Te Kaunihera o Te Hiku o te Ika
Far North District Council

HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

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Application for 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 Form 9).
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 discussion

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?
☐ **Yes** ☑ **No** ☑ **N/A**

Have you consulted Council's Infrastructure Officer regarding infrastructure capacity to service the development?
☐ **Yes** ☑ **No** ☑ **N/A**

Have you consulted the Roading Officer regarding any road to vest or departure from District Plan / Engineering standards?
☐ **Yes** ☑ **No** ☑ **N/A**

**Contact details of who and how to engage in pre lodgement discussions can be found on the Resource Consent pages of the FNDC website.*

2. Type of consent being applied for

(more than one circle can be ticked):

☑ **Land Use**
☐ **Fast Track (Land Use - Controlled Activity)**
☐ **Change of Consent Notice (s.221(3))**
☐ **Certificate of Compliance (s.139)**
☐ **Extension of time (s.125)**

☐ **Discharge:** Total voume = _____ m³
Note; volumes >3m³ requires NRC Consent 3m³
☐ **Subdivision**
☐ **Existing Use Certificate (s.139A)**
☐ **Consent under National Environmental Standard**
(e.g. Assessing and Managing Contaminants in Soil)

☐ **Other (please specify)** _____

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? Ngāti Kahu ki Whangaroa

Who else have you consulted with?

For any questions or information regarding iwi/hapū consultation, please contact:
The Resource Consents Planning Technicians, **planning_technicians@fndc.govt.nz**

5. Applicant details

Name/s: Tahi Estate Trustees Limited - C/O - Ant Beale

Email: [redacted]

Phone number:

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

Have you been the subject of abatement notices, enforcement orders, infringement notices and/or convictions under the Resource Management Act 1991?
◯ **Yes** ☑ **No**

If yes, please provide details:

6. Address for correspondence

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

Name/s: Moana Schoffa

Email: [redacted]

Phone number:

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

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: Tahi Estate Trustees Limited

Property address/ location: 1824 Pataua North Road, Pataua North

Postcode

8. Application site details

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

Name/s: Tahi Estate Trustees Limite

Site address/ location: Lot 2 DP 58517, Tupou Bay

Postcode

Legal description: As above **Val Number:**

Certificate of title: NA71D/247

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? ☑ **Yes** ☐ **No**

Is there a dog on the property? ☐ **Yes** ☑ **No**

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. This is important to avoid a wasted trip and having to re-arrange a second visit.

Please contact Ant Beale in the first instance to arrange a site visit.

9. Description of the proposal

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the *District Plan, and Guidance Notes*, for further details of information requirements.

The proposal involves replacing an existing dwelling with a new dwelling for use as a beach house at the site.

If this is an application for a Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s), with reasons for requesting them.

The proposal has been prepared in accordance with the following version of the FNDC Engineering Standards:

☐ **2009** ☑ **2023**

10. Would you like to request public notification?

☐ **Yes** ☑ **No**

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

(more than one circle can be ticked):

- ◯ **Building Consent** Enter BC ref # here (if known)
- ◯ **Regional Council Consent (ref # if known)** Ref # here (if known)
- ◯ **National Environmental Standard Consent** Consent here (if known)
- ◯ **Other (please specify)** Specify 'other' here

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:

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL)? ◯ **Yes** ☑ **No** ◯ **Don't know**

Is the proposed activity an activity covered by the NES? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result? ◯ **Yes** ☑ **No** ◯ **Don't know**

- ◯ **Subdividing land**
- ◯ **Changing the use of a piece of land**
- ◯ **Disturbing, removing or sampling soil**
- ◯ **Removing or replacing a fuel storage system**

13. Natural hazards (National Policy Statement for Natural Hazards 2025)

Is the site subject to known or potential natural hazards (for example, flooding, coastal inundation, erosion, or unstable land), as contemplated by the National Policy Statement for Natural Hazards 2025? ☑ **Yes** ◯ **No**

If yes, please identify the relevant natural hazard(s) by ticking the applicable box(es) below:

- ☑ **Flooding**
- ◯ **Landslips**
- ◯ **Coastal Erosion**
- ☑ **Coastal Inundation**
- ◯ **Active Faults**
- ◯ **Liquefaction**
- ◯ **Tsunami**

Please ensure all relevant technical reports are submitted with the application.

14. Assessment of environmental effects:

Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as written approvals from adjoining property owners, or affected parties.

Your AEE is attached to this application ☑ **Yes**

15. Draft conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision? ☑ **Yes** ◯ **No**

If yes, please be advised that the timeframe will be suspended as per s107G of the RMA to enable consideration for the draft conditions.

16. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name/s: (please write in full) Tahi Estate Trustees Limited

Email:

Phone number:

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

[redacted]

Fees Information
An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

Declaration concerning Payment of Fees
I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: (please write in full) pp. Moana Schoffa

Signature:
(signature of bill payer)

[redacted]

Date 22-Oct-2026

MANDATORY

17. Important Information:

Note to applicant
You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:
Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, **www.fndc.govt.nz** These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

18. Declaration

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

Name (please write in full) Moana Schoffa

Signature

[redacted]

Date 22-Oct-2026

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

See overleaf for a checklist of your information...

Checklist of your information

Please tick if information is provided

- [ ] Payment (cheques payable to Far North District Council)
- [x] A current Certificate of Title (Search Copy not more than 6 months old)
- [x] Details of your consultation with Iwi and hapū
- [ ] Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- [x] Applicant / agent / property owner / bill payer details provided
- [x] Location of property and description of proposal
- [x] Assessment of Environmental Effects
- [ ] Written approvals / correspondence from consulted parties
- [x] Reports from technical experts (if required)
- [ ] Copies of other relevant consents associated with this application
- [x] Location and site plans (land use) AND/OR
- [ ] Location and scheme plan (subdivision)
- [x] Elevations / floor plans
- [ ] Topographical / contour plans

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans



Replacement Dwelling

Lot 2 DP 58517, Tupou Bay

Assessment of Environmental Effects and Statutory Analysis

22 October 2026

B&A
Urban & Environmental

Prepared for:
Tahi Estate Trustees Limited

B&A Reference:

27053

Status:

Final Revision 1

Date:

22 October 2026

Prepared by:



Moana Schoffa

Senior Planner, Barker & Associates Limited

Reviewed by:



David Badham

Partner, Barker & Associates Limited

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Appendix 4	ODP and PDP Rules Assessment
Appendix 5	Landscape, Rural Character, Natural Character and Visual Amenity Effect Assessment

1.0 Applicant and Property Details

To:	Far North District Council
Site Address:	Lot 2 DP 58517, Tupou Bay
Applicant Name:	Tahi Estate Trustees Limited
Address for Service:	Barker & Associates Ltd PO Box 1986, Shortland Street, Auckland 1140 Attention: Moana Schoffa Email: MoanaS@barker.co.nz
Legal Description:	Lot 2 DP 58517 (refer to Record of Title as **Appendix 1)**
Site Area:	22.49ha
Site Owner:	Tahi Estate Trustees Limited
District Plan:	Operative Far North District Plan (**ODP**) Proposed Far North District Plan (**PDP**)
District Plan Zoning:	**ODP:** General Coastal Zone **PDP**: Rural Production Zone
District Plan Overlays & Controls:	**ODP:** Outstanding Landscape, Statutory Acknowledgement Area (Ngātikahu ki Whangaroa). **PDP:** Coastal Environment, High Natural Character, Coastal Flood (Zone 1:50 year, 100-year, 100-year + rapid sea level rise scenarios), River Flood Hazard Zones (10-year & 100-year ARI events)
Precinct	**ODP:** None **PDP:** Tupou Precinct
Designations:	None
Additional Limitations:	**PDP**: Treaty Settlement Area of Interest and Statutory Acknowledgement Area (Ngātikahu ki Whangaroa)
Locality Diagram:	Refer to **Figure 1**
Brief Description of Proposal:	The proposal involves replacing an existing dwelling with a new dwelling for use as a beach house at the site.

Summary of Reasons for Consent:

ODP: Overall, resource consent will be required for a **restricted discretionary activity**, pursuant to the following rules:

- Rule 10.6.5.3.1 – Visual Amenity – **Restricted Discretionary Activity**; and
- Rule 12.1.6.2.1 – Buildings within Outstanding Landscapes – **Restricted Discretionary Activity.**

PDP: Overall, resource consent will be required for a **discretionary activity**, pursuant to the following rules:

- Rule CE-R1 – New buildings or structures and relocated buildings and extensions or alterations to existing buildings or structures – **Discretionary Activity**; and
- Rule CE-R2 – Earthworks or indigenous vegetation clearance – **Restricted Discretionary Activity**.

2.0 Introduction

Barker and Associates (**B&A**) have been engaged by Tahi Estate Trustees Limited (**Tahi**) to prepare a land use consent application to the Far North District Council (**FNDC**) on their behalf.

Tahi seeks to replace an existing dwelling with a new dwelling for use as a beach house at their property in Tupou Bay, legally described as Lot 2 DP 58517.

This Assessment of Environmental Effects (**AEE**) has been prepared in accordance with the requirements of section 88 and schedule 4 of the RMA and is intended to provide the information necessary for a full understanding of the activities for which consent(s) are being sought and any actual or potential effects the proposal may have on the environment.

2.1 Pre-lodgement Engagement with Iwi

Tahi have initiated early engagement with Ngāti Kahu ki Whangaroa via email (refer to **Appendix 2**) as part of the application process. At the time of writing this application, no written response has been received. However, should a response be received, it will be forwarded to the processing planner for this application.

3.0 Site Context

3.1 Site Description

The subject site is located at Tupou Bay, on the northern side of Taupo Bay Road, as shown in **Figure 1** below.

Tupou Bay lies on the eastern margin of the site.

The site is part of a substantial landholding of approximately 28.6ha, known as Tupou Farm. The site contains pastoral land, extensive landscaping, three existing dwellings, associated outbuildings and a tennis court. Tupou Stream also flows through the site and along its southern and eastern boundaries.

The site has an existing access off Taupo Bay Road.



Figure 1: Locality Plan showing the Subject Site (blue). Source: Emap

3.2 ODP and PDP Site Overlays

It is noted that the site is partially subject to the Outstanding Landscape Overlay and is located adjacent to a Statutory Acknowledgement Area (Ngātikahu ki Whangaroa) in the ODP. The extent of these overlays is shown in Figure 2 below.



Figure 2: Extent of ODP Overlays. Source: FNDC Maps

It is acknowledged that the proposal is located within the Outstanding Landscape Overlay.

With respect to the PDP, the site is partially subject to the Coastal Environment, and High Natural Character overlays, as well as the Coastal Flood (Zone 1:50 year, 100-year, 100-year + rapid sea

level rise scenarios), and River Flood Hazard Zones (10-year & 100-year ARI events). The extent of these overlays is shown in **Figure 3** and **Figure 4** below.

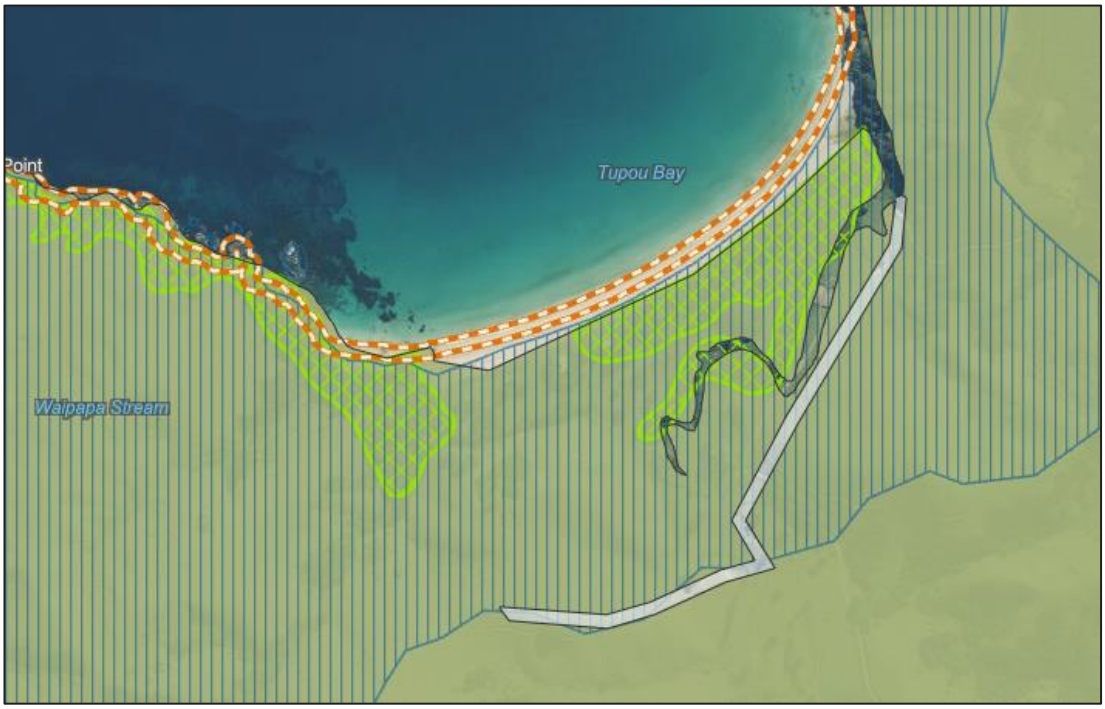


Figure 3: Extent of PDP Overlays. Source: FNDC Maps



Figure 4: Extent of PDP Natural Hazards Overlays. Source: FNDC Maps

It is acknowledged that the proposed building is located within the Coastal Environment and High Natural Character Overlays. Although the site is subject to various natural hazard overlays, the proposed building is located clear of these areas.

3.3 Surrounding Locality

The subject site is located within the General Coastal Zone (GCZ) in the ODP, and the Rural Production Zone (RPROZ) in the PDP. The surrounding locality is considered to be rural coastal in nature, with most of the surrounding properties zoned either General Coastal or Rural Production Zone. These lots generally comprise pastoral land or native bush, with some containing residential dwellings and associated buildings. Overall, the area can be described as having a predominantly rural coastal character.

Taupo Bay is a small coastal settlement located approximately 8.3km south-east of the site. It provides public toilets and free parking near the beach, but has no permanent shops, supermarkets, restaurants or bars. Mangonui, approximately 16km south-west of the site offers a wider range of amenities, including cafes, restaurants, boutique craft shops, a Four Square Supermarket and the Mangonui Fish Shop.

4.0 Proposal

A summary of the key elements of the proposal is set out below. More detailed descriptions on particular aspects of the proposal are set out in the specialists' reports and plans accompanying this application.

- Proposed Beach House – Tahi is seeking to replace the existing dwelling on the site. The proposed new dwelling will have a building coverage of approximately 235m^2 and a maximum building height of 4.4m.

  The proposed dwelling will feature vertical iroko timber shiplap weatherboard cladding finished with a Drydens clear oil, iroko timber windows and doors with clear, non-reflective double glazing, purple heart timber decking, and corrugated iron roofing in a matte Tidal Drift colour.

  Please refer to Figure 5 below which provides a snip of the proposed site plan.

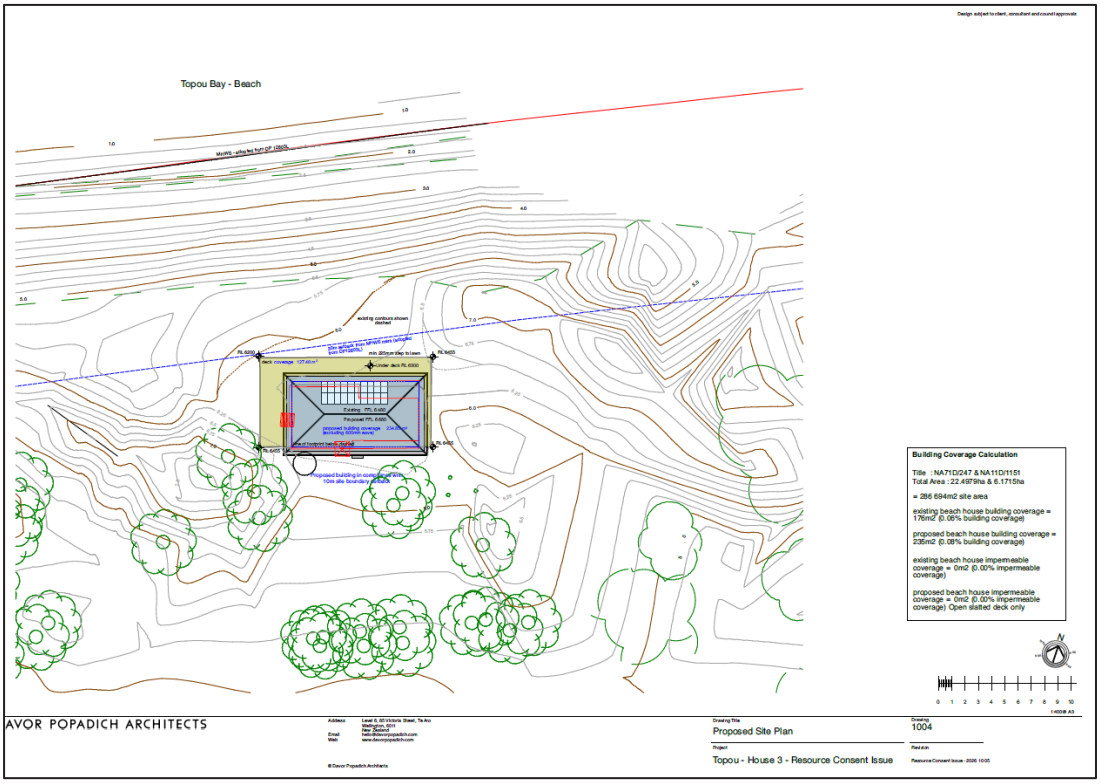


Figure 5: Proposed Site Plan

Figure 6 and 7 further below also provide visual renders of the proposed dwelling. These have been replicated in full within the Architectural Plans Package in Appendix 3.



Figure 6: Visual Render of Proposed Dwelling



Figure 7: Visual Render of Proposed Dwelling

- Access and Parking: The site will continue to have access via the existing vehicle crossing and drive way off Taupo Bay Road. No carparking is proposed.
- Servicing: The proposed dwelling will utilise the existing services on the site as follows:
    - Wastewater – The dwelling will connect to the existing wastewater system. Waterflow has inspected the system and considers it to be in very good condition;
    - Stormwater – Roof runoff will be collected and directed to two existing 25,000 litre water tanks;
    - Water – The two existing water tanks will continue to provide potable water for the dwelling; and
    - Electricity – The existing mains electricity connection will be retained. Tahi also intends to install rooftop solar panels, with mains electricity supplementing the solar supply as required.
- Site Works: Earthworks of approximately 36.98m^3 of cut and 50.18m^3 of fill over an area of approximately 330m^2 are proposed to pull back the mound from the building platform and recontour the ground. The existing dwelling's concrete slab will be removed and replaced with a new slab within the same footprint to accommodate the proposed dwelling. No vegetation clearance is proposed.
- Landscaping: The existing landscaping on the site will be retained, with no changes to this proposed.

5.0 Reasons for Consent

A rules assessment against the provisions of both the ODP and PDP is attached as **Appendix 4.** The site is zoned General Coastal under the ODP and Rural Production under the PDP. The proposal requires consent for the matters outlined below.

5.1 Operative Far North District Plan

General Coastal Zone

- **Rule 10.6.5.3.1 Visual Amenity** – the proposed dwelling will be used for human habitation, with the gross floor area exceeding 25m^2, and it is located partially outside of a building envelope that has been approved under a resource consent – **Restricted Discretionary Activity**

Landscapes and Natural Features

- **Rule 12.1.6.2.1 Buildings within Outstanding Landscapes** – the proposed dwelling is located within the General Coastal Zone and is a residential dwelling – **Restricted Discretionary Activity**

5.2 Proposed Far North District Plan – Appeals Version

FNDC's decisions on submissions on the PDP were formally notified on Tuesday 30 June 2026. This notification means all of the provisions in the PDP – Decisions Version have legal effect (under s86B(1) of the RMA). Since then, the Environment Court Appeal period has closed, with 32 appeals to decisions on the PDP made with the section 274 period extended to 29 September 2026.

The site has been mapped as Rural Production Zone within the PDP, and is located within the Coastal Environment Overlay, High Natural Character Overlay, Coastal Flood (Zone 1:50 year, 100-year, 100-year + rapid sea level rise scenarios), and River Flood Hazard Zones (10-year & 100-year ARI events).

Coastal Environment

- **Rule CE-R1** – the proposed dwelling is located in the Rural Production Zone, will be used for residential activity, and will be greater than 50m^2 in size within a High Natural Character Area. Further, the building platform has not been approved as part of an existing or implemented subdivision consent, and is not for a residential unit within the Maori Purpose zones or Treaty Settlement Overlay – **Discretionary Activity**
- **Rule CE-R2** – the proposed earthworks will cover approximately 330m^2 within a high natural character area, exceeding the 50m^2 threshold – **Restricted Discretionary Activity**

5.3 National Environmental Standards for Contaminated Soils (NES-CS)

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 ('NES-CS') is a nationally consistent set of planning controls and soil contaminant values. It seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed, and if necessary, the land is remediated or the contaminants contained to make the land safe of human use.

The site is not identified on the Northland Regional Council Selected Land-use Register as containing any HAIL activities and there is no information that suggests that the site has been used for any activities that are on the Hazardous Activities and Industry List or evidence of migration of hazardous substances from adjacent land use. Accordingly, the NES-CS is not considered to apply, and no further assessment has been undertaken as part of this application.

5.4 Activity Status

Overall, this application is for a **discretionary** activity.

6.0 Public Notification Assessment (Sections 95A, 95C and 95D)

6.1 Assessment of Steps 1 to 4 (Sections 95A)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These are addressed in statutory order below.

6.1.1 Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application is made jointly with an application to exchange of recreation reserved land under section 15AA of the Reserves Act 1977.

The above does not apply to the proposal.

6.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances

Step 2 describes that public notification is precluded where all applicable rules and national environmental standards preclude public notification; or where the application is for a controlled activity; or a restricted discretionary, discretionary or non-complying boundary activity.

In this case, the applicable rules do not preclude public notification, and the proposal is not a controlled activity or boundary activity. Therefore, public notification is not precluded.

6.1.3 Step 3: If not required by step 2, public notification required in certain circumstances

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or national environmental standards require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

As noted under step 2 above, public notification is not precluded, and an assessment in accordance with section 95A is required, which is set out in the sections below. As described below, it is considered that any adverse effects will be less than minor.

6.1.4 Step 4: Public notification in special circumstances

If an application is not required to be publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- Exceptional or unusual, but something less than extraordinary; or
- Outside of the common run of applications of this nature; or

- Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

It is considered that there is nothing noteworthy about the proposal. The proposal involves replacing the existing lawfully established dwelling at the site with a new dwelling for use as a beach house, in the same location. It will not result in additional development beyond the replacement dwelling and is of a scale that is similar in size and location to that of the existing dwelling. It is therefore considered that the application cannot be described as being out of the ordinary or giving rise to special circumstances.

6.2 Section 95D Statutory Matters

In determining whether to publicly notify an application, section 95D specifies a council must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor.

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.

The land to be excluded from the assessment is listed in section 6.3 below.

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded.

In this case, the proposal is for a replacement dwelling on a site in a same location to an existing lawfully established dwelling. This context forms a relevant legal baseline that can be usefully applied when assessing the effects of the proposed dwelling.

Additionally, the permitted baseline of relevance are the following permitted bulk and location controls as they relate to built form and amenity:

<u>Operative Far North District Plan</u>

- Rule 10.6.5.1.1 Visual Amenity;
- Rule 10.6.5.1.2 Residential Intensity;
- Rule 10.6.5.1.3 Scale of Activities;
- Rule 10.6.5.1.4 Building Height;
- Rule 10.6.5.1.5 Sunlight;
- Rule 10.6.5.1.7 Setback from Boundaries;
- Rule 12.1.6.1.5 Buildings within Outstanding Landscapes; and
- Rule 12.7.6.1.1 Setback for Lakes, Rivers and the Coastal Marine Area.

<u>Proposed Far North District Plan – Appeals Version</u>

- Rule CE-R1 New buildings or structures and relocated buildings and extensions or alterations to existing buildings or structure;
- Rule RPROZ-R1 New Buildings or structures and relocated buildings or extensions or alterations to existing buildings or structures;
- Rule RPROZ-R2 Impermeable Surface Coverage;
- Rule RPROZ-R3 Residential Activity;

- Standard RPROZ-S1 Maximum height;
- Standard RPROZ-S2 Height in relation to boundary;
- Standard RPROZ-S3 Setback (excluding from MHWS or wetland, lake and river margins); and
- Standard RPROZ-S4 Building or structure coverage.

- Trade competition must be disregarded.

This is not considered to be a relevant matter in this case.

- The adverse effects on those persons who have provided their written approval must be disregarded.

No persons have provided their written approval for this proposal.

The sections below set out an assessment in accordance with section 95D, including identification of adjacent properties, and an assessment of adverse effects.

6.3 Land Excluded from the Assessment

In terms of the tests for public notification (but not for the purposes of limited notification or service of notice), the adjacent properties to be excluded from the assessment are shown in **Figure 8** below, and include:

- Parcel ID 5267139 (Coastal Marine Area to the north);
- Lot 1 DP 58517 (south);
- Lot 1 DP 58518 and Part Lot 3 DP 12803, Lot 1 DP 58518 and Section 2-4 Survey Office Plan 66458 and Section 12 Block II Whangaroa Survey District and Part Lot 3 DP 12803 (east and south); and
- Section 5 Survey Office Plan 66458, Part Section 20 Block VII Mangonui Survey District and Lot 2 DP 12803 (west).

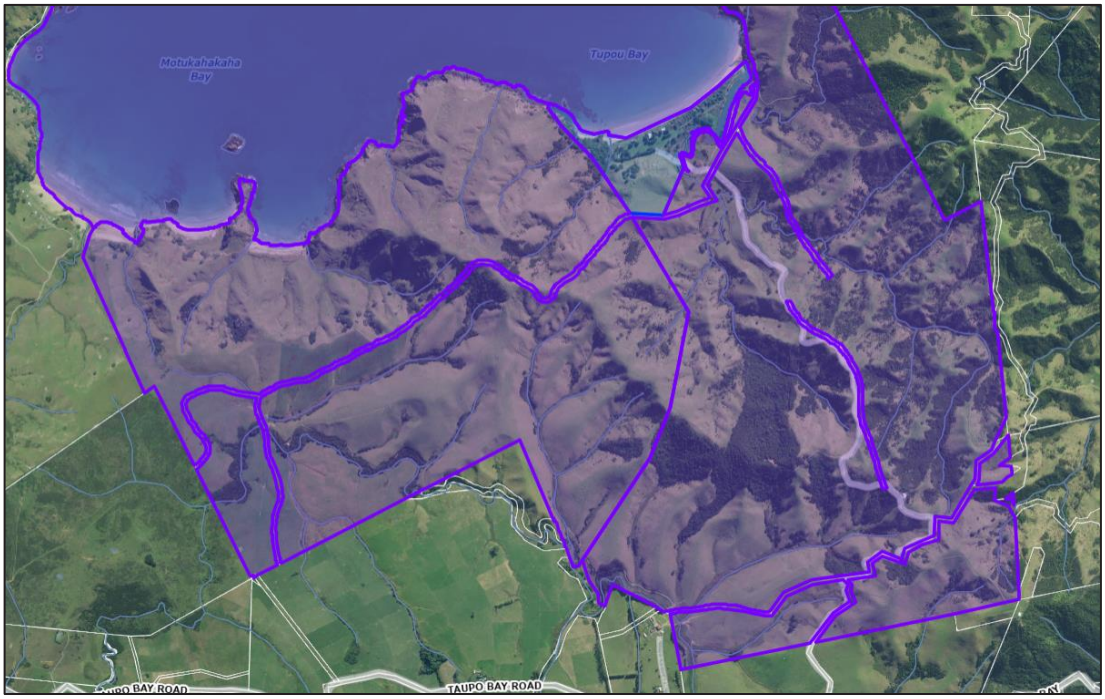


Figure 8: Adjacent properties (in purple outline) in relation to subject site. Source: Emap.

6.4 Assessment of Effects on the Wider Environment

While some of the rule infringements have a restricted discretionary activity status, due to non-compliance with Rule CE-R1 under the PDP, this means that overall, the proposal has a discretionary activity status. Accordingly, the following sections set out an assessment of wider effects of the proposal, and it is considered that adverse effects in relation to the following matters are relevant:

- Landscape, Visual Amenity and Natural Character;
- Servicing;
- Ecology;
- Cultural and Archaeological Values; and
- Construction Activities.

These matters are set out and discussed below.

6.4.1 Landscape, Visual Amenity and Natural Character

Littoralis Landscape Architecture (**LLA**) has prepared a Landscape, Rural Character, Natural Character and Visual Amenity Effect Assessment for the proposal. This is enclosed as **Appendix 5** to this AEE. A summary of their conclusions has been provided in the sub-sections below.

6.4.1.1 Landscape Effects

The site occupies a portion of backshore and contains a minor cluster of small buildings that is relatively well integrated into the surrounding landscape. These buildings sit within a broader setting characterised by substantial hill country and diverse coastal character. LLA concludes that, when considered in this realm, the landscape impacts of exiting developed area are very limited.

The proposal will replace one of the three existing dwellings, largely within its existing footprint and incorporate a range of design measures intended to diminish its landscape effects. As a result, the replacement dwelling will lessen the established landscape effects and reduce any potential conflict with the Outstanding Natural Landscape provisions of the ODP that may currently exist as a result of the existing dwelling.

6.4.1.2 Visual Amenity Effects

LLA highlights that the scale of Tupou Farm and the nature of its terrain results in Tupou Bay only being visible from land-based views within the property owned by Tahi. There are no neighbouring properties or public roads that have the ability to view the site.

Public views of the site are limited to the coastal marine area and the portion of Tupou Bay beach that is publicly accessible. The proposed dwelling is therefore only likely to be viewed by a limited number of beach users and boat passengers.

Although Tupou Bay is relatively close to boats launched from Taupo Bay beach, it is some distance for other boat-launching facilities. Its exposure to sea and wind conditions from the north and east also makes it less suitable for larger boats seeking anchorage than Whangaroa Harbour, Paradise ay or Waimahana Bay. These factors limit boat traffic and use of Tupou Bay.

Regardless of the number of views, LLA consider the proposed dwelling will be less visually prominent than the existing house it replaces, resulting in an improvement in visual amenity and a reduction in adverse visual amenity effects over the status quo.

6.4.1.3 Rural Character Effects

LLA notes that the site stands somewhat apart and discrete from the wider Tupou Farm as a small enclave on the coastal margin. It is not considered to impact rural character in its current form, and the proposed building is not anticipated to change this.

6.4.1.4 Natural Character Effects

LLA identifies that the mapped natural character area applies to the most naturally intact part of the barrier spit and to the related estuarine reach of stream that tracks landward of it. This area ends on the edge of the modified, mown part of the site. A separate area of High Natural Character extends north along the rocky coastline from the northern end of the Tupou Bay beach. The site therefore lies outside of that extent but is closely associated with the dune field high natural character.

The established presence of the existing dwelling and its lawn areas would be superseded by the replacement dwelling which LLA consider would have lesser impact upon the character and experiential dimensions of natural character.

Tahi has already undertaken restoration efforts in both the spit and estuarine extent that is identified as having High Natural Character, resulting in an improvement to natural character values. Related work to strengthen the ecology and integrity of the foredune associated with the site and other established houses has further enhanced the natural character of that strip of shoreline backdrop.

In recognition of the nature of the proposal and the continuing restorative works of Tahi, LLA have concluded that the natural character effects of the proposal are assessed as positive.

6.4.2 Servicing

As detailed in Section 4 above, the proposal can be adequately serviced with respect to wastewater, stormwater, water supply and power supply.

The dwelling will connect to the existing wastewater system.

Stormwater runoff from the proposed dwelling's roof will be collected and directed to two existing 25,000 litre water tanks. The two existing water tanks will also continue to provide potable water for the dwelling; and

With respect to power supply, the existing mains electricity connection will be retained. Tahi also intends to install rooftop solar panels, with mains electricity supplementing the solar supply as required.

Given the above, no adverse effects on the wider environment are anticipated with respect to servicing arrangements.

6.4.3 Ecology

The proposed dwelling will replace the existing dwelling within the same building footprint, and no earthworks or vegetation clearance are required. The works will therefore be confined to an already developed part of the site, avoiding the loss of vegetation or any expansion of built development into adjoining habitats.

On this basis, the proposal is not expected to adversely affect the ecological values of the surrounding environment. Subject to implementation of appropriate construction management, including erosion and sediment controls to protect adjoining coastal and estuarine habitats, adverse ecological effects are anticipated to be less than minor.

6.4.4 Cultural and Archaeological Values

The application site is located adjacent to a Statutory Acknowledgement and within a Treaty Settlement Area of Interest, both attributed to Ngātikahu ki Whangaroa. It is recognised that the site adjoins an area of coastal marine area regarded as the ancestral rohe of Ngātikahu ki Whangaroa. As the proposal involves replacing an existing dwelling within the same building footprint, no known adverse effects on cultural values are anticipated.

Notwithstanding, Tahi maintains a strong relationship with local iwi and hapū, and values feedback and guidance to ensure that cultural values and interests are appropriately recognised and respected as the project progresses. In this regard, early engagement with Ngāti Kahu ki Whangaroa has been initiated as part of the application process via email. No response has been received to date. Should a response be received post lodgement, it will be forwarded to the processing planner for this application.

While an Archsite search identifies recorded archaeological / historical sites within the site and on adjoining land[1], the proposed dwelling and any associated earthworks will be located outside the recorded extent of these sites. Nevertheless, Tahi will ensure that in the event of "accidental discovery" of archaeological material during any construction phase, that works will cease immediately, and all required succeeding steps will be undertaken.

[1] P04/11 and P04/4

6.4.5 Construction Activities

Adverse effects generated by construction effects are considered to relate to earthworks, noise, land disturbance and traffic movements.

Earthworks are required to pull back the mound from the building platform and recontour the ground. While the works will exceed the permitted earthworks area threshold within a high natural character area in the coastal environment, they will be temporary and confined to the area necessary to form the building platform and undertake associated works. It is considered that with the mitigation proposed, any adverse erosion and sediment runoff effects associated with the proposed earthworks on the wider environment will be less than minor.

Construction noise will be managed in accordance with New Zealand Standard NZS 6803: 1999 and will also comply with the noise limits for the GCZ in the ODP and the RRPOZ in the PDP.

Although the proposal will result in some construction traffic movements to the site for a short period of time, it is considered that the surrounding transport network is able to readily absorb these additional movements without compromising the safe and efficient functioning of the transport network.

There is also sufficient space on the site for parking vehicles associated with the construction activities. It is therefore considered that the traffic and parking capacity effects will be less than minor on the wider transport network.

6.5 Summary of Effects

Overall, it is considered that any adverse effects on the environment relating to this proposal will be less than minor.

6.6 Public Notification Conclusion

Having undertaken the section 95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as it is considered that the activity will result in less than minor adverse effects; and
- Under step 4, there are no special circumstances.

Therefore, based on the conclusions reached under steps 3 and 4, it is recommended that this application be processed without public notification.

7.0 Limited Notification Assessment (Sections 95B, 95E to 95G)

7.1 Assessment of Steps 1 to 4 (Sections 95B)

If the application is not publicly notified under section 95A, the council must follow the steps set out in section 95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

7.1.1 Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups; or affected persons under a statutory acknowledgement affecting the land (being on land, or adjacent to land, that is subject to a statutory acknowledgement area).

The above applies to this proposal. The site and proposal are adjacent to the Statutory Acknowledgement Area of Ngātikahu ki Whangaroa. As noted above, representatives of Ngātikahu ki Whangaroa have been notified of the proposal prior to the lodgement of this application. To date no response has been provided. Notwithstanding that, as the proposal involves replacing an existing dwelling within the same building footprint, no known adverse effects on cultural values are anticipated. Therefore, limited notification is not required.

7.1.2 Step 2: If not required by step 1, limited notification precluded in certain circumstances

Step 2 describes that limited notification is precluded where all applicable rules and national environmental standards preclude limited notification; or the application is for a controlled activity (other than the subdivision of land).

In this case, the applicable rules do not preclude limited notification and the proposal is not a controlled activity. Therefore, limited notification is not precluded.

7.1.3 Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 requires that, where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary activity, and therefore an assessment in accordance with section 95E is required and is set out below.

Overall, it is considered that any adverse effects on persons will be less than minor, and accordingly, that no persons are adversely affected.

7.1.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

In this instance, having regard to the assessment in section 6.1.4 above, it is considered that special circumstances do not apply.

7.2 Section 95E Statutory Matters

If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded;
- Only those effects that relate to a matter of control or discretion can be considered (in the case of controlled or restricted discretionary activities); and
- The adverse effects on those persons who have provided their written approval must be disregarded.

These matters were addressed in section 6.2 above, and no written approvals have been obtained.

Having regard to the above provisions, an assessment is provided below.

7.3 Assessment of Effects on Persons

Adverse effects in relation to landscape and visual amenity and construction activities on persons are considered below.

Wider effects were considered in section 6.4 above, and considered to be less than minor.

7.3.1 Persons at adjacent properties to the north

The land directly to the north of the site is Tupou Bay Beach and the associated coastal marine area.

As concluded by LLA, the proposed dwelling is only likely to be viewed by a limited number of beach users and boat passengers. However, Tupou Bay's exposure to sea and wind conditions limit boat traffic and use of Tupou Bay. Regardless, LLA consider the proposed dwelling will be less visually prominent than the existing house it replaces, resulting in an improvement in visual amenity and a reduction in adverse visual amenity effects over the status quo.

With respect to construction effects, any adverse effects on persons generated by the location, extent, timing and duration of the earthworks will be temporary in nature. It is considered that with the mitigation proposed, any adverse erosion and sediment runoff effects associated with the proposed earthworks on persons at adjacent properties to the north will be less than minor.

7.3.2 Persons at adjacent properties to the east

Lot 1 DP 58518 and Part Lot 3 DP 12803, Lot 1 DP 58518 and Section 2-4 Survey Office Plan 66458 and Section 12 Block II Whangaroa Survey District and Part Lot 3 DP 12803 are located directly to the east of the site and have an area of approximately 451.08ha.

It is noted that this property is owned by the Applicant. As such, written approval from this property is implicit in the making of this application, and therefore any effects on this property can be disregarded.

7.3.3 Persons at adjacent properties to the south

Lot 1 DP 58517 is located directly to the south of the site and has an area of approximately 6.17ha.

It is noted that this property is owned by the Applicant. As such, written approval from this property is implicit in the making of this application, and therefore any effects on this property can be disregarded.

7.3.4 Persons at adjacent properties to the west

Section 5 Survey Office Plan 66458, Part Section 20 Block VII Mangonui Survey District and Lot 2 DP 12803 are located directly to the west of the site and have an area of approximately 422.8ha.

It is noted that this property is owned by the Applicant. As such, written approval from this property is implicit in the making of this application, and therefore any effects on this property can be disregarded.

7.3.5 Statutory Acknowledgement Area to the north

The application site is located adjacent to a Statutory Acknowledgement Area, in favour of Ngātikahu ki Whangaroa. It is recognised that the site adjoins an area of coastal marine area regarded as the ancestral rohe of Ngātikahu ki Whangaroa. As the proposal involves replacing an existing dwelling within the same building footprint, no known adverse effects on cultural values are anticipated.

Notwithstanding, Tahi maintains a strong relationship with local iwi and hapū, and values feedback and guidance to ensure that cultural values and interests are appropriately recognised and respected as the project progresses. In this regard, early engagement with Ngāti Kahu ki Whangaroa has been initiated by Tahi as part of the application process via email. No response has been received to date.

7.3.6 Summary of Effects

Taking the above into account, it is considered that any adverse effects on persons at the aforementioned properties will be less than minor in relation to visual amenity and construction effects. Wider effects were assessed in section 6.4 above and are considered to be less than minor.

It is considered, therefore, that there are no adversely affected persons in relation to this proposal.

7.4 Limited Notification Conclusion

Having undertaken the section 95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not required;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

8.0 Consideration of Applications (Section 104)

8.1 Statutory Matters

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a discretionary activity, section 104B of the Act states that a council:

(a) may grant or refuse the application; and

(b) if it grants the application, may impose conditions under section 108.

9.0 Effects on the Environment (Section 104(1)(A))

Having regard to the actual and potential effects on the environment of the activity resulting from the proposal, it was concluded in the assessment above that any wider adverse effects relating to the proposal will be less than minor and that no persons would be adversely affected by the proposal.

Further, it is considered that the proposal will also result in positive effects including:

- Providing modern, comfortable accommodation that better meets the needs of the Applicant's family; and
- Reducing the visual prominence of the existing dwelling through sympathetic design and materials, enhancing the landscape and visual amenity of the rural coastal setting.

Overall, it is considered that the proposal will have positive effects, and any actual and potential adverse effects on the environment of allowing the activity are less than minor.

10.0 District Plan and Statutory Documents (Section 104(1)(B))

10.1 Objectives and Policies of the New Zealand Coastal Policy Statement

The purpose of the New Zealand Coastal Policy Statement (NZCPS) is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand.

The following objectives and policies are relevant to this proposal:

- Objective 2, Policy 13 and Policy 15 seek to preserve the natural character, features and landscape values of the coastal environment;

- Objective 3 and Policy 2 seek to recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in the management of the coastal environment;
- Objective 4 and Policy 19 seek to maintain and enhance public open space within the coastal environment by ensuring public access to the coast is retained and provided for; and
- Objective 6 and Policy 6 recognise that the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms within appropriate limits, and that functionally some uses and development can only be located on the coast or in the marine area.

Assessment

The Landscape Assessment by LLA (refer **Appendix 5**) identifies that the existing cluster of small buildings on the site is relatively well integrated into the backshore setting, within a broader landscape characterised by substantial hill country and diverse coastal character. The proposal will replace one of the three existing dwellings within its existing footprint and incorporate design measures to improve its integration into the surrounding landscape. It will therefore achieve a more sympathetic built form and support the protection of the values of the Outstanding Natural Landscape.

LLA identifies that the mapped high natural character area encompasses the most naturally intact portions of the barrier spit and associated estuarine stream, ending at the edge of the modified, mown portion of the site. The replacement dwelling's design will provide a more sympathetic relationship with the character and experiential qualities of the coastal setting than the existing dwelling. Tahi's restoration of the spit, estuarine area and foredune has also enhanced ecological integrity and natural character values. Together, the proposed design and continuing restoration works support the preservation and enhancement of natural character in the coastal environment.

It is recognised that that the site adjoins an area of coastal marine area regarded as the ancestral rohe of Ngātikahu ki Whangaroa (statutory acknowledgement area). Tahi have initiated engagement with Ngātikahu ki Whangaroa regarding this proposal.

The proposed dwelling will also be set back appropriately from Tupou Bay Beach and the coastal marine area, thereby not restricting public access to the coast.

10.2 Objectives and Policies of the National Policy Statement – Natural Hazards

The National Policy statement for Natural Hazards (**NPS-NH**) came into force on 15 January 2026 and requires the risk level of subdivision, use and development to be assessed using the prescribed risk matrix. The risk matrix applies likelihood levels against consequence levels based upon a range of potential natural hazard risk.

In this instance, some areas of the site are identified by the PDP as being subject to coastal and river flood hazards. Given the proposed dwelling will not be located within any of these hazard areas, it is considered that the consequence level is negligible. Overall, the proposal is considered to result in a **low** natural hazard risk with respect to flooding.

This assessment is considered to meet the requirements of the NPS-NH, in accordance with the relevant objectives and policies.

10.3 Objectives and Policies of the National Policy Statement for Highly Productive Land

The National Policy Statement for Highly Productive Land (**NPS-HPL**) came into force on 12 September 2022, with the following amendments having been made on 18 December 2025:

- Exemptions for urban development and urban rezoning on Land Use Capability (LUC) 3 land from NPS-HPL restrictions;
- Improvements to the New Zealand Land Resource Inventory undertaken after 2022 to be used to access what land is highly productive;
- Suspension of the requirement to map highly productive land in regional policy statements until 31 December 2027, aligning with the "Plan Stop" timeframe; and
- Amendments to quarrying and mining provisions to align definitions and consenting processes.

Assessment

The NPS-HPL does not apply to this proposal because the area of the site that the replacement dwelling is located within is mapped LUC Class 3 by the New Zealand Land Resource Inventory, and therefore meets the definition of land that is no longer subject to the constraints of the NPS-HPL following the December 2025 amendments to the NPS_HPL. These amendments provide that development on LUC 3 land where a resource consent is lodged, except where proposed for rural lifestyle purposes, is expressly exempt from the policy's protection framework.[2] The proposal is not considered development for rural lifestyle purposes, and therefore the exemption in this clause applies. Irrespective of that, the scale and location of the proposed replacement dwelling is such that no adverse effects on the productive values of this area of the subject site and wider landholding.

Accordingly, the NPS-HPL does not restrict the proposed replacement dwelling. Furthermore, the area of the site proposed for the replacement dwelling is also not used for rural production activities.

10.4 Objectives and Policies of the Regional Policy Statement for Northland

The Regional Policy Statement for Northland (**RPS**) covers the management of natural and physical resources across the Northland Region. The provisions within the RPS give guidance at a higher planning level in terms of the significant regional issues. As such, it does not contain specific rules that trigger the requirement for resource consent, but rather gives guidance to resource consent applications and the development of District Plans on a regional level.

The following policies are of relevance to this application:

Objective 3.6 – Economic activities – reverse sensitivity and sterilisation

The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:

(a) Reverse sensitivity for existing:

(i) Primary production activities;

[2] Clause 3.5 (7)(b)(iii) of the NPS-HPL.

(ii) Industrial and commercial activities;

(iii) Mining; or

(iv) Existing and planned regionally significant infrastructure.

(b) Sterilisation of:

(i) Land with regionally significant mineral resources; or

(ii) Land which is likely to be used for regionally significant infrastructure.

Policy 5.1.1 – Planned and coordinated development

Subdivision, use and development should be located, designed and built in a planned and co-ordinated manner which:

(a) Is guided by the 'Regional Form and Development Guidelines' in Appendix 2;

(b) Is guided by the 'Regional Urban Design Guideline' in Appendix 2 when it is urban in nature;

(c) Recognises and addresses potential cumulative effects of subdivision, use and development, and is based on sufficient information to allow assessment of the potential long-term effects;

(d) Is integrated with the development, funding, implementation, and operation of transport, energy, water, waste, and other infrastructure;

(e) Should not result in incompatible land uses in close proximity and avoids the potential for reverse sensitivity;

(f) Ensures that plan changes and subdivision to / in a primary production zone, do not materially reduce the potential for soil-based primary production on land with highly versatile soils, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities; and

(g) Maintains or enhances the sense of place and character of the surrounding environment except where changes are anticipated by approved regional or district council growth strategies and/or district or regional plan provisions.

(h) Is or will be serviced by necessary infrastructure.

Policy 5.1.3 – Avoiding the adverse effects of new use(s) and development

Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following:

(a) Primary production activities in primary production zones (including within the coastal marine area);

(b) Commercial and industrial activities in commercial and industrial zones;

(c) The operation, maintenance or upgrading of existing or planned regionally significant infrastructure; and

(d) The use and development of regionally significant mineral resources.

Assessment:

The proposal will maintain the surrounding coastal environment's sense of place and character by replacing an existing dwelling within its existing footprint and incorporating design measures that

improve its landscape integration. It will retain the established development pattern and, alongside Tahi's ongoing restoration works, support the area's coastal character.

The proposal will not result in any adverse effects, including reverse sensitivity effects on primary production activities, regionally significant infrastructure, or the use and development of regionally significant mineral resources.

10.5 Weighting of Operative and Proposed District Plan Provisions

The Far North District Council notified the Proposed Far North District Plan (PDP) on 27 July 2022. On 30 June 2026, the Council publicly notified its decisions on submissions to the PDP, commencing the Environment Court appeal period. From that date, the Proposed District Plan – Decisions Version has legal effect under section 86B(1) of the Resource Management Act 1991.

Since then, the Environment Court Appeal period has closed, with 32 appeals to decisions on the PDP made with the section 274 period extended to 29 September 2026. The full extent of Section 274 notices received is not currently known at the time of lodgement. The appeals are wide ranging, affecting many provisions within the PDP including those applicable to this site.

In undertaking this assessment, the provisions of both the ODP and PDP (Appeals Version) have been considered. Given the wide range of appeals that have been received, the uncertainty associated with the 274 notices received, and the potential for further changes to the PDP provisions, greater weight has been afforded to the ODP. It is acknowledged that Lucklaw Farm Limited has lodged an appeal relating to Tupou Bay, seeking district-wide rules in the Coastal Environment chapter to control vehicles on identified beaches, the foreshore and adjacent public land. This appeal is not considered to have any implications for the application.

However, as demonstrated in the assessment below, the proposal is consistent with and finds support under both the ODP and the PDP provisions, so the weighting assessment is not particularly determinative in this instance.

10.6 Objectives and Policies of the Operative Far North District Plan

10.6.1 Chapter 10 – Coastal Environment

The objectives and policies of the Coastal Environment Chapter seek to ensure subdivision, use and development is appropriately located, designed and serviced, while preserving and, where appropriate, restoring or enhancing natural character, significant indigenous vegetation and habitats, outstanding landscapes and natural features, open space, amenity, water quality and soil conservation. They also seek to recognise and provide for Māori cultural relationships and values, maintain and provides for public access to and along the coastal marine area, avoid sprawling development, manage natural hazard risks and encourage integrated development that delivers improved environmental outcomes.

Assessment:

The proposal is consistent with these objectives and policies, as it replaces an existing dwelling within its existing footprint, consolidates development within the established building cluster and retains the existing development pattern. As concluded by LLA (**Appendix 5**), the proposed design will improve the dwelling's integration into the coastal landscape, supporting the preservation of natural character, landscape and amenity values. Existing servicing will continue to be utilised,

while Tahi's ongoing ecological restoration supports the protection and enhancement of indigenous vegetation and habitats. The proposal will also retain existing public coastal access, and engagement with relevant iwi has been undertaken to recognise and provide for Māori cultural relationships and values.

10.6.2 Chapter 10.6 – General Coastal Zone

The objectives and policies of the General Coastal Zone seek to provide for appropriate use and development, while preserving the natural character of the coastal environment and protecting it from inappropriate use and development.

Assessment

The proposal involves the replacement of an existing dwelling within the same building footprint, retaining development within the established cluster of buildings on the site and avoiding its extension into less modified parts of the coastal environment.

The proposed design minimises the dwelling's visual prominence through its materials, colours and finishes, which will improve its integration into the surrounding coastal landscape. As concluded by LLA (**Appendix 5**), the replacement dwelling will be more sympathetic to the natural character and experiential qualities of the coastal setting than the existing dwelling. Together with Tahi's ongoing ecological restoration, the proposal supports the preservation and enhancement of natural character and is therefore consistent with the objectives and policies of the General Coastal Zone.

10.6.3 Chapter 12.1 Landscapes and Natural Features

These objectives and policies seek to protect outstanding landscapes and natural features from inappropriate subdivision, use and development; protect the scientific and amenity values of outstanding natural features; and recognise and provide for the distinctiveness, natural diversity and complexity of landscapes as far as practicable. They seek to avoid adverse effects and to encourage positive effects, taking into account cumulative effects, visibility, indigenous vegetation and Maori cultural values associated with landscapes, with the trend towards the enhancement rather than the deterioration of landscape values.

Assessment

LLA (**Appendix 5**) identifies that the existing cluster of buildings is well integrated into the backshore setting, within a broader landscape characterised by substantial hill country and diverse coastal character.

Replacing one of the three existing dwellings within its existing footprint will retain the established development pattern. The proposed design measures will improve the dwelling's integration into the landscape, supporting the protection of its distinctive character and amenity values. Together, with Tahi's ongoing ecological restoration, the proposal contributes to the enhancement rather than the deterioration of landscape values.

With respect to earthworks, whilst the proposed earthworks will occur within an Outstanding Landscape, they will be in compliance with the permitted thresholds for earthworks within an Outstanding Landscape.

The proposal is therefore consistent with the Landscape and Natural Features objectives and policies.

10.6.4 Chapter 12.3 Soils and Minerals

These objectives and policies seek to maintain the life supporting capacity of soils, promote soil conservation, and avoid, remedy or mitigate adverse effects associated with soil excavation or filling.

Assessment:

The proposed earthworks are limited to pulling back the existing mound from the building platform, contouring the ground, and replacing the existing concrete slab within the same footprint to accommodate the replacement dwelling. The works comply with the permitted activity thresholds, and no vegetation clearance is proposed.

The limited scale and extent of the works will minimise changes to the existing landform and effects on amenity, natural environmental values and the life-supporting capacity of soils. Appropriate erosion and sediment controls will also manage sediment runoff during construction.

The proposal is therefore consistent with the Soils and Minerals objectives and policies.

10.6.5 Chapter 12.7 Lakes, Rivers, Wetlands and the Coastline

These objectives and policies seek to avoid, remedy or mitigate the adverse effects of subdivision, use and development on riparian margins; protect the natural, cultural, heritage and landscape values and promote the protection of the amenity and spiritual values associated with the margins of lakes, rivers and indigenous wetlands and the coastal marine area; and create, enhance and restore riparian margins. They seek to improve or enhance water quality, protect areas of indigenous riparian vegetation, provide public access to and along lakes, rivers and the coastal marine area where compatible with the protection of these values and public health and safety, and provide for activities which have a functional relationship with waterbodies or the coastal marine area.

Assessment

The proposed replacement dwelling will be located more than 30m from both the coastal marine area and the estuary, and within the existing building footprint, maintaining separation from these margins and avoiding development closer to either waterbody. Its design will improve its integration into the coastal landscape, while Tahi's ongoing restoration of the spit, and the estuarine area supports the protection and enhancement of indigenous vegetation and the natural and amenity values of these margins.

The proposal is therefore consistent with the Lakes, Rivers, Wetlands and the Coastline objectives and policies.

10.6.6 Chapter 15 – Transportation

These objectives and policies seek to minimise the adverse effects of traffic on the natural and physical environment; ensure that appropriate provision is made for on-site car parking for all activities, while considering safe cycling and pedestrian access and use of the site; and ensure that appropriate and efficient provision is made for loading and access for activities. They seek to promote safe and efficient movement and circulation of vehicular, cycle and pedestrian traffic, including for those with disabilities.

Assessment

The proposal will retain access via the existing vehicle crossing and driveway off Taupo Bay Road. As it replaces an existing dwelling without increasing the number of dwellings on the site, no increase in traffic generation or change to access arrangements is anticipated. No carparking is proposed, and the existing movement and circulation arrangements will remain unchanged.

The proposal is therefore consistent with the transportation objectives and policies.

10.7 Objectives and Policies of the Proposed Far North District Plan

10.7.1 Transport

These objectives and policies seek to recognise and manage the transport network as regionally significant infrastructure; integrate land use and transport planning to achieve an efficient pattern of land use and a transport network that is safe, efficient and well-connected; and ensure parking, loading and access provisions support the needs of land use and subdivision activities. They seek to provide for the safe and efficient movement of vehicular, cycle and pedestrian traffic, including persons with a disability or limited mobility; manage adverse cumulative effects and reverse sensitivity effects; and ensure the transport network is resilient to the likely current and future effects of climate change and supports reductions of greenhouse gases from vehicle movements.

Assessment

The proposal will retain access via the existing vehicle crossing and driveway off Taupo Bay Road. As it replaces an existing dwelling without increasing the number of dwellings on the site, no increase in traffic generation or change to access arrangements is anticipated. No carparking is proposed, and the existing movement and circulation arrangements will remain unchanged.

The proposal is therefore consistent with the transportation objectives and policies.

10.7.2 Natural Hazards

These objectives and policies seek to manage the risks from natural hazards on people, property, infrastructure and the environment, including taking into account the likely long-term effects of climate change; and ensure that land use and subdivision do not increase the risk from natural hazards or that risks are mitigated.

Assessment:

Although some areas of the site are identified by the PDP as being subject to coastal and river flood hazards, the proposed dwelling will not be located within any of these hazard areas. As such, it is not considered that the proposal will increase the risk from natural hazards on the site.

10.7.3 Natural Character

These objectives and policies seek to preserve and protect the natural character of wetland, lake and river margins from inappropriate land use and subdivision.

Assessment:

LLA (**Appendix 5**) identifies that the mapped high natural character area encompasses the most naturally intact portions of the barrier spit and associated estuarine stream, ending at the edge of the modified, mown portion of the site. The replacement dwelling's design will provide a more sympathetic relationship with the character and experiential qualities of the coastal setting than the existing dwelling. Tahi's restoration of the spit, estuarine area and foredune has also enhanced

ecological integrity and natural character values. Together, the proposed design and continuing restoration works support the preservation and enhancement of natural character in the coastal environment

The proposal is therefore consistent with the Natural Character objectives and policies.

10.7.4 Coastal Environment

These objectives and policies seek to preserve and protect the natural character of the coastal environment from inappropriate land use and subdivision; and avoid significant adverse effects and avoid, remedy or mitigate other adverse effects in areas not identified as an outstanding natural character area, ONL or ONF. They seek to ensure land use and subdivision is undertaken in an integrated and coordinated manner, is compatible with surrounding land use, and preserves visual qualities, character and integrity by consolidating development around existing urban centres and rural settlements and avoiding sprawl or sporadic patterns of development. They also encourage restoration and enhancement of natural character, recognise and provide for the relationship of tangata whenua with their ancestral lands, and provide for social, economic and cultural wellbeing.

Assessment:

Replacing an existing dwelling within its existing footprint will retain the established development pattern and avoid extending development into less modified coastal areas. As concluded by LLA (Appendix 5), the proposed design will improve the dwelling's integration into the coastal setting, supporting the preservation of natural character and visual qualities. Tahi's ongoing ecological restoration will further enhance natural character, while engagement with relevant iwi recognises tangata whenua relationships with the area. The replacement dwelling will also provide modern accommodation for family use, supporting social wellbeing.

While the works will exceed the permitted earthworks area threshold within a high natural character area in the coastal environment, they will be temporary and confined to the area necessary to form the building platform and undertake associated works.

The proposal is therefore generally consistent with the Coastal Environment objectives and policies.

10.7.5 Earthworks

These objectives and policies seek to enable earthworks required to facilitate the efficient subdivision, use and development of land, while managing adverse effects on amenity, public safety, surrounding land and infrastructure. They require earthworks to be appropriately designed, located and managed to protect historical and cultural values, natural environment values, preserve amenity and safeguard the life-supporting capacity of soils. They also seek to ensure earthworks do not compromise the stability of land, infrastructure and public safety.

Assessment:

The proposed earthworks are limited to pulling back the existing mound from the building platform, contouring the ground, and replacing the existing concrete slab within the same footprint to accommodate the replacement dwelling. The works comply with the permitted activity thresholds, and no vegetation clearance is proposed.

The limited scale and extent of the works will minimise changes to the existing landform and effects on amenity, natural environmental values and the life-supporting capacity of soils. Appropriate erosion and sediment controls will manage sediment runoff during construction. An accidental discovery protocol will be applied to protect any archaeological or cultural material encountered.

On this basis, the proposal is considered consistent with these objectives and policies.

10.7.6 Rural Production Zone

The objectives and policies of the Rural Production Zone seek to protect land for current and future primary production activities, particularly highly productive land, while maintaining the rural character and amenity of the zone. They provide for compatible rural activities provided that any subdivision and development do not fragment productive land or introduce reverse sensitivity effects.

Assessment:

The proposal is consistent with these objectives and policies, as it replaces the existing dwelling within its existing footprint without fragmenting land or extending residential development into areas available for primary production. Retaining the established residential use and development pattern will maintain rural character and amenity and is not anticipated to introduce additional reverse sensitivity constraints on surrounding primary production activities.

10.7.7 Tupou Precinct

These objectives and policies seek to enable and actively encourage large-scale native reforestation and biodiversity enhancement on marginal rural land, with native reforestation and associated conservation activities as predominant land uses within the Tupou Precinct. They support eco-tourism and eco-education opportunities that are intrinsically linked to and enhance the precinct's ecological and economic sustainability, and provide for associated buildings, structures, infrastructure, earthworks and indigenous vegetation clearance, provided adverse effects are appropriately managed.

Assessment:

The proposal is for the replacement of an existing dwelling rather than reforestation, biodiversity enhancement, eco-tourism or eco-education. These objectives and policies are therefore of limited direct relevance. However, retaining the existing dwelling footprint will avoid extending residential development into other parts of the site, supporting the precinct's wider conservation focus.

10.8 Summary

It is considered that the proposed development is generally in accordance with the objectives and policies of the relevant statutory planning documents.

11.0 Part 2 Matters

While it is not necessary to take recourse to Part 2 given that it has already been incorporated into the ODP and PDP, we do so for completeness.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of "other matters" to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant statutory documents' objectives and policies, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the Act.

12.0 Other Matters (Section 104(1)(C))

12.1 Record of Title Interests

The Record of Title for the site is not subject to any interests and there is therefore no impact on this application (refer **Appendix 1**).

13.0 Section 104(6A) Significant Non-compliances

Under Section 104(6A) of the RMA, a consent authority may decline an application for resource consent if the applicant has a record of significant non-compliance with a requirement of this Act.

The applicant, Tahi Estate Limited, is not a natural person and has not been the subject of a significant non-compliance.

14.0 Section 106A Natural Hazards

Under section 106A of the Act, a consent authority may refuse to grant a land use consent, or may grant the consent subject to conditions, if it considers that there is a significant risk from natural hazards.

Although some areas of the site are identified by the PDP as being subject to coastal and river flood hazards, the proposed dwelling will not be located within any of these hazard areas. As such, it is not considered that there is significant risk from natural hazards.

15.0 Conclusion

The proposal involves the replacement of an existing dwelling with a new dwelling for use as a beach house at the site.

Based on the above report it is considered that:

- Public notification is not required as adverse effects in relation to landscape, visual amenity and natural character, servicing, ecology, cultural and archaeological values, and construction activities are considered to be less than minor;
- The site is located adjacent to land subject to a statutory acknowledgement in favour of Ngātikahu ki Whangaroa. As the proposal is not anticipated to result in adverse effects on cultural values, Ngātikahu ki Whangaroa is not considered an affected person under section 95E, and limited notification is not required on this basis;
- The proposal accords with the relevant NZCPS, NPS-NH, NPS-HPL, RPS, ODP and PDP objectives and policies. There are also positive effects;
- The proposal will not give rise to or be at significant risk from natural hazards; and
- The proposal is considered to be consistent with Part 2 of the Act.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that it can be granted on a non-notified basis. The applicant respectfully requests that draft conditions of consent be provided to them pursuant to section 107G of the Act.

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **NA71D/247**

Land Registration District **North Auckland**

Date Issued 27 July 1988

Prior References

NA58C/642 NA59D/69 NA59D/70
NA59D/71 NA59D/72

Estate Fee Simple

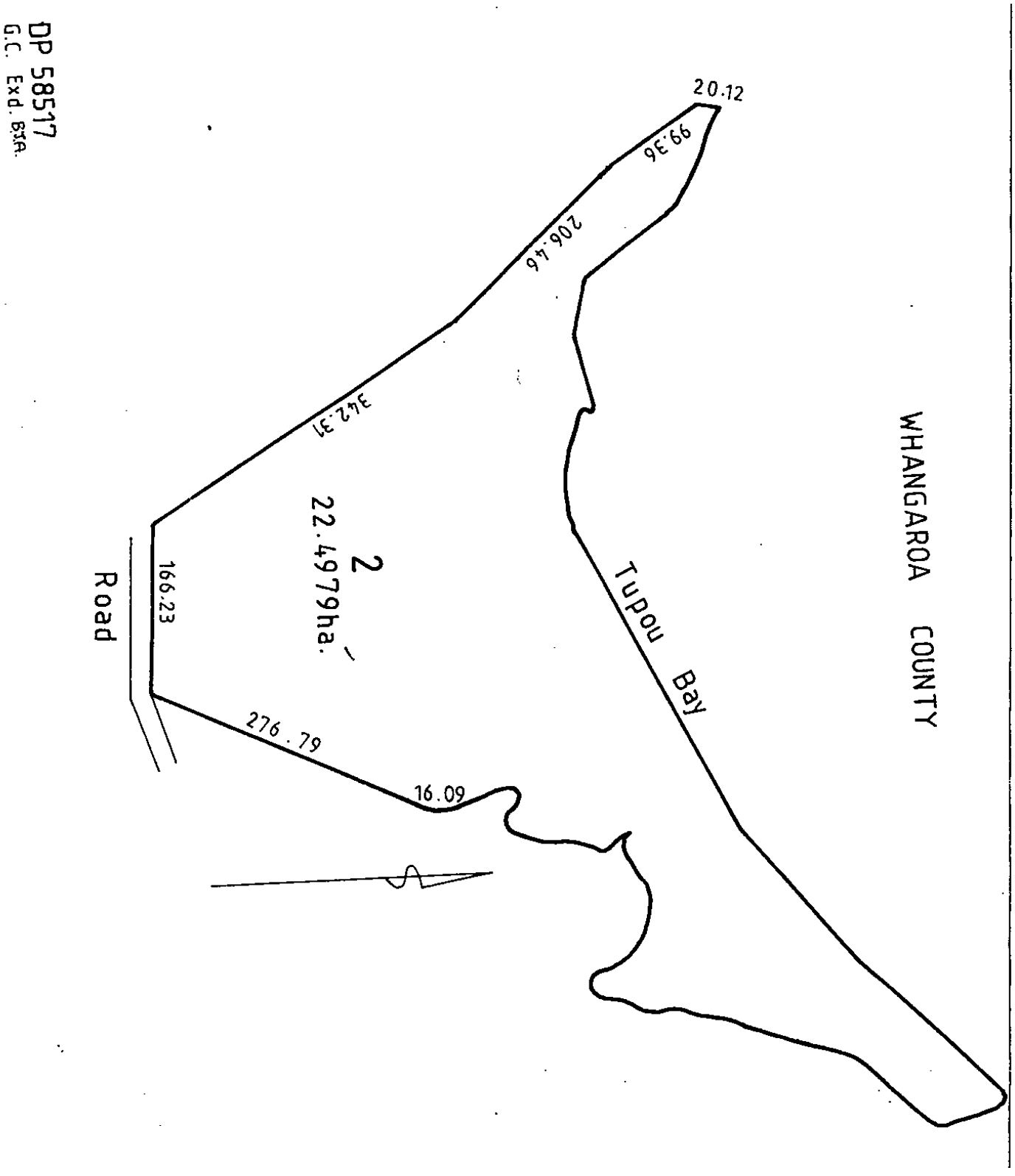
Area 22.4979 hectares more or less

Legal Description Lot 2 Deposited Plan 58517

Registered Owners

Tahi Estate Trustees Limited

Interests


DP 58517
G.C. Exd. Bxa.
20.12
99.36
206.46
342.31
2
22.4979ha.
166.23
Road
276.79
16.09
Tupou Bay
WHANGAROA COUNTY

Leeara Maxwell

From: Ant Beale <abeale@rcp.co.nz>
Sent: Tuesday, 29 September 2026 2:30 pm
To: mangatowai.marae@gmail.com; Admin@kahukuraariki.iwi.nz
Cc: Moana Schoffa
Subject: Tupou Bay - Replacement Beach House
Attachments: Proposed Tupou Bay Beach House 3 Replacement.pdf

Tēnā koe,

I am writing on behalf of our client Tahi Estate Trustees Limited regarding its proposal to replace an existing beach house at Tupou Bay with a new beach house within the same building footprint. The property is legally described as Lot 2 DP 58517 and is shown in the site location plan below.



We are getting ready to lodge a resource consent application for this proposal. If you are interested, we would welcome the opportunity to discuss the proposal with you and invite any feedback you may have. A copy of the relevant plans has been attached to this email.

Should you wish to meet to discuss the proposal in more detail, we would be happy to arrange a time that is convenient for you.

Thanks for your time and consideration.

Ngā mihi | Kind regards,

Ant Beale
021 615 935

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Cover Sheet

Drawing
1

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TAHI ESTATE TRUSTEES LIMITED

Title : NA71D/247 & NA11D/1151

Total Area : 22.4979ha & 6.1715ha

Zone : General Coastal

Coordinates are in terms of NZGD Mt Eden 2000

Heights are in terms of A07L RL 128.20 (Mean Sea Level)

Contour interval : 0.25m

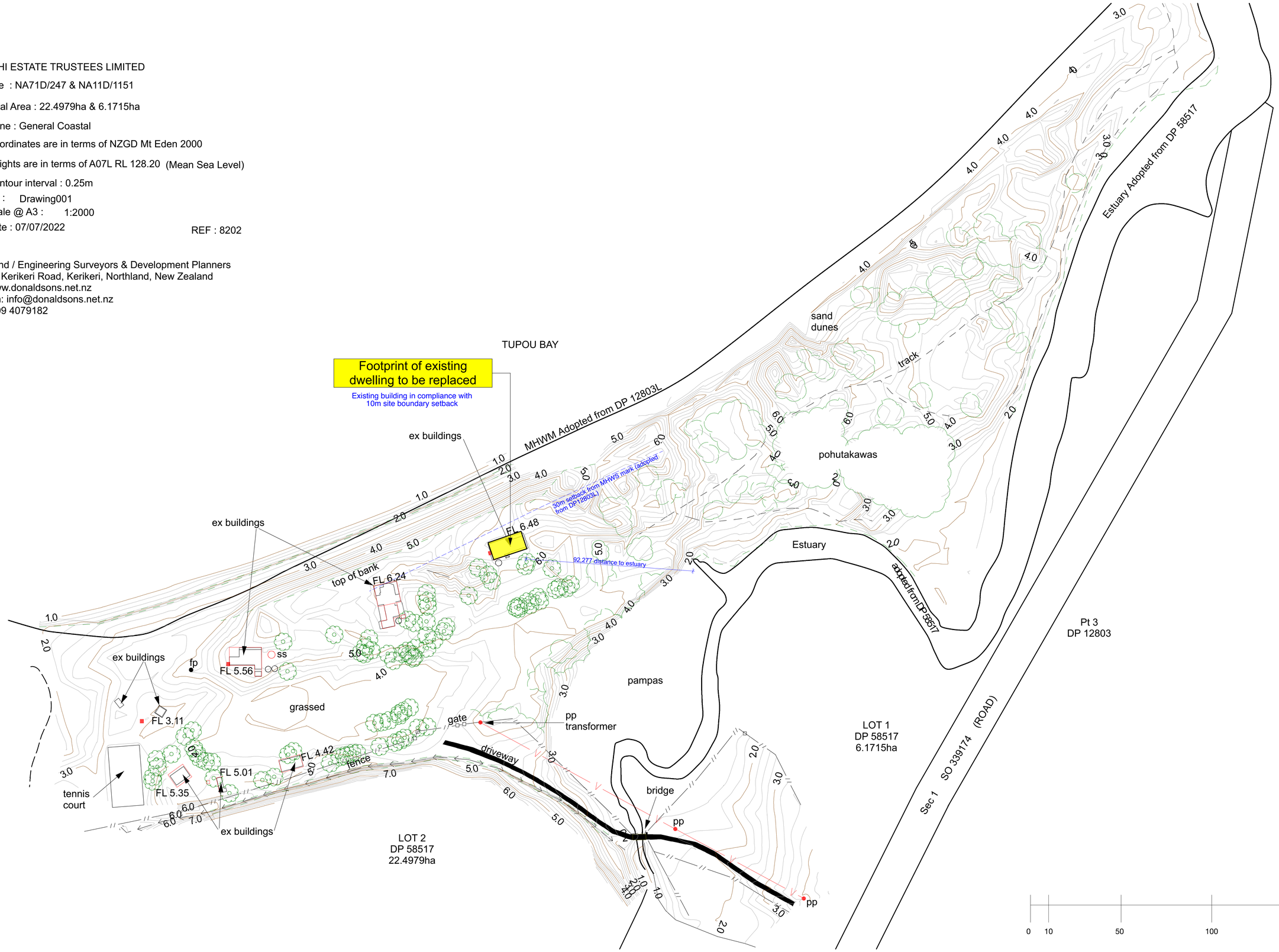
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Scale @ A3 : 1:2000

Date : 07/07/2022

REF : 8202

Land / Engineering Surveyors & Development Planners
90 Kerikeri Road, Kerikeri, Northland, New Zealand
www.donaldsons.net.nz
em: info@donaldsons.net.nz
p:09 4079182



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Survey

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Drawing Title
Aerial Overlay

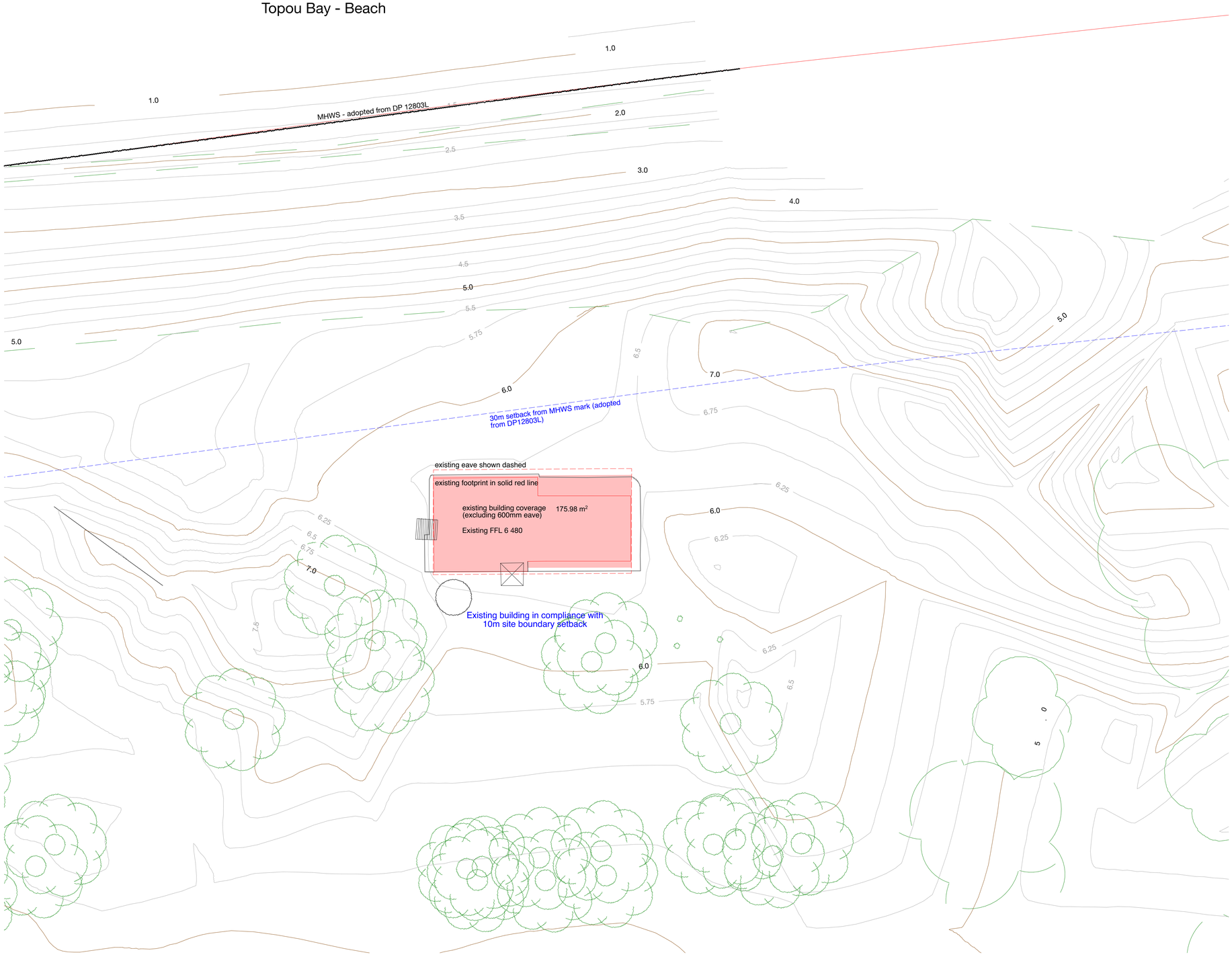
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Topou Bay - Beach



Building Coverage Calculation

Title : NA71D/247 & NA11D/1151
Total Area : 22.4979ha & 6.1715ha

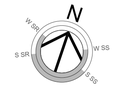
= 286 694m2 site area

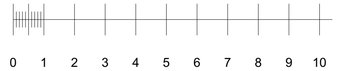
existing beach house building coverage = 176m2 (0.06% building coverage)

proposed beach house building coverage = 235m2 (0.08% building coverage)

existing beach house impermeable coverage = 0m2 (0.00% impermeable coverage)

proposed beach house impermeable coverage = 0m2 (0.00% impermeable coverage) Open slatted deck only





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Drawing Title
Existing Site Plan

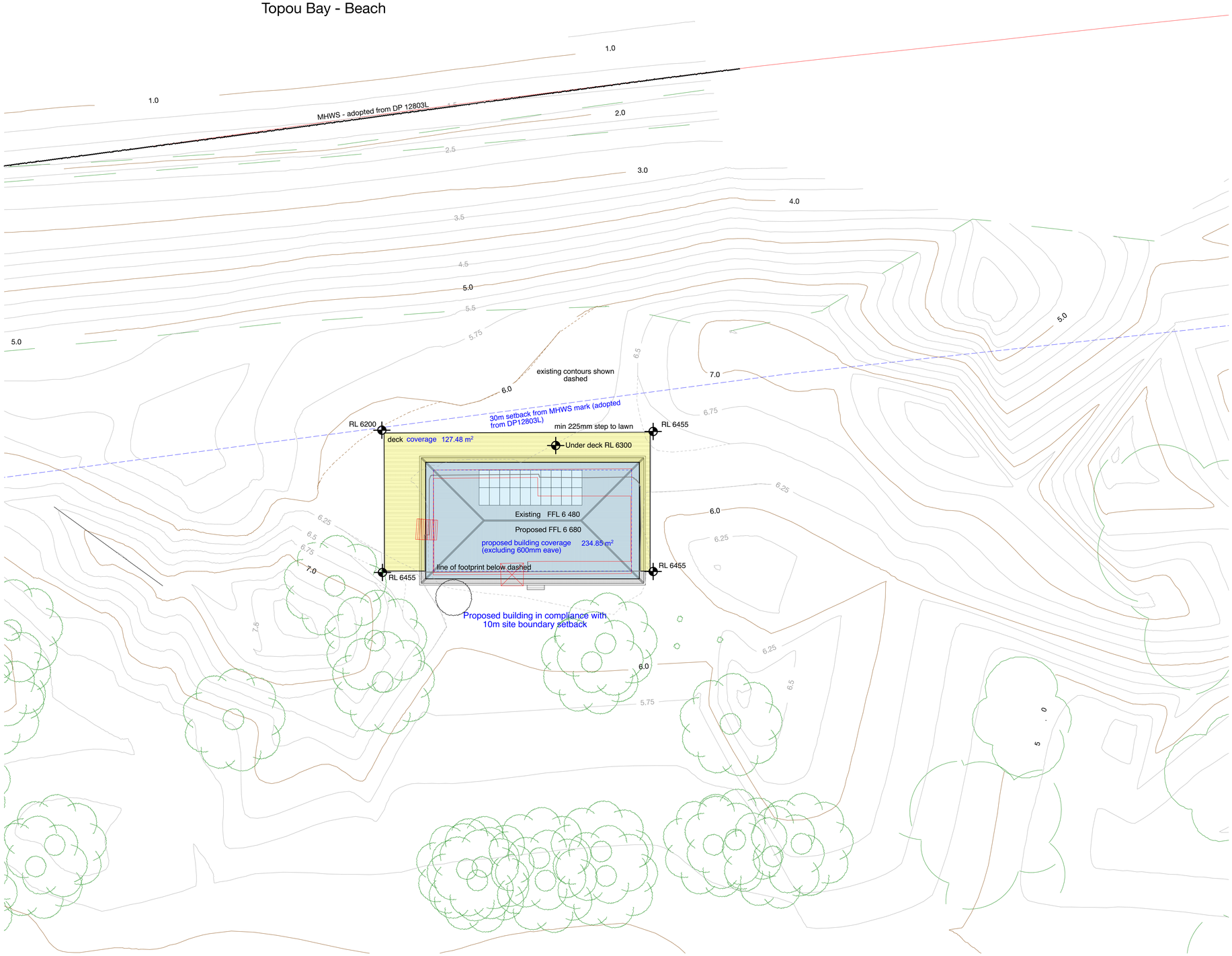
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Topou Bay - Beach



Building Coverage Calculation

Title : NA71D/247 & NA11D/1151
Total Area : 22.4979ha & 6.1715ha

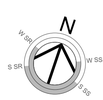
= 286 694m2 site area

existing beach house building coverage = 176m2 (0.06% building coverage)

proposed beach house building coverage = 235m2 (0.08% building coverage)

existing beach house impermeable coverage = 0m2 (0.00% impermeable coverage)

proposed beach house impermeable coverage = 0m2 (0.00% impermeable coverage) Open slatted deck only





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Drawing Title
Proposed Site Plan

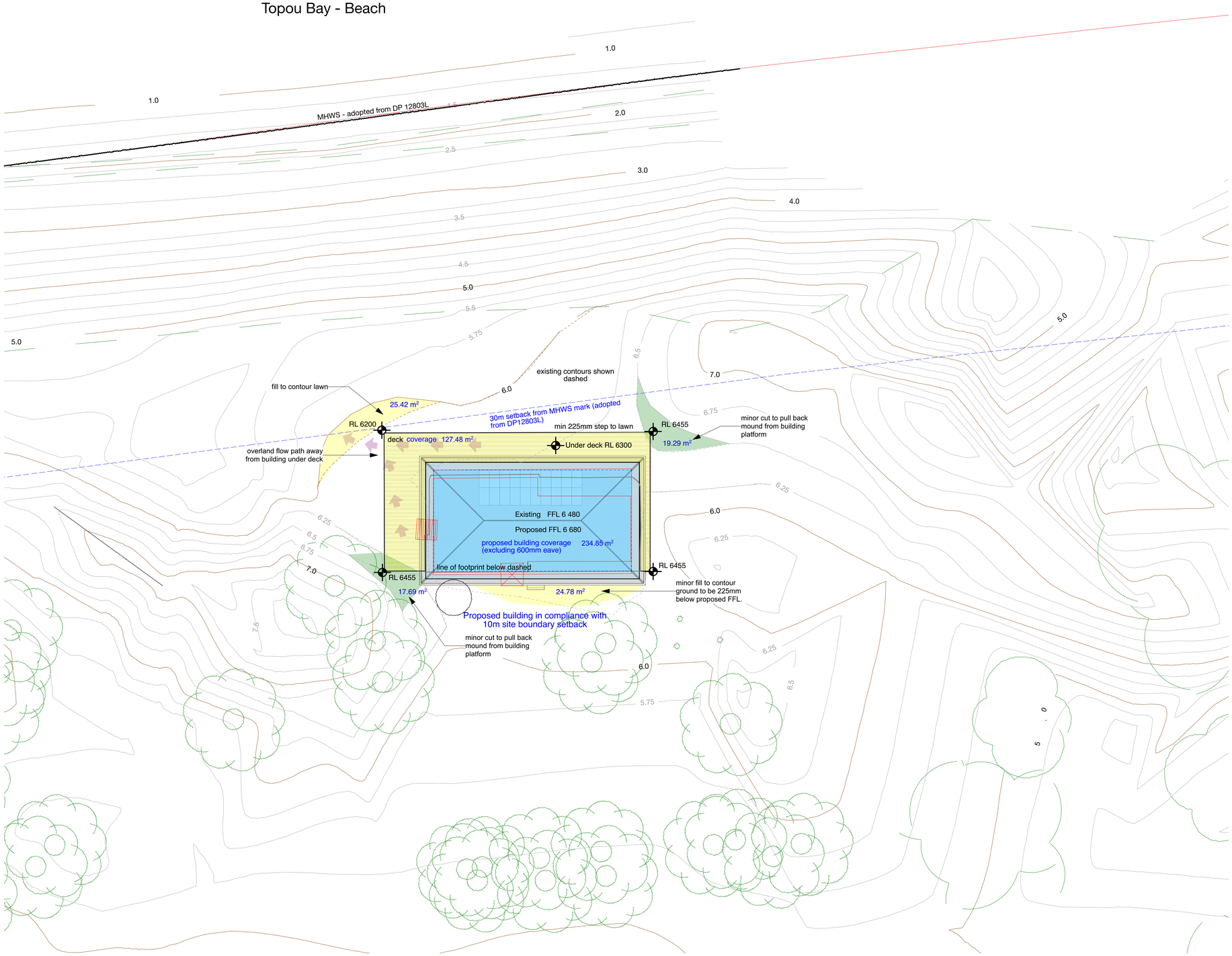
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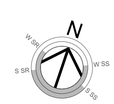
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Topou Bay - Beach





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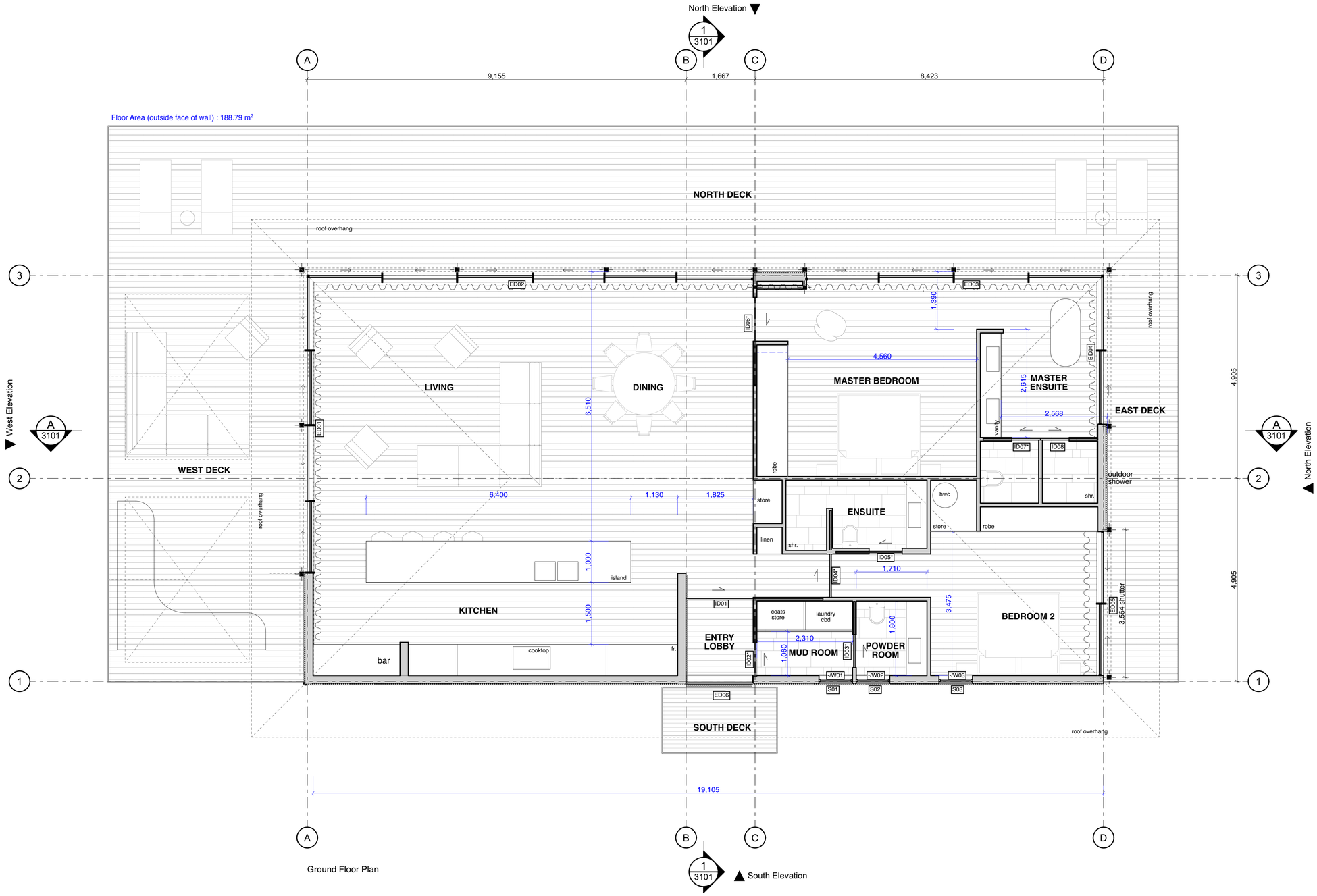
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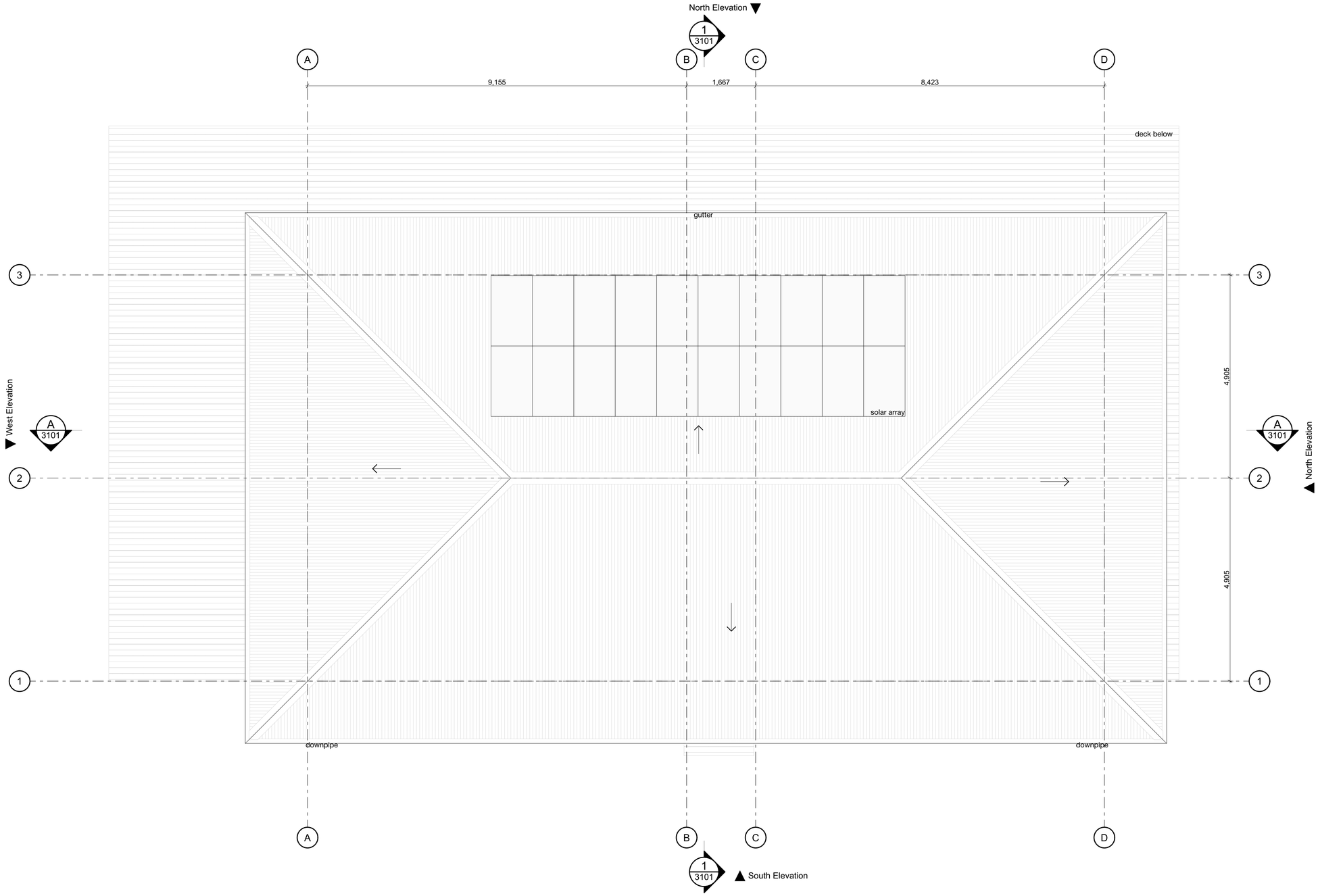
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Floor Plan

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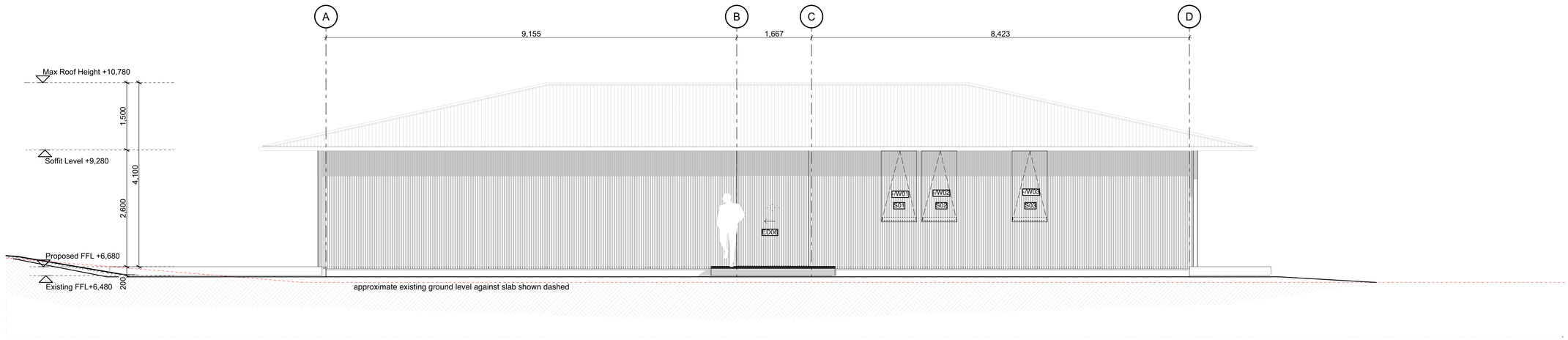
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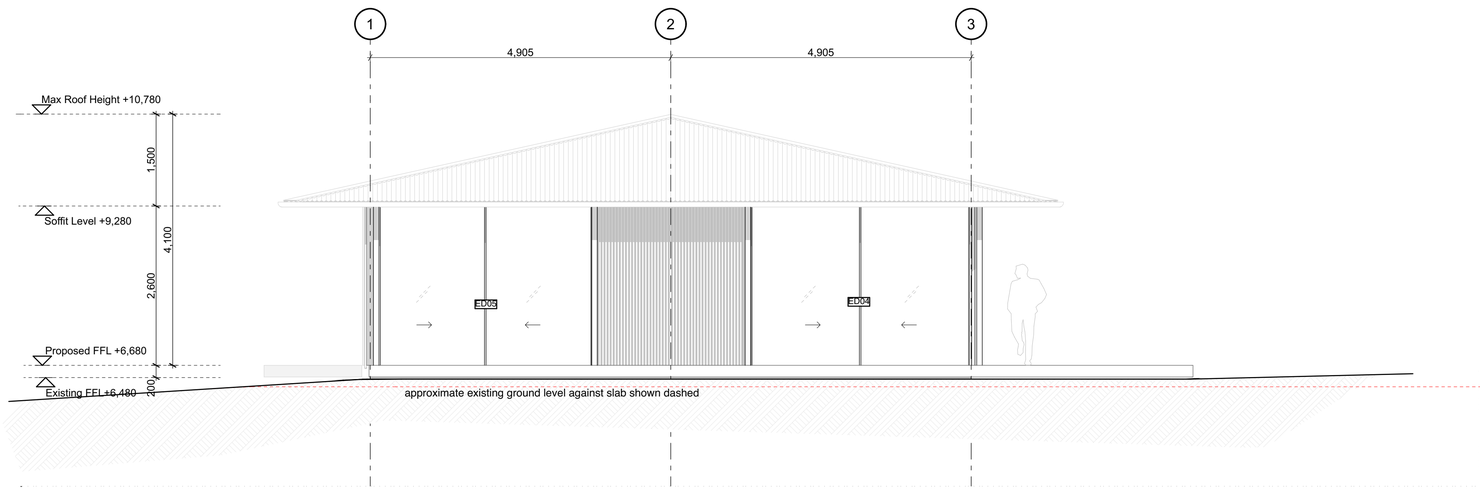
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South Elevation
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East Elevation
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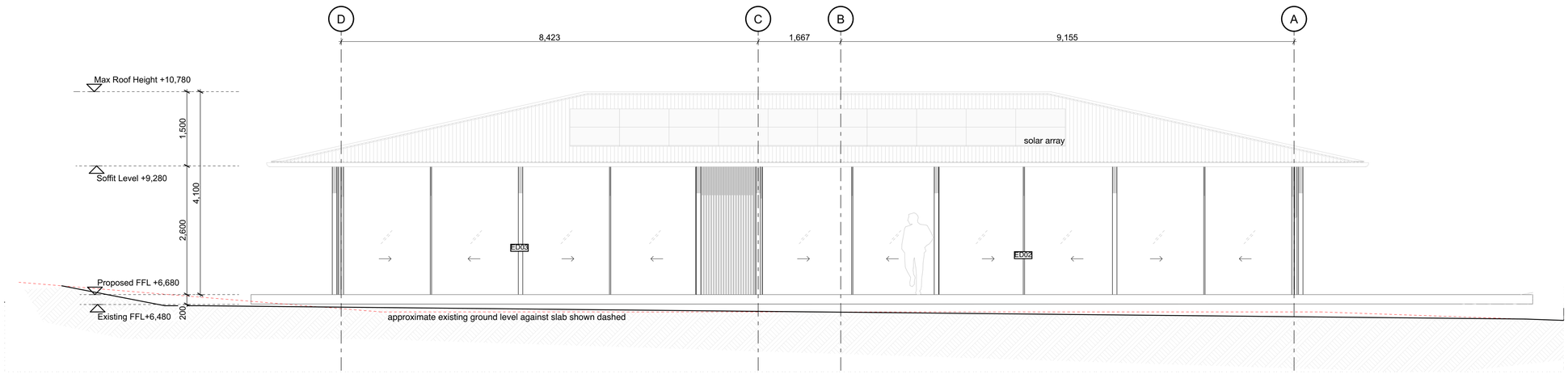
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Drawing Title
Elevations

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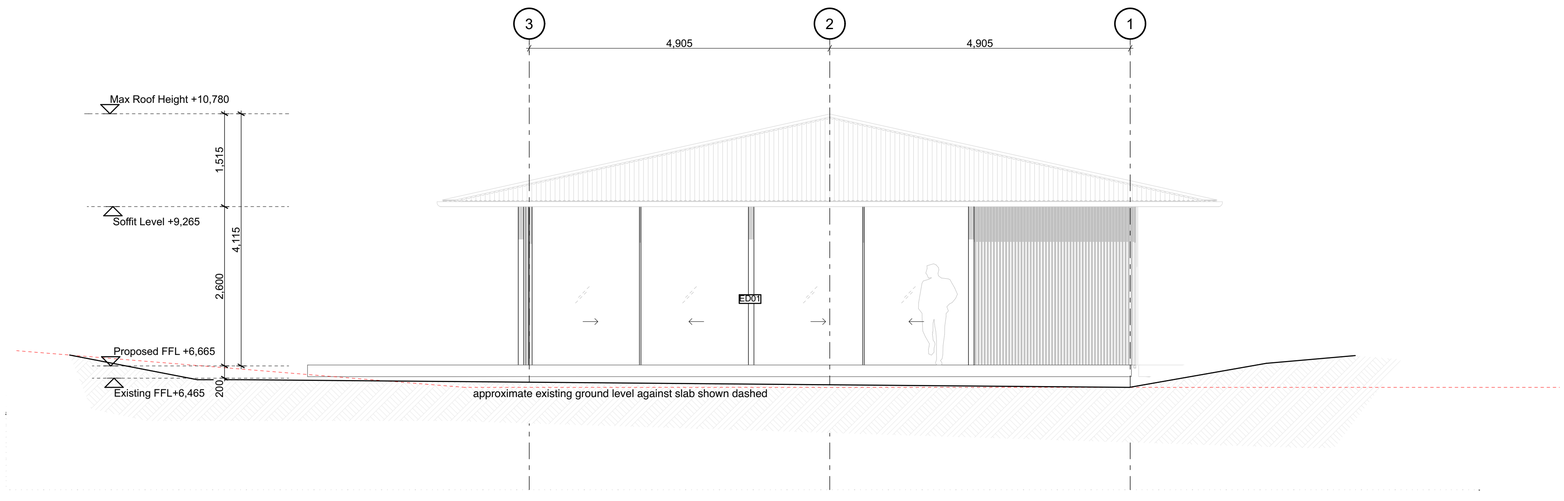
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North Elevation

1:50



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West Elevation

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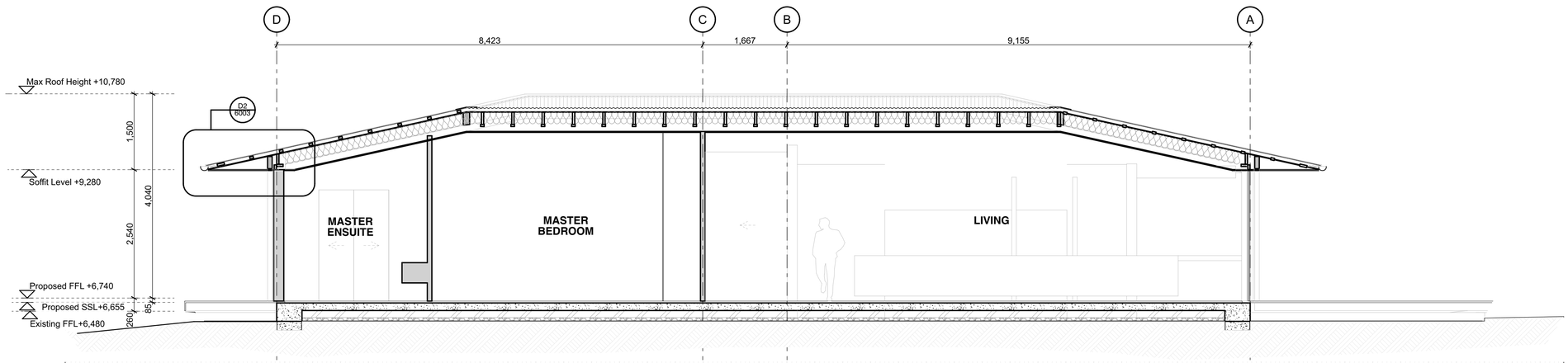
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Drawing Title
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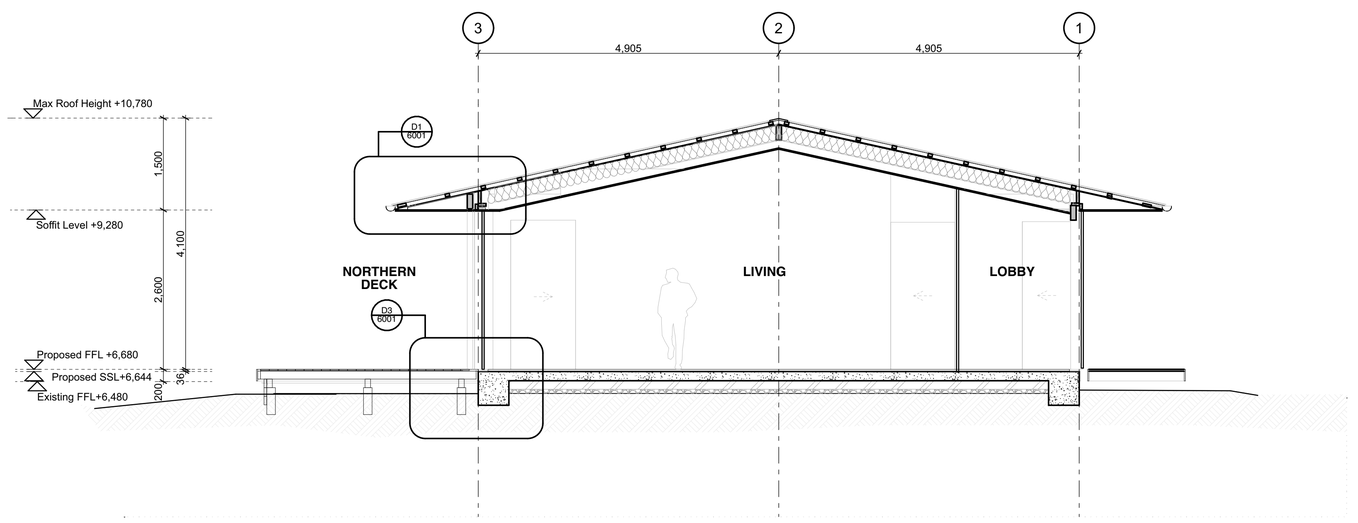
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Section

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Artist's Impression

Drawing
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Rules Assessment

Proposal: Replacement of an existing dwelling with a new dwelling to be used as a beach house

Address: Lot 2 DP 58517, Tupou Bay

District Plan: Operative and Proposed Far North District Plan – Appeals Version

1.0 Operative Far North District Plan

Site Zoning	
Zone	General Coastal
Overlays/Controls	Outstanding Landscape, Statutory Acknowledgement Area ((Ngātikahu ki Whangaroa)

Rule	Compliance	Non-Compliance
10. Coastal Environment		
General Coastal Zone		
10.6.5.1.1 Visual Amenity		**Does not comply -** The proposal is for a new beach house which will be used for human habitation and the gross floor area exceeds 25m^2. Resource consent is required for a **restricted discretionary activity** pursuant to Rule 10.6.5.3.1 because the new beach house is located partially outside of a building envelope that has been approved under a resource consent.
10.6.5.1.2 Residential Intensity	**Complies –** Although the site contains three residential units, exceeding the density standard of one residential unit per 20 ha, the proposal involves replacing an existing residential unit in reliance on existing use rights. No additional residential units are proposed.	
10.6.5.1.3 Scale of Activities	**Complies** – the proposal is for private residential use only.	
10.6.5.1.4 Building Height	**Complies** – the maximum building height is 4.45m.	

Rule	Compliance	Non-Compliance
10.6.5.1.5 Sunlight	**Complies** – the proposed dwelling will utilise the existing services on site.	
10.6.5.1.6 Stormwater Management		
10.6.5.1.7 Setback from Boundaries	**Complies** – the proposed beach house is located more than 10m from all site boundaries.	
10.6.5.1.8 Transportation	See rules assessment below.	
10.6.5.1.9 Keeping of Animals	**N/A** the proposal does not include the keeping of animals	
10.6.5.1.10 Noise	Noise levels will comply	
10.6.5.1.11 Helicopter Landing Area	**N/A** the proposal does not include helicopter landing areas.	
10.6.5.2.1 Papakainga Housing	**N/A** the proposal does not include papakainga.	
12. Natural and Physical Resources		
Landscapes and Natural Features		
12.1.6.1.1 Protection of Outstanding Landscape Features	**Complies** – no above ground utility services, excavation and/or filling, or vegetation clearance will occur within an Outstanding Landscape Feature listed in ***Appendix 1B*** in ***Part 4*** of the ODP.	
12.1.6.1.2 Indigenous Vegetation Clearance in Outstanding Landscapes	**N/A** – no indigenous vegetation clearance is proposed.	
12.1.6.1.3 Tree Planting in Outstanding Landscapes	**N/A** – no tree planting is proposed.	
12.1.6.1.4 Excavation and/or Filling within an Outstanding Landscape	**Complies** – the proposed earthworks are 87.16m^3 in total and any cut/fill areas visible from the coastal marine area or foreshore will be stabilised using mulch, hydroseeding, or other rapid effective stabilisation technique.	
12.1.6.1.5 Buildings within Outstanding Landscapes		**Does not comply** (a) The proposed beach house is located within the General Coastal Zone and is a residential dwelling. (b) The proposed beach house will have an exterior coloured with the BS5252

Rule	Compliance	Non-Compliance
		standard colour palette range with a reflectance value of 30% or less. (c) N/A (d) N/A; and (e) N/A. Resource consent is required for a **Restricted Discretionary Activity** pursuant to Rule 12.1.6.2.1 of the ODP.
12.1.6.1.6 Utility Services in Outstanding Landscapes	**Complies** – the proposed dwelling will utilise the existing services on site.	
12.1.6.2.1 Buildings within Outstanding Landscapes Restricted Discretionary Activity	**Complies** – the proposal is for a new residential dwelling within an Outstanding Landscape which exceeds a gross floor area of 25m^2 (approx. 188.8m^2) **Restricted Discretionary Activity**	
Indigenous Flora and Fauna – N/A		
Soils and Minerals		
…	…	…
12.3.6.1.2 Excavation and/or Filling, including Obtaining Roading Material but Excluding Mining and Quarrying, in the Rural Living, Coastal Living, South Kerikeri Inlet, General Coastal, Recreational Activities, Conservation, Waimate North and Point Veronica Zones	**Complies** - the proposed earthworks are 87.16m^3 and they do not involve a cut or filled face exceeding 1.5m in height.	
…	…	…
12.3.6.1.4 Nature of Filling Material in all Zones	**Complies**	
…	…	…
Natural Hazards – N/A		
Heritage – N/A		
Air – N/A		
Lakes, Rivers, Wetlands and the Coastline		
12.7.6.1.1 Setback for Lakes, Rivers and the Coastal Marine Area	**Complies**	
…	…	…

Rule	Compliance	Non-Compliance
12.7.6.1.4 Land Use Activities involving Discharges of Human Sewage Effluent	**Complies** - the proposed dwelling will utilise the existing services on site.	
…	…	…
Hazardous Substances – N/A		
Renewable Energy and Energy Efficiency – N/A		
13. Subdivision N/A		
14. Financial Contributions N/A		
15. Transportation		
15.1.6a.5.1 Traffic Intensity	**Complies –** the proposed beach house will be well within the permitted threshold of 30 daily one-way traffic movements in the General Coastal Zone and 10 daily one-way traffic movements for a residential unit.	
15.1.6B.1.1 On-Site Car Parking Spaces	**Complies** There is ample space onsite for onsite carparks.	
…	…	…
15.1.6B.1.5 CAR PARKING SPACE STANDARDS	**N/A** – There is ample existing parking onsite, with no changes proposed to this.	
15.1.6C.1.1 PRIVATE ACCESSWAY IN ALL ZONES	**N/A** – the proposal does not result in any changes to the existing accessway arrangements.	
…	…	…
15.1.6C.1.5 VEHICLE CROSSING STANDARDS IN RURAL AND COASTAL ZONES	**Complies** – the proposal does not result in any changes to the existing vehicle crossing arrangements.	
…	…	…
15.1.6C.1.7 GENERAL ACCESS STANDARDS	**N/A** – the proposal does not result in any changes to the existing accessway arrangements.	
…	…	…
16. Signs and lighting N/A		
17. Designations and utility services N/A		
18. Special areas N/A		
19. Genetically modified organisms N/A		

2.0 Proposed Far North District Plan – Appeals Version

Proposed Far North District Plan	
Zone	Rural Production
Overlays/Controls	Coastal Environment, High Natural Character, Coastal Flood (Zone 1:50 year, 100-year, 100-year + rapid sea level rise scenarios), River Flood Hazard Zones (10-year & 100-year ARI events).
Precinct	Tupou Precinct

Rule	Compliance	Non-Compliance
Transport		
TRAN-R1 Parking	**N/A** - There is ample existing parking onsite, with no changes proposed to this.	
TRAN-R2 New or altered vehicle crossings and access, including private accessways	**N/A** - the proposal does not result in any changes to the existing vehicle crossing or accessway arrangements.	
TRAN-R3 - TRAN-R8	**N/A** these rules are not applicable to the proposal.	
TRAN-R9 Trip generation	**Complies –** The proposed beach house will be well within the permitted threshold for trip generation associated with a residential activity (20 residential units).	
TRAN-R10 - TRAN-R14	**N/A** these rules are not applicable to the proposal.	
Hazards and Risks		
Natural Hazards		
…	…	…
NH-R3 New Buildings or Structures and Relocated Buildings	**N/A –** Although the site is subject to river flood hazard areas, the proposed beach house will be located outside of these hazard areas.	
…	…	…
NH-R5 Wild fire – Buildings used for a Vulnerable Activity (excluding accessory buildings)	**Complies –** the proposed beach house will provide water supply for firefighting purposes in accordance with the minimum water storage for non-reticulated water supply specified in SNZ PAS 4509:2008 New Zealand	

Rule	Compliance	Non-Compliance
	Firefighting Water Supplies Code of Practice. The proposed beach house is also not located within 20m from the dripline of any contiguous scrub or shrubland, woodlot or forestry.	
…	…	…
Ecosystems and Indigenous Biodiversity		
IB-R1 Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities.	**N/A** No vegetation clearance is proposed under the proposal.	
IB-R2 Indigenous vegetation clearance and any associated land disturbance for papakāinga	**N/A** No vegetation clearance is proposed under the proposal.	
IB-R3 Indigenous vegetation clearance and any associated land disturbance	**N/A** No vegetation clearance is proposed under the proposal.	
Natural Character		
NATC-R1 - NATC-R2	**N/A** – the proposed beach house and any associated works is not located on wetland, lake or river margins.	
Coastal Environment		
CE-R1 New buildings or structures and relocated buildings and extensions or alterations to existing buildings or structures		**Does not comply –** The proposed beach house is located in the Rural Production Zone, will be used for residential activity, and will be greater than 50m^2 in size within a High Natural Character Area. Further, the building platform has not been approved as part of an existing or implemented subdivision consent, is not for a residential unit within the Maori Purpose zones or Treaty Settlement Overlay. Resource consent is required as a **discretionary activity** pursuant to Rule CE-R1.

Rule	Compliance	Non-Compliance
CE-R2 Earthworks or indigenous vegetation clearance	**N/A** - No vegetation clearance is proposed under the proposal.	**Does not comply –** The proposed earthworks will be in exceedance of the permitted earthworks area threshold in CE-S3 for earthworks within a high natural character area (approx. 330m^2). Resource consent is therefore required as a **restricted discretionary activity** pursuant to Rule CE-R2.
CE-R3 - CE-R7	**N/A** none of these activities are sought under the proposal.	
…	…	…
CE-R10 New buildings or structures and relocated buildings	**Complies -** Although the site is subject to coastal flood hazard areas, the proposed beach house will be located outside of these hazard areas.	
CE-R11 - CE-R11	**N/A** none of these activities are sought under the proposal.	
Earthworks		
EW-R1 Earthworks	**Complies** -refer to assessment under the ODP.	
…	…	…
Earthworks Standards		
EW-S1 Maximum Earthworks Thresholds	**Complies**	
EW-S2 Maximum Depth	**Complies**	
EW-S3 Accidental Discovery Protocol	**Will Comply**	
EW-S4 Site Reinstatement	**Will Comply**	
EW-S5 Erosion and Sediment Control	**Will Comply**	
EW-S6 Setback	**Complies**	
EW-S7 Land Stability	**Complies**	
EW-S8 Nature of Filling Material	**Complies**	
EW-S9 Flood and Coastal Hazards	**Complies** – the proposed earthworks are not within any flood hazard area. The earthworks will not divert flood flow or coastal inundation onto other properties or result in any	

Rule	Compliance	Non-Compliance
	increase in flood hazard or coastal inundation beyond the boundaries of the site.	
Noise		
NOISE-R1 Emission of Noise (not otherwise provided for in this chapter)	**Will comply**	
NOISE-R2 New Buildings, Alterations and/or Additions to an Existing Building for a Noise Sensitive Activity	**Will comply**	
…	…	…
NOISE-R4 Construction Noise	**Will comply**	
Rural Production Zone		
RPROZ-R1 New Buildings or Structures and Relocated Buildings or Extensions or Alterations to Existing Buildings or Structures	**Complies**	
RPROZ-R2 Impermeable Surface Coverage No more than 10% of site.	**Complies**	
RPROZ-R3 Residential Activity Site area per residential unit is at least 40ha. The number of residential units on a site does not exceed six.	**Complies** – Although the site contains three residential units, exceeding the density standard of one residential unit per 40 ha, the proposal involves replacing an existing residential unit in reliance on existing use rights. No additional residential units are proposed.	
…	…	…
Rural Production Zone Standards		
RPROZ-S1 Maximum Height Max. height 12m above ground level.	**Complies** – the maximum building height is 4.45m.	
RRPROZ-S2 Height in Relation to Boundary 1. 55 degrees at 2m above ground level at the northern boundary of the site; and 2. 45 degrees at 2m above ground level at the eastern and western boundaries of the site; and	**Complies**	

Rule	Compliance	Non-Compliance
3. 35 degrees at 2m above ground level at the southern boundary of the site.		
RPROZ-S3 Setback (excluding from MHWS or wetland, lake and river margins) Min. 10m from all site boundaries.	**Complies** – the proposed beach house is located more than 10m from all site boundaries.	
RPROZ-S4 Building or Structure Coverage Max. 15% of site.	**Complies**	
…	…	…
Tupou Precinct		
PREC7-R1-R2	N/A	N/A

LITTORALIS
LANDSCAPE ARCHITECTURE

Memorandum to:
Far North District Council – Resource Consents Division

RESOURCE CONSENT APPLICATION FOR REPLACEMENT DWELLING – TUPOU BAY

Landscape, rural character, natural character and visual amenity effects

Introduction

We have been engaged by Tahi Estates Trustees Ltd (the Applicant) to provide input into a resource consent application for the construction of a residence on a title at Tupou Bay, Northland, a short distance up the coast from Taupo Bay.

The Site is legally defined as NA71D/247 and NA11D/1151 and occupies part of the substantial land holding known as Tupou Farm. Tupou Bay lies on the eastern margin of that overall property and is one of several bays associated with the farm. It has traditionally been the holiday destination of the former family owners of the property, and the backshore area has long been developed as a place for recreational and low-key accommodation in the form of 3 modest houses that appear to have been constructed around 50-60 years ago.

Littoralis Landscape Architecture was engaged by an offshore party to provide strategic guidance upon the management of Tupou Bay and the wider property (as part of a multidisciplinary team) when the property was being marketed for sale after the Josephson family decided to dispose of it. That detailed investigation provided a useful insight into the nature of the Site and the wider Farm that has been informative when preparing this assessment memorandum.

The Applicant purchased the property several years ago and is in the process of progressively improving the ecology of the seaward portion of the farm, including the dune field that backs Tupou Bay, and removal of most of the exotic species found on the backshore generally – particularly numerous Norfolk Island pines that were proliferating in the sandy conditions.

The property is the subject of a Tupou Special Purpose Zone that has been sought through submissions to the Proposed Far North District Plan.

The northernmost of the existing houses in the bay has been extensively remodelled for contemporary use. In a quest to continue a tradition of wider family use of the Site, the Applicant is now looking to provide a comparable standard of accommodation at the location of another of the existing, dated, houses. Rather than introduce a new structure in a different location, the Applicant has settled upon replacing the southernmost of the three current houses with a new dwelling that occupies the footprint of the current building and is of very closely matched volume to that building. The rationale for this “like for like” approach is to maintain the

established pattern of development and to benefit from the frame of established pohutukawa that combine with a measure of gentle landform modification to create a strong setting for the house as it currently stands.

This assessment has been undertaken based on the following methodology:

- Review aerial photographs and background documents that inform an understanding of the Site and wider setting in terms of both physical characteristics and the regulatory framework.
- Undertake a walkover of the Site and visit immediately adjacent, accessible land-based areas that have a view to the Site, particularly the beach and coast of Tupou Bay.
- Photograph the Site – where visible – from these various locations and assemble the resulting images into accompanying attachments. Vantage-points were selected to capture the greatest exposure or "worst case" view from each locale and to be representative.
- Describe and analyse the biophysical and land use characteristics of the Site.
- Assess the relationship between the Site and the public viewing audience grouping that is potentially affected by the proposal to report upon visual amenity effects.
- Assess landscape effects in relation to the form of the proposal and its compatibility or otherwise with established characteristics, patterns and general structure of both the Site and its wider context.
- Comment upon rural character effects arising from the proposal.
- Identify and quantify natural character effects that may be imposed upon the most adjacent areas of coast.
- Provide some summarising conclusions that draw together the main body of findings.

Context

Tupou Farm is a 1439 ha block of coastal land that stretches from Taupo Bay Road in the south to a dissected coastline spanning around a broad headland to the north and east. That coast is predominantly rocky, with minor promontories and some subtle bluffs. The property includes frontage to 5 beaches, with Tupou Bay being the most substantial of those.

The inland and western portions of the farm are either low lying or moderately rolling and that topography is reflected by the most intensive pastoral development. A significant divide spans through the midst of the property (lying more to the inland sector) and marks the transition to the steeper, more dissected terrain that characterises the coastal portion occupied by approximately 2/3 of the farm area. Predictably, it is this part of the property where belts of indigenous forest have been allowed to recolonise and where scattered kanuka is progressively spreading across the least-grazed slopes. The Applicant is underway with a significant restoration exercise on a large part of this steepest portion of the farm, with pest control and broadscale planting initiatives well advanced.

As Attachment One illustrates, the backshore flat that the immediate site is located upon is part of a minor barrier spit that has formed across the head of the bay through progressive sand deposition. The toe of a steep hill immediately inland and the inner edge of the estuarine, lower reach of the stream define the likely

former shoreline. A combination of wave and wind energy has built the small dune field that extends northeast and is in a more hummocked, mobile and natural state than the developed area occupied by the houses. The developed area may have been levelled for recreational or grazing use at some early point, as seen in Panorama VP03 of Attachment Two.

The two existing buildings that remain in their original form are simple and modest in their scale and character, with a shallow-pitched gabled roof finished in white, painted timber joinery and frames (also white) and mid-red cladding. Some former buildings at the back of the flat have either been removed or improved.

The pohutukawa seen in the aerial (Att. One) and land-based photographs were planted several decades ago by the Farm's former owner and now reach around 15m in height and spread. Whilst already moderately substantial, these trees will continue to gain stature to reach over double their present size when approaching maturity. It is the Applicant's intention that they all be retained into the future.

Immediate Site description

The area around the existing house is consistent with the flattest, most modified part of the backshore that has long been developed as a family holiday destination. It is characterised by a simple, mown kikuyu grass surface that gives way to some natural undulations and more pronounced mounds that were created to provide privacy and separation between the houses.

Pohutukawa frames either side of the building footprint and creates two tiers of backdrop to the landward side of the house. The eastern end of the house is close to the more intact, natural, dune field associations and contour, with indigenous associations standing in contrast to the manicured lawn that surrounds the building.

These elements are clearly seen in Panoramas VP01-03 of Attachment Two. Those images also provide a useful record of the nature of the existing house (as three elevations, effectively) as a basis for comparison with the proposed dwelling.

Proposal

As outlined in the introduction, the application is to establish a new dwelling on footprint of the easternmost existing house. That location is shown on Attachment One and illustrated in greater detail on an insertion on that sheet. It is also identified on the first sheet of the Davor Popadich Architects (DPA) drawings contained in Attachment Three. The remaining sheets in that Attachment are a selection of DPA's fuller suite of drawings that will inform the resource consent application.

These drawings – particularly the Artist's Impression DD01 and DD02 – demonstrate how the architect has acknowledged the existing structure through the scale, shallow-pitched roof form and informal ambience of the proposal. In adopting a more contemporary and sophisticated design approach, the new building then creates a markedly superior relationship to the immediate site through the use of decks, deep eaves and materials choices. On that note, the extremely dark finish proposed for the roof (well less than 10% LRV) and dark-stained, textured cedar cladding (approx. LRV 25-30%) and shadowing created by a very generous eave, will combine to result in the building having a considerably less prominent presence than the existing building

within all wider views back to the Site. Comparison of DPA's DD01 with VP01 immediately conveys this dramatic improvement in integration between the existing and proposed houses.

The building would have a finished floor level that is 200mm above the existing and would have a height of 4.070m above that FFL. The current building has a height of 3.7m above ground level, so the new building would be in the order of 600mm higher than what exists.

Visual amenity effects

The scale of Tupou Farm and the nature of its terrain results in Tupou Bay only being visible from land-based views from within the property owned by the Applicant. There are no neighbouring properties or public roads that have the ability to view the Site.

It is only from the CMA and that part of Tupou Bay beach that lies below MHWS that is publicly accessible, so it is only a small number of boat passengers that have the potential to witness the new building. Whilst relatively close to beach launched boats from Taupo Bay, the Site is reasonably removed from other launching facilities. For large boats, Tupou Bay is exposed to sea and wind conditions from the north and east, making it a far less protected anchorage than Whangaroa Harbour, Paradise Bay or Waimahana Bay.

This combination of distance and unfavourable overnight anchoring means that boat traffic and use of Tupou Bay is limited.

Regardless of viewing numbers, the proposal represents a marked improvement over the relative prominence of the existing house that it would replace and would therefore lead to a reduction in adverse visual amenity effects over the status quo.

Landscape effects

The 2009 Operative Far North District Plan (OFNDP) identifies a belt of coastal land along the margin of Tupou Farm as an Outstanding Natural Landscape, as part of a unit named "Whangaroa North Head to Hihi Beach". The developed part of the backshore, including the building site, lies within that belt of ONL. The subsequent Northland Regional Policy Statement landscape assessment of 2014, which informs the ONL's that are mapped within the Proposed Far North District Plan, did not identify any of Tupou Farm as having Outstanding landscape characteristics.

As the previous description of the Site has outlined, the immediate setting of the Site on a portion of backshore containing a minor cluster of small buildings that is relatively well integrated lies in the broader context of substantial hill country and diverse coastal character. When considered in this realm, the landscape impact of the current developed area is very limited.

By working within an existing footprint and incorporating a range of design measures that would serve to considerably diminish any landscape effects attributable to the current dwelling – as one of three – the proposal serves to lessen established landscape effects and to reduce any potential conflict with the ONL provisions of the OFNDP that may currently exist as a result of the building as it stands.

Rural character effects

The immediate site stands somewhat apart and discrete from the wider Tupou Farm as a small enclave on the coastal margin. It does not impact rural character in its current form, and the proposed building would not serve to change that circumstance.

Natural character effects

An area of High (as distinct from Outstanding) Natural Character applies to the most naturally intact part of the barrier spit and to the related estuarine reach of stream that tracks to landward of it. That identified extent ends on the edge of modified, mown part of the site and another area of HNC then runs north along the rocky coast that continues north from that end of the Tupou Bay beach sandy shore. The Site therefore lies outside of that extent but is closely related to the dune field HNC,

The established presence of the existing building and its lawn areas would be superseded by the replacement building which would have lesser impact upon the character and experiential dimensions of natural character.

The Applicant has already invested in restoration efforts in both the spit and the estuarine extent that is identified as having HNC, resulting in an improvement to natural character values. Related work to strengthen the ecology and integrity of the foredune associated with the Site and other established houses has further enhanced the natural character of that strip of shoreline backdrop.

In recognition of the nature of the proposal and the continuing restorative works of the Applicant, the natural character effects of the proposal are assessed as being positive.

Conclusion

Tupou Farm occupies an imposing landscape that is informed by considerable topographic scale and diversity and equally complex coastal morphology and character. It is in the midst of a planned transition that will see the landscape and ecology of much of the northern/eastern of the property shift to exhibit markedly higher values.

The currently developed area that the Site lies within is longstanding and sits relatively unobtrusively on the margin of the farm, where it is well framed by a substantial inland backdrop, an established pattern of large trees and the interface to the beach and CMA that is created by the foredune.

In electing to literally replace one of the established dwellings with a building of almost identical scale, but considerably less imposing materials and finishes, the new structure would have a lesser presence in the setting and lead to a reduction in the effects that are modestly imposed by the current dwelling. As such, the proposal will have a positive effect upon visual amenity, landscape values, and natural character.

Mike Farrow Principal Landscape Architect

LITTORALIS LANDSCAPE ARCHITECTURE
October 2026

ATTACHMENTS

REPLACEMENT DWELLING 2026
TUPOU BAY | FAR NORTH

LITTORALIS
LANDSCAPE ARCHITECTURE

ATTACHMENT ONE
VANTAGE POINT LOCATIONS

Image source: LINZ Data Service



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ATTACHMENT TWO
SITE PHOTOGRAPHS

Date of photography for panoramas
08/09/2026 02:45pm to 03:50pm

The panoramic photographs were digitally merged. Original photographs with Nikon Z5 with with approx. 33mm focal length lens setting, making the image magnification equivalent to a 50mm focal length lens on a full frame 35mm camera. The field of view for each panorama varies in response to the relevant field of view for each of the vantage points.



Panorama VP01:
An elevation view of the existing building, and horizontal extent of its proposed replacement, as seen from the seaward edge of its lawn. Note scale and continuity of established pohutukawa that create a frame and backdrop.



Panorama VP02:
The western end of the current structure.

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ATTACHMENT TWO
SITE PHOTOGRAPHS



Panorama VP03:
Looking at the eastern face of the building.



Panorama VP04:
A view up from approximately low tide mark on the beach, directly aligned to the building. The dune peak starts screening the lower part of the seaward wall. The pale roof and window frames are particularly prominent elements when compared to the mid-red cladding.

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ATTACHMENT TWO
SITE PHOTOGRAPHS



Panorama VP05:
Taken from approximately halfway between the building site and the eastern stream mouth. An inserted white arrow indicates the location of the building, which is largely obscured by the pohutukawa to the east of the building.



Panorama VP06:
Sighting along the beach from the stream mouth. The building remains largely blocked from view.

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ATTACHMENT TWO
SITE PHOTOGRAPHS



Panorama VP07:
Set on the reef outcrop at the northeastern apex of the arc of Tupou Bay, approximately 600m from the building site.



Panorama VP08:
Sighting northeast along the beach, with the building once again highlighted in the background of the recently constructed dwelling and the older building near the building site.

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ATTACHMENT TWO
SITE PHOTOGRAPHS



Panorama VP09:
Taken from directly seaward of the recent house and looking to the building site at a tangent across the dune.

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ATTACHMENT THREE

ARCHITECTURAL DRAWINGS
BY DAVOR POPADICH ARCHITECTS

Design subject to client, consultant and council approvals



DAVOR POPADICH ARCHITECTS

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Drawing Title
Aerial Overlay

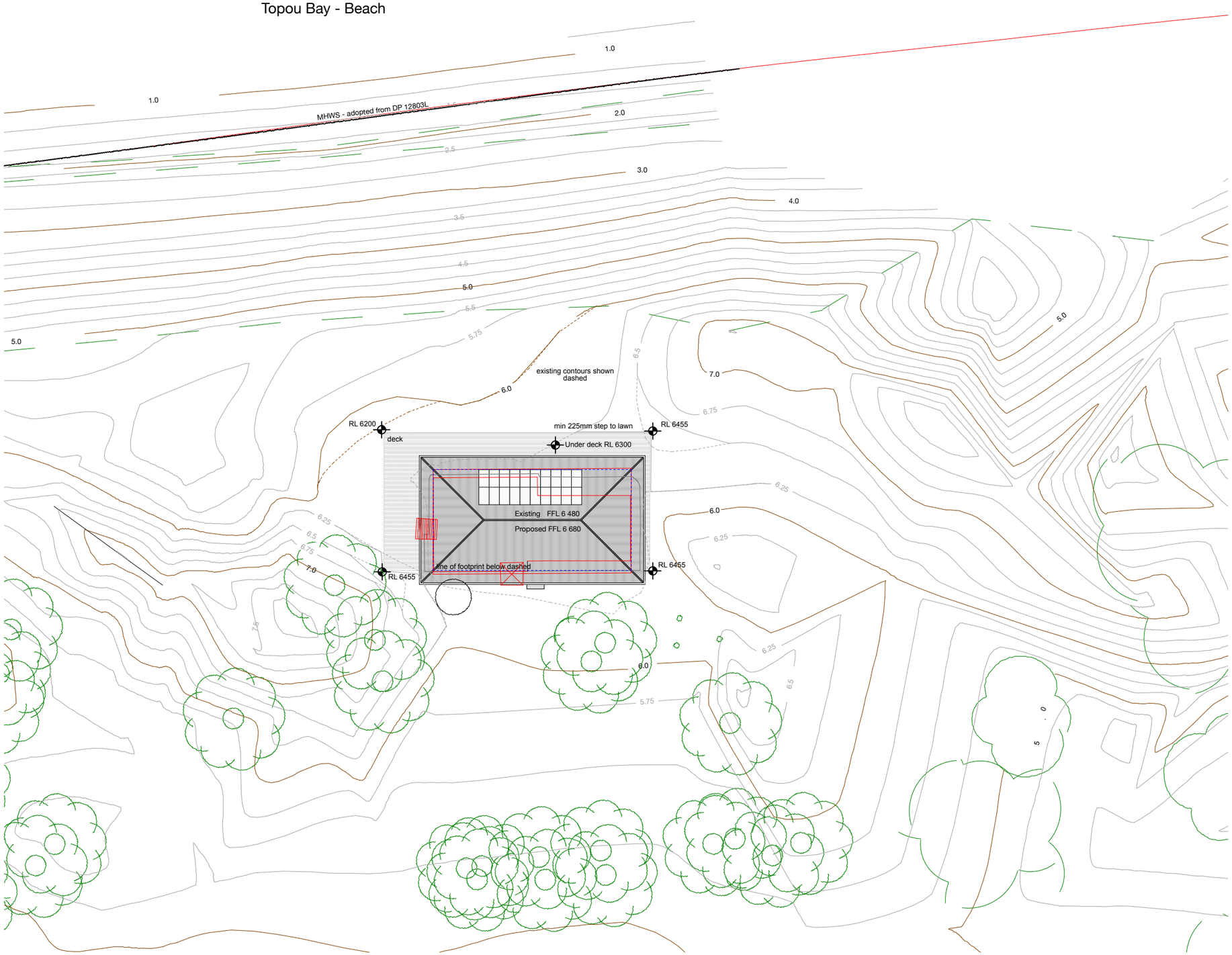
Drawing
1002

Project
Topou - House 3 - Developed Design

Revision
Developed Design - Draft - 2026 09 28

Design subject to client, consultant and council approvals

Topou Bay - Beach



1:400@ A3

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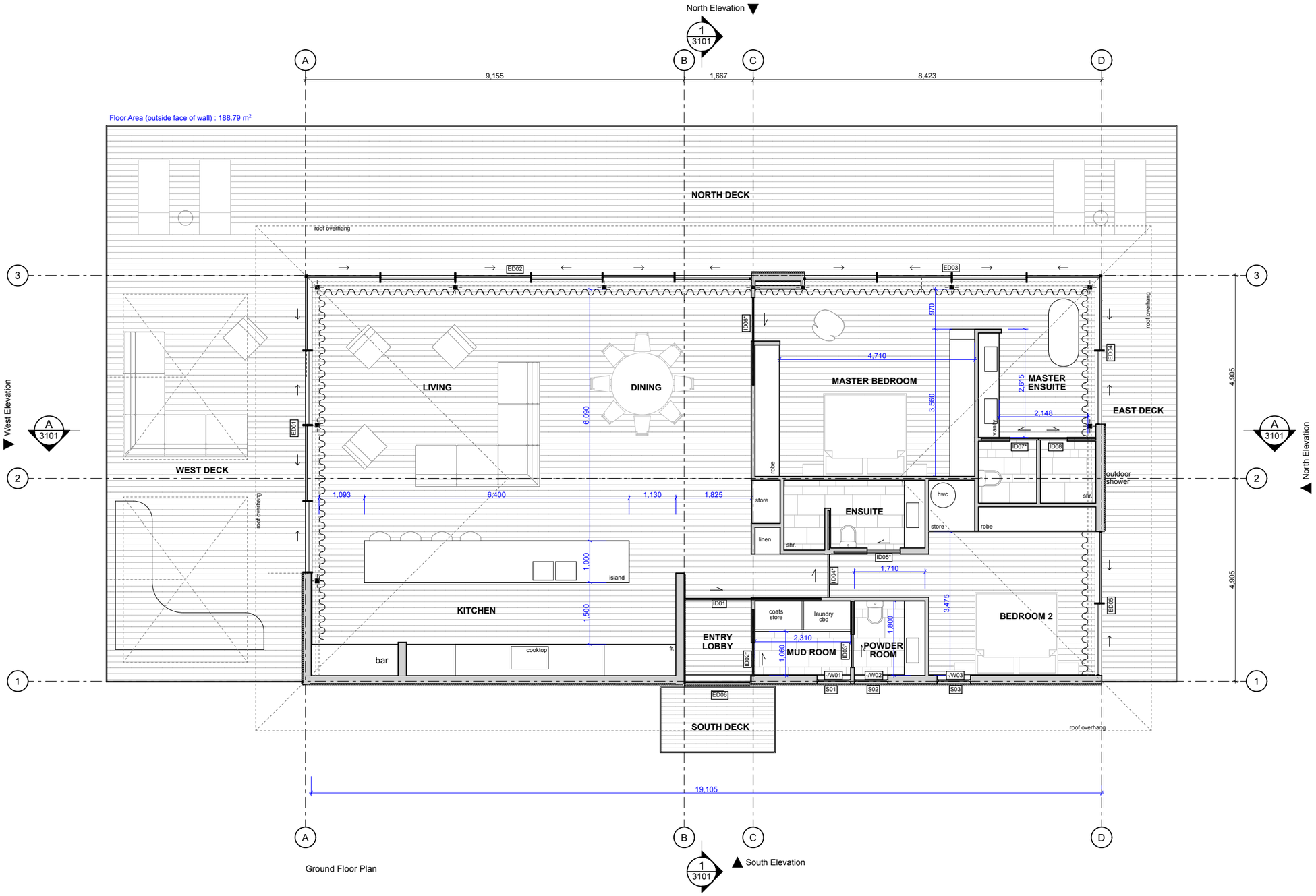
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Drawing Title
Proposed Site Plan

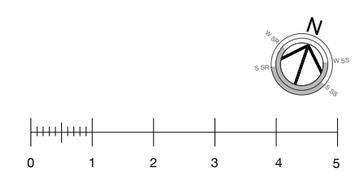
Drawing
1003

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Ground Floor Plan



1:100@ A3

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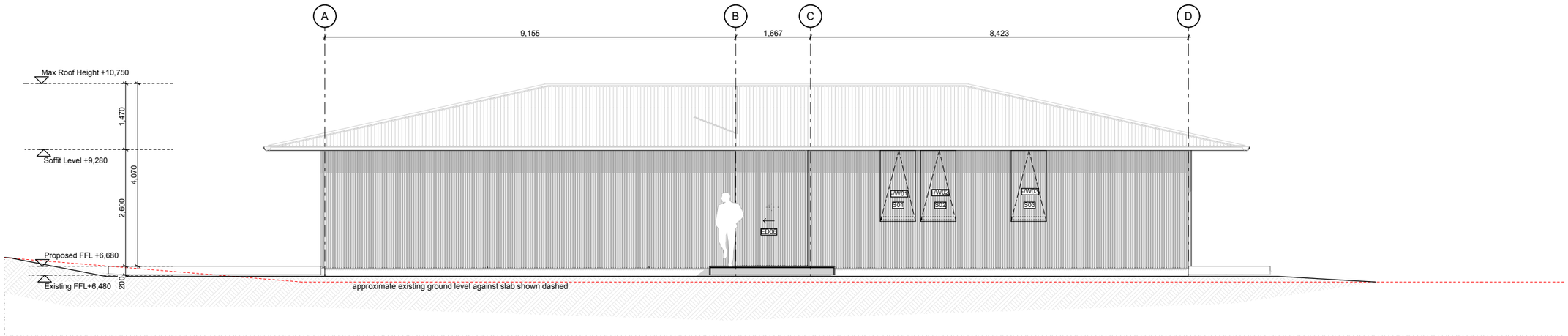
Drawing Title
Floor Plan

Drawing
2001

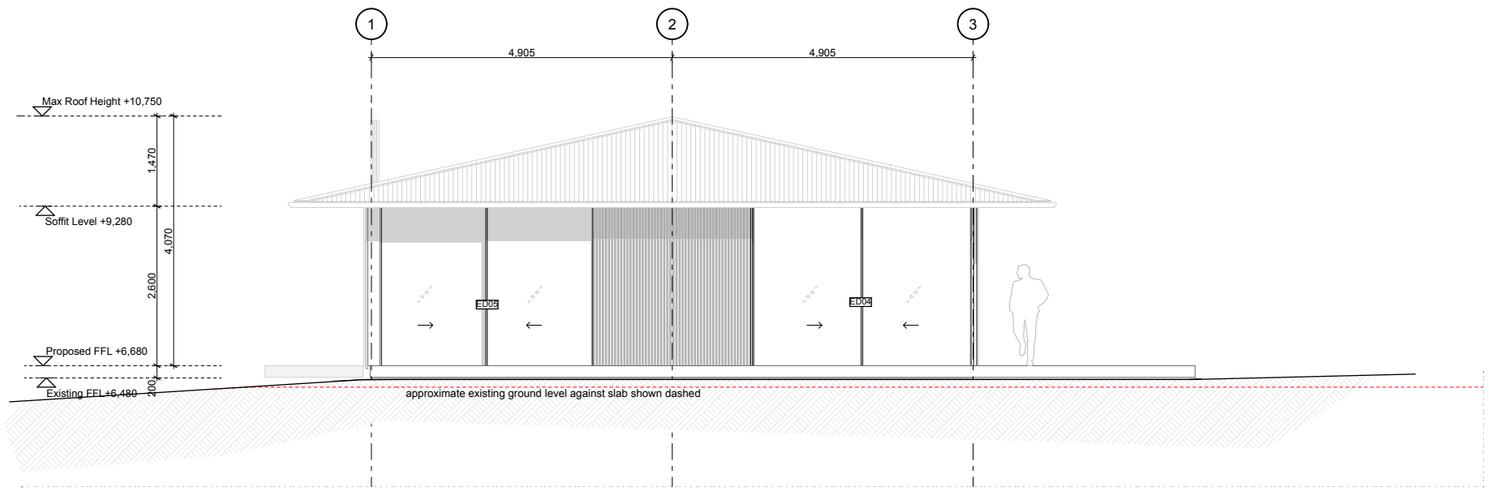
Project
Topou - House 3 - Developed Design

Revision
Developed Design - Draft - 2026 09 28

Design subject to client, consultant and council approvals



South Elevation
1:50



East Elevation
1:50

0 1 2 3 4 5

1:100@ A3

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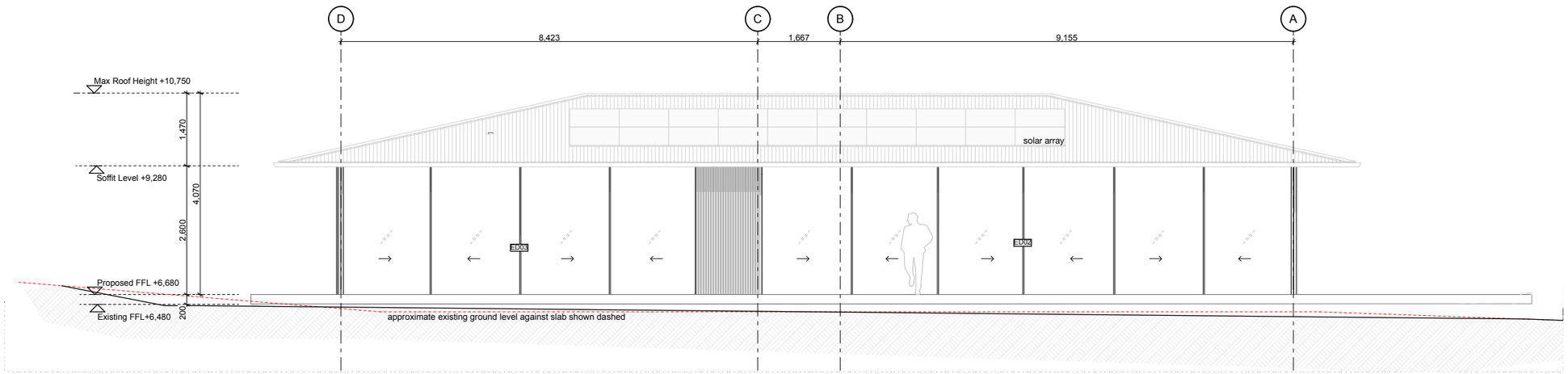
Drawing Title
Elevations

Drawing
3001

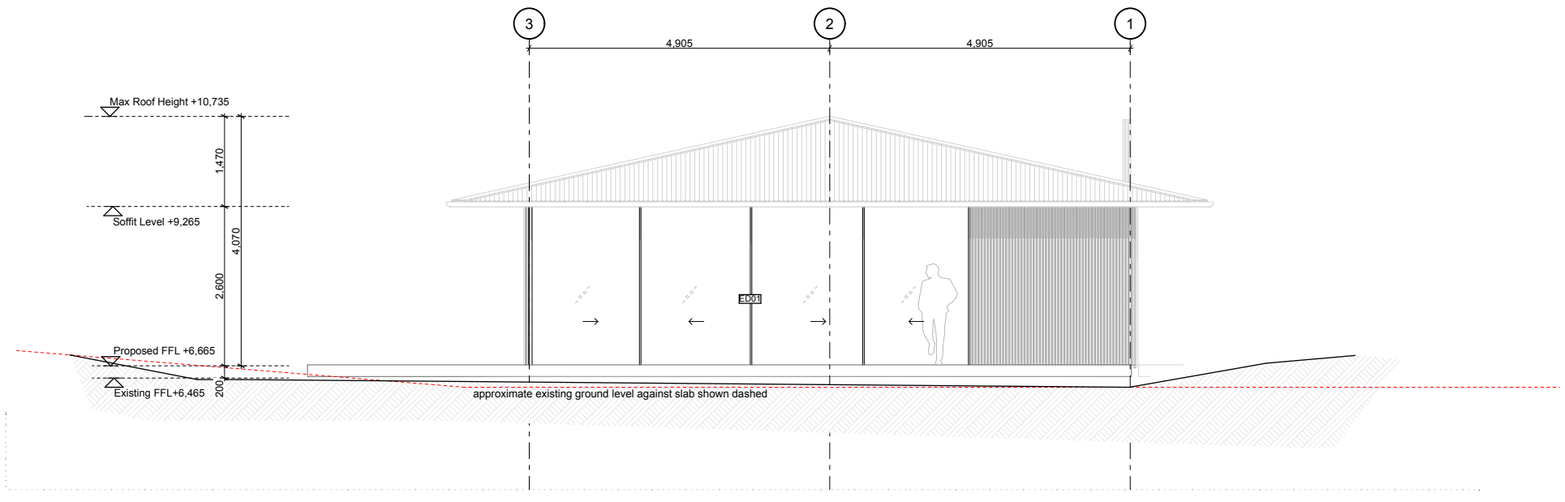
Project
Topou - House 3 - Developed Design

Revision
Developed Design - Draft - 2026 09 28

Design subject to client, consultant and council approvals



North Elevation
1:50



West Elevation
1:50

0 1 2 3 4 5

1:100@ A3

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Drawing Title
Elevations

Drawing
3002

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Drawing Title
Artist's Impression DD

Drawing
01

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Drawing Title
Artist's Impression DD

Drawing
02

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