

# Application for resource consent or fast-track resource consent

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

## 1. Pre-Lodgement Meeting

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

## 2. Type of Consent being applied for

*(more than one circle can be ticked):*

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

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

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

Yes  No

## 4. Consultation

Have you consulted with Iwi/Hapū?  Yes  No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

## 5. Applicant Details

**Name/s:**

Paul and Denise Vujcich

**Email:**

**Phone number:**

**Postal address:**

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

## 6. Address for Correspondence

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

**Name/s:**

Steven Sanson - Bay of Islands Planning Limited

**Email:**

**Phone number:**

**Postal address:**

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

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

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

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

**Name/s:**

Paul Vujcich, Denise Judith Brown, Apogee Trustees Limited

**Property Address/  
Location:**

269C Opito Bay Road, RD1 Kerikeri

Postcode

## 8. Application Site Details

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

**Name/s:**

**Site Address/  
Location:**

**Postcode**

**Legal Description:**

**Val Number:**

**Certificate of title:**

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.

## 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.

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

## 10. Would you like to request Public Notification?

Yes  No

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

(more than one circle can be ticked):

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

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

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

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

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

- Subdividing land
- 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)

**Email:**

**Phone number:**

**Postal address:**

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

A large black rectangular redaction box covers the contact information fields for Name/s, Email, Phone number, and Postal address.

### 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)

**Signature:**

(signature of bill payer)

A black rectangular redaction box covers the signature of the bill payer.

Date

**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](http://www.fndc.govt.nz). These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

## 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)

Steven Sanson

**Signature:**

[Redacted Signature]

**Date** 11-Sep-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.

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

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

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

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

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

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

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

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

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

PAUL VUJCICH + DENISE BROWN

Email:


Postal Address:

Phone Numbers:

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

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

Name: PAUL VUJCICH (please print)

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

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

**Kerikeri House  
Suite 3, 88 Kerikeri Road  
Kerikeri**

**Email – [office@bayplan.co.nz](mailto:office@bayplan.co.nz) Website - [www.bayplan.co.nz](http://www.bayplan.co.nz)**

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03 October 2024

Far North District Council  
John Butler Centre  
Kerikeri

Dear Team Leaders

**Application for Resource Consent – Proposed construction of a new dwelling at 269C Opito Bay Road, Kerikeri – Paul & Denise Vujcich**

Please find below a resource consent application to construct a new dwelling at 269C Opito Bay Road, Kerikeri. The new dwelling is to be replace an existing house on the site which is to be demolished.

The 3.4380-hectare site has the Title reference NA 87D/436 and legally described as Lot 3 DP 147425.

The site is zoned General Coastal under the Far North District Council Operative District Plan [**ODP**] with areas of Outstanding Landscape.

Under the Far North District Council Proposed District Plan [**PDP**] the property is zoned Rural Production with a Coastal Environment overlay.

Overall, the application is a **Discretionary Activity**. No consents are required under the PDP.

Should you require any further information please do not hesitate to contact me.

Yours sincerely,



Steven Sanson  
Consultant Planner



## 1.0 INTRODUCTION

1. The applicant seeks a resource consent to construct a new dwelling at their coastal property located at 269C Opito Bay Road, Kerikeri.
2. The application site has an area of 3.4380 hectares, with a title reference of NA87D/426 and is legally described as Lot 3 DP 147425. A copy of the Record of Title and relevant instruments are attached at **Appendix A**.
3. The proposal is supported by architectural plans prepared by Bossley Architects. These are found in **Appendix B**. These plans detail the area of works in relation to the wider site, relevant site controls, floor plans, sections, and elevations. The plans detail the difference between the existing dwelling proposed to be demolished and the proposal dwelling.
4. Given the coastal location of the proposal, the proposed dwelling is supported by an Assessment of Landscape, Natural Character, and Visual Amenity Effects [**LVIA**], prepared by Littoralis Landscape Architecture. The LVIA includes a range of mitigation measures proposed for the dwelling. The LVIA is in **Appendix C**.
5. The proposal has a consent history, detailing the built environment and development already legally established on the site. From our review of the files, it appears that the dwellings and shed on the site as well as internal access are legally established through building permits which are dated in the 1960's.
6. This aligns with Retrolenz photographs found in the Geotechnical Report referred below which dates development on the site between 1950 and 1968.
7. The file does not appear to contain any information about the planning scheme / ordinances existing at that time or any planning approvals. However, the file contains resource consents under newer planning documentation and within that there is documentation that accepts the legitimacy of the built development on the site.
8. Importantly, historic photographs show a close association of the site with the coastline with an accessway to the beach in place since the 1960's, the same time that development occurred.
9. The full property file is provided for in **Appendix D**.
10. The proposal requires FENZ approval, and this is provided in **Appendix E**. The proposal also requires a license to occupy the paper road. This application is sought and found in **Appendix F**.
11. In terms of understanding the ground conditions associated with the development, Haigh Workman have been engaged and have provided their geotechnical assessment. This is found in **Appendix G**.

## 2.0 DESCRIPTION OF THE SITE & SURROUNDS

12. The property includes two existing dwellings, and a shed located on the northern part of the site. The remainder of the property is covered by landscaped areas, some vegetation and a long Right Of Way [**ROW**] that comes off Opito Bay Road.

13. The coverage of these areas are as follows:

• Proposed House	254m <sup>2</sup>
• Existing House [higher site]	110m <sup>2</sup>
• Existing Shed	74m <sup>2</sup>
• Existing ROW and Access	7,890m <sup>2</sup>
<b>TOTAL</b>	<b>8,228m<sup>2</sup> [24%]</b>

14. The proposed house is only 154m<sup>2</sup> in size larger than that existing. This is an increase of 1.2% in total coverage to the site as a result of the proposal.

15. The site is serviced by a long lead in private driveway from the ROW that follows the natural contours of the land and leads down towards the coastal area of the site.

16. The property adjoins the Te Puna Inlet at the northern boundary. Adjoining neighbouring properties have all been developed with existing residential dwellings.

17. The property slopes down from the ROW as it enters the main part of the site towards the Coastal Marine Area [**CMA**]. A Paper Road separates the site from the CMA.

18. The ROW serves numerous parties. This application is not considered to alter this aspect as it is to replace an existing dwelling.

19. In terms of zoning, the proposal is considered to be located in the General Coastal Zone, with an Outstanding Natural Landscape [**ONL**] overlay under the ODP.

20. Under the PDP, the site is located in the Rural Production Zone and being within the Coastal Environment Overlay.

21. Both the PDP and Regional Council maps no longer map the site as being with the ONL. The lower confines of the site are subject to flooding. No new development is proposed within these areas.



Figure 1 - Site [Source: Prover]

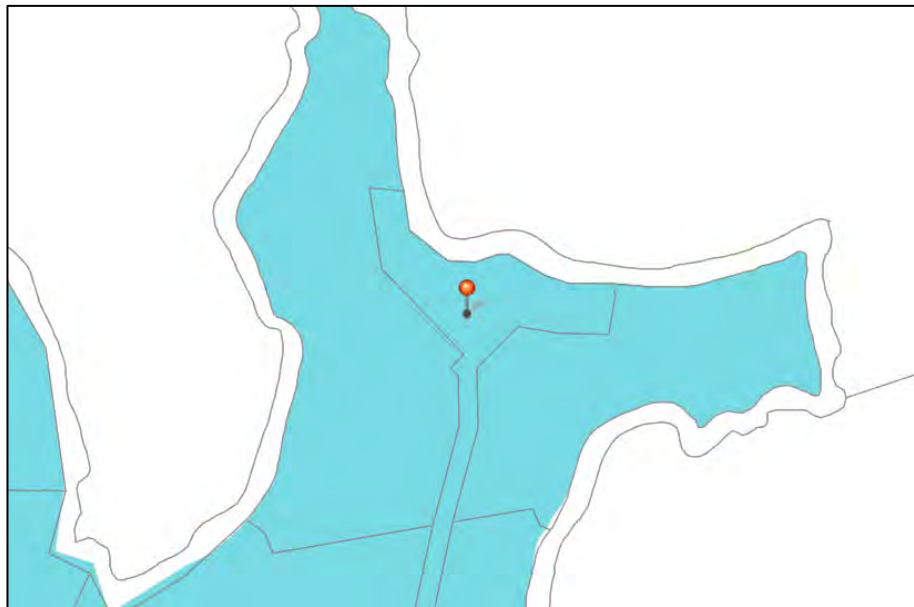


Figure 2 – Zoning ODP [Source: Far North Maps]



Figure 3 – Resource Features ODP [Source: Far North Maps]



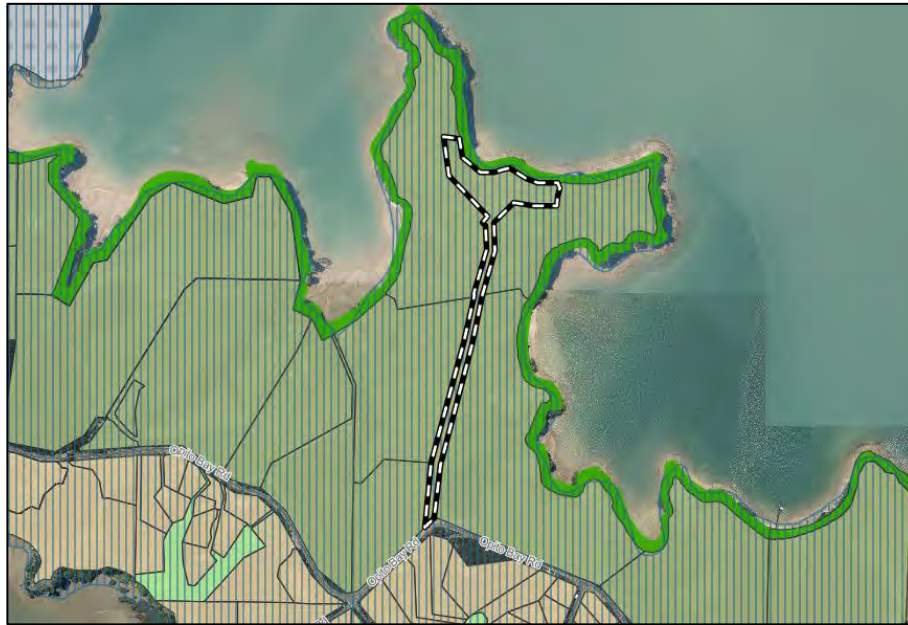
Figure 4 – Potential Hazards [Source: NRC Maps]

22. There are no soils on the site which are considered to be highly productive [i.e Class 1-3]. Soils are all Class 4.
23. None of the vegetation on the site or the immediate surrounds are formally protected or under a reserve. Parts of the flanking vegetation along the paper road are considered to have high natural character. The site is considered to be within a kiwi high density zone.

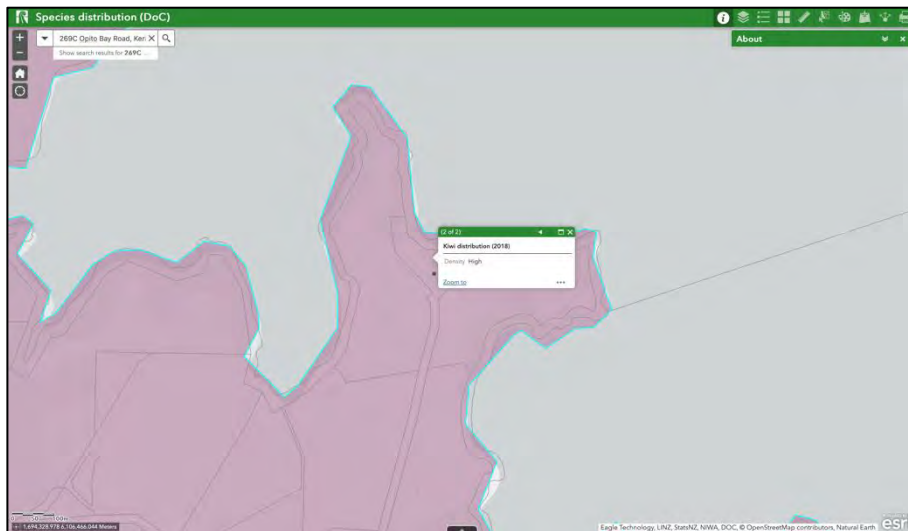


**Figure 7 – Regional Policy Statement [Source: NRC Maps]**

24. According to the geotechnical report, the site is underlain by soil and rock of the Waipapa Group [TJw]. This Group is considered to contain Massive to thin bedded, lithic volcanoclastic sandstone and argillite (TJw) with minor conglomerate (TJg) and tectonically enclosed basalt (TJv), chert and red and green siliceous argillite (TJc). Permian to Jurassic age.



**Figure 8 – Zoning Proposed District Plan [Source: Far North Maps]**



**Figure 9 – Kiwi High Density [Source: Far North Maps]**

25. In terms of the surrounds, the properties are generally of a similar character in that they too offer residential dwellings, many of which being architecturally designed to suit the rural / coastal character in which they are located.

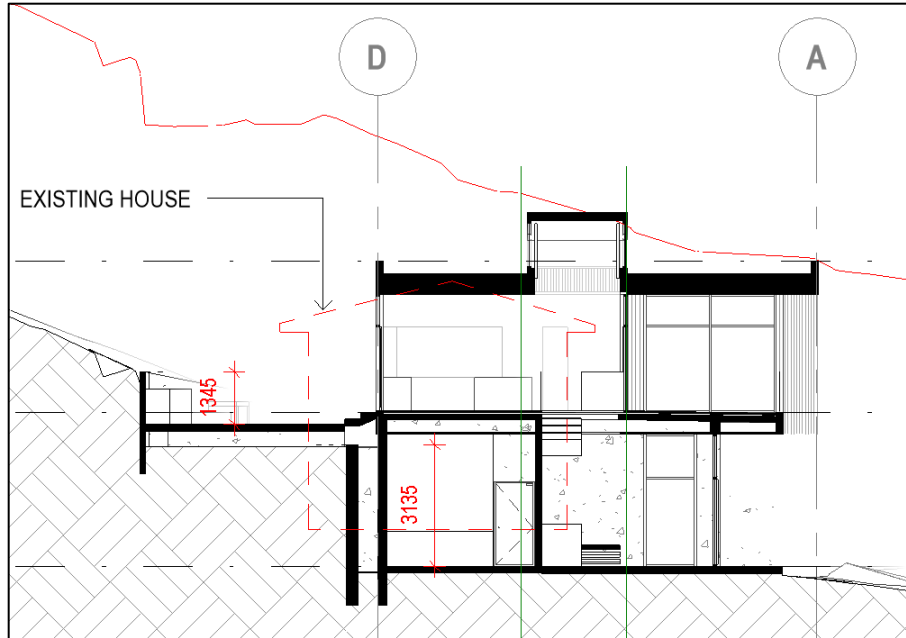
26. Surrounding properties generally have a larger landholding attributed to them however, the site has been formally separated and thus the general density proposed is considered as being appropriate.

### 3.0 RECORD OF TITLE, CONSENT NOTICES AND LAND COVENANTS

27. The site Record of Title is attached at **Appendix A**. There are no land covenants or consent notices that apply to this site. There are various instruments that are attached for Council's consideration.

### 4.0 DESCRIPTION OF THE PROPOSAL

28. The applicant proposes to demolish their existing dwelling on their property and replace this with a new architecturally designed and modern dwelling.
29. The dwelling is proposed to be 254m<sup>2</sup> in size, incorporating a lower ground and first floor. The ground floor contains a garage that can store a boat / cars, a laundry, cellar, bathroom and entranceway and stairs leading to the first floor. An area set aside for a spa pool is located to the east of the entrance.
30. The first floor contains open living and dining areas oriented towards the north, with kitchen and library spaces set to the south. A terrace and lounge areas break up the stairwell and living areas which then lead to the 2 x bedrooms that are provided. Terraces are also provided to the south of the dwelling.
31. The exterior of the dwelling is to be finished in clear glass, aluminium cladding [finished in Dulux Metro Silver Pearl [LRV 44%], joinery to match cladding, and concrete. The first floor is slightly cantilevered above the ground floor. The roof is generally flat except for the roof top feature which allows for sunlight to enter into the living, dining and kitchen areas.
32. The proposed dwelling is located entirely outside of the areas mapped as ONL, noting that these areas have been removed under the Northland Regional Policy Statement [**RPS**] and the PDP.
33. The proposal relies on existing retaining and the existing driveway to gain access to the dwelling. Rather than rely on additional hard surfaces to join the existing driveway to the proposed garage, the proposal relies on grass pavers to form a continuous access and manouvring area. This part of the access is located on the Paper Road.
34. Given the above, this application also requires a license to occupy the paper road.
35. The site already contains necessary power and telecoms infrastructure. Water is to be provided via a new 25,000l water tank. The total amount of impervious surfaces across the site is 8,228m<sup>2</sup> [24%]. This largely made up from the fact that the site includes the long lead in ROW from Opito Bay Road.
36. In terms of construction works, the proposal requires minimal earthworks [3.1m<sup>3</sup>]. No indigenous vegetation clearance is required to give effect to the proposal. Retaining walls are required to provide for the development. This includes the use of a 3.135m [indicative] wall to the south and a small 1.345m high wall along the south patio. These are highlighted in **Figure 10** below.



**Figure 10 – Retaining Walls Proposed [Source: Bossley Architects]**

- 37. In terms of kiwi, the proposal does not seek a consent notice or condition which limits pets such as cats / dogs. The site enjoys existing use rights in this respect, and the approach to modernise a dwelling has no bearing on additional effects to kiwi or other native fauna.
- 38. In terms of location matters, the site is appropriate setback from the CMA but infringes on the Paper Road Boundary. The dwelling is also located within 20m of vegetation and thus requires FENZ approval.
- 39. The above matters are visually portrayed in the Architectural Plans provided in **Appendix B**.

**5.0 RESOURCE CONSENT REQUIREMENTS**

- 40. The relevant zoning, resource features, and other critical information required to determine the consenting requirements for the proposal have been considered above.
- 41. **Tables** below provides an assessment against the relevant ODP and PDP standards and identifies the reasons for resource consent.

General Coastal Zone Performance Standards		
Rule #		Comment
<b>Rule 10.6.5.1.1</b> <b>Visual Amenity</b>	<b>Permitted Activity:</b> (a) Any new building not for human habitation where the gross floor area does not exceed 50m <sup>2</sup> . For human	Proposed building coverage area is 254m <sup>2</sup> .  <b>Restricted Discretionary Activity</b>



<p><b>Rule 10.6.5.3.1 Visual Amenity (RDA)</b></p>	<p>habitation where the gross floor area does not exceed 25m<sup>2</sup>.</p> <p>(b) The exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or a constructed of natural materials which fall within this range; or</p> <p>(c) n/a (d) n/a</p> <p><b>Restricted Discretionary Activity:</b></p> <p>(a) any new building; 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.</p>	
<p><b>Rule 10.6.5.1.2 Residential Intensity</b></p>	<p>1 x house per 20 ha of land is permitted</p>	<p>There are two approved dwellings on the site. The proposal is to demolish and replace one of the two dwellings. This is considered to be a permitted activity as per existing use rights.</p> <p><b>Complies</b></p>
<p><b>Rule 10.6.5.1.3 Scale of Activities</b></p>		<p>Not applicable</p> <p><b>Complies</b></p>

<p><b>Rule 10.6.5.1.4</b> <b>Building Height</b></p>	<p><b>Permitted:</b> Maximum Height = 8m</p> <p><b>Restricted Discretionary Activity:</b> Maximum Height = 9m</p>	<p>The proposal maximum height of the dwelling is above 8m.</p> <p><b>Restricted Discretionary Activity</b></p>
<p><b>Rule 10.6.5.1.5</b> <b>Sunlight</b></p>	<p><b>Permitted Standard:</b> No part of any building to project beyond 45-degree recession plane as measured inwards from any point 2m vertically above the ground on any site boundary.</p>	<p>No part of the buildings will be within the sunlight recession plane.</p> <p><b>Complies</b></p>
<p><b>Rule 10.6.5.1.6</b> <b>Stormwater Management</b></p>	<p><b>Permitted Standard:</b> Maximum proportion of the gross site area covered by buildings is 10%</p> <p><b>Controlled Activity:</b> Maximum proportion of the gross site area covered by buildings and other impermeable surfaces is 15% or 4,000m<sup>2</sup>, whichever is the lesser.</p>	<p>Proposed impermeable area = 8,228m<sup>2</sup> [24%]</p> <p><b>Discretionary Activity</b></p>
<p><b>Rule 10.6.5.1.7</b> <b>Setback from Boundaries</b></p>	<p><b>Permitted Standard:</b> Minimum setback is 10m from all boundaries except on any site less than 5,000m<sup>2</sup> the setback if 3m</p>	<p>Proposed buildings are outside the permitted 10m setback.</p> <p><b>Complies</b></p>
<p><b>Rule 10.6.5.1.9</b> <b>Keeping of Animals</b></p>		<p>Not applicable</p> <p><b>Complies</b></p>
<p><b>10.8.5.1.10 Transportation</b></p>		<p>See below</p> <p><b>Complies</b></p>
<p><b>Rule 10.6.5.1.9</b> <b>Noise</b></p>		<p>To be complied with as a residential dwelling.</p> <p><b>Complies</b></p>
		<p>Not applicable</p>

<b>Rule 10.6.5.1.11</b> <b>Helicopter Landing</b>		<b>Complies</b>
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<b>Chapter 12 - Natural and Physical Resources Performance Standards</b>		
Section 12. 1 Landscape and Natural Features		
<b>Rule 12.1.6.1.1</b>	Protection of Outstanding Landscape Features	Not applicable  <b>Complies</b>
<b>Rule 12.1.6.1.2</b>	Indigenous Vegetation Clearance in Outstanding Landscapes	Not applicable  <b>Complies</b>
<b>Rule 12.1.6.1.3</b>	Tree Planting in Outstanding Landscapes	Not applicable  <b>Complies</b>
<b>Rule 12.1.6.1.5</b> <b>(Permitted)</b>	Excavation and/or filling within an outstanding landscape (up to 300m <sup>3</sup> per annum)	No works are within the ONL.  <b>Complies</b>
<b>Rule 12.1.6.1.5</b>	Buildings within Outstanding Landscapes  (a) where the zoning of the building platform is General Coastal and any new building(s) not for human habitation provided that the gross floor area of any building or buildings permitted under this rule, does not exceed 25m <sup>2</sup> .  (b) Where that building will be visible from a viewing point on a public road, public reserve, coastal marine area or the foreshore that this within 500m of that building, the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or is constructed of natural materials which fall within this range; or  (c) n/a	Not applicable. All buildings are outside of this attribution.  <b>Complies</b>

	(d) n/a	
<b>12.1.6.1.6</b>	Utility Services in Outstanding Landscapes	Not applicable  <b>Complies</b>
<b>Section 12.2 Indigenous Flora and Fauna</b>		
<b>12.2.6.1.1</b>	Indigenous Vegetation clearance permitted throughout the District	Not applicable  <b>Complies</b>
<b>12.2.6.1.2</b>	Indigenous Vegetation clearance in the Rural Production and Minerals zones	Not applicable  <b>Complies</b>
<b>12.2.6.1.3</b>	Indigenous vegetation clearance in the General Coastal zone	No indigenous vegetation clearance associated with this proposal.  <b>Complies</b>
<b>Section 12.3 Soils and Minerals</b>		
<b>12.3.6.1.1</b>	Excavation and/or filling, excluding mining and quarrying, in the rural production zone or Kauri Cliffs zone	Not applicable
<b>12.3.6.1.2</b>	<b>Permitted Standard (General Coastal)</b>  Excavation and/or filling, excluding mining and quarrying, on any site in the Rural Living, Coastal Living, South Kerikeri Inlet Zone, General Coastal, Recreational Activities, Conservation, Waimate North and Point Veronica Zones is permitted, provided that:  (a) it does not exceed 300m <sup>3</sup> in any 12-month period per site; and	Total cut and fill proposed = 3.1m <sup>3</sup> . A retaining wall is proposed that is more than 1.5m and 3m in height.  <b>Discretionary Activity</b>

<p><b>12.3.6.2.1</b></p>	<p>(b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m.</p> <p><b>Restricted Discretionary Standard (General Coastal):</b></p> <p>Excavation and/or filling, excluding mining and quarrying, on any site in the Rural Living, Coastal Living, South Kerikeri Inlet Zone, General Coastal, Recreational Activities, Conservation, Waimate North and Point Veronica Zones is a restricted discretionary activity, provided that:</p> <p>(a) it does not exceed 2,000m<sup>3</sup> in any 12-month period per site; and</p> <p>(b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m.</p>	
<p><b>Section 12.4 Natural Hazards</b></p>		
<p><b>12.4.6.1.1</b></p>	<p>Coastal Hazard 2 Areas</p>	<p>Not applicable</p> <p><b>Complies</b></p>
<p><b>12.4.6.1.2</b></p>	<p>Fire Risk to Residential Units:</p> <p>(a) Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest.</p> <p>(b) Any trees in a deliberately planted woodlot or forest shall be planted at least 20m away from any urban environment zone, Russell Township or Coastal Residential Zone boundary, excluding replanting of plantation forests existing at July 2003.</p>	<p>The proposed dwelling is within 20m of a tree dripline.</p> <p><b>Discretionary Activity</b></p>

Chapter 15- Transportation Performance Standards		
15.1.6A	Maximum Daily One-Way Movements Permitted (General Coastal) = 30	No additional dwellings are proposed.  <b>Complies</b>
15.1.6B	Parking (Appendix 3C)	2 x car parks are proposed.  <b>Complies</b>
15.1.6C	Access	There are no increases to the number of household equivalents using the ROW as a result of this proposal.  <b>Complies</b>

42. In terms of the Operative Plan the application falls to be considered as a **Discretionary Activity** because of the identified breaches.

#### **FNDC Proposed District Plan**

43. These comprise relevant rules that have immediate effect under the Proposed District Plan.

Proposed District Plan				
Matter	Rule/Std Ref	Relevance	Compliance	Evidence
Hazardous Substances Majority of rules relates to development within a site that has heritage or cultural items scheduled and mapped however Rule HS-R6 applies to any development within an SNA – which is not mapped	Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource  HS-R5, HS-R6, HS-R9	N/A		Not relevant as no such substances proposed.
Heritage Area Overlays (Property specific) This chapter applies only to properties within identified heritage area overlays (e.g. in the operative plan they are called precincts for example)	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	N/A		Not indicated on Far North Proposed District Plan

<p>Historic Heritage (Property specific and applies to adjoining sites (if the boundary is within 20m of an identified heritage item)). Rule HH-R5 Earthworks within 20m of a scheduled heritage resource. Heritage resources are shown as a historic item on the maps) This chapter applies to scheduled heritage resources – which are called heritage items in the map legend</p>	<p>All rules have immediate legal effect (HH-R1 to HH-R10) Schedule 2 has immediate legal effect</p>	N/A		Not indicated on Far North Proposed District Plan
<p>Notable Trees (Property specific) Applied when a property is showing a scheduled notable tree in the map</p>	<p>All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect</p>	N/A		Not indicated on Far North Proposed District Plan
<p>Sites and Areas of Significance to Māori (Property specific) Applied when a property is showing a site / area of significance to Maori in the map or within the Te Oneroa-a Tohe Beach Management Area (in the operative plan they are called site of cultural significance to Maori)</p>	<p>All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect</p>	N/A		Not indicated on Far North Proposed District Plan
<p>Ecosystems and Indigenous Biodiversity SNA are not mapped – will need to determine if indigenous vegetation on the site for example</p>	<p>All rules have immediate legal effect (IB-R1 to IB-R5)</p>	N/A		Not indicated on Far North Proposed District Plan. No vegetation clearance proposed.
<p>Activities on the Surface of Water</p>	<p>All rules have immediate legal effect (ASW-R1 to ASW-R4)</p>	N/A		Not indicated on Far North Proposed District Plan
<p>Earthworks all earthworks (refer to</p>	<p>The following rules have immediate legal</p>	Yes	Complies	Proposed earthworks will be

new definition) need to comply with this	effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5			in accordance with the relevant standards including GD-05 and will have an ADP applied.
Signs (Property specific) as rules only relate to situations where a sign is on a scheduled heritage resource (heritage item), or within the Kororareka Russell or Kerikeri Heritage Areas	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	N/A		Not indicated on Far North Proposed District Plan
Orongo Bay Zone (Property specific as rule relates to a zone only)	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	N/A		Not indicated on Far North Proposed District Plan
<b>Comments:</b>				
No consents are required under the PDP.				

44. In terms of the FNDC Proposed District Plan, there are no breaches.

## 6.0 STATUTORY CONSIDERATIONS

45. Section 104B governs the determination of applications for discretionary activities:

### 104B Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under [section 108](#).

Section 104B: inserted, on 1 August 2003, by [section 44](#) of the Resource Management Amendment Act 2003 (2003 No 23).

46. When considering an application for resource consent, a consent authority must have regard to the matters under section 104 of the Resource Management Act 1991, including any matters relating to Part 2. References to Part 2 in applications are only required where Plans may be deficient in terms of giving effect to the purpose and principles of the Act.

47. Section 104 of the RMA sets out matters to be considered when assessing an application for a resource consent.



#### 104 Consideration of applications

- (1) When considering an application for a **resource** consent and any submissions received, the consent authority must, subject to Part 2, have regard to—
- (a) any actual and potential effects on the environment of allowing the activity; and
  - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
  - (b) any relevant provisions of—
    - (i) a national environmental standard;
    - (ii) other regulations;
    - (iii) a national policy statement;
    - (iv) a New Zealand coastal policy statement;
    - (v) a regional policy statement or proposed regional policy statement;
    - (vi) a plan or proposed plan; and
  - (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

48. In the determination of this application, those considerations include the actual and potential effects of an activity on the environment, the relevant provisions of the Northland Regional Policy Statement (or other relevant statutory document), the Far North District Plan and any other matter the consent authority considers relevant and reasonably necessary to determine the application.

49. The following assessment addresses all of the relevant considerations under s104 of the RMA.

50. The RMA definition of ‘Environment’ includes:

- (a) Ecosystems and the constituent parts, including people and communities; and*
- (b) All natural and physical resources; and*
- (c) Amenity values; and*
- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.*

51. The definition of ‘Environment’ includes the concept of a ‘future state of the environment’ where the environment as it currently exists might be modified by permitted activities and by resource consents that have been granted, and where it appears likely that those consents will be implemented.

52. In respect of this application, the existing environment is a lot with two existing and approved dwellings within the coastal environment. Therefore, the effects of the proposal do not revolve around density proposed, rather effects associated with the difference between the two dwellings [existing vs proposed] There are no known unimplemented resource consents that relate to this site.

53. Section 104(2) of the RMA states that:

*“when forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.”*

54. This is referred to as the “permitted baseline” which includes effects on the environment arising from permitted standards that form part of a District Plan.

55. In the context of this application, the permitted baseline includes the permitted residential activities standards for the General Coastal zone and the relevant district wide rules. Any adverse effects associated with these activities are deemed to be acceptable to the extent that they are permitted and may be disregarded in accordance with Section 104(2).
56. Within the General Coastal zone this would include a 25m<sup>2</sup> or less complying single residential dwelling where the proportional ratio of building to open space within the site and setback to boundaries is low. The actual and potential adverse effects arising from this proposal are assessed in the context of the District Plan 'General Coastal' zone objectives and policies and those environmental matters that apply district wide.
57. Potential effects on the environment, including positive effects are assessed in the context of the RMA meaning of 'effect' and the environmental values and features the Council has identified in the Far North District Plan that warrant protection and management.
58. The RMA meaning of 'effect' includes:

### **3 Meaning of effect**

In this Act, unless the context otherwise requires, the term **effect** includes—

- (a) any positive or adverse effect; and
- (b) any temporary or permanent effect; and
- (c) any past, present, or future effect; and
- (d) any cumulative effect which arises over time or in combination with other effects—  
regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) any potential effect of high probability; and
- (f) any potential effect of low probability which has a high potential impact.

59. For this application, the potential adverse effects to be assessed are those arising from aspects of the proposal that have been identified as requiring a resource consent in the tables above.
60. Positive effects also require consideration. In respect of this application, positive effects include the wellbeing of the applicant to replace the older dwelling on site with a modernised an architecturally design dwelling on this property.

### **Landscape, Visual Amenity, & Natural Character Effects**

61. Noting the coastal location of the proposal, an LVIA has been prepared [refer **Appendix C**] to consider the effects of the dwelling in terms of the above effects. In summary the setting of the proposed dwelling has considered to have been modified from its natural state to one now representing a lifestyle living area.
62. This approach has been recognised from a planning perspective in terms of the shift from the ODP maps to the PDP and Northland Regional Council mapping undertaken in terms of ONL. The site is no longer overlain by such ONL features. Notwithstanding this, the LVIA still considers those relevant assessment criteria.

63. Numerous large and architecturally designed homes are now prevalent along the Te Puna Inlet and particularly in the development location in the surrounds. From an effects perspective, the proposal is positioned within a landscape that is modified, in terms of visual amenity, the proposal can be mitigated through the existing landscaped backdrop, as well as planting already undertaken and proposed through the LVIA mitigation plans.
64. In terms of natural character, whilst the site does not contain any ‘high’ or ‘outstanding’ natural character, it nonetheless has a strong measure of natural character as a result of its vegetation cover and proximity to the CMA. Notwithstanding this, it is concluded in the LVIA that the effects from the new, architecturally designed home that is sympathetic with the natural values of the site results in a better outcome than that of the present situation.
65. Overall, the LVIA considers that the proposal generates effects that are less than minor.

#### ***Fire Risk to Residential Units Effects***

66. The proposed dwelling is located within 20m of vegetation. FENZ approval has been obtained for the proposal (see **Appendix E**). No further assessment of effects is considered necessary.

#### ***Building Height Effects***

67. The very small breach of the height limit from the permitted baseline is considered to result in effects that are not readily discernible from the 8m permitted limit. As the drawings show in **Appendix B**, the infringements are less than minor in nature. Overall, effects are considered to be less than minor.

#### ***Stormwater Management Effects***

68. The site is penalised for owning the long private road from the corner of Opito Bay Road to where development is located. The ROW access and internal access from the gate of the site make up 7,890m<sup>2</sup> of impervious surface.
69. The ROW is formed in gravel and contains stormwater drains along the entire extent. Similarly, the internal access for the site contains drainage to ensure that it appropriately flows towards the coastal marine area. These are not proposed to be changed as they are operating effectively.
70. Built development on the site only accounts for 438m<sup>2</sup>, with the increase of the proposed house from the existing only being 154m<sup>2</sup>. This change is the only issue of relevance to the management of stormwater as the manouvring area proposed is to be in pervious pavers.
71. The proposal seeks to capture roof water and re-use for domestic and firefighting. This will capture the majority of the increased roof surface. Where an overflow occurs, this will be promoted via usual arrangements [i.e spreader bar or similar] before entering the coastal marine area. Given the small increase of roof area and the sites location next to the CMA, the effects of the increase of impervious surfaces are considered to be less than minor.

### ***Land Stability & Retaining Walls***

72. Overall, it is considered that the actual and potential adverse effects of the proposal would be less than minor provided that the recommendations within the Geotechnical Report are adhered to. These recommendations can be appropriately conditioned but will ultimately be adhered to through the Building Consent process in any event.
73. There are no resulting effects from the height of the retaining walls proposed as these are effectively screened by the proposed building. Again, the Geotechnical Report has appropriate recommendations for retaining walls and associated works and these will be adhered to.

### ***Conclusion on Effects***

74. Overall, it is considered that the actual and potential adverse effects of the proposal would be less than minor.

## **RELEVANT PLAN CONSIDERATIONS**

75. Section 104 (1)(b) requires that regard be given to the relevant provisions of:
- A national environmental standard;
  - Other regulations;
  - A national policy statement;
  - A New Zealand coastal policy statement;
  - A regional policy statement or proposed regional policy statement;
  - A plan or proposed plan
76. There are no applicable National Environmental Standards. It is concluded that the site is not a HAIL site and that the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply to this proposal. Furthermore, the activity is not affected by the NES – Freshwater.
77. In terms of relevant National Policy Statements the NPS for Highly Productive Land does not apply to this site.
78. The NPS for Indigenous Biodiversity has no rules so is not relevant. No native vegetation clearance is required to support the proposal.

### **New Zealand Coastal Policy Statement 2010**

79. The New Zealand Coastal Policy Statement 2010 [**NZCPS**] contains objectives and policies designed to achieve the sustainable management purpose of the RMA in respect of New Zealand's coastal environment.
80. It is relevant to this application to the extent that the lower order regional and district plans must consistently give effect to the NZCPS in terms of any proposed subdivision, use or development of land or coastal areas comprising the coastal environment.
81. The LVIA appended to this report considers the hierarchy of documents, particularly the RPS in not defining the site as having outstanding qualities. Notwithstanding this the LVIA considers the matters engrained within the ODP in terms of the ONL attribution.
82. It concludes in terms of matters within the Coastal Environment that effects are less than minor, thus meeting relevant policies within the NZCPS in terms of restoration and preservation of natural character. There are positive effects proposed in terms of pest management and replanting efforts.
83. Walking and vehicle access to the CMA around / through the paper road is limited, however it is not restricted as parties can still visit this area by vessel.
84. There are no known historic heritage elements of concern to the proposal and there is no vegetation clearance proposed.
85. Natural hazards are not of concern as the proposal is setback from these features. Wastewater and stormwater disposal will be undertaken in accordance with industry standards and relevant rules.
86. As the proposal seeks to replace an existing dwelling on the site, effects are considered to be appropriate in the coastal environment, despite the general increase in the modest size of the dwelling. Density is not increasing and development is contained around existing infrastructure on the site.
87. Overall, the proposal is considered to be consistent with the NZCPS.

#### **Northland Regional Policy Statement**

88. The subject site is within the Northland region and is subject to the governing objectives and policies of the operative Northland Regional Policy Statement (operative May 2016). The site is within the mapped 'Coastal Environment' but is not covered by any other identified features where the proposed building platform is located.
89. In terms of regional management and the matters over which regional councils have responsibility, the proposed earthworks volumes and land disturbance surface areas required to establish the dwelling are well below any regional thresholds for managing sediment runoff and are adequately managed in terms of District Plan provisions.
90. Furthermore, stormwater and wastewater associated with the proposed dwelling will be managed appropriately. Further assessment of the proposal has been undertaken within the LVIA and it is

concluded the proposal will be sensitive to the characteristic qualities that make up the values of the coastal environment.

91. Overall, it is considered that the proposal would not be contrary to any objective and policy within the Northland Regional Policy Statement.

**FNDC Operative District Plan**

92. The Operative District Plan provisions that apply to this Discretionary Activity application are the relevant objectives and policies for the Coastal Environment / General Coastal Zone. The extent to which the proposal meets these objectives and policies is addressed in the Tables below.

93. The Far North District encompasses an extensive coastal environment within which preservation of the coasts' natural character and outstanding natural features, landscapes and vegetation from inappropriate subdivision, use and development is a matter of national importance RMA S6(a-c).

OBJECTIVE/POLICY		PERFORMANCE OF PROPOSAL
<b>OBJECTIVES</b>		
10.3.1	To manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, adverse effects of subdivision use or development should be remedied or mitigated.	The proposal is subject to the General Coastal zone rules and other relevant district wide rules governing earthworks/fire risk, and vehicle access and carparking. It is considered that the proposed design is appropriate for the coastal landscape within which it is situated.

OBJECTIVE/POLICY		PERFORMANCE OF PROPOSAL
10.3.2	<p>To preserve, and where appropriate in relation to other objectives, to restore, rehabilitate protect or enhance:</p> <ul style="list-style-type: none"> <li>▪ the natural character of the coastline and coastal environment;</li> <li>▪ areas of significant indigenous vegetation and significant habitats of indigenous fauna;</li> <li>▪ outstanding landscapes and natural features;</li> <li>▪ the open space and amenity values of the coastal environment;</li> <li>▪ water quality and soil conservation (insofar as it is within the jurisdiction of the Council).</li> </ul>	<p>The site is zoned General Coastal. Residential and non-habitable buildings and activity within defined District Plan criteria are anticipated and provided for in this zone. It is considered that the proposal is consistent with the objectives for the General Coastal zone.</p>
10.3.3	<p>To engage effectively with Maori to ensure that their relationship with their culture and traditions and taonga is identified, recognised and provided for.</p>	<p>Accidental Discovery Protocol procedures will be adhered to.</p>
10.3.4	<p>To maintain and enhance public access to and along the coast whilst ensuring that such access does not adversely affect the natural and physical resources of the coastal environment, including Maori cultural values and public health and safety.</p>	<p>The proposal will have no increased effect on public access to or along the coast.</p>
10.3.5	<p>To secure future public access to and along the coast, lakes and rivers (including access for Maori) through the development process and specifically in accordance with the <i>Esplanade Priority areas</i> maps in the District Plan.</p>	<p>Refer to comments on 10.3.4 above.</p>

OBJECTIVE/POLICY		PERFORMANCE OF PROPOSAL
10.3.6	To minimise adverse effects from activities in the coastal environment that cross the Coastal Marine Area boundary.	Not applicable.
10.3.7	To avoid, remedy or mitigate adverse effects on the environment through the provision of adequate land-based services for mooring areas, boat ramps and other marine facilities.	Not applicable.
10.3.8	To ensure provision of sufficient water storage to meet the needs of coastal communities all year round.	This is a general objective for coastal communities as a whole. This proposal is for a dwelling house and is 'self-sufficient' in terms of potable water supply and firefighting water supply.
10.3.9	To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.	Not applicable to a land use consent application for a proposal of this nature.
POLICIES		
10.4.1	That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision use and development is that where the activity generally:  (a) recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and  (b) is in a location and of a scale and design	The application sits within the General Coastal Zone which provides for low intensity residential activity in a coastal location. Overall, it is considered the design of the proposal would give effect to this policy.



OBJECTIVE/POLICY		PERFORMANCE OF PROPOSAL
	<p>that minimises adverse effects on the natural character of the coastal environment; and</p> <p>(c) has adequate services provided in a manner that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and</p> <p><i>Continued .....</i></p>	
10.4.2	<p>That sprawling or sporadic subdivision and development in the coastal environment be avoided through the consolidation of subdivision and development as far as practicable, within or adjoining built up areas, to the extent that this is consistent with the other objectives and policies of the Plan.</p>	<p>The proposed development site includes a replacement of an existing dwelling with a modernised and architecturally designed house. It is considered that the proposal would achieve an appropriate outcome, given the existing development and the nature of upgrading the dwelling to a new and modern house.</p>
10.4.3	<p>That the ecological values of significant coastal indigenous vegetation and significant habitats are maintained in any subdivision, use or development in the coastal environment.</p>	<p>Refer to response to item 10.4.1 above.</p>
10.4.4	<p>That public access to and along the coast be provided, where it is compatible with the preservation of the natural character, and amenity, cultural, heritage and spiritual values of the coastal environment, and avoids adverse effects in erosion prone areas;</p>	<p>Not applicable</p>

OBJECTIVE/POLICY		PERFORMANCE OF PROPOSAL
10.4.5	That access by tangata whenua to ancestral lands, sites of significance to Maori, maahinga mataitai, taiapure and kaimoana areas in the coastal marine area be provided for in the development and ongoing management of subdivision and land use proposals and in the development and administration of the rules of the Plan and by non-regulatory methods. Refer <i>Chapter 2</i> , and in particular <i>Section 2.5</i> , and Council's <i>Tangata Whenua Values and Perspectives(2004)</i> .	There are no identified archaeological sites on the property in question. Accidental Discovery Protocol procedures will be adhered to.
10.4.6	That activities and innovative development including subdivision, which provide superior outcomes and which permanently protect, rehabilitate and/or enhance the natural character of the coastal environment, particularly through the establishment and ongoing management of indigenous vegetation and habitats, will be encouraged by the Council.	This policy is directed at larger scale developments or new subdivisions. The level of natural character is influenced by existing dwellings on the site and other sites in the area. The proposed building has been sited and designed to minimise adverse visual effects on the natural character of the coastal environment.
10.4.7	To ensure the adverse effects of land-based activities associated with maritime facilities including mooring areas and boat ramps are avoided, remedied or mitigated through the provision of adequate services, including where appropriate: (a) parking (b) rubbish disposal (c) waste disposal (d) dinghy racks	Not applicable.

OBJECTIVE/POLICY		PERFORMANCE OF PROPOSAL
10.4.8	That development avoids, remedies or mitigates adverse effects on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.	Refer to 10.4.5 above.
10.4.9	That development avoids, where practicable, areas where natural hazards could adversely affect that development and/or could pose a risk to the health and safety of people.	All development is located outside of any hazard.
10.4.10	To take into account the need for a year-round water supply, whether this involves reticulation or on-site storage, when considering applications for subdivision, use and development.	Sufficient water storage for domestic consumption and firefighting will be provided on site.
10.4.11	To promote land use practices that minimise erosion and sediment run-off, and storm water and waste water from catchments that have the potential to enter the Coastal Marine Area.	This has been achieved by directing stormwater and wastewater to appropriate disposal areas away from the CMA.

OBJECTIVE/POLICY		PERFORMANCE OF PROPOSAL
10.4.12	<p>That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through:</p> <p>(a) the siting of buildings relative to the skyline, ridges, headlands and natural features;</p> <p>(b) the number of buildings and intensity of development;</p> <p>(c) the colour and reflectivity of buildings;</p> <p>(d) the landscaping (including planting) of the site;</p> <p>(e) the location and design of vehicle access, manoeuvring and parking areas.</p>	<p>These matters are addressed within the application and supporting reports.</p>

OBJECTIVE/POLICY		Comment
<b>OBJECTIVES</b>		
<b>10.6.3.1</b>	To provide for appropriate subdivision, use and development consistent with the need to preserve its natural character.	Preservation of the natural character of the coastal environment is an RMA matter of national importance. The proposed dwelling is considered to be an appropriate use.
<b>10.6.3.2</b>	To preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.	The proposal is considered to preserve natural character as outlined in the LVIA.

OBJECTIVE/POLICY		Comment
<b>10.6.3.3</b>	To manage the use of natural and physical resources (excluding minerals) in the general coastal area to meet the reasonably foreseeable needs of future generations.	The proposal is considered to achieve this by modernising the existing dwelling on the site.
<b>POLICIES</b>		
<b>10.6.4.1</b>	That a wide range of activities be permitted in the General Coastal Zone, where their effects are compatible with the preservation of the natural character of the coastal environment.	Activities provided for in the General Coastal zone include residential activities. The potential adverse effects of the proposed dwelling on this coastal environment are assessed to be less than minor.
<b>10.6.4.2</b>	That the visual and landscape qualities of the coastal environment in be protected from inappropriate subdivision, use and development.	Refer to the LVIA.

<p>10.6.4.3</p>	<p>Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including:</p> <p>(a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;</p> <p>(b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;</p> <p>(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;</p> <p>(d) through siting of buildings and development, design of subdivisions and provision of access, that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District.</p>	<p>Refer to the LVIA for enhancement offerings as part of the proposal.</p> <p>The development is already clustered around existing on site infrastructure and existing development.</p> <p>All other matters are considered in the LVIA.</p>
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OBJECTIVE/POLICY		Comment
	<p>(Refer Chapter 2 and in particular Section 2.5 and Council’s “Tangata Whenua Values and Perspectives (2004)”;</p> <p>(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;</p> <p>(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.</p>	
10.6.4.4	That controls be imposed to ensure that the potentially adverse effects of activities are avoided, remedied or mitigated as far as practicable.	Noted.
10.6.4.5	Maori are significant land owners in the General Coastal Zone and therefore activities in the zone should recognise and provide for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.	As previously mentioned in objective 10.3.3 Accidental Discovery Protocol procedures will be adhered to.

OBJECTIVE/POLICY		Comment
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.	Earthworks are minimal and the location of the dwelling is where existing development has been located previously.

94. Overall, it is considered that the proposed dwelling development would not be contrary to any applicable District Plan objective or policy.

**FNDC Proposed District Plan Objectives and Policies – Coastal Environment Overlay**

Objectives	Assessment
CE-O1 - The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.	The coastal environment is identified with associated rules within the Proposed District Plan.
CE-O2 - Land use and subdivision in the coastal environment: <ul style="list-style-type: none"> <li>a. preserves the characteristics and qualities of the natural character of the coastal environment;</li> <li>b. is consistent with the surrounding land use;</li> <li>c. does not result in urban sprawl occurring outside of urban zones;</li> <li>d. promotes restoration and enhancement of the natural character of the coastal environment; and</li> <li>e. recognises tangata whenua needs for ancestral use of whenua Māori.</li> </ul>	The proposal is anticipated to fit within the coastal environment with minimal adverse effects given the mitigation measures and consistency of development with neighbouring sites.



CE-O3 - Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.	The site is not within an urban zone.
<b>Policy</b>	<b>Assessment</b>
CE-P1 - Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1- Mapping methods and criteria.	This is done within the Proposed District Plan maps.
CE-P2 - Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as: <ul style="list-style-type: none"> <li>a. outstanding natural character;</li> <li>b. ONL;</li> <li>c. ONF.</li> </ul>	The site does not contain any of these features.
CE-P3 - Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as: <ul style="list-style-type: none"> <li>a. outstanding natural character;</li> <li>b. ONL;</li> <li>c. ONF.</li> </ul>	The site does not contain any of these features.
CE-P4 - Preserve the visual qualities, character and integrity of the coastal environment by: <ul style="list-style-type: none"> <li>a. consolidating land use and subdivision around existing urban centres and rural settlements; and</li> <li>b. avoiding sprawl or sporadic patterns of development.</li> </ul>	The proposal is not anticipated to adversely affect the visual qualities and character associated with the coastal environment.
CE-P5 - Enable land use and subdivision in urban zones within the coastal environment where:	The site is not within an urban zone.

<p>a. there is adequacy and capacity of available or programmed development infrastructure; and</p> <p>b. the use is consistent with, and does not compromise the characteristics and qualities.</p>	
<p>CE-P6 - Enable farming activities within the coastal environment where:</p> <p>a. the use forms part of the values that established natural character of the coastal environment; or</p> <p>b. the use is consistent with, and does not compromise the characteristics and qualities.</p>	<p>The proposal does not relate to farming.</p>
<p>CE-P7 - Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where:</p> <p>a. the use is consistent with the ancestral use of that land; and</p> <p>b. the use does not compromise any identified characteristics and qualities.</p>	<p>The site does not relate to Māori Purpose zoned land and Treaty Settlement land.</p>
<p>CE-P8 - Encourage the restoration and enhancement of the natural character of the coastal environment.</p>	<p>The proposal development is anticipated to fit within the existing character. The landform behind the proposed dwelling will provide a backdrop to the dwelling as viewed from the CMA. Additional mitigation measures outlined within the LVIA will ensure amenity values associated with the site are maintained.</p>
<p>CE-P9 - Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.</p>	<p>The site is not within an outstanding natural character area.</p>
<p>CE-P10 - Manage land use and subdivision to preserve and protect the natural character of</p>	<p>These aspects are covered within the application.</p>

<p>the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> <li>a. the presence or absence of buildings, structures or infrastructure;</li> <li>b. the temporary or permanent nature of any adverse effects;</li> <li>c. the location, scale and design of any proposed development;</li> <li>d. any means of integrating the building, structure or activity;</li> <li>e. the ability of the environment to absorb change;</li> <li>f. the need for and location of earthworks or vegetation clearance;</li> <li>g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;</li> <li>h. any viable alternative locations for the activity or development;</li> <li>i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;</li> <li>j. the likelihood of the activity exacerbating natural hazards;</li> <li>k. the opportunity to enhance public access and recreation;</li> <li>l. the ability to improve the overall quality of coastal waters; and</li> <li>m. any positive contribution the development has on the characteristics and qualities.</li> </ul>	
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**FNDC Proposed District Plan Objectives and Policies – Rural Production Zone**

<b>Objectives</b>	<b>Assessment</b>
<p>RPROZ-O1 - The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.</p>	<p>The site has existing development on it and the proposal merely seeks to modernise and enhance the existing dwelling. Primary production does not occur on this site due to many factors but includes, topography, existing development, and location to the CMA.</p>
<p>RPROZ-O2 - The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.</p>	<p>Housing is anticipated in the zone and this is proposed.</p>
<p>RPROZ-O3 - Land use and subdivision in the Rural Production zone:</p> <ul style="list-style-type: none"> <li>a. protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;</li> <li>b. protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;</li> <li>c. does not compromise the use of land for farming activities, particularly on highly productive land;</li> <li>d. does not exacerbate any natural hazards; and</li> <li>e. is able to be serviced by on-site infrastructure.</li> </ul>	<p>The objective assumes that every site is available for this but it is not overly relevant for this particular site.</p>
<p>RPROZ-O4 - The rural character and amenity associated with a rural working environment is maintained.</p>	<p>The existing character of the area is rural coastal; therefore, the proposal is not anticipated to adversely affect the existing character.</p>
<b>Policy</b>	<b>Assessment</b>
<p>RPROZ-P1 - Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.</p>	<p>The proposal relates to the existing rural coastal location of this site. Primary production is not conducted on this site or anticipated.</p>
<p>RPROZ-P2 - Ensure the Rural Production zone provides for activities that require a rural location by:</p> <ul style="list-style-type: none"> <li>a. enabling primary production activities as the predominant land use;</li> <li>b. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce</li> </ul>	<p>The proposal relates to a residential activity that is anticipated to be a compatible activity with the use of the rural production zone, particularly as it relates to this coastal location.</p>

<p>retail, visitor accommodation and home businesses.</p>	
<p>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.</p>	<p>The proposal is not anticipated to create reverse sensitivity issues, as there are a number of other residential units in this area with no known issues.</p>
<p>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:</p> <ul style="list-style-type: none"> <li>a. a predominance of primary production activities;</li> <li>b. low density development with generally low site coverage of buildings or structures;</li> <li>c. typical adverse effects such as odour, noise and dust associated with a rural working environment; and</li> <li>d. a diverse range of rural environments, rural character and amenity values throughout the District.</li> </ul>	<p>The proposed development is not anticipated to adversely affect the amenity values and character associated with this area. As residential development is common and except specified breaches, all the other permitted standards can be met.</p>
<p>RPROZ-P5 - Avoid land use that:</p> <ul style="list-style-type: none"> <li>a. is incompatible with the purpose, character and amenity of the Rural Production zone;</li> <li>b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;</li> <li>c. would result in the loss of productive capacity of highly productive land;</li> <li>d. would exacerbate natural hazards; and</li> <li>e. cannot provide appropriate on-site infrastructure.</li> </ul>	<p>The proposal is anticipated to be compatible with the existing character and amenity values of the property and zone. Residential dwellings are anticipated within the rural production zone as they have a functional need to be there.</p>
<p>RPROZ-P6 - Avoid subdivision that:</p> <ul style="list-style-type: none"> <li>a. results in the loss of highly productive land for use by farming activities;</li> <li>b. fragments land into parcel sizes that are no longer able to support farming activities, taking into account: <ul style="list-style-type: none"> <li>1. the type of farming proposed; and</li> </ul> </li> </ul>	<p>The proposal does not relate to subdivision.</p>

<p>2. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.</p> <p>c. provides for rural lifestyle living unless there is an environmental benefit.</p>	
<p>RPROZ-P7 - Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> <li>a. whether the proposal will increase production potential in the zone;</li> <li>b. whether the activity relies on the productive nature of the soil;</li> <li>c. consistency with the scale and character of the rural environment;</li> <li>d. location, scale and design of buildings or structures;</li> <li>e. for subdivision or non-primary production activities: <ul style="list-style-type: none"> <li>i. scale and compatibility with rural activities;</li> <li>ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;</li> <li>iii. the potential for loss of highly productive land, land sterilisation or fragmentation</li> </ul> </li> <li>f. at zone interfaces: <ul style="list-style-type: none"> <li>i. any setbacks, fencing, screening or landscaping required to address potential conflicts;</li> <li>ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;</li> </ul> </li> <li>g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;</li> <li>h. the adequacy of roading infrastructure to service the proposed activity;</li> <li>i. Any adverse effects on historic heritage and cultural values, natural</li> </ul>	<p>These matters have been addressed within the application.</p>

<p>features and landscapes or indigenous biodiversity;</p> <p>j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>	
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### **Proposed Far North District Plan Objectives & Policies & Weighting**

95. Section 88A(2) provides that “any plan or proposed plan which exists when the application is considered must be had regard to in accordance with section 104(1)(b).” This requires applications to be assessed under both the operative and proposed objective and policy frameworks from the date of notification of the proposed district plan.

96. In the event of differing directives between objective and policy frameworks, it is well established by case law that the weight to be given to a proposed district plan depends on what stage the relevant provisions have reached, the weight generally being greater as a proposed plan move through the notification and hearing process. In *Keystone Ridge Ltd v Auckland City Council*<sup>3</sup>, the High Court held that the extent to which the provisions of a proposed plan are relevant should be considered on a case by case basis and might include:

- The extent (if any) to which the proposed measure might have been exposed to testing and independent decision making;
- Circumstances of injustice; and
- The extent to which a new measure, or the absence of one, might implement a coherent pattern of objectives and policies in a plan.

97. In my view the PDP has not gone through the sufficient process to allow a considered view of the objectives and policies for the Rural Production Zone with a Coastal Environment overlay however this has been provided. The assessment of the relevant objectives and policies from the ODP and the PDP has concluded these can be meet by the proposal.

### **PART II – Resource Management Act 1991**

#### **Purpose**

98. The proposal can promote the sustainable management of natural and physical resources on site, as current and future owners and users of the land are able to provide for their social and economic wellbeing and their health and safety.

99. The proposal will provide a new dwelling off Opito Bay Road [replacing an already existing dwelling] which will provide housing for the owners and will ensure the long-term sustainability of the property to provide for the owner’s needs.

100. The dwelling within the wider Kerikeri area, will ensure housing for the present and future owners of the property. Those persons help contribute to the local economy and utilise local services and infrastructure.

101. Housing is beneficial for the local area. In doing so, this achieves all four well beings as identified within Part 2. Air, water, soil, and ecosystems are not anticipated to be adversely affected by this proposed dwelling within the coastal living zone. Any effects on the environment are anticipated to be less than minor.

### **Matters of National Importance**

102. The site is within an area identified as 'High' Kiwi density; the proposal is not anticipated to adversely affect kiwi habitat. Māori are not considered to be adversely affected by this proposal, nor is any historic heritage likely to be impacted, however in the event anything is discovered the accidental discovery protocol will be adhered to.

### **Other Matters**

103. The proposal will result in an efficient use of resources with the development occurring within the general coastal zone within the wider Kerikeri area providing for a dwelling on a property where landscape values will not be adversely impacted. Amenity values will be maintained because of the mitigating factors outlined in the application which will ensure the dwelling fits within the landscape. There will be no adverse impact on local ecosystems. There will be no adverse impacts.

### **Conclusion**

104. This application seeks a Discretionary Activity resource consent for the proposal on a property within the General Coastal Zone. The assessment of effects on the environment concludes that for the reasons outlined in the application, the effects of undertaking this proposal will be no more than minor on the surrounding environment.

105. The proposal is consistent with the purpose of the National Environmental Standard for Assessing and Managing Contaminates in Soil to Protect Human Health and National Environmental Standard for Freshwater.

106. No other currently gazetted National Policy Statements are relevant to this proposal.

107. The Regional Policy Statement for Northland was also reviewed as part of this application. The proposal was considered to be consistent with the aims of this document.

108. In terms of the FNDC Operative District Plan, the proposal was assessed against the district wide objectives and policies along with the Coastal Environment in general and the General Coastal Zone, with the conclusion that it is generally compatible with the aims of the District Plan as expressed through those relevant objectives and policies.



109. The FNDC Proposed District Plan has also been assessed against the objectives and policies for the Rural Production Zone and the Coastal Environment Overlay, with the conclusion that it is generally compatible with the aims of the Proposed District Plan as expressed through those relevant objectives and policies.

110. In terms of the potential adverse effects being minor or more than minor, it is considered that there are no directly affected parties to this proposal as all effects can be adequately mitigated.

111. An assessment of Part II of the Act has also been completed with the proposal generally able to satisfy this higher order document also.

112. We look forward to receiving acknowledgment of the application and please advise if any additional information is required.

Yours sincerely,



Steven Sanson  
Consultant Planner



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

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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA87D/426**  
**Land Registration District** **North Auckland**  
**Date Issued** 29 November 1991

**Prior References**

NA10B/1062

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**Estate** Fee Simple  
**Area** 3.4380 hectares more or less  
**Legal Description** Lot 3 Deposited Plan 147425

**Registered Owners**

Paul Vujcich, Denise Judith Brown and Apogee Trustees Limited

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**Interests**

Subject to a right of way over part marked B on DP 147425 created by Transfer A125172

Subject to a right of way and to electricity and telecommunication rights over parts marked A and B on DP 147425 specified in Easement Certificate C328115.3 - 29.11.1991 at 11:04 am

The easements specified in Easement Certificate C328115.3 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a right of way and to electricity and telecommunications rights over parts marked A and B on DP 147425 specified in Easement Certificate D222103.2 - 2.12.1997 at 3.37 pm

The easements specified in Easement Certificate D222103.2 are subject to Section 309 (1) (a) Local Government Act 1974

Appurtenant hereto are rights of way and a water supply right specified in Easement Certificate D222103.3 - 2.12.1997 at 3.37 pm

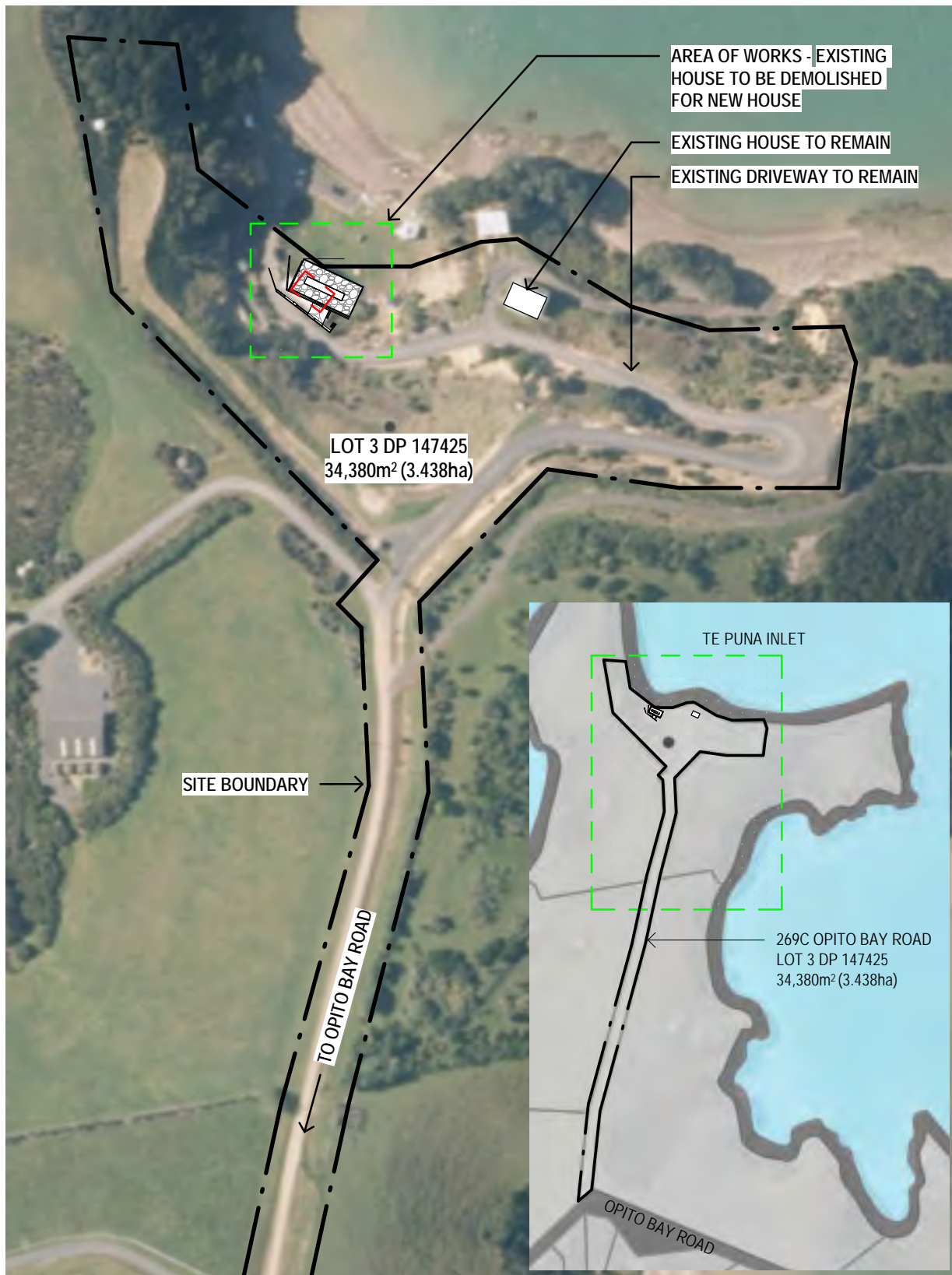


## SHEET LIST

SHEET NUMBER	SHEET NAME	REVISION
RC-00	COVER	A
RC-01	SITE PLAN	A
RC-10	FLOOR PLAN LG	A
RC-11	FLOOR PLAN L1	A
RC-20	SECTION	A
RC-30	ELEVATIONS	A

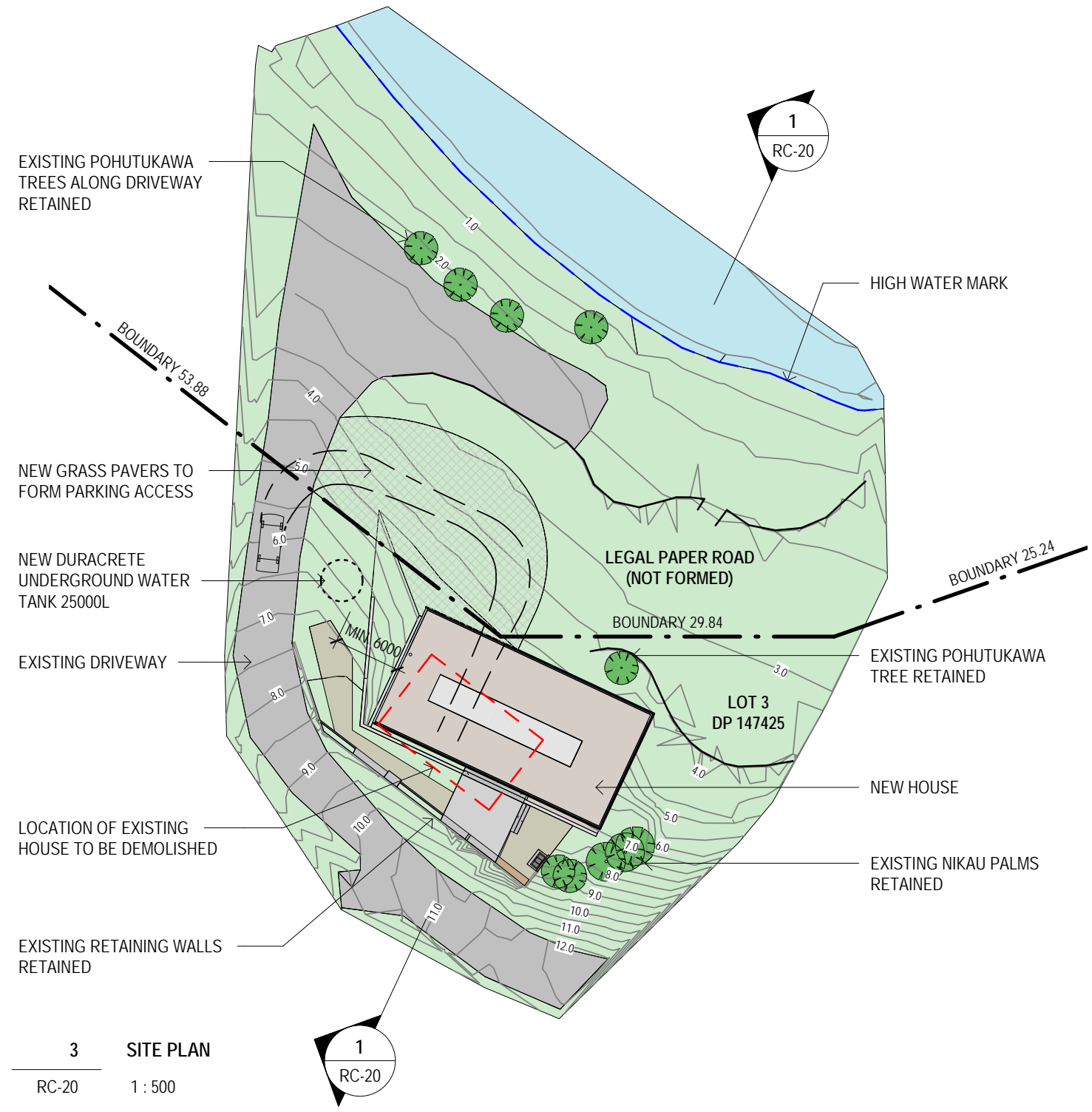


RENDER VIEW FROM WATER



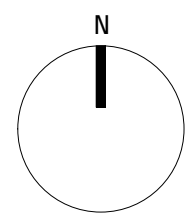
**1 PART SITE PLAN**  
RC-20 1 : 2000

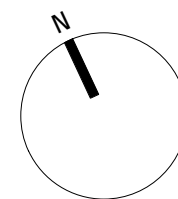
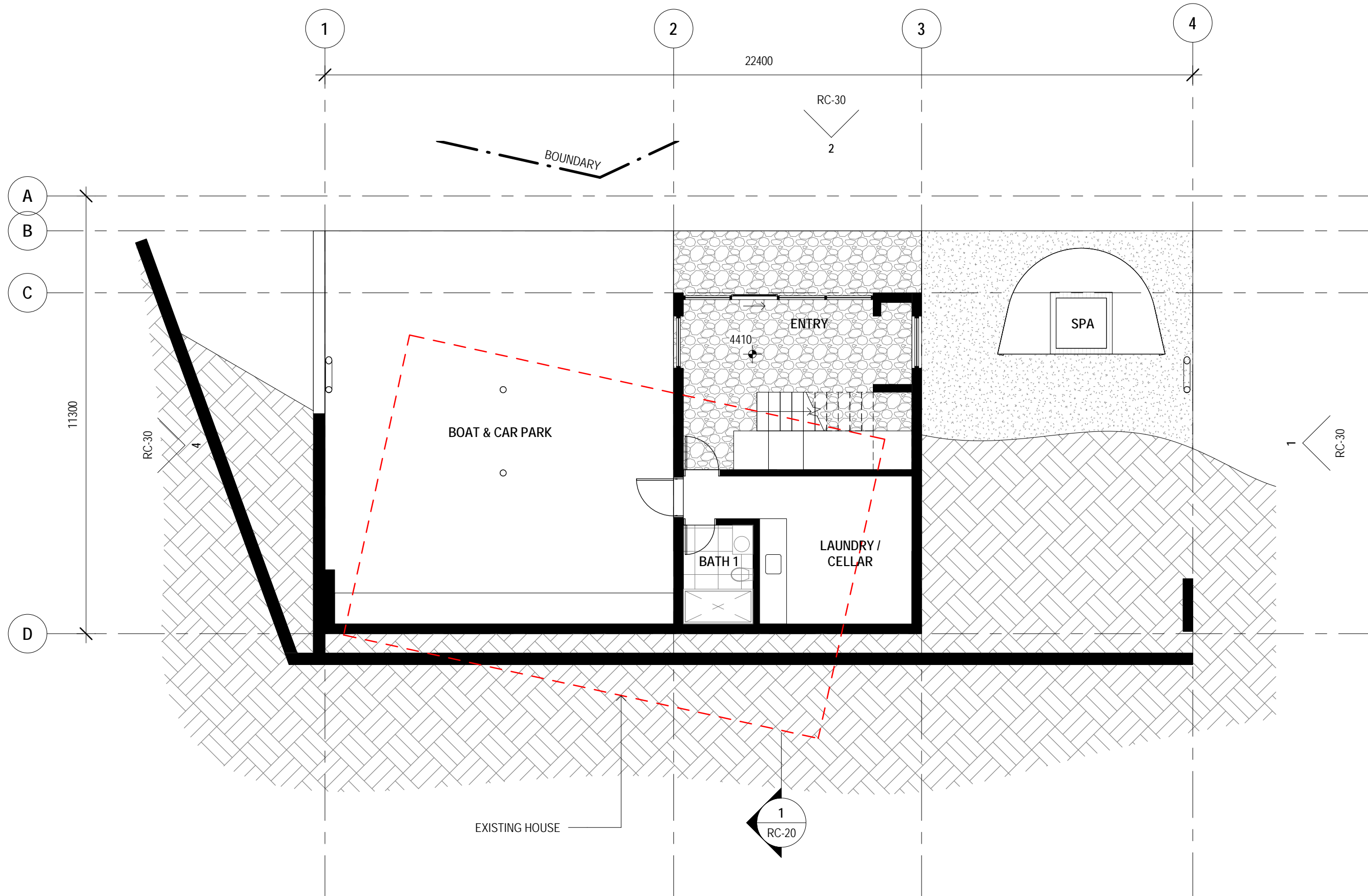
**2 LOCATION PLAN**  
RC-20 1 : 10000

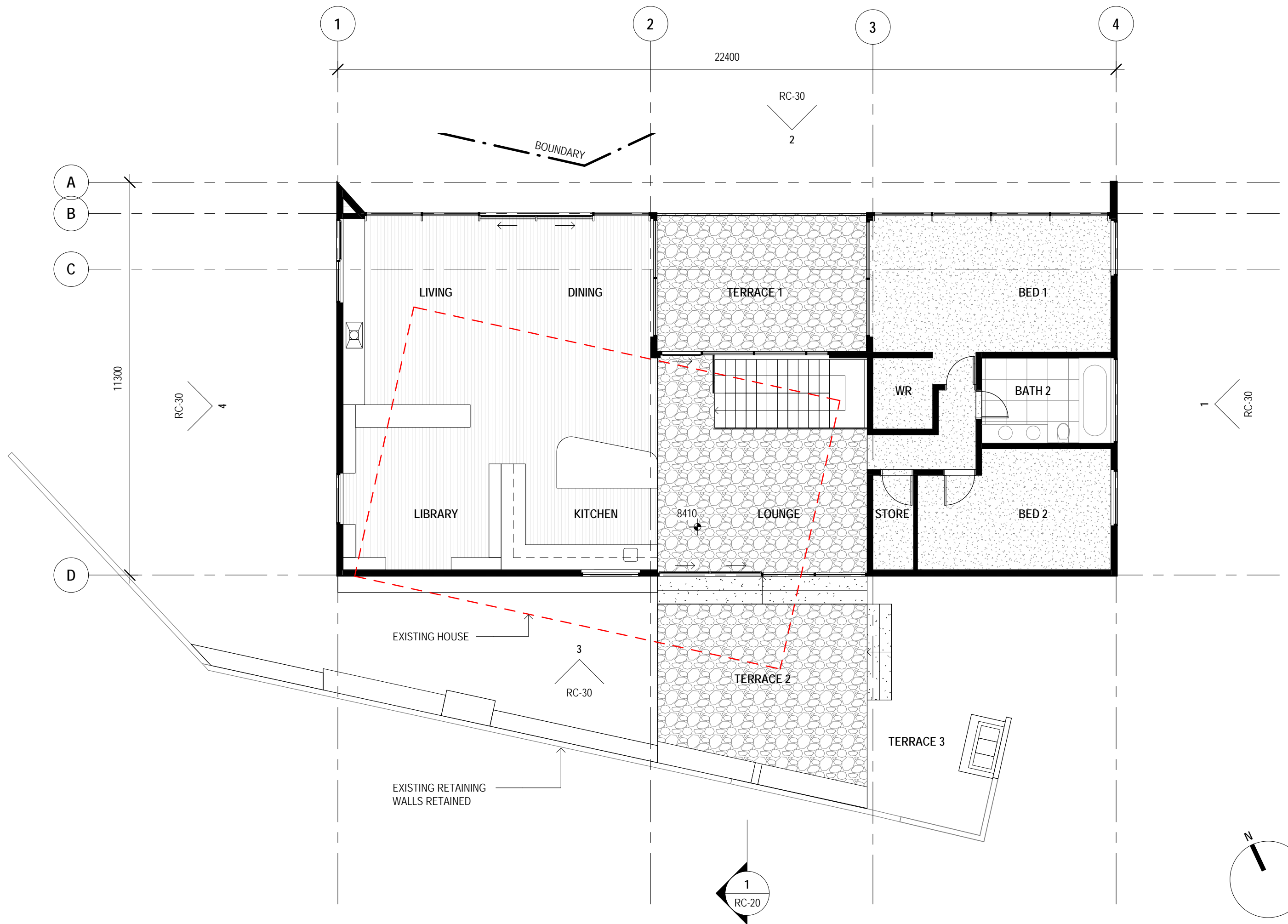


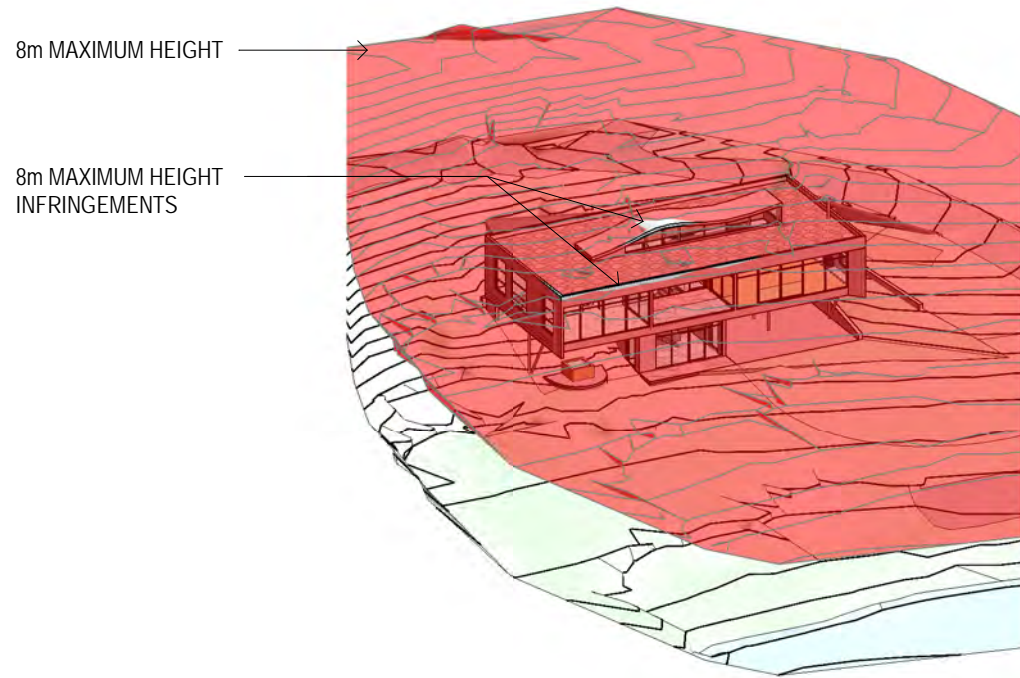
**3 SITE PLAN**  
RC-20 1 : 500

CUT & FILL		SITE CONTROLS		
CUT:	FILL:	CONTROL	REQUIREMENT	COMPLIANCE
1.4 m <sup>3</sup> (APPROX.)	1.7 m <sup>3</sup> (APPROX.)	VISUAL AMENITY - AREA	25m <sup>2</sup> MAXIMUM	NO - 254m <sup>2</sup>
		VISUAL AMENITY - LRV	30% LRV	NO - LRV 44%
		BUILDING HEIGHT	8m MAXIMUM	NO - MINIMAL INFRING. REFER RC-30
		HEIGHT IN RELATION TO BOUNDARY	2m + 45deg	YES
		STORMWATER MANAGEMENT	15% MAX. IMPERMEABLE	NO - 24% (8228m <sup>2</sup> )
		BOUNDARY SETBACKS	10m	NO - TO PAPER ROAD BDY
		HIGH WATER MARK SETBACK	30m	YES

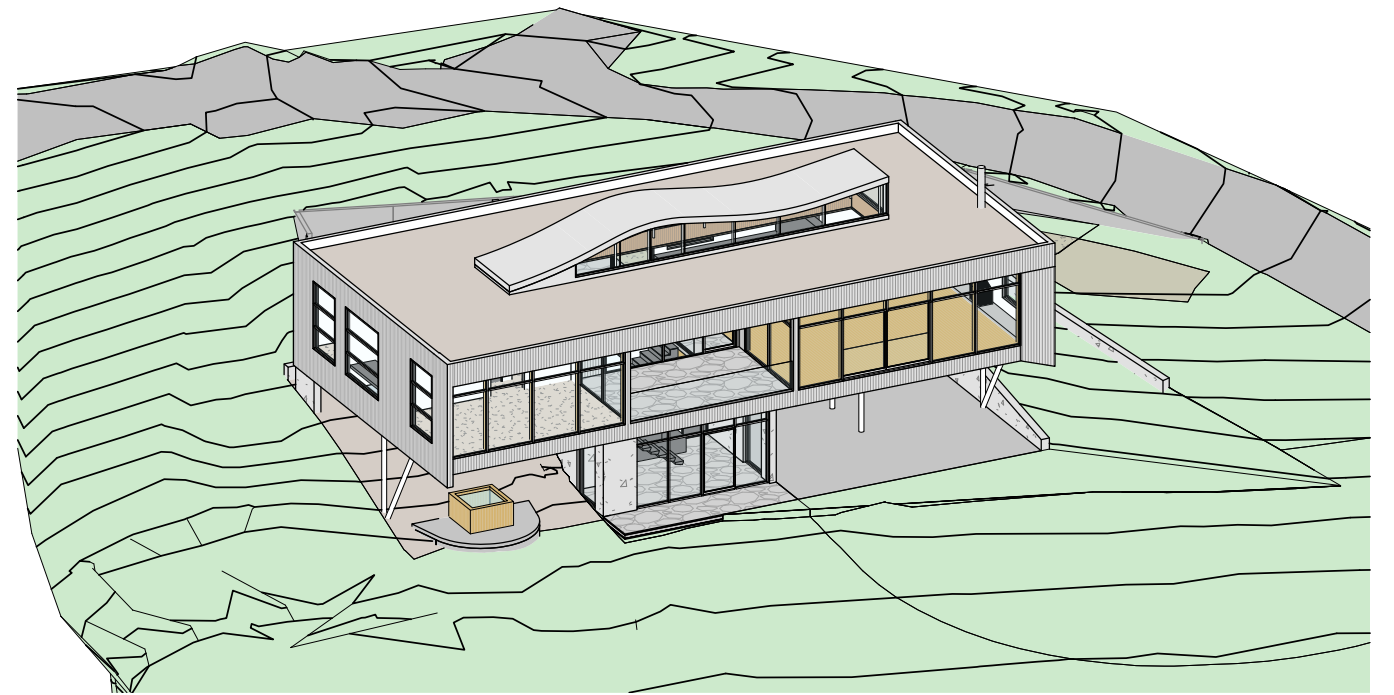




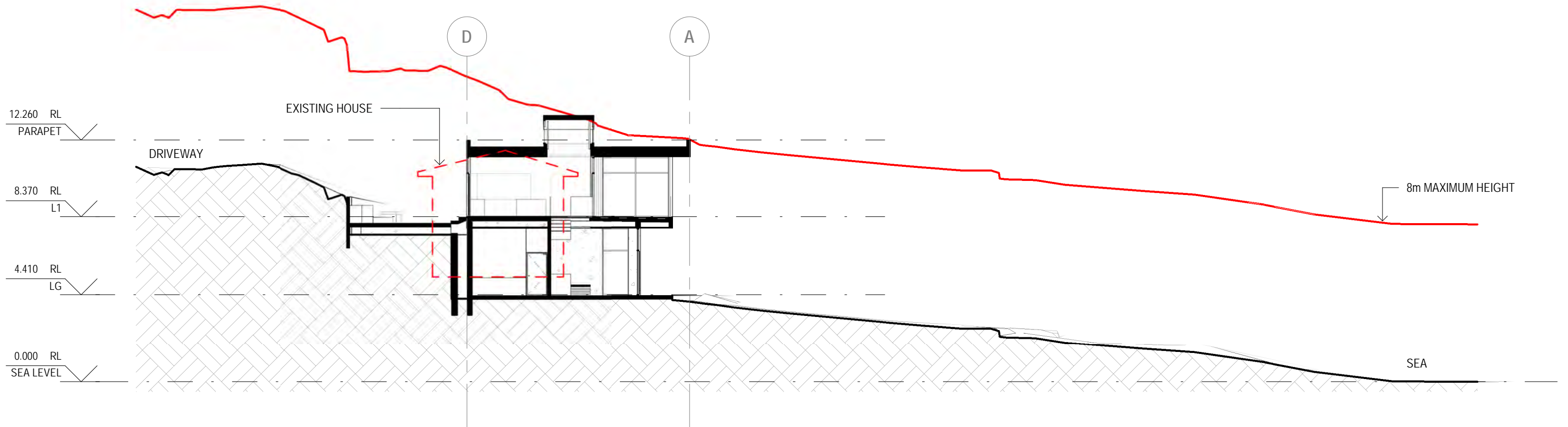




2 MAXIMUM HEIGHT INFRINGEMENT



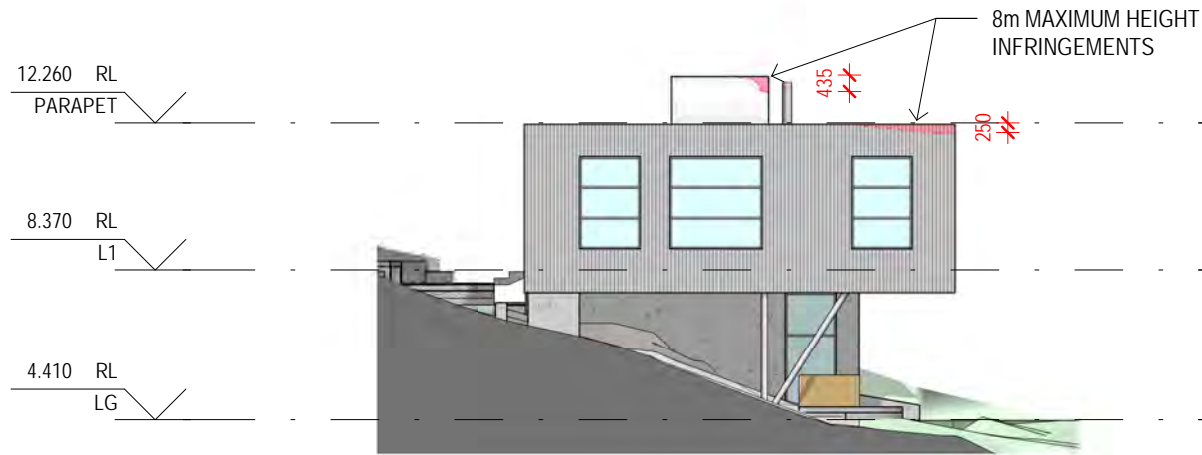
3 3D AERIAL VIEW



1 SITE SECTION 1

A0-003 1 : 200

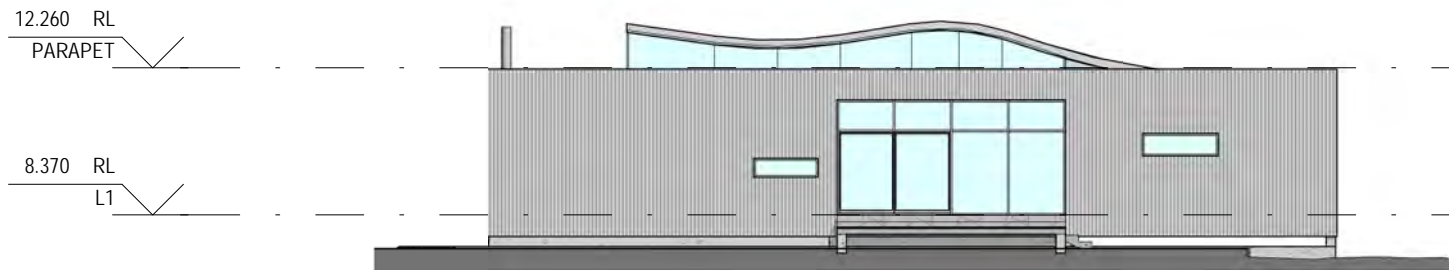




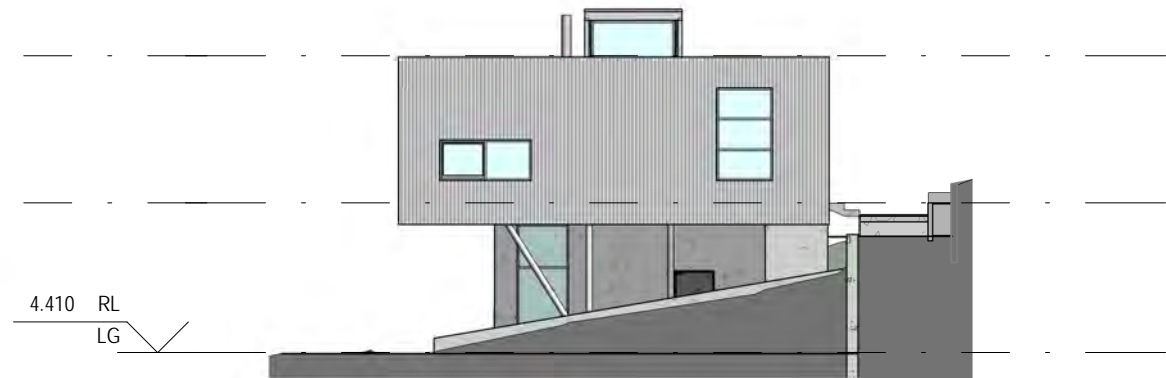
**1 EAST ELEVATION**  
A0-003 1 : 200



**2 NORTH ELEVATION**  
A0-003 1 : 200



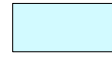



**3 SOUTH ELEVATION**  
A0-003 1 : 200



**4 WEST ELEVATION**  
A0-003 1 : 200

**MATERIAL LEGEND**

-  NUWALL ALUMINIUM CLADDING  
FINISH: DULUX METRO SILVER PEARL (LRV 44%)
-  PRECAST CONCRETE
-  GLASS, CLEAR
-  ALUMINIUM JOINERY, POWDERCOATED  
TO MATCH CLADDING



**269c OPITO BAY ROAD, KERIKERI  
PROPOSED RESIDENCE**

ASSESSMENT OF LANDSCAPE, NATURAL CHARACTER  
AND VISUAL AMENITY EFFECTS

## 1 INTRODUCTION AND METHODOLOGY

This report has been commissioned by Mr Paul Vujcich and Ms Denise Brown to inform a resource consent application to construct a new home on their property accessed from Opito Bay Road and lying alongside Te Puna Inlet. The title is legally described as Lot 3 DP147425, with its 3.438ha extent being bordered to the north by an unformed legal road corridor along the shoreline. For the purposes of this report, the term the Site will be used to refer to the proposed building area within the title, rather than the entirety of the allotment

The property owners have commissioned Bossley Architects Ltd to design a new home for the property, to be placed over the location currently occupied by an aging weatherboard house that has existed on the property since the late 1950's.

The property lies within the General Coastal Zone. As a result of the proposed building having a larger footprint than the house that it replaces, the application has been defined as a restricted discretionary activity under provision 10.6.5.3.1 of the Operative Far North District Plan.

A comprehensive planning report which has been prepared by Bay of Islands Planning contains a full description of the proposal and includes detailed analysis against the Far North District Plan provisions and other relevant regulatory matters. An Architect's Statement prepared by Ms L Millar of Bossley Architects describes the design ethos behind the proposed home and discusses its form configuration and materials.

The overall proposal reflects the respective inputs of Crosson Architects Limited (CAL) and LLA seeking to achieve the Applicants' aspiration of marrying their future family home with its landscape setting. The longstanding relationship of the Howes with their land has led to a deep understanding of its qualities and challenges, which has shaped their briefing and engagement with their advisors.

This landscape-related assessment has been undertaken on the basis of the following methodology:

- Review background documents that inform an understanding of the Site and wider setting in terms of both physical characteristics and the regulatory framework.
- Undertake a walkover of the Site and view it from various points on Te Puna Inlet, which is the only publicly accessible area from which it can be seen.
- Photograph the Site from these various positions and assemble the resulting images into accompanying attachments. Vantage-points were selected to be representative of typical views and to capture the greatest exposure or "worst case" view from each locale.
- Describe and analyse the biophysical and land use characteristics of the Site.
- Assess the relationship between the Site and the various viewing audience groupings that are potentially affected by the proposal in order to report upon visual effects.
- Assess landscape effects in relation to the form of the proposal and its compatibility or otherwise with established characteristics, patterns and general structure of both the Site and its wider context.

**269c OPITO BAY ROAD, KERIKERI  
PROPOSED RESIDENCE**

**ASSESSMENT OF LANDSCAPE, NATURAL CHARACTER AND VISUAL AMENITY EFFECTS**



- Identify and quantify natural character effects that may be imposed upon adjacent areas of coast.
- Relate the proposal to the policies and assessment criteria of 10.6.5.3.1 of the Operative Far North District Plan.
- Provide some summarising conclusions that draw together the main body of findings.

**SECTION A: DESCRIPTION OF THE SITE**

Figure 1, below, illustrates the Site in relation to surrounding landmarks. This image highlights the way that the property is associated with a twin-headed peninsula that projects out into Te Puna Inlet from its southern shore, and the indentation of the small cove that the Site lies within. Vantage Point Location Plan 2 found in Attachment One provides an aerial photograph with the property boundary highlighted, along with the defined building site. The sandy shoreline associated with the scalloped landform occupied by the house and pohutukawa-fringed coastal margin to either side are evident in this image.

A portion of the most elevated part of the overall title is defined as being an outstanding natural landscape (ONL) under the Operative Far North District Plan. The existing buildings and proposed new house lie outside that ONL. The identification of the ONL occurred through the Far North District Landscape

Assessment (1995) undertaken LA4 Landscape Architects (by the author of *this* report who was employed by that office at the time).



IMAGE SOURCE: GOOGLE EARTH

**Figure 1:** High oblique view with the Site indicatively highlighted in a yellow boundary. Opito Bay Road can be seen running along the primary ridgeline in the background, the Site access follow the left site of the boundary and Te Puna Inlet in the foreground.

This broad-scale study, assessed the landscape of the entire Far North District, with the exception of areas of urban settlement. The building Site is associated with a coastal landscape unit described as Te Puna Inlet (C15). This unit fits within a landscape category of *estuarine inlets and harbours* and, as its name suggests, largely contains the coastal flank spanning around the Inlet. The landscape

**269c OPITO BAY ROAD, KERIKERI  
PROPOSED RESIDENCE**

**ASSESSMENT OF LANDSCAPE, NATURAL CHARACTER AND VISUAL AMENITY EFFECTS**



category is common around this portion of the District's shoreline related to Kerikeri and the inner Bay of Islands.

The Te Puna landscape unit was assessed as having an overall sensitivity rating of 6 on a range of 1 (low) to 7 (extreme) and therefore defined as being of high sensitivity. Accordingly, it has been deemed to be an outstanding landscape within the Far North District Plan. Aspects identified as characterising this unit include:

- Sound-like enclosure of Inlet.
- Steep coastal banks.
- Deeply indented side inlets.
- Small scalloped bays and headlands.
- Indigenous shrubland on coastal banks.
- Mangroves and saltmarsh in most sheltered inlets.
- Sheltered coast.

Elements and patterns recorded as detracting from landscape character and value include oyster farms at Te Tii, scarring associated with road and track construction, and the most elevated of houses comprising Te Tii settlement.

Aspects which contribute to the ability of the landscape to visually absorb change without significant modification of its character (VAC) include the effect of existing built development at Te Tii, predominant cover of coastal banks, and undulating terrain. Interestingly, amongst elements that reduce VAC is the "very limited extent of existing built development". The significant level of lifestyle and papakainga

housing that has occurred on the southern Te Puna Inlet coastal slopes (in particular) since the 1995 assessment informs the findings of the more recent landscape assessment that informs the Northland Regional Policy Statement, as will be explained next.

Putting aside that shift in character and values that has occurred over the past two decades, it is considered that the 1995 assessment worksheet continues to offer helpful guidance when considering the characteristics of the area immediately adjacent to the Site and related terrain.

The Northland Regional Policy Statement Landscape Assessment (2016) Littoralis Landscape Architecture and Simon Cocker Landscape Architecture was a region-wide study was prepared to inform the Proposed Regional Policy Statement for Northland (RPS) and, in the process, to provide an updated basis for the outstanding natural landscape (ONL) mapping underpinning the three district plans which cover the region. A significant driver for the update of the RPS was the updated NZCPS 2010, with its informing policies guiding the landscape assessment.

Far North District Council is in the process of hearings for its Proposed District Plan and adopting the RPS mapping, subject to some possible minor refinements to those mapped extents in response to community feedback and submissions. Being considerably more recent than the FNDC study, the RPS assessment is based upon the more current NZCPS, case law and methodology that is two

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decades more recent. It also accounts for changes within the landscape that have occurred during that period.

The area of coast immediately associated with Te Puna Inlet fell below the “outstanding” threshold within the RPS landscape assessment, predominantly as a result of considerable lifestyle development that has occurred within that area since 1994, and so is not deemed to be an ONL under the RPS.

In light of the disparity between the assessments outlined, the relative currency of the RPS study, and the hierarchical primacy of a regional policy statement over a district plan, this assessment acknowledges that the RPS assessment findings are more currently relevant than those of the OFNDP, noting again that the building site is not within the identified ONL.

The 2016 NRC RPS mapping project included assessment of the natural character of the coastal environment of the Region. That exercise defined the forested coastal flanks to either side of the Site, but not the proposed building area, as being of high natural character value.

**2 EXISTING PHYSICAL CHARACTERISTICS**

**2.1 Geology and soils**

The peninsula that the Site lies upon is founded upon geology derived Waipapa Group rock which are described as being “massive to thin-bedded lithic volcaniclastic sandstone and argillite”.

Underlying a very modest topsoil layer are the highly variable soils of the Waipapa Group, which range in colour and have a fine clay, clayey silt, and silt composition.

**2.2 Landform**

Whilst relatively small, the land is topographically complex. The shape of the title to the property is reflective of the contour of the land. It occupies a predominantly steep, north-facing flank, with the southern/western boundary tracing the crest of that slope on the margin of the elevated body of the twin-headed peninsula described previously.



**Photograph 1:** The elevated terrain alongside the entry into the main body of the property. The proposed building site lie at the base of the slope that drops from the grassed brink seen in the foreground.

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As it finds its way from that crest down to the shore, the access sidles across the face of the slope, passing a small bench occupied by the house and shed that lies partway down the property. The Site of the proposal, where the larger existing house is positioned, is the only generous area of gentle land, with the building located at the inland edge of a lawn that descends gradually to a small beach.

A minor rocky headland projects to the east of that beach and serves to further contain the scalloped landform that the house sits within, as seen in Attachment One and the various photographs of Attachment Two. A tiny beach exists beyond that headland and below the second house.

**2.3 Hydrology**

With containing spurs lying immediately inland, the Site has a remarkably small catchment. There are no well-defined watercourses present within the property, although a measure of concentrated flow is expected to occur in areas where the contour focuses overland movement of rain water.

**2.4 Vegetation and land use**

Attachment One (Vantage Point Locations 2) illustrates the elements of almost entirely indigenous vegetation found within the wider property. The northern and eastern projections of the title contain established forest of pohutukawa (*Metrosideros excelsa*) and relatively mature kanuka (*Kunzea ericoides*) that

continue on along the coastal flank beyond. The central headland (within the legal road) that has just been described, features the same vegetative cover, as does the margin to the east of the tiny beach below the second house.

These forested areas have an understorey that is typical of the steep, rocky coastal margins of the locale, containing such species as houpara (*Pseudopanax lessonii*), harakeke (*Phormium tenax*), matipo (*Myrsine australis*), mingimingi (*Leucopogon fasciculatus*), juveniles of the canopy species and a scattering of exotic weeds.



**Photograph 2:** The heavily vegetated slopes associated with the access drive as it descends towards the houses on the property. The contrast with the stark face that existed here in 2015 when the drone images found in Attachment Four is very marked.

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The inland areas of vegetation seen as a belt associated with the drive running through the core of the property is composed almost entirely of young pohutukawa, ranging in age from freshly colonising seedlings to young trees estimated to be up to 30 years in age. Almost all of these plants appear to have established naturally on cut and slipped surfaces related to the original formation of access when the houses were built. Photographs 2 and 3 below provide some detailed shots of that vegetation, which is gaining a stature that sees it forming a contiguous pattern with the older forest associated more immediately with the coastline.



**Photograph 3:** A detail of some of the most hard, rocky material on the slope above the drive, where young pohutukawa (self-seeded) and flax are showing remarkable vigour despite the harsh substrate.

Complementing this natural process of colonisation have been the efforts of the owners in planting the slopes most immediately associated with the lower house and elsewhere on the property where a presence of soil has allowed. Specimen pohutukawa along the edge of the beach and in the lawn by the house can be seen to have grown considerably since the oblique photos of 2015 (Attachment Four), echoing the considerable development of the colonising pohutukawa on the flank behind the house over that same nine-year period.

A pocket of remaining pampas highlighted in Attachment One is targeted by the owners for imminent control and further indigenous replanting. Those modest parts of the property that are not under native cover are managed as mown lawns that can be clearly seen in Attachment One.

***2.5 Buildings and other site development***

The property contains three primary buildings; the small house seen in Photograph 4, an adjacent shed or garage (both of which are unaffected by the application), and the house that is proposed to be replaced. A tiny garden shed lies alongside vegetation on a retained bench near the lower house.

The upper house and shed lie part way down the property on a bench that has been formed by flattening a former spur. As Photograph 4 illustrates, this building is very modest and has been established for a considerable time. A nearby shed is tucked unobtrusively under an overarching pohutukawa and is in poor condition. Both structures are unaffected by the application.



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**Photograph 4:** The other small house on the property.

The existing lower house is of slightly larger scale but of relatively small scale when compared to almost all of the other homes found in the nearby area. It is of two storeys, with a carport alongside and a lean-to inland. This building would be demolished to make way for the proposed house.

Low, curving retaining walls step the front lawn of the house into a series of subtle tiers, as seen in Photograph 5, and a larger wall lies in conjunction with the house to contain an outdoor living court to the east of the building.

Timber retaining with an open fall barrier above supports the downslope edge of the access drive after it rounds a sharp hairpin to commence its lower descent. That wall is most visible in Panorama VP02 and marked accordingly.



**Photograph 5:** The existing primary residence on the property, which would be demolished to make way for the proposed new house. Note the powerful containing frame of landform of developing forest that would remain as a context for the proposed building.

A second retaining wall supports the slope above the drive as it progresses down towards the beach, with tiers of further walls climbing further above. The growth of the young pohutukawa that now almost entirely screen those walls from views from the inlet is very evident when comparing the images taken for this reporting with the older photographs of Attachments Three and Four.

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**Photograph 6:** A shot of the lower tier of several portions of retaining wall that are supporting the bank near the existing house. These are now largely subdued by vegetation when compared to their more explicit state in the photographs of Attachments Three and Four. A water tank sits near the entry to the main body of the property, just outside of view to the left of Photograph 1 and marked on Attachment One.

## **SECTION B: CHARACTERISATION OF SETTING**

### **3 DEFINING ELEMENTS / LANDSCAPE CHARACTER AREAS**

The wider structure of the Te Puna Inlet and Opito peninsula hinterland can be categorised into a series of defining elements and landscape character areas. In general, these tend to be largely determined by relationships with the sea and

influence of land uses that are established in this variably developed area. Reference to the panoramic photographs contained in Attachment Two will usefully inform reading of the following descriptions.

#### **3.1 Wider Te Puna Inlet and related coastal margins**

In light of the Site's distinctively contained nature, it is effectively related only to the Te Puna Inlet. This is a powerful defining element that shapes the character of an extensive tract of land stretching from the outer parts of the Opito Bay Road ridge, the head of the harbour associated with Te Tii settlement and the farmed lands running down the northern flank until encountering the Wiroa Station development.

Just as the vegetation on the Site has grown over the past decades, so too has the proliferation of houses on the Te Puna Inlet flanks nearby. This scattering of buildings and related amenity/productive plantings has transformed the southern coastal hinterland of Te Puna Inlet from one that was predominantly "natural" farmed land at the time of the 1995 Far North District Landscape Assessment to one that is now more characterised by a "lived in" rural residential character. That same shift has occurred on the northern margins of the Inlet, albeit at lesser density.

A further scattering of waterside houses occupies the coast heading out to Kauri Point and thence to Poraenui Point at the Inlet's eastern mouth. Some of those buildings, even very recent ones, have been developed in a way that leaves them with a commanding presence over the surrounding waters that serves to

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compromise natural character and landscape values, as can be seen in the following Photographs 8 and 9.



**Photograph 7:** A sample of the buildings established the head of Crowles Bay to the west of the Site.

The fact that the wider area is no longer recognised as having outstanding landscape value/sensitivity by the relatively recent regional assessment is testimony to that shift.



**Photograph 8:** A recently constructed house on the opposite coast, demonstrating the adverse effects of a building crowding the shore, the loss of naturalness that results from conventional seawalls and boat ramps, and considerable unmitigated earthworks. It is these sorts of impacts that the proposal has sought to avoid in its scale and the way that it is configured.

Notwithstanding this shift in values, inspection of Vantage Point Location Plan 2 confirms that most of the characteristics identified by the assessment worksheet for the 1995 Far North District Landscape Assessment as being important to the identity of Te Puna Inlet's wider setting, remain as defining elements. The unchanging morphology of the land, with its ridges, spurs and coastal promontories, continues to be accentuated by a broad margin of native vegetation around large parts of the Inlet coastline.

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**Photograph 9:** Another waterside house on the northern shore of the Inlet, demonstrating the sort of “domestication” that inevitably erodes natural character and landscape values.

The water body itself is of generous scale, yet is sheltered from the much greater exposure of the wider Bay of Islands that lies beyond its mouth. This relatively placid sea state and the containing frame of the low ridges that define much of the Inlet’s catchment bring the sound-like atmosphere that is has also been identified by the broader assessments that have been completed.



**Photograph 10:** Two of a number of nearby houses that closely overlook the head of Crowles Bay.

### **3.2 Opito Bay Road spine and flanks**

As the preceding commentary mentions, the body of the Site is almost entirely spatially divorced from terrain to the east, so the following is included largely for completeness.

As it approaches the eastern end of the Opito Bay peninsula, Opito Bay Road climbs to trace the ridge that separates the Te Puna Inlet catchment from that of the Kerikeri Inlet. That route can be seen in the lowest part of the aerial photograph forming Vantage Point Location Plan 2 in Attachment One.

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Lifestyle block housing is scattered through this terrain, with its fragmenting effect upon what is otherwise a very legible landscape structure exacerbated by shelter belts, areas of gridded tree crops and diverse amenity planting



**Photograph 11:** The shared access that traces the spur running out to the Site and serves a handful of other properties.

Housing varies considerably, from some small traditional beachside homes (as represented by the houses on the Site) up to more substantial dwellings of similar scale to those seen in Photographs 7, 8 and 9. Predictably, houses are generally positioned to optimise sea views and are oriented accordingly. Accompanying those buildings are driveways (typically metallised), fencing and amenity and/or tree crop planting that is typically of most lifestyle block areas in the District.

## **SECTION E: DESCRIPTION OF PROPOSAL**

Prior segments have analysed the Site and its context as a setting for the proposed house development. Attachment Five contains Bossley Architect’s site plan, floor plans, and primary elevations. Sheet RC30 includes a material legend citing the light reflectance value (LRV) of the primary cladding. This suite of drawings is covered by a rendered view of the proposed building as seen when overlaid upon a photograph that was taken from immediately offshore. This image provides a useful gauge of the visual presence of the new home when compared with the panoramas of Attachment Two, particularly VP06, which clearly illustrates that the replacement structure is has a similar presence in terms of volume, but a markedly lesser presence in terms of its visual prominence.

An Architect’s Statement complements the RC drawings and provides a summary of the design rationale and configuration of the proposed building. The drawing set illustrates that the intended house overlays the existing house with a larger but still relatively modest – by coastal housing standards – footprint. It also shows that the cross-sectional volume of the building is also comparably greater, but not considerably so. The main body of the roof would be at an almost-identical level to the existing house ridgeline, with the light, sculptural skylight structure gracefully sweeping above that line.

The way that the building is configured to “capture shade” is of key interest when considering its relative visual prominence. With the exception of a narrow ground floor entrance lobby, the basement of the building is open to cater as a car/boat

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port and spa pool shelter. That openness is cast in shade during most of the day by the main living storey above, as seen in the architect's render.

The upper storey performs similarly in the sunlight, due to almost its entire water frontage being glazed. That situation allows the shaded recesses of the building to express themselves outwards through the glazing to render that publicly-exposed frontage in darkened hues. The deck rebate in the midst of that frontage heightens this effect further, whilst also serving to break what would otherwise be a continuous façade of glass.

Accompanying this play on light, volume and shade, the materials selected for the building combine a reasonable measure of recessiveness with the practicalities of minimising maintenance in a semi-exposed coastal setting.

As has been previously outlined, the proposal provides to retain all surrounding native vegetation and to address the minor intrusion of a retaining wall and water tank elsewhere on the property with planting. The future water tanks are proposed to be placed entirely underground. Access to the car and boat park under the building would be via a grass-pave product that allows the lawn to maintain a continuous cover.

## SECTION F: FAR NORTH DISTRICT PLAN

The restricted discretionary activity assessment criteria relating to visual amenity within the General Coastal Zone (10.6.5.3.1) provide the primary framework against which to measure the proposal, as follows:

- (i) the location of the building;

*Comment: The proposed location places the within a very containing landform and presses it back against the toe of a rising, vegetated slope as an immediate backdrop. This position – established by the existing house – is considered to be optimal in minimising potential visual intrusion into the wider coastal environment, particularly when compared with an alternative of building on the most elevated part of the property where far more expansive outward views are on offer.*

- (ii) the size, bulk, and height of the building in relation to ridgelines and natural features;

*Comment: The building's format almost replicates the size and bulk of the existing house, with its slightly more elevated roof light projection having a virtually transparent nature. It is entirely subservient to related flanks and ridgelines, sitting well down at the toe of these landforms*

- (iii) the colour and reflectivity of the building;

*Comment: The finish characteristics that are proposed have a muted nature that is compatible with adjacent vegetation and the earth hues of exposed*

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*slopes behind. Deep eaves and overhangs to the seaward face of the structure serve to cast most of that façade within shade during the majority of the day.*

(iv) the extent to which planting can mitigate visual effects;

*Comment: The benefit of a strongly established frame to the existing building transfers to form an immediate setting to the replacement house, as seen in the Architect's render. A young specimen pohutukawa immediately to seaward of the house is to be preserved, as are those that line the beach.*

*Whilst not directly related to the house, the Applicants propose to plant an area of current pampas infestation and to screen a visible section of retaining wall and the hill-top water tank, as marked on Attachment One.*

(v) any earthworks and/or vegetation clearance associated with the building;

*Comment: Nominal earthworks are required to demolish the existing house and provide for the new building and buried water tanks.*

(vi) the location and design of associated vehicle access, manoeuvring and parking areas;

*Comment: All vehicular movement areas are currently provided for and will remain unchanged. Access to the basement carport will be via a grassed, permeable paving surface that will be indistinguishable from the adjacent lawn.*

(vii) the extent to which the building and any associated overhead utility lines will be visually obtrusive;

*Comment: All services to the building site are underground.*

(viii) the cumulative visual effects of all the buildings on the site;

*Comment: The other buildings on the property – being the small house slightly uphill and its adjacent garage/shed - are physically well separated from the proposed structure and are already largely discrete in their presence. The existing building to be removed establishes a presence and relationship with those other buildings that the new structure would inherit, albeit with that future building having lesser prominence.*

(ix) the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;

*Comment: The proposal incorporates the retention of all of the vegetative cover that currently contributes these values to the setting (and is progressively adding to) and undertakes to address some minor matters that detract from those values – in the form of weed removal and screening of a retaining wall and water tank. When combined with the proposed building's lesser impact than the building it replaces, the proposal serves to heighten the naturalness, visual and amenity values rather than detract from them.*

(x) the extent to which private open space can be provided for future uses;

*Comment: The site offers an abundance of private open space in its current form and that provision remains unaltered by the proposal.*

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(xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;

*Comment: As this report and related attachments illustrate, the Site is extremely contained and the level of visual dominance creating by the existing house is very limited. The proposed building benefits from the topographically and vegetatively integrated location of the current building in its position at the toe of a slope and set back from the immediate coastal margin, so with the benefit of the greater degree of recessiveness that the proposed building incorporates, the proposal brings a lesser potential for dominance. The Site is physically detached from adjacent sites and cannot be seen from neighbouring properties.*

(xii) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.

*Comment: As the preceding comment outlines, the Site is entirely visually disconnected from adjacent sites.*

Section 12.1 of the Operative Far North District Plan, Landscape and Natural Features, is directed toward Outstanding Natural Landscapes and Outstanding Natural Features. Approximately 60% of the property, including the proposed building area, is defined as being an outstanding natural landscape (ONL) under the District Plan. The identification of that ONL occurred through the Far North

District Landscape Assessment (1995) undertaken LA4 Landscape Architects (by the author of *this* report who was employed by that office at the time).

This broad-scale study, assessed the landscape of the entire Far North District, with the exception of areas of urban settlement. The application site lies within a coastal landscape unit described as Te Puna Inlet (C15). This unit fits within a landscape category of *estuarine inlets and harbours* and, as its name suggests, largely contains the coastal flank spanning around the Inlet. The landscape category is common around this portion of the District's shoreline related to Kerikeri and the inner Bay of Islands.

The Te Puna landscape unit was assessed as having an overall sensitivity rating of 6 on a range of 1 (low) to 7 (extreme) and therefore defined as being of high sensitivity. Accordingly, it has been deemed to be an outstanding landscape within the Far North District Plan. Aspects identified as characterising this unit include:

- Sound-like enclosure of Inlet.
- Steep coastal banks.
- Deeply indented side inlets.
- Small scalloped bays and headlands.
- Indigenous shrubland on coastal banks.
- Mangroves and saltmarsh in most sheltered inlets.
- Sheltered coast.



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Elements and patterns recorded as detracting from landscape character and value include oyster farms at Te Tii, scarring associated with road and track construction, and the most elevated of houses comprising Te Tii settlement.

Aspects which contribute to the ability of the landscape to visually absorb change without significant modification of its character (VAC) include the effect of existing built development at Te Tii, predominant cover of coastal banks, and undulating terrain. Interestingly, amongst elements that reduce VAC is the “very limited extent of existing built development”. The significant level of lifestyle and papakainga housing that has occurred on the southern Te Puna Inlet coastal slopes (in particular) since the 1995 assessment informs the findings of the more recent landscape assessment that informs the Northland Regional Policy Statement, as will be explained next.

Putting aside that shift in character and values that has occurred over the past two decades, it is considered that the 1995 assessment worksheet continues to offer helpful guidance when considering the characteristics of the Site and related terrain.

The Northland Regional Policy Statement Landscape Assessment (2016) Littoralis Landscape Architecture and Simon Cocker Landscape Architecture was a region-wide study was prepared to inform the Proposed Regional Policy Statement for Northland (RPS) - which is now predominantly operative - and, in the process, to provide an updated basis for the outstanding natural landscape (ONL) mapping

underpinning the three district plans which cover the region. A significant driver for the update of the RPS was the updated NZCPS 2010, with its informing policies guiding the landscape assessment.

Far North District Council is in the process of updating its Plan and adopting the RPS mapping, subject to some possible minor refinements to those mapped extents in response to community feedback and submissions. Being considerably more recent than the FNDC study, the RPS assessment is based upon the more current NZCPS, and shaped by a further two decades of case law and methodology development. It also accounts for changes within the landscape that have occurred during that period.

The area of coast immediately associated with Te Puna Inlet fell below the “outstanding” threshold within the RPS landscape assessment, predominantly as a result of considerable lifestyle development that has occurred within that area since 1994, and so is not deemed to be an ONL under the RPS.

In light of the disparity between the assessments outline, the relative currency of the RPS study, and the hierarchical primacy of a regional policy statement over a district plan, this assessment has adopted the RPS assessment findings as being more correct in not defining the area as an ONL, particularly when analysing the proposal against the statutory framework. In adopting that position, it is important to document that the proposal has been shaped with a mind to the assessment

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criteria associated with the restricted discretionary activity provisions of section 12.1.6 of the Operative District Plan, as set out in the following paragraph.

The 2016 NRC RPS mapping project included assessment of the natural character of the coastal environment of the Region. That exercise defined the coastal flank of the Site, but not the proposed building area, as being of high natural character value.

The commentary above is provided largely for completeness, as the buildings of the Site lie outside of the defined ONLs, but it is usefully included as part of the consideration of the context, which the proposal has actively acknowledged and sought to respect.

## **SECTION F: EFFECTS ASSESMENT**

Preceding sections describe the characteristics of the Site and its setting. These are followed by a description of the anticipated development of the Site and its component parts. The purpose of *this* section of the report is to define the effects of the proposal upon the setting, to consider how the proposal would impact upon the experience of people viewing development that would result from the plan change from outside of the site, and to comment upon the resulting level of effect upon landscape character, visual amenity and natural character.

**Adverse effects** impact negatively on the landscape and result in landscape, natural character and/or visual amenity values being diminished. **Benign or neutral effects** are those in which a proposed change neither degrades nor enhances these values when considered in the whole. In circumstances where **positive effects** arise from a development, the changes that have been brought are deemed to be beneficial relative to the landscape state of the site prior to that change.

Effect ratings that will be used:

**Very high:** resulting in a dramatic or total loss of the defining landscape characteristics of the site/context, or visual amenity associated with that setting.

**High:** leading to a major change in the characteristics site or setting, or significantly diminishing key attributes, and/or comparable impacts upon visual amenity.

**Moderate – high:** an interim measure of effect in which impact of the development results in a change of some significance to the qualities or perception subject landscape.

**Moderate:** a self-explanatory magnitude in which effects sit midway between the extremes this spectrum of magnitude. Can also be considered as an “average” level.

**Moderate – low:** impacts on landscape characteristics and attributes are relatively contained. The threshold defining “minor” in relation to the S104D

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gateway test sits within this level of magnitude, typically towards the lower end of its spectrum.

**Low:** effects are generally very limited and do not result in compromising the characteristics of a landscape or perceptions of it in a more than subtle way.

**Very low:** negligible or imperceptible effects result upon the landscape and/ or perceptions of it.

## **7 VISUAL AMENITY EFFECTS**

### **Viewing audiences / affected parties**

To assist with predicting the level of visual and landscape effect that the proposal would generate, publicly accessible vantage points in the area (being confined to the waters of Te Puna Inlet) were selected to be broadly representative of each of the following identified audience groups, selecting worst-case views wherever possible. Photographs for each vantage point are found in Attachment Two. These will be referred to in the following commentary.

Their location is marked in the aerial photographs comprising Attachment One.

#### ***Boat passengers on Te Puna Inlet***

As Attachment One illustrates, a range of panoramas (VP01-05 inclusive) have been captured in an effort to fully represent the spectrum of viewing angles from the inner waters of Inlet that are related to the Site.

Images VP 1 and 02, along with VP7 illustrate the containment created by the topography that the building lies within, showing the way that the inward and outward views are contained by adjacent headlands and related large pohutukawa to a relatively limited shaft across the Inlet.

Comparison between the Architect's render and Panorama VP02 demonstrates how the colouration and shaded voids incorporated in the proposed building result in that structure being far more recessive than the current house, with its pale roof and white-painted elements (as they have traditionally been since the house was constructed).

Being relatively exposed, the coast related to the Site is not favoured as an anchoring location for boats, with the far more sheltered Crowles Bay inlet just around the corner on offer as one of a few recognised anchorages within the Inlet.

Boating passages are likely to be confined to established tracking lines that are well offshore of the most distant VP03 contained in the Attachments, with the route to Crowles Bay from the mouth of the Inlet being almost double that distance offshore.

From the distance of the VP03 position, even the existing building is somewhat diminutive in the setting, so the much more effectively integrated proposal will be barely discernible from boats heading upstream to Crowles Bay. From the most common boating routes up the centre of the Inlet, the proposed building will be

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difficult to differentiate, equally the very small number of existing houses that most capably relate to their settings.

In the context of this discussion, the visual amenity effects upon this sole viewing audience are assessed as being *low* at most, and *very low* for most boaties.

## **8 LANDSCAPE EFFECTS**

Landscape effects are those impacts upon the structure, pattern and character of landscape that result from a development or change in land use.

In the case of this proposal, the topography of the Site and long-standing presence of the buildings that exist upon it, are highly influential in determining the magnitude of landscape effects arising from the proposed building.

As the description of the context illustrated, the coastal hinterland of the southern edge of Te Puna Inlet is shaped by natural characteristics such as its indented shoreline, complex topography and patterns of native vegetation that emphasise the coastal flank and reinforce the catchment pattern as they track localised valleys and lowlands. Overlaying these natural themes is an array of rural housing on large titles that are typical of most rural residential areas. The visual prominence of these existing homes varies, but most have a measure of conspicuousness which combines with exotic plantings to bring a wider “lived-in” landscape character.

When inserted into that established identity, the proposal is noteworthy in relation to its containment, modest scale and strongly developed vegetative setting that sits in readiness. Its positioning at the toe of a heavily wooded slope and within a deep indentation relative to the wider coast, sets a framework that immediately offers heightened absorption capacity (or ability to receive appropriate development with limited impact upon its core characteristics).

In having been formulated to approximate the scale and form of the existing house within that immediate setting, the proposal has avoided the pitfalls exhibited by a reasonable proportion of the existing housing development along Te Puna Inlet’s southern flank. The nature of the house itself has been shaped to minimise intrusion upon the wider landscape. The existing patterns of native vegetation that offer such a strong frame within which to insert a structure are attributable to the combined forces of very effective natural colonisation and the considerable supplementary planting efforts of the owners.

When these influences are factored into an assessment of effects upon landscape values, it is assessed that initial impact would be *low* and that the passage of 3-5 years would result in effects reducing to being *very low* as the momentum of existing surrounding vegetation continues to build an even more robust and contiguous setting for the structure.

## 9 NATURAL CHARACTER EFFECTS

Section 6(a) of the Resource Management Act (1991) states that the following matter of national importance shall be recognised and provided for:

*“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.”*

A working definition of natural character is derived from research undertaken for the Ministry of the Environment in relation to Environmental Performance Indicators (Boffa Miskell Ltd 2002). This states that:

*“The degree or level of natural character within an area depends on the extent to which natural elements, patterns and processes occur; and the nature and extent of modifications to the ecosystems and landscape / seascape. The highest degree of natural character (greatest naturalness) occurs where there is least modification. The effect of different types of modification upon the natural character of an area varies with the context and may be perceived differently by different parts of the community.”*

As the preceding extract indicates, natural character exists on a continuum that spans from totally modified at one extreme, to entirely natural at the other. The forest/kanuka shrubland-clad coastal flanks associated with Pohutuawa Point have been defined as having high natural character (HNC) by the Regional Policy

Statement for Northland (unique ID 06/05). Key factors determining this level of character are its *largely indigenous vegetation with a small amount of pest plants. Part of a community pest control area (Kiwi Foundation). Minimal human-mediated hydrological or landform change. Few obvious human structures.* A domination by kanuka shrubland and some pohutukawa forest and treeland are recorded.

An aspect that the HNC description doesn't capture (predictably) is the influence of surrounding land uses in the setting of the area of HNC upon the perceptual dimension of natural character values. In the case of this HNC, there are a number of adjacent rural and residential built elements that compromise natural character more broadly.

The extent of this area of HNC is effectively aligned to the extent of the most contiguous vegetation seen on the peninsula and related coastline, so the proposed building area lies outside of it. The building and related site development would therefore not physically compromise the area of HNC.

Notwithstanding its failure to reach the status of having HNC, the Site does have a strong measure of natural character by virtue of its rapidly evolving vegetation cover and the proposed building's more sympathetic relationship with the vegetative cover can only serve to improve natural character values in comparison with the building that it is intended to replace. As such, adverse impact upon the perception of that somewhat compromised level of natural character as experienced from the wider Inlet would be contained and is assessed being *low*.

## **SECTION G: CONCLUSIONS**

The property has a modest and defined connection with the Te Puna Inlet, with associated heightened (but not outstanding) levels of landscape value and sensitivity as a result. Natural character values of the vegetated flanks associated with the property are elevated and justify recognition as an area of high natural character as occurs in the RPS. The proposed building site lies apart from those areas of HNC.

Over the past two decades the character of the wider area around the Site has shifted considerably from being predominantly rural/agricultural and “natural” to now being characterised more fully as a lifestyle living area. There are numerous full-time homes and related site development / exotic planting in the setting of the Site, as there are stretching further up this coast of the Te Puna Inlet. The natural elements that formerly characterised the area still largely exist, but are counterbalanced by the more domesticated land uses that have been applied over that layer.

The application site is more fully expressive of the natural composition and patterns that once prevailed, and becoming more so as the pohutukawa-dominant vegetation cover builds mounting momentum in its growth and continued colonisation. The energy and investment of the Applicants has served to strengthen those values rather than erode them and their expressed commitment to

continuing to foster the setting of the proposed building provides reassurance that such stewardship will continue.

It is into this immediate setting that the proposal is intended to sit. Having cared for the land to the level that they have, the Applicants have worked alongside their architect to ensure that the proposal has taken appropriate steps to achieve a “good fit” with the natural qualities of the property and how the Site contributes to the wider identity and values of Te Puna Inlet.

Based upon the assessment contained in this report, the adverse effects that the proposal would generate upon the property and its broadest setting – in terms of landscape and natural character - are roundly established to be less than minor from the outset. The inevitably higher initial impact of the house during its construction is expected to rapidly diminish from a very modest level (ie. less than minor) initially to become increasing limited as the building weathers and the backdrop/screening vegetation gains scale over a period of 2-5 years.

**Mike Farrow**

**Registered landscape architect**

**September 2024**

# ATTACHMENTS

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BROWN VUJCICH | PROPOSED NEW DWELLING  
269C OPTIO BAY ROAD | KERIKERI

# ATTACHMENT ONE VANTAGE POINT LOCATIONS 1





# ATTACHMENT ONE VANTAGE POINT LOCATIONS 2



Date of photography 26/03/2024  
1:40pm to 2:40pm

The panoramic photographs were digitally merged. Original photographs with Nikon Z5 with approx. 33mm focal length lens setting, making the image magnification equivalent to a 50mm focal length lens on a full frame 35mm camera. The field of view for each panorama varies in response to the relevant field of view for each of the vantage points.



# ATTACHMENT TWO SITE PHOTOGRAPHS



**Panorama VP01A:**  
Looking south east from the eastern headland, showing buildings and related development in each bay of the Opito peninsula and the wider Bay of Islands in the background.



**Panorama VP01B:**  
Sighting north west from the same point as VP02A. Once again the house's position set deep into its immediate bay conceals it from this point.



# ATTACHMENT TWO SITE PHOTOGRAPHS



**Panorama VP02:**  
Looking directly landward from approximately 300m directly offshore of the house.



**Panorama VP03:**  
A view down the coast of the northern peninsula, approximately 200m from the house.



# ATTACHMENT TWO SITE PHOTOGRAPHS



**Panorama VP04:**  
A view down the coast of the northern peninsula, approximately 200m from the house.



**Panorama VP05:**  
Looking into Crowles Bay from its eastern mouth, showing the range of housing development associated with that cove.

# ATTACHMENT TWO SITE PHOTOGRAPHS



**Panorama VP06:**

The view to the existing house and its garden setting from the eastern end of the associated beach.  
Note prolific growth of pohutukawa and kanuka on slopes rising inland of the building.



**Panorama VP07:**

The outlook from the deck of the existing house, illustrating how the minor headlands at either end of the associated beach (and their mature vegetation) serve to contain and frame the visual catchment associated with the wider Te Puna Inlet.





# ATTACHMENT TWO SITE PHOTOGRAPHS



**Panorama VP08:**  
An end elevation view of the existing house, demonstrating how it is notched back into the toe of the rising and steepening slope, as the proposed house would.

ATTACHMENT THREE  
PHOTOS TAKEN BY OWNER APPROXIMATELY 2017



# ATTACHMENT THREE PHOTOS TAKEN BY OWNER APPROXIMATELY 2017



# ATTACHMENT FOUR DRONE OBLIQUE PHOTOS FROM 2015



# ATTACHMENT FIVE

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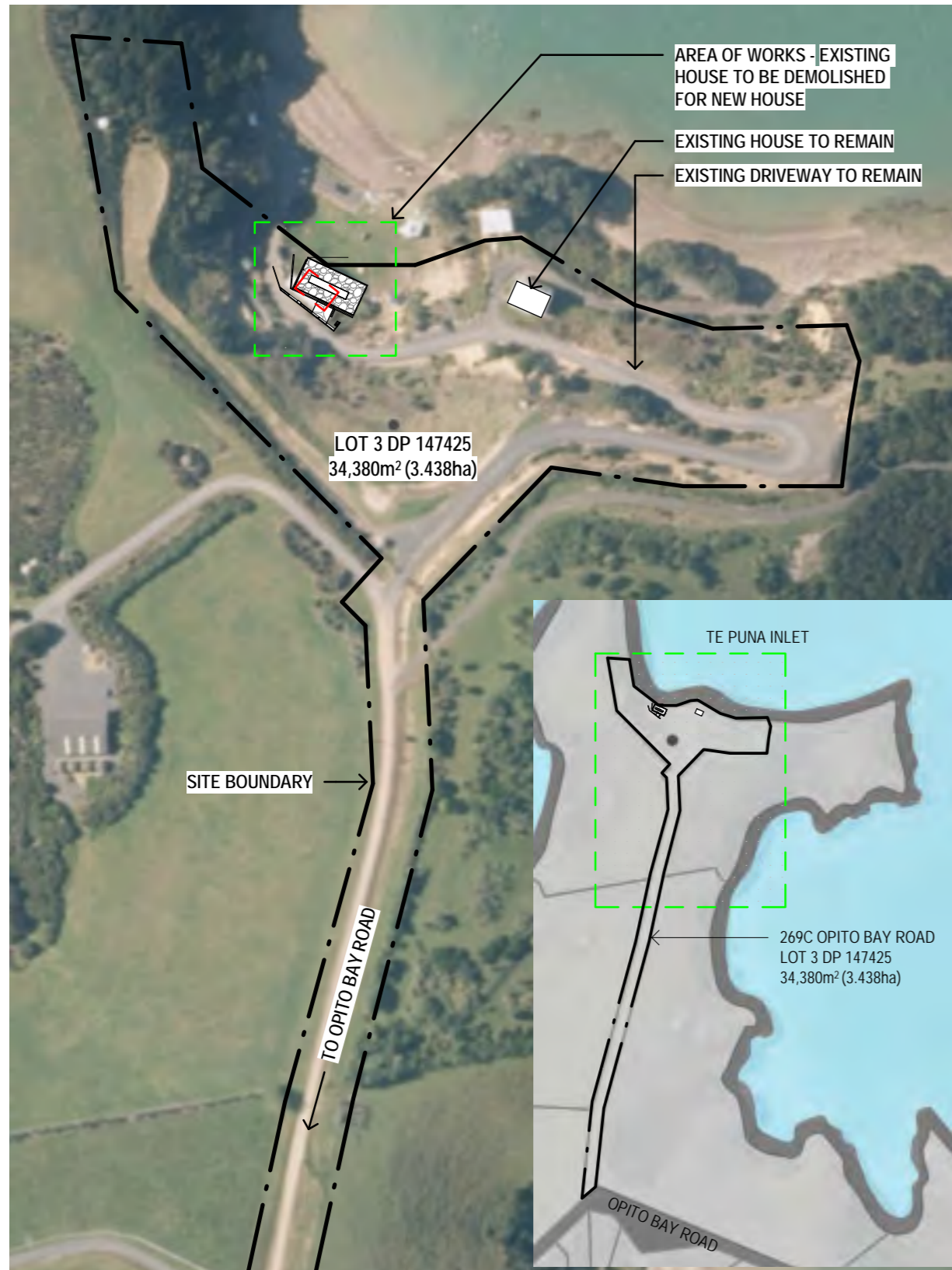
RESOURCE CONSENT DRAWINGS BY BOSSLEY ARCHITECTS

## SHEET LIST

SHEET NUMBER	SHEET NAME	REVISION
RC-00	COVER	A
RC-01	SITE PLAN	A
RC-10	FLOOR PLAN LG	A
RC-11	FLOOR PLAN L1	A
RC-20	SECTION	A
RC-30	ELEVATIONS	A

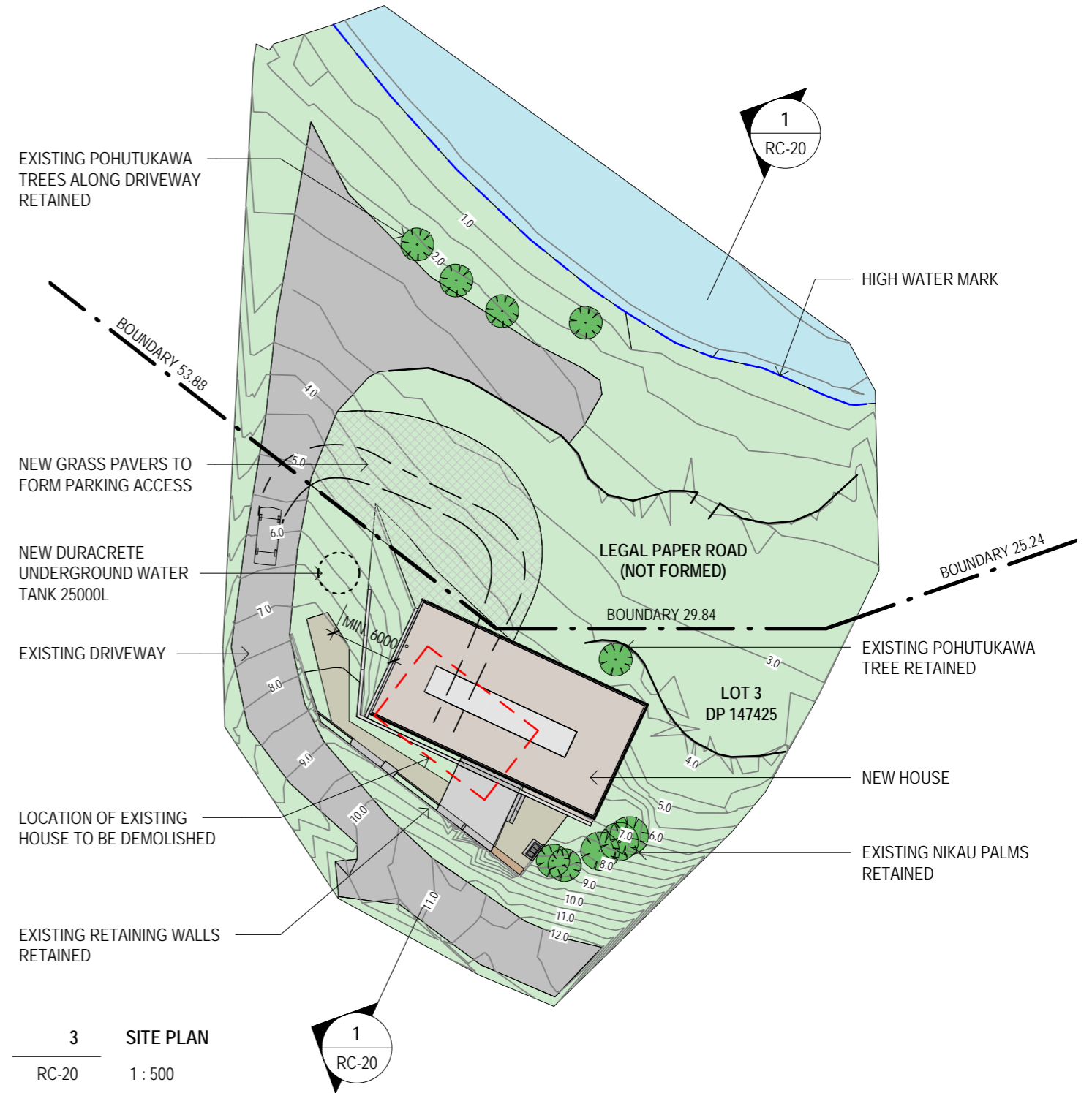


RENDER VIEW FROM WATER



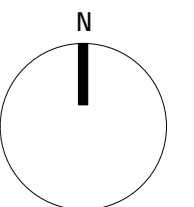
1 PART SITE PLAN  
RC-20 1 : 2000

2 LOCATION PLAN  
RC-20 1 : 10000

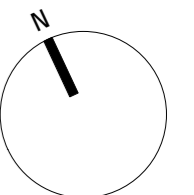
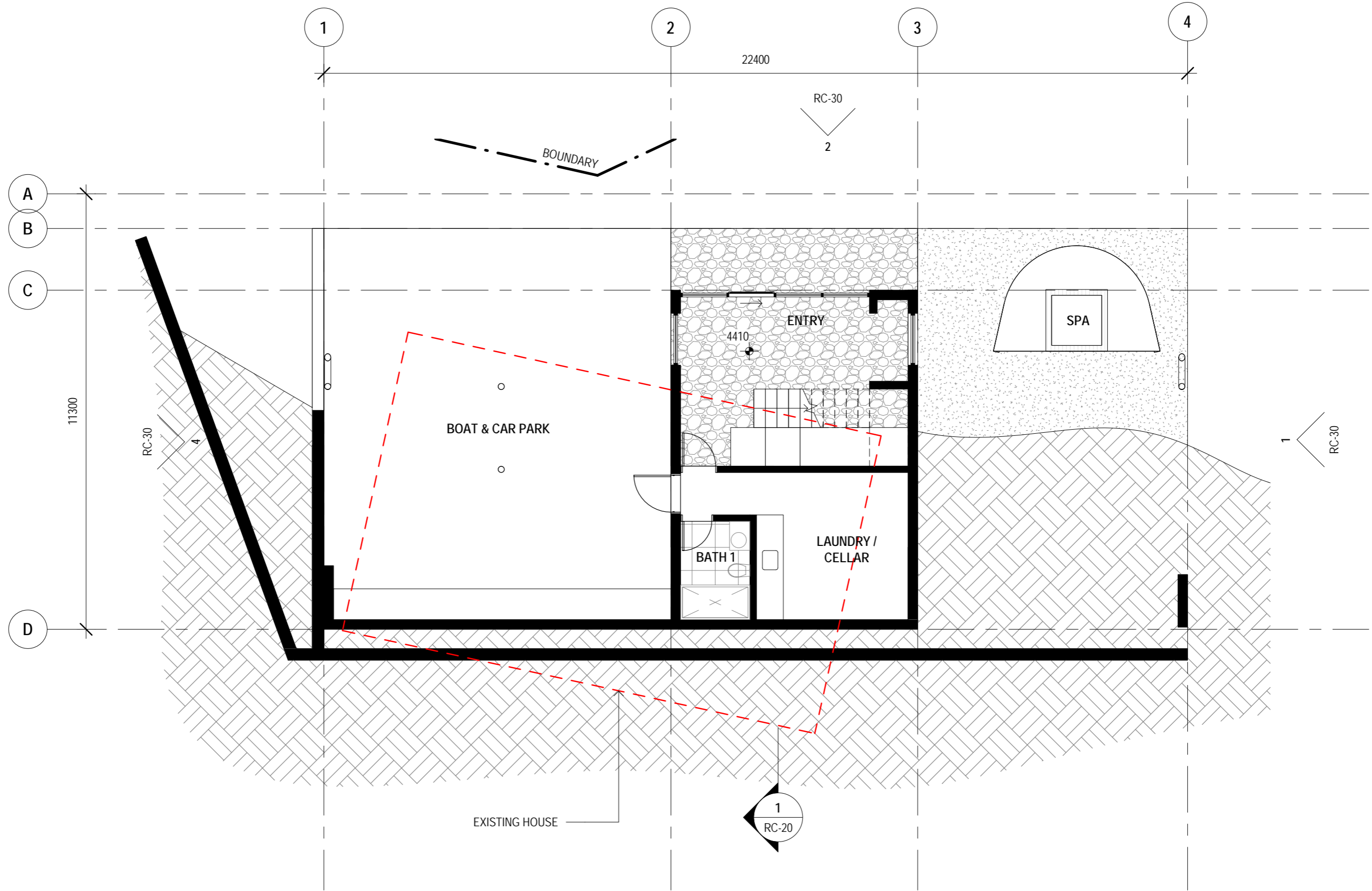


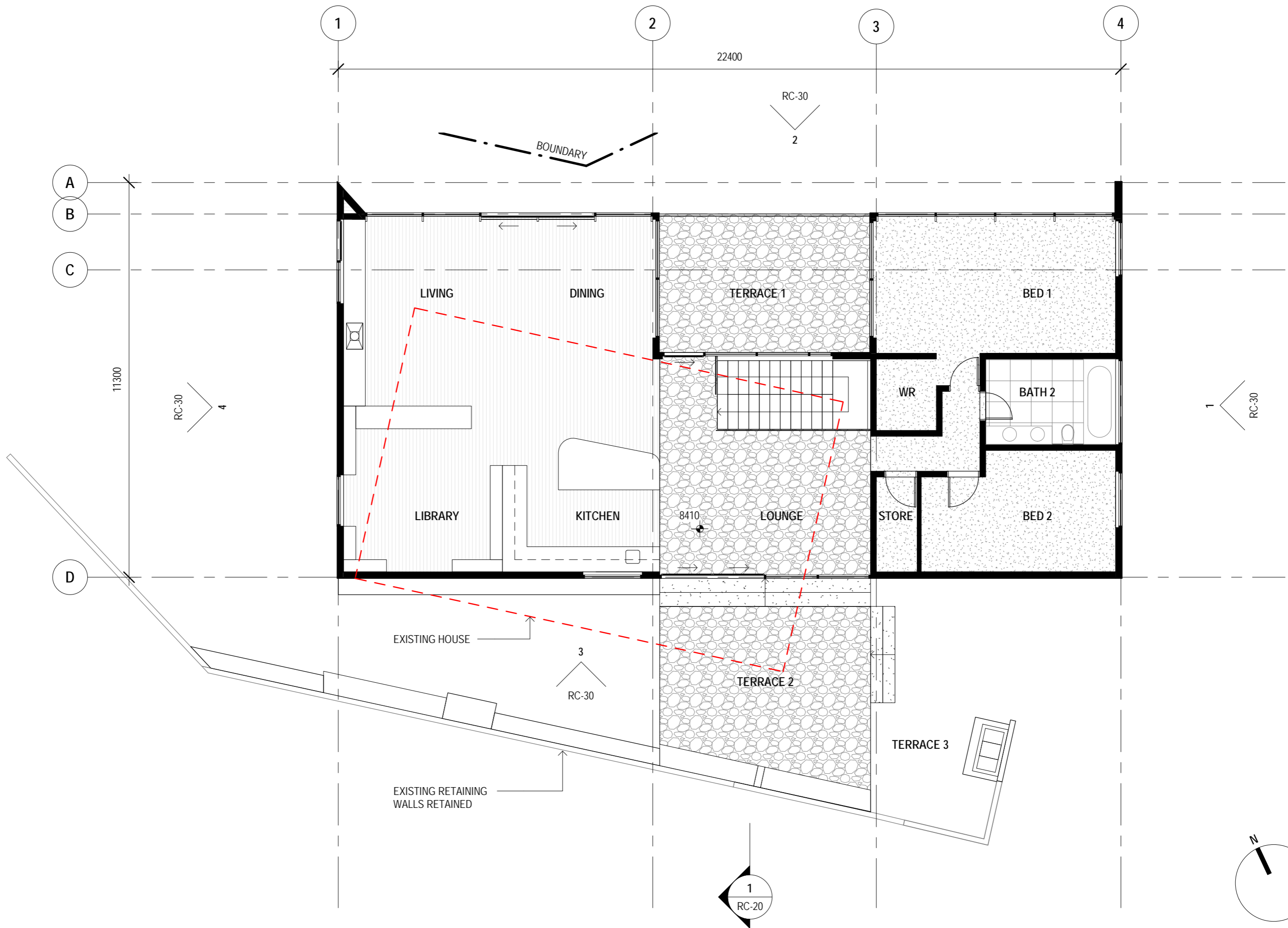
3 SITE PLAN  
RC-20 1 : 500

CUT & FILL	SITE CONTROLS		
	CONTROL	REQUIREMENT	COMPLIANCE
CUT: 1.4 m <sup>3</sup> (APPROX.) FILL: 1.7 m <sup>3</sup> (APPROX.)	VISUAL AMENITY - AREA	25m <sup>2</sup> MAXIMUM	NO - 254m <sup>2</sup>
	VISUAL AMENITY - LRV	30% LRV	NO - LRV 44%
	BUILDING HEIGHT	8m MAXIMUM	NO - MINIMAL INFRING. REFER RC-30
	HEIGHT IN RELATION TO BOUNDARY	2m + 45deg	YES
	STORMWATER MANAGEMENT	15% MAX. IMPERMEABLE	NO - 24% (8228m <sup>2</sup> )
	BOUNDARY SETBACKS	10m	NO - TO PAPER ROAD BDY
	HIGH WATER MARK SETBACK	30m	YES

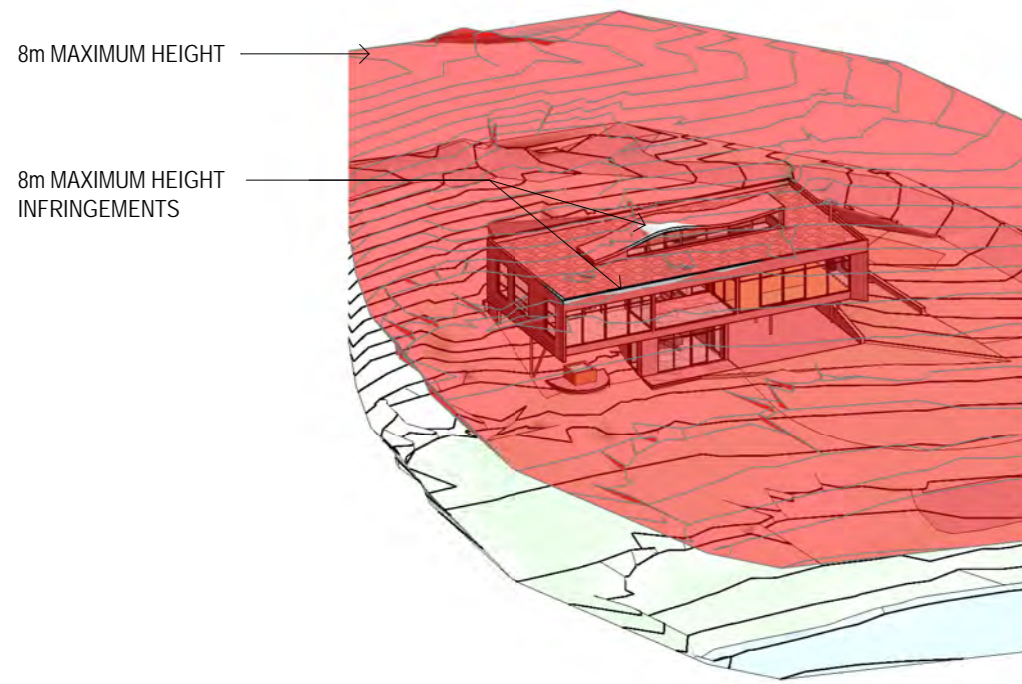




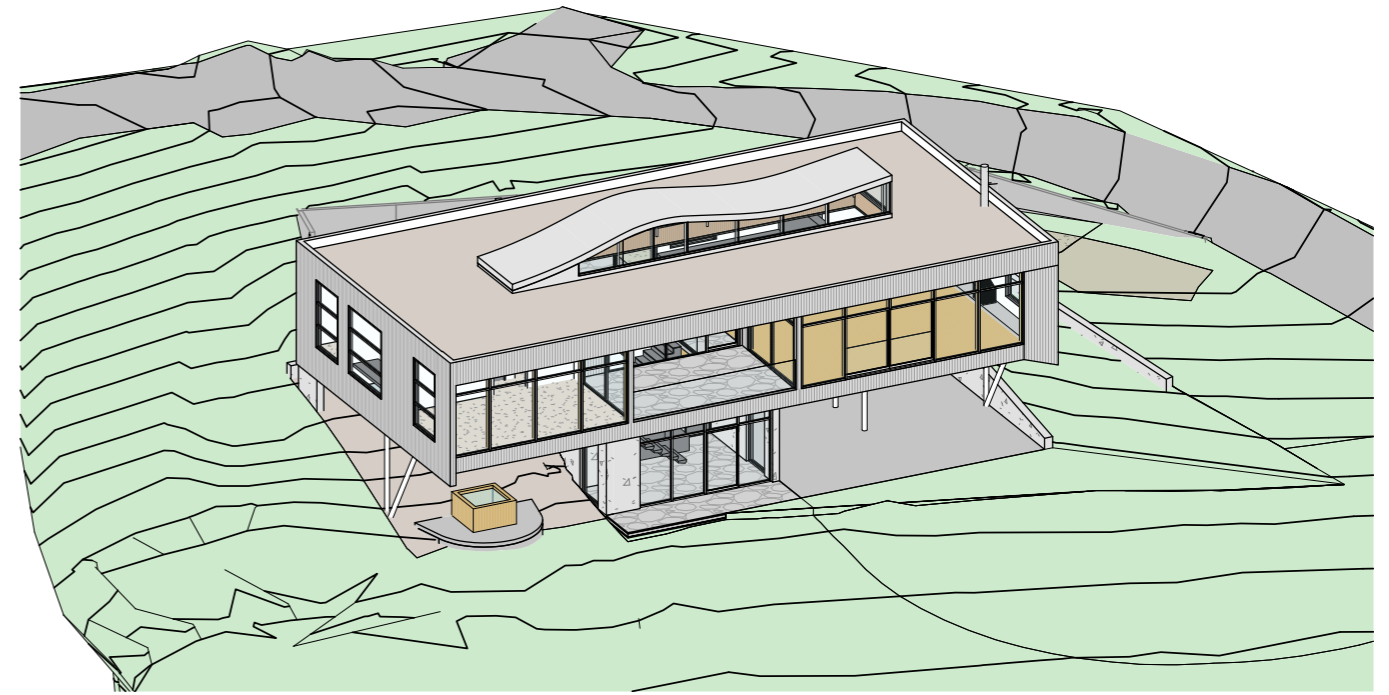




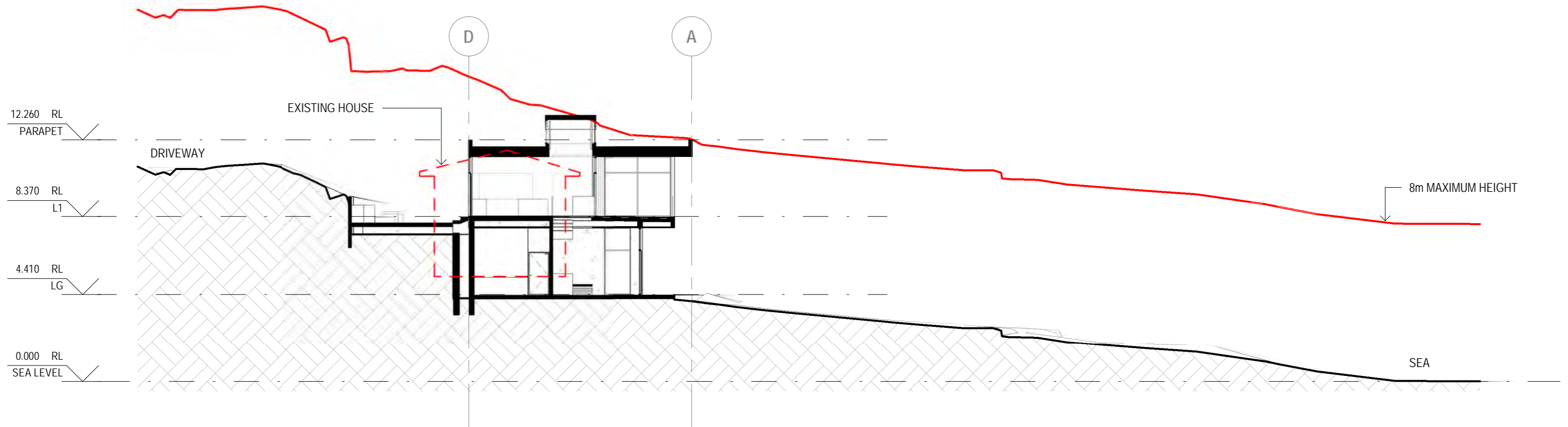
FLOOR PLAN L1



2 MAXIMUM HEIGHT INFRINGEMENT

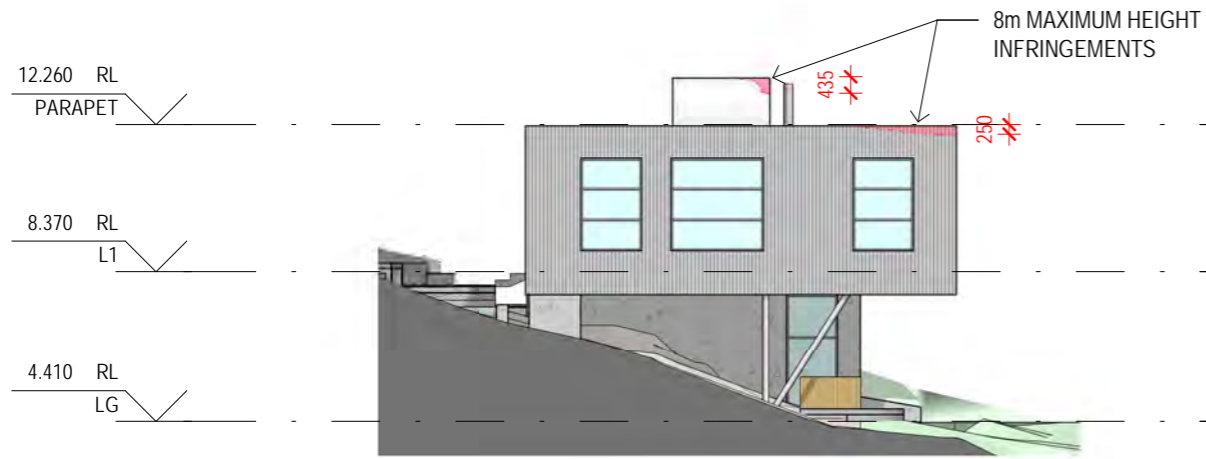


3 3D AERIAL VIEW



1 SITE SECTION 1

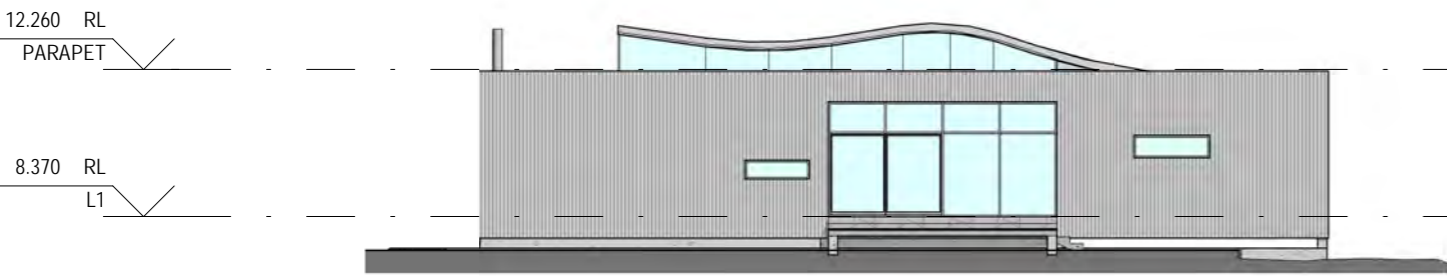
A0-003 1 : 200



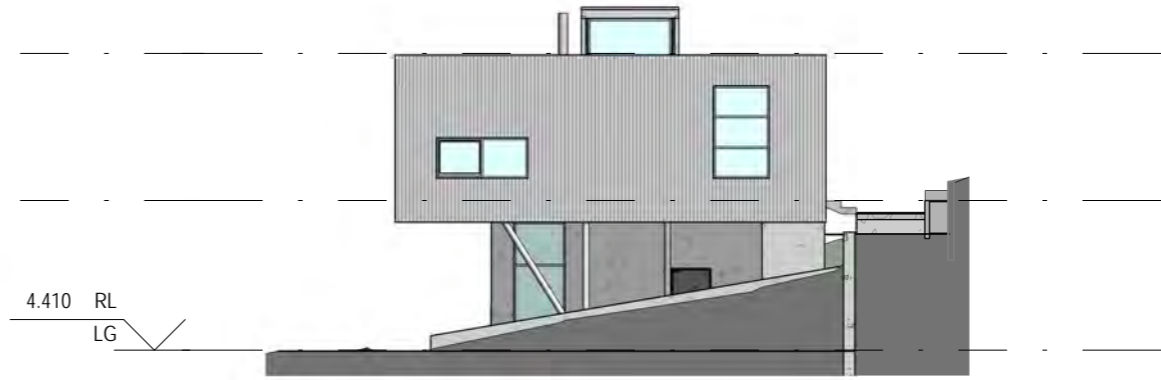
**1 EAST ELEVATION**  
A0-003 1 : 200



**2 NORTH ELEVATION**  
A0-003 1 : 200


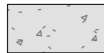
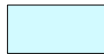



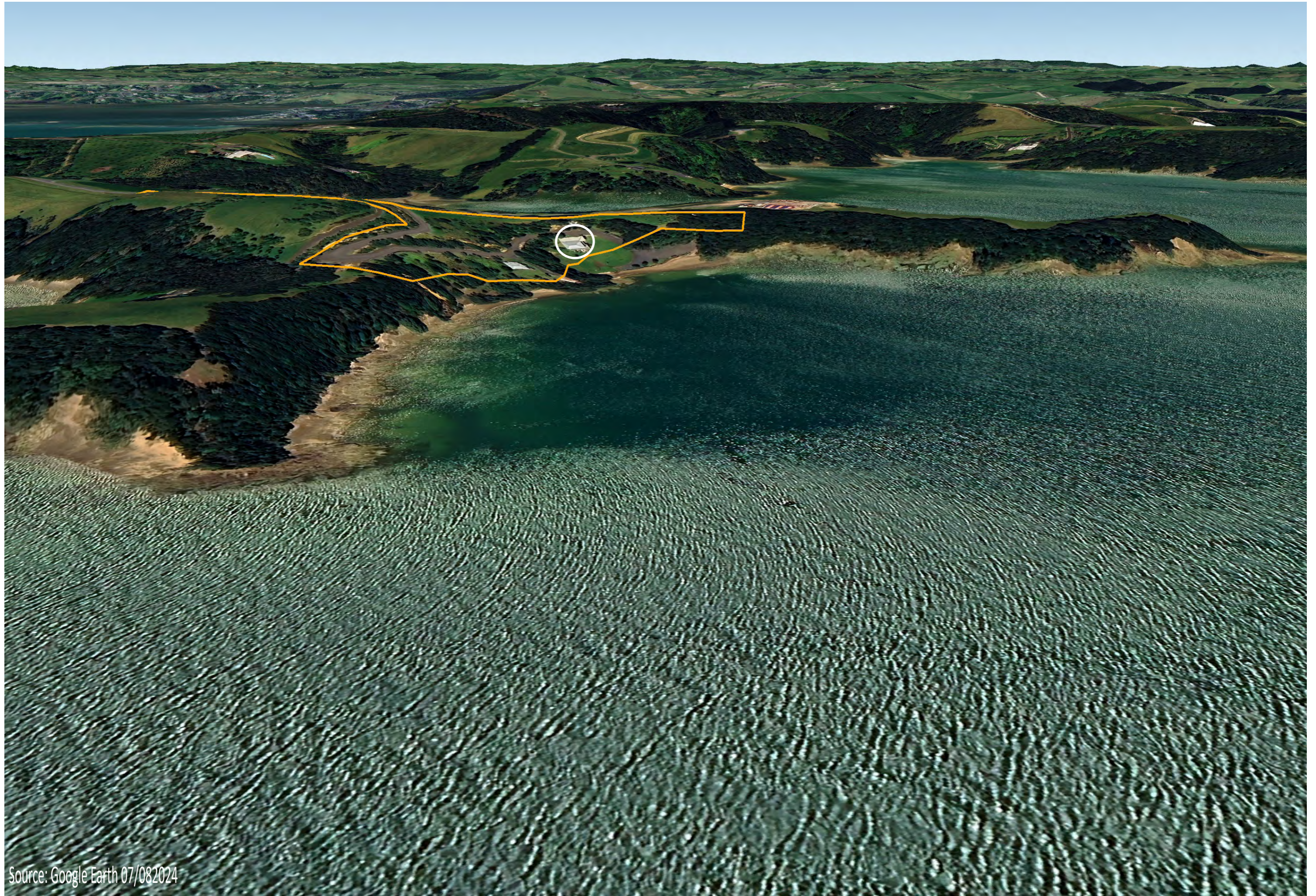
**3 SOUTH ELEVATION**  
A0-003 1 : 200



**4 WEST ELEVATION**  
A0-003 1 : 200

**MATERIAL LEGEND**

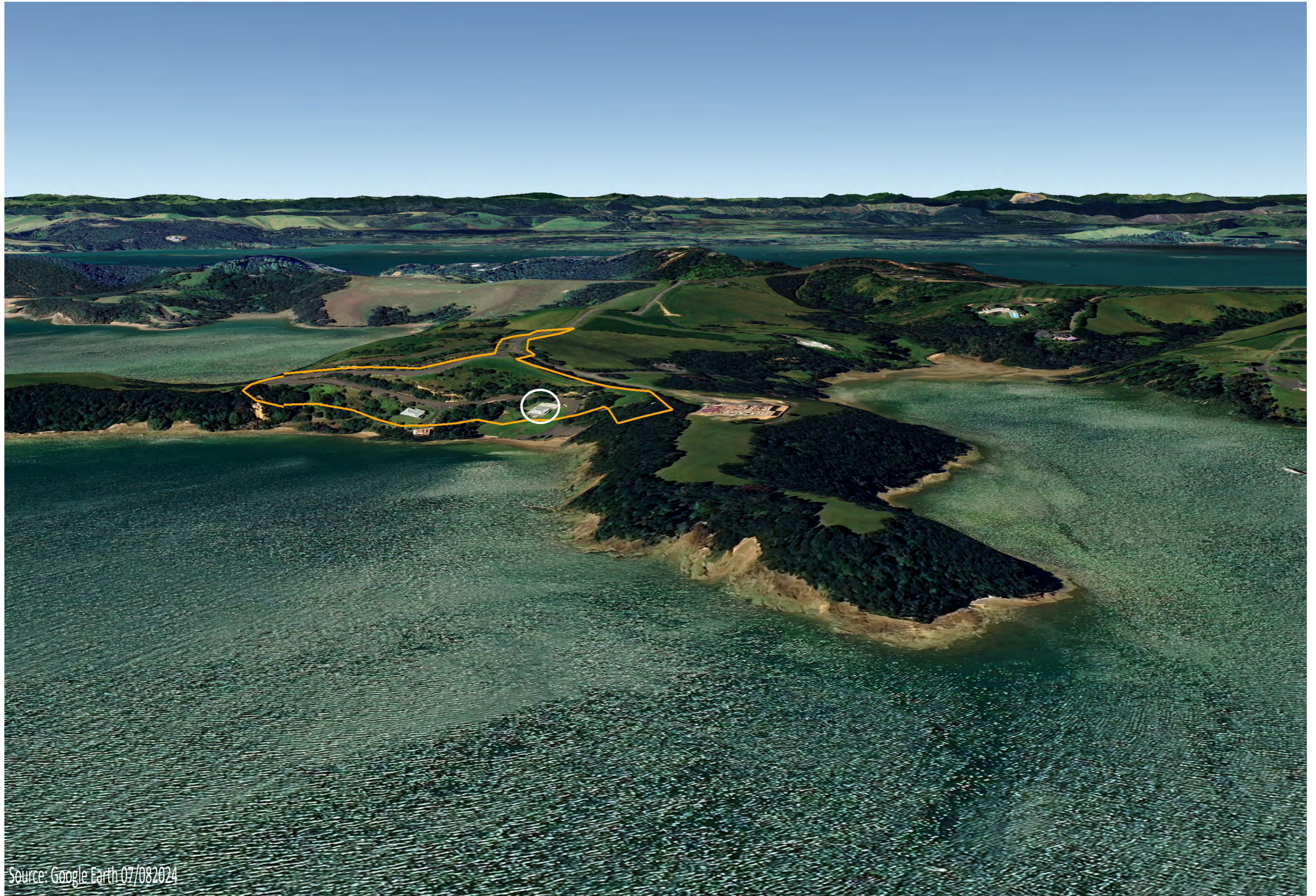
-  NUWALL ALUMINIUM CLADDING  
FINISH: DULUX METRO SILVER PEARL (LRV 44%)
-  PRECAST CONCRETE
-  GLASS, CLEAR
-  ALUMINIUM JOINERY, POWDERCOATED  
TO MATCH CLADDING



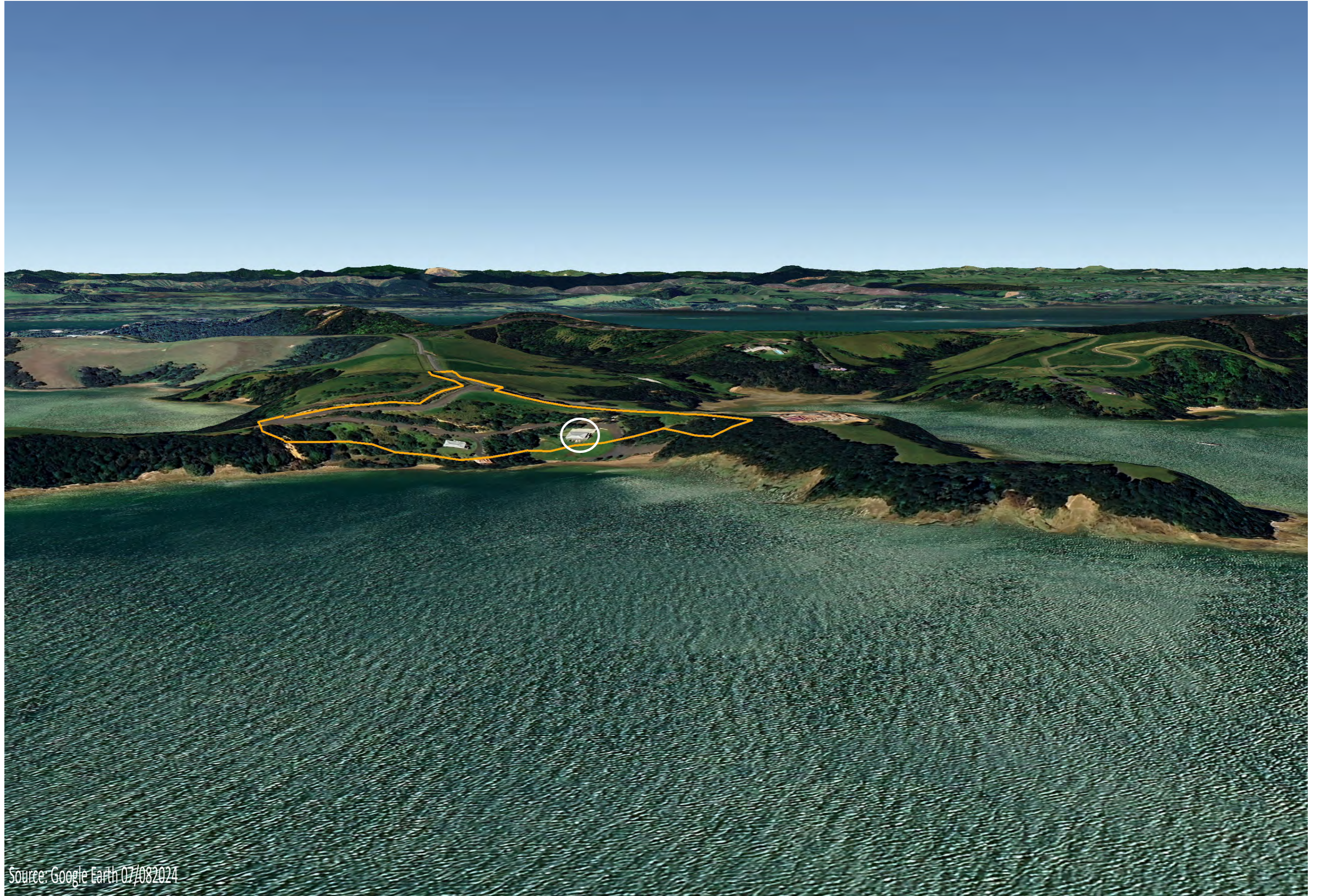
Source: Google Earth 07/082024



Source: Google Earth 07/082024



Source: Google Earth 07/082024



Source: Google Earth 07/08/2024





**FIRE**  
**EMERGENCY**

NEW ZEALAND

## Non-Reticulated Firefighting Water Supplies, Vehicular Access & Vegetation Risk Reduction Application for New and Existing Residential Dwellings and Sub-Divisions

### Applicant Information

Applicants Information	
Name:	Denise Brown and Paul Vujcich
Address:	269C Opito Bay Rd Kerikerii
Contact Details:	Contact via Agent (Architect) Bossley Architects, Lynley Millar
Return Email Address:	lynley@bossleyarchitects.co.nz

### Property Details

Property Details	
Address of Property:	269C Opito Bay Rd Kerikeri
Lot Number/s:	Lot 3 DP 147425
Dwelling Size: (Area = Length & Width)	291m <sup>2</sup> (Gd Fl 56m <sup>2</sup> + First Fl 235m <sup>2</sup> )
Number of levels: (Single / Multiple)	2 levels



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## Firefighting Water Supplies and Vegetation Risk Reduction Waiver

***“Fire and Emergency New Zealand strongly recommends the installation of automatic fire detection system devices such as smoke alarms for early warning of a fire and fire suppression systems such as sprinklers in buildings (irrespective of the water supply) to provide maximum protection to life and property”.***

### Waiver Explanation Intent

Fire and Emergency New Zealand [FENZ] use the New Zealand Fire Service [NZFS] Code of Practice for firefighting water supplies (SNZ PAS 5409:2008) (The Code) as a tool to establish the quantity of water required for firefighting purposes in relation to a specific hazard (Dwelling, Building) based on its fire hazard classification regardless if they are located within urban fire districts with a reticulated water supply or a non-reticulated water supply in rural areas. The code has been adopted by the Territorial Authorities and Water Supply Authorities. The code can be used by developers and property owners to assess the adequacy of the firefighting water supply for new or existing buildings.

The Community Risk Manager under the delegated authority of the Fire Region Manager and District Manager is responsible for approving applications in relation to firefighting water supplies. The Community Risk Manager may accept a variation or reduction in the amount of water required for firefighting for example; a single level dwelling measuring 200<sup>m</sup><sup>2</sup> requires 45,000L of firefighter water under the code, however the Community Risk Manager in Northland will except a reduction to 10,000L.

This application form is used for the assessment of proposed water supplies for firefighting in non-reticulated areas only and is referenced from (Appendix B – Alternative Firefighting Water Sources) of the code. This application also provides fire risk reduction guidance in relation to vegetation and the 20-metre dripline rule under the Territorial Authority’s District Plan. Fire and Emergency New Zealand are not a consenting authority and the final determination rests with the Territorial Authority.

For more information in relation to the code of practice for Firefighting Water supplies, Emergency Vehicle Access requirements, Home Fire Safety advice and Vegetation Risk Reduction Strategies visit [www.fireandemergency.nz](http://www.fireandemergency.nz)

## 1. Fire Appliance Access to alternative firefighting water sources - Expected Parking Place & Turning circle

*Fire and Emergency have specific requirements for fire appliance access to buildings and the firefighting water supply. This area is termed the hard stand. The roading gradient should not exceed 16%. The roading surface should be sealed, able to take the weight of a 14 to 20-tonne truck and trafficable at all times. The minimum roading width should not be less than 4 m and the property entrance no less 3.5 metres wide. The height clearance along access ways must exceed 4 metres with no obstructions for example; trees, hanging cables, and overhanging eaves.*

1 (a) Fire Appliance Access / Right of Way	
Is there at least 4 metres clearance overhead free from obstructions?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Is the access at least 4 metres wide?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Is the surface designed to support a 20-tonne truck?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Are the gradients less than 16%	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Fire Appliance parking distance from the proposed water supply is <input type="text"/> metres	

*Internal FENZ Risk Reduction comments only:*

*If access to the proposed firefighting water supply is not achievable using a fire appliance, firefighters will need to use portable fire pumps. Firefighters will require at least a one-metre wide clear path / walkway to carry equipment to the water supply, and a working area of two metres by two metres for firefighting equipment to be set up and operated.*

1 (b) Restricted access to firefighting water supply, portable pumps required
Has suitable access been provided? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Comments: <input type="text"/>

*Internal FENZ Risk Reduction comments only:*

## 2. Firefighting Water Supplies (FFWS)

What are you proposing to use as your firefighting water supply?

2 (a) Water Supply Single Dwelling	
Tank	<input checked="" type="checkbox"/> Concrete Tank <input type="checkbox"/> Plastic Tank <input type="checkbox"/> Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) <input type="checkbox"/> Part Buried (max exposed 1.500 mm above ground) <input checked="" type="checkbox"/> Fully Buried (access through filler spout) Volume of dedicated firefighting water 25,000litres

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

2 (b) Water Supply Multi-Title Subdivision Lots / Communal Supply	
Tank Farm	<input type="checkbox"/> Concrete Tank <input type="checkbox"/> Plastic Tank <input type="checkbox"/> Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) <input type="checkbox"/> Part Buried (max exposed 1.500mm above ground) <input type="checkbox"/> Fully Buried (access through filler spout) Number of tanks provided Click or tap here to enter text. Number of Tank Farms provided Click or tap here to enter text. Water volume at each Tank Farm Click or tap here to enter text. Litres Volume of dedicated firefighting water Click or tap here to enter text. litres

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

## 2 (c) Alternative Water Supply

Pond:	Volume of water: Click or tap here to enter text.
Pool:	Volume of water: Click or tap here to enter text.
Other:	Specify: Click or tap here to enter text.
	Volume of water: Click or tap here to enter text.

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

## 3. Water Supply Location

*The code requires the available water supply to be at least 6 metres from a building for firefighter safety, with a maximum distance of 90 metres from any building. This is the same for a single dwelling or a Multi-Lot residential subdivision. Is the proposed water supply within these requirements?*

### 3 (a) Water Supply Location

Minimum Distance:	<i>Is your water supply at least 6 metres from the building?</i> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Maximum Distance	<i>Is your water supply no more than 90 metres from the building?</i> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

### 3 (b) Visibility

How will the water supply be readily identifiable to responding firefighters? E.g.: tank is visible to arriving firefighters or, there are signs / markers posts visible from the parking place directing them to the tank etc.

Comments:

Manhole lid 550mm wide visible to top of tank

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

### 3 (c) Security

How will the FFWS be reasonably protected from tampering? E.g.: light chain and padlock or, cable tie on the valve etc.

Explain how this will be achieved:

Fully buried tank

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

## 4. Adequacy of Supply

*The volume of storage that is reserved for firefighting purposes must not be used for normal operational requirements. Additional storage must be provided to balance diurnal peak demand, seasonal peak demand and normal system failures, for instance power outages. The intent is that there should always be sufficient volumes of water available for firefighting, except during Civil Défense emergencies or by prior arrangement with the Fire Region Manager.*

### 4 (a) Adequacy of Water supply

**Note:** *The owner must maintain the firefighting water supply all year round. How will the usable capacity proposed be reliably maintained? E.g. automatically keep the tank topped up, drip feed, rain water, ballcock system, or manual refilling after use etc.*

Comments:

manual refilling with tanker water to rain water tank when required

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

## 5. Alternative Method using Appendix's H & J

*If Table 1 + 2 from the Code of Practice is not being used for the calculation of the Firefighting Water Supply, a competent person using appendix H and J from the Code of Practice can propose an alternative method to determine firefighting water supply adequacy.*

*Appendix H describes a method for determining the maximum fire size in a structure. Appendix J describes a method for assessing the adequacy of the firefighting water supply to the premises.*

### 5 (a) Alternative Method Appendix H & J

If an alternative method of determining the FFWS has been proposed, who proposed it?

Name: Click or tap here to enter text.

Contact Details: Click or tap here to enter text.

Proposed volume of storage?

Litres: Click or tap here to enter text.

Comments:

Click or tap here to enter text.

*\* Please provide a copy of the calculations for consideration.*

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.



## 6. Diagram

Please provide a diagram identifying the location of the dwelling/s, the proposed firefighting water supply and the attendance point of the fire appliance to support your application.



*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

## **7. Vegetation Risk Reduction - Fire + Fuel = Why Homes Burn**

*Properties that are residential, industrial or agricultural, are on the urban–rural interface if they are next to vegetation, whether it is forest, scrubland, or in a rural setting. Properties in these areas are at greater risk of wildfire due to the increased presence of nearby vegetation.*

*In order to mitigate the risk of fire spread from surrounding vegetation to the proposed building and vice-versa, Fire Emergency New Zealand recommends the following;*

### *I. Fire safe construction*

*Spouting and gutters – Clear regularly and consider screening with metal mesh. Embers can easily ignite dry material that collects in gutters.*

*Roof – Use fire resistant material such as steel or tile. Avoid butanol and rubber compounds.*

*Cladding – Stucco, metal sidings, brick, concrete, and fibre cement cladding are more fire resistant than wood or vinyl cladding.*

### *II. Establish Safety Zones around your home.*

*Safety Zone 1 is your most important line of defence and requires the most consideration. Safety Zone 1 extends to 10 metres from your home, you should;*

- a) Mow lawn and plant low-growing fire-resistant plants; and*
- b) Thin and prune trees and shrubs; and*
- c) Avoid tall trees close to the house; and*
- d) Use gravel or decorative crushed rock instead of bark or wood chip mulch; and*
- e) Remove flammable debris like twigs, pine needles and dead leaves from the roof and around and under the house and decks; and*
- f) Remove dead plant material along the fence lines and keep the grass short; and*
- g) Remove over hanging branches near powerlines in both Zone 1 and 2.*

### *III. Safety Zone 2 extends from 10 – 30 metres of your home.*

- a) Remove scrub and dead or dying plants and trees; and*
- b) Thin excess trees; and*
- c) Evenly space remaining trees so the crowns are separated by 3-6 metres; and*
- d) Avoid planting clusters of highly flammable trees and shrubs*
- e) Prune tree branches to a height of 2 metres from the ground.*

### *IV. Choose Fire Resistant Plants*

*Fire resistant plants aren't fire proof, but they do not readily ignite. Most deciduous trees and shrubs are fire resistant. Some of these include: poplar, maple, ash, birch and willow. Install domestic sprinklers on the exterior of the sides of the building that are less 20 metres from the vegetation. Examples of highly flammable plants are: pine, cypress, cedar, fir, larch, redwood, spruce, kanuka, manuka.*

*For more information please go to <https://www.fireandemergency.nz/at-home/the-threat-of-rural-fire/>*

*If your building or dwelling is next to vegetation, whether it is forest, scrubland, or in a rural setting, please detail below what Risk Reduction measures you will take to mitigate the risk of fire development and spread involving vegetation?*

### **7 (a) Vegetation Risk Reduction Strategy**

Integrate Fire Risk Reduction materials where possible into design of Proposed House: L1  
Proposing Nuwall Aluminium cladding, LG precast concrete construction with concrete slab.  
Aluminium joinery  
Landscape architect to incorporate Vegetation Fire Risk Reduction recommendations in  
Landscape Design - regarding safety zones 1 and 2

*Internal FENZ Risk Reduction comments only:*

Click or tap here to enter text.

## 8. Applicant

Checklist	
<input checked="" type="checkbox"/>	Site plan (scale drawing) – including; where to park a fire appliance, water supply, any other relevant information.
<input type="checkbox"/>	Any other supporting documentation (diagrams, consent).

I submit this proposal for assessment.

Name: Bossley Architects Ltd      Dated: 18/07/2024

Contact No.: 09 361 2201

Email: lynley@bossleyarchitects.co.nz

Signature: L A Millar

## 9. Approval

*In reviewing the information that you have provided in relation to your application being approximately a [Click or tap here to enter text.](#) square metre, Choose an item. dwelling/sub division, and non-sprinkler protected.*

*The Community Risk Manager of Fire and Emergency New Zealand under delegated authority from the Fire Region Manager, Te Hiku, and the District Manager has assessed the proposal in relation to firefighting water supplies and the vegetation risk strategy. The Community Risk Manager Choose an item. agree with the proposed alternate method of Fire Fighting Water Supplies. Furthermore, the Community Risk Manager agrees with the Vegetation Risk Reduction strategies proposed by the applicant.*

Name: [Click or tap here to enter text.](#)

Signature: [Click or tap here to enter text.](#)      Dated: [Click or tap to enter a date.](#)

P.P on behalf of the Community Risk Manager Northland Mitchell Brown

Fire and Emergency New Zealand  
Te Tai Tokerau / Northland District

**APPROVED**  
*By GoffinJ at 9:49 am, Jul 22, 2024*

Jason Goffin- Advisor Risk  
Reduction

Geotechnical Investigation Report  
Proposed Dwelling  
269C Opito Bay Road, Kerikeri  
Lot 3, Deposited Plan 147425  
For  
Paul and Denise Vujcich

*Haigh Workman reference 22 234*

May 2024



## Revision History

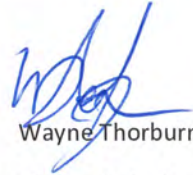
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## ***Executive Summary***

Haigh Workman Limited (Haigh Workman) were engaged by Paul and Denise Vujcich (the Client) to undertake a geotechnical investigation for a proposed new dwelling at 269C Opito Bay Road, Kerikeri (Lot 3, DP 147425).

Weathered Waipapa Group (TJw) was encountered at all test locations, overlain by inferred colluvium and alluvium toward the northern part of the site. The hand auger boreholes encountered a thin surface layer of topsoil and non-certified fill. Boreholes BH01, BH03 and BH04 encountered inferred colluvium to between 2.5 and 3.2 mbgl, overlying very stiff to hard residual Waipapa Group soils to termination depth. Borehole BH02 encountered residual Waipapa Group soils throughout. From the soils recovered from the auger boreholes, CPTs and geomorphology, it is inferred that the northern side of the dwelling sits upon a colluvial deposits, underlain by alluvial/estuarine deposits, further underlain by Waipapa Group material. The CPTs encountered highly weathered rock at depths between 4.8 and 8.8 mbgl.

There are numerous slip features across the steep southern slopes (upslope of the driveway) with some timber pole walls terraced through the main slip area. There is an old under slip of the driveway, approximately 20m east of the existing dwelling which has been supported by a timber pole wall. The slopes around the eastern side of the beach (below the previously investigated platform) are steep and show numerous visual signs of historic soil movement. No obvious signs of instability were observed immediately surrounding the existing dwelling and the building shows no obvious signs of distress relating to instability (i.e. cracking, settlement etc.). Based on the results of the stability analyses, the proposed building platform is considered to be stable and suitable for construction of the proposed new dwelling.

Based on our findings, the majority of the proposed dwelling foundations are expected to be over non-certified fill and/or inferred colluvium which is not considered suitable for supporting building foundations. The deepest colluvium is expected to be along the lower (northern) edge of the dwelling, transitioning into residual Waipapa Group soils along the upper (southern) edge. Consequently, all building foundations should be supported on piles, embedded sufficiently into the underlying residual soils.

Foundation recommendations are outlined in Section 5 of this report with earthworks recommendations outlined within Section 6.1

We consider the following specific items, but not limited to will need to be addressed prior to and at the time of construction to ensure the foundation soils are consistent with the assumptions made within this geotechnical report:

1. Geotechnical drawing review prior to undertaking construction observations;
2. Observe all foundation excavations for the building prior to foundations being poured.

Provision should be allowed for modifying the foundation solution at this time should unforeseen ground conditions be encountered.

# **1 Introduction**

## **1.1 Project Brief and Scope**

Haigh Workman Limited (Haigh Workman) were engaged by Paul and Denise Vujcich (the Client) to undertake a geotechnical investigation for a proposed dwelling at 269C Opito Bay Road, Kerikeri (Lot 3, DP 147425). This report presents the information gathered during the site investigation, interpretation of data obtained and site-specific geotechnical recommendations relevant to the site.

The scope of this report encompasses the geotechnical suitability in the context of the proposed development as defined in the Short Form Agreement variation (accepted by email on 4<sup>th</sup> April 2024). This appraisal has been designed to assess the subsoil conditions for foundation design and identify geotechnical constraints for the proposed development.

This report provides the following:

- A summary of the published geology with reference to the geotechnical investigations undertaken.
- Analysis of the data obtained from site investigations, providing a geotechnical ground model.
- Foundation recommendations.
- Provide comment on ground stability.
- Identification of any additional geotechnical risks and/or hazards.

## **1.2 Proposed Development**

We understand that the client intends to remove the existing dwelling (the lower dwelling adjacent to the beach) and construct a new two-storey dwelling in a similar location. Haigh Workman previously investigated/assessed the other existing building site on the bluff to the east of the subject site in February 2024, however an alternative site was sought due to complications with stabilising that building platform.

We have not been supplied any concept drawings for the proposed development however, based on discussions with our client onsite, and a sketch of the layout (provided by client) we understand that the existing dwelling will be removed and a new dwelling constructed in a similar footprint but extending further towards the east. The proposed dwelling will have a basement level at a similar floor level to the existing dwelling, with a suspended steel and/or timber subfloor supported on pile foundations for the upper level. The approximate location of the dwelling was marked out by our client before the time of our investigation.

This geotechnical investigation and report considers the geotechnical aspects of the proposed development, with particular reference to the proposed development location, (refer to drawings G01 and G02, Appendix A).

Should the proposed development vary from the proposal described above and/or be relocated outside of the investigated area, further investigation and/or amendments to the recommendations made in this report may be required.

**Figure 1: Site Location**

### 1.3 Site Description

The property is legally described as Lot 3, Deposited Plan 147425 with a total land area of 3.4380 ha, irregular in plan shape and elongated approximately north to south. The property is located at the northern end of a small peninsula that extends northwards into the Te Puna Inlet. A long private accessway extends northwards from Opito Bay Road, along the central ridge line of the peninsula, providing vehicle access to multiple properties including the subject site. Towards its northern extent, the small peninsular is split into two ridge spurs, trending to the northwest and east respectively. The subject property is located between the two ridge spurs and occupies a coastal property comprising two sandy beaches, separated by a central ridge spur and rock out crop with rocky shore platforms and cliffs to the north and east of the two beaches (refer Figure 1 above).

The site is occupied by two existing dwellings, one located generally centrally on the small ridge spur and another located 60m (approx.) to the west, on lower slopes that descend to the shore platform and beach below. Subject site is the lower platform adjacent to the beach.

Access to both existing dwellings is via an unsealed driveway that extends from the top of the peninsula, eastwards across the north facing slopes before cutting back to the west across the slope and down to the western most dwelling (subject site).

Both the driveway and beach access tracks have been created through cutting into the existing slopes with some filling on the downslope edges of the respective tracks. The proposed development site comprises a gentle to moderate sloping area that has been formed through some cutting and filling on the northern side.

The existing dwelling comprises a two storey structure with a subfloor basement cut into the slope. There is also concrete gravity wall along the southern side of the dwelling (on the upper level) which supports a carport attached to the southern side of the dwelling.

## 2 Desktop Study

### 2.1 Published Geology

The site is within the bounds of the GNS Geological Map 2 "Geology of the Whangarei area" 1:250,000 scale<sup>†</sup>. The published geological map indicates the site is underlain by soil and rock of the Waipapa Group (TJw). The soils of the Waipapa Group comprise massive to thin bedded, lithic volcanoclastic sandstone and argillite of Permian to Jurassic age.

An extract from the geological map is shown in Figure 2 below, with geological units presented in Table 1 below.



**Figure 2: Geological Map (Whangarei area, 1:250,000)**

<sup>†</sup> Edbrooke, S.W; Brook, F.J. (compilers) 2009. Geology of the Whangarei area. Institute of Geological and Nuclear Sciences 1:250 000 geological Map 2. 1 sheet + 68 p. Lower Hutt, New Zealand: Institute of GNS Science.

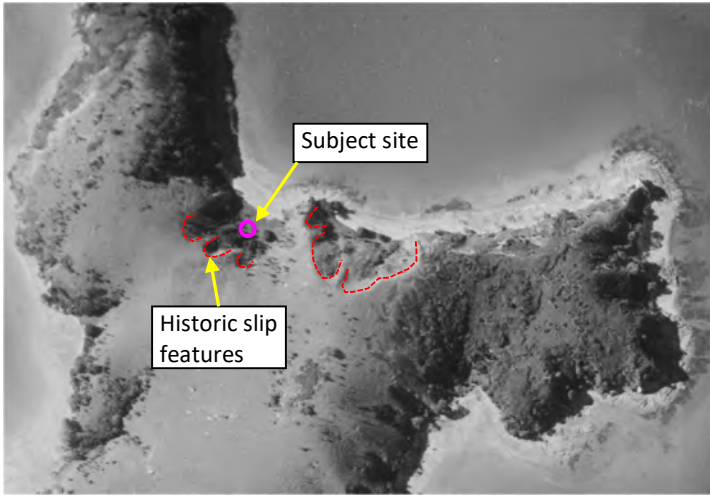
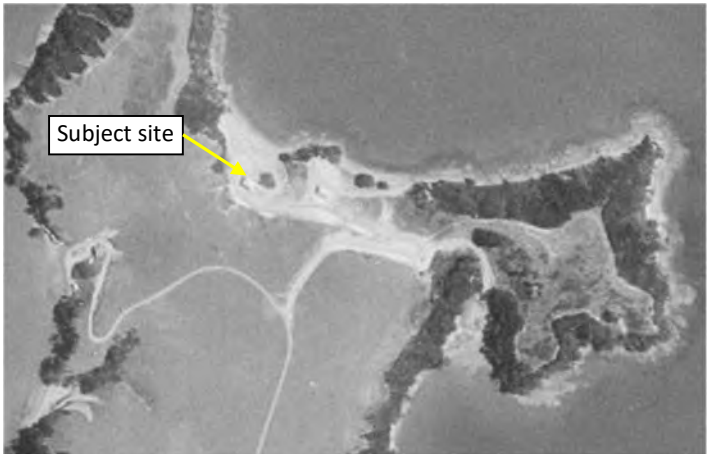
**Table 1: Geological Legend**

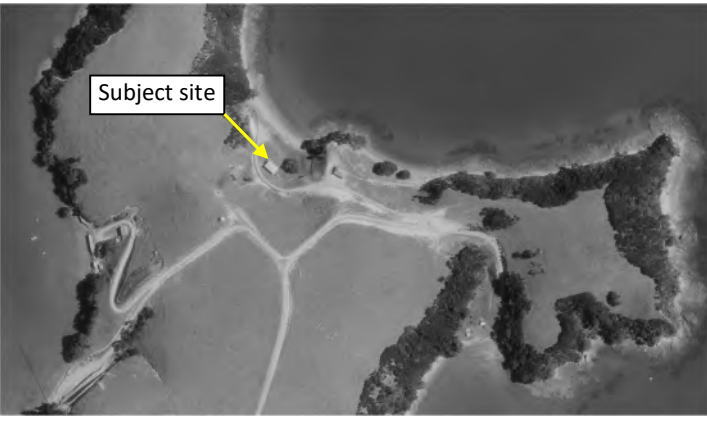
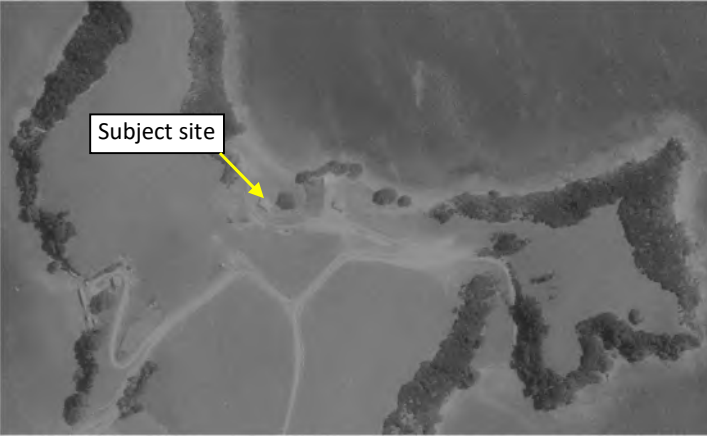

Symbol	Unit Name	Description
TJw	Waipapa Group	Massive to thin bedded, lithic volcanoclastic sandstone and argillite (TJw) with minor conglomerate (TJg) and tectonically enclosed basalt (TJv), chert and red and green siliceous argillite (TJc). Permian to Jurassic age.

## 2.2 Historical Aerial Photography

A review of historical aerial photography was undertaken using Retrolens and Google Earth. A summary of the findings is shown in Table 2 below.

**Table 2: Summary of Historic Aerial Photos**

 <p>Subject site</p> <p>Historic slip features</p>	<p><b>1950 Aerial (Retrolens)</b></p> <p>Site is undeveloped in 1950.</p> <p>Large historic slip features are clearly shown to the east and north of the subject site.</p>
 <p>Subject site</p>	<p><b>1968 Aerial (Retrolens)</b></p> <p>The existing dwelling has been constructed sometime between 1950 and 1968. The dwelling on the bluff to the east has also been constructed.</p> <p>The accessway has been formed and traverses through some of the old slip features.</p>

	<p><b>1979 Aerial (Retrolens)</b></p> <p>No obvious change since 1968.</p>
	<p><b>1982 Aerial (Retrolens)</b></p> <p>Shed has been built to the north of the dwelling on the bluff.</p>
	<p><b>2004 Aerial (Google Earth)</b></p> <p>Carport has been constructed on the southern part of the dwelling.</p> <p>Work may have been done on the accessway or cut batters upslope of the accessway may have slumped.</p>



### 2.3 Geomorphology

The geomorphology across the subject site and surrounding slopes consists of steep coastal Waipapa Group greywacke slopes with numerous signs of historic and recent instability, with the existing dwelling located at the toe of the slopes adjacent to the beachfront. From the Retrolens historic aerials and LINZ LiDAR data, there are several historic scarp features around the steep slopes to the south and east of the dwelling, with some minor recent slumping of completely weathered rock in the steep road cuts.

There are also 2 under-slips along the driveway which were investigated by Haigh Workman and provided with remedial solutions in 2016, comprising timber pole retaining walls.

Historic head scarp features have been mapped using LINZ LiDAR data and QGIS. Refer to Figure 3 and appended drawings (Appendix A).

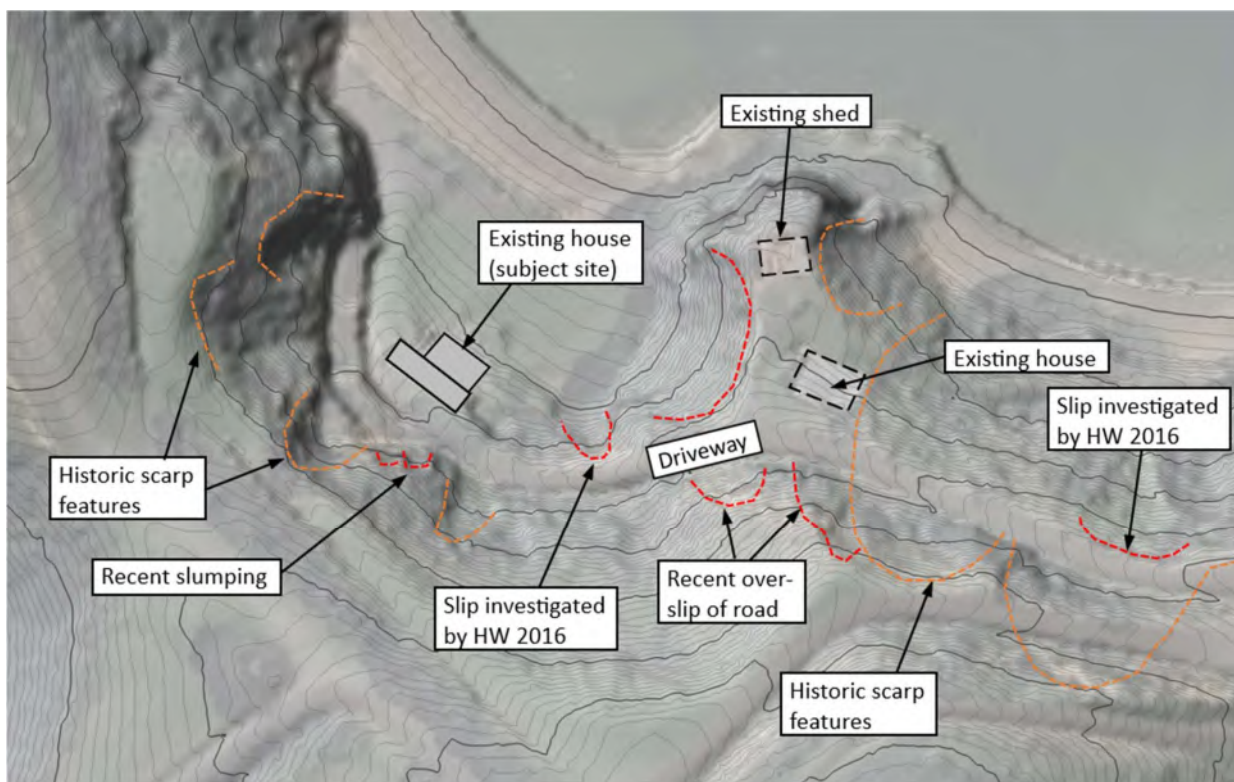


Figure 3: QGIS Model (Site Features)

### 3 Ground Investigations

#### 3.1 Previous Information

Haigh Workman has previously carried out investigations in 2011 for timber pole retaining wall to the south of the subject site, May 2016 for road under slips along the existing driveway, and February 2024 for the house site on the knoll to the west of the subject site. These investigations comprised hand augers and Scala penetrometers which revealed similar conditions to the investigations for the subject site.

#### 3.2 Subsurface Investigations

Haigh Workman undertook geotechnical investigations on 9<sup>th</sup> April 2024. The investigations comprised the drilling of four hand auger boreholes (BH01 to BH04), located across the proposed development location. In addition to the hand auger investigations, a total of five Cone Penetrometers Tests (CPT01 to CPT05) were completed at the site.

##### 3.2.1 Hand Auger Boreholes

The hand auger boreholes were advanced to a maximum depth of 4.1 metres below ground level (mbgl) (BH01). Vane shear tests were undertaken at regular intervals during the advancement of the hand auger boreholes. A



hand shear vane with 19mm blade was used where appropriate to measure the Vane Shear Strength of the cohesive, in-situ material. All shear strengths shown on the appended logs are Vane Shear Strengths in accordance with NZGS; “Guideline for Hand Held Shear Vane Test”, 2001. Unsuccessful tests where soils were too difficult to penetrate with the shear vane were recorded as ‘unable to penetrate’ (UTP).

Investigations were logged in accordance with The New Zealand Geotechnical Society, “Guidelines for the Field Classification and Description of Soil and Rock for Engineering Purposes” (2005). Investigation locations are shown on the drawings in Appendix A and investigation hand auger logs are included within Appendix B.

### 3.2.2 Cone Penetrometer Tests (CPT)

Five Cone Penetrometer Tests (CPTs) across the proposed development area were undertaken by Underground Investigations Limited, with testing completed on 9<sup>th</sup> April 2024. Underground Investigations Limited provided a cone penetration rig attached to a rubber tracked machine to test and record ground information.

Testing was undertaken to refusal (anchors pulling out of the ground) or until maximum allowable friction was reached during testing. A maximum depth of 9.89 mbgl was achieved at CPT05 location. CPT soundings are presented within Appendix C.

## 3.3 Ground Conditions

Based on the results of the geotechnical investigation conducted by Haigh Workman and review of published geological maps, it is considered that the soils directly underlying the site comprise natural soils of the Waipapa Group (TJw), overlain by inferred colluvium and alluvium toward the northern part of the site. The hand auger boreholes encountered a thin surface layer of topsoil and non-certified fill. Boreholes BH01, BH03 and BH04 encountered inferred colluvium to between 2.5 and 3.2 mbgl, overlying very stiff to hard residual Waipapa Group soils to termination depth. Borehole BH02 encountered residual Waipapa Group soils throughout.

The CPTs carried out across the northern part of the site encountered firm clays (inferred to be Tauranga Group alluvium) underlying the inferred colluvium. From the soils recovered from the auger boreholes, CPTs and geomorphology, it is inferred that the northern side of the dwelling sits upon a colluvial deposits, underlain by alluvial/estuarine deposits, further underlain by Waipapa Group material. The CPTs encountered highly weathered rock at depths between 4.8 and 8.8 mbgl.

For the purposes of this report, subsoil conditions on the site have been interpolated between the boreholes and some variation between borehole positions are likely. Table 3 summarises the materials encountered, with depth to base of each unit provided.

**Table 3: Summary of Borehole Results**

Borehole Number	Topsoil (mbgl)	Non-certified Fill Material (mbgl)	Inferred Colluvium (mbgl)	Waipapa Group Soils (mbgl)	Groundwater Observations
BH01	NE	0.0 – 0.7	0.7 – 3.2	3.2 – 4.1	Groundwater at 3.7 mbgl
BH02	0.0 – 0.1	NE	NE	0.1 – >3.0	

<b>BH03</b>	0.0 – 0.1	NE	0.1 – 2.5	2.5 – >3.0	Groundwater not encountered.
<b>BH04</b>	0.0 – 0.1	0.1 – 0.6	0.6 – >3.0	NE	

**Table 4: CPT Results Summary**

Inferred Geological Unit	Test I.D.				
	CPT01	CPT02	CPT03	CPT04	CPT05
<b>Non-certified Fill</b> <i>Inferred from adjacent boreholes</i>	0.0 – 0.9	0.0 – 0.9	0.0 – 0.6	NE	0.0 – 1.0
<b>Stiff clay and silty clay</b> <i>[Inferred Colluvium]</i>	0.9 – 3.5	0.9 – 2.9	0.6 – 3.2	0.0 – 2.5	NE
<b>Firm clays</b> <i>[Inferred Tauranga Group Alluvium]</i>	3.5 – 4.0	2.9 – 5.0	3.2 – 3.6	NE	NE
<b>Very stiff clay and silty clay</b> <i>Su 100 to 200 kPa</i> <i>[Waipapa Group]</i>	NE	NE	3.6 – 4.6	2.5 – 4.5	1.0 – 1.6
<b>Hard silt and sandy mixtures</b> <i>Su &gt;200 kPa</i> <i>[Waipapa Group]</i>	4.0 – 4.8	5.0 – 5.4	4.6 – 6.0	4.5 – 5.8	1.6 – 8.8
<b>Highly Weathered Rock</b> <i>[Waipapa Group]</i>	4.8 – >6.45	5.4 – >6.54	6.0 – >8.01	5.8 – >7.04	8.8 – >9.89
<b>Groundwater Level</b>	2.5	1.8	3.5	NE	NE

Note: NE = Not Encountered.

All CPTs were pushed to refusal (inferred to be weathered Waipapa Group rock) at depths of between 6.45 m and 9.89 m.

### 3.3.1 **Topsoil**

A thin veneer of topsoil was encountered within boreholes BH02 to BH03 to a depth of 0.1 mbgl. The topsoil comprised silt or gravelly silt, described as dark brown in colour, dry and low plasticity.

### 3.3.2 **Fill**

Fill was encountered within boreholes BH01 and BH04 to between 0.6 and 0.7 m depth. The fill material was generally described as intermixed brown, orange and grey silt and clayey silt. The fill was further described as being hard, dry and having low plasticity. The fill material encountered is considered to comprise reworked Waipapa Group soils, placed as part of the original earthworks undertaken during the development and construction of the existing dwelling. No records of the fill placement are available and is therefore classified as non-certified for the purpose of our assessment.

### 3.3.3 ***Inferred Colluvium and Alluvium***

Colluvial soils or colluvium, are typically unconsolidated sediments that have been mobilised via gravitational forces to accumulate at the base of a slope. In this case, the Waipapa Group colluvial soils encountered are considered to be derived from Waipapa Group soil and rock that have been mobilised and represent landslip debris that has accumulated at the base of the existing slope. The colluvial soils encountered were described as yellow brown, orange brown and light grey clay and silty clay of variable strength (stiff to hard), moist to wet and high plasticity. Undrained strengths (estimated from CPTs) within the colluvial soils were variable with results ranging between 50 kPa to 200 kPa, indicating the disturbed nature of colluvial soils.

CPT01 to CPT03 encountered firm soils with strengths between 25 and 50 kPa immediately before the hard residual soil layer. Given the proximity to the beach/coastline, this layer is inferred to be alluvium underlying the colluvial deposits.

### 3.3.4 ***Waipapa Group Soils***

Natural soils of the Waipapa Group were encountered below the topsoil, non-certified fill material, and colluvium in boreholes BH01, BH02 and BH03. The soils were generally described as being very stiff to hard silty clay and clayey silt. The natural soils were variable in colour from yellow brown near the surface, to orange brown and light grey with depth. The soils were further described as being generally moist, becoming moist to wet with increasing depth and of having low to high plasticity. Vane shear strength results indicated very stiff soils with recorded vane shear strengths typically greater than 100 kPa. Recorded vane shear strengths are shown on the appended borehole logs within Appendix B.

The CPTs indicate hard residual soils from between 1.0 and 4.0 mbgl, with highly weathered greywacke being encountered between 4.8 and 8.8 mbgl.

The geological cross sections show the ground conditions across the investigation area to be relatively consistent, i.e., non-certified fill material overlying colluvium and natural soils of the Waipapa Group. The geological cross sections are included within Appendix A.

### 3.3.5 ***Groundwater***

Groundwater was encountered in borehole BH01 at a depth of 3.7 mbgl and none of the other boreholes encountered groundwater. No evidence of groundwater seepage or static groundwater level was observed near the ground surface during the drilling of the hand auger boreholes. Soil moisture observations were recorded within the hand auger boreholes, with soils noted as being moist, becoming moist to wet with increasing depth. Groundwater was measured in CPT01, CPT02 and CPT03 at depths between 2.5 and 3.5 mbgl. Standpipes were not installed in the hand auger boreholes or CPTs and no further groundwater monitoring has been undertaken. Groundwater levels can and do fluctuate and higher groundwater levels may be encountered following periods of prolonged or heavy rainfall.

## 4 Geotechnical Assessment

### 4.1 Geotechnical Design Parameters

Geotechnical design parameters recommended in this report are based on in-situ test results, empirical relationships, and back analysis. Back analysis was carried out along cross section B-B' which runs through the old slip scarp to the south-west of the building platform. Sensitivity analyses was carried out for the residual soil layers to obtain a factor of safety of 1.0 for worst case groundwater conditions. Refer to below for soil parameters adopted within this report.

**Table 5: Geotechnical Design Parameters**

Geological Unit	Peak Undrained Shear Strength $S_u$ (kPa)	Bulk Unit Weight, $\gamma$ (kN/m <sup>3</sup> )	Effective Cohesion $c'$ (kPa)	Effective Friction Angle $\phi'$ (degrees)
Non-certified Fill Material	N/A	17	1	26
Inferred Colluvium	25	18	3	28
Inferred Alluvium	25	18	2	26
Very stiff Residual Soils	100	18	7	32
Hard Residual Soils	200	18	10	34
Highly Weathered Rock	500	20	20	34

Groundwater has been modelled using water surface, estimated from steady state analyses across the lower part of the site, and a pore pressure coefficient ( $R_u$ ) on the steeper southern slopes, adopting  $R_u=0.15$  for static conditions and  $R_u=0.25$  for elevated groundwater conditions.

### 4.2 Seismic Hazard and Liquefaction Potential

Anticipated peak ground acceleration has been taken from Module 1: Overview of the guidelines – Earthquake geotechnical engineering practice, adopting the mean hazard value of 0.13 g as the principal parameter for pseudo-static analysis (500-year return period). Step-change behaviour response has been assessed adopting the 'lower-bound' value of 0.19 g.

Liquefaction potential has been assessed as negligible due to the fine-grained (clayey) nature of the residual soils and age of the deposits. Minor liquefaction may occur in the thin alluvial layer downslope of the proposed dwelling however piled foundations will be embedded into the hard residual soils so will not affect the dwelling. Furthermore, the overlying colluvium and fill is cohesive therefore surface expression is unlikely. No further assessment is necessary.

### 4.3 Slope Stability Assessment

#### 4.3.1 Visual Assessment

The proposed dwelling will be situated in a similar location to the existing dwelling. There are numerous slip features across the steep southern slopes (upslope of the driveway) with some timber pole walls terraced through the main slip area. There is an old under slip of the driveway, approximately 20m east of the existing dwelling which has been supported by a timber pole wall. The slopes around the eastern side of the beach (below the previously investigated platform) are steep and show visual signs of historic soil movement.

No obvious signs of instability were observed immediately surrounding the existing dwelling and the building shows no obvious signs of distress relating to instability (i.e. cracking, settlement etc.).

Due to the steepness of the surrounding slopes and observed instability features, slope stability analyses have been carried out to assess the stability of the site.

#### 4.3.2 Geological Ground Model

Geological ground models have been developed based on the investigation data. The ground surface has been drawn using LINZ Data Service LiDAR information. Stability outputs for all scenarios are included within Appendix D. Geological cross section A-A' was developed for site assessment purposes, refer Appendix A. The criteria adopted for assessing the global stability is outlined in Table 6 below.

#### 4.3.3 Modelling Philosophy

Slope stability analyses were undertaken along our cross sections A-A' and B-B', measured through the site using computer software by Rocscience, Slide (Version 9.031). Cross section B-B' was used to back analyse through the old slip feature to provide geotechnical design parameters, which are presented in Table 5. The purpose of developing the geological ground model was to assess the overall global stability of the steep slopes around the proposed development area, including normal groundwater conditions where encountered, worst credible groundwater and during a ULS seismic event. Selected outputs are presented in Appendix D. The criteria adopted for assessing the global stability is outlined in below. A surcharge of 10 kPa vertical surcharge to the ground surface has been applied to represent the 2-storey building load for post-development conditions.

**Table 6: Design Factors of Safety (FOS)**

Load Case	Design Factor of Safety*	
	Dwelling	Amenity Area**
Static conditions	≥ 1.5	≥ 1.2
Worst credible/elevated groundwater conditions	≥ 1.3	≥ 1.1
Seismic conditions (Pseudo-static ULS, 0.13g)	≥ 1.0	N/A

\*Factors of safety are in accordance with *The Auckland Code of Practice for Land Development and Subdivision – Chapter 2: Earthworks and Geotechnical, May 2023, Version 2.0.*

*\*\*Amenity area in Auckland Council CoP is defined as “An area of land extending 8 m from the Building Footprint, or to the lot boundary, whichever is closest. This land will require engineering assessment to ensure that, where instability may be present on the site, it does not detrimentally affect the amenity of the building”.*

#### 4.3.4 Analyses Results

The stability analyses carried out for all scenarios are outlined in the tables below.

**Table 7: Cross Section A-A’ Analyses Results**

Scenario	F.O.S Required	F.O.S (At dwelling)	Outcome
Static conditions	1.5	1.5	F.O.S above required
Worst credible/elevated groundwater conditions	1.3	1.3	F.O.S above required
Post-development – Static conditions	1.5	1.6	F.O.S at dwelling is greater than required. Steep bank upslope of driveway has a F.O.S of 1.2 which is satisfactory for ‘amenity areas’
Post-development – Elevated groundwater	1.3	1.4	F.O.S at dwelling is greater than required. Steep bank upslope of driveway has a F.O.S of 1.06. All F.O.S below 1.1 (for amenity areas) are greater than 8m from the proposed dwelling
Post-development – Seismic conditions (0.13g)	1.0	1.2	F.O.S at dwelling is greater than required.

**Table 8: Cross Section B-B’ Analyses Results**

Scenario	F.O.S Required	F.O.S (At dwelling)	Outcome
Static conditions	1.5	1.4	F.O.S below required
Worst credible/elevated groundwater conditions	1.3	1.3	F.O.S above required
Post-development – Static conditions	1.5	1.5	F.O.S at dwelling is greater than required. For very steep bank to south, all F.O.S below 1.2 (for amenity areas) are greater than 8m from the proposed dwelling (approx. 24m from dwelling)
Post-development – Elevated groundwater	1.3	1.3	F.O.S at dwelling is greater than required. For very steep bank to south, all F.O.S below 1.1 (for amenity areas) are greater than 8m from the proposed dwelling (approx. 19m from dwelling)
Post-development – Seismic conditions (0.13g)	1.0	1.2	F.O.S at dwelling is greater than required.

The stability analyses summary sheets for all scenarios are included in Appendix D. Based on the results of the stability analyses, the proposed building platform is considered to be stable and suitable for construction of the proposed new dwelling. The factor of safety for the steep banks to the south of the proposed dwelling are less than required for ‘amenity areas’ however, where satisfactory factors of safety are achieved is between 15m and 24m away from the proposed dwelling therefore will not detrimentally affect the amenity of the building.

With respect to Section 71 of the Building Act, and subject to the recommendations in this report, including stormwater, foundation and earthworks design recommendations being followed, we consider that the proposed works are not likely to accelerate, worsen, or result in slippage on the site or any other property.

## 5 Foundation Recommendations

### 5.1 General

No concept plans were available for the proposed development however based on discussions with our client, we understand that the proposed dwelling will comprise a basement level for approximately the middle third portion of the dwelling. The proposed basement will be at a similar level to the existing dwelling and founded on concrete strip footings and floor slab with a concrete retaining wall incorporated within the structure. The upper level will be approximately 1.0m higher than the existing upper level, supported on a steel and/or timber subfloor on pile foundations. Refer to Figure 4 below.

Based on our findings, the majority of the proposed dwelling foundations are expected to be over non-certified fill and/or inferred colluvium which is not considered suitable for supporting building foundations. The deepest colluvium is expected to be along the lower (northern) edge of the dwelling, transitioning into residual Waipapa Group soils along the upper (southern) edge. Consequently, all building foundations should be supported on piles, embedded sufficiently into the underlying residual soils. Specific recommendations are given in section 5.3.

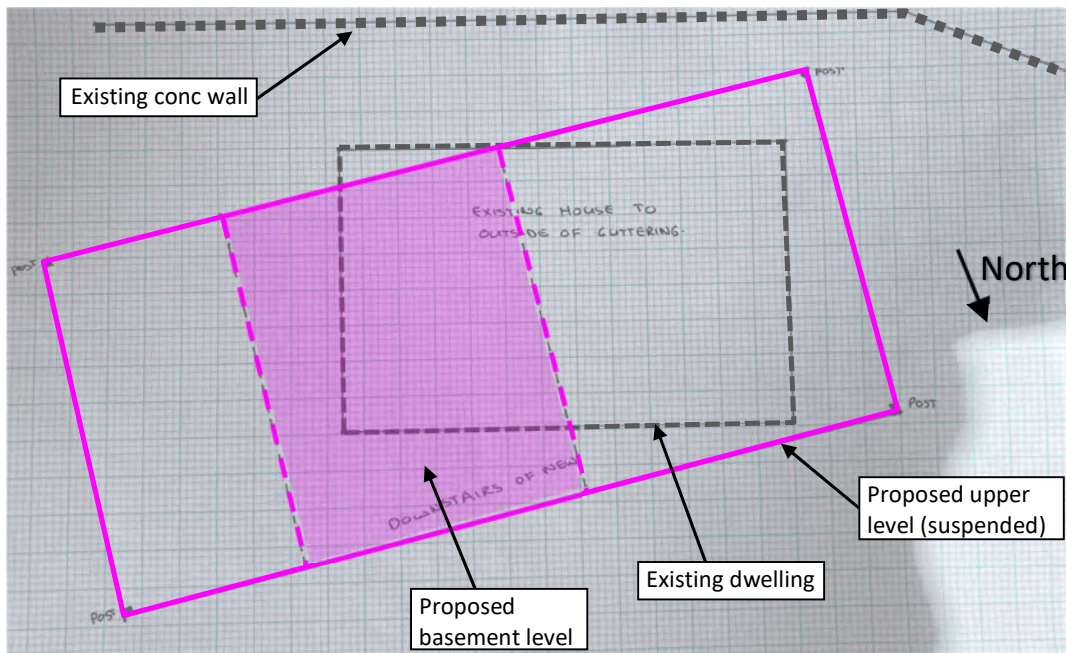


Figure 4: Concept sketch

## 5.2 Shrink Swell Soil Characteristics

In lieu of site-specific laboratory test data for the subject site, the natural soils of the Waipapa Group and are considered as being reactive under seasonal variations of water content. The laboratory testing carried out for the house site of the bluff to the east indicated highly expansive soils. For the purpose of design, the site may be designated as highly reactive (Class H) in accordance with B1/AS1. All foundations for the proposed dwelling will likely be piled deep enough to mitigate shrink/swell effects.

## 5.3 Bored Pile Foundations

Due to the extent and depth of unsuitable fill material and colluvial deposits across the building platform, pile foundations are recommended to support building loads. Piles should be embedded a minimum depth of 4.5 m below the existing ground level or 1.0 m into the hard residual soils, whichever the greater depth. The minimum piled foundation depth should also be no less than 5xD (5 times the pile diameter). Where cutting below the existing ground level is proposed (i.e. for basement level), pile depths can be adjusted/reduced accordingly.

The following parameters may be used for axial load design purposes:

- Ultimate end bearing capacity – 900 kPa.
- Side adhesion to be ignored
- Geotechnical strength reduction factor – 0.5.
- Embedment depth – 5xD or 4.5 m below existing ground level, or 1.0 m into hard residual soils, whichever is greater.

The subsoils encountered are likely to be relatively stable during pile hole drilling, but contractors should make allowance for potential pile hole collapse during construction as a precaution. Pile holes should not be left open for longer than necessary.

All foundations for the proposed building will require specific design by a CPEng structural engineer familiar with the contents of this report

## 5.4 Floor slab

All building foundations are to be supported on piles or supported foundation beams. Consequently, any floor slabs (i.e. for the basement level) will also need to be fully suspended on piles and/or pile supported foundation beams.



## **6 Construction**

### **6.1 Earthworks**

Based on the existing topography and discussions with our client, earthworks for the proposed development will predominantly involve cutting around the existing building platform footprint, at a similar level to the existing basement, with minimal filling required. The existing dwelling is already cut into the slope with a partial basement on the lower level. It is envisaged that the proposed dwelling will basically sit at a similar level and excavations will extend beyond the existing footprint.

#### **6.1.1 Excavations**

Excavated faces are expected to be temporarily stable, provided they are left unsupported for the shortest possible duration. If they are to be left unsupported during prolonged wet weather, appropriate temporary support measures must be put in place. Work must be undertaken to ensure that surface water is not allowed to pond and infiltrate the ground surface on or immediately above the excavated face. Current industry safe working practices should be followed always when working near cut faces.

Vertical cut faces with heights of more than 1.0 m high should not be left unsupported and no work should be carried out in the area immediately above or below. If unsupported, the cut faces must be battered back at a grade of not less than 1 vertical on 1 horizontal, leaving a vertical face of not more than 1.0 m high.

Special care should be undertaken during any excavation or earthworks, with any exposed cut faces protected in the short term with heavy polythene sheeting which is securely battened and anchored to the face to prevent water infiltration and protect faces from the elements. All earthworks should be carried out during good weather.

It is recommended that where proposed outside the building envelope, cuts up to 1.0 m high may be supported by suitably raked earth banking and plantings to aid erosion control. Where excavations are greater than 1.0 m in height, consideration should be given to the construction of retaining structures. No permanent vertical excavations more than 0.6 m should be made on the slopes around the proposed development site unless they are retained by retaining walls designed by a Chartered Professional Engineer familiar with this report.

We recommend that any intended earthworks, including foundation excavations be undertaken during drier periods where disturbed soils are less likely to suffer potential erosional effects during rain events.

#### **6.1.2 Filling**

No widespread filling is envisaged for the proposed development. Minor filling will be required beneath the northern side of the dwelling which should comprise a clean, well-graded granular fill (GAP40 or 65). All fill should be placed on benched ground stripped of vegetation, topsoil and otherwise unsuitable material, placed in layers not exceeding 200 mm thick and compacted using a vibrating roller or heavy plate compactor.

## 6.2 Retaining Walls

It is envisaged that the cut for the proposed basement will comprise reinforced concrete block masonry OR in-situ reinforced concrete retaining walls within the structure to support the cut excavations. The concrete wall may also extend beneath the suspended western part of the dwelling to create parking/storage area under the dwelling.

Walls that are incorporated within the structure should be designed for at rest earth pressures ( $K_0$ ). Free standing cantilever walls (not integral to the building) can be designed for active earth pressures ( $K_a$ ).

The following soil parameters are considered appropriate for retaining wall design:

<b>Cohesion (<math>c'</math>)</b>	3 kPa*
<b>Angle of Internal Friction (<math>\phi'</math>)</b>	28°
<b>Soil Unit Weight (<math>\gamma</math>)</b>	18 kN/m <sup>3</sup>

*\* $c'$  to be ignored over the upper 1.5m, or full retained height, which is greater.*

For in-situ reinforced concrete retaining walls (or alternatively, masonry block walls), the foundation bearing capacity may be calculated using the above soil parameters and an unfactored soil shear strength of 75 kPa.

For calculating sliding resistance, an undrained shear strength of 75 kPa can be assumed for the soil at the base of the wall. This should be reduced by an adhesion factor of 0.6, giving a geotechnical ultimate base adhesion of 45 kPa. These values should be reduced by a factor of 0.5 for limit state design.

The wall design should allow the effects of sloping ground above and/or below the walls and also include any surcharge loadings above the wall (i.e. vehicular surcharge).

Appropriate drainage measures must be installed behind all retaining walls to ensure that hydrostatic pressures cannot build up behind them. The drainage measures should be installed to ensure that any water collected by the drains can drain freely, under gravity alone, from the deepest portion of any wall to the drain outlet.

There is an existing concrete wall beneath the carport to the south of the dwelling which varies from approximately 1.0m high at the western end, to 2.0m at the eastern end of the dwelling. If this wall is to remain in place, a structural assessment should be undertaken to assess the integrity of the wall.

Further recommendations/assessment should be sought once final building location, levels and retaining walls are known to ensure that interaction between the 2 walls has been taken into account (if required).

## 6.3 Wetting of Floor Slabs

With potentially expansive soils, it is important that the soils at slab subgrade are not permitted to dry out as they may be susceptible to re-swell on wetting (in the months after pouring the slab), exerting significant swelling pressures and potentially causing damage to the floor slab. We therefore recommend that any prepared pad be inspected by a geotechnical engineer and promptly covered with at least 100mm of GAP20 type material or periodically wet down for at least one week prior to slab placement. All excavations should be

left open for the shortest possible time prior to pour and should be protected by covering/lining with polythene or similar within 24 hours of excavation. These measures will reduce the risk of ‘hogging’ and cracking of the slab.

#### 6.4 Planned Vegetation

Vegetation should be maintained as much as possible or further planted over the steeper slopes after completion of the development works. Vegetation reduces surface water and groundwater effects and assists in maintaining slope stability through root binding action.

The foundation designer and architect must consider the proximity of trees when preparing designs as trees can exacerbate the normal seasonal variation of soil moisture levels and associated with that, the vertical and horizontal movement of the founding soils. Further, mechanical interference with foundations by tree roots should be considered.

#### 6.5 Stormwater Disposal

Stormwater shall be piped well away from any proposed building platform to avoid over saturation of the subsoils. All stormwater overflow drainages should be well channelled away from the development area to be disposed of in a controlled and dispersive manner, at the base of any steep slopes.

#### 6.6 Flood Hazard

The proposed dwelling is approximately 9.5 m outside the mapped coastal flooding zone (100 years + Rapid Sea Level Rise). Based on the 2016 topographical survey by Thompson survey, finished floor level of the basement level is approximately 5.5m (OTP Datum) which is well above any anticipated coastal flooding levels. The proposed basement level will be at a similar level to the existing therefore is unlikely to be susceptible to coastal flooding.



Figure 5: NRC Coastal Flooding Map

## 6.7 Geotechnical Review

We recommend that the consent drawings are submitted for review to either ourselves, or another professional geotechnical engineer who is familiar with the contents of this report, once they are ready for submission to Council for approval. We recommend this review is carried out to check the compatibility of the design with the recommendations given within this report.

## 6.8 Construction Observations

We consider the following specific items, but not limited to will need to be addressed prior to and at the time of construction to ensure the foundation soils are consistent with the assumptions made in this geotechnical report:

1. Geotechnical drawing review prior to undertaking construction observations;
2. Observe all foundation excavations for the building prior to foundations being poured.

Provision should be allowed for modifying the foundation solution at this time should unforeseen ground conditions be encountered.

## 7 Limitations

This report has been prepared for the use of Paul and Denise Vujcich with respect to the particular brief outlined to us. This report is to be used by our Client and their Consultants and may be relied upon when considering geotechnical advice.

Furthermore, this report may be utilised in the preparation of building and/or resource consent applications with local authorities. The information and opinions contained within this report shall not be used in other context for any other purpose without prior review and agreement by Haigh Workman Ltd.

The recommendations given in this report are based on site data from discrete locations. Inferences about the subsoil conditions away from the test locations have been made but cannot be guaranteed. We have inferred an appropriate geotechnical model that can be applied for our analyses. However, variations in ground conditions from those described in this report could exist across the site. Should conditions encountered differ to those outlined in this report we ask that we be given the opportunity to review the continued applicability of our recommendations. Furthermore, should any changes be made, we must be allowed to review the new development proposal to ensure that the recommendations of this report remain valid.

## ***Appendix A – Drawings***

<b>Drawing No.</b>	<b>Title</b>
G01	Site Location Plan
G02	Site Investigation Plan
G03	Geological Cross Section A-A'
G04	Geological Cross Section B-B'

**NOTES:**  
 1. LOT BOUNDARIES AND AERIAL PHOTO INFORMATION TAKEN FROM LAND INFORMATION NEW ZEALAND (LINZ).



Issue	Date	Revision
A	9/05/2024	FIRST ISSUE

DWG	<b>SITE LOCATION PLAN</b>		
Scale	1:2000 @A3	Date	MAY 2024
Drawn	JMC	Checked	WT
Approved	JP		
File	T:\CLIENTS\PAUL AND DENISE VUJICICH\JOBS\23 234 - 269C OPITO BAY ROAD (LOT 3 DP 147425)\ENGINEERING\GEOTECH\APR 2024 - LOWER SITE\DRAWINGS\23 234 GEO DRAWINGS-FINAL.DWG		

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Client	<b>PAUL &amp; DENISE VUJICICH</b>	
Project No.	<b>23 234</b>	RC no. N/A

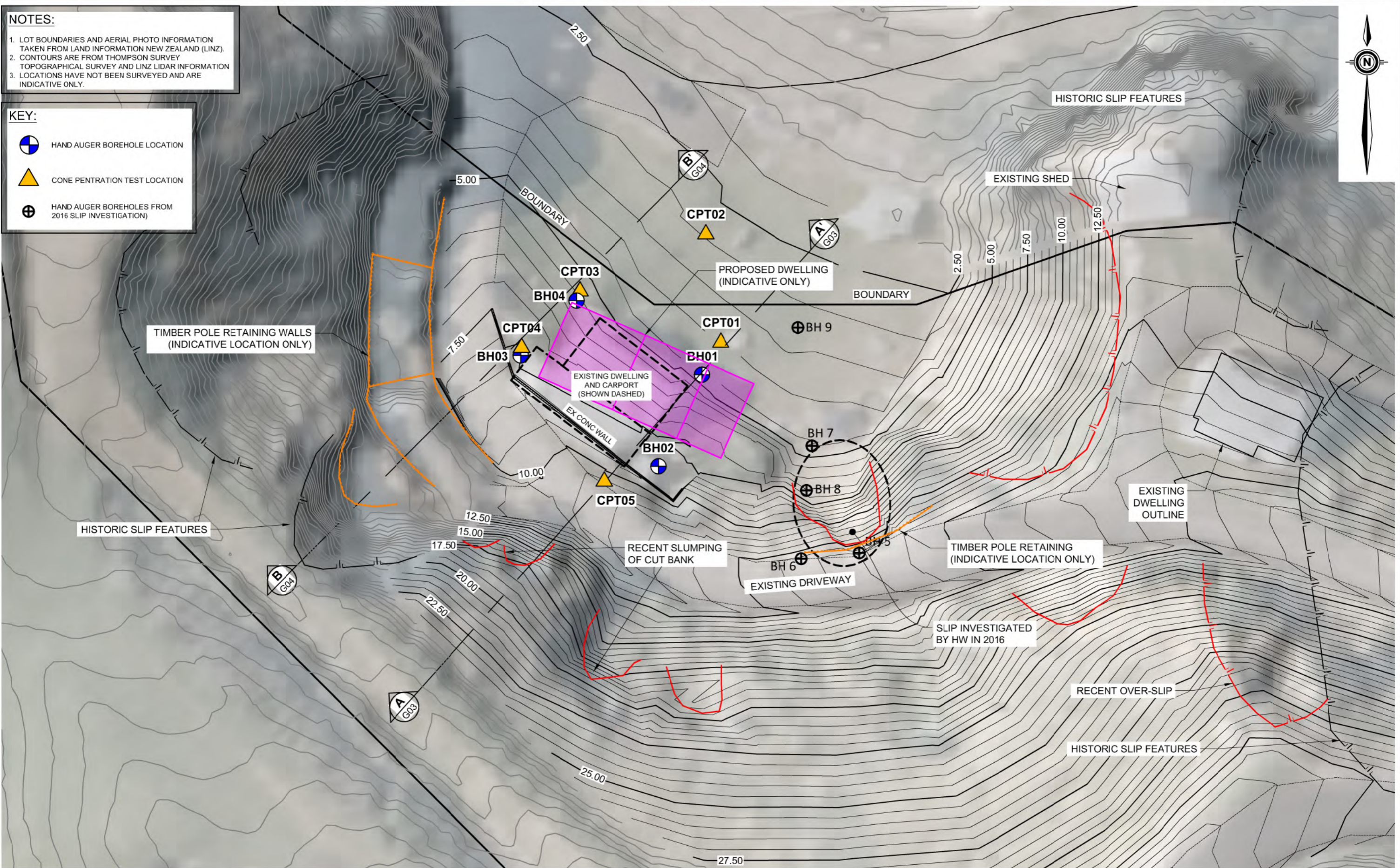
DWG No.	<b>G01</b>
Sheet No.	<b>1 of 4</b>

**NOTES:**

1. LOT BOUNDARIES AND AERIAL PHOTO INFORMATION TAKEN FROM LAND INFORMATION NEW ZEALAND (LINZ).
2. CONTOURS ARE FROM THOMPSON SURVEY TOPOGRAPHICAL SURVEY AND LINZ LIDAR INFORMATION
3. LOCATIONS HAVE NOT BEEN SURVEYED AND ARE INDICATIVE ONLY.

**KEY:**

- HAND AUGER BOREHOLE LOCATION
- CONE PENTRATION TEST LOCATION
- HAND AUGER BOREHOLES FROM 2016 SLIP INVESTIGATION



Issue	Date	Revision
A	9/05/2024	FIRST ISSUE

DWG	<b>SITE INVESTIGATION PLAN</b>		
Scale	1:400 @A3	Date	MAY 2024
Drawn	JMC	Checked	WT
Approved	JP		

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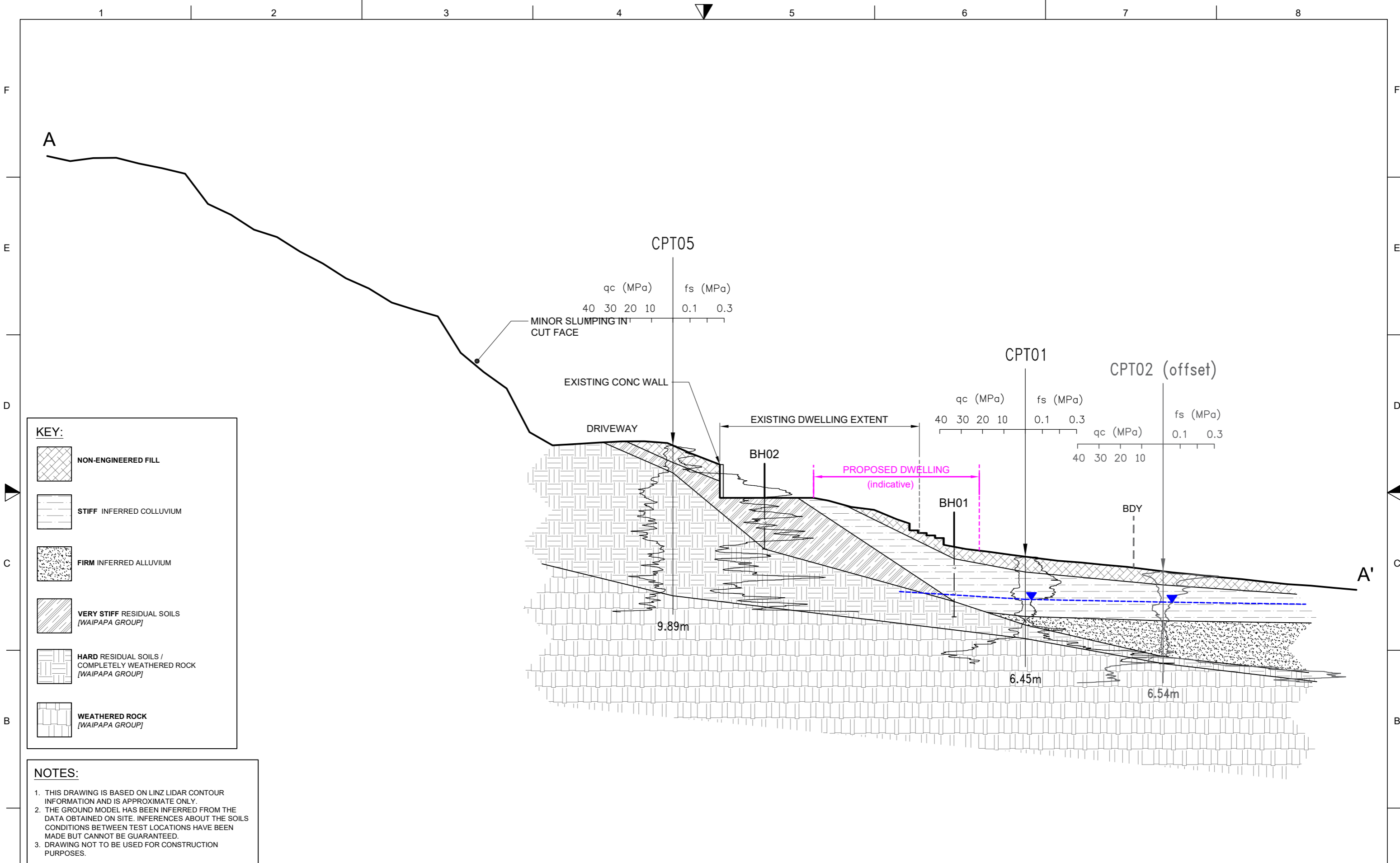
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DWG No.	<b>G02</b>
Sheet No.	<b>2 of 4</b>



Issue	Date	Revision
A	9/05/2024	FIRST ISSUE

DWG <b>GEOLOGICAL CROSS SECTION A-A'</b>			
Scale	1:200 @A3	Date	MAY 2024
Drawn	JMC	Checked	WT
Approved	JP		
File	T:\CLIENTS\PAUL AND DENISE VUJICICH\JOBS\23 234 - 269C OPITO BAY ROAD (LOT 3 DP 147425)\ENGINEERING\GEO TECH\APR 2024 - LOWER SITE\DRAWINGS\23 234 GEO DRAWINGS-FINAL.DWG		

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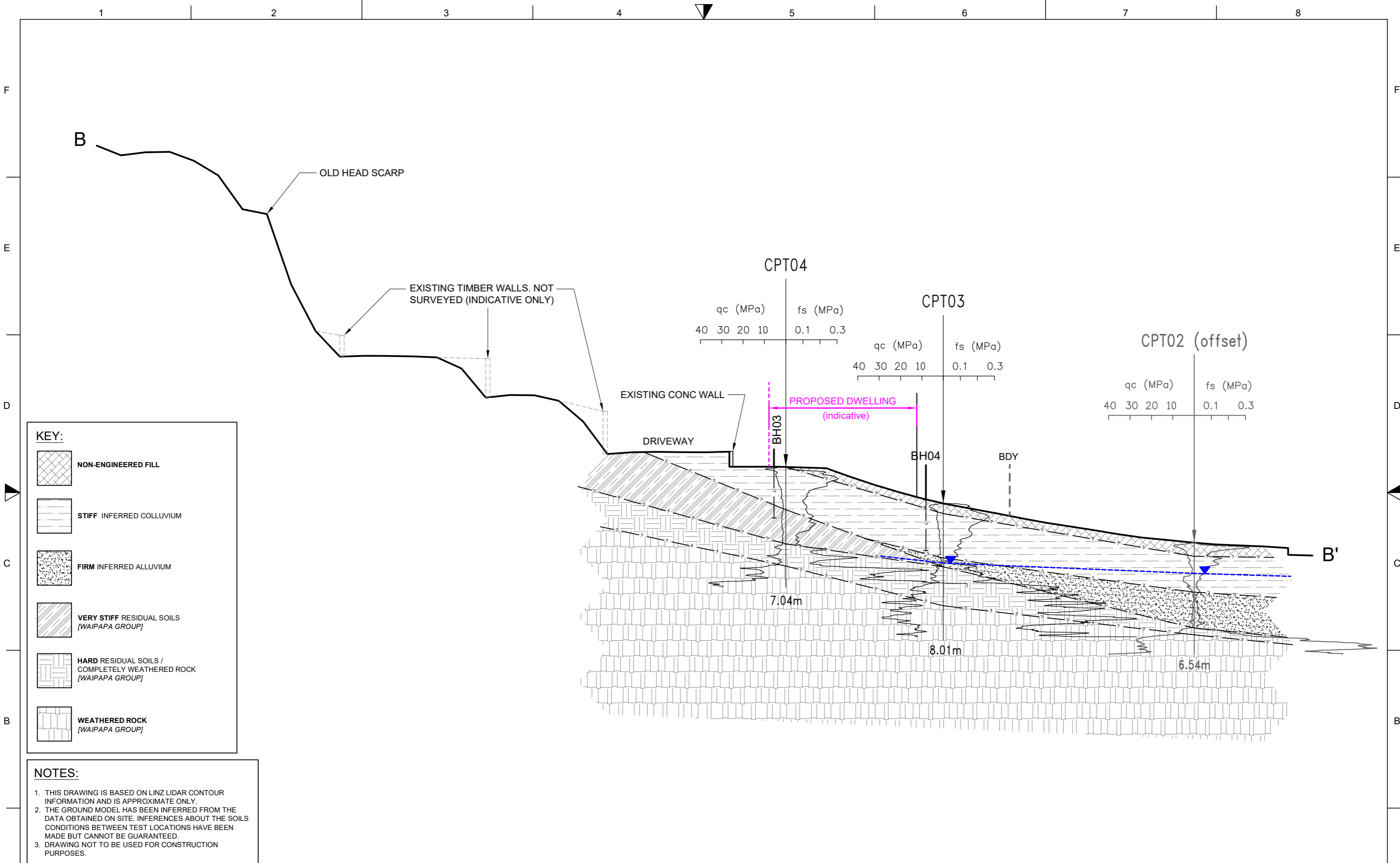
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Project No.	<b>23 234</b>	RC no. N/A

DWG No.	<b>G03</b>
Sheet No.	<b>3 of 4</b>





Issue	Date	Revision
A	9/05/2024	FIRST ISSUE

DWG <b>GEOLOGICAL CROSS SECTION B-B'</b>			
Scale	1:200 @A3	Date	MAY 2024
Drawn	JMC	Checked	WT
Approved	JP		
File	T:\CLIENTS\PAUL AND DENISE VUJCICH\JOBS\23 234 - 269C OPITO BAY ROAD (LOT 3 DP 147425)\ENGINEERING\GEO TECH\APR 2024 - LOWER SITE\DRAWINGS\23 234 GEO DRAWINGS-FINAL.DWG		

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Project No.	<b>23 234</b>	RC no. N/A

DWG No.	<b>G04</b>
Sheet No.	<b>4 of 4</b>

## ***Appendix B – Hand Auger Borehole Logs***

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Kerikeri, 0230  
New Zealand

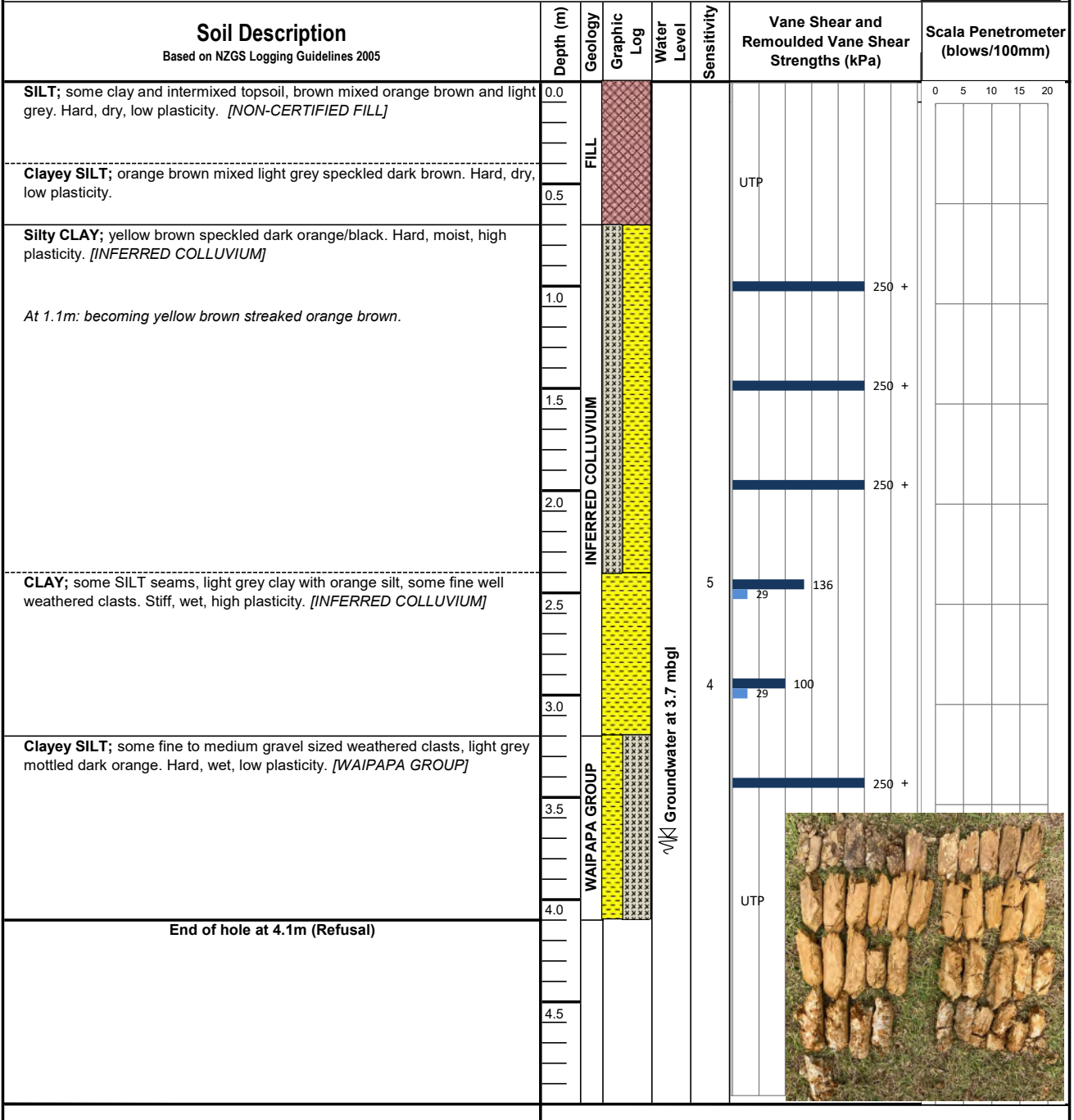
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[info@haighworkman.co.nz](mailto:info@haighworkman.co.nz)

## Borehole Log - BH01

Hole Location: Refer to Site Plan

**JOB No. 23 234**

<b>CLIENT:</b> P & D Vujcich <b>Date Started:</b> 09/04/2024 <b>Date Completed:</b> 09/04/2024	<b>SITE:</b> 269c Opito Bay Road, Kerikeri - LOWER PLATFORM <b>DRILLING METHOD:</b> Hand Auger <b>HOLE DIAMETER (mm)</b> 50mm	<b>LOGGED BY:</b> JMC <b>CHECKED BY:</b> WT
--	---	--



**LEGEND**

<b>TOPSOIL</b>	<b>CLAY</b>	<b>SILT</b>	<b>SAND</b>	<b>GRAVEL</b>	<b>FILL</b>	Corrected shear vane reading <span style="display: inline-block; width: 10px; height: 10px; background-color: black;"></span> Remoulded shear vane reading <span style="display: inline-block; width: 10px; height: 10px; background-color: blue;"></span> Scala Penetrometer <span style="display: inline-block; width: 10px; height: 10px; border: 1px solid blue; border-radius: 50%;"></span>
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**Note:** UTP = Unable to penetrate. T.S. = Topsoil.  
Hand Held Shear Vane S/N: DR1698  
Scala penetrometer testing not undertaken.

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New Zealand

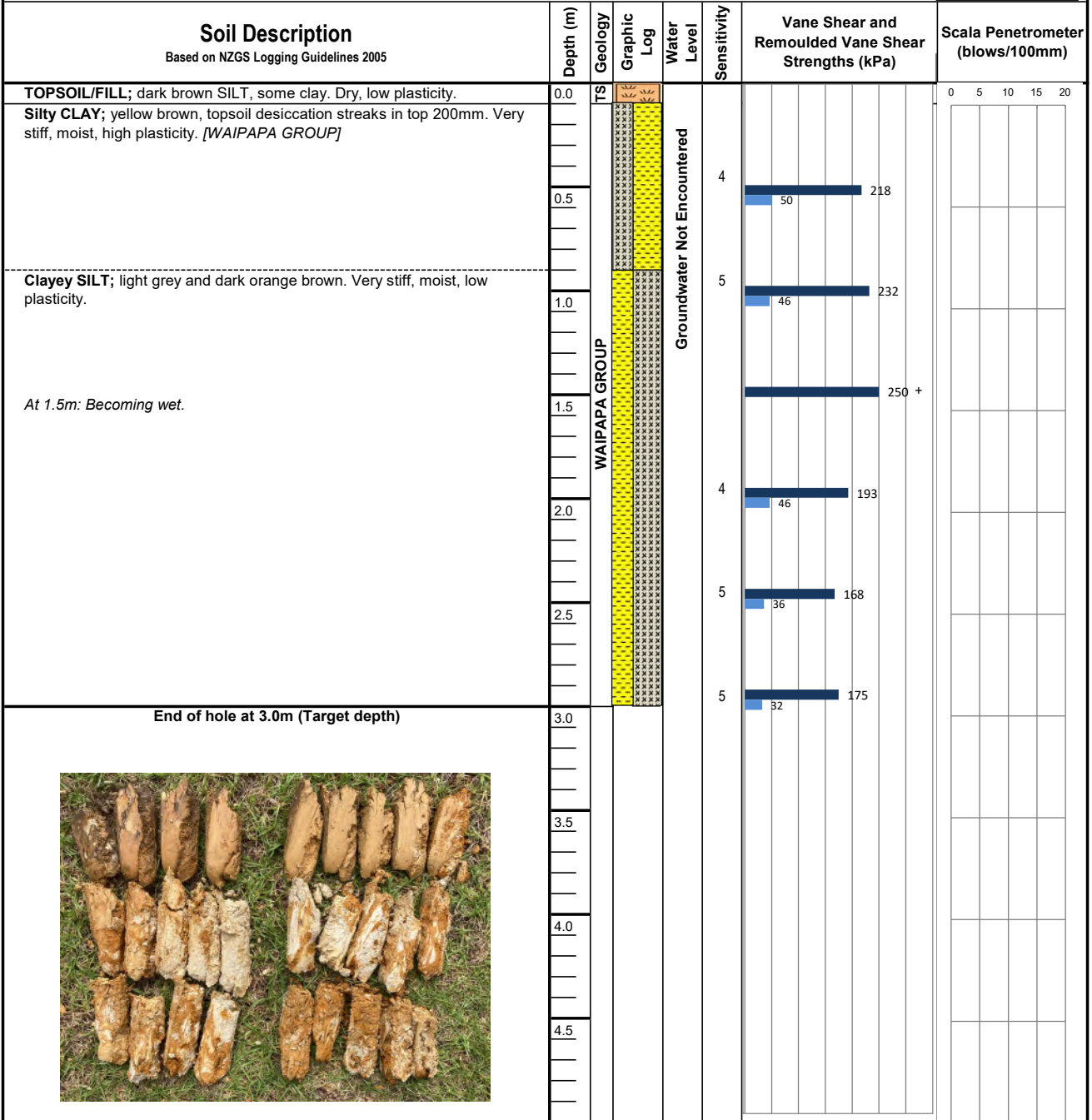
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[info@haighworkman.co.nz](mailto:info@haighworkman.co.nz)

**Borehole Log - BH02**

Hole Location: Refer to Site Plan

**JOB No. 23 234**

**CLIENT:** P & D Vujcich      **SITE:** 269c Opito Bay Road, Kerikeri - LOWER PLATFORM  
**Date Started:** 09/04/2024      **DRILLING METHOD:** Hand Auger      **LOGGED BY:** JMC  
**Date Completed:** 09/04/2024      **HOLE DIAMETER (mm)** 50mm      **CHECKED BY:** WT



**LEGEND**

**TOPSOIL**    **CLAY**    **SILT**    **SAND**    **GRAVEL**    **FILL**

**Note:** UTP = Unable to penetrate. T.S. = Topsoil.  
Hand Held Shear Vane S/N: DR1698  
Scala penetrometer testing not undertaken.

Corrected shear vane reading   
Remoulded shear vane reading   
Scala Penetrometer

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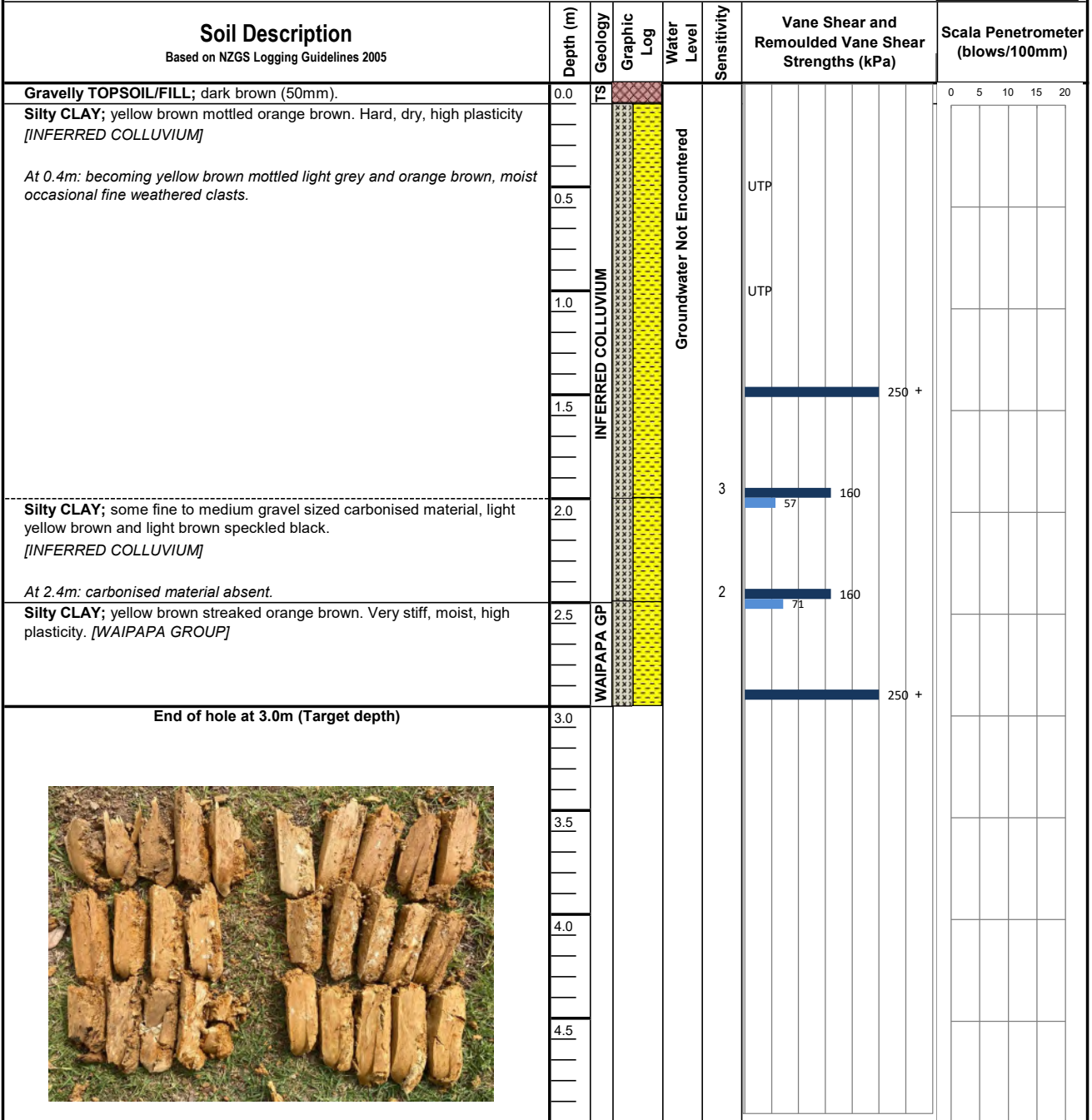
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**Borehole Log - BH03**

Hole Location: Refer to Site Plan

**JOB No. 23 234**

**CLIENT:** P & D Vujcich      **SITE:** 269c Opito Bay Road, Kerikeri - LOWER PLATFORM  
**Date Started:** 09/04/2024      **DRILLING METHOD:** Hand Auger      **LOGGED BY:** JMC  
**Date Completed:** 09/04/2024      **HOLE DIAMETER (mm)** 50mm      **CHECKED BY:** WT



**LEGEND**

**TOPSOIL**    **CLAY**    **SILT**    **SAND**    **GRAVEL**    **FILL**

Corrected shear vane reading   
Remoulded shear vane reading   
Scala Penetrometer

**Note:** UTP = Unable to penetrate. T.S. = Topsoil.  
Hand Held Shear Vane S/N: DR1698  
Scala penetrometer testing not undertaken.

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**Borehole Log - BH04**

Hole Location: Refer to Site Plan

**JOB No. 23 234**

**CLIENT:** P & D Vujcich      **SITE:** 269c Opito Bay Road, Kerikeri - LOWER PLATFORM  
**Date Started:** 09/04/2024      **DRILLING METHOD:** Hand Auger      **LOGGED BY:** JMC  
**Date Completed:** 09/04/2024      **HOLE DIAMETER (mm)** 50mm      **CHECKED BY:** WT

Soil Description <small>Based on NZGS Logging Guidelines 2005</small>	Depth (m)	Geology	Graphic Log	Water Level	Sensitivity	Vane Shear and Remoulded Vane Shear Strengths (kPa)	Scala Penetrometer (blows/100mm)
<b>TOPSOIL;</b> SILT, brown. Dry, friable, some rootlets.	0.0	FILL		Groundwater Not Encountered		UTP	
<b>SILT;</b> minor clay, trace fine gravel, brown mixed light grey and orange brown. Hard, dry, low plasticity. <i>[NON-CERTIFIED FILL]</i>	0.5						
<b>Silty CLAY;</b> yellow brown streaked minor orange brown. Hard, dry, high plasticity. <i>[WAIPAPA GROUP]</i>	0.5	INFERRED COLLUVIUM				UTP	
<i>At 1.1m: becoming orange brown, moist.</i>	1.0						
<i>At 1.6m: becoming light orange brown and light grey mottled dark orange.</i>	1.5						
	2.0						
<i>At 2.4m: trace fine gravel sized weathered clasts, wet.</i>	2.5						
<b>End of hole at 3.0m (Refusal)</b>	3.0						
	3.5						
	4.0						
	4.5						

**LEGEND**

**TOPSOIL**    **CLAY**    **SILT**    **SAND**    **GRAVEL**    **FILL**

**Note:** UTP = Unable to penetrate. T.S. = Topsoil.  
Hand Held Shear Vane S/N: DR1698  
Scala penetrometer testing not undertaken.

Corrected shear vane reading   
Remoulded shear vane reading   
Scala Penetrometer

## ***Appendix C – CPT Soundings***



# CPT Test Information

Test Hole Number	CPT24 01	Job Identifier	HW 269C Opito Bay Road
Test Date	9/04/2024	Operator	Craig Greenfield
Cone Serial Number	5654	Battery Voltage Start	6.05
Cone Area Ratio	0.832	Start Recording	10:23:00 AM
Probe Radius	0.0177	Finish Recording	10:41:00 AM
Date of First Push Current Calibration	2/05/2023	Measured Ground Water Depth	2.5
Metres To Next Calibration	396	Total Penetration Depth (m)	6.455
Depth of Predrill	0	Test ended due to:	<input type="checkbox"/> High Tilt
Depth at Start of Test	0		<input checked="" type="checkbox"/> High Tip Pressure
Anchor Depth (Left)	1.5		<input type="checkbox"/> High Friction
Anchor Depth (Right)	1.5		<input type="checkbox"/> High Pore Pressure
			<input type="checkbox"/> High Total load
			<input type="checkbox"/> Danger of Rods Buckling
			<input type="checkbox"/> Target Depth
			<input checked="" type="checkbox"/> Anchor Failure

## Zero Value Change % FSO

	Point Resistance	Pore Pressure	Sleeve Friction
Zero Shift Since First Push Current Calibration	0.05%	0.07%	0.10%
End of test with tip loosened	0.04%	0.01%	0.12%

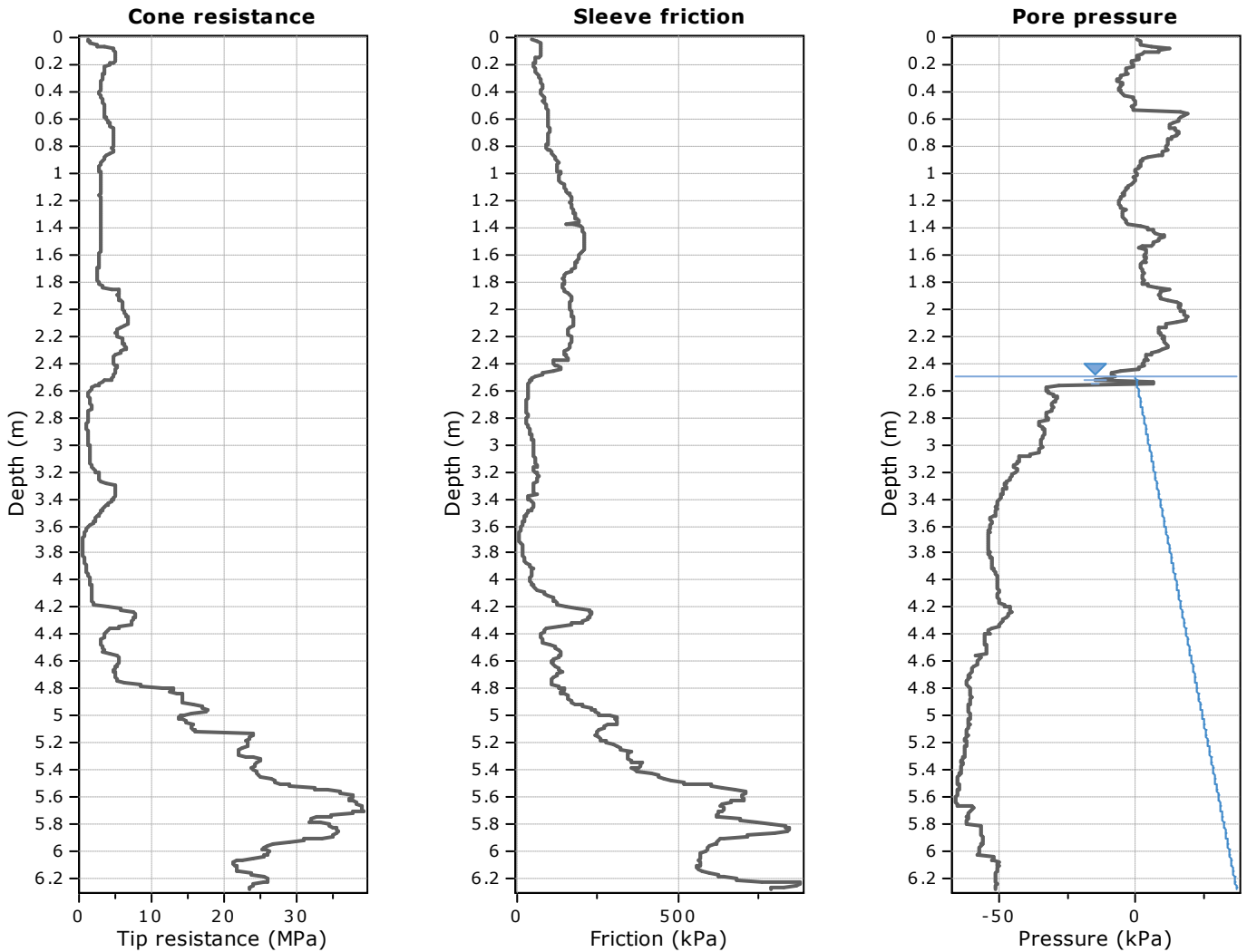
## Dissipation Testing

Test No	Depth (m)	Duration (secs)	Comments

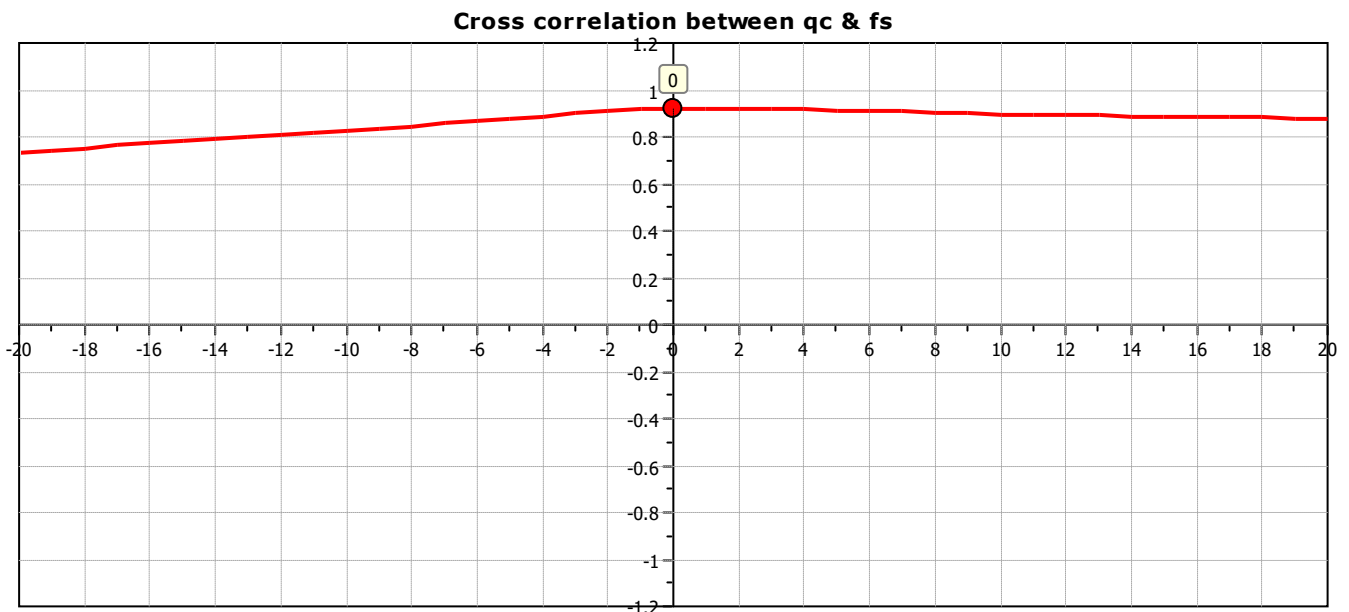
## Notes and Comments

Data loss (typically at rod change points). Either deleted or averaged	qc	fs	u
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The plot below presents the cross correlation coefficient between the raw  $q_c$  and  $f_s$  values (as measured on the field). X axes presents the lag distance (one lag is the distance between two successive CPT measurements).





# CPT Test Information

Test Hole Number	CPT24 02	Job Identifier	HW 269C Opito Bay Road
Test Date	9/04/2024	Operator	Craig Greenfield
Cone Serial Number	5681	Battery Voltage Start	5.98
Cone Area Ratio	0.865	Start Recording	11:07:00 AM
Probe Radius	0.0178	Finish Recording	11:19:00 AM
Date of First Push Current Calibration	14/09/2023	Measured Ground Water Depth	1.8
Metres To Next Calibration	731	Total Penetration Depth (m)	6.545
Depth of Predrill	0	Test ended due to:	<input type="checkbox"/> High Tilt
Depth at Start of Test	0		<input checked="" type="checkbox"/> High Tip Pressure
Anchor Depth (Left)	1.5		<input type="checkbox"/> High Friction
Anchor Depth (Right)	1.5		<input type="checkbox"/> High Pore Pressure
			<input type="checkbox"/> High Total load
			<input type="checkbox"/> Danger of Rods Buckling
			<input type="checkbox"/> Target Depth
			<input checked="" type="checkbox"/> Anchor Failure

## Zero Value Change % FSO

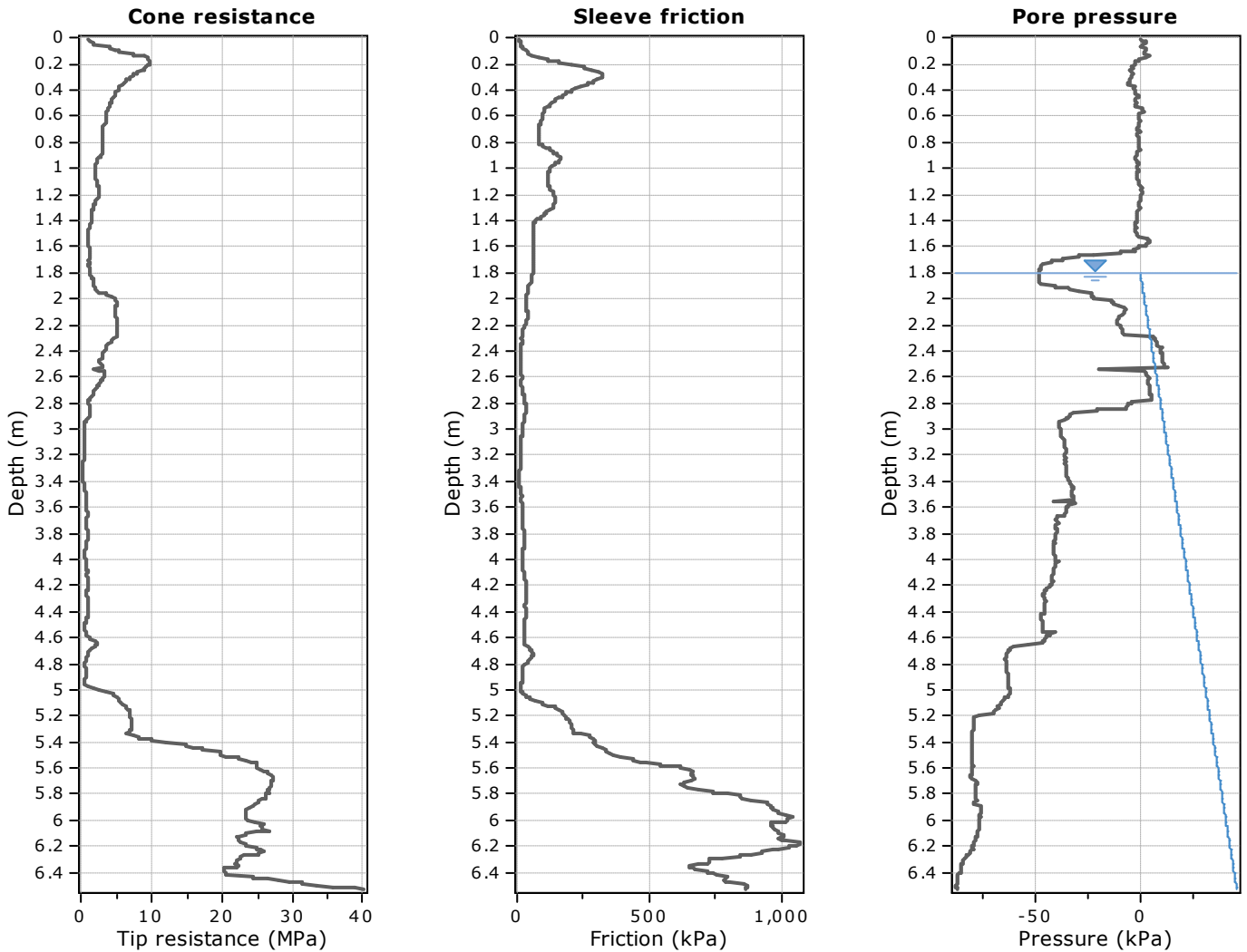
	Point Resistance	Pore Pressure	Sleeve Friction
Zero Shift Since First Push Current Calibration	0.09%	0.10%	0.10%
End of test with tip loosened	0.04%	0.01%	0.38%

## Dissipation Testing

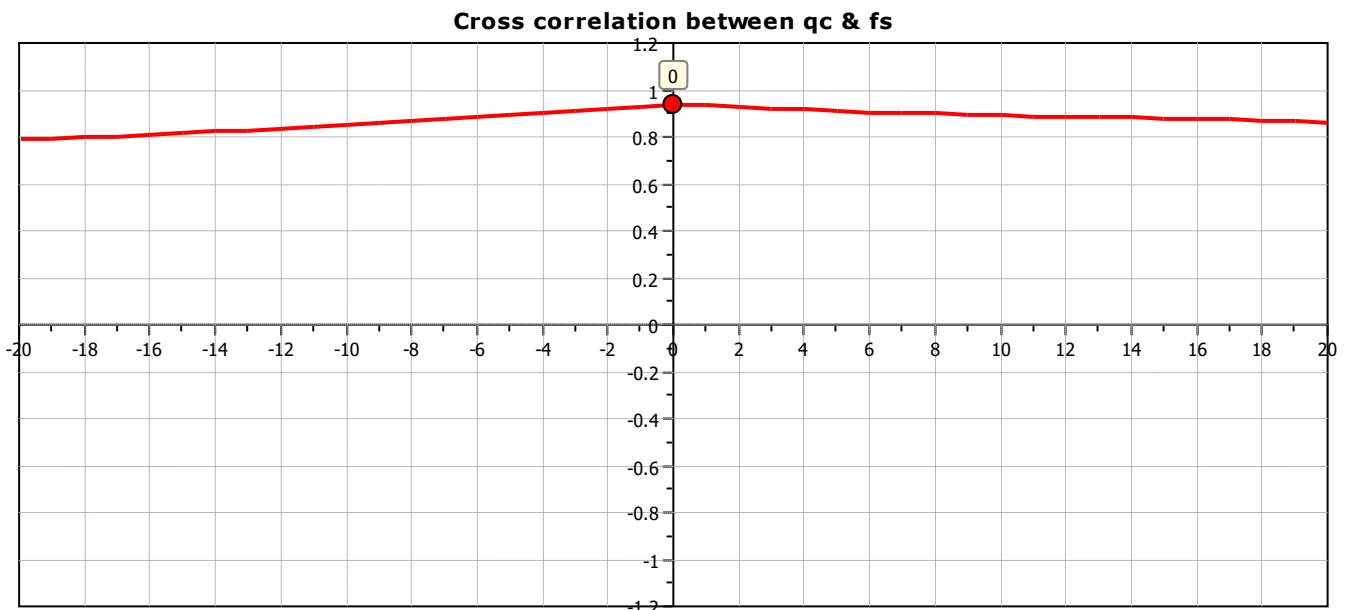
Test No	Depth (m)	Duration (secs)	Comments

## Notes and Comments

Data loss (typically at rod change points). Either deleted or averaged	qc	fs	u
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The plot below presents the cross correlation coefficient between the raw qc and fs values (as measured on the field). X axes presents the lag distance (one lag is the distance between two successive CPT measurements).





# CPT Test Information

Test Hole Number	CPT24 03	Job Identifier	HW 269C Opito Bay Road
Test Date	9/04/2024	Operator	Craig Greenfield
Cone Serial Number	5708	Battery Voltage Start	5.94
Cone Area Ratio	0.862	Start Recording	11:47:00 AM
Probe Radius	0.0179	Finish Recording	12:02:00 PM
Date of First Push Current Calibration	9/11/2023	Measured Ground Water Depth	3.5
Metres To Next Calibration	939	Total Penetration Depth (m)	8.01
Depth of Predrill	0	Test ended due to:	<input type="checkbox"/> High Tilt
Depth at Start of Test	0		<input checked="" type="checkbox"/> High Tip Pressure
Anchor Depth (Left)	1.5		<input type="checkbox"/> High Friction
Anchor Depth (Right)	1.5		<input type="checkbox"/> High Pore Pressure
			<input type="checkbox"/> High Total load
			<input type="checkbox"/> Danger of Rods Buckling
			<input type="checkbox"/> Target Depth
			<input type="checkbox"/> Anchor Failure

## Zero Value Change % FSO

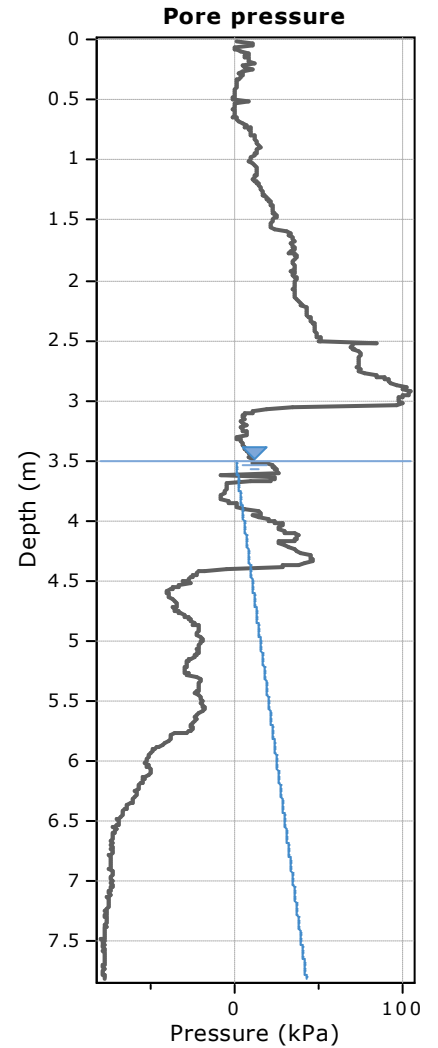
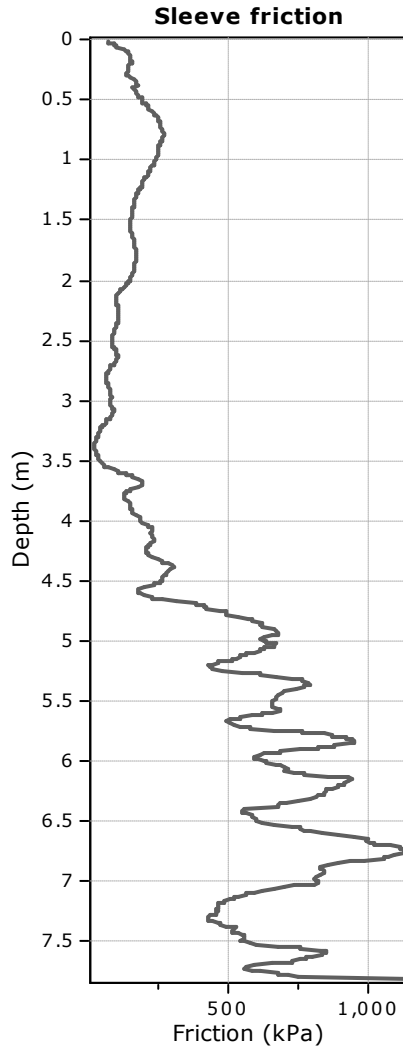
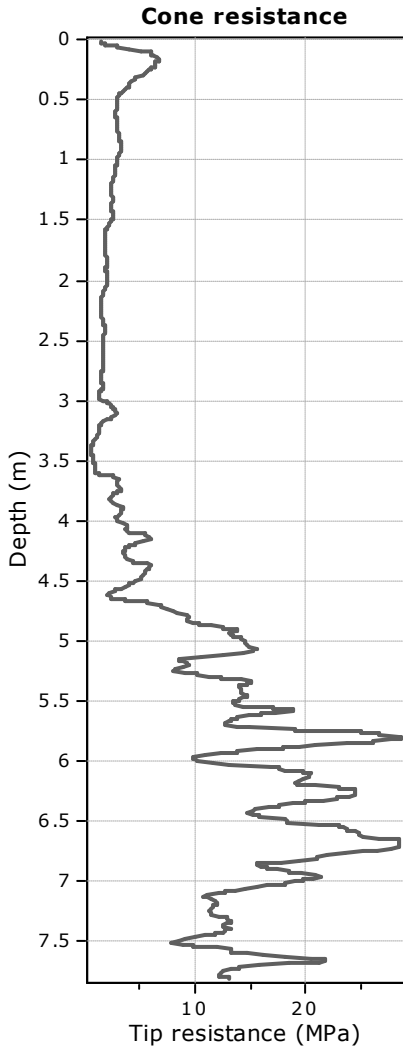
	Point Resistance	Pore Pressure	Sleeve Friction
Zero Shift Since First Push Current Calibration	0.00%	0.06%	0.86%
End of test with tip loosened	0.03%	0.01%	0.08%

## Dissipation Testing

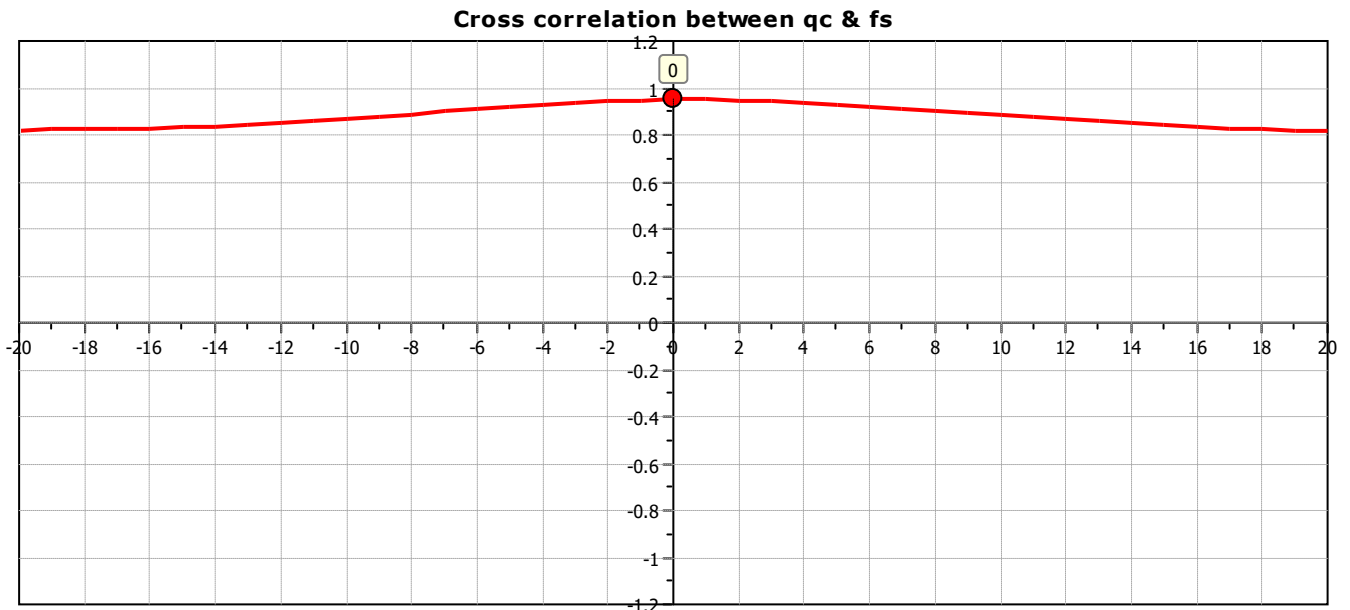
Test No	Depth (m)	Duration (secs)	Comments

## Notes and Comments

Data loss (typically at rod change points). Either deleted or averaged	qc	fs	u
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The plot below presents the cross correlation coefficient between the raw  $q_c$  and  $f_s$  values (as measured on the field). X axes presents the lag distance (one lag is the distance between two successive CPT measurements).





# CPT Test Information

Test Hole Number	CPT24 04	Job Identifier	HW 269C Opito Bay Road
Test Date	9/04/2024	Operator	Craig Greenfield
Cone Serial Number	5801	Battery Voltage Start	5.94
Cone Area Ratio	0.842	Start Recording	1:04:00 PM
Probe Radius	0.0179	Finish Recording	1:16:00 PM
Date of First Push Current Calibration	9/01/2024	Measured Ground Water Depth	collapsed at 5m, dry
Metres To Next Calibration	1168	Total Penetration Depth (m)	7.045
Depth of Predrill	0	Test ended due to:	<input type="checkbox"/> High Tilt
Depth at Start of Test	0		<input checked="" type="checkbox"/> High Tip Pressure
Anchor Depth (Left)	1.5		<input checked="" type="checkbox"/> High Friction
Anchor Depth (Right)	1.5		<input type="checkbox"/> High Pore Pressure
			<input type="checkbox"/> High Total load
			<input type="checkbox"/> Danger of Rods Buckling
			<input type="checkbox"/> Target Depth
			<input type="checkbox"/> Anchor Failure

### Zero Value Change % FSO

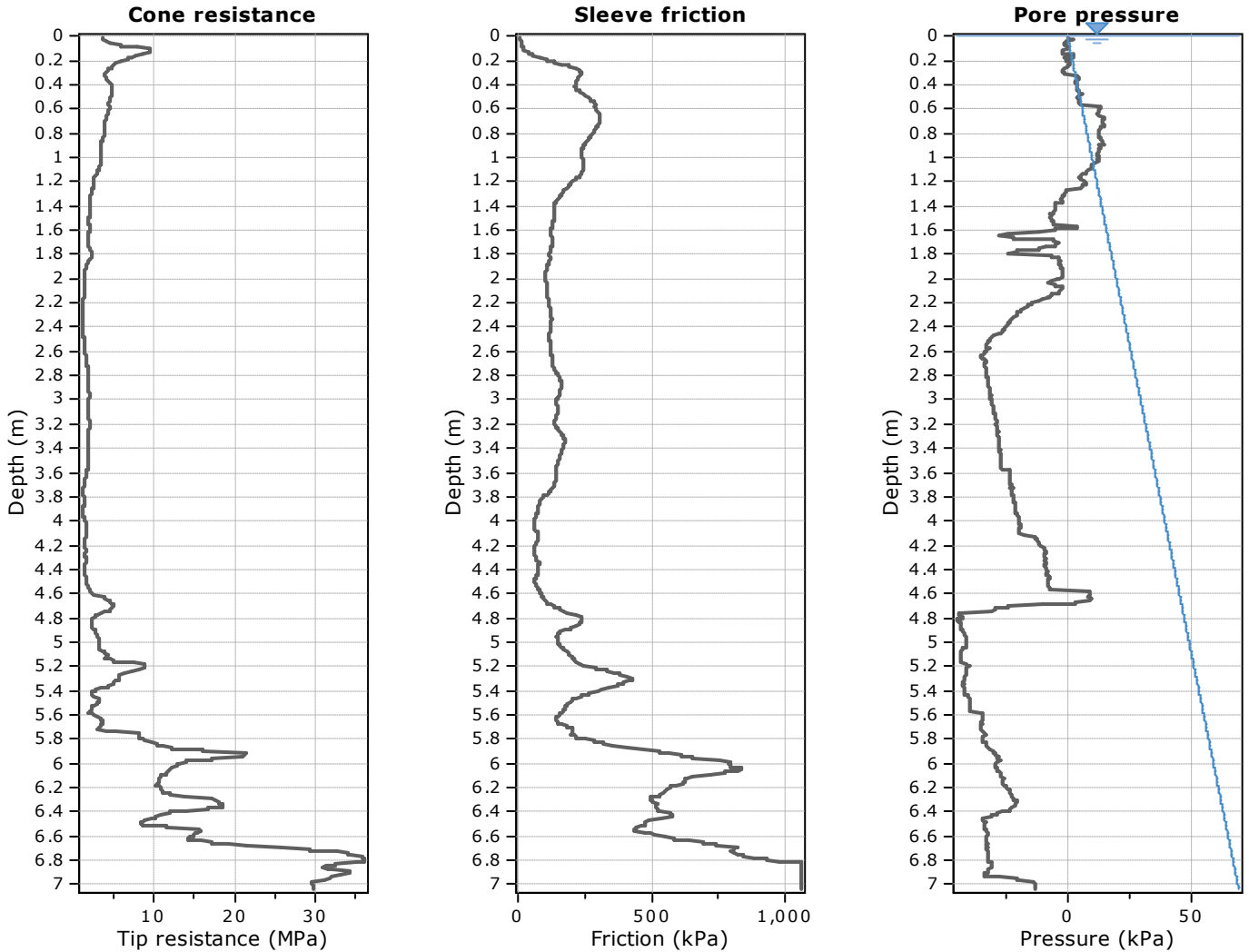
	Point Resistance	Pore Pressure	Sleeve Friction
Zero Shift Since First Push Current Calibration	0.01%	0.03%	0.30%
End of test with tip loosened	0.02%	0.01%	0.14%

### Dissipation Testing

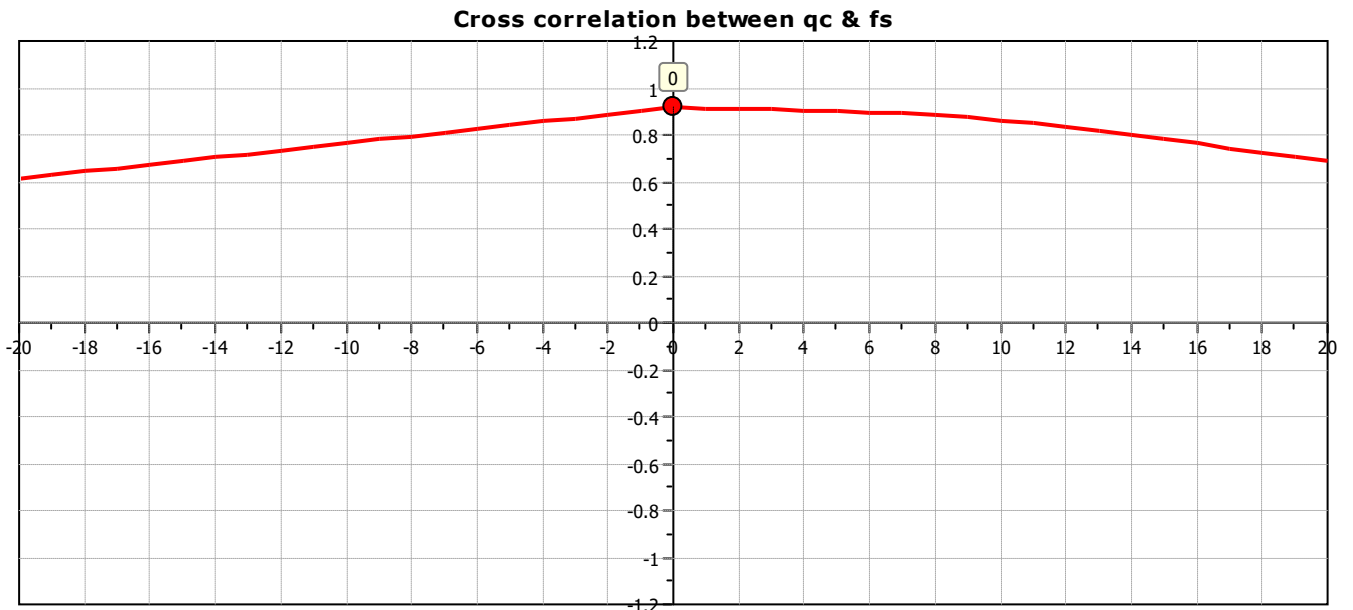
Test No	Depth (m)	Duration (secs)	Comments

### Notes and Comments

Data loss (typically at rod change points). Either deleted or averaged	qc	fs	u
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The plot below presents the cross correlation coefficient between the raw qc and fs values (as measured on the field). X axes presents the lag distance (one lag is the distance between two successive CPT measurements).





# CPT Test Information

Test Hole Number	CPT24 05	Job Identifier	HW 269C Opito Bay Road
Test Date	9/04/2024	Operator	Craig Greenfield
Cone Serial Number	5845	Battery Voltage Start	5.92
Cone Area Ratio	0.85	Start Recording	2:32:00 PM
Probe Radius	0.0179	Finish Recording	2:50:00 PM
Date of First Push Current Calibration	13/03/2024	Measured Ground Water Depth	collapsed
Metres To Next Calibration	1389	Total Penetration Depth (m)	9.89
Depth of Predrill	0	Test ended due to:	<input checked="" type="checkbox"/> High Tilt
Depth at Start of Test	0		<input checked="" type="checkbox"/> High Tip Pressure
Anchor Depth (Left)	1.5		<input checked="" type="checkbox"/> High Friction
Anchor Depth (Right)	1.5		<input type="checkbox"/> High Pore Pressure
			<input type="checkbox"/> High Total load
			<input type="checkbox"/> Danger of Rods Buckling
			<input type="checkbox"/> Target Depth
			<input type="checkbox"/> Anchor Failure

## Zero Value Change % FSO

	Point Resistance	Pore Pressure	Sleeve Friction
Zero Shift Since First Push Current Calibration	0.00%	0.07%	0.46%
End of test with tip loosened	0.01%	0.02%	0.28%

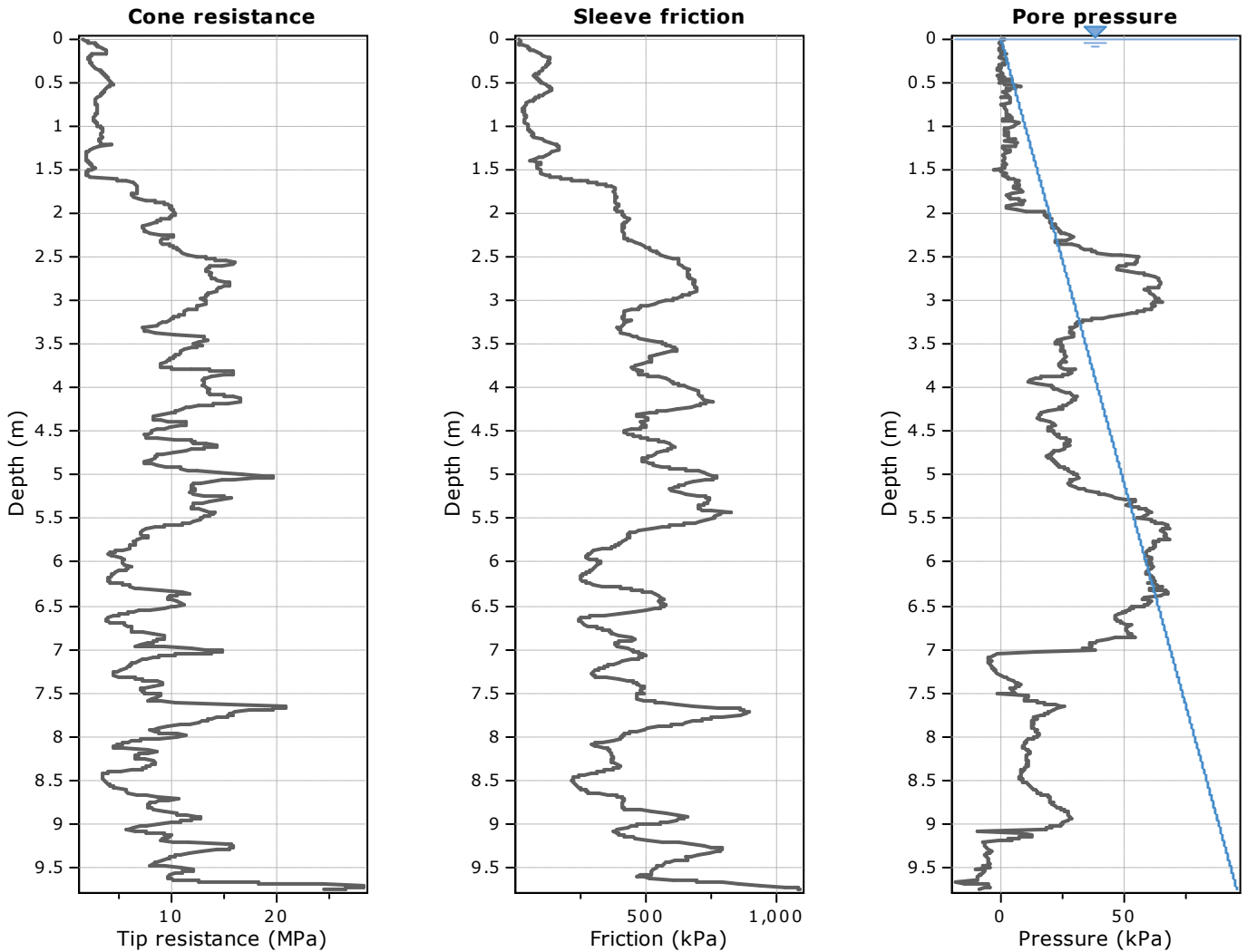
## Dissipation Testing

Test No	Depth (m)	Duration (secs)	Comments

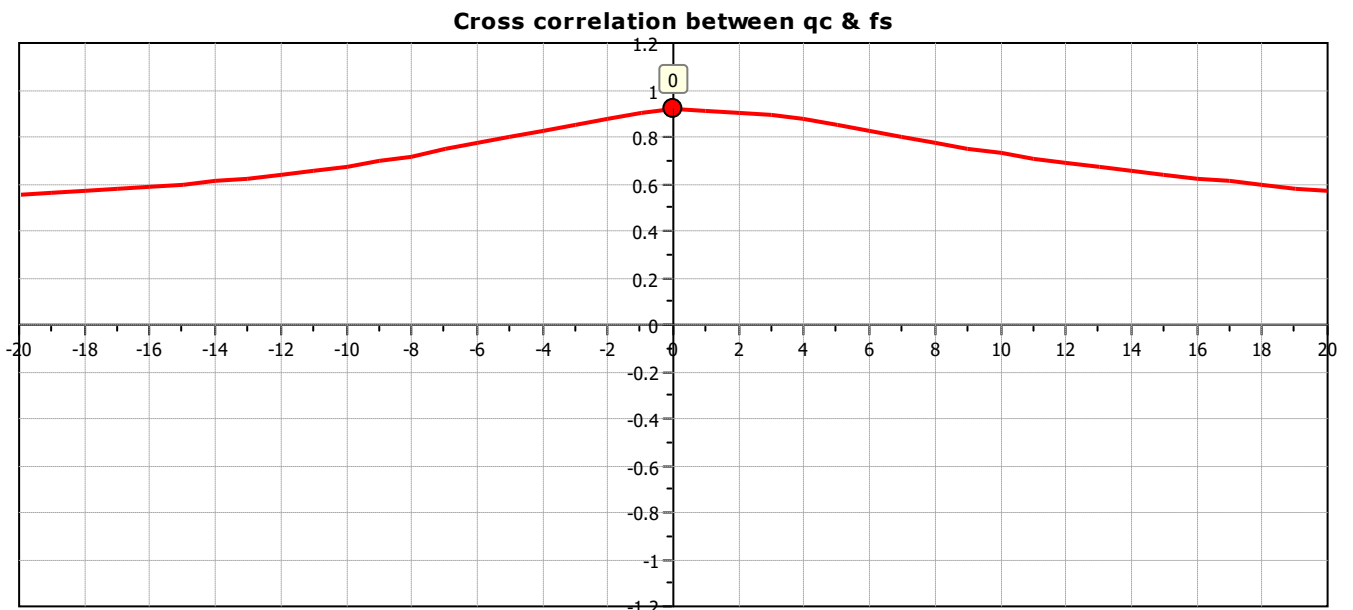
## Notes and Comments

Data loss (typically at rod change points). Either deleted or averaged	qc	fs	u
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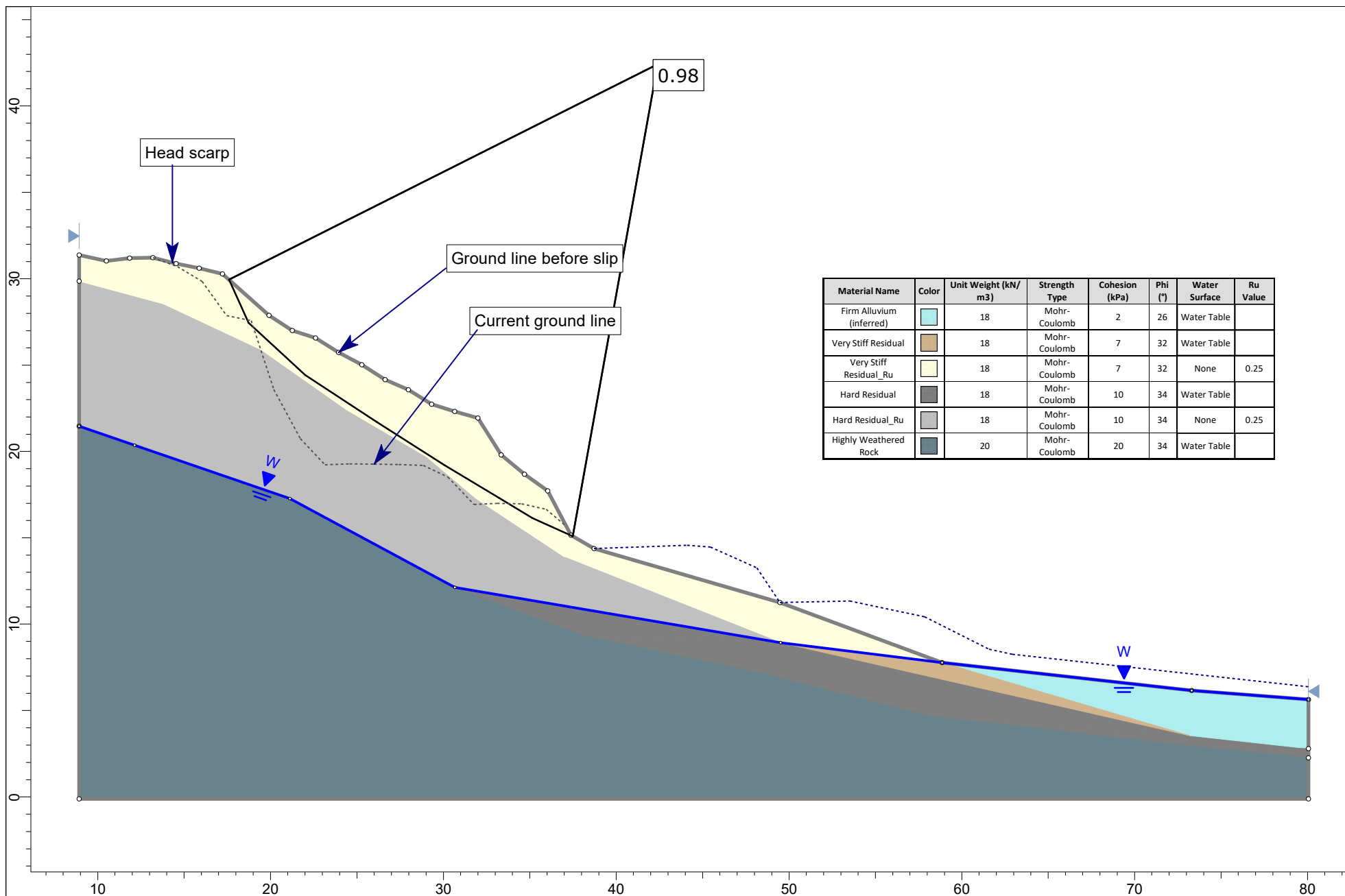




The plot below presents the cross correlation coefficient between the raw qc and fs values (as measured on the field). X axes presents the lag distance (one lag is the distance between two successive CPT measurements).



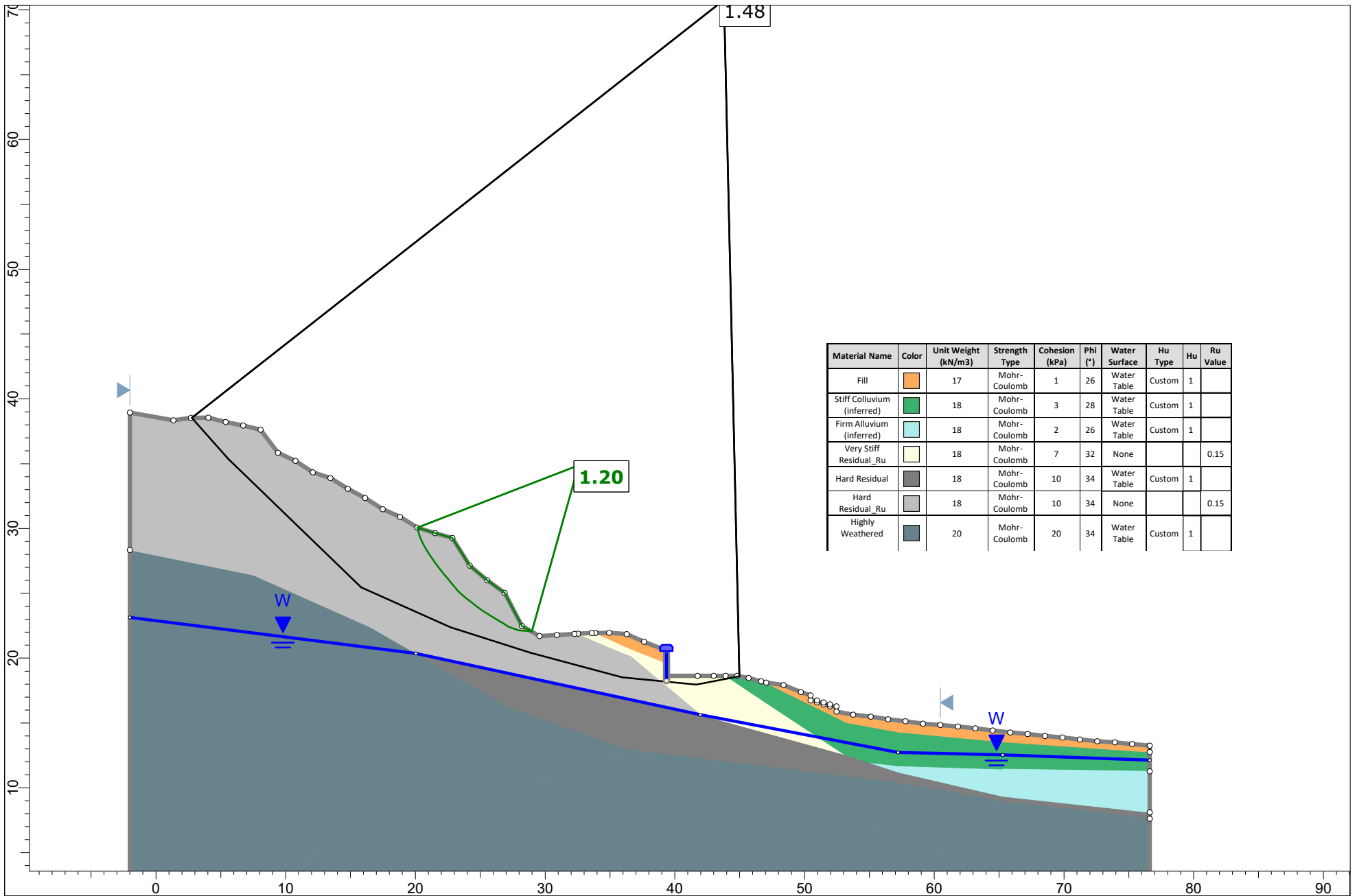
## ***Appendix D – Slope Stability Outputs***



Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Ru Value
Firm Alluvium (inferred)		18	Mohr-Coulomb	2	26	Water Table	
Very Stiff Residual		18	Mohr-Coulomb	7	32	Water Table	
Very Stiff Residual_Ru		18	Mohr-Coulomb	7	32	None	0.25
Hard Residual		18	Mohr-Coulomb	10	34	Water Table	
Hard Residual_Ru		18	Mohr-Coulomb	10	34	None	0.25
Highly Weathered Rock		20	Mohr-Coulomb	20	34	Water Table	



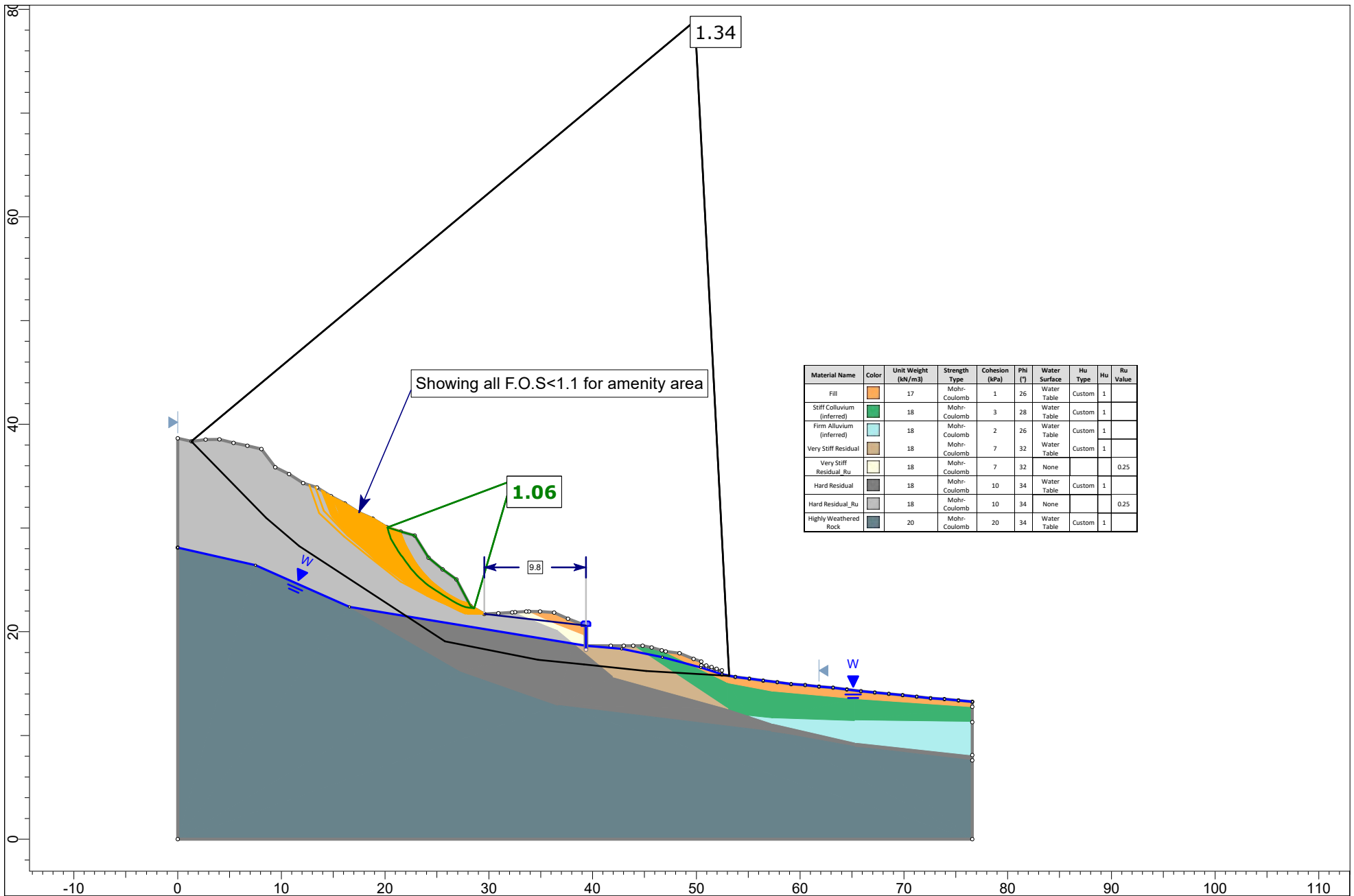
Project	23 234 - 269c Opito Bay Road, Kerikeri		
Group	Cross Section B-B'	Scenario	Back analyses
Drawn By	JMC	Company	
Date	30/04/2024, 3:17:41 pm	File Name	back analyses.slmd



Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual_Ru	Yellow	18	Mohr-Coulomb	7	32	None			0.15
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Light Grey	18	Mohr-Coulomb	10	34	None			0.15
Highly Weathered	Dark Blue	20	Mohr-Coulomb	20	34	Water Table	Custom	1	

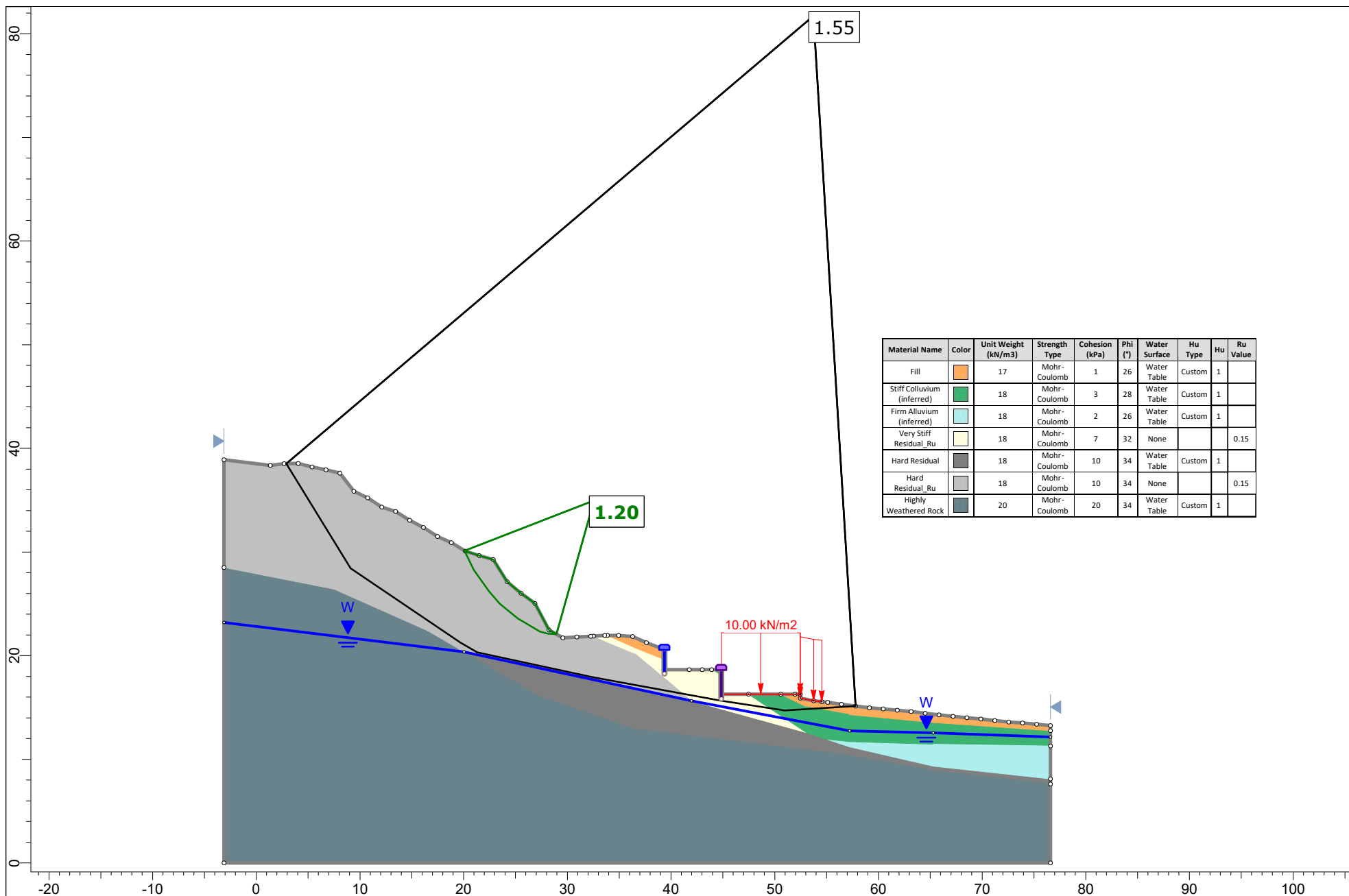


Project	23 234 - 269c Opito Bay Road, Kerikeri		
Group	Cross Section A-A'	Scenario	Static conditions
Drawn By	JMC	Company	
Date	30/04/2024, 3:17:41 pm	File Name	AA-static-Ru.slm




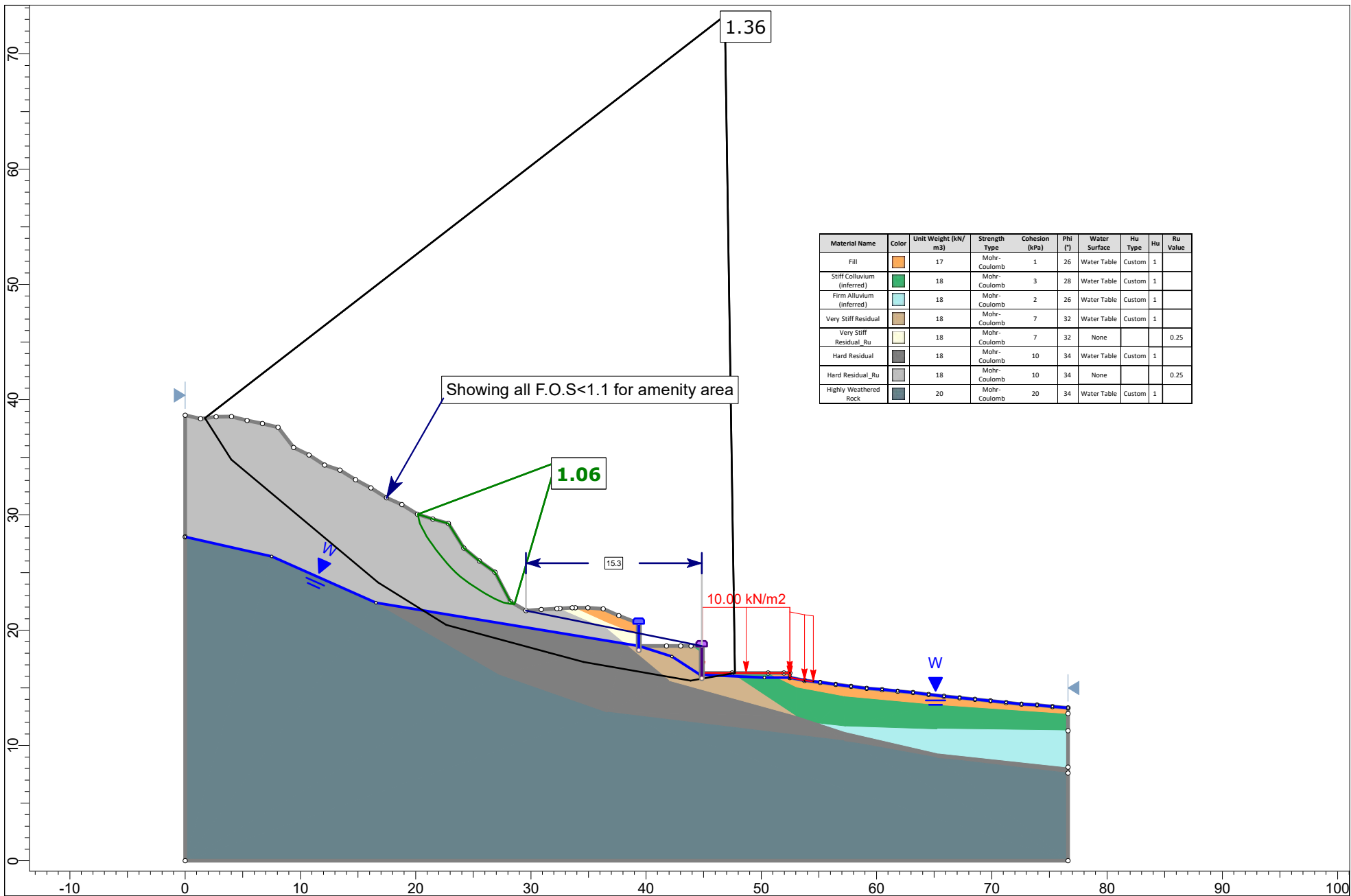
Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual	Brown	18	Mohr-Coulomb	7	32	Water Table	Custom	1	
Very Stiff Residual_Ru	Light Yellow	18	Mohr-Coulomb	7	32	None			0.25
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Light Grey	18	Mohr-Coulomb	10	34	None			0.25
Highly Weathered Rock	Dark Blue-Black	20	Mohr-Coulomb	20	34	Water Table	Custom	1	

	Project	23 234 - 269c Opito Bay Road, Kerikeri		
	Group	Cross Section A-A'	Scenario	Elevated Groundwater
	Drawn By	JMC	Company	
	Date	30/04/2024, 3:17:41 pm	File Name	AA-elevatedGW-Ru.slm



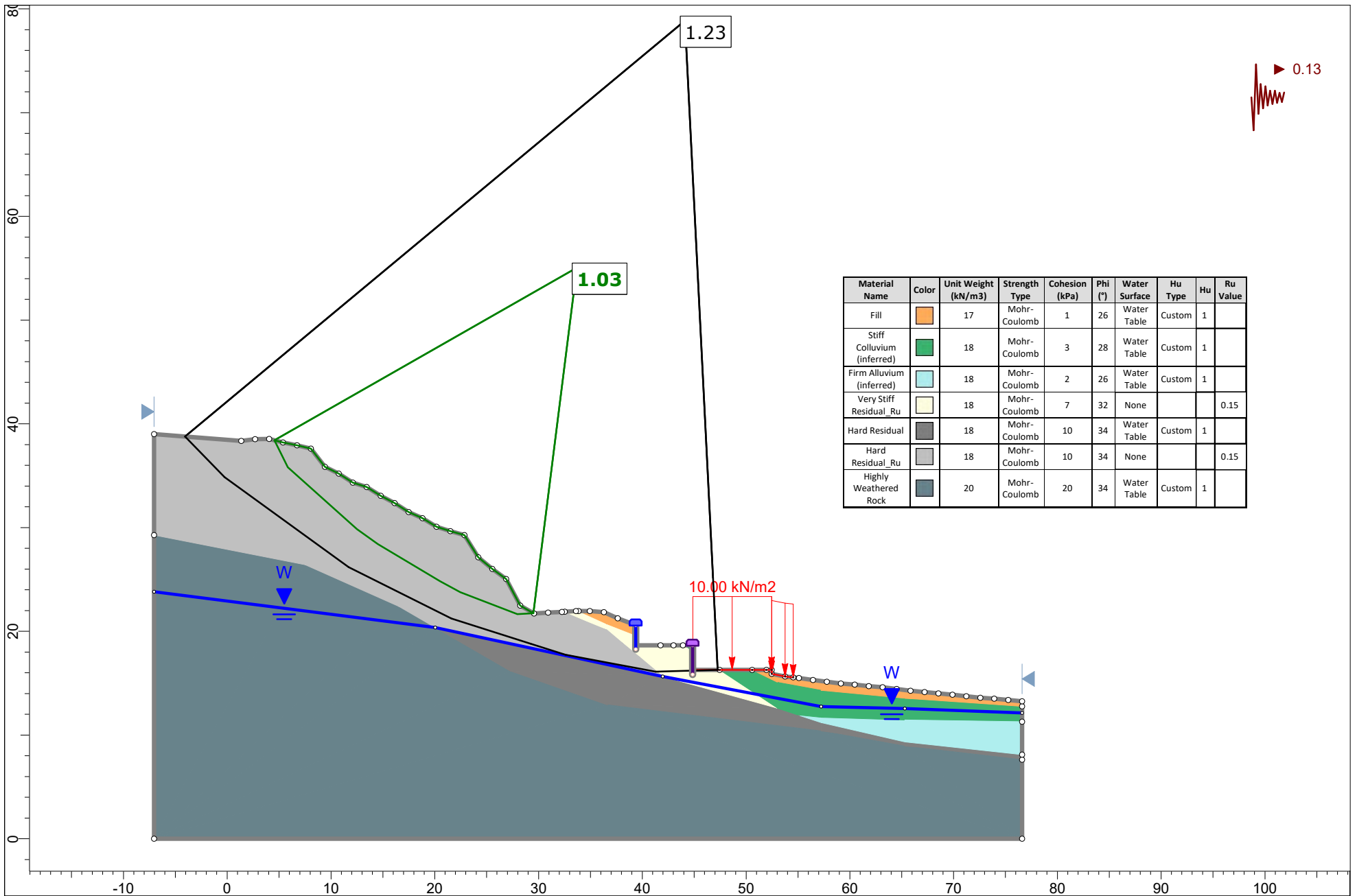
Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual_Ru	Light Yellow	18	Mohr-Coulomb	7	32	None			0.15
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Light Grey	18	Mohr-Coulomb	10	34	None			0.15
Highly Weathered Rock	Dark Blue	20	Mohr-Coulomb	20	34	Water Table	Custom	1	

	Project	23 234 - 269c Opito Bay Road, Kerikeri		
	Group	Cross Section A-A'	Scenario	Static - Post-development
	Drawn By	JMC	Company	
	Date	30/04/2024, 3:17:41 pm	File Name	AA-static-Ru-post-dev.slm



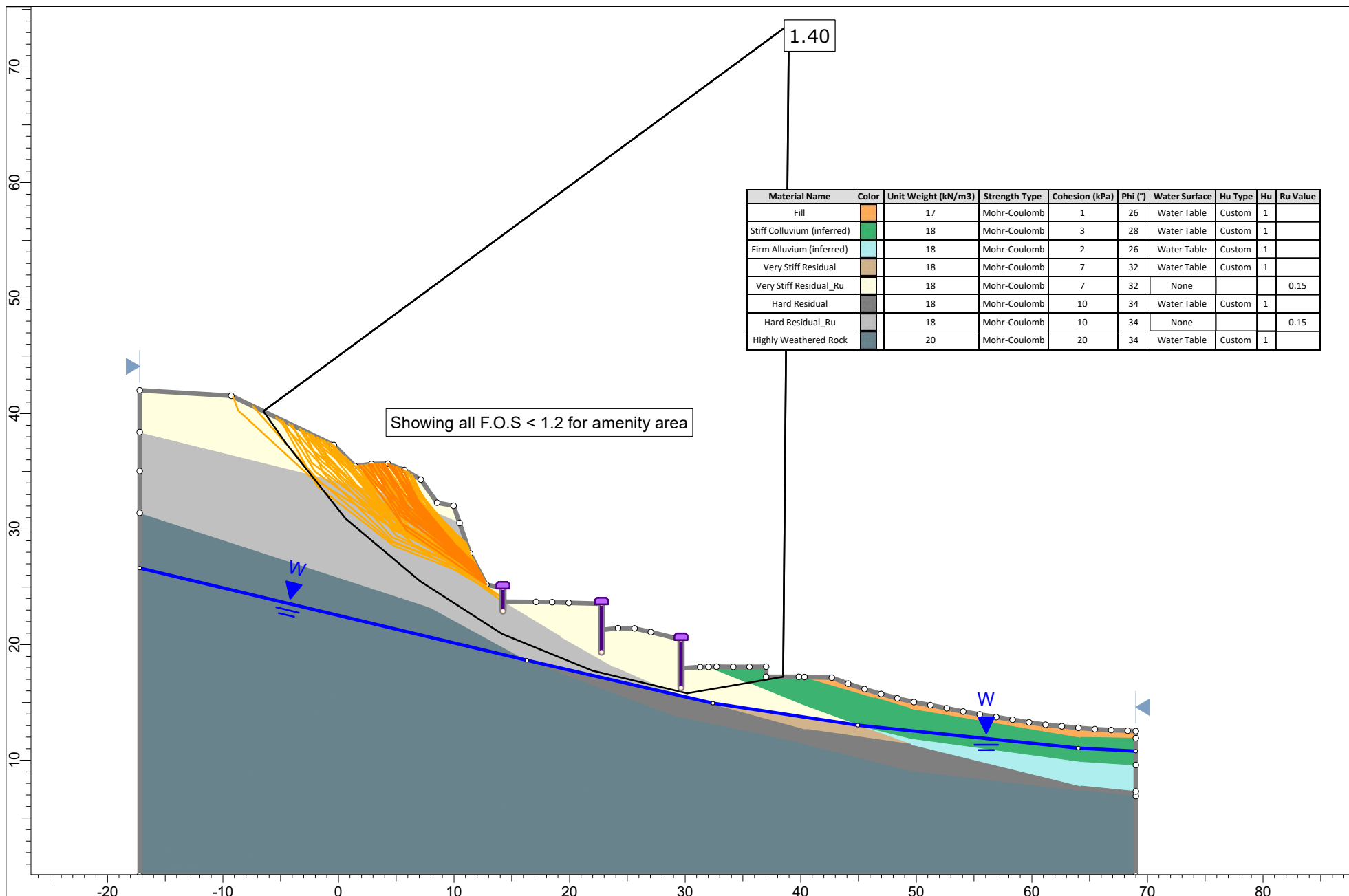
Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual	Brown	18	Mohr-Coulomb	7	32	Water Table	Custom	1	
Very Stiff Residual_Ru	Light Grey	18	Mohr-Coulomb	7	32	None			0.25
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Medium Grey	18	Mohr-Coulomb	10	34	None			0.25
Highly Weathered Rock	Dark Blue	20	Mohr-Coulomb	20	34	Water Table	Custom	1	

	Project	23 234 - 269c Opito Bay Road, Kerikeri		
	Group	Cross Section A-A'	Scenario	Elevated GW - Post-development
	Drawn By	JMC	Company	
	Date	30/04/2024, 3:17:41 pm	File Name	AA-elevatedGW-Ru-post-dev.slm



Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual_Ru	Yellow	18	Mohr-Coulomb	7	32	None			0.15
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Light Grey	18	Mohr-Coulomb	10	34	None			0.15
Highly Weathered Rock	Dark Blue	20	Mohr-Coulomb	20	34	Water Table	Custom	1	





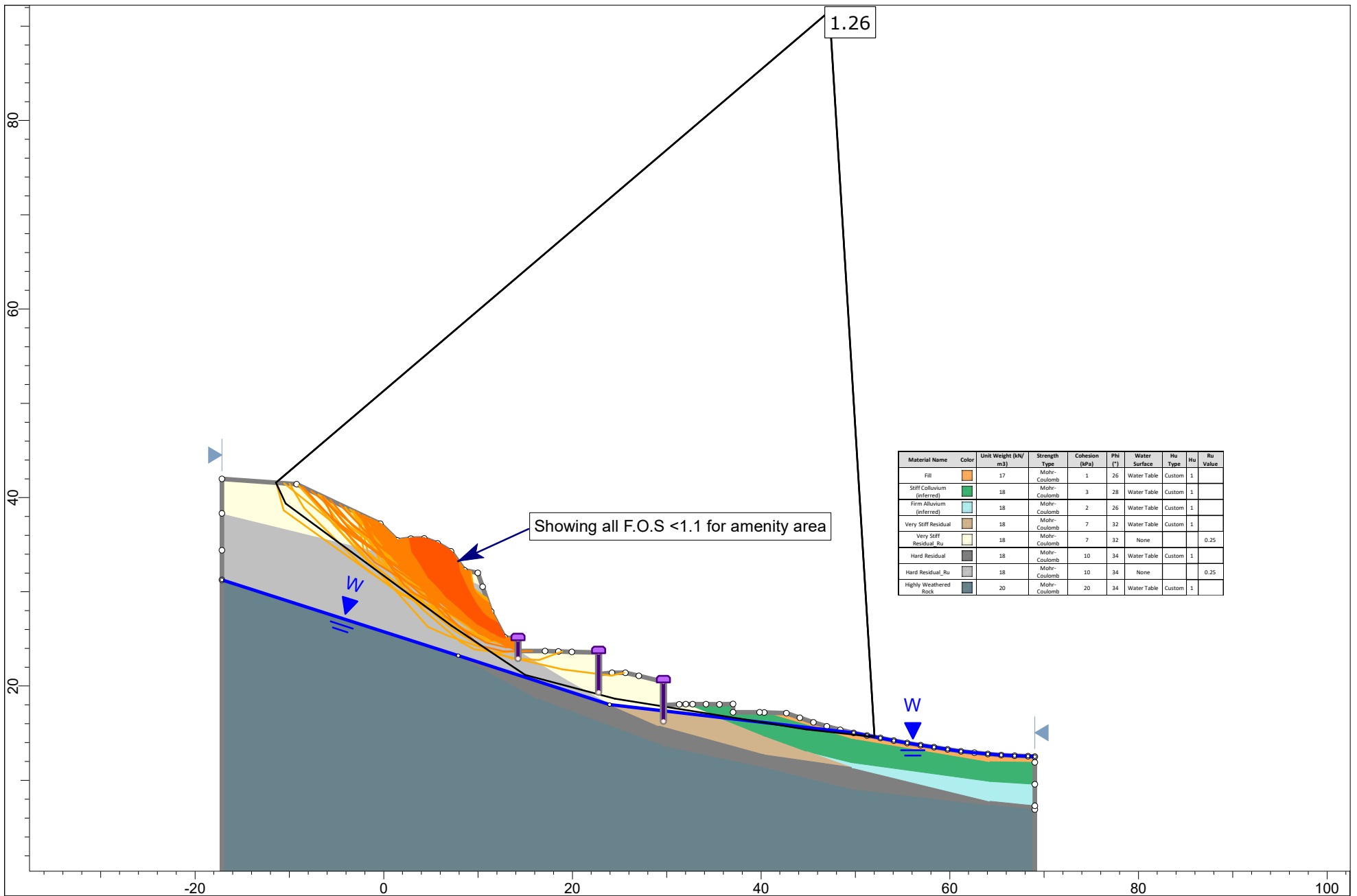
Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Cyan	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual	Brown	18	Mohr-Coulomb	7	32	Water Table	Custom	1	
Very Stiff Residual_Ru	Light Yellow	18	Mohr-Coulomb	7	32	None			0.15
Hard Residual	Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Dark Grey	18	Mohr-Coulomb	10	34	None			0.15
Highly Weathered Rock	Dark Blue	20	Mohr-Coulomb	20	34	Water Table	Custom	1	

Showing all F.O.S < 1.2 for amenity area

1.40

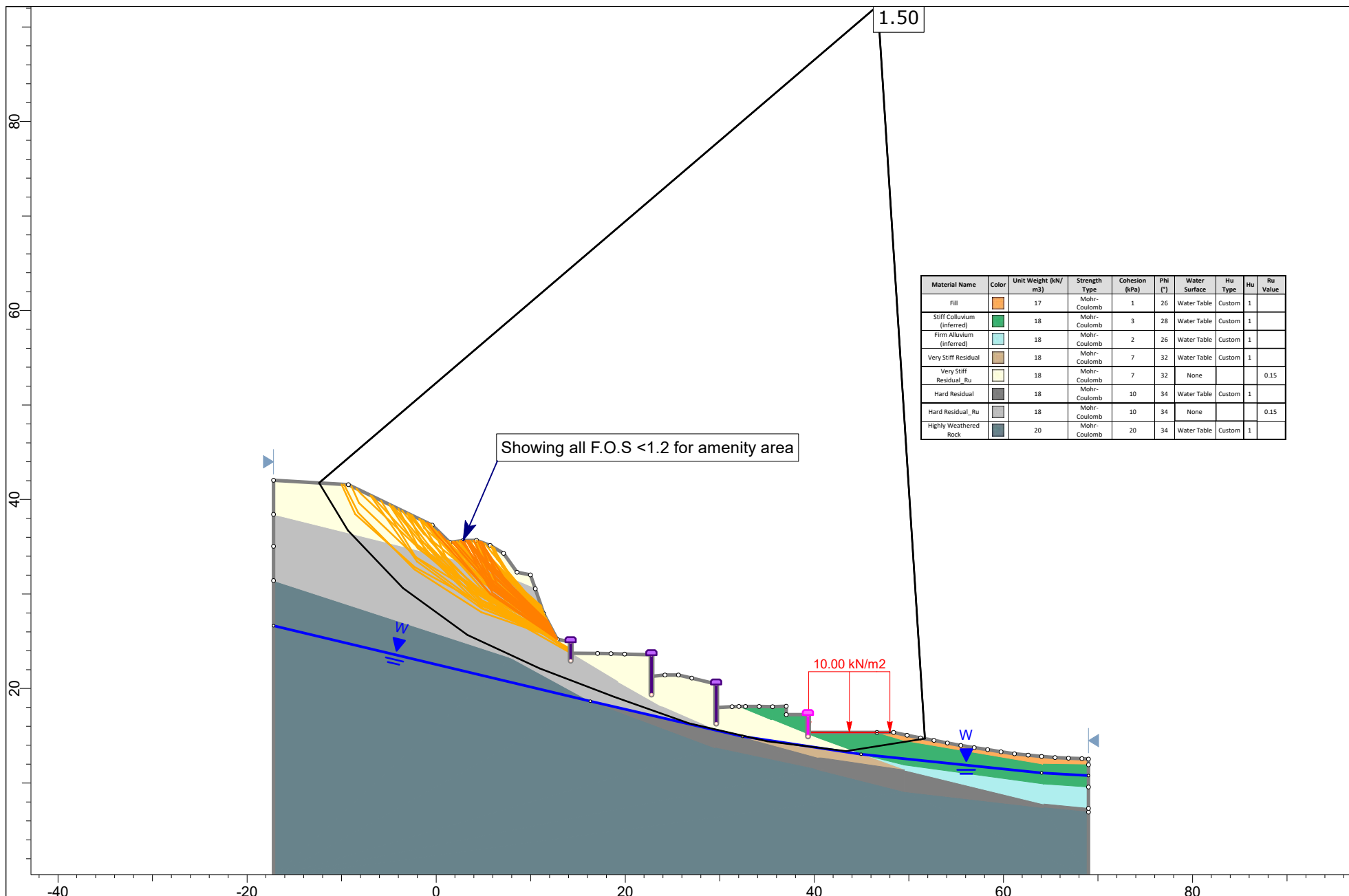


Project	23 234 - 269c Opito Bay Road, Kerikeri		
Group	Cross Section B-B'	Scenario	Static conditions
Drawn By	JMC	Company	
Date	30/04/2024, 3:17:41 pm	File Name	BB-static-Ru.slm



Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu Value	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual	Brown	18	Mohr-Coulomb	7	32	Water Table	Custom	1	
Very Stiff Residual_Ru	Light Yellow	18	Mohr-Coulomb	7	32	None	Custom		0.25
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Medium Grey	18	Mohr-Coulomb	10	34	None	Custom		0.25
Highly Weathered Rock	Dark Blue	20	Mohr-Coulomb	20	34	Water Table	Custom	1	

	Project	23 234 - 269c Opito Bay Road, Kerikeri		
	Group	Cross Section B-B'	Scenario	Elevated groundwater
	Drawn By	JMC	Company	
	Date	30/04/2024, 3:17:41 pm	File Name	BB-elevatedGW-Ru.slm

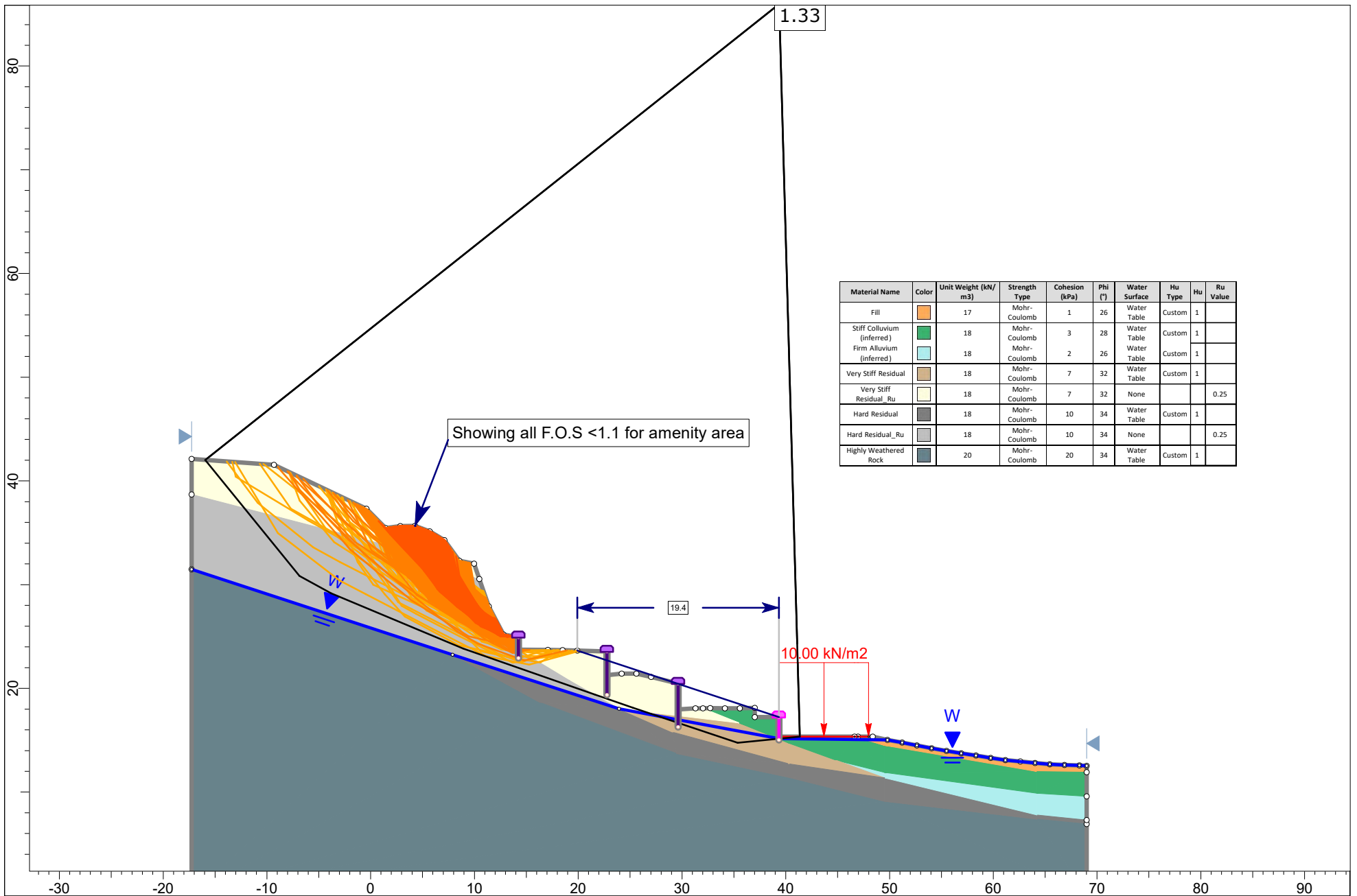


Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual	Brown	18	Mohr-Coulomb	7	32	Water Table	Custom	1	
Very Stiff Residual_Ru	Light Yellow	18	Mohr-Coulomb	7	32	None			0.15
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Light Grey	18	Mohr-Coulomb	10	34	None			0.15
Highly Weathered Rock	Dark Blue	20	Mohr-Coulomb	20	34	Water Table	Custom	1	



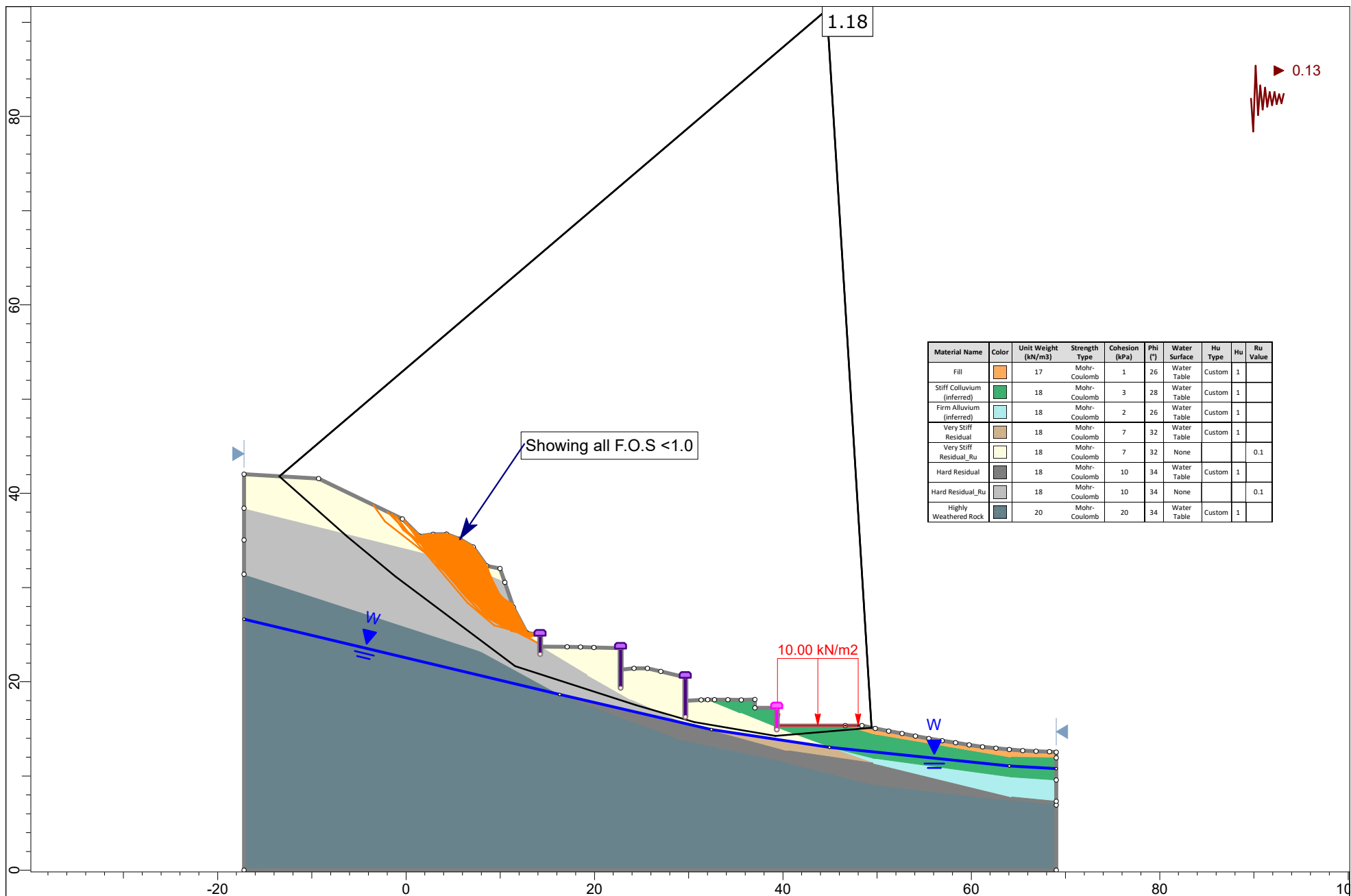
SLIDEINTERPRET 9.031

Project	23 234 - 269c Opito Bay Road, Kerikeri		
Group	Cross Section B-B'	Scenario	Static - Post-development
Drawn By	JMC	Company	
Date	30/04/2024, 3:17:41 pm	File Name	BB-static-Ru-post-dev.slm



Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual	Brown	18	Mohr-Coulomb	7	32	Water Table	Custom	1	
Very Stiff Residual_Ru	Light Yellow	18	Mohr-Coulomb	7	32	None			0.25
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Light Grey	18	Mohr-Coulomb	10	34	None			0.25
Highly Weathered Rock	Dark Blue	20	Mohr-Coulomb	20	34	Water Table	Custom	1	

	Project	23 234 - 269c Opito Bay Road, Kerikeri		
	Group	Cross Section B-B'	Scenario	ElevatedGW - Post-development
	Drawn By	JMC	Company	
	Date	30/04/2024, 3:17:41 pm	File Name	BB-elevatedGW-Ru-post-dev.slm



Material Name	Color	Unit Weight (kN/m <sup>3</sup> )	Strength Type	Cohesion (kPa)	Phi (°)	Water Surface	Hu Type	Hu	Ru Value
Fill	Orange	17	Mohr-Coulomb	1	26	Water Table	Custom	1	
Stiff Colluvium (inferred)	Green	18	Mohr-Coulomb	3	28	Water Table	Custom	1	
Firm Alluvium (inferred)	Light Blue	18	Mohr-Coulomb	2	26	Water Table	Custom	1	
Very Stiff Residual	Tan	18	Mohr-Coulomb	7	32	Water Table	Custom	1	
Very Stiff Residual_Ru	Light Yellow	18	Mohr-Coulomb	7	32	None			0.1
Hard Residual	Dark Grey	18	Mohr-Coulomb	10	34	Water Table	Custom	1	
Hard Residual_Ru	Light Grey	18	Mohr-Coulomb	10	34	None			0.1
Highly Weathered Rock	Dark Blue-Black	20	Mohr-Coulomb	20	34	Water Table	Custom	1	

	Project	23 234 - 269c Opito Bay Road, Kerikeri		
	Group	Cross Section B-B'	Scenario	Seismic - Post-development
	Drawn By	JMC	Company	
	Date	30/04/2024, 3:17:41 pm	File Name	BB-seismic-Ru-post-dev.slmd

## ***Appendix E – Producer Statement Advisory Note***

## **IMPORTANT ADVISORY NOTE**

### **PRODUCER STATEMENT – CONSTRUCTION REVIEW (PS4)**

The Building Consent Authority (BCA) frequently requires Producer Statements–Construction Review (PS4) to be submitted to the BCA in order for a Code of Compliance Certificate (CCC) to be issued. A PS4 is usually required for each specialist area. The requirement for a consultant to issue a PS4 related to their area of work will appear as a condition in the Building Consent documents.

It is the consent holder’s responsibility to notify Haigh Workman Limited for geotechnical construction monitoring and testing required for subsequent issue of a PS4. An initial inspection of stripped or excavated ground must take place before any fill or blinding concrete is placed. Retrospective site monitoring of completed or partially completed geotechnical work is not possible and a PS4 will not be issued without all the required observations.

In order to secure our construction monitoring services and avoid delays on site, Haigh Workman Limited require at least 24 hours’ notice prior to the time the site visit is required. Construction monitoring is limited to items that have been recommended, designed and detailed by Haigh Workman Limited. We are unable to inspect non-consented or unauthorised work. Haigh Workman Limited do not carry out construction monitoring or issue PS4’s for work that has been recommended, designed or detailed by other consultants without prior approval from Haigh Workman Limited. Haigh Workman Limited will not issue a PS4 where construction monitoring and/or testing have been carried out by any other consultant. The PS4 must be sought from the consultant who carried out those inspections.

The full Building Consent, with stamped plans with consent numbers (or a legible copy of the same) including all amendments, shall be made available to us during inspections. We will not commence construction monitoring until the documentation is available or provided to us prior to our site visit.

Unless stated otherwise in our terms of engagement, the fees associated with construction monitoring and the issue of PS4’s are separate from any work carried out prior to commencement of construction. We are able to provide a fee estimate for this work if required. We cannot provide a fixed quote because the quantum of work required frequently depends on the construction program and the performance of others. These things are not known to us in advance of construction. Our normal terms of trade require payment of fees monthly during the inspection period and full settlement prior to release of any PS4.



# Licence to Occupy a Portion of Road

Local Government Act 1974

## APPLICATION FORM

Where structures (encroachment) have been or are to be erected on or within the legal road (formed or unformed), Council consent must be sought. In these cases, the Council considers whether to issue a Licence to Occupy to formalise the legal placement of structures on legal road. If issued, the structure can remain at Councils pleasure subject to the terms and conditions of the licence issued and the maintenance and cost of its occupancy is the responsibility of the licence holder.

These licences attach to a person (structure owner/typically the adjacent land owner) and are not transferable. If ownership changes hands, a new owner must make a new application in their name in order to formalise the structure/encroachment. In some cases, Public Liability Insurance may be required by the licence holder, as outlined in the terms and conditions of the licence.

The applicant must supply the Council with details of the extent of the structure/encroachment and plans showing the position and measurements in relation to the legal road boundaries. Please provide all information required in order for your application to be considered. Your application will not be accepted for assessment until council has received all information. Please note that an application can take some time to be processed and an issue of a licence is not guaranteed.

**Please complete this form and return it along with supporting documents to:**

*Property Legalisation Team*

*Far North District Council*

**or post to:** *Private Bag 752, Kaikohe 0440*

**or scan and email the form to:** *propertylegalisation@fndc.govt.nz*

**Further enquiries can also be made by:**

Calling **0800 920 029** or via our website at [www.fndc.govt.nz](http://www.fndc.govt.nz)

## APPLICANT CONTACT DETAILS

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

Date: 11.09.2024

Applicant signature:

A handwritten signature in black ink, appearing to be 'S Sanson', written over a horizontal line.

Your Address: Po Box 318, Paihia, 0247

Home Phone:

Mobile: 021 1606035

Email: [steve@bayplan.co.nz](mailto:steve@bayplan.co.nz)



## INFORMATION REQUIRED

**Address or location of the encroachment:**

269C Opito Bay Road, Kerikeri

**Describe the nature of the encroachment and its purpose:**

Permeable pavers to provide access from site to proposed dwelling.

**Please provide the reasons the encroachment cannot occur within your own land boundaries:**

Where the dwelling is proposed there is insufficient land to contain a small manouvring area to provide access to a proposed garage for the new dwelling.

**Is public access affected by the encroachment?**

No

**Does this application refer to a proposed or existing encroachment?**

Proposed

**Does the encroachment have an existing Licence to Occupy?**

**YES / NO**

(Not known)

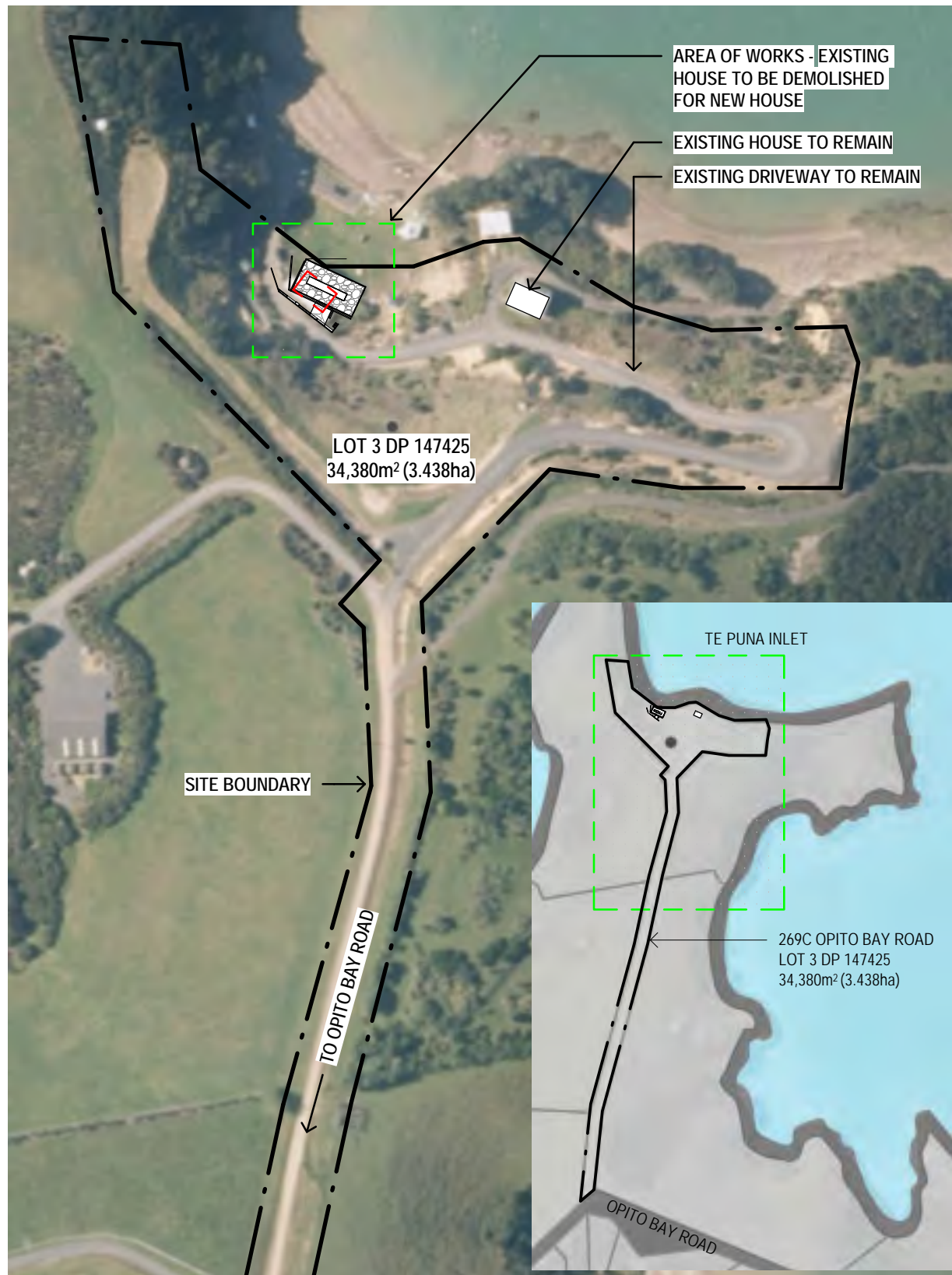
**Is this application made in conjunction with any other applications e.g: Building Consent or Resource Consent? Please list:**

Yes - Resource consent

**Any other relevant information to support your application:**

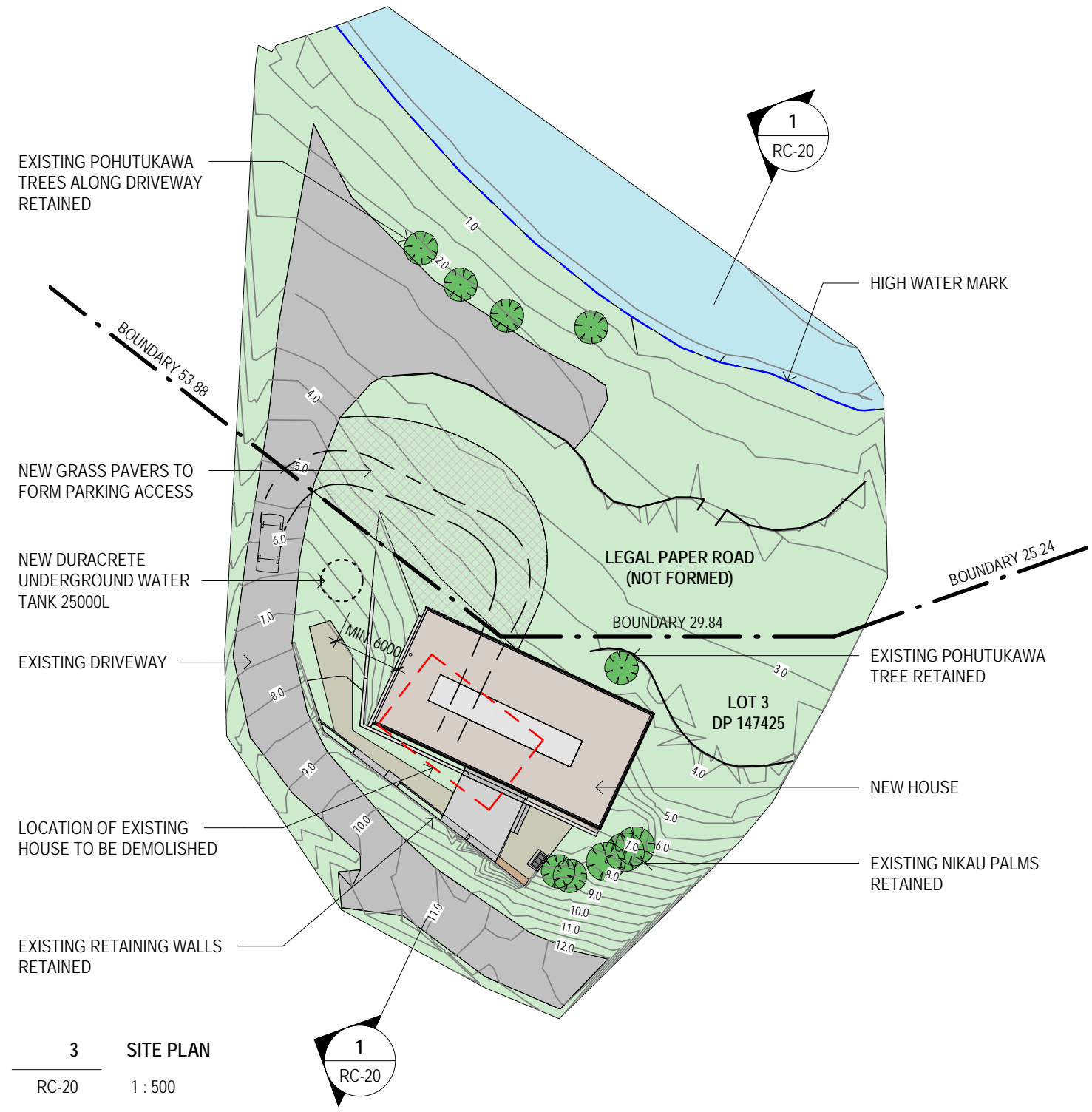
Refer plans attached.

**NOTE:** An occupation plan **must** be submitted with this application.



**1 PART SITE PLAN**  
RC-20 1 : 2000

**2 LOCATION PLAN**  
RC-20 1 : 10000



**3 SITE PLAN**  
RC-20 1 : 500

CUT & FILL		SITE CONTROLS		
CUT:	FILL:	CONTROL	REQUIREMENT	COMPLIANCE
1.4 m <sup>3</sup> (APPROX.)	1.7 m <sup>3</sup> (APPROX.)	VISUAL AMENITY - AREA	25m <sup>2</sup> MAXIMUM	NO - 254m <sup>2</sup>
		VISUAL AMENITY - LRV	30% LRV	NO - LRV 44%
		BUILDING HEIGHT	8m MAXIMUM	NO - MINIMAL INFRING. REFER RC-30
		HEIGHT IN RELATION TO BOUNDARY	2m + 45deg	YES
		STORMWATER MANAGEMENT	15% MAX. IMPERMEABLE	NO - 24% (8228m <sup>2</sup> )
		BOUNDARY SETBACKS	10m	NO - TO PAPER ROAD BDY
		HIGH WATER MARK SETBACK	30m	YES

