

Before an Independent Commissioner appointed by Far North District Council

In the matter of the Resource Management Act 1991 (“the RMA”)

And

In the matter of RC 2250414-RMACOM being an application by Nags Head Cow Hotel Limited for subdivision and land use consent at Kerikeri Inlet Road, Kerikeri.

Statement of Evidence of Natalie Adele Watson

8 October 2025

1. Introduction

- 1.1.** My name is Natalie Adele Watson. I hold a Bachelor of Social Science with Honours majoring in Resources and Environmental Planning and Geography from University of Waikato, and have practiced as a Resource Planner in Northland for more than twenty years, primarily giving planning advice and assisting individuals and companies in the preparation and implementation of resource consent applications. I am familiar with both the pre-application, application and completion stages of land use and subdivision consents.

2. Scope of Evidence

- 2.1.** My evidence for this hearing is based on the Planning Report and Assessment of Environmental Effects dated 13 May 2025 (“AEE”) submitted for the application. Rather than duplicate material submitted in that document, I propose to highlight key points, with a focus on issues raised by submissions, and respond to the Section 42A report, where relevant to my area of expertise.
- 2.2.** I have read and agree to comply with the Code of Conduct for Expert Witnesses (Environment Court Practice Note 2023). This evidence is within my area of expertise except where I state that I am relying on facts or information provided by another person. To the best of my knowledge, I have not omitted to consider material facts known to me that might alter or detract from opinions that I express.

3. Background of Resource Consent Application

- 3.1.** In October 2024 I was instructed by Nags Head Horse Hotel Limited (since renamed as Nags Head **Cow** Hotel Limited) to proceed with preparation and lodgement of an application for subdivision of Lot 2 DP 442820. My involvement was in the subdivision design (with others), briefing of an archaeologist, landscape architect, and ecologist for specialist reports, discussions with the appointed engineering firm, preparation of the AEE, and then lodgement of the application as the agent.

- 3.2.** Suitability of the proposed building sites in terms of avoiding archaeological features was investigated first, before moving onto detailed landscape and visual, engineering and ecological assessment. Initial assessment by a landscape architect, ecologist and engineer refined the subdivision layout, by repositioning the Lot 3 building platform for landscape and visual purposes, adjusting covenant areas based on wetland delineation, and realigning proposed Right of Way 'C' to reduce earthworks volumes.
- 3.3.** An application for combined subdivision and land use consent on Lot 2 DP 442820, plus upgrade of a Right of Way over Lot 2 DP 210733, was lodged in May 2025, and issued Far North District Council ("FNDC") reference RC 2250414-RMACOM.
- 3.4.** In June 2025, the application was notified on a limited basis to satisfy the subdivision chapter rules of the South Kerikeri Inlet Zone "SKIZ" in the Far North Operative District Plan ("ODP"). Rule 13.9 states that applications for discretionary and non-complying activities within the SKIZ will require notification of all property owners within the Zone and DH Ellis (being the property owner of Lot 2 DP 114410). Iwi, Heritage New Zealand Pouhere Taonga and Department of Conservation were also notified.
- 3.5.** The closing date for submissions was July 23, 2025. I was either copied into, or provided with, five submissions. The Section 42A report has brought to my attention a sixth submission from Benjamin Mark and Sarah Flintoff, which was not previously received.
- 3.6.** A further information request from FNDC on 18 August 2025 asked for a detailed explanation of the submitters' points related to easements and accessway entitlements. This was responded to, and in summary, outlined that these are not relevant to this resource consent application. Refer to the letter dated 27 August 2025 within Appendix D of the FNDC Section 42A Report.

4. Subject Land and Proposal

- 4.1.** Lot 2 DP 442820 on the northern side of Kerikeri Inlet Road is held in Record of Title 552855 comprising an area of 14.3750ha plus a one third share in Lot 4 DP 167657 (5.2350ha, containing an existing pond and its margins. The waterbody is interchangeably described as a pond or lake). Existing appurtenant easements over Lot 2 DP 210733 (NA138C/992) are shown on the scheme plan. The existing environment is described in the AEE.
- 4.2.** Nags Head Cow Hotel Limited seeks to subdivide Lot 2 DP 442820 to create three additional Records of Title. The title's one third share in Lot 4 DP 167657 will be equally shared between the proposed lots, granting an undivided one twelfth share to each of Lots 1 - 4. An amalgamation condition to this effect is proposed. The proposed lot layout lends itself to this arrangement.
- 4.3.** Section 227 of the RMA (Cancellation of prior approvals) automatically cancels the existing amalgamation condition upon deposit of the survey plan of the same land, therefore, no further approval pursuant to Section 241(3) is considered necessary.
- 4.4.** Legal access to the site from Kerikeri Inlet Road is provided by easements over adjoining Lot 2 DP 210733. Physical access will be reinstated upon repair of the washed out culverted crossing over the stream, probably with a bridge.

- 4.5.** The site includes several wetlands. Planting is proposed along the margins and this planting and the wetlands will be protected by covenant areas registered on the relevant titles together with appropriate consent notices.
- 4.6.** Additional landscape integration planning is proposed by way of foreground planting, backdrop screen planting and specimen trees, which are to be strategically located around the proposed building envelopes. Further mitigation measures are proposed to address building design on each site.
- 4.7.** Formation of all-weather vehicle access to the boundary of each of lot requires earthworks and new impermeable surfaces, which are applied for in conjunction with the subdivision. Details are provided within Sections 2.3 and 2.5 / Table 2 of the AEE.
- 4.8.** Following receipt of submissions, there have been two minor changes to the scheme plan, with the revised version provided as Attachment 1.
 - 4.8.1.** Firstly, the submission from Peter Malcolm indicated an error in the schedule of existing easements on the scheme plan, which has since been rectified. To clarify, the creating easement document was incorrectly listed for existing easements D & K and has been updated to EC B442108.5 (these are the easement areas passing through Lot 4). The existing easements in gross created by C874249.1 were also added.
 - 4.8.2.** Secondly, following consultation with Ian Mitchell and Esther Horton on behalf of Te Uri Taniwha Hapu, covenant area 'AD' has been added to cover the portion of archaeological site P05/463 within Lot 4.
- 4.9.** Section 13.9 of the ODP allows the use of Management Plan subdivisions in some cases. This application would qualify given the 2ha average Lot size qualification is met.
- 4.10.** If a Management Plan was used in this case the activity status would be discretionary instead of non-complying.
- 4.11.** However, because of the nature of the site, and the comprehensive environmental controls imposed via the conditions, I determined that a Management Plan was not necessary in this case. It would place an unnecessary burden on new Lot owners for no additional environmental gain. The proposal clearly achieves the environmental benefits of a management plan (i.e., integrated sustainable management of natural and physical resources) while allowing future owners to individually manage their land. For example:
 - 4.11.1.** A Management Plan subdivision is usually utilised when there is common ownership of common areas or assets within a subdivision to ensure environmentally sustainable outcomes are achieved for those areas. However, apart from the pond, the new Lot owners do not have any common interest in any other land within the Site.
 - 4.11.2.** The critical seepages, overland flow paths and onsite wetland areas on Lots 1 – 3 are discrete from one another. Revegetation of wetland margins will be undertaken as part of the subdivision, but it is likely that future owners will wish to continue to implement ongoing pest and weed management work individually, allowing them to either undertake the work physically themselves, or fund it. This does not need to be done as a communal activity.

4.11.3. Lot 4 DP 167657 is a jointly owned lot, subject to an existing land covenant (in Deed D088754.3), which relates to the management of the pond and its margins using a management committee comprising a representative of each of the titles which own a share of it.

4.11.4. There is no other joint asset or feature to be managed by the owners of Lots 1 – 4, besides normal arrangements for shared access via Rights of Way. A Management Plan is not required for this purpose.

4.11.5. Lastly, the subdivision, as proposed with the level of environmental controls, enhancement planting and Lot size, will ensure that the same (or better) sustainable management environmental outcomes and benefits will be provided for this Site (as if a Management Plan was used).

5. Other Required Approvals

5.1. Section 1.3 of the AEE outlines other required approvals:

- Upgrade of the existing culvert crossing within easement ‘A’ requires consent from Northland Regional Council (“NRC”) as a restricted discretionary activity under the Resource Management (National Environmental Standard for Freshwater) Regulations 2020. Further consultation with NRC supported my opinion that it is premature for them to process such an application in advance of detailed design.
- Building consent for the bridge or culvert / embankment retaining wall will also be sought following detailed design.
- A general precautionary Archaeological Authority from Heritage New Zealand Pouhere Taonga has now been granted. The approved Archaeological Authority is provided as Attachment 2.

6. Far North Operative District Plan – South Kerikeri Inlet Zone and Coastal Environment

South Kerikeri Inlet Zone (“SKIZ”)

6.1. The SKIZ arose as a result of appeals to the first-generation Proposed District Plan, challenging the Council’s proposal to rezone an area of land from Coastal 1 under the Transitional District Plan to Coastal Living. The zoning and rules are a reflection of the scope of the appeal. The Zone includes areas mapped as being ‘Sensitive’ Areas, with the remaining land being referred to as “non-sensitive” in the Subdivision Chapter of the District Plan. The subject land includes both “sensitive” and “non-sensitive” areas.

6.2. Subdivision in sensitive areas is provided for as a discretionary activity using the Management Plan provisions, and where a 2ha average lot size is achieved. Although the proposal complies with the 2ha average lot size requirement, the proposal is not submitted as a management plan, and therefore the proposed activity is determined to be a non-complying activity overall.

Context

- 6.3.** The Context description for The SKIZ describes the coastal margins of this area as retaining their natural qualities being relatively free of built structures, the open spaces and rural nature of the area providing visual relief from other more modified areas of the coast, and it being an area of contrast between the more urbanised areas to the west and the lower lying area to the east. The Okura River to the west and the Waitangi Wetland to the east form natural boundaries that set this area apart. The Context goes on to explain that because of its “undulating nature, the entire area is not visible from any one location. The more elevated portions of the land which are visible from a wide area and those slopes facing the Inlet are particularly sensitive. Other areas are more introspective and contained. The natural character, open space and rural nature of the area are important to the visual context of the wider area.”

Environmental Outcomes Expected for the Zone

- 6.4.** The environmental outcomes expected for the zone (Section 10.10.2) give direction:
- 10.10.2.1 A South Kerikeri Inlet Zone in which rural residential development occurs in appropriate locations that have the capacity to absorb such development.*
- 10.10.2.2 A South Kerikeri Inlet Zone in which development does not detract from the open, rural and coastal nature of its natural character, and does not cause adverse effects to natural and physical resources in the coastal environment.*

Objectives

- 6.5.** The objectives for the SKIZ introduce the aspiration for low-density residential development in appropriate locations (objective 10.10.3.2), with more specific reference to sensitive areas within the zone (objective 10.10.3.3).

Objectives

- 10.10.3.1 To maintain the combination of open, rural, coastal and natural characteristics of the Zone.*
- 10.10.3.2 To provide for the wellbeing of people by enabling low-density residential development at appropriate locations taking into account the potential adverse effects on the coastal environment.*
- 10.10.3.3 To ensure that while enabling low-density development the adverse effects on the environment of such development are avoided, remedied or mitigated particularly in areas of high visual sensitivity.*

Policies

- 6.6.** The SKIZ policies promote techniques to preserve, enhance restore and rehabilitate the coastal-rural character of the zone, maintenance and enhancement of open space and rural amenity values, and protection of visual and landscape qualities of the coastal and rural environment from inappropriate subdivision, use and development. Policy

10.10.4.1(a) encourages “clustering and grouping development (including new buildings) outside the visually sensitive areas of the South Kerikeri Inlet Zone”.

10.10.4.1 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the coastal-rural character of the zone in regards to Section 6 matters, and shall avoid adverse effects as far as practicable by using techniques including:

(a) clustering and grouping development (including new buildings) within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns and on open space and rural amenity values, including by clustering and grouping development (including new buildings) outside the visually sensitive areas of the South Kerikeri Inlet Zone as defined on Map 84;

(b) appropriately integrating design and land use within the visually sensitive areas of the South Kerikeri Inlet Zone to maintain and enhance natural and rural amenity values associated with a broad-scale and coherent visual pattern of simple and uncluttered open spaces;

(c) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;

(d) providing for legal public right of access to and use of the foreshore and any esplanade areas through the siting of buildings and development and design of subdivisions;

(e) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the district...;

(f) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

(g) protecting historic heritage, and in particular of the Kerikeri Basin Heritage Precinct, through the careful siting of buildings and development and design of subdivisions in areas less visually sensitive;

(h) ensuring development reflects the role of the area as a maritime entrance to Kerikeri and that activities are of a scale and size that is consistent with the natural character of the zone.

10.10.4.2 That standards are set to ensure that subdivision, use or development provides adequate infrastructure and services and that open space and rural amenity values and the quality of the environment are maintained and enhanced.

10.10.4.3 That a wide range of activities be permitted in the South Kerikeri Inlet Zone, where their effects are compatible with the preservation of the natural character of the coastal and rural environment.

10.10.4.4 That the visual and landscape qualities of the coastal and rural environment are protected from inappropriate subdivision, use and development.

Commentary on Objectives and Policies

- 6.7.** Finally, the Commentary on objectives and policies of the SKIZ reiterates that they “*are intended to be as flexible, permissive and enabling as possible given the statutory requirement to preserve the natural character of the coastal environment and the sensitivity that parts of that landscape have for the wider area*” and notes that “*there is potential for integrating discrete areas of built development with not more than minor effects*”.
- 6.8.** It states that “*the landscape features of this area suggest that accommodating increased levels of development would be better absorbed by clustering development in appropriate places and maximising the visible areas of pastoral open space that is “uncompromised” or uncluttered by built development rather than spreading such development throughout the whole area. To assist development and subdivision in managing potential visual impacts, land within the zone has been identified in terms of its visual sensitivity (see Map 84). Subdivision is enabled as a restricted-discretionary activity where land is not of high sensitivity (Rule 13.7.2.1 Table 7).*”
- 6.9.** Three of the proposed building sites are clustered upon non-sensitive land, leaving open space along the more elevated sloping land along the eastern boundary of each lot. The location of a single building site within the more sensitive land in Lot 4 will maximise the visible area of uncompromised open space to a reasonable extent, keeping in mind that the objectives for the zone specifically provide for low density development provided that adverse effects of such development are avoided remedied or mitigated particularly in areas of high visual sensitivity. Policy 10.10.4.1, whilst encouraging clustering and grouping development outside the visually sensitive areas of the SKIZ, also requires appropriate integration of design and land use within the visually sensitive areas to maintain and enhance natural and rural amenity values associated with a broad-scale and coherent visual pattern of simple and uncluttered open spaces. The application includes a number of measures to mitigate adverse visual and landscape effects in accordance with clause (c) of the same policy.
- 6.10.** The proposal includes a significant amount of planting to be implemented at subdivision stage, in support of policies related to the enhancement and restoration of natural character and ecological values.

Coastal Environment Objectives and Policies

- 6.11.** The relevant objectives and policies for the Coastal Environment can be summarised as promoting appropriate subdivision, use and development; preservation, restoration and enhancement of natural character, significant indigenous vegetation and habitats of indigenous fauna, open space and amenity values. The importance of effective engagement with Māori to recognise Māori culture and traditions is mentioned. Securing, or maintenance and enhancement of public access is promoted. Avoidance of natural hazards and sprawling or sporadic subdivision and development is also a listed strategy.

6.12. Referencing Policies 10.4.1, 10.4.2, 10.4.4, 10.4.9, 10.4.12 the proposal is an appropriate development because:

- It recognises that the natural character of the wetland areas and their sources can be restored and enhanced through introduction of indigenous vegetation and pest and weed management;
- proposes mitigation measures to minimise adverse effects on the natural character of the coastal environment, as outlined by Ms. Hawthorn;
- creates lots and a resultant residential intensity that fits within the existing range of subdivision and land use intensity and density, and is neither sprawling nor sporadic;
- results in net positive ecological effects;
- avoids adverse effects that are more than minor on amenity values of public land and waters;
- has recognised Māori culture and traditions;
- does not have direct frontage to the coastal marine area; and
- has building sites that avoid natural hazards.

7. Far North Proposed District Plan – Rural Lifestyle Zone and Coastal Environment

7.1. The unique SKIZ zoning of the Operative District Plan has not carried over into the Proposed District Plan; instead, the zoning is ‘Rural Lifestyle’ with a ‘Coastal Environment’ overlay corresponding to the Regional Policy Statement Mapping.

7.2. The section 32 report for the Rural Environment discusses the absorption of the SKIZ into the Rural Lifestyle Zone. It states:

“It is considered that neither the SKISPZ or the PVSPZ meet the tests in the Zone Framework Standard of the National Planning Standards to be retained in the PDP as special zones, i.e. they do not meet all of the following criteria:

3. An additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:

- a. are significant to the district, region or country*
- b. are impractical to be managed through another zone*
- c. are impractical to be managed through a combination of spatial layers.*

The proposed land use activities and the anticipated outcomes for the SKISPZ and PVSPZ are not considered to be significant to the district, region or country for the following reasons:

- *The SKISPZ only applies to 25 properties along the southern Kerikeri Inlet and these properties do not have any characteristics or values that distinguish them from any other properties located within the coastal environment in the district.*
- *Neither special zone area is distinctive from or holds significantly different values to any other areas of rural lifestyle development along the coast, within*

the district, the wider region or the country. While these areas have recognised coastal, landscape and ecological values, these values can be managed through the district-wide/overlay provisions in the PDP and do not warrant specific zoning provisions.”

- 7.3.** As detailed in Section 6.4.1 (page 40) of the AEE, the proposal is assessed as being supportive of the objectives and policies under the PDP.

8. Statutory Considerations

- 8.1.** As outlined in the AEE, the proposal meets the relevant objectives and policies of the New Zealand Coastal Policy Statement, National Policy Statement for Indigenous Biodiversity, and Northland Regional Policy Statement.
- 8.2.** The National Environmental Standard for Freshwater 2020 necessitates further consent as referred to in Paragraph of 5.1 of this Evidence. There are no other relevant National Environmental Standards.
- 8.3.** The proposal is consistent with the purpose and principles of the RMA 1991 as detailed in the AEE.

9. Assessment of Effects

- 9.1.** There has been a comprehensive assessment of environmental effects, taking into account expert assessments on landscape and visual effects, ecological effects, archaeological effects, site suitability, traffic, and natural and other hazards, by myself, and experts engaged by the applicant. I endorse the conclusions reached by those experts and consider the site to be suitable for the proposed development, having regard to the range of actual and potential adverse and positive effects.

10. Response to Submissions

- 10.1.** I will comment on planning matters raised in the submissions.

Lot sizes and lack of management plan

- 10.2.** The lot sizes proposed are based on the location of the Building Development Zones, which themselves have been determined by the site conditions and consideration of adverse effects avoidance. The lot sizes proposed are of a density that is less than what could be applied for as a discretionary activity management plan subdivision.
- 10.3.** The permitted activity residential intensity in the SKIZ allows “one unit per 4ha of land” and further specifies that “each unit shall have at least 3,000m² for its exclusive use surrounding the unit plus a minimum of 3.7ha elsewhere on the property”. The terms “land” and “property” are not defined in the ODP unlike the terms “allotment” and “site”. The application site’s one third share in Lot 4 DP 267657 can be considered as part of the land or property in comparing the proposed subdivision density to the permitted activity residential standard. The average lot size of the proposed titles, taking into account the proposed one-twelfth share each will have in Lot 4 DP 167657, will not

exceed one title per 4ha, which is consistent with the permitted activity residential intensity standard. This matter is discussed further in Paragraphs 11.4 and 11.5 of this evidence.

- 10.4.** The reasons for not submitting a management plan subdivision have previously been outlined.

Error on Scheme Plan

- 10.5.** The incorrect schedule of existing easements has been rectified. Refer to paragraph 4.8.1 of this Evidence.

Subdivision Access / Design Standard

- 10.6.** The relevant ODP transportation rules do not require a subdivision applicant to cater for hypothetical future subdivision of neighbouring properties. The subdivision access has therefore been designed with consideration of the standards related to the number of lots proposed, plus an allowance for one household equivalent for the burdened land and the other benefitted land to the appurtenant easements over Lot 2 DP 210733.

Title Documents / Discussion Regarding Allocation

- 10.7.** A response to this matter is as outlined in the Section 92 Response.

Individual and Cumulative Effects

- 10.8.** In response to Part B Point 1 of the Taylor Submission, the non-complying activity status relates to the subdivision aspect. Infringements of earthworks, impermeable surface and setback rules would also arise from the development of the site for a single building development zone including access; therefore, I do not agree that the “accumulation of non-compliances taken as a whole” will give rise to a more than minor adverse effect.

Suggested Lake (Lot 4 DP 167657) Management Plan

- 10.9.** The lake is held in undivided shares within three other Records of Title, besides the application site. There is an existing Land Covenant (D088754.3), which relates to the management of the lake and its margins and requires a management committee comprising a representative of each of the titles with a share in Lot 4 DP 167657. This is a private covenant, which was not required via condition of any FNDC consent (RC 1950141-RMASUB being the subdivision consent that created Lot 4 DP 167657). Ideally, an updated Land Covenant would be prepared; however, this requires co-operation from other parties and is a private matter. Further, I note that this will not be the first subdivision to dilute shares in Lot 4 DP 167657 via subdivision, with Lots 1 and 2 DP 210733 each having a 1/6th share, being half of the 1/3rd share originally held together with Lot 3 DP 167657. In any event, unless varied by agreement, the provisions of Land Covenant D088754.3 remain applicable.

Building Development Zones

- 10.10.** The building development zones are located outside of the wetland protection covenant areas, each of which includes the wetland itself, as well as a buffer / margin which is to be revegetated and restored.

Noise

- 10.11.** There is no expectation that noise arising from traffic using private roading (existing or proposed) or dogs barking would exceed the permitted activity limits specified in the ODP. My view is that conditions to provide noise attenuation, either by sealing and screen planting accessways and banning dogs, are not necessary or appropriate for that purpose.

Submission from Benjamin Mark and Sarah Flintoff

- 10.12.** Access to the subdivision does not cross the property owned by the submitter, being Lot 1 DP 368104. The easement being referred to is shown as the triangular easement area on the Haigh Workman Drawing DWG RDP02 ("Proposed Vehicle Crossing at Kerikeri Inlet Road..." appended to the Section 42A report. The application site does not benefit from that easement; therefore, it is not proposed to use any part of it for vehicle access to the subdivision.
- 10.13.** The landscape and visual effects on adjacent properties, including Lot 1 DP 368104, has been considered in detail in the Landscape and Visual Effects Assessment, and is further addressed in Ms. Hawthorn's evidence.

11. Response to Far North District Council Section 42A Report

- 11.1.** I agree with the overall findings and recommendation of the Council's Reporting Officer's Section 42A Report. Comments that may assist with clarification of some of the points in the Section 42A Report will be made, followed by further comment on the draft conditions.

Access / Right of Way

- 11.2.** Paragraph 9.6 - the culverted crossing requiring upgrade is over Easement 'A' within proposed Lot 1 (not 'J').
- 11.3.** Paragraph 9.7, bullet points 1 and 3 - the labelling of existing easements varies depending on which survey plan is being referenced. Bullet point 1 could be better described by saying "... (J, D, C **as shown on DP 167657** over lot 2 DP 210733 ...).", while bullet point three could likewise say "Easement C **on DP 167657** over Lot 2 DP 210733...". An additional easement benefitting the application site is Area Z on DP 180325, which is also shown as area 'Z' on DP 210733.

Permitted Baseline

- 11.4.** Paragraph 10.5 discusses the permitted baseline in terms of Rule 10.10.5.1.2 (Residential Intensity) and specifies that the site could accommodate three dwellings on this site under this permitted threshold. This is repeated in Paragraph 10.13.

- 11.5.** In my opinion, the site could accommodate four residential units, on the basis of Record of Title 52855's 1/3rd share in Lot 4 DP 167657, which brings the total area of the title to 16.12ha. My interpretation of this is that Rule 10.10.5.2 limits residential development to one unit per 4ha **of land** (emphasis added), noting that Part 1, Section 2 of the RMA 1991 defines 'land' as including land covered by water.

Draft Conditions

- 11.6.** I agree with the majority of the layout and scope of draft conditions. Suggested changes to specified conditions are listed below with reasoning. Revisions to conditions may also be included in other evidence. A set of revised draft conditions, collated to incorporate comments of all expert witnesses, is provided in Attachment 3.

11.6.1. Condition 3.a. Suggested rewording (for clarity): All easements in the Memorandum of Easements on the approved Scheme Plan to be duly granted or reserved.

11.6.2. Condition 3.b. This condition can be deleted, as there is no Council infrastructure proposed or required.

11.6.3. New Condition 4.b. Requirement to locate and mark the eastern edge of wetlands within areas AA, AB and AC. The purpose of this condition is to ensure compliance with a 10m setback during earthworks.

11.6.4. Condition 5.a. Include the requirement to certify the implementation of wetland revegetation planting within this condition, as it has been missed.

11.6.5. Condition 5.c.(iii) – change “accordance” to “general accordance” to allow minor alterations if necessary.

11.6.6. Conditions 5(d) and 6(a) – minor wording revisions as addressed within Mr. Papesch's evidence.

11.6.7. Condition 6(d) – Revisions to this condition are as proposed by Mr. Papesch. In addition, it would add clarity to specify the extent of impermeable surfaces permitted on Lots 1 – 4 by the consent and state that any additional impermeable surfaces over the consented extent, may, if in breach of current rules, require further resource consent. Suggested wording is as follows.

RC 2250414-RMACOM has consented to the following impermeable surface coverage on Lots 1 – 4:

Lot 1: 1,320m²

Lot 2: 1,560m²

Lot 3: 1,800m²

Lot 4: 1,950m²

Impermeable surface coverage exceeding the listed areas may require further consent.

11.6.8. Condition 6.e. This type of condition, while being standardly applied, is really an advisory note. I prefer the wording specified in Section 2.6, page 9, of the AEE.

11.6.9. Condition 6.j. This condition is at odds with the discussion in the Section 42A Report, which agrees with the proposal that cats be banned, and dogs allowed subject to restrictions, as discussed in the evidence of Ms. Lodge. In summary:

A maximum of one dog per Lot which must:

- be registered & microchipped
- have current kiwi aversion training certification at all times
- be kept inside or kennelled from dusk to dawn
- be on a lead or under effective control at all times

Further:

- No visitor or contractor shall bring any dog onto the site.
- Dogs must be excluded from the fenced covenants and lake margin for protection of wildlife.

11.6.10. Condition 6.k. The proposed wording differs to that suggested in Section 2.6, page 9, of the AEE (second to last consent notice condition bullet point). I agree with, and prefer, the Council Officer's wording, as it provides Council with discretion to approve minor or appropriate changes.

12. Conclusion

12.1. The proposal has been deemed to be acceptable, based in part on the specialist wetland, archaeological, landscape and visual and engineering assessments, which address both its actual and potential effects and its relationship with the relevant provisions of the Operative and Proposed District Plans. To this end, the proposal passes both limbs of the Section 104D gateway test.

12.2. To summarise, I continue to agree with my AEE, in that the proposal is for an appropriate development, meeting the statutory requirements to allow approval subject to conditions.

12.3. I am available for any questions that the Commissioner may have.

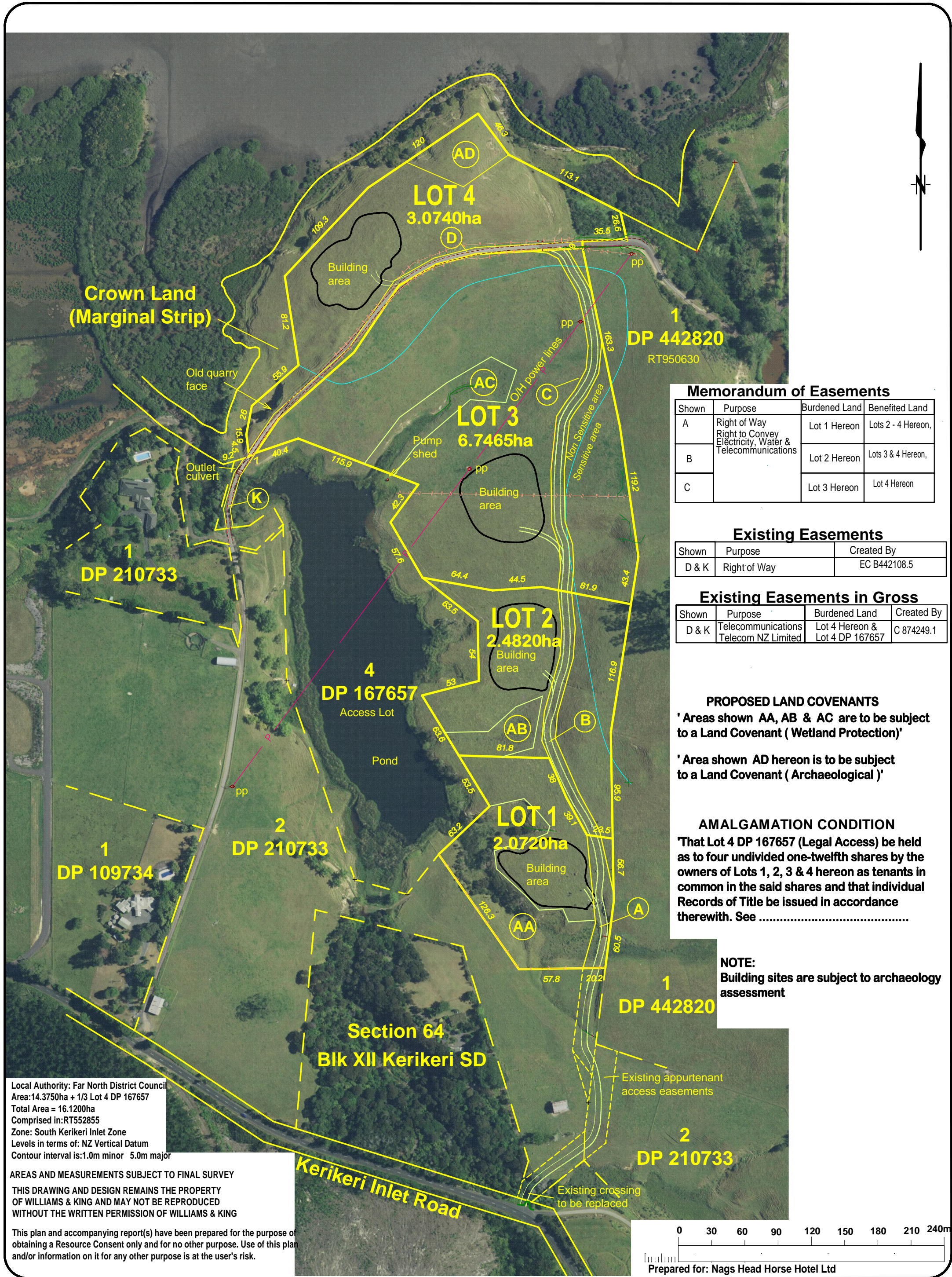
Natalie Adele Watson

8 October 2025

Attachments

1. Corrected and revised Scheme Plan.
2. Archaeological Authority 2026 100
3. Recommended draft conditions with revisions from Applicant's expert witnesses

Attachment 1 - Revised Scheme Plan



Memorandum of Easements			
Shown	Purpose	Burdened Land	Benefited Land
A	Right of Way Right to Convey Electricity, Water & Telecommunications	Lot 1 Hereon	Lots 2 - 4 Hereon,
B		Lot 2 Hereon	Lots 3 & 4 Hereon,
C		Lot 3 Hereon	Lot 4 Hereon

Existing Easements		
Shown	Purpose	Created By
D & K	Right of Way	EC B442108.5

Existing Easements in Gross			
Shown	Purpose	Burdened Land	Created By
D & K	Telecommunications Telecom NZ Limited	Lot 4 Hereon & Lot 4 DP 167657	C 874249.1

PROPOSED LAND COVENANTS
'Areas shown AA, AB & AC are to be subject to a Land Covenant (Wetland Protection)'
'Area shown AD hereon is to be subject to a Land Covenant (Archaeological)'

AMALGAMATION CONDITION
'That Lot 4 DP 167657 (Legal Access) be held as to four undivided one-twelfth shares by the owners of Lots 1, 2, 3 & 4 hereon as tenants in common in the said shares and that individual Records of Title be issued in accordance therewith. See

NOTE:
Building sites are subject to archaeology assessment

Local Authority: Far North District Council
Area: 14.3750ha + 1/3 Lot 4 DP 167657
Total Area = 16.1200ha
Comprised in: RT552855
Zone: South Kerikeri Inlet Zone
Levels in terms of: NZ Vertical Datum
Contour interval is: 1.0m minor 5.0m major

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY
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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.



WILLIAMS AND KING
Registered Land Surveyors, Planners &
Land Development Consultants
Ph: (09) 407 6030 27 Hobson Ave
Email: kerikeri@saps.co.nz PO Box 937 Kerikeri

**Proposed Subdivision of
Lot 2 DP 442820**

Survey	Name	Date	ORIGINAL SCALE SHEET SIZE 1:3000 A3
Design			
Drawn	W & K	Oct 24	
Rev	W & K	Jul 2025	

24467

Attachment 2 - Archaeological Authority 2026-100



Archaeological Authority 2026-100

Heritage New Zealand Pouhere Taonga Act 2014

Heritage New Zealand Pouhere Taonga has granted an archaeological authority subject to conditions. Read your conditions carefully. Complying with the conditions of your archaeological authority is a legal requirement.

DETERMINATION DATE	16 September 2025
EXPIRY DATE	16 September 2030
AUTHORITY HOLDER	Nags Head Horse Hotel Ltd
ARCHAEOLOGICAL SITES	Potential sites, as yet unrecorded
LOCATION	Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri

This authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

This decision does not ascribe mana whenua status.

DETERMINATION

Heritage New Zealand Pouhere Taonga grants an authority pursuant to section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the archaeological site(s) described above, within the area specified as Lot 2 DP 442820 to Nags Head Horse Hotel Ltd for the proposal to undertake earthworks for four residential developments including realigning existing access ways and constructing a new access road along with associated infrastructure at Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri, subject to the following conditions:

CONDITIONS OF AUTHORITY

1. Prior to the start of any on-site archaeological work, the authority holder must ensure that Heritage New Zealand Pouhere Taonga is advised of the date when work will begin.
2. The authority holder must ensure that Heritage New Zealand Pouhere Taonga is advised of the completion of the on-site archaeological work, within two working days of completion.
3. Te Uri Taniwha shall be informed two working days before the start of the archaeological work.

4. The authority holder must ensure that all contractors working on the project are briefed on site by the s45 approved person (who may appoint a person to carry out the briefing on their behalf) prior to any works commencing. The briefing must include the possibility of encountering archaeological evidence, how to identify possible archaeological sites, the archaeological work required by the conditions of this authority, and contractors' responsibilities with regard to discovering archaeological evidence (including stopping works and parties to notify).
5. Any earthworks that may affect any archaeological sites must be monitored by the s45 approved person who may appoint a person to carry out the monitoring on their behalf.
6. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.
7. In addition to any tikanga agreed, the following shall apply for Te Uri Tanuiwha:
 - a) Enable access in order to undertake tikanga consistent with any requirements of site safety.
 - b) Notify if any kōiwi (human remains) are encountered. All work should cease within 5 metres of the discovery. Heritage New Zealand Pouhere Taonga and New Zealand Police must also be advised immediately in accordance with Guidelines for Kōiwi Tangata/Human Remains (AGS8 2010) and no further work in the area may take place until future actions have been agreed by all parties.
 - c) Notify if any possible taonga are identified to enable appropriate tikanga to be undertaken, so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met.
 - d) Provide a copy of any reports completed as a result of the archaeological work associated with this authority and give an opportunity to discuss them with the s45 approved person if required.
8. Te Uri Taniwha shall be informed two working days after the finish of the archaeological work.
9. Within 20 working days of the completion of the on-site archaeological work associated with this authority, NZAA Site Records must be updated in ArchSite based on current archaeological practice.
10. Within 6 months of the completion of the on-site archaeological work, the authority holder shall ensure that a final report, completed to the satisfaction of Heritage New Zealand Pouhere Taonga and following the Archaeological Report Guideline (AGS12 2023), is submitted to Heritage New Zealand Pouhere Taonga for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.

Digital copies of the final report must also be sent to: the NZAA Central Filekeeper, Russell Museum and Te Uri Taniwha.

Signed for and on behalf of Heritage New Zealand Pouhere Taonga,



Claire Craig

Deputy Chief Executive Policy, Strategy and Corporate Services Manahautu Tuarua: Rautaki

Heritage New Zealand Pouhere Taonga

[Click here to read our Advice Notes](#)

In considering this application, Heritage New Zealand Pouhere Taonga notes that Nags Head Horse Hotel Ltd wish to carry out earthworks associated with the construction of four new residential developments, including realigning a road and constructing a new shared access road, within the area specified as Lot 2 DP 442820, Kerikeri Inlet Road, Kerikeri. The property contains two recorded archaeological sites P05/463 and P05/1079 that are being avoided by your works, however your earthworks may encounter further unrecorded subsurface archaeological material. The archaeological sites in this area are a representative example of permanent use and occupation of the coastal margins of the Kerikeri Inlet by Māori both prior to and after European arrival. This area is of significance to Te Uri Taniwha and we appreciate the consultation you have undertaken.

Heritage New Zealand Pouhere Taonga appreciates the effort you have made to provide for the long term protection of archaeological site P05/463 by applying to the Far North District Council to place a protective conservation covenant around the midden/terrace site.

If you have any queries, please contact us through the AAP in the first instance. Otherwise, you can contact:

James Robinson

Senior Archaeologist Tuakana Poutairangahia

Phone (09) 407 0473

Email ArchaeologistNA@heritage.org.nz

Attachment 3 - Recommended Draft Conditions Applicant Revisions

Draft Conditions -

Activity A - Subdivision

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

1. The subdivision shall be carried out in general accordance with the approved plans attached to this consent with the Council's "Approved Stamp" affixed to them:
 - Scheme Plan - Subdivision prepared by Williams and King, referenced Proposed Subdivision of Lot 2 DP 442820, sheet 24467 dated July 2025.
 - Landscape Plans – Hawthorn Landscape Architects, Overall Landscape Plan, drawing 3.0 Rev A, Landscape Integration Plan Lot 1, drawing 4.0 Rev A, Landscape Integration Plan Lot 2, drawing 4.1 Rev A, Landscape Integration Plan Lot 3, drawing 4.2 Rev A, Landscape Integration Plan Lot 4, drawing 4.3 Rev A, Plant Schedule, Drawing 5 Rev A, Implementation + Maintenance, drawing 6.0 Rev A, dated 14/01/2025.
 - Earthworks Plan – Haigh Workman, project number 18 268, Sheets 1 – 9, date 15/04/2025.
 - Vehicle Crossing - Haigh Workman, project number 18 268, Sheets 1 – 2, date 07/08/2024.
2. This consent must be carried out in general accordance with the Application Form and Assessment of Environmental Effects prepared by William & King, dated 13 May 2025 and all documents all supporting additional information submitted with the application as listed below.

Report reference	Report title	Author	Rev	Date
18 268	Engineering Assessment	Haigh Workman Civil & Structural Engineers	A	8 May 2025
18 268	Geotechnical Assessment	Haigh Workman Civil & Structural Engineers	A	May 2025
18 268	Vehicle Crossing Design	Haigh Workman Civil & Structural Engineers	A	08/05/2025
N/A	Wetland Determination	Bay Ecological Consultancy	N/A	10 April 2025

N/A	Landscape & Visual Effects Assessment	Hawthorn Landscape Architects	N/A	9 January 2025
N/A	Archaeological Assessment	Geometria Ltd	N/A	29 November 2024

Survey plan approval (s223) conditions

3. The survey plan, submitted for approval pursuant to Section 223 of the Act must show:
 - a. All easements in the Memorandum of Easements on the approved Scheme Plan to be duly granted or reserved.
 - b. Areas shown AA, AB & AC are to be subject to a Land Covenant (Wetland Protection).
 - c. Area shown AD is to be subject to a Land Covenant (Archaeological).
 - d. The building development zones (BDZ) identified on the Scheme plan for each lot.

Amalgamation Condition

- e. That Lot 4 DP 167657 (Legal Access) be held as to four undivided one-twelfth shares by the owner of Lot 1, 2, 3 & 4 hereon as tenants in common in the said shares and that individual Record of Title be issued in accordance therewith.
4. Prior to the approval of the survey plan pursuant to Section 223 of the Act the consent holder shall:
 - a. The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Engineering Standards. The engineering plans are to be submitted to the Resource Consent Engineer for approval at least two weeks prior to works commencing on site. All work needing design/certification by a CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

Submit plans for Engineering Plan Approval of:

- Provide detailed design plans for the proposed vehicle crossing, including the bridge or culvert replacement, carriageway width, passing bays, stormwater controls, and any improvements to the existing culverted crossing.
- Provide sufficient waiting areas at both approaches to bridge.
- One Lane Bridge signage be installed on both approaches to alert drivers and mitigate potential safety risks.
- Unsealed private accessway surface to widths specified in Table 4 of the Engineering Assessment report prepared by Haigh Workman, report reference 18 268 dated 08 May 2025.
- The culverts along the private access formation must be designed and constructed to adequately accommodate the upstream catchment.

- b. Two weeks prior to the commencing any physical site works, a construction management plan shall be submitted to Planning_Technicians@fndc.govt.nz and approved by the Council. The plan shall contain information on, and site management procedures, for the following:
 - Final earthworks design and erosion and sediment control measures in accordance with GD05. In particular, the plans and details shall include:
 - Details of when and how proposed works will be carried out,
 - All Particular Hazardous Work (Notifiable work),
 - A project execution plan, as applicable for complex projects,
 - Principal contractor and, sub-contractors,
 - Names and telephone numbers of contract and supervisory staff,
 - Starting date, working days, hours of work, and estimated completion date,
 - Temporary Traffic Management Plan (TTMP),
 - Health and Safety plan,
 - Dust and sedimentation control,
 - Confirmation of all insurances, and
 - Contingency and Emergency procedures
 - Final earthworks plans including location of stockpiles and fill resulting from surplus excavated material.
- c. Provide for the approval of the Resource Consents Team Leader or other duly delegated officer, a pest and weed eradication management plan prepared by a suitably qualified and experienced person for areas 'AA', 'AB', and 'AC'. The management plan must include:
 - Pest and weed eradication measures including ongoing maintenance
 - Appropriate signage
 - Details of the mechanism / arrangement to oversee the ongoing implementation of the plan in a coordinated manner.
 - Reporting mechanisms including progress weed and pest eradication
 - Any other relevant matter for the purposes of managing the allotments.
- d. Locate and mark the edge of wetland extent within areas AA, AB and AC. The purpose of this condition is to ensure compliance with a 10m setback from any earthworks.

Section 224(c) compliance conditions

5. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:

Landscape

- a. Provide certification (including photographs) by a Suitably Qualified and Experienced Person that the Landscape Integration Planting (specimen trees, backdrop screen plantings and foreground plantings) and wetland revegetation planting has been implemented in accordance with the approved Landscape Plans prepared by Hawthorne Landscape Architects of RC 2250414-RMACOM.

Archaeology.

- b. During all construction works to be undertaken as approved under this consent, in the event of an "accidental discovery" of archaeological material, the following steps must be taken:

- i. All work on the site will cease immediately. The contractor/works supervisor will shut down all equipment and activity.
 - ii. The contractor/works supervisor/owner will take immediate steps to secure the site(tape it off) to ensure the archaeological remains are undisturbed and the site is safe in terms of health and safety requirements. Work may continue outside of the site area.
 - iii. The contractor/works supervisor/owner will notify the Area Archaeologist of Heritage New Zealand – Pouhere Taonga (Northland Office), tangata whenua and any required statutory agencies (such as the NZ Police if human remains/koiwi tangata are found) if this has not already occurred.
 - iv. Heritage New Zealand – Pouhere Taonga advise the use of a qualified archaeologist who will confirm the nature of the accidentally discovered material.
 - v. If the material is confirmed as being archaeological, under the terms of the Heritage New Zealand Pouhere Taonga Act 2014, the landowner will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from Heritage New Zealand – Pouhere Taonga before work resumes.
 - vi. If burials, human remains/koiwi tangata are uncovered, steps in conditions 5(b)(i) to (iii) above must be taken and the Area Archaeologist of Heritage New Zealand – Pouhere Taonga, the New Zealand Police and the Iwi representative for the area must be contacted immediately. The area must be treated with discretion and respect and the koiwi tangata/human remains dealt with according to law and tikanga.
 - vii. Works at the site area must not recommence until an archaeological assessment has been made, all archaeological material has been dealt with appropriately, and statutory requirements met. All parties will work towards work recommencement in the shortest possible timeframe while ensuring that archaeological and cultural requirements are complied with.
- c. All work on the approved engineering plans in Condition 4(a) is to be carried out to the approval of the Resource Consent Engineer. Compliance with this condition shall be determined by.
- (i) A PS4 Certificate of Completion and approval of supporting documentation provided by the developer's representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works as required by the Council's Engineering Standards.
 - (ii) "Certificate of Completion of Resource Consent Works" from the Contractor.
 - (iii) All construction works on the site are to be undertaken in general accordance with the approved construction management plan.
- d. Within 3 months of completion of earthworks activities, the consent holder must provide to the Councils Resource Consents Engineer certification that any exposed earthworks have been stabilized in accordance with GD05. Where there are inconsistencies between any part of GD05 and the conditions of this consent, then the conditions of this consent must prevail. Certification must be provided to Planning_Technicians@fndc.govt.nz

- e. Provide evidence to the satisfaction of the Resource Consent Team Leader or duly delegated officer proof of implementation of the Pest and Weed eradication plan. The evidence needs to be provided by a suitably qualified and experienced person.
6. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consentholder:
- a. Prior to or in conjunction with any building consent application, the design and construction of any building or associated works, including earthworks, must be in accordance with the recommendations contained within the Engineering Assessment and Geotechnical Assessment Report prepared by Haigh Workman, report reference 18 268 dated 08 May 2025 unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.
[Lot 1,2,3 & 4]
 - b. Reticulated power supply or telecommunication services are not a requirement of this subdivision consent. The responsibility for providing both power supply and telecommunication services will be the responsibility of the future property owner.
[Lot 1,2,3 & 4]
 - c. Upon construction of any habitable building, sufficient water supply for fire fighting purposes is to be provided and be accessible by firefighting appliances in accordance with Council's Engineering Standards 2023 and more particularly with the 'FENZ Fire Fighting Code of Practice SNZ PAS 4509:2008'. An alternative means of compliance with this standard will require written approval from Fire and Emergency NZ.
[Lot 1,2,3 & 4]
 - d. RC 2250414-RMACOM has consented to the following impermeable surface coverage on Lots 1 – 4:
Lot 1: 1,320m²
Lot 2: 1,560m²
Lot 3: 1,800m²
Lot 4: 1,950m²
Impermeable surface coverage exceeding the listed areas may require further consent.
[Lot 1,2,3 & 4]
 - e. In conjunction with the construction of any building on the lots the lot owner shall submit, in conjunction with an application for building consent, a stormwater management report incorporating low impact design in general accordance with ARC publication The Countryside Living Toolbox or similar approved. The report shall be prepared by a Chartered Professional Engineer or a suitably qualified and experienced practitioner and be generally in accordance with recommendations in Engineering Assessment and Geotechnical Assessment Report prepared by Haigh Workman, report reference 18 268 dated 08 May 2025.
[Lot 1,2,3 & 4]

- f. In conjunction with the construction of any buildings on Lots 1 to 4 which includes a wastewater treatment & effluent disposal system, the applicant shall submit with the Building Consent application an Onsite Wastewater Report prepared by a Suitably Qualified and Experienced Person in accordance with AS/NZS 1547:2012 or TP58. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus an appropriately sized reserve disposal area in accordance with the requirements of the Proposed Regional Plan for Northland.

[Lot 1,2,3 & 4]

Built form

- g. All built structures on proposed Lots 1 - 3 shall be limited to a height no greater than 8 meters above ground level.
- [Lot 1-3]**
- h. All built structures on proposed Lot 4 shall be limited to a height of no greater than 6 meters above ground level. The top of the roofline shall be below the 29m asl contour so that it does not protrude above the highest contours on this lot.
- [Lot 4]**
- i. Building colours from the A and B Group of the BS 5252 colour chart shall be used. The light reflectance values for the exterior roof colours shall not exceed 20% and the exterior walls shall not exceed 30% for Lot 4.
- [Lot 4]**
- j. Building colours from the A and B Group of the BS 5252 colour chart shall be used. The light reflectance values for the exterior roof colours shall not exceed 30% and the exterior walls shall not exceed 40% for Lots 1-3.
- [Lot 1-3]**

Kiwi Protection

- k. No occupier of, or visitor to the site, shall keep or introduce cats to the site.
- [Lots 1 – 4]**
- l. A maximum of one dog is permitted per lot, which must:
- be registered & microchipped
 - have current kiwi aversion training certification at all times
 - be kept inside or kennelled from dusk to dawn
 - be on a lead or under effective control at all times
 - Dogs must be excluded from the fenced covenants for protection of wildlife.

Further:

- No visitor or contractor shall bring any dog onto the site.

[Lots 1 - 4]

Building Development Zones

- m. All residential dwellings and associated ancillary structures (including but not limited to: sheds, minor dwellings, pool houses, sauna buildings, sleep outs) and swimming pools must be located within the identified Building Development Zone (as per condition 3e and shown on the Survey Plan) unless agreed in writing by the Team Leader Resource Consents or any duly delegated officer.

Note – The location of residential buildings within the Building Development Zone formed an important part of the consent. If the Building Development Zone is not deemed to be suitable at Building Consent stage, a statement from a suitably qualified and experienced Landscape Architect is required to support the proposed alternative Building Development Zone to ensure that the alternative location does not have any potential adverse visual, landscape or ecological effects.

[Lots 1-4]

Archaeology

- n. The owners of Lot 4 are advised that a recorded archaeological site 'P05/463' is identified with area 'AD' is located within or in proximity to this site. Prior to the commencement of any earthworks, the lot owner shall submit to the Team Leader Resource Consents, evidence that they have engaged an archaeologist to undertake monitoring of the site for any topsoil stripping or earthworks associated with establishing a building platform, and will submit an application for an Archaeological Authority to Heritage New Zealand Pouhere Taonga, if advised by the archaeologist.

[Lot 4]

Wetland

- o. The owner shall preserve the indigenous vegetation and revegetated areas within the areas shown as 'AA', 'AB' and 'AC' on the survey plan and shall not without resource consent from the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage, or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such vegetation shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. Additionally, no built development is permitted within these areas and stock and dogs must be excluded from these areas.

[Lots 1-3]

- p. The pest and weed eradication management plan approved in condition 4(d) for areas 'AA', 'AB' and 'AC' to protect the native vegetation must be observed and continued by the landowners and the plan shall not cease or be amended without the express permission of Council.

[Lots 1-3]

- q. The lot owner is to continue the General Maintenance of landscape and revegetation plantings established under condition 5(a) for a minimum period of three years following practical completion of the landscape plantings, as specified in Drawing 6.0 ('Implementation + Maintenance') of the Hawthorn Landscape Architects Landscape & Visual Effects Assessment.

[Lots 1-4]

Activity B – Landuse

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

1. The subdivision shall be carried out in general accordance with the approved plans attached to this consent with the Council's "Approved Stamp" affixed to them:
 - Scheme Plan - Subdivision prepared by Williams and King, referenced Proposed Subdivision of Lot 2 DP 442820, sheet 24467 dated July 2025.
 - Landscape Plans – Hawthorn Landscape Architects, Overall Landscape Plan, drawing 3.0 Rev A, Landscape Integration Plan Lot 1, drawing 4.0 Rev A, Landscape Integration Plan Lot 2, drawing 4.1 Rev A, Landscape Integration Plan Lot 3, drawing 4.2 Rev A, Landscape Integration Plan Lot 4, drawing 4.3 Rev A, Plant Schedule, Drawing 5 Rev A, Implementation + Maintenance, drawing 6.0 Rev A, dated 14/01/2025.
 - Earthworks Plan – Haigh Workman, project number 18 268, Sheets 1 – 9, date 15/04/2025.
 - Vehicle Crossing - Haigh Workman, project number 18 268, Sheets 1 – 3, date 07/08/2024.

2. This consent must be carried out in general accordance with the Application Form and Assessment of Environmental Effects prepared by William & King, dated 13 May 2025 and all documents all supporting additional information submitted with the application as listed below.

Report reference	Report title	Author	Rev	Date
18 268	Engineering Assessment	Haigh Workman Civil & Structural Engineers	A	8 May 2025
18 268	Geotechnical Assessment	Haigh Workman Civil & Structural Engineers	A	May 2025
18 268	Vehicle Crossing Design	Haigh Workman Civil & Structural Engineers	A	08/05/2025
N/A	Wetland Determination	Bay Ecological Consultancy	N/A	10 April 2025
N/A	Landscape & Visual Effects Assessment	Hawthorn Landscape Architects	N/A	9 January 2025

N/A	Archaeological Assessment	Geometria Ltd	N/A	29 November 2024
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- The consent holder must pay the Council's compliance monitoring charges to cover the actual and reasonable costs incurred in monitoring compliance with the conditions of this consent, in accordance with section 36(1)(c) of the Resource Management Act.

Advice Note:

Compliance monitoring charges cover the costs associated with site inspections (where required), and the review of plans, reports, and other documentation to ensure compliance with the resource consent. These charges will be calculated based on the applicable hourly rate at the time and included in a final invoice once monitoring is complete. A letter confirming compliance will be issued by the Council, upon request, only after all consent conditions have been met.

Advice Notes

- The Consent Holder shall pay all charges set by Council under Section 36 of the Resource Management Act 1991, including any administration, monitoring, inspection and supervision charges relating to the conditions of this resource consent. The applicant will be advised of the charges as they fall.
- Any work activity, excavation and non- excavation carried out in the road reserve, must lodge formal notice of intention to carry out Works, in the form of a Corridor Access Request, submitted to the Corridor Manager for Approval. A Corridor Access Request (CAR) is an application for a permit to carry out works within the road reserve, this is defined in the National Code of Practice for Utilities access to the transport Corridors and has been adopted by Council. A Traffic Management Plan (TMP) must be uploaded with the CAR submission, describing the proposed works, design, setup, and removal of any activity being carried out within the road Reserve. A Work Access Permit (WAP) and reasonable conditions will be issued once TMP is Approved. Enquiries as to its use may be directed to Council's Road Corridor Manager, corridor.access@fnhc.govt.nz.
- Permits are required for drilling any bores in Northland. Therefore, resource consent will need to be gained from the Northland Regional Council if water is obtained in this way. If a bore is to be constructed, all areas used for sewage effluent disposal and reserve effluent disposal areas must be at least 20 metres away from any groundwater bore.
- Building Consents may be required for retaining structures.
- All earthworks are required to comply with the Northland Regional Council Regional Water and Soil Plan for Northland noting Erosion & sediment control and dust suppression requirements.
- Erosion and Sedimentation Control shall be designed and carried out in accordance with GD05 "Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region"
- Archaeological sites are protected pursuant to the Heritage NZ Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority obtained from the Heritage New Zealand Pouhere Taonga (HNZPT). Should any site be inadvertently uncovered, the procedure is that work should cease, with the HNZPT and local iwi

consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains).

8. Attention drawn to archaeological sites P05/463 and P05/1079 and responsibilities under Heritage New Zealand Pouhere Taonga Act 2014. An archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 may be required.
9. Prior to Commencing Earthworks, the consent holder is to establish and mark the location of the boundary pegs and mark all property boundaries adjacent to the proposed earthworks.