

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

2. Type of Consent being applied for

(more than one circle can be ticked):

- | | |
|---|---|
| <input checked="" type="radio"/> Land Use | <input type="radio"/> Discharge |
| <input type="radio"/> Fast Track Land Use* | <input type="radio"/> Change of Consent Notice (s.221(3)) |
| <input type="radio"/> Subdivision | <input type="radio"/> Extension of time (s.125) |
| <input type="radio"/> Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) | |
| <input type="radio"/> Other (please specify) _____ | |

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

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

☒ Yes ☐ No

4. Consultation

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

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant Details

Name/s:

Wiroa Properties Limited

Email:

Phone number:

Postal address:

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

6. Address for Correspondence

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

Name/s:

Northland Planning & Development (2020) Limited

Email:

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:

Wiroa Properties Limited

Property Address/
Location:

18 Skipper Lane	317 Wiroa Rd
Waipapa	R.D. 3
	Keri Keri
	Postcode 0293

8. Application Site Details

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

Name/s:	Wiroa Properties Limited		
Site Address/ Location:	14-18 Skippers Lane		
	Waipapa		
	Postcode		0230
Legal Description:	Lot 1-2 DP 429319	Val Number:	
Certificate of title:	1095307		

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.

Site can viewed from exterior boundaries, Lot 6 and from the public road. Plumbing World site is open during daytime hours.

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 is for two new commercial / industrial type buildings on the site that will accommodate new commercial (vehicle repair), bulk warehousing and trade retail activities and associated development earthworks.

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.

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

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

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

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

13. 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**

13. Draft Conditions:

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

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? ☒ **Yes** ☐ **No**

14. 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)

Wiroa Properties Limited

Email:

Phone number:

Postal address:

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

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)

Kevin Baxter

Signature:

(signature of bill payer)

Date 19/6/25

MANDATORY

15. 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.

15. Important information continued...

Declaration

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

Name: (please write in full)

Signature:

Date

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

Checklist (please tick if information is provided)

- ☒ Payment (cheques payable to Far North District Council)
- ☒ A current Certificate of Title (Search Copy not more than 6 months old)
- ☐ Details of your consultation with Iwi and hapū
- ☒ Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- ☒ Applicant / Agent / Property Owner / Bill Payer details provided
- ☒ Location of property and description of proposal
- ☒ Assessment of Environmental Effects
- ☐ Written Approvals / correspondence from consulted parties
- ☐ Reports from technical experts (if required)
- ☐ Copies of other relevant consents associated with this application
- ☒ Location and Site plans (land use) AND/OR
- ☐ Location and Scheme Plan (subdivision)
- ☒ 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.

Land-Use Consent for
Wiroa Properties Limited
14-18 Skippers Lane, Waipapa

Date: 27 June 2025

Attention: Liz Searle and Whitney Peat – Resource Consent Team Leaders

Please find attached:

- an application form for a land-use resource consent for the development and use of two new industrial type buildings on a site within the Waipapa commercial centre that is legally described as Lot 1-2 (and 2/5th share of Lot 6) DP 429319;
- an Assessment of Environmental Effects on the environment.

The site is within the Operative District Plan (ODP) 'Industrial Zone' and the Proposed District Plan 'Light Industrial' Zone. The proposal has been assessed as a **Restricted Discretionary** Activity overall under the ODP and a **Permitted Activity** under the Proposed Far North District Plan (PDP).

If you require further information, please do not hesitate to contact me.

Regards,



Rochelle Jacobs
Director/Senior Planner
NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED

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Attachments:

- 1. FNDC Application Form**
- 2. Record of Title & Instruments – LINZ**
- 3. Application Plans – Spooner Architecture**
- 4. Approved Vehicle Crossing Permit**
- 5. CDM Minutes 2020-124 – FNDC**



Assessment of Environment Effects Report

1. Description of the Proposed Activity

- 1.1. The Applicant seeks a resource consent to construct and use two new commercial / industrial type buildings proposed on a site at 14-18 Skippers Lane, Waipapa. The application site and building plans prepared by Spooner Architectural Solutions are attached at **Appendix 3**.
- 1.2. The proposed new buildings labelled Building 3 and 4 on the site layout plan (RC01) have a gross floor area of 792m² and 409m² respectively. As detailed on the 'Proposed Carpark Layout Plan' (RC02), the buildings would accommodate a mix of trade retail, industry and bulk warehousing activities as follows:
- Building 3 – Trade Retail – 216m²
 - Building 3 – Bulk Warehousing – 576m²
 - Building 3 – Yard Area – 116m²
 - Building 4 – Vehicle Repair (3 work bays) – 171m²
 - Building 4 – Balance area (admin) – 238m²
- 1.3. Proposed buildings 3 and 4 are industrial style commercial buildings comprising workshop, warehousing and trade retail type spaces, along with ancillary reception, office, and staff bathroom and kitchenette facilities. Exterior roof and wall cladding is profiled metal and timber weatherboard.
- 1.4. As detailed on the 'Site Works' plan (RC03), balance earthworks comprising the following cut / fill volumes are required to construct the raft type building foundations and to contour the carparking / yard area and access driveway:

<u>Cut</u> Building 3 platform = 140m ³ Building 4 platform = 60m ³ Driveway = 10m ³ Total cut (land disturbance) = 210m³	<u>Fill</u> Building 3 platform = 50m ³ Building 4 platform = 10m ³ Yard / Carpark = 150m ³ Total fill = 210m³
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- 1.5. Maximum cut heights will not exceed 0.9m. No earthworks material will be removed from the site. Earthworks will be managed in accordance with FNDC Engineering standards for temporary erosion and sediment control. This includes the installation of silt fences along boundaries where possible and the use of a filter sock at vehicle crossings and paved edges.
- 1.6. Earthworks volumes are within the permitted thresholds for land disturbance of a HAIL site, which for the site area (comprising Lots 1 and 2) is 5,198m². The earthworks duration will not exceed two months.



- 1.7. Fifty-nine carparks will be provided within the site to be distributed around the perimeter of buildings and external boundaries. A further nine carparks are available in Lot 6 as a 2/5 share. As illustrated on the Site Plan RC02, carparking including accessible carparks and loading spaces have been designed to comply with the requirements of the ODP.

ODP Required and Proposed On-Site Carparking & Loading Spaces

Existing Building 1 (Building Supplies outlet – Plumbing World)	785m ² GBA	31.4 carparks
Existing Building 2 (Industry)	272m ² GBA	2.72 carparks
Proposed Building 3 (Retail) (Bulk Warehousing) Yard	216m ² GBA 576m ² GBA 116m ² GBA	8.64 carparks 5.76 carparks 1.16 carparks
Proposed Building 4 (Vehicle Repair Remaining GFA area)	3 repair bays 238m ² GBA	12 carparks 4.76 carparks
Total Required (ODP)		66 carparks (including accessible) 4 loading spaces
Total Proposed		59 carparks (within Lots 1-2) 9 carparks (within Lot 6) Total = 68

- 1.8. Vehicle access to the site would be via two authorised and existing vehicle crossings that have frontage to Waipapa Loop Road and Maritime Lane. A copy of the Maritime Lane vehicle crossing permit issued 10 July 2023 is attached at **Appendix 4**. A third access point into the site would be via the shared Lot 6 that has access onto both Maritime Lane and Skippers Lane. The existing (Plumbing World) site access arrangement includes an entry only crossing off Waipapa Loop Road adjacent to the Pioneer Tavern site and an 'exit only' crossing onto Maritime Lane.
- 1.9. The existing 4-metre-wide landscaping strip along the frontage of the Plumbing World site would be extended through to the Lot 6 boundary and be maintained as part of the development. A security gate system would be installed between the Plumbing World site and carparking area for Building 3 adjacent to Maritime Lane and locked outside of opening hours.



2. Description of Site and Surrounds

- 2.1. The application site is a commercial / industrial type property located at 14-18 Skippers Lane, Waipapa. The site is located at the northern edge of the Waipapa commercial centre.
- 2.2. The site is legally described as Lot 1-2 DP 429319 that also includes a 2/5th share of the 2,605m² access lot that is Lot 6 DP 429319. Lots 1 and 2 were amalgamated in 2022.
- 2.3. The Lot 1-2 property has a site area of 5,198m². It is situated on the southern side of Maritime Lane and Waipapa Loop Road, and west of the SH10 roundabout at Waipapa. The site has vehicle access from both roads. The site contains the 'Plumbing World' business and an adjoining warehouse building. There is a second warehouse building on the site (shown as 'Building 2' on the RC01 site plan). The other smaller buildings at the rear of the Plumbing World building will be removed.
- 2.4. The shared Lot 6 provides vehicle access to rear lots and 23 shared (unmarked) carparking spaces along the south-western perimeter of the site with an exit point onto Skippers Lane between Lot 3 DP 95010 and Lot 5 DP 95010. Lot 5 contains the Pioneer Tavern with on-site carparking located at the rear.
- 2.5. Existing entry to the site is from the northern end on Waipapa Loop Road with a one-way through exit point onto Maritime Lane. The Maritime Lane vehicle crossing was approved on 10 July 2023 and is fully formed and operational. The site currently provides 19 existing carparks including one accessible carpark. Two loading spaces are provided. There is an existing 4-metre-wide landscape strip along the site frontage between the northern vehicle crossing and the crossing on Maritime Lane. The six carparks west of the Maritime Lane vehicle crossing are currently unformed.
- 2.6. The site is an industrial HAIL site (G.6 Waste recycling) as identified on the Council's Far North Maps – 'HAIL sites' and 'Far North Atlas / Kohinga Mahere'.
- 2.7. The site is not within 500m of reserve land administered by DOC. The closest DOC land is the Puketotara Stream esplanade to the north-east of the site.





Figure 1 - Aerial view of the site and the surrounding properties - Source: Google Maps

3. Title Instruments

- 3.1. The listed title instruments are relevant to the extent that they apply to the site. Copies of these instruments are attached at **Appendix 2**. The requirements of the listed instruments are not affected by this proposal.

Instruments	Requirement
10496844.2	Lots 1-6 Consent Notice requiring that the owner of each lot be a member of the Body Corporate required by Condition (f) of RC2100283. Lots 1-5 have an equal share of Lot 6 comprising an accessway and 23 shared carparks.
10496844.3	Encumbrance to Skippers Lane Society Inc for owning and maintaining communal services.
10496844.6	Right of way (vehicle) over Lot 6. Right of way (Drainage and services) over Lots 2, 3, 4 and 5.
10648179.1	Land covenant requiring that no building be located on the Lot 5 servient tenement within 10m of the Lot 2 dominant tenement.
C279211.2	Establishment of party walls.

4. Background

- 4.1. The site is an industrial property located in the Waipapa commercial centre. Lots 1-6 DP 429319 were created in 2016. Lots 1 and 2 were amalgamated in 2022 and included a 2/5th share of Lot 6, which includes 23 carparks.



- 4.2. A building consent for internal alterations and a structural upgrade to an existing building on Lot 1 was granted on 9 May 2023 (EBC-2023-799-0-A). The building supply business 'Plumbing World' is currently operating in Building 1.
- 4.3. A vehicle crossing permit for a second crossing onto Maritime Lane was approved on 10 July 2023. The vehicle crossing has been constructed and is now the exit point for the Plumbing World business site. The crossing has been established in accordance with advice and preferences given by previous NTA representatives at a concept development meeting held on 21 May 2021. A copy of the CDM minutes is attached at **Appendix 5**.

5. Reasons for Consent

Operative Far North District Plan (ODP)

- 5.1. The site is zoned 'Industrial' in the ODP. The adjacent site zoning is also 'Industrial'. There are no other resource layers that apply to the site.

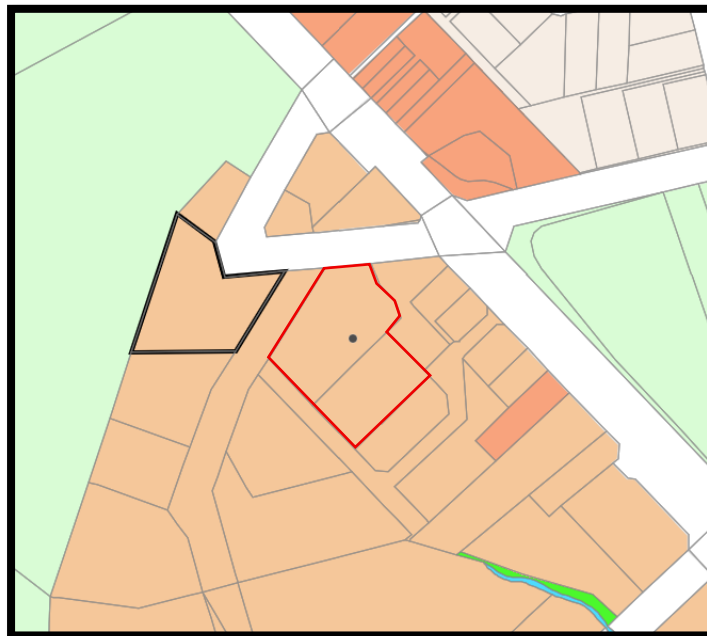


Figure 2 - Operative District Plan Zone – Industrial Zone

- 5.2. An assessment of the relevant District Plan rule standards is set out in **Table 1** and **Table 2** below:

ODP Part 2 – Chapter 7 - Industrial Zone Standards

Table 1 - Assessment against the Industrial Zone rule standards		
Plan Reference	Rule	Performance of Proposal
7.8.5.1.1	Sunlight	Permitted



		The site is an industrial property that does not adjoin land zoned Residential, Coastal Residential, Russell Township, Rural Living or Coastal Living.
7.8.5.1.2	Visual Amenity & Environmental Protection	Permitted The site adjoins land zoned Industrial. The vehicle crossings are existing. There is an existing 4-metre-wide landscaped strip that runs parallel to the Maritime Lane and the Waipapa Loop Road frontage. This comprises more than 50% of a 6m parallel line setback from the boundary. The vehicle entry crossings are existing and approved. The strip will be extended through to the access to Lot 6 boundary.
7.8.5.1.3	Noise Mitigation for Residential Activities	Not applicable
7.8.5.1.4	Transportation	See below
7.8.5.1.6	Keeping of Animals	Not applicable.
7.8.5.1.6	Noise	Able to comply
7.8.5.1.7	Setback from boundaries	Not applicable. The site does not adjoin a state highway or an arterial road.
7.8.5.1.8	Building Height	Permitted
7.8.5.1.9	Stormwater	The site drains via a private drainage system easement on Lot 6 to the Whiriwhiritoa Stream. The site is currently impervious.
7.8.5.1.10	Helicopter Landing Area	Not applicable.

ODP – Part 3 – Applicable District Wide Standards

Table 2 – Assessment against the relevant District Wide rule standards		
Plan Reference	Rule	Performance of Proposal
Chapter 12 – Natural and Physical Resources		
12.1	Landscapes and Natural Features	Not applicable



12.3.6.1.2	Excavation and/or filling (Max 200m ³ / year)	Restricted Discretionary 210m ³ of cut and 210m ³ of fill earthworks are proposed as detailed on RC03. No soil will be imported or removed to and from the site.
Chapter 15 – Transportation		
15.1.6A.4	Traffic Intensity Threshold Permitted = 200 Controlled = 201-500 Restricted Discretionary = More than 500 The restricted discretionary activity status results from the additional earthworks RDA status under Rule 15.1.6A.4(a)-(d).	Restricted Discretionary As calculated for all activities proposed on the Lot 1 & 2 site. Building 1 – Building Supply Outlet = 785m ² @ 10/100m ² GFA = 78.5 TIF Building 2 – Industry (GBA) = 272m ² @ 10/100m ² = 27.2 TIF Building 3 – Bulk Warehouse (GBA) / Bulk Retail (GFA) = 792m ² @ 10/100m ² = 79.2 TIF Building 4 – Vehicle Repair (GBA) – 409m ² @ 30/ 100m ² = 122.7 TIF Total traffic movements = 307.6 TIF
15.1.6B	15.1.1.1 On- site Parking	Permitted Building 1 – Building Supply Outlet = 785m ² @ 4/100m ² GBA = 31.4 Building 2 – Industry (GBA) = 272m ² @ 1/100m ² = 2.72 Building 3 – Bulk Warehouse (GBA) = 576m ² @ 1/100m ² = 5.76 Building 3 - Bulk Retail (GBA) = 516m ² @ 1/25m ² = 8.64 Building 4 – Vehicle Repair (3 work bays) = 12 plus 238m ² remaining floor area = 4.76 Total required = 66 spaces *68 carparking spaces are proposed inclusive of required accessible spaces as per Rule 15.1.6B.1.4. This includes 59 carparks on Lot 1-2 DP 429319 and 9-carparks which equates to the 2/5 share of the carparking allocation on Lot 6 DP 429319 which forms part of the site.



		<p>*It is noted that the FNDC has recently met the definition under the NPS-UD as a Tier 3 Council such that minimum parking requirements are now no longer able to be sought in the District Plan. (Ref 3.38 Car Parking NPS-UD).</p> <p>Carparking dimensions are designed to comply with Appendix 3D as per Rule 15.1.6B.1.5. Carparking areas will be constructed in an all-weather surface, drained and marked out.</p> <p>Loading spaces are provided in accordance with Rule 15.1.6B.1.6</p> <p>Fractional spaces are calculated as an overall total as per Appendix 3C Note 3C.3</p>
15.1.6C	Access	
15.1.6C.1.1	Private Accessway in All Zones	<p>(a) Not applicable</p> <p>(b) Not applicable</p> <p>(c) Not applicable</p> <p>(d) Not applicable – development relies on existing approved vehicle access crossings</p> <p>(e) Not applicable – development relies on existing approved vehicle access crossings</p>
15.1.6C.1.1	Private Accessways in Urban Zones	<p>Permitted</p> <p>(a) Not applicable</p> <p>(b) Not applicable – the development relies on an existing approved vehicle access and crossing. Existing vehicle crossings are 6m wide.</p> <p>(c) not applicable – existing crossings are concreted.</p>
15.1.6C.1.3	Passings Bays on Private Accessways in all Zones	Not applicable
15.1.C.1.4	Access over Footpaths	<p>Not applicable</p> <p>(a) Complies</p> <p>(b) complies</p>
15.1.6C.1.6	Vehicle Crossing Standards in Urban Zones	<p>Permitted</p> <p>(a) able to comply</p> <p>(b) existing crossing serves a single site</p>



15.1.6C.1.7	General Access Standards	Permitted <ul style="list-style-type: none"> (a) complies (b) designed to comply – refer site layout plan (c) not applicable (d) stormwater runoff is directed from site via Lot 6 easement to Whiriwhirtoa Stream.
15.1.6C.1.8	Frontage to Existing Roads	Permitted <ul style="list-style-type: none"> (a) not applicable – frontage is to an existing public road (b) not applicable – Maritime Lane and Waipapa Loop Road are vested public roads. (c) Access to the site relies on existing vehicle crossing(s). Development is designed with a one-way entry and exit crossing via Lot 1 from Waipapa Loop road during business hours and / or entry from the Lot 6 crossing off Maritime Lane. Refer approved vehicle crossing permit VX-2023-113 (Attachment 4). (d) Not applicable – the proposal is not a subdivision.
15.1.6C.1.9	New Roads	Not applicable
15.1.6C.1.10	Service Lanes, Cycle and Pedestrian Accessways	Not applicable
15.1.C.1.11	Road Designations	Not applicable

ODP Activity Status

- 5.3. The assessment against the relevant ODP permitted standards above has identified the following rule infringements:
- Permitted Transportation Activity Rule 16.1.6A.2.1 – Traffic Intensity
 - Permitted Excavation Activity Rule 12.3.6.1.3 – Excavation and filling
- 5.4. The proposal is a **Restricted Discretionary Activity** under the ODP Part 2 ‘District-wide’ Chapter 15 Transportation Rule 15.1.6A.4(a)-(d) and the Chapter 12 Natural and Physical Resources – Soils and Minerals Rule 12.3.6.2.



Proposed Far North District Plan (PDP)

- 5.5. The proposed activities are subject to the provisions of the PDP that have legal effect. The PDP was publicly notified on the 27th of July 2022. The submission and further submission periods have closed. PDP hearings commenced in May 2024. As no decisions on submissions have been made, no weight is attributed to the proposed provisions.
- 5.6. The proposed site zone is 'Light Industrial'. The site is not within any other identified overlays. The identified River Flood Hazard Zone is outside of the application site boundary.



Figure 3 – Proposed District Plan Zone – Light Industrial

- 5.7. An assessment of the proposed activities against the PDP rules that have immediate legal effect, is set out in **Table 3** below:

Table 3 – Assessment against the PDP rule standards that have immediate legal effect		
Chapter	Rule Reference	Compliance of Proposal
Hazardous Substances	<p>The following rules have immediate legal effect:</p> <p>Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource</p> <p>Rules HS-R5, HS-R6, HS-R9</p>	Not applicable.
Heritage Area Overlays	<p>All rules have immediate legal effect (HA-R1 to HA-R14)</p> <p>All standards have immediate legal effect (HA-S1 to HA-S3)</p>	Not applicable



Historic Heritage	All rules have immediate legal effect (HH-R1 to HH-R10). Schedule 2 has immediate legal effect.	Not applicable.
Notable Trees	All rules have immediate legal effect (NT-R1 to NT-R9) All standards have legal effect (NT-S1 to NT-S2) Schedule 1 has immediate legal effect	Not applicable. The site does not contain any notable trees.
Sites and Areas of Significance to Māori	All rules have immediate legal effect (SASM-R1 to SASM-R7) Schedule 3 has immediate legal effect	Not applicable. The site does not contain any sites or areas of significance to Māori.
Ecosystems and Indigenous Biodiversity	All rules have immediate legal effect (IB-R1 to IB-R5)	Not applicable. The site does not contain any known ecosystems or indigenous biodiversity to which these rules would apply.
Subdivision	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	Not applicable. The proposal is not a subdivision.
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	Not applicable. The proposal does not involve activities on the surface of water.
Earthworks	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5	Permitted. All earthworks in all zones are subject to Accidental Discovery Protocol standards EW-S3 and sediment control standards EW-S5 210m ³ of cut and 210m ³ of fill earthworks are proposed.
Signs	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	Not applicable.
Orongo Bay Zone	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	Not applicable.



PDP Activity Status

- 5.8. The proposed activities are **Permitted** under the PDP rules that have current legal effect.

National Environmental Standards

National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

- 5.9. The site is a HAIL site as mapped by Council. The entire site (Lots 1 and 2) is assessed to be the 'piece of land' as defined by Regulation 5(7) of the NESCS.
- 5.10. 210m³ of cut earthworks (land disturbance) are proposed within the areas illustrated on the 'Siteworks Plan' RC03. No soil will be removed from the site or imported as fill. The proposed land disturbance meets the permitted regulation standards as set out below.
- 5.11. NESCS Regulation 8(3) specifies the permitted threshold for land disturbance within an identified 'piece of land'. To be a permitted activity;
- (a) *Controls to minimise the exposure of humans to mobilised contaminants must:*
 - (i) *Be in place when the activity begins:*
 - (ii) *Be effective while the activity is done:*
 - (iii) *Be effective until the soil is reinstated to an erosion-resistant state:*
- 5.12. Proposed erosion and sediment control measures are specified on the 'site works' plan RC03. These include perimeter controls to ensure sediment does not travel beyond the site works boundary. Site earthworks cut and fill activities will be undertaken simultaneously to ensure the time of exposure is minimised.
- (b) *The soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done:*
- 5.13. The site earthworks are required for the construction of building foundations, and to create a suitably level carparking and industrial yard area. Excavated areas will be stabilised with gravel immediately after exposure.
- (c) *The volume of disturbance of the soil of the piece of land must be no more than 25m³ per 500m²*
- 5.14. For the purpose of calculating the permitted land disturbance volume threshold, the nominated site area (that includes Lot 1 and 2) is 5,198m². The regulation permits 25m³ per 500m², which equates to 260m³. The proposed volume of land disturbance is 210m³, which is within the permitted threshold.
- (d) *Soil must not be taken away in the course of the activity, except that, -*



- (i) *For the purpose of laboratory analysis, any amount of soil may be taken away as samples:*
- (ii) *For all other purposes combined, a maximum of 5m³ per 500m² of soil may be taken away per year:*

5.15. No excavated soil will be removed from the site.

- (e) *Soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:*

5.16. No excavated soil will be removed from the site.

- (f) *The duration of the activity must be no longer than 2 months:*

5.17. Earthworks activities will be completed within 2 months and / or returned to an erosion resistant state within 1 month.

- (g) *The integrity of the structure designed to contain contaminated soil or other contaminated materials must not be compromised.*

5.18. Not applicable.

National Environment Standard for Freshwater Regulations 2020 (NES-F)

5.19. The site does not contain any freshwater wetlands and would not affect any wetland that is protected by the NES-F.

6. Statutory Assessment under the Resource Management Act (RMA)

6.1. The application activity status is **Restricted Discretionary** resulting from volume of earthworks and traffic generated by activities on the site.

Section 104C of the Resource Management Act 1991 (RMA)

6.2. Section 104C governs the determination of applications for **Restricted Discretionary Activities**.

6.3. A consent authority may grant resource consent to a restricted discretionary activity that is within the matters over which discretion has been restricted by any national environmental standard, regulations, or a Plan or Proposed Plan. It may impose conditions under section 108 of the RMA for the same restricted matters.

6.4. The applicable restricted discretionary matters under the ODP relate to traffic intensity and earthworks. These matters are assessed under following headings.



Transport Effects – Traffic Intensity

6.5. Transportation Rule 15.1.6A.4.1 states that the Traffic Intensity threshold value for a site shall be determined for each zone by Table 15.1.6A.1. The rule applies when establishing a new activity or changing an activity on a site.

6.6. In assessing an application for a restricted discretionary activity, the Council has restricted its assessment to the following matters.

(a) The time of day when the extra vehicle movements occur;

6.6.1. The redevelopment of the site involves the addition of industrial / large format commercial type buildings that will accommodate a mix of bulk warehousing, trade retail and vehicle repair activities. Given the nature of these activities, they are likely to operate during day-time hours that would include weekdays and potentially Saturdays. The existing Plumbing World business is open Monday to Friday between 7.30am – 5pm and Saturdays between 9am – 12pm. The business is closed on Sundays. Vehicle movements will vary throughout the week and potentially weekends.

(b) The distance between the location where the vehicle movements take place and any adjacent properties;

6.6.2. Vehicle movements will be internal to the site. Plumbing World visitors and staff will continue to enter the site through the northern vehicle crossing off Waipapa Loop Road and exit onto Maritime Lane. The users of the existing Building 2 proposed Buildings 3 & 4 will enter the site via Lot 6. To the north, the adjacent Pioneer Tavern has frontage to Waipapa Loop Road and the State Highway 10 roundabout, however the pedestrian entry to this building located well clear of the adjacent site entry crossing. Carparking for the Pioneer Tavern is located at the entrance and at the rear, which is accessed from Lot 6, either from Maritime Lane or Skippers Lane.

6.6.3. Access to the neighbouring TruWeld site to the south is adjacent to the Lot 6 crossing. At this crossing point, there are clear sightlines to the north and south on Maritime Lane with sufficient width to ensure oncoming traffic is visible within the 50km / hour-controlled speed environment.

(c) The width capability of any street to be able to cope safely with the extra vehicle movements;

6.6.4. Waipapa Loop Road and Maritime Lane are urban roads that have been designed in accordance with Council's Engineering Standards. The traffic generated by the proposed activity is not anticipated to be beyond the capacity of the adjacent road environment to safely accommodate the additional vehicle movements.

(d) The location of any footpaths and the volume of pedestrian traffic on them;



- 6.6.5. There is an existing pedestrian footpath that extends along the southern side of Waipapa Loop Road and Maritime Lane from Skippers Lane to Klinac Lane. The industrial nature of the site and the surrounding environment is such that pedestrian traffic is low and is likely to be concentrated around the Pioneer Tavern and retail shops on Skippers Lane. The industrial sites along Maritime Lane provide on-site carparking which reduces the pedestrian traffic on the footpath seeking to access these businesses. There are no schools or community facilities nearby that would generate walking traffic past the site.

(e) The sight distances associated with the vehicle access onto the street;

- 6.6.6. The current site access arrangement ensures that vehicles entering and exiting the site on either side of the intersection of Waipapa Loop Road and Maritime Lane remain within the flow of southbound traffic. While the new entrance via Lot 6 will be a combined entry and exit point for staff and visitors to Buildings 2, 3 and 4, there are sufficient sight lines in either direction for vehicles to safely exit onto the street.

(f) The existing volume of traffic on the streets affected;

- 6.6.7. The adjacent roads are local roads that service the commercial centre of Waipapa. While it has not been quantified, Waipapa Loop Road and Maritime Lane provide a linkage road between the SH10 roundabout and Klinac Lane, with a regular and steady traffic volume. The existing site access arrangement and potential effects on the existing road environment was discussed and agreed with NTA in 2021 prior to the initial redevelopment of the Plumbing World building site in 2023.

(g) Any existing congestion or safety problems on the streets affected;

- 6.6.8. The applicant is not aware of any existing congestion or safety problems on the adjacent streets.

(h) With respect to effects in local neighbourhoods, the ability to mitigate any adverse effects through the design of the access, or the screening of vehicle movements, or limiting the times when vehicle movements occur;

- 6.6.9. It is considered that the existing access arrangement mitigates any potential adverse effects on the local neighbourhood street environment. There are a large number of commercial businesses that have access to surrounding roads, and the speed environment reflects this. Larger vehicles, including trucks are common. It is expected that vehicle movement to and from the site will be dispersed throughout the day and that potential adverse effects will be less than minor.

(i) With respect to the effects on through traffic on arterial roads with more than 1000 vehicle movements per day, the extent to which Council's "Engineering Standards and Guidelines" (2004) are met;



6.6.10. The adjacent roads are not arterial roads. Waipapa Loop Road is a secondary collector road but has no connecting access to State Highway 10 other than from the Waipapa roundabout.

(j) *Effects of the activity where it is located within 500m of reserve land administered by the Department of Conservation upon the ability of the Department to manage and administer that land;*

6.6.11. The site is not within 500m of reserve land administered by DOC.

(k) *The provision of safe access for pedestrians moving within or exiting the site.*

6.6.12. The pedestrians who are users of the site will be able to park and enter buildings within a short distance. The business types that are existing and proposed are unlikely to attract pedestrian traffic from beyond the site boundary. As with many commercial sites, pedestrian safety relies on driver and pedestrian awareness. The proposed carparking and vehicle circulation layout would adversely impact pedestrian safety.

Earthworks (land disturbance) Effects

6.7. Earthworks Rule 12.3.6.2.2 permits up to 500m³ of excavation and / or filling in any 12-month period and where any cut faces do not exceed 1.5m in height. The site is an urban industrial type property where a more intensively used built development is anticipated in the Industrial zone. In this regard, the RDA rule sets out the matters over which the Council has restricted its discretion to the following matters:

(i) *the effects of the area and volume of soils and other materials to be excavated; and*

6.7.1. The proposed excavation is a balanced cut and fill activity required to establish suitably levelled building 'raft' type foundations and external carparking, access and yard areas. Excavated material will be used within the site to fill and level areas illustrated on the site works plan. Sediment and erosion runoff will be managed in accordance with the control measures proposed to avoid adverse effects on neighbouring property or the adjacent road environment. No soil will be imported or removed to or from the site.

(ii) *the effects of height and slope of the cut or filled faces; and*

6.7.2. Temporary cut and fill heights that are proposed within building foundations are well within the permitted standards and will not result in adverse effects within the site or on adjacent properties.

(iii) *the time of the year when the earthworks will be carried out and the duration of the activity; and*

6.7.3. Construction timing is yet to be confirmed and subject to building consent requirements. The size and scale of the earthworks is such that it is likely to have limited duration for the time necessary to construct the building foundations and prepared site levels for access,



carparking and yard areas. The permitted standards of NESCS for land disturbance limits its duration to 2 months.

(iv) *the degree to which the activity may cause or exacerbate erosion and/or other natural hazards on the site or in the vicinity of the site, particularly lakes, rivers, wetlands and the coastline; and*

6.7.4. The site is not subject to any identified natural hazards including instability, erosion, flooding or coastal inundation. There are no lakes, rivers, wetlands or coastal natural features close to the site that would be affected by the proposed earthworks.

(v) *the extent to which the activity may adversely impact on visual and amenity values; and*

6.7.5. The proposed earthworks activity temporary and necessary for the construction of new buildings and to establish suitable access, carparking and outdoor yard areas. The site is within an industrial part of the Waipapa commercial centre where urban development is anticipated and provided for. The proposed works will not have an adverse effect on existing visual and amenity values.

(vi) *the extent to which the activity may adversely affect cultural and spiritual values; and*

6.7.6. Adverse effects on cultural or spiritual values are not anticipated.

(vii) *the number, trip pattern and type of vehicles associated with the activity; and*

6.7.7. Construction vehicles travelling to and from the site are likely to be limited to contractor vehicles. There will no truck movements associated with removing soil material from site or importing fill.

(viii) *the location, adequacy and safety of vehicular access and egress; and*

6.7.8. Earthworks activities are internal to the site and will not require larger truck vehicles visiting the site.

(ix) *the means by which any adverse environmental effects of the activity will be avoided, remedied or mitigated.*

6.7.9. The proposed earthworks activities are consistent with urban type construction activities. Potential adverse effects associated with land disturbance including sediment runoff and soil erosion can be managed within the boundaries of the site and will not affect adjacent properties or the road environment.



- 6.7.10. Overall, it is concluded that any potential adverse effects arising from the development of the site will be less than minor. The proposed activities are appropriately located within the existing Waipapa industrial area and suitably sized adjacent roads. Required on-site carparking can be provided. The proposed development will ensure efficient use is made of existing industrial zoned land. Potential adverse effects on adjoining landowners are assessed to be less than minor.

7. Conclusion

- 7.1. The Applicant is seeking a resource consent to construct and use two new commercial / industrial type buildings at 14-18 Skippers Lane, Waipapa.
- 7.2. A restricted discretionary activity resource consent is required under the ODP for traffic generation intensity that exceeds the permitted threshold and excavation earthworks. All other aspects of the proposed activity are permitted. The activity is permitted under the PDP rules that have current legal effect.
- 7.3. The proposal has been assessed against the matters over which the Council has reserved its discretion. Potential adverse effects arising from increased traffic generation and construction earthworks are assessed to be less than minor.

8. Limitations

- 8.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 8.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 8.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
- 8.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier **1095307**
Land Registration District **North Auckland**
Date Issued 11 October 2022

Prior References

514861 514862

Estate Fee Simple
Area 5198 square metres more or less
Legal Description Lot 1-2 Deposited Plan 429319
Registered Owners
Wiroa Properties Limited

Estate Fee Simple - 2/5 share
Area 2605 square metres more or less
Legal Description Lot 6 Deposited Plan 429319
Registered Owners
Wiroa Properties Limited

Interests

Subject to a right of way over part Lot 6 DP 429319 marked F and G on DP 429319 specified in Easement Certificate B020874.7 - 24.12.1981 at 10:53 am

The easements specified in Easement Certificate B020874.7 are subject to Section 309 (1) (a) Local Government Act 1974 B063656.5 Encumbrance to Bay of Islands County Council - 11.5.1982 at 9:02 am (Affects Lot 6 DP 429319)

Appurtenant hereto are party wall rights created by Transfer C279211.2 - 28.6.1991 at 1.31 pm

8056189.5 Certificate of consent pursuant to Section 115 Public Works Act 1981 - 28.1.2009 at 9:00 am

Subject to Section 241(2) Resource Management Act 1991 (affects DP 429319)

10496844.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 5.12.2016 at 11:16 am

10496844.3 Encumbrance to Skippers Lane Society Incorporated - 5.12.2016 at 11:16 am

Subject to a right (in gross) to convey telecommunications and computer media over part Lot 6 DP 429319 marked F, G, J and M on DP 429319 in favour of Chorus New Zealand Limited created by Easement Instrument 10496844.4 - 5.12.2016 at 11:16 am

The easements created by Easement Instrument 10496844.4 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity over part Lot 6 DP 429319 marked F, G, J and M on DP 429319 in favour of Top Energy Limited created by Easement Instrument 10496844.5 - 5.12.2016 at 11:16 am

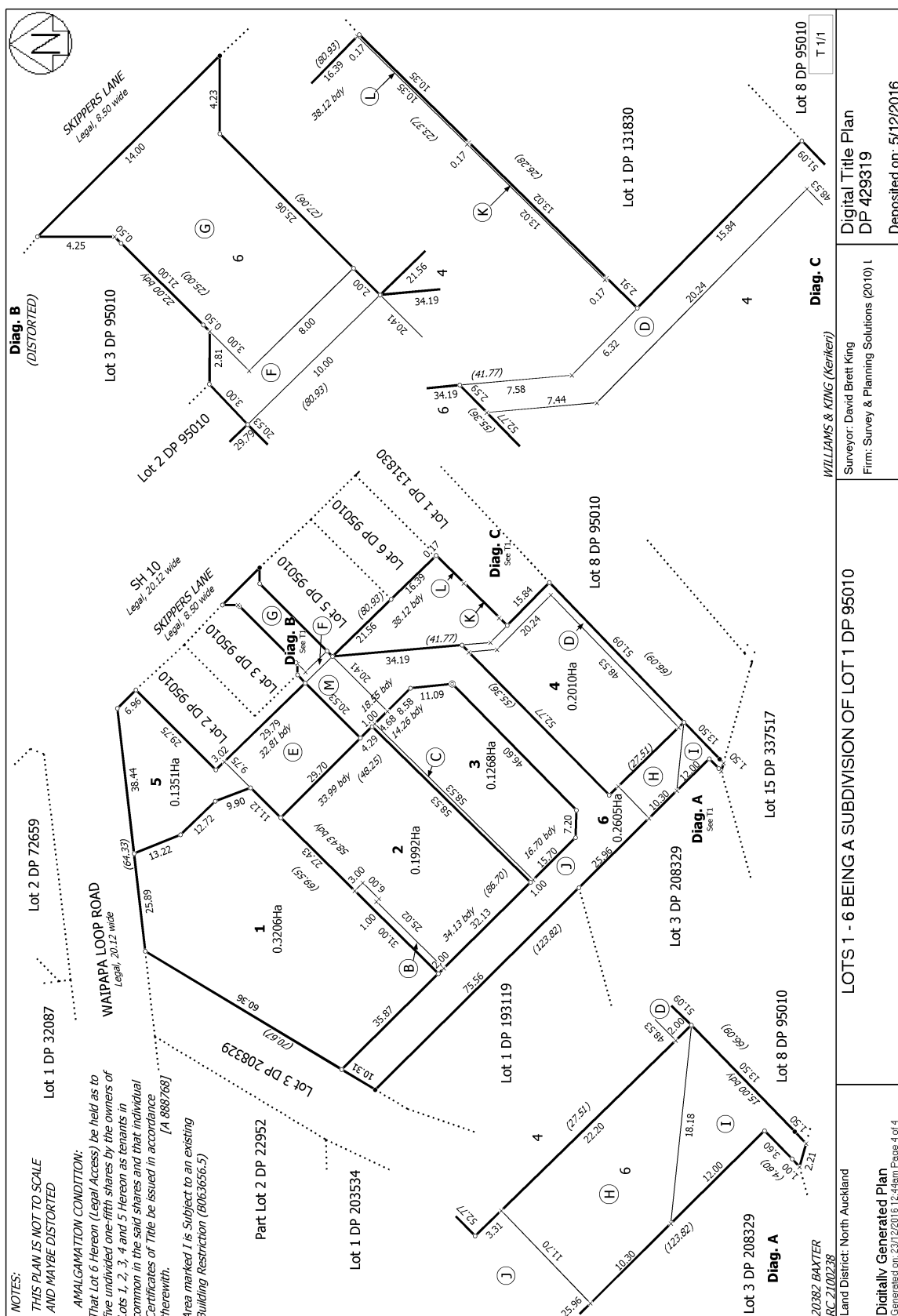
The easements created by Easement Instrument 10496844.5 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way, a right to drain water and sewage and a right to convey water, electricity, telecommunications and computer media over part Lot 6 DP 429319 marked F, G, J and M, a right to drain water and sewage and a right to convey water and electricity over part Lot 6 DP 429319 marked H and I and a right to drain water and sewage over part Lot 2 DP 429319 marked B all on DP 429319 created by Easement Instrument 10496844.6 - 5.12.2016 at 11:16 am

Appurtenant to Lots 1 and 2 DP 429319 is a right of way, a right to drain water and sewage and a right to convey water, electricity, telecommunications and computer media created by Easement Instrument 10496844.6 - 5.12.2016 at 11:16 am

The easements created by Easement Instrument 10496844.6 are subject to Section 243 (a) Resource Management Act 1991 Land Covenant in Easement Instrument 10648179.1 - 7.12.2016 at 9:50 am (Affects Lot 2 DP 429319)

Appurtenant to Lot 2 DP 524312 is a right to convey electricity created by Easement Instrument 11135607.1 - 13.6.2018 at 3:43 pm





View Instrument Details

Instrument No.	10496844.2
Status	Registered
Date & Time Lodged	05 Dec 2016 11:16
Lodged By	Smith, Louise Annette
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991

Toitu te
Land whenua
Information
New Zealand



Affected Computer Registers	Land District
514861	North Auckland
514862	North Auckland
514863	North Auckland
514864	North Auckland
514865	North Auckland

Annexure Schedule: Contains 1 Page.

Signature

Signed by Louise Annette Smith as Territorial Authority Representative on 05/12/2016 11:01 AM

***** End of Report *****



Far North
District Council

Private Bag 752, Memorial Ave
Tairāhē 01440, New Zealand
Terephone: 0800 920 029
Phone: (09) 401 5200
Fax: (09) 401 2137
Email: ad.us@fndc.govt.nz
Website: www.fndc.govt.nz

Te Kaunihera o Tai Tokerau Ki Te Raki

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC 2100238
Being the Subdivision of Lot 1 DP 95010
BLK X KERIKERI SD-INT 7 SUBJ TO ESMTS ON DP 131830
North Auckland Registry

PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

SCHEDULE


Lots 1-6 – DP 429319

The owner of each allotment within the subdivision shall be a member of the Body Corporate or Incorporated Society established as per Condition 4(f) of RC 2100283.

SIGNED:


By the **FAR NORTH DISTRICT COUNCIL**
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 25th day of November 2016



Instrument No.	10496844.6
Status	Registered
Date & Time Lodged	05 Dec 2016 11:16
Lodged By	Smith, Louise Annette
Instrument Type	Easement Instrument



Affected Computer Registers	Land District
514861	North Auckland
514862	North Auckland
514863	North Auckland
514864	North Auckland
514865	North Auckland

Annexure Schedule: Contains 3 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

I certify that the Encumbrancee under Encumbrance 10496844.3 has consented to this transaction and I hold that consent ☒

I certify that the Encumbrancee under Encumbrance B063656.5 has consented to this transaction and I hold that consent ☒

Signature

Signed by Louise Annette Smith as Grantor Representative on 19/12/2016 09:30 AM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☒

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Louise Annette Smith as Grantee Representative on 19/12/2016 09:30 AM

*** End of Report ***

Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant**

(Sections 90A and 90F Land Transfer Act 1952)

Grantor**Wiroa Properties Limited****Grantee****Wiroa Properties Limited****Grant of Easement or *Profit à prendre* or Creation of Covenant**

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or **creates** the covenant(s) **set out** in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A*Continue in additional Annexure Schedule, if**required*

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference) DP 429319	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
--	--	--	--

Right to Drain Water Right to Drain Sewage	B	Lot 2 DP429319	Lot 1 DP429319
Right to Drain Sewage	E	Lot 5 DP429319	Lots 1,2,3 & 4 DP429319
Right to Convey Water Right to Convey Electricity Right to Drain Sewage	C	Lot 3 DP429319	Lots 1,2,4 & 5 DP429319
Right to Drain Water	D	Lot 4 DP429319	Lots 1,2,3 & 5 DP429319
Right of Way	F, G J & M	Lot 6 DP429319	Lots 1,2,3 & 4 DP429319
Right of Way	J & M	Lot 6 DP429319	Lot 5 DP429319
Right to Drain Water Right to Drain Sewage Right to Convey Water Right to Convey Electricity Right to Convey Telecommunications and Computer Media	F, G, J & M	Lot 6 DP429319	Lots 1,2,3,4 & 5 DP429319
Right to Drain Water Right to Drain Sewage Right to Convey Water Right to Convey Electricity	H & I	Lot 6 DP429319	Lots 1,2,3,4 & 5 DP429319

Form B - continued

Easements or *profits à prendre* rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required



View Instrument Details

Instrument No. 10648179.1
Status Registered
Date & Time Lodged 07 Dec 2016 09:50
Lodged By Smith, Louise Annette
Instrument Type Easement Instrument

**Toitu te
Land whenua
Information**
New Zealand



Affected Computer Registers	Land District
514862	North Auckland
514865	North Auckland

Annexure Schedule: Contains 2 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument	<input checked="" type="checkbox"/>
I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument	<input checked="" type="checkbox"/>
I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply	<input checked="" type="checkbox"/>
I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period	<input checked="" type="checkbox"/>
I certify that the Encumbrancee under Encumbrance B063656.5 has consented to this transaction and I hold that consent	<input checked="" type="checkbox"/>
I certify that the Encumbrancee under Encumbrance 10496844.3 has consented to this transaction and I hold that consent	<input checked="" type="checkbox"/>

Signature

Signed by Louise Annette Smith as Grantor Representative on 23/12/2016 01:15 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument	<input checked="" type="checkbox"/>
I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument	<input checked="" type="checkbox"/>
I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply	<input checked="" type="checkbox"/>
I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period	<input checked="" type="checkbox"/>

Signature

Signed by Louise Annette Smith as Grantee Representative on 23/12/2016 01:15 PM

*** End of Report ***

Form B**Easement instrument to grant easement or *profit à prendre*, or create land covenant**

(Sections 90A and 90F Land Transfer Act 1952)

Grantor**Wiroa Properties Limited****Grantee****Wiroa Properties Limited****Grant of Easement or *Profit à prendre* or Creation of Covenant**

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A
required

Continue in additional Annexure Schedule, if

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenant	429319	Lot 5 DP429319	Lot 2 DP429319

Form B - continued

Easements or *profits à prendre* rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

The Grantor undertakes not to construct, erect or permit to be erected any building on the Servient Tenement within a distance of 10 metres from the existing buildings on the Dominant Tenement as shown on the approved scheme plan by Williams & King dated 3 December 2009.



View Instrument Details

Instrument No. 10496844.3
Status Registered
Date & Time Lodged 05 Dec 2016 11:16
Lodged By Smith, Louise Annette
Instrument Type Encumbrance

Land Information
Toitu te whenua
New Zealand



Affected Computer Registers	Land District
514862	North Auckland
514863	North Auckland
514864	North Auckland
514865	North Auckland
514861	North Auckland

Annexure Schedule: Contains 3 Pages.

Encumbrancer Certifications

- I certify that I have the authority to act for the Encumbrancer and that the party has the legal capacity to authorise me to lodge this instrument ☒
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Louise Annette Smith as Encumbrancer Representative on 05/12/2016 11:02 AM

Encumbrancee Certifications

- I certify that I have the authority to act for the Encumbrancee and that the party has the legal capacity to authorise me to lodge this instrument ☒
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Louise Annette Smith as Encumbrancee Representative on 05/12/2016 11:02 AM

*** End of Report ***

Form E**Encumbrance instrument**

(Section 101 Land Transfer Act 1952)

Affected instrument Identifier and type (if applicable)	All/part	Area/Description of part or stratum
514861	All	
514862	All	
514863	All	
514864	All	
514865	All	

Encumbrancer**Wiroa Properties Limited****Encumbrancee****Skippers Lane Society Incorporated****Estate or interest to be encumbered***Insert e.g. Fee simple; Leasehold in Lease No. etc.***Fee Simple****Encumbrance Memorandum Number****Per covenants and conditions****Nature of security***State whether sum of money, annuity or rentcharge and amount***Rent charge per covenants and conditions****Encumbrance***Delete words in [], as appropriate*

The Encumbrancer encumbers for the benefit of the Encumbrancee the land in the above computer register(s) with the above sum of money, annuity or rentcharge, to be raised and paid in accordance with the terms set out in the Annexure Schedule and so as to incorporate in this Encumbrance the terms and other provisions set out in the Annexure Schedule for the better securing to the Encumbrancee the payment(s) secured by this Encumbrance, and compliance by the Encumbrancer with the terms of this encumbrance.

Form E *continued***Terms**

- 1 Length of term 999 years commencing on the date of this encumbrance
- 2 Payment date(s)
- 3 Rate(s) of interest
- 4 Event(s) in which the sum, annuity or rentcharge becomes payable
In accordance with the covenants and conditions
- 5 Event(s) in which the sum, annuity or rentcharge ceases to be payable
In accordance with the covenants and conditions

Covenants and conditions*Continue in Annexure Schedule(s), if required*

The Encumbrancee has been established for the purposes of owning and maintaining certain communal facilities on the computer identifiers (Lot/s) described herein.

The registered proprietor from time to time of each Lot is required to become and, for so long as he/she/they continue to be the registered proprietor of a Lot, remain a member of the Encumbrancee and abide by the Constitution of the Encumbrancee ("Constitution").

The Encumbrancer has agreed to encumber each Lot severally for the better performance of the obligations of the registered proprietor from time to time of a Lot to the Encumbrancee.

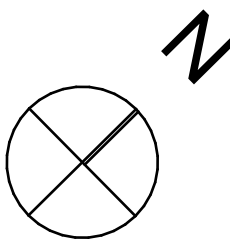
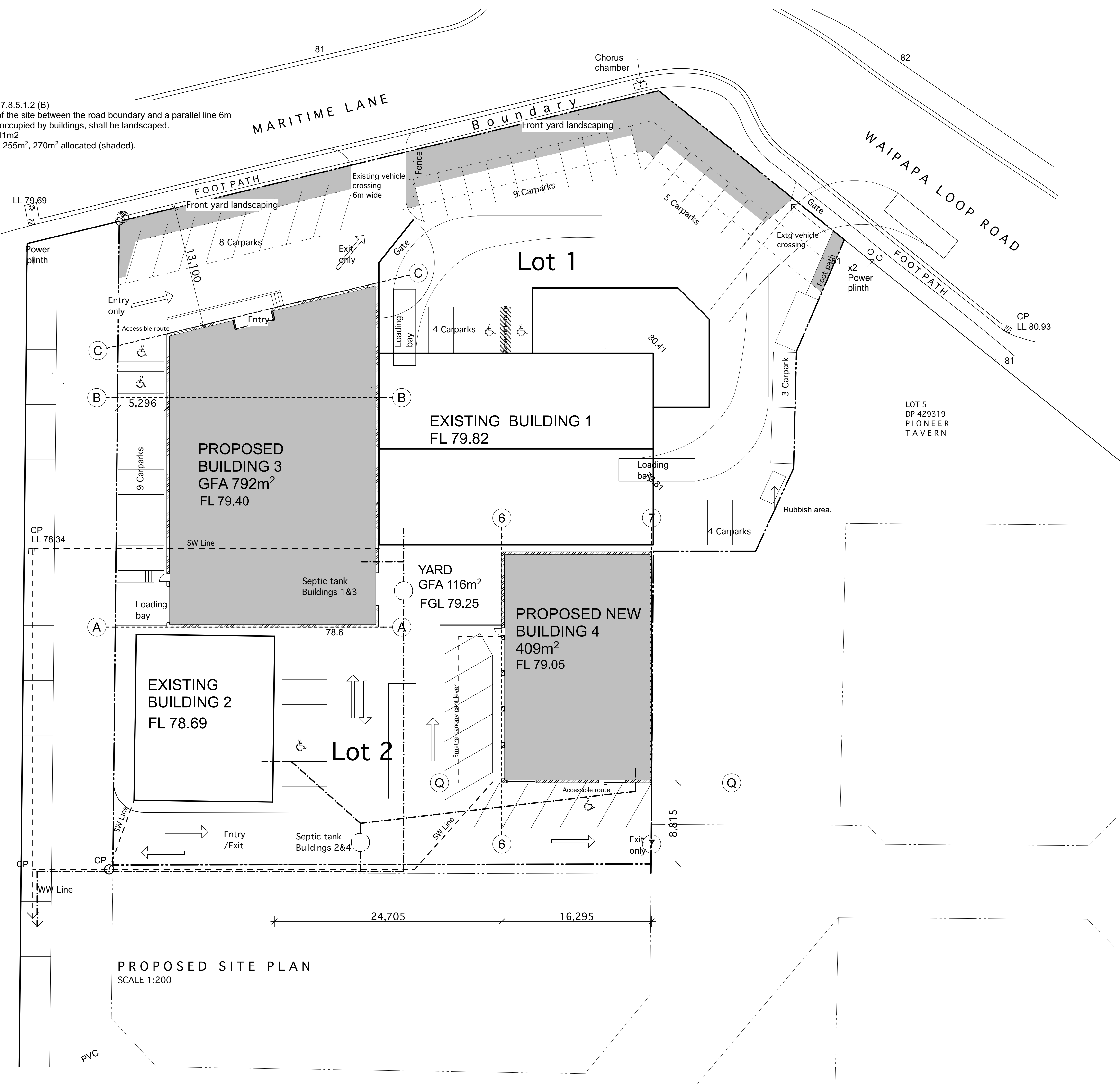
1. The Encumbrancer hereby encumbers the Land and each Lot severally for the benefit of the Encumbrancee for the Term of this encumbrance with an annual rent charge in respect of each Lot being the greater of:
 - a) \$5,000.00 per annum (plus GST); and
 - b) 1.5 times the amount of the Member's Operating Expenses for the relevant Expense Year (all defined in the Constitution of the Encumbrancee) (plus GST) applicable to that Lot.
2. The Encumbrancer covenants for itself and its successors in title with the Encumbrancee during the term of this encumbrance that upon becoming the owner and/or registered proprietor of a Lot the Encumbrancer shall join as a member of the Encumbrancee, and remain a member while owning a Lot, and fulfil and continue to fulfil the obligations of a member as set out in the Constitution of the Encumbrancee (including, if required by the Encumbrancee, ensuring that any transferee of a Lot executes a Deed of Covenant in favour of the Encumbrancee agreeing to be bound by the Constitution as a member of the Encumbrancee).

3. Notwithstanding anything contained in clause 1 of this encumbrance, for so long as the owner of a Lot fully complies with the obligations of a member pursuant to the Constitution, the rent charge reserved by this encumbrance shall not apply to that Lot.
4. The rent charge is in addition to the annual levy which will be levied in accordance with the Constitution
5. The Encumbrance and the Encumbrancer acknowledge that this encumbrance may only be discharged with the consent of the Far North District Council (Council) as the local territorial authority (or its replacement from time to time). The parties further acknowledge that the covenants provided under this clause is a promise which confers a benefit on Council (or its replacement from time to time), enforceable at the suit of the Council for the purposes of Section 4 of the Contracts (Privity) Act 1982.

Modification of statutory provisions*Continue in Annexure Schedule(s), if required*

6. Sections 203 and 205 of the Property Law Act 2007 apply to this encumbrance, but otherwise (and without prejudice to the Encumbrancee's rights of action at common law as a rent charger or encumbrance):
 - (a) The Encumbrancee shall not be entitled to any of the powers and remedies given to encumbrances by the Land Transfer Act 1952 and the Property Law Act 2007; and
 - (b) no covenants on the part of the Encumbrancer and their successors in title are implied in this encumbrance other than the covenants for further assurance implied by Section 154 of the Land Transfer Act 1952

VISUAL AMENITY RULE 7.8.5.1.2 (B)
At least 50% of that part of the site between the road boundary and a parallel line 6m therefrom, where it is not occupied by buildings, shall be landscaped.
Total area of 6m strip = 511m²
Landscape requirement = 255m², 270m² allocated (shaded).



LEGAL DESCRIPTION:
18 Skippers Lane
Waipapa
Lots 1 & 2
DP 429319
Area: 5,198 sqm

2/5 share of Lot 6
DP 429319
Area: 2,605 sqm

A RESOURCE CONSENT	18-06-25
REVISIONS	
DRAWING	
SITE PLAN	
JOB	
PROPOSED NEW BUILDINGS 3 & 4	
18 SKIPPERS LANE	
WAIPAPA	



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SCALE	SHEET No.
1:200 @ A1	RC01

CAR PARKING

EXISTING BUILDING 1

Building Supplies Outlet:
4 space per 100 sqm of GBA
785m² gross floor = 31.4 carparks

EXISTING BUILDING 2

Industry:
1 space per 100 sqm of GBA
272m² gross floor = 2.72 carparks

PROPOSED BUILDING 3

Retail:
1 space per 25 sqm of gross floor area
216m² gross floor = 8.64 carparks

Bulk warehousing:
1 space per 100 sqm of GBA.
576m² gross floor = 5.76 carparks

Yard area:
1 space per 100 sqm of GBA.
116m² gross floor = 1.16 carparks

PROPOSED NEW BUILDING 4

Vehicle repair:
4 spaces per service bay plus
1 space per 50m² remainder floor area.

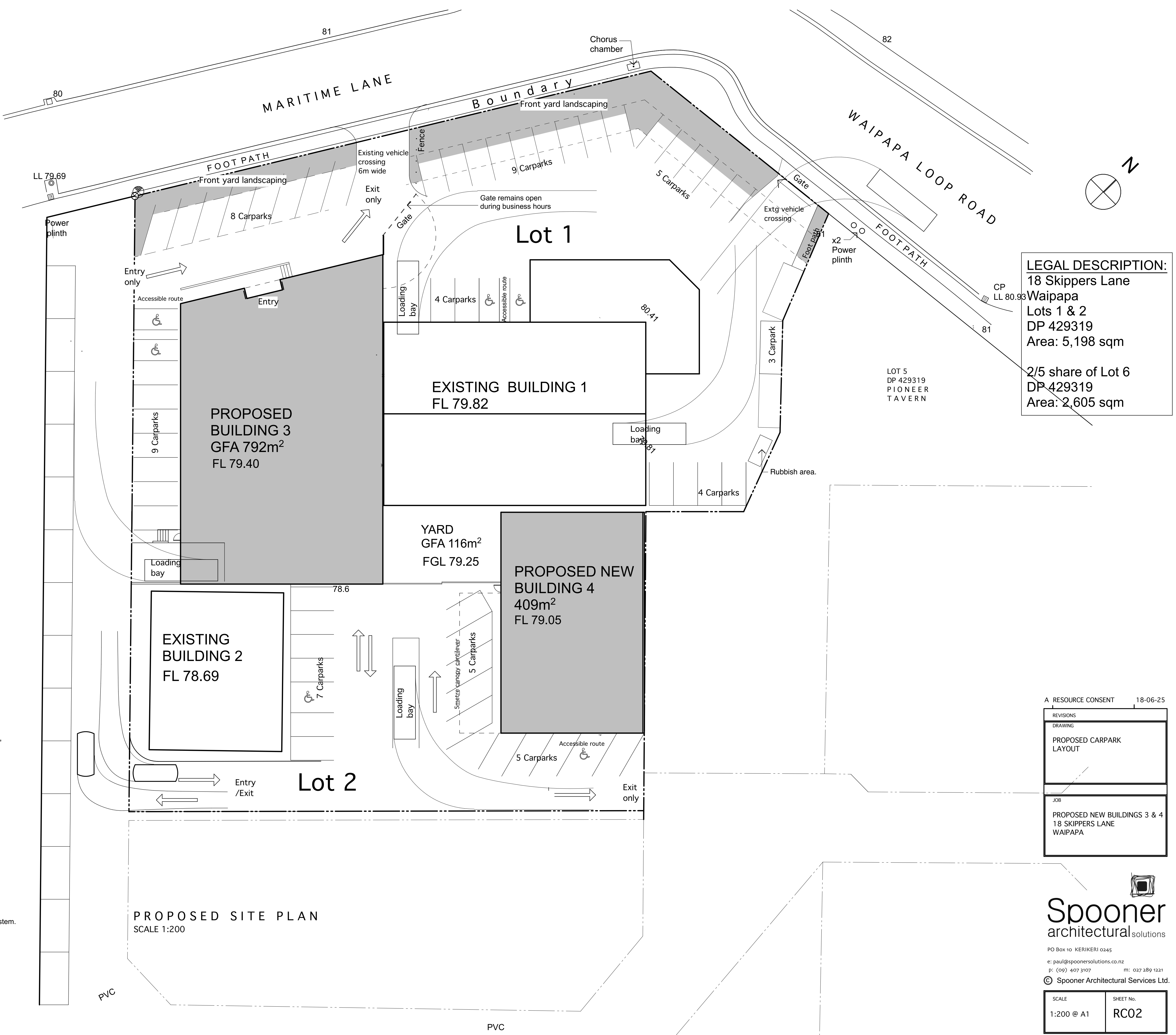
3 work bays = 12 carparks
238m² remainder floor = 4.76 carparks

Total Carparks required = 66
59 Parks provided, including 6 accessible.

4 Loading bays provided.

Existing carparking within Lot 6.
In accordance with subdivision approval RC-2100238,
Lot 6 contains 23 carparks for undivided shared use of
Lots 1-6 outside of the operating hours of the Pioneer Tavern.
While Lot 1 & 2 has an undivided share benefit of this carparking,
this benefit has not been accounted for in the calculations
of carparking supplied to Lot 1 & 2.

IMPERMEABLE AREA:
No change proposed to existing total impermeable area.
Proposed new buildings displace existing impermeable area.
All car parking shown is within existing impermeable areas.
Maintain all existing private storm water drainage.
Connect all new roof downpipes and any new cesspits into existing system.
Existing system confirmed compliant under subdivision resource
consent RC-2100238.



LEGAL DESCRIPTION:
18 Skippers Lane
Waipapa
Lots 1 & 2
DP 429319
Area: 5,198 sqm

2/5 share of Lot 6
DP 429319
Area: 2,605 sqm

A RESOURCE CONSENT	18-06-25
REVISIONS	
DRAWING	
PROPOSED CARPARK LAYOUT	
JOB	
PROPOSED NEW BUILDINGS 3 & 4 18 SKIPPERS LANE WAIPAPA	

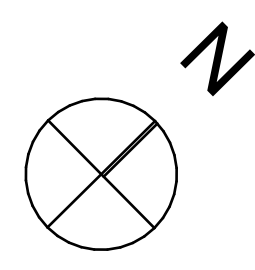
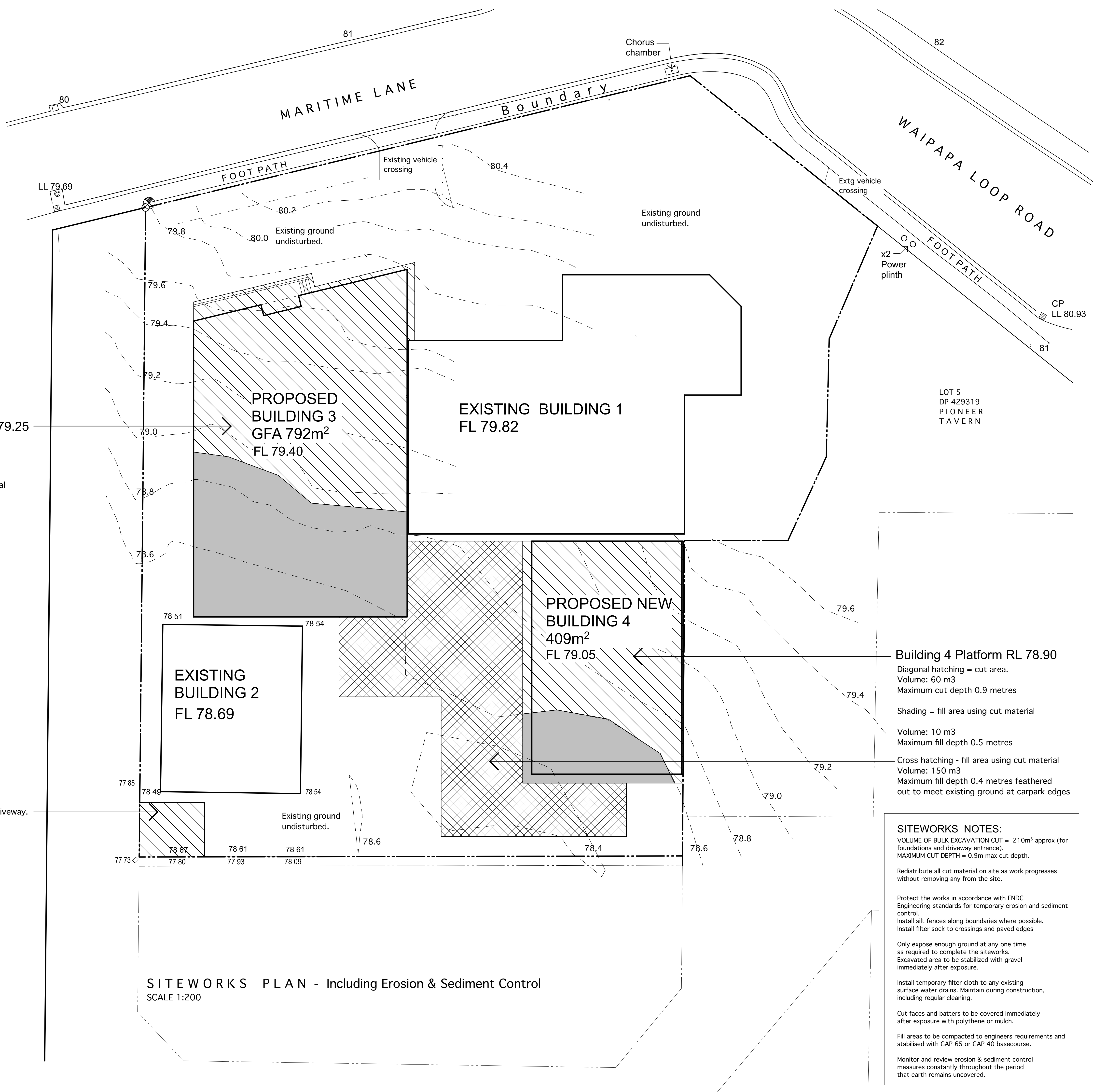


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SCALE	SHEET No.
1:200 @ A1	RC02



LEGAL DESCRIPTION:
 18 Skippers Lane
 Waipapa
 Lots 1 & 2
 DP 429319
 Area: 5,198 sqm

2/5 share of Lot 6
 DP 429319
 Area: 2,605 sqm

A	RESOURCE CONSENT	18-06-25
REVISIONS		
DRAWING		
SITEWORKS PLAN		
JOB		
PROPOSED NEW BUILDINGS 3 & 4 18 SKIPPERS LANE WAIPAPA		

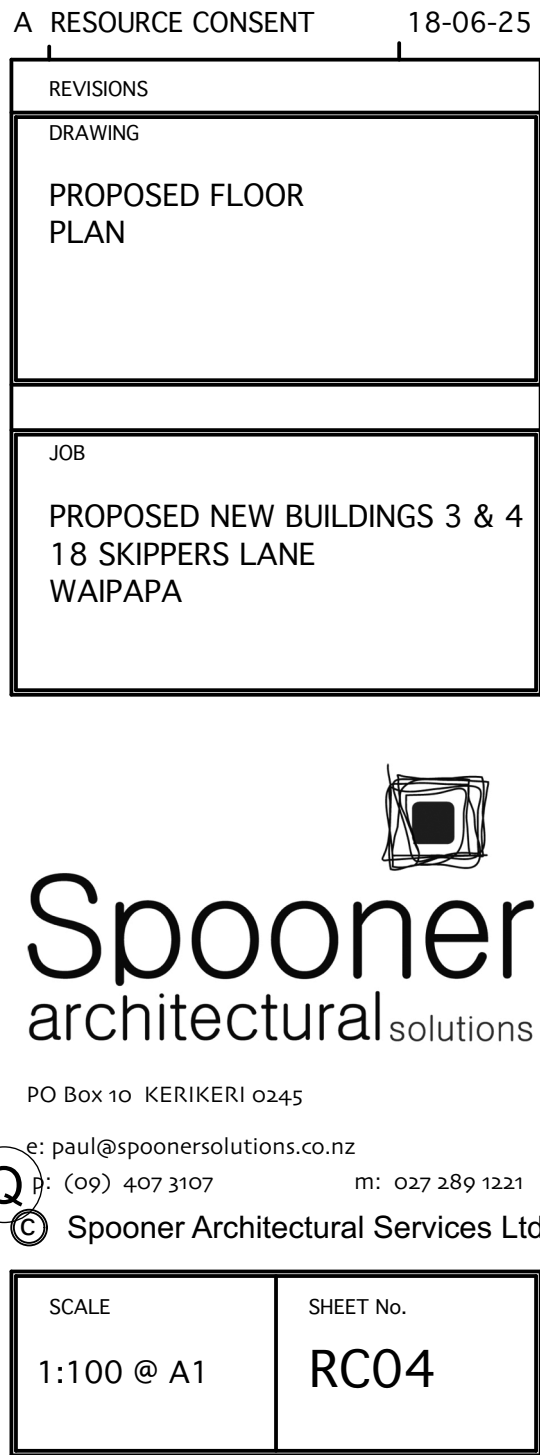
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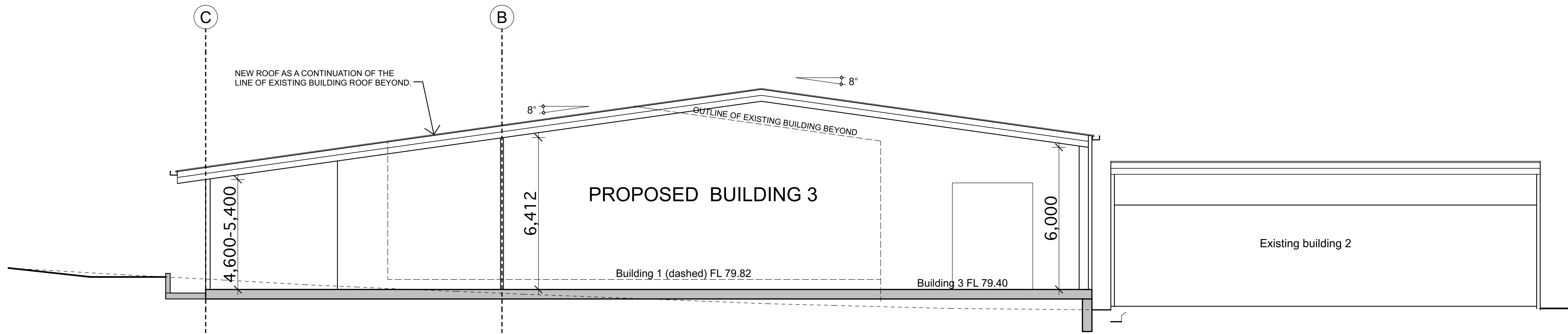
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SCALE	SHEET No.
1:200 @ A1	RC03

SITEWORKS PLAN - Including Erosion & Sediment Control
 SCALE 1:200

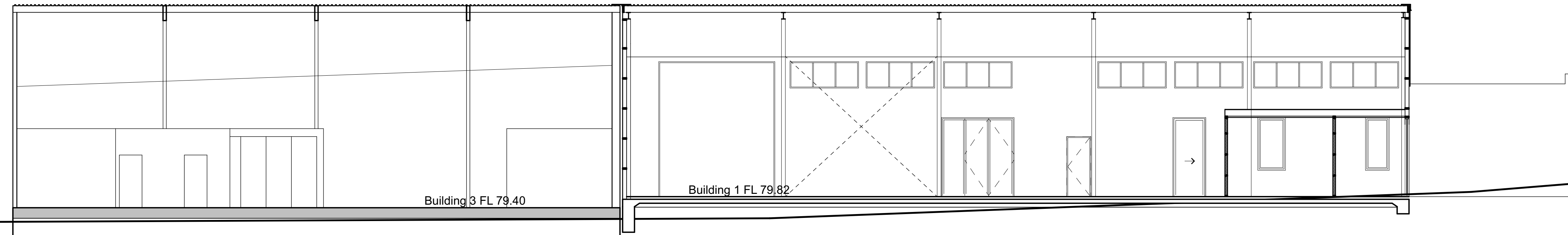




SECTION A - A
SCALE 1:100

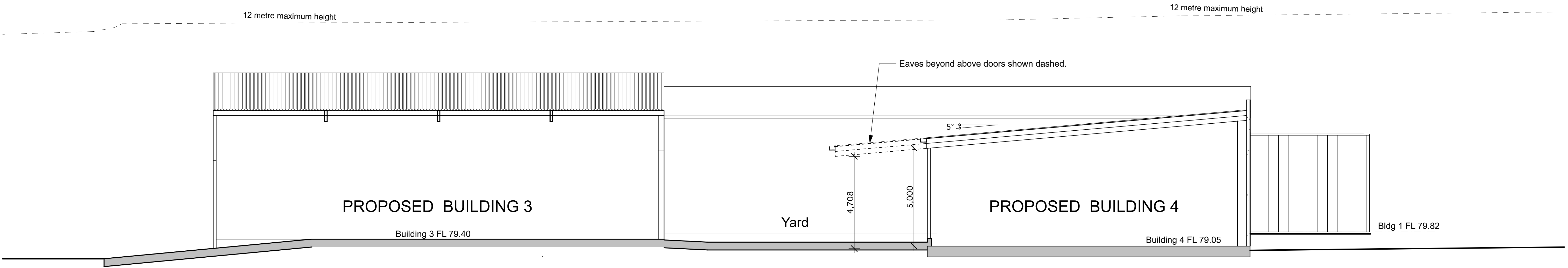
12 metre maximum height

Proposed Building 3 Existing Building 1

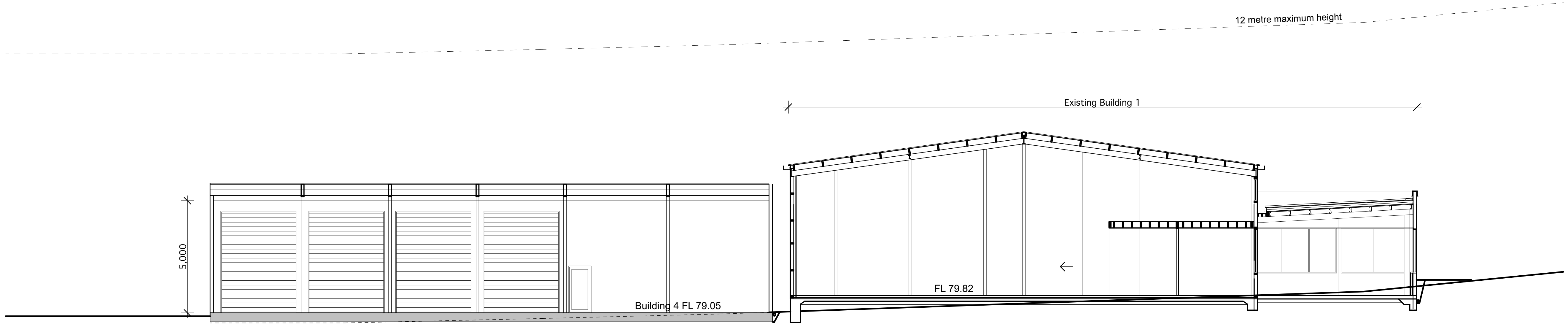


SECTION B - B
SCALE 1:100

A RESOURCE CONSENT 18-06-25	
REVISIONS	
DRAWING	
SECTIONS	
JOB	
PROPOSED NEW BUILDINGS 3 & 4	
18 SKIPPERS LANE	
WAIPAPA	



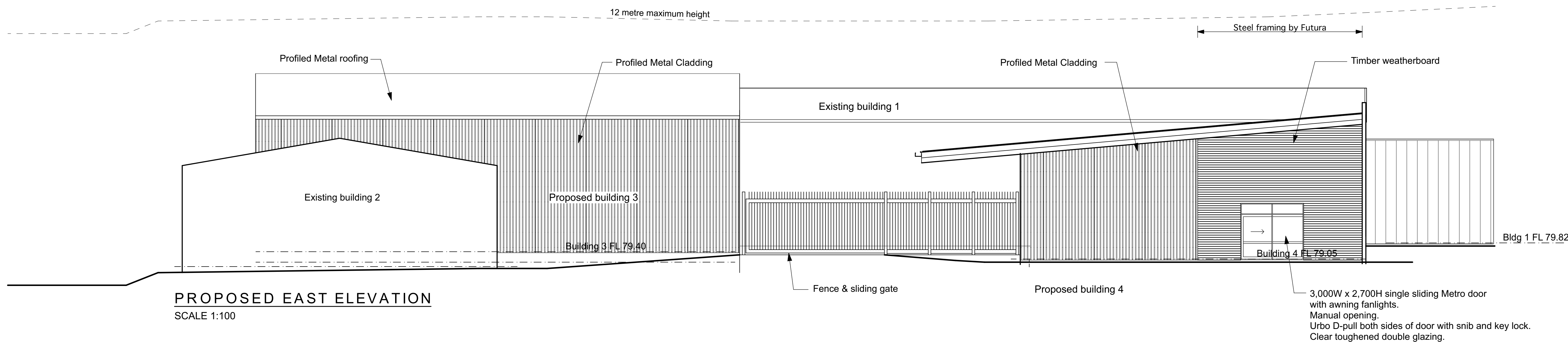
SECTION C - C
SCALE 1:100



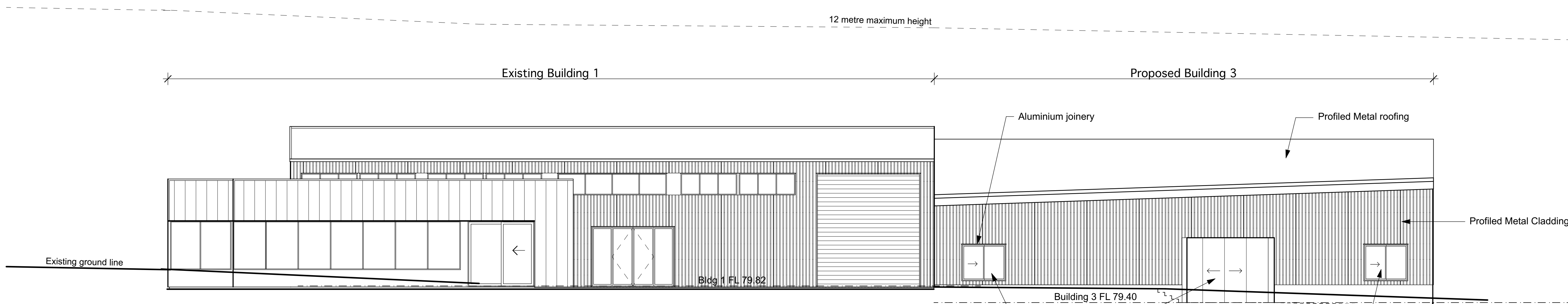
SECTION D - D
SCALE 1:100

A RESOURCE CONSENT	18-06-25
REVISIONS	
DRAWING	
SECTIONS	
JOB	
PROPOSED NEW BUILDINGS 3 & 4	
18 SKIPPERS LANE	
WAIPAPA	

SCALE	SHEET No.
1:100 @ A1	RC06



PROPOSED EAST ELEVATION
SCALE 1:100



PROPOSED WEST ELEVATION
SCALE 1:100

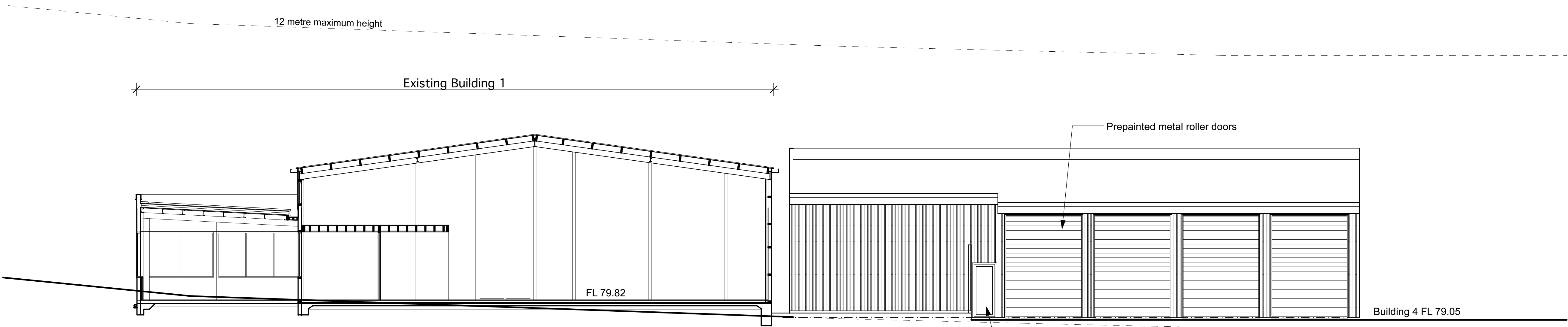
A	RESOURCE CONSENT	18-06-25
REVISIONS		
DRAWING		
ELEVATIONS		
JOB		
PROPOSED NEW BUILDINGS 3 & 4		
18 SKIPPERS LANE		
WAIPAPA		



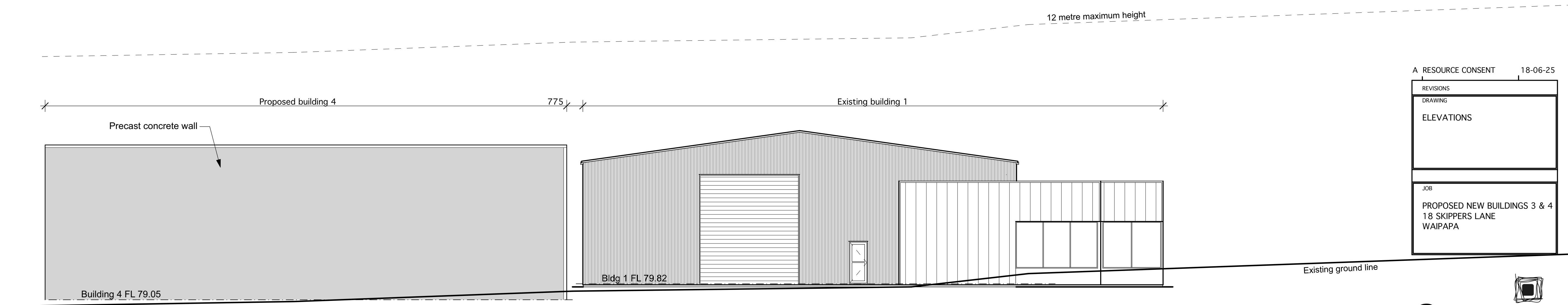
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SCALE	SHEET No.
1:100 @ A1	RC07



PROPOSED SOUTH ELEVATION-PROPOSED BUILDING 4
SCALE 1:100



PROPOSED NORTH ELEVATION
SCALE 1:100

A RESOURCE CONSENT	18-06-25
REVISIONS	
DRAWING	
ELEVATIONS	
JOB	
PROPOSED NEW BUILDINGS 3 & 4	
18 SKIPPERS LANE	
WAIPAPA	

Approval to Construct a Vehicle Crossing

Approval no: VX-2023-113

Issue date: 10.07.2023

This approval to construct, reconstruct, upgrade, or relocate a Vehicle Crossing is given under clause 9 of the Vehicle Crossings bylaw 2021 of the Far North District Council.

Approval is given to **Wiroa Properties Ltd.** for the construction of a vehicle crossing from **Maritime Lane, Waipapa** to the property known as in the Legal Description **Lot 1 DP 429319**.

The approval is given subject to the construction complying with Council's Engineering Standards for Vehicle Crossings and the following conditions:

1. Construction as per plans submitted (approved copy **attached**).
2. Construction to Council Engineering Standards Drawing FNDC/S/2 Commercial Double Width Crossing.
3. Centreline of crossing to be located a maximum of 25m east of the western boundary to achieve a minimum 45m of sight distance.
4. The property is in an urban zone. The crossing shall be concreted for at least the first 5 m from the road carriageway or up to the road boundary, whichever is less.
5. Accesses sloping down from the road shall be designed to ensure that road stormwater is not able to pass down the access.
6. Construction to be inspected by Council Officer on completion.

Prior to any excavation starting, the applicant must obtain a corridor access permit (CAR) and submit the traffic management plan (TMP) for approval to the corridor access team at Northern Transportation Alliance (email: corridor.access@nta.govt.nz).



Tom Adcock, Haigh Workman (processing engineer)



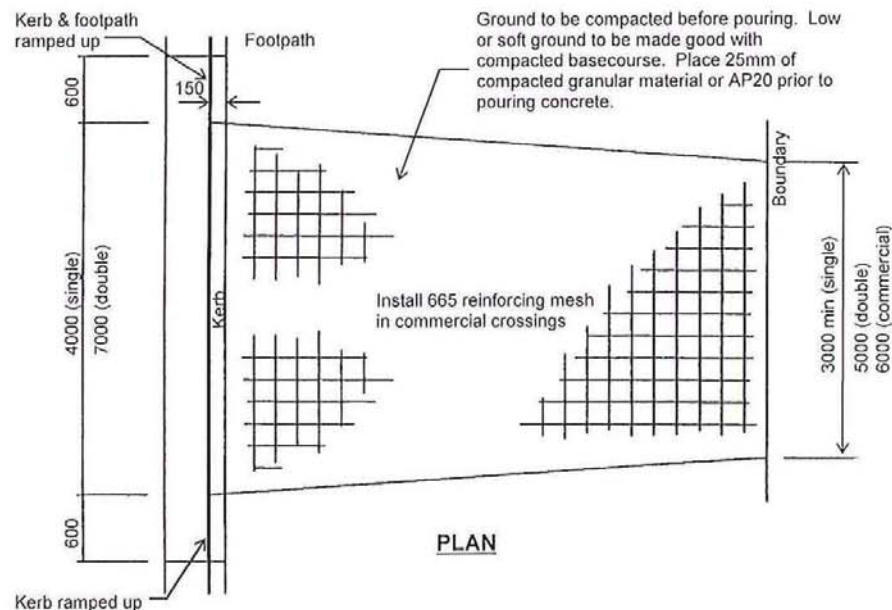
Ken Ward, Team Leader Monitoring, Far North District Council

Note:

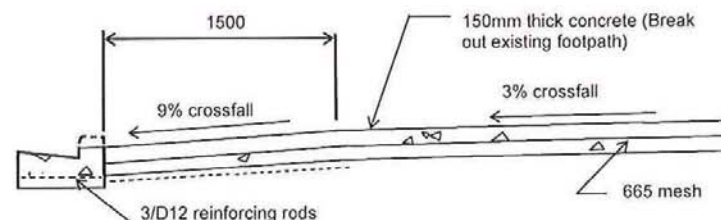
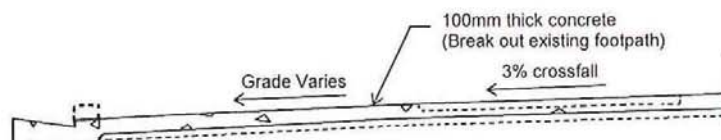
This approval is valid for 3 years from the date of issue. In the event of failure to complete within 3 years, the permit will be deemed to have expired.

A further application will need to be submitted for re-approval before the work can be commenced or completed. In the event of an application being cancelled by the applicant, a portion of the fee will be refunded, however a fee will be withheld for administration costs.





A. RESIDENTIAL (SECTION)



B. COMMERCIAL AND PRIVATE ACCESSWAYS (SECTION)

No crossing is to be constructed to a width greater than 6.0m at the boundary and 7.0m at the kerb.

NOTES:

1. Concrete to be ordinary Grade 20 MPa at 28 days in accordance with NZS 3108.
2. Slopes shall be varied from those shown to suit existing footpaths.

FAR NORTH DISTRICT COUNCIL ENGINEERING STANDARDS

No.	AMENDMENTS	DATE	RESIDENTIAL AND COMMERCIAL VEHICLE CROSSINGS	DATE JULY 2007

FNDC / S / 2



Far North
District Council

Vehicle Crossing Permit Application Form

1. Applicant Details

Applicant's Name/s:

WIROA PROPERTIES LTD.

The applicant must be the owner of the land, or the leaseholder, or a person who has agreed either conditionally or unconditionally to purchase the land or any leasehold.

Mailing Address:

317 WIROA ROAD KERIKERI

Phone Number/s:

09 407 9635 027 649 5377

Email Address:

WIROA@XTRA.CO.NZ

Site Location Address:

18 SKIPPERS LAKE WAIPAPA

Legal Description:

LOT 1 DP 429319

Valuation Number:

District Plan Zone:

INDUSTRIAL.

Agent's Name, Mailing Address & Contact Details if applicable:

SPOONER ARCHITECTURAL - PAUL SPOONER
PO BOX 10 KERIKERI PAUL@SPOONERSOLUTIONS.CO.NZ

Name, Mailing Address & Contact Details of Person/Contractor constructing the vehicle crossing:

T.B.A.
027 2891221

2. Vehicle Crossing Information Required

Road Name:

☒ Urban

☐ Rural

Legal Speed Limit:

50

☒ Sealed with kerb & Channel

☐ Sealed with no kerb & Channel

☐ Metalled
(only applicable to unsealed roads)

Existing Footpath on same side of road?

☒ Yes ☐ No

If yes, describe surface (e.g. concrete / chip seal / metal):

CONCRETE

Intended Vehicle Crossing Use:

<input type="checkbox"/> Residential	<input type="checkbox"/> Farm	<input checked="" type="checkbox"/> Commercial
<input type="checkbox"/> Other (Please specify)		
Number of properties served by crossing: If more than one, provide legal descriptions of other properties.	ONE.	
Include a site plan showing location of proposed vehicle crossing in relation to property, legal boundaries, and easements (if any) and any adjacent vehicle crossings or road intersections. Show stormwater drainage paths along the road and to or from the property at the proposed vehicle crossing.		
Is there already an existing crossing provided for the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, then clearly identify the existing crossing on the site plan and advise whether it is to be removed or retained.		

Type of Crossing Proposed (see attached)

FNDC/S/2 Residential & Commercial (kerbed roads)	Single	<input type="checkbox"/>	Double	<input checked="" type="checkbox"/>
FNDC/S/6 Residential vehicle crossings (unkerbed roads)	Single	<input type="checkbox"/>	Double	<input type="checkbox"/>
FNDC/S/6B Domestic Crossing Layout (rural or unkerbed road)	Single	<input type="checkbox"/>	Double	<input type="checkbox"/>
FNDC/S/6D Farm/Commercial crossing layout	Single	<input type="checkbox"/>	Double	<input type="checkbox"/>
Is a temporary crossing required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please clearly identify the location of the temporary crossing on the site map and include proposal for reinstatement.			

Other Considerations:

Will all vehicle movements comply with District Plan Rule 15.1.6A.3.1?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If not, has a resource consent been applied for? <input type="checkbox"/> Yes <input type="checkbox"/> No RC Number:
Is it necessary to construct the crossing over an adjacent property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, then written approval from the affected landowner(s) is required.
Is this Vehicle Crossing application linked to a resource consent? (If the vehicle crossing is a condition of the Resource Consent and does not specify making an application for a vehicle crossing, then this form is not required.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Resource consent number: (attach copy)

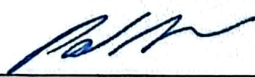
3. Checklist (please tick the box if information is provided)

Does the application include all details and drawings requested above?	<input checked="" type="checkbox"/> Yes (must be included)
Does the application include the appropriate fee? Fee schedule shown below	<input checked="" type="checkbox"/> Yes (must be included)
Current Record of Title including Title Plan (Less than 6 months old)	<input checked="" type="checkbox"/> Yes (must be included)

Vehicle Crossing Fee Schedule 2022-23:

Vehicle crossing application and vehicle crossing inspection fees (includes one site visit fee, and final inspection fee – if further visits are required, each visit will be charged to your final account)	\$410.00
Vehicle crossing inspection fee	\$175.00
Re-application fee for expired permits	\$74.00

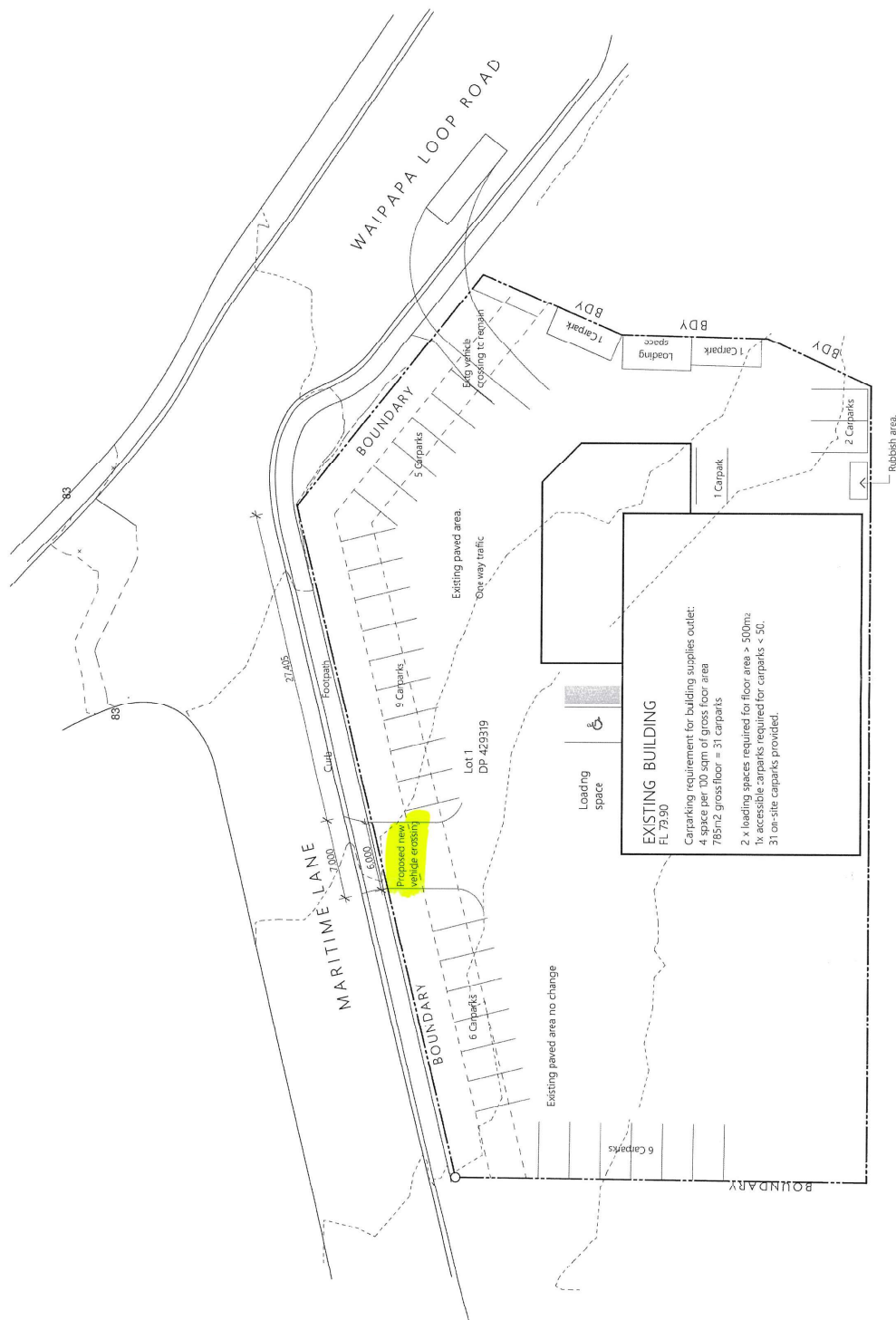
4. Applicants Payment/Signature

Method of payment:	<input type="checkbox"/> Bank Deposit <input checked="" type="checkbox"/> Eftpos (Office to fill in below) Reference if Bank Deposit:
Amount Paid:	
Date Paid:	31-05-23 8.6.23 <i>ABank</i>
Name (please print): <input type="checkbox"/> Applicant <input checked="" type="checkbox"/> Agent	PAUL SPOONER
Signature:	
Date:	
Send correspondence to:	<input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Agent (BOTH PLEASE)

Office Use Only

Receipt Number:	
Date:	
Application Number:	

Do not scale from drawings.
The Contractor must check and verify all dimensions on site prior to commencing any work.
All work to be in accordance with:
The New Zealand Building Code,
NZS 3604:2011 and
NZS 3604:2011 and
Rule specification for reference to other New Zealand/Australian Standards to be complied with any other relevant specifications.



PROPOSED SITE PLAN - VEHICLE CROSSING
SCALE 1:200

A. VEHICLE CROSSING 31-05-23

REVISIONS	
DRAWING	
SITE PLAN	
DATE	
18 SHIPPERS LANE	
WAIPAPA	



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SHEET NO. VC01

SCALE 1:200 @ A1



Far North
District Council

Concept Development Meeting 2021-124

NOTES

Notes of the Meeting

Please sign and retain a copy of these notes. If you subsequently apply for building consent or resource consent, please attach them to your application. These notes, and any documents left with the Council staff, will become public information at the conclusion of the meeting.

Date: 21 May 2021 **Start time:** 10.00 AM **Finish time:** 10.45

Concept number: CDM-2021-124 **Duration of meeting:** 45 minutes

1. Council attendees:

Planning:

Liz Searle (Senior planner, consents)

Resource consent engineer:

Ranjan Khadka

Development engineer:

Sujeet Tikaram

Northland Transportation Alliance (NTA):

Sandi Morris (Road safety and traffic planning engineer)

Ishan Bhagat (Graduate engineer)

Other

Jo Graham (Resource consent planner)

2. Applicant & Representatives

Applicant: *Kevin and Gillian Baxter*

Agent: *Paul Spooner (Spooner Architectural Solutions)*

Deanne Rogers (Bay of Islands Planning)

3. Location of Activity

Address of Property: *18 Skippers Lane, Waipapa*

The applicants own property on the corner of Waipapa Road and State Highway 10, comprising six lots that are all zoned Industrial. The subject of discussion is Lot 1 DP 429319 (red star on the following map) on the corner of Waipapa Loop Road and Maritime Lane.

The site is currently occupied by Waste Management as a depot for their heavy vehicles



Legal Description: *Lot 1 DP 429319*

Legal encumbrances: *Unknown*

4. Description of the proposal

The applicants seek to redevelop the site into mixed use for retail and office spaces; including new provision for carparking and access. The applicants own multiple titles and the existing provision for stormwater management and wastewater disposal may accommodate the proposal.

Preliminary feasibility study has been undertaken but the applicants have not consulted with their own traffic engineers. At this stage the initial study has looked at aspects such as access and egress to the site for vehicles, car parking and gross floor area of the building.

What is being proposed at this stage is a two-story building, with retail on the ground floor and offices on the first floor, positioned so that the site is away from the road, with carparking and landscaping in the foreground. Consideration at the moment is for 52 carparks, two loading spaces, and there is consideration of shared use of a further 42 carparks (which already exist within Lots 5 and 6 and are currently allocated to the Pioneer Tavern which the applicants also own).

The gross floor area that is being considered on ground level is suggested as 13,026 m², with an undefined floor area for the upper floor. That will be considered at the concept design stage when the actual building is being designed.

Plans submitted – ‘*Site plan feasibility study*’ prepared by Spooner Architectural Solutions, job: proposed redevelopment 18 Skipper Lane Waipapa, sheet FS01, dated 2 March 2021

‘*As-built plans for Lots 1 -6 DP 429319*’ prepared by Williams and King, job 20382, sheets 1 and 2, dated January 2016

5. Zoning identified as

Industrial, southern corner identified by Northland Regional Council as subject to potential flooding

6. Resource Consent required?

Yes, but no detailed assessment discussed regarding actual breaches as the primary issue identified by Paul Spooner to be discussed in meeting related to the surrounding car parking, vehicle access/egress from the site, and the potential shared use of that additional carparking on adjacent sites owned by the applicants. Paul Spooner requested comments from the Northland Transportation Alliance in this regard.

Applicant also intended to cover off stormwater and wastewater aspects.

7. Identify type of Consent

To be confirmed (See Item 10)

~~Non-Notified~~ ☐ ~~Limited Notification~~ ☐ ~~Publicly Notified~~ ☐ ~~Publicly Notified~~ ☐

8. Explanation

Has an explanation of resource consent and/or building consent processes and what the applicant will need to do been given?

There was no request for a building officer to attend the meeting.

The meeting was intended as a preliminary discussion to address vehicle access and parking, other issues to be canvassed by landowners in any pending application.

There was some general discussion regarding some of the District Plan rules –

In terms of the District Plan Paul Spooner indicated the compliance factors have been considered, commenting –

- *The rules are fairly loose around height in relation to boundary because the site is not bordering any residential sites.*
- *Acknowledge landscape strip required for 50% of the 6 metre strip along road boundary and the applicant will be designing to comply.*

The following discussion addresses some of the District Plan requirements which will need to be considered.

9. Relevant Issues

Applicants have investigated following matters:

- Access and egress to the site for vehicles
- Carparking and gross floor area of the building

Points wanting to discuss at meeting:

- Surrounding car parking, and vehicle access and egress from the site
- Potential shared use of additional car parking
- Stormwater and wastewater (six lots are currently serviced by an onsite wastewater system and stormwater currently drains down into the creek from the south of the site through Lot 6 into the southern corner – impermeable area proposed will be comparable to existing)

In terms of District Plan, the site is zone Industrial, acknowledge a landscape strip will be required along the front boundary which the applicants will design to comply with.

Access matters:

NTA - Can't endorse access coming off intersection head as indicated, need further information so can understand why proposal relocates the existing vehicle crossing.

Kevin Baxter - Confirms existing vehicle crossing is located beside the Pioneer Tavern, on eastern boundary. Indicated Paul Spooner concerned about the distance from the roundabout to the new crossing.

NTA - New roundabout has been constructed.

Paul Spooner – Confirms new roundabout on State Highway 10 and there are vehicles entering Waipapa Loop Road from the roundabout. There is also some angle parking outside the Pioneer Tavern. There has recently been some consideration of extending that angled parking further along to provide more on street parking. So that was one of the motivations for considering shifting the access to provide further on street parking.

Another business is the dairy across the road. Whilst not a traffic engineer, the other aspect is that there are vehicles coming around the roundabout and accelerating onto Waipapa Loop Road, and his consideration was if the crossing could be moved further from the roundabout more towards where cars are decelerating to go into Maritime Lane, that perhaps was a better option albeit that it's a left turn entry only access to the site at that point.

Kevin Baxter – Focus has been upon the parking for the Pioneer and they have lost some of their parking with the creation of the new roundabout. If the proposal goes ahead then they can use a lot of the proposed car parking on the site for their night-time parking because there will be vacant carparks available that are closer than others in the vicinity.

NTA – Couple of suggestions - where it's currently shown on the concept plan, NTA cannot currently endorse it as it's too close to the head of the intersection with Maritime Lane. The reason being due to vehicle turning movements, in and out flows at the intersection, and it's not legal unless the Alliance permits it. Due to safety it's legislated that it's not permitted. If NTA did permit it then they would need to bylaw such an access.

Permitted threshold is 6 metres from the TP of the intersection head and no parking all the way round, typically no vehicle access considered at the head of an intersection, just because it's that dangerous and there are that many unpredictable vehicle movements, so it is a very dangerous location. Couldn't endorse from safety grounds.

Paul Spooner – Will not argue the point but would like it noted that if an access at this point was considered to be a left turn entry only? Whilst its undesirable to have a vehicle access on an intersection head, would consider that to be mainly in the context of multiple traffic movements in terms of different directions.

NTA – Without knowing the full extent of the roading network planning proposals that are at play here, potentially there could be more traffic movements. So with network growth anything is possible so there is a need to future proof this and make sure that the optimum designs are being built now.

If you were to remove the vehicle access you have the following options:

- If applicants remove the Waipapa Loop Road access completely, (noted that on the concept plans it is shown as entry only), and put in just a pedestrian access to the Pioneer so people can park their vehicle and walk through safely to the front door, that may provide the access sought by the applicants for a shared carpark space because once you park your car you are a pedestrian, so if they were to drive in and out from Maritime Lane into the carpark that's going to be safer for them as a driver. Will also make safer provision as a pedestrian.
- So applicant could then continue angled parking if vehicle crossing removed, to give more on street parking.
- With overall design under the current configuration there does not appear to be sufficient space, but on Maritime Lane the applicants could have parallel carparks on the street if the intersection was considered as part of the overall layout. If applicants built angled parking on Waipapa Loop and traffic coming through that intersection, with the new curb line for your angle parking, they will then need to consider the radius at their intersection and could continue around the corner with angled parking by relocating the centre line. It could then be no parking on the other side of the road. The Alliance would be comfortable with that and adjusting the centre line may allow sufficient space for parallel parking.
- In and out flow from Maritime Lane on the concept plan is completely supported and a planting strip is noted. Movements turning in and out of that carpark could easily be achieved. Could get more car spaces if there is no entry off Waipapa Loop Road.
- If applicant was to keep that entry off Waipapa Loop Road, the only way NTA could probably endorse it would be by maintaining the existing which may limit the parking options.

Paul Spooner - In response, coming back to overall site design and usability of site and manoeuvring, one of the first considerations was to allow for 90 percentile fixed axle trucks to be able to manoeuvre on the site as well for loading purposes. So loading spaces 1 and 2 are ideas at this stage. If the existing access is maintained off Waipapa Loop Road that would still be feasible. Don't think it would be feasible if there was an entry/exit off Maritime Lane to achieve loading space 1.

Also need to consider that visitors to the site aren't necessarily going to be cars and delivery trucks, there is a high percentage of tourism coming past the site, often towing caravans and boats. So sort of place that people would pull in to patronise either the retail area or the Pioneer or the area across the road. So would see something like this being used as a turnaround as well, although not official that is the experience that is seen when provide dual access to a site rather than a single access point.

NTA - Wouldn't like to see those types of manoeuvres happening in a carpark area. On road is the space they should be doing any of those manoeuvres. If road space is used, which the road corridor is adequate to provide parking for truck and trailers or tourists coming past, they could do that in a parallel location on the side road and turn at the end of Maritime Lane. Keeping them on the road is a better solution, than bringing them in with difficult vehicles to manoeuvre in a car park space because as previously indicated, once you park your car you are a pedestrian. It is a slow speed environment even if you do have loading vehicles and unloading vehicles. Those conflicts are

avoided in traffic engineering and car parking design. So if the risk can be removed by keeping them away from the contained car parking site then that is the first option.

The Alliance would also prefer to see cycle parking and pedestrian requirements. There is a cycle provision in the District Plan. Looking for travelling cyclists to have a space to park their vehicle. End of trip facilities for employees in the building would be considered and required as part of the design.

The existing entrance is okay if it is one way entry only, it is an existing approved access and if not proposed to change through the development. The Alliance would be looking for the footpath to be closed across the frontage so there is a missing link in the footpath and it would be necessary as part of this development.

Entry and egress access on Maritime Lane is preferred option. Could put some of the oversized vehicles down there as well.

Kevin Baxter - Not proposing to remove service lane for several businesses, Plumbing World and Liquorland, although the fireplace shop will use it for deliveries. Don't consider that it can be removed.

Paul Spooner – On current title it is shown as Lot 6 access lot and privately owned. Don't think any plan changes to that situation.

NTA – See that loading space 2 is on concept plan, and it would be nice if it could be kept there because it limits the turning movement requirements for those oversized vehicles so if they went in one way and just used that access lot/lane to go out the other way that would be the ideal for them.

Liz Searle – In terms of the access there is a rule in the District Plan which requires that where you have dual/more than one road frontage (that includes frontage onto an access lane) that your vehicle movements shall come onto the road which has the least traffic volume. This relates to exiting and entering the site. Not saying that resource consent wouldn't be issued but would need to apply for it. Some of the issues that NTA have been discussing would factor into consideration of whether it would be supported.

Will check on interpretation of rule with policy and confirm whether it applies to ingress and egress, because it could be read in two ways.

NTA – Will require a traffic impact assessment.

Parking matters:

Paul Spooner – Potential, notwithstanding reconsideration of the accessway, if existing vehicle crossing is retained on Waipapa Loop Road that will reduce the number of carparks shown on the site by probably about two. So would look at about 50 carparks on site, plus 42 carparks on Lot 5 and 6, the private accessway has 23 defined car parks on title. Lot 5 (Pioneer Tavern) has 19 car parks defined on it. All carparks currently allocated to Pioneer Tavern. Would be looking at the potential for up to 92 car parks, albeit 42 of those in a shared use situation but also quid pro quo potentially too so that the Pioneer Tavern could eventually get access to a further 50 car parks in the evening.

NTA – In general, happy with carparking shortfall, if you find you have trade-offs in your design options, would rather see a well-formed pedestrian accessway into these buildings, and suitable cycle and end of trip facilities that is consistent with the goals and aspirations with Council's strategies.

The parking shortfall, hear what has been said about shoppers and tourists, but it looks like there is going to be adequate space even within the road corridor for people to park and turn. So if that's where there are trade-offs, let NTA know the shortfall and it will be considered.

Paul Spooner – Support view of making it pedestrian friendly. Pedestrian links in area need to be improved.

NTA – Overall, like the proposal, can't support the proposed concept for vehicle access at the head of the intersection, in general support for the parking layout.

Liz Searle – In terms of calculating parking, is there the option that the development may be a supermarket? [No] Issues raised as the calculations have taken the worst-case scenario which would be that of a supermarket. Whether applicant is in a position to clarify that.

Supermarket is one per 20 gross floor area, and for shops its one per 25 gross business area.

NTA – Car park length for 90° proposal it says 3.9 metres (Paul Spooner confirmed does not include 1 metre overhang so the 2.5 metres beyond that there is another line within the garden, will include kerb or kerb and channel, so total depth 4.9.)

Services:

Paul Spooner - The six lots are currently serviced by an existing onsite wastewater system, looking to continue that. A suitability report is currently underway which will include a stormwater assessment.

Questioned if there are any outstanding issues in the area regarding stormwater. Don't think there will be an increase in impermeable area under proposal because the site is currently a depot and all impermeable. Change in effects would be nil or less than minor.

Stormwater currently drains down into the creek to the south of the site through Lot 6 into the southern corner and the applicants anticipate that this will continue. No calculations completed for existing and proposed impermeable areas but estimated that would be comparable (maybe less after the landscaping has been established around the boundary).

Sujeet Tikaram - In terms of stormwater, has looked at existing public infrastructure running down Maritime Lane and into the stream – pipe looks to be small starting off at 225mm pipe which is less than minimum Council requirements. If the proposal is to discharge stormwater runoff into the pipe reticulation, then stormwater assessment would need to take into account the capacity of the existing infrastructure and whether any upgrades would be required.

Paul Spooner - Has a copy of a private drainage plan - down accessway Lot 6 there are a series of cesspits and a 350mm reinforced concrete drain that discharges into a creek at the southernmost corner of the access way. Provided that it is a private line which Paul is looking at, there is no connection to the public line, existing or proposed, in this situation.

Sujeet Tikaram – If that is the case, infrastructure don't have interest and will leave to resource consents engineer to comment.

Aware that stream does have flooding issues underneath the State highway and further downstream. In terms of the site suitability report, the runoff calcs should take that into account as well. It may be a minimal increase and it might be none, but would like to have a look at those calculations as compared to the existing situation.

Questioned if the current outdoor area is in gravel or is it concrete. (Kevin Baxter – some of both but mostly gravel (maybe 70%).) In terms of considering run-off coefficient, if the proposal is to cover the site in buildings and permanent impermeable surfaces (like sealing or concrete) then there would potentially be some increase in runoff which needs to be taken into account. (Kevin Baxter – Would be simple to put in a detention tank.) (Paul Spooner – If there is a nil net increase in impermeable area, it would be looking at the difference between the coefficient of gravel and impermeable paved surface.)

Pointing out that there might be some effect of runoff if changing the type of impermeable covering on the site.

Sujeet Tikaram – In some of the services drawings that were sent, it shows an unconfirmed water supply line running through the site and underneath the building. Looking on Council's system, it only shows up public infrastructure and Council doesn't have any waterlines in that area. The only Council mainline runs along the State highway berm, on Skippers Lane and into the Klinac Lane loop. So question where the line shown came from or is there any background information?

Kevin Baxter – There is a lot of history as far as the water supply to the site goes, which much is undocumented and very ad hoc. Council approached applicants about 18 months ago and they've currently got an easement around the service lane to put a new pipeline in which understood would have been going in about six months ago but to date nothing has been done. Council may have passed a lot of the infrastructure onto Downers when they did the roundabout? Still waiting for the service main to go in.

Existing building is connected to Council's water supply. All buildings, except for one, is connected to Council water supply but undocumented. One of the pipes going under the building but it is an old historic line which was supposed to be replaced but it hasn't been done as yet.

Sujeet Tikaram – In terms of firefighting water supply, am aware of pressure issues so as part of the development and as part of the site suitability report it might be prudent to check on the location and flows and pressures of fire hydrants around the site. (Kevin Baxter – When the subdivision was done it was covered off as far as the fire hydrants were concerned and distances. His expectation and understanding was that Council were to put their new watermain in, and also provide additional fire hydrants. Nothing has been done as to this point.)

Not directly involved in the project, but is aware that as part of the roundabout project the proposal was to connect a new 100mm main (or maybe bigger) from Klinac Lane through to the line at the roundabout, a ring main system and increase pressures and flows. Cannot answer question as to when that work will go ahead and how the line will affect the proposed development. Indicating that these things need to be considered.

Sujeet to follow up regarding work to be done regarding water supply as this will influence design of development. (Paul Spooner - Frustrating to hear that plans cemented in place to rectify the issue have not been implemented.)

Looking at plans in system, thinks that it's only the Klinac Lane cluster of shops that's currently within the area of benefit for water supply. BP, the sports field and Mawson Ave residential area are connected to water supply. System shows that the majority of the shops along Skippers Lane and Waipapa Loop Road have onsite water supplies, but system could be outdated. Need to be mindful of providing adequate water supply for both potable and firefighting purposes.

Kevin Baxter – As part of the roundabout upgrade, a watermain was put in down Skippers Lane so that is in place. There is supposed to be a connection from Maritime Lane to Skippers Lane which hasn't been done. (Sujeet Tikaram – this is shown on Council's system.) (Paul Spooner – Will ask applicant's engineers to consider as well and the options going forward. Would like feedback from Council managers beforehand.)

Sujeet Tikaram – In terms of wastewater have no further comment, applicant has indicated that they have engaged someone to do TP58 on existing onsite system. (Paul Spooner – Would be covered off in accordance with TP58 and part of this would be consideration if there was any change to the loading on it depending on the outcome use of the building.)

Other matters:

Liz Searle – Applicants need to consider the existing use of the site, whether or not it would be a HAIL site, so that is something that should be considered.

Signage and lighting can be designed to comply.

The traffic assessment that will be provided will address dual use of carparking where shared on and offsite.

There is a consent notice registered against the title, what is this? (Paul Spooner – probably relating back to the wastewater system and possibly the bar parking.)

If there are conditions registered against the title, the applicant can seek to change if required. (Kevin Baxter – Could be the body corp.)

Is there a timeframe for when application may be lodged? Highlighted that Proposed Plan to be released in December.

10. Explanation of 'Notified and Non-Notified'

Have Council staff given an explanation of the procedures to which the application will be subject in determining whether it will be notified or not, and the criteria for non-notification?

No, insufficient information to determine and this was not the focus of the meeting. This would be more appropriately addressed at a prelodgement meeting when extent of District Plan breaches are known.

11. Identification of Issues

Where any other issues are identified, what are the possible alternative solutions?

Further to above, traffic intensity will also be a matter that requires addressing.

Noise and earthworks were not discussed but not anticipated to be a significant issue.

Height – will be designed to comply.

12. Building Consent issues

Not discussed

13. Follow-up after meeting

The following matters were raised as requiring further clarification:

- It is anticipated that access would be available to a new water supply system within 6-12 months.
- Rule 15.1.6C.1.8 'frontage to existing roads' reads as follows –
 - (a) Where any proposed subdivision has frontage to a road or roads that do not meet the legal road width standards specified by the Council in its "Engineering Standards and Guidelines" (June 2004 – Revised 2009), road widening shall be vested in the name of the Council.
 - (b) Where any proposed subdivision has frontage to a road or roads that are not constructed to the standards specified by the Council in its "Engineering Standards and Guidelines" (June 2004 – Revised 2009), then the applicant shall complete the required improvements.
 - (c) Where a site has more than one road frontage or frontage to a service lane or right-of-way (ROW) in addition to a road frontage, access to the site shall be in a place that:
 - (i) facilitates passing traffic, entering and exiting traffic, pedestrian traffic and the intended use of the site;
 - (ii) is from the road or service lane or ROW that carries the lesser volume of traffic.
 - (d) Where any proposed subdivision has frontage to a road on which the carriageway encroaches, or is close to the subject lot or lots, the encroachment or land shall vest in Council such that either the minimum berm width between the kerb or road edge and the boundary is 2m or the boundary is at least 6m from the centreline of the road whichever is the greater.

With respect to subsection (c), access is not defined in the District Plan. Council advises that access includes site access for both entry and exit purposes. Subsection (c)(i) is noted, where it refers to entering and exiting traffic.

14. Anticipated date when the application/s will be lodged

Unclear

Note takers: Jo Graham and Liz Searle

Applicants: Kevin and Gillian Baxter

Applicant: Please read this before signing: The information I have supplied with this application is true and complete to the best of my knowledge. No responsibility will be accepted by Council for any additional issues which may arise during the Consent process.