Te Kaunihera o Te Hiku o te Ika
Far North District Council

Office Use Only
Application Number:

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

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?
○ **Yes** ✔ **No**

If yes, who have you spoken with? _____

2. Type of Consent being applied for

◉ **Change of conditions (s.127)**

3. Consultation:

Have you consulted with Iwi/Hapū? ○ **Yes** ◉ **No**

If yes, which groups have you consulted with?

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

4. Applicant Details:

Name/s: The National Trading Company of NZ Ltd, Attn: Matt Metson

Email: Matt.Metson@foodstuffs.co.nz

Phone number: Work 021 220 4314 Home

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

Support Centre, 35 Landing Drive, Mangere, Auckland

Postcode 2022

Office Use Only
Application Number:

5. Address for Correspondence

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

Name/s: Barker & Associates Limited - Hannah Pettengell

Email:

Phone number:

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

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

6. Details of Property Owner/s and Occupier/s

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

Name/s: The National Trading Company of New Zealand Limited

Property Address/ Location:

Postcode 0410

7. Application Site Details

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

Name/s:

Site Address/ Location: 111 North Road, Kaitaia

Postcode 0410

Legal Description: Lot 4 DP 405474 **Val Number:**

Certificate of title: Please see appendices attached to AEE.

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

Site visit requirements:

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

Is there a dog on the property? ◯ **Yes** ✔ **No**

7. Application Site Details (continued)

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

N/A

8. Detailed description of the proposal:

This application relates to the following resource consent: RC-2100602-RMAVAR

Specific conditions to which this application relates:

The proposal seeks to vary Conditions 1, 7 and 11 of the approved consent. Refer to the AEE for further detail.

Describe the proposed changes:

Please refer to the attached AEE for further detail.

9. Would you like to request Public Notification?

◯ **Yes** ✔ **No**

10. Other Consent required/being applied for under different legislation
(more than one circle can be ticked):

◯ **Building Consent** Enter BC ref # here (if known)

◯ **Regional Council Consent (ref # if known)** Ref # here (if known)

◯ **National Environmental Standard consent** Consent here (if known)

◯ **Other (please specify)** Specify 'other' here

11. Assessment of Environmental Effects:

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

Your AEE is attached to this application ✔ **Yes**

12. Draft Conditions:

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

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? (✔) Yes ( ) No

13. Billing Details:

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

Name/s: (please write in full) The National Trading Company of New Zealand Limited (Attn: Matt Metson)

Email:

Phone number:

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

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

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

Name: (please write in full) Hannah Pettengell (Agent on behalf of the applicant)

Signature: (signature of bill payer) Date 06-Nov-2026

MANDATORY

14. Important Information:

Note to applicant
You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.
You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

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

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

Name: (please write in full) Hannah Pettengell

Signature:

Date 06-Nov-2026

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

Checklist (please tick if information is provided)

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

Please refer to chapter 4 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.



S127 Variation to Kaitaia Pak'n'Save Supermarket

Building Additions and New Signage

111 North Road, Kaitaia

Assessment of Environmental Effects and Statutory Analysis

6 November 2026

B&A Urban & Environmental

Prepared for:

The National Trading Company of New Zealand

B&A Reference:

19988

Status:

Final Revision

Date:

6 November 2026

Prepared by:

Moana Schoffa

Senior Planner, Barker & Associates Limited

Reviewed by:

Hannah Pettengell

Associate, Barker & Associates Limited

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1.0 Applicant and Property Details

To:	Far North District Council
Site Address:	111 North Road, Kaitaia
Applicant Name:	The National Trading Company of New Zealand Limited
Address for Service:	Barker & Associates Ltd PO Box 1986, Shortland Street, Auckland 1140 Attention: Hannah Pettengell Email: HannahP@barker.co.nz
Legal Description:	Lot 4 DP 405474 (refer to Record of Title as **Appendix 1**)
Site Area:	2.343ha
Site Owner:	The National Trading Company of New Zealand Limited
District Plan:	Operative Far North District Plan (**ODP**) Proposed Far North District Plan (**PDP**)
Zoning:	**ODP:** Commercial Zone **PDP**: Mixed Use Zone
Overlays & Controls:	**ODP:** NRC Flood Susceptible Land **PDP**: Treaty Settlement Area of Interest, River Flood Hazard Zone (10 Year ARI Event), River Flood Hazard Zone (100 Year ARI Event)
Designations:	None
Locality Diagram:	Refer to **Figure 1**
Brief Description of Proposal:	The proposal is for a change to Conditions 1, 7 & 11 of Resource Consent RC-2100602-RMAVAR to allow for the establishment of a click and collect staging area and associated signage at Pak'N Save Kataia.
Summary of Reasons for Consent:	ODP: Resource consent is required as a **restricted discretionary activity** for infringements to Rule 16.6.1.2 and 16.6.1.3 as the proposed signage exceeds the maximum permitted sign area.

PDP: Resource consent is required as a **restricted discretionary activity** for infringements to the Signs Chapter (specifically SIGN R7 and SIGN-S1 / S3).

RMA 1991: Consent is required as a **Discretionary Activity** pursuant to section 127(3)(a) of the RMA for a change of conditions of consent.

2.0 Introduction

This report has been prepared in support of an application under section 127 of the RMA by The National Trading Company of New Zealand Limited (hereafter referred to as 'the applicant') for a change of conditions to approved resource consent RC-2100602-RMAVAR. The application seeks to amend a number of conditions to retrospectively consent the existing click and collect facility, and provide for a proposed extension to the facility and associated new branding signage at 111 North Road, Kaitaia.

This Assessment of Environmental Effects ('AEE') has been prepared in accordance with the requirements of Section 88 and Schedule 4 of the RMA which is intended to provide the information necessary for a full understanding of the activities for which consent(s) are being sought and any actual or potential effects the proposal may have on the environment. As this report relates to a change of consent conditions, it is acknowledged that it has been prepared in accordance with section 127 of the RMA.

2.1 Background

2.1.1 Approved Resource Consents

The Applicant was granted resource consent on 20 June 2007[1] to establish and operate a Pak'n'Save supermarket that breached traffic and signage rules. A full copy of the decision and approved plans can be found in **Appendix 2** to this AEE.

The Applicant was also granted resource consent on 11 June 2010[2] for a variation to the original resource consent to authorise the establishment of additional carparking and a covered pedestrian walkway.

A full copy of the decision and approved plans can be found in **Appendix 3** to this AEE.

1 Resource Consent 2070589.
2 Resource Consent 2100602-RMAVAR.

3.0 Site Context

3.1 Site Description

The site is located on the western side of North Road (State Highway 1 (**SH1**) in Kaitaia, as shown in **Figure 1** below.

It is bound by land vested as a road (North Way) and a local purpose reserve to the south, commercial / mixed use land to the north, the Awanui River to the west, and SH1 to the east. The site is also located adjacent to residential land on the opposite side of SH1. The land further to the west is zoned Rural Production.



Figure 1: Locality Plan, subject site shown in blue

The site is irregularly shaped with a total area of approximately 2.34ha. The site has a relatively flat topography, sloping gently west towards the Awanui River.

The site is currently occupied by the existing Pak'n'Save Supermarket within the western portion of the site, with the remainder of the site comprising carparking, a petrol station, landscaped areas, and other impervious surfaces. Vehicle access is available from North Way.

Under the Operative Far North District Plan (**ODP**), the site is zoned Commercial and is subject to the NRC Flood Susceptible Land Overlay, as shown in **Figure 2** below.



Figure 2: Site Zoning applying to the site under the ODP. Source: ODP Maps.

Under the Proposed Far North District Plan (PDP), the site is zoned Mixed Use and is identified as being within the Treaty Settlement Area of Interest, River Flood Hazard Zone (10 Year ARI Event), and River Flood Hazard Zone (100 Year ARI Event), as shown in Figure 3 below.



Figure 3: Site Zoning and Overlays applying to the site under the PDP. Source: PDP Maps.

In regards to flooding hazards, the entire site is identified as NRC Flood Susceptible Land under the ODP, however, there are no specific rule triggers that apply to the site. The river flood hazard areas shown in the PDP affect only parts of the site which is further discussed in section 4.0 below.

The site is not subject to any areas/sites of significance to Maori under both the ODP and PDP maps. Further, a review of the ArchSite maps confirms that there are no scheduled archaeological or heritage sites within the site boundaries or immediate vicinity of the site.

3.2 Surrounding Locality

The site is located within an established commercial / mixed use area along North Road (SH1), approximately 2km north of Kaitaia's town centre. The surrounding locality includes large-format retail activities, including Mitre 10, Noel Leeming and The Warehouse on the opposite side of SH1. There are also some residentially zoned properties located across SH1 from the site.

4.0 Proposal

This section 127 application seeks to change conditions of Resource Consent 2100602-RMAVAR to enable the following:

- Retrospective consent is sought to establish the 'existing' click and collect facility on the eastern elevation of the existing supermarket building and a proposed extension to that facility;
- Changes to the parking arrangement in the vicinity of the click and collect facility; and
- Retrospective inclusion of existing click and collect signage and installation of associated new branding signage associated with the click and collect facility.

The proposed site plan is provided in **Figure 4** below.

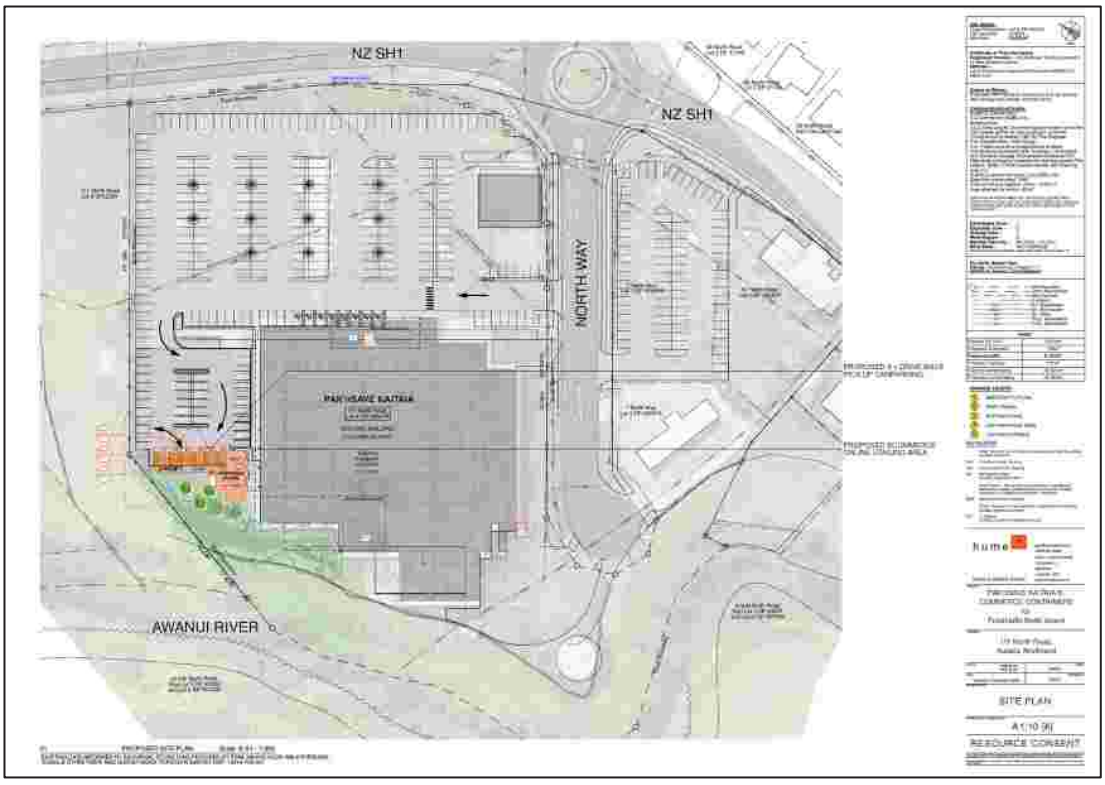


Figure 4: Proposed Site Plan

A summary of the key elements of the proposal is outlined below and further details are provided in the Architectural Plans Package included as **Appendix 4**.

Building Addition and Design

- The application seeks to vary the existing resource consent to retrospectively authorise the existing click and collect facility and provide for a proposed building addition to the existing facility to support its continued operation. The click and collect staging area is located on the eastern elevation of the existing supermarket building and has a total gross floor area (**GFA**) of 106m^2, which increases the total supermarket GFA from 5,631m^2 to 5,737m^2. The click and collect staging area will include frozen, chilled and ambient areas, as shown in the Architectural Plans Package included as **Appendix 4**.
- The existing click and collect staging area consists of five container pods orientated in a linear arrangement. Each container has a maximum building height of approximately 2.95m and the propsoed canopy above the walkway and click and collect parking spaces has a maximum height of approximately 3.5m, which is comfortably compliant with the permitted building height enabled in the underlying zone. The containers are sited well below the height of the existing supermarket building and are intended to provide a continuation of the façade. It incorporates a consistent material and colour palette that integrates with the supermarket's branding and existing built form. The proposed addition will adopt the same approach and will comply with the maximum building height, sitting well below the height of the existing supermarket building.
- No changes are proposed to the main supermarket building, with respect to built form, external facades, roof and building form.

Pedestrian Walkway

- A new paved footpath will connect to the existing footpath, providing pedestrian access between the garden, carparking spaces and the click and collect facility. A new canopy, approximately 3.8m high and covering 127m^2, will shelter the new carparking area.

Landscaping

- Two existing trees and other landscaping will be removed to provide space for the new paved footpath, as shown in the Architectural Plans Package (refer to **Appendix 4**). All other trees / landscaping on the site will be retained, including the retention of landscaped areas along the site frontage. There are no notable trees on site and therefore all tree removal works can be undertaken as a permitted activity.

Carparking

- Nine existing carparking spaces will be removed and six new carparking spaces provided, resulting in a net reduction of three carparking spaces on the site.
- No changes to the existing vehicle access points or loading area are proposed under this application,

Servicing

- No changes to existing servicing arrangements are proposed under this application, and the proposal will not increase demand or require new connections to the public network.

Signage

- New click and collect branding signage is proposed at the site as outlined in the Architectural Plans in **Appendix 4**. A summary of the proposed signage is outlined below.

Building Façade Signage

- One existing and two new wall-mounted signs are proposed, as follows:
  - Directional signage has already been fitted on the eastern façade of the existing click and collect facility. This sign measures 5.2m wide x 0.94m high, and has a total area of approximately 4.8m^2.
  - New instructional signage reading "please, reverse into the bay" will be installed on the eastern façade of the click and collect facility. The sign will measure 2.5m wide x 1.5m high, with a total area of approximately 3.75m^2; and
  - New instructional signage reading "Give us a buzz! We'll be right out" will be installed on the northern façade of the click and collect facility. The sign will measure 0.4m wide x 0.6m high, with a total area of approximately 0.24m^2.

Freestanding Signage

- Six new click and collect carpark numbering signs (1 to 6) are proposed. These signs will measure 0.4m wide x 0.6m high, with a total area of approximately 0.24m^2; and
- One existing directional sign has been installed on the site. This sign measures 1.0m wide x 1.5m high and has a total area of approximately 1.5m^2.

Upgrades to Existing Pylon Sign

- There is an existing pylon sign located at the entrance of the existing supermarket on North Way that has been lawfully approved under the existing resource consents. It is proposed to install a minor directional signage addition to this existing sign to advertise the click and collect service offering at the supermarket.
- No change to the location of the existing pylon sign(s) is proposed under this application.

Flood Hazards

As noted in section 3.1 above, the entire site is located within the ODP flood susceptibility overlay, however, there are no relevant rules for assessment, and parts of the site is within the PDP river hazard areas. In this instance, the existing supermarket building is lawfully established and the proposed click and collect staging area is located entirely outside the mapped 'river flood hazard areas' shown on the PDP maps. Given minimal works are required to establish the pods on site, and taking into account the site topography, the proposed container structures are not considered to exacerbate or increase flooding risk to persons or property. Given there are no rule triggers that apply to the proposal, no further consideration of flooding matters or flooding related effects has been provided in this application.

4.1 Proposed Changes to Consent Conditions

The proposed amendments to the conditions to provide for the changes set out above are set out below (deletions shown as ~~strikethrough~~ and additions as **bold underlined**):

1. The activity shall be carried out in accordance with

   (i) The approved plans of development prepared by Stiff Hocker Limited, Job no 08321 Sheets RC01B, RC02B, RC03A & RC04A and attached to this consent with the Council's "Approved Plan" stamp affixed to them, and;

   (ii) All details and information contained within the Report prepared by GHD, titled "Report for Report for Proposed PAK'nSAVE Kaitaia, Variation Application" dated October 2009 reference 512558101, subject to amendments as outlined within the report prepared by Planning Focus Limited, titled Variation to Consent for Proposed Pak'n Save Supermarket dated May 2010 and referenced PFL Ref. 322.

   (iii) **All details and information contained within the report prepared by Barker & Associates Limited, titled "S127 Variation to Kaitaia Pak'n'Save Supermarket" dated 6 November 2026.**

   (iv) **The plans of development prepared by Hume Architects limited, Drawing No. A1.10 [A], A2.00 [A], A2.01 [A], A2.10 [A], A4.10 [A] & A10.01 [A].**

   …

7. Undertake all landscaping generally in accordance with the Silver Fern landscape plan Reference K01 Rev F submitted as Appendix D**, the Proposed Floor Plan Reference A2.10 [A],** and provide a landscape maintenance plan to the approval of the Council's duty delegated officer. The landscaping shall be maintained in accordance with the maintenance plan for the duration of the consent.

   …

11. All signage shall be in accordance with the approved plans attached to this consent**, Drawing No. A1.10 [A] & A4.10 [A]**, and shall be static and non-flashing.

5.0 Reasons for Consent

5.1 Operative Far North District Plan

The existing resource consent described in section 2.1 above authorised signage associated with the supermarket under the ODP under Rules 16.6.1.2 and 16.6.1.3. In this case, the new signage associated with the click and collect facility will increase the total maximum signage area on the site, and is therefore listed as a reason for consent for completeness.

5.2 Proposed Far North District Plan

FNDC's decisions on submissions on the Proposed District Plan were formally notified on Tuesday 30 June 2026. This notification means all the provision in the Proposed District Plan – Decision Version have legal effect (under s86B(1) of the Resource Management Act 1991).

The PDP was not in place when the original application was lodged. Accordingly, the proposal has also been assessed against the relevant PDP signage rules in the following subsections on a conservative basis.

Signage

- **SIGN-S1 Maximum sign area per site** – the site already lawfully exceeds the maximum sign area per site under the existing resource consent. The proposal results in the addition of new signs on the site, resulting in a further exceedance of the 12m^2 permitted threshold for the site – **Restricted Discretionary Activity**; and
- **SIGN-S3 Maximum number of signs** – The proposal will result in more than five signs on the site – **Restricted Discretionary Activity**.

5.3 Section 127 Variation

The proposal involves changes to conditions 1, 7 and 11 of Resource Consent RC-2100602-RMAVAR.

The proposed changes are considered to be within the scope of the original resource consent as the proposal remains fundamentally the same in terms of the activity and scale, and does not have materially different adverse effects from that originally consented.

As an application to change conditions under section 127 of the Act, the proposal is treated as if it were a **discretionary** activity.

6.0 Public Notification Assessment (Sections 95A, 95C and 95D)

6.1 Assessment of Steps 1 to 4 (Sections 95A)

Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These are addressed in statutory order below.

6.1.1 Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application is made jointly with an application to exchange of recreation reserved land under section 15AA of the Reserves Act 1977.

The above does not apply to the proposal.

6.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances.

Step 2 describes that public notification is precluded where all applicable rules and national environmental standards preclude public notification; or where the application is for a controlled activity; or a restricted discretionary, discretionary or non-complying boundary activity.

In this case, the applicable rules do not preclude public notification, and the proposal is not a controlled activity or boundary activity. Therefore, public notification is not precluded.

6.1.3 Step 3: If not required by step 2, public notification required in certain circumstances.

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or national environmental standards require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

As noted under step 2 above, public notification is not precluded, and an assessment in accordance with section 95A is required, which is set out in the sections below. As described below, it is considered that any adverse effects will be less than minor.

6.1.4 Step 4: Public notification in special circumstances

If an application is not required to be publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- Exceptional or unusual, but something less than extraordinary; or
- Outside of the common run of applications of this nature; or
- Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

The modifications proposed are considered to be within the scope of the original application. The proposed amendments to the conditions will not materially alter the approved development.

It is considered that there is nothing noteworthy about the proposal. It is therefore considered that the application cannot be described as being out of the ordinary or giving rise to special circumstances.

6.2 Section 95D Statutory Matters

In determining whether to publicly notify an application, section 95D specifies a council must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor.

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.

  The land to be excluded from the assessment is listed in section 6.3 below.

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded.

  It is considered that there is no permitted baseline that can be usefully applied in this case as any variation to an application under Section 127 of the RMA 1991 requires

consent as a discretionary activity. However, the approved resource consents referred to in Section 2.1.1 above are part of the receiving environment against which any adverse effects from this proposal should be assessed.

- Trade competition must be disregarded.

  This is not considered to be a relevant matter in this case.

- The adverse effects on those persons who have provided their written approval must be disregarded.

  No persons have provided their written approval for this proposal.

The sections below set out an assessment in accordance with section 95D, including identification of adjacent properties, and an assessment of adverse effects.

6.3 Land Excluded from the Assessment

In terms of the tests for public notification (but not for the purposes of limited notification or service of notice), the adjacent properties to be excluded from the assessment are shown in **Figure 5** below, and include:

- 96 North Road, Kaitaia (east);
- 98 North Road, Kaitaia (east);
- 100 North Road, Kaitaia (east);
- 102 North Road, Kaitaia (east);
- 117 North Road, Kaitaia (north);
- Parcel ID: 5208614 (SH1) (east);
- Parcel ID: 5266980 (Awanui River) (west);
- Parcel ID: 7377531 (North Way) (south);
- 7 North Way, Kaitaia (south); and
- Lot 1 and 2 DP 405474 (south).



Figure 5: Adjacent properties (shaded blue) in relation to subject site (shaded red). Source: Emap.

6.4 Assessment of Effects on the Wider Environment

The following sections set out an assessment of wider effects of the proposal, and it is considered that effects in relation to the following matters are relevant:

- Character and Amenity;
- Transport; and
- Cultural Values.

These matters are set out and discussed below.

6.4.1 Character and Amenity

As noted in Section 3 above, the subject site is located within an established commercial / mixed use area along SH1, approximately 2km north of Kaitaia's town centre

Although this application is made under section 127 of the RMA, it is relevant to note that under the ODP, building additions are provided for as a permitted activity in the Commercial Zone, subject to compliance with built form standards. Similarly, under the PDP, new building extensions are provided in the Mixed Use Zone are provided for as a permitted activity, if it will accommodate a permitted activity. In this case, the building extension supports the

expansion and continued operation of the Kaitaia Pak'n'Save supermarket activity which has been lawfully established on the site.

The existing click and collect facility is located on the eastern elevation of the existing supermarket building, and the proposed extension will adjoin that facility, which is well setback from road frontages, such that views of the built form will be limited from the wider environment. The existing facility incorporates a consistent material and colour palette, and the proposed extension has been carefully considered to integrate with the existing built form and will not appear dominant, or out of place, given its location within the rear portion of the site.

Although some of the existing landscaped area will be removed to accommodate the building extension, this landscaping and trees are located internally towards the rear of the site and make only a limited contribution to the site's interface with the surrounding environment. Their removal is therefore not considered to materially affect the landscape character or visual amenity of the area and the works can be undertaken as a permitted activity under the ODP and PDP. The remaining grassed areas and landscaping, particularly along the road frontages, will be retained and will continue to provide visual screening, soften the appearance of the built development and maintain an attractive interface with the road. This retention of vegetation and permeable surface will help mitigate the effects associated with the reduction in landscaping and permeable area resulting from the proposed building addition.

With regard to signage, the proposal includes existing and new wall-mounted signs on the building façade of the click and collect facility, freestanding carparking and directional signage, and an addition to the existing freestanding pylon sign at the entrance of the existing supermarket on North Way. The proposed signage is considered to be proportionate to the scale of the existing supermarket building and will not appear overcrowded or cluttered on the site when viewed from the wider environment. In particular, the proposed signage is consistent with the type and scale of supermarket advertising in other areas of the site, and has been appropriately sized and located to reflect the scale of the activity. The signage's material/colour selection will be typical of Pak'n'Save branding, and will not appear out of place on the building façade. Views of this building façade signage will be limited from the public realm, given the screening afforded by the rear location of the site, and the setback from the road frontages.

The new click and collect directional signage will be installed within the existing pylon sign's total sign area and will be consistent with the size and colour of the existing signage, with no changes to the pylon structure proposed.

Having regard to the above, it is considered that any potential adverse effects with respect to built character and amenity will be less than minor overall.

6.4.2 Transport

As noted in Section 4 above, no change to the existing vehicle access arrangement is proposed under this application.

From a transport perspective, the assessment is limited to changes to the internal parking layout. The proposed parking changes involve the removal of nine existing carparks and the provision of six new carparks, resulting in a net reduction of three carparking spaces within the site. This minor change to the internal parking layout will not alter the existing vehicle access arrangements or increase traffic generation, and safe manoeuvring is still provided for within the site. Given the small-scale works proposed and that ample supermarket customer parking is available on site, it is

not expected to materially affect the operation of the parking area or the surrounding road network. Any associated adverse transport effects are therefore anticipated to be negligible.

Further, it is considered that the signage associated with the click and collect service offering has been carefully positioned within the site in a manner that will ensure sightlines and visibility within the carpark remains unobstructed and is consistent with the scale and type of existing signage at the site.

Having regard to the above, the proposal is not considered to give rise to any adverse transport or road safety effects. it is considered that any potential adverse effects with respect to transportation will be less than minor.

6.4.3 Cultural Values

The subject site is not located within an identified area of cultural significance or site of significance to Maori under the ODP or PDP. Further, there are no recorded archaeological sites within or near the subject site on the Archsite database. In this regard, there are no known adverse effects on scheduled cultural heritage or sites of significance to Maori.

6.5 Summary of Effects

Overall, it is considered that any adverse effects on the environment relating to this change will be less than minor.

6.6 Public Notification Conclusion

Having undertaken the section 95A public notification tests, the following conclusions are reached:

- Under step 1, public notification is not mandatory;
- Under step 2, public notification is not precluded;
- Under step 3, public notification is not required as it is considered that the activity will result in less than minor adverse effects; and
- Under step 4, there are no special circumstances.

Therefore, based on the conclusions reached under steps 3 and 4, it is recommended that this application be processed without public notification.

7.0 Limited Notification Assessment (Sections 95B, 95E to 95G)

7.1 Assessment of Steps 1 to 4 (Sections 95B)

If the application is not publicly notified under section 95A, the council must follow the steps set out in section 95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

7.1.1 Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups; or affected persons under a statutory acknowledgement affecting the land.

The above does not apply to this proposal.

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

Step 2 describes that limited notification is precluded where all applicable rules and national environmental standards preclude limited notification; or the application is for a controlled activity (other than the subdivision of land).

In this case, the applicable rules do not preclude limited notification and the proposal is not a controlled activity. Therefore, limited notification is not precluded.

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

Step 3 requires that, where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of any other activity, a person affected in accordance with s95E.

The application is not for a boundary activity, and therefore an assessment in accordance with section 95E is required and is set out below.

Overall, it is considered that any adverse effects on persons will be less than minor, and accordingly, that no persons are adversely affected.

7.1.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

In this instance, having regard to the assessment in section 6.1.4 above, it is considered that special circumstances do not apply.

7.2 Section 95E Statutory Matters

If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded;

- Only those effects that relate to a matter of control or discretion can be considered (in the case of controlled or restricted discretionary activities); and
- The adverse effects on those persons who have provided their written approval must be disregarded.

These matters were addressed in section 6.2 above, and no written approvals have been obtained.

Having regard to the above provisions, an assessment is provided below.

7.3 Assessment of Effects on Persons

The following comments are made with respect to potential effects on persons:

- The application retrospectively includes the existing click and collect facility and provides for a small extension to that facility on the eastern elevation of the supermarket, together with associated signage, parking and landscaping changes. Aside from the small building addition in the northern western part of the site, no change to the existing building bulk, roof form, landscaping or location of site access points is proposed on the site. As such, it is considered that views of the site from adjacent persons will remain largely unchanged from the existing situation;
- The proposed building addition will sit comfortably below the height of the existing supermarket building. Visibility of the click and collect area from persons to the north, east, south and west (listed in section 6.3 above) will be limited given the sufficient separation distances, existing landscaping and screening provided by the existing supermarket building itself. The addition will also be viewed in the context of the established supermarket and will therefore appear as a modest and visually integrated extension rather than a prominent standalone structure. Further, the existing landscaping along the road frontages will be maintained as per the current situation, helping to maintain the current level of screening and the established amenity on the site;
- No change to existing operational hours or nature of the supermarket activity are proposed, such that noise effects will be appropriately mitigated consistent with current operations; and
- The proposed branding signage will be designed to be proportionate to the scale of the existing supermarket building and will not appear visually dominant or intrusive when viewed from adjacent persons / properties. The changes to the existing pylon sign at the entrance of the existing supermarket on North Way will be visible from the road boundaries; however, the pylon is lawfully established on the site, and no changes to the main structure or location are proposed under this application.

7.3.1 Summary of Effects

Taking the above into account, it is considered that any adverse effects on persons at the aforementioned properties will be less than minor. Wider effects, including character and amenity, transport and cultural values were assessed in section 6.4 above and are considered to be less than minor.

It is considered, therefore, that there are no adversely affected persons in relation to this proposal.

7.4 Limited Notification Conclusion

Having undertaken the section 95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

8.0 Consideration of Applications (Section 104)

8.1 Statutory Matters

Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- Any actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a discretionary activity, section 104B of the Act states that a council:

(a) may grant or refuse the application; and

(b) if it grants the application, may impose conditions under section 108.

9.0 Effects on the Environment (Section 104(1)(A))

Having regard to the actual and potential effects on the environment of the activity resulting from the proposal, it was concluded in the assessment above that any wider adverse effects relating to the proposal will be less than minor and that no persons would be adversely affected by the proposal.

Further, it is considered that the proposal will also result in positive effects by retrospectively including the existing click and collect facility at Pak'n'Save Kaitaia and providing for an extension to support and enhance Foodstuffs its continued operation. The existing dedicated click and collect service provides efficiencies for locals' day-to-day shopping experience, and the proposed extension will support those benefits.

Overall, it is considered that the proposal will have positive effects, and any actual and potential adverse effects on the environment of allowing the activity are appropriate.

10.0 District Plan and Statutory Documents (Section 104(1)(B))

10.1 Objectives and Policies of the National Policy Statement – Natural Hazards

The National Policy Statement for Natural Hazards (**NPS-NH**) came into force on 15 January 2026 and requires the risk level of subdivision, use and development to be assessed using the prescribed risk matrix. The risk matrix applies likelihood levels against consequence levels based upon the range of potential natural hazard risk.

Although the site is mapped as NRC Flood Susceptible Land under the ODP, the proposed development will be located outside the 10-year (almost certain likelihood) and 100-year (possible likelihood) River Flood Hazard Zones mapped under the PDP. Given the proposal will not result in any development within these mapped flood hazard zones in the PDP and there are no reasons for consent required under the ODP or PDP, it is considered that the consequence level is negligible. Overall, the proposal is considered to result in a **low** natural hazard risk with respect to flooding.

10.2 Objectives and Policies of the Regional Policy Statement for Northland

The Regional Policy Statement for Northland (**RPS**) covers the management of natural and physical resources across the Northland Region. The provisions within the RPS give guidance at a higher planning level in terms of significant regional issues. As such, it does not contain specific rules that trigger the requirement for resource consent, but rather gives guidance to resource consent applications and the development of District Plans on a regional level.

The following objectives and policies are of relevance to this application:

Objective 3.5: Enabling economic wellbeing

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

Objective 3.6 – Economic activities – reverse sensitivity and sterilisation

The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:

- *(b) Reverse sensitivity for existing:*
  - *(i) Primary production activities;*
  - *(ii) Industrial and commercial activities;*
  - *(iii) Mining; or*
  - *(iv) Existing and planned regionally significant infrastructure.*
- *(c) Sterilisation of:*
  - *(i) Land with regionally significant mineral resources; or*
  - *(ii) Land which is likely to be used for regionally significant infrastructure.*

Policy 5.1.1 – Planned and coordinated development

Subdivision, use and development should be located, designed and built in a planned and co-ordinated manner which:

(a) Is guided by the 'Regional Form and Development Guidelines' in Appendix 2;

(b) Is guided by the 'Regional Urban Design Guideline' in Appendix 2 when it is urban in nature;

(c) Recognises and addresses potential cumulative effects of subdivision, use and development, and is based on sufficient information to allow assessment of the potential long-term effects;

(d) Is integrated with the development, funding, implementation, and operation of transport, energy, water, waste, and other infrastructure;

(e) Should not result in incompatible land uses in close proximity and avoids the potential for reverse sensitivity;

(f) Ensures that plan changes and subdivision to / in a primary production zone, do not materially reduce the potential for soil-based primary production on land with highly versatile soils, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities; and

(g) Maintains or enhances the sense of place and character of the surrounding environment except where changes are anticipated by approved regional or district council growth strategies and/or district or regional plan provisions.

(h) Is or will be serviced by necessary infrastructure.

Policy 5.1.3 – Avoiding the adverse effects of new use(s) and development

Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following:

(a) Primary production activities in primary production zones (including within the coastal marine area);

(b) Commercial and industrial activities in commercial and industrial zones;

(c) The operation, maintenance or upgrading of existing or planned regionally significant infrastructure; and

(d) The use and development of regionally significant mineral resources.

Assessment:

The proposal is associated with an existing supermarket activity, and is anticipated to improve the economic wellbeing of the Northland Region through supporting continued investment in an established local supermarket and improving access to essential goods. The e-commerce infrastructure will increase the efficiency and capacity of the supermarket's operations, support its ongoing commercial viability and help sustain local employment. Construction of the further container addition will also generate short-term expenditure and employment opportunities for contractors and suppliers.

The proposal will not result in any adverse effects, including reverse sensitivity effects on commercial activities within the Commercial or Mixed Use Zones.

10.3 Weighting of Operative and Proposed District Plan Provisions

The Far North District Council notified the PDP on 27 July 2022. On 30 June 2026, the Council publicly notified its decisions on submissions to the PDP, commencing the Environment Court appeal period. From that date, the PDP – Decisions Version has legal effect under section 86B(1) of the Resource Management Act 1991.

Since then, the Environment Court Appeal period has closed, with 32 appeals to decisions on the PDP made with the section 274 period extended to 29 September 2026. The full extent of Section 274 notices received is not currently known at the time of lodgement. The appeals are wide ranging, affecting many provisions within the PDP including those applicable to this site.

In undertaking this assessment, the provisions of both the ODP and PDP (Appeals Version) have been considered. Given the wide range of appeals that have been received, the uncertainty associated with the 274 notices received, and the potential for further changes to the PDP provisions, greater weight has been afforded to the ODP. However, as demonstrated in the assessment below, the proposal is consistent with and finds support under both the ODP and PDP provisions, so the weighting assessment is not particularly determinative in this instance.

10.4 Objectives and Policies of the Operative Far North District Plan

10.4.1 Commercial Zone

The objectives and policies of the Commercial Zone are contained within Part 2 of the ODP. The Commercial Zone provides for a range of commercial and other activities to establish in centres within urban areas such as Kaitaia, so as to provide for the everyday commercial needs of the people of the District.

The objective aims to achieve the development of commercial areas by accommodating a wide range of activities that avoid, remedy or mitigate the adverse effects of activities on other activities within the Commercial Zone. The policies reinforce the objective seeking that the range of activities provided for be limited only be the needs for the effects generated by the particular activity to be consistent with other activities in the zone.

Assessment:

In this case, the proposed building addition supports the expansion and continued operation of the existing supermarket activity which is an activity provided for and anticipated with the Commercial Zone. The proposed built form has been carefully considered by providing a building addition in the rear portion of the site, in an area that is largely screened from the public realm. The retention of existing landscaping along the road frontages maintains the landscaped edge to the street, softening views of the carpark and supermarket building. Overall, it is considered that the proposal is consistent with these objectives and policies.

10.4.2 Signs and Lighting Chapter

The objectives and policies for Signs are contained within Part 3 of the ODP. The most relevant objectives and policies are noted below:

Objective 16.3.1

To maintain and enhance amenity and heritage values whilst providing for a wide range of sign and lighting activities in a number of locations.

Objective 16.3.2

To ensure that the safe and efficient operation of the road transport and pedestrian network and other infrastructure will not be adversely compromised by sign and lighting activities.

Objective 16.3.3

To minimise the clutter of signs.

Policy 16.4.1

That the adverse effects of signs in the District be limited through size, type, duration, number and location controls.

Policy 16.4.2

That the consolidation of signs be encouraged to reduce the cumulative effects of sign proliferation and clutter.

Assessment:

As noted above, the proposed wall mounted signage will be carefully considered to ensure it is well integrated with the scale and built form of the existing building and proposed building addition and will not create visual clutter on the building façades. The proposed freestanding car parking signage will provide clear wayfinding and identify individual parking spaces, with a consistent design that complements the wider signage scheme and minimises visual clutter. The signage addition to the existing pylon sign will be visible from the public realm; however, the sign will not be illuminated or flashing and will not distract drivers on the adjacent road and intersection.

10.5 Objectives and Policies of the Proposed Far North District Plan

10.5.1 Mixed Use Zone

The objectives and policies of the Mixed Use Zone are contained within Part 3 of the PDP. The Mixed Use Zone provides for a range of commercial, community and civic activities, as well as limited residential activities that complement these activities.

The objectives seek to establish the Mixed Use zone as the focal point for the district's commercial, community and civic activities, while providing for compatible residential development. Development is to contribute positively to the vibrancy, safety and amenity of the zone, be supported by adequate development infrastructure, and manage adverse environmental effects, particularly at zone boundaries. The policies reinforce these objectives seeking to enable a range of commercial, community, civic and residential activities that support the function, role, sense of place and amenity of the Mixed Use Zone and are supported by adequate infrastructure. Development is required to contribute positively to high-quality streetscapes, pedestrian amenity, safe movement, community wellbeing, health and safety, while maintaining the amenity values of adjoining Residential and Open Space Zones. The policies also seek to restrict or avoid incompatible activities.

Assessment:

In this case, the proposed building addition supports the expansion and continued operation of the existing supermarket activity which is an activity provided for and anticipated with the Mixed Zone. The proposed built form has been carefully considered by providing a building addition in the rear portion of the site, in an area that is largely screened from the public realm. The retention

of existing landscaping along the road frontages maintains the landscaped edge to the street, softening views of the carpark and supermarket building. Overall, it is considered that the proposal is consistent with these objectives and policies.

10.5.2 Signs Chapter

The objectives and policies for Signs are contained within Part 2 of the PDP. The most relevant objectives and policies are noted below:

Objective SIGN-O1

Signs are consistent with the natural character, amenity, cultural and historic heritage values of the zone and the receiving environment.

Objective SIGN-O2

Signs promote health and safety and do not adversely affect infrastructure, particularly the transport network.

Objective SIGN-O3

Signs contribute to the social, cultural and economic wellbeing of the community.

Policy SIGN-P1

Allow the use of signs of a scale, size and intensity across a range of zones while avoiding, remedying or mitigating adverse effects on:

a. *character and amenity values;*
b. *cultural and historic heritage values;*
c. *the legibility and function of a place; and*
d. *the safety and efficiency of the transport network.*

Policy SIGN-P2

Protect historic heritage and cultural values by requiring signs to be consistent with any identified and understood values by:

a. *restricting unnecessary, unsympathetic and large-scale signage; and*
b. *avoiding signage that will dominate, obscure or detract from these identified values.*

Policy SIGN-P3

Ensure that signs do not compromise the safe and efficient use of the transport network by managing:

a. *the type, scale, design, location and direction of signs having regard to the road type and speed environment;*
b. *distraction or confusion for users through the control of proliferation, illumination, flashing and moving images and digital signage;*
c. *any obstruction caused by signs projecting over the road boundary or within level crossing sightlines; and*
d. *signage that does not relate to the activity on-site.*

Policy SIGN-P4

Enable the use of signs to ensure the health and safety of the community and facilitates the navigation and legibility of a place.

Policy SIGN-P5

Allow signs that provide for community, social and cultural wellbeing where they display:

a. *the location information about public or community facilities;*
b. *place names, historic, cultural or spiritual information of significance; and*
c. *does not result in adverse effects, including cumulative effects, on the character and amenity of the zone and receiving environment.*

Assessment:

The proposed signage associated with the new click and collect infrastructure will directly relate to the existing supermarket activity on the site, will not create visual clutter and will be well integrated with the existing building façade and signage treatments.

It is considered that the remaining matters have been comprehensively addressed under Section 10.4.3 above. The conclusions reached in that section remain valid and are relied upon for the purposes of this assessment. Accordingly, it is not considered necessary to reassess these matters further here.

10.6 Summary

It is considered that the proposed development is generally in accordance with the objectives and policies of the relevant statutory planning documents.

11.0 Part 2 Matters

While it is not necessary to take recourse to Part 2 given that it has already been incorporated into the ODP and PDP, we do so for completeness.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of "other matters" to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant statutory planning documents objectives and policies, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the Act.

12.0 Other Matters (Section 104(1)(C))

12.1 Record of Title Interests

The Record of Title for the site is subject to a number of interests (refer **Appendix 1**). A summary of their effects on the resource consent application have been provided in Table 1 below:

Interest	Comment
Land Covenant in Easement Instrument 6925573.4	The proposal will not be affected by this land covenant in easement instrument.
8696833.1 Notification that a building consent issued pursuant to section 72 Building Act 2004 identifies erosion and inundation as natural hazards	The proposal has taken into consideration the effects of natural hazards such as flooding in Section 6.4.3 above.
Easement Instrument 8789156.4	The proposal will not affect this right to drain water easement.
Easement Instrument 8789156.5	The proposal will not affect this right to drain sewage
8789156.8 Esplanade Strip Instrument	The proposal does not affect the existing esplanade strip on the site.
Land Covenant in Easement Instrument 10145696.2	The proposal will not be affected by this land covenant in easement instrument.
Land Covenant in Easement Instrument 10145696.3	The proposal will not be affected by this land covenant in easement instrument.
Land Covenant in Easement Instrument 10145696.4	The proposal will not be affected by this land covenant in easement instrument.

13.0 Section 104(6A) Significant Non-compliances

Under Section 104(6A) of the RMA, a consent authority may decline an application for resource consent if the applicant has a record of significant non-compliance with a requirement of this Act.

The applicant, The National Trading Company of New Zealand Limited, is not a natural person and to the best of our knowledge, has not been the subject of a significant non-compliance.

14.0 Section 106A Natural Hazards

Under section 106A of the Act, a consent authority may refuse to grant a land use consent, or may grant the consent subject to conditions, if it considers that there is a significant risk from natural hazards.

The entire site is subject to the NRC flood susceptibility overlay under the ODP, while parts of the site are also subject to mapped river flood hazard areas under the PDP. In considering the ODP overlay, it is relevant that the site already accommodates an established built environment, including the existing supermarket that the proposed addition will support. Under the PDP, the proposed addition is located entirely outside the mapped river flood hazard areas, such that the proposal will not give rise to any adverse flooding effects and the proposed structures will not increase risk to persons or property.

Given this, it is not considered that there is significant risk from natural hazards as a result of the proposal.

15.0 Conclusion

The proposal seeks to change conditions of Resource Consent 2100602-RMAVAR to retrospectively consent an existing click and collect facility, and provide for a proposed extension to the facility and associated signage at Pak'n'Save Kaitaia, 111 North Road, Kaitaia.

Based on the above report it is considered that:

- Public notification is not required as adverse effects in relation to character and amenity, transport and cultural values are considered to be less than minor. There are also positive effects as the expansion will enhance the customers shopping experience;
- Limited notification is not required as no persons are considered to be adversely affected by the proposal;
- The proposal accords with the relevant ODP and PDP objectives and policies;
- The proposal will not give rise to or be at significant risk from natural hazards; and
- The proposal is considered to be consistent with Part 2 of the Act.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that it can be granted on a non-notified basis.

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **419273**

Land Registration District **North Auckland**

Date Issued 23 December 2013

Prior References
NA131A/308

Estate Fee Simple

Area 2.3430 hectares more or less

Legal Description Lot 4 Deposited Plan 405474

Registered Owners

The National Trading Company of New Zealand Limited

Interests

C345446.1 Notice pursuant to Section 94C Transit New Zealand Act 1989 declaring the adjoining State Highway to be a limited access road - 10.2.1992 at 9.42 am

Land Covenant in Easement Instrument 6925573.4 - 28.6.2006 at 9:00 am

8696833.1 Notification that a building consent issued pursuant to Section 72 Building Act 2004 identifies erosion and inundation as natural hazards - 15.2.2011 at 7:00 am

Subject to a right (in gross) to drain water over parts marked H, K, L and M on DP 405474 in favour of Far North District Council created by Easement Instrument 8789156.4 - 23.12.2013 at 12:14 pm

The easements created by Easement Instrument 8789156.4 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to drain sewage over parts marked G, H, J and M on DP 405474 in favour of Far North District Council created by Easement Instrument 8789156.5 - 23.12.2013 at 12:14 pm

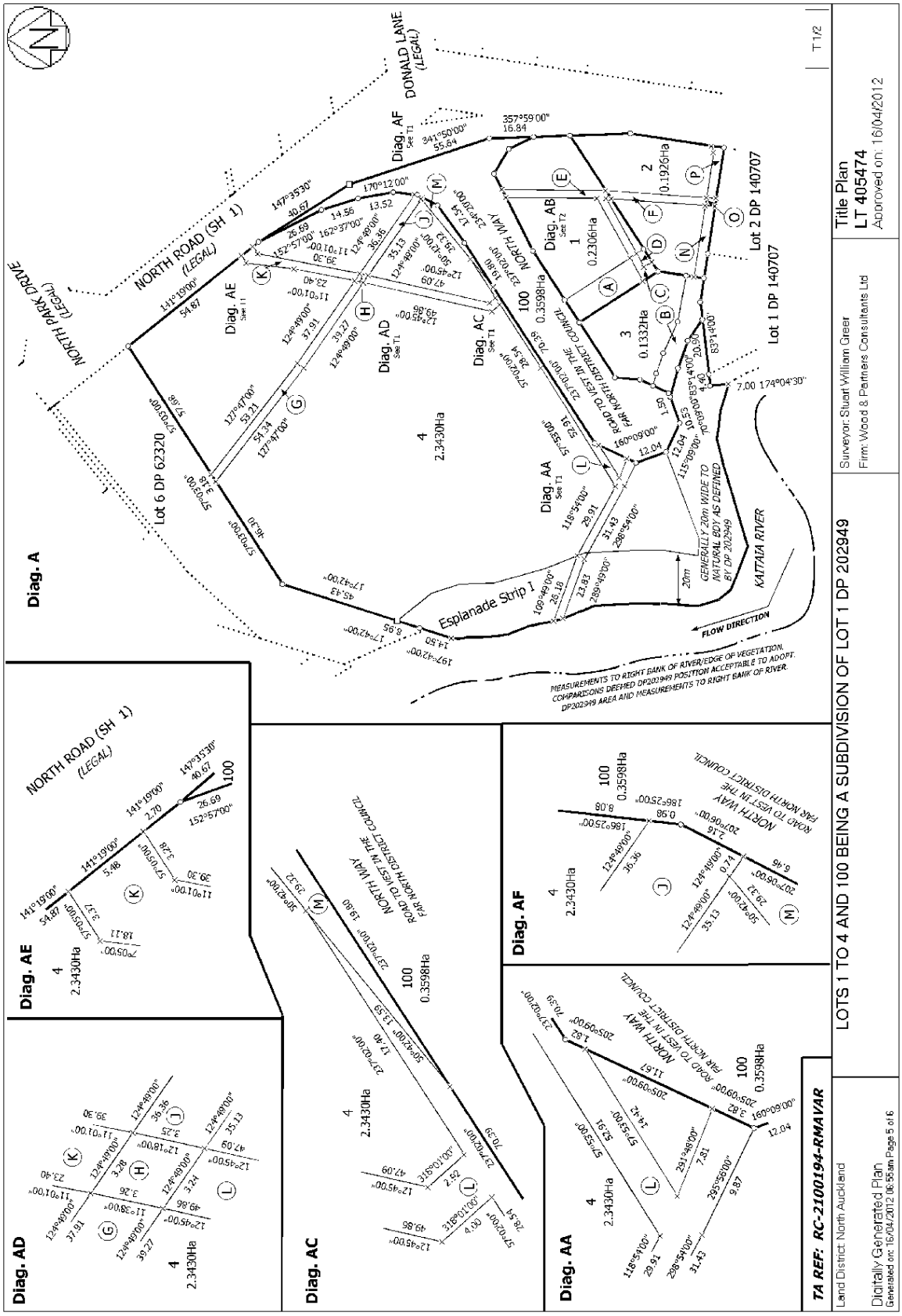
The easements created by Easement Instrument 8789156.5 are subject to Section 243 (a) Resource Management Act 1991

8789156.8 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 - 23.12.2013 at 12:14 pm

Land Covenant in Easement Instrument 10145696.2 - 7.8.2015 at 3:24 pm

Land Covenant in Easement Instrument 10145696.3 - 7.8.2015 at 3:24 pm

Land Covenant in Easement Instrument 10145696.4 - 7.8.2015 at 3:24 pm


Title Plan
LT 405474
Approved on: 16/04/2012
Surveyor: Stuart William Greer
Firm: Wood & Partners Consultants Ltd
LOTS 1 TO 4 AND 100 BEING A SUBDIVISION OF LOT 1 DP 202949
TA REF: RC-2100194-RMAVAR
Land District North Auckland
Digitally Generated Plan
Generated on: 16/04/2012 06:55am Page 5 of 6
Diag. A
NORTH ROAD (SH 1) (LEGAL)
NORTH PARK DRIVE (LEGAL)
DONALD LANE (LEGAL)
Lot 6 DP 62320
Lot 2 DP 140707
Lot 1 DP 140707
Esplanade Strip 1
KAITAIA RIVER
FLOW DIRECTION
GENERALLY 20m WIDE TO NATURAL BDY AS DEFINED BY DP 202949
NORTH WAY ROAD TO VEST IN THE FAR NORTH DISTRICT COUNCIL
MEASUREMENTS TO RIGHT BANK OF RIVER EDGE OF VEGETATION.
COMPARISONS DEEMED DP202949 POSITION ACCEPTABLE TO ADOPT.
DP202949 AREA AND MEASUREMENTS TO RIGHT BANK OF RIVER.
Diag. AA
Diag. AB
Diag. AC
Diag. AD
Diag. AE
Diag. AF
4 2.3430Ha
1 0.2306Ha
2 0.1926Ha
3 0.1332Ha
100 0.3598Ha

Approved by Registrar-General of Land under No. 2002/6055

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

Sections 90A and 90F, Land Transfer Act 19

EI 6925573.4 Easemen
Cpy - 01/01, Pgs - 005, 28/06/06, 10:27
DocID: 312533229

Land registration district

NORTH AUCKLAND

Grantor *Surname(s) must be underlined or in CAPITALS.*

FALKIRK LIMITED

Grantee *Surname(s) must be underlined or in CAPITALS.*

TRUSCO (NZ) LIMITED

Grant* of easement or *profit à prendre* or creation or covenant

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

Dated this 22nd day of June 2006

Attestation

authorised signatory **Signature [common seal] of Grantor**	**Signed in my presence by the Grantor** *Signature of witness* *Witness to complete in BLOCK letters (unless legibly printed)* **Witness name** Jeremy Nicholas Parsons **Occupation** Solicitor **Address** Auckland
Trusco (NZ) Limited by its attorney Dennis John McSweeney **Signature [common seal] of Grantee**	**Signed in my presence by the Grantee** *Signature of witness* *Witness to complete in BLOCK letters (unless legibly printed)* **Witness name** **Occupation** GEORGINA HAPE LEGAL ASSISTANT **Address** KERIKERI

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

[Solicitor for] the Grantee

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

REF: 7003 – AUCKLAND DISTRICT LAW SOCIETY

Approved by Registrar-General of Land under No. 2002/6055

Annexure Schedule 1

Registrar-General of Land Approval 02/6055EF A.D.L.S.

Easement instrument Dated 22nd June 06 Page 1 of 1 pages

Schedule A *(Continue in additional Annexure Schedule if required.)*

Purpose (nature and extent) of easement, *profit,* or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT *or* in gross)
Restrictive use covenant		**NA131A/308**	**NA110D/255**

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

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

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

The implied rights and powers are **[varied] [negatived] [added to]** or **[substituted]** by:

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

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

Covenant provisions

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

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

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

[Annexure Schedule 2].

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

Approved by Registrar-General of Land under No. 2002/5032

Annexure Schedule

Registrar-General of Land Approval 02/5032EF ADLS

Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement instrument	Dated 22nd June 02	Page 1 of 1 pages

(Continue in additional Annexure Schedule, if required.)

The Grantor so as to bind the land in the servient tenements **DOTH HEREBY COVENANT AND AGREE TO** the stipulations and restrictions in the Schedule hereto **TO THE INTENT** that the land in the servient tenements shall be forever bound by the stipulations and restrictions set out in the Schedule hereto for the benefit of the dominant tenement.

Schedule

The Grantor will not:

1.0 Sell, grant any lease or occupation licence to The Warehouse Limited or any related company (as the term is defined in the Companies Act 1993) of The Warehouse Limited for the establishment of a "The Warehouse" store;

~~1.1 Use, permit to be used, carry on or permit to be carried on any retail~~ business under the style branding or description of "The Warehouse" as ~~currently established on the dominant tenement.~~

The Grantor's covenants hereunder shall expire, lapse and have no further effect on the earlier of any of the following occurring:

2.0 The Grantee, being Trusco (NZ) Limited ceasing to own the dominant tenement;

2.1 The Warehouse Limited ceasing to lease, occupy or trade from the dominant tenement;

2.2 The Warehouse Limited ceasing to operate a store as "The Warehouse" from the dominant tenement.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

Approved by Registrar-General of Land under No. 2002/5032

Annexure Schedule

Registrar-General of Land Approval 02/5032EF A.D.L.S.

Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement instrument	Dated 22nd June 06	Page 1 of 1 pages

(Continue in additional Annexure Schedule, if required.)

To: The District Land Registrar

It is requested that the within covenants are noted on the Titles to the Covenanting Lots and Benefiting Lots.

Solicitor for the Transferor

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

CERTIFICATE OF NON REVOCATION OF POWER OF ATTORNEY

I, Dennis John McBrearty, the Attorney described in the Schedule below hereby certify:

1. THAT by a Power of Attorney bearing the date shown in the schedule below, the appointor thereof described in the schedule below, appointed me it's Attorney on the terms and subject to the conditions set out in the said Power of Attorney.

2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the liquidation of the said appointor or otherwise.

3. THAT in the event of the Power of Attorney having been deposited in the Land Transfer Office at Auckland the Power of Attorney was deposited under the number shown in the schedule below.

SIGNED at Kerikeri)
on the date set forth in)
the schedule below:)

SCHEDULE

Name of Attorney:	Dennis John McBrearty
Place of residence of Attorney:	Paihia
Occupation of Attorney:	Solicitor
Date of Power of Attorney:	6th June 2006
Name of Appointor:	Trusco (NZ) Limited
Registered office of Appointor:	Horwath Francis Aickin, Kaitaia
Land Transfer Number:	
Date of this Certificate:	22.6.2006

C73 8696833.1 Building Ac
Cpy - 01/04, Pgs - 002, 14/02/11, 10:52
DocID 512445965

Far North District Council

To: *The Land Registration District, North Auckland*

CERTIFICATE ISSUED UNDER SECTION 74 OF THE BUILDING ACT 2004

CERTIFICATE(S) OF TITLE: No(s): NA-131A/308

The **Far North District Council** hereby gives notice that the Council has granted a building consent to the land described in the above certificate(s) of title and listed in the schedule below. The building consent was granted pursuant to the provisions of section 72 of the Building Act 2004, enabling the building of a new dwelling on land which is considered likely to be subject to Erosion and Inundation.

Schedule

Legal Description:	Lot 1 DP 202949
Address:	Lot 1, North Road, Kaitaia 0410
Name of owner:	Falkirk Limited
Building Consent Number:	BC-2010-1627/0

Date: 17 December 2010

Paul Cook
Building Manager
Environmental Management

Landonline User ID: mreihana001

LODGING FIRM: Far North District Council

Address: Private Bag 752
Memorial Ave
Kaikohe

Uplifting Box Number:

ASSOCIATED FIRM: BC 2010-1627

Client Code / Ref: farndcka

REWITH

Survey Plan (#)

Title Plan (#)

Traverse Sheets (#)

Field Notes (#)

Calc Sheets (#)

Survey Report

Other (state)

Dealing / S.O.D Number: (LINZ Use only)

Priority Barcode/Date Stamp (LINZ use only)

Plan Number Pre-Allocated or to be Deposited:

Rejected Dealing Number:

C73 8696833.1 Building Ac
Cpy – 03/04, Pgs – 002, 14/02/11, 10:52
Copies (inc. original)
DocID: 512445965

Priority Order	CT Ref:	Type of Instrument	Names of Parties	DOCUMENT OR SURVEY FEES	RESUBMISSION	NOTICES	ADVERTISING	NEW TITLES	OTHER	PRIORITY CAPTURE	FEES $ GST INCLUSIVE
1	NA131A/308	Sec 72	FALKIRK LIMITED			✓					107.33
2											
3											
4											
5											
6											

RECEIVED 14 FEB 2011

Land Information New Zealand Lodgement Form

Annotations (LINZ use only)

Original Signatures? ____

Subtotal (for this page)

Total for this dealing

Less Fees paid on Dealing #

Cash/Cheque enclosed for 107.33

Fees Receipt and Tax Invoice

GST Registered Number 17-022-895

LINZ Form P005

LINZ Form P005 - PDF

Version 1.8, 1 September 2007

SA 29556

View Instrument Details

Instrument No	8789156.4
Status	Registered
Date & Time Lodged	23 December 2013 12:14
Lodged By	Sim, Williamena Suan Cheok
Instrument Type	Easement Instrument

Affected Computer Registers	Land District
419271	North Auckland
419272	North Auckland
419273	North Auckland

Annexure Schedule: Contains 3 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Williamena Suan Cheok Sim as Grantor Representative on 23/12/2013 12:06 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Williamena Suan Cheok Sim as Grantee Representative on 23/12/2013 12:07 PM

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

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Form B

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

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED

Grantee

FAR NORTH DISTRICT COUNCIL

Grant of Easement or *Profit à prendre* or Creation of Covenant

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

Schedule A *Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement; *profit* or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to drain water	'N', 'O' & 'P' on DP 405474	Lot 2 DP 405474 comprised in Identifier 419271	In Gross
Right to drain water	'B' on DP 405474	Lot 3 DP 405474 comprised in Identifier 419272	In Gross
Right to drain water	'H', 'K', 'L' & 'M' on DP 405474	Lot 4 DP 405474 comprised in Identifier 419273	In Gross

Form B - continued

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

Delete phrases in [ ] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby **[varied] [negatived] [added to]** or **[substituted]** by:

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

[the provisions set out in Annexure Schedule 1]

~~**Covenant provisions**~~

~~*Delete phrases in [ ] and insert Memorandum number as require; continue in additional Annexure Schedule, if required*~~

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

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

~~[Annexure Schedule]~~

Annexure Schedule 1

Continuation of easement rights and powers (including terms, covenants and conditions)

1 **Instrument prevails**

1.1 Where the terms of this instrument are in conflict with Schedule 4 of the Land Transfer Regulations 2002, the terms of this instrument will prevail.

2 **Repair and Maintenance**

2.1 The Grantee is solely responsible for the repair and maintenance of the easement facility specified in Schedule A and for the associated costs, so as to keep the easement facility in good order and to prevent it from becoming a danger or nuisance.

3 **The implied rights and powers prescribed by the Land Transfer Regulations 2002 are negatived, varied or added to as follows:**

3.1 In relation to a right to drain water, reference to the words 'whether above or' in the definition of 'easement facility' in sub-clause 1 (d) are deleted and the reference to the word 'over' in clause 4 (1) of Schedule 4 of the Land Transfer Regulations 2002 is deleted and replaced with the word 'under', with the intent that the easement facility is to be under the ground only.

3.2 Add new clause 15, Schedule 4 of the Land Transfer Regulations 2002:

15(a) The Grantor may at any time during the term of this instrument require the relocation or the change of the route of an easement facility provided that the Grantor obtains the prior written consent of the Grantee (such consent not to be unreasonably withheld or delayed) before any relocation or change in route.

15 (b) The parties will sign such documents and do such things as are reasonably necessary to record and register any instrument that gives effect to clause 15(a) including without limitation, procuring the consent of any mortgagee or charge holder.

15(c) Clause 15(a) will be subject to the consent of Council, in its regulatory capacity (if required).

4 A reference in this memorandum to any law, legislation or legislative provision includes any statutory modifications, amendment or re-enactment and any subordinate legislation or regulations issued under that legislation or legislative provision.

5 A covenant or agreement on the part of two or more persons binds them jointly and severally.

View Instrument Details

Instrument No	8789156.5
Status	Registered
Date & Time Lodged	23 December 2013 12:14
Lodged By	Sim, Williamena Suan Cheok
Instrument Type	Easement Instrument

Affected Computer Registers	Land District
419271	North Auckland
419272	North Auckland
419273	North Auckland

Annexure Schedule: Contains 3 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Williamena Suan Cheok Sim as Grantor Representative on 23/12/2013 12:07 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Williamena Suan Cheok Sim as Grantee Representative on 23/12/2013 12:07 PM

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

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Form B

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

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED

Grantee

FAR NORTH DISTRICT COUNCIL

Grant of Easement or *Profit à prendre* or Creation of Covenant

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

Schedule A *Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement; *profit* or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to drain sewage	'C' & 'E' on DP 405474	Lot 1 DP 405474 comprised in Identifier 419271 and Identifier 419272	In Gross
Right to drain sewage	'F' & 'O' on DP 405474	Lot 2 DP 405474 comprised in Identifier 419271	In Gross
Right to drain sewage	'G', 'H', 'J' & 'M' on DP 405474	Lot 4 DP 405474 comprised in Identifier 419273	In Gross

Form B - continued

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

Delete phrases in [ ] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby **[varied] [negatived] [added to]** or **[substituted]** by:

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

[the provisions set out in Annexure Schedule 1]

~~**Covenant provisions**~~

~~*Delete phrases in [ ] and insert Memorandum number as require; continue in additional Annexure Schedule, if required*~~

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

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

~~[Annexure Schedule]~~

Annexure Schedule 1

Continuation of easement rights and powers (including terms, covenants and conditions)

1 **Instrument prevails**

1.1 Where the terms of this instrument are in conflict with Schedule 4 of the Land Transfer Regulations 2002, the terms of this instrument will prevail.

2 **Repair and Maintenance**

2.1 The Grantee is solely responsible for the repair and maintenance of the easement facility specified in Schedule A and for the associated costs, so as to keep the easement facility in good order and to prevent it from becoming a danger or nuisance.

3 **The implied rights and powers prescribed by the Land Transfer Regulations 2002 are negatived, varied or added to as follows:**

3.1 In relation to a right to drain sewage, reference to the words 'whether above or' in the definition of 'easement facility' in sub-clause 1 (e) are deleted and the reference to the word 'over' in clause 5 (1) of Schedule 4 of the Land Transfer Regulations 2002 is deleted and replaced with the word 'under', with the intent that the easement facility is to be under the ground only.

3.2 Add new clause 15, Schedule 4 of the Land Transfer Regulations 2002:

15(a) The Grantor may at any time during the term of this instrument require the relocation or the change of the route of an easement facility provided that the Grantor obtains the prior written consent of the Grantee (such consent not to be unreasonably withheld or delayed) before any relocation or change in route.

15 (b) The parties will sign such documents and do such things as are reasonably necessary to record and register any instrument that gives effect to clause 15(a) including without limitation, procuring the consent of any mortgagee or charge holder.

15(c) Clause 15(a) will be subject to the consent of Council, in its regulatory capacity (if required).

4 A reference in this memorandum to any law, legislation or legislative provision includes any statutory modifications, amendment or re-enactment and any subordinate legislation or regulations issued under that legislation or legislative provision.

5 A covenant or agreement on the part of two or more persons binds them jointly and severally.

View Instrument Details

Instrument No	8789156.8
Status	Registered
Date & Time Lodged	23 December 2013 12:14
Lodged By	Sim, Williamena Suan Cheok
Instrument Type	Esplanade Strip under Resource Management Act 1991

Affected Computer Registers	**Land District**
419273	North Auckland

Annexure Schedule: Contains 7 Pages.

Territorial Authority Certifications

I certify that I have the authority to act for the Territorial Authority and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Williamena Suan Cheok Sim as Territorial Authority Representative on 23/12/2013 12:09 PM

Registered Proprietor Certifications

I certify that I have the authority to act for the Registered Proprietor and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Williamena Suan Cheok Sim as Registered Proprietor Representative on 23/12/2013 12:09 PM

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

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Instrument creating Esplanade Strip (Section 232 and 235 Resource Management Act 1991) – North Road, Kaitaia

The National Trading Company of New Zealand Limited
The Far North District Council

Parties

The National Trading Company of New Zealand Limited (Grantor)

The Far North District Council (Grantee)

Background

A The Grantor is the registered proprietor of the land described in Schedule 1 (**Land**).

B The Grantee is a local authority (within the meaning of the Local Government Act 2002) in whose district the Land is located.

1 Creation of an Esplanade Strip

1.1 The Grantor creates in favour of the Grantee an esplanade strip described in Schedule 2 (**the strip**) for the purposes of:

1.1.1 Contributing to the protection of conservation values;

1.1.2 Enabling public access along the river; and

1.1.3 Enabling public recreational use of the strip and adjacent river, provided such use is compatible with conservation values,

on the terms set out in this instrument.

2 Covenants

The Grantor and Grantee covenant as follows:

2.1 The following acts are prohibited on the strip:

2.1.1 Wilfully endangering, disturbing, or annoying a lawful user of the strip (including the owner or occupier of the strip):

2.1.2 Wilfully damaging or interfering with a structure adjoining or on the Land (including a building, fence, gate, stile, marker, bridge, or notice):

2.1.3 Wilfully interfering with or disturbing livestock lawfully permitted on the strip:

2.1.4 Lighting a fire:

2.1.5 Carrying a firearm:

2.1.6 Discharging or shooting a firearm:

2.1.7 Camping:

2.1.8 Taking an animal on to, or having charge of an animal on the strip:

2.1.9 Taking a vehicle on to, or driving or having charge or control of a vehicle on the strip (whether the vehicle is motorised or not):

2.1.10 Wilfully damaging or removing a plant (unless acting in accordance with the Biosecurity Act 1993):

2.1.11 Laying poison or setting a snare or trap (unless acting in accordance with the Biosecurity Act 1993).

The prohibitions in clauses 2.1.2 to 2.1.11 inclusive do not apply to the owner or occupier of the strip or to employees or agents authorised by the owner or occupier.

2.2 The following other restrictions apply on the strip:

2.2.1 Access to the strip and the right of the public to use it shall be closed should such use result in disorderly or unlawful behaviour that in the Grantor's view (acting reasonably) puts at risk the safety of the Grantor, its customers, employees and other authorised persons who use and enjoy the Land or serious damage to the buildings and improvements on the Land

("Closure Events").

2.2.2 Such closure shall be upon the following terms:

(a) In the event that the Grantor forms the opinion, based reasonably, that use of the strip is resulting in any Closure Events, the Grantor shall give the Grantee written notice of that opinion;

(b) Within five working days of the issue of any such notice, the parties shall meet and negotiate in good faith to develop a management plan for addressing any such issue, and both parties shall co-operate reasonably to ensure that if at all possible public access to the strip remains open;

(c) During any such negotiations, the access to the strip shall be closed;

(d) If the parties are unable to agree upon a management plan within 20 working days of the issue of any such notice, the matter will be referred to arbitration in accordance with the Arbitration Act 1996 and access to the strip pending resolution of such arbitration shall be suspended;

(e) Any decision of such arbitrator shall bind the parties with respect to the particular circumstance and time period which is the subject of such arbitration and the arbitrator shall have the power to order that access be terminated, suspended for a period, continued on terms as to access or continued upon no terms, as such arbitrator may decide.

2.3 At the Grantor's discretion, the strip shall be closed to public access at the following times:

2.3.1 During New Zealand daylight time 8.00pm to 6.00am; and

2.3.2 During New Zealand standard time 8.00pm to 6.00am.

2.4 The Grantor or any authority acting on behalf of the same may provide appropriate signage on the strip outlining the conditions of access and/or notifying the public that the strip is closed.

Date: 2011

Signed by)
The National Trading Company of New Zealand Limited, by) Authorised Signatory
in the presence of:

Witness signature:

Witness name: Maria Avramidis

Occupation: Executive Assistant

Address: Auckland

The Far North District Council)
by William David Edmunds under)
delegated authority, in the presence of:)

William David Edmunds - Chief Executive Officer

Schedule 1

An area comprising 2.3429 hectares more or less being Lot 4 on Deposited Plan 405474 and being the land comprised in Certificate of Title 419273 (North Auckland Registry)

Schedule 2

The strip of land being generally 20 metres wide to natural boundary as defined by DP 202949 as shown marked 'Esplanade Strip I' on Deposited Plan 405474

View Instrument Details

Instrument No	10145696.2
Status	Registered
Date & Time Lodged	07 August 2015 15:24
Lodged By	Fazakerley, Joanne Marie
Instrument Type	Easement Instrument

Affected Computer Registers	Land District
419273	North Auckland
419271	North Auckland

Annexure Schedule: Contains 4 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Matthew Graham Ockleston as Grantor Representative on 07/08/2015 01:11 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Charlotte Elizabeth Corby as Grantee Representative on 07/08/2015 12:37 PM

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

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

(Sections 90A and 90F Land Transfer Act 1952)

2009/6229EF
APPROVED
Registrar-General of Land

Grantor

McDonald's Restaurants (New Zealand) Limited

Grantee

The National Trading Company of New Zealand Limited

Grant of Easement or *Profit à prendre* or Creation of Covenant

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

Schedule A *Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement; *profit* or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenant	Lot 2 and a one half share in Lot 1 DP 405474	CT 419271	Lot 4 DP 405474 comprised in CT 419273

Annexure Schedule: Page 2 of 4

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

~~*Delete phrases in [ ] and insert memorandum number as required; continue in additional Annexure Schedule, if required*~~

~~Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007~~

~~The implied rights and powers are hereby [varied] [negatived] [added to] or [substituted] by:~~

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

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

Covenant provisions

~~*Delete phrases in [ ] and insert Memorandum number as require; continue in additional Annexure Schedule, if required*~~

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

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

[Annexure Schedule 1]

Annexure Schedule: Page 3 of 4

Annexure schedule 2 Page 3 of 4 Pages

2009/5043EF
APPROVED
Registrar-General of Land

Insert instrument type

Easement Instrument to create land covenant

Continue in additional Annexure Schedule, if required

(Covenants)

1. Covenants

1.1 The Grantor covenants and agrees with the intention to bind itself and future proprietors of the servient tenement for the benefit of the Grantee and future proprietors of the dominant tenement that the Grantor will at all times observe and perform the covenants contained in Schedule 1 to the intent that the covenants will be for the benefit of the dominant tenement described in Schedule A and will be forever appurtenant to the dominant tenement.

1.2 The Grantor and its successors in title will only be liable for breaches of the covenants which occur while they are registered as proprietors of the servient tenement.

SCHEDULE 1

2. Restriction on User

2.1 The Grantor shall not use, establish, operate, construct, permit to be constructed, used, established and operated on the servient tenement:

2.1.1 a supermarket, food barn or food warehouse

2.1.2 a wholesale or retail outlet of food and/or groceries from premises.

2.1.3 a food market, with or without stalls.

By way of example only, this includes a petrol station with grocery shelving, bakery, butcher, greengrocer or convenience store trading in food and/or groceries.

2.2 The parties acknowledge that the operation of a restaurant, fast food outlet and pub selling prepared or cooked food will not be a breach of the covenant in clause 2.1.

3. Restriction of Sale

3.1 The Grantor, shall immediately upon entering into an unconditional sale of the servient tenement, advise the Grantee in writing of such sale. The Grantee may (at its election) require the Grantor, prior to such sale, to obtain a deed of covenant from the purchaser of the Grantor's land confirming that the purchaser will observe and perform all the provisions of this instrument. Alternatively, the Grantee may require that an encumbrance to protect the rights of the Grantee pursuant to this covenant, with an annual rent charge of $80,000 plus GST per annum, be registered against the servient tenement.

4. Further Development

4.1 The Grantor agrees, for itself and any subsequent owner of the servient tenement that, but subject to any covenants or restrictions registered against the Dominant Tenement, it will fully support any application for resource, building or other consents which may be required by the Grantee in connection with the Grantee's proposed use of the dominant tenement as a supermarket, food barn or food warehouse including a positive obligation not to object to the Grantee's proposed development on the dominant tenement. The Grantor and all persons under its control will provide written approval for all resource consents required in connection with all activities undertaken or proposed to be undertaken on the dominant tenement when requested to do so by the Grantee.

Annexure Schedule: Page 4 of 4

Page 4 of 4 Pages

2009/5043EF
APPROVED
Registrar-General of Land

Insert instrument type

Easement instrument to create land covenant

Continue in additional Annexure Schedule, if required

5. General Provisions

5.1 The covenants contained in clauses 2 and 3 are for the purposes of the Contracts (Privity) Act 1982 or any amendment or substituted legislation, intended for the benefit of and are to be enforceable by the Grantee, The National Trading Company of New Zealand Limited or a Related Entity including Foodstuffs (North Island) Limited.

5.2 Each provision of this instrument is individually severable. If any provision is or becomes illegal, unenforceable or invalid in any jurisdiction it is to be treated as being severed from this document, but the rest of the instrument will not be affected.

5.3 The Grantor must, at the request of the Grantee, cease any operation which is being carried out on the servient tenement in breach of clause 2.1 to the extent necessary to remedy the breach.

5.4 The Grantor agrees that the value of all or some of the dominant tenements will be diminished if the Grantor fails to observe and perform any of the land covenants.

5.5 The Grantor shall only be liable in respect of breaches of this instrument committed by the Grantor which occur while the Grantee or its successors in title operate a supermarket from the Dominant Tenement.

View Instrument Details

Instrument No	10145696.3
Status	Registered
Date & Time Lodged	07 August 2015 15:24
Lodged By	Fazakerley, Joanne Marie
Instrument Type	Easement Instrument

Affected Computer Registers	Land District
419273	North Auckland
419271	North Auckland
419272	North Auckland

Annexure Schedule: Contains 4 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

I certify that the Encumbrancee under Encumbrance 10145696.2 has consented to this transaction and I hold that consent ☑

Signature

Signed by Charlotte Elizabeth Corby as Grantor Representative on 07/08/2015 12:38 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Matthew Graham Ockleston as Grantee Representative on 07/08/2015 01:11 PM

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

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Easement instrument to grant easement or *profit à prendre*, or create land covenant
(Sections 90A and 90F Land Transfer Act 1952)

2009/6229EF
APPROVED
Registrar-General of Land

Grantor

The National Trading Company of New Zealand Limited

Grantee

McDonald's Restaurants (New Zealand) Limited

Grant of Easement or *Profit à prendre* or Creation of Covenant

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

Schedule A *Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement, *profit* or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenant	Lot 4 DP 405474	419273	Lots 1, 2 and 3 DP 405474 comprised in Identifiers 419271 and 419272

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

Delete phrases in [ ] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby [varied] [negatived] [added to] or [substituted] by:

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

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

Covenant provisions

Delete phrases in [ ] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

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

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

[Annexure Schedule]

Annexure schedule Page of Pages

2809/5043EF
APPROVED
Registrar-General of Land

Insert instrument type

Easement instrument to create land covenant

Continue in additional Annexure Schedule, if required

1. Covenants

1.1 The Grantor covenants and agrees with the intention to bind itself and future proprietors of the servient tenement for the benefit of the Grantee and future proprietors of the dominant tenement that the Grantor will at all times observe and perform the covenants contained in Schedule 1 to the intent that the covenants will be for the benefit of the dominant tenement described in Schedule A and will be forever appurtenant to the dominant tenement.

1.2 The Grantor and its successors in title will only be liable for breaches of the covenants which occur while they are registered as proprietors of the servient tenement.

SCHEDULE 1

2. Restriction on user

2.1 The Grantor shall not use, establish, operate, construct, permit to be constructed, used, established or operated on the servient tenement:

2.1.1 any Quick Service Fast Food Burger Restaurant and/or Takeaways known as "KFC", "Wendy's", "Burger King", "Carl's Jr" or "Subway" or similar brand name operations selling or offering for sale products of a similar character to any of the above;

2.1.2 any restaurant or food takeaway operating a drive-thru facility;

2.1.3 any business supplying or retailing cafe style takeaway coffee where such supply or retail of cafe style takeaway coffee is the principal or sole component or function of the supplier or retailer. For the avoidance of doubt, it is acknowledged by the Grantee that a cafe located inside the Grantor's supermarket operation on the servient tenement is not a breach of this restriction.

3. Restriction on sale

3.1 The Grantor shall, immediately upon entering into an unconditional sale of the servient tenement, advise the Grantee in writing of such sale. The Grantee may (at its election) require the Grantor, prior to such sale, to obtain a deed of covenant from the purchaser of the Grantor's land confirming that the purchaser will observe and perform all the provisions of this instrument. Alternatively, the Grantee may require that an encumbrance to protect the rights of the Grantee pursuant to this covenant, with an annual rent charge of $60,000 plus GST per annum, be registered against the servient tenement.

4. Further Development

4.1 The Grantor agrees, for itself and any subsequent owner of the servient tenement, but subject to any covenants or restrictions registered against the dominant tenement, that it will fully support any application for resource, building or other consents which may be required by the Grantee in connection with the Grantee's proposed use of the dominant tenement as a McDonald's restaurant, including a positive obligation not to object to the Grantee's proposed development on the dominant tenement. The Grantor and all persons under its control will provide written approval for all resource consents required in connection with all activities undertaken or proposed to be undertaken on the dominant tenement when requested to do so by the Grantee.

Annexure Schedule

Page 2 of 2 Pages

2009/5043EF
APPROVED
Registrar-General of Land

Insert instrument type

Easement instrument to create land covenant

Continue in additional Annexure Schedule, if required

5. General Provisions

5.1 Each provision of this instrument is individually severable. If any provision is or becomes illegal, unenforceable or invalid in any jurisdiction it is to be treated as being severed from this document, but the rest of the instrument will not be affected;

5.2 The Grantor must, at the request of the Grantee, cease any operation which is being carried out on the servient tenement in breach of clause 2.1 to the extent necessary to remedy the breach;

5.3 The Grantor agrees that the value of all or some of the dominant tenements will be diminished if the Grantor fails to observe and perform any of the land covenants.

REF: 7225 – AUCKLAND DISTRICT LAW SOCIETY INC.

View Instrument Details

Instrument No	10145696.4
Status	Registered
Date & Time Lodged	07 August 2015 15:24
Lodged By	Fazakerley, Joanne Marie
Instrument Type	Easement Instrument

Affected Computer Registers	Land District
419271	North Auckland
419272	North Auckland
419273	North Auckland

Annexure Schedule: Contains 6 Pages.

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Matthew Graham Ockleston as Grantor Representative on 07/08/2015 01:12 PM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Charlotte Elizabeth Corby as Grantee Representative on 07/08/2015 12:38 PM

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

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Form B

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

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

McDonald's Restaurants (New Zealand) Limited

Grantee

The National Trading Company of New Zealand Limited

Grant of Easement or *Profit à prendre* or Creation of Covenant

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

Schedule A *Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement; *profit* or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenant	Lot 2 and a one half share in Lot 1 DP 405474; and Lot 3 and a one half share in Lot 1 DP 405474	CT 419271 CT 419272	Lot 4 DP 405474 Comprised in CT 419273

Form B - continued

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

Delete phrases in [ ] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby [varied] [negatived] [added to] or [substituted] by:

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

[the provisions set out in Annexure Schedule]

Covenant provisions

Delete phrases in [ ] and insert Memorandum number as required; continue in additional Annexure Schedule, if required

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

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

[Annexure Schedule 1]

Annexure Schedule: Page 3 of 6

2009/5043EF
APPROVED
Registrar-General of Land

Insert instrument type

Easement instrument to create land covenant

Continue in additional Annexure Schedule, if required

1. COVENANTS

1.1 The Grantor covenants and agrees with the intention to bind itself and future proprietors of the servient tenement for the benefit of the Grantee and future proprietors of the dominant tenement that the Grantor will at all times observe and perform the covenants contained in the Schedule 1 to the intent that the covenants will be for the benefit of the dominant tenement described in Schedule A and will be forever appurtenant to the dominant tenement.

1.2 The Grantor and its successors in title will only be liable for breaches of the covenants which occur while they are registered as proprietors of the servient tenement.

SCHEDULE 1

2. SIGNAGE

2.1 The Grantor will not construct or allow to be constructed any structure over 3 metres in height on the area marked with red cross-hatching on the attached plan.

2.2 The Grantor covenants that any Landscaping shall not be higher than one (1) metre above the footpath level.

2.3 The Grantee acknowledges that the Grantor may be required to grant tenancy signage to prospective tenants of Lot 3 DP 405474. The Grantee will not unreasonably withhold consent to any signage, required by a tenant of Lot 3, that may infringe on the requirements of clause 2.1 provided:-

(a) The design and content of the signs will not have a negative impact on the aesthetic appeal and visual appearance of the dominant tenement;

(b) Any illumination of any proposed sign will not detract from the quiet enjoyment of the Grantee;

(c) The signs are constructed and erected in a good and workmanlike manner and completed to a standard in keeping with the general quality of the building erected on the dominant tenements land.

(d) The sightlines to the Grantee's business are maintained.

2.4 Excluded from clause 2.1 is car park lighting and the Grantor's pylon sign which will be in a similar format as to height and dimensions as per the attached plan. The Grantor and the Grantee acknowledge that the specific wording on the pylon sign may change from time to time at the Grantor's discretion.

2.5 The Grantor shall be liable for all costs associated with the signage.

REF: 7295 – AUCKLAND DISTRICT LAW SOCIETY INC.

CC-010516-50-86-V1

Annexure Schedule: Page 4 of 6

Page 4of 6 Pages

2009/5043EF
APPROVED
Registrar-General of Land

Insert instrument type

Easement instrument to create land covenant

Continue in additional Annexure Schedule, if required

3. GENERAL PROVISIONS

3.1 The covenants contained in clause 2 are for the purpose of the Contracts (Privity) Act 1982 or any amendment or substituted legislation, intended for the benefit of and are to be enforceable by the Grantee, The National Trading Company of New Zealand Limited or a Related Entity including Foodstuffs (North Island) Limited.

3.2 Each provision of this instrument is individually severable. If any provision is or becomes illegal, unenforceable or invalid in any jurisdiction it is to be treated as being severed from this document, but the rest of the instrument will not be affected.

3.3 The Grantor must, at the request of the Grantee, cease any operation which is being carried out on the servient tenement in breach of clause 2 to the extent necessary to remedy the breach.

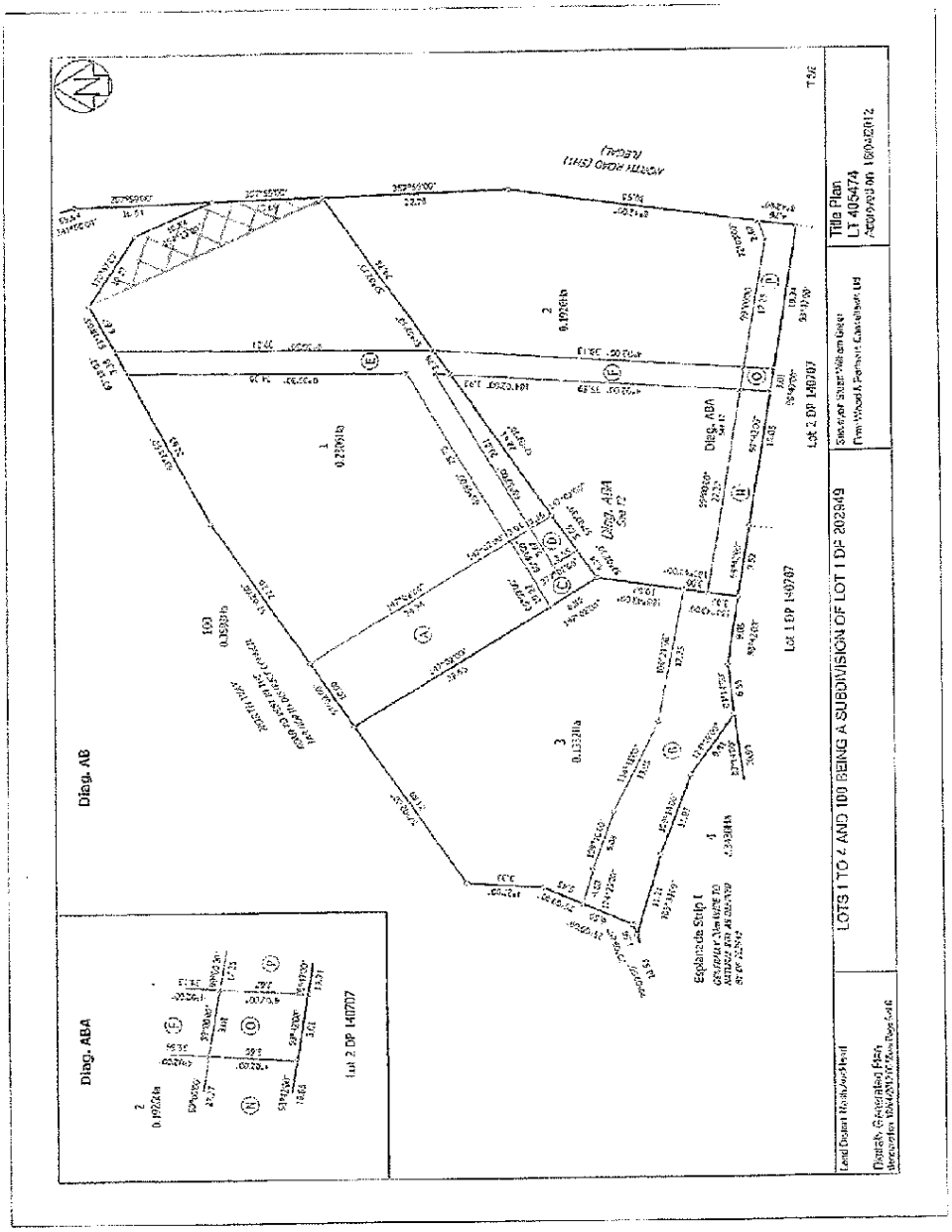
3.4. The Grantor agrees that the value of all or some of the dominant tenements will be diminished if the Grantor fails to observe and perform any of the land covenants.

3.5 The Grantor shall only be liable in respect of breaches of this instrument committed by the Grantor or its tenants, which occur while the Grantee or its successors in title operate a supermarket from the Dominant Tenement.

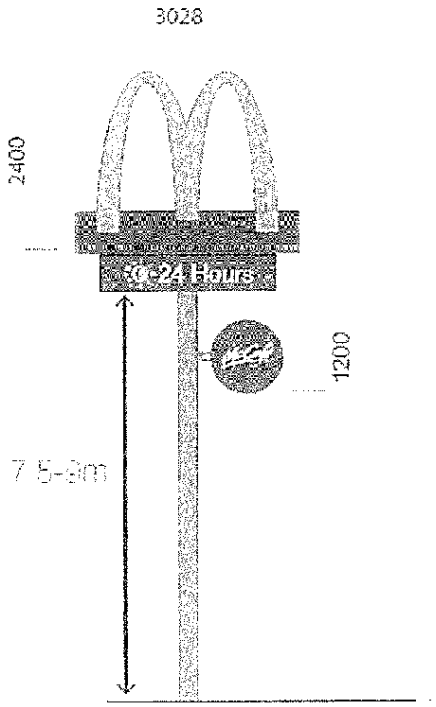
REF: 7295 – AUCKLAND DISTRICT LAW SOCIETY INC.

CC-010515-50-86-V1

Plan for the Purpose of Clause 2.1



Plan for the Purpose of Clause 2.4



PAK'nSAVE KAITAIA E-COMMERCE CONTAINERS

For

Foodstuffs North Island

111 North Road,
Kaitaia,
Northland, 0482

Ref: 260312

RESOURCE CONSENT

DWG No.	[Rev.]	DRAWING TITLE
A1.10	[A]	SITE PLAN
A2.00	[A]	ORIGINAL PLAN
A2.01	[A]	EXISTING FLOOR PLAN
A2.10	[A]	PROPOSED FLOOR PLAN
A4.10	[A]	ELEVATIONS
A10.01	[A]	PERSPECTIVES



A0.00
RESOURCE CONSENT
Thursday, 5 November 2026

hume A
hume architects limited
gen@humearch.co.nz
+64 9 357 0462
level 4, vulcan building
118 queen st
downtown
auckland, 1010
www.humearch.co.nz

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File Path: BIMcloud: Hume-Server - BIMcloud Basic for Archicad 29/260312 SK01 Pr5 Kaitaia Containers [29] - 05/11/2026



01 PROPOSED SITE PLAN Scale @ A1 - 1:400

EXISTING DATA INFORMED BY INDIVIDUAL STORE DWG PROVIDED BY FSNI, NAVVIS IVION WALKTHROUGH, GOOGLE STREETVIEW AND SURVEYWORX TOPO/GPR SURVEY REF: 13014-705-001

Site Details:
Legal Description: Lot 4, DP 405474
Title Identifier: 419273
Site Area: **23,430m²**

32.0

Certificate of Title Information
Registered Owners - -The National Trading Company of New Zealand Limited
Interests -
Land Covenant in Easement Instrument 6925573.4. Refer CoT.

Extent of Works:
Proposed PAK'nSAVE E-Commerce Pick Up service with canopy and carpark reconfiguration.

Existing Building Details:
Building Classification:
5.0 Commercial (NZBC A1)
Building Use:
CL (Crowd Large). Enclosed spaces where more than 100 people gather for participating in activities (Compliance Schedule) TBC By Fire Engineer.
Fire Classification / Risk Group:
CA - Public access and educational facilities (Compliance Schedule) WB- Business, commercial and low level storage (Compliance Schedule) WS- High level storage or potential for fast fire growth (Fire Report, NZBC C/AS2) (Supermarkets with shelving over 3.0
Building Importance Level: IL2 (NZBC A3)
Date first constructed: 1985
Area of building (approx. GFA): ~5,631m²
Area affected by works: 233m²

EXISTING DATA INFORMED BY INDIVIDUAL STORE DWG PROVIDED BY FSNI, NAVVIS IVION WALKTHROUGH, GOOGLE STREETVIEW AND SURVEYWORX TOPO/GPR SURVEY REF: 13014-705-001

Earthquake Zone - 1
Exposure Zone - C
Climate Zone - 1
Wind Region - A
Rainfall Intensity - 86 (10%), 117 (2%)
Wind Zone - HIGH (BRANZ)
Data collected from BRANZ Maps and NZBC E1/AS1 App. A.

Far North District Plan
Zoning - Commercial, Chapter 7.7.
REFER PLANNING ASSESSMENT.

Site Boundary
Other Boundaries
Site Controls
Contours
ESS Ex. Wastewater
ESW Ex. Stormwater
EW Ex. Water
SS Prop. Wastewater
SW Prop. Stormwater

Areas:	
Existing GF GFA	5,631m²
Proposed Extension	106m²
Proposed GFA	**5,737m²**
Proposed Canopy	127m²
Existing Landscaping	~6,507m²
Proposed Landscaping	~6,352m²

SIGNAGE LEGEND

1. MAIN ENTRY PYLON
2. DIRECTIONAL
3. INSTRUCTIONAL
4. CAR PARK POLE SIGN
5. CAR PARK STENCIL

KEYNOTES

FIRE: Works to be confirmed, installed and certified by suitably qualified contractor.
FAP Fire Alarm Panel. Existing.
FSI Fire Sprinkler Inlet. Existing.
RPI Refrigeration Plant. Existing. Located on Roof.
ELECTRICAL: New works to be confirmed, installed and certified by suitably qualified electrical contractor. Supply Cerificate of Compliance and Safety Certificate.
MSB Main Switchboard. Existing.
DATA: New works to be confirmed, installed and certified by suitably qualified contractor.
ITC IT Cabinet. Existing. Located on Mezzanine level.

hume A
hume architects limited
gen@humearch.co.nz
+64 9 357 0462
level 4, vulcan building
118 queen st
downtown
auckland, 1010
www.humearch.co.nz

PROJECT
PAK'nSAVE KAITAIA E-COMMERCE CONTAINERS for Foodstuffs North Island

ADDRESS
111 North Road, Kaitaia, Northland

SCALE 1:400 @ A1 50% @ A3
DRAWN BH/SH
DATE Thursday, 5 November 2026
REFERENCE 260312

DRAWING TITLE
SITE PLAN

DRAWING No. [REVISION No.]
A1.10 [A]

RESOURCE CONSENT

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KEYNOTES



01 ORIGINAL FLOOR PLAN Scale @ A1 - 1:50

hume A

hume architects limited

gen@humearch.co.nz
+64 9 357 0462
level 4, vulcan building
118 queen st
downtown
auckland, 1010
www.humearch.co.nz

PROJECT

PAK'nSAVE KAITAIA E-COMMERCE CONTAINERS
for
Foodstuffs North Island

ADDRESS

111 North Road,
Kaitaia, Northland

SCALE	DRAWN
1:50 @ A1 50% @ A3	BH/SH
DATE	REFERENCE
Thursday, 5 November 2026	260312

DRAWING TITLE

ORIGINAL PLAN

DRAWING No. [REVISION No.]

A2.00 [A]

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File Path: BIMcloud: Hume-Server - BIMcloud Basic for Archicad 29/260312 SKO1 PnS Kaitaia Containers [29] - 05/11/2026

KEYNOTES

MECHANICAL VENTILATION AND AIR CONDITIONING: HVAC works to be confirmed, installed and certified by suitably qualified mechanical services contractor. Liaise with Electrical services subcontractor for connection to switchboard.

M.EU Mechanical. External Unit. Existing.

R.EU Refrigeration. External Unit. Existing.

Power

Kerbed landscape area.

Stormwater Previously Located

9 x existing car parks removed shown red dashed. Remove all existing line marking.

EXISTING PICK UP CARPARK

EXISTING PICK UP CARPARK

EXISTING PICK UP CARPARK

EXISTING PICK UP CARPARK

Kerb And Channel

EXISTING CONCRETE FOOTPATH

Click N Collect Sign

Remove existing ramp and corresponding canopy.

Remove existing trees / landscaping.
Confirm extent prior to removal.

EXISTING BUSH

Lot 6 DP 62320
4376m²

West Boundary 45.43m 177°42'

2A

FREEZER
F.L: 13,079

1000W DOOR

CHILLER
F.L: 13,079

1000W DOOR

R.EU

R.EU

M.EU

1:12 RAMP (300mm)

Ramp

1:12 RAMP (125mm)

Covered Access

Eave Rl:15.78

AMBIENT STAGING AREA
F.L: 13,000

1000 CLEAR

1:12 RAMP (200mm)

Fence

Fence with Gate

Unknown Service

Roof Over

Iron Wall

Overhead Power

STORAGE / PLANT AREA

Existing Store Exit

F.L: 12,800

12.20 12.30 12.50 12.80 12.70 12.60 12.40

01 EXISTING FLOOR PLAN Scale @ A1 - 1:50

hume A

hume architects limited

gen@humearch.co.nz
+64 9 357 0462
level 4, vulcan building
118 queen st
downtown
auckland, 1010
www.humearch.co.nz

PROJECT

PAK'nSAVE KAITAIA E-COMMERCE CONTAINERS
for
Foodstuffs North Island

ADDRESS

111 North Road,
Kaitaia, Northland

SCALE	DRAWN
1:50@ A1 50% @ A3	BH/SH
DATE	REFERENCE
Thursday, 5 November 2026	260312

DRAWING TITLE

EXISTING FLOOR PLAN

DRAWING No. [REVISION No.]

A2.01 [A]

RESOURCE CONSENT

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File Path: BIMcloud: Hume-Server - BIMcloud Basic for Archicad 26/260312 SK01 Pn5 Kaitaia Containers [29] - 06/11/2026

DRAFT

Power

3C

Drive back manoeuvring indicated.

FSN Stormwater Previously Located FSN

Car park signage to FSNI design standards.

6 x Drive Up Car Parks added. Line marking to Click & Collect New Pick Up design standards.

New car parking signage and bollards to Click & Collect Pick Up design standards

New gullwing canopy over drive back car parking.

01 A4.10

12.20

12.30

12.50

12.60

Signage to customer facing side by FSNI.

External plant area secured with chainlink fencing and locked access.

NEW CANOPY OVER

NEW PICK UP CARPARK

CLICK & COLLECT

WS

475 825 825 475

100 900 600 1,550 580 1,570 800 100

5,400

SG

2A

FREEZER

F.L: 13,079

1000W DOOR

R.EU

CHILLER

F.L: 13,079

1000W DOOR

R.EU

Fence with Gate

Unknown Service

Roof Over

Iron Wall

Overhead Power

STORAGE / PLANT AREA

15,030

5 X Modular Containers

F.L: 12,800 Existing Store Ext

Kerb And Channel

3,700

100 2,600 100 100 700 100

2,100

Customer facing. No Penetrations.

3A

NEW CONCRETE FOOTPATH

EXISTING CONCRETE FOOTPATH

New paving to garden area to allow for Access.

Contractor is to make good any works to existing landscaped area.

Allow for adequate external lighting.

NZBC D1/AS1 1:12 max gradient Accessible Ramp to floor level. Concrete with broom finish. Handrails each side, 75 min. upstand to drop off side.

1:12 RAMP (300mm)

3B

Ramp

Covered Access

NEW CANOPY OVER

NEW CONTAINER

1:12 RAMP (125mm)

RDB

DB

M.IU

M.EU

1000 CLEAR

1:12 RAMP (200mm)

Fence

AMBIENT STAGING AREA

F.L: 13,000

DSR

TOTAL STAGING GFA 106m²

3,010 Modular Container

6,058 Modular Container

4,510 C.O.S

EXISTING BUSH

Lot 6 DP 62320
4376m²

West Boundary

45.43m

17°42'

01 PROPOSED FLOOR PLAN Scale @ A1 - 1:50

KEYNOTES

FSNI: Totes, Picking and Staging equipment by FSNI eCommerce team.

MD Managers Desk.
2120x700 Managers desk. Existing.

PTr Picking Trolley.
Picking Trolley, supplied by Operator. 1150x680mm.

SG FSNI Signage.
Refer C&C Plans for dimensions and sizes of proposed signage.

SM Security Monitor.
Security Monitor at max height AFL. supplied by FSNI.

TD Totes.
2 x Totes per 800x600mm Staging Dolly. Stacked 6 totes high generally. Allow for no separation between dollys in Slots. Aisles 800mm wide generally. 800 revolving aisle to ambient.

TDs Tote Storage.
Collapsed totes stacked on Dollys indicated, or to meet FSNI operational / spatial requirements.

WB Waste Bin.

MECHANICAL VENTILATION AND AIR CONDITIONING: HVAC works to be confirmed, installed and certified by suitably qualified mechanical services contractor. Liaise with Electrical services subcontractor for connection to switchboard.

M.EU Mechanical. External Unit. Existing.

M.IU Mechanical. Internal Unit.
New heat pump highwall system. Ref: Everett Consultants Documents. Locations indicated. Connect to outdoor unit and allow for condensate lines to discharge to trapped tundishs, confirm location with plumbing contractor.

R.EU Refrigeration. External Unit. Existing.

ELECTRICAL: New works to be confirmed, installed and certified by suitably qualified electrical contractor. Supply Certificate of Compliance and Safety Certificate.

DB Distribution Switchboard. Existing.

RDB Refrigeration Switchboard. Existing.

DATA: New works to be confirmed, installed and certified by suitably qualified contractor.

DSR Data / Server Rack. Existing.

WS Wheel Stops.
Vanguard 1830LX100H x150W recycled plastic wheelstops. Colour: Black with Yellow Stripes. Contractor to supply and install in accordance with relevant standards and manufacturers specs. Position in accordance with AS/NZS 2890.1:2004.

hume A
hume architects limited
gen@humearch.co.nz
+64 9 357 0462
level 4, vulcan building
118 queen st
downtown
auckland, 1010
www.humearch.co.nz

PROJECT

PAK'nSAVE KAITAIA E-COMMERCE CONTAINERS for Foodstuffs North Island

ADDRESS

111 North Road, Kaitaia, Northland

SCALE	DRAWN
1:50@ A1 50% @ A3	BH/SH
DATE	REFERENCE
Thursday, 5 November 2026	260312

DRAWING TITLE

PROPOSED FLOOR PLAN

DRAWING No. [REVISION No.]

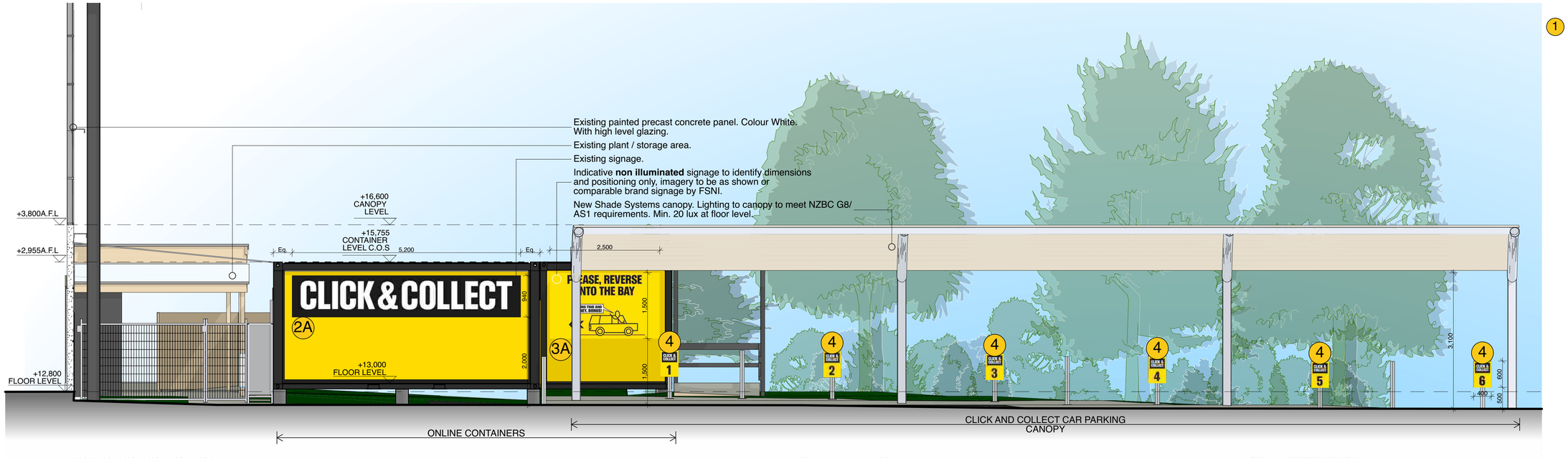
A2.10 [A]

RESOURCE CONSENT

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File Path: BIMcloud: Hume-Server - BIMcloud Basic for Archicad 29/260312 SK01 Pn5 Kaitaia Containers [29] - 05/11/2026

DRAFT



01 EAST ELEVATION Scale @ A1 - 1:50

1



Directional addition to existing pylon Signage Indication shown.
Refer Site Plan for Location.

All signage shown is indicative only, **non illuminated,** to identify dimensions and positioning, imagery to be as shown or comparable brand signage by FSNI.

2



1.5Hx1.0W Directional Signage - By FSNI
Plinth. One sign each side.
Refer Site Plan for Location.

3A



1.5Hx2.5W Instructional Signage - By FSNI
On yellow painted / vinyl wrapped wall.

3B



0.6Hx0.4W Instructional Signage - By FSNI
Refer Elevations for Location.

3C

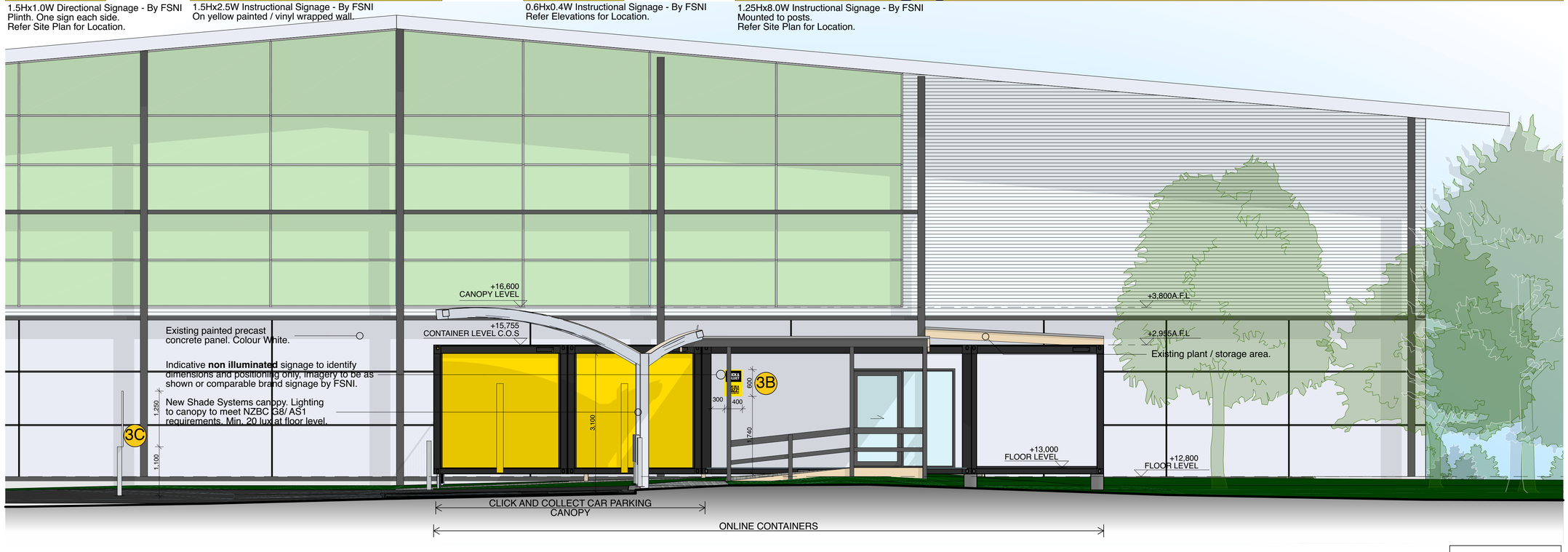


1.25Hx8.0W Instructional Signage - By FSNI
Mounted to posts.
Refer Site Plan for Location.

4



0.6Hx0.4W Car Parking Signage - By FSNI
Numbers vary.
Refer Elevations for Location.



02 NORTH ELEVATION Scale @ A1 - 1:50

Back to A2.10 Floor Plan

hume A
hume architects limited
gen@humearch.co.nz
+64 9 357 0462
level 4, vulcan building
118 queen st
downtown
auckland, 1010
www.humearch.co.nz

PROJECT
PAK'nSAVE KAITAIA E-COMMERCE CONTAINERS
for
Foodstuffs North Island

ADDRESS
111 North Road,
Kaitaia, Northland

SCALE	DRAWN
1:50@ A1 50% @ A3	BH/SH
DATE	REFERENCE
Thursday, 5 November 2026	260312

DRAWING TITLE
ELEVATIONS

DRAWING No. [REVISION No.]
A4.10 [A]

RESOLUTION
RESOURCE CONSENT

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Back to
A2.10 Floor Plan

hume A
hume architects limited
gen@humearch.co.nz
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auckland, 1010
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PROJECT

PAK'nSAVE KAITAIA E-COMMERCE CONTAINERS
for
Foodstuffs North Island

ADDRESS

111 North Road,
Kaitaia, Northland

SCALE	DRAWN
@ A1 50% @ A3	BH/SH
DATE	REFERENCE
Thursday, 5 November 2026	260312

DRAWING TITLE

PERSPECTIVES

DRAWING No. [REVISION No.]

A10.01[A]

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File Path: BIMcloud: Hume-Server - BIMcloud Basic for Archicad 26/260312 SK01 Pr5 Kaitaia Containers [29] - 06/11/2026

RCPAD

RECORD OF DECISION ON RESOURCE CONSENT APPLICATIONS

Participants:
MAM
Lynley Newport

Decision Date: .....
Granted Date: .....
Issued Date: 11 June 2010

RMA Number: RC-2100602-RMAVAR
RFS Type: Variation to Resource Consent
Legal Description: Lot 1 DP 202949
Val No:
Applicant: THE NATIONAL TRADING COMPANY OF NEW ZEALAND LTD
Start Date: 27 May 2010.
Location: North Road, Kaitaia
Hearing Date: n/a
Activity Discretionary (by virtue of s127)
Outcome: Approved
No. of lots: **n/a**
Types of lots: n/a
Zone Commercial
Area of Site:
Proposal: variation to RC 2070589 to authorise the establishment of additional car parking and a covered pedestrian walkway
Issues : Minor effect, no affected parties.

Property File	Sewerage (BES)	Roading (GCI)	Com Fac (SMH)	Finance (AJB)	Transit NZ	DoC	Projects (LMN)	Property Co-ordinator
Monitoring (DSM)	Env Health (GB/JG)	Liq License (LAL)	Legal (YAS)	NZHPT	NRC	Building (HAH)	Comm. Brd	

Far North District Council

Private Bag 752, Memorial Ave
Kaikohe 0440, New Zealand
Freephone: 0800 920 029
Phone: (09) 405 2750
Fax: (09) 401 2137
Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

Te Kaunihera o Tai Tokerau Ki Te Raki

Frontier of opportunity

Application No: **RC-2100602-RMAVAR**

11 June 2010

The National Trading Company Of New Zealand Ltd
C/- Planning Focus Limited
PO Box 911361
Auckland 1142

Dear Sir / Madam

Re: RESOURCE CONSENT APPLICATION BY THE NATIONAL TRADING COMPANY OF NEW ZEALAND LTD

I am pleased to inform you that your application for change or cancellation of conditions to an existing resource consent has been approved. The decision is enclosed for your information. The application was considered and determined under authority delegated to the Team Leader Resource Consents of the Far North District Council, pursuant to Section 34(A) of the Resource Management Act 1991.

You should note that the granting of this consent for a change or cancellation of conditions does not affect the lapsing date of the underlying consent for the proposed activity.

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

Please note that you will be sent either an invoice or credit note depending on the actual cost of processing your application. Any additional costs shown on an invoice need to be paid within 20 working days of receipt of the invoice. If you receive a credit note, you have the option of requesting a refund by bank transfer, or transferring the amount to any other Council account. Please advise and supply a printed bank deposit slip and allow 10 working days for the refund to be processed.

If you have any further queries regarding this matter, please contact the reporting Planner.

Yours faithfully

Queenie Harding
Specialist RMA Support
Environmental Management

Far North District Council

FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON AN APPLICATION FOR A CHANGE OR CANCELLATION OF RESOURCE CONSENT CONDITIONS

Resource Consent Number: RC-2100602-RMAVAR (Changing conditions of RC 2070589)

Pursuant to section 127 of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants consent to:

The National Trading Company of New Zealand Ltd.

The activity to which this decision relates:

To change the conditions of RC 2070589, being a resourcec consent granted on 20 June 2007 to The National Trading Company of New Zealand Ltd to establish and operate a Pak 'n Save supermarket.

Subject Site Details

Address:	North Road (State Highway 1), Kaitaia
Legal Description:	Lot 1 DP 202949
Certificate of Title reference:	NA-131A/308

The following changes are made to the consent conditions:

1. Condition 1 is amended to:

The activity shall be carried out in accordance with

(i) The approved plans of development prepared by Stiff Hooker Limited, Job no 08321 Sheets RC01B, RC02B, RC03A & RC04A and attached to this consent with the Council's "Approved Plan" stamp affixed to them, and;

(ii) All details and information contained within the report prepared by GHD, titled "Report for Report for Proposed PAK'nSAVE Kaitaia, Variation Application" dated October 2009 reference 512558101 subject to amendments as outlined within the report prepared by Planning Focus Limited, titled Variation to Consent for Proposed Pak 'n Save Supermarket dated May 2010 and referenced PFL Ref.322.

Reasons for the Change. The applicant has amended the final design of the supermarket by increasing the number of car parking spaces from 217 to 261. This is in excess of the district plan requirements and is as a result of the desire of the applicant to ensure that adequate parking is provided for clients and staff. A covered pedestrian walkway has been added to the proposal to provide shelter for patrons. The associated effects from the changes are considered to be minor.

2. Condition 7 is amended to:

Undertake all landscaping generally in accordance with the Silver Fern landscape plan Reference K01 Rev F submitted as Appendix D and provide a landscape maintenance plan to the approval of the Council's duly delegated officer. The landscaping shall be maintained in accordance with the maintenance plan for the duration of the consent.

Reasons for the Change. The increased carparking area has necessitated an amendment to the landscaping plan. The amended plan is considered appropriate for the activity.

For the purpose of clarity the complete amended conditions of consent are as follows:

1. The activity shall be carried out in accordance with
   (i) The approved plans of development prepared by Stiff Hooker Limited, Job no 08321 Sheets RC01B, RC02B, RC03A & RC04A and attached to this consent with the Council's "Approved Plan" stamp affixed to them, and;
   (ii) All details and information contained within the report prepared by GHD, titled "Report for Report for Proposed PAK'nSAVE Kaitaia, Variation Application" dated October 2009 reference 512558101, subject to amendments as outlined within the report prepared by Planning Focus Limited, titled Variation to Consent for Proposed Pak 'n Save Supermarket dated May 2010 and referenced PFL Ref.322.

2. That prior to the facility being open to the public all conditions of resource consent reference RC 2070598, being the subdivision of Lot 1 DP 202949, shall be satisfied.

3. A minimum of 6 cycle racks shall be provided in a position that is easily accessible to the entry to the supermarket.

4. Deleted.

5. Provide to the satisfaction of Council a construction management plan. The plan shall contain information and site management procedures for the following:
   (i) The timing of any and all demolition and construction works, including hours of work, key project personnel, and site management personnel.
   (ii) The transport of all or any demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrances/exits and the loading and unloading of vehicles.
   (iii) Control of dust and noise on-site during construction, and any necessary avoidance or remedial measures.
   (iv) Prevention of earth and other material being deposited on surrounding roads from trucks and remedial action should it occur.
   (v) A traffic management plan outlining the measures intended to minimize disruption to users of State Highway 1, North Road and Donald Lane and means of advising users of the works and possible disruptions. This traffic control plan shall be prepared by a person or organization appropriately experienced with the requirements for work within a State Highway, and shall be approved by Transit New Zealand or an agency approved by them.

6. All works shall be undertaken in accordance with the approved construction management plan.

7 Undertake all landscaping generally in accordance with the Silver Fern landscape plan Reference K01 Rev F submitted as Appendix D and provide a landscape maintenance plan to the approval of the Council's duly delegated officer. The landscaping shall be maintained in accordance with the maintenance plan for the duration of the consent.

8. Provide written confirmation from New Zealand Transport Agency (formerly Transit New Zealand) that their requirements as outlined in their letter dated 30 April 2007 to Far North

District Council from David A Greig, Senior Resource Planner (and copied to the applicant) have been satisfied.

9. Noise from the operation of the supermarket shall not exceed the limits specified in rule 7.8.5.1.7 of the Proposed Far North District Plan.

10. Deleted.

11. All signage shall be in accordance with the approved plans attached to this consent and shall be static and non-flashing.

After consideration of the application under Section 127, the following reasons are given for this decision pursuant to Section 113 of the Act:

A. Consideration was given to the provisions of the Operative District Plan. No relevant changes have been made to the District Plan since the original resource consent was granted. The change to conditions of consent are not considered to result in any adverse environmental effects.

B. Due to the minor nature of the changes to the activity (which primarily relate to a increase in car parking spaces), no other parties are considered to be affected by the changes.

Reasons for the Decision

1. **Description of the Activity:**
The changes sought include the provision of additional car parking and a covered pedestrian walkway.

2. **District Plan Rules Affected:**
No district plan rules are affected by the proposal, however the Act requires such changes to be considered as discretionary activities.

3. **Principal Issue[s] in Contention and Main Findings on those Issues:**
The changes sought are not considered as contentious. Rather they provide additional staff parking spaces and better amenity for users of the facility.

4. **Notification and Affected Parties**
The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed changes are no more than minor and that there are no affected persons or affected order holders.

5. **Overall Evaluation**
The changes sought to the consent have minimal environmental effects whilst providing additional facilities for staff and customers.

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

Lynley Newport, Team Leader Resource Consents

11th June 2010

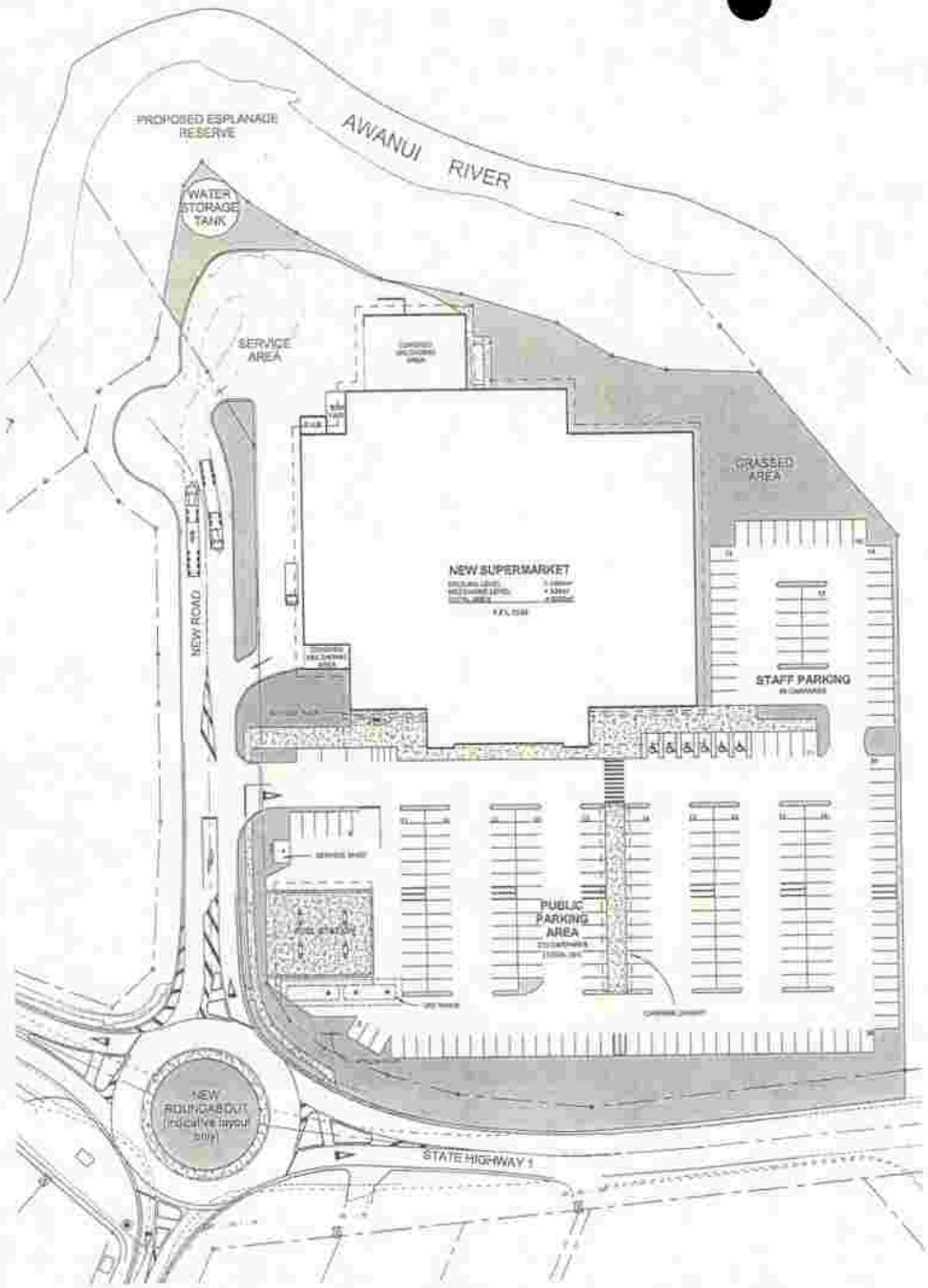
Date

Right of Objection

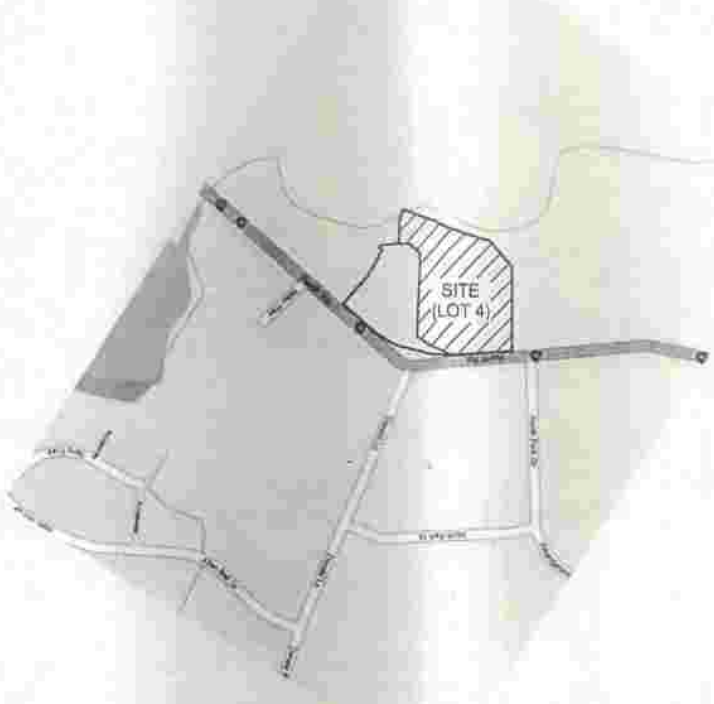
If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt of this decision.

Lapsing Of Consent

You should note that the granting of this consent for a change or cancellation of conditions does not affect the lapsing date of the underlying consent for the proposed activity.



SITE PLAN



LOCALITY PLAN

APPROVED PLAN

PLANNER .....

RC 2100602 var 1 RC 2070589

Date 10 June 2019

KEY:

- LANDSCAPING
- CONCRETE FOOTPATH
- ASPHALT ROADING
- TRUNDLER BAYS

PAK'N'SAVE CARPARK SCHEDULE:	
TOTAL CARPARKS = 261	INCLUDES: 8 MOBILITY CARPARKS, 4 x MOTORBIKE PARKS, 2 x PICK UP / KID DROP OFF. IN ADDITION SHE FOLLOWING IS PROVIDED: 1 x BICYCLE RACK
PARKING RATIO = (8332 x 261) / 1000	
TOTAL BUILDING AREA = 8332m²	

LEGAL DESCRIPTION

LOT 4 BEING A SUBDIVISION OF LOT 1 DP 510949

PROPOSED **PAK'N'SAVE** KAITAIA

STIFFE HOOKER LIMITED
ARCHITECTS & ENGINEERS

PROJECT
KAITAIA PAK'N SAVE

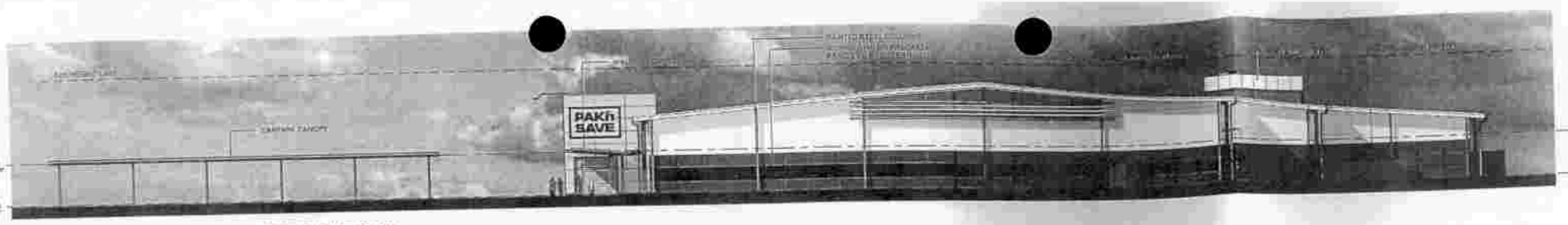
FOR
NATIONAL TRADING COMPANY of NZ LTD

LOCATION / SITE PLAN

JOB NO. 08321

SCALE 1:500

SHEET NO. RC01 B



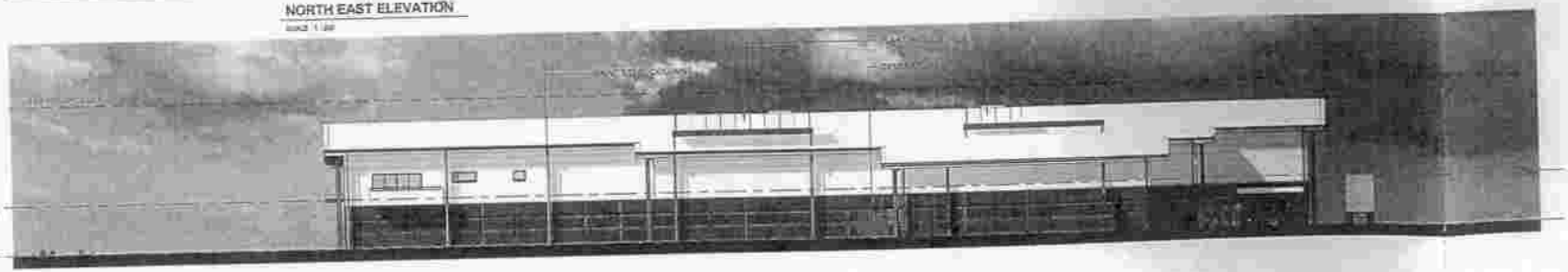
NORTH WEST ELEVATION



SOUTH EAST ELEVATION



NORTH EAST ELEVATION



SOUTH WEST ELEVATION

MATERIALS LEGEND

- COMPRESSED SHEET CLADDING PAINTED PAKNSAVE YELLOW
- PAINTED PERCHET CONCRETE PANELS
- PRE-FINISHED HORIZONTAL METAL CLADDING
- GLAZING
- COLORSTEEL ROOF



PYLON SIGN ELEVATION

APPROVED PLAN

PLANNER ..... Date .....

210602, varying RC 2070589 10 June 2010.

PROPOSED PAK'N'SAVE KAITAIA

STIFFE HOOKER LIMITED
ARCHITECTS ENGINEERS

PROJECT
KAITAIA PAK'N SAVE

FOR
NATIONAL TRADING COMPANY of NZ LTD

DRAWING
PROPOSED ELEVATIONS

JOB NO 08321

SCALE @ A1 1:200 | SHEET RC02
SCALE @ A3 1:400

RECORD OF DECISION ON RESOURCE CONSENT APPLICATIONS

Participants:
MAM
Lynley Newport

Decision Date: .....
Granted Date: .....
Issued Date: 11 June 2010

RMA Number: RC-2100602-RMAVAR
RFS Type: Variation to Resource Consent
Legal Description: Lot 1 DP 202949
Val No:
Applicant: THE NATIONAL TRADING COMPANY OF NEW ZEALAND LTD
Start Date: 27 May 2010.
Location: North Road, Kaitaia
Hearing Date: n/a
Activity Discretionary (by virtue of s127)
Outcome: Approved
No. of lots: n/a
Types of lots: n/a
Zone Commercial
Area of Site:
Proposal: variation to RC 2070589 to authorise the establishment of additional car parking and a covered pedestrian walkway
Issues : Minor effect, no affected parties.

Property File	Sewerage (BES)	Roading (GCI)	Com Fac (SMH)	Finance (AJB)	Transit NZ	DoC	Projects (LMN)	Property Co-ordinator
☐								
Monitoring (DSM)	Env Health (GB/JG)	Liq License (LAL)	Legal (YAS)	NZHPT	NRC	Building (HAH)	Comm. Brd	

00031-7600

RCPAD

RECORD OF DECISION ON RESOURCE CONSENT APPLICATIONS

Participants:
PJK
MAM

Decision Date: .....
Granted Date: 20/06/07
Issued Date:

RMA Number	:	**RC-2070589-RMALUC**
RFS Type	:	**Land Use/**
Legal Description	:	**Lot 1 DP 202949**
Applicant	:	**THE NATIONAL TRADING COMPANY OF NEW ZEALAND LTD**
Start Date	:	**20 December 2006**
Location	:	**Lot 1, North Road, Kaitaia 0410**
Hearing Date	:	**n/a**
Activity (TDP/PDP)	:	**Section 19/ Restricted discretionary**
Outcome	:	**Approved**
No. of lots	:	**n/a**
Types of lots	:	**n/a**
Zone (TDP/PDP)	:	**Section 19/Commercial**
Area of Site	:	**1.9985ha**
Proposal	:	**Establish & operate a Pak'n'Save supermarket that breaches traffic and signage rules**
Issues	:	**Effects from traffic & signage**

Contributions :

ROADING	RESERVES	SEWERAGE	STORM WATER	COMMUNITY INFRASTRUCTURE	PARKING	WATER

Property File	Utilities	Roading	Com Fac	Finance	Transit NZ	DoC	Projects	Property Co-ordinator
☐								
Monitoring	Env Health	Liq License	Legal	NZHPT	NRC	Building	Comm. Brd	Kerikeri Irrigation Co / Doubtless Bay Water Supply Co

Far North
District Council

Private Bag 752, Memorial Ave
Kaikohe 0400, New Zealand
Freephone: 0800 920 029
Phone: (09) 405 2750
Fax: (09) 401 2137
Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

Application No: RC-2070589-RMALUC

20 June 2007

The National Trading Company Of New Zealand Ltd
C/- GHD Limited;
PO Box 6543
Wellesley Street
Auckland 1141

Attn: Hester den Ouden

Dear Madam

Re: RC-2070589-RMALUC – RESOURCE CONSENT APPLICATION, SUPERMARKET

I am pleased to inform you that your application for resource consent has been approved. The decision is enclosed for your information. The application was considered and determined under authority delegated to the Manager, Resource Consents of the Far North District Council, pursuant to Section 34(4) of the Resource Management Act 1991.

It is very important that you understand and comply with any conditions of consent. If you have any questions or concerns about any aspect of your consent or its conditions, please contact the Planner who prepared the decision.

Your consent expires five years from the date that you receive this decision. Please note that under Section 125 of the Resource Management Act 1991, your consent will lapse unless you give effect to the consent by way of obtaining Section 223 (survey plan) approval from the Council within the five year period.

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

Depending on the costs charged against your consent, you will find enclosed either an invoice or a credit note. Any additional costs shown on an invoice need to be paid as soon as possible. If you receive a credit note, you have the option of requesting a refund by cheque, or transferring the amount to any other Council account.

If you have any further queries regarding this matter, please contact the reporting Planner.

Yours faithfully

Customer Services Officer – Planning Consents
Regulatory & Customer Services Department

FAR NORTH DISTRICT COUNCIL

FAR NORTH PROPOSED DISTRICT PLAN

IN THE MATTER OF
The Resource Management Act 1991

AND

IN THE MATTER OF
an application for Resource Consent
under the aforesaid Act by

The National Trading Company Of New Zealand Ltd

FILE NUMBER RC-2070589-RMALUC

That pursuant to Sections 104, 104C & 108 of the Resource Management Act 1991, the Council grants its consent to The National Trading Company Of New Zealand Ltd to establish and operate a Pak 'n Save supermarket at North Road, Kaitaia, being more particularly described as proposed Lot 4 of an approved subdivision (Council reference RC 2070598) of Lot 1 DP 202949 contained in certificate of title reference NA-131A/308 (North Auckland Registry). Resource consent is required due to the supermarket not meeting permitted activity rules for traffic intensity and signage. The consent is subject to the following conditions:

1. The activity shall be carried out in accordance with
   (i) The approved plans of development prepared by Stiffe Hooker Limited, Job no 08321 Sheets SK 10 revision H (Site Plan) and Sheet SK 11(Proposed Elevations) and attached to this consent with the Council's "Approved Plan" stamp affixed to it; and
   (ii) All details and information contained within the report prepared by URS, titled "Report, Proposed PAK'n SAVE: Kaitaia & Associated Activities AEE, dated 15 December 2006 reference 42133620.

2. That prior to the facility being open to the public all conditions of resource consent reference RC 2070598, being the subdivision of Lot 1 DP 202949, shall be satisfied.

3. A minimum of 6 cycle racks shall be provided in apposition that is easily accessible to the entry to the supermarket.

4. The kerb line of the left turn exit from the site shall be modified by rounding or easing to assist vehicles entering and exiting the site and to avoid trucks running over the kerb.

5. Provide to the satisfaction of Council a construction management plan. The plan shall contain information and site management procedures for the following:
   (i) The timing of any and all demolition and construction works, including hours of work, key project personnel, and site management personnel.

(ii) The transport of all or any demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrances/exits and the loading and unloading of vehicles.

(iii) Control of dust and noise on-site during construction, and any necessary avoidance or remedial measures.

(iv) Prevention of earth and other material being deposited on surrounding roads from trucks and remedial action should it occur.

(v) A traffic management plan outlining the measures intended to minimize disruption to users of State Highway 1, North Road and Donald Lane and means of advising users of the works and possible disruptions. This traffic control plan shall be prepared by a person or organization appropriately experienced with the requirements for work within a State Highway, and shall be approved by Transit New Zealand or an agency approved by them.

6. All works shall be undertaken in accordance with the approved construction management plan.

7. Undertake all landscaping generally in accordance with the landscape plan submitted as Appendix H to the application and provide to Council a landscape maintenance plan to the approval of the Resource Consent's Manger. The landscaping shall be maintained in accordance with the maintenance plan for the duration of the consent.

8. Provide written confirmation from Transit New Zealand that their requirements as outlined in their letter dated 30 April 2007 to Far North District Council from David A Greig, Senior Resource Planner (and copied to the applicant) have been satisfied.

9. Noise from the operation of the supermarket shall not exceed the limits specified in rule 7.8.5.1.7 of the Proposed Far North District Plan.

10. In conjunction with the Building Consent application the consent holder shall provide details of stormwater collection and disposal. Such information shall be to the satisfaction of Council's Resource Consent's Manager.

11. All signage shall be in accordance with the approved plans attached to this consent and shall be static and non-flashing.

After consideration of the application under Section 104, the following reasons are given for this decision pursuant to Section 113 of the Act:

A. Consideration was given to the Far North Proposed District Plan (Revised July 2003). Particular consideration was given to Chapters 7 & 15 and the associated appendices of the Proposed District Plan.

B. The principal issues were the effects of the traffic associated with the activity and the effect of the proposed signage. These effects were considered to be minor. The traffic report submitted by the applicant was peer reviewed and it was considered that effects are minor.

C. Written approval has been obtained from Transit New Zealand. Transit New Zealand the only party considered to be potentially affected by the proposal.

D. The imposed conditions will ensure that the effect of the consent will be compliance with the relevant provisions of the applicable District Plans; and that such conditions will

adequately avoid, or mitigate to a minor impact level, the expected adverse effects on the environment.

E. There are no apparent conflicts with the purpose of the Act, nor with the matters or principles noted in Sections 6, 7 and 8 of the Act, nor with the objectives and policies of the two relevant District Plans.

ADVICE NOTES:
The application has been submitted on the basis that all permitted activity rules relevant to the activity with the exception of traffic intensity and signage are met. Should the activity be amended, compliance with the District Plan rules will require re-assessment and may result in further resource consents being required.

If any subsurface archaeological sites or remains are uncovered during the development of the subdivision, all earthworks in the vicinity shall cease and local iwi and the New Zealand Historic Places Trust shall be contacted immediately so that appropriate action can be taken.

STATUTORY INFORMATION

Pursuant to section 102 of the Local Government Act 2002, the Far North District Council has prepared and adopted a development contributions policy. Under this policy, the activity to which this consent relates is subject to development contributions.

You will be advised of the assessment of the development contributions payable under separate cover in the near future.

It is important to note that the development contributions must be paid prior to commencement of the work or activity to which this consent relates or, in the case of a subdivision, prior to the issue at a section 224 (c) certificate.

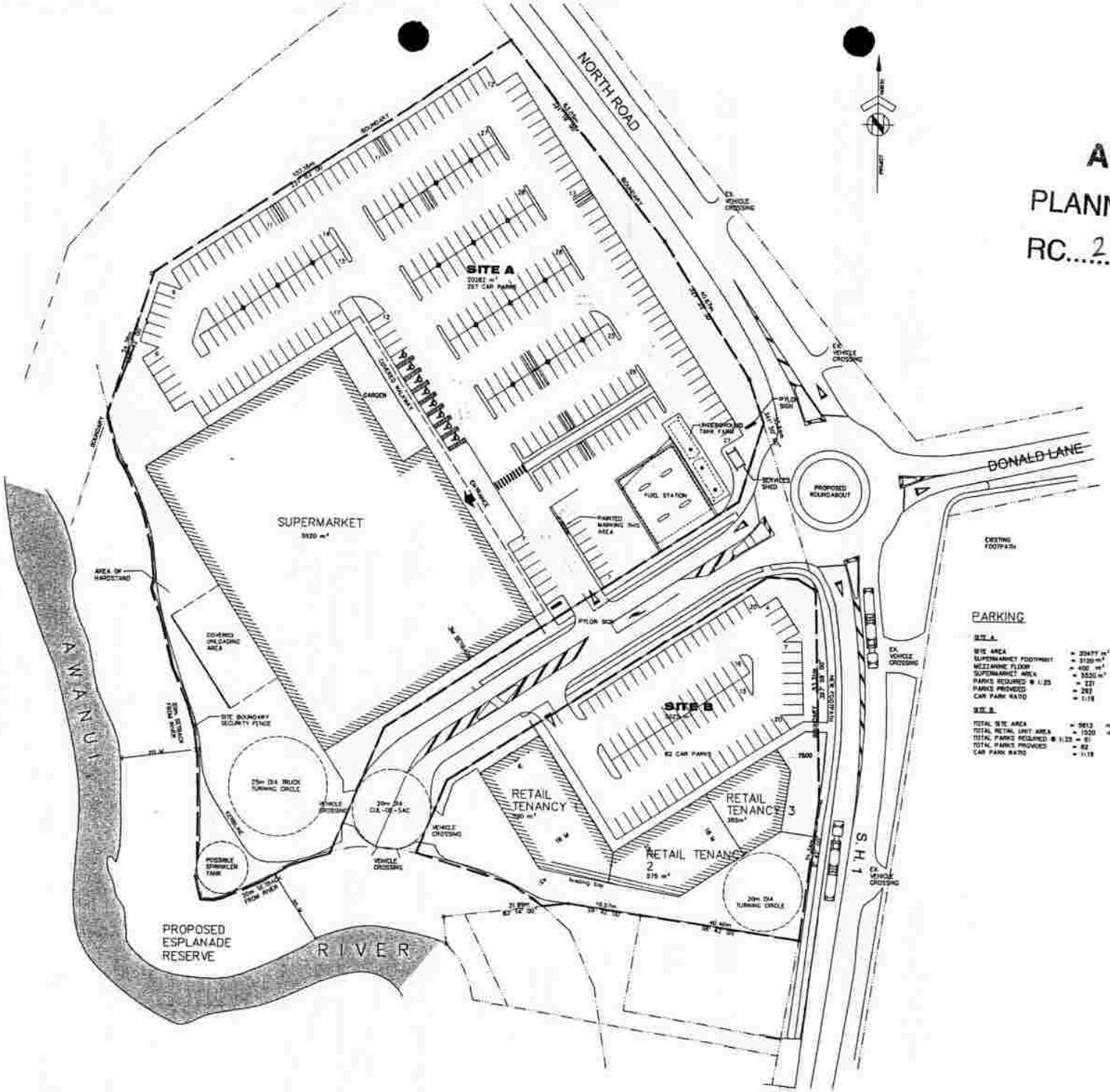
Further information regarding council's development contributions policy may be obtained from the long term council community plan (LTCCP) or councils web page at www.fndc.govt.nz

DECISION PREPARED BY: Murray McDonald, Consultant Resource Planner

CONSENT GRANTED UNDER DELEGATED AUTHORITY:

P.J. Killalea

PAT KILLALEA
RESOURCE CONSENTS MANAGER
20th June 2007



PARKING

SITE A

SITE AREA	= 20477 m²
SUPERMARKET FOOTPRINT	= 9320 m²
MEZZANINE FLOOR	= 400 m²
SUPERMARKET AREA	= 9320 m²
PARKS REQUIRED @ 1:25	= 221
PARKS PROVIDED	= 282
CAR PARK RATIO	= 1:19

SITE B

TOTAL SITE AREA	= 5813 m²
TOTAL RETAIL UNIT AREA	= 1520 m²
TOTAL PARKS REQUIRED @ 1:23	= 61
TOTAL PARKS PROVIDED	= 82
CAR PARK RATIO	= 1:19

APPROVED PLAN

PLANNER... Mary Ronald

RC... 2070589 DATE ... 19/6/07

STIFFE HOOKER LIMITED

AUCKLAND PH: 09 358 2526 FAX: 09 358 2434
HAMILTON PH: 07 849 3898 FAX: 07 849 3899
WHANGAREI PH: 09 438 9754 FAX: 09 438 3010

PROJECT

KAITAIA PROJECT

DRAWING

PROPOSED SITE PLAN (COLOUR)

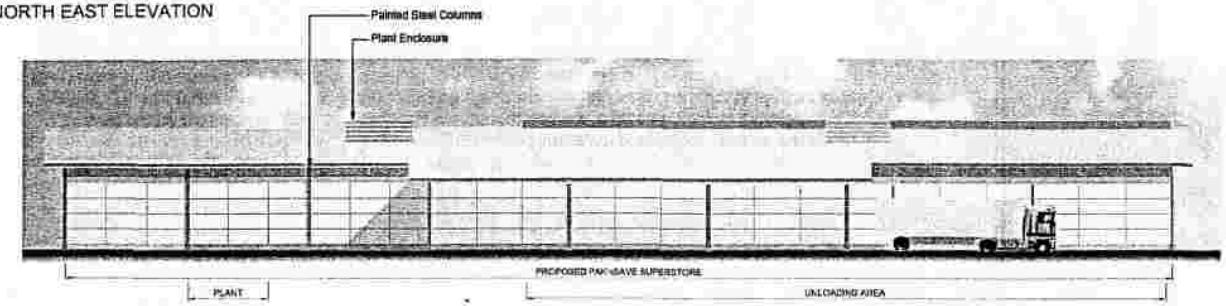
CAD FILE ... JOB NO 08321

SCALE AT A1 1:200 SHEET SK10 REV H

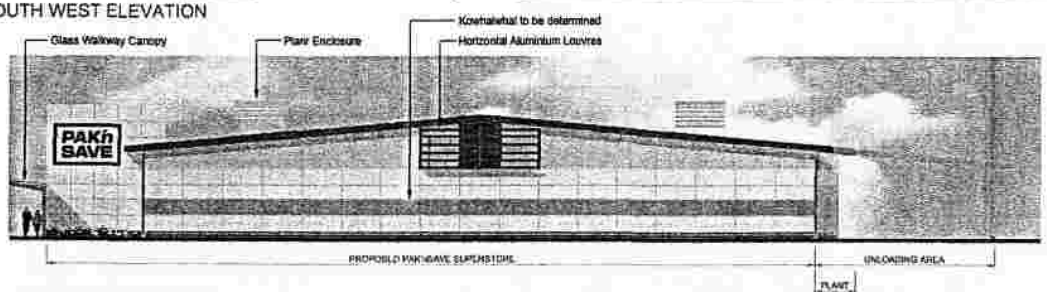
SCALE AT A3 1:400



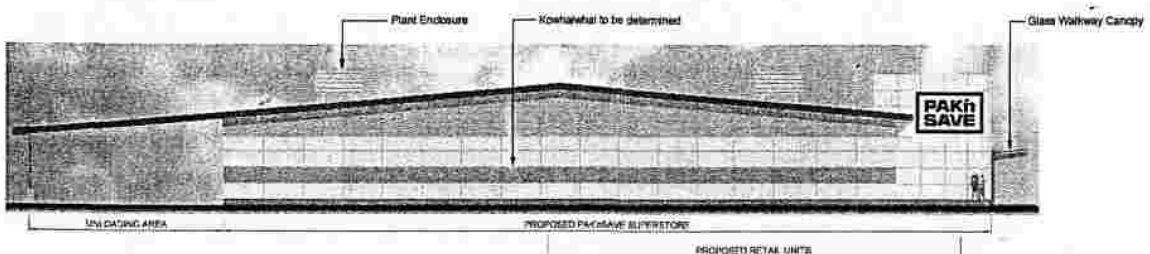
NORTH EAST ELEVATION



SOUTH WEST ELEVATION



NORTH WEST ELEVATION



SOUTH EAST ELEVATION

PROPOSED PAKnSAVE KAITAIA

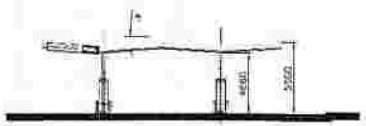
MATERIALS LEGEND

- COMPRESSED SHEET CLADDING PAINTED PAK'nSAVE YELLOW
- COLOR STEEL ROOF
- PAINTED PRECAST CONCRETE PANELS
- TINTED GLAZING
- HORIZONTAL METAL CLADDING

APPROVED PLAN

PLANNER.....

RC.2070589.....DATE ..19/6/07...



SOUTH WEST

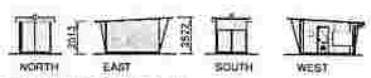


SOUTH EAST

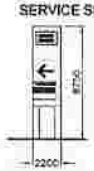
PETROL FILLING STATION ELEVATIONS



SOUTH EAST



SERVICE SHED ELEVATIONS



PYLON SIGN ELEVATION

A 15.12.06 ISSUED FOR RESOURCE CONSENT

STIFFE HOOKER LIMITED
ARCHITECTS ENGINEERS

PROJECT

KAITAIA PROJECT

DRAWING

PROPOSED ELEVATIONS (COLOURED)

CAD FILE

JOB NO 08321

SCALE AT A1 1:200

SCALE AT A3 1:400

SHEET SK11

REV

Orig RC for Supermarket.

RCPAD

FAR NORTH DISTRICT COUNCIL

FAR NORTH PROPOSED DISTRICT PLAN

IN THE MATTER OF
The Resource Management Act 1991

AND

IN THE MATTER OF
an application for Resource Consent
under the aforesaid Act by

The National Trading Company Of New Zealand Ltd

FILE NUMBER RC-2070589-RMALUC

That pursuant to Sections 104, 104C & 108 of the Resource Management Act 1991, the Council grants its consent to The National Trading Company Of New Zealand Ltd to establish and operate a Pak 'n Save supermarket at North Road, Kaitaia, being more particularly described as proposed Lot 4 of an approved subdivision (Council reference RC 2070598) of Lot 1 DP 202949 contained in certificate of title reference NA-131A/308 (North Auckland Registry). Resource consent is required due to the supermarket not meeting permitted activity rules for traffic intensity and signage. The consent is subject to the following conditions:

1. The activity shall be carried out in accordance with
   (i) The approved plans of development prepared by Stiffe Hooker Limited, Job no 08321 Sheets SK 10 revision H (Site Plan) and Sheet SK 11(Proposed Elevations) and attached to this consent with the Council's "Approved Plan" stamp affixed to it; and
   (ii) All details and information contained within the report prepared by URS, titled "Report, Proposed PAK'n SAVE: Kaitaia & Associated Activities AEE, dated 15 December 2006 reference 42133620.

2. That prior to the facility being open to the public all conditions of resource consent reference RC 2070598, being the subdivision of Lot 1 DP 202949, shall be satisfied.

Cond. 3. A minimum of 6 cycle racks shall be provided in apposition that is easily accessible to the entry to the supermarket.

NA. refer to Var. 4. The kerb line of the left turn exit from the site shall be modified by rounding or easing to assist vehicles entering and exiting the site and to avoid trucks running over the kerb.

Cond 5. Provide to the satisfaction of Council a construction management plan. The plan shall contain information and site management procedures for the following:
   (i) The timing of any and all demolition and construction works, including hours of work, key project personnel, and site management personnel.

(ii) The transport of all or any demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrances/exits and the loading and unloading of vehicles.

(iii) Control of dust and noise on-site during construction, and any necessary avoidance or remedial measures.

(iv) Prevention of earth and other material being deposited on surrounding roads from trucks and remedial action should it occur.

(v) A traffic management plan outlining the measures intended to minimize disruption to users of State Highway 1, North Road and Donald Lane and means of advising users of the works and possible disruptions. This traffic control plan shall be prepared by a person or organization appropriately experienced with the requirements for work within a State Highway, and shall be approved by Transit New Zealand or an agency approved by them.

6. All works shall be undertaken in accordance with the approved construction management plan.

7. Undertake all landscaping generally in accordance with the landscape plan submitted as Appendix H to the application and provide to Council a landscape maintenance plan to the approval of the Resource Consent's Manger. The landscaping shall be maintained in accordance with the maintenance plan for the duration of the consent.

8. Provide written confirmation from Transit New Zealand that their requirements as outlined in their letter dated 30 April 2007 to Far North District Council from David A Greig, Senior Resource Planner (and copied to the applicant) have been satisfied.

9. Noise from the operation of the supermarket shall not exceed the limits specified in rule 7.8.5.1.7 of the Proposed Far North District Plan.

10. In conjunction with the Building Consent application the consent holder shall provide details of stormwater collection and disposal. Such information shall be to the satisfaction of Council's Resource Consent's Manager.

11. All signage shall be in accordance with the approved plans attached to this consent and shall be static and non-flashing.

After consideration of the application under Section 104, the following reasons are given for this decision pursuant to Section 113 of the Act:

A. Consideration was given to the Far North Proposed District Plan (Revised July 2003). Particular consideration was given to Chapters 7 & 15 and the associated appendices of the Proposed District Plan.

B. The principal issues were the effects of the traffic associated with the activity and the effect of the proposed signage. These effects were considered to be minor. The traffic report submitted by the applicant was peer reviewed and it was considered that effects are minor.

C. Written approval has been obtained from Transit New Zealand. Transit New Zealand the only party considered to be potentially affected by the proposal.

D. The imposed conditions will ensure that the effect of the consent will be compliance with the relevant provisions of the applicable District Plans; and that such conditions will

adequately avoid, or mitigate to a minor impact level, the expected adverse effects on the environment.

E. There are no apparent conflicts with the purpose of the Act, nor with the matters or principles noted in Sections 6, 7 and 8 of the Act, nor with the objectives and policies of the two relevant District Plans.

ADVICE NOTES:
The application has been submitted on the basis that all permitted activity rules relevant to the activity with the exception of traffic intensity and signage are met. Should the activity be amended, compliance with the District Plan rules will require re-assessment and may result in further resource consents being required.

If any subsurface archaeological sites or remains are uncovered during the development of the subdivision, all earthworks in the vicinity shall cease and local iwi and the New Zealand Historic Places Trust shall be contacted immediately so that appropriate action can be taken.

STATUTORY INFORMATION

Pursuant to section 102 of the Local Government Act 2002, the Far North District Council has prepared and adopted a development contributions policy. Under this policy, the activity to which this consent relates is subject to development contributions.

You will be advised of the assessment of the development contributions payable under separate cover in the near future.

It is important to note that the development contributions must be paid prior to commencement of the work or activity to which this consent relates or, in the case of a subdivision, prior to the issue at a section 224 (c) certificate.

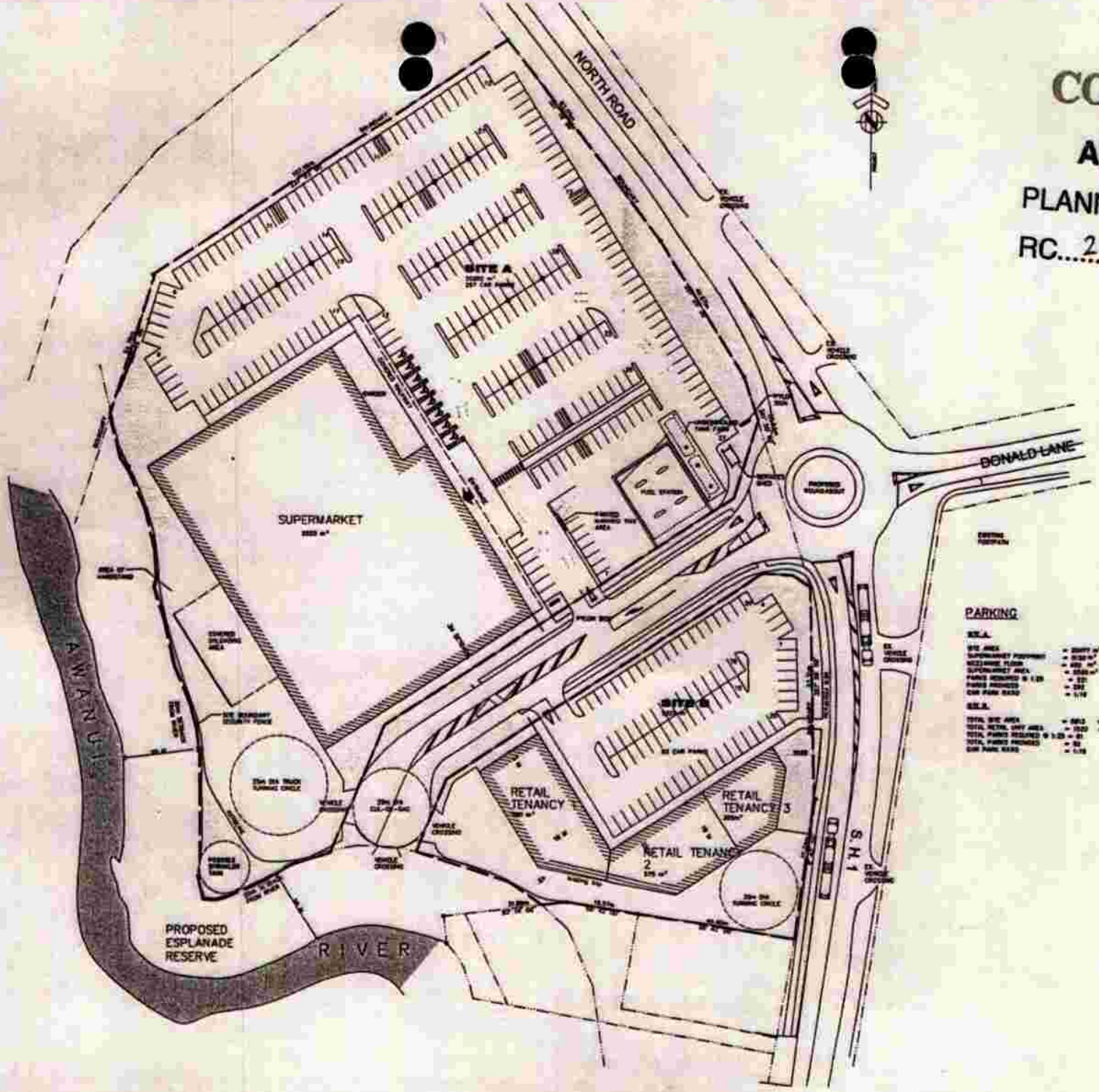
Further information regarding council's development contributions policy may be obtained from the long term council community plan (LTCCP) or councils web page at www.fndc.govt.nz

DECISION PREPARED BY: Murray McDonald, Consultant Resource Planner

CONSENT GRANTED UNDER DELEGATED AUTHORITY:

P.J. Killalea

PAT KILLALEA
RESOURCE CONSENTS MANAGER
20th June 2007



COPYRIGHT

APPROVED PLAN

PLANNER.....

RC...2070589.DATE...19/6/07

STIFFE HOOKER LIMITED

PROJECT

KAITAIA PROJECT

DRAWING

PROPOSED SITE PLAN (COLOUR)

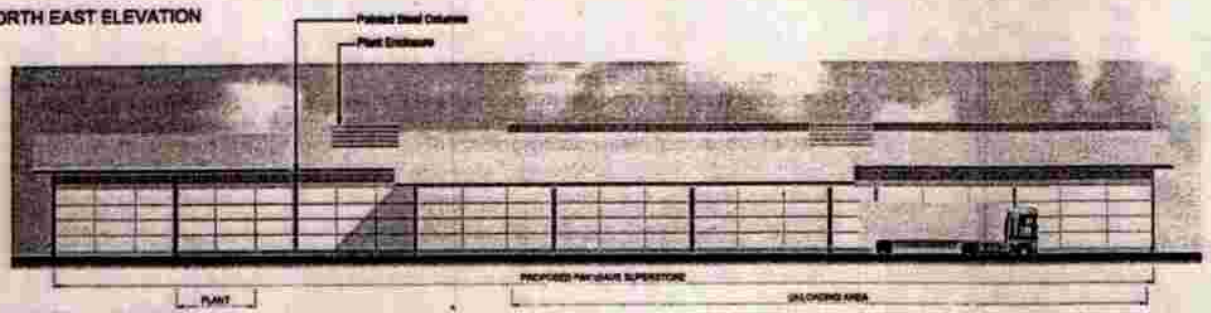
CAD FILE | JOB NO 08321

SCALE AT A1 1:200 | SHEET SK10 | REV H

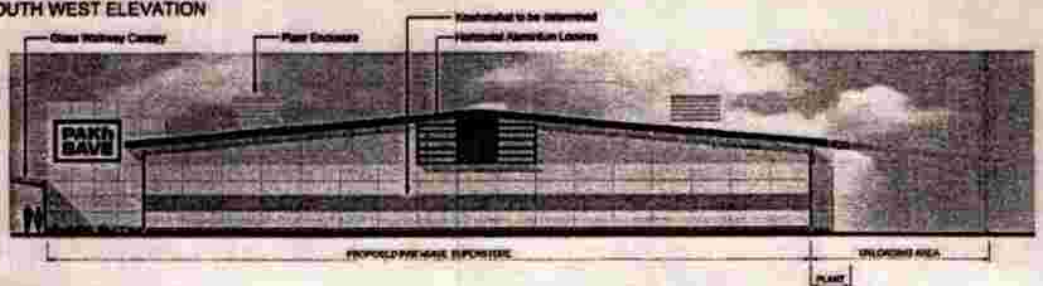
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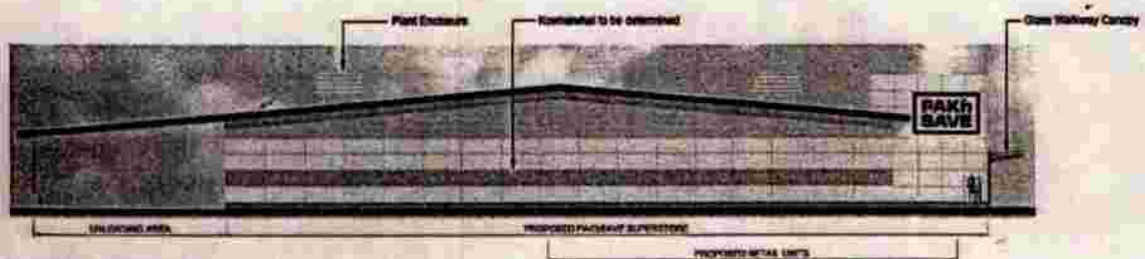
NORTH EAST ELEVATION



SOUTH WEST ELEVATION



NORTH WEST ELEVATION



SOUTH EAST ELEVATION

PROPOSED PAKnSAVE KAITAIA

MATERIALS LEGEND

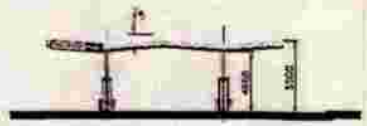
- COMPRESSED SHEET CLADDING PAINTED PAKnSAVE YELLOW
- COLOR STEEL ROOF
- PAINTED PRECAST CONCRETE PANELS
- TINTED GLAZING
- HORIZONTAL METAL CLADDING

COPYRIGHT

APPROVED PLAN

PLANNER.....

RC.2070589.....DATE.19/6/07...



SOUTH WEST



SOUTH EAST

PETROL FILLING STATION ELEVATIONS



SOUTH EAST



SERVICE SHED ELEVATIONS



PYLON SIGN ELEVATION

A 13.12.06 ISSUED FOR RESOURCE CONSENT

STIFFE HOOKER LIMITED
ARCHITECTS ENGINEERS

PROJECT

KAITAIA PROJECT

DRAWING

PROPOSED ELEVATIONS (COLOURED)

CAD FILE

JOB NO 08321

SCALE AT A1 1:200

SCALE AT A3 1:400

SHEET SK11

REV

FAR NORTH DISTRICT COUNCIL

FAR NORTH OPERATIVE DISTRICT PLAN

IN THE MATTER OF
The Resource Management Act 1991

AND

IN THE MATTER OF
an application for a change or cancellation of resource consent conditions under the aforesaid Act by

The National Trading Company Of New Zealand Ltd

FILE NUMBER: RC-2100194-RMAVAR
(varying RC-2070598-RMASUB)

That pursuant to Section 127 of the Resource Management Act 1991, the Council grants its consent to the application by The National Trading Company of New Zealand Ltd to change and cancel conditions of RC 2070598, being a resource consent granted on 20/06/2007 to the National Trading Company of New Zealand to subdivide Lot 1 DP 202949, being situated at North Road, Kaitaia.

The following changes are made to the consent conditions:

1. **Condition 1 is amended to**:
   That the subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Woods, job no. 60246, dwg no SU80 issued 8 October 2009 and attached to this consent with Council's "Approved Plan" stamp affixed.

2. **Condition 2b) is deleted.**

3. **Condition 4i) is deleted.**

Esplanade strip - Private owned with right of passage. 25/8/10

4. **Condition 4j) is added as follows:**
   Provide to Council's satisfaction, an esplanade strip instrument in accordance with section 232 of the Resource Management Act 1991. The instrument is to be drafted so as to provide for the maintenance and enhancement of the esplanade area and the provision of public access. All costs involved with the preparation and registration of the esplanade strip instruments shall be met by the consent holder.

For the purpose of clarity the complete amended conditions of consent are as follows:

1. That the subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Woods, job no. 60246, drawing no. SU80 issued 8 October 2009 and attached to this consent with the Council's "Approved Plan" stamp affixed.

2. The survey plan shall show:
   a) Lot 100 to vest as road.
   b) deleted
   c) All easements to be duly granted or reserved including an easement in gross over the existing sewer pipeline.

d) The following amalgamation condition:

- That Lot 1 hereon be held as to two undivided one half shares by the owners of Lots 2 & 3 hereon as tenants in common in the said shares and that individual certificates of title be issued in accordance therewith. (see 662167).

3. That before a certificate is issued pursuant to Section 223 of the Act, the subdividing owner shall:

a) Submit plans and details of all works for the approval of Council prior to commencing construction. Such works are to be designed in accordance with Council's Engineering Standards and Guidelines current at the time of submitting the plans for approval.
In particular the plans shall show:

i) The road to vest on lot 100 formed and sealed with asphaltic concrete to comply with the Council standard for a Type C Urban Street.
ii) A reticulated water system with a connection to each lot.
iii) A reticulated wastewater disposal system with a connection to each lot.
iii) Road markings and street lighting on the roads to vest in accordance with Transit New Zealand Manual of Traffic Signs and Marking.
iv) A reticulated stormwater system with a connection to each lot, including local treatment. The applicant shall demonstrate that an adequate means of draining all parts of the property exists.
v) The proposed stormwater control works to be in place prior to and during construction.
vi) Permanent stormwater control structures.
vii) A footpath along the western side of State Highway 1 as shown on the submitted plans.

b) Provide for Council's approval a preferred road name and two alternatives for the road to vest. The applicant is advised that in accordance with Community Board policy that road names should reflect the history of the area.

4. That before a certificate is issued pursuant to Section 224(c) of the Act, the consent holder shall:

a) Following approval of the plans (as required by condition 3(a) of this approval) and selection of the contractor and prior to the commencement of any works, provide to Council;

i) Details of the successful contractor
ii) Details of the planned date and duration of contract
iii) Details of the supervising engineer
iv) A construction management plan. The plan shall contain information and site management procedures for the following:

- The timing of any and all demolition and construction works, including hours of work, key project personnel, and site management personnel.
- The transport of all or any demolition and construction materials from and to the site and associated controls on vehicles through sign-posted site entrances/exits and the loading and unloading of vehicles.
- Control of dust and noise on-site during construction, and any necessary avoidance or remedial measures.

- Prevention of earth and other material being deposited on surrounding roads from trucks and remedial action should it occur.
- A traffic management plan outlining the measures intended to minimize disruption to users of State Highway 1, North Road and Donald Lane and means of advising users of the works and possible disruptions. This traffic control plan shall be prepared by a person or organization appropriately experienced with the requirements for work within a State Highway, and shall be approved by Transit New Zealand or an agency approved by them.

b) Undertake all works as per the approved engineering plans in accordance with the approved construction management plan. Construction Noise shall meet the limits recommended in, and shall be measured in accordance with the methods specified in NZS 6803:1999, Construction Noise.

c) Upon completion of the works, provide certification of the work from a chartered professional engineer that all work has been completed in accordance with the approved plans.

d) Provide written confirmation from Transit New Zealand that all of their requirements for works on the State Highway have been satisfied.

e) Provide three copies of as-built plans, which are to include the following information:

i) Drawings showing the location of all underground services, including co-ordinates of hydrants, valves and manhole lids and levels of manhole inverts and lids to DOSDLI datum. This information is also to be provided in a digital format to enable it to be added to Council's GIS data base.

ii) Stormwater overland flow paths including the extent and level of floodwater for a storm event with a 1% AEP.

iii) The area and extent of any fill material placed on the site.

iv) A schedule of assets, which are to vest in council, listing the quantity, the unit rate and the value of each of the components (this information is required for valuation purposes)

v) Information for RAMM database;

- Subgrade depth, aggregate Type and source
- Base course depth, aggregate type and source
- Lime or cement stabilisation details
- Seal coat details including binder type/grade and residual application rate
- Details of asphaltic concrete (Where used)
- Details of water meters including Model ID, zero reading, meter location

f) Provide evidence that a maintenance agreement has been entered into with the Contractor who is to maintain the works to vest in Council for a minimum period of 12 months. The minimum value of the bond is to be 10% of the construction cost.

g) Provide evidence that electrical and telecommunication services have been

reticulated to the boundary of lots 2, 3 & 4.

h) Pay to Council the cost of purchasing and installing a road name sign for the road to vest.

i) Deleted

j) Provide to Council's satisfaction, an esplanade strip instrument in accordance with section 232 of the Resource Management Act 1991. The instrument is to be drafted so as to provide for the maintenance and enhancement of the esplanade area and the provision of public access. All costs involved with the preparation and registration of the esplanade strip instruments shall be met by the consent holder.

After consideration of the application under Section 127, the following reasons are given for this decision pursuant to Section 113 of the Act:

A. Consideration was given to the Operative District Plan. No relevant changes have been made to the District Plan since the original resource consent was granted. The changes (based on the substitution of esplanade reserves with an esplanade strip) is considered to be appropriate in the circumstances and does not offend the objectives and policies outlined in Chapter 14, Financial Contributions.

B. No other parties were considered to be affected by the proposal.

DECISION PREPARED BY: Murray McDonald, Principal Planner

CONSENT GRANTED UNDER DELEGATED AUTHORITY:

P.J. Killalea **RESOURCE CONSENTS MANAGER**

Pat Killalea

4th November 2009 **DATE**

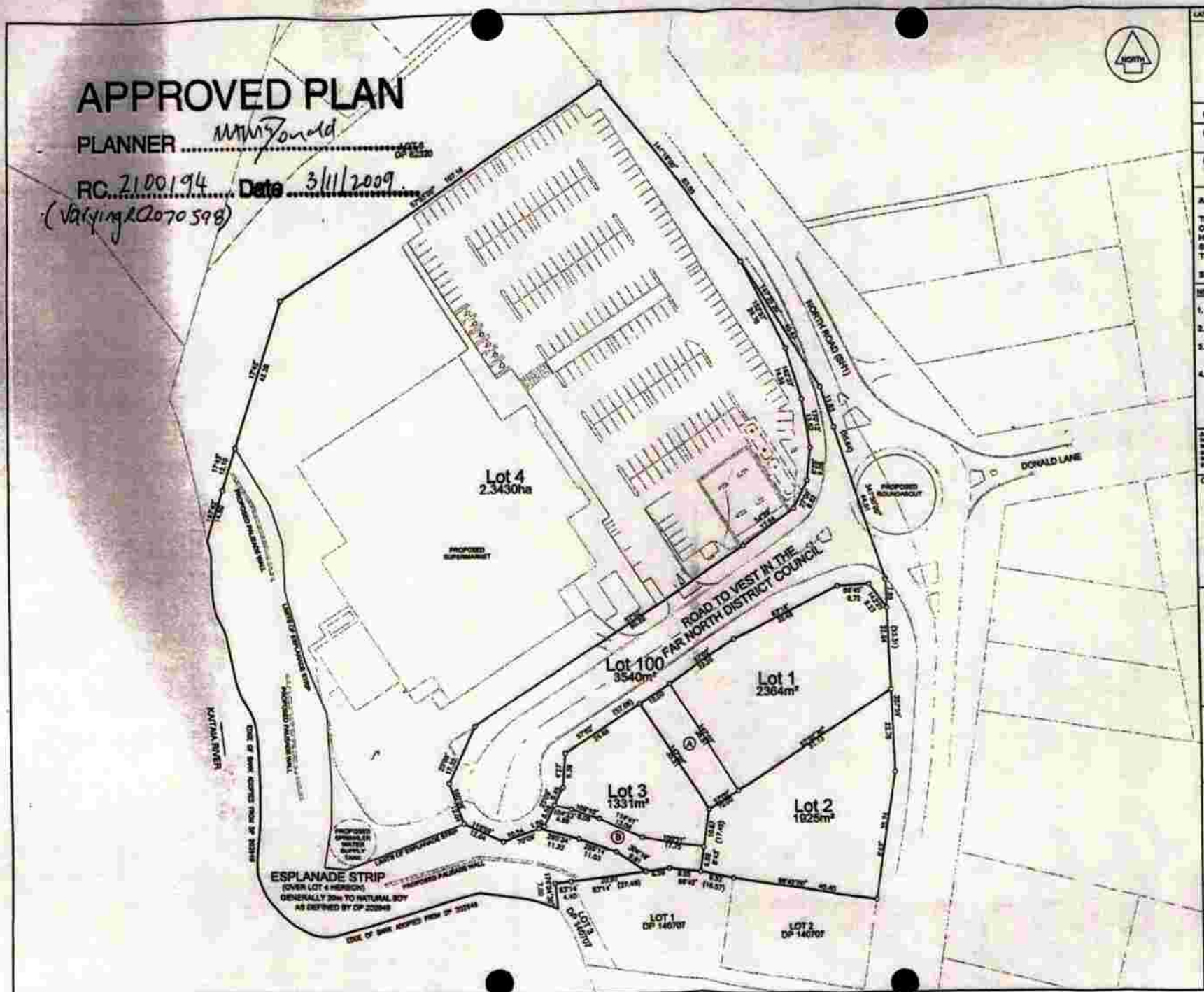
RC-2100194-RMAVAR

APPROVED PLAN

PLANNER ..... MMcDonald

RC 2100194 ..... Date 3/11/2009

(Varying 2070598)



LATEST REVISION DETAILS	NAME	DATE

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY	A	LOT 1	LOTS 2 & 3
	B	LOT 3	LOT 2

AMALGAMATION CONDITION

THAT LOT 1 HEREON BE HELD AS TO TWO UNDIVIDED ONE HALF SHARES BY THE OWNERS OF LOTS 2 & 3 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL CERTIFICATES OF TITLE BE ISSUED IN ACCORDANCE THERE WITH

SEE 882167

NOTES

1. COMPRISED IN CT NA131A/308, LOT 1 DP 202949
2. TOTAL SITE AREA 3.2580ha
3. ALL AREAS & DIMENSION ARE SUBJECT TO FINAL SURVEY.
4. ALL CARPARKING & ROADING ARE PROPOSED, REFER TO PLANS PREPARED BY STIFFE HOOKER LIMITED FOR MORE DETAILS

CLIENT:

NATIONAL TRADING COMPANY OF NEW ZEALAND LTD

WOODS
Engineers, Surveyors, Planners.

PO BOX 6702, WESLEY ST, AUCKLAND 1141
BLDG 3, LEVEL 4, 666 GREAT SOUTH ROAD, PENROSE
PHONE +64 9 571 3470 FAX +64 9 571 3480 WWW.WOODS.CO.NZ

KAITAIA PROJECT

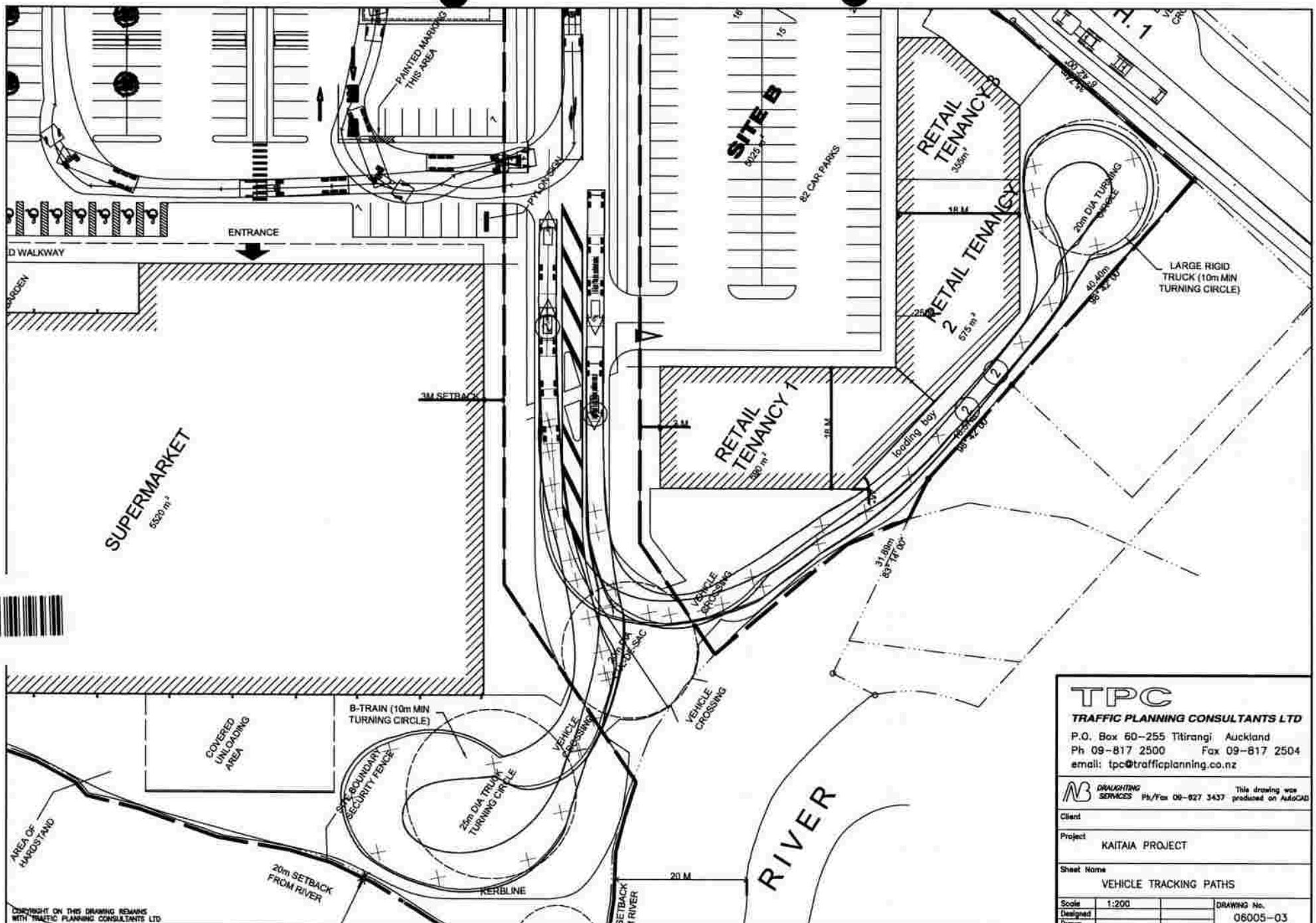
- VARIATION TO SUBDIVISION CONSENT -
FILE NUMBER RC 2070598

PROPOSED SUBDIVISION
LOT 1 TO 4 & 100 BEING A SUBDIVISION OF
LOT 1 DP 202949

FAR NORTH DISTRICT COUNCIL

DESIGNED:	WC	ISSUED FOR CONSENT	
CHECKED:		DRAWN:	WC
APPROVED:		SURVEYED:	N/A
JOB NUMBER:	60246	SCALE:	1:1000 @ A3
ISSUED:	9 OCT 09		
DWG. NO.	SU80		REV.

J:\60246 Kaitaia\Project Data\Acad Drawings\Scheme Plans\SU80-SCHEME-2009.dwg, 9/10/2009 4:10:14 p.m.



RCPPL

TPC
TRAFFIC PLANNING CONSULTANTS LTD
P.O. Box 60-255 Titirangi Auckland
Ph 09-817 2500 Fax 09-817 2504
email: tpc@trafficplanning.co.nz

DRAUGHTING SERVICES Ph/Fax 09-827 3437 This drawing was produced on AutoCAD

Client

Project: KAITAIA PROJECT

Sheet Name: VEHICLE TRACKING PATHS

Scale	1:200		DRAWING No.
Designed			06005-03
Drawn			



PARKING

SITE A

SITE AREA	~ 20477 m²
SUPERMARKET FOOTPRINT	~ 5120 m²
MEZZANINE FLOOR	~ 400 m²
SUPERMARKET AREA	~ 5520 m²
PARKS REQUIRED @ 1:25	~ 221
PARKS PROVIDED	~ 262
CAR PARK RATIO	~ 1:19

SITE B

TOTAL SITE AREA	~ 5813 m²
TOTAL RETAIL UNIT AREA	~ 1520 m²
TOTAL PARKS REQUIRED @ 1:25	~ 61
TOTAL PARKS PROVIDED	~ 82
CAR PARK RATIO	~ 1:19

STIFFE HOOKER LIMITED
ARCHITECTS ENGINEERS

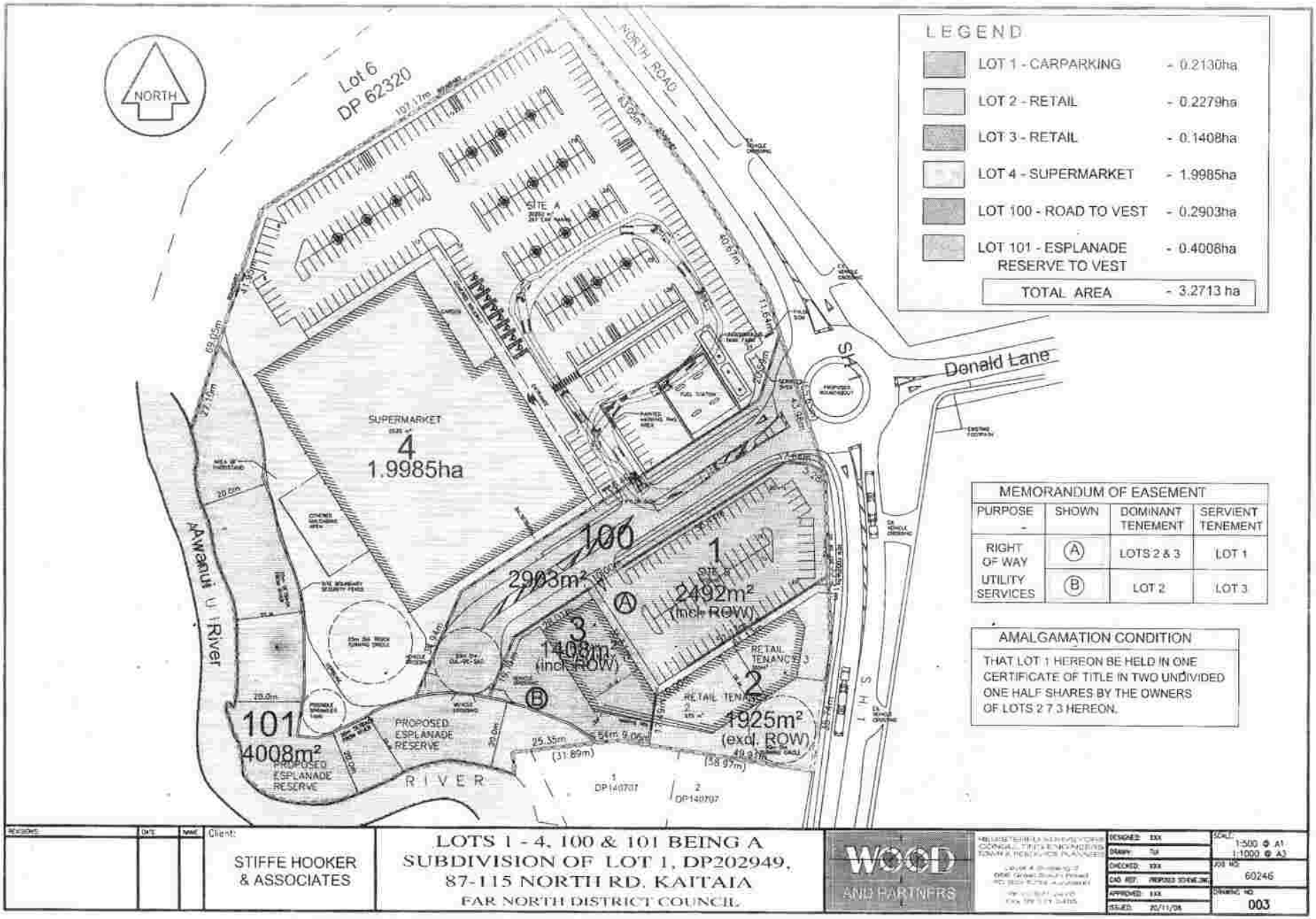
PROJECT

KAITAIA PROJECT

DRAWING

PROPOSED SITE PLAN (COLOUR)

CAD FILE
JOB NO 08321
SCALE AT A1 1:200
SCALE AT A3 1:400
SHEET SK10
REV H



REVISIONS	DATE	MAP

Client: STIFFE HOOKER & ASSOCIATES

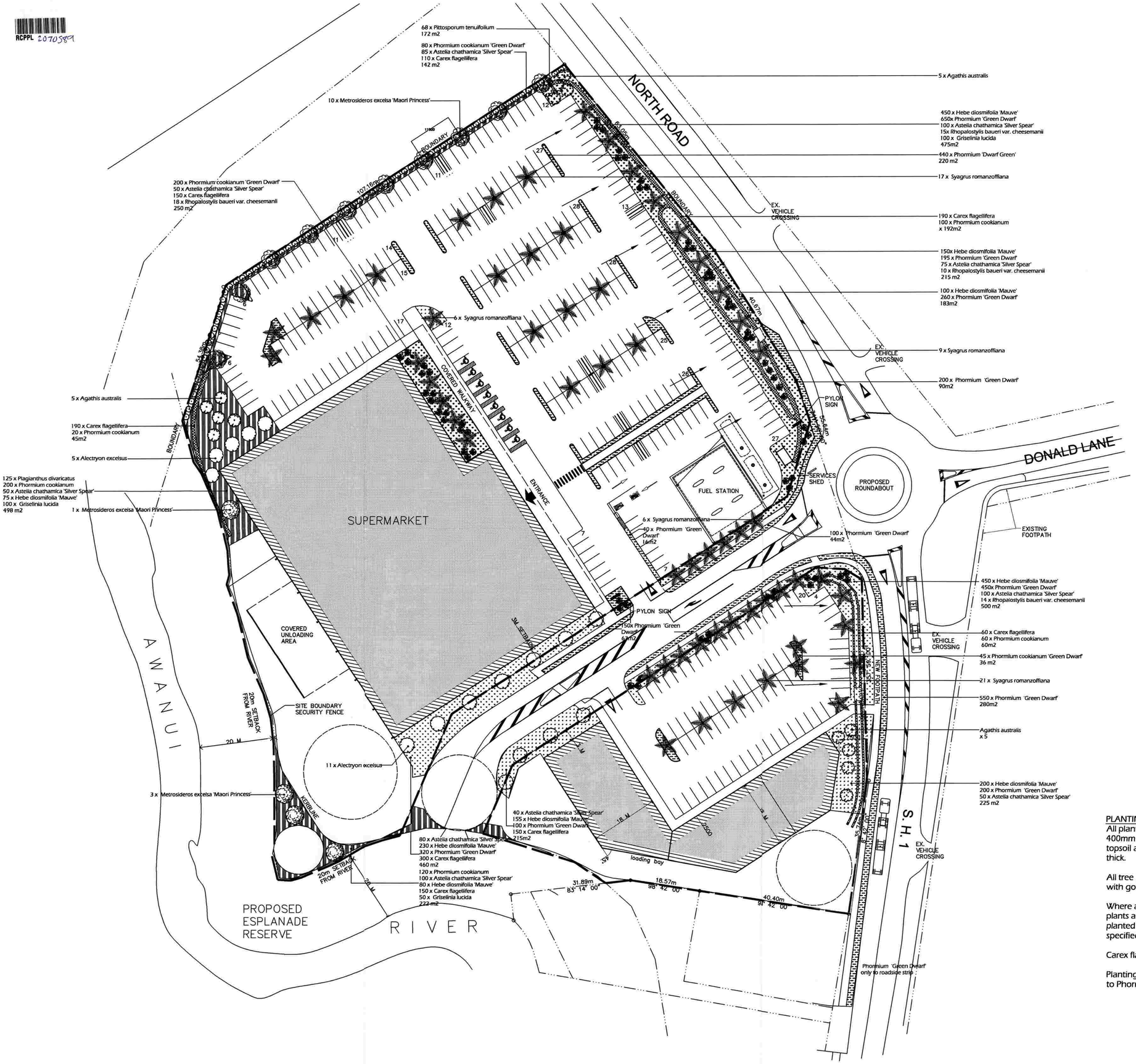
LOTS 1 - 4, 100 & 101 BEING A SUBDIVISION OF LOT 1, DP202949, 87-115 NORTH RD, KAITAIA
FAR NORTH DISTRICT COUNCIL

WOOD AND PARTNERS

DESIGNED:	XXX
DRAWN:	TM
CHECKED:	XXX
CAD REF:	PROP203 3D4DWG.DWG
APPROVED:	XXX
ISSUED:	20/11/08

SCALE: 1:500 @ A1, 1:1000 @ A3
JOB NO: 60246
DRAWING NO: 003

RCPPL 2070589



KEY

	Metrosideros excelsa 'Maori Princess' x 14	150Ltr
	Alextryon excelsus x 16	150 Ltr
	Syagrus romanzoffiana x 59	150Ltr
	Agathis australis x 15	150Ltr
	Phormium cookianum x 500	PB 5
	Phormium 'Green Dwarf' x 3980	PB 5
	Carex flagellifera x 1300	PB 5
	Hebe diosmifolia 'Mauve' x 1890	PB 5
	Pittosporum tenuifolium 'Mountain Green' x 68	PB 18
	Rhopalostylis baueri var. cheesemanii x 57	45 Ltr
	Astelia chathamica 'Silver Spear' x 730	PB 18
	Griselinia lucida x 250	PB 18
	Plagianthus divaricatus x 125	PB 18

TOTAL PLANTING AREA = 4603 m2

PLANTING

All planting areas to be excavated to min 400mm deep with 300mm good quality topsoil and Grade 4 Bark Mulch to 100mm thick.

All tree pits to be min1000mm deep and filled with good quality topsoil.

Where an area of mixed planting is specified plants are to be distributed evenly - not planted in groups with same plant unless specified on plan

Carex flagellifera to sides of swale only .

Planting to road side of kerbs to be restricted to Phormium cookianum 'Greensleeves' only.

client:

FOODSTUFFS

Silver Fern LANDSCAPES LIMITED

PATRICK CORFE
LANDSCAPE ARCHITECTS

level 1
6A ponsonby road
po box 47571, ponsonby,
auckland, new zealand

t: 64 9 360 6063
f: 64 9 360 6073
www.corfe.co.nz

project:

KAITAIA PROJECT

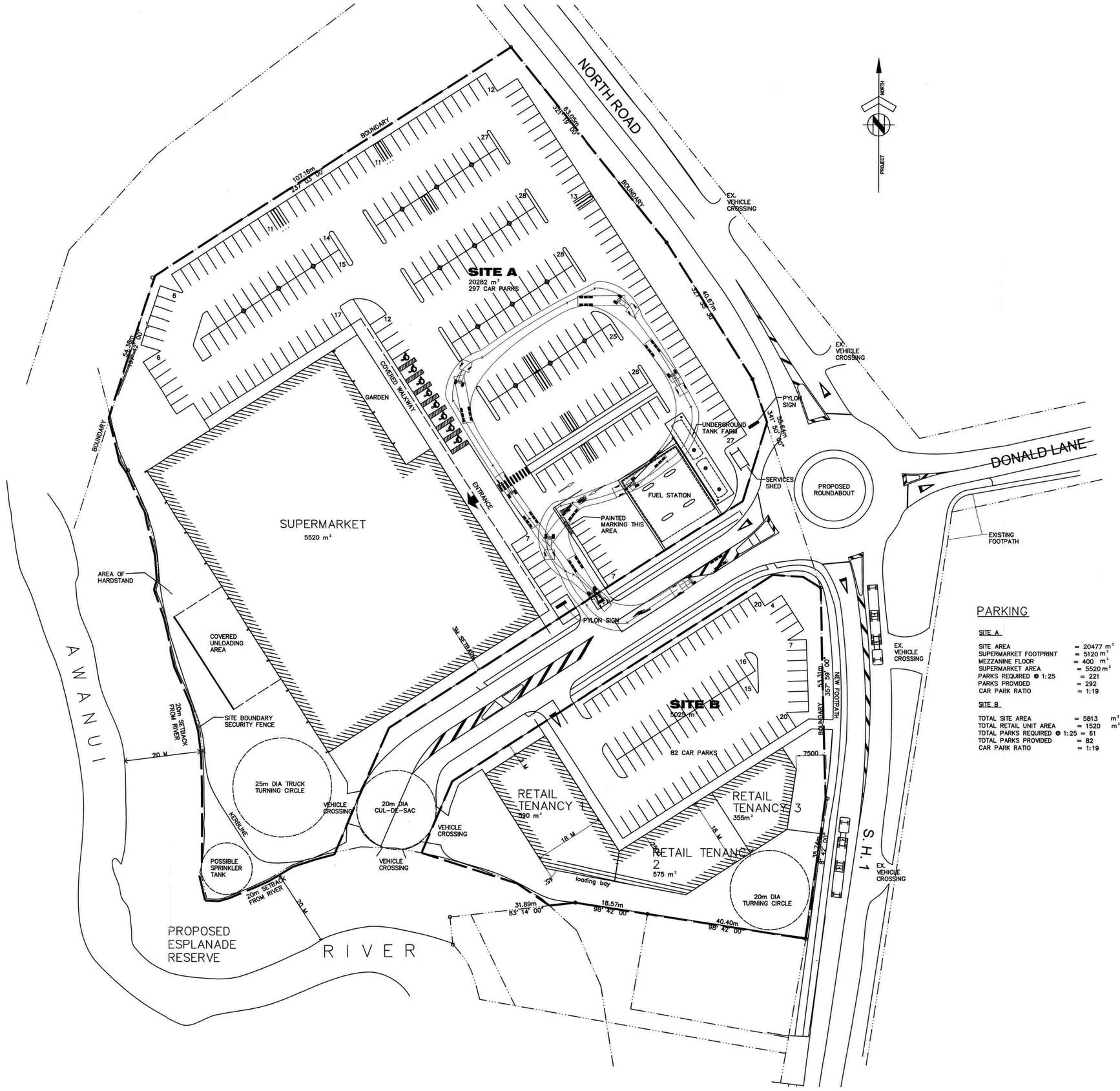
drawn:	checked:	date:	scale:
KJ	PC	10.08.06	1:500 A1 1:1000 A3

drawing title:

LANDSCAPE CONCEPT

project no:	dwg. no:	revision:
K	01	D

no dimensions are to be scaled from this drawing any discrepancies found on this drawing or any other related document to be reported to the architect prior to construction If in doubt ask architect. All revisions to be clouded and noted on the drawing ensure the drawing is the most recent revision this drawing to be read in conjunction with specifications this drawing copyright of Patrick Corfe Landscape Architects



PARKING

SITE A

SITE AREA	= 20477 m²
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PARKS PROVIDED	= 292
CAR PARK RATIO	= 1:19

SITE B

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TOTAL PARKS PROVIDED	= 82
CAR PARK RATIO	= 1:19

REV	DATE	REVISION
H	13.12.06	ISSUED FOR RESOURCE CONSENT

STIFFE HOOKER LIMITED
ARCHITECTS ENGINEERS

■ AUCKLAND PH. 09 358 2420 FAX. 09 358 2438
□ ROTORUA PH. 07 348 0698 FAX. 07 348 0698
□ WHANGAREI PH. 09 438 9759 FAX. 09 438 5650

PROJECT

KAITAIA PROJECT

DRAWING

PROPOSED SITE PLAN (COLOUR)

CAD FILE F:\JOBS\CAD\ARCHITECTURAL\SKETCH\08321-KAITAIA

JOB NO 08321

SCALE AT A1 1:200

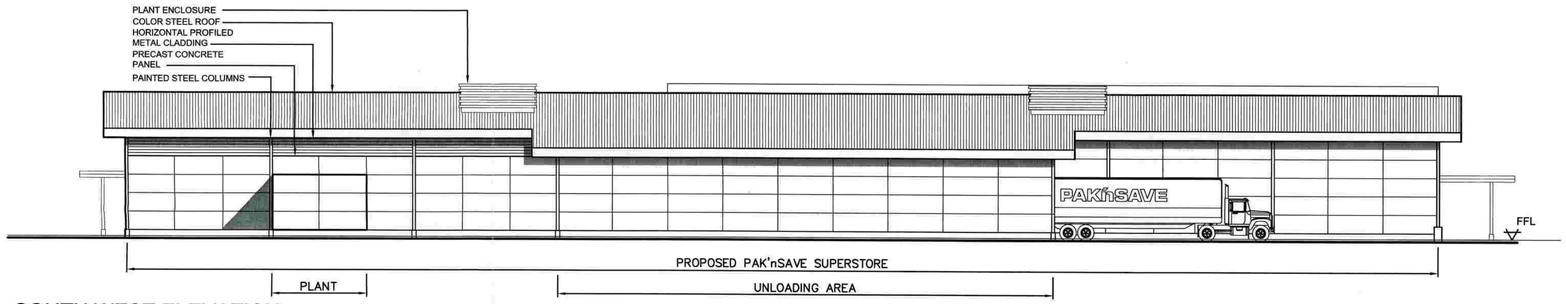
SCALE AT A3 1:400

SHEET SK10 REV H

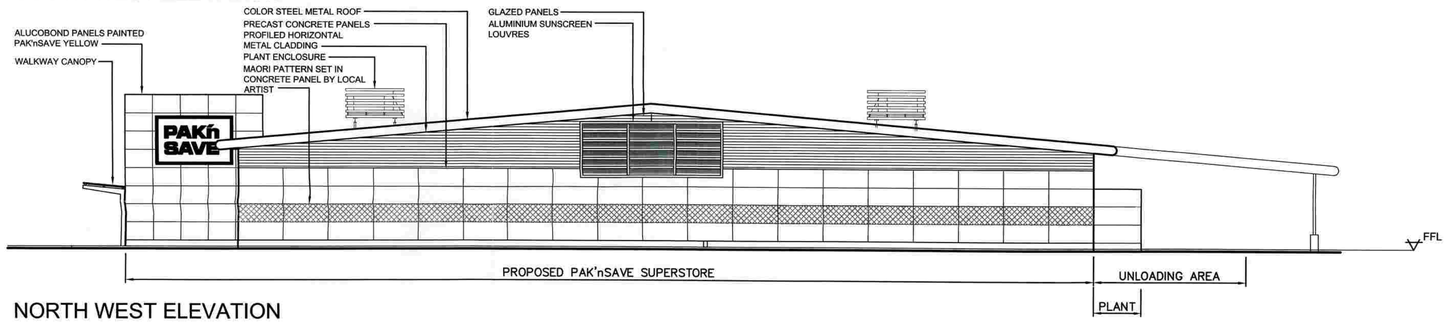
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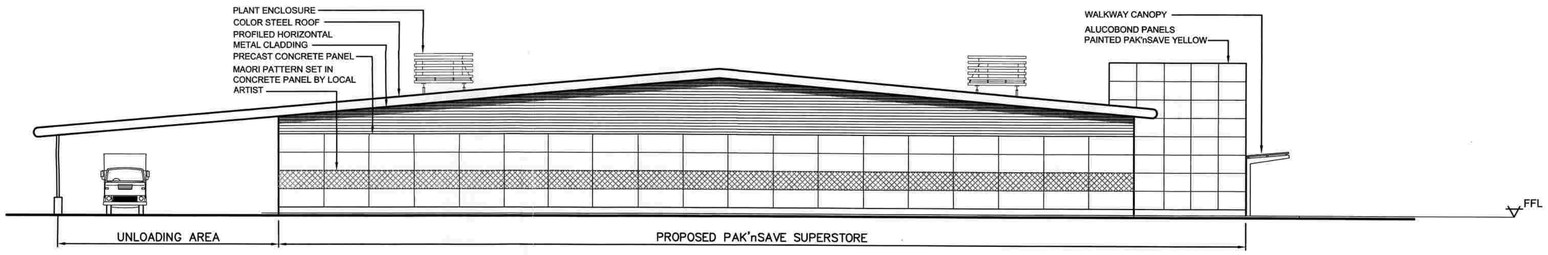
NORTH EAST ELEVATION



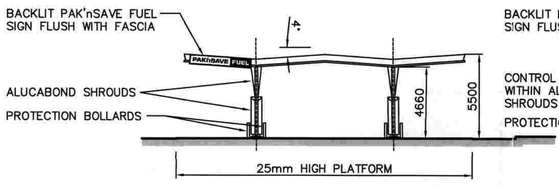
SOUTH WEST ELEVATION



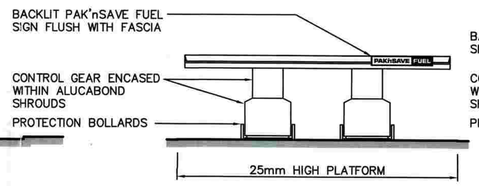
NORTH WEST ELEVATION



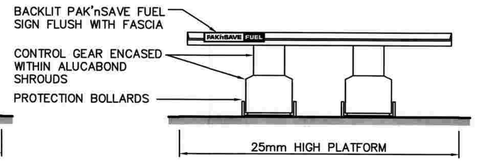
SOUTH EAST ELEVATION



SOUTH WEST ELEVATION

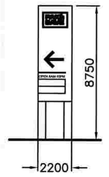


SOUTH EAST ELEVATION

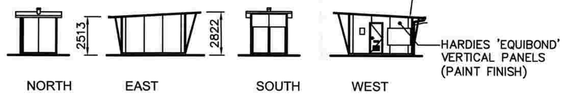


NORTH WEST ELEVATION

PETROL FILLING STATION ELEVATIONS



PYLON SIGN ELEVATION



SERVICE SHED ELEVATIONS

PROPOSED PAKnSAVE KAITAIA

REV	DATE	REVISION
D	23.11.05	SERVICE SHED & PYLON SIGN ELEVATIONS ADDED
C	30.10.05	BUILDING WIDTH AMENDED
B	24.10.05	REVISED TO SUIT LATEST SITE LAYOUT
A	02.10.05	UNLOADING AREA & NW ELEVATION AMENDED

STIFFE HOOKER LIMITED
ARCHITECTS ENGINEERS

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PROJECT

KAITAIA PROJECT

DRAWING

PROPOSED ELEVATIONS

CAD FILE F:\Jobs\CAD\Arch\Sketch\08321\sk03

JOB NO 08321

SCALE AT A1 1:200

SCALE AT A3 1:400

SHEET sk05 REV D

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