

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

5. Applicant Details

Name/s:

Louis P.J Toorenburg

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 Ltd

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:

Hans Douglass Mitt and Mary Helen Mitt, Louis Peter John Toorenburg and Susan Julia To

**Property Address/
Location:**

645C & 647 Waiotemarama Gorge Road

Postcode

0473

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)

Louis P.J Toorenburg

Email:

Phone number:

Postal address:

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

--

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

refer billing details signed attached

Signature:

(signature of 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. 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

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.

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:

Work

Home

Postal address:

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

Postcode

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)

Louis P.J. Toorenburg

Signature:

(signature of bill payer)

Date 7/10/2024

MANDATORY

15. Important Information:

Note to applicant

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

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

Fast-track application

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

Privacy Information:

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

BAY OF ISLANDS PLANNING (2022) LIMITED

Kerikeri House

Suite 3, 88 Kerikeri Road, Kerikeri

Email – office@bayplan.co.nz Website - www.bayplan.co.nz

.....

14 October 2024

Re: 2 x Lot Subdivision in the Rural Production Zone, Waiotemarama Gorge Road, Waimamaku

The sites subject to this application are located on Waiotemarama Gorge Road and currently comprise two Records of Title, legally described as Section III Block IX Waoku Survey District and Section 39 Block IX Waoku Survey District.

Subdivision Arrangement

The proposal seeks to create the following allotments from the titles outlined above:

- Lot 1 – 4.1ha
- Lot 2 – 11.3ha

The subdivision has been designed based on existing fence lines, bush areas, easements, and existing access and development areas.

Overall, the application has been assessed as an **Non Complying Activity**. To that end we attach a resource consent application to provide for the proposed subdivision.

The application is supported by the following information –

Planning Report, including Assessment of Environmental Effects;

Appendix A - Records of Title

Appendix B - Scheme Plan prepared by Nigel Ross

Appendix C - Department of Conservation PNA Extract

Appendix D - Consultation with DoC

Regards,

Reviewed



Steven Sanson
Consultant Planner



Andrew McPhee
Consultant Planner

1.0 INTRODUCTION

The applicants, seek resource consent to undertake a subdivision in the Rural Production Zone on Waitotemarama Road, Waimamaku. The sites are identified as 645C and 647 Waitotemarama Gorge Road and are legally described as Section III Block IX Waoku Survey District and Section 39 Block IX Waoku Survey District.

Titles are provided in **Appendix A**. There are no relevant instruments required to process the application.

The applicant seeks a subdivision as outlined below in the Figure and reproduced in **Appendix B**.

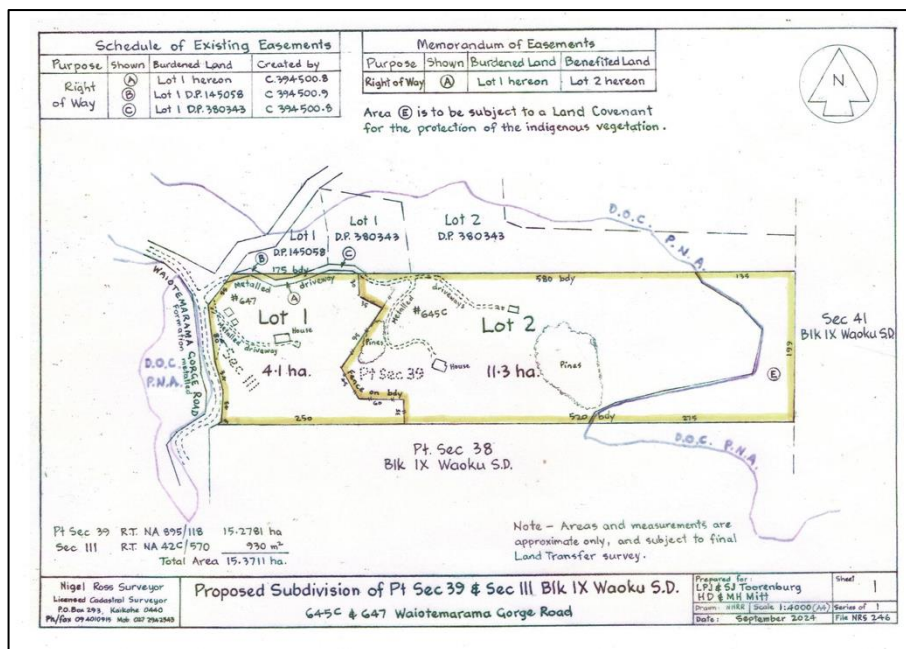


Figure 1: Proposed Scheme Plan (Source: Nigel Ross)

2.0 DESCRIPTION OF THE SITES AND SURROUNDS

The sites are situated on Waitotemarama Road, approximately 10-12.5km to the east of the Omapere Township. There are two approaches from the site to that township – as depicted below. Opononi is also in close proximity when heading north from the site. Waimamaku is to the south-east.

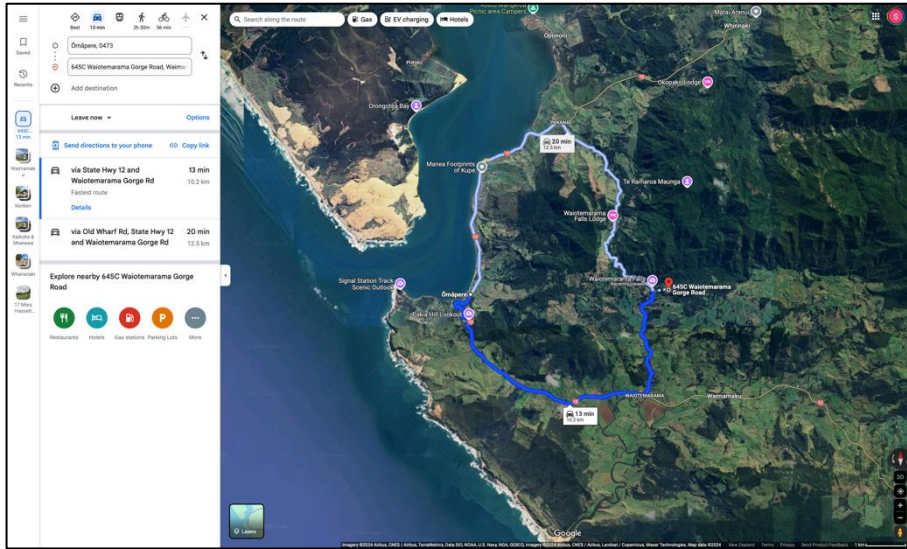


Figure 2: Location Map (Source: Google Maps)

The sites and surrounds are rural in nature and are located beneath hilltop and mountain ranges. The sites extend from Waioemarama Gorge Road at the foothills, and it rises gradually towards the peak of Pukepoto. This sits below the higher mountain ranges to the north which include Te Ramaroa and a large part of the Waima Forest to the north / north-east.



Figure 3: Site Aerial (Source: Prover)

There is a mixture of native and exotic vegetation on the site, pockets of pine are interspersed against regenerating scrub and more formal native growth as shown below in the Figure 4 where DoC PNA – Waipoua/Mataraua/Waima Forest Tract is located [O06/001]. An extract

from DoC publications on the wider PNA site is provided in **Appendix C**. The sites are also located in a 'Kiwi Present' zone.



Figure 4: Reserves & Protected Areas (Source: Far North Maps)

In terms of the Operative District Plan [ODP] the north-eastern corner of the site is slightly covered by an Outstanding Natural Landscape. This area coincides with the DoC PNA area.

In terms of zoning, the site is Rural Production. This is also true for the majority of the surrounds except for the north where the Waima Forest under DoC management is zoned Conservation.

This landholding is within 500m of the site and proposed subdivision, as such consultation has been undertaken and is provided in **Appendix D**.

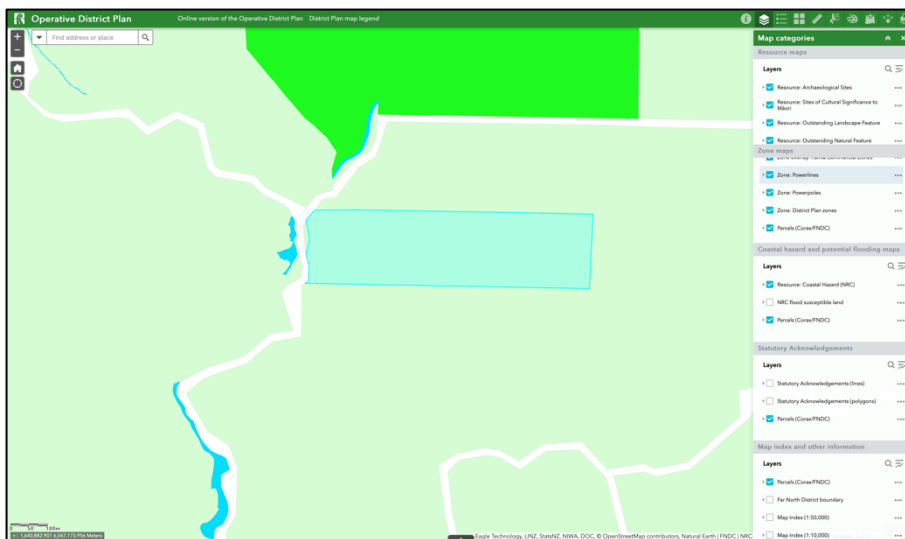


Figure 5: Zone Map (Source: Far North Maps)

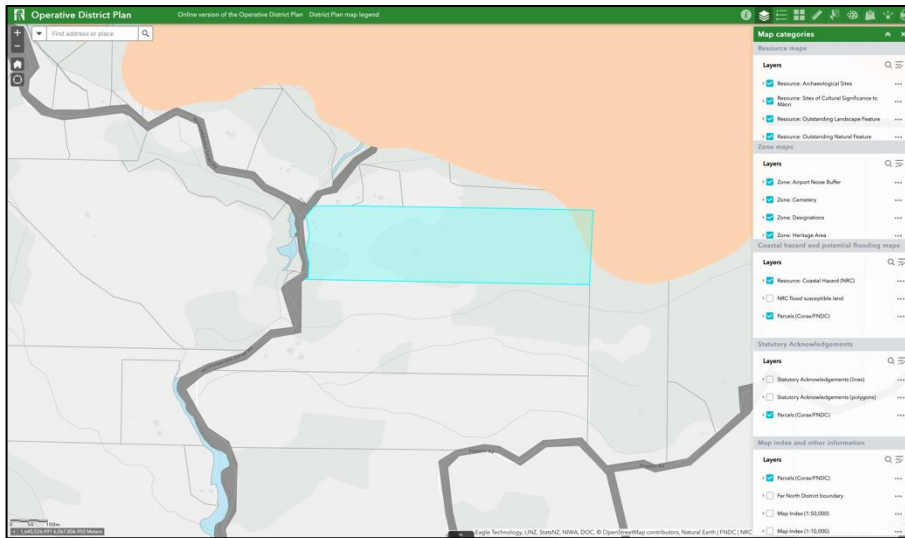


Figure 6: Resource Map (Source: Far North Maps)

In terms of the Proposed District Plan [PDP], the site is proposed to remain as Rural Production. The site is not implicated by flooding, however the extent of the Outstanding Natural Landscape differs from that in the ODP. Figure 7 shows the interplay between ODP vs PDP vs DoC PNA mapping.

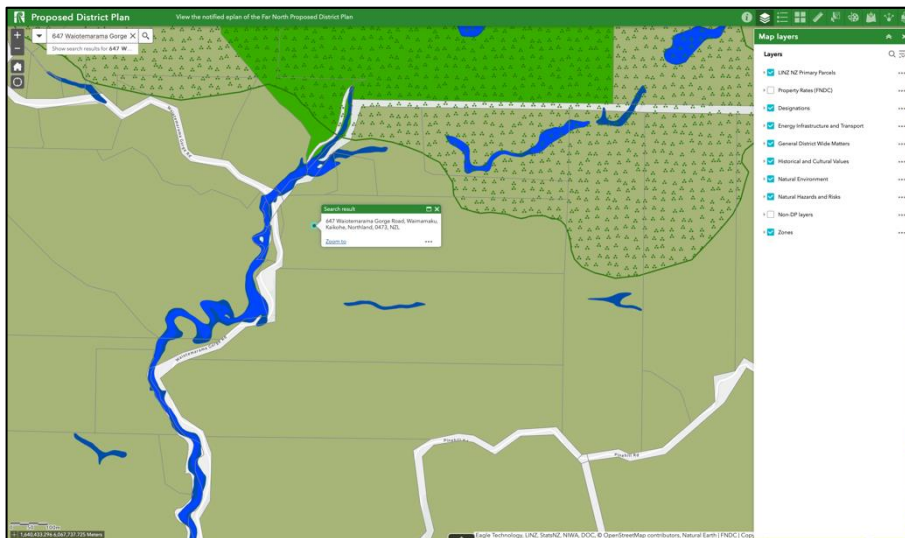


Figure 7: Proposed District Plan (Source: Far North Maps)

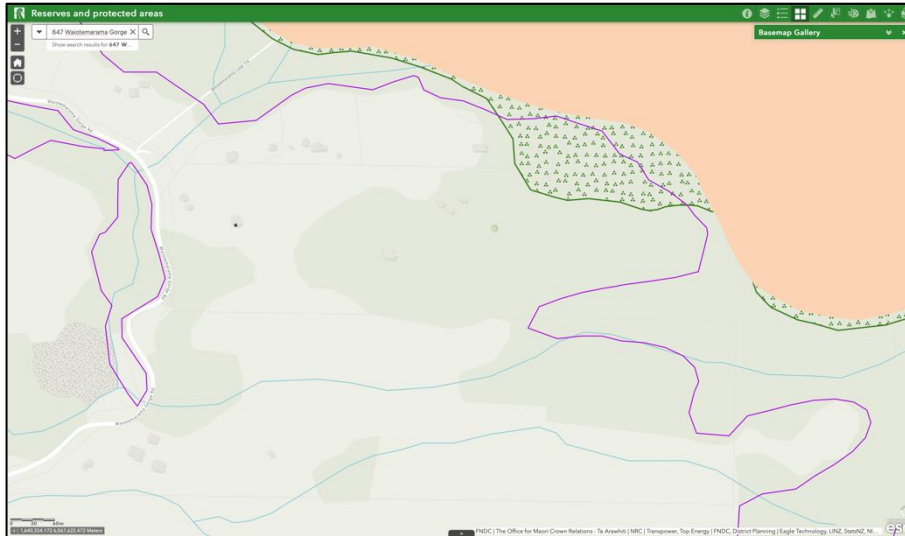


Figure 8: ODP vs PDP vs DoC PNA (Source: Far North Maps)

In terms of soils resource, the sites subjected to the subdivision are considered to be Class VI. These are not ‘highly productive’ as per the PDP nor the National Policy Statement.

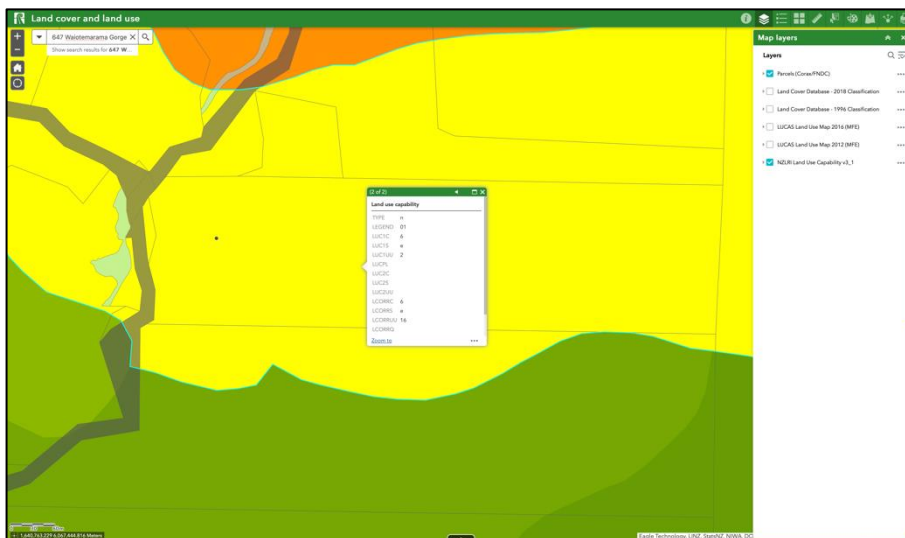


Figure 9: Soils (Source: Far North Maps)

In terms of subdivision pattern, the northern surrounds are surprisingly fragmented and are quite developed in terms of the number of residential dwellings. Elsewhere, the subdivision pattern is more uniform with larger allotments, however rural lifestyle is not uncommon or not out of place in this environment given the terrain.



Figure 10: Subdivision Pattern [Prover]

In terms of the built environment, the proposal gains access from Waitotemarama Gorge Road. This road is of a reasonable standard and promotes access to the existing residential activities on the site. Both sites are serviced by their own vehicle crossing and metalled driveways.

Lot 1 has an existing house and implement sheds. Lot 2 has 2 existing dwellings with associated garages and sheds. These are all existing buildings.

3.0 DESCRIPTION OF PROPOSAL

The applicants propose to undertake a 2 x lot subdivision in the Rural Production Zone. The land is currently in two records of title and on completion there will be no new allotments.

Lot 1 is to be 4.1ha and Lot 2 is to be 11.3ha. An easement is proposed over Lot 1 to provide access to Lot 2. Otherwise, Lot 2 is serviced by existing easements. Given the biophysical overlays that apply to the site, the applicants are offering to covenant part of Lot 2 for the protection of the indigenous vegetation along that already mapped by DoC. This is shown as Area E on the scheme plan.

Vehicle crossings and existing accessways are considered to be adequate and not require upgrades as the subdivision does not change the intended or established use on these features. All development on site is existing therefore no additional development is proposed or required.

4.0 DISTRICT PLAN ASSESSMENT [OPERATIVE AND PROPOSED]

The subdivision is subject to performance standards as set out below:

Table 1 - Subdivision Performance Standards

Subdivision Performance Standard	Assessment
Rule 13.6.1 Definition of Subdivision of Land	The application meets the definition of subdivision as defined in the RMA. Complies
Rule 13.6.2 Relevant Sections of Act	These are applied to the application. Complies
Rule 13.6.3 Relevant Sections of the District Plan	These are applied to the application. Complies
Rule 13.6.4 Other Legislation	There are no other pieces of legislation which are triggered by the proposal. Complies
Rule 13.6.5 Legal Road Frontage	The sites are currently accessed via Waiotemarama Gorge Road. Complies
Rule 13.6.6 Bonds	Not applicable Complies
Rule 13.6.7 Consent Notices	No existing consent notices apply to the subject sites. Complies
Rule 13.6.8 Subdivision consent before work commences	Given that the internal accessways and vehicle crossings are considered appropriate, there are no subdivision works envisaged. Complies
Rule 13.6.9 Assessing Resource Consents	All matters are considered in this report. Complies
Rule 13.6.10 Joint Applications	Not applicable Complies
Rule 13.6.11 Joint Hearings	Not applicable Complies
Rule 13.6.12 Suitability for Proposed Land Use	The site has not been identified as containing or being subject to any natural hazard or contaminant.

Subdivision Performance Standard	Assessment
	<p>The site is not subjected to any known flooding, subsidence, erosion, or limitations regarding legal / physical access.</p> <p>Development on the site is existing. The subdivision does not promote or require any additional development or land use activities.</p> <p>Complies</p>
Rule 13.7.2 Allotment Sizes, Dimensions and Other Standards	
Performance Standard	Assessment
<p>Rule 13.7.2.1 – Minimum Lot Sizes</p>	<p>The proposed 2 x lot subdivision has titles that pre-date 28 April 2000. It could be undertaken as a Clause 4 subdivision [maximum of 5 x lots at 2ha minimum lot size].</p> <p>However, the site is implicated by the Outstanding Natural Landscape. This requires a consideration of Rule 13.7.2.5.</p> <p>On assessment of Rule 13.7.2.5, a consent as a Non-Complying Activity is required.</p>
<p>Rule 13.7.2.2 – Allotment dimensions</p>	<p>All new allotments can contain a 30m x 30m allotment dimension.</p> <p>Complies</p>
<p>Rule 13.7.2.3 - Amalgamation of land in a rural zone with land in an urban or coastal zone</p>	<p>Not applicable.</p> <p>Complies</p>
<p>Rule 13.7.2.4 – Lots divided by zone boundaries</p>	<p>Not applicable.</p> <p>Complies</p>
<p>Rule 13.7.2.5 - Sites divided by an outstanding landscape, outstanding landscape</p>	<p>The rule states that when an ONL is present, the subdivision rules for the ONL take precedence over the Zone rules.</p> <p>As the area of ONL within the site is less than the necessary minimum of 2ha as per Rule 13.9.2 [the area is ~0.4ha], the whole site must be treated as per Rule 13.7.2.1[xix].</p>

Subdivision Performance Standard	Assessment
feature or outstanding natural feature	<p>Given the characteristics of the landholdings and application, a management plan application as per 13.9.2 is not proposed.</p> <p>Therefore, the application is a Non-Complying Activity.</p>
Rule 13.7.2.6 – Activities, Utilities, Roads and Reserves	<p>Not applicable</p> <p>Complies</p>
Rule 13.7.2.7 – Savings as to previous approvals	<p>Not applicable</p> <p>Complies</p>
Rule 13.7.2.8 – Proximity to Top Energy transmission lines	<p>Not applicable</p> <p>Complies</p>
Rule 13.7.2.9 – Proximity to National Grid	<p>Not applicable</p> <p>Complies</p>

Table 2 - Natural and Physical Resources - Performance Standards

Chapter 12 – Natural and Physical Resources	
Performance Standard	Assessment
12.1 Landscapes and Natural Features	<p>There is no built development proposed or existing within the area that is considered to be ONL. No consents are required.</p> <p>Complies</p>
12.2 Indigenous Flora and Fauna	<p>No vegetation clearance is required to carry out the proposed subdivision.</p> <p>Complies</p>
12.3 Soils and Minerals	<p>No earthworks are required as part of the subdivision.</p> <p>Complies</p>
12.4 Natural Hazards	<p>The sites are not affected by natural hazards. House sites are existing.</p> <p>Complies</p>
12.5 Heritage	<p>Not applicable</p>

	Complies
12.6 Air	Not applicable Complies
12.7 Lakes, Rivers Wetlands and the Coastline	All development is existing. No future works are required within 30m of any localised streams or waterways. Complies
12.8 Hazardous Substances	Not applicable Complies
12.9 Renewable Energy and Energy Efficiency	Not applicable Complies

Table 3 - Transportation Performance Standards

Chapter 15 - Transportation	
Performance Standard	Assessment
15.1.6A.2 Traffic Intensity	The proposed subdivision does not create any additional traffic. There are 3 x dwellings located on the site. This would create 30 x traffic movements. This is permitted. Complies
15.1.6B.1 Parking	Parking is unaffected by the subdivision. Complies
15.1.6C Access	The internal private accessways is considered to be appropriate as the subdivision produces no new household equivalents accessing the 2 x titles already existing. The private accessways serve less than 8 household equivalents and the subdivision does not result in 9 or more sites accessing the private way. Access is not proposed on any restricted road such as a State Highway. Complies In terms of passing bays, the access does not require any changes as it is existing and the subdivision does not change or increase use.

	<p>Complies</p> <p>There is no need to reverse off a site. All bends and corners are constructed to allow for the passage of a heavy rigid vehicle.</p> <p>Complies</p> <p>In terms of road frontage, it is assumed that Waitotemarama Gorge Road meets the Councils Engineering Standards and Guidelines. If it is not up to the required standard, the applicants do not propose to undertake the necessary upgrades given that the subdivision does not result in any additional demand on roading infrastructure.</p> <p>Complies</p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

An assessment of the proposal against the relevant land-use rules of the ODP is provided where it relates to existing built development:

Table 4 – Land-Use Performance Standards

Rural Production Zone	
Performance Standard	Assessment
Rule 8.6.5.1.1 Residential Intensity	All buildings are existing on the property. Complies
Rule 8.6.5.1.2 Sunlight	All buildings are existing on the property. Complies
Rule 8.6.5.1.3 Stormwater Management	15% is permitted on each site. Coverage across each site is expected to be well within these thresholds. Complies
Rule 8.6.5.1.4 Setback from Boundaries	No proposed lots create a new breach to setback from boundaries. Complies
Rule 8.6.5.1.5 Transportation	Refer to Chapter 15 – Transportation for Traffic, Parking and Access above.

Rural Production Zone	
Performance Standard	Assessment
Rule 8.6.5.1.8 Building Height	All existing buildings are less than 12m in height. Complies
Rule 8.6.5.1.10 Building Coverage	12.5% is permitted on each site. Coverage across each site is expected to be well within these thresholds.. Complies
Rule 8.6.5.1.11 Scale of Activities	Not applicable. Complies

Overall, this subdivision application falls to be considered as a **Non Complying Activity**.

In terms of the PDP, the following rules are assessed in Table 5 below.

Table 5 – PDP Standards

Matter	Rule/Std Ref	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	Not proposed Permitted Activity
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)	Not indicated on Far North Proposed District Plan Permitted Activity
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	All rules have immediate legal effect (HH-R1 to HH-R10) Schedule 2 has immediate legal effect	Not indicated on Far North Proposed District Plan Permitted Activity

<p>resource. Heritage resources are shown as a historic item on the maps)</p> <p>This chapter applies to scheduled heritage resources – which are called heritage items in the map legend</p>		
<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>	<p>Not indicated on Far North Proposed District Plan</p> <p>Permitted Activity</p>
<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>	<p>Not indicated on Far North Proposed District Plan</p> <p>Permitted Activity</p>
<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>	<p>No proposed vegetation clearance.</p> <p>Permitted Activity</p>
<p>Activities on the Surface of Water</p>	<p>All rules have immediate legal effect (ASW-R1 to ASW-R4)</p>	<p>Not indicated on Far North Proposed District Plan</p> <p>Permitted Activity</p>
<p>Earthworks all earthworks (refer to new definition) need to comply with this</p>	<p>The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5</p>	<p>With respect of EW-R12, this requires that the proposed earthworks comply with EW-S3. In effect, EW-S3 triggers the need for an ADP to be applied. It is confirmed that the proposed earthworks will comply with an ADP and this is volunteered as a condition of consent.</p> <p>EW-R13 links to EW-S5. EW-S5 requires earthworks to be</p>

		controlled in accordance with GD-05. No earthworks are required for the subdivision. Permitted Activity
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	Not indicated on Far North Proposed District Plan Permitted Activity
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	Not indicated on Far North Proposed District Plan Permitted Activity
Subdivision	SUB-R6, R13-R15, and R17	Whilst subdivision is proposed the rules with legal effect are not relevant. Permitted Activity

5.0 STATUTORY CONSIDERATIONS

Section 104 of the RMA states that when considering an application for a resource consent, “the consent authority must, subject to Part II, have regard to –

- (i) any actual and potential effects on the environment of allowing the activity; and
- (ii) any relevant provisions of –
- (iii) a national environment standard;
- (iv) other regulations;
- (v) a national policy statement; and
- (vi) a New Zealand Coastal Policy Statement;
- (vii) a regional policy statement or proposed regional policy statement;
- (viii) a plan or proposed plan; and
- (ix) any other matter the consent authority considers relevant and reasonably necessary to determine the application.”

The matters to be addressed under s104 are discussed below under the headings Environmental Effects and District Plan Considerations. No Regional Plan matter is considered to be pertinent to the considerations as no consents are required in this respect.

Those relevant s104 considerations are addressed and followed by an assessment of Part II matters as they apply to the application.

Section 104 (1)(a) Assessment of Effects on the Environment

In terms of any potential adverse effects arising from the proposal, these include the assessment matters under 13.10 as well as relevant zone and district wide chapters.

As outlined above, there are no relevant zone or district wide rule breaches to consider. Therefore, the matters under 13.10 are addressed below:

- Allotment Size & Dimension – Each allotment is considered to be appropriate sized to accommodate the existing rural lifestyle activities present. All infrastructure to serve the dwellings [wastewater, water, stormwater] are all located within the confines of each proposed site. The sizes warrant no concern in terms of ongoing maintenance associated with access, three waters or any other matter.

The pattern of development has been previously described above, the proposed subdivision aligns with an RDA allotment size [2ha] and is of comparable size to that found in the surrounds. As the allotment size is comparable to an RDA allotment, cumulative effects or long term implications to the preservation of the rural environment is minimised. In relation to this particular site, given that development is existing, the subdivision does little to impact the quality of the rural environment in this locality.

- Natural & Other Hazards – No hazards have been identified for the sites as provided for on FNDC or NRC mapping systems. All development is existing, and the subdivision simply seeks to divide each site / development area by shareholding as expressed on the current titles. Future development should be undertaken subject to necessary assurances at time of building consent associated with natural hazards, geotech and land stability issues, but for the current proposal such studies are of little use because the development is existing.
- Water, Wastewater, Stormwater – Water supply is existing via tank supply. Future development should be serviced by similar means as a consent notice for potable and fire-fighting supply. The existing development are already serviced in terms of wastewater and the proposal seeks no further development rights in terms of residential or other use requiring a septic system. Therefore, at time of development / building consent, such information should be supplied and this can be provided for as a consent notice. In terms of stormwater, all of the sites are >4ha in size and there opportunities to mitigate stormwater for new developments at time of building consent and in accordance with typical stormwater consent notices. There are no effects resulting in terms of stormwater from the proposed subdivision.

- Electricity & Telecoms – These arrangements are existing and have no detrimental bearing to the subdivision application. Top Energy transmission lines are not of concern. Similarly the National Grid Corridor is not of concern. There are no energy efficiency or renewable energy development / use proposed.
- Easements – These are shown on the scheme plan (**Appendix B**) and can be adhered to at time of s223.
- Access – Access is existing to each allotment and can be legally promoted through easements as outlined above.
- Preservation of Resources – The DoC PNA is proposed to be formally protected as a s221 consent notice condition.

In terms of the ONL mapped both in the ODP and PDP, these areas are not being split further by the proposed subdivision. They are located entirely within Lot 2. At present there is no development located within this area. At time of development and if within the ONL areas, Council has an opportunity to consider these matters, but for the subdivision, there are no resulting effects to this resource.

- Soils – Soils on the site are not highly productive, but in any event the proposal does not require any physical works to be undertaken to give effect to the subdivision.
- Access to Reserves & Waterways – There are no such areas that could be promoted.
- Land Use Compatibility – The proposal causes no obvious concerns with neighbouring uses which are lifestyle in nature. Whilst the application site is within 500m of DoC land, there are no obvious threats or effects to this landholding.
- Proximity to Airports – Not relevant and no consent conditions are required.

It is concluded that the effects of the subdivision will incur effects on the environment that are no more than minor.

Section 104 (1)(ab) Any measures to achieve positive effects

Positive effects arising from the subdivision includes the service providers promoting the subdivision activity. The splitting of the two sections enables social and economic wellbeing for the two separate families who have shared the allotment as one title and provides options for future generations.

Section 104 (b)(i) and (ii) National Environmental Standards & Other Regulations

The NES for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCO). A review of Council records has revealed no evidence to suggest that a HAIL activity has previously been undertaken on site. However, historical photographs suggest that horticultural activities are likely to have been undertaken on the land subject to subdivision. As such section 8(4) of the NESCO applies and a preliminary site investigation is required to ensure that it is highly unlikely that there will be a risk to human health if the activity is done to the piece of land. A PSI can be provided at time of development.

The NES for Freshwater (NESFW). A review of aerial images, including NRC’s wetland maps, reveal no evidence to suggest that there are any wet areas that may be subject to the NESFW provisions. Therefore, no further assessment is required under the NESFW.

Section 104 (b)(iii) National Policy Statement(s)

The NPS for Highly Productive Land (NPSHPL) is not relevant insofar as there are no Class 1 - 3 soils present.

Section 104 (b)(iv) New Zealand Coastal Policy Statement

The New Zealand Coastal Policy Statement is not relevant to this application.

Section 104 (b)(v) Regional Policy Statement or Proposed Regional Policy Statement

The Northland Regional Policy Statement is the applicable regional statutory document that applies to the Northland region. Jurisdiction for subdivision is governed by the FNDC and the policy framework for establishing an appropriate land use pattern across the district is set out in the ODP. This Plan is subject to the governing regional policy framework set out in the Northland Regional Policy Statement.

Table 6 – NRC Regional Policy Statement Review Assessment

Regional Policy Statement for Northland	
Objective / Policy	Assessment
Integrated Catchment Management	Not relevant.
Region Wide Water Quality	Not relevant.
Ecological Flows and Water Quality	Not relevant.
Enabling Economic Wellbeing	The proposal will increase economic wellbeing for the applicants.

Economic Activities – Reverse Sensitivity and Sterilisation.	The subdivision does not restrict current or future activities in the surrounds.
Regionally Significant Infrastructure	Not relevant.
Efficient and Effective Infrastructure	The proposal largely relies on on-site services and the use of Waitotemarama Gorge Road.
Security of Energy Supply	This infrastructure is already provided.
Use and Allocation of Common Resources	Not relevant.
Regional Form	The proposal does not result in any change in reverse sensitivity or change in character. The proposal does not result in additional effects or development required.
Tangata Whenua Role in Decision Making	Council may seek relevant input through the consent process.
Natural Hazard Risk	Natural Hazards are not considered to be a factor.
Natural Character, Outstanding Natural Features, Outstanding Natural Landscapes and Historic Heritage	There is marginal relevance in terms of the ONL however in reality this is not impacted by the subdivision.

Section 104 (b)(vi) Plans or Proposed Plans

This subdivision application is subject to the provisions of the ODP and is subject to consideration (limited weight) of the PDP objectives and policies. The sites are zoned Rural Production and to be assessed in terms of the objectives and policies for the Rural Environment and Rural Production Zones and the district-wide subdivision, transportation and environment provisions.

The following objectives and policies are relevant to the assessment of this application and are considered in the context of the stage subdivision:

Rural Environment

Table 7 – ODP - Rural Environment Objectives and Policies

OBJECTIVE OR POLICY		Assessment
OBJECTIVES		
8.3.1	To promote the sustainable management of natural and physical resources of the rural environment while enabling activities to establish in the rural environment.	The rural environment includes provision for both rural production and rural-lifestyle activities where reverse sensitivity effects are managed. Sustainable management of the rural environment would include both forms of rural activity where adverse effects can be avoided, remedied or mitigated.
8.3.2	To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.	Soils are Class 6 and have no obvious value.
8.3.3	To avoid, remedy or mitigate adverse effects of activities on the rural environment.	The assessment of effects concludes that any effects would be less than minor on the rural environment.
8.3.4	To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.	Areas of vegetation are proposed to be protected.
8.3.5	To protect outstanding natural features and landscapes.	The ONL is protected as it is placed entirely within Lot 2.
8.3.6	To avoid actual and potential conflicts between land use activities in the rural environment.	There are no current conflicting land uses present.
8.3.7	To promote the amenity values of the rural environment.	The subdivision does not change amenity values.
8.3.8	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.	This objective is not relevant to the size and scale of this proposed subdivision.
POLICIES		
8.4.1	That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.	Refer to 8.3.1 above.

OBJECTIVE OR POLICY		Assessment
8.4.2	That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded.	The proposed subdivision will not generate adverse effects on local productive soil or ecosystem values.
8.4.3	That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes.	Infrastructure is existing. Those areas sought to be protected are done through the proposal.
8.4.4	That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.	The subdivision does not alter amenity values of those features.
8.4.5	That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse effects from the existing use – i.e., reverse sensitivity).	Noted.
8.4.6	That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.	These are proposed to be protected.
8.4.7	That Plan provisions encourage the efficient use and development of natural and physical resources.	Noted.

OBJECTIVE OR POLICY		Assessment
8.4.8	That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes, on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated.	These features have been considered.

Rural Production Zone

The Rural Production zone applies to most of the district’s rural land other than those areas defined as Coastal, Rural Living or set aside for Recreation, Conservation or Minerals. The zone provides for a wide range of activities that are compatible with normal farming and forestry activities, including rural lifestyle and residential uses. The sustainable management of natural and physical resources is promoted in this zone.

The relevant expected outcomes listed within the ODP for the Rural Production zone are:

8.2.1 A rural environment where natural and physical resources are managed sustainably.

8.2.2 A rural environment in which a wide variety of activities is enabled, consistent with safeguarding the life supporting capacity of air, water, soil and ecosystems.

8.2.3 A dynamic rural environment which is constantly changing to meet the social and economic needs of the district’s communities through the sustainable management of natural and physical resources.

8.2.4 The maintenance of areas of significant indigenous vegetation and significant habitats of indigenous fauna including aquatic habitats, and an increase in such areas that are formally protected.

8.2.5 Adverse effects arising from potentially incompatible activities are avoided, remedied or mitigated.

8.2.7 A rural environment where change is acknowledged whilst amenity values are maintained and enhanced to a level that is consistent with the productive intent of the zone.

The ODP recognises the varied character of land zoned Rural Production and the different characteristics and values which occur throughout the zone. The relevant objectives and policies for the Rural Production Zone are discussed in Table 8 below:

Table 8 - Rural Production Zone Objectives and Policies

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
OBJECTIVES		
8.6.3.1	To promote the sustainable management of natural and physical resources in the Rural Production Zone.	The sustainable management of natural and physical resources is discussed in the context of Rural Environment Objective 8.3.1 in Table 7 above.
8.6.3.2	To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.	Efficient use and development in the context of the rural environment has been considered under Policy 8.4.7 above.
8.6.3.3	To promote the maintenance and enhancement of the amenity values of the Rural Production Zone.	Amenity values are not altered through the subdivision.
8.6.3.4	To promote the protection of significant natural values of the Rural Production Zone.	Natural values are proposed to be protected.
8.6.3.5	To protect and enhance the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri	The sites do not have frontage to Kerikeri Road.

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
8.6.3.6	To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.	The proposed subdivision is compatible with the surrounding land uses.
8.6.3.7	To avoided, remedy or mitigate the adverse effects of incompatible use or development on natural or physical resources.	As above.
8.6.3.8	To enable the efficient establishment and operation of activities and services that have a functional need to be located in the rural environments.	The Rural Production zone provides for a wide range of activities provided reverse sensitivity effects can be appropriately managed. As previously stated, the proposed use of the land is consistent with the character and use of land in the surrounding area and represents an efficient use of rural land.
8.6.3.9	To enable rural production activities to be undertaken in the zone	The land is currently used in a rural lifestyle capacity. This application does not change the status quo in this respect.
POLICIES		
8.6.4.1	That a wide range of activities be allowed in the Rural Production Zone, subject to the need to ensure that any adverse effects, including any reverse sensitivity effects, on the environment resulting from these activities are avoided, remedied or mitigated.	As discussed above, the subdivision is considered appropriate and would not generate adverse effects of any note, including any reverse sensitivity effects.

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
8.6.4.2	That standards be imposed to ensure that the off-site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.	No adverse off-site effects would be generated by the proposal, including traffic effects.
8.6.4.3	That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.	No such land management practices are deemed to be required.
8.6.4.4	That the intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone.	The intensity of development is considered appropriate. It does not alter the amenity values of the zone.
8.6.4.5	That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.	Efficient use and development are considered under Policy 8.4.7 in Table 7 above.
8.6.4.6	That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts	The application sites do not have frontage to Kerikeri Road.

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
8.6.4.7	That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.	There are no conflicting land uses.
8.6.4.8	That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities.	Activities are considered to be compatible in the surrounds.
8.6.4.9	That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.	The use of the sites will largely remain unchanged and will not give rise to any reverse sensitivity effects.

In summary, it is considered that the proposal would achieve the outcomes sought by the objectives and policies for the Rural Production Zone given the extensive nature of the zone and its varied character. The proposal conforms with the characteristics of the particular area in which it is located, and it is considered that it would create no adverse effects on amenity or visual aspects.

Subdivision

The objectives and policies for subdivision are assessed in **Table 9** below.

Table 9 – Subdivision Objectives and Policies

OBJECTIVE OR POLICY	PERFORMANCE OF PROPOSAL
OBJECTIVES	

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
13.3.1	To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan and will promote the sustainable management of the natural and physical resources of the District, including airports and the social, economic and cultural wellbeing of people and communities.	The assessments above demonstrate that sustainable management of the physical land resource would be achieved. The existing and proposed activities are consistent with a variety of land uses that are appropriate within the zone and will not generate adverse effects on this local rural location.
13.3.2	To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly or indirectly from subdivision, including reverse sensitivity effects, are avoided, remedied or mitigated.	As per the assessment of effects, the proposed subdivision will not result in adverse effects on the life-supporting capacity of air, water, soil or ecosystems, nor will the proposal give rise to reverse sensitivity effects.
13.3.3	To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.	The ONL is contained within Lot 2 and is protected on that basis.
13.3.4	To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.	There are no heritage resources on the property.
13.3.5	To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage sufficient to meet the needs of the activities that will establish all year round.	This can be provided at time of future development.

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
13.3.6	To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.	Such values are protected – i.e the ONL on Lot 2 and the DoC PNA areas.
13.3.7	To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.	No sites of significance to Māori have been identified in the District Plan on the land or in the vicinity of the properties.
POLICIES		
13.4.1	That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on: <ul style="list-style-type: none"> (a) natural character, particularly of the coastal environment; (b) ecological values; (c) landscape values; (d) amenity values; (e) cultural values; (f) heritage values; and (g) existing land uses. 	The relevant items are the amenity of the locality and the surrounding land uses. The AEE did not identify any adverse effects on these identified values.

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
13.4.2	That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.	Currently access to the properties is existing.
13.4.3	That natural and other hazards be taken into account in the design and location of any subdivision.	Natural hazards are not a consideration for this application.
13.4.4	That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.	This is not a requirement within the Rural Production Zone. There is no development within the ONL.
13.4.5	That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads, and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.	Any works (if any) on the sites can be managed to avoid effects of this nature however it considered that these would be minimal as all infrastructure is existing.
13.4.6	That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.	The sites have been identified as a 'Kiwi Present' area. No consent notices currently apply to the titles in respect of kiwi protection.

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
13.4.7	That the need for a financial contribution be considered only where the subdivision would: (a) result in increased demands on car parking associated with non-residential activities; or (b) result in increased demand for esplanade areas; or (c) involve adverse effects on riparian areas; or (d) depend on the assimilative capacity of the environment external to the site.	Not applicable
13.4.8	That the provision of water storage be taken into account in the design of any subdivision.	See Objective 13.3.5 above.
13.4.9	That bonus development donor and recipient areas be provided for so as to minimise the adverse effects of subdivision on Outstanding Landscapes and areas of significant indigenous flora and significant habitats of fauna.	N/A
13.4.10	The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.	N/A
13.4.11	That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.	See Objective 13.3.7 above.

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
13.4.12	That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.	N/A
13.4.13	<p>Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regard 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</p>	The proposal does not generate any adverse effects that are more than minor.

OBJECTIVE OR POLICY		PERFORMANCE OF PROPOSAL
	<p>provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2 and in particular Section 2.5 and Council’s “<i>Tangata Whenua Values and Perspectives</i>” (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>	
13.4.14	<p>That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.</p>	<p>These have been taken into account as described in the assessments above.</p>

Overall, it is considered that the proposal would not be contrary to any ODP objective or policy.

Table 10 – PDP Rural Production Zone

OBJECTIVES

RPROZ-O1	The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.
RPROZ-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.
RPROZ-O3	Land use and subdivision in the Rural Production zone: <ol style="list-style-type: none"> a. protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production; b. protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation; c. does not compromise the use of land for farming activities, particularly on highly productive land; d. does not exacerbate any natural hazards; and e. is able to be serviced by on-site infrastructure.
RPROZ-O4	The rural character and amenity associated with a rural working environment is maintained.
POLICIES	
RPROZ-P1	Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.
RPROZ-P2	Ensure the Rural Production zone provides for activities that require a rural location by: <ol style="list-style-type: none"> a. enabling primary production activities as the predominant land use; b. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.
RPROZ-P3	Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.

RPROZ-P4	<p>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"> a. a predominance of primary production activities; b. low density development with generally low site coverage of buildings or structures; c. typical adverse effects such as odour, noise and dust associated with a rural working environment; and d. a diverse range of rural environments, rural character and amenity values throughout the District.
RPROZ-P5	<p>Avoid land use that:</p> <ul style="list-style-type: none"> a. is incompatible with the purpose, character and amenity of the Rural Production zone; b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone; c. would result in the loss of productive capacity of highly productive land; d. would exacerbate natural hazards; and e. cannot provide appropriate on-site infrastructure.
RPROZ-P6	<p>Avoid subdivision that:</p> <ul style="list-style-type: none"> a. results in the loss of highly productive land for use by farming activities; b. fragments land into parcel sizes that are no longer able to support farming activities, taking into account: <ul style="list-style-type: none"> i. the type of farming proposed; and ii. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land. c. provides for rural lifestyle living unless there is an environmental benefit.

RPROZ-P7	<p>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> <ol style="list-style-type: none"> a. whether the proposal will increase production potential in the zone; b. whether the activity relies on the productive nature of the soil; c. consistency with the scale and character of the rural environment; d. location, scale and design of buildings or structures; e. for subdivision or non-primary production activities: <ol style="list-style-type: none"> i. scale and compatibility with rural activities; ii. potential reverse sensitivity effects on primary production activities and existing infrastructure; iii. the potential for loss of highly productive land, land sterilisation or fragmentation f. at zone interfaces: <ol style="list-style-type: none"> i. any setbacks, fencing, screening or landscaping required to address potential conflicts; ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable; g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer; h. the adequacy of roading infrastructure to service the proposed activity; i. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.
----------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The soils and underlying conditions associated with the sites are not identified as versatile. Therefore, the subdivision does not affect such soils.

Primary production activities will still be possible on either site, however noting that topography makes this aspect challenging.

Natural hazards have no discernible effect on the land. This application does not exacerbate any hazard.

A rural working character and amenity will be maintained, to a level that is considered appropriate and seen in the surrounds which contains a number of smaller allotments for rural lifestyle purposes.

As above, there is not considered to be reverse sensitivity or land use incompatibility effects resulting from the proposal.

The proposal is consistent in scale and character of the surrounds which are a mix of rural production activities and rural lifestyle properties.

All sites can be serviced by on-site infrastructure. There are no known historical, cultural or spiritual associations with the sites

Overall, it is considered that the proposal would not be contrary to the PDP Rural Production objective and policy framework.

Table 11 – PDP Subdivision Chapter

OBJECTIVES	
SUB-O1	Subdivision results in the efficient use of land, which: <ol style="list-style-type: none"> a. achieves the objectives of each relevant zone, overlays and district wide provisions; b. contributes to the local character and sense of place; c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate; d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located; e. does not increase risk from natural hazards or risks are mitigates and existing risks reduced; an f. manages adverse effects on the environment.
SUB-O2	Subdivision provides for the: <ol style="list-style-type: none"> a. Protection of highly productive land; and b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.
SUB-O3	Infrastructure is planned to service the proposed subdivision and development where: <ol style="list-style-type: none"> a. there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.

SUB-O4	<p>Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:</p> <ol style="list-style-type: none"> a. public open spaces; b. esplanade where land adjoins the coastal marine area; and c. esplanade where land adjoins other qualifying waterbodies.
POLICIES	
SUB-P1	<p>Enable boundary adjustments that:</p> <ol style="list-style-type: none"> a. do not alter: b. the degree of non compliance with District Plan rules and standards; c. the number and location of any access; and d. the number of certificates of title; and e. are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.
SUB-P2	<p>Enable subdivision for the purpose of public works, infrastructure, reserves or access.</p>
SUB-P3	<p>Provide for subdivision where it results in allotments that:</p> <ol style="list-style-type: none"> a. are consistent with the purpose, characteristics and qualities of the zone; b. comply with the minimum allotment sizes for each zone; c. have an adequate size and appropriate shape to contain a building platform; and d. have legal and physical access.
SUB-P4	<p>Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan.</p>
SUB-P5	<p>Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by</p> <ol style="list-style-type: none"> a. minimising vehicle crossings that could affect the safety and efficiency of the current and future transport network; b. avoid cul-de-sac development unless the site or the topography prevents future public access and connections; c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces; d. contributing to a well connected transport network that safeguards future roading connections; and e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.

SUB-P6	<p>Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ul style="list-style-type: none"> a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone.
SUB- P7	<p>Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying waterbodies.</p>
SUB-P8	<p>Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:</p> <ul style="list-style-type: none"> a. will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and b. will not result in the loss of versatile soils for primary production activities.
SUB-P9	<p>Avoid subdivision rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.</p>
SUB-P10	<p>To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum allotment size and residential density.</p>
SUB-P11	<p>Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> a. consistency with the scale, density, design and character of the environment and purpose of the zone; b. the location, scale and design of buildings and structures; c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity; d. managing natural hazards; e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

For the various reasons already provided, the proposal is considered consistent with the policies for Subdivision under the PDP.

Overall, the proposal is consistent with higher order documents.

Section 104 (c) Other Matters

There are no other matters that are considered relevant.

6.0 NOTIFICATION (S95A-95D)

S95A of the RMA determines circumstances when public or limited notification of an application may be appropriate. Section 95A sets out a series of steps for determining public notification. These include:

- *Step 1* – Mandatory public notification in certain circumstances. In respect of this application, the applicant is not seeking public notification, nor is it subject to a mandatory notification requirement.
- *Step 2* – Public notification precluded in certain circumstances. The subdivision does not qualify.
- *Step 3* – Public notification required in certain circumstances. In respect of clause 8(a) the application is not subject to a rule or national environmental standard that requires public notification. In respect of clause 8(b), this assessment of effects on the environment concludes that any adverse effects would be less than minor. For these reasons, it is considered that the application can be processed without public notification.
- *Step 4* – Public notification in special circumstances. ‘Special circumstances’ are those that are unusual or exceptional, but they may be less than extraordinary or unique. (*Peninsula Watchdog Group Inc v Minister of Energy* [1996] 2NZLR 5290). It is considered that there are no unusual or exceptional circumstances that would warrant notification of this application.

Section 95b sets out a series of steps for determining limited notification. These include:

- *Step 1* – certain affected groups and affected persons must be notified. These include affected customary rights groups or marine title groups (of which there are none relating to this application). Affected groups and persons may also include owners of adjacent land subject to statutory acknowledgement if that person is affected in accordance with s95E. There are no groups or affected persons that must be notified with this application.
- *Step 2* – limited notification precluded in certain circumstances. These include

any rule or national environmental standard that precludes limited notification, or the activity is solely for a controlled activity or a prescribed activity. These circumstances do not apply to this application.

- *Step 3* – certain other persons must be notified. An affected person is determined in accordance with s95E. A person is affected if the consent authority decides that the activity’s adverse effects on the person are minor or more than minor (but are not less than minor). Adverse effects on a person may be disregarded if a rule or a national environmental standard permits an activity with that effect or is a controlled or RDA with an adverse effect that does not relate to a matter over which a rule or standard reserves control or discretion. Those circumstances do not apply to this application. S95E(3) states that a person is not affected if the person has given, and not withdrawn their written approval for a proposed activity or a consent authority is satisfied that it is unreasonable in the circumstances for an applicant to seek a person’s written approval.

In respect of this application, an assessment of effects on the environment has concluded that adverse effects are less than minor.

The proposal generates no effects to neighbors / persons and is completely self-serviced, with a purpose to split off existing development. Therefore, there are considered to be no adversely affected persons.

Section 95C relates to the public notification after a request for further information which does not apply to this application. Section 95D provides the basis for determining notification under Section 95A(8)(b) if adverse effects are likely to be more than minor. This assessment concludes that potential adverse effects arising from this subdivision proposal would be less than minor.

7.0 PART II – RMA

Purpose of the RMA

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, cultural and economic wellbeing and their health and safety. The proposed subdivision will support the continuation of rural production activities.

Matters of National Importance

The site is mapped as being within a Kiwi ‘present’ area however as there is little existing vegetation on the site and it 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. The ONL is not impacted by the subdivision and areas of flora are proposed to be protected.

Other Matters

The development has no resulting effects to amenity values of the rural environment in this location.

8.0 OVERALL CONCLUSION

This application seeks resource consent to undertake a subdivision in the Rural Production Zone.

Based on the assessment of effects above, it is concluded that any potential adverse effects on the existing environment would be less than minor and can be managed in terms of appropriate conditions of consent. Adverse effects on adjacent neighbours would be less than minor.

The proposal would not be contrary to any relevant Plan objective of policy. An assessment of Part II of the RMA has also been completed with the proposal generally able to satisfy this higher order document also.

On this basis, it is considered that the application is able to be processed on a non-notified basis.

Please do not hesitate to contact me should you require any additional information.

Regards,

Reviewed



Steven Sanson
Consultant Planner



Andrew McPhee
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 **NA42C/570**
Land Registration District **North Auckland**
Date Issued 05 October 1978

Prior References
GN 672346.1

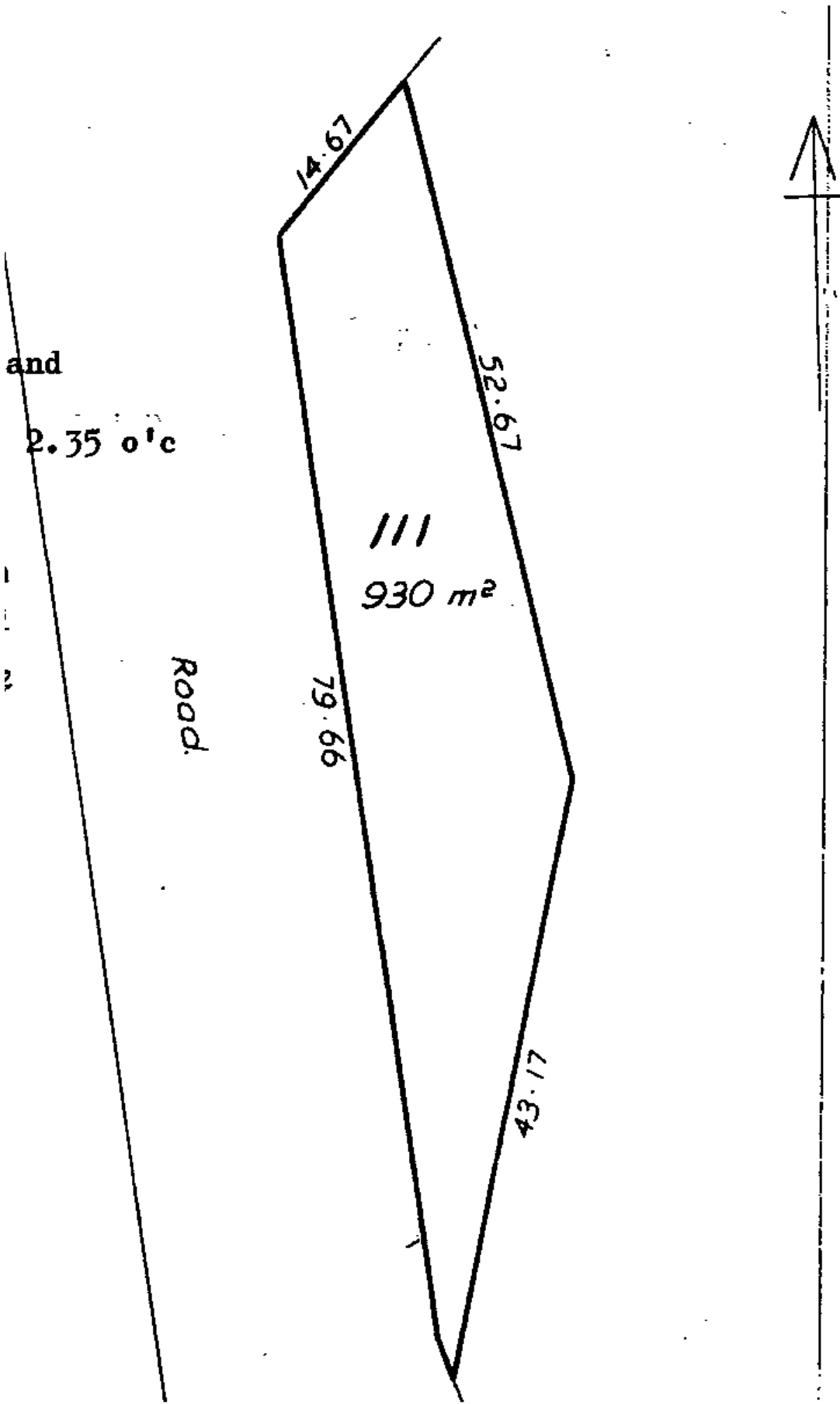
Estate Fee Simple
Area 930 square metres more or less
Legal Description Section III Block IX Waoku Survey
District

Registered Owners

Hans Douglas Mitt and Mary Helen Mitt as to a 1/2 share
Louis Peter John Toorenburg as to a 3/8 share
Susan Julia Toorenburg as to a 1/8 share

Interests

C406828.1 Statutory Land Charge (against the share of Louis Peter John Toorenburg) pursuant to Section 18(4) Legal Aid Act 1969 - 24.8.1992 at 10.17 am





**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 **NA895/118** **Part-Cancelled**

Land Registration District **North Auckland**

Date Issued 23 November 1948

Prior References

NAPR192/395 WA 4837

Estate Fee Simple
Area 15.3781 hectares more or less
Legal Description Section 39 Block IX Waoku Survey
District

Registered Owners

Hans Douglas Mitt and Mary Helen Mitt as to a 1/2 share

Louis Peter John Toorenborg as to a 3/8 share

Susan Julia Toorenborg as to a 1/8 share

Interests

672346.1 Gazette Notice proclaiming 1000 square metres as road - 5.10.1978 at 2.25 pm

Appurtenant hereto is a right of way created by Transfer C394500.8 - 14.7.1992 at 2.09 pm

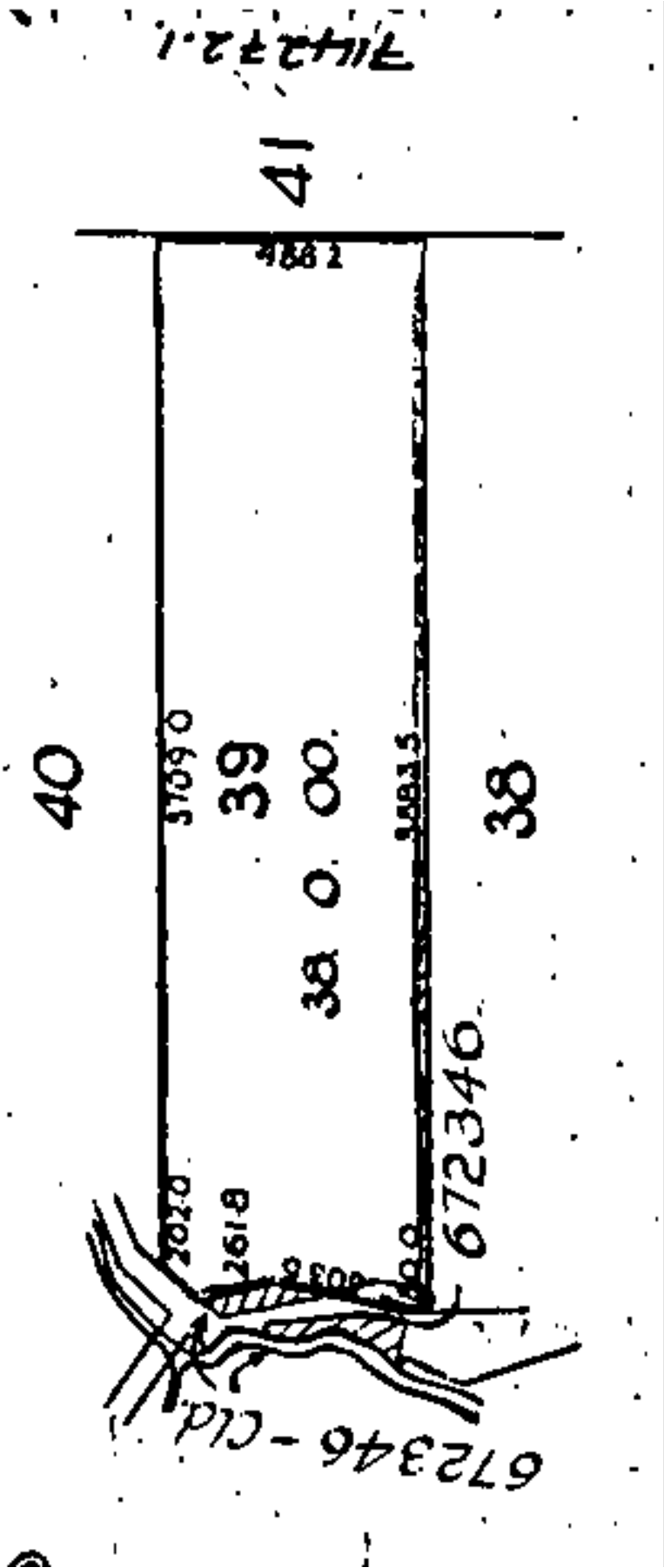
The easements created by Transfer C394500.8 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a right of way over part marked A on Plan 145058 created by Transfer C394500.8 - 14.7.1992 at 2.09 pm

Appurtenant hereto is a right of way specified in Easement Certificate C394500.9 - 14.7.1992 at 2.09 pm

The easements specified in Easement Certificate C394500.9 are subject to Section 309 (1) (a) Local Government Act 1974

C406828.1 Statutory Land Charge (against the share of Louis Peter John Toorenborg) under Section 18(4) Legal Aid Act 1969 - 24.8.1992 at 10.17 am



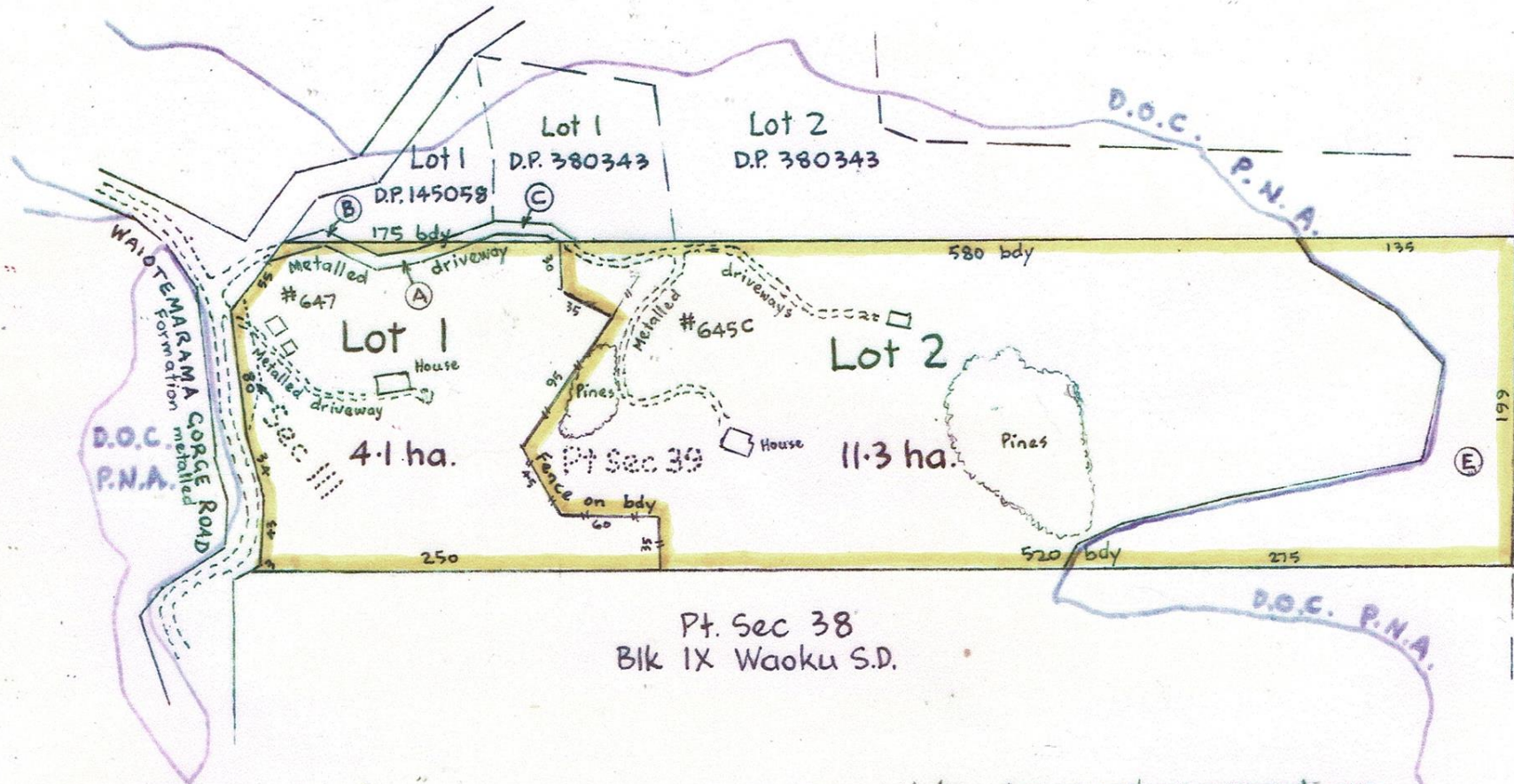
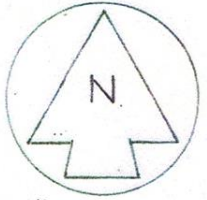
Schedule of Existing Easements

Purpose	Shown	Burdened Land	Created by
Right of Way	(A)	Lot 1 hereon	C.394500.8
	(B)	Lot 1 D.P.145058	C 394500.9
	(C)	Lot 1 D.P.380343	C 394500.8

Memorandum of Easements

Purpose	Shown	Burdened Land	Benefited Land
Right of Way	(A)	Lot 1 hereon	Lot 2 hereon

Area (E) is to be subject to a Land Covenant for the protection of the indigenous vegetation.



Pt Sec 39 R.T. NA 895/118 15.2781 ha
 Sec III R.T. NA 42C/570 930 m²
 Total Area 15.3711 ha.

Note - Areas and measurements are approximate only, and subject to final Land Transfer survey.

Nigel Ross Surveyor
 Licensed Cadastral Surveyor
 P.O.Box 293, Kaikohe 0440
 Ph/fax 09 4010915 Mob. 027 2942543

Proposed Subdivision of Pt Sec 39 & Sec III Blk IX Waoku S.D.
 645C & 647 Waioitemarama Gorge Road

Prepared for: LPJ & SJ Toorenburg HD & MH Mitt	Sheet 1
Drawn: NHRR Scale 1:4000(A4)	Series of 1
Date: September 2024	File NRS 246

WAIPOUA/MATARAU/ WAIMA FOREST TRACT

Survey no.	O06/001
Survey date	December 1994 Additional information from Eadie, Burns and Leathwick 1987; Nicholls 1976
Grid reference	O06 576 235
Area	32,934.1 ha (1 large continuum and 2 small outliers) (29,349.9 ha forest, 2,538.4 ha shrubland, 45.8 ha wetland) (Small adjustments were made to the original 1994 boundary of this site to fit with 2002 and 2006 aerial photography. The Waipoua River was added from the coast to the forest)
Altitude	0-781 m asl

Ecological unit

- (a) Mamangi forest on coastal hillslope
- (b) Taraire forest on hillslope
- (c) Taraire-towai forest on hillslope
- (d) Towai forest on hillslope and high altitude plateau (Nichols 1976)
- (e) Tawari-towai forest on elevated hillslope
- (f) Tawa-towai forest on hillslope
- (g) Kauri-taraire forest on hillslope
- (h) Kauri forest on flats
- (i) Kauri-tanekaha forest on ridges
- (j) Towai shrubland on hillslope
- (k) *Dracophyllum lessonianum*-umbrella fern-manuka shrubland
association on gentle hillslope
- (l) Manuka shrubland on hillslope
- (m) Toikiwi-kauri-manuka forest association on flats
- (n) *Baumea* spp.-umbrella fern association on gentle hillslope
- (o) Pate-wineberry shrubland on moderate hillslope
- (p) Bracken fernland on hillslope
- (q) Kahikatea-towai secondary forest on hillslope
- (r) Kanuka/manuka shrubland on hillslope

Landform / geology

The Waima Range comprises a rugged massif of Tangihua Complex Igneous rocks; most of remainder of the area of Matarau and Waipoua Forests comprises a dissected plateau formed on deeply weathered Lower Miocene Waipoua Subgroup basalt flows. The area also includes minor Lower Miocene Otaua Group sandstone and conglomerate within the valley of the Wairau, Toronui and Waimamaku Rivers and at the northern end of Waoku Coach Road; extensive landslips at north end of Waoku

and in Waimamaku Valley; and dunefields of Pleistocene consolidated sands and Holocene dunes along the coast.

Vegetation

There are undoubtedly many other ecological units within this forest continuum than the 18 recorded here. Because of the reconnaissance nature of this PNAP survey and time constraints, the ecological units recorded through PNAP survey are a guide only, as is the distribution of forest, shrubland and wetland shown on the site map. Eadie, Burns and Leathwick's 1987 ecological survey of Waipoua Forest has been referenced as well as Nicholls 1976 description of plateau vegetation in western Northland.

- (a) Mamangi with frequent mapou and kanuka and occasional pohutukawa, *Metrosideros excelsa* × *robusta*, *Olearia albida* and kowhai.
- (b) Abundant taraire with frequent puriri, northern rata and occasional towai, tawa, tawari and emergent rimu, totara, miro, kahikatea, kauri and pukatea.
- (c) Associated taraire and towai with frequent rimu and tanekaha and occasional emergent kahikatea, kauri, northern rata, tawa and pukatea.
- (d) Towai forest containing frequent rimu with occasional tawari, willow-leaved maire, maire tawake, makamaka and northern rata.
- (e) Co-dominant tawari and towai with frequent tawheowheo, makamaka and occasional hinau and miro.
- (f) Tawa and towai are associated with frequent taraire and emergent rimu. Miro, totara, northern rata and kahikatea are occasional.
- (g) Kauri and taraire forest with frequent towai and totara. Tawa, miro, kahikatea, rewarewa, rimu, tanekaha and northern rata are occasional.
- (h) Dominant kauri forest with the occasional kanuka, totara, miro and tanekaha.
- (i) Kauri and tanekaha are associated with frequent mamangi and kanuka and occasional taraire, towai and rewarewa.
- (j) Abundant towai with frequent manuka and occasional lancewood, rewarewa and tarata.
- (k) *Dracophyllum lessonianum*, umbrella fern and manuka form a shrubland canopy with frequent *Baumea teretifolia* and occasional towai.
- (l) Dominant manuka with frequent bracken and occasional *Dracophyllum lessonianum* and hangehange.
- (m) Toikiwi, kauri and manuka are common with occasional towai, willow-leaved maire and tawari.
- (n) *Baumea* spp. and umbrella fern are co-dominant with frequent manuka and occasional hangehange, harakeke and *Blechnum* sp.

The vegetation of the Mataraua Plateau is typical of Nicholls (1976) description of the plateau vegetation of western Northland:

Abundant towai (type d) with occasional emergent rimu, miro and rata, and hinau, rewarewa, pukatea, maire tawake and tawari.

Professor W. R. McGregor Memorial Reserve

(Grid Reference O06 648 128)

Vegetation types recorded within this area include:

- (o) Abundant pate with common wineberry. Occasional species include mamaku, kotukutuku, mahoe, wheki, towai, makamaka and totara.
- (p) Bracken fernland.
- (q) Co-dominant kahikatea and towai. Pukatea, miro, totara and maire tawake are occasional.

Type (d) towai forest, with frequent kanuka/manuka and occasional mamaku. Hinau is occasional.

Type (b) taraire forest, is common with frequent towai and rewarewa. Kawaka, emergent northern rata, miro, rimu, towai and epiphetic puka are present.

- (r) Kanuka/manuka is dominant with occasional totara and towai.

Significant Flora

Nationally Critical

Fungus (Undescribed genus (Trichocomaceae),

Schistochila nitidissima.

Nationally Endangered

Coprosma waima, *Fissidens integerrimus*, *F. strictus*, *Olearia crebra*, *Picris burbridgeae*, *Todea barbara*, turoa onamata.

Historical record of *Rorippa divaricata* (1947) from Waipoua Forest.

Nationally Vulnerable

Bartlett's koromiko.

Serious Decline

Pittosporum kirkii, Kirks daisy, *Pimelea tomentosa*.

Gradual Decline

Colensoa physaloides, *Doodia squarrosa*, willow-leaved maire, raukawa.

Historical record of *Utricularia delicatula* and *Peraxilla tetrapetala*.

Range Restricted

Baumea complanata, *Sphagnum perichaetiale*.

Sparse

Corunastylis pumila, *Doodia mollis*, *Drucella entegristipula*, *Grammitis rawlingsii*, *Hymenophyllum atrovirens*, *Fuchsia procumbens*, *Lagenifera lanata*, kawaka, *Microlaena carsei*, monoao, *Pittosporum ellipticum*,

P. pimeleoides subsp. *pimeleoides*, *Schizaea dichotoma*, *Sticherus flabellatus*, *Trichomanes strictum*.

Data Deficient

Dianella latissima, *Nematoceras rivulare*.

Regionally significant species

Anaphalioides trinervis, *Astelia nervosa*, *Australina pusilla*, black maire, *Blechnum colensoi*, *B. fluviatile*, *Brachyglottis kirkii* var. *angustoir*, *Calystegia tuguriorum*, *Chionochoa conspicua* subsp. *cunninghamii*, *Collespermum microspermum*, *Coprosma dodonaeifolia*, *Coprosma parviflora*, *Coprosma rigida*, *Cyathea cunninghamii*, *Dicksonia lanata*, *Dracophyllum traversii*, *Drosera binata*, *Drosera peltata*, *Epilobium pallidiflorum*, *Gastrodia cunninghamii*, *Gratiola sexdentata*, *Grammitis billardierei*, *Grisilenia littoralis*, *Hebe flavida*, *Gunnera monoica*, *Hebe diosmifolia*, *Hebe macrocarpa* var. *macrocarpa*, *Helichrysum lanceolatum*, horopito, hutu, *Hymenophyllum armstrongii*, *H. cupressiforme*, *H. lyalli*, *H. nigrum*, *Hypolepis rufobarbata*, *Ileostylus micranthus*, *Isopterygium limatum*, kaikomako, *Leptolepia novae-zelandiae*, *Loxsoma cunninghamii*, *Luzula picta* var. *picta*, mairehau, *Metrosideros carminea*, *Metrosideros colensoi*, *M. excelsa* × *robusta*, mountain horopito, *Olearia albida*, *Oxalis magellanica*, Pacific azolla, pokaka, *Pratia angulata*, *Ranunculus urvilleanus*, *Raukaua anomalus*, rohutu, *Rubus squarrosus*, *Schizaea bifida*, silver pine, southern rata, tawari, toatoa, ongaonga, *Uncinia distans*, wharariki and *Zoopis nitida*.

Historical record (1955) of *Danbatchia australis*.

Fauna

Birds

Nationally Endangered

NI kaka and NI kokako.

Nationally Vulnerable

Caspian tern, reef heron and Northern NZ dotterel.

Serious Decline

NI brown kiwi.

Gradual Decline

Kukupa, long-tailed cuckoo, northern little blue penguin, white-fronted tern and banded dotterel.

Sparse

Black shag and NI fernbird.

Regionally significant species

Red-crowned kakariki, NI tomtit and variable oystercatcher.

Mammals

Long-tailed bat (Nationally Vulnerable).

Aquatic fauna

Short-jawed kokopu (Gradual Decline), longfin eel (Gradual Decline), *Oxythira waipoua* (caddisfly) (Range Restricted), lamprey (Sparse), koaro (Regionally significant species), banded kokopu (Regionally significant species), red-finned bully, common bully, inanga, koura, torrentfish, common smelt. High diversity of aquatic invertebrates recorded from the Waipoua River (Seitzer 1996).

Invertebrates

Gradual Decline

Auckland green gecko, forest ringlet butterfly.

Range Restricted

Hemiandrus "Otekauri" (ground weta).

Sparse

Syrphetodes sp. "Waipoua" (beetle), Northland tusked weta *Paralissotes mangonuiensis* (stag beetle).

Data Deficient

Rhododrilus agathis (earthworm), the minute beetles *Euconnus microcilipes*, *Euconnus paracilipes*, *Maorinus bunuaeformis*, *Maorinus* sp., *Maorinus toronouii* and *Sciacharis yakasensis*. *Megacolabus bifurcatus* and *Megacolabus obesus* (beetles) and Peace's weevil.

Land snails

Nationally Endangered

Phrixgnathus murdochi.

Gradual Decline

Kauri snail.

Range Restricted

Phrixgnathus waipoua, Punctidae sp. 28, Punctidae sp. 29, Punctidae sp. 34.

Data Deficient

Charopidae sp. 8, Charopidae sp. 12, Charopidae sp. 13, Punctidae sp. 31, Punctidae sp. 32, Punctidae sp. 33.

Significance

The contiguous forest tract of Waipoua/Mataraua/Waima is of international significance and is clearly the single largest forest tract left in Northland. At nearly 32,000 ha the forest tract occupies approximately 38.9% of the entire Tutamoe Ecological District and would contain the highest number

of native plant species of any Northland forest. The continuum represents the best altitudinal sequence in Northland—from its highest point to sea level. Nationally, it represents the largest tract of old growth kauri forest in New Zealand—a type now reduced to less than 2% of its original cover (Department of Conservation, 1999). In addition the Waipoua River is the most pristine full catchment river system in Northland.

Waima Forest supports several narrow-ranged cold climate endemics (*Coprosma waima*, *Olearia crebra*, turoa onamata) which are thought to be possible relics of a previous colder climate (L. J. Forester pers. comm.).

Mataraua Forest contains one of the best examples of upland plateau forest in Northland with other examples occurring at Marlborough and Kaihu Forests in this Ecological District and Warawara Forest in the Ahipara Ecological District.

The forest continuum supports the largest NI brown kiwi population in Northland and possibly the North Island and is a refuge for the last functional kokako population in Northland. Fauna and flora values are extremely high, including 36 nationally threatened and 64 regionally significant plants, 46 threatened and 4 regionally significant animals including a diversity of invertebrates, both terrestrial and freshwater. Just to the south, a further 11,000 ha of forest occurs within the Marlborough and Kaihu Forests.

Representative site for all vegetation types. The only record in this survey of type (a), (e), (g), (i), (k), (m), (n) and (o) and one of two examples of type (f), (h), and (q) in the Ecological District.

Waipoua Forest Sanctuary (O06 635 199) is a soil site of international importance for:

- Large area containing a diverse range of brown granular clays under indigenous vegetation.
- Only example of Parataiko and Waimamaku soils in Arand *et al.* 1993.
- Contains good examples of uncommon soil types, Hihi, Waipoua, and Katui.

The large majority of Katui soils have been developed for dairy and sheep farming.

Most other Waimamaku soils have been developed for sheep farming.

Waima Forest (O06 593 328) is a soil site of regional significance for containing a large area of diverse brown granular clays under indigenous vegetation.

Mataraua Forest (P06 728 260) is a soil site of regional significance because:

- It contains a large area of a moderate range of brown granular clays under indigenous vegetation.
- It contains good examples of Waipoua soils which are uncommon.

(Arand *et al.* 1993)

Public conservation land, administered by the Department of Conservation totals 23,424.8 ha within this site, the majority of which is Conservation Park (22,218.8 ha) with 8,977 ha at Waipoua Forest having the additional protection of Sanctuary status. Ownership of a small portion of this site is being transferred to Te Iwi O Te Roroa on completion of their Treaty settlement agreement.

The Queen Elizabeth II National Trust has protected 367 ha within this site including the The Professor W. R. McGregor Memorial Reserve owned by the New Zealand Native Forest Restoration Trust. This reserve was named in honour of Professor W. R. McGregor whose successful campaign in the 1940s put an end to continued logging in the Waipoua kauri forest followed by the implementation of sanctuary status in 1952 (NZNFRT Brochure).

An additional 840 ha is protected by Nga Whenua Rahui in the Waima Range.

The total protected area is 24,631.8 ha or 77.1% of this site.

Monday, October 14, 2024 at 08:01:15 New Zealand Daylight Time

Subject: Comments on resource consent application
Date: Monday, 14 October 2024 at 8:01:09 AM New Zealand Daylight Time
From: Steve Sanson
To: bayofislands@doc.govt.nz
Attachments: image001.jpg, image002.png, image003.png, image004.png, image005.png, image006.png

Hello,

Please see an application for subdivision that is within 500m of DoC land under management at Waitemarama Gorge Road.

 [Application Documents](#)

Please forward any comments you may have.

Regards,



Steve Sanson
Director | Consultant Planner
Bay of Islands Planning (2022) Ltd



021 160 6035
steve@bayplan.co.nz
<https://www.bayplan.co.nz>
Kerikeri House, Suite 3, 88
Kerikeri Road, Kerikeri 0295