



<b>Office Use Only</b> Application Number:
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**APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT**

**(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA))**

**(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)**

*Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council's web page.*

**1. Pre-Lodgement Meeting**

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement? **Yes / No**

**2. Type of Consent being applied for (more than one circle can be ticked):**

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

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

**3. Would you like to opt out of the Fast Track Process? Yes / No**

**4. Applicant Details:**

Name/s: \_\_\_\_\_

Electronic Address for Service (E-mail): \_\_\_\_\_

Phone Numbers: \_\_\_\_\_

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

Post Code: \_\_\_\_\_

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

Name/s: Steven Sanson - Bay of Islands Planning (2022) Limited

Electronic Address for Service (E-mail): steve@bayplan.co.nz

Phone Numbers: Work: 0211606035 Home: \_\_\_\_\_

Postal Address: Po Box 318, Paihia, 0247  
(or alternative method of service under section 352 of the Act)

Post Code: \_\_\_\_\_

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

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

Name/s: Refer Record of Titles appended to the AEE

Property Address/  
Location: 282 Rangihoua Road, Te Tii, Kerikeri

**7. Application Site Details:**

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

Site Address/  
Location: As above

Legal Description: Lot 3 DP 514968 Val Number: \_\_\_\_\_

Certificate of Title: 799818  
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 call applicant prior to site visit

**8. Description of the Proposal:**

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

Proposed marine facilities in the General Coastal Zone

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s) or extension being sought, with reasons for requesting them.

**9. Would you like to request Public Notification**

Yes/No

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

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

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

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL)  yes  no  don't know

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

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

**12. Assessment of Environmental Effects:**

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

**Please attach your AEE to this application.**

**13. Billing Details:**

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

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

Email: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_ Post Code: \_\_\_\_\_

Phone Numbers: Work: \_\_\_\_\_ Home: \_\_\_\_\_ Fax: \_\_\_\_\_

**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 20<sup>th</sup> of the month following invoice date. You may also be required to make additional payments if your application requires notification.

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

Name: \_\_\_\_\_ (please print)

Signature: \_\_\_\_\_ (signature of bill payer – **mandatory**) Date: \_\_\_\_\_

## 14. Important Information:

### Note to applicant

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

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

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

### Fast-track application

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

### Privacy Information:

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

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

Name: \_\_\_\_\_ (please print)

Signature: \_\_\_\_\_ (signature)

Date: \_\_\_\_\_

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

### Checklist (please tick if information is provided)

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

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

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

**UNBOUND**

**SINGLE SIDED**

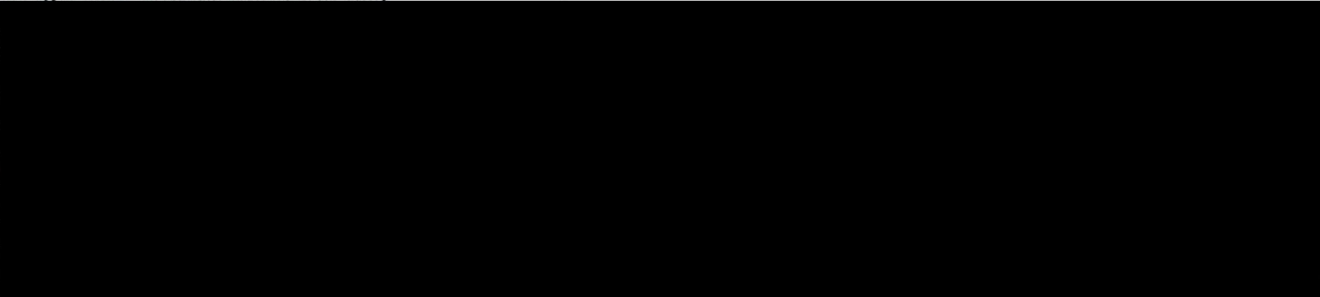
**NO LARGER THAN A3 in SIZE**



**13. Billing Details:**

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.  
Name/s: (please write all names in full)

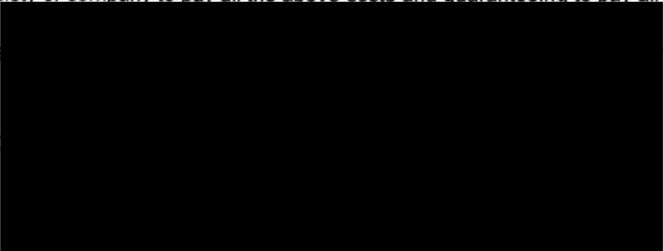
Posta  
\_\_\_\_\_  
\_\_\_\_\_  
Phone  
\_\_\_\_\_  
Fax: \_\_\_\_\_



**Fees** 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 20<sup>th</sup> 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 \_\_\_\_\_ (Signature)  
Signature \_\_\_\_\_ (payer – mandatory) Date: \_\_\_\_\_



**BAY OF ISLANDS PLANNING (2022) LIMITED**



25 years serving  
Northland

**2 Cochrane Drive, Kerikeri  
PO Box 318  
Paihia**

Phone [09] 407 5253; Email – [office@bayplan.co.nz](mailto:office@bayplan.co.nz) Website - [www.bayplan.co.nz](http://www.bayplan.co.nz)

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Far North District Council  
Kerikeri

15 March 2024

Proposed Maritime Facilities – IDF Development Limited, 282 Rangihoua Road, Purerua Peninsula, Te Puna Inlet.

The applicant, IDF Development Limited is proposing the construction and use of maritime facilities incorporating a jetty, gangway, floating pontoon and boat ramp mostly within the CMA of the Te Puna Inlet, adjacent to their property at 282 Rangihoua Road. Parts of the structure extend into the landward side of MHWS, requiring approval from FNDC.

We are pleased to provide the relevant resource consent application and assessment of environmental effects for this proposal.

Yours sincerely,

A solid black rectangular box used to redact the signature of the consultant planner.

Steven Sanson  
Consultant Planner

**Form 9**

**APPLICATION FOR RESOURCE CONSENT**  
Section 88, Resource Management Act 1991

To the **Far North District Council**:

We, **IDF Development Limited** apply for the following type of resource consent:

**Land Use Consent**

The activities to which the application relates are as follows:

- **Constructing of a jetty, gangway, floating pontoon and boat ramp.**

Name and address of owner other than applicant:

**N/A**

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

**Coastal Marine Area immediately adjoining the foreshore of the property, and partly on land, at 282 Rangihoua Road, Purerua.**

The other activities that are part of the proposal to which this application relates are:

**No other activities are to be undertaken.**

A resource consent is also needed from NRC for the proposed activity.

We attach an assessment of the proposed activity's effect on the environment that—

- a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
- b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
- c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

**Refer to attached Planning Report.**

We attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.

**Refer to attached Planning Report.**

We attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including the information required by clause 2(2) of Schedule 4 of that Act.

**Refer to attached Planning Report.**

We attach the following further information required to be included in this application by the regional plan, the Resource Management Act 1991, or any regulations made under that Act.

**Document**

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**Planning Report, including Assessment of Environmental Effects, prepared by Bay of Islands Planning Limited.**

**Appendix 1: Record of Title & Instruments**

**Appendix 2: Construction Methodology & Engineering Drawings [Johnson Bros Limited].**

**Appendix 3: NRC Resource Consent Application**

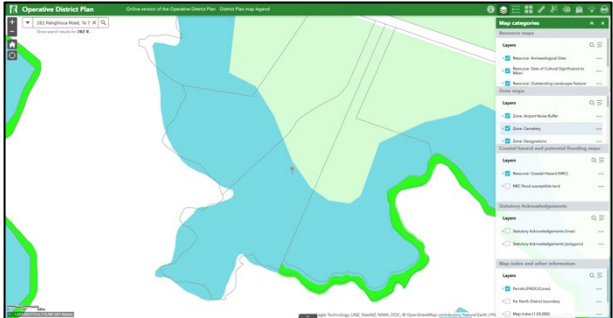



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Date: 15 March 2024

**PROPERTY DETAILS**

<b>Applicant</b>	IDF Developments Limited
<b>Address for Service</b>	Bay of Islands Planning [2022] Limited PO Box 318 PAIHIA 0247 C/O - Steven Sanson  steve@bayplan.co.nz 021-160-6035
<b>Legal Description</b>	Lot 3 DP 514968
<b>Record Of Title</b>	799818
<b>Physical Address</b>	CMA at 282 Rangihoua Road, Te Tii
<b>Site Area</b>	5.5352ha
<b>Owner of the Site</b>	IDF Development Limited
<b>District Plan Zone</b>	 <p>General Coastal &amp; Rural Production [ODP]</p>  <p>Rural Production ; Coastal Environment ; High Natural Character ; Coastal Flood Hazard [PDP]</p>

**District Plan Features**

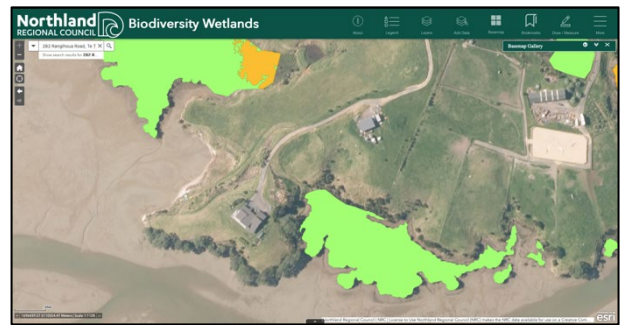
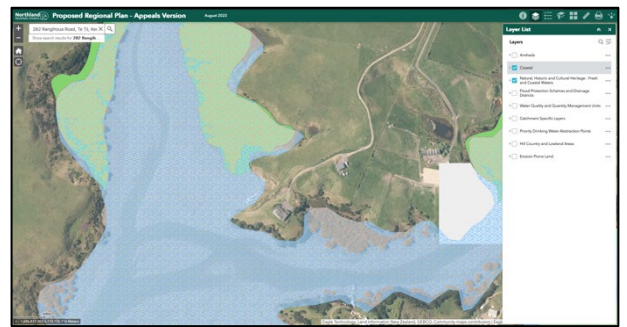


Outstanding Natural Landscape

**Archaeology**

Refer **Appendix 1**.

**NRC Overlays**



Coastal Environment ; High Natural Character

General Marine Zone ; Significant Bird Area ; Significant Marine Mammal and Seabird Area – Critical Bird Habitat [Bittern] ; High Natural Character

**Soils**

N/A

**Protected Natural Area**

Nil

**HAIL**

Nil



## INTRODUCTION and BACKGROUND

1. Our clients, IDF Development Limited [the applicants] have asked that we assist with the resource consent process to enable the construction and use of a jetty, gangway, floating pontoon and boat ramp within the Coastal Marine Area [CMA] and partly on land at their property in Purerua.

## APPLICATION SITE AND LOCALITY

2. The application site is within the site and largely in the Pokoura Inlet which is an arm of the Te Puna Inlet being a short maritime distance from Te Tii community. The activity is taking place on the southwestern side of the applicants' property [the Headland] as indicated on the map below [Figure 1](#).



Figure 1 - Site Location [Source: Johnson Bros Limited]

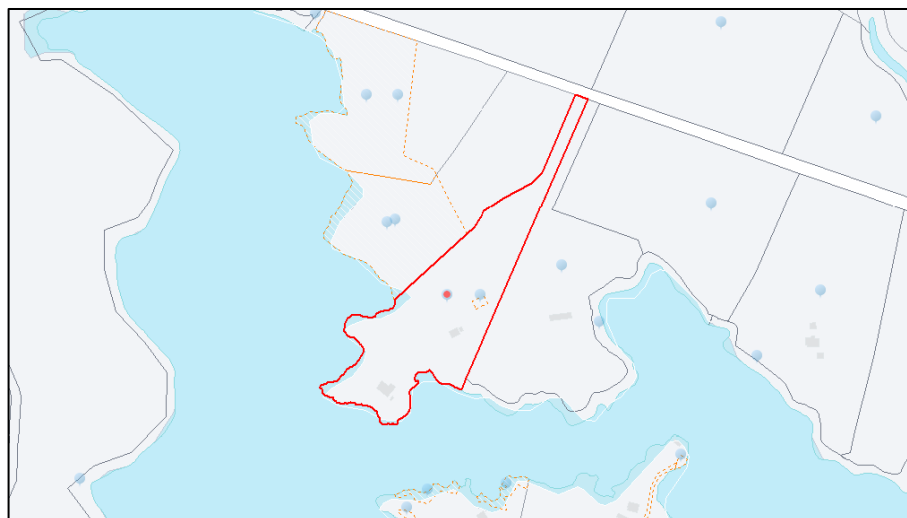


Figure 2 - Site Title [Source: Prover]



Figure 3 – Aerial Photo [Source: Prover]

3. The property owned by the applicant comprises a single title as indicated in [Figure 2](#). The northern part of the site is relatively flat, but the property slopes down to the CMA along the western and southern boundaries. The site is 5.5352ha in size.
4. The property is predominantly pasture covered and contains an existing dwelling and associated shed structures. The property has been used for low intensity farming purposes in the past but is largely in rural lifestyle use. The natural and introduced features are readily revealed on the aerial photographs below within [Figure 3](#).
5. The bay within which the facilities are being developed is sheltered from most public viewing locations save the Coastal Marine Area and a select number of residences in the surrounds. The location is not visible from Te Tii Settlement. Overall, the location of the facilities is relatively sheltered within the bay adjoining the applicants' property from the wider viewing audience.
6. Other than access by a vessel, the application area can be accessed off Rangihoua Road via the applicant's site. There are no navigational channels within 500m of the applicant's property and there is no public access across the applicants' land.
7. The Record of Title for the site is found in [Appendix 1](#). A consent notice is attached to the title which includes restrictions for built development within the FNDC' jurisdiction. These do not impact matters associated with consents required within the MHWS as they relate to built development with respect to archaeological features which are well separated from the general development area.

## APPLICATION DESCRIPTION

8. In general terms this application involves the construction and use of a –
  - Boat Ramp: will be concreted and cover an area of 216m<sup>2</sup> [5m wide and 38.5m

long].

- **Timber Jetty:** [ 3.0 m wide and 68.5 m long] supported on 37 pile-driven piles; and
- **Aluminium Gangway:** [ 2m wide and 12m long] leading onto a floating pontoon [ 4m wide and 14m long] held by 4 driven piles. **Figure 4** provides a snapshot of these matters.

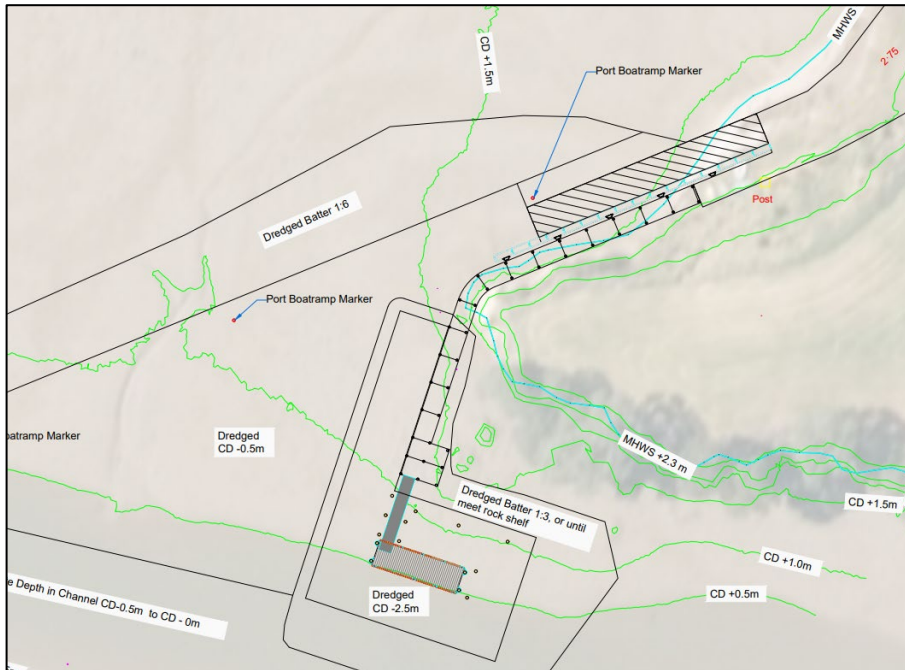


Figure 4 – Development Plan [Source: Johnson Bros Limited]

9. The overall nature and scale of the activities are provided in the attached methodology and drawings prepared by Johnson Bros Limited [refer **Appendix 2**].
10. Dredging is proposed across two areas as follows:
  - a. Over an area of 4,471m<sup>2</sup> to the level of CD-0.5. This is anticipated to create a dredged material volume of 5,814m<sup>3</sup>.
  - b. Over an area of 1,795m<sup>2</sup> to the level of CD-2.5m which will create a dredged material volume of 8,168m<sup>3</sup>.
11. The proposed disposal site for the dredged material has been consented under FNDC Consent 2220197-RMALUC and NRC Consent AUT.43117.01.01.
12. The majority of the structures are found within the CMA and thus require NRC approval. The relevant application to NRC is found in **Appendix 3**.

## APPLICATION STATUS

13. The FNDC Operative Plan and FNDC Proposed District Plan are the relevant ‘plans’ to consider. Rules not meeting the permitted activity standard[s] are found in **Tables** below.

**Table 1 Assessment of Part 2 Environment Provisions**

Rule	Assessment	Status
<b>10.6.5.1.1 Visual Amenity</b>	The building proposed landward of MHWS is 52m <sup>2</sup> in size.	<b>Restricted Discretionary</b>
10.6.5.1.2 Residential Intensity	A dwelling is existing on site. The proposal is not related to residential use.	Permitted
<b>10.6.5.1.3 Scale of Activities</b>	The proposed structure could be used by up to 15 truck and trailer units at any one time. This is above the 5 users at any one time permissible on the site.	<b>Discretionary</b>
10.6.5.1.4 Building Height	No structures are above 8m in height.	Permitted
10.6.5.1.5 Sunlight	No structures would exceed the sunlight rules	Permitted
10.6.5.1.6 Stormwater Management	The addition of ~52m <sup>2</sup> does not trigger a stormwater management breach.	Permitted
<b>10.6.5.1.7 Setback from Boundaries</b>	The structure is within 10m of the CMA boundary.	<b>Restricted Discretionary</b>
10.6.5.1.8 Transportation	The place of assembly is for 15 truck and trailers who would generate 30 traffic movements. The existing house is exempt.	Permitted
10.6.5.1.9 Keeping of Animals	Not relevant	Permitted
10.6.5.1.10 Noise	Not relevant	Permitted
10.6.5.1.11 Helicopter Landing Area	Not relevant	Permitted

**Table 2 Assessment of Part 3 District Wide Provisions**

Rule	Assessment	Status
<b>12.1 Landscapes &amp; Natural Features</b>	52m <sup>2</sup> of building / structure associated with the jetty is in ONL.  Excavation and filling will not exceed 300m <sup>3</sup> .  For assessment purposes, Rule 12.1.6.1.5 is breached, however the RPS <u>no longer</u> maps the site as ONL.	<b>Restricted Discretionary</b>
12.2 Indigenous Flora & Fauna	No vegetation clearance is required	Permitted
12.3 Soils & Minerals	Excavation and filling will not exceed 300m <sup>3</sup> .	Permitted
12.4 Natural Hazards	No residential dwelling is proposed. The site is not implicated by Coastal Hazards	Permitted
12.5 Heritage; 12.5A Heritage Precincts	Not relevant	Permitted
<b>12.7 Lakes, Rivers Wetlands and the Coastline</b>	The proposal includes impervious surfaces within 30m of the CMA.	<b>Discretionary</b>

12.8 Hazardous Substances	Not relevant	Permitted
12.9 Renewable Energy & Energy Efficiency	Not relevant	Permitted
13 Subdivision	Not relevant	Permitted
14 Financial Contribution	Not relevant	Permitted
15 Transportation	<p>As above, the traffic movements for the site are 30 [exempt existing dwelling].</p> <p>The proposal will provide necessary on-site parking and manoeuvring for up to 15 x vehicles and boat trailers.</p> <p>Access to the site is by way of Rangihoua Road. Upgrades in accordance with Appendix 3B-1 will be provided for the private accessway as well as any vehicle crossing upgrades required.</p>	Permitted
Signs and Lighting	Not relevant	Permitted

**Table 3 Assessment of PDP Rules [Legal Effect]**

Rule	Assessment	Status
Hazardous Substances	Not relevant	Permitted
Heritage Area Overlays	Not relevant	Permitted
Historic Heritage	Not relevant	Permitted
Notable Trees	Not relevant	Permitted
Sites and Areas of Significance to Maori	Not relevant	Permitted
Ecosystems and Indigenous Biodiversity	Not relevant	Permitted
Activities on the Surface of Water	Not relevant	Permitted
Earthworks	GD-05 will be adhered to and an ADP can be applied to the proposal features where required	Permitted
Signs	Not relevant	Permitted
Orongo Bay Zone	Not relevant	Permitted
Subdivision	Not relevant	Permitted

**Table 4 Assessment of Consent Notices**

Matter	Assessment	Status
Consent Notice v	The proposal does not impact land covenant area 'Y'.	No implications
Consent Notice vi	The proposal does not result in cats, dogs or mustelids kept on the site.	No implications

## STATUTORY CONSIDERATIONS

14. In coming to a decision on the application the relevant considerations are found within Section 104. Consideration of each element of Section 104 as appropriate is contained in the following sections comprising Assessment of Environmental Effects, Policy Context, Plan Provisions, Other Matters and Part 2.

## ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

15. The following assessment addresses the matters listed in the Fourth Schedule to the Resource Management Act. Where appropriate, reference is made to other sections of this report for the provision of details on the application.

**Table 5 Requirements for Assessment of Environmental Effects**

Status	Fourth Schedule Items	Comments
2 (1) Information required in all applications	a) a description of proposal.	Refer to preceding paragraphs above and accompanying documentation.
	(b) a description of the site at which the activity is to occur:	Refer to the Form 9.
	(c) the full name and address of each owner or occupier of the site:	Refer to the Form 9.
	d) a description of any other activities that are part of the proposal to which the application relates	No other activities are involved.
	e) a description of any other resource consents required for the proposal to which the application relates	Resource consent is required from NRC – Refer <b>Appendix 3</b> .
	f) an assessment of the activity against the matters set out in Part 2	Refer to specific section below.
	g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).	For the purposes of this application the relevant provisions relate to the following documents: <ul style="list-style-type: none"> <li>NZ Coastal Policy Statement;</li> <li>Regional Policy Statement; and Regional Plan.</li> </ul>
2(2) An assessment against	a) any relevant objectives, policies, or rules in a document;	Refer to following sections.
	b) any relevant requirements, conditions, or permissions in any rules in a document; and	No other assessment is known to apply.
	c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).	No other assessment is known to apply.
2(3) An assessment of the activities effects on the environment that	a) includes the information required by clause 6;	All matters within Clause 6 are embodied within the following section.
	b) addresses the matters specified in clause 7;	All matters within Clause 7 are embodied within the following section.
	c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.	The application includes detail which addresses the effects of the activity on the environment.



Status	Fourth Schedule Items	Comments
3 Additional information required in some applications	a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)):	Refer <i>Tables</i> above.
	b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):	Not applicable.
	c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).	The site is within an area over which applications seeking customary marine title have been made but not determined.  As required, notice has been given of the application to relevant parties. Refer <b>Appendix 4</b> .
4 Additional information required in application for subdivision consent	(a) An application for a subdivision consent must also include information that adequately defines the following:	Not applicable.
5 Additional information required in application for reclamation	An application for a resource consent for reclamation must also include information to show the area to be reclaimed, including the following:	Not applicable.
6 Information required in assessment of environmental effects	1) An assessment of the activity's effects on the environment must include the following information:	
	a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:	The activity is not considered to result in any significant adverse effect. Refer to assessment below.
	b) an assessment of the actual or potential effect on the environment of the activity:	Refer to assessment below.
6 Information required in assessment of environmental effects ....continued	d) if the activity includes the discharge of any contaminant, a description of— i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and ii) any possible alternative methods of discharge, including discharge into any other receiving environment:	The application does not include matters of this nature.
	e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:	Mitigation measures are detailed within the construction methodology.
	f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:	The applicant has undertaken consultation with local hapu.
	g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:	Other than monitoring of the conditions of consent no additional monitoring is required.

Status	Fourth Schedule Items	Comments
	h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).	The site is within an area over which applications seeking customary marine title have been made.  Consultation with the local hapu has been initiated.
	2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.	
	3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not— (a) oblige the applicant to consult any person; or (b) create any ground for expecting that the applicant will consult any person.	
7 Matters that must be addressed by assessment of environmental effects	1) An assessment of the activity's effects on the environment must address the following matters:	
	a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:	Refer to assessment below.
	b) any physical effect on the locality, including any landscape and visual effects:	Refer to assessment below.
	c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:	Refer to assessment below.
	d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:	Refer to assessment below.
	e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:	Refer to assessment below.
	f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.	Activities of this nature do not apply to the application site.
	2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.	

16. The following assessment addresses the matters listed in Clauses 6 and 7 of the Fourth Schedule to the Resource Management Act. Where appropriate, reference is made to other sections of this report for the provision of details on the application.

#### **Clause 6, Information Required in Assessment of Environmental Effects**

##### **Item (a)**

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

17. No significant adverse effects are anticipated to arise from any of the activities included in the application for the reasons outlined in the subsequent assessment below.

18. Consideration of alternatives has been undertaken. Alternative off site options where marine access facilities already exist was considered. The closest would be located at Waipapa Landing or at Opito Bay. The travel time makes these options less attractive.

19. To the west of the preferred development area is areas of High Natural Character and Significant Bird Area – Critical Bird Habitat. An SBA-CBH is also located to the east [refer Figure 5 below]. Alternative locations with proximity to the site were therefore considered, however due to these environmental constraints, these were not feasible.

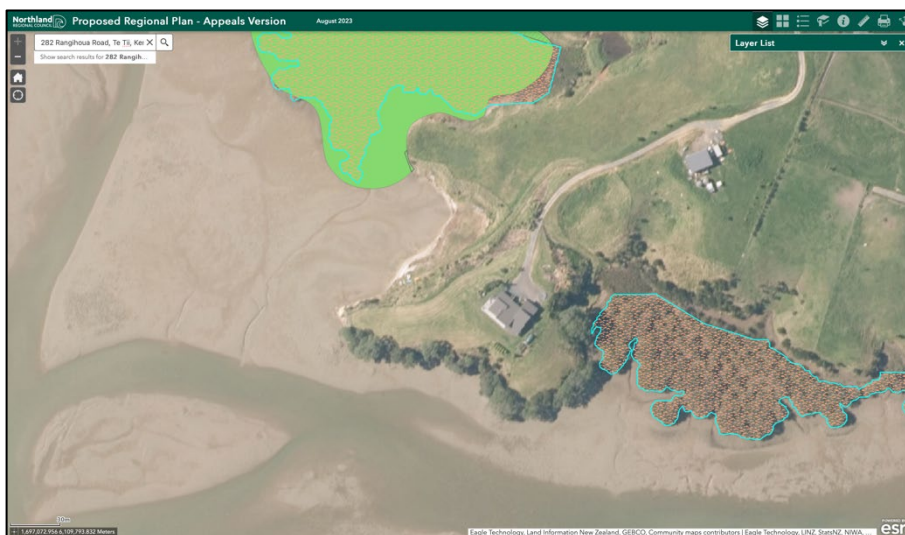


Figure 5 – Environmental Constraints [Source: NRC Maps]

**Item (b)**

An assessment of the actual or potential effect on the environment of the proposed activity:

- 20. The Act requires that an AEE assess environmental effects “*includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment*”. Furthermore, when considering an application under the tests of section 104, Council may disregard any effect on the environment if the plan permits an activity with that effect.
- 21. The local environment is one of a small bay with a headland to the south, both owned by the applicant. The proposed boat ramp is behind the headland, while the jetty and pontoon will come out and around the headland.
- 22. The proposed location is in the upper reaches of the Poukoura Inlet which is an area that has minimal boat traffic and public viewing points. The location of the boat ramp behind the headland will limit its visibility from the water and assists in screening from view from public places on land by its topography.
- 23. Components of the environment which may potentially be affected in this context comprise visual amenity, natural character and landscape, ecological aspects, cultural values, public access, setback, and cumulative effects.
- 24. These are all addressed below.

**Visual Amenity, Landscape and Natural Character**

25. The proposed facilities are commonly found in a coastal setting, and in this particular application the facilities are considered modest in size and presence. The headland on the adjoining foreshore helps the facilities fit into the landscape with the effect of making them generally unobtrusive from the coastal marine area.
26. People passing within the Te Puna Inlet will not see these facilities. Minimal boat traffic is expected within the Poukoura Inlet but it is unlikely the occupants of boats in this area will find the presence of the facilities repugnant due to the sites isolated location and the scale of the facilities.
27. The proposed development is also located in a modified marine environment. Existing aquaculture development, as well as marine related facilities such as boatramps and jetties are present and are not uncommon in the surrounds.
28. The proposal sits outside areas of high natural character and is largely devoid of any significant natural character. The site is no longer ONL as per the updated maps, therefore effects associated with this resource are now removed. Whilst the site is within the Coastal Environment, it is more or less a rural landholding.
29. The proposal for a 52m<sup>2</sup> building / structure on the landward side of MHWS, 3m<sup>2</sup> above the permitted baseline, is not considered to result in adverse effects that are more than minor in nature. Earthworks will all be within permitted standards at the landward side of MHWS, so no such conditions are applicable here. No vegetation clearance is required.
30. There is also an approved dredging disposal location in the surrounds. These features are outlined in [Figure 6](#) below.

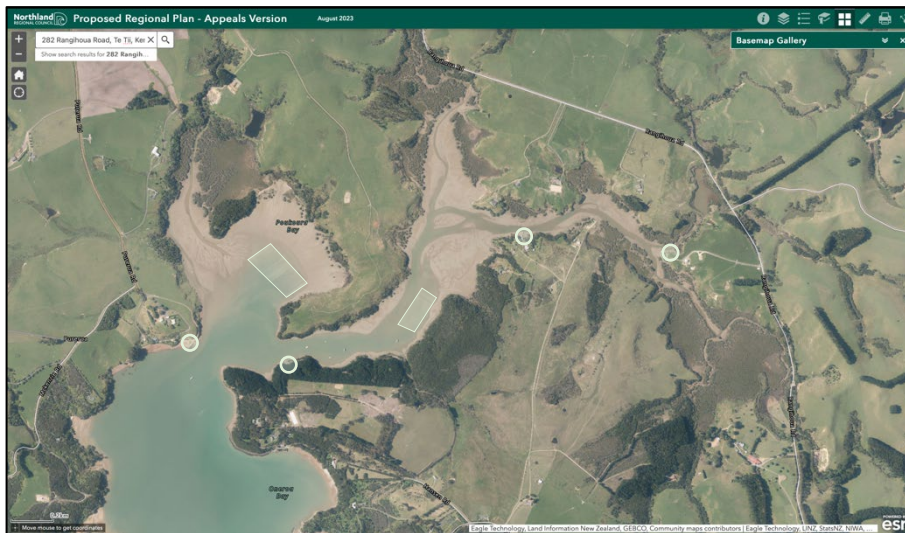


Figure 6 – Marine Features [Source: NRC Maps]

## Public Access

31. While there is no right of access by the public across the applicants' land, access to the

foreshore below MHWS has always been available from the coastal marine area or shore line.

32. Public access to the facilities by boat is not proposed in this instance but will be available on a payment basis to users in the surrounds. Therefore, although 'exclusive' to some members of the public, the use is not totally restricted.
33. This exclusive use is not considered to result in significant adverse effects on public access and recreational use. The area exhibits no such features now and the development of the marine facilities does little to change recreational use or public use of the bay as land side access / egress will not be possible.

### **Ecological Impact**

34. The activity is not considered to have any adverse effects in the same context as discussed in relation to natural character. While some disturbance of the sea bed will occur with the installation of the piles and the proposed dredging, the inevitable effects on species in the areas affected, is anticipated to quickly recover. Similar transient effects will occur from future maintenance, but this will be infrequent. These effects are not within FNDC's jurisdiction. As there is no clearance and permitted earthworks to take place, there are no known effects to ecology under the FNDC remit.

### **Setback Effects**

35. The location of the building / structure and additional impervious surface next to / near the CMA is not considered to result in adverse effects that are more than minor.
36. There are no 'affected' neighbours so to speak who would be impinged in terms of privacy, visual domination, or outlook. It does not impinge on access or egress to the site or other people's sites. A landscape plan could be conditioned; however it's not considered overly required for the structure that is greater than the permitted baseline.
37. Public enjoyment and benefit are not reduced, as access to the site is by land only at present. If required, people can still access the CMA area outside of the proposed structures as they can freely do so now.
38. The location of the proposed marina facilities has been initially discussed with hapū – Ngati Torehina. We await additional information, however there has been no immediate concerns regarding the proposal. The applicant has a good relationship with this hapū and has worked with them on surrounding developments. There are no known cultural or spiritual concerns with the location.
39. The location is not encumbered by any mapped or known wetlands, or any natural hazards. Water quality and water quantity issues can all be managed by NRC in this instance through conditions of consent [if any]. There is no effluent disposal associated with the activity.

### **Cultural Values**

40. This part of the Poukoura Inlet off the Te Puna Inlet and the surrounding hinterland have a strong cultural heritage. The seabed in the locality is subject to a number of applications seeking customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011.

These parties have been informed of the proposal [Refer **Appendix 4**].

41. The applicant has undertaken direct consultation with local hapū [Hugh Rihari] who has attended a site visit. At time of drafting this AEE, a full cultural appraisal was yet to be undertaken.

### **Cumulative Effects**

42. The proposal will not give rise to adverse cumulative effects. Each construction component of the proposal is set out and contains adequate information and mitigations to ensure appropriate management of environmental conditions.
43. The proposal is realistically not visible from public places other than the CMA and those sites on the other side of the Pokoura Inlet. Given the modified environment which includes the many marine related structures present, an additional structure is not considered to be inappropriate.
44. Effects associated with dredging and deposition are all considered above. Given the location of surrounding aquaculture, careful consideration of construction is required. Consent conditions are also expected to promote and ensure ongoing efficiency and operation of the surrounding aquaculture activities and this is not in contention or opposed by the application.

### **Summary of Potential Effects**

45. Overall, having reviewed the effects of the activity upon the environment it is concluded that these range from minimal to no more than minor.

### **Item (c)**

If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:

46. This does not apply.

### **Item (d)**

If the activity includes the discharge of any contaminant, a description of -  
(i) The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and  
(ii) Any possible alternative methods of discharge, including discharge into any other receiving environment:

47. The activity is not recognised as creating opportunities of this nature.

### **Item (e)**

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



48. Those mitigation measures considered necessary are provided.

**Item (f)**

Identification of the persons affected by the proposal, the consultation undertaken, if any, and any response to the views of any person consulted.

49. As noted earlier the parties seeking customary marine title under the Marine and Coastal Area (Takutai Moana) Act 2011 have been informed of the proposal. Further consideration of the proposal may come from hapū.

**Item (g)**

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

50. Monitoring of the activity falls within the responsibility of the consent holder. Any additional monitoring requirements can be imposed through conditions of consent.

**Item (h)**

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

51. A number of groups are seeking recognition of customary interests under the Marine and Coastal Area (Takutai Moana) Act 2011. These parties have been informed of the proposal.

**Clause 7, Matters that must be Addressed by Assessment of Environmental Effects**

**Item (a)**

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

52. The proposal is not considered to have any adverse effect on those in the neighbourhood and will confer some benefits to the public generally by facilitating public access [albeit restricted to paying members] to the foreshore.

**Item (b)**

Any physical effect on the locality, including any landscape and visual effects:

53. Refer to previous comments relating to the landscape values.

**Item (c)**

Any effects on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:

54. The AEE has concluded that effects on these features will be short lived, localised within the footprint of the facilities, and although some biota will be lost as a result of the piling and dredging activities, only common species are likely to be affected and recovery will be rapid once construction is complete.

**Item (d)**

Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:

55. It is not anticipated that these matters will be adversely affected. Hapu have been engaged and further responses are expected with respect to cultural matters.

**Item (e)**

Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:

56. There will be no discharge of contaminants from the proposed activity but there will be some turbidity generated during the piling installation and dredging. Use of best practice construction methods and floating silt curtains will reduce the level of such effects which are also expected to have a short duration. Other mitigation measures are proffered in **Appendix 2**.

**Item (f)**

Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of any hazardous substances or hazardous installations:

57. There are no hazardous installations or use of hazardous substances. The only relevant natural hazard is coastal inundation during high rainfall events which will not be exacerbated by the presence of the facilities. The design has taken account of such possibilities.

**Summary**

58. Based on the above assessment, the actual adverse environmental effects arising from the proposal are considered to be no more than minor.

**POLICY CONTEXT**

59. The relevant documents to be assessed are considered to be -

- The New Zealand Coastal Policy Statement.
- The Regional Policy Statement.

- Proposed Regional Plan.
- Far North District Plan [ODP and PDP].

## **New Zealand Coastal Policy Statement**

### **Objectives**

60. This document aims to achieve the purpose of the Resource Management Act in respect of the Coastal Environment. It contains 7 objectives and a number of policies grouped under 29 headings. The proposal is assessed in relation to all seven objectives in [Table 6](#).

**Table 6 Objectives of NZ Coastal Policy Statement**

<b>Objectives</b>	<b>Comments</b>
<p><b>1</b> To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:</p> <ul style="list-style-type: none"> <li>▪ maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;</li> <li>▪ protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; <i>and</i></li> <li>▪ maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.</li> </ul>	<p>The proposal does not have any permanent effects on natural or physical processes in the coastal environment and the site is not recognised as containing significant habitats of indigenous flora or fauna. There will be temporary adverse effects on water quality during construction and dredging but these will be temporary and no more than minor.</p>
<p><b>2</b> To preserve the natural character of the coastal environment and protect natural features and landscape values through:</p> <ul style="list-style-type: none"> <li>▪ recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;</li> <li>▪ identifying those areas where various forms of subdivision, use and development would be inappropriate and protecting them from such activities; and</li> <li>▪ encouraging restoration of the coastal environment.</li> </ul>	<p>The effects on the natural character of the locality have been considered.</p>

Objectives	Comments
<p><b>3</b> To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</p> <ul style="list-style-type: none"> <li>▪ recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;</li> <li>▪ promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;</li> <li>▪ incorporating mātauranga Māori into sustainable management practices; and</li> <li>▪ recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.</li> </ul>	<p>The applicant has informed those groups seeking recognition of customary interests over this area of the proposal. In addition, they have consulted directly with the local hapu.</p>
<p><b>4</b> To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:</p> <ul style="list-style-type: none"> <li>▪ recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;</li> <li>▪ maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and</li> <li>▪ recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.</li> </ul>	<p>The facilities will sit within the public domain and will be available for public use, [albeit restricted to paying members], similar to that of a marina. This will enhance recreational use of the foreshore of the bay for those parties.</p>
<p><b>5</b> To ensure that coastal hazard risks taking account of climate change, are managed by:</p> <ul style="list-style-type: none"> <li>▪ locating new development away from areas prone to such risks;</li> <li>▪ considering responses, including managed retreat, for existing development in this situation; and</li> <li>▪ protecting or restoring natural defences to coastal hazards.</li> </ul>	<p>The design of the facilities takes into account possible sea level rise.</p>

Objectives	Comments
<p><b>6</b> To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</p> <ul style="list-style-type: none"> <li>▪ the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</li> <li>▪ some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</li> <li>▪ functionally some uses and developments can only be located on the coast or in the coastal marine area;</li> <li>▪ the coastal environment contains renewable energy resources of significant value;</li> <li>▪ the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</li> <li>▪ the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</li> <li>▪ the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected;</li> <li>▪ historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.</li> </ul>	<p>The AEE has reviewed these matters and concluded that the development is appropriate. In functional terms, recreational boating is dependent on the coastal marine area, and a facility of this nature is an effective and space efficient means of providing access for vessels.</p>
<p><b>7</b> To ensure that management of the coastal environment recognises and provides for New Zealand’s international obligations regarding the coastal environment, including the coastal marine area.</p>	<p>New Zealand has entered into a number of Multilateral Environmental Agreements related to the protection of the marine environment. These are all predicated on the principles of sustainable management including intergenerational equity, avoidance of environmental damage and pollution, and pursuit of common purposes. The application is not considered to offend this objective.</p>

## Policies

61. Of the 29 policy headings set out in the NZCPS, two are considered to be of particular relevance to this application, namely Activities in the Coastal Environment, Public Open Space and Walking Access. These are assessed in [Table 7](#).

**Table 7** *Policies of NZ Coastal Policy Statement*

Policy	Comment
<p><b>2 The Treaty of Waitangi, tangata whenua and Māori heritage.</b></p> <p>In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:</p> <p>(a) recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;</p> <p>(b) involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;</p> <p>(c) with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;</p> <p>(d) provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga, may have knowledge not otherwise available;</p> <p>(e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and</p> <p>(i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</p> <p>(ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</p> <p>(f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</p> <p>(i) bringing cultural understanding to monitoring of natural resources;</p> <p>(ii) providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;</p> <p>(iii) having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaimai or other non commercial Māori customary fishing; and</p> <p>.....continued</p>	<p>At this high level, the parties who have registered an interest in the Coastal Marine Area have been informed of the activity. At the local level hapu have been consulted.</p>



Policy	Comment
<p><i>Policy 2 continued...</i></p> <p>(g) in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value:</p> <p>(i) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and</p> <p>(ii) provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.</p>	
<p><b>6 Activities in the coastal environment</b></p> <p><b>(2)</b> Additionally, in relation to the coastal marine area:</p> <p>(a) recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations:</p> <p>(b) recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;</p> <p>(c) recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;</p>	<p>The facilities are an appropriate activity which enhances accessibility to recreational opportunities within the bay and wider Bay of Islands for certain parties.</p>

Policy	Comment
<p><b>13 Preservation of natural character</b></p> <p>(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:</p> <ul style="list-style-type: none"> <li>(a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and</li> <li>(b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:</li> <li>(c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and</li> <li>(d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.</li> </ul> <p>(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:</p> <ul style="list-style-type: none"> <li>(a) natural elements, processes and patterns;</li> <li>(b) biophysical, ecological, geological and geomorphological aspects;</li> <li>(c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;</li> <li>(d) the natural movement of water and sediment;</li> <li>(e) the natural darkness of the night sky;</li> <li>(f) places or areas that are wild or scenic;</li> <li>(g) a range of natural character from pristine to modified; and</li> <li>(h) experiential attributes, including the sounds and smell of the sea; and their context or setting.</li> </ul>	<p>The development area has not been classified as having outstanding natural character. The natural character of the development area is not affected to a more than minor level.</p>

Policy	Comment
<p><b>Policy 15 Natural features and natural landscapes</b>  To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:</p> <ul style="list-style-type: none"> <li>(a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and</li> <li>(b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; including by:</li> <li>(c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to: <ul style="list-style-type: none"> <li>(i) natural science factors, including geological, topographical, ecological and dynamic components;</li> <li>(ii) the presence of water including in seas, lakes, rivers and streams;</li> <li>(iii) legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;</li> <li>(iv) aesthetic values including memorability and naturalness;</li> <li>(v) vegetation (native and exotic);</li> <li>(vi) transient values, including presence of wildlife or other values at certain times of the day or year;</li> <li>(vii) whether the values are shared and recognised;</li> <li>(viii) cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;</li> <li>(ix) historical and heritage associations; and</li> <li>(x) wild or scenic values;</li> </ul> </li> <li>(d) ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules;</li> <li>(e) including the objectives, policies and rules required by (d) in plans.</li> </ul>	<p>There are no such natural features or natural landscapes.</p>

Policy	Comment
<p><b>18 Public open space</b></p> <p>Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:</p> <ul style="list-style-type: none"> <li>a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;</li> <li>b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;</li> <li>c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment;</li> <li>d) considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and</li> <li>e) recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.</li> </ul>	<p>This proposal facilitates public access to the foreshore of the Bay for certain parties.</p>

62. This review of the applicability of the objectives and policies of the NZCPS reveals the activity is an appropriate development in this particular part of the coastal environment and that it can be managed sustainably.

## **Regional Policy Statement for Northland**

### **Objectives**

63. As the objectives of the RPS are set at a high level there are few items of direct relevance. Those matters of relevance are considered in [Table 8](#).

**Table 8 Relevant Objectives of Regional Policy Statement**

<b>Objective</b>	<b>Comment</b>
<p><b>3.10 Use and allocation of common resources</b></p> <p>Efficiently use and allocate common natural resources, with a particular focus on:</p> <p>(a) Situations where demand is greater than supply;</p> <p>(b) The use of freshwater and coastal water space; and</p> <p>(c) Maximising the security and reliability of supply of common natural resources for users.</p>	<p>This proposal involves use of coastal space for the provision of maritime facilities. There are numerous opportunities for public access to the coast in this area, and slightly restricting the use for this proposal is not considered to be incongruent with the policy.</p>
<p><b>3.14 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage</b></p> <p>Identify and protect from inappropriate subdivision, use and development;</p> <p>(a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;</p> <p>(b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes;</p> <p>(c) The integrity of historic heritage.</p>	<p>Neither the landward areas nor the coastal marine area itself have been classified as having High Natural Character.</p>
<p><b>3.15 Active management</b></p> <p>Maintain and / or improve;</p> <p>(a) The natural character of the coastal environment and fresh water bodies and their margins;</p> <p>(b) Outstanding natural features and outstanding natural landscapes;</p> <p>(c) Historic heritage;</p> <p>(d) Areas of significant indigenous vegetation and significant habitats of indigenous fauna (including those within estuaries and harbours);</p> <p>(e) Public access to the coast; and</p> <p>(f) Fresh and coastal water quality by supporting, enabling and positively recognising active management arising from the efforts of landowners, individuals, iwi, hapū and community groups.</p>	<p>The proposal does not involve active management.</p>

### **Policies**

64. In addition to these objectives, three specific policies within the RPS dealing with occupation of space, co-ordination of development and development in the coastal environment are also of general relevance as assessed in [Table 9](#).

**Table 9 Relevant Policies of the Regional Policy Statement**

Policies	Comments
<p><b>4.5.2 Policy – Application of the Regional Policy Statement - Maps</b></p> <p>The Regional Policy Statement Maps of high and outstanding natural character and outstanding natural features and outstanding natural landscapes identify areas that are sensitive to subdivision, use and development. The maps of these areas identify where caution is required to ensure activities are appropriate. However, suitably qualified assessment at a site or property-specific level can be used to demonstrate lesser (or greater) sensitivity to particular subdivision, use and development proposals given the greater resolution provided.</p>	<p>The application area does not contain these mapped values.</p>
<p><b>4.8.1 Policy – Demonstrate the need to occupy space in the common marine and coastal area</b></p> <p><i>(1) Only consider allowing structures, the use of structures and other activities that occupy space in the common marine and coastal area where:</i></p> <p><i>(a) They have a functional need to be located in the common marine and coastal area, unless the structure, use or activity is consistent with Policy 4.8.1(2);</i></p> <p><i>(b) It is not feasible for the structure, the use or the occupation of space to be undertaken on dry land (land outside the common marine and coastal area), unless it is consistent with Policy 4.8.1(2);</i></p> <p><i>(c) It is not feasible to use an existing authorised structure; and</i></p> <p><i>(d) The area occupied is the minimum necessary to provide for or undertake the intended use.</i></p> <p><i>(2) Occupation of space, and structures (and their use) that are contrary to Policy 4.8.1(1) (a) and (b) may be appropriate where they will make a significant positive contribution to the local area or the region.</i></p> <p><i>(3) If the public are excluded from using a structure or common marine and coastal area, the exclusion is for the minimum time and covers the minimum area necessary to provide for or undertake the intended use and/or to ensure the health and safety of the public.</i></p>	<p>The facilities have a functional need to be located in the common marine and coastal area and cannot be accommodated on dry land. Item (2) is not therefore relevant. Item (3) is relevant and not all of the public are excluded, only some who can rely on public amenities and features in the surrounds.</p>

Policies	Comments
<p><b>5.1.1 Policy – Planned and co-ordinated development</b>  <i>Subdivision, use and development should be located, designed, and built in a planned and co-ordinated manner which:</i></p> <p><i>(a) Is guided by the ‘Regional Form and Development Guidelines’ in Appendix 2;</i></p> <p><i>(b) Is guided by the ‘Regional Urban Design Guidelines’ in Appendix 2 when it is urban in nature;</i></p> <p><i>(c) Recognises and addresses potential cumulative effects of subdivision, use, and development, and is based on sufficient information to allow assessment of the potential long-term effects;</i></p> <p><i>(d) Is integrated with the development, funding, implementation, and operation of transport, energy, water, waste, and other infrastructure;</i></p> <p><i>(e) Should not result in incompatible land uses in close proximity and avoids the potential for reverse sensitivity; and</i></p> <p><i>(g) Maintains or enhances the sense of place and character of the surrounding environment except where changes are anticipated by approved regional or district council growth strategies and/or district or regional plan provisions.</i></p>	<p>This is a high level policy but some of the matters in the Form and Development Guidelines can be considered to have either been taken into account in formulating the proposal or to be achieved through its implementation. These include:</p> <ul style="list-style-type: none"> <li>• maintaining and improving public access to and along the coastal marine area [for some parties];</li> <li>• allowing for the projected effects of climate change;</li> <li>• considering effects on tangata whenua relationships, values, aspirations, roles and responsibilities.</li> <li>• managing the use of resources carefully, through environmentally responsive and sustainable design solutions;</li> </ul> <p>The facilities provides public access to the shore of the bay [for some parties]. No significant adverse effects, including incompatibility of land uses, are anticipated and the character of the local environment will remain unaffected. Local hapu have been part of the consultation process and we await their final comments on the proposal.</p>
<p><b>5.1.2 Policy – Development in the coastal environment</b>  <i>Enable people and communities to provide for their wellbeing through appropriate subdivision, use, and development that:</i></p> <p><i>(a) Consolidates urban development within or adjacent to existing coastal settlements and avoids sprawling or sporadic patterns of development;</i></p> <p><i>(b) Avoids increasing the risk of harm to people and property from coastal hazards;</i></p> <p><i>(c) Ensures sufficient development setbacks from the coastal marine area</i></p> <p><i>(i) to maintain and enhance public access, open space, and amenity values; and</i></p> <p><i>(ii) to allow for natural functioning of coastal processes and ecosystems;</i></p> <p><i>(d) Takes into account the values of adjoining or adjacent land and established activities (both within the coastal marine area and on land);</i></p> <p><i>(e) Ensures adequate infrastructure services will be provided for the development; and</i></p> <p><i>(f) Avoids adverse effects on access to, use and enjoyment of surf breaks of national significance for surfing.</i></p>	<p>Again, this is a high-level policy and consideration of matters such as ‘urban development’ is not required. The ‘principle’ of consolidating development is however relevant. Public access will be maintained and enhanced [for certain parties]. Coastal processes will not be affected and some of the land-based infrastructure for the applicants’ use is already in place.</p>

65. The analysis of the provisions of the operative Regional Policy Statement for Northland demonstrates that the proposal does give effect to a number of the components of objectives and policies relating to use and development and is aligned with the spirit and intent of the document.



**Proposed Regional Plan.**

66. The Proposed Regional Plan objectives and policies are considered in Table 10 below.

**Table 10      *Assessment of the Proposed Regional Plan***

Policies	Comments
Tangata Whenua D.1.1 – D.1.5	<p>The proposal is not considered to result in environmental effects to mahinga kai, or access to such areas.</p> <p>Regarding NRC and FNDC maps, the site is not within a wāhi tapu or site of significance.</p> <p>The seabed at the development site is largely devoid of vegetation. GMO's are not proposed.</p> <p>There are no impacts to taiapure, mataitai or maori non commercial fisheries.</p> <p>Customary rights are not affected.</p> <p>The development area is not considered a place of significance to tangata whenua.</p>
General D.2.1 – D.2.21	<p>The development location and proposal does not include:</p> <ul style="list-style-type: none"> <li>• A Te Ha o Tangaroa Protection Area</li> <li>• Any significant indigenous biodiversity</li> <li>• Impacts to land based values / infrastructure</li> <li>• Natural character, ONL and ONF's</li> <li>• Historic Heritage</li> <li>• Renewable energy</li> <li>• Regionally Significant Infrastructure</li> <li>• The National Grid</li> </ul> <p>The proposal will include where appropriate and conditioned:</p> <ul style="list-style-type: none"> <li>• Good management practices;</li> <li>• Benefits associated with social, cultural and economic wellbeing;</li> <li>• Climate change management;</li> <li>• Adaptive management</li> <li>• Relevant consent durations</li> <li>• Marine and freshwater pest management.</li> </ul>

Policies	Comments
Coastal D.5.1 – D.5.37	<p>The development location and proposal does not include:</p> <ul style="list-style-type: none"> <li>• GMO's</li> <li>• Surf Breaks</li> <li>• Mangrove removal</li> <li>• Deliberate disposal of dredge spoil</li> <li>• Reclamation</li> <li>• Marina or a mooring</li> <li>• Recognised anchorage / regionally significant anchorage</li> <li>• Aquaculture</li> </ul> <p>Underwater noise can be managed by consent conditions, noting however that the activity is temporary in nature and will not be ongoing.</p> <p>Dredging in this instance provides for the activity, which although does not meet the listed benefits, nonetheless provide benefits.</p>
Natural Hazards D.6.1 – D.6.5	The development location and proposal is not implicated by natural hazards.

67. In terms of specific rules of the Northland Regional Council, these are considered and assessed in **Appendix 3**.

### **Operative and Proposed District Plan**

68. The Operative District Plan incorporates a Zone Map and a Resource Map for each area of the district. The Zone Map does not zone the foreshore, but the adjoining land is zoned General Coastal which is assessed below.

**Table 11 Assessment of the Operative District Plan**

Objectives / Policies	Comments
<p>10.6.3.1 To provide for appropriate subdivision, use and development consistent with the need to preserve its natural character.</p> <p>10.6.3.2 To preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.</p> <p>10.6.3.3 To manage the use of natural and physical resources (excluding minerals) in the general coastal area to meet the reasonably foreseeable needs of future generations.</p>	<p>The proposed use is considered appropriate in its location and context. Natural character is not high or outstanding at the development location. The site is developed with residential use and marine related facilities form part of the existing and wider environment. The 52m<sup>2</sup> structure on the site is not considered to be inappropriate.</p> <p>Marine facilities meet the needs of future generations by providing access to the coast [albeit restricted in this instance] and recreational activities.</p>

<p>10.6.4.1 That a wide range of activities be permitted in the General Coastal Zone, where their effects are compatible with the preservation of the natural character of the coastal environment.</p> <p>10.6.4.2 That the visual and landscape qualities of the coastal environment in be protected from inappropriate subdivision, use and development.</p> <p>10.6.4.3 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including:</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(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)");</p> <p>(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;</p> <p>(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.</p> <p>10.6.4.4 That controls be imposed to ensure that the potentially adverse effects of activities are avoided, remedied or mitigated as far as practicable.</p> <p>10.6.4.5 Maori are significant land owners in the General Coastal Zone and therefore activities in the zone should recognise and provide for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.</p> <p>10.6.4.6 The design, form, location and siting of earthworks shall have regard to the natural character of the landscape including terrain, landforms and</p>	<p>The 52m<sup>2</sup> structure on land within the FNDC jurisdiction is considered to be compatible with the natural character of the coast. Its effects are no different to a shed or other type of structure, if not less, based on the concept design provided in <u>Appendix 2</u>. It is located in an area which is not readily visible.</p> <p>The applicant is in communications with local hapū on the proposal and awaits their further comments and / or requirements.</p> <p>The structure / building has a functional need to be located where it is. The design has considered nearby regional maps features / resources and placed it outside of these attributions.</p> <p>If required, a landscape plan can be promoted for the structure, but it's not considered overly necessary given its small scale [only 3m<sup>2</sup> above the permitted baseline].</p>
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Objectives / Policies	Comments
indigenous vegetation and shall avoid, remedy or mitigate adverse effects on those features.	

69. The relevant features of the PDP are provided earlier in the report. The relevant objectives and policies of the PDP are as follows:

**Table 12 Assessment of the Proposed District Plan**

Objectives / Policies	Comments
<p>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.</p> <p>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.</p> <p>RPROZ-O3 Land use and subdivision in the Rural Production zone:</p> <ul style="list-style-type: none"> <li>a) protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;</li> <li>b) protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;</li> <li>c) does not compromise the use of land for farming activities, particularly on highly productive land;</li> <li>d) does not exacerbate any natural hazards; and</li> <li>e) is able to be serviced by on-site infrastructure.</li> </ul> <p>RPROZ-O4 The rural character and amenity associated with a rural working environment is maintained.</p>	<p>The site is marginal in terms of primary production and is essentially for rural lifestyle use. Rural lifestyle use is a compatible activity in this context.</p> <p>The land has no versatile soils / highly productive land. The surrounds are largely rural in nature although some sites have been subdivided to provide lifestyle use. This lifestyle use is not compromised by the proposal.</p> <p>The proposal is self-sufficient and marine related facilities are not uncommon in the rural area. Natural hazards are not exacerbated at the site.</p> <p>The additional persons / people on the site will not create effects to surrounding uses / persons given the location of the proposed development.</p> <p>No subdivision is proposed under this development. Therefore, there are no land fragmentation matters of concern. There are no resource features of concern.</p> <p>As above, initial consultation with tangata whenua has occurred.</p>

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

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

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

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

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

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

RPROZ-P5 Avoid land use that:

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

RPROZ-P6 Avoid subdivision that:

results in the loss of highly productive land for use by farming activities;

fragments land into parcel sizes that are no longer able to support farming activities, taking into account:

the type of farming proposed; and

Objectives / Policies	Comments
<p>whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.</p> <p>provides for rural lifestyle living unless there is an environmental benefit.</p> <p>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:</p> <ul style="list-style-type: none"> <li>a) whether the proposal will increase production potential in the zone;</li> <li>b) whether the activity relies on the productive nature of the soil;</li> <li>c) consistency with the scale and character of the rural environment;</li> <li>d) location, scale and design of buildings or structures;</li> <li>e) for subdivision or non-primary production activities: <ul style="list-style-type: none"> <li>I. scale and compatibility with rural activities;</li> <li>II. potential reverse sensitivity effects on primary production activities and existing infrastructure;</li> <li>III. the potential for loss of highly productive land, land sterilisation or fragmentation</li> </ul> </li> <li>f) at zone interfaces: <ul style="list-style-type: none"> <li>I. any setbacks, fencing, screening or landscaping required to address potential conflicts;</li> <li>II. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;</li> </ul> </li> <li>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;</li> <li>h) the adequacy of roading infrastructure to service the proposed activity;</li> <li>i) Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;</li> <li>j) Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</li> </ul>	

Objectives / Policies	Comments
<p>The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.</p> <p>Land use and subdivision in the coastal environment:</p> <ol style="list-style-type: none"> <li>a. preserves the characteristics and qualities of the natural character of the coastal environment;</li> <li>b. is consistent with the surrounding land use;</li> <li>c. does not result in urban sprawl occurring outside of urban zones;</li> <li>d. promotes restoration and enhancement of the natural character of the coastal environment; and</li> <li>e. recognises tangata whenua needs for ancestral use of whenua Māori.</li> </ol> <p>Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.</p> <p>Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1- Mapping methods and criteria.</p> <p>Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as: outstanding natural character; ONL; ONF.</p> <p>Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as: outstanding natural character; ONL; ONF.</p>	<p>The site has been mapped within the coastal environment.</p> <p>The marginal built development within FNDC jurisdiction and its scale [52m<sup>2</sup>] causes minimal effects in terms of the Coastal Environment characteristics and qualities. The proposal is consistent with the surrounding marine facilities found in the surrounds.</p> <p>The land use scale is considered consistent with existing uses in the surrounds. No resource features are implicated by the proposal.</p>



Preserve the visual qualities, character and integrity of the coastal environment by:  
consolidating land use and subdivision around existing urban centres and rural settlements; and  
avoiding sprawl or sporadic patterns of development.

Enable land use and subdivision in urban zones within the coastal environment where:  
there is adequacy and capacity of available or programmed development infrastructure; and  
the use is consistent with, and does not compromise the characteristics and qualities.

Enable farming activities within the coastal environment where:

the use forms part of the values that established natural character of the coastal environment; or  
the use is consistent with, and does not compromise the characteristics and qualities.

Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where:  
the use is consistent with the ancestral use of that land;  
and  
the use does not compromise any identified characteristics and qualities.

Encourage the restoration and enhancement of the natural character of the coastal environment.

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

Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:  
the presence or absence of buildings, structures or infrastructure;  
the temporary or permanent nature of any adverse effects;  
the location, scale and design of any proposed development;  
any means of integrating the building, structure or activity;  
the ability of the environment to absorb change;  
the need for and location of earthworks or vegetation clearance;  
the operational or functional need of any regionally significant infrastructure to be sited in the particular location;  
any viable alternative locations for the activity or development;  
any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;  
the likelihood of the activity exacerbating natural hazards;

Objectives / Policies	Comments
the opportunity to enhance public access and recreation; the ability to improve the overall quality of coastal waters; and any positive contribution the development has on the characteristics and qualities.	

## PART II OF THE ACT

### **Section 5**

70. Section 5 has its purpose to promote the sustainable management of natural and physical resources. The application is considered to result in the managed use of the natural and physical resources of the area.

71. The natural and physical resources within the immediate locale and the wider community are not considered to be adversely affected from the application given the nature and scale of the activity. It is therefore considered that the application is consistent with the purpose of Section 5.

### **Section 6**

72. Three matters from Section 6 apply to this application. The first is contained within Section 6 (a). This prescribes as a matter of national importance -

*The preservation of the natural character of the coastal environment ( including the coastal marine area ) , wetlands , and lakes and rivers and their margins , and the protection of them from inappropriate subdivision , use and development.*

73. These aspects have been addressed within this Report.

74. The third consideration is the matter of public access to and within the coastal marine area as required under Section 6(d) which seeks “*The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.*”. The proposal achieves this outcome through facilitating access to the foreshore and coastal marine area for certain parties which is not too dissimilar to a marina.

### **Section 7**

75. The relevant matters to be had regard to are -

- (b) The efficient use and development of natural and physical resources;*
- (c) The maintenance and enhancement of amenity values;*
- (f) Maintenance and enhancement of the quality of the environment; and*
- (i) The effects of climate change.*

76. The application will provide for the efficient use and development of the natural and physical resources. The proposal provides for the use of the coastal marine area in a manner, which

is considered as an acceptable solution in these locations and will not result in environmental change at the application site nor in the locality.

77. The application is not considered to adversely affect the amenity values of the coastal environment. While a new structure will be introduced within the coastal marine area, its scale and form can be easily assimilated within the landscape so that the effects on the amenity values are less than minor. Furthermore, the presence of such structures is an established feature within the Te Puna and Poukoura Inlet.

78. The quality of the environment will be maintained although there will be effects of short term duration as a result of the dredging and construction processes. Given the nature of the local environment these have been assessed as being no more than minor. The effects of climate change have been taken into account in the design of the facilities.

### **Section 8**

79. The applicant has been involved with local hapu through other development of their land. Overall, it is considered that the application is consistent with the intent of Part II.

### **CONCLUSION**

80. This application involves the construction and use of a maritime facility in the Coastal Marine Area.

81. The work involved in the application has been designed to be the least intrusive such that there are no more than minor effects upon the environment. The existing physical and environmental values associated with the application site and locality are therefore considered to be retained by the work proposed.

82. In this instance the assessment of effects on the environment arising from the activity concluded that there are no more than minor adverse effects and that there are positive benefits arising from the activity.

83. As discussed above, the effects of the activity on the environment are considered to be no more than minor. Any effects that do arise, are capable of avoidance, remediation or mitigation. A grant of consent would not offend the provisions of the Act and the relevant planning documents outlined in this supporting information. As such a favourable decision of Council is sought.

Yours sincerely,

A solid black rectangular box used to redact the signature of Steven Sanson.

Steven Sanson  
Consultant Planner





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

**Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017**



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **799818**  
**Land Registration District** **North Auckland**  
**Date Issued** 01 July 2019

**Prior References**  
NA31A/1344

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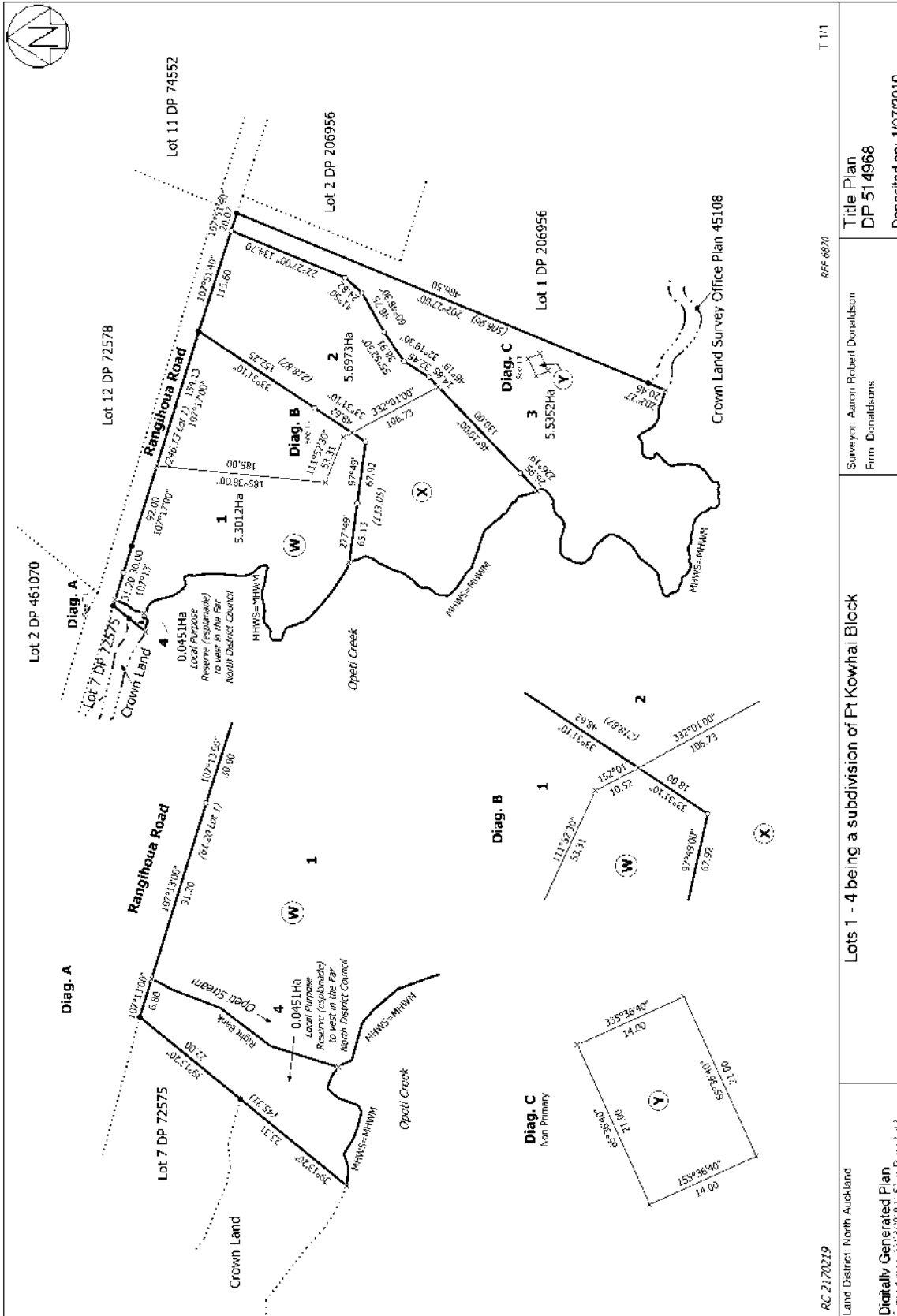
**Estate** Fee Simple  
**Area** 5.5352 hectares more or less  
**Legal Description** Lot 3 Deposited Plan 514968

**Registered Owners**  
IDF Development Limited

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**Interests**

11475350.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 1.7.2019 at 4:44 pm



RC 21/70219

Land District: North Auckland

Digitally Generated Plan

Computer File: 2170219 1 - Scan Page 1 of 3

Lots 1 - 4 being a subdivision of Pt Kowhai Block

Surveyor: Aaron Robert Donaldson  
Firm: Donaldsons

Title Plan  
DP 514968

Deposited on: 1/07/2019

RF 6870

T 1/1

# View Instrument Details



**Instrument No** 11475350.2  
**Status** Registered  
**Date & Time Lodged** 01 July 2019 16:44  
**Lodged By** Fryer, Louise  
**Instrument Type** Consent Notice under s221(4)(a) Resource Management Act 1991



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<b>Affected Records of Title</b>	<b>Land District</b>
799816	North Auckland
799817	North Auckland
799818	North Auckland

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**Annexure Schedule** Contains 2 Pages.

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## Signature

Signed by Simon David Dominick as Territorial Authority Representative on 05/06/2019 11:33 AM

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





Roopu Kōwhiri, Mōhiohio  
Kōwhiri 0440, Tere Tere  
Freephone 1114 221029  
Phone 09 931 1200  
Fax 09 931 1217  
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*Te Kōwhirihere o Tai Tokerau Ki Te Rōki*

## THE RESOURCE MANAGEMENT ACT 1991

### SECTION 221: CONSENT NOTICE

#### REGARDING RC 2170219

Being the Subdivision of PT KOWHAI BLK V KERIKERI SD  
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

#### Lots 1 and 2 DP 514968

- i. In conjunction with the construction of any building requiring a wastewater disposal system on Lots 1 and 2, the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system in general accordance with the report prepared by Kerikeri Drainage Ltd, dated 12<sup>th</sup> October 2016.

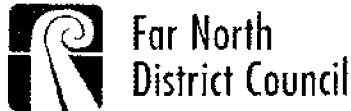
The installation shall include an agreement with the system supplier or its authorised agent for the ongoing operation and maintenance of the wastewater treatment plant and the effluent disposal system.

Following 12 months of operation of the wastewater treatment and effluent disposal system the lot owner shall provide certification to Council that the system is operating in accordance with its design criteria.

This condition may not be complied with where a written report from suitably qualified person that specifies an alternative wastewater treatment and effluent disposal system for the lot and is accepted by Council as part of the building consent process.

Note as electricity supply is not a condition of this consent, the lot owner is responsible for the provision of power supply to operate any on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate.





Phone: 09 431 6200  
 Fax: 09 431 6201  
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 Website: [www.fncc.govt.nz](http://www.fncc.govt.nz)

*Te Kaitiaki a Te Ika Māori*

- ii. In conjunction with the construction of any dwelling on Lots 1 and 2, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes shall 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 will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- iii. Any building to be located on Lots 1 and 2 (including retaining walls, water tanks, and other ancillary buildings) is to be located within the buildable area on the landward side of the building line restriction as shown on the survey plan. No buildings are to be located on the seaward extent of the line and within areas 'W' and 'X' on DP 514968.
- iv. Reticulated telecommunication services and power 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.

Lot 3 DP 514968

- v. The area identified as being subject to a land covenant ('Y') on Lot 3 is a registered archaeological site reference P04/381. The site is protected under the Heritage New Zealand Pouhere Taonga Act 2014.

Lots 1, 2 and 3 DP 514968

- vi. The lots are located within an area identified as having a high density of kiwi. Due to the presence of kiwi, no cats, dogs, or mustelids shall be kept, or be permitted to be kept, on Lots 1 – 3.

Except that whilst Grant and Lesley Rae occupy Lot 3 this prohibition shall not apply to the single dog that resided on site at the time that the underlying subdivision (RC2170219) was approved. The consent holder has provided certification that the dog has current kiwi aversion training. Certification shall be renewed prior to expiry date for the duration that the dog is kept on Lot 3.

SIGNED:



Mr Patrick John Killalea - Authorised Officer

FAR NORTH DISTRICT COUNCIL

Under delegated authority:

PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 17<sup>th</sup> day of December 2018



CORRESPONDENCE TRANSMISSION SHEET			
To:		JBL Ref:	0186-002 R2
Attention:			
Email:			
Phone:			
Date:			
From:			
Re:			

Dear Rod,

See attached proposed plan for Boat ramp, Boardwalk, Pontoon and associated dredging works at the Rangihoua Road property.

Design Requirements:

- The primary purpose of the facility is to provide marine access.
- The majority of the access will be in trailer boats.
- Boat ramp needs all tide access.
- Launching and recovering vessels, from the boat ramp needs to be easy for inexperienced users.
- Site needs access for launches and yachts.
- Design the most cost-efficient structure.

Design Considerations:

- Keep the structural elements as close as possible to the headland for visual amenity perspective, so as not to impose on the bay.
- Keep the natural channel clear for other marine users.
- Dredging at the site is relatively cheap due to the close proximity to a consented disposal site, so dredging is considered a preferred cost-effective construction method to building fixed structures out into deep water.
- The access into the site is achieved via a natural channel, which is approximately CD -0.5m to CD -1.0m. Access via launches and yachts is achievable at high tide however there needs to be a berth pocket for refuge over low tide. It is considered two hours access either side of hightide would be acceptable.

Design Methodology:

- Boatramp:
  - o The top of the boat ramp was set at CD+3.6m to insure all tide access, with realistic allowance for sea level rise.
  - o The gradient, width, length, and area were designed using AS/NZS 3962, as a minimum.
  - o A floating plastic pontoon was added down the side of the boat ramp to assist with launching and recovery of the vessels.

- As the shallowest depth in the existing natural channel is CD-0.5m, and this is sufficient for operating trailered vessels it was determined there was no advantage gained by dredging the approach to the boat ramp deeper.
- The approach to the boat ramp was kept straight, with markers indicating the alignment to make recovering vessels simple.
- Jetty:
  - The jetty level was set at CD+3.6m to insure all tide access, with realistic allowance for sea level rise.
  - The jetty is designed to allow for cart and quad bike access, right down onto floating pontoon.
  - A floating pontoon was added to allow for easy boarding and disembarking of vessels.
  - The pontoon, fendering and dredging was designed to accommodate two vessels up to 18m (60ft)
  - The western section of the jetty is designed as a berthing wharf for unloading and loading goods, and alongside berthing.

#### Construction Parameters:

- Boatramp:
  - Reinforced Concrete Slab, 50MPa Concrete 8% micro Silica, H16 @ 200mm centers both directions. Area = 216m<sup>2</sup>, Thickness: 200mm, Volume: 45m<sup>3</sup>.
  - GAP 65 compacted hardfill. Area = 216m<sup>2</sup>, Thickness: 300mm, Volume: 65m<sup>3</sup>.
- Boatramp Pontoons:
  - Rotary molded plastic pontoon in the intertidal zone. Area 40m<sup>2</sup>
  - Supported by 5 of 225 SED H6 Pile piles, with 315 OD PE Sleeves. Drilled and Concrete to a depth of 3m. 1m<sup>3</sup> of material is removed with each drilled hole.
- Jetty:
  - Supported on 37 of 300 SED H6 Pile piles, with 375 OD PE Sleeves Drilled and concreted to a depth of 3.5m. 1.2m<sup>3</sup> of material is removed with each drilled hole.
  - Headstocks/ Bearers 300 X 100 H5 Pine RS
  - Joist 250 X 100 H5 Pine D2S
  - Decking 200 X 50 H4 Pine D4S Arris Edge.
  - All Fixtures 316 SS.
- Aluminum Gangway:
  - Marine grade Aluminum
- Floating Concrete Pontoon:
  - 14m X 4m Floating Concrete Pontoon, with polystyrene core.
  - 316 SS pile guides and bracketry.
  - Supported on 4 of 458 OD X 12.7mm steel wall tube, with 500 OD PE Sleeves. Drilled and Driven to a depth of 6.5m. 2m<sup>3</sup> of material is removed with each drilled hole.
- Fender Piles:
  - 10 Assorted Fender Piles, which are positioned to protect the structures and assist vessels using the facility.
  - 350 SED H6 Pile Piles, with 450 OD PE Sleeves. Drilled and Driven to a depth of 5.5m. 1.7m<sup>3</sup> of material is removed with each drilled hole.
- Dredging:
  - Dredge depths are minimum depths required to be achieved
  - Over dredge allowance of 0.3m is required.
  - Dredge CD-0.5m, Area: 4,471m<sup>2</sup>, Volume: 5,814m<sup>3</sup>

- Dredge CD -2.5m, Area: 1,795m<sup>2</sup>, Volume: 8,168m<sup>3</sup>

### Preliminary Construction Methodology:

#### *Boatramp:*

1. Silt curtain will be installed about the perimeter of the proposed boat ramp.
2. Excavator will be used to excavate the boat ramp to the bottom of the hardfill level. Tailings will be side cast to construct a temporary bund around the perimeter of the boat ramp. The bund will be wrapped in geotextile cloth to prevent silt run off and maintain the integrity of the bund.
3. Pumps will be used to keep the construction site dry; water will be pumped back into the sea.
4. GAP 65 will be imported and spread with an excavator as per the design, a plate compactor on the excavator will be used to compact the GAP 65 hardfill.
5. The slab boxing will be installed.
6. Reinforcing will be installed.
7. Concrete will be pumped into the boxing and laid as per the slab design.
8. Bunds and tailings will be left in place for dredge barge to remove at later date.

Excavation of boat ramp and construction of bunds: 6 days.

Installation and compaction of hardfill: 2 days.

Installation of boxing, reinforcing: 5 days

Laying of concrete: 2 days

Finishing work: 5 days

#### *Jetty:*

9. Excavator on swamp pads will be used to drill and drive timber piles from the land. Piles will be installed with the allowance for dredging. Piles will be installed without sleeves and sleeves will be installed when dredging has been completed.
10. All piles that can be installed with an excavator from the land, will be installed using this method.

Installation of 37 timber piles, without sleeves: 15-20 days

#### *Dredging:*

11. A barge mounted with an excavator and hopper, will be used to dredge the seabed as per the design.
12. The excavator mounted on the barge will be used to load the onboard hopper.
13. If required by the consent secchi disk readings will be conducted to measure turbidity.
14. When the dredge barge is full loaded, the barge will be towed to the Johnson Bros unloading facility at Hanson Rd, and the excavator onboard the barge will unload the onboard hopper barge to the temporary holding bin at the landing.
15. The temporary holding bin will then be unloaded using a 20t excavator on the shore, which will load dump trucks, which will transport it to the Johnson Bros disposal site.
16. The disposal site is consented under FNDC Consent 2220197-RMALUC and NRC Consent AUT.43117.01.01.

260m<sup>3</sup> per day one barge, 460m<sup>3</sup> per day two barges, Total 14,000m<sup>3</sup>: 54 days – 31 days.

**Jetty:**

17. Timber piles that weren't able to be installed with the excavator from the shore. Will be driven using an excavator from a floating barge.
18. PE sleeve will be installed, and the void between the timber pile and sleeve will be filled with PAP 7.
19. Headstocks, joist, decking, kick rail and handrail will be installed.

**Install 37 Sleeves: 10 days**

**Install Headstocks, Joist, Decking, Kick rail, and Handrail: 11.5 weeks**

**Pontoon**

20. Pontoon will be cast at a precast factory and transported to Opuia and launched with a travel lift. The pontoon with the gangway onboard will be towed to site via tug boat.
21. The pontoon will be setup in position and the pontoon piles will be installed using an excavator and crane onboard a floating barge.
22. When the floating pontoon has been installed the gangway will be installed using a crane onboard a floating barge.

**Install Pontoon: 10 days**

**Boat ramp Pontoon**

23. Plastic pontoon will be produced by a reputable manufacture and delivered to site.
24. The pontoon will be setup in position and the pontoon piles will be installed using an excavator and crane onboard a floating barge.

**Install Pontoon: 10days.**

I trust this is all the information you need at this stage. As other consultants prepare their reports, there may be a need to update or modify this information. When the design has been finalized, an engineering report will be prepared detailing the information described in this report.

Kind Regards,



Andrew Johnson  
Project Engineer – Director  
021 798 525





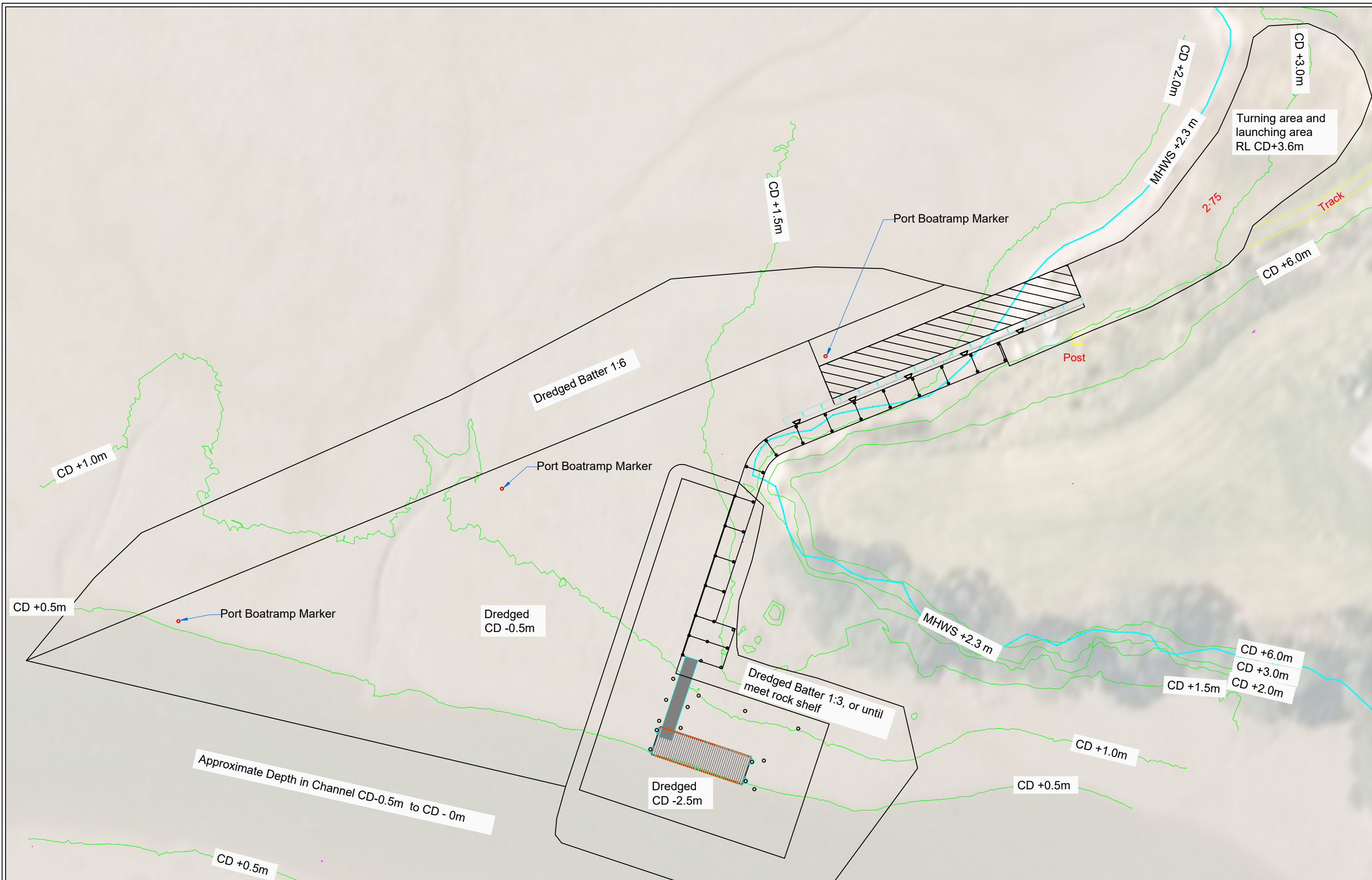
Rev	Date	Description	Checked	Approved
1	17/05/2022	ISSUED FOR REVIEW	AJ	AJ

0186 Rangihoua Rd Boatramp	
General Tolerance	Client: Haines
0. = +/- 1.0mm	Scale: NTS
0.0 = +/- 0.5mm	Drawn by: ANDREW JOHNSON
0.00 = +/- 0.1mm	



Proposed Site Location	
Drawing No: 0186-0000- 0000	Type: GENERAL ARRANGEMENT





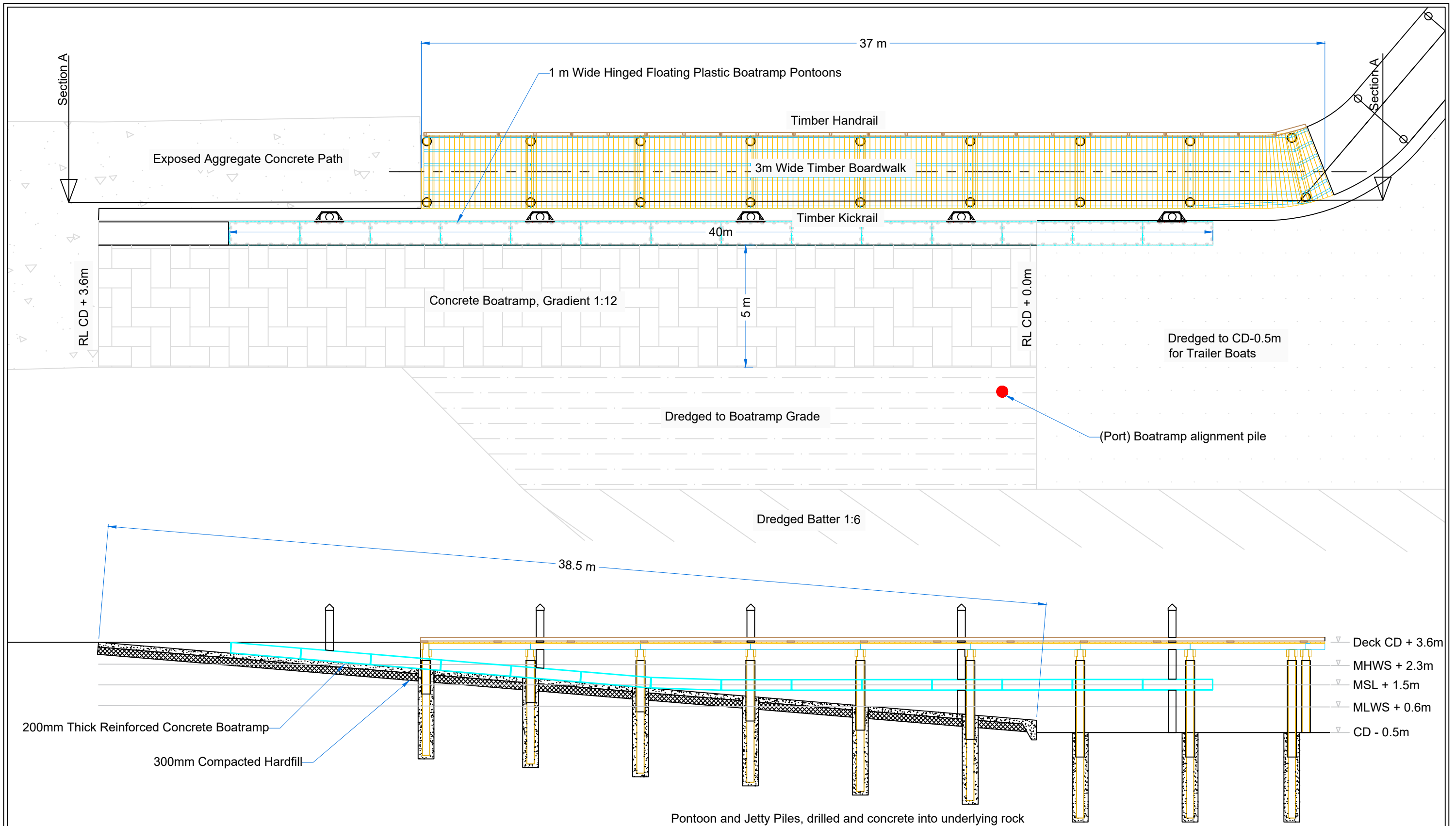
Rev	Date	Description	Checked	Approved
1	17/05/2022	ISSUED FOR REVIEW	AJ	AJ

0186 Rangihoua Rd Boatramp	
General Tolerance 0. = +/- 1.0mm 0.0 = +/- 0.5mm 0.00 = +/- 0.1mm	Client: Haines Scale: 1:50 @ A3 Drawn by: ANDREW JOHNSON



General Arrangement Plan	
Drawing No: 0186-0000- 0001	Type: GENERAL ARRANGEMENT

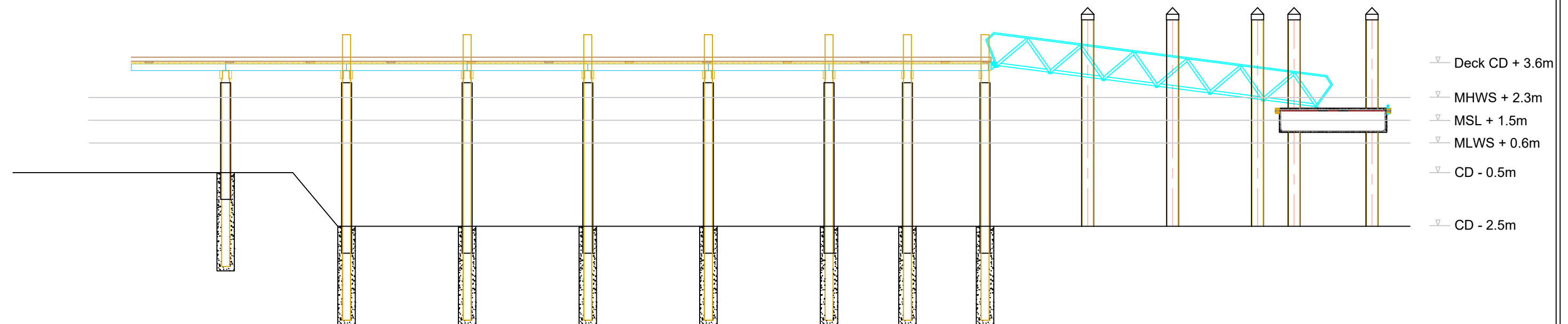
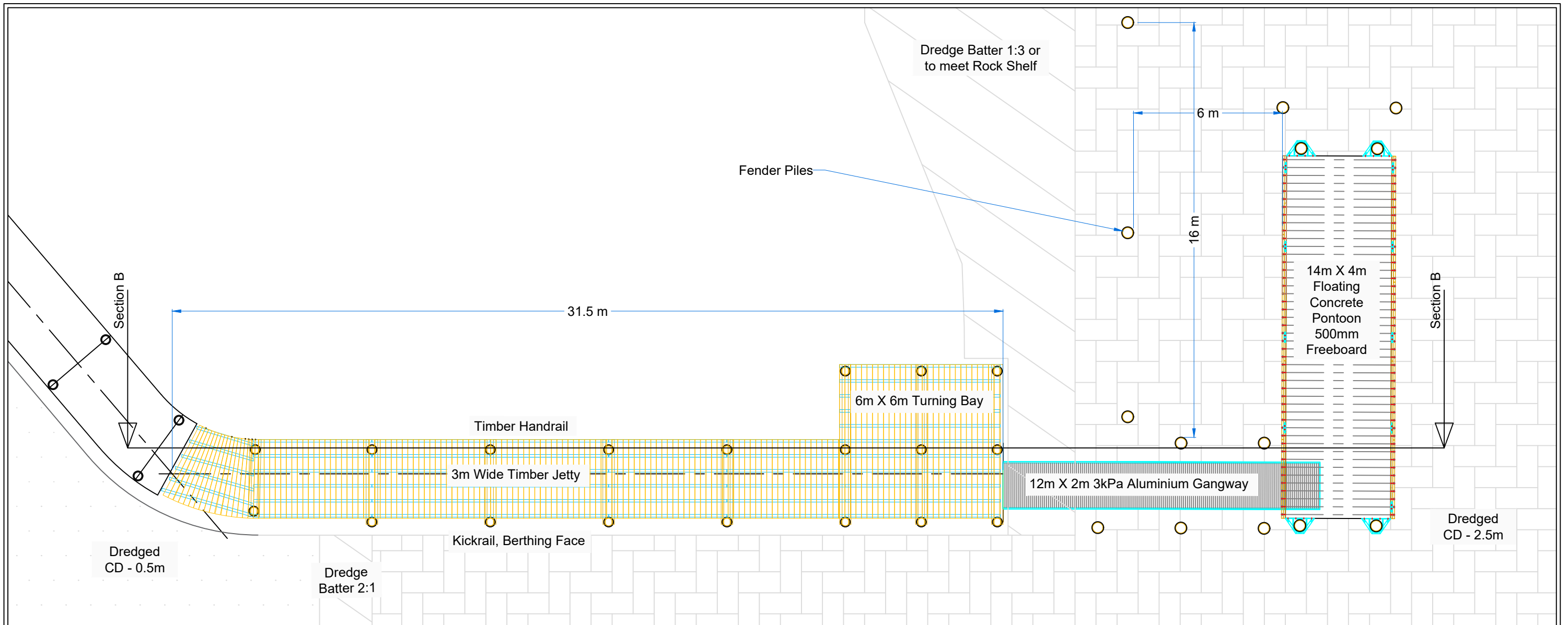




### Section A - A General Profile

Rev	Date	Description	Checked	Approved
1	17/05/2022	ISSUED FOR REVIEW	AJ	AJ

0186 Rangihoua Rd Boatramp			Detailed Arrangement Plan	
General Tolerance	Client: Haines		Drawing No: 0186-0000- 0002	
0. = +/- 1.0mm 0.0 = +/- 0.5mm 0.00= +/- 0.1mm	Scale: 1:150 Drawn by: ANDREW JOHNSON		Type: GENERAL ARRANGEMENT	



**Section B - B General Profile**

Rev	Date	Description	Checked	Approved
1	17/05/2022	ISSUED FOR REVIEW	AJ	AJ

0186 Rangihoua Rd Boatramp			Detailed Arrangement Plan
General Tolerance 0. = +/- 1.0mm 0.0 = +/- 0.5mm 0.00 = +/- 0.1mm	Client: Haines Scale: 1:150 Drawn by: ANDREW JOHNSON		Drawing No: 0186-0000- 0003
			Type: GENERAL ARRANGEMENT