

# Land Use Resource Consent and Variation to Consent Notice Conditions

Nickolas Farrand

18 Fernbird Grove, Kerikeri



30 June 2026

**Attention: Liz Searle and Jo Graham – Team Leader(s) Resource Consents**

The Applicant is seeking retrospective resource consent for a cabin and retaining wall which have been constructed on the site. The cabin has a floor area of 30m<sup>2</sup> with an approximate height of 4.216 metres. A retaining wall is located behind the cabin which also forms part of this consent application.

The site is within the Coastal Living zone under the Operative District Plan (ODP) and is zoned as Rural Residential under the Proposed District Plan (PDP). Consent is triggered under ODP Rule 10.7.5.1.7 Setback from Boundaries given the retaining wall is within the permitted 10 metre setback distance from the southern boundary. The cabin while within this setback has been assessed as a DMRU and as such has a 5m setback standard apply. The activity has been assessed as a **Restricted Discretionary Activity** under the ODP. Under the PDP the proposal has been assessed as a **Permitted Activity**.

There is an existing consent notice registered on the title under Document 11406235.2. A variation to Conditions (i) and (x) of this consent notice is requested given the cabin is located outside of the designated building envelope for the site and to waive the requirement for a stormwater management report for the cabin. The requested amendments have been assessed as a **Discretionary Activity** under s221(3) of the Act.

An abatement notice has been issued for the cabin under ABATE-2026-36, dated 29<sup>th</sup> October 2025 and attached within **Appendix 6**. It is requested that the Enforcement Officer – Shivon Gadsby is notified that the resource consent application has been lodged addressing the above-mentioned abatement notice.

O'Brien Design Consulting have prepared a plan set which is attached within **Appendix 5**.

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

Regards,

Alex Billot



Resource Planner

Reviewed by:

Rochelle Jacobs



Director/Senior Planner

**NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED**

## Table of Contents

<b>Table of Contents.....</b>	<b>3</b>
<b>1. Description of the Proposed Activity .....</b>	<b>5</b>
<b>LAND USE .....</b>	<b>5</b>
<b>OPERATIVE DISTRICT PLAN (ODP) .....</b>	<b>6</b>
<b>PROPOSED DISTRICT PLAN – DECISIONS VERSION (PDP-DV).....</b>	<b>7</b>
<b>VARIATION TO CONSENT NOTICE CONDITION UNDER S221(3) OF THE ACT .....</b>	<b>7</b>
<b>2. Description of the Site and Surrounding Environment.....</b>	<b>8</b>
<b>TITLE .....</b>	<b>12</b>
<i>CONSENT NOTICE 10388614.2.....</i>	<i>12</i>
<i>CONSENT NOTICE 11406235.2.....</i>	<i>13</i>
<b>3. Reasons for Consent .....</b>	<b>15</b>
<b>NES DETACHED MINOR RESIDENTIAL UNITS .....</b>	<b>15</b>
<b>SECTION 5 – PERMITTED ACTIVITY RULE .....</b>	<b>15</b>
<b>SECTION 6 – PERMITTED ACTIVITY: STANDARDS .....</b>	<b>16</b>
<b>SECTION 7 – DISTRICT PLAN RULES AND STANDARDS .....</b>	<b>16</b>
<b>SECTION 8 – REGIONAL PLAN RULES .....</b>	<b>17</b>
<b>OPERATIVE DISTRICT PLAN (ODP) .....</b>	<b>17</b>
<i>OPERATIVE DISTRICT PLAN ACTIVITY STATUS.....</i>	<i>21</i>
<b>PROPOSED DISTRICT PLAN.....</b>	<b>21</b>
<i>PROPOSED DISTRICT PLAN ACTIVITY STATUS .....</i>	<i>26</i>
<b>VARIATION OF CONSENT NOTICE .....</b>	<b>26</b>
<b>NATIONAL ENVIRONMENTAL STANDARDS .....</b>	<b>26</b>
<i>NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011 (NESCS) .....</i>	<i>26</i>
<i>NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER MANAGEMENT 2020.....</i>	<i>26</i>
<b>4. Statutory Assessment .....</b>	<b>27</b>
<b>SECTION 104C OF THE RESOURCE MANAGEMENT ACT 1991 (RMA).....</b>	<b>27</b>
<b>SECTION 104B OF THE RESOURCE MANAGEMENT ACT 1991 .....</b>	<b>27</b>
<b>RMA SECTION 104 .....</b>	<b>27</b>
<b>ASSESSMENT OF EFFECTS ON THE ENVIRONMENT .....</b>	<b>28</b>
<i>SETBACK FROM BOUNDARIES.....</i>	<i>28</i>
<b>VARIATION TO CONSENT NOTICE CONDITIONS .....</b>	<b>31</b>
<i>CONDITION (I) .....</i>	<i>31</i>
<i>CONDITION (X) .....</i>	<i>32</i>
<i>SUMMARY.....</i>	<i>34</i>
<b>RELEVANT STATUTORY PROVISIONS.....</b>	<b>34</b>
<i>REGIONAL POLICY STATEMENT FOR NORTHLAND (2016 - UPDATED 2018).....</i>	<i>34</i>

<i>FAR NORTH DISTRICT PLAN</i> .....	35
<i>PROPOSED FAR NORTH DISTRICT PLAN – DECISIONS VERSION</i> .....	35
<i>PLAN WEIGHTING SUMMARY</i> .....	35
<b>5. Notification Assessment</b> .....	<b>36</b>
<b>SECTION 95A – PUBLIC NOTIFICATION ASSESSMENT</b> .....	<b>36</b>
<b>SECTION 95B – LIMITED NOTIFICATION ASSESSMENT</b> .....	<b>39</b>
<b>6. Part 2 Assessment</b> .....	<b>41</b>
<b>7. Conclusion</b> .....	<b>42</b>
<b>8. Limitations</b> .....	<b>43</b>

**Appendices**

- 1. Far North District Council Application Form**
- 2. Record of Title – LINZ**
- 3. Consent Notice 10388614.2 – LINZ**
- 4. Consent Notice 11406235.2 - LINZ**
- 5. Site and Building Plans – O’Brien Design Consulting**
- 6. Abatement Notice 2026-36 - FNDC**
- 7. Certificate of Acceptance 2026-44/0 Form 4 - FNDC**
- 8. Certificate of Acceptance 2026-44/0 - FNDC**

## Assessment of Environment Effects Report

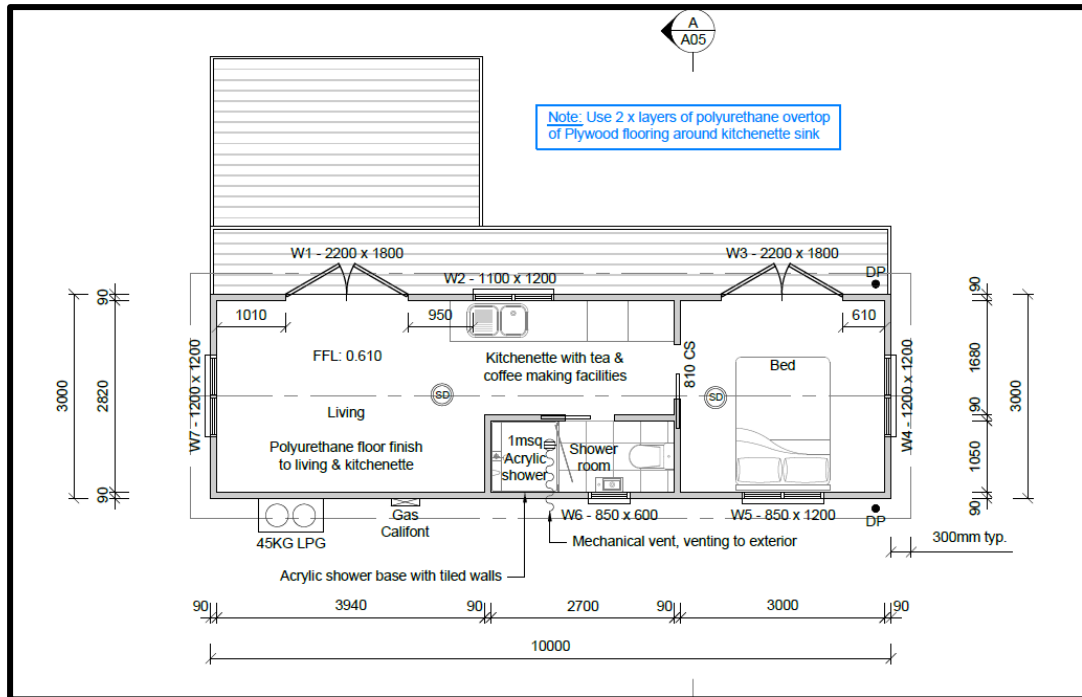
### 1. Description of the Proposed Activity

#### Land Use

- 1.1. The Applicant is seeking retrospective consent for an existing cabin which is situated within the eastern portion of the site. A retaining wall has also been located to the rear (south) of the cabin. The cabin has a floor area of 30m<sup>2</sup> and contains one bedroom, bathroom and a living area with kitchenette with tea and coffee making facilities. A deck is attached to the northern side of the cabin. The cabin does not include any laundry facilities relying on the main dwelling for this service. The cabin is located near to an existing man-made pond within the site. Refer *Figure 1* below.
- 1.2. The site is within the Coastal Living zone under the ODP and is zoned as Rural-Residential under the Proposed District Plan – Decisions Version (PDP-DV).



*Figure 1: View of the site showing cabin and pond as well as principal dwelling in the background.*



**Figure 2: Floor plan of cabin.**

- 1.3. An abatement notice has been served to the Applicant under ABATE-2026-36, dated 29<sup>th</sup> October 2025 (**Appendix 6**) for the cabin. Subsequently, a Certificate of Acceptance (COA) was lodged to the Building Consents Team with a Form 4 issued on 20<sup>th</sup> February 2026 identifying the need for resource consent (see **Appendix 7**). The COA for the cabin was approved under COA-2026-44/0 on 13<sup>th</sup> March 2026 (**Appendix 8**).

**Operative District Plan (ODP)**

- 1.4. The cabin is located a minimum of 6.1 metres from the southern boundary, with the retaining wall being slightly closer than this. This infringes the permitted 10 metre setback along the southern boundary which adjoins privately owned allotment Lot 43 DP 532487. As can be seen in *Figure 1*, the dwelling within adjoining Lot 43 DP 532487 is located within the upper western portion of the site, with the area adjacent to the cabin being an open area of grass. The cabin is located at least 10 metres from all other boundaries.
- 1.5. As such, the cabin and retaining wall results in an infringement of permitted *Rule 10.7.5.1.7 Setback from Boundaries* and is assessed as a **Restricted Discretionary Activity** under the ODP.

### **Proposed District Plan – Decisions Version (PDP-DV)**

- 1.6. The Rural-Residential zone (RRZ) is a special purpose zone and as such, is not captured by the National Policy Standards, such that the National Environmental Standard for Detached Minor Residential Units (NES-DMRU) does not include the RRZ and can therefore not be applied as it was under the ODP Assessment.
- 1.7. RRZ-R3 determines the permitted threshold for residential activity within the RRZ. PER-1 allows the site area per residential unit to be at least 4000m<sup>2</sup>. The site has an area of 9001m<sup>2</sup> and therefore two residential units are permitted within the site boundaries. The proposal has therefore been assessed against RRZ-R3 and determined to be Permitted in terms of PER-1.
- 1.8. As will be assessed further in this application, the proposal is assessed as being Permitted in terms of all other PDP-DV rules.

### **Variation to Consent Notice Condition under s221(3) of the Act**

- 1.9. There are two existing consent notice documents registered on the title under CN 10388614.2 and CN 11406235.2. A copy of the consent notice documents are attached within **Appendices 3 & 4**. This application requires a variation to two conditions contained within Consent Notice Document 11406235.2 (contained within **Appendix 4**), as is detailed below.
- 1.10. Condition (i) requires all buildings including water tanks and ancillary buildings to be located within the approved building envelope for the site. The cabin is located outside of the approved building envelope and therefore a variation to this consent notice condition is sought to enable the cabin to be located as is.
- 1.11. Condition (x) requires that a stormwater management report is prepared for any building requiring building consent and associated impermeable surface development. A stormwater management report has not been prepared for the cabin and as such, a variation to this consent notice condition is sought to waive this requirement for the cabin given stormwater is directed to the manmade pond.
- 1.12. The amendments to the consent notice conditions are sought under S221(3) of the Act and are assessed as a **Discretionary Activity**.



the cabin and dwelling is where the existing onsite sewage system and disposal area is located as well as concrete water tanks and stormwater disposal which service the dwelling on the site.

- 2.5. The building location is a response to the sloping site topography and its vegetated location as well as the location of existing onsite servicing and manmade features (the pond). The exterior of the cabin is similar to the dwelling on the site providing coherency between built development on the site.
- 2.6. The cabin is located a minimum of 6.1 metres from the southern boundary which adjoins Lot 43 DP 532487. The dwelling within adjoining Lot 43 DP 532487 is located within the upper western portion of the site, which appears to be within the approved building envelope for the site. The area of Lot 43 DP 532487 which is adjacent to the cabin appears to be an area of grass and vegetation and is located downslope of the dwelling. The cabin is orientated to the north and therefore does not face Lot 43 DP 532487.



*Figure 5: Image showing adjoining Lot 43 DP 532487 to the south.*



*Figure 6: Image showing location of subject cabin and adjoining Lot 43 DP 532487 where setback infringement occurs.*



*Figure 7: Southern side of cabin where setback infringement occurs.*

2.7. The remainder of the site, which is not covered in built form or accessways, is open area and areas of landscaping. This existing landscaping within the site offsets the built development and enhances the natural character of the area.

- 2.8. Given the small area of the cabin and retaining wall, only minimal excavations were required for siting and foundations. The excavations were anticipated to be within the permitted threshold for the zone. No vegetation clearance was required.
- 2.9. As detailed above, on-site infrastructure services are existing for the dwelling on the site and O'Brien Design Consulting have provided information on the servicing for the cabin. Wastewater for the cabin is managed via an existing macerator with an existing alkathene pipe from macerator to the existing aeration treatment system (see Sheet A01b of the Plan Set contained within **Appendix 5**). Given the small roof area of the cabin (38.1m<sup>2</sup>), runoff from the roof of the cabin is collected via pipes and then directed to the pond. The deck which adjoins the cabin is open-slatted.
- 2.10. The eastern portion of the site is shown to be subject to PNA Rangitane Shrublands, which extends over the surrounding allotments as well. The cabin appears to be located outside of the PNA extent. The site is not shown to be subject to any areas of outstanding landscape or high natural character and is not located within the Coastal Environment under the Regional Policy Statement for Northland (RPSN).



*Figure 8: Aerial image showing extent of PNA.*

- 2.11. The site is located within an area where kiwi are noted as being present.
- 2.12. There are no archaeological sites noted within the site or adjoining allotments under the FNDC Maps or NZAA database. Historic consents for the site, including the subdivision which created the site, did not identify any archaeological sites within the site.

- 2.13. The site is not shown to be susceptible to river flood hazards and is located within the 'safe zone' for tsunami.
- 2.14. Soils within the site are classified as LUC 5s1, which are not classified as highly versatile under the RPSN.
- 2.15. The site is not located within or adjoining a statutory acknowledgement area.
- 2.16. The site has not been identified as a HAIL site within the FNDC database and there are no known previous or current HAIL activities which have occurred on the site.

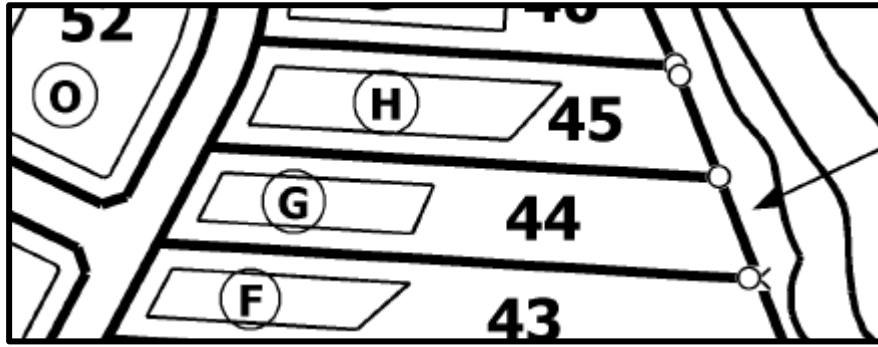
### **Title**

- 2.17. The site is held within Record of Title 871585 which is dated 30<sup>th</sup> August 2019. The site has a legal area of 9001m<sup>2</sup>. There are two consent notice documents registered on the title under 10388614.2 and 11406235.2, as mentioned earlier in this report. There is also an existing land covenant and fencing covenant registered on the title.

### **Consent Notice 10388614.2**

- 2.18. This consent notice document is contained within **Appendix 3**. This consent notice document was registered in 2016 and was registered as part of an earlier stage of the overall subdivision. At the time this consent notice document was registered, the subject site was not yet created and was held within the balance lot, Lot 1000 DP 494309.
- 2.19. There is only one consent notice condition within this document which relates to Lot 1000, which is (xi). This consent notice condition relates to areas of the site which were utilised as a deposition area for material removed from Control areas and included fill received which would be classified as a HAIL site. The subject site is not known to have received any of this fill material and as such, this consent notice condition is not considered applicable.





*Figure 10: Snip of survey plan showing Area 'G' (approved building envelope) as it affects the subject site.*

2.23. Condition (ii) is applicable if the site remains undeveloped which is not the case. Condition (iii) relates to pest and weed management where compliance is provided on an ongoing basis. Condition (iv) relates to the construction of the entrance at the time of development of the site with a dwelling, which has previously been complied with. Conditions (v), (vi) and (vii) relate to suitable reports for wastewater and foundations of any building which requires building consent and firefighting water supply at time of development of a dwelling, which have all been complied with.

2.24. Conditions (viii) and (ix) are not applicable to the subject site.

2.25. Condition (x) states:

*'In conjunction with the construction of any building requiring building consent and associated impermeable surface development on the lots, the low owner shall submit for approval of Council's Building Consent Authority a stormwater management report and design for a stormwater management system. The report shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.'*

2.26. There has not been a separate stormwater management report prepared for the cabin. All stormwater runoff from the cabin is directed to the pond. As such, a variation to this consent notice condition is sought to waive this requirement for the cabin.

2.27. Condition (xi) states:

*'The lot owner(s) shall ensure on an ongoing basis that the maximum total of all impermeable surfaces (as defined in the Far North District Plan) on each individual lot does not exceed 800m<sup>2</sup>*

*and that a Council approved stormwater management and mitigation system is in place. The system shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.'*

- 2.28. The total impermeable surfaces within the site have been calculated as being 789.9m<sup>2</sup> and therefore complies with this condition. There is an existing Council approved stormwater management system on the site which services the existing dwelling.
- 2.29. Conditions (xii) and (xiii) are not applicable to the subject site.
- 2.30. Condition (xiv) restricts carnivorous animals which is complied within on an ongoing basis.
- 2.31. The amendments to the consent notice conditions (i) and (x) are sought under S221(3) of the Act and are assessed as a **Discretionary Activity**.

### 3. Reasons for Consent

#### NES Detached Minor Residential Units

- 3.1. The NES-DMRU came into force on the 15<sup>th</sup> December 2025 to establish a consistent, nationwide framework that allows homeowners to build detached minor residential units that have an area of up to 70 square meters without needing resource consent, providing that they meet certain requirements and permitted activity standards.
- 3.2. The following assessment covers the relevant sections of the NES to confirm whether resource consent is triggered for the activity. It is noted that so long as an activity meets the design criteria in Section 5 and can comply with the standards in section 6 that if resource consent is required for a matter in Section 7 that a full assessment under the District Plan is not warranted. Only the matters / rules identified in Section 7 can be assessed.<sup>1</sup>

#### **Section 5 – Permitted Activity Rule**

- 3.3. There will be one DMRU on the site.

---

<sup>1</sup> National Environmental Standards for Detached Minor Residential Units (NES-DMRU) – Frequently Asked Questions [Pg 9]

- 3.4. The site is located within the Coastal Living zone of the Operative District Plan (ODP) and the Rural Residential Zone of the Proposed District Plan – Decisions Version (PDP-DV). The Rural Residential Zone is not a listed zone within the National Planning Standards nor the NES-DMRU and as such assessment of the cabin under the NES-DMRU is only applicable for the ODP zoning.

### **Section 6 – Permitted activity: Standards**

- 3.5. The floor area does not exceed 70m<sup>2</sup>.
- 3.6. There is no building coverage standard in the Operative District Plan. In the Proposed District Plan building or structure coverage is 12.5%. The proposal sits well within the standard.
- 3.7. The DMRU is located more than 2m from the principal dwelling on site.
- 3.8. DMRU must be setback no less than 10m from the front boundary and 5m from the side and rear boundaries. In this case, the front boundary is considered the boundary where physical and legal access to the site is gained. This will be the western boundary. The DMRU is setback in excess of 10m from this boundary. For all other boundaries the permitted setback standard is 5m. The DMRU will exceed the 5m setback requirement.

### **Section 7 – District Plan Rules and standards**

- 3.9. The following matters in a District Plan are applicable to a DMRU. These are as follows:
- a. Subdivision of land – **Not applicable**
  - b. Matters of National Importance – **Not applicable**. The site is not impacted by any resource overlays or other matters noted in section 6 of the RMA
  - c. The use of the DMRU other than for residential activities - **Not applicable**. The DMRU will only be used for Residential Purposes.
  - d. Papakainga - **Not applicable**. The activity is not for Papakainga.
  - e. Earthworks – **Consideration needed**. The development has been subject to earthworks activities. A full assessment of these rules will form part of the wider application.
- 3.10. The following matters must also be complied with:
- a. Rules and Standards that apply to the principal residential unit - **Not applicable**. The principal unit is already legally established.

- b. Manage effects relating to Health and Safety - The development area is not within any areas identified as being susceptible to natural hazards. It is not within proximity to regionally or nationally significant infrastructure, it is not within proximity to an airport, it is not within proximity to contaminated land nor any industrial, primary production or intensive indoor primary production activities which could have reverse sensitivity effects.
- c. Site Specific Infrastructure Requirements – **Consideration Needed**. The proposal will include on-site water supply, onsite wastewater disposal and stormwater management.

3.11. As the proposal can satisfy Sections 5 & 6 of the NES, this legislation is applicable to this activity. As such any other rules which sit outside of the matters listed above cannot be considered, including visual amenity and character values which incorporates outlook, privacy and sunlight considerations.

3.12. As the DMRU applies only to the Operative District Plan, the assessment of the Operative below will include commentary on whether rules relating to the DMRU can be considered. The Assessment under the PDP does not consider this legislation.

### **Section 8 – Regional Plan Rules**

3.13. A DMRU must comply with all relevant regional council rules. In this case relevant rules are wastewater disposal.

3.14. The wastewater disposal system has been designed to meet all the regional council requirements.

3.15. The DMRU development area sits outside of the Riparian Management zone, and sits outside of mapped hazard areas where more restrictive standards are imposed. The proposal has been assessed as a permitted activity insofar as the Regional Plan for Northland.

### **Operative District Plan (ODP)**

3.1. The site is zoned 'Coastal Living' (CLZ) under the Operative Far North District Plan (ODP). There are no other resource layers that apply to the site.

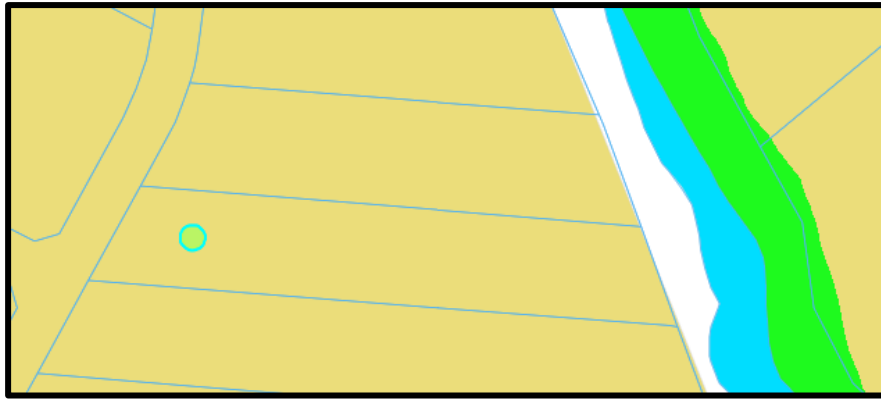


Figure 11: ODP Coastal Living zoning applied to the site.

3.2. The proposed activity is assessed against the following CLZ rules set out in [Table 1](#) below and the District-wide rules in [Table 2](#).

Table 1 - Assessment of the Permitted Section 10.675.1 Coastal Living Zone		
Plan Reference	Rule	Performance of Proposal
10.7.5.1.1	Visual Amenity	<p><b>Permitted.</b></p> <p>(a) Any new building over 50m<sup>2</sup> triggers consent under this rule. The cabin has a floor area of 30m<sup>2</sup> and therefore complies with this rule.</p> <p>(b) Not applicable as the proposal does not involve an alteration or addition.</p> <p>(c) Not applicable as the proposal does not include a replacement building.</p> <p>(d) Not applicable as the proposal is not renovation or maintenance.</p>
10.7.5.1.2	Residential Intensity	<p><b>Permitted.</b></p> <p>The proposal will not alter the number of residential units on the site.</p>
10.7.5.1.3	Scale of Activities	<p><b>Permitted.</b></p> <p>No non-residential activities are proposed.</p>
10.7.5.1.4	Building Height	<p><b>Permitted.</b></p> <p>The maximum height of the building is well within the permitted height of 8m.</p>

10.7.5.1.5	<b>Sunlight</b>	<p><b>Permitted.</b></p> <p>The cabin and retaining will comply with the sunlight recession plane building setback requirements.</p>
10.7.5.1.6	<b>Stormwater Management</b>	<p><b>Permitted.</b></p> <p>The permitted impermeable surface coverage for the Coastal Living zone is 600m<sup>2</sup> or 10% of the site area, however, RC 2180235 – RMACOM, approved 800m<sup>2</sup> of impermeable surfaces within the site which is reflected within condition (xi) of Consent Notice document 11406235.2.</p> <p>The total impermeable surface coverage within the site is calculated as being 789.9m<sup>2</sup>, which complies with the previously approved RC 2180235 and consent notice provisions.</p> <p>As such, consent is not considered required for stormwater management.</p>
10.7.5.1.7	<b>Setback from Boundaries</b>	<p><b>Restricted Discretionary.</b></p> <p>The cabin is located a minimum of 6.1 metres from the southern boundary, with the retaining wall being slightly closer than this. As per above, the cabin meets the criteria for a DMRU under the NES and as such the District Plan setback standards do not apply to this building. As such only the retaining wall is considered under this rule which encroaches into the permitted 10 metre setback with adjoining Lot 43 DP 532487.</p>
10.7.5.1.8	<b>Screening for Neighbours Non-Residential Activities</b>	<p><b>Not Applicable.</b></p>
10.7.5.1.9	<b>Transportation</b>	<p><b>Permitted.</b></p> <p><u>Traffic</u></p> <p>The proposal will not alter the existing TIF of the site.</p> <p><u>Parking</u></p> <p>Parking is existing and the proposal will not alter the required parking spaces.</p> <p><u>Access</u></p>

		Access is provided for via existing provisions.
<b>10.7.5.1.10</b>	<b>Hours of Operation Non-Residential Activities</b>	<b>Not applicable.</b>
<b>10.7.5.1.11</b>	<b>Keeping of Animals</b>	<b>Not applicable.</b>
<b>10.7.5.1.12</b>	<b>Noise</b>	<b>Permitted.</b>
<b>10.7.5.1.13</b>	<b>Helicopter Landing Area</b>	<b>Not applicable.</b>

**TABLE 2 - ASSESSMENT AGAINST THE APPLICABLE OPERATIVE PLAN DISTRICT-WIDE RULES:**

<b>Plan Reference</b>	<b>Rule</b>	<b>Performance of Proposal</b>
<b>12.1</b>	<b>LANDSCAPE AND NATURAL FEATURES</b>	<b>Not applicable</b> The site is not within any mapped outstanding landscape or natural feature.
<b>12.2</b>	<b>INDIGENOUS FLORA AND FAUNA</b>	<b>Permitted.</b> The activity did/does not result in any indigenous vegetation clearance.
<b>12.3</b>	<b>SOILS AND MINERALS</b>	<b>Permitted.</b> Excavations would have been required for the siting of the cabin and foundations. Excavations for building foundations are excluded from the definition of excavation under the ODP. Excavation has been anticipated to be within the permitted amount for the zone.
<b>12.4</b>	<b>NATURAL HAZARDS</b>	<b>Permitted.</b> The cabin is not located within 20m of an area of bush or scrubland and the site is not identified as being within a coastal hazard area.
<b>12.5</b>	<b>HERITAGE</b>	<b>Permitted</b> There are no registered archaeological sites that would be affected by the proposed development.

<b>12.7</b>	<b>LAKES, RIVERS, WETLANDS AND THE COASTLINE</b>	<b>Permitted</b>
<b>12.8</b>	<b>HAZARDOUS SUBSTANCES</b>	<b>Not applicable</b>
<b>12.9</b>	<b>RENEWABLE ENERGY AND ENERGY EFFICIENCY</b>	<b>Not applicable</b>

### Operative District Plan Activity Status

3.3. Overall, the proposed activity is a **‘Restricted Discretionary’** activity under the ODP. This relates to the setback from boundaries aspects of the activity.

### **Proposed District Plan**

3.4. Council have released their decision to adopt the majority of the Hearing Panel’s recommendations, including those which relate to this application. Under section 86B(1) all PDP – Decision Version (PDP-DV) rules now have legal effect. After the notification of decisions there is a 30-working day period for submitters to appeal.

3.5. An assessment of the relevant rules and standards which have current legal effect has been undertaken below. All applications for resource consent that are being processed on the date the decisions are released require a full assessment of the standards, rules, objectives and policies of the Decisions Version of the PDP to enable the continued processing of the application.

3.6. Given that the Proposed District Plan -Decision Version now has legal effect, more weighting is applied to the standards, objectives and policies of the PDP-DV compared to the ODP.

3.7. Under the PDP-DV mapping system, the site is zoned ‘Rural Residential.’ The site is not subject to any overlays.

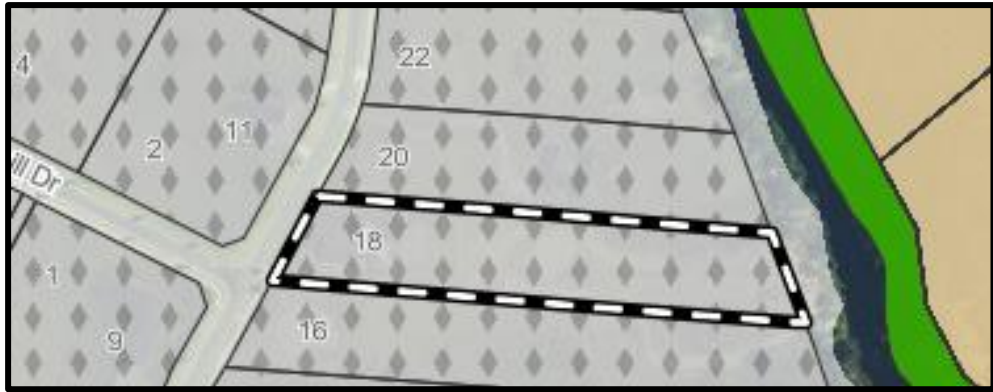


Figure 12: PDP-DV Zoning Maps.

3.8. An assessment against PDP rules that have immediate legal effect is set out in **Table 3** below.

Table 2 – Assessment against the PDP notified rules		
Plan Reference	Rule	Compliance of Proposal
<b>Rural Residential Zone</b>		
<b>RRZ-R1</b>	<p>New Buildings or structures and relocated buildings or extensions or alterations to existing buildings or structures.</p> <p>Activity Status – Permitted where PER-1, PER-2 and PER-3 are met.</p>	<p><b>PER-1</b></p> <p>The new building or structure and relocated building or extension or alteration to an existing building or structure, will accommodate a permitted, controlled or restricted discretionary activity.</p> <p><i>Comment: Complies – The cabin will be utilised for private use by the Applicant and is considered to accommodate a permitted activity.</i></p> <p><b>PER-2</b></p> <p>The new building or structure and relocated building or extension or alteration to an existing building or structure complies with standards:</p> <p>RRZ-S1 Maximum height;</p> <p>RRZ-S2 Height in relation to boundary;</p> <p>RRZ-S3 Setback (excluding from MHWS or wetland, lake</p>

		<p>and river margins);</p> <p>RRZ-S4 Building or structure coverage;</p> <p>RRZ-S5 Sensitive activities setback from boundaries of the Mineral Extraction Zone;</p> <p>RRZ-S6 Sensitive activities setback from intensive indoor and outdoor primary production activities; and</p> <p>RRZ-S7 Sensitive activities setback from buildings or structures used to house, milk or feed stock (excluding buildings or structures used for an intensive indoor or outdoor primary production activity).</p> <p><i>Comment:</i></p> <p><i>RRZ-S1 permits a height of 8m above ground level. The proposal complies with this.</i></p> <p><i>RRZ-S2 provides for a recession plane of 35 degrees at 2m above ground level along the southern boundary. The activity can adequately comply with this.</i></p> <p><i>RRZ-S3 permits a setback distance of 3m from all site boundaries. The proposal complies with this.</i></p> <p><i>RRZ-S4 permits a building or structure coverage of no more than 12.5% or 2500m<sup>2</sup>, whichever is the lesser. The proposal complies with this.</i></p> <p><i>RRZ-S5 relates to setback from Mineral Extraction zone – this is not applicable to the subject site.</i></p> <p><i>RRZ-S6 relates to setback from intensive indoor and outdoor primary production activities – this is not applicable to the subject site.</i></p> <p><i>RRZ-S7 – not applicable as relates to setback from buildings used to house, milk or feed stock.</i></p>
--	--	--

		<p><b>PER-3</b></p> <p>The building or structure and relocated building, if located within an airport protection surface area identified on the planning maps, does not penetrate the airport surfaces shown in APP4 Airport protection surfaces.</p> <p>Note: RRZ-R1 does not apply to artificial crop protection structures and crop support structures.</p> <p><i>Comment: Not Applicable.</i></p> <p>Proposal is assessed as Permitted in terms of this rule.</p>
<p><b>RRZ-R2</b></p>	<p>Impermeable Surface Coverage</p> <p>Activity Status – Permitted where PER-1 is met.</p>	<p><b>PER-1</b></p> <p>The impermeable surface coverage of any site is no more than 12.5% or 2,500m<sup>2</sup> , whichever is lesser.</p> <p><i>Comment – The proposal complies as impermeable surface coverage equates to 789.9 m<sup>2</sup> 8.8% of total site area.</i></p> <p>Proposal is assessed as Permitted in terms of this rule.</p>
<p><b>RRZ-R3</b></p>	<p>Residential Activity</p> <p>Activity status – Permitted where PER-1 is met.</p>	<p><b>PER-1</b></p> <p>The site area per residential unit is at least 4,000m<sup>2</sup>.</p> <p>PER-1 does not apply to:</p> <ul style="list-style-type: none"> <li>i. a single residential unit located on a site less than 4,000m<sup>2</sup> or</li> <li>ii. A detached minor residential unit established in accordance with rule RRZ-R12.</li> </ul>

		<i>Comment – The site area is 9001m<sup>2</sup> as such the proposal is able to comply with this rule.</i>
<b>RRZ-R4</b>	Visitor Accommodation	Rule is not applicable as no visitor accommodation is proposed.
<b>RRZ-R5</b>	Home Business	Rule is not applicable as home business is not proposed.
<b>RRZ-R6</b>	Educational Facility	Not Applicable as no educational facility is proposed.
<b>RRZ-R7</b>	Farming	Not Applicable as farming is not proposed.
<b>RRZ-R8</b>	Conservation Activity	Not applicable as a conservation activity is not proposed.
<b>RRZ-R9</b>	Rural produce retail	Not applicable as rural produce retail is not proposed.
<b>RRZ-R10</b>	Artificial crop protection structures and crop support structures.	Not applicable.
<b>RRZ-R11</b>	Vegetation within airport protection surface area	Not applicable.
<b>RRZ-R12</b>	Minor Residential Unit	Not applicable. While the cabin does meet the criteria to be a Minor Residential Unit, as we are able to comply with rule RRZ-R3 above, assessment of this standard is not considered necessary.
<b>RRZ-R13 – RRZ-R25</b>	Not applicable as these activities are not proposed.	

### Proposed District Plan Activity Status

3.9. The activity is a 'Permitted' activity under the PDP rules that have current legal effect.

### **Variation of Consent Notice**

3.10. As detailed earlier in this application, it is requested to vary Conditions (i) and (x) held within CN Document 11406235.2 as it affects the subject site.

3.11. This request is completed under s221(3) of the Act and is assessed as a **Discretionary Activity**.

### **National Environmental Standards**

#### National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

3.12. As part of RC 2180235 which created the subject site, the application triggered the NES regulations as the proposed subdivision resulted in a change of use of the land. As part of a previous subdivision, a Preliminary Site Investigation was undertaken with the findings resulting in a Detailed Site Investigation which included recommendations for the identified areas. The remediation of the sites was completed and consent notices registered on the affected lots.

3.13. As part of RC 2180235, it was concluded that there was no evidence to suggest that the area of the site was previously used for HAIL activities and no further PSI reports were required.

3.14. As such, it is considered that the site is not a HAIL site and has no known history of HAIL activity. The proposal is considered Permitted in terms of this NES.

#### National Environmental Standards for Freshwater Management 2020

3.15. There are no freshwater wetlands or other stream bodies affected by the proposal. The pond onsite is manmade and therefore not defined as a natural inland wetland. The proposal is considered Permitted in terms of this NES.

## 4. Statutory Assessment

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

4.1. Section 104C governs the determination of applications for Restricted Discretionary Activities. A consent authority must consider only matters which a discretion is restricted in national environmental standards, or it has restricted the exercise of its discretion in its plan or proposed plan. This relates to the land use component where matters of discretion are restricted to the setback from boundary infringement. The consent authority may grant or refuse consent.

### Section 104B of the Resource Management Act 1991

4.2. Section 104B governs the determination of applications for a Discretionary Activity. A consent authority may grant or refuse consent and impose conditions under section 108. This relates to the variation of consent notice conditions.

### RMA Section 104

4.3. The application proposal is subject to the matters set out in Section 104.

4.4. Section 104(1) of the RMA states that when considering an application for resource consent –

- “the consent authority must, subject to Part 2, and section 77M have regard to –*
- (a) any actual and potential effects on the environment of allowing the activity; and*
  - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*
  - (b) any relevant provisions of –*
    - i. a national environmental standard;*
    - ii. other regulations;*
    - iii. a national policy statement;*
    - iv. a New Zealand Coastal Policy Statement;*
    - v. a regional policy statement or proposed regional policy statement;*
    - vi. a plan or proposed plan; and*

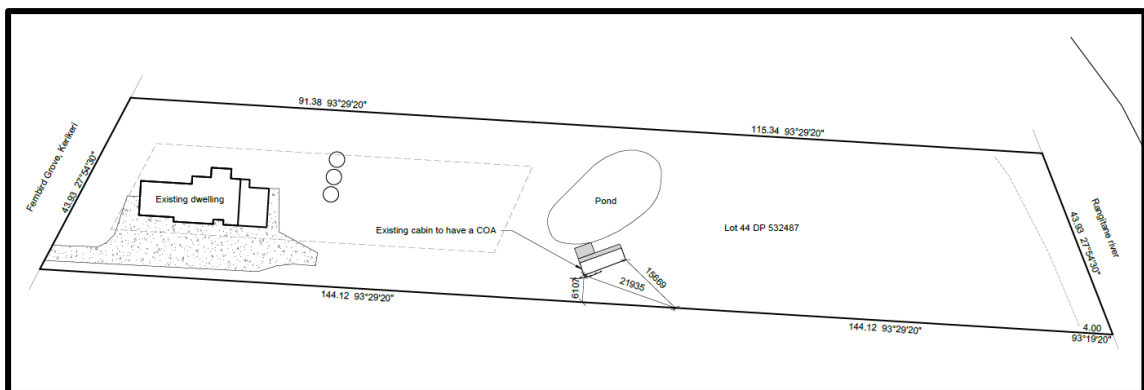
*(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application."*

**Assessment of Effects on the Environment**

- 4.5. Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (as described in section 3 of the RMA). Positive effects arising from this proposal include the consented establishment of a cabin which will be utilised in association with the principal dwelling on the site.
- 4.6. Potential adverse effects on the environment that go beyond the threshold of effects permitted in the Coastal Living zone which are restricted to the setback impact of the retaining wall from the southern boundary of the site.

**Setback From Boundaries**

- 4.7. The retaining wall is located within the 10 metre setback from the southern boundary of the site. Along the southern boundary, the site adjoins Lot 43 DP 532487, which already contains an existing dwelling within the upper western portion of the site. Adjacent to the cabin, within Lot 43 DP 532487, is an area of grass and vegetation, which is at a lower level than the existing dwelling, given the site topography being situated upon an eastern flank, similar to the subject site.



**Figure 13: Site Plan showing setback distances.**



*Figure 14: Image showing subject cabin and adjoining lot to the south, where dwelling is located within upper western portion of the site.*

4.8. The retaining wall has been constructed to support the earth behind the cabin, with the cabin being sited in the current location given the physical constraints of the subject site due to topography as well as location of existing onsite services for wastewater, water supply and stormwater management. The current location has been determined to be the most suitable given the proximity to the pond as well as being located outside of the PNA area which affects the eastern portion of the site.

4.9. The proposal is a Restricted Discretionary Activity. In assessing an application resulting from a breach of Rule 10.7.5.1.7, the matters to which Council will restrict its discretion are commented on as follows:

*(a) The extent to which the building(s) reduces outlook and privacy of adjacent properties.*

4.9.1. The retaining wall is located approximately 95 metres from the existing dwelling within adjoining Lot 43 DP 532487 and is located downslope of the dwelling. The area of land adjacent to the cabin appears to be utilised as additional open space for Lot 43 DP 532487,

which is not within the immediate curtilage area of the dwelling on the site, such that it is assumed that this area would rarely be used.

- 4.9.2. The retaining wall is minor in height and given the retaining wall is not a habitable structure which would create outlook or privacy effects, it is considered that the location of the retaining wall will not result in reduction of outlook and privacy of adjacent properties.

*(b) The extent to which the buildings restrict visibility for access and egress of vehicles.*

- 4.9.3. Vehicle access and egress is not restricted by the retaining wall.

*(c) The ability to mitigate any adverse effects on the surrounding environment, for example by way of street planting.*

- 4.9.4. The site contains extensive landscaping and given effects have been determined to be less than minor, no additional planting or mitigation measures are proposed nor considered necessary. It is noted that within the proposed Rural-Residential zone, the permitted setback distance is 3 metres, which the activity can adequately comply with.

*(d) The extent to which the buildings and their use will impact on the public use and enjoyment of adjoining esplanade reserves and strips and adjacent coastal marine areas.*

- 4.9.5. No effects anticipated given the retaining wall is not located in proximity to these areas.

- 4.9.6. Overall, it is considered that there are no adjacent landowners which would be adversely affected by the approval of the retaining wall location. There is adequate separation distance from the site boundaries to enable maintenance of the retaining wall and given the existing topography, separation distance from existing buildings, existing landscaping, effects from the setback infringement is considered to be less than minor. Adverse effects on privacy and outlook and enjoyment of adjacent properties are not considered to be created.

- 4.9.7. It is considered that even if the retaining wall was relocated to comply with the setback requirements, this change would be indiscernible from what currently exists and not

change the level of effects created by the proposal, it may in fact create adverse effects given the physical and natural constraints of the site.

- 4.9.8. Given the above, no written approvals have been sought as effects on adjoining property owners have been determined to be less than minor.

### Variation to Consent Notice Conditions

- 4.10. As detailed earlier in this report, there is an existing consent notice registered on the title under 11406235.2 which is dated 23<sup>rd</sup> August 2019. The activity requires a variation to two consent notice conditions within this document which are detailed below.

#### Condition (i)

- 4.11. Condition (i) states the following:

*'(i) All buildings including water tanks and ancillary buildings shall be located within the approved building envelope as detailed within the survey plan.'*

- 4.12. The cabin has been located outside of the approved building envelope as it is located downslope of this area. As detailed earlier in this report, the cabin has been located given the physical and natural constraints of the site. Within the open area between the cabin and dwelling are the onsite services for wastewater, water and stormwater, such that built development is not possible within this area. The cabin has been located near to the pond to screen the cabin from view as it is visually screened by the existing landscaping as well as being located downslope of existing development within the site and surrounding environment. The dwelling located on the adjoining site to the north, within Lot 45 DP 532487 is located within a similar location to the cabin, such that built development within these lower elevations of the site are not out of character or objectionable with the surrounding environment.

- 4.13. The cabin is modest in size, with a floor area of 30m<sup>2</sup> and is consistent with the colour scheme and cladding of the existing dwelling on the site, such that the built form within the site is coherent and aesthetically pleasing to the eye. The cabin is not considered to be intrusive within the surrounding environment. Given the cabin is recessively coloured the building is able to be visually absorbed into the context of the existing setting resulting in a low level of potential effects upon landscape, visual and natural character values.

- 4.14. It is noted that within the AEE for RC 2180235 which created the subject site, building envelopes were proposed to take into account the siting of buildings below the ridgeline and also through minimising the length of internal access needed. The cabin meets these requirements given it is located below the ridgeline and no formal internal access is required given the proposed use of the cabin.
- 4.15. The NES-DMRU stipulates rules and standards in a district plan that are applicable to the DMRU. These are listed within Regulation 7(2) & (3) of the NES-DMRU and as detailed earlier in this application, the proposal is consistent with these standards and rules. Regulation 7(4) states that no other rules or standards in a district plan apply to the DMRU, including amenity values, outdoor open space, privacy and sunlight. Given that the inclusion of the building envelopes is an amenity matter, the impact of the cabin building being located outside of the envelope can be discounted.
- 4.16. Given the above, cabin can meet the Permitted requirements of the NES-DMRU, ODP and PDP-DV, it is considered that exclusion of the cabin from the building envelope on the site will have less than minor effects. The retaining wall is a minor activity, established to support the cabin and is not considered to create any adverse effects as detailed within this application.
- 4.17. Overall, it is considered appropriate to vary the consent notice condition to exclude the cabin and retaining wall, as effects from the activity are considered to be less than minor as detailed within this application.
- 4.18. It is therefore considered appropriate to amend Condition (i) as per below (amendments shown in red and underlined):

*'(i) All buildings including water tanks and ancillary buildings shall be located within the approved building envelope as detailed within the survey plan with the exception of the cabin and retaining wall as detailed within the Plan Set prepared by O'Brien Design Consulting referenced 'COA Plans for Foundation & Drainage Sleepout' dated 28<sup>th</sup> April 2026.*

**Condition (x)**

- 4.19. Condition (x) states the following:

*'In conjunction with the construction of any building requiring building consent and associated impermeable surface development on the lots, the lot owner shall submit for approval of*

*Council's Building Consent Authority a stormwater management report and design for a stormwater management system. The report shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.'*

- 4.20. There has not been a stormwater management report prepared for the cabin, however there has been one prepared for the existing dwelling on the site. The cabin has a roof area of 38.1m<sup>2</sup>, with the attached deck being open slatted such that it is not defined as an impermeable surface. Runoff from the roof of the cabin is captured via downpipes and the directed to the pond. Given the small roof area and the large capacity of the pond, this is considered adequate to control stormwater runoff from the cabin.
- 4.21. It is noted that stormwater from the dwelling is directed to water tanks with overflow being directed to a dispersal device, which also captures runoff from the concreted areas near the dwelling. As such, stormwater runoff from the existing impermeable areas within the site are not directed to the pond.
- 4.22. It is noted that 800m<sup>2</sup> of impermeable surfaces are provided for the allotment as previously approved under RC 2180235 and reflected within the consent notice document, which is complied with, with the total amount of impermeable surfaces being less than this. Any additional impermeable surfaces within the site which exceed 10m<sup>2</sup>, would require resource consent under the current ODP rules.
- 4.23. Stormwater from the cabin is considered to be adequately managed within the site boundaries without creating adverse effects on the adjoining property owners or downstream areas. Natural hazards in terms of flooding are not anticipated to be exacerbated.
- 4.24. Given the minor nature of the cabin and the large capacity of the pond, it is considered appropriate to waive the requirement for a stormwater management report for the cabin.
- 4.25. It is therefore considered appropriate to amend Condition (x) as per below (amendments shown in red and underlined):

*'In conjunction with the construction of any building requiring building consent and associated impermeable surface development on the lots, the lot owner shall submit for approval of Council's Building Consent Authority a stormwater management report and design for a*

*stormwater management system. The report shall be prepared by a suitably qualified and experienced Chartered Professional Engineer. The cabin as detailed within the Plan Set prepared by O'Brien Design Consulting referenced 'COA Plans for Foundation & Drainage Sleepout' dated 28<sup>th</sup> April 2026 is exempt with stormwater from the roof of the cabin being directed to the pond.'*

### **Summary**

4.26. As detailed above, it is considered appropriate to amend conditions (i) and (x) to exempt the cabin. The amendments to the consent notice are sought under S221(3) of the Act.

### **Relevant Statutory Provisions**

4.27. Section 104(1)(b) requires the consideration of any relevant provisions found in national policy statements or standards, regional policy statements or plans and operative or proposed district plans. Relevant statutory documents include:

- Regional Policy Statement for Northland
- Far North District Plan
- Proposed Far North District Plan – Decisions Version

### **Regional Policy Statement for Northland (2016 - updated 2018)**

4.28. The purpose of the Regional Policy Statement for Northland (RPS) is to promote the sustainable management of Northland's natural and physical resources by providing an overview of the region's resource management issues.

4.29. The RPS sets out policies and methods to achieve integrated management of Northland's natural and physical resources. The cabin and retaining wall are located outside of any regionally mapped outstanding landscape. The site does not include areas of high natural character, however there is an area of PNA within the site. The site is not located within the coastal environment.

4.30. The proposal is not considered to create any effects on the character of the locality. The proposal is considered to have negligible effects on the life supporting capacity of air, water,

soil and ecosystems. As such, it is considered the proposal is compatible with the intent of the RPS.

- 4.31. It is considered that in the context of the existing site zoning and the extent to which existing vegetation will be retained, the proposed development will not be contrary to the objectives and policies of the RPSN.

#### *Far North District Plan*

- 4.32. The relevant objectives and policies of the Plan are those related to the Coastal Environment, in particular Chapter 10.7 Coastal Living Zone. The proposal is considered to create less than minor adverse effects on the surrounding environment. The proposal is considered to be consistent with the character of the surrounding area and is considered to have negligible effects on the amenity value of the area. Given the land use component is a Restricted Discretionary Activity under the ODP in relation to setback from boundaries, the activity is considered to be anticipated by the Plan and is consistent with the relevant objectives and policies.

#### *Proposed Far North District Plan – Decisions Version*

- 4.33. As discussed in the sections above, the site is located within the Rural Residential zone under the PDP-DV mapping system. The proposal is considered to be consistent with the character of the surrounding area and is considered to have nil effects on the amenity of the area. The activity is considered to be consistent with the relevant objectives and policies of the PDP.

#### *Plan Weighting Summary*

- 4.34. As required by Section 104(1)(b) of the RMA, a decision on this application must consider the extent to which a proposal is consistent with the relevant provisions of the ODP and the PDP.
- 4.35. As detailed earlier in this application, Council have now released their decision to adopt the majority of the Hearings Panel Recommendations, including those which relate to this application. Under section 86B(1) all PDP-DV rules now have legal effect. After the notification of decisions there is a 30-working day period for submitters to appeal.

- 4.36. Now that the PDP has advanced beyond a Council Decision, greater weighting is applied to the PDP-DV rather than the ODP.
- 4.37. It is worth reiterating that under the PDP-DV, the proposal has been assessed as a Permitted Activity. The activity is small scale, located within a rural-residential environment and will not have any impact on the existing activities within the site or within adjoining sites.

## 5. Notification Assessment

- 5.1. Section 95A-95G sets out the public and limited notification criteria for resource consent applications.

### Section 95A – Public Notification Assessment

- 5.2. Section 95A requires a council to follow specific steps when deciding whether to publicly notify an application for resource consent. These steps are set out and commented on as follows.

#### Step 1: Mandatory public notification in certain circumstances

S95A(3)(a)	The applicant requests public notification
S95A(3)(b)	Public notification is required under section 95C
S95A(3)(c)	The application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

- 5.3. The Applicant has not requested public notification, nor is it required under section 95C. Section 95A(3)(c) is not applicable.

#### Step 2: If not required by step 1, public notification in certain circumstances

S95A(5)(a)	Is the application for a resource consent for one or more activities and each activity is subject to a rule or national environmental standard that precludes public notification.
S95A(5)(b)	Is the application for a resource consent for 1 or more of the following, but not other, activities; a controlled activity; a restricted discretionary, discretionary or non-complying activity, but only if the activity is a boundary activity.

- 5.4. The proposed activity applied for is not precluded from notification by a rule or a national environmental standard. The activity is not solely for a boundary activity.

**Step 3: If not precluded by step 2, public notification required in certain circumstances**

S95A(8)(a)	The application is for a resource consent for 1 or more activities, and any one of those activities is subject to a rule or national environmental standard that requires public notification.
S95(8)(b)	In accordance with section 95D, the activity has or is likely to have adverse effects on the environment that are more than minor.

- 5.5. The proposed activity applied for is not subject to a rule or national environmental standard that requires public notification.

- 5.6. Section 95D specifies the criteria by which a consent authority may decide whether an activity will have or is likely to have adverse effects on the environment that are more than minor. This includes what a council may or may not have regard to:

S95D(a)(i)-(ii)	A consent authority <u>must</u> disregard any effects on persons who own or occupy- <ul style="list-style-type: none"> <li>(i) The land in, on, or over which the activity will occur, or</li> <li>(ii) Any land adjacent to that land</li> </ul>
S95D(b)	A consent authority <u>may</u> disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.
S95D(c)	A consent authority <u>must</u> , in the case of a restricted discretionary activity, disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts its discretion.
S95D(d)	A consent authority <u>must</u> disregard trade competition and the effects of trade competition.
S95D(e)	A consent authority <u>must</u> disregard any effect on a person who has given written approval to the relevant application

- 5.7. For the purposes of deciding public notification, any effects on persons who own or occupy the application site, or adjacent land may be disregarded. The proposal is not considered to create adverse effects as detailed within this application.
- 5.8. In accordance with Section 95D(b), the council has discretion to disregard the effects of an activity if a rule or a national environmental standard permits an activity with that effect, referred to as the permitted baseline. In terms of building setback, the proposed activity infringes the required minimum building setback from the southern boundary. Consent is also required for variation to consent notice conditions. No rule or national environmental standard permits activities with the above-mentioned effects.
- 5.9. The land use activity is a restricted discretionary activity such that the matters over which the Council has discretion is limited.
- 5.10. Potential adverse effects that extend beyond the site boundary and the immediately adjacent properties are assessed to be less than minor and would not be of a wider public interest to the extent that public notification is warranted.

**Step 4: Public notification in special circumstances**

S95(9)	Do special circumstances exist in relation to the application that warrant the application being publicly notified?
--------	---

- 5.11. When considering public notification, current caselaw has defined ‘special circumstances’ as those outside the common run of things which are exceptional, abnormal or unusual, but they may be less than extraordinary or unique. The application seeks retrospective consent for a cabin which will act as an ancillary building to the existing principal dwelling on the site as well as an associated retaining wall. The proposed activity is located on a low-density coastal living type site that is anticipated by the District Plan. There are no extraordinary or unique circumstances.
- 5.12. Potential adverse effects beyond the immediate site boundary are less than minor. Public notification of the application is not deemed necessary, nor is it required.

## Section 95B – Limited Notification Assessment

- 5.13. If an application is not publicly notified, a consent authority must follow the steps of section 95B to decide if limited notification is required. A Section 95B assessment requires a decision about whether there are any specified affected groups or affected persons (under section 95E).

### Step 1: Certain affected groups and affected persons must be notified

S95B(2)(a)	Are there any affected protected customary rights groups
S95B(2)(b)	Are there any affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity)?
S95B(3)(a)	Is the proposed activity adjacent to, or may affect land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11?
S95B(3)(b)	Is the person to whom the statutory acknowledgement is made is an affected person under section 95E?

- 5.14. The proposed activity would not affect any protected customary rights groups or marine title groups. The site is not known to adjoin or be within a Statutory Acknowledgement Area.

### Step 2: If not required by step 1, limited notification precluded in certain circumstances

S95B(6)(a)	The application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification.
S95B(6)(b)	The application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).

- 5.15. The proposed activity is not subject to a rule or national environmental standard that precludes limited notification. The application activity status is not 'controlled'.

### Step 3: If not precluded by step 2, certain other affected persons must be notified

S95B(7)	In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.
S95B(8)	In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.

5.16. The land use component does solely involve a boundary activity. The proposed activity is a Restricted Discretionary Activity arising from an infringement to the building setback rule. Consent is also sought to vary consent notice conditions as a Discretionary Activity under s221(3) of The Act.

5.17. Section 95E provides the basis on which a person is deemed to be affected by a proposed activity. Section 95E(1) 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 not less than minor). Section 95E(2)(a)-(c) sets out the adverse effects a consent authority can disregard or matters it must have regard to when assessing adverse effects on a person:

#### Affected Persons

S95E(2)(a)	A consent authority <u>may</u> disregard adverse effect of an activity on the person if a rule or a national environmental standard permits an activity with that effect.
S95E(2)(b)	A consent authority <u>must</u> disregard an adverse effect arising from a a controlled activity or a restricted discretionary activity if the effect of the activity does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion.
S95E(2)(c)	A consent authority <u>must</u> have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

5.18. The land use consent component is a Restricted Discretionary Activity for a boundary activity. An assessment of the proposal requires consideration of all potential effects on the environment. The Council may disregard the effects of an activity where they are permitted under a rule or a national environmental standard.

- 5.19. For the purpose of determining if a person is affected by a proposed activity, Section 95(3) states that a person is not affected in relation to an application if the person has given written approval.
- 5.20. Written approval has not been sought from the owner of adjoining Lot 43 DP 532487, given effects from the setback infringement are considered to be less than minor, as detailed and concluded within this application. It is considered that even if the cabin and retaining wall were relocated to comply with the setback requirements, this change would be indiscernible from what currently exists and not change the level of effects created by the proposal, it may in fact create adverse effects given the physical and natural constraints of the site.
- 5.21. Moreover, as detailed above the cabin itself can comply with the setback standards in the NES-DMRU and as the building envelopes are an amenity matter any effects arising from the location of the cabin can be disregarded under the NES. This leaves us with consideration of the retaining wall which is a minor structure.
- 5.22. As such, effects on adjoining property owners are considered to be less than minor. On that basis, it is considered that there are no persons who are affected by the proposed activity.
- 5.23. The Applicant requests that the application be processed on a non-notified basis.

## 6. Part 2 Assessment

- 6.1. The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 6.2. The proposal will meet Section 5 of the RMA as the proposal will sustain the potential of natural and physical resources whilst meeting the foreseeable needs of future generations. The proposal is considered to retain the existing use of the land while still providing for their social, economic and cultural well-being. In addition, the proposal will avoid adverse effects on the environment and maintain the natural character of the site and surrounding environment in keeping with the intent of the CLZ.

- 6.3. Section 6 of the Act contains the matters of national importance. These matters of national importance are considered relevant to this application. The proposal is not located within the coastal environment. The site contains existing areas of PNA, which are not affected by the activity. Providing for the social and economic wellbeing of the Applicant must be balanced with natural environment protection policies where locations are not identified as being outstanding and where residential development potential is signalled as being appropriate. Given the modest design of the cabin and the lower-level elevation, it is considered that character and amenity of the surrounding environment will not be adversely affected. The site is not known to contain any historic heritage nor be of significance to Māori. The activity is not considered to exacerbate natural hazards. It is therefore considered that the proposal is consistent with Section 6 of the Act.
- 6.4. Section 7 identifies a number of “other matters” to be given particular regard by a Council in the consideration of any assessment for resource consent, including the maintenance and enhancement of amenity values. The proposal maintains amenity values in the area.
- 6.5. Section 8 requires Council to take into account the principals of the Treaty of Waitangi. It is considered that the proposal raises no Treaty issues. The subject site is not within a documented area of significance to Māori. The proposal has considered the principals of the Treaty of Waitangi and would not be contrary to these principals.
- 6.6. Overall, the application is assessed to be consistent with the relevant provisions of Part 2 of the Act, as expressed through the objectives, policies and rules reviewed in earlier sections of this application. Given that consistency, we conclude that the proposal achieves the purposes of sustainable management set out by Sections 5-8 of the Act.

## 7. Conclusion

- 7.1. The Applicant is seeking retrospective consent for a cabin and retaining wall within the site.
- 7.2. The site is zoned Coastal Living within the ODP and Rural Lifestyle within the PDP (proposed to be rezoned as Rural-Residential). Low density residential activity is enabled by both zones, subject to avoiding and / or mitigating potential adverse effects on the natural character values of the site, including coastal character. The land use component is a Restricted Discretionary

Activity overall for matters relating to setback from boundaries. The proposed activity complies with all other ODP and PDP permitted standards.

- 7.3. The proposal also includes a variation to existing consent notice conditions to allow the cabin to be located outside of the approved building envelope and waiving the requirement for a stormwater management report for the cabin. The variation to consent notice conditions is assessed as a Discretionary Activity under s221(3) of the Act.
- 7.4. An assessment of potential adverse effects on the environment concludes that the effects of the proposal will be no more than minor. The site is located within an area of mixed use, adjoining other rural lifestyle properties and recreational sites being located within the immediate area. The setback infringement is not anticipated to create any effects that would be more than minor given the location and design of the cabin in relation to surrounding built development. To the extent possible, the proposal has been designed to comply with the permitted standards of both the ODP and the PDP.
- 7.5. The relevant provisions of the ODP and PDP apply with greater weight given to the ODP in the absence of a Council decision on submissions and the resolution of any appeals. The proposed activity is consistent with the overall intent of the ODP CLZ which contemplates low density development where these are not detrimental to natural character.

## 8. Limitations

- 8.1. This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 8.2. Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 8.3. Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.

- 8.4. Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.

# Application for resource consent or fast-track resource consent

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

## 1. Pre-Lodgement Meeting

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

Yes  No

## 2. Type of consent being applied for

(more than one circle can be ticked):

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

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

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

Yes  No

## 4. Consultation

Have you consulted with Iwi/Hapū?  Yes  No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

## 5. Applicant details

**Name/s:**

Nickolas Farrand

**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.

ABATE-2026-36

## 6. Address for correspondence

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

**Name/s:**

Northland Planning & Development 2020 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.

## 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:**

Nickolas Farrand and Trustee Services (2020) Limited

Property address/  
location:

18 Fernbird Grove

Kerikeri

0294

Postcode

## 8. Application site details

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

Name/s:

Site address/  
location:

  
  
  
 Postcode

Legal description:

Val Number:

Certificate of title:

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

### Site visit requirements:

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

Is there a dog on the property?  Yes  No

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

## 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.

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

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

Yes  No

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

(more than one circle can be ticked):

Building Consent

Regional Council Consent (ref # if known)

National Environmental Standard Consent

Other (please specify)

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

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

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

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

Subdividing land

Disturbing, removing or sampling soil

Changing the use of a piece of land

Removing or replacing a fuel storage system

## 13. Assessment of environmental effects:

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

Your AEE is attached to this application  Yes

## 14. Draft conditions:

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

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

## 15. Billing Details:

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

**Name/s:** (please write in full)

Nick Farrand

**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.

## 15. Billing details continued...

### Declaration concerning Payment of Fees

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

**Name:** (please write in full)

Nick Farrand

**Signature:**

(signature of bill payer)

**Date** 23-Jan-2006

## 16. Important Information:

### Note to applicant

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

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

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

### Fast-track application

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

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

### Privacy Information:

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

## 17. Declaration

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

**Name** (please write in full)

Rochelle Jacobs

**Signature**

**Date** 23-Jun-2026

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

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

## Checklist

---

*Please tick if information is provided*

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

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



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

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



  
R. W. Muir  
Registrar-General  
of Land

**Identifier** **871585**  
**Land Registration District** **North Auckland**  
**Date Issued** 30 August 2019

**Prior References**  
728965

---

**Estate** Fee Simple  
**Area** 9001 square metres more or less  
**Legal Description** Lot 44 Deposited Plan 532487  
**Registered Owners**  
Nickolas Glenn Farrand and Trustee Services (2020) Limited

---

**Interests**

10388614.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 10.8.2016 at 2:54 pm  
11406235.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 30.8.2019 at 4:18 pm  
Land Covenant in Covenant Instrument 11658947.1 - 15.1.2020 at 3:27 pm (Limited as to duration)  
Fencing Covenant in Transfer 11835848.1 - 29.4.2021 at 2:18 pm  
12394002.1 Mortgage to ASB Bank Limited - 7.3.2022 at 12:13 pm



# View Instrument Details



**Instrument No** 10388614.2  
**Status** Registered  
**Date & Time Lodged** 10 August 2016 14:54  
**Lodged By** Wallace, Anne Michele  
**Instrument Type** Consent Notice under s221(4)(a) Resource Management Act 1991



---

Affected Computer Registers	Land District
NA28A/800	North Auckland
NA80A/723	North Auckland
NA97B/194	North Auckland

---

**Annexure Schedule:** Contains 3 Pages.

---

## Signature

Signed by Anthea Mary Coombes as Territorial Authority Representative on 24/08/2016 03:06 PM

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



Private bag 757, Auckland Ave  
Kaitiaki 0146, New Zealand  
Freephone: 0800 970 079  
Phone: (09) 401 5200  
Fax: (09) 401 2757  
Email: [enquiries@fncc.govt.nz](mailto:enquiries@fncc.govt.nz)  
Website: [www.fncc.govt.nz](http://www.fncc.govt.nz)

*Te Kaitiaki o te Tai Tokerau Ki te Raki*

*The Far North District Council*  
*Te Kaitiaki o te Tai Tokerau*

## **THE RESOURCE MANAGEMENT ACT 1991**

### **SECTION 221: CONSENT NOTICE**

REGARDING RC 2160062  
Being the Subdivision of Section 26 BLK VII Kerikeri SD,  
Pt Sec 3 BLK VII Kerikeri SD (SO1130) and Lot 1 DP 135938  
North Auckland Registry

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

### **SCHEDULE**

#### **Lots 1- 32 – DP 494309**

- i) All buildings including water tanks and ancillary buildings shall be located within the approved building envelope as detailed within the survey plan.
- ii) In the event that the site remains undeveloped and that the landuse consent component of this decision lapses then the future development of the site (including any resource consent applications that may be required) shall be undertaken in general compliance with the design and development guidelines within the lapsed landuse decision (RC 2160062 issued by the Far North District Council dated 19<sup>th</sup> February 2016. This resource consent supercedes RC 2130171).
- iii) Pest and weed eradication measures established under the Building Development Landscape Plan and condition 11 of the landuse decision shall be implemented prior to and following the development of the site. The programme shall be maintained for the duration of the consent by the landowner.
- iv) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose.



Princes Bay / 52, Manawhirihe  
Kōwhiri 0440, New Zealand  
Facsimile: 0800 920 029  
Phone: (09) 401 5200  
Fax: (09) 401 2137  
Email: [enquiries@fncc.govt.nz](mailto:enquiries@fncc.govt.nz)  
Website: [www.fncc.govt.nz](http://www.fncc.govt.nz)

*Te Kaitiaki o Te Tokerau Ki Te Raki*

*Hei hōriki pūtea whānui hōriki  
mōhio ki te āwhiwhiwhiwhiwhi*

These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.

- v) When the vehicle crossing to the lot is finalized the lot owner/ developer shall apply to Council for a Vehicle Crossing Permit. The crossing is to be completed in accordance with the applicable Council Standards.
- vi) In conjunction with the construction of any building which includes a wastewater treatment and effluent disposal system the applicant shall submit for Council approval a site specific TP58 report prepared by a Chartered Professional Engineer or an approved TP58 report writer. The report shall be prepared generally in accordance with the onsite wastewater management section of the Engineers report prepared by Cook Costello Consulting Engineers (RC 2130171 and which is adopted into RC 2160062). The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment and disposal system can be fully contained within the lot boundary and that it complies with the Regional Water and Soil Plan Permitted Activity Standards.
- vii) In conjunction with the construction of any building the applicant shall submit for Council approval as part of the Building Consent application a report prepared by a suitably qualified engineer for the design of the stormwater management system in accordance with the recommendations relevant to that particular lot contained in the approved Addendum to the Subdivision Suitability Report prepared by Cook Costello and dated 29 October 2014.

**Lots 1-12, 17-20 & 22-32 – DP 494309**

- viii) The lot is located within an area noted as having Kiwi present. Dogs within the lot shall remain under control at all times with cats kept inside in the evenings. It is also recommended that dogs within the lot should undertake Kiwi aversion training.

**Lots 13-16, & 21 – DP 494309**

- ix) No owners or occupiers of or visitors to any of the lots shall keep or introduce onto the land any carnivorous animal (such as cats, dogs, or mustelids) which have the potential to be Kiwi predators. This prohibition includes the bringing of any such animals onto the site by visitors and contractors.

Note: This requirement has been imposed as these allotments adjoin the Crown Grant Road and are immediately adjacent to high density kiwi populations located on the norther side of the Rangitane River.





Franklin Bay /52, Messiahi Ave  
Kohanga 0441, New Zealand  
Telephone: 0800 920 029  
Phone: (09) 401 5200  
Fax: (09) 401 2137  
Email: [info@fncc.govt.nz](mailto:info@fncc.govt.nz)  
Website: [www.fncc.govt.nz](http://www.fncc.govt.nz)

*Te Kaunhera o Tai Tokerau Ki Te Raki*

*Hei tauwhiri i te ao māori  
me te ao whānau*

**Lots 3, 4, 21, 25 & 26 – DP 494309**

- x) For the purposes of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health these allotments are HAIL Sites. Prior to the commencement of any soil disturbance appropriate DSf Reports shall be completed and any required remediation and revalidation testing undertaken. An application to Council under the NES Regulations will be required where the Permitted thresholds of the NES Regulations are not met.

**Lot 1000 only – DP 494309**

- xi) Any site identified as a deposition area for material removed from Control Areas 1, 2 & 3 as required by condition 2(e) and which includes fill received from Control Areas 1, 2 & 3 is a HAIL site for the purposes of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health and is therefore not suitable for residential development. The soil contaminants are to be tested and confirmed as being at or below levels considered suitable for recreational purposes.

SIGNED:

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

DATED at KERIKERI this 27<sup>th</sup> day of July 2016





# View Instrument Details

**Instrument No.** 11406235.2  
**Status** Registered  
**Date & Time Lodged** 30 Aug 2019 16:18  
**Lodged By** Wallace, Anne Michele  
**Instrument Type** Consent Notice under s221(4)(a) Resource Management Act 1991



---

<b>Affected Records of Title</b>	<b>Land District</b>
728965	North Auckland

---

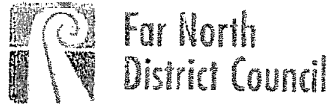
**Annexure Schedule** Contains 4 Pages.

---

## Signature

Signed by Anthea Mary Coombes as Territorial Authority Representative on 30/08/2019 04:16 PM

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



1. Mailing 7. 1998-99  
2. Mailing 8. 1999-00  
3. Mailing 9. 2000-01  
4. Mailing 10. 2001-02  
5. Mailing 11. 2002-03  
6. Mailing 12. 2003-04  
7. Mailing 13. 2004-05  
8. Mailing 14. 2005-06  
9. Mailing 15. 2006-07  
10. Mailing 16. 2007-08  
11. Mailing 17. 2008-09  
12. Mailing 18. 2009-10  
13. Mailing 19. 2010-11  
14. Mailing 20. 2011-12  
15. Mailing 21. 2012-13  
16. Mailing 22. 2013-14  
17. Mailing 23. 2014-15  
18. Mailing 24. 2015-16  
19. Mailing 25. 2016-17  
20. Mailing 26. 2017-18  
21. Mailing 27. 2018-19  
22. Mailing 28. 2019-20  
23. Mailing 29. 2020-21  
24. Mailing 30. 2021-22  
25. Mailing 31. 2022-23  
26. Mailing 32. 2023-24  
27. Mailing 33. 2024-25  
28. Mailing 34. 2025-26  
29. Mailing 35. 2026-27  
30. Mailing 36. 2027-28  
31. Mailing 37. 2028-29  
32. Mailing 38. 2029-30  
33. Mailing 39. 2030-31  
34. Mailing 40. 2031-32  
35. Mailing 41. 2032-33  
36. Mailing 42. 2033-34  
37. Mailing 43. 2034-35  
38. Mailing 44. 2035-36  
39. Mailing 45. 2036-37  
40. Mailing 46. 2037-38  
41. Mailing 47. 2038-39  
42. Mailing 48. 2039-40  
43. Mailing 49. 2040-41  
44. Mailing 50. 2041-42  
45. Mailing 51. 2042-43  
46. Mailing 52. 2043-44  
47. Mailing 53. 2044-45  
48. Mailing 54. 2045-46  
49. Mailing 55. 2046-47  
50. Mailing 56. 2047-48  
51. Mailing 57. 2048-49  
52. Mailing 58. 2049-50  
53. Mailing 59. 2050-51  
54. Mailing 60. 2051-52  
55. Mailing 61. 2052-53  
56. Mailing 62. 2053-54  
57. Mailing 63. 2054-55  
58. Mailing 64. 2055-56  
59. Mailing 65. 2056-57  
60. Mailing 66. 2057-58  
61. Mailing 67. 2058-59  
62. Mailing 68. 2059-60  
63. Mailing 69. 2060-61  
64. Mailing 70. 2061-62  
65. Mailing 71. 2062-63  
66. Mailing 72. 2063-64  
67. Mailing 73. 2064-65  
68. Mailing 74. 2065-66  
69. Mailing 75. 2066-67  
70. Mailing 76. 2067-68  
71. Mailing 77. 2068-69  
72. Mailing 78. 2069-70  
73. Mailing 79. 2070-71  
74. Mailing 80. 2071-72  
75. Mailing 81. 2072-73  
76. Mailing 82. 2073-74  
77. Mailing 83. 2074-75  
78. Mailing 84. 2075-76  
79. Mailing 85. 2076-77  
80. Mailing 86. 2077-78  
81. Mailing 87. 2078-79  
82. Mailing 88. 2079-80  
83. Mailing 89. 2080-81  
84. Mailing 90. 2081-82  
85. Mailing 91. 2082-83  
86. Mailing 92. 2083-84  
87. Mailing 93. 2084-85  
88. Mailing 94. 2085-86  
89. Mailing 95. 2086-87  
90. Mailing 96. 2087-88  
91. Mailing 97. 2088-89  
92. Mailing 98. 2089-90  
93. Mailing 99. 2090-91  
94. Mailing 100. 2091-92  
95. Mailing 101. 2092-93  
96. Mailing 102. 2093-94  
97. Mailing 103. 2094-95  
98. Mailing 104. 2095-96  
99. Mailing 105. 2096-97  
100. Mailing 106. 2097-98  
101. Mailing 107. 2098-99  
102. Mailing 108. 2099-100  
103. Mailing 109. 2100-101  
104. Mailing 110. 2101-102  
105. Mailing 111. 2102-103  
106. Mailing 112. 2103-104  
107. Mailing 113. 2104-105  
108. Mailing 114. 2105-106  
109. Mailing 115. 2106-107  
110. Mailing 116. 2107-108  
111. Mailing 117. 2108-109  
112. Mailing 118. 2109-110  
113. Mailing 119. 2110-111  
114. Mailing 120. 2111-112  
115. Mailing 121. 2112-113  
116. Mailing 122. 2113-114  
117. Mailing 123. 2114-115  
118. Mailing 124. 2115-116  
119. Mailing 125. 2116-117  
120. Mailing 126. 2117-118  
121. Mailing 127. 2118-119  
122. Mailing 128. 2119-120  
123. Mailing 129. 2120-121  
124. Mailing 130. 2121-122  
125. Mailing 131. 2122-123  
126. Mailing 132. 2123-124  
127. Mailing 133. 2124-125  
128. Mailing 134. 2125-126  
129. Mailing 135. 2126-127  
130. Mailing 136. 2127-128  
131. Mailing 137. 2128-129  
132. Mailing 138. 2129-130  
133. Mailing 139. 2130-131  
134. Mailing 140. 2131-132  
135. Mailing 141. 2132-133  
136. Mailing 142. 2133-134  
137. Mailing 143. 2134-135  
138. Mailing 144. 2135-136  
139. Mailing 145. 2136-137  
140. Mailing 146. 2137-138  
141. Mailing 147. 2138-139  
142. Mailing 148. 2139-140  
143. Mailing 149. 2140-141  
144. Mailing 150. 2141-142  
145. Mailing 151. 2142-143  
146. Mailing 152. 2143-144  
147. Mailing 153. 2144-145  
148. Mailing 154. 2145-146  
149. Mailing 155. 2146-147  
150. Mailing 156. 2147-148  
151. Mailing 157. 2148-149  
152. Mailing 158. 2149-150  
153. Mailing 159. 2150-151  
154. Mailing 160. 2151-152  
155. Mailing 161. 2152-153  
156. Mailing 162. 2153-154  
157. Mailing 163. 2154-155  
158. Mailing 164. 2155-156  
159. Mailing 165. 2156-157  
160. Mailing 166. 2157-158  
161. Mailing 167. 2158-159  
162. Mailing 168. 2159-160  
163. Mailing 169. 2160-161  
164. Mailing 170. 2161-162  
165. Mailing 171. 2162-163  
166. Mailing 172. 2163-164  
167. Mailing 173. 2164-165  
168. Mailing 174. 2165-166  
169. Mailing 175. 2166-167  
170. Mailing 176. 2167-168  
171. Mailing 177. 2168-169  
172. Mailing 178. 2169-170  
173. Mailing 179. 2170-171  
174. Mailing 180. 2171-172  
175. Mailing 181. 2172-173  
176. Mailing 182. 2173-174  
177. Mailing 183. 2174-175  
178. Mailing 184. 2175-176  
179. Mailing 185. 2176-177  
180. Mailing 186. 2177-178  
181. Mailing 187. 2178-179  
182. Mailing 188. 2179-180  
183. Mailing 189. 2180-181  
184. Mailing 190. 2181-182  
185. Mailing 191. 2182-183  
186. Mailing 192. 2183-184  
187. Mailing 193. 2184-185  
188. Mailing 194. 2185-186  
189. Mailing 195. 2186-187  
190. Mailing 196. 2187-188  
191. Mailing 197. 2188-189  
192. Mailing 198. 2189-190  
193. Mailing 199. 2190-191  
194. Mailing 200. 2191-192  
195. Mailing 201. 2192-193  
196. Mailing 202. 2193-194  
197. Mailing 203. 2194-195  
198. Mailing 204. 2195-196  
199. Mailing 205. 2196-197  
200. Mailing 206. 2197-198  
201. Mailing 207. 2198-199  
202. Mailing 208. 2199-200  
203. Mailing 209. 2200-201  
204. Mailing 210. 2201-202  
205. Mailing 211. 2202-203  
206. Mailing 212. 2203-204  
207. Mailing 213. 2204-205  
208. Mailing 214. 2205-206  
209. Mailing 215. 2206-207  
210. Mailing 216. 2207-208  
211. Mailing 217. 2208-209  
212. Mailing 218. 2209-210  
213. Mailing 219. 2210-211  
214. Mailing 220. 2211-212  
215. Mailing 221. 2212-213  
216. Mailing 222. 2213-214  
217. Mailing 223. 2214-215  
218. Mailing 224. 2215-216  
219. Mailing 225. 2216-217  
220. Mailing 226. 2217-218  
221. Mailing 227. 2218-219  
222. Mailing 228. 2219-220  
223. Mailing 229. 2220-221  
224. Mailing 230. 2221-222  
225. Mailing 231. 2222-223  
226. Mailing 232. 2223-224  
227. Mailing 233. 2224-225  
228. Mailing 234. 2225-226  
229. Mailing 235. 2226-227  
230. Mailing 236. 2227-228  
231. Mailing 237. 2228-229  
232. Mailing 238. 2229-230  
233. Mailing 239. 2230-231  
234. Mailing 240. 2231-232  
235. Mailing 241. 2232-233  
236. Mailing 242. 2233-234  
237. Mailing 243. 2234-235  
238. Mailing 244. 2235-236  
239. Mailing 245. 2236-237  
240. Mailing 246. 2237-238  
241. Mailing 247. 2238-239  
242. Mailing 248. 2239-240  
243. Mailing 249. 2240-241  
244. Mailing 250. 2241-242  
245. Mailing 251. 2242-243  
246. Mailing 252. 2243-244  
247. Mailing 253. 2244-245  
248. Mailing 254. 2245-246  
249. Mailing 255. 2246-247  
250. Mailing 256. 2247-248  
251. Mailing 257. 2248-249  
252. Mailing 258. 2249-250  
253. Mailing 259. 2250-251  
254. Mailing 260. 2251-252  
255. Mailing 261. 2252-253  
256. Mailing 262. 2253-254  
257. Mailing 263. 2254-255  
258. Mailing 264. 2255-256  
259. Mailing 265. 2256-257  
260. Mailing 266. 2257-258  
261. Mailing 267. 2258-259  
262. Mailing 268. 2259-260  
263. Mailing 269. 2260-261  
264. Mailing 270. 2261-262  
265. Mailing 271. 2262-263  
266. Mailing 272. 2263-264  
267. Mailing 273. 2264-265  
268. Mailing 274. 2265-266  
269. Mailing 275. 2266-267  
270. Mailing 276. 2267-268  
271. Mailing 277. 2268-269  
272. Mailing 278. 2269-270  
273. Mailing 279. 2270-271  
274. Mailing 280. 2271-272  
275. Mailing 281. 2272-273  
276. Mailing 282. 2273-274  
277. Mailing 283. 2274-275  
278. Mailing 284. 2275-276  
279. Mailing 285. 2276-277  
280. Mailing 286. 2277-278  
281. Mailing 287. 2278-279  
282. Mailing 288. 2279-280  
283. Mailing 289. 2280-281  
284. Mailing 290. 2281-282  
285. Mailing 291. 2282-283  
286. Mailing 292. 2283-284  
287. Mailing 293. 2284-285  
288. Mailing 294. 2285-286  
289. Mailing 295. 2286-287  
290. Mailing 296. 2287-288  
291. Mailing 297. 2288-289  
292. Mailing 298. 2289-290  
293. Mailing 299. 2290-291  
294. Mailing 300. 2291-292  
295. Mailing 301. 2292-293  
296. Mailing 302. 2293-294  
297. Mailing 303. 2294-295  
298. Mailing 304. 2295-296  
299. Mailing 305. 2296-297  
300. Mailing 306. 2297-298  
301. Mailing 307. 2298-299  
302. Mailing 308. 2299-300  
303. Mailing 309. 2300-301  
304. Mailing 310. 2301-302  
305. Mailing 311. 2302-303  
306. Mailing 312. 2303-304  
307. Mailing 313. 2304-305  
308. Mailing 314. 2305-306  
309. Mailing 315. 2306-307  
310. Mailing 316. 2307-308  
311. Mailing 317. 2308-309  
312. Mailing 318. 2309-310  
313. Mailing 319. 2310-311  
314. Mailing 320. 2311-312  
315. Mailing 321. 2312-313  
316. Mailing 322. 2313-314  
317. Mailing 323. 2314-315  
318. Mailing 324. 2315-316  
319. Mailing 325. 2316-317  
320. Mailing 326. 2317-318  
321. Mailing 327. 2318-319  
322. Mailing 328. 2319-320  
323. Mailing 329. 2320-321  
324. Mailing 330. 2321-322  
325. Mailing 331. 2322-323  
326. Mailing 332. 2323-324  
327. Mailing 333. 2324-325  
328. Mailing 334. 2325-326  
329. Mailing 335. 2326-327  
330. Mailing 336. 2327-328  
331. Mailing 337. 2328-329  
332. Mailing 338. 2329-330  
333. Mailing 339. 2330-331  
334. Mailing 340. 2331-332  
335. Mailing 341. 2332-333  
336. Mailing 342. 2333-334  
337. Mailing 343. 2334-335  
338. Mailing 344. 2335-336  
339. Mailing 345. 2336-337  
340. Mailing 346. 2337-338  
341. Mailing 347. 2338-339  
342. Mailing 348. 2339-340  
343. Mailing 349. 2340-341  
344. Mailing 350. 2341-342  
345. Mailing 351. 2342-343  
346. Mailing 352. 2343-344  
347. Mailing 353. 2344-345  
348. Mailing 354. 2345-346  
349. Mailing 355. 2346-347  
350. Mailing 356. 2347-348  
351. Mailing 357. 2348-349  
352. Mailing 358. 2349-350  
353. Mailing 359. 2350-351  
354. Mailing 360. 2351-352  
355. Mailing 361. 2352-353  
356. Mailing 362. 2353-354  
357. Mailing 363. 2354-355  
358. Mailing 364. 2355-356  
359. Mailing 365. 2356-357  
360. Mailing 366. 2357-358  
361. Mailing 367. 2358-359  
362. Mailing 368. 2359-360  
363. Mailing 369. 2360-361  
364. Mailing 370. 2361-362  
365. Mailing 371. 2362-363  
366. Mailing 372. 2363-364  
367. Mailing 373. 2364-365  
368. Mailing 374. 2365-366  
369. Mailing 375. 2366-367  
370. Mailing 376. 2367-368  
371. Mailing 377. 2368-369  
372. Mailing 378. 2369-370  
373. Mailing 379. 2370-371  
374. Mailing 380. 2371-372  
375. Mailing 381. 2372-373  
376. Mailing 382. 2373-374  
377. Mailing 383. 2374-375  
378. Mailing 384. 2375-376  
379. Mailing 385. 2376-377  
380. Mailing 386. 2377-378  
381. Mailing 387. 2378-379  
382. Mailing 388. 2379-380  
383. Mailing 389. 2380-381  
384. Mailing 390. 2381-382  
385. Mailing 391. 2382-383  
386. Mailing 392. 2383-384  
387. Mailing 393. 2384-385  
388. Mailing 394. 2385-386  
389. Mailing 395. 2386-387  
390. Mailing 396. 2387-388  
391. Mailing 397. 2388-389  
392. Mailing 398. 2389-390  
393. Mailing 399. 2390-391  
394. Mailing 400. 2391-392  
395. Mailing 401. 2392-393  
396. Mailing 402. 2393-394  
397. Mailing 403. 2394-395  
398. Mailing 404. 2395-396  
399. Mailing 405. 2396-397  
400. Mailing 406. 2397-398  
401. Mailing 407. 2398-399  
402. Mailing 408. 2399-400  
403. Mailing 409. 2400-401  
404. Mailing 410. 2401-402  
405. Mailing 411. 2402-403  
406. Mailing 412. 2403-404  
407. Mailing 413. 2404-405  
408. Mailing 414. 2405-406  
409. Mailing 415. 2406-407  
410. Mailing 416. 2407-408  
411. Mailing 417. 2408-409  
412. Mailing 418. 2409-410  
413. Mailing 419. 2410-411  
414. Mailing 420. 2411-412  
415. Mailing 421. 2412-413  
416. Mailing 422. 2413-414  
417. Mailing 423. 2414-415  
418. Mailing 424. 2415-416  
419. Mailing 425. 2416-417  
420. Mailing 426. 2417-418  
421. Mailing 427. 2418-419  
422. Mailing 428. 2419-420  
423. Mailing 429. 2420-421  
424. Mailing 430. 2421-422  
425. Mailing 431. 2422-423  
426. Mailing 432. 2423-424  
427. Mailing 433. 2424-425  
428. Mailing 434. 2425-426  
429. Mailing 435. 2426-427  
430. Mailing 436. 2427-428  
431. Mailing 437. 2428-429  
432. Mailing 438. 2429-430  
433. Mailing 439. 2430-431  
434. Mailing 440. 2431-432  
435. Mailing 441. 2432-433  
436. Mailing 442. 2433-434  
437. Mailing 443. 2434-435  
438. Mailing 444. 2435-436  
439. Mailing 445. 2436-437  
440. Mailing 446. 2437-438  
441. Mailing 447. 2438-439  
442. Mailing 448. 2439-440  
443. Mailing 449. 2440-441  
444. Mailing 450. 2441-442  
445. Mailing 451. 2442-443  
446. Mailing 452. 2443-444  
447. Mailing 453. 2444-445  
448. Mailing 454. 2445-446  
449. Mailing 455. 2446-447  
450. Mailing 456. 2447-448  
451. Mailing 457. 2448-449  
452. Mailing 458. 2449-450  
453. Mailing 459. 2450-451  
454. Mailing 460. 2451-452  
455. Mailing 461. 2452-453  
456. Mailing 462. 2453-454  
457. Mailing 463. 2454-455  
458. Mailing 464. 2455-456  
459. Mailing 465. 2456-457  
460. Mailing 466. 2457-458  
461. Mailing 467. 2458-459  
462. Mailing 468. 2459-460  
463. Mailing 469. 2460-461  
464. Mailing 470. 2461-462  
465. Mailing 471. 2462-463  
466. Mailing 472. 2463-464  
467. Mailing 473. 2464-465  
468. Mailing 474. 2465-466  
469. Mailing 475. 2466-467  
470. Mailing 476. 2467-468  
471. Mailing 477. 2468-469  
472. Mailing 478. 2469-470  
473. Mailing 479. 2470-471  
474. Mailing 480. 2471-472  
475. Mailing 481. 2472-473  
476. Mailing 482. 2473-474  
477. Mailing 483. 2474-475  
478. Mailing 484. 2475-476  
479. Mailing 485. 2476-477  
480. Mailing 486. 2477-478  
481. Mailing 487. 2478-479  
482. Mailing 488. 2479-480  
483. Mailing 489. 2480-481  
484. Mailing 490. 2481-482  
485. Mailing 491. 2482-483  
486. Mailing 492. 2483-484  
487. Mailing 493. 2484-485  
488. Mailing 494. 2485-486  
489. Mailing 495. 2486-487  
490. Mailing 496. 2487-488  
491. Mailing 497. 2488-489  
492. Mailing 498. 2489-490  
493. Mailing 499. 2490-491  
500. Mailing 500. 2491-492

Te Kaunhera o Tai Tokerau Ki Te Raki

## THE RESOURCE MANAGEMENT ACT 1991

### SECTION 221: CONSENT NOTICE

#### REGARDING RC 2180235

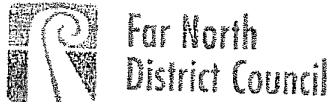
Being the Subdivision of Lot 1000 DP 494309  
North Auckland Registry

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

### SCHEDULE

#### Lots 38-59 DP 532487

- (i) All buildings including water tanks and ancillary buildings shall be located within the approved building envelope as detailed within the survey plan.
- (ii) In the event that the site remains undeveloped and that the landuse consent component of this decision lapses, then future development of the site (including any resource consent applications that may be required) shall be undertaken in general compliance with the design and development guidelines within the lapsed landuse decision (RC 2180235 issued by the Far North District Council)
- (iii) Pest and weed eradication measures established under the Building Development Landscape Plan and Condition 11 of the Landuse Decision shall be implemented prior to, and maintained, following the development of the site. The programme shall be maintained for the duration of the consent by the landowner.
- (iv) That upon the construction of dwelling a formed and concreted entrance to the boundary of each lot is to be provided in accordance with the Council standard FNDC/5/2.
- (v) In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system, the applicant shall submit for Council's approval an onsite waste water report prepared by a Chartered Professional Engineer or an Council approved report writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a reserve disposal area and reference the



P.O. Box 100, Auckland  
 Telephone: 09 424 0000  
 Fax: 09 424 0001  
 Email: [info@fncc.govt.nz](mailto:info@fncc.govt.nz)  
 Website: [www.fncc.govt.nz](http://www.fncc.govt.nz)

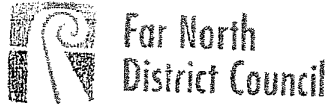
*Te Kōwhiri o Tai Tokerau ki Te Raki*

"Engineering Report" dated February 2018, prepared by Haigh Workman Ltd, ref 17-233, and submitted with Resource Consent 2180235.

- (vi) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- (vii) All buildings that require building consent will require an assessment of foundations and ground suitability by a suitably qualified and experienced practitioner (i.e. Chartered Professional Engineer). The assessment shall reference specifically geotechnical recommendations of the Engineering Subdivision report and plans produced by Haigh Workman Ltd, dated February 2018, ref 17 233, and submitted with RC 2180235.

**Lots 38-42 and 51-59 DP 532487**

- (viii) In conjunction with the construction of any building requiring building consent and the associated impermeable surface development on the lots, the lot owner shall submit for approval of council's Building Consent Authority a stormwater management report and design for a stormwater management attenuation system. The system shall be designed as such that the total stormwater discharged from the site, after development, is no greater than the pre development flow from the site for rainfall events up to a 10% AEP plus allowance for climate change. The report shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.
- (ix) The lot owner(s) shall ensure on an ongoing basis that the maximum total of all impermeable surfaces (as defined within the Far North District Plan) on each individual lot does not exceed 800m<sup>2</sup> and that a Council approved stormwater management and mitigation system is in place. The system shall be designed so that the total stormwater discharged from the site, after development, is no greater than the pre-development flow from the site for rainfall events up to a 10% AEP plus allowance for climate change. The system shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.



Far North District Council  
Level 2442, 8th Street  
Whangarei, 9800  
Phone: 09 438 8800  
Fax: 09 438 8801  
www.far-north.govt.nz

*Te Kaitiaki a Te Tokerau ki Te Raki*

**Lots 43-50 DP 532487**

- (x) In conjunction with the construction of any building requiring building consent and associated impermeable surface development on the lots, the lot owner shall submit for approval of Council's Building Consent Authority a stormwater management report and design for a stormwater management system. The report shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.
- (xi) The lot owner(s) shall ensure on an ongoing basis that the maximum total of all impermeable surfaces (as defined in the Far North District Plan) on each individual lot does not exceed 800m<sup>2</sup> and that a Council approved stormwater management and mitigation system is in place. The system shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.

**Lots 38-42, 50, 51, and 54-59 DP532487**

- (xii) Without the prior approval of the Council, no building shall be erected, nor any works which increase impermeable surfaces be undertaken, nor any planting or structure placed which may create a flow obstruction, on any area of the site which has been proposed or identified as a secondary / overland (Q100) flow paths described in Engineering report and plans produced by Haigh Workman Ltd, dated February 2018, ref 17 233, and shown on the subdivision scheme plan submitted with RC 2180235.

**Lots 38-41, 51-59 DP532487**

- (xiii) The lot is located within an area noted as having Kiwi present. Dogs within the lots shall remain under control at all times with cats kept inside in the evenings. It is also recommended that dogs within the lots should undertake Kiwi aversion training.

**Lots 42-50 DP532487**

- (xiv) No owners or occupiers of or visitors to any of the lots shall keep or introduce onto the land any carnivorous animal (such as cats, dogs, or mustelids) which have the potential to be Kiwi predators. This prohibition includes the bringing of any such animals onto the site by visitors and contractors.

Note: This requirement has been imposed as these allotments adjoin the Crown Grant Road and are immediately adjacent to high density kiwi populations located on the northern side of the Rangitane River.





Far North District Council

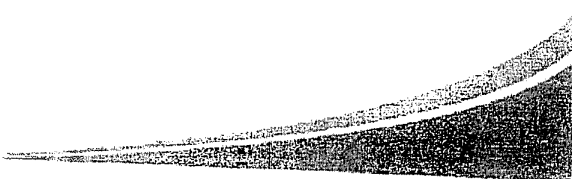
Te Kaitiaki Take Kōwhiri  
P.O. Box 1000 Wellington  
Te Kaitiaki Take Kōwhiri  
P.O. Box 1000 Wellington  
Te Kaitiaki Take Kōwhiri  
P.O. Box 1000 Wellington

Te Kōwhiri o Tai Tokerau Ki Te Raki

SIGNED:

*Mr Patrick John Killalea*  
Mr Patrick John Killalea - Authorised Officer  
By the FAR NORTH DISTRICT COUNCIL  
Under delegated authority;  
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 23<sup>rd</sup> day of August 2019



# COA Plans for Foundation & Drainage Sleepout

Nick Farrand  
18 Fernbird Grove  
Kerikeri  
Far North District  
Lot 44 DP 532487

Sheet Index		
Sheet No.	Sheet Title	Rev
A01a	Site Location Plan	F
A01b	Site Plan	F
A01c	Site Plan	F
A01d	Wastewater Details	F
A02	Floor Plan & Elevations	F
A03	Foundation Plan & Drainage Plan	F
A04	Foundation Details	F
A05	Drainage Details	F
Revisions		
-	-	-

COA Drawings

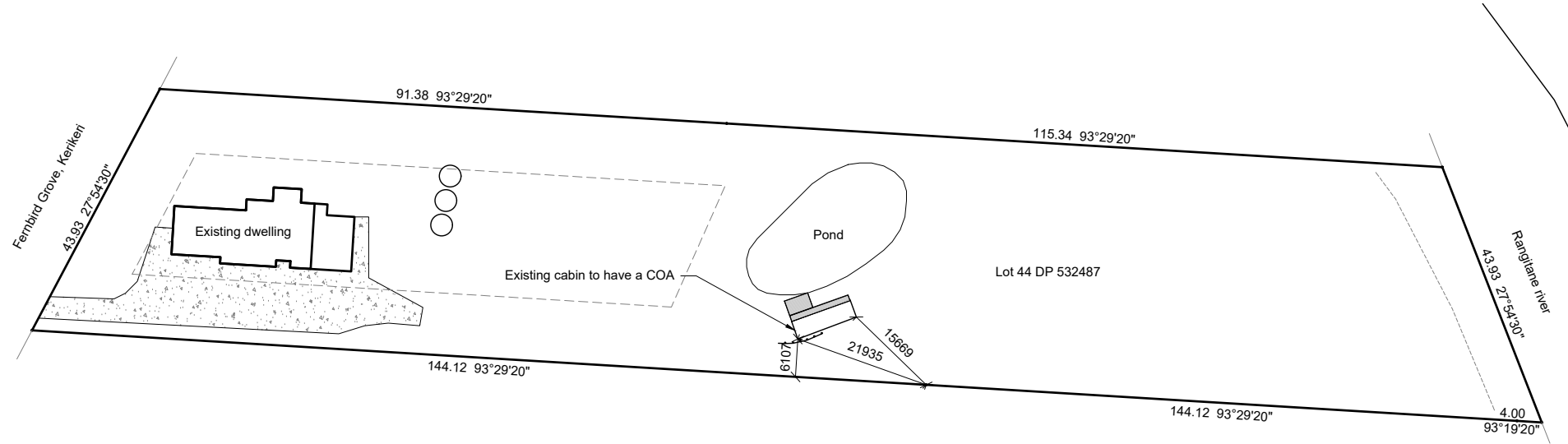
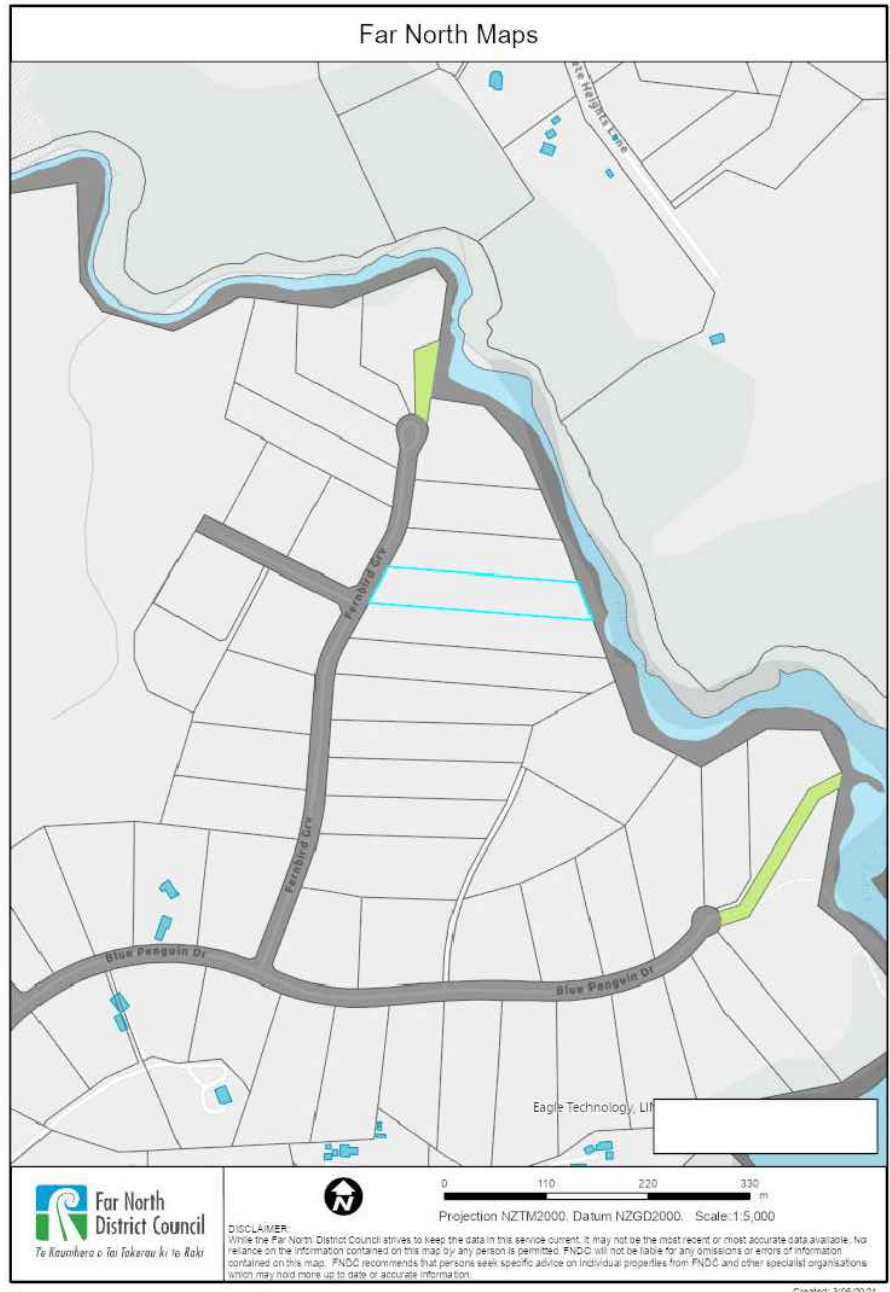
Date: 28 April 2026

Job Number: 4170

Drawn by:



T 09 407 5208 | martin@obrienconsulting.co.nz



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

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

This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.



**Project Title**  
 Nick Farrand  
 18 Fernbird Grove  
 Kerikeri  
 Far North District  
 Lot 44 DP 532487

**Sheet Title**  
 Site Location Plan

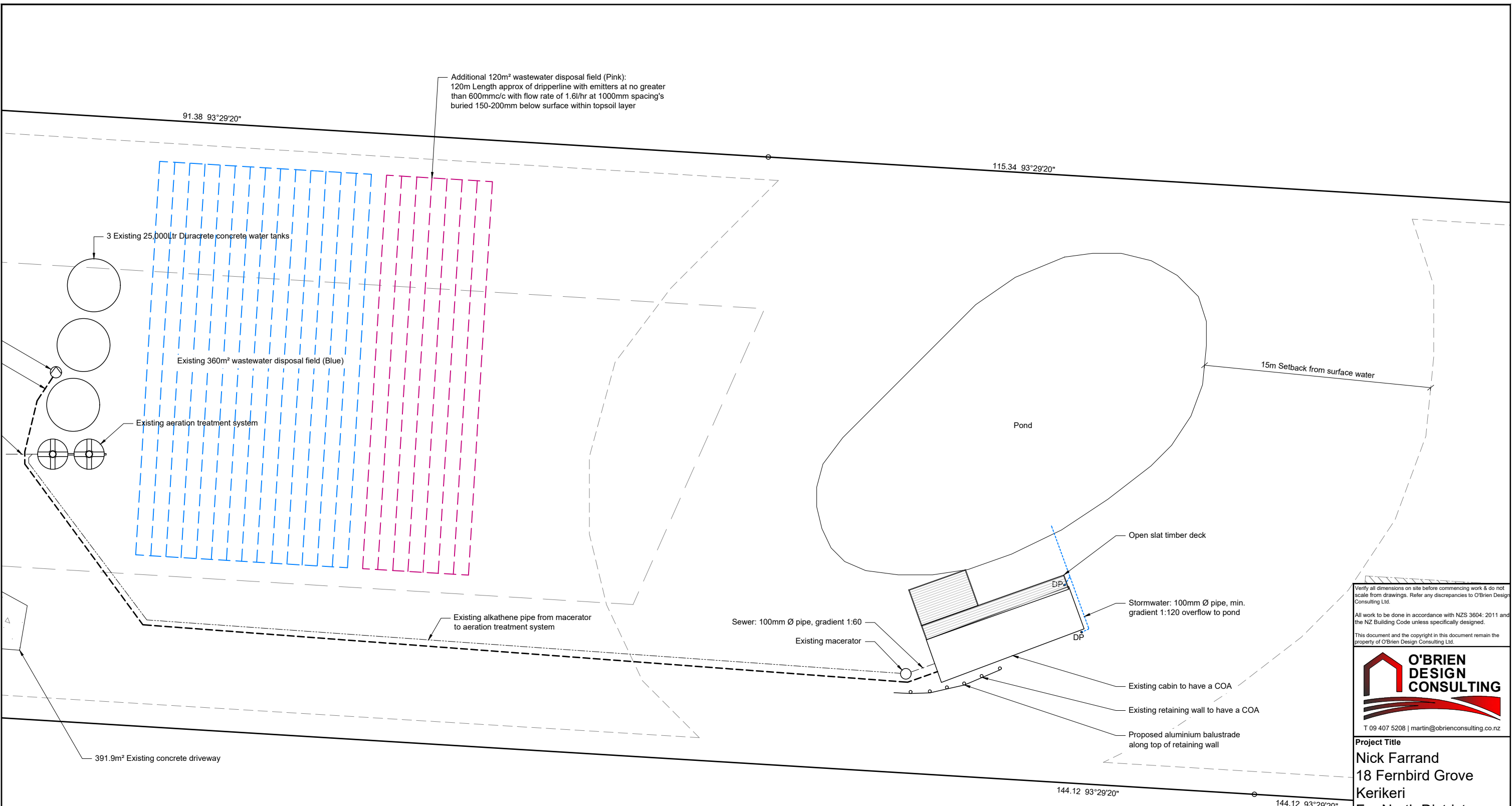
**Drawn** 28 April 2026

**Project No** 4170

<b>Rev</b>	<b>Sheet</b>
F	A01a

**Scale ( A3 Original ) 1: 1000**

10 5 0 10 20 m



Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.  
All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.  
This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.



**Project Title**  
Nick Farrand  
18 Fernbird Grove  
Kerikeri  
Far North District  
Lot 44 DP 532487

**Sheet Title**  
Site Plan

**Drawn** 28 April 2026

**Project No** 4170

<b>Rev</b>	<b>Sheet</b>
F	A01b

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

Lot 44 DP 532487  
Lot area: 9,001m<sup>2</sup>  
Cladding weight: Light  
Corrosion zone: C  
Wind zone: Very High  
Costal Living zone

District plan compliance:  
Residential intensity: Complies  
Sunlight rule: Complies

**Stormwater Management**  
(Impermeable surfaces):  
Existing cabin (COA): 38.1m<sup>2</sup>  
Existing driveway: 391.9m<sup>2</sup>  
Existing dwelling: 359.9m<sup>2</sup>  
Total proposed: 789.9m<sup>2</sup>

Total allowed = 800m<sup>2</sup>  
Total proposed = 789.9m<sup>2</sup> = Complies

Setbacks to boundaries: 10m Complies

Building height:  
Permitted: 8m max  
Proposed: 6.3m approx. Complies

**Building Coverage:**  
Existing dwelling: 313.9m<sup>2</sup>  
COA cabin: 30.0m<sup>2</sup>  
Total building coverage: 343.9m<sup>2</sup>

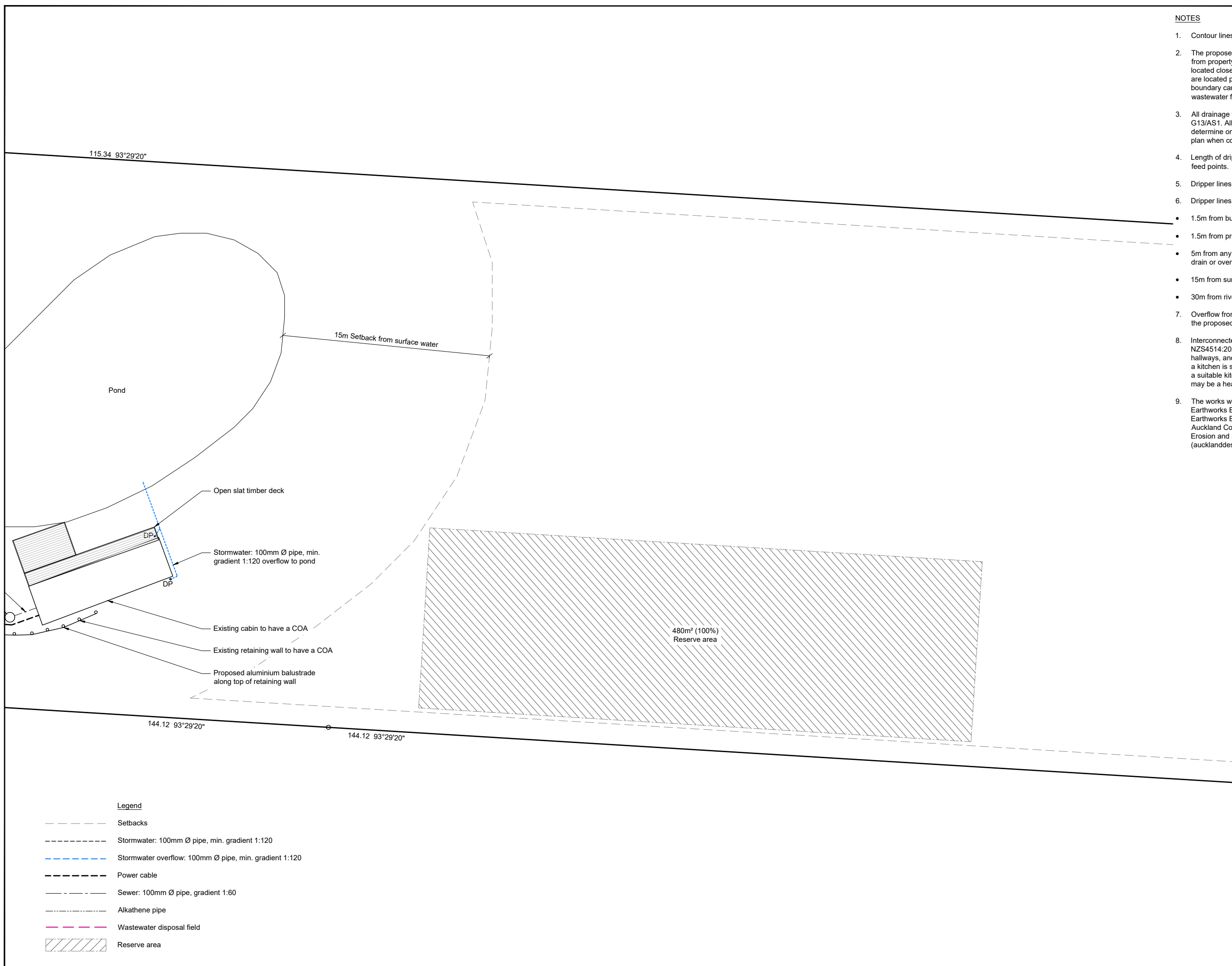
Total permitted = 55% of gross site area = 4,884.0m<sup>2</sup>  
Total Proposed = 343.9 = 3.9% Complies

No earthworks required.

- Legend**
- Setbacks
  - Stormwater: 100mm Ø pipe, min. gradient 1:120
  - Stormwater overflow: 100mm Ø pipe, min. gradient 1:120
  - Power cable
  - Sewer: 100mm Ø pipe, gradient 1:60
  - Alkathene pipe
  - Wastewater disposal field
  - ▨ Reserve area

**NOTES**

1. Contour lines at 1m increments, sourced from NRC.
2. The proposed wastewater field is to be setback 1.5m from property boundaries. If the wastewater field is to be located close to a boundary, ensure that the boundaries are located prior to installation of the field. If the boundary cannot be easily identified, then the wastewater field should be moved or the land surveyed.
3. All drainage to comply with AS/NZS3500 & NZBC G13/AS1. All drainage is diagrammatical, drainlayer to determine on site drainage layout and provide asbuilt plan when complete.
4. Length of dripper lines to be no more than 100m between feed points.
5. Dripper lines to follow contour lines
6. Dripper lines to be setback:
  - 1.5m from buildings
  - 1.5m from property boundaries
  - 5m from any intermittent storm water flow path such as a drain or overland flow path down slope of the field
  - 15m from surface water
  - 30m from river
7. Overflow from water tanks to be directed well away from the proposed wastewater disposal field.
8. Interconnected Smoke alarms to be installed to NZS4514:2021 located in all bedrooms, living spaces, hallways, and landings within the building spaces. Where a kitchen is separated from the living spaces with a door a suitable kitchen smoke alarm shall be installed. This may be a heat alarm to avoid nuisance activations.
9. The works which are being proposed will comply with Earthworks EW-S3 Accidental Discovery Protocol and Earthworks EW-S5 Erosion and Sediment Control - Auckland Council Guideline Document GD005 GD05 Erosion and Sediment Control.pdf (aucklanddesignmanual.co.nz)



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

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

This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.



T 09 407 5208 | martin@obrienconsulting.co.nz

**Project Title**  
 Nick Farrand  
 18 Fernbird Grove  
 Kerikeri  
 Far North District  
 Lot 44 DP 532487

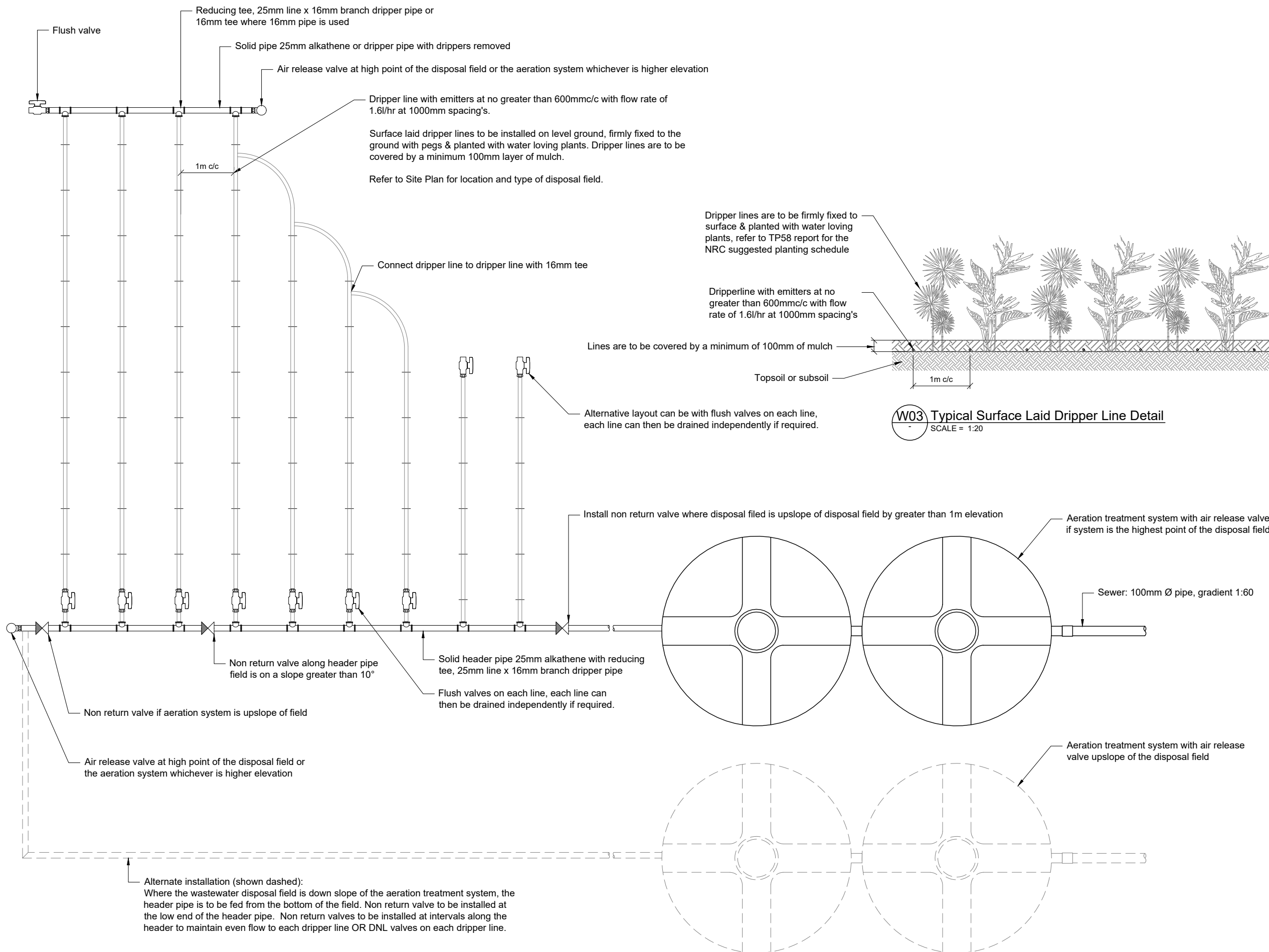
**Sheet Title**  
 Site Plan

**Drawn** 28 April 2026

**Project No** 4170

<b>Rev</b>	<b>Sheet</b>
F	A01c

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



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

W01 Typical Wastewater Disposal Field Plan  
SCALE = 1:20

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.  
All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.  
This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.



**Project Title**  
Nick Farrand  
18 Fernbird Grove  
Kerikeri  
Far North District  
Lot 44 DP 532487

**Sheet Title**  
Wastewater Details

**Drawn** 28 April 2026

**Project No** 4170

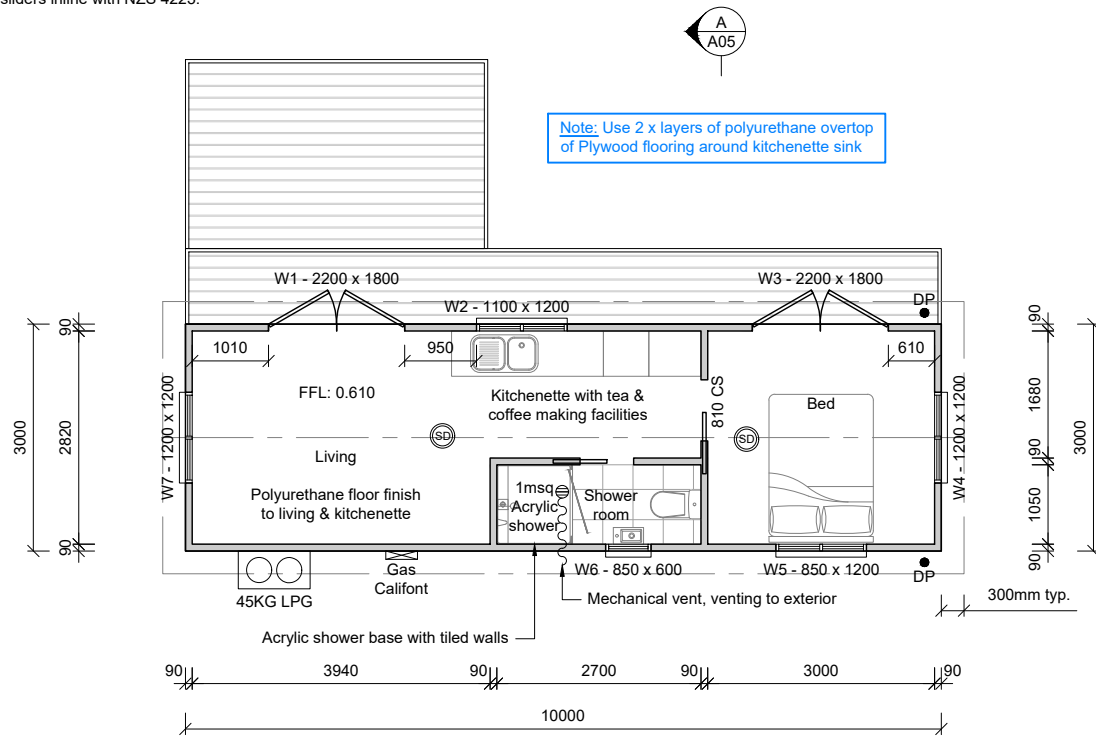
<b>Rev</b>	<b>Sheet</b>
F	A01d

**Scale (A3 Original) 1: 20**  
0.2 0.1 0 0.2 0.4 m



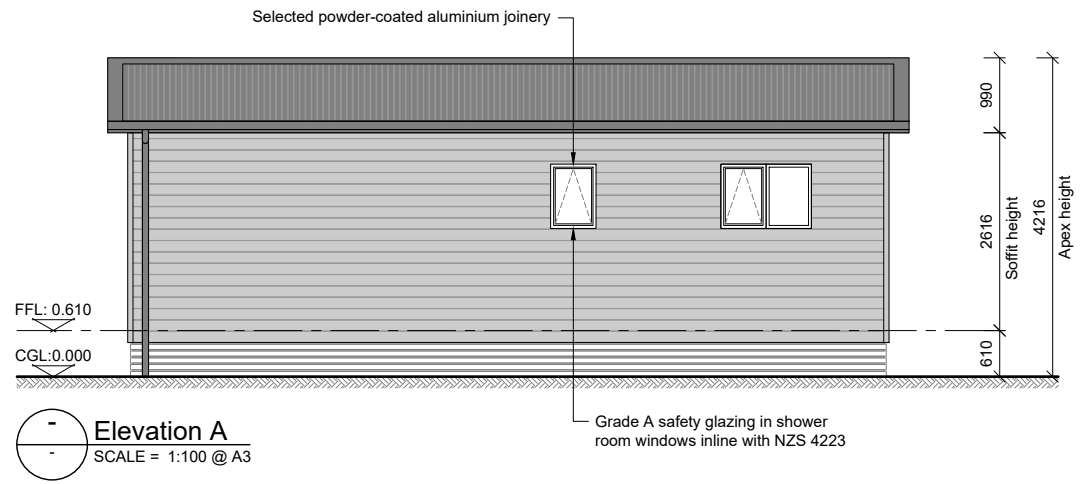
**EXISTING CABIN SPECIFICATION:**

- Very high wind zone
- Exposure zone C
- Timber sub-floor
- 2.7m Stud height
- Linea cladding
- Trimline roofing
- 25° Roof pitch
- 10mm GIB wall lining
- 13mm GIB ceiling lining
- Hardieflex soffit lining
- Continuous external rainwater system & fascia with 80Ø downpipe, unless noted.
- All windows and doors double glazed with thermal break
- Grade A safety glazing in bathroom window and all full height ranch sliders inline with NZS 4223.

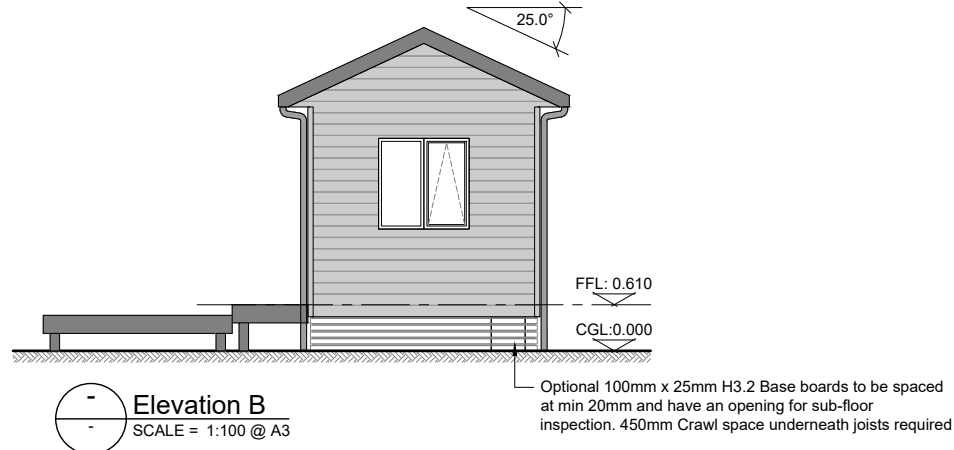


**Floor Plan**  
SCALE = 1:100 @ A3

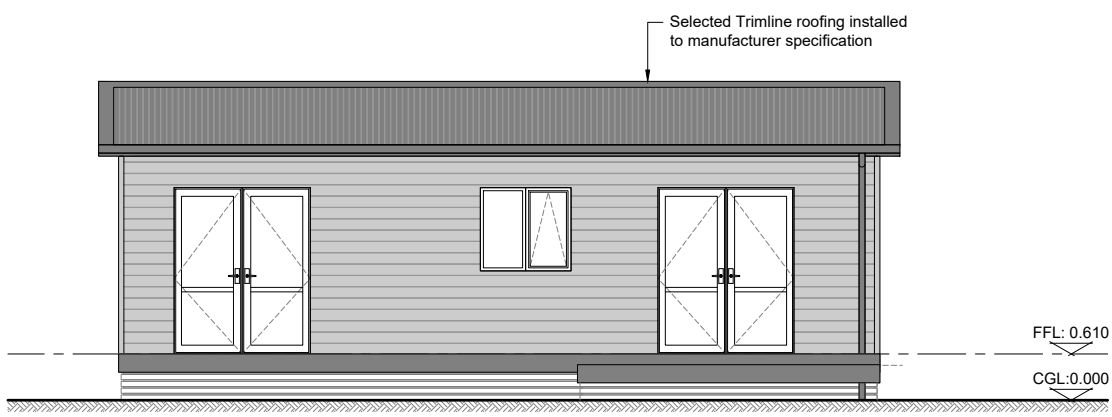
610mm minimum clearance to provide 450 crawl space under joists



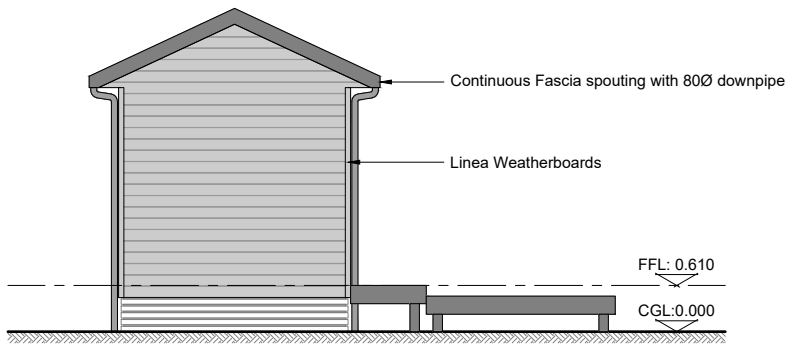
**Elevation A**  
SCALE = 1:100 @ A3



**Elevation B**  
SCALE = 1:100 @ A3



**Elevation C**  
SCALE = 1:100 @ A3



**Elevation D**  
SCALE = 1:100 @ A3

- NOTE:**
1. All dimensions taken from the outside of pre-cut, please check all dimensions before construction commences.
  2. Refer to Section for lintel dimensions, stud spacing & external door offsets.
  3. All wall framing typically H1.2 treated unless specifically stated.
  4. All external linings to be installed to manufacturers instructions, refer to separate detail sheet for cladding details & notes.

**BUILDING AREA:**

Floor Area: 30.0m<sup>2</sup>  
Roof Area: 38.1m<sup>2</sup>

**FIXINGS:**

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

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

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

This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.



**Project Title**  
Nick Farrand  
18 Fernbird Grove  
Kerikeri  
Far North District  
Lot 44 DP 532487

**Sheet Title**  
Floor Plan & Elevations

**Drawn** 28 April 2026

**Project No** 4170

**Rev** F **Sheet** A02

**Scale (A3 Original)** 1: 100



SPECIFICATIONS					
Cladding Type	Linea Weatherboard				
Stud Height	2460				
Roofing Type	Trimline				
Roof Pitch	25°				
Joinery	Aluminum				
Wind Zone	Very high				
Earth Quake Zone	1				
RISK MATRIX					
Risk Factor	L	M	H	VH	Score
A. Wind Zone	0	0	1	2	2
B. Number of Storeys	0	1	2	4	0
C. Roof / Wall Intersection	0	1	3	5	0
D. Eave Width	0	1	2	5	5
E. Envelope Complexity	0	1	3	6	0
F. Deck Design	0	2	4	6	0
	Total				7

**LEGEND**

- Smoke Detector
- Roof Line
- 90 x 45 SG8 H1.2 Timber framing walls
- Rinnai Infinity VT26 water heater installed to manufacturers instructions
- 45KG LPG Bottles, top of bottle to be 500mm min. from ignition source refer to LPG Association Code of Practice for clearances and seismic restraints.



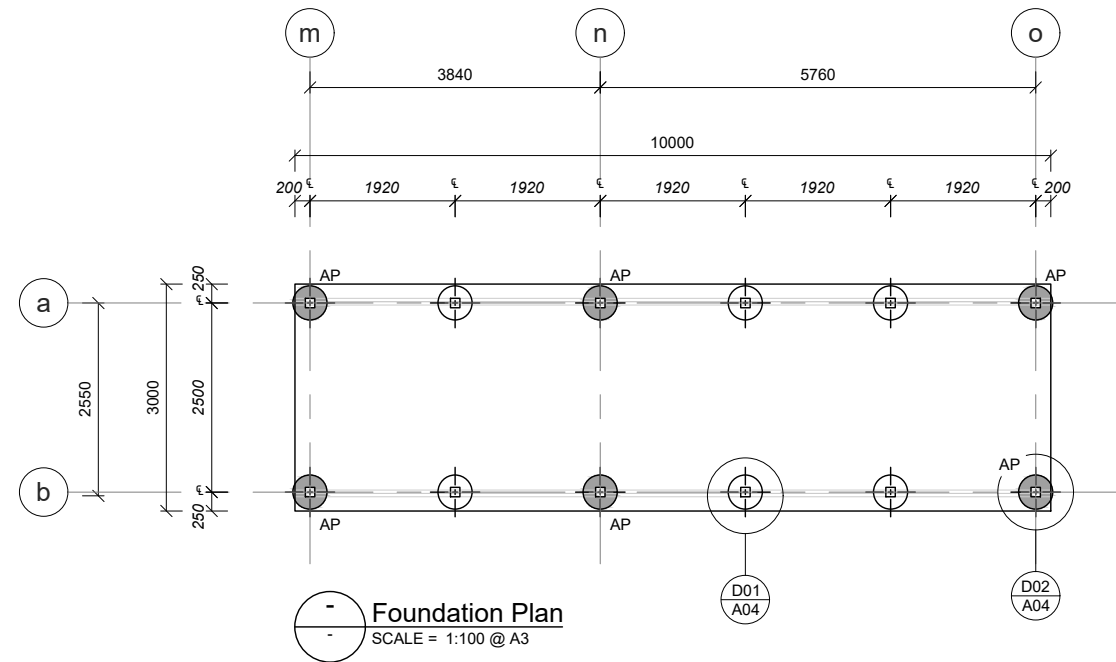
**DIMENSION NOTE:**

All dimensions shown in italic to centre line of pile

**LEGEND**

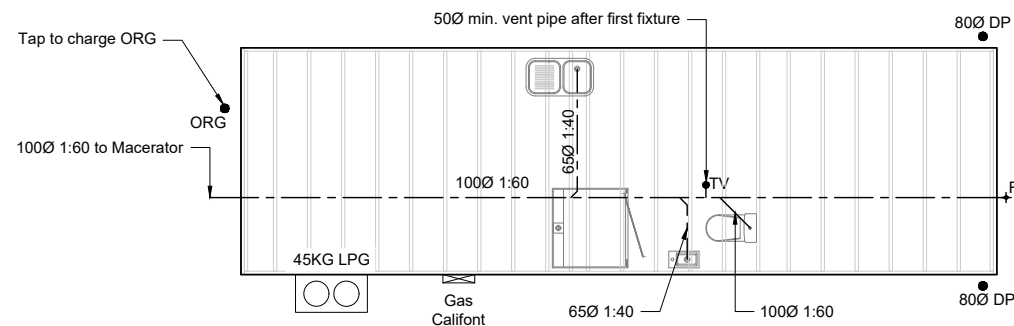
450Ø x 900 min. Deep into good ground concrete footing with 125 x 125 H5 ordinary timber pile

450Ø x 900 min. into good ground concrete footing with 125 x 125 H5 Anchor timber pile



**LEGEND**

Hardies Secura interior flooring or 19mm Ply installed to manufacturers instructions with H1.2 Joists



**DRAINAGE PLAN NOTES:**

- All drainage is diagrammatical, drainlayer to determine on site drainage layout and provide asbuilt plan when complete.
- Number of downpipes required as per NZBC E1/AS1 1 x 74mmØ downpipe per 70m<sup>2</sup> roof plan area.
- Stormwater: 100mm Ø UPVC pipe, minimum gradient 1:120.
- Continuous fascia & spouting with 80Ø PVC downpipe with PVC spouting.
- All drainage to comply with AS/NZS 3500 & NZBC G13/AS1.

Waste Pipe Gradients (min)		
40Ø	1:40 Minimum Gradient	4DU
65Ø	1:40 Minimum Gradient	21DU
100Ø	1:60 Minimum Gradient	115DU
Waste Pipe & Discharge Units		
40Ø	Hand basin	1DU
40Ø	Kitchen Sink	3DU
40Ø	Dishwasher	3DU
40Ø	Laundry Tub	3DU
40Ø	Washing Machine	5DU
40Ø	Shower	2DU
40Ø	Bath	4DU
100Ø	WC Pan	4DU
Drainage Pipe Gradient		
65Ø	1:40 Minimum Gradient	25DU
85Ø	1:60 Minimum Gradient	61DU
100Ø	1:60 Minimum Gradient	205DU
150Ø	1:60 Minimum Gradient	1310DU
● TV	Terminal Vent	
● ORG	Overflow Relief Gully	
+ RE	Rodding Eye	
---	Drainage - Waste Pipe	
---	100mm Ø Stormwater Pipe	

**FIXINGS**

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

Fixings within 600mm of finished ground level to be 304 stainless steel.  
Exposed fixings to be type 304 stainless steel.  
Sheltered fixings to be hot-dipped galvanize.

Closed in nail plates in roof space to be continuous coated galvanized steel.  
Closed wire dogs and bolts to be hot dipped galvanized steel.

All other closed structural fixings to be mild steel (uncoated non galvanized)

**SUBFLOOR NOTES:**

- Expol R2.5 insulation between each joist.
- 100mm x 25mm H3.2 Base boards to be spaced at min 20mm and have an opening for subfloor inspection.
- Provide subfloor access, refer to elevations.
- Foundations design for Good Ground to NZS 3604:2011 (300kPa).
- Concrete to be a minimum of 20MPa at 28 days unless specifically stated.

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

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

This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.



**Project Title**  
Nick Farrand  
18 Fernbird Grove  
Kerikeri  
Far North District  
Lot 44 DP 532487

**Sheet Title**  
Foundation Plan  
Drainage Plan

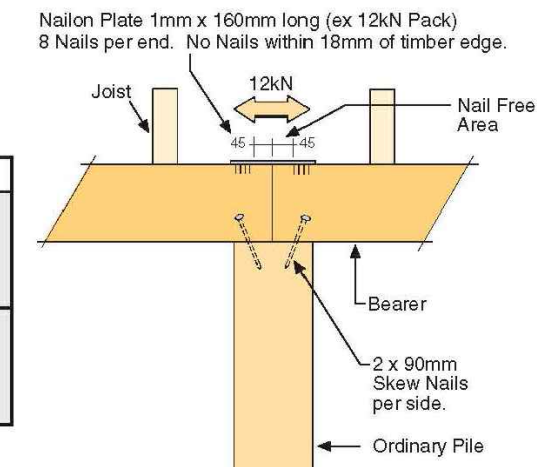
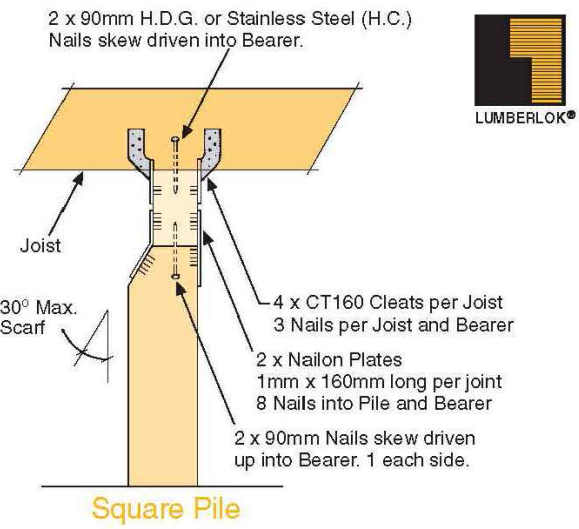
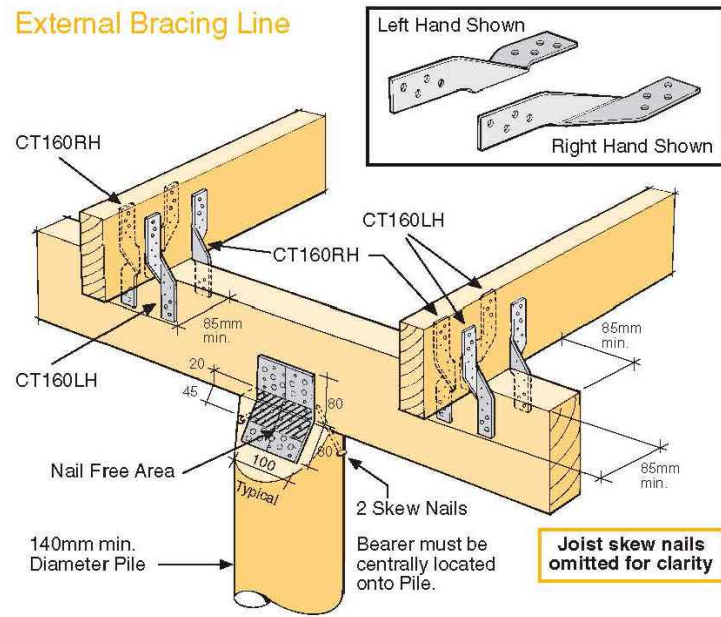
**Drawn** 28 April 2026

**Project No** 4170

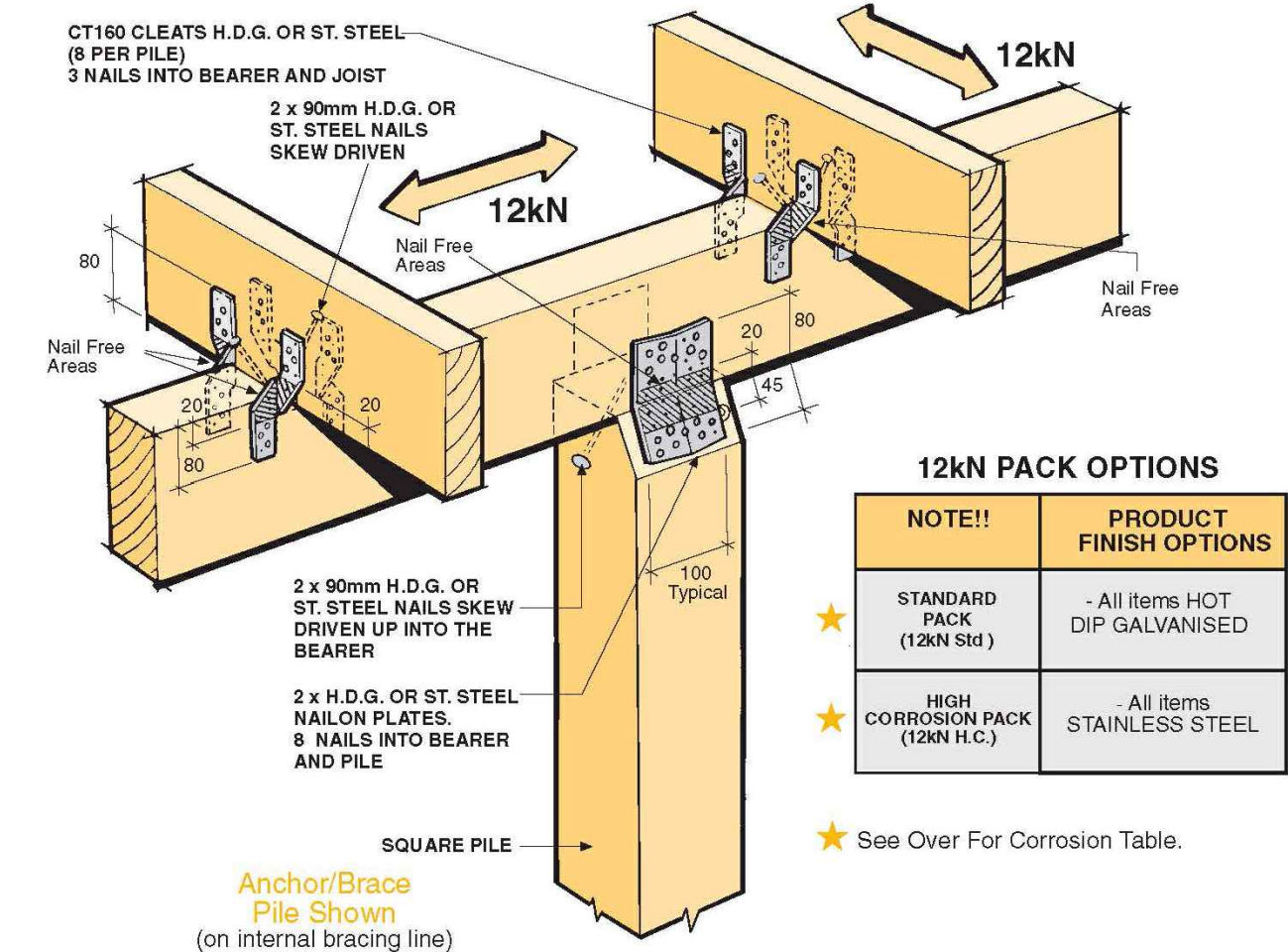
**Rev** F **Sheet** A03

**Scale ( A3 Original ) 1: 100**  
1 0.5 0 1 2 m

### External Bracing Line

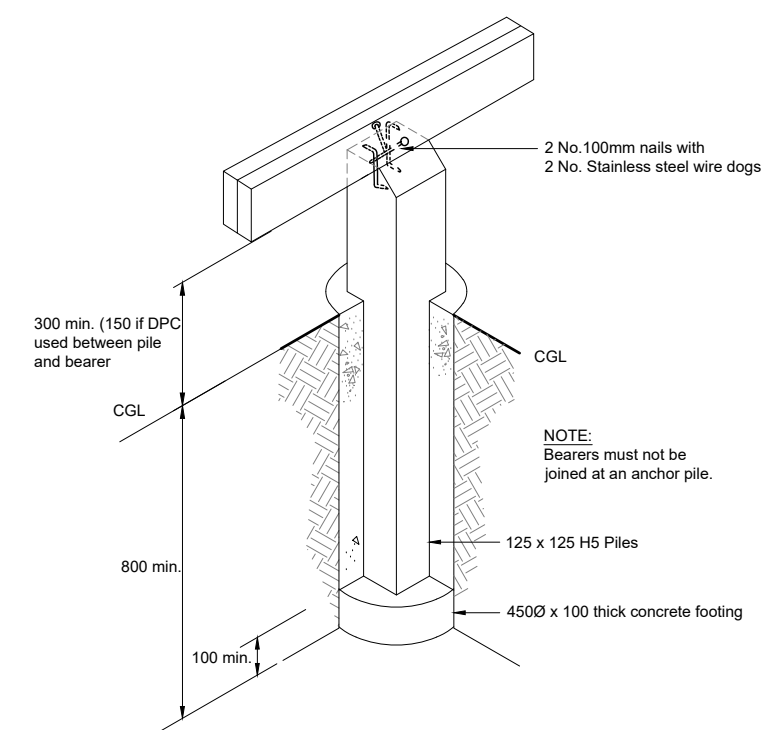


CORROSION HAZARD USE TABLE	
<b>Standard Pack (12kN Std)</b> - Zones B & C - All Fixings ABOVE 600mm from Ground level	All items Hot Dip Galvanised.
<b>High Corrosion Pack (12kN HC)</b> - Zone D - All Fixings BELOW 600mm from Ground level	All items Stainless Steel (304).

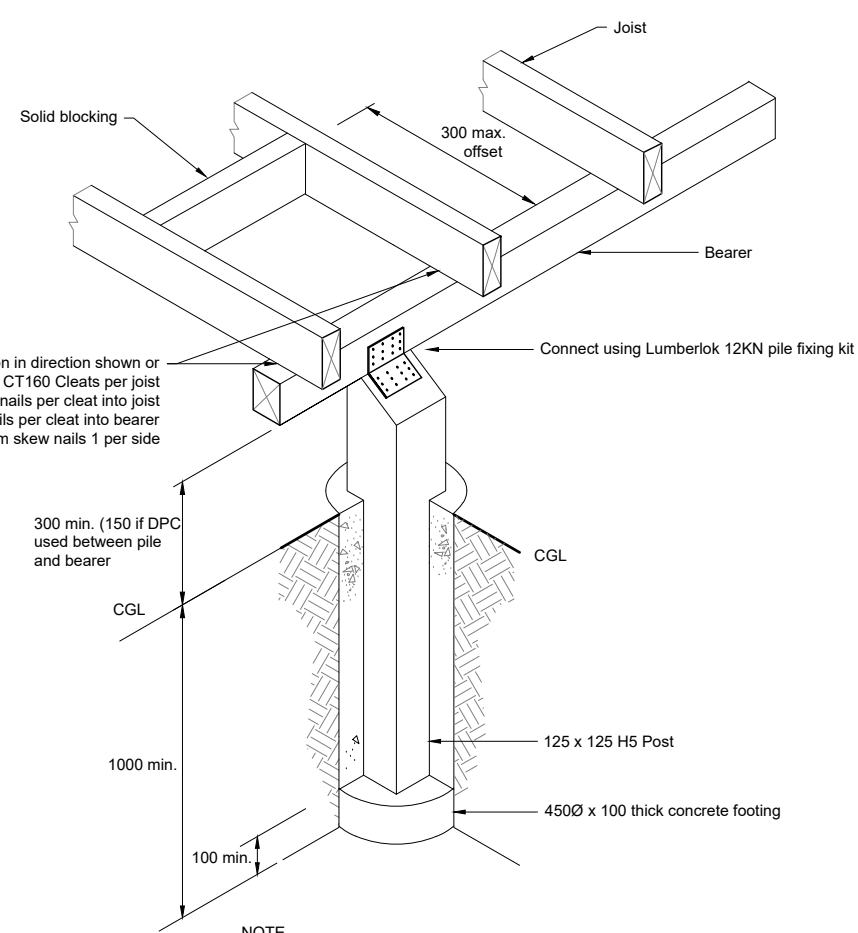


12kN PACK OPTIONS	
NOTE!!	PRODUCT FINISH OPTIONS
★ STANDARD PACK (12kN Std)	- All items HOT DIP GALVANISED
★ HIGH CORROSION PACK (12kN H.C.)	- All items STAINLESS STEEL

★ See Over For Corrosion Table.



**D01 Ordinary Pile Detail**  
SCALE = NTS



**D02 Anchor Pile Detail**  
SCALE = NTS

- NOTE**
- All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.
  - Verify all dimensions on site before commencing work.
  - Check all existing drain locations and all dimensions on site before construction.
  - Concrete to be a minimum of 20MPa at 28 days.
  - Foundation design for Class 'M' Soils with a minimum ground bearing strength of 100KPa.
  - Local Authority should inspect the earthworks, building platform construction and foundation, prior to the concrete being poured to ensure that the design criteria has been met.
  - All exposed fixing or fixings within 600mm of finished ground level to be stainless steel.

- FIXINGS**
- Exposure zone: C  
Durability of fixings to comply with NZS 3604:2011 Section 4 & NZBC B2/AS1
- Exposed fixings to be type 304 stainless steel.  
Sheltered fixings to be hot-dipped galvanized.  
Closed in nail plates in roof space to be continuous coated galvanized steel.  
Closed wire dogs and bolts to be hot dipped galvanized steel.  
All other closed structural fixings to be mild steel (uncoated non galvanized)

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.  
All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.  
This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.



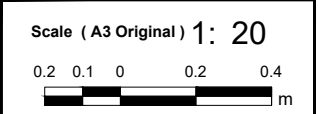
**Project Title**  
 Nick Farrand  
 18 Fernbird Grove  
 Kerikeri  
 Far North District  
 Lot 44 DP 532487

**Sheet Title**  
 Threshold Details

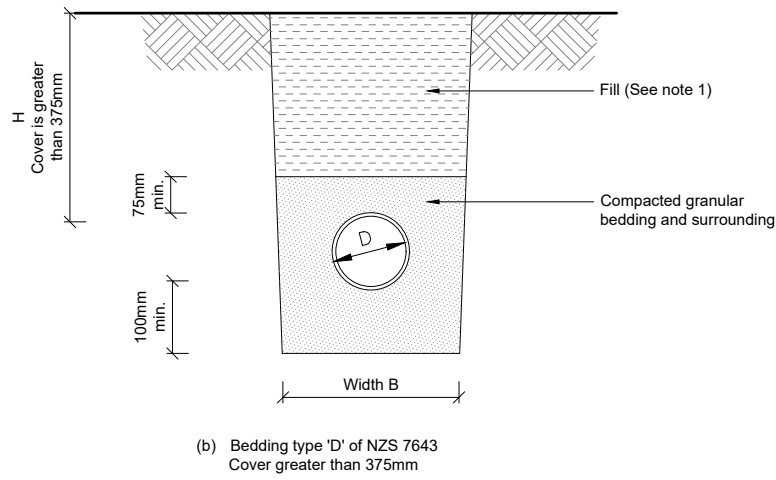
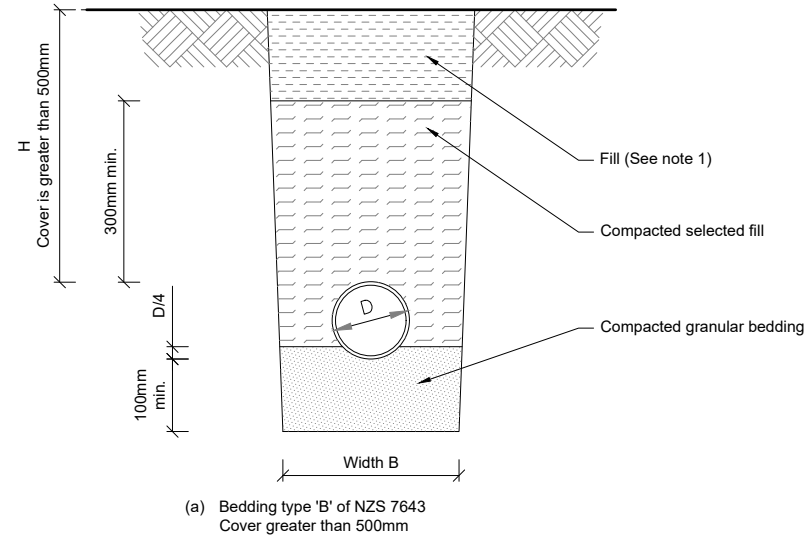
**Drawn** 28 April 2026

**Project No** 4170

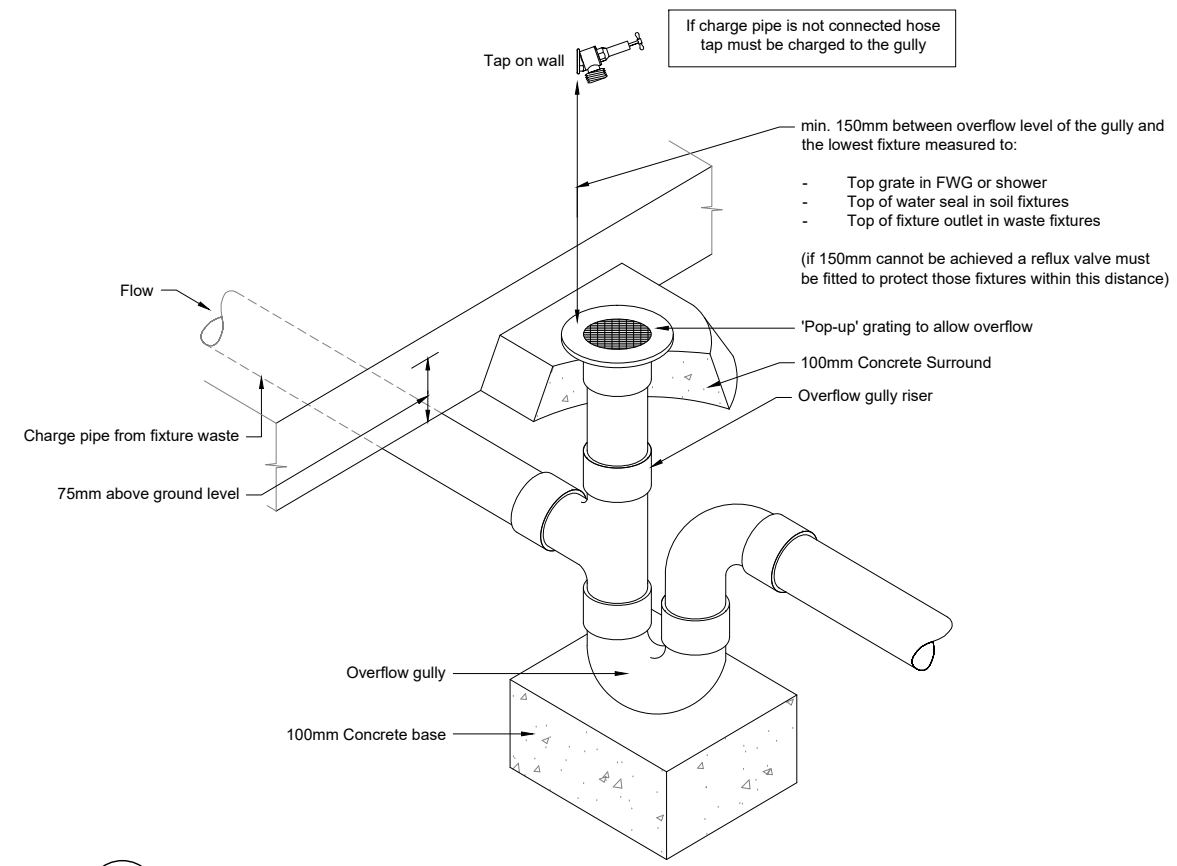
**Rev** F **Sheet** A04



**Figure 7: Bedding and backfilling**  
Paragraphs 5.2.1, 5.3.1 and 5.4.1

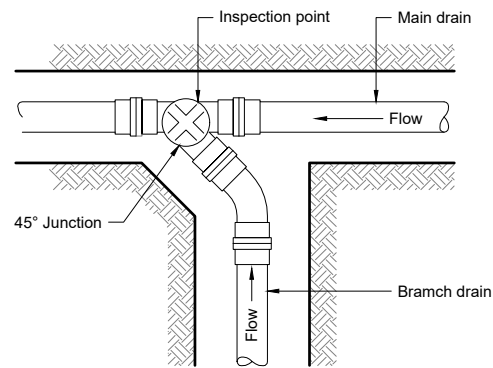


NOTE:  
Fill shall be:  
Ordinary fill where drains are located below gardens and open country.  
Compacted selected fill where the drains are located below residential driveways and similar areas subject to light traffic.



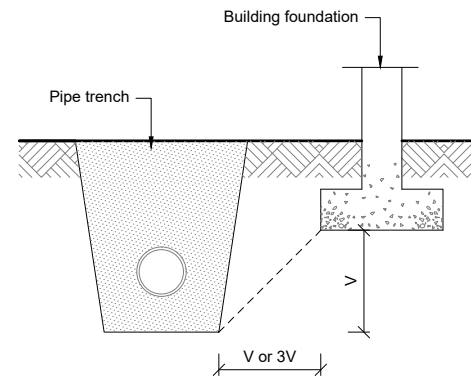
- NOTE:
1. All drainage is diagrammatical, drainlayer to determine on site drainage layout and provide asbuilt plan when complete.
  2. Number of downpipes required as per NZBC E1/AS1 1 x 74mmØ downpipe per 70m<sup>2</sup> roof plan area.
  3. Stormwater: 100mm Ø UPVC pipe, minimum gradient 1:120.
  4. All drainage to comply with AS/NZS 3500 & NZBC G13/AS1.

**Figure 9: Inspection points**  
Paragraph 5.7.3



101 Trench & Inspection Joint Details  
SCALE = NTS

**Figure 8: Relationship of pipe trench to building foundation**  
Paragraph 5.6.1



Minimum horizontal separation shall be V or 3V depending on length of time trench open, see paragraph 5.6.1

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.  
All work to be done in accordance with NZS 3604:2011 and the NZ Building Code unless specifically designed.  
This document and the copyright in this document remain the property of O'Brien Design Consulting Ltd.

**O'BRIEN DESIGN CONSULTING**  
T 09 407 5208 | martin@obrienconsulting.co.nz

Project Title  
**Nick Farrand**  
**18 Fernbird Grove**  
**Kerikeri**  
**Far North District**  
**Lot 44 DP 532487**

Sheet Title  
**Threshold Details**

Drawn 28 April 2026

Project No  
**4170**

Rev	Sheet
<b>F</b>	<b>A05</b>

Scale (A3 Original) 1: 10  
0.1 0.05 0 0.1 0.2 m

# Abatement Notice

(Issued under the authority of section 324 of the Resource Management Act 1991)



Notice No:

ABATE-2026-36

Issue Date:

29 October 2025

To:

Nickolas Glenn Farrand  
532 Kapiro Road  
RD 1  
Kerikeri 0294

COPY

By Date:

Friday 28th November 2025

The Far North District Council gives notice that you must cease the breach of Resource Consent 2180235 Landuse Condition 2:

*2) On each lot, the dwelling and accessory buildings including garages, sheds, decks, swimming pools and water tanks must be sited entirely within the building envelopes as illustrated on the title.*

The location to which this abatement notice applies:

18 Fernbird Grove, Kerikeri 0294  
Lot 44 DP 532487

This notice imposes the following further conditions:

This notice imposes the following further condition:

Confirm in writing by Monday 21 November 2025, to the Enforcement Officer who issued this notice - Shivon Gadsby - how you will achieve compliance with this notice.

Notice Issued Under

This notice is issued under Section 322(1)(a)(i) / Section 322(1)(a)(ii) of the Resource Management Act 1991.

The reasons for this notice are:

On 29 October 2025 at 18 Fernbird Grove, Kerikeri. Nickolas Farrand was found to be in breach of resource consent 2180235 Landuse Condition 2 – locating of a self-contained residential unit outside of the building envelope.



If you do not comply with this notice, you may be prosecuted under section 338 of the Resource Management Act 1991 (unless you appeal and the notice is stayed as explained below).

You have the right to appeal to the Environment Court against the whole or any part of this notice. If you wish to appeal, you must lodge a notice of appeal in form 49 with the Environment Court within 15 working days of being served with this notice.

You also have the right to apply in writing to the Far North District Council to change or cancel this notice in accordance with section 325A of the Resource Management Act 1991.

Far North District Council enforcement officers will, from time to time, undertake inspections to check whether you are complying with section 9 of the Resource Management Act 1991 (RMA) and this abatement notice.

**Authority To Issue**

**The Far North District Council authorised the enforcement officer who issued this notice. Its address is: 5 Memorial Avenue, Kaikohe 0440**

The Enforcement Officer is acting under the following authorisation: a warrant of authority issued by the Far North District Council pursuant to Section 38 of the Resource Management Act 1991. The warrant authorises the Officer to carry out all of the functions and powers as an Enforcement Officer under the Resource Management Act 1991.

<b>Name of Enforcement Officer:</b>	Shivon Gadsby	<b>Date:</b>	<b>6-11-2025</b>
<b>Signature of Enforcement Officer:</b>			

20 February 2026

Martin Paul O'Brien  
153B Kerikeri Inlet Road  
Kerikeri  
0230

Dear Sir / Madam,

**Building consent number:** COA-2026-44/0  
**Property ID:** 3361605  
**Address:** 18 Fernbird Grove, Kerikeri 0294  
**Description:** Without obtaining building consent foundations, drainage, additional dripper lines for wastewater and siting of cabin.

#### Requirement for Resource Consent

PIM Assessment of your application has highlighted the need for Resource Consent that must be granted prior to any building works or earthworks commencing.

**NB:** As of 27<sup>th</sup> July 2022, some rules and standards in the Far North District Council Proposed District Plan took legal effect and compliance with these rules applies to your building consent. Please visit our website to see these rules  
[Far North Proposed District Plan \(isoplan.co.nz\)](http://isoplan.co.nz)

The site is zoned **Coastal Living** under the Operative District Plan. There are Consent Notices registered on the Record of Title for this property and compliance has not been demonstrated for the following:

<b>Consent Notice:</b>	Consent Notice 11406235.2 condition (i): All buildings including water tanks and ancillary buildings shall be located within the approved building envelope as detailed within the survey plan.
<b>Reason:</b>	These works are demonstrated located outside the approved building envelope. You can either: 1. Provide documentation to demonstrate compliance with this condition; or 2. Provide approval to Vary this consent notice condition.
<b>Consent Notice:</b>	Consent Notice 11406235.2 condition (x): In conjunction with the construction of any building requiring building consent and associated impermeable surface development on the lots, the lot owner shall submit for approval of Council's Building Consent Authority a stormwater management report and design for a stormwater management system. The report shall be prepared by a suitably qualified and experienced Chartered Professional Engineer.
<b>Reason:</b>	Documentation required by this condition has not been provided for this building work. You can either: 1. Provide documentation to demonstrate compliance with this condition; or 2. Provide approval to Vary or Cancel this consent notice condition.

Please note there may be other rule breaches found during the Resource Consent process. It is your responsibility to ensure the Resource Consent approved plans match the Consented approved plans.

The application form can be downloaded from [www.fndc.govt.nz](http://www.fndc.govt.nz) and submitted to Council's (Planning Department) with the appropriate documentation and instalment fee.

If you have any queries, please contact the Duty Planner on [Duty.Planner@fndc.govt.nz](mailto:Duty.Planner@fndc.govt.nz) or 0800 920 029.

Yours faithfully



Lysigna Mare

PIM Officer

**Delivery and Operations**

Emailed to: [martin@obrienconsulting.co.nz](mailto:martin@obrienconsulting.co.nz)

**FORM 4**  
**Certificate attached to**  
**PROJECT INFORMATION MEMORANDUM**

Section 37, Building Act 2004

**Building Consent Number: COA-2026-44/0**

**RESTRICTIONS ON COMMENCING BUILDING WORK UNDER  
RESOURCE MANAGEMENT ACT 1991**

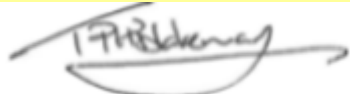
The building work referred to in the attached Project Information Memorandum is also required to have the following **Resource Consent(s)** under the Resource Management Act 1991:

• **Variation or Cancellation of Consent Notice Conditions Approval – REQUIRED**

As the above Resource Consent(s) will affect the building work to which the Project Information Memorandum relates, until this has been granted no building work may proceed.

Failure to comply with the requirements of this notice may result in legal action being taken against you under the Resource Management Act 1991.

Signature:



Trent Blakeman  
Manager - Building Services –  
Delivery and Operations  
Far North District Council (Building Consent Authority)  
20 February 2026

Position:

On behalf of:

Date:

**CERTIFICATE OF ACCEPTANCE**  
Under Section 99, Building Act 2004

COA-2026-44/0

**OWNER:**

Nickolas Glenn Farrand and Trustee Services  
(2020) Limited

**ADDRESS:**

532 Kapiro Road  
RD 1  
Kerikeri  
0294

**CONTACT PERSON:**

**CONTACT DETAILS:**

**Phone Daytime:**  
**Phone After Hours:**  
**Mobile:**  
**Fax:**

**LOCATION OF BUILDING:**

Address:	18 Fernbird Grove, Kerikeri 0294	Level Unit No.
Legal Description:	Lot 44 DP 532487	Current, lawfully established, use:
Location of Building:		Year first constructed:

**PROJECT DESCRIPTION:**

Description of Work: Without obtaining building consent foundations, drainage, additional dripper lines for wastewater and siting of cabin.  
Intended Life:

**ACCEPTANCE OF COMPLIANCE**

- Without obtaining building consent foundations, drainage, additional dripper lines for wastewater and siting of cabin.

The Territorial Authority was only able to inspect the following parts of the building work and this certificate is qualified as follows:

Limited to

- B1 – Limited to COW - Martin O'Brien BP# 103567 – Foundation design
- B1 – Limited to ROW – Nick Farrand – BP130241 – Foundation and hardware
- F7 – Limited smoke alarms installed in bedroom and kitchen
- G9 – Limited to Electrical Certificate of compliance and electrical Safety certificate #4422C0 Daniel Rutherford EW073281. Dated 03/004/2024 – Relates to temporary Power board only excludes Connection to Relocated sleepout
- G9 – Limited to Electrical certificate of compliance and electrical safety certificate # 5742C2 Leighton Scott I269115. Dated 20/10/2025 Connection of submain to cabin
- G13 – Limited Blake Colebrook registration # 22316 Asbuilt drainage plan and PS3
- G13 - Limited to COW - Martin O'Brien BP# 103567 – Wastewater design
- All other building code clauses excluded.

Nothing in this certificate limits the requirement that a person must not carry out building work except in accordance with a building consent, nor does it relieve any person from the requirement to obtain a building consent for building work.

**ATTACHMENTS**

- Certificate Of Acceptance
- Stamped Approved Documents

SIGNED FOR AND ON BEHALF OF THE FAR NORTH DISTRICT COUNCIL



---

Name: Pete Kana

Position: BUILDING OFFICER Date: 13 March 2026