

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

2. Type of Consent being applied for

(more than one circle can be ticked):

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

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

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

Yes No

4. Consultation

Have you consulted with Iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Te Ukaipo
Ngati Kahu Ki Whangairoa

Who else have you consulted with?

Department of Conservation

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

5. Applicant Details

Name/s:

Kingfish Lodge 2016 Limited

Email:

Phone number:

Postal address:

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

6. Address for Correspondence

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

Name/s:

Northland Planning and Development 2020 Limited c/- Rochelle Jacobs

Email:

Phone number:

Postal address:

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

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

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

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

Name/s:

Kingfish Lodge 2016 Limited

**Property Address/
Location:**

Whangaroa Harbour

Postcode

8. Application Site Details

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

Name/s:

Whangaroa Harbour

**Site Address/
Location:**

Postcode

Legal Description:

Lot 1 DP 198828

Val Number:

Certificate of title:

ROT - 788895

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.

This site is landlocked and accessible by boat only. Please contact the Northland Planning (Rochelle Jacobs) to arrange a site visit.

9. Description of the Proposal:

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

Proposed replacement of the existing north accommodation building, amendments to bar / restaurant building, removal of buildings, site earthworks, minor vegetation clearance, and landscaping, establishment of a helicopter landing pad.

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

10. Would you like to request Public Notification?

Yes No

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

(more than one circle can be ticked):

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

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

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

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

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

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

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application Yes

13. Draft Conditions:

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

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

14. Billing Details:

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

Name/s: (please write in full) Kingfish Lodge 2016 Limited

Email:

Phone number:

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

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

Mike Sullivan

Signature:

(signature of bill payer)

Date 20/11/2024

MANDATORY

15. Important Information:

Note to applicant

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

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

Fast-track application

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

Privacy Information:

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

15. Important information continued...

Declaration

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

Name: (please write in full)

Rochelle Jacobs

Signature:

[Redacted Signature]

Date 21.11.24

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

Checklist (please tick if information is provided)

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

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

**Land-Use Consent for
Kingfish Lodge 2016 Limited
Kingfish Point, Whangaroa**

Date: 27 November 2024

Attention: Nick Williamson and Brian Huang

Please find attached:

- an application form for a Land-use Resource Consent to construct replacement north accommodation buildings; and
- to undertake earthworks activities associated with the redevelopment of the north accommodation wing, necessary engineered retaining and landscaping within the **General Coastal zone**; and
- an Assessment of Environmental Effects indicating the potential and actual effects of the proposal on the environment.

The application has been assessed as a **Discretionary Activity** under the Far North Operative District Plan and a **Permitted Activity** under the Proposed District Plan.

In addition to the above, the proposal would amend, and update building activities associated with the bar / restaurant previously consented under RC 2230579

RMALUC. Subject to consent being granted for the additional lodge development activities that would include the bar / restaurant building activities, the Applicant would seek to surrender this consent.

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

Regards,

Rochelle Jacobs



Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED

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Attachments:

1. Far North District Council Application Form
2. Record of Title for Kingfish Lodge – LINZ
3. Consent Notice for Kingfish Lodge – LINZ
4. Record of title for Archer property – LINZ
5. Resource Consent 2230579 Bar / Restaurant - FNDC
6. Development Plans – +Map Architects
7. Visual Impact Assessment – Hawthorn Landscape Architects
8. Archaeological Report – Archaeology Solutions Ltd
9. Written Approval – DoC
10. Correspondence – Eljon Fitzgerald (Te Ukaipo)
11. Cultural Impact Assessment for RC 2230579 – Te Ukaipo
12. Email to Heritage NZ Pouhere Taonga – Northland Planning and Development 2020 Ltd
13. Email to Roger Kingi and Bill Hori - Northland Planning and Development 2020 Ltd
14. Email to CMT Parties for Regional Consent – Northland Planning and Development 2020 Ltd



Assessment of Environment Effects Report

1. Description of the Proposed Activity

- 1.1. Kingfish Lodge 2016 Limited (“the Applicant”) is seeking a further land use consent to continue building and earthworks activities required to redevelop its north accommodation wing at the Lodge site near the entrance to Whangaroa Harbour. The activities involve both the removal of existing buildings and the construction of new buildings. The replacement north accommodation building would be located further to the east to be located entirely within the applicant’s property and outside of the DOC administered marginal strip. Earthworks are required to establish building foundations, construct vehicle service lane access and retaining walls, and for landscaping. Minor variation changes are required to the consented proposed bar / restaurant floor and roof plan.
- 1.2. The +Map Architects (2016) Ltd application plans that illustrate the proposed activities are attached at **Appendix 6**. These include the following:

+Map Architects Limited – Architectural Plans		
Plan	Plan Reference	Date
<i>RC.M Masterplan Architectural Drawing Plans</i>		
<i>Site Plan Ground</i>	<i>RC.M.04, Rev E</i>	<i>25/10/24</i>
<i>Site Plan First Floor</i>	<i>RC.M.05, Rev E</i>	<i>25/10/24</i>
<i>Site Retaining Plan</i>	<i>RC.M.06, Rev E</i>	<i>25/10/24</i>
<i>Site Cut and Fill</i>	<i>RC.M.07, Rev E</i>	<i>25/10/24</i>
<i>Sediment Plan</i>	<i>RC.M.08, Rev E</i>	<i>25/10/24</i>
<i>Sediment Control Measures</i>	<i>RC.M.09</i>	<i>25/10/24</i>
<i>Landscape Plan Study</i>	<i>RC.M.10, Rev B</i>	<i>25/10/24</i>
<i>Site Services Plan</i>	<i>RC.M.11, Rev B</i>	<i>25/10/24</i>
<i>Helicopter Pad Plan</i>	<i>RC.M.12 Rev B</i>	<i>25/10/24</i>
<i>RC.B Bar and Hotel Plans (Variation to plans consented under RC 2230579)</i>		
<i>Existing Ground Floor Plan</i>	<i>RC.B.01 Rev D</i>	<i>25/10/24</i>
<i>Existing Roof Plan</i>	<i>RC.B.02 Rev D</i>	<i>25/10/24</i>
<i>Proposed Ground Floor Plan</i>	<i>RC.B.03 Rev G</i>	<i>25/10/24</i>



<i>Proposed First Floor Plan</i>	<i>RC.B.04 Rev G</i>	<i>25/10/24</i>
<i>Proposed Roof Plan</i>	<i>RC.B.05 Rev G</i>	<i>25/10/24</i>
<i>Proposed Elevations</i>	<i>RC.B.06 Rev G</i>	<i>25/10/24</i>
<i>Proposed Elevations</i>	<i>RC.B.07 Rev G</i>	<i>25/10/24</i>
<i>Proposed Sections</i>	<i>RC.B.08 Rev D</i>	<i>25/10/24</i>
<i>Proposed Sections</i>	<i>RC.B.09 Rev D</i>	<i>25/10/24</i>
<i>Proposed Sections</i>	<i>RC.B.10 Rev D</i>	<i>25/10/24</i>
<i>8m Rolling Height Plane</i>	<i>RC.B.11 Rev G</i>	<i>25/10/24</i>
<i>Boundary / Recession Plan Study</i>	<i>RC.B.12 Rev F</i>	<i>25/10/24</i>
<i>RC.E Accommodation Wing Plans</i>		
<i>Existing Ground Floor Plan</i>	<i>RC.E.01 Rev B</i>	<i>25/10/24</i>
<i>Existing First Floor Plan</i>	<i>RC.E.02 Rev B</i>	<i>25/10/24</i>
<i>Existing Roof Plan</i>	<i>RC.E.03 Rev B</i>	<i>25/10/24</i>
<i>Proposed Ground Floor Plan</i>	<i>RC.E.04 Rev E</i>	<i>25/10/24</i>
<i>Proposed First Floor Plan</i>	<i>RC.E.05 Rev E</i>	<i>25/10/24</i>
<i>Proposed Roof Plan</i>	<i>RC.E.06 Rev E</i>	<i>25/10/24</i>
<i>Proposed Elevations</i>	<i>RC.E.07 Rev E</i>	<i>25/10/24</i>
<i>Proposed Elevations</i>	<i>RC.E.08 Rev C</i>	<i>25/10/24</i>
<i>Proposed Sections</i>	<i>RC.E.09 Rev B</i>	<i>25/10/24</i>
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<i>8m Rolling Height Plane</i>	<i>RC.E.13 Rev B</i>	<i>25/10/24</i>



Christine Hawthorn – Landscape Architecture		
<i>Appendix 5 Landscape Plan Accommodation Wing</i>	<i>Dwg 2, Rev E</i>	<i>28/10/24</i>
<i>Landscape Plan Accommodation Wing</i>	<i>Dwg 2.1, Rev E</i>	<i>28/10/24</i>
<i>Plant Schedule Accommodation Wing</i>	<i>Dwg 3.0, Rev A</i>	<i>28/10/24</i>

Proposed activities – building demolition

- 1.3. Initial works for this stage of the development would involve the demolition of existing buildings including the conference room located within the marginal strip, the services building, the north accommodation building up to and not including the Captains Suite and deck surrounds. The area and location of existing buildings being removed is illustrated by a red dashed line on the proposed ground floor application plans RC.B.03 Rev G and RC.E.04 Rev E. There is some overlap of building demolition works with the previous consented restaurant / bar resource consent RMALUC 2230579 as illustrated by the blue dashed line on application plan RC.B.03 Rev G. Demolition materials are to be removed from the site over land to an approved land disposal area.

Updated bar / restaurant building activities

- 1.4. The redevelopment of the proposed bar / restaurant building was recently consented as 2230579 RMALUC (attached at **Appendix 5**). The consented position of the redeveloped building is shown on the approved **RC.B.08 Rev B** dated 06/06/2023. This application includes updated building design plans for the bar / restaurant and an amended earthworks and landscaping proposal. There is an overall reduction in the number of persons that would be accommodated at the first floor of the bar / restaurant building and no change with respect to carparking (located in Whangaroa)
- 1.5. The outline of the consented building is illustrated on the proposed ground floor plan **RC.B.03 Rev G** as a blue dashed line. The modification to the layout of this building involves an extension to the building at the western and eastern corners of the building and a change to the roof materials over decks from profiled metal to a membrane product (RC.B.05 Rev G). This will result in additional height breaches (over and above the consented breach) as shown in purple shading on **RC.B.10 Rev D**. The maximum height breach is 8.895m as illustrated on **RC.B.09 Rev D**.
- 1.6. The northern part of this building will be reorientated slightly eastward. The number of accommodation rooms on the first floor will reduce from seven to six. A slight configuration of the ground floor kitchen dining area includes a new internal wall and the number of toilets for patrons. The six inground wastewater holding tanks as illustrated on the approved RC.B.04 **Rev B** would be re-distributed to the western and eastern sides of the bar / restaurant building as illustrated on **RC.M.11 Rev B** dated 25/10/2025. The Applicant has regional resource



consent to dispose of the treated wastewater into bore locations at the rear of the site (AUT.005424.03.06).

- 1.7. Subject to resource consent being granted for the additional north accommodation wing development activities that now also includes the updated design plans for the bar / restaurant, the Applicant would seek to surrender RC 2230579-RMALUC and have all activities authorised under the one resource consent document.

Proposed activities – new north accommodation wing building

- 1.8. A new north accommodation wing building would be constructed as an extension to the consented bar/restaurant. The proposed building footprint would shift this part of the lodge accommodation further to the north-east and into the existing hillside so that the structure is located entirely within the Applicant's site and outside the Crown owned marginal strip. The bar / restaurant building would connect to the accommodation wing via external covered stairs to a proposed breezeway that would run along the rear of the buildings to provide access to rooms.
- 1.9. As illustrated on **RC.E.04 Rev E**, the ground floor of this building would accommodate the relocated conference room space, a gym, sauna, bathroom and wellness facilities. The ground floor would have access from the west side of the building via sliding doors that open onto external deck spaces and a landscaped outdoor seating area. The outdoor area is further illustrated on the Hawthorn Landscape Architects Plan Dwg 2.0 'Landscape Plan Accommodation Wing'.
- 1.10. The first floor (refer RC.E.05 Rev E) includes five accommodation suites (Units 7-11) that have access from the upper-level rear breezeway. Each unit has a small external covered deck that overlooks the Bay. The breezeway connects through to the existing Captains Suite that is to be retained and renovated. This includes the existing deck surrounds, which is partially within the DOC marginal strip.
- 1.11. As illustrated on RC.E.08 Rev E, the location of the building at the boundary of the marginal strip will result in infringements to the 45-degree sunlight recession plane. The majority of this is existing as indicated by the dashed red outline and yellow shading. The new building location which is setback from the marginal strip boundary will reduce the overall extent of the sunlight infringement, with new infringements occurring at the southern end of the eastern elevation due to the 'v' shaped orientation of the building. The areal extent of the proposed height breach is illustrated on **RC.B.11 Rev G**. The existing building profile relative to the new building location is illustrated on **RC.E.13 Rev E**.
- 1.12. The applicant has consulted DOC about the proposed works, including the removal of the existing conference room building and the redevelopment of the north accommodation wing. DOC supports the removal of the conference room and the relocation of existing north accommodation wing off the marginal strip. DOC has provided written approval to the



proposed redesign and location of the new north accommodation wing. It is noted that this approval includes the minor earthworks within the marginal strip. All other activities within the marginal strip will need to be covered by a later consent once both Concession applications have been finalised or are nearing finalisation.

- 1.13. The exterior of the new building will be designed to match the consented colours and materials approved for the redeveloped lodge and bar / restaurant building. This includes black stained weatherboard cladding, dark tone vertical louvre screening, natural coloured hardwood decking and concrete. Roof materials will be black profiled metal. Glazing will be non-reflective. Proposed exterior colours and materials are illustrated on Plans RC.E.07 Rev E and RC.E.08 Rev E.
- 1.14. By agreement, building materials will be delivered to the site overland via the neighbouring farm.

Proposed Earthworks, vegetation removal and landscaping

- 1.15. As illustrated on **RC.M.06 – RC.M.08 (Rev E)**, earthworks cuts are required for the proposed building foundation, landscaping and the construction of the service road. The earthworks cut and fill volumes are as follows:

Earthworks Cut Volumes:		
Area A	Cut for building works: bar retaining	100m ³
Area B	Cut for building works: accommodation and bar ¹	529.8 ³
Area C	Cut within marginal strip: accommodation building	2.9m ³
Area D	Cut within marginal strip and 10m sea wall setback	28.1m ³
Area E	Cut within marginal strip: works for captains suite	2.1m ³
Area F	Cut for service road	238.7m ³
Total Cut		901.6m³

*NB: estimated 56m³ has been cut following partial demolition of the bar building.

Earthworks Fill Volumes:		
Area G	Landscape fill behind accommodation and bar	82.7m ³
Area H	Fill underneath proposed bar slab	150.2m ³
Total Fill		232.9m³

- 1.16. Some removal of weeds and existing trees is proposed as illustrated on **RC.M.10 Rev B**. A single Pohutukawa tree is to be relocated.

¹ 70m³ consented previously under RC 2230579-RMALUC



- 1.17. Minor land disturbance works are required within the marginal strip to establish suitable landscaped gradients adjacent to buildings. This is partially resulting from the conference room building being removed and replaced with a landscaped outdoor seating area and fireplace. DOC has provided written approval to the earthworks associated with the Lodge redevelopment. It is noted that all other works, structures and occupation of the marginal strip is still subject to a concession which is yet to be finalised.
- 1.18. A further cut and fill area is required at the rear of the approved restaurant / bar building to create some separation between the building and the hillside. This area will include engineered retaining walls. At the rear of the proposed north accommodation building, cut earthworks will be undertaken to construct the proposed service road and the necessary engineered retaining walls. Fill material will be sourced from earthworks cuts within the site area.
- 1.19. Landscaping within the site will include further planting as illustrated by plans prepared by registered landscape architect Christine Hawthorn (refer Hawthorn Landscape Architects Plan Dwgs 2.0 and 2.1, Rev E). Within the site boundary, a paved lower-level outdoor seating area and fireplace will be constructed in front of the ground floor conference room and bar area in place of the removed conference room building.
- 1.20. Cut material would be removed to two nominated disposal sites illustrated on **RC.M.09 Rev E**. Disposal site 1 is located to the north and above the main lodge site with a proposed area of 150m² and disposal volume of 150m³. Disposal area 1 is located adjacent to an existing pa site but would not affect this feature (refer archaeological report **Appendix 8**). Disposal area 2 is located to the east on the neighbouring property (Part Kahikatoa Block, Part Pararako Block, Part Allotment 2 Parish of Mahinepua and Lot 2 and 4 DP 49684). Disposal area 2 was consented for 70m³ of cut material taken from the bar / restaurant building foundation and a 116m² disposal area approved under the RC 2230579-RMALUC consent. This proposal would increase the disposal area 2, to 600m³ receiving all of the bar / restaurant cut and a proportion of cut material from the other earthworks area.
- 1.21. Erosion and sediment control measures proposed at the excavated site areas are illustrated on the Sediment Plan **RC.M.08 Rev E**. These include a silt fence that would be positioned around the perimeter of the works site on the lower slopes within the marginal strip. A silt sock placed around the edge of the existing stream would protect the watercourse that discharges into the coastal marine area. A stabilised entry / exit pad would be established at the end of the proposed service road and site access from the road that provides temporary overland vehicle access to the site. Sand and topsoil stockpile locations are identified on the plan **RC.M.08 Rev E**.

Helicopter Landing Pad

- 1.22. A helicopter landing pad is proposed in an elevated location to the north of the lodge complex as illustrated on **RC.M.12 Rev B**. The landing pad is required for emergency medical access to the site and for the occasional transportation of guests. The landing pad is not located within



200 metres of any Residential, Coastal Residential, Russell Township or Point Veronica Town zones that would otherwise require a resource consent under the ODP.

- 1.23. The landing would be located on the proposed earthworks disposal area 1. No vegetation clearance is required.

2. Description of the Site and Surrounds

- 2.1. The primary application site for lodge development works is an 11.90-hectare property at the entrance to Whangaroa Harbour known as Kingfish Lodge. The Lodge site is legally described as Lot 1 DP 198828. Lot 5 DP 89743 is a visitor carparking located in Whangaroa where guests and staff can park and then travel by boat to the site. The proposal also involves building and landscape activities that are currently located on the adjacent marginal strip site owned and administered by DOC on behalf of the Crown. The neighbouring site (Part Kahikatoa Block, Part Pararako Block, Part Allotment 2 Parish of Mahinepua and Lot 2 and Lot 4 DP 49684) is a proposed earthworks disposal location.

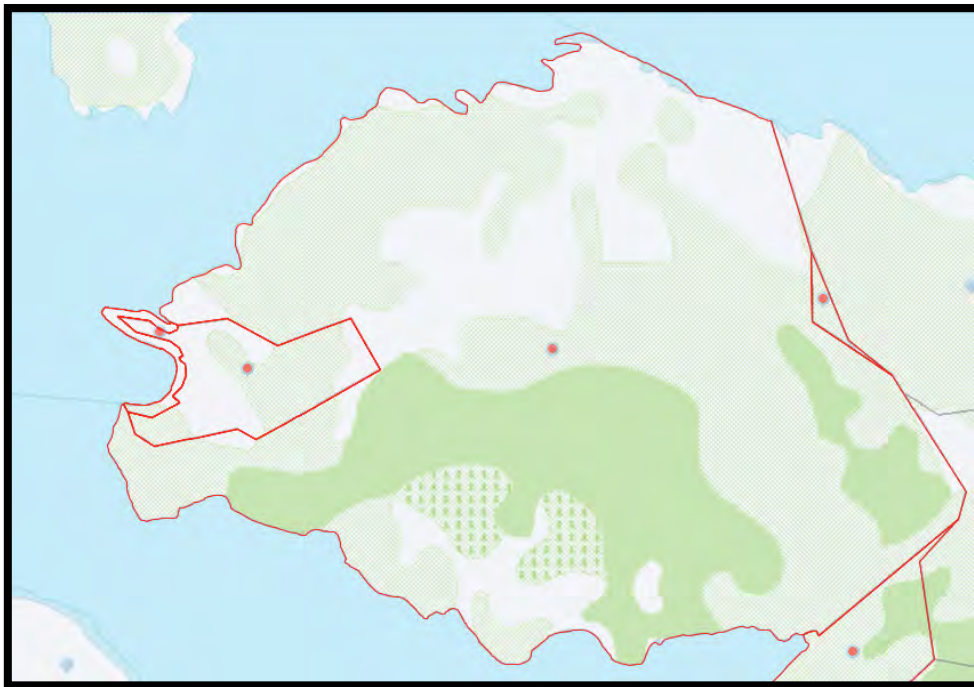


Figure 1- Site(s) location – source Prover

- 2.2. The primary application site Lot 1 DP 198828 is subject to the following variation to an earlier consent notice 12562189.1 that was included with a decision on the main lodge and boat shed RC 2200355-RMALUC:

THE RESOURCE MANAGEMENT ACT 1991**SECTION 221 (3) VARIATION OF CONSENT NOTICE**

PURSUANT to section 221 (3) of the Resource Management Act 1991, the **FAR NORTH DISTRICT COUNCIL** hereby consents to the variation of Consent Notice 10942375.1 in so far as it relates to Lot 1 DP 198826 as shown below:

The keeping of dogs, cats and mustelids is prohibited, with the exception of a maximum of two dogs that are registered to the caretaker or the property owner.

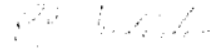
A maximum of two dogs are exempt from this condition if they are:

- a) micro-chipped,
- b) within a dog proof fence area, on a lead or under effective control at all times when outside the fenced area,
- c) kept in a kennel or tied up at night.
- d) For any dog written confirmation that the dog has current kiwi aversion training certification along with the expiry date for the certification.

Prior to the keeping or introduction of any working dog to the site the occupier must provide the following to the Councils Resource Consent Monitoring Officer.

- a) A photograph of the dog
- b) Written confirmation that the dog(s) have been microchipped
- c) A plan showing the extent of the dog proof fenced area

SIGNED:



Mr Pat Killalea - Authorised Officer

By the FAR NORTH DISTRICT COUNCIL

Under delegated authority:

PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at **KERIKERI** this 6th day of September 2022

- 2.3. Kingfish Lodge is a well-known tourist destination that has in the past provided luxury accommodation, restaurant dining and game fishing expeditions for both domestic and international visitors. The lodge is currently undergoing a major redevelopment to upgrade the facility to modern standards. Works currently underway include the main lodge and boat house authorised under RC 2200355-RMALUC. RC 2230579-RMALUC granted consent to redevelop the existing bar / restaurant building and to add seven first floor accommodation units.





Figure 2 – Main lodge and boat shed currently under redevelopment

- 2.4. The site has a prominent coastal location. The lodge is situated low down at the edge of a crescent shape bay with spectacular views of Whangaroa Harbour. Vegetated land slopes steeply upward behind the lodge site. Visually, the existing landscape contains the built development on the site below with the vegetated hillside behind. The property does not have legal frontage to the coastal marine area, rather it gains access over the adjacent Crown owned marginal strip. This land is managed by the Department of Conservation (DOC). Physical access is gained across this marginal strip and a concession from DOC is currently being processed to authorise some historic activities and structures relating to the main Lodge redevelopment. This concession is nearing completion with a decision hopefully being received prior to Christmas. A second concession application will be sought early in 2025 to cover the remaining structures. Regarding the resource consent process to authorise the Lodge redevelopment, DOC has provided its written approval to the proposed earthworks within the marginal strip.



Figure 3 – View of lodge site approach from the CMA



- 2.5. The property contains a diverse range of native and exotic vegetation with small pockets of cleared areas containing existing buildings and facilities. A number of site visits have been undertaken between 2017 through to 2024, with the most recent visit occurring in August 2024. In the 7 years visiting the site I have witnessed the dilapidated state of the buildings, through to their demolition and the beginning of refurbishment. The large areas of exotic pines on the site have been felled and 1000's of native species have been planted and are now well established on site. These now assist in enhancing the landscape of the point (refer **Figure 3** above). The topography of this part of the coast consists of a mixture of headlands with steep banks with scattered vegetation fronting a rocky shoreline outcrop leading into small, enclosed bays.
- 2.6. Within the development site there is a small (surveyed to be 2m wide average) stream that runs in an east-west direction under the recently consented restaurant / bar building (2230579-RMALUC). The existing seawall is the surveyed location of the coastal marine area mean high water springs as indicated on **Plan RC.M.05 Rev E** and in **Figure 4** below.



Figure 4 - Existing stream and seawall (photo date - May 9 2021)

- 2.7. Within the DOC marginal strip there are lodge buildings that occupy this space. This includes a conference room building and parts of the existing north accommodation wing, including disabled access. Both buildings and the disabled access ramp will be removed in their entirety and replaced with landscaping to properly define these land areas. A concession licence will be sought from DOC early in the new year for the remaining landscape development features associated with the Lodge.



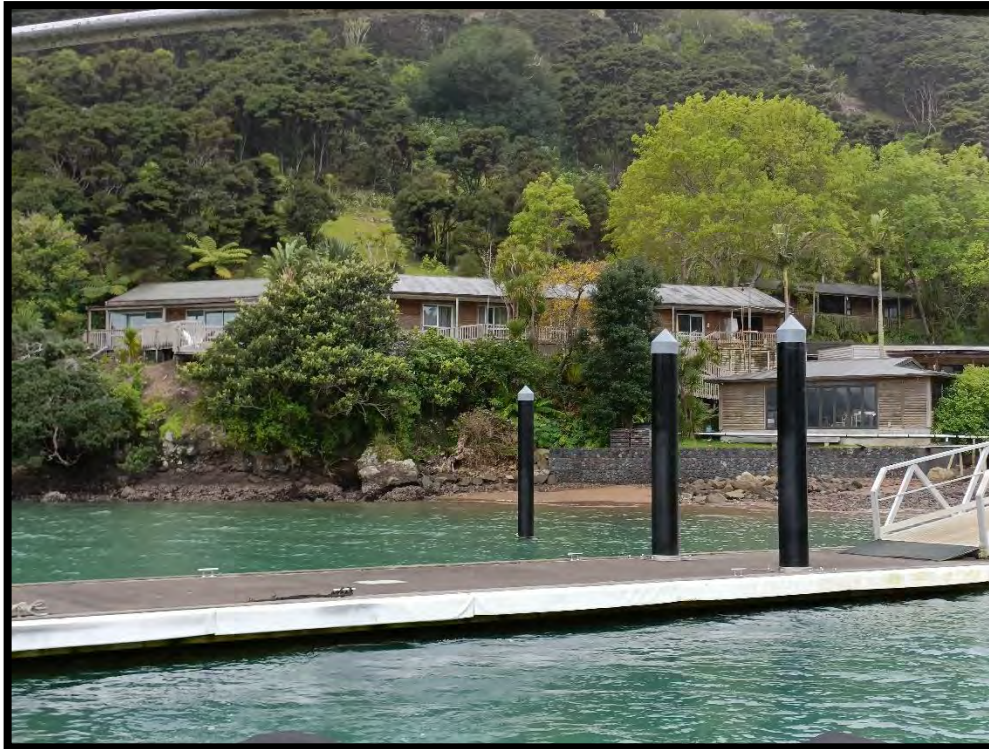


Figure 5 – View of existing north accommodation building and conference building located (in part) within the DOC marginal strip

- 2.8. There is no legal vehicle access to the site. Allocated carparking for the lodge activity is located at Whangaroa on Lot 5 DP 89743. Patrons who have frequented the lodge in the past have parked on the site and taken either a water taxi or a private boat to the property. As Kingfish Lodge has been closed and is no longer open to the public, the carparking area has been utilised to store building materials associated with the redevelopment of the site. It is anticipated that when the lodge is complete and operational, patron carparking on this site will be re-established.

Site History

- 2.9. Kingfish Lodge has an interesting history catering to many A-list celebrities over the decades. It was first established in the early 1930's as the Northland Fishing Lodge, however, was requisitioned by the crown after Pearl Harbour. It operated as a defence installation throughout World War II and evidence of this remains today. The lodge returned to private ownership in 1953 and was renamed Kingfish Lodge. The Lodge was bought by Edward Leary in the 1990's who is better known in NZ history as Mr. Asia's defence lawyer.

2.10. In 1953 when the lodge returned to private ownership, a marginal strip was taken, as indicated on the below survey plan. This survey plan below (**Figure 9**) indicates both the south accommodation and barracks buildings being on site. These buildings have recently been developed as the main lodge and boat shed.

2.11.

Figure 6 – Photo taken from on top of the large gun emplacement at kingfish point looking towards the mouth of the Whangaroa Harbour. Post in photo indicates boundary between the marginal strip and Kingfish Lodge land.



Figure 7 – Bunker and second gun emplacement located on Kingfish Lodge land



Figure 8 - Main gun emplacement on DoC Marginal Strip

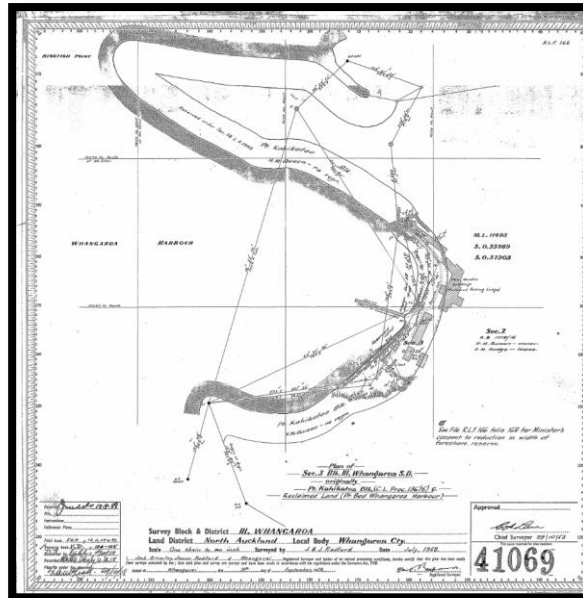


Figure 9 - 1953 Survey indicating the extent of the marginal strip in relation to the existing buildings.

- 2.12. At some point in time the marginal strip boundaries have been amended in what we can only assume was to ensure that the Kingfish Lodge buildings would be fully located on the Kingfish Lodge site. While the majority of buildings now sit outside of the marginal strip, some encroachments still occur. This includes the conference room building and parts of the north accommodation building.
- 2.13. Kingfish Lodge has been granted following District and Regional consents.

Table 1 – FNDC Consent History

RC/BC Number	Description	Date Issued
1970043-LUC	Operate and maintain a tourist hotel in accordance with a management plan.	1 st August 1996
BC 1993-476	Upgrade Septic System and build a new deck on the Restaurant/Bar.	5 th November 1996
BC 1996-407	Building consent for meeting room associated with the tourist hotel. Now shown on plans as the Conference room. Plans note that the deck located at the front of the Conference room was existing.	5 th November 1996
BC 1997-38	Consent for workers accommodation dwelling.	5 th November 1996
1970933-COM	Joint application FNDC & NRC - To unit title the 11 units, enable the construction of the 11 units on each of the unit title sites, the dispensation and waiver of the total required carparks, the extension of the existing structures	8 th October 1998



	(accommodation blocks, bar, restaurant facilities) within the water setback and the excavation and filling associated with the construction of the 11 units.	
2030392-VAR	Variation of RC 1970933 to vary where the Kingfish Lodge carparking at Whangaroa was located.	18 th November 2002
BC 2004-2253	Safe and Sanitary Report for jetty upgrade and floating pontoon and gangway.	1 st June 2004
2040436-VAR	Variation of RC 1970933 to stage the development and amend the condition relating to landscaping.	13 th July 2004
2100237-EXT	Extension of time to RC 1970933 and its variation.	17 th Nov 2009
2180197-LUC	Storage Shed	30 th Oct 2017
BC 2018-610	Consent for the Storage Shed.	15 th February 2018
2190269-LUC	Landuse consent for retaining walls associated with the new lodge development.	18 th December 2019
BC 2018-4059	COA for Emergency works	12 th February 2020
RC 2200355	Landuse consent for the main lodge and boat house, and variation to consent notice.	19 th July 2021
RC 2230579-RMALUC	Land use consent to upgrade the bar / restaurant and add a second storey with seven additional accommodation units.	29 th May 2024

Table 2 - NRC Consent History

RC Number	Description	Date Issued
AUT.5424	Water take, discharge effluent to ground via deep bore and discharge contaminants to air.	5 th August 1997
AUT.5424	Consent to regularise the existing jetty and pontoon, recreation and conference room decks with connecting walkways.	30 th September 1997
AUT.5424	Consent to regularise the existing jetty and pontoon, occupy and use existing recreation and conference room decks with connecting walkways.	28 th October 1997
AUT.5424	Water take, discharge wastewater into a deep bore system, discharge contaminants to air,	2 nd June 1998



AUT.5424	Joint application with FNDC. Part approved reclamation. Coastal Permit for seawall with swimming pools declined. Coastal Permit for seawall along coastline approved with associated earthworks. Discharge of seawater from the proposed saltwater pools. Earthworks. Extension to Jetty and pontoon. Dinghy ramp access and associated reclamation.	8 th October 1998
AUT.5424	Decision from Minister of Conservation declining the seawall Restricted Coastal Activity made as part of the previous application where decline was recommended.	24 th November 1998
AUT.5424	Seawalls & associated earthworks. Discharge seawater to coastal marine from swimming pools. Earthworks. Upgrade Jetty and pontoon. Construct Dinghy access and reclamation.	1 st December 1998
AUT.5424	To place 3 Mediterranean type moorings for the purpose of providing berthage for up to 3 vessels.	6 th December 2000
AUT.5424	Replacement consent on site and within crown land: To occupy and use conference room decks and walkways. Take ground water for water supply. Discharge contaminants to land. Discharge contaminants to air.	19 th November 2002
AUT.5424	Delete condition 1 of previous application relating to the jetty and pontoon.	31 st August 2004
AUT.5424	Coastal Permit and Landuse Consent for seawalls and associated earthworks, discharge seawater from saltwater pools at the lodge, upgrade the existing jetty and pontoon and to construct a dinghy ramp and associated reclamation.	30 th September 2004
AUT.5424	Consent covers the following: Coastal Permit for conference room deck, recreational deck, walkways and boat ramp. Water take Permit to take groundwater for water supply, Discharge to Land for treated wastewater, Discharge to Air associated with odour from the wastewater system, coastal permits for the seawalls, jetty and associated facilities, boat ramp and moorings. Landuse consent under a transfer of powers for the portions of boat ramps above mean high water springs. Coastal Permits to alter the jetty facility and sea wall and extend the boat ramp.	25 th October 2016
AUT.5424	Slight variation to above mentioned consent to delete reference and conditions relating to the dinghy ramp and replace with reference and conditions relating to boat	6 th December 2016



	<p>ramps. Consent covers the following: Coastal Permit for conference room deck, recreational deck, walkways and boat ramp. Water take Permit to take groundwater for water supply, Discharge to Land for treated wastewater, Discharge to Air associated with odour from the wastewater system, coastal permits for the seawalls, jetty and associated facilities, boat ramp and moorings.</p> <p>Landuse consent under a transfer of powers for the portions of boat ramps above mean high water springs.</p> <p>Coastal Permits to alter the jetty facility and sea wall and extend the boat ramp.</p>	
AUT.5424	<p>Variation to 2016 consent to alter the seawall height. Consent covers the following: Coastal Permit for conference room deck, recreational deck and walkways. Water take Permit to take groundwater for water supply, Discharge to Land for treated wastewater, Discharge to Air associated with odour from the wastewater system, coastal permits for the seawalls, jetty and associated facilities, boat ramp and moorings.</p> <p>Landuse consent under a transfer of powers for the portions of boat ramps above mean high water springs.</p>	21 st June 2017
AUT.5424	<p>Consent varied previous approval for the seawall to include the stairs adjacent to the recreational deck, removal of walkways and incorporated all other Regional consents into one document. Consent covers the following: Coastal Permit for conference room deck and recreational deck, Water take Permit to take groundwater for water supply, Discharge to Land for treated wastewater, Discharge to Air associated with odour from the wastewater system, coastal permits for the seawalls, jetty and associated facilities, boat ramp and moorings.</p> <p>Landuse consent under a transfer of powers for the portions of boat ramps above mean high water springs.</p>	30 th September 2019.
AUT.42581	<p>Earthworks associated with the main lodge and boatshed development.</p>	22 nd April 2021
<p>AUT.005424</p> <p>AUT.32079</p> <p>AUT.32189</p> <p>AUT.34904</p>	<p>Renewal of approved consents/permits to use and occupy space in the CMA, take water, discharge to land, discharge to air, and operate swing moorings.</p>	<p>AUT.5424 Approved 10th May 2023.</p> <p>AUT.32079, AUT.32189 and AUT.34904 Approved 14th</p>



		September 2022
AUT.5424	Variation to the discharge consent to increase the volume of wastewater being discharged into deep bores on site.	Approved 5 th October 2023

Site Features

2.14. The site zoning is General Coastal in the Operative District Plan (ODP). Part of the site is also within an area that is mapped as Outstanding Landscape (shown below in orange).

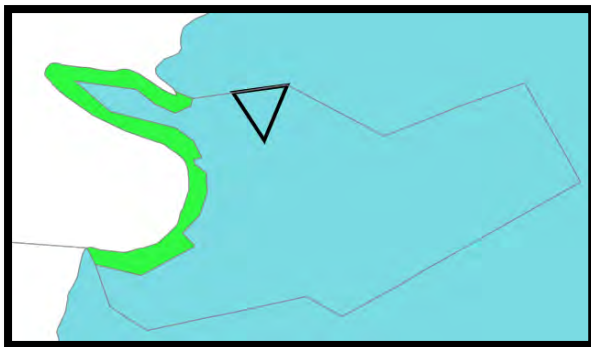


Figure 11 - Operative District Plan zone map

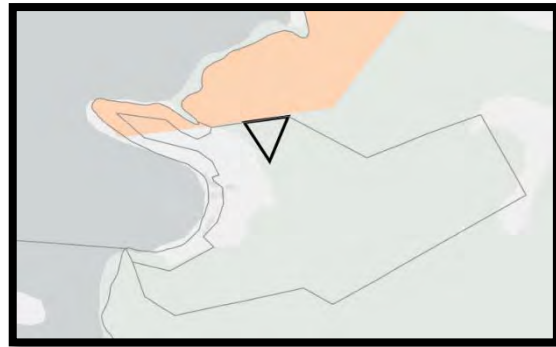


Figure 10 - Operative District Plan Resource Map

2.15. The proposed zoning is 'Rural Production' under Proposed District Plan (PDP) with a 'Coastal Environment' overlay. Kingfish Point is mapped as an Outstanding Landscape and much of the site is identified as High Natural Character. Part of the site is mapped as being subject to a 1:100-year flood event and being within zones 2 & 3 coastal flood scenarios.

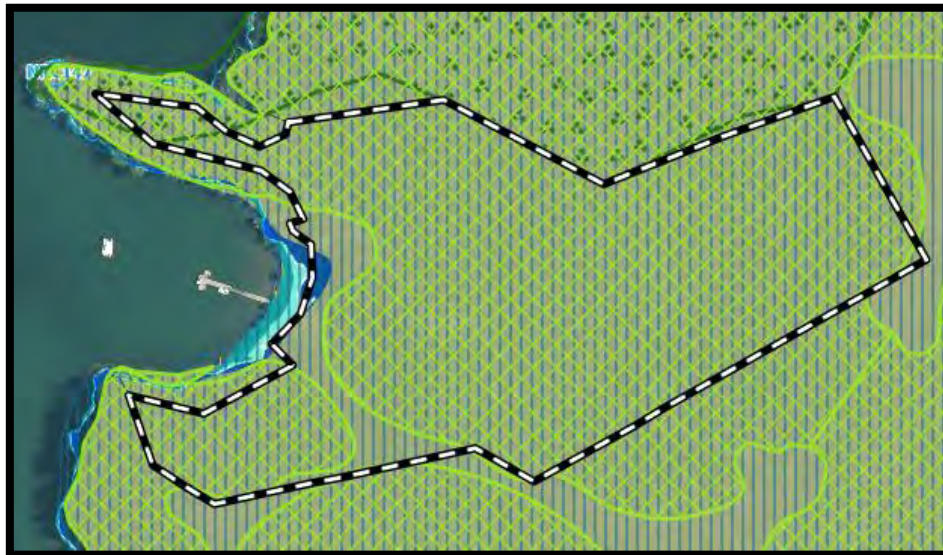


Figure 12 - Proposed District Plan Map

2.16. The site is not a HAIL site as shown on the Far North Maps or by any historic photographic record.



2.17. NZAA does map some archaeological sites within the property. A previous archaeological assessment was undertaken for the redevelopment of the main lodge, and it was concluded that no archaeology was present within the development area. While not commented on in the archaeological report, the stream that runs through the site into the coastal marine area is significant to local Iwi. As part of the previous bar / restaurant consent a Cultural Impact Assessment was provided which included details on this. An updated archaeological assessment has been undertaken as part of this stage of development. This assessment included a site visit and testing of earthworks areas. Given the location of the helicopter landing area the Pa features have been redefined over an aerial to ensure all earthworks will be located outside of this historic feature. The report was again able to conclude that there would be no archaeological features disturbed as part of this latest proposal. It is recommended that any earthworks (fill activities) are undertaken with an Accidental Discovery Protocol in place.

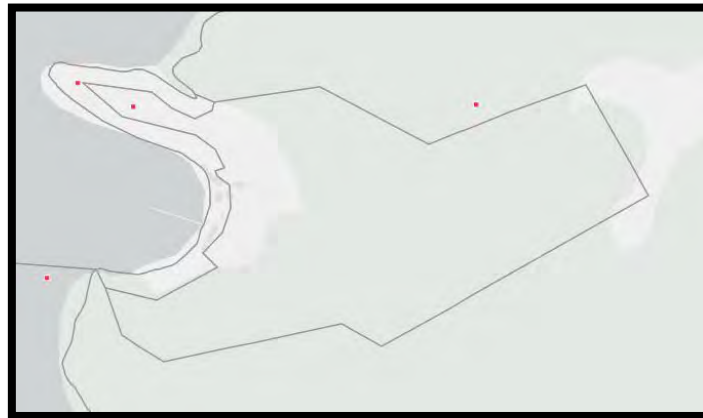


Figure 14 – NZAA sites



Figure 15 - Archaeological features defined in the latest assessment: Source Archaeology Solutions Limited



- 2.18. Soil types mapped on the property are 8e3 and 6e16. None of these are classified as highly versatile by the Regional Policy Statement for Northland (RPSN) nor as Highly Productive by the NPS Highly Productive Land (NPS-HPL).
- 2.19. The site is mapped as being subject to both coastal and river flood hazard as shown on the proposed district plan maps. The development is located within the River Flood Hazard Zone – Regionwide Models (100-year CC Extent) as mapped by NRC.
- 2.20. The site is subject to areas of mapped PNA shown by the purple outlines. The development is situated outside of this area.



Figure 16 - Protected Natural Areas

- 2.21. The site is mapped as being in a Kiwi Present area.
- 2.22. The site is not shown to be within a surface water protection area.
- 2.23. The site is not subject to a Treaty Settlement. However, the property does adjoin the coastal marine area which has a statutory acknowledgement over the Whangaroa Harbour in favour of Ngatikahu ki Whangaroa.
- 2.24. The regional council has not mapped any wetlands near the development area, nor were any observed when undertaking a site visit.

2.25. The regional policy statement maps the coastal marine area as high natural character as well as much of the site, notably avoiding the developed area containing existing buildings.

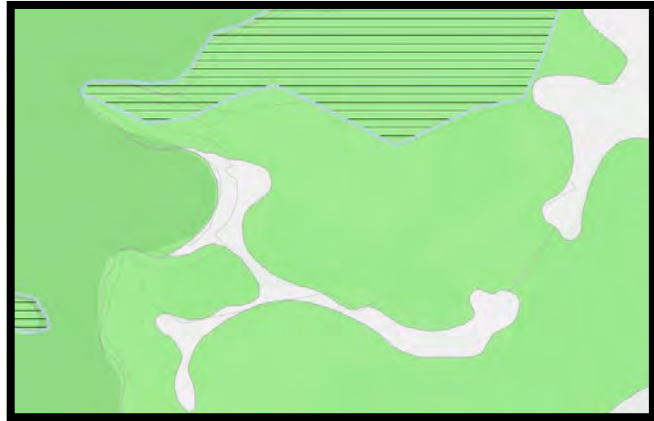


Figure 17 - Regional Policy Statement Map

2.26. The property has one bore, located at the rear of the site. Council’s reticulated services are not available at the site and therefore all services are managed on the property.

3. Reasons for Consent

Operative District Plan (ODP)

3.1. The application site is zoned General Coastal under the ODP. An assessment against the relevant District Plan rules is set out in Tables 3-5 below:

Table 3 - Assessment General Coastal Zone Rules		
Plan Reference	Rule	Performance of Proposal
10.6.5.1.1	Visual Amenity	<p>Restricted Discretionary</p> <p>(a) The proposal is for a replacement north accommodation building exceeding a 25m² floor area comprising six suites, conference and gym facilities.</p> <p>(b) The proposed colour scheme is natural and recessive. Proposed exterior colour products such as stains are not located within the BS5252 colour range. This results in a technical non-compliance. The proposed colour range has been previously consented under 2230579-RMALUC and will be a continuous theme used for all buildings.</p> <p>(c) Not applicable. The proposed building development replaces the existing north accommodation. The existing Captains Suite and some exterior decking at the northern end of the building will be retained.</p> <p>(d) Not applicable.</p>



10.6.5.1.2	Residential Intensity	<p>Permitted</p> <p>The proposal is revamping existing visitor accommodation. No additional residential units are being provided. There is a single caretakers residential cottage on the site. No works are proposed to this building as part of this application.</p>
10.6.5.1.3	Scale of Activities	<p>Discretionary Activity</p> <p>The proposed lodge accommodation and bar / restaurant activities are currently consented as follows:</p> <p>RC 2200355-RMALUC approved plans include:</p> <ul style="list-style-type: none"> • North accommodation wing - Existing use for the 8 double rooms equating to 16 people in the north accommodation wing; • Main Lodge 4 x double bedrooms equating to 8 people; • Boat Shed 2 x bedrooms and a bunk room accommodating up to 4 staff. <p>RC 2230579-RMALUC approved plans include:</p> <ul style="list-style-type: none"> • For the bar and restaurant occupancy has been stated as 20 visitors who are not staying on site. • 7 accommodation units located at the first-floor level of the bar / restaurant / main entrance building equating to 14 people. <p>Additional activities are proposed as follows noting a reduction in the number of accommodation suites and increase in staff numbers:</p> <p>Upgraded North Accommodation Wing (existing 8 units (reconsented approval for use of existing building – RC 2200355-RMALUC)</p> <ul style="list-style-type: none"> • The removal of a double occupancy accommodation suite from the first floor of the restaurant / bar building reduces the number of units from seven to six. • The construction of five accommodation units in the north accommodation wing. The overall number of accommodation units reduces from seven to five. • Captains Suite which has 1 double bedroom.



		<ul style="list-style-type: none"> Increase in staff numbers to accommodate additional demand from 4 to 10 (increase by 6). <p>Total accommodation units = 16 double rooms (32 people) Total Bar / Restaurant Capacity (excluding resident guests) = 20 people Conference Room No additional persons allocated. Staff = 10 persons Caretaker cottage 3-bedroom house not included.</p> <p>Total – 62 people</p>
10.6.5.1.4	Building Height	<p>Restricted Discretionary</p> <p>The height of the amended bar / restaurant building will exceed the permitted height standard of 8m. The maximum height breach is 8.895m as illustrated on RC.B.09 Rev D.</p>
10.6.5.1.5	Sunlight	<p>Discretionary</p> <p>The reconstructed north accommodation building is to be setback from the boundary with the marginal strip. The eastern portion of the building will continue to breach the sunlight 45-degree recession plane. See plan RC.E.08 Rev E for detail.</p>
10.6.5.1.6	Stormwater Management	<p>Permitted.</p> <p>The permitted threshold for stormwater management is 10% of the site area.</p> <p>The permitted area of impermeable surface is 11,907m²</p> <p>The total proposed building and impermeable surface area will remain within the permitted area.</p>
10.6.5.1.7	Setback from Boundaries	<p>Restricted Discretionary</p> <p>As indicated on the application plan RC.E.04 Rev E, the redeveloped north accommodation wing building will be located within 10m of the marginal strip boundary. The existing Captains suite building and attached deck will remain in its current location.</p>
10.6.5.1.8	Transportation	Assessed in the District Wide section below.
10.6.5.1.9	Keeping of Animals	<p>Not applicable.</p> <p>No keeping of animals is proposed. An existing consent notice on the application site Lot 1 DP 1988828 restricts the site to two kiwi aversion trained dogs.</p>



10.6.5.1.10	Noise	Permitted. The proposed Lodge accommodation and bar / restaurant activities are subject to the General Noise Standards that can be complied with.
10.6.5.1.11	Helicopter Landing Area	Permitted A helicopter landing pad is proposed in an elevated location to the north of the main Lodge complex. The location is not within 200m of the listed zones.

Table 4 - Assessment against District-Wide Natural & Physical Resources Rules

Plan Reference	Rule	Performance of Proposal
12.1	Landscape and Natural Features	Permitted The site is not within any mapped outstanding natural landscape or outstanding natural feature
12.2.6.1.3	Indigenous Vegetation clearance in the General Coastal Zone	Discretionary <ul style="list-style-type: none"> (a) Minor vegetation clearance required within the marginal strip for landscaping purposes as illustrated on RC.M.10 Rev B. (b) Clearance will be within 20m of the stream and coastal marine area triggering consent. (c) The vegetation is not remnant and involves single (cabbage trees). (d) The clearance will not exceed 1ha or 15%. (e) More than 50% of the overall site is in native vegetation.
12.2.6.2.1 (RDA)	Indigenous Vegetation clearance in the General Coastal Zone	Restricted Discretionary While the proposed vegetation clearance is minimal, it cannot comply with the permitted standard Rule 12.2.6.1.3 as it will increase the sites' total cleared area above 1ha or 15% of the site area.
12.3.6.1.2	Excavation and/or Filling	Restricted Discretionary <p>The permitted volume of excavations in the General Coastal Zone is 300m³ and the maximum cut/fill face is 1.5m or combined cut and fill height of 3m.</p> <p>Total earthworks volumes as described above are 901.6m³. Fill volumes within the development area are 232.9m³.</p> <p>Combined cut / fill faces exceed the 1.5m high cut and combined 3m cut / fill face. All retained cut faces will be engineered and require building consent.</p> <p>Surplus excavation fill locations located on the site and within the neighbouring property (Part Kahikatoa)</p>



		<p>Block, Part Pararako Block, Part Allotment 2 Parish of Mahinepua and Lot 2 and Lot 4 DP 49684) will receive deposited fill volumes of 150m³ and 600m³ respectively.</p> <p>Up to 2,000m³ excavation earthworks per year is a restricted discretionary activity under Rule 12.3.6.2.1.</p>
12.3.6.1.4	Nature of Filling Material in all zones	<p>Permitted</p> <p>The fill material can comply with the standards in this rule. Building materials will be removed from the site.</p>
12.4.6.1.2	Fire Risk to Residential Units	<p>Permitted</p> <p>No residential units are proposed.</p>
12.5	Heritage	<p>Permitted</p> <p>The site does not contain any scheduled heritage items listed in the ODP. The site is not identified in the ODP as a site of cultural significance to Maori. There are no notable trees on the site. There are no listed archaeological sites. The site is not within any identified Heritage Precinct.</p> <p>As outlined in the Archaeological Report prepared by Archaeology Solutions Limited (refer Appendix 8) there are no other identified archaeological sites which would be affected by the proposed activities.</p> <p>The updated plans have been resent sent Te Runanga o Whangaroa for commentary on the variation to the Bar / Restaurant in relation to the stream which has cultural importance, and the proximity of works to the Pa.</p>
12.7.6.1.1	Setback from Lakes, Rivers and the Coastal Marine Area	<p>Restricted Discretionary</p> <p>The required setback from the coastal marine area or any river (where the average width of the riverbed is 3m or more) is 30m.</p> <p>The proposed redevelopment of the north accommodation wing is located within the 30m setback from the sea wall (refer RC.E.01 Rev B).</p> <p>The eastern part of the new building will also be located within 20m of the existing stream that runs through the site and under the restaurant / bar building. The surveyed width of this stream is less than 3 metres.</p>



12.7.6.1.2	Setback from smaller Lakes, Rivers and wetlands	<p>Restricted Discretionary</p> <p>The stream that runs through Kingfish Lodge has a surveyed average width of 2.3m (ref RC 2200355). This equates to a 23m setback for compliance with the permitted standard.</p> <p>The eastern part of the redeveloped north accommodation wing building will be within the 20m setback from the stream.</p>
12.7.6.1.4	Land Use activities involving Discharges of Human Sewage Effluent	<p>Consented Activity (RC 2200355-RMALUC)</p> <p>The proposed wastewater tanks were consented in a cluster in front of the main lodge.</p> <p>On Plan RC.M.11 the tanks have been rearranged with 3 sitting out the front of the main lodge and the other 3 sitting between the main lodge and the bar / restaurant building. The reason for the change was that there is a kauri tree with its root system within proximity to the wastewater tanks. To avoid disturbing this tree and its roots 3 tanks have been located further away from the CMA.</p> <p>NRC resource consent AUT.005424.03.06 authorises the discharge of secondary treated wastewater to land.</p>
12.7.6.3 (DA)	Discretionary Activities	<p>Discretionary Activity</p> <p>Non-compliance with rules 12.7.6.1.1, 12.7.6.1.2 & 12.7.6.1.4 result in a Discretionary Activity Status.</p>
12.8	Hazardous Substances	Not applicable
12.9	Renewable Energy	Not applicable.

Table 5 - Assessment against District-Wide Transportation Rules

Plan Reference	Rule	Performance of Proposal
15.1.6A	TRAFFIC	<p>Permitted Activity</p> <p>Traffic Intensity is defined as - <i>a means of assessing the likely traffic effects from a particular new activity and is based on the average daily one-way vehicle movements for that activity.</i></p> <p>Rule 3A.3 stipulates that - <i>Where the traffic intensity threshold attributed to an activity in the table below is considered inappropriate, a report detailing the</i></p>



		<p><i>anticipated traffic intensity factor of the proposed activity may be provided for Council's consideration and approval. This report must demonstrate the likely daily one-way traffic movements for the proposed activity and must be prepared by a suitably qualified person.</i></p> <p>The permitted TIF within the General Coastal zone is 30.</p> <p>Kingfish Lodge is currently a landlocked site, where access is only available via boat such that the Traffic Intensity Factor for the site is 0. As part of RC 2030392-VAR carparking has been provided at Whangaroa Lot 5 DP 89743 for guests.</p> <p>There is no proposed increase in the accommodation or restaurant / bar facility capacity above that was consented under RC 2200355-RMALUC. The overall accommodation units will reduce.</p>
15.1.6B.1.1	On-site Carparking Spaces	<p>Not applicable</p> <p>The site has no current legal vehicle access. Access to the site is via boat and the coastal marine area. Zone parking rules apply to establishing on-site activities where vehicles can access the site.</p>
15.1.6B.3(DA)	Discretionary Activities	<p>Not applicable</p> <p>Non-compliance with 15.1.6B.1.1 results in a Discretionary Activity.</p>
15.1.6C	ACCESS	<p>Not applicable</p> <p>The site is landlocked and has no vehicle access. This is an existing situation.</p>

ODP District Plan Activity Status

3.2. The assessment above has identified the following breaches to the District Plan Rules:

- 10.6.5.1.1 Visual Amenity
- 10.6.5.1.4 Building Height
- 10.6.5.1.4 Sunlight
- 10.6.5.1.7 Setback from Boundaries
- 12.2.6.1.3 Indigenous Vegetation Clearance in the General Coastal Zone
- 12.3.6.1.2 Earthworks
- 12.7.6.1.1 Setback from Lakes, Rivers and the Coastal Marine Area
- 12.7.6.1.2 Setback from smaller Lakes, Rivers and Wetlands



- 3.3. As per preambles 10.6.5.3 and 12.2.6.3, 12.7.6.3 and 15.1.6B.3 Discretionary Activities the proposal will be assessed as a Discretionary Activity overall under the ODP provisions.

Proposed District Plan

- 3.4. The proposed activities are subject to the PDP provisions. The PDP was publicly notified on the 27th of July 2022. The submission and further submission periods have closed. PDP hearings commenced in May 2024. While some relevant topics have now been heard, no decisions on the submissions have been made by the panel. As the zone rules have no legal effect, little weight will be given to the proposed objectives and policies.
- 3.5. Rules that have current legal effect are set out below in Table 4.

Table 5 - Proposed Far North District Plan Rules – (with current legal effect)		
Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	The following rules have immediate legal effect: Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource Rules HS-R5, HS-R6, HS-R9	Not applicable. The site does not contain any hazardous substances to which these rules would apply.
Heritage Area Overlays	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	Not applicable. The site is not located within a Heritage Area Overlay.
Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10). Schedule 2 has immediate legal effect.	Not applicable. The site does not contain any scheduled areas of historic heritage.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	Not applicable. The site does not contain any scheduled notable trees.
Sites and Areas of Significance to Maori	All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect	Not applicable. The site does not contain any mapped or scheduled sites or areas of significance to Maori.
Ecosystems and	All rules have immediate legal effect (IB-R1 to IB-R5)	Permitted Activity



Indigenous Biodiversity		IB-R1 – The proposal does not require the removal of any protected vegetation. IB-R2 – The proposal is not for Papakainga. IB-R3 – The vegetation is not within a significant natural area. IB-R4 – No ecological report has been provided with this application. The vegetation clearance is less than 100m ² . IB-R5 – Not applicable.
Subdivision	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	Not applicable. The proposal is not for subdivision.
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not applicable. The proposal does not involve activities on the surface of water.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5	Permitted. Earthworks as part of this proposal will proceed under the guidance of ADP and will be in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (GD-005), in accordance with Rules EW-12, EW-R13, EW-S3 and EW-S5.
Signs	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	Not applicable. No signs are proposed as part of this application.
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not applicable. The site is not located in the Orongo Bay Zone.

National Environmental Standards

National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

- 3.6. The site is not identified as HAIL on the Council database of HAIL sites. A review of historic aerials indicates that there are no known HAIL activities that have previously occurred or currently occurring within the development areas. For this reason, the proposed activities are not subject to NESCS (National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health).



National Environmental Standard for Freshwater

- 3.7. The proposed activities do not involve farming, nor would they impact on any natural inland wetlands or waterways. As such, this national standard is not relevant to the application.

Other National Environmental Standards

- 3.8. There are no other National Environmental Standards are considered applicable to this development.

4. Statutory Assessment under the Resource Management Act 1991 (RMA)

Section 104B of the RMA

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

Section 104(1) of the RMA

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

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

*(a) any actual and potential effects on the environment of allowing the activity;
and*

*(ab) any measure proposed or agreed to by the applicant for the purpose of
ensuring positive effects on the environment that will or may result from
allowing the activity; and*

(b) any relevant provisions of –

i. a national environmental standard:

ii. other regulations:

iii. a national policy statement:

iv. a New Zealand Coastal Policy Statement:

v. a regional policy statement or proposed regional policy statement:

vi. a plan or proposed plan; and

*(c) any other matter the consent authority considers relevant and reasonably
necessary to determine the application.”*

- 5.2. Actual and potential effects arising from the development as described in 104(1)(a) can be both positive and adverse (as described in Section 3 of the Act). The redevelopment of the existing accommodation facility for patrons to visit and enjoy is a positive effect arising from this activity. Furthermore, the reuse of existing facilities utilises an existing building resource that also avoids adverse effects on other undeveloped parts of the coastal environment. The redevelopment will restore the well-known Kingfish Lodge and enable people to access and enjoy this part of the Far North coastline. The proposal involves the removal of existing



buildings from the marginal strip, which is supported by DOC and Iwi. The visual amenity of the site and surrounding environment will continue to be maintained by a discrete and harmonious building development that remains subservient to the surrounding natural landscape.

- 5.3. Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity’. In this case, the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment.
- 5.4. Section 104(1)(b) requires that the consent authority consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment is set out below.
- 5.5. Section 104(1)(c) states that consideration must be given to ‘any other matters that the consent authority considers relevant and reasonable, necessary to determine the application.’ There are no other matters that are relevant to the assessment of this application.

Section 104(1)(a) – Assessment of Environmental Effects

- 5.6. Having reviewed the relevant plan provisions and taking into account the matters to be addressed by an assessment of environmental effects as outlined in Clause 7 of Schedule 4 of the Act, the following effects are relevant to the assessment of this proposal.
 - *Visual and landscape effects (visual amenity in the coastal environment)*
 - *Building bulk, location and sunlight effects (relative to the marginal strip)*
 - *Building setback from boundaries, small streams and the coastal marine area effects*
 - *Indigenous vegetation effects*
 - *Earthworks effects*
- 5.7. The proposed activities are Discretionary under the ODP. The bundled proposed activity Discretionary Activity status has arisen from infringements to building development rules including visual amenity, building height, sunlight (recession plane), building setback from boundaries and waterways and vegetation clearance.
- 5.8. Development activities involving excavation and filling activities associated with building development, landscaping and the construction of service roads also require land use consent.
- 5.9. The proposal is to restore and upgrade the existing visitor accommodation lodge that has occupied its coastal bay since the 1930’s. Historically, development on the site has



encroached onto the Crown owned marginal strip coastal margin and foreshore due to its reliance on wharf and jetty structures that enable boat access to the site. Redevelopment of the site involves both renovation of the existing lodge facilities and, to the extent possible, a relocation of buildings and structures to within the applicant's site. This application is to relocate the existing north accommodation wing further east and inside the site boundary (which is also limited by the hillside behind). The existing meeting room (conference) building will be removed from the DOC marginal strip, and a new meeting room space constructed at the ground floor of the new accommodation building.

Visual and Landscape effects

- 5.10. Registered landscape architect Christine Hawthorn has undertaken a Visual Impact Assessment (VIA) of the proposed north wing accommodation building proposal, including the associated landscaping and earthworks activities. The matters to be assessed relate to the appearance of buildings in the General Coastal zone (visual amenity), and the height and position of the building relative to the boundary of the adjacent marginal strip boundary.
- 5.11. As described earlier in this report, the redeveloped north accommodation wing will be located further to the east and entirely within the applicant's site. The only remaining part of the building remaining within the marginal strip is the eastern end (deck portion) of the captain's suite.
- 5.12. The VIA includes an assessment against the ODP *Section 10.6.5.3.1 Visual Amenity* criteria. For inclusion with this assessment, we have summarised the conclusions. It is Ms Hawthorn's opinion that the visual impact of the redevelopment will be less than minor when viewed from the identified coastal marine area public viewing points and the land-based marginal strip as follows:
- The redeveloped north accommodation building will be located on a similar footprint to the existing building. Despite being two storey, the size, bulk and height of the building is appropriate in the landscape and can be visually assimilated with less than minor adverse visual effects;
 - The building will be set into the landscape and not be viewed on any sensitive ridgeline.
 - The development will not impact any identified natural features, nor will it be located within an area with identified outstanding natural landscape values or high or outstanding natural character values.
 - The proposed exterior building colours and materials will complement the coastal location;
 - The existing and proposed landscape plantings located around the building site will partially screen and soften views from surrounding viewing locations;
 - The volume and area of earthworks and vegetation clearance is very small and will not result in adverse landscape visual effects.
 - Site access is via a boat so will not result in adverse visual effects from constructed roads, parking or manoeuvring areas



- There will be no visual effects arising from utility lines
- In what is already a highly modified coastal location, the development will be consolidated in an existing cluster of buildings with a small degree to change when compared to the existing buildings.

5.13. It is concluded that the development proposal will result in less than minor cumulative visual effects.

5.14. The relocation of buildings off the marginal strip combined with an architectural building design that is sympathetic to the existing coastal landscape and proposed landscape plantings will reduce the overall dominance of buildings over the adjacent public land and ensure that potential adverse visual and landscape effects are less than minor.

Scale of Activities

5.15. As previously outlined in the Table 1 assessment against the ODP General Coastal Zone rules, the scale of people activity to be accommodated on the site is currently authorised, either in terms of existing use rights or consented under RC 2200355-RMALUC (main lodge accommodation wing and standalone boat house) or RC 2230579-RMALUC (bar / restaurant with second storey accommodation units). This consented activity forms part of the existing environment. The overall number of accommodation units is reducing by 6 persons and the overall staff numbers are increasing by the same amount such that there will be no overall change in the numbers of people being accommodated on the site from which is already consented. It is considered that there will therefore be no change in potential adverse effects due to people numbers on this part of the rural coastal environment.

5.16. A lodge type accommodation facility has existed in this location for a long period of time and is well known in Whangaroa. People 'activity' at the site is generally contained around the lodge, other than when arriving by boat or those walking to the headland. The size and scale of the proposed buildings is similar to the former lodge and more appropriate in terms of how it will integrate into the surrounding landscape. Well-designed landscape planting and improvements to the coastal foreshore and marginal strip land will all contribute to an attractive and discrete built form that is located contained adjacent to the foreshore area and well below the hillside landscape behind. There are no close neighbours that would be affected by the use of this part of the site for accommodation and dining facilities. Overall, the potential adverse effects arising from people visiting and staying at the site are assessed to be no more than minor.

Building bulk, location and sunlight (overshadowing) effects

5.17. In combination with the consented boat house, main lodge, bar and restaurant, the redeveloped north accommodation wing building will become an extension of what is intended to be a continuous built form that is orientated towards its crescent bay location. The overall building architectural style combines the use of natural timber and stone / concrete materials in a manner that is sympathetic and appropriate in this coastal



environment location. The use of recessive natural colours would be consistently used throughout each stage of the development.

- 5.18. The topography of the site with the significant hillside area to the east limits the location of the buildings. To the extent possible, the redeveloped accommodation building will be located east of its current footprint to be within the applicant's site and outside of the marginal strip. The existing conference building will also be removed. The relocation of these buildings will reduce the building dominance effect on the public marginal strip. While some infringement of the building recession plane (sunlight) and height will remain with the new building, this is limited to the southern end and results from a redesign of the pitched roofline. Minor modifications to the existing bar / restaurant building will integrate the two buildings and provide roof shelter to proposed exterior decks and connecting stairs.
- 5.19. Chapter 11 of the ODP contains the assessment criteria against which breaches to building height and sunlight. These criteria are commented on as follows:

(a) The extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.

- 5.19.1. The adjacent property that is affected by the building redevelopment is the Crown owned marginal strip adjacent to the coastal marine area. This land is already affected by Kingfish Lodge buildings that are located within the marginal strip. Despite being a two-storey proposal, the proposed redevelopment would remove all buildings from within the marginal strip and reduce the overall building height and recession plane infringement effect on this land. At the southern end the building will be articulated to align with the property boundary and to essentially follow the crescent shape of the bay coastal margin.

(b) The ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.

- 5.19.2. The ability to relocate the buildings away from the marginal strip land is limited by the topography of the site and the hillside behind. The architectural design of the new building has sought to sympathetically replicate the old buildings by positioning them adjacent to the boundary and articulating the southern end where it adjoins the bar / restaurant. All the existing buildings within the marginal strip will be removed. These areas will be appropriately landscaped and additional trees planted to soften and break up the western façade that faces the coastal marine area. An improved public access arrangement will be enabled via the lodge jetty, proposed deck and stairs to access the beach area (regional consent is currently being sought for this) and future access to the northern parts of the marginal strip (which will form future applications once a concession has been finalised).

(c) The extent of the building area and the scale of the building and the extent to which they are compatible with both the built and natural environments in the vicinity.



5.19.3. Registered landscape architect Christine Hawthorn has assessed the proposed redevelopment in terms of its potential effects on the landscape context of the site which includes natural environment elements. Ms Hawthorn notes that the Kingfish Lodge property is already a modified environment. The proposed buildings will be located on a similar footprint to the existing. They are discretely located low down in the landscape and not on ridgelines. Building colours and materials are sympathetic to the natural character of the site surrounds. The built development would remain subservient to the natural landscape environment.

(d) The spatial relationship between the new building and adjacent residential units, and the outdoor space used by those units.

5.19.4. Development on the site is a single accommodation complex known as Kingfish Lodge. There is a caretaker residence on the property. No other adjacent residential units would be affected.

(e) The nature of the activity to be carried out within the building and its likely generated effects.

5.19.5. The proposed activity is the redevelopment of an existing accommodation Lodge. The buildings will be located in a similar location to the existing buildings. This location is low down in the landscape and adjacent to the coastal marine area and marginal strip. Spatially, the overall extent of the building complex is not increasing. The building design would utilise natural colours and materials that are sympathetic to the existing coastal environment. Registered landscape architect Christine Hawthorn has concluded that any potential adverse effects arising from the building redevelopment will be less than minor.

Reduced setback from adjacent property boundary effects

5.20. The relocated accommodation building will be set back from its current location to be entirely within the applicant's site. The topography at the rear of the building limits the extent to which the building can be located further eastward.

5.21. The ODP Discretionary Activity assessment criteria for reduced setbacks from boundaries are set out in Chapter 11, Clause 11.6 and are commented on as follows:

(a) Where there is a setback, the extent to which the proposal is in keeping with the existing character and form of the street or road, in particular with the external scale, proportions and buildings on the site and on adjacent sites.

5.21.1. The existing Lodge is a single accommodation facility that has existed since the early 1930's. The proposed redevelopment will add a second storey to the buildings but is generally in keeping with the linear extent of the existing building complex. The footprint of the lodge will improve significantly insofar as it will be located entirely within the applicant's site and outside the marginal strip. The relocation of the buildings will reduce the building dominance (including shadowing) over adjacent public land and improve access to, and



along the foreshore. The exterior building materials and colours are natural and sympathetic to the surrounding landscape.

(b) The extent to which the building(s) intrudes into the street scene or reduces outlook and privacy of adjacent properties.

5.21.2. No streetscape would be affected by the proposed activities. The adjacent property affected by the proposed activity is the Crown owned marginal strip. The marginal strip provides public access to land adjacent to the foreshore. The removal of the conference room building will improve the north-south outlook along the marginal strip. Furthermore, ultimate development plans include providing walking access to the nearby gun emplacement sites on the marginal strip headland to the north. Public access will be enabled via the existing wharf structure and the marginal strip beach area to the headland.

(c) The extent to which the buildings restrict visibility for vehicle manoeuvring.

5.21.3. There are limited vehicles on the site used by staff and management. Vehicles are generally side by sides used for weed and pest control or gaining access around the property for maintenance. Throughout the construction phase some vehicles will be brought to the site overland from Tauranga Bay via the adjacent farm sites. There is no public vehicle access to the lodge site. The buildings will have no effect on vehicle manoeuvring.

(d) The ability to mitigate any adverse effects on the surrounding environment, for example by way of street planting.

5.21.4. Landscaping will be undertaken in accordance with plans prepared by Christine Hawthorn. The proposed planting is illustrated on the Hawthorn Landscape Architects Dwg Plan 2.0 and 2.1 attached at **Appendix 7**. Indigenous landscape planting will predominate in the marginal strip with a mix of low shrubs and trees to screen and soften the west (CMA) facing building façade.

(e) The extent to which provision has been made to enable and facilitate all building maintenance and construction activities to be contained within the boundaries of the site

5.21.5. Construction of buildings and landscaping does require some development site works to be undertaken within the adjacent marginal strip. DOC has provided written approval to these works as part of an agreed overall re-development of the lodge facility. At least 2 concession applications are necessary for the overall development. One application has been with DOC since 2018 and is nearing completion. A second concession license will be sought in early 2025.

Reduced setback from streams and the coastal marine area effects

5.22. The proposal is to relocate the existing north accommodation building further away from the coastal marine area and the marginal strip and to remove the existing conference building



entirely. This will remove the existing encroachment and provide greater separation between the buildings and foreshore area.

5.23. The nearby stream that runs under the restaurant building does not meet the definition of a river, as it is less than 3m in width. While this is the case, there is a small setback imposed. Given the proximity of the development to this stream consent is also triggered as detailed in the assessment above.

5.24. An assessment against the relevant assessment criteria in Rule 12.7.7 is set commented on:

(a) the extent to which the activity may adversely affect cultural and spiritual values;

5.24.1. Consultation has been and continues to be undertaken with Te Ukaipo who is the iwi liaison unit from Te Runanga o Whangaroa. A cultural values assessment was prepared and submitted in respect to the previous application that involved the redevelopment of the restaurant / bar building. This involved building over the existing stream as well as within the required setback margins. The north accommodation building is a northward extension to the bar / restaurant building that will replace existing buildings. Subject to conditions, the CVA did not identify any potential adverse impacts from the development on the cultural or spiritual values of the hapu. The relocation of buildings off the marginal strip and the removal of weed species and indigenous native plantings is supported.

5.24.2. As well as meeting with Te Ukaipo, we have also meet with representatives from Kahukuraariki / Ngatikahu ki Whangaroa. During the meeting, hosted by DoC no issues were raised regarding the district council land use consenting.

(b) the extent to which the activity may adversely affect wetlands;

5.24.3. No natural inland or coastal wetlands would be affected by the proposed activities.

(c) the extent to which the activity may exacerbate or be adversely affected by natural hazards;

5.24.4. The building site is within an identified river and coastal flood hazard zone. Habitable buildings have been designed with appropriate floor levels to ensure any potential flooding is avoided.

(d) the potential effects of the activity on the natural character and amenity values of lakes, rivers, wetlands and their margins or the coastal environment;

5.24.5. Registered landscape architect Christine Hawthorn has assessed the potential effect of the building redevelopment on the natural character of the coastal location. She notes the already modified state of this environment and that the redevelopment would essentially occupy the same footprint. The addition of a second storey would not adversely affect the surrounding landscape which is elevated well above the building complex.



(e) the history of the site and the extent to which it has been modified by human intervention;

5.24.6. The site has been extensively modified by human intervention dating back to prior to the war. The site is well known as an accommodation Lodge.

(f) the potential effects on the biodiversity and life supporting capacity of the water body or coastal marine area or riparian margins;

5.24.7. The building development area is set back from the coastal marine area and separated by the marginal strip which has a variable width. The development activities include earthworks that have the potential to impact the coastal marine environment and the adjacent stream area. Appropriate erosion and sediment control measures will be implemented to avoid sediment runoff into these areas. Constructed seawalls will also limit runoff. Water supply is from a local bore consented under AUT.005424.02.05. Clean roof stormwater will be discharged to the stream.

(g) the potential and cumulative effects on water quality and quantity, and in particular, whether the activity is within a water catchment that serves a public water supply;

5.24.8. The activity is not within a water catchment that serves a public water supply. The Lodge site has regional resource consent (AUT.005424.02.05) to take water from a nearby bore for lodge supply use.

(h) the extent to which any proposed measures will mitigate adverse effects on water quality or on vegetation on riparian margins;

5.24.9. As detailed above, erosion and sediment control measures will be implemented.

(i) whether there are better alternatives for effluent disposal;

5.24.10. NRC resource consent AUT.005424.03.06 has been granted to discharge treated wastewater into the site via deep bores. The wastewater tanks being established within proximity to the CMA and the stream offer additional processing of the waste prior to its disposal.

(j) the extent to which the activity has a functional need to establish adjacent to a water body;

5.24.11. This proposal is for the redevelopment of an existing lodge facility. The applicant is seeking to, where possible, reuse and renovate existing buildings that are well known as 'Kingfish Lodge'. The lodge relies on boat access from within the Whangaroa Harbour and was historically located adjacent to the foreshore as a fisherman's retreat. Reinstating new buildings in the same or similar location would avoid extending built development into the surrounding landscape, which is also limited by steeper topography, archaeology and native vegetation.



(k) whether there is a need to restrict public access or the type of public access in situations where adverse safety or operational considerations could result if an esplanade reserve or strip were to vest.

5.24.12. Restricting public access to the adjacent marginal strip may be required temporarily during earthworks and construction. This matter will be addressed directly with DOC.

Indigenous Vegetation Clearance effects

5.25. The proposal will result in some small-scale vegetation clearance involving a few cabbage trees and the relocation of a single Pohutukawa tree. The area of clearance is less than 100m² and is illustrated on Plan **RC.M.10 Rev B**. A landscape plan prepared by registered landscape architect Christine Hawthorn is illustrated on the Hawthorn Plan DWG 2.0 and 2.1 and includes substantial areas of indigenous planting to revegetate the marginal strip and to mitigate the visual effects of the building development. The area of clearance is not significant in comparison to what will be planted along the foreshore margin. DOC have provided written approval to the minor vegetation removal and proposed landscaping. Both Te Ukaipo (via Eljon Fitzgerald) and Kahukuraariki / Ngatikahu ki Whangaroa (via Roger Kingi and Bill Hori) have been and continue to be consulted with throughout the Kingfish Lodge redevelopment. I note that correspondence from both parties has been received with Te Ukaipo seeking cultural monitoring of the earthworks activities. We will be in contact with them to discuss a consent condition to cover this aspect. Bill Hori, a representative for Ngatikahu ki Whangaroa has not raised any concerns in his responses to the full plan set. The removal of weed and exotic species will improve the overall biodiversity and amenity of this location.

Land disturbance (earthworks effects)

5.26. Earthworks are required to construct building platforms, stabilisation of hillside cuts (retaining) and landscaping. The full extent of earthworks is illustrated on **RC.M.07. Rev E**. This plan shows the cut and fill locations as well as stockpile locations. All of the proposed retaining walls are subject to engineering design that requires building consent.

5.27. Proposed earthworks activities associated with this application are Discretionary overall. Some fill material will be removed from the building site location to the two fill sites described earlier in the application. These two sites are situated well away from the foreshore area and are not expected to generate any adverse sediment runoff effects. The northern location Disposal 1 site will become the helicopter landing location.

5.28. Earthworks activities will be managed in accordance with the erosion and sediment control plan illustrated on **Plan RC.M.08 Rev E**. A silt fence is to be constructed around the perimeter of the building site and maintained for the duration of the works. At the stream margins a silt sock will be installed to prevent sediment entering the freshwater environment.



5.29. ODP Assessment criteria 12.3.7 are commented on as follows:

(a) the degree to which the activity may cause or exacerbate erosion and/or other natural hazards on the site or in the vicinity of the site, particularly lakes, rivers, wetlands and the coastline;

5.29.1. All earthworks activities have the potential to cause or exacerbate erosion and other hazards such as slipping. The site works design includes erosion and sediment control measures to ensure that sediment is not discharged into the CMA or the adjacent stream environment. These measures are in accordance with the Auckland guidelines GD-005 as required by the PDP.

(b) any effects on the life supporting capacity of the soil;

5.29.2. There would be no adverse effects on the life supporting capacity of soil.

(c) any adverse effects on stormwater flow within the site, and stormwater flow to or from other properties in the vicinity of the site including public roads;

5.29.3. The runoff of sediment laden stormwater will be restricted by the silt fence constructed in the lower slopes of the site on the landward side of the seawall. Silt fences on the upper slopes will prevent material being washed through the site during construction. Earthworks and landscaping is for a limited duration and will be reinstated with landscape planting. Ultimately stormwater from roof areas will be connected to an underground drainage system that is to discharge to the stream.

(d) any reduction in water quality;

5.29.4. With appropriate erosion and sediment control measures in place, there is not expected to be any reduction in water quality.

(e) any loss of visual amenity or loss of natural character of the coastal environment;

5.29.5. Any loss of visual amenity is expected to be temporary as the Lodge works are completed. The works are contained within the existing built area and will not impact any unmodified areas of the coastal environment in this location. The works area is at the foreshore elevation and has limited visibility from the surrounding area. There would be no loss of existing natural character. The two proposed fill disposal areas will be reinstated when works are complete.

(f) effects on Outstanding Landscape Features and Outstanding Natural Features (refer to Appendices 1A and 1B in Part 4, and Resource Maps);

5.29.6. The proposed earthworks activities will not impact any mapped OLF or ONF. It is noted that the helicopter landing area does in fact sit outside of the ONL.



(g) the extent to which the activity may adversely affect areas of significant indigenous vegetation or significant habitats of indigenous fauna;

5.29.7. The proposed earthworks activities will not impact any significant habitats of indigenous vegetation or fauna.

(h) the extent to which the activity may adversely affect heritage resources, especially archaeological sites;

5.29.8. The archaeological assessment prepared by Hans Bader-Dieter (refer **Appendix 8**) has confirmed that the proposed earthworks activities will not impact any known archaeological sites. This includes the disposal site 1 that is adjacent to the pa site at the northern headland.

(i) the extent to which the activity may adversely affect the cultural and spiritual values of Maori, especially Sites of Cultural Significance to Maori and waahi tapu (as listed in Appendix 1F in Part 4, and shown on the Resource Maps);

5.29.9. The Applicant has consulted extensively with Eljon Fitzgerald from Te Ukaipo about the proposed redevelopment of the site. A meeting facilitated by DoC was also held in October which included both Roger Kingi and Bill Hori from Ngatikahu ki Whangaroa / Kahukuraariki to discuss the overall development. Both meetings were very positive. The earthworks are an integral part of the works activities. The adjacent stream is a location of cultural and spiritual significance to the local hapu and erosion and sediment control measures have been included to ensure proper respect for this area is ensured.

(j) any cumulative adverse effects on the environment arising from the activity;

5.29.10. Proposed earthworks activities are limited in area and duration. Exposed areas will be contained by erosion and sediment control silt fences and silt socks and stockpile areas located away from the sensitive stream and foreshore environments.

(k) the effectiveness of any proposals to avoid, remedy or mitigate any adverse effects arising from the activity;

5.29.11. The proposed erosion and sediment control measures as expected to be effective in containing sediment runoff during the works period. Compliance with Auckland Guidelines GD-005 is a requirement of PDP rules that have current legal effect.

(l) the ability to monitor the activity and to take remedial action if necessary;

5.29.12. Council has the ability to monitor activities granted under resource consents and take remedial action where necessary. The marginal strip provides a land buffer between the main site works area and the foreshore. With the approval of DOC, erosion and sediment control measures will be located in the marginal strip until works are completed.

(m) the criteria in Section 11.20 Development Plans in Part 2.

5.29.13. Not applicable



(n) the criteria in Section 17.2.7 National Grid Yard

5.29.14. Not applicable

Section 104(1)(b) – Relevant Provisions of Any Statutory Planning Document

5.30. In accordance with Section 104(1)(b) of the Act, the following statutory policy statements and plans are relevant to this application.

National Policy Statements (section 104(1)(b)(iii))

5.31. There are currently six operative National Policy Statements. These are as follows:

- New Zealand Coastal Policy Statement (NZCPS)
- National Policy Statement on Urban Development (NPS UD)
- National Policy Statement for Freshwater Management (NPS FM)
- National Policy Statement for Renewable Electricity Generation (NPS RE)
- National Policy Statement on Electricity Transmission (NPS ET)
- National Policy Statement for Highly Productive Land (NPS HPL)
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat (NPS-GG)

5.32. The NZCPS is relevant to the assessment of this application because the site is within the Coastal Environment as mapped by the RPSN. The objectives and policies of the NZCPS are high level and given effect to in the Northland context by the RPSN. No other national policy statements are relevant to this application.

New Zealand Coastal Policy Statement 2010

5.33. An assessment of the relevant objectives and policies are commented on below:

Objective 1	<p><i>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:</i></p> <ul style="list-style-type: none"> • <i>maintaining or enhancing natural biological and physical processes in the coastal environment and recognizing their dynamic, complex and interdependent nature;</i> • <i>protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand’s indigenous coastal flora and fauna; and</i> • <i>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.</i>
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Policy 1	<ol style="list-style-type: none"> 1. <i>Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.</i> 2. <i>Recognise that the coastal environment includes:</i> <ol style="list-style-type: none"> a. <i>the coastal marine area;</i> b. <i>islands within the coastal marine area;</i> c. <i>areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;</i> d. <i>areas at risk from coastal hazards;</i> e. <i>coastal vegetation and the habitat of indigenous coastal species including migratory birds;</i> f. <i>elements and features that contribute to the natural character, landscape, visual qualities or amenity values;</i> g. <i>items of cultural and historic heritage in the coastal marine area or on the coast;</i> h. <i>inter-related coastal marine and terrestrial systems, including the intertidal zone; and</i> i. <i>physical resources and built facilities, including infrastructure, that have modified the coastal environment.</i>
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5.33.1. The redevelopment and retention of Kingfish Lodge would not be contrary to the NZCPS objectives and policies that seek to safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems. THE RPSN has mapped the extent of the coastal environment in this location. This includes the Lodge site.

5.33.2. Retaining the Lodge and improving the buildings to a modern standard that has been designed to integrate with the surrounding environment will not adversely affect the integrity, form, functioning or resilience of the coastal environment. The removal of weed species and exotic trees and their replacement with indigenous species will improve the appearance and biodiversity of the Lodge environment. Erosion and sediment control measures will form part of this consent to ensure coastal water quality is not impacted during construction works.

Objective 2	<p><i>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</i></p> <ul style="list-style-type: none"> • <i>recognizing the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;</i> • <i>identifying those areas where various forms of subdivision, use and development would be inappropriate and protecting them from such activities; and</i> • <i>encouraging restoration of the coastal environment.</i>
Policy 13	<p><i>Preservation of natural character</i></p> <ol style="list-style-type: none"> 1. <i>To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:</i>



	<ul style="list-style-type: none"> a. <i>avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and</i> b. <i>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:</i> c. <i>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</i> d. <i>ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.</i> <p>2. <i>Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:</i></p> <ul style="list-style-type: none"> a. <i>natural elements, processes and patterns;</i> b. <i>biophysical, ecological, geological and geomorphological aspects;</i> c. <i>natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;</i> d. <i>the natural movement of water and sediment;</i> e. <i>the natural darkness of the night sky;</i> f. <i>places or areas that are wild or scenic;</i> g. <i>a range of natural character from pristine to modified; and</i> h. <i>experiential attributes, including the sounds and smell of the sea; and their context or setting.</i>
Policy 14	<p><i>Restoration of natural character</i></p> <p><i>Promote restoration or rehabilitation of the natural character of the coastal environment, including by:</i></p> <ul style="list-style-type: none"> a. <i>identifying areas and opportunities for restoration or rehabilitation;</i> b. <i>providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;</i> c. <i>where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include:</i> <ul style="list-style-type: none"> i. <i>restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or</i> ii. <i>encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or</i> iii. <i>creating or enhancing habitat for indigenous species; or</i> iv. <i>rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or</i> v. <i>restoring and protecting riparian and intertidal margins; or</i> vi. <i>reducing or eliminating discharges of contaminants; or</i> vii. <i>removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when</i>



	<p><i>the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or</i></p> <p><i>viii. restoring cultural landscape features; or</i></p> <p><i>ix. redesign of structures that interfere with ecosystem processes; or</i></p> <p><i>x. decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.</i></p>
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5.33.3. The application site is an existing modified coastal environment that contains the former Kingfish Lodge buildings. The natural character values of the existing Lodge site are low and have been degraded over time by past activities. NZCPS objective 2 seeks to preserve the natural character of the coastal and environment and protect it from inappropriate development.

5.33.4. The proposal is to redevelop this facility to a modern, functional standard on what is largely the same footprint. The existing building encroachment into the adjacent DOC marginal strip will be removed and public access opportunities maintained and enhanced. To the extent that is possible on a previously modified site, landscape planting with predominantly indigenous species will enhance the natural character of the site as recommended by registered landscape architect Christine Hawthorn. Built development will remain low down in the landscape adjacent to the coastal marine with the hillside behind remaining in their natural regenerating state.

Objective 3	<p><i>To take account of the principles of the Treaty of Waitangi, recognize the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</i></p> <ul style="list-style-type: none"> <i>• recognizing the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;</i> <i>• promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;</i> <i>• incorporating mātauranga Māori into sustainable management practices; and</i> <i>• recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.</i>
Policy 2	<p><i>The Treaty of Waitangi, tangata whenua and Maori</i></p> <p><i>In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:</i></p> <ol style="list-style-type: none"> <i>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;</i> <i>b. involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking</i>



	<p><i>effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;</i></p> <p><i>c. with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori¹ in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;</i></p> <p><i>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 pūkenga², may have knowledge not otherwise available;</i></p> <p><i>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</i></p> <p style="padding-left: 40px;"><i>i. where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</i></p> <p style="padding-left: 40px;"><i>ii. consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</i></p> <p><i>f. provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</i></p> <p style="padding-left: 40px;"><i>i. bringing cultural understanding to monitoring of natural resources;</i></p> <p style="padding-left: 40px;"><i>ii. providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;</i></p> <p style="padding-left: 40px;"><i>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;</i></p> <p><i>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:</i></p> <p style="padding-left: 40px;"><i>i. recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and</i></p> <p style="padding-left: 40px;"><i>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</i></p>
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	<p><i>predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.</i></p>
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- 5.33.5. The re-design of Kingfish Lodge has taken into consideration the principles of the Treaty of Waitangi, in particular the relationship local hapu has with this coastal location.
- 5.33.6. The ODP, PDP and the PRPN do not identify the site or its immediate environs with any sites of significance to Maori or Tangata Whenua. NZAA has mapped P04/582, 583, 584 & 585 as being on the site. 582 – 584 are all located on the upper portion of the site near Kingfish point. 585 is located on the southern point near the area of slip. An on-site meeting in November 2019 with Te Ukaipo – Iwi Environmental Unit for Te Runanga o Whaingaroa specifically identified 585 as a tapu area. All development is located outside of these areas and karakia to ‘clear and cleanse’ the site prior to the first development works being undertaken has occurred thanks to Te Ukaipo. It is likely that with the next stage of development further involvement of Te Ukaipo in blessing the site will take place.
- 5.33.7. Over the design and redevelopment period of the Lodge, consultation with local hapu has been ongoing and a respectful, consultative relationship has been established. At time of lodging we have received an email requesting some cultural monitoring. While we will be again sending the full and complete application to them and discussing the wording of a consent condition, we respectfully ask that Council also send them a copy of the application. Overall, it is considered that the relationship of tangata whenua with this site will be maintained and enhanced through improvements to public access to the beach and northern headland via the marginal strip.

Objective 4	<p><i>To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:</i></p> <ul style="list-style-type: none"> • <i>recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;</i> • <i>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</i> • <i>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.</i>
Policy 18	<p><i>Public Open Space</i></p> <p><i>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:</i></p>



	<ul style="list-style-type: none"> a. <i>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;</i> b. <i>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;</i> c. <i>maintaining and enhancing walking access linkages between public open space areas in the coastal environment;</i> d. <i>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</i> e. <i>recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.</i>
Policy 19	<p><i>Walking Access</i></p> <ul style="list-style-type: none"> 1. <i>Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.</i> 2. <i>Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:</i> <ul style="list-style-type: none"> a. <i>identifying how information on where the public have walking access will be made publicly available;</i> b. <i>avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and</i> c. <i>identifying opportunities to enhance or restore public walking access, for example where:</i> <ul style="list-style-type: none"> i. <i>connections between existing public areas can be provided; or</i> ii. <i>improving access would promote outdoor recreation; or</i> iii. <i>physical access for people with disabilities is desirable; or</i> iv. <i>the long-term availability of public access is threatened by erosion or sea level rise; or</i> v. <i>access to areas or sites of historic or cultural significance is important; or</i> vi. <i>subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so.</i> 3. <i>Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:</i> <ul style="list-style-type: none"> a. <i>to protect threatened indigenous species; or</i> b. <i>to protect dunes, estuaries and other sensitive natural areas or habitats; or</i> c. <i>to protect sites and activities of cultural value to Māori; or</i>



	<p><i>d. to protect historic heritage; or</i></p> <p><i>e. to protect public health or safety; or</i></p> <p><i>f. to avoid or reduce conflict between public uses of the coastal marine area and its margins; or</i></p> <p><i>g. for temporary activities or special events; or</i></p> <p><i>h. for defence purposes in accordance with the Defence Act 1990; or</i></p> <p><i>i. to ensure a level of security consistent with the purpose of a resource consent; or</i></p> <p><i>j. in other exceptional circumstances sufficient to justify the restriction.</i></p> <p><i>4. Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.</i></p>
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5.33.8. The site is adjacent to a DOC administered marginal strip which prior to the construction of new seawalls was being eroded by the coast. Kingfish Lodge has constructed a sea wall to protect not only their property from coastal processes, but also the marginal strip. A concession application has been made to the Department of Conservation to cover the activities and infrastructure that are currently being undertaken within this space. This application has been publicly notified with no submissions received. A further concession application to cover the latest plans and works within the marginal strip will be sought in early 2025.

5.33.9. The overall re-development plan for the Lodge includes the maintenance of public access to the marginal strip (via the jetty wharf), the beaches and the northern headland via future proposed walkway tracks and access stairs. Existing buildings including the conference room and parts of the accommodation wing will be removed from the marginal strip and replaced with coastal appropriate indigenous vegetation.

Objective 5	<p><i>To ensure that coastal hazard risks taking account of climate change, are managed by:</i></p> <ul style="list-style-type: none"> <i>• locating new development away from areas prone to such risks;</i> <i>• considering responses, including managed retreat, for existing development in this situation; and</i> <i>• protecting or restoring natural defences to coastal hazards.</i>
Policy 24	<p><i>Identification of coastal hazards</i></p> <p><i>1. Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunamis), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:</i></p> <p><i>a. physical drivers and processes that cause coastal change including sea level rise;</i></p>



	<p><i>b. short-term and long-term natural dynamic fluctuations of erosion and accretion;</i></p> <p><i>c. geomorphological character;</i></p> <p><i>d. the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;</i></p> <p><i>e. cumulative effects of sea level rise, storm surge and wave height under storm conditions;</i></p> <p><i>f. influences that humans have had or are having on the coast;</i></p> <p><i>g. the extent and permanence of built development; and</i></p> <p><i>h. the effects of climate change on:</i></p> <p style="padding-left: 40px;"><i>i. matters (a) to (g) above;</i></p> <p style="padding-left: 40px;"><i>ii. storm frequency, intensity and surges; and</i></p> <p style="padding-left: 40px;"><i>iii. coastal sediment dynamics;</i></p> <p><i>taking into account national guidance and the best available information on the likely effects of climate change on the region or district.</i></p>
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5.33.10. The site frontage is mapped as being prone to both coastal and river flood hazards. The proposed buildings will be located above the 1% AEP to ensure that it will be unaffected by those hazards.

5.33.11. The recent addition of a sea wall will also assist in protecting the property from hazards. The wastewater infrastructure will be located underground.

Objective 6	<p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognizing that:</i></p> <ul style="list-style-type: none"> <i>• the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</i> <i>• 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;</i> <i>• functionally some uses and developments can only be located on the coast or in the coastal marine area;</i> <i>• the coastal environment contains renewable energy resources of significant value;</i> <i>• the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</i> <i>• the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</i> <i>• 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</i>
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	<p><i>be protected;</i></p> <ul style="list-style-type: none"> • <i>historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.</i>
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5.33.12. The proposal is a re-development of existing buildings and accommodation facilities that are located outside areas of regional and district plan mapped High Natural Character areas. The area of high natural character essentially covers the majority of the site, with the exception of the development area and a sliver of land behind the lodge. Registered landscape architect Christine Hawthorn describes the natural character values of the Lodge site as low and unlikely to be further affected by the redevelopment which essentially reinstates existing buildings.

5.33.13. While the earthworks fill area will be located in the area of High Natural Character the activity is temporary with plans for reinstatement with vegetation. The fill areas are not easily viewed from public viewing spaces. The redeveloped building will be visually softened by proposed vegetation planted around the exterior of the building. Being a redevelopment of an existing building means that earthworks and vegetation clearance are minimised, and the essence of the site and buildings remain.

5.33.14. It is anticipated that no historic heritage will be damaged as a result of the redevelopment. Consultation with local hapu via Te Ukaipo is ongoing and will continue into the future.

5.33.15. This redevelopment of Kingfish Lodge will enable it to effectively operate by providing an upgraded and functional space for accommodation, dining and socialisation activities. This will encourage social, economic and cultural wellbeing for all involved in this project and the on-going running of this lodge.

Regional Policy Statement for Northland (RPSN)

5.34. The role of the RPSN is to promote sustainable management of Northland’s natural and physical resources. The RPSN gives effect to the NZCPS in the Northland context.

5.35. The RPSN provides an overview of the regions’ resource management issues and sets out policies and methods to achieve integrated management of Northlands natural and physical resources. Of relevance to this application are policy measures to manage the use and development of land within the mapped coastal environment. The site is adjacent to the coastal marine area and also an existing stream that discharges onto the beach foreshore. The stream and site have cultural significance to local hapu. The site is not within any regionally significant landscape or land based natural character area. The foreshore areas extending from the lodge site have high natural character.



5.36. At a local site scale, the following objectives and policies are considered relevant to the proposed activity:

- *Objective 3.2 – Region-wide water quality*
- *Objective 3.4 – Indigenous ecosystems and biodiversity*
- *Objective 3.5 – Enabling economic wellbeing*
- *Objective 3.12 – Tangata whenua role in decision making*
- *Objective 3.13 – Natural Hazard Risk*
- *Objective 3.14 – Natural character, outstanding natural features, outstanding natural landscapes and historic heritage*
- *Policy 4.2 – Region-wide water quality management*
- *Policy 4.4 – Maintaining and enhancing indigenous ecosystems and species*
- *Policy 4.6 – Managing effects on natural character, features / landscapes and heritage*

Water Quality Management

Objective 3.2	<p><i>Region-wide water quality</i></p> <p><i>Improve the overall quality of Northland’s fresh and coastal water with a particular focus on:</i></p> <p><i>(a) Reducing the overall Trophic Level Index status of the region’s lakes;</i></p> <p><i>(b) Increasing the overall Macroinvertebrate Community Index status of the region’s rivers and streams;</i></p> <p><i>(c) Reducing sedimentation rates in the region’s estuaries and harbours;</i></p> <p><i>(d) Improving microbiological water quality at popular contact recreation sites, recreational and cultural shellfish gathering sites, and commercial shellfish growing areas to minimise risk to human health; and</i></p> <p><i>(e) Protecting the quality of registered drinking water supplies and the potable quality of other drinking water sources.</i></p>
Policy 4.2.1	<p><i>Improving overall water quality</i></p> <p><i>Improve the overall quality of Northland’s water resources by:</i></p> <p><i>(a) Establishing freshwater objectives and setting region-wide water quality limits in regional plans that give effect to Objective 3.2 of this regional policy statement.</i></p> <p><i>(b) Reducing loads of sediment, nutrients, and faecal matter to water from the use and development of land and from poorly treated and untreated discharges of wastewater; and</i></p> <p><i>(c) Promoting and supporting the active management, enhancement and creation of vegetated riparian margins and wetlands</i></p>

5.37. The management of region wide coastal and freshwater water quality is a significant regional issue and is relevant when considering the appropriateness of any land use development. The proposed earthworks required to construct the buildings, necessary retaining walls and landscaping that have the potential to generate sediment runoff from the site are relatively



small scale and can be managed under an appropriate erosion and sediment control plan to avoid adverse effects on the adjacent freshwater stream and coastal marine area.

Indigenous ecosystems and biodiversity

<p>Objective 3.4</p>	<p><i>Safeguard Northland’s ecological integrity by:</i></p> <ul style="list-style-type: none"> <i>a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i> <i>b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and</i> <i>c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.</i>
<p>Policy 4.4.1</p>	<p><i>(1) In the coastal environment, avoid adverse effects, and outside the coastal environment avoid, remedy or mitigate adverse effects of subdivision, use and development so they are no more than minor on:</i></p> <ul style="list-style-type: none"> <i>(a) Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</i> <i>(b) Areas of indigenous vegetation and habitats of indigenous fauna, that are significant using the assessment criteria in Appendix 5;</i> <i>(c) Areas set aside for full or partial protection of indigenous biodiversity under other legislation.</i> <p><i>(2) In the coastal environment, avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision, use and development on:</i></p> <ul style="list-style-type: none"> <i>(a) Areas of predominantly indigenous vegetation;</i> <i>(b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;</i> <i>(c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, northern wet heathlands, coastal and headwater streams, floodplains, margins of the coastal marine area and freshwater bodies, spawning and nursery areas and saltmarsh.</i> <p><i>(3) Outside the coastal environment and where clause (1) does not apply, avoid, remedy or mitigate adverse effects of subdivision, use and development so they are not significant on any of the following:</i></p> <ul style="list-style-type: none"> <i>(a) Areas of predominantly indigenous vegetation;</i> <i>(b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;</i> <i>(c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, dunelands, northern wet heathlands, headwater streams, floodplains and margins of freshwater bodies, spawning and nursery areas.</i>



	<p><i>(4) For the purposes of clause (1), (2) and (3), when considering whether there are any adverse effects and/or any significant adverse effects:</i></p> <p style="padding-left: 40px;"><i>(a) Recognise that a minor or transitory effect may not be an adverse effect;</i></p> <p style="padding-left: 40px;"><i>(b) Recognise that where the effects are or maybe irreversible, then they are likely to be more than minor;</i></p> <p style="padding-left: 40px;"><i>(c) Recognise that there may be more than minor cumulative effects from minor or transitory effects.</i></p> <p><i>(5) For the purpose of clause (3) if adverse effects cannot be reasonably avoided, remedied or mitigated then it maybe appropriate to consider the next steps in the mitigation hierarchy i.e. biodiversity offsetting followed by environmental biodiversity compensation, as methods to achieve Objective 3.4.</i></p>
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- 5.38. The application site is within the coastal environment as mapped by the RPSN. Adverse effects on threatened indigenous taxa and areas of indigenous vegetation and fauna habitat are to be avoided. There are no threatened species or areas of indigenous vegetation or fauna habitat that would be adversely affected. Minor removal of select shrubs and small trees are proposed. The Applicant is seeking to re-establish native vegetation on the site hillside behind the Lodge and within the marginal strip and Lodge surrounds. The proposed species and plant types are deemed to be appropriate in the coastal location and will enhance the overall indigenous biodiversity and amenity of the site.

Economic wellbeing

Objective 3.5	<p><i>Enabling economic wellbeing</i></p> <p><i>Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.</i></p>
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- 5.39. The proposed activity is the redevelopment of Kingfish Lodge, which has a popular history as coastal accommodation in Northland. The Applicant has made significant investment in the property for future use as a Lodge accommodation and dining facility. The investment also includes improvements being made to public access to the adjacent marginal strip that runs along the foreshore. The site is an attractive coastal location that is likely to attract a significant number of guests and visitors that will provide economic benefit to Northland.

Tangata whenua

Objective 3.12	<p><i>Tangata whenua role in decision making</i></p> <p><i>Tangata whenua kaitiaki role is recognised and provided for in decision-making over natural and physical resources.</i></p>
Policy 8.1.1	<p><i>The regional and district councils shall provide opportunities for tangata whenua to participate in the review, development, implementation, and</i></p>



	<i>monitoring of plans and resource consent processes under the Resource Management Act 1991.</i>
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- 5.40. The Applicant has a close working relationship with the local Te Ukaipo. An earlier CIA provided indicates that consultation has been early and valuable with respect to the development of the design. This includes landscaping of the Lodge surrounds to remove weed and exotic plant species and to reinstate with natives.

Natural Hazards

Objective 3.13	<p>Natural hazard risk</p> <p><i>The risks and impacts of natural hazard events (including the influence of climate change) on people, communities, property, natural systems, infrastructure and our regional economy are minimised by:</i></p> <p><i>(a) Increasing our understanding of natural hazards, including the potential influence of climate change on natural hazard events; (b) Becoming better prepared for the consequences of natural hazard events;</i></p> <p><i>(c) Avoiding inappropriate new development in 10- and 100-year flood hazard areas and coastal hazard areas;</i></p> <p><i>(d) Not compromising the effectiveness of existing defences (natural and man-made);</i></p> <p><i>(e) Enabling appropriate hazard mitigation measures to be created to protect existing vulnerable development; and</i></p> <p><i>(f) Promoting long-term strategies that reduce the risk of natural hazards impacting on people and communities.</i></p> <p><i>(g) Recognising that in justified circumstances, critical infrastructure may have to be located in natural hazard-prone areas.</i></p>
Policy 7.1.1	<p>General risk management approach</p> <p><i>Subdivision, use and development of land will be managed to minimise the risks from natural hazards by:</i></p> <p><i>(a) Seeking to use the best available information, including formal risk management techniques in areas potentially affected by natural hazards;</i></p> <p><i>(b) Minimising any increase in vulnerability due to residual risk;</i></p> <p><i>(c) Aligning with emergency management approaches (especially risk reduction);</i></p> <p><i>(d) Ensuring that natural hazard risk to vehicular access routes and building platforms for proposed new lots is considered when assessing subdivision proposals; and</i></p> <p><i>(e) Exercising a degree of caution that reflects the level of uncertainty as to the likelihood or consequences of a natural hazard event.</i></p>
Policy 7.1.3	<p>New subdivision, use and development within areas potentially affected by coastal hazards (including high risk coastal hazard areas</p>



	<p><i>Within areas potentially affected by coastal hazards over the next 100 years (including high risk coastal hazard areas), the hazard risk associated with new use and development will be managed so that:</i></p> <ul style="list-style-type: none"> <i>(a) Redevelopment or changes in land use that reduce the risk of adverse effects from coastal hazards are encouraged;</i> <i>(b) Subdivision plans are able to identify that building platforms are located outside high-risk coastal hazard areas and these building platforms will not be subject to inundation and / or material damage (including erosion) over a 100-year timeframe;</i> <i>(c) Coastal hazard risk to vehicular access routes for proposed new lots is assessed;</i> <i>(d) Any use or development does not increase the risk of social, environmental or economic harm (from coastal hazards);</i> <i>(e) Infrastructure should be located away from areas of coastal hazard risk but if located within these areas, it should be designed to maintain its integrity and function during a hazard event;</i> <i>(f) The use of hard protection structures is discouraged and the use of alternatives to them promoted; and</i> <i>(g) Mechanisms are in place for the safe storage of hazardous substances.</i>
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- 5.41. The site frontage is within the NRC mapped coastal flood hazard zones 1, 2 and 3, however these do not extend to the building areas. Areas of river flood hazard zone (100-year CC event) extend further inland. It is noted that mapping occurred prior to the seawalls being constructed. These seawalls are over 2m in height. Building floor levels are designed to accommodate 1 in 100 AEP flood hazard event.

Natural character values

Objective 3.14	<p><i>Natural character, outstanding natural features, outstanding natural landscapes and historic heritage</i></p> <p><i>Identify and protect from inappropriate subdivision, use and development;</i></p> <ul style="list-style-type: none"> <i>(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;</i> <i>(b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes;</i> <i>(c) The integrity of historic heritage.</i>
Policy 4.5	<p><i>Identification of the coastal environment, outstanding natural features and outstanding natural landscapes and high and outstanding natural character</i></p>
Policy 4.5.1	<p><i>The areas identified in the Regional Policy Statement - Maps will form Northland's:</i></p> <ul style="list-style-type: none"> <i>(a) Coastal environment;</i>



	<p><i>(b) High and outstanding natural character areas within the coastal environment (except where the coastal marine area beyond harbours / estuaries remain unclassified); and</i></p> <p><i>(c) Outstanding natural features and outstanding natural landscapes. Where following further detailed assessment, an area in the Regional Policy Statement – Maps has been amended in accordance with Method 4.5.4, and the amended area is operative in the relevant district or regional plan, it shall supersede the relevant area in the Regional Policy Statement – Maps.</i></p>
Policy 4.5.2	<p><i>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.</i></p>
Policy 4.6	<p><i>Managing effects on natural character, features / landscapes and heritage</i></p>
Policy 4.6.1	<p><i>(1) In the coastal environment:</i></p> <p><i>a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes.</i></p> <p><i>b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes. Methods which may achieve this include:</i></p> <p><i>(i) Ensuring the location, intensity, scale and form of subdivision and built development is appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins; and</i></p> <p><i>(ii) In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and</i></p> <p><i>(iii) Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised.</i></p> <p><i>(2) Outside the coastal environment avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of outstanding natural features and</i></p>



	<p><i>outstanding natural landscapes and the natural character of freshwater bodies. Methods which may achieve this include:</i></p> <p><i>a) In outstanding natural landscapes, requiring that the location and intensity of subdivision, use and built development is appropriate having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins; b) In outstanding natural features, requiring that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature;</i></p> <p><i>c) Minimising, indigenous vegetation clearance and modification (including earthworks / disturbance and structures) to natural wetlands, the beds of lakes, rivers and their margins.</i></p> <p><i>(3) When considering whether there are any adverse effects on the characteristics and qualities of the natural character, natural features and landscape values in terms of (1)(a), whether there are any significant adverse effects and the scale of any adverse effects in terms of (1)(b) and (2), and in determining the character, intensity and scale of the adverse effects:</i></p> <p><i>a) Recognise that a minor or transitory effect may not be an adverse effect;</i></p> <p><i>b) Recognise that many areas contain ongoing use and development that:</i></p> <p><i>(i) Were present when the area was identified as high or outstanding or have subsequently been lawfully established</i></p> <p><i>(ii) May be dynamic, diverse or seasonal;</i></p> <p><i>c) Recognise that there may be more than minor cumulative adverse effects from minor or transitory adverse effects; and</i></p> <p><i>d) Have regard to any restoration and enhancement on the characteristics and qualities of that area of natural character, natural features and/or natural landscape.</i></p>
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5.42. The application Lodge development site is within the coastal environment as mapped by the RPSN but outside any areas mapped as having high natural or outstanding landscape value. Registered landscape architect Christine Hawthorn has assessed the natural character values of the site coastal location. Potential adverse effects on natural character are low and can largely be avoided by concentrating development within the existing building footprint, minimising the size and scale of the built development relative the surrounding landscape and using planting to soften and screen buildings from public viewing places, particularly the CMA. Proposed vegetation clearance is minimal and only required to remove weed species, exotic plants and some indigenous cabbage trees. Extensive native planting is proposed to enhance the coastal foreshore and reduce the visibility of buildings.



Operative Far North District Plan (ODP)

- 5.43. The relevant objectives and policies of the Plan are those related to the Coastal Environment and the General Coastal Zone as well as the Indigenous Flora & Fauna, Lakes, Rivers, Wetlands and the Coastline chapters. The proposal would generate no more than minor adverse effects on the Coastal environment. Given the presence of the existing Lodge, the redevelopment proposal is consistent with the character of the area and is considered to have less than minor adverse effects on coastal amenity values. The proposal consistent with the objectives and policies of the Plan, as commented on below.

Coastal Environment: Objectives and Policies

- 10.3.1 *To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.*
- 10.3.2 *To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance:*
- (a) the natural character of the coastline and coastal environment;*
 - (b) areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
 - (c) outstanding landscapes and natural features;*
 - (d) the open space and amenity values of the coastal environment;*
 - (e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council).*
- 10.3.3 *To engage effectively with Maori to ensure that their relationship with their culture and traditions and taonga is identified, recognised, and provided for.*
- 10.3.4 *To maintain and enhance public access to and along the coast whilst ensuring that such access does not adversely affect the natural and physical resources of the coastal environment, including Maori cultural values, and public health and safety.*
- 10.3.5 *To secure future public access to and along the coast, lakes and rivers (including access for Maori) through the development process and specifically in accordance with the Esplanade Priority Areas mapped in the District Plan.*
- 10.3.6 *To minimise adverse effects from activities in the coastal environment that cross the coastal marine area boundary.*
- 10.3.7 *To avoid, remedy or mitigate adverse effects on the environment through the provision of adequate land-based services for mooring areas, boat ramps and other marine facilities.*
- 10.3.8 *To ensure provision of sufficient water storage to meet the needs of coastal communities all year round.*
- 10.3.9 *To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.*



- 5.44. At the time the site was created many of the buildings associated with the existing lodge were established. For this reason, the natural character values in this part of the site are low. The Lodge redevelopment proposal is a sympathetic and modern redesign of the original buildings and landscaping that uses a natural recessive colour scheme to ensure that the visual effects are no more than minor. The buildings are located low down in the landscape and would retain the dominant undeveloped hillsides behind. These areas are regenerating with native vegetation planted by the applicant. Public access to the coastal foreshore will be retained and enhanced.

Policies

10.4.1 That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:

- (a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and*
- (b) is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and*
- (c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and*
- (d) avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and*
- (e) promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and*
- (f) recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga; and*
- (g) where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and*
- (h) gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.*

10.4.2 That sprawling or sporadic subdivision and development in the coastal environment be avoided through the consolidation of subdivision and development as far as practicable, within or adjoining built up areas, to the extent that this is consistent with the other objectives and policies of the Plan.



- 10.4.3 *That the ecological values of significant coastal indigenous vegetation and significant habitats are maintained in any subdivision, use or development in the coastal environment.*
- 10.4.4 *That public access to and along the coast be provided, where it is compatible with the preservation of the natural character and amenity, cultural, heritage and spiritual values of the coastal environment, and avoids adverse effects in erosion prone areas.*
- 10.4.5 *That access by tangata whenua to ancestral lands, sites of significance to Maori, maahinga mataitai, taiapure and kaimoana areas in the coastal marine area be provided for in the development and ongoing management of subdivision and land use proposals and in the development and administration of the rules of the Plan and by non-regulatory methods. Refer Chapter 2, and in particular Section 2.5, and Council's "Tangata Whenua Values and Perspectives (2004)".*
- 10.4.6 *That activities and innovative development including subdivision, which provide superior outcomes and which permanently protect, rehabilitate and/or enhance the natural character of the coastal environment, particularly through the establishment and ongoing management of indigenous coastal vegetation and habitats, will be encouraged by the Council.*
- 10.4.7 *To ensure the adverse effects of land-based activities associated with maritime facilities including mooring areas and boat ramps are avoided, remedied or mitigated through the provision of adequate services, including where appropriate:*
- (a) parking;*
 - (b) rubbish disposal;*
 - (c) waste disposal;*
 - (d) dinghy racks.*
- 10.4.8 *That development avoids, remedies or mitigates adverse effects on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.*
- 10.4.9 *That development avoids, where practicable, areas where natural hazards could adversely affect that development and/or could pose a risk to the health and safety of people.*
- 10.4.10 *To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.*
- 10.4.11 *To promote land use practices that minimise erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the coastal marine area.*
- 10.4.12 *That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:*
- (a) the siting of buildings relative to the skyline, ridges, headlands and natural features;*
 - b) the number of buildings and intensity of development;*
 - (c) the colour and reflectivity of buildings;*



(d) the landscaping (including planting) of the site;

(e) the location and design of vehicle access, manoeuvring and parking areas.

- 5.45. The proposal is not considered to have any adverse effects on the natural character of the coastal environment given the proposal is a redevelopment of an existing building surrounded by other built development. All services will continue to be provided for onsite. This infrastructure as assessed above does not create any adverse effects on the coastal environment. As discussed throughout this report, the proposal avoids adverse effects on outstanding landscapes, cultural values, and the natural functions and systems of the coastal environment. There will be some minor vegetation clearance, however this will largely be revegetated. The proposal recognises and does not affect the relationship of Maori and their culture and traditions. Public access will not be adversely impacted by this development. This activity gives effect to the NZCPS and the RPSN as per above.
- 5.46. The built development within the site will continue to be consolidated on the lower slopes. The development will be finished in a natural and recessive colour scheme and some landscaping will assist in tying it into the vegetated backdrop.
- 5.47. The ecological values will be maintained as while vegetation will be removed to make way for development these areas will generally be replanted. Public access will remain unaffected by this proposal. Access facilities will be enhanced through formalised walking tracks, decks and stairways to access beach areas and the northern headland.
- 5.48. Access to ancestral lands, sites of significance to Maori, maahinga mataitai, taiapure and kaimoana areas in the CMA will remain unaffected by the proposal.
- 5.49. The proposal will preserve the natural character of the environment by ensuring the development remains along the lower slopes of the site, outside of those areas of High Natural Character. The use of a natural, recessive colour scheme will also aid in enhancing the natural character of the coastal environment.
- 5.50. The proposal has existing and consented maritime facilities such as jetty, pontoon and moorings. This will continue to be provided for by on-site facilities.
- 5.51. The redeveloped building is located within an area subject to natural hazards. The impact of natural hazards on the site has improved with the construction of the sea wall. The building is located above the 1% AEP such that during high intensity rainfall, any river flooding will also not impact any habitable building.
- 5.52. As mentioned, potable water supply is by way of groundwater bores. In the event of a fire, given there is no road access helicopters will need to be deployed and will utilise the coastal marine area as a water supply. Stormwater runoff and onsite wastewater disposal will be maintained within the site boundaries.



- 5.53. The effects of the built development will be mitigated by a natural and recessive colour scheme, landscaping and the utilisation of an existing building. The built development is considered appropriate for the site. There is no vehicle access, parking or manoeuvring areas.

General Coastal Zone: Objectives and Policies

10.6.3.1 To provide for appropriate subdivision, use and development consistent with the need to preserve its natural character.

10.6.3.2 To preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.

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.

- 5.54. The proposal is to redevelop the Kingfish Lodge north accommodation wing and to undertake excavation earthworks along with the construction of retaining walls and landscaping. The proposal will preserve the natural character of the site as the upper catchment of the property located within an area of high natural character will be maintained. The proposed redeveloped building will also utilise a natural, recessive colour scheme.
- 5.55. Natural and physical resources will be maintained.

Policies

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.

10.6.4.2 That the visual and landscape qualities of the coastal environment in be protected from inappropriate subdivision, use and development.

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:

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

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

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

(d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture,



traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2, and in particular Section 2.5, and Council's "Tangata Whenua Values and Perspectives (2004)");

(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

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.

10.6.4.5 Maori are significant landowners 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.

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 indigenous vegetation and shall avoid, remedy or mitigate adverse effects on those features.

- 5.56. As mentioned throughout this report, any effects created from the proposal will be mitigated to a no more than minor degree and the natural character of the coastal environment will be maintained and enhanced.
- 5.57. Visual and landscape qualities will be protected as the existing bush in the upper catchment of the site will remain unaffected by the proposal.
- 5.58. The existing bar / restaurant location is nestled in between the main lodge and the north accommodation wing. It is set in the lower reaches of the site away from areas of mapped high natural character. The consolidated development pattern ensures other areas of the site with higher values remain untouched. Minimal earthworks and vegetation clearance is required. Public access will generally remain unaffected by this proposal with the exception of construction and earthworks where machinery is operating and building materials are being brought to site. The relationship of Maori and their culture would remain unaffected by any new activities.

Chapter 12 - Natural and Physical Resource: Objectives and policies (Indigenous Flora and Fauna)

12.2.3.1 To maintain and enhance the life supporting capacity of ecosystems and the extent and representativeness of the District's indigenous biological diversity.

12.2.3.2 To provide for the protection of, and to promote the active management of areas of significant indigenous vegetation and significant habitats of indigenous fauna.



12.2.3.3 To recognise issues of wellbeing including equity for landowners in selecting methods of implementation.

12.2.3.4 To promote an ethic of stewardship

Policies

12.2.4.1 That areas of significant indigenous vegetation and significant habitats of indigenous fauna be protected for the purpose of promoting sustainable management with attention being given to:

- (a) maintaining ecological values;
- (b) maintaining quality and resilience;
- (c) maintaining the variety and range of indigenous species contributing to biodiversity;
- (d) maintaining ecological integrity; and
- (e) maintaining tikanga Maori in the context of the above.

Note: In determining whether a subdivision, use or development is appropriate in areas containing significant indigenous vegetation and significant habitats of indigenous fauna, Council shall consider each application on a case by case basis, giving due weight to Part II of the Act as well as those matters listed above.

12.2.4.2 That the significance of areas of indigenous vegetation be evaluated by reference to the criteria listed in Appendix III of the Northland Regional Policy Statement (refer also to definition of “significant” in 12.2.5.6).

12.2.4.3 That adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna are avoided, remedied or mitigated by:

- (a) seeking alternatives to the disturbance of habitats where practicable;
- (b) managing the scale, intensity, type and location of subdivision, use and development in a way that avoids, remedies or mitigates adverse ecological effects;
- (c) ensuring that where any disturbance occurs it is undertaken in a way that, as far as

practicable:

- (i) minimises any edge effects;
- (ii) avoids the removal of specimen trees;
- (iii) does not result in linkages with other areas being lost;
- (iv) avoids adverse effects on threatened species;
- (v) minimises disturbance of root systems of remaining vegetation;
- (vi) does not result in the introduction of exotic weed species or pest animals;
- (d) encouraging, and where appropriate, requiring active pest control and avoiding the grazing of such areas.

12.2.4.4 That clearance of limited areas of indigenous vegetation is provided for.



- 12.2.4.5 *That the contribution of areas of indigenous vegetation and habitats of indigenous fauna to the overall biodiversity and amenity of the District be taken into account in evaluating applications for resource consents.*
- 12.2.4.6 *That support is given to programmes for weed and pest control, including support for community pest control areas established by the Northland Regional Council under the Regional Pest Management Strategies, in areas of significant indigenous vegetation and significant habitats of indigenous fauna and surrounding lands.*
- 12.2.4.7 *That community awareness of the need and reasons for protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna be promoted.*
- 12.2.4.8 *That restoration and enhancement of indigenous ecosystems is based on plants that would have occurred naturally in the locality and is sourced from local genetic stock where practicable.*
- 12.2.4.9 *That the Council will work with landowners and communities to ensure outcomes are achieved in an effective and equitable manner.*
- 12.2.4.10 *In order to protect areas of significant indigenous fauna:*
- (a) that dogs (excluding working dogs), cats, possums, rats, mustelids and other pest species are not introduced into areas with populations of kiwi, dotterel and brown teal;*
 - (b) in areas where dogs, cats, possums, rats, mustelids and other pest species are having adverse effects on indigenous fauna their removal is promoted.*
- 12.2.4.11 *That when considering resource consent applications in areas identified as known high density kiwi habitat, the Council may impose conditions, in order to protect kiwi and their habitat.*
- 12.2.4.12 *That habitat restoration be promoted.*
- 12.2.4.13 *That the maintenance of riparian vegetation and habitats be recognised and provided for, and their restoration encouraged, for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, preservation of natural character and the maintenance of general ecosystem health and indigenous biodiversity.*
- 12.2.4.14 *That when considering an application to clear areas of significant indigenous vegetation or significant habitats of indigenous fauna, enabling Maori to provide for the sustainable management of their ancestral land will be recognised and provided for by Council.*
- 5.59. The vegetation on site is not mapped as being significant. While this is the case, it is proposed that areas subject to vegetation clearance will be replanted with appropriate native species.



In terms of the significance criteria while no ecologist has been engaged for this project, we do not believe that the vegetation within this space meets the criteria listed. Less than 100m² of vegetation would be removed. The vegetation will require removal in order to construct the redeveloped building. If the additional accommodation units were to be placed elsewhere it is likely that more vegetation clearance would be required. As such this is considered to be the best practical option. The scale of vegetation removal is small. It is considered that those matters listed within 12.2.4.3(c) will be achieved.

- 5.60. Pest and weed control will continue. The clearance is of a limited area. The vegetation and its proximity to the stream will contribute to a number of matters, as a result replanting is sought to ensure any effects in terms of the vegetation removal is temporary. Awareness of the positive impacts of native vegetation are well known by the owner hence the large-scale planting and re-planting proposed. The plant species to be introduced have been recommended by a landscape architect. The site is already subject to a consent notice regarding the keeping of animals. Habitat restoration is actively being completed across the site. The replanting of the riparian margins is offered. The proposal is not for a Maori development, project or for medicinal purposes.

Chapter 12 - Natural and Physical Resource: Objectives and policies (Lakes, Rivers and Wetlands)

Objectives

- 12.7.3.1 *To avoid, remedy or mitigate the adverse effects of subdivision, use and development on riparian margins.*
- 12.7.3.2 *To protect the natural, cultural, heritage and landscape values and to promote the protection of the amenity and spiritual values associated with the margins of lakes, rivers and indigenous wetlands and the coastal environment, from the adverse effects of land use activities, through proactive restoration/rehabilitation/revegetation.*
- 12.7.3.3 *To secure public access (including access by Maori to places of special value such as waahi tapu, tauranga waka, mahinga kai, mahinga mataitai, mahinga waimoana and taonga raranga) to and along the coastal marine area, lakes and rivers, consistent with Chapter 14 – Financial Contributions, to the extent that this is compatible with:*
- (a) the maintenance of the life-supporting capacity of the waterbody, water quality, aquatic habitats, and*
 - (b) the protection of natural character, amenity, cultural heritage, landscape and spiritual values; and*
 - (c) the protection of public health and safety; and*
 - (d) the maintenance and security of authorised activities (but acknowledging that loss of privacy or fear of trespass are not valid reasons for precluding access).*

In some circumstances public acquisition of riparian margins may be required and managed for purposes other than public access, for example to protect significant habitats, waahi tapu or historic sites, or for public recreation purposes.



- 12.7.3.4 *To provide for the use of the surface of lakes and rivers to the extent that this is compatible with the maintenance of the life supporting capacity of the water body, water quality, aquatic habitats, and the protection of natural character, amenity, cultural heritage, landscape and spiritual values.*
- 12.7.3.5 *To avoid the adverse effects from inappropriate use and development of the margins of lakes, rivers, indigenous wetlands and the coastline.*
- 12.7.3.6 *To protect areas of indigenous riparian vegetation:*
- (a) physically, by fencing, planting and pest and weed control; and*
 - (b) legally, as esplanade reserves/strips.*
- 12.7.3.7 *To create, enhance and restore riparian margins.*

Policies

- 12.7.4.1 *That the effects of activities which will be generated by new structures on or adjacent to the surface of lakes, rivers and coastal margins be taken into account when assessing applications.*
- 12.7.4.2 *That land use activities improve or enhance water quality, for example by separating land use activities from lakes, rivers, indigenous wetlands and the coastline, and retaining riparian vegetation as buffer strips.*
- 12.7.4.3 *That adverse effects of land use activities on the natural character and functioning of riparian margins and indigenous wetlands be avoided.*
- 12.7.4.4 *That adverse effects of activities on the surface of lakes and rivers in respect of noise, visual amenity of the water body, life supporting capacity of aquatic habitats, on-shore activities, the natural character of the water body or surrounding area, water quality and Maori cultural values, are avoided, remedied or mitigated.*
- 12.7.4.5 *That activities which have a functional relationship with waterbodies or the coastal marine area be provided for.*
- 12.7.4.6 *That public access to and along lakes, rivers and the coastline be provided as a consequence of development or as a result of Council (see Method 10.5.19) or public initiatives except where it is necessary to restrict access or to place limits on the type of access, so as to:*
- (a) protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna or*
 - (b) protect cultural values, including Maori culture and traditions; or*
 - (c) protect public health and safety; to the extent that is consistent with policies in Chapter 14.*
- 12.7.4.7 *That any adverse effects on the quality of public drinking water supplies from land use activities, be avoided, remedied or mitigated. (Refer to Commentary and Methods 12.7.5.6 and 12.7.5.7.)*



- 12.7.4.8 *That the Council acquire esplanade reserves, esplanade strips and access strips in accordance with Chapter 14 - Financial Contributions and Method 10.5.10 of the Plan.*
- 12.7.4.9 *That riparian areas in Council ownership be managed so as to protect and enhance the water quality of surface waters.*
- 12.7.4.10 *That historic buildings erected close to, or over, water bodies be protected and provision be made for new buildings where this form of development is in keeping with the historic pattern of settlement. 12.7.4.11 That the extent of impervious surfaces be limited so as to restore, enhance and protect the natural character, and water quantity and quality of lakes, rivers, wetlands and the coastline.*
- 12.7.4.12 *That provision be made to exempt activities on commercial or industrial sites from the need to be set back from the coastal marine area, and from the need to provide esplanade reserves on subdivision or development, where the location of the commercial or industrial site is such as to be particularly suited to activities that cross the land-water interface, or have a close relationship to activities conducted in the coastal marine area. Refer also to Rule 14.6.3.*
- 12.7.4.13 *That provision be made to exempt activities on particular sites as identified in the District Plan Maps as adjacent to an MEA from the need to be set back from the coastal marine area where those activities on that site have a functional relationship with marine activities and cross the line of Mean High Water Springs (MHWS).*
- 12.7.4.14 *That the efficient use of water and water conservation be encouraged.*
- 12.7.4.15 *To encourage the integrated protection and enhancement of riparian and coastal margins through:*
- (a) planting and/or regeneration of indigenous vegetation;*
 - (b) pest and weed control;*
 - (c) control (including, where appropriate, exclusion) of vehicles, pets and stock.*

Note: The Regional Coastal Plan for Northland and Regional Water and Soil Plan for Northland contain policies, rules and other methods to protect and enhance wetlands, lakes, rivers and the coastal marine area. Vehicle, pet and stock control is particularly important in areas and at times when birds are nesting.

- 5.61. The built development on the site is existing, such that the impact of the redevelopment on the riparian margins is considered minor. New wastewater tanks for the site have already been consented. All amenity values will be protected. Public access across the site frontage is existing. No activities are proposed upon the surface of water. The proposed re-development of the Lodge site would not be inappropriate in this location. Vegetation along the riparian margins will be enhanced via replanting.



Proposed District Plan (PDP)

- 5.62. Under the PDP, the site is zoned Rural Production and is within the Coastal Environment overlay. The development area is subject to both river and coastal flood hazard, therefore an assessment of the objectives and policies within those relevant chapters have been included below. The proposal is considered to create no more than minor adverse effects on the rural environment and will not affect any land that is currently in production. While the main purpose of the rural zone is to provide for production activities the proposal is still considered consistent with the intent of the zone as it states - *“there is also a need to accommodate recreational and tourism activities that may occur in the rural environment, subject to them being complementary to the function, character and amenity values of the surrounding environment”*. The lodge is associated with tourism and as detailed in the assessment above it is complementary to the surrounding environment. The proposal is assessed to be consistent with the objectives and policies of the PDP as detailed below.

Rural Production Zone – Objectives and Policies

RPROZ-01 - The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.

RPROZ-02 - The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.

RPROZ-03 - Land use and subdivision in the Rural Production zone:

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

RPROZ-04 - The rural character and amenity associated with a rural working environment is maintained.

- 5.63. As mentioned above, the site has a long history of accommodating visitors. The proposed redevelopment of the lodge will not affect the primary production potential of the site as it utilises the existing lodge building site. The tourism activity is appropriate in this location. The site does not contain highly productive land. There are no reverse sensitivity effects. The development is utilising an existing building such that it will not compromise the use of the site for productive purposes. The development will not exacerbate natural hazards. It can be serviced by on-site infrastructure. The rural character and amenity will not change as a result of this proposal.



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:

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

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

- a. whether the proposal will increase production potential in the zone;*
- b. whether the activity relies on the productive nature of the soil;*
- c. consistency with the scale and character of the rural environment;*



- d. *location, scale and design of buildings or structures;*
- e. *for subdivision or non-primary production activities:*
 - i. *scale and compatibility with rural activities;*
 - ii. *potential reverse sensitivity effects on primary production activities and existing infrastructure;*
 - iii. *the potential for loss of highly productive land, land sterilisation or fragmentation*
- f. *at zone interfaces:*
 - i. *any setbacks, fencing, screening or landscaping required to address potential conflicts;*
 - ii. *the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;*
- g. *the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;*
- h. *the adequacy of roading infrastructure to service the proposed activity;*
- i. *Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;*
- j. *Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6*

5.64. The proposed activities would not adversely affect the purpose of the RPZ in this location. All potential effects on the existing environment can be adequately managed within the site boundaries. Primary production activities can occur within the balance of the site if this was ever required. The tourism / accommodation activity is existing. This proposal seeks to continue the existing consented activity. This development is consolidated to one area such that any reverse sensitivity effects are considered unlikely. The rural character of the site will be maintained due to the low density and consolidation of the development. The impermeable surface coverage is well within permitted limits.

5.65. Given the sites' location, potential adverse effects such as odour, noise and dust are considered unlikely. The proposal will maintain the amenity value of the site. As mentioned above, the landuse proposal is compatible with the purpose of the zone. The development has a functional need to be located within this area to redevelop the existing Lodge site. There will be no loss of highly productive land. Natural hazards will not be exacerbated. The site will provide for all necessary infrastructure. The development is not for subdivision. The proposal will not increase production potential. The activity does not rely on the soil type. The proposal is consistent in terms of scale and the building design conforms with the adjacent structures. The proposal is compatible within its environment. Given its location there will be no reverse sensitivity effects nor any loss of highly productive land. The site is not at a zone interface. The site can cater for on-site infrastructure. The site is not serviced by a road. It is not considered to create any adverse effects on heritage, cultural values, landscapes, biodiversity, spiritual or cultural matters.



PDP Coastal Environment – Objectives and policies

Objectives

CE-O1 - The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.

CE-O2 - Land use and subdivision in the coastal environment:

- a. preserves the characteristics and qualities of the natural character of the coastal environment;*
- b. is consistent with the surrounding land use;*
- c. does not result in urban sprawl occurring outside of urban zones;*
- d. promotes restoration and enhancement of the natural character of the coastal environment; and*
- e. recognises tangata whenua needs for ancestral use of whenua Māori.*

CE-O3 - Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.

- 5.66. The extent of the coastal environment has been mapped by the regional council. The proposal seeks to preserve the character and qualities of the coastal site. The proposal is consistent with surrounding built development and will be consolidated. Ongoing restoration and enhancement is occurring on site. The development is not on behalf of local tangata whenua. The site is not within an urban zone.

Policies

CE-P1 - 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.

CE-P2 - Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as:

- a. outstanding natural character;*
- b. ONL;*
- c. ONF.*

CE-P3 - 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:

- a. outstanding natural character;*
- b. ONL;*
- c. ONF.*

CE-P4 - Preserve the visual qualities, character and integrity of the coastal environment by:

- a. consolidating land use and subdivision around existing urban centres and rural settlements; and*
- b. avoiding sprawl or sporadic patterns of development.*

CE-P5 - Enable land use and subdivision in urban zones within the coastal environment where:



- a. *there is adequacy and capacity of available or programmed development infrastructure; and*
- b. *the use is consistent with, and does not compromise the characteristics and qualities.*

CE-P6 - Enable farming activities within the coastal environment where:

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

CE-P7 - Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where:

- a. *the use is consistent with the ancestral use of that land; and*
- b. *the use does not compromise any identified characteristics and qualities.*

CE-P8 - Encourage the restoration and enhancement of the natural character of the coastal environment.

CE-P9 - Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.

CE-P10 - 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:

- a. *the presence or absence of buildings, structures or infrastructure;*
- b. *the temporary or permanent nature of any adverse effects;*
- c. *the location, scale and design of any proposed development;*
- d. *any means of integrating the building, structure or activity;*
- e. *the ability of the environment to absorb change;*
- f. *the need for and location of earthworks or vegetation clearance;*
- g. *the operational or functional need of any regionally significant infrastructure to be sited in the particular location;*
- h. *any viable alternative locations for the activity or development;*
- i. *any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;*
- j. *the likelihood of the activity exacerbating natural hazards;*
- k. *the opportunity to enhance public access and recreation;*
- l. *the ability to improve the overall quality of coastal waters; and*
- m. *any positive contribution the development has on the characteristics and qualities.*

- 5.67. The regional council have mapped those items listed in CE-P1. The development will not have any impacts upon Outstanding natural character, natural landscapes or Features. There will be no significant adverse effects generated by this proposal. Through design, colour scheme and landscaping mitigation measures have been offered. Development on site will remain consolidated. The site is not within an urban zone, Māori purpose zone, or treaty settlement zone. The development is not for farming. Restoration efforts are on-going. The proposal is not for subdivision. The natural character of the coastal environment will remain high



through the siting of the development and various mitigation measures. The site is already subject to a number of buildings along the coastline.

- 5.68. This proposal seeks to revamp and enhance an existing structure. No adverse effects are anticipated. The redeveloped building will be consistent in terms of its size and scale with adjacent buildings on the site. Given that the proposal is to revamp an existing building, it can be well integrated into the surrounding environment and the surrounding environment is easily able to absorb this change. Both earthworks and vegetation clearance are minor to enable the redevelopment of the building. The proposal does not involve any regionally significant infrastructure. The location chosen is the most suitable. Some spiritual and cultural values are held within the stream which is within proximity to the development. Coastal marine waters will not be adversely affected. The redevelopment is positive and will enable the ongoing future use of Kingfish Lodge as an attractive accommodation facility in Whangaroa.

Natural Hazards Chapter – objectives and policies

Objectives

NH-01 - The risks from natural hazards to people, infrastructure and property are managed, including taking into account the likely long-term effects of climate change, to ensure the health, safety and resilience of communities.

NH-02 - Land use and subdivision does not increase the risk from natural hazards or risks are mitigated, and existing risks are reduced where there are practicable opportunities to do so.

NH-03 - New infrastructure is located outside of identified natural hazard areas unless:

- a. it has a functional or operational need to be located in that area;*
- b. it is designed to maintain its integrity and function, as far as practicable during a natural hazard event; and*
- c. adverse effects resulting from that location on other people, property and the environment are mitigated.*

NH-04 - Natural defences, such as natural systems and features, and existing structural mitigation assets are protected to maintain their functionality and integrity and used in preference to new structural mitigation assets to manage natural hazard risk.

- 5.69. The development is set well back from the coastal marine area. Provision has been made such that the building will sit above the 1% AEP flood level. As this is a development of an existing building which sits above the 1% AEP flood level there will be no increased risk to people, property or the environment. New wastewater infrastructure will be located within areas of mapped flood hazard. These systems are designed to process waste, it is then sent up towards the deep bores on the property for discharge. Given the natural defences which are in place (Seawall) it is considered that this infrastructure will be well protected.



Policies

NH-P1 - Map or define areas that are known to be subject to the following natural hazards, taking into account accepted estimates of climate change and sea level rise:

- a. flooding;*
- b. coastal erosion;*
- c. coastal inundation; and*
- d. land instability.*

NH-P2 - Manage land use and subdivision so that natural hazard risk is not increased or is mitigated, giving consideration to the following:

- a. the nature, frequency and scale of the natural hazard;*
- b. not increasing natural hazard risk to other people, property, infrastructure and the environment beyond the site;*
- c. the location of building platforms and vehicle access;*
- d. the use of the site, including by vulnerable activities;*
- e. the location and types of buildings or structures, their design to mitigate the effects and risks of natural hazards, and the ability to adapt to long term changes in natural hazards;*
- f. earthworks, including excavation and fill;*
- g. location and design of infrastructure;*
- h. activities that involve the use and storage of hazardous substances;*
- i. aligning with emergency management approaches and requirements;*
- j. whether mitigation results in transference of natural hazard risk to other locations or exacerbates the natural hazard; and*
- k. reduction of risk relating to existing activities.*

NH-P3 - Take a precautionary approach to the management of natural hazard risk associated with land use and subdivision.

NH-P4 - Manage land use and subdivision so that the functionality and long-term integrity of existing structural mitigation assets are not compromised or degraded.

NH-P5 - Require an assessment of risk prior to land use and subdivision in areas that are subject to identified natural hazards, including consideration of the following:

- a. the nature, frequency and scale of the natural hazard;*
- b. the temporary or permanent nature of any adverse effect;*
- c. the type of activity being undertaken and its vulnerability to an event, including the effects of climate change;*
- d. the consequences of a natural hazard event in relation to the activity;*
- e. any potential to increase existing risk or creation of a new risk to people, property, infrastructure and the environment within and beyond the site and how this will be mitigated;*
- f. the design, location and construction of buildings, structures and infrastructure to manage and mitigate the effects and risk of natural hazards including the ability to respond and adapt to changing hazards;*



- g. the subdivision/site layout and management, including ability to access and exit the site during a natural hazard event; and .*
- h. the use of natural features and natural buffers to manage adverse effects.*

River Flood hazard

NH-P6 - Manage land use and subdivision in river flood hazard areas to protect the subject site and its development, and other property, by requiring:

- a. subdivision applications to identify building platforms that will not be subject to inundation and material damage (including erosion) in a 1 in 100 year flood event;*
- b. a minimum freeboard for all buildings designed to accommodate vulnerable activities of at least 500mm above the 1 in 100 year flood event and at least 300mm above the 1 in 100 year flood event for other new buildings;*
- c. commercial and industrial buildings to be constructed so they will not be subject to material damage in a 1 in 100 year flood event;*
- d. buildings within a 1 in 10 Year River Flood Hazard Area to be designed to avoid material damage in a 1 in 100 year flood event;*
- e. storage and containment of hazardous substances so that the integrity of the storage method will not be compromised in a 1 in 100 year flood event;*
- f. earthworks (other than earthworks associated with flood control works) do not divert flood flow onto surrounding properties and do not reduce flood plain storage capacity within a 1 in 10 Year River Flood Hazard area;*
- g. the capacity and function of overland flow paths to convey stormwater flows safely and without causing damage to property or the environment is retained, unless sufficient capacity is provided by an alternative method; and*
- h. the provision of safe vehicle access within the site.*

Coastal hazard

NH-P7 - Manage new land use and subdivision in coastal hazard areas so that:

- a. new subdivision avoids locating building platforms within High Risk Coastal Hazard areas and building platforms should be located outside other coastal hazard areas where alternative locations are available and it is practicable to do so;*
- b. new buildings containing vulnerable activities are not located within High Risk Coastal Hazard areas unless:*
 - i. there is no other suitable location available on the existing site;*
 - ii. hazard risks can be mitigated without the need for hard protection structures.*
- c. where a building or building platform is located with a coastal hazard area, it should be designed and constructed such that:*
 - i. the building platform will not be subject to inundation and / or material damage (including erosion) over a 100-year timeframe; and either*
 - ii. the finished floor level of any building accommodating a vulnerable activity must be at least 500mm above the maximum water level in a 1 percent AEP flood event plus 1m sea level rise; or*



- iii. *the finished floor level of any other building must be at least 300mm above the maximum water level in a 1 percent AEP flood event plus 1m sea level rise.*
- d. *hazard risk is not transferred to, or increased on, other properties;*
- e. *buildings, building platforms, access and services are located and designed to minimise the need for hard protection structures;*
- f. *safe vehicle access within the site is provided; and*
- g. *services are located and designed to minimise the risk of natural hazards.*

5.70. The regional council has mapped areas subject to natural hazard. Natural hazard risk is not increased by undertaking this development. The building will remain above the 1% AEP flood level coupled with the new seawall which has been installed, ensures that the building and associated infrastructure will remain protected from hazards. The site is quite isolated such that the hazard risk will not impact on others. The site has no vehicle access. The site is utilised for tourism and accommodation which is a vulnerable activity. However, as mentioned above, natural hazard risk will not be increased. The buildings are located within proximity to the coast and the stream. As noted, the building has been structurally designed such that it will sit above the 1% AEP. Long term it is anticipated that additional hard protection structures will be utilised to protect built development on site. Earthworks will be minor. The fill material will be transported to the adjacent property. Infrastructure will be located within the hazard areas also. This is generally because it is existing following existing routes. New wastewater infrastructure is required. This will be installed immediately adjacent to recently consented tanks for processing. There will be no storage of hazardous substances. In the event of an emergency, patrons will evacuate uphill to higher ground. There will be no transference of hazard risk to other sites. Risk will be reduced through upgrades made to the existing building.

6. Notification Assessment – Sections 95A to 95G of the Act

Public Notification Assessment

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

Step 1 Mandatory public notification in certain circumstances

An application must be publicly notified if, under section 95A(3), it meets any of the following criteria:

(a) the applicant has requested that the application be publicly notified:

(b) public notification is required under [section 95C](#):

(c) the application is made jointly with an application to exchange recreation reserve land under [section 15AA](#) of the Reserves Act 1977.



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

Step 2: Public Notification precluded in certain circumstances

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

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

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

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

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

(b) the application is for a resource consent for 1 or more of the following, but no other, activities:

(i) a controlled activity:

(ii) [Repealed]

(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.

(iv) [Repealed]

(6) [Repealed]

- 6.3. Public Notification is not precluded as the proposal is a Discretionary Activity and is not solely a boundary activity. Therefore Step 3 must be considered.

Step 3: Public Notification required in certain circumstances

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

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

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

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

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

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

- 6.4. The proposal is not subject to a rule or NES requiring public notification and the proposal does not have effects that will be more than minor. Therefore, public notification is not required, and Step 4 must be considered.

Step 4: Public notification in special circumstances

- 6.5. Section 95A(9) states that a council must publicly notify an application for resource consent if it considers that 'special circumstances' exist, notwithstanding that Steps 1 – 3 above do not require or preclude public notification. Special circumstances are not defined in the Act.



- 6.6. There are no special circumstances that exist to justify public notification of the application because the proposal is for a discretionary activity and the proposal is not considered to be controversial or of significant public interest, particularly given that it is private land and the proposal is to redevelop an existing building, which is considered as neither exceptional or unusual.

Public Notification Summary

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

Limited Notification Assessment

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

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

(2) Determine whether there are any—

(a) affected protected customary rights groups; or

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

(3) Determine—

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

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

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

- 6.9. There are no protected customary rights groups or customary marine title groups that are relevant to this application. It is noted however that as part of a Regional Council application that plans of the development within the Coastal Marine Area were sent to relevant CMT parties. Plans of the wider development being sought as part of this LUC have not been circulated. Refer **Appendix 14**.

- 6.10. The site is not within a statutory acknowledgement area, however it is located adjacent to the Whangaroa Harbour where the bed of the harbour is a statutory acknowledgement area that belongs to Ngatikahu ki Whangaroa. Within the Northland Regional Council Statement of association, Coastal Marine Area section, it stipulates that –

“The Coastal Marine Area adjacent to the area of interest includes the Whangaroa Harbour, Pacific Coastline from Kowhairoa Peninsula in the East, to Tokerau (Doubtless Bay) on the West, and south to Mangonui Harbour. The water, fisheries



and other natural resources on the coastline and along the rivers, including Oruaiti and Waihapā Bay and their tributaries, are of extreme cultural significance to Ngatikahu ki Whangaroa. They contain a number of important awaawa mahinga kai (water resources), flora, fauna and fisheries, which were customarily hunted and gathered.”

- 6.11. Every effort has been made throughout the redesign process to ensure that there will be no adverse effects on areas of awaawa mahinga kai, flora, fauna and fisheries. Erosion and sediment control measures will ensure that there will be no adverse effects on the adjacent stream and coastal marine area. Landscaping will enhance riparian margins. As the proposed activities are land based, it is considered that Ngatikahu ki Whangaroa are not affected by the proposed activities. Please refer to **Appendix 13** for discussion with representatives from this hapu.
- 6.12. Therefore Step 1 does not apply and Step 2 must be considered.

Step 2: Limited notification precluded in certain circumstances

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

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

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

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

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

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

- 6.13. There is no rule in the plan or national environmental standard that precludes notification. The application is not for a controlled activity. Therefore Step 2 does not apply and Step 3 must be considered.

Step 3: Certain other affected persons must be notified

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

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

(9) Notify each affected person identified under subsections (7) and (8) of the application. The proposal is not for a boundary activity nor is it a prescribed activity.

- 6.14. The proposal does involve a boundary activity. The boundary activity relates to the redevelopment of the north accommodation and the bar / restaurant building. As the building will be increasing in scale it has been identified as a technical setback breach.

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



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

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

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

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

- 6.15. A council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval.
- 6.16. With respect to section 95B(8) and section 95E, the permitted baseline was considered as part of the assessment of environmental effects undertaken in Section 5 of this report, which found that the potential adverse effects on the environment will be no more than minor.
- 6.17. Regarding potential adverse effects on persons, the assessment in Sections 5, 6 and 7 are also relied on and the following comments made:
- The proposed replacement north accommodation building proposal is a continuation of earlier consented building redevelopment activity on the site;
 - While there will be infringements of Visual Amenity, Setback from boundaries, and Building Height, this activity will not adversely affect public access or enjoyment of the marginal strip administered by the Department of Conservation. As agreed, the conference room building will be removed from the marginal strip and the north accommodations located entirely within the Applicant's site. DOC has provided written approval to the proposed redevelopment plans;
 - Vegetation clearance is minimal to enable construction of the redeveloped building.
 - The proposal has incorporated adequate measures to ensure all visual effects arising from the redevelopment are mitigated to a no more than minor degree such that there will be no adverse effects on the coastal marine area, adjoining sites or the surrounding environment.
 - Engagement with Eljon Fitzgerald representing Te Ukaipo has been ongoing and we would like to continue to build this relationship with him and the local hapu he represents through the Runanga. An email has been received by Eljon requesting Cultural Monitoring of the Earthworks. We will be talking with him in more detail to define a consent condition/s that will be offered.
 - Engagement with Roger Kingi and Bill Hori on behalf of Ngatikau ki Whangaroa has also been undertaken. Similar to the relationship with Te Ukaipo we would like to continue to build this relationship with them. It is noted that within the in person meeting with DoC that they did not have any input to this landuse consent application.
 - The proposed activities would not be contrary to the objectives and policies of the ODP, PDP, NZCPS or the RPSN.



- All other persons are sufficiently separated from the proposed development and works, such that there will be no effects on these people.

- 6.18. Given the above, with the exception of Te Ukaipo who will continue to be consulted with in terms of consent conditions, no persons will be affected to a minor or more than minor degree.
- 6.19. Overall, the adverse effects on any persons are considered to be no more than minor. Therefore Step 3 does not apply and Step 4 must be considered.

Step 4: Further notification in special circumstances

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

- 6.20. The proposal is a continuance of a redevelopment proposal for Kingfish Lodge. It is considered that no special circumstances exist in relation to the application.

Limited Notification Assessment Summary

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

7. Part 2 Assessment

- 7.1. For completeness, the application is assessed in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 7.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resources whilst meeting the foreseeable needs of future generations as the site is being revamped such that it can continue to be utilised for tourism and accommodation purposes. In addition, the proposal will avoid adverse effects on the environment and will maintain and enhance the character of the site and surrounding environment.
- 7.3. Section 6 of the Act includes matters of national importance. The proposal will aid in preserving the natural character of the coastal environment by utilising a natural, recessive scheme combined with good architectural design to absorb the appearance of the development into the site. The redevelopment will remain consistent with the size and scale of adjacent buildings and be integrated in terms of the adopted natural materials and recessive colours. Public access to the foreshore will remain via the marginal strip administered by the Department of Conservation.



- 7.4. The design of the redevelopment proposal has considered and the relationship of Maori and their culture and traditions. This has involved early and active engagement with Te Ukaipo throughout all the different stages of the redevelopment proposal (refer **Appendix 10**), and we look forward to continuing this engagement in terms of consent conditions and further development proposals moving forward. It is considered that the proposal will not have an adverse effect on Maori and their relationships with their ancestral lands, water, sites, waahi tapu and other taonga as a result of the mitigation measures which form part of this proposal. As detailed above, the site has been investigated in terms of archaeology and also spiritual matters with some areas of the site being highlighted. Development generally remains away from those areas, except for the stream that runs under the bar/restaurant building and the earthworks near the Pa site. The development works near the stream have been consented under RC 2230579 which was supported by a CIA. The subject site does contain some historical and culturally significant sites.
- 7.5. The NRC Hazard Maps indicates that the site is susceptible to natural hazards. The redevelopment of the building ensures that it remains above the 1% AEP.
- 7.6. Section 7 identifies several “other matters” to be given particular regard by a Council in the consideration of any assessment for resource consent, including the maintenance and enhancement of amenity values. The proposal maintains and enhances amenity values in the area as the building will be redeveloped to a modern standard such that it does not fall into a dilapidated state. Moreover, continued work on native planting, weed and pest management remains on-going. This work ensures that works across the site maintains and enhances the quality of the environment.
- 7.7. Section 8 requires Council to ‘take into account’ the principals of the Treaty of Waitangi. It is considered that the proposal raises no Treaty issues. The proposal has taken into account the principals of the Treaty of Waitangi and is not considered to be contrary to these principals.
- 7.8. Overall, the application is consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by section 5 of the Act.

8. Conclusion

- 8.1. The Applicant, Kingfish Lodge seeks resource consent for the next phase of its Lodge redevelopment works. A redevelopment of the north accommodation wing is proposed involving the removal of the existing accommodation building and its replacement with a two-storey building that would incorporate a new conference meeting room, gym and spa facilities at the ground floor. The conference building will be removed from the marginal strip.



- 8.2. Associated earthworks for building foundations, retaining walls and landscaping is required. Earthworks disposal sites for excess soil are required, of which one is located on the neighbouring property. Disposal site 1 will be the location of a proposed helicopter pad. Some removal of weeds, exotic and some native tree species around the building site is proposed to be replaced with a comprehensive planting plan that includes the marginal strip land adjacent to wharf jetty and deck structures in the coastal marine area.
- 8.3. A concurrent regional application to replace the former conference room deck and construct new concrete stairs down to the beach area has been lodged with Northland Regional Council.
- 8.4. The proposed activities are Discretionary under the ODP and Permitted under PDP rules that have immediate legal effect. The assessment of effects on the environment has concludes that potential adverse effects will be no more than minor. The buildings will essentially occupy the same building footprint as the existing north accommodation building, with a slight easterly shift to locate the buildings outside of the marginal strip. The addition of a second storey to the building will not increase the degree of dominance or shading effect on the marginal strip land, nor will it be an inappropriate addition to the surrounding landscape which provides the undeveloped vegetated hillside backdrop. Public access to the marginal strip and coastal marine area will be retained and facilities improved to enable better access to the beach areas and northern headland. Proposed planting will soften the appearance of the building as viewed from the surrounding area (mainly the CMA) and enhance the indigenous biodiversity of the coastal foreshore.
- 8.5. The proposed activities are consistent with the objectives and policies of the NZCPS, RPSN and the ODP and PDP. The proposed buildings will occupy an existing building location that forms part of the established coastal character of this location. The Lodge building site is not within any identified area of Outstanding or High Natural Character that applies to the surrounding vegetated hillsides. The new buildings represent an investment in the site to develop a modern, high quality lodge facility designed to integrate with the surrounding landscape using natural materials, recessive colours and landscape planting. Public access to the site will remain and be enhanced through the removal of the existing conference room building and the construction of new coastal structures to convey people to the beach areas and eventually walking tracks that connect to the northern headland.
- 8.6. Potentially affected parties include DOC as the Crown administrator of the adjacent marginal strip and local hapu. DoC have provided written approval to this proposal. An email with a request for some cultural monitoring has been received from Te Ukaipo within **Appendix 10**. It is considered that there are no other persons affected by the proposed activities. The Applicant requests that this application be sent to Te Ukaipo (specifically Eljon Fitzgerlad who has been our main contact point in the Runanga) and Kingfish Lodge will continue discussions with him and offer and specific consent condition/s to cover this request.



9. Limitations

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





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

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




R. W. Muir
Registrar-General
of Land

Identifier **788895**
Land Registration District **North Auckland**
Date Issued 02 June 2017

Prior References

NA127C/708	NA127C/709	NA127C/710
NA127C/711	NA127C/712	NA127C/713
NA127C/714	NA127C/715	NA127C/716
NA127C/717	NA127C/718	NA127C/719
NA127C/720		

Estate Fee Simple
Area 11.9074 hectares more or less
Legal Description Lot 1 Deposited Plan 198828

Registered Owners

Kingfish Lodge 2016 Limited

Interests

Subject to Section 8 Mining Act 1971

Subject to Section 168A Coal Mines Act 1925

10942375.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 4.12.2017 at 10:27 am

12562189.1 Variation of Consent Notice 10942375.1 pursuant to Section 221(5) Resource Management Act 1991 - 19.9.2022 at 10:39 am



View Instrument Details

Instrument No. 10942375.1
Status Registered
Date & Time Lodged 04 Dec 2017 10:27
Lodged By Liu, Mingyue
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers **Land District**
788895 North Auckland

Annexure Schedule: Contains 1 Page.

Signature

Signed by Nigel Alexander Harrison as Territorial Authority Representative on 01/12/2017 10:51 AM

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



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

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Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

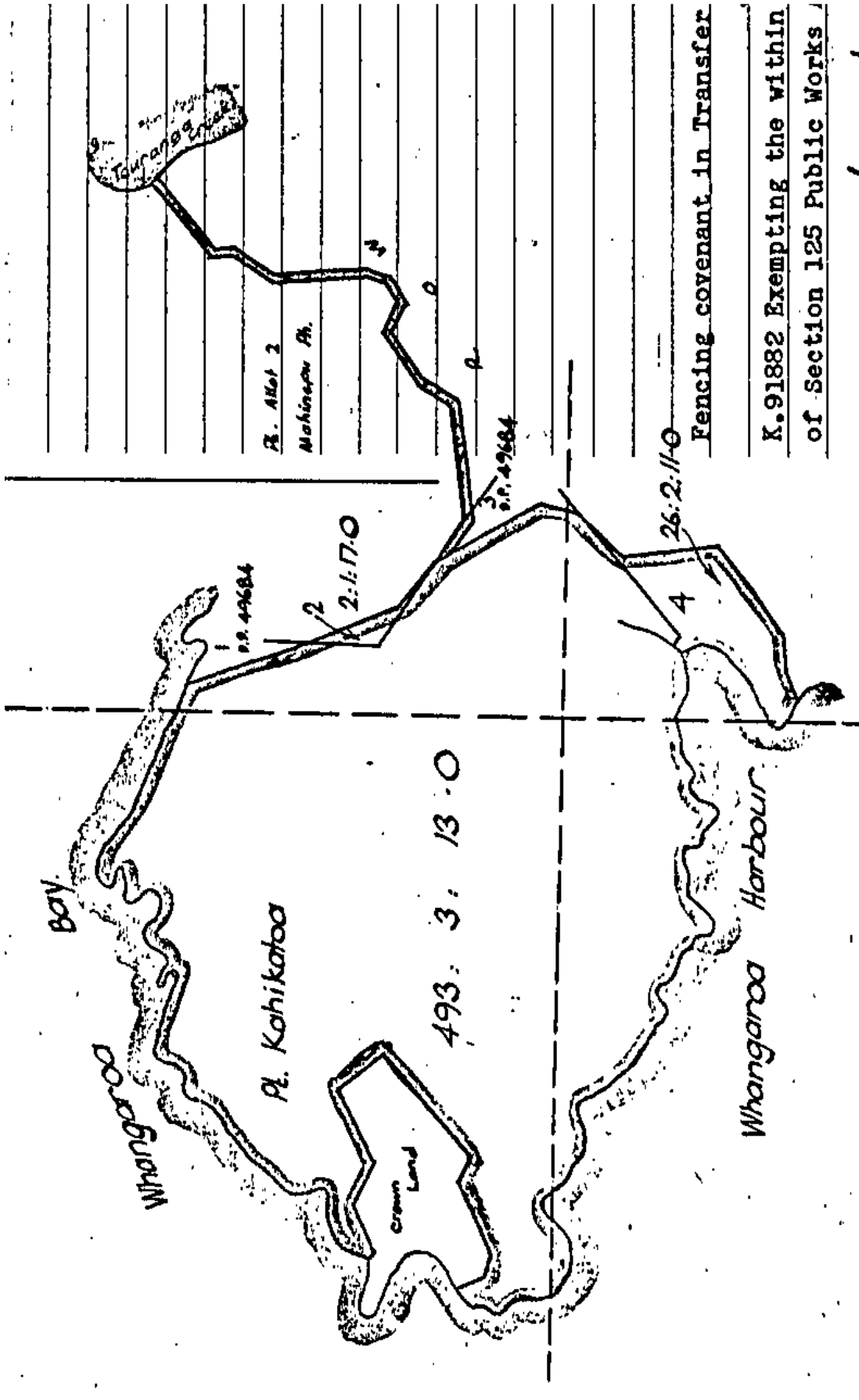
Identifier **NA2038/67**
Land Registration District **North Auckland**
Date Issued 23 November 1961

Prior References
NA1590/13 NA1590/74 NA364/87

Estate Fee Simple
Area 211.5519 hectares more or less
Legal Description Part Kahikatoa Block, Part Pararako Block,
Part Allotment 2 Parish of Mahinepua and
Lot 2 and Lot 4 Deposited Plan 49684

Registered Owners
Marilyn Ann Archer and John Lindsay Archer as Executors

Interests
K91882 Exempting the within land from the provisions of Section 125 Public Works Act 1928
9126244.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - - 18.7.2012 at 12:40 pm (Affects Part
Kahikatoa Block)

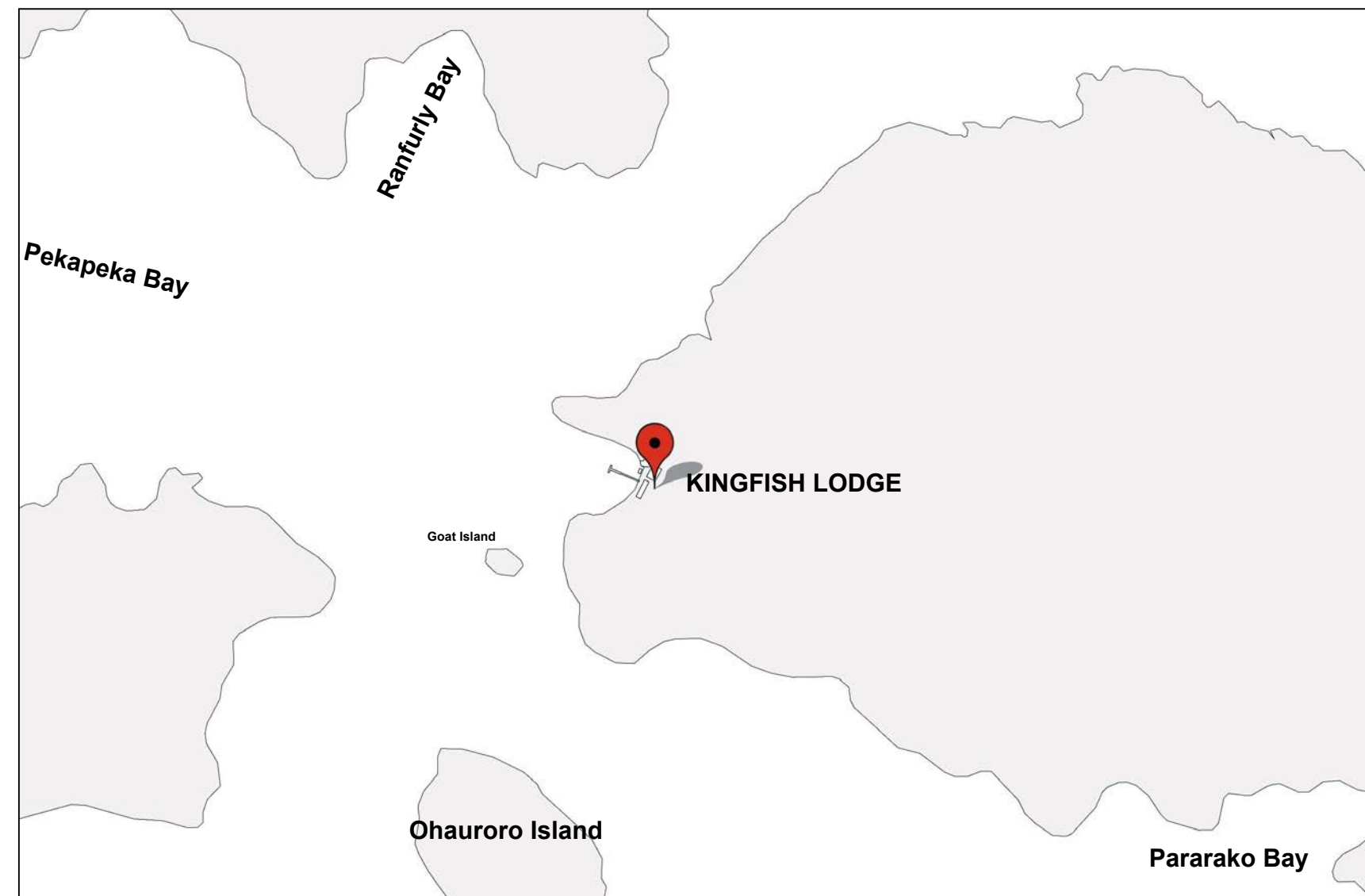
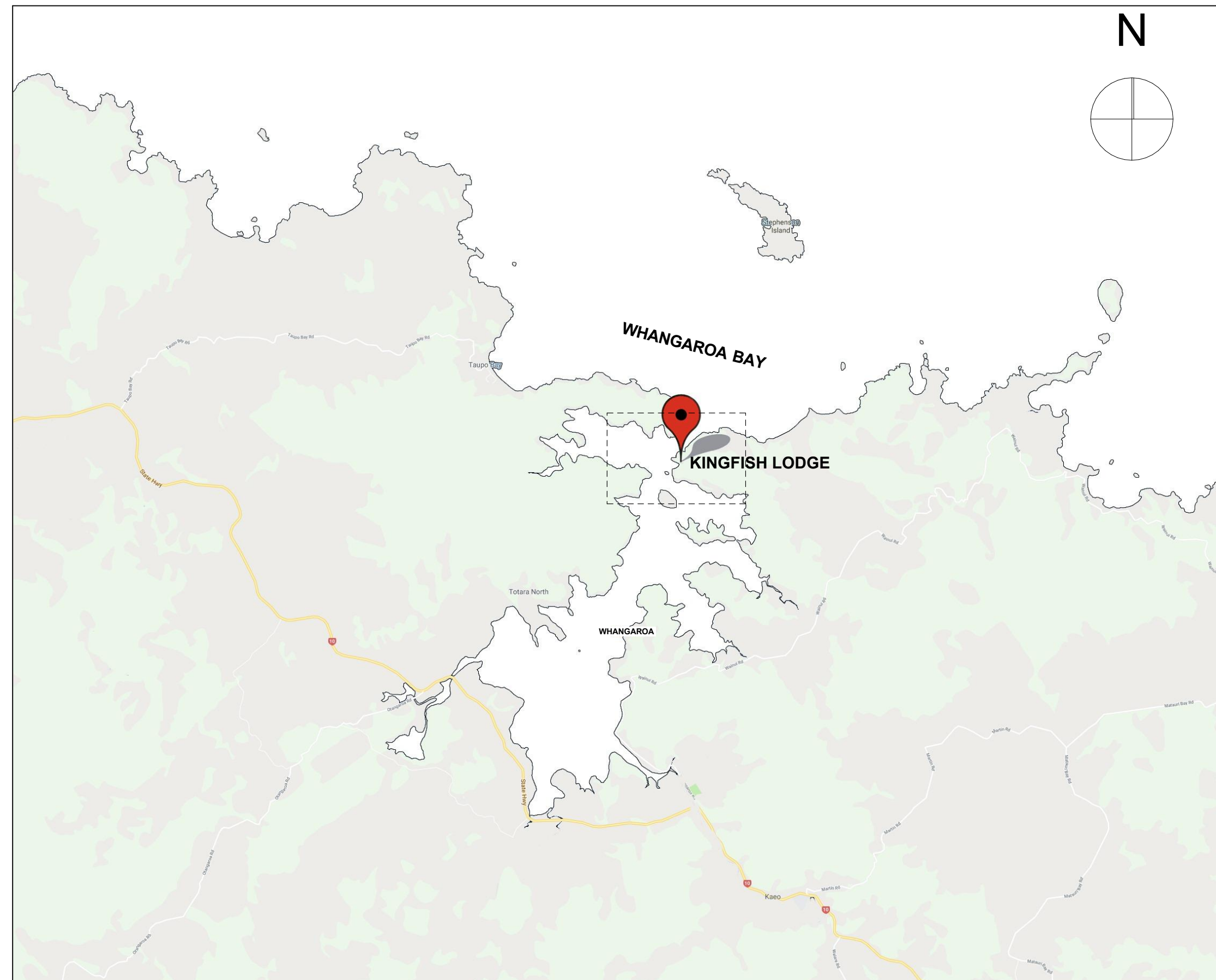




P ARCHITECTURAL DRAWING REGISTER

SHEET	DESCRIPTION	SCALE(S)	REV	DATE ISSUED
RC.B.01	TITLE	1:1, 1:2.65	B	06/06/2023
RC.B.02	SITE LOCATION MAP		B	06/06/2023
RC.B.03	SITE SURVEY	1:300	B	06/06/2023
RC.B.04	SITE PLAN	1:200, 1:500	B	06/06/2023
RC.B.05	PROPOSED SITE RETAINING PLAN	1:100, 1:500	B	06/06/2023
RC.B.06	EXISTING GROUND FLOOR PLAN	1:500, 1:100	B	06/06/2023
RC.B.07	EXISTING ROOF PLAN	1:100, 1:500	B	06/06/2023
RC.B.08	PROPOSED GROUND FLOOR PLAN	1:100, 1:500	B	06/06/2023
RC.B.09	PROPOSED FIRST FLOOR PLAN	1:100, 1:500	B	06/06/2023
RC.B.10	PROPOSED ROOF PLAN	1:100, 1:500	B	06/06/2023
RC.B.11	PROPOSED ELEVATIONS	1:100	B	06/06/2023
RC.B.12	PROPOSED ELEVATIONS	1:100	B	06/06/2023
RC.B.13	PROPOSED SECTIONS	1:50	B	06/06/2023
RC.B.14	PROPOSED SECTIONS	1:50	B	06/06/2023
RC.B.15	PROPOSED SECTIONS	1:50	B	06/06/2023
RC.B.16	SITE CUT + FILL		B	06/06/2023
RC.B.17	8m ROLLING HEIGHT PLANE		B	06/06/2023
RC.B.18	BOUNDARY/ RECESSION PLANE STUDY	1:100	A	06/06/2023
RC.B.19	SEDIMENT CONTROL MEASURES		A	06/06/2023
RC.B.20	LANDSCAPING PLAN STUDY	1:100, 1:500	A	06/06/2023

APPROVED PLAN
 Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024



KINGFISH LODGE
WHANGAROA HARBOUR
EXISTING BUILDINGS

PROJECT CONTROL GROUP
 CLIENT - MIKE SULLIVAN

CONSULTANTS
 STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
 MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B

APPROVED PLAN

Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024

RESOURCE CONSENT ISSUE
 NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

SITE LOCATION MAP

SCALE : @ A2
 DATE : 6/06/2023
 PROJECT No: 9567

RC.B.02 rev B

+MAP Architects (2016) Ltd.

131 Victoria Street
 PO Box 667
 CHRISTCHURCH
 New Zealand
 p: +64 3 962 6530
 f: +64 3 962 6541
 office@maparchitects.co.nz
 www.maparchitects.co.nz

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KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHG

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS DATE REV
FOR COORDINATION 17/02/2023 A
RESOURCE CONSENT ISSUE 06/06/2023 B

Note: Levels are approximately in terms of MHWS
Add 0.30m to bring in terms of One Tree Point Datum
(Mean Sea Level)
See Sheet 2 for details of creek bed and Implement Shed
Pad.

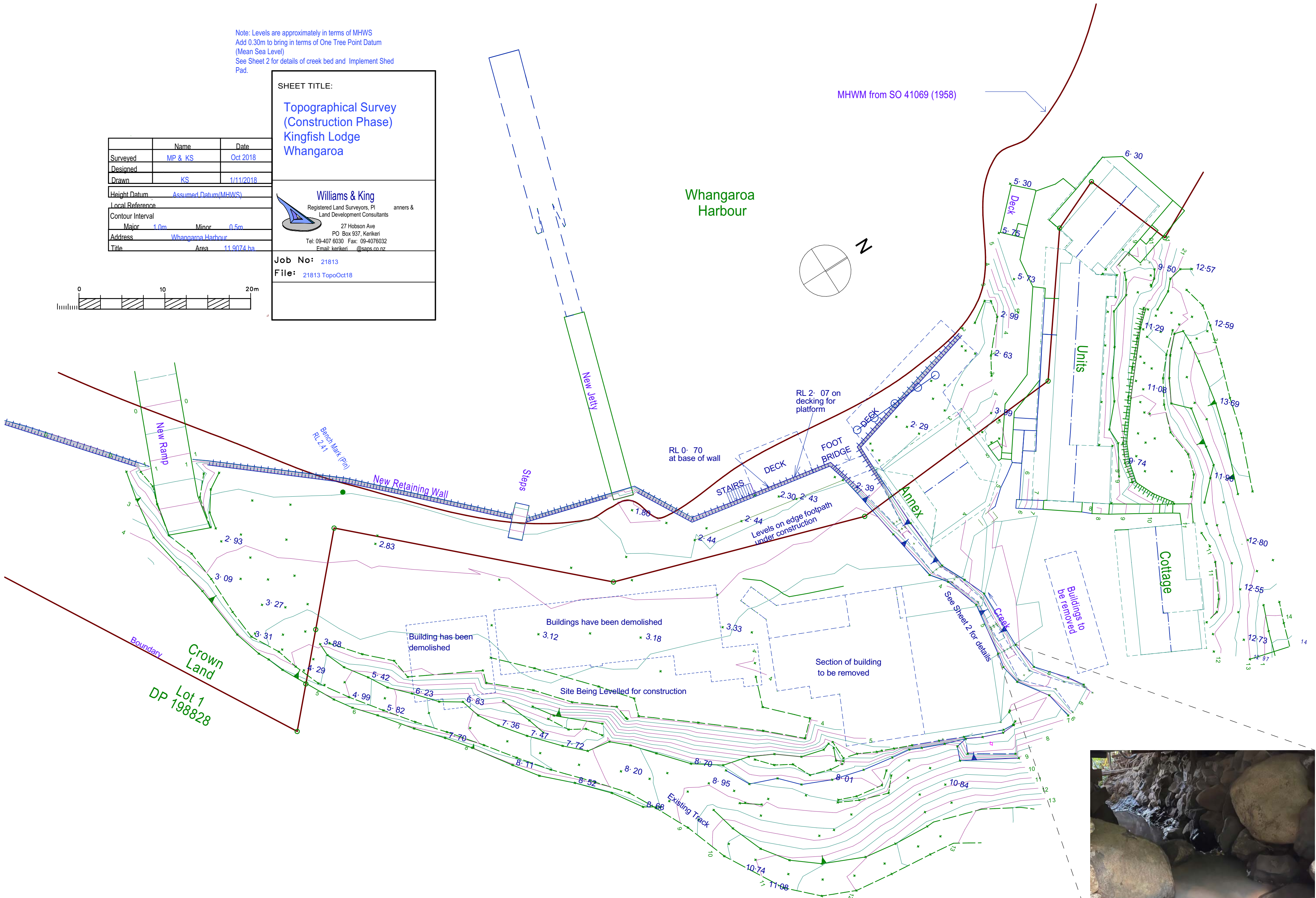
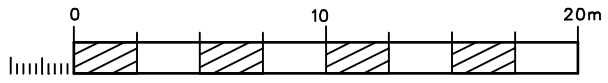
SHEET TITLE:
Topographical Survey
(Construction Phase)
Kingfish Lodge
Whangaroa

Williams & King
Registered Land Surveyors, Planners &
Land Development Consultants
27 Hobson Ave
PO Box 937, Kerikeri
Tel: 09-407 6030 Fax: 09-4076032
Email: kerikeri@waks.co.nz

Job No: 21813
File: 21813 TopoOct18

Name	Date
Surveyed MP & KS	Oct 2018
Designed	
Drawn KS	1/11/2018

Height Datum: Assumed Datum (MHWS)
Local Reference:
Contour Interval: Major 1.0m Minor 0.5m
Address: Whangaroa Harbour
Title: Area 11.9074 ha



APPROVED PLAN
Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024



PHOTO OF EXISTING CREEK

RESOURCE CONSENT ISSUE
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SITE SURVEY
SCALE: 1:300 @ A2
DATE: 6/06/2023
PROJECT No: 9567

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131 Victoria Street
PO Box 667
CHRISTCHURCH
New Zealand
p: +64 3 962 6530
f: +64 3 962 6541
office@maparchitects.co.nz
www.maparchitects.co.nz

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KINGFISH LODGE - SITE INFORMATION

WHANGAROA HARBOUR,
KAE0 0478

LOT 1 DEPOSITED PLAN
198828 + MARGINAL STRIP
SEC 58

SITE AREA 11.9074 HA

EXPOSURE ZONE - D HIGH

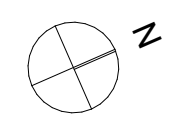
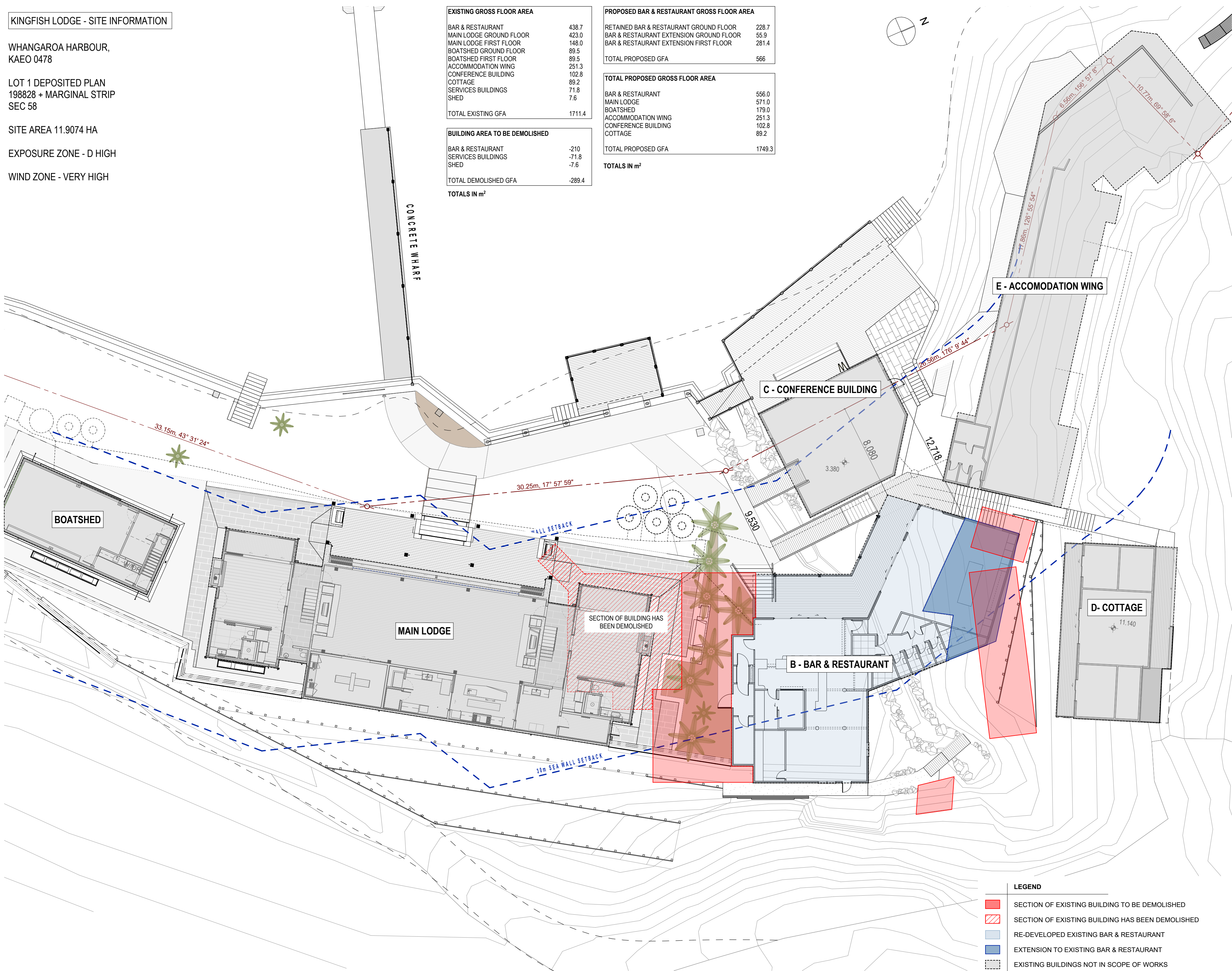
WIND ZONE - VERY HIGH

EXISTING GROSS FLOOR AREA	
BAR & RESTAURANT	438.7
MAIN LODGE GROUND FLOOR	423.0
MAIN LODGE FIRST FLOOR	148.0
BOATSHED GROUND FLOOR	89.5
BOATSHED FIRST FLOOR	89.5
ACCOMMODATION WING	251.3
CONFERENCE BUILDING	102.8
COTTAGE	89.2
SERVICES BUILDINGS	71.8
SHED	7.6
TOTAL EXISTING GFA	1711.4

BUILDING AREA TO BE DEMOLISHED	
BAR & RESTAURANT	-210
SERVICES BUILDINGS	-71.8
SHED	-7.6
TOTAL DEMOLISHED GFA	-289.4
TOTALS IN m²	

PROPOSED BAR & RESTAURANT GROSS FLOOR AREA	
RETAINED BAR & RESTAURANT GROUND FLOOR	228.7
BAR & RESTAURANT EXTENSION GROUND FLOOR	55.9
BAR & RESTAURANT EXTENSION FIRST FLOOR	281.4
TOTAL PROPOSED GFA	566

TOTAL PROPOSED GROSS FLOOR AREA	
BAR & RESTAURANT	556.0
MAIN LODGE	571.0
BOATSHED	179.0
ACCOMMODATION WING	251.3
CONFERENCE BUILDING	102.8
COTTAGE	89.2
TOTAL PROPOSED GFA	1749.3
TOTALS IN m²	



KINGFISH LODGE
WHANGAROA HARBOUR
EXISTING BUILDINGS

PROJECT CONTROL GROUP	
CLIENT - MIKE SULLIVAN	
CONSULTANTS	
STRUCTURAL & CIVIL ENGINEER - DHC	
CONTRACT TEAM	
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION	
DETAILS	DATE
FOR COORDINATION	17/02/2023
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	A
	B

APPROVED PLAN
Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

- ALL EROSION AND SEDIMENT CONTROL STRUCTURES TO BE INSPECTED EACH WORKING DAY AND MAINTAINED IN GOOD WORKING ORDER
 - ALL GROUND COVER VEGETATION OUTSIDE THE IMMEDIATE BUILDING AREA TO BE MAINTAINED DURING THE BUILDING PHASE
 - ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSTALLED PRIOR TO COMMENCEMENT OF MAJOR EARTHWORKS
 - STOCKPILES OF CLAY MATERIAL TO BE COVERED WITH IMPERVIOUS SHEET
 - ROOF WATER DOWNPIPES TO BE CONNECTED TO THE PERMANENT UNDERGROUND STORMWATER DRAINAGE SYSTEM AS SOON AS PRACTICAL AFTER THE ROOF IS LAID
- NOTE CONFERENCE BUILDING / ACCOMMODATION WING / COTTAGE / MAIN LODGE & BOATSHED ARE ALL EXCLUDED FROM SCOPE OF WORKS

RESOURCE CONSENT ISSUE
NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

SITE PLAN
SCALE : 1:200, 1:500 @ A2
DATE : 6/06/2023
PROJECT No: 9567

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131 Victoria Street
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CHRISTCHURCH
New Zealand
p: +64 3 962 6530
f: +64 3 962 6541
office@maparchitects.co.nz
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LEGEND

	SECTION OF EXISTING BUILDING TO BE DEMOLISHED
	SECTION OF EXISTING BUILDING HAS BEEN DEMOLISHED
	RE-DEVELOPED EXISTING BAR & RESTAURANT
	EXTENSION TO EXISTING BAR & RESTAURANT
	EXISTING BUILDINGS NOT IN SCOPE OF WORKS

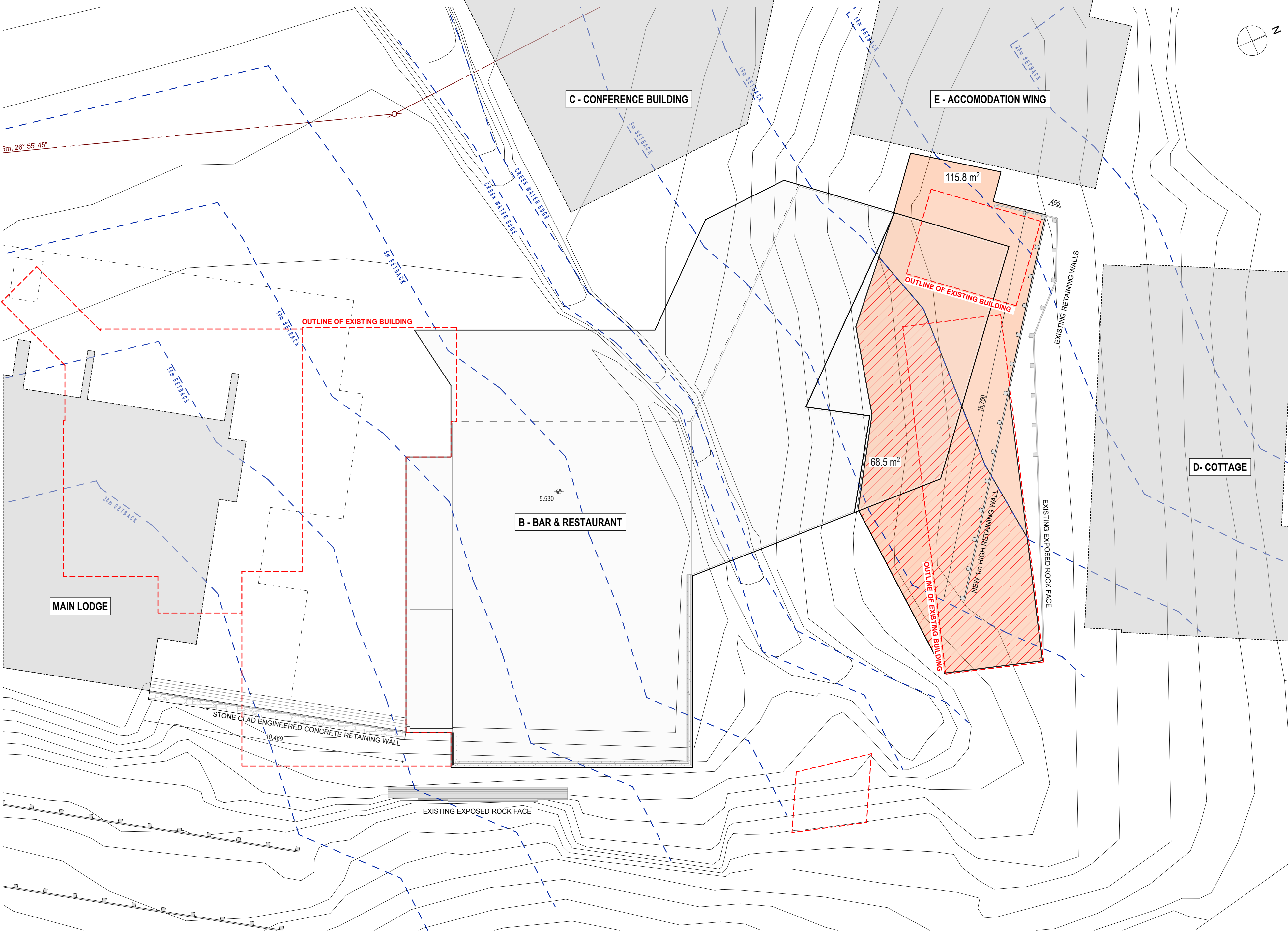
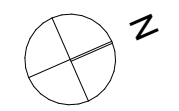
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHG

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B



APPROVED PLAN
 Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024

RESOURCE CONSENT ISSUE
 NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED SITE RETAINING PLAN
 SCALE : 1:100, 1:500 @ A2
 DATE : 6/06/2023
 PROJECT No: 9567

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 CHRISTCHURCH
 New Zealand
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 f: +64 3 962 6541
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DO NOT SCALE DRAWING. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCING WORK

PROPOSED SITE RETAINING PLAN
 SCALE 1:100

LEGEND

	PROPOSED EARTHWORK AREA - CUT
	PROPOSED EARTHWORK AREA - CUT WITHIN 10m OF CREEK OR PROPOSED VOLUME OF EARTHWORKS 40m³

LEGEND

	OUTLINE OF EXISTING BUILDINGS TO BE DEMOLISHED
	FOOTPRINT OF BAR & RESTAURANT
	EXISTING BUILDINGS NOT IN SCOPE OF WORKS
	CREEK SETBACKS



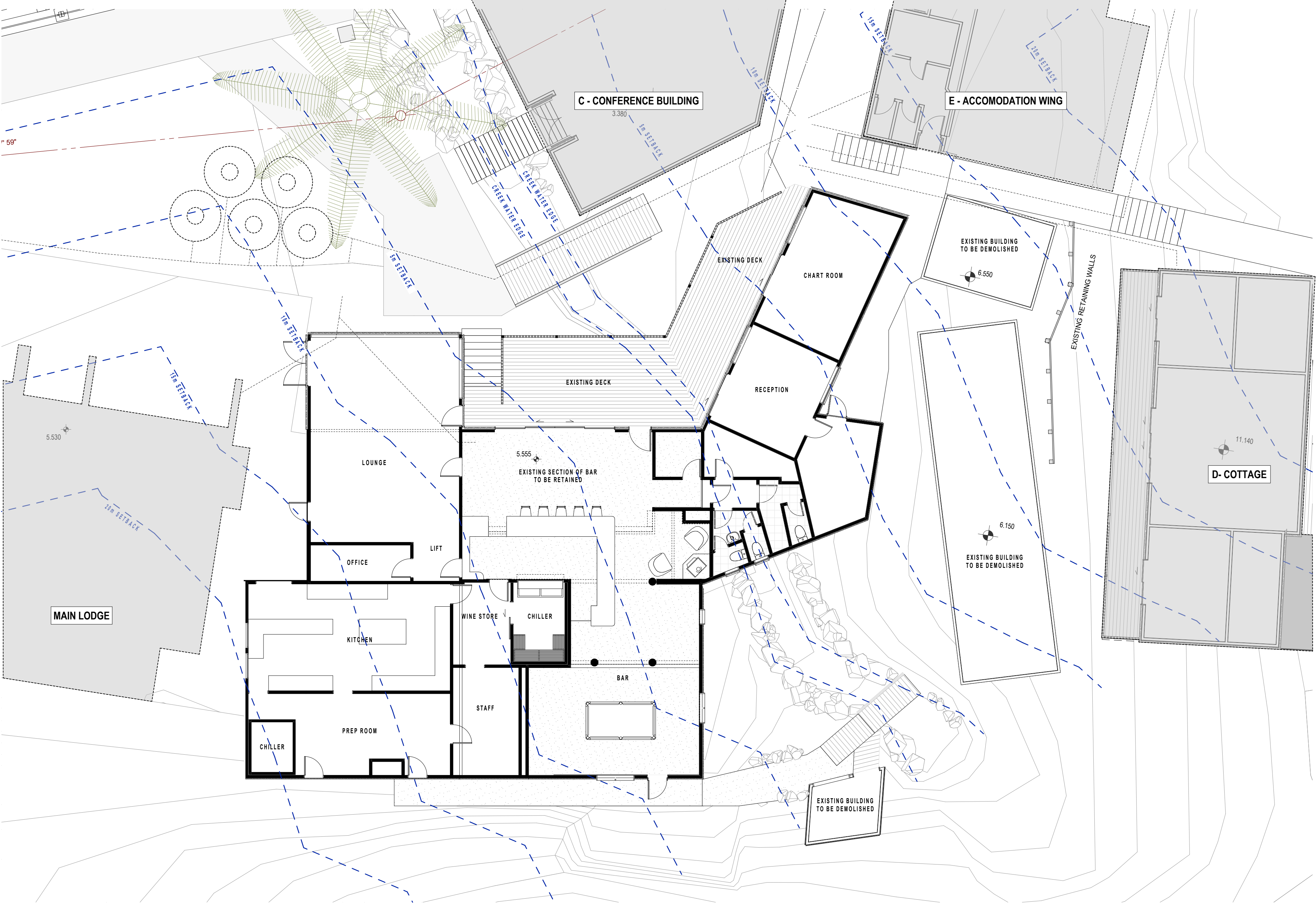
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B



APPROVED PLAN

Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

**RESOURCE CONSENT
ISSUE**
NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

**EXISTING GROUND FLOOR
PLAN**

SCALE : 1:500, 1:100 @ A2

DATE : 06/06/2023

PROJECT No: 9567

RC.B.06 rev B

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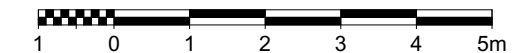
DO NOT SCALE DRAWING. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCING WORK

EXISTING GROUND FLOOR PLAN
SCALE 1:100



LEGEND

- EXISTING BUILDINGS NOT IN SCOPE OF WORKS
- CREEK SETBACKS



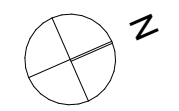
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
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RESOURCE CONSENT ISSUE	06/06/2023	B



APPROVED PLAN
 Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024

RESOURCE CONSENT ISSUE
 NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

EXISTING ROOF PLAN
 SCALE : 1:100, 1:500 @ A2
 DATE : 6/06/2023
 PROJECT No: 9567

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EXISTING ROOF PLAN
 SCALE 1:100

LEGEND
 [Hatched Box] EXISTING BUILDINGS NOT IN SCOPE OF WORKS



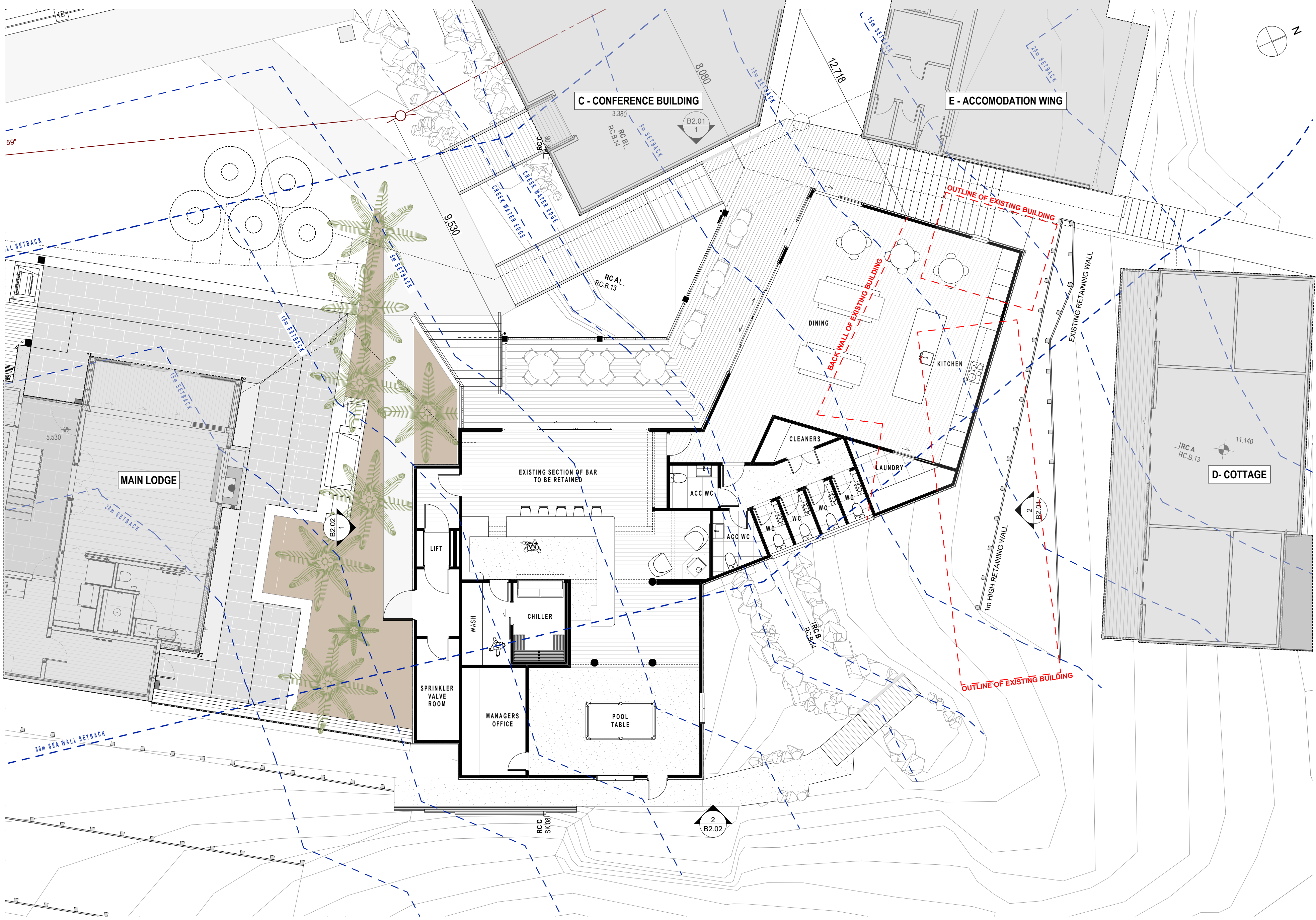
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B



APPROVED PLAN
 Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024

RESOURCE CONSENT ISSUE
 NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED GROUND FLOOR PLAN
 SCALE : 1:100, 1:500 @ A2
 DATE : 6/06/2023
 PROJECT No: 9567

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PROPOSED GROUND FLOOR PLAN
 SCALE 1:100

- LEGEND**
- OUTLINE OF EXISTING BUILDINGS
 - EXISTING BUILDINGS NOT IN SCOPE OF WORKS
 - CREEK SETBACKS



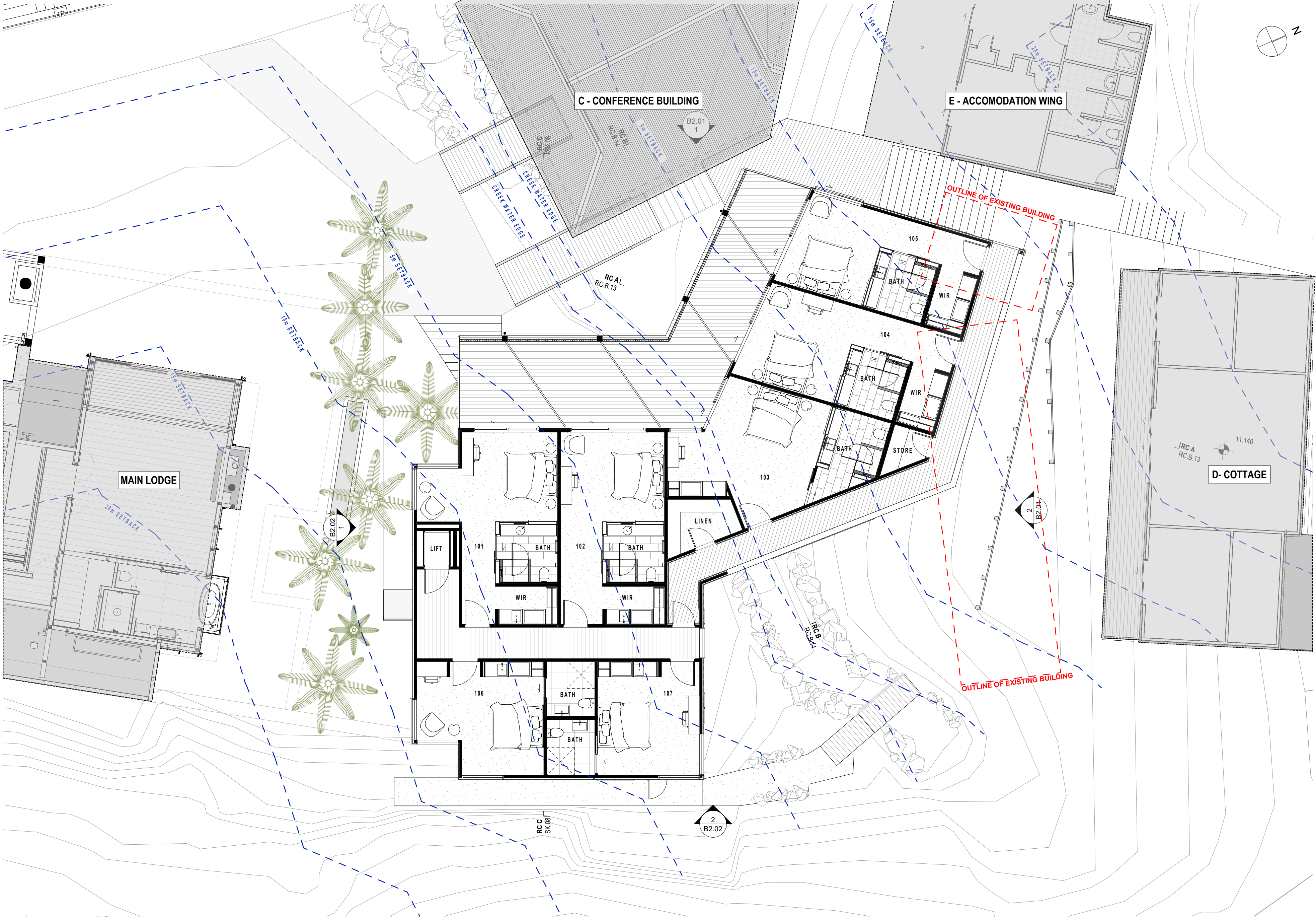
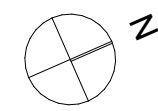
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
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APPROVED PLAN
 Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024

RESOURCE CONSENT ISSUE
 NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED FIRST FLOOR PLAN
 SCALE : 1:100, 1:500 @ A2
 DATE : 6/06/2023
 PROJECT No: 9567

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PROPOSED FIRST FLOOR PLAN
 SCALE 1:100

LEGEND	
	OUTLINE OF EXISTING BUILDINGS
	EXISTING BUILDINGS NOT IN SCOPE OF WORKS
	CREEK SETBACKS



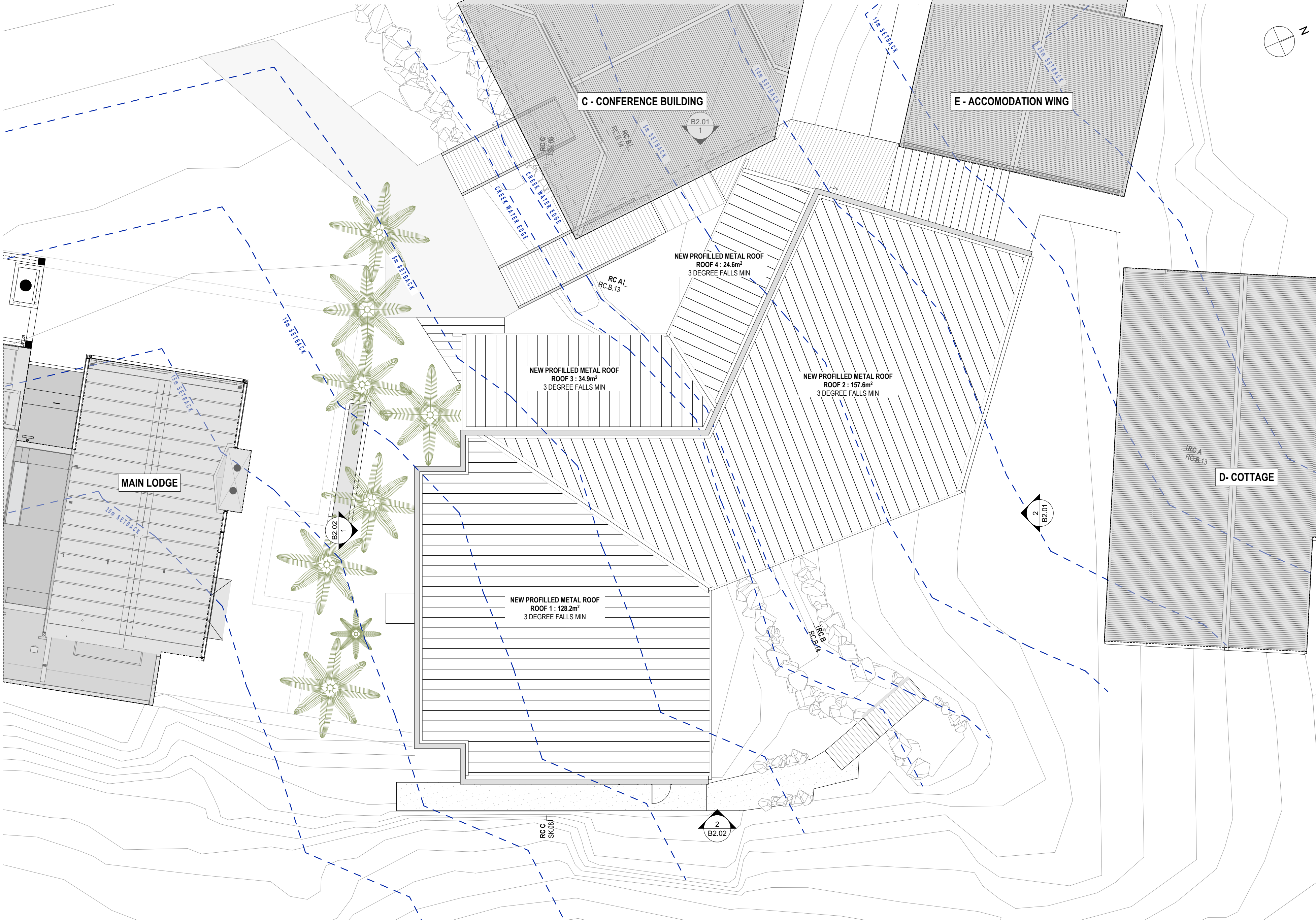
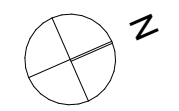
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
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APPROVED PLAN

Planner: Trish Routley
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Date: 29/05/2024

RESOURCE CONSENT ISSUE
NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED ROOF PLAN

SCALE : 1:100, 1:500 @ A2
DATE : 6/06/2023
PROJECT No: 9567

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PROPOSED ROOF PLAN
SCALE 1:100

LEGEND

EXISTING BUILDINGS NOT IN SCOPE OF WORKS



KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

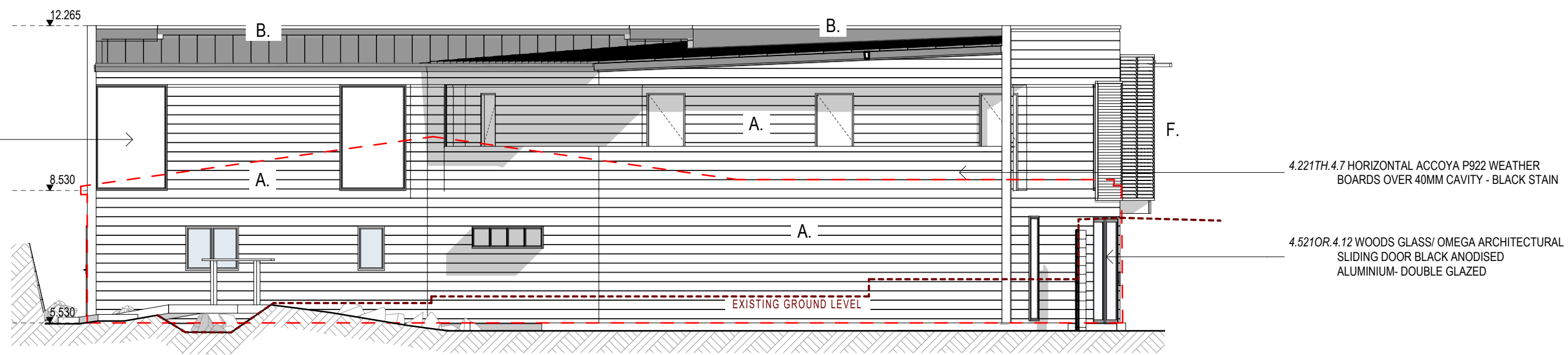
DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B

CLADDING TYPE	LOCATION	COLOUR / FINISH	LRV %
EXTERIOR STRUCTURAL STEEL / CONNECTIONS	PERGOLA	ZINC METAL SPRAY / DARK STORM LOW GLOSS	6%
IRONBARK TIMBERS	PERGOLA	NATURAL UNCOATED	-
BAN SAWN ACCOYA WEATHERBOARDS	BAR	RESENE LUMBERSIDER BLACK STAINED	-
PROFILED METAL ROOFING	BAR	BLACK / SLATE	5-9%
ALUMINIUM FLASHINGS	BAR	BLACK LOW GLOSS	5%
SPOUTING / DOWNPIPES	BAR	COPPER	29%
BOARD FINISH INSITU/PRE-CAST CONCRETE	BAR	AQURON 1200 WATER REPELLENT	25-40%

1 NORTH ELEVATION SCALE 1:100



2 EAST ELEVATION SCALE 1:100



APPROVED PLAN

Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

RESOURCE CONSENT
ISSUE
NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED ELEVATIONS

SCALE : 1:100 @ A2
DATE : 6/06/2023
PROJECT No: 9567

RC.B.11 rev B

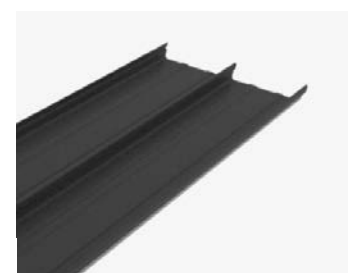
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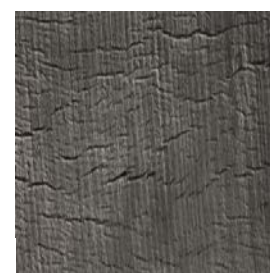
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A. HORIZONTAL WEATHERBOARD CLADDING BLACK STAINED



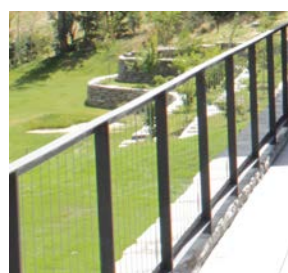
B. PROFILED METAL ROOF CLADDING MIN 3° SLOPE



C. EXTERIOR IRONBARK POSTS & BEAMS



D. HARDWOOD DECKING



E. WIRE BALUSTRADE



F. HORIZONTAL LOUVRE SCREENING



G. CONCRETE SHUTTER

INTRUSION THROUGH 8m ROLLING HEIGHT PLANE

OUTLINE OF EXISTING BUILDINGS

KINGFISH LODGE

WHANGAROA HARBOUR

EXISTING BUILDINGS

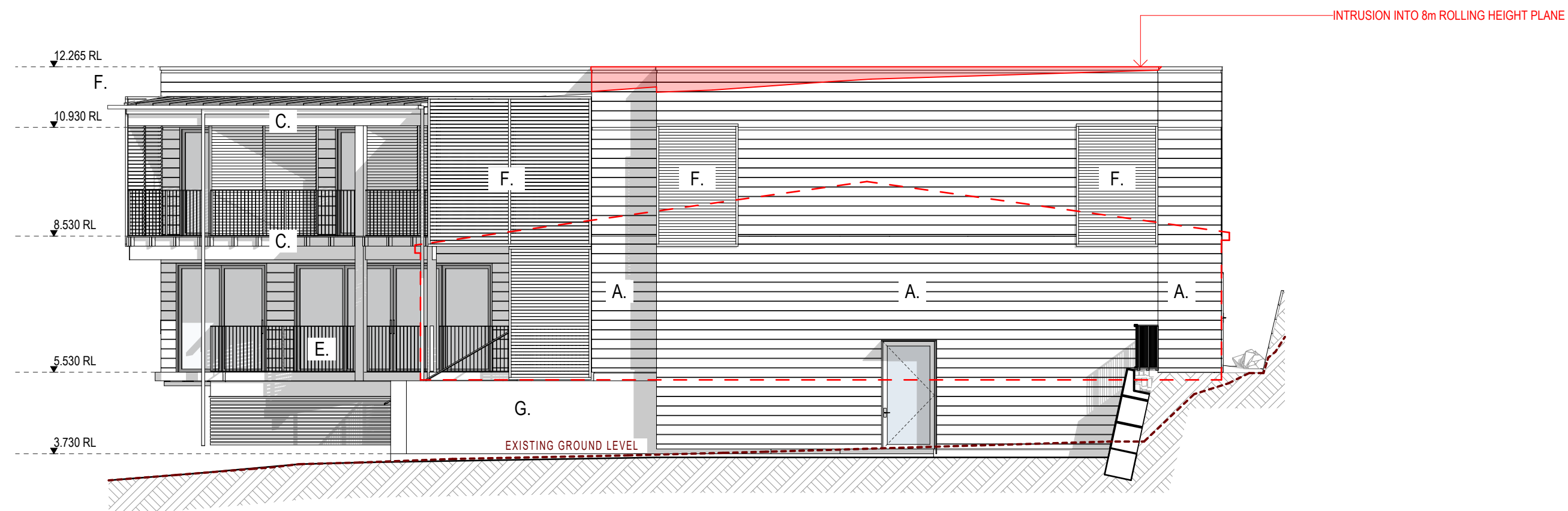
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CLIENT - MIKE SULLIVAN

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CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

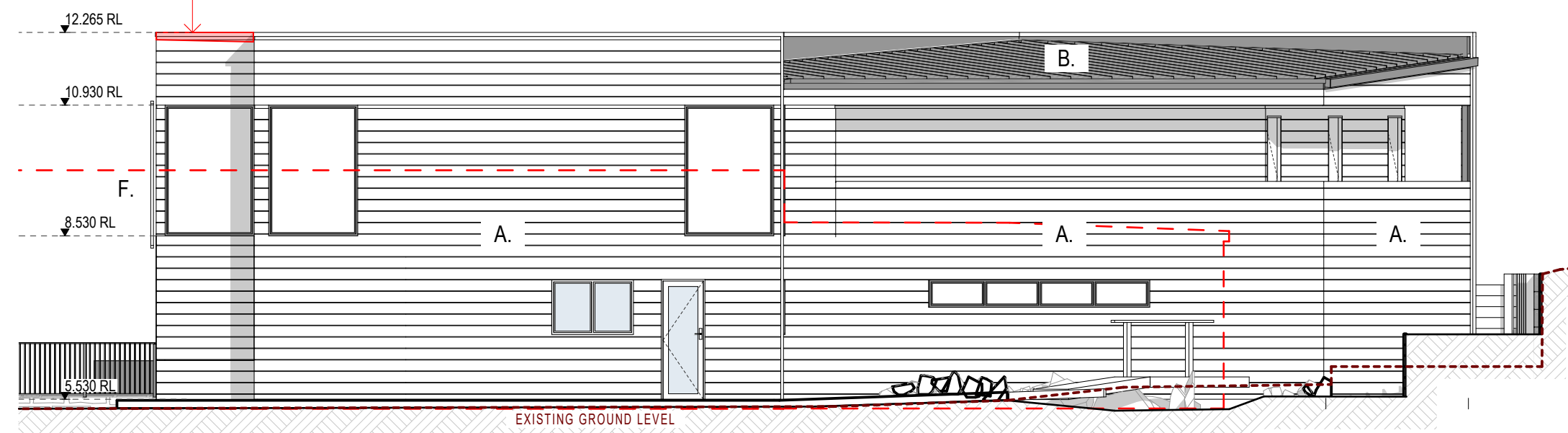
DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B

CLADDING TYPE	LOCATION	COLOUR / FINISH	LRV %
EXTERIOR STRUCTURAL STEEL / CONNECTIONS	PERGOLA	ZINC METAL SPRAY / DARK STORM LOW GLOSS	6%
IRONBARK TIMBERS	PERGOLA	NATURAL UNCOATED	-
BAN SAWN ACCOYA WEATHERBOARDS	BAR	RESENE LUMBERSIDER BLACK STAINED	-
PROFILED METAL ROOFING	BAR	BLACK / SLATE	5-9%
ALUMINIUM FLASHINGS	BAR	BLACK LOW GLOSS	5%
SPOUTING / DOWNPIPES	BAR	COPPER	29%
BOARD FINISH INSITU/PRE-CAST CONCRETE	BAR	AQURON 1200 WATER REPELLENT	25-40%



1 | WEST ELEVATION
SCALE 1:100

INTRUSION INTO 8m ROLLING HEIGHT PLANE



2 | SOUTH ELEVATION
SCALE 1:100

APPROVED PLAN
Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

RESOURCE CONSENT ISSUE
NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED ELEVATIONS
SCALE : 1:100 @ A2
DATE : 6/06/2023
PROJECT No: 9567



■ INTRUSION THROUGH 8m ROLLING HEIGHT PLANE
□ OUTLINE OF EXISTING BUILDINGS

RC.B.12 rev B

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KINGFISH LODGE

WHANGAROA HARBOUR

EXISTING BUILDINGS

PROJECT CONTROL GROUP

CLIENT - MIKE SULLIVAN

CONSULTANTS

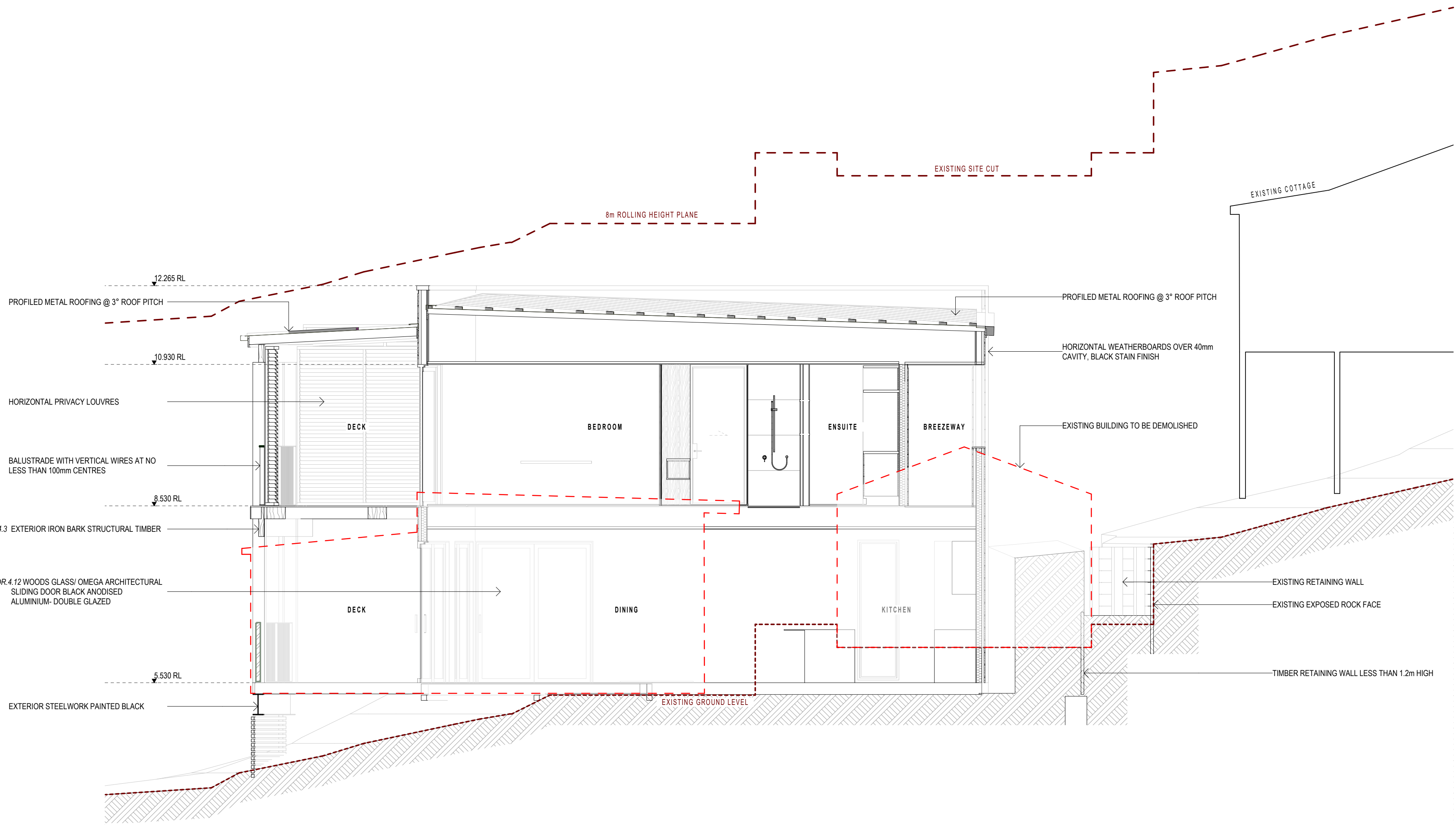
STRUCTURAL & CIVIL ENGINEER - DHG

CONTRACT TEAM

MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B



RC A CROSS SECTION
SCALE 1:50

APPROVED PLAN

Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

RESOURCE CONSENT ISSUE

NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED SECTIONS

SCALE : 1:50 @ A2
DATE : 6/06/2023
PROJECT No: 9567

RC.B.13 rev B

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- INTRUSION THROUGH 8m ROLLING HEIGHT PLANE
- - - OUTLINE OF EXISTING BUILDINGS

KINGFISH LODGE

WHANGAROA HARBOUR

EXISTING BUILDINGS

PROJECT CONTROL GROUP

CLIENT - MIKE SULLIVAN

CONSULTANTS

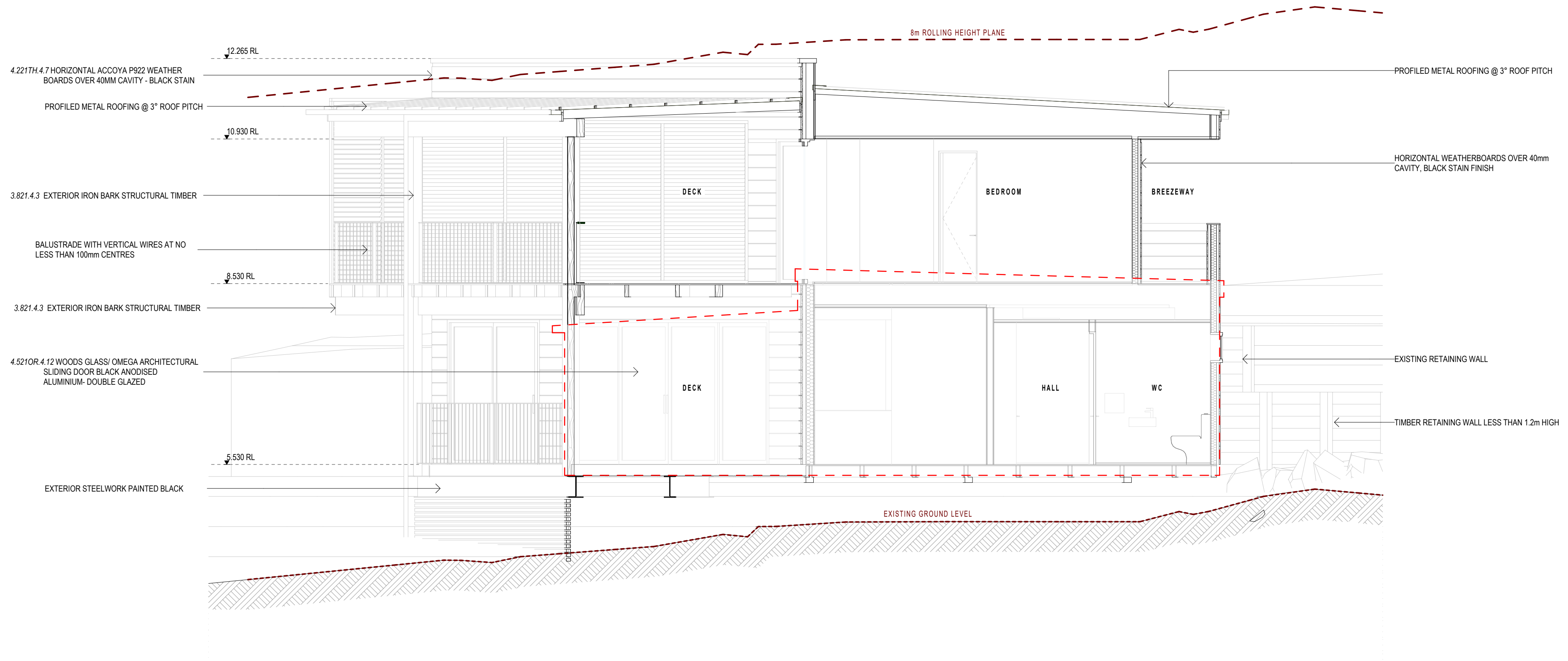
STRUCTURAL & CIVIL ENGINEER - DHG

CONTRACT TEAM

MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B



RC B | CROSS SECTION
SCALE 1:50

APPROVED PLAN

Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

RESOURCE CONSENT ISSUE
NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED SECTIONS

SCALE : 1:50 @ A2
DATE : 6/06/2023
PROJECT No: 9567

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- INTRUSION THROUGH 8m ROLLING HEIGHT PLANE
- OUTLINE OF EXISTING BUILDINGS

KINGFISH LODGE

WHANGAROA HARBOUR

EXISTING BUILDINGS

PROJECT CONTROL GROUP

CLIENT - MIKE SULLIVAN

CONSULTANTS

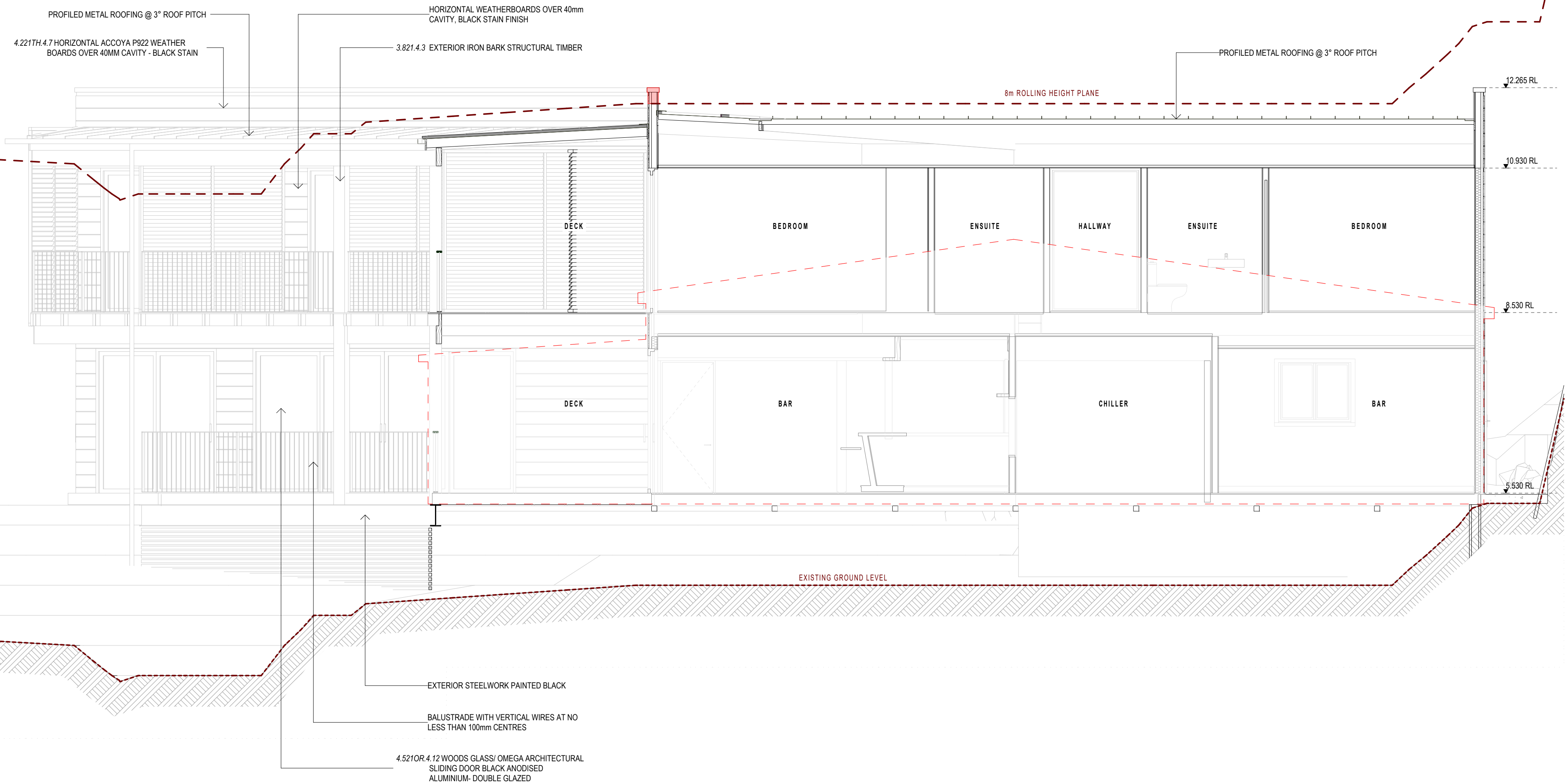
STRUCTURAL & CIVIL ENGINEER - DHG

CONTRACT TEAM

MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B



APPROVED PLAN

Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024

RESOURCE CONSENT ISSUE

NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

PROPOSED SECTIONS

SCALE : 1:50 @ A2
 DATE : 6/06/2023
 PROJECT No: 9567

RC C CROSS SECTION
SCALE 1:50

- INTRUSION THROUGH 8m ROLLING HEIGHT PLANE
- OUTLINE OF EXISTING BUILDINGS

RC.B.15 rev B

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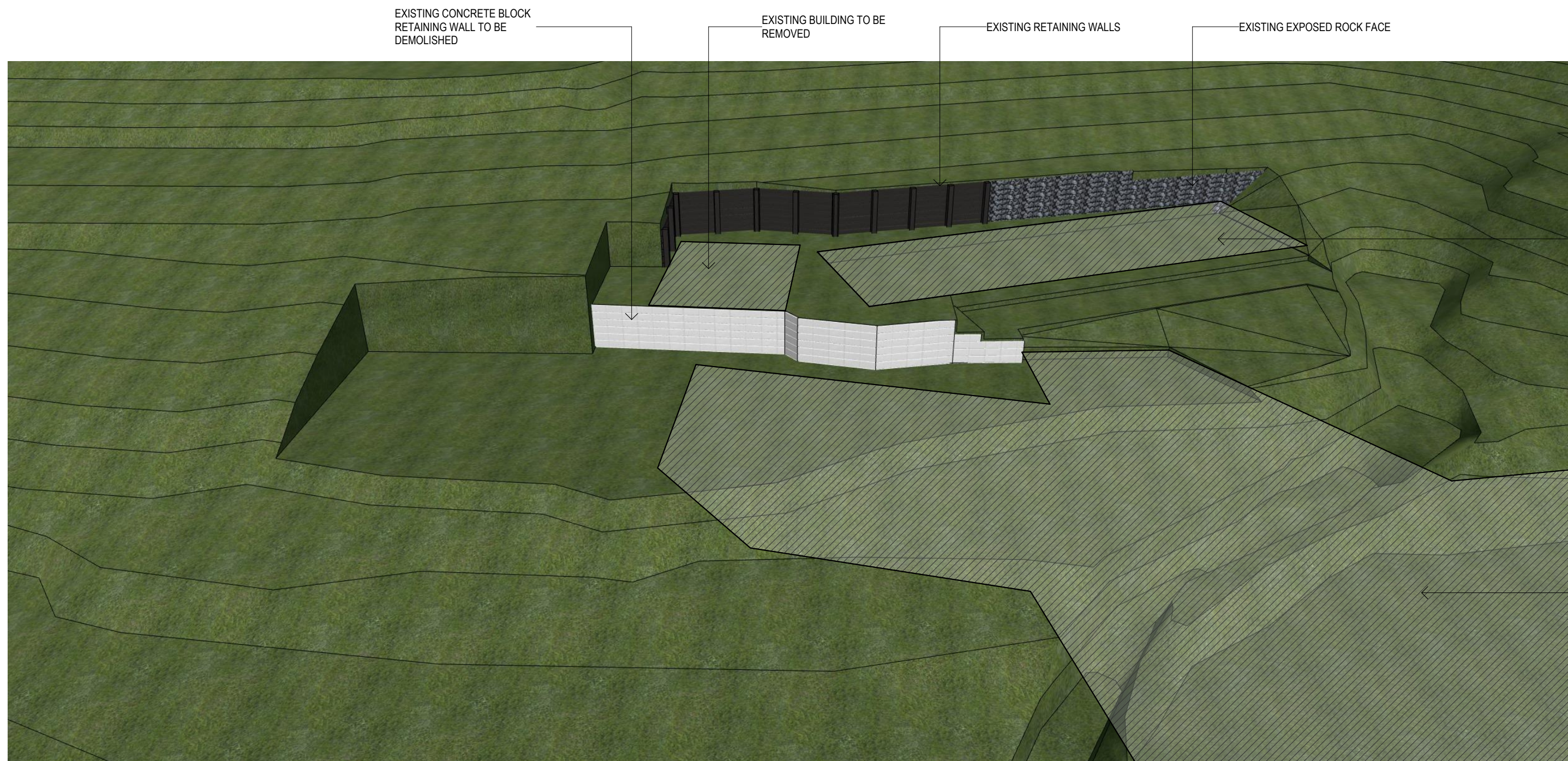
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

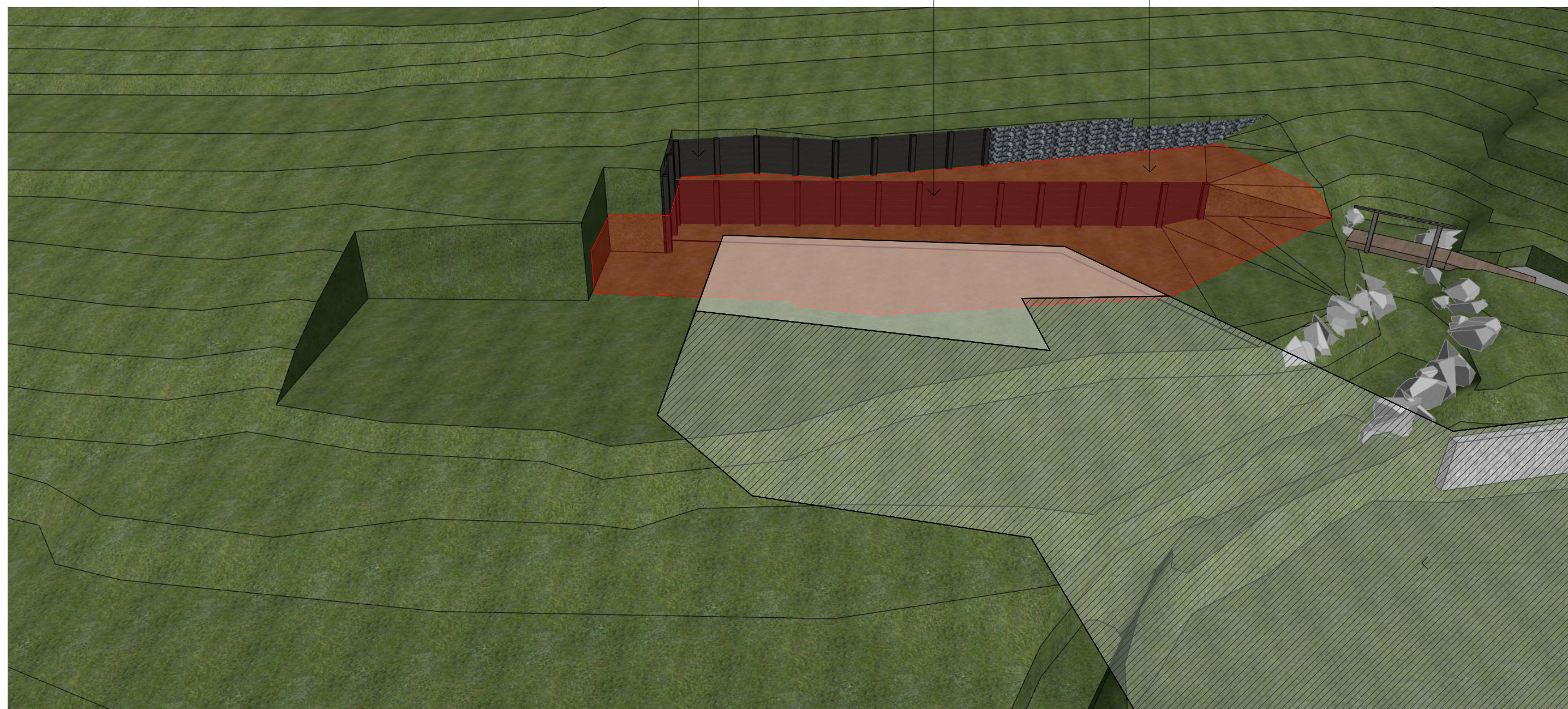
CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B






1 | EXISTING SITE CUT



2 | PROPOSED SITE CUT

LEGEND

-  EXTENT OF BUILDING FOOTPRINT
-  PROPOSED FOOTPRINT EXTENSION
-  PROPOSED SITE CUT

APPROVED PLAN
 Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024

RESOURCE CONSENT ISSUE
 NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

SITE CUT + FILL
 SCALE : @ A2
 DATE : 6/06/2023
 PROJECT No: 9567

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KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP

CLIENT - MIKE SULLIVAN

CONSULTANTS

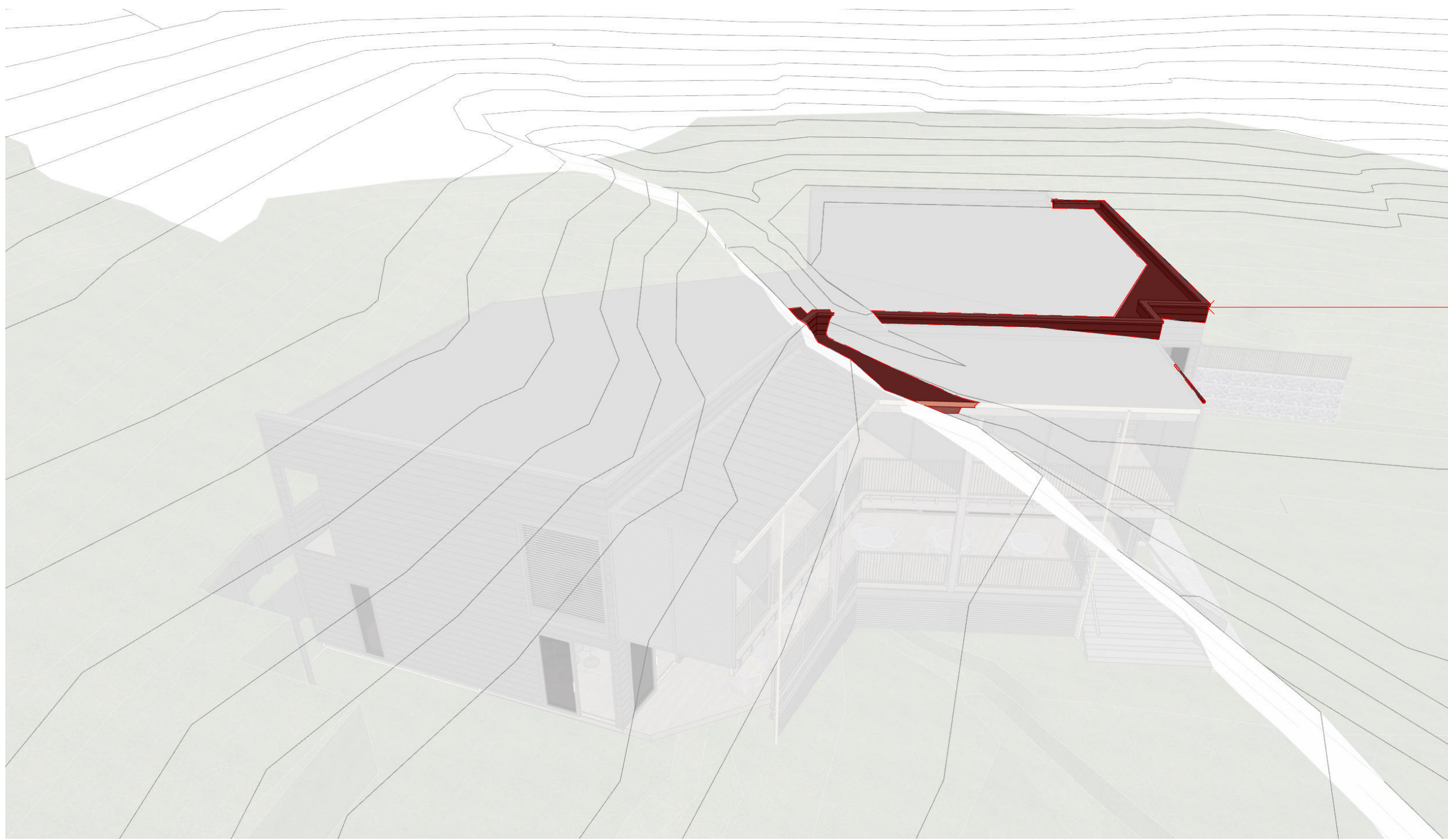
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM

MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

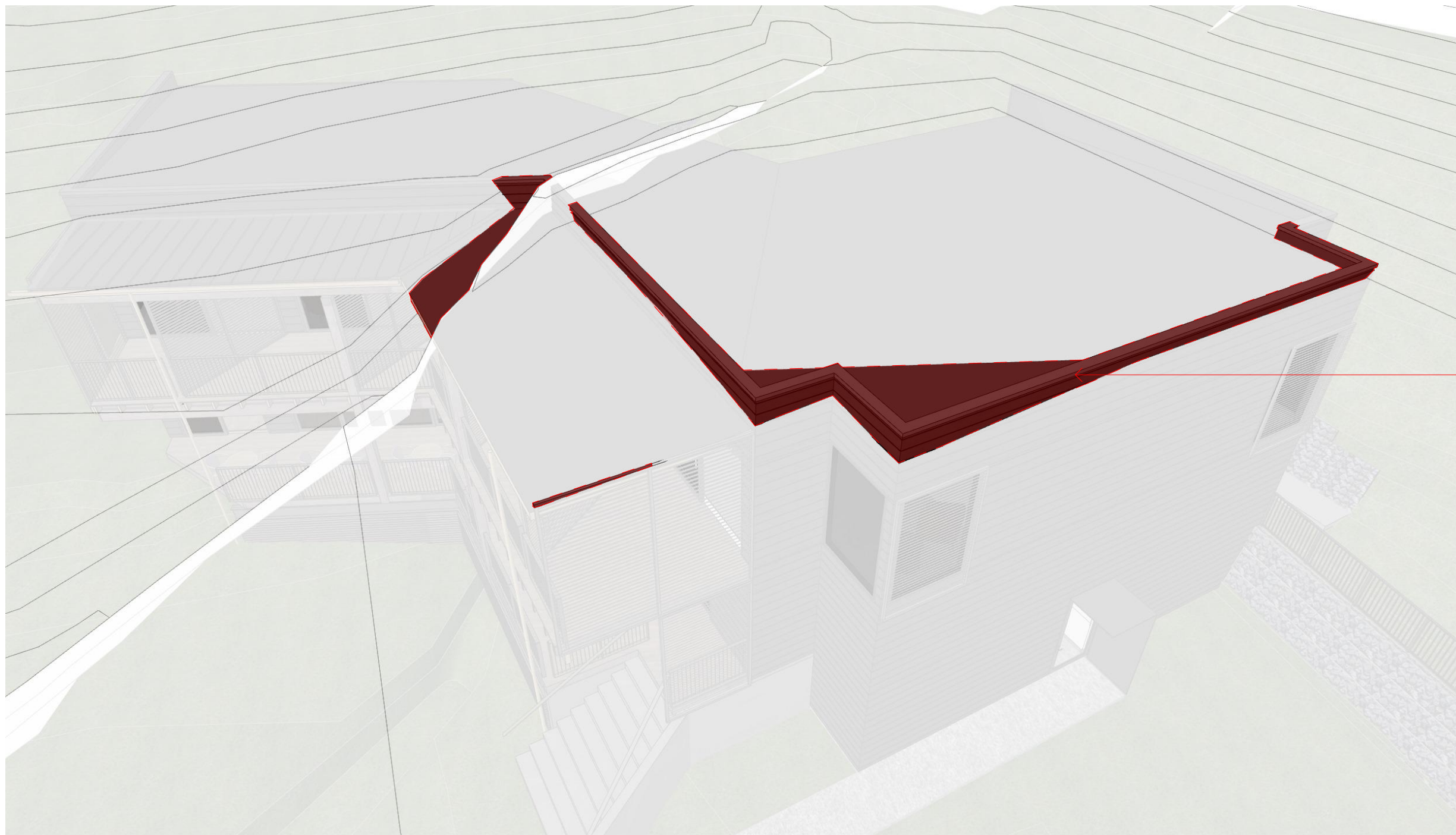
DETAILS

DETAILS	DATE	REV
FOR COORDINATION	17/02/2023	A
RESOURCE CONSENT ISSUE	06/06/2023	B



INTRUSION INTO 8m ROLLING HEIGHT PLANE

A | 8m ROLLING HEIGHT PLANE



INTRUSION INTO 8m ROLLING HEIGHT PLANE

B | 8m ROLLING HIEGHT PLANE

APPROVED PLAN

Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

**RESOURCE CONSENT
ISSUE**

NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

8m ROLLING HEIGHT PLANE

SCALE : @ A2

DATE : 6/06/2023

PROJECT No: 9567

RC.B.17 rev B

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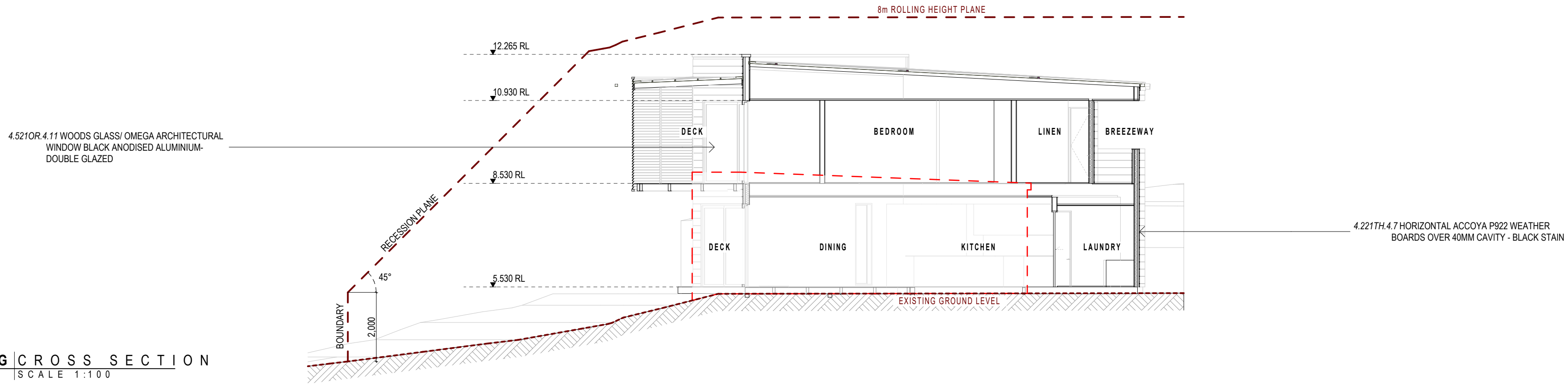
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

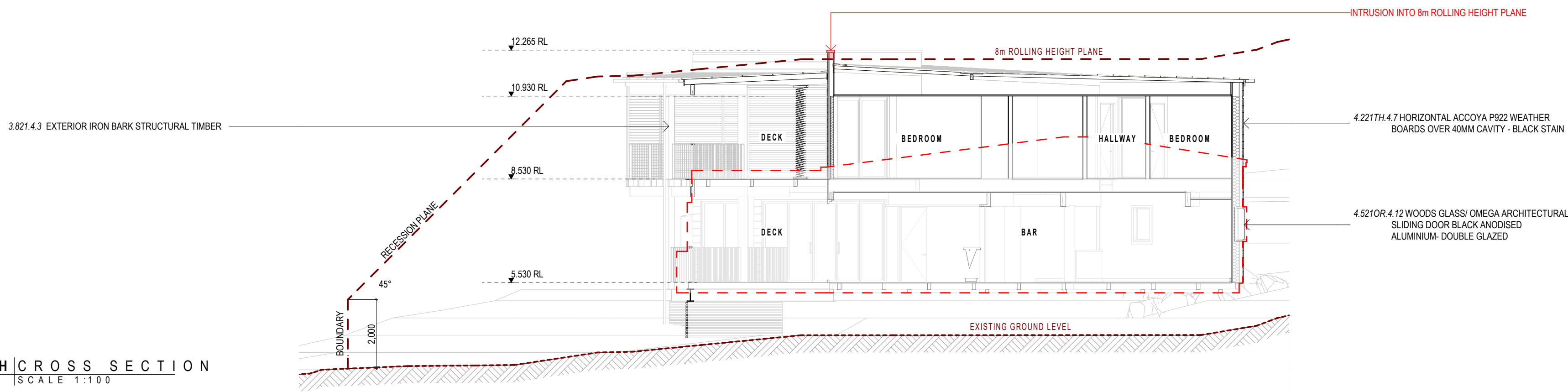
CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHG

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS DATE REV
RESOURCE CONSENT ISSUE 06/06/2023 A



RC G CROSS SECTION
SCALE 1:100



RC H CROSS SECTION
SCALE 1:100

APPROVED PLAN

Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

**RESOURCE CONSENT
ISSUE**
NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

**BOUNDARY/ RECESSION
PLANE STUDY**

SCALE : 1:100 @ A2
DATE : 6/06/2023
PROJECT No: 9567

RC.B.18 rev A

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KINGFISH LODGE
WHANGAROA HARBOUR
EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHG

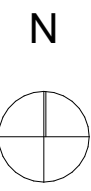
CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS **DATE** **REV**
RESOURCE CONSENT ISSUE 06/06/2023 A



LEGEND

- - - DIRTY WATER DIVERSION
- - - CLEAN WATER DIVERSION
- EXTENT OF BAR SEDIMENT (WITHIN SCOPE)
- DECANTING EARTH BUND



NOTE SITE AERIAL/ BOUNDARY INFORMATION SOURCED FROM KEITH SIMS FROM WILLIAMS & KING, KERIKERI - VON STORMERS SURVEY & PLANNING SOLUTIONS (2010) LTD. DATE RECIEVED: 21/04/2021

SEDIMENT CONTROL MEASURES

ALIGNMENTS SHOWN ARE INDICATIVE

PRINCIPLES TO FOLLOW:

- SEDIMENT CONTROL MEASURES TO MEET GD005 STANDARDS
- DIRTY WATER DIVERSION DRAINS ON THE LOW END AND AROUND THE SITE, DISCHARGING TO THE DECANTING EARTH BUND.
- CLEAN WATER DIVERSION DRAINS ON THE HIGH END OF THE SITE
- CLEARWATER BUNDS CONSTRUCTED UPSTREAM PRIOR TO SW RUNOFF REACHING DISTURBED AREAS
- DIRTY WATER BUND CONSTRUCTED AT THE BOTTOM OF DISTURBED AREAS
- DWBS TREAT DIRTY WATER WHISLT SLOWLY DISCHARGING

ALL EROSION AND SEDIMENT CONTROL STRUCTURES TO BE INSPECTED EACH WORKING DAY AND MAINTAINED IN GOOD WORKING ORDER

ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSTALLED PRIOR TO COMMENCEMENT OF MAJOR EARTHWORKS

STOCKPILES OF CLAY MATERIAL TO BE COVERED WITH IMPERVIOUS SHEET



SITE LOCATION PHOTO
SCALE : NTS

NOTE SITE SEDIMENT CONTROL MEASURES SHOWN INDICITIVELY ONLY

APPROVED PLAN

Planner: Trish Routley
pp: ENathan
RC: 2230579-RMALUC
Date: 29/05/2024

RESOURCE CONSENT ISSUE
NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

SEDIMENT CONTROL MEASURES

SCALE : @ A2
DATE : 6/06/2023
PROJECT No: 9567

RC.B.19 rev A

+MAP Architects (2016) Ltd.

131 Victoria Street p: +64 3 962 6530
PO Box 667 f: +64 3 962 6541
CHRISTCHURCH office@maparchitects.co.nz
New Zealand www.maparchitects.co.nz

DO NOT SCALE DRAWING. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO COMMENCING WORK

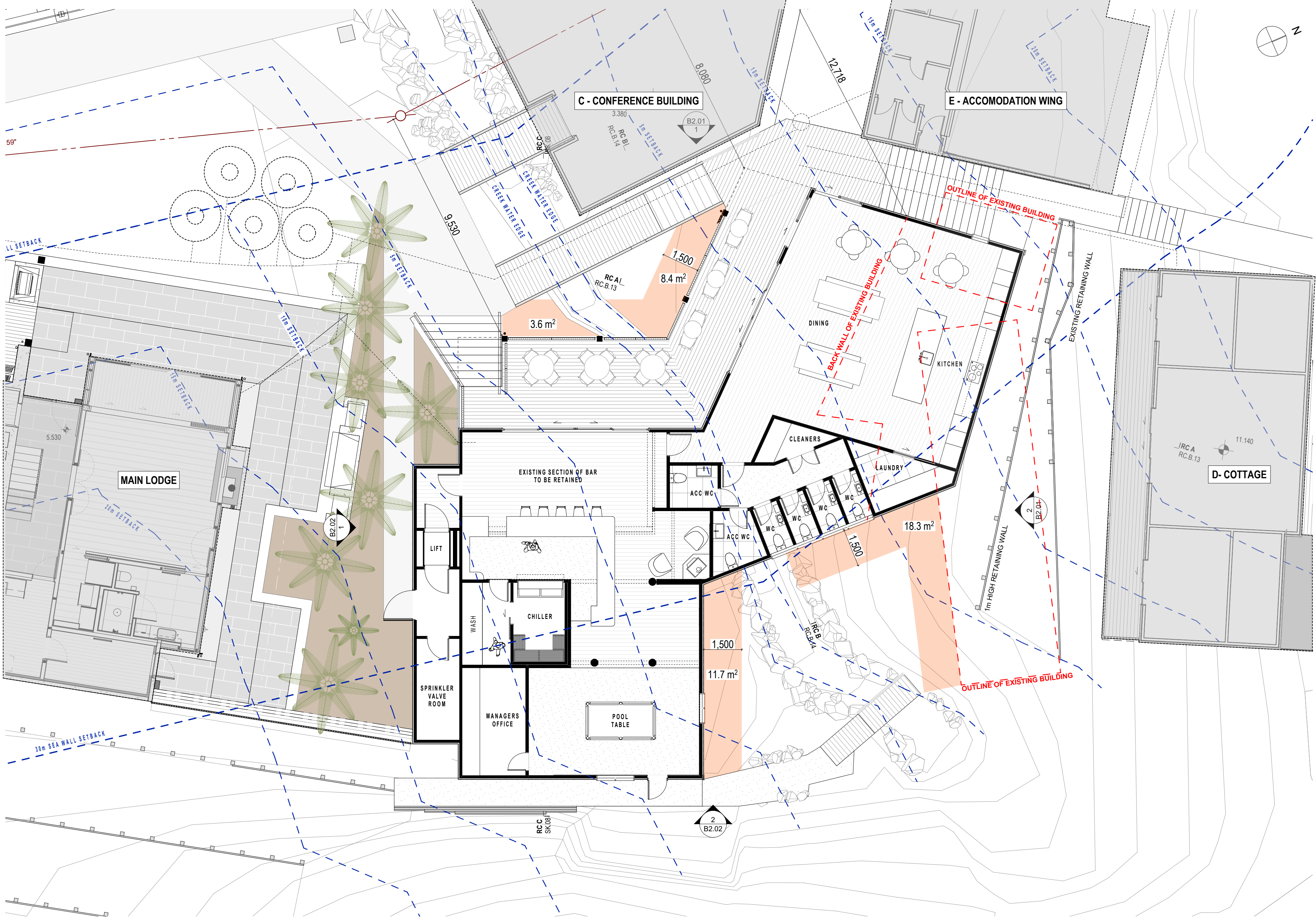
KINGFISH LODGE WHANGAROA HARBOUR EXISTING BUILDINGS

PROJECT CONTROL GROUP
CLIENT - MIKE SULLIVAN

CONSULTANTS
STRUCTURAL & CIVIL ENGINEER - DHC

CONTRACT TEAM
MAIN CONTRACTOR - CLEAR WATER CONSTRUCTION

DETAILS DATE REV
RESOURCE CONSENT ISSUE 06/06/2023 A



APPROVED PLAN
 Planner: Trish Routley
 pp: ENathan
 RC: 2230579-RMALUC
 Date: 29/05/2024

RESOURCE CONSENT ISSUE
 NOT TO BE USED UNTIL ENDORSED FOR BUILDING CONSENT

LANDSCAPING PLAN STUDY
 SCALE : 1:100, 1:500 @ A2
 DATE : 6/06/2023
 PROJECT No: 9567

RC.B.20 rev A

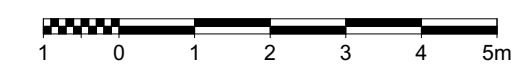
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DISTURBED LANDSCAPING PLAN STUDY
 SCALE 1:100

KEY
 42m² AREA CONSISTING OF DAMAGED OR DISTURBED LANDSCAPING DURING DEMOLITION OR CONSTRUCTION

LEGEND
 OUTLINE OF EXISTING BUILDINGS
 EXISTING BUILDINGS NOT IN SCOPE OF WORKS
 CREEK SETBACKS



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

Decision

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

Applicant:	Kingfish Lodge 2016 Limited
Council Reference:	2230579-RMALUC
Property Address:	Lot 1, Whangaroa Harbour, Kaeo 0478
Legal Description:	Lot 1 DP 198828 (RT 788895)

The activities to which this decision relates are listed below:

To upgrade bar/restaurant and add a second story with additional accommodation units in the General Coastal Zone breaching 10.6.5.1.1 Visual Amenity, 10.6.5.1.3 Scale of Activities, 10.6.5.1.4 Building Height, 10.6.5.1.7 Setback from boundaries, 12.2.6.1.3 Indigenous Vegetation Clearance in the General Coastal Zone, 12.7.6.1.1 Setback from Lakes, Rivers and the Coastal Marine Area, 12.7.6.1.2 Setback from Smaller Lakes, Rivers and Wetlands, 12.7.6.1.4 Land Use activities involving Discharges of Human Sewage Effluent; and 15.1.6B Parking as a Discretionary Activity under the Operative District Plan.

Removal of indigenous vegetation in an area not yet identified as a Significant Natural Area in breach of IB-R4 of the Proposed District Plan

Conditions

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

1. The activity shall be carried out in general accordance with the approved plans prepared by +Map Architects (2016) Ltd dated 06/06/2023, and attached to this consent with the Council's "Approved Stamp" affixed to them:

P ARCHITECTURAL DRAWING REGISTER

SHEET	DESCRIPTION	SCALE(S)	REV	DATE ISSUED
RC.B.01	TITLE	1:1, 1:2.65	B	06/06/2023
RC.B.02	SITE LOCATION MAP		B	06/06/2023
RC.B.03	SITE SURVEY	1:300	B	06/06/2023
RC.B.04	SITE PLAN	1:200, 1:500	B	06/06/2023
RC.B.05	PROPOSED SITE RETAINING PLAN	1:100, 1:500	B	06/06/2023
RC.B.06	EXISTING GROUND FLOOR PLAN	1:500, 1:100	B	06/06/2023
RC.B.07	EXISTING ROOF PLAN	1:100, 1:500	B	06/06/2023
RC.B.08	PROPOSED GROUND FLOOR PLAN	1:100, 1:500	B	06/06/2023
RC.B.09	PROPOSED FIRST FLOOR PLAN	1:100, 1:500	B	06/06/2023
RC.B.10	PROPOSED ROOF PLAN	1:100, 1:500	B	06/06/2023
RC.B.11	PROPOSED ELEVATIONS	1:100	B	06/06/2023
RC.B.12	PROPOSED ELEVATIONS	1:100	B	06/06/2023
RC.B.13	PROPOSED SECTIONS	1:50	B	06/06/2023
RC.B.14	PROPOSED SECTIONS	1:50	B	06/06/2023
RC.B.15	PROPOSED SECTIONS	1:50	B	06/06/2023
RC.B.16	SITE CUT + FILL		B	06/06/2023
RC.B.17	8m ROLLING HEIGHT PLANE		B	06/06/2023
RC.B.18	BOUNDARY/ RECESSION PLANE STUDY	1:100	A	06/06/2023
RC.B.19	SEDIMENT CONTROL MEASURES		A	06/06/2023
RC.B.20	LANDSCAPING PLAN STUDY	1:100, 1:500	A	06/06/2023

2. Prior to occupation of the new building, the consent holder shall ensure that the treatment and disposal system is upgraded generally in accordance with the recommendations contained within Proposed Wastewater Management System Upgrade prepared by Ecogent dated 31 May 2023 (ref: ECO1141-07D).

Advice Note: The consent holder shall provide evidence that consent has been obtained from Northland Regional Council to address land use activity that increases the wastewater discharge volume, requiring a variation to APP.005424.03.06.

3. All earthworks shall be undertaken in accordance with the Erosion and Sediment Control Plan prepared by Geologix dated March 2023 (ref: C0226-ESCP-R01).
4. A Chartered Professional Engineer with an intimate understanding of the approved documents shall determine the level of construction monitoring (CM1-CM5) required and shall ensure that the construction work is in accordance with FNDC Engineering Standards and the approved plans.
5. Upon completion of the works, provide certification of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans and provide a producer statement (PS4).

6. Prior to commencing any physical site works, a construction management plan shall be submitted to and approved by the Council. The plan shall contain information on, and site management procedures, for the following:
 - i. The timing of construction works, including hours of work, key project and site management personnel.
 - ii. The transportation of construction materials from and to the site.
 - iii. The excavation and filling works, including any retaining structures, to be prepared by a Chartered Professional Engineer with suitable geotechnical qualifications and expertise.
 - iv. Control of dust and noise on-site and any necessary avoidance or remedial measures.
 - v. Publicity measures and safety measures, including signage, to inform adjacent landowners and occupiers.
7. The exterior of all new buildings shall have a reflectivity value (RV) in exterior finishings of less than 30%.
8. All exterior glazing on new buildings or extensions shall be non-reflective.
9. The consent holder shall retain the mature foreground indigenous vegetation described on page 12 of the landscape report by Hawthorn dated 13 June 2023.
10. The consent holder shall implement landscape mitigation planting within the first planting season following the issue of a Code Compliance Certificate in accordance with the landscape plan in Appendix 3 of the landscape report by Hawthorn dated 13 June 2023.
11. The consent holder shall provide evidence in the form of a design statement from a suitably qualified landscape architect confirming compliance with Conditions 7 to 10 in respect of exterior finishing and landscaping on completion of the construction works and planting works.
12. Prior to commencement of construction works, the consent holder shall submit to Council a copy of the completed cultural impact assessment by Te Rūnanga o Whaingaroa.
13. Prior to commencement of construction works, the consent holder shall contact Te Rūnanga o Whaingaroa to arrange for a pre-construction meeting to be held on site.
14. Pursuant to Section 128 of the Resource Management Act 1991 the consent authority may serve notice of its intention to review the conditions of this consent for the purposes of including any additional conditions relevant to the proposal identified in the cultural impact assessment approved under Condition 12 within one year of the date of decision.

Advice Notes

Lapsing of Consent

1. *Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;*
 - a) *The consent is given effect to; or*

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

Right of Objection

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

Archaeological Sites

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

Consent Relationship

4. *The consent holder shall have regard to the conditions of related consent RC 2200355.*

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - a) The lodge extensions will be consistent with the coastal character of the site and surrounding area.
 - b) The lodge extensions are designed subject to landscape and design controls, meaning there will be less than minor effects on the landscape from built form.
 - c) Construction effects will be managed appropriately to prevent effects on receiving environments.
 - d) The lodge extensions will be provided with appropriate on-site servicing for water, wastewater and stormwater.
 - e) Effects on archaeology and cultural values will be appropriately managed.
 - f) Existing vehicle access arrangements via boat with parking available at a leased site in Whangaroa are considered adequate.
 - g) The proposal will also result in positive effects, including the economic and social well-being of the applicants.

4. In regard to section 104(1)(ab) of the Act there are offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity in the form of additional indigenous landscape planting.

5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:

a) The Northland Regional Policy Statement 2016

The Northland Regional Policy Statement is relevant to this proposal, in particular the following objectives:

- Objective 3.2 Region-Wide Water Quality
- Objective 3.4 Indigenous Ecosystem and Biodiversity
- Objective 3.11 Regional Form
- Objective 3.14 Natural Character, Outstanding Natural Features, Outstanding Natural Landscapes and Historic Heritage

The proposal enables development of an existing historic lodge within a coastal site with high landscape value. The lodge extensions will not be obtrusive within the landscape, earthworks will be appropriately managed, and wastewater and stormwater services will contain discharges within the site. Limited indigenous vegetation clearance is required and planting will be implemented to soften the appearance of the building and enhance biodiversity. The proposal is therefore consistent with the RPS.

b) Regional plans (including proposed Regional Plan)

Resource consent is not required under regional planning instruments, however a variation to an existing Northland Regional Council consent is required.

c) New Zealand Coastal Policy Statement 2010

The proposal is consistent with the Coastal Policy Statement as it will retain natural character and landscape values while allowing for expansion of a lawfully established lodge development.

d) National Policy Statement for Freshwater 2020

There is a stream on site which the lodge extensions will adjoin. Earthworks around the stream will be subject to erosion and sediment controls, and the lodge will be provided with appropriate stormwater and wastewater infrastructure.

e) National Policy Statement for Highly Productive Land 2022

The site is not classified as 'highly productive land' (under 3.5(7) of the NPS as the soil type under Our Environment land use capability mapping is not Class 1 to 3, and therefore direction provided by the NPS HPL does not apply to the land zoned Rural Production.

f) National Environmental Standards (Air/ NESCS/ Forestry/Freshwater)

The construction works will not affect natural wetland areas on site or within the surrounding area.

The site is not a HAIL site.

g) District Plans

The following objectives and policies of the Proposed District Plan have been considered:

Ecosystems and indigenous biodiversity

IB-O2

Indigenous biodiversity is managed to maintain its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities.

IB-O5

Restoration and enhancement of indigenous biodiversity is promoted and enabled.

IB-P7

Encourage and support active management of pest plants and pest animals.

IB-P8

Promote the protection of species that are endemic to Northland by eco-sourcing plants from within the ecological district.

IB-P9

Require landowners to manage pets and pest species, including dogs, cats, possums, rats and mustelids, to avoid risks to threatened indigenous species, including avoiding the introduction of pets and pest species into kiwi present or high-density kiwi areas.

IB-P10

Manage land use and subdivision to address the effects of the activity requiring resource consent for indigenous vegetation clearance and associated land disturbance, including (but not limited to) consideration of the following matters where relevant to the application:

- a. the temporary or permanent nature of any adverse effects;*
- b. cumulative effects of activities that may result in loss or degradation of habitats, species populations and ecosystems;*
- c. the extent of any vegetation removal and associated land disturbance;*
- d. the effects of fragmentation;*
- e. linkages between indigenous ecosystems and habitats of indigenous species;*
- f. the potential for increased threats from pest plants and animals;*
- g. any downstream adverse effects on waterbodies and the coastal marine area;*
- h. where the area has been mapped or assessed as a Significant Natural Areas:*
- i. the extent to which the proposal will adversely affect the ecological significance, values and function of that area;*
- j. whether it is appropriate or practicable to use biodiversity offsets or environmental biodiversity compensation to address more than minor residual adverse effects;*
- k. the location, scale and design of any proposed development;*

- l. the extent of indigenous vegetation cover on the site and whether it is practicable to avoid or reduce the extent of indigenous vegetation clearance;*
- m. the functional or operational needs of regionally significant infrastructure;*
- n. any positive contribution any proposed biodiversity offsets or environmental biodiversity compensation will have on indigenous biodiversity; and*
- o. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

Coastal

CE-O2

Land use and subdivision in the coastal environment:

- a. preserves the characteristics and qualities of the natural character of the coastal environment;*
- b. is consistent with the surrounding land use;*
- c. does not result in urban sprawl occurring outside of urban zones;*
- d. promotes restoration and enhancement of the natural character of the coastal environment; and*
- e. recognises tangata whenua needs for ancestral use of whenua Māori.*

CE-O3

Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.

CE-P3

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:

- a. outstanding natural character;*
- b. ONL;*
- c. ONF.*

CE-P10

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:

- a. the presence or absence of buildings, structures or infrastructure;*
- b. the temporary or permanent nature of any adverse effects;*
- c. the location, scale and design of any proposed development;*
- d. any means of integrating the building, structure or activity;*
- e. the ability of the environment to absorb change;*
- f. the need for and location of earthworks or vegetation clearance;*
- g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;*
- h. any viable alternative locations for the activity or development;*
- i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;*
- j. the likelihood of the activity exacerbating natural hazards;*
- k. the opportunity to enhance public access and recreation;*
- l. the ability to improve the overall quality of coastal waters; and*
- m. any positive contribution the development has on the characteristics and qualities.*

Rural Production

RPROZ-03

Land use and subdivision in the Rural Production zone:

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

RPROZ-04

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

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.*

Natural Features and Landscapes:

NFL-02

Land use and subdivision in ONL and ONF is consistent with and does not compromise the characteristics and qualities of that landscape or feature.

NFL-P2

Avoid adverse effects of land use and subdivision on the characteristics and qualities of ONL and ONF within the coastal environment.

NFL-P8

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

- a. the presence or absence of buildings, structures or infrastructure;*
- b. the temporary or permanent nature of any adverse effects;*
- c. the location, scale and design of any proposed development;*
- d. any means of Integrating the building, structure or activity;*
- e. the ability of the environment to absorb change;*
- f. the need for and location of earthworks or vegetation clearance;*
- g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;*

- h. any viable alternative locations for the activity or development outside the landscape or feature;*
- i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;*
- j. the characteristics and qualities of the landscape or feature;*
- k. the physical and visual integrity of the landscape or feature;*
- l. the natural landform and processes of the location; and*
- m. any positive contribution the development has on the characteristics and qualities.*

The following objectives and policies of the Operative District Plan have been considered:

10 COASTAL ENVIRONMENT

10.3.1 To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.

10.3.2 To preserve and, where appropriate in relation to other objectives, to restore, rehabilitate protect, or enhance:

- (a) the natural character of the coastline and coastal environment;*
- (b) areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (c) outstanding landscapes and natural features;*
- (d) the open space and amenity values of the coastal environment;*
- (e) water quality and soil conservation (insofar as it is within the jurisdiction of the Council).*

10.4.8 That development avoids, remedies or mitigates adverse effects on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

10.4.10 To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.

10.4.11 To promote land use practices that minimise erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the coastal marine area.

10.6 GENERAL COASTAL

10.6.3.1 To provide for appropriate subdivision, use and development consistent with the need to preserve its natural character.

10.6.4.2 That the visual and landscape qualities of the coastal environment in be protected from inappropriate subdivision, use and development.

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:

- (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;*
- (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;*
- (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;*
- (d) through siting of buildings and development, design of subdivisions and provision of access, that recognise and provide for the relationship of Maori with their culture, traditions and taonga*

including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District. (Refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives (2004)";
(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;
(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

12.1 LANDSCAPES AND NATURAL FEATURES

12.1.3.1 To protect outstanding landscapes and natural features from inappropriate, subdivision use and development.

12.1.3.2 To protect the scientific and amenity values of outstanding natural features.

12.1.3.4 To avoid adverse effects and to encourage positive effects resulting from land use, subdivision or development in outstanding landscapes and natural features and Maori cultural values associated with landscapes.

12.1.4.2 That activities avoid, remedy or mitigate significant adverse effects on both the natural and the cultural values and elements which make up the distinctive character of outstanding natural features and landscapes.

12.1.4.3 That the cumulative effect of changes to the character of Outstanding Landscapes be taken into account in assessing applications for resource consent.

12.1.4.4 That the visibility of Outstanding Landscape Features, when viewed from public places, be taken into account in assessing applications for resource consent.

12.1.4.5 That the adverse visual effect of built development on outstanding landscapes and ridgelines be avoided, remedied or mitigated.

12.1.4.6 That activities avoid or mitigate adverse effects on the scientific and amenity values associated with outstanding natural features.

12.1.4.10 That landscape values be protected by encouraging development that takes in account:

(a) the rarity or value of the landscape and/or landscape features;

(b) the visibility of the development;

(c) important views as seen from public vantage points on a public road, public reserve, the foreshore and the coastal marine area;

(d) the desirability of avoiding adverse effects on the elements that contribute to the distinctive character of the coastal landscapes, especially outstanding landscapes and natural features, ridges and headlands or those features that have significant amenity value;

(e) the contribution of natural patterns, composition and extensive cover of indigenous vegetation to landscape values;

(f) Maori cultural values associated with landscapes; (g) the importance of the activity in enabling people and communities to provide for their social, economic and cultural well-being

12.2 INDIGENOUS FLORA AND FAUNA

12.2.3.1 To maintain and enhance the life supporting capacity of ecosystems and the extent and representativeness of the District's indigenous biological diversity.

12.2.4.4 That clearance of limited areas of indigenous vegetation is provided for.

12.2.4.5 That the contribution of areas of indigenous vegetation and habitats of indigenous fauna to the overall biodiversity and amenity of the District be taken into account in evaluating applications for resource consents.

12.7 LAKES, RIVERS, WETLANDS AND THE COASTLINE

12.7.3.1 To avoid, remedy or mitigate the adverse effects of subdivision, use and development on riparian margins.

12.7.3.5 To avoid the adverse effects from inappropriate use and development of the margins of lakes, rivers, indigenous wetlands and the coastline.

12.7.4.1 That the effects of activities which will be generated by new structures on or adjacent to the surface of lakes, rivers and coastal margins be taken into account when assessing applications.

12.7.4.3 That adverse effects of land use activities on the natural character and functioning of riparian margins and indigenous wetlands be avoided.

12.7.4.5 That activities which have a functional relationship with waterbodies or the coastal marine area be provided for.

15.1 TRAFFIC, PARKING AND ACCESS

15.1.3.2 To provide sufficient parking spaces to meet seasonal demand in tourist destinations.

15.1.4.1 That the traffic effects of activities be evaluated in making decisions on resource consent applications.

15.1.4.3 That parking spaces be provided at a location and scale which enables the efficient use of parking spaces and handling of traffic generation by the adjacent roading network.

The application is supported by a landscape report by Hawthorn in respect of the lodge extensions, and a landscape plan for mitigation using indigenous planting. The report assesses the effects of the lodge on the coastal environment and outstanding natural landscapes and features, concluding that overall effects on landscape values and coastal character would be low or less than minor.

The proposed earthworks are considered consistent with both versions of the District Plan as they are minimal and will be subject to silt and sediment controls and construction management to protect the coastal receiving environment, and on completion will be walled, sealed or built upon, limiting visual effects to a temporary duration. No archaeological sites will be affected, and the Accidental Discovery Protocol will apply.

The applicant has consulted with Te Rūnanga O Whaingaroa and support has been gained for the proposal subject to agreed conditions of consent.

The lodge will be provided with appropriate on-site infrastructure for wastewater, stormwater and water supply. The lodge will not be at risk of coastal or flood hazards, neither will it exacerbate existing hazards.

Parking is provided off-site in Whangaroa as the lodge is only accessed via boat, and sufficient parking is provided at this location.

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

6. In regard to section 104(1)(c) of the Act there are no other matters relevant and reasonably necessary to determine the application

7. Based on the assessment above the activity will be consistent with Part 2 of the Act.

The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.

8. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Katrina Roos, Associate Principal Planner, Boffa Miskell. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



Name: Pat Killalea

Date: 29th May 2024

Title: Independent Commissioner



15.10.2024

**Appendix 1
Location Map
Accommodation Wing**
Kingfish Lodge
Whangaroa Harbour

Scale	Drawn By
1:500 @ A3	Cad Design
Drawing #	Rev #
1.0	A

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2. Contractors shall verify and be responsible for all dimensions on site.
3. Do not scale off this drawing.
4. Landscape Architect to be notified of any variations between on site dimensions and those shown on the plan. Hawthorn Landscape Architects accepts no liability for unauthorised changes to the details changes to the details shown in these drawings.
5. All construction work based on these plans is to comply with relevant local authority regulations and all NZ building codes and standards.



Water viewpoints

③ Viewpoints 1 - 6



15.10.2024	
Appendix 1 Water Viewpoints Viewpoint Location Map	
Accommodation Wing Kingfish Lodge Whangaroa Harbour	
Scale	Drawn By
1:1600 @ A3	Cad Design
Drawing #	Rev #
1.1	A

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5. All construction work based on these plans is to comply with relevant local authority regulations and all NZ building codes and standards.



Land based off site viewpoints



Accommodation Wing
Kingfish Lodge



15.10.2024

Appendix 1
Land based off site viewpoints
Viewpoint Location Map

Accommodation Wing
Kingfish Lodge
Whangaroa Harbour

Scale	Drawn By
1:750 @ A3	Cad Design
Drawing #	Rev #
1.2	A

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 4. All construction work based on these plans is to comply with relevant local authority regulations and all NZ building codes and standards.

0 10 35 60 m