

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 [Form 9](#)). Prior to, and during, completion of this application form, please refer to [Resource Consent Guidance Notes](#) and [Schedule of Fees and Charges](#) — both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?

☐ Yes ☒ No

2. Type of consent being applied for

(more than one circle can be ticked):

- | | |
|---|--|
| ☒ Land Use | ☐ Discharge: Total volume = <input type="text"/> m ³
<i>Note; volumes >3m³ requires NRC Consent.</i> |
| ☐ Fast Track Land Use* | ☐ Subdivision |
| ☐ Change of Consent Notice (s.221(3)) | ☐ Existing Use Certificate (s.139A) |
| ☐ Certificate of Compliance (s.139) | ☐ Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) |
| ☐ Extension of time (s.125) | |
| ☐ Other (please specify) <input type="text"/> | |

*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:
The Resource Consents Planning Technicians, planning_technicians@fndc.govt.nz

5. Applicant details

Name/s:

AG Construction Limited

Email:

Phone number:

Postal address:

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

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

If yes, please provide details.

6. Address for correspondence

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

Name/s:

Williams & King, Attention: Natalie Watson

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:

Scotch Thistle Properties Limited

Property address/
location:

Application site.

8. Application site details

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

Name/s:	Streamside Estate		
Site address/ location:	47B Darwin Road		
	Kerikeri		
	Postcode 0230		
Legal description:	Lot 5 DP 594147	Val Number:	00219-38105
Certificate of title:	1144400		

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.

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.

Proposed residential dwelling within 20m of dripline of continuous vegetation and associated earthworks less than 3m from boundary.

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

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

☐ 2009 ☒ 2023

10. Would you like to request public notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

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

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

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

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

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

☐ Subdividing land

☐ Changing the use of a piece of land

☒ Disturbing, removing or sampling soil

☐ Removing or replacing a fuel storage system

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

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

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

☒ Flooding

☐ Landslips

☐ Coastal Erosion

☐ Coastal Inundation

☐ Active Faults

☐ Liquefaction

☐ Tsunami

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

14. Assessment of environmental effects:

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

Your AEE is attached to this application ☒ Yes

15. Draft conditions:

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

If yes, please be advised that the timeframe will be suspended for 5 working days as per s107G of the RMA to enable consideration for the draft conditions.

16. Billing Details:

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

Name/s: (please write in full)

AG Construction

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)

Linda Loosley

Signature:

(signature of bill payer)

Date 5.10.26

17. Important Information:

Note to applicant

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

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

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

Fast-track application

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

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

Privacy Information:

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

18. Declaration

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

Name (please write in full)

Monica Lombard

Signature

Date 5.10.26

See overleaf for a checklist of your information...

Checklist of your information

Please tick if information is provided

- ☒ Payment (cheques payable to Far North District Council)
- ☒ 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.*

AG Construction Limited

Proposed Residential Dwelling & Earthworks

47B Darwin Road, Kerikeri

Williams & King, Kerikeri¹

5 October 2026

1. Overview

AG Construction Ltd are seeking land use consent for a new residential dwelling, which is to be located within twenty metres of the dripline of a contiguous vegetated area and involves a cut batter within 3m of the site boundary.

The subject site is a vacant rural residential property legally described as Lot 5 DP 59414 and held in the Record of Title 1144400.

Under the Far North Proposed District Plan – Appeals Version, the site is zoned Rural Residential. The relevant wild fire and earthworks rules that the proposal is infringing have not been appealed. The proposal is a restricted discretionary activity.

Written approval of the fire fighting water supply has been provided by Fire & Emergency NZ.

This assessment is provided in accordance with Schedule 4 of the Resource Management Act 1991. It is intended to provide the necessary information, in sufficient detail, to provide an understanding of the proposal and any actual or potential effects the proposed activity may have on the environment.

¹ Williams & King - a Division of Survey & Planning Solutions (2010) Ltd
Surveyors, Planners, Resource Managers - Kerikeri and Kaitaia
PO Box 937 Kerikeri Phone (09) 407 6030 Email: nat@saps.co.nz

Consent Notice Condition	Comments
<i>b. Development on Lots 1 – 7, 9 & 10 must be served by an appropriate onsite attenuation / soakage system as a means of providing for stormwater disposal. The systems must be designed and constructed to provide for stormwater runoff and disposal from impervious areas on the lot(s) in general accordance with the report contained in application Titled Subdivision Suitability Engineering Report Lot 12 DP 27236, Ref S1959-J05369 Dated 9th September 2022.</i>	The referenced report noted that soakage pits would not be an effective method of managing stormwater run-off. There is no specific attenuation proposal for this particular lot (Lot 5). The report assumes that the future development on this lot is likely to exceed the 12.5% threshold when developed and that appropriate attenuation will be required at building consent stage. The 12.5% threshold is not exceeded by the proposed development.
<i>f. At the time of future development, the owner is to install the stormwater mitigation referred to in the report entitled Subdivision Suitability Engineering Report Lot 12 DP 27236, Ref S1959-J05369 Dated 9th September 2022. Specifically, the recommendations contained within pages 35-38. "Stormwater system Design Lot 8".</i>	In terms of condition (f), the specified stormwater mitigation relates to a different property.
<i>h. The proposed future development on Lots 2, 3, 5, 6, 7, 9 and 10 shall not exceed an impermeable surface coverage of 20% of the gross site area and shall not exceed a building coverage of 12.5% of the gross site area as consented by RC 2230163-RMACOM. Should these limits be exceeded, further consent will need to be sought at the time of future development.</i>	The proposal will add approximately 398m² of impermeable surfaces to the site, comprising proposed roof, driveway and concrete pad areas. This amounts to 12.3% of the gross site area of Lot 5 DP 594147. The proposed extent of impermeable surface coverage does not exceed the 12.5% permitted activity allowance.

Proposed stormwater management involves using two 25,000 litre water tanks to collect roof runoff with a 100mm diameter overflow outlet discharging to a 6m long spreader bar.

2.4 Earthworks

Cut and fill earthworks are required to prepare the building site with a 1:3 battered bank required around the perimeter of the excavation. Minor excavations will be required for the driveway. The total earthworks volume is specified on the Site Plan as amounting to approximately 211m³ with the elevation drawings showing depths of less than 1m.

All earthworks will be completed in accordance with the Erosion and Sediment Control Guide for Land Disturbance Activities in the Auckland Region 2016, Guideline Document 2016/005, with erosion and sediment control measures to be monitored by the Head Contractor and additional checks prior to and following heavy or persistent rainfall.

The exposed surface will quickly be covered by the driveway aggregate and compacted hardfill for the building foundation. The surrounding grass cover will be retained.

Further standard construction management techniques will be implemented to avoid, remedy and mitigate adverse environmental effects. These will also be implemented and monitored by the Head Contractor responsible for overseeing the earthworks, and include the following principles.

- All noise generating activities during the period of site works for this project will be managed on site as far as is reasonably practicable to meet New Zealand Standard NZS 6803:1999 Acoustics - Construction Noise. In addition, all persons undertaking day to day management of construction activities on the site will wherever possible adopt the best practical option at all times to ensure the emission of noise from the site does not exceed a reasonable level in accordance with Section 16 of the Resource Management Act 1991.
- Construction traffic must prevent sediment from being tracked onto adjacent public roads.
- A copy of the Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol (ADP) shall be made available to all contractors working on site.

3. Application Site Details and Description

3.1 Location

The subject site is located at 47B Darwin Road in Kerikeri. Refer to the maps in **Figures 2** and **3**.

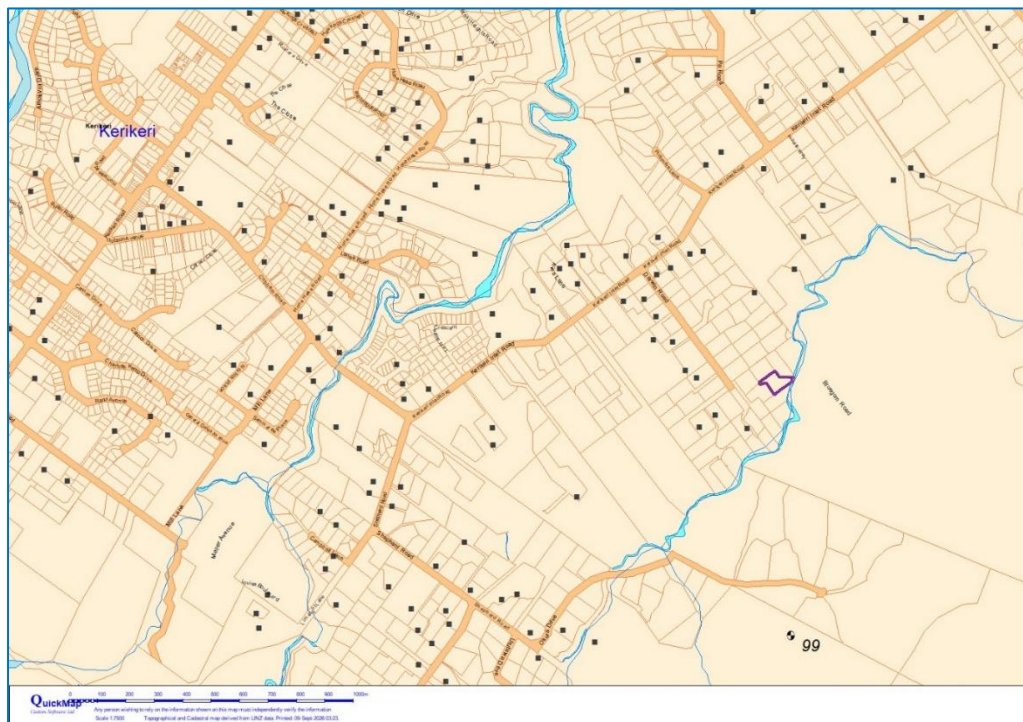


Figure 2: Location Map (Source: QuickMap)

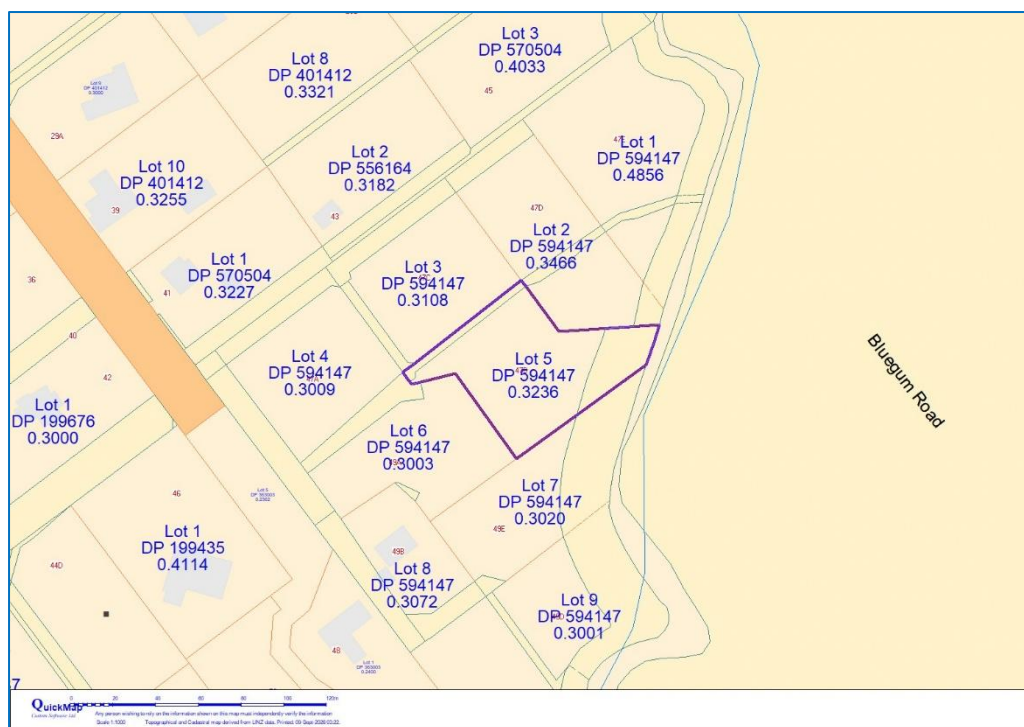


Figure 3: Cadastral Map (Source: QuickMap)

3.2 Legal Details

Legal details of the application site are listed below. The Record of Title is attached in **Appendix 3**.

RECORD OF TITLE	APPELLATION	TITLE AREA
1144400	Lot 5 DP 594147	3236m ² more or less

The Record of Title records the following relevant interests:

- 12965647.2 Consent Notice pursuant to Section 221 Resource Management Act 1991
- Subject to a right to drain water over part marked J on DP 594147 created by Easement Instrument 12965647.3
- Appurtenant hereto is a right of way, a right to convey electricity, telecommunications and water and a right to drain sewage and water created by Easement Instrument 12965647.3
- The easements created by Easement Instrument 12965647.3 are subject to Section 243 (a) Resource Management Act 1991
- 12965647.6 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991
- Land Covenant in Covenant Instrument 12965647.7

3.3 Site Conditions

The subject site is a vacant rural residential site generally in grass with a few remnant citrus trees and predominantly exotic vegetation at the eastern corner. Power, fibre and irrigation water connections are available at the north western boundary.

The building site is located on gentle slopes of approximately 5 – 10 degrees, sloping north west towards a drain. Soils are mapped as Kerikeri friable clay and Kerikeri friable clay with large boulders. The site boundaries are partly defined by hedging and post and rail fencing.



Figure 3: Aerial Image

4. District Plan Assessment

4.1 Far North Proposed District Plan – Appeals Version

The subject site is zoned Rural Residential. There is a small area of river flood hazard recorded parallel to Okura Stream; however, the proposed building site and access to it are not affected by this overlay.

4.1.1 Area-Specific Matters - Rural Residential Zone

Rule	Discussion	Compliance
RRZ-R1 New buildings or structures ...	PER-1 is met as the proposal is for the first dwelling on a vacant site. PER-2 is met as outlined below.	Complies

RRZ-R2 Impermeable Surface Coverage	Less than 12.5% impermeable surface coverage is proposed. Note that up to 20% coverage is consented by RC 22303163.	Complies
RRZ-R3 Residential Activity	The proposed dwelling is the first residential unit on a vacant site.	Complies
RRZ-S1 Maximum Height	The building does not exceed 8m above ground level.	Complies
RRZ-S2 Height in Relation to Boundary	The building is contained within a building platform defined by the specified recession planes.	Complies
RRZ-S3 Setback	3m building / structure setbacks are achieved from all boundaries.	Complies
RRZ-S4 Building or structure coverage.	Less than 12.5% of building coverage is proposed.	Complies

4.1.2 District-Wide Matters – Hazards and Risks – Natural Hazards

Rule	Discussion	Compliance
NH-R6 Wild fire – Buildings used for a vulnerable activity (excluding accessory buildings)	PER-2 is not met as the new building is not in an urban zone, and is not set back at least 20m from the dripline of vegetation adjacent to Okura Stream.	Does not comply – restricted discretionary activity.

4.1.3 District-Wide Matters – General District-Wide Matters – Earthworks

Rule	Discussion	Compliance
EW-R1 Earthworks	EW-S1: Earthworks volumes will not exceed 300m³ EW-S2: Cut depth for excavation will not exceed 3m. EW-S3: Accidental discovery protocol will be followed. EW-S4: Site reinstatement is proposed within 6 months EW-S5: Control of earthworks in accordance with this rule will be completed. EW-S6: The 1:3 batter along the south western boundary will be within 3m of the site boundary. EW-S7: Stability will be maintained at or beyond the boundary. EW-S8: Not applicable. EW-S9: Not applicable	Does not comply with EW-S6 – restricted discretionary activity.

4.1.4 Summary of Activity Status under Proposed Far North District Plan

The application is a restricted discretionary activity under the Far North Proposed District Plan – Appeals Version.

4.2 Far North Operative District Plan (“ODP”)

There are no appeals against the zoning of the subject site under the Far North Proposed District Plan – Appeals Version, or to the Rural Residential Zone standards. The only relevant provision of the Far North Proposed District Plan – Appeals Version that has been appealed is Standard EW-S1 Maximum earthworks thresholds. The proposal is therefore assessed against the equivalent rule of the ODP as follows.

4.2.1 District Wide Provisions – Natural and Physical Resources

Rule	Discussion	Compliance
12.3.6.1.1 PERMITTED ACTIVITIES		
12.3.6.1.3 Excavation and/or filling ... in the Rural Living ... Zones	The volume and depth of the proposed earthworks will not exceed the permitted standard.	Complies

4.2.2 Summary of Activity Status

The proposal is a permitted activity under the relevant rules of the Far North ODP.

5. Assessment of Environmental Effects

Section 104(1)(a) and (ab) of the Resource Management Act 1991 (“RMA”) require the consent authority, subject to Part 2 of the Act, to have regard to any actual and potential effects on the environment of allowing the activity and any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity. The following assessment considers only the relevant matters of discretion that are listed in Rule NH-R5 Wild fire – extensions and alterations to buildings used for a vulnerable activity (excluding accessory buildings) that increase the GFA and EW-R1 Earthworks.

5.1 Wildfire

The availability of water for firefighting

The proposed water supply has been designed to be of a suitable volume with 10,000 litres water dedicated for fire fighting use. An appropriate coupling will be added to allow connection to fire fighting equipment. Written approval has been obtained from Fire & Emergency New Zealand – refer to **Appendix 2**.

The use of building materials to reduce fire risk

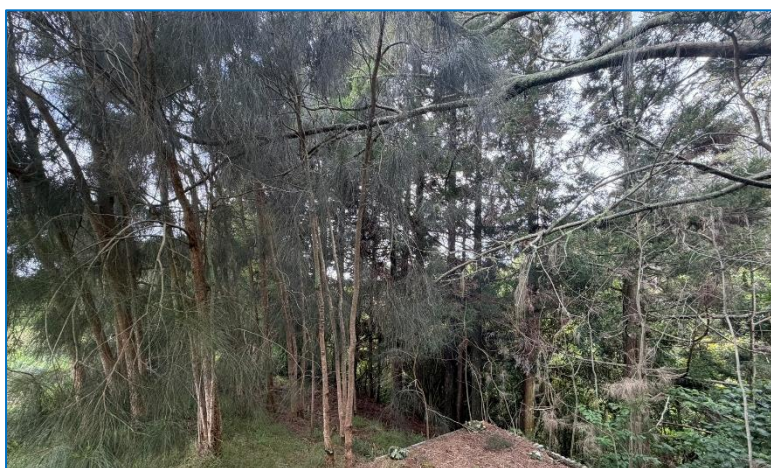
The exterior of the building will primarily be clad in a brick veneer with features areas of fibre cement panels. The roof is a selected metal tile roof. All exterior building materials are of low flammability.

The extent and type of vegetation present

The vegetation bordering Okura Stream is predominantly exotic conifers with some indigenous undergrowth, which presents a continuously vegetated area to the stream boundary and across the stream to the Waitangi Forest plantation forest. Refer to Photographs 1 and 2.



Photograph 1: Existing Vegetation at Eastern Corner of Application Site.



Photograph 2: Example of exotic vegetation with indigenous undergrowth.

The nature and density of any planting to reduce fire risk, including use of low flammability species

No planting is proposed to reduce fire risk.

5.2 Earthworks

The location, scale and volume of earthworks

Earthworks will be limited to the immediate areas required for the building platform and driveway. The volume and extent of earthworks is minimal, and within the permitted activity limits of the Operative and Proposed District Plans. The only infringement arises from the proximity of the battered bank to the property boundary.

Depth and height of cut and fill

The heights and depths associated with the proposed earthworks is within the permitted activity limits of the Operative and Proposed District Plans.

The nature of filling material and whether it is compacted

Excavated material will be retained on site. Fill is required for part of the building platform and will be suitably compacted to provide foundation stability.

The extent of exposed surfaces or stockpiling of fill

The earthworks extent is limited to the building site and driveway. No stockpiles are proposed.

Erosion, dust and sediment controls

The Site Plan notes that the works will comply with Earthworks EW-S5 Erosion and Sediment Control – Auckland Council Guideline Document GD005 Erosion and Sediment Control.

The risks of natural hazards, particularly flood events

The proposed earthworks are elevated above the area of mapped river flood hazard area.

Stormwater controls

Existing onsite drains provide for stormwater drainage.

Flood storage, overland flow paths and drainage patterns

The proposed earthworks do not affect any overland flow paths or existing open drains.

The stability of land, buildings and infrastructure

A shallow excavation with 1:3 battered bank will be formed within three metres of the property boundary. No loss of stability of land buildings or infrastructure is anticipated.

Natural character, landscape, natural features, historic heritage, spiritual and cultural values

The subject site is not within an area of high or outstanding natural character and does not contain an outstanding landscape or natural features. There are no known or recorded heritage, spiritual or cultural values.

The life-supporting capacity of soils

The subject site is an existing rural residential property, and the proposal develops it for its intended purpose. The proposed earthworks activity affects a limited portion of the site, with top soil to be retained on the site to support soil conservation, and erosion control to be established to prevent loss of soil from the site. As such, the life supporting capacity of soils is maintained to a suitable extent.

The location and use of infrastructure

Underground infrastructure is unaffected by the proposed earthworks.

Temporary or permanent nature of any adverse effect

Temporary adverse effects will quickly be remedied through the placement of foundation and driveway aggregate over the exposed surfaces.

Traffic and noise effects

There is sufficient space on the subject lot for construction vehicles to park on the site. The volume of earthworks involved is low, and the works can be completed quickly with normal traffic and construction noise associated with a rural residential development being generated.

Time of year earthworks will be carried out and duration of the activity

The earthworks can be completed in this coming construction season and over a short duration solely for the purpose of preparing a residential building site and driveway.

Impact on visual and amenity values

The earthworks prepare a driveway and building platform on a rural residential site. Visual and amenity effects will be temporary and will quickly be remedied once the disturbed land is covered with the building foundation and driveway aggregate, or otherwise re-grassed.

6. Statutory Assessment

Section 104(1)(b) of the Resource Management Act 1991 requires the consent authority, subject to Part 2 of the Act, to have regard to any relevant provisions of a national environmental standard, other regulations, a national policy statement, a New Zealand coastal policy statement, a regional policy statement, a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application. Of relevance to the proposed activity are the following documents, which are commented on in the following Sections 6.1 – 6.5 of this Report. This is followed by an assessment of Part 2 of the Act.

- *Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011*
- *Regional Policy Statement for Northland*
- *Far North Proposed District Plan – Appeals Version*
- *Far North Operative District Plan*
- *Proposed Regional Plan for Northland*

6.1 National Environmental Standards

6.1.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The proposal has been considered in terms of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. The subject site is recorded on Northland Regional Council's Selected Landuse Register (SLU.042499, A10, Persistent pesticide bulk storage or use); this relates to the site's previous horticultural use.²

As the site has an approved rural residential use, the only new activity requiring consideration in terms of the regulations is the proposed soil disturbance. As a permitted activity, Regulation 8(3) allows the following:

Disturbing soil

(3) Disturbing the soil of the piece of land is a permitted activity while the following requirements are met:

(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:

(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:

(c) the volume of the disturbance of the soil of the piece of land must be no more than 25 m³ per 500 m²:

(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 5 m³ per 500 m² of soil may be taken away per year:

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

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

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

The proposed volume of soil disturbance amounts to 105m³ over the total site area of 3,236m², comprising the driveway and house pad preparation. Regulation 8(3)(c) allows 25m³ per 500m², which equates to 162m³ on the subject site.

The Ministry for the Environment User's Guide: National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health clarifies that the permitted 25m³ per 500m² is allowed per year.

The volume of soil disturbance will be less than this permitted activity allowance, and therefore, provided that the remaining conditions specified in (a), (b), (d), (e), (f), and (g) are met, the application is considered to be a permitted activity.

² Northland Regional Council. Retrieved 9 September 2026 from <https://localmaps.nrc.govt.nz/localmapsvviewer/?map=65b660a9454142d88f0c77b258a05f21>

6.2 Regional Policy Statement for Northland (“RPS”)

The RPS provides an overview of resource management issues and gives objectives, policies, and methods to achieve integrated management of natural and physical resources of the region.

The subject site is not in the coastal environment, does not include any outstanding natural landscapes or features and does not include any areas of high or outstanding natural character.

The relevant policy from the RPS is addressed below.

Policy 5.1.1 – Planned and coordinated development, requires co-ordinated location, design and building or subdivision, use and development. The proposal supports the development of an existing rural residential site for residential use, in accordance with its intended purpose, with suitable infrastructure, and avoidance of effects on landscape or natural character values, historic or cultural heritage values, significant ecological areas or species, or transport corridors achieved.

6.3 Far North Proposed District Plan – Appeals Version

The proposed activity is a restricted discretionary activity and the matters over which discretion is restricted to are adequately covered in Section 5 of this report.

6.4 Far North Operative District Plan

Equivalent Operative District Plan rules of appealed Proposed District Plan have been considered, and the proposal meets the permitted activity standards of those rules. It is considered that the proposal is in accordance with the relevant objectives and policies of the Operative District Plan.

6.5 Regional Plan for Northland

Wastewater and Stormwater disposal will be in accordance with the relevant permitted activity rules C.6.1.3 and C.6.4.2.

The permitted activity threshold for earthworks (5,000m²) is not exceeded.

No consents are necessary under the Regional Plan for this proposal.

6.6 Part 2 of the Resource Management Act 1991

An assessment of the proposal in relation to Part 2 of the Act is given below.

PART 2 PURPOSE AND PRINCIPLES

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-*
 - (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (h) *the management of significant risks from natural hazards.*

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development and protection of natural and physical resources, shall have particular regard to-

- (b) *The efficient use and development of natural and physical resources;*
- (c) *The maintenance and enhancement of amenity values;*
- (f) *Maintenance and enhancement of the quality of the environment;*

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The proposal is considered to promote sustainable management as per the purpose of the Act (Section 5) by enabling the rural residential use of the subject site in accordance with its intended purpose as per the zoning under the Proposed District Plan.

The development is of an existing rural residential site, and will not compromise any significant natural values. The proposal will not detract from amenity, character or landscape values.

The new dwelling is set back at least 30m from Okura Stream. Fire hazard is mitigated to a reasonable extent through provision of suitable fire fighting water supply.

The proposal has regard to Section 7 Matters and represents an efficient and anticipated use of the land, which will retain existing amenity values and maintain the quality of the environment. The proposed activity has no known implications in terms of the Treaty of Waitangi in terms of Section 8.

Overall, the proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.

7. Consultation & Notification Assessment

7.1 Consultation

Fire and Emergency NZ has provided written approval to the no reticulated fire-fighting water supply, and vehicle access provisions. Refer to **Appendix 2**.

7.2 Public Notification Assessment

Step 1: Public notification is not requested. Section 95A(3)(b) and (c) do not apply.

Step 2: Public notification is not precluded.

Step 3: There are no relevant rules that require public notification. Section 95A(8)(b) requires Council to assess, in accordance with section 95D, whether the activity will have or is likely to have adverse effects on the environment that are more than minor. Section 95D directs Council, among other things, to disregard any effects on persons who own or occupy the application site and any adjacent land; and allows adverse effects of activities permitted by a rule or national environmental standard to be disregarded.

As outlined in Section 5 of this report, it is assessed that the adverse effects associated with the proposed activity will be avoided, remedied and mitigated so that they are not more than minor. The application can therefore proceed without being publicly notified.

Step 4: No special circumstances exist to warrant public notification.

7.3 Limited Notification Assessment

Step 1: The site is not in the marine and coastal area or common marine and coastal area. There are no affected protected customary rights groups or affected customary marine title groups, the land is not subject to a statutory acknowledgement.

Step 2: Limited notification is not precluded.

Step 3: In terms of 95B(8) an assessment has been undertaken in accordance with section 95E. Section 95E(1) specifies that a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).

Section 95E(2) provides further guidance as to how a consent authority should assess an activity's adverse effects on a person for the purposes of Section 95E, including clause (a), where they may disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect.

Considering only the matters over which discretion has been restricted, the anticipated adverse effects of the proposed development are expected to be less than minor, and will not result in adverse effects that are minor or greater on any person, as suitable water is available for fire fighting and the building is to be constructed from low flammability exterior materials. Suitable separation distances will remain between the proposed dwelling and future building sites on adjacent properties.

Accordingly, it is considered that no person will be an affected person in terms of Section 95E.

Step 4: There are no special circumstances to warrant notification to any person.

7.4 Summary of Notification Assessment

As outlined above we are of the opinion that the proposal satisfies the statutory requirements for non-notification, and we respectfully request that it be processed on that basis.

8. Conclusion

In terms of sections 104 and 104C of the Resource Management Act 1991, we consider that:

- The actual and potential adverse effects of the proposal can be avoided and mitigated so as to be less than minor.
- The proposal is consistent with the relevant objectives and policies of the Operative District Plan.
- The proposal is in accordance with the Purpose and Principles of the Resource Management Act 1991.

We also note that:

- It has been assessed that the proposal meets the statutory criteria to be processed as non-notified.

For these reasons, it is requested that this application be considered on a non-notified basis and that Council grant consent to the proposal, under delegated authority, as detailed in the application and supporting information.

Signed
Natalie Watson,
Resource Planner

Date: 5 October 2026
WILLIAMS & KING
Kerikeri

9. Appendices

Appendix 1: G.J. Gardner Architectural Plans

Appendix 2: FENZ Written Approval

Appendix 3: Record of Title

Proposed Dwelling

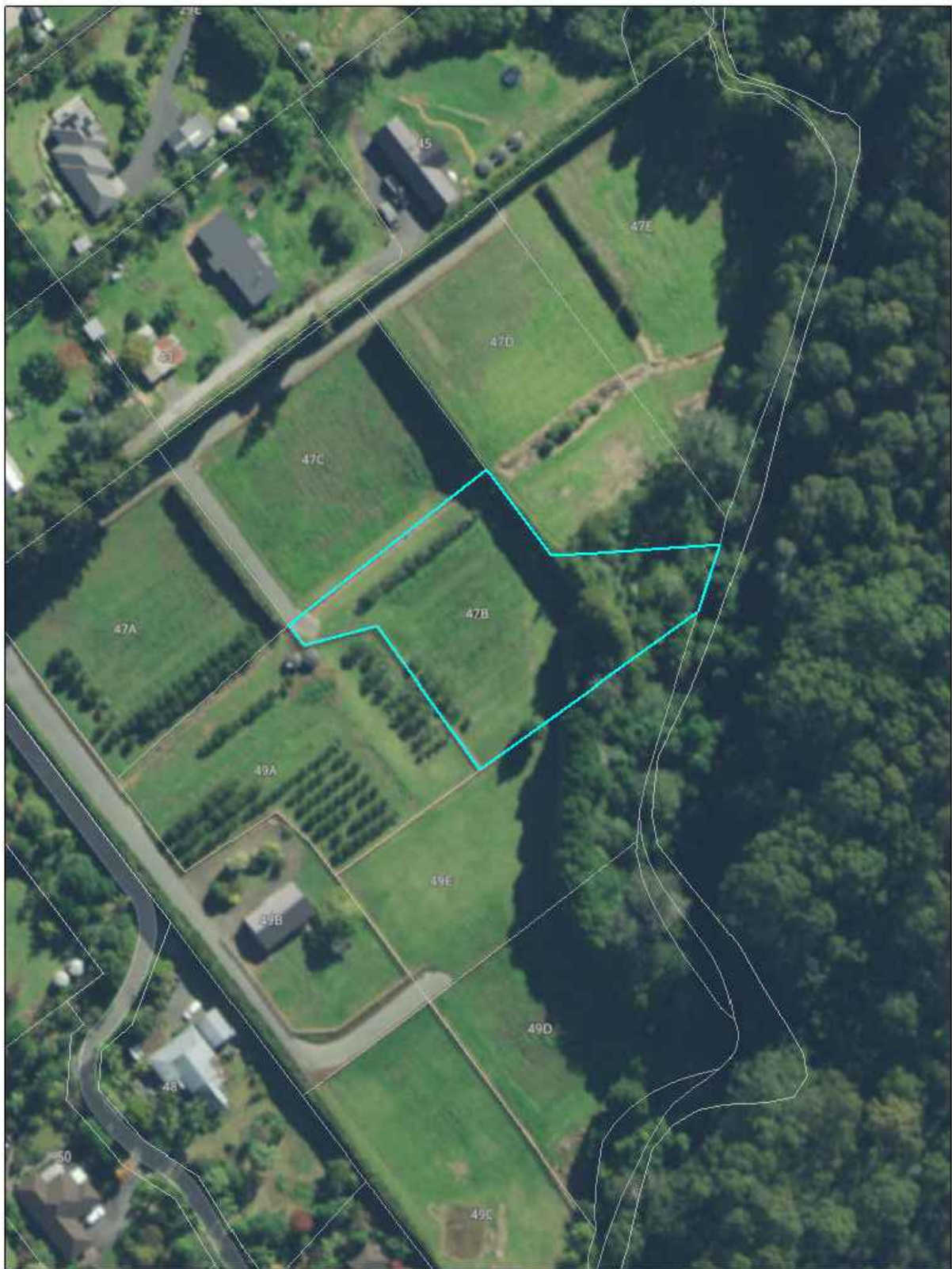
Scotch Thistle Properties Limited
47B Darwin Road
Kerikeri
Lot 5 DP 594147

Construction Plans
Date: 30 September 2026



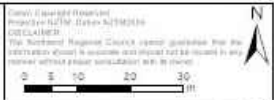
Designer Sheet Index		
Sheet No.	Sheet Title	Rev
A01a	Site Location Plan	BC-H-1
A01b	Site Plan	BC-H-1
A01c	Wastewater Details	BC-H-1
A02	Floor Plan	BC-H-1
A03	Elevations	BC-H-1
A04	Electrical Plan	BC-H-1
A05	Drainage Plan	BC-H-1
A06	Foundation Plan	BC-H-1
A07	Roof Plan	BC-H-1
A08	Framing & Lintel Plan	BC-H-1
A09	Bracing Plan	BC-H-1
A10	Section A	BC-H-1
A11	Foundation Edge Details	BC-H-1
A12	Threshold Details	BC-H-1
A13	Hold Down Details	BC-H-1
A14	Cladding Details	BC-H-1
A15	Cladding Details	BC-H-1
A16	Roof Details	BC-H-1
A17	Membrane Details	BC-H-1
A18	Membrane Details	BC-H-1
A19	Drainage Details	BC-H-1
A20	Hot Water Cylinder Details	BC-H-1
Revisions		
-	-	-

Engineer Sheet Index		
Sheet No.	Sheet Title	Rev
S0.1	Cover Page	-
S0.2	Typical Steel Detailing	-
S0.3	Typical Pipe Penetration Details	-
S1.1	Raft Floor Plan	-
S2.1	Raft Floor Details	-
Revisions		
-	-	-

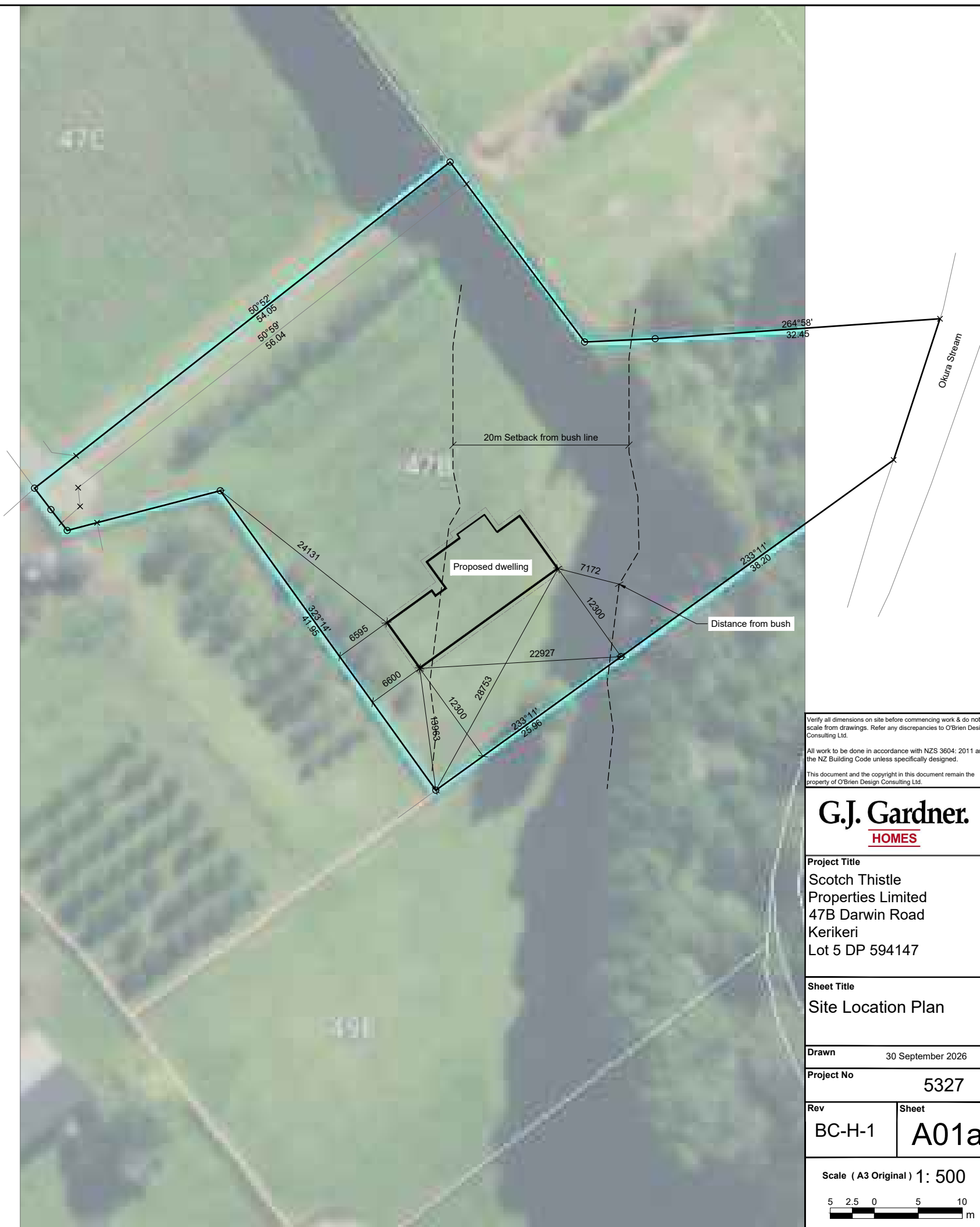


Northland
REGIONAL COUNCIL

Lot 5 DP 594147



August 7, 2025



Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.

All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.

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G.J. Gardner.
HOMES

Project Title

Scotch Thistle
Properties Limited
47B Darwin Road
Kerikeri
Lot 5 DP 594147

Sheet Title

Site Location Plan

Drawn

30 September 2026

Project No

5327

Rev

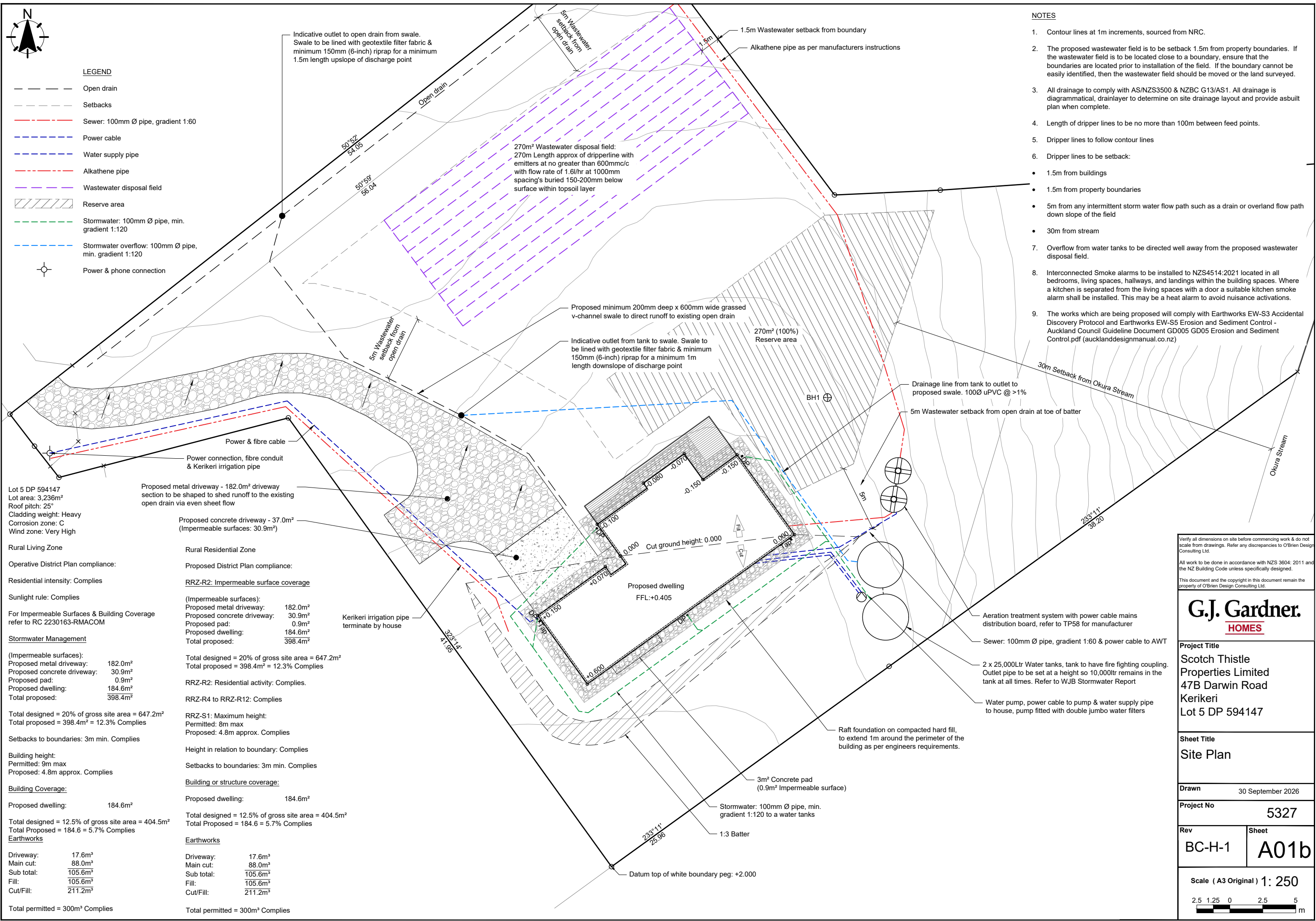
BC-H-1

Sheet

A01a

Scale (A3 Original) 1: 500





NOTES

1. Contour lines at 1m increments, sourced from NRC.
2. The proposed wastewater field is to be setback 1.5m from property boundaries. If the wastewater field is to be located close to a boundary, ensure that the boundaries are located prior to installation of the field. If the boundary cannot be easily identified, then the wastewater field should be moved or the land surveyed.
3. All drainage to comply with AS/NZS3500 & NZBC G13/AS1. All drainage is diagrammatical, drainlayer to determine on site drainage layout and provide asbuilt plan when complete.
4. Length of dripper lines to be no more than 100m between feed points.
5. Dripper lines to follow contour lines
6. Dripper lines to be setback:
 - 1.5m from buildings
 - 1.5m from property boundaries
 - 5m from any intermittent storm water flow path such as a drain or overland flow path down slope of the field
 - 30m from stream
7. Overflow from water tanks to be directed well away from the proposed wastewater disposal field.
8. Interconnected Smoke alarms to be installed to NZS4514:2021 located in all bedrooms, living spaces, hallways, and landings within the building spaces. Where a kitchen is separated from the living spaces with a door a suitable kitchen smoke alarm shall be installed. This may be a heat alarm to avoid nuisance activations.
9. The works which are being proposed will comply with Earthworks EW-S3 Accidental Discovery Protocol and Earthworks EW-S5 Erosion and Sediment Control - Auckland Council Guideline Document GD005 GD05 Erosion and Sediment Control.pdf (aucklanddesignmanual.co.nz)

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.

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G.J. Gardner.
HOMES

Project Title
Scotch Thistle Properties Limited
47B Darwin Road
Kerikeri
Lot 5 DP 594147

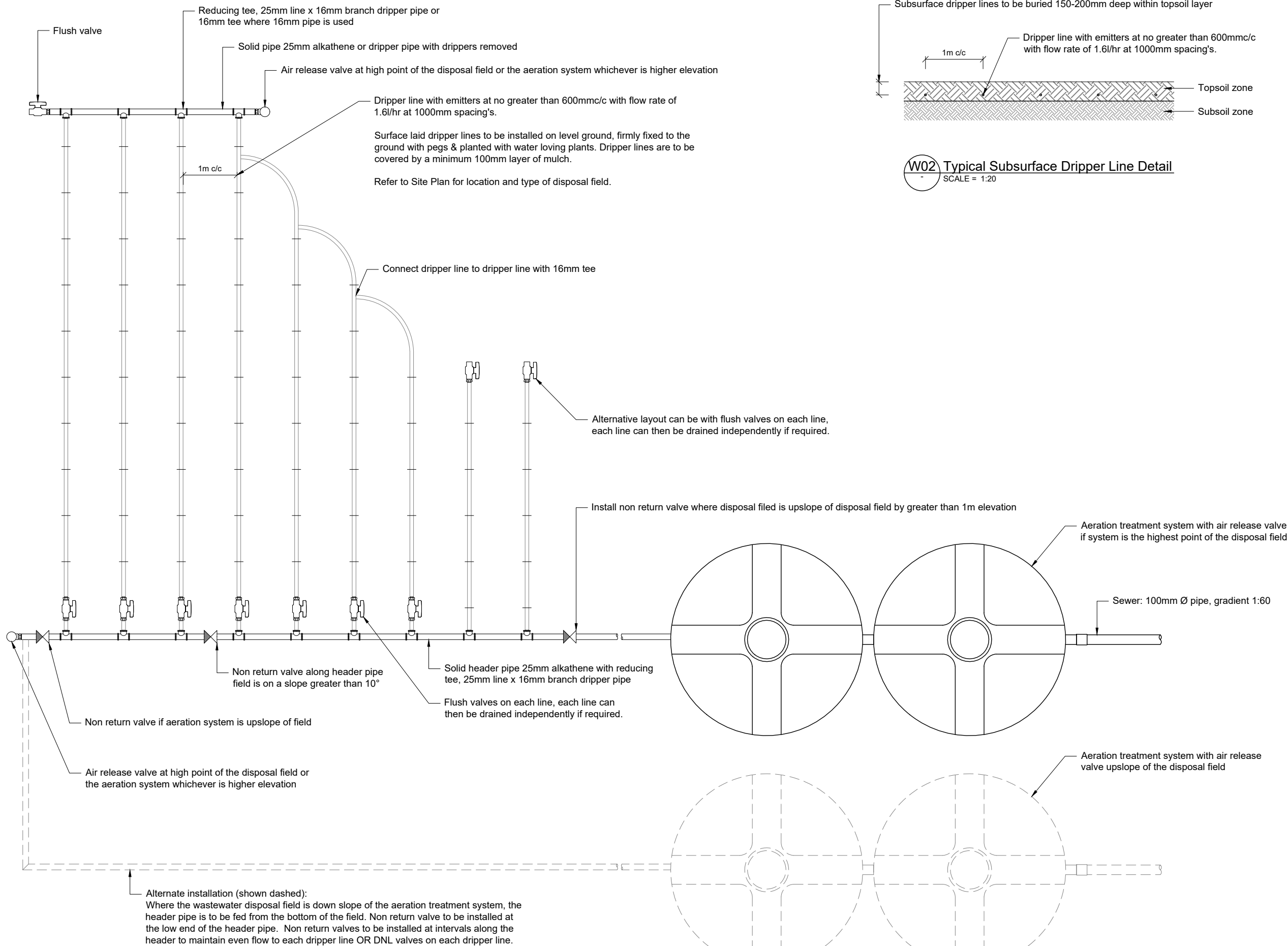
Sheet Title
Site Plan

Drawn 30 September 2026

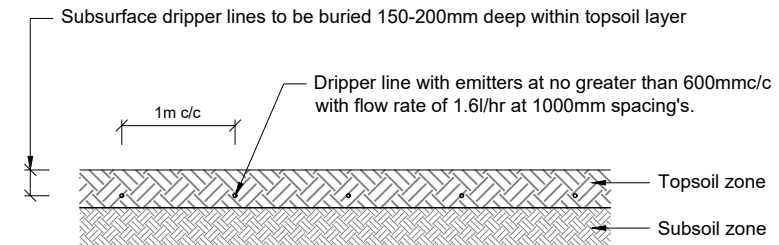
Project No 5327

Rev BC-H-1 **Sheet** A01b

Scale (A3 Original) 1: 250
2.5 1.25 0 2.5 5 m



W01 Typical Wastewater Disposal Field Plan
SCALE = 1:20



W02 Typical Subsurface Dripper Line Detail
SCALE = 1:20

NOTES

1. All drainage is diagrammatical, do not scale from drawing.
2. Length of dripper lines to be no more than 100m between feed points.
3. Dripper lines to follow contour lines.
4. Dripper lines to be laid on even ground, laying dripper lines on gully's or humps in the ground can cause ponding.
5. Air release valve to be at the high point in the disposal field or at the system if that is a higher elevation, locations shown on detail are indicative.
6. The works which are being proposed will comply with Earthworks EW-S3 Accidental Discovery Protocol and Earthworks EW-S5 Erosion and Sediment Control - Auckland Council Guideline Document GD005 GD05 Erosion and Sediment Control.pdf (aucklanddesignmanual.co.nz)

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HOMES

Project Title

Scotch Thistle
Properties Limited
47B Darwin Road
Kerikeri
Lot 5 DP 594147

Sheet Title

Wastewater Details

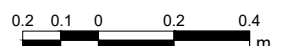
Drawn 30 September 2026

Project No 5327

Rev BC-H-1

Sheet A01c

Scale (A3 Original) 1: 20





SPECIFICATION:

- Stud height - 2440 (2440 Nominal)
- 70 Series brick veneer
- Axon cladding
- Gerard metal tile roofing

H1 SPECIFICATION:

- Foundation: X-Pod R1.3
- Walls: Pink batts R2.2
- Double glazing low E Xcel R0.37
- Ceiling: Pink batts R3.0 min.

H1 Note:

Garage area not included in thermal envelope, insulate internal walls between garage & dwelling.

H1 calculations included in BC information.

NOTE:

1. All dimensions taken from the outside of pre-cut, please check all dimensions before construction commences.
2. Refer to Framing & Lintel Plan for lintel dimensions, stud spacing & external door offsets.
2. Refer to Eave detail for stud, lintel and soffit framing heights.
3. Additional nogs to be installed at framing stage to allow for towel rails, wardrobe & fixed shelves, WC cistern, toilet roll holders, wall mounted extractors, heat pump, A/C units & garage door components where required.
4. Refer to attached sheet for cladding & roofing notes & details.
5. All wet areas to be provided with impervious linings as per NZBC E3/AS1.
6. Grade A safety glazing in shower screens inline with NZS 4223
7. Where studs exceed 450mm c/c install polypropylene tape horizontally at 300mm c/c over building wrap.
8. All wall framing typically H1.2 treated unless specifically stated.
9. All external linings to be installed to manufacturers instructions, refer to separate detail sheet for cladding details & notes.

BUILDING AREA:

Floor Area (Framing): 147.3m²
Floor Area (Brickline): 153.7m²

Roof Area: 184.6m²

FIXINGS:

Exposure Zone: C
Durability of fixings to comply with NZS 3604:2011 Section 4 & NZBC B2/AS1

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HOMES

Project Title

Scotch Thistle
Properties Limited
47B Darwin Road
Kerikeri
Lot 5 DP 594147

Sheet Title

Floor Plan

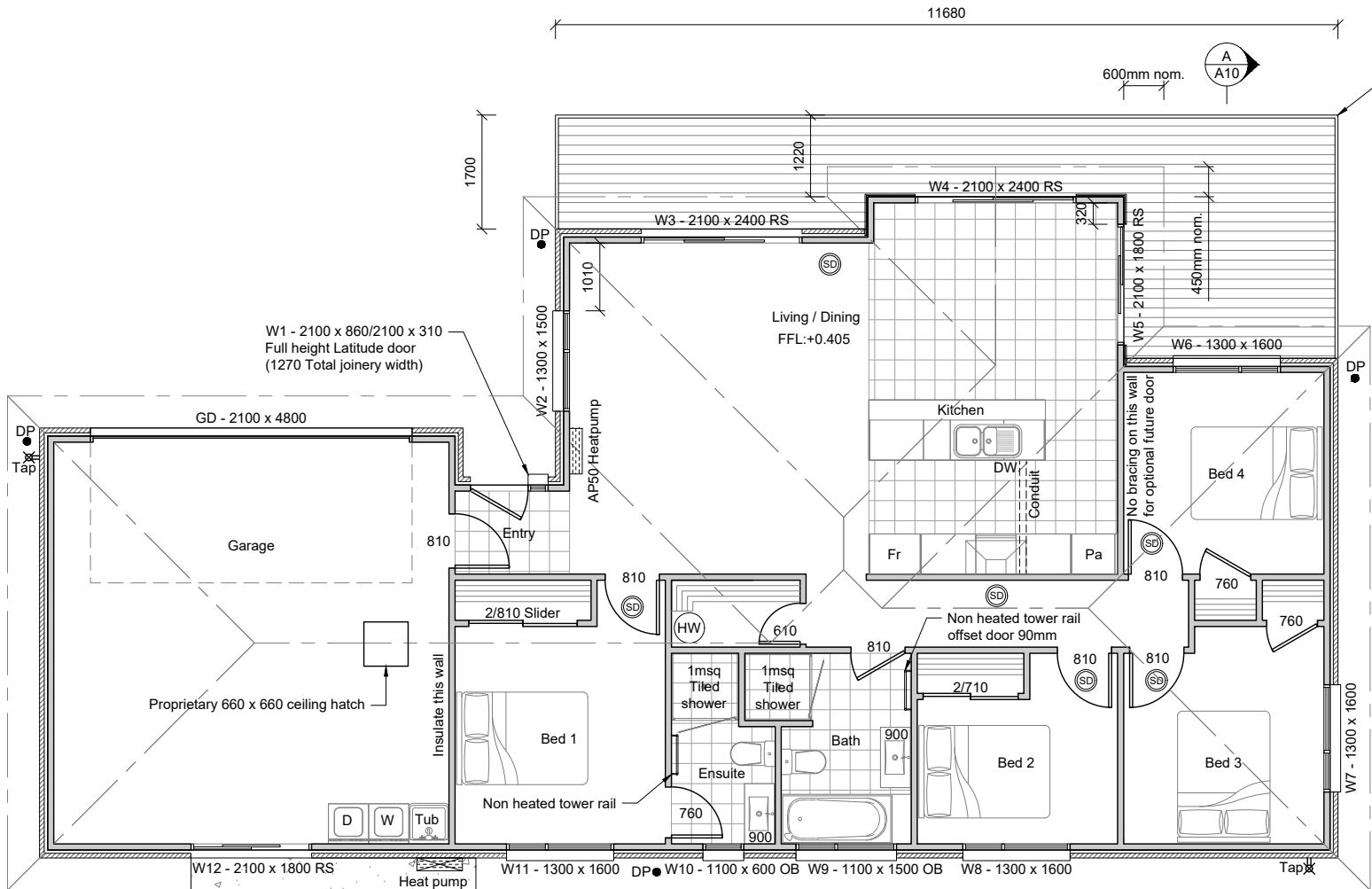
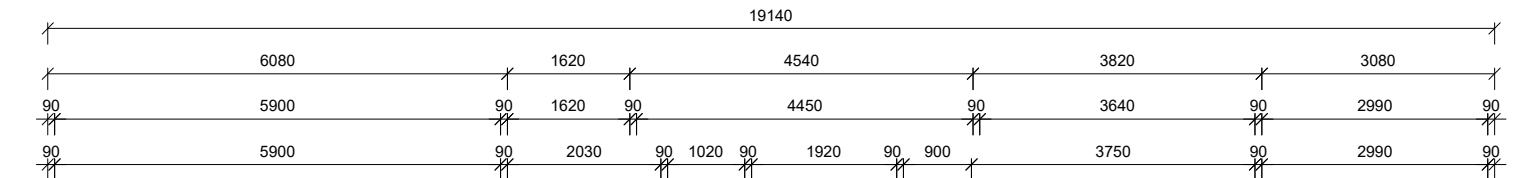
Drawn 30 September 2026

Project No 5327

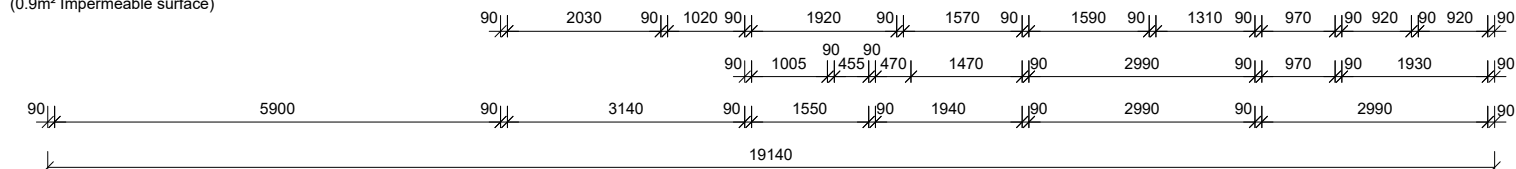
Rev BC-H-1

Sheet A02

Scale (A3 Original) 1: 100



3m² Concrete pad
(0.9m² Impermeable surface)



LEGEND



Smoke Detector



Roof Line



90 x 45 SG8 H1.2 Timber framing walls with brick veneer



90 x 45 SG8 H1.2 Timber framing walls with Axon 133mm grooved cladding



Selected tiles on selected tile underlay to all wet areas installed to manufacturers specifications & Branz tiling good practice guide



180L Mains pressure hot water cylinder



A Elevation
A02 SCALE = 1:100 @ A3

H1 SPECIFICATION:

- Foundation: Raft R1.5
- Walls: Pink batts R2.2
- Ceiling: Pink batts R3.0 min.
- Double glazing Solux-E R0.37
- On all windows unless specified

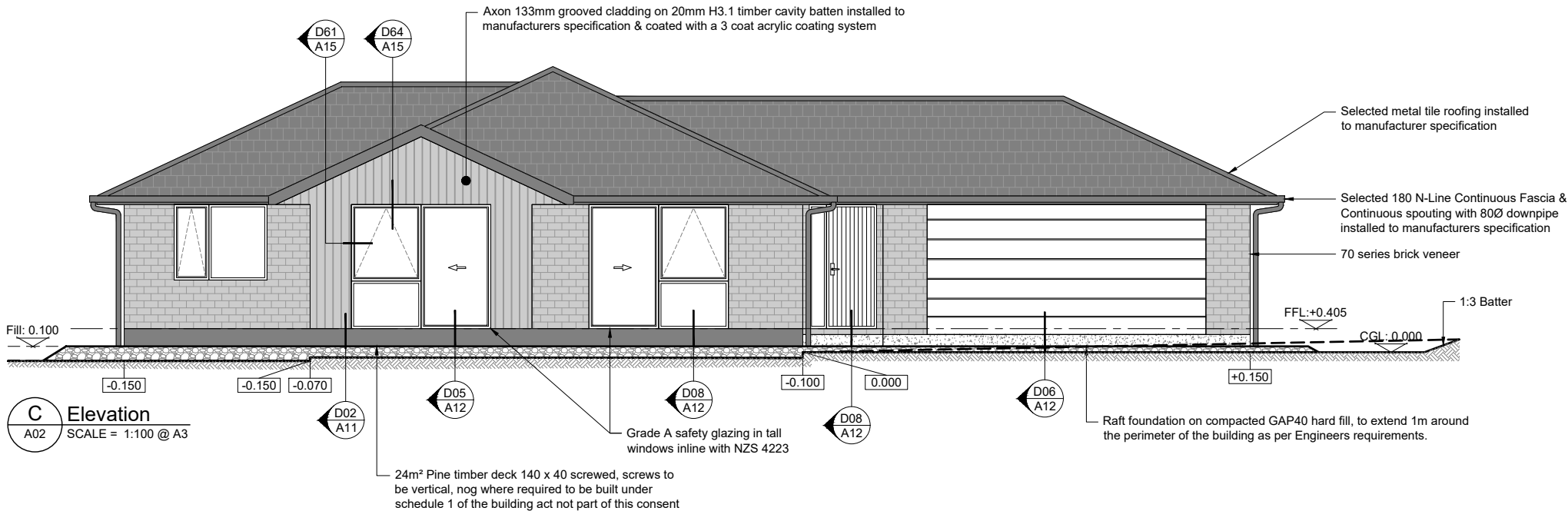
H1 Note:

Garage area not included in thermal envelope, insulate internal walls between garage & dwelling.

H1 calculations included in BC information.

NOTE:

1. All heights shown are existing ground heights.
2. All external linings to be installed to manufacturers instructions, refer to separate detail sheet for cladding details & notes.
3. All windows and doors double glazing low E Xcel.
4. Grade A safety glazing in bathrooms & tall windows and sliders inline with NZS 4223.



C Elevation
A02 SCALE = 1:100 @ A3

SPECIFICATIONS					
Cladding Type	Selected 70 Series Brick & Axon Cladding				
Stud Height	2.4m				
Roofing Type	Steel Tile				
Roof Pitch	25°				
Joinery	Aluminium				
Wind Zone	Very High				
Earth Quake Zone	1				
RISK MATRIX					
Risk Factor	L	M	H	VH/EH	Score
A. Wind Zone	0	0	1	2	2
B. Number of Storeys	0	1	2	4	0
C. Roof / Wall Intersection	0	1	3	5	0
D. Eave Width	0	1	2	5	1
E. Envelope Complexity	0	1	3	6	1
F. Deck Design	0	2	4	6	0
	Total				4

FIXINGS:

Exposure Zone: C
Durability of fixings to comply with NZS 3604:2011 Section 4 & NZBC B2/AS1

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HOMES

Project Title

Scotch Thistle
Properties Limited
47B Darwin Road
Kerikeri
Lot 5 DP 594147

Sheet Title

Elevations

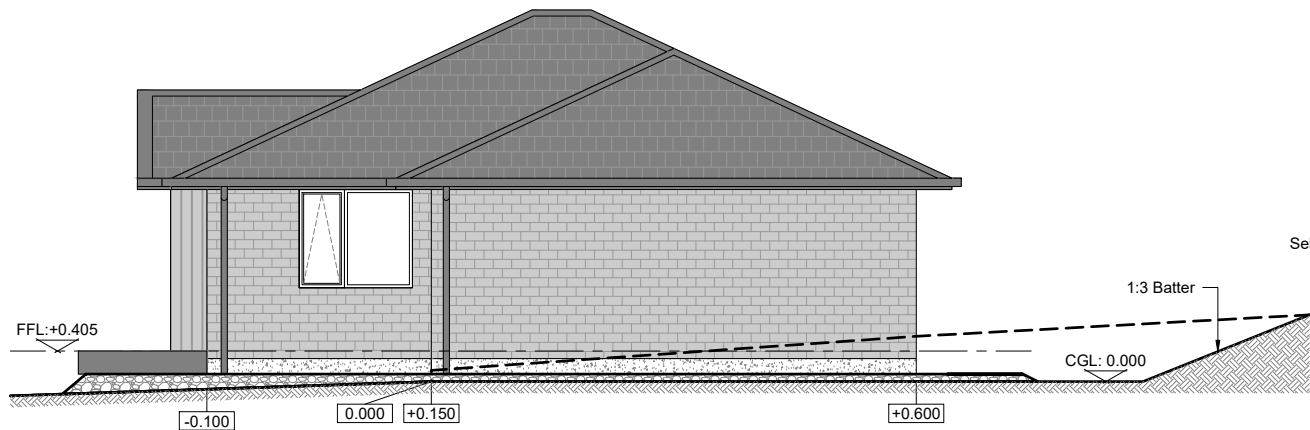
Drawn 30 September 2026

Project No 5327

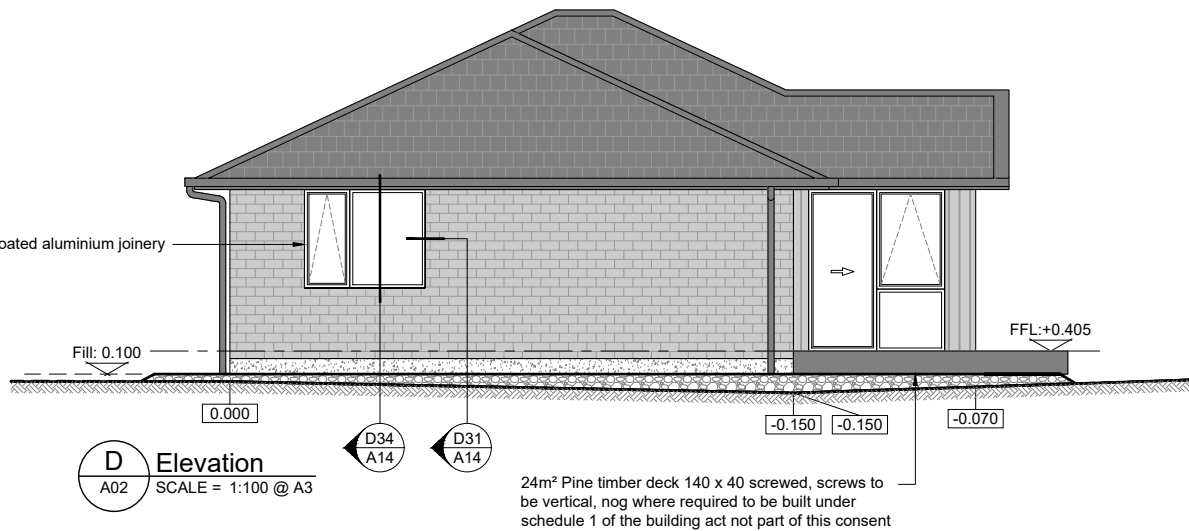
Rev BC-H-1

Sheet A03

Scale (A3 Original) 1: 100



B Elevation
A02 SCALE = 1:100 @ A3



D Elevation
A02 SCALE = 1:100 @ A3



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

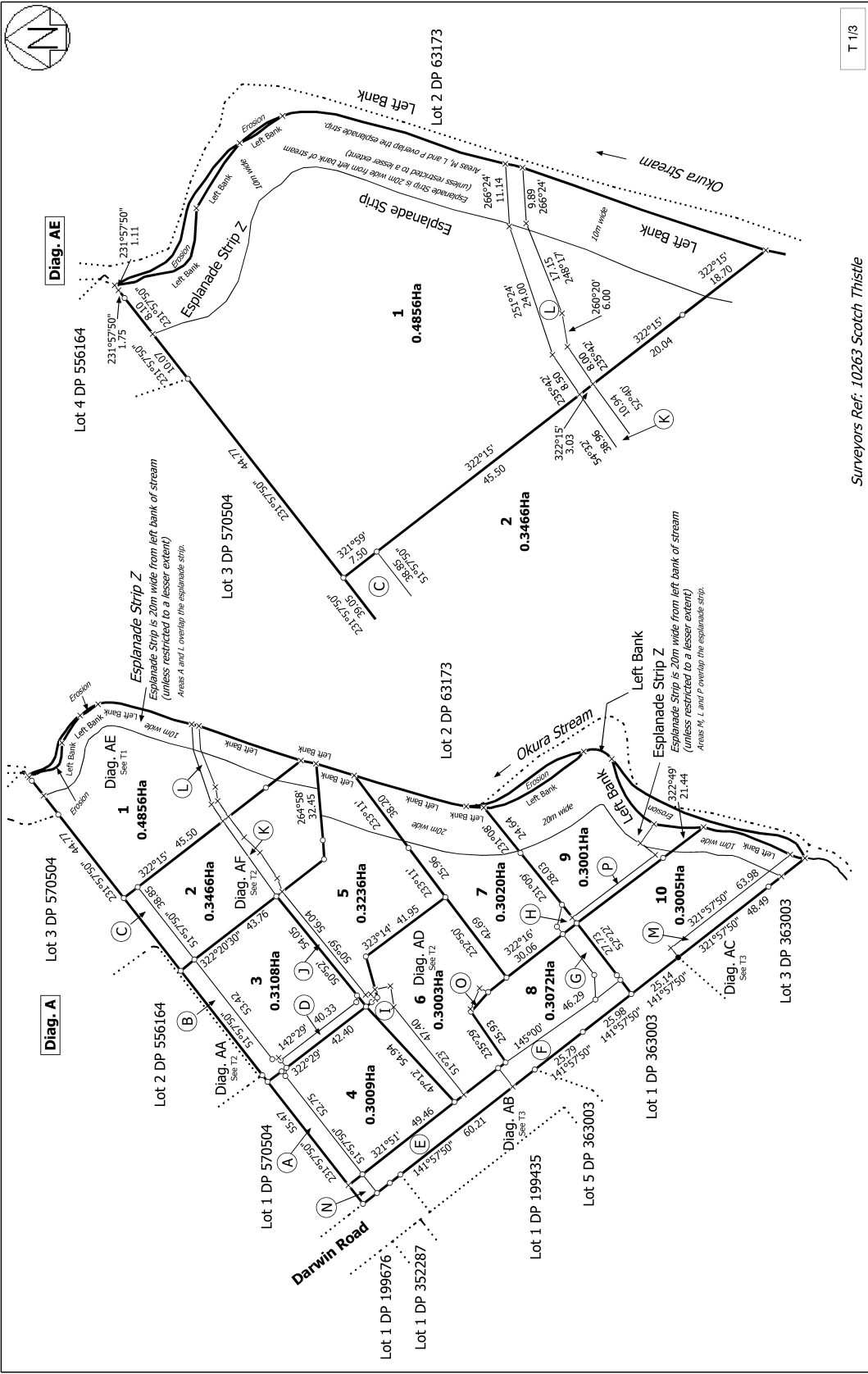
Identifier **1144400**
Land Registration District **North Auckland**
Date Issued 01 May 2024

Prior References
NA848/120

Estate Fee Simple
Area 3236 square metres more or less
Legal Description Lot 5 Deposited Plan 594147
Registered Owners
Scotch Thistle Properties Limited

Interests

12467984.5 Mortgage to ANZ Bank New Zealand Limited - 3.6.2022 at 3:30 pm
12965647.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 1.5.2024 at 10:58 am
Subject to a right to drain water over part marked J on DP 594147 created by Easement Instrument 12965647.3 - 1.5.2024 at 10:58 am
Appurtenant hereto is a right of way, a right to convey electricity, telecommunications and water and a right to drain sewage and water created by Easement Instrument 12965647.3 - 1.5.2024 at 10:58 am
The easements created by Easement Instrument 12965647.3 are subject to Section 243 (a) Resource Management Act 1991
12965647.6 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 - 1.5.2024 at 10:58 am
Land Covenant in Covenant Instrument 12965647.7 - 1.5.2024 at 10:58 am



Surveyors Ref: 10263 Scotch Thistle		Title Plan LT 594147 Approved on: 4/06/2024
Land District: North Auckland	Lots 1 to 10 being a Subdivision of Lot 12 DP 27236	
Digitally Generated Plan Generated on: 04/06/2024 07:57 am Page 6 of 8		Surveyor: Denis McGregor Thomson Firm: Thomson Survey Limited

View Instrument Details



Instrument No	12965647.2
Status	Registered
Date & Time Lodged	01 May 2024 10:58
Lodged By	Baker, Lisa Anne
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Toitū Te Whenua
Land Information
New Zealand

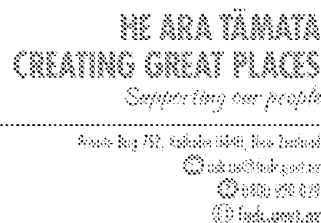
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1144396	North Auckland
1144397	North Auckland
1144398	North Auckland
1144399	North Auckland
1144400	North Auckland
1144401	North Auckland
1144402	North Auckland
1144403	North Auckland
1144404	North Auckland
1144405	North Auckland

Annexure Schedule Contains 3 Pages.

Signature

Signed by Danielle Meddings as Territorial Authority Representative on 18/04/2024 11:43 AM

*** End of Report ***



THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC-2230163-RMACOM

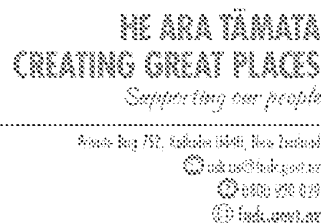
Being the Subdivision of LOT 12 DP 27236
North Auckland Registry

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 1-7 (inclusive), Lot 9 and Lot 10 DP 594147

- a. At the time any habitable building is located on Lots 1-7, 9 & 10 an appropriate onsite potable water system must be provided within the relevant lot. The water supply must provide for water for firefighting in accordance with NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008
- b. Development on Lots 1-7, 9 & 10 must be served by an appropriate onsite attenuation / soakage system as a means of providing for stormwater disposal. The systems must be designed and constructed to provide for stormwater runoff and disposal from impervious areas on the lot(s) in general accordance with the report contained in application Titled Subdivision Suitability Engineering Report Lot 12 DP27236, Ref S1959-J05369 Dated 9th September 2022.
- c. In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant/consent holder shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan Permitted Activity Standards.



- d. All habitable buildings of Importance level 2 and greater structures (as defined in AS/NZS 1170) will require engineering assessment for foundations and ground stability. Design shall be by a Chartered Professional Engineer with recognised competence in relevant geotechnical, structural matters and reference the Subdivision Suitability Engineering Report Lot 12 DP 27236, Ref S1959-J05369 dated 9th September 2022 and provided with RC 2220163. The foundation design details shall be submitted to Council in conjunction with the Building Consent application.

Lots 1-10 DP 594147

- e. The keeping of mustelids on the lot is not permitted. No more than two dogs and one cat shall be kept on the lot at any time. Any dog must be micro-chipped and kept within a dog-proof fenced area on the lot and can be under effective control when outside of the fenced area, e.g. on a lead. At night any dog must be kept inside or be tied up. Any cat is to be neutered/spayed, microchipped, and kept inside at night.
- f. At the time of future development, the owner is to install the stormwater mitigation referred to in the report entitled Subdivision Suitability Engineering Report Lot 12 DP27236, Ref S1959-J05369 Dated 9th September 2022. Specifically, the recommendations contained within pages 35-38. "Stormwater System Design Lot 8".

Lot 4 DP 594147

- g. The proposed future development on Lot 4 shall not exceed an impervious surface coverage of 25% of the gross site area and shall not exceed a building coverage of 12.5% of the gross site area as consented by RC 2230163-RMACOM. Should these limits be exceeded, further consent will need to be sought at the time of future development.

Lots 2, 3, 5, 6, 7, 9 and 10 DP 594147

- h. The proposed future development on Lots 2, 3, 5, 6, 7, 9 and 10 shall not exceed an impermeable surface coverage of 20% of the gross site area and shall not exceed a building coverage of 12.5% of the gross site area as consented by RC 2230163-RMACOM. Should these limits be exceeded, further consent will need to be sought at the time of future development.



Lot 9 DP 594147

- i. The proposed future built development and associated future impermeable surfaces and onsite disposal areas on Lot 9 shall not be setback less than 20 meters from the bank of the Okura Stream as consented by RC 2230163-RMACOM. Should these limits be exceeded, further consent will need to be sought at the time of future development.

Lot 10 DP 594147

- j. There shall be no buildings or structures constructed within area 'M' as shown on the survey plan. The definitions for buildings and structures are to be taken from the District Plan.
- k. The hedge within the area marked 'M' as shown on the scheme plan is to be retained in perpetuity, and maintained at a height of at least 4 meters, but no greater than 6 meters in height. The owner shall be deemed to be not in breach of this requirement should any of the hedge plantings die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. Any planting that dies must be replaced.

SIGNED:

Ms Patricia (Trish) Routley - Authorised Officer
By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
MANAGER – RESOURCE CONSENTS

DATED at **KERIKERI** this 2nd day of April 2024.

View Instrument Details



Instrument No 12965647.3
Status Registered
Date & Time Lodged 01 May 2024 10:58
Lodged By Baker, Lisa Anne
Instrument Type Easement Instrument



Affected Records of Title	Land District
1144396	North Auckland
1144397	North Auckland
1144398	North Auckland
1144399	North Auckland
1144400	North Auckland
1144401	North Auckland
1144402	North Auckland
1144403	North Auckland
1144404	North Auckland
1144405	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 Mortgagee under Mortgage 12467984.5 has consented to this transaction and I hold that consent ☒

Signature

Signed by Danielle Meddings as Grantor Representative on 18/04/2024 11:43 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 Danielle Meddings as Grantee Representative on 18/04/2024 11:43 AM

*** End of Report ***

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

SCOTCH THISTLE PROPERTIES LIMITED

Grantee

SCOTCH THISTLE PROPERTIES LIMITED

Grant of Easement or *Profit à prendre*

The Grantor being the registered owner of the burdened land 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, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A required

Continue in additional Annexure Schedule, if

Purpose of Easement, or <i>profit</i>	Shown (plan reference) 594147	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of way, Right to convey electricity and telecommunications Right to convey water Right to drain sewage	A	Lot 4 DP 594147 RT 1144399	Lots 1, 2, 3 and 5 DP 594147 RT 1144396, 1144397, 1144398, 1144400
	B	Lot 3 DP 594147 RT 1144398	Lots 1, 2 and 5 DP 594147 RT 1144396, 1144397, 1144400
	C	Lot 2 DP 594147 RT 1144397	Lot 1 DP 594147 RT 1144396
	D	Lot 3 DP 594147 RT 1144398	Lot 5 DP 594147 RT 1144400
	E	Lot 8 DP 594147 RT 1144403	Lots 6, 7, 9 and 10 DP 594147 RT 1144401, 1144402, 1144404, 1144405

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Purpose of Easement, or <i>profit</i>	Shown (plan reference) 594147	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of way, Right to convey electricity and telecommunications Right to convey water Right to drain sewage	F	Lot 8 DP 594147 RT 1144403	Lots 7, 9 and 10 DP 594147 RT 1144402, 1144404, 1144405
	G		
	H	Lot 7 DP 594147 RT 1144402	Lot 9 DP 594147 RT 1144404
	N	Lot 8 DP 594147 RT 1144403	Lots 1-7 inclusive, Lots 9 and 10 DP 594147 RT 1144396-1144402 inclusive, 1144404, 1144405
Right to convey electricity and telecommunications	B	Lot 3 DP 594147 RT 1144398	Lot 4 DP 594147 RT 1144399
Right to drain water	I	Lot 6 DP 594147 RT 1144401	Lots 4 and 8 DP 594147 RT 1144399, 1144403
	J	Lot 5 DP 594147 RT 1144400	Lots 3, 4, 6 and 8 DP 594147 RT 1144398, 1144399, 1144401, 1144403
	K	Lot 2 DP 594147 RT 1144397	Lots 3, 4, 5, 6 and 8 DP 594147 RT 1144398, 1144399, 1144400, 1144401, 1144403
	L	Lot 1 DP 594147 RT 1144396	Lots 2, 3, 4, 5, 6 and 8 DP 594147 RT 1144397, 1144398, 1144399, 1144400, 1144401, 1144403
	P	Lot 9 DP 594147 RT 1144404	Lots 7 and 8 DP 594147 RT 1144402, 1144403
Right to drain sewage	O	Lot 6 DP 594147 RT 1144401	Lot 8 DP 594147 RT 1144403

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

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

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

The implied rights and powers are hereby **added to** by:

Continuation of "Easement for Rights and Powers"

Easement of Right of Way

1. Where there is any conflict or inconsistency in the rights and powers implied in the Easement of Right of Way by the Land Transfer Regulations 2018 and Schedule 5 of the Property Law Act 2007, the former shall prevail.
2. No notice pursuant to sections 308-312 of the Property Law Act 2007 shall be available for the purposes of altering or upgrading the state of the land over which the Right of Way is granted unless it is first agreed in writing by both the registered owners for the time being of the Burdened Land and Benefitted Land respectively that the Right of Way shall be altered or upgraded as the case may be.

View Instrument Details



Instrument No 12965647.7
Status Registered
Date & Time Lodged 01 May 2024 10:58
Lodged By Baker, Lisa Anne
Instrument Type Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017



Affected Records of Title	Land District
1144396	North Auckland
1144397	North Auckland
1144398	North Auckland
1144399	North Auckland
1144400	North Auckland
1144401	North Auckland
1144402	North Auckland
1144403	North Auckland
1144404	North Auckland
1144405	North Auckland

Annexure Schedule Contains 2 Pages.

Covenantor Certifications

I certify that I have the authority to act for the Covenantor 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 Danielle Meddings as Covenantor Representative on 18/04/2024 11:43 AM

Covenantee Certifications

I certify that I have the authority to act for the Covenantee 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 Danielle Meddings as Covenantee Representative on 18/04/2024 11:43 AM

*** End of Report ***

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 26

Covenant Instrument to note land covenant

(Section 116(1)(a) & (b) Land Transfer Act 2017)

Covenantor

SCOTCH THISTLE PROPERTIES LIMITED

Covenantee

SCOTCH THISTLE PROPERTIES LIMITED

Grant of Covenant

The Covenantor, being the registered owner of the burdened land(s) set out in Schedule A, **grants to the Covenantee** (and, if so stated, in gross) 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 of covenant	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Land Covenant		Lots 1-10 inclusive DP 594147 RT 1144396 to 1144405 inclusive	Lots 1-10 inclusive DP 594147 RT 1144396 to 1144405 inclusive

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Covenant rights and powers (Including terms, covenants and conditions)

The provisions applying to the specified covenants are those set out below:

1. Definitions and Interpretations

1. For the purposes of this instrument the following terms shall have the following definitions:

The Covenantor includes itself and its successors in Title.

The Covenantee includes itself and its successors in Title

Benefited Land means that land owned by the Covenantee which is the subject of this instrument and is identified in Schedule A as the Benefited Land

Burdened Land means that land owned by the Covenantor which is the subject of this instrument and is identified in Schedule A as the Burdened Land

2. Covenants

The Covenantor covenants that it:

- 2.1 will not erect or permit to be erected or placed on the Burdened Land, any:
 - a. caravan or vehicle to be used as a dwelling or temporary dwelling for more than a 9 month period during dwelling construction.
 - b. building or structure that does not comply with the terms and conditions of the building consents obtained from the relevant authorities.
 - c. second-hand relocated or prefabricated building or temporary structure including a garage or carport. For the sake of clarity, a newly built relocated or prefabricated dwelling is permitted
 - d. second-hand materials in any building
 - e. fence constructed of roofing iron or second-hand materials
 - f. Shipping container for more than a 9 month period during dwelling construction.
2. will not leave any building incomplete for a period of more than 18 months after laying down the foundations for such building, including any ancillary work such as fencing, driveway or vehicle access. The Covenantor will ensure that all buildings are completed within the specified time period, in a tradesmanlike manner and to a high quality standard.
3. will complete all landscaping (including lawns) immediately following the completion of the dwelling taking into account the time of year and weather conditions.
4. will not allow rubbish to accumulate on the Burdened Land and will keep the Burdened Land, including any lawns, fences, building and structures, in good repair and in a neat and tidy condition. The Covenantor will keep any road or right of way and its frontage well maintained and in a neat and tidy condition.
5. will not to allow any of the buildings, structures or fencing erected or placed on the Burdened Land to become dilapidated or to fall into disrepair.

Breach of covenants

If there is any breach or non-observance by the Covenantor of any of the stipulations and restrictions contained in these covenants then without prejudice to any other liability which the Covenantor may have to the Covenantee and any other person or persons having the benefit of the stipulations and restrictions, the Covenantor will upon written demand being made by the Covenantee or any of the registered proprietors of the Benefited Land benefiting from these covenants;

- a) remediate, replace, remove or cause to be removed from the property any offending structure or erected or placed on the property and remove any materials or vegetation in breach or non-observance of the stipulations and restrictions contained in these covenants.
- b) replace any building material used in breach or non-observance of the stipulations or restrictions contained in these covenants.



WHAKARATONGA IWI

FIRE
EMERGENCY

NEW ZEALAND

Non-Reticulated Firefighting Water Supplies, Vehicular Access & Vegetation Risk Reduction Application for New and Existing Residential Dwellings and Sub-Divisions



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Section A - Firefighting Water Supplies and Vegetation Risk Reduction Waiver

“Fire and Emergency New Zealand strongly recommends the installation of automatic fire detection system devices such as smoke alarms for early warning of a fire and fire suppression systems such as sprinklers in buildings (irrespective of the water supply) to provide maximum protection to life and property”.

Waiver Explanation Intent

Fire and Emergency New Zealand [FENZ] use the New Zealand Fire Service [NZFS] Code of Practice for firefighting water supplies (SNZ PAS 5409:2008) (The Code) as a tool to establish the quantity of water required for firefighting purposes in relation to a specific hazard (Dwelling, Building) based on its fire hazard classification regardless if they are located within urban fire districts with a reticulated water supply or a non-reticulated water supply in rural areas. The code has been adopted by the Territorial Authorities and Water Supply Authorities. The code can be used by developers and property owners to assess the adequacy of the firefighting water supply for new or existing buildings.

The Area Manager under the delegated authority of the Fire Region Manager is responsible for approving applications in relation to firefighting water supplies. The Area Manager may accept a variation or reduction in the amount of water required for firefighting for example; a single level dwelling measuring 200^m² requires 45,000L of firefighter water under the code, however the Area Managers in Northland have excepted a reduction to 10,000L.

This application form is used for the assessment of proposed water supplies for firefighting in non-reticulated areas only and is referenced from (Appendix B – Alternative Firefighting Water Sources) of the code. This application also provides fire risk reduction guidance in relation to vegetation and the 20-metre dripline rule under the Territorial Authority's District Plan. Fire and Emergency New Zealand are not a consenting authority and the final determination rests with the Territorial Authority.

For more information in relation to the code of practice for Firefighting Water supplies, Emergency Vehicle Access requirements, Home Fire Safety advice and Vegetation Risk Reduction Strategies visit www.fireandemergency.nz

Section B – Applicant Information

Applicants Information	
Name:	AG Construction Ltd
Address:	Hobson Avenue, Kerikeri
Contact Details:	c/- Williams & King, Attention: Natalie Watson
Return Email Address:	nat@saps.co.nz

Section C – Property Details

Property Details	
Address of Property:	47B Darwin Road, Kerikeri
Lot Number/s:	Lot 5 DP 594147
Dwelling Size: (Area = Length & Width)	Approx 150m2
Number of levels: (Single / Multiple)	Single

1. Fire Appliance Access to alternative firefighting water sources - Expected Parking Place & Turning circle

Fire and Emergency have specific requirements for fire appliance access to buildings and the firefighting water supply. This area is termed the hard stand. The roading gradient should not exceed 16%. The roading surface should be sealed, able to take the weight of a 14 to 20-tonne truck and trafficable at all times. The minimum roading width should not be less than 4 m and the property entrance no less 3.5 metres wide. The height clearance along access ways must exceed 4 metres with no obstructions for example; trees, hanging cables, and overhanging eaves.

1 (a) Fire Appliance Access / Right of Way	
Is there at least 4 metres clearance overhead free from obstructions?	☒ YES ☐ NO
Is the access at least 4 metres wide?	☐ YES ☒ NO
Is the surface designed to support a 20-tonne truck?	☒ YES ☐ NO
Are the gradients less than 16%	☒ YES ☐ NO
Fire Appliance parking distance from the proposed water supply is 25m metres	

If access to the proposed firefighting water supply is not achievable using a fire appliance, firefighters will need to use portable fire pumps. Firefighters will require at least a one-metre wide clear path / walkway to carry equipment to the water supply, and a working area of two metres by two metres for firefighting equipment to be set up and operated.

1 (b) Restricted access to firefighting water supply, portable pumps required
Has suitable access been provided? ☒ YES ☐ NO
Comments:

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

2. Firefighting Water Supplies (FFWS)

What are you proposing to use as your firefighting water supply?

2 (a) Water Supply Single Dwelling	
Tank	☐ Concrete Tank ☒ Plastic Tank ☐ Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) ☒ Part Buried (max exposed 1.500 mm above ground) ☐ Fully Buried (access through filler spout) Volume of dedicated firefighting water litres

2 (b) Water Supply Multi-Title Subdivision Lots / Communal Supply	
Tank Farm	☐ Concrete Tank ☐ Plastic Tank ☐ Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) ☐ Part Buried (max exposed 1.500mm above ground) ☐ Fully Buried (access through filler spout) Number of tanks provided 2 x 25,000 litre Number of Tank Farms provided Click or tap here to enter text. Water volume at each Tank Farm Click or tap here to enter text. Litres Volume of dedicated firefighting water 10,000 litres

2 (c) Alternative Water Supply	
Pond:	Volume of water: Click or tap here to enter text.
Pool:	Volume of water: Click or tap here to enter text.
Other:	Specify: Click or tap here to enter text.
	Volume of water: Click or tap here to enter text.

Internal FENZ Risk Reduction comments only:

[Click or tap here to enter text.](#)

3. Water Supply Location

The code requires the available water supply to be at least 6 metres from a building for firefighter safety, with a maximum distance of 90 metres from any building. This is the same for a single dwelling or a Multi-Lot residential subdivision. Is the proposed water supply within these requirements?

3 (a) Water Supply Location	
Minimum Distance:	<i>Is your water supply at least 6 metres from the building?</i> ☒ YES ☐ NO
Maximum Distance	<i>Is your water supply no more than 90 metres from the building?</i> ☒ YES ☐ NO

3 (b) Visibility
How will the water supply be readily identifiable to responding firefighters? E.g.: tank is visible to arriving firefighters or, there are signs / markers posts visible from the parking place directing them to the tank etc.
Comments: The southern most tank can be fitted with a fire-righting coupling so as to be located at least 6m from the dwelling. It will be located behind the dwelling so not immediately visible from the parking area, however the site is small and the tanks would not be difficult to find.

3 (c) Security
How will the FFWS be reasonably protected from tampering? E.g.: light chain and padlock or, cable tie on the valve etc.
Explain how this will be achieved: Cable tie on valve.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

4. Adequacy of Supply

The volume of storage that is reserved for firefighting purposes must not be used for normal operational requirements. Additional storage must be provided to balance diurnal peak demand, seasonal peak demand and normal system failures, for instance power outages. The intent is that there should always be sufficient volumes of water available for firefighting, except during Civil Défense emergencies or by prior arrangement with the Fire Region Manager.

4 (a) Adequacy of Water supply

Note: *The owner must maintain the firefighting water supply all year round. How will the usable capacity proposed be reliably maintained? E.g. automatically keep the tank topped up, drip feed, rain water, ballcock system, or manual refilling after use etc.*

Comments:

The outlet pipe will be set to retain 10,000 litres of water at all times. It can be manually refilled through tanker if required. An irrigation water supply to the boundary is also available.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

5. Alternative Method using Appendix's H & J

If Table 1 + 2 from the Code of Practice is not being used for the calculation of the Firefighting Water Supply, a competent person using appendix H and J from the Code of Practice can propose an alternative method to determine firefighting water supply adequacy.

Appendix H describes a method for determining the maximum fire size in a structure. Appendix J describes a method for assessing the adequacy of the firefighting water supply to the premises.

5 (a) Alternative Method Appendix H & J

If an alternative method of determining the FFWS has been proposed, who proposed it?

Name: Click or tap here to enter text.

Contact Details: Click or tap here to enter text.

Proposed volume of storage?

Litres: Click or tap here to enter text.

Comments:

Click or tap here to enter text.

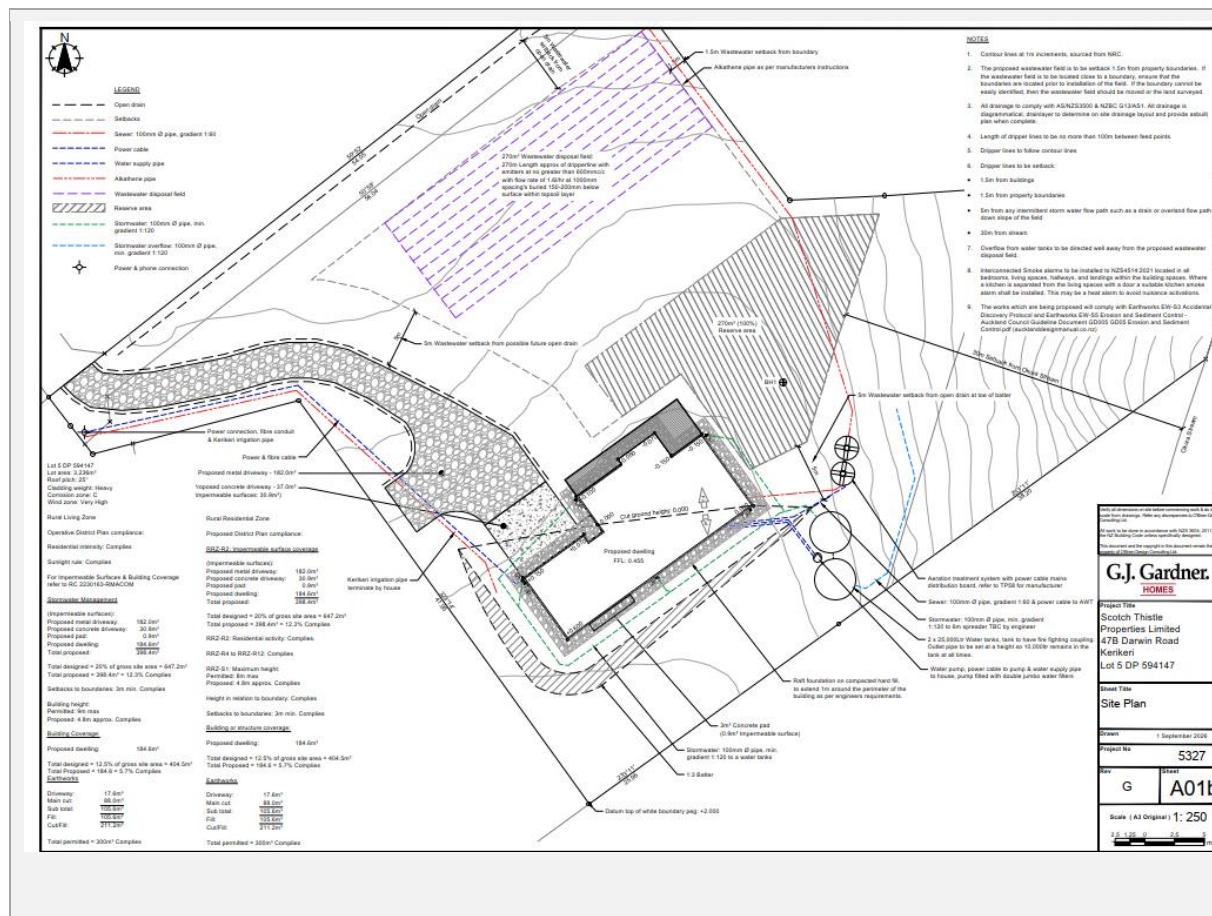
** Please provide a copy of the calculations for consideration.*

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

6. Diagram

Please provide a diagram identifying the location of the dwelling/s, the proposed firefighting water supply and the attendance point of the fire appliance to support your application.



Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

7. Vegetation Risk Reduction - Fire + Fuel = Why Homes Burn

Properties that are residential, industrial or agricultural, are on the urban–rural interface if they are next to vegetation, whether it is forest, scrubland, or in a rural setting. Properties in these areas are at greater risk of wildfire due to the increased presence of nearby vegetation.

In order to mitigate the risk of fire spread from surrounding vegetation to the proposed building and vice-versa, Fire Emergency New Zealand recommends the following;

I. Fire safe construction

Spouting and gutters – Clear regularly and consider screening with metal mesh. Embers can easily ignite dry material that collects in gutters.

Roof – Use fire resistant material such as steel or tile. Avoid butanol and rubber compounds.

Cladding – Stucco, metal sidings, brick, concrete, and fibre cement cladding are more fire resistant than wood or vinyl cladding.

II. Establish Safety Zones around your home.

Safety Zone 1 is your most important line of defence and requires the most consideration. Safety Zone 1 extends to 10 metres from your home, you should;

- a) Mow lawn and plant low-growing fire-resistant plants; and*
- b) Thin and prune trees and shrubs; and*
- c) Avoid tall trees close to the house; and*
- d) Use gravel or decorative crushed rock instead of bark or wood chip mulch; and*
- e) Remove flammable debris like twigs, pine needles and dead leaves from the roof and around and under the house and decks; and*
- f) Remove dead plant material along the fence lines and keep the grass short; and*
- g) Remove over hanging branches near powerlines in both Zone 1 and 2.*

III. Safety Zone 2 extends from 10 – 30 metres of your home.

- a) Remove scrub and dead or dying plants and trees; and*
- b) Thin excess trees; and*
- c) Evenly space remaining trees so the crowns are separated by 3-6 metres; and*
- d) Avoid planting clusters of highly flammable trees and shrubs*
- e) Prune tree branches to a height of 2 metres from the ground.*

IV. Choose Fire Resistant Plants

Fire resistant plants aren't fire proof, but they do not readily ignite. Most deciduous trees and shrubs are fire resistant. Some of these include: poplar, maple, ash, birch and willow. Install domestic sprinklers on the exterior of the sides of the building that are less 20 metres from the vegetation. Examples of highly flammable plants are: pine, cypress, cedar, fir, larch, redwood, spruce, kanuka, manuka.

For more information please go to <https://www.fireandemergency.nz/at-home/the-threat-of-rural-fire/>

If your building or dwelling is next to vegetation, whether it is forest, scrubland, or in a rural setting, please detail below what Risk Reduction measures you will take to mitigate the risk of fire development and spread involving vegetation?

7 (a) Vegetation Risk Reduction Strategy

The proposed dwelling is within 8 - 10m of the dripline of vegetation present alongside Okura Stream, within an esplanade strip. The intervening area will be in grass, to retain a suitable buffer area.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

8. Applicant

Checklist	
☒	Site plan (scale drawing) – including; where to park a fire appliance, water supply, any other relevant information.
☒	Any other supporting documentation (diagrams, consent).

I submit this proposal for assessment.

Name: Natalie Watson Dated: 9/09/2026

Contact No.: 09 407 6030

Email: nat@saps.co.nz

Signature: Natalie Watson

9. Approval

In reviewing the information that you have provided in relation to your application being approximately a [Click or tap here to enter text.](#) square metre, Choose an item. dwelling/sub division, and non-sprinkler protected.

The Area Manager of Fire and Emergency New Zealand under delegated authority from the Fire Region Manager, Te Hiku, has assessed the proposal in relation to firefighting water supplies and the vegetation risk strategy. The Manager Choose an item. agree with the proposed alternate method of Fire Fighting Water Supplies. Furthermore; the Manager agrees with the Vegetation Risk Reduction strategies proposed by the applicant.

Name: [Click or tap here to enter text.](#)

Signature: [Click or tap here to enter text.](#) Dated: [Click or tap to enter a date.](#)

P.P on behalf of the Area Manager

Fire and Emergency New Zealand
Te Tai Tokerau / Northland District

APPROVED
By GoffinJ at 10:32 am, Sep 14, 2026

Jason Goffin- Advisor Risk
Reduction