

Application No: 2260100-RMASUB
For: 52 Rotokawau Road, Waipapakauri 0486

22 September 2025

Sean Frieling and Leah Maree Frieling
C/- Bay Of Island Planning
PO Box 318
Paihia 0247

Dear Andrew,

Re: Resource Consent Application – Request for Further Information

An assessment of your application for a resource consent to subdivide has been made.

Under Section 92 (1) of the Resource Management Act 1991, the Council requires further information to be able to consider your proposal. This additional information will help us to better understand the proposed activity, its effects on the environment and the means by which any adverse effects on the environment may be avoided, remedied, or mitigated.

The additional information required by the Council is listed below, with reasons as to why we need this information to be provided.

Engineering

1. Please provide clarification regarding the sight distance for the entrance, specifically confirming whether it complies with the relevant engineering standards. As per Councils roading teams review, the sight distances to the crossing do not meet the requirements set in the Engineering Standards. If it does not meet the required standards, kindly outline the proposed measures to mitigate any associated effects.

Planning

2. The site is identified as Treaty Settlement - Area of Interest and adjacent Statutory Acknowledgement Area namely Lake Ngatu Recreation Reserve. Council has received an email from Moana Whenua Trust Limited (which was forwarded to you on Tuesday 16th September.)

A CIA was provided to council prepared by by Te Rūnanga o Ngāitakoto and Moana Whenua Trust Limited dated 24th April 2025. The CIA notes the site

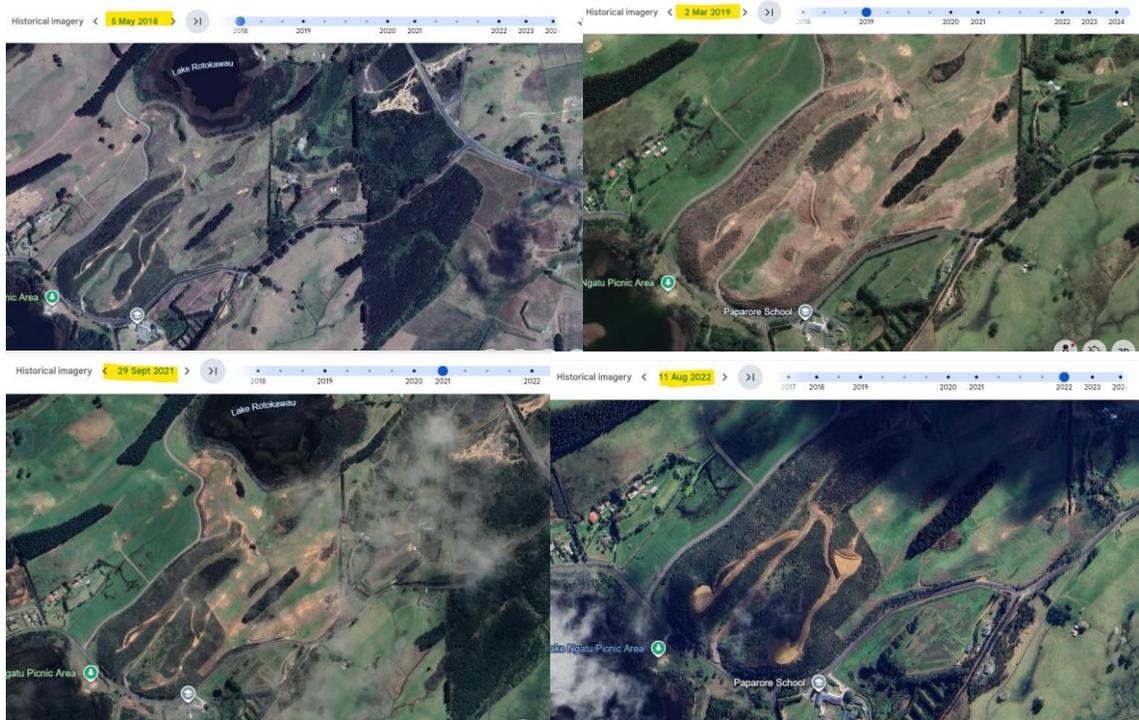
contains Pukengatu Pa and multiple wetlands and section 9 of the CIA notes potential cultural effects.

- a. Provide an assessment showing how the proposal will avoid destruction or adverse effects on wāhi tapu, with specific reference to Pukengātū Pā, and identify any no-build/setback areas or protective mechanisms proposed (e.g., covenants, conditions).
- b. Provide a record of consultation with Ngāi Takoto (mana whenua) and Te Oneroa-a-Tōhē explaining how their cultural values and spiritual connections to the site have been addressed or why you consider consultation is not required.
- c. Provide a letter of support from Ngāi Takoto and Te Oneroa-a-Tōhē.

Please note, depending on the response above, Iwi consultation maybe required and determined after assessing your response.

3. Based off aerial photographs of the site (refer to images below), it looks to be significant vegetation clearance has been undertaken. Please demonstrate compliance with the ODP rules and PDP rules. Should you be in breach of these rules an ecological assessment prepared by a suitably qualified ecologist will be required which should address, but not limited to;
 - a. Identification of areas of indigenous biodiversity.
 - b. Provide a clear effects assessment on indigenous flora and fauna, natural character, lakes/wetlands (incl. Lake Rotokāwau), and amenity values, with mapped habitats/receiving environments and quantified potential effects.
 - c. Detailed measures to avoid/minimise/mitigate those effects and any restoration/enhancement proposals (e.g., wetland/lake edge restoration, planting with indigenous species).
4. Based off aerial photographs of the site (refer to images below), extensive earthworks have been undertaken on site. Please demonstrate compliance with the ODP rules and PDP rules or provide evidence that earthworks were legally undertaken (ie consent numbers).

Please note, depending on the response above, we may require volume of earthworks undertaken to be quantified by a suitably qualified engineer.



5. Based on the images below/site visit, it is noted that the site is already developed with dwellings.
 - a. Please provide updated plans to demonstrate these dwellings.
 - b. Please demonstrate compliance with relevant zone rules or provide evidence that the dwellings were legally established (ie consent numbers).
6. Please demonstrate compliance with 12.7.6.1.2 SETBACK FROM SMALLER LAKES, RIVERS AND WETLANDS.
7. Please demonstrate compliance with National Environmental Standards for Freshwater (NES-F).
8. The dwellings are located on, or close proximity to Pukengatu Pa. Please provide confirmation from a suitably qualified experienced person that any adverse effects on Pukengatu Pa was avoided and no destruction was caused. If Iwi consultation was undertaken prior to construction of the dwellings, please provide evidence of this.





9. HNZPT have requested an archaeological assessment. Please provide an archaeological assessment report for the site, based on a site walk over prepared by a suitably qualified archaeologist. The report should address suitable access and building areas.
10. Due to the location of Lake Ngatu and Lake Rotokawau please provide consultation undertaken with DOC. If not, please provide an assessment clarifying why they are not considered affected by this proposal.
Please note, depending on the response above, DOC consultation maybe required and determined after assessing your response.
11. Please provide an update assessment against the current NPS-HPL framework, explicitly addressing fragmentation/sterilisation and reverse-sensitivity outcomes at the proposed lot sizes, and why effects remain negligible.
12. Provide an updated AEE and scheme plans that incorporates all the above information and assesses residual effects with a clear rationale that the effects are appropriately avoided/mitigated.

In accordance with the Act, your application will be suspended until we receive this information. Once we have received the information to our satisfaction, a decision will be made regarding the further processing of the application and whether notification may be required.

Under Section 92 A (1) of the Act you are required to comply with this request before 9th October 2025 by either:

- (a) providing the requested information, or;
- (b) informing the Council in writing that you agree to provide the information. (Please advise Council when the information will be provided. Taking this into account, Council will set a reasonable time for the provision for the information), or;
- (c) informing the Council in writing of your refusal to provide the information.

It is important that you respond in one of the three ways listed above within the timeframe specified. If you do not provide the information before the deadline, or if you refuse to provide the information, the Council **must**, pursuant to Section 95C of the Resource Management Act, publicly notify your application (upon payment of the required fee).

Include the following only if applicable – i.e. there is a related PIM/BC for which an RFI is issued and still current.

Please feel free to contact the undersigned if you have any questions or concerns regarding this request for further information.

Yours faithfully,
Swetha Maharaj

RESOURCE PLANNER