



Kerikeri Service Centre  
21 OCT 2022

Remember  
submissions  
close at 5pm,  
Friday 21  
October 2022

## Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

### 1. Submitter details:

Full Name:	Victoria Yorke + Andre Galvin		
Company / Organisation Name: (if applicable)			
Contact person (if different):			
Full Postal Address:	42 GOFFE DRIVE		
	HARURU		
Phone contact:	Mobile:	Home:	Work:
	0211952061	0211952060	
Email (please print):			

### 2. (Please select one of the two options below)

- I could not gain an advantage in trade competition through this submission  
 I could gain an advantage in trade competition through this submission

If you could gain an advantage in trade competition through this submission, please complete point 3 below

3.  I am directly affected by an effect of the subject matter of the submission that:  
 (A) Adversely affects the environment; and  
 (B) Does not relate to trade competition or the effect of trade competition
- I am not directly affected by an effect of the subject matter of the submission that:  
 (A) Adversely affects the environment; and  
 (B) Does not relate to trade competition or the effect of trade competition

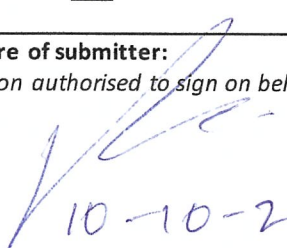
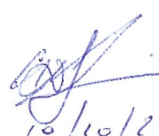
Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

The specific provisions of the Plan that my submission relates to are:

(please provide details including the reference number of the specific provision you are submitting on)

The provisions within the chapter on Rural Production.



Confirm your position: <input type="checkbox"/> Support <input type="checkbox"/> Support In-part <input checked="" type="checkbox"/> Oppose (please tick relevant box)
<b>My submission is:</b> (Include details and reasons for your position) See attached documentation.
<b>I seek the following decision from the Council:</b> (Give precise details. If seeking amendments, how would you like to see the provision amended?) HNC 409 boundary redrawn - see attached. Part rezone to residential - see attached. from Rural Production.
<input checked="" type="checkbox"/> I wish to be heard in support of my submission <input type="checkbox"/> I do not wish to be heard in support of my submission (Please tick relevant box)
If others make a similar submission, I will consider presenting a joint case with them at a hearing <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Do you wish to present your submission via Microsoft Teams? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Signature of submitter:</b> (or person authorised to sign on behalf of submitter)  Date: 10-10-22  10/10/2022 (A signature is not required if you are making your submission by electronic means)

**Important information:**

1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).



**Send your submission to:**

**Post to:** Proposed District Plan  
Strategic Planning and Policy, Far North District Council  
Far North District Council,  
Private Bag 752  
KAIKOHE 0400

**Email to:** [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

**Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.**

**Submissions close 5pm, 21 October 2022**

**Please refer to [pdp.fndc.govt.nz](http://pdp.fndc.govt.nz) for further information and updates.**

***Please note that original documents will not be returned. Please retain copies for your file.***

**Note to person making submission**

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

**SUBMISSION NUMBER**

Victoria and Andre Galvin  
42 Goffe Drive  
Haruru  
Northland  
0204

10/10/2022

Proposed District Plan  
Strategic Planning and Policy  
Far North District Council  
5 Memorial Ave  
Kaikohe  
Northland  
0405

**Re Address:**

- Property - Lot 1 Puketona Rd, Paihia 0271
- Rate Account - 2415909-7
- Valuation Number - 00223-01000
- Lot 1 DP53506

To Whom It May Concern,

Attached is our submission for Lot 1 DP53506. In the Proposed District Plan (PDP) this lot is proposed to be rezoned to rural production which we counter. This submission covers the following three areas.

- S530.002 1. Move the boundary lines of the High Natural Characters (HNC409) to accurately reflect the landscape and history of the whenua.
- S530.001 2. Move the boundary lines of the proposed Significant Natural Area (SNA) to accurately reflect the landscape and history of the whenua
- S530003 3. Rezone to residential the portion of the property that has had extensive human mediated activity over the past 50 years which also borders an existing residential zone.

**Background:**

We purchased this property in 2003 during the last district plan change. In the transitional plan the entire property was approved by the FNDC to be zoned residential. During the sale and before the district plan was finalised, Department of Conservation (DOC) put in a submission to have this plot of land zoned General Coastal. We were not notified of the change, no one counter claimed the DOC submission, and the plot was rezoned General Coastal.

Between 2003 - 2008 we engaged with Williams and King surveyors to see what could be achieved given the change in zoning to General Coastal. We had an archaeological survey and assessment done (attached), Engineering and Landscape

architect input into Williams and King preparing a sensitive subdivision scheme. We had regular contact with both FNDC and DOC about the changes who were both supportive of a sensitive scheme. Unfortunately, due to complications post our second child's birth in 2006, living in the UK, and with a worldwide recession happening, we decided to not pursue the project any further post 2008.

As per the attached submission from Creative Intentions, there is approximately 3ha of remnant forest, and 3.9ha of previously 'Human mediated' land where the property was once used as a quarry. The 3.9ha, is the area we would like the HNC409 restrictions removed, and that part of the lot be rezoned Residential.

As per the overview for General Residential in the PDP below, this plot of land borders an existing residential area. As the Haruru area is predominantly a Residential area, a part rezoning of this plot 'for more intensive residential use in areas where there is adequacy' would 'consolidate growth around Urban centres.' It would also allow purchasers the opportunity for coastal living, which is something that residents of the Far North have asked for in the "Have Your Say" portion of the new district plan.

#### **Overview**

The Far North District contains a mix of diverse communities and urban centres, a number of which are located within the coastal environment and/or have identified cultural and historic heritage values. The General Residential zone represents those areas where there is an expectation of higher density residential development, where compared to the rural environments, and that generally provide adequacy and capacity of available or programmed development infrastructure.

To support urban sustainability and affordable infrastructure the General Residential zone will seek to consolidate growth where it can around urban centres. The aim is to provide for a variety of housing typologies and sizes that contribute to the vibrancy and viability of those centres, as well as ensuring efficient use of the investment Council makes in infrastructure and services.

In providing for growth over the medium term, and looking out to the longer term, the District Plan will provide for a combination of increased density within the existing General Residential zone as well as re-zoning for more intensive residential use in areas where there is adequacy and capacity of available development infrastructure or where it is programmed in the Long Term Plan or 30 Year Infrastructure Strategy.

Council has a responsibility under the RMA, and takes direction from the RPS, to ensure that there is sufficient land available for housing to meet the future demands of the District, that development is in the right location and there is adequacy and capacity of available or programmed development infrastructure."

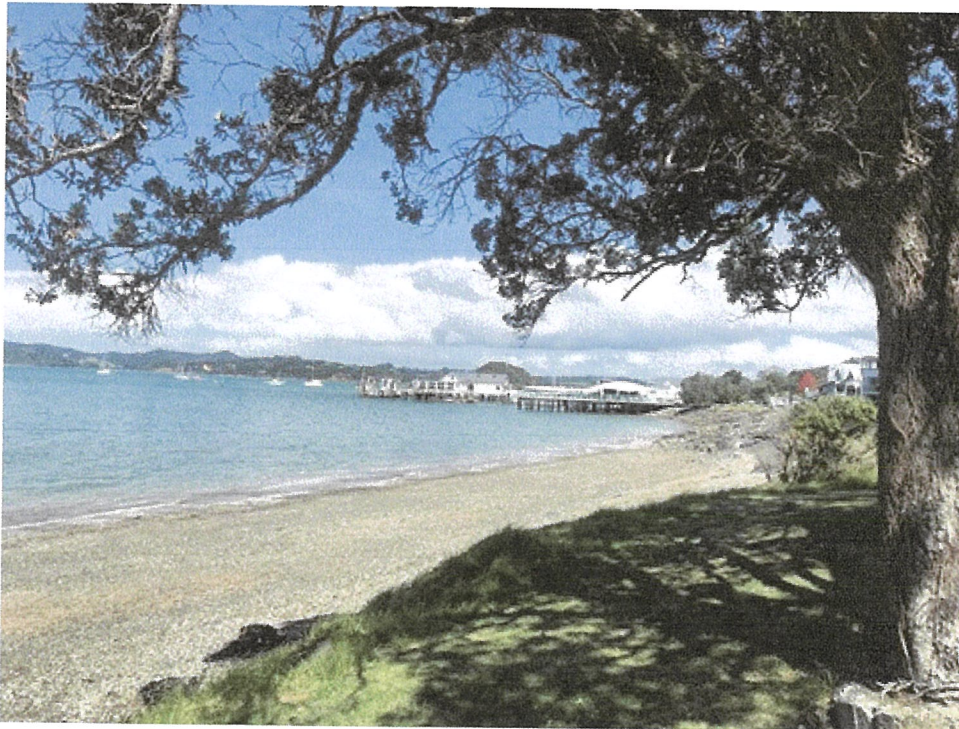
In terms of infrastructure, we hope that the award winning upgrade of the Paihia Wastewater Treatment Plant, should be adequate to cope with a small rezone and subdivision, but if not, the properties could be designed to be completely off grid.

With regards to traffic, we have engaged with Waka Kotahi to understand the infrastructure needed in allowing traffic on and off SH11. Dependent on the final plan, all needs will be met for road and pedestrian safety.

Also included in the submission from Creative Intentions, is an indicative plan for potential house sites, and for the greater community, a public boardwalk that leads to an Eco centre/village. This Eco centre could potentially become an education centre, with the focus on Māori science. Boardwalks throughout the indigenous forest would be informative and educational and would provide a coastal walkway that leaves SH11 at Kaipatiki bridge. If DOC and the FNDC would agree, this walkway could potentially link through the Natural Open Spaces of Lot 5 DP 116897, and Lot 8, Causeway road, as an alternative option to walking along SH11. This would only enhance the Waitangi – Haruru Falls – Paihia loop, and make the walk safer and much more enjoyable. This could become a community project with a submission for funding from council, as per the article below.

## \$4 million fund inspires creative community ideas

Published on 05 October 2022



A heated swimming pool, beach erosion protection, and an alternative fuel plant are some of the projects Paihia residents say \$4.1 million in unallocated funding could be spent on to improve the beachfront community.

A wish-list of more than 20 projects was created during a public meeting held last month to discuss how the council could spend funding previously earmarked for a \$13.84 million breakwater and beach restoration project. The council cancelled the project in June after rapidly escalating construction costs had made it unaffordable.

That decision meant that \$8 million in COVID-19 Response and Recovery funding was withdrawn by the government, leaving a \$5.8 million capital contribution in the council's Long Term Plan to be reassigned. Of that, \$1.7 million has been committed to a project to beautify Paihia waterfront in collaboration with the community. The remaining \$4.1 million in council funding is still to be reallocated.

At the time that the council cancelled the waterfront project, Mayor John Carter asked that a public meeting be held with Paihia residents, mana whenua, and businesses and community leaders to canvass options on how the remaining funds could be spent. That meeting was held on 8 September and was attended by around 150 people.

Some project suggestions borrowed from work previously investigated, such as stormwater mitigation, beach erosion protection, creation of intertidal steps, and the installation of a series of history boards ahead of the 200-year Paihia anniversary. Other suggestions looked beyond Paihia and asked that public transport and roading be improved, that footpaths be built from Te Haumi to Paihia, and that walking and cycling tracks link Haruru to Waimate North.

Recreational options were also popular with suggestions that Bledisloe Domain be upgraded, an indoor sports hub and community centre be built, and that a heated swimming pool be constructed. Buying back land at Puketiti in Ōpua, and building an alternative fuel plant to develop alcohol as an alternative fuel source were also suggested.

The council will consider all the suggestions when it develops the Annual Plan 2023-24.

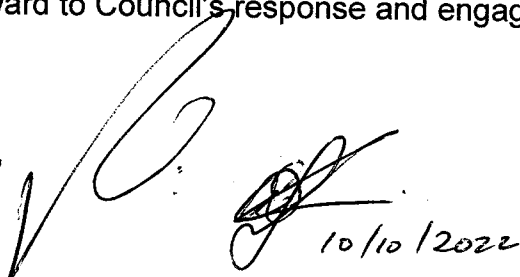
Our ultimate goal and desire is to design a space that protects and enhances this bio-diverse asset. By allowing a part rezone of the property, we have the potential to create a carefully designed and sensitive Urban expansion, and a much wider community asset.

***'Ehara Taku toa I te toa takitahi, engari he toa takitini'***

*'My success is not mine alone, but the greatest success we will have is from working together'*

We look forward to Council's response and engaging further on this matter.

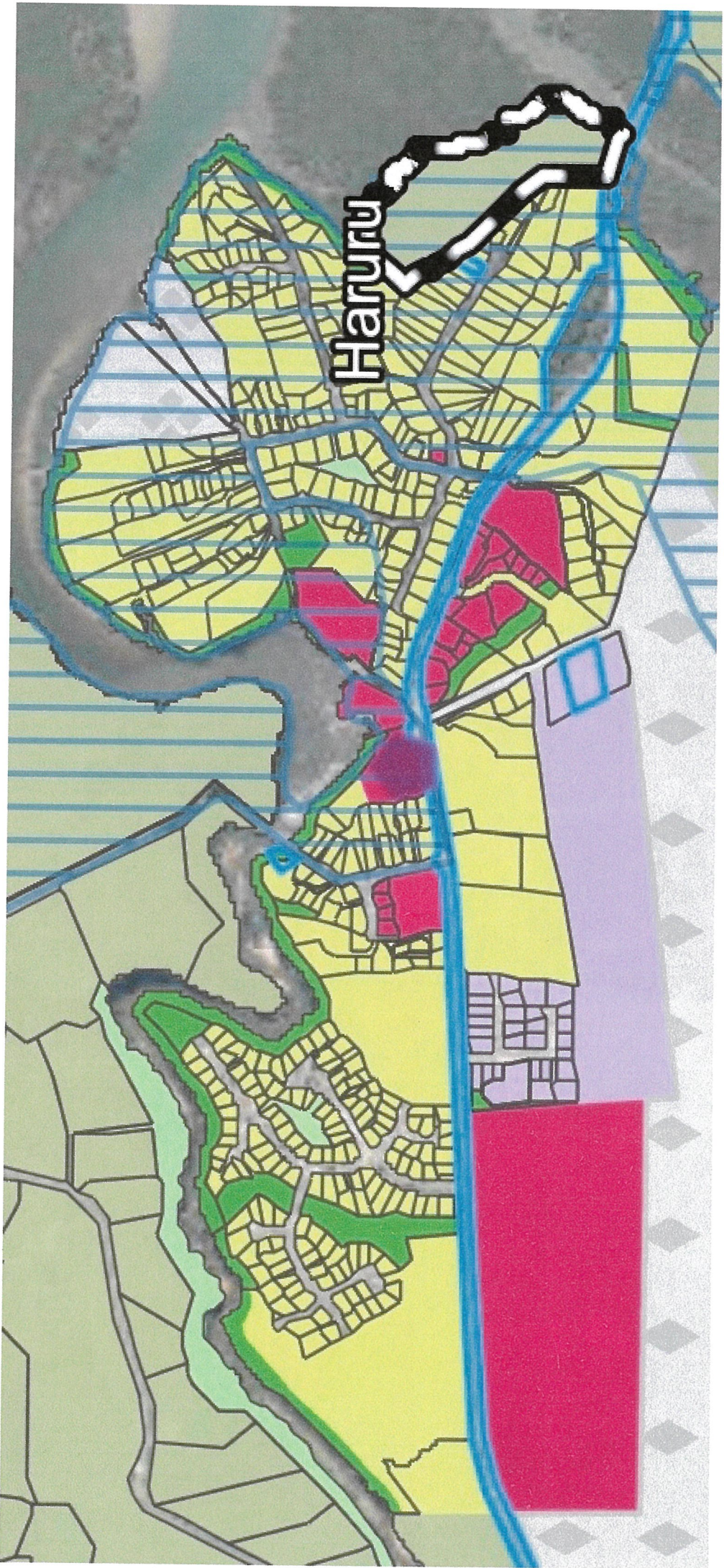
Nga mihi nui,



10/10/2022

Victoria Yorke and Andre Galvin

0211952061 / 0211952060





Proposed District Plan  
Strategic Planning and Policy, Far North District Council  
Far North District Council,  
Private Bag 752  
KAIKOHE 0400

09/09/2022

## Submission for Lot 1 DP53506

We wish to submit against the 'broad brush' application of the Rural Production Zone and High Natural Character overlay of Lot 1 DP53506 in Haruru.

Whilst we understand the desktop study approach required to deliver these designations this lot will suddenly become unproductive and unviable.

Currently the land is designated Coastal Environment, General Coastal, under the Proposed plan this will now become Rural Zone, Coastal Environment & High Natural Character and it is our summation that there are a number of inconsistencies with these designations that only come to light with a more detailed analysis of the Landscape.

### 1.0 High Natural Character Overlay (HNC409)

- 1.1 The High Natural Character Area is not only highly restrictive but also requires the Landscape to be "Natural".
- 1.2 "Contributing Values – Largely indigenous vegetation with *relatively* few pest plants. *Minimal human-mediated hydrological or landform changes*".
- 1.3 The two issues here are;
  - I. "Relatively" hard to quantify as you need to also be given a benchmark as to assess your quantity to be relative to.
  - II. Minimal human-mediated hydrological or landform changes.
- 1.4 Issue i just requires a quantifiable statement that allows the onlooker to identify the policy on site.
- 1.5 The attached plans using aerial Photography since 1951 clearly identify over half of the lot has consistently been cleared, worked and "Human-Mediated" since 1951 rendering it inconsistent with the zoning.
- 1.6 This anomaly would only be identified by either going through historic aerial photos (which the council has no reason to do) or visit site for a walk through- which reveals the machining of the Landform.
- 1.7 The quantity of Landform that has been "Human-Mitigated" outweighs the land that appears not to have been touched.
- 1.8 However, we are certain that now this anomaly has been brought to your attention the relevant adjustments will be made.
- 1.9 Feel free to contact Creative Intentions who will be happy to issue you with an adjusted boundary that shows the "Natural Zone" excluding the "Human Mitigated" area.

### 2.0 Rural Production Zone.

- 2.1 "The purpose of this zone is to provide for primary production activities including.
  - I. non-commercial quarrying,
  - II. farming,
  - III. intensive indoor primary production,
  - IV. plantation forestry activities, and;
  - V. horticulture"

- 2.2 Whilst this is likely consistent with the current General Coastal zoning and would invariably provide some economic return from the land, it seems to be inconsistent with the coastal zoning in this place due to its topography.
- 2.3 The coastal Environment zone appears to heavily restrict any productive Rural activity on this land. (Clause CE-P6)
- 2.4 Whilst we welcome the option and potential that a Rural Production zoning gives the land we struggle to contemplate what Rural Production activity would give a significant enough return on the land given its topography and coverage.
- 2.5 We would seek some guidance from council as to how this land holding was analysed to come up with this conclusion prior to acquiescing to this designation.

### **3.0 Coastal Environment**

- 3.1 The Far North District has a vast and complex coastal environment with dynamic natural processes, unique natural and physical attributes and high cultural values. The District Plan has mapped the coastal environment and identifies areas within it that contain high or outstanding natural character....
- 3.2 This Overlay is the most consistent with the current General Coastal Zoning and does offer the most opportunity for Landowner and Council to sustainably protect, manage and develop this Lot, which is the Landowners ultimate desire.

### **4.0 Conclusion**

- 4.1 The current proposed changes to the District Plan would severely restrict the opportunities for the Landowner to economically manage and maintain this Lot.
- 4.2 Understanding the topography, current Land Use and history of this land is intrinsic in any future zoning and designation.
- 4.3 Whilst we understand the methodology of the designations and even agree with many of the objectives we feel that it may be a little heavy handed and may even be counterproductive to the protection of the part of the Lot that seems not to have been touched since 1951.
- 4.4 It is the Landowners intent to protect the intrinsic value of this land, its flora and fauna and the natural character. However, in order to do so the remaining land, that is not "Natural" must be either released of restriction or at least restrictions should be reduced to allow the land to be economically viable.
- 4.5 The topography of the land means that whilst farming it would be permitted, this would not be a desirable outcome for either the landowner or FNDC.
- 4.6 We believe there is a better method of protecting this small parcel of Land that would work for FNDC, Community and Landowner, and we are willing to discuss options should these restrictions not be imposed on the Landowner.
- 4.7 Creative Intentions drawing 22027-01-015 (attached) shows a new HNC409 boundary line that would possibly qualify for an HNC designation under FNDC's criteria after analysing aerial photography since 1951.





Proposed District Plan - High Natural Character			
Zone	Locality	Summary Description	Contributing Values
High Natural Character	Waikangā catchment	Hillsides & valley with indigenous vegetation. Hill slopes have kanuka dominant forest cover with some mixed broadleaved species. The valley has more mixed broadleaved forest with some kanuka. Some weed species on the margins	Largely indigenous vegetation with relatively few pest plants. <b>Minimal human-mediated hydrological or landform changes.</b>

**Proposed District Plan - Rural Production Zone**

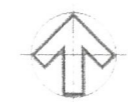
Rural Production Zone  
 ...The Rural Production zone is a dynamic environment, influenced by changing farming and forestry practices and by a wide range of productive activities. The purpose of this zone is to provide for primary production activities including non-commercial quarrying, farming, intensive indoor or primary production, plantation forestry activities, and horticulture. The Rural Production Zone also provides for other activities that support primary production and have a functional need to be located in a rural environment, such as processing of timber, horticulture, apiculture and dairy products. There is also a need to accommodate recreational and tourism activities that may occur in the rural environment, subject to them being complementary to the function, character and amenity values of the surrounding environment. This zone includes land subject to the Coastal Environment Overlay, which has provisions to protect the natural character of the coastal environment...

It is important to differentiate the Rural Production zone from the Rural Lifestyle zone and the Rural Residential zone. The Rural Lifestyle and Rural Residential zones seek to concentrate rural lifestyle or rural residential living in appropriate places in the District, to help avoid further fragmentation of productive land and reverse sensitivity effects on the District's primary sector.

Objectives	Policy
RPROZ-O1	RPROZ-P1
RPROZ-O2	RPROZ-P2
RPROZ-O3	RPROZ-P3
RPROZ-O4	RPROZ-P4
RPROZ-O5	RPROZ-P5
RPROZ-O6	RPROZ-P6
RPROZ-O7	RPROZ-P7

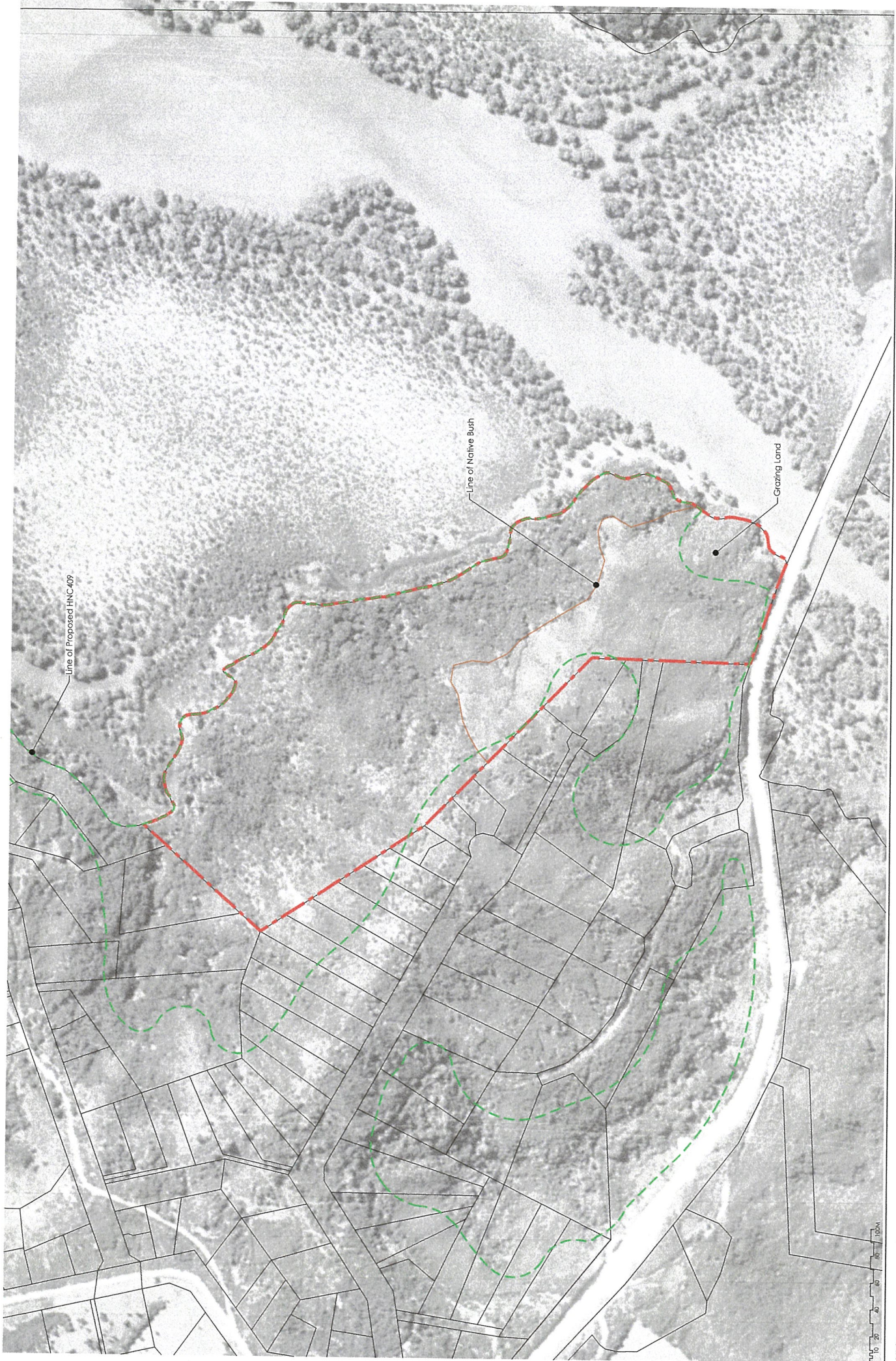
Proposed District Plan - Coastal Environment	
Coastal Environment	The Far North District has a vast and complex coastal environment with dynamic natural processes, unique natural and physical attributes and high cultural values. The District Plan has mapped the coastal environment and identifies areas within it that contain high or outstanding natural character...
Objectives	<p>CE-O1 The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.</p> <p>CE-O2 Land use and subdivision in the coastal environment:            a. preserves the characteristics and qualities of the natural character of the coastal environment;            b. is consistent with the surrounding land use;            c. does not result in urban sprawl occurring outside of urban zones;            d. promotes restoration and enhancement of the natural character of the coastal environment; and            e. recognises tangata whenua needs for ancestral use of whenua Māori.</p> <p>CE-O3 Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.</p>
Policies	<p>CE-P1 Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1 - Mapping methods and criteria.</p> <p>CE-P2 &amp; P3 Discuss effects on Outstanding Natural Character, ONL &amp; ONF</p> <p>CE-P4 Preserve the visual qualities, character and integrity of the coastal environment by:            a. consolidating land use and subdivision around existing urban centres and rural settlements; and            b. avoiding sprawl or sporadic patterns of development.</p> <p>CE-P5 Enable land use and subdivision in urban zones within the coastal environment where:            a. there is adequacy and capacity of available or programmed development infrastructure; and            b. the use is consistent with, and does not compromise the characteristics and qualities.</p> <p>CE-P6 Enable farming activities within the coastal environment where:            a. the use forms part of the values that established natural character of the coastal environment; or            b. the use is consistent with, and does not compromise the characteristics and qualities.</p> <p>CE-P7 Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where:            a. the use is consistent with the ancestral use of that land; and            b. the use does not compromise any identified characteristics and qualities.</p> <p>CE-P8 Encourage the restoration and enhancement of the natural character of the coastal environment.</p> <p>CE-P9 Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.</p> <p>CE-P10 Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:            a. the presence or absence of buildings, structures or infrastructure;            b. the temporary or permanent nature of any adverse effects;            c. the location, scale and design of any proposed development;            d. any means of integrating the building, structure or activity;            e. the ability of the environment to absorb change;            f. the need for and location of earthworks or vegetation clearance;            g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;            h. any viable alternative locations for the activity or development;            i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;            j. the likelihood of the activity exacerbating natural hazards;            k. the opportunity to enhance public access and recreation;            l. the ability to improve the overall quality of coastal waters; and            m. any positive contribution the development has on the characteristics and qualities.</p>

PLEASE NOTE  
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Project Name	Project Date
Proposed District Plan Designations	Sept 2022
Project Client	Scale 1:1250
Lot 1 DP53506 Submission	Author
Andre & Victoria Galvin	Purpose of Issue
22027-01-001	Approval





Line of Proposed HNC 400

Line of Native Bush

Grazing Land

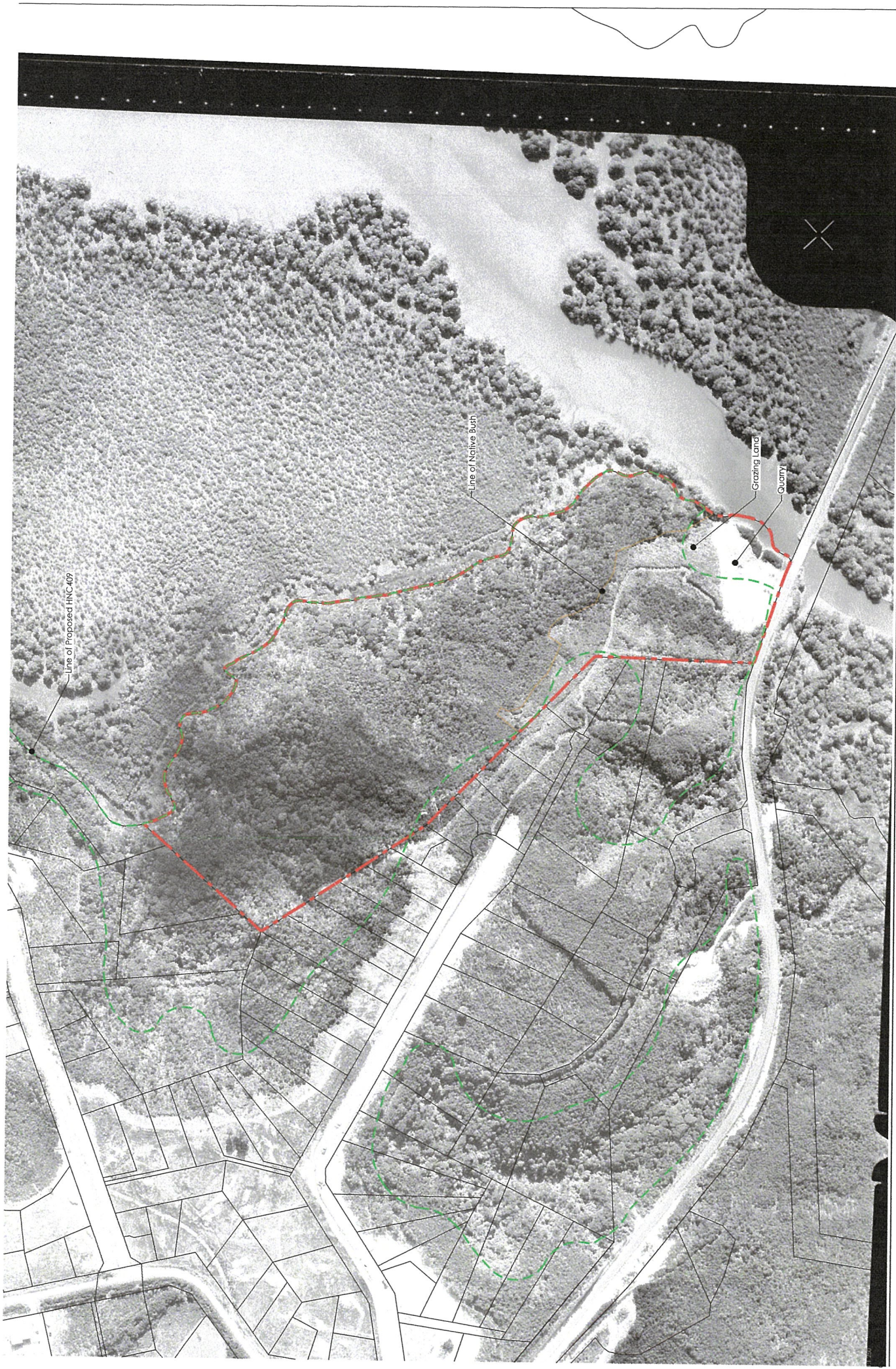


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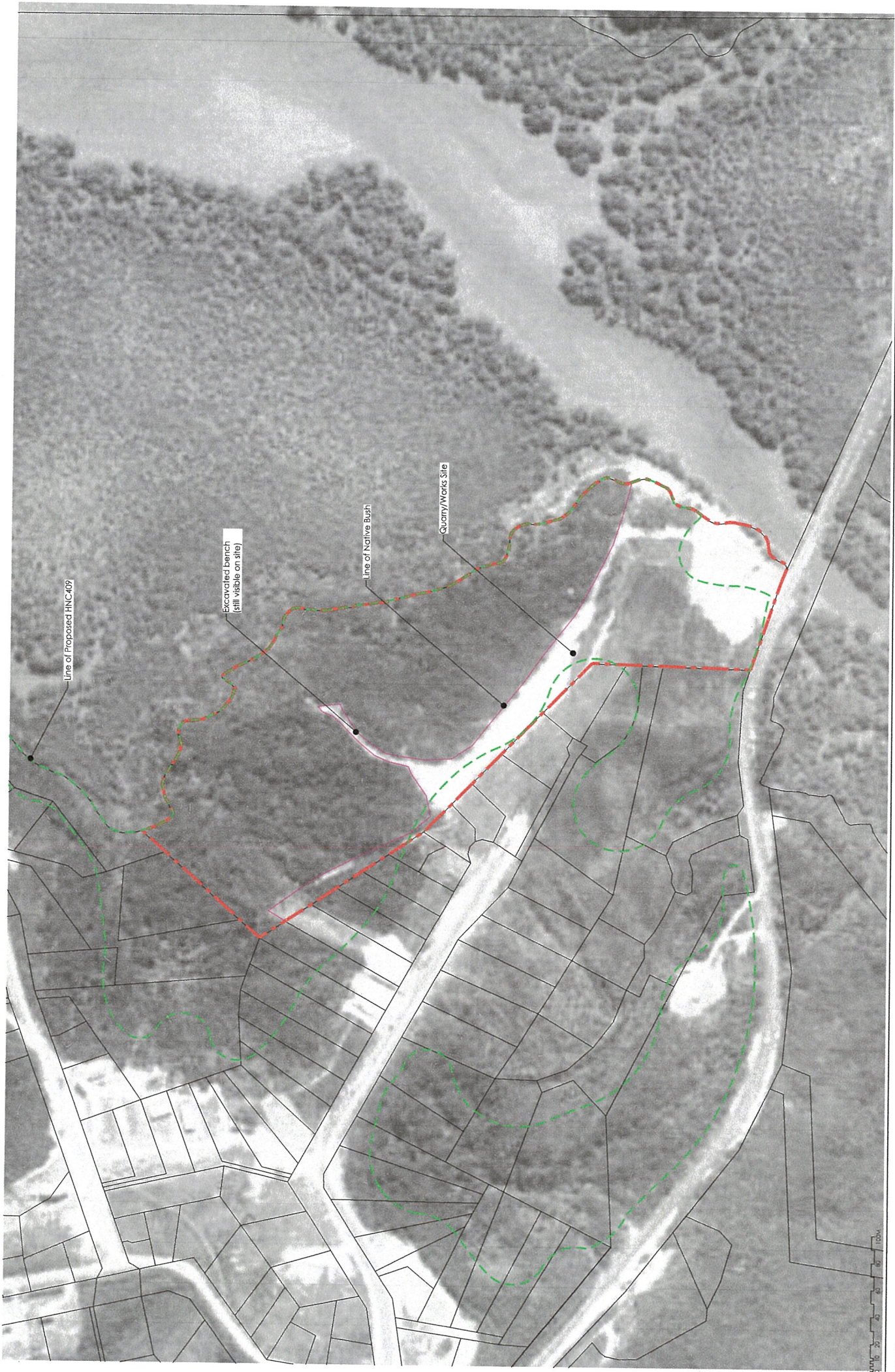
Project Name	Existing Lot DP435306 over 1951 Aerial
Client	Lot DP435306 Subdivider ANDRE & VICTORIA COLE
Project No.	220027-01-002
Revision	
Approval	





Project Name	Sept 2022
Scale	1:1250
Author	Approval
Shows: Existing Lot DP#53506 over 1966 Aerial Lot 1, DP#53506 Submission Andre & Victoria Galvin 22027-01-003	





Line of Proposed HNC-409

Excavated bench  
(still visible on site)

Line of Native Bush

Quarry/Marks Site

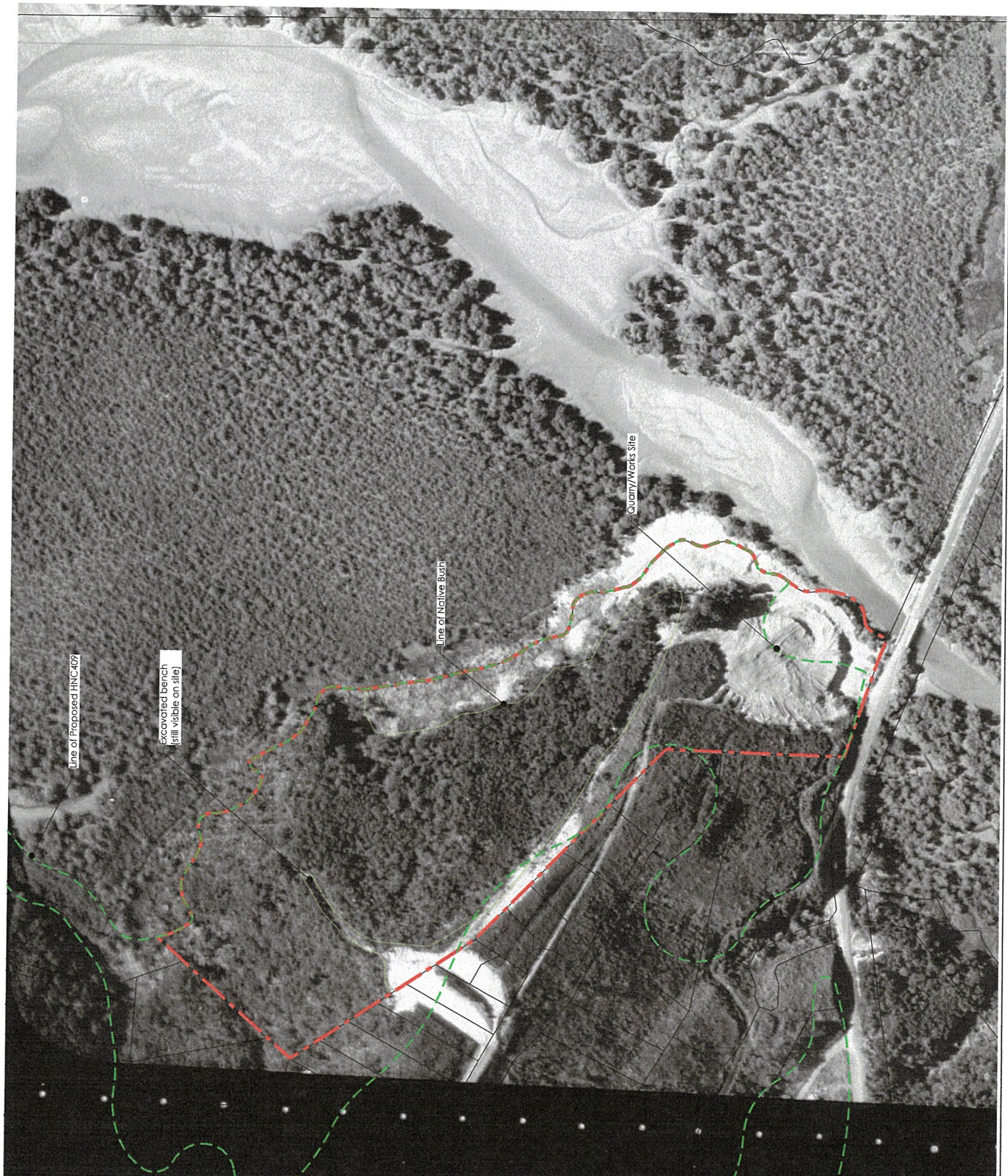


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Erecting Lot 1 DP55504 over 1988 Aerial	
Project Date:	Sept 2022
Project No.:	11250
Project Name:	Lot 1 DP55504 Submission
Project Location:	Lot 1 DP55504
Project Status:	Approval
Project Reference:	22027-01-004





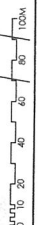
Line of Proposed HNC-409

Excavated bench  
(still visible on site)

Line of Native Bush

Quarry/Works Site

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Project Name	Excavated Bench
Project No.	22027-01-005
Project Date	30th 2022
Project Location	Quarry/Works Site, Andre & Victoria Coast
Project Status	Approval







Line of Proposed HNC-409

Excavated bench  
(fill visible on site)

Line of Native Bush

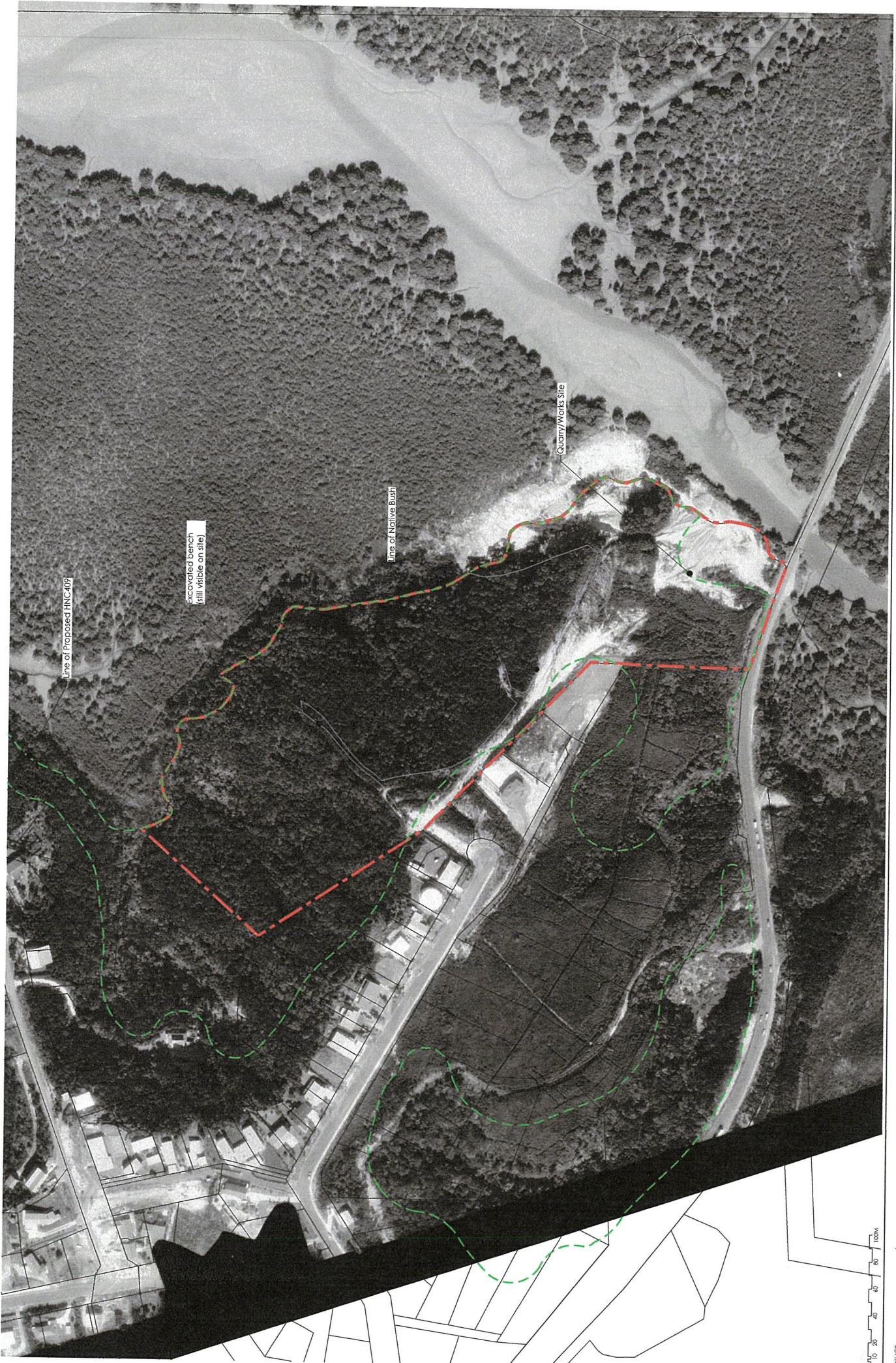
Quarry/Works Site

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Project Name	22027-01-006
Project No.	22027-01-006
Project Title	Excavation and Site Preparation
Client Name	Andre & Victor Court
Project Manager	Approval
Project Date	30th 2022





Line of Proposed HNC407

Sawtoothed bench  
(still visible on site)

Line of Native Bush

Quarry/Water Site



NOTES:  
 1. ALL CONSTRUCTION PROPOSED, SEE ONLY AERIAL PHOTO. THIS DRAWING IS NOT A FIELD PLAN.  
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Project Name	22027-01-007
Issue Date	11/2020
Issue Number	11/2020
Issue Title	Approval
Project Location	22027-01-007
Project Description	22027-01-007
Project Status	22027-01-007
Project Manager	22027-01-007
Project Engineer	22027-01-007
Project Designer	22027-01-007
Project Checker	22027-01-007
Project Approver	22027-01-007





Line of Proposed HNC-409

Line of Native Bush

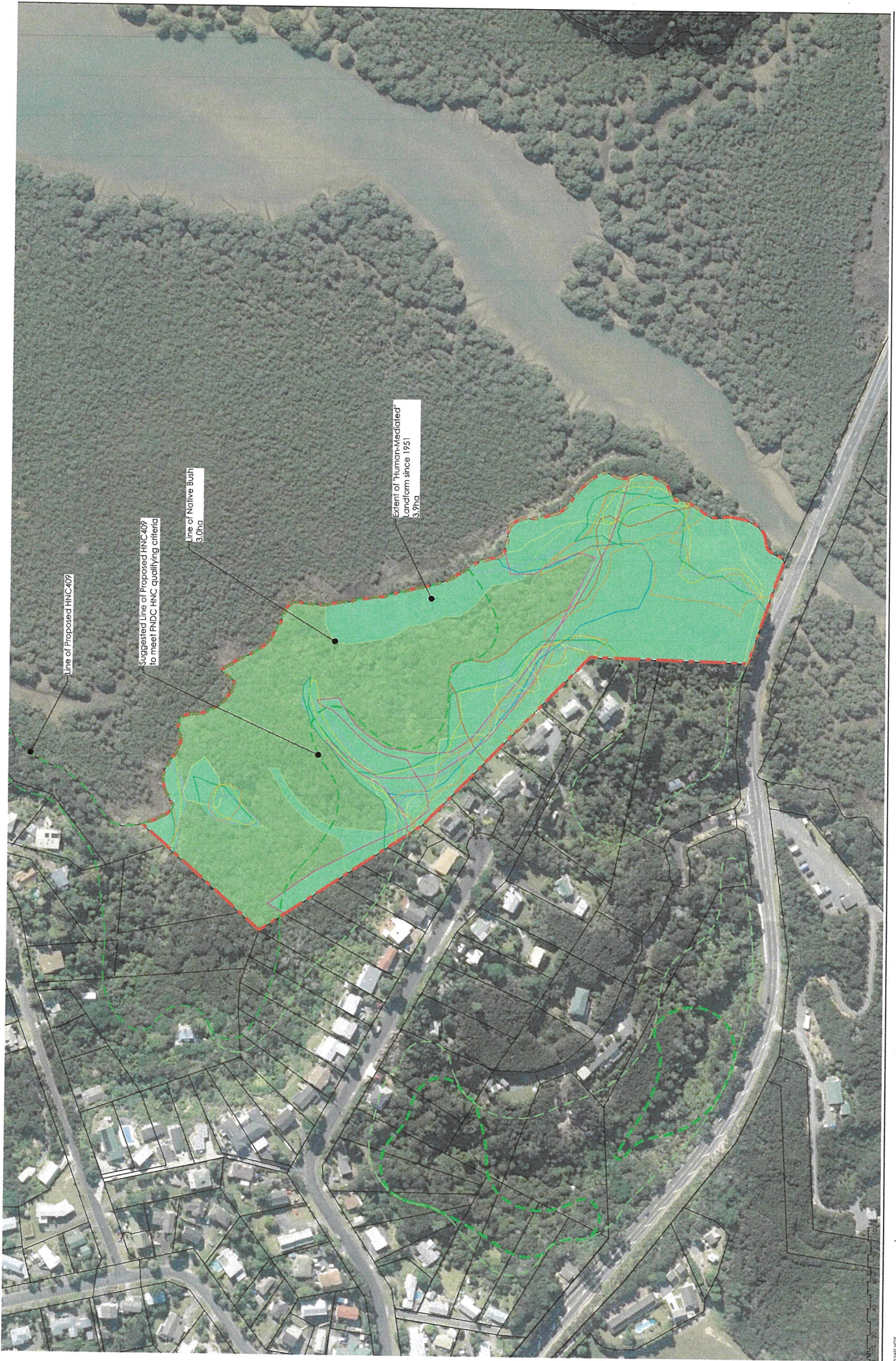
Quarry/Works Site

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Existing Lot: DP55505 over 2019 Aerial	
Project Date:	30th 2022
Project No:	11250
Project Name:	Andre & Valeria Cavin
Project Address:	22027-01-013
Project Status:	Approval





Line of Proposed HNC-409

Suggested Line of Proposed HNC-409 to meet FNDC HNC qualifying criteria

Line of Native Bush  
3,010

Extent of "Human-Mediated"  
Landform since 1951  
3,710

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2022



Project Name: **Human Mediated Landform over Aerial**  
 Project No: **Lot 1 DP 53509 Submission**  
 Project Date: **11/2022**  
 Project Status: **Approved**



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**NORTHERN ARCHAEOLOGICAL RESEARCH**

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**ARCHAEOLOGICAL SURVEY AND ASSESSMENT  
OF THE PROPOSED SUBDIVISION OF THE  
HARURU FALL DEVELOPMENTS PROPERTIES,  
HARURU FALLS, BAY OF ISLANDS**



Prepared for  
**Haruru Falls Development Ltd**  
Paihia

Northern Archaeological Research  
67 Church Street, Devonport, Auckland

November 2005

**ARCHAEOLOGICAL SURVEY AND ASSESSMENT OF  
THE PROPOSED SUBDIVISION OF THE HARURU FALL  
DEVELOPMENTS PROPERTIES, HARURU FALLS, BAY  
OF ISLANDS**

*By  
Ivan Bruce*

## Introduction

Haruru Falls Development Ltd is seeking to subdivide Lot 1 DP 196213, Pt Lot 1 DP 5306 and easements over Lot 2 DP 196213, at Haruru Falls in the Bay of Islands. Northern Archaeological Research was commissioned by Williams and King Surveyors, on behalf of the owners, to undertake an archaeological survey and assessment of the entire area affected by the development. This work was undertaken to locate and record any archaeological material and to advise the client of their obligations under the Historic Places Act, 1993. Ivan Bruce undertook this work on the 2<sup>nd</sup> of November, 2005. This report outlines the result.

## Location



FIGURE 1. LOCATION OF THE PROPOSED SUBDIVISION, OUTLINED IN RED (P05)





The affected lot is situated on the northern side of the Waitangi estuary on the northern bank of the Kaipatiki River. The property is adjacent to Puketona Road, and accessed via a dilapidated wooden gate beside the Kaipatiki River Road Bridge. Another access to the property has will be created from Goffe Drive, between Lots 1 and 2 DP 196213, also owned by Haruru Falls Development Ltd. The property has been extensively modified by quarrying on Lots 7, 8, 11 and 12 is presently in thick regenerating manuka scrub on the steep hill slopes and toitoi and gorse on the low lying flats above the estuary.

The geology of the area is dominated by Waipapa group greywackes and argillites (Kear and Hay 1961). The predominant soil type is Hukerenui silt loam with underlying yellow sub soils (Sutherland et al 1980).

### **Proposed Activity**

It is the intention of the client to subdivide the property into 12 individual lots, with three lots being accessed from Puketona Road, another from northwest drive at Goffe Road and the remaining eight lots accessed from the south west drive. This project is presently at the planning stage and the layout of the development and associated access ways have not been finalised, however it is clear from the proposal that existing tracks will have to be upgraded and at least two new access ways will have to be put in place. All services and amenities are expected to follow the proposed access ways.

### **Survey Method**

Background research into the archaeology and subsequent history of the property included the examination of late 19<sup>th</sup> and early 20<sup>th</sup> century land plans and survey reports held by Land Information NZ, Auckland. New Zealand Archaeological Association (NZAA) site record forms were checked for previously recorded archaeological sites, and a review of regional archaeological publications relating to the area was undertaken.

The archaeological assessment involved a survey of the proposed subdivision and the associated access roading on foot. Areas known to, or considered likely to contain archaeological remains were probed and the likelihood of sites occurring undetected subsurface were taken into consideration.

The archaeological survey of the area of proposed development was conducted specifically to locate and record existing surface archaeological remains. The survey and report do not necessarily include the location or the assessment of wahi-tapu or sites of spiritual and cultural significance to the local Maori community who should be independently approached for any information or concerns they may have.

### **Archaeological Background**

An examination of the NZAA database indicates that no archaeological sites have been located either on the property in question or in the immediate vicinity.

An early survey plan OLC 245, outlining the lands granted to Henry Williams in 1851, details an early road or track in the position of the present causeway road, north of the client's property. A causeway across the estuary is also indicated in this plan the remnants

of which can still be seen today. This is a traditional main route between the Bay of Islands and the Hokianga, originally part of the extensive network of native tracks in the region, used and later improved into roads by Europeans. The stone paved causeway may have been created by the 58<sup>th</sup> regiment, stationed in the Bay until 1854, as part of Governors Greys "passion for building strategic military roads" (Lee 1972). The old plan does not indicate Maori settlement in the vicinity of the proposed subdivision. No significant information is shown in Farrar's early geological map, except the name of "Cannon Hill" bequeathed to the summit of the ridge above this subdivision, the origin of which is not explained and presumably alludes to the military occupation of the 1850s.

### **Survey Results**

One new site was recorded. The grid reference was recorded with a Garmin 12 GPS unit.

#### P05/1352, Midden, 2607714 6657086 +/- 5.7m, 13 asl

This site is situated on Lot 12 of the proposed subdivision of Lot 1 DP 53506. The midden can be seen on the tidal exposure at the edge of the Kaipatiki River estuary. At present the site exists within a small clearing in the surrounding scrub.

The site consists of a small exposure of fragmented and charcoal stained shell midden, composed of a mix of cockle (*Austrovenus stutchburyi*) and pipi (*Paphies australe*) shells, with occasional examples of mud whelk (*Cominella glandiformis*). Fragments of fire cracked rock, small flakes of charcoal and charcoal stained soil testify to a cooking process, and are all that differentiate the exposure from a natural sub fossil deposit. The feature is deflated and is dispersed over an area of five metres in diameter, very little of which remains in situ.

This site remains in very poor condition and is itself situated in an area that has been heavily modified by quarrying. While it is unlikely that subdivision planned in the vicinity will affect the site, tidal erosion will erase it before long.

### **Archaeological Significance**

There are no statutory criteria yet created for the assessment of archaeological values in New Zealand and any established method may be employed, so long as it is clearly stated and acceptable to the NZHPT. The criteria used in an assessment of significance employed by this author are those suggested by Walton (2002), generally accepted as standard text for archaeological assessment, including eight non-statutory criteria for assessing significance. These are: period, rarity, documentation, group value, survival/condition, fragility/vulnerability, diversity, and potential.

Only one site was located on the area of this subdivision and the likelihood of significant archaeological material being situated subsurface elsewhere on the property is very low. The steep slopes that predominate on this property offer limited potential for prehistoric settlement, usually normally sited on ridge lines or level areas. Furthermore the leading spurs and the crest of the main ridge have all been extensively modified by bulldozing and tracks have been in place for some time, possibly as a result of the quarrying that occurred on the property in the past; the main ridge above this property has already been extensively

developed and is now marked by Goffe Road. The small leading spurs situated on the property that may have offered suitable terrain for Maori housing were extensively surveyed and probed as a part of this assessment, without recovering either visible surface evidence of subsurface material. The steep scrub covered flanks of the hills were walked, again without recovering archaeological material.

The recorded site consists of one poorly preserved midden exposed on the foreshore, that represents traditional Maori seafood gathering and consumption, extensively documented in the Bay of Islands area (Nevin, G. 1984). This particular midden is highly fragmented with little remaining as an in situ deposit and is unlikely to provide any further information of any significance to studies pertaining to the local prehistory other than the spatial and dietary information gleaned thus far.

### **Assessment of Effects**

The developers should be aware that Part 1, Section 10a of the Historic Places Act, 1993, states that it is not lawful for any person to destroy damage or modify, or cause to be destroyed, damaged or modified, the whole or any part of any archaeological site, knowing or having any reasonable cause to suspect it is an archaeological site. These sites can only be modified with the written permission of the New Zealand Historic Places Trust (NZHPT). Specific penalties for damage or destruction of archaeological remains can be imposed.

The existing plans proposed for the development of this subdivision will not impact upon any recorded archaeological sites. The recorded site P05/1352 is situated on the high tide mark and will not be affected by any building constructed on Lot 12. As the likelihood of any further remains being located on the property appears to be very low, Northern Archaeological Research can advise this client that there is no reason for the proposed subdivision to continue as planned. However in the unlikely event that any subsurface archaeological material is uncovered during any earthworks related to the development of this subdivision work uncovered during the development of this subdivision then any earthworks must halt until such time as Northern Archaeological Research and the Historic Places Trust have been notified and the appropriate action undertaken.

### **Conclusion**

Northern Archaeological Research was commissioned by Williams and King Surveyors, on behalf of Haruru Falls Development Ltd to undertake an archaeological survey and assessment of the proposed subdivision of their property at Lot 1 DP53506, Pt Lot 1 DP 5306 and easements over Lot 2 DP 196213 at Haruru Falls in the Bay of Islands. One archaeological site was recorded as a result. Recommendations are made in relation to any subsurface archaeological remains that may occur during the development of the property.

### **References**

OLC 245. 1851. Pukeawa Plan

Ferrar, H. T. 1925. The geology of the Whangarei-Bay of Islands Subdivision, Kaipara Division, *Bulletin No 27*, Geological Survey Branch of the Department of Mines,

Government Printer, Wellington

Kear, D. and R.F. Hay, 1961. Sheet 1 North Cape (1<sup>st</sup> Edition), Geological Map of New Zealand, 1:250 000. Department of Scientific and Industrial Research, Wellington

Lee, J. 1972. Historical Maps of the Bay of Islands. Unpublished Manuscript

Nevin, G. 1984. Bay of Islands: Archaeological Survey of the Coastal Region between Te Tii and Tapeka Point (including Mangonui, Kerikeri, Kawakawa, Waikino and Waikare Inlets) and Technical Report on the Archaeological and Historical Aspects of the Bay of Islands written for the Bay of Islands Harbour Study.

Sutherland, C.F.; Cox, J.E.; Taylor, N.H.; Wright, A.C.S. 1980, Soil Map of Bay of Islands (Sheets QO4/5). North Island. Scale 1:100 000, *NZ Soil Bureau Map 184* Archaeological Association Site Record Forms

Walton, T. 2002. Guidelines for Archaeological Evaluations and Assessments of Effects

### **Recommendations**

1. Should unrecorded subsurface archaeological remains be unearthed elsewhere on the property during the development of this subdivision, earthworks should cease immediately and Northern Archaeological Research and the New Zealand Historic Places Trust be notified.



**PLATE 1. P05/1352 ERODED MIDDEN ON THE BANK OF THE KAIPATI KI ESTUARY**



**PLATE 2. P05/1352**



**PLATE 3. BULLDOZED TRACKS AMONGST THICK SCRUB, CREST OF THE MAIN RIDGE LOT 1 DP 53506**



**PLATE 4. THE STONE PAVED CAUSEWAY ACROSS THE ESTUARY, NORTH OF LOT 1 DP 53506**



**APPENDIX**  
**NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION SITE**  
**RECORD FORMS**

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION    METRIC SITE RECORD NUMBER: P05/1352	
<b>SITE RECORD FORM (METRIC)</b>	
METRIC MAP NUMBER : P05 (KAIKOHE)	DATE VISITED: 2/11/2005
METRIC MAP EDITION : MS-260	SITE TYPE : Midden
	SITE NAME: MAORI- OTHER
<b>GRID REFERENCE : EASTING 2607714 NORTHING 6657086 +/- 5.7m, 13 asl</b>	
<b>1. Aids to relocation of the site:</b> This site is situated on Lot 12 of the proposed subdivision of Lot 1 DP 53506. The midden can be seen on the tidal exposure at the edge of the Kaipatiki River estuary. At present the site exists within a small clearing in the surrounding scrub.	
<b>2.State of site and possible future damage:</b> This site remains in very poor condition and is itself situated in an area that has been heavily modified by quarrying. While it is unlikely that subdivision planned in the vicinity will affect the site, tidal erosion will erase it before long.	
<b>3. Description of site:</b> The site consists of a small exposure of fragmented and charcoal stained shell midden, composed of a mix of cockle ( <i>Austrovenus stutchburyi</i> ) and pipi ( <i>Paphies australe</i> ) shells, with occasional examples of mud whelk ( <i>Cominella glandiformis</i> ). Fragments of fire cracked rock, small flakes of charcoal and charcoal stained soil testify to a cooking process, and are all that differentiate the exposure from a natural sub fossil deposit. The feature is deflated and is dispersed over an area of five metres in diameter, very little of which remains in situ.	
<b>4. Owner :</b> Haruru Falls Development Ltd <b>Address:</b> Paihia	<b>Tenant/Manager:</b> <b>Address:</b>
<b>5. Nature of information :</b> Brief Visit/ Survey	
<b>6. Reported by:</b> Northern Archaeological Research <b>Address:</b> 67 Church St Devonport	<b>File keeper:</b> <b>Date:</b>
<b>7. NZHPT (for office use)</b> <b>Type of Site</b> <b>Local environment today</b> <b>Land Classification</b>	<b>Present condition and future</b> <b>Local Body</b>