

# Application for change or cancellation of resource consent condition (S.127)

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) 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

If yes, who have you spoken with? \_\_\_\_\_

## 2. Type of Consent being applied for

☒ Change of conditions (s.127)

## 3. Consultation:

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

If yes, which groups have you consulted with?

Refer to original application. Proposed variation does not necessitate further consultation.

Who else have you consulted with?

Refer to original application, where Department of Conservation were consulted. Proposed variation does not necessitate further consultation.

*For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council [tehonosupport@fndc.govt.nz](mailto:tehonosupport@fndc.govt.nz)*

## 4. Applicant Details:

Name/s:

David John Nute & Julia Allison Nute

Email:

Phone number:

Postal address:

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

Office Use Only  
Application Number:

## 5. 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.

## 6. 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:**

As per applicant details.

**Property Address/  
Location:**

Postcode

## 7. Application Site Details

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

**Name/s:**

**Site Address/  
Location:**

128 Te Kowhai Point Road

RD1

Kerikeri

Postcode

0294

**Legal Description:**

Lot 2 DP 205281

**Val Number:**

00213-41603

**Certificate of title:**

NA132C/342

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



## 7. Application Site Details (continued)

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details.

*This is important to avoid a wasted trip and having to re-arrange a second visit.*

Please phone David or Julia Nute on 027 522 5817.

## 8. Detailed description of the proposal:

This application relates to the following resource consent: **RC 2250275-RMACOM**

Specific conditions to which this application relates:

Activity A, Conditions 1 - 8.

Describe the proposed changes:

It is proposed to vary the consent to allow it to be completed in two stages. Stage 1 will create Lot 1 and the balance area (Lot 2), and Stage 2 will complete the subdivision by further subdividing Lot 2 Stage 1 into Lots 2, 3 and 4. A new activity to allow the consent notices applied at Stage 1 to be canceled as they relate to Lot 2 of Stage 1 subsequently to, or simultaneously with, registration of Stage 2 consent notice conditions.

## 9. Would you like to request Public Notification?

☐ Yes ☒ No

## 10. 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)

## 11. 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 (including consultation from iwi/hapū).

Your AEE is attached to this application ☒ Yes



## 12. 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

## 13. 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) David & Julia Nute

**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)

J. A. Nute

**Signature:** (signature of bill payer)

Date 12/06/2025

MANDATORY



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

### 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](http://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.

### Declaration

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

Name: (please write in full)

J. M. NOZIE

Signature:

[Redacted Signature]

Date: 21/06/2025

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)
- ☐ Details of your consultation with Iwi and hapū
- ☒ A current Certificate of Title (Search Copy not more than 6 months old)
- ☒ 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 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.

# **SURVEY & PLANNING SOLUTIONS (2010) LTD**

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Ref: 24445

11 June 2025

Resource Consents Department  
Far North District Council  
John Butler Centre  
60 Kerikeri Road  
Kerikeri

Dear Sir or Madam,

**Re: Proposed Variation of RC 2250275-RMACOM for David John Nute & Julia  
Allison Nute - 128 Te Kowhai Point Road, Kerikeri**

Please find enclosed an application form in support of our clients' request to vary the consent conditions of RC 2250275-RMACOM to support the staging of the consent.

## **1. Overview & Site Description**

David and Julia Nute were granted combined subdivision and land use consent to comprising three activities, with the approval being referenced 2250275-RMACOM.

*Activity A: Subdivision to create three additional Records of Title in the General Coastal zone as a non-complying activity.*

*Activity B: To undertake earthworks to form property access to the boundary of each allotment as a Discretionary Activity in the General Coastal zone.*

*Activity C: To cancel consent notice D562591.2 insofar as it relates to Lot 2 DP 205281 pursuant to s221(3) of the RMA 1991.*

The subdivision authorised by Activity A creates four lots with areas ranging from 3.4774ha to 4.8788ha (areas and dimensions subject to final survey), resulting in the creation of three additional Records of Title. Lot 1 contains the existing built development (house, accessory and farm buildings), while the remaining lots are vacant sites.

**Von Sturmers**  
131 Commerce St  
PO Box 128, Kaitaia 0441, NZ  
Telephone: 09 408 6000  
Email: [kaitaia@saps.co.nz](mailto:kaitaia@saps.co.nz)

**Williams & King**  
27 Hobson Ave  
PO Box 937, Kerikeri 0245, NZ  
Telephone: 09 407 6030  
Email: [kerikeri@saps.co.nz](mailto:kerikeri@saps.co.nz)



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RC 2250275-RMACOM is appended in **Attachment 1**.

Condition 1 of RC 2250275-RMACOM requires that the subdivision shall be carried out in accordance with the approved plans prepared by Williams and King, referenced Proposed Subdivision of Lot 2 DP 205281, dated Apl 2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.

The consent holders wish to stage the subdivision, allowing Lot 1 and the balance of the site to be created as a first stage, with balance to be further subdivided to create Lots 2 and 3 as a second stage.

Additionally, a minor adjustment between Lots 1 and 4 is proposed, although it is considered that the change in lot sizes (Lot 1 is decreasing by 3,609m<sup>2</sup>, Lot 4 is increasing by the same area).

The Stage 1, Stage 2 and Overall Scheme Plans are provided in **Attachment 2**.

The subject site is legally described as Lot 2 DP 205281 and held in Record of Title NA132C/342, with an area of 15.7915ha more or less. The Record of Title is provided in **Attachment 3**. The site is located at 128 Te Kowhai Point Road, approximately 7.3km north east of central Kerikeri. Refer to the Location Map in **Figure 1**.

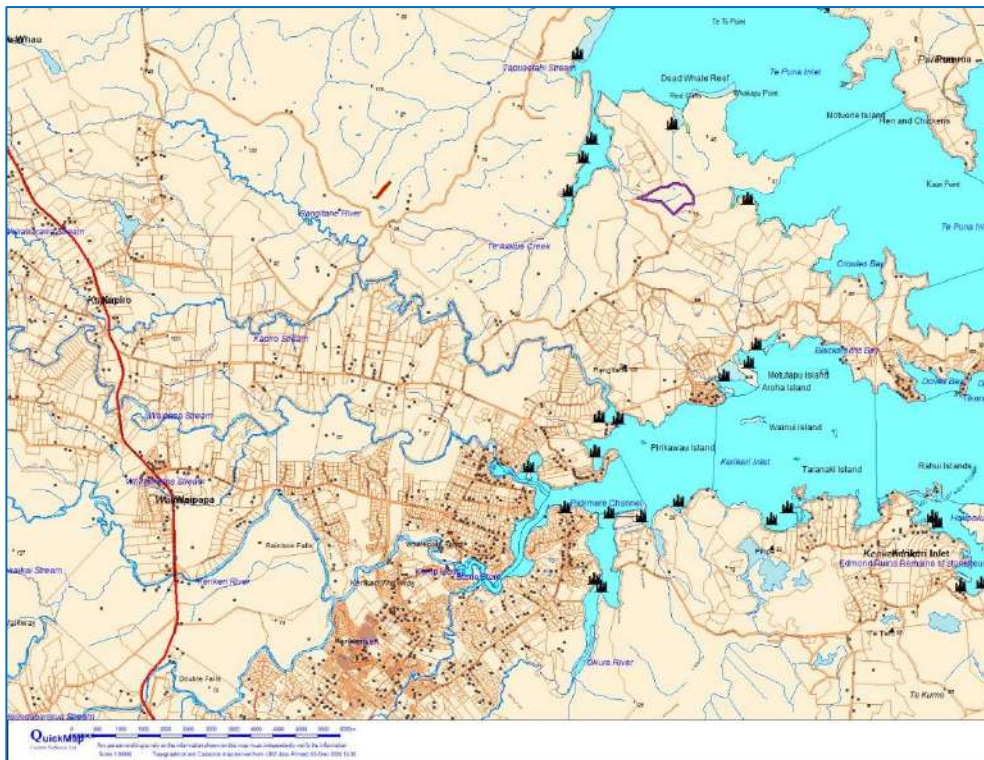


Figure 1: Location Map

**Von Sturmers**  
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PO Box 128, Kaitiaki 0441, NZ  
Telephone: 09 408 6000  
Email: [kaitiaki@saps.co.nz](mailto:kaitiaki@saps.co.nz)

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The land is developed with an existing dwelling and accessory buildings and a barn / implement shed, which are located in Lot 1 near the northern boundary. The existing buildings are surrounded by established plantings.

The land has a predominant pasture cover, which covers all parts of the site outside of the areas of built development, dams, wetland areas and areas of revegetation.

The subject land has frontage Te Kowhai Point Road, with an existing entrance at 128 Te Kowhai Point Road (beyond the termination of the legal road reserve), which will continue to serve Lot 1. A new vehicle crossing is to be formed to access Lots 2 – 4, with private vehicle access via easements O, M and N to be formed, and those easements to be created, at Stage 2 thereafter.

## **2. Description of Variation**

Changes to the conditions of Activity A are proposed to allow the subdivision to be completed in two stages.

Stage 1 will create Lot 1 and a balance lot (Lot 2). At Stage 1, it is envisaged that the new vehicle crossing will be formed, thus providing vehicle access to the boundary of Lot 2. Besides forming the vehicle crossing, no other earthworks will be required.

At Stage 2, the balance lot will be further subdivided to complete the remainder of the subdivision, i.e. Lots 2 – 4 will be created. At this stage, easements will need to be created, and private access formed within the property over these easements. Detailed engineering design and plan approval will need to be completed in association with the formation of access, including access over a dam embankment.

We suggest that conditions 1 – 4 be retained for both stages (with updated Condition 1 to reference the approved staged scheme plans, and a minor correction to Condition 4, as proposed below) with separate s223 and 224c conditions for each of Stages 1 and 2.

To avoid replication and contradiction of consent notices where they are applied at both stages, we propose that the Stage 1 consent notice conditions applicable to Lot 2 be allowed to be cancelled in full at Stage 2, on the condition that they will be replaced by the Stage 2 consent notice conditions. This can be achieved through a s221(3) approval once the Stage 1 survey plan has deposited (refer to proposed Activity D).

For Conditions 1 – 4, proposed insertions are shown in bold and underlined, deletions are struck through. For the remaining conditions 5 – 8, these will all require changes to cater for the proposed staging, therefore they can all be considered as deleted, with a new set of conditions proposed.



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1. The activity shall be carried out in general accordance with the approved plans prepared by Williams & King, referenced Proposed Subdivision of Lot 2 DP 205281 **Stage 1, Stage 2 and Overall**, dated ~~Apr 2025~~ **June 2025**, and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The activity shall be carried out in general accordance with the Site Suitability Report prepared by Vision Consulting Engineers, referenced Proposed Subdivision of 128 Te Kowhai Point Road, dated 11/04/2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.
3. The activity shall be carried out in general accordance with the Site Suitability Report prepared by Bay Ecological Consultancy, referenced ECOLOGICAL IMPACT ASSESSMENT, dated 10 December 2024, and attached to this consent with the Council's "Approved Stamp" affixed to it.
4. The activity shall be carried out in general accordance with the ~~Site Suitability Report~~ **Landscape Assessment** prepared by ~~Bay~~ Simon Cocker Landscape Architect, referenced Landscape assessment, dated 18 December 2024, and attached to this consent with the Council's "Approved Stamp" affixed to it.

## **Stage 1**

### **Survey plan approval (s223) conditions**

5. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
  - a. Areas shown A - L & P - U hereon are to be subject to Land Covenants for Wetland and indigenous vegetation protection.
  - b. Areas shown A, E & P - U hereon are to be subject to Land Covenants for No buildings, structures or development.
6. Prior to the approval of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:
  - a. Provide for the certification of the Resource Consents Principal Planner other duly delegated representative, a pest and weed management plan for the lots in general accordance with the Ecological Impact Assessment prepared by Bay Ecological Consultancy Ltd dated 10 December 2024. The management plan shall be written to address the future allocation of ongoing implementation responsibilities once the Stage 2 subdivision is completed. The management plan shall include:
    - i. Pest and weed management measures including ongoing maintenance;
    - ii. Appropriate signage;
    - iii. Details of the mechanism / arrangement to oversee the ongoing implementation of the plan in a coordinated manner;

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- iv. Reporting mechanisms including progress of weed and pest management;
- v. Any other relevant matter for the purposes of managing the allotments;
- vi. Predator control to provide higher functionality of remaining habitat;
- vii. Browser control to allow establishment of revegetation and natural regeneration as the site develops;
- viii. Ongoing prevention/ removal of exotic infestations enabling increased and more diverse natural regeneration assisted by the browser control and infill of gaps;
- ix. effectively increasing values of wetland and protect extent from invasion of non wetland shrubs and herbaceous species;
- x. revegetation of areas P R T.

## **Section 224(c) compliance conditions**

7. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:

- a. Construct a new unsealed vehicle crossing from Te Kowhai Point Road in accordance with Sheet 21 Rural Type 1A Crossing (2 or Less Lots, or can be formed for 3 – 5 Lots if the consent holder wants to form it to the standard required for Stage 2) and sheets 22 & 23 and 4 of Council's Engineering Standards 2023 Edition. The vehicle crossing centre is to be located a minimum of 44m west of the end of Te Kowhai Point Road legal road formation. Vehicle Crossing approach angle with the road carriageway be between 70-90 degrees to enable visibility in both directions.
- b. Complete revegetation within areas P, R & T in general accordance with the proposed species list and approximate plant numbers specified in Appendix 4 of the Ecological Impact Assessment prepared by Bay Ecological Consultancy Ltd dated 10 December 2024.
- c. Complete planting specified in area C in accordance with Section 2 of the Landscape Assessment prepared by Simon Cocker Landscape Architecture dated 18 December 2024.
- d. Carry out initial implementation of weed and pest management plan and provide written confirmation from a suitably qualified ecologist.
- e. Provide to the Far North District Council's duly delegated officer ([planning.support@fndc.govt.nz](mailto:planning.support@fndc.govt.nz)), evidence of the existing dogs or cats on site for Lot 1. The evidence shall include:
  - i. Photograph of the dog and/or cat;
  - ii. Written confirmation that the cat has been neutered
  - iii. Written confirmation that the cat and/or dog has been microchipped \For any dog, written confirmation that the dog has a current kiwi aversion training certification along with the expiry date for the certification.



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8. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:

- a. In conjunction with the construction of any building requiring building consent, a geotechnical report prepared by a Suitably Qualified and Experienced Person shall be provided. Any future development including building platform shall comply with the restrictions and recommendations identified in the Vision Consulting Engineers Site Suitability report reference J15729 dated 11 April 2025 unless an alternative engineering report prepared by a Suitably Qualified and Experienced Person is approved in writing by Council. [Lot 2]
- b. Upon construction of any habitable building, sufficient water supply for fire fighting purposes is to be provided and be accessible by fire fighting appliances in accordance with Council's Engineering Standards 2023 and more particularly with the 'FENZ Fire Fighting Code of Practice SNZ PAS 4509:2008'. An alternative means of compliance with this standard will require written approval from Fire and Emergency NZ. [Lot 2]
- c. In conjunction with the construction of any buildings which includes a wastewater treatment & effluent disposal system, the applicant shall submit with the Building Consent application an Onsite Wastewater Report prepared by a Suitably Qualified and Experienced Person in accordance with AS/NZS 1547:2012 or TP58. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus an appropriately sized reserve disposal area in accordance with the Northland Regional Council Regional Plan for Northland requirements. [Lot 2]
- d. Electricity and telecommunications connections have not been provided at subdivision stage. Future lot owners are responsible for obtaining these connections. [Lot 2]
- e. The owner/s of Lot 2 are responsible for maintaining the "Gerrard Dam" outlet structure where it is located within the Lot 2 property boundaries to ensure the spillway structure is clear of debris and operating adequately. It is recommended that visual appraisals of the dam be undertaken by the property owner, annually, or following periods of intense or prolonged rainfall, to confirm the findings and recommendations of the Fraser Thomas report reference G00510 dated 16 July 2024 remain valid. [Lot 2]
- f. The owner of Lot 2 is responsible for maintaining the "Chignell Dam" embankment and drainage infrastructure and is to ensure the spillway structure is clear of debris and operating adequately. It is recommended that visual appraisals of the dam be undertaken by the lot owner/s, annually, or following periods of intense or prolonged rainfall. [Lot 2]

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- g. Accessways and vehicular circulation and manoeuvring spaces are to be constructed from blue metal, a dark seal surface, or from exposed aggregate with a dark oxide additive as per the SCLA Landscape Assessment referenced 24061\_01 dated 18 December 2024 submitted with the subdivision consent application. [Lot 2]
- h. Wetlands have been identified on Lot 2, with overland flowpaths from Lot 2 contributing to the wetland areas. Future development of the lots shall take into consideration wastewater disposal setbacks, stormwater quality and earthworks disturbance and rules and setbacks required by the Northland Regional Council Regional Plan and NES-F 2020. Stormwater shall be managed to prevent sedimentation, scouring and erosion of the wetland areas. Refer to Bay Ecological Consultancy Ltd Ecological Impact Assessment for Proposed Subdivision Lot 2 DP 205281 provided with the subdivision resource consent application for details. [Lot 2]
- i. Any building consent, which increases impermeable surfaces beyond the permitted threshold of 10% of the total Lot area are to attenuate flows to the permitted levels for rainfall events up to a 10% Annual Exceedance Probability (10% AEP) with an allowance for the RCP6.0 climate change scenario. [Lot 2]
- j. The site is identified as being within a kiwi high density zone. On all lots no occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. [Lot 2]
- k. The lot is identified as being within a kiwi high density zone. On all lots no occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. [Lot 1]  
Note: This Consent Notice does not relate to the existing dogs on site currently registered under 224 condition 7.e and will be put into effect once the existing dogs or cats are no longer living and/or not kept on the lot(s).
- l. Exotic vegetation which could adversely affect natural regeneration is not to be introduced to the site. This includes environmental weeds, and those plants listed in the National Pest Plant Accord. [Lot 2]
- m. Any building or structures are to be located and designed to meet the design controls specified in the Landscape Assessment by Simon Cocker Landscape Architecture under the headings 'Building Area' (the allowed building area for Lot 2, Stage 1 is that defined for Lot 4 in the Landscape Assessment), 'Building height and RL of building platform', 'Building Form and design', 'external finishes for buildings and structures', 'Internal roading and driveways' and 'Earthworks and retaining walls'. A statement prepared by a qualified Landscape Architect or Architect is to be provided at Building Consent stage to demonstrate compliance. [Lot 2]



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- n. Building construction and any other development that poses a risk to life or property within the identified inundation zone shown as areas 'A', 'E', 'P', 'Q', 'R', 'S', 'T' and 'U' on the survey plan is prohibited, these areas also having been set aside for riparian margin revegetation. [Lot 2]
- o. The pest and weed management plan to protect the native vegetation and kiwi habitat shall be observed and continued by the landowners and the plan shall not cease or be amended without the express permission of Council. [All Lots]
- p. The owner shall preserve the indigenous trees and bush as indicated on the survey plan, as areas A - L & P - U and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall 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. [All Lots]

## **Stage 2**

### **Survey plan approval (s223) conditions**

- 9. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
  - a. All easements in the memorandum to be duly granted or reserved.
  - b. Existing Areas shown A - L & P - U being Land Covenants for Wetland and indigenous vegetation protection.
  - c. Existing Areas shown A, E & P - U hereon being Land Covenants for No buildings, structures or development.
- 10. Prior to the approval of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:
  - a. The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Engineering Standards. The engineering plans are to be submitted to the Council's Development Engineer for Engineering Plan Approval. Plans are to include but are not limited to:
    - i. If not already formed at Stage 1, design details of the construction of a new unsealed vehicle crossing from Te Kowhai Point Road in accordance with Sheet 21 Rural Type 1A Crossing (3-5 lots) and sheets 22 & 23 and 4 of Council's Engineering Standards 2023 Edition. The vehicle crossing centre is to be located a minimum of 44m west of the end of Te Kowhai Point Road legal road formation. Vehicle Crossing approach angle with the road carriageway be between 70-90 degrees to enable visibility in both directions. Note: Entrance crossings are to be designed and constructed in such a shall manner that will control stormwater run-off entering a property from the accessway, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the accessway from a property.

**Von Sturmers**  
131 Commerce St  
PO Box 128, Kaitaia 0441, NZ  
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- ii. Design details for constructing the private accessways along easements O, M and N indicated on Williams & King scheme plan referenced 24445 April 2025. Design details shall include typical cross sections, long sections, passing bays, culverts, drainage flow paths, and pavement design details. The accessways shall be designed to accommodate a medium rigid truck of 8m length and have the following minimum surfaced widths:

Location	Lots Served	Minimum Carriageway Width (ODP 3B-1)
ROW O	Lots 2,3,4	3m with passing bays
ROW M + N	Lots 2,3	3m with passing bays where visibility is restricted

Note: Where the carriageway width is less than 4.5m, passing bays shall be provided at points of intervisibility. For such passing bays the carriageway width shall be increased to 5.5m over a 15m length including 5m tapers at each end in accordance with 3.2.28.2 of the FNDC Engineering Standards 2023.

- iii. Details of proposed accessway earthworks including cut/ fill volumes, batter slopes, stockpile locations, and locations where excess cut material is to be distributed on site (if applicable).
- iv. Details of a safety barrier with appropriately spaced bollards, complying with AS/NZS 3845:2017, to be installed along the upstream side of ROW M Accessway to prevent vehicles from leaving the roadway and entering the "Chignell Dam" waterway.
- v. A comprehensive geotechnical assessment of the dam embankment supporting ROW M to confirm its load bearing capacity and address potential impacts of accessway construction. The assessment shall outline any restrictions to vehicle type/ weight able to use the accessway and permanent load limit signage (if applicable).
- vi. Design details of the "Chignell Dam" (northern Dam under ROW M) dam overflow culvert upgrade to a 450mm diameter plastic culvert to convey the 1% AEP plus climate change event, and factor in increased runoff from future lot impermeable surface coverage.
- vii. Provide an assessment of the "Gerrard Dam" outlet located within Lot 3 to confirm its suitability to convey stormwater flows from a 1% AEP + climate change event and any remediation work required. The assessment shall be carried out by a Suitably Qualified and Experienced Person as defined in the FNDC Engineering Standards 2023.

Note no construction works are to commence onsite until the engineering plans required in condition 10(a) have been approved.



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- viii. Provide to Council's Resource Consent Engineer or delegated representative before works a Construction Management Plan ("CMP") for certification, and shall include:
- Details of the site manager including full contact details;
  - Details of the supervising engineer;
  - Details of the successful contractor;
  - The timing of construction works, including hours of work, key project and site management personnel;
  - A traffic management plans, specifically in relation to any Council roads affected by works;
  - Details of how construction materials will be moved to and from the site, including vehicle access through visibility is restricted marked entry and exit points, and how materials will be loaded and unloaded;
  - Proposed procedures for controlling sediment runoff and dust generation;
  - Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
  - All buried services within the road boundary shall be located, marked and adequately protected prior to any works commencing.
  - Programme of works;
  - Proposed hours of work on the site;
- b. Provide to Council's Resource Consent Engineer or delegated representative an erosion and silt control plan for certification. The ESCP is to be prepared in accordance with Auckland Council GD05 requirements.
- c. Provide to Council's Resource Consent Engineer or delegated representative a draft easement document for ROW M to outline the Lot 2 and 3 owners responsibilities for maintenance of the dam embankment and drainage infrastructure.

## Section 224(c) compliance conditions

11. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:

- a. Provide confirmation that all works on the approved engineering plans in Condition 3(d) is to be carried out to the approval of the Resource Consent Engineer. Compliance with this condition shall be determined by;
- PS4A and approval of supporting documentation provided by the developer's representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works in general accordance with Council's Engineering Standards 2023.
  - "Certificate of Completion of Resource Consent Works" from the Contractor.
- b. The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate

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easement boundaries to the satisfaction of the Resource Consent Engineer or delegated representative.

- c. Ensure that pasture in works area is grazed short prior to earthworks to avoid any potential effects on kiwi.
- d. Complete planting specified in areas I and E in accordance with Section 2 of the Landscape Assessment prepared by Simon Cocker Landscape Architecture dated 18 December 2024.

12. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder.

- a. In conjunction with the construction of any building requiring building consent, a geotechnical report prepared by a Suitably Qualified and Experienced Person shall be provided. Any future development including building platform shall comply with the restrictions and recommendations identified in the Vision Consulting Engineers Site Suitability report reference J15729 dated 11 April 2025 unless an alternative engineering report prepared by a Suitably Qualified and Experienced Person is approved in writing by Council. [Lots 2-4]
- b. Upon construction of any habitable building, sufficient water supply for fire fighting purposes is to be provided and be accessible by fire fighting appliances in accordance with Council's Engineering Standards 2023 and more particularly with the 'FENZ Fire Fighting Code of Practice SNZ PAS 4509:2008'. An alternative means of compliance with this standard will require written approval from Fire and Emergency NZ. [Lots 2-4]
- c. In conjunction with the construction of any buildings which includes a wastewater treatment & effluent disposal system, the applicant shall submit with the Building Consent application an Onsite Wastewater Report prepared by a Suitably Qualified and Experienced Person in accordance with AS/NZS 1547:2012 or TP58. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus an appropriately sized reserve disposal area in accordance with the Northland Regional Council Regional Plan for Northland requirements. [Lots 2-4]
- d. Electricity and telecommunications connections have not been provided at subdivision stage. Future lot owners are responsible for obtaining these connections. [Lots 2-4]
- e. The Lot 3 building platform shall be setback at least 10 metres from the top of the Gerrard Dam spillway bank (refer to the Vision Consulting Engineers Memorandum reference J15729 v4 dated 24/04/2025 submitted with the subdivision application for more details.) [Lot 3]



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- f. The owners of Lot 3 are responsible for maintaining the “Gerrard Dam” outlet structure where it is located within the Lot 3 property boundaries to ensure the spillway structure is clear of debris and operating adequately. It is recommended that visual appraisals of the dam be undertaken by the property owner, annually, or following periods of intense or prolonged rainfall, to confirm the findings and recommendations of the Fraser Thomas report reference G00510 dated 16 July 2024 remain valid. [Lot 3]
- g. The owners of Lots 2 and 3 are jointly responsible for maintaining the “Chignell Dam” embankment and drainage infrastructure referenced as easement ROW M and to ensure the spillway structure is clear of debris and operating adequately. It is recommended that visual appraisals of the dam be undertaken by the lot owners, annually, or following periods of intense or prolonged rainfall. [Lots 2 and 3]
- h. Accessways and vehicular circulation and manoeuvring spaces are to be constructed from blue metal, a dark seal surface, or from exposed aggregate with a dark oxide additive as per the SCLA Landscape Assessment referenced 24061\_01 dated 18 December 2024 submitted with the subdivision consent application. [Lots 2-4]
- i. Wetlands have been identified on Lots 3 and 4, with overland flowpaths from Lots 2-4 contributing to the wetland areas. Future development of the lots shall take into consideration wastewater disposal setbacks, stormwater quality and earthworks disturbance and rules and setbacks required by the Northland Regional Council Regional Plan and NES-F 2020. Stormwater shall be managed to prevent sedimentation, scouring and erosion of the wetland areas. Refer to Bay Ecological Consultancy Ltd Ecological Impact Assessment for Proposed Subdivision Lot 2 DP 205281 provided with the subdivision resource consent application for details. [Lots 2-4]
- j. Any building consent, which increases impermeable surfaces beyond the permitted threshold of 10% of the total Lot area are to attenuate flows to the permitted levels for rainfall events up to a 10% Annual Exceedance Probability (10% AEP) with an allowance for the RCP6.0 climate change scenario. [Lots 2-4]
- k. The site is identified as being within a kiwi high density zone. On all lots no occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. [Lots 2-4]
- l. Exotic vegetation which could adversely affect natural regeneration is not to be introduced to the site. This includes environmental weeds, and those plants listed in the National Pest Plant Accord. [Lots 2 – 4]
- m. Any building or structures are to be located and designed to meet the design controls specified in the Landscape Assessment by Simon Cocker Landscape Architecture under the headings ‘Building Area’, ‘Building height and RL of building

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platform', 'Building Form and design', 'external finishes for buildings and structures', 'Internal roading and driveways' and 'Earthworks and retaining walls'. A statement prepared by a qualified Landscape Architect or Architect is to be provided at Building Consent stage to demonstrate compliance. [Lots 2 – 4]

- n. Building construction and any other development that poses a risk to life or property within the identified inundation zone shown as areas 'A', 'E', 'P', 'Q', 'R', 'S', 'T' and 'U' on the survey plan is prohibited, these areas also having been set aside for riparian margin revegetation. [Lots 3 & 4]
- o. The pest and weed management plan to protect the native vegetation and kiwi habitat shall be observed and continued by the landowners and the plan shall not cease or be amended without the express permission of Council. [All Lots]
- p. The owner shall preserve the indigenous trees and bush as indicated on the survey plan, as areas A - L & P - U and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall 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. [All Lots]

**Activity B** – no change.

**Activity C** – no change.

**New Activity D: Pursuant to Section 221(3) Council consents to the cancellation of the Consent Notice conditions recorded in Stage 1 Condition 8 as they relate to Lot 2 of Stage 1. This may only be actioned subsequently to, or simultaneously with, registration of the consent notice conditions of Stage 2.**

### **3. Consultation**

Section 127(4) of the Act states:

*"For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who-*

- (a) Made a submission on the original application; and*
- (b) May be affected by the change or cancellation.*



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The decision on the original application concluded that *“By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.”*<sup>1</sup>

The changes sought will not have any implications in terms of off-site effects. As such, it is considered that the proposal will not result in any person being adversely affected.

## **4. Assessment of Environmental Effects**

*The following assessment of environmental effects focuses on the effects of the proposed change to RC 2250275-RMACOM as set out under the ‘Description of Variation’.*

### **4.1 Property Access**

While the vehicle crossing can be formed at Stage 1, the earthworks and associated private access formation, including requirements for the formation and maintenance of vehicle access over the dam embankment, will be completed at Stage 2. The staged conditions have been proposed to this effect.

No changes are proposed in terms of the standard of vehicle crossing or private access, and there will be no additional traffic being generated as a result of the proposed variation, therefore no adverse effects will arise in terms of the safety and efficiency of public or private property access.

### **4.2 Natural and Other Hazards**

The proposed variation will not result in any adverse effects in terms of natural hazards, with existing recommendations and resulting conditions relating to the following matters will be retained:

- Water supply for fire fighting purposes in association with future residential units.
- Provision of suitable building sites subject to site specific geotechnical assessment at building consent stage.
- Geotechnical assessment of the load bearing capacity of the dam embankment.

### **4.3 Water Supply**

The proposal will not result in any adverse effects in terms of water supply.

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<sup>1</sup> Refer to ‘Reasons for the Decision’ (1) of RC 2250275-RMACOM.

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## **4.4 Stormwater Disposal**

The area of Lot 1 will reduce slightly, however existing impermeable surfaces on the lot will remain within the permitted activity standard of 10% in terms of the General Coastal Zone Stormwater Management rule of the Operative District Plan.

Conditions relating to stormwater management, including details of dam outlet capacity, maintenance of outlet and drainage infrastructure, and stormwater attenuation where future impermeable surface coverage exceeds 10% will be retained.

No adverse effects will arise with regards to stormwater.

## **4.5 Sanitary Sewage Disposal**

Existing requirements via consent notice conditions to have on site wastewater appropriately designed at building consent stage will be retained. As such, the proposal avoids adverse effects in relation to sanitary sewage disposal.

## **4.6 Energy & Telecommunications Supply**

No adverse effects will arise from the proposed variation, with the existing consent notice condition specifying that the responsibility for providing power and telecommunications will remain with the property owner continuing to be applied to the vacant lots.

## **4.7 Easements for any Purpose**

Easements shown in the Memorandum will be created at Stage 2, when they are required.

## **4.8 Preservation of Heritage Resources, Vegetation, Fauna and Landscape**

The proposed lots do not contain any recorded heritage resources, landscape features, or sites of cultural significance. The site is not within the coastal environment. The variation will not cause any actual or potential adverse effects on the above resources.

It is proposed that wetland covenants are created at Stage 1, together with pest and weed management plan approval and initial implementation, revegetation for ecological purposes, and landscape amenity planting within area C. At Stage 2, the remainder of landscape amenity planting within areas I and E will be completed, if it hasn't already been done at Stage 1.

The proposed variation does not necessitate indigenous vegetation clearance, and does not introduce new activities which may harm indigenous fauna. Existing consent notice conditions requiring domestic cats and/or dogs to be excluded (other than existing pets) so as to avoid the risk of predation of North Island brown kiwi will be retained.

It is therefore considered that the proposal avoids adverse effects on heritage resources, vegetation, fauna, and landscape.

**Von Sturmers**  
131 Commerce St  
PO Box 128, Kaitaia 0441, NZ  
Telephone: 09 408 6000  
Email: [kaitaia@saps.co.nz](mailto:kaitaia@saps.co.nz)

**Williams & King**  
27 Hobson Ave  
PO Box 937, Kerikeri 0245, NZ  
Telephone: 09 407 6030  
Email: [kerikeri@saps.co.nz](mailto:kerikeri@saps.co.nz)



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## **4.9 Access to Reserves and Waterways**

The proposal has no implications in terms of public access to reserves or waterways.

## **4.10 Land Use Compatibility**

The varied subdivision is considered to avoid adverse effects associated with land use compatibility or reverse sensitivity issues, as the subdivision layout remains much the same as the existing approved subdivision.

## **5. District Plan Activity Status**

### **5.1 Operative District Plan**

The proposed variation does not result in any change to the overall non-complying activity status of the activity under the Operative District Plan, and no new infringements to the relevant Zone, Natural and Physical Resources or Subdivision rules have been identified.

### **5.2 Proposed District Plan**

Under the Proposed District Plan, the site is zoned Rural Production. In terms of the relevant rules with legal effect (EW-R12 and EW-R13), the proposal continues to achieve a permitted activity status.

## **6. Statutory Assessment**

### **6.1 Regional Policy Statement**

It is considered that the proposed activity remains consistent with the Northland Regional Policy Statement.

### **6.2 Operative Far North District Plan**

The proposal continues to be in agreement with the relevant objectives and policies of the Operative District Plan, as set out in the 'Reasons for the Decision' for RC 2250275-RMACOM. The staging of the consent does not detract from the characteristics of the proposal which ensure consistency with those strategies.

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## **6.3 Proposed Far North District Plan**

The proposal was considered to be consistent with the objectives and policies of the Proposed District Plan, as set out in the 'Reasons for the Decision' for RC 2250275-RMACOM. The staging of the consent does not detract from the characteristics of the proposal which ensure consistency with those strategies.

## **6.4 Weighting of Operative and Proposed Far North District Plans**

The relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

The current District Plan review process was initiated in 2016. Submissions and further submissions have been received. Public hearings are currently taking place, and in 2026 the council will give notice of its decisions on the Proposed District Plan. At this stage, as there is scope for relevant rules, objectives and policies to change, it is considered that limited weight should be attributed to the Proposed District Plan, and more weight applied to the provisions of the Operative District Plan.

## **7. Resource Management Act 1991 Purpose and Principles**

The varied activity continues to achieve the purpose and principles of the Resource Management Act 1991.

## **8. Conclusion**

It is respectfully requested that Council consider this application as soon as is possible. Please do not delay in contacting me should you require further information.

Yours faithfully  
Williams & King, Kerikeri



Natalie Watson  
Resource Planner

**Von Sturmers**  
131 Commerce St  
PO Box 128, Kaitaia 0441, NZ  
Telephone: 09 408 6000  
Email: [kaitaia@saps.co.nz](mailto:kaitaia@saps.co.nz)

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## **Attachments**

1. RC 2250275-RMASUB
2. Staged Scheme Plans
3. Record of Title

**Von Sturmers**  
131 Commerce St  
PO Box 128, Kaitaia 0441, NZ  
Telephone: 09 408 6000  
Email: [kaitaia@saps.co.nz](mailto:kaitaia@saps.co.nz)

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Email: [kerikeri@saps.co.nz](mailto:kerikeri@saps.co.nz)



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



*R. W. Muir*  
Registrar-General  
of Land

**Identifier** **NA132C/342**  
**Land Registration District** **North Auckland**  
**Date Issued** 14 December 2000

**Prior References**

110D/364-365

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<b>Estate</b>	Fee Simple
<b>Area</b>	15.7915 hectares more or less
<b>Legal Description</b>	Lot 2 Deposited Plan 205281

**Registered Owners**

David John Nute and Julia Allison Nute

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**Interests**

Subject to Section 8 Mining Act 1971

Subject to Section 168A Coal Mines Act 1925

Appurtenant hereto are right of way and rights to convey water, telecommunications and electricity created by Transfer D066530.8

The easements created by Transfer D066530.8 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant hereto is a right of way and a right of way (pedestrian access only) specified in Easement Certificate D371759.3 - produced 25.3.1999 at 2.44 pm and entered 8.4.1999 at 9.00 am

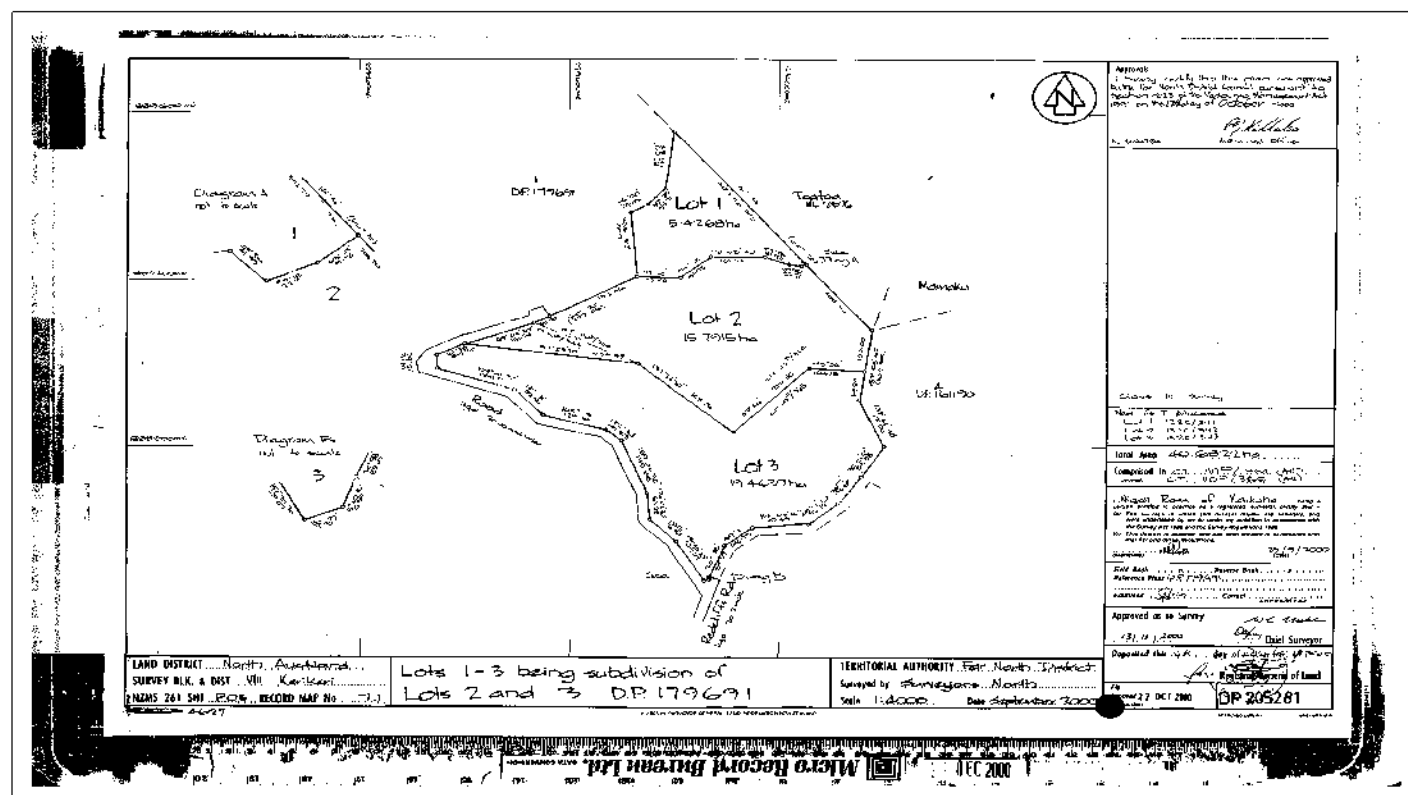
Appurtenant hereto are telecommunications and power rights specified in Easement Certificate D371759.3 - produced 25.3.1999 at 2.44 pm and entered 8.4.1999 at 9.00 am (affects part formerly in CT NA110D/364)

The easements specified in Easement Certificate D371759.3 are subject to Section 243 (a) Resource Management Act 1991

D562591.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - entered 1.12.2000 at 2.13 pm and entered 14.12.2000 at 1.19 pm

Fencing Covenant in Transfer D585549.4 - 8.3.2001 at 2.07 pm

11721278.1 Mortgage to ASB Bank Limited - 25.3.2020 at 2:54 pm





1 D066530.8TE

Under the Land Transfer Act 1952

## Memorandum of Transfer

WHEREAS

✓ A. EDWARD FEATHERSTONHAUGH of Kerikeri farmer ("the Transferor")

being registered as proprietor

of an estate in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in those pieces of land situated in the Land District of North Auckland containing

FIRST 2343 square metres more or less being ~~part~~ Lot 6 Deposited Plan 161190 and being part Section 22 Block VIII Kerikeri Survey District being the land comprised and described in <sup>part</sup> Certificate of Title <sup>50B/1439</sup> ~~96B/312~~ (North Auckland Registry) Subject to: more or less being Section 168A Coal Mines Act 1925, Section 8 Mining Act 1971 ("Lot 6")

SECONDLY 19.8530 hectares more or less being <sup>part</sup> Lot 4 Deposited Plan 161190 and being part Section 22 Block VIII Kerikeri Survey District being <sup>part of</sup> the land comprised and described in Certificate of Title No. <sup>50B/1439</sup> ~~96B/312~~ (North Auckland Registry) Subject to: Section 168A Coal Mines Act 1925, Section 8 Mining Act 1971 Mortgage No. C363290.1 ("the servient land")

NEW ZEALAND STAMP DUTY AK1

30/05/95 00220001 \*1.00

B. PETER WILLIAM GERRARD and LYNN GWENNETH GERRARD both of Kaikohe company directors ("the Transferee") are registered as proprietor of an estate in fee simple as tenants in common in equal shares in that parcel of land containing 161.9720 hectares more or less being <sup>part</sup> Lot 1 Deposited Plan 98255 and being Section 25 Block VII and part Section 22 Block VIII Kerikeri Survey District being <sup>part of</sup> the land now comprised and described in Certificate of Title No. 53C/351 (North Auckland Registry) Subject to: Section 168A Coal Mines Act 1925; Section 8 Mining Act 1971; Mortgage No C558511.5 ("the dominant land") after deducting the two severance areas described below

✓ C. THOSE portions of land containing first 1784m<sup>2</sup> and secondly 791m<sup>2</sup> ("the severance areas") being part Lot 4 Deposited Plan 161190 are contained in Certificate of Title No. 53C/351 (North Auckland Registry)

D. IT is a condition of the approval by the Far North District Council to Land Transfer Plan 161190 that Lot 6 be transferred to the Transferee

TO: District Land Registrar  
AUCKLAND

PLAN (LAND TRANSFER) NO. 161190

I, **MARGARET ELLEN FEATHERSTONHAUGH** of Kerikeri, Married Woman the mortgagee under and by virtue of Memorandum of Mortgage No. C659262.2 **HEREBY CONSENT** to the creation of the easements as shown on the above noted plan.

DATED this

11<sup>th</sup>

day of

April

1995

SIGNED by the said  
**MARGARET ELLEN  
FEATHERSTONHAUGH**  
in the presence of:

M. E. Featherstonhaugh

*[Handwritten signatures]*  
B. L. L. L.  
Whangarei

aforesaid operations is repaired.

3. **Right to convey water.** The rights and powers and the terms conditions covenants or restrictions shall be those as set out in clauses 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952.

In the event of dispute as to any matter relating to the easements hereby created such dispute shall be referred to arbitration in accordance with the Arbitration Act 1908 and its amendments or any legislation passed in substitution therefor.

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- a. To use any reticulation systems already laid on the easement areas or any reticulation systems or part thereof in replacement or in substitution therefor.
- b. Where no such reticulation systems exists to place and maintain or to have placed and maintained reticulation systems in conformity with the requirements of the duly authorised telecommunications and electricity supply authorities above or below the surface of the easement areas.
- c. In order to construct or maintain the efficiency of any such reticulation systems the full, free, uninterrupted and unrestricted right liberty and privilege for the Transferee his tenants, servants, agents and workmen, with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose to enter upon the easement area and to remain there for any reasonable time for the purpose of placing, inspecting, altering, repairing, renewing, relaying and otherwise maintaining the reticulation systems or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the land of the Transferor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the

*APL*  
*PLG*  
*SP*  
*9/11*

\*\*by both the Transferor and the Transferee or the registered proprietor for the time being of the easement areas.

- a. The cost of any reasonably necessary or desirable upgrading reconstruction of or maintenance or repair to the easement areas and the fences bordering them shall be shared in proportion to use by the registered proprietors using the easement areas **PROVIDED HOWEVER** that where any costs under this clause are directly attributable to any of those registered proprietors or their invitees the costs in that case shall be borne wholly by the party to whom that action is directly attributable, **PROVIDED HOWEVER** that any Notice pursuant to Sections 126C, 126D and 126E of the Property Law Act 1952 shall not 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\*\*
- b. The easement areas shall not be used for the grazing or holding of livestock.

## 2. Telecommunications and Electric Power Supply

The full free uninterrupted and unrestricted right liberty and privilege for the Transferee and their tenants (in common with the Transferor his tenants, and any other person lawfully entitled so to do) from time to time and at all times to reticulate telecommunications and electric power supply by means of poles cables or wires or other conductors of telecommunications and electric power supply or other equipment and any pipes or poles supporting the same above or below the surface (hereinafter called "the reticulation systems") in a free and unimpeded supply (except when the supply is halted for any reasonable period necessary for essential repairs) from the source of supply or point of entry as the case may be across the easement areas together with the additional rights following:

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E. THE Transferee has agreed to transfer to the Transferor the severance areas to facilitate the deposit of Plan 161190

F. THE Transferor has agreed to grant to the Transferee easements of right <sup>X</sup> of way, electricity, telecommunications and to convey water appurtenant to the dominant land over the servient land along the areas marked B, C and D on Deposited Plan 161190.

IN CONSIDERATION of the said recited agreements and in consideration of the premises:

The Transferee hereby transfers all their estate and interest in the severance areas to the Transferor.

The Transferor hereby transfers to the Transferee all his estate and interest in Lot 6 and **TRANSFERS AND GRANTS** to the Transferee (in common with the registered proprietor of the servient land and its assigns and tenants) to be appurtenant to the dominant land for all time easements of right of way, electricity and telecommunications and the right to convey water over those parts of the servient land marked B, C and D on Deposited Plan 161190 (hereinafter called "the easement areas") as follows:

1. **Right of Way** : In addition to the rights and powers more particularly set forth in the Seventh Schedule to the Land Transfer Act 1952 the rights implied in easements of vehicular right of way as set forth in the Ninth Schedule to the Property Law Act 1952 shall also apply and with the additional covenants following:

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In Consideration of

(the receipt of which sum is hereby acknowledged)

Do hereby Transfer to the said

all

estate and interest in the

~~said land above described~~

In witness whereof these presents have been executed this

of

MAY

1995

22nd

day

Signed by the above named

EDWARD FEATHERSTONHAUGH

in the presence of:

*Edward Featherstonhaugh*  
*Witness*  
*Whitaker*

Signed by the abovenamed )

PETER WILLIAM GERRARD )

LYNN GWENNETH GERRARD )

in the presence of

*Peter Gerrard*  
*Lynn Gerrard*  
*Witness*

No.

TRANSFER OF

Correct for the purposes of the Land Transfer Act

*[Signature]*

SOLICITOR FOR THE TRANSFEREE

E FEATHERSTONHAUGH

Transferor

I hereby certify that this transaction does not contravene the provisions of Part IIA of the Land Settlement Promotion and Land Acquisition Act 1952.

*[Signature]*

SOLICITOR FOR THE TRANSFEREE

P W & L G GERRARD

Transferee

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

*[Signature]*

SOLICITOR FOR THE TRANSFEREE

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar

of the District of

*the following District*

RT

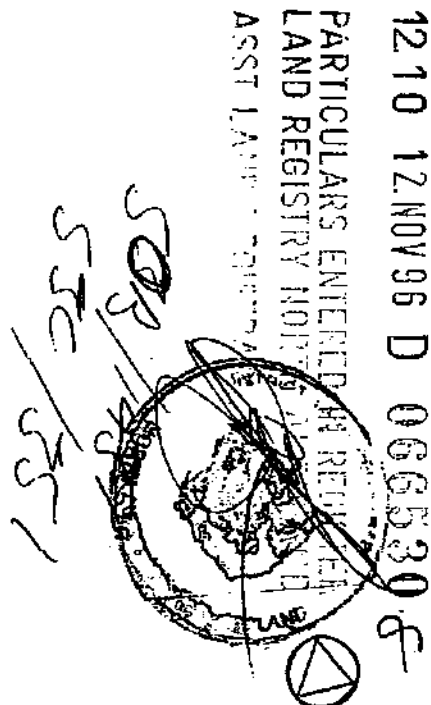
*2.6.12 = 120  
2.6.12 = 830*

*100*

(8)

URLICH McNAB KILPATRICK  
Solicitors  
Whangarei

Solicitors for the Transferee



Approved by the District Land Registrar, South Auckland, No. 351560  
 Approved by the District Land Registrar, North Auckland, No. 4380/81  
 Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

0371759.3

EC

## EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

We: Peter William Gerrard and Lynn Gwenneth Gerrard

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland

on the                      day of                      19                      under No 194329.  
 are the easements which it is intended shall be created by the operation of Section 90A of the Land Transfer Act 1952.

### SCHEDULE DEPOSITED PLAN NO. 194329

Nature of Easement (eg. Right of Way etc)	Servient Tenement			
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement	Dominant Tenement Lot No(s) or other Legal Description	Title Reference
Right of Way	Lot 1 DP 179691	A, C	Lot 9 DP 194329  Lot 2 DP 179691 Lot 3 DP 179691 Lot 4 DP 179691 Pt Lot 5 DP 179691	123C/859 (to issue) 110D/364 110D/365 110D/366 Balance of CT 110D/367 (new CT to issue)
Right of Way (Pedestrian Access Only)	Lot 1 DP 179691	B	Lot 9 DP 194329  Lot 2 DP 179691 Lot 3 DP 179691 Lot 4 DP 179691 Pt Lot 5 DP 179691	123C/859 (to issue) 110D/364 110D/365 110D/366 Balance of CT 110D/367 (new CT to issue)
Power and Telecommunications	Lot 1 DP 179691	C	Lot 2 DP 179691	110D/364

20/5  
20/9

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

#### **EASEMENT OF RIGHT OF WAY**

The rights and powers and the terms, conditions, covenants or restrictions with respect to the easement of right of way described herein shall be those as set out in the Ninth Schedule to the Property Law Act 1952 and the Seventh Schedule to the Land Transfer Act 1952.

#### **EASEMENT OF RIGHT OF WAY (PEDESTRIAN ACCESS ONLY)**

The rights and powers and the terms, conditions, covenants or restrictions with respect to the easement of right of way (pedestrian access only) marked B on DP 194329 hereinafter described shall be in substitution of those as set out in the Ninth Schedule to the Property Law Act 1952 and the Seventh Schedule to the Land Transfer Act 1952.

The grantee shall have the full, free, uninterrupted right, liberty, and privilege for the grantee, his servants, tenants, agents, workmen, licensees, and invitees (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time by day and by night to go pass and repass, on foot only, over and along the land over which the right of way is granted or created.

The cost of maintenance, repair or replacement of the Right of Way (Pedestrian Access Only) shall be borne by the registered proprietors of the servient and dominant tenements using the right of way equally in all things whatsoever.

#### **POWER EASEMENT**

- 1 The Grantee shall have the full, free, uninterrupted and unrestricted right, liberty and privilege to enter upon the servient tenement with the Grantee's engineers, surveyors, servants, employees, agents and contractors, with or without vehicles, machinery, equipment and materials for the purposes of laying out and excavating a trench or poles and overhead electric wires through under or over the servient tenement and of laying in that trench underground electric wires, cables or overhead electric wires on poles or other conductors of electricity and any pipes or other coverings in which the Grantee may desire to enclose the same and thereafter again filling in the soil of such trench or pole holes and from and after completion of such work from time to time and at all times to pass and transmit electric current through such wires, cables or other conductors of electricity and such pipes or other covering enclosing the same either overhead upon poles or under ground and also from time to time and at all times as required to enter, excavate and fill in as aforesaid for the purposes of inspecting, altering, repairing and

pdf  
29.1.



renewing and relaying such wires, cables or other conductors of electricity and such pipes or other covering enclosing the same and poles bearing the same.

2 The Grantee shall:

- (a) At all times repair and maintain all such underground or overhead electric wires, cables or other conductors of electricity and any pipes and other coverings and any poles as may be constructed through under or across the servient tenement in pursuance of these presents in a good and efficient state of repair for the purposes for which the same are designed and will prevent the same from becoming a nuisance.
  - (b) Do as little damage as possible to the surface of the servient tenement consistent with the exercise of the Grantee's rights hereunder and at the conclusion of any work will at the Grantee's own sole cost make good in a proper and workmanlike manner any fences, buildings or other erections damaged or removed.
  - (c) At the conclusion of any work so far as may be reasonably practical at the Grantee's own sole cost restore the surface of the servient tenement to the condition in which it was immediately prior to the commencement of such work and in particular will replace the top soil in its former position.
  - (d) At the option of the Grantor remove from the said land or deposit elsewhere thereon any excess soil, clay and stone not required for such restoration.
  - (e) Cause as little interference as possible to the Grantor, the executors, administrators and assigns of the servient tenement and exercising all or any of the rights hereinbefore conferred and the Grantor covenants with the Grantee that the Grantor will not at any time hereafter place any buildings or other erections or plant or allow or suffer to grow any tree or shrub on that part of the servient tenement subject to this easement and will not at any time hereafter do to permit or suffer any act whereby the rights, powers, licences and liberties hereby granted to the Grantee may be interfered with.
- 3 NOTHING herein contained or implied shall be deemed to compel the Grantee to conduct or convey electric current or power through electric wires, cables or other conductors of electricity and the Grantee may discontinue such conduction or conveyance at will.

#### TELECOMMUNICATIONS EASEMENT

- 1 The Grantee shall have the full, free uninterrupted and unrestricted right to install and thereafter repair and maintain such line, lines or works as shall be required for the purposes of telecommunications.
- 2 The Grantee shall further have the full, free right, liberty and licence for all times hereafter with his engineers, surveyors, servants, agents, employees, workmen, contractors and invitees with or without vehicles laden or unladen and with materials, machinery and implements from time to time and at all times:

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- (a) To lay and maintain in and under the soil, tarsealed surfaces, fence and fences of the servient tenement a line or lines or works;
- (b) To enter and remain upon the servient tenement for the purposes of laying, maintaining, inspecting, repairing, renewing, replacing or altering the line or lines or works as the case may be and opening up the soil of the easement land and making thereon any cuttings, fillings, grades, batters or trenches and to reopen the same and generally to do and perform such acts or things upon the easement land as may be necessary to enable the grantee to receive the full, free use and enjoyment of the rights and privileges granted under this instrument;
- (c) To use the line or lines or works for the purpose of telecommunication without interruption or impediment (except during any periods or inspection, repair, renewal replacement or alteration);

PROVIDED ALWAYS that such line or lines or works are laid underground and that on completion of any work by the grantee on the easement land pursuant to this easement requiring the grantee to open up the land the grantee shall restore the surface of the easement land as nearly as possible to its former condition and replace the soil at the surface, including the tarsealed surface and turf (if any) consolidated to its proper level.

3 For the purposes of this easement of telecommunications the following definition shall apply:

"Telecommunications" means the conveyance, transmission, emission or reception of signs, signals, impulses, writing images, sounds, instructions, information or intelligence of any nature whether by electromagnetic waves or not at any frequency and whether for the information of any person or not includes any underground electronic power supply incidental to telecommunication.

"Line or Lines" means a wire or wires, cable or conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunications and includes any insulator, casing, fixture (major or minor), tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding or protecting any such wire, wires, conductor, cable or fibre optic cable and also includes any part of a line and includes "existing lines" as defined by the Telecommunications Act 1987 and its amendments.

"Works" includes a line or lines defined and any instrument, radio apparatus comprising transmitters or receivers or a combination of both, machinery, engine, excavation or work of whatever description used for the purpose of in relation to or in any way in connection with telecommunication and includes "existing works" as defined by the Telecommunications Act 1987 and its amendments.

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2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

Dated this 18<sup>th</sup> day of FEBRUARY 1999

Signed by the above-named

**PETER WILLIAM GERRARD and  
LYNN GWENNETH GERRARD**

*P.W. Gerrard*  
*26/9-99*

in the presence of

Witness *[Signature]*

Occupation *Farmer*

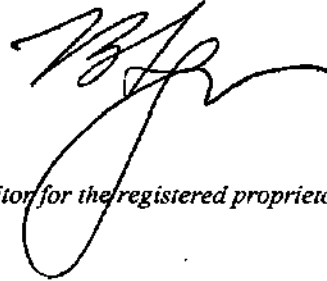
Address *18th Feb 1999*  
*Puruma Rd. R.D. Keri Keri*

*P.W.*  
*26/9-99*

## EASEMENT CERTIFICATE

(IMPORTANT) : Registration of this certificate does not of itself create any of the easements specified herein.

*Correct for the purposes of the  
Land Transfer Act*



*Solicitor for the registered proprietor*

The above/within easements when created will  
be/are subject to Section 243(a) Resource  
Management Act 1991



PRODUCED 244 25.MAR99 D 371759+3  
ENTERED 8.4.1999 ad 9.00

PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY NORTH AUCKLAND  
FOR REGISTRAR - GENERAL OF LAND

CONNELL RISHWORTH  
SOLICITORS  
WHANGAREI  
13889/7

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## FAR NORTH DISTRICT COUNCIL

### THE RESOURCE MANAGEMENT ACT 1991

#### SECTION 221: CONSENT NOTICE

BEGARDING RC 2000784


The subdivision of  
Lots 2 & 3 DP 179691  
North Auckland Registry.

PURSUANT to Section 221 for the purposes of Section 224 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 is to be registered on the titles of Lots 1 & 2 DP 205281

#### SCHEDULE

The approved planting plan and program (sheets 2 & 3 ref 4627 drawn by Surveyors North and dated 22-02-00) submitted with the application, shall be complied with on a continuing basis by the owners .

SIGNED:

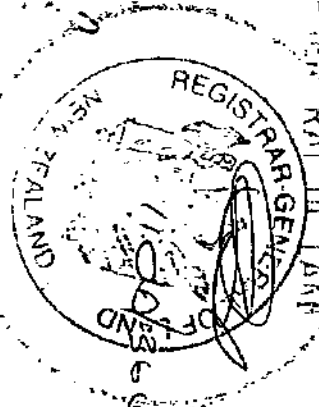
  
by the FAR NORTH DISTRICT COUNCIL  
under delegated authority:  
RESOURCE CONSENTS MANAGER

DATED at KAIKOHE this *16th* day of *November* 2000

1442 COPY

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2 entered 11/2/2000 24/11/00

REGISTRARS ENTERED  
IN THE REGISTER TO THE  
for REGISTRAR-GENERAL



6-361

TRANSFER  
Land Transfer Act 1952

D 585549.4 T

If there is not enough space in any of the panels below, the two page form incorporating the Annexure Schedule should be used: no other format will be received.

Land Registration District

North Auckland

Certificate of Title No.

132C/342

All or Part? Area and legal description — Insert only when part or Stratum, CT

All

Transferor Surnames must be underlined

Peter William GERRARD and Lynn Gwenneth GERRARD

Transferee Surnames must be underlined

Roger Stanley CHIGNELL and Louise Iona CHIGNELL

Estate or Interest or Easement to be created: Insert e.g. Fee simple; Leasehold in Lease No. ....; Right of way etc.

fee simple and the transferee shall be bound by a fencing covenant as defined in section 2 of the Fencing Act 1978 in favour of the transferor.

Consideration

\$200,000.00

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEE all the transferor's estate and interest in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 12th day of January 2001

Attestation

Signed in my presence by the Transferor  
Signature of Witness

Witness to complete in BLOCK letters  
(unless typewritten or legibly stamped)

Witness name ROBIN J. BARNES  
Occupation LEGAL EXECUTIVE  
Address WHANGAREI

Signature, or common seal of Transferor

Certified correct for the purposes of the Land Transfer Act 1952

REF: 4130

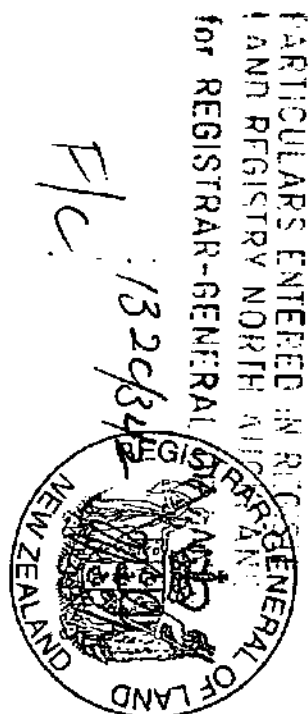
Solicitor for the Transferee

# TRANSFER

Land Transfer Act 1952

Law Firm Acting
David Welch Solicitor Kerikeri

Auckland District Law Society  
REF: 4130



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This page is for Land Registry Office use only.  
(except for "Law Firm Acting")





## **DECISION ON COMBINED RESOURCE CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991**

### **Decision**

Pursuant to section 34A(1) and sections 104, 104B, 104D, 106 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** land use and subdivision resource consent for a Non-Complying activity, subject to the conditions listed below, to:

**Applicant:** David John Nute and Julia Allison Nute

**Council Reference:** 2250275-RMACOM

**Property Address:** 128 Te Kowhai Point Road, Kerikeri 0294

**Legal Description:** LOT 2 DP 205281

#### **The activities to which this decision relates are listed below:**

Activity A: Subdivision to create three additional Records of Title in the General Coastal zone as a non-complying activity.

Activity B: To undertake earthworks to form property access to the boundary of each allotment as a Discretionary Activity in the General Coastal zone.

Activity C: To cancel consent notice D562591.2 insofar as it relates to Lot 2 DP 205281 pursuant to s221(3) of the RMA 1991.

### **Activity A: Subdivision Conditions**

Pursuant to sections 108 and 220 of the Act, this subdivision consent is granted subject to the following conditions:

1. The activity shall be carried out in general accordance with the approved plans prepared by Williams & King, referenced Proposed Subdivision of Lot 2 DP 205281, dated Apr 2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The activity shall be carried out in general accordance with the Site Suitability Report prepared by Vision Consulting Engineers, referenced Proposed Subdivision of 128 Te Kowhai Point Road, dated 11/04/2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.
3. The activity shall be carried out in general accordance with the Site Suitability Report prepared by Bay Ecological Consultancy, referenced ECOLOGICAL IMPACT ASSESSMENT, dated 10 December 2024, and attached to this consent with the Council's "Approved Stamp" affixed to it.

4. The activity shall be carried out in general accordance with the Site Suitability Report prepared by Bay Simon Cocker Landscape Architect, referenced Landscape assessment, dated 18 December 2024, and attached to this consent with the Council's "Approved Stamp" affixed to it.

### Survey plan approval (s223) conditions

5. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
  - a. All easements in the memorandum to be duly granted or reserved.
  - b. Areas shown A - L & P - U hereon are to be subject to Land Covenants for Wetland and indigenous vegetation protection.
  - c. Areas shown A, E & P - U hereon are to be subject to Land Covenants for No buildings, structures or development.
6. Prior to the approval of the Survey Plan pursuant to Section 223 the following conditions shall be complied with:

- a. The consent holder must submit a detailed set of engineering plans prepared in accordance with Council's Engineering Standards. The engineering plans are to be submitted to the Council's Development Engineer for Engineering Plan Approval.

Plans are to include but are not limited to:

- i. Design details of the construction of a new unsealed vehicle crossing from Te Kowhai Point Road in accordance with Sheet 21 Rural Type 1A Crossing (3-5 lots) and sheets 22 & 23 and 4 of Council's Engineering Standards 2023 Edition. The vehicle crossing centre is to be located a minimum of 44m west of the end of Te Kowhai Point Road legal road formation. Vehicle Crossing approach angle with the road carriageway be between 70-90 degrees to enable visibility in both directions.

*Note: Entrance crossings are to be designed and constructed in such a shall manner that will control stormwater run-off entering a property from the accessway, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the accessway from a property.*

- ii. Design details for constructing the private accessways along easements O, M and N indicated on Williams & King scheme plan referenced 24445 April 2025. Design details shall include typical cross sections, long sections, passing bays, culverts, drainage flow paths, and pavement design details. The accessways shall be designed to accommodate a medium rigid truck of 8m length and have the following minimum surfaced widths:

Location	Lots Serviced	Minimum Carriageway Width (ODP 3B-1)
ROW O	Lots 2,3,4	3m with passing bays
ROW M + N	Lots 2,3	3m with passing bays where

		visibility is restricted
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*Note: Where the carriageway width is less than 4.5m, passing bays shall be provided at points of intervisibility. For such passing bays the carriageway width shall be increased to 5.5m over a 15m length including 5m tapers at each end in accordance with 3.2.28.2 of the FNDC Engineering Standards 2023.*

- iii. Details of proposed accessway earthworks including cut/ fill volumes, batter slopes, stockpile locations, and locations where excess cut material is to be distributed on site (if applicable).
- iv. Details of a safety barrier with appropriately spaced bollards, complying with AS/NZS 3845:2017, to be installed along the upstream side of ROW M Accessway to prevent vehicles from leaving the roadway and entering the "Chignell Dam" waterway.
- v. A comprehensive geotechnical assessment of the dam embankment supporting ROW M to confirm its load bearing capacity and address potential impacts of accessway construction. The assessment shall outline any restrictions to vehicle type/ weight able to use the accessway and permanent load limit signage (if applicable).
- vi. Design details of the "Chignell Dam" (northern Dam under ROW M) dam overflow culvert upgrade to a 450mm diameter plastic culvert to convey the 1% AEP plus climate change event, and factor in increased runoff from future lot impermeable surface coverage.
- vii. Provide an assessment of the "Gerrard Dam" outlet located within Lot 3 to confirm its suitability to convey stormwater flows from a 1% AEP + climate change event and any remediation work required. The assessment shall be carried out by a Suitably Qualified and Experienced Person as defined in the FNDC Engineering Standards 2023.

Note no construction works are to commence onsite until the engineering plans required in condition 6(a) have been approved.

- viii. Provide to Council's Resource Consent Engineer or delegated representative before works a Construction Management Plan ("CMP") e for certification, and shall include:
  - Details of the site manager including full contact details;
  - Details of the supervising engineer;
  - Details of the successful contractor;
  - The timing of construction works, including hours of work, key project and site management personnel;
  - A traffic management plans, specifically in relation to any Council roads affected by works;
  - Details of how construction materials will be moved to and from the site, including vehicle access through

marked entry and exit points, and how materials will be loaded and unloaded;

- Proposed procedures for controlling sediment runoff and dust generation;
  - Prevention of earth and other material being deposited on surrounding roads from vehicles and remedial actions should it occur.
  - All buried services within the road boundary shall be located, marked and adequately protected prior to any works commencing.
  - Programme of works;
  - Proposed hours of work on the site;
- b. Provide to Council's Resource Consent Engineer or delegated representative an erosion and silt control plan for certification. The ESCP is to be prepared in accordance with Auckland Council GD05 requirements.
- c. Provide to Council's Resource Consent Engineer or delegated representative a draft easement document for ROW M to outline the Lot 2 and 3 owners responsibilities for maintenance of the dam embankment and drainage infrastructure.
- d. Provide a landscape plan from a suitably qualified experienced person to Council's Resource Consent Principal Planner or delegated representative. The landscape plan shall include planting along ROW O to prevent headlamp glare when vehicles on the different ROWs are going in opposite directions.
- e. Provide for the certification of the Resource Consents Principal Planner other duly delegated representative, a pest and weed management plan for the proposed lots in general accordance with the Ecological Impact Assessment prepared by Bay Ecological Consultancy Ltd dated 10 December 2024. The management plan shall include:
- i. Pest and weed management measures including ongoing maintenance;
  - ii. Appropriate signage;
  - iii. Details of the mechanism / arrangement to oversee the ongoing implementation of the plan in a coordinated manner;
  - iv. Reporting mechanisms including progress of weed and pest management;
  - v. Any other relevant matter for the purposes of managing the allotments;
  - vi. Predator control to provide higher functionality of remaining habitat;
  - vii. Browser control to allow establishment of revegetation and natural regeneration as the site develops;
  - viii. Ongoing prevention/ removal of exotic infestations enabling increased and more diverse natural regeneration assisted by the browser control and infill of gaps;
  - ix. effectively increasing values of wetland and protect extent from invasion of non wetland shrubs and herbaceous species;
  - x. revegetation of areas P R T.



## **Section 224(c) compliance conditions**

7. Prior to the issuing of a certificate pursuant to section 224(c) of the Act, the consent holder shall:
- a. Provide confirmation that all works on the approved engineering plans in Condition 3(d) is to be carried out to the approval of the Resource Consent Engineer. Compliance with this condition shall be determined by;
    - PS4A and approval of supporting documentation provided by the developer's representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works in general accordance with Council's Engineering Standards 2023.
    - "Certificate of Completion of Resource Consent Works" from the Contractor.
  - b. The consent holder must provide written confirmation from a Licensed Cadastral Surveyor that all services and accesses are located within the appropriate easement boundaries to the satisfaction of the Resource Consent Engineer or delegated representative.
  - c. Ensure that pasture in works area is grazed short and a kiwi sniffer dog check is undertaken prior to earthworks to avoid any potential effects on kiwi. Provide confirmation from a suitably qualified experience person that a kiwi sniffer dog check has been undertaken prior to commencement of earthworks.
  - d. Complete revegetation within areas P, R & T in general accordance with the proposed species list and approximate plant numbers specified in Appendix 4 of the Ecological Impact Assessment prepared by Bay Ecological Consultancy Ltd dated 10 December 2024.
  - e. Complete planting specified in areas I, C, and E in accordance with Section 2 of the Landscape Assessment prepared by Simon Cocker Landscape Architecture dated 18 December 2024.
  - f. Carry out initial implementation of weed and pest management plan and provide written confirmation from a suitably qualified ecologist.
  - g. Provide to the Far North District Council's duly delegated officer (planning.support@fndc.govt.nz), evidence of the existing dogs or cats on site for Lot 1. The evidence shall include:
    - i. Photograph of the dog and/or cat;
    - ii. Written confirmation that the cat has been neutered
    - iii. Written confirmation that the cat and/or dog has been microchipped \For any dog, written confirmation that the dog has a current kiwi aversion training certification along with the expiry date for the certification.
8. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:

- a. In conjunction with the construction of any building requiring building consent, a geotechnical report prepared by a Suitably Qualified and Experienced Person shall be provided. Any future development including building platform shall comply with the restrictions and recommendations identified in the Vision Consulting Engineers Site Suitability report reference J15729 dated 11 April 2025 unless an alternative engineering report prepared by a Suitably Qualified and Experienced Person is approved in writing by Council. **[Lots 2-4]**
- b. Upon construction of any habitable building, sufficient water supply for fire fighting purposes is to be provided and be accessible by fire fighting appliances in accordance with Council's Engineering Standards 2023 and more particularly with the 'FENZ Fire Fighting Code of Practice SNZ PAS 4509:2008'. An alternative means of compliance with this standard will require written approval from Fire and Emergency NZ. **[Lots 2-4]**
- c. In conjunction with the construction of any buildings which includes a wastewater treatment & effluent disposal system, the applicant shall submit with the Building Consent application an Onsite Wastewater Report prepared by a Suitably Qualified and Experienced Person in accordance with AS/NZS 1547:2012 or TP58. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus an appropriately sized reserve disposal area in accordance with the Northland Regional Council Regional Plan for Northland requirements. **[Lots 2-4]**
- d. Electricity and telecommunications connections have not been provided at subdivision stage. Future lot owners are responsible for obtaining these connections. **[Lots 2-4]**
- e. The Lot 3 building platform shall be setback at least 10 metres from the top of the Gerrard Dam spillway bank (refer to the Vision Consulting Engineers Memorandum reference J15729 v4 dated 24/04/2025 submitted with the subdivision application for more details.) **[Lot 3]**
- f. The owners of Lot 3 are responsible for maintaining the "Gerrard Dam" outlet structure where it is located within the Lot 3 property boundaries to ensure the spillway structure is clear of debris and operating adequately. It is recommended that visual appraisals of the dam be undertaken by the property owner, annually, or following periods of intense or prolonged rainfall, to confirm the findings and recommendations of the Fraser Thomas report reference G00510 dated 16 July 2024 remain valid. **[Lot 3]**
- g. The owners of Lots 2 and 3 are jointly responsible for maintaining the "Chignell Dam" embankment and drainage infrastructure referenced as easement ROW M and to ensure the spillway structure is clear of debris and operating adequately. It is recommended that visual appraisals of the dam be undertaken by the lot owners, annually, or following periods of intense or prolonged rainfall. **[Lots 2 and 3]**
- h. Accessways and vehicular circulation and manoeuvring spaces are to be constructed from blue metal, a dark seal surface, or from exposed aggregate with a dark oxide additive as per the SCLA Landscape Assessment referenced 24061\_01 dated 18 December 2024 submitted with the subdivision consent application. **[Lots 2-4]**

- i. Wetlands have been identified on Lots 3 and 4, with overland flowpaths from Lots 2-4 contributing to the wetland areas. Future development of the lots shall take into consideration wastewater disposal setbacks, stormwater quality and earthworks disturbance and rules and setbacks required by the Northland Regional Council Regional Plan and NES-F 2020. Stormwater shall be managed to prevent sedimentation, scouring and erosion of the wetland areas. Refer to Bay Ecological Consultancy Ltd Ecological Impact Assessment for Proposed Subdivision Lot 2 DP 205281 provided with the subdivision resource consent application for details. **[Lots 2-4]**
  - j. Any building consent, which increases impermeable surfaces beyond the permitted threshold of 10% of the total Lot area are to attenuate flows to the permitted levels for rainfall events up to a 10% Annual Exceedance Probability (10% AEP) with an allowance for the RCP6.0 climate change scenario. **[Lots 2-4]**
  - k. The site is identified as being within a kiwi high density zone. On all lots no occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. **[Lots 2-4]**
  - l. The lot is identified as being within a kiwi high density zone. On all lots no occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. **[Lot 1]**
- Note: This Consent Notice does not relate to the existing dogs on site currently registered under 224 condition 7.g and will be put into effect once the existing dogs or cats are no longer living and/or not kept on the lot(s).*
- m. Exotic vegetation which could adversely affect natural regeneration is not to be introduced to the site. This includes environmental weeds, and those plants listed in the National Pest Plant Accord. **[Lots 2 – 4]**
  - n. Any building or structures are to be located and designed to meet the design controls specified in the Landscape Assessment by Simon Cocker Landscape Architecture under the headings 'Building Area', 'Building height and RL of building platform', 'Building Form and design', 'external finishes for buildings and structures', 'Internal roading and driveways' and 'Earthworks and retaining walls'. A statement prepared by a qualified Landscape Architect or Architect is to be provided at Building Consent stage to demonstrate compliance. **[Lots 2 – 4]**
  - o. Building construction and any other development that poses a risk to life or property within the identified inundation zone shown as areas 'A', 'E', 'P', 'Q', 'R', 'S', 'T' and 'U' on the survey plan is prohibited, these areas also having been set aside for riparian margin revegetation. **[Lots 3 & 4]**
  - p. The pest and weed management plan to protect the native vegetation and kiwi habitat shall be observed and continued by the landowners and the plan shall not cease or be amended without the express permission of Council. **[All Lots]**

- q. The owner shall preserve the indigenous trees and bush as indicated on the survey plan, as areas A - L & P - U and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall 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. **[All Lots]**

## Subdivision Advice Notes

### Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;
  - a) A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or
  - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

### Section 224 Certification

2. A Section 224 Certificate will not be issued until all Council invoices, including engineering fees and any other costs associated with the Resource Consent have been paid in full.

### General

3. This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).
4. The discharge across boundaries, particularly with regard to the concentration of flows, is to be managed at all times, to avoid the likelihood of damage or nuisance to other properties in accordance with the Council Stormwater Bylaw.
5. The site is adjacent to, accessed off and in close proximity to an unsealed road. Unsealed roads have been shown to create a dust nuisance from vehicle usage. It is advised that the future dwellings are either located as far as possible or at least 80m from the road, and/or boundary planting within the site is utilised to assist with this nuisance. Alternatively, the applicant may consider sealing their road frontage to remove the issue.
6. The applicant is advised that a further site inspection of completed works will be required if a period greater than 3 months has passed since the last Council inspection prior to Council issuing the 224(c) certificate.
7. Erosion and sediment control is to be done in accordance Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region GD05.
8. The consent holder is responsible for arranging for buried services to be located and marked prior to commencing the vehicle crossing construction works and is also

*responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.*

9. *The consent holder is responsible for the repair and reinstatement of the road carriageway, damaged as a result of the vehicle crossing works. Such works, where required, will be completed to the satisfaction of the Council's Roading Manager.*
10. *Any work activity, excavation and non- excavation carried out in the road reserve, must lodge formal notice of intention to carry out Works, in the form of a Corridor Access Request, submitted to the Corridor Manager for Approval.*
  - *A Corridor Access Request (CAR) is an application for a permit to carry out works within the road reserve, this is defined in the National Code of Practice for Utilities access to the transport Corridors and has been adopted by Council.*
  - *A Traffic Management Plan (TMP) must be uploaded with the CAR submission, describing the proposed works, design, setup, and removal of any activity being carried out within the road Reserve. A Work Access Permit (WAP) and reasonable conditions will be issued once TMP is Approved. Enquiries as to its use may be directed to Council's Road Corridor Co-ordinator, [corridor.access@nta.govt.nz](mailto:corridor.access@nta.govt.nz).*
11. *This consent requires the ongoing protection of an area of wetland. Regeneration of wetlands is an important environmental goal and funding is available from Northland Regional Council for fencing and replanting via the Northland Regional Council Environmental Enhancement Fund.*

## **Activity B: Land Use Conditions**

Pursuant to sections 108 of the Act, this land use consent is granted subject to the following conditions:

1. The activity shall be carried out in general accordance with the approved plans prepared by Williams & King, referenced Proposed Subdivision of Lot 2 DP 205281, dated Apr 2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The activity shall be carried out in general accordance with the Site Suitability Report prepared by Vision Consulting Engineers, referenced Proposed Subdivision of 128 Te Kowhai Point Road, dated 11/04/2025, and attached to this consent with the Council's "Approved Stamp" affixed to it.

### **Pre-Commencement**

3. One week prior to commencement of earthworks on site, the consent holder shall advise Council Resource Consent Monitoring officer in writing (email: [rcmonitoring@fndc.govt.nz](mailto:rcmonitoring@fndc.govt.nz)) of the appointment of the engineer that will be monitoring the earthworks on site, and when work is to commence.



4. 48 hours prior to commencement of any physical works on site, the consent holder shall provide the approved engineering plans (EPA), to Councils Resource Consent Monitoring Officer.
5. 48 hours prior to commencement of any physical works on site, the consent holder is to provide photo evidence to the FNDC Resource Consents Monitoring Officer (Email to: Consents Monitoring rcmonitoring@fndc.govt.nz) that sediment and dust control measures are constructed and are in place prior to the commencement of bulk earthworks in accordance with the approved plans specified above in 223 condition 6(e) and the principles and practices contained the Auckland Council document entitled "GD05: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region". These measures are to be maintained during the construction phase and can only be removed once appropriate stabilization has been completed.
6. Prior to commencement of any earthworks, the consent holder shall provide written evidence to the FNDC Resource Consents Monitoring Officer (Email to: Consents Monitoring rcmonitoring@fndc.govt.nz), that the Mātoa Block Trustees have been invited to be present during excavation.

### **During Construction**

7. Earthworks are to be carried out in accordance with Auckland Council Guidance Document 2016/005: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) and erosion and sediment controls plans constructed in accordance with 223 condition 6(e) above, shall remain in place for the duration of the works.
8. If earthworks are undertaken in the winter months (between 30 April and 1 October) the consent holder shall submit a construction methodology at least two weeks before 30 April in general accordance with GD05 prepared by a suitably qualified experienced engineer, to Councils Resource Consent engineer officer or designate for approval.

## **Land Use Advice Notes**

### **Lapsing of Consent**

1. *Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;*
  - a) *The consent is given effect to; or*
  - b) *An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.*

## **General Advice Notes**

### **Right of Objection**

1. *If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Act) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.*

### **Archaeological Sites**

2. *Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an*

*archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.*

### **General Advice Notes**

3. *The site is accessed off unsealed road. Unsealed roads have been shown to create a dust nuisance from vehicle usage. It is advised that the dwelling is either located as far as possible or at least 80m from the road, and/or boundary planting within the site is utilised to assist with this nuisance. Alternatively, the applicant may consider sealing their road frontage to remove the issue.*

## **Activity C: Cancel of consent notice pursuant to s221(3) of the RMA 1991.**

1. Pursuant to Section 221(3) Council consents to the cancellation of the existing Consent Notice D562591.2 as it relates to LOT 2 Deposited Plan 205281, Record of Title NA132C/342.

### **Reasons for the Decision**

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Non-Complying activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed in 15.1.6C.1.5 Vehicle crossing standards in Coastal Zones, 12.3.6.1.2 Excavation and/or filling in General Coastal Zone and 13.9.1 Minimum Area for Vacant New Lots are of particular relevance.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
  - a. The proposed lots do not contain any areas of cultural significance to Māori or other heritage resources, outstanding landscapes, outstanding natural features or landscape features.
  - b. It is considered that the proposed subdivision will not exacerbate any natural or other hazards on site as there are no identified HAIL sites located in the local area or surrounding properties.
  - c. There will be no reverse sensitivity effects as the activity is consistent with the current use of the existing activities in the wider environment.
  - d. The proposal will also result in positive effects enabling the lots to be independently disposed for residential use.

4. In regard to section 104(1)(ab) of the Act the following offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity:
  - Enhancement of the riparian margin is proposed to provide a more robust buffer for habitat quality and water protection.
  - Further enhancement will be achieved through pest and weed control, and cat and dog exclusion conditions that do not currently exist. The Ecological Impact Assessment has assessed a “gross positive ecological impact” from the proposal.
5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
  - a. Northland Regional Policy Statement 2016
  - b. Operative Far North District Plan 2009,
  - c. Proposed Far North District Plan 2022

***Northland Regional Policy Statement 2016***

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 proposal is not contrary to the relevant objectives and policies under Northland Regional Policy Statement 2016 because:

- The design of the subdivision has been developed around maintaining the ecological and landscape values of the site where possible and limiting clearance. The proposed development aims to legally protect areas of ecological values of the site. This approach offers an opportunity to safeguard and enhance the site's ecological features, resulting in a positive ecological impact.
- Silt and sediment controls are proposed to be implemented for the duration of earthworks on site.
- The site is not near any significant mineral resources.
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors.
- The site does not contain highly versatile soils. The development is not proposed on soils that are classified as LUC 1 – 3.
- The proposal has no implications on matters such as renewable energy, sustainable design technologies.
- The proposal can be adequately serviced in terms of transportation, water, wastewater, and stormwater.
- Adverse effects associated with natural hazards are mitigated.

Overall, the proposed development is consistent with the NRPS.

***Operative Far North District Plan***

The General Coastal Zone covers the largest area of all the zones in the coastal environment. This zone is generally rural with a coastal focus and natural character predominates. The General Coastal Zone includes controls on development to preserve the natural character of the coastal environment and protect it from inappropriate subdivision and use. Due to the potential vulnerability of the natural environment, more is expected from developers of land in this zone in the way of preserving, and restoring the environment as part of development proposals. The General Coastal Zone has controls aimed at preserving natural character and the restoration and enhancement of areas which may have been compromised by past land management practices. These controls reflect its coastal location and the inherent sensitivity of the coastal and adjoining marine environment and the vulnerability of these areas to change and development.

The proposed site is more rural in character than coastal.

Direct effects of the subdivision on natural character will arise from earthworks, formation of vehicle access and future buildings however this will be mitigated through preserving natural character enhancement and protection.

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan because it:

- The subdivision design has been developed to avoid, remedy or mitigate potential adverse effects arising from activities on the sensitive receiving environment.
- As per the ecological mitigation measures proposed, there is no loss of wetland extent, no earthworks within proximity to wetlands and the effects on wetlands are appropriately managed. It is important to note that a protection and enhancement approach is proposed.
- No clearance of native vegetation is required to facilitate works for the subdivision.
- It is considered that the combination of speed reduction from road environment factors and the low volumes of traffic will sufficiently mitigate risks arising from the application.

Overall, the proposed development is consistent with the Operative District Plan.

### ***Proposed Far North District Plan***

The Rural Production zone is the largest zone in the district and accounts for approximately 65% of all land. The purpose of this zone is to provide for primary production activities including farming, plantation forestry, and horticulture.

In assessing the proposal against the objectives and policies of the Proposed District Plan, particular regard has been given to those provisions that are directive on their face and do not rely on rules or methods still subject to submissions and appeals for their interpretation and application.

The proposal is considered consistent to the following directive objectives and policies of the Proposed District Plan:

- The proposal is considered to be in-keeping with the density of the surrounding environment, while also providing for superior environmental outcomes.

- The proposal is well separated well from any other horticultural and agricultural activities. It is not considered, therefore, that any reverse sensitivity effects will result from the proposal.
- Disposal of stormwater and wastewater can be adequately provided for.
- While the site is subject to flood hazards, there is no residential development proposed within these areas.

However, it is acknowledged the PDP hearings are still in progress. There is substantial scope for provisions to evolve through the submission and appeal process. Therefore, at this early stage of the PDP process, limited weighting has been placed on these PDP provisions relative to the Operative Plan. The Operative Plan remains the primary planning instrument for determining this application.

6. In regard to section 104(1)(c) of the Act the following other matters are relevant and reasonably necessary to determine the application:

#### Precedent

Case Law has established that the precedent of granting resource consent is a relevant factor for a consent authority in considering whether to grant Non-Complying resource consent. A precedent effect is likely to arise in a situation where consent is granted to a non-complying activity that lacks the evident unique, unusual or distinguished qualities that serve to take the application out the of the generality of cases or similar sites in the vicinity. In other words, if an activity is sufficiently unusual and sufficiently outside the run of foreseeable other proposals it avoids any precedent effect and can be approved.

Strictly speaking, the granting of a consent does not constitute a legal precedent and each application is to be treated on its own merits. However, the matter of precedent in the general sense can be relevant, particularly where applications seek to infringe minimums or maximums detailed within the District Plan.

In such situations, it is legitimate for the consent authority to consider the precedent effect of granting an application, especially where it is likely that other similar applications will be made, with the expectation that consent will be granted as a matter of uniformity and fairness, with the 'precedent effect' described as a concern about plan integrity and consistent administration of the plan.

The proposal is for a Subdivision to create three additional Records of Title in the General Coastal zone ranging from 3.4ha to 4.8ha. The existing pattern of rural lifestyle development is evident within the surrounding environment and the additional proposed lots can accommodated without setting a wider precedent.

The proposed site is bowl-shaped landform with a central dam feature, as well as the existing pattern of vegetation which provides opportunity for multiple private building sites. The Landscape Assessment summaries very little additional planting is required to ensure adequate mitigation of potential adverse visual effects, and in terms of coverage, most of the planting is proposed to offer ecological enhancement.

Lastly, the proposal includes permanent protection of existing and proposed revegetation areas, implementation of a formalised pest and weed control plan, and a ban on cats and dogs, all of which will result in a gross positive ecological outcome.

7. In regard to section 104D of the Act the activity meets both tests as any adverse effects arising from this proposed activity will not be more than minor, and the activity will not



be contrary to the objectives and policies of the Operative District Plan. Therefore, consent can be granted for this non-complying activity.

8. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. The proposed building areas of Lots 3 and 4 are considered at low risk of slippage, whilst Lot 2 on the steeper sloping ground is considered higher risk. A consent notice for a geotechnical report to sufficiently mitigate natural hazard risk such that section 106 of the Resource Management Act has been imposed. Accordingly, council is able to grant this subdivision consent subject to the conditions above.

9. Based on the assessment above the activity will be consistent with Part 2 of the Act.

The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.

10. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

## Approval

This resource consent has been prepared by Swetha Maharaj, Senior Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



**Name: Pat Killalea**

**Date: 27<sup>th</sup> May 2025**

**Title: Independent Commissioner**



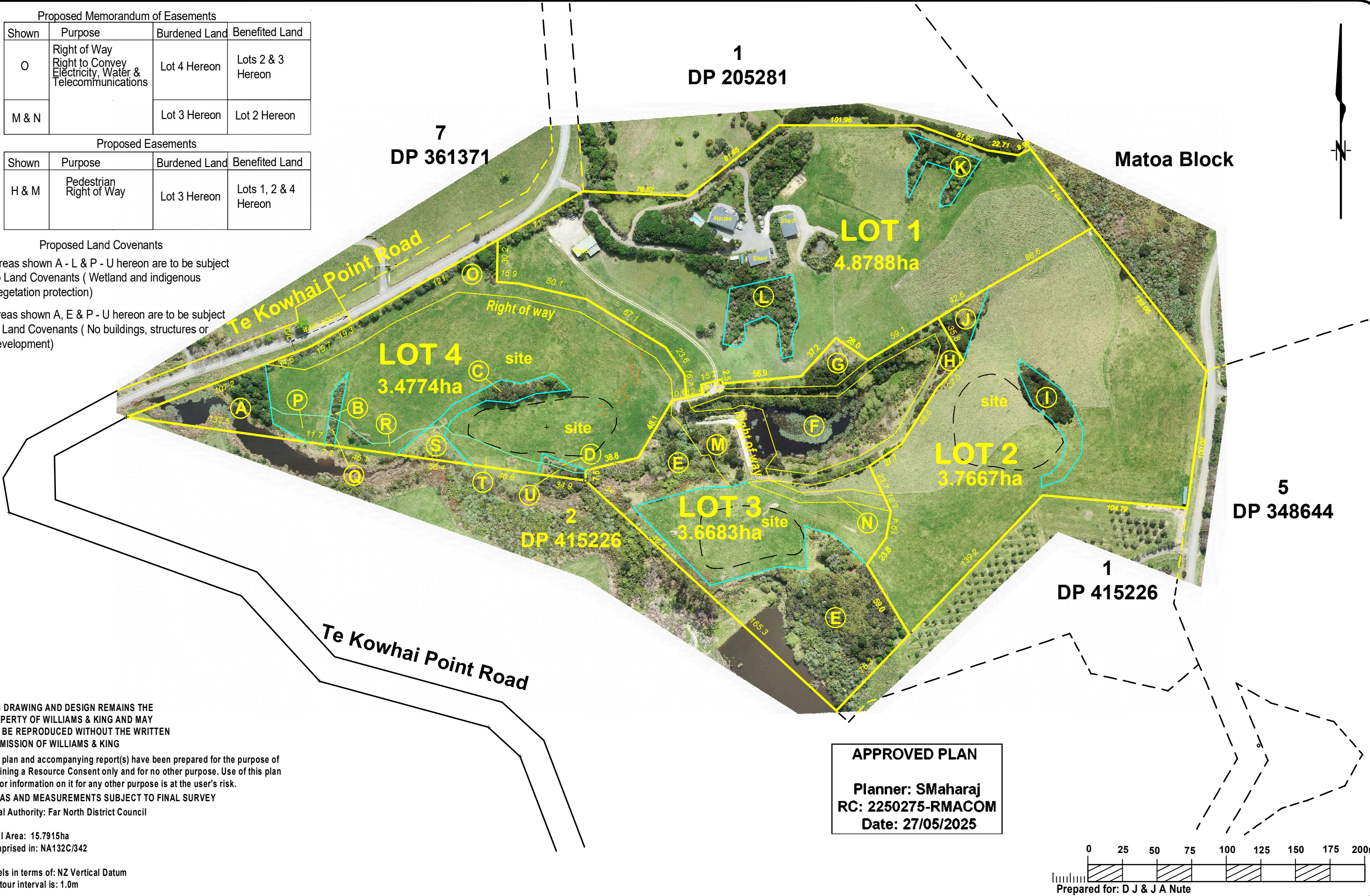
Proposed Memorandum of Easements			
Shown	Purpose	Burdened Land	Benefited Land
O	Right of Way Right to Convey Electricity, Water & Telecommunications	Lot 4 Hereon	Lots 2 & 3 Hereon
M & N		Lot 3 Hereon	Lot 2 Hereon

Proposed Easements			
Shown	Purpose	Burdened Land	Benefited Land
H & M	Pedestrian Right of Way	Lot 3 Hereon	Lots 1, 2 & 4 Hereon

Proposed Land Covenants

Areas shown A - L & P - U hereon are to be subject to Land Covenants ( Wetland and indigenous vegetation protection)

Areas shown A, E & P - U hereon are to be subject to Land Covenants ( No buildings, structures or development)



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This plan and accompanying report(s) have been prepared for the purpose of obtaining a Resource Consent only and for no other purpose. Use of this plan and/or information on it for any other purpose is at the user's risk.

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council

Total Area: 15.7915ha  
Comprised in: NA132C/342

Levels in terms of: NZ Vertical Datum  
Contour interval is: 1.0m



**WILLIAMS AND KING**  
Registered Land Surveyors, Planners &  
Land Development Consultants

Ph: (09) 407 6030  
Email: kerikeri@saps.co.nz

27 Hobson Ave  
PO Box 937 Kerikeri

## Proposed Subdivision of Lot 2 DP 205281

Name			ORIGINAL SCALE	SHEET SIZE
Survey	Design	Date		
Drawn	W & K	Oct 2024	1:2500	A3
Rev		Apr 2025		

24445

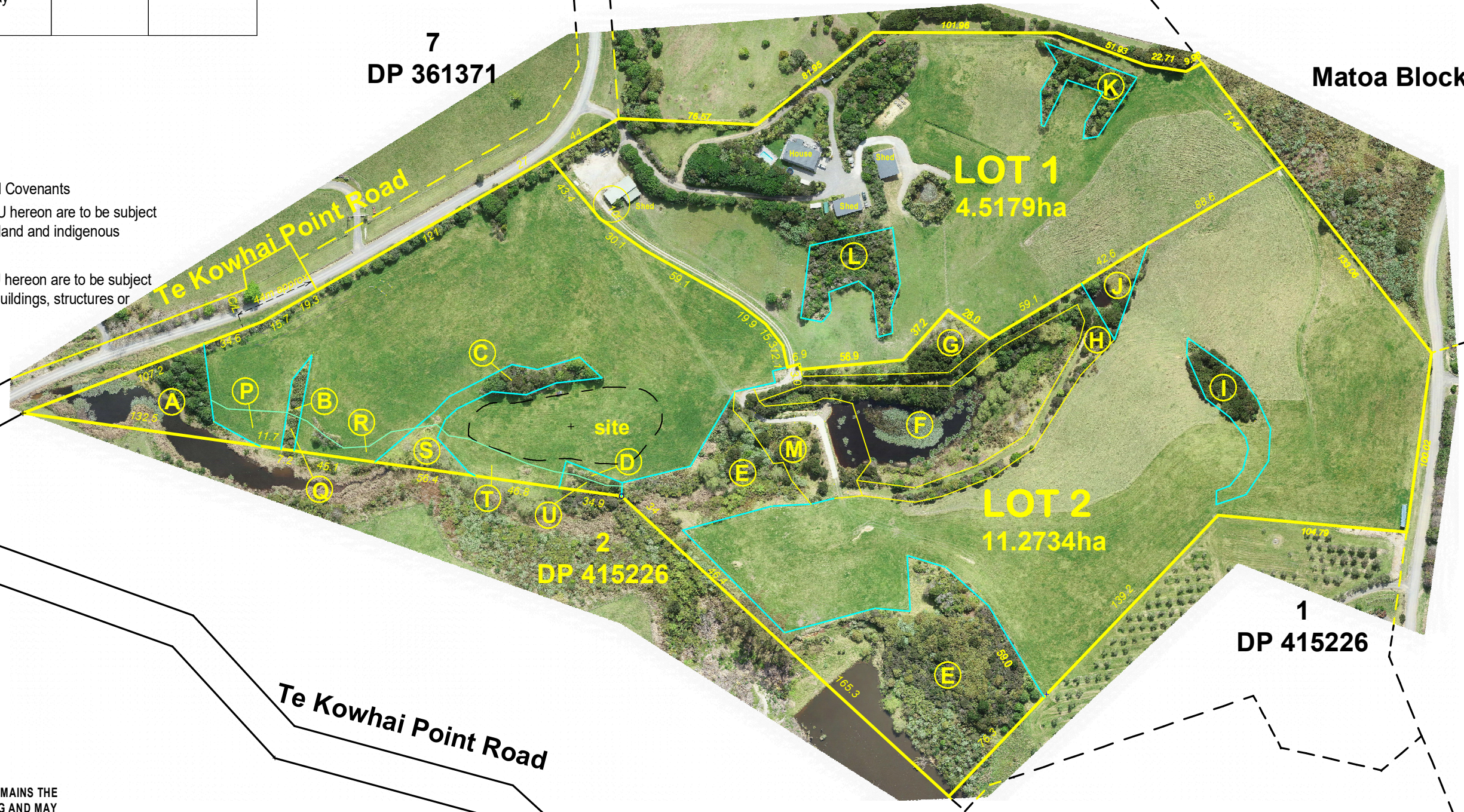


Proposed Easements			
Shown	Purpose	Burdened Land	Benefited Land
H & M	Pedestrian Right of Way	Lot 2 Hereon	Lot 1 Hereon

Proposed Land Covenants

Areas shown A - L & P - U hereon are to be subject to Land Covenants ( Wetland and indigenous vegetation protection)

Areas shown A, E & P - U hereon are to be subject to Land Covenants ( No buildings, structures or development)



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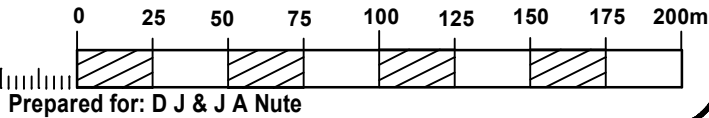
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AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council

Total Area: 15.7915ha  
Comprised in: NA132C/342

Levels in terms of: NZ Vertical Datum  
Contour interval is: 1.0m



STAGE I

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Ph: (09) 407 6030  
Email: kerikeri@saps.co.nz

27 Hobson Ave  
PO Box 937 Kerikeri

# Proposed Subdivision of Lot 2 DP 205281

ORIGINAL SCALE SHEET SIZE		
Survey	Name	Date
Design		
Drawn	W & K	Jun 2025
Rev		
1:2500	A3	

**24445**  
**.01**



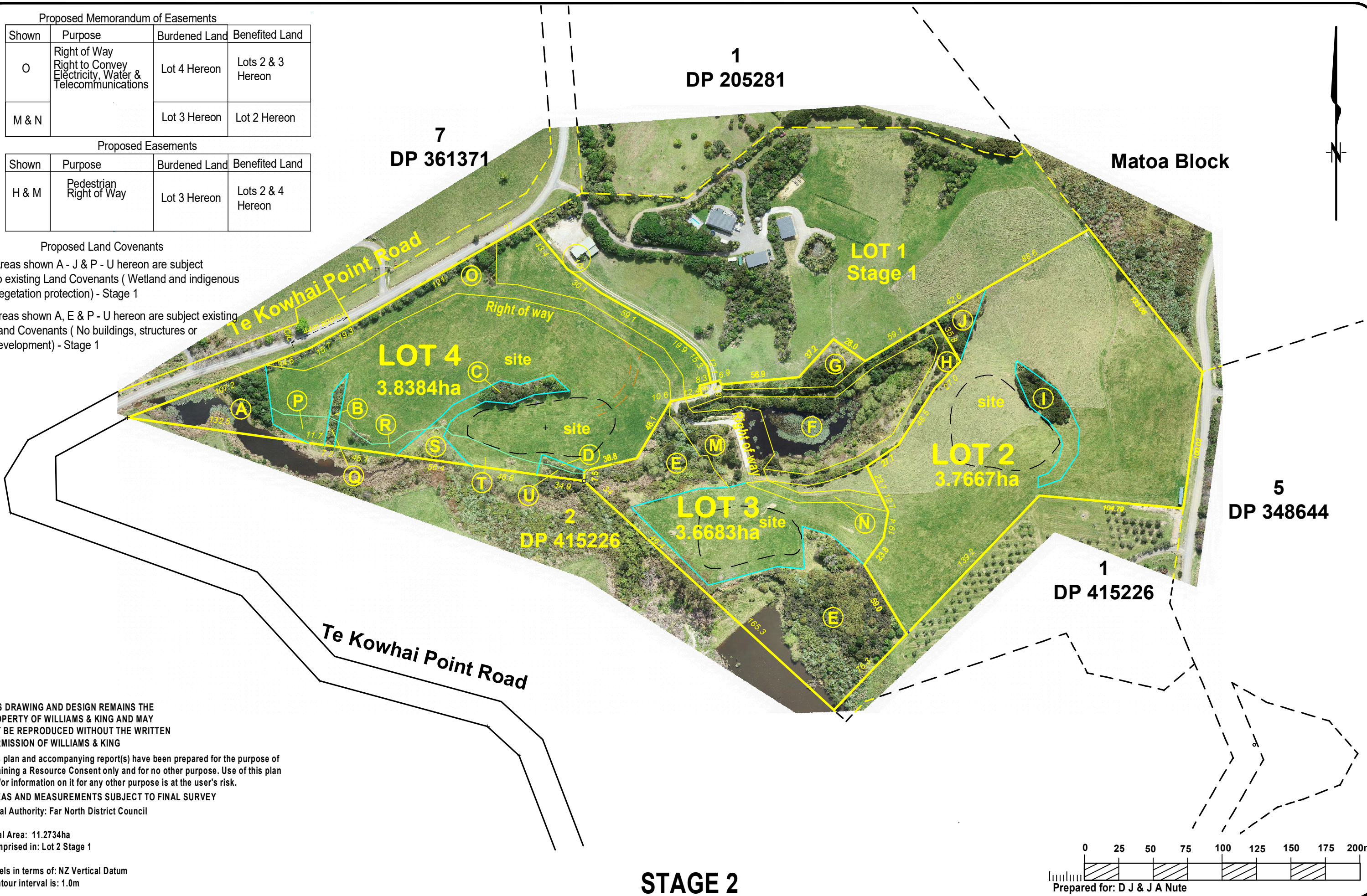
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Shown	Purpose	Burdened Land	Benefited Land
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M & N		Lot 3 Hereon	Lot 2 Hereon

Proposed Easements			
Shown	Purpose	Burdened Land	Benefited Land
H & M	Pedestrian Right of Way	Lot 3 Hereon	Lots 2 & 4 Hereon

Proposed Land Covenants

Areas shown A - J & P - U hereon are subject to existing Land Covenants ( Wetland and indigenous vegetation protection) - Stage 1

Areas shown A, E & P - U hereon are subject existing Land Covenants ( No buildings, structures or development) - Stage 1



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AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council

Total Area: 11.2734ha  
Comprised in: Lot 2 Stage 1

Levels in terms of: NZ Vertical Datum  
Contour interval is: 1.0m



**WILLIAMS AND KING**  
Registered Land Surveyors, Planners &  
Land Development Consultants

Ph: (09) 407 6030  
Email: kerikeri@saps.co.nz

27 Hobson Ave  
PO Box 937 Kerikeri

## Proposed Subdivision of Lot 2 Stage 1

Survey Design Drawn Rev	Name	Date	ORIGINAL SCALE SHEET SIZE	
	W & K	Jun 2025	1:2500	A3

**24445**  
**.01**



Proposed Memorandum of Easements			
Shown	Purpose	Burdened Land	Benefited Land
O	Right of Way Right to Convey Electricity, Water & Telecommunications	Lot 4 Hereon	Lots 2 & 3 Hereon
M & N		Lot 3 Hereon	Lot 2 Hereon

Proposed Easements			
Shown	Purpose	Burdened Land	Benefited Land
H & M	Pedestrian Right of Way	Lot 3 Hereon	Lots 1, 2 & 4 Hereon

Proposed Land Covenants

Areas shown A - L & P - U hereon are to be subject to Land Covenants ( Wetland and indigenous vegetation protection)

Areas shown A, E & P - U hereon are to be subject to Land Covenants ( No buildings, structures or development)

