Te Kaunihera o Te Hiku o te Ika
Far North District Council

Office Use Only
Application Number:

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)
- ◯ Discharge
- ✔ Change of Consent Notice (s.221(3))
- ◯ Extension of time (s.125)
- ◯ Other (please specify) _____

** 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?	Ngāti Rēhia, Te Whiu Hapū, Ngāti Torehina ki Matakā, Matoa Whenua Trustees
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: David & Julia Nute

Email: [redacted]

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: Williams & King, Attention: Natalie Watson

Email: [redacted]

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: As per applicant details.

Property Address/ Location:

Postcode

8. Application Site Details

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

Name/s:

Site Address/ Location:

128 Te Kowhai Point Road
RD1
Kerikeri
Postcode 0294

Legal Description: Lot 2 DP 205281 **Val Number:** 00213-41603

Certificate of title: NA132C/342

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

Site visit requirements:

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

Is there a dog on the property? ☑ Yes ○ No

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

Please phone David or Julia Nute on 0275225817.

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 subdivision to create three additional lots in the General Coastal Zone, earthworks to form access to the boundary of each lot, cancellation of consent notice (to be replaced with a new suite of consent notice conditions), and esplanade waiver request. See attached report for further detail.

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** Enter BC ref # here (if known)
- ◯ **Regional Council Consent (ref # if known)** Ref # here (if known)
- ◯ **National Environmental Standard consent** Consent here (if known)
- ◯ **Other (please specify)** Specify 'other' here

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**
- ◯ **Changing the use of a piece of land**
- ✔ **Disturbing, removing or sampling soil**
- ◯ **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) David & Julia Nute

Email: [redacted]

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) J.A. NUTE

Signature:
(signature of bill payer) [redacted]

Date 18/12/24

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) Natalie Watson

Signature: [redacted] Date 19. 12. 2024

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.

David & Julia Nute

Proposed Subdivision, Earthworks, Esplanade Waiver & Consent Notice Cancellation

128 Te Kowhai Point Road, Kerikeri

Williams & King, Kerikeri[1]
19 December 2024

[1] Williams & King - a Division of Survey & Planning Solutions (2010) Ltd
Surveyors, Planners, Resource Managers - Kerikeri and Kaitaia
PO Box 937 Kerikeri Phone (09) 407 6030 Email: nat@saps.co.nz

1.0 Overview

David and Julia Nute propose to subdivide their property, legally described as Lot 2 DP 205281 and held in Record of Title NA132C/342, to create three additional Records of Title, resulting in a managed change to the property whilst avoiding and mitigating adverse environmental effects, and creating positive ecological effects. The site is located at 128 Te Kowhai Point Road, Kerikeri.

Lot 1 contains the existing built development used for residential and rural lifestyle purposes, with existing access formed from an appurtenant Right of Way extension off the end of Te Kowhai Point Road legal road reserve. Lots 2, 3 and 4 are vacant rural lifestyle sites with areas of 3.7667ha, 3.6683ha, and 3.4774ha respectively. A new vehicle crossing will be formed from the end of the public part of Te Kowhai Point Road to serve Lots 2 – 3, and shared private access will be completed via Rights of Way to the boundary of each of these lots. The earthworks necessary to form this is incorporated into the proposal. Part of the shared private access will use an existing accessway formation that has been built at the top of a dam embankment.

The proposal will formally protect wetland areas and revegetated margins via covenant areas and consent notice conditions. Other ecological benefits are proposed, including a formalised pest and weed management plan, additional revegetation planting and a ban on the keeping of cats and dogs with a “grandparent” clause allowance for existing pets. The existing consent notice, which required continued compliance with an approved planting plan and programme, will be cancelled and replaced with a new suite of consent notice conditions, requiring formal protection of wetland and revegetation areas, together with pest and weed management. This is considered to be a positive outcome, which will provide clarify for future compliance and monitoring.

Additional planting for mitigation of potential adverse visual effects is proposed, together with further consent notice conditions for the purpose of avoiding and mitigating potential adverse effects arising from the development of Lots 2 – 4 in terms of engineering site suitability matters and landscape, visual and amenity effects.

Lot 4 includes sections of a modified watercourse that has been altered by way of damming of gullies to form ponds, and damming caused by the Te Kowhai Point Road formation. The modified watercourse is now more than 3m in areas, and a waiver to the requirement to provide an esplanade reserve is being sought as part of the application. Protective covenants are proposed, and revegetation planting exists in the relevant areas.

The subject site is zoned General Coastal in the Operative Far North District Plan, and the proposed subdivision is a non-complying activity.

Under the Proposed Far North District Plan, the site is zoned Rural Production. There are no relevant rules with legal effect under the Proposed District Plan at this time.

This assessment accompanies the Resource Consent application made by the Applicant and is provided in accordance with Schedule 4 of the Resource Management Act 1991. It is intended to provide the necessary information, in sufficient detail, to provide an understanding of the proposal and any actual or potential effects the proposed activity may have on the environment. The assessment incorporates the findings of the following specialist reports:

- Vision Consulting Engineers Site Suitability Report ‘Proposed Subdivision of 128 Te Kowhai Point Road’, dated 6/11/2024, Reference J15729.
- Bay Ecological Consultancy Ltd Ecological Impact Assessment, dated 10/12/2024, Reference ‘Proposed Subdivision Lot 2 DP 205281 128 Te Kowhai Point Rd Kerikeri’.
- Simon Cocker Landscape Architecture Landscape Assessment dated 18 December 2024, Reference 24061_01.

2.0 Description of Proposal

2.1 Subdivision Layout and Lot Sizes

The purpose of the proposal is to subdivide the subject land to create three additional Records of Title. Lot 1 contains the existing built development within an area of 4.8788ha, while Lots 2, 3 and 4 are vacant allotments with areas of 3.7667ha, 3.6683ha and 3.4774ha respectively. A summary of the proposed lots is provided in **Table 1** below.

Table 1: Summary of Proposed Lots

Lot Description	Area (Subject to Survey)	Existing / Proposed Use
Lot 1	4.8788ha	Existing rural lifestyle development
Lot 2	3.7667ha	Vacant rural lifestyle site
Lot 3	3.6683ha	Vacant rural lifestyle site
Lot 4	3.4774ha	Vacant rural lifestyle site

Easements 'O' over Lot 4, and 'M' and 'N' over Lot 3, provide shared access for a length of approximately 500m for Lots 2, 3 and 4. These easements will also provide the right to convey water, electricity and telecommunications. No other easements are required to be subject to Section 243(a) of the Resource Management Act 1991.

Proposed easements are shown as 'H' and 'M' over Lot 3 as pedestrian right of way easements. The purpose of these is to allow pedestrian access around the perimeter of the central dam for each of the benefitted lots (Lots 1, 2 and 4). These easements do not need to be conditional easements.

Refer to the Scheme Plan in **Appendix 1** and **Figure 1** below**.** All areas and dimensions are subject to final survey. The Scheme Plan uses a recent drone photograph image as its background so is a current depiction of existing buildings and features.

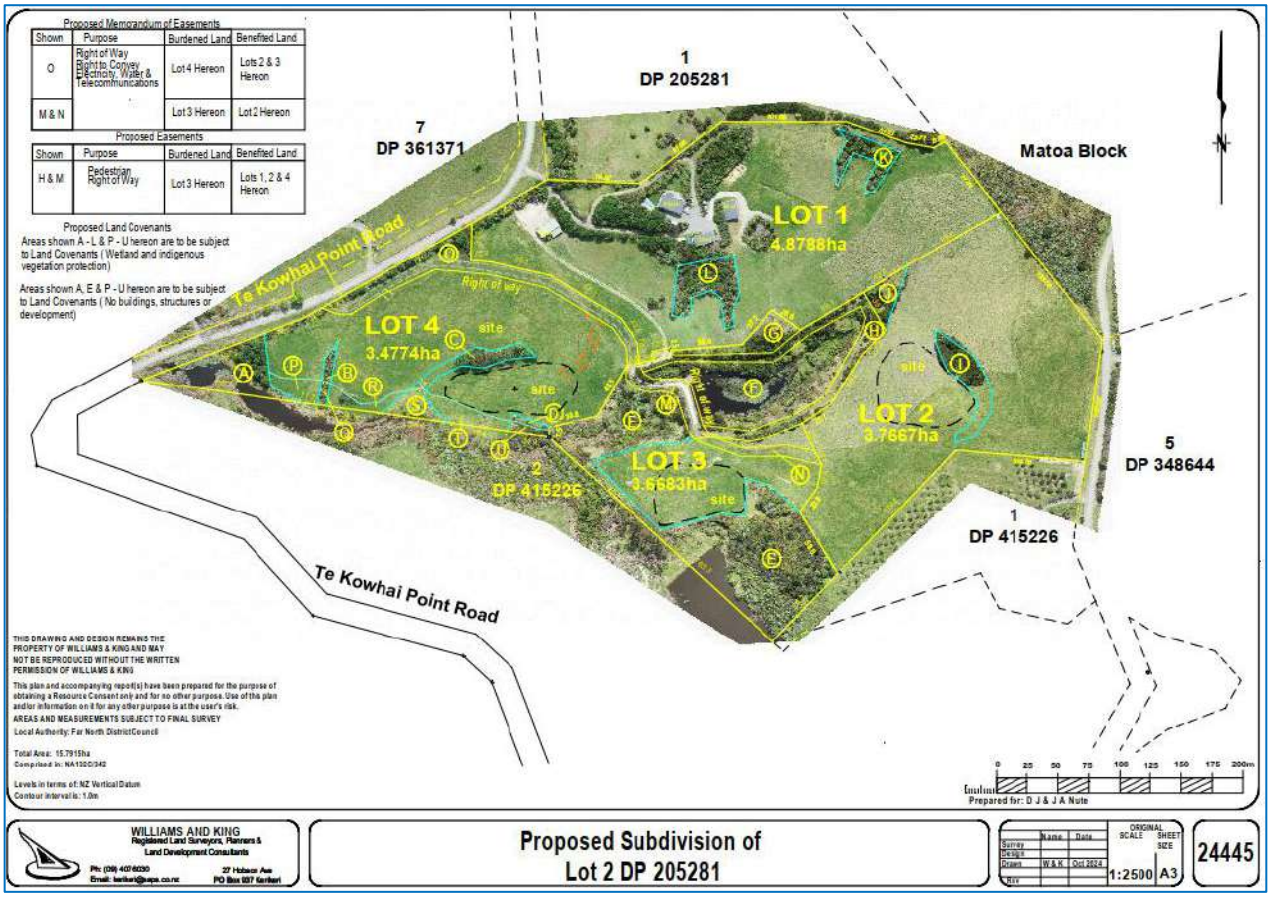


Figure 1: Proposed Scheme Plan

2.2 Property Access

Access to the proposed lots is described in **Table 2**.

Table 2: Summary of Property Access

Lot Description	Proposed Property Access / Private Driveway
Lot 1	Existing vehicle crossing at 128 Te Kowhai Point Road, located off existing appurtenant Right of Way off the end of public portion of Te Kowhai Point Road. Private driveway formed to provide access to the existing buildings and to the dam embankment. No additional use proposed.
Lot 2	New vehicle crossing to be formed from the end of the public portion of Te Kowhai Point Road to FNDC 2023 Engineering Standards Sheet 21 / Type 1A. Shared private access to be formed over easements O (over Lot 4), M and N (over Lot 3). To be formed to provide 3m wide carriageway and stormwater drainage, with passing bays as specified, and horizontal geometry to provide an inside wheel turning radius for a Medium Rigid Truck of 8m. A detailed description is provided within the Site Suitability Report.
Lot 3	
Lot 4	

2.3 Engineering Site Suitability

A Site Suitability Report has been prepared by Vision Consulting Engineers to report on the suitability of Lots 2, 3 and 4 for building areas and site access, in particular terms of natural hazards, ground conditions, vehicle access, water supply (including fire fighting), wastewater and stormwater. The report is attached in **Appendix 2**.

2.4 Earthworks

Earthworks will be required to form property access to the boundary of each allotment. Conservatively estimated earthworks volumes are specified in the Site Suitability Report as involving 620m³ of cut up to a maximum height of 4m, with this excavated material to be distributed on site, producing a total volume of 1240m³. It notes that detailed design may result in a reduction in earthworks volume. Additionally, earthworks undertaken at the site will need to be carried out in accordance with Auckland Council Guidance Document 2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GC05). Other general earthworks recommendations are specified in the Site Suitability report, including for filling and site cuts.

2.5 Consent Notice Cancellation

The application site records a consent notice condition on its Record of Title, registered as D562591.2, which is copied below. Refer to Section 3.5 below for a summary of the relevant consent history, under which the consent notice was imposed.

"The approved planting plan and program submitted with the application shall be complied with on a continuing basis by the owners of lots 1 & 2."

It is proposed to cancel the D562591.2 in its entirety as it relates to Lot 2 DP 205281, and approval for this is sought pursuant to Section 221(3) of the Resource Management Act 1991.

The planting plan and program referenced in the consent notice condition has been partly completed and it is now appropriate to update the conditions relating to these revegetated areas to firstly protect those areas and incorporate protection of additional proposed planting areas, and secondly, to formalise weed and pest management works to support the ongoing health and function of revegetation areas. The updated consent notice conditions are expected to result in more clarity for future owners and Council in their ongoing compliance and monitoring.

Section 2.7 of this report specifies the proposed consent notice conditions that will replace the cancelled consent notice.

2.6 Esplanade Reserve Waiver

Unnamed headwater reach tributaries to Te Aiorua Wetland and Estuary pass through parts of Lots 3 and 4 within the vicinity of covenant areas 'A', 'E' and 'S'. This is a modified watercourse (refer to further description within page 21 of the Ecological Impact Assessment (**Appendix 4)**), which from review of engineering reports found within the FNDC Property File, naturally ranged between approximately 300mm and 600mm in width. A separate report described the original watercourse as a "swampy stream". The floor of two gullies were dammed to form ponds, and additionally, Te Kowhai Point Road has dammed the watercourse, both of which has caused parts of the watercourse to form into wetland areas with wider sections of water in various locations. As a result, parts of the water course where they pass through areas 'A' and 'S' on Lot 4 now meet the RMA 1991 definition of 'River', and as Lot 4 is less than 4ha in area, Section 230 of the Resource Management Act 1991 applies. A waiver to the requirement of providing an esplanade reserve is being sought as part of this application. The waiver is considered appropriate as:

- The relevant sections of water course that are within the property are limited in length. They do not form a continuous area within the subject site, with the majority of the watercourse being located within adjoining Lot 2 DP 415226.
- There would be no connecting esplanade reserve providing continuous public access.
- Public access in this area would interfere with the revegetation proposed.
- Land covenants are proposed over the margins of the watercourse to protect them from built development, and to protect the existing and proposed revegetation within the watercourse margins.
- The location is not an Esplanade Priority Area.
- Council maintenance would be difficult with regard to the proposed revegetation and pest and weed control measures.

2.7 Proposed Conditions

A summary of proposed conditions is provided below. Final wording would need to be reviewed.

Prior to Section 223 RMA 1991:

- Show land covenant areas and memorandum of easements on the survey plan.
- Submit a Weed and Pest Management Plan, prepared by a suitably qualified and experienced ecologist, specifying monitoring and reporting procedures and prepared in general accordance with the Ecological Impact Assessment submitted with the application.
- Submit plans for Engineering Plan Approval of:
    - Vehicle crossing to ROW O FNDC Engineering Standards drawing Sheet 21 detail TYPE 1A incorporating (unless a suitable alternative is approved):
    - Curve Radius: 5.0 m and may increase to accommodate the tracking of a Medium Rigid Truck.
    - Property Access Width: 4.0 m at 6.5 m from the edge of the roadway and, where needed, widened to accommodate the tracking of a Medium Rigid Truck.
    - Access Gate: To be recessed back from the edge of the roadway at least 6.5 m
    - Drainage: Where a culvert is deemed necessary, the culvert shall be adequate for the upstream catchment, but not less than 300 mm diameter, with end treatments consisting of concrete bound riprap 100 mm to 150 mm rock embedded in concrete to 100 mm below the pipe.
    - Pavement: an unsealed crossing with a minimum of 125 mm GAP 65 and 75 mm GAP 40 or 200mm GAP 40 (compacted depths).
    - Detailed erosion and sediment control measures.

Prior to Section 224c RMA 1991:

- Complete works approved in engineering plan approval.
- Ensure that pasture in works area is grazed short prior to earthworks to avoid provision of shelter for kiwi.
- Complete revegetation within areas P, R & T in general accordance with the proposed species list and approximate plant numbers specified in Appendix 4 of the Bay Ecological Consultancy Ltd Ecological Impact Assessment.
- Complete planting specified in areas I, C, and E in accordance with Section 2 of the Simon Cocker Landscape Architecture Landscape Assessment.
- Carry out initial implementation of weed and pest management plan.

Consent notice conditions pursuant to Section 221 RMA 1991:

- The owner shall preserve the indigenous trees, bush, and revegetation within the areas shown as 'A' - 'L' & 'P' – 'U' on the survey plan and shall not without resource consent from the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage, or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. Additionally,
    - no built development is permitted within these areas.
    - the covenant area must not be floodlighted.
    - no damming, diversion or ponding of wetlands, creeks or overland flow paths is permitted.

  [All Lots]
- The lot owner is to carry on implementation of approved Weed and Pest Management Plan.
  [All Lots]
- No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids).

  Grandfather Clause for existing dogs on Lot 1.
  Within 2 months of consent being issued, provide the Resource Consent Monitoring Officer with evidence for Council's records of the existing dogs on site, this shall include:
  i. A photograph of the existing dog/s; and
  ii. Written confirmation that the dog(s) have been micro-chipped.

  [All Lots]
- Building construction and any other development that poses a risk to life or property within the identified inundation zone shown as areas 'A', 'E', 'P', 'Q', 'R', 'S', 'T' and 'U' on the survey plan is prohibited, these areas also having been set aside for riparian margin revegetation.
  [Lots 3 & 4]
- Site specific geotechnical investigations are to be carried out for proposed structures at the site by a Chartered Professional Engineer experienced in geotechnical engineering. Complete earthworks design drawings shall be supplied indicating engineered fill specifications, cut contours and final level contours including proposed erosion and sediment control measures required to undertake the development of the site.
  [Lots 2 – 4]
- In conjunction with the construction of a future dwelling, the Lot owner shall obtain a Building Consent and install a wastewater treatment and effluent disposal system on the Lot. The system shall be designed by a Chartered Professional Engineer or suitably qualified person in accordance with ARC TP 58 requirements.
  [Lots 2 – 4]
- In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and is to be positioned so that it is safely accessible for this

purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
[Lots 2 – 4]

- Exotic vegetation which could adversely affect natural regeneration is not to be introduced to the site. This includes environmental weeds, and those plants listed in the National Pest Plant Accord.
  [Lots 2 – 4]
- Any building or structures are to be located and designed to meet the design controls specified in the Landscape Assessment by Simon Cocker Landscape Architecture under the headings 'Building Area', 'Building height and RL of building platform', 'Building Form and design', 'external finishes for buildings and structures', 'Internal roading and driveways' and 'Earthworks and retaining walls'. A statement prepared by a qualified Landscape Architect or Architect is to be provided at Building Consent stage to demonstrate compliance.
  [Lots 2 – 4]

3.0 Application Site Details and Description

3.1 Location

The site is located at 128 Te Kowhai Point Road, approximately 7.3km north east of central Kerikeri. The site is positioned to the east of Te Kowhai Point Road. Refer to the Location and Cadastral Maps in **Figures 2** and **3**.

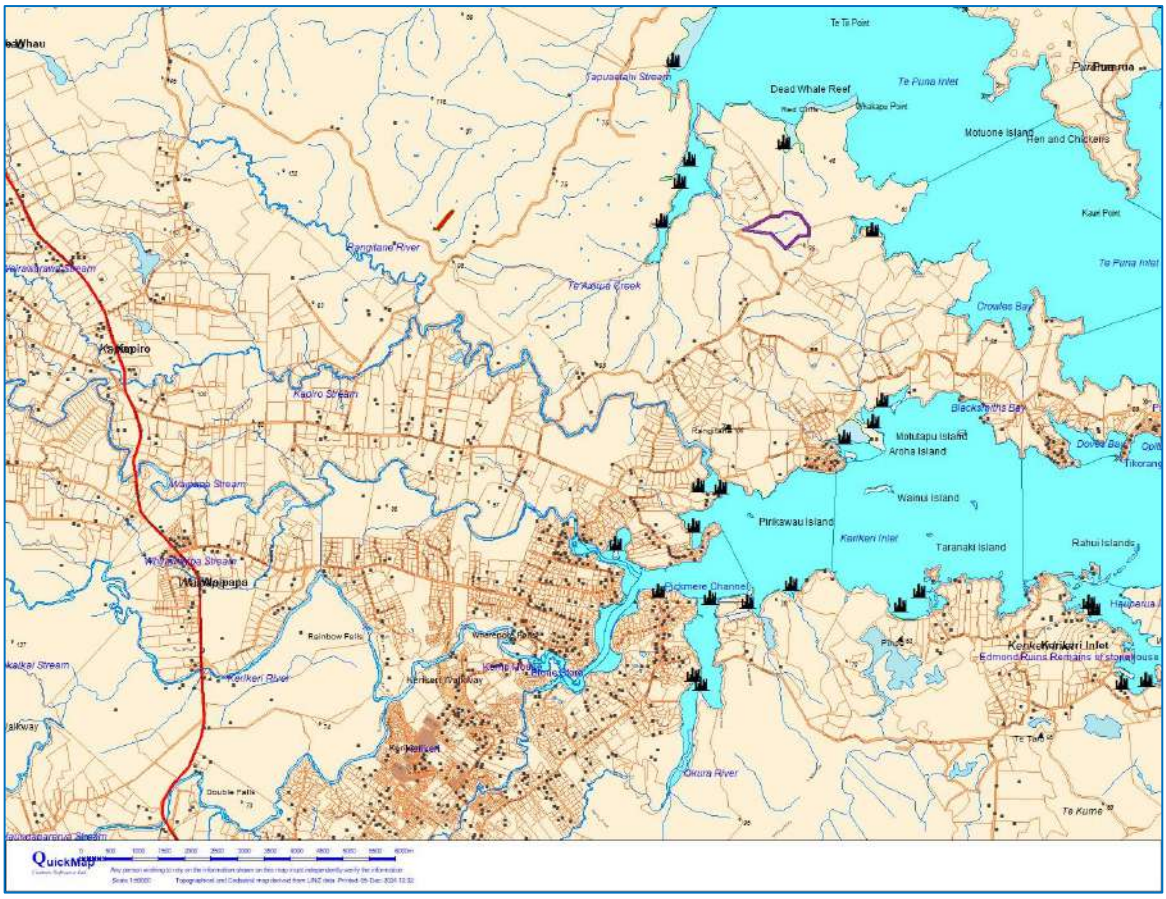


Figure 2: Location Map (Source: QuickMap)

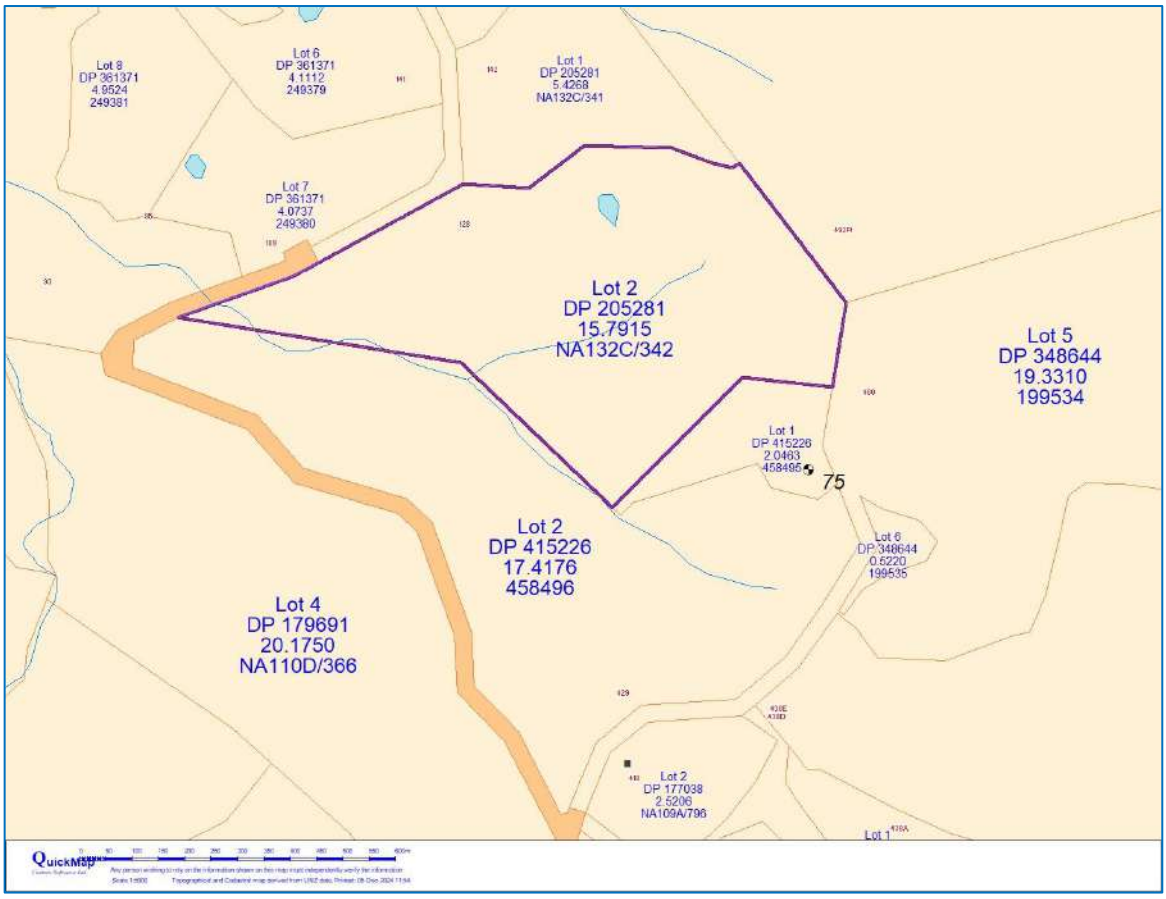


Figure 3: Cadastral Map (Source: QuickMap)

3.2 Legal Details

Legal details of the application sites are summarised below and in the Record of Title (**Appendix 3**).

RECORD OF TITLE IDENTIFIER	LEGAL DESCRIPTION	TITLE AREA	INTERESTS / ENCUMBRANCES
NA132C/342	Lot 2 DP 205281	15.7915ha more or less	Subject to Section 8 Mining Act 1971 Subject to Section 168A Coal Mines Act 1925 Appurtenant hereto are right of way and rights to convey water, telecommunications and electricity created by Transfer D066530.8. Subject to Section 243(a) RMA 1991. Appurtenant hereto is a right of way and a right of way (pedestrian access only) specified in Easement Certificate D371759.3. Appurtenant hereto are telecommunications and power rights specified in Easement Certificate D371759.3 - produced 25.3.1999 at 2.44 pm and entered 8.4.1999 at 9.00 am (affects part formerly in CT NA110D/364). Subject to Section 243(a) RMA 1991. D562591.2 Consent Notice pursuant to Section 221(1) RMA 1991. Fencing Covenant in Transfer D585549.4.

3.3 Existing Land Use

The subject site is essentially a large rural lifestyle site, which is used for residential living and cutting pasture for baleage. The site is grazed by horses and sometimes a small number of cattle, but not at a commercial scale.

The land is developed with an existing dwelling and accessory buildings and a barn / implement shed, which are located in Lot 1 near the northern boundary. The existing buildings are surrounded by established plantings.

Refer to **Photographs 1** and **2** below.

Photograph 1: Looking west over existing built development within Lot 1.

Photograph 2: View North over existing built development on Lot 1. Photograph taken from elevated area on Lot 2.

3.4 Natural & Recorded Features

The topographical characteristics, geological setting and ground conditions are described in detail in the Site Suitability Report. Refer to **Appendix 2**.

The Ecological Impact Assessment describes the natural inland wetland areas, their hydrological sources and their hydric indicators as well as areas of revegetation that are present over the site. Refer to **Appendix 4**.

The land has a predominant pasture cover, which covers all parts of the site outside of the areas of built development, dams, wetland areas and areas of revegetation. Refer to **Photographs 3** – **5**.

Photograph 3: View north west from Lot 2 over central dam, Lots 3 and 4, and the western portion of Lot 1.

Photograph 4: View south west along common Lot 1 & 2 boundary towards vegetation within area 'J' and the central dam.

Photograph 5: Plateau area comprising Lot 3 building area.

The subject land is not part of the coastal environment and does not include any areas of high or outstanding natural character, or outstanding natural landscapes or features as recorded in the Regional Policy Statement.

The sites are not part of any ecological unit recorded in the Department of Conservation Protected Natural Area mapping.

The sites are mapped as being within a high-density kiwi habitat in Far North Maps "Species Distribution (DoC)" Map.[2] The mapping related to kiwi habitat is a non-statutory document.

The subject sites are zoned General Coastal under the Operative District Plan and Rural Production under the Proposed District Plan. The site is mapped as comprising two Land Use Capability ("LUC") units – 4s4 generally covers Lots 1 and 4, while 4e7 generally includes Lots 2 and 3. Neither of these LUC Units meets the definition of 'highly versatile soils' as per the definition provided in the Regional Policy Statement or the definition of 'highly productive land' in the National Policy Statement for Highly Productive Land.

3.5 Consent History

Review of the Property File sourced from Council revealed the following relevant building and resource consents, and earthworks permits.

- **RC 2000784 Subdivision creating Lots 1 – 3 DP 205281** (including application site). Issued 3 October 2000. Consent Notice D5622591.2 imposed via this subdivision consent.
- **BC-2001-810-0 Construct New Earth Dam.** Code Compliance Certificate issued 23 May 2006. This is the central dam centred in Area 'F' on the Scheme Plan.
- **RC 2010502 Land Use Consent for Earthworks to Construct a Dam**. Issued 11 January 2001 (Associated with BC-2001-810-0).
- **Earthworks Permit 20220 Excavation & Filling to provide access and building platform.** Issued 23 October 2001.
- **RC 2020266 Land Use Consent for Earthworks.** Issued 29 October 2001 (associated with Earthworks Permit 20220).
- **RC 2010444 Land Use Consent for Earthworks to Construct a Dam.** Issued 12 January 2001. This is the lower dam that straddles the boundary with Lot 2 DP 415226.
- **BC-2002-1445-0 Garage with Sleepout.** Code Compliance Certificate issued 29 October 2004. This is the shed located to the south of the dwelling. It is now used as a shed and storage area.
- **BC-2004-754-0 New Dwelling.** Code Compliance Certificate issued 15 June 2006. Building consent issued for the dwelling on Lot 1.
- **RC 2020809 New residential unit and accessory building (storage space, office, art studio).** Issued 24 June 2002.

3.6 Surrounding Land

The character of the surrounding environment is based on the existing characteristics of the rural, built, modified and natural environment, which includes a combination of pastoral and horticultural (primarily olives and vineyard) land, rural lifestyle properties, plantation forestry and regenerating indigenous bush. Built development comprises dwellings, accessory and farm buildings.

[2] A map showing the distribution of Northland Brown Kiwi and Northland Mudfish in the Far North District. Kiwi habitat distribution based on call count monitoring in 2019 by Department of Conservation: Craig, E. (2020): Call count monitoring of Northland brown kiwi 2019. Department of Conservation, Whangarei, New Zealand.

Surrounding land shares similar topographical characteristics with the subject land, having rolling terrain, dams having been formed within natural waterways. Refer to the Landscape Assessment for further description.

3.7 Vehicle Access

The subject land has frontage Te Kowhai Point Road, with an existing entrance at 128 Te Kowhai Point Road (beyond the termination of the legal road reserve). Te Kowhai Point Road (legal road and private road extension) has an unsealed formation.

4.0 District Plan Assessment

4.1 Far North Operative District Plan

The application site is zoned General Coastal and is not subject to any Resource Features. The proposal is assessed against the relevant rules of the Operative District Plan as follows.

4.1.1 General Coastal Zone

Rule	Discussion	Compliance
10.6.5.1 PERMITTED ACTIVITIES		
10.6.5.1 Visual Amenity	No new buildings are proposed as part of the subdivision. Future buildings will need to be assessed under the visual amenity rules for the zone.	Not applicable at subdivision stage.
10.6.5.1.2 Residential Intensity	A single residential unit for a single household will remain on Lot 1.	Complies
10.6.5.1.5 Sunlight	No issues.	Complies
10.6.5.1.6 Stormwater management	Existing and anticipated future coverage on each lot will be less than 10%.	Complies
10.6.5.1.7 Setback from Boundaries	No issues.	Complies

4.1.2 Natural & Physical Resources

Rule	Discussion	Compliance
PERMITTED ACTIVITIES		
12.3.6.1.2 Excavation and/or filling … in the … General Coastal … zones	Earthworks to complete private access over easements 'O', 'M' and 'N' will exceed 300m³ and cut faces are likely to exceed 1.5m in areas – approval has been sought under Rule 13.6.8	Not applicable – approval sought via Rule 13.6.8.
12.7.6.1.4 Land use activities involving discharge of human sewage effluent	There is sufficient area available for onsite wastewater disposal to accommodate a 30m separation distance from natural inland wetland areas.	Complies. Requires detailed design at lot development stage.

4.1.3 Subdivision

Rule	Discussion	Compliance
13.6 GENERAL RULES		
13.6.5 Legal Frontage	Each lot has legal frontage to Te Kowhai Point Road, either directly or via proposed Right of Way.	Complies
13.6.8 Subdivision Consent Before Work Commences	Earthworks to form private access to the boundary of each lot are described in the Site Suitability Report. Vegetation clearance is not required.	Complies
13.6.12 Suitability for Proposed Land Use	The land is considered suitable for the proposal, namely future residential development on Lots 2 – 4 as described in the Site Suitability Report. Consent notice conditions can be added.	Complies
13.7 CONTROLLED ACTIVITIES		
13.7.2.1 Minimum Area for Vacant New Lots …..	The areas of Lots 1 – 4 do not comply with the controlled activity minimum lot size.	Does not comply
13.7.2.2 Allotment Dimensions	Each lot includes a dimension of 30 x 30m, plus 10m boundary setbacks.	Complies
13.9 DISCRETIONARY (SUBDIVISION) ACTIVITIES		
13.9.1 Minimum Area for Vacant New Lots ….	A management plan subdivision is not proposed.	Does not comply
13.11 NON-COMPLYING (SUBDIVISION) ACTIVITIES		
13.11(a) Non-Complying (Subdivision) Activities	The overall proposal has been assessed as a non-complying activity.	Non-complying activity status.

4.1.4 Financial Contributions

Rule	Discussion	Compliance
PERMITTED ACTIVITIES		
14.6 Esplanade Areas	A waiver from Rule 14.6.1(a)(i) is being sought.	Does not comply.
14.6.3 Waivers and Reductions	This rule specifies that Council may, upon application and at its discretion, reduce or waive any esplanade reserve required.	Complies – Discretionary Activity.

4.1.5 Transportation

The proposal has no implication in terms of District Plan rules relating to traffic or car parking.

Rule	Discussion	Compliance
15.1.6C.1 PERMITTED ACTIVITIES		
15.1.6C.1.1 Private Accessway in all Zones	Shared access will be formed over easements 'O', 'M' and 'N' to comply with this rule, i.e. 3m plus passing bays where required, within a legal width of more than 5m ('O') and 7.5m ('M' & 'N').	Complies
15.1.6C.1.3 Passing Bays on Private Accessways in all Zones	Passing bays will be formed as specified in the Site Suitability Report.	Complies.
15.1.6C.1.5 Vehicle crossing standards in Rural … Zones	A new vehicle crossing will be formed to easement 'O' in accordance with the FNDC Engineering Standards 2023 / Sheet 21 / Type 1A. Refer to the Site Suitability Report. Required sight distances at the entrance are not achieved, also outlined in the Site Suitability Report.	Does not comply.

15.1.6C.1.7 General Access Standards	An adequate area for future onsite manoeuvring is available on each lot. The accessway horizontal geometry will provide sufficient radius to accommodate a Medium Rigid Truck of 8m (this is a heavy rigid vehicle).	Complies
15.1.6C.1.8 Frontage to Existing Roads	This rule refers to the public portion of Te Kowhai Point Road. The adjoining public road is of sufficient legal width. And carriageway width. There are no apparent encroachments of Te Kowhai Point Road into the application site. In relation to the public portion of the road carriageway, it appears that the property boundary is at least 2m from its edge is and 6m from its centreline.	Complies.
15.1.6C.2 DISCRETIONARY ACTIVITIES		
15.1.6C.2 Discretionary Activities	Reduction in required sight distance available for the entrance to easement 'O'.	Complies.

4.1.6 Summary of Activity Status under the Far North Operative District Plan

Overall, the proposal has been assessed as a non-complying activity.

4.2 Far North Proposed District Plan

The application site is zoned Rural Production in the Far North Proposed District Plan and is not subject to any Overlays. The proposal is assessed against the relevant rules of the Proposed District Plan as follows.

4.2.1 Area-Specific Matters – Rural Production Zone

Rule	Discussion	Compliance
RPROZ-R2 Impermeable Surface Coverage	Existing and anticipated future coverage on each lot will be less than 15%.	These rules do not have legal effect.
RPROZ-R3 Residential Activity	A single residential unit per lot is intended. Existing residential unit on balance farm lot.	
RPROZ-S2 Height in Relation to Boundary	No issues in terms of the proposed new boundaries to be created by the subdivision.	
RPROZ-S3 Setback	No issues in terms of the proposed new boundaries to be created by the subdivision.	
RPROZ-S5 Building or Structure Coverage	Existing and anticipated future coverage on each lot will be less than 12.5%.	

4.2.2 District-Wide Matters – General District-Wide Matters – Energy, Infrastructure, & Transport – Transport

Rule	Discussion	Compliance
TRAN-R1 Parking	Parking spaces on the vacant lots will be designed at the building consent stage, and there is sufficient area to meet the permitted standard.	These rules do not have legal effect.
TRAN-R2 Vehicle crossings and access, including private accessways	Shared private access over ROW A will serve less than 8 household equivalents and is not off the road types listed in PER-3. Access widths will be sufficient width for fire fighting, manoeuvring will be available within the	

	lots where they are more than 90m from Te Kowhai Point Road. There will be no unused vehicle crossings. The private accessway will meet TRAN-Table 9 for three residential units in a rural setting. Passing bays will be formed where necessary. The new vehicle crossing will be formed to meet the permitted standard.	

4.2.3 District Wide Matters – Subdivision

Rule	Discussion	Compliance
SUB-R3 Subdivision of land to create a new allotment.	CON-1 • Each lot includes a 30 x 30m dimension, plus 10m boundary setbacks. • Onsite water storage, including supply or fire-fighting is proposed. • Stormwater management can be achieved on site. This is reported on within the Site Suitability Report. • Onsite wastewater treatment and disposal is feasible. • Power and telecommunications connections can be supplied at BC stage if required. • No new easements are required. CON-2 • Controlled and discretionary activity minimum allotment sizes are not achieved. • Esplanade Reserve not proposed.	This rule does not have legal effect.

4.2.5 Earthworks

Rule	Discussion	Compliance
EW-R6 Earthworks for … formation … of … private accessways	Earthworks will be undertaken for this purpose. Standards reported on below.	This rule does not have legal effect.
EW-R12 Earthworks and the discovery of suspected sensitive material	An Accidental Discovery Protocol advisory note can be added to the resource consent.	Complies. Refer to EW-S3 below.
EW-R13 Earthworks and erosion and sediment control	Erosion and sediment control will be implemented in association with the proposed earthworks – detailed design will be provided at Engineering Plan Approval stage.	Complies. Refer to EW-S5 below.
EW-S1 Maximum earthworks thresholds.	Less than 5000m³ / 2,500m² proposed.	These rules do not have legal effect.
EW-S2 Maximum depth and slope	Cut height may exceed 1.5m.	
EW-S3 Accidental Discovery Protocol	Will be complied with.	Complies
EW-S4 Site reinstatement	Will comply.	This rule does not have legal effect.
EW-S5 Erosion and sediment control	Will be complied with.	Complies

4.2.5 Summary of Activity Status under the Far North Proposed District Plan

Relevant rules with immediate effect are EW-R12 and EW-R13, both of which can be satisfied as a permitted activity via consent conditions and an advice note.

5.0 Assessment of Environmental Effects

Clauses 6 and 7 of Schedule 4 of the RMA indicate the information requirements and matters that must be addressed in or by an assessment of environmental effects, both of which are subject to the provisions of any policy statement or plan. This assessment of environmental effect therefore addresses the relevant assessment criteria listed in 13.10 of the Operative District Plan as a guide as specified in Rule 13.11 (Non-Complying (Subdivision) Activities.

5.1 Allotment Sizes and Dimensions

The proposed lots are of a sufficient size to provide for the intended land use as set out in **Table 1**. Sufficient area for future buildings as well as onsite servicing is available, as detailed in the Site Suitability Report. The proposed dimension of each allotment complies with the controlled activity standard for the General Coastal Zone.

As a result of the proposal, the additional residential built development will be dispersed throughout the overall property with intervening planted areas, contour changes, and the dammed pond separating the building sites. The lot sizes proposed will be similar to the range of existing rural lifestyle properties nearby, including:

- Lots 1 – 8 DP 361371 (4.0255ha – 4.9524ha) located to the north west of the application site off the Te Kowhai Road private road extension.
- Lot 1 DP 415226 (2.0463ha) adjoining the south east boundary of the application site (adjoining proposed Lots 2 and 3).
- Lot 6 DP 348644 (5220m^2) located to the south east of the application site.
- Lot 2 DP 177038 (2.5206ha), Lot 1 DP 557844 (1.3420ha), Lots 1 – 4, 6, 8 & 9 DP 193094 (1.7564ha – 3.9480ha) and Lots 1 and 2 DP 359920 (8003m^2 and 1.0793ha), all located off the end of Redcliffs Road to the south and south east of the application site.

An examination of the property sizes within an approximately 1km radius of the centre of the application site shows that rural lifestyle sites with areas ranging from 0 – 5ha are the predominant category, this being similar to the lot sizes that are proposed. Larger properties with areas exceeding 20ha are the second most frequent category and occupy the largest land area. Refer to **Figure 3**.

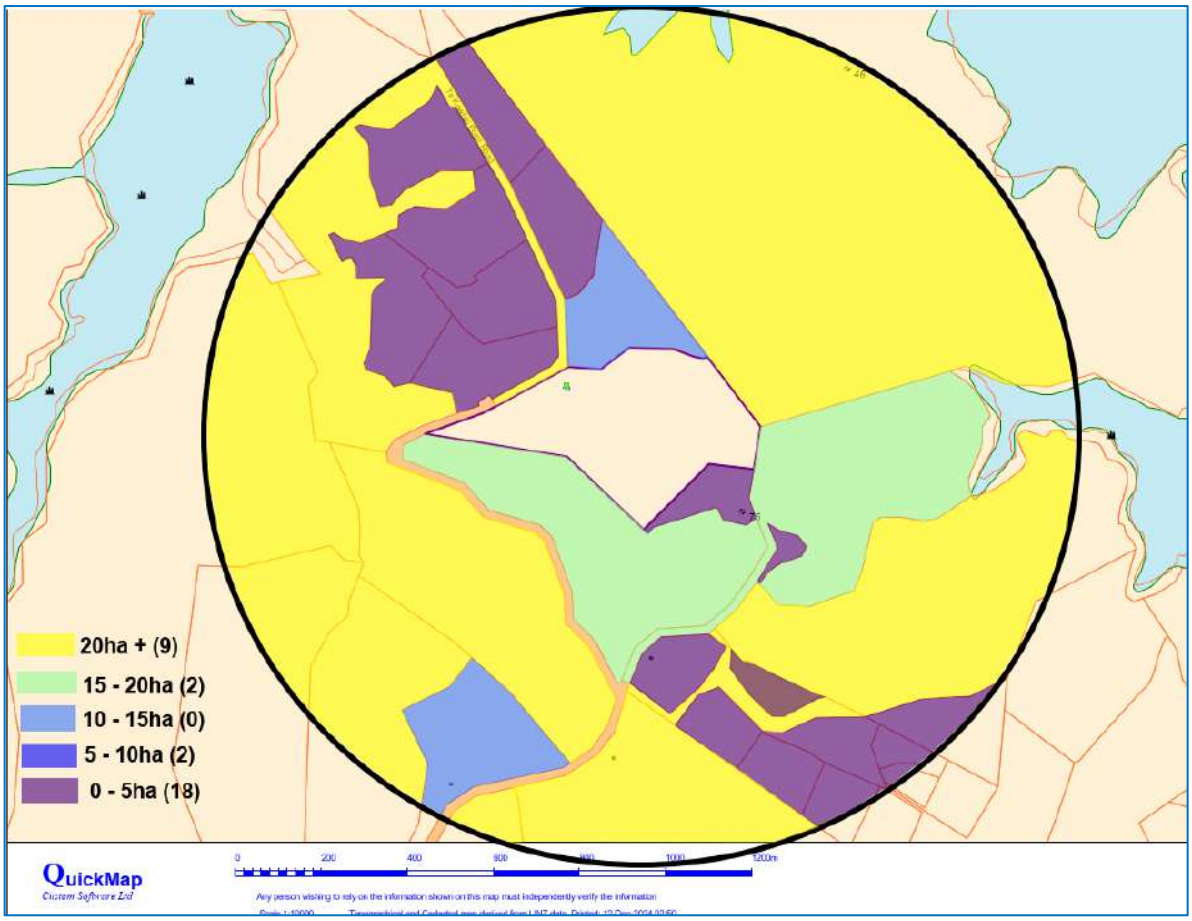


Figure 4: Distribution of property sizes in a 1km radius of the centre of the application site.

Although the proposed subdivision layout will increase the density of built development on the land, the overall intensity remains low, and in accordance with the nature of nearby rural lifestyle development. The Landscape Assessment states that "*the proposed subdivision pattern is consistent with the existing pattern of development to the north west and will be 'read' as forming a part of this existing low density cluster of rural residential settlement*." Further, it notes that "*spatially separated, and separated by the existing and proposed vegetative structure, the future built form will be effectively integrated into the landscape and will therefore impart a character that is consistent with the existing landscape character described above. This integration will be further achieved as a result of the proposed design controls which encourages (amongst other things), recessive external finishes for built form. It will retain the amenity values and character expected with the existing rural environment*."

5.2 Natural and Other Hazards

The Site Suitability Reports assess stability and other natural hazards and notes that the proposed building areas are not located in an area susceptible to landslide, erosion, coastal hazards, flooding or coastal flooding. It further notes that the proposed building areas of Lots 3 and 4 are considered at low risk of slippage, whilst Lot 2 on the steeper sloping ground is considered higher risk. It therefore makes recommendations that:

- Any proposed structures or fills placed within 8m of the unnamed watercourses or the dam's top of banks require a stability assessment by a Chartered Professional Engineer specialising in geotechnical engineering, and

- Site specific geotechnical investigations are carried out for proposed structures, because the near-surface soils exhibit expansive characteristics that typically fail to meet the "good ground" criteria defined in NZS3604(2011) i.e., soil that does not have an ultimate bearing pressure of 300 kPa or greater. Deepening foundations might be a solution for constructing light weight timber framed structures; however, an alternative approach, subject to further geotechnical investigation, could involve constructing hardfill platforms and placing rib-raft foundations on top, requiring larger volumes of earthworks.

A consent notice condition to this effect is proposed, and this will sufficiently avoid natural hazard risk such that section 106 of the Resource Management Act 1991 does not apply, and consent may be issued.

The proposed subdivision does not have any known adverse effects related to soil contamination - see Section 6.1.1 of this Report.

Lots 2 – 4 include large areas of open pasture and future residential dwellings can be sited to be set back from any existing or proposed vegetation that may present a fire hazard.

The Site Suitability Report confirms that on site roof water supply tanks will need to be used for fire fighting water supply, given the absence of public reticulated water supply and fire hydrants in the vicinity. Suitable water supply for this purpose can be designed and provided at the building consent stage for any residential dwelling on Lots 2 - 4, as per the standard consent notice condition.

5.3 Water Supply

Potable water will be supplied within each vacant lot via collection and storage of rainwater. The typical consent notice condition, which requires onsite water supply to be designed to be adequate for fire fighting purposes, can be applied to Lots 2 - 4. The proposal will not result in any adverse effects in terms of water supply.

5.4 Stormwater Disposal

Anticipated coverage of each lot with impermeable surfaces is expected to remain within the permitted activity standards for the General Coastal Zone.

At subdivision stage, stormwater management will comprise controlling water from the new shared accessway to Lots 2 - 4, with detailed drainage design to be provided for engineering plan approval, including drain dimensions, culvert capacities and discharge points. The capacity and condition of the existing culvert under Te Kowhai Point Road will be assessed to ensure it can handle the increased runoff from the development.

Long term stormwater management will require further refinement at the building consent stage, depending on the final design and extent of impermeable surfaces. The Site Suitability Report notes that "*On-site attenuation is not required based on the percentage of impermeable surface likely to arise during development i.e., impermeable surfaces are unlikely to be above 10% of the total lot area given the size of each lot. Additionally, attenuation is provided within the dam and ponded areas in the watercourse channel. Furthermore, downstream flooding has not been identified as a risk and attenuation of the 1% AEP event is not deemed necessary*."

With the proposed stormwater management conditions, it is considered that the proposal will avoid and mitigate potential adverse effects related to stormwater, such that effects will be less than minor.

5.5 Sanitary Sewage Disposal

On-site treatment and disposal of wastewater is addressed in the Site Suitability Report in **Appendix 2**, which states that "*For the purposes of feasibility we have considered secondary aerated wastewater treatment systems only. Detailed design during the building consent stage may consider alternatives available for each proposed lot based on the soil type, environmental constraints, location and size of the proposed dwellings*" and "*It is anticipated that surface mounted pressure compensating drip lines covered with mulch will be suitable for the proposed future activities. We have assumed a soil category of 6 (in accordance with TP58) from onsite soil testing with a loading rate of 3 litres per square meter per day and a 100% reserve area*".

Each of the proposed lots have sufficient area available, including setbacks specified in the Proposed Regional Plan, for an on-site wastewater treatment system, with the final design to be submitted at building consent stage and a consent notice condition for Lots 2 - 4 to this effect can be applied.

As the site conditions have been deemed to be suitable for onsite wastewater treatment and disposal in accordance with the relevant permitted activity Proposed Regional Plan rules, it is considered that the proposal avoids adverse effects in relation to sanitary sewage disposal.

5.6 Energy & Telecommunications Supply

Top Energy has been contacted for their comments, their initial response is provided in **Appendix 6**. No new power or telecommunications connections will be installed as part of this subdivision as these are not required by Rule 13.7.3.7 given that the subdivision does not create urban allotments, nevertheless, the consent holders may choose to provide a power a supply to the lot boundaries. The standard consent notice condition, advising that electricity and telecommunications have not been made a condition of the subdivision consent, can be applied to Lots 2 - 4.

5.7 Easements for any Purpose

Easements 'O', 'M' and 'N' provide shared access for a length of approximately 500m for Lots 2, 3 and 4. It will also provide the right to convey water, electricity and telecommunications. No other easements are required to be subject to Section 243(a) of the Resource Management Act 1991.

Proposed easements are shown as 'H' and 'M' over Lot 3 as pedestrian right of way easements. The purpose of these is to allow pedestrian access around the perimeter of the central dam for each of the benefitted lots (Lots 1, 2 and 4). These easements do not need to be conditional easements.

5.8 Property Access

The additional traffic generated by the proposal is in the order of thirty daily one-way traffic movements based on the increase in the overall number of sites and future anticipated household equivalents.

Private vehicle access is addressed within the Site Suitability Report, which recommends that detailed design be provided at engineering plan approval stage.

Vehicle access to and within Lots 2 - 4 will be formed in accordance with the permitted standards of the District Plan and Council's Engineering Standards and Guidelines, with the exception that the north west sight distance at the entrance to ROW 'O' is less than the required distance. Despite this, the Site Suitability Report reports that with the speed reduction from road environment factors and low traffic volumes that are applicable to Te Kowhai Point Road, risks to traffic and road safety arising from the application are considered to be sufficiently mitigated.

5.9 Earthworks and Utilities

Earthworks are required to complete the proposal, being those associated with formation of private access to the boundary of Lots 2 - 4. For the subdivision stage of development, detailed erosion and sediment control measures will be provided at engineering plan approval stage, and this will take into account the recommendations of the Site Suitability Report to ensure that adverse environmental effects on water quality and stability are avoided.

Utility connections to the lots are not proposed, given that they are within a rural environment.

5.10 Building Locations

Suitable building sites on the lots have been identified, as outlined in the Site Suitability Report. In addition, the wetland areas and potential inundation areas will be protected so that future built development is avoided in those locations.

The building site on Lot 2 has a northerly aspect, Lot 3 has a gentle slope down towards the west, while the building site on Lot 4 faces south. Aspects related to passive solar gain related to future buildings can be considered when the lots are developed.

The Landscape Assessment notes that "*the proposal will facilitate the construction of dwellings within Lots 2, 3 and 4, and the identified building sites within these lots are 'contained' within the gully landform rather than being positioned in elevated locations such as ridge tops. As such, the future buildings will 'sit' within the landscape, whilst the existing (and proposed) riparian and other vegetation will impose a structure on the Site which reflects the landform features and will therefore lend a logic and legibility to the proposed lots*."

5.11 Preservation and Enhancement of Heritage Resources, Vegetation, Fauna and Landscape

The proposed lots do not contain any recorded heritage resources, landscape features, or sites of cultural significance. Despite being zoned General Coastal under the Operative District Plan, the most recent mapping of the coastal environment under the Regional Policy Statement does not include the subject site within the coastal environment.

The property does not include any mapped areas of significant indigenous vegetation. It is located within 500m of Te Puna Inlet Marginal Strip, which is administered by the Department of Conservation, who have indicated that they have no comments to make with regards to the proposal.

The subject land is recorded as a 'high density' kiwi habitat area in Far North Maps "Species Distribution (DoC)" Map.[3] Potential adverse ecological effects arising from the subdivision will arise from future residential development on the lots, and the potential introduction of domestic animals, such as cats and dogs, which may present a danger to kiwi and other indigenous wildlife. A ban on the keeping of cats and dogs, with an exception by way of a 'grandparent clause' for existing pets on the property. In this way, the potential adverse effects on kiwi in particular, can be avoided, and in the long term a positive effect is anticipated.

Other potential ecological effects of the subdivision and future development on the vacant lots are able to be controlled through standard mitigation, as outlined in the Ecological Impact Assessment in **Appendix 4**, this includes adherence to the National Environmental Standard for Freshwater (see

[3] *A map showing the distribution of Northland Brown Kiwi and Northland Mudfish in the Far North District. Kiwi habitat distribution based on call count monitoring in 2019 by Department of Conservation: Craig, E. (2020): Call count monitoring of Northland brown kiwi 2019. Department of Conservation, Whangarei, New Zealand.*

Section 6.1.2), avoidance of the introduction of exotic vegetation that is a environmental weed or on the National Pest Plant Accord, and the aforementioned exclusion of cats and dogs.

Positive ecological effects are also detailed in the Ecological Impact Assessment, via the proposed covenants, formalised weed and pest management, additional planting, all to provide gross ecological benefit and amenity value, and maintain natural processes and systems of the local ecosystems.

The Ecological Impact Assessment assesses a gross positive ecological effect.

Landscape effects are evaluated in the Landscape Assessment, which summarises that "*the anticipated change resulting from the proposed subdivision will be spatially and visually contained and separated from the wider landscape. The proposed building areas are to be located within existing pasture and will not necessitate the removal of native vegetation, and the existing native vegetation will be legally protected and managed to control exotic weeds. The anticipated landform modification will be small in scale and localised. Future built form, infrastructure, and area of vegetation clearance will be controlled by design controls. As such, the proposed changes will be limited in scale, and when considered in the context of the wider landscape will be insignificant in term so their influence on the character of that landscape and overall, it is the opinion of the author that the potential adverse landscape effect will be low*".

5.12 Soil

Soils on the subject site are not mapped as being Class I, II or III in the NZ Land Resource Inventory Worksheets. The mapped Land Use Capability class is IV, and does not meet the definition of 'highly productive land' under the National Policy Statement for Highly Productive Land or of 'highly versatile soils' in the Regional Policy Statement.

The proposed subdivision layout creates rural lifestyle sites within an overall framework of existing and proposed revegetation. These areas of revegetation are naturally located in the steeper parts of the site, and have been, or will be, retired from grazing, to support enhancement of the wetland ecosystems and erosion prevention. In this way, the proposal is considered to contribute to the protection of the life supporting capacity of soils.

5.13 Access to Reserves and Waterways

Lot 4 incorporates an unnamed watercourse, parts of which have been assessed as being more than 3m average width where they pass through areas 'A' and 'S'. The natural stream, prior to modification resulting from the dammed gullies, was reported as being 300 – 600mm in width, but is now wider in sections as a result of the changes to the catchment. A waiver to the requirement of an esplanade reserve or strip is being sought. The relevant matters that Council will consider are specified in Rule 14.6.3. These are commented on below.

(i) the purpose of the particular contribution;

The purpose of an Esplanade Reserve in this instance relates to the purposes listed in Section 229 of the Resource Management Act 1991. Most particularly, to protect riparian margins (natural functioning, water quality, aquatic habitats, natural values) and to enable public access and or recreational use. Protection of the riparian margin will be achieved via the proposed land covenant shown on the Scheme Plan, while public access and recreational use is considered unnecessary given the lack of connecting esplanade areas, the intermittent incursion of the watercourse into the subject site, the nature of the water course, and site conditions.

(ii) the extent to which the proposed activity generates those adverse effects which the particular contribution provides for the mitigation or remediation of;

Provided that future development of a building site for residential use on Lot 4 is undertaken with careful erosion and sediment control, and also with suitable long-term control of stormwater and

wastewater discharge, it is considered that the proposal will avoid adverse effects on the watercourse. Refer to the Ecological Impact Assessment.

(iii) the extent to which measures, either on-site or elsewhere, are proposed or provided which achieve the purpose of the particular contribution (in perpetuity);

A land covenant (protection imposed via consent notice) is proposed along the riparian margin within the relevant lots to provide permanent protection and enhancement of this area.

(iv) the history of previous financial contributions related to the site, including the amount of and reason for any previous contributions; and

No previous financial contributions are known in relation to the site.

(v) the extent to which any charge is fair and reasonable.

The esplanade reserve requirement relates to Section 230 of the Resource Management Act 1991; which also provides the ability to seek waiver through a resource consent. The application for a waiver in this instance is considered to be reasonable given the lack of connecting reserves, and the nature of the watercourse including its modification through earlier damming, which has led to parts of the watercourse being greater than 3m in width.

(b) Notwithstanding Rule 14.6.1 Council may, upon application and at its discretion accept an alternative to an esplanade reserve or strip after considering the following matters:

(i) whether the situation is in accordance with one of the criteria set out in Policy 14.4.10; and

(ii) whether the mechanism is appropriate for achieving at least one of the purposes of esplanade reserves and strips as set out in s229 of the Act; and

Not applicable as a waiver is being sought rather than an alternative.

(iv) whether the riparian area, the subject of an esplanade reserve or strip, is identified as an Esplanade Priority Area (as shown on the Zone Maps) or where they meet the criteria under Policy 14.4.9.

Note: As at September 2005 Esplanade Priority Areas have only been identified in the Kerikeri area.

The riparian area is not identified as an Esplanade Priority Area.

(v) whether a subdivision or development has been staged and previous requirements for earlier stages have provided adequate esplanade reserves or strips.

Not applicable.

(c) Any application for a waiver of, or reduction to, the level of financial contribution required or alternative to an esplanade reserve or strip shall be considered as a discretionary activity.

Accepted.

(d) Any application for a waiver of, or reduction to, the level of financial contribution required or for an alternative to an esplanade reserve or strip may be made without notification if it relates to a subdivision or land use activity for which notification is not required.

It is anticipated that this waiver can be decided as a non-notified activity.

(f) The Council may decide, on application, that public areas may be provided in lieu of, or partially in lieu of, any reserves or financial contribution that is required in respect of the subdivision.

Public areas are not considered to be appropriate or necessary as part of this application.

5.14 Land Use Compatibility

Lots 1 and 4 have frontage to an unsealed road where dust may be a nuisance to nearby residents, particularly in dry weather. These potential effects are mitigated through existing and proposed planting, and through the substantial setback distances between existing and proposed buildings and the road. A typical advice note that is applied to subdivision consents where the lots adjoin an

unsealed road notes that unsealed roads can create a dust nuisance from vehicle usage and recommends that any dwellings be placed as far as possible from the road and/or boundary planting within the site can be used to reduce dust nuisance.

Lot 1 adjoins a vineyard along its northern boundary. Lot 1 is fully developed, therefore no adverse effects in terms of reverse sensitivity or land use incompatibility are anticipated in terms of that shared boundary. The remaining Lots 2 – 4 are not in close proximity to any existing activities that are likely to conflict with their intended use, and overall, the proposed subdivision is not considered to generate any adverse effects associated with land use compatibility or reverse sensitivity issues that will be more than minor.

6.0 Statutory Assessment

Section 104(1)(b) of the Resource Management Act 1991 requires the consent authority, subject to Part 2 of the Act, to have regard to any relevant provisions of a national environmental standard, other regulations, a national policy statement, a New Zealand coastal policy statement, a regional policy statement, a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application. Of relevance to the proposed activity are the following documents, which are commented on in the proceeding Sections 6.1 – 6.5 of this Report. This is followed by an assessment of Part 2 of the Act.

- *Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011*
- *Resource Management (National Environmental Standards for Freshwater) Regulations 2020*
- *New Zealand Coastal Policy Statement*
- *National Policy Statement for Highly Productive Land*
- *National Policy Statement for Indigenous Biodiversity*
- *Regional Policy Statement for Northland*
- *Operative Far North District Plan*
- *Proposed Far North District Plan*
- *Proposed Regional Plan for Northland*

6.1 National Environmental Standards

6.1.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NESCS”)

The subject land is not recorded on the Northland Regional Council Selected Land-use Register as a site that has been used for any activity included in the Ministry for the Environment’s Hazardous Activities and Industries List.[4]

Review of historic aerial imagery using Retrolens (aerial image from years 1951, 1968, 1970 and 1978), and more recent aerial and satellite photography indicates that the property has been in pasture since 1951, with the gully and wetland areas visible along with patches of vegetation and ponds.[5] The land cover remains the same until the early 2000’s, when the built development commenced on the site, the dam was constructed, and the revegetation began. There is no apparent evidence that the site has been used for any of the activities listed on the Hazardous Activities and Industries List.

As such, the subject site is not considered to be a ‘piece of land’ in terms of the above regulations.

[4] Northland Regional Council (n.d.): *Selected Land-use Register Map.* Retrieved 6 December 2024 from https://localmaps.nrc.govt.nz/localmapsviewer/?map=65b660a9454142d88f0c77b258a05f21
[5] Sourced from http://retrolens.nz and licensed by LINZ CC-BY 3.0

6.1.2 Resource Management (National Environmental Standard for Freshwater) Regulations 2020

The Ecological Impact Assessment in **Appendix 4** identifies the location of natural inland wetland and assesses subdivision and future land use activities in terms of their compliance with the above Regulations. The report notes that:

- Recognition of natural inland wetland onsite promotes avoidance of effects through adherence to protective measures as per the NES –F in design. Building platforms and associated infrastructure are potentially within 100m of natural inland wetland but do not occupy critical source areas, seepage or overland flow path that through their formation may change the water level range or hydrological function of the wetland.
- Diversion of diffuse natural discharge naturally permeating or sheetflow downslope through the development area will not likely change the water level range or hydrological function of the wetland in any measurable way.
- Earthworks within 100m or 10m will not result in complete or partial drainage of all or part of the wetland as per Reg 52(i);(ii) & Reg 54 (c) & (d) if they do not occupy or intersect with the wetland.
- The wetland's extant hydrological sources are fed by springs / seepage with variable output highly responsive to meteorological conditions in a pastoral setting. Species composition throughout has a level of tolerance adapted to periodic moderate to high fluctuation in water levels without discernible shift in composition or aquatic life. Stormwater inputs should be controlled in a manner that prevents sediment, scouring or erosion as best practice to avoid adverse effects of such on wetland and aquatic habitat condition.

Therefore, the proposal is not considered to have any implications in terms of the above regulations and consent under these Regulations is not required.

6.2 National Policy Statements

6.2.1 New Zealand Coastal Policy Statement 2010 ("NPSHPL")

The most recent mapping of the 'coastal environment' is within the operative Regional Policy Statement, which postdates the Operative District Plan 'General Coastal' zoning. The subject site is not included in the coastal environment; therefore, it is considered that the above policy statement is not pertinent to this application.

6.2.2 National Policy Statement for Highly Productive Land 2022 – Amended 2024 ("NPSHPL")

The subject site is zoned General Coastal under the Operative District Plan and Rural Production under the Proposed District Plan. The site is mapped as comprising two Land Use Capability ("LUC") units – 4s4 generally covers Lots 1 and 4, while 4e7 generally includes Lots 2 and 3. Neither of these LUC Units meets the definition of 'highly productive land' in the National Policy Statement for Highly Productive Land.

6.2.3 National Policy Statement for Indigenous Biodiversity ("NPSIB")

The objective of the above policy statement is set out in 2.1, as copied below:

(1) The objective of this National Policy Statement is:

(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and

(b) to achieve this:

(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and

(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and

(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and

(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.

There is no SNA included in the district plan or identified in a policy statement or plan. The 17 listed policies set out to achieve this objective, and of most relevant to this proposal is Policy 8:

Policy 8: The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.

Part 3 guides the implementation of the NPSIB. Of relevance is the following approach to implementing the NPSIB.

3.16 Indigenous biodiversity outside SNAs
(1) If a new subdivision, use, or development is outside an SNA and not on specified Māori land, any significant adverse effects of the new subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy.

Effects Management Hierarchy is defined as follows:

effects management hierarchy means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:
(a) adverse effects are avoided where practicable; then
(b) where adverse effects cannot be avoided, they are minimised where practicable; then
(c) where adverse effects cannot be minimised, they are remedied where practicable; then
(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then
(e) where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then
(f) if biodiversity compensation is not appropriate, the activity itself is avoided.

Direct effects on indigenous vegetation are avoided as the subdivision does not require clearance of any indigenous vegetation. Potential indirect effects arising from earthworks and future building and residential development can be avoided and mitigated through standard erosion and sediment control measures, careful stormwater discharge and by observing suitable buffers from wetland areas. Potential adverse effects on kiwi habitat and other birdlife can be avoided through consent notice conditions. As such, the proposal achieves (a) and (b) of the above hierarchy. There are no adverse effects which are more than minor or require remediation or biodiversity offsetting.

It is therefore considered that the proposal is consistent with the above National Policy Statement.

6.3 Regional Policy Statement for Northland ("RPS")

The RPS provides an overview of resource management issues and gives objectives, policies, and methods to achieve integrated management of natural and physical resources of the region. The subject site is not in the coastal environment, does not include any outstanding natural landscapes or features and does not include any areas of high or outstanding natural character.

The relevant policies from the RPS are addressed below.

Policy 4.4.1 – Maintaining and protecting significant ecological areas and habitats - requires adverse effects outside the coastal environment to be avoided, remedied or mitigated by subdivision, use and development, so that they are no more than minor on threatened or at risk indigenous taxa,

significant areas of indigenous vegetation and habitats of indigenous fauna, and areas set aside for full or partial protection of indigenous biodiversity under other legalisation (Policy 4.4.1(1)). For other ecological values, outside the coastal environment, subdivision must avoid, remedy or mitigate adverse effects of subdivision, use and development so that they are not significant on areas of predominantly indigenous vegetation as well as indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, headwater streams, floodplains and margins of freshwater bodies (Policy 4.4.1(3)(a) and (c)). The relevant parts of this policy are considered to be met by the proposal, in that it provides permanent protection and enhancement of the wetland areas within the site, whilst also ensuring that direct and indirect effects of the subdivision and anticipated future development are less than minor on these areas.

Policy 5.1.1 – Planned and coordinated development, requires co-ordinated location, design and building or subdivision, use and development. Relevant matters are listed under (a), (c), (e), (g) and (h). These matters have been considered in preceding sections of this report. In particular:

- Servicing with the necessary infrastructure is viable, with onsite storage of potable water and onsite wastewater disposal being feasible, as described in the Site Suitability Report. Power and telecommunication connections are not expected to be made a condition of consent as they will be supplied at the time that the lot is developed, if required by the property owner, or otherwise supplied by the consent holders at their own discretion.
- The site is not near any significant mineral resources;
- The new building sites are not close to any incompatible land use activities and avoids reverse sensitivity;
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors;
- Kiwi may be present on the site – typical consent notice conditions relating to the keeping of dogs and cats are proposed;
- Adverse effects associated with natural hazards and downstream flooding are avoided. Existing and future impermeable surface coverage is likely to be low.
- The site does not contain highly versatile soils.
- the subdivision density exceeds that provided for by the Operative District Plan, however, the sense of place and character of the surrounding environment can be retained – refer to the Landscape Assessment.
- Matters such as renewable energy, sustainable design technologies can be further addressed at the time that development on the vacant lots is proposed.

6.4 Objectives and Policies –Operative Far North District Plan

The objectives and policies of the Coastal Environment, General Coastal Zone, Subdivision, Transportation and Financial Contribution Sections of the District Plan are relevant to this proposal. Comments on the objectives and policies of the Rural Environment and Rural Production Zone have been grouped together as they have many overlapping themes. As discussed below, it has been concluded that the proposal is not contrary to the overall objectives and policies of the Operative District Plan and consequently, meets the test of section 104D(1)(b) of the Resource Management Act 1991.

Coastal Environment and General Coastal Zone

Objectives and policies relating to the Coastal Environment and General Coastal Zone can be grouped into twelve main themes. As summarised below, it is considered that the proposal is generally consistent with the relevant strategies of the District Plan.

- ***Avoid, remedy or mitigate adverse effects, minimise effects that cross the coastal marine boundary***
  As addressed in Section 5 of this report, adverse effects are avoided where possible through the subdivision design and avoidance of direct effects on habitat, and are otherwise mitigated

through the specified measures to integrate future built form and infrastructure, as well engineering conditions in accordance with policy 10.6.4.4. The works required to implement the subdivision, as well as the future land use works, are a long distance from the coastal marine area.

- ***Preservation, restoration, rehabilitation, protection / preservation or enhancement of character, visual and amenity values***
  Refer to the Landscape Assessment, which concludes that the proposed development will be an appropriate development which avoids and mitigates adverse visual and landscape effects so that they will be low to very low. The proposal is considered to be consistent with objective 10.6.3.2 and policies 10.4.12, 10.6.4.1, 10.6.4.2 and 10.6.4.6.

- ***Preservation, restoration, rehabilitation, protection or enhancement of significant indigenous vegetation and habitats of indigenous fauna***
  The proposal avoids the need for clearance of indigenous vegetation. Existing wetland areas and areas of predominantly indigenous vegetation will be permanently protected. Implementation of pest and weed management, together with a ban on cats and dogs (excepting a grandparent clause for existing pets) can enhance indigenous biodiversity, resulting in a net positive ecological effect. Policy 10.4.3 is supported by the proposal.

- ***Ensuring suitable water supply and storage***
  Suitable water supply for potable and fire-fighting use can be provided using onsite water tanks, in accordance with policy 10.4.10.

- ***Ensure appropriate servicing with utility services***
  Power and telecommunication connections are not expected to be a requirement given the rural environment. Onsite stormwater and wastewater treatment and disposal is achievable as confirmed by the Site Suitability Report. Policy 10.4.1(c) is achieved.

- ***Avoid effects on local roading***
  The proposal uses existing and new combined access formations for efficient access and to avoid affecting the safety or efficiency of Te Kowhai Point Road, with additional traffic movements catered for by the proposed private access.

- ***Protect, restore, and enhance heritage and cultural resources***
  No archaeological or heritage sites are recorded on the subject site. Potential adverse effects of the development on any unrecorded or unidentified archaeological sites can be mitigated through compliance with Heritage New Zealand's Accidental Discovery Protocol, which can be attached to the consent as an Advice Note. This is in accordance with policy 10.4.1(d). Any feedback from a cultural perspective will be taken into account.

- ***Give effect to the NZ Coastal Policy Statement and Regional Policy Statement:***
  See comments in Section 6.2.1 and 6.3, which assess the proposal in terms of the relevant national and regional policy statements as required by policy 10.4.1(h).

- ***Avoidance of natural hazards:***
  Refer to the Site Suitability Report, which confirms that the proposed subdivision and building sites mitigate sufficiently against natural hazards by adopting the recommendations of the report. Fire hazard is also able to be mitigated to a suitable level. Policy 10.4.9 is therefore met.

- ***Avoid sprawling or sporadic subdivision and development to the extent that is consistent with the other objectives and policies of the Plan.***
  The lot sizes proposed fit within the existing range of subdivision and land use intensity and density, therefore is not considered to be sprawling or sporadic in accord with policy 10.4.2.

- ***Promote sustainable management.***
  The proposal is considered to represent a sustainable use of the land.

- ***Maintain and enhance public access to and along the coast, including in accordance with the Esplanade Priority Areas.***
  The subject site does not adjoin the coastal marine area or any existing esplanade reserve areas. There are no identified opportunities to maintain or improve public access to and along the coast. Objective 10.3.4 and policies 10.4.1(g) and 10.4.4 are met.

Subdivision

Objectives and policies relating to Subdivision are commented on below.

- ***Provide for subdivision so as to be consistent with the purpose of the various zones and promote sustainable management of natural and physical resources.***
  As detailed previously, the proposed activity is considered consistent with the objectives and policies of the General Coastal Zone.

- ***Ensure subdivision is appropriate and does not compromise the life supporting capacity of air, water, soil or ecosystems. Avoid, remedy and mitigate adverse effects.***
  The site does not include highly versatile soils. The life supporting capacity of the soil is maintained through minimisation of earthworks (using a combined access formation), and maintenance of the vegetation cover over the majority of the land (including additional revegetation areas). Overall, the proposed subdivision is an appropriate use of the land, which represents sustainable management, having regard to the range and scale of adverse and positive effects identified.

- ***Provide sufficient water storage.***
- ***Provide electricity supply sufficient to meet the needs of activities that will establish on the lots created.***
- ***Support energy efficient design.***
- ***Promote efficient provision of infrastructure.***
- ***Take into account natural and other hazards.***
  On site collection and storage of water, and onsite management of wastewater and stormwater can be achieved on the new rural lifestyle sites in such a way that avoids adverse effects on the environment. Electricity supply is available, and there are suitable building sites on the vacant lots that are able to be developed in accordance with energy efficient principles**.**

- ***Require safe and effective vehicular and pedestrian access. Provide in such a way as will avoid, remedy or mitigate adverse effects.***
  Vehicle access can be satisfactorily provided, as outlined in the Site Suitability Report. The shared use of vehicle access off Te Kowhai Point Road represents an efficient use of an existing accessway.

- ***Provide for the protection, restoration and enhancement of significant habitats of indigenous fauna, significant indigenous vegetation, natural character of riparian margins where appropriate.***
- ***Preserve, and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters.***
  The proposed subdivision retains the existing character of the environment, refer to the Landscape Assessment, which notes that "*the proposal will result in an outcome that will be consistent with this existing character".*

Transportation

- ***Minimize Adverse effects of traffic on the natural and physical environment.***
- ***Ensure appropriate and efficient provision is made for loading and access for activities.***
- ***Evaluate traffic effects in making decisions on resource consent applications.***
- ***Regulate the number, size, gradient and placement of vehicle access points to assist traffic safety and control.***

As detailed in the Site Suitability Report, the minimum line of sight distance for the entrance to Easement 'O' from Te Kowhai Point Road does not comply with the standards set in *Austroads Guide to Road Design, Part 4A: Unsignalled and Signalled Intersections*.

It is considered that the combination of speed reduction from road environment factors described in the Site Suitability Report and the low volumes of traffic will sufficiently mitigate risks arising from the application in terms of the inability of the proposed entrance to achieve the required sight distance to the south west. As such, it is considered that adverse traffic effects are minimised, and an appropriate level of traffic safety is provided.

Financial Contributions

In relation to the proposed subdivision, the relevant objective is "to provide for esplanade reserves, esplanade strips and access strips, collectively known as esplanade areas, upon subdivision". This policy is supported by policy 14.4.7. Policy 14.4.1 lists general circumstances where either money or land is preferred for a financial contribution. In this case, a full waiver is sought, due to the impracticality and lack of necessity of providing an esplanade reserve, nevertheless, a land covenant and associated consent notice condition is proposed to protect the riparian area and ensure that the potential adverse effects that could result from the proposed subdivision are avoided as per policy 14.4.4 and to achieve the relevant esplanade area purposes as set out in section 229 of the Resource Management Act 1991 as per policy 14.4.8. Likewise, this will achieve the purpose of an esplanade reserve as per policy 14.4.10(a). The riparian areas are not within an Esplanade Priority Area.

6.5 Objectives and Policies - Proposed Far North District Plan

Relevant objectives and policies are set out under the chapters 'Rural Production Zone' and 'Subdivision', and are commented on below, and it is concluded that the proposal will generally be consistent with the relevant strategies with the exception that Policy SUB-P8(a) is not met, as the proposal does not intend to add a Significant Natural Area ("SNA") to the SNA Schedule.

Rural Production Zone
Objectives
RPROZ-O1 The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.
RPROZ-O3 Land use and subdivision in the Rural Production zone:

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

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

Policies
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-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:*
c. *the type of farming proposed; and*
d. *whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.*
e. *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:*
f. *scale and compatibility with rural activities;*
g. *potential reverse sensitivity effects on primary production activities and existing infrastructure;*
h. *the potential for loss of highly productive land, land sterilisation or fragmentation at zone interfaces:*
i. *any setbacks, fencing, screening or landscaping required to address potential conflicts;*
j. *the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;*
k. *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;*
l. *the adequacy of roading infrastructure to service the proposed activity;*
m. *Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;*
n. *Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.*

The above strategies give emphasis to the protection of primary production activities and highly productive land. As noted, the site does not contain highly productive land, and given the nature of the site and existing land use, will not result in any significant change to the low scale of existing primary production. The proposed new building sites on Lots 2, 3 and 4 are all set back a suitable distance from existing primary production activities on neighbouring or nearby sites, and the proposal is not considered to generate any significant reverse sensitivity effects that would constrain any primary production activities.

Natural hazards are not exacerbated, provided that the Site Suitability Reports recommendations are followed. Mitigation measures in this respect are outlined in the Site Suitability Report.

On site servicing of the new lots is feasible, as described in the Site Suitability Report. Rural character and amenity values can be preserved, with the existing open areas of pasture remaining the predominant characteristic, and the ponds, their wetland margins and other revegetation areas being protected. The increase in rural lifestyle development is considered not to have a significant impact on the existing rural amenity values in the local environment.

An environmental benefit is offered by the subdivision, namely indigenous revegetation, a ban on the keeping of cats and dogs, the formal protection of wetland areas and their margins, and formalisation of weed and pest management.

Subdivision

Objectives

SUB-O1 Subdivision results in the efficient use of land, which:

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

SUB-O2 Subdivision provides for the:

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

SUB-O3 Infrastructure is planned to service the proposed subdivision and development where:

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

Policies

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

a. *are consistent with the purpose, characteristics and qualities of the zone;*
b. *comply with the minimum allotment sizes for each zone;*
c. *have an adequate size and appropriate shape to contain a building platform; and*
d. *have legal and physical access.*

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

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

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

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

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

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

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

The proposed subdivision is an efficient use of land and in accordance with the Rural Production Zone objectives. The proposed subdivision and future land use activity on Lots 2 - 4 can proceed, subject to the proposed mitigation measures, without generating any significant adverse impact on character, amenity values, heritage or cultural values, highly productive land, land use compatibility, and legal and physical property access. Electricity and telecommunications connections are not required as part of the subdivision consent. Provided that the recommendations of the Site Suitability Reports are adhered to, and further considered at building consent stage via consent notice conditions, the proposed subdivision will not increase natural hazard risk.

Policy P8 specifically relates to rural lifestyle subdivision in the Rural Production Zone. It directs the avoidance of rural lifestyle subdivision unless it (a) protects a qualifying SNA in perpetuity and the SNA is added to the District Plan SNA schedule, and (b) it will not result in the loss of versatile soils for primary production activities. The proposal does not add a Significant Natural Area to the SNA schedule, so is unable to meet clause (a). Clause (b) is achieved, as the site does not contain highly versatile soils.

6.6 Proposed Regional Plan for Northland (February 2024)

Stormwater management proposals for the subdivision stage are based on Proposed Regional Plan for Northland Rule C.6.4.2 and can comply with the permitted standard, with details of avoidance of scour and erosion to be supplied at the detailed design / engineering plan approval stage.

The discharge of sewage effluent onto land is controlled by the permitted activity rules C.6.1.3 of the Regional Plan for Northland. A feasible design that complies with that standard has been devised, as outlined in the Site Suitability Report. An effluent field and reserve area can be located on Lots 2 - 4 in compliance with the current rules.

Earthworks are required to complete the subdivision, being those associated with formation of a shared vehicle crossing and private access over easements 'O', 'M' and 'N'. The exposed area for this purpose will not exceed 5,000m², and can achieve a 10m wetland setback. As such, the proposed earthworks will be within the permitted activity limits of the Proposed Regional Plan, provided that the general environmental standards listed under Rule C.8.3.1 are met as intended.

No consents are considered necessary for the proposed subdivision under the Proposed Regional Plan for this proposal, although careful design of subdivision earthworks, and the future onsite wastewater and stormwater management systems and earthworks proposals, will be required.

6.7 Part 2 of the Resource Management Act 1991

An assessment of the proposal in relation to the relevant purpose and principles of Part 2 of the Resource Management Act 1991 is given below.

PART 2 PURPOSE AND PRINCIPLES

5 Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b)Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c)Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

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

(h) the management of significant risks from natural hazards.

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development and protection of natural and physical resources, shall have particular regard to-

(b) The efficient use and development of natural and physical resources;

(c) The maintenance and enhancement of amenity values;

(f) Maintenance and enhancement of the quality of the environment;

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The proposal is considered to promote sustainable management as per the purpose of the Act (Section 5) by creating three additional allotments while avoiding subdivision of highly versatile or highly productive soil. Lots 2 - 4 have been assessed as suitable in terms of onsite servicing. The proposed subdivision provides for the economic and social well-being of the owners of the property by creating three additional Records of Title, producing additional rural lifestyle lots in an area where this type of land use already exists. The additional lots are deemed suitable for their intended purpose and can be developed in such a way that avoids and mitigates adverse effects resulting from additional traffic, property access, wastewater treatment and disposal, and stormwater disposal.

The natural character of wetlands and riparian margins will be preserved and enhanced as a result of the subdivision, in accordance with Matter 6(a). The proposed subdivision and existing and future use of the lots are considered to be appropriate activities.

The Site Suitability Reports provide an assessment of natural hazards. Areas of potential inundation will be set aside from vulnerable use and development, and development specific geotechnical investigation will be required at building consent stage. With the proposed mitigation measures, a less than minor level of effects can be anticipated. Consent notice conditions can be applied to Lots 2 - 4 in this respect, in order to achieve consistency with Matter 6(h).

The proposed subdivision is considered to be an efficient use of this land, which is neither highly productive nor highly versatile in terms of its productive capability. The future building sites on Lots 2 - 4 can be developed without reducing overall amenity values, and the existing character of the wider area will be retained. The proposal will maintain amenity values and the overall quality of the environment in terms of section 7.

The proposal has no known implications in terms of the Treaty of Waitangi. Mana whenua input has been sought, refer to Section 8.1.1 of this Report.

Overall, the proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.

7.0 Other Matters

Section 104(1)(c) requires the consent authority, subject to Part 2 of the Act, to have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

7.1 Precedent Effect

The precedent resulting from granting a resource consent is an 'other matter' that Council can have regard to in considering an application for consent for a non-complying activity. The non-complying activity status does not of itself create a precedent effect; however, a relevant consideration is whether granting this consent, and the anticipation that like cases will be treated alike, will contribute to an adverse cumulative effect that follows from this activity.

The existing pattern of rural lifestyle development in the wider area will be continued by the proposal allowing the additional proposed lots to be accommodated without setting a wider precedent. Additionally, the proposal includes permanent protection of existing and proposed revegetation areas, and this is a unique aspect of the proposal to be considered. For these reasons, it is considered that a precedent will not be created through the granting of this application due to its distinguishing features and circumstances, such that it will not challenge the integrity of the Operative District Plan.

8.0 Consultation & Notification Assessment

8.1 Consultation

8.1.1 Iwi Consultation

Consultation has been initiated with the parties identified as being local Iwi in the subject area, as specified by Council's Te Hono Support, being representatives of Ngāti Rēhia, Te Whiu Hapū and Ngāti Torehina ki Matakā. Te Hono Support also directed that consultation include any other hapū who may have an overlapping interest in the area.

An email was jointly sent to Ngāti Rēhia, Te Whiu Hapū and Ngāti Torehina ki Matakā. Hugh Rihari responded on behalf of Ngāti Torehina ki Matakā to advise that the application falls within the hands of Te Whiu Hapū (Te Rau Allen). Mr. Allen expressed interest in reviewing details of the proposal, and scheme plan updates and the Site Suitability Report have been forwarded. The Ecological Impact and Landscape Assessments have also been supplied, shortly before application lodgement. No detailed comments have been received at this stage. No response was received from Ngāti Rēhia.

Additionally, an email with a summary of the proposal, the proposed scheme plan and the Site Suitability Report have been sent to the Matoa Whenua Trustees, in relation the adjoining Matoa Block, however no response has been received to date.

The consultation records are attached in **Appendix 7**.

8.1.2 Department of Conservation

An email setting out general relevant aspects of the proposal setting out general relevant aspects of the proposal and inviting comments was sent to Department of Conservation. They have responded that they have no comment. The consultation record is attached in **Appendix 8**.

8.1.3 Neighbouring Property Owners

The applicants have approached the owners of Lots 1 & 2 DP 415226 to discuss the proposal. No written approvals have been obtained.

8.2 Public Notification

Step 1: Public notification is not requested. Sections 95A(3)(b) and (c) do not apply.

Step 2: Public notification is not precluded.

Step 3: There are no relevant rules that require public notification, and the adverse effects of the proposal have been assessed as being less than minor. As such, public notification is not considered necessary.

Step 4: No special circumstances exist to warrant public notification.

8.3 Limited Notification

Step 1: There are no affected protected customary rights groups or affected customary marine title groups, the land is not subject to a statutory acknowledgement.

Step 2: Limited notification is not precluded.

Step 3: Section 95E describes when a person is an affected person. No person is considered to be an affected person in terms of this proposed activity as:

- The site is within 500m of land administered by the Department of Conservation; however, they have advised that they have no comments.
- There will be no adverse effects on any downstream land in terms of flooding or inundation.
- Vehicle access uses the legal road reserve and does not add users or traffic to any existing private vehicle access.
- The Landscape Assessment concludes that:
    - the level of adverse effects on the specified landscape and visual attributes is low.

- The potential adverse effect on proximate and neighbouring individuals will be (at most) low, and the future built form facilitated by the subdivision will only represent a small change in the character of the wider landscape.
- The existing character of this rolling rural landscape is influenced by built form albeit to a low density. The proposal will result in an outcome that will be consistent with this existing character and will not detract from the natural character values to any more than a very low level.
- Potential adverse visual amenity effects on the users of Te Kowhai Point Road will be very low.
- The potential adverse visual amenity effect that will be experienced by occupants of Lot 1 DP 415226 and Lot 2 DP 415226 will be (at most), low in the short term, and very low in the longer term when the revegetation planting has become established. It is proposed to plant revegetation areas at section 224c certificate stage, so that it is established prior to a dwelling being built on the vacant lots. In any event, with a 'moderate-low' level of effect generally equating to a 'minor' level of effect as described in the 'Landscape and Visual Effects Assessment Methodology' of the Landscape Assessment, it can be determined that a 'low' level of effect is on the higher end of 'less than minor' but nevertheless is lower in scale than minor.

As such, it is considered that limited notification is not required.

Step 4: There are no special circumstances to warrant notification to any person.

8.4 Summary of Notification Assessment

As outlined above we are of the opinion that the proposal satisfies the statutory requirements for non-notification, and we respectfully request that it be processed on that basis.

9.0 Conclusion

In terms of section 104, 104B and 104D of the Resource Management Act 1991, we consider that:

- the proposed activity achieves the "threshold test" set out in Section 104D(1) as:
  - the adverse effects of the activity on the environment resulting from the proposed activity are not more than minor and
  - the proposal is not contrary to the objectives and policies of the Operative District Plan or the Proposed District Plan.
- The proposal is not contrary to the Regional Policy Statement for Northland, the National Policy Statement for Highly Productive Land or the National Policy Statement for Indigenous Biodiversity.
- The proposal is in accordance with the Purpose and Principles of the Resource Management Act 1991.

We also note that:

- The proposal has been assessed as satisfying the statutory requirements to proceed without notification.

For these reasons it is requested this application be considered to be a non-notified application, and that the Council grant consent to the proposal, subject to conditions and under delegated authority, as detailed in the application and supporting information.

Signed 
Natalie Watson,
Resource Planner

Date: 19 December 2024
WILLIAMS & KING
Kerikeri

10.0 Appendices

Appendix 1 Scheme Plan
Appendix 2 Vision Consulting Engineers Site Suitability Report
Appendix 3 Record of Title
Appendix 4 Bay Ecological Consultancy Ecological Impact Assessment
Appendix 5 Simon Cocker Landscape Architecture Landscape Assessment
Appendix 6 Top Energy Correspondence
Appendix 7 Consultation Records – Iwi
Appendix 8 Consultation Record – Department of Conservation

Proposed Memorandum of Easements

Shown	Purpose	Burdened Land	Benefited Land
O	Right of Way Right to Convey Electricity, Water & Telecommunications	Lot 4 Hereon	Lots 2 & 3 Hereon
M & N		Lot 3 Hereon	Lot 2 Hereon

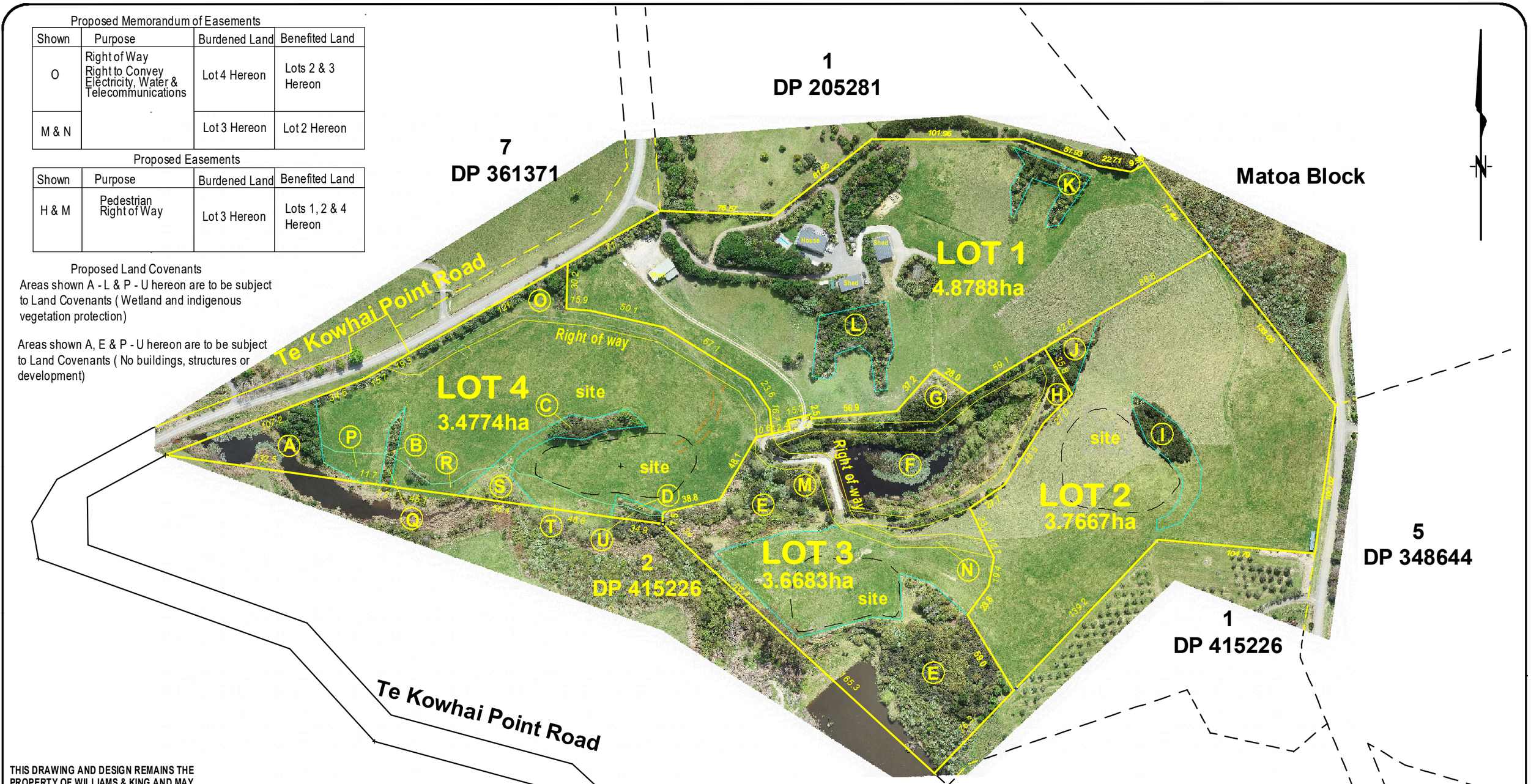
Proposed Easements

Shown	Purpose	Burdened Land	Benefited Land
H & M	Pedestrian Right of Way	Lot 3 Hereon	Lots 1, 2 & 4 Hereon

Proposed Land Covenants

Areas shown A - L & P - U hereon are to be subject to Land Covenants (Wetland and indigenous vegetation protection)

Areas shown A, E & P - U hereon are to be subject to Land Covenants (No buildings, structures or development)



Prepared for: D J & J A Nute

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council

Total Area: 15.7915ha
Comprised in: NA132C/342

Levels in terms of: NZ Vertical Datum
Contour interval is: 1.0m

WILLIAMS AND KING
Registered Land Surveyors, Planners & Land Development Consultants
Ph: (09) 407 6030
Email: kerikeri@saps.co.nz
27 Hobson Ave
PO Box 937 Kerikeri

Proposed Subdivision of Lot 2 DP 205281

	Name	Date
Survey		
Design		
Drawn	W & K	Oct 2024
Rev		

ORIGINAL SCALE 1:2500 SHEET SIZE A3

24445

SITE SUITABILITY REPORT

Proposed Subdivision of 128 Te Kowhai Point Road

Prepared for

David and Julia Nute

9/12/2024

Report Information Summary

Job no.	J15729
Report Author	Jonathan Cousins
Report Reviewer	Ben Perry
Version No.	1
Status	Final
Date	9/12/2024

Version No.	Date	Description
1	30/10/2024	DRAFT Issued to Planner
2	06/11/2024	Report Issued to Client
3	09/12/2024	Final report for Issue

Document Acceptance

Action	Name	Signed	Date
Author	Jonathan Cousins	 MEng (Civil)	09/11/2024
Reviewer	Ben Perry	 MIPENZ, CPEng	09/11/2024

Limitations

This report has been prepared by Vision Consulting Engineers Limited (VISION) based on the scope of our engagement. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. VISION does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by VISION for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source. VISION should be contacted immediately if variations are encountered. It is possible that further investigation or modification of recommendations is required.

Vision Consulting Engineers Ltd
Level 1, 62 Kerikeri Road
Kerikeri 0230

Contents

Appendices

Tables

Figures

1 Introduction

Vision Consulting Engineers Limited (VISION) were commissioned by David and Julia Nute to provide a site suitability report (this report) to accompany a Resource Consent application to the Far North District Council (FNDC) for a proposed subdivision of Lot 2 Deposited Plan (DP) 205281, 128 Te Kowhai Point Road, Far North District (the "Site"), owned by David and Julia Nute.

It is proposed to subdivide the Site into three new lots (Lot 2, 3 and 4), with Lot 1 containing the existing dwelling as shown in the Proposed Subdivision Plan in Figure 1 and included in Appendix A. The proposal also includes forming and access from Te Kowhai Point Road through the proposed Lot 4. Due to the size of the parent Lot 2 DP 157,915 m² (15.7915 ha), this report only covers the proposed Lot 2, 3 and 4 (3.7667 ha, 3.6683 ha, and 3.4774 ha, respectively), with the main focus being on the proposed building areas and site access.

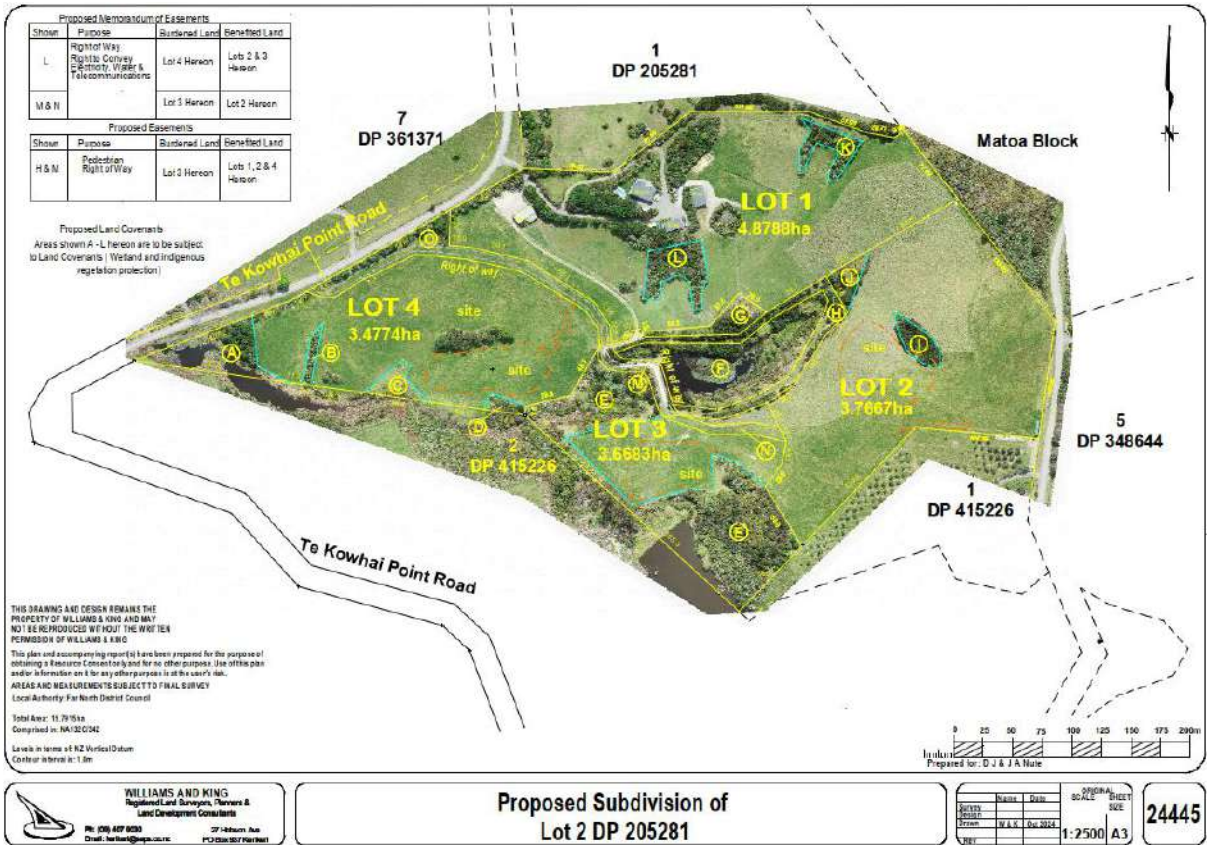


Figure 1: Proposed Subdivision Scheme Plan

2 Scope of Work

The scope of work for this report is to assess the site suitability covering:

- Natural hazards
- Ground conditions at proposed building areas
- Vehicle access
- Water supply (including fire fighting)
- Wastewater
- Stormwater

The site suitability report is supported by a desktop study and a site walkover to review existing site conditions and hydrology. Soil type and suitability for wastewater management have also been assessed using intrusive soil coring.

3 Industry Guidance

This report has been prepared in accordance with the requirements of the FNDC Engineering Standards & Guidelines 2004 - Revised March 2009, the District Plan, and Section 106 of the Resource Management Act (RMA) relating to natural hazards.

4 Site Description & Details

The proposed Lots 2, 3 and 4 are sized 3.7667 ha, 3.6683 ha, and 3.4774 ha, respectively and are located to the east of Te Kowhai Point Road, Kerikeri (Figure 2). The property is bounded by general coastal lots used for residential and agriculture purposes. The site is zoned General Coastal with respect to the FNDC District Plan. The access is currently provided from the northern boundary via farm tracks through the Lot 1 and crossing over the embankment of the dam into the southern fields. Lot 4 includes two potential building "site" locations labelled 4A and 4B in this report (4A is upslope of 4B).

All proposed new Lots are currently undeveloped and covered in grass, mixed agriculture, scrub and trees. The proposed building locations are grassed. A small dam is wholly located within the proposed Lot 3 and overflows into an unnamed tributary of wetlands discharging into Te Puna Inlet. A second dam is partially located on proposed Lot 3 along its southwestern boundary.

The Site consists of undulating hills generally sloping northwest and more locally towards the unnamed watercourse and dams. Site elevations vary between 60 m NZVD on the eastern boundary to 7 m NZVD within the watercourse channel on the northwest boundary at Te Kawhai Point Road. The existing elevations of the ground at the proposed building areas are; Lot 2 = 36 m NZVD, Lot 3 = 22 m NZVD, and Lot 4A and 4B = 19m and 16 m NZVD. General site details are provided in Table 1.

Figure 2: Site aerial photograph looking north over the Site

Aerial photograph source: Bayleys Realty Group. Indicative building locations and access shown as red points and a grey line, respectively.

Table 1: Site Details

Specific details about the site.

Item	Description
Site Address	Lot 2 Deposited Plan (DP) 205281, 128 Te Kowhai Point Road, Far North District
Owner	David and Julia Nute
Legal Description	Lot 2 Deposited Plan (DP) 205281
Certificate of title	NA132C/342
Territorial Authority	Far North District Council
Zoning	General Coastal (Operative District Plan). Rural Production (Proposed District Plan)
Engaged By	David and Julia Nute
Property Size	Lot 2 = 15.7915 ha
Proposed Lot sizes	Proposed Lots 2 = 3.7667 ha Proposed Lot 3 = 3.6683 ha Proposed Lot 4 = 3.4774 ha
Domestic Water Supply	Roof collection
Anticipated Wastewater Load from future dwellings:	Assume 4-bedroom dwelling per Lot (6 people maximum design occupancy). Design flow allowance is 180 L/person/day, therefore total design load = 1080 L/day/ dwelling. This design load is sourced from ARC TP58:2004.
Availability of Sewer	The area is unsewered and unlikely to be sewered in the long term.

4.1 Council Hazard Mapping

According to the NRC and FNDC hazard layers the proposed building areas are not located in an area susceptible to:

- Landslide
- Erosion
- Coastal Hazards
- Flooding (refer Section 8)
- Coastal Flooding

5 Site Evaluation

VISION undertook site investigations on 10th October 2024 and a summary is provided in Table 2. The weather was fine at the time of the investigation without significant rainfall in the preceding days. An aerial photograph over the Site is provided in Figure 2 with the proposed building areas in each lot marked.

Table 2: Site Evaluation Summary

Feature	Description
Site Area	Lot 2 = 15.7915 ha
Lot Size	Proposed Lots 2 = 3.7667 ha Proposed Lot 3 = 3.6683 ha Proposed Lot 4 = 3.4774 ha
Climate	Northland is a sub-tropical climate zone, with warm humid summers and mild winters. Typical summer temperatures range from 22°C to 26°C (maximum daytime) but seldom exceed 30°C. In winter, high temperatures are between 14°C to 17°C. Annual sunshine hours average about 2000 in many areas. Mean annual rainfall is 1400mm for the site location.
Exposure	The proposed Lots are moderately exposed providing them with medium sun and wind exposure. The tops of hills will experience higher wind speeds in the coastal region
Vegetation	The proposed building areas are grassed. The fields are lightly grazed and cut for grass bales. Several stands of native vegetation have been planted along the watercourse and around the dams.
Slope	The proposed building area are sloped as follows: Proposed Lot 2 = 12 to 18 degrees to north Proposed Lot 3 = 7 degrees to west Proposed Lot 4A = 8 to 12 degrees to south, and Lot 4B = 6 to 8 degrees to south
Fill	There were no obvious signs of fill on the proposed building areas or access way, other than at the dam embankments.
Erosion Potential	No signs of erosion were noted on the proposed building areas. Only minor signs of erosion were noted on steep grassed slopes within the wider Site boundary during the site walkover assessment. In channel erosion was observed in the unnamed watercourse towards the more southern dam. According to the Land Use Capability maps the Site has a potential for moderate to severe sheet, rill, wind and gully erosion when cultivated is slight, sheet, rill (when cultivated).
Surface Water	An unnamed watercourse with online dams / ponds runs east to west through the site before passing through a culvert under Te Kowhai Point Road. The watercourse has been fenced through the Site and appears to have high-quality native vegetation enclosed.
Flood Potential	The NRC flood level report mapping shows that the 1 in 100 year + CC fluvial flooding encroaches within the site boundaries; however, this is generally contained within the channel of the watercourse and away from the proposed building locations.
Stormwater run-on and upslope seepage	The proposed systems should include surface water cut-off drains where appropriate to intercept hill runoff.
Groundwater	Subsurface conditions were logged from the boreholes performed on the site. Groundwater was not observed to be present in the boreholes which extend to a depth of up to 1.2m below ground level.
Site Drainage and Subsurface Drainage	Site drainage will need to be addressed at the time of Building Consent. At this stage no subsurface drainage is recommended.
Recommended Buffer Distances	All buffer distances recommended in NRC's Regional Plan, the District Plan and ARC TP58:2004 are achievable and do not appear to significantly limit the positioning of a new wastewater system.

6 Soils

The site soils have been assessed for their suitability for on-site wastewater disposal by a combination of soil survey and desktop review of published soil survey information as outlined in this section.

6.1 Published Soil Information

The 1:250,000 geological map, Geology of the Whangarei Area (Edbrooke et al 2009) indicates that all three of the proposed building areas and access way are generally underlain by the Waipapa Group. Towards the western Site boundary extending into the flatter wetland areas are mapped as swamp deposits of the Tauranga Group. These deposits consist of sediments of mud and peat.

The soils have been mapped by Landcare Research which describes soils under the New Zealand Revised Soil Classification. The soil mapped at the Site is Albic Ultic (UE) which have yellow or yellow-brown subsoil. They are derived from quartz-rich sediments which have weathered to clay or sandy clays. They are of low fertility and their clayey subsoils have poor drainage.

6.2 Soil Survey and Analysis

A soil survey was undertaken at each of the proposed wastewater discharge area to determine the suitability for application of treated effluent based on 1.2m deep boreholes (BH1, BH2, and BH3). Borehole locations are shown in Figure 3 and the logs are in included in Appendix B.

BH1 was drilled at proposed Lot 2 and showed that the overlying soils generally consist of a layer of topsoil (silty clay), which is underlain by clayey silt and clay to a depth of at least 1.2m below ground level (bgl).

BH2 was drilled at proposed Lot 3 and showed a 100mm layer of vegetated topsoil over a 100mm band of orange silty clay over another 100mm thick band of silty clay topsoil. The layering and position at the base of a slope suggests that historical land movement or human earthworks - possibly a shallow slip or earth moving during the dam construction – have occurred.

BH3 was drilled at proposed Lot 4 and showed that overlying soils were silty clay topsoil to a depth of over 400mm above brown silty clay to orange clay.

Groundwater was not encountered during the survey in any of the boreholes.

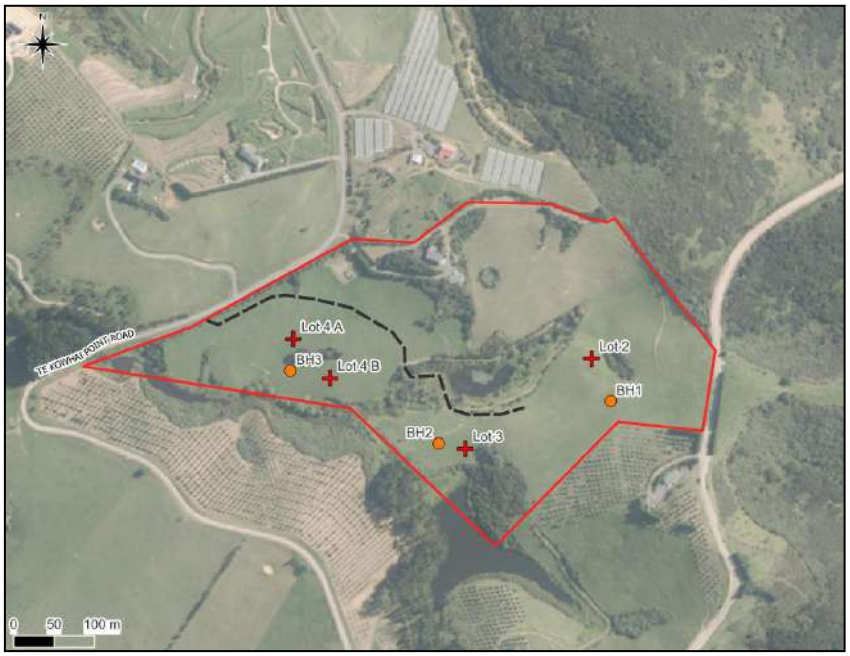


Figure 3: Borehole Locations

Boreholes shown as orange points and numbered accordingly

7 Site Earthworks and Geotechnical Requirements

7.1 Geomorphology

Figure 4 shows the landform across the Site, derived from 1m DEM LiDAR data. The proposed building locations and access alignment are also shown along with the watercourses and standing water. No significant active or recent land slips were observed during the site survey; however, the mapping in Figure 4 suggests that several historical slips (orange boxes) may have occurred within the Site boundary.

Reviewing aerial imagery dating back between 1950 and 1982 also suggests that whilst the land has been cleared of most native vegetation since that point, no major land movements can be observed. Shallow surface slips are present in images from March 1951 (Figure 5). Similarly, reviewing aerial imagery in Google Earth Pro dating back from present day to 2003 shows no further evidence of a major slip having occurred.

The proposed Lot 2 building site sits on ground that is relatively steeps and slopes between 12 to 18 degrees to north. An overland surface water flow path – represented by a blue triangle in the figure - sits within a small pocket of bush and shallow valley less than 50 m to the east of the proposed building area. An existing vehicle access track has been cut into the toe of the hill and runs around the perimeter of the dam. The hillside features areas that, although not shown by the contour lines, are flatter than the surrounding hill.

Lot 3 sits on land that slopes at around 7 degrees to the west from the base of a hill climbing at over 20 degrees to the east. The building location is relatively flat and no geomorphological features were observed on the ground. The watercourse running along the southern boundary of Lot 3 is downstream of the dam spillway and was observed to have active in-channel erosion. The channel has been stepped in part to reduce scour.

Lot 4A and 4B are on ground sloping south at 8 to 12 degrees and 6 to 8 degrees to the south. Both lots sit within close proximity to an area of steeper gradient land enclosed within a fenced off and treed area. Site observations from the fenceline did not suggest that it is an active feature.

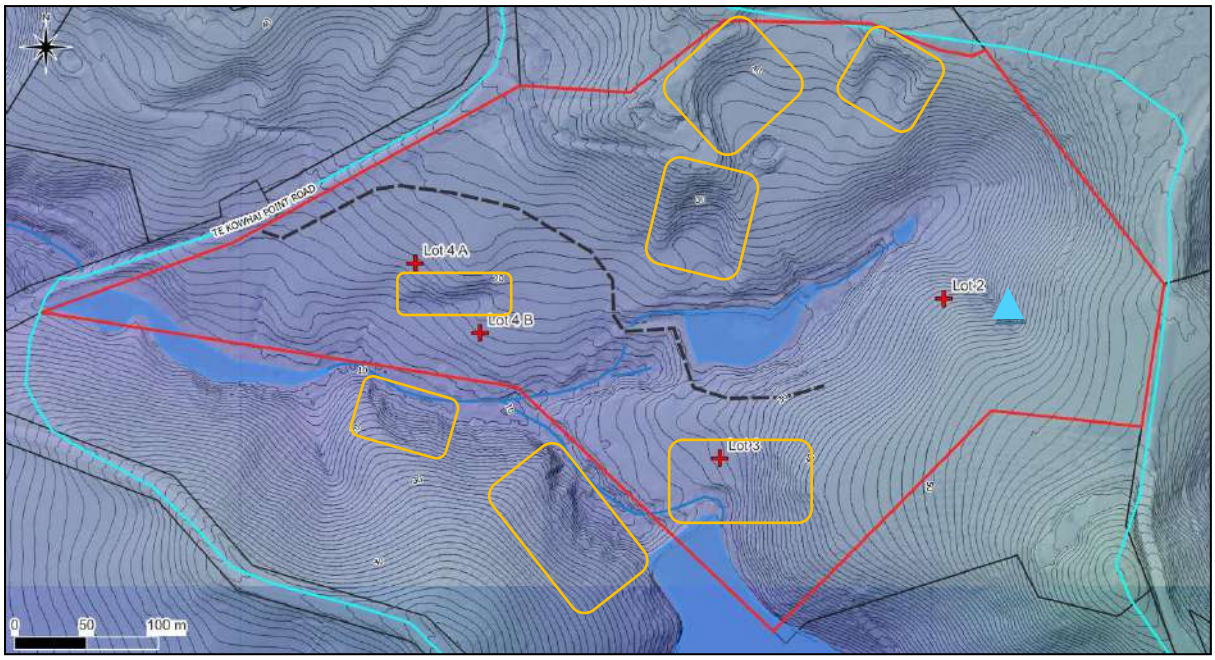


Figure 4: Landform derived from LiDAR

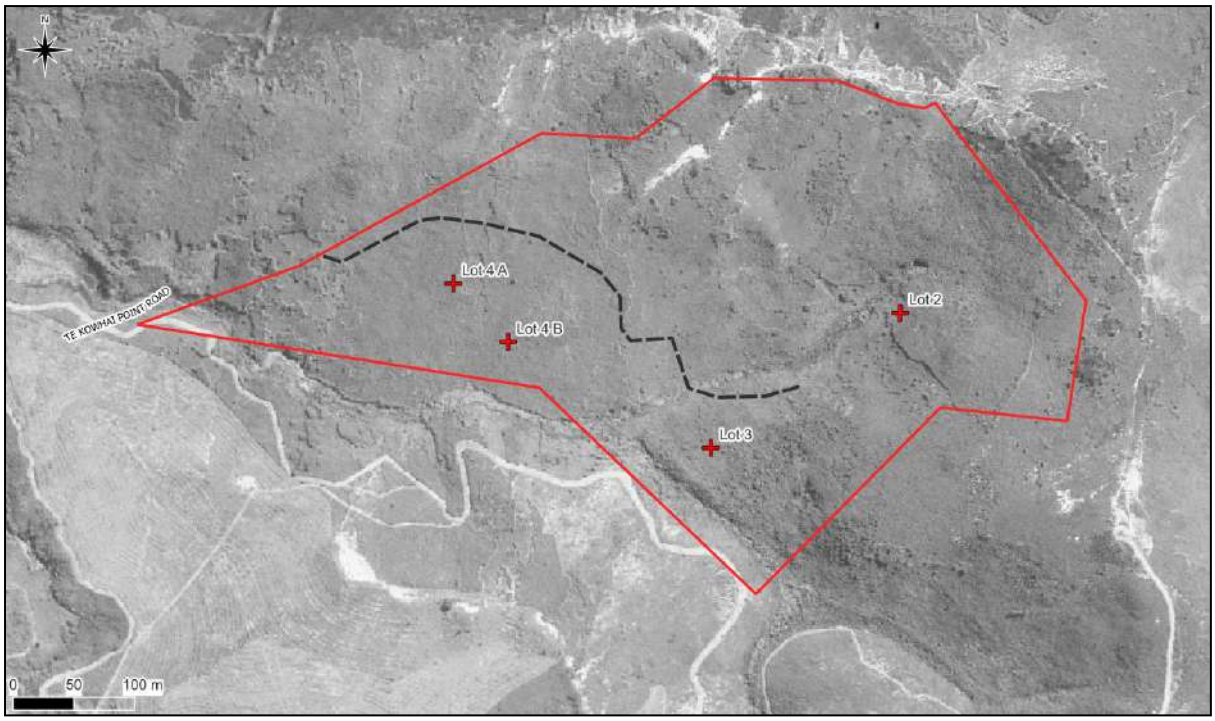


Figure 5: March 1951 Aerial Photograph (Source: Retrolens.co.nz)
Note: The location of the site boundary red line is an approximation.

7.2 Earthworks

At this stage, geotechnical investigations have not been undertaken or the design and construction methodology determined. However; earthworks will be required to form the access way across the Site. To estimate earthwork volumes, VISION imported the access alignment from the proposed scheme plan (Appendix A) into AutoCAD Civil 3D and specified design criteria in accordance with FNDC engineering standards and incorporating side drainage channels.

The slopes are modest and an estimated 620 cubic meters of cut is required to form the access up to the Lot 2 boundary including the excavation of side ditches. In the current alignment, as the access approaches Lot 2, there is a requirement to retain a portion of the upslope bank to approximately 1.5 m. The modelling showed the current alignment to be feasible in terms of engineering requirements; however, it should be noted that the estimated volume is very conservative and refinement during design will reduce the volume significantly.

It is recommended that earthworks undertaken at the site be carried out in accordance with Auckland Council Guidance Document 2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).

7.2.1 Site Fills

It is recommended that fill slopes are constructed on land sloping at less than 1V:5H at a maximum batter slope of 1V:2.5H to a maximum height of 1.0m. All fill slopes greater than 1.0m in height are to be engineer assessed by a Chartered Professional Engineer experienced in geotechnical engineering.

It is recommended that where any proposed filling is to take place within 8m of the top of the banks of the unnamed watercourse that the stability is assessed by a Chartered Professional Engineer with experience in geotechnical engineering.

Where the proposed filling is to support the loads of a building it will need to be certified by a Chartered Professional Engineer in accordance with NZS4431:2022.

7.2.2 Site Cuts

It is recommended that cut slopes are constructed at a maximum slope angle of 1V:3H to a maximum height of 1.0m. All cut slopes greater than 1.0m in height are to be engineer assessed by a chartered professional engineer experienced in geotechnical engineering.

It is anticipated that cuts at the site may be up to 4m in height.

7.3 Infrastructure

It is not anticipated that there will be geotechnical constraints for the installation of infrastructure services provided that standard shoring and, where required, temporary works are implemented during construction.

7.4 Land Stability

A formal land stability assessment is not included in this report. Due to the undulating topography, the proposed building areas of Lots 3 and 4 are considered at low risk of slippage, whilst Lot 2 on the steeper sloping ground is considered higher risk.

It is recommended that any proposed structures or fills placed within 8m of the unnamed watercourses or the dam's top of banks require a stability assessment by a Chartered Professional Engineer specialising in geotechnical engineering.

7.5 Foundations

It is recommended that site specific geotechnical investigations are carried out for proposed structures, because the near-surface soils exhibit expansive characteristics that typically fail to meet the "good ground" criteria defined in NZS3604(2011) i.e., soil that does not have an ultimate bearing pressure of 300 kPa or greater. Deepening foundations might be a solution for constructing light weight timber framed structures; however, an alternative approach, subject to further geotechnical investigation, could involve constructing hardfill platforms and placing rib-raft foundations on top, requiring larger volumes of earthworks.

8 Roads

Access to the proposed lots will be via a shared new entrance from Te Kowhai Point Road. The access will pass through Lot 4 before traversing the existing vehicle access track over the dam embankment, and continue on to lots 2 and 3.

It is recommended that the accessway design will be prepared in accordance with the FNDC Engineering Standards (May 2023) and will include:

- A comprehensive geotechnical assessment of the accessway alignment will be conducted to ensure the stability of cut and fill slopes, assess subgrade conditions, and inform pavement design.
- The accessway will have a minimum 3 m width of carriageway, complying with the FNDC standards.
- On accessways in excess of 100 m long and less than 4.5 m carriageway width, passing bays will be provided at points of intervisibility (at approximate 50 m intervals). For such passing bays, the carriageway width will be increased to 5.5 m over a 15 m length, including 5 m tapers at each end.
- The accessway horizontal geometry will provide an inside wheel turning radius to accommodate a Medium Rigid Truck of 8 m.
- A detailed drainage design for the accessway will be prepared, including ditch dimensions, culvert capacities, and discharge points. The capacity and condition of the existing culvert under

Te Kowhai Point Road will be assessed to ensure it can handle the increased runoff from the development.

8.1.1 Te Kowhai Point Road Crossing

Minimum line of sight distances for the main site access from Te Kowhai Point Road does not comply with the standards set in *Austroads Guide to Road Design, Part 4A: Unsignalled and Signalled Intersections* to avoid road widening of Te Kowhai Point Road. Although not sign posted, Te Kowhai Point Road is speed-limited to 60 km/hr. The minimum required sight distance on a low traffic volume road is 85 m.

Currently, visibility from the proposed site access is over 170 m to the right (towards Te Kowhai Point) and approximately 60 m to the left. A shallow dip in the road surface towards the unnamed watercourse crossing on Te Kowhai Point Road partially obscures visibility to the left; otherwise, the line of sight would be over 150 m. Figure 6 shows the light of site from the proposed access in both directions.

Figure 6: Line of sight from the access

Left image looking towards Kerikeri, right image towards Te Kowhai Point

Based on the NZTA's MOTSAM guidelines, a PW-11 sign, or any additional signage, is not warranted in this situation. The policy for PW-11 signs states they are intended for intersections with 'restricted sight distance combined with a large volume of turning or crossing traffic.' This does not apply to the proposed access on Te Kowhai Point Road, given the low existing and anticipated traffic volumes. Therefore, it is proposed that no upgrades to Te Kowhai Point Road or additional signage are required.

<u>It is recommended</u> that:

- The entrance be designed in accordance with FNDC Engineering Standards drawing Sheet 21 detail TYPE 1A, incorporating the following:
  - Curve Radius: 5.0 m and may increase to accommodate the tracking of a Medium Rigid Truck.
  - Property Access Width: 4.0 m at 6.5 m from the edge of the roadway and, where needed, widened to accommodate the tracking of a Medium Rigid Truck.
  - Access Gate: To be recessed back from the edge of the roadway at least 6.5 m
  - Drainage: Where a culvert is deemed necessary, the culvert shall be adequate for the upstream catchment, but not less than 300 mm diameter, with end treatments consisting of concrete bound riprap 100 mm to 150 mm rock embedded in concrete to 100 mm below the pipe.

– Pavement: an unsealed crossing with a minimum of 125 mm GAP 65 and 75 mm GAP 40 or 200mm GAP 40 (compacted depths).

8.1.2 Dam Embankment Crossing

The accessway to proposed Lots 2 and 3 will utilise the existing dam embankment. To minimise disturbance to the dam structure and the adjoining wetlands, the existing 4 m wide crest will be maintained, providing 0.5m shoulders on either side of the 3m wide gravel carriageway. While the FNDC Engineering Standards do not specify a minimum shoulder width for private accessways, they emphasize considering site-specific constraints and adopting innovative solutions.

In this instance, the narrow crest severely limits widening. Expanding the accessway would involve extensive earthworks, potentially compromising the dam's integrity and causing significant environmental disturbance. However, several factors mitigate the risks associated with the narrow shoulders:

- The accessway serves only two properties, resulting in minimal traffic and infrequent vehicle encounters.
- The rural setting and nature of the properties suggest a low-speed environment, further reducing the need for wider shoulders.

To further enhance safety, the following measures are recommended:

- A passing bay be installed on the northern side of the dam to ensure safe vehicle passing, as sightlines are limited on the southern approach.
- A safety barrier with appropriately spaced bollards, complying with AS/NZS 3845:2017, be installed along the upstream side of the accessway to prevent vehicles from leaving the roadway and entering the pond. This is particularly crucial given the potential for serious consequences, especially for vulnerable occupants like infants or elderly.
- A geotechnical assessment of the dam embankment be conducted to confirm its load-bearing capacity and address potential impacts of the accessway construction.
- If necessary, vehicle restrictions may need to be imposed to limit the size or type of vehicles allowed to use the accessway.

This approach prioritizes the preservation of the dam structure and minimises environmental impacts while maintaining a functional, albeit narrow, accessway for the two properties. The safety measures mitigate the risks associated with the restricted shoulder width.

9 Local Hydrology and Flooding

The local hydrological network has been mapped in Figure 7 based on LiDAR and site observations. The surface water catchment draining to the culverted watercourse crossing on Te Kowhia Point Road is approximately 38.5 ha and contains two online earth embankment dams and a ponded area within an unnamed watercourse. The unnamed watercourse runs east to west through the site and forms a tributary of the wetlands that ultimately discharge into Te Puna Inlet.

The Site and proposed building areas currently drains predominantly via overland flows towards the existing dams / ponds and unnamed watercourse. No formal drainage infrastructure was identified at the proposed building areas.

The NRC Flood Level Report region-wide mapping (see Figure 8 and Appendix C) shows that flooding does not encroach into the proposed building areas. Floodwater is generally contained within the channel of the unnamed watercourse. The proposed Site access way is generally not mapped to be at risk of flooding other than a small area immediately downstream of the dam on the unnamed

watercourse. It is unlikely that the culvert under Te Kowhai Point Road has been included in the model and may therefore be at risk of flooding in larger rainfall events or when blocked.

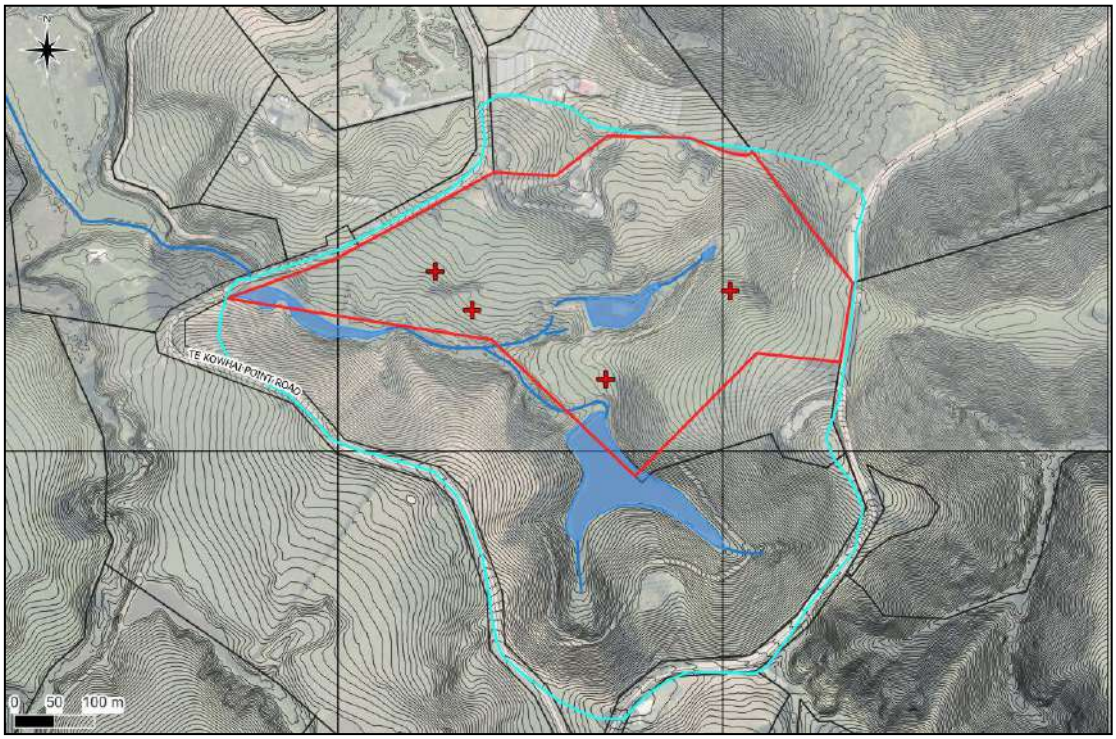


Figure 7: Local Hydrology and Site Observations

Indicative surface water catchment (light blue line), water courses (blue lines) and standing water (blue shading)

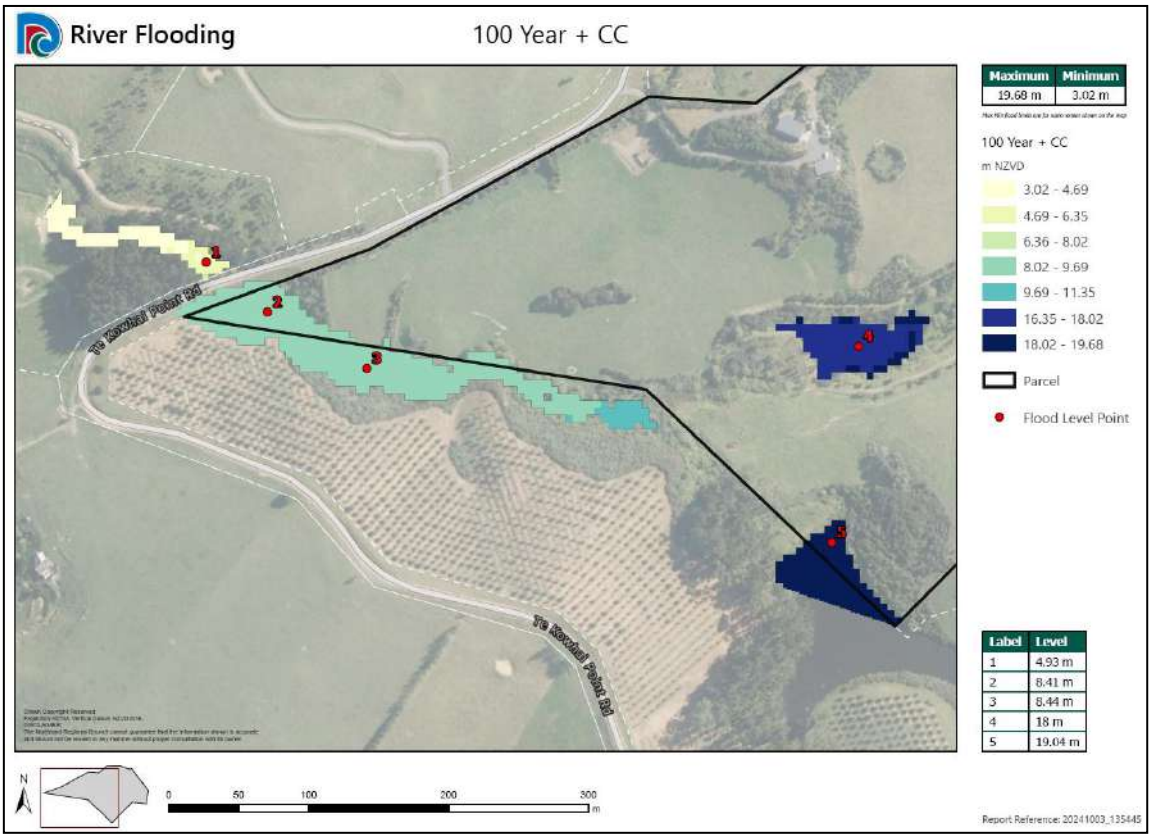


Figure 8: NRC Flood Level Report mapping 1 in 100 year + climate change

9.1 Initial Dam Breach Assessment

There are two earth embankment dams located on watercourses flowing through or along the Site boundary. It is prudent to consider the unlikely event of either dam having a breaching event, to assess the potential extent of a subsequent flood wave. This assessment aims to define an exclusion zone for future structures on the proposed lots, ensuring their safety even in such a low-probability scenario.

Based on VISION's experience with similar assessments, the "half height" method was used to estimate the potential extent of inundation. This method, outlined in the Tasmania Government guidance: *Guidelines on undertaking consequence category assessments for dams, March 2023, Version 1.1,* projects half of the physical height of the dam downstream to simulate a flood wave.

Figure 9 illustrates the potential inundation zone based on this conservative assessment.

This method is a conservative initial screening method for estimating the potential inundation zone. It does not constitute a detailed dam breach assessment or substitute for hydraulic modelling. The approach is intentionally conservative as it does not consider the volume of stored water, the rate or magnitude of dam failure, losses due to friction or attenuation storage in the landscape.

The estimated inundation zone has not been extended downstream of the site across Te Kowhai Point Road. Additionally the NRC flood mapping does not indicate a risk of flooding for the dam embankment forming the access. However, in the unlikely event of a dam failure, there is potential for localised impacts on the embankment's structural integrity.

Figure 9: Indicative dam breach inundation map.

Indicative inundation zone shown in blue shading. Proposed building locations shown as red crosses.

To ensure the long-term safety of the development, it is recommended that a consent condition be issued requiring the survey plan be updated to show the indicative inundation area. A consent notice should then be included on the land titles for proposed Lots 3 and 4, prohibiting building construction and any other development that poses a risk to life or property within the identified inundation zone (Figure 9), unless a specific engineering analysis and report prepared by a Chartered Professional Engineer clearly demonstrates that a potential dam breach flood wave does not pose a risk to life or property within the said zone. This approach provides strong protection against

inappropriate development while allowing for flexibility if further engineering analysis demonstrates the safety of building within the zone.

10 Attenuation and Stormwater Management

10.1 Far North District Plan

The Far North District Plan (DP) provides rules relating to stormwater management at a site. The DP provides thresholds for permitted activities on a site which are deemed to have a no more than minor effect on the receiving environment. The permitted requirement for this site is defined in rule 8.6.5.1.3 of the DP as follows:

10.6.5.1.6 IMPERMEABLE SURFACES

"The maximum total site area covered by buildings and other impermeable surfaces shall be 10%."

Table 3 shows the permitted impermeable surface area for proposed lots:

Table 3: Permitted Impermeable Surfaces

Proposed Lot	Area (m^2)	Permitted impermeable surfaces (10%) (m^2)
Lot 2	37,365	3,737
Lot 3	37,005	3,701
Lot 4	38,530	3,853

Where impermeable surfaces exceed 10% of the gross site area, stormwater management and attenuation will be required as a controlled or restricted discretionary activity under the DP.

10.2 FNDC Engineering Standards & Guidelines

The FNDC Engineering Standards & Guidelines (ESG) (revised 2009) provide guidance on the requirements of FNDC's infrastructure department. Section 4.2.4 is relevant for subdivisions relating to stormwater catchment management and off-site effects as follows:

4.2.4 Catchment management planning and off-site effects

The developer must take into account catchment-wide issues at the concept design stage. The implications of future development upstream of the site and the cumulative effects of land development on water quality and flooding downstream are important considerations. The larger the scale of the development the more significant catchment management planning issues are likely to be. The developer must show how these issues are to be addressed and the effects dealt with. Where the discharge is to be into council's system and/or is to be incorporated into council's existing or future discharge consent, then the developer must demonstrate that consent conditions, including quality requirements, will be met.

All stormwater systems shall provide for the collection and controlled disposal of stormwater from within the land being developed together with any runoff from upstream catchments. In designing downstream facilities the upstream catchment shall be considered as being fully developed to the extent defined in the current District Plan. For all land development works (including projects involving changes in land use or coverage) the design of the stormwater disposal system shall include the evaluation of stormwater runoff changes on upstream and downstream properties.

Upstream flood levels shall not be increased by any downstream development unless any increase is small and can be shown to have no detrimental effects on the upstream properties. Downstream impacts investigated shall include (but are not limited to) changes in flow peaks and patterns, flood

water levels, contamination levels and erosion or silting effects, and effects on the existing stormwater drainage system. Where such impacts are considered detrimental mitigation measures (e.g. Peak flow attenuation, velocity control, contamination reduction facilities) on or around the development site, or the upgrading of downstream stormwater disposal systems at the developers expense are likely to be required.

10.3 On-site Attenuation

On-site attenuation is not required based on the percentage of impermeable surface likely to arise during development i.e., impermeable surfaces are unlikely to be above 10% of the total lot area given the size of each lot. Additionally, attenuation is provided within the dam and ponded areas in the watercourse channel. Furthermore, downstream flooding has not been identified as a risk and attenuation of the 1% AEP event is not deemed necessary.

11 Wastewater Treatment System Selection

An appropriate land-application system and the treatment option to precede it is outlined in this section based upon a review of the physical site constraints and the assessment of environmental & public health effects. A disposal total design load of 1080 L/day/ dwelling is assumed.

11.1 Alternatives Considered

For the purposes of feasibility we have considered secondary aerated wastewater treatment systems only. Detailed design during the building consent stage may consider alternatives available for each proposed lot based on the soil type, environmental constraints, location and size of the proposed dwellings.

11.2 Treatment System

The treatment system suitable for the proposed subdivision is a Secondary Treatment system with a 120 micron filter or as recommended by the manufacturer. Should the activities at the site generate a large volume of grease, the owner may wish to install a grease trap on the kitchen drainage.

11.3 Land Application

It is anticipated that surface mounted pressure compensating drip lines covered with mulch will be suitable for the proposed future activities. We have assumed a soil category of 6 (in accordance with TP58) from onsite soil testing with a loading rate of 3 litres per square meter per day and a 100% reserve area.

Table 3. Summary of land application area

Proposed Lots	Area Required for Disposal of Effluent (using the assumed proposed development with 100% Reserve) (m^2)
2, 3, and 4	360m^2 (active) + 360 m^2 (reserve) = 720 m^2

Each of the proposed lots have sufficient area available, including setbacks, for an on-site wastewater treatment system as outlined in this report and shown by the area of available land in Figure 10.

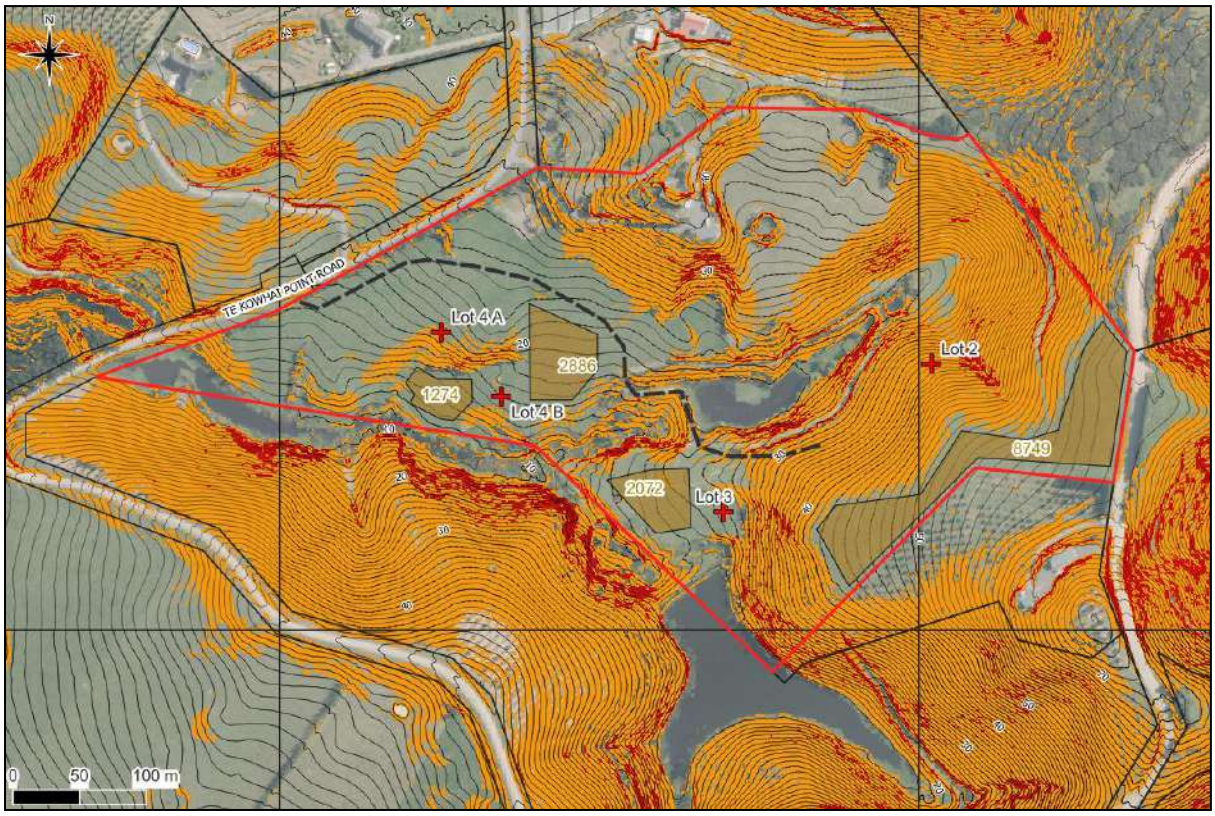


Figure 10: Wastewater Discharge Suitability

Slope classification shown by shading (orange = 10 to 26 degrees, red = +26 degrees). Suitable areas for land application shown by brown shading and numbering (m²)

12 Summary of Recommendations

The following recommendations are provided for the proposed subdivision of 128 Te Kowhai Point Road, Lot 2 Deposited Plan (DP) 205281, Kerikeri:

Geotechnical and Earthworks

- Existing vegetation is maintained wherever possible and cut slopes are protected against erosion.
- Earthworks are to be carried out in accordance with Auckland Council Guidance Document 2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05).
- Fill slopes are constructed on land sloping at less than 1V:5H at a maximum batter slope of 1V:2.5H to a maximum height of 1.0m. Where this cannot be achieved or where fill slopes are greater than 1.0m in height, the earthwork are to be engineer assessed by a Chartered Professional Engineer experienced in geotechnical engineering.
- Where any proposed filling is to take place within 10m of the top of the banks of the unnamed watercourse that the stability is assessed by a Chartered Professional Engineer with experience in geotechnical engineering.
- Where the proposed filling is to support the loads of a building it will need to be certified by a Chartered Professional Engineer in accordance with NZS4431:2022.
- Cut slopes are to be constructed at a maximum slope angle of 1V:3H to a maximum height of 1.0m. All cut slopes greater than 1.0m in height are to be engineer assessed by a Chartered Professional engineer experienced in geotechnical engineering.

- Site specific geotechnical investigations are to be carried out for proposed structures at the site by a Chartered Professional Engineer experienced in geotechnical engineering.

Access and Roads

- The access road from Te Kowhai Point Road, and within the development, be designed and constructed in general accordance with the FNDC Engineering Standards (May 2023) and include:
  - A comprehensive geotechnical assessment of the accessway alignment be conducted to ensure the stability of cut and fill slopes, assess subgrade conditions, and inform pavement design.
  - A comprehensive geotechnical assessment of the dam embankment to confirm its load-bearing capacity and address potential impacts of accessway construction.
  - The accessway will have a minimum 3 m width of carriageway, complying with the FNDC standards.
  - On accessways in excess of 100 m long and less than 4.5 m carriageway width, passing bays be provided at points of intervisibility (at approximate 50 m intervals). For such passing bays, the carriageway width will be increased to 5.5 m over a 15 m length, including 5 m tapers at each end.
  - The accessway horizontal geometry provide an inside wheel turning radius to accommodate a Medium Rigid Truck of 8 m.
  - A detailed drainage design for the accessway be prepared, including ditch dimensions, culvert capacities, and discharge points. The capacity and condition of the existing culvert under Te Kowhai Point Road will be assessed to ensure it can handle the increased runoff from the development.
  - A passing bay be installed on the northern side of the dam to ensure safe vehicle passing, as sightlines are limited on the southern approach.
  - A safety barrier with appropriately spaced bollards, complying with AS/NZS 3845:2017, be installed along the upstream side of the accessway to prevent vehicles from leaving the roadway and entering the pond. This is particularly crucial given the potential for serious consequences, especially for vulnerable occupants like infants or elderly.
  - A geotechnical assessment of the dam embankment be conducted to confirm its load-bearing capacity and address potential impacts of the accessway construction.
  - If necessary, vehicle restrictions may need to be imposed to limit the size or type of vehicles allowed to use the accessway.
  - Detailed access design plans be prepared, specifying cut and fill areas, batter slopes, and drainage details.
- The entrance be designed in accordance with FNDC Engineering Standards drawing Sheet 21 detail TYPE 1A, incorporating the following:
  - Curve Radius: 5.0 m and may increase to accommodate the tracking of a Medium Rigid Truck.
  - Property Access Width: 4.0 m at 6.5 m from the edge of the roadway and, where needed, widened to accommodate the tracking of a Medium Rigid Truck.
  - Access Gate: To be recessed back from the edge of the roadway at least 6.5 m
  - Drainage: Where a culvert is deemed necessary, the culvert shall be adequate for the upstream catchment, but not less than 300 mm diameter, with end treatments consisting of

concrete bound riprap 100 mm to 150 mm rock embedded in concrete to 100 mm below the pipe.

– Pavement: an unsealed crossing with a minimum of 125 mm GAP 65 and 75 mm GAP 40 or 200mm GAP 40 (compacted depths).

Stormwater

- Any building consent, which increases impermeable surfaces beyond the permitted threshold of 10% of the total Lot area are to attenuate flows to the permitted levels for rainfall events up to a 10% Annual Exceedance Probability (10% AEP) with an allowance for the RCP6.0 scenario of climate change.

Wastewater

- The design of the on-site wastewater disposal is undertaken by an FNDC approved TP58 report writer experienced in on-site wastewater disposal. The final system design and layout will be dependent on the size and location of the building platform and associated structures (water tanks, driveways, etc.).

Other Considerations

- A consent condition be issued requiring the survey plan be updated to show the indicative inundation area (Figure 9). A consent notice should then be included on the land titles for proposed Lots 3 and 4, prohibiting building construction and any other development that poses a risk to life or property within the identified inundation zone (Figure 9), unless a specific engineering analysis and report prepared by a Chartered Professional Engineer clearly demonstrates that a potential dam breach flood wave does not pose a risk to life or property within the said zone.

Appendix A
Supplied Drawings

Proposed Memorandum of Easements

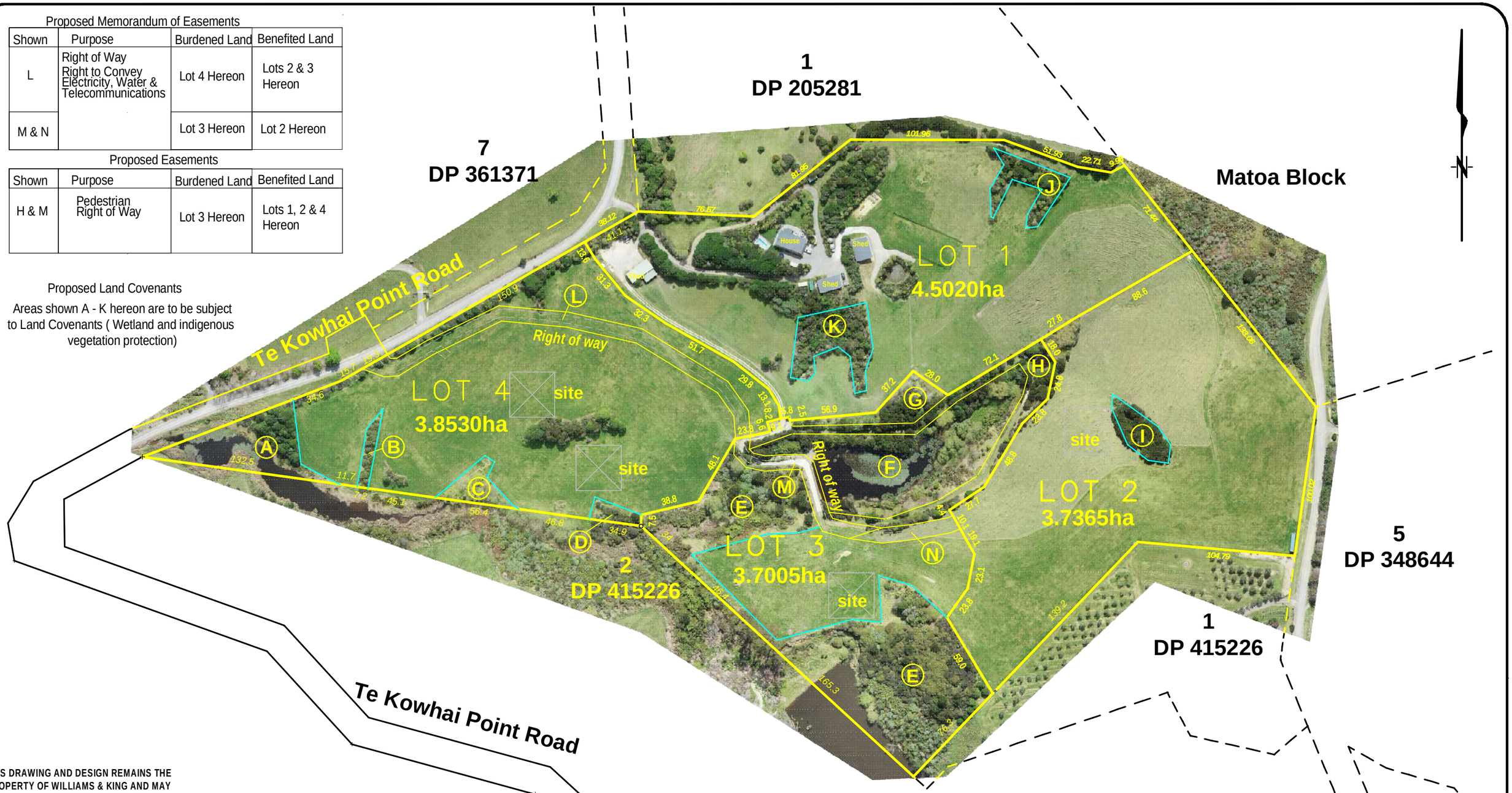
Shown	Purpose	Burdened Land	Benefited Land
L	Right of Way Right to Convey Electricity, Water & Telecommunications	Lot 4 Hereon	Lots 2 & 3 Hereon
M & N		Lot 3 Hereon	Lot 2 Hereon

Proposed Easements

Shown	Purpose	Burdened Land	Benefited Land
H & M	Pedestrian Right of Way	Lot 3 Hereon	Lots 1, 2 & 4 Hereon

Proposed Land Covenants

Areas shown A - K hereon are to be subject to Land Covenants (Wetland and indigenous vegetation protection)



Prepared for: D J & J A Nute

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council

Total Area: 15.7915ha
Comprised in: NA132C/342

Levels in terms of: NZ Vertical Datum
Contour interval is: 1.0m

WILLIAMS AND KING
Registered Land Surveyors, Planners & Land Development Consultants
Ph: (09) 407 6030
Email: kerikeri@saps.co.nz
27 Hobson Ave
PO Box 937 Kerikeri

Proposed Subdivision of Lot 2 DP 205281

	Name	Date
Survey		
Design		
Drawn		
Rev		

ORIGINAL SCALE 1:2500 SHEET SIZE A3

24445

Appendix B
Borehole Logs

Borehole Log BH1

Client: J & D Nute	**Project: Site Suitabilty**	**Project No.: J15729**	
Project Location: 128 Te Kowhai Point Road, Kerikeri	**Borehole Location:** Lot 2 proposed WW field	**Drilled by:**	JC
		Logged by:	JC
Hole started: 10/10/2024	**Drill method:** 50mm handauger		
Hole completed: 10/10/2024			

VISION CONSULTING ENGINEERS

Depth (m)	Graphic	Moisture	Soil Description	**Geology** & other notes
0.00		D	Clayey SILT; black, trace rootlets, grass surface cover	TOPSOIL
0.25		D	Silty CLAY; orange, trace brown, trace white,	WAIPAPA GROUP
0.60		D-M	Silty CLAY; orange brown, trace brown, trace grey	
1.20			End of hand auger at 1.2m bgl	
			Target depth achieved	
			Groundwater not encountered	

Borehole Log BH2

Client: J & D Nute	**Project: Site Suitabilty**	**Project No.: J15729**	
Project Location: 128 Te Kowhai Point Road, Kerikeri	**Borehole Location:** Lot 3 proposed WW field	**Drilled by:**	JC
		Logged by:	JC
Hole started: 10/10/2024	**Drill method:** 50mm handauger		
Hole completed: 10/10/2024			

VISION CONSULTING ENGINEERS

Depth (m)	Graphic	Moisture	Soil Description	**Geology** & other notes
0.00		D	Clayey SILT; black, trace rootlets, grass surface cover	TOPSOIL
0.05				
0.10		D	Silty CLAY; orange, trace brown, trace white,	WAIPAPA GROUP
0.15				
0.20		D	Clayey SILT; black, trace rootlets, grass surface cover	TOPSOIL
0.25				
0.30		D	Silty CLAY; Brown to orange, trace white, trace grey,	WAIPAPA GROUP
0.35				
0.40				
0.45				
0.50				
0.55				
0.60		D-M	Silty CLAY; Light brown becoming orange with depth, trace white, trace grey	
0.65				
0.70				
0.75				
0.80				
0.85				
0.90				
0.95				
1.00				
1.05				
1.10				
1.15				
1.20			End of hand auger at 1.2m bgl	
1.25			Target depth achieved	
1.30			Groundwater not encountered	
1.35				
1.40				
1.45				
1.50				
1.55				
1.60				
1.65				
1.70				
1.75				
1.80				
1.85				
1.90				
1.95				
2.00				
2.05				
2.10				
2.15				
2.20				
2.25				
2.30				
2.35				
2.40				
2.45				
2.50				
2.55				
2.60				
2.65				
2.70				
2.75				
2.80				
2.85				
2.90				
2.95				

Borehole Log

BH1

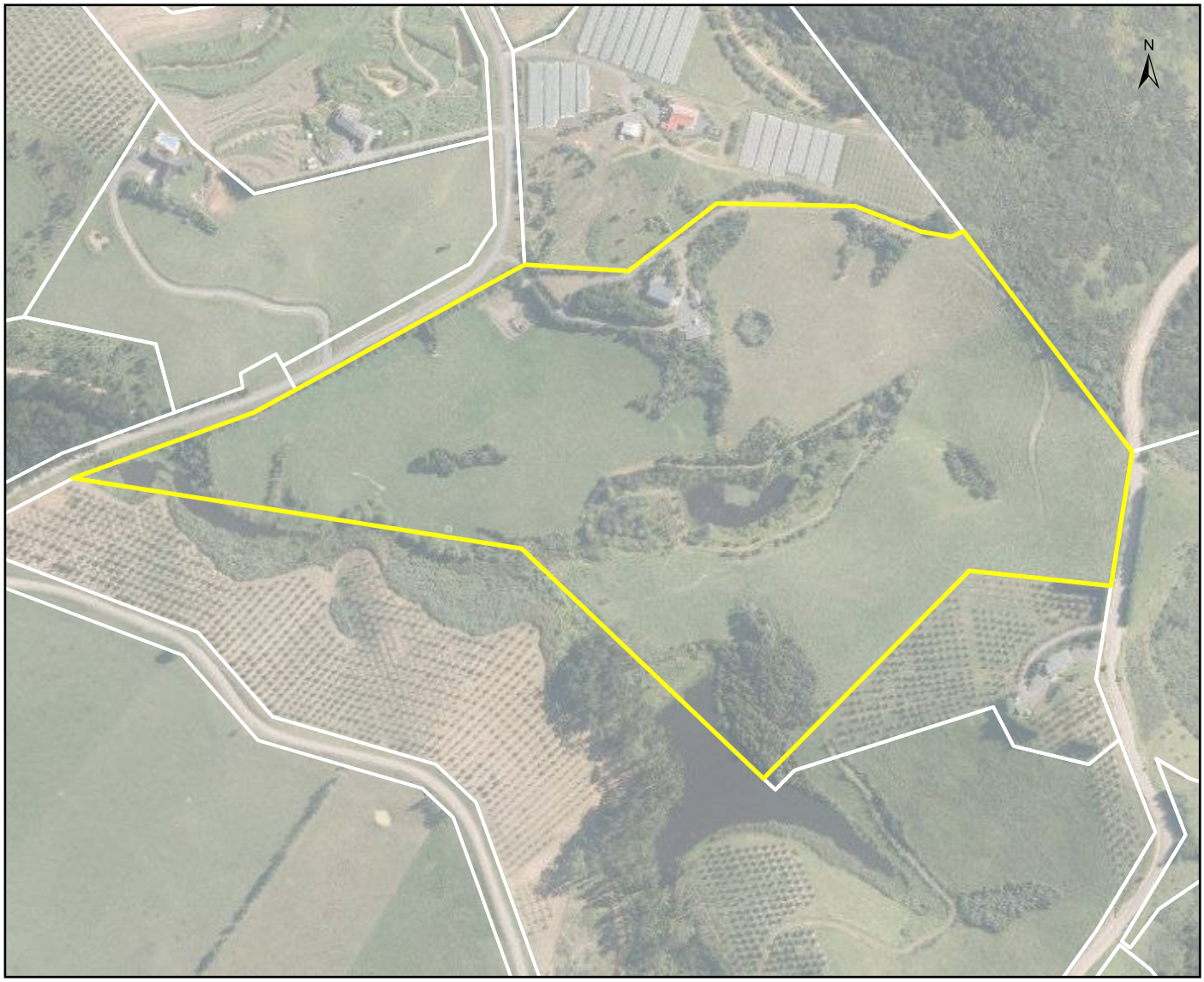
Client: J & D Nute	**Project:** Site Suitabilty	**Project No.:** J15729	
Project Location: 128 Te Kowhai Point Road, Kerikeri	**Borehole Location:** Lot 4 proposed WW field	**Drilled by:**	JC
		Logged by:	JC
Hole started: 10/10/2024	**Drill method:** 50mm handauger		
Hole completed: 10/10/2024			

VISION CONSULTING ENGINEERS

Depth (m)	Graphic	Moisture	Soil Description	Geology & other notes
0.00		D	Clayey SILT; black, rootlets, grass surface cover. Soft in upper 200mm.	TOPSOIL
0.45		D	Silty CLAY; orange, trace brown, trace white, rootlets	WAIPAPA GROUP
0.80		D-M	CLAY; orange with trace brown, trace rootlets	
1.20			End of hand auger at 1.2m bgl	
			Target depth achieved	
			Groundwater not encountered	

Appendix C
NRF Flood Level Report

Flood Level Report



Parcel ID: 4892018

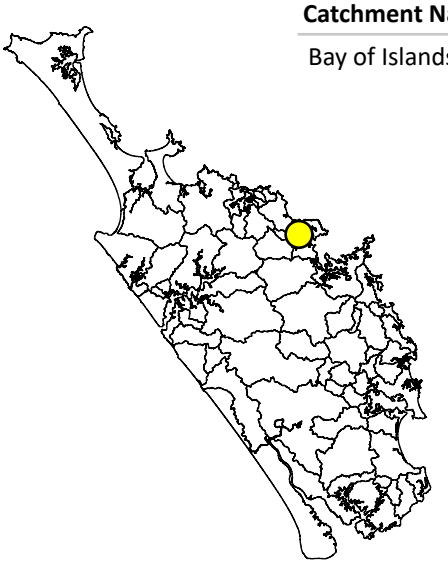
Title: NA132C/342

Appellation: Lot 2 DP 205281

Survey Area: 157,915 m²

Catchment Name(s)

Bay of Islands Coast



Date Exported: 3/10/2024

Report Reference: 20241003_133945

Useful Flood Information Definitions

Annual Exceedance Probability (AEP) - The probability of a flood event of a given size occurring in any one year, usually expressed as a percentage annual chance.

1% AEP - A flood of this size or larger has a 1 in 100 chance or a 1% probability of occurring in any year.
2% AEP - A flood of this size or larger has a 1 in 50 chance or a 2% probability of occurring in any year.
5% AEP - A flood of this size or larger has a 1 in 20 chance or a 5% probability of occurring in any year.
10% AEP - A flood of this size or larger has a 1 in 10 chance or a 10% probability of occurring in any year.

NZVD2016 - New Zealand Vertical Datum - The reference level used in our flood models to define ground level.
Flood Levels - Flood levels are used from our modelled flood level rasters. The flood levels are calculated above NZVD 2016 Datum.
Climate Change (CC) - NZCPS (2010) requires that the identification of coastal hazards includes consideration of sea level rise over at least a 100-year planning period. Climate change impacts, such as increased rain intensity, have been included in the flood scenarios. You can read more about the Climate Change forecasts included in each flood model in the technical reports on the NRC website.
Mean high water spring (MHWS) - describes the highest level that spring tides reach, on average.

Coastal Flood Hazard Zones (CFHZ)

Coastal flood hazard zones are derived using a range of data including tide gauge analysis, wind and wave data and models, and use empirical calculations to estimate extreme water levels around the coastline. The calculations include projected sea level rise scenarios based on the latest Ministry for the Environment guidance.

CFHZ 0 Coastal Flood Hazard Zone 0 - area currently susceptible to coastal inundation (flooding by the sea) in a 1-in-100 year storm event
CFHZ 1 Coastal Flood Hazard Zone 1 - an area susceptible to coastal inundation (flooding by the sea) in a 1-in-50 year storm event, taking into account a projected sea-level rise of 0.6m over the next 50 years
CFHZ 2 Coastal Flood Hazard Zone 2 - an area susceptible to coastal inundation (flooding by the sea) in a 1-in-100 year storm event, taking into account a projected sea-level rise of 1.2m over the next 100 years
CFHZ 3 Coastal Flood Hazard Zone 3 - an area susceptible to coastal inundation (flooding by the sea) in a 1-in-100 year storm event, taking into account a projected sea-level rise of 1.5m over the next 100 years (rapid sea level rise scenario)

REGIONWIDE and PRIORITY - RIVER FLOOD HAZARD ZONES (RFHZ)

River flood hazard zones are created to raise awareness of where flood hazard areas are identified, inform decision-making and to support the minimisation of the impacts of flooding in our region. The river flood hazard zones have been created using an assessment of best current available information, engaging national and international experts in the field, using national standards and guidelines and has been peer reviewed. This will provide a good indication of the areas at potential risk of flooding from a regional perspective. However, flood mapping is a complex process which involves some approximation of the natural features and processes associated with flooding.

River Flood Hazard Zone 1 – 10% AEP flood extent: an area with a 10% chance of flooding annually
River Flood Hazard Zone 2 – 2% AEP flood extent: an area with a 2% chance of flooding annually
River Flood Hazard Zone 3 – 1% AEP flood extent: an area with a 1% chance of flooding annually with the inclusion of potential Climate Change (CC) impact

River Flooding

10 Year

Maximum	Minimum
19.57 m	7.81 m

Max Min flood levels are for the raster extent shown on the map

10 Year

m NZVD

- 7.81 - 8.98
- 8.98 - 10.16
- 17.21 - 18.39
- 18.39 - 19.57
- Parcel
- Flood Level Point

Label	Level
1	0 m
2	8.05 m
3	8.06 m
4	17.87 m
5	18.92 m

N

0 45 90 180 270 m

Report Reference: 20241003_135445

River Flooding

50 Year

Maximum	Minimum
19.62 m	7.93 m

Max Min flood levels are for raster extent shown on the map

50 Year

m NZVD

- 7.93 - 9.10
- 9.10 - 10.27
- 17.28 - 18.45
- 18.45 - 19.62
- Parcel
- Flood Level Point

Label	Level
1	0 m
2	8.18 m
3	8.19 m
4	17.92 m
5	18.95 m

N

0 45 90 180 270 m

Report Reference: 20241003_135445

River Flooding

100 Year + CC

Maximum	Minimum
19.68 m	3.02 m

Max Min flood levels are for raster extent shown on the map

100 Year + CC

m NZVD

- 3.02 - 4.69
- 4.69 - 6.35
- 6.36 - 8.02
- 8.02 - 9.69
- 9.69 - 11.35
- 16.35 - 18.02
- 18.02 - 19.68
- Parcel
- Flood Level Point

Label	Level
1	4.93 m
2	8.41 m
3	8.44 m
4	18 m
5	19.04 m

N

0 50 100 200 300 m

Report Reference: 20241003_135445

Disclaimers

Our modelling disclaimers are linked below:
https://www.nrc.govt.nz/media/ko2dkgxn/coastal-hazard-maps-disclaimer-june-2017.pdf
https://www.nrc.govt.nz/media/cqnnw12y/flood-map-disclaimer-2021.pdf

Our regionwide modelling reports are linked below:
https://www.nrc.govt.nz/environment/river-flooding-and-coastal-hazards/river-flooding/river-flood-hazard-maps/regionwide-river-catchments-analysis-technical-reports

ARE YOU FLOOD READY?

01

Know your risk

Check what potential flood risks and other hazards that may impact your property.

The Natural Hazards Portal is a great place to start. It's a 'one-stop-shop' of information related to natural hazards within our region: www.nrc.govt.nz/environment/natural-hazards-portal

The Environmental Data Hub provides river level and flow data, as well as warning levels, rainfall data, water quality, and more: www.nrc.govt.nz/environment/environmental-data/environmental-data-hub

02

Have a plan

Make sure you have an evacuation plan, emergency kit and important phone numbers ready. Check out: https://getready.govt.nz/en/prepared/ for tips on how to get ready.

03

Stay up to date

In a civil defence emergency situation, follow the updates on the Northland CDEM Group's Facebook page: www.facebook.com/civildefencenorthland

Or follow updates from the embedded feed on the regional council website: www.nrc.govt.nz/civildefence

04

In an emergency

Remember, if life is threatened dial 111 to contact emergency services.

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy

R W. Muir
Registrar-General
of Land

Identifier	**NA132C/342**
Land Registration District	**North Auckland**
Date Issued	14 December 2000

Prior References
110D/364-365

Estate	Fee Simple
Area	15.7915 hectares more or less
Legal Description	Lot 2 Deposited Plan 205281

Registered Owners
David John Nute and Julia Allison Nute

Interests

Subject to Section 8 Mining Act 1971

Subject to Section 168A Coal Mines Act 1925

Appurtenant hereto are right of way and rights to convey water, telecommunications and electricity created by Transfer D066530.8

The easements created by Transfer D066530.8 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a right of way and a right of way (pedestrian access only) specified in Easement Certificate D371759.3 - produced 25.3.1999 at 2.44 pm and entered 8.4.1999 at 9.00 am

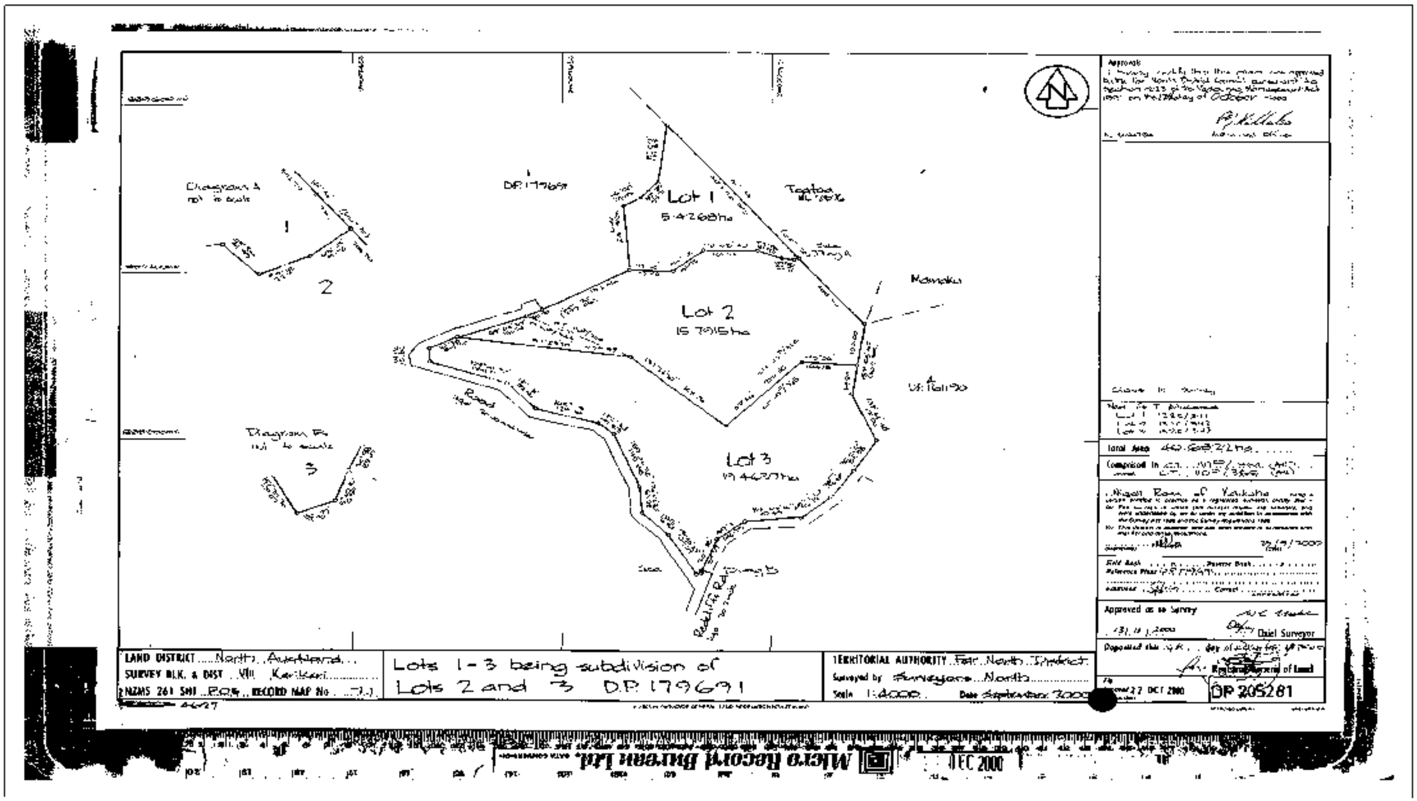
Appurtenant hereto are telecommunications and power rights specified in Easement Certificate D371759.3 - produced 25.3.1999 at 2.44 pm and entered 8.4.1999 at 9.00 am (affects part formerly in CT NA110D/364)

The easements specified in Easement Certificate D371759.3 are subject to Section 243 (a) Resource Management Act 1991

D562591.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - entered 1.12.2000 at 2.13 pm and entered 14.12.2000 at 1.19 pm

Fencing Covenant in Transfer D585549.4 - 8.3.2001 at 2.07 pm

11721278.1 Mortgage to ASB Bank Limited - 25.3.2020 at 2:54 pm


Lot 1
Lot 2
Lot 3
Lots 1-3 being subdivision of
Lots 2 and 3 D.P. 179691
DP 205281

Approved by the Registrar-General of Land, Wellington, No. 367635.80

D066530.8TE

Under the Land Transfer Act 1952

Memorandum of Transfer

WHEREAS

A. EDWARD FEATHERSTONHAUGH of Kerikeri farmer ("the Transferor")

being registered as proprietor of an estate in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in those pieces of land situated in the Land District of North Auckland containing

FIRST 2343 square metres more or less being ~~part~~ Lot 6 Deposited Plan 161190 and being part Section 22 Block VIII Kerikeri Survey District being the land comprised and described in part Certificate of Title 50B/1439 ~~96B/812~~ (North Auckland Registry) Subject to: Section 168A Coal Mines Act 1925, Section 8 Mining Act 1971 ("Lot 6")

SECONDLY 19.8530 hectares more or less being part Lot 4 Deposited Plan 161190 and being part Section 22 Block VIII Kerikeri Survey District being part of the land comprised and described in Certificate of Title No. 50B/1439 ~~96A/810~~ (North Auckland Registry) Subject to: Section 168A Coal Mines Act 1925, Section 8 Mining Act 1971 Mortgage No. C363290.1 ("the servient land")

NEW ZEALAND STAMP DUTY AK1 30/05/95 ...0001 NIL LIABLE *.00

B. PETER WILLIAM GERRARD and LYNN GWENNETH GERRARD both of Kaikohe company directors ("the Transferee") are registered as proprietor of an estate in fee simple as tenants in common in equal shares in that parcel of land containing 161.9720 hectares more or less being part Lot 1 Deposited Plan 98255 and being Section 25 Block VII and part Section 22 Block VIII Kerikeri Survey District being part of the land now comprised and described in Certifcate of Title No. 53C/351 (North Auckland Registry) Subject to: Section 168A Coal Mines Act 1925; Section 8 Mining Act 1971; Mortgage No C558511.5 ("the dominant land") after deducting the two severance areas described below

C. THOSE portions of land containing first $1784m^2$ and secondly $791m^2$ ("the severance areas") being part Lot 4 Deposited Plan 161190 are contained in Certificate of Title No. 53C/351 (North Auckland Registry)

D. IT is a condition of the approval by the Far North District Council to Land Transfer Plan 161190 that Lot 6 be transferred to the Transferee

TO: District Land Registrar
AUCKLAND

PLAN (LAND TRANSFER) NO. 161190

I, **MARGARET ELLEN FEATHERSTONHAUGH** of Kerikeri, Married Woman the mortgagee under and by virtue of Memorandum of Mortgage No. C659262.2 **HEREBY CONSENT** to the creation of the easements as shown on the above noted plan.

DATED this 11th day of April 1995

SIGNED by the said
MARGARET ELLEN FEATHERSTONHAUGH
in the presence of:

M E Featherstonhaugh

Solicitor,
Whangarei

aforesaid operations is repaired.

3. **Right to convey water.** The rights and powers and the terms conditions covenants or restrictions shall be those as set out in clauses 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952.

In the event of dispute as to any matter relating to the easements hereby created such dispute shall be referred to arbitration in accordance with the Arbitration Act 1908 and its amendments or any legislation passed in substitution therefor.

a. To use any reticulation systems already laid on the easement areas or any reticulation systems or part thereof in replacement or in substitution therefor.

b. Where no such reticulation systems exists to place and maintain or to have placed and maintained reticulation systems in conformity with the requirements of the duly authorised telecommunications and electricity supply authorities above or below the surface of the easement areas.

c. In order to construct or maintain the efficiency of any such reticulation systems the full, free, uninterrupted and unrestricted right liberty and privilege for the Transferee his tenants, servants, agents and workmen, with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose to enter upon the easement area and to remain there for any reasonable time for the purpose of placing, inspecting, altering, repairing, renewing, relaying and otherwise maintaining the reticulation systems or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the land of the Transferor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the

a. The cost of any reasonably necessary or desirable upgrading reconstruction of or maintenance or repair to the easement areas and the fences bordering them shall be shared in proportion to use by the registered proprietors using the easement areas **PROVIDED HOWEVER** that where any costs under this clause are directly attributable to any of those registered proprietors or their invitees the costs in that case shall be borne wholly by the party to whom that action is directly attributable, PROVIDED HOWEVER that any Notice pursuant to Sections 126C, 126D and 126E of the Property Law Act 1952 shall not be available for the purposes of altering or upgrading the state of the land over which the right-of-way is granted unless it is first agreed in writing** by both the Transferor and the Transferee or the registered proprietor for the time being of the easement areas.

b. The easement areas shall not be used for the grazing or holding of livestock.

2. Telecommunications and Electric Power Supply

The full free uninterrupted and unrestricted right liberty and privilege for the Transferee and their tenants (in common with the Transferor his tenants, and any other person lawfully entitled so to do) from time to time and at all times to reticulate telecommunications and electric power supply by means of poles cables or wires or other conductors of telecommunications and electric power supply or other equipment and any pipes or poles supporting the same above or below the surface (hereinafter called "the reticulation systems") in a free and unimpeded supply (except when the supply is halted for any reasonable period necessary for essential repairs) from the source of supply or point of entry as the case may be across the easement areas together with the additional rights following:

E. THE Transferee has agreed to transfer to the Transferor the severance areas to facilitate the deposit of Plan 161190

F. THE Transferor has agreed to grant to the Transferee easements of right of way, electricity, telecommunications and to convey water appurtenant to the dominant land over the servient land along the areas marked B, C and D on Deposited Plan 161190.

IN CONSIDERATION of the said recited agreements and in consideration of the premises:

The Transferee hereby transfers all their estate and interest in the severance areas to the Transferor.

The Transferor hereby transfers to the Transferee all his estate and interest in Lot 6 and **TRANSFERS AND GRANTS** to the Transferee (in common with the registered proprietor of the servient land and its assigns and tenants) to be appurtenant to the dominant land for all time easements of right of way, electricity and telecommunications and the right to convey water over those parts of the servient land marked **B**, **C** and **D** on Deposited Plan 161190 (hereinafter called "the easement areas") as follows:

1. **Right of Way** : In addition to the rights and powers more particularly set forth in the Seventh Schedule to the Land Transfer Act 1952 the rights implied in easements of vehicular right of way as set forth in the Ninth Schedule to the Property Law Act 1952 shall also apply and with the additional covenants following:

~~In Consideration of~~

(the receipt of which sum is hereby acknowledged)

Do **hereby Transfer** to the said

all estate and interest in the

~~said land above described~~

In witness whereof these presents have been executed this 22nd day of MAY 1995

Signed by the above named
EDWARD FEATHERSTONHAUGH Featherstonhaugh
in the presence of:—
Solicitor
Whangarei

Signed by the abovenamed)
PETER WILLIAM GERRARD) P.W. Gerrard
LYNN GWENNETH GERRARD) L.G. Gerrard
in the presence of)
Solicitor
Kaitaia

No.

TRANSFER OF

E FEATHERSTONHAUGH .....Transferor

P W & L G GERRARD .....Transferee

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

.....

Assistant / District Land Registrar

of the District of .....

Correct for the purposes of the Land Transfer Act

.....

SOLICITOR FOR THE TRANSFEREE

I hereby certify that this transaction does not contravene the provisions of Part IIA of the Land Settlement Promotion and Land Acquisition Act 1952.

.....

SOLICITOR FOR THE TRANSFEREE

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

.....

SOLICITOR FOR THE TRANSFEREE

12.10 12.NOV96 D 066530 9

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND
ASST LAND REGISTRAR

URLICH McNAB KILPATRICK
Solicitors
Whangarei

Solicitors for the Transferee

Approved by the District Land Registrar, South Auckland, No. 351560
Approved by the District Land Registrar, North Auckland, No. 4380/81
Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

037/759.3

EC

EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

We: **Peter William Gerrard and Lynn Gwenneth Gerrard**

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland
on the day of 19 under No 194329.
are the easements which it is intended shall be created by the operation of Section 90A of the Land Transfer Act 1952.

SCHEDULE
DEPOSITED PLAN NO. 194329

Nature of Easement (eg. Right of Way etc)	Servient Tenement			
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement	Dominant Tenement Lot No(s) or other Legal Description	Title Reference
Right of Way	Lot 1 DP 179691	A, C	Lot 9 DP 194329 Lot 2 DP 179691 Lot 3 DP 179691 Lot 4 DP 179691 Pt Lot 5 DP 179691	123C/859 (to issue) 110D/364 110D/365 110D/366 Balance of CT 110D/367 (new CT to issue)
Right of Way (Pedestrian Access Only)	Lot 1 DP 179691	B	Lot 9 DP 194329 Lot 2 DP 179691 Lot 3 DP 179691 Lot 4 DP 179691 Pt Lot 5 DP 179691	123C/859 (to issue) 110D/364 110D/365 110D/366 Balance of CT 110D/367 (new CT to issue)
Power and Telecommunicat -ions	Lot 1 DP 179691	C	Lot 2 DP 179691	110D/364

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

EASEMENT OF RIGHT OF WAY

The rights and powers and the terms, conditions, covenants or restrictions with respect to the easement of right of way described herein shall be those as set out in the Ninth Schedule to the Property Law Act 1952 and the Seventh Schedule to the Land Transfer Act 1952.

EASEMENT OF RIGHT OF WAY (PEDESTRIAN ACCESS ONLY)

The rights and powers and the terms, conditions, covenants or restrictions with respect to the easement of right of way (pedestrian access only) marked B on DP 194329 hereinafter described shall be in substitution of those as set out in the Ninth Schedule to the Property Law Act 1952 and the Seventh Schedule to the Land Transfer Act 1952.

The grantee shall have the full, free, uninterrupted right, liberty, and privilege for the grantee, his servants, tenants, agents, workmen, licensees, and invitees (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time by day and by night to go pass and repass, on foot only, over and along the land over which the right of way is granted or created.

The cost of maintenance, repair or replacement of the Right of Way (Pedestrian Access Only) shall be borne by the registered proprietors of the servient and dominant tenements using the right of way equally in all things whatsoever.

POWER EASEMENT

1 The Grantee shall have the full, free, uninterrupted and unrestricted right, liberty and privilege to enter upon the servient tenement with the Grantee's engineers, surveyors, servants, employees, agents and contractors, with or without vehicles, machinery, equipment and materials for the purposes of laying out and excavating a trench or poles and overhead electric wires through under or over the servient tenement and of laying in that trench underground electric wires, cables or overhead electric wires on poles or other conductors of electricity and any pipes or other coverings in which the Grantee may desire to enclose the same and thereafter again filling in the soil of such trench or pole holes and from and after completion of such work from time to time and at all times to pass and transmit electric current through such wires, cables or other conductors of electricity and such pipes or other covering enclosing the same either overhead upon poles or under ground and also from time to time and at all times as required to enter, excavate and fill in as aforesaid for the purposes of inspecting, altering, repairing and

2019.

renewing and relaying such wires, cables or other conductors of electricity and such pipes or other covering enclosing the same and poles bearing the same.

2 The Grantee shall:

(a) At all times repair and maintain all such underground or overhead electric wires, cables or other conductors of electricity and any pipes and other coverings and any poles as may be constructed through under or across the servient tenement in pursuance of these presents in a good and efficient state of repair for the purposes for which the same are designed and will prevent the same from becoming a nuisance.

(b) Do as little damage as possible to the surface of the servient tenement consistent with the exercise of the Grantee's rights hereunder and at the conclusion of any work will at the Grantee's own sole cost make good in a proper and workmanlike manner any fences, buildings or other erections damaged or removed.

(c) At the conclusion of any work so far as may be reasonably practical at the Grantee's own sole cost restore the surface of the servient tenement to the condition in which it was immediately prior to the commencement of such work and in particular will replace the top soil in its former position.

(d) At the option of the Grantor remove from the said land or deposit elsewhere thereon any excess soil, clay and stone not required for such restoration.

(e) Cause as little interference as possible to the Grantor, the executors, administrators and assigns of the servient tenement and exercising all or any of the rights hereinbefore conferred and the Grantor covenants with the Grantee that the Grantor will not at any time hereafter place any buildings or other erections or plant or allow or suffer to grow any tree or shrub on that part of the servient tenement subject to this easement and will not at any time hereafter do to permit or suffer any act whereby the rights, powers, licences and liberties hereby granted to the Grantee may be interfered with.

3 <u>NOTHING</u> herein contained or implied shall be deemed to compel the Grantee to conduct or convey electric current or power through electric wires, cables or other conductors of electricity and the Grantee may discontinue such conduction or conveyance at will.

<u>TELECOMMUNICATIONS EASEMENT</u>

1 The Grantee shall have the full, free uninterrupted and unrestricted right to install and thereafter repair and maintain such line, lines or works as shall be required for the purposes of telecommunications.

2 The Grantee shall further have the full, free right, liberty and licence for all times hereafter with his engineers, surveyors, servants, agents, employees, workmen, contractors and invitees with or without vehicles laden or unladen and with materials, machinery and implements from time to time and at all times:

pdf
299

(a) To lay and maintain in and under the soil, tarsealed surfaces, fence and fences of the servient tenement a line or lines or works;

(b) To enter and remain upon the servient tenement for the purposes of laying, maintaining, inspecting, repairing, renewing, replacing or altering the line or lines or works as the case may be and opening up the soil of the easement land and making thereon any cuttings, fillings, grades, batters or trenches and to reopen the same and generally to do and perform such acts or things upon the easement land as may be necessary to enable the grantee to receive the full, free use and enjoyment of the rights and privileges granted under this instrument;

(c) To use the line or lines or works for the purpose of telecommunication without interruption or impediment (except during any periods or inspection, repair, renewal replacement or alteration);

PROVIDED ALWAYS that such line or lines or works are laid underground and that on completion of any work by the grantee on the easement land pursuant to this easement requiring the grantee to open up the land the grantee shall restore the surface of the easement land as nearly as possible to its former condition and replace the soil at the surface, including the tarsealed surface and turf (if any) consolidated to its proper level.

3 For the purposes of this easement of telecommunications the following definition shall apply:

"Telecommunications"	means the conveyance, transmission, emission or reception of signs, signals, impulses, writing images, sounds, instructions, information or intelligence of any nature whether by electromagnetic waves or not at any frequency and whether for the information of any person or not includes any underground electronic power supply incidental to telecommunication.
"Line or Lines"	means a wire or wires, cable or conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunications and includes any insulator, casing, fixture (major or minor), tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding or protecting any such wire, wires, conductor, cable or fibre optic cable and also includes any part of a line and includes "existing lines" as defined by the Telecommunications Act 1987 and its amendments.
"Works"	includes a line or lines defined and any instrument, radio apparatus comprising transmitters or receivers or a combination of both, machinery, engine, excavation or work of whatever description used for the purpose of in relation to or in any way in connection with telecommunication and includes "existing works" as defined by the Telecommunications Act 1987 and its amendments.

PVG
299.

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

Dated this 18th day of February 1999

Signed by the above-named
PETER WILLIAM <u>GERRARD</u> and LYNN GWENNETH <u>GERRARD</u> } P.W. Gerrard
L.G. Gerrard.

in the presence of

Witness ....

Occupation Farmer

Address 18th Feb 1999
Purerua Rd. RD1. Kerikeri

PWG
LGG.

EASEMENT CERTIFICATE

(IMPORTANT) : Registration of this certificate does not of itself create any of the easements specified herein.

Correct for the purposes of the Land Transfer Act

Solicitor for the registered proprietor

The above/within easements when created will be/are subject to Section 243(a) Resource Management Act 1991

for [illegible]

PRODUCED 24 25 MAR 99 D 371759.3
ENTERED 8.4.1999 at 9.00 am
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND
FOR REGISTRAR - GENERAL OF LAND

REGISTRAR-GENERAL OF LAND

CONNELL RISHWORTH
SOLICITORS
WHANGAREI
13889/7

D 562591.2 CONO

FAR NORTH DISTRICT COUNCIL

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING RC 2000784
The subdivision of
Lots 2 & 3 DP 179691
North Auckland Registry.

PURSUANT to Section 221 for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the FAR NORTH DISTRICT COUNCIL to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and is to be registered on the titles of Lots 1 & 2 DP 205281

SCHEDULE

The approved planting plan and program (sheets 2 & 3 ref 4627 drawn by Surveyors North and dated 22-02-00) submitted with the application, shall be complied with on a continuing basis by the owners .

SIGNED: P.J. Killalea.

by the FAR NORTH DISTRICT COUNCIL
under delegated authority:
RESOURCE CONSENTS MANAGER

DATED at **KAIKOHE** this 16th day of November 2000

RC 2000784
SRM\CERT\3ross221

produced 243 01.DEC00 D 562591.2
& entered 14-12-2000 at 11.19
PARTICULARS ENTERED IN THE
LAND REGISTRY HOTEL
for REGISTRAR-GENERAL OF LAND

REGISTRAR-GENERAL OF LAND NEW ZEALAND

364-365

D 585549.4 T

TRANSFER

Land Transfer Act 1952

If there is not enough space in any of the panels below, the two page form incorporating the Annexure Schedule should be used: no other format will be received.

Land Registration District

North Auckland

Certificate of Title No.	All or Part?	Area and legal description — ***Insert only when part or Stratum, CT***
132C/342	All	

Transferor *Surnames must be underlined*

Peter William GERRARD and Lynn Gwenneth GERRARD

Transferee *Surnames must be underlined*

Roger Stanley CHIGNELL and Louise Iona CHIGNELL

Estate or Interest or Easement to be created: *Insert e.g. Fee simple; Leasehold in Lease No. .....; Right of way etc.*

fee simple and the transferee shall be bound by a fencing covenant as defined in section 2 of the Fencing Act 1978 in favour of the transferor.

Consideration

$200,000.00

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEREE all the transferor's estate and interest in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 12th **day of** January 2001

Attestation

Signed in my presence by the Transferor

Signature of Witness

Witness to complete in BLOCK letters
(unless typewritten or legibly stamped)

Witness name ROBIN J. BARNES

Occupation LEGAL EXECUTIVE

Address WHANGAREI

Signature, or common seal of Transferor

Certified correct for the purposes of the Land Transfer Act 1952

Solicitor for the Transferee

REF: 4130

Approved by Registrar-General
of Land under No. 1995/1003

TRANSFER

Land Transfer Act 1952

Law Firm Acting
David Welch Solicitor Kerikeri

Auckland District Law Society
REF: 4130

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND
for REGISTRAR-GENERAL OF LAND

F/C 132c/34

REGISTRAR-GENERAL OF LAND NEW ZEALAND

207 08.MAR01 D 585549.4

This page is for Land Registry Office use only.
(except for "Law Firm Acting")

ECOLOGICAL IMPACT ASSESSMENT

PROPOSED SUBDIVISION
LOT 2 DP 205281
128 TE KOWHAI POINT ROAD KERIKERI

Bay Ecological
CONSULTANCY LTD

PO Box 229, KERIKERI
PH 021 151 8315

CONTENTS

This report may be cited as-
BAY ECOLOGICAL CONSULTANCY LTD (10/12/24) EcIA PROPOSED SUBDIVISION LOT 2 DP 205281 128 TE KOWHAI POINT RD KERIKERI

EXECUTIVE SUMMARY

Bay Ecological Consultancy Ltd has been engaged by David & Julia Nute to undertake an Ecological Impact Assessment (EcIA) in regards to subdivision of the Te Kowhai Point Rd subject property (LOT 2 DP 205281; NA132C/342; approx 15.7915ha). The activity will result in the creation of 4 Lots

- LOT 1 4.8788ha containing current residence sheds & residential infrastructure
- LOT 2 3.7667ha
- LOT 3 3.6683ha
- LOT 4 3.4774ha

The greater extent of both Lots is short exotic pasture. All Lots contain proposed wetland and indigenous vegetation land covenants (A-L) protective of the central waterway/ wetland and pre existing revegetation. This established planting dates from a previous subdivision activity in 2000 (RC 2000784).

Proposed Lots 2, 3 & 4 will have access via a new and separate entrance from Te Kowhai Pt Rd. The ROW to proposed Lots 2 & 3 crosses an existing formed earth dam (BC-2001-810-0) which will require widening. Access to Proposed Lot 1 will remain as current.

The proposal site has been considered on the basis of a desktop review of available ecological information, complimented by fieldwork (9/11/24), to assign value to site features, assess potential effects of the proposal and formulate recommendations. This includes wetland extent and associated *values*[1], subject to regulations of the *NES-F (2020)*. *Extent* and *values* are primary considerations in avoidance of adverse effects of any development, largely dependant on maintenance of hydrology.

Throughout the design development, significant ecological site values have been acknowledged by refinement of infrastructure siting and complemented by additional ecological and visual mitigation planting.

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

Key findings from this reporting are:

- Ecological site values within the site are related to the wetland and riparian revegetation encompassing an unnamed ranked A2 headwater reach tributary to Te Aiorua Wetland & Estuary below Te Kowhai Point Road
- *Natural inland wetlands* subject to the National Environmental Standards for Freshwater NES – F (2020) have been recognized, according to definitions of the NPS FM (2020) and PNRP (2021), by dominant hydrophytic (OBL, FACW) floral assemblages supported by evidence of persistent site hydrology.
- Site wetlands are diagnostically
    - *swamp*
    - *shallow water (emergent)*
- Wetland is visible from aerial photography dating to the 1950s showing prolonged periodicity and occupancy.
- The primary wetland associations onsite are raupo - *Isachne globosa (OBL)* dominant with *Machaerina rubignosa (OBL).* Other frequent species in association include *Epilobium pallidiflorum (OBL)*, *Paspalum distichum* (FACW); Juncus effusus* (FACW); *Eleocharis acuta (OBL); Persicaria* (OBL & FACW spp); Cyperus brevifolius* (FACW); Isolepsis prolifera (OBL)* Confined occurences of larger stature *Schoenoplectus tabernaemontani* (OBL); *and Eleocharis sphacelata (OBL). Parablechnum minus (FACW)* swamp fern and clumps of flax *(FACW)* are apparent. Associations vary with depth of saturation/standing water. Waterlillies; *Schoenoplectus* and kuta form areas of natural inland wetland within ponds.
- Primary hydric indicators included saturation and surface water, with supportive indicators of the geomorphic profile and drainage patterns in the landscape.
- The prevailing character of the site beyond identified wetland is rough pastoral- kikuyu dominance, strong clumps of *Paspalum dilatum*; rye; browntop; clovers, & further common FACU / UPL grass and weed species e.g. *Senecio; Plantago* and *Daucus*. None of the *natural inland wetland* mapped in this reporting would be subject to the pastoral exclusion clause of the *natural inland wetland* definition[3].
- Two tributary contributions to the wetland are identified on the scheme in areas B & I, encompassed in revegetation. A further bare CSA is adjacent to the southern edge of proposed Lot 4 (area T).
- Predicted ecosystem[4] type on the *Rangiora Clay Loam (RA) & Hukerenui Silt Loam (HKR)* mapped[5] soil type is
    - ***WF11** Kauri podocarp broadleaved*
- There is no representative remnant forest, rather indigenous revegetation dating from the prior subdivision (2000 RC 2000784). These largely riparian areas are not spatially defined or protected and require heightened formalized pest and weed management.
- Development areas are in bare pasture. There is no indigenous vegetation clearance designated. Additionally the Site Suitability Report recommends existing vegetation is maintained wherever possible and cut slopes are protected against erosion.
- Pasture in works area should be grazed short prior to earthworks to avoid provision of shelter for kiwi/ or kiwi dog check prior to clearance.
- There are no species with threat status or regionally rare/significant.

[2] NZ SEG1008227 Ranked Top 18% C8 Type

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

[4] https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/Northland_Biodiversity_Ranking/FeatureServer

[5] https://lris.scinfo.org.nz/layer/48066-nzlri-soil/

- There are no kauri in the development areas to invoke consideration of the *Biosecurity (National PA Pest Management Plan) Order 2022.*
- Recognition of *natural inland wetland* onsite promotes avoidance of effects through adherence to protective measures as per the NES –F in design. Building platforms and associated infrastructure are potentially within 100m of *natural inland wetland* but do not occupy critical source areas, seepage or overland flow path that through their formation may change the water level range or hydrological function of the wetland.
- Diversion of diffuse natural discharge naturally permeating or sheetflow downslope through the development area **will not likely change the water level range or hydrological function of the wetland** in any measureable way.
- Earthworks within 100m or 10m will not result in *complete or partial drainage of all or part of the wetland* as per *Reg 52(i);(ii)* & *Reg 54 (c) & (d)* if they do not occupy or intersect with the wetland.
- In the absence of unmitigated point source discharge there is highly unlikely to be any wetland *change in seasonal or annual range water levels*, as per *PNRP Policy H.4.2 Minimum levels for lakes and natural wetlands*.
- The wetland's extant hydrological sources are to upper east fed by springs / seepage with variable output highly responsive to meteorological conditions in a pastoral setting. Species composition throughout has a level of tolerance adapted to periodic moderate to high fluctuation in water levels without discernible shift in composition or aquatic life. Stormwater inputs should be controlled in a manner that prevents sediment, scouring or erosion as best practice to avoid adverse effects of such on wetland and aquatic habitat condition.
- Five minute bird counts during fieldwork determined habitat suitable for insectivourous generalists sighted e.g. kingfisher; pukeko; fantail; sparrow utilizing wetlands as part of wider territorial economics. This is likely true for any kiwi that may be present. Other than pukeko, black swan, mallard and paradise ducks no wetland birds were sighted, they are typically reticent even in response to playback.
- Limited fish survey was undertaken. Gee Minnow trap lines returned common bully; short fin eel and Gambusia (exotic). Controls on inputs as above are considered sufficient to avoid adverse effects on any species present.
- Potential effects of the subdivision development and occupation are controlled through standard mitigation
    - Adherence to the NES-F
    - *All Lots*- Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced. This includes environmental weeds[6] and those listed in the National Pest Plant Accord[7].
    - Cats and dogs are a primary threat to ground dwelling fauna and these are to be excluded as per the High Density kiwi zone. The Nutes' current pet is to be grandfathered.

Beyond impact management ecological benefit can be provided through the subdivision:

- Covenanting of all existing revegetation to include conditions of
    - only indigenous species aligned with WF11 kauri podocarp broadleaved forest type as per NES –F requirements and the lists provided
    - no floodlighting of covenant;
    - no damming, diversion or ponding of wetland, creek or overland flowpaths

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

[7] Latest List - https://www.mpi.govt.nz/dmsdocument/3664-National-Pest-Plant-Accord-manual-Reprinted-in-February-2020-minor-amendments-only

- A formal **Weed & Pest Management Plan** (WPMP) specifying monitoring and reporting procedures prepared by a suitably qualified and experienced ecologist designed in general accordance with the EcIA
- Replanting of cleared exotic infestation in the existing revegetation cannot be considered a positive benefit in mere terms of cover, as it was offered as mitigation in the prior subdivision. However, increased biodiversity overall is appropriate currency to provide **additionality,** through replacement with a variety of canopy species unlikely to establish without introduction.
- Areas have been identified in the Vision Site Suitability Report as potentially subject to sudden inundation in the event of an upstream dam breach. It has been recommended they are excluded from development due to such risk. This includes bare areas between planting along the proposed Lot 4 portion of waterway to approx. 1300m^2 and encompasses an eroded overland flow path, as CSA to the waterway and identified historic slope activity identified in the Site Suitability Report [8]. We recommend they are revegetated, in order to provide a visually obvious cue, additionally buffering existing values from edge effects and providing a full length 10m minimum [9] advisable riparian.

Coeval revegetation, protection, pest and weed control will provide focused headwater management for the Te Puna Catchment. These mechanisms are wholly in sympathy with the intent of *NPS-FM Policy 3:*

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

Management will confer gross ecological benefit and amenity value, to restore and enhance biodiversity values, maintaining the continuity of natural processes and systems of the local ecosystems. The outcome is aligned with the aspirations of natural environment and subdivision objectives and policies of the Operative and Proposed District Plan. In respect of these recommendations, the proposal represents a gross positive ecological effect over the existing approved baseline of RC 2000784. It is unlikely there will be a loss of *extent* or *values* as per the NPS- FM (2020) definitions, significant species or habitat from the proposal.

The subdivision will concomitantly provoke gross positive amenity and ecological gain in comparison to the current status with *VERY LOW* impact (EIANZ 2018) or *less than minor* level of effects.

[8] *Vision FIG 4 pg 10 Site Suitability Report Proposed Subdivision of 128 Te Kowhai Point Road David and Julia Nute 6/11/2024*
[9] NIWA (2000) Review of Information on riparian buffer widths necessary to support sustainable vegetation and meet aquatic functions TP350 Auckland Regional Council

PROPOSAL

The subject property (LOT 2 DP 205281) is located on the east of Te Kowhai Point Road, off Redcliffs Road on the Kerikeri Peninsula, approx. 7km northeast of Kerikeri. The majority of the parent parcel has been in exotic pasture throughout the available historic aerial record, on gently rolling contour, sloping approx. 46-14masl. to the central gully and waterway. The site is described in *FIGS 1-3* and *Table 1* below.

FIG 1: SITE LOCATION

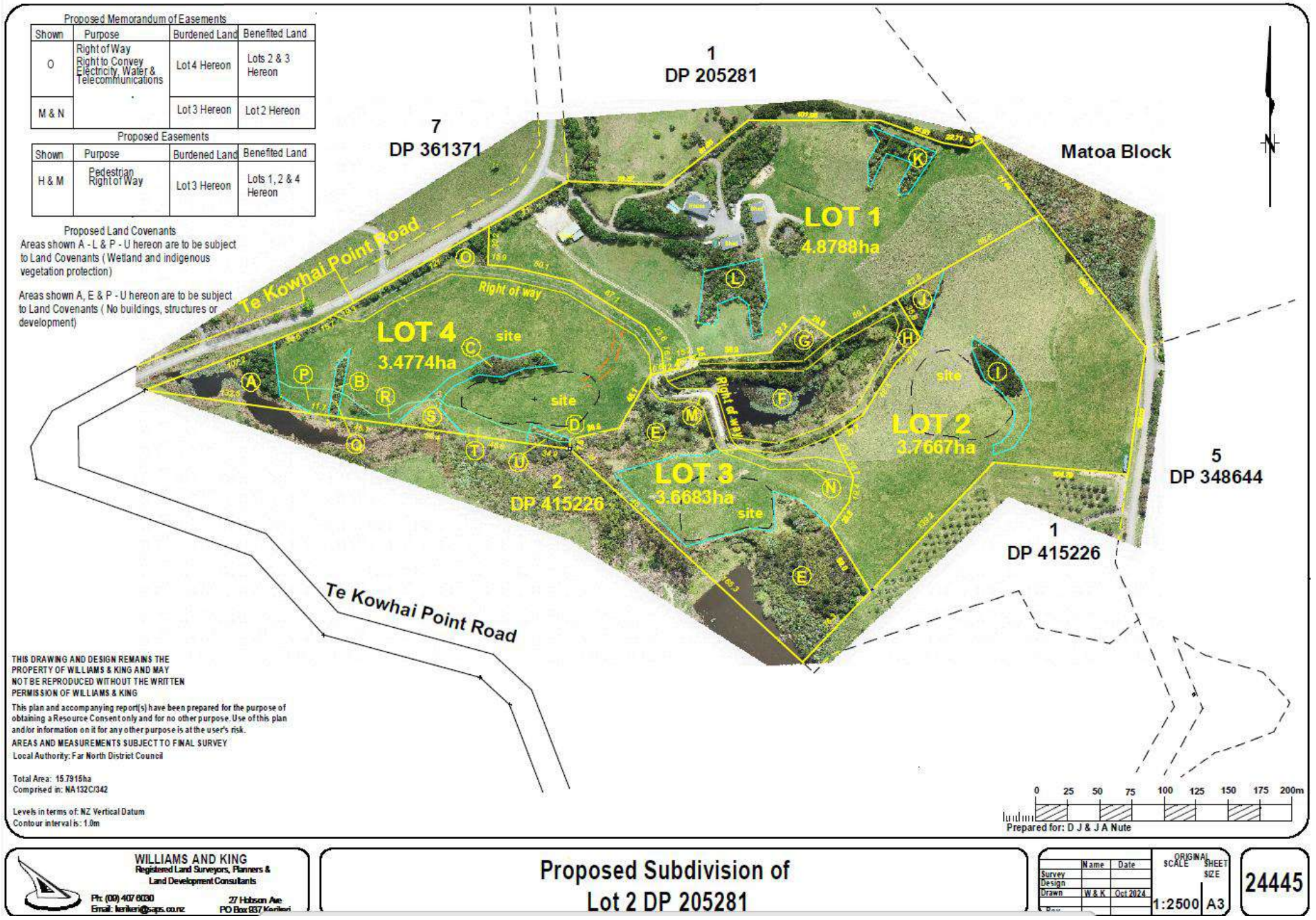
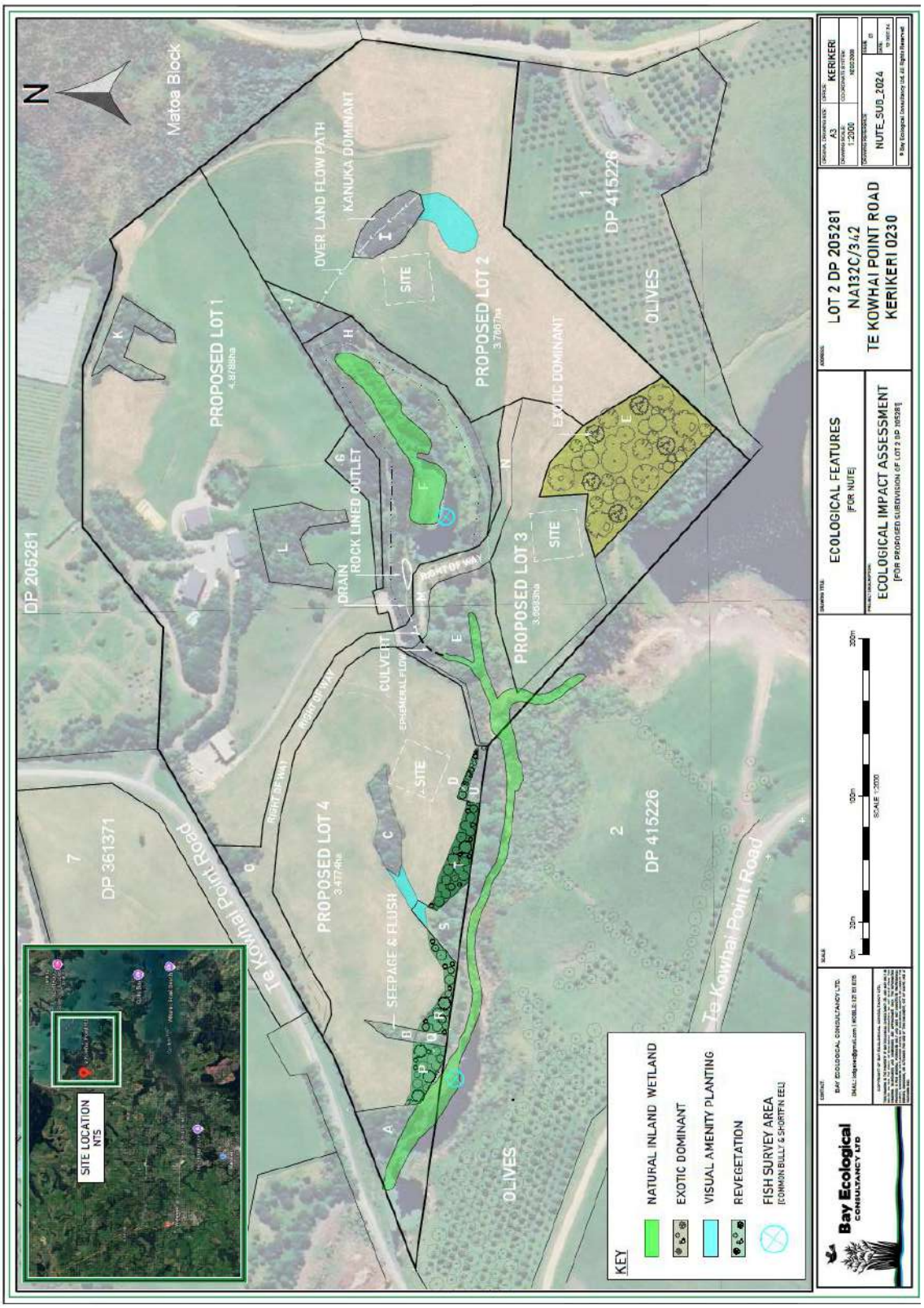


FIG 2: PROPOSED SCHEME

FIG 3: SITE FEATURES



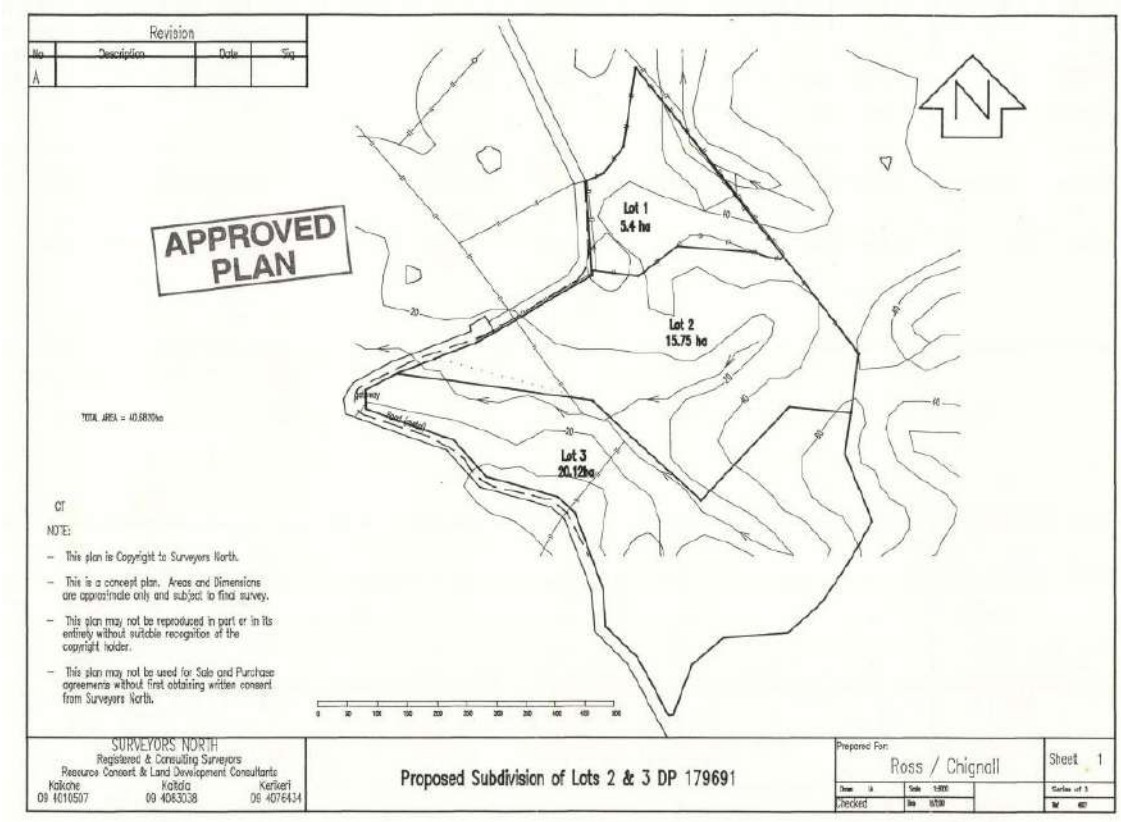
Review of the FNDC Property File revealed the following relevant building and resource consents, and earthworks permits.

- RC 2000784 Subdivision creating Lots 1 – 3 DP 205281 (including application site). Issued 3 October 2000.
- BC-2001-810-0 Construct New Earth Dam. Code Compliance Certificate issued 23 May 2006. This is the central dam centred in Area 'F' on the Scheme Plan.
- RC 2010502 Land Use Consent for Earthworks to Construct a Dam. Issued 11 January 2001 (Associated with BC-2001-810-0).
- RC 2010444 Land Use Consent for Earthworks to Construct a Dam. Issued 12 January 2001. This is the lower dam that straddles the boundary with Lot 2 DP 415226.

An extensive planting plan was included in the prior 2000 3 Lot subdivision (RC 2000784), including the current subject Lot (*refer Appendix 5*). It included a wide list of species at multiple tiers and a 10year plan of implementation, consented with the condition -

2b) Secure the condition below by way of a consent notice issued under Section 221 of the Act, to be registered against the titles of Lots 1 & 2. The applicant shall meet the cost of preparing, checking and executing the notice:

The approved planting plan and program submitted with the application shall be complied with on a continuing basis by the owners of Lots 1 & 2.



Although pest and weed management is alluded to there are no specifics or formalized parameters. The Hakea area illustrated on the plans has become dominant, with numerous other weed infestations throughout the revegetation.

Two dams were created following as part of the original design within current proposed Lot 3 (*F & E FIG 2*) to provide open water for *ecological benefit*. This is presumed to have been for water fowl, as the damming of waterways and excavation of wetland serves little other ecological purpose. Construction of the uppermost southern wetland/ watercourse widened its extent as pond into the subject Lot within Covenant E, shared with Lot 2 DP 415226 (*refer Historic Aerials*). A minor embankment with shallow open water is also located at the upper extent of the northern waterway arm.

The proposed accessway to proposed Lots 2 and 3 will utilise the existing dam embankment (M) below pond area F. The Site Suitability report has considered the dam crossing specifically[10]. To minimize disturbance to the dam structure and the adjoining wetlands, the existing 4 m wide crest will be maintained, providing 0.5m shoulders on either side of the 3m wide gravel carriageway.
Expanding the accessway would involve extensive earthworks, potentially compromising the dam's integrity and causing significant environmental disturbance.
It therefore considers widening on the crest unnecessary and that it may be utilized as a *functional, albeit narrow*, accessway. This is based on it serving only two properties, resulting in minimal traffic and infrequent vehicle encounters while the terrain and rural character implies a low-speed environment, further reducing the need for wider shoulders.
To further enhance safety, the following measures are recommended:

- *A passing bay be installed on the northern side of the dam to ensure safe vehicle passing, as sightlines are limited on the southern approach.*
- *A safety barrier with appropriately spaced bollards, complying with AS/NZS 3845:2017, be installed along the upstream side of the accessway to prevent vehicles from leaving the roadway and entering the pond.*

The Vision site suitability recommends this as a condition of consent with detailed access design plans, specifying cut and fill areas, batter slopes, and drainage details including ditch dimensions, culvert capacities, and discharge points. It requires also that the capacity and condition of the existing culvert under Te Kowhai Point Road will be assessed to ensure it can handle the increased runoff.
Conclusions of our current reporting are therefore based on current available information and the presumed proviso that design will be in accordance with the NES-F (2020) protective regulations in regard to site waterways, including any culvert replacement.

[10] VISION CONSULTING ENGINEERS SITE SUITABILITY REPORT PROPOSED SUBDIVISION OF 128 TE KOWHAI POINT ROAD (DRAFT 30/10/24): 8.1.2 DAM EMBANKMENT CROSSING

SITE CONTEXT

A desktop review of the available ecological site context and surrounding area in the potential zone of influence (ZOI) was undertaken. This standard EcIA desktop scoping phase assists in determining priorities for field work, informed assessment of significance and targeted impact management. Although generally from broad scale mapping, requiring finer ground truthing, it suggests potential species occurrence and associations; and underlying abiotic influences of soils and hydrology, including potential wetland presence and *values*[11].

TABLE 1: MAPPED SITE SUMMARY

DESCRIPTION	LOT 2 DP 205281 (NA132C/342)	
ADMINISTRATION	128 Te Kowhai Point RD	
FNDP OPERATIVE ZONE	GENERAL COASTAL	
FNDP PROPOSED ZONE	RURAL PRODUCTION	
RPS COASTAL ENVIRONMENT	NO	
TOTAL LOT AREA	15.7915ha ha approx.	
PROPOSED LOTS	AREA & DESCRIPTION	COVENANTS
	LOT 1 4.8788ha containing current residence sheds & residential infrastructure;	K & L (VEGETATION)
	LOT 2 3.7667ha PASTURE	I (VEGETATION J (VEGETATION & WETLAND)
	LOT 3 3.6683ha PASTURE	E (VEGETATION & WETLAND) F (VEGETATION & WETLAND) G (VEGETATION)
	LOT 4 3.4774ha PASTURE	A (WETLAND & VEGETATION) B; C; P; R; T; U; D (VEGETATION)
ECOLOGICAL DISTRICT	KERIKERI	
COVER	• EXOTIC GRASS/ PASTURE • OPEN WATER (PONDED WATERWAY) • WETLAND – SWAMP • INDIGENOUS REVEGETATION (RC 2000784) EXOTIC MATRIX VARYING CONDITION • BUILT FORM LIMITED TO PROPOSED LOT 1 EXISTING RESIDENCE INFRASTRUCTURE AND SHEDS	
RIVERS[12]	• UNNAMED HEADWATER OF TE AIORUA ESTUARY • 1st Order A3 TYPE • NZ SEGMENT #1005893	
SOIL TYPE[13]	• *HUKERENUI SILT LOAM (HKR)* • *RANGIORA CLAY LOAM (RA)*	
POTENTIAL ECOSYSTEM[14]	• ***WF11 Kauri podocarp broadleaved***	
TEC CLASSIFICATION[15]	• *CLASS III: AT RISK (20-30% indigenous cover remains)*	
MAPPED SNA;NORTHLAND BIODIVERSITY RANKING - TERRESTRIAL TOP 30 SITES; RANKED RIVERS; KNOWN WETLANDS; RANKED WETLANDS	• NZ SEGMENT #1005893 UNNAMED RANKED 0.256 (TOP 26% A3 TYPE CREEK IN NORTHLAND)	
RARE ECOSYSTEMS[16]	• WETLANDS	
KIWI DISTIBUTION (DoC 2018)	• *HIGH DENSITY*	

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

[12] LINZ 2022 NZ River Centrelines https://data.linz.govt.nz/layer/50327-nz-river-centrelines-topo-150k/

[13] https://nrcgis.maps.arcgis.com/apps/webappviewer/index.html?id=fd6bac88893049e1beae97c3467408a9

[14] https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/Northland_Biodiversity_Ranking/FeatureServer/0

[15] https://ourenvironment.scinfo.org.nz/maps-and-tools/app/Habitats/lenz_tec

[16] Williams et al (2007) New Zealand's historically rare terrestrial ecosystems set in a physical and physiognomic framework *New Zealand Journal of Ecology 31(2):* 119-128

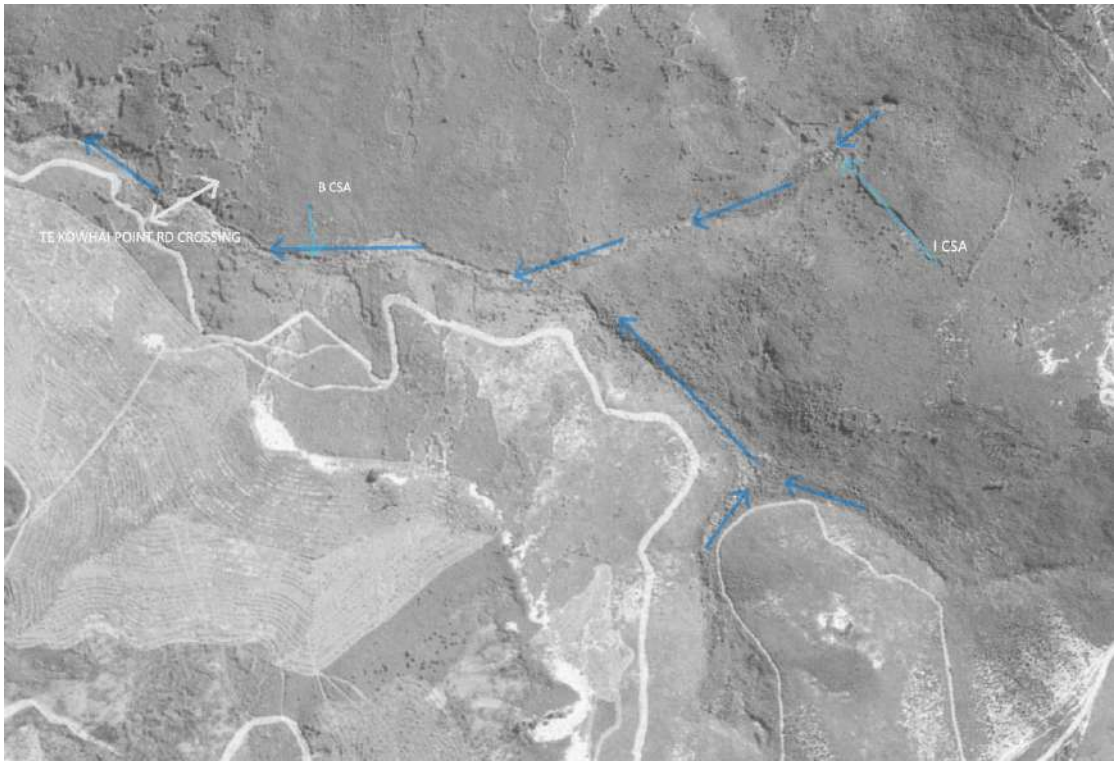
Key sources of the desktop review included:

- *Retrolens aerial photography www.retrolens.co.nz*
- *https://data.linz.govt.nz/*
- *Conning &Miller (2004) Natural Areas of Kerikeri Ecological District Reconnaissance Survey Report for the PNA Programme. DoC, Whangarei*
- *Forester & Townsend (2004) Threatened plants of the Northland Conservancy*
- *Johnson & Gerbeaux (2004) Wetland types in NZ. DoC, Wellington*
- *LRIS portal https://lris.scinfo.org.nz/*
- *NRC Local Mapping & supporting documents – Leathwick (2018); Singers (2018)*
- *TEC Classification https://ourenvironment.scinfo.org.nz/*
- *Wildlands Consultants (2011) Ranking of top Wetlands in the Northland Region Stage 4 - Rankings for 304 Wetlands Wildlands Contract Report No. 2489 for the Northland Regional Council*
- *Wildlands Consultants (2012) Report on Wetland Guidelines for the Northland Region Contract Report 2952*

HISTORIC AERIAL REVIEW

Review of available aerial photography preceded fieldwork to determine historic location and subsequent persistence of any site hydrology/ wetland. Wetland is considered present throughout the review until ponding (visible LINZ 2005). B & I (current scheme) as tributary to the main waterway are also visible from the 1950s. Vegetation has remained pastoral from earliest photography, with the 2000 RC 2000784 revegetation visible first in the 2005 LINZ aerial (Areas C & D current scheme).

FIG 4: RETROLENS 1951[17]



[17] All Retrolens aerials sourced from http://retrolens.nz and licensed by LINZ CC-BY 3.0

FIG 5: 1970 RETROLENS

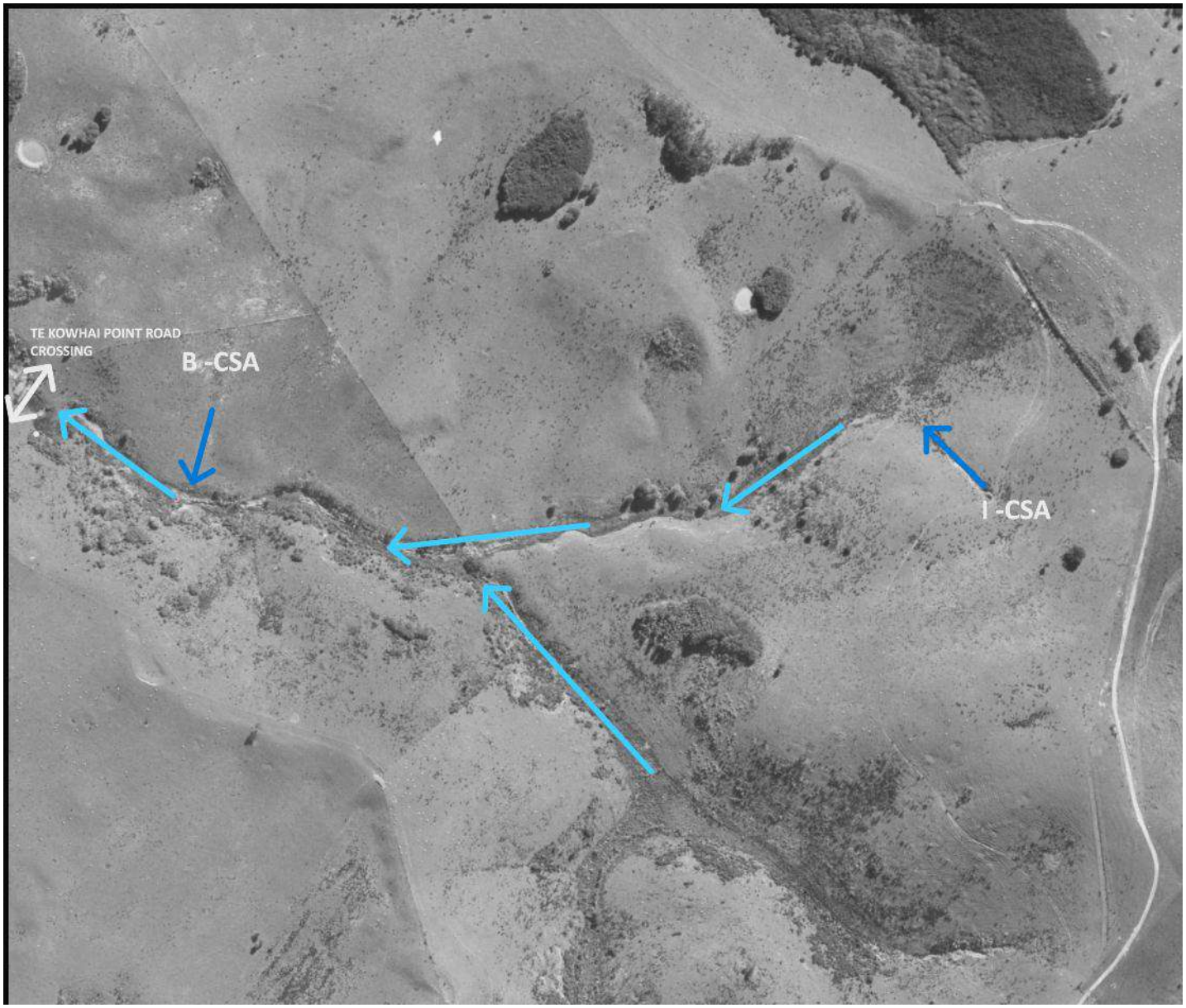


FIG 6: 1981 RETROLENS

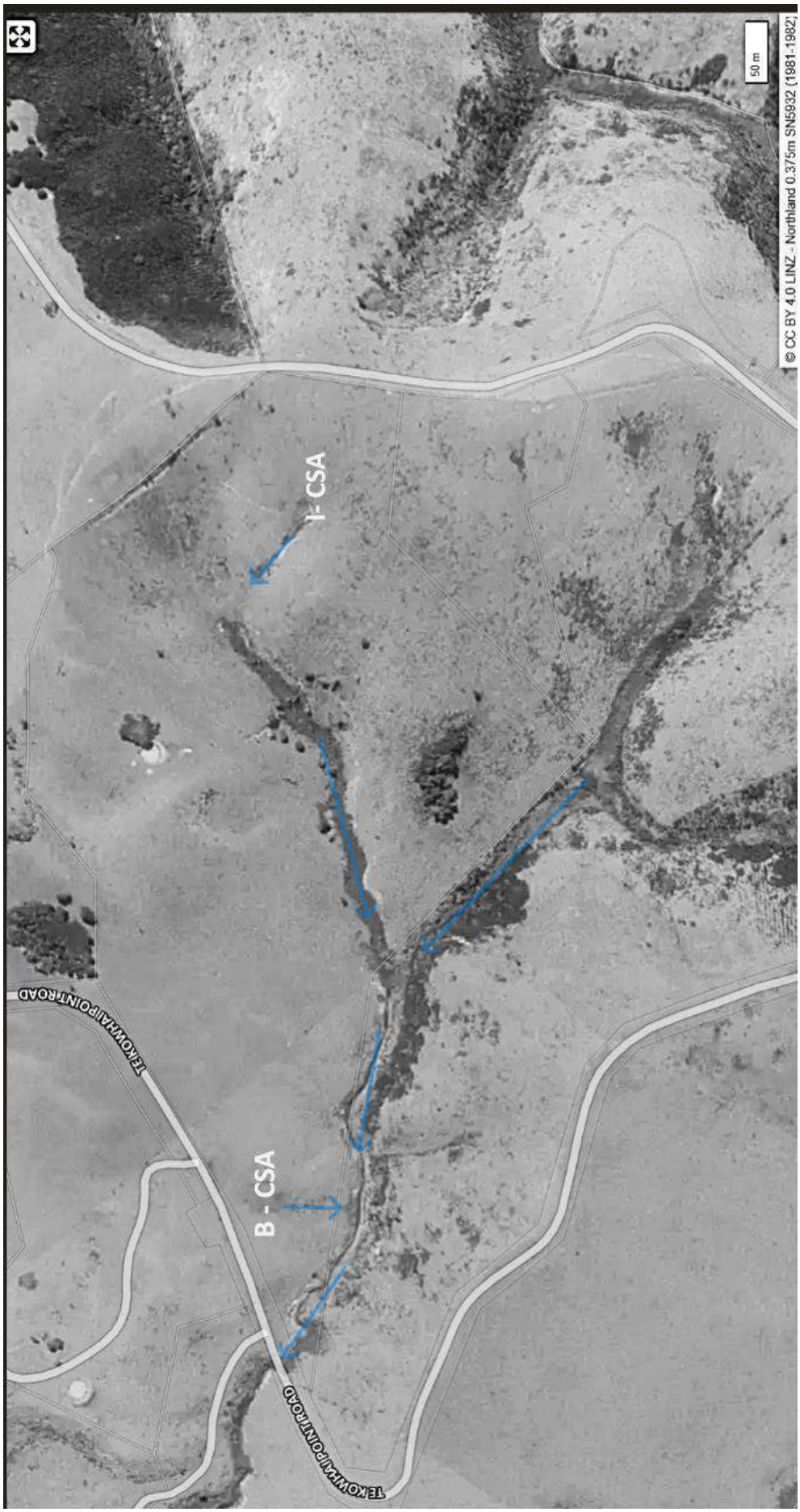


FIG 7: 2000 LINZ/FNDC

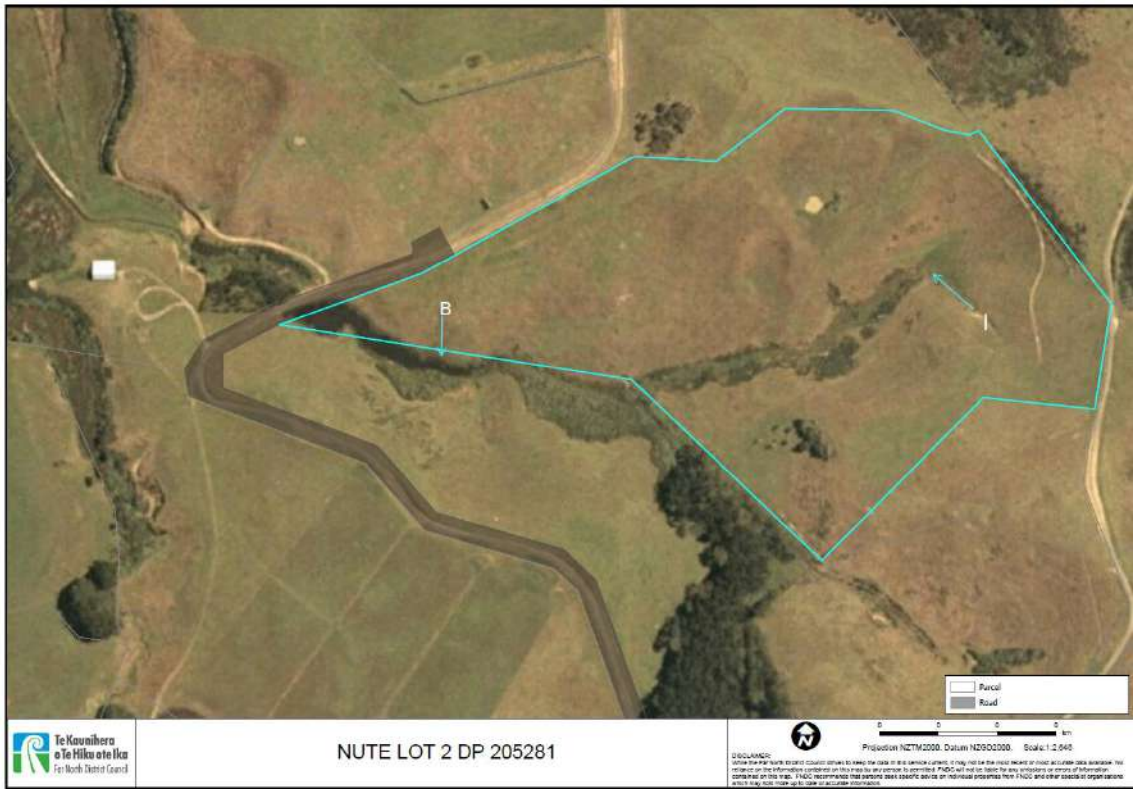


FIG 8: 2005 LINZ

FIG 9: GOOGLE 2011

SOILS & PREDICTED ECOSYSTEM TYPE

Underlying soil patterns provide an indication of wetland likelihood e.g. poor permeability or podzolisation. Broad scale geology changes across a site promotes the eruption of hydrological sources and are often a marker of wet areas, as on site. Soil types infer an associated historic cover, which is a relevant reference for any revegetation or amenity planting.

FIG 10: NRC SOIL MAPPING

Site soils are mapped[18] as *Hukerenui Silt loam* on the northern slope largely Lots 1 & 4, with a transition north of the waterway to the associated *RA* soils on the southern extent within Lots 2 & 3

Broad ecosystem classification[19] shows the potential vegetation type mapped as correlated historically with soil type as before and climate –

WF11 – Kauri Podocarp broadleaved forest

Formerly the dominant forest type in Northland, it occurred from sea level to 300 m, typically on shallow to steep hillslopes and ridges. Although this reference type is absent, the relationship to the site soils is appropriate to guidance for post development revegetation or amenity planting directly adjacent wetlands as per *NES – F (2020)* regulations.

[18] https://lris.scinfo.org.nz/layer/48066-nzlri-soil/

[19] Singers & Rogers (2014) A classification of NZs terrestrial ecosystems. DoC Wellington; Singers, N. (2018) A potential ecosystem map for the Northland Region: Explanatory information to accompany the map. Prepared for Northland Regional Council.

TABLE 2: MAPPED SOIL TYPE

SOIL TYPE NZRLI	SOIL TYPE FSL	DESCRIPTORS	PREDICTED FOREST TYPE
HUKERENUI SILT LOAM WITH YELLOW SUBSOIL (HKR)	TYPIC YELLOW ULTIC SOILS (UYT)	Old greywacke soil Marua soil suite Imperfectly to poorly drained Low clay content Columnar subsoils increase risk of gully erosion. Weak, podzolised soil structure makes gully sides more prone to collapse Acidic topsoil and low natural fertility but lack of binding clay means nutrients are more readily available Al may be to toxic levels for sensitive plants in the B horizon, making rooting shallow and cut faces hard to revegetate	*Kauri, podocarp, broadleaved forest with occasional rimu, miro, kahikatea, kauri, taraire, tawa, tōwai, kohekohe, pūriri and rewarewa.* *Drivers of composition are fertility, drainage and altitude* *Altitude variants - taraire and kohekohe more abundant at lower altitudes, and tawa and tōwai more common at higher altitudes.* *Broadleaved species in gullies* *Commonly a secondary derivative of kauri forest* *Rainfall 1000–2500mm.*
RANGIORA CLAY LOAM (RA)	MOTTLED ALBIC ULTIC SOILS (UEM)	Mature greywacke soil Marua soil suite Imperfectly to poorly drained These mature soils are strongly leached to weakly podzolised E horizon immediately beneath the topsoil & redox-mottled horizon below the E horizon. Clay washes down columnar subsoil to form a slip plane, lubricated under heavy rainfall creating severe slip risk Acidic topsoil and low natural fertility Cuts & scars on Rangiora soils can be difficult to revegetate because of poor natural fertility and Al to toxic levels in the B horizon, making rooting shallow and cut faces hard to revegetate	

THREATENED ENVIRONMENT CLASSIFICATION (TEC)

The TEC layer is most appropriately applied to help identify priorities for formal protection against clearance and/or incompatible land-uses, and/or to restore lost species, linkages and buffers. The first two levels of the Threatened Land Environment mapping has been incorporated into national and regional policy[20] to address biodiversity protection on private land. Any remaining indigenous vegetation on such sites is considered significant and a priority for formal protection, linkage and buffering, including wetland.

The proposed Lots are largely encompassed by TEC *Level III* mapping[21] - *At Risk (20 -30% indigenous cover remains)*. Indigenous biodiversity in these environments has been much reduced and habitats are seriously fragmented. Positive gains may be obtained through revegetation, buffering, pest and weed control, as standard remedial measures.

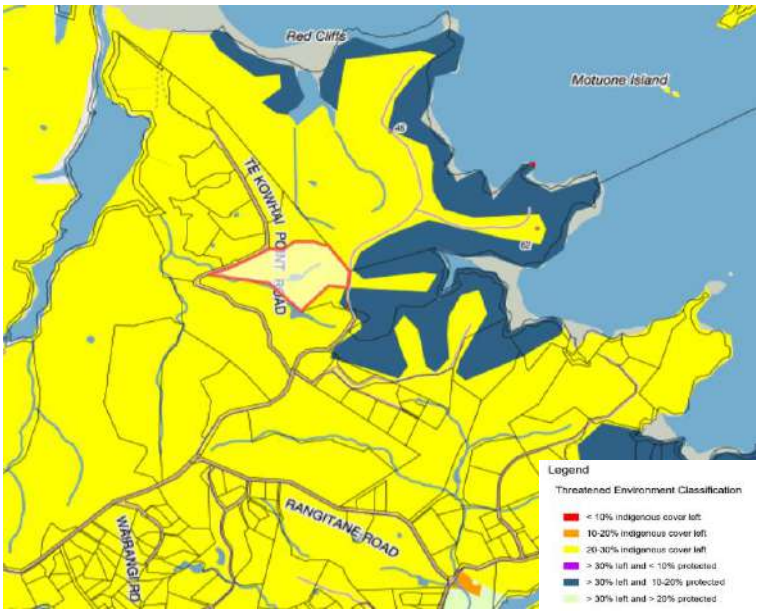


FIG 11: TEC CLASSIFICATION

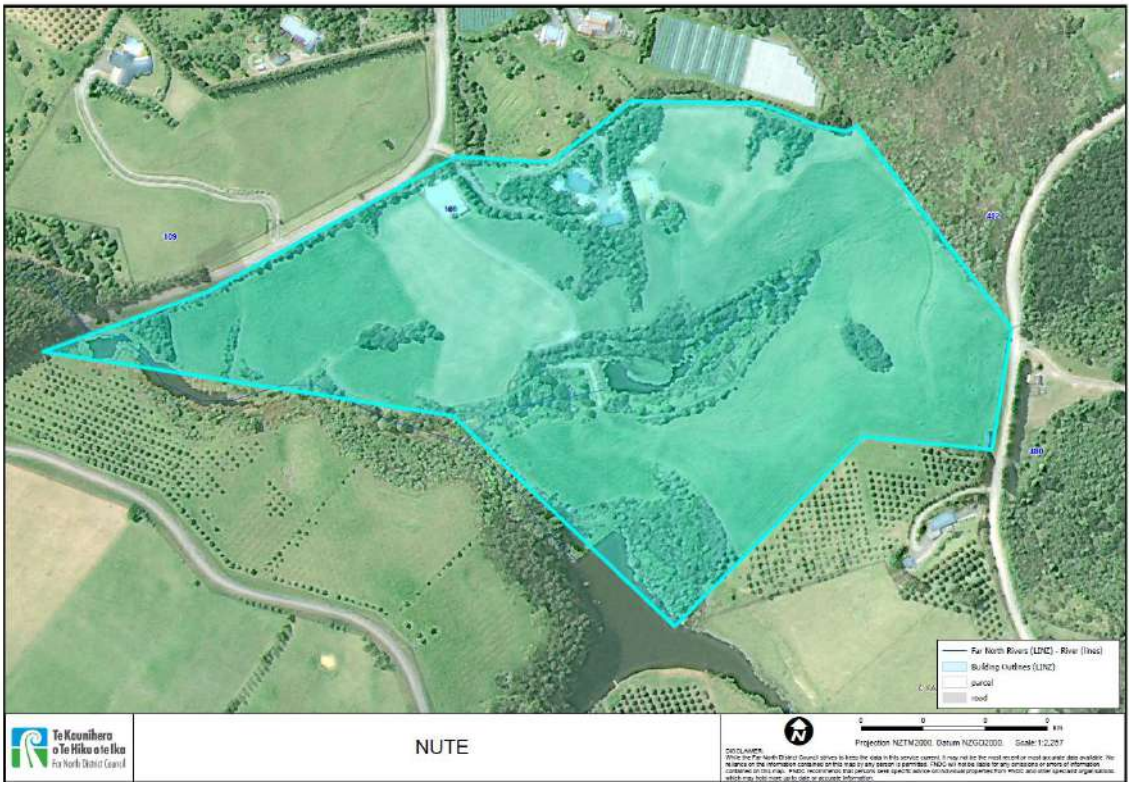
[20] National Policy Statement for Indigenous Biodiversity 2023; Northland Regional Policy Statement 2018 Appendix 5:2(a)i

[21] Threatened Environment Classification (2012) Landcare Research Manaaki Whenua. Based on Land Environments New Zealand (LENZ), classes of the 4th Land Cover Database (LCDB4, based on 2012 satellite imagery) and the protected areas network (version 2012, reflecting areas legally protected for the purpose of natural heritage protection).Combination of components of *Land Environments New Zealand Level VI; Land Cover Database 4 (2012); Protected Areas Network (2012).* Classifications - *Acutely Threatened (<10% Indigenous vegetation remains) Chronically Threatened (10-20% Indigenous Cover remains); At Risk (20-30%) Indigenous Cover Remains; Critically Underprotected (>30% cover, <10% protected);Underprotected(>30% Indigenous cover remains, 10-20% protected); Better Protected(>30 indigenous cover, >20% protected)*

HYDROLOGY

The waterway that interacts with the site is a headwater tributary to the lower Te Aiorua above its estuarine extent, before exit to Te Puna Inlet. The A3 mapped river[22] that existed prior to ponding remains in part and is characterized as per the REC II below in Table 3. The low *elevation origin (L)*, typically has marked seasonal flow patterns: high in winter, low in summer. Erosion rates in the *pastoral (P)* setting tend to be high, with rapid and more extreme flood peaks, resulting in low water clarity and higher suspended sediment compared to natural land cover. The A3 character was considered likely to contain wetland prior to ponding due to the typically slow flow rate for its class and low *Landform* class. This was corroborated by the aerial review.

FIG 12: MAPPED WATERWAY



The flow is assigned a lower condition score than the type, likely influenced by the wider catchments dominant pastoral cover. Condition scores are based on FENZ database parameters,[23] values closest to 1 representing optimal condition. This is likely due to the ponding and pastoral surrounds.

[22] **river** means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)

[23] Ranking parameters include indigenous cover in the upstream catchment; estimates of instream nitrogen concentrations; alteration of river flows and fish passage by control structures; introduced fish, discharges from industry; and impervious surfaces from development. DoC 2010

TABLE 3: REC CLASSIFICATION

CHARACTERISTIC	UNNAMED CREEK
NZ SEGMENT	*1005893*
ORDER	*1st*
TYPE	***A3*** *consists consists of very small, gentle gradient streams on sandy substrates occurring in coastal locations; it is widespread in coastal parts of the Eastern Northland unit*
NRC BIODIVERSITY RANKING	0.256 *(Top 25% A3 type Northland)*
MEAN FLOW (m^{-3} s^{-1})	0.07
CONDITION SCORE (SITE/ A3 TYPE)	0.252/ 0.325
CLIMATE	***WW*** *Warm Wet*
SOURCE OF FLOW	***L*** *Low Elevation*
GEOLOGY	***HS*** *Hard Sedimentary*
LAND COVER	***P*** *Pastoral*
NETWORK POSITION	***LO*** *Low Order*
VALLEY -LANDFORM	***LG*** *Low Gradient*

Tributary ephemeral flows to the central waterway/ wetland are identified on the scheme in areas B (Lot 4) & I (Lot 2) in existing revegetation areas (RC 2000784). A further active area is identified by a sunken area and eroded flush just above the existing vegetation of Covenant S, (to be encompassed in extension of Covenant C). These hydrologically active areas may be considered critical source areas[24] (CSAs) to the waterway/ wetland.

As the wetlands exist in what was previously a natural watercourse/ waterbody they cannot be considered *artificial*. Historic aerials show it with vegetation presenting visually similar to adjacent site wetland and typically undeveloped as opposed to surrounding well kept pasture. The river is now a *modified watercourse.*

The ponds, dug in former wetland and a natural waterbody with wetland within and remnant on edges, do not fall under the exclusions of the most recent NPS- FM (2020) definition[25] and cannot be by definition considered *constructed*[26] wetland as per definitions of the *Proposed Northland Regional Plan H6.*

The bare clay dam spillway of the southeastern pond which extends into Lot is actively eroding and has been stepped. It represents a fish passage barrier to the pond above.

[24] Critical source area: Means a landscape feature such as a gully, swale or depression that accumulates surface run-off from adjacent land; and delivers, or has the potential to deliver, one or more contaminants to one or more rivers, lakes, wetlands, or surface drains, or their beds (regardless of whether there is any water in them at the time).

[25] NPS FM (2020) a natural inland wetland is **NOT** *(c) a wetland that has developed in or around a deliberately constructed* ***water body****, since the construction of the water body.*
WATER BODY is *defined in the RMA as water body means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area*

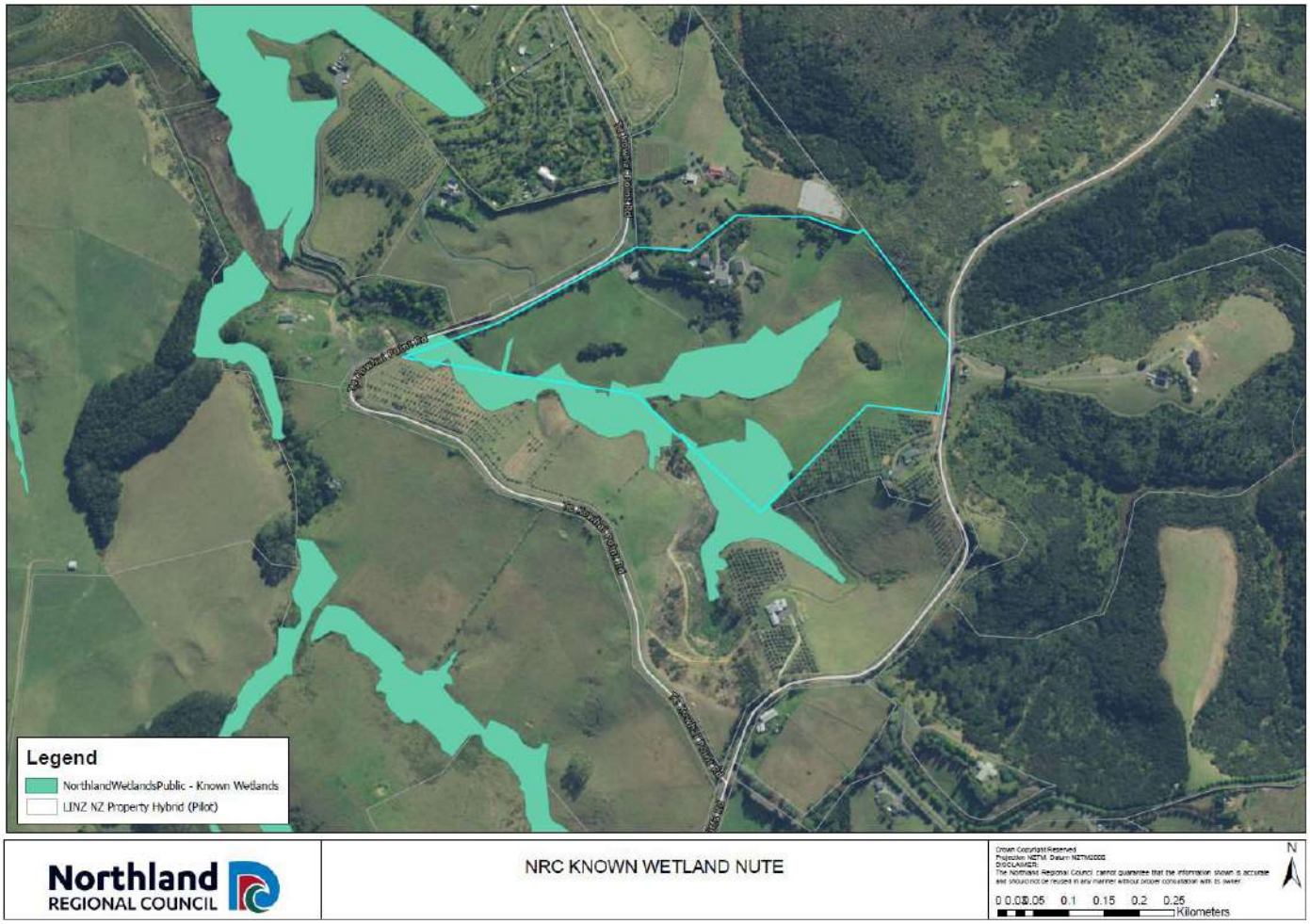
[26] ***CONSTRUCTED WETLAND*** *wetland developed deliberately by artificial means or constructed on a site where: (1) a wetland has not occurred naturally previously, or (2) a wetland has been previously constructed legally.*
structures including sediment traps; and roadside drainage channels are also not constructed wetlands or natural wetlands.

CLOCKWISE :REMNANT STREAM FLOW BETWEEN PONDS LOT 4; STREAM IS OCCUPIED IN OPEN AREAS BY RAUPO; UPPER DAM OVERFLOW LOT 3 COVENANT E; COVENANT I PROPOSED LOT 2; COVENANT B PROPOSED LOT 4; SUNKEN AREA AND FLUSH TO WETLAND PROPOSED LOT 4 ABOVE VEGETATION OF S;

VALUES MAPPING

The site waterways are encapsulated in the NRC known wetlands layer[27].

FIG 13: NRC KNOWN WETLANDS LAYER



The NRC layer carries the disclaimer that its content is incomplete and should not be relied upon as a definitive illustration of presence/ absence or extent. It is unclear of the origin of the particular site mapping. Although a useful starting point, it encompasses the riparian vegetation at higher contour that even prior to ponding and likely wetland extent as per the aerial review, could not have included wetland.

There are no additional regional GIS layers, the underlying assessment of which may be considered as a surrogate guide for ecological aspects to consider in terms of significance e.g. NRC Biodiversity Terrestrial Ranking Top 30% or Top 30% +5 unit[28], NRPS (2018) *Natural Character* or *Landscape* or PNAs[29] mapping within the site.

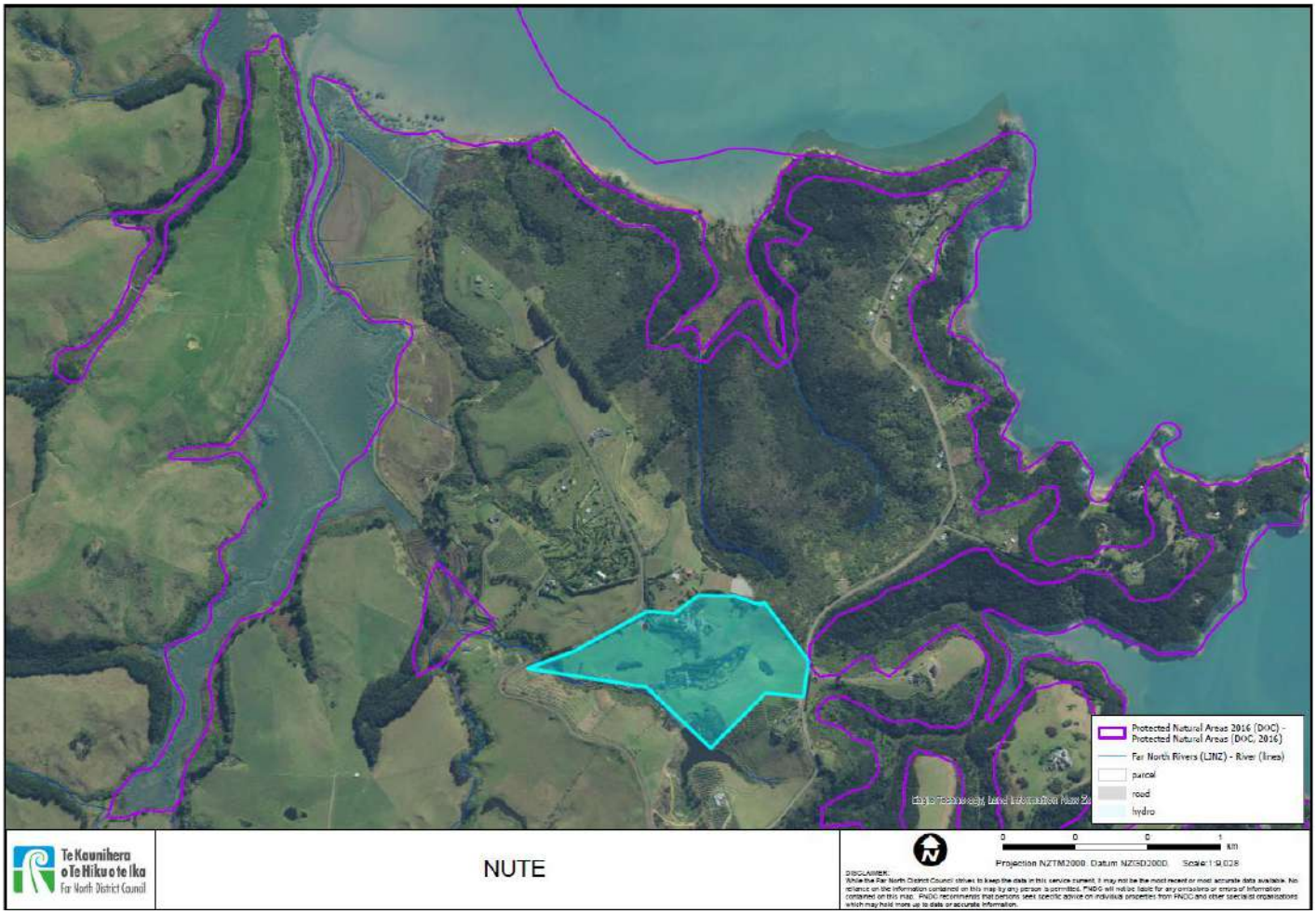
[27] https://services2.arcgis.com/J8errK5dyxu7Xjf7/arcgis/rest/services/NorthlandWetlandsPublic/FeatureServer/1

[28] This layer identifies the top 5 % of additional High priority terrestrial sites, that would potentially make the largest additional gains assuming management is applied to the top 30% of sites as identified in the ranking of terrestrial ecosystem areas derived from a ranking analysis of indigenous-dominated terrestrial ecosystems for the Northland Region.

[29] https://services5.arcgis.com/H4FlrMy6xTBd6Ywx/arcgis/rest/services/Protected_Natural_Areas_(DOC_2016)/FeatureServer

Downstream the Te Aiorua Creek Wetland Remnant P05/088 occupies the junction of a further headwater reach upstream west beyond Te Kowhai Point Rd, before combined flow joins the Te Aiorua Estuary (P04/093). To the east, beyond the private road that leads to Whakapu Point, the Rangitane Shrublands (P04/087), form a ribbon of coastal shrubland and forest of varied associations, dependant on age and topography.

FIG 14: PROXIMATE PNA SITES (CONNING & MILLER 1999)



Values of Te Aiorua Wetland #P05/088 are given in the documentation as:

- Level 1 Site
- *Freshwater wetland near mouth of a valley in hill country of Waipapa Group greywacke.*
- *Representative of freshwater wetland in a location which is largely devoid of extant wetlands of this type.*
- *Small raupo dominant wetland near the upper edge of a drained alluvial flat which probably once graded into saltmarsh and the still present estuarine mangrove forest.*
- *The water table of this site may be altered by the drainage of the adjacent flats.*
- *Fauna not surveyed*

It is approximately 270m downstream, however there appears to be wetland in between on Lot 9 DP 361371 directly beyond Te Kowhai Pt Rd. The subject site wetland is also raupo dominant in areas, although smaller.

Drainage is given as a key site pressure and it appears heavily modified in its lower extent. This is less pertinent to the site wetland having been encompassed in the wider site land protection since the previous consent (RC 2000784).
The broad Upper Te Puna Inlet PNA (#P04/093) includes the receiving environment of the site waterways as the Te Aiorua Estuary, and is documented as having significant saltmarsh and bird values. Representative raupo freshwater wetland and *Machaerina* grades into saltmarsh with sea rush and oioi, and mangroves. This provides *excellent habitat for waders and other wetland species, several of which are threatened or of regional significance.*
Species listed include spotless crake; NI fernbird; banded rail (all *At Risk – Declining),* Australasian bittern *(Threatened- Nationally Critical*) and NI brown kiwi (*Not Threatened; CD)*
Additionally it has a *RPS High Natural Character#04/26 & Proposed District Plan #257* designation described as *saltmarsh & mangrove shrubland & forest, indigenous vegetation without pest plants (mangroves & saltmarsh) and few obvious human structures.*

These designations are unlikely within a zone of influence (ZOI) of the site, in the absence of gross sediment input or introduction/ infestation of exotic species that may then disperse downstream.

THE WATERWAY BEYOND THE TE KOWHAI POINT RD BRIDGE/ CULVERT THAT FORMS THE WESTEN BOUNDARY OF THE SITE WATERWAYS, APPEARS TO CONTAIN NATURAL INLAND WETLAND

WETLAND

Site investigation has been undertaken specifically with regard to the presence or otherwise of *natural inland wetland,* as defined in the National Policy Statement for Freshwater Management (NPS -FM2020) and subject to the protective regulations within the National Environmental Standards for Freshwater (NES-F 2020). Although there is mapped *known wetland*[30] we are not aware of any previous reporting in regards to it.

The definition of **wetland** is given in the Resource Management Act (1991):

Wetland includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals adapted to wet conditions.

Plants adapted to live in wetland conditions as above are defined in three categories –

- **OBL**: Obligate. Almost always is a hydrophyte, rarely in uplands (estimated probability >99% occurrence in wetlands)
- **FACW**: Facultative Wetland. Usually is a hydrophyte but occasionally found in uplands (estimated probability 67–99% occurrence in wetlands)
- **FAC**: Facultative. Commonly occurs as either a hydrophyte or non-hydrophyte (estimated probability 34–66% occurrence in wetlands)

(Clarkson, B. et al 2021)

Identification and dominance of these species in vegetation forms the basis for diagnosis as wetland and has been incorporated into the NPS –FM (2020). To this end, both exotic and native species have been categorised by NZ experts in supporting documentation.

The NPS – FM (2020) & accompanying regulations of the NPS- F (2020) have recently been amended[31], incorporating a revised definition of *natural inland wetland* as subject to the *NES F (2020)* as below, providing exclusions of some classes of wetland as per the broader RMA definition:

Natural inland wetland means a wetland (**as defined in the Act) that is not**:
(a) in the coastal marine area; or
(b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or
(c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or
(d) a geothermal wetland; or
(e) a wetland that:

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

[30] NRC BIODIVERSITY WETLANDS https://localmaps.nrc.govt.nz/localmapsviewer/?map=55bdd943767a493587323fc025b1335c
[31] 8th December 2022 NPS; 5th December NES effective 5 Jan 2023

Under these updates, Regulation (e) (i) & (ii) only apply while a site is in active pastoral use, and not once its purpose changes[32]. None of the wetland identified in this report would be subject to these exclusions.

Exotic pasture species[33] as per definition do not include common wetland/ wet pasture grasses *Glyceria*; *Paspalum distichum**[34] *(FACW), Isachne globosa* (OBL); *Alopecaurus geniculatus (FACW)* and *Agrostis stolonifera* (FACW*) or unpalatable exotics such as *Ranunculus repens (FAC).*

Visual vegetation survey was undertaken to characterize the site associations for wetland presence with regard to the MfE Wetland Delineation Protocol (2022) and supporting documents:

- *A vegetation tool for wetland delineation in New Zealand (Clarkson et al 2021)*
- *Hydric soils – a field identification guide (Fraser et al 2018)*
- *Wetland delineation hydrology tool for Aotearoa New Zealand. (MfE 2021)*
- *Wetlands types in New Zealand (Johnson & Gerbeaux 2004)*

Reporting considered the presence or otherwise of *natural inland wetland (NPS FM 2020)*, including *extent* and *values,* the primary variables of any proposal to consider in avoidance of effects.

The Rapid Test, as the first strata of wetland delineation, was sufficient to determine wetland presence with dominance typified by obligate (OBL) and facultative wetland (FACW) species in saturated ground forming very obvious *natural inland wetland* communities. Hydrology and vegetation precluded the need for repeated soil observations.

Wetland determination as per the Protocols is not dependent on indigenous dominance. Regardless of origin, wetland species have high functionality in retaining sediment and protecting groundwater or open waterways from nutrient input.

Formal wetland topographical survey has not been undertaken as wetland is outside 10m of the documented proposal. Should development of the crossing M Pond F be required in detailed design we recommended survey of wetland in the vicinity is established formally.

Wetlands are of the *swamp* type*,* diagnostically:

- *standing water and/ or surface channels with gentle flow*
- *mainly surface water with groundwater*
- *water table usually above the surface;*
- *moderate to high fluctuation but permanent wetness at depth*
- *mineral or peat soils*
- *sedge; rush; reed; tall herb*

The primary indigenous association *OBL* raupo -*Machaerina – Isachne globosa* represents a typical lowland scenario with reliable hydrology in the absence of grazing disturbance (fenced).

[32] "*This exclusion is not targeted at pasture being targeted for urban development or for other land uses. It does not apply to wetlands in other areas of grassland that are not grazed, such as in parklands, golfcourses, landscaped areas and areas of farmland not used for grazing purposes".* MfE (December 2022) Pasture Exclusion Assessment Methodology *Pg 9*
[33] National List of Exotic Pasture Species List (2022) MFE
[34] * denotes exotic

Vegetation onsite is typified by raupo - *Machaerina rubignosa (OBL) - Isachne globosa (OBL)* dominant with frequent *Epilobium pallidiflorum (OBL)*, *Paspalum distichum* (FACW); Juncus effusus* (FACW); *Eleocharis acuta (OBL); Persicaria* (OBL & FACW spp); Cyperus brevifolius* (FACW); Isolepsis prolifera (OBL)* are also common. Confined occurences of larger stature *Schoenoplectus tabernaemontani* (OBL); *Parablechnum minus (FACW)* swamp fern and clumps of flax *(FACW)* are apparent.

The larger stature perennial sedge type association suggests prolonged stability of deeper hydrology, where OBL species are prevalent frequent e.g. *Isolepsis prolifera, Eleocharis acuta; Isachne globosa; Ludwigia palustris.*

Outside raupo dominant areas wetland is representative of a broad type[35] reference:

WL11: MACHAERINA SEDGELAND

- *Palustrine/riverine/lacustrine wetlands of a wide range of variants throughout New Zealand*
- *Sedgeland, rushland with a high water table dominated by species of Machaerina, square sedge, Eleocharis and Juncus*
- *Scattered harakeke and Carex spp.*
- *Oioi, tangle fern and Gahnia spp., can be locally dominant.*

Classification is based on the emphasis of observed vegetation type and hydrology, however all wetlands are dynamic systems with potential to change extent and composition over time due to natural factors e.g. drought; invasion; interspecific competition.

Associations vary with depth of saturation/standing water promoting biodiversity in terms of individual species and also different associations/ pattern.

Swamp kiokio (*Parablechnum minus FACW*) is found toward the edge with innocuous *Ranunculus repens (FAC)* and *Holcus lanatus (FAC). Paesia scaberula* is present on dry hummocks with gorse, and blackberry as the most prevalent wetland weed scrambling from dry rooted areas. Tobacco weed is scattered along margins. These species are common throughout many forms of wetland in Northland on margins or on slightly raised microtopography, not preferring prolonged submersion.

Wetland throughout grades quickly with reduced soil saturation and slight micro elevation to loss of dominance typified by FACU & UPL exotic grass species including kikuyu; ryegrass; browntop; cocksfoot; abundant carrotweed (UPL); *Paspalum dilatatum*; and ratstail with common herbaceous pasture weeds such as hawksbeard (FACU), plantain (FACU), and dock (FACU). This represents non wetland both in terms of species dominance and NEPSL[36] pastoral exclusion species. Grasses were recognized through professional experience from leaf form, ligule; growth habit and habitat, with simple determination from few seed heads not broadly practicable at this time of year.

[35] Singers & Rogers (2014) A classification of New Zealand's terrestrial ecosystems. Science for Conservation 325, DoC Wellington
[36] National Exotic Pasture Species List (2022) AgResearch for MfE

NPS-FM VALUES (2020)

Preservation of extent is central to the intent of the NPS – FM (2020) and accompanying protective regulations of the NES-F (2020). Consideration of the site wetland also informs potential values. Avoidance of loss of values in addition to extent is core policy of the NPS – FM (2020). V*alues* as per NPS- FM definition–

ECOSYSTEM HEALTH

- Riparian buffer is present with functionality of sediment retention and processing; diffuse stormwater interception
- Stock excluded, no pest control , exotics frequent at all tiers
- Contribution of habitat diversity and species retention for insectivorous and water fowl guild in wider dry pastoral site
- Freshwater fish of a limited niche that can persist in closed lotic environs

INDIGENOUS BIODIVERSITY

- Sediment retention and nutrient processing protective of groundwater.
- Pastoral influence – some areas largely exotic. Common indigenous avifauna species typical of pastoral setting
- Provides Kiwi higher territorial economics moist ground and riparian cover
- Freshwater fish. Gambusia

HYDROLOGICAL FUNCTION

- Sediment, stormwater retention and nutrient processing
- Hydrologically connected as headwater shortly to Aiorua Estuary/ Te Puna Inlet
- Buffers ranked headwaters and ranked segment of 1st order A3 unnamed creek
- Protective of groundwater and sediment control under rainfall when hydrological connections to ground and surface water pronounced from pastoral setting

MĀORI FRESHWATER VALUES

- Potentially intrinsic and functional – outside scope of this report

Covenanting and management represents positive formal protection and enhancement of *extent* and *values.*

PASPALUM DISTICHUM* (FACW) SEEDHEAD

TERRESTRIAL VEGETATION

Beyond wetland, the vast majority of tall riparian vegetation on site is resultant of the prior subdivision revegetation and is therefore approx. 20+ years old. The shrubby component includes flax; *Coprosma areolata*; matipo; kawakawa; *C. robusta; C. rhamnoides*; hange hange. As vigorous pioneers they also form the self propagating seedling and sapling component with patches of open exotic grass and ferns e.g. scented pig fern (*Paesia scaberula FACU);* silver fern *(Alsophila tricolor UPL).* Taller species include karaka; puriri, cabbage tree; mahoe; kanuka; manuka; five finger; mamaku with a frequent exotic component of hakea; tobacco weed; loquat; willow; poplar; gorse. Although a far wider diversity was offered in the original planting plan, more typical and readily available revegetation species have been used.

The exotic component is prevalent and requires a structured control prescription to underpin concerted efforts of the current owners. Cleared or sprayed areas have not re established vegetation and require intervention to maintain density and prevent further edge effects and weed ingress. Wild ginger is a priority weed for targeted control in shady damp areas. Area E toward Lot 2 DP 415226 has a dense monoculture of *Hakea salicifolia.* Progressive reduction of this species and revegetation, to protect the slope, is recommended. Gorse will continue to regenerate freely in open areas across all Lots due to its long lasting (<50years) seed, while tobacco weed can tolerate shade and infiltrate current and further revegetation. Loquats provide a reliable large fruit source for kukupa, although exotic and recently named an environmental weed[37], subject to a *Sustained Control*[38] rating in Auckland Region but as yet no classification in Northland.

There are no kauri in the development area to invoke consideration of the *Biosecurity (National PA Pest Management Plan) Order 2022.* No flora species with threat status or locally uncommon were found within or beyond the wetlands despite search for those recorded[39] locally.

[37] Loquat *(Rhaphiolepis bibas)* McAlpine, K. & Howell; C. J (2024). List of environmental weeds in New Zealand. DoC Science for Conservation Series 340

[38] REGIONAL PEST MANAGEMENT STRATEGY SUSTAINED CONTROL MANAGEMENT PROGRAMME *Sustained control* plants are widespread in suitable habitat throughout the region. The intention is to reduce pest densities so that impacts on the community and the environment are decreased.

[39] ala.org.au; inaturalist,; ebird

FROM LEFT: LOOKING NORTH EAST FROM MID SITE DRY PASTURE ABOVE VALLEY BASAL WETLAND; WELL MAINTAINED DRY PASTURE; TOTARA REMNANT AT EASTERN END (D)








HEAVILY RAUPO DOMINATED TO LOWER OPEN WATER WITH EMERGENT WATERLILLIES TO TE KOWHAI POINT RD



COVENANT B PROPOSED LOT 4 EMPHEMERAL FLOW WITHIN BUT NO WETLAND CSA TO WETLAND


PROPOSED LOT 3 HOUSE SITE NEW RED FLUSH OF HAKEA IS VISIBLE ON SLOPE OF COVENANT E; VIEW DOWNSTREAM TOWARD TE KOWHAI POINT RD



CLOCKWISE:UPPER BUNDED POND J NON WETLAND; TOP OF F LOOKING BACK AT BUND TO J; NATURAL INLAND WETLAND F; MACHAERINA & ISACHNE WETLAND;CABBAGE TREE SCHOENOPLECTUS & PARABLECHNUM MINUS WETLAND; VIEW OF POND F WATERLILIES AND ELEOCHARIS FORM EMERGENT SHALLOW WATER WETLAND

STANDING ON M LOOKING EAST OVER F; CULVERT IN M TO BELOW ROCKED OVERFLOW; ROCKED OVERFLOW DOES NOT ALLOW FOR FISH PASSAGE; DITCH BELOW OVERFLOW NOT WETLAND; EXIT OF DITCH UNDER M TO LOWER EPHEMERAL SEGMENT THEN NATURAL INLAND WETLAND IN E (NOT PERCHED); ON OTHER SIDE OF M (NOT PERCHED)

CLOCKWISE FROM LEFT:BELOW DAM FACE OF F (M); WETLAND COMMENCES BELOW DAM FACE > 10m; OPEN WATER IN E; RAUPO AND MACHAERINA JUNCTION OF WETLAND IN E AND LOT 2 DP 415226

PROPOSED LOT 2 HOUSE SITE

FAUNA

Basic observations were incidental to the main consideration of hydrology, wetland and vegetation significance, but complement the characterisation of the site.

AVIFAUNA

Six 5 minute bird counts were undertaken on the morning of the 30/11/24 under fine clear conditions to observe species utilising the site

- Lot 4 adjacent (B) view over ponding
- Lot 4(c) view south
- Lot 1 (L) view east
- Lot 2 (I) view west
- Wetland Area F top
- M Dam crossing

Conspicuous birdlife was limited largely to exotic and native insectivorous generalists for which the pasture and wetlands and scattered podocarps contribute to territorial feeding areas habitat e.g. skylark; thrush, sparrow; fantail; grey warbler. Pukeko, paradise duck, mallard and black swan are also present in the pond adjacent Te Kowhai Point Rd. Numerous kingfisher were sighted on fenceposts. A kahu sighted was using open pasture as hunting ground, likely for rabbits. Kukupa were expected but not observed. Numerous puriri were not yet fruiting.

The property has *HIGH DENSITY* designation (DoC 2018). Pasture for feeding with adjacent (<300m) wetland and terrestrial cover represents high quality territory. Maintenance of riparian cover and pest control would improve functional habitat.

Playback for fernbird (*At Risk – Declining*), as the most likely specialist wetland bird to respond, did not result in any reply although the habitat is suitable, also for crake (*At Risk- Declining*). Bittern are noted in the PNA documentation for the Upper Te Puna Inlet, however this an extensive area and habitat in comparison to limited raupo/ rushland onsite. There are no records of bittern in the immediate area and the Nutes have not heard any.

To benefit all species occupancy, waterways with resilient buffer, complimented by pest control will allow heightened functionality of habitat.

FISH

A primary Gee Minnow trap survey was undertaken. There are no site or reach specific FWFD record[40] onsite, in the further downstream extent of the waterway and local records are scarce.

NIWA has combined REC V2 classification with monitoring data to extrapolate a wide range of instream water quality and fish habitat parameters for all mapped NZ rivers. This resource gives potential fish species interacting directly with the site as below *TABLE 4*

The lack of banded kokopu as predicted reflects the loss of flowing creek environment and likely obstruction. Common bully present may have persisted through the prior ponding activity as they form landlock populations more readily. Shortfin eel can traverse short terrestrial distances under heavy rainfall or damp conditions. Gambusia were likely introduced after the ponding or as eggs on waterlilies. This is now illegal under the Biosecurity Act (*Refer*

[40] Freshwater Fish Database records NIWA

Appendix 3). They favour the lotic environment of the ponds unable to persist in flowing conditions and tending to surface warm waters where they form small shoals. Traps set toward the surface caught only *Gambusia*. Common bullies were of far lower frequency in catches containing both species approx. 10:1.

TABLE 4: NIWA PREDICTED SPECIES & SITE CATCH

PREDICTED SPECIES NZSEG#1004341	COMMON NAME	THREAT STATUS	CATCH DEC 2024
Anguilla australis	**SHORTFIN EEL**	NOT THREATENED	✓
Galaxias fasciatus	**BANDED KŌKOPU**	NOT THREATENED REGIONALLY SIGNIFICANT	
Gobiomorphus cotidianus	**COMMON BULLY**	NOT THREATENED	✓
Gobiomorphus hutonni	**REDFIN BULLY**	NOT THREATENED	

SHORTFIN EEL AND COMMON BULLY IN SMALLER NUMBERS FROM DEEPER SET TRAPS: GAMBUSIA

INVERTEBRATES

Invertebrate survey was outside the scope of this reporting. However, the proliferation of OBL & FACW wetland species is also an indicator of niches supportive of invertebrate populations adapted to complete at least a portion of their lifecycle in wet conditions, and it may be assumed they are present. In NZ this has been shown to vary with region; wetland type and water chemistry (largely acidity) with fauna dominated by communities of five invertebrate groups -*Chironomidae* midges; aquatic mites (*Acarina*); microcrustacea (copepods &ostracods) and aquatic nematodes. The mud snail *Potamopyrgus* antipodarumwas cosmopolitan across NZ. Unlike aquatic insects, meiofauna such as the nematodes, copepods and ostrocods do not leave the wetland environment as winged adults.

Despite their inconspicuousness and little recognition in comparison to fauna commonly valued by society e.g. birds & fish - they have a critical role in wider ecosystem function e.g. organic carbon and nutrient turnover; as part of the food web reaching large densities and in terms of intrinsic biodiversity value -many being known only to NZ.

SUMMARY OF ECOLOGICAL ISSUES IDENTIFIED

In summary, key environmental issues existing prior to proposal development are identified below. These are a combination of implied, from desktop review, and observed common throughout Northland ecosystems and consistent with key pressures identified in Regional Policy Statement Sec 2.2 - being habitat loss and fragmentation, and the impact of weeds/ pests.

TABLE 5: CURRENT SITE ISSUES IDENTIFIED PRIOR TO PROPOSAL

EXISTING ISSUE	STATUS	MANAGEMENT
STATE OF EXISTING NATIVE ECOSYSTEMS	Riparian buffer >10m ; disjunct along southern Proposed Lot 4 Risk of loss of riparian vegetation resilience from weeds and pests Uncontrolled CSA proposed Lot 4 Revegetation of moderate diversity Large area of Hakea Covenant E proposed Lot 3	Increase buffer planting southern proposed Lot 4 to minimum 10m Weed control; infill planting in gaps left by weed control; pest control to maintain/ bolster fauna Inclusion of CSA in increased buffer planting proposed Lot 4 Replacement of weed areas to include absent podocarps and broadleaved canopy species Gradual replacement of Hakea
LOW FAUNAL DIVERSITY	Likely pest populations a contributing factor	Revegetation Formalised pest control
FORMAL PROTECTION OF SIGNIFICANT VALUES	Voluntary	Formalised weed & pest control Formal covenanting to prevent inadvertent damage/ encroachment

Issues identified are common throughout Northland ecosystems, representing a baseline for cumulative effects that may occur with the increase of residential occupation but alternatively also be addressed by the proposal to provide a positive effect.

SIGNIFICANCE

Consideration of significance is given in regard to *Northland Regional Policy Statement Appendix 5 (2018),* with guidance contained within non statutory documents including *DOC Guidelines for Assessing Significant Ecological Values (2016); Guidelines for the Application of Ecological Significance Criteria for Indigenous Vegetation and Habitats of Indigenous Fauna in the Northland Region (Wildlands 2019).*

Appendix 5 is the standard Northland criteria for assessing significance of an ecological site, and directly reflects those contained in *Appendix 1* of the recently mandated *National Policy Statement for Indigenous Biodiversity (2023)* including consideration of *Representativeness; Diversity & Pattern; Rarity and Distinctiveness & Ecological Context .*

TABLE 6: ASSESSMENT OF SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA IN TERRESTRIAL, FRESHWATER AND MARINE ENVIRONMENTS NORTHLAND REGIONAL POLICY STATEMENT (2018) APPENDIX 5

(1) REPRESENTATIVENESS	**WETLAND**	**RIPARIAN VEGETATION**
(A) Regardless of its size, the ecological site is largely indigenous vegetation or habitat that is representative , typical and characteristic of the natural diversity at the relevant and recognised ecological classification and scale to which the ecological site belongs (i) if the ecological site comprises largely indigenous vegetation types: and (ii) Is typical of what would have existed circa 1840 (iii)Is represented by the faunal assemblages in most of the guilds expected for the habitat type **(B)** The ecological site (i) Is a large example of indigenous vegetation or habitat of indigenous fauna (ii) Contains a combination of landform and indigenous vegetation and habitats of indigenous fauna that is considered to be a good example of its type at the relevant and recognised ecological classification and scale	A – Yes (i)*Machaerina, Juncus edgaraie; Isachne globosa*; *Schoenoplectus; Isolepis; Eleocharis* (ii) In occupancy, however the hydrological headwater unit has been modified by ponding with wetland and areas of creek flow remaining (iii) Internal habitat for birds/ fish/ invertebrates available. Insectivores present; wetland birds potentially limited except for common &adaptable waterfowl; pukeko. B (i)meets swamp criteria in connection with further offsite extent (ii) gully wetland *Machaerina - Isachne*, impacted by weeds and little riparian vegetation ***MODERATE***	A(i) YES revegetation species appropriate to local reference sites and predicted ecosystem type (ii) In occupancy ; reduced diversity and exotic component (iii) YES Internal habitat for insectivorous birds including ground dwelling kiwi (High Density area); tui (nectivore) invertebrates available. B)(i) no (ii) Representation of primary riparian vegetation in the Kerikeri ED but not of a large scale **LOW- MODERATE**
(2) RARITY/ DISTINCTIVENESS (A)The ecological site comprises indigenous ecosystems or indigenous vegetation types that: (i) Are acutely or chronically threatened land environments associated with LENZ Level 4 (ii) Excluding wetlands, are now less than 20% original extent (iii) excluding man made wetlands are examples of wetland classes that either otherwise trigger Appendix 5 criteria or exceed any of the following area threshold (a) Saltmarsh 0.5ha (b) Shallow water lake margins and rivers 0.5ha (c) Swamp >0.4 (d) Bog >0.2 ha (e) Wet heathlands>0.2 ha (f) Marsh; fen; ephemeral wetland or seepage/flush >0.05ha (B) Indigenous vegetation or habitat of indigenous fauna that supports one or more indigenous taxa that are threatened, at risk, data deficient , or uncommon either nationally or within the relevant ecological scale (C) The ecological site contains indigenous vegetation or an indigenous taxon that is (i) endemic to the Northland/ Auckland region (ii) At its distribution limit in the Northland region (D) The ecological site contains indigenous vegetation or an association of indigenous taxa that (i) Is distinctive of a restricted occurrence (ii) Is part of an ecological unit that occurs on a originally rare ecosystem (iii) Is an indigenous ecosystem and vegetation type that is naturally rare or has developed as a result of an unusual environmental factor(s) that occur or are likely to occur in	A(i) NO (ii)- (iii) estimated onsite NO, inclusive of offsite in sequence YES B) none observed C) none observed *D) i)yes indigenous wetland vegetation* ***LOW***	A(i) NO (ii)NO B) NO C)NO D) (i) Near riparian vegetation in Kerikeri ED and nationally is depleted **LOW**

Northland: or (iv) Is an example of a nationally or regionally rare habitat as recognised in the New Zealand Marine Protected Areas Policy		
(3) DIVERSITY AND PATTERN (A) Indigenous vegetation or habitat of indigenous fauna that contains a high diversity of: (i) Indigenous ecosystem or habitat types; or (ii) Indigenous taxa (B) Changes in taxon composition reflecting the existence of diverse natural features or ecological gradients; or (C) Intact ecological sequences	(A)ii & (B) Variation in species composition with saturation/ surface water within wetland e.g. raupo & *Machaerina* in most reliable flow; Isachne and paspalum distichum rafting; Schoenoplectus in deeper standing water; *Isolepis* & *Juncus* margins; herbaceous component; abrupt change from wetland species to terrestrial dryland C) Riparian vegetation- Headwater wetland & 1st order creek - larger swamp - estuarine Te Aiorua salt marsh shortly downstream **MODERATE**	A) (ii)Moderate diversity of common local revegetation species providing heterogeneity in height and form to allow multiple niches for birds and insects from ground cover to high fruiting puriri & karaka B) Gradients subdued by generalist revegetation species C) Riparian vegetation- Headwater wetland & 1st order creek - larger swamp - estuarine Te Aiorua salt marsh shortly downstream **LOW-MODERATE**
(4) ECOLOGICAL CONTEXT (A) Indigenous vegetation or habitat of indigenous fauna is present that provides or contributes to an important ecological linkage or network, or provides an important buffering function: or (B) The ecological site plays an important hydrological, biological or ecological role in the natural functioning of a riverine, lacustrine, palustrine, estuarine, plutonic(including karst), geothermal or marine system (C) The ecological site is an important habitat for critical life history stages of indigenous fauna including breeding/ spawning, roosting, nesting, resting, feeding, moulting, refugia or migration staging point (as used seasonally, temporarily or permanently	(A) & B)Nutrient processing & retains sediment; buffers groundwater and surface water to near coastal environment. Forms hydrological linkage headwaters to estuarine & inlet C) heightened feeding territorial economics for ground dwelling species and insectivores e.g. kiwi;kingfisher over pasture dry extent. Likely invertebrate communities with lifestages requiring wet conditions. Habitat for waterfowl. Freshwater fish however diadromy likely interrupted by fish passage barriers **MODERATE- HIGH**	A)&B)Riparian vegetation buffers CSAs; wetland and headwater waterway to estuarine & inlet C) habitat for insectivores; kiwi and as shelter for waterfowl **MODERATE- HIGH**

The significance ratings for each of the 4 criteria in RPS Appendix 5 are combined to give an overall single value according to Table 7 (*EIANZ Table 6)*, below. This should not however suppress any impact consideration of a single value or component.

Both riparian and waterway ecosystems and as a combined ecological unit have a *MODERATE* significance, related to indigenous dominance; habitat and heightened territorial economics; pattern and integral connectivity with further extent of the gully wetland to the Te Aiorua Creek and Estuary; physical and functional buffering to downstream aquatic environments Exotic weeds and lack of fish passage diminish it's integrity.

TABLE 7: SCORING FOR SITES COMBINING VALUES FOR SIGNIFICNCE CRITERIA (TABLE 6 EIANZ)

VALUE	EXPLANATION
VERY HIGH	*Area Rates VERY HIGH for 4 or all of the matters in Appendix 5 RPS. Likely to be nationally important and recognised as such*
HIGH	*Area rates HIGH for 2 of the assessment matters. Moderate and LOW for the remainder*
MODERATE	*Area rates HIGH for one matter, MODERATE & LOW for the remainder* *Area rates MODERATE for 2 or more of the criteria. LOW or very LOW for the remainder. Likely to be significant in the ED*
LOW	*Area rates LOW or VERY LOW for all but one MODERATE. Limited ecological value other than as habitat for local tolerant species.*
NEGLIGIBLE	*Area rates VERY LOW for 3 matters and MODERATE LOW or VERY LOW for the remainder.*

Individual species value is LOW as per EIANZ (2018)[41] criteria below, with significance rather as a riparian association.

TABLE 8: FACTORS TO CONSIDER IN ASSESSING SPECIES VALUE (TABLE 5 EIANZ 2018)

VALUE	EXPLANATION
VERY HIGH	*Nationally Threatened species (Critical, Endangered or Vulnerable) found in the Zone of Influence or likely to occur there, either permanently or occasionally*
HIGH	*Nationally At Risk species (Declining) found in the Zone of Influence or likely to occur there, either permanently or occasionally*
MODERATE-HIGH	*Species listed in any other category of At Risk category (Recovering, Relict or Naturally Uncommon) found in the Zone of Influence or likely to occur there, either permanently or occasionally.*
MODERATE	*Locally uncommon/rare species but not Nationally Threatened or At Risk.*
LOW	*Species Not Threatened nationally and common locally.*
NEGLIGIBLE	*Exotic species, including pests*

In regard to *Table 8* above:

MODERATE VALUE SPECIES

Regionally Important; Conservation Dependant

- NI Kiwi (CD)

LOW VALUE SPECIES

Common in the ED & onsite

- *Coprosma; hangehange; Pseudopanax; puriri; raupo; Machaerina; Isachne; totara; kanuka; mahoe etc*

We rate the proposed development areas in exotic pasture as ***NEGLIGIBLE*** *significance and species value*. No highly mobile species[42] are likely dependant on the areas for any part of their lifecycle. There is ***potential*** for kiwi to be utilise footprint of clearance areas, as part of the wider site territory. Clearance of these is unlikely to affect any of these species in a significant adverse way. All will live closely proximate with residential occupation if predator control in functional habitat allows. We recommend a pre works site check for daytime sheltering kiwi if pasture is allowed to become rank prior to development. It is an offence under the Wildlife Act 1953 to **intentionally** harm, disturb or kill native wildlife.

Impact assessment is instead focused on potential interaction with the ***MODERATE*** significance waterway and riparian vegetation in terms of stormwater inputs, alteration of the crossing (M); increased residential occupation; introduction of pests and weeds; introduction of pets.

[41] (2018) EIANZ Ecological Impact Assessment Guidelines for New Zealand 2nd Edition

[42] NPSIB (2023) *Appendix 2: Specified highly mobile fauna*

ASSESSMENT OF EFFECTS

Assessment of effects follows the systematic process of the EIANZ[43] Guidelines as best practice. Consideration of a raw proposal form without any consideration/ mitigation is best practice methodology.

Standard criteria are utilised in a matrix framework to determine the impact of a proposal on a habitat, incorporating a three step process:

- Ecological values are ranked on a scale of *Negligible, Low, Moderate, High, or Very High.*
- The magnitude of effects on these values is ranked on a similar scale (EIANZ TABLE 8)
- The overall level of effect is determined by a combination of value and the magnitude of the effect. (EIANZ TABLE 10)

DEVELOPMENT PHASE

The primary potential effects are limited to

- stormwater discharge 100m of a *natural inland wetland.*
- earthworks within 100m of a *natural inland wetland* e.g. building platforms and access; alteration of the crossing (M)

RESIDENTIAL OCCUPATION

Additional potential, but avoidable effects of intensified occupation include

- pets within a *High Density* kiwi zone
- potential landscaping/ alteration of the wetland and hydrology
- weed and pest introduction
- stormwater inputs
- increased disturbance from residential occupation

MAGNITUDE OF EFFECTS

Magnitude is determined by a combination of scale (temporal and spatial) of effect and degree of change that will be caused in or to the ecological component. It should initially be considered in a raw or unmitigated form.

TABLE 9: CRITERIA FOR DESCRIBING MAGNITUDE OF EFFECT (EIANZ 2018 TABLE 8)

MAGNITUDE	DESCRIPTION
VERY HIGH	*Total loss of, or very major alteration to, key elements/features/ of the existing baseline conditions, such that the post-development character, composition and/or attributes will be fundamentally changed and may be lost from the site altogether; AND/OR* *Loss of a very high proportion of the known population or range of the element/feature*
HIGH	*Major loss or major alteration to key elements/features of the existing baseline conditions such that the post-development character, composition and/or attributes will be fundamentally changed; AND/OR* *Loss of a high proportion of the known population or range of the element/feature*
MODERATE	*Loss or alteration to one or more key elements/features of the existing baseline conditions, such that the post-development character, composition and/or attributes will be partially changed; AND/OR* *Loss of a moderate proportion of the known population or range of the element/feature*
LOW	*Minor shift away from existing baseline conditions. Change arising from the loss/alteration will be discernible, but underlying character, composition and/or attributes of the existing baseline condition will be similar to pre-development circumstances or patterns; AND/OR* *Having a minor effect on the known population or range of the element/feature*
NEGLIGIBLE	*Very slight change from the existing baseline condition. Change barely distinguishable, approximating to the 'no change' situation; AND/OR* *Having negligible effect on the known population or range of the element/feature*

[43] Environmental Institute of Australia and New Zealand

The interaction of magnitude of effect and ecological value (or significance) of species and habitat gives the **unmitigated level of effect** as per *EIANZs Table 10* (below). This resultant level of effects is then a guide to the extent and nature of the ecological management required to render them acceptable in the statutory framework.

Impact management should enable maintenance or improvement of existing biodiversity (EIANZ 2018).

In this regard we consider the **unmitigated** potential effects as below*:*

Proposed Building/ Access Areas in pasture

- *VERY LOW as* a potential interaction between a *NEGLIGIBLE level* of effects on *NEGLIGIBLE* value elements

Wetland & Riparian Area

- ***MODERATE*** as a potential *MODERATE- HIGH* effect on the *MODERATE* value of the central waterway and vegetation/ habitat.

In terms of the ecological values ascertained offsite e.g. further gully wetland & PNA, no aspects are considered to be at risk from the development, providing typical management is applied to the development as given in this report.

TABLE 10: CRITERIA FOR DESCRIBING LEVEL OF EFFECTS (EIANZ TABLE 10)

		ECOLOGICAL &/OR CONSERVATION VALUE				
		VERY HIGH	**HIGH**	**MODERATE**	**LOW**	**NEGLIGIBLE**
MAGNITUDE	*VERY HIGH*	**Very High**	**Very High**	**High**	**Moderate**	**Low**
	HIGH	**Very High**	**Very High**	**Moderate**	**Low**	**Very Low**
	MODERATE	**Very High**	**High**	**Moderate**	**Very Low**	**Very Low**
	LOW	**Moderate**	**Low**	**Low**	**Very low**	**Very Low**
	NEGLIGIBLE	**Low**	**Very Low**	**Very Low**	**Very Low**	**Very Low**
	POSITIVE	**Net Gain**	**Net Gain**	**Net Gain**	**Net Gain**	**Net Gain**

IMPACT MANAGEMENT

Implementation of effects management is considered sufficient mitigation for progression of the proposal with a *less than minor* level of impact, and provide gross *positive effect* of the non complying subdivision. *Impact management should enable maintenance or improvement of existing biodiversity* (EIANZ 2018).

Potential development impacts on the waterway may be managed by protective regulations of the NES-F and best practice stormwater design.

No indigenous vegetation clearance is required. Pasture in works area should be grazed short prior to earthworks to avoid provision of shelter for kiwi/ or kiwi dog check prior to clearance.

The current covenants are not spatially defined and require heightened management. The range of species given in the original design is not represented, rather a simpler association. Although alluded to in consent there was no formal management programme or monitoring-

The approved planting plan and program submitted with the application shall be complied with on a continuing basis by the owners of Lots 1 & 2.

RC 20000784

Replanting of cleared exotic infestation cannot be considered a positive benefit in mere terms of cover, as it was previously offered as mitigation. However, increased biodiversity overall is appropriate currency to provide additionality, through replacement with a variety of species unlikely to establish without introduction. With respect to the original subdivision list (refer Appendix 5) and in addition to the association currently present these include:

- swamp maire and kahikatea closely adjacent swamp
- rewarewa; rimu; pigeon wood; taraire; kowhai in riparian areas
- pseudopanax

This represents a net gain over the status quo biodiversity and functional habitat for a broader range of fauna as well as improved amenity appeal. Other *positive* effects of planting will be

- increase the ability of the site to accommodate diffuse runoff from upper pasture
- visual definition of the protected areas to future owners

Areas have been identified in the Vision Site Suitability Report as potentially subject to sudden inundation in the event of an upstream dam breach. It has been recommended they are excluded from development due to such risk. This includes bare areas between planting along the proposed Lot 4 portion of waterway to approx. 1300m^2 and encompasses an eroded overland flow path, as CSA to the waterway and identified historic slope activity identified in the Site Suitability Report [44]. We recommend they are revegetated, in order to provide a visually obvious cue, additionally buffering existing values from edge effects and providing a full length 10m minimum [45] advisable riparian. This will contribute heightened ecosystem services to that existing including;

- buffer existing covenants for long term resilience
- provide additional habitat
- protection of internal waterway habitat from disturbance
- achieve aquatic function – attenuation; shade; sediment control
- increased amenity

As such a proposed species list has been included (*Appendix 4*) as primary guidance, with approximate numbers of hardy pioneers appropriate to the open grass receiving environment. A full Weed and Pest Management Plan will be required for the Lots, with sufficient information to provide guidance in the event of bulk or individual Lot change of ownership. Wider buffers are often suggested to reduce edge effects of weed ingress, facilitating self sustaining vegetation. However, this can be mitigated with maintenance of the buffer through consent requirements.

[44] *Vision FIG 4 pg 10 Site Suitability Report Proposed Subdivision of 128 Te Kowhai Point Road David and Julia Nute 6/11/2024*
[45] NIWA (2000) Review of Information on riparian buffer widths necessary to support sustainable vegetation and meet aquatic functions TP350 Auckland Regional Council

A designated extension of cover to that already existing in Covenant C & I is considered visual amenity planting and referenced in the SCLA Ltd VIA.

We recommended varietals are not used are eco- sourced and no kauri should be introduced.

Pest control is required indefinitely to maintain vegetation as functional habitat, as opposed to simple provision of cover. High value fauna present may exist in proximity to peri urban areas as long as there is sufficient functional habitat and pest control. Long term pest management coupled with habitat preservation will ensure the sites ability to support more individuals, concomitantly increasing survival.

Cats and dogs are a primary threat to ground dwelling fauna and these are to be excluded as per the High Density kiwi zone. The Nutes' current pet is to be grandfathered.

No fauna salvage or translocation is expected but assistance may be requested from the consulting ecologist if unexpected values come to light. It is an offence under the Wildlife Act 1953 to harm, disturb or kill native wildlife.

Specifically, we recommend-

- Covenanting to include conditions of
    - only indigenous species aligned with WF11 kauri podocarp broadleaved forest type as per NES –F requirements and the lists provided
    - no floodlighting of covenant;
    - no damming, diversion or ponding of wetland, creek or overland flowpaths
- A formal **Weed & Pest Management Plan** (WPMP) specifying monitoring and reporting procedures prepared by a suitably qualified and experienced ecologist designed in general accordance with the EcIA
- *All Lots*- Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced. This includes environmental weeds[46] and those listed in the National Pest Plant Accord[47].

The Weed and Pest Management Plan will instigate

- predator control to provide higher functionality of remaining habitat
- browser control to allow establishment of revegetation and natural regeneration as the site develops
- ongoing prevention/ removal of exotic infestations enabling increased and more diverse natural regeneration assisted by the browser control and infill of gaps
- effectively increasing *values* of wetland and protect *extent* from invasion of non wetland shrubs and herbaceous species e.g. wild ginger[48] *Hedychium gardnerianum;* mistflower *Ageratina riparia*
- *revegetation of areas P R T*

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

[47] Latest List - https://www.mpi.govt.nz/dmsdocument/3664-National-Pest-Plant-Accord-manual-Reprinted-in-February-2020-minor-amendments-only

[48] *Hedychium gardnerianum* -currently no wetland ranking but highly tolerant of damp riparian conditions

NES-F (2020)

Potential development impacts may be managed by protective regulations of the NES-F and best practice stormwater design.

Drainage/ destruction of wetlands is a prohibited adverse effect as per REG 53 and it is presupposed through the current pre emptive subdivision and infrastructure design parameters that this will not occur.

TABLE 11: NES-F (2020) REG 53

DRAINAGE OF NATURAL INLAND WETLANDS: 53 PROHIBITED ACTIVITIES	
(1) Earthworks within a natural inland wetland is a prohibited activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and	*NO ACTIVITIES*
(b) does not have another status under any of regulations 38 to 51.	*N/A*
(2) The taking, use, damming, or diversion of water within a natural inland wetland is a prohibited activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and	*NO ACTIVITIES*
(b) does not have another status under any of regulations 38 to 51.	*N/A*

None of the building platforms or infrastructure occupies critical source areas, seepages or overland flow paths that through their formation may **change the water level range or hydrological function of the wetland.**

TABLE 12: NES-F (2020) REG 52

DRAINAGE OF NATURAL INLAND WETLANDS: 52 NON-COMPLYING ACTIVITIES	
(1) Earthworks outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and	***NO** Proposed Lot 2; 3 & 4 building platforms and access are outside 10m of wetland. Planted/ revegetation covenants to occupy the protective 10m buffer and are a visual & physical constraint to works in this area.*
(b) does not have another status under any of regulations 38 to 51.	*N/A*
(2) The taking, use, damming, or diversion of water outside, but within a 100 m setback from, a natural inland wetland is a non-complying activity if it—	
(a) results, or is likely to result, in the complete or partial drainage of all or part of a natural inland wetland; and	*NO ACTIVITIES*
(b) does not have another status under any of regulations 38 to 51.	*N/A*

TABLE 13: NES-F (2020) REG 54

OTHER ACTIVITIES: 54 NON-COMPLYING ACTIVITIES	
The following activities are non-complying activities if they do not have another status under this subpart:	
(a) vegetation clearance within, or within a 10 m setback from, a natural inland wetland:	***NO**– vegetation clearance for revegetation or maintenance is under also under Subpart 1 REG 38:Restoration, wetland maintenance, and biosecurity of natural inland wetlands*
(b) earthworks within, or within a 10 m setback from, a natural inland wetland:	***NO**– building platforms and infrastructure works all outside 10m*
(c) the taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland if—	
(i) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and	*NO* *Proposed Lot 2; 3 & 4 building platforms and access are within 100m of wetland.* *Minor natural diffuse or sheetflow inputs to the gully wetland within 100m may be diverted by the change of site cover however in the absence of alteration of any point source inputs or seepages this is **unlikely to change the water level range or hydrological function of the wetlands.***
(ii) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland:	
(d) the discharge of water into water within, or within a 100 m setback from, a natural inland wetland if—	
(i) there is a hydrological connection between the discharge and the wetland; and	*AS YET UNDEFINED*
(ii) the discharge will enter the wetland; and	*LIKELY*
(iii) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.	***NO** – the extant hydrological source of the wetlands is the upstream springs and B. The swamp & shallow water wetland type current has developed in a pastoral catchment with variable output highly responsive to meteorological conditions and is adapted to moderate to high fluctuations without discernible shift in extent or value, including **hydrological function.*** *Inputs should be diffuse*

The dam (M) and culvert within are considered existing or *other infrastructure*[49] *under the NES-F (2020). H*owever, works are not expected to be within or within 10m of *natural inland wetland*. Modifications to the culvert whether permitted or otherwise, are subject to NES-F (2020) Subpart 3, including emphasis on the passage of fish.

Detailed design has not been completed for the passing bay referenced in the Site Suitability Report. Again it is unlikely to be within 10m of wetland.

Final stormwater engineering was not available at the time of reporting. Potential stormwater inputs to the wetland represent a discharge within 100m. As before, the extant hydrological source of the wetlands is upstream head springs in a pastoral catchment with variable output highly responsive to meteorological conditions. The swamp & shallow water type wetland has developed under reliable saturation demonstrated by the tall stature and obligate vegetation dominance e.g. *raupo; Machaerina; Schoenoplectus & Eleocharis*. As a potential receiving environment for stormwater it can naturally tolerate moderate to high fluctuations in water levels without discernible shift in composition or aquatic life; *extent or value,* **including**

[49] Infrastructure present prior to commencement of the regulations (2/9/2020) is considered *existing infrastructure.*

hydrological function with the proviso that engineering will ensure final increase in impermeable area and stormwater dispersal is unlikely to have any adverse effect. Inputs should be diffuse and not cause scouring, erosion or gross sediment input to maintain aquatic habitat condition.

Site procedures for residential and infrastructure development should include

- Best practice earthworks and sediment control,
- designated earthworks envelopes to ensure contractors avoid accidental incursion and unquantifiable effects.
- contingencies in the event of
    - discharge of fuels;
    - clearance of undesignated areas;
    - actions to take if native fauna is discovered in works area, injured or killed (contact consulting ecologist & /or DoC hotline -800 DOC HOT 0800 362 468)

These controls, avoidance of effects through subdivision design and protective covenants and further constraints by adherence to the NES-F (2020) REGS are considered sufficient to avoid adverse effects on any species and habitat in the wetland and connected waterways.

CONCLUSION

This review included available documentation of the proposal and ecological context from aerial photography and online mapping, complimented by fieldwork.

N*atural inland wetland (NPS FM 2020)* of swamp character subject to the National Environmental Standards for Freshwater NES – F (2020) is present within the site waterways. As an ecological unit, the wetland; waterway and riparian vegetation encompassing them have both intrinsic and functional aspects that contribute to MODERATE significance in regard to *Appendix 5 Northland Regional Policy Statement (2018)* - indigenous character; pattern and water quality protection; linkage and buffering to further aquatic environments downstream. Potential adverse development and residential intensification effects have been pre empted by recognition in a strategy specifically to protect and enhance values. The development areas have NEGLIGIBLE significance as pasture.
Integrated mechanisms of covenanting, enhancement of existing vegetation, additional planting and pest control will serve to embed the increased residential occupancy within a resilient and effective habitat, recognising the interdependency of the wetland with surrounding terrestrial areas and hydrological linkage across the landscape to Te Aiorua Estuary.

The subdivision will concomitantly provoke gross positive amenity and ecological gain in comparison to the current status with *VERY LOW* impact (EIANZ 2018) or *less than minor* level of effects.

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APPENDIX 1: STATUTORY CONSIDERATIONS
FAR NORTH DISTRICT PLAN

The proposal has re orientated a subdivision scheme to a degree allowing residential occupation and infrastructure while recognising the wider sites significance values.

This achieves the aspirations of the District Plan objectives and policies, instigating substantial enhancement, management and protection of the site.

CHAPTER 12 INDIGENOUS FLORA & FAUNA

The proposal represents a development aligned with...

POLICY 12.1.4.8 That the trend is towards the enhancement rather than the deterioration of landscape values, including the encouragement of the restoration of degraded landscapes

and recognises

POLICY 12.1.4.10(g) the contribution of natural pattern, composition and extensive cover of indigenous vegetation to landscape values

by instigating formal management of the existing riparian and slope revegetation with inclusion of additional riparian extent encompassing a critical source area on proposed Lot 4

The proposal is in line with **ENVIRONMENTAL OUTCOMES 12.2.2.** expectations for environmental values

12.2.2 OUTCOMES	
OUTCOME	**PROPOSAL**
12.2.2.1 Population numbers of rare and threatened species of flora and fauna are maintained or increased and their habitat enhanced.	None noted but provides enhanced habitat through -Pest and weed programme -Protection of higher territorial economics in terms of hydrology and diversity within gully wetlands. Revegetation and replacement of planting appropriate to local predicted forest type
12.2.2.2 Existing areas of significant indigenous vegetation and significant habitats of indigenous fauna do not suffer further degradation, and are, where possible, managed to enhance the area, and new and/or alternative areas are developed.	The proposal increases diversity, and renders existing habitat more viable through formalised management of protection, weed and pest control
12.2.2.3 The District's exceptional biological diversity, including its high level of endemism, is maintained and enhanced for national benefit.	Wide range of revegetation species, appropriate to the area from mapped predicted ecosystem type and local reference sites
12.2.2.4 An increase in those areas of significant indigenous vegetation and significant habitats of indigenous fauna, which are formally protected.	YES extensive covenanting proposed
12.2.2.5 The people of the Far North will have an increased awareness of the indigenous biodiversity of the area and a stronger commitment to its protection and enhancement.	The planting will maintain an expression of natural local associations visible from viewpoints on Te Kowhai Point Road Protection is formalised

The proposal fits with **OBJECTIVES of 12.2.3** and **POLICIES 12.2.4**

12.2.3 OBJECTIVES	
OBJECTIVE	*PROPOSAL*
12.2.3.1 *To maintain and enhance the life supporting capacity of ecosystems and the extent and representativeness of the Districts indigenous biological diversity*	*Formal protection and instigation of a Weed and Pest Management Plan will greatly enhance condition, biodiversity and ecosystem services of existing revegetation, and add additional areas, embedding resilient "green infrastructure" in the subdivision.*
12.3.3.2 *To provide for the protection of and to promote the active management of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*	*Consideration of Regional Policy Statement Appendix 5 has established site vegetation & wetland to be significant. Management activities as before to be defined in the Weed and Pest Management Plan. Protective also of connectivity with downstream PNA, Te Puna Inlet and values of High Natural Character designation*
12.2.3.4 *To promote an ethic of stewardship.*	Covenants and WPMP applies to all Lots

12.2.4 POLICIES	
POLICY	*PROPOSAL*
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*	(a) there is not any net loss in ecological value, rather a NET GAIN in area and condition of existing cover (b) quality will be improved through formal management of the prevalent weed component, as will resilience with covenanting and pest control © as before, plants appropriate to area and predicted type (d) integrity of the proposal site will be restored with pest and weed control, e) beyond the scope of this report
12.2.4.2 *That the significance of areas of indigenous vegetation be evaluated by reference to the criteria listed in Appendix 5 of the Northland Regional Policy Statement*	*YES*
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*	*(a)& (b) sites utilised are already open pastoral to avoid significant adverse effectswith covenanting of riparian and gully wetland* *(c) YES (i) (ii) buffering and extending of vegetation* *(iii) increased riparian revegetation – positive effect* *iv) NONE NOTED but pre earthworks check for kiwi; gully wetland and riparian areas covenanted* *(v) works envelope to retain soil capacity and stability* *(vi) Covenant conditions & biosecurity included as standard in WPMP* *D) WMPM applies to all Lots; no grazing of covenants*
12.2.4.4 *That clearance of limited areas of indigenous vegetation is provided for*	*None required*
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.	*A substantial, diverse and protected contribution of headwaters to Te Puna Inlet is proposed*

12.2.4 POLICIES	
POLICY	PROPOSAL
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	Fish survey has illustrated native species utilising the waterways
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.	Predicted potential ecosystem type WF11 refined according to topography and local reference sites
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	No cats and dogs; Nutes dog to have grandfather clause
12.2.4.12 That habitat restoration be promoted	Habitat improvement through formalised planting and pest control
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	The sites ecological values are due to the riparian vegetation, headwater hydrology and wetland tributary to the Te Aiorua Estuary and Te Puna Inlet. Ecological measures WPMP; covenanting and additional planting to be undertaken are purposely anticipated to achieve 12.2.4.13
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.	Outside scope

FNDC 12.2.7. ASSESSMENT CRITERIA

Consideration is given to the FNDP Discretionary Activity 12.2.7. Assessment Criteria-

12.2.7 ASSESSMENT CRITERIA	
*(a)the significance of the area assessed using the criteria listed in **Method 12.2.5.6**;*	Overall site has been assessed as per criteria Appendix 5 RPS which encompasses 12.2.5.6. criteria
(b) the location and scale of any activity and its potential to adversely affect the natural functioning of the ecosystem;	Development areas are allocated within pastoral areas. Planting , covenanting and associated management will protect remaining site ecosystems and introduce positive effects over the current situation which lacks formalised pest control and is weed infested.
(c) the potential effects on the biodiversity and life supporting capacity of the area;	The mitigation proposed specifies management that will ensure persistence and resilience of site ecosystems achieving best practice goal –*"Impact management should enable maintenance or improvement of existing biodiversity"* (EIANZ 2018).
(d) the extent to which the activity may adversely affect cultural and spiritual values;	Outside the scope of this reporting
(e) the extent to which the activity may impact adversely on visual and amenity values;	Outside the scope of this reporting
(f) the extent to which adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna are avoided, remedied or mitigated;	Refer Table13 for consideration in regard to the effects management hierarchy,
(g) the extent to which any proposed measures will result in the permanent protection of the area, and the long term sustainability of revegetation and enhancement proposals;	Covenanting and a Weed and Pest Management Plan WPMP to protect in perpetuīty. Additional planting will buffer existing vegetation to reduce edge effects; weed & pest control
(h)whether a voluntary agreement by a landowner to protect indigenous vegetation and/or habitats is registered with the Council;	Covenants
(i)Whether dogs, cats or mustelids will be excluded;	No cats, mustelids; dogs as per *High Density* Kiwi Zone
(j)proposals for the re-establishment of populations of threatened species, either in areas where the species previously inhabited or other suitable habitat, and/or replanting or restoration of habitats and indigenous vegetation;	As per buffer planting & WPMP
(k)the environmental effect of the increase in residential intensity and/or extra lots in relation to the benefits of achieving permanent legal protection of areas of significant indigenous vegetation and/or significant habitats of indigenous fauna;	Gross ecological benefit in the covenanting and pest/ weed control measure as per proposal
(l)he value of vegetation in protecting the life supporting capacity of soil, maintaining or improving water quality and reducing the potential for downstream siltation and flooding;	Wetland and headwater creek to be subject to weed and pest control and covenant Revegetation of a CSA with varied root structure serves to anchor the substrate and encourages infiltration, reduces sheetflow and sediment movement/ erosion
m)the extent to which the activity may adversely affect areas of known high density kiwi habitat;	Positive overall effect. The property is zoned High Density. Buffer planting , pest control and vegetation maintenance to enhance and maintain **functional** habitat as opposed to simply cover . Kiwi check prior to siteworks . No cats or mustelids, and dog controls to include no contractors dogs
n) the environmental effects of a proposed development in relation to the benefits of achieving permanent protection and/or management of areas of significant indigenous vegetation or significant habitats of indigenous fauna;	Positive effect. Protection and management achieved in perpetuīty of significant indigenous habitats and vegetation onsite contiguous with downstream PNA sites to Te Puna Inlet
(o)the extent to which there are reasonable alternatives to provide for sustainable management;	N/A

(p)the extent to which the habitat policies of any national policy statement, the Regional Policy Statement for Northland and the District Plan are implemented;	Refer planning application
(q)the extent to which other animals or plants that will be introduced as a result of the application and may have a significant adverse effect on indigenous ecosystems are excluded or controlled;	Pest control in perpetuity to address any increase in pests associated with domestic activity No cats or mustelids No dogs including contractors dogs (Nutes dog to be grandfathered)
r)the effectiveness of any proposed pest control programme.	To be designed to be achievable by land owners and effective against both predators and grazers

CHAPTER 12.7 LAKES RIVERS WETLANDS AND THE COASTLINE

12.7.2 OUTCOMES EXPECTED	
OUTCOME	*PROPOSAL*
12.7.2.1 Use of lakes and rivers which is appropriate in terms of the preservation of the natural character and values of these areas	*The proposal includes extensive management and protection mechanisms as appropriate to significance of site riparian vegetation*
12.7.2.2 Riparian margins are enhanced.	*The proposal incorporates this a s a key theme through WPMP and covenant*
12.7.2.3 Activities on, or adjoining, the surface of water bodies are carried out in a way which avoids, remedies or mitigates adverse effects on the environment	*Vegetation covenant encompassing all waterways. Building sites located outside ZOI of waterways and adherence to protective measures of the NES-F.*
12.7.2.5 Enhanced public access to and along lakes, rivers and the coastal marine area	-

Objectives are met which promote these outcomes:

12.7.3 OBJECTIVES	
OBJECTIVE	*PROPOSAL*
12.7.3.1 To avoid, remedy or mitigate the adverse effects of subdivision, use and development on riparian margins.	*The hierarchy has been applied within the scope of the proposal*
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.	*Revegetation of additional areas to buffer riparian existing vegetation to a minimum 10m setback with Pest and weed control in conjunction with Covenant applied to all*
12.7.3.6 To protect areas of indigenous riparian vegetation: *(a) physically, by fencing, planting and pest and weed control;*	*Throughout the proposal*
12.7.3.7 To create, enhance and restore riparian margins.	*Additional areas Planting and pest control will restore , revegetate with weed and pest control to improve overall condition*

12.7.6.1.3 PRESERVATION OF INDIGENOUS WETLANDS

The proposal is constructive in regard to assessment matters in *12.7.7 ASSESSMENT CRITERIA*

12.7.7 ASSESSMENT CRITERIA	
CRITERIA	*PROPOSAL*
(a) the extent to which the activity may adversely affect cultural and spiritual values; *(b) the extent to which the activity may adversely affect wetlands;* *(c) the extent to which the activity may exacerbate or be adversely affected by natural hazards;* *(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;* *(e) the history of the site and the extent to which it has been modified by human intervention;* *(f) the potential effects on the biodiversity and life supporting capacity of the water body or coastal marine area or riparian margins;* *(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;* *(h) the extent to which any proposed measures will mitigate adverse effects on water quality or on vegetation on riparian margins;* *(i) whether there are better alternatives for effluent disposal;* *(j) the extent to which the activity has a functional need to establish adjacent to a water body;* *(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.*	*(a) outside scope of this report* *(b) avoidance has been implemented as key in the design through positioning of sites in areas that will not affect the wetlands range of water levels of hydrological function . Covenanting and vegetation encompasses wetland 10m+ as the recommended minimum buffer width* *(c) as per engineering detailed design* *Revegetation and amenity plantings will serve to reduce baseline runoff* *(d) refer VIA; no ecological values given in the local HNC designation considered to be at risk* *(e) Pastoral dominance with ponding and damming of former wetland and waterway, likely reduced native freshwater fish. Revegetation to date has created habitat for avifauna. Ponding has created habitat for waterfowl native and exotic.* *(f) Positive effects through covenanting, formalised management and increase of vegetated riparian area. No species considered at risk in the zone of influence.* *(g) Further riparian buffering and management of existing area is proposed with protective influence on water quality. Stormwater during and post development to be addressed by engineering standards. CSA proposed Lot 4 to be encompassed in planting as a positive effect.* *(h) as before (g)* *Covenant and management of existing vegetation to ensure persistence and density. Vegetation encompasses active hydrology and CSAs.* *(i) n/a* *(j) n/a* *(k) outside scope*

Recognition and covenanting of wetland will ensure no further modification. Adherence to the NES-F is aligned with **PRPN Appendix H -Policy H.4.2 Minimum levels for lakes and natural wetlands**: *There is no change in their seasonal or annual range in water levels.*

Through fidelity to matters in Chapter 12 it is considered that in turn *Coastal Environment Objectives & Policies 10.3.2; 10.4.1(e)* and *10.4.3.* are achieved

The proposal is considered aligned with relevant objectives & policies of *Chpt 13 Subdivision*:

13.3 SUBDIVISION	
OBJECTIVES	***PROPOSAL***
13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural well being of people and communities.	*Covenanting and formalised management as proposed will ensure resilience of ecological site features*
13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly from subdivision, including reverse sensitivity effects and the creation or acceleration of natural hazards, are avoided, remedied or mitigated.	*Building sites are in pasture. Ecological site values are protected within the covenants and will be managed to ensure resilience and persistence of their intrinsic and functional values of biodiversity; habitat; water quality protection and amenity.*

13.4 SUBDIVISION	
POLICIES	***PROPOSAL***
13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on: (a) natural character, particularly of the coastal environment; (b) ecological values; (c) landscape values; (d) amenity values; (e) cultural values; (f) heritage values; and (g) existing land uses.	*The development of further residential occupation will promote positive intensive management of the existing vegetation dating from the prior subdivision, through formalised protection and maintenance currently not required. Outside of the central waterway matrix the Lots largely occupy broad pastoral slopes of negligible ecological value with no indigenous vegetation clearance required. Rather, further planting areas are proposed to increase riparian protection.*
13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.	*Access from Te Kowhai Point Rd is largely across pasture. The dam access requires no widening. The passing bay is unlikely to be within 10m of wetland, cause drainage or diversion.*
13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.	*A key proposal tranche is that the riparian areas of indigenous vegetation and habitat are to be subject to formal management and covenanted.*

13.3.13 ASSESSMENT CRITERIA PRESERVATION AND ENHANCEMENT OF HERITAGE RESOURCES, VEGETATION, FAUNA AND LANDSCAPE, AND LAND SET ASIDE FOR CONSERVATION PURPOSES	
(a)Whether any vegetation, habitats of indigenous fauna, heritage resources and landscape features are of sufficient value in terms of the objectives and policies in Chapter 12 of the Plan, that they should be protected.	Ecological unit of waterway and riparian vegetation has been assessed as having Moderate significance per criteria Appendix 5 RPS which encompasses 12.2.5.6. criteria
(b) Whether the means (physical and/or legal) by which ongoing preservation of the resource, area or feature will be achieved is adequate.	Development areas are allocated to be within pasture. Planting , covenanting and associated management will protect and promote site ecological context and introduce positive effects over the current situation which lacks pest control; is weed infested and beyond the ability of the individual owner management.
(c) Where there are Sites of Cultural Significance to Maori, (refer to Appendix 1F and the Resource Maps), whether it is appropriate to require their protection by physical or legal means and/or to provide for access to the site over the land to be subdivided6y	Outside the scope of this reporting
(d)Where a reserve is to be set aside and vested in the Council, whether the value of the reserve land is offset against the assessment of any financial contribution.	Outside the scope of this reporting
(e) Whether any measures are proposed to protect known high density kiwi habitats from predation by dogs, cats, rats, mustelids, pigs, and other animal pests.	YES- High Density Standard measures , existing dog to be grandfathered
((f) Whether the subdivision would have an adverse effect on the ability to protect listed historic buildings, places or objects and their setting or surrounds; and the protection of listed notable trees	NO
(g) Whether the subdivision will result in the permanent protection and/or enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding landscapes, outstanding landscape features or outstanding natural features.;	YES the waterway and riparian margins are considered significant under RPS Appendix 5 . Covenanting and a Weed and Pest Management Plan (WPMP) to protect in perpetuīty. Buffer planting to reduce edge effects which cause long term degradation; weed & pest control are primary activities to promote habitat, biodiversity and functional protection of waterways.
(h) Whether the subdivision will result in the significant enhancement of biodiversity values through planting of native flora (preferably those species that naturally grow in the area) and ongoing management (including pest animal and plant control, fencing and replacement of failed plantings, stream enhancement and waterway protection).;	YES as per G. Although the intent of the prior subdivision planting was apparent there was no formal protection or management. The revegetation has established well but is weed infested and requires pest control prescription. Species are referenced to local area and the predicted ecosystem type.

13.10.10 PROVISION OF ACCESS	
(a) Whether provision for access to and within the subdivision, including private roads, has been made in a manner that will avoid, remedy or mitigate adverse effects on the environment, including but not limited to traffic effects, including effects on existing roads, visual effects, effects on vegetation and habitats, and natural character.	Potential effects addressed pre emptively by positioning in pasture and utilising the existing dam to cross the waterway with the proviso that detailed design will incorporate best practice engineering and stormwater control. Recognition of natural inland wetland onsite promotes avoidance of effects through adherence to protective measures as per the NES –F in design.
13.10.11 EFFECT OF EARTHWORKS AND UTILITIES	
(a) Whether the effects of earthworks and the provision of services to the subdivision will have an adverse effect on the environment and whether these effects can be avoided, remedied or mitigated.	Addressed pre emptively by positioning in pasture, utilising the existing dam to cross the waterway. Recognition of natural inland wetland onsite promotes avoidance of effects through adherence to protective measures as per the NES –F in design.

PROPOSED NORTHLAND REGIONAL PLAN

The site has been considered in regard to Northland Regional Policy Statement Appendix 5 (2018) in order to evaluate potential impact of the proposal. Appendix 5 criteria encompass those in **District Plan Methods 12.2.5.6** for evaluating significance. Consideration has also been given to further Northland focused recommendations for significance evaluation[50]

F.1.3 INDIGENOUS ECOSYSTEMS AND BIODIVERSITY	
CRITERIA *In the coastal marine area and in freshwater bodies, safeguard ecological integrity by:*	***PROPOSAL***
1)protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, and	*1) Covenant of vegetation with pest and weed management plan*
2)maintaining regional indigenous biodiversity, and	*2) Riparian vegetation and wetlands both highly reduced regionally and a priority for management (Conning 2001 Northland protection Strategy).*
3)where practicable, enhancing and restoring indigenous ecosystems and habitats to a healthy functioning state, and reducing the overall threat status of regionally and nationally threatened or at risk species, and	*3) Formal management and protection of buffer revegetation planting encompassing active hydrology and CSA in headwater ephemeral gullies; wetland and creek tributary to estuarine environment.* *Additional planting proposed.*
4) Preventing the introduction of new marine or freshwater pests into Northland and slowing the spread of established marine or freshwater pests within the region.	*4) Weed and pest management plan will encompass wetland*

PROPOSED NORTHLAND REGIONAL POLICY STATEMENT

The assessment considers the currently proposed Northland Regional Policy Statement

OBJECTIVE 3.4: INDIGENOUS ECOSYSTEMS AND BIODIVERSITY

Safeguard Northland's ecological integrity by:

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

The primary goal and methods of the proposal are closely aligned with the themes of Objective 3.4. Revegetation consolidation, management and protection aims to increase habitat provision and resilience of the existing and additional areas, promoting heightened ecosystem function overall.

OBJECTIVE 3.15: ACTIVE MANAGEMENT

Maintain and/or improve

- ***a) The natural character of the coastal environment and freshwater bodies and their margins***

[50] Wildlands (2019) Guidelines for the application of ecological significance criteria for indigenous vegetation and habitats of indigenous fauna in the Northland region.

d) Areas of significant indigenous vegetation and significant habitats of indigenous fauna(including those within estuaries and harbours)

Objective 3.15(a)&(b) will be achieved by the provisions of the proposal- including revegetation, protection, maintenance & monitoring including ongoing pest control. These represent a proactive approach to habitat stewardship to ensure the proposals goal and sustainability.

4.4.1 POLICY – MAINTAINING AND PROTECTING SIGNIFICANT ECOLOGICAL AREAS AND HABITATS

(1) In the coastal environment, avoid adverse effects, and outside the coastal environment avoid, remedy or mitigate adverse effects of subdivision, use and development so they are no more than minor on:
(a) Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;
(b) Areas of indigenous vegetation and habitats of indigenous fauna, that are significant using the assessment criteria in Appendix 5;
(c) Areas set aside for full or partial protection of indigenous biodiversity under other legislation.

The proposal has addressed potential adverse effects to a level deemed *VERY LOW* as per EIANZ guidelines which correlates to a l*ess than minor effect*. Positive effects are also resultant – increased area of planting; formal maintenance and covenant of vegetation; no cats/mustelids/ dogs clause introduced; additional CSA captured in planting

APPENDIX 2: SPECIES LIST

Species are listed as per Clarkson, B. et al (2021):

- **OBL: OBLIGATE**. Almost always is a hydrophyte, rarely in uplands (estimated probability >99% occurrence in wetlands)
  FACW: FACULTATIVE WETLAND. Usually is a hydrophyte but occasionally found in uplands (estimated probability 67–99% occurrence in wetlands)
- **FAC: FACULTATIVE**. Commonly occurs as either a hydrophyte or non-hydrophyte (estimated probability 34–66% occurrence in wetlands)
- **FACU: FACULTATIVE UPLAND**. Occasionally is a hydrophyte but usually occurs in uplands (estimated probability 1–33% occurrence in wetlands)
- **UPL: OBLIGATE UPLAND**. Rarely is a hydrophyte, almost always in uplands (estimated probability <1% occurrence in wetlands)

The majority of tree species are considered upland unless otherwise described.

*Denotes exotic species

MONOCOT TREES & SHRUBS

Cordyline australis (FAC)	cabbage tree
Cortaderia selloana(FAC)	pampas
Hedychium gardnerianum	wild ginger
Phormium tenax (FACW)	flax

DICOT HERBS

Ageratina riparia(FAC)*	mistflower
Callitriche stagnalis (OBL)	starwort
Crepsis capillaris(FACU)*	hawksbeard
Daucus carota (UPL presumed)*	carrot weed
Epilobium pallidiflorum (OBL)	tarawera, willowherb
Leondonton saxatilis (FAC)*	hawkbit
*Lotus pendunculatus** (FAC)	Lotus
Ludwigia palustris (OBL)*	ludwigia
*Myosotis laxa subsp. caespitosa**	water forget me not
Persicaria hydropiper (FACW)*	Persicaria
P. decipiens (OBL)	tutanawai willow weed persicaria
Rumex acetosella(FACU)*	sheeps sorrel
*R. conglomeratus **(FAC)	dock
Trifolium spp(FACU/ UPL)*	clover

GRASSES

Agrostis capillaris (FACU)*	browntop
A.stolonifera (FACW)*	creeping bent
*Alopecurus pratensis** (FACU)	meadow foxtail
Briza spp (UPL)*	shivery grass
Cenchrus clandestinus(FACU)*	kikuyu
*Holcus lanatus** (FAC)	Yorkshire fog
Isachne globosa (OBL)	native swamp millet

Lolium arundinacaeae(FAC)*	tall fescue
Lolium spp (FACU/ UPL)*	ryegrass
Paspalum dilatatum (FACU)*	paspalum
P. distichum (FACW)*	mercer grass

SEDGES & RUSHES

Carex dissita (FAC)	forest sedge
C. leporina (FACW)*	
C. subdola (OBL)	
Cyperus brevifolius (FACW)*	globe sedge
C. eragrostis (FACW)*	tall flat sedge umbrella sedge
Eleocharis acuta(OBL)	
E. sphacaelata (OBL)	kuta
Isolepis prolifera (OBL)	
I.reticularis (FACW)	
Juncus articulatus (FACW)	jointed rush
J.effusus (FACW)*	soft rush
J.edgariae (FACW)	wiwi/ Edgars rush
J. planifolius (OBL)	
Machaerina rubignosa (OBL)	
Schoenoplectus tabernaemontani (OBL)	lake club rush

TREES & SHRUBS

Coprosma areolate	thin leaved coprosma
C. rhamnoides	
C. robusta	
Corynocarpus laevigatus	karaka
Geniostoma rupestre var. ligustrifolium	hangehange
Hakea salicifolia	willow leaved hakea
Lantana camara var. aculeate	lantana
Leptospermum scoparium (FAC)	mānuka
Macropiper excelsum subsp. excelsum	kawakawa
Melicytus ramiflorus	māhoe
Myrsine australis	mapou
*Pinus spp.**	
Pittosporum tenuifolium	kōhūhū, black matipo
Podocarpus tōtara	tōtara
Pseudopanax arboreus	whauwhaupaku, five finger
P. lessoni	houpara
Pterophylla sylvicola	tōwai
Salix spp	willow
Solanum mauritianum (presumed UPL)*	tobacco weed
*Ulex europaeus** (FACU)	gorse
Vitex lucens	pūriri

FERNS

Alsophila tricolor (FAC)	silver fern

Astroblechnum penna marina	little hard fern
Doodia australis	rasp fern
Lindsaea linearis (FACW)	common Lindsey
Paesia scaberula (FAC)	scented ring fern
Parablechnum novae zelandiae	kiokio
P. minus (FACW)	swamp kiokio
Pteridium esculentum(FACU)	bracken
Sphaeropteris medullaris(FAC)	mamaku

VINES

Blackberry *

LICHENS LYCOPODS BRYOPHYTES

Plants given as rare in Northland as per Wildlands (2012)

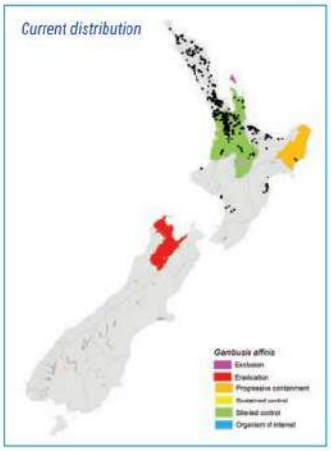
No orchids were observed

APPENDIX 3: GAMBUSIA

From : *NIWA(2020) Invasive Freshwater Species of NZ*

Gambusia affinis
(Baird & Girard, 1854) (Poeciliidae)

Common name:	**Gambusia**
Presence in NZ:	Introduced to Auckland in 1930. Gambusia is now widely distributed throughout the top-half of the North Island (north of Taupo), with fewer populations in Taranaki, Hawkes Bay, Manawatu and Wellington. Populations in Tasman in the South Island have mostly been eradicated.
Preferred/known habitats:	Occurs in the shallow margins of lakes, reservoirs, ponds, wetlands, rivers and streams, mainly in summer and autumn months. In rivers and streams, it is confined to still-water areas, and in lakes and ponds it occurs mainly in sheltered bays where macrophytes or emergent vegetation occurs.
Dispersal mechanisms:	Gambusia were introduced to New Zealand to control mosquito larvae in ponds and swamps. Downstream dispersal then occurred following floods. Gambusia can tolerate high salinity so readily colonise brackish estuaries and mangrove swamps at stream and river mouths. It can also colonise nearby catchments via marine currents and may also be spread accidently (in fyke nets and boats) by fishermen.
NZ distribution:	New Zealand distribution showing records as dots and territorial regions are shaded according to the management approach in the appropriate Regional Pest Management Plan.
ID features:	Gambusia are small fish (up to 7 mm (female) or 4 cm (male) long) with rounded caudal fin and a single, high dorsal fin; origin of dorsal fin behind the origin of the anal fin. Males have an enlarged, tube-like anal fin. Females may have a black blotch on their side.
Similar species:	Common bullies (*Gobiomorphus cotidianus*), guppy (*Poecilia reticulata*), sailfin molly (*Poecilia latipinna*) and caudo (*Phallocerus caudimaculatus*). Bullies are generally benthic, whereas gambusia commonly aggregate at the waters surface in shallow water. The other fish (all in the Poeciliidae family) are similar to gambusia but restricted to thermally influenced waters.
Biosecurity status:	Unwanted organism, Regional Pest Management Plans in 4 regions: NI - GIS, WKO; SI - NSN, TAS. Possession of gambusia requires permission by Fish & Game.
Biosecurity risk:	High numbers of gambusia have been associated with negative effects on a range of fish, invertebrate and amphibian species worldwide, through direct predation or competition for food. Gambusia may impact galaxiid (*Galaxias* spp.) and other fish populations in shallow lakes and in other still-water habitats and may also affect mudfish (*Neochanna* spp.). FRAM score: 41 (3rd worst pest fish).



Unwanted Organism[51] *- Under Section 52 and 53 of the Biosecurity Act 1993 no person can sell, propagate, breed, distribute or otherwise spread any unwanted organism. Not complying with Section 52 or 53 is an offence under the Act, and may result in penalties noted Section 157(1).*

The introduction of any aquatic life into an area where it does not already occur is an offence under Part 5b (26ZM) of the Conservation Act 1987.

[51] Any organism that a chief technical officer believes is capable or potentially capable of causing unwanted harm to any natural and physical resources or human health

APPENDIX 4: REVEGETATION NUMBERS PROPOSED LOT 4 COVENANTS P; R; T

SPECIES SELECTION

These designated covenants are riparian to the central waterway on proposed Lot 4 and abut established plantings dating from the previous subdivision activities 24 years ago.

The receiving environment will be grazed exotic pasture and a mix of proven pioneers/ secondary species is given that have established without issue from the existing plantings.

NUMBER OF PLANTS

- P- 340m^2
- R -370m^2
- S - 570m^2

TOTAL 1280m^2 at 1m spacings = approx. 637 plants

REVEGETATION SPECIES & NUMBERS

SPECIES NAME	COMMON NAME	HABIT	%	NUMBER
Coprosma robusta	karamu	TREE 5m	20	130
Cordyline australis	cabbage tree	TREE5m	10	65
Kunzea ericoides	kānuka	TREE 8m	40	261
Pittosporum tenuifolium	matipo	TREE 6m	10	65
Phormium tenax	flax	SHRUB 3m	10	65
Pseudopanax discolor	five finger	TREE 5m	10	33
Vitex lucens	puriri	CANOPY TREE 15m MOST COMMON CANOPY SPECIES 2m spacing	5	18
TOTAL			100	

ECO SOURCING

Plants are to be sourced from east coast Northland, if not available from Kerikeri Ecological District specifically. This will account for intraspecific variation, ensuring plants are genetically adapted to the local environments.

PLANT SPECIFICATIONS

- Kānuka, flax; cabbage tree and karamu root trainer (RT)
- All others PB3 grade
- well-formed root systems but not root bound
- no shorter than 30cm above the growing container
- well-hardened before planting

TIMING OF PLANTING

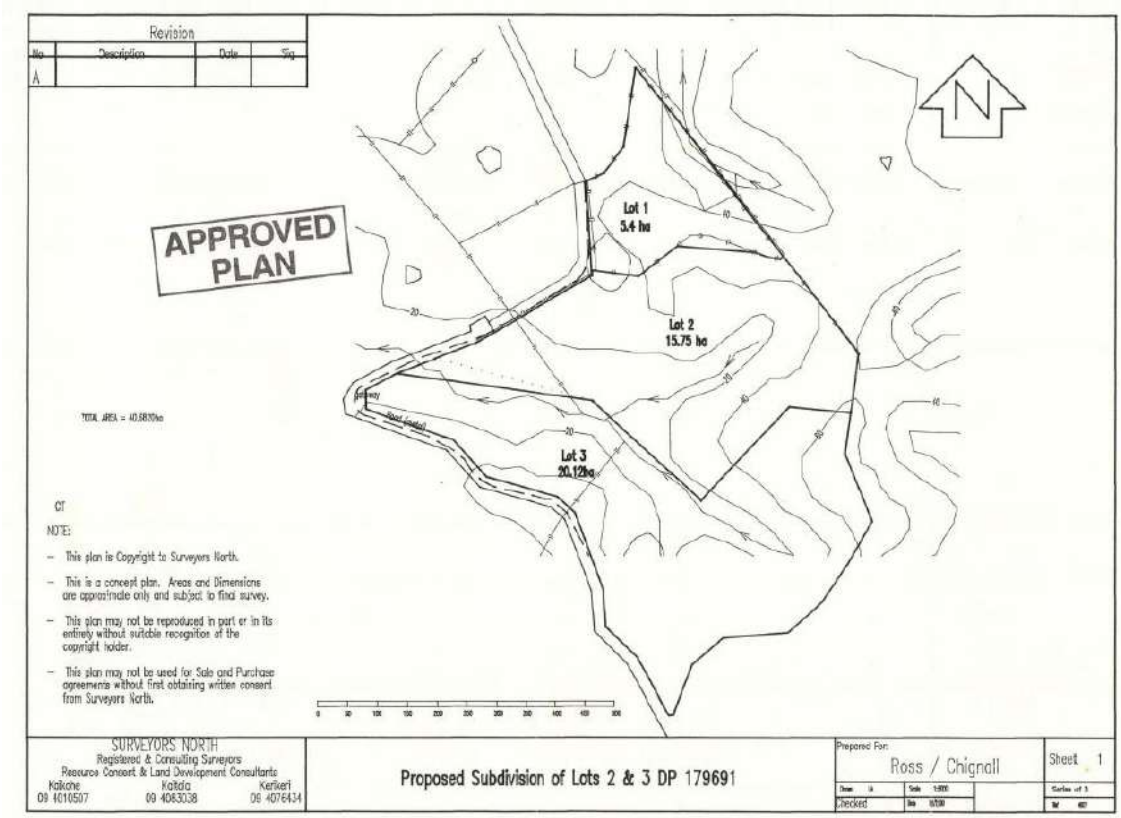
Planting season May – September dependant on annual weather variation.

APPENDIX 5: RC2000784 REVEGETATION

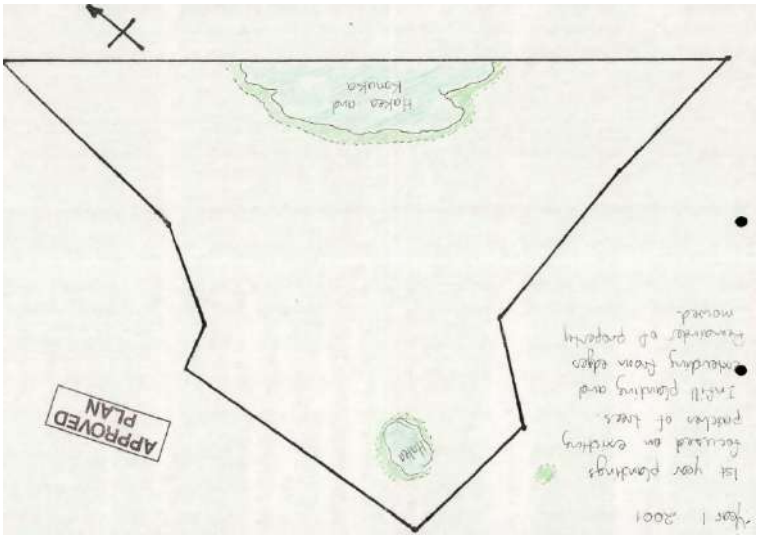
The subject site is referenced as Lot 2

2b) Secure the condition below by way of a consent notice issued under Section 221 of the Act, to be registered against the titles of Lots 1 & 2. The applicant shall meet the cost of preparing, checking and executing the notice:

The approved planting plan and program submitted with the application shall be complied with on a continuing basis by the owners d lots 1 & 2.



TOP AREA OF HAKEA SALICIFOLIA AND KANUKA BELOW IS CURRENTLY PROPOSED LOT 3 COVENANT E



APPROVED PLAN

PROPOSED LAND USE: LOT 1 - K & A ROSS

To provide a model for land use that incorporates the values of ecologically sound and sustainable land-use practices and of conservation values in terms of providing an enhanced habitat for native flora/fauna.

- To build a dwelling that is ecologically and aesthetically sensitive to the site.
- To use native species for amenity plantings around the house zone.
- To set up non-commercial vegetable gardens and orchards for home food production. These will be screened and sheltered by native plantings.
- To provide forest and wetland habitats for native flora and fauna, especially locally endangered species. This will involve a staged revegetation process and the construction of small ponds.

PROPOSED LAND USE LOT 2 – R & L CHIGNELL

To plant native trees extensively to restore the land to, as closely as possible, a balanced ecosystem that will support native flora and fauna in a natural habitat. It is intended to include both forest and wetland areas to provide habitats for an extensive a range of native flora and fauna. Some earthworks will be applied for to provide the required ponds and swamp for this aim.

- To have a series of dams providing ponds in the large valley, with plantings on the banks and valley sides to provide protection to the catchment area. Also intended are islands and shallow areas for nesting, protection and feeding of the native fauna.
- To ensure that plantings, other than those specifically for domestic use, are of natives, especially species endemic to this region and situation.
- To construct a dwelling on the property that is ecologically and aesthetically sensitive.

NOTE

Consultation with the Department of Conservation will be on going in the development of both properties.
On both properties it is intended that ongoing weed and pest control be provided.

APPROVED PLAN

PROPOSAL

That Lot 2 DP179691 be subdivided into two titles as shown on the survey plan. From this point on in this submission the proposed subdivided areas will be referred to as Lot 1 (Ross) and Lot 2 (Chignell). Though the properties would be separately owned and managed a co-operative approach would be taken regarding the planning of the projects since the overall intentions of the two parties are strongly complementary.
(Refer to Proposed Land Use, page 3).

DESCRIPTION OF LAND AND EXISTING LAND USE

The property is a coastal property being used for cattle grazing /run-off. The soil type is Hukerenui silt loam with a yellow subsoil (Hkr). The existing ground cover is mixed grasses and clover pasture with two small plantations of hakea on Lot 1, and on Lot 2 is mixed grasses and clover pasture with a small amount of gorse and tobacco weed in the gully areas. There are a number of existing ponds and springs.

APPROVED PLAN

APPROXIMATE TIMELINE OF DEVELOPMENT OF THE PROPERTY (AFTER SETTLEMENT OF TITLE)

Refer to artist's renderings and transparency overlays.

STAGE 1	*STAGE 2*	*STAGE 3*
LOT 1: ***Year 1*** Plant gully – direct planting and assisting of natural revegetation. Construction of small ponds.	***Years 2-4*** Boundary plantings – establishing nurse crops and direct planting. Planting of selected native specimens in the central zone. House site and access prepared and building constructed. Amenity and food crop plantings.	***Year 5 onwards*** Continued in-fill planting to final zoned plan.
LOT 2 : ***Year 1*** Establishment of dams and wetlands, house site and access. Commencement of planting, beginning with catchment area and pond environments.	***Years 2 –3*** Continued planting, including other areas, valleys and windbreaks etc. Construction of residence with related plantings.	***Year 4 onwards*** Establishment of other areas, and catchment extension.

Pest and weed control will begin immediately and will be ongoing to protect new plantings and encourage native birds and other native fauna.

APPROVED PLAN

SPECIES LIST

Three areas of native regeneration have been surveyed on the Opito Bay/Redcliffs Peninsula, plus established coastal planting on Moiuroa Island to gain data for naturally occurring species in this area, and have been eco-typed according to aspect and micro-climate.

Larger Trees	Medium Trees	Small Trees/Species
Pohutakawa – Metrosiderous excelsa	Mahoe – Melicytus ramiflorus	Coprosma species
Totara – Podocarpus totara	Towai – Paratrophis banksii	Mingi mingi- Leucopogon fasciculatus
Taraire – Beilschmiedia tarairi	Makamaka – Caldcluvia rosaefolia	Hangehange –Geniostoma rupestre
Puriri – Vitus lucens	Cabbage tree – Cordyline australis, pumilo, banksii	Kawakawa- Macropiper excelsum
Kohekohe – Dysoxylum spectabile	Pidgeon wood – Hedycarya arborea	Hebe species
Rimu – Dacrydium cupressinum	Houhere – Hoheria sexstylosa	Brachyoglottis species – repanda,
Kahikatea – Dacrycarpus dacrydioides	Titoki –Alectryon excelsa	Makomako – Aristotela serrata
Pukatea – Laurelia novae-zelandiae	Pittosporum –umbellatum, crassifolium,	Tauhinu – Cassinia leptophylla
Rewarewa –Knightia excelsa	eugenoides, ellipticum, virgatum,	Parataniwha – Elastostema rugosum
Hinau – Elaeocarpus dentatus	tenuifolium	Reingareinga – Arthropodium cirratum
Tanekaha – Phyllocladus trichomanoides	Ngaio – Myoporum laetum	Turutu –Dianella nigra
Karaka – Corynocarpus laevigatus	Kanuka – Leptospermum ericoides	Karapapa – Alseuosmia macrophylla
Tawa – Beilschmiedia tawa	Manuka – Leptospermum scoparium	Kumarahou – Pomaderris kumeraho
Mangeao – Litsea calicaris	Akeake – Dodonea viscosa	Corokia cotoneaster
Maire (swamp) – Sygium marire	Mapou – Myrsine australis	Poroporo – Solanum aviculare
Bog pine – Halocarpus bidwilli	Pseudopanax species – arboreus, crassifolius, gilliesii,	Kowharawhara – Astelia solandri
	discoloredgerleyi	Mapere – Gahnia setifolia
	Pate – Schefflera digitata	Flaxes – phormium species
	Puka- Meryta sinclairii	Dracophyllum filifolium
	Ramarama -	
	Olearia	
	Kapuka – Griselinia lucida	
	Papauma– Griselinia littoralis	
	Kowhai –Sophora micropyhylla	
	Whau – Entelea arborescens	
	Wharangi – Melicope ternata	
	Tree fushia – Fuschia excorticata	
	Nikau – Rhopalostylis sapida	
	Tree ferns – Cyathia & Dicksonia species	

APPROVED PLAN

Plants of Wetlands	Less common & endangered plants of Northland
Typha orientalis	Coprosma rigida
Carex secta	whangaroa
Carex dissita	waima
Cortaderia splendens	Hebe acutiflora
Cyperus ustulatus	Pittosporum umbulatum
Coprosma propinqua	michii
Hebe speciosa	pimilioides
Cordyline australis	Psuedopanax lessoni
Cordyline banksii	gillesii
	Pimelia tomentosa
	Calestigia marginata
	Pratia physalloides
	Dianella waima
	Elastostema rugosum

RELEVANT SKILLS & EXPERIENCE OF APPLICANTS

Both Ken and Alison Ross have owned and operated organic orchards. Ken has a Masters Degree in Ecological Sciences and a Certificate in Permaculture Design and is currently tutoring at tertiary level in organic and native plant horticulture. Alison has a proven commitment to preserving native habitats and has revegetated and covenanted a previous property at Waimate North under a QE2 Open Park Covenant. She has a design background and is tutoring in Applied Arts at tertiary level. Roger and Louise Chignell have strong interests in conservation and habitat preservation with a particular interest in wetlands. Roger is Head of the Art Department at Kerikeri High School and Louise is an administrator at the same school.

Julia and David Nute

128 Te Kowhai Point Road, Kerikeri.

Subdivision of Lot 2 DP 205281

Landscape assessment

18 December 2024

24061_01

FINAL

Simon Cocker
Landscape Architecture

Document Quality Assurance

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1.0 INTRODUCTION

Julia and David Nute ("the applicants") are applying for a resource consent to subdivide Lot 2 DP 205281. The location of the 15.79ha property is shown on Figure 1 (contained in Appendix 1), and the proposal on Figures 2a – 2c. The subject Site is shown in photos 1, 2 and 3 (photo locations shown on Figure 2a) and on Plate 1 below.

Plate 1: The Site and its context

In the Operative District Plan the property is zoned General Coastal, and Rural Production under the Proposed Plan. The property is not overlain by any landscape or natural character overlays.

The activity status of the proposal is non complying under the Operative District Plan.

Assessment methodology

This assessment has been undertaken by professional landscape consultants with reference to Te Tangi a te Manu (Aotearoa New Zealand Landscape Assessment Guidelines[1]).

A Method Statement outlining the approach to this assessment and the effects ratings and definitions used is provided in Appendix 2. In summary, the significance of effects identified in this assessment are based on a seven-point scale which includes very low; low; low-moderate; moderate; moderate-high; high and very high ratings. For the purpose of this assessment, low-moderate equates to minor in RMA terminology. 'Low' and 'very low' equates to less than minor.

Desktop study and site visits

In conducting this assessment, a desktop study was completed which included a review of the relevant information relating to the landscape and visual aspects of the project. This information included:

[1] https://nzila.co.nz/media/uploads/2022_09/Te_Tangi_a_te_Manu_Version_01_2022_.pdf

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- The Operative Far North District Plan;
- Scheme plan prepared by Williams and King dated October 2024;
- Bay Ecological Consultancy Ltd., *Ecological Impact Assessment*. 10 December 2024;
- Vision Consulting Engineers. Site Suitability Report 6/11/24.
- Linda Conning and Nigel Miller. *Natural areas of Kerikeri Ecological District : reconnaissance survey report for the Protected Natural Areas Programme*. Dept. of Conservation, Northland Conservancy, 1999;
- LA4 Landscape Architects. Far North District Landscape Assessment. 1995;
- GNS Science Geology Web Map Client;
- Aerial photography, Far North District Council GIS mapping, and Google Earth.

Visits to the site and it environs were undertaken on 11 September 2024. The weather during the visits was sunny with light winds.

2.0 THE PROPOSAL

The proposal is described in the AEE and illustrated on Figures 2a – 2c.

The application seeks to subdivide the 15.97ha property into four lots, and will facilitate the construction of dwellings within proposed Lots 2, 3 and 4 (refer to Figure 2b). Lot 1 (4.87ha), within the northern portion of the property accommodates a dwelling and two sheds (barn and implement shed).

The property occupies a 'bowl' landform which comprises the headwaters of a small valley. It is contained by ridges on its southern, eastern and northern sides. In the base of the bowl, a series of ponds and wetlands provide a focus for the proposed future lots. These features have been enhanced with riparian planting in the past, and it is the applicant's intention that they be retained and managed to benefit their natural, amenity and ecological values. The Ecologiocal Impact Assessment recommends that a formal Weed & Pest Management Plan (WPMP) specifying monitoring and reporting procedures be prepared as a condition of consent.

The report also details the values of the existing riparian vegetation which, it is proposed will be contained (and protected), within a number of covenants (Areas A – H, and J).

Lot 4 will have an area of 3.477ha, and will occupy the gentle northern slopes of the valley at the western end of the property. The southern edge of this lot is defined by the watercourse and the north western boundary, by Te Kowhai Point Road. A linear cluster of vegetation punctuates the mid slopes in the centre of the lot, and the proposed building area is located on the gentle slope between this vegetation and the riparian margin of the watercourse.

Proposed Lots 3 and 2 (3.668ha and 3.766ha respectively), are situated on the southern slopes of the valley. The contour within Lot 2 slopes steeply from the watercourse (at a level of around 20m), up to an elevation of some 65m where a shared private access – tracing the ridge crest – defines the lot's eastern edge. The application site does not have rights over this access. The building area within this lot is situated on the mid / upper north west facing slopes of the gully. The cross section included in Figure 2a illustrates the relationship between this building site and the neighbouring dwelling (located within Lot 1 DP 415226).

Proposed Lot 3 is sandwiched between Lots 4 and 2. At its north western end, the lot is densely vegetated with riparian vegetation whilst its slope up to the south eastern boundary are clad with regenerating shrubland (contained within Area E). The south western boundary of this lot is loosely defined by a tributary watercourse that flows into the main bisecting stream, and in the south eastern corner, a dammed pond straddles the shared boundary between the subject Site and the adjoining Lot 2 DP 415226.

The building area within this lot is situated within the shallow sloping grassed area contained by the riparian vegetation (to the north west) and the shrubland vegetation (to the south east). This position affords screening (by virtue of the

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landform) from the dwelling within Lot 2 DP 415226.

Landscape Treatment and mitigation measures

Recognising the need to be responsive to the rural amenity values of the Site, a suite of mitigation measures are proposed to assist with the integration of future built form and infrastructure. Table 1 below details recommended design controls for the proposed lots.

Building Area	All building and structures within Lots 2, 3 and 4 shall be predominantly located within the 'building areas' as defined on the Williams and King scheme plan. Within Lot 4 two potential building areas have been identified. Only one of these areas may be used. Built form cannot be separated between the two areas.
Building height & RL of building platform	The height of all buildings and structures within Lot 4 shall not exceed 7m above natural ground level using the rolling ground method. The height of all buildings and structures within Lot 2 shall not exceed 6m above natural ground level using the rolling ground method. The height of all buildings and structures within Lot 3 shall not exceed 6m above natural ground level using the rolling ground method
Building form and design	Building forms within Lot 2 should incorporate features such as stepped structures, irregular rooflines and modulated front elevations. Larger split or multilevel buildings must be articulated into smaller built masses and should incorporate single storey elements or low eaves at the perimeter to reduce their apparent bulk and scale. Tall prominent elevations must incorporate details such as pergolas, extended eaves, decks or loggias to break up the verticality of the building face.
External finishes for buildings and structures	The finishes for external surfaces of the proposed buildings and structures within Lots 2, 3 and 4 shall be as follows: • Refer to BS5252. The colour selection for all buildings and structures must be made from the following indicators: [2] • Walls: Hue (Colour) All the colours from 00 – 24 are acceptable, conditional on the limitations below. Reflectance Value (RV) and Greyness Groups. The predominant wall colours, shall have a RV rating of no more than 30% for greyness groups A, B and C. Colours within greyness groups D and E are not permitted. • Roofs: Hue (Colour) All the colours from 00 – 24 are acceptable, conditional on the limitations below. Reflectance Value (RV) and Greyness Groups: Roofs shall have an RV rating of no more than 25% within greyness groups A, B and C. Colours within greyness groups D and E are not permitted
Internal roading and driveways	Lots 2, 3 and 4 will be designed and as far as is practicable to minimise the need for excavation to form vehicular circulation and manoeuvring space. Parking areas will be integrated with the overall design of the residence and screened with landscape planting. Accessways and vehicular circulation and manoeuvring space are to be constructed from blue metal, a dark seal surface or from exposed aggregate concrete with a dark oxide additive.
Earthworks and retaining walls	Any earthworks and grading shall be minimised. Where earthworks are necessary these are to

[2] CITY OF AUCKLAND DISTRICT PLAN, *HAURAKI GULF ISLANDS SECTION REVIEW: COLOUR FOR BUILDINGS*. Hudson Associates, (September 2006)

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	marry in with adjacent contours, avoiding sharp batters and exposed cut faces. All cut and fill batters are to be grassed or appropriately planted. Cut and fill batters shall be shaped to feather naturally into the natural angle of slope. All cut and fill batters shall be grassed or otherwise vegetated to ensure complete coverage of exposed soils. If retaining walls are to be constructed, these should not exceed 1.0m in height, with walls accommodating greater level changes being stepped. Natural dark materials such as timber, rammed earth and stone (including gabion baskets), with vegetation incorporated shall be used to balance the scale and soften the impact of the structure Retaining walls should be detailed sensitively. Natural dark materials such as timber, rammed earth and stone (including gabion baskets), with vegetation incorporated to balance the scale and soften the impact of the structure. All retaining structures that are visible from any location beyond the boundaries of the lot on which it is situated, shall be constructed from, painted / finished with a dark, recessive and natural colour.

Table 1. Design, and development guidelines

Areas of mitigation (revegetation) planting are proposed to assist with the integration of the future built form into the landscape (refer to Figure 2b). Within each of the lots, the proposed planting links with, and consequently benefits from the cumulative area of existing and proposed vegetation by strengthening the existing landscape (vegetative) structure. The proposed planting within Lot 4 will either form a backdrop, or foreground to built form depending on the choice of identified building areas.

Within Lots 2 and 3, the proposed planting will also form a foreground element when viewed from neighbouring properties to the south east, softening and partially screening views from these neighbouring dwellings of the proposed future building(s) within the building area.

The proposed species mix will utilize a basic and fast growing mix of locally appropriate native species, detailed in Table 2 below.

Species	Common name	Grade	Spacing	Tall mix %	Dam face mix %
Coprosma robusta	karamu	0.5L	1.4m	30	-
Hebe stricta	koromiko	0.5L	1.4m	15	30
Kunzea robusta	kānuka	0.5L	1.4m	45	-
Metrosideros excelsa	pohutukawa	18L	5m	5	-
Phormium tenax	harakeke	0.5L	1.2m	5	70

Table 2. Mitigation planting schedule

3.0 EXISTING ENVIRONMENT

3.1 The site context

The subject property is located some 8km to the north east of Kerikeri and on the hills to the north of the Kerikeri Inlet (refer to Figure 1). These hills rise to a height of around 100m to where Redcliffs Road traces the catchment boundary that separates the Kerikeri Inlet catchment (to the south) from that of the Te Aiorua Creek and Te Puna Inlet (to the north).

Predominantly underlain by Waipapa Groups sandstone and siltstone (refer to Plate 1 below), the landform has a moderately rolling character with – in the vicinity of the Site – a northern and north westerly grain which is imparted by the hydrological patterns.

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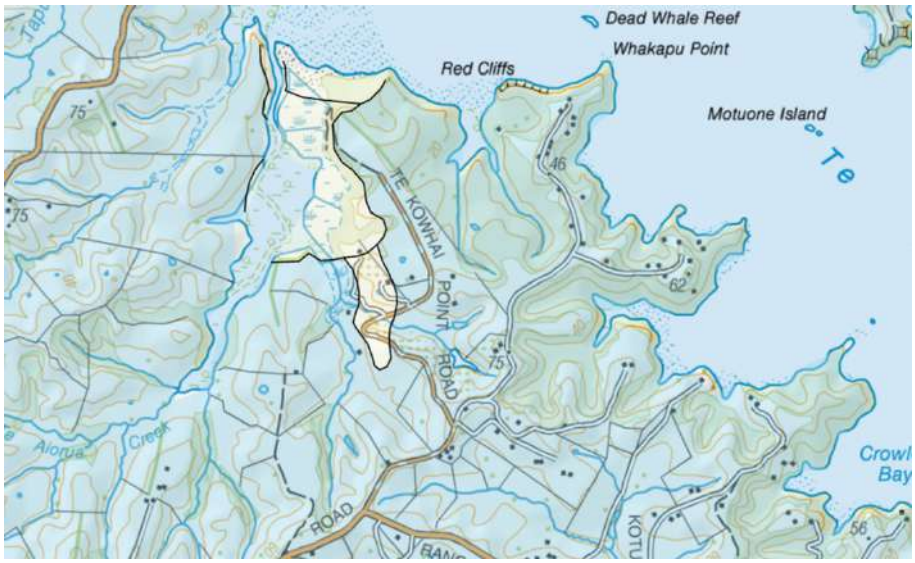

Plate 2: geology

Plates 3 and 4, and Figure 2a illustrate this rolling landform character and evidence how the topographical patterns are emphasised and lent legibility by vegetation where it occupies the base of a gully (highlighting the alignment of a watercourse), or steeper gully slopes and ridge flanks. In some places, the land use has served to emphasise these patterns – as can be seen below in Plate 3 where an olive plantation occupies the ridge flank to the north of Redcliffs Road.


Plate 3: Oblique aerial view to the north east with the subject property occupying the mid-portion of the frame


Plate 4: Oblique aerial view to the north with the subject property occupying the mid-portion of the frame

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The Far North District Landscape Assessment[3] describes this landscape – which also encompasses a vast area of landscape to the north and north west – as 'Gently undulating pasture / scrub' landscape category. The boundary between this landscape category and the adjoining 'Scrub-clad hill country' category is clearly defined in Plates 1 and 4 above, where – to the right of the images, mānuka shrubland forms the dominant landscape feature. As is evident on Figure 1, this category fringes the coast to the north, east and south east of the Site, occupying the steeper coastal margin and a series of incised gullys that converge with the coastal edge.

Despite the proximity of the Te Puna Inlet (which lies less than 1km to the north and east), its presence does not influence the character of the Site, nor is the individual aware of its proximity apart from when views to the inlet are experienced from the ridge crest on the eastern edge of the property.

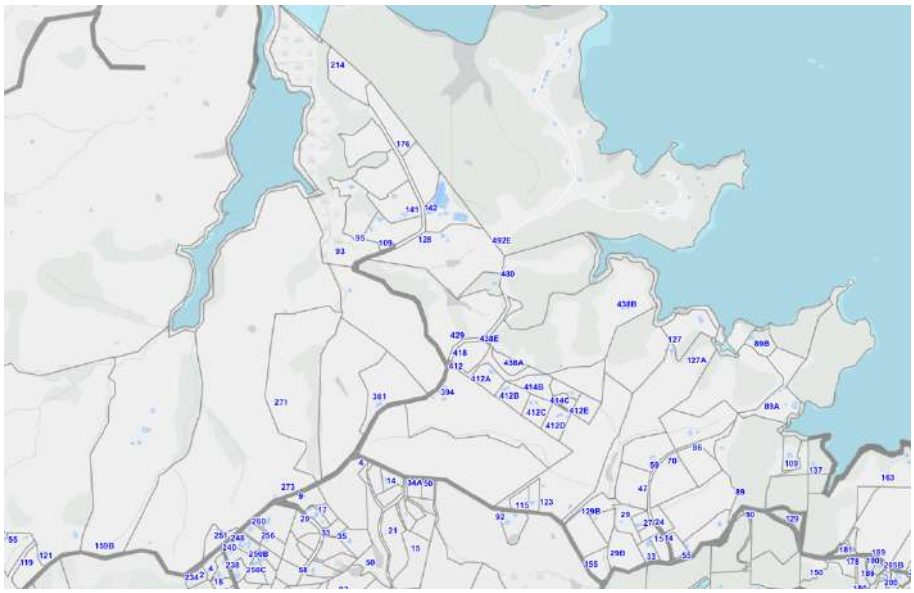

Plate 5: Cadastral pattern

As is evidenced by Plate 5 above, the subject property is located on the southern edge of a cluster of rural residential lots of some 3 – 5ha in area. A smaller lot of some 2ha adjoins the property on its south eastern edge, whilst to the south, a cluster of 2ha rural residential lots occupies a ridge which trends to the east from Redcliffs Road near its junction with Te Kowhai Point Road. Between these clusters, landholdings are large and generally under pasture, or native shrubland.

A small number of dwellings offer views into the Site. The aforementioned 2ha property (480 Redcliffs Road (Lot 1 DP 415226), is visible in photo 1 and is located on the ridge crest on the eastern boundary of the Site. This dwelling offers views northwest and north across the rural landscape and includes glimpses to Te Puna Inlet (refer to photo 2).

Number 429 Redcliffs Road (Lot 2 DP 415226) occupies an elevated location on the Site's southern boundary (refer to photo 3). This dwelling offers views across the Site toward the north and along the axis of the gully to the north west to the wider rolling rural landscape beyond (refer to photo 4).

Experienced from the ridge crest traced by Te Kowhai Point Road and the private access which diverges from this road, the landscape displays an open, expansive and spacious quality (refer to photos 2, 4 and 5). This differs from the more enclosed character which prevails when the individual is within the subject Site where the gully offers a measure of containment and shelter (refer to photos 6 and 7). This is particularly evident when the observer is in close proximity to the riparian vegetation along the watercourse and around the ponds where a more intimate and smaller scale environment is enjoyed (refer to photos 3 and 8)

[3] LA4 Landscape Architects. *Far North District Landscape Assessment*. FNDC. 1995.

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The Bay of Islands has the highest density of recorded archaeological sites in New Zealand, reflecting the important role it played in the history of Māori settlement. Sites tend to be focussed around the coastal margins and along navigable waterways where resources were plentiful and there was access by waka. Radiocarbon dating of archaeological remains across the wider area suggests that the Bay of Islands was settled by the Polynesian ancestors of the Māori around the mid-12th or early 13th centuries. Not only was there intensive Māori settlement before the arrival of Europeans, but it was also the location of the some of the earliest contacts between Māori and Europeans, and the focus of early European settlement in New Zealand.

The first mission station and the earliest permanent European settlement in the country was established in 1814 on the Purerua Peninsula at Oihi, near Rangihoua Pa. Even before this period, there had been several years of trading contact between Europeans and Māori in the Bay of Islands, which was known as the rest and provisioning centre of New Zealand for whaling and other ships. Rangihoua pa was the main settlement of Ngati Rehia in the early years of the 19th century. It was controlled by the local chief Te Pahi until his murder in 1810 following the Boyd Affair.

Whilst numerous archaeological sites have previously been recorded around the fringes of the Kerikeri inlet, the Kerikeri River and the Waipapa Stream as well as along other navigable waterways very few sites have been recorded further inland, and no sites are known on the subject property.

3.2 Statutory Matters

As is evidenced by plate 6 below, although the Site is zoned General Coastal, it is not located within the coastal environment and the edge of the coastal environment as defined in the RPS traces the ridge on the eastern edge of the Site.

Plate 6. Excerpt from RPS GIS aerials

Far North District Plan

The site is located within the General Coastal Zone. This zone includes controls on development to preserve the natural character of the coastal environment and protect it from inappropriate subdivision and use. Due to the potential vulnerability of the natural environment, more is expected from developers of land in this zone in the way of preserving, and restoring the environment as part of development proposals.

The General Coastal Zone has controls aimed at preserving natural character and the restoration and enhancement of areas which may have been compromised by past land management practices. These controls reflect its coastal location

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and the inherent sensitivity of the coastal and adjoining marine environment and the vulnerability of these areas to change and development.

Objectives

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

Policies

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*

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.

The assessment criteria within 13.10 are of relevance:

13.10.1 ALLOTMENT SIZES AND DIMENSIONS

a. *Whether the allotment is of sufficient area and dimensions to provide for the intended purpose or land use, having regard to the relevant zone standards and any District wide rules for land uses.*
b. *Whether the proposed allotment sizes and dimensions are sufficient for operational and maintenance requirements.*
c. *The relationship of the proposed allotments and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.*
d. *Whether the cumulative and long term implications of proposed subdivisions are sustainable in terms of preservation of the rural and coastal environments.*

13.10.10 PROVISION OF ACCESS

a. *Whether provision for access to and within the subdivision, including private roads, has been made in a manner that will avoid, remedy or mitigate adverse effects on the environment, including but not limited to traffic effects, including effects on existing roads, visual effects, effects on vegetation and habitats, and natural character.*

13.10.11 EFFECT OF EARTHWORKS AND UTILITIES

a. *Whether the effects of earthworks and the provision of services to the subdivision will have an adverse effect on the environment and whether these effects can be avoided, remedied or mitigated.*

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13.10.12 BUILDING LOCATIONS

a. *Whether the subdivision provides physically suitable building sites.*
b. *Whether or not development on an allotment should be restricted to parts of the site.*
c. *Where a proposed subdivision may be subject to inundation, whether the establishment of minimum floor heights for buildings is necessary in order to avoid or mitigate damage.*
d. *Whether the subdivision design in respect of the orientation and dimensions of new allotments created facilitates the siting and design of buildings able to take advantage of passive solar gain (e.g. through a northerly aspect on an east/west axis).*

Also of relevance is 10.6.5.3.1

10.6.5.3.1 VISUAL AMENITY

The following are restricted discretionary activities in the General Coastal Zone:

a. *any new building(s); or*

b. *alteration/addition to an existing building that do not meet the permitted activity standards in **Rule 10.6.5.1.1** where the new building or building alteration/addition is located partially or entirely outside a building envelope that has been approved under a resource consent.*

When considering an application under this provision the Council will restrict the exercise of its discretion to matters relating to:

i the location of the building;
ii the size, bulk, and height of the building in relation to ridgelines and natural features;
iii the colour and reflectivity of the building;
iv the extent to which planting can mitigate visual effects;
v any earthworks and/or vegetation clearance associated with the building;
vi the location and design of associated vehicle access, manoeuvring and parking areas;
vii the extent to which the building and any associated overhead utility lines will be visually obtrusive;
viii the cumulative visual effects of all the buildings on the site;
ix the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;
x the extent to which private open space can be provided for future uses;
xi the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;
xii the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.

3.3 Visual catchment

The visual catchment of the Site is essentially defined by the ridges which contain the 'bowl' catchment. Views are possible from the private accessway to the south east and east (refer to photos 2 and 4), and from Te Kowhai Point Road to the west, south west and south from where the elevation affords views down into and over the Site (refer to photos 5, 9, 10 and 11).

Two dwellings are accessed from these roads, and offer a similar outlook to the aforementioned photos, these include 480 Redcliffs Road (Lot 1 DP 415226), which is visible in photo 1 and is located on the ridge crest on the eastern boundary of the Site. This dwelling offers glimpse views of Te Puna Inlet and expansive views north across the rural landscape as evidenced by photo 2.

The dwelling within number 429 Redcliffs Road (Lot 2 DP 415226) occupies an elevated location within a property on the Site's southern boundary (refer to photo 3). As can be seen from photo 4, this dwelling offers views across the Site toward the north and north west.

Views from Te Kowhai Road to the west and north west of the Site are blocked by roadside vegetation (refer to photo 12).

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4.0 IDENTIFIED LANDSCAPE VALUES

Natural character values

Located to the east, and - although spatially close – in a separate hydrological catchment, the RPS identifies an area of High Natural Character (Te Puna Inlet – 06/12). The values of this area – which in the vicinity of the Site comprises mānuka shrubland contained within gullies and on the steeper ridge slopes – are described as follows:

Hill slopes, valleys and coastal faces, primarily with kanuka dominant shrubland & forest; mixed broadleaved shrubland & low forest with pohutukawa & puriri; and a limited area of coastal face with gorse-pea shrub cover. Some tracking in NE.

Largely indigenous vegetation with few pest plants. Part of community pest control area. Minimal human-mediated hydrological or landform change (except for tracking). Part of level 1 PNA site PO5/087 Kerikeri ED. Few obvious human structures.

Ecological values

The ecological assessment described the values of the wetland and other hydrological features as encompassing them have both intrinsic and functional aspects that contribute to moderate significance in regard to *Appendix 5 Northland Regional Policy Statement (2018)* - indigenous character; pattern and water quality protection; linkage and buffering to further aquatic environments downstream.[4]

Landscape values

The Site is not overlain by an Outstanding Natural Landscape (either in the Operative District Plan, nor Proposed District Plan). Notwithstanding this, as discussed previously, the Site and its landscape context display a level of amenity that is valued by the community. The contributing components of which can be summarised as follows:

- An open and pastoral spaciousness;
- Varied vegetation patterns, in places dominated by mānuka, kānuka and other shrubland associations which reflect and emphasize the topographical patterns;
- Long views to Te Puna and Kerikeri Inlets;
- The visible remains of cultural sites, often on the prominent coastal headlands;
- Social and associative connections to this (in terms of the wider Bay of Islands), frequently visited and valued, publicly accessible part of Northland, and;
- A strongly indigenous and Northland character.

Archaeological, associative and cultural values

It is understood that consultation has been initiated with the parties identified as being local Iwi in the subject area, being representatives of Ngāti Rēhia, Te Whiu Hapū and Ngāti Torehina ki Matakā.

An email was jointly sent by the applicant's agent to Ngāti Rēhia, Te Whiu Hapū and Ngāti Torehina ki Matakā. Hugh Rihari responded to advise that the application falls within the hands of Te Whiu Hapū (Te Rau Allen). Mr. Allen responded on behalf of Te Whiu Hapū to express interest in reviewing details of the proposal, and scheme plan updates and the Site Suitability Report have been forwarded. No detailed comments have been received at this stage. No response was received from Ngāti Rēhia.

[4] Bay Ecological Consultancy. *Ecological Impact Assessment*. 10 December 2024. P.49.

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Additionally, an email with a summary of the proposal, the proposed scheme plan and the Site Suitability Report have been sent to the Matoa Whenua Trustees, in relation the adjoining Matoa Block, however no response has been received to date

No archaeological nor associative values are known to be associated with the subject property.

5.0 ASSESSMENT OF LANDSCAPE EFFECTS

Landscape effects are described in the methodology, contained in Appendix 2. In summary, landscape effects derive from changes in the physical landscape, which may give rise to changes in its character and how this is experienced. This may in turn affect the perceived value ascribed to the landscape and includes visual amenity effects under the ambit of 'experiential attributes'.

Change in a landscape does not, of itself, necessarily constitute an adverse landscape or natural character effect. Landscape is dynamic and is constantly changing over time in both subtle and more dramatic transformational ways, these changes are both natural and human induced. What is important in managing landscape change is that adverse effects are avoided or sufficiently mitigated to ameliorate the effects of the change in land use. The aim is to provide a high amenity environment through appropriate design outcomes, including planting that can provide an adequate substitution for the currently experienced amenity.

5.1 Biophysical abiotic attributes

Abiotic attributes include the landform, its geology, and hydrology.

The proposal will necessitate a very limited volume of earthworks, the proposed building areas within Lots 3 and 4 being situated on relatively flat terrain.

A greater volume of earthworks for construction and access are likely to be necessitated with regard to Lot2 however, these will result in a slight and localised modification of the landform. Within the wider context of the landscape, this change is of a relatively small magnitude and the level of adverse effect on the abiotic attributes of landscape will be low.

5.2 Biophysical biotic attributes

Biotic attributes are the living organisms which shape an ecosystem.

The Ecological Impact Assessment[5] concludes that:

"….. The subdivision will concomitantly provoke gross positive amenity and ecological gain in comparison to the current status with *very low* impact (EIANZ 2018) or *less than minor* level of effect."[6]

It is considered that the change in the biotic attributes of the Site will be very small, and – as a result of the proposed legal protection and required plant pest control, the level of adverse effect on the abiotic attributes of landscape will be slightly positive.

[5] Bay Ecological Consultancy Ltd., *Ecological Impact Assessment*. 8 November 2024 P38.
[6] Ibid. P.49.

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5.3 Experiential attributes

Experiential attributes comprise the interpretation of human experience of the landscape. This includes visible changes in the character of the landscape – its naturalness as well as its sense of wildness and remoteness including effects on natural darkness of the night sky.

The future dwellings will be located, and integrated into their shrubland setting such that – in conjunction with the proposed design controls that prescribe a dark and natural external finish – they will form recessive elements within the landscape and will be subservient to the natural, vegetated landscape.

Given the visual containment afforded by the Site and its gully topography, the change associated with the proposed subdivision will not be readily apparent from the wider landscape. For transitory receptors, the change will be primarily evident when negotiating Te Kowhai Point Road along the western and north western edge of the Site, and from the road where it traces the ridge to the south of the Site (representative viewpoints are included as photos 5, 9, 10 and 12), and from the private access to the east (refer to photo 2).

As is evidenced by these representative views, the individual's visual experience is informed by a panoramic view of the rolling landscape, structured by vegetation and punctuated by dwellings and other built elements. This built form tends to be integrated into, and is subservient to the landscape.

As is illustrated in plate 7 below, the proposed subdivision pattern is consistent with the existing pattern of development to the north west and will be 'read' as forming a part of this existing low density cluster of rural residential settlement.

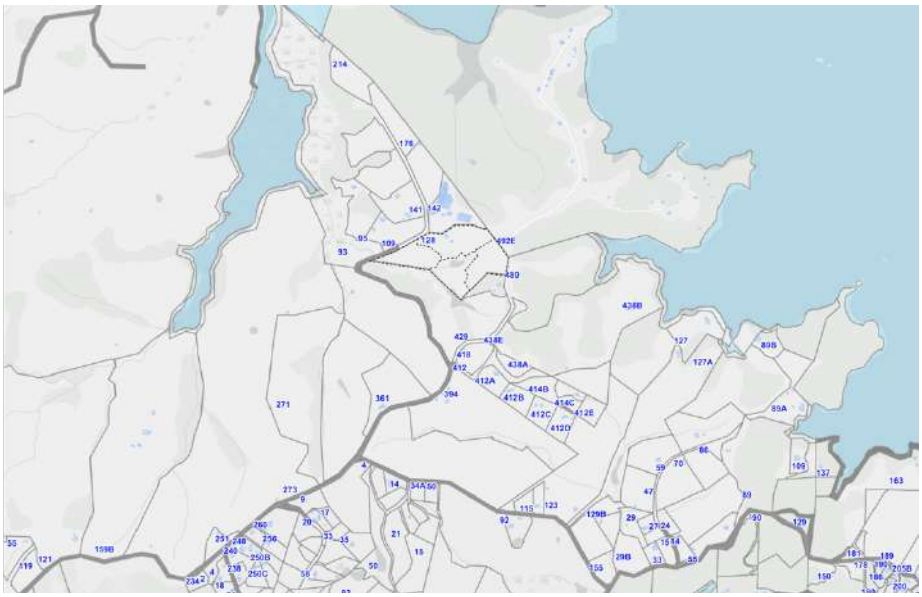

Plate 7: Cadastral pattern with proposed subdivision (marked with dashed boundaries)

The proposal will facilitate the construction of dwellings within Lots 2, 3 and 4, and the identified building sites within these lots are 'contained' within the gully landform rather than being positioned in elevated locations such as ridge tops. As such, the future buildings will 'sit' within the landscape, whilst the existing (and proposed) riparian and other vegetation will impose a structure on the Site which reflects the landform features and will therefore lend a logic and legibility to the proposed lots.

Spatially separated, and separated by the existing and proposed vegetative structure, the future built form will be effectively integrated into the landscape and will therefore impart a character that is consistent with the existing landscape character described above. This integration will be further achieved as a result of the proposed design controls which encourages (amongst other things), recessive external finishes for built form.

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As a consequence, the degree of change in the experiential attributes will be small, and the level of adverse effect on the experiential attributes of landscape will be low.

5.4 Landscape effects – Social, cultural and associative attributes

Social, cultural and associative values are linked with individual's relationship with the landscape, their memories, the way they interact with and use the landscape and the historical evidence of that relationship.

It is understood that the proposed Site does not affect any specific archaeological sites or to have any social or associative links and therefore the level of adverse effect on the social, cultural and associative attributes of landscape will be nil.

A response from mana whenua regarding cultural matters is pending.

5.5 Summary of landscape effects

In summary, the anticipated change resulting from the proposed subdivision will be spatially and visually contained and separated from the wider landscape. The proposed building areas are to be located within existing pasture and will not necessitate the removal of native vegetation, and the existing native vegetation will be legally protected and managed to control exotic weeds. The anticipated landform modification will be small in scale and localised. Future built form, infrastructure, and area of vegetation clearance will be controlled by design controls.

As such, the proposed changes will be limited in scale, and when considered in the context of the wider landscape will be insignificant in term so their influence on the character of that landscape and overall it is the opinion of the author that the potential adverse landscape effect will be low.

6.0 ASSESSMENT OF NATURAL CHARACTER EFFECTS

The subject Site is not located within the coastal environment as defined by the Northland RPS maps however, objectives and policies associated with the General Coastal zoning require consideration of effects on natural character. Further, natural character is of relevance with regard to the watercourse and ponds within the Site.

Appendix 1 of the Northland Regional Policy Statement lists natural character attributes as follows:

a) Natural elements, processes and patterns;
b) Biophysical, ecological and geomorphological aspects;
c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
d) The natural movement of water and sediment;
e) The natural darkness of the night sky;
f) Places or areas that are wild or scenic; and
g) Experiential attributes, including the sounds and smell of the sea; and their context or setting.

Of the above, natural elements, processes and patterns, biophysical, ecological and geomorphological aspects, natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks and the natural movement of water and sediment fall into the previously discussed biophysical (biotic and abiotic) categories.

The natural darkness of the night sky, places or areas that are wild or scenic and experiential attributes, including the sounds and smell of the sea; and their context or setting have been previously addressed under experiential attributes.

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In summary therefore, the proposal will result a very small change in the abiotic and biotic attributes, and will subservient to its rural setting. The potential adverse effect on proximate and neighbouring individuals will be (at most) low (refer to following section), and the future built form facilitated by the subdivision will only represent a small change in the character of the wider landscape.

The existing character of this rolling rural landscape is influenced by built form albeit to a low density. The proposal will result in an outcome that will be consistent with this existing character and – in the opinion of the author – will not detract from the natural character values to any more than a very low level.

7.0 VISUAL AMENITY EFFECTS

A visual effect is a kind of landscape effect, and visual values are inherently linked to landscape values. The nature of a view depends on how it is perceived and the extent to which it is valued or not. It includes how the landscape in the view is understood, interpreted, and what is associated with it. Visual effects arise from changes to such landscape values.

As noted previously, the visual catchment of the Site is essentially defined by the ridges which contain the 'bowl' catchment. Views are possible from the private accessway to the south east and east (refer to photos 2 and 4), and from Te Kowhai Point Road to the west, south west and south from where the elevation affords views down into and over the Site (refer to photos 5, 9, 10, 11 and 12).

Views from these roads are transitory and progressive, with the landscape visible as a changing panorama, and future built form within the Site will be experienced as a succession of glimpses over separation distances of between 200 – 500m. Travelling north along Te Kowhai Point Road, the Site is revealed as the road runs along the ridge crest to the south / south west until the road sidles down into the gully. Momentary glimpses of proposed Lot 4 will be possible before, as the road skirts the north western Site boundary, views into the Site are screened by vegetation on the boundary.

Given the lower sensitivity afforded transitory viewers, and the panoramic views across the rural landscape that is experienced from these roads, it is the opinion of the author that the potential adverse visual amenity effect on users of the road will be very low.

Two dwellings are accessed from these aforementioned roads. These include 480 Redcliffs Road (Lot 1 DP 415226), which is visible in photo 1 and is located on the ridge crest on the eastern boundary of the Site. This dwelling has been designed with a strong orientation to the north and north north west. It offers glimpse views to Te Puna Inlet and expansive views north across the rural landscape as evidenced by photo 2.

From this dwelling – which is positioned at an elevation of around 65m – the terrain falls away into the gully associated with the Site. The proposed Lot 2 building are – situated some 125m to the north west – will be between 10 – 35m below the floor level of this dwelling. Views from the dwelling toward the future Lot 2 dwelling will be over the existing olive plantation (within this neighbouring property), and over the intervening pasture. Revegetation planting is proposed to wrap around the south eastern edge of the proposed building Site.

Figure 2a shows the relationship between this neighbour and the proposed Lot 2 building area, and includes a cross section showing the vertical relationship.

Views from the dwelling down the slope to a future building within proposed Lot 2 will be substantially screened by the foreground olive trees, and by the proposed revegetation planting. Views to the Inlet and the rural panorama will not be affected and it is the opinion of the author that the potential adverse visual amenity effect that will be experienced by occupants of Lot 1 DP 415226 will be (at most), low in the short term, and very low in the longer term when the revegetation planting has become established.

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The dwelling within number 429 Redcliffs Road (Lot 2 DP 415226) occupies an elevated location within a property on the Site's southern boundary (refer to photo 3). As can be seen from photo 4, this dwelling offers views across the Site toward the north and north west.

From this dwelling, the terrain slopes for a distance of some 60m down into the gully and the existing dammed pond. The proposed building area for Lot 3 will be located beyond the pond close to the gully floor, and some 280m from this neighbouring dwelling.

Revegetation planting is proposed on the northern edge of the pond within the subject Site, and this vegetation will link existing fragments of native riparian vegetation on the pond edge. The planting will also soften views of future built form within proposed Lot 3 from the dwelling within Lot 2 DP 415226.

Given the relative elevation of this dwelling, views across, and along the axis of the gully to the rolling rural landscape beyond will not be impeded nor obstructed by the future dwelling within proposed Lot 3. The dwelling will be visible, although partially screened by vegetation, but given the separation distance and the softening offered by vegetation, it is the opinion of the author that the potential adverse visual amenity effect that will be experienced by occupants of Lot 2 DP 415226 will be (at most), low in the short term, and very low in the longer term when the revegetation planting has become established.

8.0 AFFECT ON THE STATUTORY FRAMEWORK

The plan provisions of relevance to this assessment have a focus on the preservation of natural character, and the protection of landscape and visual qualities. Further provisions seeks the enhancement of those qualities. Assessment criteria within chapter 13 seek that subdivision are compatible with the existing subdivision pattern, but that consideration be given to the effect on landscape and rural character.

These assessment criteria also require consideration be given to the physical components of subdivision – earthworks, accessways and building locations, and how these will affect landscape and natural character values, and visual amenity.

10.6.5.3.1 focuses on the potential adverse effects generated by built form and seeks that this be sensitively designed.

The subject Site is not identified in the Regional Policy Statement or Proposed District Plan as an Outstanding Natural Landscape or any natural character overlays. As discussed in previous sections, the proposal will result in a level of landscape and natural character effect that is (at most) low.

The resulting landscape character facilitated by the proposal will be consistent with existing landscape character, noting that design controls will guide the design, scale and appearance of future built form and infrastructure. The future buildings will be spatially and visually contained, and separated from the wider landscape. The proposed building areas are to be located within existing pasture and will not necessitate the removal of native vegetation, and the existing native vegetation will be legally protected and managed to control exotic weeds. The anticipated landform modification will be small in scale and localised. Future built form, infrastructure, and area of vegetation clearance will be controlled by design controls. The identified building areas have been located such that separation between each is provided, and with consideration given to the avoidance of potential adverse effects on neighbouring properties.

The design controls include a requirement to construct accessways from materials that have a recessive appearance thereby minimising their prominence when viewed from within the visual catchment.

Overall it is considered that the proposal is consistent with the provisions of the relevant documents, where these relate to landscape and visual matters.

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9.0 CONCLUSION

The application seeks to subdivide the 15.97ha property into four lots, and will facilitate the construction of dwellings within proposed Lots 2, 3 and 4. Proposed Lot 1, within the northern portion of the property accommodates an existing dwelling and two sheds (barn and implement shed).

The property occupies a 'bowl' landform which comprises the headwaters of a small valley. It is contained by ridges on its southern, eastern and northern sides. In the base of the bowl, a series of ponds and wetlands provide a focus for the proposed future lots. These features have been enhanced with riparian planting in the past, and it is the applicant's intention that they be retained and managed to benefit their natural, amenity and ecological values.

Recognising the need to be responsive to the rural amenity values of the Site, a suite of mitigation measures are proposed to assist with the integration of future built form and infrastructure. Revegetation mitigation planting is also proposed to supplement the existing native vegetation and to assist with the integration and softening of future built form.

The proposal will generate a low potential adverse landscape, and natural character effects, and potential adverse visual amenity effects that are (at most) low. The proposal will be consistent with the provisions of the statutory instruments where they apply to the scope of this report, and the proposal is considered to be appropriate from a landscape and visual perspective.

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APPENDIX 1: Figures

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Building site

0m 100m 200m 300m 400m

Julia and David Nute : 128 Te Kowhai Point Road

Landscape assessment

FIGURE 1: The site and its landscape context

Simon Cocker Landscape Architecture

0m 25m 50m 75m 100m

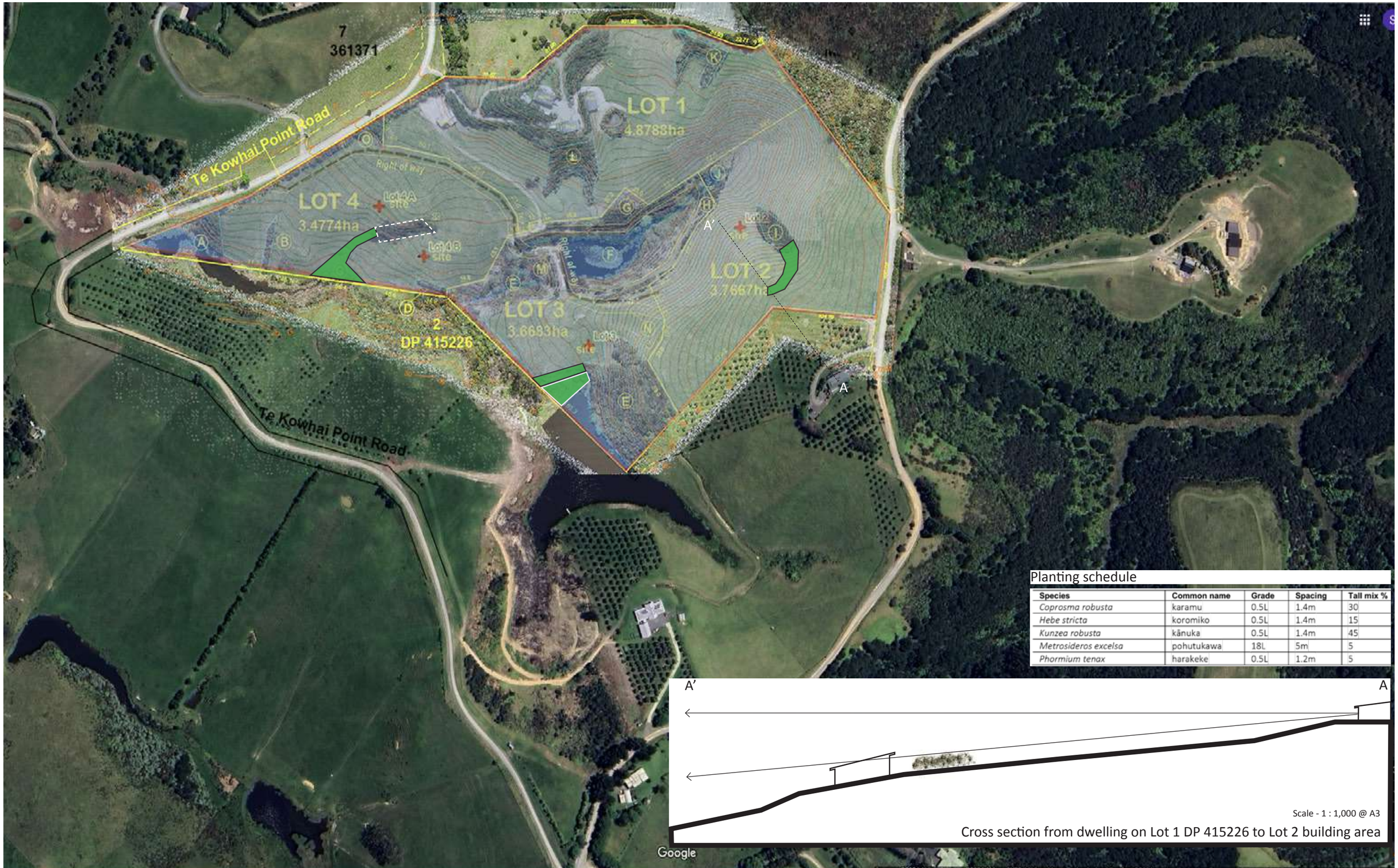
Ridge
Water course
Property boundary
VP5 Photo locations

Julia and David Nute : 128 Te Kowhai Point Road

Landscape assessment

FIGURE 2a: The proposal and contextual landscape features

Simon Cocker Landscape Architecture



Planting schedule

Species	Common name	Grade	Spacing	Tall mix %
Coprosma robusta	karamu	0.5L	1.4m	30
Hebe stricta	koromiko	0.5L	1.4m	15
Kunzea robusta	kānuka	0.5L	1.4m	45
Metrosideros excelsa	pohutukawa	18L	5m	5
Phormium tenax	harakeke	0.5L	1.2m	5

Scale - 1 : 1,000 @ A3

Cross section from dwelling on Lot 1 DP 415226 to Lot 2 building area

0m 25m 50m 50m 100m

Native revegetation planting (Tall mix)

Native revegetation planting (Dam face mix)

Vegetation to be retained (protected as a consent notice condition)

Julia and David Nute : 128 Te Kowhai Point Road

Landscape assessment

FIGURE 2b: The proposal in context

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Proposed Memorandum of Easements

Shown	Purpose	Burdened Land	Benefited Land
O	Right of Way Right to Convey Electricity, Water & Telecommunications	Lot 4 Hereon	Lots 2 & 3 Hereon
M & N		Lot 3 Hereon	Lot 2 Hereon

Proposed Easements

Shown	Purpose	Burdened Land	Benefited Land
H & M	Pedestrian Right of Way	Lot 3 Hereon	Lots 1, 2 & 4 Hereon

Proposed Land Covenants

Areas shown A - L & P - U hereon are to be subject to Land Covenants (Wetland and indigenous vegetation protection)

Areas shown A, E & P - U hereon are to be subject to Land Covenants (No buildings, structures or development)

1
DP 205281

7
DP 361371

Matoa Block

Te Kowhai Point Road

LOT 1
4.8788ha

LOT 2
3.7667ha

LOT 3
3.6683ha
site

LOT 4
3.4774ha
site

Right of way

2
DP 415226

5
DP 348644

1
DP 415226

Te Kowhai Point Road

This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council

Total Area: 15.7915ha
Comprised in: NA132C/342

Levels in terms of: NZ Vertical Datum
Contour interval is: 1.0m

Julia and David Nute : 128 Te Kowhai Point Road

Landscape assessment

FIGURE 2c: Scheme plan

0 25 50 75 100 125 150 175 200m

Prepared for: D J & J A Nute

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Registered Land Surveyors, Planners & Land Development Consultants
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27 Hobson Ave
PO Box 937 Kerikeri

Proposed Subdivision of Lot 2 DP 205281

	Name	Date
Survey		
Design		
Drawn	W & K	Oct 2024
Rev		

ORIGINAL SCALE 1:2500 SHEET SIZE A3

24445

Photo 1: View to dwelling within Lot 1 DP 415226 from private access

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Landscape Architecture

Photo 2: View to north west from private access (representative of view from dwelling within Lot 1 DP 415226)

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 3: View to south toward dwelling within Lot 2 DP 415226

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 4: View to north west from the private access (representative of view from dwelling within Lot 2 DP 415226)

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 5: View to north west from Te Kowhai Point Roads (representative of view from dwelling within Lot 2 DP 415226)

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 6: View to south east from proposed Lot 4

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 7: View to south from proposed Lot 3

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 8: Riparian vegetation alongside ponds

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 9: View north from Te Kowhai Point Road to proposed Lot 4

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 10: View north east from Te Kowhai Point Road to proposed Lots 2 and 3

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 11: View east from Te Kowhai Point Road to dwelling within Lot 2 DP 415226)

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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Photo 12: View along Te Kowhai Point Road showing proposed Lot 4 to the right of the road corridor

Photo date: 11 September 2024

Julia and David Nute : 128 Te Kowhai Point Road

Photos taken with digital equivalent of 50mm focal length unless otherwise specified.
Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

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APPENDIX 2: Landscape and Visual Effects Assessment Methodology

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Landscape and Visual Effects Assessment Methodology

Introduction

The landscape and visual effects assessment process provides a framework for assessing and identifying the nature and level of likely effects that may result from a proposed development. Such effects can occur in relation to changes to physical elements, the existing character of the landscape and the experience of it. In addition, the landscape assessment method may include an iterative design development processes which includes stakeholder involvement. The outcome of any assessment approach should seek to avoid, remedy or mitigate adverse effects. A separate assessment is required to assess changes in natural character in coastal areas and other waterbodies.

When undertaking landscape and visual effects assessments, it is important that a structured and consistent approach is used to ensure that findings are clear and objective. Judgement should always be based on skills and experience, and be supported by explicit evidence and reasoned argument.

While landscape and visual effects assessments are closely related, they form separate procedures. The assessment of the potential effect on the landscape forms the first step in this process and is carried out as an effect on an environmental resource (i.e. landscape elements, features and character). The assessment of visual effects considers how changes to the physical landscape affect the viewing audience. The types of effects can be summarised as follows:

> **Landscape effects:**
> *Change in the physical landscape, which may change its characteristics or qualities.*
>
> **Visual effects:**
> *Change to views which may change the visual amenity experienced by people.*

The policy context, existing landscape resource and locations from which a development or change is visible all inform the 'baseline' for landscape and visual effects assessments. To assess effects, the landscape must first be described, including an understanding of the key landscape characteristics and qualities. This process, known as landscape characterisation, is the basic tool for understanding landscape character and may involve subdividing the landscape into character areas or types. The condition of the landscape (i.e. the state of an individual area of landscape or landscape feature) should also be described alongside a judgement made on the value or importance of the potentially affected landscape.

This outline of the landscape and visual effects assessment methodology has been undertaken with reference to the Quality Planning Landscape Guidance Note1[1] and its signposts to examples of best practice which include the UK guidelines for landscape and visual impact assessment[2] and Te Tangi a te Manu[3].

Assessing landscape effects requires an understanding of the nature of the landscape resource and the magnitude of change which results from a proposed development to determine the overall level of landscape effects.

Nature of the landscape resource

Assessing the nature of the landscape resource considers both the susceptibility of an area of landscape to change and the value of the landscape. This will vary upon the following factors:

- Physical elements such as topography / hydrology / soils / vegetation;
- Existing land use;
- The pattern and scale of the landscape;
- Visual enclosure / openness of views and distribution of the viewing audience;

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[1] http://www.qualityplanning.org.nz/index.php/planning-tools/land/landscape

[2] Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3)

[3] Te Tangi a te Manu (Aotearoa New Zealand Landscape Guidelines), NZILA July 2022.

- The zoning of the land and its associated anticipated level of development;
- The value or importance placed on the landscape, particularly those confirmed in statutory documents; and
- The scope for mitigation, appropriate to the existing landscape.

The susceptibility to change takes account of both the attributes of the receiving environment and the characteristics of the proposed development. It considers the ability of a specific type of change occurring without generating adverse effects and/or achievement of landscape planning policies and strategies.

Landscape value derives from the importance that people and communities, including tangata whenua, attach to particular landscapes and landscape attributes. This may include the classification of Outstanding Natural Landscape (RMA s.6(b)) based on important biophysical, sensory/ aesthetic and associative landscape attributes, which have potential to be affected by a proposed development.

Magnitude of Landscape Change

The magnitude of landscape change judges the amount of change that is likely to occur to existing areas of landscape, landscape features, or key landscape attributes. In undertaking this assessment, it is important that the size or scale of the change is considered within the geographical extent of the area influenced and the duration of change, including whether the change is reversible. In some situations, the loss /change or enhancement to existing landscape elements such as vegetation or earthworks should also be quantified.

When assessing the level of landscape effects, it is important to be clear about what factors have been considered when making professional judgements. This can include consideration of any benefits which result from a proposed development. Table 1 below helps to explain this process. The tabulating of effects is only intended to inform overall judgements.

Contributing factors		Higher	Lower
Nature of Landscape Resource	**Susceptibility to change**	The landscape context has limited existing landscape detractors which make it highly vulnerable to the type of change which would result from the proposed development.	The landscape context has many detractors and can easily accommodate the proposed development without undue consequences to landscape character.
	The value of the landscape	The landscape includes important biophysical, sensory and associative attributes. The landscape requires protection as a matter of national importance (ONF/L).	The landscape lacks any important biophysical, sensory or associative attributes. The landscape is of low or local importance.
Magnitude of Change	**Size or scale**	Total loss or addition of key features or elements. Major changes in the key characteristics of the landscape, including significant aesthetic or perceptual elements.	The majority of key features or elements are retained. Key characteristics of the landscape remain intact with limited aesthetic or perceptual change apparent.
	Geographical extent	Wider landscape scale.	Site scale, immediate setting.
	Duration and reversibility	Permanent. Long term (over 10 years).	Reversible. Short Term (0-5 years).

Table 1: Determining the level of landscape effects

Visual Effects

To assess the visual effects of a proposed development on a landscape, a visual baseline must first be defined. The visual 'baseline' forms a technical exercise which identifies the area where the development may be visible, the potential viewing audience, and the key representative public viewpoints from which visual effects are assessed.

The viewing audience comprises the individuals or groups of people occupying or using the properties, roads, footpaths and public open spaces that lie within the visual envelope or 'zone of visual influence' of the site and proposal. Where

possible, computer modelling can assist to determine the theoretical extent of visibility together with field work undertaken to confirm this. Where appropriate, key representative viewpoints should be agreed with the relevant local authority.

Nature of the viewing audience

The nature of the viewing audience is assessed in terms of the susceptibility of the viewing audience to change and the value attached to views. The susceptibility of the viewing audience is determined by assessing the occupation or activity of people experiencing the view at particular locations and the extent to which their interest or activity may be focused on views of the surrounding landscape. This relies on a landscape architect's judgement in respect of visual amenity and reaction of people who may be affected by a proposal. This should also recognise that people more susceptible to change generally include: residents at home, people engaged in outdoor recreation whose attention or interest is likely to be focused on the landscape and on particular views; visitors to heritage assets or other important visitor attractions; and communities where views contribute to the landscape setting.

The value or importance attached to particular views may be determined with respect to its popularity or numbers of people affected or reference to planning instruments such as viewshafts or view corridors.

Important viewpoints are also likely to appear in guide books or tourist maps and may include facilities provided for its enjoyment. There may also be references to this in literature or art, which also acknowledge a level of recognition and importance.

Magnitude of Visual Change

The assessment of visual effects also considers the potential magnitude of change which will result from views of a proposed development. This takes account of the size or scale of the effect, the geographical extent of views and the duration of visual change which may distinguish between temporary (often associated with construction) and permanent effects where relevant. Preparation of any simulations of visual change to assist this process should be guided by best practice as identified by the NZILA[4].

When determining the overall level of visual effect, the nature of the viewing audience is considered together with the magnitude of change resulting from the proposed development. Table 2 has been prepared to help guide this process:

Contributing factors		Higher	Lower
Nature of Landscape Resource	**Susceptibility to change**	Views from dwellings and recreation areas where attention is typically focussed on the landscape..	Views from places of employment and other places where the focus is typically incidental to its landscape context. Views from transport corridors.
	The value of the landscape	Viewpoint is recognised by the community such as an important view shaft, identification on tourist maps or in art and literature. High visitor numbers.	Viewpoint is not typically recognised or valued by the community. Infrequent visitor numbers..
Magnitude of Change	**Size or scale**	Loss or addition of key features in the view. High degree of contrast with existing landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture). Full view of the proposed development	Most key features of view retained. Low degree of contrast with existing landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture. Glimpse / no view of the proposed development.
	Geographical extent	Front on views. Near distance views; Change visible across a wide area.	Oblique views. Long distance views. Small portion of change visible.
	Duration and reversibility	Permanent. Long term (over 15 years).	Transient / temporary. Short Term (0-5 years).

Nature of Effects

[4] Best Practice Guide: Visual Simulations BPG 10.2, NZILA

In combination with assessing the level of effects, the landscape and visual effects assessment also considers the nature of effects in terms of whether this will be positive (beneficial) or negative (adverse) in the context within which it occurs. Neutral effects can also occur where landscape or visual change is benign.

It should also be noted that a change in a landscape does not, of itself, necessarily constitute an adverse landscape or visual effect. Landscape is dynamic and is constantly changing over time in both subtle and more dramatic transformational ways, these changes are both natural and human induced. What is important in managing landscape change is that adverse effects are avoided or sufficiently mitigated to ameliorate the effects of the change in land use. The aim is to provide a high amenity environment through appropriate design outcomes.

This assessment of the nature effects can be further guided by Table 3 set out below:

Nature of effect	Use and definition
Adverse (negative):	The proposed development would be out of scale with the landscape or at odds with the local pattern and landform which results in a reduction in landscape and / or visual amenity values
Neutral (benign):	The proposed development would complement (or blend in with) the scale, landform and pattern of the landscape maintaining existing landscape and / or visual amenity values
Beneficial (positive):	The proposed development would enhance the landscape and / or visual amenity through removal of restoration of existing degraded landscapes uses and / or addition of positive elements or features

Table 3: Determining the Nature of Effects

Cumulative Effects

During the scoping of an assessment, where appropriate, agreement should be reached with the relevant local authority as to the nature of cumulative effects to be assessed. This can include effects of the same type of development (e.g. wind farms) or the combined effect of all past, present and approved future development[5] of varying types, taking account of both the permitted baseline and receiving environment. Cumulative effects can also be positive, negative or benign.

Cumulative Landscape Effects

Cumulative landscape effects can include additional or combined changes in components of the landscape and changes in the overall landscape character. The extent within which cumulative landscape effects are assessed can cover the entire landscape character area within which the proposal is located, or alternatively, the zone of visual influence from which the proposal can be observed.

Cumulative Visual Effects

Cumulative visual effects can occur in combination (seen together in the same view), in succession (where the observer needs to turn their head) or sequentially (with a time lapse between instances where proposals are visible when moving through a landscape). Further visualisations may be required to indicate the change in view compared with the appearance of the project on its own.

Determining the nature and level of cumulative landscape and visual effects should adopt the same approach as the project assessment in describing both the nature of the viewing audience and magnitude of change leading to a final judgement. Mitigation may require broader consideration which may extend beyond the geographical extent of the project being assessed.

Determining the Overall Level of Effects

The landscape and visual effects assessment concludes with an overall assessment of the likely level of landscape and visual effects. This step also takes account of the nature of effects and the effectiveness of any proposed mitigation.

[5] The life of the statutory planning document or unimplemented resource consents

This step informs an overall judgement identifying what level of effects are likely to be generated as indicated in Table 4 below. This table which can be used to guide the level of landscape and visual effects uses an adapted seven-point scale derived from Te Tangi a te Manu (Aotearoa New Zealand Landscape Guidelines)

	Effect rating	Use and definition
More than minor	**Very high**	Total loss of key elements / features / characteristics, i.e. amounts to a complete change of landscape character
	High	Major modification or loss of most key elements / features / characteristics, i.e. little of the pre-development landscape character remains. Concise Oxford English Dictionary Definition High: adjective- Great in amount, value, size, or intensity
	Moderate to high	Modifications of several key elements / features / characteristics of the baseline, i.e. the pre-development landscape character remains evident but materially changed.
	Moderate	Partial loss of or modification to key elements / features / characteristics of the baseline, i.e. new elements may be prominent but not necessarily uncharacteristic within the receiving landscape. Concise Oxford English Dictionary Definition Moderate: adjective- average in amount, intensity, quality or degree
Minor	**Moderate to low**	Minor loss of or modification to one or more key elements / features / characteristics, i.e. new elements are not prominent or uncharacteristic within the receiving landscape.
	Low	No material loss of or modification to key elements / features / characteristics. i.e. modification or change is not uncharacteristic and absorbed within the receiving landscape. Concise Oxford English Dictionary Definition Low: adjective- 1. Below average in amount, extent, or intensity
Less than minor	**Very low**	Little or no loss of or modification to key elements/ features/ characteristics of the baseline, i.e. approximating a 'no change' situation.

Table 4: Determining the overall level of landscape and visual effects

Determination of "minor"

Decision makers determining whether a resource consent application should be notified must also assess whether the effect on a person is less than minor6[6] or an adverse effect on the environment is no more than minor[7]. Likewise, when assessing a non-complying activity, consent can only be granted if the s104D 'gateway test' is satisfied. This test requires the decision maker to be assured that the adverse effects of the activity on the environment will be 'minor' or not be contrary to the objectives and policies of the relevant planning documents.

These assessments will generally involve a broader consideration of the effects of the activity, beyond the landscape and visual effects. Through this broader consideration, guidance may be sought on whether the likely effects on the landscape resource or effects on a person are considered in relation to 'minor'. It must also be stressed that more than minor effects on individual elements or viewpoints does not necessarily equate to more than minor effects on the wider landscape resource. In relation to this assessment, moderate-low level effects would generally equate to 'minor'.

[6] RMA, Section 95E
[7] RMA Section 95D

Natalie Watson

From: Subdivisions <subdivisions@topenergy.co.nz>
Sent: Monday, 9 December 2024 10:32 am
To: Natalie Watson
Subject: Top Energy has received your application. Your reference number is 00088871 - ref:!00D0K024I6a.!500RA0LMivx:ref

Thank you for your Subdivision Consent application.

You can track the progress of your application by visiting JobTracker.

If you have any questions, please reply to this email or call 0800 867 363 and quote your reference number 00088871

Your application details:
Submitted on: Monday 9/12/2024, 10:32 am

First name: Natalie
Last name: Watson
Company name: Williams & King
Contact number: 094076030
Email Address: nat@saps.co.nz
Applicant first name: David & Julia
Applicant last name: Nute
Applicant company name:
Applicant phone: 094076030
Applicant email address: julianute@aol.com
Site address: 128 Te Kowhai Point Road
Site town / city: Kerikeri
Title number / land parcel identifier: Lot 2 DP 205281
Additional notes or comments:

Further information:

ref:!00D0K024I6a.!500RA0LMivx:ref

Natalie Watson

From: Te Hono Support <tehonosupport@fndc.govt.nz>
Sent: Wednesday, 9 October 2024 4:19 pm
To: Natalie Watson
Subject: RE: Request for Iwi contacts

Follow Up Flag: Follow up
Flag Status: Flagged

Kia Ora Natalie,

The local Iwi in this area are:

Whati Rāmeka	Ngāti Rēhia	whati@ngatirehia.co.nz
Te Rau Allen	Te Whiu Hapū	terau.arena@icloud.com
Hugh Rihari	Ngāti Torehina ki Matakā	rihari.hk@kinect.co.nz

Please include any other hapū who may have an overlapping interest in the area...

Nga mihi.

From: Natalie Watson <nat@saps.co.nz>
Sent: Wednesday, October 2, 2024 3:41 PM
To: Te Hono Support <tehonosupport@fndc.govt.nz>
Subject: Request for Iwi contacts

Good afternoon,

I was wondering if you could please supply me with the contact details of local Iwi who may have an interest in a resource consent application at 128 Te Kowhai Point Road, Kerikeri?
I see from review of the property file, that a previous subdivision was discussed with the trustee committee for the adjoining Matoa Block, which would make sense given the proximity.

Thank you,
Natalie Watson

WILLIAMS & KING
P +64 9 407 6030
27 Hobson Ave
P.O. Box 937, Kerikeri 0230, NZ
http://www.saps.co.nz

Natalie Watson

From: rihari.hk@kinect.co.nz
Sent: Tuesday, 22 October 2024 12:29 pm
To: Natalie Watson
Cc: Whati Rameka; TeRau Allen
Subject: Re: Te Kowhai Point Road, Redcliffs Area, Kerikeri

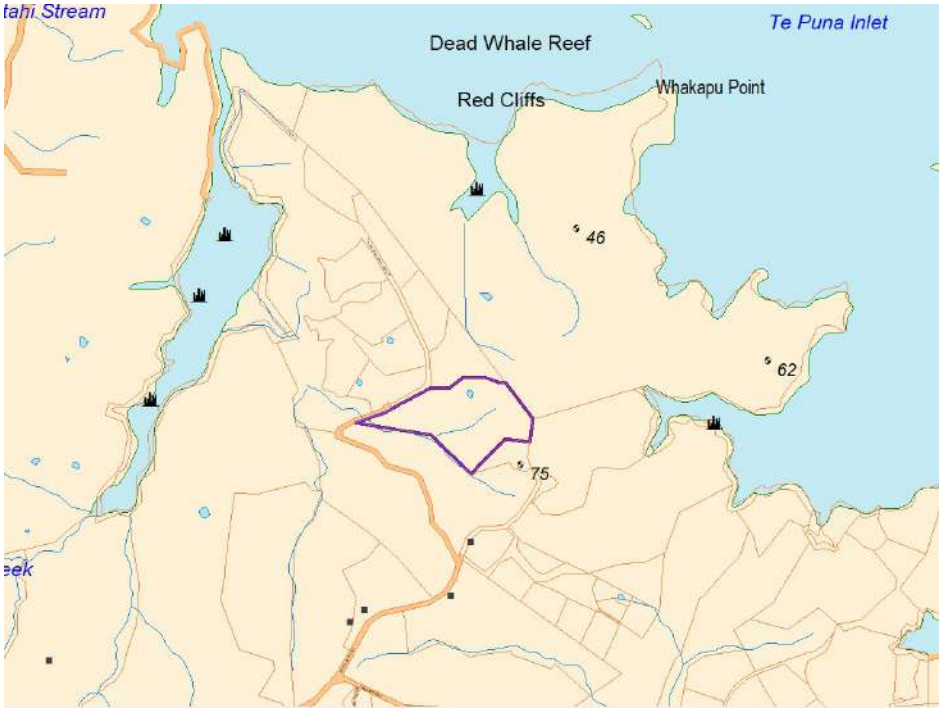
Follow Up Flag: Follow up
Flag Status: Flagged

Morena Natalie, havent heard from you for a long time. This application i think falls in o the hands of Te Whiu Hapu, their spokes person is Te Rau Allen.

Nga mihi, Hugh Rihari

On 2024-10-22 09:35, Natalie Watson wrote:

> Ata mārie Hugh, Te Rau and Whati,
>
> David and Julia Nute are proposing a subdivision of a property located at 128 Te Kowhai Point Road in Kerikeri (see location map below). The Te Hono Support service at Far North District Council has provided us with each of your contacts, as you may have an interest in this area.
>
> From review of the Council's property file, previous applications have included consultation with the trustee committee for the adjoining Matoa Block.
>
> If you are able to provide any guidance as to the most appropriate person or people to consult for this area, it would be greatly appreciated. From there, we can provide any information as it comes to hand.
>
> Feel free to phone me on 09 407 6030 if you would like to discuss this.
>
> Thank you,
>
> Natalie Watson



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27 Hobson Ave

P.O. Box 937, Kerikeri 0230, NZ

http://www.saps.co.nz

Natalie Watson

From: Natalie Watson
Sent: Thursday, 19 December 2024 9:51 am
To: TeRau Allen
Subject: RE: Te Kowhai Point Road, Redcliffs Area, Kerikeri

Hi TeRau,

Getting towards the end of the working year. We are about to lodge this application, but I don't think much will happen in the way of processing until next year. However, I wanted to supply you with the reports we have now received. This includes the Ecological Impact Assessment, Landscape Assessment & Planning Report / Assessment of Environmental Effects. I have also attached the latest scheme plan. You can download these from the links below.

Appendix 4 - Bay Ecological Consultancy Ecological Impact Assessment.pdf

Appendix 5 - SCLA Landscape Assessment.pdf

D & J Nute - 128 Te Kowhai Point Road, Kerikeri AEE & Planning Report for Proposed Subdivision.pdf

Appendix 1 - Scheme Plan.pdf

I hope you have a nice summer break.

Warm regards,
Natalie Watson

From: TeRau Allen <terau.arena@icloud.com>
Sent: Monday, 2 December 2024 11:33 am
To: Natalie Watson <nat@saps.co.nz>
Subject: Re: Te Kowhai Point Road, Redcliffs Area, Kerikeri

Morena Natalie
In a Board hui at the moment. I will make comment later after reviewing the document
Mauri ora
TeRau

> On 2/12/2024, at 10:14 AM, Natalie Watson <nat@saps.co.nz> wrote:
>
> Morena TeRau,
>
> I'm getting in touch to see if you would like to have any further discussion on this proposed subdivision at the moment?

Thank you,
Natalie Watson

WILLIAMS & KING
P +64 9 407 6030
27 Hobson Ave
P.O. Box 937, Kerikeri 0230, NZ
http://www.saps.co.nz

<image001.jpg>

From: Natalie Watson
Sent: Thursday, 7 November 2024 11:17 am
To: TeRau Allen <terau.arena@icloud.com>
Subject: FW: Te Kowhai Point Road, Redcliffs Area, Kerikeri

Hi TeRau,

There have been some minor changes to the scheme plan, I have attached the updated version. We also now have the engineering report, which is attached for your records.

Kind regards,
Natalie

From: Natalie Watson
Sent: Thursday, 24 October 2024 8:42 am
To: TeRau Allen <terau.arena@icloud.com>
Cc: Whati Rameka <whati@ngatirehia.co.nz>; Hugh Rihari <rihari.hk@kinect.co.nz>
Subject: RE: Te Kowhai Point Road, Redcliffs Area, Kerikeri

Hi TeRau,

Thanks for your email. For now, I can send you a copy of the proposed scheme plan (attached), which shows a four lot subdivision, where Lot 1 contains the existing buildings and Lots 2 – 4 are vacant lots. Covenants are proposed over all of the wetland and dam areas and their planted margins to formalise their protection. Access to the vacant lots is from the end of Te Kowhai Point Road.

I can provide further information as it comes to hand but please do let me know your thoughts in the meantime.

Kind regards,
Natalie

From: TeRau Allen <terau.arena@icloud.com>
Sent: Tuesday, 22 October 2024 1:07 pm
To: Natalie Watson <nat@saps.co.nz>
Cc: Whati Rameka <whati@ngatirehia.co.nz>; Hugh Rihari <rihari.hk@kinect.co.nz>
Subject: Re: Te Kowhai Point Road, Redcliffs Area, Kerikeri

Tena ra koe Natalie
Please send me details of the application-I will have a look and reply in kind.
Mauri ora
TeRau Arena
Tiamana
Te Whiu Hapu

Sent from my iPad

> On 22/10/2024, at 9:36 AM, Natalie Watson <nat@saps.co.nz> wrote:
>
> Ata mārie Hugh, Te Rau and Whati,
>
> David and Julia Nute are proposing a subdivision of a property located at 128 Te Kowhai Point Road in Kerikeri (see location map below). The Te Hono Support service at Far North District Council has provided us with each of your contacts, as you may have an interest in this area.
> From review of the Council's property file, previous applications have included consultation with the trustee committee for the adjoining Matoa Block.
>
> If you are able to provide any guidance as to the most appropriate person or people to consult for this area, it would be greatly appreciated. From there, we can provide any information as it comes to hand.
>
> Feel free to phone me on 09 407 6030 if you would like to discuss this.
>
> Thank you,
> Natalie Watson
>
> <image002.png>
>
> WILLIAMS & KING
> P +64 9 407 6030
> 27 Hobson Ave
> P.O. Box 937, Kerikeri 0230, NZ
> http://www.saps.co.nz
>
>

<Scheme Oct 2024.pdf><J15729 20241106 SiteSuitabilityRprt.pdf>

Natalie Watson

From: Natalie Watson
Sent: Monday, 2 December 2024 9:58 am
To: matoaahuwhenuatrust@outlook.com
Subject: FW: Te Kowhai Point Road, Redcliffs Area, Kerikeri

Morena,

I am writing to follow up on the email below and to see if the Trustees would like to discuss this proposal?

Kind regards,
Natalie Watson

WILLIAMS & KING
P +64 9 407 6030
27 Hobson Ave
P.O. Box 937, Kerikeri 0230, NZ
http://www.saps.co.nz

From: Natalie Watson
Sent: Thursday, 7 November 2024 12:46 pm
To: matoaahuwhenuatrust@outlook.com
Subject: Te Kowhai Point Road, Redcliffs Area, Kerikeri

Attention: Matoa Whenua Trustees

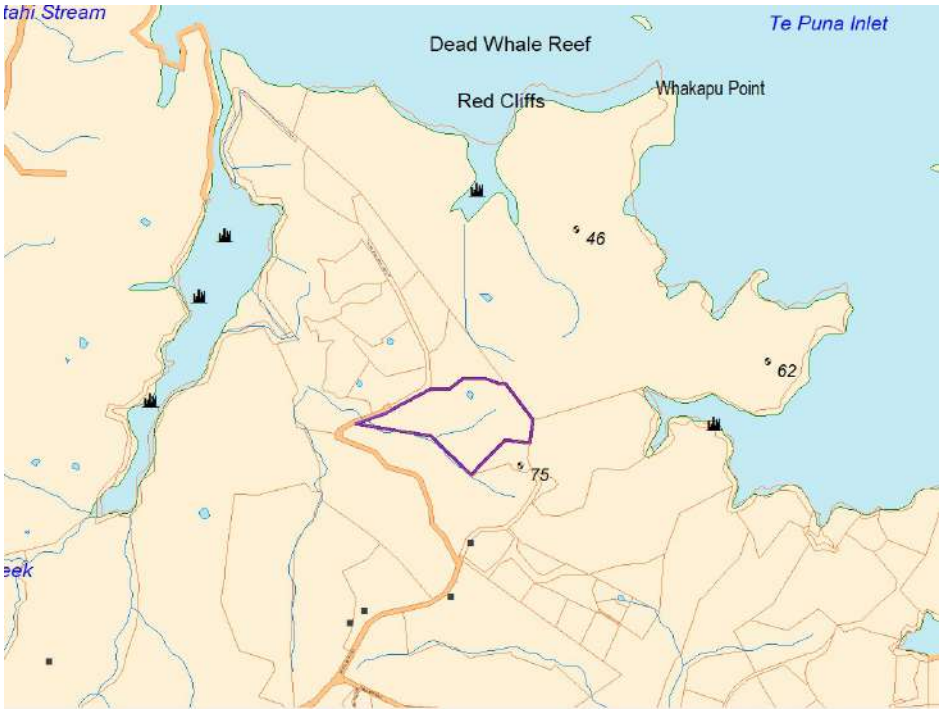
Kia ora,

David and Julia Nute are proposing a subdivision of a property located at 128 Te Kowhai Point Road in Kerikeri (see location map below), which shares a boundary with the Matoa whenua. I have attached a preliminary scheme plan for your information. The scheme plan shows a four lot subdivision, where Lot 1 contains the existing buildings and Lots 2 – 4 are vacant lots. Covenants are proposed over all of the wetland and dam areas and their planted margins to formalise their protection. Access to the vacant lots is from the end of Te Kowhai Point Road.

I have also attached an engineering report for your records. I can provide additional information as it becomes available.

Feel free to phone me on 09 407 6030 if you would like to discuss this. I will be in on Monday and Tuesday next week, then away for a week until the 19th November. Otherwise, I look forward to hearing from you by email.

Kind regards,
Natalie Watson



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http://www.saps.co.nz

Natalie Watson

From: RMA <RMA@doc.govt.nz>
Sent: Wednesday, 11 December 2024 4:02 pm
To: Natalie Watson
Subject: RC3396 D and J Nute No Comment reponse

Kia Ora,

Your request for comments on the Resource Consent application from D and J Nute was sent to RMA@doc.govt.nz with DOC reference RC3396.

The RMA team considered there are **no comments** regarding the proposal as described on 09 Decemeber 2024.

Thank you for your consideration for best interests of the Department.

If you have any questions regarding this email, please contact RMA@doc.govt.nz using the DOC reference number.

Ngā mihi

Trix Heigan
Statutory Process Team - RMA
Department of Conservation | Te Papa Atawhai

www.doc.govt.nz

From: Natalie Watson <nat@saps.co.nz>
Sent: Monday, 9 December 2024 2:46 pm
To: RMA <RMA@doc.govt.nz>
Subject: Initial consultation - proposed subdivision for D & J Nute, Te Kowhai Point Road, Kerikeri

Good afternoon,

We have been engaged by David & Julia Nute to assist in their proposed subdivision application, to create four lots from their property located at 128 Te Kohwai Point Road.

The proposal creates four lots (three additional), with a new private access proposed to serve Lots 2 – 4, and Lot 1 having existing access and buildings.

The site is within 500m of the Te Puna Inlet Marginal Strip, which is s.24(3) Marginal Strip under the Conservation Act 1987 and administered by DoC. The subject site is located centrally between the Marginal Strips so is approximately 450m from each one – refer to the map below, with the site highlighted in blue. I don't anticipate any adverse effects on the ability to manage or administer this land.

There are no PNA areas recorded over the site, nevertheless the wetland areas surrounding dams on the site will be permanently protected, and additional revegetation is proposed.

Being within a high-density kiwi habitat, a ban on cats and dogs is anticipated.

Landscape Architect Simon Cocker has been engaged to assess effects on landscape, natural character and visual matters, while Rebecca Lodge is preparing an Ecological Impact Assessment, which we can forward once they are available.

Please let me know if you have any comments to make on this proposal, or let me know if you require any further information or have any queries.

Kind regards,
Natalie Watson


Eagle Technology, LL
Te Kaunihera o Te Hiku o te Ika
Far North District Council
Far North Maps
0
Proj
DISCLAIMER:
While the Far North District Council strives to keep th
reliance on the information contained on this map by
contained on this map. FNDC recommends that pers
which may hold more up to date or accurate informati

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