



Section 127 RMA Application 5- Lot Subdivision Consent
2220737-RMAMON/A

Prepared for Paroa Bay Station Limited

21 May 2025



Revision Summary

Report prepared by Peter Hall Planning Limited for Paroa Bay Station Limited .

| Rev: | Date: | Issue To: | Version: |
|------|----------|----------------------------|----------|
| A | 20/05/25 | Paroa Bay Station Limited | Draft |
| B | 21/05025 | Far North District Council | Final |

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1.0 Introduction

Paroa Bay Station Limited was granted a land use and subdivision resource consent 2220737-RMAMON/A on 11 March 2024 (**“the original consent”**) for the following activities in relation to its property at 88 Otamarua Road, Paroa Bay, Bay of Islands:

1. Subdivision:

To subdivide to create five allotments on a site in the General Coastal Zone and Outstanding Natural Landscape under the Operative Far North District Plan (ODP) as a Restricted Discretionary Activity; and

2. Land Use:

To construct impervious surfaces within 30m of a wetland; to undertake excavation and filling in the General Coastal Zone that exceeds 200m³ and to use a private access that will serve a total of 9 allotments as a discretionary activity.

A copy of the consent and the approved plans are at **Appendix 1** to this report

This consent included the provision and formation of a new right of way (**the ROW**) serving the proposed lot 2 over the proposed lot 3, running from behind a nursery area on the property.

Following further ground truthing and engineering investigations, it has been determined that the ROW is not necessary to serve lot 2, with that lot having direct legal and physical access to the existing main private roadway through the property.

Engineering concept work by BA Architecture and Engineering has confirmed that an alternative driveway to the nominated house site on lot 2 is feasible (**Appendix 2**). The subdivision scheme plan has been updated to remove the proposed ROW and update the schedule of easements (**Appendix 3**).

Separate landscape (**Appendix 4**) and Ecology (**Appendix 5**) memo by experts from Boffa Miskell have confirmed that the revised driveway position will not change their original conclusions in respect of these matters. The new driveway avoids any known archaeological sites as previously surveyed on the property, and the suite of conditions protecting the habitats of kiwi and weka and requiring the vegetated state of the property to be retained through a Vegetation Management Plan (**VMP**) will remain.

Changes are proposed to existing conditions which currently require the formation of the ROW prior to s224c.

Changes are also sought to remove the requirement to form and survey a turning head either on the main private road through the property, or on part of the easement proposed to serve Lot 2 (now proposed to be deleted). As discussed in this report, further work has confirmed that turning for vehicles visiting the site can be accommodated with the existing formed and legal width of easement “C” over a section of the main private road, taking advantage of the formed driveway stub section to the nursery.

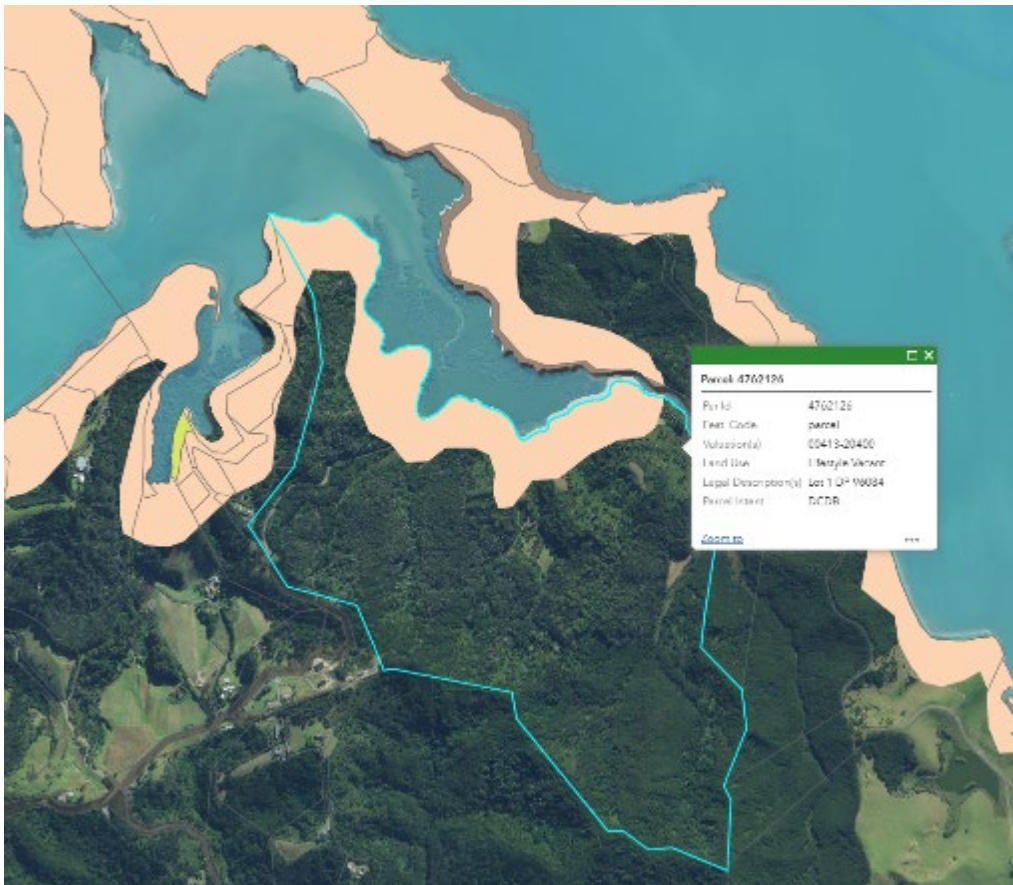
All house sites and lot boundaries as previously approved remain the same.

The specific changes to conditions sought are set out in this report, together with an assessment of these changes against the requirements of section 127 of the RMA.

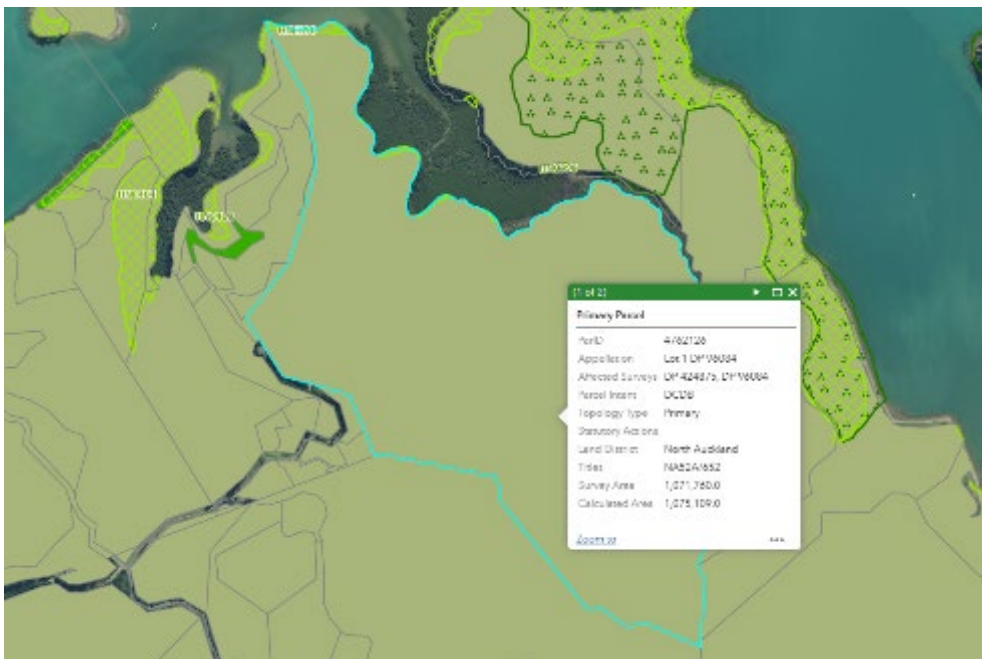
2.0 Applicant and Property Details

Completed application forms have been provided with the electronic lodgement of this application. The summary details relating to the applicant and subject site are as follows:

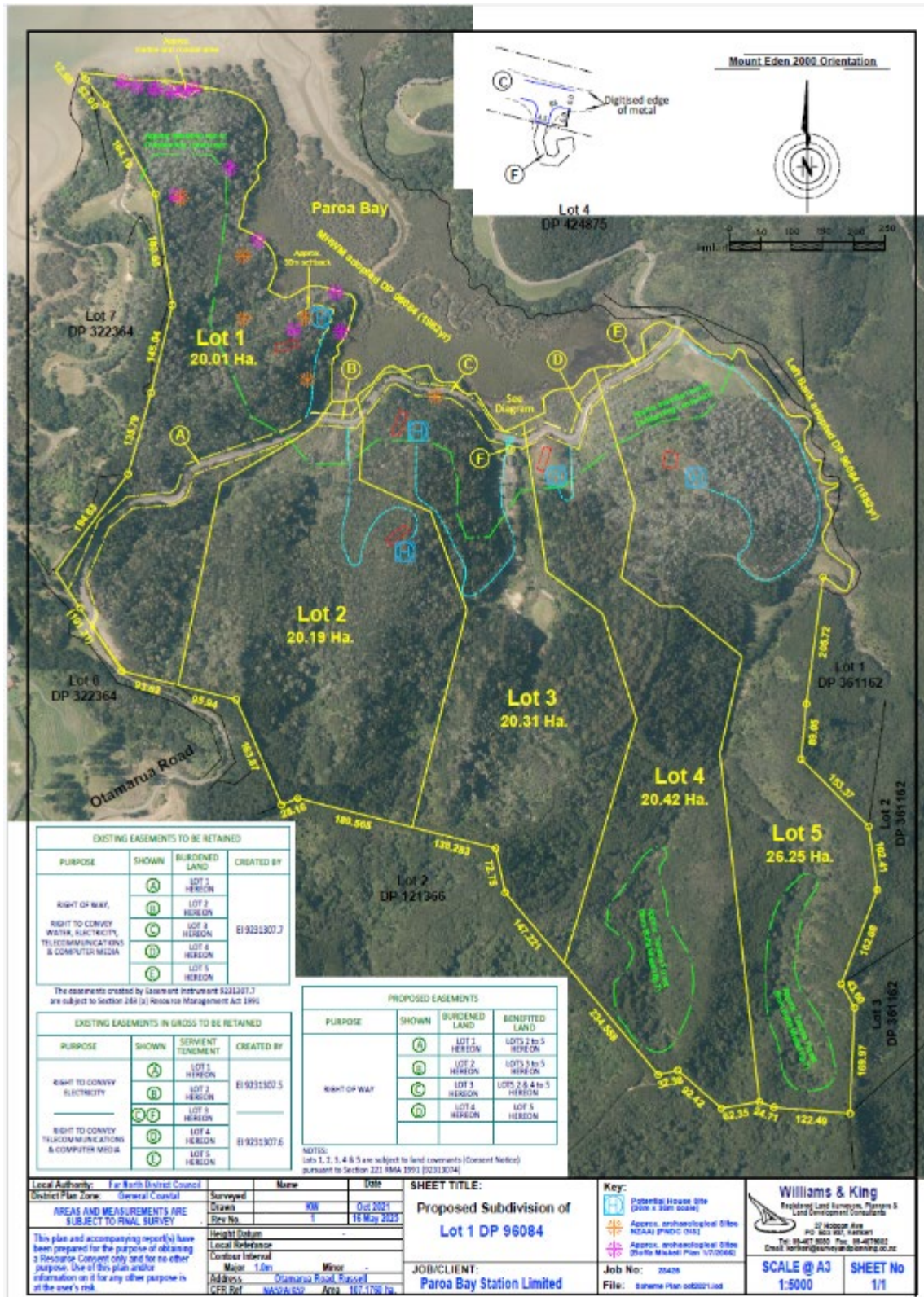
| | |
|----------------------------------|---|
| To: | Far North District Council |
| For: | A section 127 variation application to provide for an alternative driveway access to proposed lot 2 allowing for the deletion of conditions requiring the creation and formation of a ROW over proposed lot 3 in consented subdivision, and for the deletion of requirements to survey and form a new turning head on the basis that the existing easement and main private road formation can accommodate vehicle turning. |
| Applicant's Name: | Paroa Bay Station Limited |
| Address for Service: | Peter Hall Planning Limited Level 3, 43 High Street Auckland 1010 Attn: Peter Hall Phone: 0274222118 Email: Peter@phplanning.co.nz |
| Address for Fees: | Paroa Bay Station Limited Level 6, 16 Viaduct Harbour Avenue, Auckland. Attn: Dean Farmer Email: dean@tappenden.co.nz |
| Site Address: | Paroa Bay, Otamarua Road, Bay of Islands |
| Legal Description: | Lot 1 DP 96084 (Record of title identifier NA52A/652) (refer Certificate of Title, in Appendix 6) |
| Owner/Occupier Name | Paroa Bay Station Limited Level 6, 16 Viaduct Harbour Avenue, Auckland Attn: Dean Farmer |
| Site Area: | 107.1760 ha (more or less) |
| Operative District Plan Zoning: | General Coastal Zone |
| Operative District Plan Overlays | Outstanding Landscape (applies to the coastal edge of the site) |
| Proposed District Plan Zoning | Rural Production Zone |
| Proposed District Plan Overlays | None over subject part of the property |



Operative District Plan Overlay: Outstanding Landscape Shaded Orange



Proposed District Plan Zoning (Rural Production) and Overlays



Amended Subdivision Scheme Plan as sought with this s127 application (Williams and King, 2025)

3.0 Site Description

The subject site is 107.1760 ha (more or less) and located to the east of Russell at Paroa Bay. Access is from Otamarua Road, which feeds off Paroa Bay Road.

Otamarua Road was extended as part of the Drexel block subdivision in 2002 to the west of the subject site and now runs parallel to the south-western property boundary.

The subject site is subject to various easements in favour of four separate titles on the Paroa Bay peninsular. These provide for rights of way, telecommunications and electricity to service the four peninsular titles. These titles are also owned by the applicant, Paroa Bay Station Limited.

4.0 The Proposal

4.1 Proposed Changes to Conditions

The application seeks to change the conditions of 2220737-RMAMON/A under s127 of the RMA as follows:

Subdivision Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following conditions:

1. *The works must be carried out in accordance with the approved drawings and documents provided with the application; specifically, Scheme Plan 'Proposed Subdivision of Lot 1 DP 96084' by Williams & King (Ref 23426 dt. 26/10/2021 Revision 1) and report 'Paroa Bay Station Ltd Lot 1 Deposited Plan 96084 Otamarua Road Upgrade Cost Estimate' by Haigh Workman (Ref 21 264 dt. 30/06/2023) attached to this consent with the Council's Approved Stamp affixed to them, as amended by the s127 application by Paroa Bay Station Limited dated [insert date] and the Scheme Plan 'Proposed Subdivision of Lot 1 DP 96084' by Williams & King (Ref 23426 dt. 16/5/25 (Revision 1)).*

Section 223 Conditions

2. *Prior to issuing of a certificate under s223 of the Resource Management Act 1991, the consent holder must:*

a. Submit a survey plan for the proposed subdivision of Lot 1 DP 96084 in accordance with the approved resource consent subdivision scheme plan(s) titled 'Proposed Subdivision of Lot 1 DP 96084', prepared by Williams & King, dated 26/10/2021 as amended by the s127 application by Paroa Bay Station Limited dated [insert date] and the Scheme Plan 'Proposed Subdivision of Lot 1 DP 96084' by Williams & King (Ref 23426 dt. 16/5/25 (Revision 1)). The survey plan must show all easements; including existing easements, and any areas that are subject to other covenants required by this subdivision consent.

.....

Right of Way Construction

~~6. Plans and information relating to rights of way within the site required by Condition 1 must include:~~

- ~~a. ROW construction on Easements F and G to a 3m access formation to be built as per Appendix 3B-1: Standards for Private Access and to have a maximum gradient 1:5 for unsealed driveways and 1: 4 for sealed driveways.~~
- ~~b. ROW formation drawings including site layout, contour plans, extent and volume of earthworks, typical cross and long sections, t Turning head details on Easements G, D, E, or F (with dimensions appropriate to accommodate the formation of a single T, Y or L turning head, and the easements modified to accommodate the turning head if required), and material specification.~~
- ~~c. Provision of a detailed drawing for stormwater drainage and stormwater collection on the upslope side of the carriageway with culverts.~~

....

Section 224(c) conditions

....

Certification

~~10. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder must:~~

- ~~a. Upon completion of the works specified in condition(s) in 223 [Conditions 3, 4, 5, 6, and 7] above, provide construction review (PS4A / Schedule 1C) certification from a Chartered Professional Engineer that the design and construction work are in accordance with the approved plans.~~
- ~~b. Upon completion of the drainage works specified in condition(s) in 223 Conditions 3, 4, 5, 6, and 7] above, provide certification (PS3 / Schedule 1b) of the work from a suitably qualified person that all work has been completed in accordance with the approved plans.~~

As-Built Plans

~~11. The Consent Holder must provide to Council, as-built plans complying with schedule 1D of NZS 4404:2004 and section 1.5.2.5 of Council's Engineering Standards and Guidelines.~~

....

5.0 Section 127 Considerations

Section 127 of the RMA 1991 specifies that the holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent.

Under subsection 127(3), Sections 88 to 121 pertaining to the processing of resource consents apply, with all necessary modifications, as if–

- (a) the application were an application for a resource consent for a discretionary activity; and

(b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

Accordingly, this report sets out the changes to conditions proposed and assesses the effects of those changes.

6.0 Assessment of Effects on the Environment of the Changes

6.1 Efficiency

The proposed changes sought in this application will allow the proposed lot 2 to be self-sufficient and not rely on a ROW over the proposed lot 3 for access. This is preferable, where a feasible alternative exists, as it avoids shared maintenance obligations over a ROW between future owners of these lots.

It is also more efficient to design and build driveway access to house sites when the particular house site is being developed, rather than at subdivision stage where that option is available. This avoids costs of construction and maintenance of a ROW which may not be utilised for some time, until the lot is sold and house built.

The approach proposed with the application is consistent with the approach taken for the other lots approved with 2220737-RMAMON/A in 2024 for Paroa Bay Station, whereby driveway design and construction and any associated consenting) is undertake post subdivision, concurrent with house site development.

6.2 Engineering Feasibility

Drawings have been prepared by B+A Architecture and Engineering to assess the engineering feasibility of the proposed driveway¹. These drawings, showing the consented ROW and the proposed driveway are attached at **Appendix 2**.

The drawings show driveways to the house sites for both Lot 2 and 3, with the driveway over Lot 3 only serving the house site on Lot 3, rather than serving Lot 2 also as a ROW.

The driveway over lot 2 shown on these drawings follows an “S” shape up from the main private road on the property (which is built to a two-lane width and well maintained).

Compared to the approved ROW, the proposed lot 2 driveway is up from the opposite side of the spur on which house sites 2 and 3 are located. It has a length of 432m, compared to 464m for the driveway over lot 3.

Anticipated earthworks are shown based on modelled contours. For the new lot 2 driveway, earthworks over an area of 2772m² are estimated, with a total cut of 631m³ and fill of 582m³. Two small sections of 1m high timber retaining wall are shown on the down slope of two culverts.

The driveway is designed to a 3% crossfall, single carriageway. The toe of the slope along the driveway has a swale with geofabric & drainage metal.

The driveway long section prepared shows maximum gradient on a short section of 1 in 5 (19.2%), with a much gentler average gradient for the majority of around 1 in 10 (10.5%).

¹ Proposed Driveways for Lot 2 and Lot 3, Job No 24-086, Drawing No A000 -A005, A301, A701, D702, all dated 10/04/2025

This work confirms that a driveway to the house site on lot 2 is feasible and can be constructed at a later stage at a gradient and width to comply with the Council's District Plan and Engineering standards.

6.3 Natural Hazards

Engineers Haigh Workman advised in 2022 on coastal hazard and flooding risk with the original resource consent application².

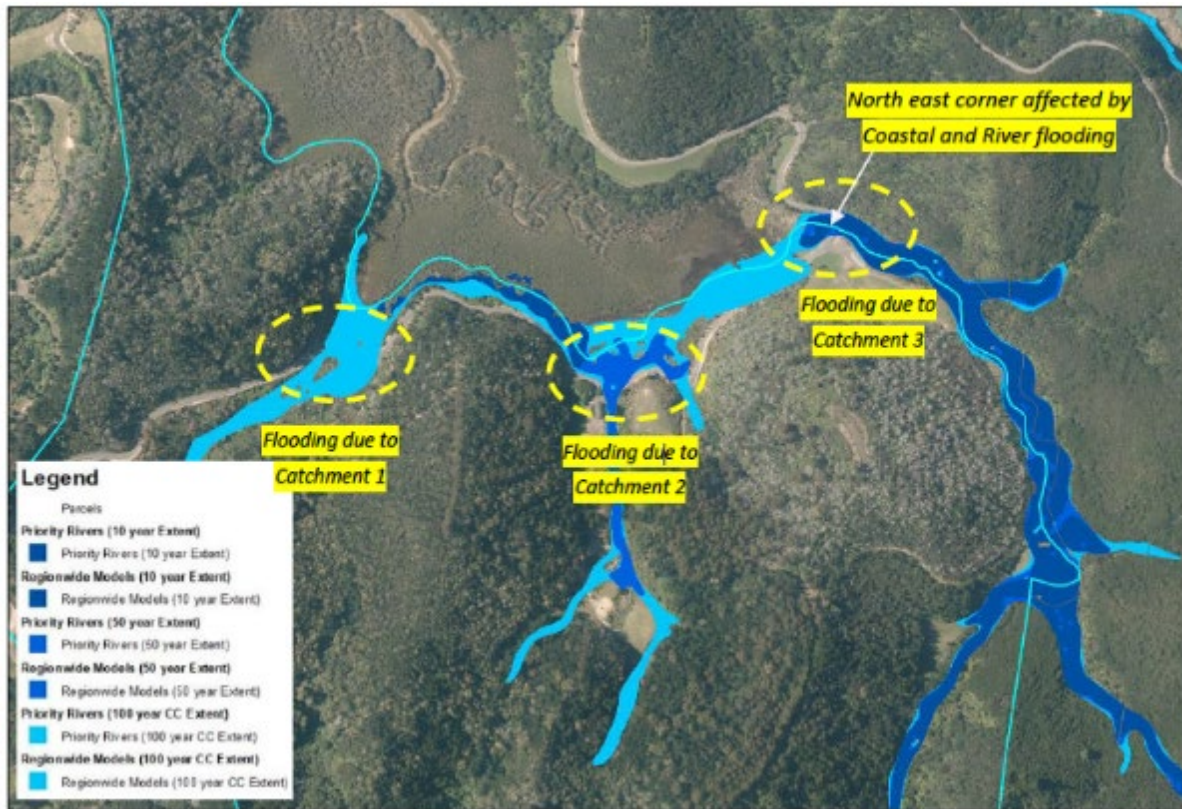
With respect to flooding, Haigh Workman undertook a catchment analysis to determine the flood depth affecting the private road for a 1 in 50 year and 1 in 100-year event. The main private road is not affected by 1 in 10-year flooding.

Given the topography of the site, Haigh Workman confirmed that there are three catchments which may cause flooding. Assuming the pipe culverts are blocked, the flood waters will flow over the road while the road acts like a broad crested weir. The maximum depth of the flood for a 50-year event is 230mm with a velocity of 1m/s and for a 100-year event the maximum depth of the flood is 260mm with a velocity of 1.3m/s.

Haigh Workman concluded that these are within the safe parameters for overland flow paths identified in FNDC Engineering Standards clause 4.3.2.4. Two of the three catchments are small (20Ha) and have small time of concentration of 30 mins and the peak flow should subside within 30 mins (the subject driveway is in catchment 1). Catchment 3 has the biggest area (37Ha) with a maximum time of concentration of 72 mins to reach the northeast corner of the subdivision.

These conclusions still stand in relation to the subject variation, where access to the lot will rely on an existing and new driveway that is over land identified as at risk to flooding, that situation does not change (albeit the driveway moves from catchment 2 to catchment 1).

² *Site Suitability Report for Proposed Subdivision Lot 1 Deposited Plan 96084 Paroa Bay For Paroa Bay Station Ltd* Haigh Workman reference 21 264, April 22



Haigh Workman 2022

With respect to coastal inundation, the Haigh Workman 2022 report noted that coastal fringe of the site has been mapped as a flood hazard site for 1 in 10-year events and above. They noted that the subject site is sheltered from any direct wave action and will only experience static inundation, not dynamic inundation. They concluded that the private road would remain unaffected for the current 2020 scenario but not for sea level rise predictions for 50 years' time. Due to the sheltered environment Haigh Workman noted that coastal flooding would only occur during times of extreme high tide which, unlike a house, is tolerable for a road. Haigh Workman concluded that as sea levels rise, the shoreline will migrate inland and static water levels will increase and recommended no changes be made to the existing carriageway levels at this time, but that the situation reviewed in line with future sea level rise and appropriate action be taken to raise carriageway levels accordingly.

6.4 Landscape, Visual and Natural Character

A memo has been provided by John Goodwin of Boffa Miskell on the changes now proposed (refer **Appendix 4**).

Mr Goodwin notes in respect of these changes that potential adverse effects associated with the driveway will be similar to those associated with the other driveways considered with the original application.

He concludes that based on the drawings, the location and design of the proposed driveway to the Lot 2 building platform will result in no more than low (less than minor) adverse landscape and visual amenity effects, once the earthworks have been stabilised and revegetated. No adverse effects will result to any of the high value landscape areas identified in the statutory regional and district planning documents.

Mr Goodwin maintains his opinion as expressed in his original assessment submitted with the application³ which stated that *“the proposed subdivision and associated future development can be accommodated within the site to ensure that any adverse effects will be no more than minor”*.

6.5 Ecological Effects

A memo has been provided by Dr Lee Shapiro of Boffa Miskell in respect of the ecological effects of the changes now proposed (refer **Appendix 5**).

Dr Shapiro notes that the proposed creation of the driveway on Lot 2 will include the clearance of exotic vegetation prior to earthworks and earthworks outside but within a 10 m setback from a natural inland wetland. The potential ecological effects associated with the creation of a driveway on Lot 2 will be similar to those associated with the previously proposed accessway that extended from the boundary of Lot 3 to the build platform on Lot 2, and other driveways within the subdivision that are in close proximity to wetlands. Earthworks and vegetation clearance associated with the creation of a driveway on Lot 2 are unlikely to result in the complete or partial drainage of all or part of the natural inland wetland on Lot 2 and therefore these activities do not trigger NES FW section 52.

Dr Shapiro concludes that the potential ecological effects associated with the proposed creation of a driveway on Lot 2 will be similar to those assessed for the previously proposed accessway. Importantly, potential adverse ecological effects associated with the vegetation clearance and earthworks required to form the driveway on Lot 2 can be effectively mitigated with the existing resource consent conditions related to earthworks, vegetation management, and vegetation clearance and native birds (North Island brown kiwi and weka).

Consent notice conditions to avoid or mitigate ecological effects will remain on the new titles created; namely:

- 17h. (Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced on the site);
- 17i. (survey and management plan for Weka and or Kiwi prior to any vegetation clearance or earthworks);
- 17j. (protection of kiwi habitat such that living indigenous vegetation on the site must not be cut down, damaged or destroyed (except for the preparation of one house site per allotment, approved accessory buildings, roadway and walking track formation and maintenance, and tracks for pest control operations) and no grazing stock; and
- 17k. Prior to any vegetation clearance during the bird breeding season, the trees on the site must be surveyed by a suitably qualified and experienced Ecologist/Ornithologist for any nesting birds

6.6 Archaeology

Northern Archaeological Research undertook field work to verify the proposed house sites in 2021⁴.

This work built on earlier work undertaken on the property which was reported on by the company. In particular, the archaeological and historical background was covered in detail in the 1999 archaeological survey and assessment report (Johnson 1999b) entitled *Archaeological Survey and Assessment of Paroa Bay Farm, Paroa Bay, South-east Bay of Islands* and the 2011 archaeological monitoring report entitled: *Archaeological report on the monitoring of the Paroa Bay Farms Ltd*.

³ Paroa Bay: Proposed Subdivision – Landscape Natural Character and Visual assessment, Boffa Miskell, 29 April 2022

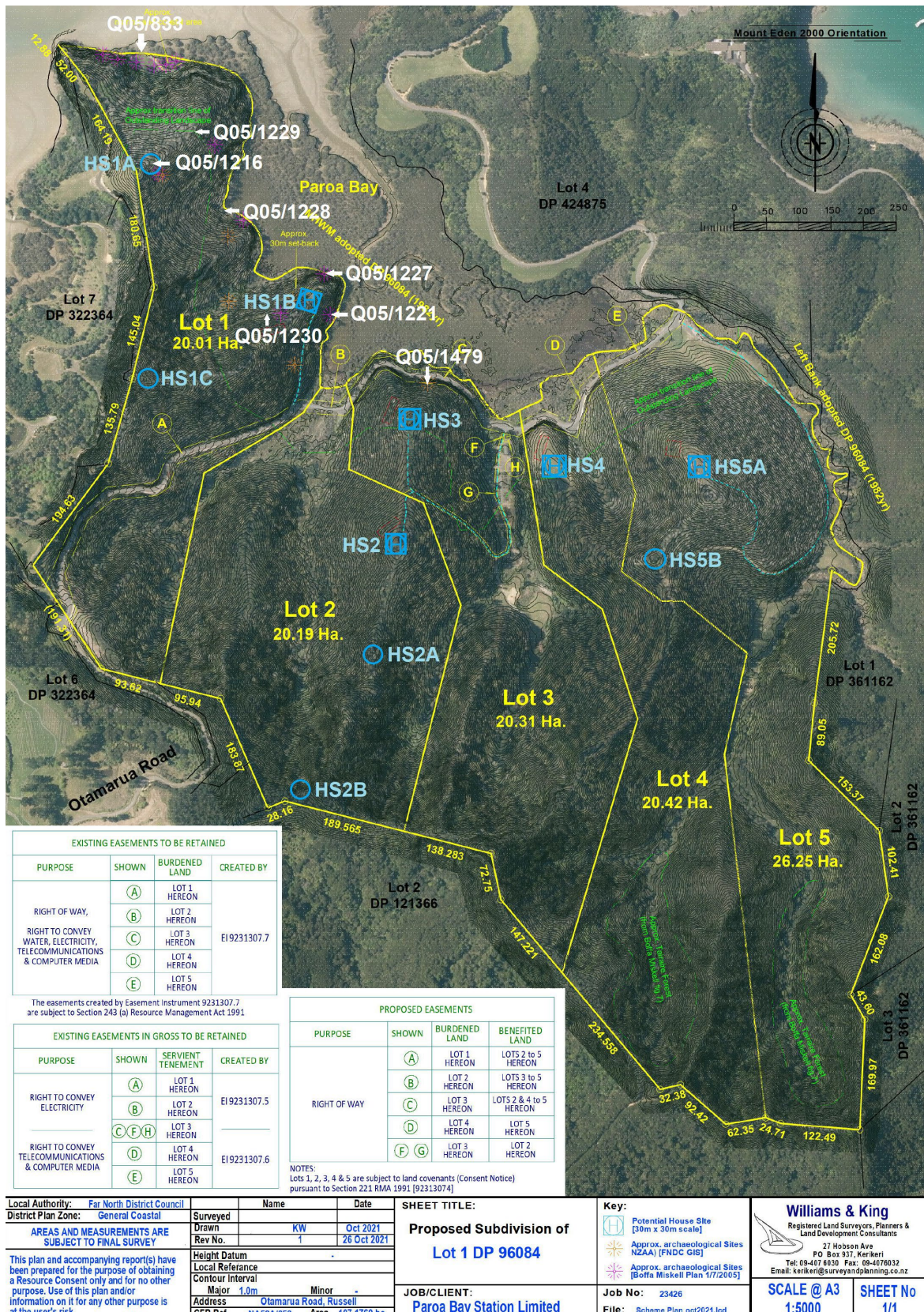
⁴ Archaeological Survey and Assessment of the Proposed Paora Bay Station Ltd Subdivision, Northern Archaeological Research Ltd, October 2021

Access road up-grade and associated drainage works (Stage 2); and cable trenching, in partial fulfilment of NZHPT Authority 2009/154 (Johnson & Callaghan 2011).

Northern Archaeological Research concluded in 2021 that eight previously recorded archaeological sites were located within the proposed subdivision; however, none are affected by the proposal. A recommendation was made by Northern Archaeological Research that, in the unlikely event that unrecorded subsurface archaeological remains are uncovered during earthworks, all work affecting the remains should cease immediately and Northern Archaeological Research Ltd be notified so that appropriate action can be taken.

The resource consent includes advice note 1 that archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014, and that an archaeological authority may be required to modify, damage, or destroy an archaeological site.

Although no archaeological sites were identified by this earlier work in proximity to the new driveway location now proposed (see figure below where recorded archaeological sites were shown on the original subdivision scheme as that was being developed), there is the possibility that one may be discovered during any driveway formation works. In which case, accidental discovery protocols would take effect, as well as obligations for the necessary approvals under Heritage New Zealand Pouhere Taonga Act 2014.



Building envelopes in relation to recorded archaeological sites (Northern Archaeological Research Ltd, October 2021)

6.7 Turning Head Conditions

The conditions relating to the survey and formation of a turning head on easements C, D, E, or F (with dimensions appropriate to accommodate the formation of a single T, Y or L turning head) are sought to also be deleted.

This condition was imposed on the original subdivision consent by the Council after it determined that a vehicle visiting the site should be able to turn around on the main private road easements C, D or E, or on the then easement F on the ROW over lot 2 serving lot 3.

Further work since this condition was imposed has confirmed that there is sufficient space within the existing legal and physical formation of easement C on the main private road for a "T" turning head, without the need for an additional easement or formation works. This is as shown on the amended subdivision scheme plan at **Appendix 3** in a location opposite the nursery and (re-lettered) electricity easement in gross "F". This utilises the stub portion of the formed access within this easement currently serving as the driveway to the nursery, and once subdivided, serving lot 3.

Williams and King who prepared the amended subdivision scheme plan advise that the dimensions of this "T" turning head comply with the relevant specification in NZS 4404:2010 Land development and Subdivision Infrastructure⁵.

With this confirmation that adequate turning for vehicles can be provided within the existing formed and legal width of existing easement C, the conditions requiring its formation, survey and as-built drawings can be deleted, as is proposed in this application.

With that confirmation, and the removal of the ROW over lot 3, there is no longer any requirement for physical works prior to s224c (the Otamarua Road upgrade works which have been completed are discussed below).

6.8 Otamarua Road Upgrade Works

As required by condition 14 of the resource consent, the specified upgrade works⁶ have been completed by Paroa Bay Station Limited on Otamarua Road which serves the property (being the public road section).

Condition 14 of the Resource Consent required Paroa Bay Station Limited to provide certification from a suitably qualified person within 40 working days of completion of the specified upgrade works on Otamarua Road that the works have been completed to an adequate standard.

Paroa Bay Station Limited provided a completion statement on 27 August 2024 from Guy Burrett, an engineer of Burrett + Associates Limited, in satisfaction of condition 14, confirming that the works were completed "to the best trade practices and to a high standard of work".

Condition 15 of the resource consent requires the consent holder to guarantee to the Council that it will maintain the upgrade works to Otamarua Road, for a period of one year from the date the certification of the finished works has been provided to the Council under condition 14 of the Resource Consent.

A letter of guarantee was provided by the directors of Paroa Bay Station Limited to the Council on 11 November 2024⁷.

⁵ Page 88, NZS 4404:2010

⁶ Such upgrade works being itemised in the report titled "Paroa Bay Station Ltd Lot 1 Deposited Plan 96084 Otamarua Road Upgrade Cost Estimate" by 'Haigh Workman' (Ref 21 2E34 dt. 30/06/2023)

⁷ Letter of Guarantee attached to email from Peter Hall Planning Limited dated 11/11/24 to Inna Shibalova, Senior Solicitor - Legal Services and Ishan.Koshatwar, Far North District Council.

With the maintenance period set to end on 27 August 2025, it is proposed to retain in the meantime conditions 14 and 15 of the resource consent. Once they are fully met at the end of the maintenance period, the conditions will be deemed satisfied and so do not need to be amended by this s127 application.

6.9 Easements

All existing and proposed easements are shown on the updated Subdivision Scheme Plan at **Appendix 3**. This removes easements “F” and “G” over the ROW and updates the schedule of easements accordingly.

Easement “H” is re-lettered as “F” on the amended scheme plan. This is the existing electricity easement in gross in front of the nursery, which will form part of Lot 3.

7.0 Policy Assessment

The changes proposed are not of such magnitude to warrant a full reconsideration of the proposal against the objectives and policies of the District Plan and higher order policy documents. Of note here, is that the policy environment has not changed since the original consent was granted in 2024. The Proposed Far North District Plan is still a proposed plan, with no decisions on submissions released.

The key changes for consideration with the subject s127 application mainly go back to objectives and policies from the Regional Policy Statement for Northland (**RPS**) and Operative District Plan relating to landscape, ecology and natural hazards.

In respect of these matters:

- Objective 10.3.1 of the Operative Plan seeks to manage coastal areas in a manner that avoids adverse effects from subdivision, use and development. Where it is not practicable to avoid adverse effects from subdivision use or development, but it is appropriate for the development to proceed, the objective states that adverse effects of subdivision use or development should be remedied or mitigated. The subdivision recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement, through the location of house sites and associated access and the conditions recommended on maintaining the vegetated nature of the site. These outcomes will still be achieved as concluded by Mr Goodwin in his memo.
- Policy 7.1.2 of the RPS relates to new subdivision and land use within 10-year and 100- year flood hazard areas. The proposed subdivision accords with this policy because:
 - (a) Hazardous substances will not be introduced and therefore will not be inundated during a 100-year flood event;
 - (b) Earthworks do not divert flood flow onto neighbouring properties, and within 10-year flood hazard areas do not deplete flood plain storage capacity;
 - (c) Building platforms for residential buildings are located well above these modelled flood levels;
 - (d) Commercial and industrial buildings are not proposed;
 - (e) The subdivision plan identifies that building platforms will not be subject to inundation and / or material damage (including erosion) in a 100-year flood event;

- (f) Within 10-year flood hazard areas, no land use or built development is of a type that will subject to material damage in a 100-year flood event; and
- (g) The original Engineering Report assessed risk of access and noted that the existing main ROW on the property is not affected by 1 in 10-year flooding but is affected by 1 in 50 and a 1 in 100-year flood event as discussed above.
- Policy 7.1.3 of the RPS relates to new subdivision, use and development within areas potentially affected by coastal hazards over the next 100 years (including high risk coastal hazard areas). The proposal accords with this policy because:
 - (a) The subdivision plan identifies building platforms located outside high-risk coastal hazard areas and these building platforms will not be subject to inundation and / or material damage (including erosion) over a 100-year timeframe;
 - (b) Coastal hazard risk to vehicular access routes for proposed new lots was assessed with the original application with a strategy proposed to monitor and raise the level of road if required in the future, this strategy would remain; and
 - (c) The development which will follow subdivision will not increase the risk of social, environmental or economic harm from coastal hazards, noting in particular that the proposed house site locations are well elevated above the predicted 100 year risk scenario.
 - Policy 6 of the National Policy Statement for Freshwater Management 2020 (**NPS:FM**) requires that there is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted. While the formation of the driveway will occur within 10m of a natural inland a wetland, as confirmed by Dr Shapiro in his memo, this is unlikely to result in the complete or partial drainage of all or part of the natural inland wetland on Lot 2 and therefore these activities do not trigger NES FW section 52. This same approach was accepted in the original consent, where for example the driveway formation immediately adjacent to a wetland on lot 5, and associated consents, were left to future processes. Importantly, as Dr Shapiro confirms, the new driveway will not result in the loss of extent of natural inland wetlands, and their values can be protected by appropriate earthworks methodologies.

8.0 Notification

The original consent was dealt with on a non-notified basis.

Given the very limited extent of the changes now proposed, the conclusions previously reached on the applications still apply. Namely, that the activities will not have adverse effects on the environment that are more than minor, the activity will not result in any adversely affected persons, and that there are no special circumstances that warrant the application being limited or publicly notified.

9.0 Consultation

A MS Teams meeting was held between Peter Hall and Council planning and resource consent engineering staff (Trish Routley, Nadia de la Guerre and Nicola Cowley) on 8 May 2025 to discuss the proposal. Council staff noted the need to update the survey scheme plan, provide a concept of the new driveway to confirm its feasibility, and for the application to be supported by ecology and

landscape memos. All these matters have been addressed in this application. The rationale of forming the new driveway concurrent with the development of the lot, and post subdivision, was discussed and agreed to be consistent with that taken for the other lots on the property in the original subdivision consent.

10.0 Conclusions

Overall, the effects of the changes are generally the same to that of the consented development. They come after further on-site engineering assessment and design refinement and present a solution that allows lot 2 to be self-sufficient and not rely on a ROW over lot 3 for access. They also result from further work which has confirmed that a turning head can be accommodated within the legal and formation width of the main existing private road through the property, rather than it being situated elsewhere. The changes to conditions proposed are necessary to achieve these changes. No adverse effects arise from the removal of the lot 3 ROW and subsequent consent processes for the development of the lots will appropriately deal with the final design and formation of driveways to the house sites. For these reasons the Council should grant the s127 application to amend the conditions set out in this report in the manner proposed.

Peter Hall Planning Limited

Peter Hall, MNZPI

PO Box 226 Shortland Street

Auckland 1140

peter@phplanning.co.nz

0274222118



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

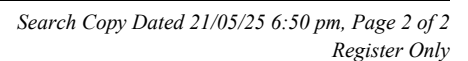
Identifier **NA52A/652**
Land Registration District **North Auckland**
Date Issued 29 April 1983

Prior References
DI 2A.782

Estate Fee Simple
Area 107.1760 hectares more or less
Legal Description Lot 1 Deposited Plan 96084
Registered Owners
Paroa Bay Station Limited

Interests

Appurtenant hereto is a right of way created by Transfer B234966.3
Appurtenant hereto is a right of way created by Transfer B876712.3
Appurtenant hereto is a telecommunications right created by Transfer C366219.7
Appurtenant hereto is a right to convey electricity easement created by Easement Instrument 6993523.10 - 17.8.2006 at 9:00 am
The easement created by Easement Instrument 6993523.10 is subject to Section 243 (a) Resource Management Act 1991 9231307.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.12.2012 at 4:52 pm
Subject to a right to convey electricity in gross over parts marked A and H on DP 424875 in favour of Top Energy Limited created by Easement Instrument 9231307.5 - 18.12.2012 at 4:52 pm
Subject to a right to convey telecommunications and computer media (in gross) over parts marked A and H on DP 424875 in favour of Chorus New Zealand Limited created by Easement Instrument 9231307.6 - 18.12.2012 at 4:52 pm
Subject to a right of way and a right to convey water, electricity, telecommunications and computer media over part marked A on DP 424875 created by Easement Instrument 9231307.7 - 18.12.2012 at 4:52 pm
The easements created by Easement Instrument 9231307.7 are subject to Section 243 (a) Resource Management Act 1991





Ref: 2220737-RMAMON/A

5 April 2024

Te Kaunihera o Tai Tokerau Ki Te Raki

*The top place where talent
wants to live, work and invest*

Paroa Bay Station
PO Box 3027
Shortland Street
Auckland 1140

Dear Sir / Madam,

Re – Resource Consent subdivide the current title into five fee simple lots.

Create an associated right of way over proposed lot 3 to serve proposed lot 2 breaching rules 12.1.6.1.4, 12.3.6.1.2, 12.7.6.1.2, 13.7.2.1, 13.7.2.5, 15.1.6C.1.1 in the General Coastal Zone as a Discretionary activity, Lot 1, Otamarua Road, Russell 0272

The above-mentioned resource consent was issued on 11th March 2024. It is important that you read and understand your resource consent.

Compliance with conditions of consent will be assessed by Resource Consent Monitoring Officers. Documentation required to meet the conditions of your resource consent will need to be forwarded to rcmonitoring@fndc.govt.nz.

If you have any queries regarding conditions of your resource consent, please do not hesitate to contact me on 0800 920 029 or 09 401 5200 or via email at rcmonitoring@fndc.govt.nz.

Yours faithfully,

Shivon Gadsby

Monitoring Officer – Resource Consents



DECISION ON COMBINED RESOURCE CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B, 106, and Part 2 of the Resource Management Act 1991 (the Act); the Far North District Council **grants** land use and subdivision resource consent for a Discretionary activity; subject to the conditions listed below, to:

Applicant: Paroa Bay Station Limited

Council Reference: 2220737-RMACOM

Property Address: 88 Otamarua Road, Paroa Bay, Bay of Islands 0272

Legal Description: Lot 1 DP 96084

The activities to which this decision relates are listed below:

Activity A – Subdivision:

To subdivide to create five allotments on a site in the General Coastal Zone and Outstanding Natural Landscape under the Operative Far North District Plan (ODP) as a Restricted Discretionary Activity.

Activity B – Land Use:

To construct impervious surfaces within 30m of a wetland; to undertake excavation and filling in the General Coastal Zone that exceeds 200m³ and to use a private access that will serve a total of 9 allotments as a discretionary activity.

Subdivision Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following [conditions](#):

1. The works must be carried out in accordance with the approved drawings and documents provided with the application; specifically, Scheme Plan '*Proposed Subdivision of Lot 1 DP 96084*' by Williams & King (Ref 23426 dt. 26/10/2021 Revision 1) and report '*Paroa Bay Station Ltd Lot 1 Deposited Plan 96084 Otamarua Road Upgrade Cost Estimate*' by Haigh Workman (Ref 21 264 dt. 30/06/2023) attached to this consent with the Council's Approved Stamp affixed to them.

Section 223 Conditions

2. Prior to issuing of a certificate under s223 of the Resource Management Act 1991, the consent holder must:



- a. Submit a survey plan for the proposed subdivision of Lot 1 DP 96084 in accordance with the approved resource consent subdivision scheme plan(s) titled '*Proposed Subdivision of Lot 1 DP 96084*', prepared by Williams & King, dated 26/10/2021. The survey plan must show all easements; including existing easements, and any areas that are subject to other covenants required by this subdivision consent.

Works Within the Site

3. The consent holder must submit to Council for approval; information to include reports, plans, specifications and details of all works on the road; including updates, and all site works at least 10 working days prior to commencing construction. Such works must be designed by a suitably qualified Chartered Professional Engineer in accordance with the Council's District Plan Section 15.1, Appendix 3B-1, Council's current Engineering Standards 2004, revised 2009 (unless otherwise allowed under this consent) and also referencing the Site Suitability Report produced by the Haigh Workman Engineering Report for Proposed Subdivision; dated April 2022, and the report '*Paroa Bay Station Ltd Lot 1 Deposited Plan 96084 Otamarua Road Upgrade Cost Estimate*' by 'Haigh Workman' (Ref 21 264 dt. 30/06/2023) .

Advice Note:

- Submit information via <https://www.fndc.govt.nz/Our-services/Resource-consents/You-have-resource-consent-Now-what#section-3>
- Engineering Plan Approval is required.

Ownership of Assets

4. Plans prepared under Condition 1, must clearly indicate assets that are to be vested in Council and assets that are to remain in private ownership.

Producer Statement for Works Within the Road Within the Site

5. All road related works shown on the plans and information required by Condition 1 must be accompanied by an Engineering Design Producer Statement (PS1A/ Schedule 1A).

Right of Way Construction

6. Plans and information relating to rights-of-way within the site required by Condition 1 must include:
 - a. ROW construction on Easements F and G to a 3m access formation to be built as per Appendix 3B-1: Standards for Private Access and to have a maximum gradient 1:5 for unsealed driveways and 1: 4 for sealed driveways.
 - b. ROW formation drawings including site layout, contour plans, extent and volume of earthworks, typical cross and long sections, turning head details on Easements C, D, E, or F (with dimensions appropriate to accommodate the formation of a single T, Y or L turning head, and the easements modified to accommodate the turning head if required), and material specification.
 - c. Provision of a detailed drawing for stormwater drainage and stormwater collection on the upslope side of the carriageway with culverts.



Advice Note:

Water tables on slopes greater than 5% should be armoured as to the culvert outfalls to reduce velocities and protect against scour damage disposal to control structures, rock armour, and culverts details.

Earthworks

7. At least 10 working days prior to commencing any earthworks, the following plans and information must be submitted to Council for approval:

- a. Plans and construction details for bulk earthworks and full information about the total area and volume of earthworks;
- b. The height of all cut or fill faces and finished levels, including retaining structures;

Advice Note:

Earthworks volume (the total earthwork quantity, will be = (cut)m³ + (fill at site)m³ = total m³) and depths of cut or fill faces. The proposed or existing fill disposal area. Cross-sections showing the depths of cut or fill faces.

- c. An Erosion and Sediment Control Plan in accordance with Auckland Council GD05 requirements. The Erosion and Sediment Control Plan must include measures to prevent earth and other material being deposited on surrounding roads from vehicles and remedial actions if this does occur;
- d. Details of methods to control of dust and noise on-site and any necessary avoidance or remedial measures;
- e. Temporary battering of excavations and fills;
- f. Details of the location of any watercourses and all earthworks; including the proposed Remedial Action Plan, for the treatment and or removal of contaminated material from site;
- g. The proposed stormwater control works to be in place prior to and during construction.

Advice Note:

Email rcmonitoring@fndc.govt.nz to submit plans.

Construction Management Plan

8. At least 10 working days prior to construction commencing, a Construction Management Plan must be submitted to Council for approval. The Construction Management Plan must include:
- a. The timing construction works; including hours of work and key project and site management personnel;
 - b. The transportation of demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrance/exits and the loading and unloading of materials;
 - c. A construction traffic management plan must be submitted for Council approval prior to earthworks and construction activities commencing on the site; and
 - d. Following approval of the plans and selection of the



contractor, provide to Council:

- Details of the successful contractor;
- Details of the planned date and duration of the contract; and
- Details of the construction engineer.

Advice Notes:

- *The construction management plan must satisfy the requirements of the stated management procedures, comply with conditions from works consents from Northland Regional Council.*
- *The measures must be maintained and cleaned out until such time as non-erodible cover has been established over the site.*

Section 224(c) conditions

Management Plan

9. That prior to the issuing of a certificate pursuant to section 224(c) of the Act, the subdividing owner must:
 - a. provide to the satisfaction of Council's Resource Consent Manager or other duly delegated officer, the following Management Plan documents:
 - i. Vegetation Management Plan ("VMP"). This shall have as an objective the retention of the vegetated character of the lots. The VMP shall show how vegetation is to be retained on the lot, either by way of retaining existing vegetation, or by way of replacement with suitable alternative vegetation (excluding the immediate curtilage area around the house site, including providing a sufficient buffer for fire risk protection). Where new planting is proposed, the VMP shall show the extent of the lot to be so planted and include details on the species, density of planting, timing for the planting and on-going management to ensure the proper growth of the plantings and control of weed species.

Certification

10. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder must:
 - a. Upon completion of the works specified in condition(s) in 223 [Conditions 3, 4, 5, 6, and 7] above, provide construction review (PS4A / Schedule 1C) certification from a Chartered Professional Engineer that the design and construction work are in accordance with the approved plans.
 - b. Upon completion of the drainage works specified in condition(s) in 223 Conditions 3, 4, 5, 6, and 7] above, provide certification (PS3 / Schedule 1b) of the work from a suitably qualified person that all work has been completed in accordance with the approved plans.

As Built Plans

11. The Consent Holder must provide to Council, as-built plans complying with schedule 1D of



NZS 4404:2004 and section 1.5.2.5 of Council's Engineering Standards and Guidelines.

Surveyor Confirmation

12. Provide to Council written confirmation from a Licensed Cadastral surveyor that the access carriageway and stormwater drainage is fully contained within the easements provided for access and drainage.
13. Provide evidence that electrical and telecommunications have been provided to the boundary of each lot.

Upgrades to Otamarua Road

14. Prior to the issuing of a certificate under section 224(c), the upgrade works to Otamarua Road as itemised in the report titled "Paroa Bay Station Ltd Lot 1 Deposited Plan 96084 Otamarua Road Upgrade Cost Estimate" by 'Haigh Workman' (Ref 21 264 dt. 30/06/2023), shall be undertaken by the consent holder. The consent holder must also provide certification from a suitably qualified person within 40 working days of completion that these works have been completed to an adequate standard.
15. The consent holder must provide evidence that a contract has been entered into between Council and the consent holder, that obligates the consent holder to provide a guarantee to maintain the upgrade works to Otamarua Road as itemised in the report titled "Paroa Bay Station Ltd Lot 1 Deposited Plan 96084 Otamarua Road Upgrade Cost Estimate" by 'Haigh Workman' (Ref 21 264 dt. 30/06/2023), for a period of one-year from the date the certification of the finished works have been provided to the Council under Condition 14. The contract must guarantee that the road upgrade works are maintained to a good standard for this one year period.

Advice Notes

- *For the avoidance of doubt the works must be undertaken in accordance with the Haigh Workman report. They may not be to Council standards for the entire alignment; however, all works must have final approval from Council before commencing. This has been assessed during processing of this consent and considered to be acceptable. The guarantee applies for a 1 year period from the time the certification of the works as being complete is provided to the Council, not at the date of s224(c) approval.*
- *All buried services within the road boundary must be located, marked and adequately protected prior to any works commencing. Repairs to any damage caused to underground services must be the responsibility of the consent holder.*
- *The consent holder must be responsible for the dirt or debris tracked on to public roads must be cleaned up or repairs to any damage to road carriageways, berms, footpath and kerb and channel caused during earthworks or construction activities on the site, within stipulated timeframes in the CTMP to the satisfaction and approval of Council and NTA. No parking of construction vehicles on Council roads must be permitted.*
- *The consent holder must provide evidence that a Traffic Management Plan*



(TMP) has been approved by Councils Corridor Access Engineer and a Corridor Access request (CAR) obtained prior to any works being undertaken in public road corridor, or remedial works being undertaken to the existing public road carriageway.

Consent Notice Conditions

17. Pursuant to Section 221 of the Resource Management Act 1991, a consent notice must be prepared and be registered on the Computer Freehold Register of the stated lot at the consent holders expense, containing the following conditions which are to be complied with on a continuing basis by the subdividing owner and subsequent owners:
- a. In conjunction with any building consent application for a building and/or retaining on the allotment, the building consent applicant is to provide a report from a Chartered Professional Engineer with recognised competence in relevant geotechnical and structural matters, which addresses the site's investigation undertaken, confirms the stability of the proposed development; including any proposed earthworks and detailed erosion and sediment controls in accordance with Auckland Council's GD05 requirements, and provides specific engineering design of any stabilising structures and sets out the specific design of the building's foundations and retaining; all with reference to the Geotechnical Assessment Report produced by Haigh Workman Limited dated May 2022, project reference 21 264 and submitted with the RC 2220737 application. **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**
 - b. In conjunction with the construction of any building that requires building consent on the allotment, the lot owner must install a stormwater mitigation system for stormwater runoff from new buildings, accessways, parking areas, and other impermeable surface areas back to pre-development levels for up to and including the 10% AEP; plus an allowance for climate change, prepared by a Professional Chartered Engineer or a suitably qualified engineer, and are to reference the recommendations of the Haigh Workman Engineering Report titled "Site Suitability Report for Proposed Subdivision" dated April 2022, project reference 21 264. Overland/secondary flow paths capable of accommodating the 1% AEP storm event (including existing downstream flow paths of the proposed development) are to be provided. Diversion or filling in of the existing overland flow paths must not cause or worsen flooding effects. **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**
 - c. In conjunction with the construction of any dwelling; and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of a tank or other approved means and is to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supplies Code of Practice SNZ PAS 4509. Water for firefighting purposes must be provided within the Lot. **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**
 - d. In conjunction with the construction of a future dwelling on the lot, the lot owner must obtain a building consent and install a wastewater treatment and effluent disposal system on the lot. The system must be designed by a Chartered Professional Engineer or Council approved writer in general accordance with



ARC TP58 or successor document requirements and must reference the recommendations of the Haigh Workman Engineering Report titled "Site Suitability Report for Proposed Subdivision" dated April 2022, project reference 21 264 and submitted with the RC 2220737 application. **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**

- e. The owner of each lot must be required at all times to comply with all aspects of the Vegetation Management Plan approved under Condition 9 of RC2220737. **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**
- f. The consent holder, or subsequent owners of lot 1 shall notify Heritage New Zealand one week prior to commencing any work involving building, ground disturbance or tree planting, on or within 100m metres of the archaeological sites registered on each lot, and should comply with the requirements and provisions of the Heritage New Zealand Pouhere Taonga Act 2014. **[Lot 1]**
- g. No occupier of the lot, contractor and/or visitor must keep or introduce on to the site carnivorous or omnivorous exotic animals (such as mustelids, cats or dogs). **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**
- h. Exotic vegetation which could adversely affect natural regeneration or local forest health is not to be introduced on the site. This includes the introduction of invasive plant species, including those currently listed on the nationally-banned-for-sale list (see Northland Regional Pest Management Strategy). Planting of other exotic species should be confined to the immediate vicinity of the dwellings. Species with berry-type fruits, capable of dispersal by birds, and on the Northland Regional Pest Management Strategy are to be grown within netting to prevent seed that is spread by birds. **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**
- i. Prior to any vegetation clearance or earthworks on the site; an initial survey for Weka and kiwi will be required to determine whether Weka and, or kiwi are present within 50m of the proposed vegetation clearance and earthworks and they are likely to be either directly or indirectly impacted by the proposed site works. If Weka and or kiwi are found either within or within 50m of the proposed area of works, a Weka and or Kiwi Management Plan will be required to provide methods of minimising any potential impacts. The Weka Management Plan and, or Kiwi Management Plan must include guidance on the survey requirements before and during the site works, measures and setbacks that are required to be implemented in the case of presence of Weka and or Kiwi, and other methods to avoid and minimise potential impact. **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**
- j. The property has been identified as containing habitat that supports the North Island Brown Kiwi in medium or high density numbers. These habitats are to be protected by way of the following methods:
 - i. The living indigenous vegetation on the site must not be cut down, damaged or destroyed (except for the preparation of one house site per allotment, approved accessory buildings, roadway and walking track formation and maintenance, and tracks for pest control operations) without the prior written consent of the Council. Such consent may be given in the form of resource consent. The owner must be deemed to be not in breach of this prohibition if any such vegetation dies from natural causes which are not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.



- ii. There must be no intrusion of grazing stock (including horses, cows, sheep, goats, and pigs) into any areas of indigenous vegetation on the site.

[Lot 1, Lot 2, Lot 3. Lot 4, Lot 5]

- k. Prior to any vegetation clearance during the bird breeding season, the trees on the site must be surveyed by a suitably qualified and experienced Ecologist/Ornithologist for any nesting birds. **[Lot 1, Lot 2, Lot 3, Lot 4, Lot 5]**
- m. All buildings and structures on a lot shall be located within the identified building envelope shown on the survey plan.

Land Use Conditions

Pursuant to section 108 of the Act, this land use consent is granted subject to the following [conditions](#):

1. At least 10 working days prior to commencing any earthworks, the following plans and information must be submitted to Council for approval:
 - a. Plans and construction details for bulk earthworks and full information about the total area and volume of earthworks;
 - b. The height of all cut or fill faces and finished levels, including retaining structures;
Advice Note: *Earthworks volume (the total earthwork quantity, will be = (cut)m³ + (fill at site)m³ = total m³) and depths of cut or fill faces. The proposed or existing fill disposal area. Cross-sections showing the depths of cut or fill faces.*
 - c. An erosion and sediment control plan in general accordance with Auckland Council GD05 requirements. The erosion and sediment control plan must include measures to prevent earth and other material being deposited on surrounding roads from vehicles and remedial actions if this does occur.
 - d. Details of methods to control of dust and noise on-site and any necessary avoidance or remedial measures;
 - e. Temporary battering of excavations and fills;
 - f. Details of the location of any water courses and all earthworks, including a proposed Remedial Action Plan for the treatment and or removal of contaminated material from site; and
 - g. The proposed stormwater control works that are to be in place prior to and during construction.
2. The consent holder must complete the earthworks, associated stormwater, and silt control measures in general accordance with the approved plan specified in Condition 1.
3. The consent holder must ensure that all the consented earthworks to be undertaken on the site are to be inspected and approved by a professional Engineer to be engaged by the consent holder. The Council Resource Consent Monitoring officer or designate is to be advised in writing (email: rcmonitoring@fndc.govt.nz) of the appointment of the engineer and notified when work is to commence and when it has been completed.
4. All stock piles of fill must be located away from overland or drainage paths and all temporary stock piles must be covered to suppress dust and reduce erosion.



5. The consent holder must install a new or maintain the existing clean water diversion drain around the top of the excavated area to reduce stormwater flow across the site for the duration of the earthworks construction period.
6. The consent holder must ensure all exposed surfaces are covered with aggregate or mulch to suppress dust or erosion and; within six (6) months of completing the earthworks, re-establish vegetation cover on all exposed cut surfaces.
7. All erosion and sediment control measures must be installed prior to commencement of earthworks and be maintained until the site is stabilised.

Land Use Advice Notes

Archaeological Sites

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

Earthworks

2. *The consent holder is responsible for arranging for buried services to be located and marked prior to commencing earthworks and is also responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.*

Advice Notes

Lapsing of Consent

3. *Pursuant to section 125 of the Act, this resource consent will lapse five (5) years after the date of commencement of consent unless, before the consent lapses;*
 - a) *A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or*
 - b) *An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.*

Right of Objection

4. *If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.*

General Advice Notes

5. *This consent has been granted on the basis of all the documents and information*



provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).

6. *The consent holder is responsible for arranging for buried services to be located and marked prior to commencing earthworks and is also responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.*

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent; it was determined that, pursuant to sections 95A and 95B of the Act, the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are no affected persons, and no special circumstances exist. Therefore; under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity. As such; under section 104, the Council can consider all relevant matters.
3. In regard to section 104(1)(a) of the Act; the actual and potential effects of the proposal will be acceptable, as:
 - a. The site is zoned General Coastal, along with the surrounding and neighbouring areas. The lot sizes and level of density proposed as a result of the subdivision will be coherent with those within the surrounding area; where similar levels of density and lot sizes exist. The subdivision will therefore not be out of character; nor detract from the amenity provided by, the surrounding environment.
 - b. All five lots are able to be serviced with stormwater, wastewater, and utility network infrastructure. Potable and firefighting water supply are also able to be provided through on-site water tanks. Telecommunications and electricity servicing will be provided via easements within the existing private road on the site.
 - c. All five lots will have vehicular access to Otamarua Road via the existing private road. Whilst the road that serves more than eight lots is not to be vested, the effects of this are less than minor and mitigated by the maintenance of the private road by the applicant, the minor repair and sufficient condition of the private road, and the level of visibility enabled for the users of the private road.
 - d. The section of road outside of the site will be subject to minor upgrades to improve safety. As a result, safe conditions are facilitated to cater for any additional traffic that may be generated by the proposed lots.
 - e. The proposed building platforms for the lots are away from the mapped flooding and coastal hazard areas and will have a finished floor level that is above those areas.
 - f. The mapped Outstanding Natural Landscape that applies to the site under the ODP is restricted to the coastal edges of the site and the building platform and access areas are away from this. In turn, the natural amenity and character of the Outstanding Natural Landscape is maintained, noting that the Outstanding Natural Landscape is not mapped on the site in the Northland Regional Policy Statement 2016.
 - g. A number of archaeological sites have been identified and



surveyed on the site. The effects on these; however, are less than minor, as the building platforms and earthworks will take place away from the archaeological sites. All works will also be undertaken in accordance with an accidental discovery protocol.

- h. Visual and landscape effects in relation to the coastal marine area (CMA) are considered to be less than minor. This is because the dwellings will be built and located within the site to be incorporated within the landscape and most of the existing vegetation will be retained. Visibility towards the site will be available from a small number of vantage points.
 - i. Earthworks associated with the construction of the right-of-way (ROW) over proposed Lot 3 will be undertaken with erosion and sediment control measures in place that are consistent with GD05. The erosion and sediment control measures will minimise sediment loss to the greatest extent possible during construction. The amount of earthworks and vegetation to be removed are further minimised by using the existing farm tracks on the site.
 - j. No activities in the surrounding area or within the site will give rise to any reverse sensitivity effects as a result of the subdivision, due to the surrounding environment being of a similar nature and within the same zones as the subject site and the surrounding environment used for similar purposes to that proposed.
 - k. The indicative building platforms are well set back from the coast and maintain the natural character of the coastal environment within which the lots will sit.
 - l. Cumulative effects are less than minor, as the size and shape of the lots are appropriate for future built development.
 - m. The proposal will also result in positive effects, including facilitating and contributing to housing supply in an area that offers a high level of amenity and where effects can be appropriately managed and mitigated.
4. In regard to section 104(1)(ab) of the Act, there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to section 104(1)(b) of the Act, the following statutory documents are considered to be relevant to the application:
- a. New Zealand Coastal Policy Statement 2010 (NZCPS);
 - b. National Policy Statement for Freshwater Management 2020 (NPSFM);
 - c. Northland Regional Policy Statement 2016 (NRPS);
 - d. Operative Far North District Plan 2009 (ODP); and
 - e. Proposed Far North District Plan 2022 (PDP).

New Zealand Coastal Policy Statement 2010

The activity is consistent with the NZCPS, because:

- The existing native vegetation on the site will continue to be protected through the subdivision via an existing land covenant. None of this vegetation will be removed as part of this application.
- The building platforms on proposed Lots 1 3, and 4 in particular are at a lower elevation than the ridges along the coastal edge, where much of the Outstanding Natural Landscape as defined in the ODP is mapped. Provisions of the Plan in regard to colour, height and materiality of the



future buildings will apply;. This alongside the minimal vegetation clearance proposed, further mitigate related effects, which are less than minor.

National Policy Statement for Freshwater Management 2020

The activity is consistent with the NPSFM, because:

- No future development or earthworks will take place within the natural wetlands.
- Consents have been granted by Northland Regional Council for discharges to the estuarine and natural wetlands and future development; including the proposed ROW on proposed Lot 3, parts of which are within 10m of the wetland. Effects on the wetland and consistency with the NPSFM have therefore been considered and found to be acceptable.

Northland Regional Policy Statement 2016

The activity is consistent with the NRPS, because:

- The built development pattern that will result from, and is enabled by, the subdivision will be sustainable, consistent with that which exists in the surrounding environment, and be able to be serviced with on-site three waters and utility network infrastructure.
- Any future built development on the proposed lots will be located above the modelled flood levels of the flood hazard areas on the site and outside of the coastal hazard areas.
- The native vegetation within the Taraire Forest at the rear of the site will continue to be protected via an existing consent notice that also protects the significant indigenous vegetation and associated habitats of fauna within that area. The subdivision considers the consent notice and need to protect the vegetation. In turn, the natural character and amenity of the Taraire Forest are protected and maintained.

Operative Far North District Plan 2009

The activity is consistent with the relevant objectives, policies, and assessment criteria of the ODP, because:

- The proposed lot sizes reflect and promote a low density level that is sustainable and consistent with what currently exists in the vicinity in terms of density, subdivision and built development pattern, and lot size.
- The natural character and amenity of the mapped Outstanding Natural Landscape on the site will be maintained by the proposed building platforms and earthworks being away from this area. The mapped Outstanding Natural Landscape is restricted to the coastal edge and; in this sense, the coastal character and amenity along that edge are also maintained. Visual and



landscape amenity effects are less than minor and the future dwellings will be built in a manner that will enable them to integrate sufficiently into the surrounding rural-coastal environment.

- Adverse effects are appropriately managed through the proposed mitigation measures that will be incorporated into the proposal. Such measures include the placement of the future dwellings and the proposed earthworks and on-site servicing being away from the Outstanding Natural Landscape/High Natural Character areas as well as the Coastal and River Flood Hazard Zone areas.
- The subdivision creates lot sizes and shapes that can be adequately serviced with on-site three waters and utility network service management.

Proposed Far North District Plan 2022

The activity is consistent with the relevant objectives, policies and assessment criteria of the PDP, because:

- The proposal maintains a level of density that is sought for the Rural Production Zone and proposes lot sizes and shapes that are coherent with those within the surrounding area.
- The lot sizes proposed are not out of character with the lot sizes that exist in the neighbouring vicinity.
- The subdivision is able to be adequately serviced. Access to all lots is adequate and safe traffic conditions are maintained. This is despite the existing private road not being vested as a public road.
- Given the zoning of the surrounding environment (Rural Production), the size of the lots proposed, and the existing vegetation, the proposed subdivision is not anticipated to result in reverse sensitivity effects.
- The mapped High Natural Character overlay is restricted to the CMA and coastal edge. The natural character and amenity this area will be maintained by the proposed building platforms and earthworks being away from it.

For this resource consent application, the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

As the outcomes sought are the same under the operative and the proposed plan frameworks, no weighting is necessary. It is noted that the application complies with the relevant standards under the PDP that have immediate legal effect.

6. In regard to section 104(1)(c) of the Act, there are no other matters that are relevant and reasonably necessary to determine the application.
7. In terms of s106 of the RMA, the proposal is not considered to give rise to significant risks from natural hazards.

The building platforms are
outside of the Coastal and



River Flood Hazard Zone areas and risk to the private road is at an acceptable level. Additionally, sufficient legal and physical access is provided for each lot to Otamarua Road through the existing private road.

Accordingly; Council is able to grant this subdivision consent, subject to the conditions above. It is noted; however, that geotechnical input and repair is required for the one section of the private road that is cracked and this is by way of a condition of consent, which the applicant adopts.

8. Based on the assessment above, the activity will be consistent with Part 2 of the Act.

The activity will avoid, remedy, or mitigate any potential adverse effects on the environment; while providing for the sustainable management of natural and physical resources. The activity is therefore in keeping with the Purpose and Principles of the Act. The activity maintains coherency with section 6(a), 6(b), 6(c), 6(d), and 6(h) of the Act. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.

9. Overall; for the reasons above, it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Angela Goodwin – Consultant Resource Planner (Potentialis Limited). I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



William (Bill) Smith

Date: 11 March 2024

Independent Hearings Commissioner



21 264

30 June 2023

Peter Hall
Peter Hall Planning Limited

peter@phplanning.co.nz

Paroa Bay Station Ltd
Lot 1 Deposited Plan 96084
Otamarua Road Upgrade Cost Estimate

Haigh Workman Limited has been engaged by Paroa Bay Station Ltd to provide an assessment of the unmaintained section of Otamarua Road together with recommendations for safety improvements and an estimate of costs thereof. The requirements to upgrade the road to a vested road standard and the costs thereof are not included in this assessment.

The section of road subject to this assessment is indicated on the attached Far North Maps Plan and Haigh Workman Drawing 21 264/P7 appended. We understand this section of road is an unmaintained, public road.

Otamarua Road Existing Condition

Otamarua Road is sealed as far as RP 461m (entrance to Sage Restaurant). Council traffic count data suggests that the road is maintained as far as RP 461m. The remaining 631m as far as the termination turn around at RP 1092m is unmaintained.

The sealed section of Otamarua Road has a 6.0m carriageway width as far as RP 461m. The remaining 631m of unmaintained length has a carriageway width of 5.0m except for a short length at RP 830m where a narrowing caused by a steep drop off on the LHS has resulted in a reduced width to 3.0 m.

Due to low traffic numbers and low operating speed (40-50 kph due to winding alignment), combined with minimal maintenance, users of the gravel section drive the road with a shared or common central wheel track.

Traffic Volumes

The following traffic count data was received from Council on 5 April 2022:

Table 1 – Otamarua Road Traffic Count

| Road | Start | End | ADT | % Heavy Vehicles | Latest | Count Status | Count Date |
|---------------|-------|-----|-----|------------------|------------|--------------|------------|
| OTAMARUA ROAD | 0 | 312 | 109 | 5 | Latest | Count | 26/02/2018 |
| OTAMARUA ROAD | 0 | 312 | 113 | 11 | Latest | Estimate | 30/06/2021 |
| OTAMARUA ROAD | 0 | 312 | 49 | 11 | Not latest | Estimate | 15/04/2016 |
| OTAMARUA ROAD | 0 | 312 | 109 | 11 | Not latest | Estimate | 20/04/2020 |
| OTAMARUA ROAD | 312 | 461 | 104 | 0 | Latest | Estimate | 30/06/2021 |
| OTAMARUA ROAD | 312 | 461 | 100 | 0 | Not latest | Estimate | 20/04/2020 |

The data shows very low usage of the road despite the unsealed length beyond RP 312m serving some 20 existing titles, approximately 8 of which have been developed to contain dwellings (based on Google satellite imagery dated 08/09/2021).

An ADT (Annual Daily Traffic) count of 113 equates to just over 11 H.E.s (Household Equivalents).

Carriageway Width

The length of Otamarua Road under consideration has a winding alignment with tight radius bends, this results in a low operating speed in the range 40-50 kph.

The low number of developed properties (approximately 8) results in a low traffic volume. On a low volume unsealed road without markings, traffic will generally drive single file assuming there is adequate forward stopping sight distance (SSD). Where the SSD is reduced then vehicles will tend to the LHS of the carriageway in anticipation of allowing an oncoming vehicle safe width to pass. In this situation three wheel tracks may be observed indicating a shared central track, this is evident at the sharp bend at RP 640m.

According to NZS4404:2010, in the rural setting a 5.5 m carriageway is adequate to serve ~ 200 vpd, and up to ~ 1,000 vpd. This compares with historical traffic volumes of ~ 100 vpd.

The road has a formation width that can accommodate a 5.0m carriageway without the need for further earthworks. Widening the carriageway to 5.5m throughout would require extensive re-shaping including extending cut batters, filling and recutting of the water table, shoulder widening and culvert extensions. Instead, we consider a 5.0m carriageway width plus shoulders with carriageway widening to 5.5m at the two sharp bends at RP 580 & 640m will address the critical safety matter of intervisibility. In this manner vehicles have adequate width to pass on the straighter sections where more forward visibility is available and increased width at the two sharp bends to discourage single lane sharing where there is a heightened risk posed by oncoming vehicles.

Regarding traffic growth, the proposed subdivision will create an additional 5 lots with an estimated increase in traffic volumes of 50 vpd once all lots are fully developed. At an assessed operating speed of 40kph a vehicle will drive the 631m length of road in 1min. For two-way traffic not to meet vehicles would need to be spaced at 2min intervals equivalent to 30vphr. Assuming all 150 vehicle movements occur over a 2hr morning and 2hr evening peak period, gives 38vphr. which indicates that there is a low chance of two-way traffic meeting. On this basis, we consider a 5.0m carriageway width with widening to 5.5m on sharp bends can safely accommodate the additional traffic associated with the proposed subdivision.

Condition Assessment

Haigh Workman conducted a walkover throughout the length of the existing gravel road, the findings of the assessment are presented below.

RP 0 – 461m – Seal condition good no maintenance works identified. Refer photographic log appended.

RP 461 – 1092 end - The 631m length of un-maintained gravel road general has a carriageway width 5.0m. The earthworks, subgrade, basecourse, shoulders and stormwater drainage are all adequate. The carriageway requires routine maintenance including grading, application of running course gravel and cleansing of water tables.

There is adequate sight distance should two vehicles meet and sufficient width for opposing vehicles to safely pass, except at the following locations:

RP 580 & 640m – Two sharp bends at these locations have inadequate SSD should two vehicles meet, we consider it important that the carriageway at the locations be widened to 5.5m, which can be comfortably achieved with only minor earthworks.

RP 830m - The carriageway width reduces to 3.0 m over a length of approximately 10 to 15m. The narrowing is caused by a steep drop off on the LHS. No distress of the carriageway attributable to the feature was observed. Suitable shoulder width is available to construct passing bays before and after the narrow section allowing safe 'give and take' traffic management. Historical Street View imagery shows that the road has been in this same condition for at least the last 13 years. Widening the carriageway to two-way would require major intervention to install a retaining wall support structure.

Recommended Safety Improvements

We recommend the following minimum safety improvements are carried out:

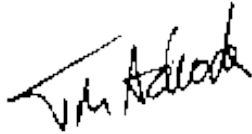
- The carriageway be upgraded to a minimum 5.0 m width plus shoulders
- Carriageway widening on bends at RP 580 & 640m to 5.5m plus shoulders
- In lieu of widening the 10 to 15m narrow single lane section, road narrows signage may be erected
- The cost of the safety improvements is estimated to be in the order of \$50,000

An estimate for the minimum safety improvements proposed is appended.

Disclaimer

This letter has been prepared for the sole use of our client, Paroa Bay Station Ltd for the brief and on the terms and conditions agreed with our client. It may not be used or relied on (in whole or part) by anyone else, or for any other purpose or in any other contexts, without our prior written agreement. This report may not be read or reproduced except in its entirety.

Reviewed by



Tom Adcock
Senior Civil Engineer
BEng (Civil),
MEngNZ

Approved by



John Papesch
Senior Civil Engineer
,CMEngNZ CPEng

Encls:

1. Drawing 21 264/P100
2. Schedule of estimated quantities
3. Photographs

Photographic Log

The reader is recommended to access Google Street view on line and take a virtual drive along Otamarua Road. The street view is particularly helpful as it provides an historical record of the condition of the road from Jan 2010 and shows the earthworks extents, cut batters and water table drainage prior to the vegetation growing up.



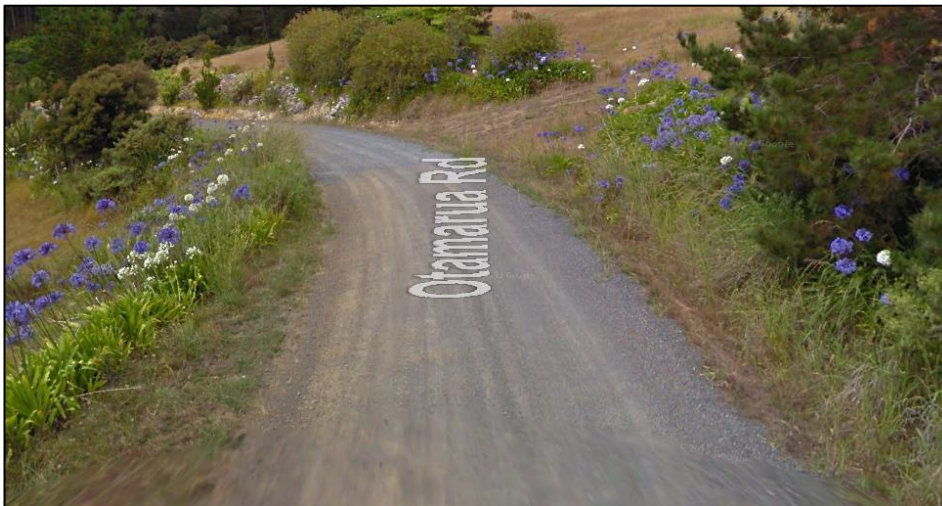
RP 461 end of sealed Council maintained section looking northwards March 2022



Same view Google Street view Jan 2010



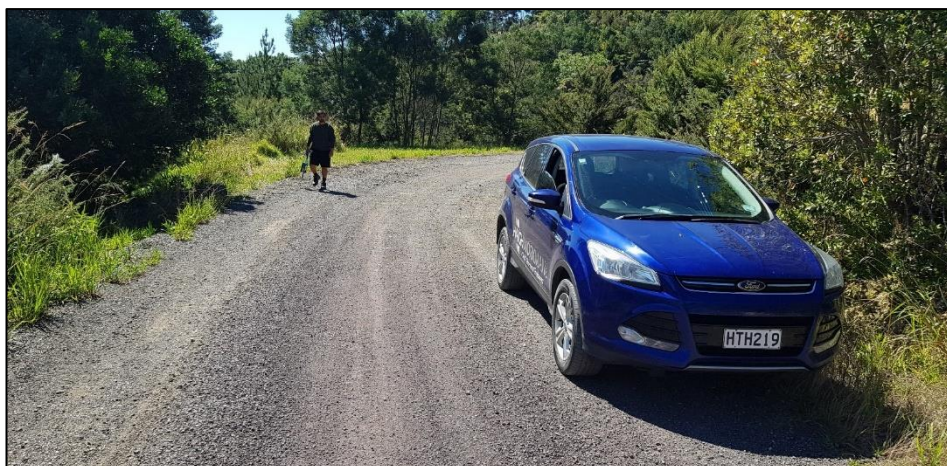
Corner at RP 580m looking northwards March 2022 (adequate width to widen carriageway to 5.5m on bend)



Same view Google Street view Jan 2010



Same corner at RP 580m looking southwards March 2022



Corner at RP 640m looking northwards March 2022 (adequate width to widen carriageway to 5.5m on bend)



Same view Google Street view Jan 2010



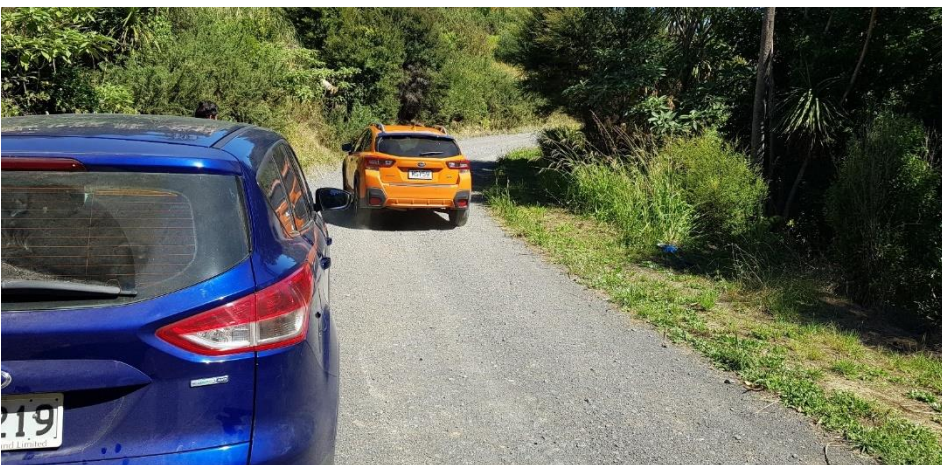
Same corner at RP 640m looking southwards



Corner at RP 730m looking northwards (adequate width)



Same view Google Street view Jan 2010



Same corner at RP 730m looking southwards (adequate width for two vehicles to pass)



RP 800m looking southwards (adequate width for proposed passing bay prior to narrow section at RP830m)



Same view Google Street view looking southwards Jan 2010



Same view Google Street view looking northwards Jan 2010



RP 820 Google Street view looking northwards Jan 2010 adequate width for proposed passing bay prior to narrow section at RP830m)



Timber Pole retaining RP 1010

Haigh Workman Reference : 21 264
Paroa Bay Station Ltd
Otamarua Road Upgrade Cost Estimate

APPROVED PLAN

Planner: Trish Routley
pp: ERamsay
RC: 2220737-RMACOM
Date: 12/03/24

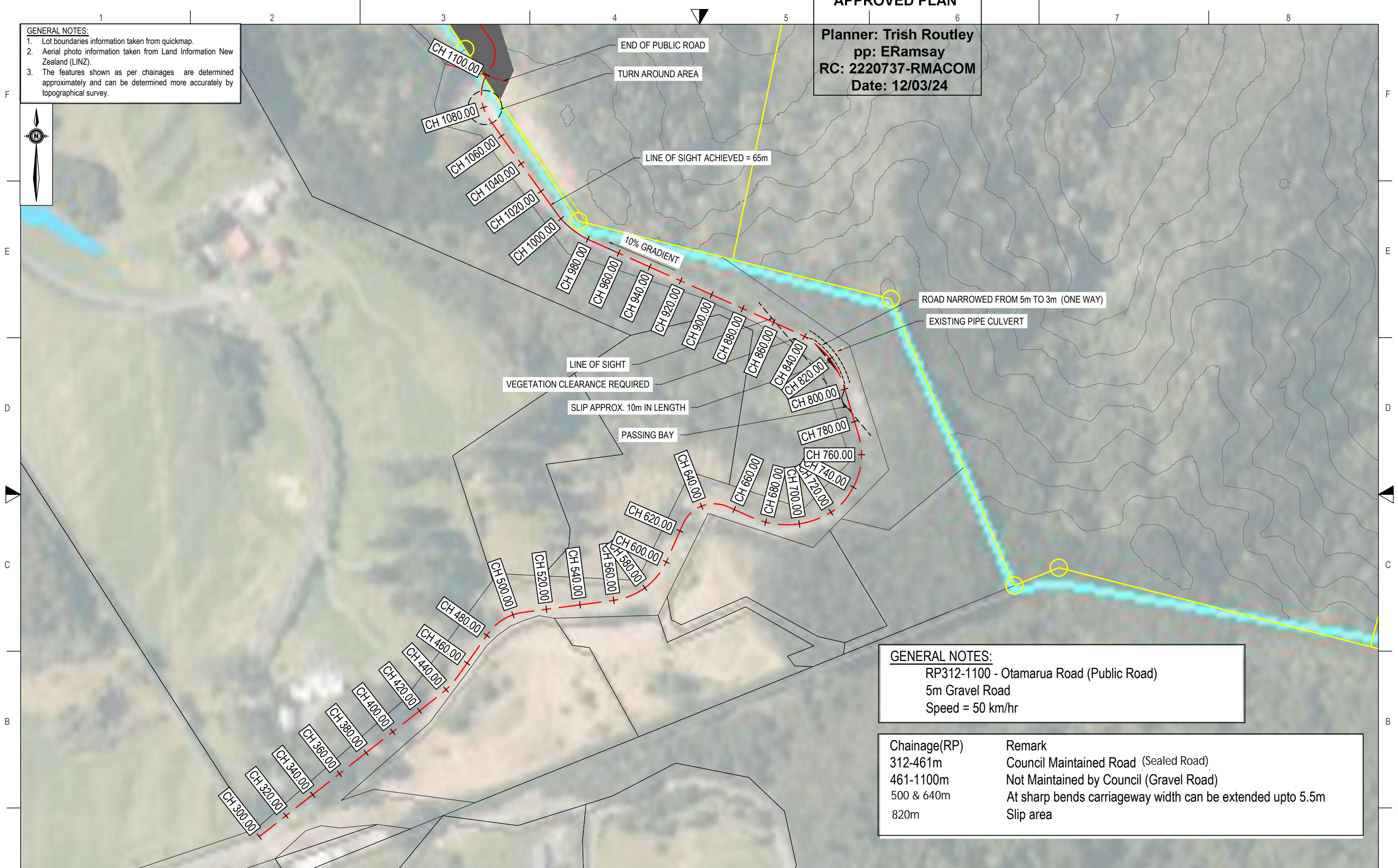
| ITEM | DESCRIPTION | UNIT | Quantity | Engineer's Estimate | |
|--------------------------------------|--|----------------|----------|---------------------|-------------|
| | | | | Rate | Amount |
| 1 Preliminary | | | | | |
| 1.1 | Establishment, setting out, locate services, health and safety management, quality management, insurances, "as-built" record, 12 month maintenance / defects liability | L.S | 1 | \$5,000.00 | \$5,000.00 |
| 1.2 | Traffic management including preparing Traffic Management Plan, obtaining Corridor Access Request and implementing TMP | LS | 1 | \$2,000.00 | \$2,000.00 |
| 1.3 | Prepare and implement Erosion and Sediment Controls | LS | 1 | \$1,000.00 | \$1,000.00 |
| 2 Earthworks | | | | | |
| 2.1 | Site clearance cut back vegetation | LS | 1 | \$2,000.00 | \$2,000.00 |
| 2.2 | Cleanse water tables and berms both sides of carriageway | m | 1262 | \$5.00 | \$6,310.00 |
| 2.3 | Trim batter to achieve 5.5m carriageway width on two bends | m ³ | 240 | \$40.00 | \$9,600.00 |
| 2.4 | Cut and trim for carriageway widening on two bends | m ³ | 24 | \$40.00 | \$960.00 |
| 3 Roding | | | | | |
| 3.1 | Supply, lay and compact GAP 40 basecourse | m ³ | 24 | \$120.00 | \$2,880.00 |
| 3.2 | Supply, lay, grade and compact GAP 30 running course | m ³ | 95 | \$100.00 | \$9,500.00 |
| 4 Miscellaneous | | | | | |
| 4.1 | Supply and install MOTSAM PW-43 road narrows sign | ea | 2 | \$500.00 | \$1,000.00 |
| 4.3 | Site rail along top of narrow section | m | 19 | \$120.00 | \$2,280.00 |
| Total Tender Sum | | | | | \$42,530.00 |
| GST | | | | | \$6,379.50 |
| Total Value of Works (including GST) | | | | | \$48,909.50 |

Note: All volumes are solid measure based on construction drawings

GENERAL NOTES:
1. Lot boundaries information taken from quickmap.
2. Aerial photo information taken from Land Information New Zealand (LINZ).
3. The features shown as per chainages are determined approximately and can be determined more accurately by topographical survey.



APPROVED PLAN
Planner: Trish Routley
pp: ERamsay
RC: 2220737-RMACOM
Date: 12/03/24



GENERAL NOTES:
RP312-1100 - Otamarua Road (Public Road)
5m Gravel Road
Speed = 50 km/hr

| Chainage(RP) | Remark |
|--------------|--|
| 312-461m | Council Maintained Road (Sealed Road) |
| 461-1100m | Not Maintained by Council (Gravel Road) |
| 500 & 640m | At sharp bends carriageway width can be extended upto 5.5m |
| 820m | Slip area |

| | | | | | | | | | |
|-----|------------|-------------|----|---------|-----|------------------------------|-------------|--------------------------------------|-----------------|
| Rev | Date | Description | By | Checked | DWG | ROADING PLAN - OTAMARUA ROAD | Project | OTAMARUA ROAD, PAROA BAY, RUSSELL | Stage |
| A | 11.06.2023 | FOR COMMENT | | | | | Client | PAROA BAY STATION LTD | Dwg No. P100 |
| | | | | | | | Project No. | 21 264 | Sheet No. |
| | | | | | | | RC no. | | |

A3 SCALE 1:2000

040m100m

Date 01/04/2022

Drawn JT

Checked SH

Approved TA

File

C:\USERS\SANTIGARONTA\ONE DRIVE - HAIGH WORKMAN LIMITED\DESKTOP\MY JOBS - DESKTOP\21 264 - PAROA BAY STATION ROADING\PAROA BAY STATION LTD.DWG

HAIGH WORKMAN

Civil & Structural Engineers

6 Fairway Drive
Kerikeri, BOI

T: 09 407 8327
F: 09 407 8378
E: info@haighworkman.co.nz

DIMENSIONS MUST NOT BE SCALE MEASURED FROM THESE DRAWINGS.
THE CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS INCLUDING,
SITE LEVELS, HEIGHTS AND ANGLES ON SITE PRIOR TO COMMENCING
ANY WORK. THE COPYRIGHT TO THESE DRAWINGS AND ALL PARTS
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PROPOSED DRIVEWAYS, LOT2 & LOT 3
FOR
PAROA BAY STATION LIMITED

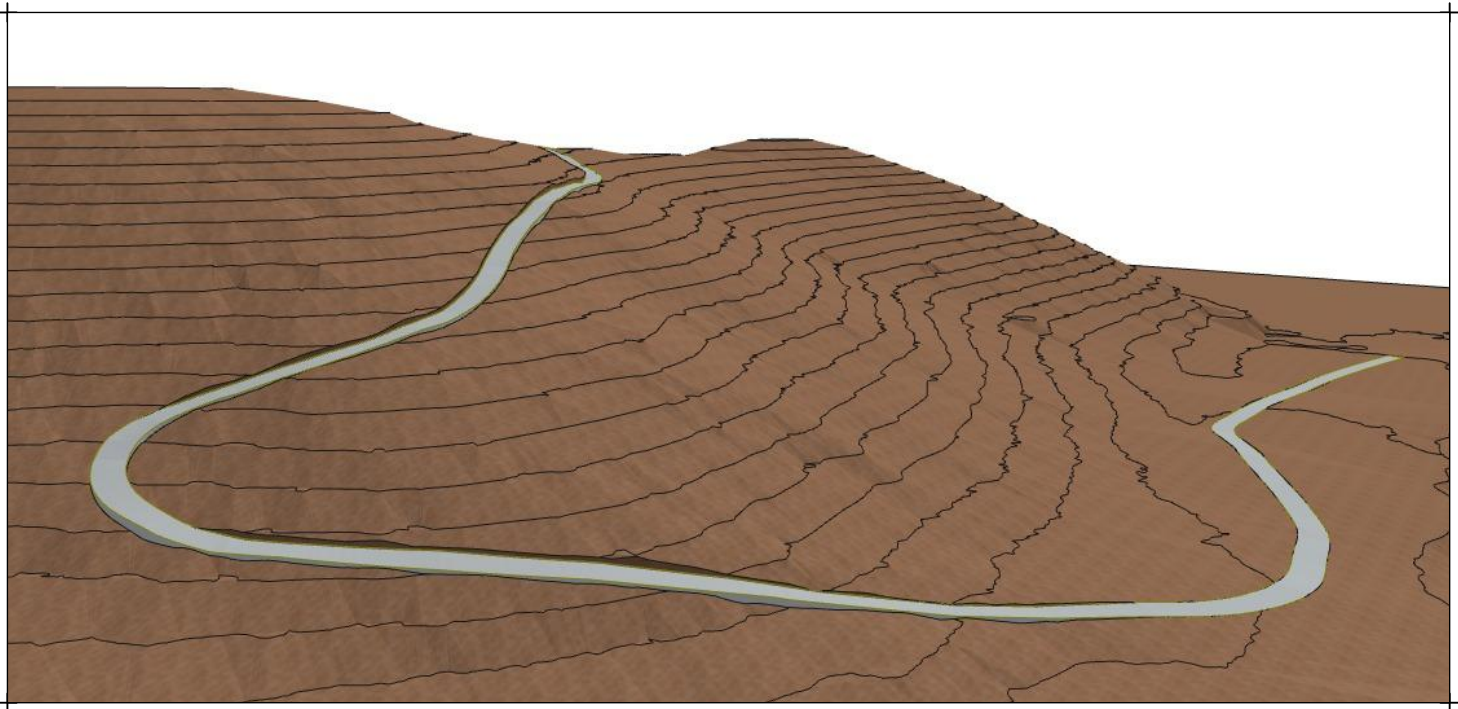
| DRAWING LIST | |
|--------------|--------------------------------|
| SHEET # | SHEET TITLE |
| A000 | COVER SHEET |
| A001 | PROPOSED SITE PLAN |
| A002 | PROPOSED DRIVEWAY LOT 2 |
| A003 | PROPOSED DRIVEWAY LOT 3 |
| A004 | DRIVEWAY EARTHWORKS PLAN LOT 2 |
| A005 | DRIVEWAY EARTHWORKS PLAN LOT 3 |
| A301 | TYPICAL DRIVEWAY CROSS SECTION |
| A701 | ROW LONG SECTIONS |
| D702 | STANDARD TABLES |



LOCATION MAP

| SITE INFORMATION | |
|------------------|--|
| LOT | 79 |
| DP | 36461 |
| SITE AREA | 796m² |
| PLANNING ZONE | RESIDENTIAL - MIXED HOUSING URBAN ZONE |
| CT REF # | NA941/141 |
| WIND ZONE | MEDIUM (GEO MAPS) |
| EARTHQUAKE ZONE | 1 |
| CORROSION ZONE | D |
| WIND REGION | A |
| CLIMATE ZONE | 1 |

SCOPE OF WORK :
DRIVEWAY FOR A HILLY TERRAIN INCLUDE EARTHWORK CALCULATIONS FOR GRADING AND LEVELING.



| GENERAL NOTES: | | | |
|---|----------|----|------|
| 1. DO NOT SCALE OFF DRAWING. | | | |
| 2. CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION OR FABRICATION. IF IN DOUBT - <u>ASK</u> . | | | |
| 3. BURRETT + ASSOCIATES LTD IS TO BE NOTIFIED OF ANY VARIATION BETWEEN SITE DIMENSIONS AND THOSE ON PLANS. | | | |
| 4. THESE DRAWINGS REMAIN THE PROPERTY OF BURRETT + ASSOCIATES LTD AND SHOULD NOT BE COPIED IN ANY FORM OR PASSED ON TO A THIRD PARTY WITHOUT PRIOR WRITTEN CONSENT. | | | |
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| ISSUE | REVISION | BY | DATE |

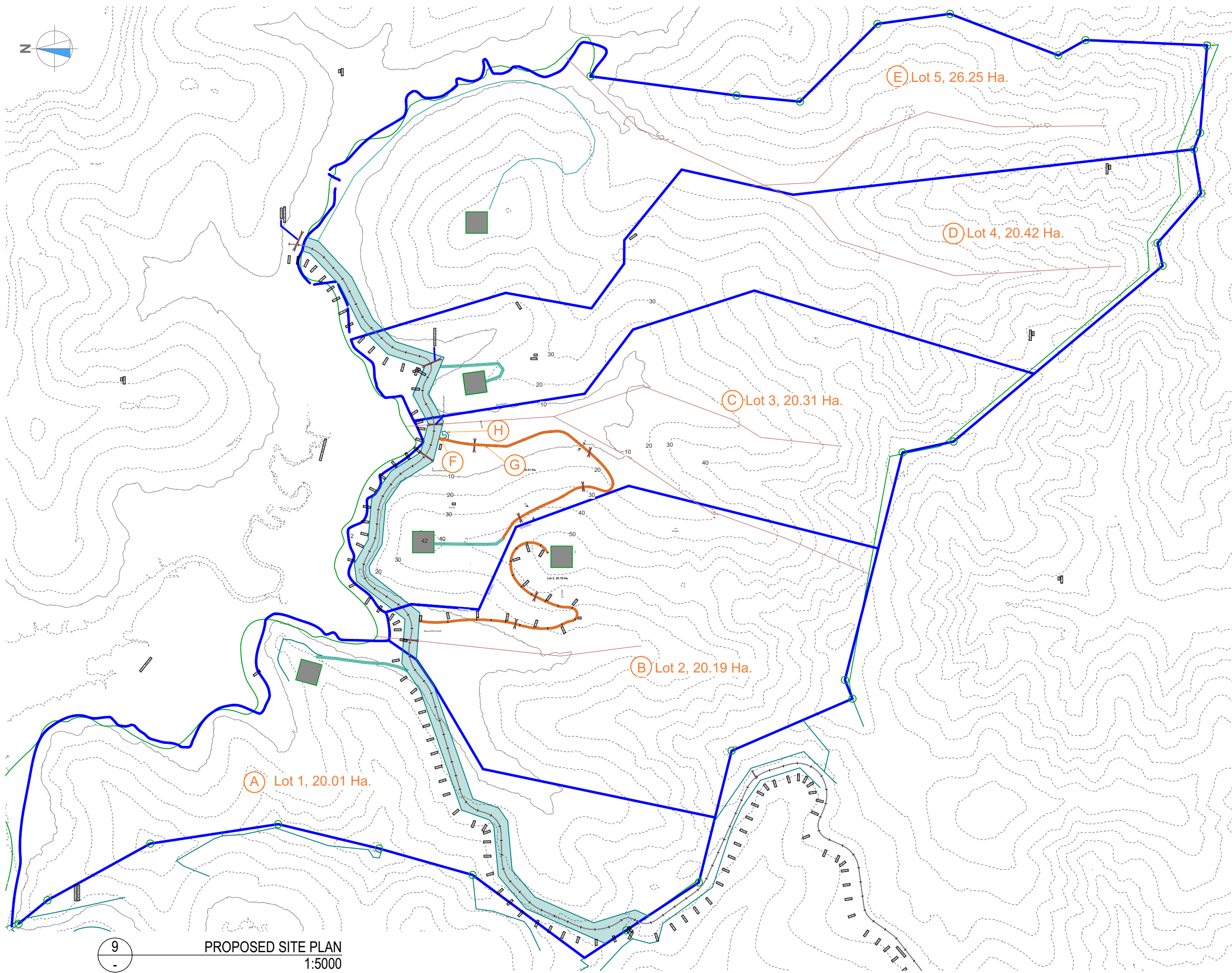


Burrett & Associates Limited
415 Great South Road, Ellerslie
Auckland 1051, NZ
P O Box 11 051, Ellerslie,
Auckland 1542

P: (09) 523 1930
e: info@Burrett.co.nz
w: www.Burrett.co.nz

| | |
|---|------------------|
| CLIENT: PAROA BAY STATION LIMITED | |
| PROJECT: PROPOSED DRIVEWAYS FOR LOT 2 & LOT 3 | |
| ADDRESS: 88 OTAMARUA ROAD, PAROA BAY, BAY OF ISLANDS 0272 | |
| DRAWING TITLE: COVER SHEET | |
| DESIGNED: Amila.D | DRAWN: Amila.D |
| CHECKED: BB | SCALE: NTD (A3) |
| APPROVED: BB | |
| JOB NUMBER: 24-086 | DATE: 10/04/2025 |
| DWG NUMBER: A000 | REV. |

ISSUED FOR TENDER



9
-

PROPOSED SITE PLAN
1:5000

| GENERAL NOTES: | | | |
|---|----------|----|------|
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| ISSUE | REVISION | BY | DATE |
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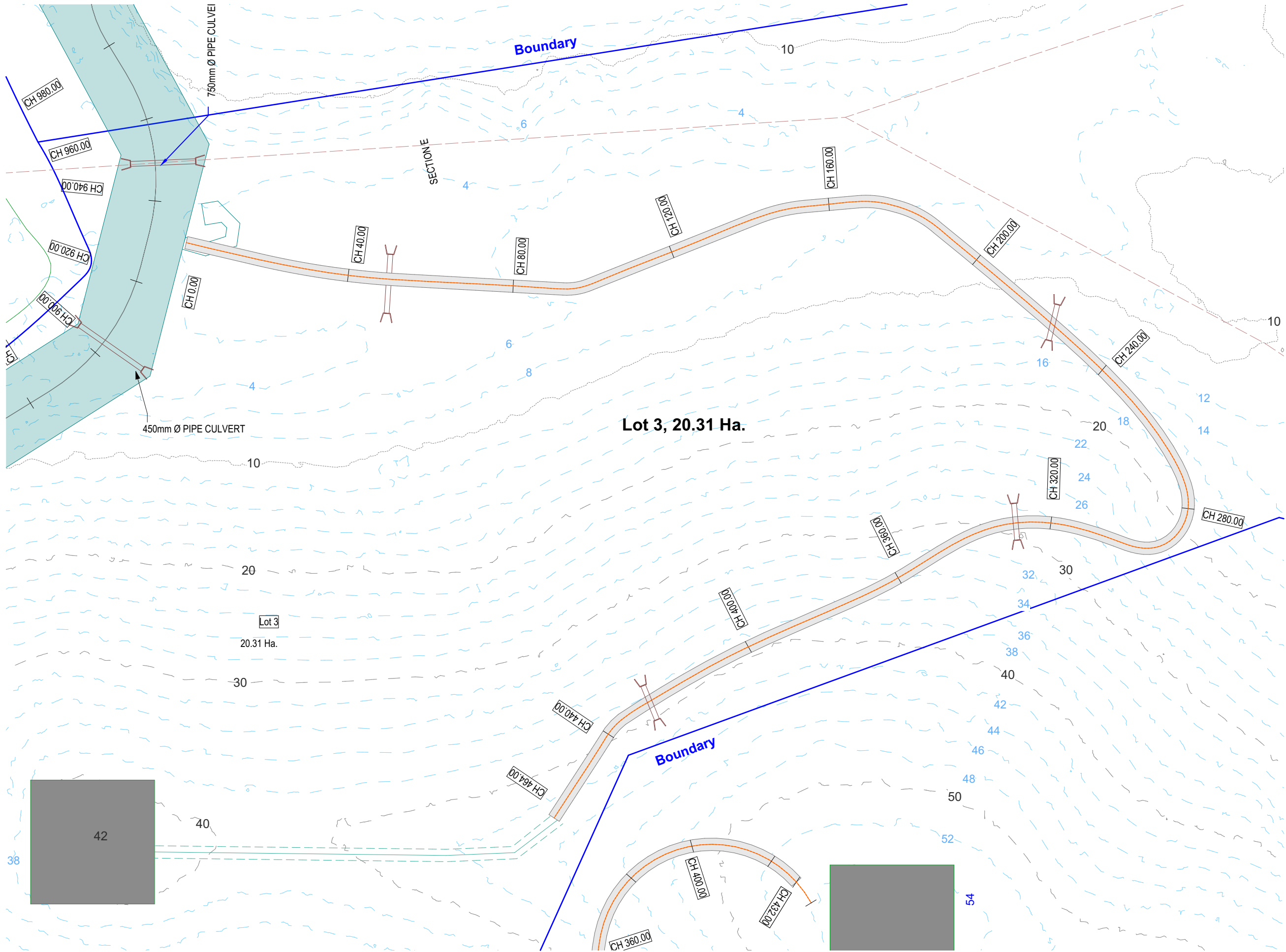
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Burrett & Associates Limited
415 Great South Road, Ellerslie
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P: (09) 523 1930
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| | |
|--|------------------|
| CLIENT: PAROA BAY STATION LIMITED | |
| PROJECT: PROPOSED DRIVEWAYS FOR LOT 2 & LOT 3 | |
| ADDRESS: 88 OTAMARUA ROAD, PAROA BAY, BAY OF ISLANDS 0272 | |
| DRAWING TITLE: PROPOSED SITE PLAN | |
| DESIGNED: Amila.D | DRAWN: Amila.D |
| CHECKED: BB | SCALE: NTD (A3) |
| APPROVED: BB | |
| JOB NUMBER: 24-086 | DATE: 10/04/2025 |
| DWG NUMBER: A001 | REV. |

ISSUED FOR TENDER



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Auckland 1051, NZ
P O Box 11 051, Ellerslie,
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P: (09) 523 1930
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CLIENT:
PAROA BAY STATION LIMITED

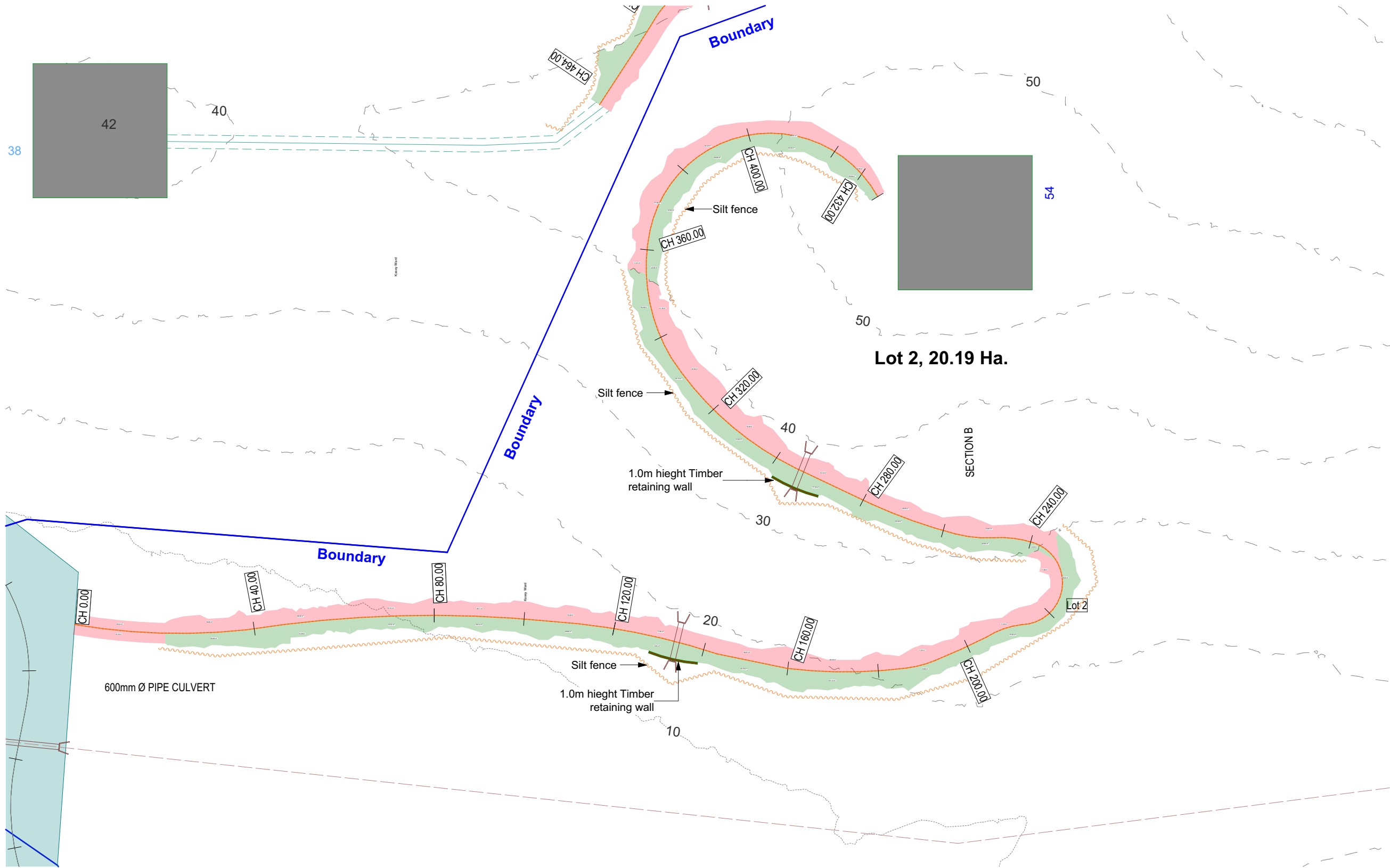
PROJECT:
PROPOSED DRIVEWAYS
FOR LOT 2 & LOT 3

ADDRESS:
88 OTAMARUA ROAD,
PAROA BAY,
BAY OF ISLANDS 0272

DRAWING TITLE:
PROPOSED DRIVEWAY LOT 3

| DESIGNED: | Amila.D | DRAWN: | Amila.D |
|-------------|---------|--------|------------|
| CHECKED: | BB | SCALE: | NTD (A3) |
| APPROVED: | BB | DATE: | 10/04/2025 |
| JOB NUMBER: | 24-086 | REV. | |
| DWG NUMBER: | A003 | | |

ISSUED FOR TENDER



9
-

EARTHWORKS PLAN
1:900

LEGEND:
CUT TOTAL - 631.00m³
FILL TOTAL - 582.00m³
SILT FENCE
EARTH WORK AREA - 2772.00 m²

- GENERAL NOTES:**
- DO NOT SCALE OFF DRAWING.
 - CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION OR FABRICATION. IF IN DOUBT - ASK.
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| ISSUE | REVISION | BY | DATE |
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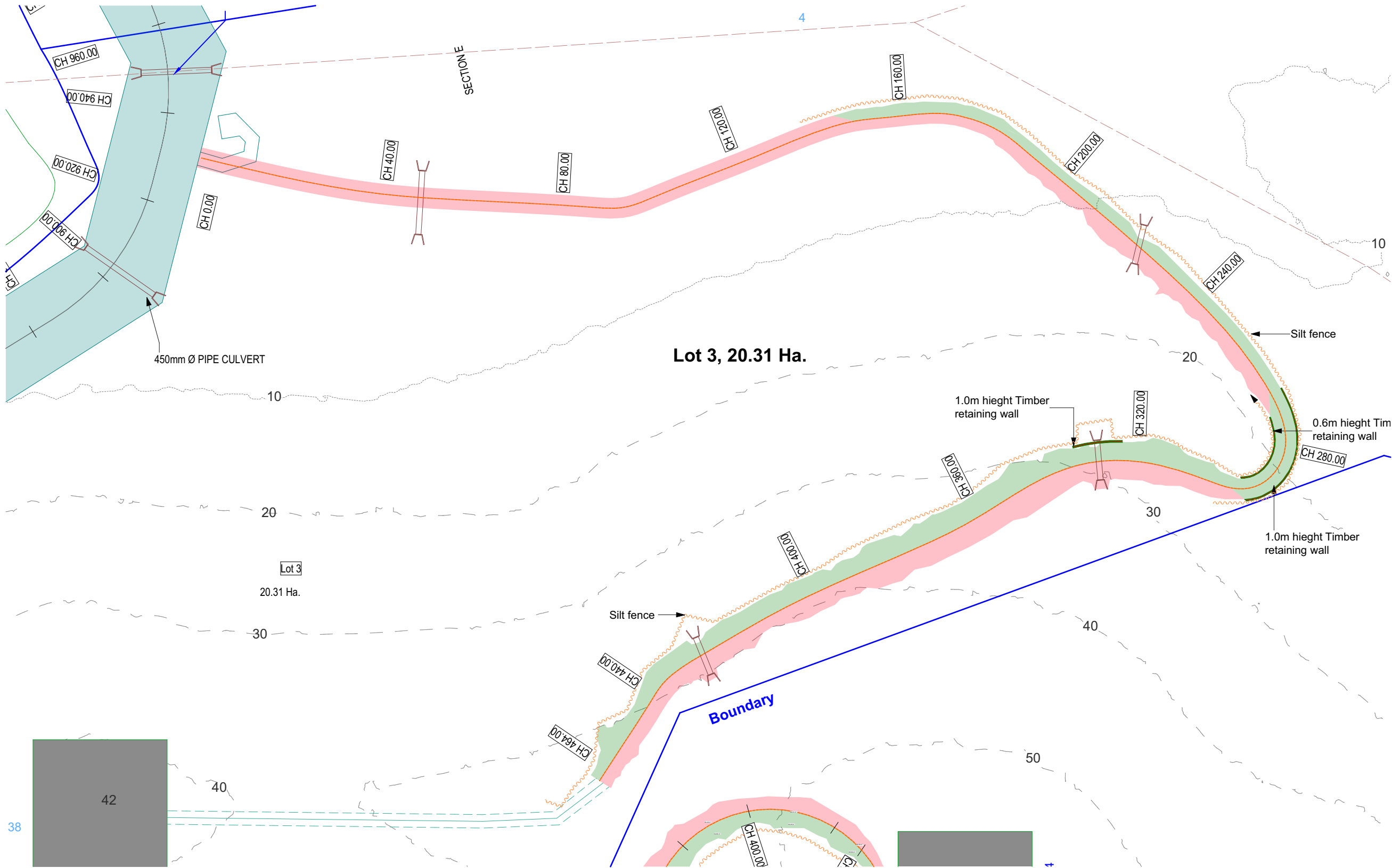
PROJECT:
PROPOSED DRIVEWAYS
FOR LOT 2 & LOT 3

ADDRESS:
88 OTAMARUA ROAD,
PAROA BAY,
BAY OF ISLANDS 0272

DRAWING TITLE:
DRIVEWAY EARTHWORKS
PLAN LOT 2

| | | | |
|-------------|---------|--------|------------|
| DESIGNED: | Amila.D | DRAWN: | Amila.D |
| CHECKED: | BB | SCALE: | NTD (A3) |
| APPROVED: | BB | | |
| JOB NUMBER: | 24-086 | DATE: | 10/04/2025 |
| DWG NUMBER: | A004 | REV. | |

ISSUED FOR TENDER



GENERAL NOTES:

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| ISSUE | REVISION | BY | DATE |
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Burrett & Associates Limited
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Auckland 1051, NZ
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P: (09) 523 1930
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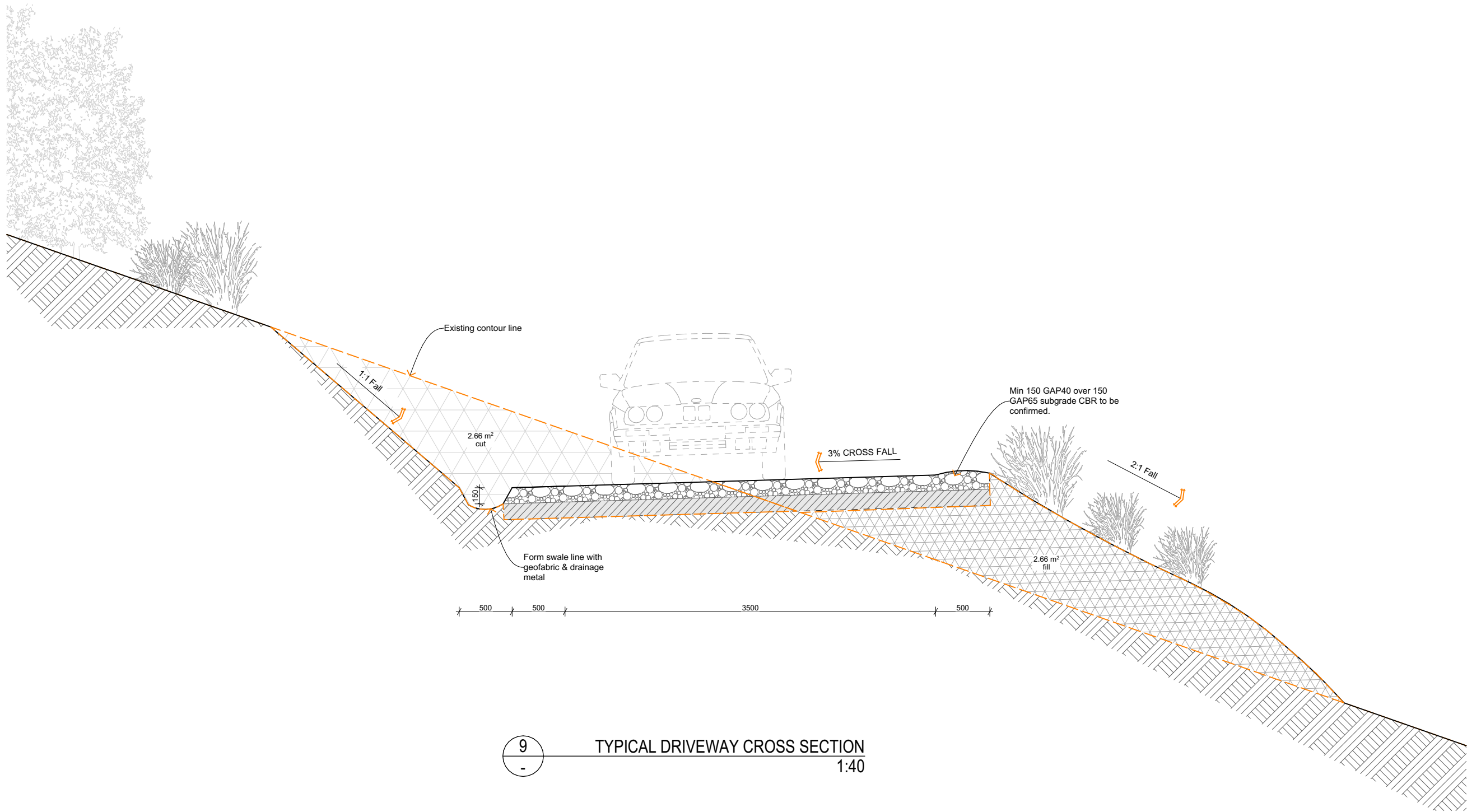
DRAWING TITLE:
DRIVEWAY EARTHWORKS
PLAN LOT 3

| | | | |
|-------------|---------|--------|------------|
| DESIGNED: | Amila.D | DRAWN: | Amila.D |
| CHECKED: | BB | SCALE: | NTD (A3) |
| APPROVED: | BB | DATE: | 10/04/2025 |
| DWG NUMBER: | A005 | REV. | |

LEGEND:
CUT TOTAL - 692.20m³
FILL TOTAL - 542.95m³
SILT FENCE
EARTH WORK AREA - 2918.14 m²

EARTHWORKS PLAN
1:900

ISSUED FOR TENDER



GENERAL NOTES:

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Burrett & Associates Limited

415 Great South Road, Ellerslie
Auckland 1051, NZ
P O Box 11 051, Ellerslie,
Auckland 1542

P: (09) 523 1930
e: info@Burrett.co.nz
w: www.Burrett.co.nz

CLIENT:
PAROA BAY STATION LIMITED

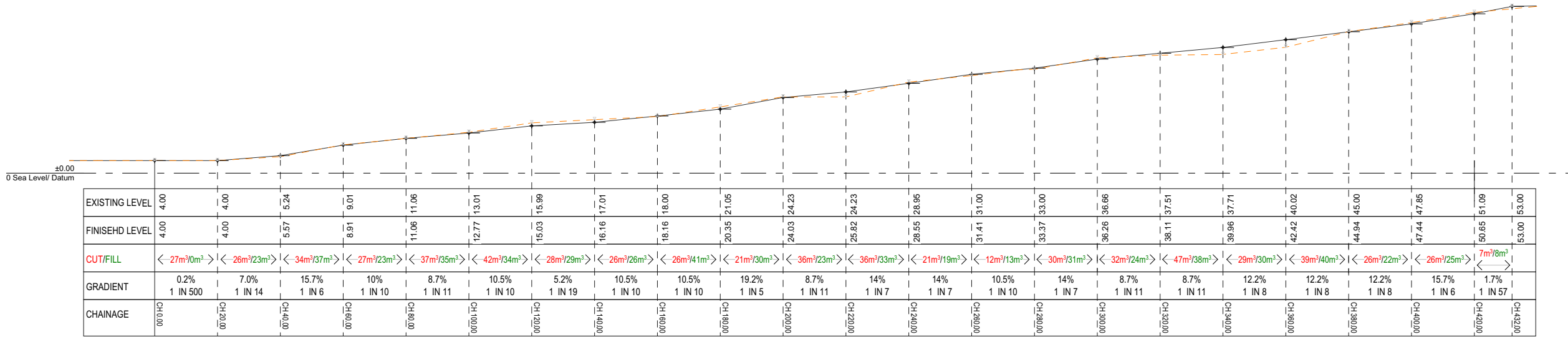
PROJECT:
PROPOSED DRIVEWAYS
FOR LOT 2 & LOT 3

ADDRESS:
88 OTAMARUA ROAD,
PAROA BAY,
BAY OF ISLANDS 0272

DRAWING TITLE:
TYPICAL DRIVEWAY CROSS
SECTION

| | | | |
|-------------|---------|--------|------------|
| DESIGNED: | Amila.D | DRAWN: | Amila.D |
| CHECKED: | BB | SCALE: | NTD (A3) |
| APPROVED: | BB | DATE: | 10/04/2025 |
| JOB NUMBER: | 24-086 | DATE: | 10/04/2025 |
| DWG NUMBER: | A301 | REV. | |

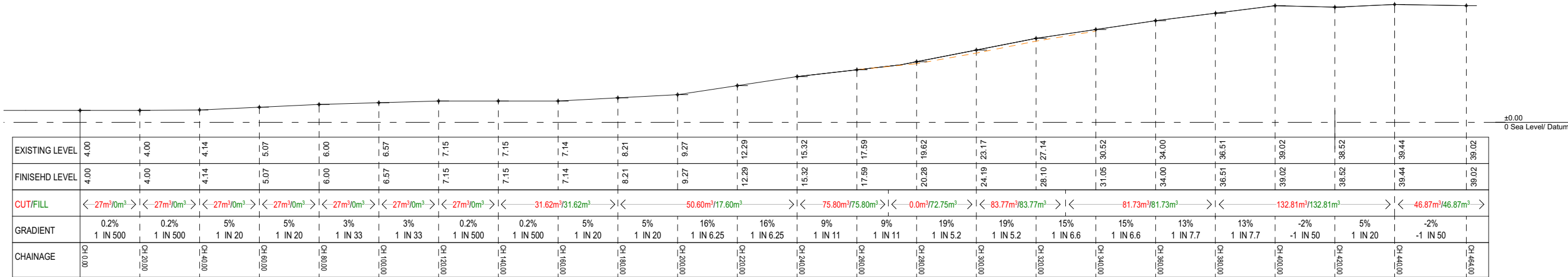
ISSUED FOR TENDER



CUT TOTAL - 631.00m³

FILL TOTAL - 582.00m³

1 DRIVEWAY ROW LONG SECTION - LOT 2
1:1500



CUT TOTAL - 692.20m³

FILL TOTAL - 542.95m³

2 DRIVEWAY ROW LONG SECTION - LOT 3
1:1500

GENERAL NOTES:

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Burrett & Associates Limited

415 Great South Road, Ellerslie
Auckland 1051, NZ
P O Box 11 051, Ellerslie,
Auckland 1542

P: (09) 523 1930
e: info@Burrett.co.nz
w: www.Burrett.co.nz

CLIENT:
PAROA BAY STATION LIMITED

PROJECT:
PROPOSED DRIVEWAYS
FOR LOT 2 & LOT 3

ADDRESS:
88 OTAMARUA ROAD,
PAROA BAY,
BAY OF ISLANDS 0272

DRAWING TITLE:
ROW LONG SECTIONS

| | | | |
|-------------|---------|--------|------------|
| DESIGNED: | Amila.D | DRAWN: | Amila.D |
| CHECKED: | BB | SCALE: | NTD (A3) |
| APPROVED: | BB | | |
| JOB NUMBER: | 24-086 | DATE: | 10/04/2025 |
| DWG NUMBER: | A701 | REV. | |

ISSUED FOR TENDER

Local residents often complain about muddy roads when builders start work. Protect your site and stop this source by following the steps below:

- Restrict entry/exit to one stabilised location: this may not be where the driveway will ultimately be
- Wherever practical, extend the stabilised entry right up to the building
- Manage the entry/exit point so that sediment is not tracked offsite: use an aggregate, recycled concrete or rock apron placed over a needle-punched geotextile fabric membrane (see figure's 3 and 4).
- Where the entry/exit area slopes towards the road, install a diversion hump across the stabilised area to direct stormwater runoff to the side for treatment by a sediment fence or sandbag trap.

Figure 3 Typical stabilised all-weather site access

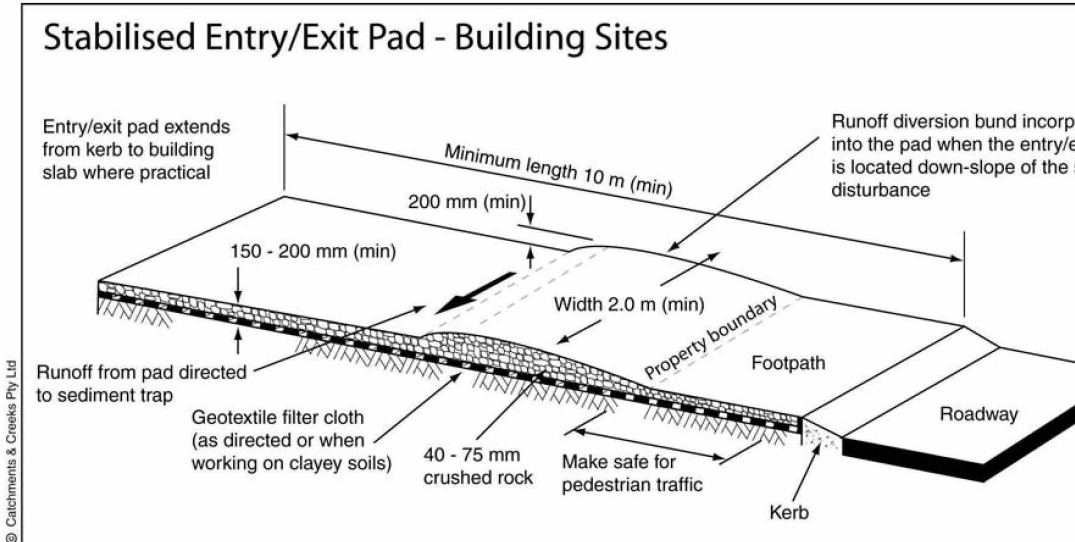
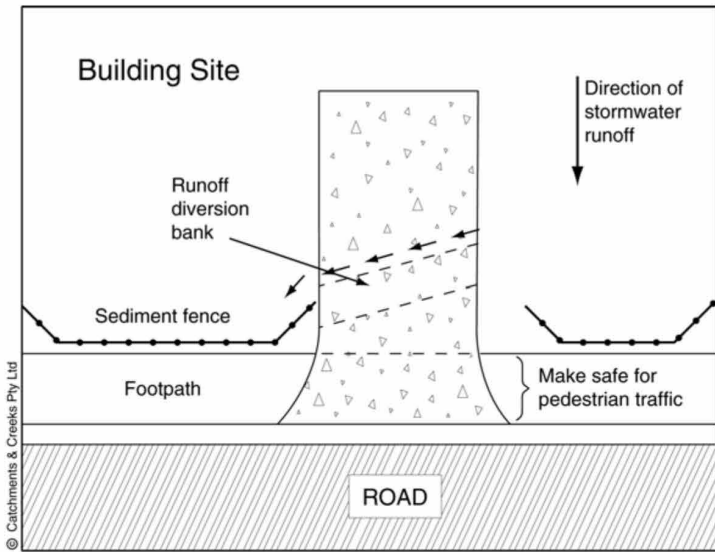


Figure 4 Typical stabilised all-weather site access – PLAN VIEW



6. Control sediment at the foot of the site

Follow the steps below to keep sediment on your site and stop overspill onto public areas:

- Retain any existing grass cover adjacent to the footpath or kerb and channel (as explained in section 5) and make sure vehicles don't drive over it
- Use sediment fences and decanting earth bunds to control and capture sediment in stormwater (For public safety and efficient sediment control, keep sediment fences within the property boundaries unless you have council approval to use public land for these.)

The most efficient sediment barrier for building sites is usually a specifically manufactured geotextile sediment fence. The use of filter cloth or shade cloth is not permitted. A properly constructed sediment fence may be all that is required for sediment control on a properly managed flat building site (refer figure 9).

Sediment fences

Sediment fences should be located downslope of the disturbance, and ideally along a line of constant land level to prevent concentration of stormwater runoff. Where this cannot be achieved, sections of sediment fence should have 'returns' directed up slope for 1-2 metres to control concentration of stormwater run-off.

In areas where it is impractical to bury the lower edge of the sediment fence, the lower 200 mm (min) portion of the fabric should be placed on the ground up slope of the fence and buried under a 100 mm (min) layer of coarse aggregate, 20-40 mm - refer figure 10).

Figure 9 Sediment fence construction details

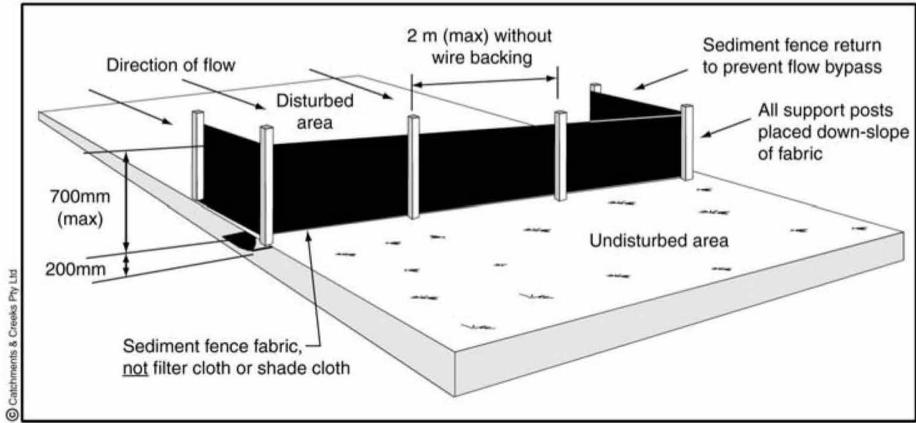
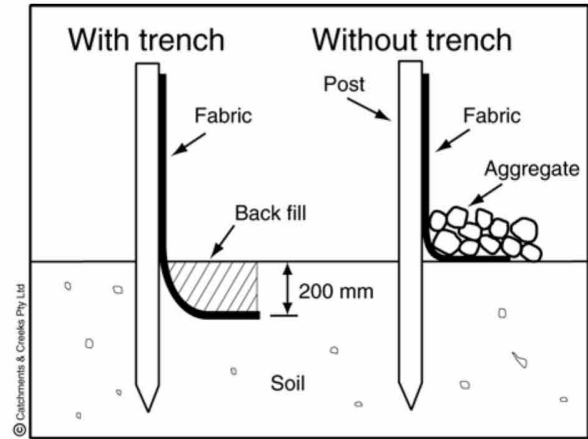


Figure 10 Alternative sediment fence installations (with and without a trench)



GENERAL NOTES:

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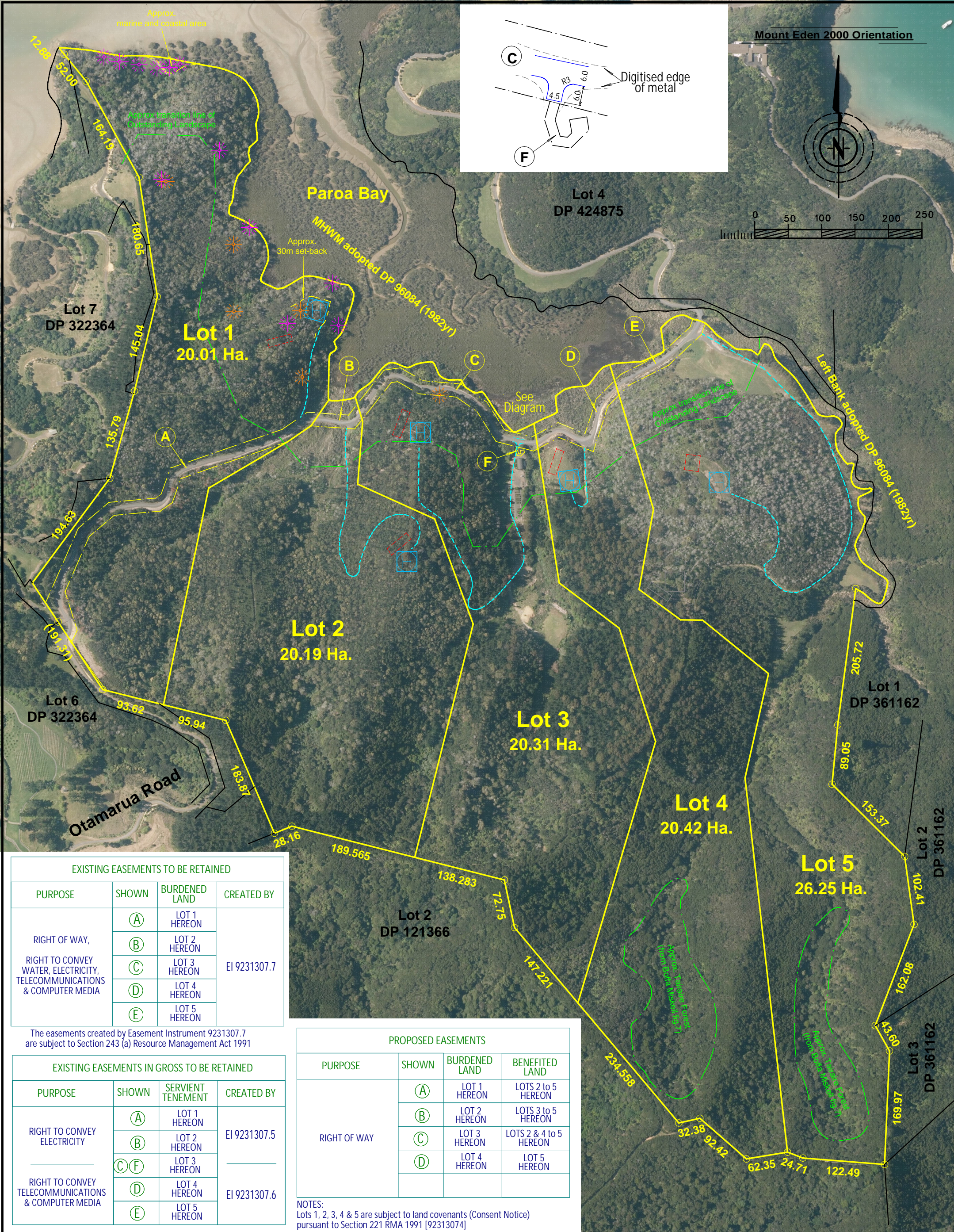
PROJECT:
PROPOSED DRIVEWAYS
FOR LOT 2 & LOT 3

ADDRESS:
88 OTAMARUA ROAD,
PAROA BAY,
BAY OF ISLANDS 0272

DRAWING TITLE:
STANDARD TABLES

| | | | |
|-------------|---------|--------|------------|
| DESIGNED: | Amila.D | DRAWN: | Amila.D |
| CHECKED: | BB | SCALE: | NTD (A3) |
| APPROVED: | BB | DATE: | 10/04/2025 |
| JOB NUMBER: | 24-086 | REV. | |
| DWG NUMBER: | D702 | | |

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| EXISTING EASEMENTS TO BE RETAINED | | | |
|---|-------|-----------------|--------------|
| PURPOSE | SHOWN | BURDENED LAND | CREATED BY |
| RIGHT OF WAY, RIGHT TO CONVEY WATER, ELECTRICITY, TELECOMMUNICATIONS & COMPUTER MEDIA | (A) | LOT 1 HEREON | EI 9231307.7 |
| | (B) | LOT 2 HEREON | |
| | (C) | LOT 3 HEREON | |
| | (D) | LOT 4 HEREON | |
| | (E) | LOT 5 HEREON | |

The easements created by Easement Instrument 9231307.7 are subject to Section 243 (a) Resource Management Act 1991

| EXISTING EASEMENTS IN GROSS TO BE RETAINED | | | |
|---|-------|-------------------|--------------|
| PURPOSE | SHOWN | SERVIENT TENEMENT | CREATED BY |
| RIGHT TO CONVEY ELECTRICITY | (A) | LOT 1 HEREON | EI 9231307.5 |
| | (B) | LOT 2 HEREON | |
| | (C) | LOT 3 HEREON | |
| RIGHT TO CONVEY TELECOMMUNICATIONS & COMPUTER MEDIA | (D) | LOT 4 HEREON | EI 9231307.6 |
| | (E) | LOT 5 HEREON | |
| | (F) | LOT 3 HEREON | |

| PROPOSED EASEMENTS | | | |
|--------------------|-------|-----------------|---------------------------|
| PURPOSE | SHOWN | BURDENED LAND | BENEFITED LAND |
| RIGHT OF WAY | (A) | LOT 1 HEREON | LOTS 2 to 5 HEREON |
| | (B) | LOT 2 HEREON | LOTS 3 to 5 HEREON |
| | (C) | LOT 3 HEREON | LOTS 2 & 4 to 5 HEREON |
| | (D) | LOT 4 HEREON | LOT 5 HEREON |
| | | | |

NOTES:
Lots 1, 2, 3, 4 & 5 are subject to land covenants (Consent Notice) pursuant to Section 221 RMA 1991 [92313074]

| | | |
|---|------------------|-------------------------------|
| Local Authority: Far North District Council | Name | Date |
| District Plan Zone: General Coastal | Surveyed | |
| AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY | Drawn | KW |
| | Rev No. | 1 |
| | | Oct 2021 |
| This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk. | Height Datum | - |
| | Local Reference | |
| | Contour Interval | |
| | Major | 1.0m |
| | Minor | - |
| | Address | Otamarua Road, Russell |
| CFR Ref | NA52A/652 | Area |
| | | 107.1760 ha. |

| |
|---|
| SHEET TITLE: |
| Proposed Subdivision of Lot 1 DP 96084 |
| JOB/CLIENT: |
| Paroa Bay Station Limited |

| |
|---|
| Key: |
| Potential House Site [30m x 30m scale] |
| Approx. archaeological Sites NZAA [FNDC GIS] |
| Approx. archaeological Sites [Boffa Miskell Plan 1/77/2005] |
| Job No: |
| 23426 |
| File: |
| Scheme Plan oct2021.lcd |

| | |
|--|-------------------------|
| Williams & King Registered Land Surveyors, Planners & Land Development Consultants 27 Hobson Ave PO Box 937, Kerikeri Tel: 09-407 6030 Fax: 09-4076032 Email: kerikeri@surveyandplanning.co.nz | |
| SCALE @ A3 1:5000 | SHEET No 1/1 |



Memorandum

Auckland

Level 3
82 Wyndham Street
Auckland 1010
PO Box 91250
Auckland 1142

+649 358 2526

Whangarei

15 Porowini Avenue, Morningside, Whangarei 0110

+649 358 2526

Hamilton

PO Box 1094, Hamilton 3240

+647 960 0006

Tauranga

PO Box 13373, Tauranga 3141

+647 571 5511

Wellington

PO Box 11340, Wellington 6142

+644 385 9315

Nelson

27 Vanguard Street, Nelson 7010

+643 548 8551

Christchurch

PO Box 110, Christchurch 8140

+643 366 8891

Queenstown

PO Box 1028, Queenstown 9348

+643 441 1670

Dunedin

49 Water Street, Dunedin 9016

+643 470 0460

To: Paroa Bay Station Limited

C.C. Peter Hall Planning

Attention: Peter Hall

Date: 15 May 2025

From: John Goodwin

Message Ref: Paroa Bay Subdivision: Proposed Driveway for Lot 2 and Lot 3.

Project No: BM210497

Dear Peter

Boffa Miskell have been requested to review a proposed revision to the access arrangements for Lot 2 and Lot 3 at Paroa Bay and comment on any potential adverse landscape effects when compared to the previously assessed proposal in the landscape assessment.¹

In summary the proposed amendment is to create a separate access to Lot 2 as opposed to Lot 2 being accessed via a right of way (ROW) over Lot 3. The accessway for Lot 3 would remain in its previously assessed alignment.

Plans prepared by B A Architecture and Engineering² depict the proposed amendments via a series of plans, and cross- sections. Drawing **A002** shows the proposed new alignment for Lot 3 from the existing ROW easement to the identified building platform. The alignment is located to the east of an existing wetland and travels approximately 230m to the south from RL4m above sea level (asl) to R 28m asl before turning to the northeast up to the existing proposed building platform at RL54m asl. The alignment is located in mixed exotic vegetation of little ecological value.

While the driveway and building platform are both located within the Coastal Environment within the Northland Regional Policy Statement (RPS) and Proposed Far North District Plan (PDP) only the lower section of the proposed driveway would be located within the Outstanding Landscape overlay identified in both of these documents. The proposed driveway is beyond any Natural Character overlays.

Potential adverse effects associated with the driveway will be similar to those associated with the other driveways. These are earthworks and exposed cut and fill batters, retaining walls and the ability to revegetate exposed surfaces. **Drawing A004** depicts the earthworks area and volumes of cut and fill associated with the proposed Lot 2 driveway. Due to the alignment of the driveway generally following the contour the earthworks have been kept to a minimum and the cut and fill batters are relatively small. Two low 1m high retaining walls are proposed associated with culverts.

Drawing A301 depicts a typical 3m wide driveway cross section with indicative planting on the cut and fill batters. Importantly in relation to vegetation management and mitigation planting Section 224(c) condition 9

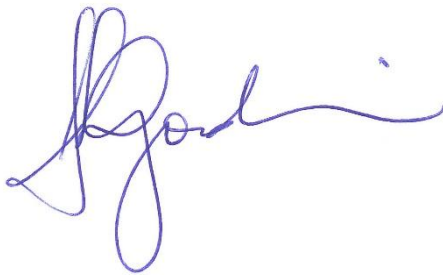
¹ Paroa Bay: Proposed Subdivision – Landscape Natural Character and Visual assessment 29 April 2022

² Proposed Driveways, Lot 2 & Lot 3 For Paroa Bay Station Limited

requires each lot owner to prepare a Vegetation Management Plan (VMP) to show the extent of planting, including details on species, density and on-going management.

Based on the above referenced drawings, in my opinion the location and design of the of the proposed driveway to the Lot 2 building platform will result in no more than low (less than minor) adverse landscape and visual amenity effects, once the earthworks have been stabilised and revegetated. No adverse effects will result to any of the high value landscape areas identified in the statutory regional and district planning documents.

In summary the conclusion as outlined in the landscape assessment which stated that *“the proposed subdivision and associated future development can be accommodated within the site to ensure that any adverse effects will be no more than minor.”*

A handwritten signature in blue ink, appearing to read 'John Goodwin', with a stylized, flowing script.

John Goodwin
Registered Landscape Architect
Consulting Partner
Boffa Miskell



Memorandum

Auckland

Level 3
82 Wyndham Street
Auckland 1010
PO Box 91250
Auckland 1142

+649 358 2526

Whangarei

Hamilton

Tauranga

Wellington

Nelson

Christchurch

Queenstown

Dunedin

15 Porowini Avenue, Morningside, Whangarei 0110

PO Box 1094, Hamilton 3240

PO Box 13373, Tauranga 3141

PO Box 11340, Wellington 6142

27 Vanguard Street, Nelson 7010

PO Box 110, Christchurch 8140

PO Box 1028, Queenstown 9348

49 Water Street, Dunedin 9016

+649 358 2526

+647 960 0006

+647 571 5511

+644 385 9315

+643 548 8551

+643 366 8891

+643 441 1670

+643 470 0460

To: Paroa Bay Station Limited

C.C. Peter Hall Planning

Attention: Peter Hall

Date: 16 May 2025

From: Dr Lee Shapiro

Message Ref: Paroa Bay Subdivision: Proposed Driveway for Lot 2 and Lot 3.

Project No: BM210497

In March 2024 Paroa Bay Station were granted resource consent (2220737-RMACOM) to undertake a five-lot subdivision at 88 Otamarua Road, Paroa Bay, Bay of Islands. The approved resource consent included the creation of an associated right of way (ROW) over proposed Lot 3 to serve proposed Lot 2. Paroa Bay Station are proposing to amend the resource consent to create a separate access to Lot 2 as opposed to Lot 2 being accessed via a ROW over Lot 3. The accessway for Lot 3 would remain in its previously assessed alignment. Boffa Miskell have been requested to review the proposed revision to the access arrangements for Lot 2 and Lot 3 at Paroa Bay and comment on any potential adverse ecological effects when compared to the previously assessed proposal in the ecological assessment.¹

Plans prepared by B A Architecture and Engineering² depict the proposed amendments via a series of plans, and cross- sections. Drawing A002 shows the proposed new alignment for Lot 2 from the existing ROW easement to the identified building platform. The alignment is located to the east of an existing natural inland wetland¹ and travels approximately 230 m to the south from RL4 m above sea level (asl) to R28 m asl before turning to the northeast up to the existing proposed building platform at RL54 m asl. The proposed new alignment for Lot 2 from the existing ROW easement to the identified building platform is located within an area of mature exotic vegetation that includes mature wattle, eucalyptus and pine which make up a closed canopy, an understorey of woolly nightshade, gorse and pampas grass, and several native and exotic saplings approximately 1 – 2 m in height.

Drawing A004 depicts the earthworks area and volumes of cut and fill associated with the proposed Lot 2 driveway. Due to the alignment of the driveway generally following the contour the earthworks have been kept to a minimum and the cut and fill batters are relatively small. Two low 1 m high retaining walls are proposed associated with culverts.

The proposed creation of a driveway on Lot 2 will include the clearance of exotic vegetation prior to earthworks and earthworks outside but within a 10 m setback from a natural inland wetland. The potential ecological effects associated with the creation of a driveway on Lot 2 will be similar to those associated with the previously proposed accessway that extended from the boundary of Lot 3 to the build platform on Lot 2, and other driveways within the subdivision that are in close proximity to wetlands. Earthworks and vegetation clearance associated with the creation of a driveway on Lot 2 are unlikely to result in the complete or partial

¹ Paroa Bay Subdivision – Boffa Miskell Assessment of Ecological Effects 29 April 2022.

² Proposed Driveways, Lot 2 & Lot 3 For Paroa Bay Station Limited

drainage of all or part of the natural inland wetland on Lot 2 and therefore these activities do not trigger NES FW section 52.

In summary, the potential ecological effects associated with the proposed creation of a driveway on Lot 2 will be similar to those assessed for the previously proposed accessway. Importantly, potential adverse ecological effects associated with the vegetation clearance and earthworks required to form the driveway on Lot 2 can be effectively mitigated with the existing resource consent conditions related to earthworks, vegetation management, and vegetation clearance and native birds (North Island brown kiwi and weka).

A handwritten signature in black ink, appearing to read 'Lee Shapiro', with a stylized, cursive script.

Dr Lee Shapiro

Senior Principal Ecologist

Boffa Miskell Ltd



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **NA52A/652**
Land Registration District **North Auckland**
Date Issued 29 April 1983

Prior References
DI 2A.782

Estate Fee Simple
Area 107.1760 hectares more or less
Legal Description Lot 1 Deposited Plan 96084
Registered Owners
Paroa Bay Station Limited

Interests

Appurtenant hereto is a right of way created by Transfer B234966.3
Appurtenant hereto is a right of way created by Transfer B876712.3
Appurtenant hereto is a telecommunications right created by Transfer C366219.7
Appurtenant hereto is a right to convey electricity easement created by Easement Instrument 6993523.10 - 17.8.2006 at 9:00 am
The easement created by Easement Instrument 6993523.10 is subject to Section 243 (a) Resource Management Act 1991 9231307.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.12.2012 at 4:52 pm
Subject to a right to convey electricity in gross over parts marked A and H on DP 424875 in favour of Top Energy Limited created by Easement Instrument 9231307.5 - 18.12.2012 at 4:52 pm
Subject to a right to convey telecommunications and computer media (in gross) over parts marked A and H on DP 424875 in favour of Chorus New Zealand Limited created by Easement Instrument 9231307.6 - 18.12.2012 at 4:52 pm
Subject to a right of way and a right to convey water, electricity, telecommunications and computer media over part marked A on DP 424875 created by Easement Instrument 9231307.7 - 18.12.2012 at 4:52 pm
The easements created by Easement Instrument 9231307.7 are subject to Section 243 (a) Resource Management Act 1991

