

KAURI MOUNTAIN FARMS LIMITED DEVELOPMENT OVERVIEW



Whangarei District Council Proposed District Plan

1. Zoning

Coastal Countryside Environment

The zoning provides the subdivision and land use rules that are applicable to any development of the land. The most notable rules with regard to the Coastal Countryside Environment (CCE) that “restrict development” most relevant to Kauri Mountain Farms are:-

1.1 Allotment Area Rule (50.8) – i.e. subdivision

Please note all subdivision is subject to determining suitable building sites and associated access (in conjunction with the matters raised in section 3 of this report).

- *Controlled activity* - (Resource consent required and Council generally must approve the application with conditions). Council requires 20ha's of land per new lot created (i.e. property of 40ha – one new lot could be created). E.g. if total area = 319ha/20ha = 15 new lots created.

- *Discretionary activity* - (Resource consent required, application publicly notified, Council hearing likely - Council can decline the application). To subdivide as a discretionary activity a 10ha average over all the lots created is required (i.e. 40ha lot – 4 lots can be created as a discretionary activity). The rule also provides for an averaging formula to be used which still requires 10ha to be maintained but allows a maximum of four allotments to have a net site area of less than 5.0ha. E.g. if total area = 319ha/10ha = 31 new lots created.

- *Non-complying activity* - (Resource consent required, application publicly notified, Council hearing required, subject to much more scrutiny than any type of application, and the highest chance for Council to decline – note non-complying activities have not really been “tested” yet with regard to the CCE since the rules changed in Feb 2006 so stringent assessment by Council likely).

Any subdivision not complying with the above rules will be assessed as a non-complying activity.

- *Boundary Adjustments* – (Rule 50.4B) – Is restricted in the type of boundary adjustment that it provides for as a controlled activity – allotment areas cant differ by more than 10% following adjustment. If they do they are assessed under the subdivision rules.

Note: Rumours are doing the rounds that Whangarei District Council are looking at a review of the rules for subdivision which may include the provision for farm park style subdivisions (i.e. small clustered rural-residential lots (supported by a comprehensive range of development information) surrounded by large tracts of farmland managed by some type of body corporate). This rule is provided for in the Kaipara and Rodney plans. It is not known if this would apply to CCE zoned properties. However, prudent to note that given the sensitive location of CCE properties it is considered that restrictions are still likely to apply. An indication on this should be made public once the Proposed District Plan becomes operative (supposedly May this year).

1.2 Building Rule (28.23) – i.e. construction of any residential unit

- *Restricted Discretionary activity* – (resource consent required in relation to listed information in the plan – predominantly in relation to landscape/ visual/ character/ visual intrusion of building design).

Council will require a report from a landscape architect supporting any new dwelling on the property. If Council feels the proposed dwelling is not compatible with the matters that discretion is restricted to it can decline the application if it is not changed e.g. proposals to build dwellings on ridge lines and skylines, that have highly reflective colours (i.e. glass, pink in colour) and are crassly cut into hillsides leaving scars are highly unlikely to be supported by Council or any landscape architect. This

information would require to be alluded to in any subdivision consent – then following subdivision any new owner would need to submit their exact building plans to Council supported by a landscape architect for separate individual land use consent.

2 Resource Area Notations (refer map 16 in Appendix 2)

2.1 Outstanding Landscape Areas (Rule 39)

- *Restricted Discretionary activity-* (Rule 39.2) construction or alteration of a building or structure is a restricted discretionary activity and requires land use consent from Council (for generally the same reasons listed in Section 1.2 above)

- *Restricted Discretionary activity-* (Rule 39.4 Earthworks) any earthworks must be less than 500m³, less than 2m high and cover less than an area of 250m² on any one site otherwise a land use consent is required from Council. Council assess matters such as rehabilitation, landscaping, location, visibility etc.

- *Restricted Discretionary activity* – (Rule 38.6 Indigenous Vegetation Clearance) - Land use consent is required if vegetation clearance is not for maintenance, stock control, production forest management or Maori purposes.

2.2 Flood susceptible Areas

- *Restricted Discretionary Activity (rule 38.5)* - Report required from an engineer to support development on proposed lots within flood susceptible notation. If positive report then application is permitted – if report can't support development further liaison with Whangarei District Council required.

2.3 Sites of significance to Maori

- *Discretionary (Rule 50.7 – Subdivision)* – Any new allotment boundaries must recognise sites of significance to Maori. To satisfy this rule Iwi consultation will need to be undertaken – providing Iwi support the subdivision Council will allow for development.

3. Development on Kauri Mountain Farms

For Council to approve any subdivision in a sensitive coastal location such as on the Kauri Mountain Property the following matters would be the minimum that would need to be investigated once a development proposal is formulated:-

3.1 Geotechnical Engineering Investigations

An engineer will be required to ensure that the access and building sites are suitable, particularly in terms of stability, flood susceptible, erosion and any other site hazards. If there are areas deemed to be unsuitable for development, this will affect the layout and the size of allotments.

3.2 Landscape

For any subdivision a landscape architect will be required to assess the visual and landscape effects of the subdivision/development on the environment. In collaboration with the engineer, a landscape architect would no doubt place the most restrictions on proposed building locations.

3.3 Access

Access is required to be provided for any new allotment to Council standards. For allotments that do not have direct road access new right of ways will require to be created to facilitate shared access. Portions of old stopped roads that are used for access will also need to be formed to right of way standards for Council users (more than 8 users full public road standards will apply unless dispensation is granted by Council.

3.4 *Archaeology & Iwi*

It is a given that the subject site and the surrounding properties contain archaeological sites. An archaeologist will be required to assess any building sites and accessways (and most likely be required to be present during development). As an extension to this, local Iwi will need to be consulted regarding the subdivision – the likely Iwi group will be Te Waiariki.

3.5 *Development Contributions*

Standard development contributions are currently set at \$14,106 per new lot created.

3.6 *Environmental Benefits*

Should there be the scope to covenant bush, transfer land to the Council parks department for walkways etc, or protect a significant cultural, heritage or ecological feature or site, smaller allotments or reserve contribution rebates may be possible.

ALL THE ABOVE INFORMATION WOULD BE REQUIRED TO SUPPORT ANY SUBDIVISION PROPOSAL (EVEN POSSIBLY BOUNDARY ADJUSTMENTS) GIVEN THE SENSITIVE COASTAL LOCATION. ALL EXPERTS WOULD NEED TO AGREE ON THE DEVELOPMENT PROPOSAL, AND LOCATION OF BUILDING SITES. NOTE WHILST EACH TITLE ITSELF CARRIES DEVELOPMENT RIGHTS GIVEN THE CCE ZONING THEY ARE LIMITED IN THAT ANY DWELLING NEEDS APPROVAL BY COUNCIL ETC. THEREFORE WHILST THERE WOULD BE A BASE ARGUMENT FOR PURELY RELOCATING TITLES ULTIMATELY COUNCIL WOULD STILL REQUIRE DETAILED INFORMATION.

~ Please note the above information is provided without a site visit – to be used as a guide only ~