

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement? ☐ Yes ☐ No

2. Type of Consent being applied for

(more than one circle can be ticked):

- | | |
|---|---|
| ☐ Land Use | ☐ Discharge |
| ☐ Fast Track Land Use* | ☐ Change of Consent Notice (s.221(3)) |
| ☐ Subdivision | ☐ Extension of time (s.125) |
| ☐ Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) | |
| ☐ Other (please specify) _____ | |

* The fast track is for simple land use consents and is restricted to consents with a controlled activity status.

3. Would you like to opt out of the Fast Track Process?

☐ Yes ☐ No

4. Consultation

Have you consulted with Iwi/Hapū? ☐ Yes ☐ No

If yes, which groups have you consulted with?

Who else have you consulted with?

For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council tehonosupport@fndc.govt.nz

5. Applicant Details

Name/s:

Wainui 2C3B Part Trust

Email:

Phone number:

Work

Home

Postal address:

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

1637 Wainui Road

Kaeo

Postcode

6. Address for Correspondence

Name and address for service and correspondence (if using an Agent write their details here)

Name/s:

David Johnson

Email:

Phone number:

Work

Home

Postal address:

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

PO Box 191

Whangarei

Postcode

0140

** All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.*

7. Details of Property Owner/s and Occupier/s

Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s:

**Property Address/
Location:**

Postcode

8. Application Site Details

Location and/or property street address of the proposed activity:

Name/s:

**Site Address/
Location:**

 Postcode

Legal Description:

11. Other Consent required/being applied for under different legislation

(more than one circle can be ticked):

- ☐ Building Consent
- ☐ Regional Council Consent (ref # if known)
- ☐ National Environmental Standard consent
- ☐ Other (please specify)

12. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following:

15. Important information continued...

Declaration

The information I have supplied with this application is true and complete to the best of my knowledge.

Name: (please write in full)

David Johnson

Signature:

[Redacted Signature]

Date 20-Oct-2025

A signature is not required if the application is made by electronic means

Land Use Consent Application

WAINUI 2C3B PART TRUST

1637 Wainui Road, Te Ngaere, Kaeo

A faint, light gray topographic map with contour lines and a grid pattern serves as the background for the bottom section of the cover.

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& bryant**

PLANNERS • SURVEYORS

Land Use Consent Application

WAINUI 2C3B PART TRUST

1637 Wainui Road, Te Ngaere, Kaeo

Report prepared for:	Wainui 2C3B Part Trust
Author	David Johnson, <i>Planner</i>
Reviewed by:	Joseph Henehan, <i>Associate</i>
Consent Authority:	Far North District Council
Report reference:	18658
Report Status:	Final
Date:	October 2025

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FORM 9

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

To: Far North District Council

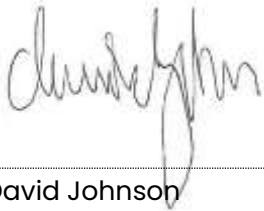
Memorial Avenue

Private Bag 752

Kaikohe 0440

1. **Wainui 2C3B Part Trust** applies for land use consent to relocate a residential unit onto the site.
2. The location of the proposed activity is 1637 Wainui Road, Te Ngaere, Kaeo.
3. The legal description of the site is Part Wainui

-
9. We attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including information required by clause 2(2) of Schedule 4 of that Act.
10. No other information is required to be included in the district or regional plan(s) or regulations.



David Johnson

29 October 2025

Date

Address for service:

Reyburn and Bryant 1999 Ltd
PO Box 191, Whangarei

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(09) 438 3563

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david@reyburnandbryant.co.nz

Contact person:

David Johnson

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CRZ	Coastal Residential Zone
FNDC	Far North District Council
FNDP	Far North District Plan
GFA	Gross Floor Area
HAIL	Hazardous Activities and Industries List
HG	Hawthorn Geddes
HNCA	High Natural Character Area
LNF	Landscape and Natural Features Chapter
MPZ-R	Māori Purpose Zone – Rural
NES-CS	National Environmental Standard – Contaminated Soils
NFL	Natural Features and Landscapes Chapter
OFNDP	Operative Far North District Plan
OL	Outstanding Landscape
ONL	Outstanding Natural Landscape
PFNDP	Proposed Far North District Plan
RMA	Resource Management Act, 1991
SASM	Site or

1. INTRODUCTION

1.1 Report basis

This report has been prepared for the Wainui 2C3B Part Trust (the applicant) in support of an application to relocate a residential unit onto 1637 Wainui Road, Te Ngaere, Kaeo.

The application has been prepared in accordance with Section 88 and the Fourth Schedule of the Resource Management Act, 1991 (RMA). Section 88 of the RMA requires that resource consent applications be accompanied by an Assessment of Environmental Effects (AEE) in accordance with the Fourth Schedule.

The report also includes an analysis of the relevant provisions of the district, regional and national planning documents that are pertinent to the assessment and decision required under s

Operative District Plan Notations	Site of Cultural Significance to Māori Outstanding Landscape
Proposed District Plan Notations	Site or Area of Significance to Māori Coastal Environment Outstanding Natural Landscape High Natural Character Area (partial) Coastal Flood Zones 1, 2, and 3 (partial) River Flood Hazard Zone (100 Year ARI Event) (partial)

Table 1: Property details.

1.3 Proposal summary

The applicant owns an 8,599m² title located at 1637 W

2022 and October 2023. It will have two bedrooms and a Gross Floor Area (GFA) of 98m².

Hawthorn Geddes (HG) has prepared a set of plans (see **Appendix 1**) showing the location of the residential unit on the site, its internal layout, and external appearance.

Overall, resource consent is required as a **restricted discretionary activity** from the Far North District Council (FNDC) under the OFNDP as the residential unit will have a GFA exceeding 50m², will be located outside of a building envelope, and will be visible from Wainui Road and the foreshore without being painted in one of the permitted colours. The proposal would be a **non-complying activity** under the PFNDP if the rules had legal effect.

- ix. *the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;*
 - x. *the extent to which private open space can be provided for future uses;*
 - xi. *the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;*
 - xii. *the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.*
- Rule 12.1.6.2.1 – The site is within an OL mapped under the District Plan. The proposal does not comply with Rule 12.1.6.1.5 as the proposed residential unit will have a GFA in excess of 25m², will be visible from a public place within 500m of the site, and the exterior is expected to have a reflectance value greater than 30%. Therefore, the proposal is a **restricted discretionary activity** under Rule 12.1.6.2.1. Council

Proposed Far North District Plan rule assessment

The PFNDP was publicly notified on 27 July 2022. The submission period closed on 21 October 2022, the further submission period closed on 4 September 2023, and the hearings are in progress. Given the stage of the process and pursuant to s86B of the RMA, the rules of the Plan Change do not have legal effect (expect for those specifically identified).

For completeness, an assessment has been made with respect to the rules of the PFNDP. This is attached in **Appendix 2**. Of the rules identified, the following have immediate legal effect:

- SASM-R1 – The proposal is a **permitted activity** under SAS

- **8227847.4** – This Status Order determined the site to be Māori Freehold Land pursuant to Section 30(1)(i) of the Māori Affairs Act 1953. It is unaffected by this application.
- **8227847.5** – This Order gives the owners of Part Wainui 2C3B Block the right to access their site over part of an adjacent title² pursuant to Sections 415 and 416 of the Māori Affairs Act 1953. This right is unaffected by this application.

The title and associated memorials attached in **Appendix 3**.

1.6 Over approvals required

A building consent will be required for

2.2 Surrounding environment

The site is located on the north-eastern coastline of the Far North District 12km north-east of Kaeo and 25km north-west of Kerikeri. Indigenous vegetation is predominant. There are clusters of residential development interspersed along the coastline and limited rural production activities (grazing) in isolated areas.

The coastal settlement of Te Ngaere lies 1km south-east of the site. It is clustered on the Ngaere Stream valley and Taiaue Bay. Te Ngaere contains approximately 55 residential properties zoned 'Coastal Residential' (CRZ) under the OFNDP.

Intermittent residential development extends north-west from Te Ngaere through Piapia Bay to Wainui Bay 500m to the north-west of the site. This is reflected by the underlying CLZ. Residential units are typically positioned on steep slopes to maxim

3.3 Access and parking

The existing vehicle crossing and metalled access over Part Wainui 2F4 Block will provide access to proposed residential unit. There will be no increase in the number of users, and therefore no upgrades are required. The area surrounding the residential unit is large enough for any vehicles to park and manoeuvre on-site.

3.4 Earthworks

Earthworks will be only minor, confined to the construction pile foundations for the proposed residential unit. No more than 300m³ of earthworks will be undertaken in accordance with Rule 12.1.6.1.4 and Rule 12.3.6.1.2.

3.5 Servicing</

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1 Existing environment

Section 104(1)(a) of the RMA requires a consideration of any actual and potential effects on the environment of allowing an activity. The existing environment has been described in Section 2 of this report. It includes the ablution block and the residential development on the properties in the surrounding environment.

4.2 Permitted baseline

Section 104(2) of the RMA allows a consent authority to disregard an adverse effect of an activity on the environment if a plan permits an activity with that effect. This is commonly referred to as the permitted baseline.

The applicant can construct one residential unit on

4.3 Scope of assessment

The resource consent required from the FNDC is a restricted discretionary activity under Rule 10.7.5.3.1 and Rule 12.1.6.2.1 of the OFNDP. Therefore, the scope of this assessment of effects on the environment is confined to the matters over which the FNDC has restricted their discretion in Rule 10.7.5.3.1 and Rule 12.1.6.2.1.

4.4 Matters of discretion

The matters over which the FNDC has restricted their discretion under Rule 10.7.5.3.1 and Rule 12.1.6.2.1 are identified and assessed below.

The extent to which planting can mitigate visual effects (Rule 10.7.5.3.1 and Rule 12.1.6.2.1).

Assessment – The existing vegetation will not be screened by the proposed residential unit as it is between the flat terrace and the foreshore, protected by the OL overlay in the OFNDP and the ONL and HNCA overlays in the PFNDP. There vegetation on the slope between the flat terrace and Wainui Road will sit above the proposed residential unit.

Any earthworks and/or vegetation clearance associated with the building (Rule 10.7.5.3.1).

Assessment – The proposed residential unit is located on the flat, grassed terrace. Relocating the residential unit onto the site will not require the modification of the existing landform or the removal of any indigenous vegetation.

The degree to which the landscape will retain the qualities that make it outstanding and give it its naturalness, including visual and amenity values (Rule 10.7.5.3.1 and Rule 12.1.6.2.1).

Assessment – The qualities that give the coastline of Piapia Bay its naturalness, visual and amenity values are the foreshore, the topography, and the indigenous vegetation. None of those features are affected by the relocation of the proposed residential unit to the site. The proposed residential unit will be positioned on a flat, grassed area of the site avoiding the need to modify the landform or remove any indigenous vegetation.

The extent to which private open space can be provided for future uses (Rule 10.7.5.3.1).

Assessment – Private open space

residential unit is noticeably smaller than other residential units in the surrounding environment. The low maximum height ensures that it will not protrude above the surrounding landform. The colour of the proposed residential unit is consistent with the closest residential unit to the site on Part Wainui 2F4 Block.

The means by which permanent screening of the building from public viewing points on a public road, public reserve, or the foreshore may be achieved (Rule 12.1.6.2.1).

Assessment – The topography of the landform will screen the proposed residential unit from the public viewing points that are closest to the site. The 10m vertical separation from Wainui Road will screen the proposed residential unit from view. Vegetation between the flat terrace and the road will also assist with screening the proposed residential unit. At more distant public viewing points the proposed residential unit will be seen as part of a cluster of residential development.

5. PLANNING ASSESSMENT

5.1 Relevant planning documents

Section 104(1) of the RMA sets out the matters that a consent authority must, subject to Part 2, have regard to when considering all applications for resource consent.

Given the hierarchical nature of planning documents under the RMA, and the requirement for lower order documents to “give effect to” higher order documents, the relevant documents that require assessment under s104(1) of the RMA are the FNDP and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 (NES-CS).

5.2 Operative Far North District

Chapter 10.7 – Coastal Living Zone

The overarching intent of the CLZ is to provide low density residential development in areas of the coastal environment that have a high level of amenity but have already been developed. The CLZ objectives and policies set out to achieve the stated purpose of the zone by enabling appropriate development,⁵ preserving the natural character of the coastal environment,⁶ engaging effectively with Māori,⁷ and minimising adverse effects of development on the natural character and amenity values of the coastal environment.⁸

Regarding the provisions that enable appropriate development, the proposed residential unit will facilitate the development of a currently vacant site in amongst existing residential development. The design and external appearance of the proposed residential unit is similar to development within the surrounding environment, particularly on Part Wainui 2F4 Block. It will not require the modification of the landform or the removal of any indigenous

relationship with the land by allowing them to develop it in accordance with their culture and traditions.

Regarding the provisions that seek to minimise adverse effects on the natural character and amenity values of the coastal environment, the proposal clusters the proposed residential unit amongst other residential properties. The low profile and limited height of the proposed residential unit, and its placement below the road ensures that it will not dominate the landscape.

When considered overall, the proposal is consistent with the objectives and policies of the CLZ. The provides for the development of Māori owned site in a manner that preserves the natural character and amenity values of the coastal environment.

Chapter 12.1 – Landscapes and Natural Features Chapter

locating the proposed residential unit on a part of the site that has already been modified. The low profile of the building and its external appearance combined with surrounding topography and vegetation integrate it into the OL.

The proposed residential unit has been positioned and designed to avoid, remedy or mitigate adverse effects as far as is practical. It will not visually dominate the landscape or disrupt the natural character as it will have a low profile and similar colours to surrounding residential development. It will not screen any ridgelines or prominent landforms associated with the OL. The landform and indigenous vegetation associated with the OL will remain unmodified.

When considered overall, the proposal is consistent with the objectives and policies of the LFN Chapter. It facilitates development within a part of the OL modified by development without changing the landform or removing any of the indigenous vegetation associated with the OL.

Conclusion

Weighting

With regards to weighting, the hearings are still in progress. The Commissioners recommendations are still subject to the Council decision and the appeal process. Little weight should therefore be applied to the PFNDP when considering the application. Nonetheless, an assessment of the objectives and policies is provided below for completeness.

Assessment

The objectives and policies of the PFNDP are zone specific. There are also other provisions that relate to district wide matters. This assessment considers the relevant objectives and policies in the district wide CE and Natural Features and Landscapes (NFL) Chapters. The proposal is inherently consistent with the objectives and policies of the MPZ-R and the SASM Chapter as it is a permitted activity under those chapters.

- The proposed residential unit has a low height, ensuring it will not screen views of ridgelines or landforms associated with the ONL.
- The proposed residential unit will be constructed on a flat, grassed terrace. This avoids modification of the landform and the removal of any indigenous vegetation associated with the ONL.

NFL-O3 and NFL-P5 are relevant to this application as they provide for the development of MPZ land in ONLs where it does not compromise any identified characteristics and qualities. As detailed previously in this report, the proposed development is being undertaken by the Māori owners of the site to facilitate the construction of a residential unit. It recognises their relationship with the land by allowing them to develop it in accordance with their culture and traditions without compromising the identified characteristics and qualities of the ONL.

Overall, the proposal is not contrary to the objectives and policies of the NFL Chapter.

the NRC Selected Land-use Register attached in **Appendix 4**). The NES-CS therefore has no relevance to this application.

5.5 Part 2 assessment

An assessment of Part 2 matters is not required unless there are issues of invalidity, incomplete coverage, or uncertainty in the planning provisions.¹⁴ None of these apply to the relevant FNDP provisions and an assessment under Part 2 of the RMA is not required. However, for completeness, the proposal accords with the purpose of the RMA for the following reasons:

1. The proposal provides for the relationship of Māori with their ancestral land.
2. Any adverse effects will be less than minor.
3. The proposal has positive effect on future generations.
4. The proposal will not increase the risk associated with natural hazards.
-

6. NOTIFICATION

Pursuant to sections 95A and 95B of the RMA, Section 4 of this report concludes that any adverse effects associated with the proposal will be less than minor. Furthermore, there are no special circumstances associated with the application, the applicant has not requested notification, and there is no rule or national environmental standard that requires notification of this application. Consequentially, public notification is not necessary.

The assessment of environmental effects in Section 4 of this report confirms that no parties are considered to be adversely affected by the proposal. Consequentially, limited notification is not necessary.

Having considered the above, the proposal can proceed on a **non-notified** basis.

APPENDIX 1

HAWTHORN GEDDES PLANS

DRAWING INDEX

Sheet No.	Sheet Name	Rev. No
ARCHITECTURAL		
A1-01	LOCALITY AND SITE PLANS	-
A1-02	EXISTING AND DEMOLITION PLAN	-
A1-03	PROPOSED FLOOR PLAN	-
A1-04	PROPOSED ROOF PLAN	-
A1-11	PROPOSED EAST & NORTH ELEVATIONS	-
A1-12	PROPOSED WEST & SOUTH ELEVATIONS	-
A1-13	PROPOSED SECTIONS	-
A3-01	EXTERNAL JOINERY DETAILS	-
A3-02		

APPENDIX 2

RULE ASSESSMENT
