



Our Reference: 10921.1 (FNDC)

12 June 2026

Resource Consents Department
Far North District Council
JB Centre
KERIKERI

Dear Sir/Madam

RE: Detached Minor Residential Unit – Mulligan at 35 Kent St, Whangaroa

I am pleased to lodge application on behalf of Nick Mulligan for a Detached Minor Residential Unit that the Council deemed to not be a permitted activity under the National Environmental Standards for Detached Minor Residential Units (2025), and therefore requiring consent under the Operative District Plan.

The Form 9 indicates that there has been prior 'discussion' between the applicant and Council. This was in the form of email exchanges between the applicant's Building agent and the RC Department Manager.

The appropriate application fee has been paid separately.

Regards

Lynley Newport
Senior Planner
THOMSON SURVEY LTD

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):

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

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

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

Yes No

4. Consultation

Have you consulted with Iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

Fire and Emergency NZ

5. Applicant details

Name/s:

Nicholas Clive Mulligan

Email:

Phone number:

Postal address:

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

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

If yes, please provide details.

6. Address for correspondence

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

Name/s:

Lynley Newport at Thomson Survey Ltd

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.

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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:

8. Application site details

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

Name/s:	see item 5		
Site address/ location:	35 Kent Street		
	WHANGAROA		
	Postcode		
Legal description:	Lot 18 DP 39846	Val Number:	
Certificate of title:	NA9D/565		

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

Site visit requirements:

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

Is there a dog on the property? Yes No

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

9. Description of the proposal

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

Land Use consent for a Detached Minor Residential Unit where the Council has deemed consent is required for breaches of the zone's Residential Intensity rule, and the district wide Fire Risk to Residential Unit rule.

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

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

2009 2023

10. Would you like to request public notification?

Yes No

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

(more than one circle can be ticked):

<input type="checkbox"/> Building Consent	Enter BC ref # here (if known)
<input type="checkbox"/> Regional Council Consent (ref # if known)	Ref # here (if known)
<input type="checkbox"/> National Environmental Standard Consent	Consent here (if known)
<input type="checkbox"/> Other (please specify)	Specify/other here

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

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

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

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

Subdividing land

Disturbing, removing or sampling soil

Changing the use of a piece of land

Removing or replacing a fuel storage system

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

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

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

Flooding

Active Faults

Landslips

Liquefaction

Coastal Erosion

Tsunami

Coastal Inundation

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

14. Assessment of environmental effects:

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

Your AEE is attached to this application Yes

15. Draft conditions:

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

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

16. Billing Details:

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

Name/s: (please write in full)	Nick Mulligan
Email:	
Phone number:	
Postal address: (or alternative method of service under section 352 of the act)	— — —

Fees Information

An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

Declaration concerning Payment of Fees

I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Name: (please write in full)	Nicholas Clive Mulligan	
Signature: (signature of bill payer)		Date 11/6/2026

MANDATORY

17. Important Information:

Note to applicant

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

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

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

Fast-track application

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

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

Privacy Information:

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

18. Declaration

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

Name (please write in full)	Nicholas Clive Mulligan	
Signature		Date 11/06/2026

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

Checklist of your information

Please tick if information is provided

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

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

Nick Mulligan

CONSTRUCTION OF A DETACHED MINOR RESIDENTIAL UNIT

35 Kent Street, Whangaroa

**PLANNING REPORT &
ASSESSMENT OF ENVIRONMENTAL EFFECTS**

Thomson Survey Ltd
Kerikeri

1.0 INTRODUCTION

1.1 The Proposal

The applicant seeks to construct a 69.8m² detached minor residential unit on their property at 35 Kent Street, Whangaroa. The detached minor residential unit (DMRU) would be the second residential unit on the property, which already supports the principal dwelling.

The applicant applied for a PIM for the construction of the DMRU, pursuant to National Environmental Standard for Detached Minor Residential Units (NES-DMRU). In processing the PIM, the Council deemed that the DMRU was not a permitted activity under the NES-DMRU and as such consent was required for breaches of Rule 12.4.6.1.2 Fire Risk to Residential Unit, and Rule 8.7.5.1.1 Residential Intensity. In addition an earthworks permit (not resource consent) was required – since obtained and contained in Appendix 5.

In regard to Residential Intensity, the suggestion that this rule even needs to be considered under the DMRU, let alone be regarded as a breach, is strongly challenged. The DMRU was enacted to enable/allow a second minor dwelling, detached from the primary dwelling, regardless of the residential intensity rules applying in a zone. To suggest that a DMRU must consider the rule is non-sensical and contrary to the intent of the legislation.

This application addresses the consent requirements as identified under the Form 2AAC issued under the s35A of the Building Act (P70-2026-16) – refer to Appendix 4. The application is supported by this planning report and AEE; site and architectural plans (Appendix 1); and FENZ approval for non-reticulated firefighting water supplies, vehicular access & vegetation risk reduction for a new residential dwelling – refer to Appendix 6. A location map and copy of the record of title & relevant instruments are attached in Appendices 2 & 3 respectively.

As to the rationale of having to consider residential intensity when the NES-DMRU was enacted to 'bypass' costly consenting requirements and to encourage second (minor) residential units on sites, I find counter intuitive to say the least.

The Fire Risk to Residential Unit rule might be regarded as a rule relating to health and safety and therefore requiring compliance with such a rule be achieved in order to be a permitted activity under the NES-DMRU (Reg 7(3)(b)). In breaching that particular rule, then the way the NES-DMRU is written would suggest that resource consent must be sought under the *relevant provisions* of the applicable district plan (Reg 11). However, I do not believe that means the DMRU must be assessed under other rules. I believe Reg 11 means that a resource consent is required for the breach of the rule relating to health and safety – fire risk to residential unit – *i.e. relevant provisions*.

It is possible the Council has interpreted Reg 7(3)(a) as meaning the DMRU is subject to compliance with rules in the district plan applying to the principal residential unit; and that Residential Intensity is one such rule. However, that rule applies to principal residential units only – not 'detached minor residential units' by definition under the Regulations. It would seem that if you have Regulations specifically providing for a detached minor residential unit, and specifying bulk and location requirements to be achieved, that it is non sensical and counter intuitive to the intent of the Regulations to infer that Reg 7(3)(a) requires compliance with a rule applying to principal residential units' residential intensity.

This application conservatively includes both asserted rule breaches even though I believe the Regulations intend that it only be the one health and safety rule (Fire Risk to Residential Unit) that requires resource consent.

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 to construct a Detached Minor Residential Unit, pursuant to the NES-DMRU, but deemed to require resource consent under the Operative District Plan.

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. There are no other activities that are part of the proposal to which the application relates, and no other resource consents required other than those addressed in this application.

2.0 PROPERTY DETAILS

Location: 35 Kent Street, Whangaroa

Legal description: Lot 18 DP 39846, contained in Record of Title NA9D/565, 2421m² in area.

3.0 SITE DESCRIPTION

3.1 Physical characteristics

The site is accessed off Kent Street. It is zoned Coastal Residential under the Operative District Plan (ODP), and General Residential with coastal environment overlay, under the Proposed District Plan (PDP), the latter having no legal effect at time of lodging this application.

The site is reasonably steep, with views in a generally southerly direction out over the inner Whangaroa harbour. The site is surrounded by similarly zoned and developed sites.

The existing dwelling on the site is situated at the site's upper (northern) end, with the DMRU proposed to be at the lower (southern) end of the site.



Photo provided by applicant. DMRU building site, looking southwest.

The site is not mapped as containing any natural hazard, and Council has already confirmed that the proposed DMRU is not subject to any hazard. There is no significant indigenous vegetation or habitat within the site, and no heritage or cultural values or archaeological site.

3.2 Legal Interests

The property is subject to, and has appurtenant, rights of way.

3.3 Consent History

The property file shows the following:
BP2007416, issued in 1967 for dwelling plumbing and drainage;

BP10654453, issued in 1968 for a garage;
BC-2003-479, issued in 2002 for a new carport;
RC 1960342, issued in 1996 for easements;
RC 2000010-RMASUB, issued in 2000, also for easements; and
3002288-LGAEWK, issued recently for earthworks permit.

4.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION

This application is for breaches of rules in the Operative District Plan and contains the information required under Schedule 4 of the Act, to a level commensurate with the type of activity and consent being sought. The site has been described; the reason for seeking consent is provided; an Assessment of Environmental Effects (AEE) and supporting information is provided.

5.0 COMPLIANCE ASSESSMENT

5.1 NES-DMRU

The NES-DMRU came into force on 15 January 2026. Reasons and benefits for introducing such legislation include:

- Reducing cost and time involved, by way of bypassing traditional, expensive, and slow resource consent processes;
- National consistency;
- Encouraging the supply of affordable, alternative housing options in residential, rural, mixed use and Maori purposes zones;
- Providing for multi-generational living, enabling families and whanau to accommodate elderly parents or adult children on the same property while maintaining independence;
- Providing a realistic pathway for homeowners to build rental properties, helping to offset mortgages and increase property equity.

The above is sourced from the MfE website. It shows the intent of the NES-DMRU is to bypass resource consent processes. As assessment against the requirements of the NES-DMRU follows:

5 Permitted activity:

- (1) One DMRU per site is a permitted activity within the following district plan zones:
- (a) Māori purpose zone:
 - (b) mixed use zone:
 - (c) residential zone:
 - (d) rural zone.

The proposal meets the above requirement – one DMRU per site and in a residential zone.

- (2) Subclause (1) applies only if the DMRU—
(a) complies with the standards set out in regulation 6; and
(b) satisfies the requirements of regulations 7 and 8.

Assessment of the matters set out in Regulations 6, 7 and 8 follows:

- (3) This regulation is subject to regulation 9.
(4) See also regulation 11.

6 Permitted activity:

The standards are as follows:

Floor area

- (7) the DMRU must have a floor area that is equal to or less than 70 square metres:

Complies.

Building coverage

- (b) the building coverage for the site must—
(i) be no more than 50% in a residential zone:

Complies.

Setback from principal residential unit

- l the DMRU must be set back no less than 2 metres from the principal residential unit:

Complies.

Setback from boundary

- (d) the DMRU must—
(i) be set back no less than 2 metres from the front, side, and rear boundaries of the site in a residential zone:

Complies.

7 District plan rules and standards

- (1) A DMRU must comply with the rules and standards in a district plan that deal with the matters in subclause (2) if they are applicable to the DMRU.
(2) The matters are—
(a) subdivision of land;
(b) matters of national importance under section 6 of the Act;
(c) the use of the DMRU other than for residential activities;
(d) papakāinga;
(e) earthworks.

The only matter listed under (2) above that is relevant to this proposal is earthworks, and no consent is required under the District Plan in regard to earthworks – only a permit under the Earthworks Bylaw. This has already been granted.

- (3) A DMRU must comply with the rules and standards in a district plan that –
- (a) apply to the DMRU ' s principal residential unit; and
 - (b) manage effects relating to health and safety, including those relating to –
 - (i) any natural hazard risk not already taken into account under subclause (2)(b) (for example, minimal floor level requirements to manage flooding effects):
 - (ii) reverse sensitivity;
 - (iii) site-specific infrastructure requirements (for example, infrastructure requirements associated with drinking water, wastewater, and stormwater).

The regulations are unclear in their intent in regard to (3)(a). The regulations are specific in regard to setback; separation; size and coverage – where specific standards in the regulations over-ride rules in the District Plan applying to the principal residential unit. To then include a requirement to comply with rules that apply to the principal residential unit seems contradictory and contrary to the intent of the regulations to say the least. The Council has applied the residential intensity rule which is definitely contrary to the regulations' intent. In short, I do not believe it is the intent of (3)(a) to apply the residential intensity rule in the District Plan, even though it is a rule applying to the principal residential unit.

The Fire Risk to Residential Unit rule in the District Plan is related to health and safety in regard to a natural hazard, namely fire. In this instance, the natural hazard risk is mitigated such as the risk is minimised, however, technically, and to the letter of, (3)(b) above, the proposed DMRU is required to comply with the Fire Risk to Residential Unit rule, which it cannot.

Parts (ii) and (iii) are satisfied.

- (4) No other rules or standards in a district plan apply to a DMRU, including, to avoid doubt, rules or standards relating to –
- (a) amenity values;
 - (b) minimum requirements for –
 - (i) individual outdoor open space, privacy, or sunlight access;
 - (ii) facade glazing or total area of glazing;
 - (iii) parking.

This rule provides yet more evidence that the Council need not consider the Residential Intensity rule applying in the zone. The rule is based around amenity values and outdoor open space, privacy and sunlight access, amongst other things. The DMRU regulations clearly state that rules relating to such matters, do not apply.

8 Regional plan rules

A DMRU must comply with any rules in a regional plan that are applicable to the DMRU.

No Regional rules apply.

11 When DMRU needs resource consent

- (1) Resource consent for a DMRU must be sought under the relevant provisions of the applicable district plan if the DMRU does not satisfy the requirements of these regulations.

I believe the above requirement can be easily mis-construed to meaning that if the DMRU fails to meet even one of the requirements listed earlier, that means it then has to be assessed for compliance against rules in the District Plan applying to the site. What I believe it means is that if the DMRU needs a consent under one of the requirements listed above, then that is the resource consent required for the DMRU, nothing more – hence the words “relevant provisions”.

I therefore interpret the resource consent requirement to be only for the Fire Risk to Residential Unit breach. In the interests of completeness and to avoid the risk of having an application rejected, however, this application includes the perceived residential intensity breach.

5.2 Operative District Plan

Under the ODP, this application site is zoned Coastal Residential. The ODP's Chapter 12.4 contains a rule in regard to Fire Risk to Residential Unit (12.4.6.1.2) which reads:

“Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest.”

The Council has expressed the view that the proposed DMRU is closer than 20m from said 'dripline', albeit it is difficult to identify any 'natural occurring or deliberately planted area of scrub or shrubland, woodlot or forest'. This is an urban zone, dominated by residential development, as opposed to shrubland, woodlot or forest.

The zone's permitted activity residential intensity threshold is one dwelling per 3,000m² unsewered site. Firstly I do not believe this rule need be assessed because it should not apply, and secondly, the rule is only about principal residential units, not detached 'minor' residential units. On two counts, therefore, I believe the rule to be not applicable. In case the Council does not concur, the application includes breaches of both permitted and restricted discretionary residential intensity thresholds.

The breaches of ODP rules results in discretionary activity consent being required.

5.3 Proposed District Plan

The FNDC publicly notified its PDP on 27th July 2022. Decisions on submissions had not yet been notified to submitters at the time of lodging this application, therefore no rules in the PDP, relevant to this application, have legal effect at the time of lodging this application.

The equivalent rule in the PDP (wild fire) was very similar to that in the ODP, at time of public notification of the PDP. However, recommended decisions on submissions removes the 20m separation requirement from applying to urban zones and leaves the only requirement being one of having an approved fire fighting water supply – which this proposal has. In addition, the PDP shifts the default category of activity for being unable to meet the permitted standard, to restricted discretionary rather than full discretionary.

The General Residential (proposed PDP zoning for the site) requires 3000m² for a stand alone residential unit, with a breach of that defaulting to discretionary activity status. Minor residential units are also a discretionary activity in the zone.

6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

In regard to the Fire Risk to Residential Unit rule breach, the relevant matters to consider when assessing effects, are those related to fire risk to a residential dwelling are those addressed below.

6.1 Availability, Accessibility and Adequacy of Water Supply

The applicant lodged application with FENZ for a non reticulated firefighting water supply, vehicular access and vegetation risk reduction for the proposed DMRU – refer to Appendix 6 for the Approval issued.

This showed adequate clearance and access for fire appliance vehicles, and a water supply of sufficient volume (10,000l) approximately 6m from the proposed dwelling. Water supply tanks are clearly visible from arrival point to the site. A site plan with dimensions and location of building and tanks was provided as part of the application to FENZ. The vegetation risk reduction strategy to be employed includes the use of metal roofing and metal colorsteel spouting; thinning scrub and removal of flammable debris, keeping lawns maintained; and selecting fire resistant plants for any new planting, kept away from the new DMRU.

FENZ approved the application on 28th April 2026.

6.2 Degree of fire risk to the DMRU arising from the proximity of the woodlot or forest and vice versa

This is not overly applicable in this instance because the site is urban in nature with no planted or natural woodlot or forest in proximity to the DMRU. At most there is scattered scrubland with the odd larger tree.

6.3 Mitigation measures proposed

Refer to commentary under 6.1.

6.4 Size and scale of residential unit

The application is for a minor residential unit, less than 70m² in size. This in itself is a mitigated factor because the smaller the building, the less dedicated fire fighting water supply is required, and less risk of fire spreading.

6.5 Use of building materials to reduce fire risk

Refer to commentary under 6.1.

6.6 Extent and type of vegetation present

As can be seen from the photographs below (provided by the applicant), it is difficult to be convinced that there is actually any "dripline" of any area of forest or woodlot, or shrubland or scrubland, from which to build 20m away from. The surrounding vegetation is scrappy, with no continuous canopy.



Vegetation to the south of building site.



Vegetation to the east.



Vegetation to the north.



Vegetation to the west.

6.7 Nature and density of any planting to reduce fire risk, including use of low flammability species

Refer to commentary under 6.1.

In regard to the residential intensity resulting from one principal dwelling and one minor residential unit, the following assessment is offered:

6.8 Character and appearance

The above is a purely an amenity based assessment criteria – something the DMRU is clear should not be applied to a DMRU. In short the regulations are not concerned with how something looks.

The minor residential unit is separated from the principal dwelling, by distance, by topography and by vegetation. As such it need not resemble or 'copy' the design of the principal unit.

6.9 Outdoor areas relative to adjacent properties

This assessment criteria is related to 'amenity' and "privacy", matters the DMRU states should not be considered for a DMRU. Notwithstanding that, the proposed site for the DMRU is not overly visible from any adjacent site, and vice versa. I do not believe it adversely impacts on adjacent properties.

6.10 Landscaping as a mitigation against adverse effects

To add vegetation would contradict the intent of mitigating against the fire risk to a residential unit. In any event, no additional landscaping is considered necessary.

6.11 Vehicle access, parking and manoeuvring

Parking spaces are no longer required under the ODP. Access to and within the site is existing.

6.12 Servicing Requirements

Refer to PIM application and PIM issued. Servicing of the DMRU is provided for.

6.13 Visual and aural privacy between principal dwelling and DMRU

Refer above. The two units are quite separate, at different elevations and separated by distance and existing vegetation.

6.14 Visual effects on the coastal environment and indigenous vegetation

The site is in a built up urban area, with limited viewing audience – basically restricted to the harbour and across the harbour views towards the site. One small and discrete building has minimal, if any visual impact on the coastal environment and nil impact on indigenous vegetation.

In summary I believe the DMRU, as proposed, can adequately mitigate against the risk of fire, and has no adverse effects in terms of a second residence (and minor) on the property.

7.0 STATUTORY ASSESSMENT

7.1 District Plan Objectives and Policies

Objectives and policies relevant to this proposal are those listed in Chapter 12.4 Natural Hazards, specifically fire hazard; and Chapter 10.8 relating to the Coastal Residential Zone. There is a single objective and a single policy in Chapter 12.4 relating to fire risk:

12.4.3.7 To avoid fire risk arising from the location of residential units in close proximity to trees, or in areas not near fire fighting services.

12.4.4.7 That the risk to adjoining vegetation and properties arising from fires be avoided.

Both the objective and policy are flawed in my opinion, because in urban areas in particular, it is often not possible to 'avoid' fire risk because the vegetation is not even on the application site. Properties are typically small in urban areas, with a higher level of density of housing than in non urban areas. This is a factor recognised in recommendations regarding the PDP's wild fire provisions, but not recognised in the ODP.

In regard to the above objective 12.4.3.7, there are very few actual 'trees' in proximity to the proposed building site. In addition the site is shown as being less than 10 minutes from the Kaeo Fire Station.

In regard to the policy, the most that can be achieved, noting that the majority of the 'vegetation' the Council seems to think is an issue is on adjacent property, is to mitigate the risk of fire as much as practical – something that I believe the FENZ approval shows is being achieved.

The Coastal Residential zone's objectives and policies are addressed below:

Objective 10.8.3.1 is an enabling objective, promoting the development of residential activity in and around existing coastal settlements. The proposed DMRU is consistent with this objective. The development is appropriate for the site (10.8.3.2). Policy 10.8.4.1 enables a

range of housing types and forms of accommodation to be providing, recognising the diverse needs of the community and the coastal location of the zone. The proposed DMRU is consistent with this policy.

Policy 10.8.4.3 seeks to ensure that residential activities have sufficient land associated with each household unit to provide for outdoor space and sewage disposal. The proposed DMRU is separated from the principal dwelling to the extent that each retains its own outdoor space. It has been shown, during the building consent process, that the sewage treatment and disposal is feasible on site. Policy 10.8.4.4 seeks to ensure that the portion of a site covered in buildings and other impermeable surfaces be limited to enable open space and landscaping around buildings and avoid or mitigate the effects of stormwater runoff on receiving environments. This is readily achieved by the proposal.

The DMRU has adequate access to sunlight and daylight (10.8.4.5); and ensures a reasonable level of privacy and amenity for inhabitants of buildings (10.8.4.7).

7.2 Proposed District Plan Objectives and Policies

Whilst no rules in the PDP relevant to the site and proposed DMRU had legal effect at time of lodging this application, it is nonetheless a requirement to assess the proposal against relevant objectives and policies in the PDP.

The PDP contains an equally limited 'suite' of objectives and policies in its Natural Hazards section specifically related to 'wildfire' risk. There are two generic objectives of relevance:

NH-01

The risks from natural hazards to people, infrastructure and property, infrastructure and the environment are managed, including taking into account the likely long-term effects of climate change, to ensure the health, safety and resilience of communities.

NH-02

Land use and subdivision does not increase the risk from natural hazards or risks are mitigated, and existing risks are reduced where there are practicable opportunities to do so

And a single policy related to risk of wildfire:

NH-P9

Manage land use and subdivision for vulnerable activities that may be susceptible to wildfire risk by requiring:

- a. setbacks from any contiguous scrub or shrubland, woodlot or forestry;*
- b. access for emergency vehicles; and*
- c. sufficient accessible water supply for firefighting purposes.*

The approval from FENZ demonstrates a 'management' approach (NH-01). Risk has been mitigated as much as practicable (NH-02).

The 'vegetation' in question is neither a woodlot or forestry, nor shrubland – being better described as scattered and varied species 'scrub' with individual larger trees. Reasonable setback can be achieved. Emergency vehicles can access the site and sufficient accessible water supply for fire fighting purposes can be provided.

The property is proposed to be zoned General Residential in the PDP, with a coastal environment overlay. Relevant Objectives and Policies applying to the General Residential Zone are addressed below.

GRZ-01

The General Residential zone provides a variety of densities, housing types and lot sizes that respond to:

- a. housing needs and demand;*
- b. the adequacy and capacity of available or programmed development infrastructure;*
- c. the amenity and character of the receiving residential environment; and*
- d. historic heritage.*

GRZ-02

The General Residential zone consolidates urban residential development around available or programmed development infrastructure to improve the function and resilience of the receiving residential environment while reducing urban sprawl creating well-functioning urban environments.

GRZ-04

Land use and subdivision in the General Residential zone is supported where there is adequacy and capacity of available or programmed development infrastructure.

GRZ-05 Land use and subdivision in the General Residential zone provides communities with functional and high amenity living environments.

GRZ-06 Residential communities are resilient to changes in climate and are responsive to changes in sustainable development techniques.

The proposed DMRU is consistent with GRZ-01 in providing for a minor residential unit and maintaining the amenity and character of the area. The proposal represents in-fill of existing urban development as opposed to urban 'sprawl' (NRZ-02). The site is not served by Council 3 waters and remains self sufficient in this regard. The proposal is not contrary to any of the above objectives.

The coastal environment objectives seek to identify and manage natural character values, ensuring their long term preservation and protection from inappropriate land use; and that development does not result in urban sprawl. The proposal is consistent with these objectives, firstly because of the urban nature of the site, and therefore reduced 'natural character' values in the first instance, but also because it does not represent 'urban sprawl'.

Policies CE-P1 and P2 focus on areas of high and outstanding natural character. The application site has neither.

Policy CE-P3 seeks the avoidance of significant adverse effects and avoiding, remedying or mitigating other adverse effects on land with natural character values but outside any area of Outstanding Landscape or Character. As stated earlier, the site is urban with built development dominant. This reduces natural character values. In addition, adverse effects are being mitigated.

Policy CE-P4 seeks to preserve the integrity of the coastal environment by, amongst other things, consolidating land use around existing urban centres and avoiding sprawl. The proposal is consistent with this policy.

Policy CE-P5 is an 'enabling' policy, providing for changes in character of some existing urban areas. This supports the proposed development. CE-P8 Encourages the restoration and enhancement of the natural character of the coastal environment. I do not believe that this is appropriate or necessary in an urban area zoned for residential development.

CE-P10 lists a number of factors to consider when managing land use to preserve and protect the natural character of the coastal environment. These have been considered, where relevant, however it is important to note that the site is urban, with built development dominating.

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 provides for peoples' social and economic well being, and for their health and safety, while sustaining the potential of natural and physical resources, safeguarding the life-supporting capacity of air, water, soil and the ecosystems; and avoiding, remedying or mitigating adverse effects on the environment.

6 Matters of national importance

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

-
- (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.

The application site is in an area zoned (and developed) for residential living. As such 'natural character' is less than that found on open and pristine coastlines and headlands. The proposal is appropriate for the site. There is no requirement for public access and I do not believe the proposal affects the relationship of Maori with their culture and traditions with water. Heritage values are not adversely affected. There is no significant risk of hazard. The site has no outstanding landscape or biodiversity values.

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.

Regard has been had to any relevant parts of Section 7 of the RMA, "Other Matters". These include 7(b), (c), (d) and (f). It is considered that the proposal represents efficient use and development of a site. Amenity values will be maintained as will the quality of the environment. The proposal has had regard to the 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 proposed subdivision 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 National Policy Statements and Environmental Standards

The proposal is a dwelling in a zone supporting residential use. I have not identified any NES relevant to the proposal, other than the enabling NES-DMRU, under which the applicant first lodged application for a PIM. The site contains no Highly Productive Land and is not zoned for Rural Production.

7.5 Regional Policy Statement for Northland

I consider the proposal to be consistent with the RPS for Northland. The site is not at risk of sea level rise and not mapped as being subject to any coastal flood hazard or erosion hazard.

7.6 Regional Plans

The proposal does not require any consent under any Regional Plan.

8.0 CONSULTATION & s95A-E ASSESSMENT

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. No such circumstances exist. 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. I have not identified any affected persons. Refer to section 8.4 below.

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. In this instance effects on adjacent properties are less than minor, for the reasons outlined in section 6 of this report. The applicant has consulted with Fire and Emergency NZ in order to obtain approval for a non reticulated fire fighting water supply.

9.0 CONCLUSION

The site is considered suitable for the proposal, and effects on the wider environment are less than minor. The proposal is consistent with the relevant objectives and policies of the Operative and Proposed District Plans, 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

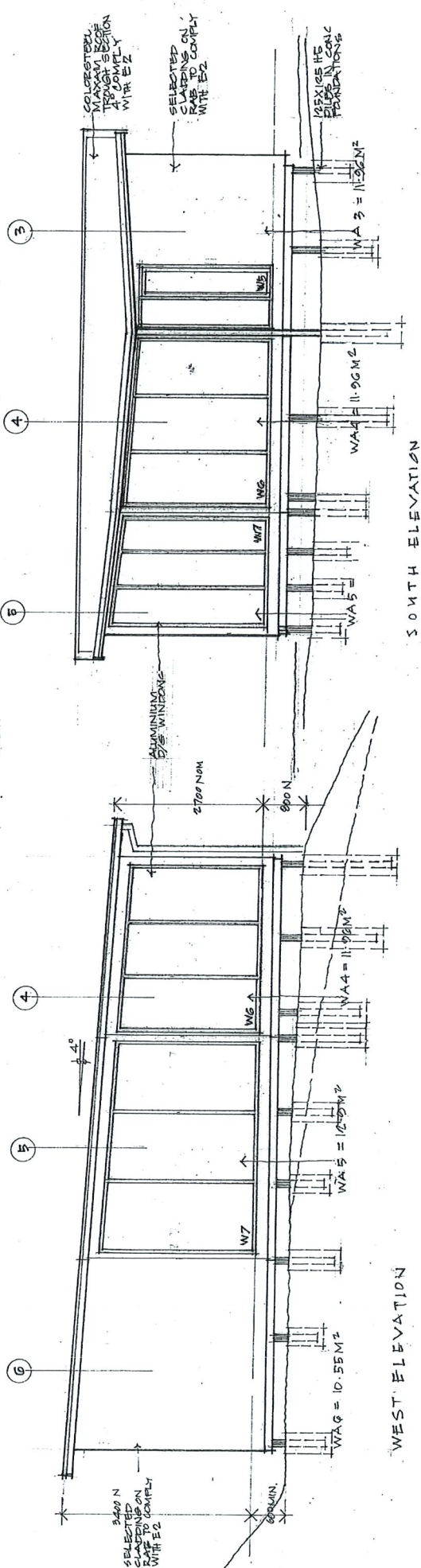
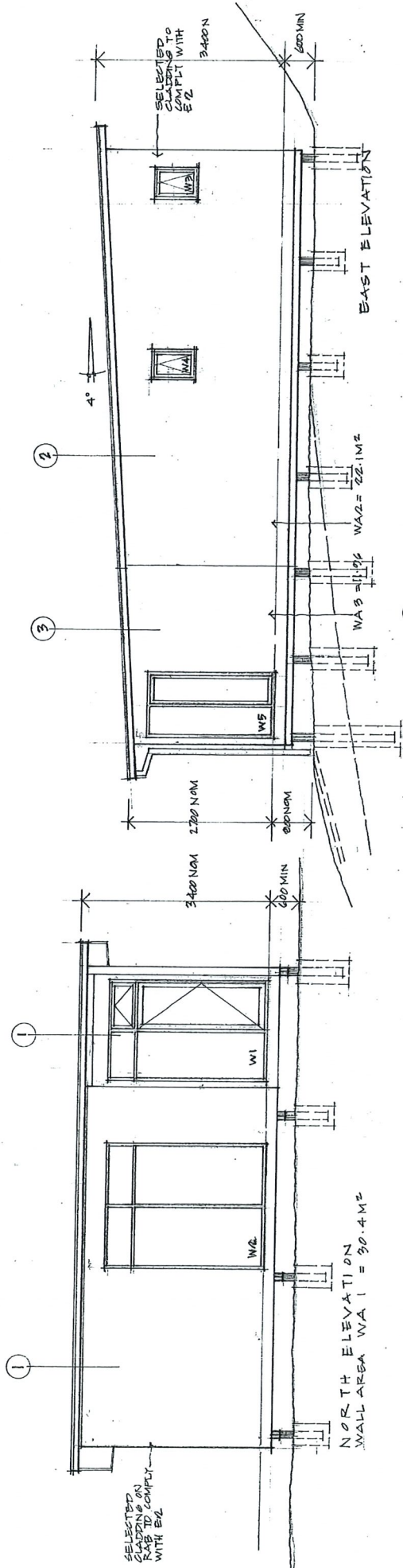
Date 12th June 2026

10.0 APPENDICES

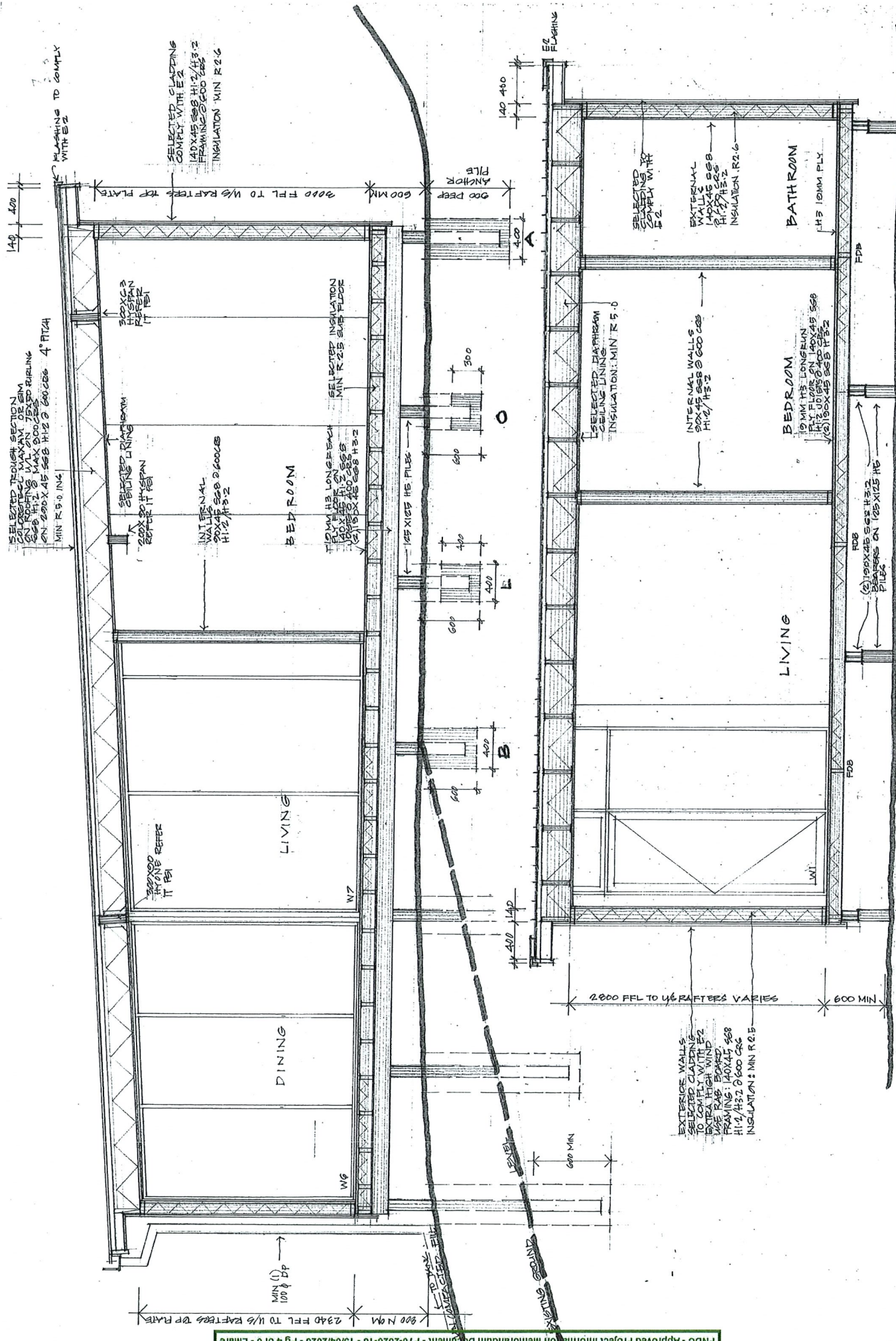
Appendix 1	Site, Floor and Elevation Plans
Appendix 2	Location Map
Appendix 3	Record of Title & Easement Instruments
Appendix 4	Form 2AAC for P70-2026-16
Appendix 5	3002288-LGAEWK
Appendix 6	FENZ Approval

Appendix 1

Site, Floor and Elevation Plans

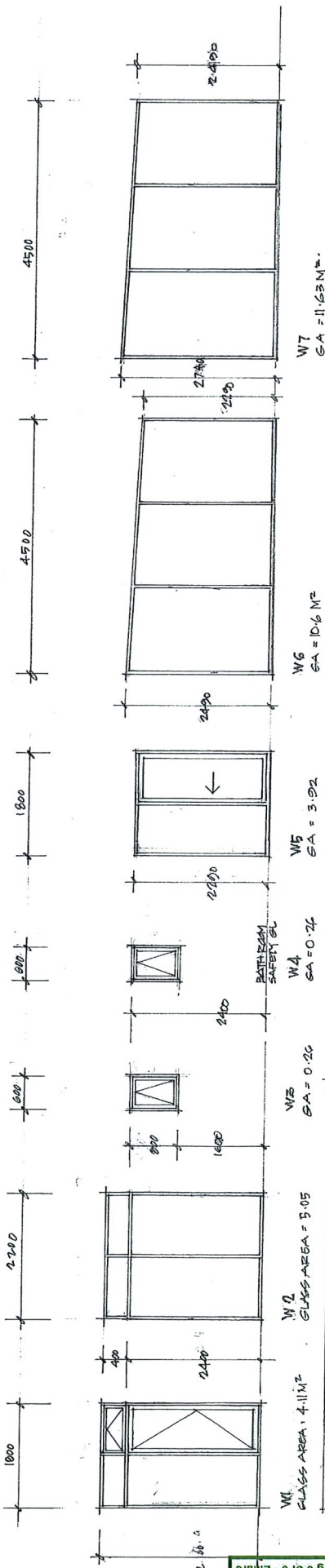


WALL AREA SCHEDULE	
WA1	= 30.4 M²
WA2	= 22.1 M²
WA3	= 11.96 M²
WA4	= 11.96 M²
WA5	= 12.00 M²
WA6	= 10.55 M²
TOTAL WALL AREA = 99.87 M²	



FNDC - Approved Project Information Memorandum Document - P70-2026-16 - 13/04/2026 - Pg 4 of 6 - Lmare

PROPOSED	70M2	AT 35 KENT STREET	WHANGAROA	CONSTRUCTION CROSS SECTIONS	A 4
VICTOR WILMAR	ARCHITECTURE	RENDERED	021 633249	SCALE: 1:250 A2	2/1
			MARCH 2026		



W7
GA = 11.63 M²

W6
GA = 10.6 M²

W5
GA = 3.92

W4
GA = 0.74

W3
GA = 0.30

W2
GLASS AREA = 5.05

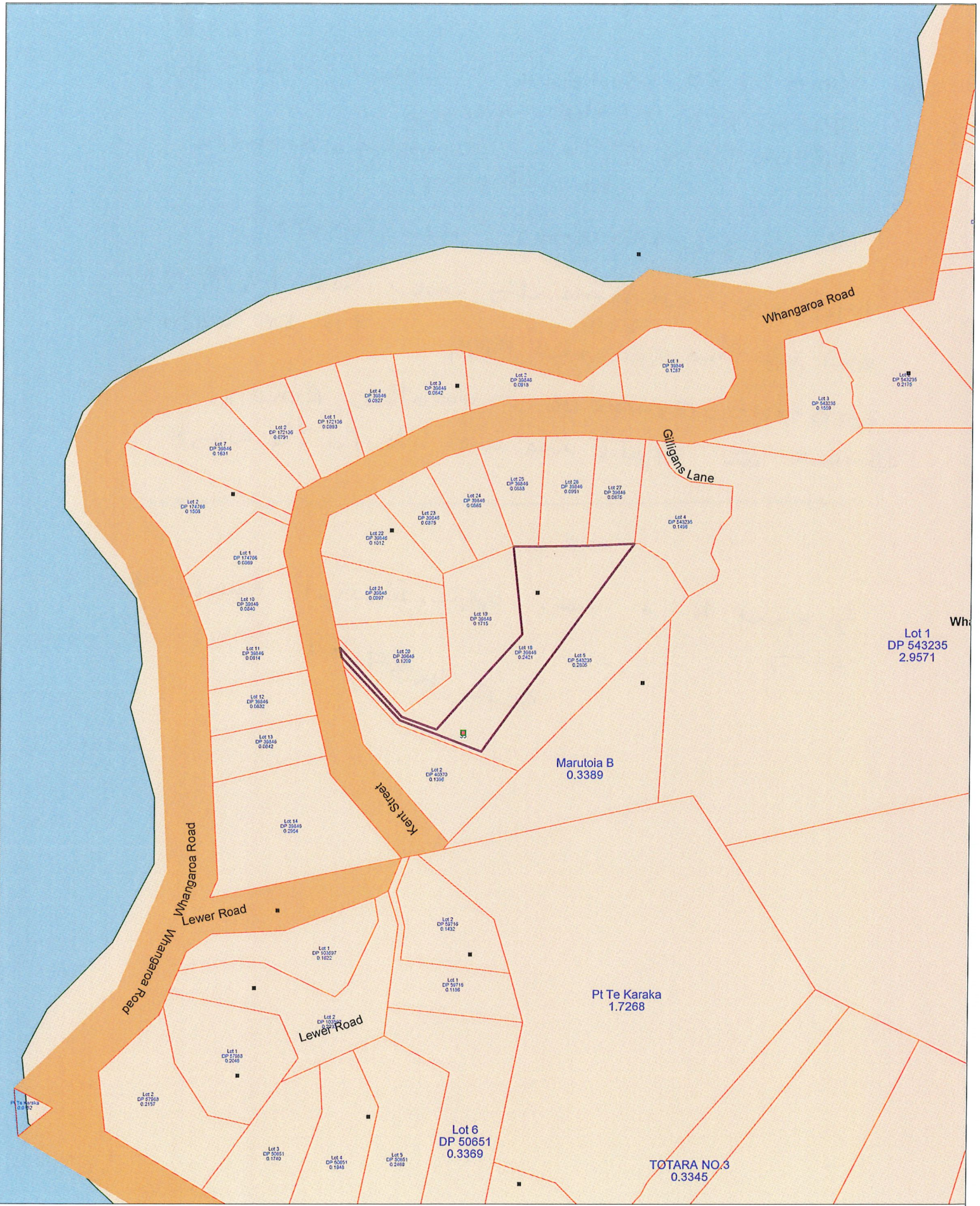
W1
GLASS AREA = 4.11 M²

TOTAL GLASS AREA = 37.38 M² = 57.43% GLASS.
TOTAL WALL AREA = 59.87 M²
% CALCULATION METHOD CAN BE USED FOR HI CALLS.

- WINDOW NOTES SIZE
1. ALL WINDOWS TO COMPLY WITH NZS 4203:3 (2016)
 2. ALL WINDOWS TO BE MIN R0.9G
 3. ALL WINDOWS DESIGN TO COMPLY WITH EXTRA HIGH WIND ZONE
 4. ALL WINDOWS H32 REVEALS
 5. OWNER TO CONFIRM CLADDING AND FRAMING TYPE / DEPTH

Appendix 2

Location Map



Appendix 3

Record of Title & Easement Instruments



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




R. W. Muir
Registrar-General
of Land

Identifier **NA9D/565**
Land Registration District **North Auckland**
Date Issued 07 September 1966

Prior References
NA861/193

Estate Fee Simple
Area 2421 square metres more or less
Legal Description Lot 18 Deposited Plan 39846

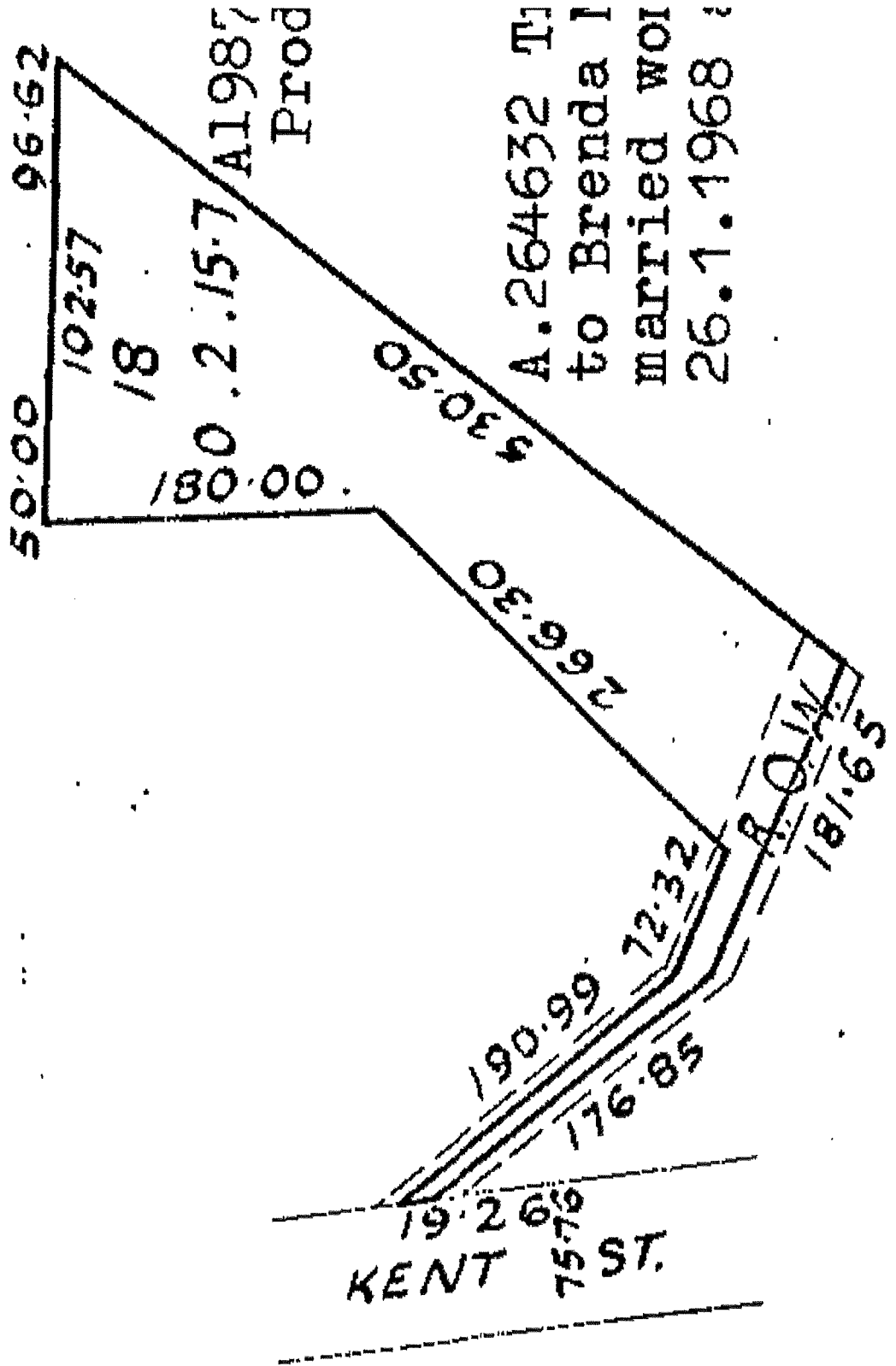
Registered Owners

Iain Lewis Hamilton and Nicholas Clive Mulligan as to a 27/50 share
Nicholas Clive Mulligan as to a 23/50 share

Interests

K39169 Building Line Restriction
Appurtenant hereto is a right of way created by Transfer 527315
Subject to a right of way over part coloured yellow on DP 39846 created by Transfer 527315
Appurtenant hereto is a right of way created by Transfer A172778 - 7.9.1966
Subject to a right of way over part coloured yellow on DP 39846 created by Transfer A172778 - 7.9.1966
D519226.1 Certificate pursuant to Section 348(3) Local Government Act 1974 - 29.6.2000 at 1.37 pm (Affects DP 178540)
Subject to a right of way over part marked B on DP 178540 created by Transfer D519226.2 - 29.6.2000 at 1.37 pm
Appurtenant hereto is a right of way created by Transfer D519226.2 - 29.6.2000 at 1.37 pm
Appurtenant hereto is a right of way, rights to convey electricity, telecommunications, computer media and water created by Easement Instrument 6566845.3 - 9.9.2005 at 9:00 am

VII Whangaroa S.D. coloured yellow
(1) Lot 17 (1)
created by



TRANSFER

Land Transfer Act 1952

This page does not form part of the Transfer.

TRANSFER
Land Transfer Act 1952

If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District

North Auckland

Certificate of Title No. All or Part? Area and legal description — Insert only when part or Stratum, CT

(i) 1077	251	All	
(ii) 9D	565	All	
(iii) 9D	566	All	
(iv) 13D	586	All	

Transferor Surnames must be underlined

(i) JANE CATHCART FERGUSON, IAIN LEWIS HAMILTON, JOHN FRANCIS PAK and NICHOLAS CLIVE MULLIGAN (CT 1077/251) (as to the easements over that part marked "A" on Deposited Plan 178540) (continued on page 2 of Annexure Schedule)

Transferee Surnames must be underlined

(i) JANE AMBER ROOKE and STEWART JOHN SHEARD (CT 13D/586) as to the easement firstly described
 (ii) JANE CATHCART FERGUSON, IAIN LEWIS HAMILTON. (continued on page 2 of Annexure schedule)

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

Right of Way (continued on page 2 of Annexure Schedule)

Consideration

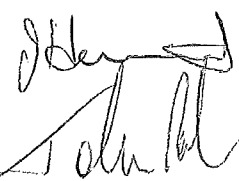


\$1.00

Operative Clause

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

Dated this 14th day of June 2000

Attestation

  	Signed in my presence by the Transferor <u>JANE CATHCART FERGUSON</u> Signature of Witness _____ and IAIN LEWIS <u>HAMILTON</u>
	Witness to complete in BLOCK letters (unless typewritten or legibly stamped)
	Witness name <u>GLEN TERVOERT</u>
	Occupation <u>SOLICITOR</u> Address <u>WHANGAREI</u>
Signature, or common seal of Transferor	

Certified correct for the purposes of the Land Transfer Act 1952
 Certified that no conveyance duty is payable by virtue of Section 24(1) of the Stamp and Cheque Duties Act 1971.
 (DELETE INAPPLICABLE CERTIFICATE)


 Solicitor for the Transferee

Annexure Schedule

TRANSFER Dated

14/06/2000

Page 2

of 4 Pages

Continuation of TRANSFEROR:

- (ii) **JANE CATHCART FERGUSON, IAIN LEWIS HAMILTON, JOHN FRANCIS PAK and NICHOLAS CLIVE MULLIGAN** (CT 9D/565) (as to the easements over that part marked "B" on Deposited Plan 178540)
- (iii) **DENE STUART FOWLER** (CT 9D/566) (as to the easements over that part marked "C" on Deposited Plan 178540)
- (iv) **JANE AMBER ROOKE and STEWART JOHN SHEARD** (CT 13D/586) (as to the easements over that part marked "D" on Deposited Plan 178540)

Continuation of TRANSFEREE:

- (ii) **JOHN FRANCIS PAK and NICHOLAS CLIVE MULLIGAN** (CT1077/251) as to the easement secondly described
- (iii) **JANE CATHCART FERGUSON, IAIN LEWIS HAMILTON, JOHN FRANCIS PAK and NICHOLAS CLIVE MULLIGAN** (CT 9D/565) as to the easement thirdly described
- (iv) **DENE STUART FOWLER** (CT 9D/566) as to the easement fourthly described

Continuation of "ESTATE, OR INTEREST, OR EASEMENT TO BE CREATED":

1. **FIRSTLY** the said **JANE AMBER ROOKE and STEWART JOHN SHEARD** shall have a right of way through those parts of the land in Certificate of Title 1077/251 marked "A" on Deposited Plan 178540 and Certificate of Title 9D/565 marked "B" on Deposited Plan 178540 and Certificate of Title 9D/566 marked "C" on Deposited Plan 178540 to be forever appurtenant to the land contained in Certificate of Title 13D/586.
2. **SECONDLY** the said **JANE CATHCART FERGUSON, IAIN LEWIS HAMILTON, JOHN FRANCIS PAK and NICHOLAS CLIVE MULLIGAN** shall have a right of way through that part of Certificate of Title 13D/586 marked "D" on Deposited Plan 178540 to be forever appurtenant to the land contained in Certificate of Title 1077/251.
3. **THIRDLY** the said **JANE CATHCART FERGUSON, IAIN LEWIS HAMILTON, JOHN FRANCIS PAK and NICHOLAS CLIVE MULLIGAN** shall have a right of way through that part of Certificate of Title 13D/586 marked "D" on Deposited Plan 178540 to be forever appurtenant to the land contained in Certificate of Title 9D/565.
4. **FOURTHLY** the said **DENE STUART FOWLER** shall have a right of way through that part of Certificate of Title 13D/586 marked "D" on Deposited Plan 178540 to be forever appurtenant to the land contained in Certificate of Title 9D/566.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

JAR *SS* *DF* *W* *Mulligan* *DF*

Annexure Schedule

TRANSFER Dated

14/06/2000

Page 3

of 4 Pages

RIGHTS AND POWERS IN RESPECT OF RIGHT OF WAY

1. The rights and powers and the terms, conditions, covenants or restrictions with respect to the easement of Right of Way described herein shall be those as set out in the Ninth Schedule to the Property Law Act 1952 and the Seventh Schedule to the Land Transfer Act 1952.
2. The cost of maintenance repair and replacement of the Right of Way shall be borne equally by the registered proprietors of each title using the Right of Way equally in all things whatsoever **PROVIDED HOWEVER** that should the surface or any part or parts thereof be damaged or disturbed by the registered proprietor of a servient tenement or the registered proprietor of a dominant tenement or by any one of his her or their respective tenants, servants, agents, workmen, licensees, or invitees then the cost of any necessary maintenance or repairs occasioned thereby shall be paid in full by the registered proprietor or proprietors (as the case maybe) causing or being responsible for such damage.
3. In the event of any dispute as to any matter relating to the easement of Right of Way described herein such dispute shall be referred to arbitration in accordance with the Arbitration Act 1996 and such amendments or any legislation passed in substitution thereof.

Continuation of ATTESTATION:

Signed by the said
JOHN FRANCIS PAK and
NICHOLAS CLIVE MULLIGAN
 as Transferors in the presence of:

(Handwritten signatures of John Francis Pak and Nicholas Clive Mulligan)

Witness signature: *(Handwritten signature)*
 Witness name: **GLEN TERVOERT**
 Occupation: **SOLICITOR**
 Address: **WHANGAREI**

Signed by the said
DEAN STUART FOWLER
 as Transferor in the presence of:

(Handwritten signature of Dean Stuart Fowler)

Witness signature: *(Handwritten signature)*
 Witness name: **ANNE YVONNE BUTLER**
 Occupation: **Housewife**
 Address: **Spg 410,
 Jalan Malaut
 Sengkuong
 Brunei.**

(Handwritten signature)
Nicola Jane Cummings
Sales Development Manager
84A Allam St
Kohimarama
Auckland.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

(Handwritten signatures and initials of all parties and witnesses)

Annexure Schedule

TRANSFER Dated

14/06/2000

Page 4

of 4

Signed by the said
JANE AMBER ROOKE and
STEWART JOHN SHEARD
as Transferors in the presence of:

Jane Amber Rooke
Stewart John Sheard

Witness signature:
Witness name: *Loui Joseph Yklich*
Occupation: *Electrician*
Address: *34 John St Tokoroa*

Signed by the said
JANE AMBER ROOKE and
STEWART JOHN SHEARD
as Transferees in the presence of:

Jane Amber Rooke
Stewart John Sheard

Witness signature:
Witness name: *Loui Joseph Yklich*
Occupation: *Electrician*
Address: *34 John St Tokoroa*

Signed by the said
JANE CATHCART FERGUSON,
IAIN LEWIS HAMILTON,
JOHN FRANCIS PAK and
NICHOLAS CLIVE MULLIGAN
as Transferees in the presence of:

M Mulligan
John Francis Pak
Jane Ferguson

Witness signature:
Witness name:
Occupation: **GLEN TERVOERT**
Address: **SOLICITOR**
WHANGAREI

Signed by the said
DENE STUART FOWLER
as Transferee in the presence of:

Dene Stuart Fowler 25/3/00

Witness signature:
Witness name: *Angie Yoonke Butcher*
Occupation: *Housewife*
Address: *Spg 410*
Talen Malaut
Sengkiring
Brunei 2703.

Nicolas
Nicola Tano Cummings
Sales Development Manager
8/11 Allum St
Kohimarama
Auckland.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

JAS
gyic
Dene Stuart Fowler 25/3/00
Angie Yoonke Butcher
M Mulligan
John Francis Pak

Annexure Schedule

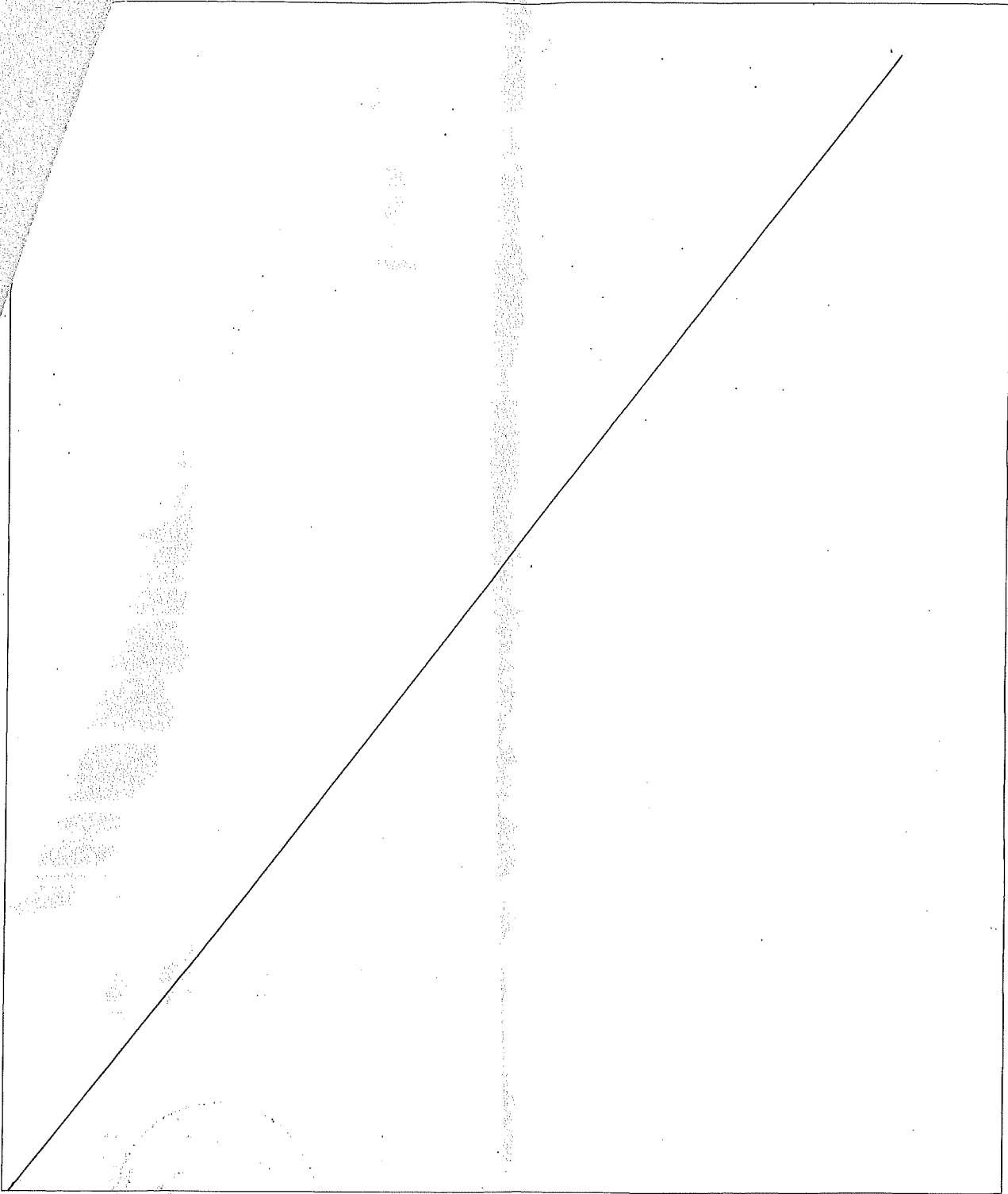
TRANSFER

Dated

Page

of

Pages



If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Approved by Registrar-General
of Land under No. 1995/1004

TRANSFER

Land Transfer Act 1952

Law Firm Acting
Connell Rishworth Solicitors Whangarei

Auckland District Law Society
REF: 4135

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

1.37 29 JUN 00 D 5199228
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH
for REGISTRAR-GENERAL
1577/251
90/525-526
138/526
REGISTRAR-GENERAL OF LAND
NEW ZEALAND

LINZ COPY

A172778 TE

Plan 39846 has copy Serial

25

(Approved by the District Land Registrar, Auckland, No. 3360)

(New Zealand)

(C)

Under the Land Transfer Act, 1952

Memorandum of Transfer

KATHLEEN DULCIE WORRALL of Whangaroa, Married Woman, (hereinafter referred to as "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~~

~~more or less being~~

FIRSTLY that piece of land containing TWO ROODS FIFTEEN DECIMAL SEVEN PERCHES (2r. 15.7p) more or less being Lot 18 on Deposited Plan 39846 being part of the Marutoia Block and being part of the land comprised and described in Certificate of Title Volume 861 Folio 193 North Auckland Registry

TOGETHER WITH the right-of-way over part Lot 17 created by T.527315 and

SUBJECT TO the Building Line Restriction contained in K.39169

AND TO the right-of-way over part created by the said T.527315.

SECONDLY that piece of land containing ONE ROOD TWENTY SEVEN DECIMAL EIGHT PERCHES (1 r. 27.8p) more or less being Lot 19 on Deposited Plan 39846 being part of the Marutoia Block and being part of the land comprised and described in Certificate of Title Volume 861 Folio 193 North Auckland Registry

TOGETHER WITH the right-of-way over part Lot 17 created by T.527315 and

SUBJECT TO the Building Line Restriction contained in K.39169

AND TO the right-of-way over part created by the said T.527315.

IN CONSIDERATION of the sum of FIVE HUNDRED POUNDS (£500) (the receipt of which sum is hereby acknowledged) paid to her by JEAN ALLISON MULLIGAN of Whangarei, Married Woman, (hereinafter referred to as "the Transferee") DOTH HEREBY TRANSFER to the Transferee all the estate and interest of the Transferor in that piece of land first above-described BUT RESERVING NEVERTHELESS to the Transferor her executors administrators and assigns and to the registered proprietor or proprietors for the time being of the land secondly above described an easement of right-of-way over that part of the land first above described as is shown yellow on Deposited Plan 39846 to the intent that such easement of right-of-way shall be forever appurtenant to the land secondly above described AND FOR THE CONSIDERATION AFORESAID the Transferor DOTH HEREBY TRANSFER AND GRANT unto the Transferee her executors administrators and assigns an easement of right-of-way over that

6/2/66

17 MAR 66 5394 -05-00

~~In Consideration of~~

~~(the receipt of which sum is hereby acknowledged)~~

~~Do hereby Transfer to the said~~

~~all~~ estate and interest in the

~~said piece of land above described~~

part of the land secondly above described as is shown yellow on the said Deposited Plan 39846 to the intent that such easement of right-of-way shall be forever appurtenant to the land first above described.

AND IT IS HEREBY DECLARED for the purposes of the duty payable under the Stamp Duties Act 1954, that no Agreement for Sale in writing as defined in Section 78 of the said Act has been entered into between the parties to the foregoing transaction.

In witness whereof I have hereunto subscribed my name this 12th
day of August one thousand nine hundred and sixty-six

Signed by the above named KATHLEEN DULCIE
WORRALL as Transferor

in the presence of

R. P. ...
Accountant
Whangarei

Kathleen D. Worrall

A172778

No.

TRANSFER OF LAND

IN THE LAND DISTRICT OF NORTH AUCKLAND

278
6.12.1966

Correct for the purposes of the Land Transfer Act.

[Handwritten signature]

Solicitor for the Transferee.


K. D. WORRALL
..... Transferee

J.A. MULLIGAN
..... Transferee

Barbara A. Spruce
1966/1

Particulars entered in the Register-Book Vol.

Folio 861/193
the 7th day of September 1966
at 1.40. o'clock

[Handwritten signature]
Assistant Land Registrar
of the District of Auckland


90/565
1 *2* Registered by Greg Banks

LAND & DEEDS
Name: Tape
From: W. J. Spruce
7 SEP 1966
1.40

Solicitors for the Transferee

DISTRICT OF AUCKLAND



NOTICE NO. 272
SCHEME PLAN NO. 4015

K39169 BLR

CONDITIONS OF BUILDING LINE

SECTION 5 LAND SUBDIVISION IN COUNTIES ACT, 1946

PURSUANT to the provisions of Section 5 (4) of the Land Subdivision in Counties Act, 1946, I, THOMAS STRATHALLAN ROE, Chief Surveyor, North Auckland Land District HEREBY GIVE NOTICE that Lots 1 to 13 and 15 to 29 inclusive, more particularly delineated in the Scheme Plan of the Town of Marutoia Extension Number 2 being a subdivision of Parts Marutoia Block and Part Allotment 52 Parish of Kaec and being part of the land comprised in Certificates of Title Volume 764 folio 226, Volume 764 folio 241, Volume 861 folio 193, Volume 813 folio 285 and Volume 813 folio 286, and Deeds Index Volume 10 Folio 344, Auckland Land Registry, are subject to the condition that no buildings or hoardings shall be erected on the said Lots 1-13 within 25 links of the Kaec-Whangarua Main Highway number 840, and on Lots 1-13, and 15-29, within 33 feet of the middle line of Kent Street (Lot 30) as shown in the above-mentioned Scheme Plan.

GIVEN under my hand this


14th

day of January 1952.

Sgd: T. S. ROE
Chief Surveyor

NORTH AUCKLAND LAND DISTRICT

I, THOMAS STRATHALLAN ROE, hereby certify that this is a copy of a Notice issued in accordance with the Land Subdivision in Counties Act, 1946.


Chief Surveyor.

Signed by the said Commissioner, on behalf of the Lessor, in
the presence of--

Witness :

Occupation :

Address :

Signed by the above-named as Lessee, in the presence of--

Witness :

Occupation :

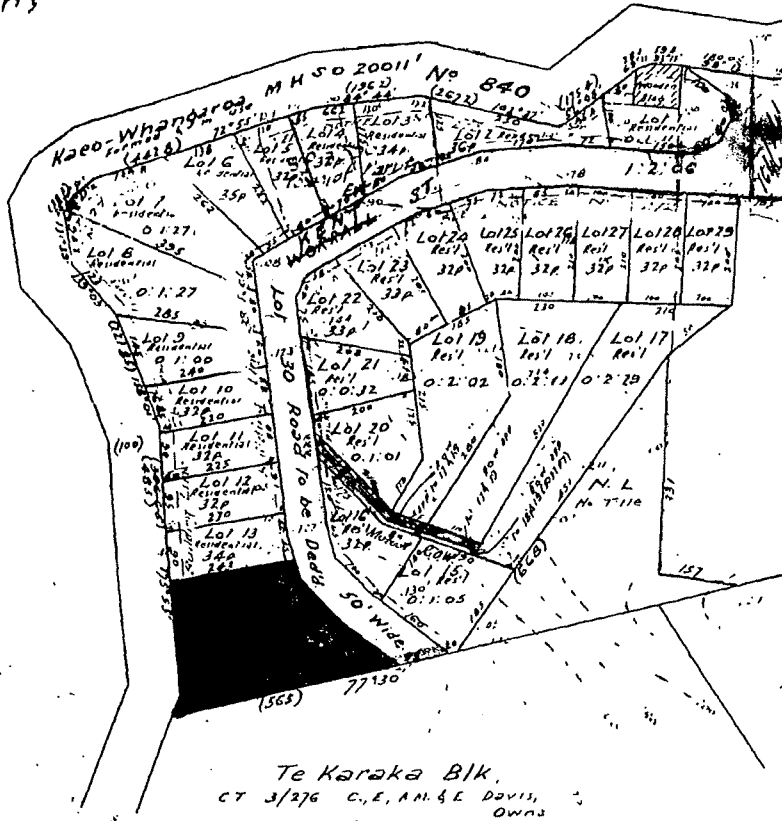
Address :

Commissioner of Crown Lands.

Lessee.

N51161
BLR

Whangaroa Harbour



I, THE CHIEF SURVEYOR, hereby certify that this is a copy of a correct plan as shown in accordance with the provisions of the Land Certification in Counties Act, 1946.

[Signature]
CHIEF SURVEYOR

Town of Maru

Approved as to Survey

Scheme Plan of Subdⁿ of Allot. 52. Parish of

Comprised in C.Ts. 764/226, 7

SURVEY DIST. & BLK. VII WHANGAROA

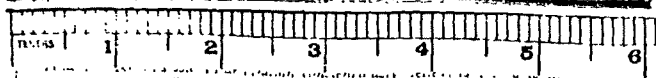
LAND DIST. NTH. AUCK. LOCAL BODY. V

Scale: 2 Chs. to 1 Inch Prepared and Surveyed by

Chief Surveyor

L. T. Draughtsman
Received
Reference Plans

Field book
Traverse book
Examined by
Recorded in No. 12 of 1906
Chief Surveyor



Declared in this day of 1906

Witness my hand and the Seal of the Survey Department at Auckland this 29th day of August 1906

30.3.50

3-7-50
151/51
151/51

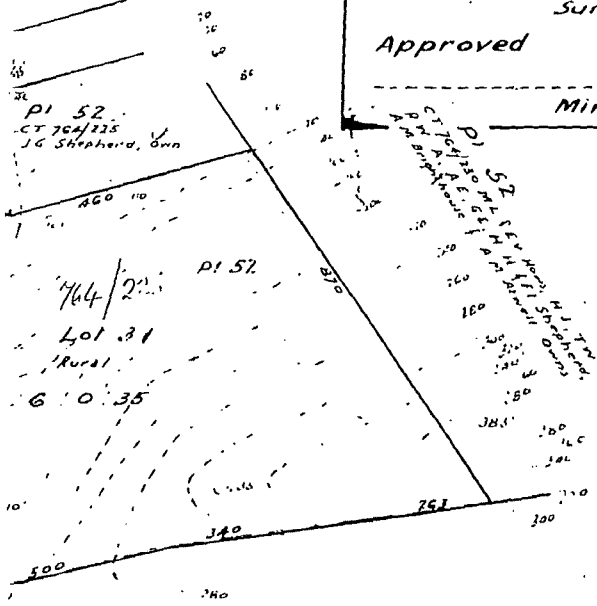
Approved

James Rawiri Edwards
Kathleen Dulce Worrall
Registered Owners
Recommended for approval

Chief Surveyor
Recommended for approval

Surveyor General
Approved

Minister of Lands.



I, Matthew Charles Williams,
Registered Surveyor, hereby certify
that this scheme plan has been
prepared by me in accordance
with the provisions of the Land
Subdivision in Counties Act, 1946
M. Williams
Regd. Surveyor
7 Nov. 49.

Lot 4
Sec 18, Bk VII, Whangaroa S.D.
CT 847/106, L.J. Patrick, Own

	A	R.	P.
Bldg. Allots.	7	2	14
Rural Allot.	6	0	35
New Road	1	2	06
Rec. Res.	0	2	39
Total Area	16	0	44

oia Ex. 2

Marutoua Bk. and
Kaeo Owners: *James Rawiri Edwards Kathleen Dulce Worrall*
and Mary Noel Aroha Edwards

4/241, 861/193, 813/285 & 286
S.D. and Deeds Index 16344

HANGAROA COUNTY
M.C. Williams Date: Nov., 1949

Surveyor and a holder of an annual practising certificate, do
not both plan and survey are correct, and have been made in accord-
virtue of the Justices of the Peace Act, 1927.

Registered Surveyor

Approved

Applicant (or Registered Owner)

4015

Memorandum of Easements
 Re R of W over Part Lot 4 Coloured Yellow.
 Servient tenement Lot 4
 Dominant tenement Lot 5

K39169
 BLR

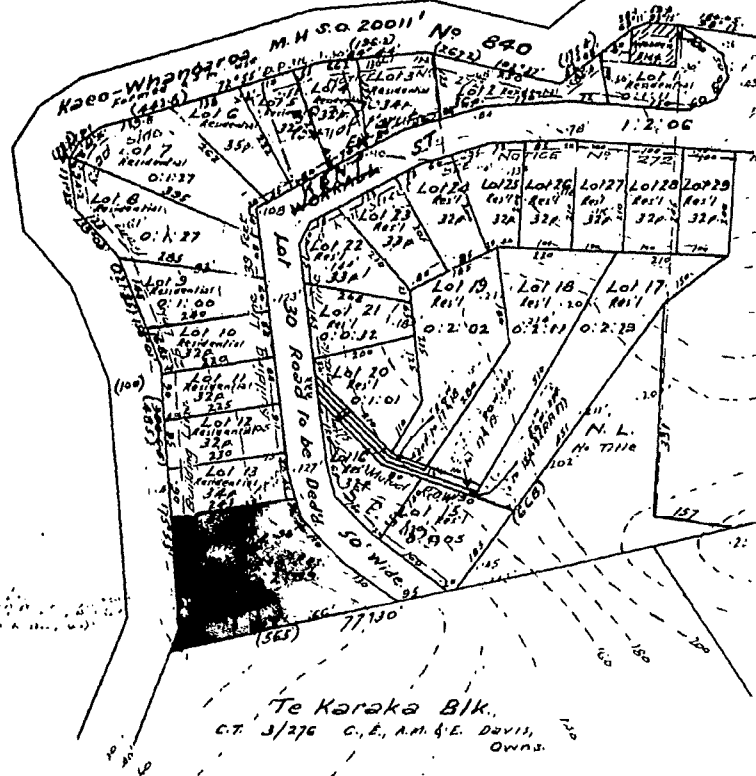
Approved as to reserving and granting of Right of Way
 of easements

Asst. Chief Surveyor
 18/7/51

HARBOR NORMAN JACOB GARDINER



KENT STREET
 Whangaroa



Cancelled as to Lots 15 & 16. See S.P. 5109.

Asst. Chief Surveyor

Town of Mar

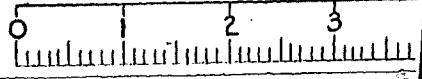
Approved as to Survey
 Chief Surveyor.
 L.T. Draughtsman.
 Received:
 Reference plans
 Field book p
 Traverse book p
 Examined by
 Recorded on 10/1/51
 Correct. Prev. on 11/1/51
 L. T. Draughtsman

Scheme Plan of Subdⁿ of
 Allot. 52, Parish of

Comprised in C.T.s. 764/226, &
 SURVEY DIST. & BLK. VII. WHANGAROA
 LAND DIST. N.T.H. AUCK. LOCAL BODY
 Scale: 2 Chs. to 1 Inch. Prepared by
 Surveyed by

I, _____ of _____ Registrar
 solemnly and sincerely declare that this plan has been made from surveys executed by
 me in accordance with the regulations under the Surveyors Act, 1938.

And I make this solemn declaration conscientiously believing the same to be true as
 Declared at _____ this _____ day of _____ 1951
 before me -



Deposited this day
of 19

District Land Registrar.

Approved

James Rawiri Edwards

Kathleen Dulce Worrall

Registered Owners

Recommended for approval

Chief Surveyor

Recommended for approval

F. J. Williams

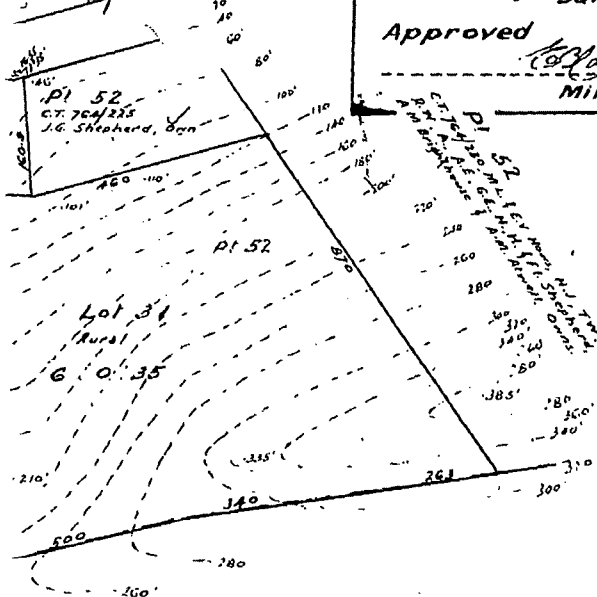
Surveyor General

Approved

Minister of Lands 20.12.51

4/1/50 D.O. F. 252
30.3.50
3-7-50
14.1.52
14.1.52

25/1/50



I, Matthew Charles Williams, Registered Surveyor, hereby certify that this scheme plan has been prepared by me in accordance with the provisions of the Land Subdivision in Counties Act, 1946

M. C. Williams
Regd. Surveyor
7 Nov 49.

Lot 4 LT 25198
Sec. 18, Bk. VII, Whangaroa S. D.
C.T. 842/106, L. I. Patrick, Own.

	A.	R.	P.
Bldg. Allots.	7	2	14
Rural Allot.	6	0	35
New Road	1	2	06
Rec. Resy	0	2	39
Total Area	16	0	44

toia Ex. 2

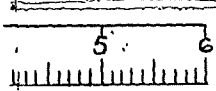
P. Maruloia Bk. and Kaeo Owners: James Rawiri Edwards, Kathleen Dulce Worrall and Mary Neal Aroha Edwards.

4/241, 861/193, 813/285 & 286 S. D. and Deeds Index 1C344

WHANGAROA COUNTY
J. Williams Date: Nov., 1949

Surveyor and a holder of an annual practising certificate, do what both plan and survey are correct, and have been made in accord-

in virtue of the Justices of the Peace Act, 1927.



Applicant (or Registered Owner)

4015

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39169

2164 226, 244, 213, 285, 286

8/1/93

17 January 1993
10

Receipt

Noted on D.P. 21621 & 4773 P.
to LSS 20/1/92 (mb)
from 6/2/92

Advised Chief Supervisor

Revised 18.2.52

14268
127A 4rd

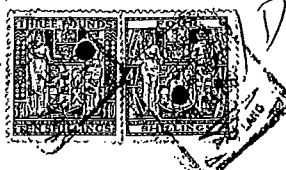

XRP_0046448



Et... 31-

Approved by the District Land Registrar, Auckland, No. 688.

(1)



Memorandum of Transfer **522315 TE** **24071953**

AGREEMENT, TRANSFER,
ASSIGNMENT, and MORTGAGE
dated with date of
... on ...
D. Commissioner of Stamp Duties
AUCKLAND



I, KATHLEEN DULCIE WORRALL of Whangaroa, Married Woman
.. .. . being registered as proprietor of
an Estate in fee simple

subject, however, to such encumbrances, liens and interests as are notified by memoranda
underwritten and endorsed hereon, in that piece of land situated CONTAINING THREE
ROODS FIVE DECIMAL SIX PERCHES (0:3:05.6) more or less being Lot 17 on
a plan deposited in the Land Registry Office at Auckland as Number 39846
and being part of the land comprised and described in Certificate of Title
Volume 764 Folio 226 and part of the land comprised and described in Certi-
ficate of Title Volume 861 Folio 193 of the Register Book in the said office
SUBJECT in respect of the Certificate of Title lastly above-mentioned to a
building line restriction imposed by K. 39169

End.
12-8-53

In consideration of the sum of TWO HUNDRED AND FIFTY POUNDS (£250) paid to me by PHYLLIS
MABEL McKINNON wife of Eric Atholl McKinnon of Papatoetoe Boat Builder (the receipt
whereof is hereby acknowledged)

Plan not available at S.O.

I do hereby transfer unto the said PHYLLIS MABEL McKINNON all my estate and interest in the said piece of land RESERVING NEVERTHELESS to myself the said KATHLEEN DULCIE WORRALL and my executors administrators and assigns full and free right and liberty to and for me and them the registered proprietor or proprietors for the time being of all those pieces of land FIRSTLY CONTAINING TWO ROODS FIFTEEN DECIMAL SEVEN PERCHES (0:2:15.7) more or less being Lot 18 on the said deposited plan number 39846 and being part of the land comprised and described in the said Certificate of Title Volume 861 Folio 193 AND SECONDLY CONTAINING ONE ROOD TWENTY SEVEN DECIMAL EIGHT PERCHES (0:1:27.8) more or less being Lot 19 on the said deposited plan number 39846 and being part of the land comprised and described in the said Certificate of Title Volume 861 Folio 193 or any part thereof and my and their tenants servants agents workmen and visitors from time to time and at all times hereafter at my and their will and pleasure to go pass and repass with or without vehicles horses or other animals carts carriages and motor vehicles of all descriptions through over and along that portion of the said piece of land hereby transferred and above-described (namely Lot 17 on the said deposited plan) coloured yellow and edged in green on the said deposited plan TO THE END AND INTENT that the right of way hereby reserved shall be for ever appurtenant to the said pieces of land firstly and secondly above described (namely Lots 18 and 19 on the said deposited plan) for all purposes connected with the use occupation and enjoyment thereof AND I DO HEREBY GRANT unto the Transferee her executors administrators and assigns and for the registered proprietor and proprietors for the time being of the said land and her his and their servants agents workmen and visitors and all persons having business with her him or them a free and perpetual right of way ingress egress and regress on horseback or on foot and with or without implements and vehicles of every description loaded or unloaded by night as well as by day in over and upon those parts of the land firstly and secondly above-described (namely lots 18 and 19 on the said

~~In witness whereof the parties have hereunto subscribed their names this~~

~~day of~~ one thousand nine hundred and fifty-three deposited plan number 39846) coloured yellow and edged in green on the said deposited plan for ~~the purpose of giving access to and from the land hereby transferred and to and from the~~ public road delineated on the said deposited plan and abutting all those pieces of land above-described TO THE END AND INTENT that such easement of right of way hereby created shall be forever appurtenant to the land hereby transferred and above described (namely lot 17 on the said deposited plan) PROVIDED HOWEVER that I the Transferor shall not be liable to pay for or contribute towards the cost of erection, repair or maintenance of any boundary or dividing fence between the land hereby transferred and any other land belonging to me but this proviso shall not enure to the benefit of any subsequent purchaser of such adjoining land or any part or parts thereof

IN WITNESS WHEREOF the parties have hereunto subscribed their names this day of July one thousand nine hundred and fifty-three in the presence of

SIGNED by the said KATHLEEN DULCIE WORRALL as Transferor in the presence of :-

K. L. Worrall
Postmaster
Wanganui

K. L. Worrall

SIGNED by the said PHYLLIS MABEL McKINNON as Transferee in the presence of :

Phyllis Mabel McKinnon
Soleitor
Wanganui

P. M. McKinnon

9th

527315

14

No.

Correct for the purposes of the Land Transfer Act.

TRANSFER OF Freehold Lot 17
D. P. 39846

R. Russell

Solicitor for Transferee.

K. D. WORRALL Transferor

P. M. MCKINNON Transferee

Particulars entered in the Register Book, Vol. 764

Folio 226 : 861 / 193

the 24th day of July, 1953

at 10.15

o'clock



[Signature]

District Land Registrar of the District of Auckland.

[Handwritten notes and scribbles]
①
6/5: 14: J
26: 7: 53
10.18
107/251
O'DONNELL

O'DONNELL, VAUTIER, WOOD & WALSHAM.
SOLICITORS
AUCKLAND



Appendix 4

Form 2AAC for P70-2026-16

**Additional information to accompany
project information memorandum for
non-consented small standalone dwelling**

Section 35A, Building Act 2004

Territorial authority project information memorandum record number: P70-2026-16

THE BUILDING

Street Address of Building

35 Kent Street,
Whangaroa 0478

Legal description of land where building is
proposed to be located:

Lot 18 DP 39846

Building Name:

Location of Building within site/block number:

THE OWNER

Name of Owner:

Iain Lewis Hamilton and
Nicholas Clive Mulligan

Contact Person Name:

Nicholas Clive Mulligan

Mailing Address:

35 Kent Street,
Whangaroa 0478

Phone Number:

Mobile Number:

Email Address:

021965152

nickmulligan1@gmail.com

THE AGENT

First point of contact for communication with the Territorial Authority:

Victor Wilmar Architecture
Victor Wilmar
71A Hone Heke Road
Kerikeri 0230
021633349
wilmararch@gmail.com

Information on characteristics of non-consented small standalone dwelling

The **Far North District Council** considers that the proposed building work is likely to have the characteristics required by clause 1 of Schedule 1A of the Building Act 2004, which are that the building is standalone, is new, has a floor area that is equal to or less than 70 square metres, and has a single storey only.

Information on natural hazards

The **Far North District Council** does not consider that the construction of the dwelling is proposed to occur on land that is, or is likely to be, subject to 1 or more natural hazards (within the meaning of section 71(3) of the Building Act 2004).

The **Far North District Council** does not consider that the construction of the dwelling is likely to accelerate, worsen, or result in a natural hazard on that land or any other property.

Other information

Describe any bylaws that may affect the design, construction, or location of the dwelling:

FNDC Control of Earthworks Bylaw 2019

Set out any other information concerning the land that the territorial authority considers to be relevant, for example:

- information in the district plan and regional plan
- utility restrictions
- distance from power lines that may be present
- potentially contaminated ground
- allotments or internal boundaries that may be present on the land
- land covenants

Resource Consent is required for the following:

10.8.5.1.2 RESIDENTIAL INTENSITY

Each residential unit for a single household shall have available to it a minimum net site area of 3,000m² for unsewered sites.

This application is not a permitted activity under NES-DMRU and this zone rule applies and is therefore considered a second residential unit on this 2421m² unsewered site and is therefore unable to achieve 3,000m² per residential unit.

12.4.6.1.2 FIRE RISK TO RESIDENTIAL UNITS

a) Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest. Proposed works appear to be located within 20m of the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest.

Date: 13-Apr-2026

Signature: 

Issuer: Trent Blakeman
Position: Manager – Building Services
On behalf of: Far North District Council

Appendix 5

3002288-LGAEWK

Our Reference: 3002288-LGAEWK

18 May 2026

Nicholas Clive Mulligan
36B Ruato Road
Kaeo 0478

Dear Sir / Madam

RE: Earthworks Permit, 35 Kent Street, Whangaroa 0478

Attached is a copy of the earthworks permit for the above-mentioned property. Please note that there are site specific conditions listed on schedule B (the Permit).

Additionally, all earthworks are subject to the following standard conditions:

1. The consent holder is to establish and mark the location of the boundary pegs and mark all property boundaries adjacent to the proposed earthworks. Where the permit holder is not the lot owner, the permit holder is responsible for obtaining approval from the lot owner prior to commencing work. Where works are proposed on land not owned by the permit holder, written approval from the adjacent land owner must be provided to Planning_Technicians@fndc.govt.nz
2. Prior to earthworks commencing, provide evidence by suitably qualified and experienced person to Councils Resource Consents Engineer or their delegated representative, to certify that the erosion and sediment controls have been constructed in accordance with the Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) and the specific requirements of this consent. Evidence can be sent to Planning_Technicians@fndc.govt.nz
3. Earthworks must not cause an increase in stormwater runoff or result in concentrated flows being directed across property boundaries, unless the affected neighbours have provided written approval or appropriate easements are in place. Written approvals where required shall be provided to Planning_Technicians@fndc.govt.nz prior to commencing work.
4. The permit holder is responsible for the repair and reinstatement of any underground services damaged as a result of the earthworks.
5. The permit holder is responsible for the repair and reinstatement of any damage that occurred in the road reserve as a result of the earthworks. Such works where required will be completed to the satisfaction of the Council.
6. Any debris deposited on the public road as a result of the earthworks shall be removed by or at the expense of the permit holder.
7. During earthworks, all necessary measures must be taken to minimise dust generation. Adequate water supply must be available on site and used as required to dampen exposed soil. Alternatively, other effective dust suppression methods must be readily available and implemented to control dust emissions.
8. Building Consents may be required for any retaining structures as specified in the NZ Building Code.

9. Any construction activity, including excavation carried out in the road reserve, must be lodged by formal notice of intention to carry out works, in the form of a Corridor Access Request, submitted to the Corridor Manager for Approval corridor.access@fndc.govt.nz

Other Consents that may be required;

1. In the event that the activity breaches the permitted activity parameters defined in Section 8 of the National Environment Standards for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011, the applicant must obtain the necessary resource consent.
1. Cultural Significant Sites - You should identify relevant mana whenua groups through the Far North District Council (FNDC) mapping tools or by contacting the council's Resource Consents team.
Early consultation is expected to ensure cultural values are recognised and any Cultural Impact Assessments (CIA) are obtained if needed.
Accidental Discovery Protocol (ADP): If koiwi (human remains), taonga, or other cultural materials are uncovered, work must stop immediately and iwi, council, and Heritage New Zealand Pouhere Taonga (HNZPT) must be notified.
2. Heritage Sites - If the site or any structure on it is scheduled in the Far North District Plan as a heritage item, you may need resource consent for any works that affect it.
Applications must demonstrate how effects on heritage values will be avoided, remedied, or mitigated.
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 obtained from Heritage New Zealand Pouhere Taonga. 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).

Yours faithfully



Gourav Rana
Resource Consents Engineer
Delivery & Operations



**SCHEDULE B
EARTHWORKS PERMIT**

3002288-LGAEWK

Date:	18 May 2026
Valuation:	
Assessment No:	3310362

Owner:	Iain Lewis Hamilton and Nicholas Clive Mulligan	Contractor:	
Address:	36B Ruato Road RD 1 Kaeo 0478	Address:	

Location:	35 Kent Street, Whangaroa 0478
Legal Description:	LOT 18 DP 39846 BLK VII WHANGAROA SD-SUBJ TO & INT IN ROW-ON DP 178540
Zoning:	

Nature of Permit: (Tick Box)

Excavation Length	<input type="text"/>	Cellar Metres	<input type="text"/>	Filling Width	<input type="text"/>	Depth	<input type="text"/>	Volume	<input type="text"/>
-------------------	----------------------	---------------	----------------------	---------------	----------------------	-------	----------------------	--------	----------------------

Description of Work and Main Use or Purpose:

Special Conditions:

1. The volume of earthworks must not exceed 80m³.
2. Any exposed earthworks shall be stabilized in accordance with GD05. Where there are inconsistencies between any part of GD05 and the conditions of this consent, then the conditions of this consent must prevail.

Permission is hereby granted to carry out the proposed works described herein in accordance with the approved drawings, documents and all conditions imposed: work will be subject, at any time during progress to inspection; and be carried out in strict conformity with the requirements of this Permit, and subject to the contractor taking full responsibility for any damage done to any services such as telephone cables, power mains, sewers, pipes, footpaths, road or other services or for any damage done to an adjacent property or slope stability adversely affected by the earthworks.

Issued By: Far North District Council

Appendix 6
FENZ Approval

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

Applicant Information

Applicants Information	
Name:	Click or tap here to enter text. NICK MULLIGAN
Address:	Click or tap here to enter text. 35 KENT STREET WHANGAROA.
Contact Details:	Click or tap here to enter text. NICK . 021 965152
Return Email Address:	Click or tap here to enter text. nickmulligan1@gmail.com.

Property Details

Property Details	
Address of Property:	Click or tap here to enter text. 35 KENT ST WHANGAROA
Lot Number/s:	Click or tap here to enter text. L18 DP 39846
Dwelling Size: (Area = Length & Width)	Click or tap here to enter text. 70M ² x 10 x 7
Number of levels: (Single / Multiple)	Click or tap here to enter text. SINGLE

Contents

Applicant Information.....	1
Property Details.....	1
Firefighting Water Supplies and Vegetation Risk Reduction Waiver	3
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3. Water Supply Location	6
4. Adequacy of Supply	7
5. Alternative Method using Appendix's H & J	8
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Firefighting Water Supplies and Vegetation Risk Reduction Waiver

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

Waiver Explanation Intent

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

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

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

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

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

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

1 (a) Fire Appliance Access / Right of Way	
Is there at least 4 metres clearance overhead free from obstructions?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Is the access at least 4 metres wide?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Is the surface designed to support a 20-tonne truck?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Are the gradients less than 16%	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Fire Appliance parking distance from the proposed water supply is Click or tap here to enter text. metres <i>≈ 6.0 M.</i>	

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

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

1 (b) Restricted access to firefighting water supply, portable pumps required
Has suitable access been provided? <input type="checkbox"/> YES <input type="checkbox"/> NO
Comments: Click or tap here to enter text.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

2. Firefighting Water Supplies (FFWS)

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

2 (a) Water Supply Single Dwelling	
Tank	<input checked="" type="checkbox"/> Concrete Tank 25,000 l <input checked="" type="checkbox"/> Plastic Tank 25,000 l <input checked="" type="checkbox"/> Above Ground (Fire Service coupling is required - 100mm screw thread suction coupling) <input type="checkbox"/> Part Buried (max exposed 1.500 mm above ground) <input type="checkbox"/> Fully Buried (access through filler spout) Volume of dedicated firefighting water Click or tap here to enter text. MIN 10,000 litres

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

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

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

2 (c) Alternative Water Supply	
Pond:	Volume of water: Click or tap here to enter text.
Pool:	Volume of water: Click or tap here to enter text.
Other:	Specify: Click or tap here to enter text. 10,000 L ADJACENT TO 70M² DWELL
	Volume of water: Click or tap here to enter text. 10,000 L

Internal FENZ Risk Reduction comments only:
Click or tap here to enter text.

3. Water Supply Location

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

3 (a) Water Supply Location	
Minimum Distance:	Is your water supply at least 6 metres from the building? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Maximum Distance	Is your water supply no more than 90 metres from the building? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

3 (b) Visibility	
How will the water supply be readily identifiable to responding firefighters? E.g.: tank is visible to arriving firefighters or, there are signs / markers posts visible from the parking place directing them to the tank etc.	
Comments:	BOTH TANKS CLEARLY VISIBLE FROM ARRIVAL POINT.
Click or tap here to enter text.	

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

3 (c) Security

How will the FFWS be reasonably protected from tampering? E.g.: light chain and padlock or, cable tie on the valve etc.

Explain how this will be achieved: **CABLE TIE ON VALVE**

Click or tap here to enter text.

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

4. Adequacy of Supply

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

4 (a) Adequacy of Water supply

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

Comments:

Click or tap here to enter text.
ADJUST TANK LEVELS BETWEEN TANKS TO MAINTAIN 10,000 IN THE 2 TANKS BY THE EXISTING DWELLING NOM 10,000 WILL ALSO BE AVAILABLE ADJ TO 70M² TINY HOME

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

5. Alternative Method using Appendix's H & J

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

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

5 (a) Alternative Method Appendix H & J	
If an alternative method of determining the FFWS has been proposed, who proposed it?	
Name: Click or tap here to enter text.	
Contact Details: Click or tap here to enter text.	
Proposed volume of storage?	Litres: Click or tap here to enter text.
Comments: Click or tap here to enter text.	
<i>* Please provide a copy of the calculations for consideration.</i>	
<i>Internal FENZ Risk Reduction comments only:</i> Click or tap here to enter text.	

6. Diagram

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

REFER ATTACHED SITE LOCATION PLAN AIA/26/1

" FIRE EMERGENCY - SITE DIMENSIONS. LOCATION OF EXISTING
& NEW TANK + ON SITE DIMENSIONS "

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

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

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

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

I. Fire safe construction

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

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

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

II. Establish Safety Zones around your home.

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

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

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

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

IV. Choose Fire Resistant Plants

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

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

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

7 (a) Vegetation Risk Reduction Strategy

Click or tap here to enter text.

1. METAL ROOF + METAL COLORSTEEL SPOUTING
2. CARRY OUT MITIGATIONS LIKE THINNING SCRUBS
REMOVE FLAMMABLE DEBRIS KEEP ANY LAWNS
CUT TO AVOID LONG DEAD GRASS.
3. AS ABOVE + SELECT FIRE RESISTANT PLANTS FOR
ANY NEW PLANTING KEPT AWAY FROM NEW 70M².

Internal FENZ Risk Reduction comments only:

Click or tap here to enter text.

8. Applicant

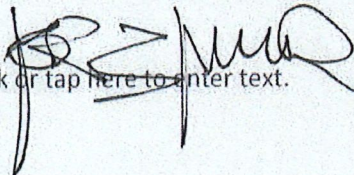
Checklist	
<input checked="" type="checkbox"/>	Site plan (scale drawing) – including; where to park a fire appliance, water supply, any other relevant information.
<input type="checkbox"/>	Any other supporting documentation (diagrams, consent).

I submit this proposal for assessment.

Name: **VICTOR WILMAR** Dated: **24 APRIL 2026**
Click or tap here to enter text. Click or tap to enter a date.

Contact No.: **021 6333 40**
Click or tap here to enter text.

Email: **wilmavarch@gmail.com**
Click or tap here to enter text.

Signature: 
Click or tap here to enter text.

9. Approval

In reviewing the information that you have provided in relation to your application being approximately a square metre, Choose an item. dwelling/sub division, and non-sprinkler protected.

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

Name: Click or tap here to enter text.

Signature: Click or tap here to enter text. Dated: Click or tap to enter a date.

P.P on behalf of the C

Fire and Emergency New Zealand
Te Tai Tokerau / Northland District

APPROVED
By GoffinJ at 10:57 am, Apr 28, 2026

Jason Goffin- Advisor Risk
Reduction