

# Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of [Form 9](#)). Prior to, and during, completion of this application form, please refer to [Resource Consent Guidance Notes](#) and [Schedule of Fees and Charges](#) — both available on the Council's web page.

## 1. Pre-Lodgement Meeting

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

☐ Yes ☒ No

## 2. Type of consent being applied for

(more than one circle can be ticked):

- ☒ Land Use ☐ Discharge
- ☐ Fast Track Land Use\* ☐ Change of Consent Notice (s.221(3))
- ☐ Subdivision ☐ Extension of time (s.125)
- ☐ Consent under National Environmental Standard  
(e.g. Assessing and Managing Contaminants in Soil)
- ☐ Other (please specify) \_\_\_\_\_

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

## 3. Would you like to opt out of the fast track process?

☒ Yes ☐ No

## 4. Consultation

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

If yes, which groups have you consulted with?

Who else have you consulted with?

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



## 5. Applicant details

Name/s:

THEODORA PETRONELLA MARIA VAN DOVEREN

Email:

Phone number:

Postal address:

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

Postcode 245 0245

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

If yes, please provide details.

## 6. Address for correspondence

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

Name/s:

Lynley Newport

Email:

Phone number:

Postal address:

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

All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.

## 7. Details of property owner/s and occupier/s

Name and Address of the owner/occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s:

as per item 5

Property address/  
location:

Postcode



## 8. Application site details

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

Name/s:

as per item 5

Site address/  
location:

Legal description:

Val Number:

Certificate of title:

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

### Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? ☒ Yes ☐ No

Is there a dog on the property? ☐ Yes ☒ No

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. This is important to avoid a wasted trip and having to re-arrange a second visit.

please contact before coming out for inspection;  
Doreth 0211363610

## 9. Description of the proposal

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the *District Plan, and Guidance Notes*, for further details of information requirements.

Land use consent for habitable shed in  
General Coastal zone

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

## 10. Would you like to request public notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

☐ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard Consent

☐ Other (please specify)



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

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

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

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

☐ Subdividing land

☐ Disturbing, removing or sampling soil

☐ Changing the use of a piece of land

☐ Removing or replacing a fuel storage system

## 13. Assessment of environmental effects:

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

Your AEE is attached to this application ☒ Yes

## 14. Draft conditions:

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

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

## 15. 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)

Theodora van Dorew

Email:

Phone number:

Postal address:

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

Postcode 0245

### 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.



## 15. Billing details continued...

### 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)

Theodora Reynolds Harris van Doveren

**Signature:**

(signature of bill payer)

**MANDATORY**

## 16. Important Information:

### Note to applicant

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

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

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

### Fast-track application

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

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

### Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, [www.fndc.govt.nz](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.

## 17. Declaration

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

**Name** (please write in full)

Theodora van Doveren

**Signature**

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

*See overleaf for a checklist of your information...*



## Checklist

*Please tick if information is provided*

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

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.





Our Reference: 9925.1 (FNDC)

4 December 2025

Resource Consents Department  
Far North District Council  
JB Centre  
KERIKERI

Dear Sir/Madam

**RE: Habitable Shed at 480 Redcliffs Road, Kerikeri – T van Doveren**

I am pleased to submit application on behalf of T van Doveren, for land use consent for extensions to a shed building on their property at 480 Redcliffs Road, Kerikeri, and for a portion of the shed to be for habitable use. The property is zoned General Coastal. The application is a discretionary activity.

The application fee of \$2,625 has been paid separately via direct credit.

Regards

Lynley Newport  
**Senior Planner**  
**THOMSON SURVEY LTD**



**Theodora van Doveren**

**ADDITIONS & ALTERATIONS TO SHED IN THE  
GENERAL COASTAL ZONE & CHANGE OF USE**

**480 Redcliffs Road, KERIKERI**

**PLANNER'S REPORT &  
ASSESSMENT OF ENVIRONMENTAL EFFECTS**



**Thomson Survey Ltd  
Kerikeri**

## **1.0 INTRODUCTION**

### **1.1 Background & Reason for Application**

Consent for a shed to be constructed in the General Coastal Zone was originally sought, and granted, in 2021. RC 2300421-RMALUC was issued in June 2021, a copy of which is attached in



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Appendix 4. The consent was for a 146m<sup>2</sup> non-habitable shed, to be completed in recessive colours and for the existing mature screening vegetation adjacent to the shed to remain for the duration of the consent.

Since the consent for the shed was issued, consent was also obtained for the existing dwelling on the site. RC 2220600-RMALUC was issued in August 2022, copy also attached in Appendix 4. The dwelling has been constructed in accordance with the above resource consent and associated building consent EBC-2022-1582.

The shed, as it was constructed, is not in accordance with RC 2300421-RMALUC, nor any subsequent building consent. It is slightly larger, and has incorporated an area of habitable living, including kitchen, toilet and laundry facilities. Retrospective, and new, land use consent is required due to (a) a difference in approved plans to those approved in RC 2300421-RMALUC; and (b) a component of habitable building now included, which results in a second residential unit on the site, breaching the permitted residential intensity standard.

The shed, as constructed is shown on the plans in Appendix 1 as 158m<sup>2</sup>; and kitchen, bathroom and laundry facilities are included such that the shed has a habitable component. The screening required by the resource consent remains in place and the colour scheme of the shed is also as per the resource consent. The location of the shed is consistent with the consented site plan. The Council also requires an on-site waste water treatment and disposal to be installed.

This planning report supports an application for the shed to remain, and for it to include a component of habitable use. This is the resource consent aspect of works required associated with the shed.

The Building Act requirements for the building are being handled by another agent. Code of Acceptance procedures are being followed for internal and sub-floor aspects, and new building consent is required for a new on-site wastewater system to be installed.

A set of plans for the shed as built is attached in Appendix 1. Design details of new onsite wastewater and stormwater management associated with the shed are contained in Appendix 5.

A location map is attached as Appendix 2, and Record of Title is attached in Appendix 3.

## **1.2 Scope of this Report**

This assessment and report accompanies the Resource Consent Application, and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks consent a shed, in the General Coastal Zone, to be utilised for residential living, as a discretionary activity. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. The name and address of the owner of the property is contained in the Form 9 Application form.

## 2.0 PROPERTY DETAILS

Location:	480 Redcliffs Road, Kerikeri
Legal description:	Lot 5 DP 348644, contained in Record of Title 199534, dated 1 February 2006 and with an area of 19.331ha. A copy of the Record of Title is attached in Appendix x.
Zoning:	General Coastal under the Operative District Plan and Rural Production Zone with coastal environment overlay in the Proposed District Plan
Other Features:	Partial Outstanding Landscape (OL) Notation on the site's periphery (ODP). High Natural Character (HNC) over the bush areas within the site (PDP). Shed is not within the OL or HNC areas.

## 3.0 SITE DESCRIPTION

### 3.1 Physical characteristics

The site is located on the right hand side of an access road extending on from Redcliffs Road, about 760m past the turn off to Te Kowhai Point Road.

The site features an expansive area subject to a QEII Open Space Covenant, dominated by vegetated slopes and gullies. Whilst the ODP maps the periphery of the site as Outstanding Landscape, the PDP does not. Instead the PDP maps the area subject to QEII Open Space Covenant as having high natural character values. The site is identified as being within a high density kiwi area.

The central ridge line, running east to a headland, is all in grass with isolated landscape plantings, and it is within this already cleared area that the built development within the site is located. This built development consists of entrance gates / accessways, parking and turning areas / buildings (shed plus principal dwelling and garage).

The QEII Open Space Covenant (OSC) makes up the majority of the site's area, being 13.5ha of the total 19.33ha area. Refer to Record of Title information in Appendix 3 for copy of the QEII OSC. An area of screening vegetation has been established midway down the spur and this separates the shed from the dwelling in terms of visual catchment. This curves around the eastern end of the shed, providing further visual screening.





**Looking into the site from access gate. Built development is centre picture with glimpses of the bay beyond. Buildings are barely visible from this angle**



**A closer look towards the shed building showing that its recessive colours, against the planted backdrop mitigates visual effects substantially**

### **3.2 Legal Interests**

The title has a number of legal interests. It is subject to right of way and rights to convey water and power and telecoms via several instruments, most recently EI 6737577.4 when the subject site and adjacent Lot 6 were created. The area in question (subject to easement) is the access through to the adjacent Matoa blocks just beyond the subject site, i.e. the road.

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The title is subject to a Consent Notice that was imposed as part of RC 2050058-RMASUB. This has since been varied as it applies to the application site, via Instrument 12170788.1. Copies of the original Consent Notice and Variation are attached as part of Appendix 3.

As mentioned earlier, the application site is subject to a QEII Open Space Covenant (OSC), a copy of which also forms part of Appendix 3. The purpose and objectives of the OSC are listed in Schedule 1 of that document, with terms and conditions listed in its Schedule 2. Indigenous vegetation is to be protected, with provision for enhancement planting; no buildings are to be constructed within the OSC area; no subdivision can occur without the consent of the QEII Trust Board; no livestock (including dogs and cats) can enter the OSC area; and water quality and quantity shall be protected. Schedule 3 of the OSC provides for the formation and maintenance of walking tracks and trails, no more than 1m in width.

### **3.3 Consent History**

The site itself was created via Stage 1 of RC 2050058-RMASUB. This subdivision was supported by several reports, including Landscape; Biodiversity and Archaeological Assessments. The consent, when issued, utilised those reports and imposed a host of conditions around them, including a Management Plan. Overall, RC 2050058 consented a total of 6 lots. The vast majority of conditions were designed to apply to the subdivision in its finished form, i.e. Stages 1 AND 2. Stage 1 only created Lot 6 and large balance – the latter being the current application site.

The original subdivision's Stage 2 (where the majority of the lots were to be created) was never proceeded with and now cannot be given effect to. The applicant applied for, and was granted, a variation to the Consent Notice whereby the requirement to comply with the Management Plan (clearly intended to apply to the more intense subdivision layout) was deleted. Consent under s221(3) to vary the Consent Notice formed part of RC 2300421-RMALUC, consent issued in May 2021 for the shed to be erected behind the row of screening vegetation.

Earthworks Permit 3001907-LGAEWK was issued on 14 February 2022, and RC 2220600-RMALUC was issued in August 2022 for the principal dwelling with garage.

The dwelling was constructed pursuant to building consent EBC-2022-1582, issued in July 2022.

Whilst Building Consent was issued for a shed, this is listed as 'cancelled' on the property file.



**4.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION****Clauses 2 & 3: Information required in all applications**

<i>(1) An application for a resource consent for an activity must include the following:</i>	
<i>(a) a description of the activity:</i>	Refer Section 1 of this Planning Report.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Sections 6 & 7 of this Planning Report.
<i>(b) a description of the site at which the activity is to occur:</i>	Refer to Section 3 of this Planning Report.
<i>(c) the full name and address of each owner or occupier of the site:</i>	This information is contained in the Form 9 attached to the application.
<i>(d) a description of any other activities that are part of the proposal to which the application relates:</i>	The application is for land use consent under the Operative District Plan.
<i>(e) a description of any other resource consents required for the proposal to which the application relates:</i>	None required.
<i>(f) an assessment of the activity against the matters set out in Part 2:</i>	Refer to Section 7 of this Planning Report.
<i>(g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b), including matters in Clause (2):</i>  <i>(a) any relevant objectives, policies, or rules in a document; and</i> <i>(b) any relevant requirements, conditions, or permissions in any rules in a document; and</i> <i>(c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).</i>	Refer to Sections 6 & 7 of this Planning Report.
<i>(3) An application must also include any of the following that apply:</i>	
<i>(a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the</i>	Refer to section 5.

<p><i>permitted activity (so that a resource consent is not required for that activity under section 87A(1)):</i></p> <p><i>(b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):</i></p> <p><i>(c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).</i></p>	<p>Not applicable.</p> <p>The site is not within an area subject to a customary marine title group. Not applicable.</p>
<p><i>(4) An application for a subdivision consent must also include information that adequately defines the following:</i></p>	
<p><i>(a) the position of all new boundaries:</i></p> <p><i>(b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:</i></p> <p><i>(c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:</i></p> <p><i>(d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:</i></p> <p><i>(e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:</i></p> <p><i>(f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):</i></p> <p><i>(g) the locations and areas of land to be set aside as new roads.</i></p>	<p>N/A</p>

**Clause 6: Information required in assessment of environmental effects**

<p><i>(1) An assessment of the activity's effects on the environment must include the following information:</i></p>	
<p><i>(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:</i></p>	<p>Refer to Section 6 of this planning report. The activity will not result in any significant adverse effect on the environment.</p>



<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Section 6 of this planning report.
<i>(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:</i>	Not applicable as the application does not involve hazardous installations.
<i>(d) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:</i>	The proposal does not involve any discharge of contaminant.
<i>(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:</i>	Refer to Section 6 of this planning report.
<i>(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:</i>	Refer to Section 8 of this planning report. No affected persons have been identified.
<i>(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:</i>	No monitoring is required as the scale and significance of the effects do not warrant it.
<i>(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).</i>	No protected customary right is affected.

**Clause 7: Matters that must be addressed by assessment of environmental effects (RMA)**

<i>(1) An assessment of the activity's effects on the environment must address the following matters:</i>	
<i>(a) any effect on those in the neighbourhood and, where relevant,</i>	Refer to Sections 6 and 8 of this planning report.

<i>the wider community, including any social, economic, or cultural effects:</i>	
<i>(b) any physical effect on the locality, including any landscape and visual effects:</i>	Refer to Section 6.
<i>(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:</i>	Refer to Section 6.
<i>(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:</i>	Refer to Section 6.
<i>(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:</i>	The proposal will not result in the discharge of contaminants, nor any unreasonable emission of noise.
<i>(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</i>	The development site is not subject to hazard. The proposal does not involve hazardous installations.

## 5.0 COMPLIANCE ASSESSMENT

### 5.1 Operative District Plan (ODP)

The property is zoned General Coastal in the Far North District Plan. Whilst there is an Outstanding Landscape overlay applying to the coastal (eastern) periphery of the application site, none of the development is occurring within the area mapped as Outstanding Landscape. As such the proposal is not subject to rules in Chapter 12.1.

For the sake of completeness, a brief assessment of the proposal against rules in Chapter 10.6 General Coastal Zone, is contained in the following Table:

**Table 1:**  
**Far North Operative District Plan:**

<b>GENERAL COASTAL ZONE RULES:</b>		
<b>Permitted Standards</b>	<b>Comment</b>	<b>Compliance Assessment</b>
<u>10.6.5.1.1 VISUAL AMENITY</u> The following are permitted activities in the General Coastal Zone: (a) any new building(s) not for human habitation provided	Parts (a) and (b) are applicable. The building is a shed, a component of which has been fitted out to support human	<b>Does not meet permitted standard part (a).</b>



*Shed in GC Zone, part of which is used for residential living*

that the gross floor area of any new building permitted under this rule, does not exceed 50m <sup>2</sup> or for human habitation provided that the gross floor area does not exceed 25m <sup>2</sup> ; and (b) the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or are constructed of natural materials which fall within this range; or (c) any alteration/addition to an existing building .... or (d) renovation or maintenance of any building.	habitation. The building is larger than 25m <sup>2</sup> . The roof and cladding are in colours with an LRV of 30% or less.	
<u>10.6.5.1.2 RESIDENTIAL INTENSITY</u> Residential development shall be limited to one unit per 20ha of land.....	Because the shed is fitted out to support habitable use, it constitutes a second residential unit. The title has an area less than 20ha.	<b>Cannot comply.</b>
<u>10.6.5.1.3 SCALE OF ACTIVITIES</u>	Residential use.	N/A
<u>10.6.5.1.4 BUILDING HEIGHT</u> The maximum height of any building shall be 8m.	The shed is less than 8m in height at its apex.	Permitted.
<u>10.6.5.1.5 SUNLIGHT</u> No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary ....	The shed is well over 10m from boundaries and less than 8m in height.	Permitted.
<u>10.6.5.1.6 STORMWATER MANAGEMENT</u> The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 10%.	The total site area is 19.33ha. Estimated total impermeable surface (including ROW) is 6,747m <sup>2</sup> , or 3.5% of total site area.	Permitted.
<u>10.6.5.1.7 SETBACK FROM BOUNDARIES</u> (a) no building shall be erected within 10m of any site boundary, except that on any site with an area of less than 5,000m <sup>2</sup> , this setback shall be 3m from any site boundary; (b) no building for residential purposes shall be erected closer than 100m from the boundary of the Minerals Zone.	The shed is more than 10m from any site boundary.	Permitted.
<u>10.6.5.1.9 KEEPING OF ANIMALS</u>	N/A – the proposal does not involve the keeping of animals.	N/A

<u>10.6.5.1.10 NOISE</u> All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits at or within the boundary of any other site in this zone, or at any site zoned Residential, Russell Township or Coastal Residential, or at or within the notional boundary of any dwelling in any other rural or coastal zone: 0700 to 2200 hours 55 dBA L10 2200 to 0700 hours 45 dBA L10 and 70 dBA Lmax	Residential activity.	Permitted
<u>10.6.5.1.11 HELICOPTER LANDING AREA</u> A helicopter landing area shall be at least 200m from the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones.	No helicopter landing area proposed.	N/A
<b>Controlled Activity Standards</b>		
<u>10.6.5.2.2 VISUAL AMENITY</u> Any new building(s) or alteration/additions to an existing building that does not meet the permitted activity standards in Rule 10.6.5.1.1 are a controlled activity where the new building or building alteration/addition is located entirely within a building envelope that has been approved under a resource consent.	The building site is not within a building envelope approved by a resource consent.	<b>Does not meet controlled activity standard.</b>
<b>Restricted Discretionary Activity Standards</b>		
<u>10.6.5.3.1 VISUAL AMENITY</u> The following are restricted discretionary activities in the General Coastal Zone: (a) any new building(s); or (b) alteration/addition to an existing building that do not meet the permitted activity standards in Rule 10.6.5.1.1 where the new building or building alteration/addition is located partially or entirely outside a building envelope	The building is a new building, partially or entirely outside of any pre approved building envelopes.	<b>Meets restricted discretionary activity rule.</b>



that has been approved under a resource consent.		
<b>Discretionary Activity Standards</b>		
10.6.5.4.1 RESIDENTIAL INTENSITY Residential development shall be limited to one unit per 6ha of land. In all cases the land shall be developed in such a way that each unit shall have at least 2,000m <sup>2</sup> for its exclusive use surrounding the unit, plus a minimum of 5.8ha elsewhere on the property.	Two residential units (by definition) on 19.33ha of land = 1: 9.66ha.	<b>Meets discretionary activity rule.</b>
<b>DISTRICT WIDE RULES</b>		
12.3 SOILS AND MINERALS 12.3.6.1.2 EXCAVATION AND/OR FILLING, INCLUDING OBTAINING ROADING MATERIAL BUT EXCLUDING MINING AND QUARRYING, IN THE ..... GENERAL COASTAL ..... ZONES Excavation and/or filling, excluding mining and quarrying, on any site in the ...., General Coastal ..... Zones is permitted, provided that: (a) it does not exceed 300m <sup>3</sup> in any 12 month period per site; and (b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m.	Excavation/filling works will be restricted to immediately around the shed and any required for the installation of the wastewater system.	Permitted.
12.4 NATURAL HAZARDS 12.4.6.1.2 FIRE RISK TO RESIDENTIAL UNITS	The residential portion of the shed is over 26m from the area of bush within the QEII covenant area.	Permitted.
15.1 TRAFFIC, PARKING and ACCESS	Residential use.	Permitted.

There is no vegetation clearance required and the building is not within any area identified as Outstanding Landscape. The building is well clear of any waterbody setback requirement.

In summary, in terms of Part 2 Zone rules, and Part 3 District Wide rules, the proposal breaches General Coastal Zone's permitted and controlled activity standards for Visual Amenity; and the permitted activity residential intensity threshold. These breaches result in a **discretionary** activity consent required overall under the Far North District Plan. I have not identified any other rule breaches in the District Plan, and no consent is required under any Regional Plan.

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## 5.2 Proposed District Plan (PDP)

The FNDC publicly notified its PDP on 27<sup>th</sup> July 2022. Immediate regard has to be had to objectives and policies in the PDP relevant to any proposed activity and there are some rules in the PDP that were given immediate legal effect to at time of notification.

Rules identified by the Council as having legal effect include:

Rules HS-R2, R5, R6 and R9 in regard to hazardous substances on scheduled sites or areas of significance to Maori, significant natural areas or a scheduled heritage resource. As the application site and proposal does not involve hazardous substances, these rules are not relevant to the proposal.

Heritage Area Overlays – N/A as none apply to the application site.

Historic Heritage rules and Schedule 2 – N/A as the site does not have any identified (scheduled) historic heritage values.

Notable Trees – N/A – no notable trees on the site.

Sites and Areas of Significance to Maori – N/A – the site does not contain any site or area of significance to Maori.

Ecosystems and Indigenous Biodiversity – Rules IB-R1 to R5 inclusive.

These rules set various thresholds for clearance. As none is proposed or required, these rules are not relevant.

Subdivision (specific parts) – N/A as the proposal is not a subdivision.

Activities on the surface of water – N/A as no such activities are proposed.

Earthworks – Only some rules and standards have legal effect. These are Rules EW-R12 and R13 and related standards EW-S3 and ES-S5 respectively. EW-R12 and associated EW-S3 relate to the requirement to abide by Accidental Discovery Protocol if carrying out earthworks any artefacts are discovered. This requirement can be met and is a requirement under heritage legislation in any event. EW-13 and associated EW-S5 relate to ensuring Erosion and Sediment Control measures are in place during earthworks. This can be a condition of consent.

Signs – N/A – signage does not form part of this application.

Orongo Bay Zone – N/A as the site is not in Orongo Bay Zone.

There are no zone rules within the Rural Production Zone with immediate legal effect, nor any rules applying to the Coastal Environment; or High Natural Character overlays.

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## **6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS**

### **6.1 Landscape, natural character and visual amenity**

The Far North District Plan is now more than 15 years old and contains Landscape mapping reliant on a 1990's Landscape Assessment. It is worth noting, therefore, that the area of Outstanding Landscape on the application site has not been carried over onto maps in the more recent and higher order Regional Policy Statement for Northland (RPS), nor subsequently into the PDP.

The RPS identifies the QEII OSC area as having high (not outstanding) natural character values and this notation has been included in the PDP.

The removal of any 'outstanding' landscape values supports my opinion that the area has been subject to change over time, with built development continuing to occur, including housing on the adjacent Maori blocks. There are numerous sites in the vicinity that have now been developed, most notably large dwellings on two adjacent sites, located on similarly shaped 'spurs'.

The landscape will continue to undergo change. An important aspect of the landscape is the continuous area of coastal vegetation on the application site (protected via QEII OSC) and adjacent land. Development is present in varying degree in the general area and I believe there is good capacity on the application site and surrounding land to absorb change in the form of appropriate built development.

When considering a proposal pursuant to Rule 10.6.5.3.1 VISUAL AMENITY, the Council will restrict the exercise of its discretion to certain matters, as listed below. Whilst the Council is not limited to these matters due to the category of activity now being full discretionary, the criteria in 10.6.5.3.1 nonetheless provide a useful framework for visual amenity effects to be assessed.

#### ***(i) the location of the building;***

Refer to Site Plans attached as part of Appendix 1. The building site is mid way into the site, near the end of a spur, accessed along a gravel access driveway. Whilst elevated, this is not the highest point on the site – the entrance into the property is the high point – refer to photographs earlier in this report. Screening vegetation is already in place, with the shed located behind that.

The build site is well internalised within the site, on the cleared portion, at least 100m from any site or water boundary. The QEII OSC area accounts for the majority of the site, ensuring ongoing protection of the vegetation on the slopes and gullies leading down to the water.

#### ***(ii) the size, bulk, and height of the building or utility services in relation to ridgelines and natural features;***



Refer to comments on previous page. The shed previously consented was to be 146m<sup>2</sup>. What was actually constructed exceeds that. The 'extension' is on the landward side of the building, facing west. The additional m<sup>2</sup> is length wise rather than width, where the narrow ends of the rectangle face west and east. This means the small increase in size is not discernible from any water views. There is no difference in height.

The completed shed is located where the consented shed was to be located, and does not extend above the ridgeline.

***(iii) the colour and reflectivity of the building;***

The shed is finished in low reflectivity colours as required by the original consent. It blends readily into its backdrop of screening vegetation.

***(iv) the extent to which planting can mitigate visual effects;***

Screening planting was already in place prior to the shed being constructed. It was a requirement of the original shed consent, that this screening planting remain in place. This requirement has been met on an ongoing basis and continues to serve as an effective mitigation against visual effects. Further landscaping has taken place on site since the original consents were issued.

***(v) any earthworks and/or vegetation clearance associated with the building;***

No vegetation clearance and only minimal earthworks is required for any remedial or new works associated with the shed and its continued use. Access is already constructed.

***(vi) the location and design of associated vehicle access, manoeuvring and parking areas;***

Refer to above comments. The access is existing and in metal. The parking and manoeuvring area associated with the shed is on the landward side, not visible at all from the water.

***(vii) the extent to which the building will be visually obtrusive;***

See earlier comments. The shed is not visually obtrusive because of its orientation, colour scheme, size in relation to land area, and background vegetation screening.

***(viii) the cumulative visual effects of all the buildings on the site;***

The shed is not the only building on the site, the principal dwelling having now been established. The vegetative screening sits between the two and this assists in mitigating any cumulative visual effects of built form. The built environment is not large in relation to the overall site, being less than 0.3% of total site area. I believe the cumulative visual effects of all buildings on the site to be less than minor. In addition, buildings of the same general bulk and location have already been consented by the Council.

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**(ix) the degree to which the landscape will retain the qualities that give it its naturalness, visual and amenity values;**

This consent is for existing built development, previously consented in terms of visual amenity, albeit acknowledging that what was built is a little larger than what was consented, and the use of the building differs to what was consented. As such the landscape will retain all of the qualities that give it its naturalness and its visual and amenity values, unchanged.

**(x) the extent to which private open space can be provided for future uses;**

The site is large at over 19ha and the proposal provides for abundant private open space within the site, including within the QEII OSC area.

**(xi) the extent to which the siting, setback and design of building(s) avoid visual dominance on landscapes, adjacent sites and the surrounding environment;**

These matters have been addressed earlier. I do not believe the shed is visually dominant in the wider landscape.

**(xii) the extent to which non-compliance affects the privacy, outlook and enjoyment of private open spaces on adjacent sites.**

The build site is well internalised within the site and will not, in my opinion, affect the privacy or enjoyment of private open space on adjacent sites. Properties to the south will be able to see the shed, albeit it has a backdrop of vegetation that will mitigate its impact on outlook. However, the shed is not located in any direct line of sight from adjacent properties out over the inlet, and in this sense I do not believe there will be any adverse effects on outlook of a minor or more than minor nature. The eastern boundary of the application site is with Marginal Strip (crown land). The building is at least 100m from the Marginal Strip and out of sight from it.

## **6.2 Residential Intensity**

Land use consent is required for a breach of the permitted activity threshold for residential intensity. This is because there is an existing principal dwelling within the site, and the shed contains accommodation and facilities enabling it to be resided in. Whilst it is not permanently lived in (accommodating holiday workers), it nonetheless meets the ODP's definition of residential unit because it contains kitchen / bathroom / laundry facilities.

Two residential units on a 19ha property complies with the zone's discretionary activity threshold. The assessment of effects below focuses on potential effects associated with having a second residential unit (albeit 'minor' in nature), on the site.

**The character and appearance of building(s) and the extent to which the effects they generate can be avoided, remedied or mitigated, consistent with the principal activity on the site and with other buildings in the surrounding area.**

The second residential unit sits within a shed building and as such is not a stand alone residential dwelling. Visually, the shed looks like a shed, not a residential dwelling. The residential component is located within the eastern section and has a floor area of 37m<sup>2</sup> within the larger building – refer to floor plan in the plans contained in Appendix 1.

A shed building has been previously consented to be in this location, and new consent is being sought under the visual amenity rule because the actual building on the site is slightly larger than the one consented. However, the basic design remains the same, as does the location and colour scheme. There is existing screening vegetation between the two buildings so from all viewpoints they maintain a visual separation from one another. Both the dwelling and the shed are finished in recessive colours and materials to mitigate visual impact. Cumulatively on the site, the buildings account for less than 0.3% of total site area. The existing vegetative screening between the buildings will be retained.

The shed is utilised by holiday workers involved in work within the site, and as such the shed's use for accommodation is consistent with the principal activity on the site.

***The siting of the building(s), decks and outdoor areas relative to adjacent properties and the road frontage, in order to avoid visual domination and loss of privacy and sunlight.***

The accommodation portion of the shed building, along with a small external deck, faces east, away from the access road and away from immediately adjacent properties to the north and west. The property adjacent to southern and eastern boundary contains a well established and landscaped large dwelling. The separation distance is 420m as the crow flies, with a heavily vegetated gully in between. The accommodation has nil effect on road frontage given its distance from road and orientation, and less than minor effect on any other property in terms of visual domination and loss of privacy and sunlight, again because of distance and orientation.

***The size, location and design of open space and the extent to which trees and garden plantings are utilised for mitigating adverse effects.***

The property owner has established additional landscaping curving around the eastern end of the shed to further mitigate any residual adverse effects.

***The ability of the immediate environment to cope with the effects of increased vehicular and pedestrian traffic.***

The zone's permitted traffic intensity is 30 daily one way movements, where one residential unit is exempt. The second residential unit within the shed does not generate the level of traffic that a standard residential unit might generate, being only 37m<sup>2</sup> in area, and given that the 'resident(s)' is/are engaged in work on the site. The existing access can easily cope with the traffic generated by the residential units. The proposed use of the site has nil adverse effect on Redcliffs Road.

***The location and design of vehicular and pedestrian access, on site vehicle manoeuvring and parking areas and the ability of those to mitigate the adverse effects of additional traffic.***



The principal dwelling and accommodation unit within the shed share the same vehicular access internal to the site. This exists already. The principal dwelling then has its own driveway to the left, leading to parking/manoeuvring area adjacent to the dwelling. The shed has its own parking and manoeuvring area, which also accommodates storage and machinery associated with the maintenance of the overall site. The site is expansive and readily accommodates the required parking and manoeuvring spaces.

***Hours of operation and noise generation***

This appears to be an amenity consideration. The ongoing use of a small portion of a shed building for residential accommodation, does not create any additional noise to what could occur on a standard residential site. There are no hours of operation as such as no component of the land use being proposed is 'commercial' in nature.

***Any servicing requirements and/or constraints of the site – whether the site has adequate water supply and provision for disposal of waste products and stormwater.***

The principal dwelling is serviced by on-site wastewater treatment and disposal, storm water management and has its own water supply. The shed also has its own water supply. The ongoing use of the shed for residential use will see the conversion of a water tank to be dedicated to being a fire fighting water supply. Other tanks will be maintained for roof catchment and potable/non potable use and as part of stormwater management/attenuation.

Concurrently with this land use consent, the applicant is applying for building consent for a new on-site wastewater system to serve the residential use within the shed. The design details of that system are attached in Appendix 5. The application is also seeking to remedy any shortfalls in building design in regard to plumbing and drainage and stormwater management.

Given the overall size of the site and its physical characteristics, on-site servicing for the accommodation unit within the shed can be adequately provided, with no adverse off site effects. There are no waterbodies affected by the proposed on-site wastewater and/or stormwater treatment and disposal systems.

***The ability to provide adequate opportunity for landscaping and buildings and for all outdoor activities associated with the residential unit(s) permitted on the site.***

Refer to earlier comments. The site supports a large QEII Open Space Covenant area which ensures the majority of the site will remain in vegetation cover in perpetuity. In addition, that part of the site excluded from the covenant area and within which the built environment is established, is being progressively landscaped. There remains scope for still more landscaping, albeit no further landscaping is necessary in terms of mitigation of visual effects of existing buildings.

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**The degree to which mitigation measures are proposed for loss of open space and vegetation.**

Buildings are existing. There will be no further loss of open space and there is to be no vegetation clearance.

**Any adverse effects on the life supporting capacity of soils.**

Built environment and access is all existing. The proposal will have no adverse effects on the life supporting capacity of soils.

**The extent of visual and aural privacy between residential units on the site and their associated outdoor spaces.**

Refer to earlier comments. The principal dwelling and shed are visually screened from one another, ensuring a high degree of privacy. The building's outdoor spaces are not directed at one another, both having an easterly outlook.

There is a distance of 45m between the buildings with half of that separation distance in plantings. Aural privacy is assured by both distance and plantings, as well as orientation.

**Visual effects of site layout on the natural character of the coastal environment.**

The site is in the coastal environment. When looking back at the site from the inlet, the two buildings are separated by the existing vegetation screening. In addition, landscaping has been established at the eastern end of the shed building meaning it is visually screened from views from the inlet. The principal dwelling is subject to a landscaping plan, also aimed at mitigating visual impact effects when the site is viewed from the inlet.

In summary, the buildings have, and will have, less than minor effects on the natural character of the coastal environment.

**The effect on indigenous vegetation and habitats of indigenous fauna.**

The management of the covenant area is ongoing and ensures the protection of indigenous vegetation and habitat. The proposal has nil effect on indigenous vegetation and habitat.

**The extent to which the activity may cause or exacerbate natural hazards or may be adversely affected by natural hazards, and therefore increase the risk to life, property and the environment.**

The buildings are existing and are located well above and away from the coastal marine area, where coastal flooding is the only potential hazard the site is potentially subject to. The location of the buildings means the activity will not exacerbate natural hazards or be adversely affected by natural hazards.

**Proximity to rural production activities and potential for incompatible and reverse sensitivity effects.**

The site contains large areas of vegetation cover and is surrounded by more vegetation cover. The nearest rural production activity is on the other side of the access road, over 300m from

the shed building, and not in line of sight because of intervening topography. The use of a small portion of the shed for accommodation purposes will not result in land use incompatibility of reverse sensitivity effects arising.

### **6.3 Cumulative and Precedent Effects**

The proposal results in less than minor cumulative effects. The proposal is a discretionary activity and does not set an adverse precedent effect that might threaten the integrity of the ODP.

## **7.0 STATUTORY ASSESSMENT**

### **7.1 Operative District Plan Objectives and Policies**

Objectives and policies relevant to this proposal are predominantly those listed in Chapter 10.6 General Coastal Zone. Whilst the site has some outstanding landscape mapped on its eastern end, this is restricted to adjacent to the coastal marine area and the built development within the site is not within that area. The site supports indigenous vegetation, however this is already subject to protection via the QEII Open Space Covenant. The proposal is considered consistent with objectives in Chapters 12.1 and 12.2 of the ODP.

#### **10.6.3 OBJECTIVES**

*10.6.3.1 To provide for appropriate subdivision, use and development consistent with the need to preserve its natural character.*

*10.6.3.2 To preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.*

The area containing the buildings, whilst zoned General Coastal, is not identified as outstanding landscape, and is also outside of any area identified in the Regional Policy Statement as having outstanding natural character. The building area is also outside of any area mapped as having high natural character values. In summary, the built environment within the site is located such that it had nil adverse effect on the natural character of the coastal environment, and the proposal is appropriate for the site.

#### **10.6.4 POLICIES**

*10.6.4.1 That a wide range of activities be permitted in the General Coastal Zone, where their effects are compatible with the preservation of the natural character of the coastal environment.*

*10.6.4.2 That the visual and landscape qualities of the coastal environment in be protected from inappropriate subdivision, use and development.*

*10.6.4.3 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including:*

*(a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;*

*(b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;*

*(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;*



*(d) through siting of buildings and development, design of subdivisions and provision of access, that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District. (Refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives (2004)";*

*(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;*

*(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.*  
*10.6.4.4 That controls be imposed to ensure that the potentially adverse effects of activities are avoided, remedied or mitigated as far as practicable.*

*10.6.4.5 Maori are significant land owners in the General Coastal Zone and therefore activities in the zone should recognise and provide for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.*

*10.6.4.6 The design, form, location and siting of earthworks shall have regard to the natural character of the landscape including terrain, landforms and indigenous vegetation and shall avoid, remedy or mitigate adverse effects on those features.*

I consider that the proposal does not compromise natural character values and is appropriate for the site. Minimal earthworks is required and will be subject to appropriate erosion and sediment control measures.

No vegetation clearance is required and there is an existing area of covenanted native vegetation on the site (QEII Open Space) along with established screening vegetation. The provision of public access is not a relevant matter in this instance (Policy 10.6.4.3(c)). The development area is located some distance from the coastal marine area and I do not believe the proposal will adversely impacts on cultural values.

No archaeological sites have been identified in the development area and the Accidental Discovery Protocol will apply. There are no listed heritage buildings or objects, or notable trees, in the District Plan's schedules.

I believe that with the already protected native vegetation areas, recessive low reflectivity colour scheme, and location of buildings, there are appropriate and sufficient mitigation measures to ensure adverse effects are avoided, remedied or mitigated.

## **7.2 Proposed District Plan Objectives and Policies**

The property has a Rural Production Zone under the Proposed District Plan (PDP) and has a Coastal Environmental Overlay. The site is 19.3ha in area. Most of the site is protected by QEII Open Space Covenant and unable to be utilised for rural production purposes. The west-east running ridge and headland are the only portions of the site not protected and accommodate the access driveway and built development (and services) within the site. There are landscaping requirements applying to the built structures. In short, this leaves none of the site suitable, or available for, rural production use. This renders a lot of the objectives and policies applying to the Rural Production zone as being not applicable to the site.

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## **Rural Production Objectives**

### **RPROZ-O1**

The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.

### **RPROZ-O2**

The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.

### **RPROZ-O3**

Land use and subdivision in the Rural Production zone:

- a. protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;
- b. protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;
- c. does not compromise the use of land for farming activities, particularly on highly productive land;
- d. does not exacerbate any natural hazards; and
- e. is able to be serviced by on-site infrastructure.

### **RPROZ-O4**

The rural character and amenity associated with a rural working environment is maintained.

As stated above, the site is constrained from having any long term use as a productive site. It does not contain any highly productive land (no LUC Class 1-3 soils). Reverse sensitivity effects are negligible, if any. The proposed land use will not compromise the use of adjacent land for productive use. The proposed land use does not exacerbate natural hazards and is able to be serviced by on-site infrastructure.

## **Policies**

### **RPROZP1**

Enable primary production activities, provided they internalise adverse effects onsite where practicable while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.

### **RPROZP2**

Ensure the Rural Production zone provides for activities that require a rural location by:

- a. enabling primary production activities as the predominant land use;
- b. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.

Neither of the above policies are relevant to the proposal given that no primary production activity is proposed.

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**RPROZP3**

Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.

The proposed land use will not result in reverse sensitivity effects arising.

**RPROZP4**

Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:

- a. a predominance of primary production activities;
- b. low density development with generally low site coverage of buildings or structures;
- c. typical adverse effects such as odour, noise and dust associated with a rural working environment; and
- d. a diverse range of rural environments, rural character and amenity values throughout the District.

The built environment is existing and landscaping is in place. The proposed land use will not have any adverse effects on rural character and amenity. The built development makes up less than 0.3% of the total site area. The proposed land use will not generate the 'typical adverse effects' of a rural working environment such as odour, noise or dust.

**RPROZP5**

Avoid land use that:

- a. is incompatible with the purpose, character and amenity of the Rural Production zone;
- b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;
- c. would result in the loss of productive capacity of highly productive land;
- d. would exacerbate natural hazards; and
- e. cannot provide appropriate on-site infrastructure.

The proposed use is compatible with the surrounding area, but not with the purpose of the Zone because productive use of the site is effectively precluded by the existence of the QEII Open Space Covenant area and site coverage and landscaping. The proposed use is primarily residential and the maintenance of the site's large QEII Open Space covenant area. The second residential unit is proposed to enable people working on the site, to reside on the site. The proposal has nil impact on the productive capacity of highly productive land because there is none. The proposal does not exacerbate natural hazards and appropriate on-site infrastructure can be provided.

**RPROZP6**

Avoid subdivision that:.....

Not relevant as it relates solely to subdivision.

**RPROZP7**

Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- a. whether the proposal will increase production potential in the zone;
- b. whether the activity relies on the productive nature of the soil;
- c. consistency with the scale and character of the rural environment;



*Shed in GC Zone, part of which is used for residential living*

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- d. location, scale and design of buildings or structures;
  - e. for subdivision or non-primary production activities:
    - i. scale and compatibility with rural activities;
    - ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;
    - iii. the potential for loss of highly productive land, land sterilisation or fragmentation
  - f. at zone interfaces:
    - i. any setbacks, fencing, screening or landscaping required to address potential conflicts;
    - ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;
  - g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;
  - h. the adequacy of roading infrastructure to service the proposed activity;
  - i. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;
  - j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Given that no consent is required under the PDP, the above policy is not relevant.

#### Coastal Environment Objectives and Policies:

**CE-O1** The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.

**CE-O2** Land use and subdivision in the coastal environment:

- a. preserves the characteristics and qualities of the natural character of the coastal environment;
- b. is consistent with the surrounding land use;
- c. does not result in urban sprawl occurring outside of urban zones;
- d. promotes restoration and enhancement of the natural character of the coastal environment;  
and
- e. recognises tangata whenua needs for ancestral use of whenua Māori.

For reasons outlined earlier in this report, the proposed land use does nothing to threaten the long term preservation and protection of the natural character of the coastal environment. The proposed land use is consistent with the surrounding land use. It does not result in urban sprawl. It does not adversely impact on tangata whenua needs for ancestral use of whenua Maori.

Only some policies applying to the coastal environment have relevance to the application site and proposal. Policy CE-P1 is not relevant to a specific development within a specific site. CE-P2 applies to areas of outstanding landscape, which the site is not. Policy CE-P5 applies to urban zones, which the application site is not. Policy CE-P6 relates to enabling farming activities and for the reasons outlined earlier, is not considered a relevant policy to this development. Policy CE-P7 refers to Maori Purpose and Treaty Settlement land only and is not relevant to this proposed development. Policy CE-P9 refers to areas of outstanding natural character value of which there are none within the site (high natural character values only).

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**CE-P3** Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as:

- a. outstanding natural character;
- b. ONL;
- c. ONF.

**CE-P4** Preserve the visual qualities, character and integrity of the coastal environment by:

- a. consolidating land use and subdivision around existing urban centres and rural settlements; and
- b. avoiding sprawl or sporadic patterns of development.

**CE-P8** Encourage the restoration and enhancement of the natural character of the coastal environment.

**CE-P10** Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

- a. the presence or absence of buildings, structures or infrastructure;
- b. the temporary or permanent nature of any adverse effects;
- c. the location, scale and design of any proposed development;
- d. any means of integrating the building, structure or activity;
- e. the ability of the environment to absorb change;
- f. the need for and location of earthworks or vegetation clearance;
- g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;
- h. any viable alternative locations for the activity or development;
- i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;
- j. the likelihood of the activity exacerbating natural hazards;
- k. the opportunity to enhance public access and recreation;
- l. the ability to improve the overall quality of coastal waters; and
- m. any positive contribution the development has on the characteristics and qualities.

The property is not identified as Outstanding Landscape in the PDP. The proposal has no significant adverse effects and any minor effects can be appropriately avoided, remedied or mitigated through design and landscaping (CE-P3).

I believe the proposed land use, in having only a 0.3% building coverage, can readily preserve the visual qualities, character and integrity of the coastal environment. The built environment within the site is internalised within the site and in one location as opposed to being at opposite ends of the site (CE-P4).

The proposal does not include vegetation clearance. The site supports an existing large QEII Open Space Covenant area providing long term protection for indigenous vegetation and habitat and preserving the natural character of the coastal environment (CE-P8).

Policy CE-P10 reads along very similar lines to the ODP's Policy 10.6.4.3, already addressed earlier in this report. It applies to proposals requiring consent under the PDP, which this proposal does not.

- Buildings and structures already exist. Rule breaches are in regard to visual amenity and residential intensity, not any bulk or location rules. Building coverage is less than 0.3% of total site area.

- 
- Earthworks is minimal and will be carried out in accordance with Erosion and Sediment Control mitigation measures.
  - No vegetation clearance is proposed, with landscaping already in place.
  - It is not believed that the proposal will exacerbate natural hazards.
  - Historical, spiritual and cultural values will not be adversely affected.
  - There is no opportunity to enhance public access and recreation in this instance.

In summary I believe the proposed development to be consistent with the PDP's coastal environment objectives and policies where these are relevant.

Objectives and Policies in the Natural features and landscapes section of the PDP, apply in part to areas of high natural character. The area of the site identified as having high natural character is directly attributable to being a QEII Open Space covenant area. In other words, its natural character values are directly linked to the protection and management afforded it by the covenant. The proposal does not adversely impact on that area and therefore the proposal is considered consistent with any objectives and policies in the PDP relating to areas of high natural character.

### 7.3 Part 2 Matters

#### 5 Purpose

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

The proposal is considered to provide for the sustainable management of natural and physical resources. It provides for residential development on a single lot, within an existing consented development.

#### 6 Matters of national importance

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

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*

- 
- (c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
  - (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
  - (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
  - (f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
  - (g) *the protection of protected customary rights:*
  - (h) *the management of significant risks from natural hazards.*

I consider the proposal to be an appropriate level of development for a site of this nature in the coastal environment. The area of built development has no outstanding landscape values. No indigenous vegetation clearance is proposed and the site contains a large area of protected indigenous vegetation. The proposal has had regard to the relationship of Maori with their ancestral lands, water and sites. There are no archaeological sites within the property and there are no significant risks from natural hazards associated with the development

#### *7 Other matters*

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

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship:*
- (b) *the efficient use and development of natural and physical resources:*
- (ba) *the efficiency of the end use of energy:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (e) *[Repealed]*
- (f) *maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*
- (h) *the protection of the habitat of trout and salmon:*
- (i) *the effects of climate change:*
- (j) *the benefits to be derived from the use and development of renewable energy.*

The proposed development will ensure the ongoing maintenance and enhancement of amenity values and the overall quality of the environment, and respects the intrinsic values of ecosystems.

#### *8 Treaty of Waitangi*

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

The principles of the Treaty of Waitangi have been considered and it is believed that this proposal does not offend any of those principles.



In summary, it is considered that all matters under s5-8 inclusive have been adequately taken into account.

## 7.4 NZ Coastal Policy Statement

The NZ Coastal Policy Statement (NZCPS) has relevance to this proposal due to the property's location. It is currently zoned General Coastal in the ODP, and is shown as being within the "coastal environment" on the Regional Policy Statement for Northland's maps as well as the district council's PDP maps. The following objectives and policies are considered relevant to the proposal.

**Objective 2:** *To preserve the natural character of the coastal environment and protect natural features and landscape values through.....*

The subject site is not within an outstanding natural landscape but is mapped as having high natural character values, specifically over the area within the QEII Open Space Covenant area. The building area is clear of any such area. As stated earlier the building coverage on the site accounts for less than 0.3% of total site area.

**Objective 6:** *To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:*

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;*

I consider the development to be an appropriate use of the site and to provide for people's social and economic wellbeing.

**Policy 6:** *Activities in the coastal environment*

*(1) In relation to the coastal environment:*

*.....(h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects; .....*

*(i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and.....*

I believe that the proposed development is consistent with both of parts (h) and (i) above. The buildings exist and landscaping is already in place. The buildings are set back a considerable distance from the coastal marine area.

**Policy 13:** *Preservation of natural character*

*(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:*

*(a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and*

*(b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment;*

**Policy 14** *Restoration of natural character*

*Promote restoration or rehabilitation of the natural character of the coastal environment, including by :*

....  
And

**Policy 15** Natural features and natural landscapes

To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:

- (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and
- (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment;

The above three policies are all relevant to the proposal. The site does not display any outstanding natural character values, and the areas of high natural character value coincide with the QEII Open Space covenant area. No development is proposed within that area. The proposed land use will not adversely affect the ability for the property owner to continue to maintain and enhance indigenous biodiversity and natural character values within the site.

I believe the proposal gives effects to the relevant objectives and policies in the NZ Coastal Policy Statement.

## 7.5 Other National Policy Statements and National Environmental Standards

There are no other national policy statements, nor national environmental standards relevant to this proposal.

## 7.6 Regional Policy Statement for Northland

In preparing this application, the Regional Policy Statement for Northland has been considered, in particular those Objectives and Policies relevant to land identified as being within the "coastal environment".

The site is devoid of any resources or features identified as outstanding landscape or outstanding natural character value as identified in the Regional Policy Statement for Northland. It is also devoid of any heritage value or cultural values. The site contains areas of high natural character value, and areas of significant indigenous vegetation and habitat, and these are already protected by QEII covenant. Relevant aspects of the Regional Policy Statement for Northland are addressed below.

**Objective 3.5 Enabling economic wellbeing**

Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.

I believe the proposed development is part of the sustainable use of the site.

### 4.6.1 Policy – Managing effects on the characteristics and qualities natural character, natural features and landscapes

(1) In the coastal environment:

- a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes.
- b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes.

Clause 1(a) does not apply because the development site has no outstanding natural character values, natural features or outstanding natural landscapes as mapped in the RPS. In terms of clause (b), I believe there to be no significant adverse effects resulting from the proposal and other effects can be satisfactorily avoided, remedied or mitigated. I believe the development is consistent with the above policy.

There are objectives and policies in the RPS regarding the protection and enhancement of significant indigenous vegetation and significant habitat. There are already existing protected/ covenanted areas of indigenous vegetation identified on the property and the proposal does not adversely affect these. In this regard, I believe the proposal to be consistent with the RPS.

## **8.0 s95A-E ASSESSMENT & CONSULTATION**

### **8.1 S95A Public Notification Assessment**

A consent authority must follow the steps set out in s95A to determine whether to publicly notify an application for a resource consent. Step 1 specifies when public notification is mandatory in certain circumstances. No such circumstances exist. Step 2 of s95A specifies the circumstances that preclude public notification. No such circumstance exists and Step 3 of s95A must be considered. This specifies that public notification is required in certain circumstances, neither of which exists. The application is not subject to a rule or national environmental standard that requires public notification. This report and AEE concludes that the activity will not have, nor is it likely to have, adverse effects on the environment that are more than minor. In summary public notification is not required pursuant to Step 3 of s95A.

### **8.2 S95B Limited Notification Assessment**

A consent authority must follow the steps set out in s95B to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified pursuant to s95A. Step 1 identifies certain affected groups and affected persons that must be notified. None exist in this instance. Step 2 of s95B specifies the circumstances that preclude limited notification. No such circumstance exists and Step 3 of s95B must be considered. This specifies that certain other affected persons must be notified. The application is not for a boundary activity and the s95E assessment below concludes that there are no affected persons to be notified. There is no requirement to limited notify the application pursuant to Step 3.

---

### 8.3 S95D Level of Adverse Effects

The AEE in this report assesses effects on the environment and concludes that these will be no more than minor.

### 8.4 S95E Affected Persons

A person is an 'affected person' if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). A person is not an affected person if they have provided written approval for the proposed activity. The building within which the residential component is accommodated already exists. Whilst it is not entirely consistent with an already consented building, it is nonetheless in the same location and of the same colour scheme/materials/orientation. The discrepancy in bulk and location between what was consented and what was actually built is less than minor in terms of effects on adjacent properties.

The fact that a very small part of the shed (37m<sup>2</sup>) is utilised for residential living has less than minor effects on adjacent sites, especially noting the distance between the accommodation area within the building and any adjacent residential site, the orientation of the building, and the intervening gully vegetation, as well as landscaping implemented to the east and south of the shed. No adjacent property owners are considered adversely affected. No pre lodgement consultation has been considered necessary with tangata whenua, Heritage NZ, Department of Conservation or NZTA (Waka Kotahi).

## 9.0 CONCLUSION

The site is considered suitable for the proposed development, and effects on the wider environment are no more than minor. The proposal is consistent with the relevant objectives and policies of the Operative and Proposed District Plans, the NZ Coastal Policy Statement, and the Regional Policy Statement, as well as Part 2 of the Resource Management Act. There is no District Plan rule or national environmental standard that requires the proposal to be publicly notified and no persons have been identified as adversely affected by the proposal. No special circumstances have been identified that would suggest notification is required.

It is therefore requested that the Council grant approval on a non notified basis, subject to appropriate conditions.



Lynley Newport  
**Senior Planner**  
**Thomson Survey Ltd**

Date

2<sup>nd</sup> December 2025

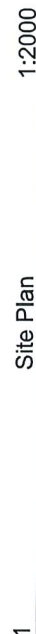
## **10.0 APPENDICES**

<b>Appendix 1</b>	As Built plans of shed
<b>Appendix 2</b>	Location Map
<b>Appendix 3</b>	Title Information
<b>Appendix 4</b>	Historic Consents
<b>Appendix 5</b>	Proposed wastewater design



## **Appendix 1**

As Built plans of shed



No.	Date	Revision Detail
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Chuck all dimensions on site before construction.  
Use figured dimensions in preference to scaling.  
All construction to comply with NZS 3604: 2011 and/or NZBC

**PROJECT:**  
**New Shed**

D van Doveron

PROJECT ADDRESS:

480 Redd  
Kerikeri

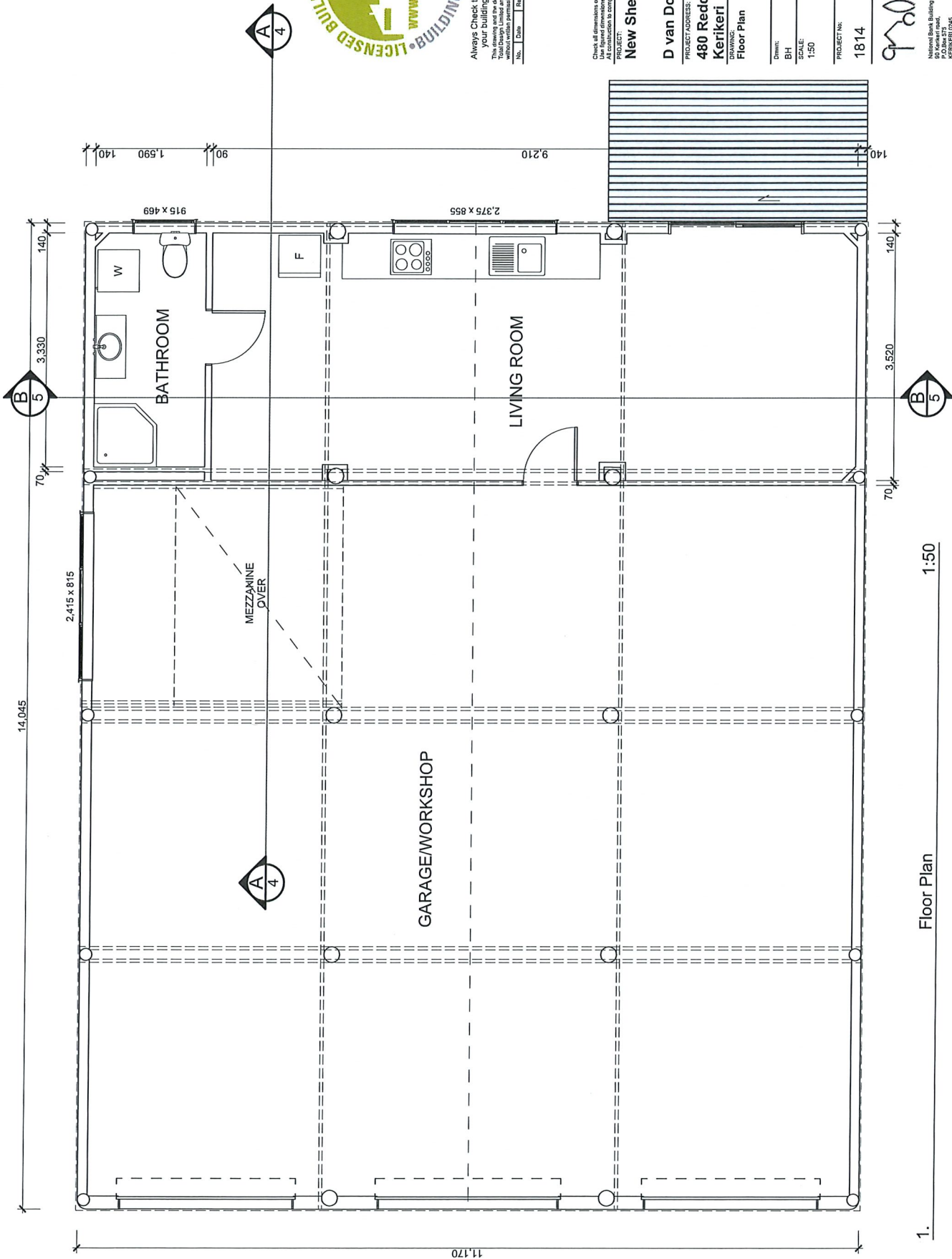
**DRAWING:**  
**Site Plan**

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BH	31/10/2025	
SCALE:	DRAWING No:	
1:2000		
PROJECT No:		
1814		

**Total Design**  
BUILDING & LANDSCAPE DESIGN

National Bank Building  
80 Kerkira Road,  
P.O. Box 575  
KERINER 0245

Tel. (09) 437 7045  
Mobile, (021) 241 9879  
E-mail, [brend@totaldesign.co.nz](mailto:brend@totaldesign.co.nz)



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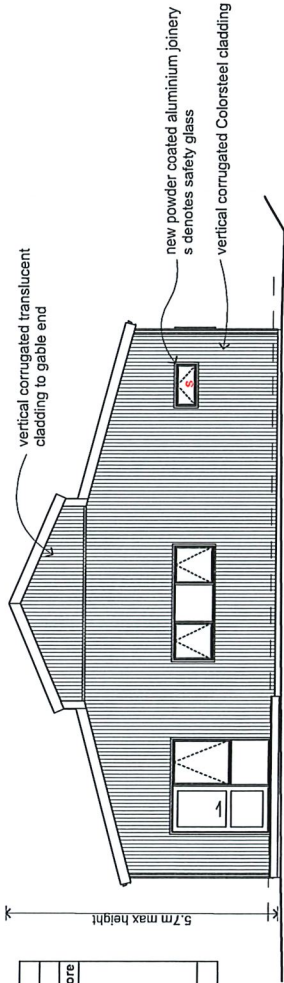
Check all dimensions on site before construction.  
The drawing is for information only and is not to be used for construction.  
All construction is to comply with NZS 3604: 2011 and/or NZBC

**PROJECT:**  
**New Shed**  
**D van Doveron**  
**PROJECT ADDRESS:**  
**480 Redcliffs Road**  
**Kerikeri**  
**DRAWING:**  
**Floor Plan**

Drawn:	Date:
BH	31/10/2025
SCALE:	DRAWING No:
1:50	2
PROJECT No:	of 5
1814	

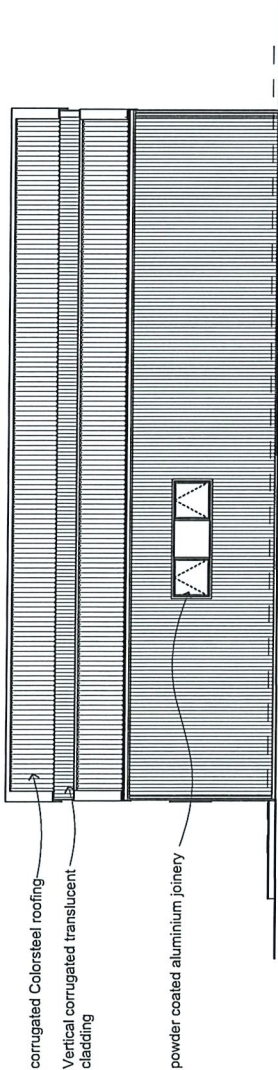
**Total Design**  
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National Bank Building  
60 Kerikeri Road,  
Kerikeri (021) 241 9879  
E-mail: [info@totaldesign.co.nz](mailto:info@totaldesign.co.nz)

BUILDING ENVELOPE RISK MATRIX			
East Elevation			
Risk Factor	Risk Severity Risk Score		
Wind zone (per NZS 3604)	Very High risk	2	
Number of storeys	Low risk	0	
Roof/wall intersection design	Medium risk	1	
Eaves width	Very High risk	5	
Envelope complexity	Low risk	0	
Deck design	Low risk	0	
Total Risk Score:			8



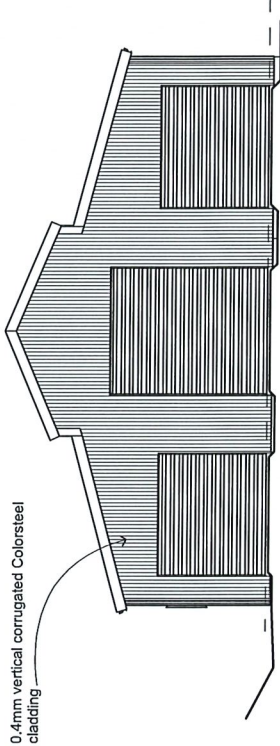
E-03 East Elevation 1:100

BUILDING ENVELOPE RISK MATRIX			
North Elevation			
Risk Factor	Risk Severity Risk Score		
Wind zone (per NZS 3604)	Very High risk	2	
Number of storeys	Low risk	0	
Roof/wall intersection design	Very High risk	5	
Eaves width	Very High risk	5	
Envelope complexity	Low risk	0	
Deck design	Low risk	0	
Total Risk Score:			12



E-02 North Elevation 1:100

BUILDING ENVELOPE RISK MATRIX			
West Elevation			
Risk Factor	Risk Severity Risk Score		
Wind zone (per NZS 3604)	Very High risk	2	
Number of storeys	Low risk	0	
Roof/wall intersection design	Medium risk	1	
Eaves width	Very High risk	5	
Envelope complexity	Low risk	0	
Deck design	Low risk	0	
Total Risk Score:			8



E-01 West Elevation 1:100



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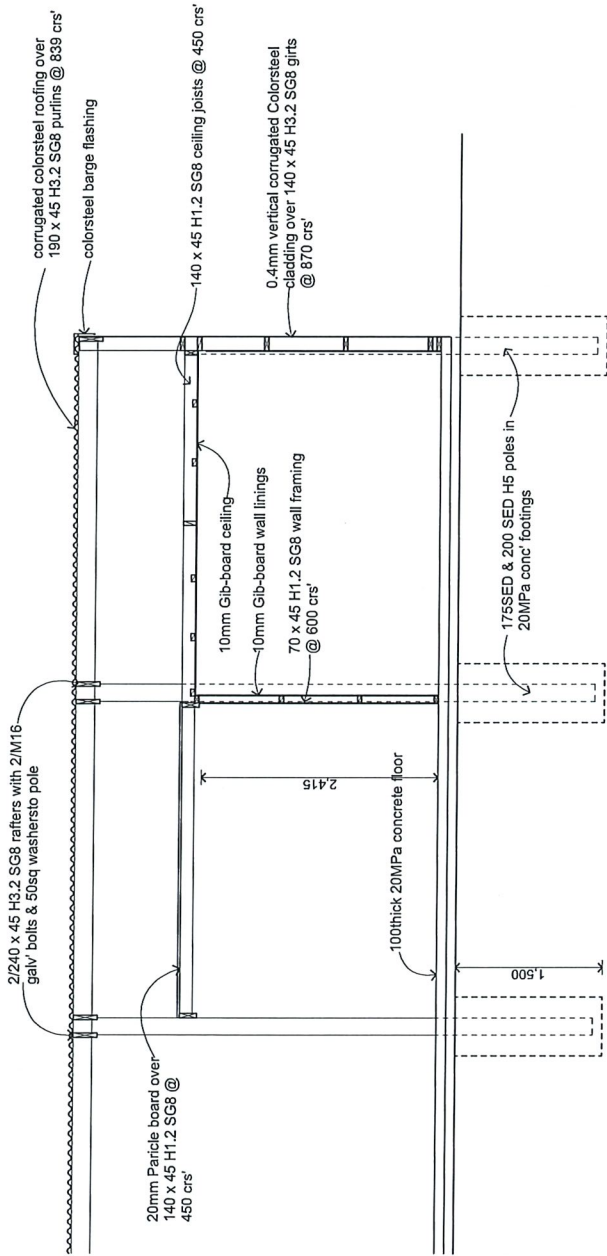
Check all dimensions on site before construction. All dimensions are in millimetres unless stated otherwise. All construction to comply with NZS 3604:2011 and/or NZBC.

PROJECT: New Shed

D van Doveron  
PROJECT ADDRESS:  
480 Redcliffs Road  
Kerikeri  
DRAWING:  
Elevations

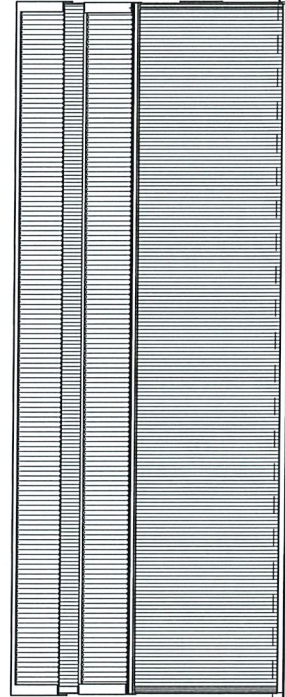
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BH	31/10/2025
SCALE:	DRAWING No:
1:100	3
PROJECT No:	1814
	of 5

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P.O. Box 575  
Kerikeri, Tairā-ā-Moio  
www.totaldesign.co.nz



A Section A - A 1:50

BUILDING ENVELOPE RISK MATRIX		
North Elevation		
Risk Factor	Risk Severity	Risk Score
Wind zone (per NZS 3804)	Very High risk	2
Number of storeys	Low risk	0
Roof/wall intersection design	Very High risk	5
Eaves width	Very High risk	5
Envelope complexity	Low risk	0
Deck design	Low risk	0
Total Risk Score:		12



E-04 South Elevation 1:100



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All construction to comply with NZS 3804: 2011 and/or NZBC

PROJECT: New Shed

D van Doveron  
PROJECT ADDRESS:  
480 Redcliffs Road  
Kerikeri  
DRAWING:  
Elevation & Cross Section A - A

Drawn:	Date:
BH	31/10/2025
SCALE:	DRAWING No:
1:100, 1:50	4
PROJECT No:	of 5
1814	

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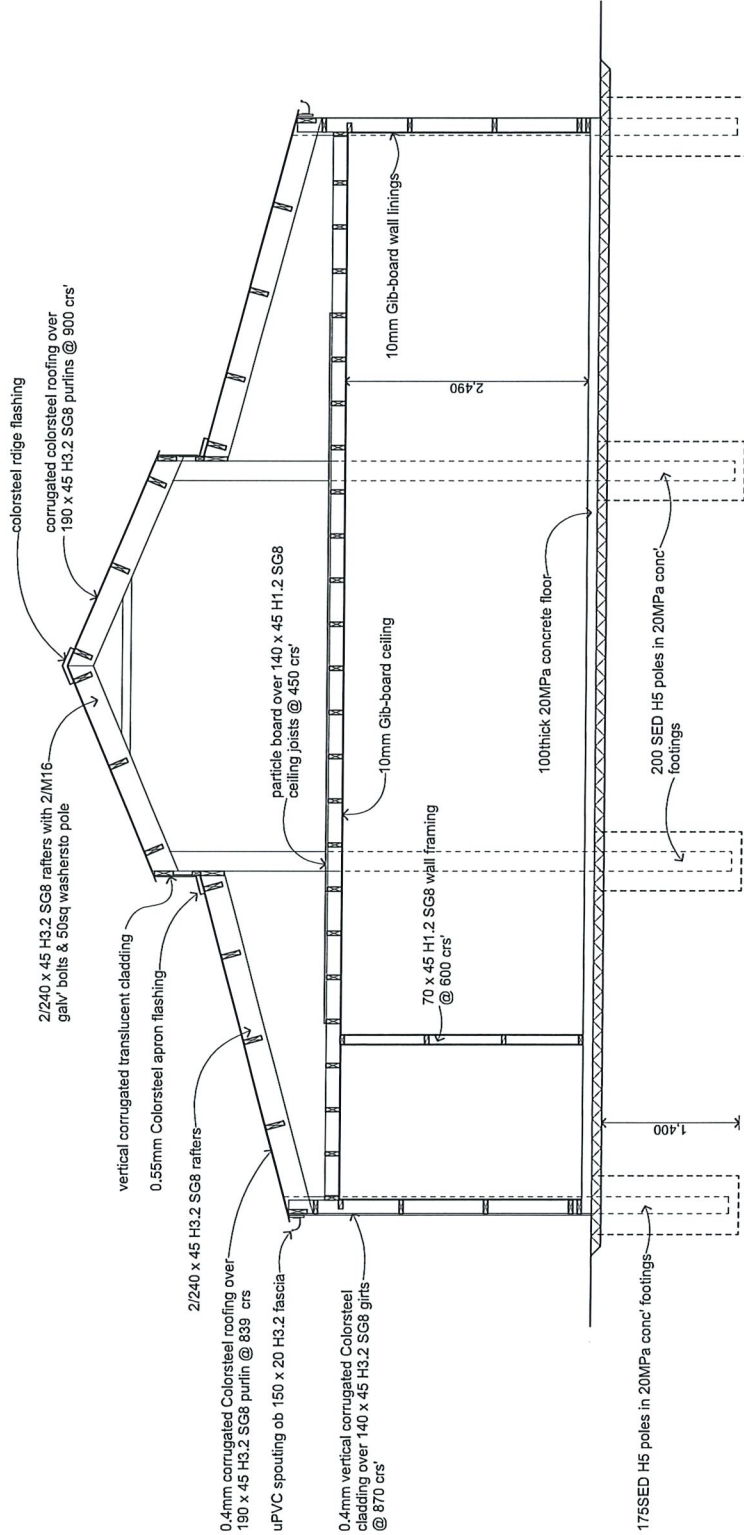
Check all dimensions on site before construction.  
The drawings are to be used as a guide only.  
All construction to comply with NZS 3604: 2011 and/or NZBC

PROJECT:  
**New Shed**

**D van Doveron**  
PROJECT ADDRESS:  
**480 Redcliffs Road**  
**Kerikeri**  
DRAWING:  
**Cross Section B - B**

Drawn:	Dv	Date:	31/10/2025
BH:		DRAWING No:	
SCALE:	1:50		
PROJECT No:	1814		
			5 of 5

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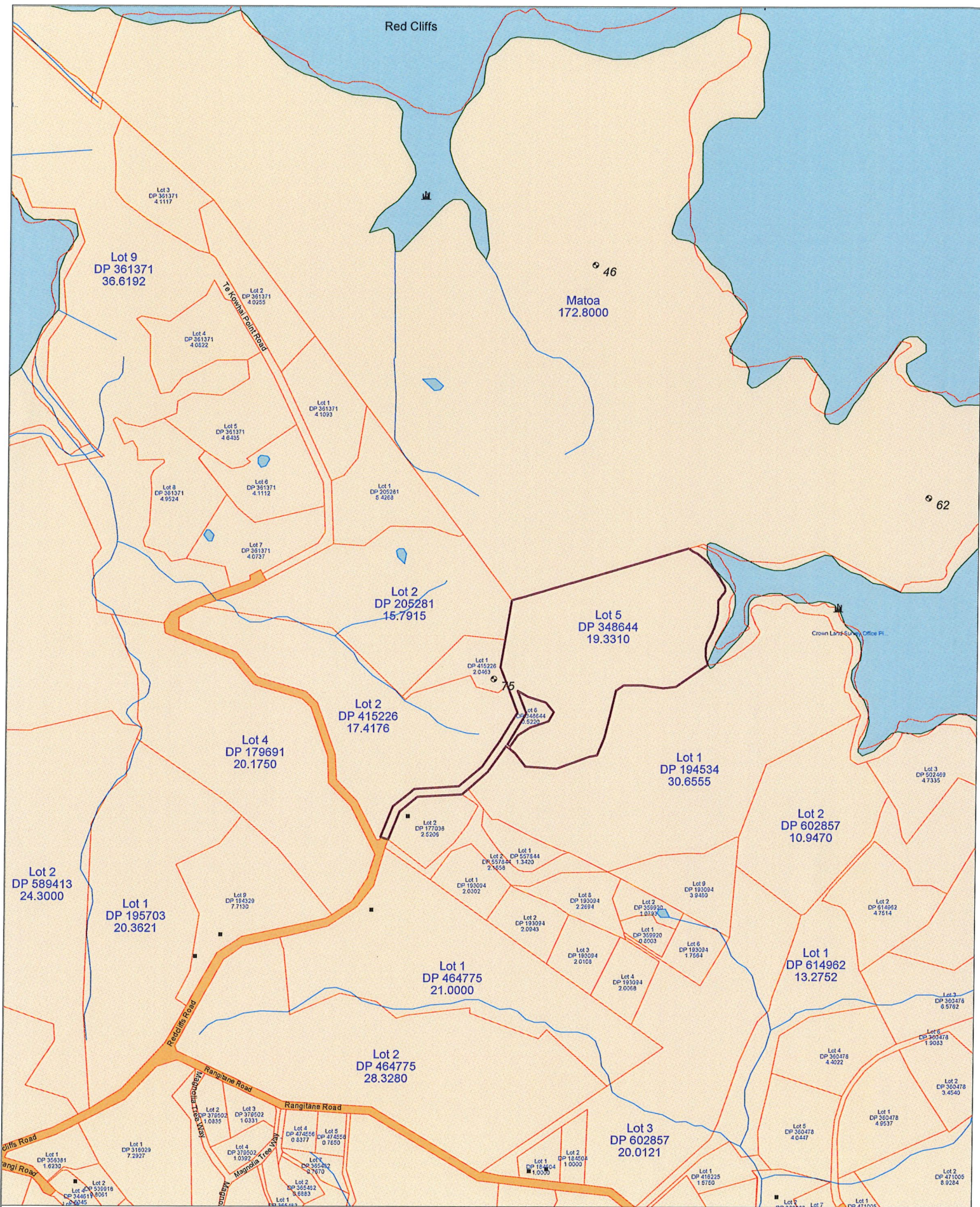


**B** Section B - B 1:50

## **Appendix 2**

### Location Map







## **Appendix 3**


### Title Information



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

**Search Copy**



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** 199534  
**Land Registration District** North Auckland  
**Date Issued** 01 February 2006

**Prior References**  
NA96D/810

---

**Estate** Fee Simple  
**Area** 19.3310 hectares more or less  
**Legal Description** Lot 5 Deposited Plan 348644

**Registered Owners**

Peter Leonardus Van Den Elzen, Theodora Petronella Maria van Doveren and Harding Trustee Co (No3) Limited

---

**Interests**

Subject to Section 8 Mining Act 1971

Subject to Section 168A Coal Mines Act 1925

Subject to a right of way and a right to convey water and to electricity and telecommunications right over parts marked B, C and D on DP 161190 created by Transfer D066530.8 - 12.11.1996 at 12.10 pm

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

Subject to a right of way and right to convey water and to telecommunications and electricity rights over parts marked B & C DP 161190 specified in Easement Certificate D066530.11 - 12.11.1996 at 12.10 pm

The easements specified in Easement Certificate D066530.11 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way and to power, telephone and water supply rights over part marked A on DP 177038 specified in Easement Certificate D216287.4 - 17.11.1997 at 2.37 pm

Subject to a right of way and to power, telephone and water supply rights over part marked B on Plan 192248 specified in Easement Certificate D349890.4 - 20.1.1999 at 3.40 pm

The easements specified in Easement Certificate D349890.4 are subject to Section 243 (a) Resource Management Act 1991  
6737577.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 1.2.2006 at 9:00 am

Subject to right of way, right to convey electricity, telecommunications and water easements over part marked A on DP 348644 created by Easement Instrument 6737577.4 - 1.2.2006 at 9:00 am

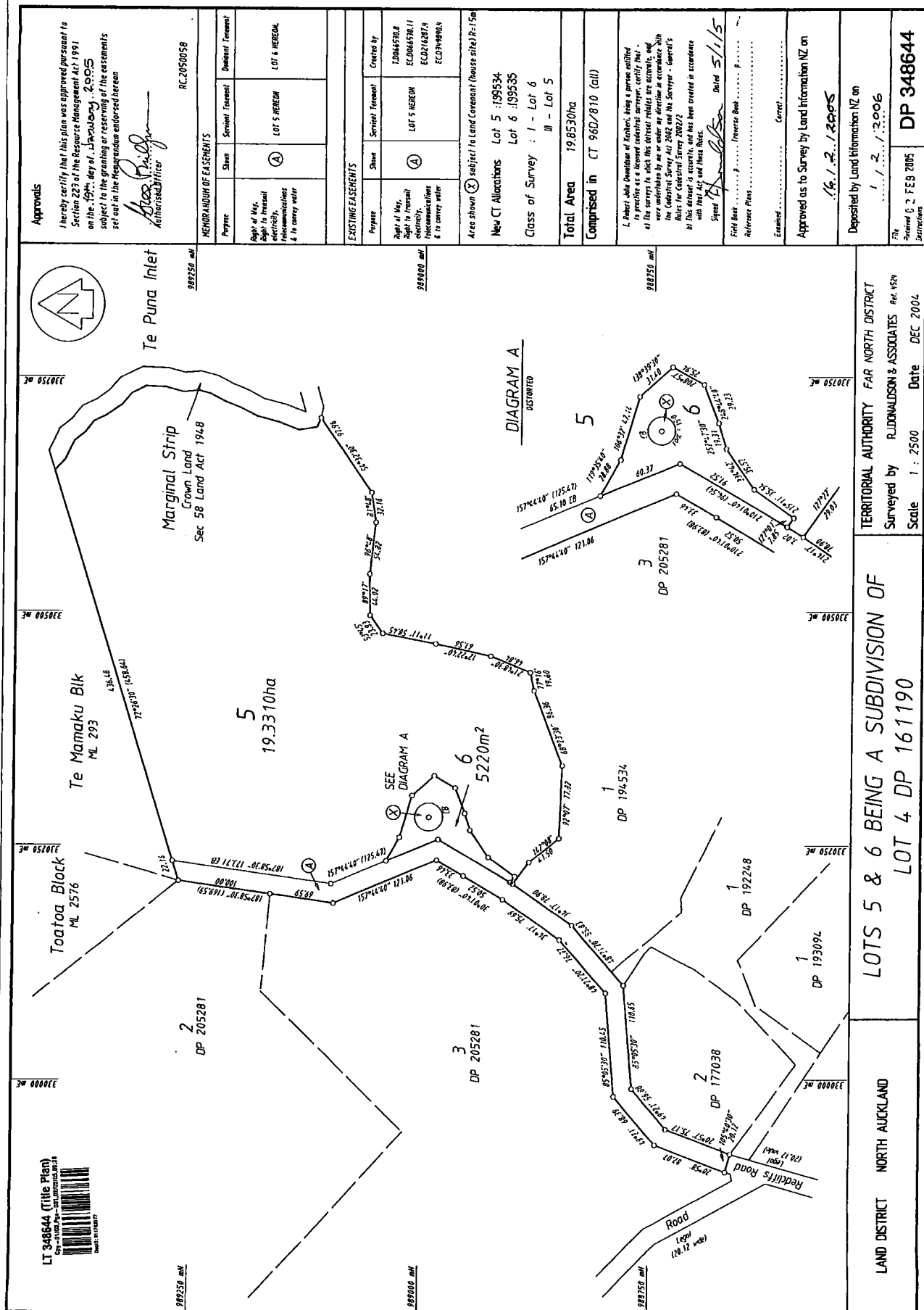
The easements created by Easement Instrument 6737577.4 are subject to Section 243 (a) Resource Management Act 1991  
6813965.1 Open Space Covenant pursuant to Section 22 Queen Elizabeth the Second National Trust Act 1977 - 4.4.2006 at 9:00 am

Subject to a right of way, a right to convey electricity, telecommunication and computer media and a right to convey water over parts marked B, C and D on DP 161190 created by Easement Instrument 7281332.3 - 19.3.2007 at 9:00 am

The easements created by Easement Instrument 7281332.3 are subject to Section 243 (a) Resource Management Act 1991  
12170788.1 Variation of Consent Notice 6737577.2 pursuant to Section 221(5) Resource Management Act 1991 - 29.6.2021 at 4:28 pm



13184059.1 Mortgage to ASB Bank Limited - 6.1.2025 at 2:42 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

B. PETER WILLIAM GERRARD and LYNN GWENNETH GERRARD both of Kaitake company directors

30/05/95 00000001 WILLIAMS \*1.00

("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

11/12

day of

April

1995

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

M. E. Featherstonhaugh

Robertson  
Salisbury  
Whangone

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.

*28.11.54*  
*P. K. S.*  
*P. K. S.*  
*M.*



- 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

*APG*  
*PLG*  
*h*

\*\*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:

299.  
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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 of <sup>X</sup>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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12/3/7  
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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:

Signed by the abovenamed )

PETER WILLIAM GERRARD )

LYNN GWENNETH GERRARD )

in the presence of

*Edward Featherstonhaugh*  
*Peter William Gerrard*  
*Lynn Gweneth Gerrard*

## TRANSFER OF

**Correct for the purposes of the Land Transfer Act**

*[Handwritten 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.

*Donnerstag*

**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.

16 *[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 .....**

are following in order:

AT

2.4.4.  $\frac{1}{2} = 0.5$   
 $\frac{1}{2} = 0.5$   
 $\frac{1}{2} = 0.5$

(8.

URLICH McNAB KILPATRICK  
Solicitors  
Whangarei

### Solicitors for the Transferee

1210 12 NOV 96 D 066530 c  
PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY HONG KONG  
ASST LAND REGISTRY

55C  
55C  
55C

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

**D66530.11EC**  
**EASEMENT CERTIFICATE**

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

I/We **EDWARD FEATHERSTONHAUGH of Kerikeri farmer**

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. 161190  
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. 161190**

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way Right to transmit electricity & telecommunications Right to convey water	Lot 5 DP 161190	A	Lots 1 & 3 DP 161190	96D/807 96D/809
Right of Way Right to transmit electricity & telecommunication Right to convey water	Lot 4	B, C	Lot 3 DP 161190	96D/809
Right of Way Right to transmit electricity & telecommunication Right to convey water	Lot 4	B	Lot 2 DP 161190	96D/808



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:

1. RIGHT OF WAY

The rights and powers and the terms conditions covenants or restrictions shall be those as set out in the Seventh Schedule to the Land Transfer Act 1952 and in the Ninth Schedule to the Property Law Act 1952

2. ELECTRICITY AND TELECOMMUNICATIONS TRANSMISSION

The full free uninterrupted and unrestricted right liberty and privilege for the Grantee and his tenants (in common with the Grantor its tenants, and any other person lawfully entitled so to do) from time to time and at all times to reticulate electricity and telecommunications by means of poles cables or wires or other conductors of electricity and telecommunications or other equipment and any pipes or other covering enclosing 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 area together with the additional rights following:

- a. To use any reticulation systems already laid on the easement area or any reticulation systems or part thereof in replacement or in substitution therefor.
- b. Where no such reticulation system exists to place and maintain or to have placed and maintained a reticulation system in conformity with the requirements of the duly authorised electricity and telecommunications supply authorities above or below the surface of the easement area.
- c. In order to construct or maintain the efficiency of any such reticulation system the full, free, uninterrupted and unrestricted right liberty and privilege for the Grantee 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 Grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired.

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

d. The Grantor will not place any buildings or structures or other erections or plant or allow or suffer to grow any tree <sup>or</sup> shrub on the easement area.

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 aforementioned easements such dispute shall be referred to arbitration in accordance with the Arbitration Act 1908 and its amendments or any legislation passed in substitution therefor.

Dated this 11th day of June 1995

Signed by the above-named

EDWARD FEATHERSTONHAUGH

Edward Featherstonhaugh

in the presence of

Witness

Occupation

Address

Donna

Solicitor

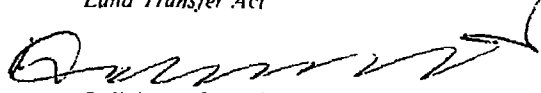
Whangarei

REGISTERED IN DUPLICATE


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

  
A.L.R.

URLICH McNAB KILPATRICK  
Solicitors  
Whangarei

12 10 12 NOV 96 D 0666280  
PARTICULARS ENTERED IN THE  
LAND REGISTRY NORTH  
ISLAND  
ASST 1 AM 12-50  
  
960/507-811

D216287.4EC

Approved by the District Land Registrar, South Auckland No. 551560=  
Approved by the District Land Registrar, North Auckland, No. 4380/81  
Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

## EASEMENT CERTIFICATE

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

I/We MARGARET ELLEN FEATHERSTONHAUGH of Kerikeri, widow, DAVID JOHN ROSS of Auckland, Chartered Accountant and ROKO MARIJAN JUJAJ URlich of Whangarei Solicitor as Executors

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 North Auckland on the            day of            19            under No.            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.

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Lot 4 DP 161190	A	Lot 2 DP 177038	
Power	Lot 4 DP 161190	A	Lot 2 DP 177038	
Telephone	Lot 4 DP 161190	A	Lot 2 DP 177038	
Water Supply	Lot 4 DP 161190	A	Lot 2 DP 177038	

*Handwritten signatures and initials:*  
D. J. Ross  
R. M. J. Ulich  
M. E. Featherstonhaugh

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:**

State whether any rights of 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:**

### **1. RIGHT OF WAY**

The rights and powers and the terms conditions covenants or restrictions shall be those as set out in the Seventh Schedule to the Land Transfer Act 1952 and in the Ninth Schedule to the Property Law Act 1952 but they shall not be deemed to include heavy earth moving machinery without the consent of the registered proprietor of the servient tenement.

### **2. RIGHT TO TRANSMIT ELECTRICITY AND TELECOMMUNICATIONS**

The full free uninterrupted and unrestricted right liberty and privilege for the Grantee and their tenants (in common with the Grantor their tenants, and any other person lawfully entitled so to do) from time to time and at all times to reticulate electricity and telecommunications by means of poles cables or wires or other conductors of electricity and telecommunications and other assisted equipment and any pipes or other covering enclosing or poles supporting the same above or below the surface (hereinafter called "the reticulation system") 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 area together with the additional rights following:

- a) To use any reticulation system already laid on the easement area or any reticulation systems or part thereof in replacement or in substitution therefor.
- b) Where no such reticulation system exists to place and maintain or to have placed and maintained a reticulation system in conformity with the requirements of the duly authorised electricity and telecommunications supply authorities above or below the surface of the easement area.
- c) In order to construct or maintain the efficiency of any such reticulation system the full, free, uninterrupted and unrestricted right liberty and privilege for the Grantee 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 Grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired.
- d) The Grantor will not place any buildings or structures or other erections or plant or allow or suffer to grow any tree or shrub on the easement area which may unreasonably interfere with the reticulation system of the Grantee.
- e) In the event of dispute between the parties hereto or their successors in title as to any matter relating to the aforementioned easements such dispute shall be referred to arbitration in accordance with the Arbitration Act 1908 and its amendments or any legislation passed in substitution therefor.

### **3. RIGHT TO CONVEY WATER**

The Grantor grants to the Grantee the right for the Grantee and its tenants, agents, workmen, licensees and invitees (in common with the Grantor, its tenants and any other persons lawfully entitled to do so):

- 3.1 To take, convey and lead water at all times in any quantity in a free and unimpeded flow along the line of pipes described in sections 3.2 or 3.3 (as the case may be).
- 3.2 To use any line of pipes already laid in and under the soil of the easement area for the purpose described in section 3.1.
- 3.3 Where no line of pipes already exists, to lay and maintain a line of pipes in and under the soil of the easement area for the purpose described in section 3.1.
- 3.4 To enter on to their servient land (at such times, upon such notice and by such route as is reasonable in the circumstances) with any tools, equipment, machinery and vehicles as are necessary and to remain there for any reasonable time for the purpose of laying, inspecting, cleaning, repairing, maintaining and renewing the pipes and to dig up the soil of the servient land to the extent necessary and reasonable, but in doing so the Grantee shall cause as little disturbance as reasonably possible to the surface of the servient land and shall restore the surface of the servient land as nearly as possible to its original condition and shall restore any other consequential damage.

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

GENERAL CONDITIONS

1. The grant of the easement rights shall be forever appurtenant to each and every part of the dominant land.
2. No power is implied for the Grantor to terminate the easement rights, it being the intention of the parties that the easement rights will continue forever unless surrendered.
3. The Grantor will not do anything which interferes with or restricts the rights of the Grantee or other authorised persons in relation to any of the easement rights.
4. The easement rights are in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

Dated this

11<sup>th</sup>

day of

NOVEMBER 1997

Signed by the above-named

in the presence of

Witness

Occupation

Address

THADA-ANNE ERASMUS

SOLICITOR

WHANGAREI

*Elizabeth Steadman*  
Secretary  
Auckland

*Margaret Ellen Featherstonhaugh*

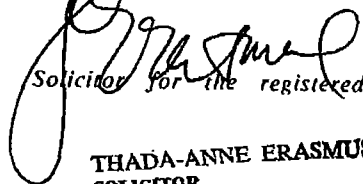
*[Signature]*



## 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

THADA-ANNE ERASMUS  
SOLICITOR  
WHANGAREI

11.57 17.NOV97 D 216287  
PARTICULARS ENTERED IN  
LAND REGISTRY NORTH  
ASST LAND REGISTRAR



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

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 **NORTH AUCKLAND** on the                      day of                      under No. 192248 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of way	Lot 4 DP161190	B	Lot 1 DP 192248	121D/471
Power	Lot 4 DP161190	B	Lot 1 DP 192248	121D/471
Telephone	Lot 4 DP161190	B	Lot 1 DP 192248	121D/471
Water Supply	Lot 4 DP161190	B	Lot 1 DP 192248	121D/471

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:**

### **1. RIGHT OF WAY**

The rights and powers and the terms conditions covenants or restrictions shall be those as set out in the Seventh Schedule to the Land Transfer Act 1952 and in the Ninth Schedule to the Property Law Act 1952 but they shall not be deemed to include heavy earth moving machinery without the consent of the registered proprietor of the servient tenement.

### **2. RIGHT TO TRANSMIT ELECTRICITY AND TELECOMMUNICATIONS**

The full free uninterrupted and unrestricted right liberty and privilege for the Grantee and their tenants (in common with the Grantor their tenants, and any other person lawfully entitled so to do) from time to time and at all times to reticulate electricity and telecommunications by means of poles cables or wires or other conductors of electricity and telecommunications and other assisted equipment and any pipes or other covering enclosing or poles supporting the same above or below the surface (hereinafter called "the reticulation system") 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 area together with the additional rights following:

- a) To use any reticulation system already laid on the easement area or any reticulation systems or part thereof in replacement or in substitution therefor.
- b) Where no such reticulation system exists to place and maintain or to have placed and maintained a reticulation system in conformity with the requirements of the duly authorised electricity and telecommunications supply authorities above or below the surface of the easement area.
- c) In order to construct or maintain the efficiency of any such reticulation system the full, free, uninterrupted and unrestricted right liberty and privilege for the Grantee 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 Grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired.
- d) The Grantor will not place any buildings or structures or other erections or plant or allow or suffer to grow any tree or shrub on the easement area which may unreasonably interfere with the reticulation system of the Grantee.
- e) In the event of dispute between the parties hereto or their successors in title as to any matter relating to the aforementioned easements such dispute shall be referred to arbitration in accordance with the Arbitration Act 1908 and its amendments or any legislation passed in substitution therefor.

### **3. RIGHT TO CONVEY WATER**

The Grantor grants to the Grantee the right for the Grantee and its tenants, agents, workmen, licensees and invitees (in common with the Grantor, its tenants and any other persons lawfully entitled to do so):

- 3.1 To take, convey and lead water at all times in any quantity in a free and unimpeded flow along the line of pipes described in sections 3.2 or 3.3 (as the case may be).
- 3.2 To use any line of pipes already laid in and under the soil of the easement area for the purpose described in section 3.1.
- 3.3 Where no line of pipes already exists, to lay and maintain a line of pipes in and under the soil of the easement area for the purpose described in section 3.1.
- 3.4 To enter on to their servient land (at such times, upon such notice and by such route as is reasonable in the circumstances) with any tools, equipment, machinery and vehicles as are necessary and to remain there for any reasonable time for the purpose of laying, inspecting, cleaning, repairing, maintaining and renewing the pipes and to dig up the soil of the servient land to the extent necessary and reasonable, but in doing so the Grantee shall cause as little disturbance as reasonably possible to the surface of the servient land and shall restore the surface of the servient land as nearly as possible to its original condition and shall restore any other consequential damage.

CONSENT OF A CAVEATOR TO A DEALING  
SUBJECT TO CAVEAT

IN THE MATTER of the Land Transfer  
Act 1952

A N D

IN THE MATTER of Caveat Number  
D281896.1 (North  
Auckland Registry)

HANSJORG BINZER and GABRIELE BARTH the Caveator in whose name  
the abovementioned Caveat is lodged against the land comprised in Certificate of  
Title 96D/811 North Auckland Registry **HEREBY CONSENTS** to the deposit of  
a certain subdivision plan numbered 192248 and the issue of new certificates of  
title for the lots shown therein **BUT SUBJECT AND WITHOUT PREJUDICE**  
to the rights of the Caveator protected by the said Caveat.

DATED this 27<sup>th</sup> day of November 1998

SIGNED by the said  
HANSJORG BINZER and  
GABRIELE BARTH  
as Caveator in the presence  
of:

*Ernst Bachmann*  
*Auckland*

)  
)  
)  
)  
)  
)

*G. Barth*

Correct for the purposes of the Land Transfer Act

*[Signature]*  
Solicitor for the Caveator

and the registration of an easement certificate  
recording the easement defined on the said plan.

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

## GENERAL COVENANTS

- 1. The grant of the easement rights shall be forever appurtenant to each and every part of the dominant land.**
- 2. No power is implied for the Grantor to terminate the easement rights, it being the intention of the parties that the easement rights will continue forever unless surrendered.**
- 3. The Grantor will not do anything which interferes with or restricts the rights of the Grantee or other authorised persons in relation to any of the easement rights.**
- 4. The easement rights are in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.**




Dated this 14<sup>th</sup> day of January 1999  
Signed by the above-named  
**Margaret Ellen FEATHERSTONHAUGH**

in the presence of

Witness ..... Christine Harding  
Occupation ..... Legal Executive  
Address ..... Whangarei

~~Correct for the purposes of the Land Transfer Act 1952~~

(Solicitor for) the registered proprietor:

Signed by the abovenamed  
ROKO MARIJAN JUJAJ URLICH  
in the presence of:   
Witness:   
Occupation: Christine Harding  
Address: Legal Executive  
Whangarei 

Signed by the abovenamed  
DAVID JOHN ROSS in the  
presence of:  
Witness: *Edith Ross*  
Occupation: *Secretary*  
Address: *Elizabeth Street  
Auckland*



# EASEMENT CERTIFICATE

Land Transfer Act 1952

967/810  
1217/43  
JP E C April /43-

Law Firm Acting
<b>MURLICH McNAB KILPATRICK</b> <b>SOLICITORS</b> <b>WHANGAREI</b>

Auckland District Law Society  
REF: 4050 /4

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

PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY NORTH AUCKLAND  
ASST LAND REGISTRAR



120/471  
900/810  
caveator consent

340-20 JAN 99 D 349890

LINZ COPY





Far North  
District Council

CONO 6737577.2 Consen

Cpy - 01/01, Pgs - 001, 01/02/08, 08:26



DocID: 312310135

Private Bag 752, Memorial Ave

Kaikohe 0400, New Zealand

Freephone: 0800 920 029

Phone: (09) 405 2750

Fax: (09) 401 2137

Email: ask.us@fndc.govt.nz

Website: www.fndc.govt.nz

## THE RESOURCE MANAGEMENT ACT 1991

### SECTION 221 : CONSENT NOTICE

REGARDING RC 2050058  
the Subdivision of Lot 4 DP 161190  
North Auckland Registry

PURSUANT to Section 221 for the purpose 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 title of Lots 5 & 6 DP 348644.

### SCHEDULE

#### STAGE 1

- 1) The property is subject to a Management Plan which addresses flora and fauna management, pest eradication, maintenance of all components and other land covenants.
- 2) The Management Plan and managing body as detailed in condition 1 above shall be observed and continued and shall not cease without the express permission of the territorial authority.
- 3) The lot will require a specifically designed wastewater treatment and disposal system. The system shall be designed by a Chartered Professional Engineer in accordance with the requirements of TP 58 and submitted in conjunction with the appropriate Building Consent applications. The specific design shall provide for two separate soakage fields. Alternatively each lot will require an aerobic package treatment plant to provide satisfactory treatment of wastewater prior to on site disposal.
- 4) Any buildings on Lot 6 must be contained within the covenant area labelled "X" on DP 348644.

SIGNED:

Mr Pat Killalea

By the FAR NORTH DISTRICT COUNCIL  
Under delegated authority:  
RESOURCE CONSENTS MANAGER

DATED at KAIKOHE this 13<sup>th</sup> day of December

2005.



## View Instrument Details

Instrument No 12170788.1  
Status Registered  
Date & Time Lodged 29 June 2021 16:28  
Lodged By Aislabie, Grant Robert  
Instrument Type Variation of Consent Notice Condition under s221(5) Resource Management Act 1991



Land Information  
New Zealand  
*Toitū te whenua*

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Affected Records of Title	Land District
199534	North Auckland

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Affected Instrument	Consent Notice under s221(4)(a) Resource Management Act 1991 6737577.2
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Annexure Schedule	Contains 1 Pages.
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### Signature

Signed by Grant Robert Aislabie as Territorial Authority Representative on 29/06/2021 04:25 PM

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



Far North  
District Council

**THE RESOURCE MANAGEMENT ACT 1991**

**SECTION 221 (3)**

**PARTIAL CANCELLATION AND VARIATION OF CONSENT NOTICE CONDITIONS**

PURSUANT to section 221 (3) of the Resource Management Act 1991, the FAR NORTH DISTRICT COUNCIL hereby consents to the partial cancellation and variation of conditions 1 and 2 of consent notice 6737577.2 as they relate to Lot 5 DP 348464, more particularly –

- cancelling conditions 1) and 2), and
- including the following condition –

No occupier of the lot, contractor and/or visitor shall keep or introduce on to the site carnivorous or omnivorous exotic animals (such as mustelids, cats or dogs).

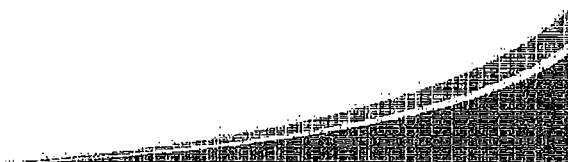
The conditions shall be renumbered accordingly:

SIGNED:

A handwritten signature in dark ink, appearing to read 'P. J. Killalea'.

Mr Pat Killalea - Authorised Officer  
By the FAR NORTH DISTRICT COUNCIL  
Under delegated authority:  
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI 8th-June-2021





**OPEN SPACE COVENANT**

(Under Section 22 of the Queen Elizabeth the Second National Trust Act 1977)

**WHEREAS** the **QUEEN ELIZABETH THE SECOND NATIONAL TRUST** (hereinafter called "**the Trust**") established by the Queen Elizabeth the Second National Trust Act 1977 (hereinafter called "**the Act**") is authorised by that Act to obtain open space covenants over any private land.

**AND WHEREAS** **POHUTUKAWA COAST DEVELOPMENT NUMBER THREE LIMITED** (hereinafter called "**the Covenantor**") are registered as proprietors of an estate as set out in the Schedule of Land hereto (hereinafter called "**the Land**") and have agreed to enter into an open space covenant with the Trust for the purpose and objectives set forth in Schedule 1 hereto.

**NOW THEREFORE THIS DEED WITNESSES** that the Covenantor and the Board have mutually agreed to enter into this Deed in respect of the said Land having regard to the particular objectives set out in Schedule 1 and subject to the terms and conditions set out in Schedule 2 and Schedule 3 of this Deed.

**THIS DEED FURTHER WITNESSES THE COVENANTOR AND THE TRUST HAVE MUTUALLY AGREED:**

- (a) To comply respectively with the terms and conditions set out in the Schedules hereto and with every applicable provision of the Act;
- (b) The covenants and conditions contained in this Deed shall bind the Land in perpetuity;
- (c) That if any question arises in the management of the Land that is not clearly covered in the purpose and objectives or terms and conditions of this Deed, then that question shall be resolved by the parties hereto in a manner that does not diminish the purpose and objectives or terms and conditions.

**SCHEDULE 1**

**AGREED PURPOSE AND OBJECTIVES**

The Covenantor and the Trust have mutually agreed the purpose of this Deed is to protect, maintain and enhance the open space values of the Land and to achieve the following particular objectives:

- (a) Protection and enhancement of the natural character of the Land with particular regard to the indigenous flora and fauna, wetland ecosystem and with particular regard to the habitat of the North Island Brown Kiwi;
- (b) Maintenance and enhancement of the landscape value of the Land; and
- (c) Encouraging restoration of indigenous vegetation cover on the Land thereby enhancing the contribution the Land makes to the protection of indigenous biodiversity.

## **SCHEDULE 2**

### **AGREED TERMS AND CONDITIONS**

#### **1. Interpretation and Declaration**

##### **1.1 In this Deed unless the context requires otherwise:**

**"the Board"** means the board of directors of the Trust in terms of Section 4 of the Act.  
**the "Covenantor"** is the owner of the Land who enters into the agreement with the Trust by executing this Deed.

**"Chief Executive"** means the person appointed under Section 18(1)(a) of the Act.

**"Owner"** means the person or persons who from time to time are registered as the proprietor(s) of **"the Land"**.

**"the Land"** means the land as described in Schedule 4 and more particularly as shown on the plan annexed to this Deed.

##### **1.2 In the event of any inconsistency between this Schedule and Schedule 3, Schedule 3 prevails.**

##### **1.3 The reference to any Act in this Deed extends to and includes any amendment to, or substitution for, that Act.**

#### **2. Appearance and Condition of the Land**

##### **2.1 No act or thing shall be done or placed or permitted to be done or remain upon the Land which in the opinion of the Board materially alters the actual appearance or condition of the Land or is prejudicial to the Land as an area of open space as defined in the Act.**

##### **2.2 In particular, on and in respect of the Land, except with the prior written consent of the Board, or as outlined in Schedule 3, the Owner agrees not to:**

- (a) Fell, remove, burn or take any native trees, shrubs or plants of any kind.
- (b) Plant, sow or scatter any trees, shrubs or plants or the seed of any trees, shrubs or plants other than local native flora.
- (c) Introduce any substance injurious to plant life except in the control of pests.
- (d) Mark, paint, deface, blast, move or remove any rock or stone or disturb the ground.
- (e) Construct, erect or allow to be erected, any buildings or undertake exterior alterations to existing buildings.
- (f) Erect, display or permit to be erected or displayed, any sign, notice, hoarding or advertising matter of any kind except for signs identifying the covenant or to indicate walking tracks that are or may be established on the Land.
- (g) Carry out any prospecting or exploration for, or mining or quarrying of any minerals, petroleum, or other substance or deposit.
- (h) Deposit any rubbish or other materials, except in the course of maintenance or approved construction, provided however that after the completion of any such work all rubbish and materials not wanted for the time being are removed and the Land left in a clean and tidy condition.

- (i) Effect a subdivision as defined in the Resource Management Act 1991 of the Land.
  - (j) Allow any livestock on the Land.
  - (k) Cause deterioration in the natural flow, supply, quantity or quality of any river, stream, lake, wetland, pond, marsh or any other water resource affecting the Land.
- 2.3 In considering any request by the Owner for an approval in terms of Clause 2.2 hereof, the Board will not unreasonably withhold its consent if it is satisfied that the proposed work does not conflict with the purpose and objectives of this Deed as contained in Schedule 1.
- 2.4 By way of clarification and, in addition to the prohibition in Clause 2.2(j) above, the Owner shall not introduce or keep, or allow to be introduced or kept on the Land any non indigenous animal species including dogs, cats, ferrets, cattle or other livestock, pets, exotic birds, fish and mustelids except for approved purposes consistent with the objectives in Schedule 1 of this Deed, however the Owner shall not be deemed to be in breach of this provision where the animal species is self-introduced or introduced by another person without the consent of the Owner.
- 3. Management of the Land**
- 3.1 The Trust will provide the Owner with technical advice or assistance as appropriate and practical to assist in meeting the purpose and objectives of this Deed.
- 4. Use of Land by Third Parties**
- 4.1 If notified by any authority, body or person of an intention to erect any structure or carry out any other work on the Land, the Owner agrees:
  - (a) to inform the authority, body or person of this Deed;
  - (b) to inform the Trust as soon as possible; and
  - (c) not to consent to the work being done without consulting the Trust.
- 5. Fences and Gates**
- 5.1 The Owner shall keep all fences and gates on the boundary of the Land in good order and condition and will accept responsibility for all repairs and replacement except in the case of property boundary fences where the provisions of the Fencing Act 1978 shall apply.
- 6. Entry and Access**
- 6.1 The Trust may through its officers, agents or servants enter upon the Land for the purpose of viewing the state and condition thereof.
- 6.2 Members of the public, with the prior permission from the Owner, shall have freedom of entry and access to the Land PROVIDED THAT:
  - (a) The Owner shall have regard to the purpose and objectives of this Deed in considering any request for entry and access;

- (b) The Owner shall have the sole right to determine whether or not any request for permission for entry and access should be granted due to specific management issues relating to the Land; and
- (c) In granting consent or permission for entry and access the Owner may determine conditions of such entry and access including any requirement for the Owner or any occupier of the Land to be indemnified from and against any loss, damage or injury suffered by the Owner or any occupier as a consequence of any person entering onto the Land.

**7. Pest Plants and Animals**

- 7.1 The Owner shall continue to comply with the provisions of the Biosecurity Act 1993 and the Wild Animal Control Act 1977.

**8. Fire**

- 8.1 In the event of fire threatening the Land the Owner shall as soon as practical notify the appropriate Fire Authority.

**9. Action for Benefit of Land**

- 9.1 The Owner or the Trust may at any time during the term of this Deed, by mutual agreement:
- (a) carry out any works or improvements, or
  - (b) take any action either jointly or individually, or
  - (c) vary the terms of this Deed to ensure the more appropriate preservation of the Land as an open space in terms of the Act provided however any such variation is not contrary to the purpose and objectives of this Deed or Section 22A of the Act.

**10. Notices**

- 10.1 Any consent, approval, authorisation or notice to be given by the Trust may be given in writing signed by the Chief Executive and delivered or sent by ordinary post to the last known residential or postal address of the Owner or to the solicitor acting on behalf of the Owner.
- 10.2 The Owner shall notify the Trust of any change in respect of ownership of all or any part of the Land and provide the Trust with the name and address of the new owner.
- 10.3 If before the registration of this Deed by the District Land Registrar, the Owner wishes to sell or otherwise dispose of all or any part of the Land, the sale or disposition shall be made expressly subject to the terms and conditions contained in this Deed.
- 10.4 In the event of transfer of the Land to a company the covenants contained in this Deed shall bind a receiver, liquidator, statutory manager or statutory receiver. In the event of transfer to a natural person this Deed shall bind the Official Assignee. In all cases this Deed binds a mortgagee in possession.



**SCHEDULE 3**

**CONDITIONS SPECIFICALLY RELATING TO THE LAND  
THE SUBJECT OF THIS DEED**

- 1. Walking Tracks**
  - 1.1 After consultation with the Trust as to route, the Owner may form and maintain walking tracks and trails no wider than one metre through the bush on the Land.
- 2. Revegetation**
  - 2.1 The Owner may plant local indigenous plants as part of a revegetation program on the Land.

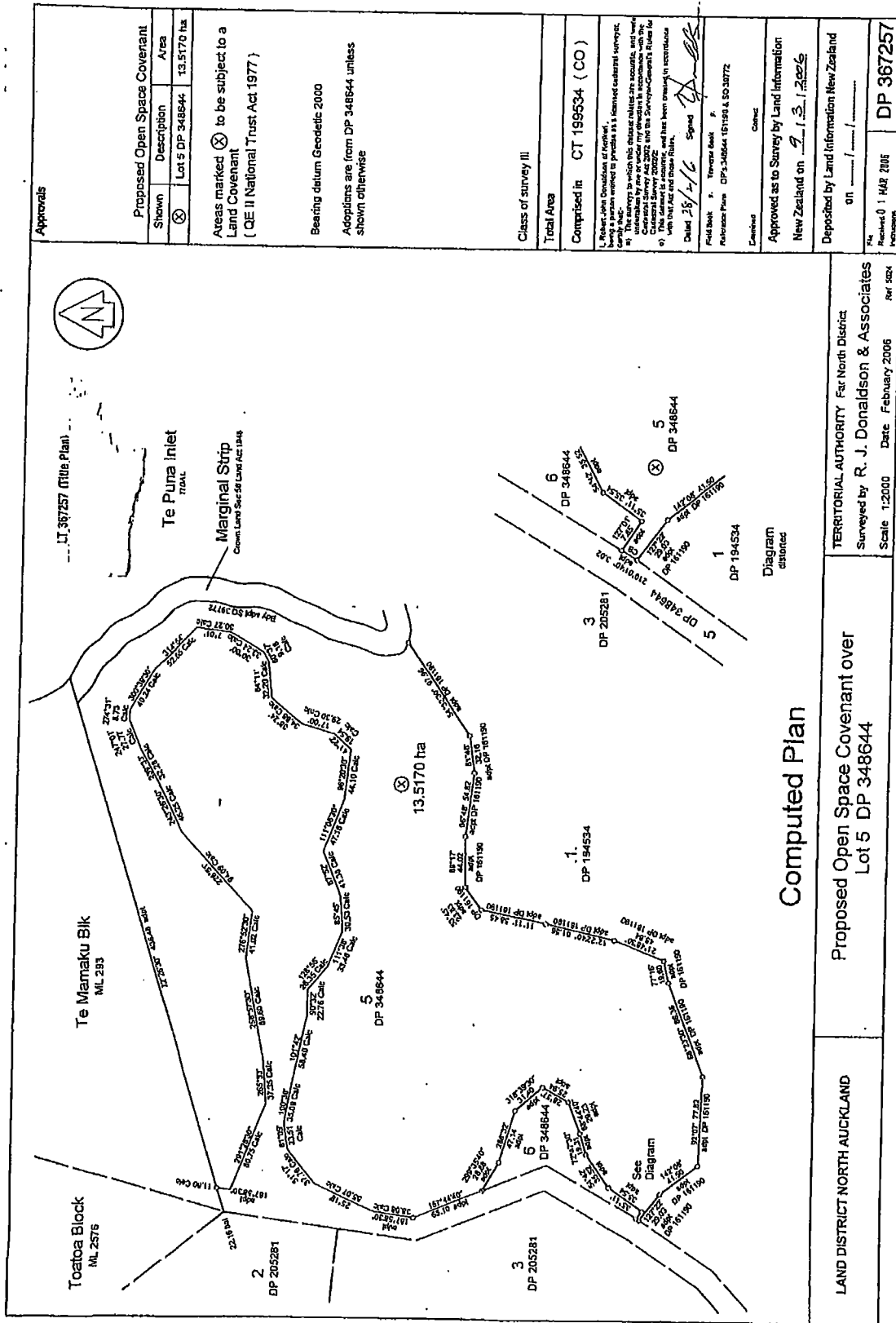
**SCHEDULE 4**

**SCHEDULE OF LAND**

Land Registry:	<b>NORTH AUCKLAND</b>
Estate:	Fee Simple
Area:	13.5170 hectares Shown as Area X on DP 367257

Lot & D.P. No. (other legal description)	Part Lot 5 DP 367257 Block VIII Kerikeri Survey District
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Part Certificate of Title:	199534
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# Approvals

## Proposed Open Space Covenant

Shown	Description	Area
⊗	Lot 5 DP 348644	13.5170 ha

Areas marked ⊗ to be subject to a Land Covenant (QE II National Trust Act 1977)

Beating datum Geodetic 2000

Adoptions are from DP 348644 unless shown otherwise

Class of survey III

Total Area

Comprised in CT 199534 (CO)

I, Robert John Donaldson of Northland, being a person entitled to practice as a Licensed Geomatics Surveyor, do hereby certify that the survey to which this plan relates is accurate, and was conducted by me or under my direction in accordance with the provisions of the Geomatics Act 2002.

Dated 28/1/16 Signed [Signature]

Field Book [Blank] [Blank] [Blank]

Reference Plan DP 348644 151190 & SO 30772

Examined [Blank] [Blank] [Blank]

Approved as to Survey by Land Information

New Zealand on 21/3/16

Deposited by Land Information New Zealand

on [Blank] / [Blank] / [Blank]

File Number 01/148/2008 Ref 5004

DP 367257

## Computed Plan

Proposed Open Space Covenant over Lot 5 DP 348644

LAND DISTRICT NORTH AUCKLAND

TERRITORIAL AUTHORITY Far North District

Surveyed by R. J. Donaldson & Associates

Scale 1:2000 Date February 2006 Ref 5004

Diagram distorted

IN WITNESS WHEREOF this Deed has been executed

this 23.03 day of 2004

by: POHUTUKAWA COAST  
DEVELOPMENT NUMBER  
THREE LIMITED



KF GLASS  
SOLE DIRECTOR

as Covenantor

in the presence of:

Witness (Signed)



Name (Print)

W.S. Preston

Occupation

Retired

Address

P.O. Box 694

5 James Kemp Pl

Kerikeri

~~THE COMMON SEAL of the QUEEN  
ELIZABETH THE SECOND NATIONAL  
TRUST was hereto affixed in the  
presence of:~~

Chairperson

Director

Chief Executive

THE COMMON SEAL of the QUEEN  
ELIZABETH THE SECOND NATIONAL  
TRUST was hereto affixed in the  
presence of:



Chairperson

*B. Lockhart*

Director

*Mr. J. L. Thompson*

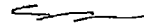
Chief Executive

*C. M. Allen*

**OPEN SPACE COVENANT**

Pursuant to Section 22 of  
the Queen Elizabeth the  
Second National Trust  
Act 1977.

Correct for the  
purposes of the Land  
Transfer Act.



**POHUTUKAWA COAST DEVELOPMENT  
NUMBER THREE LIMITED**  
Covenantor

Chief Executive  
being a person authorised  
by the Trust to certify on  
its behalf.

AND

**THE QUEEN ELIZABETH THE  
SECOND NATIONAL TRUST**

Landonline User ID: Queenentive

LODGING FIRM: QE II National Trust

Address: PO Box 3341  
Wellington

Lifting Box Number:

ASSOCIATED FIRM:

Client Code / Ref: 5/2/568

HEREWITH

Survey Plan (#)

Title Plan (#)

Traverse Sheets (#)

Field Notes (#)

Calc Sheets (#)

Survey Report

Dealing / SUD Number:  
(LINZ Use only)

Priority Barcode/Date Stamp  
(LINZ use only)

Plan Number Pre-Allocated or  
to be Deposited:

Rejected Dealing Number:

**COV 6813965.1 Covenant**  
(inc. original)  
Copies  
Cpy - 03/06.Fys - 011.0404/06.06:50  
Dated: 31/28/07.5

Other (state) Covenant

Priority Order	CT Ref	Type of Instrument	Names of Parties	DOCUMENT OR SURVEY FEES	MULTITITLE FEES	NOTICES	ADVERTISING	NEW TITLES	OTHER	RE-SUBMISSION & PRIORITY FEE	FEES \$ GST INCLUSIVE
1	199534	COV	Pohutukawa Coast Development Number Three Ltd & QE II NT	50.00							\$50.00
2											
3											
4											
5											
6											

Land Information New Zealand Lodgement Form

Annotations (LINZ use only)

Fees Receipt and Tax Invoice  
GST Registered Number 17-022-895

LINZ Form P005

LINZ Form P005 - PDF

Original Signatures? _____	Subtotal (for this page) \$50.00
	Total for this dealing \$50.00
	Less Fees paid on Dealing #
	Debit my Account for \$50.00

Easement instrument to grant easement or profits à prendre,  
or create land covenant

Sections 90A and 90F, Land Transfer Act 1952

Land registration district

North Auckland

EI 6737577.4 Easement 1

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Grantor

Surname must be underlined

POHUTUKAWA COAST DEVELOPMENTS NUMBER THREE LIMITED

Grantee

Surname must be underlined



POHUTUKAWA COAST DEVELOPMENTS NUMBER THREE LIMITED


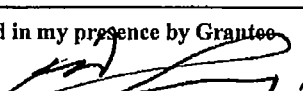
Grant\* of easement or profits à prendre or creation or covenant

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

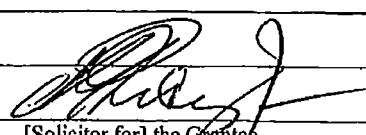
Dated this 23 day of JANUARY 2008

Attestation

 Signature, [common seal] of Grantor	Signed in my presence by Grantor
	 Signature of Witness
	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name ROBERT WADE SHARP Occupation LEGAL EXECUTIVE Address AUCKLAND

 Signature, [common seal] of Grantee	Signed in my presence by Grantee
	 Signature of Witness
	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name ROBERT WADE SHARP Occupation LEGAL EXECUTIVE Address AUCKLAND

Certified correct for the purposes of the Land Transfer Act 1952.

  
[Solicitor for] the Grantee

\*If the consent of any person is required for the grant, the specified consent form must be used.  
X0511011.RWS



# Annexure Schedule 1

Easement Instrument

Dated

23/11/06

Page 2 of

pages

## Schedule A

Continue in additional Annexure Schedule if required.

Purpose (nature and extent of easement, profit, or covenant)	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Right of way	348644	Lot 5	Lot 6
Right to convey electricity	MARKED A	199534	199535
Right to convey telecommunications			
Right to convey water			

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

Delete phrases in [ ] and insert memorandum number as required  
Continue in additional Annexure Schedule if required

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are ~~varied~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:

~~[Memorandum number \_\_\_\_\_, registered under section 155A of the Land Transfer Act 1952].~~

~~[the provisions set out in Annexure Schedule 2].~~

## Covenant provisions

Delete phrases in [ ] and insert memorandum number as required.  
Continue in additional Annexure Schedule if required.

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

~~[Memorandum number \_\_\_\_\_, registered under section 155A of the Land Transfer Act 1952].~~

~~[Annexure Schedule 2].~~

All signing parties and either their witnesses or solicitors must sign or initial in this box



# ANNEXURE SCHEDULE – CONSENT FORM<sup>1</sup>

Land Transfer Act 1952 section 238(2)

Page of Pages

## APPLICATION EASEMENT INSTRUMENT

Person giving consent

Capacity and interest of person giving consent  
Surname must be underlined (eg. Caveator under Caveat no.)

ASB BANK LIMITED

Mortgagee under Mortgage No. 6225023.1

### Consent


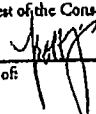
*Delete words in[ ] if the inconsistent with the consent  
State full details of the matter for which consent is required*

[Without prejudice to the rights and powers existing under the interest of the Consentor.]

the Consentor hereby consents to: the Easement shown on Plan 348644 as to right of way,  
Right to convey electricity, right to convey telecommunications and right to convey water.

Dated this 23 day of JANUARY 2006

### Attestation

<p>SIGNED by ASB BANK LIMITED by its Attorney</p> <p> BRENDANNE WATERS</p> <p>without prejudice to the rights and powers existing under the interest of the Consentor</p> <p>In the presence of  BETTY TING</p> <p>Witness: Bank Officer, AUCKLAND</p> <p>Person giving consent</p>	<p>Signed in my presence by the Consentor</p> <p>_____ Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed):</p> <p>Witness name</p> <p>Occupation</p> <p>Address</p>
---	--

<sup>1</sup> An Annexure Schedule in this form may be attached to relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, which no form is prescribed.

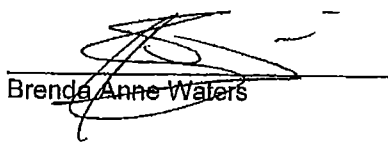
ASB BANK LIMITED  
**CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY**

I Brenda Anne Waters of Auckland, New Zealand, hereby certify:

- 1 THAT by a Deed dated **3 February 2004** and deposited in the Land Information New Zealand office as **No. 5911838** ASB Bank Limited appointed the persons holding, or from time to time acting in, the following ASB Bank offices as its attorneys on the terms and subject to the conditions set out in the said Deed:

Senior Manager Business and Rural Documentation  
Senior Manager Group Retail Loan Documentation  
Senior Manager Loan Security Maintenance  
Manager Business and Rural Loan Documentation  
Legal Executive, Lending Services  
Manager Administration  
Manager Security Alterations and Settlements  
Manager Inward Documents and Security Filing  
Manager Evening Processing Team  
Manager BankDirect  
Chief Manager Lending Services  
Manager Debt Assessment and Recoveries  
Manager Business Credit

2. THAT I hold the appointment of  
Manager Security Alterations and Settlements, Lending Services, with  
ASB Bank Limited
3. THAT at the date of signing I have not received any notice of or  
information of the revocation of that appointment by the winding up of  
the said company or otherwise.

  
Brenda Anne Waters

SIGNED at Auckland this            day of    23 JAN 2006    200

# ANNEXURE SCHEDULE – CONSENT FORM<sup>1</sup>

Land Transfer Act 1952 section 238(2)

Page      of      Pages

## APPLICATION EASEMENT INSTRUMENT

Person giving consent

Capacity and interest of person giving consent  
Surname must be underlined (eg. Caveator under Caveat no.)

ASB BANK LIMITED	Mortgagee under Mortgage No. 6225023.1
------------------	--

### Consent

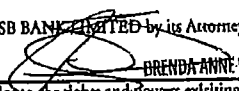
*Delete words in [ ] if the inconsistent with the consent  
State full details of the matter for which consent is required*

[Without prejudice to the rights and powers existing under the interest of the Consensor.]

the Consensor hereby consents to: deposit of plan 348644.

Dated this 23 day of JANUARY 2006

### Attestation

Signed in my presence by the Consensor	
SIGNED by ASB BANK LIMITED by its Attorney  BRENDA ANNE WATERS	Signature of Witness
without prejudice to the rights and powers existing under the interest of the Consensor.	Witness to complete in BLOCK letters (unless legibly printed):
BETTY TING	Witness name
In the presence of	Occupation
Witness: Bank Officer, AUCKLAND	Address
Person giving consent	

<sup>1</sup>An Annexure Schedule in this form may be attached to relevant instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, which no form is prescribed.

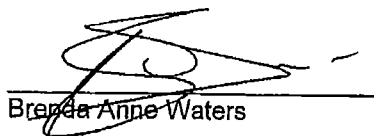
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- 1 THAT by a Deed dated 3 February 2004 and deposited in the Land Information New Zealand office as No. 5911838 ASB Bank Limited appointed the persons holding, or from time to time acting in, the following ASB Bank offices as its attorneys on the terms and subject to the conditions set out in the said Deed:

Senior Manager Business and Rural Documentation  
Senior Manager Group Retail Loan Documentation  
Senior Manager Loan Security Maintenance  
Manager Business and Rural Loan Documentation  
Legal Executive, Lending Services  
Manager Administration  
Manager Security Alterations and Settlements  
Manager Inward Documents and Security Filing  
Manager Evening Processing Team  
Manager BankDirect  
Chief Manager Lending Services  
Manager Debt Assessment and Recoveries  
Manager Business Credit

2. THAT I hold the appointment of  
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ASB Bank Limited
3. THAT at the date of signing I have not received any notice of or  
information of the revocation of that appointment by the winding up of  
the said company or otherwise.

  
Brenda Anne Waters

SIGNED at Auckland this            day of    23 JAN 2006    200

Easement instrument to grant easement or profits à prendre,  
or create land covenant

Sections 90A and 90F, Land Transfer Act 1952

EI 7281332.3 Easemen

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DocID: 312838976

Land registration district

North Auckland

Grantor

*Surname must be underlined*

POHUTUKAWA COAST DEVELOPMENTS NUMBER THREE LIMITED

Grantee

*Surname must be underlined*


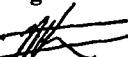
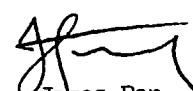
ERUERA TAURUA, GEORGE TEMARAMATANGA NAPIA, RANGI THOMPSON, RIPEKA MINEARY, TERRY SMITH, TOM BROWN, VERA O'DONNELL and ZENA CRAVEN as responsible Trustees

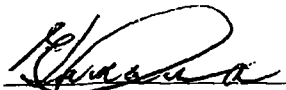
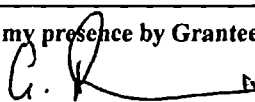
Grant\* of easement or profits à prendre or creation or covenant

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


Dated this 26th day of October 2006

Attestation

 Michael Rodney Conner Director	Signed in my presence by Grantor  Signature of Witness  Witness to complete in BLOCK letters (unless legibly printed)  Witness name Michelle Conner Occupation Director Address 18 Maguire Pl Auckland
 James Pan Director Signature, [common seal] of Grantor	

 Signature, [common seal] of Grantee	Signed in my presence by Grantee Eruera Taurua  Signature of Witness  Witness to complete in BLOCK letters (unless legibly printed)  Witness name Greg Davis Occupation Solicitor Address KERIKERI
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Certified correct for the purposes of the Land Transfer Act 1952.

  
[Solicitor for] the Grantee

# ANNEXURE SCHEDULE

EASEMENT Date

26.10.06

Page

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of

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<p><i>G.T. Napia</i></p> <p>Signature, [common seal] of Grantee</p>	<p>Signed in my presence by Grantee George Temaramatanga Napia</p> <p><i>Tatch</i></p> <p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name <b>T.G. TETITAH</b></p> <p>Occupation <b>SOLICITOR KERIKERI</b></p> <p>Address</p>
<p><i>R. Thompson</i></p> <p>Signature, [common seal] of Grantee</p>	<p>Signed in my presence by Grantee Rangi Thompson</p> <p><i>Greg Davis</i></p> <p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name <b>Greg Davis</b></p> <p>Occupation <b>Solicitor KERIKERI</b></p> <p>Address</p>
<p><i>R. H. H. Mearay</i></p> <p>Signature, [common seal] of Grantee</p>	<p>Signed in my presence by Grantee Ripeka Mineary</p> <p><i>G. Davis</i></p> <p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name <b>Greg Davis</b></p> <p>Occupation <b>Solicitor KERIKERI</b></p> <p>Address</p>
<p>All signing parties and either their witnesses or solicitors must sign or initial in this box</p> <p><i>[Signatures]</i> R.T. <i>[Signature]</i> <i>[Signature]</i> <i>[Signature]</i> <i>[Signature]</i> <i>[Signature]</i> <i>[Signature]</i></p>	

# ANNEXURE SCHEDULE

EASEMENT Date

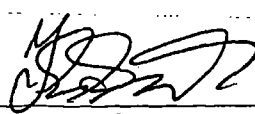
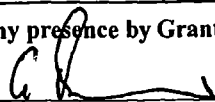
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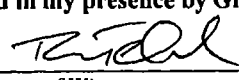
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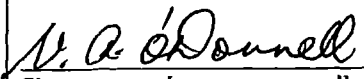
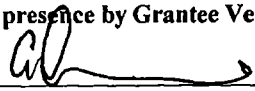
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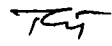
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 Signature, [common seal] of Grantee	Signed in my presence by Grantee Terry Smith	
	 Signature of Witness	
	Witness to complete in BLOCK letters (unless legibly printed)	
	Witness name Occupation Address	Greg Davis Solicitor KERIKERI

 Signature, [common seal] of Grantee	Signed in my presence by Grantee Tom Brown	
	 Signature of Witness	
	Witness to complete in BLOCK letters (unless legibly printed)	
	Witness name Occupation Address	T.G. TETITAH SOLICITOR KERIKERI

 Signature, [common seal] of Grantee	Signed in my presence by Grantee Vera O'Donnell	
	 Signature of Witness	
	Witness to complete in BLOCK letters (unless legibly printed)	
	Witness name Occupation Address	Greg Davis Solicitor KERIKERI

All signing parties and either their witnesses or solicitors must sign or initial in this box

 R.T.   
        



**ANNEXURE SCHEDULE**

EASEMENT Date

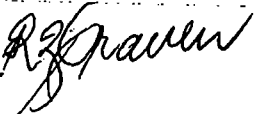
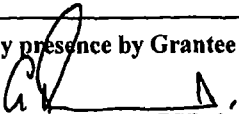
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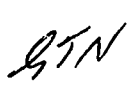
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	Signed in my presence by Grantee Zena Craven	
		
	Signature of Witness	
	Witness to complete in BLOCK letters (unless legibly printed)	
Signature, [common seal] of Grantee	Witness name	Greg Davis
	Occupation	Solicitor KERIKERI
	Address	

All signing parties and either their witnesses or solicitors must sign or initial in this box

 R.T.     
      
      
      
      
      
      
 

# Annexure Schedule 1

Easement instrument

Dated 26.10.06

Page 5 of 5 pages

## Schedule A

Continue in additional Annexure Schedule if required.

Purpose (nature and extent of easement, profit, or covenant)	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
A right of way	Areas B, C & D in Lot 4 DP 161190	199534	NA107B/301 (previously Toatoa Block and Te Mamaku Block)
A right to convey electricity		199534	NA107B/301 (previously Toatoa Block and Te Mamaku Block)
A right to convey telecommunications & computer media		199534	NA107B/301 (previously Toatoa Block and Te Mamaku Block)
A right to convey water		199534	NA107B/301 (previously Toatoa Block and Te Mamaku Block)

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

## SECOND SCHEDULE

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are added to by the provisions set out in Annexure Schedule 2:

1. Where there is a conflict between the provisions of the Fourth Schedule to the Land Transfer Regulations 2002 and the Ninth Schedule to the Property Law Act 1952, the provisions of the Fourth Schedule must prevail.

Where there is a conflict between the provisions of the Fourth Schedule and/or the Ninth Schedule, and the modification in this Easement Instrument, the modifications must prevail.

2. The maintenance provisions in the Fourth Schedule to the Land Transfer Regulations 2002 are modified as follows:

Any maintenance, repair or replacement of the right of way, any electricity, telecommunications or computer media cables or conduits or water pipes on the servient tenement that is necessary because of any act or omission by the Grantor or the Grantee must be carried out promptly by such Grantor or Grantee (as the case may be) and at their sole cost. Where the act or omission is the partial cause of the need for maintenance, repair or replacement, the costs payable by such Grantor or Grantee (as the case may be) must be in proportion to the amount attributable to that act or omission (with the balance payable in accordance with clause 11 of the Fourth Schedule).

All signing parties and either their witnesses or solicitors must sign or initial in this box

## **Appendix 4**

### Historic Consents



**FAR NORTH DISTRICT COUNCIL**

**FAR NORTH OPERATIVE DISTRICT PLAN  
DECISION ON RESOURCE CONSENT APPLICATION**

**Resource Consent Number: 2300421-RMALUC**

**Pursuant to section 104C (land use) and section 221(3) (consent notice variation) of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:**

**Peter Leonardus Van Den Elzen**

**The activity to which this decision relates:**

**Proposal A: Landuse (s104C)**

**For the construction of a 146m<sup>2</sup> non-habitable shed in the General Coastal Zone breaching Visual Amenity rule 10.6.5.1.1**

**Proposal B: Change to consent notice conditions (s221(3))**

**To cancel conditions 1) and 2) of Consent Notice 6737577.2 to remove all requirements under the Management Plan and replace with requirement relating to kiwi protection as it relates to Lot 5 DP 348644**

**Subject Site Details**

Address: Lot 5, Redcliffs Road, Kerikeri 0294  
Legal Description: Lot 5 DP 348644  
Certificate of Title reference: CT-199534

**Decision A:**

**Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:**

1. This decision is to be given effect to in conjunction with giving effect to Decision B of resource consent 2300421. The consent notice variation in Decision B shall be registered prior to the construction of the shed in Decision A and evidence of this is to be provided at the time of application for a Building Consent for the shed.
2. The activity shall be carried out in accordance with the approved plans
  - Labelled Full Site Plan and Partial Site, and named Proposed Shed, Lot 5 DP 348844, Redcliffs Rd, Rev A and dated 18/03/2021
  - Unlabelled and undated shed floor plans and elevations

**And all attached to this consent with the Council's "Approved Stamp" affixed to them.**

3. The proposed shed, shall be finished in the following schedule of colours and materials (as provided in the application):

- External vertical profile metal wall and roof cladding – Colorsteel Karaka Green (LRV 8%)
- Roller door and small hinged access door – Colorsteel Mist Green (LRV 25%)

The building is to be finished in accordance with this schedule prior to the issue of Code Compliance Certificate (CCC) and the approved schedule shall be adhered to for the duration of this consent.

4. The existing mature screening vegetation adjacent to the proposed shed is to remain for the duration of the consent.

**Decision B:**

Pursuant to Section 221(3) of the Resource Management Act 1991, Council hereby approves:

1. The cancellation of conditions 1) and 2) of Consent Notice 6737577.2 as it relates to Lots 5 DP 348464 as shown below:
  - ~~1) The property is subject to a Management Plan which addresses flor and fauna management, pest eradication, maintenance of all components and other land covenants.~~
  - ~~2) The Management Plan and managing body as detailed in condition 1 above shall be observed and continued and shall not cease without the express permission of the territorial authority.~~
2. The replacement of conditions 1) and 2) with the following condition in so far as it relates to Lot 5 DP 348464:
  - 5) No occupier of the lot, contractor and/or visitor shall keep or introduce on to the site carnivorous or omnivorous exotic animals (such as mustelids, cats or dogs).
3. Conditions 3) and 4) remain unchanged:
  - 3) The lot will require a specifically designed wastewater treatment and disposal system. The system shall be designed by a Chartered Professional Engineer in accordance with the requirements of TP58 and submitted in conjunction with the appropriate Building Consent applications. The specific design shall provide for two separate soakage fields. Alternatively, each lot will require an aerobic package treatment plant to provide satisfactory treatment of wastewater prior to on site disposal.
  - 4) Any buildings on Lot 6 must be contained within the covenant area labelled "X" on DP 348644.

### Advice Notes

1. 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.
2. The Consent Notice 6737577.2 was altered to give effect to the proposed development. Any future development on the site will likely require a further resource consent.
3. It is the applicant's responsibility to register the variation to the consent notice.
4. During the assessment of your application it was noted that a QEII Open Space Land Covenant exists on your property. Council does not enforce QEII Open Space land covenants, and this does not affect Council approving your plans. However, you may wish to get independent legal advice, as despite having a resource consent from Council, the QEII Open Space land covenant can be enforced by those parties specified in the covenant.

### Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected customary rights group or customary marine title group.
2. District Plan Rules Affected:  
*10.6.5.1.1 Visual Amenity –*  
*(a) any new building(s) not for human habitation provided that the gross floor area of any new building permitted under this rule, does not exceed 50m<sup>2</sup> or for human habitation provided that the gross floor area does not exceed 25m<sup>2</sup>.*  
*(b) the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or are constructed of natural materials which fall within this range;*  
The proposed new, non-habitable shed exceeds 50m<sup>2</sup> therefore this rule is breached. The proposed shed colour is not within the BS5252 standard colour palette therefore this rule is breached.
3. Main Issues:  
*Visual Amenity rule breach:*  
The proposed shed is located adjacent to existing established mature trees which will screen the shed from the coastal marine area and provide a dark back drop for the shed when viewed from other locations. The dark, recessive colours proposed will help blend the shed into the adjacent vegetation and the colours form a condition of this consent. The proposed shed is not located within the Outstanding Landscape area from the District Plan maps.

Consent Notice variation:

The proposal is to cancel points 1) and 2) of Consent Notice 6737577.2 to remove all requirements under the Management Plan and replace with requirements relating to kiwi protection. These conditions were imposed as part of a two-stage subdivision for a total of six lots. However only stage one was carried out and stage two was surrendered. Stage one only created one additional lot as well as the balance lot. The additional four lots in stage two were not created. As the Management Plan focused on managing the effects of a much more intense development this is now no longer required as the development is substantially reduced.

The proposed shed could not comply with the Management Plan as it was located within an area that was not anticipated for building.

It is noted there is also a substantial area of the site (13ha of the total 19ha) under QEII covenant which protects and enhances ecological and character values of the land which the MP relied on to achieve its purposes. The QEII covenant remains in place which includes kiwi protection. The kiwi protection condition will ensure the balance of the site is also protected and aligned with the QEII covenant.

Adverse effects will be minor:

It is considered the relevant and potential effects have been addressed within the assessment of effects above, and it has been concluded that the adverse effects will be less than minor.

Objectives and policies of the District Plan:

The following objectives and policies of the District Plan have been considered:

Coastal Environment 10.3 & 10.4

General Coastal Zone 10.6.3 & 10.6.4

The proposal is not contrary to the relevant objectives and policies of the District Plan.

4. In accordance with an assessment under s104(1)(b) of the RMA the proposal is consistent with the relevant statutory documents.
  - a) The Northland Regional Policy Statement 2018
  - b) Northland Regional Plan 2019
  - c) New Zealand Coastal Policy Statement 2010
5. No other non – statutory documents were considered relevant in making this decision.
6. No other matters were considered in relevant in making this decision.
7. Part 2 Matters  
The Council has taken into account the purpose & principles outlined in sections 5, 6, 7 & 8 of the Act. It is considered that granting this resource consent application achieves the purpose of the Act.
8. In summary it is considered that the activity is consistent with the sustainable management purpose of the RMA.

**Approval**

This resource consent has been prepared by Carmel Taylor, Resource Planner and is granted under delegated authority (pursuant to section 34A of the Resource Management Act 1991) from the Far North District Council by:



**Pat Killalea, Principal Planner**

**Date: 7<sup>th</sup> May 2021**

**Right of Objection**

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.

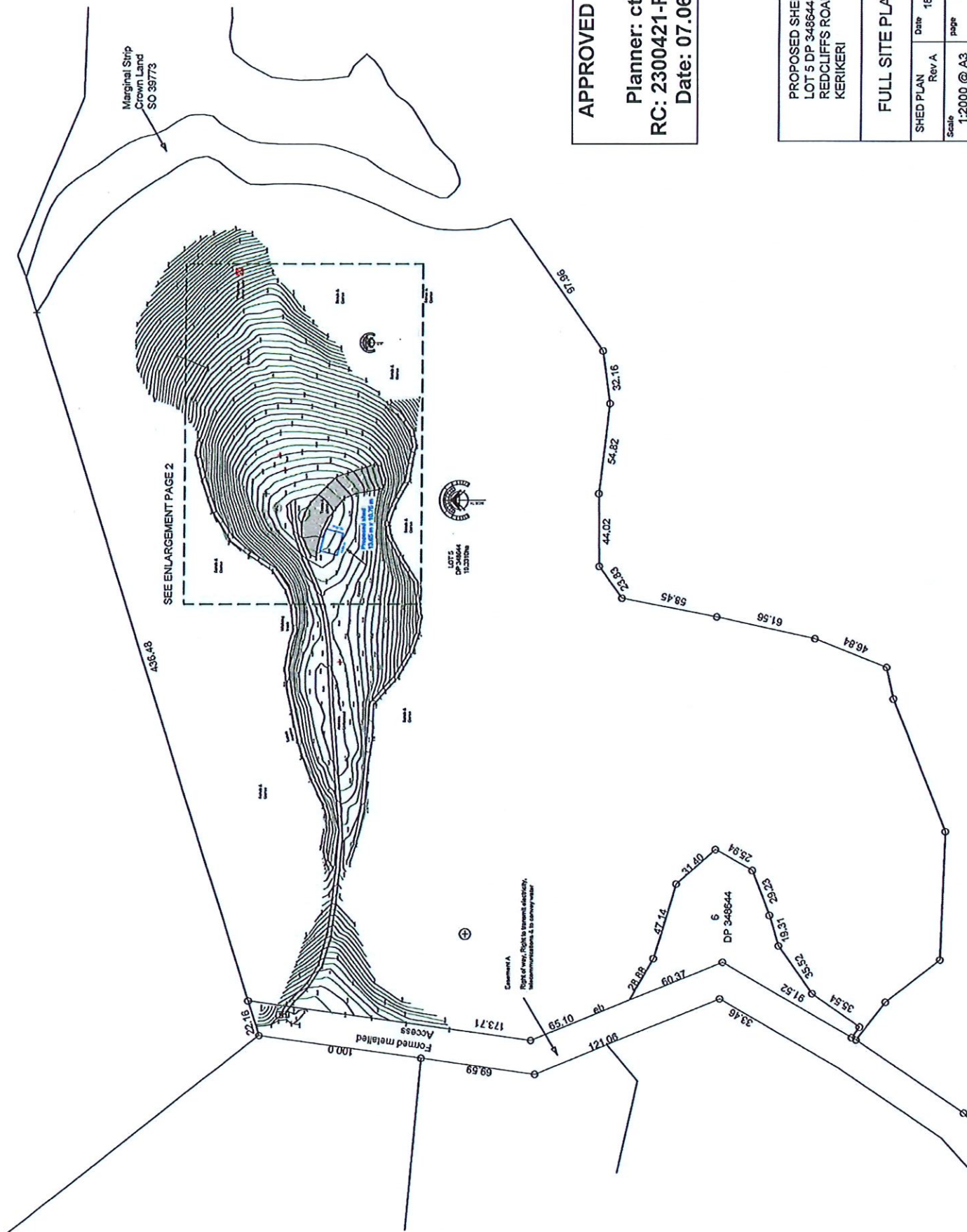
**Lapsing of Consent**

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;

The consent is given effect to; or

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.

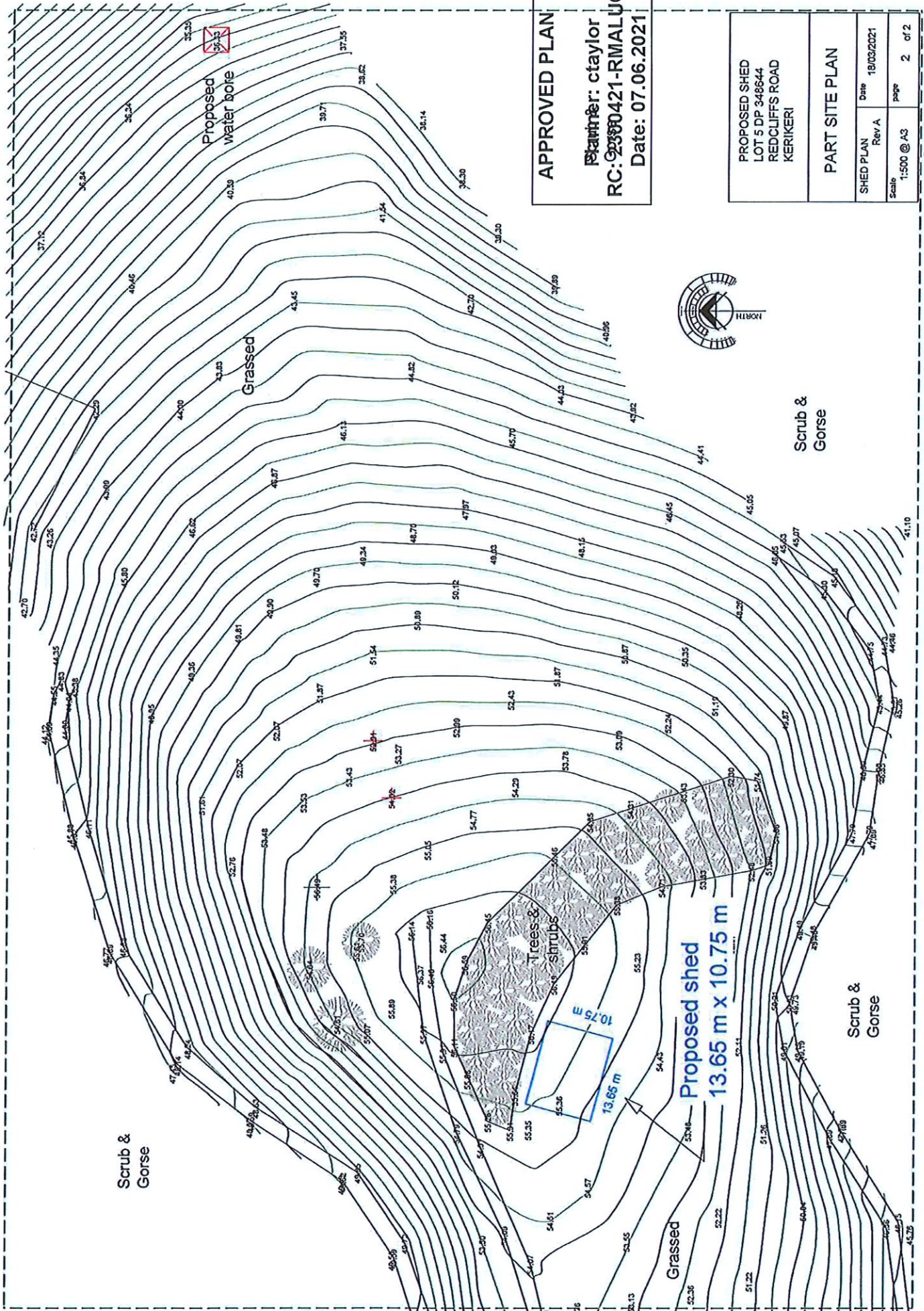




**APPROVED PLAN**  
 Planner: ctaylor  
 RC: 2300421-RMALUC  
 Date: 07.06.2021

PROPOSED SHED LOT 5 DP 348644 REDCLIFFS ROAD KERIKERI			
<b>FULL SITE PLAN</b>		Date	18/03/2021
SHED PLAN	Rev A	page	1 of 2
Scale	1:2000 @ A3		





APPROVED PLAN

Prepared by: ctaylor

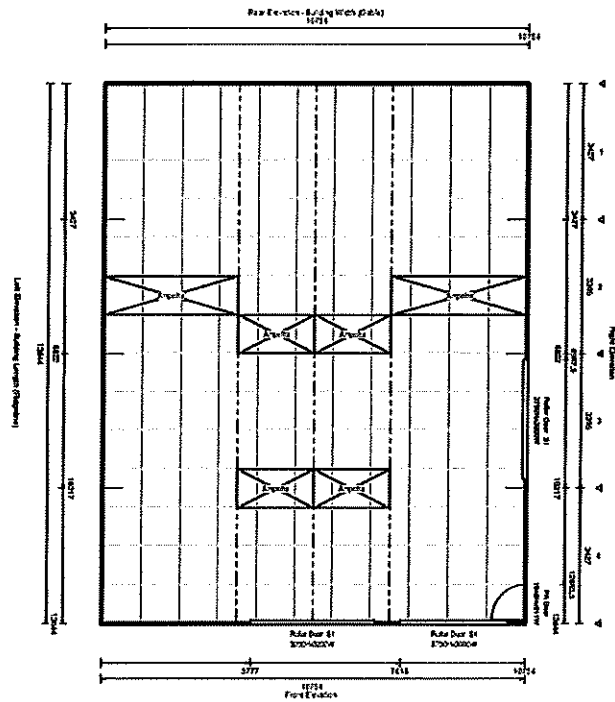
RC: 2380421-RMALUC

Date: 07.06.2021

PROPOSED SHED  
LOT 5 DP 348644  
REDCLIFFS ROAD  
KERIKERI

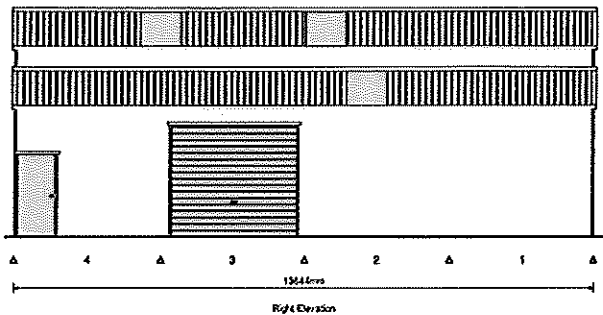
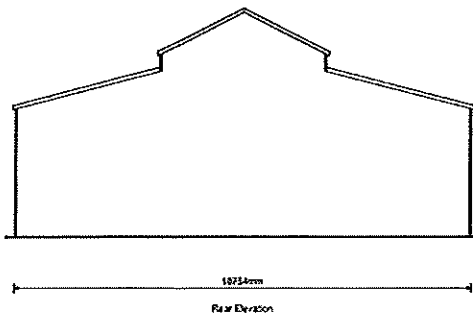
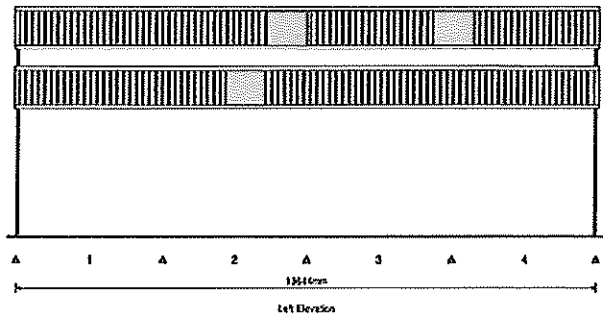
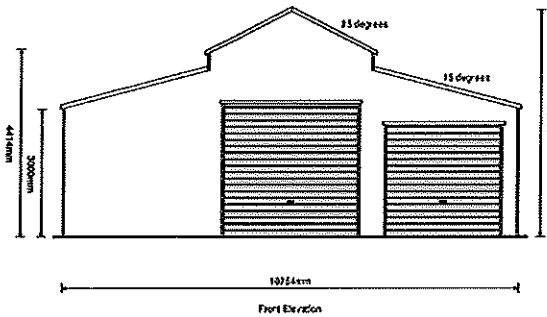
PART SITE PLAN

SHED PLAN	Rev A	Date	18/03/2021
Scale	1:500 @ A3	page	2 of 2



**APPROVED PLAN**

Planner: ctaylor  
RC: 2300421-RMALUC  
Date: 07.06.2021







**Far North  
District Council**

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

### **Decision**

Pursuant to section 34(1) and sections 104, 104C and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council grants land use resource consent for a Restricted Discretionary activity, subject to the conditions listed below to:

<b>Council Reference:</b>	2220600-RMALUC
<b>Applicant:</b>	Peter Leonardus Van Den Elzen and Theodora Petronella Maria Van Doveren
<b>Property Address:</b>	480 Redcliffs Road, Kerikeri, 0294
<b>Legal Description:</b>	Lot 5 DP 348644
<b>Description of Application:</b>	To construct a dwelling in the General Coastal zone breaching the Visual Amenity rule and earthworks rule.

### **Conditions**

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

1. The activity shall be carried out in general accordance with the approved plans prepared by Lindholm Design, referenced 'Proposed New Dwelling at Redcliffs Road, Kerikeri, For P Van Den Elzen and T Van Doveren', dated 29 January 2022, and attached to this consent with the Council's "Approved Stamp" affixed to them.
  - a. Overall Site Plan – Sheet A01
  - b. Part Site Plan – Sheet A01a
  - c. Proposed Site Plan – Sheet A02
  - d. Site Sections Sheet 1 – Sheet A02a
  - e. Site Sections Sheet 2 – Sheet A02b
  - f. Elevations Sheet 1 – Sheet A07
  - g. Elevations Sheet 2 – Sheet A08
  - h. Elevations Sheet 3 – Sheet A09
2. Prior to commencement, during and on completion and commissioning of construction works, all earthworks shall adhere to the control measures specified in the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Guideline Document GD2016/005).
3. That the Erosion and Sediment Control Plan by Vision Consulting, Job no. J15090, dated 7 March 2022, be adopted and implemented in all respects.
4. No dogs shall be brought on-site by contractors during the process of constructing the dwelling.

5. The area identified for on-site effluent disposal shall remain undisturbed by earthworks and un-compacted by construction vehicles, except that the area may be spread with topsoil to enhance effluent treatment and disposal.
6. That all earthworks' operations are carried out in a manner that minimises the potential for slope instability and soil erosion. Effective mitigation measures shall be installed as required to mitigate and/or remedy any slope failures.
7. The excavation and filling works, including any retaining structures and any necessary de-watering requirements/methods, to be prepared by a Chartered Professional Engineer with suitable geotechnical qualifications and expertise
8. Provide evidence to the FNDC Resource Consents Monitoring Officer (Email to: Consents Monitoring rcmonitoring@fndc.govt.nz) that all bare areas of land and fill is covered with aggregate, or top soiled and established with a suitable grass/legume mixture to achieve an 85% groundcover within six (6) months of the completion of earthworks. Temporary mulching or other suitable ground cover material may be applied to achieve total ground cover of any areas unable to achieve the above requirements.
9. Within three months of the date of this consent, the consent holder shall provide, for the approval of the Council's Resource Consents Manager, or other duly delegated officer, a landscape/planting plan, to be prepared by a suitably qualified and experienced person, which details the means of reducing the visual impact of the building, and any earthworks, by way of suitable plantings and landscaping. The plan is to identify the species of plants to be used, their numbers and locations on the site, and the means of maintaining these plants for a minimum of one further planting season or one year, whichever is the longer, from the time of planting. The approved landscaping/planting is to be implemented within 12 months of the completion of the earthworks and is to be maintained for the duration of the consent. Any plants that are removed or damaged are to be replaced as soon as possible, or within the next planting season (1st May to 30th September).

## **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.

### **Right of Objection**

2. 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**

3. 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**

4. The consent holder is advised that the proposal is required to comply with the conditions of 12170788.1 Variation of Consent Notice 6737577.2 registered on the Freehold Register (199534) except where the wording of the consent notice has been amended by a decision of the Far North District Council in accordance with section 221(3) of the Resource Management Act 1991.
5. The applicants are advised to adhere to the Northland Regional Pest and Marine Pathway Management Plan (Plan) rules 6.1.1 and 6.1.2. A Copy of the Plan document is provided along with this decision. Reference to the aforementioned rules are contained in page 27 of the Plan document.

#### **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 also 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 Restricted Discretionary resource consent, as such under section 104C only those matters over which council has restricted its discretion have been considered, these matters are found in rule 10.6.5.3.1 and rule 12.3.6.2.1 of the Operative District Plan.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as the dark and recessive colours to be used for the dwelling are considered to blend into the adjacent vegetation and is considered to be of a small scale. It is anticipated that the change in the landscape character of the site resulting from the development would be minor and would not result in an outcome that is inconsistent with the character of the wider landscape. In terms of earthworks, it has been assessed that the erosion and sediment control measures would prevent discharge of sediment contaminants to the unnamed water course that drains to the northeast to Te Puna Inlet. The proposed activity also gained the approval of Greg Blunden from the Queen Elizabeth II Covenant.
4. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
  - a. New Zealand Coastal Policy Statement 2011,
  - b. Operative Far North District Plan 2009,
  - c. Proposed Far North District Plan 2022

#### **New Zealand Coastal Policy Statement (NZCPS)**

The activity is consistent with the relevant objectives and policies of the NZCPS because the proposal has taken into account its potential impacts on the coastal water quality by proposing to manage the discharges through a sediment control plan. The visual effects of the dwelling and associated development are considered to be

no more than minor, with colours of the dwelling being mainly dark and recessive and blending into the vegetated backdrop. Thus, it is considered that the activity would not adversely affect the natural character of the coastal environment or landscape values.

Operative Far North District Plan (ODP)

Objectives: 10.6.3.1 | 10.6.3.2 | 10.6.3.3

Policies: 10.6.4.1 | 10.6.4.2 | 10.6.4.3 | 10.6.4.4 | 10.6.4.5 | 10.6.4.6

The activity is consistent with the relevant objectives, policies and assessment criteria of the ODP because of the appropriate use and development of the land, with the design of the dwelling and associated development incorporating dark and recessive colours in order to mitigate the visual impact on the users of the Coastal Marine Area and nearby properties.

Proposed Far North District Plan (PDP)

Objectives: RPROZ-O1 | RPROZ-O2 | RPROZ-O3 | RPROZ-O4

Policies: RPROZ-P1 | RPROZ-P2 | RPROZ-P3 | RPROZ-P4 | RPROZ-P5 | RPROZ-P7

The activity is consistent with the relevant objectives, policies of the PDP because it does not exacerbate any natural hazards and is able to be serviced by on-site infrastructure. The property includes a garden shed and farm shed for chickens, which are considered to be rural produce manufacturing – with no anticipated external adverse effects. A large part of the site is covenanted QEII, hence large-scale primary production activities would not be considered suitable. The dwelling and associated development only occupy a relatively small portion of the large site, and as assessed in the previous reports, its visual effects are considered to be well-mitigated and are less than minor. Hence, the rural character and amenity associated with a rural environment is still maintained.

For this resource consent application, 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 PDP has only been recently notified and as such there is potential for change as the plan goes through the statutory process. As such despite the different outcomes anticipated by the PDP little weight is given to these provisions.

6. In regard to section 104(1)(c) of the Act there are no other matters relevant to the application.
7. 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.

8. 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 Gio Alagao, Consents 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.



Pat Killalea, Principal Planner

Date: 16<sup>th</sup> August 2022



**VISUAL AMENITY: New Building area**  
 Total Permitted: = New building for human habitation ≤ 25m<sup>2</sup>  
 Proposed House = 241.87m<sup>2</sup> House Floor Area approx  
 Proposed Garage = 40.4m<sup>2</sup> Garage Floor Area approx  
 Total Proposed: = 281.27m<sup>2</sup>  
 = RESOURCE CONSENT REQUIRED;

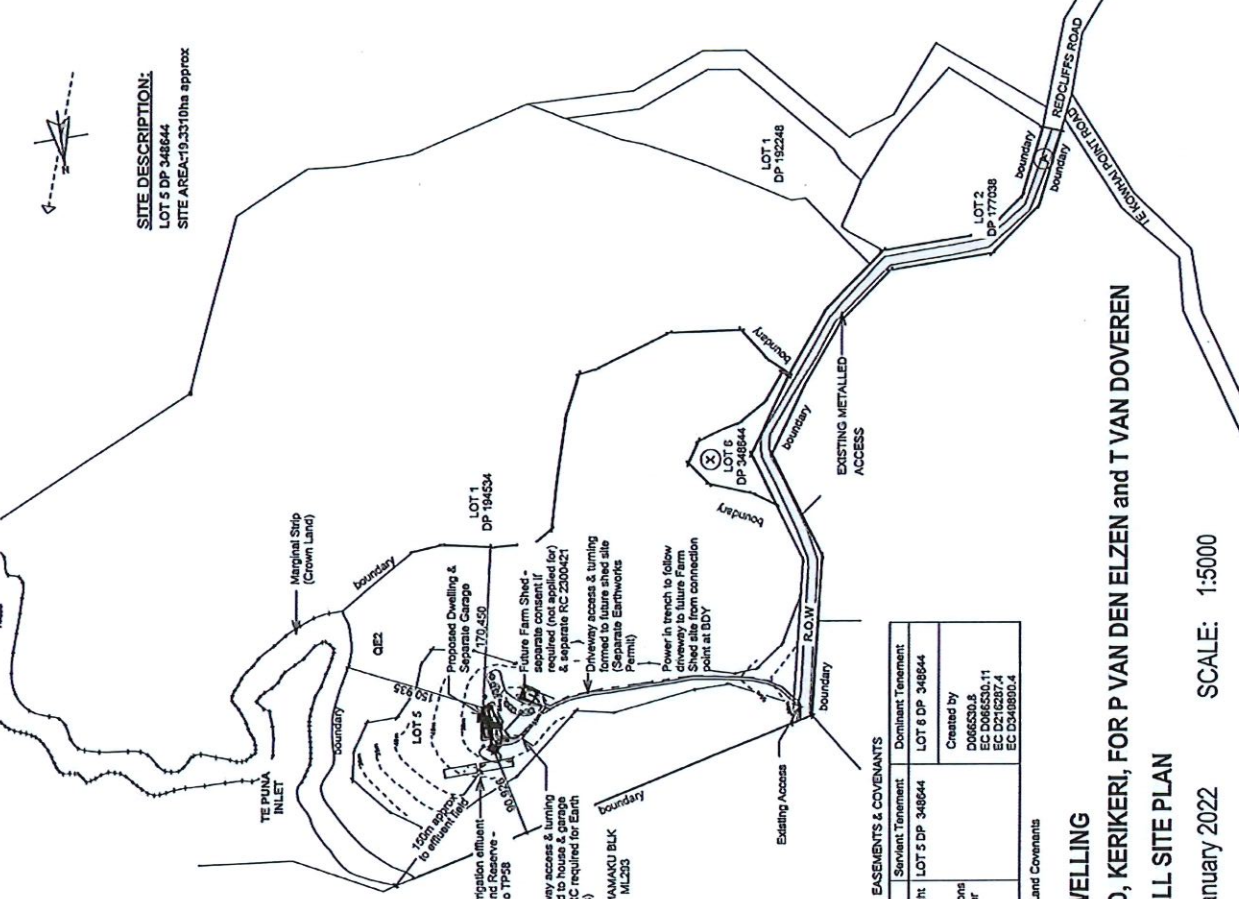
**BUILDING HEIGHT:**  
 Permitted: = 8m max  
 Proposed: = <6.0m = COMPLIES (Using rolling height method)

**STORMWATER MANAGEMENT:** (Impermeable surfaces & Building coverage)  
 Proposed House Roof Area: = 208.6m<sup>2</sup> (House)  
 Proposed Carport Roof Area: = 43.1m<sup>2</sup> (Carport) (Carport)

- 10% max
- 9228.38m<sup>2</sup> approx =5% approx.
- COMPLIES



**SITE DESCRIPTION:**  
 LOT 5 DP 348644  
 SITE AREA=19.3310ha approx



ID:	Purpose	Servient Tenement	Dominant Tenement
(A)	Right of Way, Right to transmit Electricity, Telecommunications & to Convey water	LOT 5 DP 348644	LOT 6 DP 348644
		Created by D666530.3 EC D212032.11 EC D249805.4	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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**PROPOSED NEW DWELLING**

**PROFUSED NEW DWELLING**

at REDCLIFFS ROAD, KERIK

Sheet: A01 OVERALL SITE I

Date: Saturday, 20 January, 2006

Date: Saturday, 29 January 2016

[illegible]

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APPROVED PLAN  
Planner: GAlagao  
RC: 2220600  
Date: 16/08/2022

K 29/01/2022

## Discussion

**RESOURCE CONSENT**

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SCALE: 1-5000

SCALE: 1:3000

[illegible]

**Lindholm**design  
ARCHITECTURAL SERVICES

**REGISTERED BUILDING PRACTITIONER**  
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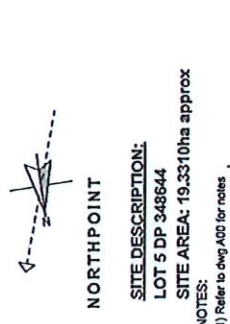
P.O. Box 960, 6245 Karitahi  
ph/fax: (09) 407 3037, mob: 021 407390  
email: karin@lincolndesign.co.nz  
web: www.lincolndesign.co.nz  
Karin Lindholm Andressen  
LBP: Desim 2: 107526


# ADNZ


## 1 ARCHITECTURAL DESIGNERS MEET


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







 Proposed Cut Ground Level/Building platform. Note: 200mm approx topsoil and organic material to be removed from under building platform. CSG to be a minimum of 325mm below proposed FL.



 Proposed Floor Level.



 Original Site Contours from survey by Donaldson Survey dated 15-12-2020



 Erg GL Level & approx RL calculated from contours


 Proposed Finished Ground Level (varies) FGL 225mm min below proposed FL



 DATUM RL (to be confirmed prior to commencing works) Spot levels from survey



 110mm<sup>2</sup> UPVC SW Drain to discharge to Proposed Water Tank/for possible supply



 100mmØ UPVC FW Drain to discharge to WTS in accordance with TP-36



 Cut or fill batter to Geotech engineers requirements. Landscape fill at 1V:3H max slope to meet exdg. GL - refer to Geotechnical report.

Note: Fall FGL away from building at 1:25 for 1m min to comply with NCS3904-2011 7.5.2.2


 Fill to building platform to engineers requirements - refer to RAFT SLAB design and drawings.


 Batter to compacted fill platform in Geotech engineers requirements. batter at 1:1 to meet exdg. GL at 1V:1 max slope degrees max


 Topsoil and Spoil stock piles. Soil to be distributed on site for gardens/ landscaping.


 Site management in accordance with "Erosion & Sediment Control on Small Development Sites"

29/01/2022

## RESOURCE CONSENT

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All construction to comply with NZS3604:2011 and the NZBC

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**APPROVED PLAN**  
**Planner: Galagao**  
**RC: 2220600**  
**Date: 16/08/2022**



**REGISTERED BUILDING PRACTITIONER**  
www.jindholm.co.nz



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web: www.jindholmdesign.co.nz  
Karin Lindholm Andraessen  
LBP: Dialhom 2: 407556

ADNZ

**PROPOSED NEW DWELLING**  
at REDCLIFFS ROAD, KERIKERI, FOR P VAN DEN ELZEN and T VAN DOVEREN

Sheet: A01a PART SITE PLAN

Date: Saturday, 29 January 2022 SCALE: 1:500, 1:250



APPROVED PLAN

Planner: GALAGAO

RC: 2220600

Date: 16/08/2022



NORTH POINT

SITE DESCRIPTION:

LOT 5 DP 348644

SITE AREA: 19.3310ha approx

NOTES:

1) Refer to dwg A00 for notes

Proposed Cut Ground Level/Building platform - Note: 200mm approx topsoil and organic material to be removed from under building platform. CGL to be a minimum of 325mm below proposed FL

CGCL -0.325

FL 0.00

Proposed Floor Level

Original Site Contours from survey by Donaldson Survey dated 16-12-2020

Exst G/L Level & approx RL calculated from contours

Exst G/L Level (RL:14.0)

Proposed Finished Ground Level (varies)

FGL RL varies

DATUM (to be confirmed prior to commencing works) Spot levels from survey

Datum RL (TBC)

Power supply in trench from Exst MB on Tossalgan Shed - Route TBC on site (exst power in trench from transformer on road)

110mmØ UPVC SW Drain to discharge to Proposed Water Tank for potable supply

100mmØ UPVC PW Drain to discharge to WTS in accordance with TP28

Cut or fill batter to Geotech engineers requirements. Landscape fill at 1V:3H max slope to meet extg. GL - refer to Geotechnical report.

Note: Fall FGL away from building at 1:25 for 1m min to comply with NZS3604:2011 7.5.2.2

Fill to building platform to engineers requirements - refer to RAFT SLAB design and drawings.

Batter to compacted fill platform to Geotech engineers requirements, batter at 1 to meet extg. GL at 1V:H max slope degrees max

Topsoil and Spoil stock piles. Soil to be distributed on site for gardens/ landscaping. Site management in accordance with Erosion & Sediment Control on Small Development Sites

Temporary Silt Fencing

K

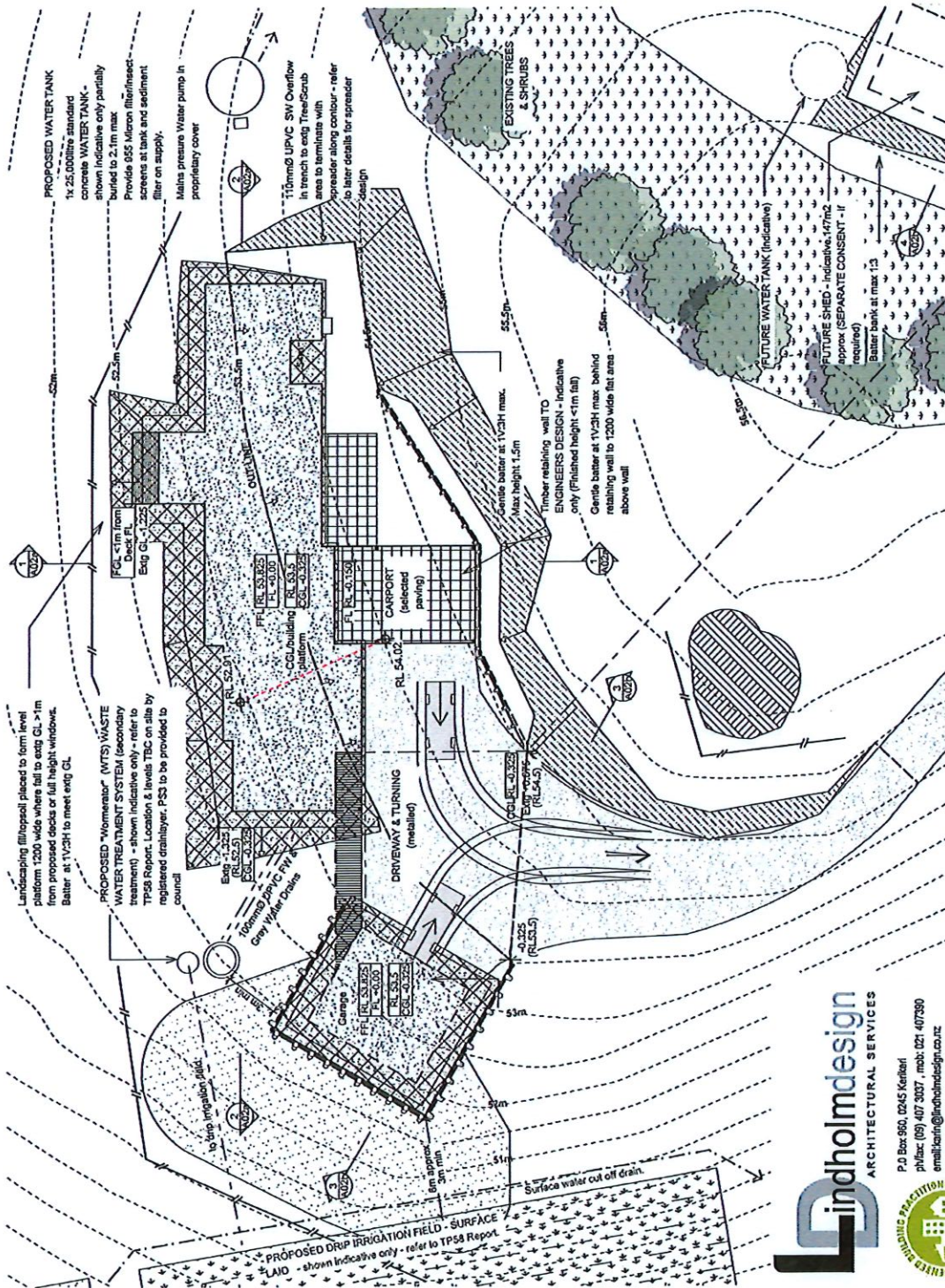
29/01/2022

RESOURCE CONSENT

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PROPOSED NEW DWELLING

at REDCLIFFS ROAD, KERIKERI, FOR P VAN DEN ELZEN and T VAN DOVEREN

Sheet: A02 PROPOSED SITE PLAN

Date: Saturday, 29 January 2022

SCALE: 1:250



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Karin Lindholm Andressen

LBP: Design 2: 10725



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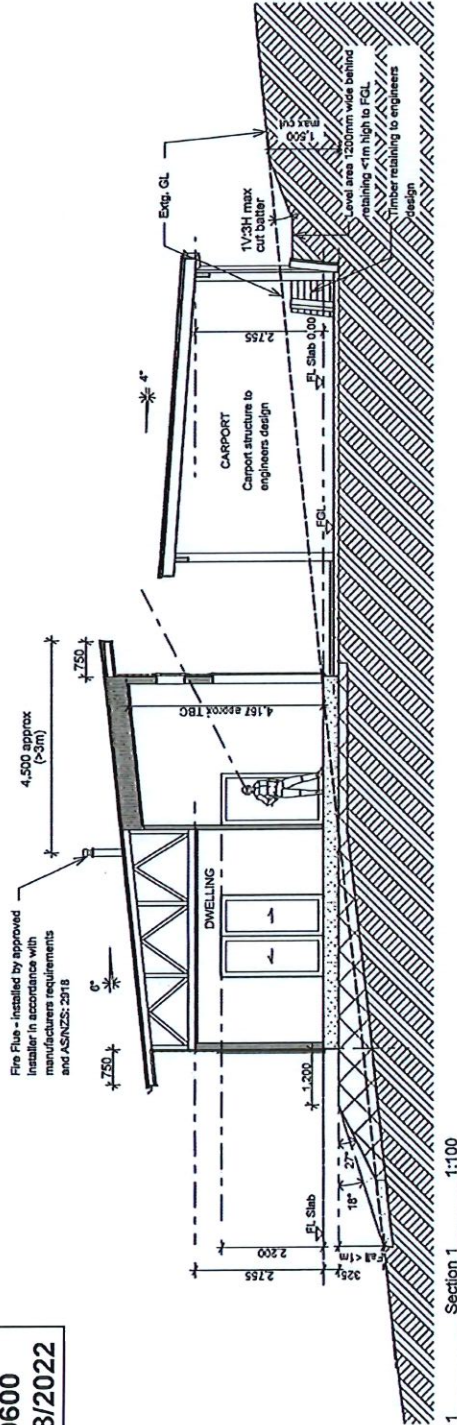


# APPROVED PLAN

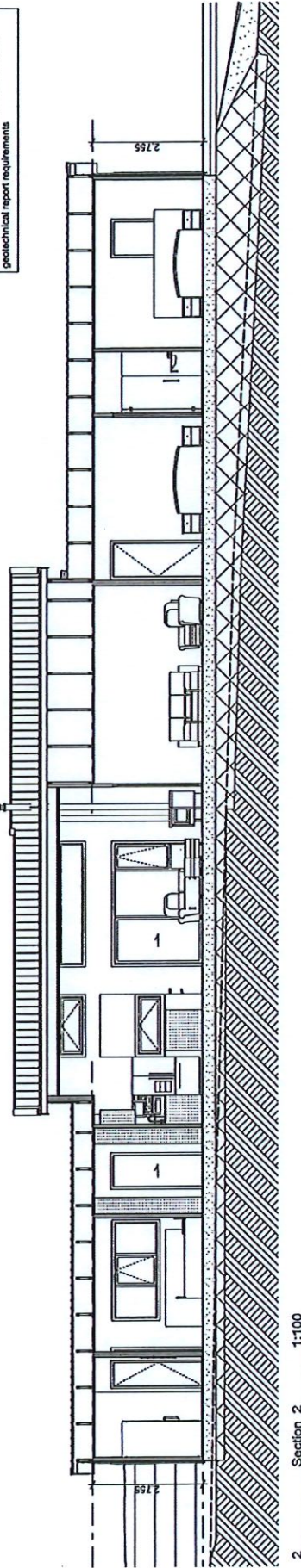
Planner: GALagao

RC: 2220600

Date: 16/08/2022



Section 1 1:100



Section 2 1:100



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LBP Design 2: 107526

## PROPOSED NEW DWELLING

at REDCLIFFS ROAD, KERIKERI, FOR P VAN DEN ELZEN and T VAN DOVEREN

Sheet: A02a SITE SECTIONS - SHEET 1

Date: Saturday, 29 January 2022

SCALE: 1:100



K 29/01/2022

## RESOURCE CONSENT

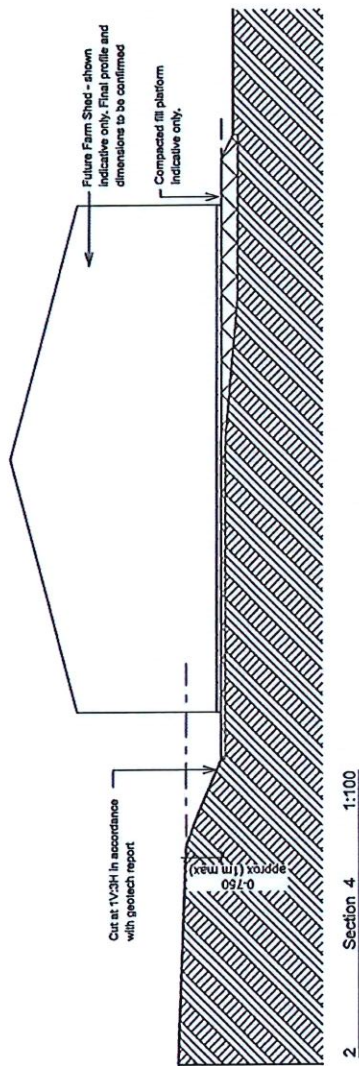
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**Date: 16/08/2022**



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**PROPOSED NEW DWELLING**  
at REDCLIFFS ROAD, KERIKERI, FOR P VAN DEN ELZEN and T VAN DOVEREN

Sheet: A02b SITE SECTIONS - SHEET 2

Date: Saturday, 29 January 2022 SCALE: 1:100

**SCALE:**



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Karlin Lindholm Andreassen

LBP: Design 2: 107526

# NZ

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1) All construction to be in accordance with NZS3604:2011 the NZBC unless specifically designed.

2) Durability of fixings and materials to comply with NZS3604:2011 Section 4 and NZBC B2/A51

3) External joinery shown indicative - refer to window manufacturers schedule for configurations.

4) Ground levels shown indicative



at REDCLIFFS ROAD, KERIKERI, FOR P VAN DEN ELZEN and T VAN DOVEREN

Date: Saturday, 29 January 2022 SCALE: 1:100

SCALE: 1:100

29/01/2022

## RESOURCE CONSENT

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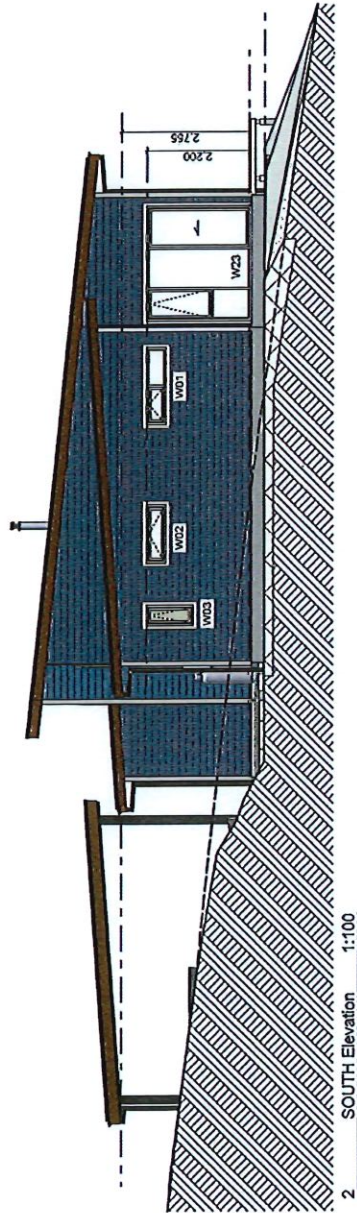
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**APPROVED PLAN**  
**Planner: GALagao**  
**RC: 2220600**  
**Date: 16/08/2022**

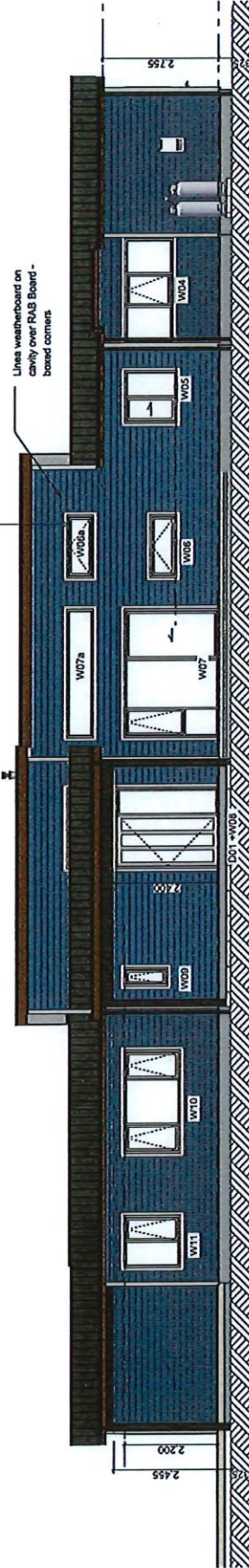
**NOTES:**

- 1) All construction to be in accordance with NZS3604:2011 the NZBC unless specifically designed.
- 2) Durability of fixings and materials to comply with NZS3604:2011 Section 4 and NZBC B2/AS1
- 3) External joinery shown indicative - refer to window manufacturers schedule for configurations.
- 4) Ground levels shown indicative



Electric opener to high window

Lines weatherboard on cavity over RAS Board - boxed corners



1 WEST Elevation 1:100



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**PROPOSED NEW DWELLING**  
**at REDCLIFFS ROAD, KERIKERI, FOR P VAN DEN ELZEN and T VAN DOVEREN**

**Sheet: A08 ELEVATIONS - SHEET 2**

**Date: Saturday, 29 January 2022**

**SCALE: 1:100**

K 29/01/2022

**RESOURCE CONSENT**

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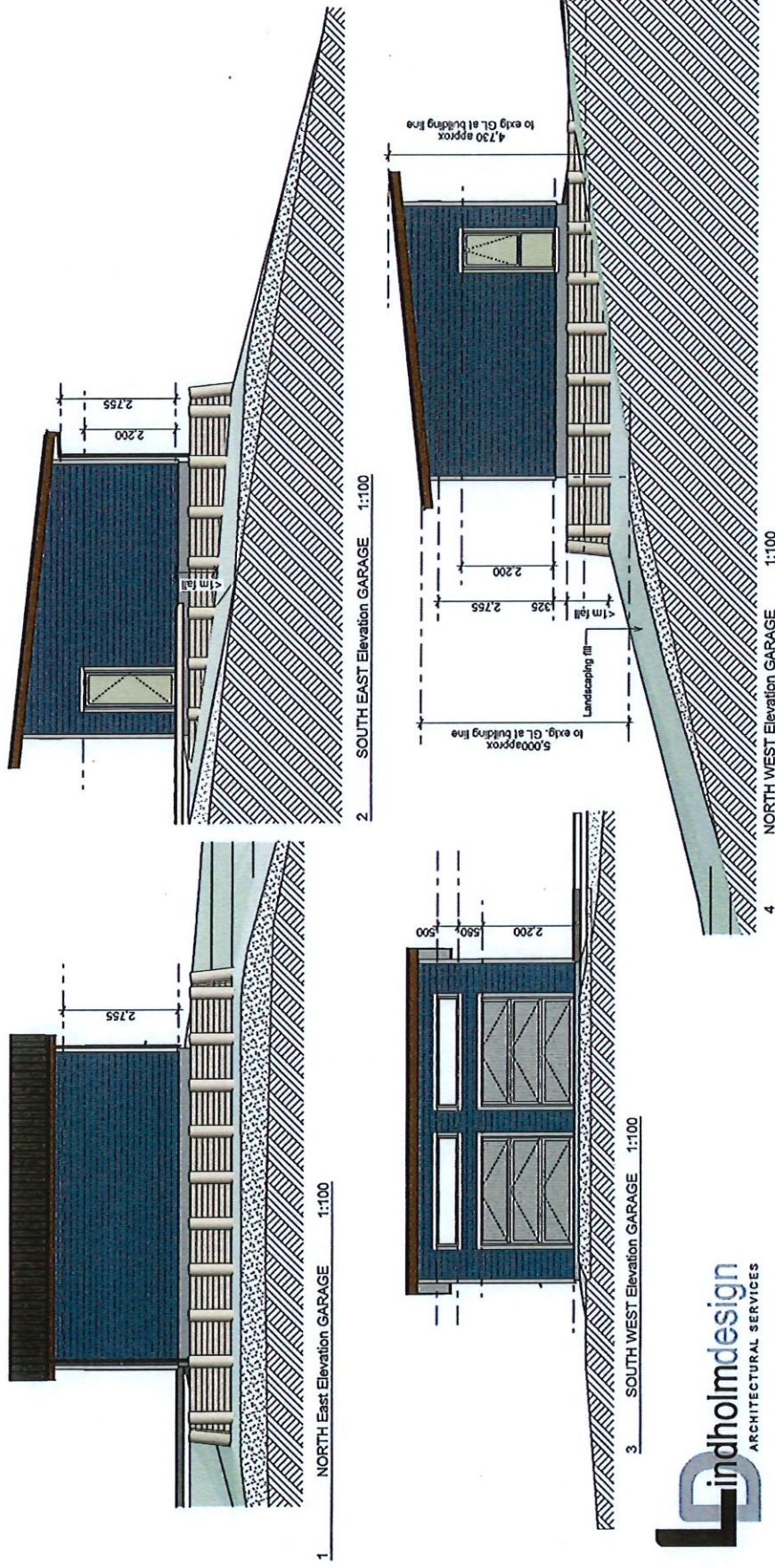


# APPROVED PLAN

Planner: Galagao

RC: 2220600

Date: 16/08/2022



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## RESOURCE CONSENT

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PROPOSED NEW DWELLING  
at REDCLIFFS ROAD, KERIKERI, FOR P VAN DEN ELZEN and T VAN DOVEREN

Sheet: A09 ELEVATIONS - SHEET 3

Date: Saturday, 29 January 2022 SCALE: 1:100



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## **Appendix 5**

### Proposed wastewater design



## **STATEMENT OF DESIGN - PS1**

**Issued by:** Matt Riddell

**To:** Theodora (Doreth) van Doveren

**Copy to be supplied to:** Far North District Council

**In Respect of:** Biopod Domestic Onsite Wastewater and Sewage System Design

**At:** 480 Redcliffs Road, Kerikeri

**Legal Description:** Lot 5 DP 348644

Waterflow NZ Ltd has been engaged by Theodora (Doreth) van Doveren to provide the technical design services and details in respect of the requirements of G13/VM4 and B2 Durability of the Building Code 2004, for an Onsite Wastewater and Sewage System for their building at the above location.

The Design has been carried out in accordance with AS/NZS 1547/2012 and Clause B2, G13 and G14 of the Building Regulations 2004.

The proposed building work covered by this producer statement is described on the drawings titled: Theodora (Doreth) van Doveren Onsite Wastewater Design Report, and numbered 1-42 together with the specification, and other documents set out in the schedule attached to this statement.

**On behalf of the Design Firm, and subject to:**

- (i) Site verification of the following design assumptions: correct installation of the system and drainage fields
- (ii) All proprietary products meeting their performance specification requirements;

As an independent design professional covered by a current policy for Professional Indemnity Insurance, no less than \$200,000\*, I **believe on reasonable grounds** the building, if constructed in accordance with the drawings, specifications, and other documents provided or listed in the attached schedule, will comply with the relevant provisions of the Building Code.

Signed by: Matt Riddell - PS Author '2384' Auckland Council, NZQA Onsite Wastewater Training/Opus, Approved Designer

Date: 02/10/2025

Signature:



Waterflow NZ Ltd  
4/525 Great South Road  
Penrose, Auckland 1061

*Note: This statement shall only be relied upon by the Building Consent Authority named above. Liability under this statement accrues to the Design Firm only. The total maximum amount of damages payable arising from this statement and all other statements provided to the Building Consent Authority in relation to this building work, whether in contract, tort or otherwise (including negligence), is limited to the sum of \$200,000\*.*



**WaterFlow**

Bringing Clarity to Wastewater

**2025**

**Waterflow NZ Ltd**

**Certified Designer**

**Theodora (Doreth) van Doveren**  
**480 Redcliffs Road**  
**Kerikeri**  
**Lot 5 DP 348644**

**Reference Number: SO002368**

**Issued 02/10/2025**

## **ONSITE WASTEWATER DESIGN REPORT**



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PART C: SITE ASSESSMENT - SOIL INVESTIGATION .....	7
PART D: DISCHARGE DETAILS - SEE HYDRAULIC LOADING TABLES .....	9
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DECLARATION .....	14
SITE LAYOUT PLAN: .....	15

## Attachments

- PS1
- Land Application System Schematics
- Pump Specification
- Electrical Diagram
- Assessment of Environmental Effects
- System & Installation Specifications
- Home Owners Care Guide



### **Disclaimer**

The design presented herein is based on the information available at the time of preparation and reflects the conditions known at that time.

If additional information comes to light or if there are significant changes in site conditions or circumstances, the design may no longer be valid. In such cases, the design must be reassessed and potentially revised by the designer to ensure its continued suitability.

The designer(s) disclaim any responsibility for the design's applicability or effectiveness under new or altered conditions and recommend a review before implementation if any such changes occur.



**PART A: CONTACT AND PROPERTY DETAILS****A 1. Consultant / Evaluator**

<b>Name:</b>	Alexandra Sabath
<b>Company/Agency:</b>	Waterflow New Zealand Ltd
<b>Address:</b>	1160 State Highway 12, Maungaturoto 0520
<b>Phone:</b>	09 431 0042
<b>Fax:</b>	
<b>Email Address:</b>	<a href="mailto:sandra@waterflow.co.nz">sandra@waterflow.co.nz</a>

**A 2: Applicant Details**

<b>Applicant Name:</b>	Theodora (Doreth) van Doveren
<b>Company Name:</b>	
<b>Property Owner:</b>	Theodora (Doreth) van Doveren
<b>Owner Address:</b>	480 Redcliffs Road, Kerikeri
<b>Phone:</b>	
<b>Mobile:</b>	
<b>Email Address:</b>	doreth_nz@hotmail.com

**A 3: Site Information**

Sited Visited by:	Ken Hoyle	Date:	Thursday, 18 September 2025		
Physical Address:	480 Redcliffs Road, Kerikeri				
Territorial Authority:	Far North District Council				
Regional Council:	Northland Regional Council				
Regional Rule	C.6.1.3				
Legal Status of Activity:	Permitted:	x	Controlled:		Discretionary:
Total Property Area (m²):	193310m <sup>2</sup>				
Map Grid Reference:					
Legal Description of Land (as on Certificate of Title):					
Lot No:	5				
DP No:	348644				
CT No:	199534				



**A 4: Are there any previous existing discharge consents relating to this proposal or other waste discharge/disposal on the site?**

Yes:  No: ☒

If yes, give reference No's and description:

--

**A 5: Dwelling(s) for which on-site wastewater service is to be provided**

Status of dwelling(s) to be serviced:	New	<input type="checkbox"/>	Existing	<input checked="" type="checkbox"/>	Multiple	<input type="checkbox"/>
How many dwellings on the property?	1					
Capacity of dwellings:	Dwelling 1	1				
(or number of bedrooms)	Dwelling 2					
	Dwelling 3					
	Other:					
Notes:						

**PART B: SITE ASSESSMENT - SURFACE EVALUATION****B 1: Site Characteristics**

Performance of adjacent systems:	(Unknown)		
Estimated annual rainfall (mm):	1000 - 1250 (as per NIWA statistics)		
Seasonal variation (mm):	300-400mm		
Vegetation cover:	Grass and native bush		
Slope shape:	Linear Planar		
Slope angle:	14 °		
Surface water drainage characteristics:	Broad overland to distant overland flow path		
Flooding potential?	Yes:	No:	x
If Yes, specify relevant flood levels relative to disposal area:			
Site characteristics:	480 Redcliffs Road is a large rural residential property about 5km Northwest of Kerikeri. The property has an existing shed which will contain plumbing fixtures which will require an onsite wastewater management system. The property in the area of the wastewater system slopes gently towards the south at a gradient of approximately 14 degrees. The land disposal area will be installed in area of bush. There are no nearby overland flowpaths, surface water or flood plains.		

**B 2: Slope Stability**

Has a slope stability assessment been carried out on the site?

Yes:		No:	x
------	--	-----	---

If no, why not?

Low slope:	x	No signs of instability:	x	Other:
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If yes, give brief details of report:

Details:	
Author:	
Company/Agency:	
Date of report:	

**B 3: Site Geology**

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**B 4: Slope Direction**

What aspect does the proposed disposal system face?

North		West	
North-West		South-West	
North-East		South-East	
East		South	x

**B 5: Site Clearances if applicable (also on site plan)**

	Treatment Separation Distance (m)	Disposal Field Separation Distance (m)
Boundaries:	>1.5	>1.5
Surface Water:	>15	>15
Ground Water:	>1.2	>1.2
Stands of Trees / Shrubs:	n/a	n/a
Wells/Water Bores:	>20	>20
Embankments / Retaining Walls:	>3	>3
Buildings:	>3	>3
Other:		

**B 6: Please identify any site constraints applicable for this property, and indicate how the design process is to deal with these.**

Constraints	Explain how constraints are being dealt with
1 Site constraints: (a) (b)	n/a

**PART C: SITE ASSESSMENT - SOIL INVESTIGATION****C 1: Soil Profile Determination Method**

Test pit:		Depth (mm):		No. of Test pits:	
Bore hole:	x	Depth (mm):	1200	No. of Bore holes	2
Other:					

**C 2: Fill Material**

Was fill material intercepted during the subsoil investigation?

Yes:		No:	x
------	--	-----	---

If yes, please specify the effect of the fill on wastewater disposal:

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**C 3: Permeability Testing**

Has constant head Permeability Testing (Ksat) been carried out?

Yes:		No:	x
------	--	-----	---

If yes, please indicate the details (test procedure, number of tests):

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Test report attached?

Yes:		No:	x
------	--	-----	---

**C 4: SURFACE WATER CUT OFF DRAINS**

Are surface water interception/diversion drains required?

Yes:	x	No:	
------	---	-----	--

**C 5: DEPTH OF SEASONAL WATER TABLE:**

Winter (m):	>1.2
Summer (m):	>1.2

Was this:

Measured:	✓ no sign of ground water or mottling in bore holes
Estimated:	

**C 6: SHORT CIRCUITS**

Are there any potential short circuit paths?

Yes:		No:	x
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If yes, how have these been addressed?

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**C 7: SOIL CATEGORY**

Is topsoil present?

Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
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If yes, what is the topsoil depth &amp; soil description?

200mm silty loam topsoil over clay loam

Indicate the disposal field soil category (as per AS/NZS 1547:2012 Table E1)

Category	Description	Drainage	(x)
1	Gravel, coarse sand	Rapid draining	
2	Loamy sand, sandy loam	Free draining	
3	Medium-fine sandy loam, loam & silt loam	Good draining	
4	Sandy clay-loam, clay loam & silty clay-loam	Moderate draining	
5	Sandy clay, light clay, silty clay	Moderate to slow draining	x
6	Medium to Heavy Clays	Slow draining	

Reason for placing in stated category:

Result of bore hole/test pit sample	<input checked="" type="checkbox"/>
Profile from excavation	<input type="checkbox"/>
Geotech report	<input type="checkbox"/>
Other:	<input type="checkbox"/>

**C 8: SOIL STRUCTURE**

Based on results of the in-situ soil profile investigation above (C7) please indicate the disposal (land application) field soil structure:

Massive	<input type="checkbox"/>
Single grained	<input type="checkbox"/>
Weak	<input type="checkbox"/>
Moderate	x
Strong	<input type="checkbox"/>

C 9: As necessary, provide qualifying notes on the relationship of Soil Category (C7) to Soil Structure (C8) and the effect this relationship will have on design loading rate selection:

--



**PART D: DISCHARGE DETAILS****D 1: Water supply source for the property:**

Rain water (roof collection)	x
Bore/well	
Public supply	

**D 2: Are water reduction fixtures being used?**

Yes:		No:	x	(according to our knowledge at time of design report)
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If 'yes' Please state:

Standard Fixtures include dual flush 11/5.5 or 6/3 litre toilet cisterns, and includes standard automatic washing machine, but a low water use dishwasher, no garbage grinder.

**D 3: Daily volume of wastewater to be discharged:**

No. of bedrooms/people:	1: 1 Bedroom 2: 3:
Design occupancy (people): (as per AC TP-58, Table 6.1)	1: 2 People 2: 3:
	Black / Grey water
Per capita wastewater production (litres/person/day): (as per AS/NZS 1547:2012 Table H3, Note 2)	1: 160 L/day 2: 3:
Total daily wastewater production (litres per day):	320 L/day
Notes:	

**D 4: Is daily wastewater discharge volume more than 2000 litres?**

Yes:		No:	x
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**D 5: Gross lot area to discharge ratio:**

Gross lot area:	193310 m <sup>2</sup>
Total daily wastewater production (litres/day):	320 L
Lot area to discharge ratio:	604.09

**D 6: Net Lot Area**

Area of lot available for installation of the disposal (land application) field and reserve area:

Net lot area (m <sup>2</sup> ):	192310 m <sup>2</sup>
Reserve area (m <sup>2</sup> ):	30% 48m <sup>2</sup>

**PART E: LAND DISPOSAL METHOD****E 1: Indicate the proposed loading method:**

	Black / Grey Water
Gravity Dose:	
Dosing Siphon:	
Pump:	Pedrollo 2/2

**E 2: If a pump is being used please provide following information:**

Total Design Head (m):	33
Pump Chamber Volume (litres):	1600
Emergency Storage Volume (litres):	0

Is a high water level alarm being installed in pump chambers?

Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
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**E 3: Identify the type(s) of Land Disposal method proposed for this site:**

	Black / Grey Water
P.C.D.I. Dripper Irrigation:	PCDI surface laid and mulched
L.P.E.D. System:	
Evapo-Transpiration Beds:	
Other:	
(as per Schematics attached)	

**E 4: Identify the Loading Rate proposed for option selected in E3:**

as per AS/NZS 1547:2012 Table L1 & M1	Black / Grey Water
Loading Rate (litres/m <sup>2</sup> /day):	2
Disposal Area Basal (m <sup>2</sup> ):	
Areal (m <sup>2</sup> ):	160

**E 6: Details and dimensions of the disposal (land application) field:**

Length (m):	33.3	No. Lines:	6	Hole Size:	N/A
Width (m):	4.8	Spacing (m):	0.8	Hole Spacing:	N/A
Notes:	160sqm of Surface laid PCDI dripline pinned at 0.8m centers and covered with a minimum covering of 100mm mulch. See schematic drawing attached.				



## **PART F: PROPOSED WASTEWATER TREATMENT SYSTEM**

A Biopod BIO32P Treatment System, fed through surface laid PCDI dripline is suitable for this site. The BIO32P Treatment System has enough capacity to accommodate 1600ltr per day, so will be well within its capacity. The land application system is designed to discharge a maximum volume of 320ltrs per day and if this is exceeded it could cause failure resulting in environmental and public harm.

## **PART G: OPERATION AND MAINTENANCE OF SYSTEM**

The operation of this complete system will be explained verbally to the owner by the Installer or Agent on Completion of Installation; also provided with Waterflow's Home Owner's Manual.

Waterflow NZ Ltd encourages the Home Owner to monitor and care for your Biopod system yourself, with our backing and support, and by doing so you will learn how your system works and operates and how to keep it in top working order.

It is also recommended that a Maintenance Program contract is in place at all times to ensure this system is maintained at top performance at all times.

All on site wastewater systems require regular maintenance; in this case once annually is suffice and may be specified within the consent process by the Building Department of Far North District Council. This Maintenance will be recorded on hard copy and supplied to both the Owner and Far North District Council Compliance Officer if requested.

**NOTE TO OWNER:** All written records pertaining to the wastewater system should be retained in a safe place. When a change of ownership occurs, a full and complete history is able to be passed to the new owners.

Animals are to be physically excluded from the installed effluent field to avoid damage, and to reduce the risk of soil compaction in the vicinity of the bed.

Planting within this area is encouraged to assist with evapotranspiration by plants.



**PART H: SOIL LOG PROFILE**

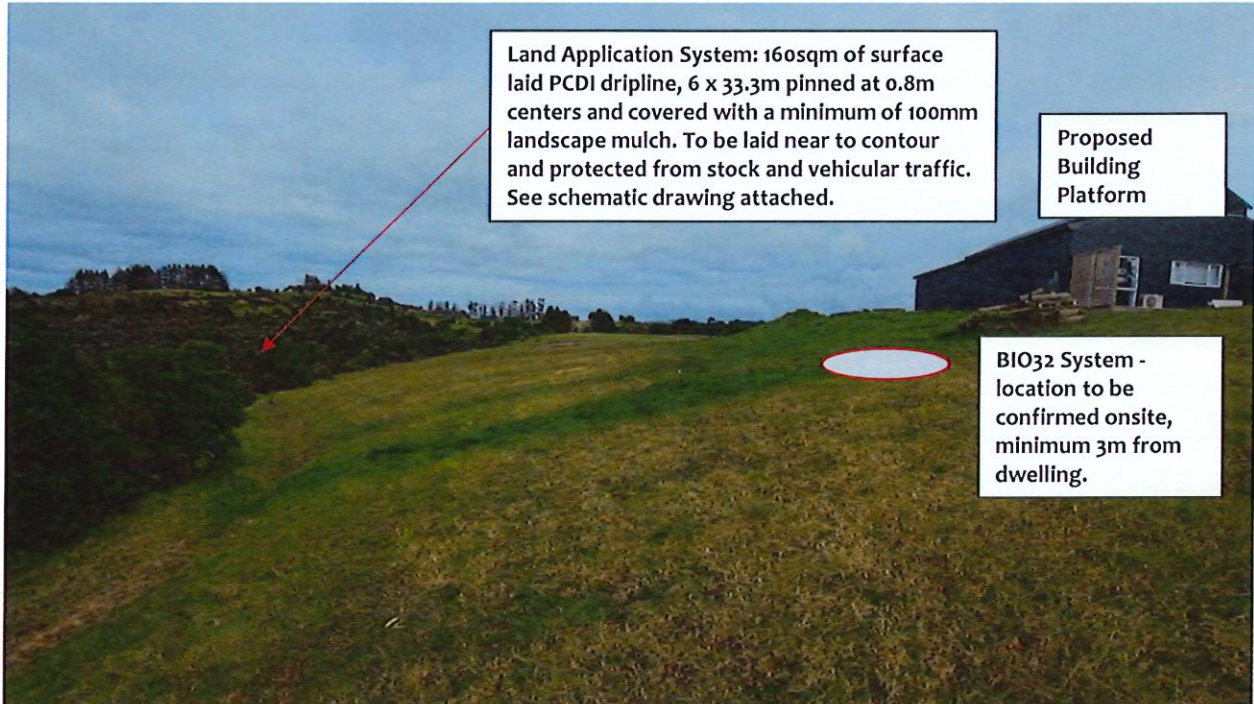


200mm silty loam topsoil over clay loam. Soil Category 5, (as per AS/NZS 1547:2012 Table E1)





## PART I: SITE IMAGES







## DECLARATION

I, hereby certify that, to the best of my knowledge and belief, the information given in this application is true and complete.

Prepared By:	
Name:	Alexandra Sabath - NZQA Onsite Wastewater Training/Opus, Approved Designer
Signature:	
Date:	2/10/2025

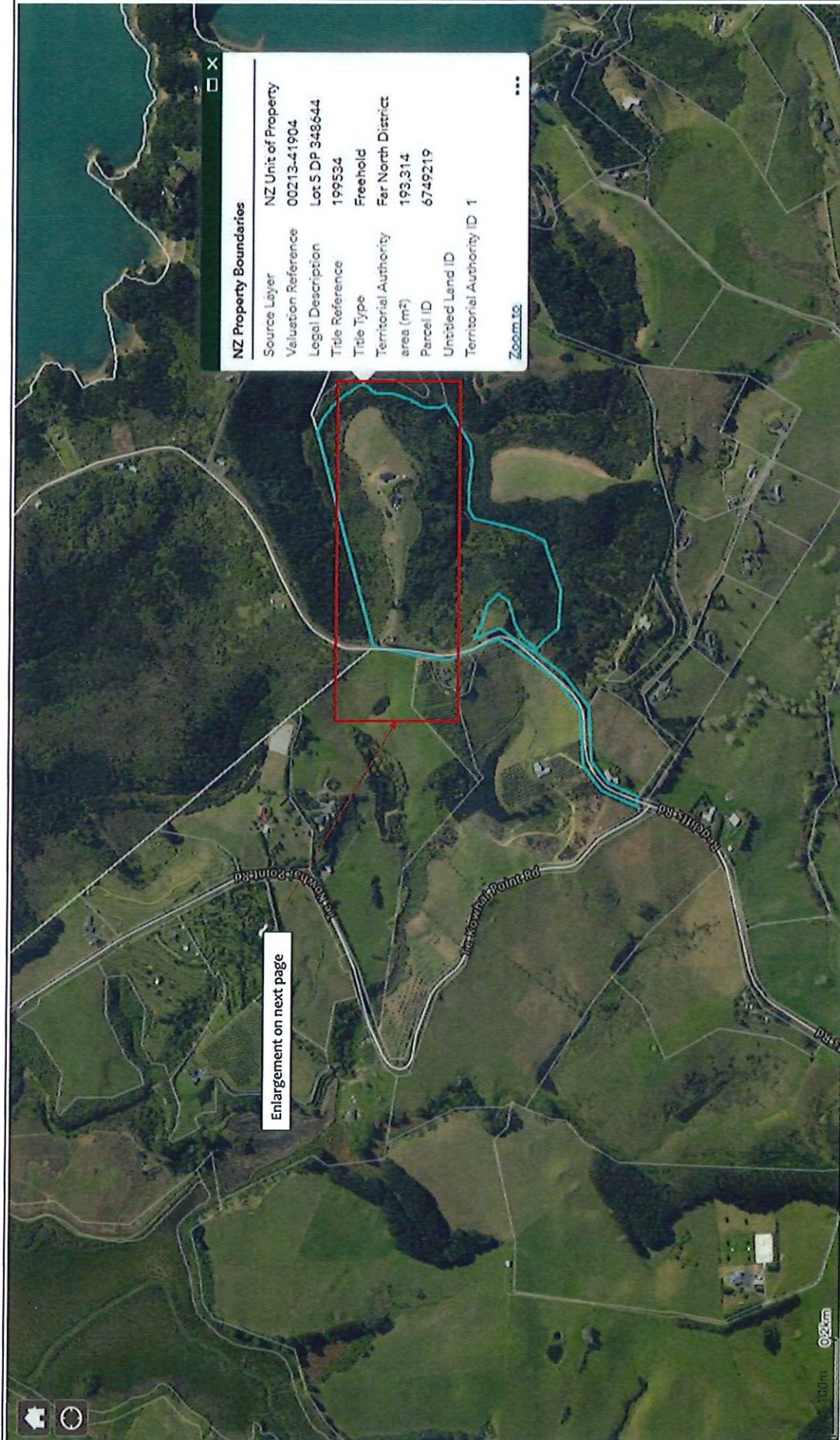
Designed By:	
Name:	Matt Riddell - PS Author '2384' Auckland Council, NZQA Onsite Wastewater Training/Opus, Approved Designer
Signature:	
Date:	2/10/2025

NOTE: The Waterflow Systems are to be installed by a registered drainlayer to the designs supplied by Waterflow NZ Ltd. All work to comply with Regional Council Water and Soil Plans.

### Comments/Summary:

<p>The disposal field will need to be protected from traffic and animal grazing. Planting this area is recommended to increase Evapotranspiration.</p> <p>Suitable plants for the disposal field can be found on our website <a href="http://www.naturalflow.co.nz">www.naturalflow.co.nz</a></p> <p>Waterflow Treatment systems to be installed by accredited installer unless other arrangements have been made by Waterflow NZ Ltd</p> <p>For more information do not hesitate to contact the team at Waterflow NZ Ltd on 0800 628 356</p>
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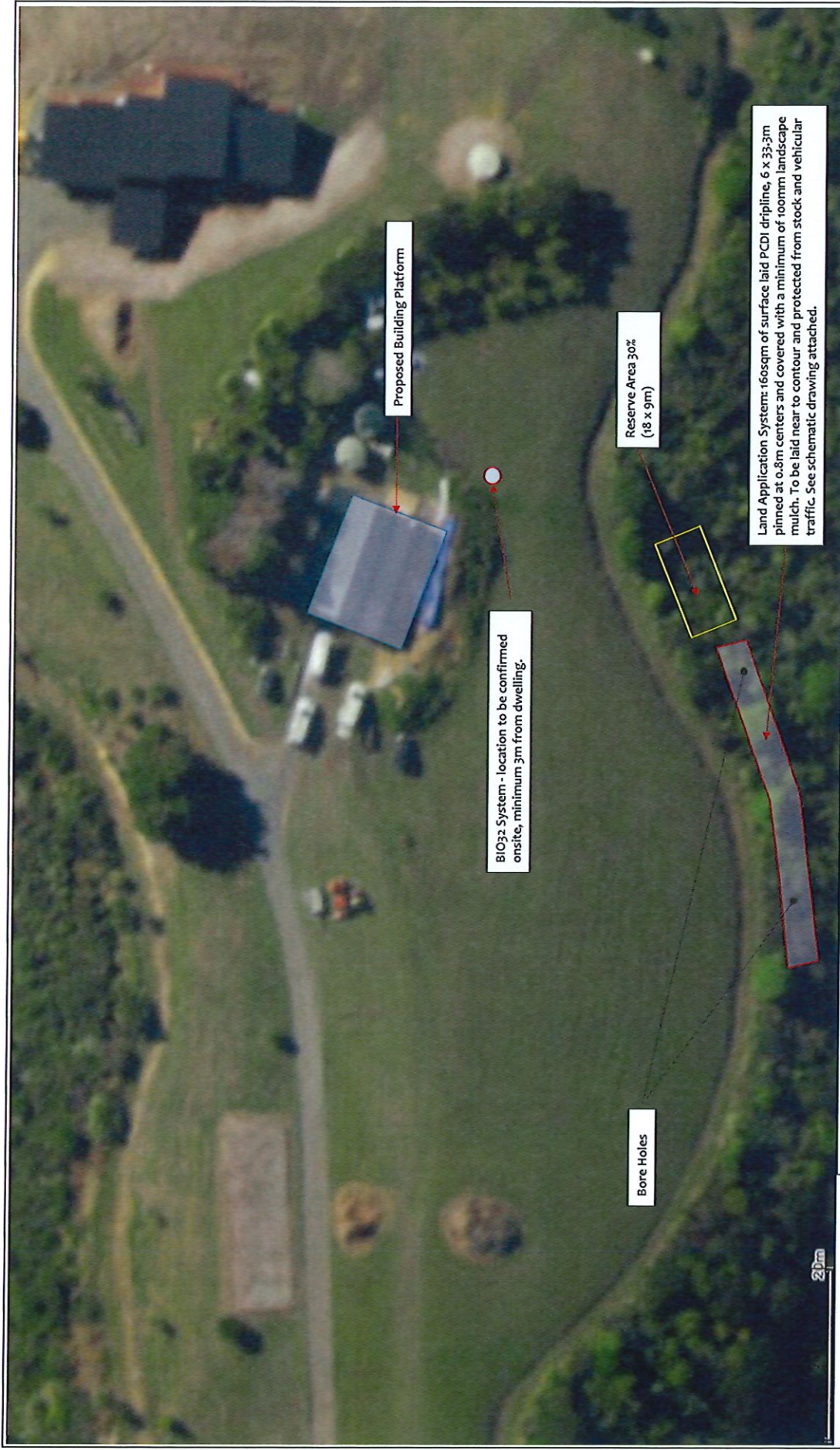




**SITE LOCATION PLAN:**  
Theodora (Doreth) van Doreen  
480 Redcliffs Road  
Kerikeri  
Lot 5DP 348644  
19.331HA

**SCALE:**  
1 : 2713  
@ A3







	 Bringing Clarity to Wastewater	DATE DRAW: 2/10/2025 PREPARED BY: Alexandra Sabath REVISED: Matt Riddell	SITE LAYOUT PLAN: Theodora (Doreth) van Doveren 480 Redcliffs Road Kerikeri Lot 5 DP 348644 19-331HA	SCALE: 1 : 430 @ A3
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No.	Date	Revision Detail
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## PROJECT: New Shed

T van Doveren

PROJECT ADDRESS:

480 Redcliffs Road

**Kerikeri**

### DRAWING: Site Plan

Drawn: BH	Date: 27/11/2025
SIGNAL: 1:2000	DRAWING No: <b>1</b>
PROJECT No: 1814	of 3

**Q&Q Total Design**  
BUILDING & LANDSCAPE DESIGN

National Bank Building  
90 Karim road,  
P.O.Box 576  
KEBKEBI 0346

Tel. (09) 407 7049  
Mobile. (021) 241 0879

E-mail: [kebk@kebk.com.af](mailto:kebk@kebk.com.af)

Provide appropriate measures to prevent or minimise sediment generation and silt run off.  
Comply with Earthworks EW-S3 Accidental Discovery Protocol and Earthworks EW-S5  
Erosion and Sediment Control - Auckland Council Guideline Document G0005.

Prevent silt run off by:

- exposing only as much ground as required at any time
- providing run off channels, contour drains or earth bunds to divert clean water away from the site on to stable sealed or grassed ground
- capture silt by the use of silt fences, vegetation buffer strips, sediment ponds or earth bunds.

Provide sediment control by:

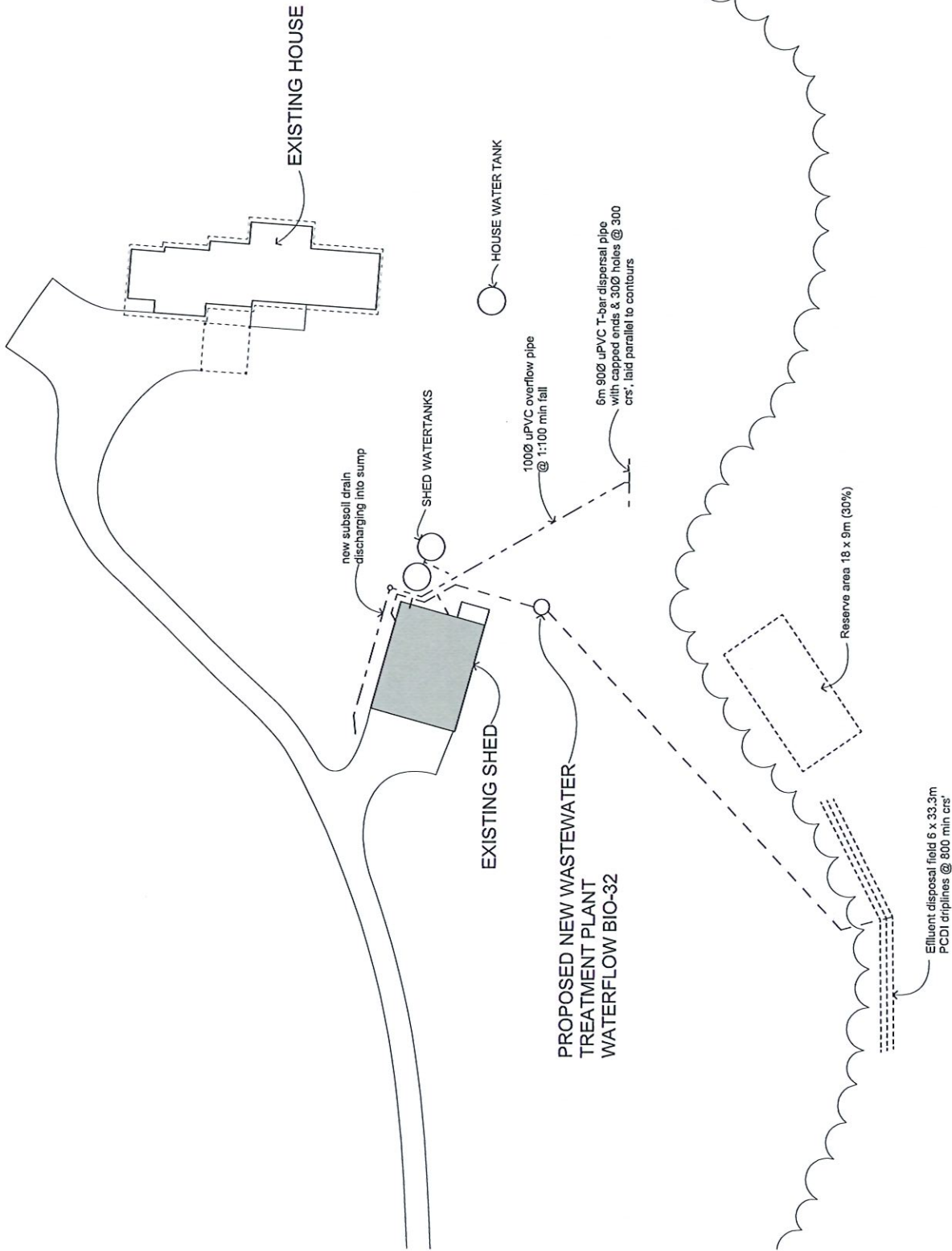
- earth bunds constructed across the slope to control and detain run off
- silt fences constructed using filter fabric stretched between posts at a maximum of 1 metre spacing.

Pump water from trenches and other areas of the site using methods to prevent sediment entering any drain or watercourse. Filter dirty water before discharging into drainage system.

1  
Site Plan  
1:2000







1:500

Part Site Plan



Always Check the LBP Register to ensure your building practitioner is licensed  
The identity and the design to comply with the Building Act 2004 and the Building Regulations 2004 are the responsibility of the Licensed Building Practitioner.

No.	Date	Revision	Detail

Check all dimensions on this plan for compliance with the Building Act 2004 and the Building Regulations 2004. All construction to comply with NZS 3604: 2011 and/or NZS 3604: 2011.

PROJECT: **New Shed**

**T van Doveren**  
PROJECT ADDRESS:  
**480 Redcliffs Road**  
**Kerikeri**  
PROJECT NAME:  
**Part Site Plan**

Drawn:	BH	Date:	27/11/2025
Scale:	1:500	Drawing No:	2
Project No:	1814	of 3	

**Total Design**  
Building & Landscape Design  
National Bank Building  
100 Main Street  
Kerikeri 5010  
Tel: (09) 437 7500  
Mobile: (021) 241 1879  
Email: [brang@totaldesign.co.nz](mailto:brang@totaldesign.co.nz)

