

## DISTRICT PLAN REVIEW

### *COASTAL ENVIRONMENT, OUTSTANDING AND HIGH NATURAL CHARACTER AREAS OUTSTANDING NATURAL LANDSCAPES*



FOR: FAR NORTH DISTRICT COUNCIL

**MELEAN ABSOLUM LIMITED**  
Landscape Architects

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## INTRODUCTION

Melean Absolum Limited (MAL) have been asked by Far North District Council (FNDC) to review draft provisions proposed to be included in the Proposed District Plan (PDP). This work forms part of a comprehensive review of the District Plan being undertaken by the Council, which began in 2016<sup>1</sup>.

Specifically, MAL have been asked to:

- Review and provide commentary on the draft provisions for Outstanding Natural Landscapes (ONLs), Outstanding Natural Character areas (ONCs) & High Natural Character areas (HNCs) and the Coastal Environment, as they currently stand (September 2019);<sup>2</sup>
- Review and provide commentary on the draft s32 reports supporting the above draft provisions;
- Review and provide commentary on the amenity controls included in the provisions;
- With reference to other 2nd generation DPs, review and provide commentary on the thresholds / triggers for the assessment criteria proposed.

An iterative process followed, in which the September 2019 draft provisions were reviewed, a draft of this report was prepared with some suggested changes and refinements. Following discussions around those suggestions, the draft provisions were updated and this report finalised.

Importantly, the geographical areas to which the draft provisions will apply have not been identified as part of the District Plan review process, but have been taken from the recently adopted Northland Regional Policy Statement (NRPS)<sup>3</sup>, having been identified as part of the Northland Mapping Project.

Consequently, in undertaking this work, a number of background documents have been referred to, as well as the draft provisions and s32 reports. These include:

### **FNDC Documents:**

- The draft provisions for ONLs, ONC & HNC areas and the Coastal Environment;
- The draft s32 reports supporting the above draft provisions; and
- A series of aerial maps identifying individual lots that have an urban zoning in the operative DP and either an ONC, HNC or ONL overlay.

### **NRPS Documents:**

- Northland Regional Policy Statement - 4.5; 4.6, Appendix 1 and maps;
- Northland Mapping Project, Coastal Environment Worksheets - Mortimer Consulting, January 2016;

<sup>1</sup> The first step was undertaking consultation with communities throughout the district during 2016.

<sup>2</sup> It should be noted that ONLs and ONFs are dealt with together in the provisions and in the s32 report. However, only ONLs are being considered here.

<sup>3</sup> The Northland RPS was made fully operative on 14 June 2018, incorporating GMO decisions.

- Northland Mapping Project, Natural Character Mapping Methodology Report - Pacific Eco-Logic Ltd, February 2014;
- Quantitative Methodology for Measuring Natural Character in New Zealand's Coastal Environments, PhD thesis at Waikato University by Victoria Froude, 2011;
- Northland Mapping Project, Outstanding Natural Landscapes - Mapping Methodology Report - Littoralis & Simon Cocker, February 2014.

**Other TLA provisions:**

- Auckland Unitary Plan (Operative in Part);
- Waikato District Plan.

## COASTAL ENVIRONMENT

The s32 Report on the Coastal Environment provides a summary of the legislative framework which is the background to the Coastal Environment provisions, including references to the Resource Management Act (RMA), New Coastal Policy Statement (NZCPS) and RPS. It notes the requirement for the Far North District Plan to 'give effect' to the RPS. The report goes on to explain the operative District Plan provisions; the consultation undertaken to date and an analysis of the issues identified in that process.

It is clear from this analysis that there is a conflict between the need to protect and preserve the natural character of the coastal environment, while at the same time, providing for appropriate land use, subdivision and development. Pressure for residential development near the coast threatens coastal resources and amenity values and exacerbates risks to people and property as a result of natural hazards and climate change. These issues are expressed as a single 'significant resource management issue'.

The s32 Report then goes on to consider the objectives included in the Draft District Plan provisions, in accordance with s32(1)(a) of the RMA, followed by consideration of the proposed Policies and Rules, as required by s32(1)(b).

### DRAFT OBJECTIVES & POLICIES

The s32 Report discusses the draft objectives in relation to ss5, 6, 7 and 8 of the RMA, as well as in relation to the NZCPS and RPS. It notes that the NZCPS requires identification of areas of at least high natural character,<sup>4</sup> together with the requirement to avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character.<sup>5</sup>

The NZCPS Policy 13 (1) (b) reads:

*"avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment."*

The draft District Plan provisions follow this pattern in both the objectives and policies. Objective 1 states:

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

The policies include:

*"Policy 2*

<sup>4</sup> NZCPS Policy 13 (1) (c)

<sup>5</sup> NZCPS Policy 13 (1) (a)

*Avoid adverse effects of land use and subdivision on the identified characteristics and qualities of outstanding natural character areas.*

*Policy 3*

*Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of all areas of the coastal environment that are not identified as:*

- a outstanding natural character;*
- b outstanding natural landscapes;*
- c outstanding natural features;*

*including those areas identified as having high natural character."*

This pattern of policies follows that of the NZCPS and requires avoidance of all adverse effects on the identified characteristics and qualities in areas of outstanding natural character, but only the avoidance of significant adverse effects in all other areas.

The Draft PDP Objectives go on to differentiate between urban areas and non-urban areas. Natural character occurs on a sliding scale, with urban areas being towards the end of that spectrum with the least natural character. Natural character is, however unlikely to be completely absent from the coastal environment, given that tides will still rise and fall, salt winds will continue to blow, even in man-made areas such as reclaimed land adjoining marinas.

It was thus anticipated that no urban areas<sup>6</sup> would be identified as having either outstanding or high natural character, given that they are intrinsically un-natural. However, examination of the maps provided by FNDC show that there are a number of instances where, generally small areas of only a few lots zoned as ONC, HNC or ONL are also in an urban zone. These instances are discussed in the Aerial Mapping Review section of this report with details provided in Table 1 appended to this report, including recommendations on how these anomalies should be resolved.

Both the objectives and policies seek to consolidate development in the coastal environment to areas already urbanised, again in line with both the RPS and NZCPS. This not only protects rural areas from development but also promotes the use of existing infrastructure by constraining development to areas already serviced by Council's wastewater reticulated services.

Policy 1 refers to the assessment criteria to be used in the identification of outstanding and high natural character areas. The assessment criteria referred to are those utilised in the initial identification process undertaken by the NRC in their Northland Mapping process. Appropriately, this policy will enable re-consideration of the boundaries of any areas transferred from the RPS to the PDP, should this be necessary as a result of changes to the environment or submissions to the notified plan.

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<sup>6</sup> For the purposes of this report, the urban areas referred to are those identified in the Operative District Plan maps.

Policy 6 recognises that primary production land-uses that were in existence at the time the natural character of the coastal environment was assessed form part of that character. It enables such land-use to continue, except in areas of outstanding natural character. However, there is little likelihood that primary production activities are undertaken within these areas. From my observations of the GIS aerial maps on the RPS website, the only human activities visible in the outstanding natural character areas are tracks and occasional small buildings.

Again, in line with both the NZCPS and RPS, the Draft PDP Policies 7 and 8 appropriately provide for public access to and along the coastal marine area, and encourage restoration and enhancement of the natural character of the coastal environment.

Policy 9 is a strongly worded provision dealing specifically with outstanding natural character areas. It appropriately prohibits land use and subdivision that would result in the loss of and/or destruction of any of the identified characteristics and qualities in these areas.

Policy 10 lists a series of matters to be taken into consideration when discretionary or non-complying activity consents are being considered. This list will function as a set of assessment criteria but will not limit consideration of other relevant matters in particular instances.

## **DRAFT RULES**

The draft rules are set out in a series of pairs, one of each applying to the urban environment and the other to the no-urban environment. While this is entirely logical and relates back to the objectives and policies, the duplication of numbering is likely to lead to confusion in future. Also, the inclusion of several rules within one number has potential to further confuse. I recognise that this may be a formatting requirement set for the whole of the PDP, but nevertheless recommend consideration of alternative numbering formats.

### **Urban Environment**

Rule 1 of the Urban Environment states:

*"High and outstanding natural character areas are not identified within urban zones*

*Land use and subdivision within the urban zones in the coastal environment are subject to the controls that relate to the underlying zone/s and district wide provisions, except where specified below.*

*Setback of buildings and structures from the coastal marine area is a minimum of 26 metres."*

In response to the first sentence I note that this is currently not the case, as is discussed in more detail in the Aerial Mapping Review section below.

While enabling subdivision and development in the urban zones within the coastal environment may well be appropriate, I note that the NZCPS does not specifically exclude urban areas in its broadly protective provisions. For example, Policy 13 states:

(1) *To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:*

(a) *avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and*

(b) *avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character **in all other areas of the coastal environment;***

[My emphasis]

Defaulting to the underlying zone provisions when considering subdivision and development in the urban parts of the coastal environment in the district runs the risk of enabling significant adverse effects on the natural character of urban areas, even though that natural character may be towards the lower end of the spectrum. This would be contrary to both the NZCPS Policy 13(1)(b) and RPS Policy 4.6.1(1)(b). While the standards to be achieved by subdivision and development in the urban parts of the coastal environment should be less rigorous than those applying to rural areas, there should, in my opinion, be some level of control imposed.

From my reading of the urban zones in the PDP 2018, there is at least an acknowledgement that the natural character values of the coastal environment are to be considered when assessing some proposals for land use and subdivision. For example, in both the Residential and Mixed Use zones, each Policy 8.a.ii requires consideration of:

*"the natural character of the coastal environment."*

This is the minimum level of control necessary to ensure that the natural character is considered when assessing development anywhere in the coastal environment and thus achieve compliance with both the NZCPS Policy 13(1)(b) and RPS Policy 4.6.1(1)(b). However, these provisions would only be considered were an application for development to require consideration as a non-complying or discretionary activity. Following the review of aerial maps (as described in more detail below) it is clear that there are a few properties within the district that currently have an urban zoning and also a HNC overlay in the RPS maps and where this potential needs to be appropriately managed.

I recommend that some relatively light-handed controls be imposed on urban zoned properties within the Coastal Environment. The types of development likely to create adverse effects are bulkier buildings, say more than one storey high, with large footprints and finished in light coloured, bright or shiny materials. I recommend that permitted activities, for residential development at least, should incorporate some minimum standards. These could include a restriction on site coverage or floor area of say 300m<sup>2</sup>, a maximum height of 5m, a maximum of 50m<sup>2</sup> of indigenous vegetation and/or earthworks and have exterior finishes with a reflectance value of less than 30% and is within Groups A, B or C of the BS5252 colour palette. While these controls are similar to the permitted activity standards applying to non-urban zoned land, there is a substantial difference in the building footprint control, thereby enabling the construction of a reasonable sized house.

## **Non-urban Environment**

In the Non-Urban Environment there are a number of permitted activities. These include the repair and maintenance of a series of existing features, so long as the size and scale remains the same, as well as other similar small scale activities. A number of size thresholds are referred to for non habitable buildings, outside outstanding natural character areas. These include a maximum area of 25m<sup>2</sup> and a limit on the height of 5m together with a maximum of 50m<sup>2</sup> indigenous vegetation removal or earthworks combined. The relationship of the height of any structure with the surrounding topography, the size of any extensions to any existing lawfully established buildings, and the external finish colour and reflectance are also controlled.

The 25m<sup>2</sup> built area and 5m height limit would allow a small scale building associated with the surrounding land use to be constructed within the non-urban parts of the coastal environment. The 50m<sup>2</sup> limit on indigenous vegetation removal and / or earthworks would enable some working space around such a building, were it required in an area of native vegetation. I support these limits as they appropriately allow small scale development of structures associated with the land use already established in the rural parts of the coastal environment.

Any developments beyond these relatively small scale ones enabled as permitted activities, require consent as either a discretionary or non-complying activity, except for new quarries or mines or landfills of any type, which are a prohibited activity in an outstanding natural character area. I support this approach as these controls appropriately enable careful consideration of developments anywhere within the coastal environment using the criteria listed in Policy 10.



## AERIAL MAPPING REVIEW

In order to understand the prevalence of individual lots that have both an urban zoning, in the operative DP, and either an ONC, HNC or ONL overlay, a separate mapping exercise was undertaken.

Two sets of maps were provided, 31 maps of O/HNC overlay areas and six of ONL overlay areas, with several land parcels identified on each map. The maps showed those portions of individual urban zoned lots that were also covered by an overlay, so that frequently only part of a particular property was highlighted. In several instances the same property was identified in both the O/HNC and ONL overlay maps.

It should be noted that the overlaying of mapped information from two different sources, in this instance, the Council's cadastre database and the imported mapping of the overlay areas from the Regional Mapping Project, runs the risk of creating anomalies if the maps do not coincide with each other accurately. This may be the case with some, or all, of the maps provided, but they have, nevertheless, been taken at face value, at this stage. I note that the Regional Policy Statement on-line maps show the same information as in the maps provided by Council.

The coincidence of both an urban zoning and one of the protective overlays signals the potential for conflict to arise, where future development, which would be seen as justified by the urban zoning, has the potential to create adverse effects on the values identified by the overlay. To determine the best resource management approach to dealing with such potential conflicts, a flow chart was developed to eliminate from consideration those properties where future development is unlikely to occur. These include:

- areas which appear from the maps to be in the Coastal Marine Area (CMA);
- areas where development has clearly already occurred;
- parcels of land where developable areas exist outside the overlay;
- land owned by a government entity such as the Council, Ministry of Education or Department of Conservation etc;

Working through the steps in the flow chart with each of the 37 maps, many of the areas in the maps were eliminated, narrowing down consideration to ten maps. At this point, the properties remaining were further narrowed by determining those where Council reticulated services exist and those without. This is because those areas without reticulated services are unlikely to retain their urban zoning in the PDP. Finally site visits were undertaken to view properties from the nearest public vantage point, usually a road, to verify that the overlay appeared to be justified and determine the likelihood of development occurring in future.

The results of this work are included in the Appendix to this report, along with the flow chart itself. In summary, the majority of sites identified were found to already contain development or have the potential to, outside the area of the overlay. Seven properties are recommended to have the overlay retained intact, even though it may limit development opportunities. Five properties without reticulated services are recommended for a zone change and two sites need the overlay trimmed to avoid existing development.

## OUTSTANDING NATURAL LANDSCAPES

The s32 report considering the proposed provisions to apply to Outstanding Natural Landscapes (ONLs) follows the same format as that for the Coastal Environment. Indeed, there is also a strong correlation in the provisions as well.

The s32 Report provides a summary of the legislative framework which is the background to the ONL and ONF provisions, including references to the RMA, NZCPS and RPS. Again, it notes the requirement for the Far North District Plan to 'give effect' to the RPS. The report goes on to explain the operative District Plan provisions; the consultation undertaken to date and an analysis of the issues identified in that process.

It is clear from this analysis that there is a conflict between the need to protect and preserve the district's important and valued landscapes, while providing for appropriate land use, subdivision and development. Of particular concern is the prevalence of ONLs (& ONFs) on Māori owned land and the need to enable Māori to continue to enjoy the relationship they have with their ancestral lands, including its use and development, while protecting the characteristics and qualities of ONLs.

The s32 Report then goes on to consider the objectives included in the Draft District Plan provisions, in accordance with s32(1)(a) of the RMA, followed by consideration of the proposed Policies and Rules, as required by s32(1)(b).

### DRAFT OBJECTIVES

The s32 report discusses the draft objectives in relation to ss5, 6, 7 and 8 of the RMA, as well as in relation to the NZCPS and RPS. The report clearly lays out the way in which the three proposed objectives meet the requirements of these sections of the Act.

Of note are the comments concerning the lack of information about Tangata Whenua values in the RPS ONL working sheets. These associative values would ideally form part of any landscape assessment, in line with the WESI factors,<sup>7</sup> NZILA Best Practice Guidelines<sup>8</sup> and NZCPS Policy 15(c). It is clear from the Littoralis and Cocker report<sup>9</sup> that attempts were made to include Tangata Whenua values but that the information was not forthcoming within the timeframes available. To overcome this and in response to the acknowledged potential implications resulting from the incidence of ONLs on Māori land, Objective 3 makes it clear that the ancestral relationship of Tangata Whenua have with their land is recognised and provided for and this is referred to particularly in discussions around s8 of the RMA. In my opinion this is an appropriate response, in the circumstances.

<sup>7</sup> *Factors listed in decision Wakatipu Environmental Society Incorporated and others v Queenstown-Lakes District Council C180/1999*

<sup>8</sup> *New Zealand Institute of Landscape Architects Best Practice Note 10.1 Landscape Assessment and Sustainable Management*

<sup>9</sup> *Outstanding Natural Features and Landscapes Mapping Methodology Report, Littoralis Landscape Architecture and Simon Cocker Landscape Architecture, Final version following Council decisions February 2014*

## DRAFT POLICIES

As with the Coastal Environment provisions, the tiered approach to protection of areas inside and outside the coastal environment, introduced through the NZCPS, is again incorporated into Policies 2 and 3.

Continuing the theme from Objective 3, Policy 5 specifically anticipates the use of Māori land, either that zoned Māori Purpose or Treaty Settlement land, even where it is within an ONL, so long as that use is consistent with the characteristics and qualities of the ONL. In conjunction with this, Policy 1 provides scope for the identification of additional characteristics and qualities of ONLs using the assessment criteria in Appendices 1 and 2 of the Plan. In this way, should Tangata Whenua values become better known, perhaps through specific resource consent applications, these can be acknowledged as part of the consenting process where they fit the criteria in Appendices 1 and 2 of the Plan.

As with the Coastal Environment provisions, Policy 8 lists a series of matters to be taken into consideration when discretionary or non-complying activity consents are being considered. This list will function as a set of assessment criteria but will not limit consideration of other relevant matters in particular instances.

Unlike the Coastal Environment provisions, the ONL (and ONF) provisions make no distinction between urban and non-urban zoned land. Nevertheless, because it would be very unusual to find an ONL identified in an urban area, the same cross-check of Operative DP urban zones and ONLs was carried out and aerial maps showing their coincidence provided. Again, Table 2 in the Appendix examines these areas and makes recommendations for their resolution.

## DRAFT RULES

The introduction to the Rules notes that rules relating to forestry are regulated by the NESPF Regulations.<sup>10</sup> It goes on to state that the NESPF allows plans to include more restrictive rules in relation to ONLs (and ONFs) and that where there is conflict between a plan rule and the NESPF, the more restrictive rule will apply. In reviewing the NESPF I note that Regulation 12 states:

***"Permitted activity condition: significant natural areas and outstanding features and landscapes***

*Afforestation must not occur within a significant natural area or an outstanding natural feature or landscape."*

Afforestation in this instance refers to the establishment of new forestry, with other regulations dealing with replanting and harvesting etc of existing areas of forestry.

Despite this regulation, ONL Rule 1 dealing with permitted activities, contains the following (un-numbered) provision:

*"New forestry up to 2 hectares in area in outstanding natural landscapes both inside and outside the coastal environment."*

<sup>10</sup> National Environmental Standard for Plantation Forestry Regulations 2017.

The s32 report goes on to explain that this 2ha area is derived from the findings of the Environment Court in a 2012 decision.<sup>11</sup> It appears that the threshold introduced by the Environment Court decision has, more recently, been reduced through the introduction of the NESPF. In my opinion the above cited rule should be omitted from the PDP, while the non-complying activity rule pertaining to new forestry should remain and apply to all hectare sizes.

Other parts of ONL Rule 1 (again un-numbered) provide thresholds in terms of the size of new non-habitable buildings, where these are ancillary to existing primary production activities, as well as in terms of the size of extensions to existing lawfully established buildings (including residential units). As with the Coastal Environment provisions, these thresholds appropriately provide for a small degree of development and alteration to buildings as a permitted activity, but should something more substantial be proposed, then, depending on the type of building and its location relevant to the Coastal Environment, either a discretionary or non-complying consent will be required. I support this approach from a landscape perspective.

Similarly, with respect to indigenous vegetation removal and earthworks, the provisions allow a small degree of these activities (combined) to enable maintenance of existing infrastructure as a permitted activity. Again, should something more substantial be proposed, then it will require consent as a discretionary activity.

New quarries, mines and all types of land fills are prohibited activities in ONLs. I support this approach as there is no necessity for any of these landform altering activities to occur in an ONL.

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<sup>11</sup> *NZEnvC74 [2012] Federated Farmers of New Zealand Inc v Auckland Council (as successor to Franklin District Council)*

## CONCLUSIONS

Overall, the proposed provisions for the Coastal Environment and ONLs provide an appropriate balance between enabling development and protecting the identified characteristics and qualities of identified and valued natural assets, and I support them.

I have made some specific recommendations relating to permitted activities within the coastal environment and the status of forestry activities in ONLs.

As a result of the Aerial Mapping Review I have recommended that the zoning of a handful of non-reticulated sites should not be urban, in order to protect the values of the overlay identified. Two additional sites have been identified where the overlay requires some minor trimming to avoid existing development. For the remainder of the sites, either they are owned by a government entity or development has already taken place or could be undertaken outside the overlay area.



**Melean Absolum**  
Dip LA Fellow NZILA  
13 March 2020

**APPENDIX 1**

**REVIEW OF MAPS PROVIDED BY FNDC**

Does the lot appear to be in CMA and thus not developable?

↓  
Yes  
↓  
Leave overlay intact

↓  
No  
↓  
Is the lot already developed?  
↓  
Yes  
↓  
Leave overlay intact

↓  
No  
↓  
is there land not covered by the overlay on the lot that could be developed?

↓  
Yes  
↓  
Leave overlay intact

↓  
No  
↓  
Is the lot owned by a Government entity? (eg DoC, FNDC, FNHL, NRC etc)

↓  
Yes  
↓  
Leave overlay intact

↓  
No  
↓  
What effect would trimming the overlay from the lot have on this overlay area?

↓  
Minimal change  
↓  
Trim overlay from lot

↓  
More substantial change  
↓  
Leave overlay intact

TABLE 1 ONC & HNC AREAS IN URBAN ZONES		
NO	LOCATION	RECOMMENDATION
<b>Residential Zone</b>		
1 NC	North Tokerau Beach & Whatuwhiwhi	The ONC and HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the ONC or HNC area.
2 NC	Cable, Coopers and Mangonui	<p>The HNC areas to the west of Cable Bay and along both Cable Bay and Coopers Beach should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p> <p>The HNC areas at the southern end of the peninsula at Mangonui should be retained due to the sites being in the ownership of the Department of Conservation.</p> <p>The remaining HNC areas on the Mangonui peninsula should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
3 NC	Haruru Falls	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
4 NC	Paihia	<p>The HNC area to the north contains a 1.34ha site that has vegetation cleared from the crest of the ridge. It is not considered appropriate to trim this overlay as the vegetation is contiguous and doing so may compromise the integrity of the HNC and surrounding sites. Development of this land could compromise the rest of the HNC area, so some form of control over building height, size and colour is appropriate.</p> <p>The remaining HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
5 NC	Te Haumi	<p>The 3.09ha HNC area on the northern side of Hihitahi Rise should be retained due to the site being in the ownership of the Far North District Council.</p> <p>The 4.64ha HNC area on the southern side of Hihitahi Rise is in private ownership. It</p>



		<p>is not considered appropriate to trim this overlay as the vegetation is contiguous and doing so may compromise the integrity of the HNC and surrounding sites, so some form of control over building height, size and colour is appropriate.</p> <p>The remaining HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
<b>Coastal Residential Zone</b>		
6 NC	Te Hapua	The HNC areas should be retained due to the sites already containing development. They also appear to be within the CMA, possibly as a result of erosion since the titles were created
7 NC	Mitimiti	<p>The 3.68ha HNC area on the southern side of West Coast Road is in private ownership. However, this area is not on reticulated services, so residential subdivision and development is not anticipated. Leave overlay intact and potentially change zoning.</p> <p>The eastern-most section appears to have the HNC overlay across an existing building. Trim overlay to avoid building.</p> <p>The remaining HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
8 NC	Omapere	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
9 NC	Rawene	All of the HNC areas appear to be below mhws, possibly as a result of erosion. The remainder of the properties already contain development or have the potential to contain development outside the HNC area. Retain overlay.
10 NC	Kohukohu	Both of the HNC areas should be retained due to the sites having the potential to contain development outside the HNC area.
11 NC	Horeke	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
12 NC	Rangiputa	All of the HNC areas should be retained due to the sites already containing

		development.
13 NC	Kaimaumau	All areas appear to be below mhws, possibly as a result of erosion. The remainder of the properties already contain development or have the potential to contain development outside the HNC area. Retain overlay.
14 NC	Taupo Bay	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
15 NC	Totara North	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
16 NC	Ota Point, Whangaroa	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
17 NC	Tauranga Bay	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
18 NC	Te Ngaere Bay	The HNC areas should be retained due to the sites being in the ownership of the Far North District Council. They also appear to be within the CMA, possibly as a result of erosion since titles were created.
19 NC	Matauri Bay	The 7.87ha HNC area on the western side of Te Tapui Road is in private ownership. It is not considered appropriate to trim this overlay as the vegetation is contiguous and doing so may compromise the integrity of the HNC and surrounding sites. However, this area is not on reticulated services, so residential subdivision and development is not anticipated. Leave overlay intact and potentially change zoning.  The remaining HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
20 NC	Tapuaetahi	The HNC areas should be retained due to the site already containing development.
21 NC	Doves and Opito Bays	The 0.06ha HNC area on the western edge of Doves Bay should be retained due to the site being in the ownership of the Far North District Council.  The 0.04ha HNC area at the end of the peninsula at Opito Bay should be retained due to the site being in the ownership of the Crown.

		The remaining HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
22 NC	Paihia	<p>The 0.06ha HNC area in behind the Caltex service station on Puketona Road is in private ownership. It is not considered appropriate to trim this overlay as the vegetation is contiguous and doing so may compromise the integrity of the HNC and surrounding sites. The flat land at the bottom of the very steep coastal escarpment could be developed and is outside the HNC area. Leave overlay intact.</p> <p>The remaining HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
23 NC	Opuia	<p>The 0.1ha HNC area at 5 Austin Street has already been developed. Trim the overlay to the edge of the vegetation clearance that has taken place.</p> <p>Three to four properties (each 0.1ha) between Austin and Lyon Streets are in private ownership. The steepness of much of this land would make development here very difficult, although some development may be possible on flat land in the valley, outside the HNC overlay area. It is not considered appropriate to trim this overlay as the vegetation is contiguous and doing so may compromise the integrity of the HNC and surrounding sites, so some form of control over building height, size and colour is appropriate.</p> <p>The overlay should be retained over three sites at the southern end of Kane Street due to the sites being in the ownership of the Ministry of Education and form part of a larger title.</p> <p>The remaining HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
24 NC	Orongo Bay	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.
25 NC	Tapeka Point	All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.

26 NC	Dicks / Jacks Bays	<p>All of the properties on the peninsula subject to the HNC area are in single ownership. It may be that there is a covenant on the main development to protect the vegetation. This area is not on reticulated services, so further residential subdivision and development is not anticipated.</p> <p>All other HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
27 NC	Parekura Bay	<p>The 0.08ha HNC area at 495 Manawaora Road is in private ownership. However, this area is not on reticulated services, so residential subdivision and development is not anticipated. Leave overlay intact and potentially change zoning.</p> <p>The remaining HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
<b>Commercial Zone</b>		
28 NC	Paihia	<p>All of the HNC areas should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
29 NC	Opua	<p>The 0.1ha HNC area should be retained due to the site being in the ownership of Far North Holdings Limited.</p> <p>The remaining HNC area should be retained due to the sites already containing development or having the potential to contain development outside the HNC area.</p>
30 NC	Kohukohu	<p>This HNC area appears to be in the CMA so is presumably a result of coastal erosion since the titles were created. The overlay should be retained.</p>
31 NC	Horeke	<p>The HNC area should be retained due to the site already containing development. Again the area appears to be in the CMA, possibly as a result of erosion since the title was created.</p>

TABLE 2 ONL AREAS IN URBAN ZONES		
NO	LOCATION	RECOMMENDATION
<b>Residential and Coastal Residential Zone</b>		
1 LN	Matauri Bay	<p>The ONL area to the north should be retained due to the site being in the ownership of the Far North District Council.</p> <p>The remaining ONL area to the south should be retained due to the site already containing development.</p>
2 LN	Tapuaetahi	<p>The ONL area to the south should be retained due to the sites already containing development.</p> <p>The remaining ONL area north of the paper road is five sections in the private ownership of the same entity as owns the remainder of the properties here. They are entirely covered by the ONL and have no existing development.</p> <p>It is not considered appropriate to trim this overlay as the vegetation is contiguous and doing so may compromise the integrity of the ONL and surrounding sites. Leave overlay intact.</p>
3 LN	Dicks / Jacks Bays	<p>These are the same properties as in Area 26 NC in the Natural Character table above. The ONL overlay area is smaller than the HNC overlay area and all of the ONL areas should be retained due to the sites already containing development or having the potential to contain development outside the ONL area. Also, the area is not on reticulated services, so residential subdivision and development is not anticipated</p>
4 LN	Te Haumi	<p>The 0.66ha ONL area to the south should be retained due to the site being in the ownership of the Far North District Council.</p> <p>The 4.64ha ONL area on the southern side of Hihitahi Rise is in private ownership and is over the same properties as Area 5 NC in the Natural Character table above. However the ONL overlay is not as extensive as the HNC overlay. It is not considered appropriate to trim this overlay as the vegetation is contiguous and doing so may</p>

		<p>compromise the integrity of the ONL and surrounding sites, so some form of control over building height, size and colour is appropriate.</p> <p>The remaining ONL areas should be retained due to the sites already containing development or having the potential to contain development outside the ONL area.</p>
5 LN	Mangonui	All of the ONL areas should be retained due to the sites already containing development.
<b>Commercial Zone</b>		
6 LN	Waitangi	The ONL area should be retained due to the site already containing development.