



Our Reference: 8183.2 (FNDC)

15 October 2025

Resource Consents Department
Far North District Council
JB Centre
KERIKERI

Dear Sir/Madam

RE: Proposed Re-Approval of Stage 2 of RC 2170033 – to create one additional lot at Taupo Bay Road – G Lodge

I am pleased to submit application on behalf of Geoff Lodge, for a proposed re-approval of stage 2 of a previously granted subdivision of land at Taupo Bay Road, zoned Rural Production. Stage 1 of that previous subdivision has been fully given effect to, with titles deposited. Stage 2 was to create the one final additional lot and was deferred pending resolution of access arrangements. The consent lapsed, and this application seeks to re-approve Stage 2.

The application fee of \$3,044 has been paid separately via direct credit.

Regards

Lynley Newport
Senior Planner
THOMSON SURVEY LTD

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement? ☐ Yes ☒ No

2. Type of Consent being applied for

(more than one circle can be ticked):

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

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

3. Would you like to opt out of the Fast Track Process?

☒ Yes ☐ No

4. Consultation

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

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant Details

Name/s:

Geoff Lodge

Email:

Phone number:

Postal address:

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

6. Address for Correspondence

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

Name/s:

Lynley Newport

Email:

Phone number:

Postal address:

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

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

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

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

Name/s:

as per item 5 above

**Property Address/
Location:**

Postcode

8. Application Site Details

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

Name/s:	as per item 5		
Site Address/ Location:	Taupo Bay Road (vacant site, no RAPID address) Postcode		
Legal Description:	Lot 9 DP 457532	Val Number:	
Certificate of title:	593337		

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

Site visit requirements:

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

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

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

Please contact agent prior to any site visit.

9. Description of the Proposal:

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

Re-approval of stage 2 of a previously issued subdivision consent that has lapsed. The proposal creates one additional lot from land zoned Rural Production.

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

10. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

☐ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard consent

☐ Other (please specify)

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

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

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

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

☒ Subdividing land

☐ Disturbing, removing or sampling soil

☐ Changing the use of a piece of land

☐ Removing or replacing a fuel storage system

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☒ Yes

13. 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

14. 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) Geoff Lodge

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)

Signature:

(signature of bill payer)

Date

15/10/25

MANDATORY

15. Important Information:

Note to applicant

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

You may apply for 2 or more resource consents that are needed for the same activity on the same form. You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

Privacy Information:

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

15. Important information continued...

Declaration

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

Name: (please write in full)

G. R. Lodge.

Signature:

[Redacted Signature]

Date 15/10/15

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

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

Geoff Lodge

**PROPOSED RE-APPROVAL OF STAGE 2
OF A SUBDIVISION PREVIOUSLY GRANTED**

Taupo Bay Road

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

**Thomson Survey Ltd
Kerikeri**

1.0 THE PROPOSAL

The applicant obtained consent to subdivide land then described as Pt Lot 1 DP 204899, Pt Lot 2 DP 190747 & Sections 1 & 2 SO 68018, in two stages, to create a total of 10 lots – 8 x 2ha lots plus two large balance holdings. The Stage 1 subdivision has been given effect to, creating what are now legally described as Lots 1-9 DP 457532, all with their own titles. The stage 2 Lot 10 was not carried through and the underlying consent has now lapsed. This application is basically a re-approval to create that Stage 2 Lot 10.

The main reason for not pursuing it earlier was resolving access arrangements. Physical formation of access, as originally proposed was not feasible and the alternative of obtaining easement over Pt Section 4 Blk II Whangaroa SD was pursued. This easement is over existing formed access, with an existing crossing to Taupo Bay Road and is by far the more practical means of obtaining access to Lot 10. It has taken a considerable time to obtain the easement. This has now been achieved.

A copy of the proposed scheme plan is attached in Appendix 1 and the easement instrument 13346695.1 is attached in Appendix 2.

A copy of the original consent RC 2170033, is attached in Appendix 5. This shows that RC 2170033 was itself a 're-approval' of two separately issued prior consents – RC 2010169 and RC 2120169, the latter involving the same land subject to this application.

The originally issued RC 2120169 (and then re-approved pursuant to RC 2170033) was not able to be processed as a restricted discretionary activity even though it was applied for as such. This was because the title was dated September 2000, because, and only because, the title was re-issued at the time to create a lot for the purposes of the Taupo Bay community fire station. This was for community benefit and could be regarded as a 'utility lot' given its sole purpose is to garage/accommodate the fire appliance. What's more the process for creating the fire appliance lot (referred to as a utility lot in the application)

started well before April 2000. It was originally held by the applicant that the circumstances were such that the Council should regard the underlying title as NA121C/738, created in February 1999 and therefore the application was a restricted discretionary.

Lot 10 is proposed to be just over 2ha in area and I believe it should be regarded as the fifth and final lot able to be created utilising land in the original underlying title – NA121C/738. The creation of the fire station lot should not be counted, as this is a utility lot for which no minimum lot size applies (in this case being 1,289m² in area). In addition, there is a consent notice registered on the fire station lot (Lot 1 DP 200100 stating that the site shall be used solely for the purposes of a fire station – refer to Appendix 4A.

In summary I consider the application able to be regarded as a restricted discretionary subdivision. Should the Council disagree with this approach and regard the application as technically non complying, then at least it should be assessed on the basis of being a restricted discretionary activity (in terms of level of assessment), given the circumstances.

As a part of this re-approval, a change to the existing Consent Notice applying to the title is being sought pursuant to s221(3) of the Act, to be in line with the Council's standard wording for the keeping of dogs and cats on lots within a kiwi present area. This is discussed in more detail later in this report.

1.2 Scope of this Report

This assessment and report accompanies the Resource Consent Application made by the applicant, and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks consent for a subdivision creating one additional lot on land zoned Rural Production. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. Applicant details are contained within the Application Form 9.

2.0 PROPERTY DETAILS

Location:	Taupo Bay Road - location map in Appendix 3
Legal descriptions & RT's:	Lot 9 DP 457532.
Records of Title:	593337, copy attached in Appendix 4.

3.0 SITE DESCRIPTION

3.1 Site Characteristics

The site is situated on the north side of Taupo Bay Road, access via an existing metal surface right of way that also provides access to the Taupo Bay community fire station. The site is mostly in grass. It slopes down and away from the right of way towards Taupo Bay Road, from which is separated by previously created lots.

An open drain bisects the lot. The underlying geology is mapped as *micaceous sandstone*. The soils across the lot 10 area are mapped as *Rangiora clay, clay loam and silty clay loam*, described as imperfectly to very poorly drained. The site exhibits LUC Class 4 and 6 soils.

The site is undeveloped, with no buildings.

The Operative District Plan (ODP) zones the site Rural Production with no resource features. The same zoning is proposed under the Proposed District Plan (PDP).

The site is mapped in the PDP as being within a Statutory Acknowledgment Area and a Treaty Settlement Area of Interest. Both these map layers are referred to as “non district plan layers” and as such have no rules or regulations relating to them. Statutory Acknowledgement Areas are commonly understood to mean an acknowledgement by the crown that recognises the mana of a tangata whenua group in relation to specified areas, but which are only given over Crown-owned land – which the application site is not.

The area within proposed Lot 10 does not contain any recorded archaeological sites, there are two NZAA recorded site within the larger balance area – P04/28 and P04/29.

The site contains no areas of Protected Natural Area (significant indigenous vegetation or habitat). It is within a “kiwi present” area.

The site is not mapped as containing any HALL land or Selected Land Use Sites (Far North Maps and NRC online maps).

3.2 Legal Interests on Titles

The title is subject to a right to convey water and power over part marked H on DP 457532. The property is subject to a Council imposed Consent Notice 11487862.2. This was imposed in the subdivision resulting in DP 457532, with the application site being one of the large balance lots. All seven clauses in the Consent Notice apply to the application site and will automatically carry down onto every new title created, unless application is made to cancel or vary the consent notice.

Clause (i) relates to the requirement to obtain building consent and install a wastewater treatment and effluent disposal system as detailed in a report prepared by Haigh Workman in 2011. Whilst there might be an issue with the age of this report, the consent notice clause provides for an alternative report and design to be submitted for Council approval. A copy of the Haigh Workman report can be found in the Property File records for both RC 2120169 and 2170033.

Clause (ii) advises lot owners that electricity supply was not a requirement of the subdivision and remains the responsibility of the lot owner, including for the operation of any on-site wastewater treatment or other device requiring electrical power to operate. This remains the case.

Clause (iii) advises of the Council's requirement for potable and fire fighting water supply and will carry down.

Clause (iv) requires the colour scheme for proposed buildings to be submitted at time of building consent, for Council's approval. Reflectance value is not to exceed 30%. This requirement will carry down onto all lots, albeit it seems odd to insist on this requirement where the lots are not zoned coastal and are not within an outstanding landscape.

Clause (v) requires a planting plan prepared by a suitably qualified and experienced landscape architect that identifies the means of mitigation of visual effects of built development located on or adjoining any ridgeline when viewed from Taupo Bay Road and earthworks associated with building works. This will carry over but is unlikely to be relevant for any proposed lot given they are all substantially below and away from the southern and eastern ridgelines.

Clause (vi) advises of the property being in a kiwi present zone and restricts the keeping of dogs to working dogs only, used specifically for stock management. It bans the keeping of cats and mustelids. When processing another subdivision in the same vicinity, the Council advised that the normal consent notice now imposed by the Council in regard to kiwi present areas, was not to impose a ban, but rather to require any dogs or cats kept on the lot be kept inside at night. This application therefore includes an application to delete clause (vi) of 11487862.2 as it affects Lot 9 DP 457532. A new Consent Notice clause is proposed to replace clause (vi).

Clause (vii) relates to an existing bush covenant area but this is located on another lot created in the original subdivision and not relevant to the application site.

3.3 Consent History

The resource consent history of the property includes the following:

RC 2120169-RMASUB, issued in January 2012, and RC 2170033-RMASUB, issued in 2016.

Only RC 2170033-RMASUB, issued in November 2016, was pursued. This created 10 lots in two stages whereby Lot 9 of RC 2170033 was to be further subdivided in a Stage 2 to create Lots 9 & 10, the latter being the last of the 2ha lots able to be created. This stage 2 lapsed, hence this current application. A copy of RC 2170033 is attached in Appendix 5.

4.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION

Clauses 2 & 3: Information required in all applications

<i>(1) An application for a resource consent for an activity must include the following:</i>	
<i>(a) a description of the activity:</i>	Refer Sections 1 and 5 of this Planning Report.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Section 6 of this Planning Report.
<i>(b) a description of the site at which the</i>	Refer to Section 3 of this Planning Report.

<i>activity is to occur:</i>	
<i>(c) the full name and address of each owner or occupier of the site:</i>	This information is contained in the Form 9 attached to the application.
<i>(d) a description of any other activities that are part of the proposal to which the application relates:</i>	The application is for subdivision pursuant to the FNDC's ODP.
<i>(e) a description of any other resource consents required for the proposal to which the application relates:</i>	No other consent under the ODP is required.
<i>(f) an assessment of the activity against the matters set out in Part 2:</i>	Refer to Section 7 of this Planning Report.
<i>(g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b), including matters in Clause (2):</i> <i>(a) any relevant objectives, policies, or rules in a document; and</i> <i>(b) any relevant requirements, conditions, or permissions in any rules in a document; and</i> <i>(c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).</i>	Refer to Sections 5 and 7 of this Planning Report.
<i>(3) An application must also include any of the following that apply:</i>	
<i>(a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)):</i> <i>(b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):</i> <i>(c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of</i>	Refer to section 5. There is no existing resource consent. Not applicable. The site is not within an area subject to a customary marine title group. Not applicable.

<i>the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).</i>	
<i>(4) An application for a subdivision consent must also include information that adequately defines the following:</i>	
<i>(a) the position of all new boundaries: (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan: (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips: (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips: (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A: (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A): (g) the locations and areas of land to be set aside as new roads.</i>	Refer to Scheme Plans in Appendix 1.

Clause 6: Information required in assessment of environmental effects

<i>(1) An assessment of the activity's effects on the environment must include the following information:</i>	
<i>(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:</i>	Refer to Section 6 of this planning report. The activity will not result in any significant adverse effect on the environment.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Section 6 of this planning report.
<i>(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:</i>	Not applicable as the application does not involve hazardous installations.
<i>(d) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and</i>	The subdivision does not involve any discharge of contaminant.

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

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

<i>(1) An assessment of the activity's effects on the environment must address the following matters:</i>	
<i>(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:</i>	Refer to Sections 6 and 8 of this planning report and also to the assessment of objectives and policies in Section 7.
<i>(b) any physical effect on the locality, including any landscape and visual effects:</i>	Refer to Section 6.
<i>(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:</i>	Refer to Section 6.
<i>(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:</i>	Refer to Section 6. The site has no aesthetic, recreational or scientific values that I am aware of, that will be adversely affected by the act of subdividing. The site has been subject to an archaeological survey and assessment at time of the originally consented subdivision. There are no mapped archaeological site with the area proposed to be in Lot 10.

<i>(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:</i>	The subdivision will not result in the discharge of contaminants, nor any unreasonable emission of noise.
<i>(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</i>	The subdivision site is not subject to hazard. The proposal does not involve hazardous installations.

5.0 ACTIVITY STATUS

5.1 Operative District Plan

The site is zoned Rural Production, with no resource overlays.

Table 13.7.2.1: Minimum Lot Sizes

(i) RURAL PRODUCTION ZONE

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
The minimum lot size is 20ha.	2. The minimum lot size is 12ha; or 3. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 4,000m² and there is at least 1 lot in the subdivision with a minimum lot size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000; or 4. A maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of the lots is 2ha, and where the subdivision is created from a site that existed at or prior to 28 April 2000; 5. Rules under clauses 3 and 4 provide two alternative options for the creation of a specified number of small lots from sites existing at 28 April 2000. Where an application under one of these clauses takes up only part of the total allowance, a subsequent application to take up the remainder of that particular allowance may be considered by Council, notwithstanding that the subsequent application involves a lot which no longer meets the	1. The minimum lot size is 4ha; or 2. A maximum of 3 lots in any subdivision, provided ...

	existing at 28 April 2000 criterion.	
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Refer to section 1 where the consent history is outlined along with the reasons why I believe the application can be regarded as a **restricted discretionary** activity. In summary, the original title, prior to 1,200m² being taken off to accommodate the Taupo Bay fire station and vehicle, and which is effectively a Utility Lot, was dated prior to April 2000. I do not believe the fact that a new title had to be issued for the residual land after the fire station utility lot was taken out, should impact on the category of activity. That being the case, we are now creating the fifth and final lot provided for by the 5 lots of 2ha lot option above.

Should the Council not accept this argument, then the application is non complying. However, I believe the level of assessment given the application, noting the circumstances and the fact that the lot has previously been consented, should be commensurate with that for a restricted discretionary activity.

Other Rules:

In terms of zone rules (Rural Production) there is no built development so there are no relevant zone rules to consider.

In terms of District Wide rules, I have not identified any breaches resulting from the subdivision, nor for which any consent is required in advance of any development.

12.1 Landscape and Natural Features

No features present on the site.

12.2 Indigenous Flora and Fauna

No indigenous vegetation present on the site.

12.3 Soils and Minerals

Minimal earthworks required as subdivision works – only a crossing into the site off the appurtenant right of way and potentially some minor works on the existing intersection of the right of way with Taupo Bay Road.

12.4 Natural Hazards

No hazards affecting Lot 10, or balance lot.

12.5 Heritage

There are no heritage / cultural features that are mapped or scheduled in the ODP, within the application site. As such rules in Chapter 12.5 do not apply.

12.7 Lakes, Rivers, Wetlands and the Coastline

There are no lakes in excess of 8ha, nor rivers with an average width of 3m or more. The site does not adjoin the coastal marine area. In terms of setback from smaller rivers, there are none within the proposed Lot 10.

The remainder of Chapter 12 is not relevant to the application.

Chapter 15.1 Traffic, Parking and Access

The traffic intensity rules apply to land uses proposed or existing on a “site”. The rules are not applicable to a subdivision, albeit the likely increase in traffic movements and their impact on Council roading network is a relevant consideration in assessing the effects of a subdivision.

The parking requirements are also based on a “site” and a proposed or existing land use activity. It is not applicable to a subdivision where future land uses have not been determined. Notwithstanding this, the proposed 2ha lot has abundant space for the required carparking that might be associated with a future residential use, and access is readily achievable.

Relevant rules in 15.1.6C (Access) are assessed briefly below:

15.1.6C.1.1(a) requires private accessway to be undertaken in accordance with Appendix 3B-1. The newly registered appurtenant right of way is formed to the appropriate standard. It is greater than 3m metal carriageway. The crossing off Taupo Bay road has good sight distance to the east (towards Taupo Bay), and slightly less to the west, but still reasonable. There is a very large pull off area between seal edge and the beginning of the appurtenant right of way carriageway.

The appurtenant right is over land administered by the Commissioner of Crown Lands. It appears to also provide access to a large rural holding in the name of Tahi Estate Trustees Limited. I consider the short portion of the right of way required by Lots 9 and 10, to be of an appropriate standard.

In summary I have not identified any rule breaches for which land use consent is required. The subdivision remains a restricted discretionary application.

5.2 Proposed District Plan (PDP)

The original consent was granted before the FNDC publicly notified its PDP on 27th July 2022. Whilst the majority of rules in the PDP will not have legal effect until such time as the FNDC publicly notifies its decisions on submissions, there are certain rules that have been identified in the PDP as having immediate legal effect and that may therefore need to be addressed in this application and may affect the category of activity under the Act. These include:

Rules HS-R2, R5, R6 and R9 in regard to hazardous substances on scheduled sites or areas of significance to Maori, significant natural areas or a scheduled heritage resource.

There are no scheduled sites or areas of significance to Maori, significant natural areas or any scheduled heritage resource on the site, therefore these rules are not relevant to the proposal.

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

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

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

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

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

No indigenous vegetation clearance is proposed.

Subdivision (specific parts) – only subdivision provisions relating to land containing Significant Natural Area or Heritage Resources have immediate legal effect. The site contains no scheduled or mapped Significant Natural Areas or Heritage Resources.

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

Earthworks – Only some rules and standards have legal effect. These are Rules EW-R12 and R13 and related standards EW-S3 and ES-S5 respectively. EW-R12 and associated EW-S3 relate to the requirement to abide by Accidental Discovery Protocol if carrying out earthworks and artefacts are discovered. EW-R13 and associated EW-S5 refer to operating under appropriate Erosion and Sediment Control measures.

Compliance with both these aspects can be ensured by either Advice Notes (given that the ADP is required to be complied with by way of other legislation in any event) or conditions of consent.

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

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

There are no zone rules in the PDP with immediate legal effect that affect the proposal's activity status.

6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The assessment of environmental effects below includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment, as required by Clause 2(3)(c) of Schedule 4 of the Act.

A restricted discretionary activity is described in s87A of the Act, clause (3).

If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a restricted discretionary activity, a resource consent is required for the activity and—

(a) **the consent authority's power to decline a consent, or to grant a consent and to impose conditions on the consent, is restricted to the matters over which discretion is restricted** (whether in its plan or proposed plan, a national environmental standard, or otherwise); and

(b) if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.

It is also subject to s104C of the Act:

(1) When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider **only** those matters over which—

(a) A discretion is restricted in national environmental standards or other regulations;

(b) It has restricted the exercise of its discretion in its plan or proposed plan;

(3) if it grants the application, the consent authority may impose conditions under section 108 **only** for those matters over which –

(a) A discretion is restricted in national environmental standards or other regulations;

(b) It has restricted the exercise of its discretion in its plan or proposed plan.

The subdivision, I believe, meets the restricted discretionary number/size of lots specified in Table 13.7.2.1. Far North District Plan lays out in 13.8.1, the matters to which it restricts its discretion in determining whether to grant consent to a restricted discretionary activity, and then lays out the matters to which it will restrict its discretion when considering whether to impose conditions.

13.8.1 SUBDIVISION WITHIN THE RURAL PRODUCTION ZONE

..... In considering **whether or not to grant consent** on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to the following matters:

(i) for applications under 13.8.1(a):

- effects on the natural character of the coastal environment for proposed lots which are in the coastal environment.

(ii) for applications under 13.8.1(b) or (c):

- effects on the natural character of the coastal environment for proposed lots which are in the coastal environment;
- effects of the subdivision under (b) and (c) above within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land;
- effects on areas of significant indigenous flora and significant habitats of indigenous fauna;
- the mitigation of fire hazards for health and safety of residents.

In considering **whether or not to impose conditions** on applications for restricted discretionary subdivision activities the Council will restrict the exercise of its discretion to the following matters:

(1) the matters listed in 13.7.3;

(2) the matters listed in (i) and (ii) above

In the case of this application, the application is lodged pursuant to 13.8.1(c), and therefore clause (ii) applies:

- *effects on the natural character of the coastal environment for proposed lots which are in the coastal environment;*

The property is not within the coastal environment.

- *effects of the subdivision under (b) and (c) above within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land;*

There is no land administered by the Department of Conservation within 500m.

- *effects on areas of significant indigenous flora and significant habitats of indigenous fauna;*

There are no areas of significant indigenous flora or significant habitats of indigenous fauna.

- *the mitigation of fire hazards for health and safety of residents. In summary, there are no grounds for the Council to refuse consent.*

There are no fire hazards.

In determining conditions of consent, the following AEE is offered. In the event that the Council considers this a non complying activity, the AEE has been written in such a way so as to be sufficient to consider such a category of activity.

6.1 Allotment Sizes and Dimensions

Both lots can easily accommodate 30m x 30m square building envelopes.

6.2 Property Access

Now that appurtenant easement has been secured over the adjacent access 'road' legal access has been secured. This existing formed access road is of good quality, with abundant metal surface width. Its intersection with Taupo Bay Road is well established with large pull off area and good sight line visibility. Entrance ways into the lots, off the appurtenant easement, can be formed to Council standard for rural residential crossings, or in the case of the large Lot 9, farm crossing standard (if not already).

6.3 Earthworks

Minimal earthworks may be required for crossings. Any such earthworks can be subject to the ADP and Erosion and Sediment Control measures.

6.4 Natural and Other Hazards

There is a watercourse tracking through the very bottom south west corner of proposed Lot 10, mapped as being subject to flood hazard. This is where the drain that bisects the property (north/south) intersects with an existing watercourse. This area can be readily avoided when developing Lot 10, with more than one building envelope available north of the watercourse and /or on either side and clear of the north-south flowing drain.

The same flood hazard notation has been applied to the tributaries that feed into the above referenced watercourse, within the large balance Lot 9 (which is in excess of 42ha area). There are abundant future building envelopes within Lot 9 well clear of any area subject to flooding.

A future building within Lot 10 will need to consider the existing open drain that bisects the site, and maintain a buffer from that, for both built development and on-site wastewater. Refer to sections below.

The original Site Suitability Report submitted to the Council identified no ground stability concerns and this was accepted by Council's engineers.

6.5 Water Supply

The site is subject to an existing consent notice requiring suitable potable and fire fighting water supply to be provided at building consent stage. This consent notice will carry down onto each new lot.

6.6 Stormwater Disposal

The proposed house site within Lot 10 avoids the overland flowpaths and surface water drains that exist within the lot. The Council may choose to impose its standard consent notice on Lot 10 (noting no such consent notice was imposed on the original subdivision) requiring stormwater management design be provided at building consent stage to show appropriate management and attenuation (if considered necessary) prior to stormwater leaving the site.

6.7 Sanitary Sewage Disposal

The 2011 Subdivision Site Suitability Report by Haigh Workman included a Site and Soil Evaluation for the subdivision. This was section 3 of the overall report and is attached to this application as Appendix 6. The report considered that secondary treatment and trickle irrigation was clearly sustainable on all lots given the high level of treatment and the opportunity to use treated effluent for irrigation of gardens, lawns or similar landscaped areas. It also noted that for all sites, traditional primary septic tank treatment and soakage trenches may also be feasible due to soil type and continuous ground slope available. Final design would, of course, be dependent on final house design, so best left until building consent stage.

There is already a consent notice in place referring to the Haigh Workman Report, but also enabling an alternative report and design to be provided at building consent stage, for Council approval.

6.8 Energy Supply & Telecommunications

Power and phone is not a requirement for rural subdivision. There is an existing consent notice in regard to power not being a condition of subdivision.

6.9 Easements for any Purpose

Refer to scheme plan in Appendix 1. Existing easement H (water & electricity) is shown on the scheme plan, as is the existing appurtenant right of way providing access.

6.10 Preservation of heritage resources, vegetation, fauna and landscape, and land set aside for conservation purposes

The site contains none of the following:

- (a) a Notable Tree as listed in Appendix 1D;*
- (b) an Historic Site, Building or Object as listed in Appendix 1E;*
- (c) a Site of Cultural Significance to Maori as listed in Appendix 1F;*
- (d) an Outstanding Natural Feature as listed in Appendix 1A;*
- (e) an Outstanding Landscape Feature as listed in Appendix 1B;*
- (f) an archaeological site as listed in Appendix 1G;*
- (g) an area of significant indigenous vegetation or significant habitats of indigenous fauna, as defined in Method 12.2.5.6.*

As such there is no requirement to protect such features.

Heritage/Cultural

Whilst the balance Lot 9 is mapped as potentially containing two NZAA recorded archaeological sites, when these were examined and reported on by an archaeologist at time of the original subdivision, the sites were determined to be 'doubtful' as to both their formation and origins. Heritage NZ agreed at the time that these sites were 'doubtful' and recommended no conditions other than adherence to the ADP when doing any future works within the lots. Both the archaeologist's correspondence, and Heritage NZ response letters are attached as Appendix 7.

Flora & Fauna

There is an irregularly shaped gully system containing some indigenous vegetation within the large 44ha balance lot. This is not identified or mapped as a PNA and is isolated from any other area of bush. The site is within a kiwi present area and the application site is already subject to a consent notice banning dogs and cats, except for working dogs. It is proposed to cancel that consent notice wording and replace with the Council's standard wording for sites in a kiwi present area (as distinct from a high density kiwi area):

The site is identified as being within a kiwi present zone. Any cats and/or dogs kept onsite must be kept inside and/or tied up at night to reduce the risk of predation of North Island brown kiwi by domestic cats and dogs.

This would be consistent with the wording approved in RC 2260007-RMASUB, recently issued by the Council – a subdivision of the same original underlying land subject to RC 2170033-RMA.

6.11 Access to reserves and waterways

There are no qualifying waterbodies to which access must be provided.

6.12 Land use compatibility (reverse sensitivity)

The land is currently one large grazing lot, now sharing its boundaries with 3 lots in the 2-4ha size range, likely to be utilised for built development, if and when development does occur. This proposal creates the 4th such lot. The surrounding area is now a mixture of lifestyle size lots set amongst larger rural holdings. These larger holdings are primarily used for stock grazing, although rotational cropping also occurs (maize). I do not believe the addition of one more 2ha lot will make any significant difference to the risk of reverse sensitivity issues arising.

7.0 STATUTORY ASSESSMENT

7.1 Operative District Plan (ODP) Objectives and Policies

The relevant objectives and policies in the ODP are those relating to subdivision and to the Rural Production Zone.

Subdivision Objectives & Policies

Objectives

The subdivision is consistent with the purpose of the zone and promotes sustainable management of natural and physical resources 13.3.1. The proposed subdivision is consistent with the ODP and appropriate for the site. The subdivision can avoid, remedy or mitigate any potential adverse effects (13.3.2).

Objectives 13.3.3 and 13.3.4 refer to outstanding landscapes or natural features; and scheduled heritage resources; and to land in the coastal environment. The site contains none of those. The site does not contain any scheduled heritage resource and is not in the coastal environment.

The lots will be required to be self sufficient in terms of on-site water storage and appropriate stormwater management (13.3.5 & 13.4.8). The subdivision is accessed off Council road and appurtenant right of way (13.3.10).

The site does not contain any sites of cultural significance to Maori, or wahi tapu. The subdivision will not adversely affect water quality. The smaller Lot 10 has been shown to be

suitable for future residential use with less than minor off site effects. The creation of Lot 10 has already been consented previously by the Council and this application is seeking re-approval. I do not believe that the proposal adversely impacts on the ability of Maori to maintain their relationship with ancestral lands, water, sites, wahi tapu and other taonga (13.3.7 and 13.4.11).

In determining the layout, size and number of lots, the relevant values listed in Policy 13.4.1 have been had regard to.

Access has been designed to meet the necessary standards (13.4.2 and 13.4.5). The site is not identified as being subject to any hazard that will impact on future built development. Overland flowpaths can be avoided (13.4.3).

The site does not contain any heritage resources mapped or scheduled in the ODP. Two 'doubtful' archaeological sites are mapped within the large balance Lot 9. These, even if they are confirmed as being archaeological sites, are easily avoided. No other archaeological sites have been identified. The site does contain one small isolated area of indigenous vegetation, not mapped as PNA. It does not contain any areas of Outstanding Landscape. Restrictions on the keeping of dogs and cats are proposed (13.4.6).

S6 matters (National Importance) are addressed later in this report and any relevant matter listed in Policy 13.4.13 has been had regard to. The subdivision has had regard to the underlying zone's objectives and policies (13.4.14).

Rural Production Zone Objectives and Policies

Objectives:

8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.

8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.

8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.

8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.

8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.

8.6.3.8 To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.

8.6.3.9 To enable rural production activities to be undertaken in the zone.

And policies

8.6.4.1 That a wide range of activities be allowed in the Rural Production Zone, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, on the environment resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.

8.6.4.2 That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.

8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.

8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.

8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.

8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.

8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects cannot be avoided remedied or mitigated are given separation from other activities

8.6.4.9 That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.

Objective 8.6.3.5 and Policy 8.6.4.6 are not considered relevant as they are solely related to Kerikeri Road.

The proposed subdivision promotes an efficient use and development of the land (Objective 8.6.3.2). Amenity values can be maintained noting the generous size of allotments and existing requirements in regard to the appearance of built environment and landscaping (8.6.3.3). Reverse sensitivity effects are not considered to be an issue. The continued use of parts of the application site, and adjacent land for productive uses, is not threatened by the subdivision (Objectives 8.6.3.6-8.6.3.9 inclusive and Policies 8.6.4.8 and 8.6.4.9).

Policy 8.6.4.7 anticipates a wide range of activities that promote rural productivity, whilst avoiding the actual and potential adverse effects of conflicting land use activities. The proposed subdivision does not affect the continued ability of land to be used for grazing or cropping. I am of the view that the subdivision does not create additional land use incompatibility effects of a more than minor nature.

The proposal provides for sustainable management of natural and physical resources (8.2.4.1). Off site effects can be avoided, remedied or mitigated (8.6.4.2 and 8.6.4.3). Amenity values can be maintained through the size of the lots (open space to built

environment ratio) and existing consent notice requirements (8.6.4.4). The proposal enables the efficient use and development of natural and physical resources (8.6.4.5).

The proposal is considered consistent with the relevant Rural Production Zone's objectives and policies.

7.2 Proposed District Plan (PDP) Objectives and Policies

Relevant objectives and policies in the PDP include those pertaining to Subdivision and those pertaining to the Rural Production Zone.

SUB-O1

Subdivision results in the efficient use of land, which:

- a. achieves the objectives of each relevant zone, overlays and district wide provisions;*
- b. contributes to the local character and sense of place;*
- c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;*
- d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;*
- e. does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and*
- f. manages adverse effects on the environment.*

SUB-O2

Subdivision provides for the:

- a. Protection of highly productive land; and*
- b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.*

SUB-O3 *Infrastructure is planned to service the proposed subdivision and development where:*

- a. there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and*
- b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.*

SUB-O4

Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:

- a. public open spaces;*
- b. esplanade where land adjoins the coastal marine area; and*
- c. esplanade where land adjoins other qualifying water bodies*

I consider the subdivision to represent an efficient use of the land, consistent with the objectives of the zone, overlays and district wide provisions, especially where the site does not contain any *highly productive land*. Local character will not markedly change given the existing lot configuration in the area. The underlying title is subject to amenity based consent notice requirements. The lots will retain their 'rural' character; the likelihood of reverse sensitivity issues arising will not unduly increase; and lots can be developed whilst avoiding risk from natural hazards. Adverse effects on the environment are considered to be less than minor and not requiring mitigation (SUB-O1).

The site does not contain any land that meets the definition of 'highly productive land' as laid out in the National Policy Statement Highly Productive Land. The site has no areas of outstanding landscape or natural features. The site is not in the coastal environment. There are no Sites or Areas of Significance to Maori or any sites of Historic Heritage (as mapped or scheduled in the PDP) within the site, and no Significant Natural Areas as mapped or scheduled in the PDP. There are no areas of significant indigenous vegetation (SUB-O2).

The site is rural and will never be serviced by a Council reticulated 3 waters system. The site is accessed off an existing access road which in turn is accessed off existing sealed Council road (SUB-O3). There is no qualifying waterbody and no lot of less than 4ha to which esplanade requirements might apply. There is no public access across the application site to any reserve land and none is proposed (SUB-O4).

SUB-P1

Enable boundary adjustments that:

.....

Not relevant – application is not a boundary adjustment.

SUB-P2

Enable subdivision for the purpose of public works, infrastructure, reserves or access.

Not relevant.

SUB-P3

Provide for subdivision where it results in allotments that:

- a. *are consistent with the purpose, characteristics and qualities of the zone;*
- b. *comply with the minimum allotment sizes for each zone;*
- c. *have an adequate size and appropriate shape to contain a building platform; and*
- d. *have legal and physical access.*

The subdivision results in lots of a size that remains consistent with the purpose, characteristics and qualities of the zone (noting the large number of similar sized lots already existing in the zone). It is acknowledged that Lot 10 does not meet the minimum allotment sizes proposed in the PDP, however, these have no legal standing as yet and have been heavily submitted on. The lots are of adequate size and appropriate shape to contain building platforms, and have physical and legal access.

SUB-P4

Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan

The subdivision has had regard to all the matters listed, where relevant.

SUB-P5

Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone....

N/A.

SUB-P6 *Require infrastructure to be provided in an integrated and comprehensive manner by:*

- a. *demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and*

b. ensuring that the infrastructure is provided in accordance the purpose, characteristics and qualities of the zone.

The subdivision is rural with no nearby Council administered or operated infrastructure except for the road.

SUB- P7

Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying water bodies.

No qualifying water body.

SUB-P8 Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:

- a. will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and
- b. will not result in the loss of versatile soils for primary production activities.

The proposal is consistent with part (b) in that the site does not contain 'versatile soils'. Clause (a) is technically defunct in that the Council has already determined through its hearings process to delete any reference to SNA's.

SUB-P9

Avoid subdivision [sic] rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.

The subdivision is not a Management Plan subdivision. There is no special feature or resource about the subject land that would warrant such an approach to subdivision.

SUB-P10

To protect amenity and character by avoiding the subdivision of minor residential units from Principal residential units where resultant allotments do not comply with minimum allotment size and residential density.

Not relevant.

SUB-P11

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

- a. consistency with the scale, density, design and character of the environment and purpose of the zone;
- b. the location, scale and design of buildings and structures;
- c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;
- d. managing natural hazards;
- e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and
- f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

No consent is required under the PDP so the above policy has little relevance. In summary I believe the proposed subdivision to be more consistent than not with the PDP's objectives and policies in regard to subdivision.

The site is zoned Rural Production in the Proposed District Plan.

Objectives

RPROZ-O1

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

RPROZ-O2

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

RPROZ-O3

Land use and subdivision in the Rural Production zone:

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

RPROZ-O4

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

The subdivision creates one more smaller rural allotment, alongside the three already created. The balance lot remains capable of ongoing primary production activity, most likely grazing. Existing consent notice clauses aimed at mitigating the visual impact of built development will assist in maintaining amenity. The application site contains no highly productive land. I do not believe the subdivision will create a scenario where existing primary production activities on adjacent sites will be constrained. Development can occur on the lots without exacerbating natural hazards. The lots are able to be serviced by on-site infrastructure.

Policies

RPROZP2

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

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

The application is not for a primary production activity.

RPROZP3

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

The proposal will not worsen / increase reverse sensitivity effects on existing primary production activities either on the site or on adjacent land, noting the existing consented lot configuration already existing in the area.

RPROZP4

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

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

The proposal maintains rural character and amenity. The subdivision is low density and future built development can easily comply with the zone's impermeable and building coverage permitted thresholds. New dwellings are subject to requirements by way of existing consent notice in terms of their reflectivity values and the need for landscaping. Reverse sensitivity effects, or lack thereof, are discussed earlier.

RPROZP5

Avoid land use that:

.....

Application is not a land use. N/A.

RPROZP6

Avoid subdivision that:

- a. results in the loss of highly productive land for use by farming activities;
- b. fragments land into parcel sizes that are no longer able to support farming activities, taking into account:
 - 1. the type of farming proposed; and
 - 2. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.
- c. provides for rural lifestyle living unless there is an environmental benefit.

The site does not contain any highly productive land. Whilst one lot is only 2ha in area, there remains land available within 2ha for grazing a small number of livestock. The land is not suitable for intensive horticulture.

RPROZP7

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

- a. whether the proposal will increase production potential in the zone;
- b. whether the activity relies on the productive nature of the soil;
- c. consistency with the scale and character of the rural environment;
- d. location, scale and design of buildings or structures;
- e. for subdivision or non-primary production activities:
 - i. scale and compatibility with rural activities;

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

No consent is required under the PDP and the above policy is therefore of limited relevance.

7.3 Part 2 Matters

5 Purpose

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

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

6 Matters of national importance

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

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

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

I believe the application recognises and provides for the relevant s6 matters above.

7 Other matters

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

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

Regard has been had to any relevant parts of Section 7 of the RMA, "Other Matters".

8 Treaty of Waitangi

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

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

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

7.4 National Policy Statements and National Environmental Standards

NES Freshwater

Lot 10 contains an open drain, running north/south which then intersects with an existing natural overland flow path / water course / swamp area. I do not believe either of these qualify as meeting the definition of a natural inland wetland. The drain accommodates flowing water. The swampy area is in pasture and predominantly exotic species. All existing surface overland flowpaths can and will be avoided and future siteworks can maintain sufficient setback so as not adversely impact on the hydrological functioning freshwater bodies.

NPS Highly Productive Land

There is no land within the site meeting the definition of “highly productive land”.

NES Assessing and Management Contaminants in Soil to Protect Human Health

No HAIL activity has been identified within the application site, either historic or current.

NPS Indigenous Biodiversity

The proposal does not involve any clearance of indigenous vegetation.

7.5 Regional Policy Statement

The Regional Policy Statement for Northland (RPS) contains objectives and policies related to infrastructure and regional form and economic development. These are enabling in promoting sustainable management in a way that is attractive for business and investment. The proposal is consistent with these objectives and policies.

The RPS also contains objectives and policies protecting highly versatile soils such that productivity is not materially reduced, and ensuring that reverse sensitivity effects and potential sterilisation of such soils do not occur. For reasons outlined earlier in this report, I consider the proposal to be consistent with these objectives and policies.

8.0 s104D GATEWAY TEST FOR NON COMPLYING ACTIVITIES

Should the Council disagree with my assessment of activity category, S104D of the Act will apply. S104D requires a consent authority to be satisfied of one or other, or both, of the following thresholds to be met, before it can consider granting consent.

- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- (b) *the application is for an activity that will not be contrary to the objectives and policies of—*
 - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*

-
- (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

The application will not create adverse effects on the environment of a more than minor nature. I do not believe the application is contrary to the objectives and policies of the Operative District Plan and Proposed District Plans in their entirety or to the extent that the proposal should not proceed. I consider the proposal to meet at least one of the gateway tests, if not both.

9.0 s95A-E ASSESSMENT & CONSULTATION

9.1 S95A Public Notification Assessment

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

9.2 S95B Limited Notification Assessment

A consent authority must follow the steps set out in s95B to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified pursuant to s95A. Step 1 identifies certain affected groups and affected persons that must be notified. No such group or persons are identified in this instance. Step 2 of s95B specifies the circumstances that preclude limited notification. No such circumstances exist and Step 3 of s95B must be considered. This specifies that certain other affected persons must be notified, specifically:

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

The application is not for a boundary activity. The s95E assessment below concludes that there are no affected persons to be notified. No special circumstances exist under which limited notification may be warranted.

9.3 S95D Level of Adverse Effects

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

9.5 S95E Affected Persons

A person is an 'affected person' if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). A person is not an affected person if they have provided written approval for the proposed activity.

The activity is, in my opinion, a restricted discretionary activity and the proposal is consistent with the objectives and policies of the Operative District Plan. Effectively re-approval is being sought for stage 2 of a subdivision issued in 2016, but where the Stage 2 lot was not given effect to. No adjacent properties have been identified as affected noting the history and circumstances. The Commissioner of Crown Land has granted easement for right of way access. Access to the fire station lot is not affected.

The site does not contain any mapped or scheduled heritage or cultural sites or values (ODP) and Heritage NZ, in assessing the original subdivision, was satisfied with the ADP being applied. While the site is within an area labelled as a Statutory Acknowledgment Area this notation is generally reserved to apply to Crown land, not private land such as this. The site is also within a larger area mapped as a Treaty Settlement Area of Interest. Neither notation has status under either the Operative or Proposed District Plan – being referred to as non district plan layers in the latter. This, along with the fact that nothing was found in the original archaeological survey/assessment; and the fact that this is basically a re-approval for the creation of the final 2ha lot originally consented back in 2016, have led me to the conclusion that no pre lodgement consultation is necessary with tangata whenua.

10.0 CONCLUSION

The site is considered suitable for the proposed subdivision. Effects on the wider environment are no more than minor. The proposal is not considered contrary to the relevant objectives and policies of the Operative and Proposed District Plans, and is considered to be consistent with relevant objectives and policies of National and Regional Policy Statements. Part 2 of the Resource Management Act has been had regard to.

There is no District Plan rule or national environmental standard that requires the proposal to be publicly notified. No affected persons have been identified.

It is requested that the Council give favourable consideration to this application and grant consent.



Signed
Lynley Newport,
Senior Planner
Thomson Survey Ltd

Dated 16th October 2025

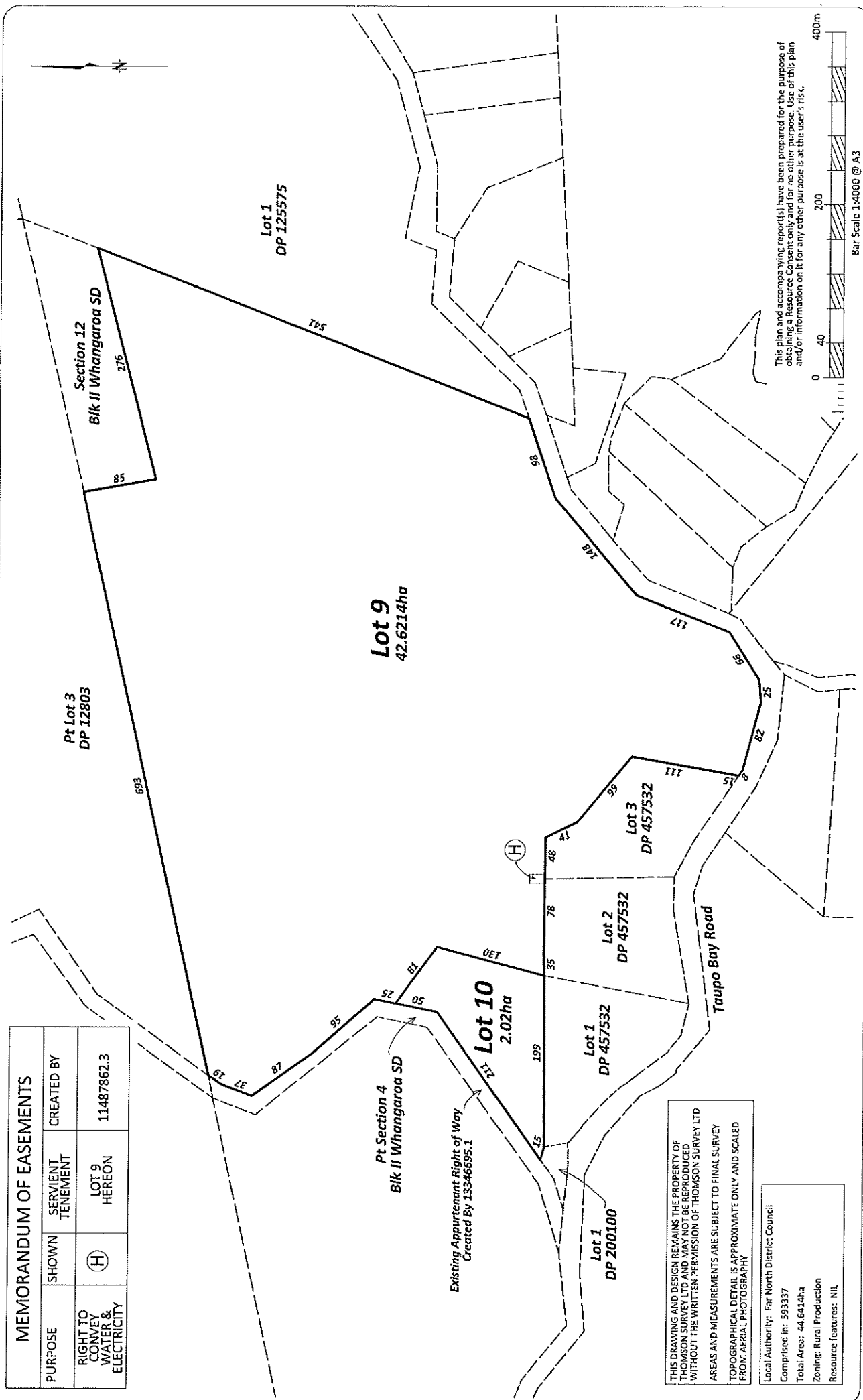
11.0 LIST OF APPENDICES

- Appendix 1** Scheme Plan(s)
- Appendix 2** Easement Instrument 13346695.1
- Appendix 3** Location Map
- Appendix 4** Record of Title & Relevant Instruments
- Appendix 4A** Consent Notice on Fire Station Title
- Appendix 5** RC 2170033
- Appendix 6** Excerpts from original 2011 Haigh Workman Report
- Appendix 7** Archaeologist's & Heritage NZ correspondence

Appendix 1

Scheme Plan(s)

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT TO CONVEY WATER & ELECTRICITY	(H)	LOT 9 HEREON	11487862.3



Surveyor's Ref. No: 8183
Sheet 1 of 1

Name	Date	ORIGINAL	SCALE	SHEET	SIZE
Survey					
Design					
Drawn	KY	13.06.25	1:4000	A3	
Approved					
Rev					

PROPOSED SUBDIVISION OF
LOT 9 DP 457532
TAUPO BAY ROAD, TAUPO BAY

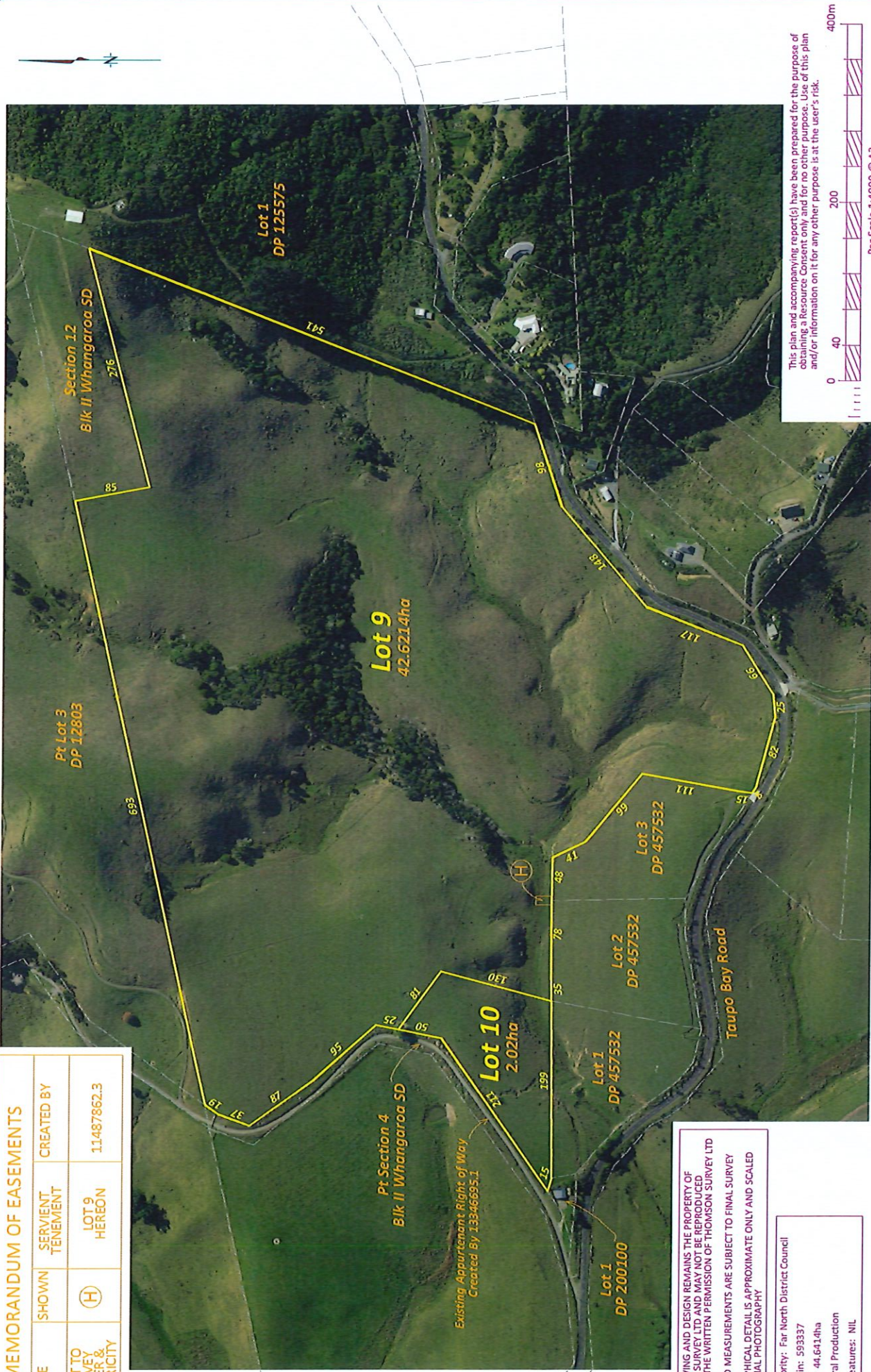
PREPARED FOR: G. LODGE

315 Kerikeri Rd
P.O. Box 372 Kerikeri
Email: kerikeri@tsurvey.co.nz
Ph: (09) 4077960
www.tsurvey.co.nz

Registered Land Surveyors, Planners & Land Development Consultants

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERVIENT TENEMENT	CREATED BY
RIGHT TO CONVEY WATER & ELECTRICITY	(H)	LOT 9 HEREON	11487862.3



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

THIS DRAWING AND DESIGN REMAINS THE PROPERTY OF THOMSON SURVEY LTD AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THOMSON SURVEY LTD

AREAS AND MEASUREMENTS ARE SUBJECT TO FINAL SURVEY TOPOGRAPHICAL DETAIL IS APPROXIMATE ONLY AND SCALED FROM AERIAL PHOTOGRAPHY

Local Authority: Fair North District Council
 Comprised in: 593337
 Total Area: 44.6414ha
 Zoning: Rural Production
 Resource Features: NIL

PROPOSED SUBDIVISION OF LOT 9 DP 457532 TAUPO BAY ROAD, TAUPO BAY

PREPARED FOR: G. LODGE

THOMSON SURVEY
LIMITED

315 Kerikeri Rd
 P.O. Box 372 Kerikeri
 Email: kerikeri@survey.co.nz
 Ph: (09) 4077360
 www.survey.co.nz

Registered Land Surveyors, Planners & Land Development Consultants

Survey	Name	Date	ORIGINAL
Design	KY	13.08.25	SCALE
Drawn			1:4000
Approved			SHEET
Rev			SIZE
			A3

Surveyors Ref. No: **8183**
 Sheet 1 of 1

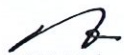
Appendix 2

Easement Instrument 13346695.1



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
Search Copy



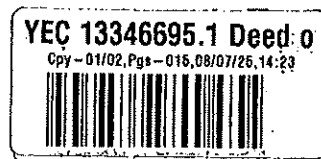

R.W. Muir
Registrar-General
of Land

Identifier **1248045**
Land Registration District **North Auckland**
Date Registered 07 July 2025 07:00 am

Type	Deed of easement under s60 Land Act 1948 Instrument	YEC 13346695.1
Area	1.1936 hectares more or less	
Legal Description	Part Section 4 Block II Whangaroa Survey District	
Purpose	Right of way over Part Section 4 SO 44176	
Registered Owners	His Majesty the King - Grantor	

Interests

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Deed of Grant of Easement

(Pursuant to Section 60 of the Land Act 1948)

The Commissioner of Crown Lands

Geoffrey Raymond Lodge and Andrea Sara Toft

[Correct for the purposes of
the Land Transfer Act 2017]

Subventy

Solicitor for the Grantee]

[to be deleted if deed will be electronically registered]

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Deed of Grant of Easement

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Date: 12 June 2025

PARTIESThe Commissioner of Crown Lands at Wellington (*Grantor*)Geoffrey Raymond Lodge and Andrea Sara Toft (*Grantee*)**BACKGROUND**

- A The Grantee seeks an Easement for Right of Way over the Easement Land.
- B The Grantor has agreed to grant to the Grantee an Easement over the Easement Land being part of the Grantor's Land and the Grantee agrees to accept the grant of the Easement on the terms and conditions set out in this Deed.

OPERATIVE PART**1 DEFINITIONS AND INTERPRETATION****1.1 In this Deed (including the Schedules):**

Authority any governmental, local, territorial or statutory authority which has jurisdiction or authority in relation to the Grantor's Land or its use;

Commencement Date means the date of this Deed;

Deed means this Deed, the Background and the Schedules;

Default Interest Rate means 2% per annum above the Grantor's bank's unsecured commercial base overdraft rate at the date of default;

Dominant Land means Lot 9 Deposited Plan 457532 being all the land comprised in Record of Title 593337

Easement means the Right of Way;

Easement Land means the following area of the Grantor's Land being: that Part Section 4 on SO 44176 comprising 1.07Ha and being unregistered Crown land vested in His Majesty the King shown outlined in green on the plan attached in Schedule 1 of this Deed within which the Grantee may exercise the rights granted by this Deed;

Equipment includes equipment, tools, Machinery and all materials and items necessary for the purposes of exercising any of the rights granted by this Deed;

Grantor's Land means the unregistered Crown land described as Part Section 4 Block II Whangaroa Survey District;

GST means goods and services tax chargeable under the GST Act;

GST Act means the Goods and Services Tax Act 1985;

HSW Act means the Health and Safety at Work Act 2015;

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Deed of Grant of Easement

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Install means install, lay, suspend, extend, connect, inspect, use, replace, and remove;

Machinery includes cranes, drilling rigs, plant, pile drivers, excavators and other similar tools and machinery;

Maintain includes maintain, repair, renew, alter and inspect and *maintenance* has a similar meaning;

Right of Way means the right for the Grantee in common with the Grantor and other persons to whom the Grantor may grant similar rights, at all times, to go over and along the Easement Land at any time on foot or on or with bicycles, animals or non-motorised vehicles and Vehicles without interruption or impediment;

Structures includes buildings, towers, poles, repeaters, pipes, pumps, pump sheds, storage tanks, weirs, cables, bridges, roads, walls, frames, and fences of any kind;

Vegetation includes all vegetation both cultivated and natural and includes grass, crops, trees, and shrubs;

Vehicles includes trucks, tractors, cars, bicycles, boats, aircraft, motorcycles (2 and 4 wheeled) and trailers whether wheeled or tracked; and

Working Day means any day of the week excluding Saturday, Sunday, national statutory holidays, and the anniversary days commonly observed in Wellington, Auckland, and in the locality in which the Easement Land is situated.

1.2 In the interpretation of this Deed unless the context otherwise requires:

- (a) references to a clause or a schedule is a reference to a clause or a schedule in this Deed;
- (b) the headings and subheadings appear as a matter of convenience and do not affect the interpretation of this Deed;
- (c) references to any statute, regulation or other statutory instrument or bylaw shall be deemed to be references to the statute, regulation, instrument or bylaw as from time to time amended and includes substitution provisions that substantially correspond to those referred to;
- (d) derivations of a defined term have similar meanings to the defined term;
- (e) references to the Grantee include their successors and assigns and, where not repugnant to the context, their employees, contractors, agents, lessees, licensees, and invitees;
- (f) any provision to be performed by two or more persons binds those persons jointly and severally;
- (g) a "person" includes any individual, company, corporation, firm, partnership, joint venture, association, organisation, trust, estate or Authority, whether or not having separate legal identity;
- (h) a prohibition against doing any thing also includes a reference not to permit, suffer or cause that thing to be done; and

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Deed of Grant of Easement

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- (i) the singular includes the plural and vice versa and words incorporating any gender shall include every gender.

2 GRANT OF EASEMENT

- 2.1 Pursuant to section 60 of the Land Act 1948 the Grantor grants to the Grantee as an easement appurtenant to the Dominant Land a **Right to Way in perpetuity over the Easement Land** together with the following incidental rights and powers:
- (a) not used;
 - (b) the right to Maintain the the Easement Land; and
 - (c) the right from time to time and at all times to enter, exit, pass and remain on, under or over such part of the Grantor's Land as is reasonable for the exercise of the rights granted under this Deed from time to time and at all times for all purposes reasonably necessary for the exercise of the rights granted under this Deed with or without Vehicles or Equipment necessary for such purposes but subject to the limitations expressed in this Deed.
- 2.2 The rights granted under this Deed to the Grantee are non-exclusive and are exercisable in common with the Grantor and any other person having similar rights either now or in the future. The easement rights granted under this Deed to the Grantee are subject to the compliance by the Grantee with the obligations imposed on it under this Deed.

3 PAYMENTS

Consideration

- 3.1 In consideration of the grant of Easement in this Deed:
- (a) the Grantee will pay the Grantor \$22,000 plus GST; and
 - (b) the Grantee will observe the obligations imposed on it under this Deed.
- 3.2 The Grantee will pay the consideration to the Grantor by the 20th day of the month following the Commencement Date.

Payment of rates

- 3.3 The Grantor must pay all rates, taxes (including land or improvements tax), charges, assessments and other outgoings levied by an Authority in respect of the Easement Land.
- 3.4 The Grantee will reimburse the Grantor for all payments made under clause 3.3 by the 20th day of the month following receipt of a valid tax invoice from the Grantor.

Proportion of rates

- 3.5 Where any charge, rates or other payment under clause 3.3 or 3.4 is not separately assessed in respect of the Easement Land, the Grantee will pay a fair proportion as agreed by the parties or determined under clause 14.

Interest on overdue payments

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Deed of Grant of Easement

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- 3.6 If the consideration or other money payable by the Grantee under this deed remains unpaid for one month after its due date then the Grantee will pay to the Grantor, on demand, interest at the Default Interest Rate on the unpaid amount calculated from the due date to the date of payment.

GST

- 3.7 The Grantee will, at the time the consideration or any other amounts fall due for payment, pay to the Grantor all GST payable on the consideration and any other amounts payable by the Grantee under this deed (provided that the consideration and other amounts are calculated net of GST).
- 3.8 In respect of GST the parties agree as follows:
- (a) unless the context otherwise requires, words and phrases used in this clause have the same meaning as in the GST Act;
 - (b) if the supply evidenced by this grant of easement is a taxable supply under the GST Act and the parties agree that it is to be zero-rated for GST purposes under section 11(1)(mb) of the GST Act, then:
 - (i) the Grantor and the Grantee warrant that they are each registered for GST purposes as at the Commencement Date and will be so at the time GST falls due for payment;
 - (ii) the Grantee warrants as at the Commencement Date and as at the time GST falls due for payment that it is acquiring the rights supplied with the Intention of making taxable supplies; and
 - (iii) the Grantee warrants as at the Commencement Date and as at the time GST falls due for payment that the Grantee and any associated person in terms of section 2A(1)(c) of the GST Act do not intend to use the Easement Land as a principal place of residence.

4 REGISTRATION

This Deed may be registered pursuant to section 60 of the Land Act 1948 and both parties will do all things necessary to enable registration.

5 OBLIGATIONS OF THE GRANTEE

- 5.1 The Grantee will, when exercising its rights under this Deed:
- (a) wherever possible remain on the formed roads and tracks and when on those roads or tracks comply with all traffic laws and regulations as are applicable to public roads and with the Grantor's directions;
 - (b) immediately after passing through any gates, close such of them as were closed and lock such of them as were locked immediately before such passing through;
 - (c) take all reasonable precautions for guarding against any danger (including but without limitation, fire, physical damage or transmission of disease or spread of contaminants), and in particular will (but without limiting the general obligation to take full and proper precautions pursuant to this clause 5.1(c)) comply with

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all reasonable conditions that may be imposed from time to time by the Grantor or any Authority;

- (d) ensure that as little damage or disturbance is caused to the surface of the Easement Land and the Grantor's Land and that the surface is restored as nearly as possible to its former condition and any other damage done by reason of the activities permitted on the Easement Land by this Deed is similarly restored;
- (e) repair to the reasonable satisfaction of the Grantor, any part of the Easement Land and the Grantor's Land, including the tracks, fences, gates, drains, buildings or other structures, which may be damaged directly or indirectly by the Grantee.

5.2 The Grantee covenants that when it exercises its rights under this Deed it will do so at all times in a manner so as not to obstruct or hamper the Grantor and any other person having similar rights either now or in future in their authorised use of the Easement Land.

5.3 The Grantee will not at any time carry out on the Easement Land any activity which is not provided for under clause 2 of this Deed, or do any other thing which would affect the ability of the Grantor to use the Easement Land.

5.4 The Grantee will comply at all times with all statutes and regulations, ordinances and by-laws, and codes of practice placing obligations on the Grantee and covenants to obtain all approvals, consents and authorisations as are necessary for the Grantee to lawfully conduct the activities permitted by this Deed.

5.5 The Grantee will at all times keep and Maintain the Easement Land in a good state of repair and will use its best endeavours to keep the Easement Land clear of noxious weeds, pests, disease and contaminants resulting from the Grantee's exercise or attempted exercise of its rights under this Deed.

5.6 The Grantee will at all times keep the Easement Land clear of Vegetation considered in the reasonable opinion of the Grantee to be a danger or hazard.

5.7 The Grantee will not Install, construct or place any Structures on the Easement Land.

5.8 In accordance with section 34 of the HSW Act, the Grantee will, so far as is reasonably practicable, consult, cooperate with, and coordinate activities with:

- (a) the Grantor; and
- (b) other persons conducting a business or undertaking (as defined in section 17 of the HSW Act) who are accessing any part of the Easement Land,

In order to ensure that at all times, each of the parties referred to is complying with its duties under the HSW Act.

5.9 The Grantee will comply with its duties under the HSW Act and ensure its own health and safety and that of its workers and any person who enters on any part of the Grantor's Land and/or the Easement Land at the request or under the authority of the Grantee.

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Deed of Grant of Easement

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- 5.10 The Grantee will comply with any reasonable instructions from the Grantor regarding the elimination or isolation of hazards and risks and/or the health and safety of persons on the Grantor's Land and/or the Easement Land.

6 OBLIGATIONS OF THE GRANTOR

- 6.1 Subject to any rights existing at the Commencement Date, the Grantor will not do anything on the Easement Land whereby the rights, powers and liberties granted to the Grantee by this Deed may be interfered with and in particular the Grantor may not without the consent in writing of the Grantee (which will not be unreasonably withheld):
- (a) erect or permit the erection of any Structures on the Easement Land except as expressly permitted under clause 6.1(c);
 - (b) make any alterations or additions to any Structure on the Easement Land which affects the overall dimensions; and
 - (c) erect any fence of a height of more than three (3) metres on the Easement Land.
- 6.2 The Grantor may delegate all or any rights, benefits and obligations conferred by this Deed provided that the exercise of any such rights, benefits or obligations by that person must not limit the liability of the Grantor in the performance or observance of the provisions of this Deed.

7 NOT USED

7.1

8 COSTS

- 8.1 The Grantee is responsible for:
- (a) all reasonable costs and expenses (including the Grantor's legal costs) in relation to the preparation, negotiation and enforcement of any provisions of this Deed;
 - (b) the registration (if any) of this Deed and any associated costs; and
 - (c) all the costs of the Installation, construction, operation, repair and maintenance of the Structures, the carrying out of all works permitted by this Deed, and the exercise of all rights under this Deed.

9 NO GRANTOR WARRANTY

The Grantee acknowledges that it has entered into this Deed in reliance upon its own judgement and not in reliance upon any representations or warranties made by or on behalf of the Grantor as to the suitability of the Easement Land for any purpose or otherwise.

10 GRANTEE INDEMNITY

- 10.1 The Grantee hereby indemnifies the Grantor against any loss, claim, costs, damage, expense or liability or proceeding suffered or incurred at any time by the Grantor resulting from any breach of the Grantee's obligations under this Deed.

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Handwritten signature in black ink, appearing to be 'GRL' with a stylized flourish below it.

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Deed of Grant of Easement

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- 10.2 The Grantee acknowledges that this Deed is granted on the basis that the Grantee's entry and/or use the Easement Land under this Deed, is strictly at its own risk and the Grantee indemnifies the Grantor from and against any action or claim made by any person the Grantee permits to enter into and upon the Easement Land.

11 GRANTOR'S LIABILITY EXCLUDED

- 11.1 Under no circumstances will the Grantee seek to claim against the Grantor in contract, tort, or otherwise for any expense, costs, loss, injury, or damage whether consequential or otherwise, arising directly or indirectly from this Deed or any activity undertaken by the Grantor on the Grantor's Land, whether the expense, cost, loss, injury or damage is the direct or indirect result of negligence or otherwise.

12 NOT USED

13 TERMINATION

- 13.1 The Grantor may terminate the rights created by this Deed if the Grantee breaches any of the terms of this Deed and the breach remains unrectified following written notice to the Grantee specifying the breach and seeking rectification within 20 Working Days or such other time agreed in writing by the parties.
- 13.2 If the breach remains unrectified (or is unable to be rectified) then the Grantor may terminate the rights granted by this Deed by written notice.
- 13.3 Upon termination (for whatever reason) of the grant of Easement evidenced by this Deed all rights of the Grantee will immediately cease (subject to clause 1.1 of this Deed) but the Grantee will not be released from any liability to pay consideration or other moneys up to the date of termination.
- 13.4 Upon termination the Grantee will formally surrender the rights under this Deed and surrender the grant of Easement.

14 DISPUTES

If any dispute arises between the Grantor and the Grantee concerning the rights and obligations created by this Deed the parties will enter into negotiations in good faith to resolve their dispute. If the dispute is not resolved within 20 Working Days of the date on which the dispute was notified, the parties will refer the dispute to mediation by a single mediator agreed by the parties (or, if they cannot agree, appointed by the Resolution Institute) on the terms of the Resolution Institute Mediation Rules and at a fee agreed by the parties (or, if they cannot agree, at a fee determined by the Resolution Institute). Each party shall pay its own costs of mediation. Notwithstanding any dispute, the parties shall continue to perform their obligations under this Licence as far as practical given the nature of the dispute provided that this clause is subject in all respects to the provisions of section 17 of the Land Act 1948.

15 NOTICES

- 15.1 Any notice to be given by one party to the other under this Deed must be in writing and will be forwarded by email, delivering or posting it to the appropriate address set out below or to such address notified by the addressee in writing to the other party:

The Grantor's Address:

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Deed of Grant of Easement

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Land Information New Zealand
Crown Property Management
Radio New Zealand House
155 The Terrace, P O Box 5501
WELLINGTON

Email: crownproperty@linz.govt.nz

The Grantee's Address:

Mr GR Lodge & Ms AS Toft
244 Otaha Road, RD 2, Kerikeri 0295

Email: g.lodge@xtra.co.nz

15.2 All such notices shall be deemed to have been received:

- (a) if posted, three Working Days following deposit in the mail with postage prepaid;
or
- (b) if hand delivered, at the time of actual delivery to the recipient's address; or
- (c) if sent by email, on receiving a response to the notice from the addressee (not being an automatically-generated response such as an out of office notification or read receipt),

provided, however, that a notice sent or delivered on a day which is not a Working Day shall be deemed to be received at 9am on the next Working Day.

16 SEVERABILITY

If any part of this Deed is held by any court or administration body of competent jurisdiction to be illegal, void, or unenforceable, such determination shall not impair the enforceability of the remaining parts of this Deed which shall remain in full force.

17 COVENANTS IMPLIED BY LAND TRANSFER REGULATIONS 2018 AND PROPERTY LAW ACT 2007

The Implied rights and powers set out in the Fifth Schedule to the Land Transfer Regulations 2018 and the Fifth Schedule of the Property Law Act 2007 are specifically excluded and replaced with those contained in this Deed.

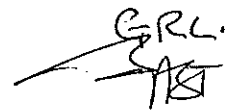
18 NO WAIVER

18.1 A waiver of any provision of this Deed shall not be effective unless given in writing, and then it shall be effective only to the extent that it is expressly stated to be given.

18.2 A failure, delay or indulgence by one party in exercising any power or right shall not operate as a waiver of that power or right. A single exercise or partial exercise of any power or right shall not preclude further exercises of that power or right or the exercise of any other power or right.

2172339-3

UNCLASSIFIED



UNCLASSIFIED

Deed of Grant of Easement

Page 9

19 GOVERNING LAW

This Deed shall be governed by and construed in accordance with New Zealand Law.

20 BINDING ON SUCCESSORS

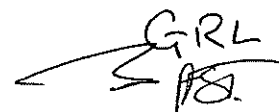
This Deed will be binding on and endure for the benefit of the executors, administrators, successors, and assigns of both parties.

21 FURTHER ASSURANCES

Each of the parties agrees to execute and deliver any documents and to do all acts and things as may reasonably be required by the other party to obtain the full benefit of this Deed according to its true intent.

2172339-3

UNCLASSIFIED



UNCLASSIFIED

Deed of Grant of Easement

Page 10

IN WITNESS WHEREOF this Deed has been duly executed on the date first written above.

Signed by

acting for and on behalf of the
Commissioner of Crown Lands pursuant to
a delegation under Schedule 6 Clause 2 of
the Public Service Act 2020 in the presence
of:

Authorised signatory

Full name (please print)

Witness signature

Full name (please print)

Occupation (please print)

Address (please print)

2172339-3

UNCLASSIFIED

UNCLASSIFIED

Deed of Grant of Easement

Page 11

Signed by **GEOFFREY RAYMOND LODGE**
in the presence of:

Signature of Grantee



Witness signature

EMMA JANE THOMPSON

Full name (please print) **Fellow, Legal Executives New Zealand**
Law North, Kerikeri

Authorised to take Statutory Declarations

Occupation (please print)

Address (please print)]

Signed by **ANDREA SARA TOFT**
in the presence of:

Signature of Grantee



Witness signature

EMMA JANE THOMPSON

Full name (please print) **Fellow, Legal Executives New Zealand**
Law North, Kerikeri

Authorised to take Statutory Declarations

Occupation (please print)

Address (please print)]

2172339-3

UNCLASSIFIED

UNCLASSIFIED

Deed of Grant of Easement

Page 12

SCHEDULE 1 – EASEMENT LAND

[Plan to be inserted if necessary and defined term "Easement Land" to be completed accordingly]

2172339-3

UNCLASSIFIED

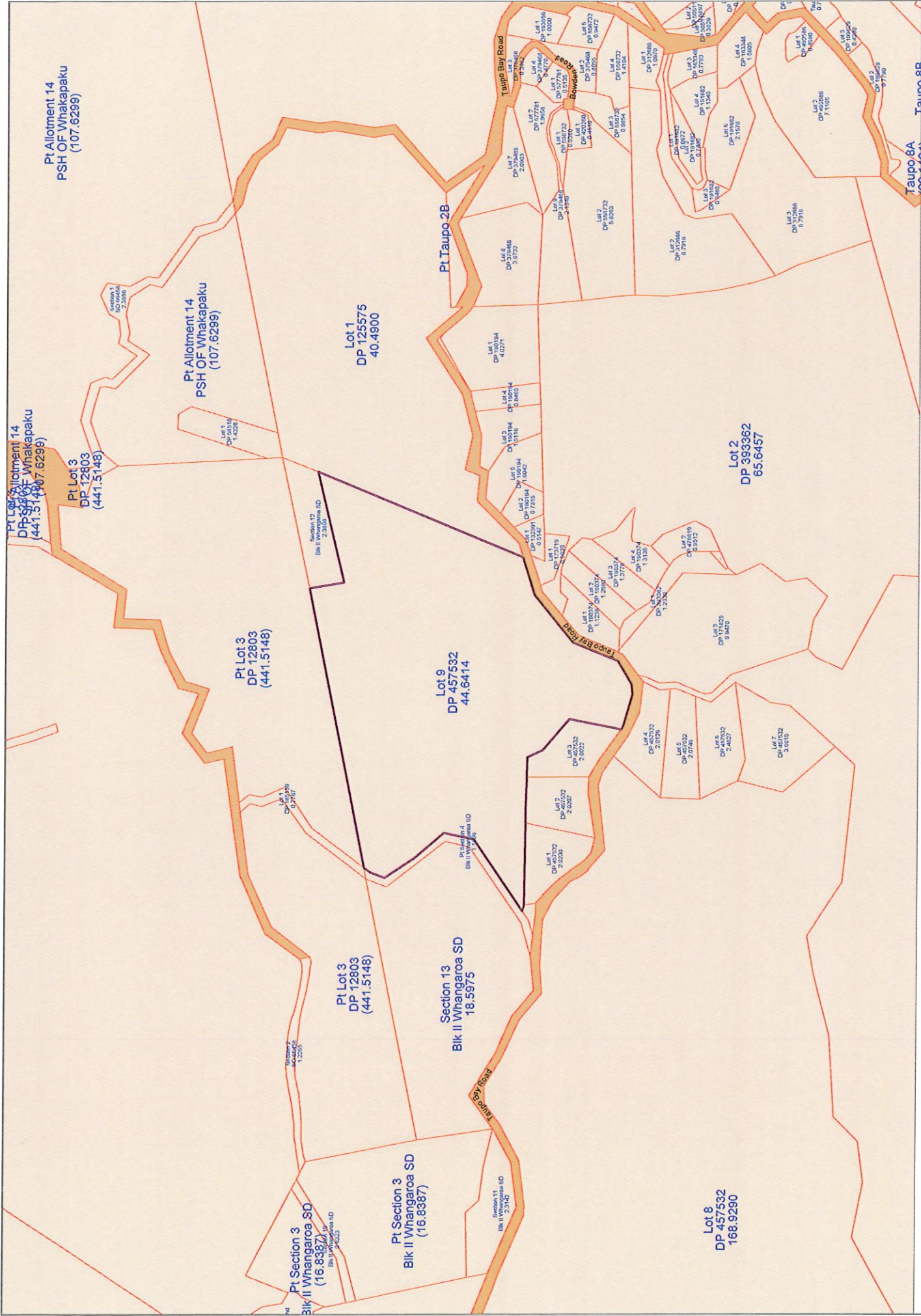
GRL.
SPT





Appendix 3

Location Map



Any person wishing to rely on the information shown on this map must independently verify the information
Scale 1:12000 Topographical and Cadastral map derived from LINZ data. Printed: 15-Oct-2025 01:32.

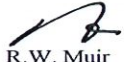
Appendix 4

Record of Title & Relevant Instruments



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




R. W. Muir
Registrar-General
of Land

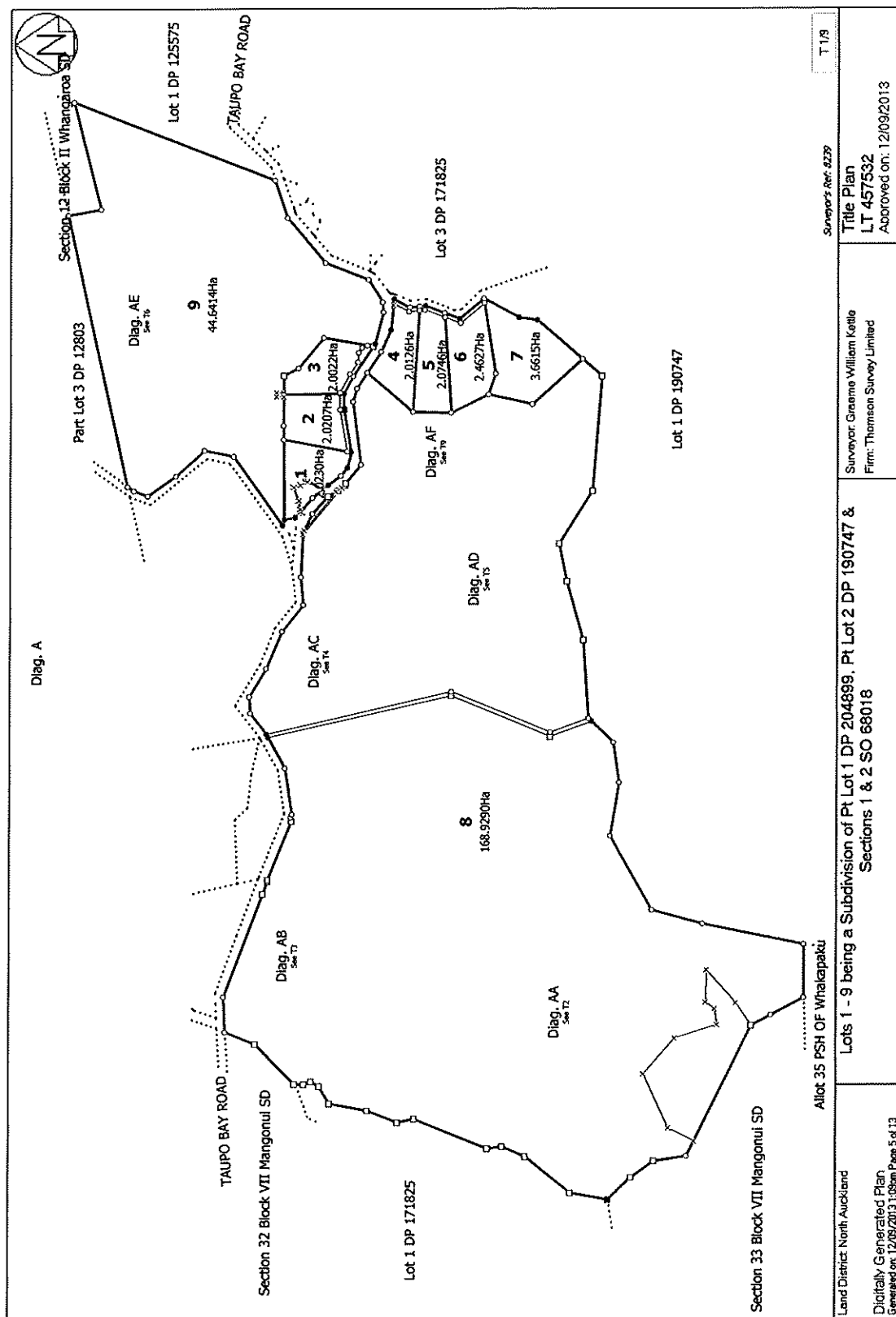
Identifier 593337
Land Registration District North Auckland
Date Issued 05 December 2023

Prior References
610395

Estate Fee Simple
Area 44.6414 hectares more or less
Legal Description Lot 9 Deposited Plan 457532
Registered Owners
Geoffrey Raymond Lodge and Andrea Sara Toft

Interests

Subject to Section 120(9) Public Works Act 1981
12435218.2 Mortgage to Heartland Bank Limited - 4.5.2022 at 1:32 pm
11487862.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 5.12.2023 at 3:33 pm
Subject to rights to convey water and electricity over part marked H on DP 457532 created by Easement Instrument
11487862.3 - 5.12.2023 at 3:33 pm
Land Covenant in Covenant Instrument 11487862.6 - 5.12.2023 at 3:33 pm
Appurtenant hereto is a right of way created by Deed of Easement 13346695.1 embodied in the register as 1248045 -
7.7.2025 at 7:00 am



View Instrument Details



Instrument No	11487862.2
Status	Registered
Date & Time Lodged	05 December 2023 15:33
Lodged By	Thompson, Emma Jane
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
593329	North Auckland
593330	North Auckland
593331	North Auckland
593332	North Auckland
593333	North Auckland
593334	North Auckland
593335	North Auckland
593336	North Auckland
593337	North Auckland

Annexure Schedule Contains 2 Pages.

Signature

Signed by Emma Jane Thompson as Territorial Authority Representative on 05/12/2023 03:28 PM

*** End of Report ***



THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC-2170033 – Stage 1

Being the Subdivision of PT LOT 2 DP 190747, PT
LOT 1 DP 204899 and SECS 1 & 2 SO 68018
North Auckland Registry

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

SCHEDULE

Stage 1 – Lots 1 - 9 DP 457532

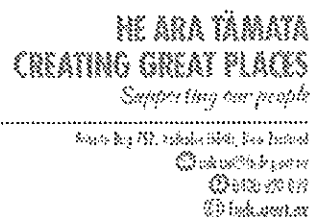
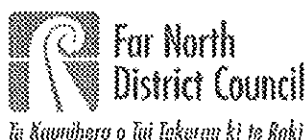
- (i) In conjunction with the construction of any building requiring a wastewater disposal system the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system as detailed in the report prepared by Haigh Workman Civil and Structural Engineers dated November 2011 submitted with Resource Consent 2170033, and any additional report provided under Condition 3(e) above Resource Consent 2170033. The installation shall include an agreement with the system supplier or its authorised agent for the ongoing operation and maintenance of the wastewater treatment plant and the effluent disposal system.

The estimated cost of the installed system is \$19,450.00 + GST. The costing is valid for a period of six months from the date of issue of the 224(c) certificate.

Following 12 months of operation of the wastewater treatment and effluent disposal system the lot owner shall provide certification to Council that the system is operating in accordance with its design criteria.

Where a wastewater treatment and effluent disposal system is proposed that differs from that detailed in the above-mentioned report, a new TP 58/Site and Soil Evaluation Report will be required to be submitted, and Council's approval of the new system must be obtained, prior to its installation.

- (ii) Electricity supply is not a condition of this consent and power has not been reticulated to the boundary of the lots. The lot owner is responsible for the provision of a power supply to operate the on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate.



- (iii) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- (iv) In conjunction with the lodgement of a building consent for any dwelling on Lots 1-9, the owner shall provide to the Council the colour scheme for the proposed building/s, such scheme to confirm that the proposed colours for the roof and external cladding, but excluding joinery, shall not exceed a reflectance value of 30%. The colours shall be subject to approval by the Councils duly authorised officer. On approval, the building is to be completed in the approved colours and maintained thereafter.
- (v) In conjunction with the lodgement of a building consent on Lots 1-9, the owner shall prepare and lodge a planting plan prepared by a suitably qualified and experienced landscape architect that identifies the means of mitigation of visual effects of built development located on or adjoining any ridgeline when viewed from Taupo Bay Road and earthworks associated with building works. The plan shall be subject to approval by the Councils duly authorised officer. On approval, the works identified in the approved plan are to be carried out and completed within two years of the issuing date of the building consent, and all completed planting is to be maintained in perpetuity thereafter.
- (vi) Lots 1-9 are identified as being within a kiwi habitat area. Dogs, cats and mustelids shall not be permitted on any of the lots, save for the following. Working dogs, being dogs used specifically for stock management purposes, may be kept on the lots where they are under control of the owner at all times, and housed in a kennel/run when not working. Where possible, any working dogs should have completed kiwi aversion training before being introduced onto the lot/s.
- (vii) Covenant Area X is identified as an area of Outstanding Landscape. No earthworks, bush clearance or structures are to be located within this area. The only activities that may be provided for within this location are those that are defined as permitted activities within the relevant provisions of the Far North District Plan.

SIGNED:

Mr Simeon Alistair McLean - Authorised Officer

By the FAR NORTH DISTRICT COUNCIL

Under delegated authority:

TEAM LEADER – RESOURCE CONSENTS

DATED at KERIKERI this 30th day of October 2023

View Instrument Details



Instrument No 11487862.3
Status Registered
Date & Time Lodged 05 December 2023 15:33
Lodged By Thompson, Emma Jane
Instrument Type Easement Instrument



Affected Records of Title	Land District
593329	North Auckland
593330	North Auckland
593331	North Auckland
593332	North Auckland
593333	North Auckland
593334	North Auckland
593335	North Auckland
593337	North Auckland

Annexure Schedule Contains 2 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 Mortgagee under Mortgage 12435218.2 has consented to this transaction and I hold that consent ☒

Signature

Signed by Emma Jane Thompson as Grantor Representative on 05/12/2023 03:28 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 Emma Jane Thompson as Grantee Representative on 05/12/2023 03:28 PM

*** End of Report ***

EASEMENT INSTRUMENT TO GRANT EASEMENT OR PROFIT À PRENDRE*Section 109 Land Transfer Act 2017***Grantor****GEOFFREY RAYMOND LODGE and ANDREA SARA TOFT****Grantee****GEOFFREY RAYMOND LODGE and ANDREA SARA TOFT****Grant of Easement or Profit à prendre**

The Grantor being the registered owner of the burdened land 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, 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; or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of Way Right to Convey Electricity, Telecommunications and Computer Media	Marked 'A' on DP 457532	Lot 4 DP 457532 (RT 593332)	Lots 5, 6 and 7 on DP 457532 (RT 593333, 593334, 593335)
Right of Way Right to Convey Electricity, Telecommunications and Computer Media	Marked 'B' on DP 457532	Lot 5 DP 457532 (RT 593333)	Lots 6 and 7 on DP 457532 (RT 593334, 593335)
Continued on annexure schedule...			

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 2018 and/or Schedule 5 of the Property Law Act 2007

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

[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017]

[the provisions set out in Annexure Schedule B]

Annexure Schedule

Page 2 of 2 Pages

*Insert instrument type***Easement instrument****Schedule A***Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement; or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or In gross
Right of Way Right to Convey Electricity, Telecommunications and Computer Media	Marked 'C' on DP 457532	Lot 6 DP 457532 (RT 593334)	Lot 7 on DP 457532 (RT 593335)
Right of Way Right to Convey Electricity, Telecommunications and Computer Media Right to Convey Water	Marked 'E' on DP 457532	Lot 2 DP 457532 (RT 593330)	Lot 1 on DP 457532 (RT 593329)
Right of Way Right to Convey Electricity, Telecommunications and Computer Media Right to Convey Water	Marked 'F' on DP 457532	Lot 3 DP 457532 (RT 593331)	Lots 1 and 2 on DP 457532 (RT 593329, 593330)
Right to Convey Water Right to Convey Electricity	Marked 'H' on DP 457532	Lot 9 DP 457532 (RT 593337)	Lots 2 and 3 on DP 457532 (RT 593330, 593331)

SCHEDULE B**Easement granting right to convey Telecommunications and Computer Media**

All the rights and powers implied in the easement to convey telecommunications and computer media shall be the same rights and powers implied in respect of the right to convey telecommunications set out in the Fifth Schedule of the Land Transfer Regulations 2018.

Easement granting right to convey Right of Way

All the rights and powers implied in the Right of Way Easements are those set out in the Fifth Schedule of the Property Law Act 2007 and the Fifth Schedule of the Land Transfer Regulations 2018. Where there is a conflict between the Act and the Regulations, the Act must prevail.

Appendix 4A

Consent Notice on Fire Station Title

DS44 386.2 CONO



FAR NORTH DISTRICT COUNCIL

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 - CONSENT NOTICE

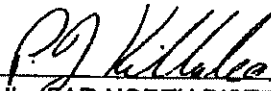
REGARDING The subdivision of
Lot 1 DP 180371
North Auckland Registry.

PURSUANT to Section 221 for the purposes of Section 224 of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and is to be registered on the title of Lot 1 DP 200100.

SCHEDULE

The site shall be used solely for the purposes of a Fire Station.

SIGNED:


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

DATED at KAIKOHE this 22nd day of September 2000

CRC 1971171
SRMCERT31a/p0221

020046

Appendix 5

RC 2170033



Far North
District Council

FAR NORTH DISTRICT COUNCIL

**FAR NORTH OPERATIVE DISTRICT PLAN
DECISION ON RESOURCE CONSENT APPLICATION (SUBDIVISION)**

Resource Consent Number: 2170033-RMASUB

Pursuant to sections 104, 104B and Section 220 of the Resource Management Act 1991 (the Act), the Far North District Council hereby grants resource consent to:

Geoff Lodge

The activity to which this decision relates:

Proposed subdivision to create 8 additional allotments from two existing titles, being Pt Lot 1 DP204899, Pt Lot 2 DP190747 and Sections 1 and 2 SO68018, in two stages as follows:

- Stage 1 - Lots 1 – 8 and 11
- Stage 2 – Lots 9 and 10, being a subdivision of Lot 11 (Stage 1)

The proposal effectively provides for a re-approval of previously granted resource consents (FNDC references RC 2010373 and RC 2120169) which were given effect to by way of Section 223 approval (LT457532) on the 10th August 2016.

Subject Site Details

Address: 660 Taupo Bay Road, Mangonui
Legal Description: Pt Lot 1 DP204899, Pt Lot 2 DP190747 and Sections 1 and 2 SO68018

Pursuant to Sections 108 and 220 of the Act, this consent is issued subject to the following conditions:

Stage 1 – Lots 1 – 8 and 11

- 1 The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Thomson Survey Limited, referenced 8897 Plan 2 of 5, dated 20 June 2016, and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - (a) All easements in the memorandum to be duly granted or reserved.
 - (b) Covenant Area Z on Lot 8 as being subject to a consent notice
 - (c) Easements F containing sufficient area to allow for passage of a heavy rigid vehicle as per District Plan Rule 15.1.6.1.2(j).

3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:
- (a) Upgrade the existing entranceways off Taupo Bay Road where they adjoin easements A and F to provide a double width entrance which complies with Section 3.3.17 and FNDC/S/6C of the Council's Engineering Standards, including sealing the entrance plus splays for a minimum distance of 5 metres from the existing seal edge.
 - (b) In conjunction with the entranceway formation required under Condition 3(a) above,, the consent holder shall erect a sign at the two entranceways, to be located on the property and not on road reserve, that is clearly visible to any people entering the site. The sign shall display, by either words or picture, that the property is located within a kiwi habitat area.
 - (c) Provide formed and metalled access on proposed right-of-way easements A – C and E – F to a 3 metre carriageway width with passing bays complying with Rule 15.1.6.1.2 of the District Plan. The formation shall consist of a minimum of 200mm of compacted hardfill plus a GAP 30 or 40 running course. It shall include water table drains and culverts as required to direct and control stormwater runoff.
 - (d) Provide written confirmation from a licensed cadastral surveyor, supported by suitable photographs, to confirm the following:
 - (i) The boundary of Covenant Area Z has been fenced to a standard equivalent to one of the specimen types of rural fence (excluding electric fences) as provided for in the Second Schedule of the Fencing Act 1978, in order to exclude stock. This does not require fencing along the common boundaries of the proposed lot where the bush area is contiguous to adjacent bush reserves.
 - (ii) That the margins of the existing wetland areas located on Lots 8 and 11 have been fenced to a standard equivalent to one of the specimen types of rural fence (excluding electric fences) as provided for in the Second Schedule of the Fencing Act 1978, in order to exclude stock.
 - (iii) That the access carriageways formed in accordance with Condition 3(b) above are fully contained within the easements provided for access.
 - (e) The consent holder shall provide to Council confirmation from a registered engineer that the assessment and findings regarding onsite wastewater management and disposal contained in the Haigh Workman Civil and Structural Engineers report dated November 2011 as it relates to Lots 1 – 3, 9, and 10 of this consent, are applicable to Lots 4-8 of this consent.
 - (f) The consent holder shall provide to Council a current cost estimate for the supply and installation of the wastewater treatment & effluent disposal system described in the Site & Soil Evaluation Report prepared by Haigh Workman Civil and Structural Engineers dated November 2011 and submitted with Resource Consent 2170033, and any additional report provided under Condition 3(e) above. The costing shall include all interconnecting pipe-work, fittings, distribution

chamber and electrical wiring where power is required for the system to operate. The costing shall be valid for a period of 6 months from the date of issue of the 224(c) certificate.

Note: the wastewater treatment and disposal system and its cost shall be conveyed to a prospective purchaser by Consent Notice. Where a treatment and/or disposal method and/or area is chosen which differs from that described in the above mentioned Site and Soil Evaluation Report, a new Site & Soil Evaluation Report will be required to be submitted for approval prior to the installation of the alternative system.

- (g) Secure the condition below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.
- (i) In conjunction with the construction of any building requiring a wastewater disposal system the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system as detailed in the report prepared by Haigh Workman Civil and Structural Engineers dated November 2011 submitted with Resource Consent 2170033, and any additional report provided under Condition 3(e) above. The installation shall include an agreement with the system supplier or its authorised agent for the on going operation and maintenance of the wastewater treatment plant and the effluent disposal system.
The estimated cost of the installed system is \$ (to be specified) + GST. The costing is valid for a period of 6 months from the date of issue of the 224(c) certificate.
Following 12 months of operation of the wastewater treatment and effluent disposal system the lot owner shall provide certification to Council that the system is operating in accordance with its design criteria.
Where a wastewater treatment and effluent disposal system is proposed that differs from that detailed in the above mentioned report, a new TP 58 / Site and Soil Evaluation Report will be required to be submitted, and Council's approval of the new system must be obtained, prior to its installation.
- (ii) Electricity supply is not a condition of this consent and power has not been reticulated to the boundary of the lots. The lot owner is responsible for the provision of a power supply to operate the on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate.
- (iii) In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- (iv) In conjunction with the lodgement of a building consent for any dwelling on Lots 1 – 8 and 11, the owner shall provide to the Council the colour scheme for the proposed building/s, such scheme to confirm that the proposed colours for the roof and external cladding, but excluding joinery, shall not

exceed a reflectance value of 30%. The colours shall be subject to approval by the Councils duly authorised officer. On approval, the building is to be completed in the approved colours and maintained thereafter.

- (v) In conjunction with the lodgement of a building consent on Lots 1 – 8 and 11, the owner shall prepare and lodge a planting plan prepared by a suitably qualified and experienced landscape architect that identifies the means of mitigating the visual effects of built development. The planting is to provide for mitigation of visual effects of built development located on or adjoining any ridgeline when viewed from Taupo Bay Road and earthworks associated with building works. The plan shall be subject to approval by the Councils duly authorised officer. On approval, the works identified in the approved plan are to be carried out and completed within 2 years of the issuing date of the building consent, and all completed planting is to be maintained in perpetuity thereafter.
- (vi) Lots 1 – 8 and 11 are identified as being within a kiwi habitat area. Dogs, cats, and mustelids shall not be permitted on any of the lots, save for the following. Working dogs, being dogs used specifically for stock management purposes, may be kept on the lots where they are under control of the owner at all times, and housed in a kennel / run when not working. Where possible, any working dogs should have completed kiwi aversion training before being introduced onto the lot/s.
- (vii) Covenant Area Z is identified as an area of Outstanding Landscape. No earthworks, bush clearance, or structures are to be located within this area. The only activities that may be provided for within this location are those that are defined as permitted activities within the relevant provisions of the Far North District Plan.

Stage 2 – Lots 9 and 10 (subdivision of Lot 11 Stage 1)

1. The subdivision shall be carried out in accordance with the approved plan of subdivision prepared by Thomson Survey Limited, referenced 8897 Plan 5 of 5, dated 20 June 2016, and attached to this consent with the Council's "Approved Stamp" affixed to it.
2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - (a) All easements in the memorandum to be duly granted or reserved.
 - (b) Easement X containing sufficient area to allow for passage of a heavy rigid vehicle as per District Plan Rule 15.1.6.1.2(j), and to allow for the construction and maintenance of any culverted crossing required along its length.
3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Act, the consent holder shall:
 - (a) Upgrade the entranceway off Taupo Bay Road where it adjoins easement X to provide a single width entrance which complies with Section 3.3.17 and FNDC/S/6B of the Council's Engineering Standards, including sealing the entrance plus splays for a minimum distance of 5 metres from the existing seal

edge. Where possible, the formation should tie in with the crossing to be provided to serve easements E and F.

- (b) Provide formed and metalled access on proposed right-of-way easement X to a 3 metre carriageway width with passing bays complying with Rule 15.1.6.1.2 of the District Plan. The formation shall consist of a minimum of 200mm of compacted hardfill plus a GAP 30 or 40 running course. It shall include water table drains and culverts as required to direct and control stormwater runoff. Where culverting is required to cross any water course, the pipe size shall be determined by engineers calculations and installed with headwalls to protect the formation from scouring.
- (c) Provide written confirmation from a licensed cadastral surveyor, supported by suitable photographs, to confirm the following:
 - (i) That the margins of the existing wetland areas located on Lot 9 have been fenced to a standard equivalent to one of the specimen types of rural fence (excluding electric fences) as provided for in the Second Schedule of the Fencing Act 1978, in order to exclude stock.
 - (ii) That the access carriageways and any culverts and/or headwalls formed in accordance with Condition 3(b) above are fully contained within the easement/s provided for access.
- (d) The consent holder shall provide to Council a current cost estimate for the supply and installation of the wastewater treatment & effluent disposal system described in the Site & Soil Evaluation Report prepared by Haigh Workman Civil and Structural Engineers Ltd dated November 2011 and submitted with Resource Consent 2170033. The costing shall include all interconnecting pipe-work, fittings, distribution chamber and electrical wiring where power is required for the system to operate. The costing shall be valid for a period of 6 months from the date of issue of the 224(c) certificate.
Note: the wastewater treatment and disposal system and its cost shall be conveyed to a prospective purchaser by Consent Notice. Where a treatment and/or disposal method and/or area is chosen which differs from that described in the above mentioned Site and Soil Evaluation Report, a new Site & Soil Evaluation Report will be required to be submitted for approval prior to the installation of the alternative system.
- (e) Secure the condition below by way of a Consent Notice issued under Section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the Applicant.
 - (i) In conjunction with the construction of any building requiring a wastewater disposal system on Lots 9 and 10 the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system as detailed in the report prepared by Haigh Workman Civil and Structural Engineers and submitted with Resource Consent 2170033. The installation shall include an agreement with the system supplier or its authorised agent for the on-going operation and maintenance of the wastewater treatment plant and the effluent disposal system.

The estimated cost of the installed system is \$ (to be specified) + GST. The costing is valid for a period of 6 months from the date of issue of the 224(c) certificate.

Following 12 months of operation of the wastewater treatment and effluent disposal system the lot owner shall provide certification to Council that the system is operating in accordance with its design criteria.

Where a wastewater treatment and effluent disposal system is proposed that differs from that detailed in the above mentioned report, a new TP 58 / Site and Soil Evaluation Report will be required to be submitted, and Council's approval of the new system must be obtained, prior to its installation.

- (ii) Electricity supply is not a condition of this consent and power has not been reticulated to the boundary of Lots 9 and 10. The lot owner is responsible for the provision of a power supply to operate the on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate.
- (iii) In conjunction with the construction of any dwelling on Lots 9 and 10, and in addition to a potable water supply, a water collection system with sufficient supply for fire fighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.
- (iv) In conjunction with the lodgement of a building consent for any dwelling on Lots 9 and 10, the owner shall provide to the Council the colour scheme for the proposed building/s, such scheme to confirm that the proposed colours for the roof and external cladding, but excluding joinery, shall not exceed a reflectance value of 30%. The colours shall be subject to approval by the Councils duly authorised officer.
- (v) In conjunction with the lodgement of a building consent on Lots 9 and 10, the owner shall prepare and lodge a planting plan prepared by a suitably qualified and experienced landscape architect that identifies the means of mitigating the visual effects of built development. The planting is to provide for mitigation of visual effects of built development located on or adjoining any ridgeline when viewed from Taupo Bay Road and earthworks associated with building works. The plan shall be subject to approval by the Councils duly authorised officer. On approval, the works identified in the approved plan are to be carried out and completed within 2 years of the issuing date of the building consent, and all completed planting is to be maintained in perpetuity thereafter.
- (vi) Lots 9 and 10 are identified as being within a kiwi habitat area. Dogs, cats, and mustelids shall not be permitted on any of the lots, save for the following. Working dogs, being dogs used specifically for stock management purposes, may be kept on the lots where they are under control of the owner at all times, and housed in a kennel / run when not working. Where possible, any working dogs should have completed kiwi aversion training before being introduced onto the lot/s.

- (vii) Where the owners of Lots 9 and/or 10 utilise access via the adjoining access strip Part Section 4 Block II Whangaroa SD (Crown Land), the responsibility for any maintenance of that access shall fall to the landowner. The Council will not accept responsibility for any maintenance requirements unless it decides to maintain that access of its own volition.

Advice Note

1. Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

Reasons for the Decision

1. The Council has determined (by way of an earlier report and resolution) that the adverse environmental effects associated with the proposed activity are no more than minor and that there are no affected persons or affected customary rights group or customary marine title group.
2. In assessing the adverse effects of the proposal, due consideration has been given to the two current subdivision consents that are considered to form part of the existing environment. In addition, the conditions offered by the applicant in the Section 92 response received on the 3rd November 2016, as they relate to mitigation of visual effects associated with built development, and protection of kiwi, have been incorporated. On this basis, the effects are found to be less than minor and therefore acceptable within the existing environment.
3. The application includes an assessment of objectives and policies under Chapters 8.6, 12.2, and 12.7. No assessment has been provided in the application of the relevant provisions under Chapter 13 Subdivision. Objectives 13.3.1, 13.3.2, and 13.3.3 are relevant in ensuring that the features of the site, particularly those matters informed by Part 2 such as outstanding landscapes, kiwi habitat, and wetlands, are recognised and provided for. This has been achieved through conditions of consent. Objective 13.3.5 and 13.3.8 address servicing requirements. No concerns have been raised in this respect. Objective 13.3.7 reflects the requirements of Section 6(e) of the Act in terms of recognising the relationship between Maori and their cultural values. There has been evidence of consultation with various iwi groups, noting specific concerns raised which have largely been addressed through conditions of consent. Other matters that have been raised, such as recognition of a Treaty of Waitangi claim, cannot be readily addressed through the resource consent process.

The various policies in Chapter 13 that underpin the objectives identified above are considered to be met by the proposal. In particular, Policies 13.4.1, 13.4.6, and 13.4.13 support the need for specific provisions to address matters such as effects of built development on landscape, protection of wetlands, and protection of kiwi habitat.

4. On the basis of the above consideration, the proposed activity is considered to have adequately taken into account, and be consistent with the objectives and policies from the Operative Far North District Plan.
5. The site does contain a portion of Outstanding Landscape Area as defined under the Regional Policy Statement. Formal protection of that area (defined as covenant area Z in the application) forms part of the decision, and therefore Objective 3.14(b) of the Regional Policy Statement is met.
6. There are no other matters considered relevant in making this decision
7. **Part 2 Matters**
The application includes an assessment of relevant Part 2 matters, and concludes that the proposal is consistent with Part 2. This conclusion is accepted and adopted for the purpose of this report.
8. In summary it is considered that the activity is consistent with the sustainable management purpose of the RMA.

Approval

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


Wayne Smith, Team Leader Resource Consents

17th November 2016
Date

Right of Objection

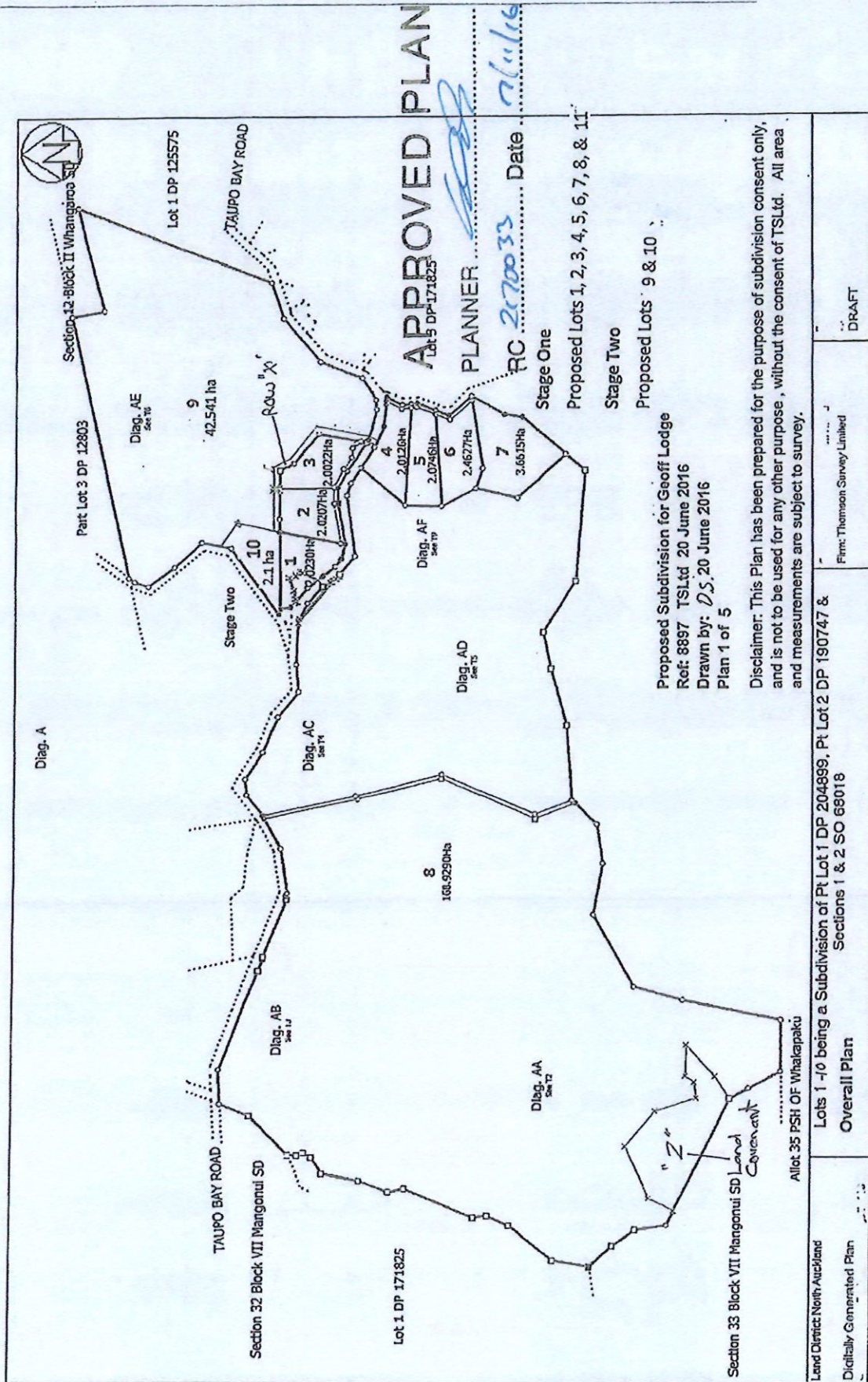
If you are dissatisfied with the decision or any part of it, you have the right (pursuant to section 357A of the Resource Management Act 1991) to object to the decision. The objection must be in writing, stating reasons for the objection and must be received by Council within 15 working days of the receipt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

Lapsing Of Consent

Pursuant to section 125 of the Resource Management Act 1991, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;

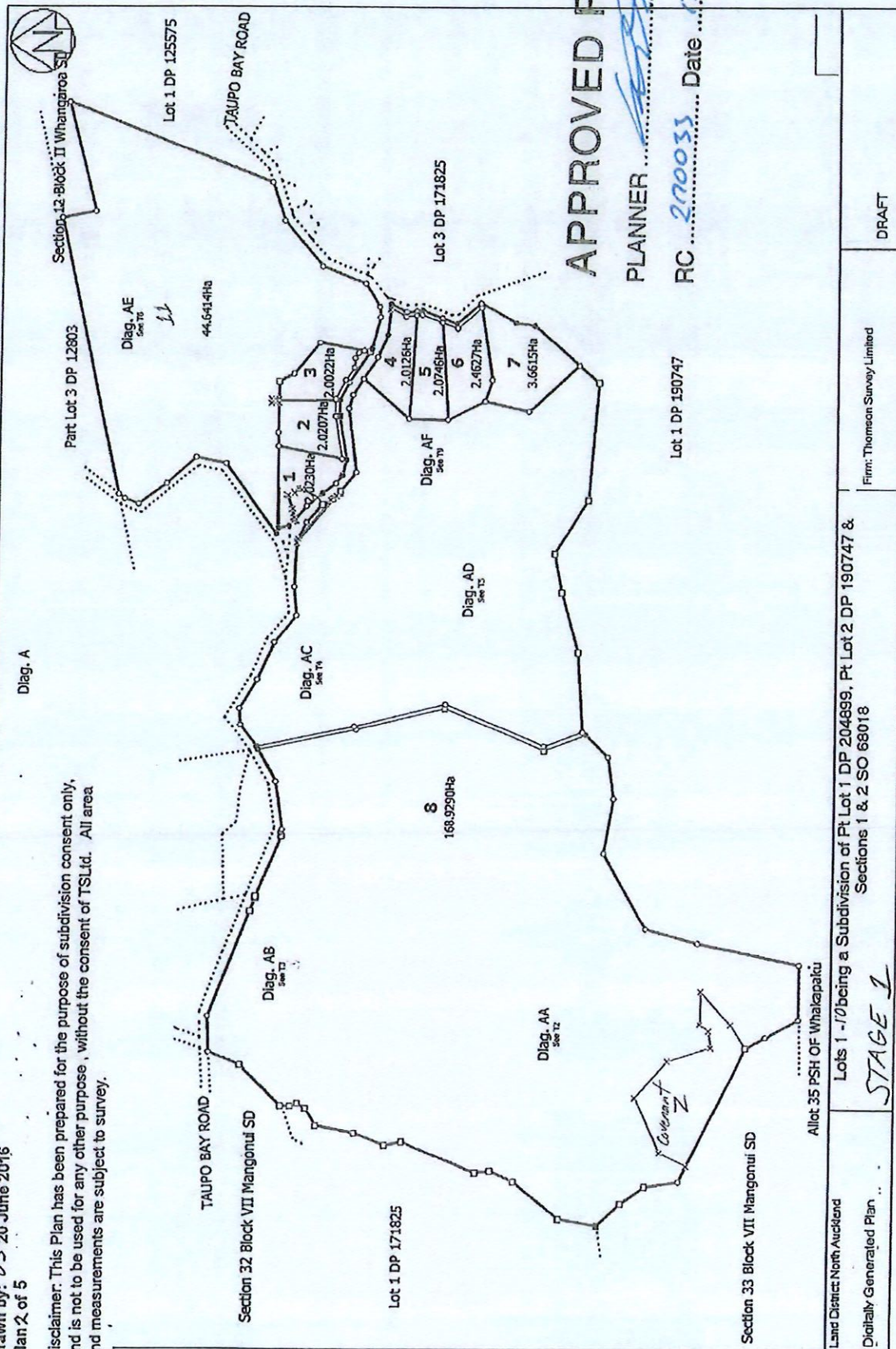
The consent is given effect to; or

An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Resource Management Act 1991.



Proposed Subdivision for Geoff Lodge
 Ref: 8897 TSLtd 20 June 2016
 Drawn by: DS 20 June 2016
 Plan 2 of 5

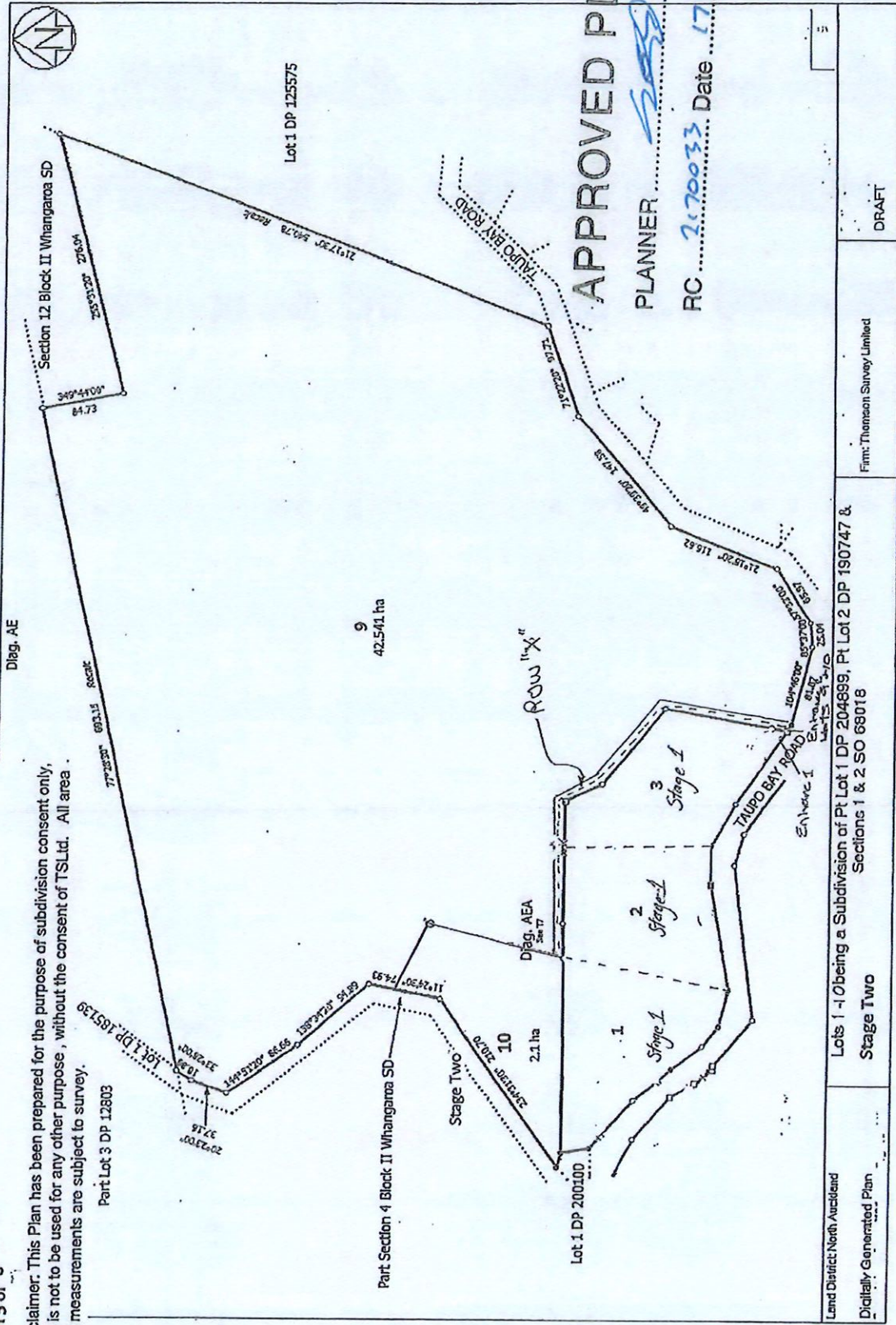
Disclaimer: This Plan has been prepared for the purpose of subdivision consent only, and is not to be used for any other purpose, without the consent of TSLtd. All area and measurements are subject to survey.



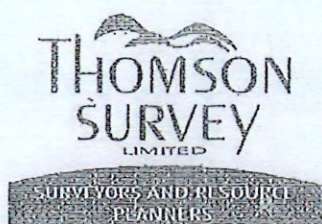
Land District North Auckland
 Digitally Generated Plan
 Lots 1 -/0 being a Subdivision of Pt Lot 1 DP 204899, Pt Lot 2 DP 190747 & Sections 1 & 2 SO 68018
 STAGE 1
 Firm: Thomson Survey Limited
 DRAFT

Proposed Subdivision for Geoff Lodge
 Ref: 8897 TSLtd 20 June 2016
 Drawn by: DS 20 June 2016
 Plan 5 of 5

Disclaimer: This Plan has been prepared for the purpose of subdivision consent only, and is not to be used for any other purpose, without the consent of TSLtd. All area and measurements are subject to survey.



Schedule / Memorandum



APPROVED PLAN
 PLANNER *[Signature]*
 RC 2170053 Date 17/6/16

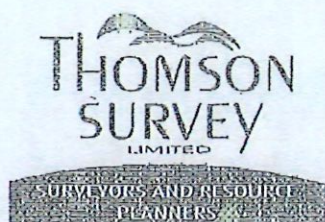
Plan Number

Memorandum of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media.	A	Lot 4 Hereon	Lots 5 - 7 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media.	B	Lot 5 Hereon	Lots 6 & 7 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media.	C	Lot 6 Hereon	Lot 7 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media. Right to Convey Water.	E	Lot 2 Hereon	Lot 1 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media. Right to Convey Water.	F	Lot 3 Hereon	Lots 1 & 2 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media. Right to Convey Water.	X	Lot 3 Hereon	Lots 4 Hereon

Thomson Survey Ltd
 315 Kerikeri Road, Kerikeri
 P.O. Box 372, Kerikeri 0245, New Zealand.
 Email: Kerikeri@tsurvey.co.nz

Telephone: 09 4077360
 Facsimile: 09 4077322

Schedule / Memorandum



APPROVED PLAN
 PLANNER *[Signature]*
 RC 2170033 Date 17/6/16

Plan Number

Memorandum of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media.	A	Lot 4 Hereon	Lots 5 - 7 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media.	B	Lot 5 Hereon	Lots 6 & 7 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media.	C	Lot 6 Hereon	Lot 7 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media. Right to Convey Water.	E	Lot 2 Hereon	Lot 1 Hereon
Right of Way, Right to Convey Electricity, Telecommunications and Computer Media. Right to Convey Water.	F	Lot 3 Hereon	Lots 1 & 2 Hereon

Thomson Survey Ltd
 315 Kerikeri Road, Kerikeri
 P.O. Box 372, Kerikeri 0245, New Zealand.
 Email: Kerikeri@tsurvey.co.nz

Telephone: 09 4077360
 Facsimile: 09 4077322

Schedule / Memorandum

APPROVED PLAN
PLANNER *[Signature]* Date *17/6/16*
RC 2170033

Memorandum of Easements in Cross			
Purpose	Shown	Servient Tenement	Grantee
Right to Convey Electricity.	G	Lot 8 Hereon	Top Energy Ltd
Right to Convey Electricity.	A	Lot 4 Hereon	Top Energy Ltd
Right to Convey Electricity.	B	Lot 5 Hereon	Top Energy Ltd
Right to Convey Electricity.	C	Lot 6 Hereon	Top Energy Ltd
Right to Convey Telecommunications and Computer Media.	J	Lot 1 Hereon	Chorus New Zealand Ltd

Schedule of Existing Easements			
Purpose	Shown	Servient Tenement	Created by
Right of Way.	D	Lot 8 Hereon	D356948.3

Schedule of Proposed Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right to Convey Water, Right to Convey Electricity.	H	Lot 9 Hereon	Lots 2 & 3 Hereon

The Area shown as X is to be subject to a bush protection consent notice.

Appendix 6

Excerpts from original 2011 Haigh Workman
Report

HAIGH WORKMAN
Civil & Structural Consultants

Appendix 10

RC 2120169
Sewerage Report

P O Box 89
310 Kerikeri Road
Kerikeri
NZ

Phone 09 407 8327
Fax 09 407 8378
www.haighworks.co.nz
info@haighworks.co.nz

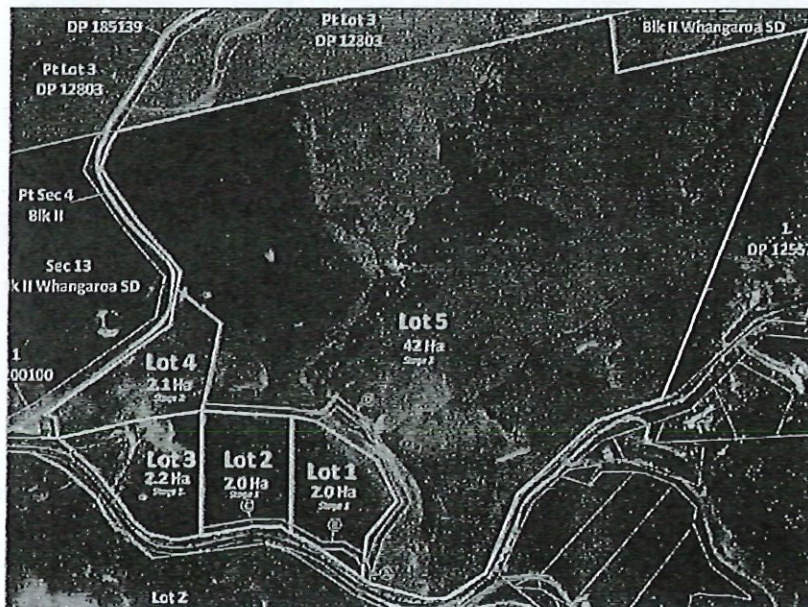
JOB NO: 11 234

Client: Geoff Lodge

**Location: Taupo Bay Road
Taupo Bay**

On-site Domestic Wastewater Management

Site & Soil Evaluation for Proposed Subdivision



1. Introduction

It is proposed to subdivide Lot 1 DP 204899 to create 5 new titles in two stages. Stage 1 is to create lots 1-3 being 2 ha size titles plus balance lot 5 being 44 ha. Stage 2 is to create lot 4 being 2.1 ha reducing balance lot 5 to 42 ha.

This report assesses the new lots to be created with regards to on-site wastewater treatment and effluent disposal to support the applicants subdivision consent.

2. Description of Site

2.1 Location

The site proposed to subdivide is located on Taupo Bay road approximately 3.5 km west of Taupo Bay. There is an existing crossing place identified with rapid number 721 being the main access for the western boundary neighbour. New lots 1-4 to be created are to include a new formed access approximately 500 m east of number 721 where there is an existing farm (paddock) access. The lot areas are as follows;

- Lot 1 2.0 ha (stage 1)
- Lot 2 2.0 ha (stage 1)
- Lot 3 2.1 ha (stage 1)
- Lot 4 2.2 ha (stage 2)
- Lot 5 44 ha (stage 2 balance area)

2.2 Topography & drainage

Lots 1-3 straddle the crest of a broad spur ridge which slopes from the proposed shared lot entrance to the west at 5-6 degrees. The northern flank of the crest slopes down to the north at 15-20 degrees towards a watercourse which is located parallel to the northern boundary. The southern flank slopes down to the road (south) at 8-9 degrees. The crest of the spur ridge slopes downwards more steeply in lot 3 at around the position of the water trough at 15 degrees towards the watercourse.

Lot 4 is located on the opposite (northern) side of the watercourse from Lot 3. Lot 4 slopes from the northern boundary (which is parallel to the gravel access of the western boundary neighbour) to the south at gradients averaging around 13 degrees. An open drain cuts through around the centre of lot 4, draining from the pond in the western boundary neighbour to the south. This open drain scars the slopes of lot 4 by avulsion (tearing away by flowing water)

Balance lot 5 is massive and covers a broad range of rolling hill land varying from the obvious ridges to gully shapes and water courses. This site continues almost to the peak of hillside "Karanga" at elevation 246 m. Two main watercourses feed through the site, draining to the west and merging in Lot 5, just north of the joint boundary of Lots 1 & 2. This drains through the lower portions of Lots 3 & 4, draining southwest under Taupo Bay road. Two other main bowl shapes exist (being overland flow paths) in Lot 5; one parallel to the eastern boundary of lot 1 and the second approximately 250 m northeast of Lot 4. Taupo Bay road and the metal access along the western boundary closely follow the centre line of two ridges. A third ridge runs through the site between the two water courses.

2.3 Geology & soil type

We refer NZMS 290 Rock and Soil Maps P0405. The underlying geology of Lots 1-4 and the bulk of lot 5 is mapped as Micaceous sandstone: blue-grey, quartz-feldspar sandstone, with a mica content of up to 5%, in places calcareous, thinly to thickly bedded and moderately fractured; in places mudstone conglomerate and carbonaceous material and local large calcareous concentrations; moderately hard to hard. Weathered to soft, brown silty clay to depths of 10 m. The upper portion lot 5 being the northern portion leading up to the peak of Karanga is mapped as volcanic basalt and dolerite.

The soils map identifies proposed Lots 1-3 as Marua clay loam, which is mapped as moderately well drained. This same description applies to a portion of Lot 5, to the east of Lot 1. Lot 4 and the bulk of balance lot 5 is mapped as Rangiora clay, clay loam and silty clay loam which is described as imperfectly to very poorly drained. The steep land of lot 5 leading up to the peak of Karanga are mapped as Huia steepland soils, stony clay and stony silt loam which is described as excessively to somewhat excessively drained.

2.3 Field Investigations

Four hand augered boreholes were put down as part of our site and soil evaluation on proposed lot 1-4. The boreholes were put down to 1 m depth to confirm the mapped soil type as described above. The soils observed in each borehole was consistent, typically comprising 200 mm of topsoil overlying a very dry, friable silty clay. This typically became moist and slightly plastic at 500-700 mm depth with colouration tending from brown to orange to red at the end of borehole depth.

The soils observed in our field investigations are consistent with the mapped geology. The soils observed by borehole investigation of lot 4 were more consistent with a Marua clay loam than a poorly drained Rangiora clay.

The investigation was carried out on 28 November 2011 being typical dry summer conditions. Ground water table was not encountered in any of the boreholes and is expected to be very deep on the elevated portions of this site which present the most suitable building areas and areas for on-site effluent disposal.

For the purpose of this assessment, we consider the soils generally to be TP58 category 5, moderate to slow drainage. It is noted that this classification may vary dependant on the final house sites chosen by future specific investigation.

2.4 Vegetation & Land Use

The site is largely in grazed pasture with established trees and pockets of bush around the steeper gullies. Ground cover is generally stable with some erosion noted on steeper portions.



View from proposed entry facing northwest into Lot 1 & 2



View from Lot 3 facing north to the western portion of Lot 4



View from Lot 4 facing south to Lot 3

3. On-site Domestic Wastewater Management

3.1 Design Population & Flow

3.1.1 System Capacity

For subdivision purposes, we assume the houses will be 3-bedroomed, with 5 occupants.

3.1.2 Source of water supply

Water supply is likely to be sourced from:

- a) Storing rainfall from roof run-off in tanks.

Flow reduction fittings may be used, but this cannot be assumed in assessing potential wastewater flows.

3.1.3 Design Flows

Considering the nature of the occupation we have adopted design flows of 160 litres per person per day, being 800 litres per day for a 5-person household.

3.2 Site & Soil Evaluation

3.2.1 Summary of Site & Soil Evaluation

The sites, Lot 1 - 4 are:

- Typically 2 ha or slightly more in area,
- Moderate to slowly draining soil type.
- Good moderate slopes are available.

There are multiple house sites for each lot. The terrain in the vicinity of the likely house sites is gently moderately sloping. The broad ridge lines and natural flow paths are clearly evident.

3.2.2 Key Constraints

The key constraints arising from the Site and Soil Evaluation are minor, being;

- the potential for ground to become saturated in prolonged rainfall, as applies everywhere,
- the required separation distances from surface water

3.2.3 Summary of Design Issues

The effluent disposal systems will need to be sited to avoid surface runoff and natural seepage from higher ground, or protected by using interception drains. Bowl shaped topography is to be avoided as this provides a preferred flow path for moisture.

It is considered that secondary treatment and trickle irrigation is clearly sustainable, given the high level of treatment and the opportunity to use treated effluent for irrigation of gardens, lawns or similar landscaped areas.

For all sites, traditional septic tank treatment and soakage trenches may also be feasible due to soil type and continuous ground slope available. The use of soakage trenches is dependent on the final house position chosen and confirmation of soil suitability by specific soil testing in the footprint of the disposal field.

For the purpose of this assessment, we adopt trickle irrigation for all of the lots, although it is recognised that soakage trenches may also be feasible.

3.3 Assessment of Environmental Effects

3.3.1 Effects on the Environment within the Property

Using trickle or soakage trenches here, separated from the identified drainage paths and bowl shaped topography, there is unlikely to be any detectable environmental effect at any time, beyond 3.0 m from the disposal lines.

Use of the treated effluent for trickle irrigation would enhance landscape vegetation growth particularly in the drier summer months.

3.3.2 Effects on the Environment Beyond the Property

It is our opinion that no off-site effects will be detectable.

3.3.3 Cumulative Effects

Given the scale of the site and the aspect, there is unlikely to be any detectable cumulative effect.

3.4 Design for Land Application System

3.4.1 Trickle irrigation

The use of trickle irrigation disposal is sustainable for the very long term. It provides as easy and convenient system for distributing effluent;

- over a much wider area,
- at an application rate low enough to be sustained by evapo-transpiration without reliance on the soakage,
- without unduly disturbing the existing surface.

It is possible, depending on the house site eventually chosen, that the sites may also be suitable for disposal of primary treated effluent by soakage. The use of that system would require site specific investigation, undertaken in the footprint of the proposed disposal field at the time of Building Consent to suit the position and scale of the home.

3.4.2 System Siting

At these sites, there are multiple suitable areas for trickle irrigation disposal. The attached plan shows natural drainage paths and features which should be avoided for trickle irrigation disposal. The design issue is to avoid laying emitter tubing across concentrated surface rainfall run-off flow paths.

3.4.3 System Design Sizing

The proposed disposal system should be sized to achieve a daily application rate of 3.5 mm per day. On this basis, a 3-bedroom house would require $800 / 3.5 = 230 \text{ m}^2$ or say 250 lineal metres of tubing.

3.4.4 Reserve Area Sizing

All sites have available reserve area of 100 % of the disposal area or more.

3.4.5 Loading Method

It is proposed that the pump chamber for treated effluent will, as is usual practise, be controlled by float switches which would operate the trickle irrigation pumps on demand. No other means of control is necessary.

3.4.6 Factors of Safety

The major factor of safety is in treatment plant capacity. The standard treatment plants have not less than 50 % spare capacity, in relation to the load from a normal 3-bedroom house.

For disposal, safety factors exist in the design and reserve area and advantageous loss to deep soakage.

3.5 Design for Treatment System

3.5.1 Parameters affecting choice of treatment include:

- Certainty for long term sustainability
- Minimal environmental effect.

3.5.2 Treatment Plant Design Sizing

The naming of a proprietary secondary treatment plant will be decided by the new owner, at the building consent stage, when the position and scale of the building are known. Treatment plants must meet the requirements of AS/NZS 1546.3:2001.

3.5.3 Siting Requirements

Secondary treatment plants can be sited anywhere, provided they are;

- not less than 0.5 m below floor level to the inlet,
- more than 3.0 m from any house,
- more than 1.5 m from any boundary,
- easily accessible for routine maintenance.

3.6 Construction Installation

3.6.1 Installation Requirements

The treatment plants must be installed by the provider of the plant to their published specifications. The trickle irrigation tubing must be installed by the treatment plant installer.

3.6.2 Commissioning Requirements

The treatment and trickle irrigation must be commissioned by the provider of the irrigation plant.

3.7 Management Procedures

3.7.1 Operation Maintenance Requirements

A maintenance agreement is to be entered into with the supplier. Once commissioned the plants operate automatically with alarms fitted to advise occupants of any matters needing attending to.

3.7.2 Monitoring & Inspection

As part of the maintenance agreement, there should be six monthly inspections with reports provided to the owner.

3.8 FNDC On-site effluent disposal policy 2008

3.8.1 Likelihood of failure/accidental discharge

The likelihood of a discharge from a household secondary (aeration) treatment plant is less than minor. The pipe work to and within the plant is strong, sealed and buried. The treated effluent is pumped at low pressure to wide distribution onto the ground. Only the puncture of a distribution pipe would allow some treated material to escape in a more concentrated manner.

3.8.2 Consequence of failure/accidental discharge

The site is remote from food gathering locations, aquatic recreation and environments sensitive to accidental organic or bacterial loading. In the unlikely event of some form of failure/accidental discharge, the material would have to travel in excess of 15 m over ground to reach any surface water (adopting the NRC minimum requirement of 15 m from surface water). Most, if not all, of the accidental discharge is likely to be lost to deep soakage over this distance.

3.8.3 Multiple house sites

At this site, there is more than one position where a trickle irrigation field could be constructed, so the final appropriate location for installing the disposal system cannot be pre-determined.

3.8.4 Vegetation Planting

Trickle irrigation disposal systems rely on evapo-transpiration from sub-surface irrigated lawn or covered surface irrigated landscape planting. Where new planting is required, this must be in place for the evapo-transpiration to begin to function. A list of suitable plants is appended.

7.6 Appendix E

We also attach completed Appendix E Site Assessment form.

7.7 Cost estimate

We estimate the cost of a secondary treatment plant at \$15,000 including GST as laid out below

(i) Secondary treatment plant	
Inclusive with 250 m dripper lines, delivered to site (excl. GST)	\$10,000
(ii) Hydraulic excavator	\$ 1,000
(iii) Electrical connections to pump and control panel.	\$ 500
(iv) Electrical cabling from house to tank incl trenching	\$ 750
(v) PVC sewer pipework from house to plant inclusive trenching	\$ 750
Total	\$13,000
GST @ 15 %	\$ 1,950
Incl.GST:	\$14,950

It should also be noted that prices for treatment plants can vary significantly between suppliers. The treatment plant price stated above is a mid-range price. Prices from suppliers we have obtained vary by +/- \$1,000.

Other costs to be considered include;

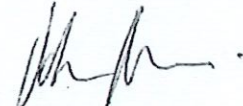
- (vi) Cover driplines with mulch/bark
- (vii) Planting with native species suitable for evapo-transpiration

It is noted that the sites may also be suitable traditional septic tank and soakage trenches, dependant on the final house site chosen. A passive solution sometimes results in a reduction in cost dependant on a range of factors, and primarily the size of the house to be constructed.

4. Conclusions

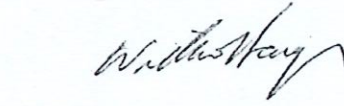
- On-site effluent disposal is sustainable in compliance with the permitted activity requirements of the Regional Water and Soil Plan using secondary treatment and trickle irrigation disposal. It is considered that primary (septic tank) treatment may also be feasible for all sites dependant on the final house position chosen, which may be demonstrated by specific design at the building consent stage. There is more than sufficient area available for 100 % reserve area on both sites.
- With reference to 2008 FNDC policy for on-site effluent disposal, we have identified on the plan watercourses and other features which should be avoided and demonstrated suitable area exists for on-site effluent disposal. We estimate the cost of a secondary treatment plant at \$15,000 including GST.

Prepared by



John Papesch

Checked by



Bill Haigh

- Encls:
1. Notated site (scheme) plans.
 2. Location plan (topographical map)
 3. Site evaluation checklist.
 4. List of suitable plants to encourage evapo-transpiration
 5. Bore logs
 6. Typical irrigation field layout
 7. NZMS 290 geology and maps

Blk II Whangaroa SD

11234-
HAIGH WORKMAN
PO Box 89
Kerikeri N.Z.
Ph 09 - 407 8327
SITE PLAR, LOTS 1-4
SCALE 1:2000 643.
30/11/11 John.

Lot 5

42 Ha

Stage 2

note: multiple solutions exist for disposal across on this balance lot hence no specific example position shown

Lot 4

2.1 Ha

Stage 2

DP 200100

Lot 2

2.0 Ha

Stage 1

Lot 1

2.0 Ha

Stage 1

Lot 2

DP 190747

3
DP 171

Key:

Example 230m² disposal plus
230m² reserve area. Note -
multiple positions exist

11224
HAIGH WORKMAN
 PO Box 89
 Kerikeri N.Z.
 Ph 09 - 407 8327
Scheme Plan

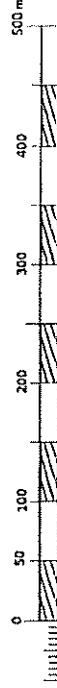
MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
RIGHT OF WAY, TELECOMMUNICATIONS, ELECTRICITY & WATER SUPPLY	(A)	LOT 5 HEREON	LOTS 1 - 4 HEREON
	(B)	LOT 1 HEREON	LOTS 2 & 3 HEREON
	(C)	LOT 2 HEREON	LOT 3 HEREON
	(D)	LOT 5 HEREON	LOT 4 HEREON

Subdivision land:
 Total Area: 502311 Ha
 Committed in CT NA133C/498
 Land Exchange land:
 Total Area: 72454 Ha
 Committed in CT NA133C/542

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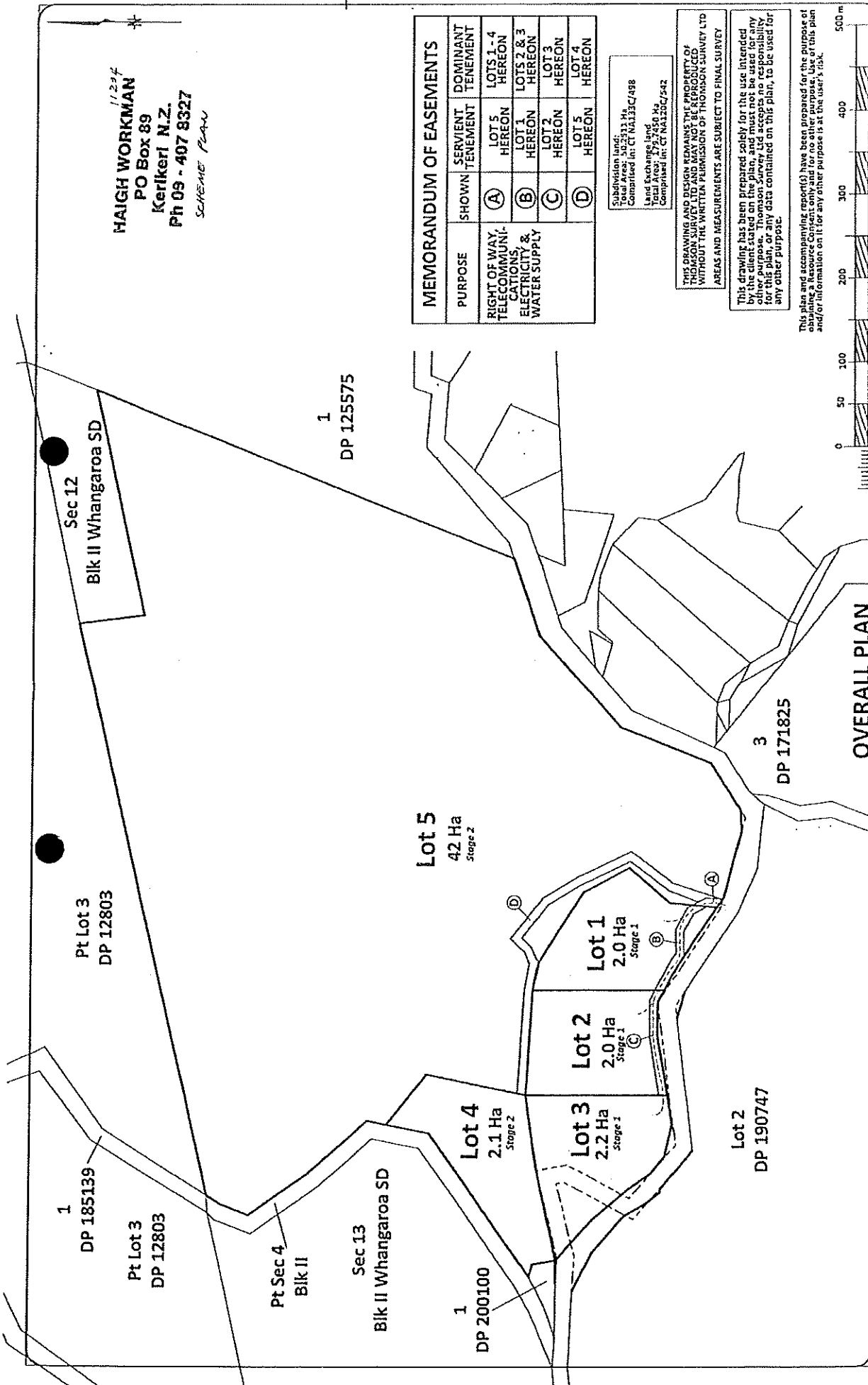
This plan and accompanying report(s) have been prepared for the purpose of providing information for the use of the client and for the purpose of information on it for any other purpose is at the user's risk.



Surveyor's Ref. No.	S183
Series	Sheet 1 of 2
Name	Date
Drawn	SH 10-11-11
Approved	
Rev	
ORIGINAL SCALE	1:4000
SHEET SIZE	A3

PROPOSED SUBDIVISION OF LOT 1 DP 204899 & LAND EXCHANGE WITH TAUPŌ BAY RD & LOT 2 DP 190747

THOMSON SURVEY
 315 Kerikeri Rd
 P.O. Box 372 Kerikeri
 Email: kerikeri@thomsonsurvey.co.nz
 Ph: (09) 4077360 Fax: (09) 4077322
 Registered Land Surveyors, Planners & Land Development Consultants
 PREPARED FOR: G. LODGE



FAR NORTH DISTRICT COUNCIL
Appendix E TP58
On-site Wastewater Disposal Site Evaluation
Investigation Checklist

Part A –Owners Details

1. Applicant Details:

Applicant Name	Geoff Lodge		
Company Name			
	First Name(s)	Surname	
Property Owner Name(s)	Geoffrey Raymond Andrea Sara	Lodge De Turret	

Nature of Applicant* Owner

(*i.e. Owner, Leasee, Prospective Purchaser, Developer)

2. Consultant / Site Evaluator Details:

Consultant/Agent Name	Haigh Workman			
Site Evaluator Name	John Papesch			
Postal Address	PO Box 89			
	Kerikeri			
Phone Number	Business	407 8327	Private	
	Mobile		Fax	407 8378
Name of Contact Person	John Papesch			
E-mail Address	johnp@haighworks.co.nz			

3. Are there any previous existing discharge consents relating to this proposal or other waste discharge on this site?

Yes		No	☒	(Please tick)
If yes, give Reference Numbers and Description				

4. List any other consent in relation to this proposal site and indicate whether or not they have been applied for or granted

If so, specify Application Details and Consent No.

(eg. LandUse, Water Take, Subdivision, Earthworks Stormwater Consent)

This assessment is to support a subdivision consent application

Part B- Property Details

1. Property for which this application relates:

Physical Address of Property	Taupo Bay Road		
	Taupo Bay		
Territorial Local Authority	FAR NORTH DISTRICT COUNCIL		
Regional Council	NORTHLAND REGIONAL COUNCIL		
Legal Status of Activity	Permitted: ☒	Controlled: ☐	Discretionary: ☐
Relevant Regional Rule(s) (Note 1)	15.1.4		
Total Property Area (m ²)	50 ha (parent title). Proposed lots 1-4 will be 2 ha or more		
Map Grid Reference of Property If Known			

2. Legal description of land (as shown on Certificate of Title)

Lot No.	1	DP No.	204899	CT No.	NA133C/498
Other (specify)	Proposed lots 1-5 as shown on scheme plan				

Please ensure copy of Certificate of Title is attached

PART C: Site Assessment - Surface Evaluation

(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation and Sn 5.2.2(a) Site Surface Evaluation)

Note: Underlined terms defined in Table 1, attached

Has a relevant property history study been conducted?

Yes	☒	No	☐	(Please tick one)
-----	-------------------------------------	----	--------------------------	-------------------

If yes, please specify the findings of the history study, and if not please specify why this was not considered necessary.

Site inspection and observations, review of geology, topography and drainage

1. Has a Slope Stability Assessment been carried out on the property?

Yes		No	☒	Please tick
-----	--	----	-------------------------------------	-------------

If No, why not?

Gently to moderately sloping disposal positions available. effluent to be spread broadly

If Yes, please give details of report (and if possible, please attach report):

Author	
Company/Agency	
Date of Report	
Brief Description of Report Findings:-	

2. Site Characteristics (See Table 1 attached):

Provide descriptive details below:

Performance of Adjacent Systems:

No problems known

Estimated Rainfall and Seasonal Variation:

1700 mm per year. 1000 mm winter, 700 mm summer

Vegetation / Tree Cover:

Grass with trees in the gullies

Slope Shape: (Please provide diagrams)

Rolling hill country

Slope Angle:

Moderate slopes varying around 5 - 10 degrees in the vicinity of the likely building areas

Surface Water Drainage Characteristics:

Sheet flow to gullies

Flooding Potential: YES/NO

No, for the elevated building sites

If yes, specify relevant flood levels on appended site plan, i.e. one in 5 years and/or 20 year and/or 100 year return period flood level, relative to disposal area.

Surface Water Separation:

>15 m is available for multiple disposal field positions

Site Characteristics: or any other limitation influencing factors

Steeper slopes to be avoided

3. Site Geology		Check Rock Maps	
<i>Predominantly Marua clay loam weathering from Sandstone (see detailed description in report)</i>			
Geological Map Reference Number		NZMS 290 rock and soils maps P0405	
4. What Aspect(s) does the proposed disposal system face? (please tick)			
North	<i>varies</i>	West	
North-West		South-West	
North-East		South-East	
East		South	
5. Site clearances, (Indicate on site plan where relevant)			
Separation Distance from	Treatment Separation Distance	Disposal Field Separation Distance	FNDC minimum
Boundaries	>1.5	>1.5	1.5
Surface water, creeks, drains	>15	>15	15
Groundwater	>3	>3	0.6
Stands of Trees/Shrubs	<i>na</i>	<i>na</i>	<i>na</i>
Wells, water bores	<i>None known</i>	<i>None known</i>	20 m
Embankments/retaining walls	<i>None known</i>	<i>None known</i>	3 m
Buildings	>3	>3	3 m
Rivers, Coastal Marine area	<i>None close</i>	<i>None close</i>	30 m
PART D: Site Assessment - Subsoil Investigation			
(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation, and Sn 5.2.2(a) Site Surface Evaluation and Sn 5.3 Subsurface Investigations)			
Note: Underlined terms defined in Table 2, attached			
1. Please identify the soil profile determination method:			
Test Pit		(Depth _____ m	No of Test Pits
Bore Hole	✓	(Depth <u>1.0</u> m	No of Bore Holes
Other (specify):			
Soil Report attached?			
Yes	✓	No	Please tick
2. Was fill material intercepted during the subsoil investigation?			
Yes		No	✓ Please tick
If yes, please specify the effect of the fill on wastewater disposal			
3. percolation testing (mandatory and site specific for trenches in soil type 4 to 7)			
Please specify the method			
<i>Not necessary</i>			
Test Report Attached?	Yes	No	✓ Please tick

4. Are surface water interception/diversion drains required?

Yes ☐ tbc ☐ No ☐ Please tick

If yes, please show on site plan

4a Are subsurface drains required

Yes ☐ tbc ☐ No ☐ Please tick

If yes, please provide details

5. Please state the depth of the seasonal water table:

Winter	>3	m	Measured	☐	Estimated	☒
Summer	>3	m	Measured	☐	Estimated	☒

6. Are there any potential storm water short circuit paths?

Yes ☐ No ☒ Please tick

If the answer is yes, please explain how these have been addressed

Avoid bowl shaped topography and natural drainage paths

7. Based on results of subsoil investigation above, please indicate the disposal field soil category (Refer TP58 Table 5.1)

Is Topsoil Present? Yes ☐ If so, Topsoil Depth? 0.2 (m)

Soil Category	Description	Drainage	Tick One
1	Gravel, coarse sand	Rapid draining	☐
2	Coarse to medium sand	Free draining	☐
3	Medium-fine & loamy sand	Good drainage	☐
4	Sandy loam, loam & silt loam	Moderate drainage	☐
5	Sandy clay-loam, clay loam & silty clay-loam	Moderate to slow drainage	☒
6	Sandy clay, non-swelling clay & silty clay	Slow draining	☐
7	Swelling clay, grey clay, hardpan	Poorly or non-draining	☐

Reasons for placing in stated category

Soil map classification, soil colour and texture from borehole investigation

PART E: Discharge Details

1. Water supply source for the property (please tick):

Rainwater (roof collection)	☒
Bore/well	☐
Public supply	☐

2. Calculate the maximum daily volume of wastewater to be discharged, unless accurate water meter readings are available

(Refer TP58 Table 6.1 and 6.2)

Number of Bedrooms	3			
Design Occupancy	5			(Number of People)
Per capita Wastewater Production	140	160✓	180	(tick) (Litres per person per day)
Other - specify	200	220		
Total Daily Wastewater Production	800			(litres per day)

3. Do any special conditions apply regarding water saving devices

a) Full Water Conservation Devices?	Yes		No	✓	(Please tick)
b) Water Recycling - what %?		%			(Please tick)

If you have answered yes, please state what conditions apply and include the estimated reduction in water usage

Dual flush toilets, low water use dishwasher, no garbage grinders will allow a reduction of 20 litres per person per day

4. Is Daily Wastewater Discharge Volume more than 2000 litres:

Yes		(Please tick)
No	✓	(Please tick)

Note if answer to the above is yes, an N.R.C wastewater discharge permit may be required

5. Gross Lot Area to Discharge Ratio:

Gross Lot Area	20000 (min)	m ²
Total Daily Wastewater Production	800	(Litres per day)(from above)
Lot Area to Discharge Ratio	25	

7. Does this proposal comply with the Northland Regional Council Gross Lot Area to Discharge Ratio of greater than 3?

Yes	✓	No		Please tick
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8. Is a Northland Regional Council Discharge Consent Required?

Yes		No	✓	(Please tick)
-----	--	----	---	---------------

PART F: Primary Treatment (Refer TP58 Section 7.2)

1. Please indicate below the no. and capacity (litres) of all septic tanks including type (single/dual chamber grease traps) to be installed or currently existing: If not 4500 litre, dual chamber explain why not

Number of Tanks	Type of Tank	Capacity of Tank (Litres)
To be confirmed at the building		
Consent stage		
	Total Capacity	

2. Type of Septic Tank Outlet Filter to be installed?

Not applicable

PART G: Secondary and Tertiary Treatment

(Refer TP58 Section 7.3, 7.4, 7.5 and 7.6)

1. Please Indicate the type of additional treatment, if any, proposed to be installed in the system: (please tick)

Secondary Treatment	☒	
Home aeration plant	☒	
Commercial aeration plant	☐	
Intermediate sand filter	☐	
Recirculating sand filter	☐	
Recirculating textile filter	☐	
Clarification tank	☐	
Tertiary Treatment	☐	
Ultraviolet disinfection	☐	
Chlorination	☐	
Other		Specify

PART H: Land Disposal Method

(Refer TP58 Section 8)

1. Please indicate the proposed loading method: (please tick)

Gravity	☐
Dosing Siphon	☐
Pump	☒

2. High water level alarm to be installed in pump chambers

Yes ☒ No ☐

If not to be installed, explain why

3. If a pump is being used, please provide the following information:

Total Design Head	To be confirmed at building consent	(m)
Pump Chamber Volume		(Litres)
Emergency Storage Volume		(Litres)

4. Please identify the type(s) of land disposal method proposed for this site: (please tick)

(Refer TP58 Sections 9 and 10)

Surface Dripper Irrigation	☒	
Sub-surface Dripper irrigation	☒	
Standard Trench		
Deep Trench		
Mound		
Evapo-transpiration Beds		
Other		Specify

5. Please identify the loading rate you propose for the option selected in Part H, Section 4 above, stating the reasons for selecting this loading rate:

Loading Rate	3.5	(Litres/m2/day)
Disposal Area	Design	230 (m2)
	reserve	230 (m2)

Explanation (Refer TP58 Sections 9 and 10)

Loading rate adopted for secondary treated effluent in category 5 soils refer table 9.2 in TP58

6. What is the available reserve wastewater disposal area (Refer TP58 Table 5.3)

Reserve Disposal Area (m ²)	230
Percentage of Primary Disposal Area (%)	100

7. Please provide a detailed description of the design and dimensions of the disposal field and attach a detailed plan of the field relative to the property site:

Description and Dimensions of Disposal Field:

Use a minimum of 230 m of Unibioline trickle tubing or equivalent with 2.3 litre per hour emitters
At 0.6 m centres. Lines to be laid 1 m apart, laid in shallow trenches to lawn or covered with bark mulch to gardens / planted landscaped areas.

Plan Attached?	Yes	☒	No		(Please tick)
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If not, explain why not

PART I: Maintenance & Management

(Refer TP58 Section 12.2)

1. Has a maintenance agreement been made with the treatment and disposal system suppliers?

Yes		No	✓	(Please tick)
-----	--	----	---	---------------

Name of Suppliers

PART J: Assessment of Environmental Effects

1. Is an assessment of environmental effects (AEE) included with application?

(Refer TP58 section 5. Ensure all issues concerning potential effects addressed)

Yes	✓	No		(Please tick)
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If Yes, list and explain possible effects

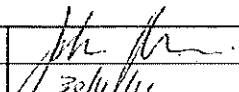
PART K: Is Your Application Complete?

1. In order to provide a complete application you have remembered to:

Fully Complete this Assessment Form	✓
Include a <i>Location Plan</i> and <i>Site Plan</i> (with Scale Bars)	✓
Attach an Assessment of Environmental Effects (AEE)	✓

1. Declaration

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

Name	John Papesch	Signature	
Position	Engineer	Date	30/11/11

Note

Any alteration to the site plan or design after BC approval may result in non compliance.

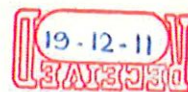
Appendix 7

Archaeologist's & Heritage NZ
correspondence

Appendix 12 Previous Correspondence from Archaeologist 2012

NORTHERN ARCHAEOLOGICAL RESEARCH Archaeological Consultants

13th December 2011



Dennis Thomson
Thomson Survey Ltd
PO Box 372
KERIKERI

Dear Dennis,

**Re: PROPOSED SUBDIVISION OF LOT DP 204899 & LAND EXCHANGE WITH
TAUPO BAY RD & LOT 2DP 190747.**

As you are aware, we visited the above subdivision proposal on the 8th December 2011 with yourself to assess the four building locations, driveways and provision of services.

Parts of the area of the proposed subdivision had been previously surveyed for archaeological sites by Coster and Johnston in 1976. They recorded two archaeological sites in the near vicinity, P04/28 and P04/29, and one towards the edge of proposed Lot 3, P04/400. All were alleged terrace sites. Two of the sites, P04/28-29, were listed as doubtful sites. Coster and Johnston outline in their report that "Doubtful" sites are those where there was doubt as to whether or not a particular set of surface features were of human origin, "and admit that they were "...perhaps overly sensitive to any ground disturbance which could have been man made... [and] may be natural features" (Coster and Johnston 1976: 11). The site recorded in the lower edge of proposed Lot 3, P04/400 was recorded as a further terrace site but was thought to be a "Post European" gum-diggers hut site but was acknowledged to be the only site of this type not in association with evidence of gum-digging (Coster and Johnston 1976: 10-11).

None of the sites listed above or any other archaeological remains were identified in the area of proposed Lots 1, 2 and 4 or in the area of proposed residential building sites driveways or services within each lot.

However, the remains recorded as site P04/400 occur in the lower southwest corner of proposed Lot 3. Here is what appears as a piece of level ground with a cattle trough located a short distance above. The subsoil exposures around the terrace and trough were inspected for archaeological evidence. No archaeological remains of any nature were exposed. The single surviving terrace in this area (the road has subsequently been realigned to remove the tight bend in the road) did not appear to be archaeological in origin and appeared as a small slump erosion feature of which a number could be seen in the general area. In addition, the position of the proposed house, driveway and services avoids the misreported remains by some 20-30m.

As a consequence it appears to us that no archaeological sites will be affected by the proposed subdivision. In the unlikely event that subsurface archaeological remains are uncovered during earthworks associated with the subdivision, all work affecting such remains should stop and Northern Archaeological Research Ltd be contacted immediately so that appropriate action can be taken.

If you have any queries, or require any further information, please contact me.

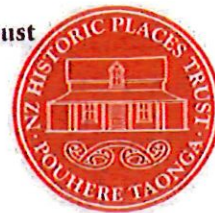
Yours faithfully,



Leigh Johnson.

Encl. Thomson Survey-Scheme plan (aerial photograph). Surveyors Ref: Plan 8183
Thomson Survey-Scheme plan

New Zealand Historic Places Trust
Pouhere Taonga



19 December 2011



Far North District Council
Private Bag 752
Memorial Avenue
Kaikohe 0400

Attention: Wayne Smith

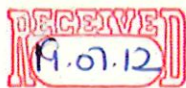
Dear Wayne,

RC 2120169 Lloyd & De Toret Subdivision Taupo Bay Road

1. We have received the Archaeological Report, dated 13 December 2011, carried out by Northern Archaeological Research, for this particular proposal.
2. We note that, with the exception of site Po4/400, none of the lots or associated works would appear to affect recorded archaeological sites.
3. We also note that the survey also concluded that the remains recorded as site Po4/400 do not appear to contain archaeological remains of any nature.
4. Therefore it is concluded that no archaeological sites will be affected by the proposal.
5. However, given that there is recorded archaeology in the general area of the proposal, we generally concur with the recommendations of the Archaeological Report. We recommend proceeding on the basis of an Accidental Discovery Protocol ("ADP") as an advice note if resource consent is granted. We have attached an ADP for your information.

Yours sincerely,

Duncan McKenzie
Heritage Advisor Planning



New Zealand Historic Places Trust
Pouhere Taonga



Appendix 13 Previous Correspondence from NZHPT 2012

17 July 2012

Dennis Thomson
Thomson Surveying
P O Box 372
Kerikeri

cc: Far North District Council
Private Bag 752
Memorial Avenue
Kaikohe 0400

Attention: Liz Searle

Dear Dennis,

RC 2120373 Lodge and de Turret – 660 Taupo Bay Road, Mangonui – 5 Lot Subdivision

1. Thank you for forwarding a copy of the Archaeological report dated December 2012.
2. NZHPT is an affected party in its role as statutory advocate for historic heritage.
3. Historic heritage is a matter of national importance under Section 6(f) of the Resource Management Act ("RMA") 1991. Part 2 of that Act includes archaeology under the definition of historic heritage. Under section 104(1) of the RMA, a territorial authority must consider Part 2 matters (which includes section 6(f)) when making a decision on an application. Therefore, effects on archaeological sites must be taken into account by council when assessing a consent application.
4. The report provided states that two archaeological sites have been identified on the neighbouring site (also owned by the applicants for 660 Taupo Bay Road) referenced PO4/28 & PO4/29. These sites are reported as being 'doubtful', in that doubt exists *'as to whether or not a particular set of surface features were of human origin'*. A further site PO4/400 located on the subject site has been investigated with no archaeological remains of any nature having been exposed.
5. While the archaeological assessment has been inconclusive in confirming archaeological remains in relation to the above referenced sites, archaeology is also identified in the wider locality. Given this, we recommend proceeding on the basis of an Accidental Discovery Protocol ("ADP") as an advice note if resource consent is granted. We have attached an ADP for your information.

Yours sincerely,

Jodie Mitchell
Heritage Advisor Planning

Northern Regional Office, Private Box 105-291, Auckland City 1143
Phone: 09 307 8896 Fax: 09 303 4428 Email jmitchell@historic.org.nz <http://www.historic.org.nz>