

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

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

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

Yes No

4. Consultation

Have you consulted with Iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant Details

Name/s:

Rewa Willis

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:

Northland Planning & Development 2020 Ltd

Email:

Phone number:

Postal address:

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

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

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

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

Name/s:

R Willis Trustee Limited

**Property Address/
Location:**

415E Pungaere Road, Waipapa

Postcode

0295

8. Application Site Details

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

Name/s:

**Site Address/
Location:**

Postcode

Legal Description:

Val Number:

Certificate of title:

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

Site visit requirements:

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

Is there a dog on the property? Yes No

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

9. Description of the Proposal:

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

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

10. Would you like to request Public Notification?

Yes No

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

(more than one circle can be ticked):

- Building Consent
- Regional Council Consent (ref # if known)
- National Environmental Standard consent
- Other (please specify)

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

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

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

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

- Subdividing land
- Changing the use of a piece of land
- Disturbing, removing or sampling soil
- 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)

Rewa Willis c/- Willis Family Trust

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)

Rewa Willis

Signature:

(signature of bill payer)

Date 30-Jan-2025

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)

Rewa Willis

Signature:

[Redacted Signature]

Date 30-Jan-2025

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.

Variation of Consent Conditions for RC 2230384-RMALUC

Rewa Willis

415E Pungaere Road, Kerikeri

Date 12 February 2025

Attention: Nick Williamson

Please find attached:

- An application for a Variation to approved Landuse Consent RC2230384 to change the design and location of the minor residential unit previously approved in the **Rural Production Zone**.
- An assessment of Environmental Effects in support of the change to conditions.

The proposed variation application has been assessed as a **Discretionary Activity** under section 127 of the Resource Management Act.

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

Regards,

Alex Billot



Resource Planner

Reviewed by:



Rochelle Jacobs

Director/Senior Planner

NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED



Table of Contents

1.0 DESCRIPTION OF THE PROPOSED ACTIVITY	3
2.0 SITE DESCRIPTION	5
TITLE.....	6
<i>Consent Notice 7979129.2</i>	<i>6</i>
<i>Consent Notice 12697945.2</i>	<i>6</i>
3.0 CONSENT REQUIREMENTS.....	8
WEIGHTING OF PLANS	8
OPERATIVE DISTRICT PLAN	8
<i>Rural Living Zone Assessment</i>	<i>9</i>
<i>District Wide Matters.....</i>	<i>12</i>
OPERATIVE DISTRICT PLAN BREACHES.....	14
PROPOSED DISTRICT PLAN.....	14
4.0 STATUTORY ASSESSMENT	14
SECTION 127 OF THE RMA	14
SECTION 104B OF THE ACT.....	15
SECTION 104(1)(A) OF THE ACT.....	15
5.0 VARIATION TO CONSENT CONDITIONS	16
6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS	17
7.0 POLICY DOCUMENTS.....	18
8.0 CONSIDERATION OF POTENTIALLY AFFECTED PARTIES	19
9.0 PART 2 ASSESSMENT.....	21
10.0 CONCLUSION	21
11.0 LIMITATIONS	21

Attachments

1. FNDC Application Signed
2. Certificate of Title– LINZ
3. Consent Notices - LINZ
4. Land Covenants - LINZ
5. Updated Plans – PFA
6. Updated Wastewater Report – O’Brien Design Consulting
7. Updated Stormwater Management Design – O’Brien Design Consulting
8. Approved RC 2230384 – FNDC
9. Correspondence - FENZ



Assessment of Environment Effects Report

1.0 Description of the Proposed Activity

- 1.1 The proposal is seeking to vary the design and location of the Minor Residential Unit (MRU) approved under RC2230384.
- 1.2 Consent was originally obtained by Pungaere Properties Limited on behalf of Rewa Willis to construct a MRU on the site at the same time as constructing the principal dwelling. Consent was obtained prior to the site finalising subdivision, as such the previous proposal referenced the larger site, but also the future allotment and LT plan. The property has now finalised the subdivision and ownership is now with Rewa Willis. Since obtaining consent some time ago a few design changes have been made these are as follows:
- Slight change to the internal layout of the principal dwelling and deck layout.
 - Change to the location and design of the pool area.
 - Change to the vehicle parking and manoeuvring areas.
 - Change of the design and location of the MRU.
- 1.3 While the first three items do not trigger or change any of the approved land-use departures, the fourth item varying the approved MRU does change the original considerations made by the Councils Planner as well as changes to referencing to plans within the approved RC2230384 conditions. Subsequently, updated stormwater and wastewater reports have been prepared to accompany the changes to the design and location.
- 1.4 The proposal does not create any additional infringements under the Operative District Plan, with the principal dwelling not triggering requirement for resource consent, however landuse consent remains a requirements for the MRU.
- 1.5 RC2230384 was originally assessed as a Controlled Activity under the ODP. As per Section 127 of the RMA, any amendments to the consent conditions are to be assessed as a **Discretionary Activity**.



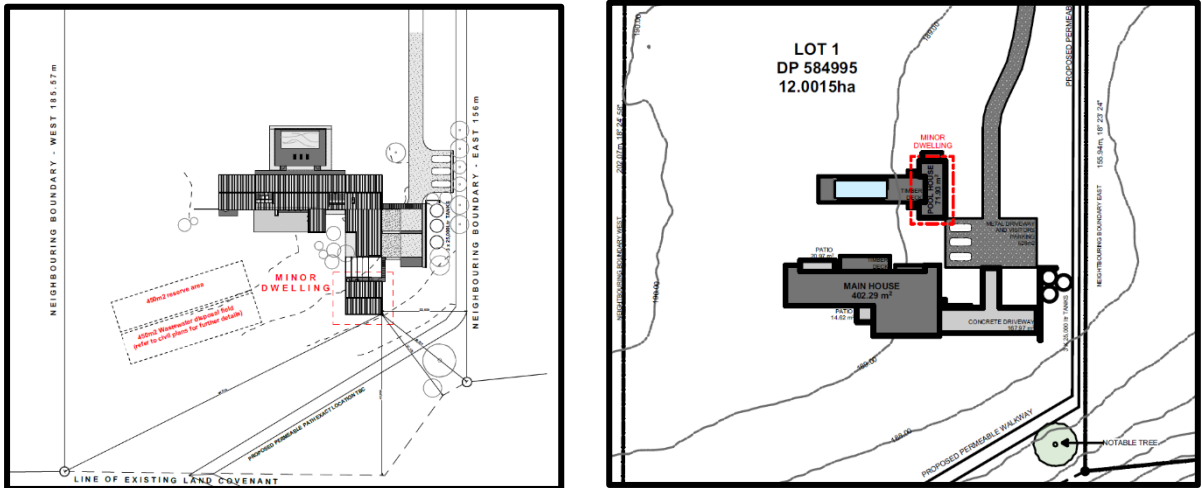


Figure 1: Previously approved location (left) and proposed varied location (right).

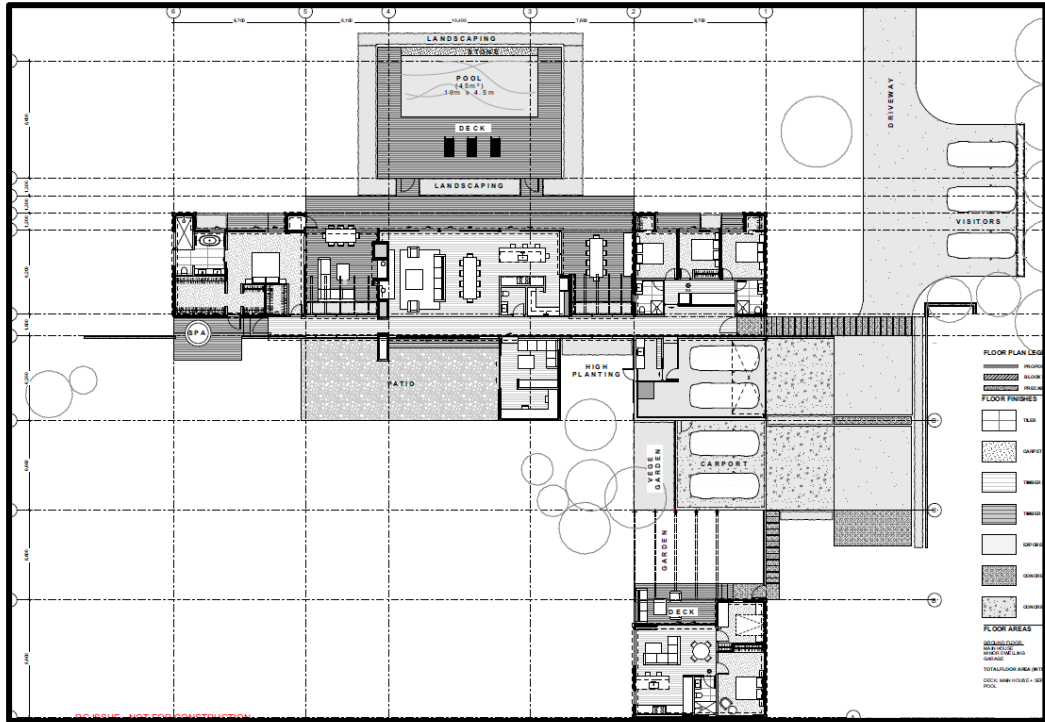


Figure 2: Previously approved layout under RC2230384.



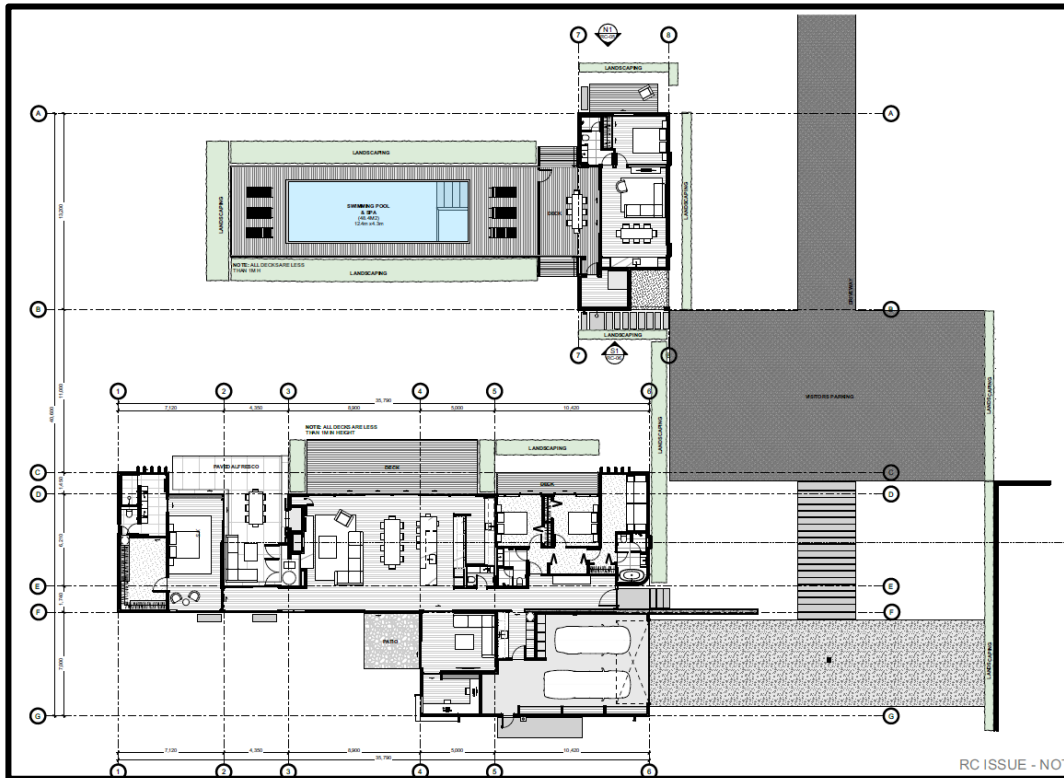


Figure 3: Proposed varied layout and location of MRU.

2.0 Site Description

- 2.1 At the time of lodgement of the application under RC2230384, the site had only been recently approved for subdivision, with the majority of the works completed. It was determined prior to lodgement of the application under RC2230384, that so long as s223 for the subdivision was sought, RC2230384 could be processed. Assessment of the proposal against the parent title and the new title to be created was provided as part of RC2230384. Since then, the subdivision has been completed, with titles issued in April 2023. As such, no assessment against the parent title which the subject site was created from is now necessary.
- 2.2 Lot 1 DP 584995 is approx. 12ha in size. The site comprises of a large paddock area which is mostly flat. This area is the location of the proposed development. The site then falls away into bush which is subject to existing covenants.
- 2.3 Lot 1 DP 584995 is accessed via a sealed right of way driveway (approximately 820m long with a 5m carriageway). It is planted on both sides, predominantly with mixed species which provides amenity and privacy to other dwellings accessed via this driveway.
- 2.4 When we last visited the site, the right of way was shared by five other dwellings. When exiting the ROW onto Pungaere Road and entering the ROW there remains ample room to pause and/or manoeuvre. Recent works were completed as part of the subdivision to improve this crossing point.



- 2.5 Water supply will be via rainwater harvesting, stormwater will be managed on-site and wastewater will be treated via an on-site system proposed as part of this application.

Title

- 2.6 As mentioned, the title for Lot 1 DP 584995 was created on 17th April 2023 under Identifier 1102011. The site has a legal area of 12.012 hectares.

- 2.7 The site is subject to multiple land covenants, easements and consent notices. Of interest to this application are the land covenants and consent notices registered on the title. These are as follows:

- Land Covenant 6662870.5,
- Land Covenant 6703415.5,
- Land Covenant 6907313.6,
- Land Covenant 6907313.7,
- Land Covenant 7656842.1,
- Land Covenant 7828421.6,
- Land Covenant 7979129.4, and
- Land Covenant 8133726.3

- 2.8 As per the assessment made within the application for RC2230384, these land covenant documents are not applicable to the subject site and/or were not impacted by the proposed development. As the proposed development as part of this application is located in the same general area as the previously approved development, it is considered that the proposal is not impacted by the land covenant documents registered on the title.

Consent Notice 7979129.2

- 2.9 There is one consent notice condition registered within this document which states the following:

The living significant indigenous vegetation (identified within the Department of Conservations Protected Natural Area Programme) on the site shall be preserved and shall not be cut down, damaged or destroyed (except for walking track maintenance, and tracks for pest control operations) without the prior written consent of the Council. Such consent may be given in the form of a Resource Consent. The owner shall be deemed to be not in breach of this prohibition if any such vegetation dies from natural causes which are not attributable to any act or default by or on behalf of the owner of for which the owner is responsible.

- 2.10 The area of bush partly located within the subject site will not be affected by the proposal with no vegetation removal or damage sought.

Consent Notice 12697945.2

- 2.11 The following conditions are listed on this consent notice document:



- (i) ***The location and foundations of any buildings shall be designed and certified by a suitably experienced Chartered Professional Engineer, prior to issue of any building consent.***

2.11.1 This information will form part of the building consent application and is now generally standard practice with any building consent application.

- (ii) ***In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval a detailed TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer and include a geotechnical site suitability assessment of the proposed site. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area.***

2.11.2 A TP58 report has been provided as part of this assessment by O'Brien Design Consulting who are an approved TP58 Report writer. This report is an update to the previous report approved as part of the previous application. As part of the building consent process the geotechnical site suitability assessment will be completed which will meet the second part of this notice.

- (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.***

2.11.3 FENZ has been contacted as part of this application to provide confirmation of compliance. This confirmation has been included as an Appendix to this application.

- (iv) ***In conjunction with the construction of any buildings and other impermeable surfaces, the lot owner shall provide, at the time of lodging a building consent application, a specific design for stormwater management, prepared by a suitably qualified Chartered Professional Engineer or Suitably Qualified Engineering Practitioner, which addresses stormwater management measures being proposed in the application. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to a 1% AEP plus allowance for climate change.***

2.11.4 A TP10 has been provided by O'Brien Design consulting who are considered a Suitably Qualified Engineering Practitioner by Council to show compliance with this notice. The TP10 provided is an update to the original report approved by Council.

- (v) ***Reticulated power and telecommunication services are not a requirement of this subdivision consent. The responsibility for providing power and telecommunication services will remain the responsibility of the property owner.***



2.11.5 The consent holder is aware that power and telecommunications services will need to be provided at time of building consent.

(vi) No cats, dogs or mustelids shall be kept, or permitted to be kept on the property except for the following:

• The keeping of up to two dogs is permitted provided that they are trained in 'kiwi-aversion' and kept under control at all times and kept in a dog proof enclosure or inside at night-time.

The owner of the site shall ensure that any visitor to the site is made aware of and complies with the above requirements.

2.11.6 Compliance with this notice will be achieved.

3.0 Consent Requirements

Weighting of Plans

3.1 Under the Proposed District Plan, the site is zoned as Rural Production and is not subject to any overlays.

3.2 The Council notified its' PDP on 27 July 2022. The period for public submissions closed on the 21 October 2022. A summary of submissions was notified on the 4 August 2023. The further submission period closed on the 5 September 2023. It is apparent from the summary of submissions relating to the applicable zone that a large number relate to the application of these provisions. Based on the volume and comprehensive nature of these submissions, the Council has confirmed that no other rules will have legal effect until such time as a decision is made on those provisions.

3.3 District Plan hearings on submissions are currently underway and are scheduled to conclude in October 2025. No decision on the PDP has been issued. For this reason, little weight is given to the PDP provisions, with the exception of those which have immediate legal effect.

Operative District Plan

3.4 The subject site is located within the Rural Production Zone.

3.5 An updated assessment of the relevant rules of the Operative District Plan is set out in the tables below as a comparison to what was originally approved.



Rural Living Zone Assessment

Assessment of the permitted RURAL LIVING ZONE RULES:			
<u>PERFORMANCE STANDARDS</u>			
Plan Reference	Rule	RC 2230384 Performance of Proposal	Updated Performance of Proposal
8.6.5.1.1	RESIDENTIAL INTENSITY	<p>Consent Required</p> <p>As per the original assessment, to construct the minor residential unit, more than one dwelling will be located on the property. As the site is less than 24 ha in size, consent is triggered. The unit will have at least 3000m² for its exclusive use, although the two households will operate in conjunction with each other.</p>	<p>Consent Required</p> <p>No change</p>
8.6.5.1.2	SUNLIGHT	<p>Permitted</p> <p>The proposed buildings were located a sufficient distance from boundaries to comply with the sunlight provisions.</p>	<p>Permitted</p> <p>The updated plans determine that the proposed principal dwelling and MRU can comply with the sunlight provisions.</p> <p>As shown on the elevation plans from PFA, the three water tanks will be no higher than 2.7m and therefore, are not classified as a building such that they do not trigger assessment under this rule.</p>
8.6.5.1.3	STORMWATER MANAGEMENT	<p>Permitted</p> <p>Proposed coverage was 1298.8m² which was well below the permitted standard.</p>	<p>Permitted</p> <p>The permitted impermeable surface coverage for the site is 18018m², which is 15% of the total site area.</p> <p>The proposed plans have included the existing driveway from Pungaere Road, which was not included within the original application. PFA have calculated this to be an area of 10,017.25m², however, this includes the entirety of the legal width of the ROW, rather than just the impermeable surface coverage of the ROW.</p>



			<p>All other impermeable surface coverage on the site (minus the ROW) has been calculated to be 1354.42m² which is only slightly larger than the previous plans (less than 56m²) and is still well within the permitted allowance.</p> <p>Even accounting for the total area of the ROW (which is not the actual impermeable surface coverage on the ground), the total amounts to 11371.67m², which is less than the permitted 18018m².</p> <p>Given that the impermeable surfaces on the site are less than this, the proposal is considered permitted in terms of the ODP.</p> <p>O'Brien Consulting have completed a TP10 for the site, which excludes the ROW area, as stormwater management of this would have been undertaken as part of the subdivision proposal.</p>
8.6.5.1.4	SETBACK FROM BOUNDARIES	<p>Permitted.</p> <p>The proposed buildings were located a minimum of 11.2m from the closest site boundary which complies with the 10m permitted setback distance.</p>	<p>Permitted.</p> <p>As per the plans provided by PFA, the buildings are located a sufficient distance from the closest boundary, to comply with the permitted thresholds.</p> <p>As shown on the elevation plans from PFA, the three water tanks will be no higher than 2.7m and therefore, are not classified as a building such that they do not trigger assessment under this rule.</p>
8.6.5.1.5	TRANSPORTATION	<p>Permitted.</p> <p>Traffic - Permitted standard allows for up to 60 traffic movements per site as access is not via a State Highway. Traffic movements associated with the dwelling are not</p>	<p>Permitted.</p> <p>No change</p>



		<p>counted. A minor residential unit is anticipated to generate 7 traffic movements, similar to a townhouse. Therefore, a total of 7 TIF will be generated, complying with the standard.</p> <p>Parking – Ample area for four car parking spaces which can comply with the standards.</p> <p>Access – Permitted.</p>	
8.6.5.1.6	KEEPING OF ANIMALS	Not applicable	Not applicable
8.6.5.1.7	NOISE	Not applicable.	Not applicable.
8.6.5.1.8	BUILDING HEIGHT	<p>Permitted The building height was within 12m</p>	<p>Permitted The proposed building height is within 12m.</p>
8.6.5.1.9	HELICOPTER LANDING AREA	Not applicable.	Not applicable.
8.6.5.1.10	BUILDING COVERAGE	<p>Permitted. The total building coverage was 618m² which was well below the permitted standard.</p>	<p>Permitted. As per the plans from PFA, the building coverage within the site equates to 693.8m² and therefore complies with the permitted threshold.</p>
8.6.5.1.11	SCALE OF ACTIVITIES	<p>Permitted. Buildings were to be used for residential purposes.</p>	<p>Permitted. No change.</p>
8.6.5.1.12	TEMPORARY EVENTS	Not applicable.	Not applicable.
8.6.5.2.3	MINOR RESIDENTIAL UNIT	<p>Controlled Activity The proposed minor dwelling complied with the conditions and as such was defined as a minor residential unit.</p>	<p>Controlled Activity</p> <ul style="list-style-type: none"> (a) There will be only one minor residential unit on the property. (b) The site has more than 5000m² in area. (c) vehicle access to the property will be shared with the principal unit.



			<p>(d) The separation distance from the principal dwelling is 11m (i.e. less than 30m).</p> <p>The proposal meets the definition of a MRU as:</p> <p>(i) The MRU has a GFA of less than 65m² (64.9m² in total).</p> <p>(ii) It will be subsidiary to the principal dwelling</p> <p>(iii) Will be located and retained with the same CT as the principal dwelling.</p>
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District Wide Matters

Assessment of the applicable District Wide Chapters			
Plan Reference	Rule	RC 2230384 Performance of Proposal	Updated Performance of Proposal
Chapter 12.1	Landscapes and Natural Features	Complies Not applicable as no features are mapped on site.	Permitted No change
Chapter 12.2	Indigenous Flora & Fauna	Complies No vegetation clearance will be undertaken as part of this development.	Permitted No change
Chapter 12.3	Soils and Minerals	Permitted Less than 5000m ³ of earth was to be disturbed.	Permitted Less than 5000m ³ of earth will be disturbed as part of this activity and no cut or fill faces will exceed an average of 1.5m in height.
Chapter 12.4	Natural Hazards	Complies The site and development area were not subject to natural hazards, nor are there any large stands of vegetation which could trigger fire risk.	Permitted No change.
Chapter 12.5	Heritage	Not applicable. There are no heritage resources mapped on site.	Permitted No change
Chapter 12.6	Air	Deleted.	



Chapter 12.7	Lakes, Rivers, Wetland and the Coastline	Not applicable. The site does not adjoin waterways.	Not applicable. No change.
Chapter 12.8	Hazardous Substances	Complies Not applicable	Permitted No change
Chapter 12.9	Renewable Energy	Complies Not applicable	Permitted No change



Operative District Plan Breaches

- 3.6 The assessment above has identified that there are no new rule infringements as a result of the changes and that the overall activity status remains as a Controlled Activity.

Proposed District Plan

- 3.7 The proposal is also subject to the Proposed District Plan process. Within the Proposed District Plan, the site is zoned Rural Production and is not subject to any overlays. Assessment of the matters relating to the Proposed District Plan that have immediate legal effect, were undertaken as part of the AEE within RC2230384. At the time of writing this application we are unaware of any other rules which do have immediate legal effect. As such, the proposal is deemed to be Permitted in terms of the PDP.

4.0 Statutory Assessment

Section 127 of the RMA

- 4.1 The following section of the Resource Management Act (RMA) is relevant to the proposed change to consent conditions.

127 Change or cancellation of consent condition on application by consent holder

(1) The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent, subject to the following:

(a) the holder of a subdivision consent must apply under this section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and

(b) no holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.

(2) [Repealed]

(3) Sections 88 to 121 apply, with all necessary modifications, as if—

(a) the application were an application for a resource consent for a discretionary activity; and

(b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

(3A) If the resource consent is a coastal permit authorising aquaculture activities to be undertaken in the coastal marine area, no aquaculture decision is required in respect of the application if the application is for a change or cancellation of a condition of the consent and does not relate to a condition that has been specified under section 186H(3) of the Fisheries Act 1996 as a condition that may not be changed or cancelled until the chief executive of the Ministry of Fisheries makes a further aquaculture decision.

(4) For the purposes of determining who is adversely affected by the change or cancellation, the consent authority must consider, in particular, every person who—

(a) made a submission on the original application; and

(b) may be affected by the change or cancellation.

- 4.2 Consent is sought to change **the following conditions** of RC2230384-RMALUC.



- Condition 1 – change to reference the amended plans, showing the new location and design of the minor residential unit as well as the changes to the principal dwelling, parking and manoeuvring.
- Condition 2 – change to reference the new wastewater report completed by O’Brien Design Consulting.
- Condition 3 – change to reference the new stormwater design report completed by O’Brien Design Consulting.

4.3 The amendment to the consent conditions is therefore a **Discretionary Activity** as per Section 127 of the RMA.

Section 104B of the Act

4.4 Section 104B governs the determination of applications for Discretionary and Non-Complying Activities. With respect to both Discretionary and Non-Complying Activities, a consent authority may grant or refuse an application, and impose conditions under section 108.

Section 104(1)(a) of the Act

4.5 Section 104(1) of the Act states that when considering an application for resource consent –

“the consent authority must, subject to Part II, have regard to –

*(a) Any actual and potential effects on the environment for allowing the activity; and
(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*

(b) Any relevant provisions of –

- (i) A national environmental standard*
- (ii) Other regulations*
- (iii) A national policy statement*
- (iv) A New Zealand Coastal Policy Statement*
- (v) A regional policy statement or proposed regional policy statement*
- (vi) A plan or proposed plan; and*

(c) Any other matter the consent authority considers relevant and reasonable necessary to determine the application.’

4.6 Actual and potential effects arising from a development as described in 104(1)(a) can be both positive and adverse (as described in section 3 of the act). As assessed in Section 6 below, the proposal will have actual and potential effects that are acceptable.

4.7 Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity’. It is considered the proposal is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment.



4.8 Section 104(1)(b) requires the consent authority to consider the relevant provisions of the above listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment has been provided in Section 7 below.

4.9 Section 104(1)(c) states that consideration must be given to ‘any other matters that the consent authority considers relevant and reasonable, necessary to determine the application’. There are no other matters relevant to this application.

5.0 Variation to consent conditions

5.1 The variation to consent conditions are shown below, with the amendments shown in red.

5.1.1. Condition 1 states the following:

The activity shall be carried out in general accordance with the approved plans prepared by Ponting Fitzgerald Architects referenced Proposed Residence at 415 Pungaere Road, Waipapa, Northland, dated 10/01/2023, and attached to this consent with the Council’s “Approved Stamp” affixed to them. These plans include the following:

- Proposed Site Plan
- Ground Floor Presentation Plan
- Elevations – North & East
- Elevations – South & West

5.1.2. The following change is sought.

The activity shall be carried out in general accordance with the approved plans prepared by Ponting Fitzgerald Architects referenced Proposed Residence at 415 Pungaere Road, Waipapa, Northland, dated ~~10/01/2023~~ 22/01/2025, and attached to this consent with the Council’s “Approved Stamp” affixed to them. These plans include the following:

- Proposed Site Plan
- Ground Floor Presentation Plan
- Elevations – North & East
- Elevations – South & West

5.1.3. Condition 2 states the following:

The consent holder shall ensure that the treatment and disposal system is constructed generally in accordance with the recommendations contained within the Onsite Wastewater Report prepared by O’Brien Design Consulting dated 06 December 2022, referenced Job No:2840 and submitted with application documents of RC2230384.

5.1.4. The following change is sought:



The consent holder shall ensure that the treatment and disposal system is constructed generally in accordance with the recommendations contained within the Onsite Wastewater Report prepared by O'Brien Design Consulting dated ~~06 December 2022~~ 5th February 2025, referenced Job No:2840 and submitted with application documents of ~~RC2230384~~ 2230384-RMAVAR/A.

5.1.5. Condition 3 states the following:

In conjunction with the construction of the building's roof, install and maintain on an ongoing basis, the stormwater attenuation and management system, in general accordance with the Stormwater Management Design Report, dated 06 December 2022 referenced Stormwater Management Design for Principal & Minor Dwelling, prepared by O'Brien Design Consulting, and submitted with application documents of RC2230384.

5.1.6. The following changes are sought:

In conjunction with the construction of the ~~building's roof~~ proposed minor residential unit, install and maintain on an ongoing basis, the stormwater attenuation and management system, in general accordance with the Stormwater Management Design Report, dated ~~06 December 2022~~ 5th February 2025 referenced Stormwater Management Design for Principal & Minor Dwelling, prepared by O'Brien Design Consulting, and submitted with application documents of ~~RC2230384~~ 2230384-RMAVAR/A.

6.0 Assessment of Environmental Effects

- 6.1 For the purposes of this assessment, consideration of the effects of the proposal has been limited to the proposed changes rather than re-visit the effects of the original application.
- 6.2 The proposal includes changing the location and design of the minor residential unit (MRU) as well as the parking and access layout and some minor changes to the principal dwelling. Of interest to this assessment is the new location and design of the MRU.
- 6.3 The MRU will be located 11m from the principal dwelling, well within the 30m maximum standard. Both buildings have outlooks in different directions, which offer privacy to both dwelling units while being within close proximity to each other. The main living space of the principal dwelling looks to the north and west, with the MRU orientated to the west, towards the pool. Although the principal dwelling will look towards the MRU, the MRU is positioned such that it will be located closest to the eastern portion of the dwelling, such that the main living space of the principal dwelling will not be overlooking the MRU. Landscaping as well as privacy screening of the MRU will also increase privacy views. The intent is that both structures will operate in conjunction with each other and provide privacy when necessary.



- 6.4 The design and appearance of the new MRU will be compatible with the principal house. The pitch of the roof and the materials used have been chosen to be in keeping with the principal dwelling.
- 6.5 Water supply for the principal dwelling and MRU will be sourced from three on-site rainwater harvesting tanks sharing infrastructure.
- 6.6 The proposed wastewater disposal unit and dripper lines have been designed to cater for both the proposed dwelling and minor residential unit.
- 6.7 The site is well landscaped with a large, covenanted bush area. The dwellings are set well back from the ROW providing adequate privacy to the future users. No additional landscaping is required for this application.
- 6.8 Access and parking will be shared, with the principal dwelling also having an attached garage. The location of the parking and access once again joins the two buildings such that they do not seem disjointed from one another.
- 6.9 Changes to the conditions are related to the change in reference to the amended plan set and stormwater and wastewater reports which reflect the new location of the MRU.
- 6.10 Overall, it is considered that the proposal will result in no more than minor environmental effects.

7.0 Policy Documents

- 7.1 Section 104(1)(b) requires that when considering an application for a resource consent, the consent authority must, subject to Part 2, have regard to:
 - Any relevant provisions of –
 - i. A national environmental standard;
 - ii. Other regulations;
 - iii. A national policy statement;
 - iv. A New Zealand coastal policy statement;
 - v. A regional policy statement or proposed regional policy statement;
 - vi. A plan or proposed plan
- 7.2 As the proposal has only recently been granted and the changes being sought are minor in nature it is considered that the previous policy assessment is still relevant and can continue to be relied upon in this case. The conclusion remains that the development is still generally consistent with the relevant objectives and policies of those statutory documents.



8.0 Consideration of potentially affected parties

- 8.1 Sections 95D and 95E (shown below) detail the requirement of consideration of likely effects on any person or party by the consenting authority to determine if a person is considered to be an “affected” by the proposed activity.

95D Consent authority decides if adverse effects likely to be more than minor

A consent authority that is deciding, for the purpose of section 95A(2)(a), whether an activity will have or is likely to have adverse effects on the environment that are more than minor—

(a) must disregard any effects on persons who own or occupy—

(i) the land in, on, or over which the activity will occur; or

(ii) any land adjacent to that land; and

(b) may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and

(c) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and

(d) must disregard trade competition and the effects of trade competition; and

(e) must disregard any effect on a person who has given written approval to the relevant application.

- 8.2 The proposal includes assessment of the effects, that demonstrates that the actual and potential adverse effects of the proposal are no more than minor on the environment.

95E Consent authority decides if person is affected person

(1) A consent authority must decide that a person is an affected person, in relation to an activity, if the activity’s adverse effects on the person are minor or more than minor (but are not less than minor).

(2) The consent authority, in making its decision, —

(a) may disregard an adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect; and

(b) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity on the person that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and

(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

(3) Despite anything else in this section, the consent authority must decide that a person is not an affected person if—

(a) the person has given written approval to the activity and has not withdrawn the approval in a written notice received by the authority before the authority has decided whether there are any affected persons; or

(b) it is unreasonable in the circumstances to seek the person’s written approval.

The application must be limited notified to the relevant persons if the following are determined, as specified by section 95B(2) and (3):

(2) (a) affected protected customary rights groups; or

(b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).



(3) (a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in [Schedule 11](#); and (b) whether the person to whom the statutory acknowledgement is made is an affected person under [section 95E](#).

8.3 There are no rules or NES that permit the activity. The variation is not a controlled or restricted discretionary activity. There are no protected customary rights groups or customary marine title groups or statutory acknowledgement areas that are relevant to this application as per the assessment undertaken in RC2230384.

8.4 Other affected persons must be notified in the following circumstances specified by section 95B(7) and (8):

(7) Determine whether, in accordance with section 95E, the following persons are affected persons:

(a) in the case of a boundary activity, an owner of an allotment with an infringed boundary; and

(b) in the case of any activity prescribed under section 360H(1)(b), a prescribed person in respect of the proposed activity.

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

8.5 The proposal does not involve a boundary activity. There are no other persons deemed to be affected by the proposal.

In deciding who is an affected person under section 95E, a council under section 95E(2):

(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—

(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and

(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and

(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

8.6 A council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval.

8.7 With respect to section 95B(8) and section 95E, the effects of the proposal was considered as part of the assessment of environmental effects undertaken in Section 6 of this report, which found that the potential adverse effects on the environment will be no more than minor. In regard to effects on persons, the assessment in the sections above are also relied on and the following comments made:

- The proposed changes are not considered to be contrary to the objectives and policies under the District Plan or the Proposed District Plan.
- The proposed changes are not contrary to the Northland Regional Policy Statement.
- The variation can still achieve the intent of the original land-use consent.



- The proposal will result in a more cohesive design and better outdoor living opportunities for the future residents.
- The proposal will not result in any adverse effects on any other adjoining sites.

8.8 Taking into account the intent of the original land-use consent and the consent conditions that are in place to mitigate the various effects; it is considered that no persons or parties with the exception of Council are considered to be actually or potentially affected by the proposal. Overall, the adverse effects on any persons are considered to be less than minor.

9.0 Part 2 Assessment

9.1 There is no change to this assessment from RC 2230384.

10.0 Conclusion

10.1 This variation has been sought to locate the MRU in a different location, whilst still meeting the requirements of a MRU under the ODP. The proposed changes will not alter the original intent of RC2230384, with the site still only being developed with one MRU.

10.2 No significant adverse effects are anticipated to arise from the amended plans. All effects of the activity will continue to be managed within the property boundaries. Overall, it is considered that the varied proposal will result in no more than minor effects on the environment.

10.3 In terms of section 104(1)(a) of the Act, the actual and potential effects of the proposal will continue to be no more than minor. It is also considered that the proposal will have no more than minor adverse effects on the wider environment. No other persons will be adversely affected and there are no special circumstances.

10.4 In terms of section 104(1)(b) of the Act, the proposal continues to be generally consistent with the objectives, policies and assessment criteria of the relevant statutory documents.

10.5 As a Discretionary Activity, the application has been assessed under the matters specified under Section 104 and 104B of the Resource Management Act 1991. It is considered that the proposal results in no more than minor effects on the environment. It is considered appropriate for consent to be granted on a non-notified basis, subject to fair and reasonable conditions.

11.0 Limitations

11.1 This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.



- 11.2 Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 11.3 Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
- 11.4 Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.





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

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




R.W. Muir
Registrar-General
of Land

Identifier **1102011**
Land Registration District **North Auckland**
Date Issued 17 April 2023

Prior References
427023

Estate Fee Simple
Area 12.0120 hectares more or less
Legal Description Lot 1 Deposited Plan 584995
Registered Owners
R Willis Trustee Limited

Interests

Appurtenant hereto is a right of way created by Transfer B757765.9 - 27.11.1987 at 2.13 pm
The easement created by Transfer B757765.9 is subject to Section 309 (1) (a) Local Government Act 1974
Land Covenant in Easement Instrument 6662870.5 - 24.11.2005 at 9:00 am
Appurtenant hereto are right of way, right to convey water, electric power, telecommunications and computer media created by Easement Instrument 6703415.3 - 22.12.2005 at 9:00 am
The easements created by Easement Instrument 6703415.3 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 6703415.5 - 22.12.2005 at 9:00 am
Land Covenant in Easement Instrument 6907313.6 - 15.6.2006 at 9:00 am
Land Covenant in Easement Instrument 6907313.7 - 15.6.2006 at 9:00 am
Land Covenant in Easement Instrument 7656842.1 - 14.12.2007 at 9:00 am
Subject to a right of way, right to convey electric power, telecommunications and computer media and a right to convey water over part marked A on DP 584995 created by Easement Instrument 7828421.4 - 27.5.2008 at 9:00 am
Some of the easements created by Easement Instrument 7828421.4 are subject to Section 243 (a) Resource Management Act 1991 (See DP 393431)
Subject to a right (in gross) to transmit electricity over part marked A on DP 584995 in favour of Top Energy Limited created by Easement Instrument 7828421.5 - 27.5.2008 at 9:00 am
Land Covenant in Easement Instrument 7828421.6 - 27.5.2008 at 9:00 am
7979129.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 5.11.2008 at 2:41 pm
Subject to a right of way, right to transmit electricity, telecommunications and computer media, convey water over part marked A and B DP 584995 created by Easement Instrument 7979129.3 - 5.11.2008 at 2:41 pm
Some of the easements created by Easement Instrument 7979129.3 are subject to Section 243 (a) Resource Management Act 1991
Land Covenant in Easement Instrument 7979129.4 - 5.11.2008 at 2:41 pm

Subject to a right (in gross) to transmit electricity over part marked B DP 584995 in favour of Top Energy Limited created by Easement Instrument 7979129.5 - 5.11.2008 at 2:41 pm

Land Covenant in Easement Instrument 8133726.3 - 25.5.2009 at 9:24 am

Appurtenant hereto is a right of way, a right to transmit electricity and telecommunications, a right to convey water and a right to drain water created by Easement Instrument 8133726.4 - 25.5.2009 at 9:24 am

Some of the easements created by Easement Instrument 8133726.4 are subject to Section 243 (a) Resource Management Act 1991

11551635.1 Open Space Covenant pursuant to Section 22 Queen Elizabeth The Second National Trust Act 1977 - 16.9.2019 at 4:54 pm

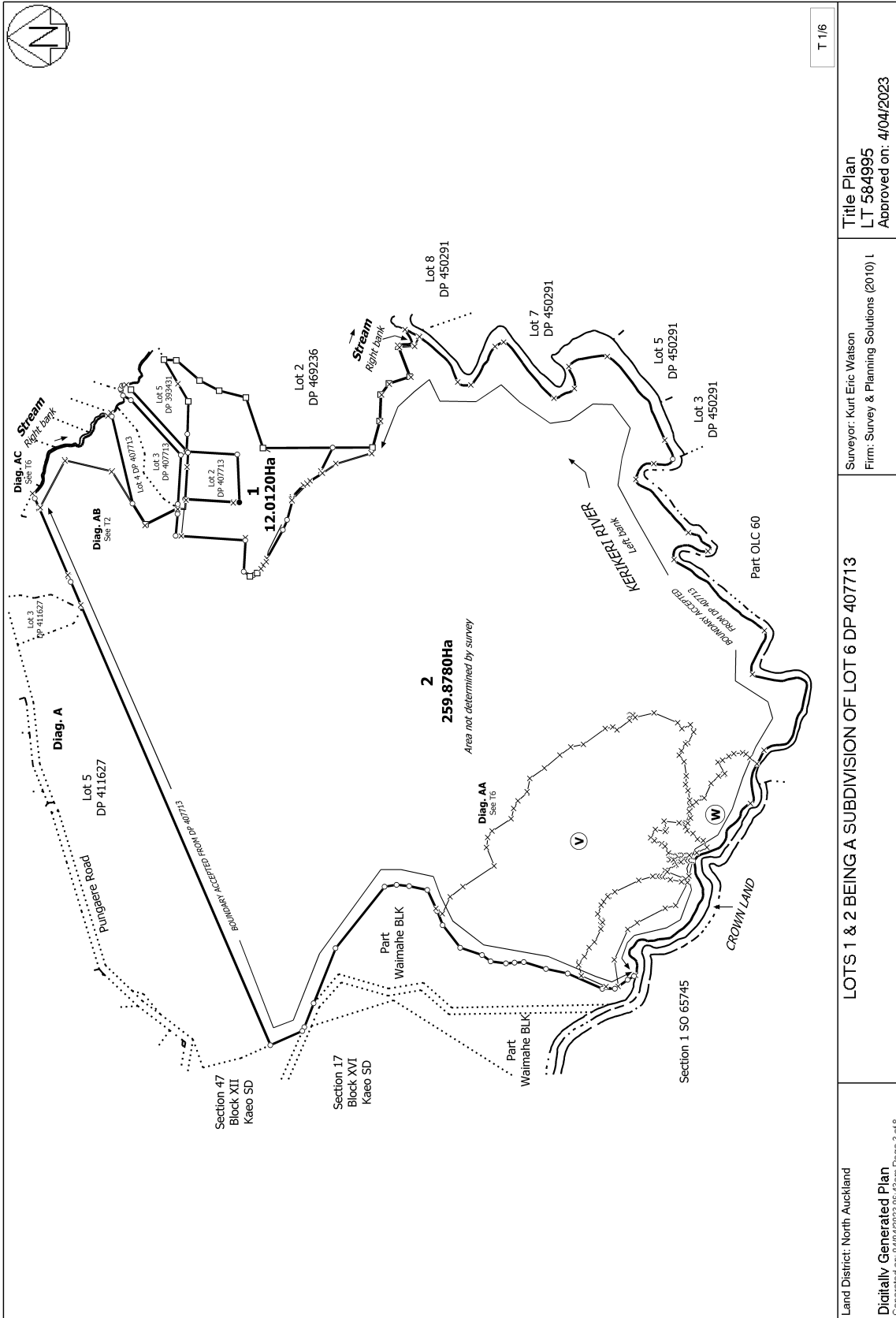
Subject to a right (in gross) to a walkway under the Walking Access Act 2008 over part marked C, F, G, H and J on DP 584995 in favour of New Zealand Walking Access Commission created by Easement Instrument 11735428.1 - 28.4.2020 at 9:44 am

12096473.2 Gazette Notice (2021-In 729) declaring part marked C, F, G, H and J on DP 584995 to be part of a walkway assigned the name Te Ohu Totara Walkway- 22.4.2021 at 7:00 am

12697945.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 17.4.2023 at 3:49 pm

Subject to a right of way, a right to convey electricity, water and telecommunications and a right to drain water over part marked A, B, C and D on DP 584995 created by Easement Instrument 12697945.3 - 17.4.2023 at 3:49 pm

The easements created by Easement Instrument 12697945.3 are subject to Section 243 (a) Resource Management Act 1991



View Instrument Details



Instrument No 7979129.2
Status Registered
Date & Time Lodged 05 November 2008 14:41
Lodged By McLean, Suzanne Carol
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
427020	North Auckland
427021	North Auckland
427022	North Auckland
427023	North Auckland

Annexure Schedule: Contains 1 Page.

Signature

Signed by Claire Ailee McKendry as Territorial Authority Representative on 05/11/2008 02:19 PM

*** End of Report ***



**Far North
District Council**

Private Bag 752, Ahimaitahi Ave
Kaitiaki 6800, New Zealand
Telephones: 0800 920 029
Phone: (09) 405 2750
Fax: (09) 401 2132
Email: ask.us@fnidc.govt.nz
Website: www.fnidc.govt.nz

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221 : CONSENT NOTICE

REGARDING RC 2080186 and 2051260
the Subdivision of Lots 4 -6 DP 112264, Lot 1 DP 112265
North Auckland Registry

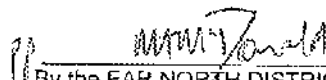
PURSUANT to Section 221 and for the purpose of Section 224 (c)(ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner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

SCHEDULE

Stage 3
Lots 2 & 6 DP 407713

- The living significant indigenous vegetation (identified within the Department of Conservation's Protected Natural Area Programme) on the site shall be preserved and shall not be cut down, damaged or destroyed (except for walking track maintenance, and tracks for pest control operations) without the prior written consent of the Council. Such consent may be given in the form of a Resource Consent. The owner shall be deemed to be not in breach of this prohibition if any such vegetation dies from natural causes which are not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.

SIGNED:


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

Mr Pat Killalea

DATED at Kerikeri this 9th day of September 2008

View Instrument Details



Instrument No 12697945.2
Status Registered
Date & Time Lodged 17 April 2023 15:49
Lodged By Stokes, Belinda Susan
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
1102011	North Auckland
1102012	North Auckland

Annexure Schedule Contains 2 Pages.

Signature

Signed by Lisa Jane Maxwell as Territorial Authority Representative on 17/04/2023 10:49 AM

*** End of Report ***



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CREATING GREAT PLACES
Supporting our people

Private Bag 752, Kaikohe 0440, New Zealand

ask.us@fndc.govt.nz

0800 920 029

fndc.govt.nz

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC-2220400

Being the Subdivision of PT LOT 6 DP 407713
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

Lot 1 & 2 DP 584995

- (i). The location and foundations of any buildings shall be designed and certified by a suitably experienced Chartered Professional Engineer, prior to issue of any building consent.
- (ii). In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval a detailed TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer and include a geotechnical site suitability assessment of the proposed site. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area.
- (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.



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- (iv). In conjunction with the construction of any buildings and other impermeable surfaces, the lot owner shall provide, at the time of lodging a building consent application, a specific design for stormwater management, prepared by a suitably qualified Chartered Professional Engineer or Suitably Qualified Engineering Practitioner, which addresses stormwater management measures being proposed in the application. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to a 1% AEP plus allowance for climate change.
- (v). Reticulated power and telecommunication services are not a requirement of this subdivision consent. The responsibility for providing power and telecommunication services will remain the responsibility of the property owner.

Lot 1 DP 584995

- (vi). No cats, dogs or mustelids shall be kept, or permitted to be kept on the property except for the following:
- The keeping of up to two dogs is permitted provided that they are trained in 'kiwi-aversion' and kept under control at all times and kept in a dog proof enclosure or inside at night-time.

The owner of the site shall ensure that any visitor to the site is made aware of and complies with the above requirements.

SIGNED:

A handwritten signature in cursive script that reads 'P. J. Killalea'.

Mr Patrick John Killalea - Authorised Officer

By the FAR NORTH DISTRICT COUNCIL

Under delegated authority:

PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at **KERIKERI** this 6th day of April 2023

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

2003/6180EF
Approved
Registrar-General of Land

Land registration district

OTAGO
NORTH AUCKLAND

EI 6907313.7 Easemen

Copy - 01/01.Pgs - 006.21/06/06.09:54



DocID 312509964

Grantor

WAIRUA FARMS LIMITED

Surname(s) must be underlined or in CAPITALS.

Grantee

WAIRUA FARMS LIMITED

Surname(s) must be underlined or in CAPITALS.

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

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


DATED this 9 day of June 2006

Attestation

JM Bonham
Director


Signature [Common Seal]
of Grantor

Signed in my presence by the Grantor


Signature of Witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness name:


Occupation:

Address:

JM Bonham
Director


Signature [Common Seal]
of Grantee

Signed in my presence by the Grantee


Signature of Witness

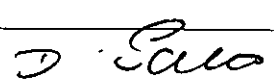
Witness to complete in BLOCK letters (unless legibly printed)

Witness name:

Occupation:

Address:

Certified correct for the purposes of the Land Transfer Act 1952


[Solicitor for] the Grantee

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

Annexure Schedule 1

2003/6180EF
Approved
Registrar-General of Land

Easement instrument

Dated 9 June 2006 Page 2 of 4 pages

Schedule A

Continue in additional Annexure Schedule if required.

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Land Covenant	DP368223	277202	277203 - 277212, 247779
		277203	277202, 277204 - 277212, 247779
		277204	277202, 277203, 277205 - 277212, 247779
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 provided in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

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

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

[The provisions set out in Annexure Schedule 2].

Covenant provisions

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

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

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

[The provisions set out in Annexure Schedule 2].

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

[Handwritten signatures]

Annexure Schedule

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

[Empty box for instrument type]

Dated 9 June 2006

Page 3 of 4 pages

(Continue in additional Annexure Schedule, if required.)

Continuation of Schedule A:

Purpose (nature and extent) of easement, profit or covenant	Shown (plan reference)	Servient Tenement (Identifier/CT)	Dominant Tenement (Identifier/CT)
Land Covenant	DP 368223	277205	277202-277204, 277206- 277212, 247779
		277206	277202-277205, 277207- 277212, 247779
		277207	277202-277206, 277208- 277212, 247779
		277208	277202-277207, 277209-277212, 247779
		277209	277202-277208, 277210-277212, 247779
		277210	277202-277209, 277211-277212, 247779
		277211	277202-277210, 277212, 247779
		277212	277202-277211, 247779

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

[Handwritten signatures]

Annexure Schedule

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

[]

Dated 9 June 2006

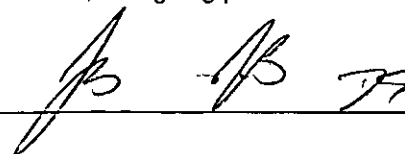
Page 4 of 4 pages

(Continue in additional Annexure Schedule, if required.)

Annexure Schedule 2:

1. The Grantor will not place or build on the land, or cause or allow to be placed or built on the land:
 - (a) Any building or part of a building relocated from any other land. For the purposes of this clause a building shall include any dwelling, garage, shed, or other ancillary building other than:-
 - (i) A shed temporarily located on the site for the use by the Grantor or the Grantor's servants, agents or contractors solely for the purpose or use during the course of construction of any other building on the land;
or
 - (ii) Prefabricated but otherwise unassembled buildings acquired for construction on the land.
 - (b) Any building other than a single dwelling (being a detached residential building of no less than 180m² designed for and occupied exclusively as one household unit and being the only one on site) together with any building ancillary to the single dwelling and including a garage, carport, farm shed, garden shed, glasshouse and sleep-out (provided however that the sleep-out may not be equipped in such a manner as to constitute a dwelling) provided the same are of a construction and colour scheme in sympathy with the residential dwelling.
2. The Grantor shall upon commencement of the erection or construction of any building on the land ensure that building is completed within one year from the date of commencement or erection or construction. Completion is deemed to include affixing all exterior cladding and completing all exterior painting. This clause does not prevent a Grantor from constructing a residential dwelling in separate stages over a longer period of time provided that each stage is completed within a one year period.
3. Neither the Grantor nor his servants, agents or contractors shall reside in any house, bus, caravan, camper van or other form of mobile accommodation, nor park any such vehicle anywhere on the land except other than in a garage provided for the purpose.
4. The Grantor must not use the land for storing or accumulating any rubbish or materials other than building materials when constructing a new building (and for that purpose the Grantor shall ensure any excess material including excess building materials and/or rubbish is stored in a sightly manner and is removed from the land without delay in any event at least every three weeks).
5. Nothing herein shall prevent the Grantor from subdividing the land with Far North District Council consent PROVIDED THAT the covenants and restrictions herein contained shall be brought down onto any new Lots thereby created to be binding on all registered proprietors and occupiers and successors in title.
6. The Grantor shall not object to any farming activity or any farming related activity or activities lawfully carried out or occurring on the Grantor's land.

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



MORTGAGEE CONSENT

ANZ NATIONAL BANK LIMITED as Mortgagee under Mortgage Number 6685567.1 (over Title NA63A/948) and Mortgage number 6685575.1 (over Title NA63A/947) Mortgage number 6685554.1 (over Title NA63A/946) **HEREBY CONSENTS** to the Deposit of Plan 368223 and to registration of all easements set out on DP 368223 and to registration of Land Covenants attached **BUT WITHOUT PREJUDICE** to the Banks rights powers and remedies of whatsoever nature under its said mortgage.

DATED this 9th day of June 2006

EXECUTED by the
ANZ NATIONAL BANK LIMITED


By its Attorney
in the presence of:

Witness Signature:

Witness Name

Occupation

Address

Gadwi

JEANNE ANN FAOAGALI
BANK OFFICER
AUCKLAND

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **Kapua Katrina Gardiner**, Manager Lending Services of Auckland in New Zealand hereby certifies that:

1. By Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No.	D.016180	Hokitika	as No.	105147
Blenheim	as No.	186002	Invercargill	as No.	242542.1
Christchurch	as No.	A.256503.1	Napier	as No.	644654.1
Dunedin	as No.	911369	Nelson	as No.	359781
Gisborne	as No.	G.210991	New Plymouth	as No.	433509
Hamilton	as No.	B.355185	Wellington	as No.	B.530013.1

The National Bank of New Zealand Limited appointed me its attorney with the powers and authorities specified in that Deed.

2. On 26 June 2004 The National Bank of New Zealand Limited was amalgamated with ANZ Banking Group (New Zealand) Limited to become ANZ National Bank Limited and the property being dealt with pursuant to the Deed has become the property of ANZ National Bank Limited (as the amalgamated company) under Part XIII of the Companies Act 1993.
3. At the date of this certificate, I am the Manager Lending Services, Auckland Lending Services Centre of The National Bank of New Zealand, part of the ANZ National Bank Limited.
4. At the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the ANZ National Bank Limited or otherwise.

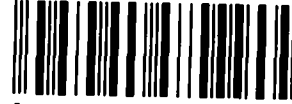
DATED at Auckland this 9th day of June 2006


.....
KAPUA KATRINA GARDINER

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

EI 7656842.1 Easement I

Cpy - 01/03, Pgs - 006, 13/12/07, 11:35



DocID: 212111439



Land registration district

NORTH AUCKLAND

Grantor

Surname(s) must be underlined or in CAPITALS.

WAIRUA FARMS LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.

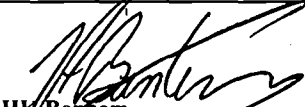
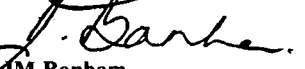
WAIRUA FARMS LIMITED

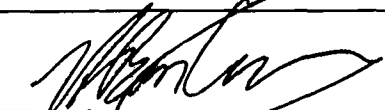

Grant* of easement or profit à prendre or creation or covenant

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

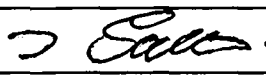
Dated this 10th day of December 2007

Attestation

 HK Bonham DIRECTOR  JM Bonham DIRECTOR	Signed in my presence by the Grantor <hr/> <i>Signature of witness</i> <i>Witness to complete in BLOCK letters (unless legibly printed)</i> Witness name Occupation Address
	Signature [common seal] of Grantor

 HK Bonham DIRECTOR  JM Bonham DIRECTOR	Signed in my presence by the Grantee <hr/> <i>Signature of witness</i> <i>Witness to complete in BLOCK letters (unless legibly printed)</i> Witness name Occupation Address
	Signature [common seal] of Grantee

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



[Solicitor for] the Grantee

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

Annexure Schedule 1



Easement instrument

Dated

10 December 2007

Page

1

of

2

pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Land Covenant	'A' on DP 393479	Lot 10 DP 368223 - 277208	Lot 6 DP 360957 247779

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

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

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

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

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

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

Covenant provisions

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

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

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

~~[Annexure Schedule 2].~~

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

Annexure Schedule

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

Easement

Dated

10 December 2007

Page

2

of

2

Pages

(Continue in additional Annexure Schedule, if required.)

Continuation of Covenant to be created:

The land covenant set out in Schedule A is created for the benefit of the Dominant Tenement over the Servient Tenement to the intent that the Servient Tenement shall be bound by the provisions, stipulations and restrictions set out in Schedule A and so that the owners and occupiers for the time being of the Dominant Tenement may enjoy the benefits of such covenants and enforce the observance of such provisions, stipulations and restrictions as the covenant provide for their benefit from time to time.

Such covenants are created so as to bind the Servient Tenement for the benefit of the Dominant Tenement in respect of the matter set out in Schedule A so that the covenant in Schedule A run with the Servient Tenement for the benefit of the Dominant Tenement.

SCHEDULE 'A'**THE LAND COVENANTS CREATED ARE AS FOLLOWS:****Purpose**

The area marked 'A' on DP 393479 shall be reserved as the site of a future road to be vested in the Far North District Council.

Covenants

1. There shall be no buildings or structures erected on the area marked 'A' on DP 393479.
2. The Far North District Council may at any time require that the land within the area marked 'A' on DP 393479 be transferred to the Council and vested as Road at no cost to the Council and the registered proprietor of the servient tenement shall not be entitled to any compensation or payment of any kind whatsoever for the same.
3. Any person, body corporate or organisation prepared to meet the roading construction costs may request that Council acquire area marked 'A' on DP 393479 for the purpose of a public road.
4. The Owner of Lot 10 will not be required to meet the cost of the formation unless he/she or it is/are carrying out a development which requires such a road formation, as otherwise set out in the Far North District Council Plan or any subsequent Fr North District Council Resource Consent.

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

Annexure Schedule



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

[Empty box for instrument type]

Dated

[Empty box for date]

Page

1

of

1

pages

(Continue in additional Annexure Schedule, if required.)

ANZ NATIONAL BANK LIMITED as Mortgagee under Mortgage No. 6685575.1 hereby consents to the within Easement Instrument (Land Covenant A on DP393479) but without prejudice to the Mortgagee's rights powers and remedies of whatsoever nature under its said Mortgage.

DATED this 10th day of December 2007

EXECUTED by

ANZ NATIONAL BANK LIMITED

by its Attorney

KAPUA KATRINA GARDNER

Katrina Gardner
.....
Authorised Signatory

in the presence of:-

Witness Name:

Jeanne Ann Faogali

Witness Signature:

JEANNE ANN FAOAGALI

Occupation:

BANK OFFICER
AUCKLAND

Address:

.....

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

The ANZ National Bank Limited

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **KAPUA KATRINA GARDINER**, Manager Lending Services of Auckland in New Zealand, certify that:

1. By Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No.	D.016180	Hokitika	as No.	105147
Blenheim	as No.	186002	Invercargill	as No.	242542.1
Christchurch	as No.	A.256503.1	Napier	as No.	644654.1
Dunedin	as No.	911369	Nelson	as No.	359781
Gisborne	as No.	G.210991	New Plymouth	as No.	433509
Hamilton	as No.	B.355185	Wellington	as No.	B.530013.1

The National Bank of New Zealand Limited appointed me its attorney with the powers and authorities specified in that Deed.

2. On 26 June 2004 The National Bank of New Zealand Limited was amalgamated with ANZ Banking Group (New Zealand) Limited to become ANZ National Bank Limited and the rights, powers and property covered by the Deed have become the rights, powers and property of ANZ National Bank Limited (as the amalgamated company) under Part XIII of the Companies Act 1993.
3. On 18 August 2006 Arawata Investments Limited and Philodendron Investments Limited (**Amalgamating Companies**) among other companies, amalgamated with ANZ National Bank Limited to become ANZ National Bank Limited. Accordingly, on that date ANZ National Bank Limited (as the amalgamated company) succeeded to all the property, rights, powers, privileges, liabilities and obligations of each of the Amalgamating Companies under Part XIII of the Companies Act 1993.
4. At the date of this certificate, I am a Manager Lending Services, Auckland Lending Services Centre of The National Bank of New Zealand, part of the ANZ National Bank Limited.
5. At the date of this certificate, I have not received any notice of the revocation of that appointment by the winding-up or dissolution of the ANZ National Bank Limited or otherwise.

SIGNED by the abovenamed)
Attorney at Auckland on this)
10th day of December 2007)


KAPUA KATRINA GARDINER

Landonline User ID: berrycoa

LODGING FIRM: Berry & Co

Address: PO Box 10

OAMARU

Uplifting Box Number:

ASSOCIATED FIRM:

Client Code / Ref: SCM

HEREWITH

Survey Plan (#)

Title Plan (#)

Traverse Sheets (#)

Field Notes (#)

Calc Sheets (#)

Survey Report

Dealing / S UD Number:
(LINZ Use only)

Priority Barcode/Data Stamp
(LINZ use only)

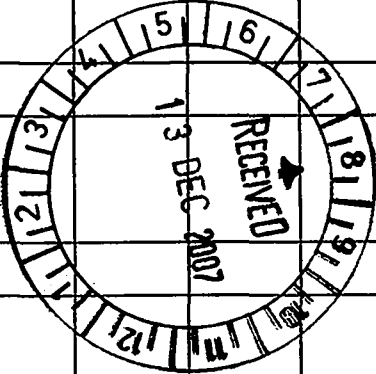
NA

Plan Number Pre-Allocated or
to be Deposited:

Rejected Dealing Number:

E1 7656842.1 Easement 1
Cpy - 03/03, Pgs - 006, 13/12/07, 11, 36
Copies
(inc. original)
DocID: 212111439

Priority Order	CT Ref:	Type of Instrument	Names of Parties	DOCUMENT OR SURVEY FEES	RESUBMISSION	NOTICES	ADVERTISING	NEW TITLES	OTHER	PRIORITY CAPTURE	FEES \$ GST INCLUSIVE
1	277208 & 247779	EI	WAIRUA FARMS LTD & WAIRUA FARMS LTD	60.00							\$60.00
2											
3											
4											
5											
6											



Land Information New Zealand Lodgement Form

Annotations (LINZ use only)

Fees Receipt and Tax Invoice

GST Registered Number 17-0222-895

LINZ Form P005

LINZ Form P005 - PDF

Original Signatures?

CHEQUE 160.00
QICM A 0R2229

Subtotal (for this page) \$60.00

Total for this dealing \$60.00

Less Fees paid on Dealing #
Cash/Cheque enclosed for \$60.00

PAID



View Instrument Details

Instrument No. 8133726.3
 Status Registered
 Date & Time Lodged 25 May 2009 09:24
 Lodged By McLean, Suzanne Carol
 Instrument Type Easement Instrument

Toitu te
Land whenua
Information
 New Zealand



Affected Computer Registers	Land District
427023	North Auckland
443241	North Auckland
443242	North Auckland

Annexure Schedule: Contains 3 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Crown under Irrigation Notice under Public Works Act 1981 B879075.1 has consented to this transaction and I hold that consent, or the Irrigation Notice under Public Works Act 1981 does not prevent registration
- I certify that the Mortgagee under Mortgage 6703415.6 has consented to this transaction and I hold that consent

Signature

Signed by David Richard Travers Salter as Grantor Representative on 15/06/2009 05:05 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 David Richard Travers Salter as Grantee Representative on 15/06/2009 05:05 PM

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

Approved by Registrar-General of Land under No. 2007/6225
Easement instrument to grant easement or *profit à prendre*, or create land covenant
 Sections 90A and 90F, Land Transfer Act 1952

Land registration district

NORTH AUCKLAND



BARCODE

Grantor

Surname(s) must be underlined or in CAPITALS.

WAIRUA FARMS LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.

WAIRUA FARMS LIMITED

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

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

Dated this 7th day of May 2009

Attestation

<p>Director <u>J. Bank</u></p> <p>Director <u>[Signature]</u></p> <p>Signature [common seal] of Grantor</p>	<p>Signed in my presence by the Grantor</p> <hr/> <p>Signature of witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name</p> <p>Occupation</p> <p>Address</p>
---	---

<p>Director <u>J. Bank</u></p> <p>Director <u>[Signature]</u></p> <p>Signature [common seal] of Grantee</p>	<p>Signed in my presence by the Grantee</p> <hr/> <p>Signature of witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name</p> <p>Occupation</p> <p>Address</p>
---	---

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

[Solicitor for] the Grantee

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

[Signature]

Approved by Registrar-General of Land under No. 2007/6225
Annexure Schedule 1



Easement instrument

Dated

7 May 2009

Page

1

of

2

pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Land Covenant	DP 411627	Lot 3 DP 411627 - 443241	Lot 5 DP 411627 - 443242 Lot 6 DP407713-427023
		Lot 5 DP 411627 - 443242	Lot 3 DP411627-443241 Lot 6 DP407713-427023
		Lot 6 DP 407713 - 427023	Lot 6 DP407713-427023 Lot 3 DP411627-443241 Lot 5 DP411627-443242

JH
JK

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

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

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

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

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

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

Covenant provisions

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

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

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

~~[Annexure Schedule 2].~~

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

JH

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

Annexure ScheduleInsert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated

7 May 2009

Page

2

of

2

Pages

(Continue in additional Annexure Schedule, if required.)

Continuation of Covenant to be created:

The land covenants set out in Schedule A are created for the benefit of the Dominant Tenement over the Servient Tenement to the intent that the Servient Tenement shall be bound by the provisions, stipulations and restrictions set out in Schedule A and so that the owners and occupiers for the time being of the Dominant Tenement may enjoy the benefits of such covenants and enforce the observance of such provisions, stipulations and restrictions as the covenants provide for their benefit from time to time.

Such covenants are created so as to bind the Servient Tenement for the benefit of the Dominant Tenement in respect of the matters set out in Schedule A so that the covenants in Schedule A run with the Servient Tenement for the benefit of the Dominant Tenement.

SCHEDULE 'A'THE LAND COVENANTS CREATED ARE AS FOLLOWS:-Purpose

The area marked 'A' DP 411627 may be reserved as the site of a future road to be vested in the Far North District Council.

Covenants

- I. If as a result of any further development of any of the Servient Tenement land by any of the Grantor the area marked 'A' shall need to be vested to the Far North District Council as "road" then it shall be vested upon the following basis:-
 - In consideration for the vesting of the right of way area "A" as road the Grantee shall sign any consents/surrender of easement as may be required to effect the same,
 - The Grantee shall not be entitled to any compensation or payment of any kind whatsoever for consenting to the relinquishment of the right of way easement "A" to vest as road, and
 - All costs associated with the vesting, creation, formation of the road and the relinquishment of the right of way easement "A" shall be borne by the party undertaking the further development (which may be the Grantee).

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

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

2003/6180EF
Approved
Registrar-General of Land

Land registration district

OTAGO
NORTH AUCKLAND

EI 6907313.6 Easemen
Cpy - 01/01, Pgs - 005, 21/06/06, 09:53

DocID: 312509861

Grantor

WAIRUA FARMS LIMITED

Surname(s) must be underlined or in CAPITALS.

Grantee

WAIRUA FARMS LIMITED

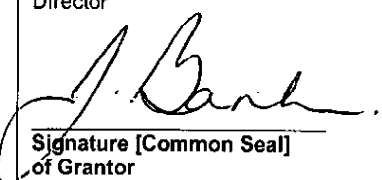
Surname(s) must be underlined or in CAPITALS.

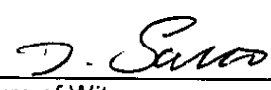
Grant* of easement or profit à prendre or creation or covenant

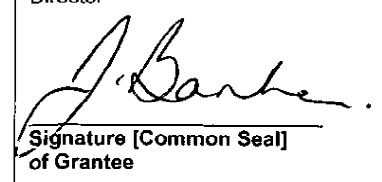
The Grantor, being the registered proprietor of the servient tenement(s) set out in Schedule A, grants to the Grantee (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions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


DATED this 9 day of June 2006

Attestation

JM Bonham
Director

Signature [Common Seal]
of Grantor

Signed in my presence by the Grantor

Signature of Witness
Witness to complete in BLOCK letters (unless legibly printed)
Witness name: D. R. T. SALTER
Occupation: Solicitor
Oamaru
Address:

JM Bonham
Director

Signature [Common Seal]
of Grantee

Signed in my presence by the Grantee

Signature of Witness
Witness to complete in BLOCK letters (unless legibly printed)
Witness name: D. R. T. SALTER
Occupation: Solicitor
Oamaru
Address:

Certified correct for the purposes of the Land Transfer Act 1952



[Solicitor for] the Grantee

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

Annexure Schedule 1

2003/6180EF
Approved
Registrar-General of Land

Easement instrument

Dated 9 June 2006 Page 2 of 3 pages

Schedule A

Continue in additional Annexure Schedule if required.

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Land Covenant	DP 368223	Lot 9 DP 368223 - CT 277207	Lot 6 DP 360957 CT 247779
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 provided in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

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

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

[The provisions set out in Annexure Schedule 2].

Covenant provisions

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

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

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

[The provisions set out in Annexure Schedule 2].

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

[Handwritten signatures]

Annexure Schedule

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

[]

Dated

9 June 2006

Page

3

of

3

pages

(Continue in additional Annexure Schedule, if required.)

Continuation of Covenant to be created:

The land covenant set out in Schedule A is created for the benefit of the Dominant Tenement over the Servient Tenement to the intent that the Servient Tenement shall be bound by the provisions, stipulations and restrictions set out in Schedule A and so that the owners and occupiers for the time being of the Dominant Tenement may enjoy the benefits of such covenants and enforce the observance of such provisions, stipulations and restrictions as the covenants provide for their benefit from time to time.

Such covenants are created so as to bind the Servient Tenement for the benefit of the Dominant Tenement in respect of the matter set out in Schedule A so that the covenants in Schedule A run with the Servient Tenement for the benefit of the Dominant Tenement.

SCHEDULE 'A'

THE LAND COVENANTS CREATED ARE AS FOLLOWS:

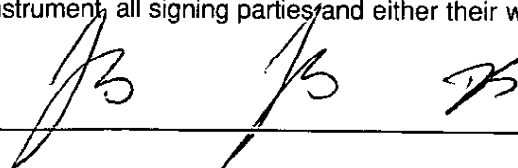
Purpose

The area marked 'I' & 'H' DP 368223 shall be reserved as the site of a future road to be vested in the Far North District Council.

Covenants

1. There shall be no buildings or structures erected on the area marked 'I' & 'H' DP 368223.
2. The Far North District Council may at any time require that the land within the area marked 'I' & 'H' DP 368223 be transferred to the Council and vested as Road at no cost to the Council and the registered proprietor of the servient tenement shall not be entitled to any compensation or payment of any kind whatsoever for the same.
3. Any person, body corporate or organisation prepared to meet the roading construction costs may request that Council acquire area marked 'I' & 'H' DP 368223 for the purpose of a public road.
4. The Owner of Lot 9 will not be required to meet the cost of road formation unless he/she or it is/are carrying out a development which requires such a road formation, as otherwise set out in the Far North District Council Plan or any subsequent Far North District Council Resource Consent.

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



MORTGAGEE CONSENT

ANZ NATIONAL BANK LIMITED as Mortgagee under Mortgage Number 6685567.1 (over Title NA63A/948) and Mortgage number 6685575.1 (over Title NA63A/947) Mortgage number 6685554.1 (over Title NA63A/946) HEREBY CONSENTS to the Deposit of Plan 368223 and to registration of all easements set out on DP 368223 and to registration of Land Covenants attached **BUT WITHOUT PREJUDICE** to the Banks rights powers and remedies of whatsoever nature under its said mortgage.

DATED this 9th day of June 2006

EXECUTED by the
ANZ NATIONAL BANK LIMITED


By its Attorney
in the presence of:

Witness Signature:

Witness Name

Occupation

Address

Gedwi

JEANNE ANN FAOAGALI
BANK OFFICER
AUCKLAND

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **Kapua Katrina Gardiner**, Manager Lending Services of Auckland in New Zealand hereby certifies that:

1. By Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No.	D.016180	Hokitika	as No.	105147
Blenheim	as No.	186002	Invercargill	as No.	242542.1
Christchurch	as No.	A.256503.1	Napier	as No.	644654.1
Dunedin	as No.	911369	Nelson	as No.	359781
Gisborne	as No.	G.210991	New Plymouth	as No.	433509
Hamilton	as No.	B.355185	Wellington	as No.	B.530013.1

The National Bank of New Zealand Limited appointed me its attorney with the powers and authorities specified in that Deed.

2. On 26 June 2004 The National Bank of New Zealand Limited was amalgamated with ANZ Banking Group (New Zealand) Limited to become ANZ National Bank Limited and the property being dealt with pursuant to the Deed has become the property of ANZ National Bank Limited (as the amalgamated company) under Part XIII of the Companies Act 1993.
3. At the date of this certificate, I am the Manager Lending Services, Auckland Lending Services Centre of The National Bank of New Zealand, part of the ANZ National Bank Limited.
4. At the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the ANZ National Bank Limited or otherwise.

DATED at Auckland this 9th day of June 2006


.....
KAPUA KATRINA GARDINER

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

Sections 90A and 90F, Land Transfer Act 1952

EI 6662870.5 Easemen

Cpy - 01/01, Pgs - 006, 24/11/05, 09:51



DocID: 312223316

Land registration district

North Auckland

Grantor

Surname(s)

Wairua Farms Limited

Grantee

Surname(s) must be underlined.



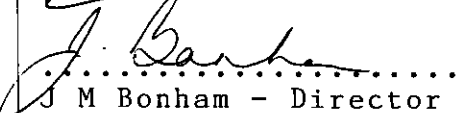
Wairua Farms Limited

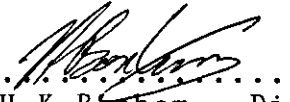

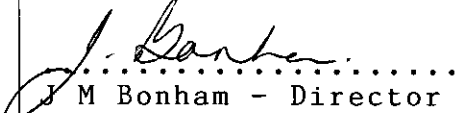
Grant* of easement or *profit à prendre* or creation or covenant

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


Dated this 28 day of October 20 05

Attestation

 H K Bonham - Director	Signed in my presence by the Grantor
	 Signature of witness
 J M Bonham - Director	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name D. R. T. SALTER
Signature [common seal] of Grantor	Occupation Solicitor Oamaru
	Address

 H K Bonham - Director	Signed in my presence by the Grantee
	 Signature of witness
 J M Bonham - Director	Witness to complete in BLOCK letters (unless legibly printed)
	Witness name D. R. T. SALTER
Signature [common seal] of Grantee	Occupation Solicitor Oamaru
	Address

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



[Solicitor for] the Grantee

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

Annexure Schedule 1

Easement instrument

Dated

26 October 2005

Page

of

pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Land Covenant	DP 357349	233033 233034 233035	233034 233035 233033 NA 67B/481 NA 63A/949

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

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

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

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

~~[Memorandum number , registered under section 155A of the Land Transfer Act 1952].
[the provisions set out in Annexure Schedule 2].~~

Covenant provisions

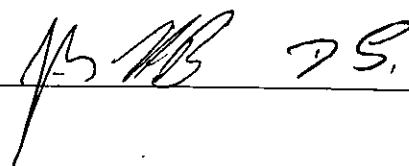
*Delete phrases in [] and insert memorandum number as required.
Continue in additional Annexure Schedule if required.*

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

~~[Memorandum number , registered under section 155A of the Land Transfer Act 1952].
[Annexure Schedule 2].~~

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





Annexure Schedule

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

[]

Dated

20 October 2005

Page

[] of []

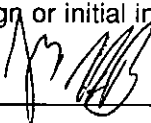
pages

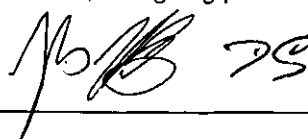
(Continue in additional Annexure Schedule, if required.)

ANNEXURE SCHEDULE 2

1. The Grantor^{or} will not place or build on the land, or cause or allow to be placed or built on the land :-
- (a) Any building or part of a building relocated from any other land. For the purposes of this clause a building shall include any dwelling, garage, shed, or other ancillary building other than:-
 - (i) A shed temporarily located on the site for use by the Grantor^{or} or the Grantor's servants, agents or contractors solely for the purpose or use during the course of construction of any other building on the land; or
 - (ii) Prefabricated but otherwise unassembled buildings acquired for construction on the land.
 - (b) Any building other than a single dwelling (being a detached residential building of no less than 180m² designed for and occupied exclusively as one household unit and being the only one on site) together with any building ancillary to the single dwelling and including a garage, carport, farm shed, garden shed, glasshouse and sleep-out (provided however that the sleep-out may not be equipped in such a manner as to constitute a dwelling) provided the same are of a construction and colour scheme in sympathy with the residential dwelling.
2. The Grantor^{or} shall upon commencement of the erection or construction of any building on the land ensure that building is completed within one year from the date of commencement or erection or construction. Completion is deemed to include affixing all exterior cladding and completing all exterior painting. This clause does not prevent a Grantor^{or} from constructing a residential dwelling in separate stages over a longer period of time provided that each stage is completed within a one year period.
3. Neither the Grantor^{or} nor his servants, agents or contractors shall reside in any house bus, caravan, camper van or other form of mobile accommodation, nor park any such vehicle anywhere on the land except other than in a garage provided for the purpose.

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





Annexure Schedule

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

[]

Dated

28 October 2005

Page

[] of []

pages

(Continue in additional Annexure Schedule, if required.)

- 4. The Grantor^{of} must not use the land for storing or accumulating any rubbish or materials other than building materials when constructing a new building (and for that purposes the Grantor^{of} shall ensure any excess material including excess building materials and/or rubbish is stored in a sightly manner and is removed from the land without delay and in any event at least every three weeks).
- 5. Nothing herein shall prevent the Grantor^{of} from subdividing the land with Far North District Council consent PROVIDED THAT the covenants and restrictions herein contained shall be brought down onto any new Lots thereby created to be binding on all registered proprietors and occupiers and successors in title.
- 6. The Grantor^{of} shall not object to any farming activity or any farming related activity or activities lawfully carried out or occurring on the Grantor^{of}'s land.

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

Annexure Schedule

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

[]

Dated

[]

Page

[] of []

pages

(Continue in additional Annexure Schedule, if required.)

ANZ NATIONAL BANK LIMITED as Mortgagee under Mortgage No. *6644679-1* hereby consents to the within easement instrument but without prejudice to the Bank's rights powers and remedies under its said Mortgage executed by ANZ National Bank Limited.

DATED this *14th* day of *November* 2005

EXECUTED by
ANZ NATIONAL BANK LIMITED
by its Attorney *KAPUA KATRINA GARDINER*
in the presence of:-

[Signature]
.....
Authorised Signatory

Witness Name:

Witness Signature:

Occupation:

Address:

[Signature]

Witness: Pauline Ann Peri
Occupation: Bank Officer
Address: Auckland

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

[Signature]

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **Kapua Katrina Gardiner**, Manager Lending Services of Auckland in New Zealand hereby certifies that:


1. By Deed dated 28 June 1996 deposited in the Land Registry Offices situated at:

Auckland	as No.	D.016180	Hokitika	as No.	105147
Blenheim	as No.	186002	Invercargill	as No.	242542.1
Christchurch	as No.	A.256503.1	Napier	as No.	644654.1
Dunedin	as No.	911369	Nelson	as No.	359781
Gisborne	as No.	G.210991	New Plymouth	as No.	433509
Hamilton	as No.	B.355185	Wellington	as No.	B.530013.1

The National Bank of New Zealand Limited appointed me its attorney with the powers and authorities specified in that Deed.

2. On 26 June 2004 The National Bank of New Zealand Limited was amalgamated with ANZ Banking Group (New Zealand) Limited to become ANZ National Bank Limited and the property being dealt with pursuant to the Deed has become the property of ANZ National Bank Limited (as the amalgamated company) under Part XIII of the Companies Act 1993.
3. At the date of this certificate, I am the Manager Lending Services, Auckland Lending Services Centre of The National Bank of New Zealand, part of the ANZ National Bank Limited.
4. At the date of this certificate, I have not received any notice or information of the revocation of that appointment by the winding-up or dissolution of the ANZ National Bank Limited or otherwise.

DATED at Auckland this 14th day of November 2005


.....



Instrument No. 7979129.4
Status Registered
Date & Time Lodged 05 Nov 2008 14:41
Lodged By McLean, Suzanne Carol
Instrument Type Easement Instrument



Affected Computer Registers	Land District
427020	North Auckland
427021	North Auckland
427022	North Auckland
427023	North Auckland

Annexure Schedule: Contains 3 Pages.

Grantor Certifications

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

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

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

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

Signature

Signed by Claire Alice McKendry as Grantor Representative on 05/11/2008 02:19 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 Claire Alice McKendry as Grantee Representative on 05/11/2008 02:19 PM

*** End of Report ***

Approved by Registrar-General of Land under No. 2007/6225

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

Land registration district

NORTH AUCKLAND



BARCODE

Grantor

Surname(s) must be underlined or in CAPITALS.

WAIRUA FARMS LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.

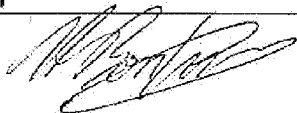



WAIRUA FARMS LIMITED

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


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

Dated this 4th day of November 2008

Attestation

 	<p>Signed in my presence by the Grantor</p> <p style="text-align: center;"><u>D. Salter</u></p> <hr/> <p>Signature of witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name</p> <p>Occupation D. R. T. SALTER Solicitor</p> <p>Address Oamaru</p>
	<p>Signature [common seal] of Grantor</p>
 	<p>Signed in my presence by the Grantee</p> <p style="text-align: center;"><u>D. Salter</u></p> <hr/> <p>Signature of witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name</p> <p>Occupation D. R. T. SALTER Solicitor</p> <p>Address Oamaru</p>
	<p>Signature [common seal] of Grantee</p>

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


 [Solicitor for] the Grantee

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

Approved by Registrar-General of Land under No. 2007/6225

Annexure Schedule 1

Easement instrument

Dated

Page

1

of

1

pages

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

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Land Covenant	DP 407713	Lot 2 DP407713 - 427020 Lot 3 DP407713 - 427021 Lot 4 DP407713 - 427022	Lot 2 DP407713 427020 Lot 3 DP407713 427021 Lot 4 DP407713 427022 Lot 6 DP407713 427023

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

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

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

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

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

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

Covenant provisions

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

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

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

~~[Annexure Schedule 2].~~

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

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

Annexure Schedule

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

Dated

Page

of

pages

(Continue in additional Annexure Schedule, if required.)

Annexure Schedule 2:

1. The Grantor will not place or build on the land, or cause or allow to be placed or built on the land:
 - (a) Any building or part of a building relocated from any other land. For the purposes of this clause a building shall include any dwelling, garage, shed, or other ancillary building other than:-
 - (i) A shed temporarily located on the site for the use by the Grantor or the Grantor's servants, agents or contractors solely for the purpose or use during the course of construction of any other building on the land;
or
 - (ii) Prefabricated but otherwise unassembled buildings acquired for construction on the land.
 - (b) Any building other than a single dwelling (being a detached residential building of no less than 180m² designed for and occupied exclusively as one household unit and being the only one on site) together with any building ancillary to the single dwelling and including a garage, carport, farm shed, garden shed, glasshouse and sleep-out (provided however that the sleep-out may not be equipped in such a manner as to constitute a dwelling) provided the same are of a construction and colour scheme in sympathy with the residential dwelling.
2. The Grantor shall upon commencement of the erection or construction of any building on the land ensure that building is completed within one year from the date of commencement or erection or construction. Completion is deemed to include affixing all exterior cladding and completing all exterior painting. This clause does not prevent a Grantor from constructing a residential dwelling in separate stages over a longer period of time provided that each stage is completed within a one year period.
3. Neither the Grantor nor his servants, agents or contractors shall reside in any house, bus, caravan, camper van or other form of mobile accommodation, nor park any such vehicle anywhere on the land except other than in a garage provided for the purpose.
4. The Grantor must not use the land for storing or accumulating any rubbish or materials other than building materials when constructing a new building (and for that purpose the Grantor shall ensure any excess material including excess building materials and/or rubbish is stored in a sightly manner and is removed from the land without delay in any event at least every three weeks).
5. Nothing herein shall prevent the Grantor from subdividing the land with Far North District Council consent PROVIDED THAT the covenants and restrictions herein contained shall be brought down onto any new Lots thereby created to be binding on all registered proprietors and occupiers and successors in title.
6. The Grantor shall not object to any farming activity or any farming related activity or activities lawfully carried out or occurring on the Grantee's land.

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

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

Sections 90A and 90F, Land Transfer Act 1952

EI 7828421.6 Easemen

Cpy - 01/01, Pgs - 003, 26/05/08, 13:14

Land registration district

NORTH AUCKLAND



Grantor

Surname(s) must be underlined or in CAPITALS.

WAIRUA FARMS LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.


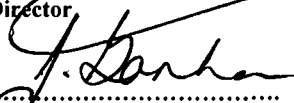
WAIRUA FARMS LIMITD



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

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


Dated this 23rd day of May 2008

Attestation

 Director  Director	Signed in my presence by the Grantor <hr/> <i>Signature of witness</i> <i>Witness to complete in BLOCK letters (unless legibly printed)</i> Witness name Occupation Address
	Signature [common seal] of Grantor

 Director  Director	Signed in my presence by the Grantee <hr/> <i>Signature of witness</i> <i>Witness to complete in BLOCK letters (unless legibly printed)</i> Witness name Occupation Address
	Signature [common seal] of Grantee

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



[Solicitor for] the Grantee

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

Annexure Schedule 1



Easement instrument

Dated

23 May 2008

Page

1

of

2

pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Land Covenant	DP 393431	Lot 5 DP 393431 (392433)	Lot 6 DP 393431 (392434)

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

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

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

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

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

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

Covenant provisions

Delete phrases in [] and insert memorandum number as required.

Continue in additional Annexure Schedule if required.

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

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

[Annexure Schedule 2].

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

MB *[Signature]*

Annexure Schedule



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

Easement

Dated

23 May 2008

Page

2

of

2

Pages

(Continue in additional Annexure Schedule, if required.)

ANNEXURE SCHEDULE 2

1. The Grantor will not place or build on the land, or cause or allow to be placed or built on the land:
 - (a) Any building or part of a building relocated from any other land. For the purposes of this clause a building shall include any dwelling, garage, shed, or other ancillary building other than:-
 - (i) A shed temporarily located on the site for the use by the Grantor or the Grantor's servants, agents or contractors solely for the purpose or use during the course of construction of any other building on the land;
or
 - (ii) Prefabricated but otherwise unassembled buildings acquired for construction on the land.
 - (b) Any building other than a single dwelling (being a detached residential building of no less than 180m² designed for and occupied exclusively as one household unit and being the only one on site) together with any building ancillary to the single dwelling and including a garage, carport, farm shed, garden shed, glasshouse and sleep-out (provided however that the sleep-out may not be equipped in such a manner as to constitute a dwelling) provided the same are of a construction and colour scheme in sympathy with the residential dwelling.
2. The Grantor shall upon commencement of the erection or construction of any building on the land ensure that building is completed within one year from the date of commencement or erection or construction. Completion is deemed to include affixing all exterior cladding and completing all exterior painting. This clause does not prevent a Grantor from constructing a residential dwelling in separate stages over a longer period of time provided that each stage is completed within a one year period.
3. Neither the Grantor nor his servants, agents or contractors shall reside in any house, bus, caravan, camper van or other form of mobile accommodation, nor park any such vehicle anywhere on the land except other than in a garage provided for the purpose.
4. The Grantor must not use the land for storing or accumulating any rubbish or materials other than building materials when constructing a new building (and for that purpose the Grantor shall ensure any excess material including excess building materials and/or rubbish is stored in a sightly manner and is removed from the land without delay in any event at least every three weeks).
5. Nothing herein shall prevent the Grantor from subdividing the land with Far North District Council consent PROVIDED THAT the covenants and restrictions herein contained shall be brought down onto any new Lots thereby created to be binding on all registered proprietors and occupiers and successors in title.
6. The Grantor shall not object to any farming activity or any farming related activity or activities lawfully carried out or occurring on the Grantee's land.

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



LOCATION MAP



NOT TO SCALE

LEGAL DESCRIPTION / SITE INFO

SITE ADDRESS: 415 PUNGAERE ROAD, WAIPAPA, NORTHLAND

LOT: 1
D.P.: 584995
CT: 1102011

LOCAL BODY: FAR NORTH DISTRICT COUNCIL

ZONE: RURAL PRODUCTION
WIND: VERY HIGH
EXPOSURE: ZONE C
EARTHQUAKE: ZONE 1

CONSENT(S): RC2230384 - RMALUC (PREVIOUS RC)

DISTRICT PLAN: FAR NORTH OPERATIVE DISTRICT PLAN

SITE AREAS

TOTAL SITE AREA 12ha

SURVEY INFORMATION

SURVEYED BY: SURVEY & PLANNING SOLUTIONS LTD "WILLIAMS & KING, KERIKERI"

ALL LEVELS ARE IN TERMS OF NORTHLAND REGIONAL COUNCIL.

CONTOURS ARE SHOWN AT: ONE METRE INTERVALS

AREAS AND DIMENSIONS ARE SUBJECT TO VERIFICATION UPON SURVEY.

IMPERMEABLE SURFACES

ROOF COVERAGE:
MAIN HOUSE: 402.29m²
POOL HOUSE: 71.93m²
POOL: 48.4m²

TOTAL: 522.62m²

DRIVEWAYS & PATIOS

TOTAL: 203.8m²

METAL DRIVEWAY:

TOTAL: 628m²

RIGHT OF WAY (ROW)

TOTAL: 10,017.25m²

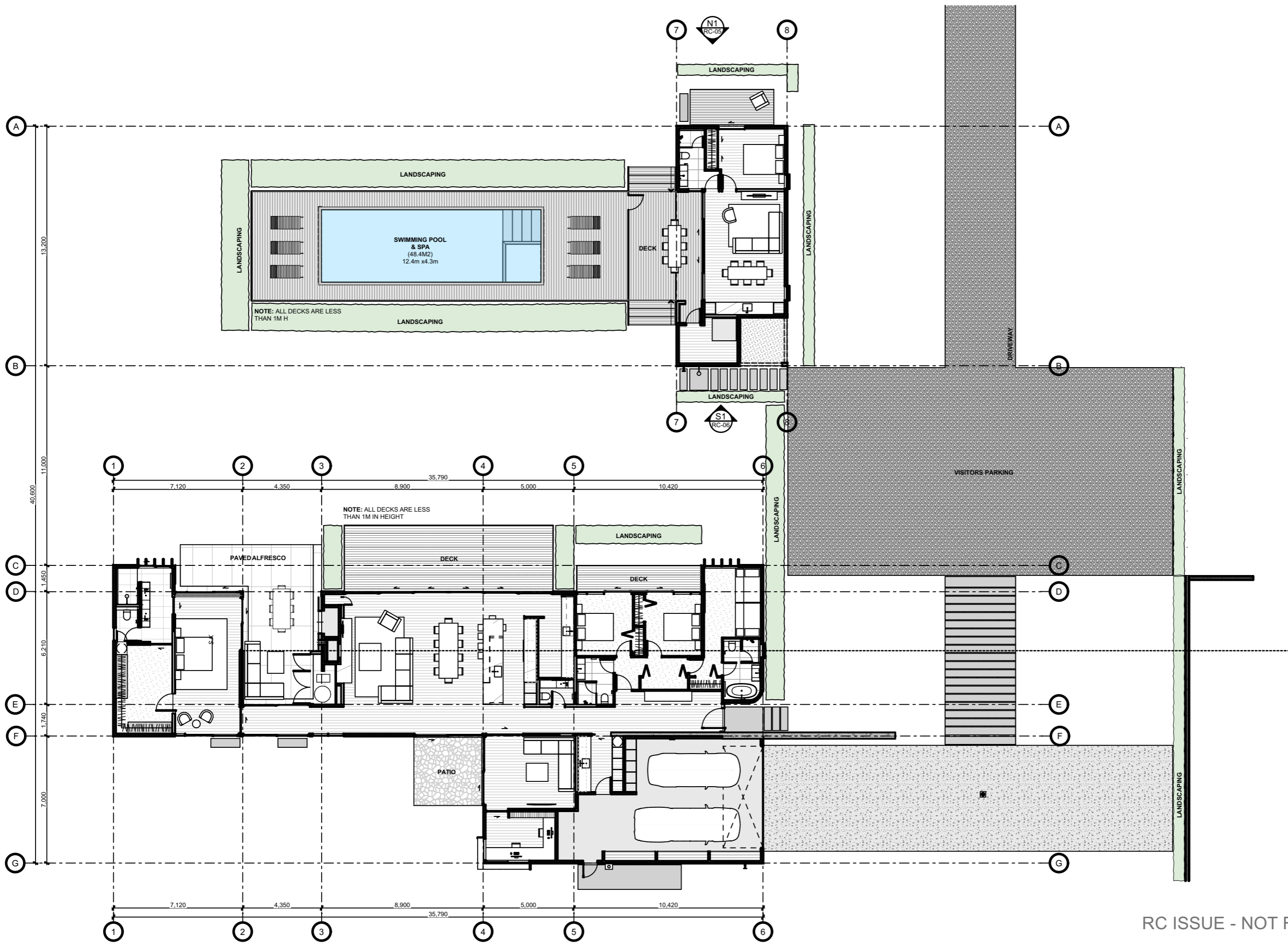
RC ISSUE - NOT FOR CONSTRUCTION

**PROPOSED RESIDENCE AT
415 PUNGAERE ROAD, WAIPAPA, NORTHLAND**



Do not scale off drawings. Before commencement of any work the contractor shall check, verify and be responsible for all dimensions. The contractor must notify this office of any discrepancies in the documents and/or site conditions. All workmanship and materials to be in accordance with relevant current New Zealand Standards. This drawing is the property of Ponting Fitzgerald Architects Ltd and must not be used, copied or reproduced in whole or part without prior written permission. ph 09 360 9515

02	RESOURCE CONSENT AMENDMENT	22/01/2025
NO.	NAME	ISSUE DATE
DRAWING	PROPOSED SITE PLAN	SHEET
		RC-01
DRAWN BY	PFA	SCALE
PRINT DATE	14/02/2025	1:2500 @ A3
		REVISION
		02



FLOOR AREAS

GROUND FLOOR	372.9m ²
MAIN HOUSE	64.9m ²
POOL HOUSE	
TOTAL FLOOR AREA (INTERNAL)	437.8m²
DECK: MAIN HOUSE + POOL HOUSE	161.8m ²
PAVED: ALFRESCO + PATIO	45.8m ²
POOL	48.4m ²

FLOOR PLAN LEGEND

	PROPOSED WALL
	PROPOSED BLOCK WALL
	PROPOSED PRECAST WALL

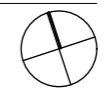
FLOOR FINISHES

	TILES
	CARPET
	TIMBER OVERLAY FLOORING
	TIMBER DECKING
	EXPOSED CONCRETE (GARAGE)
	CONCRETE PAVERS/ENTRY (EXTERIOR)
	CONCRETE SLAB (EXTERIOR)
	NATURAL STONE SCHIST/CHIPS
	METAL DRIVEWAY

RC ISSUE - NOT FOR CONSTRUCTION

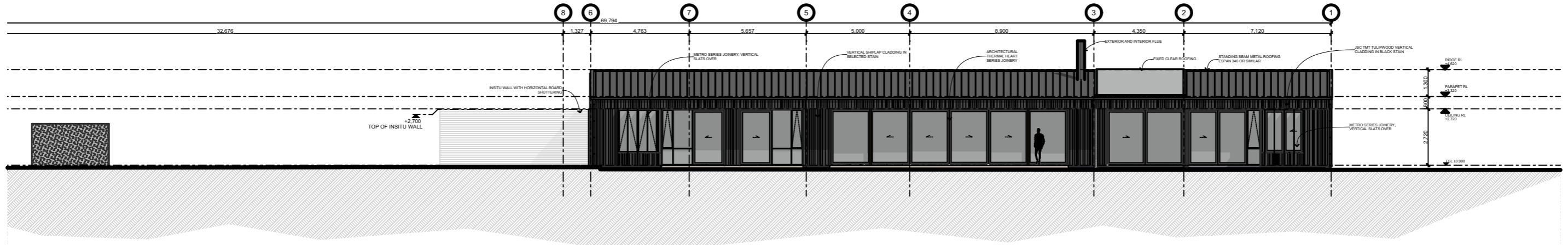
**PROPOSED RESIDENCE AT
415 PUNGAERE ROAD, WAIPAPA, NORTHLAND**

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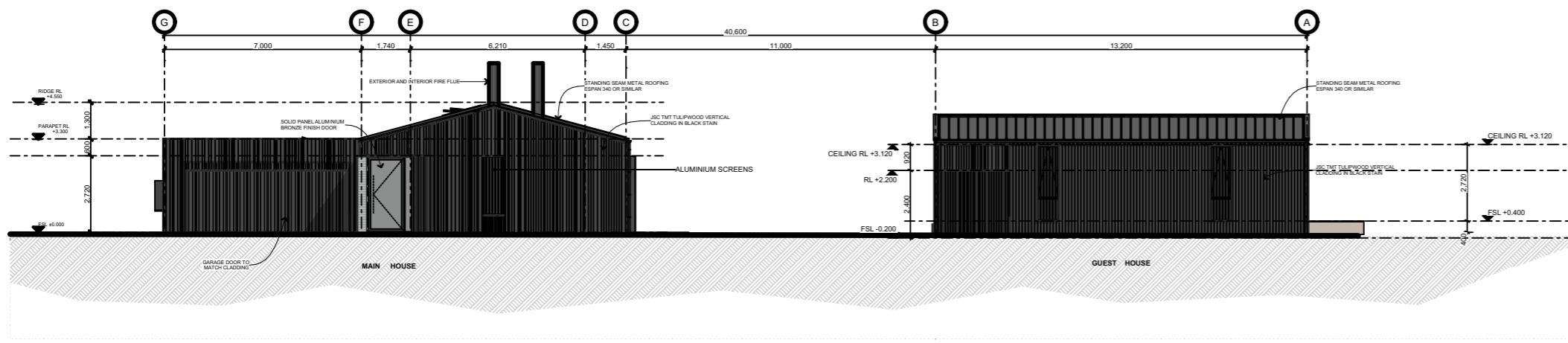


02	RESOURCE CONSENT AMENDMENT	22/01/2025
NO.	NAME	ISSUE DATE
DRAWING	GROUND FLOOR PRESENTATION PLAN	SHEET
DRAWN BY	PFA	SCALE
PRINT DATE	14/02/2025	1:200 @ A3
		REV

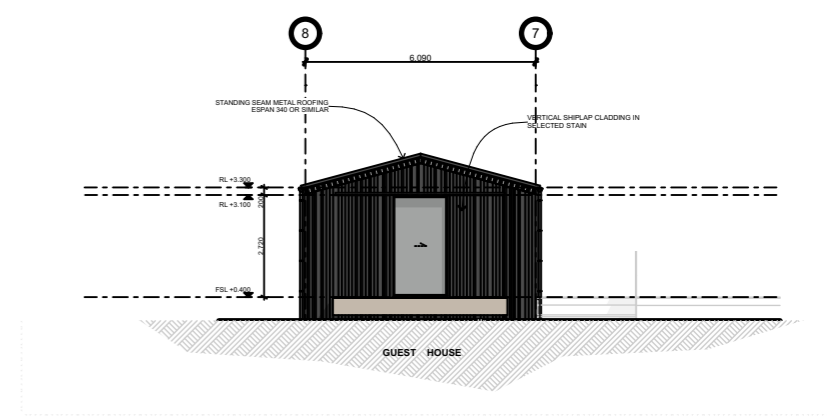
RC-04
02



N RC NORTH ELEVATION
SCALE 1:200



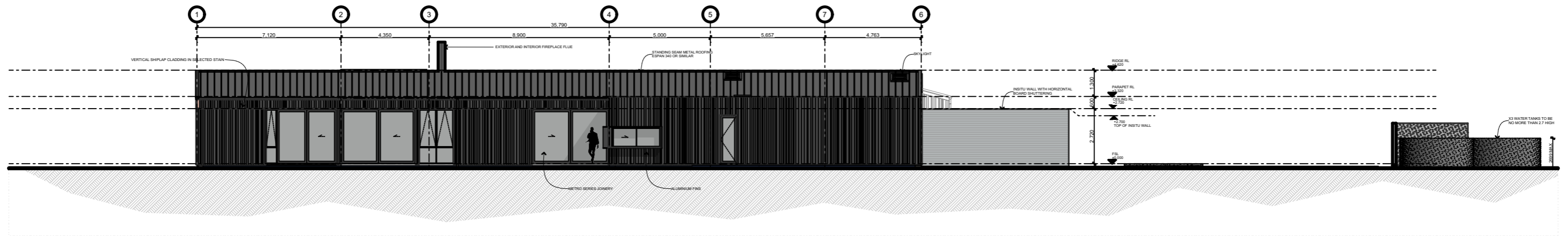
E RC EAST ELEVATION
SCALE 1:200



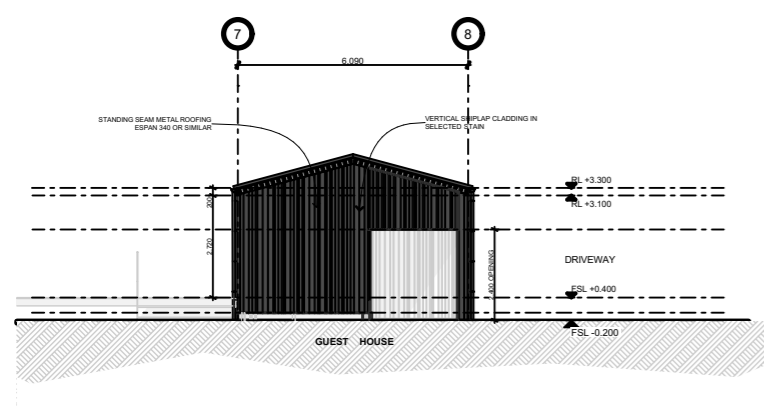
N1 RC NORTH ELEVATION
SCALE 1:200

RC ISSUE - NOT FOR CONSTRUCTION

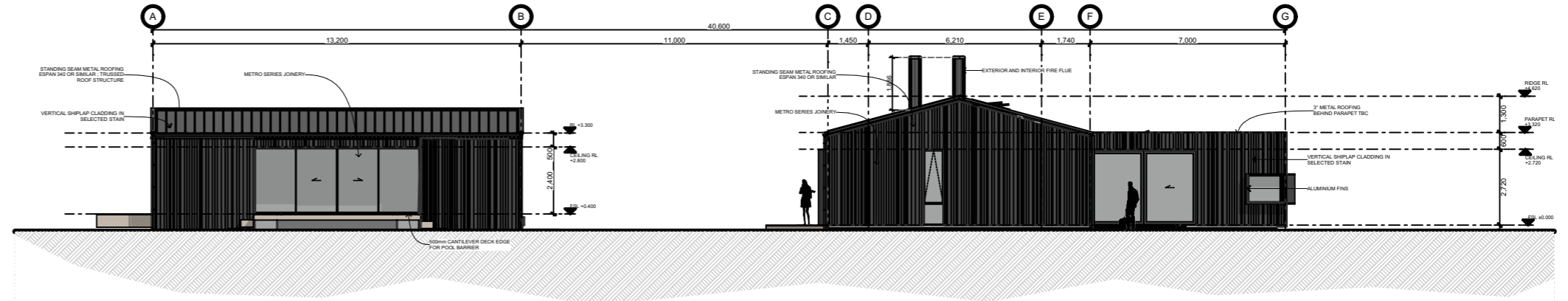
02	RESOURCE CONSENT AMENDMENT	22/01/2025
NO.	NAME	ISSUE DATE
DRAWING	ELEVATIONS - NORTH & EAST	SHEET
DRAWN BY	PFA	SCALE
PRINT DATE	14/02/2025	1:200 @ A3
		REV
		RC-05
		02



S RC SOUTH ELEVATION
SCALE 1:200



S1 RC SOUTH ELEVATION
SCALE 1:200



W RC WEST ELEVATION
SCALE 1:200

RC ISSUE - NOT FOR CONSTRUCTION

PROPOSED RESIDENCE AT
415 PUNGAERE ROAD, WAIPAPA, NORTHLAND

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02	RESOURCE CONSENT AMENDMENT	22/01/2025
NO.	NAME	ISSUE DATE
DRAWING	ELEVATIONS - SOUTH & WEST	SHEET
DRAWN BY	PFA	SCALE
PRINT DATE	14/02/2025	1:200 @ A3
		REV
		RC-06
		02

Onsite Wastewater Report (TP58)

Rewa Willis & Marc Spring
415 Pungaere Road
Kerikeri
Far North District
Lot 1 DP 584995

Written by: Martin O'Brien
Approved by: Nicola O'Brien

Rev: A
Date: 13th February 2025
Job No: 2840

Ph: (09) 407 5208 | Mob: 027 407 5208

E-mail: martin@obrienconsulting.co.nz

E-mail: nicola@obrienconsulting.co.nz

Contents

Executive Summary	3
Recommendations:.....	3
1.0 Introduction	4
1.1 Scope	4
1.2 Proposal	4
1.3 Site Description	4
1.4 Subdivision Scheme Plan.....	5
2.0 Methodology	6
2.1 Site Visit	6
2.2 Desk Study	6
3.0 Site Evaluation	6
3.1 Soil Profile.....	6
3.2 Groundwater	7
3.3 Surface water.....	7
4.0 On-site Effluent Disposal.....	7
4.1 System Requirements	7
4.2 Proposed Wastewater Disposal Field.....	8
4.3 Reserve Area	8
4.4 Stormwater Management.....	8
5.0 Council Requirements for new Building Consents	8
5.1 Smoke Alarms	8
5.2 Earthworks.....	8
6.0 Summary.....	9
7.0 TP58 3rd Edition, Appendix E.....	10
PART A: Owners Details.....	10
PART B: Property Details	11
PART C: Site Assessment - Surface Evaluation.....	11
PART D: Site Assessment - Subsoil Investigation	13
PART E: Discharge Details	15
PART G: Secondary and Tertiary Treatment	15
PART H: Land Disposal Method	16
PART I: Maintenance & Management	17
PART J: Assessment of Environmental Effects	17
PART K: Is Your Application Complete?	17
8.0 Site Plan	18
9.0 Borehole Log.....	19
10.0 On Site Wastewater Installation Guide for the Installer	20
11.0 On Site Wastewater Maintenance for the Owner.....	23
11.1 Why regular maintenance.....	23
11.2 Northland Regional Council Public Information	24
12.0 NZ Building Code, Clause F7, Smoke Alarms, Section 3.....	26
13.0 Limitations	27
14.0 Producer Statement.....	28

Onsite Wastewater Disposal Design

Assessment of the Environmental Effects

Executive Summary

Lot 1 DP 584995 is a grassed, flat to moderately sloping, rural lot located at 415 Pungaere Road, Kerikeri. The owners propose to construct a 5-bedroom primary dwelling (study counted as bedroom) and 1-bedroom minor dwelling (Pool house) to the northwest of the property. Onsite wastewater is required to service the dwelling. A secondary treatment system with buried dripper lines is recommended due to the occupancy of the dwellings and category 5 soils with moderate to slow draining characteristics.

Recommendations:

- The site is suitable for the disposal of onsite wastewater and a secondary treatment system with buried dripper lines is recommended.
- Effluent will be disposed of via a robust secondary treatment system which complies with the New Zealand Building Code. The system is to have a high output quality of: BOD5 equal to or less than 20g/m³ and TSS equal or less than 30g/m³, in line with NZS1546.3:2008 and the New Zealand Building Code.
- The proposed wastewater disposal field shall consist of approximately 450m of subsurface dripper line spaced at 1m. 450m² area in total. Dripper lines shall be buried 150–200mm below the surface within the topsoil layer. Anti-root intrusion, robust subsurface dripper line such as Netafim, Techline AS XR, or similar must be used.
- The wastewater disposal field is to be planted with grass and should be mown frequently to promote nutrient uptake and evapotranspiration.
- The wastewater field is to be setback a minimum of 5m from any existing or future intermittent stormwater flow path downslope of the field.
- There is adequate area to support a 100% reserve wastewater disposal field.
- The owner is to obtain a maintenance agreement from the manufacturer on purchase of the system. Aeration treatment systems should have an annual maintenance agreement with the supplier as stated in the Far North District Council bylaw 2805.2. This ensures the system operates efficiently and is serviced regularly.
- Correct use and maintenance of the wastewater system is required for it to work effectively and minimise environmental impacts.

1.0 Introduction

1.1 Scope

An on-site effluent disposal investigation, to obtain building consent, has been undertaken in accordance with TP58 On-site Wastewater Systems: Design and Management Manual Third Edition (2004), Regional Plan for Northland (2019) and the Far North District Plan (2009). A wastewater treatment system and land application method are recommended based on site characteristics including groundwater and surface water setbacks and soil type. A wastewater design is provided based on aforementioned documents and site characteristics.

1.2 Proposal

A secondary treatment system with buried dripper lines will service a proposed 5-bedroom primary dwelling and 1-bedroom minor dwelling (Pool house).

1.3 Site Description

Lot 1 DP 584995 is located off 415 Pungaere Road, Kerikeri and is zoned Rural Production in the Far North District Plan. Access to the property is gained via a right of way off Pungaere Road which runs along the northern boundary. Refer to the Subdivision Scheme Plan, Section 1.4, showing Lot 1 DP 584995 and the surrounding area.

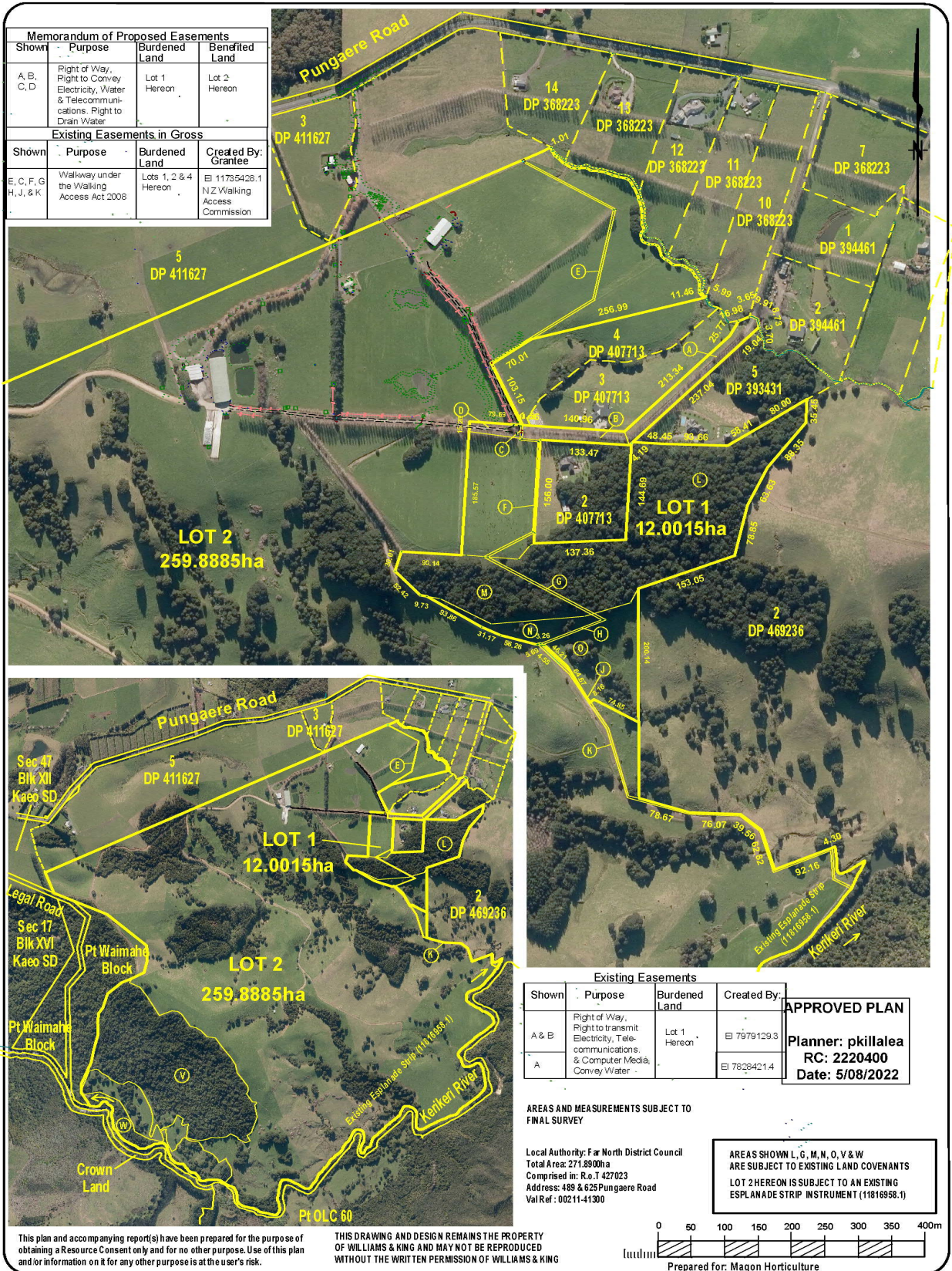
The area proposed for the dwelling is relatively flat, the topography then slopes moderately towards the bush to the south of the construction site. The topography progressively steepens through the bush.

The wastewater disposal field is to be situated a minimum of 5m from any existing or future intermittent stormwater flow path downslope of the field as per the Regional Plan for Northland (2019), Section C.6.1.3, Table 9.



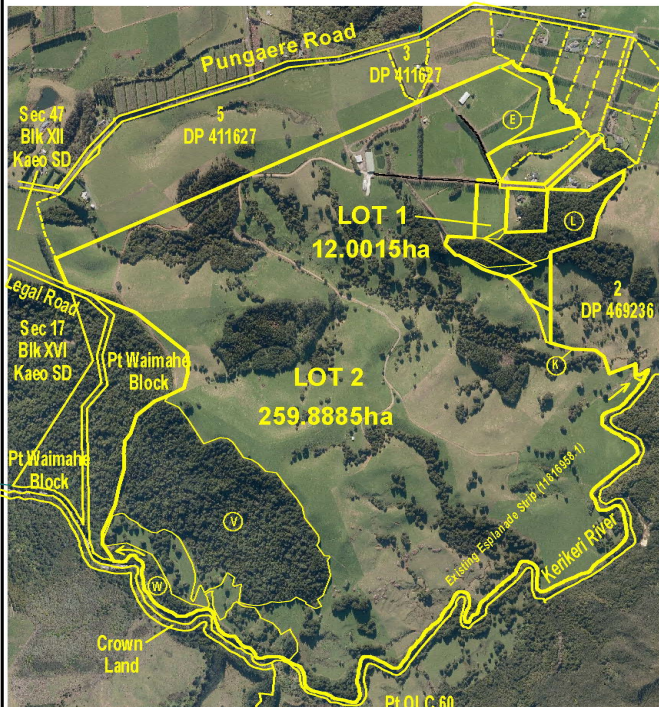
Photograph 1: Showing the approximate location for buried dripper line on a slight to moderately sloping, grassed area.

1.4 Subdivision Scheme Plan



Memorandum of Proposed Easements			
Shown	Purpose	Burdened Land	Benefited Land
A, B, C, D	Right of Way, Right to Convey Electricity, Water & Telecommunications. Right to Drain Water	Lot 1 Hereon	Lot 2 Hereon

Existing Easements in Gross		
Shown	Purpose	Created By: Grantee
E, C, F, G, H, J, & K	Walkway under the Walking Access Act 2008	EI 11735428.1 N.Z. Walking Access Commission



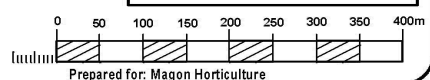
Existing Easements			
Shown	Purpose	Burdened Land	Created By:
A & B	Right of Way, Right to transmit Electricity, Telecommunications, & Computer Media, Convey Water	Lot 1 Hereon	EI 7979129.3
A			EI 7828421.4

APPROVED PLAN
 Planner: pkillalea
 RC: 2220400
 Date: 5/08/2022

AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Local Authority: Far North District Council
 Total Area: 271.8900ha
 Comprised in: R.o.T 427023
 Address: 489 & 625 Pungaere Road
 Val Ref: 00211-41300

AREAS SHOWN L, G, M, N, O, V & W ARE SUBJECT TO EXISTING LAND COVENANTS
 LOT 2 HEREON IS SUBJECT TO AN EXISTING ESPLANADE STRIP INSTRUMENT (11816958.1)



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 WILLIAMS & KING AND MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF WILLIAMS & KING

WILLIAMS AND KING
 Registered Land Surveyors, Planners & Land Development Consultants
 Ph: (09) 407 6030 27 Hobson Ave
 Email: kerikeri@saps.co.nz PO Box 937 Kerikeri

Proposed Subdivision of Lot 6 DP 407713

Survey	Name	Date	ORIGINAL SCALE	SHEET
Design				
Drawn	CW	Nov 2021	1:5000	A3
Rev				

23368

2.0 Methodology

2.1 Site Visit

The site investigation was undertaken on 25th November 2022 and comprised of a visual assessment of the proposed wastewater disposal field and the surrounding area. A 50mm borehole to a depth of 1200mm was taken to acquire soil samples for examination and to establish groundwater depth. USDA feel method was used to determine soil texture, soil structure and soil category. The test location is indicated on the attached Site Plan, Section 8.

2.2 Desk Study

A desk study of available information and site characteristics was undertaken. The following sources were reviewed, TP58 (2004), Regional Plan for Northland (2019), Section C.6.1.3, Far North District Plan, Section 12.7.6.1.2, 12.7.6.1.4(b), Far North and Northland Regional Council Maps, Whangaroa - Kaikohe Soil Map and Google Earth images.

A Geotechnical Report by NGS Northland Geotechnical Specialists dated 23 June 2022 has been made available and reviewed, this report is in line with the recommendations outlined in the report.

The following Consent Notice has been reviewed.

“In conjunction with the construction of any building which includes a wastewater treatment and effluent disposal system the applicant shall submit for Council approval a detailed TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer and include a geotechnical site suitability assessment of the proposed site. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a 100% reserve disposal area. The report shall confirm that all of the treatment and disposal system can be fully contained within the lot boundary and comply with the Regional Water and Soil Plan Permitted Activity Standards”.

3.0 Site Evaluation

3.1 Soil Profile

Geological Map Reference Number: NZMS 290 Sheet P 04/05 describes the soils as Okaihau gravelly friable clay (OK) with well to moderately well drained soils of the rolling and hill land.

The borehole showed soils, in the area of the wastewater disposal field, to be category 5, silty clay with moderate to slow draining characteristics. Refer to Photograph 2 and the Borehole Log, Section 9 showing soil layers.



Photograph 2: Borehole showing 250mm of category 4, slightly moist, brown topsoil followed by category 4, slightly moist, brown silty clay loam to a depth of 800mm. From 800-1200mm soils were category 5 gravelly, friable, clay loam.

3.2 Groundwater

The Regional Plan for Northland (2019), Section C.6.1.3, Table 9 requires a 600mm separation distance of secondary treated wastewater from groundwater. TP58 (2004), Table 5.2 recommends a more conservative separation distance of 900mm in category 5 soils.

Groundwater was not intercepted during the 1200mm borehole taken during Spring, 25th November 2022.

A freshwater bore is located to the north of the proposed dwelling, well away from the proposed disposal field meeting the 20m setback from a freshwater bore required by the Regional Plan for Northland (2019), Section C.6.1.3, Table 9.

3.3 Surface water

No surface water bodies were noted in the near vicinity of the proposed wastewater disposal field (30m radius) meeting the 15m separation distance required by the Regional Plan for Northland (2019), Section C.6.1.3, Table 9 and the more conservative 30m separation distance outlined in the Far North District Plan, Section 12.7.6.1.4(b).

The wastewater disposal field is to be setback a minimum of 5m from any existing or future intermittent stormwater flow path such as an overland flow path, drain or stormwater spreader as per the Regional Plan for Northland (2019), Section C.6.1.3. No intermittent stormwater flow paths were noted within 5m of the proposed fields.

According to Northland Regional Council maps the property is not identified as being in a flood area.

4.0 On-site Effluent Disposal

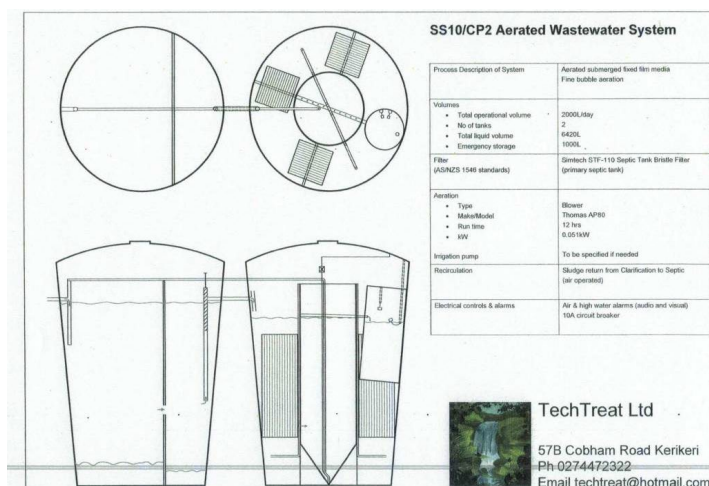
4.1 System Requirements

Effluent will be disposed of via a robust secondary treatment system which complies with the New Zealand Building Code. The system is to have a high output quality of: BOD5 equal to or less than 20g/m³ and TSS equal to or less than 30g/m³, in line with NZS1546.3:2008 and the New Zealand Building Code. The system is to have emergency storage and be fitted with an alarm to protect against system failure.

The owner is to obtain a maintenance agreement from the manufacturer on purchase of the system. Aeration treatment systems should have an annual maintenance agreement with the supplier as stated in Far North District Council bylaw 2805.2. This ensures the system operates efficiently and is serviced regularly.

The system is to be installed by a registered installer to manufacturer's instructions. It is imperative that a maintenance contract be obtained at the point of installation to avoid problems with the system. Installation and maintenance notes can be found at the back of this report, Section 9 and 10.

Proposed system: Tech Treat SS10/ CP2



4.2 Proposed Wastewater Disposal Field

Wastewater calculations as follows:

Potential occupancy of the dwellings x litres per person per day / loading rate = area of wastewater disposal field

$$10 \times 180 \text{ litres} / 4 = 450\text{m}^2$$

The proposed effluent field shall consist of approximately 450m length of subsurface dripper line spaced at 1m in a 450m² area. Dripper lines shall be buried 150–200mm below the surface within the topsoil layer. Anti-root intrusion, robust subsurface dripper line such as Netafim, Techline AS XR, or similar must be used. The area shall be planted with grass and regularly mown to encourage nutrient uptake and evapotranspiration. Refer to the attached Site Plan, Section 7, for the required area and specific details of the field.

The wastewater disposal field should not be used to graze animals, be driven on or built over. These activities can result in damage to and failure of the effluent field. The field should remain grass as tree and shrub roots can damage dripper line.

180 litres of wastewater produced per person per day with tank water is allocated, in line with TP58 (2004), Table 6.2, p.52. A loading rate of 4 is assigned due to category 5 soils with slow draining characteristics as per TP58 (2004), Table 9.2, p.150.

Installation and maintenance notes can be found at the back of this report, Section 10 and 11, as a guide to the upkeep of the system and disposal field.

4.3 Reserve Area

A 100% reserve wastewater disposal area is specified, greater than the minimum 30% required by the Regional Plan for Northland, 2019, C.6.1.3, 9b. The purpose of the reserve is to provide additional area for wastewater disposal, for example in the event of failure of the original field or future expansion of the proposed development. The reserve area must be protected from any development that would prevent its use in the future.

4.4 Stormwater Management

The property does not benefit from a connection to the town main water supply. Stormwater from the roof of the dwelling will be collected in water tanks. The overflow from the tanks is to be downslope and well away from the proposed wastewater field.

A cut off drain is not required due to flat topography to the north, upslope of the disposal field.

5.0 Council Requirements for new Building Consents

5.1 Smoke Alarms

Smoke alarms shall be installed in accordance with the New Zealand Building Code Clause F7 Section 3.0. Smoke alarms shall be installed on or near the ceiling in every sleeping space or within 3m of every sleeping space door. Refer to Section 12 for Section 3 of the Building Code detailing smoke alarm regulations. This is a requirement by the Far North District Council for all new Building Consents.

5.2 Earthworks

The proposed works which are being proposed will comply with Earthworks EW-S3 Accidental Discovery Protocol and Earthworks EW-S5 Erosion and Sediment Control – Auckland Council Guideline Document GD005 GD05 Erosion and Sediment Control. Pdf (aucklanddesignmanula.co.nz).

5.3 Hazardous Activities and Industries List (HAIL)

A Preliminary Site Investigation report is not available for Lot 1 DP 13478.

6.0 Summary

A secondary treatment system with 450m² of buried dripper lines and 100% reserve is recommended to service a 5-bedroom dwelling and 1-bedroom minor dwelling with category 5 soils.

Setback distances from stormwater flow paths, surface water and groundwater has been achieved.

7.0 TP58 3rd Edition, Appendix E

PART A: Owners Details

1. Applicant Details:

Applicant Name:	Rewa Willis & Marc Spring
Company Name:	
Property Owner Name:	Rewa Willis & Marc Spring
Nature of Applicant	Owners

2. Consultant / Site Evaluator Details:

Consultant/Agent Name	O'Brien Design Consulting Ltd	
Site Evaluator Name	Martin and Nicola O'Brien	
Postal Address	O'Brien Design Consulting Ltd	
	153B Kerikeri Inlet Road, Kerikeri	
	0293	
Contact Details	Phone	09 407 5208
	Mobile	027 4075208
Name of Contact Person	Martin O'Brien	
E-mail Address	martin@obrienconsulting.co.nz	
Website	www.obriendesignconsulting.co.nz	

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

No

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

None

PART B: Property Details

1. Property for which this application relates:

Physical Address of Property	415 Pungaere Road		
	Kerikeri		
Territorial Local Authority	Far North District Council		
Regional Council	Northland Regional Council		
Legal Status of Activity	Permitted: <input checked="" type="checkbox"/>	Controlled: <input type="checkbox"/>	Discretionary: <input type="checkbox"/>
Relevant Regional Rule(s) (Note 1)			
Total Property Area (m ²)	12.012ha		

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

Lot No.	1	DP No.	584995	CT No.	
Other:					

Please ensure copy of Certificate of Title is attached

PART C: Site Assessment - Surface Evaluation

Has a relevant property history study been conducted?

Please Tick	No	<input checked="" type="checkbox"/>	Yes	
-------------	----	-------------------------------------	-----	--

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

HAIL: A Preliminary Site Investigation report is not available.

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

Please tick	No		Yes	√
-------------	----	--	-----	---

If No, state why?

A Geotechnical Report by NGS Northland Geotechnical Specialists dated 23rd June 2022 has been made available and reviewed, this report is in line with the recommendations outlined in the report.

If Yes, please give details of report (and if possible, please attach report): fill out if you said yes

Author:	David Buxton
Company/Agency:	NGS Northland Geotechnical Specialists
Date of Report:	23 June 2022

2. Site Characteristics:

Provide descriptive details below:
<u>Performance of Adjacent Systems:</u>
Unconfirmed.
<u>Estimated Rainfall and Seasonal Variation:</u>
Information available from N.I.W.A MET RESEARCH
<i>Northland = 112.6mm average per month during 1981-2010</i>
<u>Vegetation / Tree Cover:</u>
Grass.
<u>Slope Shape: (Please provide diagrams)</u>
In the area of the proposed field the slope is waxing divergent.
<u>Slope Angle:</u>
<10°
<u>Surface Water Drainage Characteristics:</u>
Refer to Section 4.4.
<u>Flooding Potential: YES/NO</u>
No
<u>Surface Water Separation:</u>
Refer to Section 3.3

3. Site Geology

Okaihau gravelly friable clay (OK) with well to moderately well drained soils of the rolling and hill land.

Geological Map Reference Number	NZMS 290 Sheet P 04/05
---------------------------------	------------------------

4. What Aspect(s) does the proposed disposal system face?

North		West	
Northwest		Southwest	
Northeast		Southeast	
East		South	√

5. Site clearances

Separation Distance from	Treatment Plant Separation Distance (m)	Disposal Field Separation Distance (m)
Boundaries	1.5m minimum	1.5m minimum
Surface water	15m minimum	15m minimum
Groundwater	-	0.9m minimum
Stormwater flow paths e.g. drain	5m minimum	5m minimum
Stands of trees/shrubs	Outside tree canopy	Outside tree canopy
Wells & potable water bores	20m minimum	20m minimum
Lakes, rivers, wetland & the coastline	30m minimum	30m minimum
Buildings	3m minimum	1.5m minimum
Flood area	Ensure sealed unit no setback	Outside the 100yr ARI flood event

PART D: Site Assessment - Subsoil Investigation

1. Please identify the soil profile determination method:

Borehole	Hand Augured	1200mm deep	No of Boreholes	1
Other:	USDA feel method to determine soil texture and soil structure			

Soil Report attached?

Please Tick	Yes	√	No	
-------------	-----	---	----	--

2. Was fill material intercepted during the subsoil investigation?

Please Tick	Yes		No	√
-------------	-----	--	----	---

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)

Not required			
Test Report Attached?	Yes	No	√

4. Are surface water interception/diversion drains required?

Please tick	Yes	No	√
A cut off drain is not required due to flat topography to the north of the disposal field.			

4a. Are subsurface drains required?

Please tick	Yes	No	√
-------------	-----	----	---

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

Winter	>1200mm	Measured	Estimated	√
Spring	>1200mm	Measured	Estimated	√
Summer	>1200mm	Measured	Estimated	√
Autumn	>1200mm	Measured	Estimated	√

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

Please Tick	Yes	No	√

7. Based on results of subsoil investigation above, please indicate the disposal field soil category

Is Topsoil Present?	Yes	If so, Topsoil Depth?	250mm
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

250mm of category 4, slightly moist, brown topsoil followed by category 4, slightly moist, brown, silty clay loam to a depth of 800mm. From 800-1200mm soils were category 5, gravely, friable, clay loam.

PART E: Discharge Details

1. Water supply source for the property:

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 – Primary Dwelling	5	Occupancy = 8
Number of Bedrooms – Minor Dwelling	1	Occupancy = 2
Design Occupancy	10	Potential number of people
Per capita Wastewater Production	180	Litres per person per day
Other - specify		
Total Daily Wastewater Production	1800	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 %?	0%			(Please tick)

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

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

Please tick	Yes	No	√
-------------	-----	----	---

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

PART G: Secondary and Tertiary Treatment

1. Please indicate the type of additional treatment, if any, proposed to be installed in the system:

Secondary Treatment		Refer to Section 4.2
Home aeration plant	√	
Tertiary Treatment		
Ultraviolet disinfection		
Other		Specify

PART H: Land Disposal Method

1. Please indicate the proposed loading method:

Gravity	
Dosing Siphon	
Pump	√

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

Please tick	Yes	√	No	
If not to be installed, explain why:				

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

Total Design Head	32	(m)
Pump Chamber Volume	150	(Litres)
Emergency Storage Volume	1000	(Litres)

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

Surface Dripper Irrigation		As Per Attached Plan
Sub-surface Dripper Irrigation	√	
Mound with Dripper Irrigation		

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	4		(Litres/m ² /day)
Disposal Area	Design (m ²)	450	For driplines spaced at 1m
	Reserve (m ²)	450	For driplines spaced at 1m

Explanation (Refer TP58 Sections 9 and 10)

Loading rate for category 5 soils taken from TP58 (2004), Table 9.2, p.150.

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

Reserve Disposal Area (m ²)	450	For dripper lines spaced at 1m
Percentage of 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:

Refer to Proposed Wastewater Disposal Field, Section 4.3 and the Site Plan, Section 7.				
Plan Attached?	Yes	√	No	(Please tick)

PART I: Maintenance & Management

(Refer TP58 Section 12.2)

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

Please tick	Yes		No	✓
-------------	-----	--	----	---

The owner is to obtain a maintenance agreement from the manufacturer on purchase of the system. Aeration treatment systems should have an annual maintenance agreement with the supplier as stated in Far North District Council bylaw 2805.2. This ensures the system operates efficiently and is serviced regularly.
Client to enter into agreement with chosen system supplier as per FNDC bylaw

PART J: Assessment of Environmental Effects

1. Is an assessment of environmental effects (AEE) included with application?
(Refer to TP58 Section 5. Ensure all issues concerning potential effects addressed)

Please tick	Yes	✓	No	
-------------	-----	---	----	--


PART K: Is Your Application Complete?

1. In order to provide a complete application have you 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)	✓

2. Declaration

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

Name: Martin O'Brien	Signature	
Position: Director	Date	13 th February 2025

Note:

Any alteration to the site plan or design after approval will result in noncompliance.

Building consent must be approved before work commences.



Existing fresh water bore

20m

48.4m² Pool

71.9m² Pool house

628m² Metal driveway

Stormwater Management

(Impermeable surfaces):
 Proposed dwelling: 402.3m²
 Proposed pool house: 71.9m²
 Total roof areas: 474.2m²

Roof areas: 474.2m²
 Proposed pool: 48.4m²
 Metal driveway: 628.0m²
 Concrete driveway: 168.0m²
 Pool: 48.4m²
 Patio: 21.0m²
 14.6m² Patio
 Total proposed: 1,402.6m²

1.5m Setback from building

21.0m² Patio

402.3m² Proposed dwelling

14.6m² Patio

168.0m² Concrete driveway

1.5m Setback from boundary

450m² (100%) Reserve area

450m² Wastewater disposal field (buried dripper line):
 450m Length approx of dripperline with emitters at no greater than 400mm centres with flow rate of 1.6l/hr at 1000mm spacing's buried 150-200mm below surface within topsoil layer

Legend

- Stormwater: 100mm Ø pipe, min. gradient 1:120
- Stormwater: 150mm Ø pipe, min. gradient 1:120
- Sewer: 100mm Ø pipe, gradient 1:60
- Alkathene pipe
- Setback line
- Wastewater disposal field
- Reserve area

Line of existing land covenant

BH1 ⊕

Proposed walkway exact location TBC

Stormwater overflow to edge of bush,
 150mm Ø pipe, min. gradient 1:120 to
 a 150mm Ø spreader along fence line

NOTES

1. Contour lines at 1m increments, sourced from NRC .
2. All drainage to comply with AS/NZS3500 & NZBC G13/AS1. All drainage is diagrammatical, drainlayer to determine on site drainage layout and provide asbuilt plan when complete.
3. Length of dripper lines to be no more than 100m between feed points.
4. Dripper lines to follow contour lines
5. Dripper lines to be setback:
 - 1.5m from buildings
 - 1.5m from property boundaries
 - 5m from any intermittent storm water flow path such as a drain or overland flow path down slope of the field
 - 20m from fresh water bore
 - Field to be laid on slopes less than 25 degrees
6. Smoke alarms are to be installed in accordance with the New Zealand Building Code Clause F7 Section 3.0:
 - Smoke alarms shall be installed on or near the ceiling in every sleeping space or within 3m of every sleeping space door.
 - Refer to the report outlining Section 3 of the Building Code, detailing smoke alarm regulations.
7. The works which are being proposed will comply with Earthworks EW-S3 Accidental Discovery Protocol and Earthworks EW-S5 Erosion and Sediment Control - Auckland Council Guideline Document GD005 GD05 Erosion and Sediment Control.pdf (aucklanddesignmanual.co.nz)

Existing open drain along boundary preventing stormwater sheet flowing on to Lot 2 DP 407713, drains to be checked for adequate levels so stormwater flows south

Shallow swale along the edge of the driveway to each catch pitch

Sewer: 100mm Ø pipe, gradient 1:60

450 x 450 Catch pit to 100mm Ø pipe, min. gradient 1:120

Stormwater from catch pits: 100mm Ø pipe, min. gradient 1:120

Detention tank refer to details

Shallow dish drain along the edge of the concrete channeling stormwater to each catch pitch

Aeration treatment system

Alkathene pipe as per manufacturers instructions

Power cable to AWT

450 x 450 Catch pit to 100mm Ø pipe, min. gradient 1:120

Stormwater overflow: 150mm Ø pipe, min. gradient 1:120

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

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

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Project Title
 Rewa Willis & Marc Spring
 415 Pungaere Road
 Kerikeri
 Lot 6 DP 407713

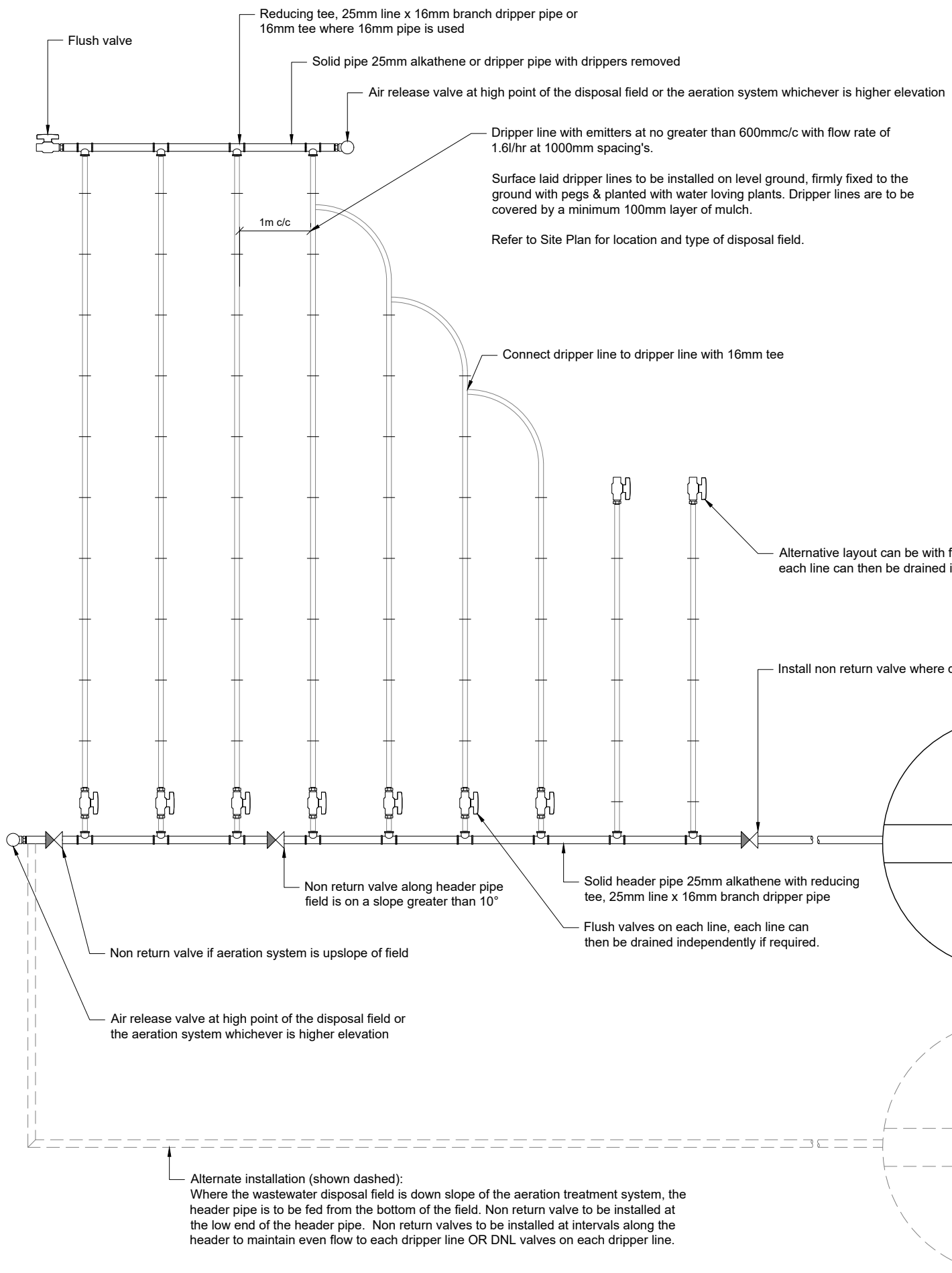
Sheet Title
 Drainage Site Plan

Drawn 5 February 2025

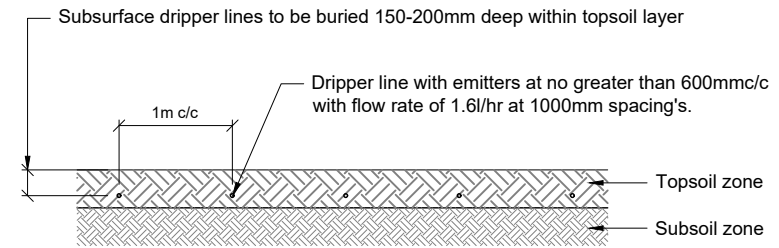
Project No 2840

Rev	Sheet
B	A01

Scale (A3 Original) 1: 500
 5 2.5 0 5 10
 m



W01 Typical Wastewater Disposal Field Plan
SCALE = 1:20



W02 Typical Subsurface Driller Line Detail
SCALE = 1:20

NOTES

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

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

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

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Project Title
Rewa Willis & Marc Spring
415 Pungaere Road
Kerikeri
Lot 6 DP 407713

Sheet Title
Wastewater Details

Drawn 5 February 2025

Project No 2840

Rev	Sheet
B	A03

Scale (A3 Original) 1: 20

9.0 Borehole Log



BOREHOLE LOG 1



Client	Rewa Willis & Marc Spring	Job No.	2840
Project	Installation of onsite wastewater	Date Drilled	25/11/2022
Site Address	415 Pungaere Road, Kerikeri	Drilled By	M O'Brien
Legal Description	Lot 6 DP 407713	Drill Method	50mm hand auger

Depth mm	GWL	Soil Map Reference	Graphic Log	Field Description	Soil Category		
100	Groundwater not intercepted	Okaihau gravelly friable clay (OK)		250mm Slightly moist dark brown topsoil	4		
200				Slightly moist dark brown friable silty CLAY	4		
300							
400							
500							
600							
700							
800						Slightly moist dark brown gravelly silty CLAY	5
900							
1000							
1100							
1200						EOB	
1300							
1400							
1500							
1600							
1700							
1800							
1900							
2000							
2100							

Graphic Log Legend



Fill



Topsoil



Gravel



Sand



Clay



Silt

The subsurface data described above has been determined at this specific borehole location and will not identify any variations away from this location. The data is for the determination of soil type for wastewater disposal applications only and is not to be used for geotechnical purposes.

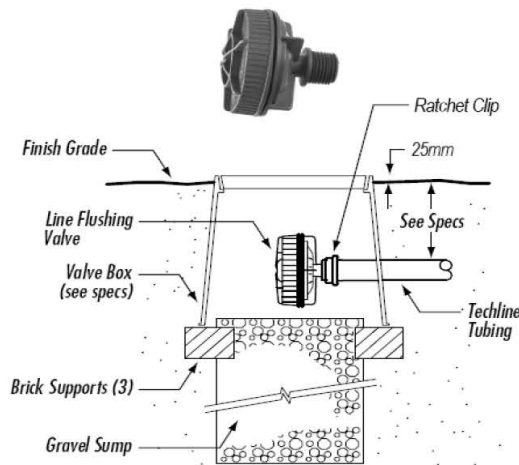
10.0 On Site Wastewater Installation Guide for the Installer

TECHLINE AS™ DESIGN GUIDE

LINE FLUSHING VALVES:

Line Flushing Valves are used to provide a cleansing action in the dripperline each time the zone is turned on.

- When a zone is turned on, the flush valve begins dumping water into a sump (*valve box*).
- The dumping of water (*additional flow*) allows the velocity of water inside the dripperline to increase momentarily helping to clean the inside walls of the tubing and drip inlet filters.
- This action moves sediment out of the zone and into the sump.

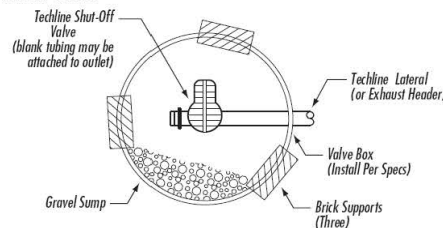


AUTOMATIC LINE FLUSHING VALVE:

- Place one Automatic Line Flushing Valve at the furthest point in the drip system.
- For GRID layouts this will typically be in the collecting manifold. On flat sites the Automatic Line Flushing Valve can be installed in the middle of the collecting manifold however in sloping sites the flushing manifolds should be installed at the lowest end.
- For LITE layouts the Automatic Line Flushing Valve will be installed at the midpoint of the tubing layout.
- Use one Automatic Line Flushing Valve for each 45L/M of zone flow.
- All Automatic Line Flushing Valves should be installed in a valve box with a gravel sump adequate to drain approximately 4 litres of water.
- Automatic Line Flushing Valve requires a minimum pressure of 70kPa (7m) to shut off completely.

MANUAL FLUSHING VALVE:

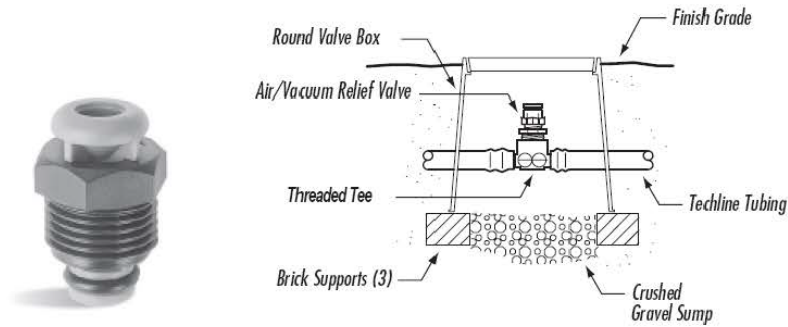
- Allows for manual flushing of lines during system start-up and during season.
- Manual Flushing Valves should be located at each end of the collecting manifold in a GRID system.
- Manual Flushing Valve should be located at the midpoint of a LITE layout.
- Allow 1 second per metre of dripperline & poly pipe in the zone for as a general guide for an adequate flush time.



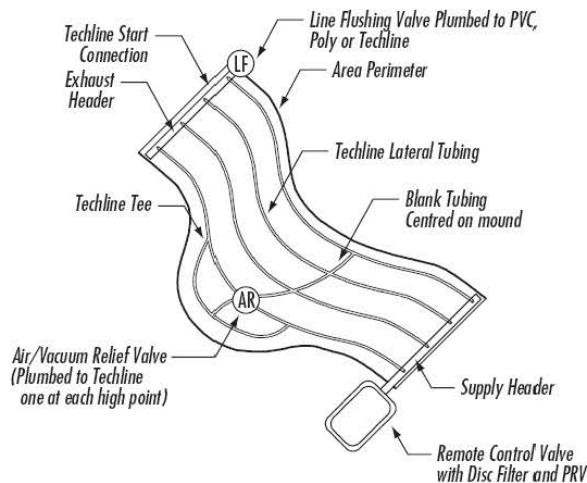
TECHLINE AS™ DESIGN GUIDE

AIR/VACUUM RELIEF VALVES:

Air/Vacuum relief valve freely allows air into a zone after shut down. It also ensures a vacuum within non Anti Siphon dripperline system doesn't suck debris or dirt back in to the dripperline. It also provides a means of releasing air from the dripperline when the zone is turned on, eliminating air pockets and speeding up the dripperline operation.



- Install Air/Vacuum Relief Valve at the highest point in the drip system.
- Install one Air/Vacuum Relief Valve for every 40L/M of zone flow.
- Ensure that all of the rows of Dripperline can take advantage of the Air/Vacuum Relief Valve; install it/them along a lateral that runs perpendicular to the dripperline laterals. This may be a collecting manifold, or a special lateral connecting all rows of dripperline, such as going over a mound.



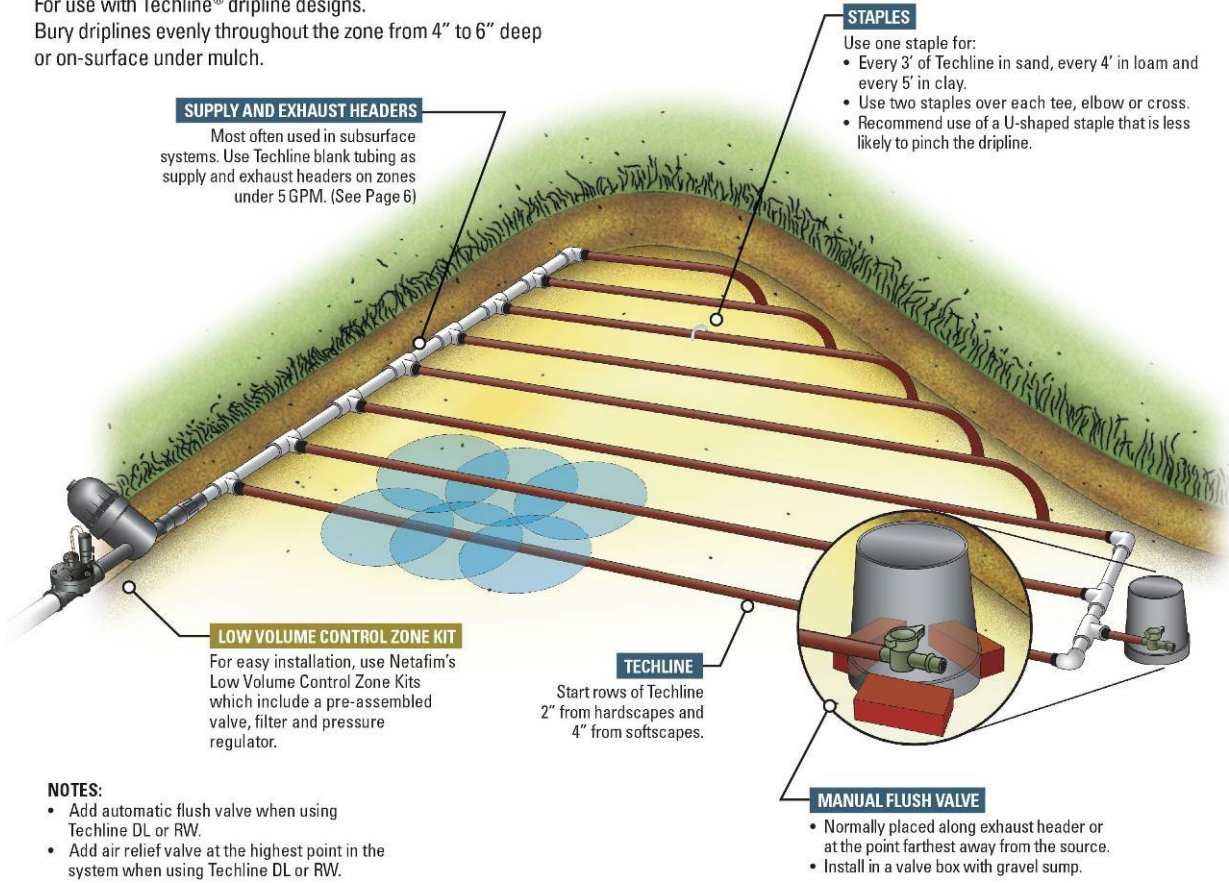
- All Air/Vacuum Relief Valves should be installed in a valve box with a gravel sump. This will ensure that the only clean air will enter the drip system.



Note: Larger Air Release valves are available for large projects.

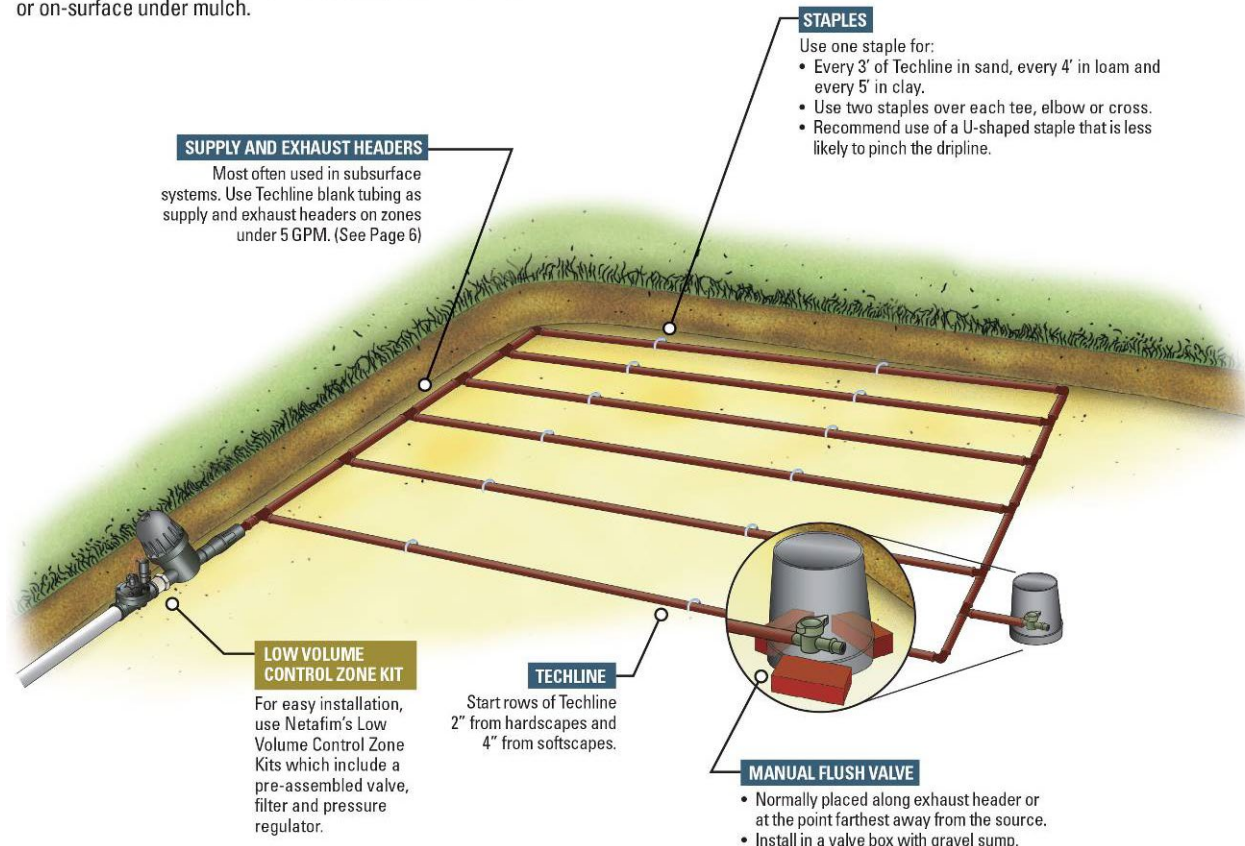
SUBSURFACE/SURFACE DESIGN LAYOUT

For use with Techline® dripline designs.
Bury driplines evenly throughout the zone from 4" to 6" deep or on-surface under mulch.



SUBSURFACE/SURFACE DESIGN LAYOUT

For use with Techline® dripline designs.
Bury driplines evenly throughout the zone from 4" to 6" deep or on-surface under mulch.



11.0 On Site Wastewater Maintenance for the Owner

11.1 Why regular maintenance

Septic tanks and on-site wastewater treatment systems need regular maintenance to work properly. The impact on the environment is minimal if your system is well-maintained.

Owners are legally responsible for maintaining their on-site wastewater treatment system.

There are health risks for you, your family and your community from poorly maintained wastewater treatment systems. Poor maintenance of treatment systems can cause sewage effluent to rise to the surface or effluent to enter the groundwater system. People and animals can fall sick by coming into contact with raw sewage or by drinking contaminated groundwater.

The life of your system depends on how much effluent is discharged each day and other factors such as rainfall and general clogging of pores in the ground. The greatest impact is how you maintain your system and what you put down it.

Components of your system

- Wastewater treatment unit – generally a septic tank or aerated treatment system.
- A land application system – generally trenches, or low-pressure surface or subsurface irrigation drip lines.

Do:

- Use biodegradable, low phosphate household cleaners and laundry powders or liquid.
- Use body washes and shower gels, instead of soap, (or non-petroleum based products).
- Use the water and suds saver cycles on your dishwasher and washing machine (if fitted) and put a water saver device on your shower.
- Fix any leaking pipes and toilet systems.
- Clean septic tank outlets and filter when required (usually every 6 months).
- Follow the service and maintenance requirements of your system.
- Scrape all dishes to remove food material before washing.
- Keep all possible solids out of the system.
- Inspect tank annually for sludge and scum levels.
- The tank should be pumped out approximately every 3–5 years. Have tank pumped out when:
 - the top of the floating scum is 75mm or less from the bottom of the outlet
 - sludge has built up to within 250mm of the bottom of the outlet

Don't:

- Use soap-based washing powders that do not biodegrade.
- Install a waste master disposal in your sink.
- Dispose of eggshells, coffee grounds or tea bags. Compost food scraps or put in rubbish.
- Dispose of strong bleaches, chlorine compounds, antiseptics or disinfectants, medicines or disposable nappies, sanitary napkins/pads or condoms into drains.
- Allow fat to be poured down the sink.
- Put petrol, oil, flammable/explosive substances, trade waste or chemicals down the drain.
- Empty a spa or swimming pool into the system.

Signs of trouble

The system is not working correctly if:

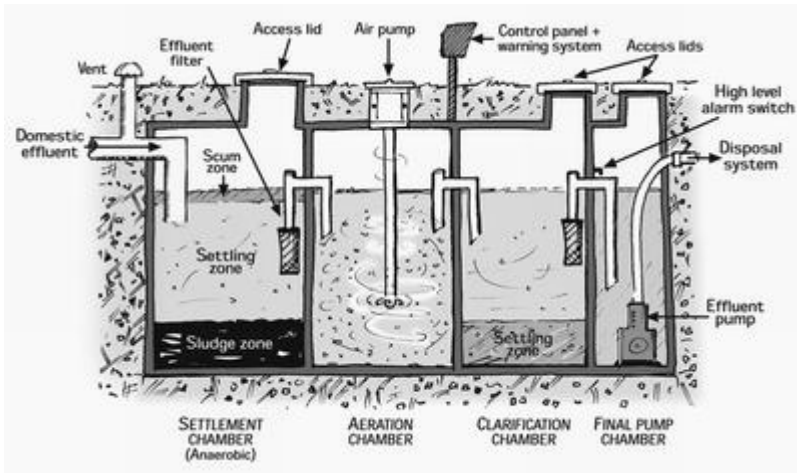
- There is a foul smell around tank or land application area.
- The tank, gully trap or tank mushroom is overflowing.
- The ground around the tank is soggy.
- Sinks/basins/toilets are emptying slowly or making gurgling noises when emptying
- The grass is unusually dark green over the land application area.

11.2 Northland Regional Council Public Information

Aerated Wastewater Treatment Systems

The term 'Aerated Wastewater Treatment Systems (AWTS)' covers a range of types of onsite treatment systems that provide additional treatment to septic tank effluent. Their mechanical pumps require regular maintenance and a continuous power supply.

In general, an AWTS has three parts which may be housed in a single unit or split into more than one unit (see diagram below). This is a generalised diagram of an AWTS. Different brands will differ in design.



The three main processes that take place in an AWTS are:

Settlement and anaerobic treatment

This takes place in a chamber or tank, and the process is identical to what happens in a septic tank. Solids within the effluent settle and are broken down by anaerobic bacteria (bacteria that live without oxygen).

Aerated treatment

The effluent then enters a second chamber where aerobic bacteria (bacteria that require oxygen to live) break down the solids further and reduce the number of harmful bugs within the effluent. This normally happens by either passing the effluent over, or through, a material that contains aerobic bacteria or by pumping air directly into the effluent. In some AWTS, a combination of both methods may be used.

Final settlement (clarification)

After the aeration treatment, the effluent is allowed to settle before being pumped to a disposal system. An AWTS removes a greater amount of solids from the effluent than a septic tank does therefore problems within the disposal system caused by clogging are less likely. The additional treatment within the aerobic chamber should result in effluent that has fewer harmful bugs and nutrients, so it is less harmful to the environment. The installation of an AWTS is particularly useful in areas where there is a high groundwater table or surface water that needs protection or where there are poorly draining soils.

Effluent disposal

Effluent from an AWTS is commonly disposed of through dripper irrigation lines, which are flexible pipes with small pressure-compensating drippers installed along their length. The drippers should be self-flushing which helps prevent them becoming clogged. There should also be "flushing valves" at the end of each line for maintenance purposes.

Dripper lines shall be buried 150–200mm below the surface within the topsoil layer. Anti-root intrusion, robust subsurface dripper line such as Netafim, Techline AS XR, or similar must be used. The waste disposal field is to be planted with grass and should be mown frequently to promote nutrient uptake

It is recommended that the wastewater disposal area be clearly marked or fenced to minimise the risk to human health and reduce the possibility of damage to the system. The disposal field should not be used to graze animals, be driven on or built over. Buried dripper line should be planted with grass only. Do not plant shrubs and trees over buried dripper lines as the roots can damage the lines.

Surface water cut-off drains

If your disposal system is located on a slope a surface water cut-off drain will usually be installed above the effluent disposal system to prevent stormwater runoff from the slope entering the disposal area. All surface water cut-off drains need to be maintained to make sure they work properly. This may include removing excess grass or plant growth from the drains and making sure there are no other obstructions to prevent the free flow of water.

Prior to winter, it is a good idea to give all surface water cut-off drains a quick visual check and to carry out any required maintenance as soon as possible. If a surface water cut-off drain is not working properly, the excess stormwater entering the disposal area will cause failure of the disposal system and result in effluent flowing down the slope.

12.0 NZ Building Code, Clause F7, Smoke Alarms, Section 3

DOMESTIC SMOKE ALARMS

Scope

Smoke alarms shall be installed in every household unit of risk groups SH and SM where a Type 4 or Type 7 alarm system is not required by Acceptable Solutions C/AS1 to C/AS7.

The other paragraphs of this Acceptable Solution do not apply to the installation of domestic smoke alarms. Paragraphs 3.1 to 3.4 stand alone and only detail the requirements for domestic smoke alarms within household units.

Type 1 – Domestic Smoke Alarm System

A Type 1 system is based on one or more domestic type smoke alarms with integral alerting devices. Coverage shall be limited to selected parts of a single firecell, subject to Paragraphs 3.3 and 3.4.

Smoke alarms shall be manufactured to at least one of: AS 3786, ISO 12239 or BS EN 14604. 3.2.3 The smoke alarms shall be either hard wired or battery powered and are not required to be interconnected. In addition, they shall provide a hush facility, being a button that silences the alarm for a minimum duration of 60 seconds.

Comment: A hush facility is a button on the smoke alarm which silences the alarm for a limited time after activation. This allows the cause of a nuisance alarm to be cleared without having to remove the battery to silence the smoke alarm.

Smoke alarms shall have an alarm test facility easily reached by the building occupants. This facility may be located on the smoke alarms.

Location of Smoke Alarms

Smoke alarms shall be located as follows: a) In multi-storey units, there shall be at least one smoke alarm on each level within the household unit. b) On levels containing the sleeping spaces, the smoke alarms shall be located either: i) In every sleeping space, or ii) Within 3.0 m of every sleeping space door. In this case, the smoke alarms must be audible to sleeping occupants on the other side of the closed doors. c) In all cases, so that the sound pressure level complies with that specified in NZS 4514.

Comment: Smoke alarms also need to be located so that an alarm is given before the escape route from any bedroom becomes blocked by smoke. This includes those parts of escape routes on other floors. Although not required by this Acceptable Solution, the interconnection of individual smoke alarms should be considered if audibility is a problem.

Smoke alarms shall be installed on or near the ceiling. The placement shall be in accordance with NZS 4514. Comment: NZS 4514 gives instructions for the physical location of smoke alarms. Smoke alarms need to be situated on (or near) the ceiling for optimum detection of smoke in a fire situation. Following manufacturer's instructions is important to ensure smoke alarms are physically mounted correctly. This information is usually device specific.

Maintenance

Smoke alarms shall be maintained in accordance with the maintenance requirements of NZS 4514.

13.0 Limitations

1. It is imperative that this report be read in full before installation commences. O'Brien Design Consulting Ltd. is to be contacted if there are any variations in subsoil or site conditions from those described in this report. Site conditions may change from the date of the site visit.
2. O'Brien Design Consulting Ltd. is to be contacted if for any reason installation of the onsite wastewater system cannot be achieved to the design set out in this document. In this event O'Brien Design Consulting Ltd. reserves the right to revise this document. Should at any time the design be altered, O'Brien Design Consulting Ltd. are to be contacted for written approval before installation commences.
3. Our responsibility for this report is limited to the property owner named in Part A of this document. We disclaim all responsibility and will accept no liability to any other person unless that party has obtained the written consent of O'Brien Design Consulting Ltd. O'Brien Design Consulting Ltd reserves the right to qualify or amend any opinion expressed in this report in dealing with any other party. It is not to be relied upon for any other purpose without reference to O'Brien Design Consulting Ltd.
4. Any alteration to the site plan or design will result in noncompliance.
5. The wastewater disposal field is designed according to the number of bedrooms, potential occupancy and wastewater volumes produced, as outlined in this report. Any increase in the number of bedrooms, potential occupancy or wastewater volumes produced may result in failure of the field. O'Brien Design consulting take no liability for wastewater volumes produced exceeding that stated in Part E, number 2.
6. Recommendations and opinions in this report are based on data obtained from the investigations and site observations. The nature and continuity of subsoil conditions and groundwater at locations other than the investigation bores and test areas are inferred and it should be appreciated that actual conditions could vary over the site.
7. This report does not investigate or give recommendations on ground bearing capacity for foundations or slope stability. A geotechnical report may be required. This is the responsibility of the homeowner.
8. Following payment to the FNDC your Building Consent documentation will be emailed to you. It is the responsibility of the homeowner/builder to engage a registered drainlayer to install the system and field. The homeowner/builder is responsible for ensuring a printed copy of the issued Building Consent documentation is onsite at every inspection. Plans must be printed in colour and be at least A3 size. The installation is to be inspected by a FNDC inspector or similar suitably qualified person.
9. Following completion of the project it is the homeowner's responsibility to apply for Code of Compliance. The system manufacturer and drainlayer should assist you in applying for Code of Compliance. You will need to fill out a Code of Compliance Form as provided in the following link: <https://www.fndc.govt.nz/Our-Services/Building-Consents/Building-forms-and-guides/Code-Compliance-Certificate-Form-6>. You will also need an As Build diagram from the drainlayer showing installation and a commissioning statement and electrical certificate from the manufacturer.
10. The homeowner is responsible for the everyday upkeep of the system and field. Information is provided in the NRC Public Information section of this report. Further information is to be supplied by the manufacturer.
11. It is the responsibility of the owner to provide the Far North District Council with a maintenance agreement for the installed system. The maintenance of onsite wastewater systems should be sustained to reduce the risk of system failure.
12. Any questions arising from the above or during installation, please call O'Brien Design Consulting Ltd.

14.0 Producer Statement



DESIGN: ON-SITE EFFLUENT DISPOSAL SYSTEMS (TP58)

ISSUED BY: Martin O'Brien.....(approved qualified design professional)

TO: Rewa Willis & Marc Spring.....(owners)

TO BE SUPPLIED TO: Far North District Council

PROPERTY LOCATION: 415 Pungaere Road, Kerikeri, Lot 1 DP 584995

TO PROVIDE: Design an on-site effluent disposal system in accordance with Technical Paper 58 and provide a schedule to the owner for the systems maintenance.

THE DESIGN: Has been in accordance with G13 (Foul Water) G14 (Industrial Liquid Waste) B2 (durability 15 years) of the Building Regulations 1992.

As an independent approved design professional covered by a current policy of Professional Indemnity Insurance (Design) to a minimum value of \$200,000.00, I BELIEVE ON REASONABLE GROUNDS that subject to:

- (1) The site verification of the soil types.
- (2) All proprietary products met the performance requirements.

The proposed design will meet the relevant provisions of the Building Code and 8.15 of The Far North District Council Engineering Standards.

.....(Signature of approved design professional)

Licence Building Practitioner - Design 2, MA, BA with Hons (Professional qualifications)

BP103567.....(Licence Number or professional Registration number)

Address: 153B Kerikeri Inlet Road, Kerikeri

Phone Number: 09 407 5208

Mobile Number: 027 407 5208

Date: 13th February 2025

Note: This form is to accompany every application for a Building Consent incorporating a T.P.58. Approval as a design professional is at Councils discretion.

Stormwater Management Design

Project

Date:	13 th February 2025
Clients Name:	Rewa Willis & Marc Spring
Site Address:	415 Pungaere Road, Kerikeri
Legal Description:	Lot 1 DP 584995
Project:	Stormwater Management Design for Principal Dwelling & Minor Dwelling

Proposal

A 5-bedroom principal dwelling and 1-bedroom minor dwelling are proposed at Lot 1 DP 584995. A stormwater management assessment is required to address the Consent Notice forming part of the proposed subdivision of Lot 1 DP 584995:

'In conjunction with the construction of any buildings and other impermeable surfaces, the lot owner shall provide, at the time of lodging a building consent application, a specific design for stormwater management, prepared by a suitably qualified Chartered Professional Engineer or Suitably Qualified Engineering Practitioner, which addresses stormwater management measures being proposed in the application. The system shall be designed such that the total stormwater discharged from the site, after development, is no greater than the predevelopment flow from the site for rainfall events up to a 1% AEP plus allowance for climate change.'

Recommendations

- Install 3 x 25,000ltr stormwater tanks to be used as detention. Connect tanks at the base with a 40mm diameter pipe as per Appendix I so tanks can self-level.
- Catch pits should be installed as per the Site Plan, Appendix I.
- A 6m long 150mm diameter spreader is to be installed as per Site Plan and Detail in Appendix I.
- Shallow dish drains should be formed along the edge of concrete driveways to channel stormwater to catch pits.
- The drain along the eastern boundary should be checked for adequate fall along its length. All stormwater should drain to the south to prevent ponding.

Site Visit

The site investigation was undertaken on 25th November 2022 and comprised of a walk over and visual assessment of the property. Lot 1 DP 584995 is located off 415 Pungaere Road, Kerikeri and is zoned Rural Production in the Far North District Plan. Access to the property is gained via a right of way off Pungaere Road which runs along the northern boundary.

A 5-bedroom principal dwelling and 1-bedroom minor dwelling are proposed to the south of a flat to slightly sloping area which forms an area to the north of Lot 1. The remainder of the property to the south is native bush and grassed farmland. In the area of the proposed dwelling the topography is relatively flat to slightly sloping to the south, the slope steepens through the bush to the south of the dwelling.

Stormwater Assessment

The owner proposes to install 3 stormwater tanks which will be used for detention.

Surface water run-off for the catchment shall be calculated using the Rational Method. The formula to be used is:

$$Q_c = CIAc/360$$

where

Q_c = catchment run-off (m^3/s).

C = run-off coefficient

I = rainfall intensity (mm/hr).

It is to be noted that the impermeable surfaces on the property comply with the Stormwater Management rule of the District Plan.

Impermeable Surfaces:

Proposed dwelling: 402.3m²

Proposed pool house: 71.9m²

Total roof areas: 474.2m²

Roof areas: 474.2m²

Metal driveway: 628.0m²

Concrete driveway: 168.0m²

Pool: 48.4m²

Patio: 21.0m²

Patio: 14.6m²

Total proposed: 1,354.2m²

Detention tanks are designed by calculating the run-off from the predeveloped surfaces. This is then compared to the runoff from the roof areas. The difference between the two will equal the minimum flow rate reduction required. Refer to the Detention Tank Calculations, Appendix II.

The owner proposes to install 3 stormwater tanks which will be used for detention to reduce the flow rate from the roof area of the proposed principal and minor dwelling to that of predevelopment. As the proposed metal and concrete driveways, patio and paths cannot easily be detained, stormwater runoff from impermeable surfaces on the ground will not be detained.

In the area of the proposed metal driveway land is flat to slightly sloping to the southeast. Stormwater from the driveway will sheet flow to the southeast to the existing open drain along the eastern boundary. The drain should be checked for adequate fall so all stormwater in the drain flows to the south to prevent ponding. As the soils in this area are described as Okaihau gravelly friable clay with well to moderately well drainage characteristics, stormwater on the flatter areas of the site will tend to naturally soak into soils.

Catch pits are proposed at various locations at the edge of the concrete driveway and patio, refer to the Site Plan. The concrete should be laid with adequate fall away from the buildings. A shallow dish drain should be formed at the edge of the concrete to channel stormwater to the catch pits. The catch pits will be piped to the spreader at the edge of the bush to the south.

3 Detention tanks are proposed, all 3 will share the detention by being linked with a 40mm pipe at the base of each tank so they self-level. To achieve a reduction in flow rate 2 orifices are to be connected to the 100mm overflow pipe on 1 of the proposed 25,000 litre detention tanks. The bottom orifice will control the 10 ARI (y) flood event, the top will control the 100 ARI (y) flood event. Refer to Detention Tank Detail for the height of the orifice for each tank, Appendix I.

The overflow from each tank will be to a 150mm diameter overflow pipe directed to a 6m long spreader, refer to the Site Plan for pipe dimensions. The spreader is to be directed away from the wastewater disposal field to existing natural bush. Refer to Site Plan, Appendix I.

The installation of the stormwater detention tank will neutralise runoff from all roof areas.

Martin O'Brien
O'Brien Design Consulting
Martin@obrienconsulting.co.nz
09 407 5208



Stormwater Management

(Impermeable surfaces):

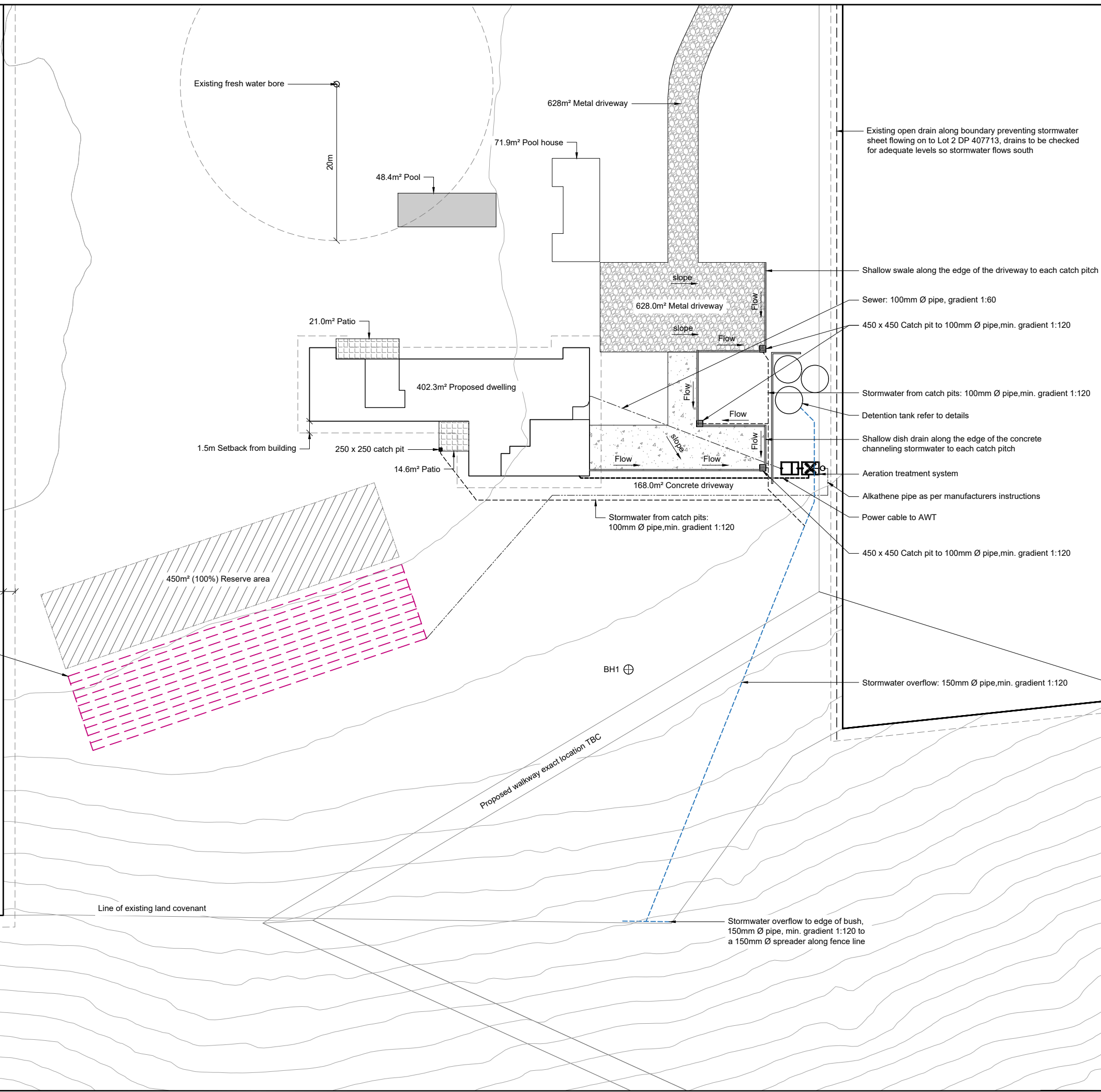
Proposed dwelling:	402.3m ²
Proposed pool house:	71.9m ²
Total roof areas:	474.2m ²

Roof areas:	474.2m ²
Metal driveway:	628.0m ²
Concrete driveway:	168.0m ²
Pool:	48.4m ²
Patio:	21.0m ²
Patio:	14.6m ²
Total proposed:	1,354.2m ²

450m² Wastewater disposal field (buried dripper line):
 450m Length approx of dripperline with emitters at no greater than 400mm centres with flow rate of 1.6l/hr at 1000mm spacing's buried 150-200mm below surface within topsoil layer

Legend

	Stormwater: 100mm Ø pipe, min. gradient 1:120
	Stormwater: 150mm Ø pipe, min. gradient 1:120
	Sewer: 100mm Ø pipe, gradient 1:60
	Alkathene pipe
	Setback line
	Wastewater disposal field
	Reserve area



- NOTES**
1. Contour lines at 1m increments, sourced from NRC .
 2. All drainage to comply with AS/NZS3500 & NZBC G13/AS1. All drainage is diagrammatical, drainlayer to determine on site drainage layout and provide asbuilt plan when complete.
 3. Length of dripper lines to be no more than 100m between feed points.
 4. Dripper lines to follow contour lines
 5. Dripper lines to be setback:
 - 1.5m from buildings
 - 1.5m from property boundaries
 - 5m from any intermittent storm water flow path such as a drain or overland flow path down slope of the field
 - 20m from fresh water bore
 - Field to be laid on slopes less than 25 degrees
 6. Smoke alarms are to be installed in accordance with the New Zealand Building Code Clause F7 Section 3.0:
 - Smoke alarms shall be installed on or near the ceiling in every sleeping space or within 3m of every sleeping space door.
 - Refer to the report outlining Section 3 of the Building Code, detailing smoke alarm regulations.
 7. The works which are being proposed will comply with Earthworks EW-S3 Accidental Discovery Protocol and Earthworks EW-S5 Erosion and Sediment Control - Auckland Council Guideline Document GD005 GD05 Erosion and Sediment Control.pdf (aucklanddesignmanual.co.nz)

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.
 All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.
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 T 09 407 5208 | martin@obrienconsulting.co.nz

Project Title
 Rewa Willis & Marc Spring
 415 Pungaere Road
 Kerikeri
 Lot 6 DP 407713

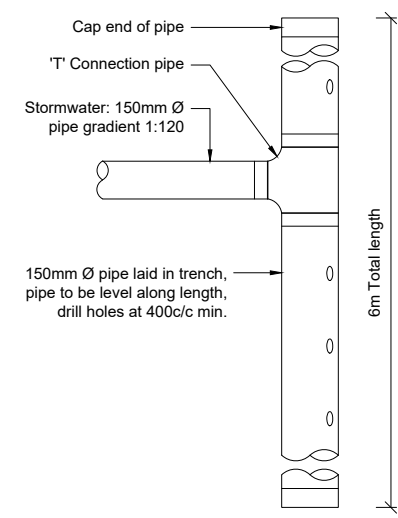
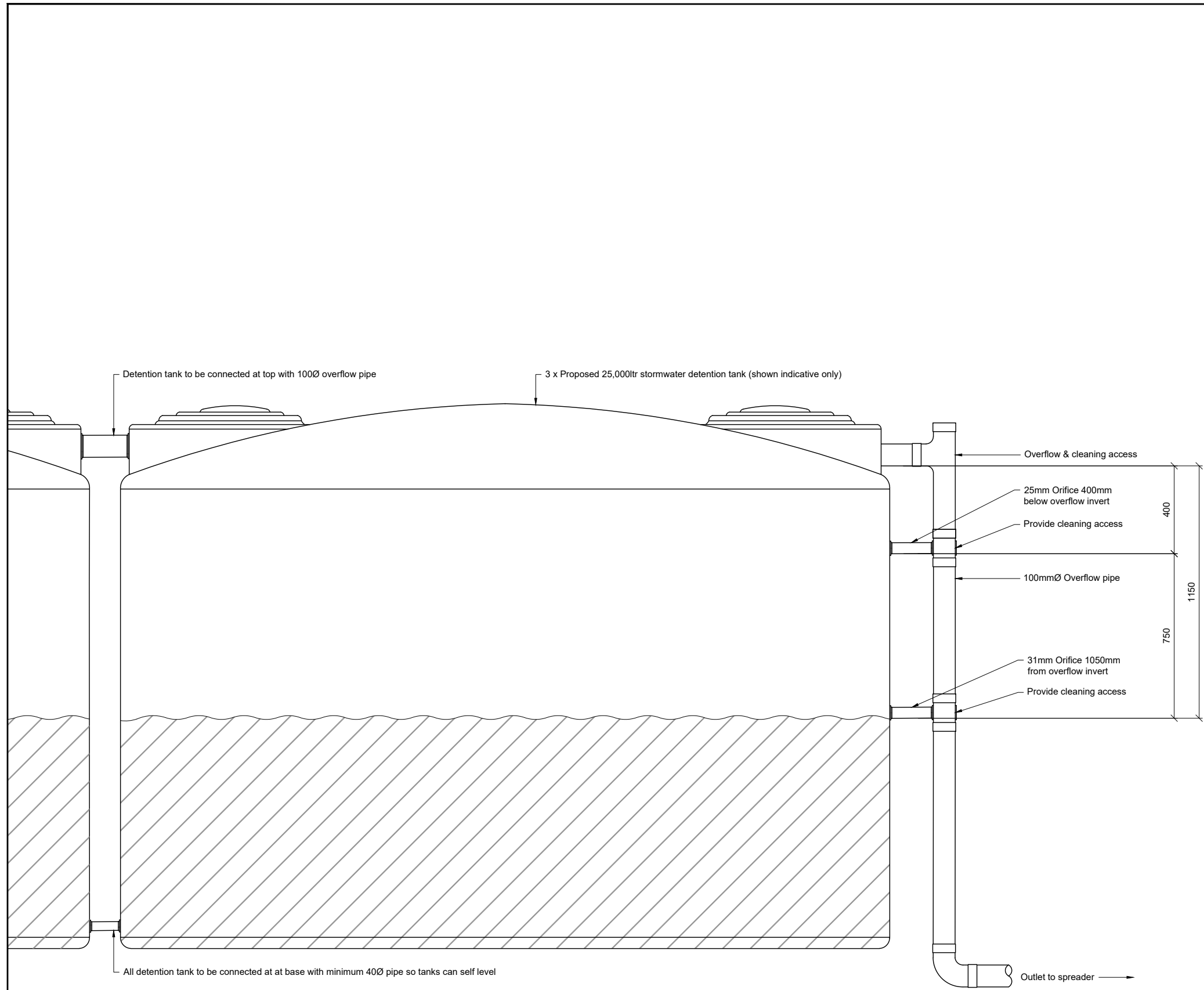
Sheet Title
 Drainage Site Plan

Drawn 5 February 2025

Project No 2840

Rev	Sheet
B	A01

Scale (A3 Original) 1: 500
 5 2.5 0 5 10 m



S01 Stormwater Detention Tank Detail
A01 SCALE = 1:20 @ A3

S02 Spreader Pie Detail
SCALE = 1:20

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

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Project Title
Rewa Willis & Marc Spring
415 Pungaere Road
Kerikeri
Lot 6 DP 407713

Sheet Title
Detention Tank Detail
Spreader Detail

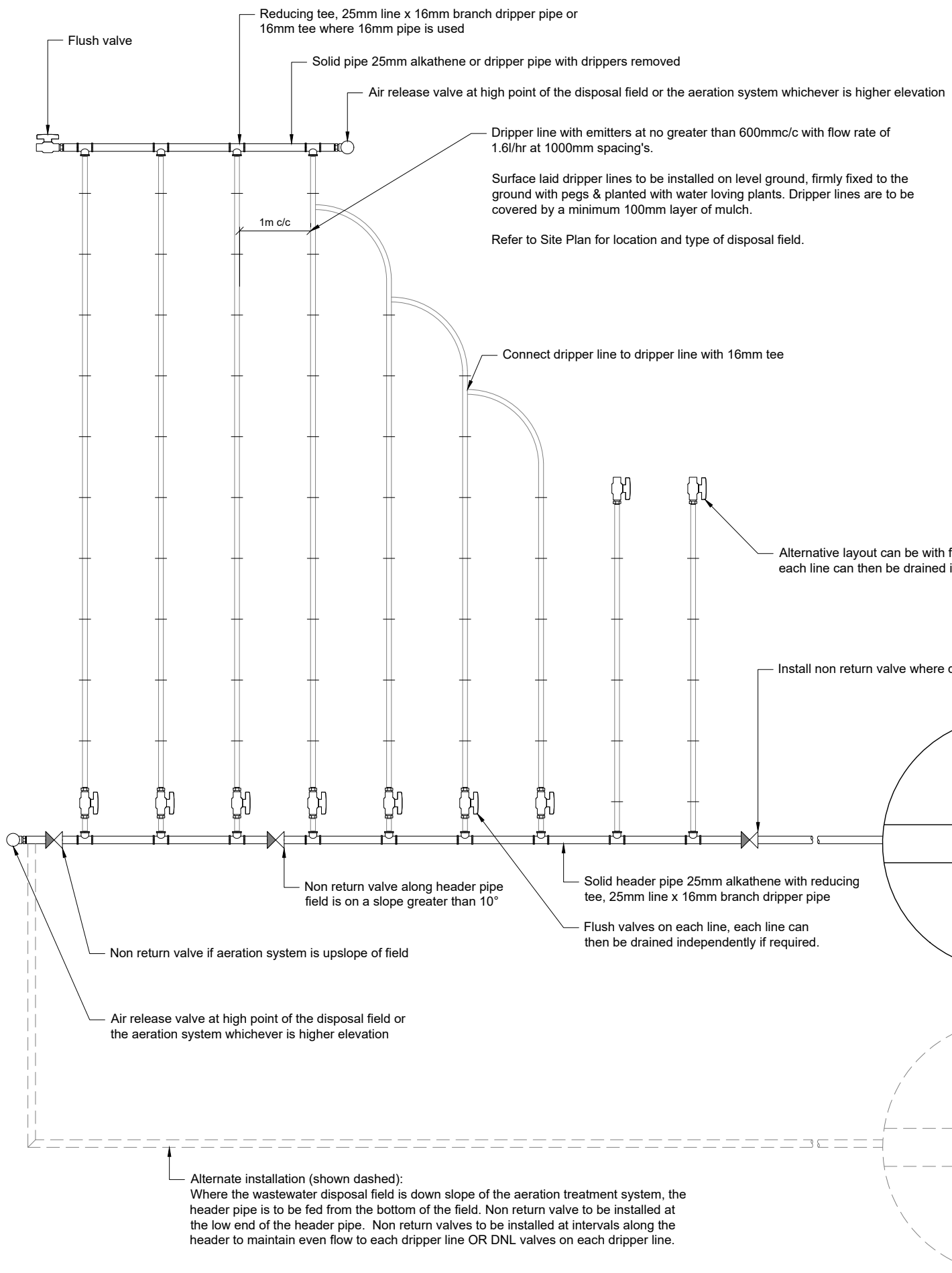
Drawn 5 February 2025

Project No 2840

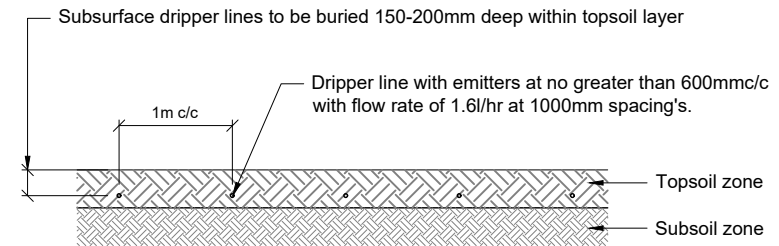
Rev	Sheet
B	A02

Scale (A3 Original) 1: 20

0.2 0.1 0 0.2 0.4 m



W01 Typical Wastewater Disposal Field Plan
SCALE = 1:20



W02 Typical Subsurface Drinker Line Detail
SCALE = 1:20

NOTES

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

Verify all dimensions on site before commencing work & do not scale from drawings. Refer any discrepancies to O'Brien Design Consulting Ltd.
All work to be done in accordance with NZS 3604: 2011 and the NZ Building Code unless specifically designed.
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Project Title
Rewa Willis & Marc Spring
415 Pungaere Road
Kerikeri
Lot 6 DP 407713

Sheet Title
Wastewater Details

Drawn 5 February 2025

Project No 2840

Rev	Sheet
B	A03

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

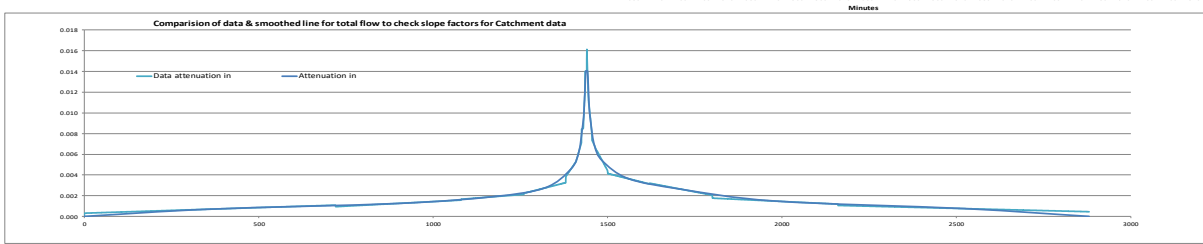
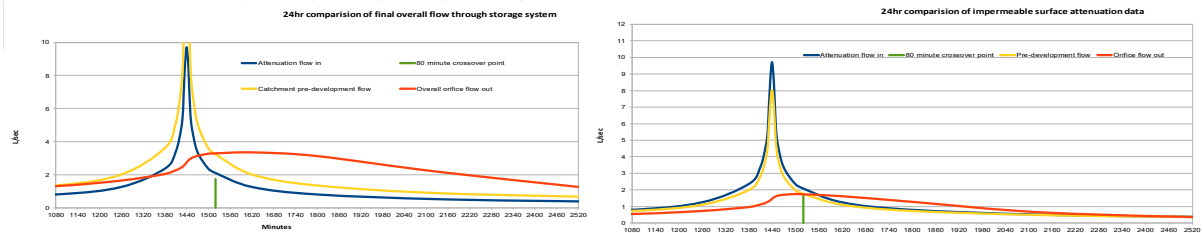
1		Rational method						24hr						Pre-development		Rational method						24hr																			
Pre - Development water flow		Existing roofs						Concrete & Pavers						Existing metal driveway						Other impervious						Vegetation						Bush						Slope %		CI correction	
Total area		474.2						474.2						474.2						474.2						474.2						10		0.00							
Runoff coefficient		0.95						0.95						0.95						0.95						0.95						0.00		0.00							
Rainfall Data from NWA, Hinds 4, RCP6, 2081-2100		4.13						4.13						4.13						4.13						4.13						10		0.00							
Flow rate of surface water		0.000						0.000						0.000						0.000						0.000						0.00		0.00							
Pre - development flow of developed area		0.000						0.000						0.000						0.000						0.000						0.00		0.00							
Post - Development water flow		Proposed roofs						Concrete & Pavers						Proposed metal driveway						Vegetation						Water tanks & small sheds						Metased area or rough seal						Slope %		CI correction	
Total area		474.2						474.2						474.2						474.2						474.2						474.2						10		0.00	
Runoff coefficient		0.95						0.95						0.95						0.95						0.95						0.00		0.00							
Rainfall Data from NWA, Hinds 4, RCP6, 2081-2100		4.13						4.13						4.13						4.13						4.13						10		0.00							
Flow rate of surface water		0.000						0.000						0.000						0.000						0.000						0.00		0.00							
Pre - development flow of developed area		0.000						0.000						0.000						0.000						0.000						0.00		0.00							
Total included in attenuation system calc's		0.000						0.000						0.000						0.000						0.000						0.00		0.00							
Post - Pre development flow		0.000						0.000						0.000						0.000						0.000						0.00		0.00							
Total post development flow		0.000						0.000						0.000						0.000						0.000						0.00		0.00							
Developed flow + undeveloped flow		0.000						0.000						0.000						0.000						0.000						0.00		0.00							
0 to 10min		0.000						0.000						0.000						0.000						0.000						0.00		0.00							

1b		Rational method						24hr						Pre-development		Rational method						24hr							
Total catchment pre-development flow		474.2						474.2						474.2						474.2						10		0.00	
Runoff coefficient		0.95						0.95						0.95						0.95						0.00		0.00	
Rainfall Data from NWA, Hinds 4, RCP6, 2081-2100		4.13						4.13						4.13						4.13						10		0.00	
Flow rate of surface water		0.000						0.000						0.000						0.000						0.00		0.00	
Catchment area pre - development flow		0.000						0.000						0.000						0.000						0.00		0.00	

2		Rational method						24hr						Pre-development		Rational method						24hr							
Total catchment pre-development flow		474.2						474.2						474.2						474.2						10		0.00	
Runoff coefficient		0.95						0.95						0.95						0.95						0.00		0.00	
Rainfall Data from NWA, Hinds 4, RCP6, 2081-2100		4.13						4.13						4.13						4.13						10		0.00	
Flow rate of surface water		0.000						0.000						0.000						0.000						0.00		0.00	
Catchment area pre - development flow		0.000						0.000						0.000						0.000						0.00		0.00	

3		Rational method						24hr						Pre-development		Rational method						24hr							
Total catchment pre-development flow		474.2						474.2						474.2						474.2						10		0.00	
Runoff coefficient		0.95						0.95						0.95						0.95						0.00		0.00	
Rainfall Data from NWA, Hinds 4, RCP6, 2081-2100		4.13						4.13						4.13						4.13						10		0.00	
Flow rate of surface water		0.000						0.000						0.000						0.000						0.00		0.00	
Catchment area pre - development flow		0.000						0.000						0.000						0.000						0.00		0.00	

4		Rational method						24hr						Pre-development		Rational method						24hr							
Total catchment pre-development flow		474.2						474.2						474.2						474.2						10		0.00	
Runoff coefficient		0.95						0.95						0.95						0.95						0.00		0.00	
Rainfall Data from NWA, Hinds 4, RCP6, 2081-2100		4.13						4.13						4.13						4.13						10		0.00	
Flow rate of surface water		0.000						0.000						0.000						0.000						0.00		0.00	
Catchment area pre - development flow		0.000						0.000						0.000						0.000						0.00		0.00	



This will have further development at a later stage, including a 2yr orifice size & position (3 orifices in total).

Fixed value		100yr	10yr		
u	g	Desc hrs	Desc hrs		
0.76	9.8067	2.9	3.5	Adjust until orifices are closest to the values of tab 10yr & 100yr "cell D136"	
Change orifice factor "u" to suit, short tube 0.76 & thin sharp edge 0.62					
100yr	Va100yr	Qav	ho100yr	hav	Or100yr
100yr tab	Cell H71	0.0029	1.15	0.58	0.0377
					37.5
					1.15
					0.031
					0.75
					0.025
	ho100yr	Total storage height required			
	Or100yr	Size of lower orifice (fitted 150mm above bottom/base if tank for attenuation only)			
	ho10yr	Storage height at which Ortop is fitted			
	Ortop	Height from overflow outlet invert to Ortop invert			
		Size of second orifice (fitted at ho10yr above lower orifice Or10yr)			
10yr	Va10yr	Qav	ho10yr	hav	Or10yr
10yr tab	Cell H71	0.0015	0.75	0.38	0.0309
					31.2
100 - 10yr	Vdet	Qav	htop	hhalf	
	10.36	0.0009	0.40	0.20	0.2000
10yr cor.	Vocomb	Qav	hchart	hav	OK
	21.85	0.0017	0.95	0.48	0.0309
					0.0007
					Area
100-10yrcor	Vtop	Qav	htop	hav	Ortop
	7.93	0.0008	0.4	0.2	0.0253

The diagram shows a cross-section of a tank with an overflow pipe. The pipe is divided into three distinct sections, each with a different height and orifice diameter. The top section is the tallest, at 1150 mm height with a 25 mm orifice diameter. Below this is a section that is 750 mm high. The bottom section is the shortest, at 31 mm height with a 31 mm orifice diameter. Arrows indicate the flow direction from the tank into the pipe and then outwards.

Attenuation System Parameters

Statements & Limitations

1. Our responsibility for this report is limited to the property owner named on the front page of this document. We disclaim all responsibility and will accept no liability to any other person unless that party has obtained the written consent of O'Brien Design Consulting Ltd. O'Brien Design Consulting Ltd reserves the right to qualify or amend any opinion expressed in this report in dealing with any other party. It is not to be relied upon for any other purpose without reference to O'Brien Design Consulting Ltd.
2. Recommendations and opinions in this report are based on data obtained from the investigations and site observations at the time of the site visit. The nature and continuity of subsoil conditions at locations other than the investigation bores and tests are inferred and it should be appreciated that actual conditions could vary over the site. Site conditions may change in the future.
3. Opinions and judgements expressed are based on our interpretation and understanding of current regulatory standards and should not be construed as legal opinions. Where opinions or judgments are to be relied on they should be independently verified with appropriate legal advice.



**DECISION ON LAND USE CONSENT APPLICATION
UNDER THE RESOURCE MANAGEMENT ACT 1991
Amended pursuant to s133a**

Decision

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

Council Reference:	2230384-RMALUC
Applicant:	Pungaere Properties Limited
Property Address:	415 Pungaere Road, Kerikeri 0295
Legal Description:	Lot 1 LT 584995 (Part Lot 6 DP 407713)

The activities to which this decision relates are listed below:

To construct a minor residential unit in the Rural Production zone breaching the Minor Residential Unit rule.

Conditions

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

1. The activity shall be carried out in general accordance with the approved plans prepared by Ponting Fitzgerald Architects, referenced Proposed Residence at 415 Pungaere Road, Waipapa, Northland, dated 10/01/2023, and attached to this consent with the Council's "Approved Stamp" affixed to them. These plans include the following:
 - Proposed Site Plan
 - Ground Floor Presentation Plan
 - Elevations – North & East
 - Elevations – South & West
2. The consent holder shall ensure that the treatment and disposal system is constructed generally in accordance with the recommendations contained within the Onsite Wastewater Report prepared by O'Brien Design Consulting dated 06 December 2022, referenced Job No: 2840 and submitted with application documents of RC2230384.
3. In conjunction with the construction of the building's roof, install and maintain on an ongoing basis, the stormwater attenuation and management system, in general

accordance with the Stormwater Management Design Report, dated 06 December 2022 referenced Stormwater Management Design for Principal Dwelling & Minor Dwelling, prepared by O'Brien Design Consulting, and submitted with application documents of RC2230384.

Advice Notes

Lapsing of Consent

1. *Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses.*
 - a) *The consent is given effect to; or*
 - b) *An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.*

Right of Objection

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

Archaeological Sites

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

General Advice Notes

4. *The consent holder is advised that the following restriction will be registered against the record of title by way of Consent Notice on Lot 1 LT 584995 at s221 of Subdivision RC2220400.*

No cats, dogs or mustelids shall be kept, or permitted to be kept on the property except for the following:

- *The keeping of up to two dogs is permitted provided that they are trained in 'kiwi-aversion' and kept under control at all times and kept in a dog proof enclosure or inside at night-time.*

The owner of the site shall ensure that any visitor to the site is made aware of and complies with the above requirements.

5. *During the assessment of your application, it was noted that a private Land Covenant exists on your property. Council does not enforce private land covenants, and this does not affect Council approving your plans. However, you may wish to get independent legal advice, as despite having a resource consent from Council, the private land covenant can be enforced by those parties specified in the covenant.*
6. *Erosion and sediment control measures in accordance with Auckland Council GD05 requirements are to be implemented prior to any earthworks and construction activities commencing to ensure compliance with rule EW-R13 – Erosion and Sediment Control of the Draft District Plan. Alternatively, you may obtain resource consent where compliance cannot be achieved.*

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons, and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Controlled resource consent as such under section 104A the Council must grant this application and may only impose conditions in relation to those matters over which control is reserved, these matters are found in section 8.6.5.2.3 – Minor Residential Unit of the Operative District Plan.
3. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
4. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
 - a. National Policy Statement for Highly Productive Land 2022
 - b. Northland Regional Policy Statement 2018,
 - c. Proposed Northland Regional Plan 2022,
 - d. Operative Far North District Plan 2009,
 - e. Proposed Far North District Plan 2022

Operative Far North District Plan

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

- The objectives and policies of the Rural Environment (Chapter 8 sections 8.3 and 8.4)
- The objectives and policies of the Rural Production zone (Chapter 8 section 8.6.3, and 8.6.4)

The objectives and policies of the Rural Production zone promotes the sustainable management of natural and physical resources while enabling the efficient use and development of the Rural Production zone, in a way that enables people and their communities to provide for their social, economic and cultural wellbeing and for their

health and safety, along with promoting the maintenance and enhancement of the amenity values to a level that is consistent with the productive intent of the Rural Productive zone.

The activity is an efficient use of this zone and maintains amenity values and is not incompatible with the intent of the Rural Production zone.

Proposed Far North District Plan

- The objectives and policies of the Rural Production zone

The objectives and policies of the Rural Production zone promotes the sustainable management of natural and physical resources while enabling the efficient use and development of the Rural Production zone, in a way that enables people and their communities to provide for their social, economic and cultural wellbeing and for their health and safety, along with promoting the maintenance and enhancement of the amenity values to a level that is consistent with the productive intent of the Rural Productive zone for current and future generations.

National Policy Statement for Highly Productive Land 2022

Section 3.10 provides the criteria for the exemption of some highly productive land when there are permanent or long-term constraints. The Council can allow highly productive land to be used or developed for activities not otherwise enabled under clause 3.7, 3.8 or 3.9 if the activity meets certain criteria.

In this case, the proposal is for a Controlled activity and activities on the productive capacity of the land is not provided for within our discretion for activities with a Controlled status.

The new dwelling meets all other permitted thresholds of both the Operative District Plan and Proposed District Plan. The minor residential unit is tucked in behind the new dwelling, located 6m behind the main dwelling on the southern portion of the subject site. The minor residential unit will not create any potential reverse sensitivity adverse effects on the adjacent neighbours or surrounding environment.

For this resource consent application, the relevant provisions of both an operative and any proposed plan must be considered. Weighting is relevant if different outcomes arise from assessments of objectives and policies under both the operative and proposed plans.

As the outcomes sought are the same under the operative and the proposed plan frameworks, no weighting is necessary.

5. In regard to section 104(1)(c) of the Act there are no other matters relevant to the application:
6. Based on the assessment above the activity will be consistent with Part 2 of the Act.
The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical

resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.

7. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

Approval

This resource consent has been prepared by Jo Graham, Resource Planner. I have reviewed this and the associated information (including the application and electronic file material) and for the reasons and subject to the conditions above, and under delegated authority, grant this resource consent.



Simeon Mclean
Team Leader Resource Consents

Date: 16 March 2023

This Decision has been amended pursuant to s133A of the Resource Management Act 1991. Details of the changes can be found in the resource consent file.



Simeon Mclean
Team Leader Resource Consents

Date: 14 April 2023

Northland Planning Development

From: Goffin, Jason <Jason.Goffin@fireandemergency.nz>
Sent: Wednesday, 29 January 2025 9:54 am
To: Northland Planning Development
Subject: RE: Variation to approved consent - Pungaere Road, Waipapa

Good Morning,

We have no issues with the proposed variation in regard to firefighting water supply code of practice.

Regards

Jason Goffin

Advisor Risk Reduction – Kaitohutohu Matua Whakaheke Moorea
Specialist Fire Investigator – Kaititiro Ahi Maatanga
Te Tai Tokerau
Te Hiku Region 1
9 Homestead Road Kerikeri



Mobile: 027 7066467

Email: jason.goffin@fireandemergency.nz

Fire Fact "A House Fire Can Become Fatal within 5 Minutes"

From: Northland Planning Development <info@northplanner.co.nz>
Sent: Tuesday, January 28, 2025 1:36 PM
To: Goffin, Jason <Jason.Goffin@fireandemergency.nz>
Subject: Variation to approved consent - Pungaere Road, Waipapa

Good afternoon Jason,

We are currently drafting up a variation to a previously approved land use resource consent RC2230384.

The previous consent provided approval for the construction of a principal and minor dwelling at the site 415 Pungaere Road, Waipapa.

We are now proposing to vary the consent to change the location and design of the minor dwelling on the site. In the original application, approval from FENZ was sought to ensure that FENZ was satisfied that the proposal was in line with the Code of Practice to satisfy the consent notice condition on the title (see attached original approval).

The proposal will still see the main house and minor dwelling share the water supply which will compose of 3 water tanks in a similar location to the previously approved plans (see attached plan set).

To ensure consistency, can you please confirm that FENZ are satisfied with the proposal and that there are no further comments.

Please do not hesitate to contact our office if you need any further information.

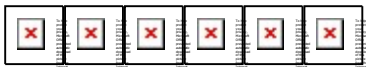
Kind regards,



Alex Billot
Resource Planner

Offices in Kaitaia & Kerikeri
☎ 09 408 1866
Northland Planning & Development 2020 Limited

My office hours are Monday, Thursday & Friday 9am – 2pm



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