

8 November 2022

By Email: explorenz2018@gmail.com

Attention: Barry Mosley, Consultant Planner

Far North District Council
Private Bag 752
Memorial Ave
Kaikohe 0440

Application 2220163-RMACOM - Response to Request for Further Information dated 18 October 2022

Introduction

- 1.1 Carrington Estate Jade LP (**Carrington**) lodged an application (RC 2220163) for a subdivision consent and a separate land use consent for part of Lot 1 DP 67692 and part of Lot 6 DP 417562 (**Site**) on 2 September 2021 (**Application**). Jeff Kemp notified the Council on 19 October 2021 that Carrington withdrew the land use consent part of the Application.
- 1.2 Carrington received notice from the Council that the Application was incomplete on 15 October 2021 and Carrington lodged an objection to that decision on 8 November 2021. Carrington and Council agreed on the terms of a development agreement on 20 July 2022 and the development agreement was fully signed on 27 July 2022. Carrington then took its objection off hold on 9 August 2022, and the Council upheld Carrington's objection and accepted that the Application was complete at lodgement.
- 1.3 On 18 October 2022, Far North District Council (**Council**) made a request for further information in relation the Application (**Request**).
- 1.4 We have summarised each item in the request in italics, and provide a response to each item in the Request below.

Issues associated with the application

- 2.1 *Please provide a section 106 Resource Management Act 1991 (**RMA**) assessment of the proposal*
- 2.2 The geotechnical report provided as part of the Application identifies the Site can be developed with standard and common engineering solutions and works on this type of land. That is earthworks, cut fill slopes, retaining walls and a variety of building foundations.
- 2.3 The Request indicates that the geotechnical report may not have been fully considered. The following provides a clear explanation for interpretation of s106 of the RMA.
- 2.4 The geotechnical assessment of the Site is clear and notes in the Conclusions and recommendations in section 10 on page 27:

Geotechnical investigations indicate that the proposed dwelling site is presently stable and the subsoil properties have adequate strength parameters necessary for the proposed development provided that the recommendations made in this report are followed.
- 2.5 The geotechnical report provides in section 7 the requirements that earthworks should follow the 4431:1989 standard. We note this has now been updated to the NZS4431:2022 Standard.

- 2.6 The geotechnical report in sections 5 & 6 provides suitable strength parameters for design of slopes and soil parameters for design of slopes and foundations, retaining walls, seismic loads and bearing capacity. These are all the parameters that a geotechnical engineer will be able to design standard engineering solutions with, and parameters which ensure there is not significant risk from natural hazards to the Site.
- 2.7 Subject to the detailed design being in accordance with the geotechnical report and relevant guidelines and standards, and the construction being monitored under the standard Construction Monitoring Guide by Engineering New Zealand, then the Application complies with section 106 of the RMA and it is considered that the following risks do not apply to the Site:
- (a) there is a significant risk from natural hazards; or
 - (b) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

Interrelated Regional Consents to the Proposed Development

- 3.1 *Please provide the following information:*
- (a) *A map showing the location of land considered wetland as an overlay on proposed lots;*
 - (b) *The ecological report outlining the values associated with the wetland being supplied to the NRC;*
 - (c) *A copy of the decision of the NRC on this recent application for earthworks.*
- 3.2 Any effects of the Application on any wetland (if applicable) are not within the Council's matters of control or within the Council's jurisdiction under the RMA. It is not appropriate for the Council to request a map identifying wetlands or require Carrington to obtain an ecological report outlining the values associated with any wetlands.
- 3.3 As noted in the Request, Carrington holds an existing resource consent from Northland Regional Council which expires on 30 November 2022 and authorises earthworks, stormwater discharge, stormwater diversion and discharge and vegetation clearance (**Regional Consents**). Carrington has already provided a copy of the Regional Consent, which was attached to the Application as Appendix E. For completeness, we note Carrington has lodged a new resource consent application for the same activities and this application was lodged 6 months before the existing Regional Consent's expiry date, and so Carrington may continue to operate under the Regional Consent until the new consent application has been determined.

Status of the Activity: Bundling

- 4.1 *Please supply an amended AEE based on a comprehensive assessment and appropriate activity status for the proposal (please also see sections below titled "National Environmental Standard Freshwater" and "Operative Far North District Plan" and "Proposed Far North District Plan" and other sections relevant to the status of the activity).*
- 4.2 We understand this question is based on the understanding that the Application is for an unbundled discretionary activity consent and a controlled activity consent. As noted above, Carrington has withdrawn the discretionary activity component, as shown in the correspondence attached as **Appendix A**.
- 4.3 Therefore, it is clear that the activity status of the Application is controlled. We provide further information on behalf of Carrington set out below, but no amendments to the assessment of effects on the environment are necessary relative to the matters that the Council has retained control. The assessment of effects on the environment includes such detail that corresponds to the scale and significance of the effects of the proposed subdivision.

National Environmental Standard Freshwater

- 5.1 *Please provide an assessment of the activity status of the proposal in terms of the above and the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F) as it pertains to vegetation clearance in the vicinity of a wetland and any other relevant matters associated with the proposed development*
- 5.2 Regulation 5 of the NES-F states the NES-F deal with the functions of regional councils under s 30 of the RMA, and not the functions of territorial authorities. This item is outside the scope of the Council's jurisdiction.
- 5.3 In any event, the Regional Consents held by Carrington authorise vegetation clearance and prevail over the NES-F, as they were granted before the NES-F was notified in the *Gazette*.

Operative Far North District Plan

- 6.1 *Documentation supplied (Draft 2021 Scheme Plan Von Sturmers) for stages 3 & 4 show that Lot sizes are less than the required 600m² minimum size for Residential zoned sewered sites (at a glance Lots 57, 96, 97, 99, 100 etc). The subdivision does not appear to meet zone standards as a controlled activity (13.7.2.1(v)).*
- 6.2 *Please confirm whether management plan subdivision is intended, and if so supply the management plan. Please supply all information necessary to complete the required assessment under section 13.10 of the Operative FNDP.*
- 6.3 Attached as **Appendix B** are revised scheme plans which identify that all lot sizes are 600m² or greater and therefore comply with standards of a controlled activity.
- 6.4 As a result of the revisions to the scheme plans, there have been amendments to the boundaries of the allotments. The outcome is that there is a minor decrease in the total number of lots. The revised plans provide for 38 lots in stage 3 and 100 lots in stage 4, which is two less lots than the scheme plans filed with the Application, which provided for 36 lots in stage 3 and 104 lots in stage 4.
- 6.5 We note the revised scheme plans show where some roads have been narrowed and are now proposed to be jointly owned access lots to minimise earthworks and improve the development layout.
- 6.6 The amendments to the number of lots and roading network do not increase the scale or intensity of the proposed subdivision, or significantly alter the character or effects of the subdivision, and are within the scope of the Application.

Proposed Far North District Plan

- 7.1 The Regional Consent authorises earthworks (among other activities) and must be considered as part of the existing environment against which the Application is considered. This is because the existing environment includes the future state of the environment, as it might be modified by resource consents which have been granted, and which have been implemented or are likely to be implemented.¹ It is likely that the Regional Consent will be implemented, and so this Application must be considered in the context that the environment has been modified by the activities authorised by the Regional Consent.
- 7.2 In light of the items below in relation to the Proposed Far North District Plan (**Proposed Plan**), we note the rules in the Proposed Plan relating to earthworks and vegetation clearance having immediate legal effect do not affect the activity status of the Application, as the RMA requires the Council to process the Application as a controlled activity. This is because:

¹ *Queenstown Lakes District Council v Hawthorn Estate Ltd* (2006) 12 ELRNZ 299 (CA) at [84].

- (a) Carrington lodged the Application on 2 September 2021 under the Operative Plan, and Rule 13.6.8 of the Operative Plan provides that where relevant consents have been obtained by the Regional Council (as they have here for earthworks and vegetation clearance) the subdivision consent shall be deemed to include consent to excavate or fill land, and clear vegetation;
 - (b) The Proposed Plan was notified on 27 July 2022 and some rules relating to earthworks and vegetation clearance had immediate legal effect; however,
 - (c) Section 88A of the RMA requires that the Application continues to be processed, considered, and decided as an application for the type of activity that it was for, or was treated as being for, at the time the application was first lodged;
 - (d) The Application was for a controlled activity at the time it was lodged and remains a controlled activity; and
 - (e) Carrington holds and is exercising the Regional Consents for vegetation clearance and earthworks.
- 7.3 We also note the weight to be given to the Proposed Plan depends on what stage the relevant provision has reached, the weight generally being greater as a proposed plan moves through the notification and hearing process.² In this case, little weight should be given to the Proposed Plan since it has not been subject to any testing or independent decision-making.
- 7.4 We have prepared responses to the items below for completeness.
- 7.5 *Please advise and supply an assessment as to whether Rule EW-R13 [Earthworks] of the Proposed Far North District Plan (**Proposed Plan**) will be satisfied which requires compliance with EW-S5 Erosion and Sediment Control Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005).*
- 7.6 Carrington confirms that the Application can comply with Rule EW-R13 of the Proposed Plan.
- 7.7 Cook Costello is currently preparing a sediment and erosion control plan and will provide a copy to the Council once it is ready. The consent could be issued subject to a condition requiring this plan to be submitted for Council approval.
- 7.8 *Please advise and supply an assessment as to whether Rule EW-R12 [Earthworks] of the Proposed Plan will be satisfied, which requires compliance with an accidental discovery protocol.*
- 7.9 Rule EW-R12, PER-1 requires that earthworks comply with the standard EW-S3 Accidental Discovery Protocol. Rule EW-S3 outlines the standards for discovery of any suspected sensitive material.
- 7.10 Carrington confirms that an accidental discovery protocol can be applied to the proposed subdivision to satisfy Rule EW-S3. This is typically applied as an advice note to all resource consent decisions in the Far North District, and copy of this is standard advice note is provided below:

Advice Note

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

² *Hanton v Auckland City Council* [1994] NZRMA 289 (PT).

attached for your information. This should be made available to all person(s) working on site.

- 7.11 *Please provide a complete analysis of the status of proposed activities regarding earthworks under the Proposed Plan.*
- 7.12 Carrington confirms that the proposed activities comply with the permitted activity requirements under the rules with immediate legal effect in the Proposed Plan, as shown in the table attached as **Appendix C**. Furthermore, as noted above Carrington holds a resource consent for the required vegetation clearance and earthworks from the Regional Council.

Ecosystems & Indigenous Biodiversity

- 8.1 *Please provide a detailed outline of the site and the location of vegetation cleared to date (prior to 27 July 2022) and the location of vegetation to be cleared/cleared since the relevant operative PFNDP rules for Ecosystems and Biodiversity came into effect.*
- 8.2 *The land in the subdivision is shown as PNA. Please provide an ecological report detailing whether land in the subdivision could be considered a significant natural area using the ecological significance criteria in Appendix 5 of the RPS or in any more recent National Policy Statement on indigenous biodiversity;*
- 8.3 *It would appear that the proposal will run contrary to either rule IB-R3 or IB-R4 making it a discretionary activity. Please provide analysis of the proposal against the policy context of the PFNDP in terms of Ecosystems and Indigenous Biodiversity and outline the anticipated effects and magnitude of effects from the proposal.*
- 8.4 It is not clear how these requests are relevant to the Application.
- 8.5 The Application must be considered in the context of the existing environment, which includes the vegetation clearance authorised by the Regional Consent as noted above.
- 8.6 In any event, the Proposed Plan rules relating to vegetation clearance do not affect the activity status of the Application. As noted at paragraph 7.2 above, s 88A of the RMA requires the Council to process the Application as a controlled activity (including earthworks and vegetation clearance authorised by the Regional Consent) despite rules in the Proposed Plan relating to earthworks and vegetation clearance having immediate legal effect.

General (PFNDP)

- 9.1 *Please provide a complete analysis of the status of proposed activities in regard to operative rules in the PFNDP, including SASM-R1 Earthworks and indigenous vegetation clearance, SASM-R3 Area of significance to Maori and SUB-R15 Area of significance to Maori.*
- 9.2 We note the request at paragraph 9.1 overlaps with the request at paragraph 7.5 above. As noted above, the rules in the Proposed Plan relating to earthworks having immediate legal effect do not affect the activity status of the Application, as the RMA requires the Council to process the Application as a controlled activity.
- 9.3 For completeness, it is confirmed that the proposed activities comply with the permitted activity requirements under the rules with immediate legal effect in the Proposed Plan, as shown in the table attached as Appendix C.

Consent Notices

- 10.1 *Please confirm/provide the content of the s221 notices lodged on the titles related to the land in the subdivision.*

- 10.2 It is confirmed that the consent notices relate to the land within the subdivision. A separate application to remove the existing consent notices, where relevant, may be applied for later in time to align the current development and remove any redundant notices.

Amalgamation Conditions

- 11.1 *Please confirm that the proposed subdivision does not have any amalgamation conditions proposed.*
- 11.2 The revised scheme plan attached as Appendix B proposes some amalgamation conditions, which we have reproduced below for ease of reference:
- 11.3 The following amalgamation conditions are proposed in relation to stage 3:
- (a) Lot 300 hereon (legal access) be held as to seven undivided one-seventh shares by the owners of Lots 222, 223, 224, 225, 226, 227 and 228 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
 - (b) That Lot 301 hereon (legal access) be held as to eight undivided one-eighth shares by the owners of Lots 206, 207, 208, 209, 210, 211, 212 and 213 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- 11.4 The following amalgamation conditions are proposed in relation to stage 4:
- (a) That Lot 101 hereon (legal access) be held as to five undivided one-fifth shares by the owners of Lots 11, 12, 13, 14 and 15 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
 - (b) That Lot 102 hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 33, 34 and 35 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
 - (c) That Lot 103 hereon (legal access) be held as to three undivided one-third shares by the owners of Lots 75, 76 and 77 hereon as tenants in common in the said shares and that individual records of title be issued in accordance therewith.
- 11.5 *Please confirm that all proposed sites will have practicable access.*
- 11.6 All proposed allotments will have practicable access as outlined on the scheme plan attached as Appendix B.

Flood Risk

- 12.1 *Please supply a flood report from an appropriately qualified engineer detailing the risk of land in the subdivision to flooding and if so any appropriate recommendations.*
- 12.2 *Please supply a flood hazard assessment from a suitably qualified engineer detailing the effects of the proposed development on the downstream receiving environment including recommendations to mitigate potential effects to not cause or exacerbate flooding of downstream properties and public infrastructure.*
- 12.3 The site is marginally (if at all) impacted by the River Flood Hazard Zone (100 Year ARI Event). This is outlined below in Figures 1 and 2.

Figures 1 and 2 - River Flood Hazard Zone (100 Year ARI Event)



- 12.4 Given the minimal extent of the overlay affecting the Site and that no conceivable building / structure could ever be located in this area, the requirement for a flood hazard assessment is not considered appropriate or necessary. The overlay will not affect development on the Site. We submit that this appears to be a marginal mapping error for the allotments.

Infrastructure Capacity

- 13.1 *Please supply a proposal for certification by the Operations Department of Council that will ensure that the capacity will exist for the scale of development proposed to manage stormwater.*
- 13.2 The stormwater management proposal is addressed in the subdivision suitability report, which was filed as an appendix to the Application. The engineering design is intended to meet the FNDC2022 EES and in particular Table 4.1, which is repeated below. It is common for stormwater design to be finalised as a condition of consent of engineering plan approval, and that is appropriate in relation to this Application.
- 13.3 The following information will be provided in the stormwater design report and calculations with the Engineering Plans.

Table 4-1: Minimum Design Summary

Criteria	Design Parameter	When required
Design calculations	Modified Rational method for catchment areas up to 8 ha. For catchments greater than 8 ha refer to Section 4.3.9.2.1 Catchments Larger Than 8ha	Always.
Runoff coefficients	Pre-development runoff coefficients shall be based on expected imperviousness for the existing Land Use. Post-development runoff coefficients shall be based on allowable imperviousness based on the MPD by the District Plan . Refer to Table 4-3	Always.
Design Rainfall	Refer to Design Rainfall (Section 4.3.9.4 Design Rainfall and Section 4.3.9.5 Design Storm).	Current rainfall (i.e. not climate change adjusted) shall be used for the following: <ul style="list-style-type: none"> Sizing temporary works where climate change is not relevant. Determining pre-development stormwater runoff flows and volumes for use in combination with calculated post development flows to determine stormwater treatment (quantity and quality) requirements Climate change adjusted rainfall shall be used for the following: <ul style="list-style-type: none"> Determining post-development stormwater runoff flows and volumes for stormwater infrastructure design.
Time of concentration	Calculated in accordance with Section 4.3.9.4 Design Rainfall .	Always.

Criteria	Design Parameter	When required
Flood Control (1% AEP event)	Detention required, limiting the post-development 1% AEP event flow rates to 80% of the pre-development 1% AEP event flow rates.	Where downstream flooding hazard has been identified. Where there is no CMP or site-specific SMP 1. Refer to Flood Hazard Areas in the District Plan and any known downstream restrictions causing flooding.
Flow attenuation (Attenuation of the 50% and 20% AEP events)	Limit the post-development 50% and 20% AEP event flow rates to 80% of the pre-development flows through controlled attenuation and release.	Catchment location dependent. Typically, always required in the upper catchment and sometimes not required where development site is located in proximity to the catchment outlet, discharging to a watercourse with sufficient network capacity, and where flow attenuation may worsen flooding hazards due to relative timing of peak flows. If the proposed stormwater discharge is into a tidal zone, then no attenuation is required. Attenuation includes Retention, which is encouraged alongside Extended Detention Volume (EDV), where practicable.
Volume	Match pre-development volume runoff through reduced runoff by best practice and sub catchment management, where practicable (e.g. allowing infiltration and ground water recharge, enabling water reuse and diverting into wastewater system). If this cannot be achieved, mitigation within the receiving environment will be required, such as channel stabilisation.	When discharging directly into a natural stream or modified channel.

- 13.4 *Please supply letters from the electricity and telecommunication suppliers that confirm the feasibility of providing the land in the subdivision with these services.*
- 13.5 Carrington is in the process of confirming that the Site can be provided with electricity and telecommunication suppliers as provided below. No service issues are expected.
- 13.6 Carrington has made an application and paid the application fee to Top Energy in relation to providing electricity services to the Site. Confirmation is shown below.

Figure 3 – Confirmation of application to connect to Top Energy services

Top Energy has received your application to connect a Subdivision.

✔ We will process your application and advise you of the next steps within 10 working days of receiving your application fee.

You can pay your application fee by EFTPOS at our Kerikeri office, or through online banking into account number 02-0332-0011638-00 using your name as the payment reference. We do not accept credit card payments.

If you want to send through any additional documentation or have any questions in the meantime, email CIW@topenergy.co.nz or call the Estimating team on 0800 867 363

- 13.7 For telecommunications services, fibre is available at the Site, which is confirmed by Chorus as shown below. Many telecommunications companies are available and able to connect to the Site, and it may be that homeowners would like to connect to Sky broadband, Vodafone, StarLink or another company.. Carrington also confirms that mobile phone service is available on the Site via Vodafone.

Figure 4 – Confirmation of fibre availability at the Site

The screenshot shows the Chorus Broadband checker interface. At the top, the Chorus logo is followed by 'Broadband checker' and a 'Home' link. A search bar contains the address '17 Whatuwhiwi Road, Karikari Peninsula, Whatuwhiwi'. To the right of the search bar are buttons for 'For home' and 'For business'. Below the search bar, a message states 'Address not correct?' and a link to the Privacy Policy. A large green banner below the search bar features a thumbs-up icon and the text: 'Your current connection is ADSL. Great news! Fibre is available at your address so you can book a free* installation today.' A 'Book an Install' button is on the right. At the bottom, a small disclaimer states: '* Standard residential fibre installations are free in areas that have fibre in the street. If there are certain complexities involved in your installation, we'll get in touch before proceeding to discuss any charges with you.'

- 13.8 *It is understood that the developer and Council have entered into an agreement to address the capacity upgrades required to the wastewater system. Please supply a copy of this agreement, which includes the details of the required upgrades and agreed contribution's philosophy.*
- 13.9 We suggest that you request a copy of the development agreement between Carrington and the Council from the Council.
- 13.10 For completeness, we confirm that Carrington agrees that a copy of the development agreement may be disclosed to you for the purposes of processing the Application.
- 13.11 We have prepared a draft condition of consent below, which would require the Whatuwhiwi Wastewater Treatment Plant and wastewater network upgrades to be operational before allotments within the Site can discharge wastewater to the Council's network:

The allotments are to be connected to the Council Reticulation Sanitary Sewerage Network. Any allotment shall not discharge wastewater to the Council Reticulation Sanitary Sewerage Network until the upgrades described in Schedules 1 and 2 of the Development Agreement between the consent holder and the Council (dated 27 July 2022) have been completed. If these upgrades to the Network and the Whatuwhiwi Wastewater Treatment Plant have not been completed prior to the deposit of the survey plan under s224 of the Resource Management Act 1991 (RMA), then this condition shall be the subject of a consent notice under s221 of the RMA to give notice to prospective purchasers of this requirement and enable the survey plan to be deposited in accordance with s224(c)(ii) of the RMA. Any consent notice required under s221 of the RMA shall expire and can be removed from the certificate of title of the allotments when the upgrades to the Network and the Whatuwhiwi Wastewater Treatment Plant to accept the wastewater discharges from the allotments have been completed.

Transport

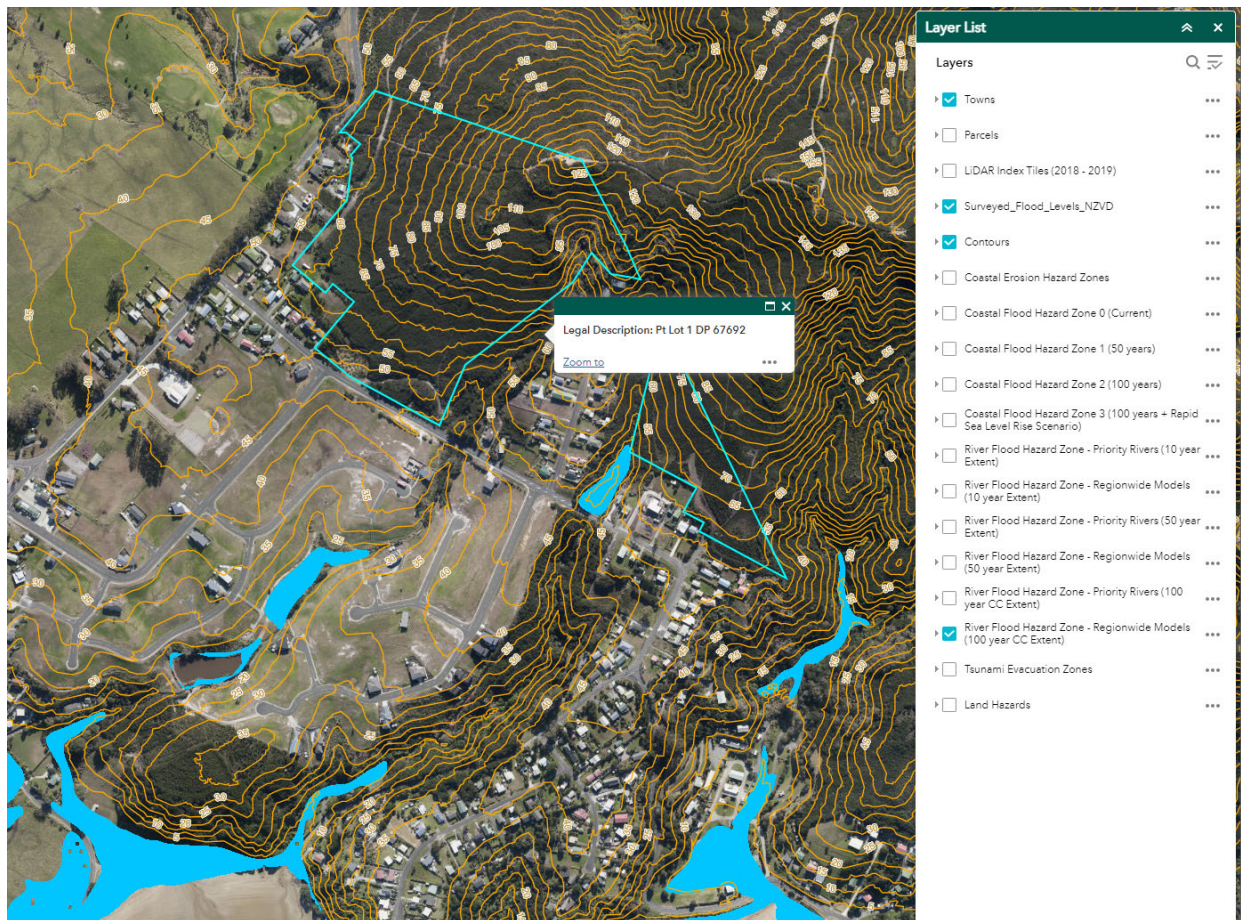
- 14.1 *Please provide a traffic impact assessment prepared by a Chartered Professional Traffic Engineer to address all transport and access complexities associated with the subdivision, which includes but not limited to traffic movements, geometrics of proposed vested roads and private accessways, site distances and sight lines, including an assessment of the degree of compliance with, or departure from the relevant standards.*

- 14.2 It is not necessary to provide an additional traffic impact assessment. The transport section of the Engineering Suitability Report attached to the Application addresses these matters with a level of detail that is appropriate for the Application. The Site and the surrounding area have typical intersections and reasonably low volume roads without significant morning and evening peak traffic delays. The assessment only needs to address safe sight distances and geometrics of the intersection. A detailed traffic impact assessment is not considered required for such simple developments in low volume areas.
- 14.3 We note the proposed intersections are for lightly trafficked roads and these can be created within Council standards and normal traffic requirements for a residential development.
- 14.4 The Council Standards 2022 require the works to be completed by a suitably qualified and experienced practitioner. Carrington's engineer Mr Philip Cook is a Chartered Professional Engineer (civil, geotechnical) that is certified to complete Tier 4 works. As the road is not a collector, arterial or national road, a specific traffic engineer is not needed. Cook Costello has undertaken a transport assessment of the proposed roading network, including the difference between the current Council Standards and the draft 2022 Standards, and this is attached as **Appendix D**.
- 14.5 *Please provide an assessment and confirm compliance with 'Property Access' (see Chapter 15 Transportation).*
- 14.6 The Application complies with the permitted activity requirements in relation to property access in the Operative Plan. Please see the assessment attached as **Appendix E** below.
- 14.7 *Please consult with Northern Transport Alliance (NTA) and provide its views on the proposal.*
- 14.8 Carrington is in the process of preparing to consult with NTA. Plans will be provided to NTA for approval, and we will provide further information once we receive NTA's feedback on the Application and plans.

Stormwater

- 15.1 *Please supply preliminary/concept design, prepared by a suitably qualified engineer, outlining the collection and conveyance of stormwater within the subdivision and its discharge to the receiving environment and/or Council's downstream infrastructure.*
- 15.2 Please refer to civil engineering report provided as part of the Application. Stormwater is proposed to be attenuated as described on page 10 and 11. As noted in that report, the approach taken will be conservative in most rainfall events as the roof water is collected in tanks and these fill first, prior to the overflow draining to an attenuation tank and being attenuated before discharge.
- 15.3 The design is proposed to follow Table 4.1 Design Summary of the 2022 EES, which we have copied above.
- 15.4 There is no need to assess downstream infrastructure due to this conservative approach. The Site was zoned residential at the time that the downstream stormwater works were constructed and the existing stormwater detention dams within the gullies also account for stormwater discharges from the development of the Site. In addition, stormwater is to be attenuated on Site as above, reducing pressure on the downstream system.
- 15.5 Coastal inundation flooding downstream will not be affected by the development, as stormwater is confined to the gullies.
- 15.6 The aerial imagery shows that there is sufficient capacity in the steep undrained gullies to convey the stormwater. The image attached below shows the contours where there is often 5m of freeboard before there will be any downstream flooding concerns.

Figure 5 – Northland Regionwide Flood Models



Geotechnical

- 16.1 *Please supply a more detailed geotechnical investigation report that provides an assessment of all matters envisaged by s 106 of the RMA, including the conditions, restrictions and recommendations under which the development is to be undertaken, which includes mitigation against potential erosion and slope instability, design parameters for earthworks, foundations, buildings and retaining structures, construction of services and temporary controls during construction.*
- 16.2 We note that this item has been partially addressed in response to the request for a s 106 assessment at paragraph 2.1.
- 16.3 Please also refer to the conclusions (on page 27) of the geotechnical report, which show that the Site is stable and suitable for development. The Site is steep, so it will not comply with NZS3604 and will need specific engineering designs for retaining and pole foundations and basements. However, this is common and standard engineering practice for development on sloping ground. The geotechnical report specifically provides all the design parameters required and clear guidance that further testing is required for building and detailed design.
- 16.4 *What is considered the optimum size for lots in stage 4?*
- 16.5 The revised scheme plan attached to this letter shows the appropriate size for lots in stage 4 of the proposed subdivision. The proposed lots all have an area greater than 600m², and allow for a 14m x 14m square with a 3m setback from the road boundary and 1.5m side yards.

Water Supply

- 17.1 *Please supply a preliminary management plan that outlines the following:*
- (a) *Location, accessibility and reach of proposed tanks for firefighting,*
 - (b) *Details the proposed strategic/management approach to accessing water for firefighting within the subdivision, including the replenishment and maintenance of the tanks and associated pipework.*
 - (c) *Assessment of the accessibility by fire services to all allotments especially where road gradients prove prohibitive to service vehicles.*
- 17.2 Carrington's engineers, Cook Costello, are working with Fire Emergency New Zealand (**FENZ**) to provide appropriate measures for water for firefighting at the Site, and have agreed on initial options.
- 17.3 Please find attached correspondence with FENZ attached as **Appendix F**.

Natural Hazards

- 18.1 *Please advise how it is intended that Policy 12.4.4.7 of the Operative Plan be achieved in the context of the proposed development.*
- 18.2 *Please identify any parties (adjacent landowners) potentially affected by the increase in risk posed by the infringement of standard 12.4.6.1.2.*
- 18.3 *In respect of fire risk to residential units (if not covered above under "Water Supply") please advise of:*
- (a) *the degree of fire risk to dwellings arising from the proximity of the woodlot or forest and vice versa; and*
 - (b) *the full range of mitigation measures proposed to reduce the fire risk.*
- 18.4 These items are not relevant to the Application, since Carrington has withdrawn the land use consent part of the Application (which related to fire risks).
- 18.5 However, we note section 8.2 of the Site Suitability Report addresses the optional approach to providing water for fire fighting supply. The approach selected must be in accordance with SNZ PAS 4509:2003 and be approved by FENZ. The Application has promoted suitable mitigation measures in this respect, as shown by the attached correspondence with FENZ.

Earthworks

- 19.1 *Please supply a preliminary construction management plan for the earthworks envisaged for the subdivision.*
- 19.2 It is too early within the subdivision process to provide a preliminary construction management plan. We consider it would be more appropriate to include a condition of consent that Carrington provides a detailed plan as part of the s 223 conditions, which the Council can review at the engineering plan approval stage. It is common practice that the contractors tendering for the work will have different construction management processes and the constructive management plan will be more relevant when the detailed design is completed.

19.3 A typical engineering condition of consent is included below:

Prior to issue of a Section 223 certificate

a) *The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Environmental Engineering Standards. The engineering plans are to be submitted to the Development Engineer for approval.*

It is to be noted that certain designs may only be carried out by a Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies.

All work needing design/certification by a CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Plans are to include but are not limited to:

i) Design details of final earthworks and retaining to construct roads, lot platforms and ponds, in accordance with Council's Environmental Engineering Standards 2010 Edition, including existing and proposed contours and depths of cut/fill. The earthworks plan shall include:

- Environmental Management Plan*
- Construction Management Plan*
- Specific Dust Management Plan*
- Erosion and Sediment Control Plan*

Visual

20.1 *Please supply a landscape assessment for the proposed development and landscape principles to be applied to site development.*

20.2 Any visual effects of the Application are not within the Council's matters of control and therefore are not relevant to the assessment of the Application.

New Zealand Coastal Policy Statement

21.1 *Please provide a policy assessment of the proposal against the New Zealand Coastal Policy Statement.*

21.2 An assessment of the Application against the NZCPS is attached as Appendix G.

Lapse period

22.1 *Please supply justification for seeking a 10-year lapse period for district council resource consent approval.*

22.2 The proposal is large in scale and will require as much time as possible (up to 10 years) to be able to accommodate all the necessary works associated with the development. The current economic climate is relatively uncertain at present, and so it is appropriate to provide sufficient flexibility to be able to undertake the subdivision despite the ongoing economic pressures.

Cultural

23.1 *Please supply a cultural impact report for the proposal from the appropriate iwi/hapu.*

23.2 *Please provide an overview of any relevant iwi/hapu management plans and outline the degree to which these plans align to the proposed development.*

- 23.3 As a controlled activity subdivision, 13.7.3.9 Preservation of Heritage Resources, Vegetation, Fauna and Landscape, and Land Set Aside for Conservation Purposes is the only relevant matter in terms of cultural values.
- 23.4 The Site and surrounding areas do not contain a Site of Cultural Significance to Māori as listed in Appendix 1F of the Operative Plan or the Proposed Plan. In terms of archaeological sites, none are known to be on the Site. Therefore, the controlled matters under 13.7.3.9 are satisfied in this respect.
- 23.5 The Council website has been reviewed for copies or a list of relevant iwi / hapū management plans. None can be sourced. A list of the plans provided by the Northland Regional Council is found here: <https://www.nrc.govt.nz/your-council/working-with-maori/iwi-hapu-management-plans/plans-held-by-council/>. None of these are known to be relevant to the Site.

Yours faithfully
MinterEllisonRuddWatts



Bianca Tree
Partner

T +64 9 353 9784
bianca.tree@minterellison.co.nz
Reference: 201026670

Copy to Steve Sanson, Bay of Islands Planning, and Phil Cook, Cook Costello

Appendix A – Correspondence with Far North District Council to withdraw land use consent application 19.10.21

Amy Dresser

From: Jeff Kemp <Jeff@bayplan.co.nz>
Sent: Tuesday, 19 October 2021 10:06 AM
To: Trish Routley
Cc: Bianca Tree; Amy Dresser
Subject: FW: RC 2220163 RMACOM S.88 letter [MERW-MERWLIB.FID1686621]

Hello Trish,

Just following on from Bianca's message below.

As you will be aware our clients application embodied a subdivision and land use application. The land use application relating to the Risk to Residential Units setback.

Whilst we have included this aspect within the processing of the current application it has been decided to withdraw the land use component. Can you please note this accordingly.

Please let me know if you need any further information.

Many thanks,

Jeff

Jeff Kemp
Director
Bay of Islands Planning Limited
PO Box 795,
Kerikeri 0230
Offices in Kerikeri and Kaitiaia
T 0+64 9 4075253 M 0274 457136
E jeff@bayplan.co.nz OR info@bayplan.co.nz
W www.bayplan.co.nz



From: Bianca Tree <Bianca.Tree@minterellison.co.nz>
Sent: Tuesday, 19 October 2021 9:16 am
To: Trish.Routley@fndc.govt.nz
Cc: Jeff Kemp <Jeff@bayplan.co.nz>; Amy Dresser <Amy.Dresser@minterellison.co.nz>
Subject: RE: RC 2220163 RMACOM S.88 letter [MERW-MERWLIB.FID1686621]

Hi Trish

We act for Carrington Farms Jade LP (**Carrington**).

We refer to your letter in relation to Carrington's application for resource consent at Matai Bay sent to Jeff Kemp on Friday. We have been instructed to lodge an objection under s357 of the Act, but before doing so we have the following initial queries in relation to your letter:

We understand from your letter that Carrington's application was rejected because the Council considers the proposal currently is unable to provide reticulated sewage disposal systems and therefore is considered a Non Complying activity, and that further consultation with the Northland Transport Alliance is recommended regarding the road to vest. However, we expect the second matter was not a reason for the application to be rejected. Are you able to confirm if the ground to reject the application is because the Council considers that there is no existing lawfully established reticulated sewerage disposal system for the proposal to connect to?

The letter notes that the Council obtained a legal opinion on the definition of "sewered". It would be appreciated if you can provide a copy of this legal opinion.

The letter also appears to have the wrong date – the letter is dated 29 September 2021 but it was sent to Jeff on 15 October 2021. Could you please confirm that the date of this letter should be, and the period from which any objection may be lodged, is 15 October 2021?

We look forward to hearing from you and receiving a copy of the legal opinion.

Kind regards
Bianca

Bianca Tree

Partner
T +64 9 353 9784 M +64 27 700 8883
bianca.tree@minterellison.co.nz
MinterEllisonRuddWatts
minterellison.co.nz | LinkedIn



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Lawyers are required to seek verification of their client's identity. [Learn more.](#)

From: Trish Routley <Trish.Routley@fndc.govt.nz>

Sent: Friday, 15 October 2021 3:57 pm

To: Jeff Kemp <Jeff@bayplan.co.nz>

Subject: RC 2220163 RMACOM S.88 letter

Afternoon Jeff,

I know that we spoke on the phone regarding this application on Day 11, and accepting it but placing it on s92. But as you know I was wanting to reject it.

I have since our phone call had further discussions with the legal team and the Principal Planner. These conversations have highlighted the issues with this approach when the application has not provided an Assessment of Environmental Effects (AEE) in such detail that corresponds to the scale and significance of the effects from the proposed activity, and which addresses the matters outlined in clauses 6 and 7 Schedule 4 of the RMA and we believe it should be rejected under s.88.

I am happy to discuss on Monday.

Kind Regards

Trish Routley



Team Leader - Resource Consents

District Services, Far North District Council | **24-hour Contact Centre** 0800 920 029

DDI +6494015581 | **M** 027 206 9057 | Trish.Routley@fndc.govt.nz

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

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Far North District Council | Te Kaunihera o Tai Tokerau Ki Te Raki | Phone: 09 401 5200 | Fax: 09 401 2137 | Email: ask.us@fndc.govt.nz
Memorial Avenue, Private Bag 752, Kaikohe 0440, New Zealand

Get it done online at your convenience, visit our website: www.fndc.govt.nz

Please consider the environment before printing this email.

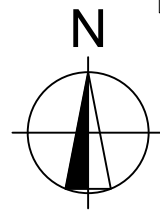
Get it done online at your convenience, visit our website - www.fndc.govt.nz

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Far North District Council | Te Kaunihera o Tai Tokerau Ki Te Raki
Ph. 09 401 5200 | Fax. 09 401 2137 | Email: ask.us@fndc.govt.nz
Address. Memorial Avenue, Private Bag 752, Kaikohe 0440, New Zealand

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Appendix B – Revised Scheme Plans

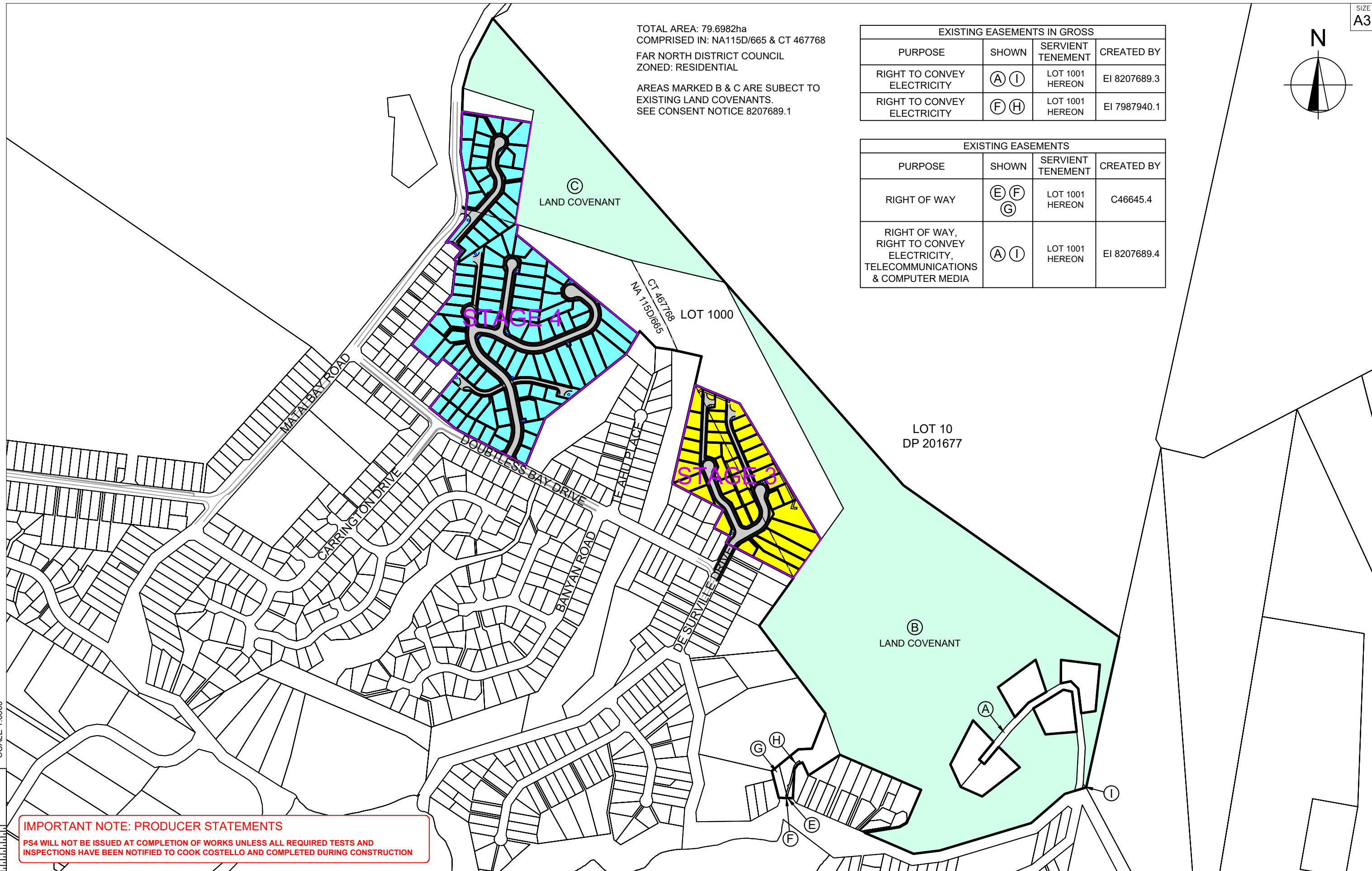


TOTAL AREA: 79.6982ha
COMPRISED IN: NA115D/665 & CT 467768
FAR NORTH DISTRICT COUNCIL
ZONED: RESIDENTIAL

AREAS MARKED B & C ARE SUBJECT TO
EXISTING LAND COVENANTS.
SEE CONSENT NOTICE 8207689.1

EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT TO CONVEY ELECTRICITY	(A) (I)	LOT 1001 HEREON	EI 8207689.3
RIGHT TO CONVEY ELECTRICITY	(F) (H)	LOT 1001 HEREON	EI 7987940.1

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(E) (F) (G)	LOT 1001 HEREON	C46645.4
RIGHT OF WAY, RIGHT TO CONVEY ELECTRICITY, TELECOMMUNICATIONS & COMPUTER MEDIA	(A) (I)	LOT 1001 HEREON	EI 8207689.4



IMPORTANT NOTE: PRODUCER STATEMENTS

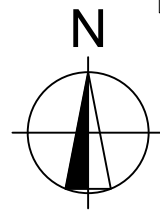
PS4 WILL NOT BE ISSUED AT COMPLETION OF WORKS UNLESS ALL REQUIRED TESTS AND INSPECTIONS HAVE BEEN NOTIFIED TO COOK COSTELLO AND COMPLETED DURING CONSTRUCTION

C			
B			
A	1st ISSUE	08/11/22	KH PC
REV.	REVISION DETAILS	DRAWN	APP.

PROJECT DETAILS
CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGES 3 & 4

TITLE
SCHEME PLAN
BEING A SUBDIVISION OF
PT LOT 1 DP 67692 & LOT 6 DP 417562
STAGES 3 & 4

DATE CREATED 08/11/2022	DRAWN K HANSARD	DESIGNED R BROOKES	APPROVED P COOK
CCL REF NO 15813-001	SCALE 1:6000 @ A3	STATUS FOR APPROVAL	
DWG NUMBER DD210	REVISION A		



TOTAL AREA: ?????ha
COMPRISED IN: LOT 1000 (STAGE 3)

TOTAL AREA: 79.6982ha
COMPRISED IN: NA115D/665 & CT 467768
FAR NORTH DISTRICT COUNCIL
ZONED: RESIDENTIAL

AREAS MARKED B & C ARE SUBECT TO
EXISTING LAND COVENANTS.
SEE CONSENT NOTICE 8207689.1

EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT TO CONVEY ELECTRICITY	(A) (I)	LOT 1001 HEREON	EI 8207689.3
RIGHT TO CONVEY ELECTRICITY	(F) (H)	LOT 1001 HEREON	EI 7987940.1

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(E) (F) (G)	LOT 1001 HEREON	C46645.4
RIGHT OF WAY, RIGHT TO CONVEY ELECTRICITY, TELECOMMUNICATIONS & COMPUTER MEDIA	(A) (I)	LOT 1001 HEREON	EI 8207689.4

©
LAND COVENANT

STAGE 4

STAGE 3

LOT 10
DP 201677

©
LAND COVENANT

IMPORTANT NOTE: PRODUCER STATEMENTS

PS4 WILL NOT BE ISSUED AT COMPLETION OF WORKS UNLESS ALL REQUIRED TESTS AND INSPECTIONS HAVE BEEN NOTIFIED TO COOK COSTELLO AND COMPLETED DURING CONSTRUCTION

C			
B			
A	1st ISSUE	08/11/22	KH PC
REV.	REVISION DETAILS	DRAWN	APP.

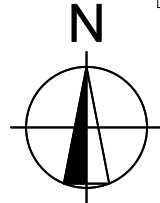
PROJECT DETAILS

CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGES 3 & 4

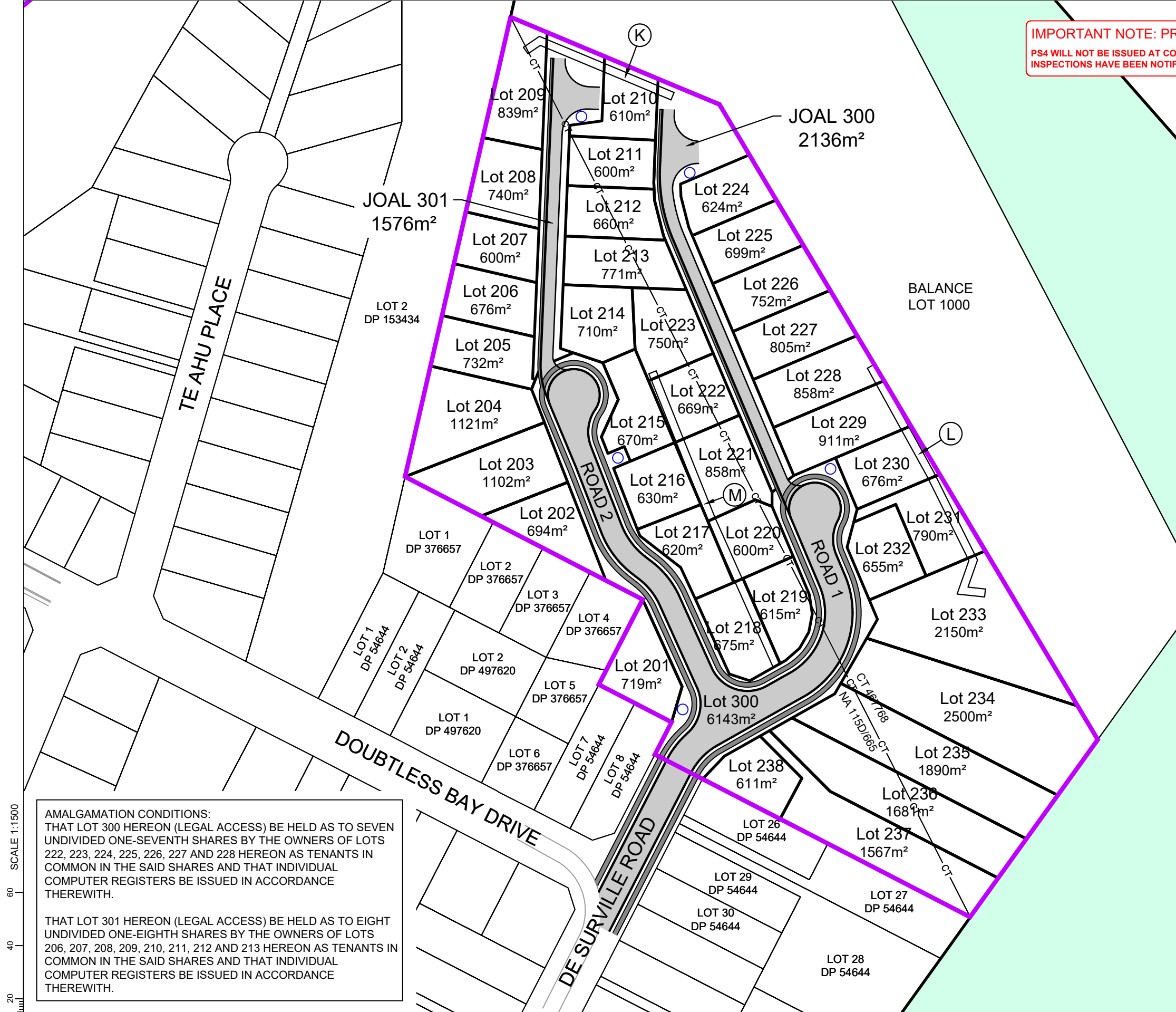
TITLE

SCHEME PLAN
BEING A SUBDIVISION OF
PT LOT 1 DP 67692 & LOT 6 DP 417563
STAGE 3 OVERVIEW

DATE CREATED 08/11/2022	DRAWN K HANSARD	DESIGNED R BROOKES	APPROVED P COOK
CCL REF NO 15813-001	SCALE 1:2500 @ A3	STATUS FOR APPROVAL	
DWG NUMBER DD211		REVISION A	



IMPORTANT NOTE: PRODUCER STATEMENTS
PS4 WILL NOT BE ISSUED AT COMPLETION OF WORKS UNLESS ALL REQUIRED TESTS AND INSPECTIONS HAVE BEEN NOTIFIED TO COOK COSTELLO AND COMPLETED DURING CONSTRUCTION



LOT 10
DP 201677

BALANCE
LOT 1000

(B)
LAND COVENANT

PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT (BURDENED LAND)	DOMINANT TENEMENT (BENEFITTED LAND)
RIGHT TO DRAIN STORMWATER	(K)	LOTS 209-210 & 301-302 HEREON	FAR NORTH DISTRICT COUNCIL
RIGHT TO DRAIN STORMWATER	(L)	LOTS 228-231 & 233 HEREON	
RIGHT TO DRAIN SEWAGE	(M)	LOTS 218 & 220-222 HEREON	

- NOTES
- ALL AREAS ARE SUBJECT TO FINAL LAND TRANSFER SURVEYS.
 - FINAL LAYOUT SUBJECT TO CONSTRUCTION.
 - FINAL LAYOUT TO BE CONFIRMED WITH 224c AS BUILT SURVEYS.
 - THIS IS A CONCEPT PLAN. ALL AREAS AND DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
 - THE VENDOR AND PURCHASER MUST CONTACT COOK COSTELLO IF SALE & PURCHASE AGREEMENTS ARE TO BE ENTERED INTO USING THIS PLAN. BOUNDARIES, EASEMENTS OR OTHER DETAIL WILL NEED TO BE CONFIRMED WITH COOK COSTELLO.
 - THIS PLAN IS COPYRIGHT TO COOK COSTELLO (CCL 2015).

- STAGE 4
- 38 RESIDENTIAL LOTS (201-238)
 - ROAD TO VEST LOT 300 (ROADS 1 & 2)
 - JOALS 301 & 302

AMALGAMATION CONDITIONS:
THAT LOT 300 HEREON (LEGAL ACCESS) BE HELD AS TO SEVEN UNDIVIDED ONE-SEVENTH SHARES BY THE OWNERS OF LOTS 222, 223, 224, 225, 226, 227 AND 228 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH.

THAT LOT 301 HEREON (LEGAL ACCESS) BE HELD AS TO EIGHT UNDIVIDED ONE-EIGHTH SHARES BY THE OWNERS OF LOTS 206, 207, 208, 209, 210, 211, 212 AND 213 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH.



C			
B			
A	1st ISSUE	08/11/22	KH PC
REV.	REVISION DETAILS	DRAWN	APP.

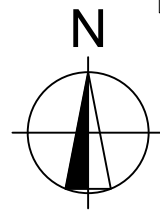
PROJECT DETAILS

CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGES 3 & 4

TITLE

SCHEME PLAN
BEING A SUBDIVISION OF
PT LOT 1 DP 67692 & LOT 6 DP 417564
STAGE 3

DATE CREATED 08/11/2022	DRAWN K HANSARD	DESIGNED R BROOKES	APPROVED P COOK
CCL REF NO 15813-001	SCALE 1:1500 @ A3		STATUS FOR APPROVAL
DWG NUMBER DD212			REVISION A

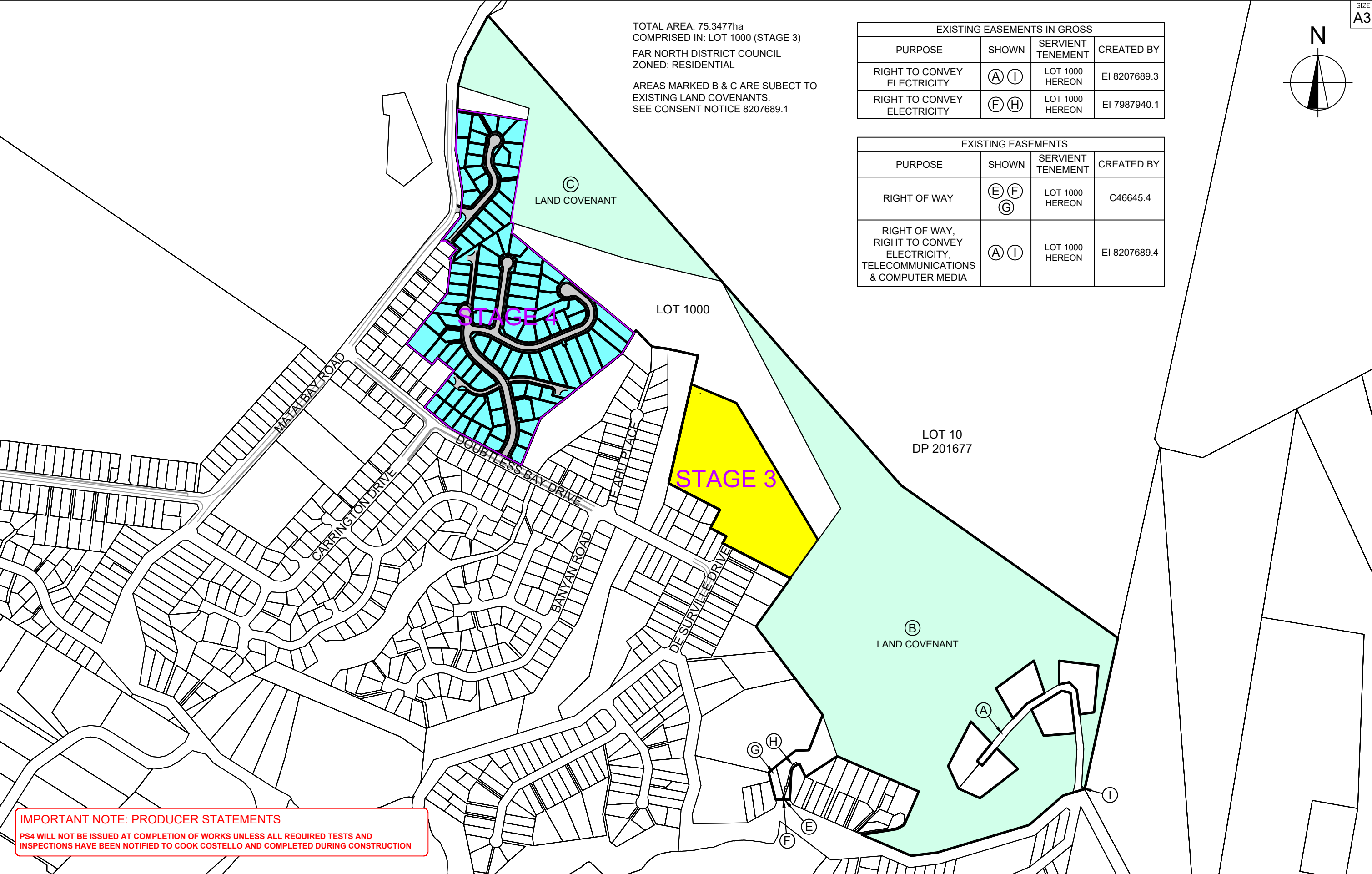


TOTAL AREA: 75.3477ha
COMPRISED IN: LOT 1000 (STAGE 3)
FAR NORTH DISTRICT COUNCIL
ZONED: RESIDENTIAL

AREAS MARKED B & C ARE SUBJECT TO
EXISTING LAND COVENANTS.
SEE CONSENT NOTICE 8207689.1

EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT TO CONVEY ELECTRICITY	(A) (I)	LOT 1000 HEREON	EI 8207689.3
RIGHT TO CONVEY ELECTRICITY	(F) (H)	LOT 1000 HEREON	EI 7987940.1

EXISTING EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT OF WAY	(E) (F) (G)	LOT 1000 HEREON	C46645.4
RIGHT OF WAY, RIGHT TO CONVEY ELECTRICITY, TELECOMMUNICATIONS & COMPUTER MEDIA	(A) (I)	LOT 1000 HEREON	EI 8207689.4



IMPORTANT NOTE: PRODUCER STATEMENTS
PS4 WILL NOT BE ISSUED AT COMPLETION OF WORKS UNLESS ALL REQUIRED TESTS AND INSPECTIONS HAVE BEEN NOTIFIED TO COOK COSTELLO AND COMPLETED DURING CONSTRUCTION



cook | costello
www.coco.co.nz
Whangarei | Auckland | Wellington | Christchurch

C			
B			
A	1st ISSUE	08/11/22	KH PC
REV.	REVISION DETAILS	DRAWN	APP.

PROJECT DETAILS
CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGES 3 & 4

TITLE
SCHEME PLAN
BEING A SUBDIVISION OF
LOT 1000 (STAGE 3)
STAGE 4 OVERVIEW

DATE CREATED 08/11/2022	DRAWN K HANSARD	DESIGNED R BROOKES	APPROVED P COOK
CCL REF NO 15813-001	SCALE 1:6000 @ A3	STATUS FOR APPROVAL	
DWG NUMBER DD213		REVISION A	

- NOTES
1. ALL AREAS ARE SUBJECT TO FINAL LAND TRANSFER SURVEYS.
 2. FINAL LAYOUT SUBJECT TO CONSTRUCTION.
 3. FINAL LAYOUT TO BE CONFIRMED WITH 224c AS BUILT SURVEYS.
 4. THIS IS A CONCEPT PLAN. ALL AREAS AND DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
 5. THE VENDOR AND PURCHASER MUST CONTACT COOK COSTELLO IF SALE & PURCHASE AGREEMENTS ARE TO BE ENTERED INTO USING THIS PLAN. BOUNDARIES, EASEMENTS OR OTHER DETAIL WILL NEED TO BE CONFIRMED WITH COOK COSTELLO.
 6. THIS PLAN IS COPYRIGHT TO COOK COSTELLO (CCL 2015).

STAGE 3

- 100 RESIDENTIAL LOTS (1-100)
- ROADS TO VEST (ROADS 3-5)
- JOALS 101, 102 & 103

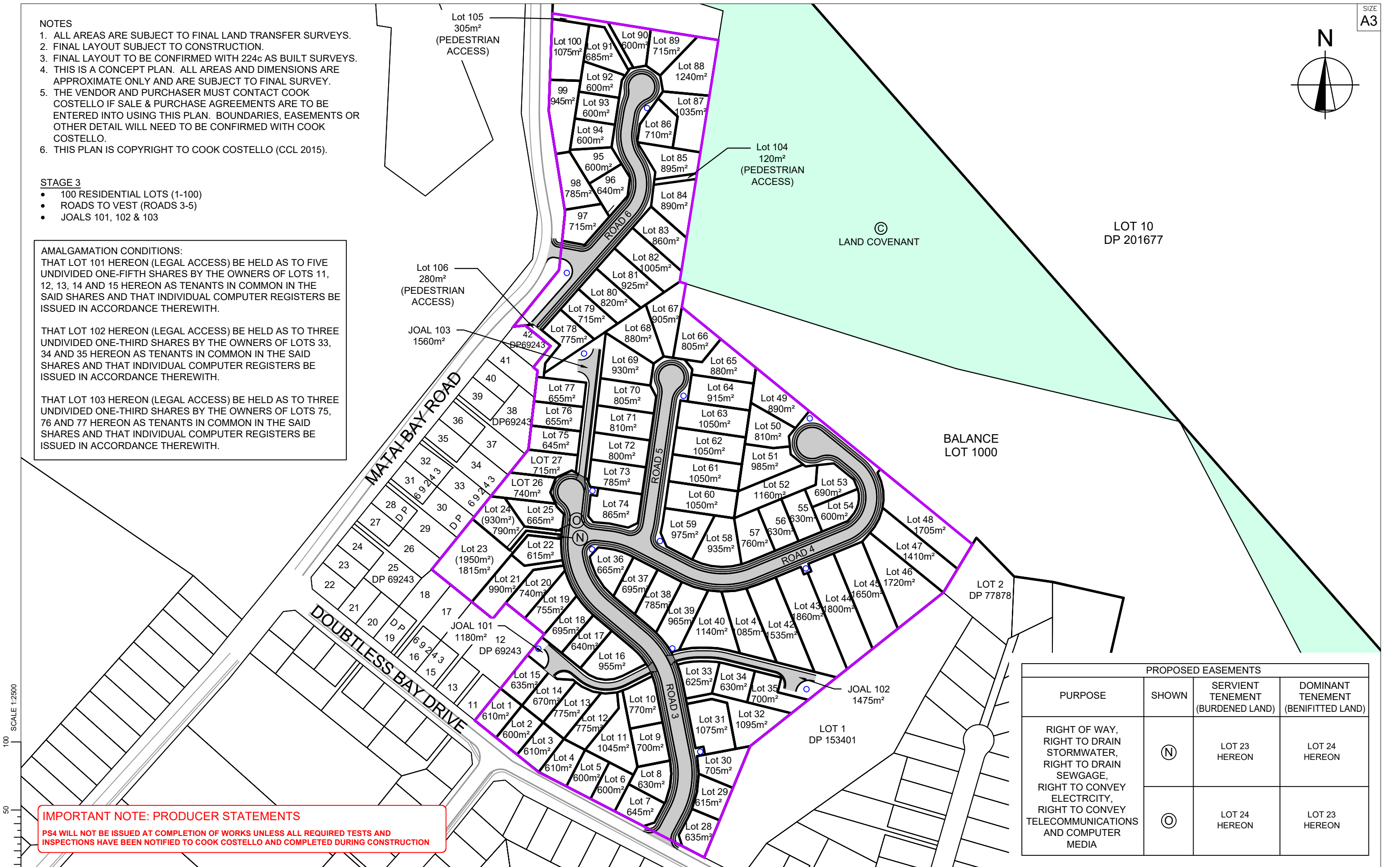
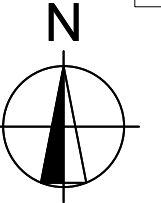
AMALGAMATION CONDITIONS:

THAT LOT 101 HEREON (LEGAL ACCESS) BE HELD AS TO FIVE UNDIVIDED ONE-FIFTH SHARES BY THE OWNERS OF LOTS 11, 12, 13, 14 AND 15 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH.

THAT LOT 102 HEREON (LEGAL ACCESS) BE HELD AS TO THREE UNDIVIDED ONE-THIRD SHARES BY THE OWNERS OF LOTS 33, 34 AND 35 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH.

THAT LOT 103 HEREON (LEGAL ACCESS) BE HELD AS TO THREE UNDIVIDED ONE-THIRD SHARES BY THE OWNERS OF LOTS 75, 76 AND 77 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH.

SIZE
A3



IMPORTANT NOTE: PRODUCER STATEMENTS

PS4 WILL NOT BE ISSUED AT COMPLETION OF WORKS UNLESS ALL REQUIRED TESTS AND INSPECTIONS HAVE BEEN NOTIFIED TO COOK COSTELLO AND COMPLETED DURING CONSTRUCTION

PROPOSED EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT (BURDENED LAND)	DOMINANT TENEMENT (BENEFITTED LAND)
RIGHT OF WAY, RIGHT TO DRAIN STORMWATER, RIGHT TO DRAIN SEWAGE, RIGHT TO CONVEY ELECTRICITY, RIGHT TO CONVEY TELECOMMUNICATIONS AND COMPUTER MEDIA	Ⓝ	LOT 23 HEREON	LOT 24 HEREON
	Ⓢ	LOT 24 HEREON	LOT 23 HEREON

Appendix C – Assessment of activities against rules with immediate legal effect in Proposed Far North District Plan (Proposed Plan)

Proposed District Plan				
Matter	Rule/Std Ref	Relevance	Compliance	Evidence
<p>Hazardous Substances</p> <p>The 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 a significant natural area.</p>	<p>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</p> <p>HS-R5, HS-R6, HS-R9</p>	N/A	Yes	No such activities are proposed, and the Site is not within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource as shown on the Proposed Plan maps.
<p>Heritage Area Overlays (Property specific)</p> <p>This chapter applies only to properties within identified heritage area overlays (e.g. in the Operative Plan they are called precincts for example).</p>	<p>All rules have immediate legal effect (HA-R1 to HA-R14)</p> <p>All standards have immediate legal effect (HA-S1 to HA-S3)</p>	N/A	Yes	No heritage area overlays are indicated within the Site on the Proposed Plan maps.
<p>Historic Heritage</p> <p>(Property specific and applies to adjoining sites (if the boundary is within 20m of an identified heritage item))</p> <p>This chapter applies to scheduled heritage resources – which are called heritage items in the map legend. Rule HH-R5 applies to earthworks within 20m of a scheduled heritage resource.</p>	<p>All rules have immediate legal effect (HH-R1 to HH-R10)</p> <p>Schedule 2 has immediate legal effect</p>	N/A	Yes	No scheduled heritage resources are indicated within the Site on the Proposed Plan maps.
<p>Notable Trees (Property specific)</p> <p>These rules apply 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)</p> <p>All standards have legal effect (NT-S1 to NT-S2)</p> <p>Schedule 1 has immediate legal effect</p>	N/A	Yes	No notable trees are indicated within the Site on the Proposed Plan maps.

Proposed District Plan				
Matter	Rule/Std Ref	Relevance	Compliance	Evidence
<p>Sites and Areas of Significance to Māori (Property specific)</p> <p>These rules apply 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.</p>	<p>All rules have immediate legal effect (SASM-R1 to SASM-R7)</p> <p>Schedule 3 has immediate legal effect</p>	N/A	Yes	No sites or areas of significance to Māori are indicated within the Site on the Proposed Plan maps.
<p>Ecosystems and Indigenous Biodiversity</p> <p>No significant natural areas mapped, but ecological assessments may identify indigenous vegetation on the site for example.</p>	<p>All rules have immediate legal effect (IB-R1 to IB-R5)</p>	N/A	Yes	<p>No significant natural areas are identified within the Site on the Proposed Plan maps.</p> <p>In any event, as noted above, Carrington holds existing consents from Northland Regional Council which enable vegetation clearance on the Site, and must be considered as part of the existing environment. Further, the rules in the Proposed Plan relating to vegetation clearance having immediate legal effect do not affect the activity status of the Application.</p>
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	N/A	Yes	No such activities are proposed.
<p>Earthworks</p> <p>All earthworks (refer to new definition) need to comply with these rules.</p>	<p>The following rules have immediate legal effect: EW-R12, EW-R13</p> <p>The following standards have immediate legal effect: EW-S3, EW-S5</p>	Yes	Yes	As noted above, an accidental discovery protocol is proposed to be included in the conditions of consent, with a standard advice note. However, the consent notices and the NRC consent already also include

Proposed District Plan				
Matter	Rule/Std Ref	Relevance	Compliance	Evidence
				<p>accidental discovery protocols.</p> <p>Erosion and sediment control is proposed to be undertaken in accordance with GD-05.</p> <p>In any event, as noted above, Carrington holds existing consents from Northland Regional Council which enable earthworks on the Site, and must be considered as part of the existing environment. Further, the rules in the Proposed Plan relating to earthworks having immediate legal effect do not affect the activity status of the Application.</p>
<p>Signs (Property specific)</p> <p>The 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.</p>	<p>The following rules have immediate legal effect:</p> <p>SIGN-R9, SIGN-R10</p> <p>All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area.</p>	N/A	Yes	<p>No scheduled heritage resources are indicated within the Site on the Proposed Plan maps.</p>
<p>Orongo Bay Zone</p> <p>(Property specific as rule relates to a zone only)</p>	<p>Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water</p>	N/A	Yes	<p>The Site is not within this zone.</p>
<p>Subdivision</p> <p>The rules with immediate legal effect relate to environmental benefit subdivision and subdivision of a site within a heritage area overlay, or</p>	<p>SUB-R6, SUB-R13-15, and SUB-R17 all have legal effect</p>	N/A	Yes	<p>Subdivision using the environmental benefit is not proposed.</p> <p>There are no scheduled heritage resources on the</p>

Proposed District Plan				
Matter	Rule/Std Ref	Relevance	Compliance	Evidence
containing a scheduled heritage resource, scheduled significant natural area or site or area of significance to Māori.				site. There are no sites and areas of significance to Māori on the site. The application does not contain a scheduled significant natural area.
Comments:				
No consents are required under the Proposed Plan.				

Appendix D – Transport Assessment of Application against relevant roading standards

Transport Assessment of Roding Carrington Estate Residential Subdivision Stage 3 and 4

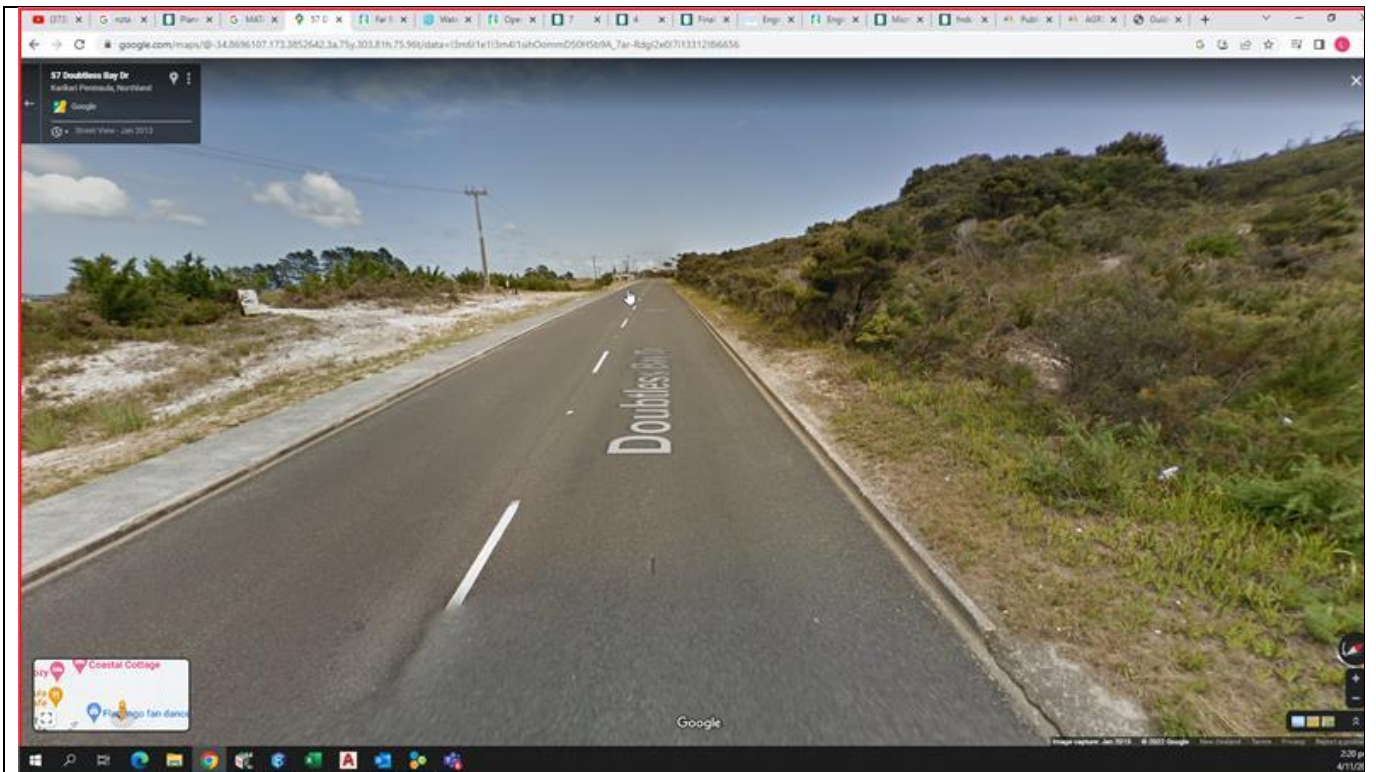
Stage	Item	Current FND Standards	NZS4404	Draft 2022 Engineering Standards	Austrroads Part 3	Recommendations for construction
3	Road S3-1 to vest	Compliant as it is a specific design which is compliant with Austrroads Part 3.	Compliant, as it complies with Austrroads Part 3.	Compliant, as the minimum curve radius is 60m for 50km/hr. Operating speed will be less and Austrroads for specific design applies.	Compliant, as the operating speed of 30km/hr complies with minimum in Austrroads table 7.6 minimum R31m radius.	None, as a low volume of traffic is expected and heavy vehicles will generally be only during construction or fire.
3	Road S3-2 to vest horizontal radius is 30m which is improvement for existing scheme	Compliant	Compliant	Compliant, as the minimum curve radius is 60m for 50km/hr. Design speed will be less, and radius has increased to double from original scheme.	Compliant, as the operating speed of 30km/hr complies with minimum in Austrroads table 7.6 minimum R31m radius.	None, as a low volume of traffic is expected, and heavy vehicles will generally be only during construction or fire.
3	JOAL 300	Compliant	Compliant	Compliant	N/A	None, as a low volume of traffic is expected, and heavy vehicles will generally be only during construction or fire.
3	JOAL 301	Compliant	Compliant	Compliant	N/A	None, as a low volume of traffic is expected, and heavy vehicles will generally be only during construction or fire.

Stage	Item	Current FNDC Standards	NZS4404	Draft 2022 Engineering Standards	Austrroads Part 3	Recommended improvements
4	JOAL 101	Compliant	Compliant	Compliant	N/A	None, as a low volume of traffic is expected, and heavy vehicles will generally be only during construction or fire.
4	JOAL 102	Compliant	Compliant	Compliant	N/A	None, as a low volume of traffic is expected, and heavy vehicles will generally be only during construction or fire.
4	JOAL 103	Compliant	Compliant	Compliant	N/A	None, as a low volume of traffic is expected, and heavy vehicles will generally be only during construction or fire.
4	Road S4-3	Compliant, as it is a specific design which is compliant with Austrroads Part 3.	Compliant, as it is a specific design which is compliant with Austrroads Part 3.	Compliant, as it is a specific design which is compliant with Austrroads Part 3.	Compliant with the requirements for low volume roads (very few or no commercial vehicles). See CH55-160 Steeper than 12.5% Table 8.2 12-15%.	Consistent with roads in the area, we recommend a 150mm Lime stabilised GAP40 top course is used.
4	Road S4-4	Compliant, as it is a specific design which is compliant with Austrroads Part 3.	Compliant, as it is a specific design which is compliant with Austrroads Part 3.	Compliant, as it is a specific design which is compliant with Austrroads Part 3.	Compliant with the requirements for low volume roads (very few or no commercial vehicles). See CH 40 – 270 Steeper than 12.5% Table 8.2 12-15%.	Consistent with roads in the area, we recommend a 150mm Lime stabilised GAP40 top course is used.
4	Road S4-5	Compliant	Compliant	Compliant	Compiles	None.
4	Road S4-6	Compliant	Compliant	Compliant	Compiles	None.
4	Intersection S4-1	Compliant	Compliant	Compliant	Compiles	None.
4	Intersection S4-2	Compliant, once vegetation is	Compliant, once vegetation	Compliant, once vegetation is	Compliant, once vegetation is	The vegetation on the left hand side of Matai Bay Road (as

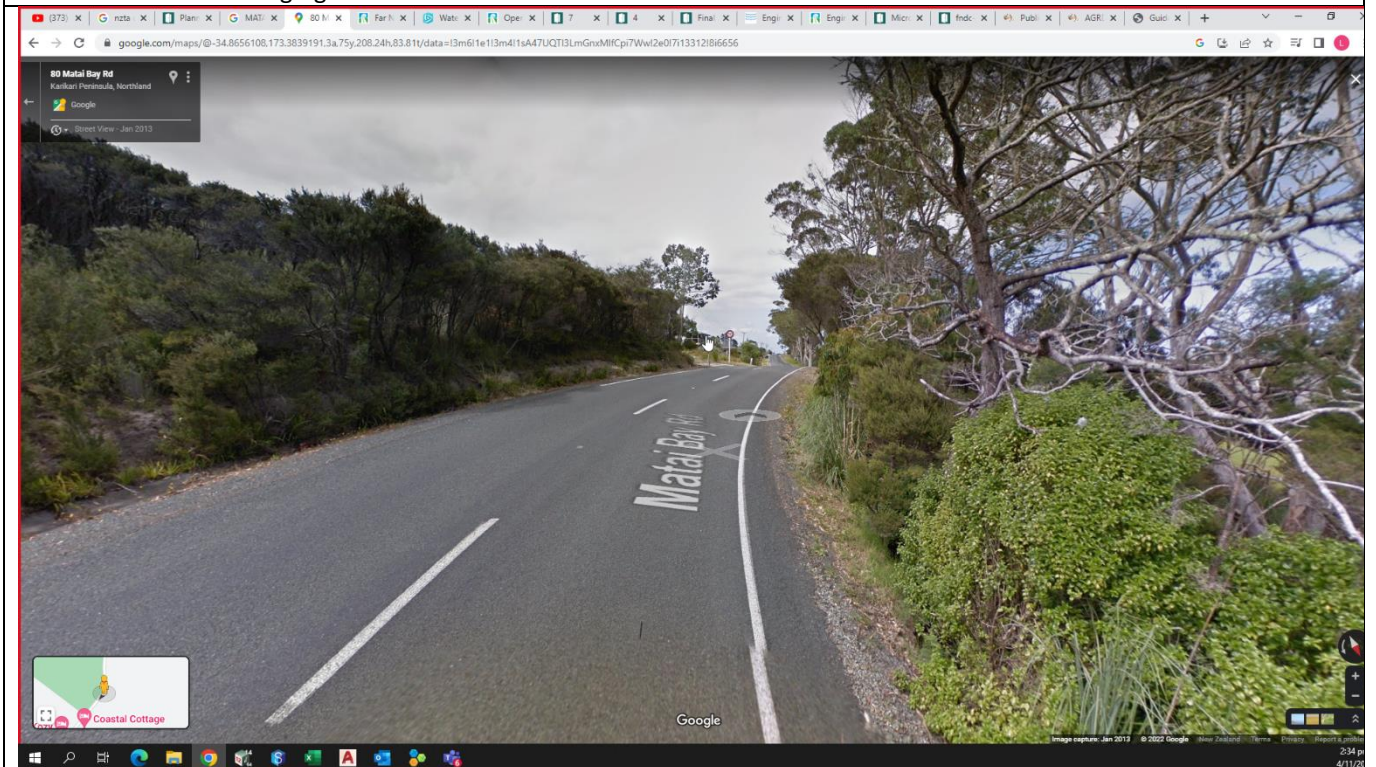
		trimmed to achieve required sight distances.	is trimmed to achieve required sight distances.	trimmed to achieve required sight distances.	trimmed to achieve required sight distances.	shown in the first photo below) must be trimmed to achieve the required sight distances.
--	--	--	---	--	--	--

Sight Distances






Intersection S3-1 Looking right



Intersection S3-2 Looking Left



Yours sincerely,



PJ Cook
Chartered Professional Engineer
MACENZ, CMEngNZ, MInstD, CPEng, IntPE (NZ)
BE (Hons), Dip Ag.

Appendix E – Assessment of Application against access provisions in operative Far North District Plan

Rule # / Name	Status	Evidence / Comment
15.1.6C.1.1 Private Accessway in All Zones	Permitted	<ul style="list-style-type: none"> (a) All private accessways will be constructed to Appendix 3B-1. (b) Access widths and centreline gradients will comply. (c) No private accessway serves more than 8 household equivalents. (d) Various public roads to vest are proposed to service the development. (e) Private accessway requirements: <ul style="list-style-type: none"> (i) Access is not proposed onto a State Highway or Limited Access Road. (ii) No private access is promoted within 90m of an intersection within an arterial road or a collector road. (iii) No private access is promoted onto an arterial or collector road within 30m of its intersection with a local road. (iv) No private access is promoted onto a local road within 30m of its intersection with an arterial or collector road. (v) Not relevant.
15.1.6C.1.2 Private Accessways in Urban Zones	Permitted	<ul style="list-style-type: none"> (a) All private accessways are at least 5m wide. (b) Not relevant as not located in the Commercial / Industrial Zone (c) All private ways will be sealed / concreted.
15.1.6C.1.3 Passing Bays on Private Accessways in All Zones	Permitted	<ul style="list-style-type: none"> (a) JOAL 103 requires a passing bay. This is provided as the JOAL is 5m in width. (b) Not relevant. (c) Each JOAL serving 2 or more sites includes a passing bay / vehicle queuing space at the vehicle crossing to the legal road.
15.1.6C.1.4 Access over Footpaths	Permitted	<ul style="list-style-type: none"> (a) There are no footpaths at present, each site will only have 1 crossing. (b) Maximum widths will be adhered to.
15.1.6C.1.5 Vehicle Crossing Standards in Rural and Coastal Zones	Permitted	The site is not within the zones outlined.
15.1.6C.1.6 Vehicle Crossing Standards in Urban Zones	Permitted	<ul style="list-style-type: none"> (a) All private access will be constructed in accordance with FNDC Engineering Standards. (b) Each JOAL serving 2 or more sites includes a passing bay / vehicle queuing space at the vehicle crossing to the legal road.
15.1.6C.1.7 General Access Standards	Permitted	<ul style="list-style-type: none"> (a) No vehicles will need to reverse off a site. (b) Heavy Rigid Vehicles are accommodated by turning heads at end of each JOAL. (c) There are no such areas. (d) Stormwater from private accessways will be managed in a way to reduce the volume and

Rule # / Name	Status	Evidence / Comment
		rate of stormwater runoff.
15.1.6C.1.8 Frontage to Existing Roads	Permitted	(a) No road widening of existing public roads are required. (b) No improvements to local roads are required. (c) Sites only have one road frontage. (d) No road encroachments are required.
15.1.6C.1.9 New Roads	Permitted	(a) All roads to vest will be in accordance with FNDC Engineering Standards and Guidelines.
15.1.6C.1.10 Service Lanes, Cycle and Pedestrian Accessways	Permitted	(a) Nil proposed. (b) Footpaths will be in accordance with FNDC Engineering Standards and Guidelines. with
15.1.6C.1.1 Road Designations	Permitted	(a) No such designations exist that would impact the rule.

Appendix F – Correspondence with Fire and Emergency New Zealand (including attachments)

Amy Dresser

From: Logan van Gils <logan@coco.co.nz>
Sent: Friday, 28 October 2022 11:22 AM
To: Phil Cook
Subject: FW: Cook Costello - Kari Kari Peninsula development - Fire Fighting options.
Attachments: 15813-001 PRE3 PRE700 Fire Fighting Plan.pdf; Carrington Fire Fighting supply options.pdf

From: Goffin, Jason <Jason.Goffin@fireandemergency.nz>
Sent: Monday, 17 October 2022 9:14 am
To: Logan van Gils <logan@coco.co.nz>
Subject: FW: Cook Costello - Kari Kari Peninsula development - Fire Fighting options.

Good Morning Logan,

Probably from our perspective options one and two would be our preferred options.
Option 2 having dedicated static supplies within 90m would provide easiest and timely access to deal with a potential incident.
Please let me know if you want to discuss further.

Kind Regards

Jason Goffin

Advisor Risk Reduction – Kaitohutohu Matua Whakaheke Moorea
Specialist Fire Investigator – Kaititiro Ahi Maatanga
Te Tai Tokerau
Te Hiku Region 1
9 Homestead Road Kerikeri



Mobile: 027 7066467

Email: jason.goffin@fireandemergency.nz

Fire Fact "A House Fire Can Become Fatal within 5 Minutes"

From: Logan van Gils <logan@coco.co.nz>
Sent: Monday, 3 October 2022 4:39 PM
To: Bain, Craig <Craig.Bain@fireandemergency.nz>
Cc: Phil Cook <phil@coco.co.nz>
Subject: Cook Costello - Kari Kari Peninsula development - Fire Fighting options.

Hi Craig,

Logan from Cook Costello we spoke on the phone this morning about fire fighting options for a development we are working on in the Kari Kari peninsula near Carrington Estate.

As discussed, we are working on two developments in the same area one is 104 lots and one 36 lots.

I have not completed options for the 36 lot subdivision yet so have only attached proposals for the 104 lot subdivision.

A previous colleague did an investigation into fire fighting options and has written a report and potential layout of communal tanks. I have attached his full report and layout options.

How ever, we have since then altered the scheme and I have amended these layout outs based on having access to the tanks in a 90m line not a 90m radius.

Options include:

Option one:

Each house has a second tank with a minimum reserve of 10,000L

Note there is no drawing attached for this option.

Option two:

Communal 25,000L above ground tanks either concrete or plastic filled via water Tanker.

Option three:

Under ground 25,000L filled via either tanker, a system which captures grey water and brings it to the tanks or a system which captures and filters road runoff. These tanks would have upstands and be buried under the road. Roads would be graded towards these tanks and an overflow system would connect to the main stormwater system.

Option four:

Essentially the same as option two but two lots are converted to ponds.

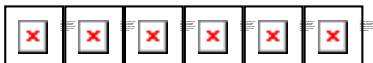
This is more an exploration of options. This might be a little bit of a back and fourth process as of course I need to liaise with the client as some of these options may have significant costs.

We are open to all discussion and criticism as this is your field of expertise. Such as better placement of the tanks or what ever system is preferred etc.

I look forward to working with you.

Kind regards

Logan



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Carrington Fire Fighting supply option one

Guidance from Fire and Emergency NZ (FENZ) for individual dwellings is as follows.

- For new dwelling with floor area less than 200 m² there must be 10 m³ of accessible, available water storage supply for firefighting purposes.
- For new dwellings with floor areas 200 m² and above, there must be 20 m³ of accessible, available water storage supply for firefighting purposes.

Following the above guidelines and factoring in the size and difficulty of building on the proposed sections, it is likely that each new dwelling will be under 200 m² of floor area.

If individual onsite firefighting supply is preferred for site development, then 10 m³ of water supply must be always available.

Supply may be in the form of an individual tank filled via tanker or roof supply. Alternatively, supply may be incorporated into the potable water supply by installing two 30 m³ water supply tanks and using 10 m³ of one of the tanks as dead storage for firefighting supply.

The proposed firefighting supply must be accessible, following the design recommendations of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

It is noted that SNZ PAS 4509:2008 requires 45 m³ of firefighting water supply capacity. This value has been overruled by FENZ as detailed above.

FENZ should be approached to confirm what is proposed is acceptable prior to construction starting on development. It is likely that's FENZ signoff will be required for each allotment at building consent stage.

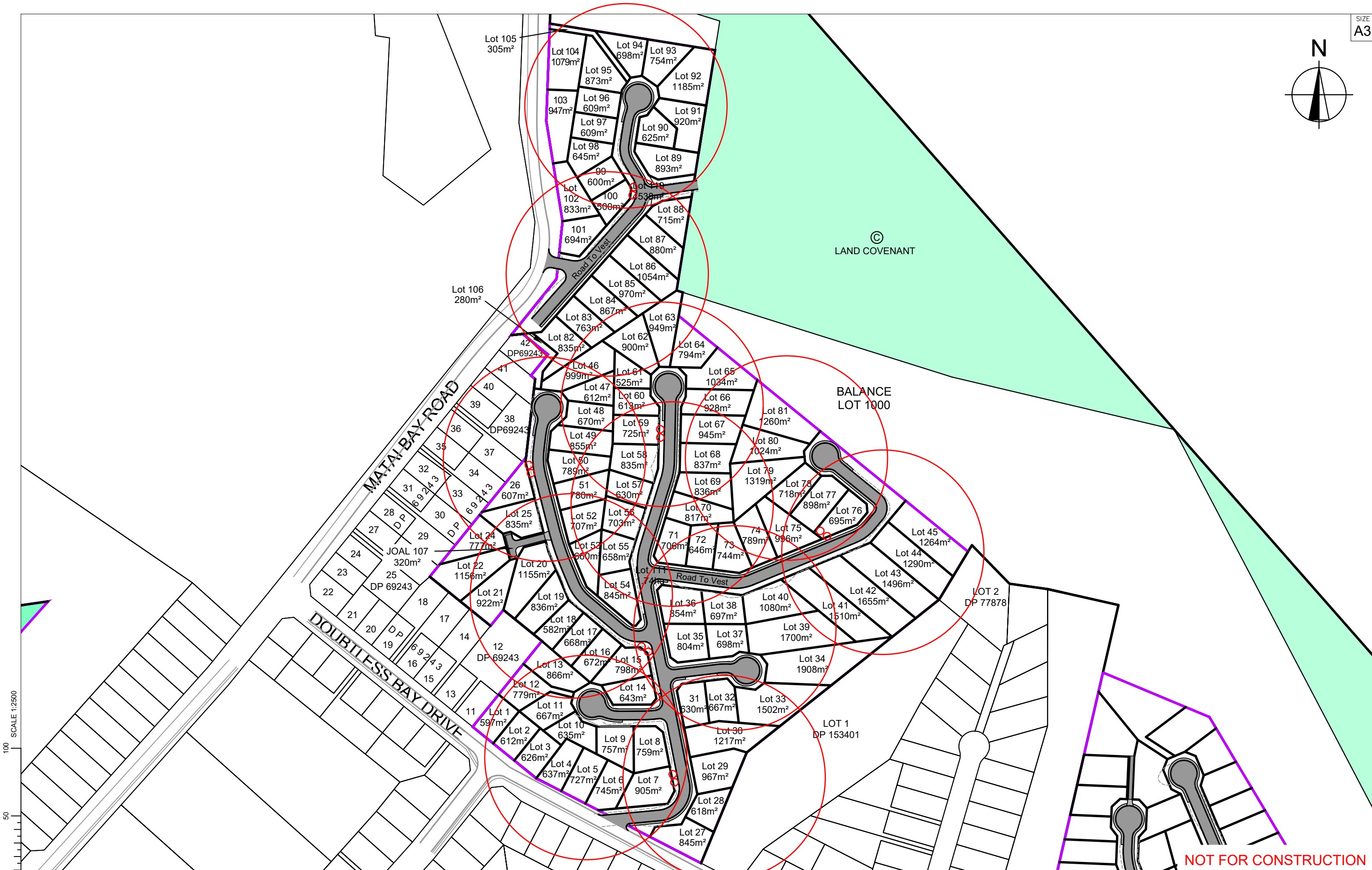
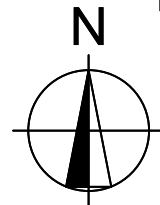
Carrington Fire Fighting supply option two

The second option is to install communal development firefighting water supplies. This option would involve installing 25-50 m³ of firefighting water storage within 90 m of every dwelling. The volume quantity will need to be approved by FENZ.

Please see the development mark ups for the proposed locations of the communal firefighting water supply tanks. The location of the tanks is subject to change as the development progresses. The mark up shows two zones. One zone is 90 m from a tank in all directions showing coverage. The second zone is 90 m from a tank accessible via the proposed roads.

Portions of sections will be required to have easements or become an individual "Firefighting water supply allotment". Alternatively, the areas needed for tank locations can be added to the road reserve.

FENZ should be approached to confirm what is proposed is acceptable prior to construction starting on development.



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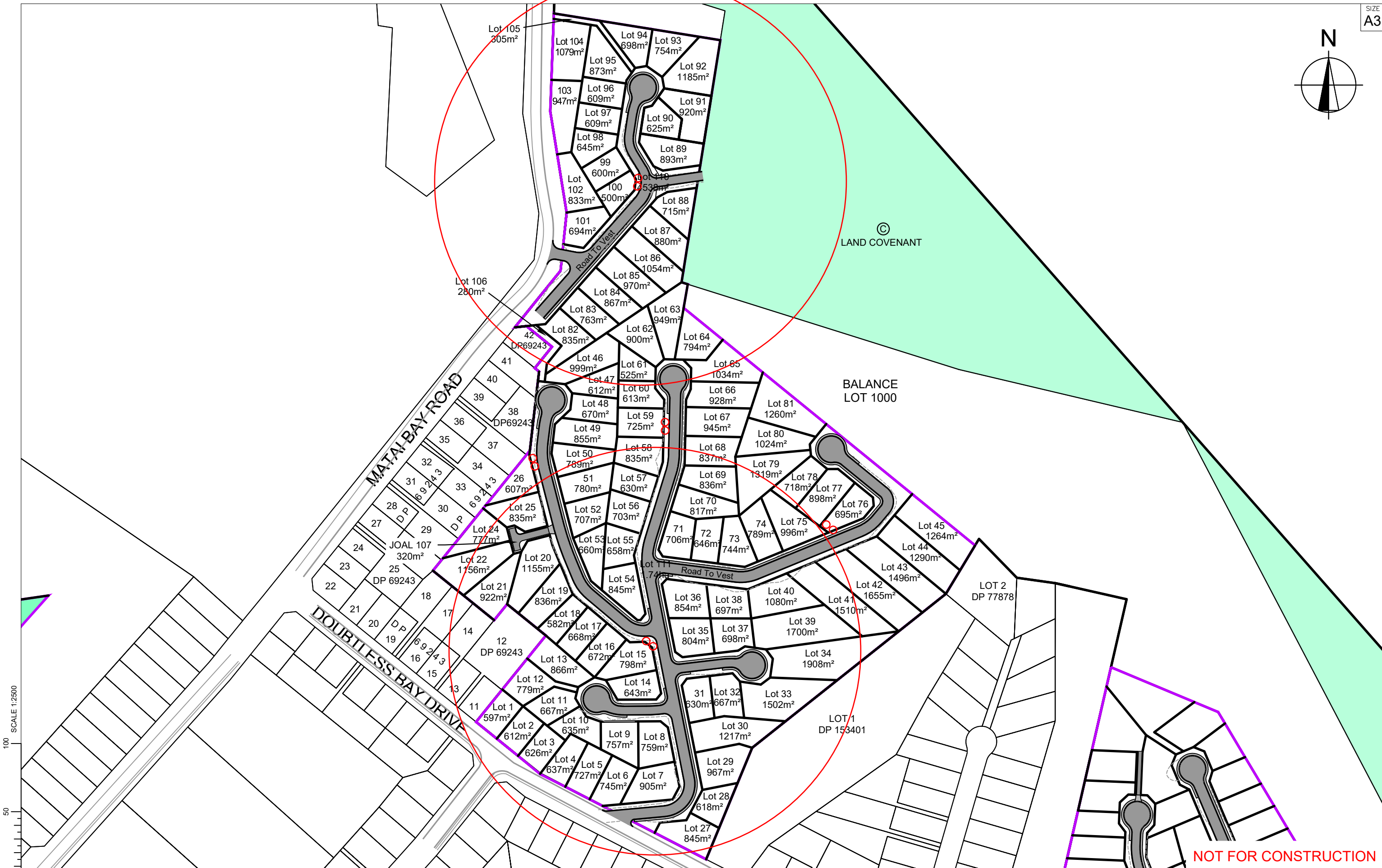
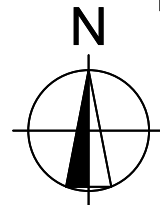
PROJECT DETAILS
CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGES 3 & 4

TITLE
**PROPOSED LAYOUT
STAGE 3**

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DWG NUMBER C202			REVISION A

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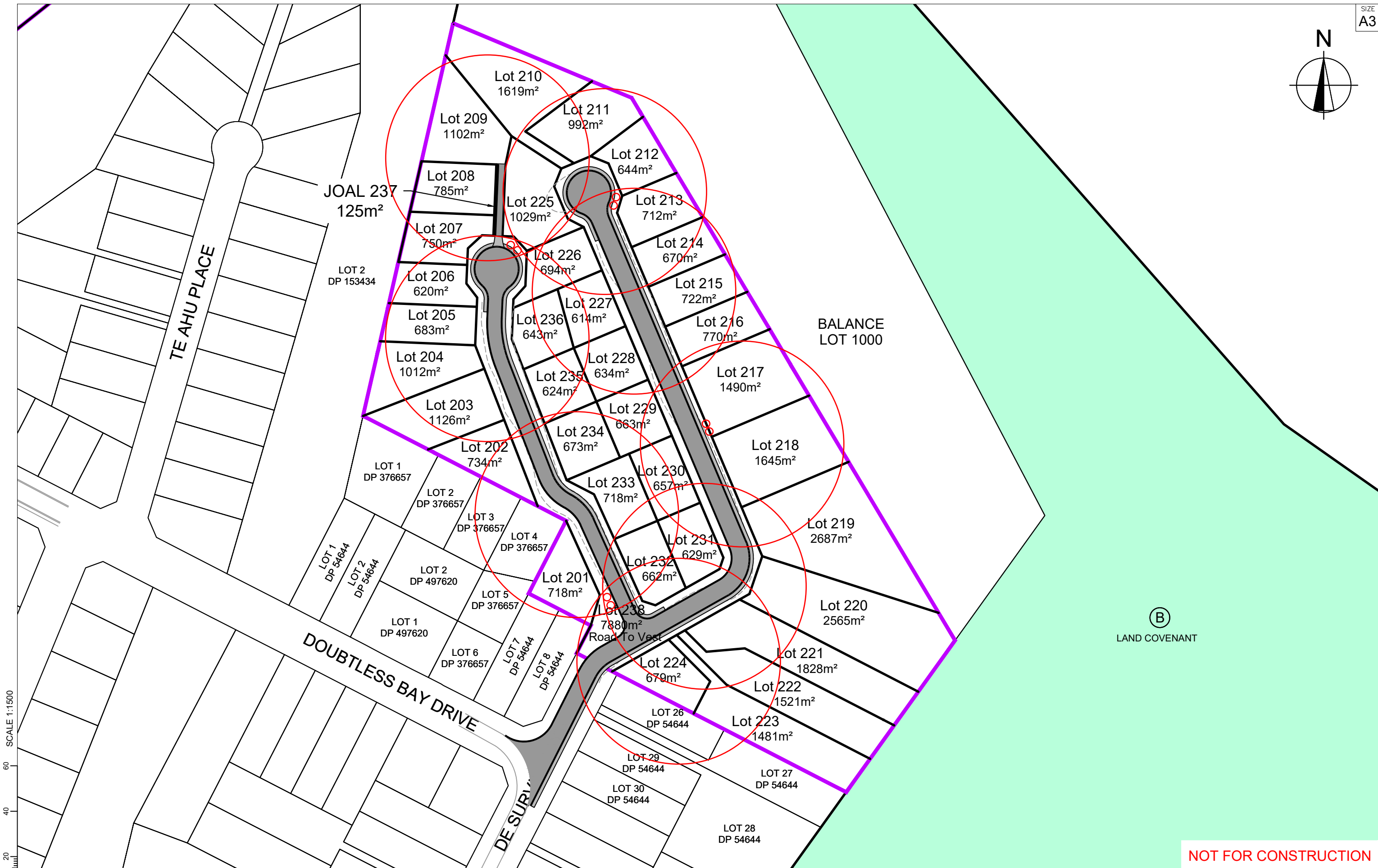
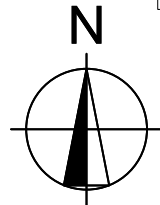
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PROJECT DETAILS
CARRINGTON RESORT JADE LP 17 WHATUWHIWHI ROAD KARIKARI PENINSULA STAGES 3 & 4

TITLE
PROPOSED LAYOUT STAGE 3

DATE CREATED ??/??/2022	DRAWN K HANSARD	DESIGNED R BROOKES	APPROVED P COOK
CCL REF NO 15813-001	SCALE 1:2500 @ A3		STATUS FOR CONSENT
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PROJECT DETAILS
CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGES 3 & 4

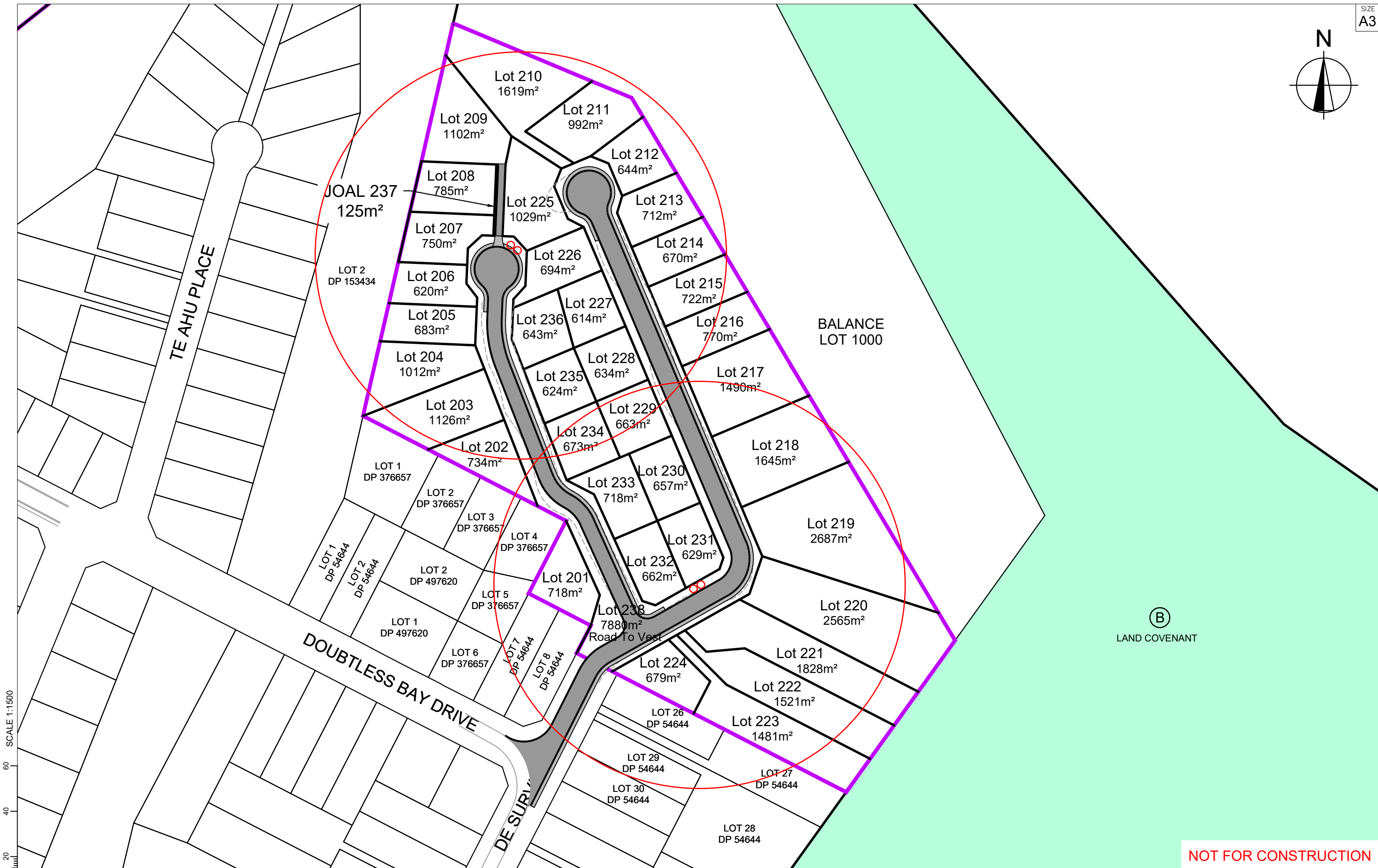
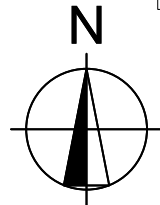
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STAGE 4

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CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGES 3 & 4

TITLE

PROPOSED LAYOUT
STAGE 4

DATE CREATED ??/??/2022	DRAWN K HANSARD	DESIGNED R BROOKES	APPROVED P COOK
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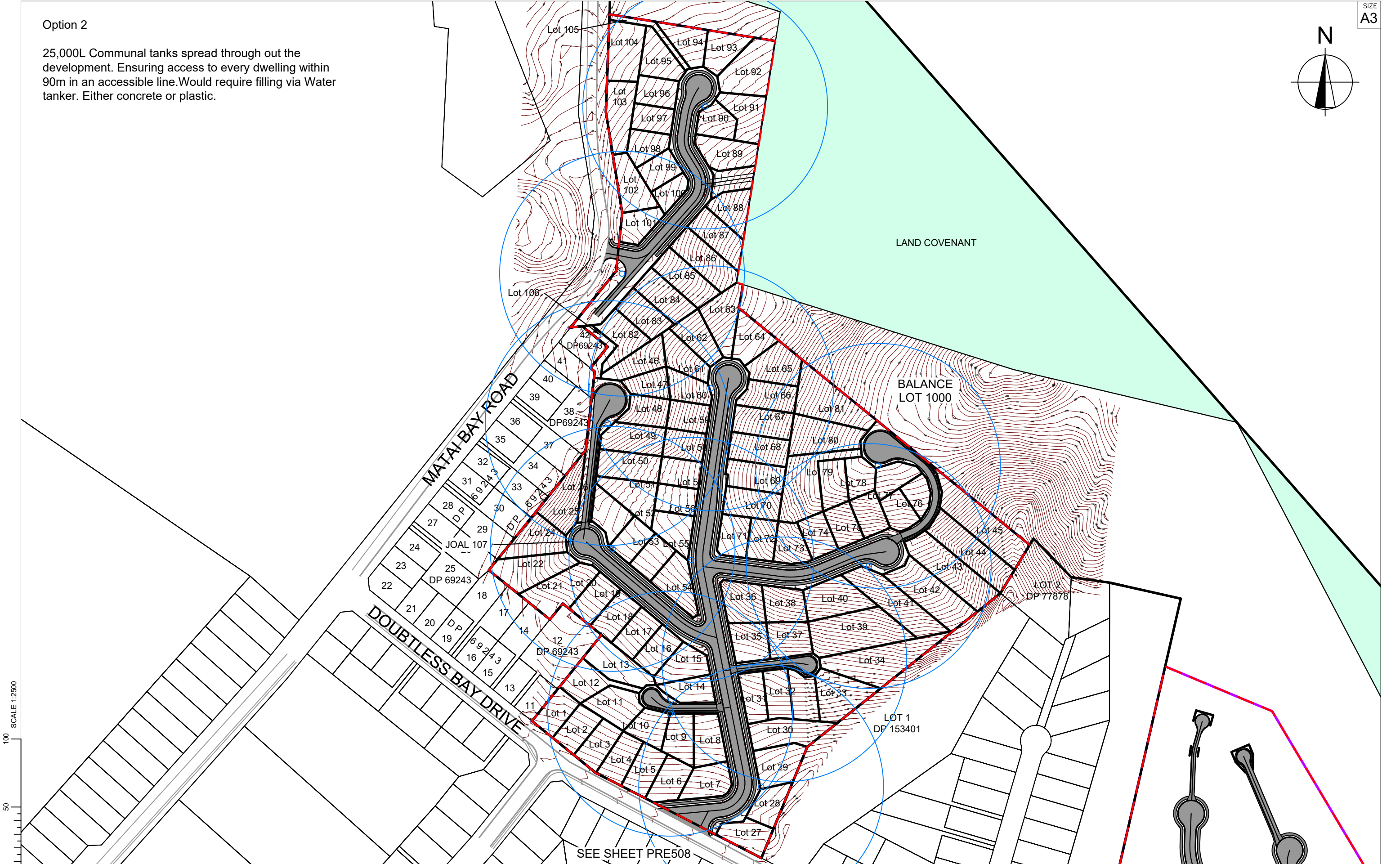
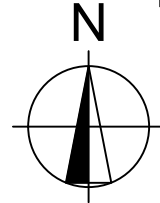
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Option 2

25,000L Communal tanks spread through out the development. Ensuring access to every dwelling within 90m in an accessible line. Would require filling via Water tanker. Either concrete or plastic.

SIZE
A3



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PROJECT DETAILS
CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGE 3

TITLE
STAGE 3
FIRE FIGHTING PLAN
OPTION 2

DATE CREATED		DRAWN L VAN GILS	DESIGNED	APPROVED
CCL REF NO 15813-001		SCALE 1:2500 @ A3		STATUS FOR DISCUSSION
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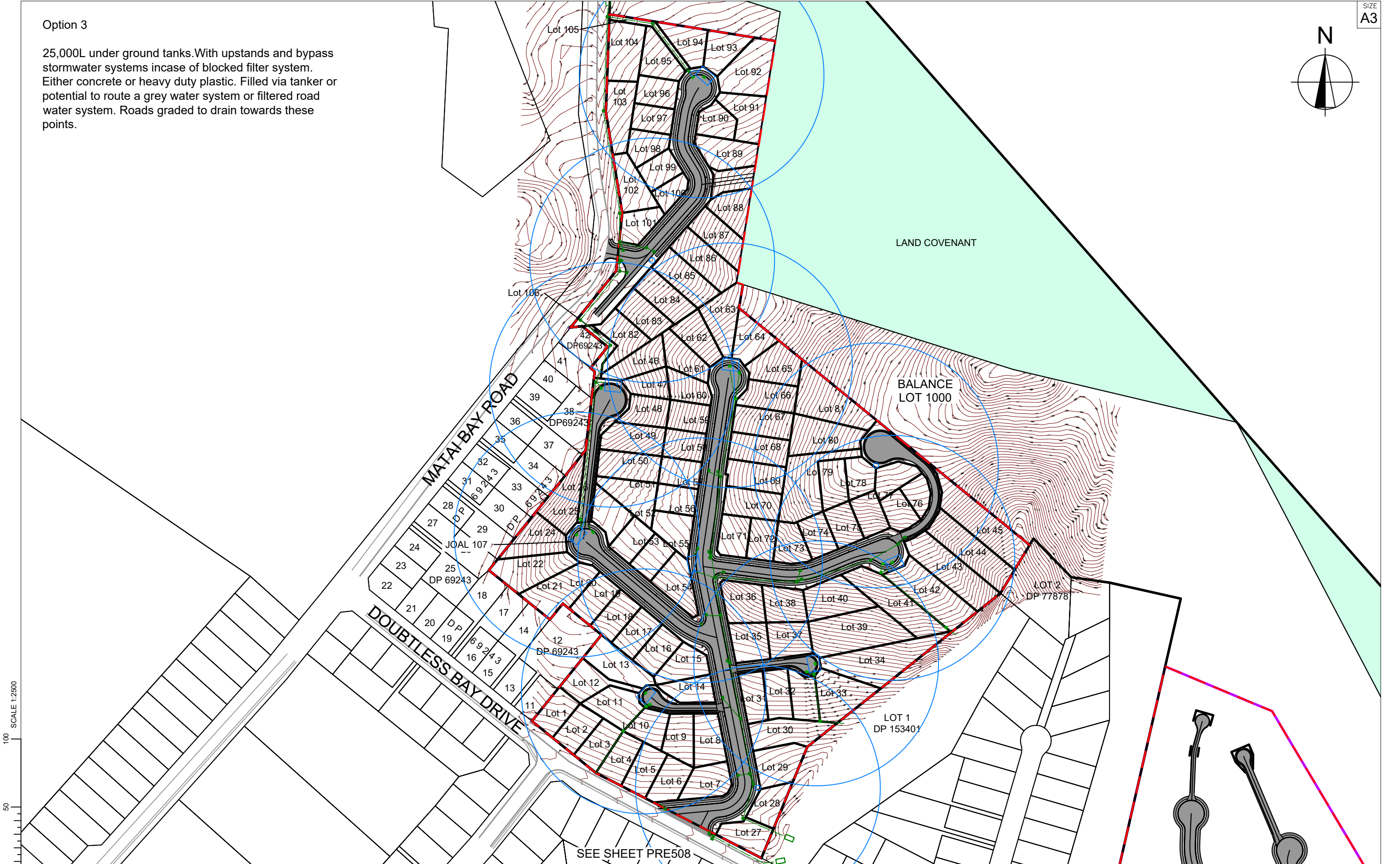
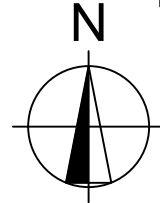
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Option 3

25,000L under ground tanks. With upstands and bypass stormwater systems incase of blocked filter system. Either concrete or heavy duty plastic. Filled via tanker or potential to route a grey water system or filtered road water system. Roads graded to drain towards these points.

SIZE
A3



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PROJECT DETAILS
CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGE 3

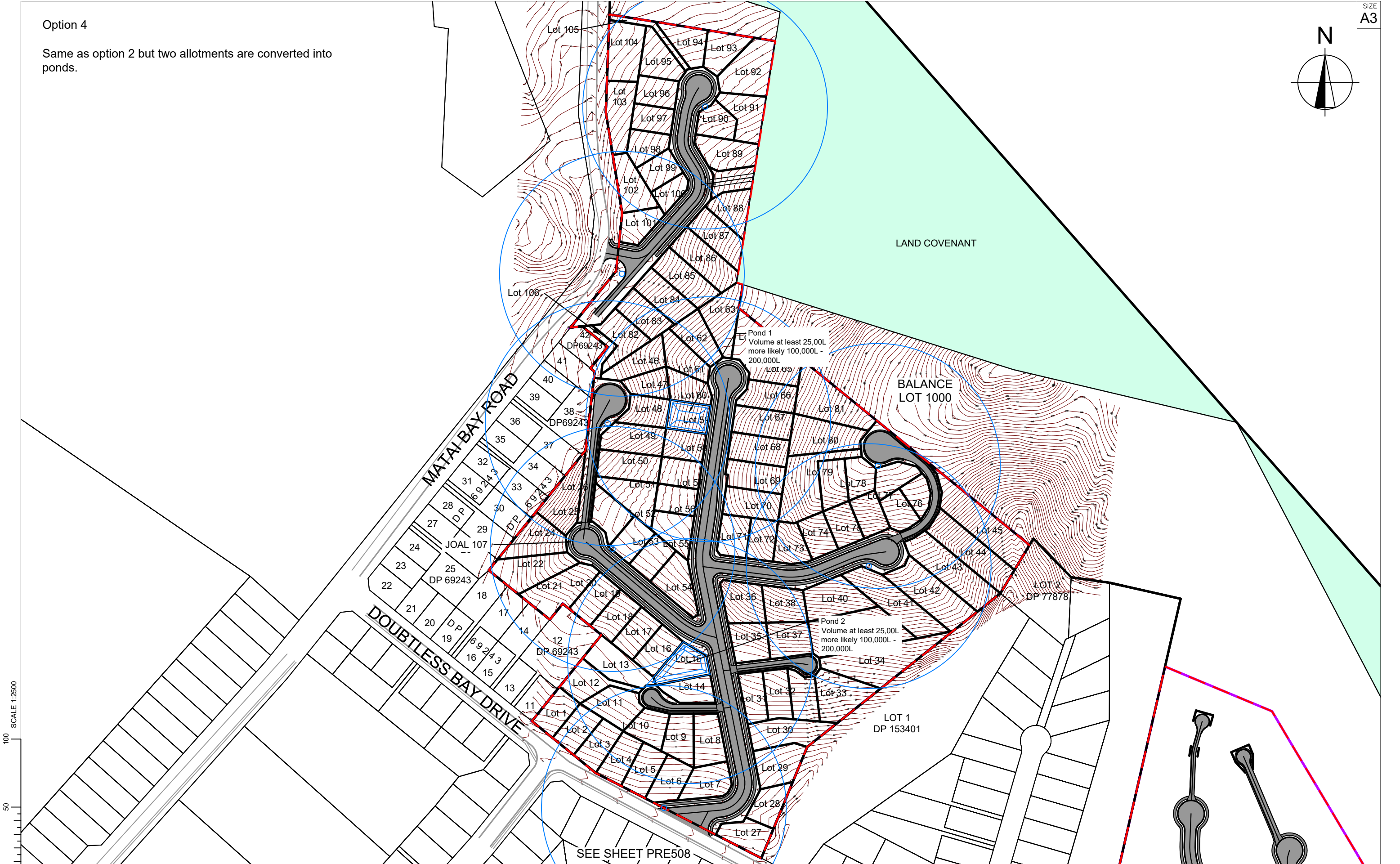
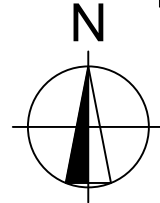
TITLE
STAGE 3
FIRE FIGHTING PLAN
OPTION 3

DATE CREATED		DRAWN L VAN GILS		DESIGNED		APPROVED	
CCL REF NO 15813-001		SCALE 1:2500 @ A3			STATUS FOR DISCUSSION		
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Option 4

Same as option 2 but two allotments are converted into ponds.

SIZE
A3



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PROJECT DETAILS

CARRINGTON RESORT JADE LP
17 WHATUWHIWHI ROAD
KARIKARI PENINSULA
STAGE 3

TITLE

STAGE 3
FIRE FIGHTING PLAN
OPTION 4

DATE CREATED		DRAWN L VAN GILS	DESIGNED	APPROVED
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DWG NUMBER PRE704		REVISION A		

Appendix G – Assessment of the Application against the New Zealand Coastal Policy Statement 2016 (NZCPS)

NZCPS Objective	Comment
<p>To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:</p> <ul style="list-style-type: none"> • maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature; • protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and • maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity. 	<p>The proposal is subject to approved vegetation clearance and earthworks under the Northland Regional Council consent CON2012828006 (Regional Consent).</p> <p>The Site is also zoned Residential under the Operative Far North District Plan.</p> <p>Both the Regional Consent and the operative Far North District Plan were developed prior to the NZCPS coming into effect.</p> <p>In the context of the above, the Application seeks residential development with earthworks and vegetation clearance previously approved. Safeguarding the integrity, form, functioning and resilience of the coastal environment therefore needs to be considered in this context where vegetation clearance and earthworks form part of the existing environment and residential development is promoted.</p>
<p>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</p> <ul style="list-style-type: none"> • recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution; • identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and • encouraging restoration of the coastal environment. 	<p>The Site is not mapped as having areas of high or outstanding natural character or any outstanding natural features or landscapes.</p>
<p>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</p> <ul style="list-style-type: none"> • recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources; • promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act; • incorporating mātauranga Māori into sustainable management practices; and 	<p>This objective is directed at regional and district councils, but we note the Application is not contrary to these considerations.</p>

NZCPS Objective	Comment
<ul style="list-style-type: none"> recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua. 	
<p>To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:</p> <ul style="list-style-type: none"> recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy; maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland. 	<p>The Application promotes roads to vest as public roads within areas that are subject to the coastal environment overlay.</p>
<p>To ensure that coastal hazard risks taking account of climate change, are managed by:</p> <ul style="list-style-type: none"> locating new development away from areas prone to such risks; considering responses, including managed retreat, for existing development in this situation; and protecting or restoring natural defences to coastal hazards. 	<p>A very marginal part of the application site is overlain by a Flood Hazard in the Proposed District Plan. In all respects, no feasible house / structure could be located near the corner of the site where this hazard is located.</p>
<p>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</p> <ul style="list-style-type: none"> the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits; some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities; functionally some uses and developments can only be located on the coast or in the coastal marine area; 	<p>The proposal is considered an appropriate use when considering the underlying zoning, limited overlays associated with special features or resources of concern as outlined in the policy.</p> <p>The proposal is augmented by previous approval from the NRC for vegetation clearance and earthworks. This approval further promotes the appropriateness of those activities within the coastal environment.</p>

NZCPS Objective	Comment
<ul style="list-style-type: none"> the coastal environment contains renewable energy resources of significant value; the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities; the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land; the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development. 	
To ensure that management of the coastal environment recognises and provides for New Zealand's international obligations regarding the coastal environment, including the coastal marine area.	Noted

Policies	Comment
Policy 1: Extent and Characteristics of the Coastal Environment	The RPS maps the coastal environment and the specific characteristics and qualities that make it important.
Policy 2: The Treaty of Waitangi, Tangata Whenua and Māori	These items have been considered by the assessment of both regional and district related rules, objectives and policies in relation to the specific proposal at hand.
Policy 3: Precautionary Approach	The effects of the proposed use are considered known. They have been approved in the past and include current authorisations.
Policy 4: Integration	The proposal considers the integrated management of the coastal area through the consideration of national – local level objectives, policies and methods.
Policy 5: Lands or Waters Managed or Held Under Other Acts	There are no known surrounding conservation lands in the adjoining environment.

Policies	Comment
Policy 6: Activities in the Coastal Environment	<p>The site is proposed to be serviced with urban reticulation from FNDC and the underlying zoning promotes the density sought by the application.</p> <p>The site is located in a consolidated area of the Whatuwhiwhi community. The localized area in terms of visual effects are not a requirement as a controlled activity under the FNDC Operative Plan.</p>
Policy 7: Strategic Planning	Not relevant
Policy 8: Aquaculture	Not relevant
Policy 9: Ports	Not relevant
Policy 10: Reclamation and De-Reclamation	Not Relevant
Policy 11: Indigenous Biological Diversity (Biodiversity)	Vegetation clearance has been previously approved and is being undertaken within the bounds of this approval.
Policy 12: Harmful Aquatic Organisms	Not relevant
Policy 13: Preservation of Natural Character	The site has not been mapped as containing high or outstanding natural character.
Policy 14: Restoration of Natural Character	Opportunities for restoration are limited by the underlying NRC consent approval.
Policy 15: Natural Features and Natural Landscapes	The site has not been mapped as containing outstanding natural features or outstanding natural landscapes.
Policy 16: Surf Breaks of National Significance	Not relevant.
Policy 17: Historic Heritage Identification and Protection	Not relevant as nil located on site.
Policy 18: Public Open Space	Not relevant / nil proposed.
Policy 19: Walking Access	Not relevant / nil proposed.
Policy 20: Vehicle Access	Not relevant / nil proposed
Policy 21: Enhancement of Water Quality	Managed under proposed connections to FNDC wastewater
Policy 22: Sedimentation	Not relevant
Policy 23: Discharge of Contaminants	Managed under proposed connections to FNDC wastewater
Policy 24: Identification of Coastal Hazards	Not relevant
Policy 25: Subdivision, Use, and Development in Areas of Coastal Hazard Risk	The site is not subjected to coastal hazard risk. Some marginal river flood hazard risk implicates a minor part of the application site with little concern. It is argued whether this even applies to the site.

Policies	Comment
Policy 26: Natural Defences Against Coastal Hazards	Not relevant
Policy 27: Strategies for Protecting Significant Existing Development from Coastal Hazard Risk	Not relevant
Policy 28: Monitoring and Reviewing the Effectiveness of the NZCSP	Not relevant
Policy 29: Restricted Coastal Activities	Not relevant