is located within the Rural Production zone and is not subject to any outstanding landscapes or other resource features.

2.18 Under the Proposed District Plan (PDP), the site is also zoned Rural Production and is not subject to any overlays.

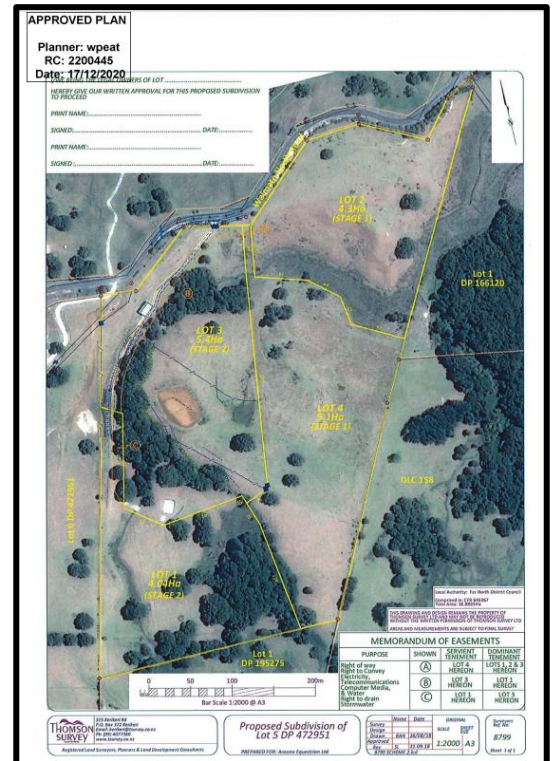


Figure 19: Approved Plan under RC2200445.



- 2.19 Given the sites rural location there are no connections to reticulated services such as water supply, wastewater and stormwater. Lot 2 has existing onsite provisions which service the existing dwelling.
- 2.20 The Regional Policy Statement for Northland maps the site as well outside of the Coastal Environment and does not identify it as containing any areas of high natural character. The site does contain wetland areas and immediately adjoins a larger wetland to the east of the site. The small wetland areas will be protected and enhanced as part of this proposal. The existing indigenous bush on the site is protected by existing covenants, which will remain unchanged by the proposal.
- 2.21 The site is not shown to be susceptible to any natural hazards, including flood hazards.

- 2.22 NZAA has not mapped any archaeological sites within the subject site. There are archaeological sites noted within allotments to the east of the site (OLC 158) which were discovered as part of RMA SUB-2200445, as discussed earlier in this report. Heritage NZ Pouhere Taonga have been contacted as part of the pre-application process and have recommended to proceed on the basis of an ADP.

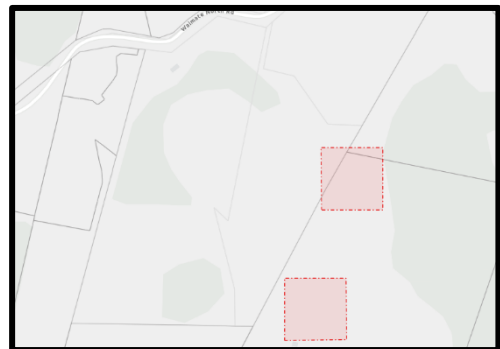


Figure 20: FNDC Historic Maps

- 2.23 The subject site is not known to contain any areas of PNA. The sites to the east are noted to contain PNA P05075 Atkins Ohaio Bush. As a result of RC2200445, the indigenous bush within the site was formally protected by way of covenant. Formal protection of these areas will remain as a result of the proposal. The site is located within an area of kiwi high density and as previously discussed, there is a consent notice registered on the title which restricts the introduction of carnivorous or omnivorous animals to the site. There are areas of wetland within the site which will be protected and enhanced as part of this proposal, as will be discussed further in this report.

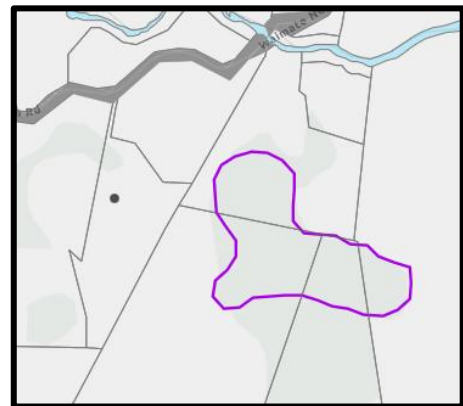


Figure 21: FNDC PNA Maps.

- 2.24 The site is not mapped as being within any Surface Water Protection zones.

- 2.25 The site is classified as having soils of LUC 6, which are not considered to be highly versatile under the RPS or the National Policy Statement for Highly Productive Land (NPS-HPL). Assessment of the NPS-HPL is not considered relevant to this application as the soils within the site are not classified as highly versatile.

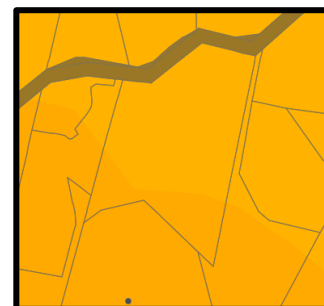


Figure 22: FNDC Soils Classification Maps

- 2.26 The site is not located within a Statutory Acknowledgement Area and is not located within an area of interest to local hapu on Councils Treaty Settlement maps. All relevant Iwi Groups have been contacted with no response received to date.

3.0 ACTIVITY STATUS OF THE PROPOSAL

Weighting of Plans

- 3.1 Under the Proposed District Plan, the site is zoned as Rural Production and is not subject to any overlays.
- 3.2 The Council notified its' PDP on 27 July 2022. The period for public submissions closed on the 21 October 2022. A summary of submissions was notified on the 4 August 2023. The further submission period closed on the 5 September 2023. It is apparent from the summary of submissions relating to the applicable zone that a large number relate to the application of these provisions. Based on the volume and comprehensive nature of these submissions, the Council has confirmed that no other rules will have legal effect until such time as a decision is made on those provisions.
- 3.3 District Plan hearings on submissions are currently underway and are scheduled to conclude in October 2025. No decisions on the PDP have been issued. For this reason, little weight is given to the PDP provisions.

Operative District Plan

- 3.4 The subject site is located within the Rural Production Zone. An assessment of the relevant subdivision, zone and district wide rules of the District Plan is set out in the tables below.

Subdivision

- 3.5 The proposal will result in three additional allotments. An assessment of Chapter 13 has been undertaken below.

ASSESSMENT OF THE APPLICABLE SUBDIVISION RULES FOR THE RURAL PRODUCTION ZONE:		
PERFORMANCE STANDARDS		
Plan Reference	Rule	Performance of Proposal
13.7.2.1	MINIMUM LOT SIZES	Non-Complying The subject site has an area of 4.6957ha and will create two allotments of 2.0927ha and 2.6045ha (one additional). The proposal cannot meet the RDA provisions as the title date is 2025. The proposed lot sizes also cannot meet the Discretionary provisions, and the subdivision will not be via management plan.



13.7.2.2	ALLOTMENT DIMENSIONS	Permitted. Lot 2 will contain the existing dwelling and as such, a concept building envelope is not applicable to this lot. Lot 1 has ample area to contain a 30m x 30m concept building envelope, which can achieve the required setback distances for the zone.
13.7.2.3 – 9	Not Applicable for this application.	

Rural Production Zone

- 3.6 Proposed Lot 2 will contain the existing dwelling and associated impermeable surfaces. Proposed Lot 1 will be vacant, however will contain impermeable surfaces associated with the proposed private accessway to service Proposed Lot 2 as well as existing metalled surface to service the proposed building platform on Lot 1. Therefore, an assessment of the relevant land use rules for the Rural Production zone has been undertaken below.

ASSESSMENT OF THE PERMITTED RURAL PRODUCTION ZONE RULES:		
<u>PERFORMANCE STANDARDS</u>		
Plan Reference	Rule	Performance of Proposal
8.6.5.1.1	RESIDENTIAL INTENSITY	Permitted Proposed Lot 2 will contain the existing dwelling and Proposed Lot 1 will be vacant. The first dwelling on a site is exempt from this rule.
8.6.5.1.2	SUNLIGHT	Permitted The existing structures within Lot 2 are of sufficient distance from all proposed boundaries such that there is no breach of the sunlight provisions.
8.6.5.1.3	STORMWATER MANAGEMENT	Permitted. The existing impermeable surface coverage within the proposed lots are considered to be far less than 15% of the respective site areas.
8.6.5.1.4	SETBACK FROM BOUNDARIES	Permitted. The existing structures within Lot 2 are of sufficient distance from all proposed boundaries such that there is no breach of the setback provisions.
8.6.5.1.5	TRANSPORTATION	A full assessment has been undertaken in the table below.



8.6.5.1.6	KEEPING OF ANIMALS	Not applicable.
8.6.5.1.7	NOISE	Not applicable.
8.6.5.1.8	BUILDING HEIGHT	No new buildings sought.
8.6.5.1.9	HELICOPTER LANDING AREA	Not applicable.
8.6.5.1.10	BUILDING COVERAGE	Permitted The total building coverage within Lot 2 is anticipated to be far less than the permitted allowance of 12.5% of the total site area.
8.6.5.1.11	SCALE OF ACTIVITIES	Not applicable
8.6.5.1.12	TEMPORARY EVENTS	Not applicable.

District Wide Matters

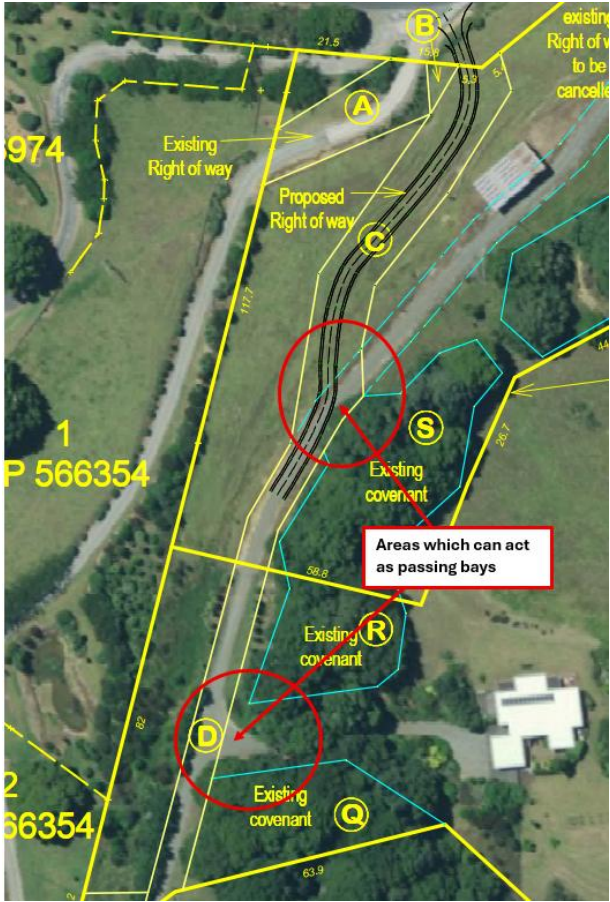
3.7 An assessment of the relevant District Wide Matters is outlined below:

ASSESSMENT OF THE APPLICABLE PERMITTED DISTRICT WIDE RULES:		
PERFORMANCE STANDARDS		
Plan Reference	Rule	Performance of Proposal
Chapter 12 – Natural and Physical Resources		
12.1	LANDSCAPE AND NATURAL FEATURES	Not applicable. The site does not contain any outstanding landscapes or natural features.
12.2	INDIGENOUS FLORA AND FAUNA	Not applicable. The proposal does not involve any indigenous vegetation clearance.
12.3	SOILS AND MINERALS	Permitted. Excavations associated with the construction of the private access within Proposed Easement C are anticipated as part of the proposal. However, if these excavations are anticipated to be well within the permitted threshold for the RP zone.
12.4	NATURAL HAZARDS	Permitted. The subject site is not located within a coastal hazard zone and there are no new residential units proposed which would trigger the fire risk rule.
12.5	HERITAGE	Not applicable. The site is not located within a Heritage area.
12.6	AIR	This chapter has been deleted.



12.7.6.1.2	SETBACK FROM SMALLER LAKES, RIVERS AND WETLANDS	Permitted Activity The size of the wetlands within Lot 1 are less than 1ha and as such the setback standard is not considered to be applicable. The suitable location for wastewater disposal as determined by LDE is more than 30metres from the wetland areas. Compliance with these rules will be determined at the time of built development and onsite servicing within the lot.
12.8	HAZARDOUS SUBSTANCES	Not applicable.
12.9	RENEWABLE ENERGY AND ENERGY EFFICIENCY	Not applicable.
Chapter 15 - Transportation		
15.1.6A	TRAFFIC	Permitted Activity Proposed Lot 2 will contain the existing dwelling. The TIF for the site is within the permitted threshold for the zone. Lot 1 is vacant.
15.1.6B	PARKING	Permitted Activity The parking areas for Lot 2 will remain unchanged. There is adequate area on Lot 1 for any future parking.
15.1.6C.1.1	PRIVATE ACCESSWAY IN ALL ZONES	Permitted Activity As a result of this proposal, Easements C & D will contain accessways to service Proposed Lot 2 and adjoining Lot 1 DP 582867. A new accessway will be constructed within the first portion of Easement C, with the southern portion of Easement C containing the existing metalled access as well as Easement D. Appendix 3B-1 requires that an accessway servicing two HE's in the Rural Production zone have a legal width of 5 metres and a carriageway width of 3 metres. The proposed and existing accessways will comply with this standard. Easement A will cover the existing private accessway to adjoining lot, Lot 1 DP 566354. There will be no additional users of this accessway such that no assessment of the accessway is considered necessary. Easement B is not proposed to contain a private accessway and will be utilised for conveyance of electricity to cover existing and proposed rights. Access to Proposed Lot 1 will be via the existing crossing to the north-east of the site, which currently provides access to the site. No private accessway is provided for Lot 1.



		The private accessways will service less than 8 HEs and is not accessed via a State Highway.
15.1.6C.1.2	PRIVATE ACCESSWAYS IN URBAN ZONES	Not applicable
15.1.6C.1.3	PASSING BAYS ON PRIVATE ACCESSWAYS IN ALL ZONES	Permitted. Passing bays will be provided in the location where the new accessway within Easement C meets the existing internal accessway. This area will provide a pull over area, which can act as a passing bay for oncoming traffic. In terms of Easement D, the access to the dwelling within Proposed Lot 2 will act as a passing bay for any passing traffic. It is considered that these two provisions will be adequate to act as passing bays along the private accessways and therefore no additional passing bays will be provided. 
15.1.6C.1.4	ACCESS OVER FOOTPATHS	Not applicable.
15.1.6C.1.5	VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES	Permitted Activity Proposed Lot 1 will utilise the existing crossing place from Waimate North Road, which currently services the subject site. It was a condition of RMASUB-2200445, that the crossing places be upgraded to FNDC/S/6 and 6B standards and as such, it is considered that the crossing places meet the FNDC Engineering standards. LDE have also stated within their report

		that the crossing place is constructed to the required standard with 10m being sealed. No upgrading is anticipated due to the existing condition of the crossing place. The proposal will also not increase the number of users on this crossing place and will in fact, decrease the number of users, given the crossing place for Proposed Lot 2 and adjoining Lot 1 DP 582867 will be via a crossing to the north-west of the site. Proposed Lot 2 will be accessed via an existing crossing place to the north-west corner of the site. This crossing currently services the two adjoining lots to the west. LDE have assessed the crossing place and advised that it is suitable to accommodate the proposal. The crossing has been assessed as being sealed for the first 5 metres. LDE have recommended that the existing concrete driveway will need to be tidied up and rock lined plus a 300mm culvert placed under the proposed access from the crossing to the subject site.   Existing open drain to be rock lined.  Location of proposed ROW existing house site (required new culvert).
15.1.6C.1.6	VEHICLE CROSSING STANDARDS IN URBAN ZONES	Not applicable.
15.1.6C.1.7	GENERAL ACCESS STANDARDS	Permitted Activity (a) There will be adequate turning on each site. (b) Not applicable as there are no such bends or corners on the proposed private accessway. (c) The areas which legal width exceeds formation requirements are grassed.

		(d) Stormwater will be managed on site.
15.1.6C.1.8	FRONTAGE TO EXISTING ROADS	Permitted Activity (a) Access to the site is from Waimate North Road which is considered to meet the legal road width standards. (b) Waimate North Road is a sealed road and is considered to be constructed to the required standards. (c) Access to the lots will be via existing crossing places. (d) The legal road carriageway is not known to encroach upon the subject property.
15.1.6C.1.9 – 11	Not applicable to this development.	

Overall status of the proposal under the Operative District Plan

Subdivision

- 3.8 The proposal will create one additional allotment. The proposed lot sizes are 2.0927ha and 2.6045ha. The subject site has a title date post 2000 and no residual rights for subdivision remain. Due to the proposed lot sizes and the title date, the subdivision proposal is considered to be a **Non-Complying activity**.

Overall status of the application

- 3.9 The subdivision application is therefore assessed as a Non-Complying Activity as per **Rule 13.11**. An assessment of the relevant sections contained within Chapter 13 will be undertaken as part of this application.

Cancellation of Consent Notice Conditions

- 3.10 As mentioned, it is proposed to cancel the existing consent notice conditions as they affect the subject site and re-establish these as a new consent notice document which will be registered on the new titles for the new lots. This will ensure transparency as well as enable future lot owners to access the relevant information with ease.
- 3.11 Section 221(3) of the Act allows for variation or cancellation of a condition specified in a consent notice by a territorial authority. Section 221(3A) states that sections 88 to 121, and 127 (40 to 132 of the Act) will apply in relation to such applications. Applications seeking to vary or cancel consent notice condition/s are assessed as if the application were for resource consent for a discretionary activity. The references to the consent notice condition and to the activity relate only to the change of the consent notice condition and the effects of the change.
- 3.12 The cancellation of the consent notice conditions will be assessed as a **Discretionary Activity**.

Proposed District Plan

- 3.13 The proposal is also subject to the Proposed District Plan process. Within the Proposed District Plan, the site is zoned Rural Production. Assessment of the matters relating to the Proposed District Plan that have immediate legal effect, has been undertaken below:



Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource Rules HS-R5, HS-R6, HS-R9	Not applicable. The site does not contain any hazardous substances to which these rules would apply.
Heritage Area Overlays	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	Not applicable. The site is not located within a Heritage Overlay Area.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10) Schedule 2 has immediate legal effect	Not applicable. The site is not known to contain any historic heritage.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	Not applicable. The site does not contain any notable trees.
Sites and Areas of Significance to Māori	All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect	Not applicable. The site does not contain any sites or areas of significance to Māori.
Ecosystems and Indigenous Biodiversity	All rules have immediate legal effect (IB-R1 to IB-R5)	Not applicable. The proposal does not include any vegetation clearance such that these rules are not applicable.
Subdivision	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	Permitted. SUB-R6 relates to environmental benefit subdivisions which the proposal is not applying for. SUB-R13 relates to subdivision of a site within a heritage area overlay, which does not relate to the subject site. SUB-R14 relates to subdivision of a site that contains a scheduled heritage resource, which the site does not contain. SUB-R15 relates to a subdivision of a site containing a scheduled site and area of



		significance to Māori, which the site does not contain. SUB-R17 relates to a site containing a scheduled SNA, which the site does not include.
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not applicable. The proposal does not involve activities on the surface of water.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5	Permitted. Any earthworks will proceed under the guidance of an ADP and will be in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016, in accordance with Rules EW-12, EW-R13, EW-S3 and EW-S5.
Signs	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	Not applicable. No signs are proposed as part of this application.
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not applicable. The site is not located in the Orongo Bay Zone.

3.14 Overall, the proposal is assessed as being Permitted in terms of the PDP.

National Environmental Standards

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NES:CS)

3.15 A site visit, review of aerials and past applications and discussions with landowners in the area did not indicate that the site is HAIL. The subject site has historically been grazed. No such assessment of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health has therefore been undertaken. The application has been considered **Permitted** in terms of this regulation.

National Environmental Standards for Freshwater 2020

3.16 As determined within the Ecological Impact Assessment (EclA) by Bay Ecological Consultancy (BEC), the site contains some areas of natural inland wetlands, which will be contained within



FIG 3: ECOLOGICAL SITE FEATURES

KEY

- A1 Creek
- Ephemeral modified watercourse
- Existing crossing
- Infill between fence & dipline
- U, V, W, X, Y Natural inland wetland
- Min 3m wetland planting buffer
- Natural inland wetland offsite
- Lot 2 & 4 DP 5664421
- Tofaraa trees
- Path to wetland through LOT 4 DP 566421

Note:
 Areas Marked Q, R, S, & T are subject to an existing consent notice. (Areas of significant indigenous vegetation to be protected). Areas Marked U, V, W, X & Y are to be subject to a Land Covenant. (Wetland Protection)

3.17 The EclA has noted that the ‘wetlands are tributary to an unnamed A1 type headwater creek (NZSEG# 1008960) within the basal contour of the parent Lot which continues to a large natural inland wetland on Lots 2 & 4 DP 566421 in separate ownership. Extensive riparian planting and covenanting has recently (2025) been undertaken on these Lots (RMASUB 2250234 & 2250263 respectively). It is joined by a further unnamed headwater NZSEG#1008961 downstream on Sec21 SO 462258, the combined flow of which terminates in a 4th order reach of the Waitangi River, approx. 600m downstream from site.’

3.18 It is noted within the EclA, that the anticipated building platform and access on Lot 1 may be within 100m of the wetland areas U, V & W and the large offset gully wetland, ‘but will not occupy a critical source area, seepage or overland flow path that through its formation may **change the water level range or hydrological function of the wetland**. House locations will not affect Wetland X on the opposite south bank of the creek and not hydrologically connected.’

3.19 The EclA has recommended that protection and revegetation of the wetland areas be imposed which will include a 3-metre buffer planting area around the wetland areas; infill planting between the existing bush covenants fence line and dripline of remnant bush; fencing off

Wetland Y and stock exclusion from the modified watercourse on proposed Lot 1 as it is a CSA to the creek.



Figure 25: Image taken from the EcIA showing location of Wetlands within the site and adjoining allotments.

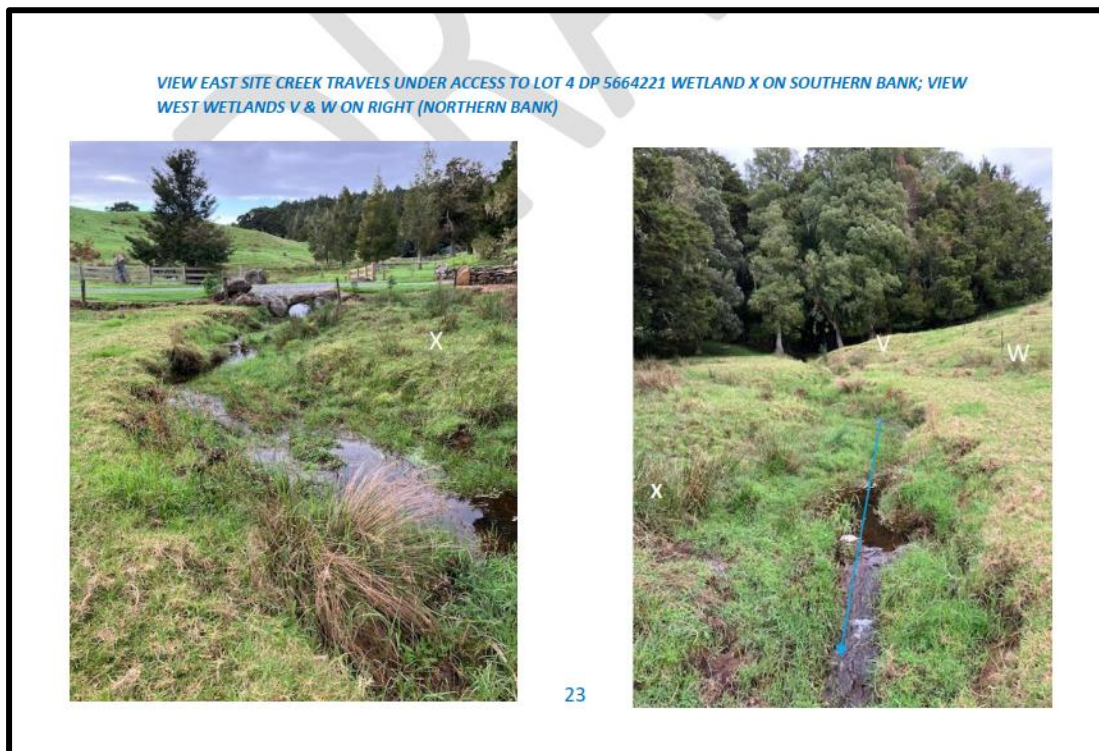


Figure 24: Wetlands within Proposed Lot 1.

- 3.20 It has been considered that at the time of built development on Lot 1, stormwater inputs shall be controlled to prevent sediment, scouring or erosion to avoid adverse effects on the wetland and aquatic habitat condition. The proposed buffer planting will also assist in reducing erosion and sediment. A consent notice condition will be offered to be registered on Proposed Lot 1 to ensure that a stormwater report is provided at the time of any building or other impermeable surface on the lots to address stormwater inputs to the wetland. It is also offered that an Advice Note is issued on the decision document advising future owners that consent may be required under the NES-F for works within 100m of the wetland areas, due to discharge potentially entering the wetland areas and as such there being a hydrological connection.
- 3.21 The EclA has noted that as part of the proposed works for the creation of the accessway within Easement C, a culvert will need to be placed where the accessway will cross the modified watercourse, which has been identified as a natural inland wetland. It has been determined that the proposed works would not comply with *Reg 46 Permitted Activities – Maintenance and operation of specified or other infrastructure* as it will be introducing new infrastructure. It would therefore be a Restricted Discretionary Activity as per Reg 47, with matters subject to Reg 56. The EclA includes an assessment of Reg 46 & 56, which are adopted as part of this application and shown below for clarity.



Figure 26: Image of modified watercourse where culvert will be placed under new accessway within Easement C. The existing culvert under the existing accessway is shown in the image to the right.

Table 2 - NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER 2020		
Regulation	Rule Reference	Compliance of Proposal
Subpart 1 – Natural Inland Wetlands		
46 (Permitted)	Maintenance and operation of specified infrastructure and other infrastructure	As per the EclA, the proposal requires modification of other infrastructure. The proposal is also required to be assessed against subclause (4) which lists conditions. The proposed culvert works has been identified as being unable to comply with conditions 4(B) & (C) as the proposal will increase the size of the culvert as well as be for an accessway. It is noted that the culvert has never been intended for the passage of fish as there are no fish in the area. As such, the proposal cannot comply with this regulation. An assessment of Regulation 47 is made below for completeness. Does not comply
47 (RDA)	Maintenance and operation of specified infrastructure and other infrastructure	(1) The proposal will result in clearance of grass pasture for other infrastructure. (2) The proposal will result in earthworks or land disturbance within, or within 10m of a natural inland wetland for the purpose of operating other infrastructure. (3) The proposal will result in earthworks and land disturbance within a 100m setback from a natural inland wetland, however the proposal will not result or likely to result in complete or partial drainage of all or part of the natural inland wetland. (3A) The proposal will not result in discharge of water into water within, or within a 100m setback from a natural inland wetland as the proposal will maintain the current situation. (4) Not applicable. The conditions for RDA activities are as follows:



		(a) The activity will only be undertaken for as long as necessary to achieve the purpose. (b) A record can be made of the natural inland wetlands bed profile and hydrological regime that is sufficiently detailed to enable compliance with paragraph (c). However, this is not considered necessary given no drainage of the wetland areas are anticipated as determined within the EclA. (c) No change to the bed profile and hydrological regime of the natural inland wetland is anticipated. Therefore, the proposal can comply with the RDA criteria. The discretion of the consent authority is therefore restricted to the matters set out in regulation 56. Restricted Discretionary
56 (RDA)	Restricted Discretionary activities: matters to which discretion is restricted.	An assessment of Regulation 56 has been made within the EclA and is copied below for ease of reference. (a) Earthworks for the culvert modification within easement C is unlikely to have adverse effects on any of (1)-(4) due to the small area of loss; gain of extent from stock exclusion and current long-standing lack of fish passage. (b) Design and engineering consultant strands have determined the activity location and design is the primary option. (c) Wetland values are limited to functional retention and processing of nutrient by highly resilient and regenerative wetland grass species <i>Paspalum distichum</i> (exotic) & <i>Isolepis</i> sedge. Stock exclusion will have a larger impact than loss of a small area of the wetland for culvert C upgrade.



		(d) Buffering of the riparian margin of the receiving creek environment and further tributary wetlands in the same immediate catchment is proposed downstream, further reducing sediment and nutrient input. An offset of the functional values of the small culvert area Easement C will have benefit to the wetland through net gain of buffer area through sediment retention with additionality of diversity and density enhancement. (e) Effects are managed through the EMH to be less than minor. (f) Culvert will retain neutrality (g) The net gain and additionality will provide ecological enhancement over the status quo that would not occur without the proposal. Complies
Subpart 3 – Passage of fish affected by structures		
58	Purpose of this subpart	The purpose of this subpart is stated as being <i>‘to deal with the effects on the passage of fish of the placement, use, alteration, extension or reconstruction of any of the following structures in, on, over, or under the bed of any river or connected area.’</i> The proposed culvert location will not be located within the bed of any river or connected area. Furthermore, within the EclA, it was determined that there were no fish present in the modified watercourse or habitat upslope or beyond this point to allow for passage of fish and highly unlikely to interfere with the passage of fish regardless. As such, it is considered that this subpart is not applicable to the proposal as there will be no effects on the passage of fish given that fish are currently not present and the current situation does not enable, nor will the proposal interfere with, the passage of fish. The proposal also does not include works within the bed of a river or connected area.



		It is considered that this subpart was not created to restrict activities similar to the subject proposal, where fish are not and have not been present. Not applicable.
70 (Permitted)	Culverts	Once again, this rule relates to culverts in, on, over or under the bed of a river or connected area. The proposed culvert is not to be located near a river feature. As such, this section is not considered applicable to the proposal. Not applicable.

- 3.22 Overall, it has been determined as part of this assessment that consent is required under the *NES-F Regulation 47 – Maintenance and Operation of specified infrastructure or other infrastructure* as a **Restricted Discretionary Activity**. Assessment of Regulation 56 for matters of discretion, has been provided above, showing compliance of the proposal.
- 3.23 As assessed above, it is considered that Subpart 3 in relation to Fish Passage, is not relevant to the proposal.
- 3.24 Consent under the NES-F will be required as part of this application and will be applied for to the Northland Regional Council (NRC).

Other National Environmental Standards

- 3.25 No other National Environmental Standards are considered applicable to this development. The proposal is permitted in terms of these above-mentioned documents.

Proposed Regional Plan for Northland 2024

- 3.26 Given the placement of the culvert within Easement C will be within a modified watercourse identified as natural inland wetland, consent under the Proposed Regional Plan for Northland 2024 (PRPN) will be required under *Rule C.2.2.4 Activities in natural and constructed wetlands* as a Discretionary Activity.
- 3.27 An application for consent under the PRPN and NES-F will be combined and submitted to Northland Regional Council (NRC), in conjunction with the subject application being made to FNDC. A copy of the NRC application can be made available to the allocated Processing Planner at FNDC upon request.



4.0 STATUTORY ASSESSMENT

Section 104B of the Act

- 4.1 Section 104B governs the determination of applications for Discretionary and Non-Complying Activities. With respect to both Discretionary and Non-Complying Activities, a consent authority may grant or refuse an application, and impose conditions under section 108.

Section 104D of the Act

- 4.2 Section 104D applies to Non-Complying Activities only and is the gateway test. Non-Complying activities must pass at least one of the gateway tests in order for consent authorities to consider approval. The gateway tests are determined in assessing the applicable documents under Section 104(1).

Section 104(1) of the Act

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

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

- (a) any actual and potential effects on the environment of allowing the activity; and*
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*
- (b) any relevant provisions of –*
 - i. a national environmental standard:*
 - ii. other regulations:*
 - iii. a national policy statement:*
 - iv. a New Zealand Coastal Policy Statement:*
 - v. a regional policy statement or proposed regional policy statement:*
 - vi. a plan or proposed plan; and*
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.”*

- 4.4 Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (As described in section 3 of the act). Positive effects arising from this subdivision is that an additional allotment will be created in an area which is in close proximity to town centres, such as Kerikeri, Okaihau and Ohaeawai which provide opportunities for schools and employment. The vacant lot is suitable for built development as determined by LDE. The existing wetland areas both within the site and within the downstream environment will be enhanced by additional buffer planting, providing an environmental benefit as part of the application.



- 4.5 Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity’. A Site Suitability Report has been completed by LDE which found that the vacant lot is appropriate for built development and associated services. As mentioned above and within the EclA, the proposal will result in positive ecological benefits by protecting and enhancing the natural features within the site.
- 4.6 Section 104(1)(b) requires the consent authority to consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided in section 6.0 below.
- 4.7 Section 104(1)(c) states that consideration must be given to ‘any other matters that the consent authority considers relevant and reasonable, necessary to determine the application’. There are no other matters relevant to this application.

5.0 ENVIRONMENTAL EFFECTS ASSESSMENT

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

Subdivision

- 5.2 The proposal is a non-Complying activity as per rule 13.7.2.1. The criteria within 13.10 of the District Plan is therefore to be used for assessment of the subdivision, in conjunction with the matters set out under Sections 104, 104B, 104D, and 106 of the Resource Management Act 1991. An assessment that corresponds with the scale and significance of the effects on the environment is provided below:
- 5.3 An assessment has been undertaken in accordance with Section 13.10 Assessment Criteria of the District Plan below.

ALLOTMENT SIZES AND DIMENSIONS

- 5.3.1 The proposal is to subdivide the site to create one additional allotment. Lot 2 will contain the existing dwelling and associated access, parking and manoeuvring areas and Lot 1 will be vacant and contain a portion of private accessway to service Proposed Lot 2 and the adjoining Lot 1 DP 582867. The wetland areas within Lots 1 and 2 will be set aside for protection and revegetation to enhance the wetland areas, as determined within the EclA. The intended purpose of the lots will be for rural-lifestyle living, similar to the current use of the site. LDE have completed a Site Suitability Report for the subdivision to determine whether Proposed Lot 1 is suitable for built development and onsite servicing, such as wastewater, stormwater



and water supply. LDE determined that the lot is suitable for such development, with the provision for further investigation required at the time of such development, which can be included as a consent notice condition on the title for Lot 1. The proposal does not create any land use infringements of the permitted rules for the Rural Production zone, and it is considered that Lot 1 is of a size which can adequately accommodate future built development without creating any land use infringements. The lot sizes and dimensions are considered to be sufficient for operational and maintenance requirements.

5.3.2 Although the site and surrounding environment are zoned as Rural Production, the lot sizes and existing natural features in the area, render the sites more suitable for rural-lifestyle use. The lot sizes in the area predominantly fall within the 2 hectare to 4 hectare range, with many containing a residential dwelling. There are some smaller allotments of less than 2 hectares scattered throughout. The majority of these lots are congregated around the fringes of Waimate North Road. Larger lots more than 10 hectares in area tend to be located inland, further from Waimate North Road. There are many natural features in the area such as the Waitangi River, riparian bush and bush areas as well as wetland areas, which also restrict the productive use of lots in the area, creating more of a rural lifestyle environment. Due to the above, the proposed allotments are considered compatible with the pattern of the adjoining subdivision and land use activities.

5.3.3 Furthermore, the adjoining lots to the east of the site (Lots 1 - 4 DP 616586) have recently been subdivided to create 4x 2-hectare allotments. The subdivisions to create these allotments were approved under RC2250234 and RC2250263 respectively. A 7000m² allotment is also directly to the west of the site as well as another 2-hectare allotment. These allotments are shown in yellow in Figure 27 below. The two recently approved subdivisions also boasted similar characteristics to the subject site, where each site had an existing dwelling and created one vacant allotment as well as areas on the sites being set aside for formal protection of wetland areas. These wetland areas adjoin the wetland areas within the subject site, with formal protection of all areas providing a superior outcome overall. This further reinforces that the proposal is consistent with the pattern of adjoining subdivision and land use activities.

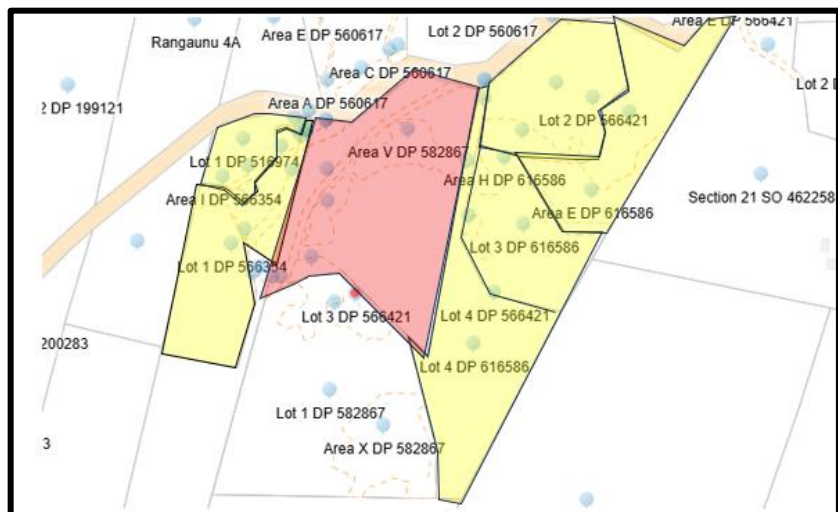


Figure 27: Image showing subject site in red and adjoining lots of similar size to the proposal in yellow.



- 5.3.4 Written approval from the adjoining landowners to the east of the site have been obtained. The adjoining land to the south, Lot 1 DP 582867 is owned by the subject applicant and as such, no formal written approval has been obtained, as there are no adverse effects considered given the land is in the same ownership as the subject site. Nonetheless, a formal written approval can be provided if deemed necessary by the allocated Processing Planner.
- 5.3.5 The site is located approximately 10 kilometres from the heart of the Kerikeri township and as such, is in close proximity to places of employment, schools and social centres. This adds to the need for rural lifestyle lots in the area as it enables people a place to reside in close proximity to a town centre which can cater to their needs, whilst providing the opportunity to be self-resilient by providing area for growing of garden and crops as well as small scale keeping of livestock for home-kill. The proposal is not considered to alter the productive use of the lot as the proposal will still enable small scale productive activities, whilst providing an opportunity for an additional residential dwelling in the area, which is compatible with the surrounding land use.
- 5.3.6 In terms of access arrangements, there will be no additional crossing places required as part of the proposal. Both lots will utilise an existing crossing place which are considered to meet the FNDC Engineering Standards, due to being upgraded recently. LDE have made comment that the crossing place that will service Lot 1 is sealed for 10 metres and meets the current standards. The proposal will see a decrease in the number of users of this crossing place, which is located to near the north-eastern corner of the site, given that the existing right of way within the site, from this crossing place will be cancelled as part of this application. Proposed Lot 2 will be accessed via the existing crossing place located near the north-western corner of the site, where a new private accessway will be created to provide access over Proposed Lot 1 to Proposed Lot 2 and adjoining Lot 1 DP 582867. LDE have assessed this crossing place as meeting the required standards, however some work will need to be done where the private accessway meets the crossing, such as rock lining and introduction of a culvert. The proposal is not considered to adversely affect traffic in the area, with the additional traffic movements anticipated to be easily absorbed into the surrounding environment.
- 5.3.7 In terms of cumulative and long-term implications and the preservation of the rural environment, the proposal is considered to enhance the preservation of the environment whilst ensuring cumulative effects are managed to a less than minor effect. The proposal will result in one additional allotment, with both lots anticipated to contain effects within the boundary of each allotment. The sites are large enough to manage stormwater onsite, without creating downstream effects. The proposal will not add any additional crossing places, mitigating traffic effects. The proposal will also see the wetland areas on site formally protected, enhancing the biological and environmental aspect of the site and surrounding environment. Additional planting is proposed to enhance the area as well as the water quality of the wetland areas, which will in turn, have positive effects on the downstream



environment. Overall, it is considered that the proposal will have a positive effect on the rural environment and will be consistent with the surrounding environment.

- 5.3.8 The proposal is not considered out of character within the surrounding environment. Due to the size of the site, topography and natural features within the site, it is currently unable to be utilized for feasible productive use and is only utilised for small-scale productive use. The proposal is considered to be the best utilization of the land and enhances the site and surrounding environment.

NATURAL AND OTHER HAZARDS

- 5.3.9 LDE completed an assessment of the site in terms of natural hazards within Section 7 of their report. It was concluded that the site was not found as being susceptible to erosion, rockfall, alluvion, avulsion, unconsolidated fill, soil contamination, subsidence, fire hazard or sea level rise. The site is also not identified as being susceptible to flood hazards under the NRC Hazards Map.
- 5.3.10 The concept building site investigated by LDE is located over the existing right of way access, which will be cancelled as part of this proposal. LDE stated within Section 3 of their report that *'It is recommended that a slope stability assessment of the final location of the proposed building area will be done as part of the geotechnical assessment for the building platform at Building Consent Stage.'* It is considered that this will be triggered as part of any building consent application for a dwelling within the site and a consent notice condition on the title for Lot 1 is offered. Lot 2 will contain the existing built development.
- 5.3.11 It is therefore considered that there are no natural hazards within the site which could adversely affect the subdivision of the site and no matters applicable under s106 of the Act.

WATER SUPPLY

- 5.3.12 Proposed Lot 2 has existing water supply via capturing of runoff into tanks on site.
- 5.3.13 It is anticipated that Council's standard consent notice condition regarding firefighting will be registered in the title for Proposed Lot 1.

STORMWATER DISPOSAL

- 5.3.14 The proposed lots will be over 2 hectares in area each, with Lot 2 containing the existing built development and Lot 1 being vacant. The existing built development on Lot 2 has existing attenuation methods for stormwater, with impermeable surfaces within this lot considered to be within 15% of the total site area.
- 5.3.15 LDE have completed an assessment of Stormwater Disposal for Lot 2 within the SSR, which concluded that runoff from any future house site can be managed within the site boundaries, with no adverse effects on surrounding properties.



5.3.16 As mentioned earlier in this report, the EclA prepared in support of this application, determined that there are natural inland wetlands located downslope of the concept building platform within Lot 1. Riparian planting will be introduced as part of this proposal, as indicated within the EclA, which will enhance the ecological and biological wellbeing of the wetland areas. Although the proposal will see an increase in impermeable surfaces which will most likely be within 100m of the identified wetland areas, the EclA determined that with the inclusion of appropriate stormwater attenuation methods which reduce and control erosion and sediment levels into the wetland areas, there will be no change to the hydrological function of the wetland areas. An Advice Note can be placed on the decision document advising future owners that impermeable surfaces within 100m of the wetland areas may require consent under the National Environmental Standards for Freshwater 2020 (NES-F) and the consent notice condition requiring a report addressing stormwater attenuation has been offered to note that detail on mitigation measures for the wetland areas are to be included within any such report. As concluded within the EclA, this provides a superior outcome as formal protection and enhancement of the wetland areas on site will be provided.

5.3.17 The below consent notice condition is offered as part of this application:

In conjunction with the construction of any building requiring building consent on the lot the consent holder must provide a stormwater management report prepared by a Suitably Qualified and Experienced Person detailing how stormwater will be managed in accordance with Council's Engineering Standards at building consent stage. Stormwater runoff from future new buildings and impermeable surface areas on the lots shall be restricted to that of predevelopment levels for a 10% AEP storm event plus an allowance for climate change. Particular detail shall be provided on mitigating sediment and erosion levels to the protected wetland areas as identified in RCXXXXXX. [Lot 1]

5.3.18 It is considered with the inclusion of the above consent notice condition (or one of similar wording that provides the same outcome), stormwater effects on adjacent properties, the surrounding environment and the wetland areas within the site, will be mitigated to a less than minor degree.

SANITARY SEWAGE DISPOSAL

5.3.19 Councils' infrastructure is not available to this rural site. Proposed Lot 2 has an existing system which was installed with the dwelling on site. The system is relatively new and is in good working order, as per LDE's report.

5.3.20 Proposed Lot 1 is vacant. LDE completed an assessment of onsite wastewater disposal as part of their Site Suitability report. A concept effluent field location has been provided for by LDE to conclude that the lot is suitable for onsite effluent disposal.

5.3.21 It is therefore anticipated that the standard consent notice condition will be imposed on the title for Lot 1 that requires a site specific TP58 for any future built development on the lots which requires an effluent system.



ENERGY SUPPLY, TOP ENERGY TRANSMISSION LINES, & TELECOMMUNICATIONS

5.3.22 The existing dwelling on Lot 2 has existing provisions for power and telecommunications.

5.3.23 It is not a requirement for rural production zoned lots to provide power and telecommunication connections at the time of subdivision. It is anticipated that the provision for power supply will be completed at the time of built development on Lot 1. There are many options available now which do not require connection to telecommunications, such as rural broadband and starlink.

5.3.24 Regardless, we offer Councils standard consent notice condition for Lot 1 that power supply and telecommunication services are not a requirement of the subdivision to ensure future owners are aware.

EASEMENTS FOR ANY PURPOSE

5.3.25 There are both proposed and existing easements as part of this proposal.

5.3.26 The proposed easements include Easements B & C as per the scheme plan. These easements cover the right of way, right to convey electricity, water and telecommunications over Lot 1 to Proposed Lot 2 and Lot 1 DP582867. This will cover the main access to both Lot 2 and adjoining Lot 1 DP582867. Proposed Easement D also includes the same rights however is located over Proposed Lot 2 to benefit Lot 1 DP582867. This will cover the existing portion of the access which currently services the dwelling on Lot 2 and Lot 1 DP582867.

5.3.27 The existing easements are shown as Easement A & B on the scheme plan, which covers the portion of accessway over Lot 1 under document EI 9694007.3 & EI 9694007.4. Existing Easement E includes the rights to convey electricity and telecommunications over part marked 'A' on DP582867 over the subject site to benefit adjoining Lot 1 DP582867. This will remain unchanged by the proposal and brought forward on to the new titles. It is shown as 'E' on the proposed scheme plan. These rights are contained within existing Easement Instrument 13363654.3.

5.3.28 As mentioned, the existing right of way easement contained within Easement Document 13363654.3, which provides access to the subject site and dwelling on Lot 1 DP 582867, will be cancelled. This will be included as a separate resolution within the decision document. Given the proposed location of the concept building envelope within Proposed Lot 1, the internal accessway needs to be redirected, with provision for access to Lot 2 and Lot 1 DP 582867 being provided via new rights of access as discussed above.



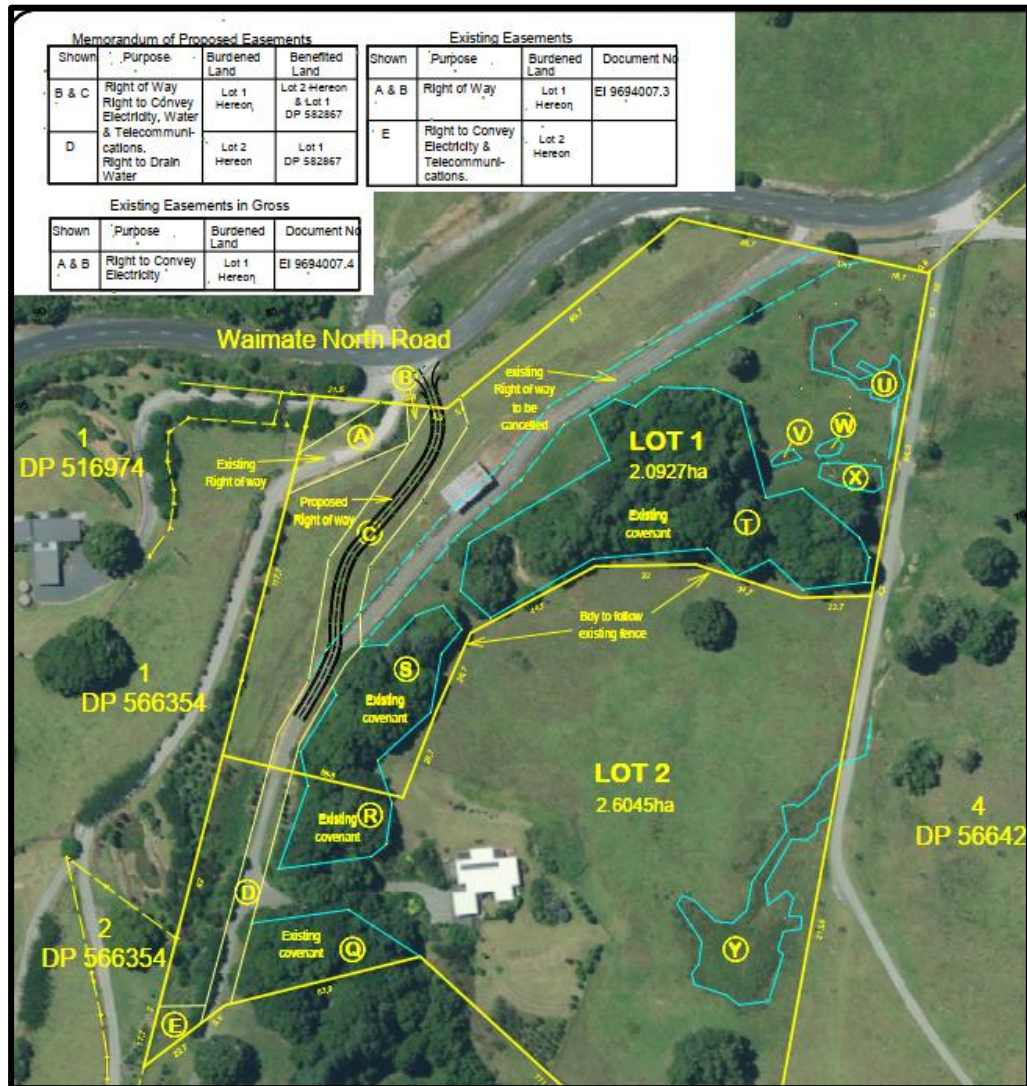


Figure 28: Snip of scheme plan showing proposed and existing easements.

PROVISION OF ACCESS

5.3.29 Proposed Lot 1 will be accessed via the existing crossing place located in the north-eastern corner of the site which currently services the subject site. This crossing place is concreted for a distance of 10m, with an existing culvert, as shown in Figure 29 below. This crossing place was upgraded as part of RMASUB-2200445 and currently services the subject site and adjoining sites to the east. As a result of this proposal, this crossing place will service Proposed Lot 1, with Proposed Lot 2 and Lot 1 DP 582867 being accessed via a separate crossing located within the northwestern corner of the site. Therefore, the proposal will see one less user of the crossing place within the northeastern corner of the site and as such no additional effects on this crossing place are anticipated.





Figure 29: Existing crossing place to Lot 1.

5.3.30 As mentioned, Proposed Lot 2 and Lot 1 DP 582867 will be accessed via the crossing place within the northwestern corner of the site. LDE have assessed the crossing place standard and determine that it is adequate to service the proposed allotments subject to some upgrading work from the crossing place to the site, including a culvert as well as rock lining. Internal access to Lot 2 and adjoining Lot 1 DP 582867 will be via a proposed new private accessway (Easement C) which will require construction of a portion of accessway to join to the existing metalled accessway as shown on the scheme plan. Passing bays will be provided via existing provisions as detailed in the Figure 30 and described earlier in this report.

5.3.31 As the subdivision will utilise existing crossing places and only add one additional allotment, it is considered that the proposal will not create any adverse effects on the environment in terms of traffic, visual and natural character effects. Easements C & D will service the existing house on Lot 2 and Lot 1 DP 582867, and is of good alignment providing good sight distances to view oncoming vehicles. As such, it is considered that the proposal creates less than minor effects in terms of access.

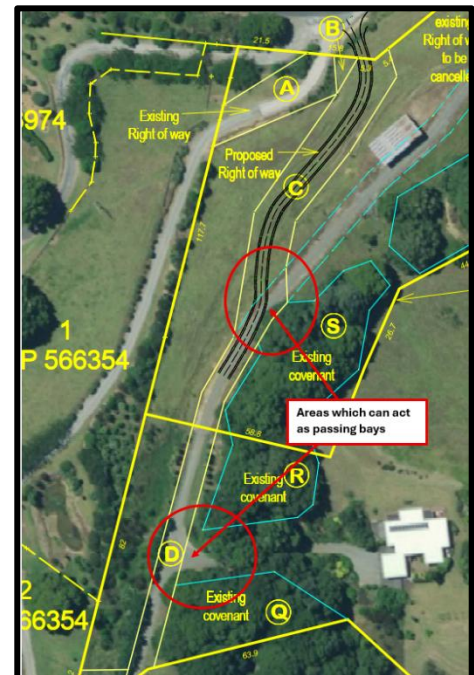


Figure 30: Image showing location of areas to be used as passing bays.

EFFECT OF EARTHWORKS AND UTILITIES

5.3.32 Some earthworks will be required to construct the new portion of accessway within Easement C. A culvert will be required to be placed within the identified modified watercourse, which has been identified as natural inland wetland. A separate consent has been submitted to NRC for the proposed works. Given the nature of the earthworks, no adverse effects are anticipated. Any future earthworks within proximity of the wetland areas on site can be assessed at the time of such development.



BUILDING LOCATIONS

- 5.3.33 Proposed Lot 2 has an existing dwelling and therefore no additional building locations are proposed within this lot.
- 5.3.34 LDE have provided assessment of Lot 1 which found that it is suitable for built development, however, recommend further site-specific investigation at the time of built development for wastewater, which can be imposed as a consent notice condition.
- 5.3.35 The sites are not subject to inundation.
- 5.3.36 The site has a northerly outlook which enables any future house to take advantage of passive solar gain.

PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES

Heritage

- 5.3.37 The site is not known to contain any heritage resources or archaeological features. The proposal has been sent to Heritage NZ as well as Iwi as part of the pre-consultation process, however a response has not been received to date. As part of RC2200445, an Archaeological Assessment was completed by Mr Donald Price which assessed the lot as part of the subdivision. It was determined within Mr Price's report that there were no archaeological features found within the assessed areas of the lots, however there were archaeological sites within the allotment further to the east, Lot OLC158. A consent notice condition was imposed on the decision document for Lot 4 DP 566421 (adjoining site now subdivided) which required a 20m setback from the boundary to the east. As such, it is considered that the proposal does not create any adverse effects in regards to heritage resources and the proposal shall proceed under the guidance of an ADP.

Kiwi

- 5.3.38 The site is located within an area of kiwi high density. As a result of RC 2200445, a consent notice condition was issued on the title which imposed a full restriction of carnivorous and omnivorous animals to the site with a Grandfather clause applied to the Applicants, Rui and Kim Martins, where two dogs would be allowed within the allotment that the applicant's resided in. At time of site visit the Applicant's had two dogs onsite. This ensured that the Applicants could have companion dogs for the remainder of their time at the property which they were to reside at, which provides the emotional and wellbeing support as well as companionship for the Applicants. An Audiologist Certificate has been obtained which confirms the need for the Applicant to have a dog onsite. The Applicants have advised that the area around the dwelling is fully fenced, such that a dog could not escape or roam the property and the dog is always muzzled when outside due to health conditions with the dog given the dog cannot ingest foreign bodies such as animal faeces or rats and mice. This stance



is considered to be in line with the Department of Conservation's directive to not increase the number of pets onsite. It is proposed that the existing consent notices be brought forward on to the new titles, with the Grandfather clause applied to the Applicants on whichever lot they reside on (noted that they currently live in the dwelling on Proposed Lot 2 but may build new on Proposed Lot 1 and reside there in the future). The proposal will not see a change in the existing consent notice condition registered on the subject site and therefore will not be changing the existing allowances provided for the site, rather reapplying the existing restrictions to the new titles. The proposal has been sent to DOC who confirmed via email that they agree with this approach. DOC correspondence is contained within **Appendix 18** of this application.

Ecological Features

5.3.39 As discussed in previous sections of this report, an EclA has been completed in support of this application which concluded that there are natural inland wetlands within the site as well as a wetland area on the adjoining lots to the east. It was identified that stormwater within the property feeds into the larger wetland on the neighbouring site. The anticipated development site on Lot 1 has been located at a maximal distance from the wetland and has been concluded within the EclA that it does not interact with any CSAs and has negligible significance. The EclA noted on Page 5 of the EclA that *'the closest adjacent Wetland U has hydrological seepage origin from the north east that is not affected by an upslope house location within 10m with the proviso it does not intersect the wetland. The placement of the house will have no additional adverse effects that may lessen its values e.g. disturbance; shading level.'* The proposal will include formal protection of the wetland areas within the site as well as riparian planting of an average 3 metre buffer around the wetland areas. Wetland Y will be fenced off if the paddock continues to be used for grazing with stock. Stock will also be excluded from the modified watercourse/drain. Infill planting between the existing bush covenant and the fenceline will also be imposed. A pest and weed management plan will be a condition of consent and assessment of stormwater management at the time of built development within the lots is also offered. The following mitigation measures as recommended and supported by the EclA, to ensure the long-term functionality and integrity of the wetland, riparian area and wider environment:

- Covenantee to include conditions of only indigenous species aligned with WF11 kauri podocarp broadleaved forest type as per NES-F requirements; no floodlighting of covenant; outdoor lighting to be hooded and no blue light spectrum.
- A formal **Pest Management & Weed Management Plan** specifying monitoring and reporting procedures prepared by a suitably qualified and experienced ecologist designed in general accordance with the EclA
 - predator control to provide higher functionality of remaining habitat
 - browser control to allow establishment of revegetation and natural regeneration as the site develops
 - ongoing prevention/ removal of exotic infestations - enabling increased and more diverse natural regeneration assisted by the browser control



- effectively increasing values of wetland and protect extent from invasion of non wetland shrubs and herbaceous species e.g. wild ginger *Hedychium gardnerianum*; mistflower *Ageratina riparia*
- Broad Lots – no cats; dogs or mustelids. With Grandfather clause applied for to the applicant over both lots.
- Broad Lots- Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced. This includes environmental weeds and those listed in the National Pest Plant Accord.
- Revegetation of 3m buffer to the small units with intermittent hydrology and no internal habitat.
- Infill planting between the existing bush covenant and existing fenceline.
- If the sites will remain grazed Wetland Y and the modified watercourse/drain on Proposed Lot 1 as CSA to the creek will be fenced to ensure stock exclusion.
- Consent Notice condition imposed requiring the stormwater reports provided at time of built development on Lot 1, to include commentary on mitigation measures on the wetland areas on the lots.

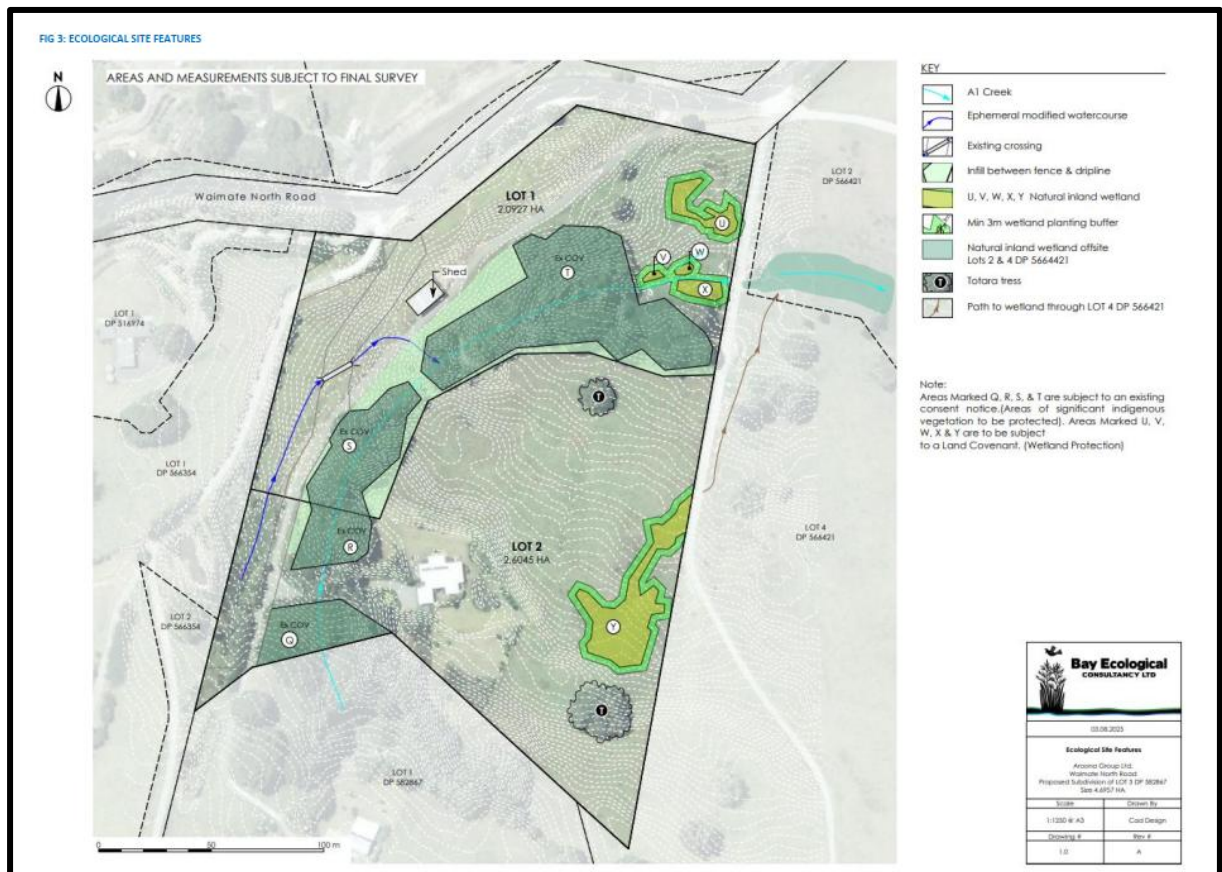


Figure 31: EcIA Ecological Site Features Map.

5.3.40 It is considered that with the above proposed mitigation measures, the proposal will result in positive gains which will extend to the surrounding environment, as concluded within the EcIA. This is considered to mitigate adverse effects to a less than minor degree and specifically met the criteria within ODP Section 13.10.13(b), (e), (g) and (h).



Offered Conditions of Consent

5.3.41 The below conditions and consent notice conditions are therefore offered to encompass the above, as well as the proposed covenanting for conservation:

Survey Plan Approval (s223) conditions:

1. *Areas identified for protection within the Ecological Impact Assessment prepared by Bay Ecological Consultancy, dated 20.08.25, shall be subject to land covenants for conservation.*

Prior to Section 223:

2. *Prior to commencement of any physical work on site, the consent holder shall provide a Pest Management & Weed Management Plan specifying monitoring and reporting procedures prepared by a suitably qualified and experienced ecologist designed in general accordance with the EclA to ensure resilience and functional habitat to the satisfaction of Council.*

The plan must include, however is not limited to:

- i. *predator control to provide higher functionality of remaining habitat*
- ii. *browser control to allow establishment of revegetation and natural regeneration as the site develops*
- iii. *ongoing prevention/ removal of exotic infestations enabling increased and more diverse natural regeneration assisted by the browser control*
- iv. *effectively increasing values of wetland and protect extent from invasion of non wetland shrubs and herbaceous species e.g. wild ginger Hedychium gardnerianum; mistflower Ageratina riparia*

Section 224(c) compliance conditions:

3. *Revegetation of the wetland riparian areas to a 3 metre buffer shall be completed in accordance with the plan provided within the Ecological Impact Assessment prepared by Bay Ecological Consultancy Ltd dated 20 August 2025 and Ecological Site Features Plan dated 03 August 2025 (Rev A).*

Consent Notice Conditions:

- i. *The site is identified as being within a kiwi high density zone. No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators.*

This prohibition shall not apply to a maximum of two dogs owned by Rui and Kim Martins while they reside on the site, whether that be on Lot 1 or Lot 2. Any such dog shall be micro-chipped and kept indoors and/or tied up at night

Within 2 months of consent being issued provide the Resource Consent Monitoring Officer with evidence for Council's records of the dogs owned by Rui and Kim Martins, this shall include:

- a) *A photograph of the existing dog/s*
- b) *Written confirmation that the dog(s) have been micro-chipped.*



[Lots 1 & 2]

- ii. *No outdoor fires or use of fireworks are permitted within the areas set aside for conservation protection within the proposed lots. [Lots 1 & 2]*
- iii. *No floodlighting is allowed on the proposed lots. If outdoor lighting is installed, it shall be hooded and shall not include any light on the blue light spectrum. [Lots 1 & 2]*
- iv. *Pest and weed eradication shall be ongoing in accordance with the approved Pest Management and Weed Management Plan approved by Far North District Council in accordance with Condition XX of the approved decision document RCXXXXXX. Any predator/pest control work carried out is to be done in a manner which will not endanger kiwi. [Lots 1 & 2]*
- v. *Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced to the lots. This includes environmental weeds and those listed in the National Pest Plant Accord. [Lots 1 & 2]*
- vi. *The owners must preserve the indigenous trees and bush as well as the wetland areas identified on the title plan as well as any CSAs shown within the Ecological Impact Assessment prepared by Bay Ecological Ltd dated 20th August 2025 and associated Ecological Site Features Plan dated 3rd August 2025 and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner must be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. [Lots 1 & 2]*
- vii. *Pasture in proposed Lot 1 is to be grazed or cut short prior to earthworks to avoid provision of shelter for kiwi. Alternatively, the area can be checked by a kiwi dog prior to clearance. [Lot 1]*

SOIL

- 5.3.42 The subdivision will create one additional allotment, with the lots being 2.09 ha and 2.60ha each. The site is classified as having soils of LUC 6, which are not classified as high versatile soils.
- 5.3.43 The addition of one allotment is not considered to adversely affect the life supporting capacity of soils. The site is of rolling topography and contains natural features such as wetlands and seepage areas, which restricts productive use. The proposal will see two lots created which can still accommodate small scale productive use.
- 5.3.44 It is considered that the proposal provides a superior outcome for utilization of the lot, as the constraints of the site render the land unusable for large scale productive use. The proposal



will also enhance the ecological value and biodiversity within the site by providing additional planting and protection of natural features within the site.

ACCESS TO RESERVES AND WATERWAYS

5.3.45 The site is not located along the CMA nor are there any lakes or rivers within the site. The wetland areas are not considered applicable for public access, given the purpose of covenanting these areas is for protection and rehabilitation.

LAND USE INCOMPATIBILITY

5.3.46 The site is located in an area which consists predominantly of rural lifestyle sized allotments of 2 hectares to 4 hectares. Most allotments have been developed with a residential dwelling, with the remainder of the site utilised for small scale productive use or containing natural features such as the Waitangi River, wetland or bush areas.

5.3.47 As mentioned earlier in this report, the adjoining lots to the east of the site have recently been subdivided to create one additional allotment each of 2 hectares. These two subdivisions have been approved under RC2250234 and RC2250263. The two adjoining subdivisions also boasted similar characteristics to the subject site, where each site had an existing dwelling and were created one vacant allotment as well as areas on the sites being set aside for formal protection of wetland areas. These wetland areas adjoin the wetland areas within the subject site, with formal protection of all areas providing a superior outcome overall. This further reinforces that the proposal is consistent with the pattern of adjoining subdivision and land use activities

5.3.48 The proposal is not anticipated to create any reverse sensitivity effects given the existing land use activities in the area. There is ample area within Lot 1 to provide future residential development which can meet the permitted setback and sunlight provisions. Written approval has also been obtained by the two adjoining neighbours to the east within Lot 1 & 2 DP 616586 (shaded orange), Lots 3 & 4 DP 616586 (shaded yellow), which have been recently subdivided. Lot 1 DP582867 (shaded purple) which directly adjoins the subject site to the south, is owned by the applicant and as such no adverse effects on this lot are anticipated. The existing built development on Lot 2 and proposed building platform on Lot 1 are set back a sufficient distance from the Waimate North Road boundary such that visual effects are considered to be less than minor





Figure 32: Site Plan highlighting adjoining neighbours.

5.3.49 The effects of the proposal on the adjoining allotment to the west, Lot 1 DP 566534, which is shaded blue above, has been assessed as less than minor. There is a dwelling located within Lot 1 DP 566534 which is located within the southern portion of the site, furthest from the shared boundary with the subject site (shown in Figure 33 below). The internal accessway to the dwelling follows the shared boundary between the two, such that development along the shared boundary would not be likely. Proposed Lot 2 is already developed with a dwelling, with the proposed concept building envelope within Proposed Lot 1 being located over 300 metres from the dwelling within Lot 1 DP 566534, as shown. Given the nature of development within the surrounding environment as well as the areas of protected bush and proposed additional planting, it is not considered that the proposal will create any adverse effects on Lot 1 DP 566534 and as such, no written approval has been obtained.



Figure 33: Aerial image showing location of the dwelling on Lot 1 DP566534, the internal access which runs along the shared boundary with the subject site and the distance from the proposed building platform within Lot 1 to the existing dwelling on Lot 1 DP566534.



5.3.50 The proposal will see additional buffer planting within the northern portion of the site, which will enhance the wetland area on the adjoining allotments to the east, as well as provide positive downstream effects to the creek and indigenous vegetated areas which run through adjoining Lots 1 – 3 DP 616586. Due to the low density of the proposed development and the large separation distance of the subject site and built development within Lot 1 DP 566534, effects on this allotment are considered to be less than minor. As mentioned, the proposed allotments are considered consistent with sites in the surrounding environment and the proposal is considered to create a positive impact on the natural features within the surrounding environment, by providing enhancement planting around the existing wetland and covenanted areas. As such, it is considered that no reverse sensitivity effects are created on any adjoining allotments and all effects will be less than minor.

5.3.51 Overall, the proposal is not considered to create any land use incompatibility or reverse sensitivity effects. The proposal will create allotments which are consistent with lots in the surrounding environment. The proposal is not considered to have any adverse effects on adjoining property owners. No effects from existing land uses are anticipated. The proposal is considered consistent with the surrounding environment and the nature and character of the area.

PROXIMITY TO AIRPORTS

5.3.52 Not applicable as the subject site is not located in close proximity to an airport.

NATURAL CHARACTER OF THE COASTAL ENVIRONMENT

5.3.53 The site is not within the coastal environment.

ENERGY EFFICIENCY AND RENEWABLE ENERGY DEVELOPMENT/USE

5.3.54 No energy efficient or renewable energy development are sought as part of this proposal.

NATIONAL GRID CORRIDOR

5.3.55 The site is not within a national grid corridor.

Summary

5.3.56 The subdivision will result in one additional rural lifestyle allotment being created in an area with a number of rural lifestyle activities, which are already existing. Proposed Lot 2 will contain the existing dwelling and Proposed Lot 1 will be of a size that can accommodate a future dwelling and associated infrastructure. Due to similar sized allotments in the surrounding environment, it is considered there are no reverse sensitivity or incompatible land use activities created by the proposal. The proposal will provide a positive ecological and biological impact through protection, revegetation and ongoing pest and weed management of the wetland and indigenous vegetation areas within the site. The proposal will enhance the rural amenity of the site and the area and provide better utilization of the land.



Other Matters

Precedence

- 5.4 The site and surrounding environment are zoned Rural Production, however the majority of the sites within the surrounding environment (including the subject site) fall within the 2 hectare to 4 hectare range. This is typically smaller than lots seen within the Rural Production zone and generally too small to enable productive use of the allotments. Therefore, the character of the area is more Rural Lifestyle in nature, with lots further afield from Waimate North Road reflecting Rural Production. The site is also located approximately 10 kilometres from the township of Kerikeri, which provides a suitable transition area for lots of the proposed size to be located as it provides a form of transition zone between the more intensive development of Kerikeri, to the larger productive lots on the outskirts of the town.
- 5.5 The topography of the site is of rolling nature, which is generally not favourable for rural productive use. The site also boasts wetland and riparian margins as well as seepage and overland flow paths which support the wetland areas, which cannot be utilised for productive use. The soils within the site are LUC6, which are not highly versatile and therefore do not generally provide a favourable outcome for productive activities. This combined with the topography of the site and the natural features (wetland and protected bush areas) on the site and proposed revegetation areas to support this wetland, render the site not considered to be suitable for productive use and is rather more suited to a lifestyle property.
- 5.6 The proposal will see one additional lifestyle lot created, which can accommodate a residential dwelling as well as area for small scale productive use, such as gardens. The proposal will also result in the formal protection of buffer areas of the wetland within the site, providing an environmental benefit to the site and surrounding environment. The proposed buffer area is also to be planted with natives to aid in the enhancement of the wetland area as well as provide a buffer zone to protect it from surrounding activities. This will create a robust wetland system which will be functioning at its peak for future generations.
- 5.7 In terms of visual effects, the distance of the site from the road boundary as well as the existing topography, restricts visibility of the lots from Waimate North Road. Written approval from adjoining neighbours to the east have been obtained, such that effects on adjoining properties are considered to be less than minor. No additional crossing places will be required as each lot will utilise an existing crossing place to Waimate North Road.
- 5.8 The site adjoins Lots 1 – 4 DP 616586 to the east. These lots are utilised as rural-lifestyle allotments, two of which contain existing dwellings. Written approval has been obtained by the adjoining allotments to the east, with effects of the proposal considered to be less than minor. The proposal will see enhancement of the wetland area on site which links to the wetland areas on these adjoining sites, providing a robust ecological and biological environment.



- 5.9 Lot 1 DP 566354 adjoins the site to the west. This portion of the adjoining site, which is closest to the subject site, is utilised for access to the main dwelling on Lot 1 DP 566534, which is located approximately 300 metres from the proposed building envelope of Proposed Lot 1. The proposal will see additional users of the crossing place which provides access to Lot 1 DP 566534, however LDE have determined that the crossing place is fit for purpose such that no adverse effects will be created. Given the large separation distance between the existing development on Lot 1 DP 566354 and the subject site, it is considered that effects will be less than minor.
- 5.10 In terms of Lot 1 DP 582867 to the south, this allotment is owned by the subject applicant and as such, no adverse effects are anticipated. The proposal is not considered to create conflicts in existing land use activities as the proposal will enable allotments which can contain a residential dwelling as well as small-scale productive activities whilst preserving and protecting the wetland and vegetated areas within the sites. The proposal is therefore considered to be consistent with other land use activities in the area.
- 5.11 LDE have completed a Site Suitability Report for the proposal, which found that Lot 1 is suitable for future built development and onsite servicing. Consent notice conditions have been recommended which will be included on the title of Lots 1 & 2.
- 5.12 Overall, it is considered that the proposal does not set a precedence due to the combination of factors described above which restrict and inhibit the productive use of the site as well as the location and proposed lot sizes reflecting a transitional zone between the urban and larger rural lots in the area. The proposal will provide an environmental benefit by the formal protection and enhancement of the wetland and vegetated areas within the site.

Cancellation of Consent Notice Conditions

- 5.13 To ensure consistency and clarity for future owners of the lots, it is proposed to cancel the existing consent notice conditions relative to Lot 3 DP 582867 within Consent Notice Document 13363654.2 and re-establish them within a new consent notice document registered on the new titles for the proposed lots. This will ensure that the consent notice conditions relate to the new lots and are updated with any relevant information, such as reports.
- 5.14 The cancellation of consent notice conditions will be completed under Section 221(3) of the Act.
- 5.15 Each relevant consent notice condition will be detailed below. The purpose of this is to update the consent notice conditions so they reflect the new lots, Council's relevant standard wording and relevant Engineering Standards. This will remove any confusion for future owners.
- 5.16 An assessment of the consent notice documents has been provided below:



Consent Notice 13363654.2 Conditions		Compliance of Proposal
(i)	Not applicable as applies to Lot 1 DP582867	Not applicable to the subject site.
(ii)	Not applicable as applies to Lot 1 DP582867.	Not applicable to the subject site.
(iii)	The landowners and occupiers of Lot 1 & 3 shall not utilise the “farm access” marked on the attached plans for the purpose of residential use. Note: the ‘farm access’ is reserved for rural and farming activity only, any occupation or use for residential activities is prohibited.	This condition will be brought forward for the new title for Proposed Lot 1 as Proposed Lot 1 is the only allotment which will have legal access to the ‘farm access’.
(iv)	The areas of significant indigenous vegetation to be protected as identified as areas ‘V’, ‘W’, ‘X’, ‘Y’, ‘Z’ on the survey plan shall be protected in perpetuity to the satisfaction of the Council’s Team Leader. The owners or their successors in title of Lots 1 and 3 shall: a) Not (without the prior written consent of the council and then only in strict compliance with any conditions imposed by the council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the protected areas; b) Not do anything that would prejudice the health or ecological value of the areas of riparian margin to be protected, their long-term viability and/or sustainability; c) The fencing required by conditions 3(a) and 4(a)) of RC 2200445 shall be maintained by the lot owner”. d) The lot owner shall be deemed to be not in breach of this prohibition if any such vegetation dies from natural causes which are not attributed to any act or default by or on behalf of the owner or for which the owner is responsible	This condition is proposed to be deleted and amended as the areas of indigenous vegetation are identified by different identifiers on the proposed scheme plan and have increased in area.
(v)	In conjunction with the lodging of a building consent application for the construction of any building on 1 and 3, the applicant shall provide a design for stormwater management, prepared by a suitably qualified and experienced practitioner, which addresses stormwater management, and provides suitable mitigation measures to reduce flows from development.	This condition will be brought forward on to the new titles.
(vi)	Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.	This is an advice condition for the owners of the lots. This will be brought forward on to the new vacant title.
(vii)	No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous	This is an advice condition for the owners and remains applicable. As



animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. Within 2 months of consent being issued provide the Resource Consent Monitoring Officer with evidence for Council's records of the two existing dogs owned by Rui and Kim Martins, this shall include: a) A photograph of the existing dog/s b) Written confirmation that the dog(s) have been micro-chipped This prohibition shall not apply to a maximum of two dogs owned by Rui and Kim Martins while they reside on the site, on whether that be on Lot 3 or Lot 1. Any such dog shall be micro-chipped and kept indoors and/or tied up at night.	such it will be brought forward on to the new titles.
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5.17 For ease of reference, the below consent notice conditions are offered as part of this application, which are to be registered on the titles for the new lots.

1. *In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509 or other alternative as agreed by Fire and Emergency NZ. [Lot 1]*
2. *In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system, the applicant shall submit for Council approval an onsite wastewater report prepared by a Chartered Professional Engineer or a Council approved TP58 Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a reserve disposal area. [Lot 1]*
3. *Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain on the property owner. [Lot 1]*
4. *In conjunction with the construction of any building that requires building consent on the lot the consent holder must provide a stormwater management report prepared by a Suitably Qualified and Experienced Person detailing how stormwater will be managed in accordance with Council's Engineering Standards at building consent stage. Stormwater runoff from future new buildings and impermeable surface areas on the lots shall be restricted to that of predevelopment levels for a 10% AEP storm event plus an allowance*



for climate change. Particular detail shall be provided on mitigating sediment and erosion levels to the protected wetland areas as identified in RCXXXXXX. This excludes legally established existing buildings on the lots at the date of approval of RCXXXXXX [Lot 1]

5. *The site is identified as being within a kiwi high density zone. On all lots, no occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators.*

This prohibition shall not apply to a maximum of two dogs owned by Rui and Kim Martins while they reside on the site, whether that be on Lot 1 or 2. Any such dog shall be micro-chipped and kept indoors and/or tied up at night

Within 2 months of consent being issued provide the Resource Consent Monitoring Officer with evidence for Council's records of the dogs owned by Rui and Kim Martins, this shall include:

- a) A photograph of the existing dog/s*
- b) Written confirmation that the dog(s) have been micro-chipped*

[Lots 1 & 2]

6. *No outdoor fires or use of fireworks are allowed on the proposed lots. [Lots 1 & 2]*
7. *No floodlighting is allowed on the proposed lots. If outdoor lighting is installed, it shall be hooded and shall not include any light on the blue light spectrum. [Lots 1 & 2]*
8. *Pest and weed eradication shall be ongoing in accordance with the approved Pest Management and Weed Management Plan approved by Far North District Council in accordance with Condition XX of the approved decision document RCXXXXXX. Any predator/pest control work carried out is to be done in a manner which will not endanger kiwi. [Lots 1 & 2]*
9. *Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced to the lots. This includes environmental weeds and those listed in the National Pest Plant Accord. [Lots 1 & 2]*
10. *The owners must preserve the indigenous trees and bush as well as the wetland areas identified on the title plan as well as the seepage area shown within the Ecological Impact Assessment prepared by Bay Ecological Ltd dated 20th August 2025 and associated Ecological Site Features Plan dated 3rd August 2025 and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner must be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. [Lots 1 & 2]*



11. *Pasture in proposed Lot 1 is to be grazed or cut short prior to earthworks to avoid provision of shelter for kiwi. Alternatively, the area can be checked by a kiwi dog prior to clearance.*
[Lot 1]

6.0 POLICY DOCUMENTS

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

National Environmental Standards

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

- 6.2 As determined earlier in this report, the proposal is deemed to be permitted in terms of the NESCS, as the site is not known to have been or currently be utilised for any activities listed on the HAIL. As such, the application has been considered Permitted in terms of the NESCS.

National Environmental Standards for Freshwater 2020

- 6.3 The NES-F sets out requirements for carrying out activities identified as posing a risk to the health of freshwater and freshwater ecosystems, and to ensure the objectives and policies within the National Policy Statement for Freshwater Management (NPS-FM) are met.
- 6.4 The proposal will result in a culvert located within the modified watercourse on site, identified as a natural inland wetland.
- 6.5 In terms of the construction of the culvert (other infrastructure) there are conditions that are set out within Regulation 56 to ensure the consent authority is satisfied. As determined earlier in this report and within the EclA, it is considered that the proposal can comply with the conditions set out within Reg56. Overall, it is considered that the conditions within Reg 56 have been met. Consent under the NES-F has been applied to NRC.
- 6.6 In terms of passage of fish, this is not considered applicable to the proposal, given that the works will not occur within the bed of a river or connected area and the proposed works will not change the current status which has been evident for many years, as per the EclA. As such, no assessment has been made in terms of Subpart 3 of the NES-F.

Other National Environmental Standards

- 6.7 No other NES are considered applicable to this proposal.

National Policy Statements

- 6.8 There are currently 8 National Policy Statements in place. These are as follows:
- National Policy Statement on Urban Development.
 - National Policy Statement for Freshwater Management.
 - National Policy Statement for Renewable Electricity Generation.



- National Policy Statement on Electricity Transmission.
- National Policy Statement for Highly Productive Land
- New Zealand Coastal Policy Statement.
- National Policy Statement for Indigenous Biodiversity
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat

National Policy Statement for Freshwater Management

- 6.9 The proposal will result in a culvert being placed within a modified watercourse, identified as natural inland wetland. An EclA has been completed by BEC which found that effects of the works in relation to the natural features, will be less than minor. Assessment of the one objective and 15 policies of the NPS-FM has been undertaken below.

2.1 Objective

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

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of people (such as drinking water)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

- 6.9.1. As determined within the EclA, the health and well-being of the water bodies and freshwater ecosystems within proximity to the proposed works are considered to be maintained. The health needs of people are not considered to be affected given that this area of the wetland areas are not known to be utilised for drinking water. The social, economic and cultural well-being of people and communities will be enhanced as the proposal will enable the addition of one allotment which can provide for a residence for the future owners, bringing more people to Northland.

2.2 Policies

Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.

- 6.9.2. Te Mana o te Wai refers to restoring and preserving the balance between the water, wider environment and the community. The proposal is not considered to have any adverse effects on the health of the freshwater bodies in the area and will provide protection of the freshwater bodies by formal protection and stock exclusion. It is considered that this proposal has given effect to Te Mana o te Wai and will not create any adverse effects on the freshwater bodies in the area.

Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.

- 6.9.3. Iwi have been contacted as part of the pre-application process and a response has not been received to date. Given the nature and purpose of the proposal as well as the determination of the EclA which determined effects to be less than minor, it is considered that the proposal will not result in cultural issues.



Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

- 6.9.4. The effects of the proposal on the whole catchment as well as receiving environment was undertaken within the EclA, with effects found to be less than minor and in fact the proposal will provide enhancement and superior outcomes to the ecological unit within the site and surrounding environment given the proposed measures to protect and enhance the wetland areas within the site.

Policy 4: Freshwater is managed as part of New Zealand's integrated response to climate change.

- 6.9.5. Climate change has not been a consideration of this proposal given the minor nature of the proposed works. However, the proposed culvert is considered to be adequate for works of this nature.

Policy 5: Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.

- 6.9.6. As per the EclA, the health and well being of the water bodies and freshwater ecosystems in proximity to the proposal will be maintained and enhanced.

Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

- 6.9.7. No loss of natural inland wetlands is anticipated as per the EclA which states 'Wetland values are limited to functional retention and processing of nutrient by highly resilient and regenerative wetland grass species *Paspalum distichum* (exotic) & *Isolepis* sedge. Stock exclusion will have a larger impact than loss of a small area of the wetland for culvert Easement C upgrade.' The natural inland wetlands in proximity to the proposal will remain unaffected.

Policy 7: The loss of river extent and values is avoided to the extent practicable.

- 6.9.8. The proposal will not result in loss of river extent and values.

Policy 8: The significant values of outstanding water bodies are protected.

Policy 9: The habitats of indigenous freshwater species are protected.

Policy 10: The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.

- 6.9.9. There are no outstanding water bodies known to be affected by the proposal. Habitats of freshwater species will remain unaffected. There are no trout or salmon located within proximity to the proposal.

Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.

Policy 12: The national target (as set out in Appendix 3) for water quality improvement is achieved.



- 6.9.10. No freshwater allocation is proposed. Water quality is considered to be enhanced given the proposed measures of stock exclusion and riparian planting.

Policy 13: The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.

Policy 14: Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.

- 6.9.11. Monitoring can easily take place if required, however no adverse effects are anticipated.

Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.

- 6.9.12. Social, economic and cultural wellbeing will be provided for as discussed earlier in this section.

- 6.9.13. Overall, it is considered that the proposal is consistent with the objective and policies of the NPS-FM.

Regional Policy Statement

- 6.10. The role of the Regional Policy Statement for Northland (RPSN) is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northland's natural and physical resources. It is considered the proposal is compatible with the intent of the RPS.
- 6.11. The proposed works are considered to be consistent with the objectives and policies of the RPSN, as the proposed subdivision will see enhancement and protection of natural features within the site, which provide a superior outcome compared to if the proposal was to not proceed. An EclA has been completed by BEC, which is attached with this application. The EclA determined that the proposal will have less than minor effects on the natural features in the surrounding environment.
- 6.12. Given the proximity of the proposed works to wetlands in the area, the following objectives and policies of the RPSN are considered relative to the proposal:

Objectives

Objective 3.1 – Integrated catchment management

Integrate the management of freshwater and the subdivision, use and development of land in catchments to enable catchment-specific objectives for fresh and associated coastal water to be met.

- 6.12.1. The proposal is not considered to have any adverse effects on freshwater bodies in the area. The proposal is considered to result in a superior outcome as detailed within this report. BEC have assessed the proposal and determine that the proposal will have a less than minor effect on waterbodies in the area as well as the catchments applicable to the site.



Objective 3.3 – Ecological flows and water levels

Maintain flows, flow variability and water levels necessary to safeguard the life supporting capacity, ecosystem processes, indigenous species and the associated ecosystems of freshwater.

- 6.12.2. As mentioned, the proposal has been determined to result in a less than minor effect on the surrounding water bodies. Given the small area of loss and the proposed measures which will provide a net gain, the proposal is not considered to affect the flow or water levels of the ecosystems within the site. It is considered that the ecosystems in the area will not be adversely affected as per the EclA attached with this application.

Objective 3.4 – Indigenous ecosystems and biodiversity

Safeguard Northland's ecological integrity by:

- a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and*
- c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.*

- 6.12.3. The proposal is not considered to adversely affect any significant indigenous vegetation or habitats of indigenous fauna as per the EclA. Ecosystems will remain unaffected and will be enhanced by the proposed revegetation and protection measures.

Objective 3.5 – Enabling economic wellbeing

Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.

- 6.12.4. The proposed subdivision will provide one additional allotment which can support a residence as well as ample area for additional lifestyle activities. The proposal will involve employment opportunities via the subdivision process as well as latter stages for construction of a dwelling and associated onsite infrastructure, which provides for the economic wellbeing of Northland. The proposal is considered to be the best suited solution for the environment, with less than minor effects anticipated on natural and physical resources.

Objective 3.8 – Efficient and effective infrastructure

Manage resource use to:

- (a) Optimise the use of existing infrastructure;*
- (b) Ensure new infrastructure is flexible, adaptable, and resilient, and meets the reasonably foreseeable needs of the community; and*
- (c) Strategically enable infrastructure to lead or support regional economic development and community wellbeing.*

- 6.12.5. The existing accessway will become redundant, given that the suitable dwelling location within Lot 1 covers a portion of the existing accessway. The location of the new accessway has been found to be the most suited location and will ensure that access to Proposed Lot 2 as well as



the adjoining allotment can remain. The proposed infrastructure will enable the subdivision to proceed.

Objective 3.12 – Tangata Whenua role in decision-making

Tangata whenua kaitiaki role is recognised and provided for in decision-making over natural and physical resources.

- 6.12.6. Iwi have been contacted as part of the pre-application process, with no response received to date.

Policies

Policy 4.4 – Maintaining and enhancing indigenous ecosystems and species (Policy 4.4.1)

(1) In the coastal environment, avoid adverse effects, and outside the coastal environment avoid, remedy or mitigate adverse effects of subdivision, use and development so they are no more than minor on:

- (a) Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;*
- (b) Areas of indigenous vegetation and habitats of indigenous fauna, that are significant using the assessment criteria in Appendix 5;*
- (c) Areas set aside for full or partial protection of indigenous biodiversity under other legislation.*

(2) In the coastal environment, avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision, use and development on:

- (a) Areas of predominantly indigenous vegetation;*
- (b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;*
- (c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, northern wet heathlands, coastal and headwater streams, floodplains, margins of the coastal marine area and freshwater bodies, spawning and nursery areas and saltmarsh.*

(3) Outside the coastal environment and where clause (1) does not apply, avoid, remedy or mitigate adverse effects of subdivision, use and development so they are not significant on any of the following:

- (a) Areas of predominantly indigenous vegetation;*
- (b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;*
- (c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, dunelands, northern wet heathlands, headwater streams, floodplains and margins of freshwater bodies, spawning and nursery areas.*

(4) For the purposes of clause (1), (2) and (3), when considering whether there are any adverse effects and/or any significant adverse effects:

- (a) Recognise that a minor or transitory effect may not be an adverse effect;*
- (b) Recognise that where the effects are or maybe irreversible, then they are likely to be more than minor;*



(c) Recognise that there may be more than minor cumulative effects from minor or transitory effects.

(5) For the purpose of clause (3) if adverse effects cannot be reasonably avoided, remedied or mitigated then it maybe appropriate to consider the next steps in the mitigation hierarchy i.e. biodiversity offsetting followed by environmental biodiversity compensation, as methods to achieve Objective 3.4.

6.12.7. In terms of (1), the proposal is located outside of the coastal environment. No adverse effects on indigenous taxa, areas of indigenous vegetation or indigenous fauna are not anticipated. No areas of indigenous biodiversity are considered to be adversely affected. In terms of (2), this is not considered applicable given the site is not located within the coastal environment. In terms of (3), no adverse effects on indigenous vegetation, species or ecosystems and habitats are anticipated. In terms of (4), the EclA attached with this application determined effects will be less than minor. The effects management hierarchy is assumed to be considered throughout the EclA.

Policy 4.6 – Managing effects on natural character, features/landscapes and heritage (Policy 4.6.1)

(1) In the coastal environment:

a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes.

b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes. Methods which may achieve this include:

(i) Ensuring the location, intensity, scale and form of subdivision and built development is appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins; and

(ii) In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and

(iii) Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised.

(2) Outside the coastal environment avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of outstanding natural features and outstanding natural landscapes and the natural character of freshwater bodies. Methods which may achieve this include:

a) In outstanding natural landscapes, requiring that the location and intensity of subdivision, use and built development is appropriate having regard to, natural



elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins;

b) In outstanding natural features, requiring that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature;

c) Minimising, indigenous vegetation clearance and modification (including earthworks / disturbance and structures) to natural wetlands, the beds of lakes, rivers and their margins.

(3) When considering whether there are any adverse effects on the characteristics and qualities⁹ of the natural character, natural features and landscape values in terms of (1)(a), whether there are any significant adverse effects and the scale of any adverse effects in terms of (1)(b) and (2), and in determining the character, intensity and scale of the adverse effects:

a) Recognise that a minor or transitory effect may not be an adverse effect;

b) Recognise that many areas contain ongoing use and development that:

(i) Were present when the area was identified as high or outstanding or have subsequently been lawfully established

(ii) May be dynamic, diverse or seasonal;

c) Recognise that there may be more than minor cumulative adverse effects from minor or transitory adverse effects; and

d) Have regard to any restoration and enhancement on the characteristics and qualities of that area of natural character, natural features and/or natural landscape.

6.12.8. Subclause (1) is not considered applicable given the site is not located within the coastal environment. In terms subclause (2), the site is not located within an outstanding natural landscape or features and no effects on outstanding natural landscapes or features are anticipated. No indigenous vegetation clearance is proposed, given the nature of the works. Some modification to the modified watercourse is proposed with the installation of the culvert. This is considered necessary to enable access to the existing dwelling within the site as well as the existing dwelling on the adjoining allotment to the south. Modification has been limited to what is necessary and effects have been considered to be less than minor. In terms of (3), no adverse effects are anticipated as per the EclA attached with this application. Characteristics and qualities will be enhanced by providing stock exclusion from natural features as well as riparian buffer planting of the natural inland wetland areas and the existing covenanted bush areas within the site.

Policy 4.7 – Supporting management and improvement (Policy 4.7.1)

In plan provisions and the resource consent process, recognise and promote the positive effects of the following activities that contribute to active management:

a) Pest control, particularly where it will complement an existing pest control project / programme;

b) Soil conservation / erosion control;

c) Measures to improve water quality in parts of the coastal marine area where it has deteriorated and is having significant adverse effects, or in freshwater bodies targeted for water quality enhancement;

d) Measures to improve flows and / or levels in over allocated freshwater bodies;



- e) Re-vegetation with indigenous species, particularly in areas identified for natural character improvement;*
- f) Maintenance of historic heritage resources (including sites, buildings and structures);*
- g) Improvement of public access to and along the coastal marine area or the margins of rivers or lakes except where this would compromise the conservation of historic heritage or significant indigenous vegetation and / or significant habitats of indigenous fauna;*
- h) Exclusion of stock from waterways and areas of significant indigenous vegetation and / or significant habitats of indigenous fauna;*
- i) Protection of indigenous biodiversity values identified under Policy 4.4.1, outstanding natural character, outstanding natural landscapes or outstanding natural features either through legal means or physical works;*
- j) Removal of redundant or unwanted structures and / or buildings except where these are of historic heritage value or where removal reduces public access to and along the coast or lakes and rivers;*
- k) Restoration or creation of natural habitat and processes, including ecological corridors in association with indigenous biodiversity values identified under Policy 4.4.1, particularly wetlands and / or wetland sequences;*
- l) Restoration of natural processes in marine and freshwater habitats.*

6.12.9. Pest control has been proposed as a condition of consent for the subdivision proposal and will be ongoing within the site, as per the EclA. Erosion control will be managed throughout the construction process as well as on an ongoing basis. The water quality of the freshwater bodies is considered to be enhanced as detailed within this application and the EclA. Over allocated freshwater bodies are not considered applicable. Re-vegetation of the riparian margins of the natural inland wetland areas within the site as well as the existing covenanted bush areas is proposed. No effects on historic heritage resources are anticipated. Public access is not considered applicable. Stock exclusion is proposed from the modified watercourse as well as the other natural inland wetland areas within the site. Stock exclusion is existing from the indigenous vegetation areas within the site and will remain. No adverse effects on indigenous biodiversity are anticipated as per the EclA. There are no redundant or unwanted structures which would be required to be removed. Natural habitats and processes will be restored and enhanced as per the EclA.

Policy 5.2 – Effective and efficient infrastructure (Policy 5.2.2)

Encourage the development of infrastructure that is flexible, resilient, and adaptable to the reasonably foreseeable needs of the community.

6.12.10. The proposal will result in infrastructure that is resilient and adaptable to future high rainfall events, which will see the needs of the community met.

Policy 8.1 – Participation in decision-making, plans, consents and monitoring (Policy 8.1.1)

The regional and district councils shall provide opportunities for tangata whenua to participate in the review, development, implementation, and monitoring of plans and resource consent processes under the Resource Management Act 1991.



- 6.12.11. Iwi have been contacted as part of the pre-application process with no response received to date. Given the nature of the proposal, no cultural issues are anticipated.
- 6.13. It is therefore concluded that the proposal is consistent with objectives and policies of the RPS for Northland.

Summary

- 6.10 It can be concluded from the above that the proposal is generally compatible with the intent of the Regional Policy Statement. The proposal will effectively utilise the site, which cannot be economically utilised as productive land, as well as enhance the amenity values of the area and ecological and biodiversity values, which will in turn create a positive impact. The proposal is not considered to create any reverse sensitivity effects and can provide a suitable building platform within the new vacant allotment.

Far North District Plan

Relevant objectives and policies

- 6.11 The relevant objectives and policies of the Plan are those related to the Rural Environment and Rural Production Zone. The proposal is considered to create no more than minor adverse effects on the rural environment. The proposal is considered to be consistent with the surrounding environment, given the existing rural lifestyle development in the area. The activity is considered generally consistent with the objectives and policies of the Plan, as per below.

Assessment of the objectives and policies within the Rural Environment

- 6.12 The following assessment is based upon the objectives and policies contained within section 8.3 and 8.4 of the District Plan.

Objectives

8.3.1 To promote the sustainable management of natural and physical resources of the rural environment.

- 6.12.1 Sustainable management of natural and physical resources will be promoted by the enhancement of the natural areas within the proposed lots. Additional planting will be undertaken to enhance the ecological and biodiversity value of the wetlands onsite as well as the indigenous vegetation areas. The proposed planting will ensure that the wetland is protected, enhancing the natural filtration system. This will also ensure that any livestock or other animals are kept from entering the wetland and riparian margins, further improving water quality.

8.3.2 To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.

- 6.12.2 The subject site is currently utilised as a rural-lifestyle allotment, due to the size and underlying topography of the site. The productive activities that occur on site are grazing of cattle, which, due to the topographical constraints as well as the northern portion of the site



being the buffer area of the wetland, is limited to small scale production activities. As discussed earlier in this report, the site does not boast highly versatile soils. The proposal will add one additional allotment which has been assessed as suitable for a residential dwelling and onsite servicing. It is therefore considered that due to the existing use of the site as well as the low-density development proposed, the proposal does not compromise the life supporting capacity of soils, as the use of the site was already compromised by the topographical and natural constraints within the site. There are many lots in the surrounding environment, similar to those proposed, which provide examples of how similar sites can be utilised effectively for rural lifestyle use.

8.3.3 To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.

- 6.12.3 Mitigation of cumulative effects have been discussed throughout this report. The proposal will create one additional allotment, which is of a similar size to those existing within the surrounding environment. Proposed Lot 1 has been assessed as being suitable for future residential development and onsite servicing, such that no downstream effects are anticipated. No additional crossing places are proposed as each lot will utilise the existing crossing place. In terms of positive cumulative effects, the proposal will result in the protection and enhancement of the riparian margins of the wetland areas, as they affect the site, providing positive ecological and biodiversity benefits within the site and downstream environment. It is therefore considered that the proposal will not create adverse cumulative effects.

8.3.4 To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.

8.3.5 To protect outstanding natural features and landscapes.

- 6.12.4 The site is not known to contain any outstanding features and landscapes. The EclA prepared as part of this application determined that there are wetland areas located within the site. Additional planting will be provided within the riparian margins of the wetlands, as well as formally protecting these areas by covenant. This will provide ecological and biological enhancement of the wetland as well as aid in filtrating sediment from the upstream environment, enhancing the water quality of the downstream environment. The existing covenanted vegetation areas on site will also be enhanced by additional planting on the margins and formal protection remaining. Overall, it is considered that the proposal results in the protection and enhancement of natural features on the site.

8.3.6 To avoid actual and potential conflicts between land use activities in the rural environment.

- 6.12.5 As discussed throughout this report, the subject site adjoins rural lifestyle allotments, with many similar sized allotments occurring within the immediate area. Many of these allotments are developed with residential dwellings with the remainder of the site being utilised for recreational/open space for the dwelling or as open pasture for small-scale grazing of cattle.



6.12.6 The site adjoins four properties to the east, Lots 1 - 4 DP 616586. These lots are currently utilised as rural-lifestyle allotments, 2 of which contain existing dwellings. These sites have been recently subdivided into 2 hectare allotments, similar to the proposal. The site is bounded by Waimate North Road along the northern boundary. Written approval has been obtained by the adjoining neighbours to the east, with effects of the proposal considered to be less than minor. The site adjoins an allotment just over 2 hectares to the west, Lot 1 DP 566354, which contains existing development. As discussed earlier in this report, effects on this allotment are considered to be less than minor and as such, no written approval has been sought. The adjoining lot to the south, Lot 1 DP 582867 is owned by the subject applicant and as such, no formal written approval has been considered necessary. The proposal is not considered to create conflicts in existing land use activities as the proposal will enable allotments which can contain a residential dwelling as well as small-scale productive activities whilst preserving and protecting the wetland areas within the surrounding environment. The proposal is therefore considered to be consistent with other land use activities in the area.

8.3.7 To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.

8.3.8 To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.

8.3.9 To enable rural production activities to be undertaken in the rural environment.

8.3.10 To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.

6.12.7 The proposal is considered to promote the maintenance and enhancement of amenity values of the rural environment by undertaking a low-density subdivision, where each lot can cater a residential dwelling well within the bounds of the permitted threshold for the zone. Each lot will have area where small scale rural productive activities can be undertaken whilst protecting and enhancing the wetland areas within the surrounding environment to ensure positive downstream effects on the wider environment. The proposal is considered to achieve a superior outcome compared to more traditional forms of subdivision, as the proposal will see the enhancement and protection of the wetland areas within the subject site. The proposal will also result in an effective use of the land which is not typically suitable for productive activities due to the topography, soil structure and natural features within the site. The proposal will not alter any rural production activities to be undertaken in the zone as the site was not of a size or nature where large-scale rural production activities would be economical. The adjoining allotments are of rural lifestyle characteristics and any new development on Proposed Lot 1 can be setback a sufficient distance from all existing boundaries due to constraints with topography as well as the setback requirements from the wetland area within the proposed lot. Development of this nature is considered compatible with the amenity values of this rural lifestyle area.

Policies

8.4.1 That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.



- 6.12.8 The proposal is considered to contribute to the sustainable management of the natural and physical resources as explained above.

8.4.2 That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded and rural productive activities are able to continue.

8.4.3 That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation

- 6.12.9 Adverse effects are considered to be mitigated to a less than minor degree and the life supporting capacity of soils is considered to remain unaffected. Ecosystems on site and downstream of the site are considered to be enhanced through the protection and enhancement of the riparian margins of the wetland area. Rural productive activities can continue.

- 6.12.10 Proposed Lot 2 will contain existing infrastructure. Proposed Lot 1 will be vacant and therefore any new development will require new infrastructure, which will be designed at the time of such development of the lot. Consent notice conditions have been offered to ensure that any new infrastructure is designed and operated in a way that does not create any adverse effects on the environment.

8.4.4 That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.

- 6.12.11 The site is not known to contain any outstanding natural features or landscapes. Amenity values are considered to be enhanced by the proposal. The wetland areas on the site will be formally protected as well as enhanced by the proposal.

8.4.5 That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).

- 6.12.12 The site is located in an area with allotments similar in size to the proposal. No incompatible land use or reverse sensitivity effects are anticipated as the proposal is not out of character within the surrounding environment and will not create any activities which are not currently within the immediate environment. The proposal will not alter the ability of rural production activities to occur on neighbouring sites. The subject site does not contain the appropriate features or size that would render the site suitable for large scale rural productive activities and hence it is considered that this allotment was always going to be a rural- lifestyle lot. The proposal does not constrain the existing land use activities on adjoining allotments. Written approval has also been obtained from two of the adjoining neighbours, reinforcing that no reverse sensitivity effects are anticipated.



8.4.6 That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.

6.12.13 As part of this proposal, the wetland areas within the site will be formally protected as well as additional planting being carried out to enhance the wetland and the downstream environment. It is considered the proposal provides a superior outcome because of this.

8.4.7 That Plan provisions encourage the efficient use and development of natural and physical resources, including consideration of demands upon infrastructure.

8.4.8 That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated. Consideration will further be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities.

6.12.14 A Site Suitability Report has been completed by LDE which determined that the sites are capable of containing independent infrastructure within the site boundaries. The intensity, scale and type of the proposal is considered to be compatible with lots in the surrounding environment. No adverse effects on habitats, outstanding natural features and landscapes or on the amenity value of the rural environment are anticipated. The site is not located within the coastal environment. Amenity values and ecological values of the site will be enhanced. The additional allotment has a functional need to be within the rural environment, as there is a shortage of allotments of this size and character available throughout Northland within close proximity to a township. The cumulative effects of an additional allotment is considered to be mitigated due to the existing character of the surrounding environment.

Assessment of the objectives and policies within the Rural Production Zone

6.13 The following assessment is based upon the objectives and policies contained within section 8.6.3 and 8.6.4 of the District Plan.

Objectives

8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.

6.13.1 As noted in the sections above, this subdivision will contribute to the sustainable management of natural and physical resources. Due to the physical constraints of the site and the underlying soil structure, the site is not considered suitable for large scale rural productive use and therefore the natural and physical resources in this regard, are not considered to be degraded due to the site already being compromised. The proposal will also see the wetland areas on the site formally protected and enhanced, promoting the natural resources on the site. The



proposal is considered to be the best utilization of the site as will enable enhancement of the site.

8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.

- 6.13.2 Efficient use and development are provided by creating a rural lifestyle allotment within an area which already boasts these characteristics. Social, economic and cultural well-being will be provided for by enhancing the existing character of the site and surrounding environment while providing an additional allotment.

8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

- 6.13.3 Amenity values will be altered slightly by the introduction of an additional dwelling when the vacant site is developed. However, this level of development is not out of character within this rural lifestyle area. Amenity values will also be enhanced by the protection of the wetland areas within the site.

8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.

- 6.13.4 Natural values will be promoted by protecting the wetland areas within the site as well as additional planting within these areas to enhance water quality and biological diversity.

8.6.3.5 To protect and enhance the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri.

- 6.13.5 The site is not located along Kerikeri Road.

8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.

8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.

8.6.3.8 To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.

8.6.3.9 To enable rural production activities to be undertaken in the zone.

- 6.13.6 Reverse Sensitivity effects to neighbouring properties are not considered likely given the rural lifestyle allotments adjoining the sites. Rural lifestyle development as proposed is considered compatible within this specific area.

- 6.13.7 Lifestyle activities have a functional need to be established outside of urban areas. The proposal is considered appropriate in the locality due to the connectivity to the Kerikeri township. The proposal provides lifestyle allotments in close proximity to other lifestyle



developments as well as connectivity and access to employment, services and community infrastructure such as schools, daycares, halls, which reiterates the functional need of these types of allotments in the area.

- 6.13.8 The proposal will not alter the ability of rural production activities to be undertaken in the zone as the site is currently of a size where large scale rural production activities are not feasible. Each allotment will continue to boast an area which can be utilised for small scale rural productive activities, such as gardens or grazing of a small number of livestock.

Policies

8.6.4.1 That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.

8.6.4.2 That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.

8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.

8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.

- 6.13.9 The proposal is not anticipated to create any adverse effects nor any reverse sensitivity effects. The vacant allotment has been assessed as being suitable for future built development and onsite servicing, as per the recommendations within the report from LDE. The proposal is not considered to be detrimental to rural productivity as the subject site already contains many restrictions which affect the productivity of the site, including existing built development, varying unfavourable topography, inclusion of wetland areas and protected vegetation areas and location to other rural lifestyle allotments. The offsite effects of the proposal and anticipated activities are considered to be less than minor. No adverse effects on natural and physical resources are anticipated. The site does not boast highly versatile soils. The proposal will result in the formal protection of the wetland areas on the site as well as the enhancement of these areas. The type, scale and intensity of the development is considered to be consistent with the surrounding environment and will maintain and enhance the amenity values of the zone.

8.6.4.6 That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.

- 6.13.10 The site does not have frontage with Kerikeri Road.



8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.

8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities

8.6.4.9 That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.

6.13.11 The proposal is not anticipated to create any adverse effects in regard to conflicting land use activities. The site and surrounding environment consist of lots of 2 hectares to 4 hectares with the majority containing a residential dwelling and area for small scale rural productive activities. The proposal will create allotments which fall within the existing allotment size range as well as enable activities of similar characteristics. The proposal will also formally protect and enhance the wetland areas on the site, which will in addition, provide a buffer zone from adjoining properties. Written approval from the adjoining allotments to the east have also been obtained, such that effects on these allotments are considered to be less than minor. The proposal is not anticipated to create reverse sensitivity effects and will not compromise the continued operation of lawfully established activities.

Assessment of the objectives and policies for Subdivision Activities

6.14 The following assessment is based upon the objectives and policies contained within Section 13.3 and 13.4 of the District Plan.

Objectives

13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.

6.14.1 The subdivision will be consistent with the purpose of the rural production zone which is to *enable the continuation of the wide range of existing and future activities compatible with normal farming and forestry activities, and with rural lifestyle and residential uses while ensuring that the natural and physical resources of the rural area are managed sustainably.* The proposal will ensure that the natural and physical resources within the site are protected and enhanced, whilst enhancing the downstream environment. The proposal will provide allotments which are consistent with the existing lot sizes in the area and also provide allotments which can contain land use activities similar to those in the surrounding environment, such that no reverse sensitivity effects are anticipated. The proposal will promote the social, economic and cultural well-being of people and communities by providing an additional allotment in close proximity to places of employment, schools, social centres and recreation areas. The site is located within 10km of Kerikeri and therefore is an ideal location for families who want to be in close proximity to these locations, whilst enjoying the amenity of a rural environment.



13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.

- 6.14.2 The life supporting capacity of air, water, soil and ecosystems are not anticipated to be jeopardised by the proposal. The proposal will enhance the ecosystems in the area and the water quality by protecting and enhancing the wetland areas within the site. The site does not boast highly versatile soils. The proposal is not anticipated to create any reverse sensitivity effects given the proposed lot sizes reflect those in the surrounding environment. The site is not shown to be susceptible to natural hazards, and the proposal is not anticipated to create or accelerate natural hazards.

13.3.3 To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.

13.3.4 To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.

- 6.14.3 The site is not located within the coastal environment and is not known to contain any heritage resources.

13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.

- 6.14.4 Water supply is existing for the dwelling on Lot 2. Provision for water supply will be provided at the time of built development on Lot 1. Stormwater management is existing for Lot 2, with Lot 1 being of ample area to provide this onsite at the time of built development on the lot.

13.3.6 To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.

- 6.14.5 The proposal will result in a superior outcome, as the wetland areas on site will be formally protected and enhanced as a result of the proposal. These wetlands provide a connection to the downstream environment and protection of these will have a direct positive impact on the overall wellbeing of the wetland system within the surrounding environment. The proposed buffer planting around the wetland areas will provide a protection zone from the adjoining land use activities, which will filter upstream runoff before it enters the wetland as well as providing an exclusion zone for any livestock within the site. The buffer planting will also provide areas for new ecosystems to develop as well as existing ecosystems to replenish.

13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.



- 6.14.6 The site is not known to contain any sites of significance to Māori. The relevant Iwi groups have been contacted as part of this application process, with no response received to date. The proposal is not considered to affect the relationship between Māori and their ancestral lands.

13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.

13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).

13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.

13.3.11 To ensure that the operation, maintenance, development and upgrading of the existing National Grid is not compromised by incompatible subdivision and land use activities.

- 6.14.7 Electricity supply is not a requirement of the Rural Production zone. Lot 2 has existing provisions to the dwelling on site and electricity supply to Lot 1 will be at the discretion of future owners. Energy efficient design will be at the discretion of future owners for Lot 1, however the site is capable of taking advantage of this due to the orientation of the site. The proposal is considered to promote the efficient provision of infrastructure by utilising the existing access points, such that no new crossing places are required from Waimate North Road. The site is not located within the National Grid.

Policies

13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:

- (a) natural character, particularly of the coastal environment;***
- (b) ecological values;***
- (c) landscape values;***
- (d) amenity values;***
- (e) cultural values;***
- (f) heritage values; and***
- (g) existing land uses.***

- 6.14.8 The site is not located within the coastal environment. The proposal is considered to have a positive effect on the features listed within (a)-(g) above. The proposal will enable the protection and enhancement of the wetland areas within the site as well as enable the existing land use activities in the area to continue. The proposal will provide lots which are of a size and dimension similar to those in the surrounding environment.



13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.

- 6.14.9 As detailed above, the proposal will not require any additional crossing places as it will utilise existing crossing places which have been determined by LDE to meet the required Engineering Standards as well as the required sight lines. Pedestrian access is not a consideration in this rural environment.

13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.

- 6.14.10 The site is not impacted by natural hazards as per the report from LDE.

13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.

13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.

- 6.14.11 Connection to utility services is not a consideration of this rural subdivision. The proposal is not considered to create any adverse effects in terms of access and servicing. As mentioned, no additional crossing places are proposed. Any excavation works to create the proposed new private accessway with Easement C will be undertaken in accordance with the relevant standards. No vegetation clearance is proposed.

13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.

- 6.14.12 The proposal will result in the protection, restoration and enhancement of the wetland areas on the site.

13.4.7 That the need for a financial contribution be considered only where the subdivision would:

- (a) result in increased demands on car parking associated with non-residential activities; or***
- (b) result in increased demand for esplanade areas; or***
- (c) involve adverse effects on riparian areas; or***
- (d) depend on the assimilative capacity of the environment external to the site.***

- 6.14.13 Financial contribution is not considered applicable to this proposal.

13.4.8 That the provision of water storage be taken into account in the design of any subdivision.

- 6.14.14 Water storage is existing for Lot 2 and has been considered for Lot 1, with a consent notice condition stating requirements for water supply for firefighting purposes.



13.4.9 That bonus development donor and recipient areas be provided for so as to minimise the adverse effects of subdivision on Outstanding Landscapes and areas of significant indigenous flora and significant habitats of fauna.

13.4.10 The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.

6.14.15 Bonus development donor and recipient areas are not considered applicable to this proposal. The site is not located within the Conservation zone.

13.4.11 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.

6.14.16 Contact has been made with the relevant Iwi groups as part of this proposal with no response received to date. The proposal is considered to recognise the relationship of Māori with their lands and is not considered to have an effect on this relationship. The proposal has taken into account the principles of the Treaty of Waitangi.

13.4.12 That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.

6.14.17 The management plan rule is not considered applicable to this low-density proposal. Superior environmental outcomes will be achieved by the formal protection and enhancement of the wetland areas within the site.

13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:

(a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;

(b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;

(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;

(d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives" (2004);



(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;
(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

(g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

6.14.18 The proposal will see the wetland areas contained within the subject site, formally protected. As the enhancement of the wetland areas will occur as part of the subdivision proposal as well the proposed lots having a registered protection of the wetland areas, it is considered the proposal will preserve and restore the wetland areas within the site. Lot 2 will contain the existing built development with the design of built development on Lot 1 being at the discretion of future owners. Visual impact of any buildings within the site can be mitigated via placement and design, with ample areas on site which can assist with this. The site does not adjoin any foreshore or esplanade areas. The proposal is not anticipated to affect the relationship of Māori and their lands. The proposal includes buffer planting around the existing wetlands which will enhance the area. The site is not known to contain any historic heritage. The site is not known to be susceptible to natural flood hazards, with a stormwater report being required at the time of future built development on the lots.

13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

6.14.19 The objectives and policies of the Rural Environment and Rural Production zone have been assessed above, and the proposal has been found to be consistent with these.

13.4.15 That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following:

- (a) development of energy efficient buildings and structures;***
- (b) reduced travel distances and private car usage;***
- (c) encouragement of pedestrian and cycle use;***
- (d) access to alternative transport facilities;***
- (e) domestic or community renewable electricity generation and renewable energy use.***

6.14.20 Lot 2 will contain existing built development. There is ample area within Lot 1 to ensure energy efficient design at the time of built development within the lot.

13.4.16 When considering proposals for subdivision and development within an existing National Grid Corridor the following will be taken into account:

- (a) the extent to which the proposal may restrict or inhibit the operation, access, maintenance, upgrading of transmission lines or support structures;***
- (b) any potential cumulative effects that may restrict the operation, access, maintenance, upgrade of transmission lines or support structures; and***



(c) whether the proposal involves the establishment or intensification of a sensitive activity in the vicinity of an existing National Grid line.

6.14.21 The site is not located within the National Grid Corridor.

Proposed District Plan

6.15 Under the Proposed District Plan, the site is zoned Rural Production and therefore an assessment of the objectives and policies within this chapter have been included below. The proposal is considered to create no more than minor adverse effects on the rural environment and is consistent with the rural intent of the surrounding environment and the zone. The proposal is considered to be consistent with the objectives and policies of the Proposed District Plan.

Assessment of Objectives and Policies for Subdivision Activities

6.16 The following assessment includes assessment of SUB01 – SUB04 and SUBP1 – SUBP11.

SUB-01 - Subdivision results in the efficient use of land, which:

- (a) achieves the objectives of each relevant zone, overlays and district wide provisions;***
- (b) contributes to the local character and sense of place;***
- (c) avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;***
- (d) avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;***
- (e) does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and***
- (f) manages adverse effects on the environment.***

6.16.1 As has been discussed throughout this report, the proposal is considered to achieve the objectives of the zone and district wide provisions. No overlays apply to this site. The proposal will contribute to the local character and sense of place by providing allotments of similar size to those in the surrounding environment, which can boast similar activities, whilst providing protection of the wetland areas within the site. No reverse sensitivity effects are anticipated as has been discussed throughout this report. The proposal will be consistent with the existing land use patterns in the surrounding environment. The proposal is not anticipated to increase risk from natural hazards. No adverse effects are anticipated.

SUB-02 - Subdivision provides for the:

- (a) Protection of highly productive land; and***
- (b) Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.***



- 6.16.2 The site is not shown to boast highly versatile soils and as such is not classified as HPL. As such, it is considered the proposal does not affect the protection of HPL. The proposal does result in the protection of the wetland areas on the site, and therefore is consistent with this objective.

SUB-03 - Infrastructure is planned to service the proposed subdivision and development where:

- (a) there is existing infrastructure connection, infrastructure should provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and***
- (b) where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.***

- 6.16.3 The subject site is not in an area which benefits from reticulated services. LDE have completed a Site Suitability Report which determined that Lot 1 is capable of containing the required onsite infrastructure. Lot 2 will contain the existing onsite infrastructure which services the existing dwelling.

SUB-04 - Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:

- (a) public open spaces;***
- (b) esplanade where land adjoins the coastal marine area; and***
- (c) esplanade where land adjoins other qualifying waterbodies***

- 6.16.4 No public open spaces or esplanade reserves are deemed applicable in this instance.

Policies

SUB-P1 - Enable boundary adjustments that:

- (a) do not alter:***
 - (i) the degree of non compliance with District Plan rules and standards;***
 - (ii) the number and location of any access; and***
 - (iii) the number of certificates of title; and***
- (b) are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.***

- 6.16.5 The proposal does not include a boundary adjustment.

SUB-P2 - Enable subdivision for the purpose of public works, infrastructure, reserves or access.

- 6.16.6 The proposal is not for the purpose of public works, infrastructure, reserves or access.

SUB-P3 - Provide for subdivision where it results in allotments that:

- (a) are consistent with the purpose, characteristics and qualities of the zone;***
- (b) comply with the minimum allotment sizes for each zone;***



- (c) have an adequate size and appropriate shape to contain a building platform; and*
- (d) have legal and physical access.*

6.16.7 Although the site is zoned rural production, it is more rural lifestyle in nature, as has been explained within this report. The proposal is consistent with the existing allotments in the area. Lot 2 will contain the existing dwelling and Lot 1 is of a size and dimensions which contains suitable areas for a building platform as assessed by LDE. The proposed lots will utilise the existing legal access points.

SUB-P4 - Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan

6.16.8 The proposal is considered to be consistent with the district wide, natural environment values, historical and cultural values as well as hazard and risks sections.

SUB-P5 - Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by:

- (a) minimising vehicle crossings that could affect the safety and efficiency of the current and future transport network;*
- (b) avoid cul-de-sac development unless the site or the topography prevents future public access and connections;*
- (c) providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces;*
- (d) contributing to a well connected transport network that safeguards future roading connections; and*
- (e) maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.*

6.16.9 The site is not located within the General Residential, Mixed Use or Settlement zone under the PDP.

SUB-P6 - Require infrastructure to be provided in an integrated and comprehensive manner by:

- (a) demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and*
- (b) ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone.*

6.16.10 As detailed within the Site Suitability Report from LDE, Lot 1 is capable of containing future onsite infrastructure to service any future development. Lot 2 will contain the existing onsite infrastructure which service the existing dwelling.

SUB- P7 - Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying waterbodies.



6.16.11 The site does not adjoin the coast or any qualifying water bodies and as such, no esplanade reserves have been proposed.

SUB-P8 - Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:

- (a) will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and***
- (b) will not result in the loss of versatile soils for primary production activities.***

6.16.12 The site does not contain a SNA. However, the proposal will provide the protection of the existing wetland areas within the site. As discussed earlier in this report, the proposal is not considered to result in the loss of versatile soils for primary production activities.

SUB-P9 - Avoid subdivision rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.

6.16.13 The proposal does not include a management plan subdivision. The Management Plan Subdivision Rule (SUB-R7) does not have legal weighting and may be subject to the submission process and hence subdivision cannot be undertaken in accordance with this rule at this point in time.

SUB-P10 - To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum allotment size and residential density.

6.16.14 The proposal does not result in the subdivision of a minor residential unit from a principal dwelling.

SUB-P11 - Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application:

- (a) consistency with the scale, density, design and character of the environment and purpose of the zone;***
- (b) the location, scale and design of buildings and structures;***
- (c) the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;***
- (d) managing natural hazards;***
- (e) Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and***
- (f) any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.***

6.16.15 The proposal is considered to be consistent with the scale, density, design and character of the environment. Although the proposed lot sizes are less than what is permitted for the rural production zone, the proposal is considered consistent with lots in the surrounding



environment and provides a transition zone on the outskirts of Kerikeri. A Site Suitability Report has been completed by LDE for Lot 1 which indicated a potential house site, which is suitable within the surrounding environment. LDE's report also determined that Lot 1 is capable of containing future onsite infrastructure to cater for any future development. The sites are not shown to be affected by natural hazards. No effects on historic heritage, cultural values, natural features and landscapes, natural character or indigenous biodiversity values are anticipated. The site is not known to hold any historical, spiritual or cultural association held by tangata whenua.

Assessment of Objectives and Policies of the Rural Production zone

- 6.17 The following assessment includes assessment of RPROZ01 – RPROZ04 and RPROZP1 – RPROZP7.

Objectives

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

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

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

- (a) protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;***
- (b) protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;***
- (c) does not compromise the use of land for farming activities, particularly on highly productive land;***
- (d) does not exacerbate any natural hazards; and***
- (e) is able to be serviced by on-site infrastructure.***

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

- 6.17.1 The subject site is not currently utilised for large scale rural productive use and is utilised as more of a rural-lifestyle allotment. The proposal will not affect the availability for primary production activities in the area.
- 6.17.2 The proposed allotments are considered to have a functional need to be located within the rural environment as the proposal will provide one additional allotment which is consistent with the surrounding environment and will provide the opportunity for built development whilst protecting the wetland areas on the site. The proposal is not anticipated to create any reverse sensitivity effects and will not compromise the use of land for farming activities. Natural hazards will not be exacerbated. Lot 2 will contain existing onsite infrastructure and Lot 1 has been assessed as being suitable for future onsite infrastructure.



Policies

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

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

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

6.17.3 The applicant grazes a small number of cattle across his allotments. The primary production activity is small scale and will continue to be enabled, with the exception of removing wetland areas from grazing, as is required under regional council legislation.

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

6.17.4 The subject site directly adjoins allotments of similar use, with written approvals being obtained from two adjoining owners to the east. No reverse sensitivity effects are anticipated to be created due to the proposed lot sizes being compatible with the surrounding environment. The majority of the site and surrounding environment contain soils not classified as a highly versatile as well as natural features such as wetlands and bush, which restrict the productive use of the sites.

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

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

6.17.5 As mentioned, the site boasts small scale primary production activities. The proposal will not affect the existing primary production activities in the area. The proposal is considered to be of low density, with the existing built development in Lot 2 complying with the permitted rules for the zone under the ODP and Lot 1 being of size which can cater for built development as a permitted activity. No adverse effects are anticipated. The proposal will enhance the rural character and amenity values by protecting the wetland areas on the site and enhancing this area with buffer planting.



RPROZ-P5 - Avoid land use that:

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

6.17.6 The proposal is not considered to create any incompatible land use activities. The site is rural lifestyle in nature, and it is considered that the proposal is compatible with the unique environment. Due to the above, the site is more appropriately characterized as a rural lifestyle lot rather than rural production, such that the proposed lots reflect the transition zone that usually occurs in these town and country areas. The site is not currently utilized as highly productive land and will not result in any loss. The site is not known to be susceptible to natural hazards. Onsite services can be provided for within each of the allotments.

RPROZ-P6 - Avoid subdivision that:

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

6.17.7 As mentioned, the site is not currently utilized for large scale farming activities. The proposal is considered to be consistent with lots in the surrounding environment. The site does not boast any future potential to be utilized as highly productive land.

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

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



- i. any setbacks, fencing, screening or landscaping required to address potential conflicts;*
- ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;*
- (g) the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;*
- (h) the adequacy of roading infrastructure to service the proposed activity;*
- (i) Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;*
- (j) Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

6.17.8 The subject site is currently a rural lifestyle lot and although the proposal will not increase the production potential of the zone, it will not inhibit it either. The site does not boast highly versatile soils. The proposal is considered to be consistent with the scale and character of the rural environment. Lot 2 will contain the existing built development with future development on Lot 1 being at the discretion of the future owners. No reverse sensitivity effects are anticipated and no loss, sterilisation or fragmentation of HPL is anticipated. The site is not located at a zone interface. Lot 2 has existing onsite infrastructure and LDE have determined that Lot 1 is capable of containing onsite infrastructure which is to be designed at the time of built development on the lot. The additional traffic movements associated with the additional lot are anticipated to be easily absorbed into the roading network. No adverse effects on historic heritage, cultural values, natural features, landscapes or indigenous biodiversity are anticipated. The proposal is considered to result in positive effects on natural features and indigenous biodiversity within the site due to the proposed protection and enhancement of the wetland areas within the site. The site is not known to hold any historical, spiritual or cultural association held by Tangata Whenua.

Summary

- 6.18 The above assessment of the relevant policy documents demonstrates that the proposal will be consistent with the relevant objectives and policies of those statutory documents.
- 6.19 Although the proposal is considered to be a non-complying activity, allotments of this size are not unusual in the immediate and wider environment. Due to the close proximity of the site to the Kerikeri township, there is considered to be a functional need for allotments of this size to be located in the area, providing connectivity between smaller and larger rural productive lots. The proposal provides for the social, economic and cultural wellbeing of the community by providing lifestyle allotments in close proximity to employment, services and community infrastructure.
- 6.20 The site is not considered to be suitable for large scale rural productive use, due to the existing size of the site, the existing topography, existing and adjoining land use activities in the area



as well as natural features such as wetlands. The proposal will allow better utilization of the site and provide enhancement of the site and surrounding environment.

- 6.21 No reverse sensitivity effects are anticipated due to the nature of the surrounding environment. The proposal will result in a superior outcome by the formal protection and enhancement of the wetland areas within the site, which will in turn provide a positive effect on the downstream environment due to the natural filtration and biodiversity enhancement that will be provided as part of this proposal.

7.0 NOTIFICATION ASSESSMENT – SECTIONS 95A TO 95G OF THE ACT

Public Notification Assessment

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

Step 1 Mandatory public notification in certain circumstances

- (2) Determine whether the application meets any of the criteria set out in subsection (3) and, —*
(a) if the answer is yes, publicly notify the application; and
(b) if the answer is no, go to step 2.
(3) The criteria for step 1 are as follows:
(a) the applicant has requested that the application be publicly notified;
(b) public notification is required under section 95C;
(c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

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

Step 2: Public Notification precluded in certain circumstances

- (4) Determine whether the application meets either of the criteria set out in subsection (5) and, —*
(a) if the answer is yes, go to step 4 (step 3 does not apply); and
(b) if the answer is no, go to step 3.
(5) The criteria for step 2 are as follows:
(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;
(b) the application is for a resource consent for 1 or more of the following, but no other, activities:
(i) a controlled activity;
(ii) [Repealed]
(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.
(iv) [Repealed]
(6) [Repealed]

- 7.1.2 The application is a Non-Complying activity. No preclusions apply in this instance.

Step 3: If not precluded by Step 2, public notification required in certain circumstances



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

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

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

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

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

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

- 7.1.3 No applicable rules require public notification of the application. The activity will not have a more than minor effect on the environment.

Step 4; Public notification in special circumstances

(9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and, —

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

(b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.

- 7.1.4 The proposal will result in one additional allotment which has been assessed as being suitable for future built development and onsite servicing. The proposal will utilise the existing crossing places which have been assessed by LDE as meeting the required engineering standards and sight lines. Written approval from adjoining neighbours to the East has been obtained, the allotment to be sought is in the ownership of applicant and the fourth adjoining allotment to the West is not considered to be adversely affected by the proposal. The proposal will provide allotments which fall within the existing size range in the area and can accommodate similar land use activities. The wetland areas on site will be formally protected and enhanced providing a superior outcome.
- 7.1.5 As determined within Section 5 the effects on the environment are considered to be less than minor and the proposal is generally consistent with the objectives and policies of the relevant policy documents as determined within Section 6 of this report.
- 7.1.6 It is therefore considered that there are no special circumstances that exist to justify public notification of the application because the proposal is not considered to be controversial or of significant public interest. There are no circumstances which are considered to be unusual or exceptional in this instance.

Public Notification Summary

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

Limited Notification Assessment

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



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

(2) Determine whether there are any—

(a) affected protected customary rights groups; or

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

(3) Determine—

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

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

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

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

Step 2: Limited notification precluded in certain circumstances

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

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

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

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

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

(b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

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

Step 3: Certain other affected persons must be notified.

(7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.

(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

(9) Notify each affected person identified under subsections (7) and (8) of the application.

The proposal is not for a boundary activity nor is it a prescribed activity.

- 7.2.3 The proposal does not result in a boundary activity.

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

(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—

(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and

(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and



(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

- 7.2.5 A council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval. Four of the allotments which directly adjoin the subject site have provided their written approval to the subdivision, with the third allotment (to the south) being in the ownership of the Applicant and as such, no formal written approval is considered necessary. These lots are as follows (shaded colour in table below matches shaded lots in Figure 22 below):

Address	Lot Number	Owner
797 Waimate North Road, Waimate North	Lot 1 DP582867	Aroona Group Limited
797C Waimate North Road, Waimate North	Lot 1 & 2 DP 616586	Leanne and Mark Christiansen
797B Waimate North Road, Waimate North	Lot 3 & 4 DP 616586	Megan & Roderick Chrisp

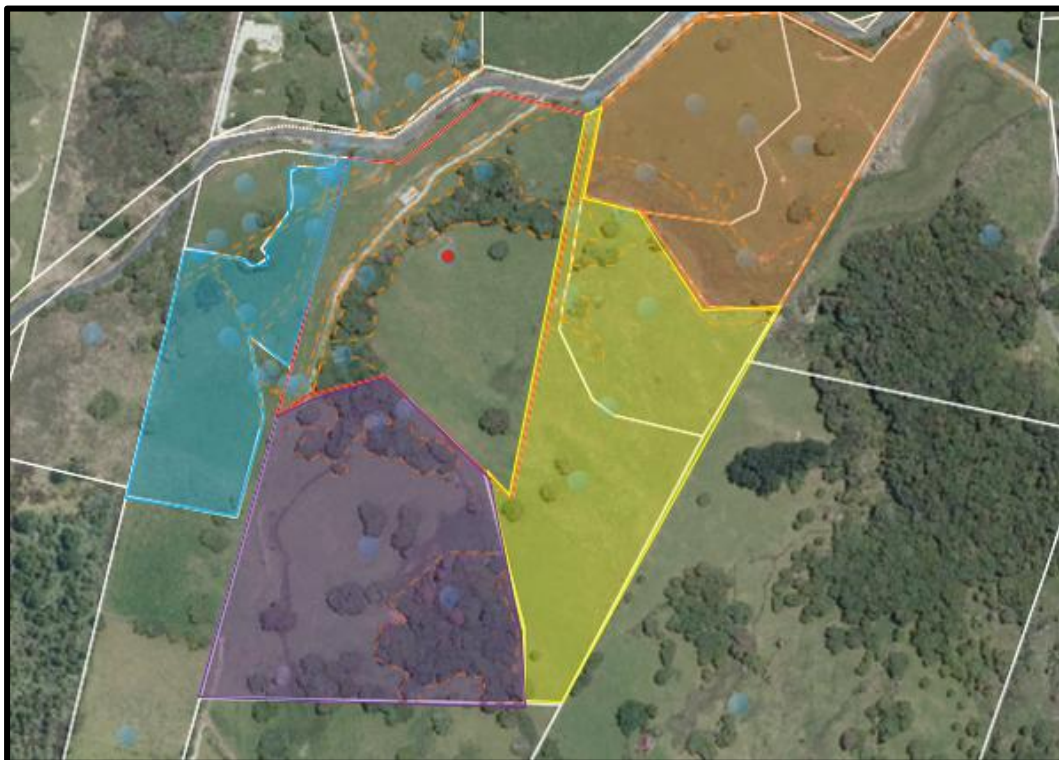


Figure 34: Image showing adjoining allotments.

- 7.2.6 As determined earlier in this report, Lot 1 DP 566354 (shaded blue) is not considered to be adversely affected by the proposal. Due to the topography and natural features of the site as it adjoins the subject site and the existing built development location on Lot 1 DP 566354, it is considered that development near the subject site's boundary within Lot 1 DP 566354, is highly unlikely to occur and this area of land will remain as grazed farmland. The proposal will provide positive impacts on the natural features within the surrounding environment, by

enhancing the vegetation within the riparian margins of the wetland, which in turn will create positive downstream effects on the wetland system. The proposed lots are of similar size to lots in the surrounding environment. As such, no reverse sensitivity or incompatible land use effects are anticipated on Lot 1 DP 566354 and all effects are considered to be less than minor.

- 7.2.7 It is therefore considered that there are no adverse effects created on these allotments. It is considered that there are no other lots which may be adversely affected, as such lots are located a sufficient distance from the site.
- 7.2.8 Due to the size of allotments in the area, the development is considered consistent with other developments in the area and as such no other sites are considered to be adversely affected.
- 7.2.9 As a result of the above and with respect to section 95B(8) and section 95E, the proposal is considered to have a no more than minor effect on all owners and occupiers of adjacent properties. Therefore Step 3 does not apply and Step 4 must be considered.

Step 4: Further notification in special circumstances

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

- 7.2.10 The proposal is to undertake a rural lifestyle subdivision within an area that has similar lifestyle development. The proposal provides a superior outcome by protecting and enhancing the wetland areas on the site. It is considered that no special circumstances exist in relation to the application.
- 7.2.11 Written approvals have been obtained from the adjoining neighbours to the East of the site. Due to the nature of the surrounding environment and the measures proposed within this report, no reverse sensitivity effects are anticipated to be created.
- 7.2.12 It is therefore considered that there are no special circumstances that exist to warrant notification of the application to any other persons.

Limited Notification Assessment Summary

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

Notification Assessment Conclusion

- 7.4 Pursuant to sections 95A to 95G it is recommended that the Council determine the application be non-notified for the above-mentioned reasons.



8.0 PART 2 ASSESSMENT

- 8.1 The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 8.2 The proposal will meet Section 5 of the RMA as the development can achieve sustainable management of natural and physical resources by protecting and enhancing the wetland areas within the site. The proposal is considered consistent in terms of its allotment sizes and character as the sites being created are generally comparable with the rural lifestyle subdivision patterns of the immediate surrounding environment.
- 8.3 Section 6 of the Act sets out a number of matters of national importance. It is considered that the proposal will not adversely affect any of these matters, as has been explained throughout this report.
- 8.4 Section 7 identifies a number of “other matters” to be given particular regard by a Council in the consideration of any assessment for resource consent, including efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values. This development will result in an efficient use of the site and its resources as the site can be effectively used for rural lifestyle purposes. Amenity values will be maintained and enhanced as the character of the area is already rural lifestyle in nature.
- 8.5 Section 8 requires Council to take into account the principals of the Treaty of Waitangi. It is considered that the proposal raises no Treaty issues. The subject site is not known to be located within an area of significance to Māori nor does the site indicate any historic archaeology is present. As such it is considered that the proposal has taken into account the principals of the Treaty of Waitangi; and is not considered to be contrary to these principals.
- 8.6 Overall, the application is considered to be consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by section 5 of the Act.

9.0 104D ASSESSMENT

- 9.1 As detailed in section 4.2 of this application, Section 104D of the Act requires that a Non-Complying subdivision must meet at least one of the gateway tests above in order for the decision-making authority to consider approving the application.
- 9.2 As detailed within section 5 above it is concluded that the effects of the proposal on the surrounding environment will be no more than minor. Passing the first test.
- 9.3 In section 6 above it was also concluded that the proposal would be generally consistent with the available policy documents. Passing the second test.



- 9.4 Case Law has determined that the precedent of granting resource consent is a relevant factor for a consent authority when considering whether to grant a Non-Complying resource consent. A precedent effect is likely to arise in a situation where consent is granted to a Non-Complying activity that lacks the evident unique, unusual or distinguished qualities that serve to take the application out of the generality of cases or similar sites in the vicinity. If the activity boasts sufficient qualities that are unusual or unique, that other proposals may not contain, precedent effects may be avoided. As discussed in Sections 5.4-5.12 of this report, in this case, the proposal is considered unique due to the physical constraints of the site which render the site unsuitable for rural productive activities. The site is in an area that is already compromised, with limitations of the site further restricting the use of the site. The proposal will result in a superior outcome where the wetland areas on the site will be protected and enhanced, providing benefit to not just the site but the downstream environment. The site does not boast any areas of HPL which could be utilized as productive land. Due to the existing development in the area, the proposal is considered to be consistent with development in the surrounding environment and is a reflection of the existing lot sizes and land use activities.
- 9.5 As both gateway tests have been satisfied it is concluded that the proposal can be approved under delegated authority by Council.

10.0 CONCLUSION

- 10.1 The proposal is to undertake a subdivision to create one additional allotment within the Rural Production zone. Both lots will be over 2 hectares in area. The proposal also includes formal protection and enhancement of the wetland areas on the site. The proposal is considered to be consistent with neighbouring development patterns which have created rural lifestyle allotments.
- 10.2 In terms of section 104(1)(a) of the Act, the actual and potential effects of the proposal will be no more than minor.
- 10.3 It is also considered that the proposal will have no more than minor adverse effects on the wider environment; no persons will be adversely affected by the proposal and there are no special circumstances.
- 10.4 The proposal is a Non-Complying activity, an assessment of the gateway tests under section 104D have been undertaken. The proposal is considered to pass both gateway tests.
- 10.5 The relevant provisions within Part 2 of the Act have been addressed as part of this application. The overall conclusion from the assessment of the statutory considerations is that the proposal is considered to be consistent with the sustainable management purpose of the Resource Management Act 1991.
- 10.6 It is considered that the proposal results in no more than minor effects on the environment and the proposal is generally consistent with the relevant objectives and policies set out under



the District Plan and Regional Policy Statement. The development is considered appropriate for consent to be granted on a non-notified basis.

11.0 LIMITATIONS

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





RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **1091946**
Land Registration District **North Auckland**
Date Issued 28 July 2025

Prior References
1013519

Estate Fee Simple
Area 4.6957 hectares more or less
Legal Description Lot 3 Deposited Plan 582867
Registered Owners
Aroona Group Limited

Interests

Appurtenant hereto is a right of way, a right to convey electricity, telecommunications and water, and a right to drain water created by Easement Instrument 12287417.3 - 18.11.2021 at 10:14 am

The easements created by Easement Instrument 12287417.3 are subject to Section 243 (a) Resource Management Act 1991 Land Covenant in Covenant Instrument 12287417.4 - 18.11.2021 at 10:14 am

Appurtenant hereto is a right to convey electricity and telecommunications created by Easement Instrument 12287804.5 - 10.12.2021 at 2:19 pm

13363654.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 28.7.2025 at 11:31 am

Subject to a right to convey electricity a and a right to convey telecommunications over part marked A, and a right of way, a right to convey electricity, telecommunications and water and a right to drain water over part marked B all on DP 582867 created by Easement Instrument 13363654.3 - 28.7.2025 at 11:31 am

Appurtenant hereto is a right of way, a right to convey electricity, telecommunications and water, and a right to drain water created by Easement Instrument 13363654.3 - 28.7.2025 at 11:31 am

Some of the easements created by Easement Instrument 13363654.3 are subject to Section 243 (a) Resource Management Act 1991

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING CER-2200445-CER224/B
Being the Subdivision of Lot 3 DP 566421
North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

SCHEDULE

Lot 1 DP 582867

- i. Any onsite wastewater treatment and effluent disposal system proposed on Lot 1 shall, as part of all building consent applications, submit an onsite wastewater report prepared by a Chartered Professional Engineer or a council approved Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a reserve disposal area. Reserve Disposal Areas for the disposal of treated effluent shall remain free of built development and available for its designated purpose.
- ii. In conjunction with the construction of any dwelling on the lot, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions shall be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.

Lots 1 & 3 DP 582867

- iii. The landowners and occupiers of Lot 1 and 3 shall not utilise the "farm access" marked on the attached plans for the purpose of residential use. Note: the 'farm access' is reserved for rural and farming activity only, any occupation or use for residential activities is prohibited.
- iv. The areas of significant indigenous vegetation to be protected as identified as areas 'V', 'W', 'X', 'Y', 'Z' on the survey plan shall be protected in perpetuity to the

satisfaction of the Council's Team Leader. The owners or their successors in title of Lots 1 and 3 shall:

- a) Not (without the prior written consent of the council and then only in strict compliance with any conditions imposed by the council) cut down, damage or destroy, or permit the cutting down, damage or destruction of the vegetation or wildlife habitats within the protected areas;
 - b) Not do anything that would prejudice the health or ecological value of the areas of riparian margin to be protected, their long-term viability and/or sustainability;
 - c) The fencing required by conditions 3(a) and 4(a)) of RC 2200445 shall be maintained by the lot owner".
 - d) The lot owner shall be deemed to be not in breach of this prohibition if any such vegetation dies from natural causes which are not attributed to any act or default by or on behalf of the owner or for which the owner is responsible.
- v. In conjunction with the lodging of a building consent application for the construction of any building on 1 and 3, the applicant shall provide a design for stormwater management, prepared by a suitably qualified and experienced practitioner, which addresses stormwater management, and provides suitable mitigation measures to reduce flows from development.
- vi. Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will remain the responsibility of the property owner.
- vii. No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs, or mustelids) which have the potential to be kiwi predators.

Within 2 months of consent being issued provide the Resource Consent Monitoring Officer with evidence for Council's records of the two existing dogs owned by Rui and Kim Martins, this shall include:

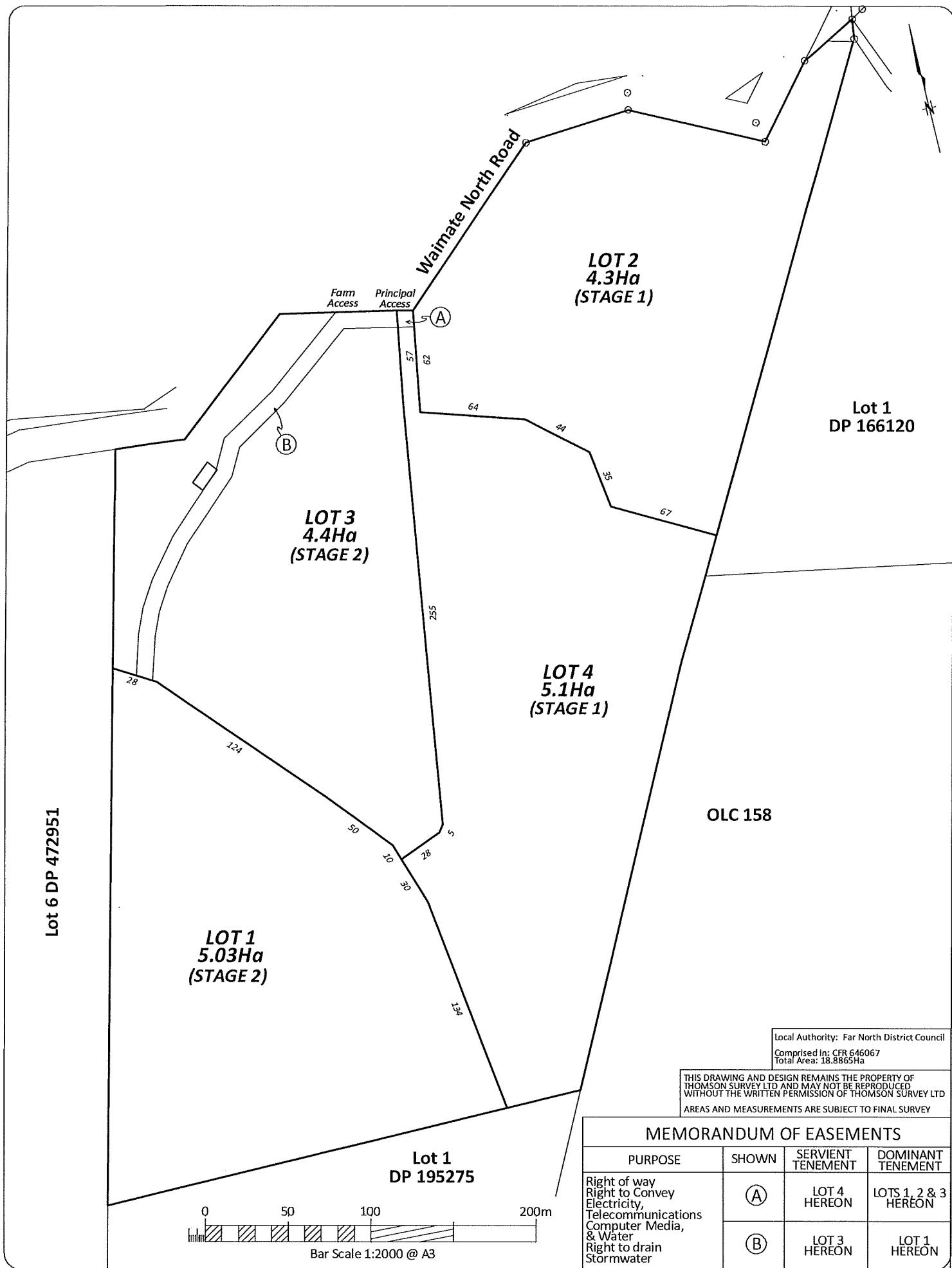
- a) A photograph of the existing dog/s
- b) Written confirmation that the dog(s) have been micro-chipped This prohibition shall not apply to a maximum of two dogs owned by Rui and Kim Martins while they reside on the site, on whether that be on Lot 3 or Lot 1. Any such dog shall be micro-chipped and kept indoors and/or tied up at night.



SIGNED:

Ms Nicola Cowley - Authorised Officer
By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE CONSENTS

DATED at **KERIKERI** this 14th day of January 2024



Local Authority: Far North District Council
Comprised in: CFR 646067
Total Area: 18.8865Ha

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MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of way Right to Convey Electricity, Telecommunications Computer Media, & Water	(A)	LOT 4 HEREON	LOTS 1, 2 & 3 HEREON
Right to drain Stormwater	(B)	LOT 3 HEREON	LOT 1 HEREON

View Instrument Details



Instrument No 12287417.3
Status Registered
Date & Time Lodged 18 November 2021 10:14
Lodged By Baker, Lisa Anne
Instrument Type Easement Instrument



Affected Records of Title	Land District
1013518	North Auckland
1013519	North Auckland
1013520	North Auckland

Annexure Schedule Contains 1 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☒
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Sarah Elizabeth Kayll as Grantor Representative on 18/11/2021 10:07 AM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☒
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Sarah Elizabeth Kayll as Grantee Representative on 18/11/2021 10:07 AM

*** End of Report ***

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

AROONA GROUP LIMITED

Grantee

AROONA GROUP LIMITED

Grant of Easement or *Profit à prendre*

The Grantor being the registered owner of the burdened land set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A required

Continue in additional Annexure Schedule, if

Purpose of Easement, or <i>profit</i>	Shown (plan reference) 566421	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of way Right to convey electricity, telecommunications and water Right to drain water	A	Lot 4 DP 566421 RT 1013520	Lots 2 and 3 DP 566421 RT 1013518, 1013519

Easements or *profits à prendre* rights and powers (including terms, covenants and conditions)

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007.

View Instrument Details



Instrument No 12287804.5
Status Registered
Date & Time Lodged 10 December 2021 14:19
Lodged By Baker, Lisa Anne
Instrument Type Easement Instrument



Affected Records of Title	Land District
1013335	North Auckland
1013336	North Auckland
1013519	North Auckland

Annexure Schedule Contains 1 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

I certify that the Mortgagee under Mortgage 10458347.1 has consented to this transaction and I hold that consent ☒

Signature

Signed by Sarah Elizabeth Kayll as Grantor Representative on 09/12/2021 10:26 AM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Sarah Elizabeth Kayll as Grantee Representative on 09/12/2021 10:26 AM

*** End of Report ***

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

BARRY NORMAN RONALDSON

Grantee

AROONA GROUP LIMITED

Grant of Easement or *Profit à prendre*

The Grantor being the registered owner of the burdened land set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A required

Continue in additional Annexure Schedule, if

Purpose of Easement, or <i>profit</i>	Shown (plan reference) 566354	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right to convey electricity and telecommunications	Q	Lot 1 DP 566354 RT 1013335	Lot 3 DP 566421 RT 1013519
Right to convey electricity and telecommunications	S	Lot 2 DP 566354 RT 1013336	

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007.

View Instrument Details

Instrument No	13363654.3
Status	Registered
Lodged By	Smith, Louise Annette
Date & Time Lodged	28 Jul 2025 11:31
Instrument Type	Easement Instrument

Affected Records of Title	Land District
1091945	North Auckland
1091946	North Auckland

Annexure Schedule	Contains 1 Pages
--------------------------	------------------

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Louise Annette Smith as Grantor Representative on 01/08/2025 02:38 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Louise Annette Smith as Grantee Representative on 01/08/2025 02:38 PM

*** End of Report ***

Approved for ADLS by Registrar-General of Land under No. 2018/6266

EASEMENT INSTRUMENT TO GRANT EASEMENT OR PROFIT À PRENDRE

Sections 109 Land Transfer Act 2017

**Grantor****AROONA GROUP LIMITED****Grantee****AROONA GROUP LIMITED****Grant of Easement or Profit à prendre**

The Grantor being the registered owner of the burdened land set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement, or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right to convey Electricity, Right to convey Telecommunications	A (DP 582867)	1091946 (Lot 3 DP 582867)	1091945 (Lot 1 DP 582867)
Right of Way, Right to convey Electricity, Right to convey Telecommunications, Right to convey Water, Right to drain Water	B (DP 582867)	1091946 (Lot 3 DP 582867)	1091945 (Lot 1 DP 582867)
Right of Way, Right to convey Electricity, Right to convey Telecommunications, Right to convey Water, Right to drain Water	C (DP 582867)	1091945 (Lot 1 DP 582867)	1091946 (Lot 3 DP 582867)

Easements or profits à prendre rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

The implied rights and powers are hereby ~~[varied]~~ ~~[negated]~~ ~~[added to]~~ or **[substituted]** by:

~~[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017]~~

~~[the provisions set out in Annexure Schedule _____]~~

View Instrument Details



Instrument No 12287417.4
Status Registered
Date & Time Lodged 18 November 2021 10:14
Lodged By Baker, Lisa Anne
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title	Land District
1013518	North Auckland
1013519	North Auckland
1013520	North Auckland

Annexure Schedule Contains 3 Pages.

Covenantor Certifications

I certify that I have the authority to act for the Covenantor and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Sarah Elizabeth Kayll as Covenantor Representative on 18/11/2021 10:07 AM

Covenantee Certifications

I certify that I have the authority to act for the Covenantee and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Sarah Elizabeth Kayll as Covenantee Representative on 18/11/2021 10:07 AM

*** End of Report ***

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 26

Covenant Instrument to note land covenant

(Section 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor

Aroona Group Limited

Covenantee

Aroona Group Limited

Grant of Covenant

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Schedule A

Continue in additional Annexure Schedule, if required

Purpose of covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Land Covenant	DP 566421	Lots 2 and 4 DP 566421 RT 1013518, 1013520	Lot 3 DP 566421 RT 1013519

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Covenant rights and powers (Including terms, covenants and conditions)

Continue in additional Annexure Schedule if required.

The provisions applying to the specified covenants are those set out below:

COVENANT

1. For the purposes of this instrument the following terms shall have the following definitions:

The Covenantor includes itself and its successors in Title.

The Covenantee includes itself and its successors in Title

Benefited Land means that land owned by the Covenantee which has the benefit of this instrument and is identified in Schedule A as the Benefited Land

Burdened Land means that land owned by the Covenantor which is the subject of this instrument and is identified in Schedule A as the Burdened Land

2. Introduction

- (a) The Covenantor is the registered proprietor of the Burdened Land.
- (b) It is the Covenantor's intention that the Burdened Land shall be subject to a Land Covenant for the benefit of Benefited Land. Each owner or occupier for the time being of the Covenanting Lot shall be bound by the covenant set out in this Easement Instrument

3. Covenants

The Covenantor covenants as follows:

- (a) The Covenantor shall not place nor permit or suffer to be placed upon the land, any caravan, motorhome, bus, or other form of mobile accommodation, unless such caravan, motorhome, bus, or other form of mobile accommodation is currently registered, has a current WOF/COF, has wheels attached, and is not occupied as a dwelling without the prior written consent of the Covenantee or unless such use of caravan, motorhome, bus, or other form of mobile accommodation is being utilized during the building process as temporary accommodation for such Lot owner.
- (b) The Covenantor shall not place nor permit or suffer to be placed upon the land any relocated house without the prior written consent of the Covenantee.
- (c) The Covenantor will not use the land for **commercial** Kennels, Catteries, Aviaries, Piggeries, or Poultry **farming**. The keeping of farm animals as would normally be present on a lifestyle property is permitted.
- (d) Ensure that the buildings are fully completed within the time period specified by Council (5 years).

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

- (e) Not without the prior permission of the Covenantor erect or allow to be erected any boundary fence of corrugated iron.
- (f) Not place or store on the land any car, truck or other vehicle body nor permit any non-organic rubbish or debris to be dumped or stored thereon to the extent that the same becomes unsightly or a nuisance.
- (g) The registered proprietor of any lot subject to these covenants shall not call upon Aroona Group Limited to pay for or contribute towards the cost of the erection or maintenance of any fence between the land and any adjoining land owned by Aroona Group Limited.

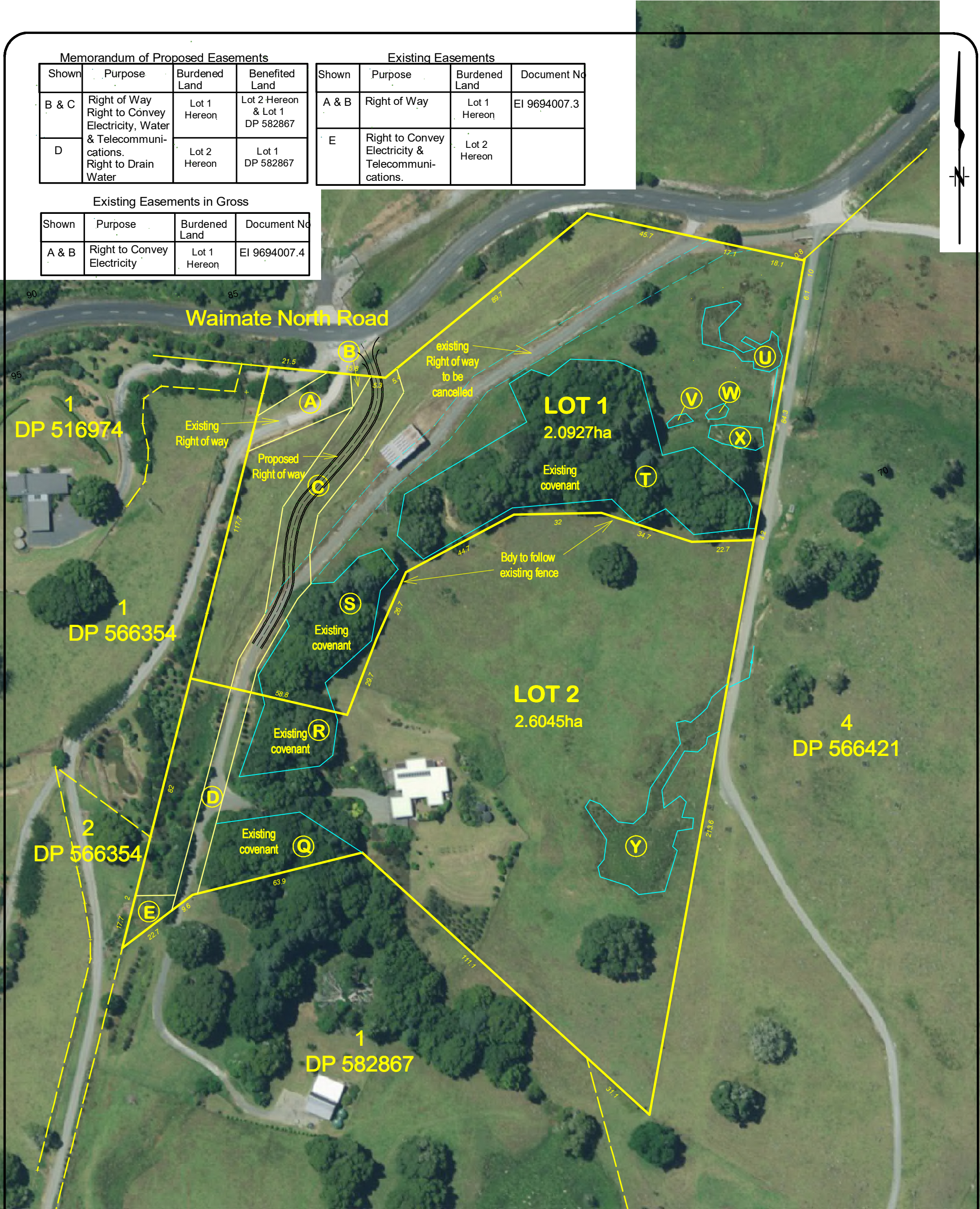
4. Breach of covenants

- (a) If there is any breach or non-observance by the transferee of any of the stipulations and restrictions contained in these covenants then without prejudice to any other liability which the transferee may have to the vendor and any other person or persons having the benefit of the stipulations and restrictions, the transferee will upon written demand being made by the vendor or any of the registered proprietors of the lots benefiting from these covenants;
 - (i) pay to the person making such demand as liquidated damages the sum of \$250.00 per day for every day that such breach or non-observance continues from and after the date upon which written demand has been made.
 - (ii) remove or cause to be removed from the property any second-hand or used dwelling, garage, carport, building, container, fence, or other offending structure erected or placed on the property in breach or non-observance of the stipulations and restrictions contained in these covenants.

Memorandum of Proposed Easements			
Shown	Purpose	Burdened Land	Benefited Land
B & C	Right of Way Right to Convey Electricity, Water & Telecommuni- cations.	Lot 1 Hereon	Lot 2 Hereon & Lot 1 DP 582867
D	Right to Drain Water	Lot 2 Hereon	Lot 1 DP 582867

Existing Easements			
Shown	Purpose	Burdened Land	Document No
A & B	Right of Way	Lot 1 Hereon	EI 9694007.3
E	Right to Convey Electricity & Telecommuni- cations.	Lot 2 Hereon	

Existing Easements in Gross			
Shown	Purpose	Burdened Land	Document No
A & B	Right to Convey Electricity	Lot 1 Hereon	EI 9694007.4



Areas Marked Q, R, S, & T are subject to an existing consent notice.
(Areas of significant indigenous vegetation to be protected)

Areas Marked U, V, W, X & Y are to be subject
to a Land Covenant. (Wetland Protection)

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

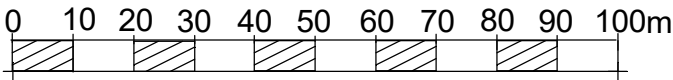
Local Authority: Far North District Council

Total Area: 4.6957ha
Comprised in: RT

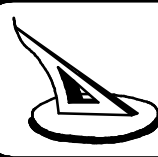
Levels in terms of: NZ Vertical Datum (LIDAR)
Contour interval is: 0.5m

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This plan and accompanying report(s) have been prepared for the purpose of
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Prepared for: R Martins



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**Proposed Subdivision of
Lot 3 DP 582867**

	Name	Date
Survey		
Design		
Drawn	W & K	Apr 2025
Rev		July 2025

ORIGINAL
SCALE

SHEET
SIZE

1:1250 A3

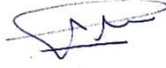
24575



Roy and Rui Martins
Civil Infrastructure Report
797A Waimate North Road, Kerikeri

DOCUMENT CONTROL

Version	Date	Comments
A	21/05/2025	For Consent

Version	Issued For	Prepared By	Reviewed & Authorized By
A	Issued for Consent	 Wil Pille <i>BE (Civil)</i> <i>Civil Engineer</i>	 Luke Pille <i>BE (Civil)</i> <i>Civil Engineer</i>

CONTENTS

1	INTRODUCTION	1
2	SITE DESCRIPTION	1
3	PROPOSED DEVELOPMENT	3
3.1	On-site Water Supply	4
3.2	Firefighting Water Supply	5
4	ON-SITE WASTEWATER DISPOSAL	5
4.1	Existing On-site Wastewater System (Lot 2)	5
4.2	Topographical Factors (Lot 1 & 2)	5
4.3	Clearances	6
4.4	Daily Wastewater Demand	7
4.5	Subsurface Conditions	7
4.6	Recommended System	7
4.7	Detailed Design	7
5	STORMWATER	8
5.1	Existing Infrastructure	8
5.2	Overland Flow Paths / Flood Risk	8
5.3	Stormwater Disposal	8
6	ACCESSWAY	10
6.1	Sight Distances	10
6.2	Proposed Access and Vehicle Crossing	10
7	NATURAL HAZARDS	12
8	CONCLUSION	13
9	LIMITATIONS	13

APPENDIX A: SITE IMAGES

1 INTRODUCTION

LDE Ltd was engaged by Aroona Group to undertake a civil engineering assessment for the proposed subdivision of Section 21, SO 462258, 797A Waimate North Road, Kerikeri. It is proposed to subdivide the property creating one new residential lot with a balance lot containing the existing dwelling.

This report has been prepared to support a Resource Consent application.

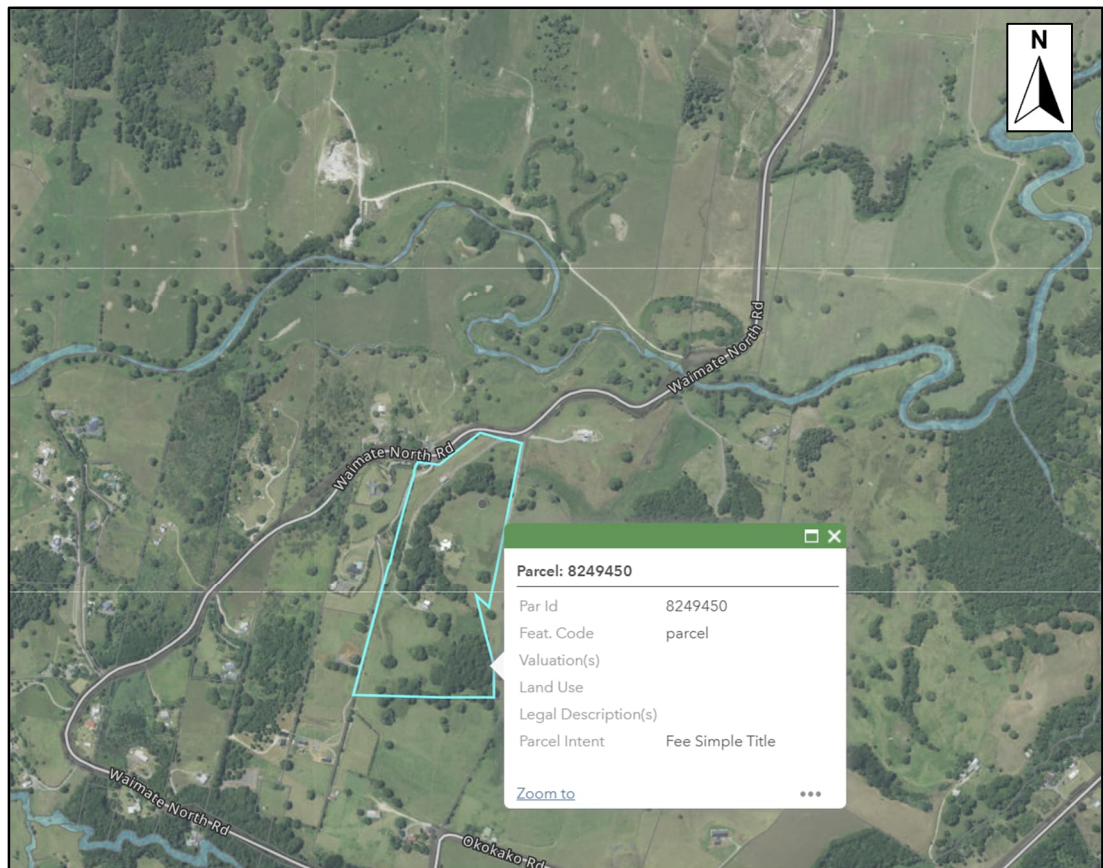


Figure 1: Subject site, 797 & 797A Waimate North Road (Source: NRC GIS Maps).

2 SITE DESCRIPTION

The site is situated approximately 9.5 km south-west of the Kerikeri township. The surrounding area consists mainly of rural properties and some rural lifestyle block properties.

The site is mainly in grass with a large, covenanted area and a driveway providing access to the exiting dwelling and farm shed.

This driveway also provides access (ROW) to another lot (Lot 1, DP 582867) with an existing dwelling.

A small stream meanders through the covenanted bush area towards the Western boundary. A small wetland area is present close to this boundary.

The subject site has defined flow paths from the North and South leading towards the stream.



Figure 2: Subject site, 797A and 797 Waimate North Road (Source: FNDC GIS Maps).

There is no public water supply, sewer or stormwater reticulation located along Waimate North Road in the vicinity of the site. The existing dwelling is serviced by rainwater tanks for the supply of potable water and an on-site wastewater treatment and disposal system.

3 PROPOSED DEVELOPMENT

It is proposed to subdivide the site creating one new residential Lot (Lot 1). The existing accessway will be relocated towards the vehicle crossing in the Northeastern corner of the property.

The proposed scheme plan is shown in Figure 3.

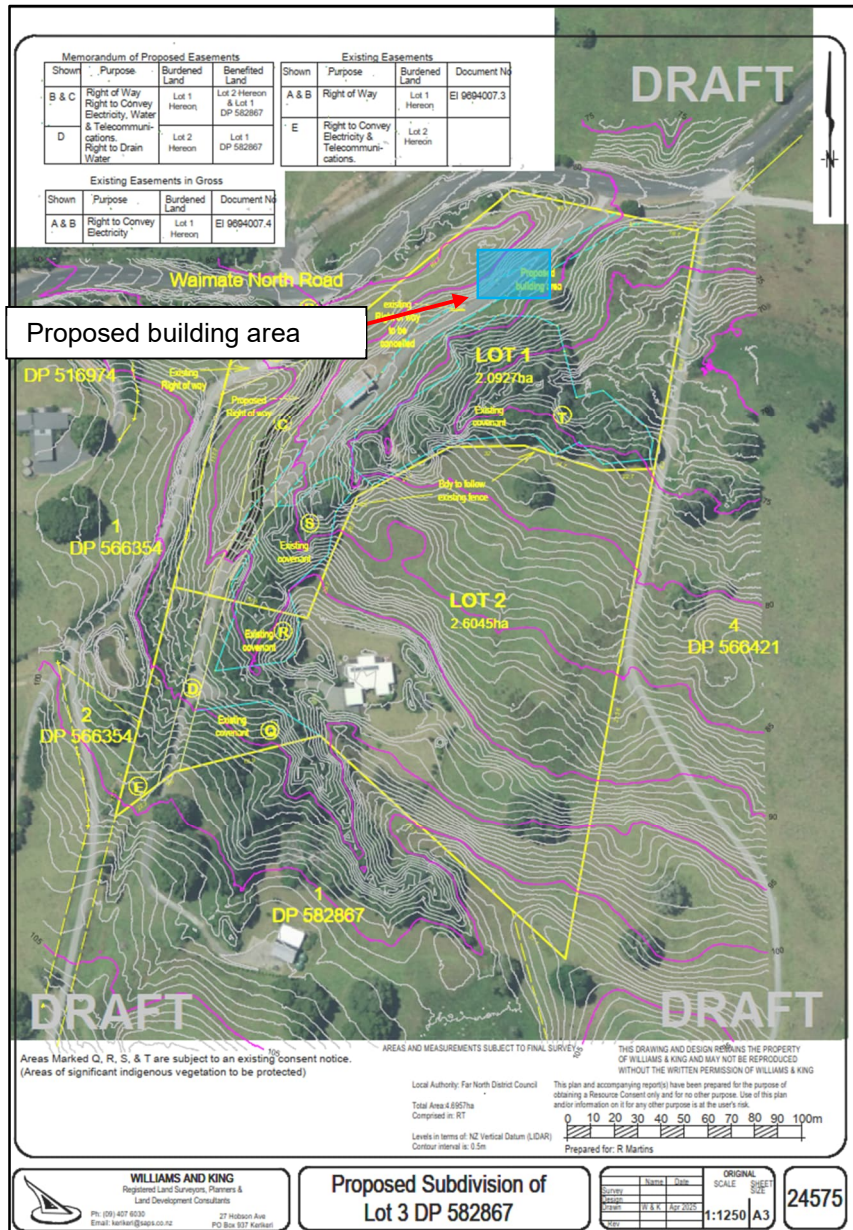


Figure 3: Proposed subdivision plan (Williams and King Ltd).

A building area has been identified (200m²) for the proposed lot 1 (marked with blue rectangle). As this location is partly on the existing access towards the two dwellings it is proposed to relocate this access towards the Northeastern corner of the property. (Refer Figure 4; black line)

This new proposed access for the two existing dwellings will connect to the existing vehicle crossing onto Waimate North Road in use by a neighbouring property and is fully contained within the road reserve area.

The proposed access to the new dwelling will be the existing vehicle crossing onto Waimate North Road.

It is recommended that a slope stability assessment of the final location of the proposed building area will be done as part of the geotechnical assessment for the building platform at Building Consent Stage.

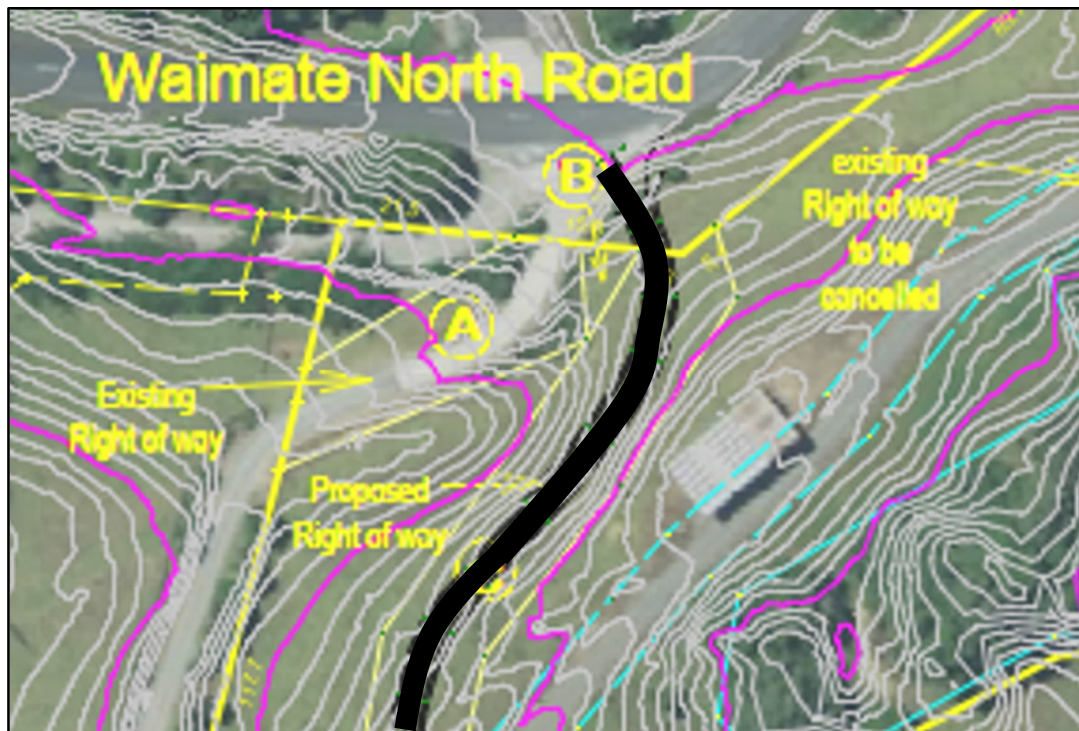


Figure 4. Proposed new location for access to dwellings on 797 and 797A Waimate North Road.

Proposed lot 1 is generally sloping towards the small creek (<3m width) through the covenanted area.

The balance (Lot 2) is moderately sloping (~15-20%) towards the North into the above-mentioned creek and mainly covered in grass.

An existing dwelling is located on a relatively large near flat area to the left of the centre of the property.

3.1 On-site Water Supply

No reticulated water supply is available to service this site.

Thus, rainwater tanks shall be installed to provide potable water supply for a dwelling. We recommend installing a minimum storage tank containing 25,000L for potable water supply.

Appropriate filters should be installed to provide clean drinking water.

However, it should be noted that additional storage tanks can be installed at the property owner's discretion to provide redundancy during periods of drought and also to provide storage for firefighting purposes, we would generally recommend at least 45,000L to minimise this risk.

3.2 Firefighting Water Supply

As per *SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*, 45,000L of storage is recommended to be provided for firefighting purposes for a site where no reticulated supply, or alternative source, is available.

As such, 45,000L of permanent storage would be recommended to best comply with this standard.

However, in the Northland region, the FENZ Area Manager has accepted a reduction to 10,000L, limited for single level dwellings up to 200m² in footprint. Opting to apply for this waiver would be at the discretion of the client.

This could be achieved by installing a second 25,000L tank, partly dedicated to the supply of that required 10,000L for firefighting purposes.

4 ON-SITE WASTEWATER DISPOSAL

As there is no existing public reticulated wastewater system available, on-site wastewater disposal will be required.

It has been determined that a secondary treatment option with pressure compensating dripper irrigation (PCDI) would be suitable for the site, while other options like AES beds may also be feasible.

The proposed area for wastewater disposal is shown on Figure 4 (orange rectangular)

4.1 Existing On-site Wastewater System (Lot 2)

The existing dwelling on proposed Lot 2 has an on-site wastewater system which services its existing buildings).

The location of this system is within the proposed boundaries of proposed Lot 2 and appears to be in good working order with no surface ponding noticed and/or odour from the septic tank vent at the time of inspection.

4.2 Topographical Factors (Lot 1 & 2)

The proposed building site and possible effluent disposal field locations are shown below in Figure 4.

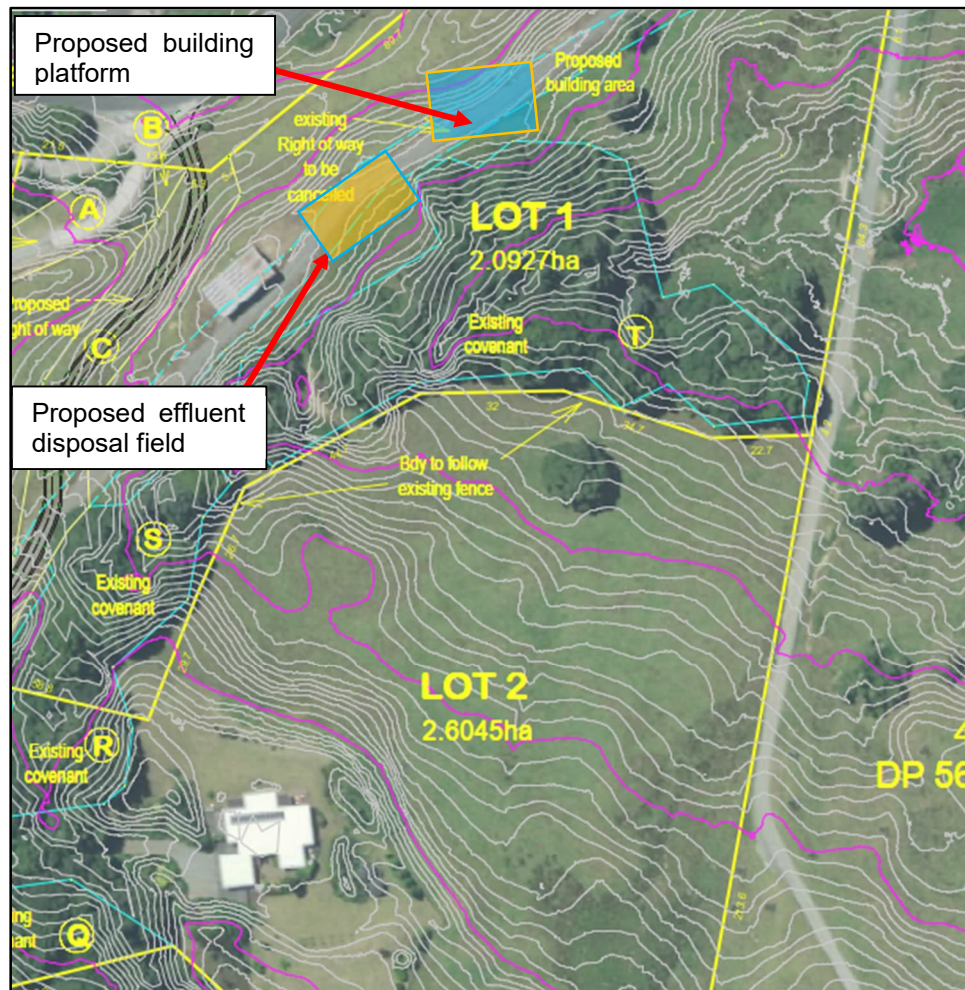


Figure 4: Proposed subdivision plan (Williams and King Ltd).

With the slight to moderate sloping grounds there are several areas available for the disposal of wastewater. In Figure 4 (above) we have indicated a possible area for the disposal of wastewater.

4.3 Clearances

Minimum separation distances must be maintained as per the Auckland Councils TP58. The following set-backs are required for a secondary wastewater system:

- 1.5 metre clearance from the disposal field to all site boundaries.
- Minimum 900mm groundwater table separation.
- 15m setback from any surface water overland flow paths.

We consider a wastewater disposal field can be located within the proposed site meeting the required setback distances.

In the LDE investigation of the proposed wastewater disposal fields, no groundwater table was encountered 1.2m below the existing ground levels when a 50mm auger was drilled.

4.4 Daily Wastewater Demand

Based on a three-bedroom dwelling, we have calculated the required disposal areas to demonstrate that on-site disposal is available within the proposed lot. Accordingly, a building specific design will be required for the dwelling at building consent which will specifically size the treatment device and disposal field.

With an on-site rainwater collection from the roof areas as water supply and assuming standard water saving fixtures will be installed, a wastewater flow allowance of 180L/day/person has been used in the on-site disposal design system. These assumptions result in a daily wastewater flow of 900 L/day for the dwelling on proposed Lot 2.

Using a conservative loading rate of 3.5 mm/day/m², 260m² of disposal field is required with an additional 50% reserve area. A total area of 390m² would be required.

4.5 Subsurface Conditions

A borehole was undertaken near the proposed disposal field areas (shown in orange, inclusive of future reserve area) during the site investigation for Lot 1.

Based on the findings of the site investigation and boreholes, the soil has been conservatively assessed as Category 5 – 'CLAY Loam – Moderately Draining'. The mapped geology is a mix of Waiotu friable clay and Omu clay loam, both classified as moderately draining.

A conservative design loading rate of 3.5mm/day has therefore been selected. It is proposed to dispose the effluent via Pressure Compensated Dripper Irrigation (PCDI).

4.6 Recommended System

For resource consent purposes, a secondary treatment system is proposed. There are many secondary treatment systems which could be suitable which will be determined in the detailed design stage once developed plans for each dwelling are available. We consider the most viable option for the site is discharging the secondary treated effluent to pressure compensated dripper lines. Given the daily wastewater demand of 900L/day and the soil loading rate of 3.5 mm/day the disposal area for proposed Lot 1 will be 260m², and a 50% reserve area of 130m². This gives a total required area to be available of 390 m².

A disposal field of this size can be located within Lot 1 as shown on Figure 4.

Accordingly, we consider that the proposed development can achieve wastewater disposal on site.

4.7 Detailed Design

We note the design outlined above is for the purposes of resource consent application and a specific design suitable for building consent and construction will be required following the development of the house designs for Lot 1.

The proposed disposal field will be on slight sloping grounds (<10%) where no reduced application rates will be required. Typical wastewater volumes for a residential dwelling will be around 1m³ per day.

5 STORMWATER

5.1 Existing Infrastructure

There is no existing public stormwater infrastructure within the vicinity of the subject site.

5.2 Overland Flow Paths / Flood Risk

Northland Regional Council GIS shows no flood prone areas in the direct vicinity of the subject site.

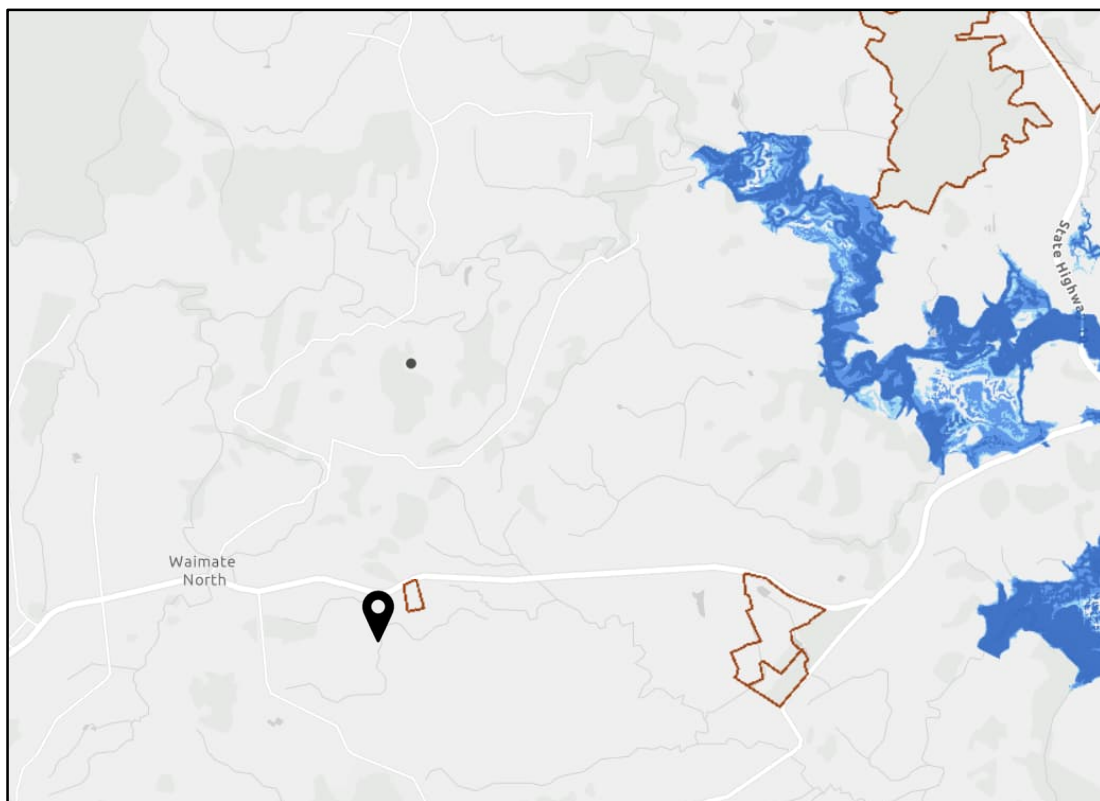


Figure 5: Natural Hazard Map (FNDC GIS).

No flood-prone areas have been identified on the NRC map shown above in the vicinity of the proposed subdivision. However, we are aware that the Waitangi Rivers floods during periods of heavy rainfall.

5.3 Stormwater Disposal

New impervious areas will be created with this development, however given the size of the lot, the rural location and environment, and the presence of a stock/irrigation with a natural drainage channel close to the boundary, there

are no anticipated adverse effects on surrounding properties as a result of the proposed development. We therefore don't consider on-site stormwater attenuation will be required.

Stormwater runoff from both proposed Lot 1 and Lot 2 will be gravity discharged as an overland sheet flow towards an existing wetland and/or drainage channel (see Figure 6 below).



Figure 6: Stormwater flow paths.

Overflow outlets from potable water supply tanks also to be directed towards the drainage channel.

At the time of building consent it may be necessary considering the installation a cut-off drain above the proposed soakage field to intercept run-off from above and direct run-off around and away from the disposal area towards the overflow drain, which would be detailed in the site-specific wastewater design report for the building consent.

6 ACCESSWAY

6.1 Sight Distances

Access onto Waimate North Road is via an existing double width vehicle crossing.

Sight distances for both access points are complying with the minimum sight distances required for an operating speed of 60km/h.

ROAD OPERATING SPEED (km/h)	50	60	70	80	90	100
MINIMUM SIGHT DISTANCE (m)	65	75	95	115	140	170

MINIMUM SIGHT DISTANCE

Figure 7: Residential vehicle crossings (FNDC Engineering Standards, July 2007).

6.2 Proposed Access and Vehicle Crossing

The existing double width vehicle crossings for both entry points within this development are suitable for the proposal and can accommodate access to an additional lot.

The crossing is sealed for the first 5m to stop gravel migrating from the ROW onto Waimate North Road, and slopes towards an existing open drain along the concrete vehicle crossing into the existing open water table along Waimate North Road.

The existing water table next to the existing concrete driveway will need to be tidied up and rock lined, plus a Ø300mm culvert to be placed under the proposed crossing where it joins to the existing driveway.

The existing accessway and vehicle crossing are deemed to be adequate for the proposed development (Lot 1) and in accordance with the requirements in table 3B-1 and capable of servicing the proposed dwelling in Lot 1. See attached Appendix 3B-1 below.

The proposed re-located access to the dwelling on proposed Lot 2 and Lot 1, DP 582867 will be a shared ROW and vehicle crossing with Lot 1, DP 516974, Lot 1 and 2, DP 566354 is also deemed adequate for the proposed development.

The ROW to the dwellings has not changed (other than the part to the re-located vehicle crossing).

APPENDIX 3B-1: STANDARDS FOR PRIVATE ACCESS

(Reference: **Part 3 District Wide Provisions, Section 15.1 Traffic, Parking and Access and Zone Maps**)

Zone	No. of H.E.s	Legal Width	Carriageway Width	Maximum Gradient		Kerb	Foot-path	Storm-water Drain ¹
				Unsealed	Sealed			
Residential	1	-	3.0	1:6	1:4	-	-	Yes
Coastal Residential	2	5.0	3.0	-	1:4	-	-	Yes
Russell Township	3 - 4	7.5	3.0 with passing bays	-	1:4	-	-	Yes
Point Veronica	5 - 8	7.5	5.0	-	1:4	Yes	-	Yes
Commercial	1	-	3.0	1:8	1:5	-	-	Yes
Industrial	2 - 4	8.0	6.0	-	1:5	-	-	Yes
Orongo Bay Special Purpose	>5	8.0	6.0	-	1:5	-	-	Yes
Rural Production	1	-	3.0	1:5	1:4	-	-	Yes
Rural Living								
Waimate North								
Horticultural Processing	2	5	3.0	1:5	1:4	-	-	Yes
Carrington Estate								
General Coastal	3 - 4	7.5	3.0 with passing bays	1:5	1:4	-	-	Yes
Coastal Living								
South Kerikeri Inlet								
Recreational Activities	5 - 8	7.5	5.0	1:5	1:4	-	-	Yes

¹ All private access must have stormwater drainage measures such that adverse effects are not created on adjoining properties or the public road, in accordance with Council's "Engineering Standards and Guidelines" (June 2004 – Revised 2009)

Note 1: H.E. = Household Equivalent represented by 10 vehicle movements

Note 2: Refer to **Rules 15.1.6B.1.1(c) and (d)**.

Note 3: Access for more than 8 Household Equivalents shall be by public road and constructed to a standard identified in **Appendix 3B-2**.

Note 4: Access carriageways in urban zones that serve two or more users shall be sealed or concreted, refer **Rule 15.1.6B.1.2(c)**.

Figure 8: Appendix 3B-1 (FNDC Part 3 District Wide Provisions, Section 15.1 Traffic, Parking and Access and Zone Maps).

We anticipate this accessway to be approximate 200m in length. The construction of the accessway will need to meet FNDC standards, which require a 3.0m wide formed width and a maximum longitudinal grade of 20%. On review of the existing contours, we consider the maximum grade of the accessway to be 10% along the proposed alignment, which complies with Council requirements.

7 NATURAL HAZARDS

As per *FNDC District Plan 13.7.3.2 Natural and Other Hazards*, the following shall be considered for the proposed subdivision:

- (i) erosion; not applicable
- (ii) overland flow paths, flooding and inundation; well away from proposed building site and wastewater disposal area
- (iii) landslip; not identified
- (iv) rockfall, not identified
- (v) alluvion (deposition of alluvium); not identified
- (vi) avulsion (erosion by streams or rivers); wetlands, unlikely and not identified
- (vii) unconsolidated fill; not applicable
- (viii) soil contamination; none identified or registered on the land
- (ix) subsidence; not identified
- (x) fire hazard; not present, well away from bush line (>20m)
- (xi) sea level rise; Not applicable

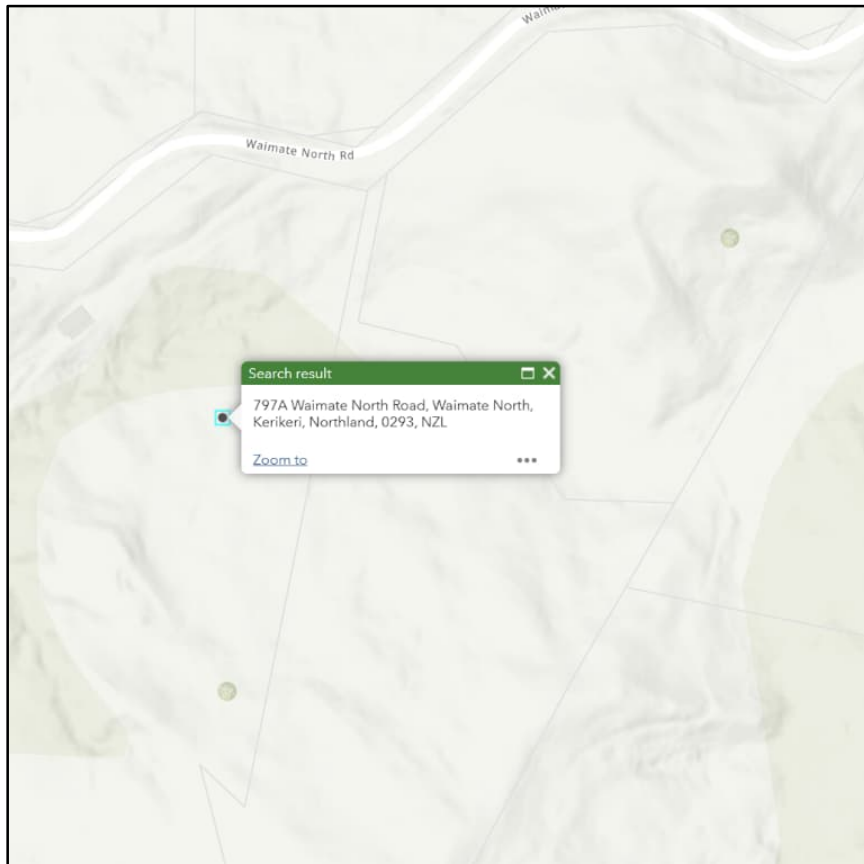


Figure 9: Liquefaction risk, green representing low risk (FNDC GIS).

8 CONCLUSION

The purpose of this report is to accompany a resource consent application for the proposed two lot subdivision on 797A Waimate North Road, Kerikeri. We consider that the proposed development can be adequately serviced regarding water supply, firefighting water supply, wastewater, stormwater, and access using the recommendations outlined in this report.

9 LIMITATIONS

This report should be read and reproduced in its entirety including the limitations to understand the context of the opinions and recommendations given.

This report has been prepared exclusively for Aroona Group in accordance with the brief given to us or the agreed scope and they will be deemed the exclusive owner on full and final payment of the invoice. Information, opinions, and recommendations contained within this report can only be used for the purposes with which it was intended. LDE accepts no liability or responsibility whatsoever for any use or reliance on the report by any party other than the owner or parties working for or on behalf of the owner, such as local authorities, and for purposes beyond those for which it was intended.

This report was prepared in general accordance with current standards, codes and best practice at the time of this report. These may be subject to change.

APPENDIX A: SITE IMAGES



Vehicle crossing sight distance towards the South.



VC sight distance towards the North.



Proposed build site.



Proposed effluent disposal area.



View of existing vehicle crossing for Lot 1, DP 516974, Lots 1 and 2, DP 566354 and access to the ROW serving the new proposed lot 2 on the left.



Existing open drain to be rock lined.



View North from VC.



Location of proposed ROW existing house site
(required new culvert).



View South from VC.

ECOLOGICAL IMPACT ASSESSMENT (ECIA)



**PROPOSED SUBDIVISION
LOT 3 DP 582867 (RT 1013519)
797a WAIMATE NORTH RD**



CONTENTS

EXECUTIVE SUMMARY	3
SITE PROPOSAL.....	9
FIG 1: SITE LOCATION	10
FIG 2: PROPOSED SCHEME	11
FIG 3: ECOLOGICAL SITE FEATURES	12
SITE CONTEXT.....	13
TABLE 1: SITE SUMMARY	13
HISTORIC PHOTOGRAPHY	14
FIG 4: RETOLENS 1953 WITH APPROXIMATE LOCATION OF SITE FEATURES	14
SOILS.....	15
TABLE 2: MAPPED SOIL TYPE	15
POTENTIAL ECOSYSTEM TYPE	16
TABLE 3: MAPPED POTENTIAL ECOSYSTEM TYPE	16
TABLE 4: RIVER ECOSYSTEM TYPE & REC2 CLASSIFICATION	17
FIG 6: WAITANGI PRIORITY CATCHMENT	18
THREATENED ENVIRONMENT CLASSIFICATION (TEC).....	19
MAPPED LANDSCAPE SIGNIFICANCE	20
TABLE 5: ATKINS BUSH PNA (#P05/075) DOCUMENTED VALUES	20
FIG 8: LOCAL PNA	21
SITE VISIT.....	22
TERRESTRIAL VEGETATION.....	22
TABLE 6: NATIONAL RAPID HABITAT ASSESSMENT	30
TABLE 7: SITE WETLAND TYPE	31
TABLE 8: WETLAND VALUES (NPS- FM 2020)	32
FAUNA	34
AVIFAUNA.....	34
HERPTOFAUNA.....	35
SIGNIFICANCE.....	36
TABLE 9: ASSESSMENT OF SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA IN TERRESTRIAL, FRESHWATER AND MARINE ENVIRONMENTS NORTHLAND REGIONAL POLICY STATEMENT (2018) APPENDIX 5	36
TABLE 10: FACTORS TO CONSIDER IN ASSESSING SPECIES VALUE (TABLE 5 EIANZ 2018)	37

TABLE 11: SCORING FOR SITES COMBINING VALUES FOR SIGNIFICANCE CRITERIA (TABLE 6 EIANZ)	38
TABLE 12: CURRENT SITE ISSUES IDENTIFIED PRIOR TO PROPOSAL	38
EIANZ METHODOLOGY	40
MAGNITUDE OF EFFECTS	41
TABLE 13: CRITERIA FOR DESCRIBING MAGNITUDE OF EFFECT (EIANZ 2018 TABLE 8) ...	41
TABLE 14: CRITERIA FOR DESCRIBING LEVEL OF EFFECTS (EIANZ TABLE 10)	42
MANAGEMENT	42
TABLE 15: REVEGETATION & ENHANCEMENT MANAGEMENT	43
TABLE 16: POTENTIAL ADVERSE EFFECTS & PROPOSED MANAGEMENT	48
CONCLUSION	49
APPENDIX 1: RESERVES ACT (1977) NATURE RESERVE CONDITIONS	50
APPENDIX 2: NES-F (2020)	51

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This report may be cited as-

BAY ECOLOGICAL CONSULTANCY LTD 20/8/2025 ECOLOGICAL IMPACT ASSESSMENT (EcIA) PROPOSED AROONA GROUP LTD SUBDIVISION LOT 3 DP 5582867 WAIMATE NORTH ROAD

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EXECUTIVE SUMMARY

Bay Ecological Consultancy Ltd has been requested by Aroona Group Ltd to undertake an Ecological Impact Assessment (EcIA) in regards to subdivision of the Waimate North Rd subject property (Lot 3 DP 582867; RT 1013519; approx 4.6957ha). The activity will result in the creation of two Lots

- LOT 1 2.0927 ha for proposed residential occupation; pasture; existing covenants bush protection S & T; A1 creek; *natural inland wetland*
- LOT 2 2.6045 ha containing current residence and infrastructure, exotic pasture and existing bush protection covenants Q & R; A1 creek; *natural inland wetland*

ROW will be provided for existing occupation on proposed Lot 2 and Lot 1 DP 582867 over proposed Lot 1 (C & D) from a new access point (B) off Waimate North Rd while proposed Lot 1 will continue access from the established crossing point.

The subject site has been considered on the basis of a desktop review of available ecological information, complimented by fieldwork, to assign value to site features, assess potential effects of the proposal and formulate recommendations.

Planting, fencing, pest control and protection in perpetuity, beyond regulatory requirements, is proposed to bolster the existing habitat and provide gross ecological benefit.

Reporting provides consideration of significance in regard to Northland Regional Policy Statement *Appendix 5* (2018). The core foundation principles for ecological assessment therein are also directly aligned with the *Appendix 1* criteria of the *National Policy Statement for Indigenous Biodiversity* (2023)¹.

This review followed structure and content requirements of the EIANZ EcIA Guideline (2018)² as the best practice standard for ecological impact assessment in NZ, specifically the core stages of

- Scoping - desktop & fieldwork evaluation of ecological context of the site and surrounds
- Description
- Evaluation of significance
- Assessment of impacts/ effects and impact management, including any monitoring ongoing requirements

and with regard to non statutory NZ guideline documents

¹ 4/8/2023 *Appendix 1 : Criteria for identifying areas that qualify as significant natural areas (SNAs)*

² Roper- Lindsay, J; Fuller, S.A; Hooson, S; Sanders, S.A; Usher, G. T. (2018) *Ecological Impact Assessment. EIANZ Guidelines for use in New Zealand: terrestrial and freshwater ecosystems. 2nd Ed.*

- *Guidelines for the application of ecological significance criteria for indigenous vegetation and habitats of indigenous fauna in the Northland Region (Wildlands 2019)*
- *Department of Conservation guidelines for assessing significant ecological values (Davis et al 2016)*

SUMMARY ECOLOGICAL CONTEXT

Predicted ecosystem types³ *WF11 Kauri podocarp broadleaved* & *WF9 Taraire tawa* are expressed as a mature tōtara- kahikatea dominant riparian association with pūriri and titoki, within existing covenants Q; R; S; T. They are of the same mature cohort as the *Atkins Bush PNA (#P05/075)* distant 300m downstream, however are more modified with pronounced edge effects due to smaller size; longer period of grazing & lack of understorey and little regeneration.

- They have *MODERATE* significance. Stock is now excluded from these remnant areas as part of RC 2200445.
- There are no kauri in onsite to invoke consideration of the Biosecurity (National PA Pest Management Plan) Order 2022.
- *Natural inland wetland* subject to the *National Environmental Standards for Freshwater NES – F (2020)* has been diagnosed as per regulatory protocol⁴, according to definitions of the *NPS- FM (2020)* and PNRP by dominant hydrophytic (FACW & OBL) floral assemblages supported by evidence of persistent site hydrology.
- Site soils are typic wetland supportive, due to shallow gleying and poor permeability *APONGA CLAY (AP)* –young mudstone of the Omu suite; imperfectly to poorly drained; *Albic Ultic (UEM)* with an E horizon immediately beneath the topsoil
- The Rapid Test, as the first strata of wetland delineation, was sufficient to determine wetland presence on both proposed Lots with dominance typified by obligate (OBL) and facultative wetland (FACW) species forming very obvious *natural inland wetland* community in depressed contour and saturated ground.
- Abrupt loss of wetland dominance occurs with slight elevation in contour at the edges. The prevailing character of the site beyond identified wetland is rough pastoral- kikuyu dominance, rye, clover, & further common FACU / UPL grass and weed species e.g. *Daucus*; *Senecio*; *Plantago*.
- None of the *natural inland wetland mapped* in this reporting would be subject to the pastoral exclusion clause of the *natural inland wetland* definition⁵.
- Site wetland is diagnostically
 - *Marsh*
- The site hydrology is within the *NRC Waitangi Priority Catchment*.
- All site wetlands are tributary to an unnamed A1 type headwater creek (NZSEG# 1008960) within the basal contour of the parent Lot which continues to a large *natural inland wetland* on Lots 2 & 4 DP 566421 in separate ownership. Extensive riparian planting and covenanting has recently (2025) been undertaken on these Lots (RMASUB 2250234 & 2250263 respectively). It is joined by a further unnamed headwater NZSEG#1008961 downstream on Sec21 SO 462258, the combined flow of which terminates in a 4th order reach of the Waitangi River, approx. 600m downstream from site.

³https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/Northland_Biodiversity_Ranking/FeatureServer

⁴ Ministry for the Environment. 2022. Wetland delineation protocols. Wellington: Ministry for the Environment.

⁵ (e) a wetland that:

(i) is within an area of pasture used for grazing; and
 (ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8)
 (iii) the wetland is a location of a habitat of a threatened species identified under clause 3.8 of this National Policy Statement, in which case the exclusion in (e) does not apply

- An ephemeral modified watercourse (L) traverses the northwest of the subject site and passes under the existing right of way as CSA to the site creek. It has a natural source offsite but been ditched throughout extended pastoral history of the site. A long existing farm crossing point will be upgraded for ROW easement C as *other infrastructure*⁶ (refer Fig C). There is no fish habitat upslope from the creek or beyond this point to allow passage for and highly unlikely to interfere with the passage of fish regardless of design.
- The primary associations of all wetlands is typical within grazed pasture of FACW & OBL short herbaceous and grass spp. *Paspalum distichum** (FACW); *Isacne globosa* (OBL); *Agrostis stolonifera*(FACW) *Isolepis spp* (OBL); *Carex leporina** (FACW); *Cyperus brevifolius** (FACW); *Ludwigia palustris*; & *Juncus spp* (FACW) present are common generalists - *Juncus effusus** & *J. edgariae*. No flora species with threat status or locally uncommon were found within or beyond the wetlands
- The occurrence of innocuous exotics *Ranunculus repens** & *Lotus pedunculatus** (FAC) on micro hummocks within the wetland is not sufficient in frequency to alter the evident wetland diagnosis.
- There are no Freshwater Fish Database (FWFD) records from the receiving gully wetland/ creek as the ZOI although fish were sighted within. From professional experience they were banded kōkopu and potentially kōaro due to colouration, form, and habitat. The site wetlands are not considered fish habitat.
- The area is mapped *High Density Kiwi*. Birds recorded during 5 minute bird counts were common native and exotic insectivores, pukeko and a pair of paradise duck. The open pastoral character and largely short stature associations. They do not provide preferable habitat for any highly mobile species; species with threat status or specialist wetland birds are reliant and none were encountered.
- No species will be adversely affected or displaced by the construction or occupation of a residence adjacent Wetlands U; V; W; X.
- The potential locations for proposed Lot 1 building platform on upper northwest contour are in exotic pasture with *NEGLIGIBLE* ecological value. The closest adjacent wetland U has hydrological seepage origin from the north east that is not affected by an upslope house location within 10m with the proviso it does not intersect the wetland. The placement of the house will have no additional adverse effects that may lessen its *values*⁷ e.g. disturbance; shading level.

SUMMARY EFFECTS & MANAGEMENT

The primary potential effects from **development** are limited to

- stormwater discharge < 10; <100m of a *natural inland wetland*.
- earthworks within <10m; <100m of a *natural inland wetland*.

Additional potential, but avoidable effects of **residential occupation** include

- pets within a *High Density* kiwi zone
- potential landscaping/ alteration of the wetlands resulting in destruction and alteration of hydrological contribution to gully swamp as receiving environment
- weed and pest incursion

⁶ *Other infrastructure* (NES – F 2020) - infrastructure, other than specified infrastructure, that was lawfully established before, and in place at, the close of 2 September 2020

⁷ Values (NPS FM 2020 Amendment No.1 (2022) (i) ecosystem health; (ii) indigenous biodiversity; (iii) hydrological function; (iv) Maori freshwater values; (v) amenity values

The proposed Lot 1 building platform is potentially within 100m of both the site wetlands U; V; W and the large offsite gully wetland, but will not occupy a critical source area, seepage or overland flow path that through its formation may **change the water level range or hydrological function of the wetland**. House locations will not affect Wetland X on the opposite south bank of the creek and not hydrologically connected.

Easement C will require crossing of a *modified watercourse* with ephemeral flow tributary to the creek that has been ditched throughout extended pastoral history of the site. A long existing farm crossing point will be utilised for upgrade⁸. With the proviso that flow continues to the receiving gully creek, there will be no effect. There is no fish habitat upslope from the creek or beyond this point to allow passage for.

No indigenous vegetation clearance is required.

Beyond impact management or regulatory requirements, protection and revegetation is proposed

- 3m border of dense sedges or flax and cabbage trees as apt to the small units with intermittent hydrology and no internal habitat. The majority of sediment is trapped within the first 2m of a source by dense ground cover and this is considered an appropriate width to provide joint functional purpose of aquatic function (attenuation; shade; sediment control; stabilization) and amenity with the rural landscape.
- Infill planting between the existing bush covenants fenceline and dripline of remnant. Common riparian shrub species & scattered canopy species to provide a buffer, reducing edge effects to the internal habitat. This will invoke a sheltered, internal higher humidity, lower light environment promoting biodiverse natural regeneration.
- Wetland Y is fenced as grazing of this broad pasture will likely continue
- Stock is excluded from the modified watercourse/ ditch on proposed Lot 1 as a CSA to the creek

The revegetation on all counts is a positive effect of the proposal.

We also recommend-

- Pasture in proposed Lot 1 to be grazed short prior to earthworks to avoid provision of shelter for kiwi/ or kiwi dog check prior to clearance
- Covenant conditions to include no outdoor fires; only indigenous species aligned with riparian *WF11 kauri podocarp broadleaved forest type*; no floodlighting; outdoor lighting to be hooded and no blue light spectrum
- A formal **Weed, Pest & Revegetation Management Plan (WPRMP)** specifying monitoring and reporting procedures prepared by a suitably qualified and experienced ecologist designed in general accordance with the EclA
 - predator control to provide higher functionality of habitat – stoats & rats
 - browser control to allow establishment of revegetation and natural regeneration as the site develops- possums; hares; rabbits
 - ongoing prevention/ removal of exotic infestations
 - enabling increased and more diverse natural regeneration assisted by the browser control
 - *protecting values*⁷ & extent from invasion of non wetland shrubs and herbaceous species e.g. wild ginger⁹ *Hedychium gardnerianum*; mistflower *Ageratina riparia*
- No cats; dogs or mustelids. Grandfather clause for dog carried over from RC 2200445.
- **ALL LOTS** - Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced. This includes environmental weeds¹⁰ and those listed in the National Pest Plant Accord¹¹.

⁸ **Other infrastructure** (NES – F 2020) - infrastructure, other than specified infrastructure, that was lawfully established before, and in place at, the close of 2 September 2020

⁹ *Hedychium gardnerianum* - currently no wetland ranking but highly tolerant of damp riparian conditions

As per the TEC mapping recommendation, formal protection and continued preservation of the remainder of the site vegetation and the creek with *MODERATE* significance would be suitable under one of the formal instruments recommended as per the FNDOP, allowing rates relief as per FNDC Policy P21/01.

- *FNDC OPERATIVE PLAN 13.7.3.9 PRESERVATION OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES*
 - **(g)i a reserve or covenant under the Reserves Act.**
- *RATING RELIEF POLICY P21/01 LAND SUBJECT TO PROTECTION FOR OUTSTANDING NATURAL LANDSCAPE, CULTURAL, HISTORIC OR ECOLOGICAL PURPOSES CRITERIA*
 - **2(d) a declaration of protected private land under Sec 76 of the Reserves Act 1977**

This requires legal agreement between the *Ministry*¹² and the *administering body*¹³ (which may be the owner/s/) as to preserve the land for purpose specified in *RESERVES ACT (1977) Secs 17-21*, in this instance **SEC 20 NATURE RESERVES**, as most appropriate:

(1) for the purpose of protecting and preserving in perpetuity indigenous flora or fauna or natural features that are of such rarity, scientific interest or importance, or so unique that their protection and preservation are in the public interest.

Further Nature Reserve general conditions refer *Appendix 1*. The land is then subject to general management requirements of the *Reserves Act Secs 93-105* as per

38 CONTROL AND MANAGEMENT OF LAND THAT IS NOT A RESERVE⁽³⁾ *While an arrangement as aforesaid remains in force, sections 93 to 105 shall, as far as they are applicable and with the necessary modifications, apply to that land in all respects as if it were a reserve under this Act: provided that in their application to any such land sections 93 to 105 shall be read subject to any agreement between the owner, lessee, or licensee of the land and the Minister preserving to the owner, lessee, or licensee the right to do any act or thing forbidden by this Act.*

These conditions, along with FNDC Policy P21/01 require a Management Plan *detailing how the values of the land will be maintained, restored and/or enhanced*¹⁴.

Accordingly in order to gain rates relief the land *must not be in use*. The WPRMP will form the basis of the Reserve Management Plan required as per FNDC Policy P21/01 & Section 38 of the Reserves Act (1977) to enable rates relief.

Minor natural diffuse or sheetflow inputs to the wetland within 100m may be *diverted* by the change of site cover on proposed Lot 1, however in the absence of alteration of any point source inputs or seepages these are unlikely to **change the water level range or hydrological function of the wetlands**.

Likewise, earthworks within 100m or 10m will not result in *complete or partial drainage of all or part of the wetland* as per *Reg 52(i);(ii) & Reg 54 (c) & (d)* if they do not occupy or intersect with the wetland. Best practice earthworks and sediment control to prevent infilling is considered sufficient mitigation. It is therefore considered these regulations are not applicable.

¹⁰ McAlpine, K & Howell, C. Clayson (2024) List of environmental weeds in New Zealand. Science for Conservation Series 340, DoC Wellington

¹¹ Latest List - <https://www.mpi.govt.nz/dmsdocument/3664-National-Pest-Plant-Accord-manual-Reprinted-in-February-2020-minor-amendments-only>

¹² *Minister* means the Minister of Conservation

¹³ *administering body*, in relation to any reserve, means the board, trustees, local authority, society, association, voluntary organisation, or person or body of persons, whether incorporated or not, appointed under this Act or any corresponding former Act to control and manage that reserve or in which or in whom that reserve is vested under this Act or under any other Act or any corresponding former Act; and includes any Minister of the Crown (other than the Minister of Conservation) so appointed

¹⁴ FNDC RATING RELIEF POLICY P21/01 Conditions and Criteria 1)

In the absence of point source discharge there is highly unlikely to be any *change in their seasonal or annual range in water levels*, as per *PNRP Policy H.4.2 Minimum levels for lakes and natural wetlands*.

Coeval revegetation, pest and weed control will provide coordinated and focused headwater management for a subunit of the *Waitangi Priority Catchment*, together with that undertaken directly adjacent on Lot 2 DP 566421 (RC2250234) & Lot 4 DP566421 (RC2250263). These mechanisms, proposed and standing, are in wholly in sympathy with the intent of *NPS-FM Policy 3*:

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

Management will confer gross ecological benefit and amenity value, to restore and enhance biodiversity values, maintaining the continuity of natural processes and systems of the local ecosystems. The outcome is aligned with the aspirations of natural environment objectives and policies of in Operative and Proposed District Plan.

SITE CREEK FLOWS OFFSITE UNDER ACCESS TO LOT 2 & 4 DP 566421 FURTHER CREEK/ NATURAL INLAND WETLAND TRIBUTARY TO THE WAITANGI



SITE PROPOSAL

The Aroona Ltd proposal, a subdivision of Lot 3 DP 582867 (RT 1013519; approx. 4.6957ha), is accessed from the southside of Waimate North Road, approx. 4 km south from its junction with Wiroa Rd. The rolling topography in exotic pasture descends north & south to a central gully creek 101-77masl, and has been grazed as per its existing lifestyle block character.

The Rural Production Zone activity will create 2 allotments

- Lot 1 – 2.0297ha (proposed residential occupation)
- Lot 2 – 2.6045 ha (contains the existing dwelling)

The intended purpose of the new Lot is of a rural lifestyle character, blending with increasing residential occupation on 2-4ha Lots of this popular lifestyle area along Waimate North Road. This includes the recent subdivision of the immediate downstream adjacent properties along the unnamed creek, tributary to the Waitangi River 600m downstream.

Access is currently via an existing crossing place within the north-eastern corner of the site servicing the current residence on proposed Lot 2. This driveway also provides access (ROW) to Lot 1 DP 582867) with an existing dwelling in separate ownership. A new crossing point (B) and ROW (C & D) will be established for these Lots further west along Waimate North Rd while the existing access will be retained for proposed Lot 2.

The proposal has been assessed overall as a Non-Complying Activity under the Far North Operative District Plan due to the proposed Lot sizes and the title date (2021).

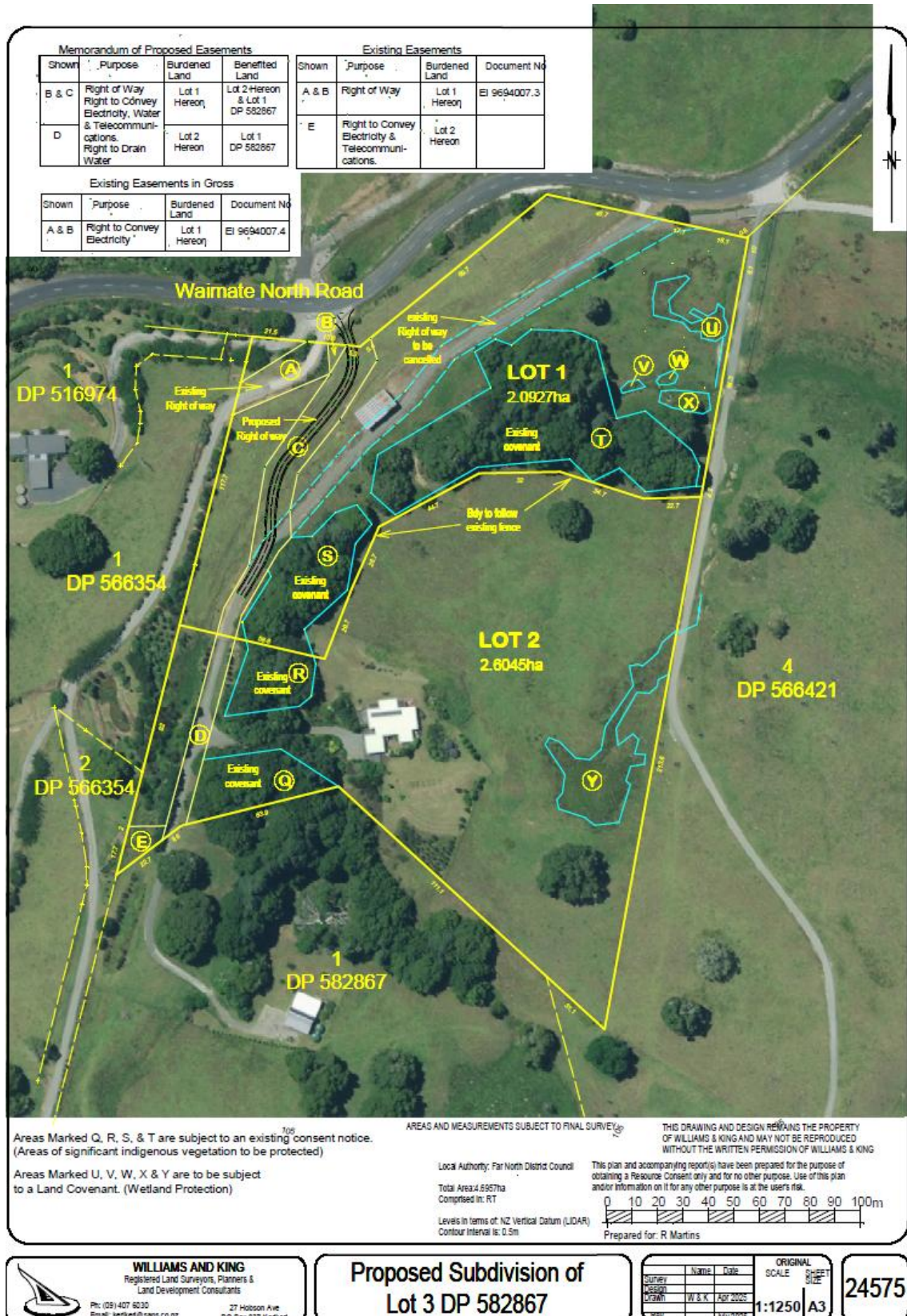
NATURAL INLAND WETLAND & NZSEG#1008960 IMMEDIATELY DOWNSTREAM IS SUBJECT TO RIPARIAN MASS REVEGETATION AS PART OF RECENT SUBDIVISION CONSENTS RC 2250234 & RC 2250263S



FIG 1: SITE LOCATION



FIG 2: PROPOSED SCHEME





	A1 Creek
	Ephemeral modified watercourse
	Existing crossing
	Infill between fence & dripline
	U, V, W, X, Y Natural inland wetland
	Min 3m wetland planting buffer
	Natural inland wetland offsite Lots 2 & 4 DP 5664421
	Totara tress
	Path to wetland through LOT 4 DP 5664421

Note:
Areas Marked Q, R, S, & T are subject to an existing consent notice. (Areas of significant indigenous vegetation to be protected). Areas Marked U, V, W, X & Y are to be subject to a Land Covenant. (Wetland Protection)

 Bay Ecological CONSULTANCY LTD	
03.08.2025	
Ecological Site Features Aroona Group Ltd. Waimate North Road Proposed Subdivision of LOT 3 DP 582867 Size 4.6957 HA.	
Scale	Drawn By
1:1250 @ A3	Cad Design
Drawing #	Rev #
1.0	A

SITE CONTEXT

A desktop review of the available ecological site context and surrounding area in the potential zone of influence (ZOI) was undertaken. This standard EclA desktop scoping phase assists in determining priorities for field work, informed assessment of significance and targeted impact management. Although generally from broad scale mapping, requiring finer ground truthing, it suggests potential species occurrence and associations; and underlying abiotic influences of soils and hydrology, including potential wetland presence and *values*¹⁵.

TABLE 1: SITE SUMMARY

DESCRIPTION	LOT 3 DP 566421 RT 1013519
OWNER	AROONA GROUP LTD
TOTAL AREA	approx 4.6957ha
PROPOSED LOTS & COVENANTS	• LOT 1 2.0927ha for proposed residential occupation • LOT 2 2.6045 ha containing current residence
FNDC OPERATIONAL ZONE	RURAL PRODUCTION
FNDC PROPOSED ZONE	RURAL PRODUCTION
COASTAL ENVIRONMENT RPS	✓
ECOLOGICAL DISTRICT	KAIKOHE
COVER	• Broad pastoral since at least the 1950s from aerial photography • Remnant riparian ribbon of mature tōtara kahikatea dominant vegetation with pūriri and tītoki along A1 gully creek • Natural inland wetlands • Well kept pasture • Modified watercourse CSA to creek
MAPPED RIVERS ¹⁶	1 st Order NZSEG ##1008960 A1 type
HYDROLOGICAL FEATURES	• NATURAL INLAND WETLAND
SOIL TYPE ¹⁷	• APONGA CLAY (AP) • WAIOTU FRIABLE CLAY (YO)
POTENTIAL ECOSYSTEM ¹⁸	• WF11: Kauri, podocarp, broadleaved forest (AP SOILS) • WF9: Taraire tawa podocarp (YO SOILS)
TEC CLASSIFICATION ¹⁹	• Class II – CHRONICALLY THREATENED (10-20 % indigenous cover remaining) • Class III – AT RISK (20-30% indigenous cover remaining)
SNA, NORTHLAND BIODIVERSITY RANKING - TERRESTRIAL TOP 30 SITES; RANKED RIVERS; 'KNOWN WETLANDS'; TOP 150 RANKED WETLANDS ²⁰	• ATKINS BUSH PNA P05/075 closely adjacent but outside zone of influence of activity • Natural inland wetland identified as part of RC2250234 & RC2250263 closely adjacent Lot 2 & 4 DP566421 as receiving environment of site creek (within 100m of activities)
NATURALLY RARE ECOSYSTEMS ²¹	• Wetland (reduced to <20% original extent)
KIWI PRESENCE ²²	• HIGH DENSITY

¹⁵ Values (NPS FM 2020 Amendment No.1 (2022) (i) ecosystem health; (ii) indigenous biodiversity; (iii) hydrological function; (iv) Maori freshwater values; (v) amenity values

¹⁶ LINZ 2022 NZ River Centrelines <https://data.linz.govt.nz/layer/50327-nz-river-centrelines-topo-150k/>

¹⁷ <https://nrcgis.maps.arcgis.com/apps/webappviewer/index.html?id=fd6bac88893049e1beae97c3467408a9>

¹⁸ https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/Northland_Biodiversity_Ranking/FeatureServer/0

¹⁹ https://ourenvironment.scinfo.org.nz/maps-and-tools/app/Habitats/lenz_tec

²⁰ 'Top 150' most important wetlands in Northland (August 2018)

<https://localmaps.nrc.govt.nz/localmapviewer/?map=55bdd943767a493587323fc025b1335c>

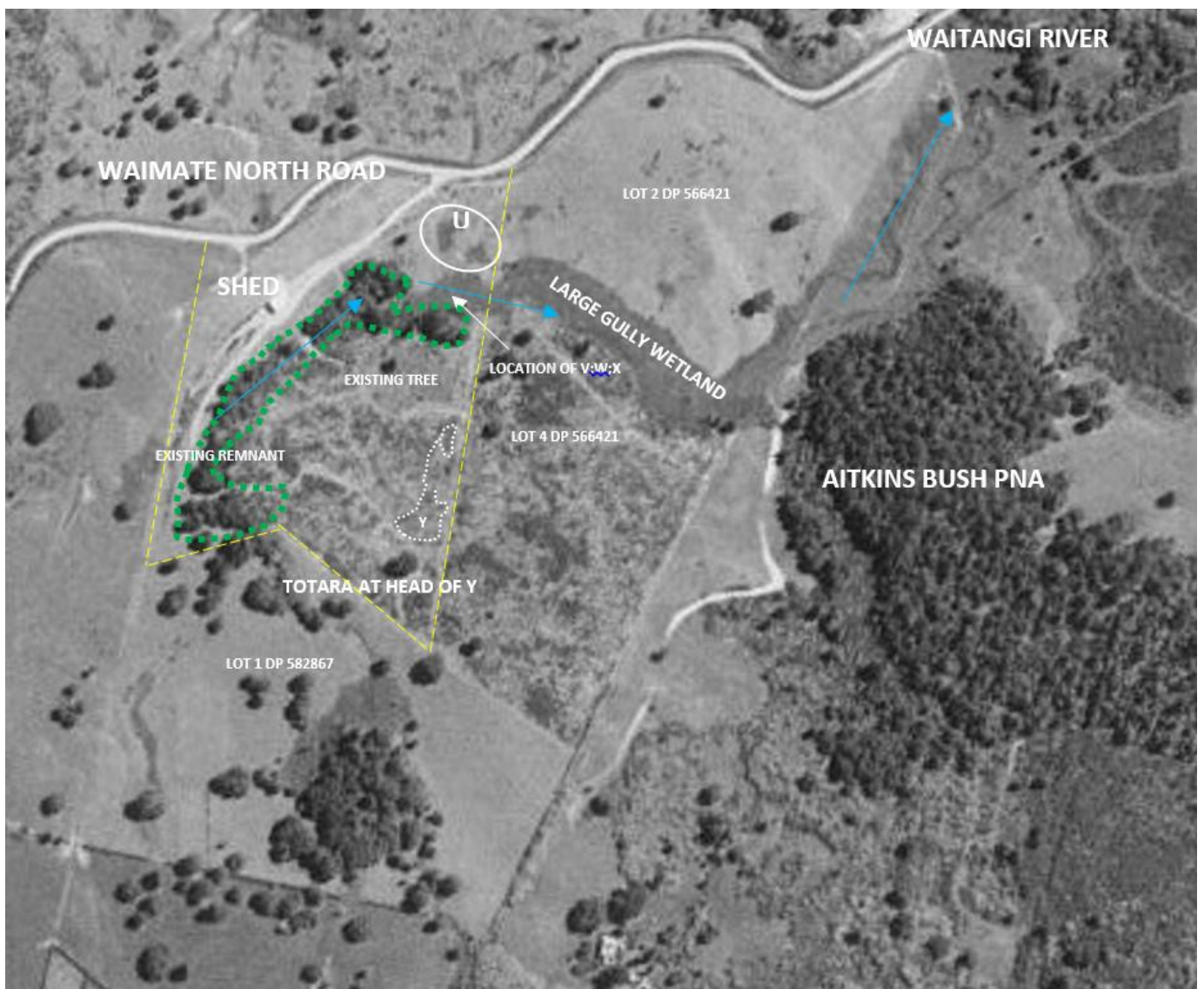
²¹ Williams et al (2007) New Zealand's historically rare terrestrial ecosystems set in a physical and physiognomic framework *New Zealand Journal of Ecology* 31(2): 119-128

²² DoC Mapping (2018) <https://fndc.maps.arcgis.com/apps/webappviewer/index.html?id=9691466b178d4406bcbdb4c68901ef0>

HISTORIC PHOTOGRAPHY

A brief review of available historic photography was made to illustrate change in cover and periodicity of wetland. The extent of remnant vegetation in the bush covenants on both proposed Lots currently conforms to that from the pastoral use pre 1950s and wetlands are visible in the same location as today. Pasture has been further broken in. Review of historic topographical maps revealed no further detail.

FIG 4: RETROLENS²³ 1953 WITH APPROXIMATE LOCATION OF SITE FEATURES



²³ Retrolens aerial photography - Sourced from <http://retrolens.nz> and licensed by LINZ CC-BY 3.0

SOILS

Soil characteristics provide an indication of likelihood of wetland presence, and may guide any scheme for post development revegetation or amenity planting. Site soils are mapped as *Aponga Clay (AP)* & *Waiotu Friable Clay (YO)*. Site soils were inspected along tracks and cut faces during site visit and readily conformed to mapped description.

TABLE 2: MAPPED SOIL TYPE

SOIL TYPE NZRLI	SOIL TYPE FSL	DESCRIPTORS	PREDICTED FOREST TYPE
APONGA CLAY (AP)	UEM ALBIC ULTIC	OMU SUITE- Young mudstone - Shallow E horizon with mottled redox layer beneath - Imperfectly to (very) poorly drained , seasonally wet and susceptible to pugging - Strongly leached to weakly podzolised - Dispersive surface horizons with low P retention in A & E horizons - may result in clay and P inputs to waterways when bare - Low Mg, K & P reserves. High aluminium & iron in B horizon may cause toxicity in some sensitive species.	WF11 <i>Kauri, podocarp, broadleaved</i>
WAIOTU FRIABLE CLAY (YO)	XOT ORTHIC OXIDIC	KIRIPAKI SUITE- Mature basalt soil - Well – moderately drained - Clayey soil materials derived from early to mid-Pleistocene basalts - Clay-enriched B horizons Limited shallow –medium root depth by high dry bulk density/penetration resistance, particularly in well drained soils. - Friable granular topsoil - Very low reserves of potassium, magnesium, calcium and phosphorus. - Exposed subsoils difficult to revegetate because of toxic levels of free iron, manganese and Al at low pH- hostile environment for plant roots	WF9 <i>Taraire, tawa podocarp</i>

Site soils are majority LUC 6s2, which are not considered to be highly versatile under the RPS or the National Policy Statement for Highly Productive Land (NPS-HPL).

FIG 5: NRC SOIL MAPPING



POTENTIAL ECOSYSTEM TYPE

Broad ecosystem classification²⁴ shows the potential vegetation type mapped as correlated with soil type as before and climate –

- **WF11 KAURI BROADLEAVED PODOCARP FOREST TYPE**
- **WF9 TARAIRE TAWA FOREST TYPE**

WF11 was formerly the dominant forest type in Northland, occurring from sea level to 300 m, typically on grades of acidic and lower fertility parent materials, hillslopes and ridges. It is the most widespread ecosystem unit but also very relictual compared to former extent. Frequently the only representation remaining is poor kānuka and mānuka dominated early successional cover on depleted soils. In this case tōtara and kahikatea remain as scattered individuals.

TABLE 3: MAPPED POTENTIAL ECOSYSTEM TYPE

ECOSYSTEM CLASSIFICATION	TYPE DISTRIBUTION	TYPE DESCRIPTION
WF11 KAURI PODOCARP BROADLEAVED FOREST	Warm climatic zone from the Three Kings Islands and Te Pahi south to Mahia and New Plymouth. REMANT ONSITE IS A REDUCED RIPARIAN EXPRESSION TŌTARA & KAHIKATEA DOMINANT	• Kauri, podocarp, broadleaved forest with occasional rimu, miro, kahikatea, kauri, taraire, tawa, tōwai, kohekohe, pūriri and rewarewa. • Drivers of composition are fertility, drainage and altitude • Altitude variants - taraire and kohekohe more abundant at lower altitudes, and tawa and tōwai more common at higher altitudes. • Broadleaved species in gullies • Commonly a secondary derivative of kauri forest • Rainfall 1000–2500mm.
WF9 TARAIRE TAWA PODOCARP FOREST	Predominantly in the warm climatic zone throughout Northland below 450 m altitude (predominantly eastern). Kauri is absent. Kohekohe can be locally abundant (e.g. Waipoua), while tawa is more common at higher altitudes. NOT EXPRESSED ONSITE	• Broadleaved, podocarp forest of abundant taraire • occasional rimu, miro, northern rātā, tawa, kohekohe, hīnau and rewarewa • pukatea and kahikatea commonly in gullies • Locally includes tōtara, pūriri and tōwai

The **WF11 type** is illustrated in a mature remnant in the closely adjacent PNA #P05/075 Atkins Bush (refer Fig 8).

The **WF9** forest type is mapped for the southern portion of proposed Lot 2 but not expressed. This association on more freely draining soils than WF11 exhibits absence of kauri as a diagnostic and was naturally much less extensive in terms of proportional cover. As it occurred on moderately fertile soils, most of this forest type on easy slopes was cleared historically for agriculture.

HYDROLOGY

A short creek (NZSEG# #1008960) emerges offsite to the south on Lot 1 DP 582867, flows through the creek in A1 character, becoming encompassed in *natural inland wetland* downstream of the site through Lots 2 & 4 DP 566421 (RC2250234 & RC2250263 respectively). It is joined by a further unnamed headwater NZSEG#1008961 offsite on Sec21 SO 462258, the

²⁴ Singers & Rogers (2014) A classification of NZs terrestrial ecosystems. DoC Wellington

Singers, N. (2018) A potential ecosystem map for the Northland Region: Explanatory information to accompany the map. Prepared for Northland Regional Council.

combined flow of which terminates in a 4th order reach of the Waitangi River, approx. 600m downstream from site.

TABLE 4: RIVER ECOSYSTEM TYPE²⁶ & REC2 CLASSIFICATION

CHARACTERISTIC	NORTHERN WESTERN ORIGIN
NZ SEGMENT	#1008960
ORIGIN	OFFSITE LOT 1 DP 5582867
ORDER	1 st
RIVER ECOSYSTEM TYPE	A1 small, gentle gradient streams on sandy substrates, occurring mostly in moderately inland locations; this is the most widespread river ecosystem in Northland, occurring on gentle terrain; low flow $0.49\text{m}^{-3}\text{sec}^{-1}$
MEAN FLOW ($\text{m}^{-3}\text{s}^{-1}$)	$0.49\text{m}^{-3}\text{sec}^{-1}$
A1 TYPE MEAN CONDITION SCORE	0.262
SITE CONDITION SCORE	0.283
RANKING TOP 30% OF TYPE	NO
REC CATEGORY ²⁵	
CLIMATE	WW Warm Wet
SOURCE OF FLOW	L Low Elevation
GEOLOGY	VA Volcanic Acidic
LAND COVER	P Pastoral
NETWORK POSITION	LO Low Order
VALLEY -LANDFORM	LG Low Gradient

The creek is of A1 type²⁷, typical of this landscape position. The flow has a higher condition scores than the type mean²⁸, however the small catchment area promotes the influence of immediate extended pastoral land use.

Erosion rates in these scenarios tend to be higher, with rapid and more extreme flood peaks from runoff compared to natural land cover. The waterway is presumed to have a heightened relative nutrient concentration from the longterm dominant pastoral land cover. Very high infiltration in areas of tephra or scoria promotes sustained base flow, illustrated by persistence of the wetlands FACW dominance despite landuse change. Concentration of phosphorus tends to be high. The low gradient landform (LG) classification describes the small-scale physical patterns of the valley their channels occupy and suggests a shallow and meandering path through the landscape, as exhibited onsite by the creek.

The creek is tributary within the NRC *Waitangi Priority Catchment*. The *Waitangi Catchment Group Report (2016)* identified livestock access to waterbodies as catchment specific issues relevant with the goal of increased exclusion to achieve improvements in the recreational, ecological and cultural values of the Waitangi. It is well documented that uncontrolled pastoral environments provide sediment and nutrient loads with negative impacts on aquatic

²⁵ The REC classifications correspond with Class 2: Suspended Sediment & Deposited Sediment Tables 23 & 24 respectively (NPS FM 2020) to inform any quantitative monitoring.

²⁶ Leathwick, J. (2018) Indigenous Biodiversity Rankings for the Northland Region.

²⁷ Leathwick (2018) Indigenous Biodiversity Rankings for the Northland Region

²⁸ Condition scores are based on FENZ database parameters, values closest to 1 representing optimal condition.

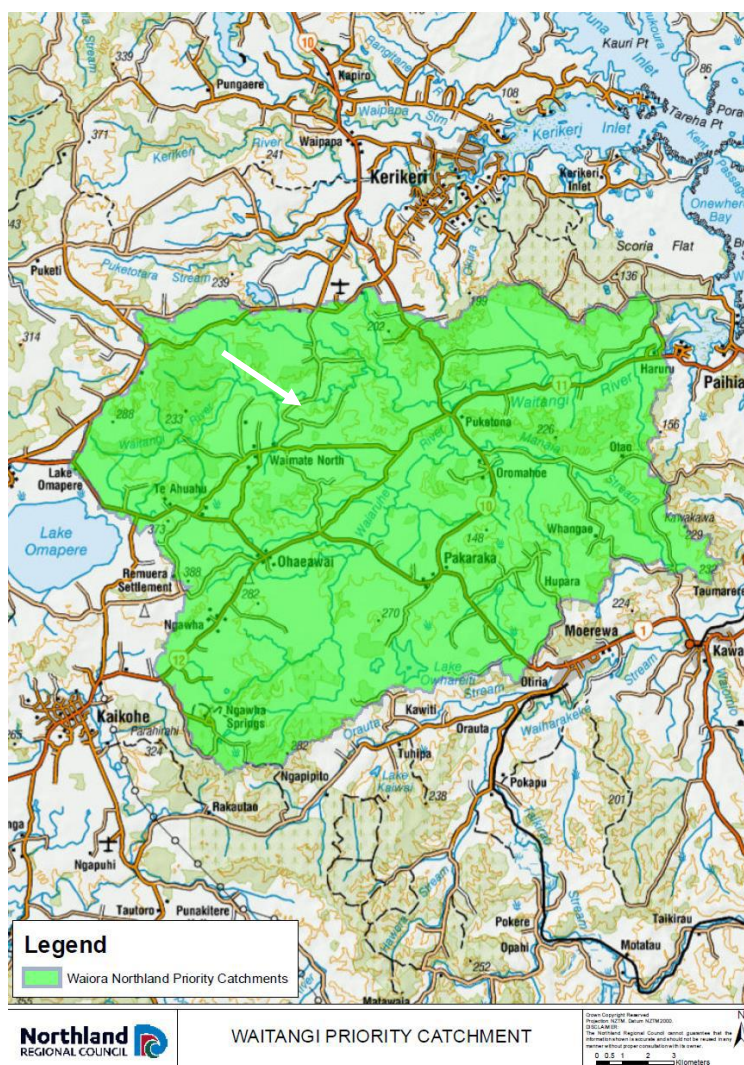
communities. These are heightened in critical source areas (CSA)²⁹ including any contributing overland flow paths or point source inputs.

Retirement and planting of riparian margins and CSAs to entrain sediment and runoff and process nutrient are primary interventions for improvement water quality in these scenarios and is in keeping with aspirations of the Catchment Plan.

PRP Catchment Policy E.2.1. states that when considering resource consent applications in the Waitangi catchment have regard to...

- 2) *improving the quality of fresh and coastal water for cultural and recreational uses, particularly contact recreation and the ability to gather mahinga kai, and*
- 3) *protecting the ecosystem health and natural character of freshwater bodies....*

FIG 6: WAITANGI PRIORITY CATCHMENT



²⁹ **CSA CRITICAL SOURCE AREAS** are areas within a site or catchment that contribute a disproportionately large quantity of contaminants to water (relative to their extent), leading to poor water quality. They are the combination of both a source of contaminants (eg, nutrients, sediment or faecal microorganisms) and a transport pathway (eg, surface run-off, ephemeral drainage). Minimising either the source or the transport pathway will decrease the risk of contaminant losses. Targeting relevant mitigations specifically to critical source areas is an efficient and cost-effective approach to reduce nutrient loss from the whole property

THREATENED ENVIRONMENT CLASSIFICATION (TEC)

The TEC is resultant from the combination of several broad databases³⁰, most appropriately applied to restore lost linkages and buffers and to help identify priorities for formal protection against clearance and/or incompatible land-uses. The first two classes have been incorporated into national and regional policy to address biodiversity protection on private land³¹ and referenced in *RPS Appendix 5 2(a)i*. as a measure of significance of any site vegetation. The rear of proposed Lot 2 is classed

- *Level II Chronically Threatened (10-20% Indigenous Cover Remains)*

Terrestrial vegetation here is several large pūriri and tōtara to the rear of the current residence within the riparian ribbon, reflecting the pressures on this ecosystem because of suitability for pastoral use, classed A7.1a³² (LENZ Level 4), correlating with the YO type soils and consequently WF9 forest type. Wetland Y is also contained herein. Indigenous biodiversity in these environments has been severely reduced; remaining habitats of this type are sparsely distributed in the landscape and is considered significant and a priority for formal protection, linkage and buffering, related to the topography, soils and former cover of rare WF9. Any revegetation will achieve these ambitions for the wider area, assisting local ecosystem resilience,

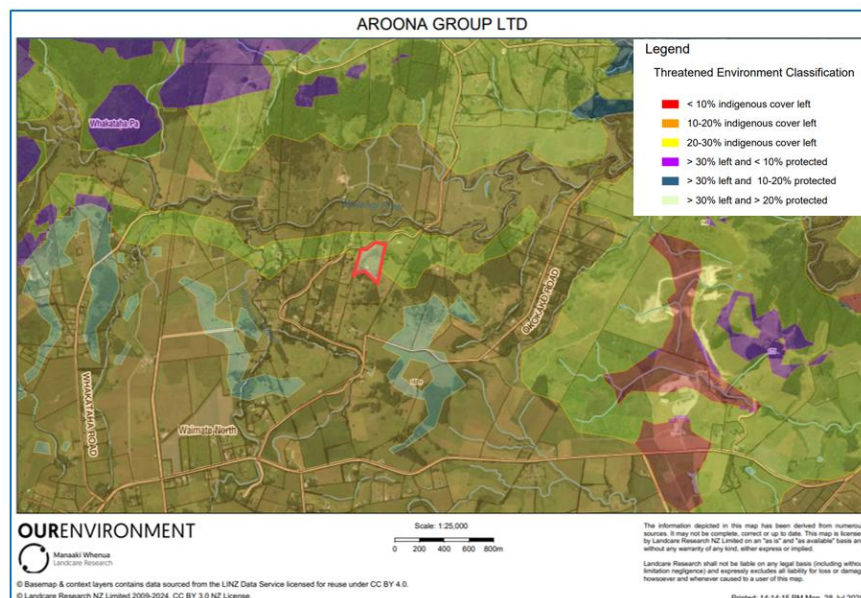
The reminder is mapped as

- *Level III At Risk (20-30% Indigenous Cover Remains)*

Indigenous vegetation and habitats in the mapped environment is considered greatly reduced and habitats are seriously fragmented.

Both *Class II & III* lack sufficient legal protection. Commitment to formal protection is considered of benefit to the site and wider local ecosystems.

FIG 7: TEC CLASSIFICATION



³⁰ *Threatened Environment Classification (2012) Landcare Research Manaaki Whenua. Based on Land Environments New Zealand (LENZ), classes of the 4th Land Cover Database (LCDB4, based on 2012 satellite imagery) and the protected areas network (version 2012, reflecting areas legally protected for the purpose of natural heritage protection).*

³¹ *Northland Regional Policy Statement 2018 Appendix 5; Land Environments New Zealand Level VI; Land Cover Database 4 (2012); Protected Areas Network (2012) **Acutely Threatened** (<10% Indigenous Cover remains); **Chronically Threatened** (10-20% Indigenous Cover remains); **At Risk** (20-30% Indigenous Cover Remains); **Critically Underprotected** (>30% cover, <10% protected); **Underprotected** (>30% Indigenous cover remains, 10-20% protected); **Better Protected** (>30 indigenous cover, >20% protected)*

³² *masl 110m; very high solar radiation, low annual water deficits; very gently undulating hills; well-drained soils of high fertility from basalt*

MAPPED LANDSCAPE SIGNIFICANCE

There are currently no FNDC *Significant Natural Areas* (SNAs) as per the *National Policy Statement for Indigenous Biodiversity (2023)*, subject to *Subpart 2 Clause 3.10*. However as per *Subpart 2 Clause 3.16*, significant adverse effects on indigenous biodiversity outside of such areas in regard to new subdivision, development or use must be managed by applying the effects management hierarchy.

*Atkins Bush PNA (#P05/075)*³³ is within 300m downstream to the eastern boundary. This is a traversable distance for *highly mobile fauna*³⁴, particularly along the riparian corridor which will become increasingly densely vegetated resulting from revegetation RC requirements for subdivision of Lots 2 & 4 DP 566421. Although dated (1995), the underlying assessment is a useful surrogate for potential significance and ecological context. It serves as a benchmark as to how site activities or processes may have influenced site values. Documented values of the far larger unit are compared as below:

TABLE 5: ATKINS BUSH PNA (#P05/075) DOCUMENTED VALUES

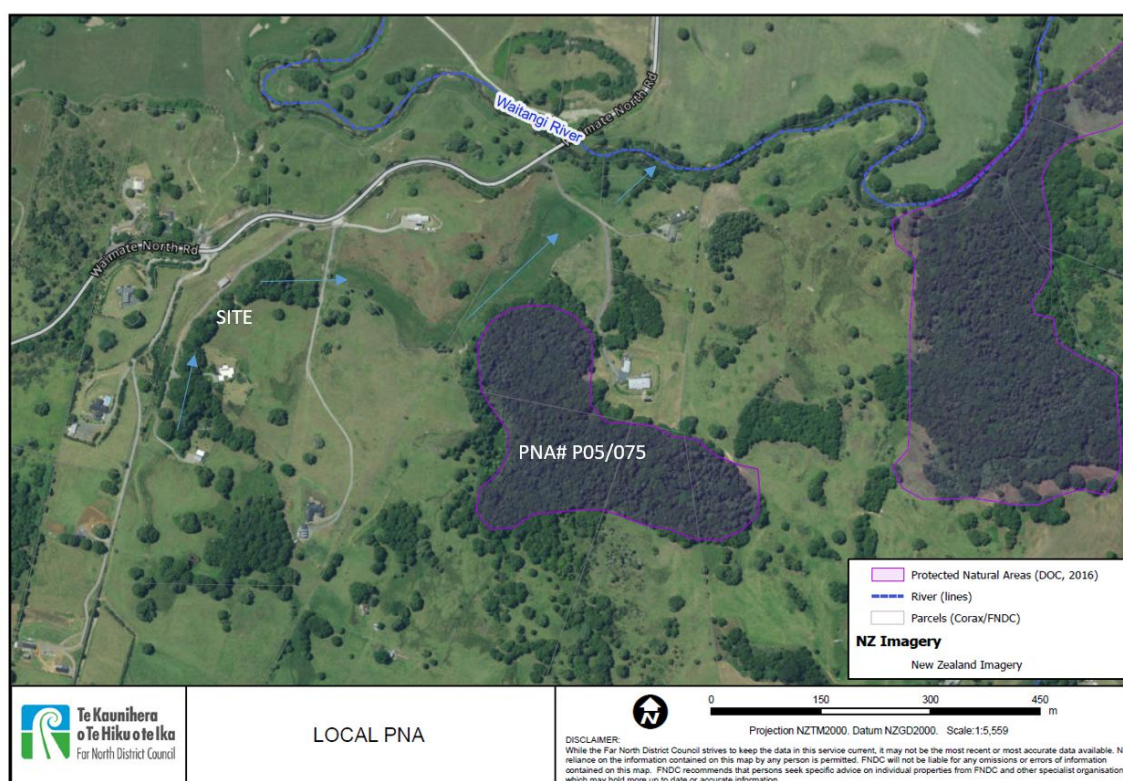
ATKINS/ OHAIO BUSH PNA (#P05/075)	SUBJECT SITE
LANDFORM/GEOLOGY <i>Underlain by a Kerikeri volcanic basalt flow forming an escarpment on the north side of Okokako Road with basalt talus overlying Mangakahia Complex mudstone in the lower valley slopes and alluvium forming the valley floor of the Waitangi River.</i>	YES
ECOLOGICAL UNIT <i>(a) Kahikatea forest on gentle hillslope</i> <i>(b) Tōtara forest on hillslope</i>	Site tōtara – kahikatea- pūriri- titoki is remnant of the broader biodiversity of the PNA reduced by gradual decline, browsing ; grazing and historic clearance
VEGETATION <i>Secondary forest remnants. Canopy species of :</i> <i>Type A -frequent rimu, pūriri and tōtara.</i> <i>Type B -frequent kahikatea and pūriri with occasional kauri, tawa and rimu</i> <i>As with many small forest remnants, stock browsing has reduced the understorey to a mere scattering of the less palatable species and regeneration of canopy species is not occurring.</i>	As above
FAUNA <i>NI brown kiwi</i>	The site is <i>KIWI HIGH DENSITY</i> (DoC 2018) and the site provides a potential extension of high value habitat with pest control. Understorey in remnant and pest control would heighten functional habitat.
SIGNIFICANCE <i>Habitat for threatened species.</i> <i>A representative site for type (a) due to the conspicuous rimu component.</i> <i>These remnants may perform a linking role between larger forest blocks to the east and west.</i>	Site is part of the landscape linkage Site could provide habitat extension with pest control, stock exclusion and lessened edge effects(understorey)

The riparian site remnant as a landscape extension (stepping stone) shows some fidelity with those values listed, albeit compromised by decades of stock intrusion. Pest and weed management with stock exclusion would heightened condition and alignment with the documented values.

³³ Conning & Miller (2000) Natural Areas of the Kaikohe Ecological District. Reconnaissance Report for the Protected Natural Areas Programme. DoC Whangarei

³⁴ NPSIB (2023) Appendix 2: Specified highly mobile fauna e.g kiwi ; kukupa

FIG 8: LOCAL PNA



In the period since survey (1995) stock exclusion and pest control have resulted in recovery of the understorey. From our own observation species include taraire; kohekohe; maire; pūriri; nīkau; *Coprosma* diversity including dense understorey of *Coprosma arborea*; mahoe; *Pseudopanax spp.*; tītoki; mamaku; kiokio; shining spleenwort; *Sticherus*; hounds tongue; maidenhair ferns; rimu; taraire; matai; northern rata; pigeonwood (*Hedycarya arborea*); tānekaha; karaka; kahikatea, cabbage tree and kauri. This provides a reference for any planting scheme proximate, particularly for canopy species.

Restoration efforts onsite would provide an extension of habitat for mobile fauna able to traverse the landscape, and contribute additional area to the upper catchment of the Waitangi River with protection of water and soil values.

Pūriri and taraire are pivotal species for kukupa in Northland³⁵ the two species collectively contributing to over 75% of the observed diet in winter (taraire), spring (both) and summer (pūriri). Site dominant tōtara and kahikatea with pūriri will already be providing a potential food source. Promotion of understorey regeneration of pūriri that is occurring in patches, as well as inclusion of taraire in any revegetation would provide broad temporal provision.

There are no additional regional GIS layers, the underlying assessment of which may be considered as a surrogate guide for ecological aspects to consider in terms of significance e.g. NRC Biodiversity Terrestrial Ranking Top 30% or Top 30% +5 unit³⁶; NRC known or ranked wetlands; NRPS (2018) *Natural Character or Landscape*.

³⁵ Pierce & Graham (1995) Ecology and breeding biology of Kukupa (*Hemiphaga novaeseelandiae*) in Northland

³⁶ This layer identifies the top 5 % of additional High priority terrestrial sites, that would potentially make the largest additional gains assuming management is applied to the top 30% of sites as identified in the ranking of terrestrial ecosystem areas derived from a ranking analysis of indigenous-dominated terrestrial ecosystems for the Northland Region.

SITE VISIT

TERRESTRIAL VEGETATION

A comprehensive site visit was made on the 12 May 2025 with specific regard to the proposed scheme, prior reporting, aerial photography and desktop review. Visual vegetation survey was undertaken to characterise the site and habitat and to confirm wetland presence.

The landscape pattern observed today is a snapshot of remnant indigenous character, limited scattered mature podocarps resistant to grazing and pest browse. Pasture is the dominant terrestrial cover including in the proposed accessway and Lot 1 building site.

The predicted *WF11 forest* gully type is present as a mature remnant riparian ribbon. It is of the same cohort of the *Atkins Bush PNA #P05/075* to the east downstream, albeit of far reduced character due to a longer grazing period and smaller area, subject to greater edge effects. Understorey is largely absent, with unpalatable pūriri and mapou seedlings establishing since stock exclusion under current ownership. Key weed species now and in future are likely tobacco weed and taiwan cherry able to establish in partial shade.

Large stature species are tōtara dominant with kahikatea as per its riparian location on gleyed soils, pūriri and titoki. No flora species with threat status or locally uncommon were

Schoenus carsei (OBL Threatened – Nationally Critical) was recorded historically³⁷ from wetland in the immediate area, but specific search found no specimens.

VIEW SOUTHWEST UP CREEK FROM ACCESS TO 797b WAIMATE NORTH RD, REMNANT TŌTARA- KAHIKATEA DOMINANT OPEN UNDERSTOREY ENCOMPASSED IN COVENANT T; INTERNAL CONDITION OF COVENANT T SHOWING ENTRY OF CSA PT



³⁷ <10m location obscured 03 Dec 1949 Tasmanian Herbarium Record #373 Mason & Moar

LANDSCAPE CHARACTER VIEW FROM LOT 2 DP566421 LOOKING SOUTHWEST ADJACENT WAIMATE NORTH ROAD



CLOSER VIEW SOUTHEAST UP ROW TO LOT 4 5664221 FROM WAIMATE NORTH ROAD



CULVERT AT BOTTOM OF SITE CREEK UNDER RIGHT OF WAY LOT 4 DP 566421 TO LARGE NATURAL INLAND WETLAND ALLOWS FISH PASSGAE FOR BANDED KOKOPU SIGHTED IN SITE REACH; RECEIVING ENVIRONMENT OF SITE CREEK FURTHER EXTENT OF NZSEG#1008960 AND WIDE GULLY NATURAL INLAND WETLAND . BANKS BOTH SIDES RECENTLY REVEGETATED TO 10M FROM EDGE PROVIDING LANDSCAPE LEVEL CONNECTION TO AITKINS BUSH PNA IN DISTANCE



VIEW EAST SITE CREEK TRAVELS UNDER ACCESS TO LOT 4 DP 5664221 WETLAND X ON SOUTHERN BANK; VIEW WEST WETLANDS V & W ON RIGHT (NORTHERN BANK)



**TYPIC INCISED CREEK POOLS & BANK OVERHANGS IDEAL FOR BANDED KOKOPU; OPEN GRASSY BANKSIDE
VEGETATION & KAHIKATEA GROVE; CREEK HYDRAULIC HETEROGENEITY POOL- RIFFLE; LONG ESTABLISHED STOCK
CROSSING SOUTHERN END OF COVENANT T TO BE RETIRED; HYDRAULIC HETEROGENEITY BEDROCK COBBLE RUN**



MODIFIED WATERCOURSE UPPER EAST LOT 1 EXHIBITS AS DRAIN; CSA TO CREEK



CLOCKWISE FROM LEFT: UPPER ORIGIN SEEPAGE OF WETLAND U IN JUNCUS; SHALLOW DEPRESSED CONTOUR BASIN; DESCENDS TO A FURTHER BASIN; OUTLET IS DITCHED AND JOINED BY DRIVEWAY DITCH TO THE CREEK



PROPOSED LOT 1 HOUSE LOCATION WEST OF WETLAND U



WETLAND Y COMMENCES BELOW TWO LARGE TŌTARA IN PROPOSED LOT 2



WETLAND Y NARROWS AS IT DESCENDS NORTH WIDENING TO ANOTHER SHALLOW BASIN ADJACENT THE ACCESS TO LOT 4 DP 566421 WITH CULVERT



VIEW SOUTHWEST FROM LOT 4 DP 566421 TO COVENANT S RIPARIAN REMNANT ACROSS BROAD PASTURE OF PROPOSED LOT 2 NON WETLAND SHOWING PATH UNDER THE LOT 4 ACCESS, CONTINUES DOWNSLOPE THROUGH NEW PLANTINGS TO THE LARGE GULLY WETLAND BETWEEN LOTS 2 & 4 DP 566421



SITE HYDROLOGY

The National Rapid Habitat Assessment protocol was applied to the site creek, resulting in a habitat quality score (HQS), as sum of the nine RHA parameter scores. This score represents the overall state of stream habitat at a site, as a useful measure of stream health responsive to land use variables and interaction, with less sensitivity to natural variation between waterway types. The umbrella categories encompass more refined components typical of stream assessment³⁸.

TABLE 6: NATIONAL RAPID HABITAT ASSESSMENT

HABITAT PARAMETER	SITE REACH NZSEG#1008960
Deposited Sediment ³⁹	7
Invertebrate Habitat Diversity	8
Invertebrate Habitat Abundance	8
Fish Cover Diversity	8
Fish Cover Abundance	8
Hydrological Heterogeneity	8
Bank Erosion	6
Bank Vegetation	6
Riparian Width	9
Riparian Shade	6
SCORE POOR <26; FAIR 26-50; GOOD 51-75; EXCELLENT 76-100	74

The creek provides good fish habitat with variety in hydraulic heterogeneity and cover availability. Deposited sediment and open sediment sources e.g. stock crossing; bare banks may be tending the creek to loss of interstitial space in substrate and suppression of invertebrate scores, estimated⁴⁰ at MCI 94: C Band⁴¹, and considered close to 20% from bankside visual estimation⁴². Broader catchment-scale habitat characteristics, which are not accounted for in the RHA, may have an overriding influence on stream fish populations e.g. fish passage; point source pollution.

Visual vegetation survey was undertaken in accordance with the MFE Wetland Protocols (Clarkson 2022). The Rapid Test, as the first strata of wetland delineation was sufficient to confirm wetland presence with dominance typified by facultative wetland (FACW) species forming very obvious *natural inland wetland* communities. None of the natural inland wetland mapped in this reporting would be subject to the pastoral exclusion clause of the *natural inland wetland definition*. There are no NRC known wetland⁴³ or ranked wetland⁴⁴ onsite.

³⁸ Macrophytes; riffles; pools; undercut banks; rocks; woody debris.

³⁹ Based on SAM1

⁴⁰ SHINY RIVERS NIWA

⁴¹ TABLE 14 Class 2 NPS-FM (2020) MCI ≥90 and <110 Macroinvertebrate community indicative of moderate organic pollution or nutrient enrichment. There is a mix of taxa sensitive and insensitive to organic pollution/nutrient enrichment.

⁴² In field sediment method as per MfE protocols sufficient for state of the environment broad scale characterization. Protocol SAM1 utilized as less time consuming and the strongest consistent relationship with instream biological indicators Clapcott, J.E., Young, R.G., Harding, J.S., Mattheai, C.D., Quinn, J.M. and Death, R.G. (2011) Sediment Assessment Methods: Protocols and guidelines for assessing the effects of deposited fine sediment on in-stream values. Cawthron Institute, Nelson, New Zealand. Deposited sediment should not exceed either: 20% cover to protect stream biodiversity and fish habitat.

⁴³ NRC BIODIVERSITY WETLANDS <https://localmaps.nrc.govt.nz/localmapsviewer/?map=55bdd943767a493587323fc025b1335c>

The persistent periodicity of the wetlands is evident from the 1950s in aerial photography and have retained occupancy. Wetland hydrological contribution descends north and south toward the central waterway. The active waterflow provides heightened aeration and nutrient supply to the lowerslope receiving complex (wetland/ creek). They are therefore also CSAs to the receiving environment.

Site wetlands are seepage fed marsh in depressed contour with shallow surface saturation, likely subsurface during dry periods, remaining sufficient to maintain wetland diagnostic vegetation. Wetland Y emerges from the proposed Lot 2 slope coinciding with a change in geology, as common.

Seepages are by definition:

*An area where groundwater percolates to the land surface, the flow being less than that which would be considered a spring*⁴⁵

- Moderate to steep hillslopes, heads and sides of watercourses
- Typically emerge at a change of geology or in an area of upwelling through bedrock fissure
- Fed by groundwater and some surface water
- Water table – slightly above to below surface
- Flow shallow or as sheetflow

TABLE 7: SITE WETLAND TYPE

TYPE	MARSH
CHARACTERISTIC	Shallow + groundwater source slow to moderate flow water table usually below surface moderate fluctuation mineral substrate moderate drainage occupy slight to moderate slopes, valley margins, edges of water bodies
CLASSIFICATION	WL11- MACHAERINA SEDGELAND Shallow palustrine/riverine/lacustrine wetlands of a wide range of variants throughout New Zealand. Sedgeland typically rush, grass, sedge, or shrub types <i>Juncus, Carex, Agrostis, Bolboschoenus, Cyperus, Isolepis</i>
TYPIC SITE SPECIES	<i>Eleocharis acuta</i> (OBL) <i>Isolepis</i> spp (OBL) <i>Carex</i> (FACW) <i>Isachne globosa</i> (OBL) <i>Epilobium</i> (OBL) <i>Isolepis</i> spp (OBL & FACW) <i>Callictriche</i> (OBL) <i>Persicaria</i> (FACW) <i>Ludwigia</i> (OBL) <i>Galium</i> (OBL) <i>Agrostis stolonifera</i> (FACW) <i>Paspalum distichum</i> (FACW) <i>Cyperus brevifolius</i> * (FACW)
LOCATION	PASTURE OF PROPOSED LOTS 1 & 2

⁴⁴ Wildlands (2011) RANKING OF TOP WETLANDS IN THE NORTHLAND REGION STAGE 4 - RANKINGS FOR 304 WETLANDS Contract Report No. 2489

⁴⁵ Wetland types of NZ Johnson & Gerbeaux 2004

The primary associations are typical within grazed pasture as a simple association of generalist sedges; short herbaceous and grass spp. including an exotic component. The wetlands are pugged but expected to recover density and condition with grazing exclusion as proposed. Control of small stature wetland herbaceous and grass exotics is not recommended as they are not a threat to primary wetland function. *Paspalum distichum* wetland grass is an exotic codominant, especially where wetland is already compromised by grazing. Its removal would be adverse to wetland *extent*. It also shares a niche with native *Isachne globosa* and the two are difficult to distinguish without botanical knowledge.

Innocuous facultative (FAC) exotics *Ranunculus repens*; *Lotus pendunculatus*; *Holcus lanatus* tend to dry hummocks within wetlands and to the wetland- non wetland ecotone. These species are common throughout many forms of wetland in Northland on margins or on slightly raised microtopography, not preferring prolonged submersion.

Consideration of the site wetland also informs potential *values* as per NPS – FM (2020) definition that may then translate to significance factors. Avoidance of loss of *values* of wetland in addition to *extent* is core policy of the NPS – FM (2020) and accompanying protective regulations of the NES-F (2020)⁴⁶. Formal protection and management represents positive formal protection and enhancement of extent and values.

TABLE 8: WETLAND VALUES (NPS- FM 2020)

VALUE NPS-FM (2020)	SITE WETLANDS
ECOSYSTEM HEALTH	Lacking in riparian buffer with functionality of sediment retention and processing; diffuse stormwater interception Stock impacts, no pest control Contribution of habitat diversity and species retention for insectivorous and water fowl guild in wider dry pastoral site
INDIGENOUS BIODIVERSITY	Entire site is KIWI HIGH DENSITY including margins - Insectivores including kiwi may utilise as part of higher territorial economics higher territorial economics moist ground Pastoral influence – exotic influence Receiving environment of site creek = habitat for freshwater fish non in site wetlands
HYDROLOGICAL FUNCTION	Sediment, stormwater retention and nutrient processing Hydrologically connected as headwater wetlands short tributary to the Waitangi River Buffer to site creek- protective of groundwater and sediment control under rainfall when hydrological connections to ground and surface water pronounced from pastoral setting
MAORI FRESHWATER VALUES	Outside the scope of reporting likely functional and intrinsic
AMENITY VALUE	Heightened amenity opportunity for residents and neighbours complimenting planting on adjacent Lots 2 & 4 DP 566421 and extensive recent planting - RC 2250234 & RC2250263 respectively

Under prolonged stock access typical prostrate annual and stoloniferous species dominate the reduced wetland character. Taller palatable species are more apparent to stock and also

⁴⁶ **Policy 3:** Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments. **Policy 6:** There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted. **Policy 7:** The loss of river extent and values is avoided to the extent practicable. **Policy 9:** The habitats of indigenous freshwater species are protected.

slower to replace lost tissue, declining in biomass (*Machaerina*). As per positive site indicators of current and historic hydrology areas of wetland are assumed to have carried taller wetland associations prior. Although nevertheless qualifying as *natural inland wetland*, composition switches to exotic hydrophilic grasses (*Paspalum distichum*), herbaceous species such as *Ludwigia* and *Perscaria* (unpalatable to stock); rampant seeding and less palatable *Juncus* spp. and prolific *Isolepis* spp. Their resilient growth forms, rapid reproductive rate and even positive growth under grazing and nutrient enrichment allows their faster recovery and persistence, combined with reduction of competing palatable species through grazer selectivity.

The prevailing character of the site beyond identified wetland is rough pastoral- kikuyu dominance, rye, clover, & further common FACU / UPL grass and weed species e.g. *Daucus*; *Senecio*; *Plantago*. This represents non wetland both in terms of species dominance and NEPSL⁴⁷ pastoral exclusion species. Grasses were recognized through professional experience from leaf form, ligule; growth habit and habitat, with simple determination from seed heads practicable at this time of year.

The area designated for the building platform is in exotic pasture with negligible ecological value. No indigenous vegetation clearance is required.

Formal topographical survey of the wetlands has not been undertaken. We recommend these are demarcated for Sec 223.

From incidental visual assessment, the site creek reach and downstream receiving central wetland/ waterway has good potential habitat in terms of hydraulic heterogeneity and fish cover availability. Fish were spooked with water disturbance, likely banded kokopu (*Regionally Significant*) and potentially kōaro (*Galaxias brevipinnis At Risk - Declining*) both proficient climbers and associated with inland headwaters. Reliable creek and wetland provide ideal habitat for species preferring slow moving e.g shortfin eel (*A. australis*); common bully (*Gobiomorphus cotidianus*).

The onsite wetlands are not fish habitat, with access into them perched above the creek and without reliable internal depth suitable for occupation (150mm above substrate).

FISH IN NZSEG#1008960



⁴⁷ National Exotic Pasture Species List (2022) AgResearch for MfE

VIEW NORTH WEST TO COVENANT S RIPARIAN REMNANT ACROSS BROAD PASTURE OF PROPOSED LOT 2 NON WETLAND



FAUNA

Primary observations were made in addition to consideration of wetland and vegetation significance, to complement characterisation of the site.

AVIFAUNA

Four *5 Minute Bird Counts* were undertaken across the site on the morning of the site visit under clear calm conditions

- Access from Waimate North Rd across proposed Lot 1
- Internal to Covenant T
- Internal to covenant S
- Wetland Y across proposed Lot 2

These were bolstered by additional observations of the area for activities on neighbouring Lots 2 & 4 DP 566421. Conspicuous birdlife consisted of frequent common exotic and native insectivorous generalists i.e. grey warbler; multiple fantail; kingfisher on margins of bush and wetland. Tūi and kākūpa were sighted crossing cover in the near distance, with potential to utilise the site for nesting in riparian mature trees. The small insectivores are versatile in their habitat occupation. The proposal areas of access (C) and potential Lot 1 house sites do not represent primary irreplaceable habitats.

The property is classed as *HIGH DENSITY KIWI (DoC 2018)*. Kiwi are now considered *Not Threatened*, predicted to increase by > 10% over three generations due to the intensive in situ control of predators by many community groups and government agencies, ex situ management, and translocations to secure sites. However qualifiers to this status include *CD – Conservation Dependent*, with *RF- Recruitment Failure* & *PD – Partial Decline* from predation of chicks / decline of breeding individuals, both of which mean an uncontrolled environment will lead to further loss. Wetland areas with adjacent cover represents favourable territory when supported by the onsite pest control.

No kiwi were encountered, not unexpected due to their habit. No burrows were found directly within or nearby the proposal areas where earthworks may occur. The short grazed paddock of the building platform and proposed access are unlikely to provide even temporary daytime shelter for kiwi. There is little heterogeneity to offer even daytime temporary shelter e.g. piles of debris, rank tangles of kikuyu. Run through with a kiwidog should be undertaken if pasture is allowed to become rank prior to earthworks.

The subject site's open and short stature wetland is not suitable habitat for specialist wetland birds.

All indigenous birds noted onsite are vulnerable to mammalian predators. Pest control increases functional habitat, and allows recruitment, as opposed to the simple provision of cover. There is currently no formalized pest control plan undertaken.

HERPTOFAUNA

Mature vegetation onsite presents potential habitat for the range of lizards described in local PNA surveys and reporting- most commonly Northland green gecko (*Naultinus grayii*; *At Risk-Declining*), and the Pacific gecko (*Dactylocnemis pacificus*; *At Risk-Relict*). Within earthworks areas of the proposal there is no potential habitat with lack of cover and pasture grazed short. No diurnal species were encountered onsite despite visual survey. This included disturbing longer groundcover, debris and scrutiny of taller vegetation; trunks and potential basking sites e.g. sunny trunks; banks & rocks. A nocturnal herptofauna survey was beyond the scope of this review.

In general, pest control and arboreal habitat are key for the majority of gecko and under those circumstances species may occupy favourable habitat even in close proximity to the proposed increase of residential occupation. Cats are large consumers of herptofauna. Common kingfisher, pukeko and morepork, which persist successfully in modified landscapes, are also predators of herptofauna.

If present, no species are considered at risk from site activities and may benefit from increased management of the site environment.

SIGNIFICANCE

Appendix 5 is the standard Northland criteria for assessing significance of an ecological site, and directly reflects those contained in Appendix 1 of the National Policy Statement for Indigenous Biodiversity (2023) including consideration of Representativeness; Diversity & Pattern; Rarity and Distinctiveness & Ecological Context. The significance of the riparian remnant and creek are considered as an ecological unit, as intrinsically connected. In particular, this ecological condition/quality is important in assessment because it contributes to the way an activity may affect a feature and may be used to focus management of effects.

TABLE 9: ASSESSMENT OF SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA IN TERRESTRIAL, FRESHWATER AND MARINE ENVIRONMENTS NORTHLAND REGIONAL POLICY STATEMENT (2018) APPENDIX 5

(1) REPRESENTATIVENESS	RIPARIAN REMNANT & CREEK	WETLAND
(A)Regardless of its size, the ecological site is largely indigenous vegetation or habitat that is representative , typical and characteristic of the natural diversity at the relevant and recognised ecological classification and scale to which the ecological site belongs (i) if the ecological site comprises largely indigenous vegetation types: and (ii) Is typical of what would have existed circa 1840 (iii)Is represented by the faunal assemblages in most of the guilds expected for the habitat type (B) The ecological site (i) Is a large example of indigenous vegetation or habitat of indigenous fauna (ii) Contains a combination of landform and indigenous vegetation and habitats of indigenous fauna that is considered to be a good example of its type at the relevant and recognised ecological classification and scale	A)YES(ii) Remnant is indigenous canopy species with a representatve A1 hard sedimentary. Some instream macrophytes; sufficient fish passage for representative association to site adjacent reach (iii)YES – freshwater fish herptofauna appear absent B) i) Remnant vegetation is of sufficient size to provide riparian protection. Creek is typical size and form for A1 type creek contiguous representative wetland downstream (ii) Remnant & creek hydrological habitat heterogeneity for freshwater fish & insectivores MODERATE	<i>A(i) No large exotic component</i> <i>(ii) in occupancy Character likely different due to exotic component</i> <i>(iii) likely only specialist invertebrates and contribute to damp ground for insectivores e.g. kiwi; kingfisher</i> <i>B) No largely exotic</i> LOW
(2)RARITY/ DISTINCTIVENESS (A)The ecological site comprises indigenous ecosystems or indigenous vegetation types that: (i) Are Acutely or Chronically Threatened land environments associated with LENZ Level 4 (ii) Excluding wetlands, are now less than 20% original extent (iii) excluding man made wetlands are examples of wetland classes that either otherwise trigger Appendix 5 criteria or exceed any of the following area threshold (a) Saltmarsh 0.5ha (b) Shallow water lake margins and rivers 0.5ha (c) Swamp >0.4 (d) Bog >0.2 ha (e) Wet heathlands>0.2 ha (f) Marsh; fen; ephemeral wetland or seepage/flush >0.05ha (B) Indigenous vegetation or habitat of indigenous fauna that supports one or more indigenous taxa that are threatened, at risk, data deficient , or uncommon either nationally or within the relevant ecological scale (C) The ecological site contains indigenous vegetation or an indigenous taxon that is (i) endemic to the Northland/ Auckland region (ii) At its distribution limit in the Northland region (D) The ecological site contains indigenous vegetation or an association of indigenous taxa that (i) Is distinctive of a restricted occurrence (ii) Is part of an ecological unit that occurs on a originally rare ecosystem (iii) Is an indigenous ecosystem and vegetation type that is naturally rare or has developed as a result of an unusual environmental factor(s) that occur or are likely to occur in Northland:	A(i)Yes area to rear of proposed Lot 2 Covenants R & Q and Wetland X (ii) <i>WF9 Taraire tawa</i> mapped but remnant not representative (iii) no B) Freshwater fish with kōaro potential (<i>At Risk – Declining</i>) and banded kokopu (<i>Regionally Significant</i>) C) NI Brown Kiwi (<i>Not Threatened</i>) riparian margins D) (i) A1 creek with riparian cover & no obstruction–freshwater fish association MODERATE	A(i) WETLAND Y is within the Level II mapping (iii) – Marsh Wetland Y - YES size but not >50% indigenous LOW -MODERATE
(3)DIVERSITY AND PATTERN (A) Indigenous vegetation or habitat of indigenous fauna that contains a high diversity of: (i) Indigenous ecosystem or habitat types; or (ii) Indigenous taxa (B) Changes in taxon composition reflecting the existence of diverse natural features or ecological gradients; or (C) Intact ecological sequences	A)(i) & (ii); (B) remnant is of subdued diversity and habitat provision restricted to mostly canopy species due to grazing; creek has hydrological habitat diversity allowing occupation fish association with different requirements eg. pools undercut banks rapid- riffle sequence C) Connection to tributary wetlands identified and downstream large wetland and waterway v in short series to Waitangi LOW - MODERATE	A) The wetlands do not have a high diversity of indigenous flora. The wetlands provide a basic change in vertical and moisture niches from broad dryland B/C)As sequence headwater seepage- marsh-creek-River LOW - MODERATE
(4) ECOLOGICAL CONTEXT (A) Indigenous vegetation or habitat of indigenous fauna is present that provides or contributes to an important ecological linkage or network, or provides an important buffering function: or (B) The ecological site plays an important hydrological, biological or ecological role in the natural functioning of a riverine, lacustrine, palustrine, estuarine, plutonic(including karst), geothermal or marine system (C) The ecological site is an important habitat for critical life history stages of indigenous fauna including breeding/ spawning, roosting, nesting, resting, feeding, moulting, refugia or migration staging point (as used seasonally, temporarily or permanently	A) A1 creek with large wetland downstream & riparian cover – Waitangi in series – corridor for native diadromous freshwater . Remnant buffers creek and as headwater B) Freshwater input to Waitangi C) Native diadromous freshwater fish habitat Freshwater source for local terrestrial fauna MODERATE	A) & B) The wetlands are a headwater source & CSA of the creek/ gully swamp/habitat with nutrient processing and minor stormwater retention . C)Basic freshwater source and territorial higher economics over dryland pasture in times of drought for local fauna eg. kiwi LOW- MODERATE

Significance of the wetlands include as higher territorial economics for birds including ground dwelling kiwi; integral connectivity with further extent of the gully wetland to the Waitangi River physical and functional buffering to downstream aquatic environments and natural pattern.

We rate the proposed Lot 2 development area as **NEGLIGIBLE**. No highly mobile species⁴⁸ are likely dependant on the areas for any part of their lifecycle. There is **potential** for kiwi to be utilise footprint of clearance areas, as part of the wider site territory. Clearance of these is unlikely to affect any of these species in a significant adverse way. All will live closely proximate with residential occupation if predator control in functional habitat allows. We recommend a pre works site check for daytime sheltering kiwi if pasture is allowed to become rank prior to development. It is an offence under the Wildlife Act 1953 to **intentionally** harm, disturb or kill native wildlife.

Individual site species are assigned significance based on threat status, contributing to Appendix 5 criteria assessment.

TABLE 10: FACTORS TO CONSIDER IN ASSESSING SPECIES VALUE (TABLE 5 EIANZ 2018)

VALUE	EXPLANATION	SPECIES PRESENT IN ZOI	STATUS
VERY HIGH	Nationally Threatened species (<i>Critical, Endangered or Vulnerable</i>) found in the Zone of Influence or likely to occur there, either permanently or occasionally		
HIGH	Nationally At Risk species (<i>Declining</i>) found in the ZOI or likely to occur there, either permanently or occasionally	kōaro	AT RISK- DECLINING
MODERATE-HIGH	Species listed in any other category of At Risk category (<i>Recovering, Relict or Naturally Uncommon</i>) found in the Zone of Influence or likely to occur there, either permanently or occasionally.		
MODERATE	Locally uncommon/rare species but not <i>Nationally Threatened</i> or <i>At Risk</i> .	NI Brown Kiwi Banded Kōkopu	NOT THREATENED – CONSERVATION DEPENDANT ; REGIONALLY SIGNIFICANT NOT THREATENED- REGIONALLY SIGNIFICANT
LOW	Species <i>Not Threatened</i> nationally and common locally.	Insectivores e.g. fantail; kingfisher; grey warbler	NOT THREATENED
NEGLIGIBLE	Exotic species, including pests	e.g. magpie; skylark	INTRODUCED - NATURALISED

The site canopy species are common as individual species. The kahikatea – tōtara association is not rare in itself and is not of a *WF8 Kahikatea pukatea* swamp forest type association in the ED. Although intrinsically valuable as a mature remnant with riparian protection, the component species are not considered significant under Appendix 5: *Criteria Rarity 2(B)* for species value alone, in accordance with regional guidance⁴⁹. We assign them a LOW species value as per *EIANZ Table 5* criteria. Other flora are also LOW value species, common in the ED & onsite. Exotics weeds are **NEGLIGIBLE** value.

⁴⁸ NPSIB (2023) *Appendix 2: Specified highly mobile fauna*

⁴⁹ Wildlands (2019) Guidelines for the application of ecological significance criteria for indigenous vegetation and habitats of indigenous fauna in the Northland Region. Contract Report 4899a;

The majority of fauna species utilising the site have *LOW* species value, other than potential fish species sighted.

The significance ratings for each of the 4 criteria in RPS *Appendix 5* are combined to give an overall single value according to *EIANZ Table 6* below. This should not however suppress any impact consideration of a single value or component, particularly if effects extend to a wider ZOI.

TABLE 11: SCORING FOR SITES COMBINING VALUES FOR SIGNIFICANCE CRITERIA (TABLE 6 EIANZ)

VALUE	EXPLANATION
VERY HIGH	Area Rates VERY HIGH for 4 or all of the matters in Appendix 5 RPS. Likely to be nationally important and recognised as such
HIGH	Area rates HIGH for 2 of the assessment matters. Moderate and LOW for the remainder
MODERATE	Area rates HIGH for one matter, MODERATE & LOW for the remainder Area rates MODERATE for 2 or more of the criteria. LOW or very LOW for the remainder. Likely to be significant in the ED
LOW	Area rates LOW or VERY LOW for all but one MODERATE. Limited ecological value other than as habitat for local tolerant species.
NEGLIGIBLE	Area rates VERY LOW for 3 matters and MODERATE- LOW or LOW for the remainder.

Identified significance is considered concentrated in the remnant, wetlands and creek. The site contributes as a part of a contiguous hydrological and cover ecological unit, with reduced biodiversity and habitat provision but retaining *Moderate* significance overall. The loss of the footprint of residential development in the short grazed pastoral extent of proposed Lot 1 is unlikely to affect any factors in a significant adverse way.

SUMMARY OF ECOLOGICAL ISSUES IDENTIFIED

In summary, key environmental issues existing prior to proposal development are identified below. These are a combination of implied, from desktop review, and observed:

TABLE 12: CURRENT SITE ISSUES IDENTIFIED PRIOR TO PROPOSAL

EXISTING ISSUE	STATUS	MANAGEMENT
STATE OF EXISTING NATIVE ECOSYSTEMS	Pest & weed ingress Majority of site simple biodiversity Edge effects –limited understory and regeneration Risk of further loss of integrity from weeds or ongoing encroachment into higher value riparian gully Likely pest populations & historic stock a contributing factor and re establishment from limited populations not occurring Stock in wetlands Ongoing senescence of likely without intervention	Weed control Pest control to maintain/ bolster avifauna Stoats; cats; rats Buffer planting of boundary and CSAs prevent inadvertent clearance bolster & natural regeneration of absent podocarps and broadleaved canopy species; reduce edge effects and protection of waterway
FORMAL PROTECTION OF SIGNIFICANT VALUES	NONE	Formalised weed & pest control Revegetation and formal protection of remnants and wetland Buffer infill of remnants within fenceline margin & 3m around CSA wetlands allowing for contour and natural form

Issues identified are common throughout Northland ecosystems, representing a baseline for cumulative effects that may occur with the increase of residential development but alternatively also be addressed by the proposal to provide a positive effect.

The majority of original native vegetation within and surrounding the subject site has been removed historically over the areas extended pastoral history. Insectivores and kiwi are generally malleable to these modified environments with the proviso of cover and pest control. However, incremental ongoing loss may cause detrimental effects on common or adaptable species if that is all that remains.

As the broad pasture of the Lots is highly modified, its development for proposed Lot 1 occupation will be minimal and avoid adverse effects. However, historical vegetation clearance, grazing to date, with covalent hydrological modification of the catchment, has made the bush remnant; creek and wetlands more vulnerable to senescence; erosion; sediment and nutrient input and flooding due to increased stormwater runoff from impervious surfaces.

Without attenuation and filtering (riparian margin) the site wetlands could be subject to increased local flood risk, incision, erosion; sediment deposition; hydrological change after either or both

- acute (with storm events)
- chronic (due to accumulation over time)

This in turn will produce further effects on aquatic life. Cumulative vegetation loss and hydrological change may have a high impact on water quality, hydrology and the native fauna that use these habitats e.g. fish; invertebrates. The opportunity to protect the site wetlands and stream corridor through retirement, buffering and formal protection mechanisms is provoked by the subdivision, with gross ecological benefit and positive effect, including to the downstream Waitangi.

EIANZ METHODOLOGY

Assessment of effects follows the systematic process of the EIANZ⁵⁰ Guidelines as best practice.

DEVELOPMENT PHASE

The primary potential effects from are limited to

- Vegetation removal wetland
- Loss of extent; values or hydrological change of wetland through uncontrolled earthworks and stormwater/ sediment discharge resulting in loss of aquatic habitat including native freshwater fish

RESIDENTIAL OCCUPATION

Additional potential, but avoidable effects of include

- pets within a *High Density Kiwi* zone (DoC 2018)
- landscaping/ gardening alteration of the remnant vegetation; creek and wetlands
Disturbance and displacement of fauna species by light & noise
- Biosecurity – introduction/ increase of pests weeds and exotic vegetation
- Loss of extent; values or hydrological change of wetland through stormwater/ sediment discharge resulting in loss of aquatic habitat including fish species
- Increase traffic movements along proposed Lot 1 access to new residence adjacent Covenants T & S

Standard criteria are utilised in a matrix framework to determine the impact of a proposal on a habitat, incorporating a three step process:

- **ECOLOGICAL VALUES** are ranked on a scale of *Negligible, Low, Moderate, High, or Very High*.
- **MAGNITUDE OF EFFECTS** on these values is ranked on a similar scale (EIANZ TABLE 8)
Magnitude is determined by a combination of scale (temporal and spatial) of effect and degree of change that will be caused in or to the ecological component. It should initially be considered in a raw or unmitigated form.
- **OVERALL LEVEL OF EFFECT** is determined by a combination of value and the magnitude of the effect. (EIANZ TABLE 10)

ECOLOGICAL VALUES

As before, broad pasture of the Lots has **NEGLIGIBLE** significance, with no important loss of habitat for identified **potential** species.

Potential adverse effects to the **MODERATE** site features of the riparian gully vegetation and stream and wetlands as immediate receiving environment.

The interaction of magnitude of effect and ecological value (or significance) of species and habitat gives the **unmitigated level of effect** as per *EIANZs Table 10* (below). This resultant level of effects is then a guide to the extent and nature of the ecological management required to render them acceptable in the statutory framework.

⁵⁰ EIANZ Environmental Institute of Australia and New Zealand

MAGNITUDE OF EFFECTS

Consideration of a raw proposal form **without any mitigation** is best practice methodology. We considered the magnitude of unmitigated effects of construction and introduction of residential occupation, as the primary focus, in terms of a change from the current ecological context, as per EIANZ criteria below. This incorporates the quality of features in absolute terms of cover; role in ecosystem function and species value. Potential effects as described would have a **MODERATE** magnitude of effects.

TABLE 13: CRITERIA FOR DESCRIBING MAGNITUDE OF EFFECT (EIANZ 2018 TABLE 8)

MAGNITUDE	DESCRIPTION
VERY HIGH	Total loss of, or very major alteration to, key elements/features/ of the existing baseline conditions, such that the post-development character, composition and/or attributes will be fundamentally changed and may be lost from the site altogether; AND/OR Loss of a very high proportion of the known population or range of the element/feature
HIGH	Major loss or major alteration to key elements/features of the existing baseline conditions such that the post-development character, composition and/or attributes will be fundamentally changed; AND/OR Loss of a high proportion of the known population or range of the element/feature
MODERATE	Loss or alteration to one or more key elements/features of the existing baseline conditions, such that the post-development character, composition and/or attributes will be partially changed; AND/OR Loss of a moderate proportion of the known population or range of the element/feature
LOW	Minor shift away from existing baseline conditions. Change arising from the loss/alteration will be discernible, but underlying character, composition and/or attributes of the existing baseline condition will be similar to pre-development circumstances or patterns; AND/OR Having a minor effect on the known population or range of the element/feature
NEGLIGIBLE	Very slight change from the existing baseline condition. Change barely distinguishable, approximating to the 'no change' situation; AND/OR

The interaction of magnitude of effect and ecological value (or significance) of species and habitat gives the **unmitigated level of effect** as per EIANZs Table 10 (below). This resultant level of effects is then a guide to the extent and nature of the ecological management required to render them acceptable in the statutory framework.

Impact management should enable maintenance or improvement of existing biodiversity (EIANZ 2018).

Effects management is to be applied directly adjacent the site ecological features as the point of impact where potential effects will likely occur.

TABLE 14: CRITERIA FOR DESCRIBING LEVEL OF EFFECTS (EIANZ TABLE 10)

		ECOLOGICAL &/OR CONSERVATION VALUE				
		VERY HIGH	HIGH	MODERATE	LOW	NEGLECTIBLE
MAGNITUDE	VERY HIGH	VERY HIGH	VERY HIGH	HIGH	MODERATE	LOW
	HIGH	VERY HIGH	VERY HIGH	MODERATE	LOW	VERY LOW
	MODERATE	VERY HIGH	HIGH	MODERATE	VERY LOW	VERY LOW
	LOW	MODERATE	LOW	LOW	VERY LOW	VERY LOW
	NEGLECTIBLE	LOW	VERY LOW	VERY LOW	VERY LOW	VERY LOW
	POSITIVE	NET GAIN	NET GAIN	NET GAIN	NET GAIN	NET GAIN

MANAGEMENT

Proposed Lot 2 has accessible contour with exotic pasture of *NEGLECTIBLE* significance to accommodate a building site. Any fauna utilising the area are generalists without obligate adaption or co occurrence or parasitic relationship or to any floral association or habitat present. Conversely, demarcation of a wetland buffers and planting area on proposed Lot 2 is recommended to ensure contractors avoid accidental incursion and unquantified effects e.g. clearance; pushing fill back into vegetation; sediment / stormwater discharge - an unintentional communality in many such situations.

A permanent and consistently increased level of effects directly adjacent the *MODERATE* value riparian creek habitat as ZOI is to be countervailed by buffering with infill planting between the existing fencing to the dripline. A *net gain* and *additionality* in cover and habitat is achieved through appropriate measurable currencies- increase in indigenous floral diversity, restoration of pattern and integrity. This primarily takes the form of active restoration to increase habitat and quality supported by pest and weed control, while providing a light and disturbance buffer to internal habitat of the Marginal Strip and Stream.

- ✓ 1470m² approx. infill planting of open edge adjacent remnants R, S & T within existing fenceline
- ✓ 1950m² approx. –3m buffer sedges around wetlands

The proposed revegetation areas represent a *NET GAIN*⁵¹ and *ADDITIONALITY* in density; protection and biodiversity over the current status that would not have occurred in the absence of the subdivision proposal. Landscape permeability for low or ground dwelling fauna will be retained allowing natural dispersal across the wider extent of local cover and within potential meta populations. Other positive effects will be:

- increase the ability of the site to accommodate the stormwater dispersal to ground protective of the creek in sequence to downstream wetland and creek as Waitangi headwater
- visual definition of the protected areas to future owners to prevent future clearance.
- Increase site seed sources for natural regeneration
- Increased diversity & territorial economics for fauna over the current early successional state e.g. berries; nectar.

We recommended varietals are not used, plants are eco- sourced from east coast Northland and no kauri should be introduced.

⁵¹ net gain means that the measurable positive effects of actions exceed the point of no net loss.

Planting of the remnant edge with a more biodiverse secondary association will improve quality of vegetation as habitat, ensure resilience of remaining cover and 'short circuit' an otherwise prolonged successional process.

The wetland buffer vegetation will improve habitat through riparian structure and diversity and buffer the wetland from surrounding landuse. The 3m border of dense sedges or flax and cabbage trees is apt to the smaller unit with intermittent hydrology and no internal habitat. The majority of sediment is trapped within the first 2m of a source by dense ground cover and this is considered an appropriate width. The revegetation is a positive effect of the proposal to provide joint functional purpose of aquatic function (attenuation; shade; sediment control; bank stabilization) and amenity with the rural landscape.

In order to ensure the required measurable biodiversity outcomes are achieved, and there is no change to *values* in the immediate ZOI, a quantifiable currency is required that can be monitored, as per *TABLE 15*:

TABLE 15: REVEGETATION & ENHANCEMENT MANAGEMENT

MEASURABLE PARAMETER	REVEGETATION & ENHANCEMENT	MEASUREMENT
AREA	Total planting area (approx.3420m ²) includes: 1950² approx. infill planting of open area between fenceline and dripline understory mid successional shade tolerant appropriate to predicted forest type and location 1470m² approx. –3m minimum buffer sedges; flax; cabbage tree around wetlands: - Y -726m² - U-400 m² - V;X;W -346m²	M ²
DIVERSITY	A greater diversity of indigenous flora species is proposed These include higher value canopy species; kowhai; kohekohe; rewarewa;	Numerical increase of appropriate species not currently present
DENSITY	Planting will be at an increased density to that as current which is impacted by edge effects and weed presence	Direct measurement of spacing
PATTERN	Planting of indigenous canopy species will restore wetland pattern & WF11character	Number of species used
INTEGRITY	Weed density will be removed dominance as current	Indigenous vs exotic dominance with a standard of 90%
TIMING	Successful establishment of restoration planting within first planting season post earthworks measured by date of completion	Date completed
STORMWATER	The discharge does not result in cause any conspicuous change in colour or visual clarity of the receiving water; conspicuous oil or grease films, scums or foams, or floatable or suspended material; any emission of objectionable odour in the receiving water; more than 15 milligrams per litre of total petroleum hydrocarbons. Discharge is diffuse and there is no significant scour, erosion or loss of vegetation at discharge sites or source areas (CSA)-buildings sites	As given

Additional potential, but avoidable effects of development are hydrological change; ongoing encroachment/ clearance; loss of wetland extent and weed and pest incursion.

- Best practice earthworks methodology
 - Kiwi dog check prior to site works if pasture is not grazed short prior
 - Machinery clean of soil and debris prior to site entry
- In the first planting season following approval implement a planting plan designed by a suitably qualified and experienced professional incorporating recommendations of this report
 - indigenous local species
 - aligned with *WF9 Taraire tawa* or *WF11 Kauri podocarp broadleaved forest type* as appropriate to ground moisture conditions
 - high density

- coastal influence
- low flammability
- incorporating canopy species as larger grade to hasten food provision and height heterogeneity
- stock proof fencing if grazing is to continue
- Indigenous site vegetation outside of the residential envelopes is to be formally protected through a statutory mechanism to ensure current and future owners avoid further impact during development or residential occupation.
- Formal management of all indigenous vegetation onsite by a Weed; Pest and Revegetation Management Plan (WPRMP) specifying monitoring and reporting procedures prepared by a suitably qualified and experienced ecologist designed in general accordance with the EclA to remedy existing issues and mitigate loss of cover by increasing biodiversity, functionality as habitat and type representation of that remaining.
- Key objectives of the WPRMP include -
 - No cats; dogs or mustelids with predator control to provide higher functionality of remaining habitat. Dog grandfather clause carried over from RC 2200445.
 - Consent conditions to include no outdoor fires; no floodlighting of protected areas ; outdoor lighting to be hooded and no blue light spectrum to avoid impacts on local nocturnal species
 - Browser control to allow establishment of revegetation and natural regeneration as the site develops.
 - Ongoing prevention/ removal of exotic infestations enabling increased and more diverse natural regeneration assisted by the browser control; buffer planting and infill
 - Observe Northland Regional Pest Management Plan obligations (NRPMP) including site priority Sustained Control Species and the absence of any NRPMP Exclusion; Eradication or Progressive containment species
 - Exotic vegetation which could adversely affect natural regeneration or local forest health is not introduced. This includes environmental weeds⁵² and those listed in the National Pest Plant Accord⁵³.

Cats and dogs are a primary threat and are to be excluded as standard in a *Kiwi HIGH DENSITY* zoning, including contractors dogs.

As per the TEC mapping recommendation, formal protection and continued preservation of the remainder of the site vegetation with *MODERATE* significance, protective of the creek with *MODERATE – HIGH* significance, would be suitable under one of the formal instruments recommended as per the FNDCOP, allowing rates relief as per FNDC Policy P21/01.

- *FNDC OPERATIVE PLAN 13.7.3.9 PRESERVATION OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES*
 - **(g)i a reserve or covenant under the Reserves Act.**
- *RATING RELIEF POLICY P21/01 LAND SUBJECT TO PROTECTION FOR OUTSTANDING NATURAL LANDSCAPE, CULTURAL, HISTORIC OR ECOLOGICAL PURPOSES CRITERIA*
 - **2(d) a declaration of protected private land under Sec 76 of the Reserves Act 1977**

This requires legal agreement between the *Ministry*⁵⁴ and the *administering body*⁵⁵ (which may be the owner/s/) as to preserve the land for purpose specified in *RESERVES ACT (1977) Secs 17-21*, in this instance **SEC 20 NATURE RESERVES**, as most appropriate:

⁵² McAlpine, K & Howell, C. Clayson (2024) List of environmental weeds in New Zealand. Science for Conservation Series 340, DoC Wellington

⁵³ Latest List - <https://www.mpi.govt.nz/dmsdocument/3664-National-Pest-Plant-Accord-manual-Reprinted-in-February-2020-minor-amendments-only>

⁵⁴ *Minister* means the Minister of Conservation

(1) for the purpose of protecting and preserving in perpetuity indigenous flora or fauna or natural features that are of such rarity, scientific interest or importance, or so unique that their protection and preservation are in the public interest.

Further Nature Reserve general conditions refer *Appendix 1*. The land is then subject to general management requirements of the *Reserves Act Secs 93-105* as per

38 CONTROL AND MANAGEMENT OF LAND THAT IS NOT A RESERVE*(3) While an arrangement as aforesaid remains in force, sections 93 to 105 shall, as far as they are applicable and with the necessary modifications, apply to that land in all respects as if it were a reserve under this Act: provided that in their application to any such land sections 93 to 105 shall be read subject to any agreement between the owner, lessee, or licensee of the land and the Minister preserving to the owner, lessee, or licensee the right to do any act or thing forbidden by this Act.*

These conditions, along with FNDC Policy P21/01 require a Management Plan *detailed how the values of the land will be maintained, restored and/or enhanced*⁵⁵.

Accordingly in order to gain rates relief the land *must not be in use*. The WPRMP will form the basis of the Reserve Management Plan required as per FNDC Policy P21/01 & Section 38 of the Reserves Act (1977) to enable rates relief.

Recognition of the significance of the creek as the receiving environment promotes the intent of NPS-FM (2020) policies and pre-emptive avoidance of effects through best practice stormwater design.

Potential development impacts may be managed by protective regulations of the NES-F (2020) and best practice stormwater design.

Drainage/ destruction of wetlands is a prohibited adverse effect and it is presupposed through pre-emptive subdivision and infrastructure design parameters that this will not occur. The proposed Lot 1 building platform does not occupy critical source areas, seepages or overland flow paths that through its formation may **change the water level range or hydrological function of the seepage / marsh or gully wetlands**.

Minor natural diffuse or sheetflow inputs to the gully wetland within 100m may be *diverted* by the change of site cover on proposed Lot 1, however in the absence of alteration of any point source inputs or seepages it is unlikely to **change the water level range or hydrological function of the wetlands**.

Likewise, earthworks within 100 or 10m will not result in *complete or partial drainage of all or part of the wetland* as per *Reg 52(i);(ii) & Reg 54 (c) & (d)* if they do not occupy or intersect with wetland. Best practice earthworks and sediment control to prevent infilling is considered sufficient mitigation with designated earthworks envelopes to ensure contractors avoid accidental incursion and unquantifiable effects.

Stormwater inputs to the gully wetland represents a discharge within 100m, non-complying under *Reg 54(d) NES- F (2020)*. Inputs that are tributary to the gully wetland should be diffuse and in a manner that prevents sediment, scouring or erosion as best practice to avoid adverse effects and to maintain aquatic habitat condition in the absence of unmitigated point source

⁵⁵ administering body, in relation to any reserve, means the board, trustees, local authority, society, association, voluntary organisation, or person or body of persons, whether incorporated or not, appointed under this Act or any corresponding former Act to control and manage that reserve or in which or in whom that reserve is vested under this Act or under any other Act or any corresponding former Act; and includes any Minister of the Crown (other than the Minister of Conservation) so appointed

⁵⁶ FNDC RATING RELIEF POLICY P21/01 Conditions and Criteria 1)

discharge and revegetation of open source areas, the waterway is unlikely subject to potential effects. Interaction is to be controlled by engineering best practice to avoid impacts from development and residential infrastructure in accordance with parameters of GD01, GD05 & TP 90.

A short access from Easement C will require crossing of an ephemeral modified watercourse. The historic crossing point is to be utilised as *other infrastructure*. With the proviso that any irregular flow is allowed to continue to the receiving gully wetland, there will also be no effect. There is no fish habitat onsite or upstream beyond this point to allow passage for.

Site procedures for residential and infrastructure development should include contingencies in the event of

- discharge of fuels;
- clearance of undesignated areas;
- actions to take if native fauna is discovered in works area, injured or killed (contact consulting ecologist & /or DoC hotline -800 DOC HOT 0800 362 468)

No indigenous vegetation clearance is required. Pasture in proposed Lot 1 or for Easement C works area should be grazed short prior to earthworks to avoid provision of shelter for kiwi/ or kiwi dog check prior to clearance.

In the absence of development, no stock exclusion is required for this lowland production orientated landscape from a lowland wetland⁵⁷ <500m². This action may be considered a positive effect of the subdivision activity as grazing of the seepage/ overland flowpaths could continue otherwise.

Also beyond regulatory requirements, protection and revegetation is proposed on the southern bank riparian area of the gully wetland, within Lot 2 DP 566421 and the proposed revegetation therein (RC 2250234). It will extend to a width of 10m along most of the northern boundary, recommended as a minimum advisable riparian buffer⁵⁸. This morphs at the northwest corner to encompass a far larger portion containing the mature remnant podocarps and overland flow paths that contribute site hydrology as point source to the waterway. A diversity of appropriate riparian species will be planted including local canopy species of predicted ecosystem type of *WF11 Kauri podocarp broadleaved* referenced by the closely adjacent *Atkins Bush PNA (#P05/075)*.

Other *positive* effects of planting will be

- increase the ability of the site to accommodate diffuse runoff from upper pasture
- visual definition of the protected areas to future owners
- Increased diversity & territorial economics for fauna e.g. berries; nectar.

We recommended varieties are not used are eco- sourced and no kauri should be introduced.

Pest control is required indefinitely to maintain vegetation as functional habitat, as opposed to simple provision of cover. High value fauna present may exist in proximity to peri urban areas as long as there is sufficient functional habitat and pest control. Long term pest management

⁵⁷ As mapped for the Lot PNRP. The wetland as a contiguous unit is >500m²

⁵⁸ NIWA (2000) Review of Information on riparian buffer widths necessary to support sustainable vegetation and meet aquatic functions TP350 Auckland Regional Council

coupled with habitat preservation will ensure the sites ability to support more individuals, concomitantly increasing survival.

In terms of the ecological values ascertained wider offsite e.g. further gully wetland & PNA mapping, no aspects are considered to be at risk from the development, providing typical management is applied to the development as given in this report. Implementation of effects management is considered sufficient mitigation for progression of the proposal with a less than minor level of impact, and provide gross positive effect in excess of regulatory requirements.

We recommend formal protection and continued preservation of the revegetation and remainder of the site vegetation with *MODERATE* significance, protective of the site and downstream hydrology with *VERY HIGH* significance and in keeping with the aspiration of the TEC classifications.

Further covalent effects management provided via implementation of the Weed, Pest and Revegetation Management Plan (WPRMP), provided as Sec223 condition as standard, with recommended methodology as per this EclA to remedy existing issues and avoid effects of the development and residential occupation. This is considered sufficient mitigation for progression of the proposal with a *less than minor* level of impact.

TABLE 16: POTENTIAL ADVERSE EFFECTS & PROPOSED MANAGEMENT

IMPACT MANAGEMENT			
	AVOID	REMEDY	MITIGATE
CLEARANCE	Building site proposed Lot 1 designated to <i>Negligible</i> value pasture Designated building envelopes to be determined to avoid unforeseen clearance or disturbance to wetland/ creek/ remnant Best practice method – no depositing adjacent waterways; Kiwi dog check if pasture allowed to become rank prior Protection of remainder riparian vegetation, wetlands and buffers in formal instrument Further edge effects from clearance/ occupation avoided by maintenance requirement of buffer revegetation Use of historic crossing area as existing (other) infrastructure (NES- F) for Easement C	Buffer replanting low flammability appropriate spp around perimeter of fence- dripline S & T with infill planting to remedy historical grazing damage and loss of integrity/ resilience/ disturbance to internal habitat and stream	Formal weed control to protection of existing and new vegetation to ensure extent is maintained. Formal pest control to increase effective current & remaining habitat
IMPORT OR STOCKPILING OF MATERIALS	Not to be located outside clearance envelopes No fill to be stockpiled against trees or in vegetation edges Earthworks best practice GD05		Check for pest species Biosecurity protocol incorporated in WPRMP
STORMWATER & SEDIMENT	Best practice industry standards e.g. TP 90; GD01, GD05 Planting of clearance edges to increase interception of diffuse sources- Weed / pest control to ensure resilience of ecosystem to intercept natural and generated stormwater Stock exclusion as priority		
RISK TO THREATENED FAUNA	Preworks check to be made by ecologist/ kiwi dog for species identified in this EIA if grass allowed to become rank Contractors awareness of key species likely to be present to avoid contravening Wildlife Act No cats/ standard dog controls as commiserate with Kiwi Density Zone No dogs for contractors working or visiting onsite Planting and pest control to be prioritised in development time frame - first planting season after consent Stock exclusion priority		Pest control will also prevent excursion offsite
BIOSECURITY	Plants to be checked prior to import to site for Argentinian Ants, myrtle rust and other obvious invertebrate of weed species in containers Plants to be appropriate to local potential species composition WF9; WF11, no exotics introduced No kauri designated for planting . Machinery should be cleaned prior to entering site WPMP to include standard biosecurity measures		
CONSTRUCTION NOISE	Machinery to be serviced, appropriate and in good condition Hours of work specified; crepuscular hours avoided		
LIGHT THROW	No flood lighting of buffers/ covenants Downward facing external lighting or construction lighting; no blue light or high white spectrum LED with hoods to avoid light spillage and limit effects on nocturnal wildlife		
IRRESPONSIBLE USE OR DECLINE OF BUFFERS	Formal protective instrument No introduction of listed weeds; introduction of exotic aquatic plants or fish Maintain vegetation No deposition of vegetation or sediment where it may enter the wetland/ creek No drainage/ obstruction of flow creek No open fires in or adjacent reserves No disposal of waste or garden waste Monitoring of plantings & pest control Permanent stock proof fencing required if to be grazed		

CONCLUSION

This review included available documentation of the proposal and ecological context, the latter primarily from aerial photography and online mapping, complimented by fieldwork.

Natural inland wetland (NPS FM 2020) of marsh character subject to the *National Environmental Standards for Freshwater NES – F (2020)* have been determined onsite of MODERATE significance derived from higher territorial economics for fauna; natural pattern; as CSA and buffering to the aquatic environments downstream.

The development site of proposed Lot 1 and Easement C have NEGLIGIBLE significance. Potential adverse development and residential intensification effects have been pre-empted by their recognition in a strategy specifically to protect and enhance significance values of the wider overall development as an ecological unit.

As per the effects management hierarchy, avoidance has been prioritised, including potential impacts on the significant values of the site ecological features.

The proposal achieves *net gain* and *additionality* achieved through appropriate measurable currencies- increase in indigenous floral diversity, restoration of pattern and integrity. Within a short timeframe revegetation and enhancement with concomitant pest and weed control can be enacted to confer gross net ecological benefit in conjunction with amenity value. This will allow continuity of natural processes e.g. regeneration, and identified and potential values will be amplified.

Although management actions are constrained to the property boundaries, positive gains will extend to neighbouring properties, consolidating efforts as part of parallel subdivision applications and revegetation on neighbouring Lots 2 & 4 DP 566421, and reducing local pest populations. Potential threats to the success of the revegetation include those common to any scheme -failure of plantings; weed and pest influence. The Weed, Pest & Revegetation Management Plan (WPRMP) will provide standard methodology to remedy existing issues and mitigate loss of cover by increasing biodiversity, functionality as habitat and representation of that remaining.

The proposal is undertaken with regard to the long term functionality and integrity of the wider environment, recognising the connectivity of the Waitangi River. Subject to the best practice stormwater and sediment control, protective regulations of the *NES – F (2020)* combined with the impact management and formal protection recommended in this EclA, the significant remnant site vegetation, creek and wetlands will not be subject to adverse effects, including loss of identified *values (NPS –FM 2020)*. These integrated mechanisms will serve to commend persistent indigenous habitat and character within the proposal, with a level of effects that can be addressed through the EMH to obtain a *VERY LOW* impact (EIANZ 2018) or *less than minor* level of effects.



REBECCA LODGE, PRINCIPAL ECOLOGIST
BScEcology PGDipSci (Distinction) Botany



APPENDIX 1: RESERVES ACT (1977) NATURE RESERVE CONDITIONS

20 NATURE RESERVES	
(1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as nature reserves, for the purpose of protecting and preserving in perpetuity indigenous flora or fauna or natural features that are of such rarity, scientific interest or importance, or so unique that their protection and preservation are in the public interest.	
(2) It is hereby further declared that, having regard to the general purposes specified in subsection (1), every nature reserve shall be so administered and maintained under the appropriate provisions of this Act that—	
(a) it shall be preserved as far as possible in its natural state:	
(a)	it shall be preserved as far as possible in its natural state
(b)	except where the Minister otherwise determines, the indigenous flora and fauna, ecological associations, and natural environment shall as far as possible be preserved and the exotic flora and fauna as far as possible be exterminated:
(c)	for the better protection and preservation of the flora and fauna in its natural state, no person shall enter the reserve, except under the authority of a permit granted under section 48A or section 57 or in accordance with a notice given under section 57(2) and, for the purposes of this paragraph, the expression enter the reserve shall, in the case of a nature reserve or part of a nature reserve that is an island or that comprises most of an island, be deemed to include any physical contact with the land by a boat; and for this purpose any physical contact with the land shall be deemed to include the attaching (by rope or otherwise) of a boat to the reserve or to a wharf constructed on or partly on the reserve:
(d)	where scenic, historic, archaeological, biological, geological, or other scientific features are present on the reserve, those features shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve: provided that nothing in this paragraph shall authorise the doing of anything with respect to fauna that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act, or the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Heritage New Zealand Pouhere Taonga Act 2014:
(e)	to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.

APPENDIX 2: NES-F (2020)

Potential development impacts may be managed by protective regulations of the *NES-F (2020)* and best practice stormwater design.

Drainage/ destruction of wetlands is a prohibited adverse effect as per *NES – F REG 53* and it is presupposed through the current pre emptive subdivision and infrastructure design parameters that this will not occur.

TABLE A: NES-F (2020) REG 53

DRAINAGE OF NATURAL INLAND WETLANDS: 53 PROHIBITED ACTIVITIES	
(1) Earthworks within a natural inland wetland is a prohibited activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and	NO ACTIVITIES
(b) does not have another status under any of regulations 38 to 51.	Culvert replacement for Easement C has status under REG 46 Maintenance and operation of specified infrastructure
(2) The taking, use, damming, or diversion of water within a natural inland wetland is a prohibited activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and	NO ACTIVITIES
(b) does not have another status under any of regulations 38 to 51.	N/A

Easement C crossing & culvert upgrade is considered *other infrastructure*⁵⁹ under the *NES- (2020)*, as illustrated in the historic aerial review & shown Fig 3. This will be <10m of *natural inland wetland* in the modified watercourse. Minor maintenance is a permitted activity, however the extension cannot comply with *REG 46 Permitted activities- Maintenance and operation of specified infrastructure and other infrastructure*.

It is therefore a *Restricted Discretionary* activity as per *REG 47*, with matters subject to *REG 56 Restricted discretionary activities* and subject to the EMH. Application for resource consent will be required to NRC in this regard.

⁵⁹ As defined in the NPS-FM Infrastructure present prior to commencement of the regulations (2/9/2020) is considered *other infrastructure*.

TABLE B: PERMITTED ACTIVITIES REG 46 MAINTENANCE AND OPERATION OF SPECIFIED INFRASTRUCTURE AND OTHER INFRASTRUCTURE

PERMITTED ACTIVITIES REG 46 MAINTENANCE AND OPERATION OF SPECIFIED INFRASTRUCTURE AND OTHER INFRASTRUCTURE	
(1) Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it— (a) is for the purpose of maintaining or operating specified infrastructure or other infrastructure ; and (b) complies with the conditions.	Activity requires modification of other infrastructure
(2) Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it— (a) is for the purpose of maintaining or operating specified infrastructure or other infrastructure ; and (b) complies with the conditions.	Activity requires modification of other infrastructure
(3) The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural inland wetland is a permitted activity if— (a) the activity is for the purpose of maintaining or operating specified infrastructure or other infrastructure; and (b) there is a hydrological connection between the taking, use, damming, diversion, or discharge and the wetland; and (c) the taking, use, damming, diversion, or discharge will change, or is likely to change, the water level range or hydrological function of the wetland. (d) the activity complies with the conditions	Activity requires modification of other infrastructure
CONDITIONS (4) THE CONDITIONS ARE THAT—	
(a) the activity must comply with the general conditions on natural inland wetland activities in regulation 55, but regulation 55(2), (3)(b) to (d), and (5) do not apply if the activity is for the purpose of maintaining or operating— (i) hydro-electricity infrastructure; or (ii) any public flood control, flood protection, or drainage works that are specified infrastructure; and (b) the activity must not be for the purpose of increasing the size, or replacing part, of the specified infrastructure or other infrastructure unless the increase or replacement is to provide for the passage of fish in accordance with these regulations; and (c) the activity must not result in the formation of new pathways, boardwalks, or other accessways; and (d) if the activity is vegetation clearance, earthworks, or land disturbance, the activity must not occur over more than 500 m ² or 10% of the area of the natural inland wetland, whichever is smaller; and (e) if the activity is earthworks or land disturbance,— (i) trenches dug (for example, to maintain pipes) must be backfilled and compacted no later than 48 hours after being dug; and (ii) the activity must not result in drains being deeper, relative to the natural inland wetland's water level, than they were before the activity; and (f) if the activity is a discharge of water, it must not be a restricted discretionary activity as described in regulation 47(3A)	CANNOT COMPLY WITH CONDITION 4 (B) & (C)

TABLE C: NES – F 56 RESTRICTED DISCRETIONARY ACTIVITIES

NES-F REG 56 :RESTRICTED DISCRETIONARY ACTIVITIES- MATTERS TO WHICH DISCRETION IS RESTRICTED	
REGULATION	PROPOSAL
The discretion of a consent authority is restricted to the following matters if an activity is a restricted discretionary activity under this subpart:	
(a) the extent to which the nature, scale, timing, intensity, and location of the activity may have adverse effects on— (i) the existing and potential values of the natural inland wetland, its catchment, and the coastal environment; and (ii) the extent of the <i>natural inland wetland</i> ; and (iii) the seasonal and annual hydrological regime of the natural inland wetland; and (iv) the passage of fish in the natural inland wetland or another water body:	Earthworks for culvert modification easement C is unlikely to have adverse effects on any of (1) – (4) due to small area of loss; gain of extent from stock exclusion and current long standing lack of fish passage
(b) whether there are practicable alternatives to undertaking the activity that would avoid those adverse effects:	Design and engineering consultant strands have determined the activity location and design is the primary option

(c) the extent to which those adverse effects will be managed to avoid the loss of the extent of the natural inland wetland and its values:	Wetland values are limited to functional retention and processing of nutrient by highly resilient and regenerative wetland grass species <i>Paspalum distichum</i> (exotic) & <i>Isolepis</i> sedge. Stock exclusion will have a larger impact than loss of a small area of the wetland for culvert Easement C upgrade.
d) other measures to minimise or remedy those adverse effects:	Buffering of the riparian margin of the receiving creek environment and further tributary wetlands in the same immediate catchment is proposed downstream, further reducing sediment and nutrient input. An offset of the functional values of the small culvert area Easement C will have benefit to wetland through net gain of buffer area through sediment retention with additionality of diversity and density enhancement
(e) how any of those adverse effects that are more than minor may be offset or compensated for if they cannot be avoided, minimised, or remedied: (ea) the extent to which the effects of the activity will be managed through applying the effects management hierarchy:	Effects are managed through the EMH to be less than minor
(f) the risk of flooding upstream or downstream of the natural inland wetland, and the measures to avoid, minimise, or remedy that risk:	Culvert will retain neutrality
(g) the social, economic, environmental, and cultural benefits (if any) that are likely to result from the proposed activity (including the extent to which the activity may protect, maintain, or enhance ecosystems).	The net gain and additionality will provide ecological enhancement over the status quo that would not occur without the proposal

Minor natural diffuse or sheetflow inputs to the small seepage wetland within 100m are unlikely be *diverted* by the change of site cover as they are below the catchment. In terms of the largely gully offsite wetland within 100m, in the absence of alteration of any point source inputs or seepages it is unlikely to **change the water level range or hydrological function of the wetlands.**

Likewise, earthworks within 100m or 10m will not result in *complete or partial drainage of all or part of the wetland* as per Reg 52(i);(ii) if they do not occupy or intersect with either wetland.

Potential building platforms or infrastructure in the north west of the site for occupation of proposed Lot 1 will not critical source areas, seepages or overland flow paths that through their formation may **change the water level range or hydrological function of wetland.**

TABLE D: NES-F (2020) REG 52

DRAINAGE OF NATURAL INLAND WETLANDS: 52 NON-COMPLYING ACTIVITIES	
(1) Earthworks outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and	NO Proposed Lot 1 building platforms and access are outside of seepage hydrological origin and extent and will not intersect with the wetlands to be planted/ demarcated in a 3m buffer as physical visual constraint
(b) does not have another status under any of regulations 38 to 51.	N/A
(2) The taking, use, damming, or diversion of water outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and	Works areas/ potential building platforms will not occupy with extant hydrological source of wetlands fed by seepage at their heads
(b) does not have another status under any of regulations 38 to 51.	N/A

If final building platform for proposed Lot 1 is Non Complying under *Reg 54 NES- F (2020)* *below* best practice earthworks and sediment control to prevent infilling is considered sufficient mitigation.

TABLE E: NES-F (2020) REG 54

OTHER ACTIVITIES: 54 NON-COMPLYING ACTIVITIES	
The following activities are non-complying activities if they do not have another status under this subpart:	
(a) vegetation clearance within, or within a 10 m setback from, a natural inland wetland:	NO — a 3m planted buffer is to be established around the wetlands requiring replacing exotic pasture – permitted activity REG 55
(b) earthworks within, or within a 10 m setback from, a natural inland wetland:	NO — potentially for Proposed Lot 1 house site however on the proviso it is outside of the planted buffer there will be no adverse effects as will not intersect with the hydrological source and there is no occupancy of the wetlands as internal habitat.
(c) the taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland if—	
(i) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and	NO Minor natural diffuse or sheetflow inputs to the wetlands within 100m may be diverted by the change of site cover however in the absence of alteration of any point source inputs or seepages this is unlikely to change the water level range or hydrological function of the wetlands.
(ii) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland:	
<i>(d) the discharge of water into water within, or within a 100 m setback from, a natural inland wetland if—</i>	
(i) there is a hydrological connection between the discharge and the wetland; and	AS YET UNDEFINED
(ii) the discharge will enter the wetland; and	LIKELY
(iii) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.	NO – the extant hydrological source of the wetlands is their seepages. The large offsite natural inland wetland is fed by the creek. The wetland type has developed in a pastoral catchment with variable output highly responsive to meteorological conditions and is adapted to moderate to high fluctuations without discernible shift in extent or value, including hydrological function. Inputs should be diffuse

Final stormwater engineering was not available at the time of reporting. Potential stormwater inputs to the wetland represents a discharge within 100m. As before, the extant hydrological source of the wetlands is head seepage in a pastoral catchment with variable output highly responsive to meteorological conditions. The marsh type wetland has developed developed in a pastoral catchment with variable output highly responsive to meteorological conditions and is adapted to moderate to high fluctuations without discernible shift in extent or value, including **hydrological function**. As a potential receiving environment for stormwater it can naturally tolerate moderate to high fluctuations in water levels without discernible shift in composition or aquatic life; *extent or value, including hydrological function* with the proviso that engineering will ensure final increase in impermeable area and stormwater dispersal is unlikely to have any adverse effect. Inputs should be diffuse and not cause scouring, erosion or gross sediment input to maintain aquatic habitat condition.

These controls, avoidance of effects through subdivision design and protective covenants and further constraints by adherence to the NES-F (2020) REGS are considered sufficient to avoid adverse effects on any species and habitat in the wetlands and connected waterway.



NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:

Aroona Group Limited

Address of proposed activity:

797A Waimate North Road, Kerikeri

Legal description:

Lot 3 DP 566421 - (Lot 3 LT 582867 - RC 2200445)

Description of the proposal (including why you need resource consent):

Activity A - To undertake a Non-Complying subdivision in the Rural Production zone to create 1 additional allotment.

Activity B - Landuse consent to enable future buildings to be constructed within 20m of bush.

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Scheme Plan, prepared by Williams and King dated Apr 2025
2. _____
3. _____
4. _____
5. _____
6. _____

Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

PART B – To be completed by Parties giving approval

Notes to the party giving written approval:

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

Mark and Leanne Christiansen

Address of affected property including legal description

797C Waimate North Road, Kerikeri
Lot 2 DP 566421

Contact Phone Number/s and email address

Daytime: 021 407 806

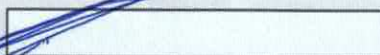
email: cbsnorthland@gmail.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

Please note: in most instances the approval of all the legal owners and the occupiers of the affected property will be necessary.

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature



Date

10.4.2025

Signature

L Christiansen

Date

10.4.2025

Signature

Date

Signature

Date

Memorandum of Proposed Easements

Shown	Purpose	Burdened Land	Benefited Land
B & C	Right of Way Right to Convey Electricity, Water & Telecommuni- cations.	Lot 1 Hereon	Lot 2 Hereon & Lot 1 DP 582867
D	Right to Drain Water	Lot 2 Hereon	Lot 1 DP 582867

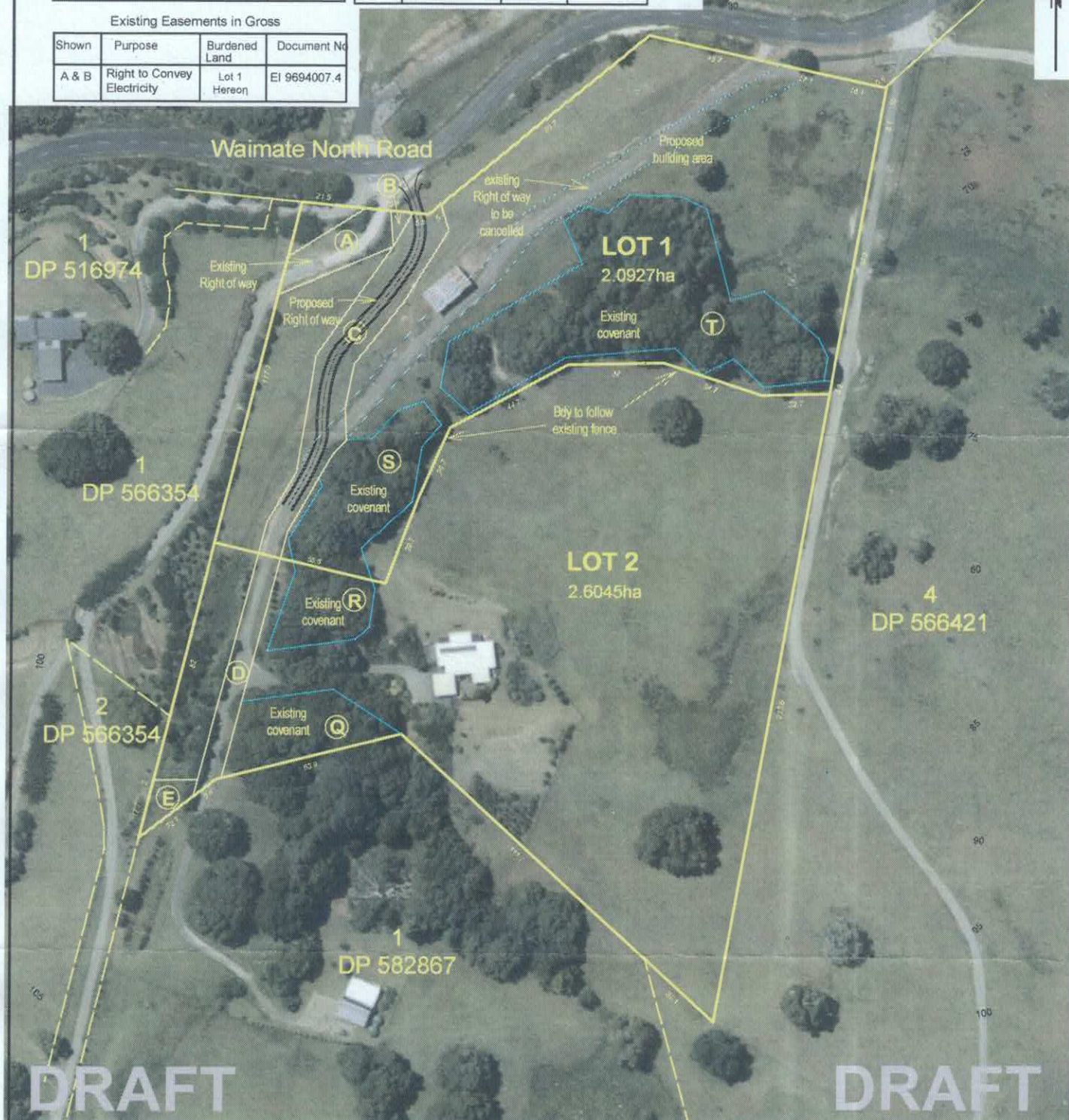
Existing Easements

Shown	Purpose	Burdened Land	Document No
A & B	Right of Way	Lot 1 Hereon	EI 9694007.3
E	Right to Convey Electricity & Telecommuni- cations.	Lot 2 Hereon	

Existing Easements in Gross

Shown	Purpose	Burdened Land	Document No
A & B	Right to Convey Electricity	Lot 1 Hereon	EI 9694007.4

DRAFT



Areas Marked Q, R, S, & T are subject to an existing consent notice.
(Areas of significant indigenous vegetation to be protected)

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

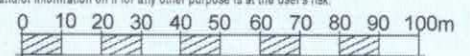
THIS DRAWING AND DESIGN REMAINS THE PROPERTY
OF WILLIAMS & KING AND MAY NOT BE REPRODUCED
WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

Local Authority: Far North District Council

Total Area 4.6957ha
Comprised in: RT

Levels in terms of: NZ Vertical Datum (LIDAR)
Contour interval is: 0.5m

This plan and accompanying report(s) have been prepared for the purpose of
obtaining a Resource Consent only and for no other purpose. Use of this plan
and/or information on it for any other purpose is at the user's risk.



Prepared for: R Martins



WILLIAMS AND KING
Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 407 6030
Email: kenikeri@saps.co.nz

27 Hobson Ave
PO Box 937 Kerikeri

**Proposed Subdivision of
Lot 3 DP 582867**

Name	Date	ORIGINAL SCALE	SHEET SIZE
Survey			
Design	W & K	Apr 2025	1:1250 A3
Drawn			
Rev			

24575



NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:	Aroona Group Limited
Address of proposed activity:	797A Waimate North Road, Kerikeri
Legal description:	Lot 3 DP 566421 - (Lot 3 LT 582867 - RC 2200445)
Description of the proposal (including why you need resource consent):	Activity A - To undertake a Non-Complying subdivision in the Rural Production zone to create 1 additional allotment. Activity B - Landuse consent to enable future buildings to be constructed within 20m of bush.
Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):	1. <u>Scheme Plan, prepared by Williams and King dated Apr 2025</u> 2. _____ 3. _____ 4. _____ 5. _____ 6. _____

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Full name/s of party giving approval:

Roderick and Megan Chrisp

Address of affected property including legal description

797B Waimate North Road
Lot 4 DP 566421

Contact Phone Number/s and email address

Daytime: 021 222 2840

email: rod.basalt@gmail.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of **all** the legal owners and the occupiers of the affected property will be necessary.*

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4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

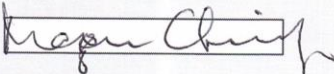
Signature



Date

10/04/25

Signature



Date

10/04/25

Signature

Date

Signature

Date

Memorandum of Proposed Easements

Shown	Purpose	Burdened Land	Benefited Land
B & C	Right of Way Right to Convey Electricity, Water & Telecommuni- cations. Right to Drain Water	Lot 1 Hereon	Lot 2 Hereon & Lot 1 DP 582867
D		Lot 2 Hereon	Lot 1 DP 582867

Existing Easements

Shown	Purpose	Burdened Land	Document No
A & B	Right of Way	Lot 1 Hereon	EI 9694007.3
E	Right to Convey Electricity & Telecommuni- cations.	Lot 2 Hereon	

Existing Easements in Gross

Shown	Purpose	Burdened Land	Document No
A & B	Right to Convey Electricity	Lot 1 Hereon	EI 9694007.4



Areas Marked Q, R, S, & T are subject to an existing consent notice.
(Areas of significant indigenous vegetation to be protected)

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

THIS DRAWING AND DESIGN REMAINS THE PROPERTY
OF WILLIAMS & KING AND MAY NOT BE REPRODUCED
WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

Local Authority: Far North District Council

Total Area: 4.6967ha

Comprised in: RT

Levels in terms of: NZ Vertical Datum (LIDAR)

Contour Interval is: 0.5m

This plan and accompanying report(s) have been prepared for the purpose of
obtaining a Resource Consent only and for no other purpose. Use of this plan
and/or information on it for any other purpose is at the user's risk.

0 10 20 30 40 50 60 70 80 90 100m

Prepared for: R Martins



WILLIAMS AND KING

Registered Land Surveyors, Planners &
Land Development Consultants

Ph: (09) 407 6030
Email: kerikeri@saps.co.nz

27 Hobson Ave
PO Box 937 Kerikeri

**Proposed Subdivision of
Lot 3 DP 582867**

Name	Date
Survey	
Design	
Drawn	W & K Apr 2025
Rev	

ORIGINAL
SCALE SHEET
SIZE
1:1250 A3

24575

Le ME

Alex Billot

From: Stuart Bracey <SBracey@heritage.org.nz>
Sent: Tuesday, 9 September 2025 1:16 pm
To: Alex Billot
Subject: RE: Request for comments - 797A Waimate North Road subdivision
Attachments: Heritage New Zealand Northland ADP modified 081018.pdf

Hi Alex,
I confirm that we will only need a ADP note on this proposed rural subdivision,

Cheers,
Stuart

Stuart Bracey | Kaiwhakamāhere | Heritage Planner | Northern Region | Heritage New Zealand Pouhere Taonga | L10 SAP
Tower 151 Queen Street Auckland CBD | Private Box 105 291 Auckland City 1143 | mobile 027 684 0833 | visit
www.heritage.org.nz and learn more about NZ's heritage places.

Tairangahia a tua whakarere; Tatakihia nga reanga o amuri ake nei – Honouring the past; Inspiring the future

This communication may be a privileged communication. If you are not the intended recipient, then you are not authorised to retain, copy or distribute it.
Please notify the sender and delete the message in its entirety.

From: Alex Billot <Alex@northplanner.co.nz>
Sent: Tuesday, 9 September 2025 9:15 am
To: Stuart Bracey <SBracey@heritage.org.nz>
Subject: RE: Request for comments - 797A Waimate North Road subdivision

Thanks very much Stuart.

Kind regards,



Alex Billot
Resource Planner

Offices in Kaitaia & Kerikeri
☎ 09 408 1866
Northland Planning & Development 2020
Limited

*My office hours are Monday, Tuesday,
Thursday & Friday 9am – 2pm.*

From: Stuart Bracey <SBracey@heritage.org.nz>
Sent: Tuesday, 9 September 2025 9:05 am

To: Alex Billot <Alex@northplanner.co.nz>

Subject: RE: Request for comments - 797A Waimate North Road subdivision

Hi Alex,

We have a Northland RC meeting today – I will make sure we have a response today,

Cheers,
Stuart

Stuart Bracey | Kaiwhakamāhere | Heritage Planner | Northern Region | Heritage New Zealand Pouhere Taonga | L10 SAP
Tower 151 Queen Street Auckland CBD | Private Box 105 291 Auckland City 1143 | mobile 027 684 0833 | visit
www.heritage.org.nz and learn more about NZ's heritage places.

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This communication may be a privileged communication. If you are not the intended recipient, then you are not authorised to retain, copy or distribute it.
Please notify the sender and delete the message in its entirety.

From: Alex Billot <Alex@northplanner.co.nz>

Sent: Monday, 8 September 2025 9:25 am

To: Stuart Bracey <SBracey@heritage.org.nz>

Subject: RE: Request for comments - 797A Waimate North Road subdivision

Good morning Stuart,

Hope you had a good weekend.

Just following up on this one as we are hoping to lodge the consent in the coming weeks.

Thanks very much.

Kind regards,



Alex Billot

Resource Planner

Offices in Kaitia & Kerikeri

☎ 09 408 1866

Northland Planning & Development 2020
Limited

*My office hours are Monday, Tuesday,
Thursday & Friday 9am – 2pm.*

From: Stuart Bracey <SBracey@heritage.org.nz>

Sent: Tuesday, 26 August 2025 3:17 pm

To: Alex Billot <Alex@northplanner.co.nz>

Subject: RE: Request for comments - 797A Waimate North Road subdivision

Hi Alex,
Do you work with Rochelle?

I will discuss this with Bill and James and get back to you shortly,

Cheers,
Stuart

Stuart Bracey | Kaiwhakamāhere | Heritage Planner | Northern Region | Heritage New Zealand Pouhere Taonga | L10 SAP
Tower 151 Queen Street Auckland CBD | Private Box 105 291 Auckland City 1143 | mobile 027 684 0833 | visit
www.heritage.org.nz and learn more about NZ's heritage places.

Tairangahia a tua whakarere; Tatakihia nga reanga o amuri ake nei – Honouring the past; Inspiring the future

This communication may be a privileged communication. If you are not the intended recipient, then you are not authorised to retain, copy or distribute it. Please notify the sender and delete the message in its entirety.

From: Alex Billot <Alex@northplanner.co.nz>

Sent: Tuesday, 26 August 2025 1:43 pm

To: Stuart Bracey <SBracey@heritage.org.nz>

Cc: Bill Edwards <BEdwards@heritage.org.nz>; James Robinson <jrobinson@heritage.org.nz>; Rochelle <rochelle@northplanner.co.nz>

Subject: Request for comments - 797A Waimate North Road subdivision

Kia ora Stuart,

We are in the process of preparing a subdivision resource consent application as well as an accompanying regional consent for a proposed subdivision at 797A Waimate North Road, Waimate North.

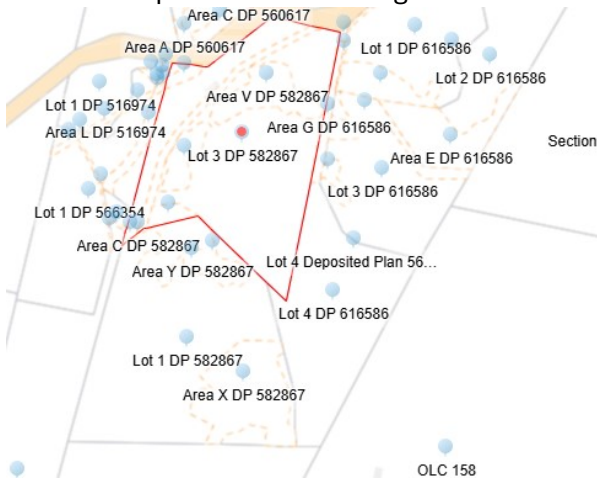
The proposal will see the subject site subdivided to create one additional allotment, as per the scheme plan attached. There are multiple areas within the site identified as natural inland wetland, which will be set aside for formal protection, in addition to the existing covenanted indigenous bush areas on the site. The existing right of way easement which provides access to the dwelling on the site (to be within Proposed Lot 2) as well as adjoining Lot 1 DP582867 is proposed to be cancelled and a new right of way easement/private accessway constructed from the crossing near the north-western corner of the site. This will involve construction works for the creation of the new private accessway as well as a culvert placement within the modified watercourse identified within the Ecological Impact Assessment (EclA) provided in support of the application.

In terms of archaeological features noted in the area, there have been archaeological sites noted within the allotments to the east of the site (OLC158) which were discovered as part of RMASUB-2200445, which created the subject site. An Archaeological Assessment was completed as per the Section 92 request of RC2200445. This assessment was completed by Mr Donald Price. It is stated within the s95 Report for RMASUB-2200445, that *‘Having reviewed Mr. Prince’s comments, Heritage NZ was able to confirm that “no previously recorded archaeological sites are located within the property, but two sites have been identified relatively short distances to the properties east” and that “no archaeological evidence was detected with the area designated for earthworks”. Therefore, it has been determined that consent was not required from Heritage NZ in relation to the subdivision works.... A consent notice condition was offered by the applicant to be imposed on the title of Lot 4, requiring a*

20m setback from the boundary along the eastern boundary to mitigate any potential adverse effects relating to heritage resource.'

Lot 4 was an adjoining allotment to the east of the site. I have attached the archaeological assessment completed as part of RC2200445, to this email.

The two adjoining lots to the east of the site (Lot 2 & 4 DP566421) have recently been approved for subdivision, to create one additional allotment each of 2 hectares. These two subdivisions have been approved under RC2250234 and RC2250263 respectively. An advice note was placed on the decision document advising that works shall proceed under the guidance of an ADP.



The scheme plan, EclA and previous archaeological assessment are attached within the OneDrive Link below:

 [797A Waimate North Rd](#)

If you could please review the proposed application and advise if HNZPT have any comments to be included within the application, that would be greatly appreciated.

Please do not hesitate to get in touch if you require any further information.

Kind regards,



Alex Billot

Resource Planner

Offices in Kaitia & Kerikeri

☎ 09 408 1866

Northland Planning & Development 2020
Limited

*My office hours are Monday, Tuesday,
Thursday & Friday 9am – 2pm.*

Alex Billot

From: Lawrence Wharerau <Lawrence.Wharerau@fndc.govt.nz>
Sent: Friday, 1 November 2024 9:18 am
To: Alex Billot; Te Hono Support
Subject: Re: Contact Details for Iwi - Waimate North

My deepest apologies... slight typo. try;
joanne.civil.nz@gmail.com



Lawrence Wharerau

Kaiarahi Kaupapa Maori - Te Hono

M 274042162 | P 6494015384 | Lawrence.Wharerau@fndc.govt.nz

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

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029

fndc.govt.nz



From: Alex Billot <Alex@northplanner.co.nz>
Sent: Friday, November 1, 2024 9:08 AM
To: Lawrence Wharerau <Lawrence.Wharerau@fndc.govt.nz>; Te Hono Support <tehonosupport@fndc.govt.nz>
Subject: RE: Contact Details for Iwi - Waimate North

CAUTION: This email originated from outside Far North District Council.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Mōrena Lawrence,

Just to let you know that the following email bounced back:

Joane Civil

Ngāti Hineira

joane.civil.nz@gmail.com

If you have another contact email or postal address, please let me know.

Thanks.

Kind regards,



Alex Billot

Resource Planner

Offices in Kaitaia & Kerikeri

☎ 09 408 1866

Northland Planning & Development 2020 Limited

*My office hours are Monday, Thursday &
Friday 9am – 2pm.*

From: Alex Billot

Sent: Thursday, 31 October 2024 2:06 pm

To: Lawrence Wharerau <Lawrence.Wharerau@fndc.govt.nz>; Te Hono Support <tehonosupport@fndc.govt.nz>

Subject: RE: Contact Details for Iwi - Waimate North

That is great – thank you very much.

Kind regards,



Alex Billot

Resource Planner

Offices in Kaitaia & Kerikeri

☎ 09 408 1866

Northland Planning & Development 2020 Limited

*My office hours are Monday, Thursday &
Friday 9am – 2pm.*

From: Lawrence Wharerau <Lawrence.Wharerau@fndc.govt.nz>

Sent: Thursday, 31 October 2024 1:44 pm

To: Alex Billot <Alex@northplanner.co.nz>; Te Hono Support <tehonosupport@fndc.govt.nz>

Subject: Re: Contact Details for Iwi - Waimate North

Kia ora Alex,

Following is a list of people you may want to include in your mailout:

Joane Civil	Ngāti Hineira	joane.civil.nz@gmail.com
Whati Rāmekā	Ngāti Rēhia	whati@ngatirehia.co.nz
Rio Greening	Ngāti Korohue	riogreening@hotmail.com
Arnold Munsell	Ngāti Korohue	arnoldm86@windowslive.com
Ricky Ashby	Te Uri Taniwha	ricky.ashby@ngapuhi.org , wirikaire@gmail.com
Ziandra Ashby	Te Uri Taniwha	ziandra.ashby@corrections.govt.nz
Te Rau Allen	Te Whiu Hapū	terau.arena@icloud.com
Liliana Clarke	Ngāti Rangī	whetumarama@hotmail.com



Lawrence Wharerau

Kaiarahi Kaupapa Maori - Te Hono

M 274042162 | P 6494015384 | Lawrence.Wharerau@fndc.govt.nz

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

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029

fndc.govt.nz



From: Alex Billot <Alex@northplanner.co.nz>

Sent: Thursday, October 31, 2024 12:42 PM

To: Lawrence Wharerau <Lawrence.Wharerau@fndc.govt.nz>; Te Hono Support <tehonosupport@fndc.govt.nz>

Subject: RE: Contact Details for Iwi - Waimate North

CAUTION: This email originated from outside Far North District Council.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Thank you Lawrence.

Do you have contact details on hand? Or are you able to advise where I can find contact details?

Kind regards,



Alex Billot

Resource Planner

Offices in Kaitia & Kerikeri

☎ 09 408 1866

Northland Planning & Development 2020 Limited

*My office hours are Monday, Thursday &
Friday 9am – 2pm.*

From: Lawrence Wharerau <Lawrence.Wharerau@fndc.govt.nz>

Sent: Thursday, 31 October 2024 12:41 pm

To: Te Hono Support <tehonosupport@fndc.govt.nz>; Alex Billot <Alex@northplanner.co.nz>

Subject: Re: Contact Details for Iwi - Waimate North

and Ngāti Rēhia, sorry...



Lawrence Wharerau

Kaiarahi Kaupapa Maori - Te Hono

M 274042162 | P 6494015384 | Lawrence.Wharerau@fndc.govt.nz

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

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029

fndc.govt.nz



From: Lawrence Wharerau <Lawrence.Wharerau@fndc.govt.nz>

Sent: Thursday, October 31, 2024 11:54 AM

To: Te Hono Support <tehonosupport@fndc.govt.nz>; Alex Billot <Alex@northplanner.co.nz>

Subject: Re: Contact Details for Iwi - Waimate North

Ngāti Rangī, Ngāti Korohue, Te Uri Tahiwha, te Whiu Hapū...

Lawrence Wharerau



Kaiarahi Kaupapa Maori - Te Hono
M 274042162 | P 6494015384 | Lawrence.Wharerau@fndc.govt.nz

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

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029

fndc.govt.nz



From: Te Hono Support <tehonosupport@fndc.govt.nz>

Sent: Thursday, October 31, 2024 11:33 AM

To: Alex Billot <Alex@northplanner.co.nz>; Te Hono Support <tehonosupport@fndc.govt.nz>

Cc: Lawrence Wharerau <Lawrence.Wharerau@fndc.govt.nz>

Subject: RE: Contact Details for Iwi - Waimate North

Ngati Rangi me thinks and Te Whiu. Lawrence can you confirm

From: Alex Billot <Alex@northplanner.co.nz>

Sent: Thursday, October 31, 2024 9:44 AM

To: Te Hono Support <tehonosupport@fndc.govt.nz>

Subject: Contact Details for Iwi - Waimate North

CAUTION: This email originated from outside Far North District Council.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Kia ora Te Hono,

We are completing 3x subdivision consents for neighbouring allotments in Waimate North.
Can you please advise of the contact details for Iwi in this area?

Thanks in advance.

Kind regards,



Alex Billot

Resource Planner

Offices in Kaitaia & Kerikeri

☎ 09 408 1866

Northland Planning & Development 2020 Limited

*My office hours are Monday, Thursday &
Friday 9am – 2pm.*

Northland Planning Development

From: Northland Planning Development
Sent: Tuesday, 26 August 2025 1:54 pm
To: joanne.civil.nz@gmail.com; whati@ngatirehia.co.nz; riogreening@hotmail.com; arnoldm86@windowslive.com; ricky.ashby@ngapuhi.org; wirikaire@gmail.com; ziandra.ashby@corrections.govt.nz; terau.arena@icloud.com; whetumarama@hotmail.com
Subject: Request for comments - proposed subdivision 797A Waimate North Road, Waimate North
Attachments: 24575 scheme plan.pdf

Tēnā koutou,

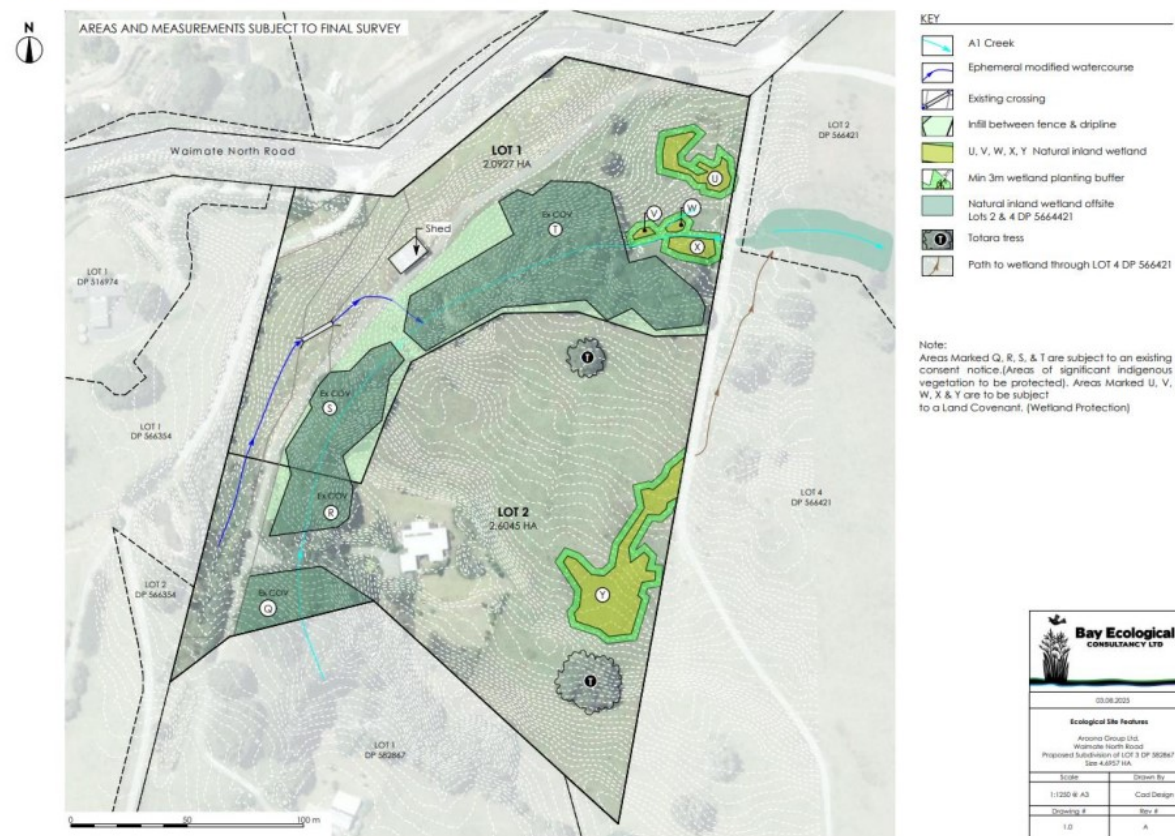
We are in the process of preparing a subdivision resource consent application as well as an accompanying regional consent for a proposed subdivision at 797A Waimate North Road, Waimate North.

The proposal will see the subject site subdivided to create one additional allotment, as per the scheme plan attached. There are multiple areas within the site identified as natural inland wetland, which will be set aside for formal protection, in addition to the existing covenanted indigenous bush areas on the site. It is proposed that stock are excluded from the natural inland wetland areas as well as riparian/buffer planting of the wetland areas and existing covenanted indigenous bush areas. Pest and weed management will be imposed as well as restrictions on cats, dogs and mustelids.

The existing right of way easement which provides access to the dwelling on the site (to be within Proposed Lot 2) as well as adjoining Lot 1 DP582867 is proposed to be cancelled and a new right of way easement/private accessway constructed from the crossing near the north-western corner of the site. This will involve construction works for the creation of the new private accessway as well as a culvert placement within the modified watercourse identified within the Ecological Impact Assessment (EclA) provided in support of the application.



FIG 3: ECOLOGICAL SITE FEATURES



It would be greatly appreciated if comments could be provided for the proposed subdivision, to be included with the application.

If you require any further information, please do not hesitate to contact our office.

Thanks in advance.

Kind regards,



Alex Billot
Resource Planner

Offices in Kaitia & Kerikeri
☎ 09 408 1866
Northland Planning & Development 2020
Limited

*My office hours are Monday, Tuesday,
Thursday & Friday 9am – 2pm*



View Instrument Details

Instrument Type	Transfer
Instrument No	12338818.1
Status	Registered
Date & Time Lodged	21 January 2022 10:33
Lodged By	Zemitzsch, Nicole

Affected Records of Title	Land District
1013520	North Auckland

Transferors

Aroona Group Limited

Transferees

Roderick Dawson Chrisp and Megan Betty Chrisp

Clauses, Conditions or Intent

The transferee shall be bound by a fencing covenant as defined in Section 2 of the Fencing Act 1978 in favour of the transferor

Transferor Certifications

I certify that I have the authority to act for the Transferor and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Sarah Elizabeth Kayll as Transferor Representative on 23/12/2021 02:23 PM

Transferee Certifications

I certify that I have the authority to act for the Transferee and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by David Charles Smith Ure as Transferee Representative on 19/01/2022 04:08 PM

*** End of Report ***

*Time Depth Enterprises
Heritage Consultants
PO Box 91 Tryphena, Aotea/Great Barrier Island
Mobile (027) 280-8614 Email: donaldp67@gmail.com*

**PROPOSED SUBDIVISION OF 797 WAIMATE
NORTH ROAD, WAIMATE NORTH**

**ARCHAEOLOGICAL SURVEY AND
ASSESSMENT of EFFECTS**

Prepared for

Thomson Survey Ltd & Aroona Equestrian Ltd

by

Don Prince

August 2020

PROPOSED SUBDIVISION OF 797 WAIMATE NORTH ROAD, WAIMATE NORTH: ARCHAEOLOGICAL SURVEY AND ASSESSMENT

Introduction

This archaeological survey and report was carried out at the request of Lynley Newport of Thomson Survey Ltd on behalf of the owners, Aroona Equestrian Ltd, in order to determine if archaeological features/sites will be affected by the proposed rural residential subdivision at 797 Waimate North Rd, Waimate North. The application site is bounded by Waimate North Rd to the north and rural property to the south, east and west (Figure 1). This archaeological survey and assessment is confined to the landscape of the proposed right-of-ways, new building platforms and landscape in their immediate vicinity as shown in Figure 1. Therefore, this report should not be considered a total survey of the property. The 18.8865-hectare property is legally described as Lot 5 DP 472951 and is generally referred to as ‘the property’ in this report. This survey is part of the required assessment of effects in support of a subdivision application.

Iwi consultation is being carried out separate to this report.

Statutory Requirements

The statutory requirements relating to the archaeological and other heritage values of the project area are outlined below.

Two major Acts govern the management of heritage sites in NZ:

- The Resource Management Act 1991 (RMA)
- The Heritage NZ Pouhere Taonga Act 2014 (HNZPTA)

Under the RMA archaeological and other historic heritage sites are resources that should be sustainably managed by “avoiding, remedying or mitigating any adverse effects of activities on the environment” (Section 5 (2) (c)).

Under Section 6 of the RMA 1991 it is recognised as a matter of national importance that “all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance: (e) relationship of Maori and their culture and traditions with their ancestral lands, water, wahi tapu and other taonga [and] (f) the protection of historic heritage from inappropriate subdivision, use and development”.

The RMA defines historic heritage as “those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities: (i) archaeological; (ii) architectural; (iii) cultural; (iv) historic; (v) scientific; (vi) technological” (RMA Section S2).

Historic heritage includes: (i) historic sites, structures, places and areas; (ii) archaeological sites; (iii) sites of significance to Maori, including wahi tapu; (iv) surroundings associated with the natural and physical resources”.

The archaeological remains within the study area constitute historic heritage as defined under the RMA, and their protection should be recognised and provided for when managing the proposed project.

In addition to the requirements of the RMA (1991), the Heritage NZ Pouhere Taonga Act 2014 (HNZPTA) protects all archaeological sites whether recorded or not, and they may not be damaged or destroyed unless an Authority to modify an archaeological site has been issued by the Heritage NZ Pouhere Taonga (HNZPT).

An archaeological site, as defined by the HNZPTA (2014) is, a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. A place associated with post-1900 human activity may be declared by gazettal as an archaeological site under the Act. Archaeological sites may not be destroyed damaged or modified except pursuant to an authority granted under the HNZPTA (2014).

Authorities to modify archaeological sites can be applied for under a general authority, in respect to a particular site or sites, or for all sites that may be present within a specific area. Applications made under a general authority may require approval by the Maori Heritage Council of the HNZPT. The tangata whenua should

be consulted regarding applications to modify or destroy archaeological sites which have Maori cultural associations.

Note that 20 or 40 working days should be allowed for the processing of authorities, which include a statutory stand down period of 15 working days before an authority may be exercised.

All archaeological remains and historic places within the project area are protected under the provisions of the HNZPTA and may not be damaged, modified or destroyed without an Authority from HNZPT.

There are no registered wahi tapu within the project area.

Implementation of the RMA in relation to Waimate North is undertaken by the Far North District Council.

Other Legislation:

- Coroners Act 2006, requires that “a person who finds a body in NZ must report that finding to a member of the police as soon as practicable”.
- Burial and Cremation Act 1964, controls the burial, cremation, and exhumation of bodies as well as the management of burial grounds and cemeteries. Conditions of the Act make it an offence to “remove any body or the remains of any body buried in a cemetery, Maori burial ground or other burial ground or place of burial without licence under the hand of the Minister [Health]”.
- The Protected Objects Act 1975 is administered by the Ministry for Culture and Heritage and regulates:
 1. Export of protected NZ objects
 2. Illegal export and import of protected NZ and Foreign objects
 3. Sale, trade and ownership of taonga tuturu.

Any taonga tuturu (Maori artefacts) discovered must be notified to the Ministry which will determine their custody in consultation with tangata whenua. The Act also covers goods or samples associated with burials.

Summary

The current proposal will create a 4-lot subdivision of the property, note that Lot 3 of the proposal has been developed and therefore excluded from this assessment (Figure 1). Although only general details regarding the required ground disturbance were available at the time of writing it is understood building platforms, vehicle access, effluent disposal and installation of utilities are required.

Background research failed to identify any previously recorded archaeological sites within the property and no intact archaeological sites were identified during the current inspection. However, four archaeological sites have been identified within the property's vicinity (Tables 1 & 2) including P05/912 consisting of two rectangular crop storage pits a short distance to the property's east (Figure 1).

As a result of the negative findings of the research and on-site inspection it is not necessary at this point in time to seek and obtain an authority from HNZPT to modify or destroy archaeological features. However, the proximity of site P05/912 indicates that development within the property requires a cautious approach .

In addition, in the event that archaeological evidence is encountered during earthworks associated with the upgrades then the Accidental Discovery Protocol (ADP) contained within this assessment must be followed.

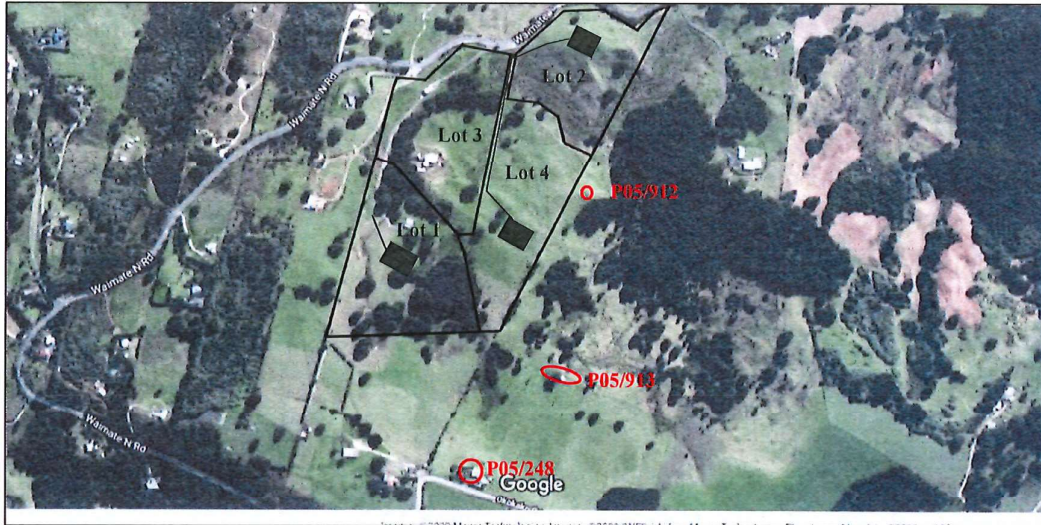


Figure 1: Proposed subdivision layout plan (Thomson Survey Ltd June 2020) with approximate location and extent of building platforms and ROW'.

Constraints and Limitations

This report is based on research of the available historic records, NZAA's digital database, early 20th century survey plans and a visible site inspection with limited subsurface testing.

The field inspection was limited to a visible examination of the proposed vehicle accesses and building platforms (Figure 1) with sub-surface testing limited to probing. One record of archaeological excavation/mitigation (Johnson & Callaghan 2015) within the area was found.

It should be noted that as an assessment of cultural values can only be competently made by the affected tangata whenua, this report does not address cultural values.

Methodology

Lynley Newport provided early survey plans and details relevant to the subdivision. The NZ Archaeological Associations Online Digital Site Record File (ArchSite) was searched for archaeological sites recorded on or in the vicinity of the property. Historic records, including early survey plans, were examined for historic/archaeological information relevant to the property and immediate area. A visual inspection with limited subsurface testing was carried out of the property focusing on landscapes affected by the proposed subdivision. Soil profiles were

examined for evidence of earlier modification such as modified soils, storage pits or the presence of soil modification, shell midden and hangi. It should be recognised that archaeological survey techniques cannot provide evidence for the absence of subsurface archaeological features or deposits. Surface visibility at the time of inspection was adequate for archaeological assessment.

Results

Cultural Setting

Consultation with tangata whenua is being carried out separate to this report. An assessment of the cultural significance can only competently be made by the affected tangata whenua. Archaeological survey cannot necessarily detect sites of traditional significance to Maori, or wahi tapu. It should be noted that an assessment of cultural significance might not necessarily correspond with an assessment of archaeological significance.

Physical Setting

The property is located on the northern edge of an extensive tableland with steep slopes falling to the Waipapa Stream. The landscape currently proposed for development consist predominantly of grazing pasture with a small number of remnant native tree species.

The areas soils are predominantly clay loams common to Waimate North (Sutherland et al in Johnson & Callaghan 2015:1).

Post 1900 modifications to the property are farm related with fenced grazing paddocks and farm tracks and formed, unsealed vehicle access. Otherwise, the original contour of the property appears largely unmodified.

Previous Archaeological Research

It appears a small number of previous archaeological surveys focused on specific land parcels have been carried out within the general area of the property. As a result, it is likely the recorded archaeological inventory for the area is under representative.

Background research failed to identify any previously recorded archaeological sites within the property but, P05/912 (comprised of two crop storage pits) and P05/913 (historic house site and dry stonewall) are located short distances to the property's east (Figure 3 & Table 1). A range of other sites have also been identified within the general area including a pa (P05/248) recorded from anecdotal evidence and Bedggood and Pugh's flour mill and biscuit factory (P05/267) to the south (Table 2).

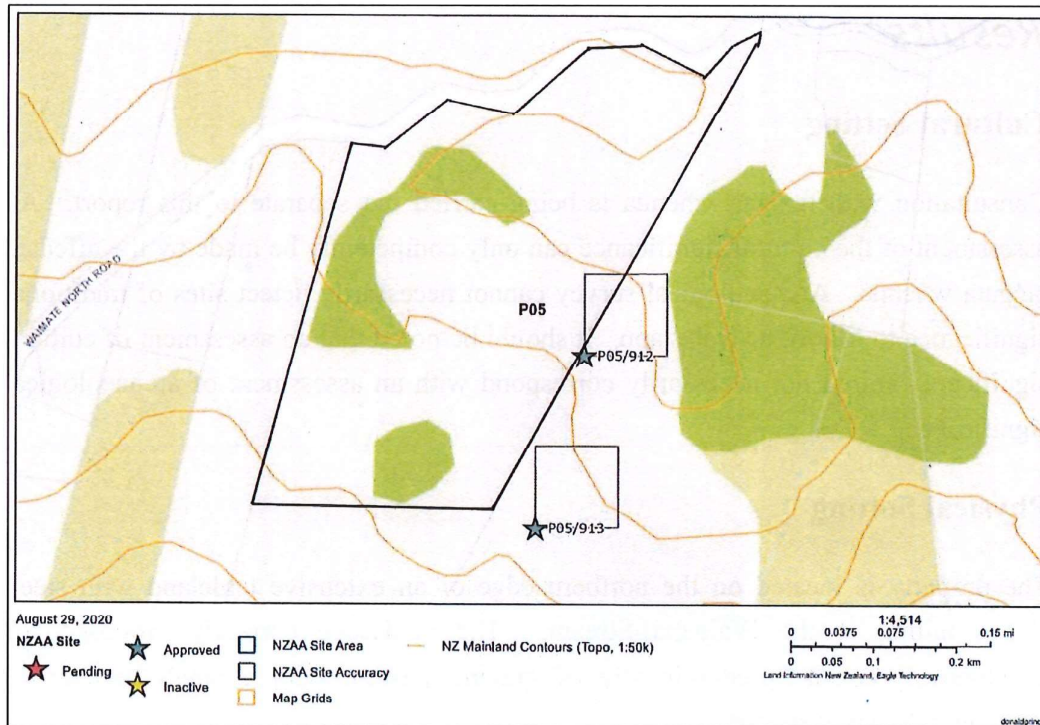


Figure 3: Spatial image of nearest recorded archaeological sites and development property (ArchSite July 2018).

Site No.	Site Type	NZTM Co-ordinates	Recorder & Date
P05/912	Pits	E1681780/N6093275	Bruce 2003
P05/913	Historic villa & dry stonewall	E1681720/N6093065	Bruce 2003

Table 1: Nearest recorded archaeological sites to the property (ArchSite August 2020).

Site No.	Site Type	NZTM Co-ordinates	Recorder & Date
P05/248	Pa	E1681585/N6092775	Lawns 1971
P05/267	Flour mill	E1681475/N6092545	Spencer & Pidgeon 1980

Table 2: Archaeological site recorded within the general vicinity of the property (ArchSite August 2020).

Historic Records

Historic literature relevant to Waimate North and survey plans dating to the early 20th century (Figures 4 - 6) were examined for information relating to the early occupation of the property.

Part of the large Rangu Block (No.6c Figure 6) the property's original owner was a wheelwright, John Bedggood, who came to the area working for the Church Mission Service's (CMS) Waimate North station. Bedggood left the Mission Station in 1841 by which time he owned property part of which is the current survey property (Johnson & Callaghan 2015:3-4). In 1859 Bedggood sold the survey property to John Pugh (Figure 4) with whom he constructed and operated the flour mill and biscuit factory recorded as P05/267. Prior to the current owners the Cook family owned and farmed this and neighbouring properties for three generations (pers com. Rui Martins of Aroona Equestrian Ltd July 2020).

As can be seen on ML 178 (Figure 5) the property is part of a landscape named "Taumata Tirepa". No information regarding the naming has as yet been found but tangata whenua consultation may shed some light on its origin and meaning.

Little further specific information regarding Bedggood or Pugh's or any other 19th or early 20th century occupation was sourced. But it is noted that by 1866 the property had been cleared (Figure 5) and described in 1913 as poor gum land with gentle slopes (Figure 6).

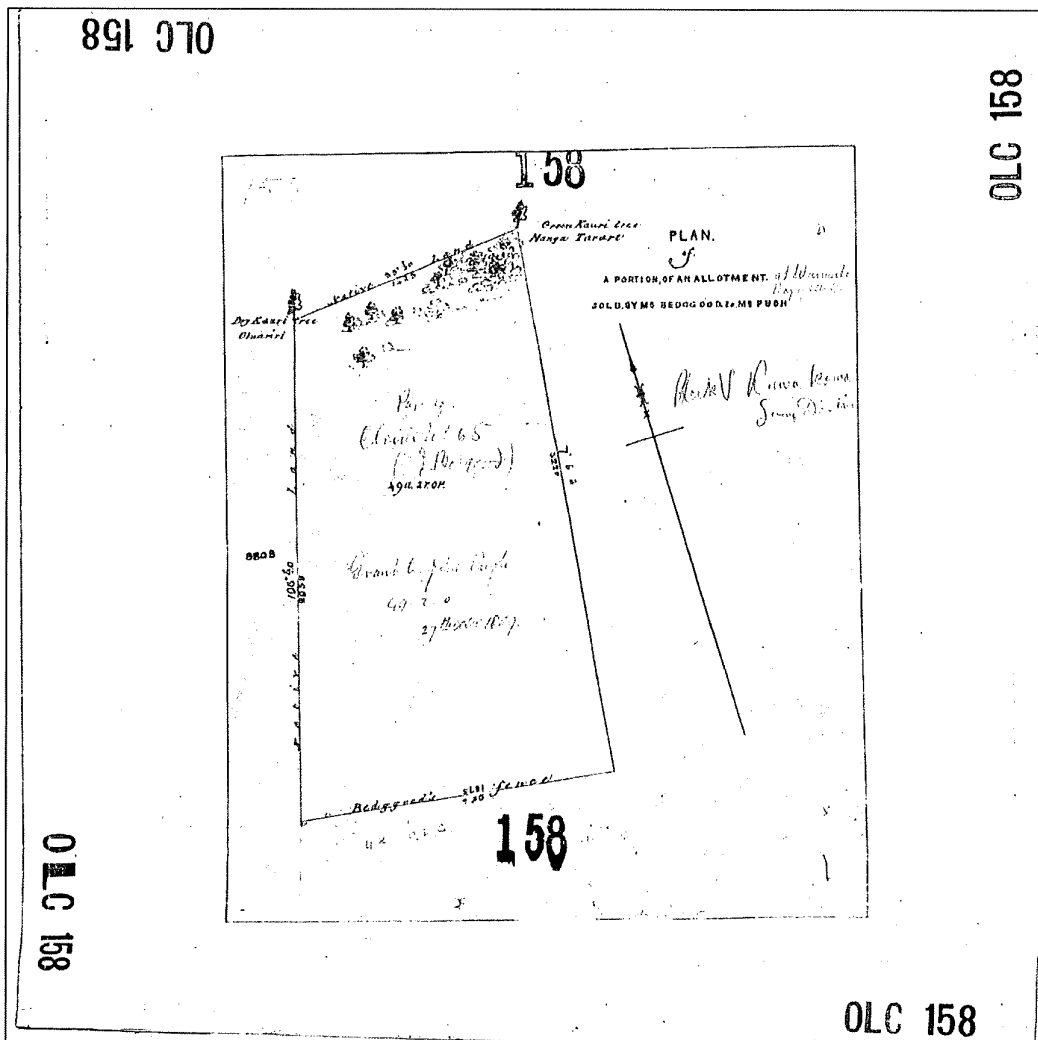


Figure 4: Old Land Claim dated (1859) showing the property passing from Bedggood to Pugh.

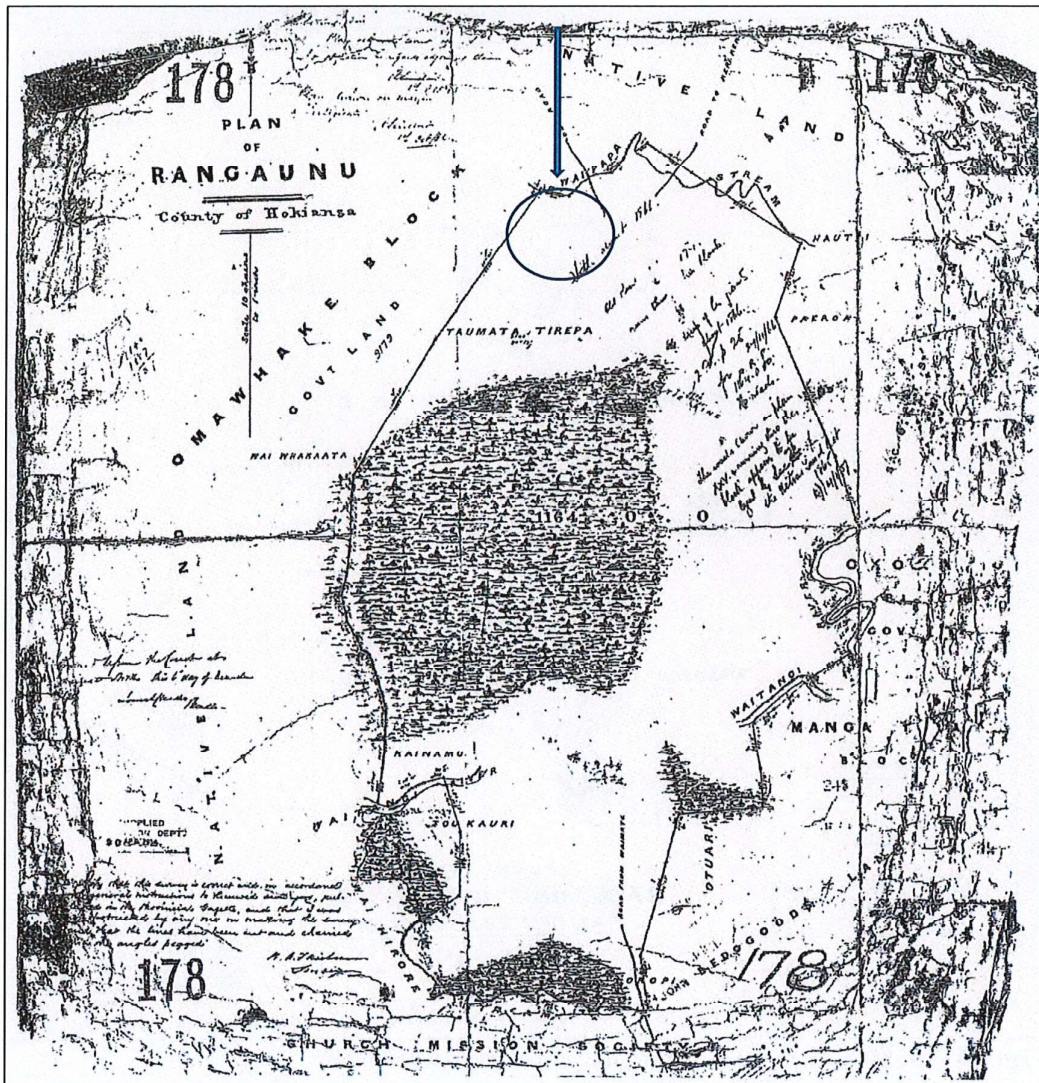


Figure 5: ML 178 dated 1866 with the property appearing to be part of a landscape named Taumata Tirepa.

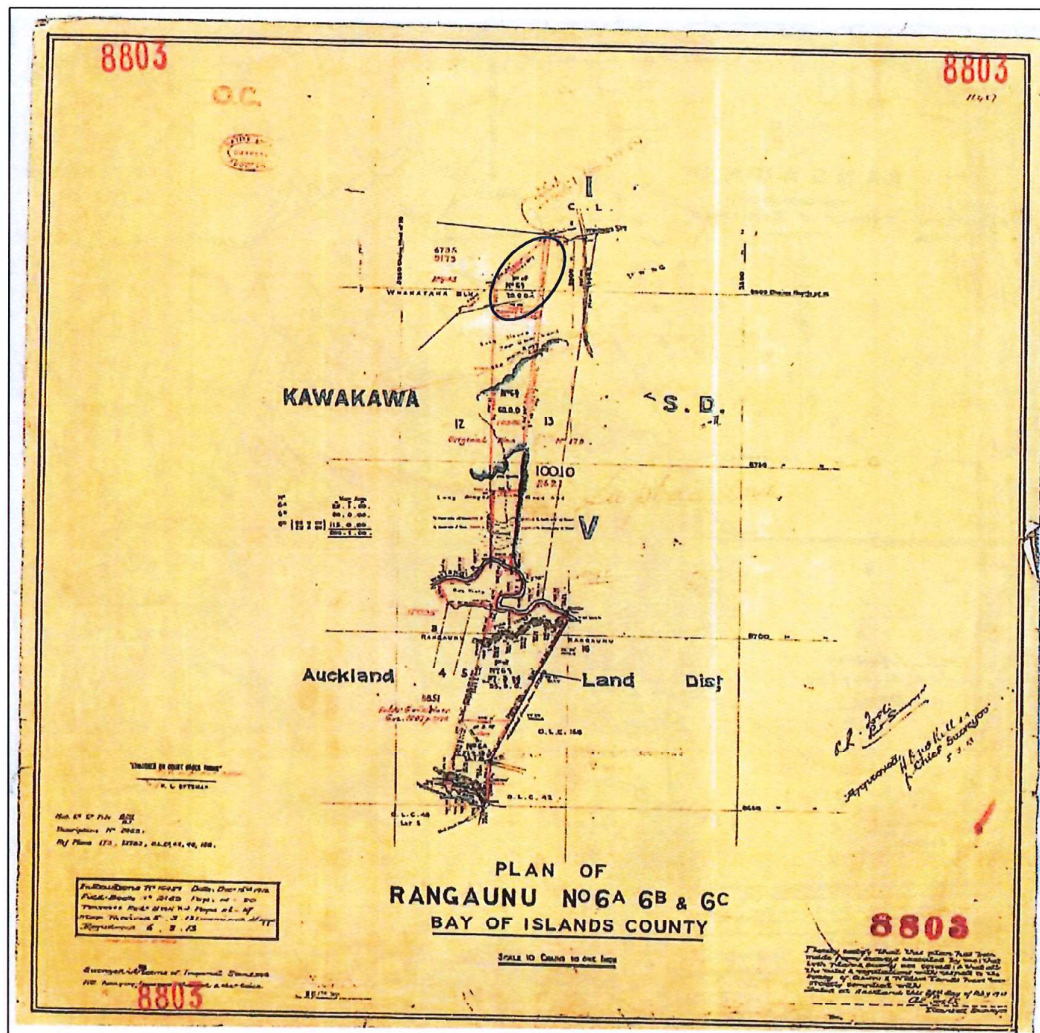


Figure 6: ML 8803 dated 1913 showing the property circled in blue.

Site Inventory

Although no sites have been identified within the property sites have been identified in proximity and are discussed below.

P05/248 Reported pa

In 1971 a pa was recorded from anecdotal evidence that the paddock on the north side of the prominent bend on Okokako Rd (Figure 1) where Cook's house stands was known as "pa paddock" (Mrs. Adkins 1971 SRF P05/248). However, the recorder, Lawns, interviewed other residents including Mr. Cook, examined the paddock and historic records and failed to identify any evidence that a pa existed at the location.

P05/912 Pits

Two open rectangular pits were identified on a small spur knoll by Ivan Bruce in 2003 during an archaeological inspection of 771 Waimate North Rd for P. & S. Cook (Bruce 2003 SRF P05/912). The site is located c.20m down slope east of Lot 4's boundary fence and approximately 80m northeast of the lot's building platform (Figure 1).

The pits are poorly defined, their side walls having suffered from stock trampling exacerbated by erosion. Commonly associated with crop storage, they are indicators of short to medium term gardening by pre-European Maori.

While the current proposal is no threat to the sites integrity its location does indicate gardening occurred in the area and that a cautionary approach should be taken with development of Lot 4. Following consultation Lot 4's building platform was moved west and south away from the spur on which the site is situated.

P05/913 Historic villa and dry stonewalling

Also identified by Bruce in 2003 this site consists of the derelict remains of a villa with newspaper dating to 1898 present under scrim and two sections of dry stonewalling one of which runs for c.50m (Bruce 2003 SRF P05/913). The structures are located at the base of a slope falling north from Okokako Rd to the east of the property's southeastern corner (Figure 1).

The current proposal will have no effect on the site.

Field inspection

Don Prince carried out an archaeological field inspection of the landscape proposed for subdivision on July 23, 2020.

At the time of inspection, the landscape currently proposed for development consisted of fenced paddocks rotationally grazed with numerous surface rock and rocky outcrops along with specimen and blocks of native trees. Ground surface visibility was generally good.

No in situ archaeological features were identified during the current inspection. However, the presence of crop storage pits (P05/912) a short distance to the east of the Lot 4's east boundary indicate the possibility that ground disturbance associated

with residential development may encounter undetected subsurface archaeological evidence. Therefore, the Accidental Discovery Protocol below should be made available and explained to all contractors involved in the development along with their responsibilities under the HNZPT Act (2014). In addition, as the current inspection was confined to the designated building platforms and vehicle access alignments, if future lot owners wish to build or carry out earthworks beyond the assessed areas, they would be responsible for obtaining an assessment by a suitably qualified archaeologist.

Proposed Lots

Lot 1 (5.03-hectares)

Located in the property's southwest this lot has a large implement shed, formed access drive and blocks of native trees (Figure 1). The lot's proposed building platform is a level grassed area to the south of the shed to be accessed from the existing driveway.

No visible archaeological features were detected during the current inspection.

Lot 2 (4.3-hectares)

Boarded by Waimate North Rd to the north with Waipapa Stream forming a natural boundary to the south, this lot is located in the property's northeast (Figure 1). With vehicle access from the existing farm access off Waimate North Rd a building platform is proposed for an elevated and extensive ridge knoll with panoramic views over the surrounding landscape.

The current inspection failed to identify any visible archaeological features.



Figure 7: Lot 2 building platform viewed from the east (Prince 2020).

Lot 3 (4.4-hectares)

Forming the northwest portion of the property this lot has the property's existing dwelling and no further development within the lot is contained in the current proposal and therefore excluded from the inspection.

Lot 4 (5.1-hectares)

Consisting of moderate slopes falling north to the Waipapa Stream the lot is to be accessed from the existing access off Waimate North Rd crossing the Waipapa Stream to proceed upslope to the building platform (Figure 1). The slopes have three large, natural transverse terraces the central of which is proposed for the lot's building platform (Figures 1 & 8).

Eroding out of the terraces' frontal scarps can be seen numerous weathered boulders. Similar boulder strewn landscapes associated with the inland Bay of Islands Volcanics such as Puketona are associated with pre-European gardening with visible stone features including propagation stone heaps and low stonewall alignments. The current inspection of the slopes failed to identify any such features. But, given the proximity of the lot to site P05/912 (two crop storage pits) it is possible the gardening associated with the site may have occurred on the terraces. It has to be noted that identification of gardening soils is extremely difficult requiring extensive soil removal along with comparative examination of subsoil profiles and expert soil analysis. It is therefore recommended that a cautious approach is taken to the development of the lot with the potential and ADP below conveyed to future owners and contractors.

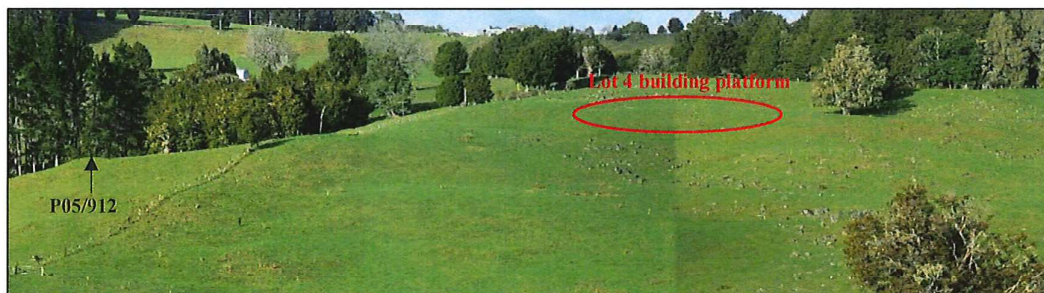


Figure 8: Lot 4 viewed from the north (Prince 2020).

Effects

No known archaeological sites/features will be affected by the proposed residential subdivision of the property. The presence of pre-European crop storage pits on an east falling spur to the east of Lot 4 indicate the necessity for a cautious approach to development. However, based on the negative results of this assessment it is the opinion of the author that it is not necessary to seek and obtained an authority to modify or destroy archaeology from HNZPT under conditions contained in the HNZPT Act (2014). In addition, if in the event that undetected subsurface features are encountered during earthworks related to the establishment of the subdivision the Accidental Discovery Protocol (ADP) contained in this report should be adhered to.

Accidental Discovery of New Archaeological or Cultural Heritage Sites

If any new archaeological or cultural heritage sites are exposed during works, then the following procedures should apply (Note that this protocol does not apply when an archaeological authority issued under the HNZPT Act (2014) is in place):

1. Immediately it becomes apparent that an archaeological or traditional site has been exposed all works within 20m of the site should cease.
2. The contractor must shut down all machinery, secure the area and advise the site manager.
3. The site manager shall secure the site and notify HNZPT Regional Archaeologist. Further assessment by an archaeologist may be required.
4. If the site is of Maori origin the site manager shall notify the HNZPT Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (*HNZPT Act & Protected Objects Act*).
5. If human remains (koiwi tangata) are uncovered the site manager shall advise the HNZPT Regional Archaeologist, NZ Police and appropriate iwi groups or kaitiaki representative and the above process under 4 shall apply. Remains are not to be moved until such time as iwi and HNZPT have responded.
6. Works affecting the archaeological site and any human remains shall not resume until HNZPT gives written approval for the work to continue. Further assessment by an archaeologist may be required.
7. Where iwi so request, any information recorded as a result of the find such as a description of location and content, is to be provided for their records.
8. HNZPT will determine if an archaeological authority under the HNZPT Act (2014) is required for works to continue.

It is an offence under S87 of the HNZPT Act (2014) to modify or destroy an archaeological site without an authority from HNZPT irrespective of whether the works are permitted, or consent has been issued under the RMA (1991).

Identification and Assessment of Effects

This archaeological inspection involved a visual survey with limited subsurface testing of the landscape at 797 Waimate North Rd, Waimate North proposed for a rural-residential subdivision (Figure 1). Although details regarding earthworks required for the property's development were not available at the time of writing, it is understood ground disturbance will be required for the designated vehicle access, building platforms and installation of utilities. The current inspection was confined to the designated building platforms and vehicle access as detailed on the subdivision plan, Figure 1, and if future lot owners wish to undertake earthworks outside the assessed areas then they will be responsible for a further archaeological assessment.

No previously recorded archaeological sites are located within the property but, two sites have been identified relatively short distances to the property's east. The current inspection failed to identify any archaeological sites/features. However, the presence of two crop storage pits, site P05/912, approximately 80m northeast of Lot 4's building platform suggests pre-European Maori seasonally gardened in the vicinity. However, no evidence of gardening was detected despite the presence of large quantities of surface exposed rock.

Therefore, as no archaeological evidence was detected within the areas designated for earthworks it is not necessary at this point in time to seek and obtain an Authority to modify or destroy archaeology from Heritage NZ Pouhere Taonga under conditions contained in the Heritage NZ Pouhere Taonga Act (2014).

However, if undetected subsurface archaeological sites are encountered during earthworks associated with the development the Accidental Discovery Protocol contained in this report should be followed.

It should be noted that archaeological survey and mitigation deals solely with the identification and recovery of the physical evidence of past human habitation. Archaeological methods cannot necessarily identify the spiritual or cultural values associated with that occupation.

Archaeological sites as defined by the Heritage NZ Pouhere Taonga Act (2014) are provided initial protection for all archaeological sites, as defined by the Act, whether recorded or not, and they cannot be damaged, modified or destroyed without prior authority having been obtained under the provisions of the Act.

Recommendations

The following recommendations for avoidance or mitigation are provided as points of discussion between the applicant, statutory agencies and tangata whenua.

- That it is **not** necessary to seek and obtain an Authority to modify or destroy archaeology from HNZPT prior to the commencement of earthworks within the designated areas indicated within this report.
- That if future lot owners wish to undertake earthworks beyond the designated areas detailed within the current subdivision plan, they will be responsible in obtaining an archaeological assessment of those areas.
- That if unidentified archaeological sites are encountered during ground disturbance associated with the development all work should cease in the immediate vicinity and the Heritage NZ Pouhere Taonga, project archaeologist and tangata whenua contacted as per the Accidental Discovery Protocol contained within this report.
- That if koiwi (human remains) should be exposed during development, work should cease in the immediate vicinity and the tangata whenua and Heritage NZ Pouhere Taonga should be contacted so that appropriate arrangements can be made as per the Accidental Discovery Protocol contained within this report.
- That archaeological survey cannot always detect wahi tapu and sites of traditional significance to Maori consultation with the tangata whenua should be carried out separate to this report.

References

- Ferrar, H. 1928. *Geological Map of Kawakawa Survey District*. Lands and Survey Department.
- Johnson, L. & E. Callaghan. 2015. Archaeological Monitoring of the Earthworks Associated with the Waimate North Road Up-Grade (Waihiore Stream Section), Bay of Islands (NZHPT Authority 2010/337).
- Lee, J. 1983. *The Bay of Islands*. Reed Publishing, Auckland.
- Prince, D. 2017 (August). Waimate North Road (Section 6 SO 440211), Waimate North: Archaeological Survey and Assessment of Effects. Unpublished report prepared for Thomson Survey Ltd, Kerikeri.
- Prince, D. 2017 (December). Proposed Subdivision (East Block), Okokako Road, Waimate North: Archaeological Survey and Assessment of Effects. Unpublished report prepared for Thomson Survey Ltd, Kerikeri.
- Prince, D. 2017 (December). Proposed Subdivision (West Block), Okokako Road, Waimate North: Archaeological Survey and Assessment of Effects. Unpublished reports prepared for Thomson Survey Ltd, Kerikeri.

Triton Hearing Whangarei Clinic
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Ph: 09 438 6222
Email: whangarei@tritonhearing.co.nz

TRITON HEARING

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27 August 2025

To whom it may concern,

Re: Mr Rui Martins
797 Waimate North Road, KeriKeri 0293
Ph: 0297701155

DOB: 06/08/1959
NHI:TUY7070

Mr Martins is a client of Triton Hearing in Whangarei. This is to certify that Mr Martins has a severe to profound hearing loss on the right side and a moderately severe to severe hearing loss on the left side. He is reliant on his hearing aids.

When Mr Martins is not wearing his hearing aids, such as during the night and when they are charging, he depends on his dog to provide hearing assistance. This helps to mitigate the impact of his significant hearing loss. His hearing has deteriorated in the past few years, and the presence of a dog provides important support and safety for him while he is at home.

Kind regards,

Sian Hostad
Audiometrist MNZAS
Triton Hearing Whangarei Clinic

Alex Billot

From: NNI Statutory Team <NNIStatutoryTeam@doc.govt.nz>
Sent: Tuesday, 30 September 2025 2:23 pm
To: Alex Billot
Subject: RE: Request for comments - proposed subdivision 797A Waimate North Road, Waimate North

Hi Alex,

Comments below are from our Ranger, Cinzia Vestana, based out of Pēwhairangi office:

“In the Waimate North subdivision consent I recommend that we agree to having a dog on the one of the new lots to be created, on the proviso that:

- The owner who is subdividing the land has an existing right to keep two dogs and they will live on the new lot.
- The right to keep the dogs is grandfathered when that lot is sold so that dogs or any other carnivores are not kept on that lot.

Hope this is helpful

Ngā Mihi

Debbie

From: Alex Billot <Alex@northplanner.co.nz>
Sent: Tuesday, 30 September 2025 11:59 am
To: NNI Statutory Team <NNIStatutoryTeam@doc.govt.nz>
Cc: Catherine Johnson <cjohnson@doc.govt.nz>; Rochelle <rochelle@northplanner.co.nz>
Subject: RE: Request for comments - proposed subdivision 797A Waimate North Road, Waimate North

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Morena Debbie,

Just touching base on this one to see if you have received comments back.

Thanks in advance.

Kind regards,



Alex Billot
Resource Planner

Offices in Kaitia & Kerikeri
☎ 09 408 1866
Northland Planning & Development 2020
Limited

*My office hours are Monday, Tuesday,
Thursday & Friday 9am – 2pm.*

From: Alex Billot
Sent: Tuesday, 23 September 2025 2:19 pm
To: NNI Statutory Team <NNIStatutoryTeam@doc.govt.nz>
Cc: Catherine Johnson <cajohnson@doc.govt.nz>; Rochelle <rochelle@northplanner.co.nz>
Subject: RE: Request for comments - proposed subdivision 797A Waimate North Road, Waimate North

That would be great – thank you Debbie.

Kind regards,



Alex Billot
Resource Planner

Offices in Kaitaia & Kerikeri
☎ 09 408 1866
Northland Planning & Development 2020
Limited

*My office hours are Monday, Tuesday,
Thursday & Friday 9am – 2pm.*

From: NNI Statutory Team <NNIStatutoryTeam@doc.govt.nz>
Sent: Tuesday, 23 September 2025 2:04 pm
To: Alex Billot <Alex@northplanner.co.nz>; NNI Statutory Team <NNIStatutoryTeam@doc.govt.nz>
Cc: Catherine Johnson <cajohnson@doc.govt.nz>; Rochelle <rochelle@northplanner.co.nz>; NNI Statutory Team <NNIStatutoryTeam@doc.govt.nz>
Subject: RE: Request for comments - proposed subdivision 797A Waimate North Road, Waimate North

Kia ora Alex, thanks for your email and my apologies for not responding to your initial enquiry – somehow it slipped through our initial triage process.

I will ask our Pēwhairangi biodiversity colleagues for any critical issues and get back to you with comments by the end of this week.

Ngā Mihi

Debbie Aubrook
Ranger – Community, NNI Statutory Team
Department of Conservation — *Te Papa Atawhai*

[Teams: +64 9 610 8224](tel:+6496108224)

[Mobile: +64 27 378 9374](tel:+64273789374)

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We protect and restore nature



Department of
Conservation
Te Papa Atawhai



Tui. Photo: Sabine Bernert

From: Alex Billot <Alex@northplanner.co.nz>
Sent: Tuesday, 23 September 2025 11:26 am
To: NNI Statutory Team <nniStatutoryTeam@doc.govt.nz>
Cc: Catherine Johnson <cjohnson@doc.govt.nz>; Rochelle <rochelle@northplanner.co.nz>
Subject: RE: Request for comments - proposed subdivision 797A Waimate North Road, Waimate North

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Morena,

Just following up on my below email. We are hoping to lodge the application in the coming weeks and would appreciate any feedback you can provide on the below email.
We are happy to discuss any details on a consent condition or additional works which would improve the current situation.

Thanks for your time and we look forward to hearing back from you.

Kind regards,



Alex Billot
Resource Planner

Offices in Kaitia & Kerikeri
☎ 09 408 1866
Northland Planning & Development 2020
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*My office hours are Monday, Tuesday,
Thursday & Friday 9am – 2pm.*

From: Alex Billot
Sent: Friday, 5 September 2025 11:34 am
To: nniStatutoryTeam@doc.govt.nz
Cc: cjohnson@doc.govt.nz; Rochelle <rochelle@northplanner.co.nz>
Subject: Request for comments - proposed subdivision 797A Waimate North Road, Waimate North

Good morning,

We are currently in the process of preparing a subdivision resource consent application for our client, who is wanting to create one additional allotment at their property. The site is located at 797A Waimate North Road, Waimate North (Lot 3 DP582867).

As part of the process, we have identified that the subject site is located within an area of kiwi high density.

There is an existing consent notice registered on the title which allows for the Applicant (current owner) to have two dogs within the allotment that they reside in but a full restriction on cats and mustelids. The grandfather clause has been applied to the Applicant, rather than the existing dogs in this instance. See below the existing consent notice condition registered on the title.

- vii. No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs, or mustelids) which have the potential to be kiwi predators.

Within 2 months of consent being issued provide the Resource Consent Monitoring Officer with evidence for Council's records of the two existing dogs owned by Rui and Kim Martins, this shall include:

- a) A photograph of the existing dog/s
- b) Written confirmation that the dog(s) have been micro-chipped This prohibition shall not apply to a maximum of two dogs owned by Rui and Kim Martins while they reside on the site, on whether that be on Lot 3 or Lot 1. Any such dog shall be micro-chipped and kept indoors and/or tied up at night.

The Applicant is an older gentleman and has advised that dogs provide emotional and wellbeing support as well as companionship for the Applicant. The Applicant has obtained an Audiologist Letter which is attached to this email, which has confirmed that the Applicant has *'severe to profound hearing loss on the right side and moderately severe to severe hearing loss on the left side and is reliant on hearing aids.'* *'When he is not wearing his hearing aids, such as during the night or when they are charging, he depends on his dog to provide hearing assistance.'*

It is therefore proposed that the existing consent notice be brought forward on to the new titles, with the Grandfather clause applied to the Applicants on whichever lot they reside on (noted that they currently live in the dwelling on Proposed Lot 2 but may build new on Proposed Lot 1 and reside there in the future). The proposal will not see a change in the existing consent notice condition registered on the subject site in terms of the number of dogs allowed and therefore will not be changing the existing allowances provided for the site, rather reapplying the existing restrictions to the new titles.

This stance is considered to be in line with the Department of Conservation's directive to not increase the number of pets onsite.

The below consent notice condition is therefore proposed:

The site is identified as being within a kiwi high density zone. No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators.

This prohibition shall not apply to a maximum of two dogs owned by Rui and Kim Martins while they reside on the site, whether that be on Lot 1 or Lot 2. Any such dog shall be micro-chipped and kept indoors and/or tied up at night

Within 2 months of consent being issued provide the Resource Consent Monitoring Officer with evidence for Council's records of the dogs owned by Rui and Kim Martins, this shall include:

- a) A photograph of the existing dog/s*
- b) Written confirmation that the dog(s) have been micro-chipped.*

[Lots 1 & 2]

Also as part of the subdivision, we are proposing to permanently protect areas of identified wetland within the site as well as continue the existing protection around the areas of bush on site. Enhancement/riparian planting of the wetland areas is also proposed as well as ongoing pest and weed management. These areas are identified on the attached scheme plan.

We would appreciate any feedback you can provide in this instance and are happy to discuss any details on a consent condition or additional works which would improve the current situation.

Thanks for your time and we look forward to hearing back from you.

Kind regards,



Alex Billot
Resource Planner

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