
Consent granted for 76-lot residential subdivision in Kamo, Northland

Greenwood Roche has advised Hurupaki Holdings Limited through a Council hearing process, and an Environment Court appeal, to successfully obtain resource consent for a non-complying subdivision creating 76 residential allotments (including associated infrastructure and earthworks), a local café, a recreational reserve and playground, located on the fringe of Kamo in Northland.

As part of its masterplan the applicant proposed a suite of positive benefits that would reduce effects of the subdivision on the environment and improve overall amenity for the wider community. This included extensive replanting, restoration and enhancement of two natural areas - the Hurupaki Cone – which holds particular significance as an Outstanding Natural Feature and an Outstanding Natural Landform – and the Waitaua Stream.

The reporting team on behalf of Whangarei District Council recommended that the application be declined as it did not achieve a “net environmental benefit” as required by the relevant objectives and policies of the operative plan. The application was nevertheless granted by an Independent Commissioner who concluded that overall effects are likely to be minor and that, if consent was refused, then less acceptable outcomes would likely eventuate. An appeal to the Environment Court was made in respect of conditions; however these were ultimately resolved by agreement, with the Court’s final consent determination recently issued under urgency.

Specialist Expertise

Resource management & environment

Key lawyers involved

Francelle Lupis

Claire Wills

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