

# PLANNING REPORT

## *PROPOSED SUBDIVISION*

### *A. BOOTH, 2 PEACOCK GARDEN DRIVE, KERIKERI*

Date: 10 March 2025

Reference: 8381



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## INTRODUCTION

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The applicant seeks Resource Consent to subdivide their property located at 2 Peacock Garden Drive creating one additional lot and carrying out two boundary adjustments with the adjoining neighbours.

Proposed lots:

Lot 1 = 1.62ha

Lot 2 = 5000m<sup>2</sup>

Proposed boundary adjustments

Lot 3 = 725m<sup>2</sup> (to be transferred to Lot 4 DP 348111)

Lot 4 = 652m<sup>2</sup> (to be transferred to Lot 1 DP 138621)

Consent also is requested to cancel and recreate amalgamation conditions pursuant to Section 241(3) & (1) respectively.

The proposal is presented as a discretionary activity under the Operative District Plan.

## SITE DESCRIPTION

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The properties legal reference:

**Appellation:**

**Lot 2 DP-203232 & amalgamation of Lot 24 DP 108254 (legal access)**

Registered Owner: Adelaida Booth

Record of Title: NA131A/417

Lot 2 DP 203232 = 2.2706ha

*1/3rd share in Lot 24 DP 108254 (580m<sup>2</sup>) = 193m<sup>2</sup>*

**Total Area: 2.2899ha**

The property's title records a series of easements established over the years, with many redundant ones that were surrendered in 2003.

The existing dwelling is situated on proposed Lot 1, which has legal access to Peacock Garden Drive via a common access lot (Lot 24 DP 108254). Additionally, it benefits from direct access over a shared Right of Way, identified as Easement 'A - C', and appurtenant Right of Way easement, over Lot 2 DP 395426 and Lot 1 DP 83625 created by EC 464912.5 & 464912.5 respectively.

The site features a varied contour, with a vegetated bank descending at a 1:2.5 grade below the existing dwelling before transitioning to a gently sloping, grass-covered area with a feature pond. The surrounding properties have well-established homes.

Proposed boundary adjustments shown as Lots 3 & 4 are intended to benefit those adjoining properties, providing additional land to enhance their outdoor living spaces. All subject landowners are part of the Booth family. Building options appear available either on the upper contour or alternatively the lower contour.

The soils land use capability is '4e8' and soil type 'Kerikeri friable clay with large boulders' – (Keb).

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## OPERATIVE DISTRICT PLAN

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The property is located in the Rural Living zone and is within the Kerikeri Visual buffer.

### **OBJECTIVES AND POLICIES (*Subdivision*)**

*13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan, and will promote the sustainable management of the natural and physical resources of the District, including airports and roads and the social, economic and cultural wellbeing of people and communities.*

The subdivision is considered consistent with the purpose of the zone and does not cause any unreasonable adversity to the environment contrary to that intent, thereby upholding and promoting sustainable management of the natural and physical resources.

*13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly or indirectly from subdivision, including reverse sensitivity effects, are avoided, remedied or mitigated.*

The zone is intended for this level of development. The site is cleared and not compromised by acts of vegetation clearance or significant earthworks.

*13.3.3 To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.*



Within the subject environment, there are no outstanding landscapes or natural features of concern.

As will be described throughout the assessment, the proposal is considered to correlate with and uphold the intentions of the subdivision objectives and policies.

**12.5A Kerikeri Visual Buffer**

*Historic values of the Kerikeri Basin Heritage Precinct can be adversely affected by the nature and scale of development within the visual buffer around this precinct. The Kerikeri Basin Heritage Precinct Visual Buffer is therefore identified and a rule applying to any buildings within this zone included in the Plan to provide the ability to control the form, colour and location of development in order to avoid visual dominance in relation to the Kerikeri Mission Station buildings and to Kororipo Pa.*

The proposal does not have any direct impact on the Kerikeri Basin heritage precinct not to concern building form and colours.

**ALLOTMENT SIZES 13.7.2**

(Table 7)

<b>Status</b>	<b>Coastal Living Zone (Far North District Plan)</b>
Restricted Discretionary Activity	<i>1. The minimum lot size is 8,000m<sup>2</sup> (with provision for stormwater and wastewater disposal as a necessary part of the application).</i>
<i>Discretionary</i>	<i>1. The minimum lot size is 5,000m<sup>2</sup> (with provision for stormwater and wastewater disposal as a necessary part of the application);</i>

Lot 1 = 1.62ha  
 Lot 2 = 5000m<sup>2</sup>

Lot 1 complies with the Restricted Discretionary standards and Lot 2 complies with the Discretionary standards.

The lots have adequate width to accommodate a 30m x 30m allotment shape, including the required 3-metre setbacks, as permitted for allotments of 5000m<sup>2</sup> or less in area. This ensures the subdivision adheres to the prescribed design parameters while maintaining spatial consistency within the zoning requirements.

## **Boundary Adjustments**

Lots 3 and 4 define two minor boundary adjustments occurring with the adjoining properties, defined Lot 4 DP 348111 and Lot 1 DP 138621 respectively.

Lot 3 = 725m<sup>2</sup>

Lot 4 = 652m<sup>2</sup>

### **13.7.1 BOUNDARY ADJUSTMENTS: ALL ZONES EXCEPT THE RECREATIONAL ACTIVITIES AND CONSERVATION ZONES**

#### **Boundary Adjustments Performance Standards**

Boundary adjustments to lots may be carried out as a controlled (subdivision) activity provided that:

(a)

*There is no change in the number and location of any access to the lots involved;*

**The boundary adjustments do not increase the number of accesses to the subject sites.**

(b)

*There is no increase in the number of lots;*

**There would remain the same number of titles.**

(c)

*The area of each adjusted lot complies with the allowable minimum lot sizes specified for the relevant zone, as a controlled activity in all zones except for General Coastal or as a restricted discretionary activity in the General Coastal Zone (refer Table 13.7.2.1); except that where an existing lot size is already non-complying the degree of non-compliance shall not be increased as a result of the boundary adjustment;*

**No concern.**

(d)

*The area affected by the boundary adjustment is within or contiguous with the area of the original lots;*

**The areas remain contiguous with that of the current boundary layout.**

(e)

*All boundary adjusted sites must be capable of complying with all relevant land use rules (e.g building setbacks, effluent disposal);*

**The adjusted boundary complies with all permitted land use rules.**

(f)

*All existing on-site drainage systems (stormwater, effluent disposal, potable water) must be wholly contained within the boundary adjusted sites.*

**The proposal complies.**

The boundary adjustments if conducted independent of the subdivision activity would uphold the Controlled Activity standards.

## RURAL LIVING ZONE

### SUBDIVISION ASSESSMENT CRITERIA CHAPTER 13 FAR NORTH DISTRICT PLAN

#### ALLOTMENT SIZES AND DIMENSIONS

##### 13.7

##### Access

Peacock Garden Drive is the main access route that is defined as legal road.

Lot 1 has three points of access; the primary one used by the existing dwelling is via common access Lot 24 DP 108254, the other is via shared Right of Way over areas 'A - C', with Lot 1 being the burdened land, then there is an appurtenant Right of Way over Lot 2 DP 395426 and Lot 1 DP 83625 created by EC 464912.5 & 464912.5 respectively. Insofar as access formation condition, Lot 1 only uses Lot 24 DP 108254, and because the subdivision activity does not increase the number of users there is no change to the current situation. The existing 1/3<sup>rd</sup> share in Lot 24 DP 108254 would be allocated entirely to proposed Lot 1.

Lot 2 would share Right of Way A - C with Lot 4 DP 348111 & Lot 1 DP 208610. Although Lot 1 continues to have ownership of this easement, it does not use the access other than for general property maintenance purposes.

The subdivision increases the number of users by just one and conditions of consent should reflect this level of impact. The access has a sealed formation that is 3m wide with kerb / channel that extends for 100m to the entry to Lot 2. The entrance off Peacock Garden Drive is sealed but in poor condition and would require upgrading as a consent condition.

The proposal complies with the permitted standards under transportation chapter 15 and appendix 3B.

Conditions of consent offered include:

- the proposed entrance to Lot 2 within Right of Way 'D' be constructed to in accordance Council engineering standards and guidelines May 2023 as a sealed formation.
- The existing entrance onto easement 'B' from Peacock Garden Drive be upgraded with a new coat of chip seal.

##### Hazards

The sites are elevated not to be susceptible to effects of sea levels rising or flooding. There are no known hazards such as slips or inundation.

##### Water Supply

Potable water is obtainable through roof surface catchment and storage in water tanks. Conditions of consent are to include a consent notice requirement reflecting fire-fighting standards SNZ PAS 4509:2008 (or subsequent updates) for Lot 2.

Lot 1 is an existing built environment not to require further intervention in that regard.

### Stormwater

Stormwater from Lot 1 is able to be discharged into the existing Gross stormwater easement shown easement 'I', or alternatively a proposed stormwater easement shown easement 'J'.

Although easement 'J' stormwater easement is proposed, this need not include be used at this time, because it is a provisional measure for purpose of mitigating future intensification – if and when the site become urban.

Lot 1 has ample space and direct connectivity to natural overland flowpaths, allowing for effective on-site stormwater management. Additionally, the impermeable surface areas meet the required standards for compliance.

### **Lot 1 impermeable areas**

Buildings 223m<sup>2</sup>

Metalled 909m<sup>2</sup>

Total 1227m<sup>2</sup> or **7.5%**

### **Lot 2 impermeable surfaces**

Assumes a building area of 200m<sup>2</sup> and driveway of 250m<sup>2</sup>

Total = 450m<sup>2</sup> or **9%**

All existing impermeable surfaces prove to be lawfully established 'existing use rights'.

The effects of stormwater from proposed Lot 1 are considered less than minor, upholding existing use rights, where stormwater has been managed in this manner over many years without concern.

Lot 2 has an existing gully where stormwater naturally discharges through a vegetated flowpath leading to the Recreation Reserve (Lot 1 DP 83625) and onto Kerikeri River. Some surface sheetflow is directed to a manmade pond located half on Lot 1 and half on adjoining Lot 2 DP 395426. With the discharge point into Kerikeri River being close to the tidal waters at the Stone Store, it does not require any form of stormwater detention.

### Sewage

Effluent disposal is into the Kerikeri Reticulated network. Conditions of consent may include that an assessment be carried out on the 75mm line along Peacock Garden Drive, and where required any upgrades be undertaken to suit.

**micah@donaldsons.net.nz**


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**From:** Losaline Finekifolau <Losaline.Finekifolau@fndc.govt.nz>  
**Sent:** Monday, 24 February 2025 11:01 am  
**To:** micah@donaldsons.net.nz  
**Subject:** RE: 2 Peacock Garden Drive - Proposed Subdivision

Kia ora Micah,

Connections for Lots 2 and 3 are available as this is within the Area of Benefit. However, a capacity assessment will be required particularly for the 75mm wastewater line on Peacock Garden Drive.

Ngā mihi

 **Losaline Finekifolau**  
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Te Kaunihera o Te Hiku o te Ika | Far North District Council

Pokapū Kōrero 24-hāora | 24-hour Contact Centre 0800 920 029  
[fndc.govt.nz](http://fndc.govt.nz)



### Power & Telecommunication

Power and telephone connections exist on Lot 1 and are available to Lot 2.

Top Energy Ltd and Chorus NZ both require connections be made available to Lot 2.

### Easements and Covenants & Amalgamation Conditions

#### Easements

The schedule of existing and proposed easements outlines on the attached scheme plan, including easements in Gross in favour of service providers.

Existing easements outlined on the record of title includes several surrender notices, which leave the following active documents:

#### **Appurtenant Right of Way**

Easement Certificate 547053.2 (dated 30.9.1977)

Provides a right of way

#### **Drainage Right (In Gross)**

Over parts marked D and E on DP 203232

In favour of The Bay of Islands County Council

Created by Transfer B509445.6

#### **Right of Way & Utility Easements**

Over parts marked A, B, C, D, and F on DP 203232

Covers electricity, telecommunications, and water supply rights

Created by Easement Certificate D555377.8 (dated 7.11.2000)

## Conveyance & Utility Easement

Covers right to convey water over parts marked F & G  
Right to transmit electricity, telecommunications, and water supply over parts A & B  
Created by Easement Certificate D555377.8 (dated 7.11.2000)

## Right to Transmit Electricity, Telecommunications & Water Supply

Over parts A & B  
Right of way over A, B, C, D & F  
Created by Easement Certificate 5237132.1 (dated 30.5.2002)

## Covenants

There are no existing consent notices pursuant to Section 221 RMA.

Proposed consent notices:

Consent notices pursuant to Sec 221 RMA are proposed to include;

- **Firefighting water supplies in accordance with NZ firefighting water supply code of practice SNZ PAS 4509:2008. [LOT 2]**
  
- ***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. Authorities must be contacted during Accidental discovery and works are to cease until their approval is obtained.***
  
- **All buildings will require foundations specifically designed by a Chartered Professional Engineer in accordance with design parameters specified by a suitability qualified Geotechnical Engineer. The foundation design details shall be submitted in conjunction with the Building Consent application.**

## Amalgamation requirements

The applicant requests that local authority applies pursuant to Section 241(3) RMA to LINZ for the cancellation of existing amalgamation conditions DLR Ref 660757 and DLP Ref A635182.

- 1) *That Lot 1 DP 395426 be transferred to the owner of Lot 1 DP 138621 (CT NA82A/567) and that one Certificate of Title be issued to include both parcels. (DLR Ref 660757) (replaced by item 2 proposed amalgamations).*
  
- 2) *That Lot 24 DP 108254 (legal access) be held as to one undivided one-third share by the owners of Lot 2 DP 203232 hereon as tenants in common in the said shares and that an individual Certificate of Title be issued in accordance therewith. (DLR Ref: A635182) (replaced by item 3 proposed amalgamations).*

### Proposed Amalgamation Conditions

1) That Lot 3 hereon be transferred to the owner of Lot 4 DP 348111 (RT 197549) and one Record of Title be issued to include both parcels.

2) That Lot 4 hereon be transferred to the owner of Lot 1 DP 395426 & Lot 1 DP 138621 (RT 381196), and one Record of Title be issued to include all those parcels.

3) That Lot 24 DP 108254 (legal access) be held as to one undivided one-third share by the owner of Lot 1 hereon as tenants in common in the said shares and that an individual Record of Title be issued in accordance therewith.

### Preservation

There is no preservation proposed.

## *RURAL LIVING ENVIRONMENT*

### **ISSUES**

*10.7.1.1 Rural Living development on relatively small lots adjoining the coast is a popular and appropriate form of development in some parts of District. However, this can have adverse effects on the natural character and physical environment of the coastal environment and on water quality.*

*10.7.1.2 Because of the generally smaller lot sizes, Rural Living development in the coastal environment can have adverse visual effects and consequently can affect the amenity of the area for adjoining landowners and the public.*

The proposed subdivision of one additional lot is suitable for the subject property and its surrounding area, as there are no vulnerable characteristics of concern. The effects of more intensive development in this inland coastal setting are already evident and are in line with the district plan, which includes the residential zone.

Additionally, the historic character of the Kerikeri heritage area will not be compromised. There are only two known archaeological features nearby, and the proposed development does not obstruct or impede views of historic buildings from the site. The adjacent residential zone to the north, which features high-density allotments, already exerts a far greater environmental impact than what is being proposed.

### **ENVIRONMENTAL OUTCOMES EXPECTED**

*10.7.2.1 A Rural Living Zone in which Rural Living development occurs in appropriate locations.*

*10.7.2.2 A Rural Living Zone in which development does not detract from the natural character of the coastal environment, and does not cause adverse effects to natural and physical resources in the coastal environment.*

The scale of the proposal and nature of the subject site is considered to uphold the outcomes expected as supported by the district plan.

## **OBJECTIVES AND POLICIES**

*10.7.3.1 To provide for the wellbeing of people by enabling low density residential development to locate in coastal areas where any adverse effects on the environment of such development are able to be avoided, remedied or mitigated.*

*10.7.3.2 To preserve the overall natural character of the coastal environment by providing for an appropriate level of subdivision and development in this zone.*

The proposal is considered to be in accordance with the objectives and there is little need to action any coordination with the policies.

The proposal is not considered to introduce any disconnect with the existing environment, and accordingly promotes the nature of existing land uses activities.

## **RESOURCE MANAGEMENT ACT 1991**

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The subdivision application is required to demonstrate compliance with applicable provisions respective to its activity status under the District Plan.

### **SCHEDULE 4**

*An application for Resource Consent for an activity must include the following, outlining aspects of relevance to the proposed activity and zone expectations:*

### **ASSESSMENT OF THE ACTIVITY AGAINST THE MATTERS UNDER PART 2 RMA**

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#### *Part 2 Purpose and Principles*

#### **5 Purpose**

(1)

*The purpose of this Act is to promote the sustainable management of natural and physical resources.*

(2)

*In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

*(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*



The application site, previously utilised as a lifestyle block, has been significantly altered from its natural state. Recognising this history, the proposal aims to enhance the site's usability for future generations while minimising any degradation of natural resources. By implementing sustainable land management practices, the development will prioritise the responsible use of natural resources, ensuring they remain available for future needs. This includes promoting efficient use of resources and ensuring that infrastructure is designed to accommodate growth without compromising the site's ecological integrity.

Wastewater reticulation is available to the site and would be utilised to provide for proposed Lot 2. Lot 1 has an existing connection.

*(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

The proposal does not compromise the life-supporting capacity of the site's air, water, soil, and ecosystems. The site does not contain any known vulnerable natural resources, and the development is seen to accord with zone expectations.

*(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposal acknowledges the importance of minimising potential adverse environmental effects. The site has long been used as a lifestyle block and is significantly modified from its natural state. The building site is not specified on Lot 2 and suitability would be subject to geotechnical recommendations.

The vacant land is zoned for Coastal Living use and is accessible via established infrastructure. Both the proposed and operative district plans designate this site for residential development, supporting increased housing opportunities near Kerikeri Township. This aligns with the council's commitment to the sustainable management of natural and physical resources for future generations.

Recognising the council's preference for development that upholds sustainable management principles, the applicant proposes the creation of one additional allotment and two boundary adjustments to enhance existing living environments.

The proposal aligns with the purpose and principles of the Resource Management Act (RMA), ensuring subdivision avoids adverse impacts on waterways, particularly wetlands, while enhancing housing opportunities to support social and economic well-being. Additionally, the adjustments will improve existing living environments by providing greater outdoor living space.

### **Matters of national importance**

*(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*

The property does not contain any vulnerable natural character.

*(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*

The property is within the Kerikeri Visual buffer, however the subdivision does not cause any effects contrary to the zone intent.

Lot 1 has an existing dwelling, and Lot 2 is able to build well obscured from any public viewing areas.

There are no known outstanding natural features or landscapes.

The applicant has engaged the professional services of an archaeological assessment to ensure there are no further archeologically sites other than those already recorded (as shown P05/521 & P05/518).

There are no listed PNA's or outstanding landscapes as listed in the Regional Policy Statement.

*(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

There is no significant vegetation present onsite, or any other known habitats to require protection.

*(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*

Not applicable.

*(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

Archaeological sites are located in proximity to the site and therefore it is proposed that a consent notice be registered on the title of Lot 1 that in the event of uncovering any accidental finds during building activity that an accidental discovery protocol be followed during the property development

*(f) the protection of historic heritage from inappropriate subdivision, use, and development:*

There are no known historic heritage sites on the property as described in the archaeological report prepared by Geometria dated 25 February 2025.

*(g) the protection of protected customary rights.*

There are no known customary rights to consider.

## Other matters

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

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

The proposal is considered to adequately uphold all aspects relating to avoiding degradation to natural habitats, primarily due to the site's absence of significant ecology.

The subdivision is not necessarily enhancing amenity values, but it is considered to adequately align with the intentions of the zone guidelines, and promotes the layout of the immediate vicinity, which displays a high level of residential integration.

## Treaty of Waitangi

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

The proposal is not considered to contradict the Treaty of Waitangi's interpretations.

A brief description of the Nagti Rehia Hupu Management Plan includes the following:

### *8.1.4 Policy – Māori concepts, values and practices*

*Relevant Māori concepts, values and practices will be clarified through consultation with tangata whenua to develop common understandings of their meaning and to develop methodologies for their implementation.*

### *Explanation*

*A common understating of Māori concepts, values and practices between tangata whenua and councils will assist in integrating kaitiakitanga into Resource Management Act processes.*

*Ngati Rehia, Hupu Management Plan stipulates various goals to be achieved, and the proposal is considered to be in accordance with their concepts and values.*

11.1 Water quality and quantity

7. *Declining water quality in many of waterways is largely caused by development pressures, land based activities and poor land use practices. Water quality throughout the rohe must be protected from these impacts.*

10.5 *Urban design*

*Background*

*Our tupuna watched with interest as Kerikeri grew from a simple mission station to a trading post to a village and now a town. We fully expect our children to be witness to its growth into the first city of the Far North.*

*Issues*

1.

*major impacts that development have on the urban landscape.*

*Balancing growth and development with the protection and enhancing of values important to Ngāti Rehia.*

*Policies*

5.

*Supports low impact design and innovative solutions which improve the quality of Kerikeri and Waipapa and our rohe generally.*

Ngāti Rehia acknowledges that it is not inherently opposed to development, but emphasises that development should not result in the degradation or loss of their heritage, culture, or the environment.

The property in question does not hold significant ecological value or historic sites, and therefore, the proposed subdivision to create one additional vacant site does not conflict with the key objectives of the Hapū Management Plan.

In recognition of the importance of cultural heritage, the applicant proposes to include an advice note stipulating that if any human remains or artefacts are uncovered during earthworks, local Iwi and Heritage New Zealand will be contacted to ensure appropriate measures are taken. This demonstrates the applicant's commitment to respecting the cultural and historical significance of the area while advancing the proposed development.

*ASSESSMENT OF THE ACTIVITY AGAINST SECTION 104(1)(B)*

Section 104(1)(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;*

Under various headings the application covers all relevant provisions including, the Far North District Plan, National Environmental Standards, Coastal and Regional Policy Statements. There are no other relevant provisions.

An application must also include an assessment of the activity's effects on the environment that –

- (a) *includes the information required by clause 6*
- (b) *address the matters specified in clause 7; and*
- (c) *includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.*

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### CLAUSE 6

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(1) An assessment of the activity's effects on the environmental must include the following information:

(a) *if it is likely that the activity will result in any significant adverse effects on the environment, a description of any possible alternative locations or methods for undertaking the activity:*

The intended use of the vacant site is to establish a family residence. The subdivision of the property is not expected to result in any adverse effects on flora or fauna.

In comparison to the broader environment, which features medium-density housing, this proposal represents a low-impact subdivision.

The zoning acknowledges that the environment is capable of supporting low-level development without significant degradation, making the proposal appropriate for the area.

The proposal does not present any apparent conflicts with surrounding land use activities and is consistent with the rules.

(b) *an assessment of the actual or potential effects on the environment of the activity.*

There are no apparent adverse environmental effects arising from the subdivision activity, and cumulative effects associated with residential living, generally result in impacts from effluent discharge, stormwater increases, traffic movements, noise, and visual effect from structures.

All these effects are considered adequately understood and align with the zone intent and the nature of the existing environment particularly with the availability of wastewater reticulation.

The level of actual and potential effects are considered adequately understood and less than minor.

(c) *if the activity includes the use of hazardous substances and installations, an assessment of any risk to the environment that are likely to arise from such use.*

Not applicable.

(d) *if the activity includes the discharge of any contaminants, a description of –*

*(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*

*(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:*

There are none.

(e) *a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects:*

There are no issues to address.

(f) *identification of the persons affected by the activity and consultation undertaken, and any response to the views of any person consulted:*

The proposed lots uphold the discretionary activity standards under the operative plan, and there are no effects occurring to trigger the need for neighbours' consultation. The proposed district plan has limited legal effect but has been considered to insure consistency with the proposed objectives and policies.

(g) *if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:*

No monitoring is considered necessary.

(h) *if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).*

No concern.

(2)

A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

This is covered under the heading 'Northland Regional Policy Statement' and 'Coastal Policy Statement'.

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## CLAUSE 7

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7 Matters that must be addressed by assessment of environmental effects

(1) *An assessment of an activity's effects on the environment must address the following matters:*

(a) *any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:*

The proposal is considered to promote the Rural Living zone guidelines and surrounding land use, without any unreasonable effects to concern the wider community including social and economic or cultural aspects. With the availability of wastewater infrastructure in the vicinity the density of lots by default increases and this has set a precedent effect.

Subdivision of this non-productive (*both poor soil qualities and lack of area*) Rural Living land is considered to uphold sustainable parameters, given it is set well back from the coast and ongoing ability to function as a lifestyle site for home produce.

Development of this scale within Rural Living land is provided for by the plan, representing practical use of land.

(b) *any physical effects on the locality, including any landscape, and visual effects.*

No concern this is a medium density environment and the proposed lots are in keeping with the existing built environment.

(c) *Any effects on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.*

The subdivision does not result in any habitat disturbance. The anticipated future building activity is within areas of suitable contour, predominantly cleared, and with services available at the gate.

(d) *any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural values, or other special value, for present and future generations:*

During earthworks any discovery of cultural artefacts are to be immediately reported to Heriatge NZ and local Hapu. This is to be configured on both consent notice and advise note.

There is no anticipated adverse effects on historical, spiritual or cultural values.

There is no influence on Fisheries.

*(e) any discharge of contaminants in to the environment, including any unreasonable emissions of noise, and options for the treatment and disposal of contaminants:*

Stormwater and sewage are the main discharges and these both present a standard level of effects through use of best practice as described under their respective headings 'Chapter 13 assessment'.

*(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

To the best of our knowledge there are no concerns.

In summary, the proposal is considered an activity that provides for social and economic wellbeing through land diversification, and proves possible without causing any significant effects contrary to the purpose and principles of the Resource Management Act 1991.

## **NORTHLAND REGIONAL POLICY STATEMENT**

The Northland Regional Policy Statement presents development guidelines for the northland region.

### ***PART 3: OBJECTIVES***

#### **3.4 Indigenous ecosystems and biodiversity**

*Safeguard Northland's ecological integrity by:*

- a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and*
- c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.*



There is no immediate risk to or impact on ecosystems and the site already has the base infrastructure in place.

### **3.5 Enabling economic wellbeing**

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

*We need people and businesses to choose Northland as a place to invest, and our economic development needs to be aligned with environmental outcomes.*

The subdivision activity is a small-scale development that brings a level of economic investment to the community and is able to do so with limited adverse effects on the environment, whilst achieving an improved utilisation of the land. The vicinity at large has been tagged for rural living purposes and accordingly the activity is considered to promote the subject environment with no unreasonable adverse environmental effects.

#### **6.1.1 Policy – Regional and district plans**

*Regional and district plans shall:*

***(a) Only contain regulation if it is the most effective and efficient way of achieving resource management objective(s), taking into account the costs, benefits and risks;***

*(b) Be as consistent as possible;*

***(c) Be as simple as possible;***

*(d) Use or support good management practices;*

*(e) Minimise compliance costs and enable audited self-management where it is efficient and effective;*

***(f) Enable subdivision, use and development that accords with the Regional Policy Statement; and***

*(g) Focus on effects and where suitable use performance standards.*

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

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

#### **5.1.1 Policy – Planned and coordinated development**

##### **Part A) Regional form and development guidelines**

*New subdivision, use and development should:*

*(a) Demonstrate access to a secure supply of water;*

At the future development stage, Lot 2 is able to implement the practice of onsite water collection from roof surfaces and storage in water tanks without concern, as does Lot 1 currently.

*(b) Demonstrate presence or capacity or feasibility for effective wastewater treatment; and*

No concern with reticulation availability.

*(c) If of an urban or residential nature connect well with existing development and make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield (undeveloped) areas;*

Both lots are lifestyle based not urban or residential.

*(d) If of an urban or residential nature provide, where possible, opportunities to access a range of transport modes;*

Not applicable.

*(e) If of a community-scale, encourage flexible, affordable and adaptable social infrastructure that is well located and accessible in relation to residential development, public transport services and other development;*

Not applicable.

*(f) Recognise the importance of and provide for parks, in regards to medium and large-scale residential and residential / mixed use development.*

Not applicable.

*(g) If of a residential nature be, wherever possible, located close to or sited in a manner that is accessible to a broad range of social infrastructure;*

Not applicable.

*(h) Be directed away from regionally significant mineral resources and setback from their access routes to avoid reverse sensitivity effects;*

There are no known nearby regionally significant mineral resources.

*(i) Be designed, located and sited to avoid adverse effects on energy transmission corridors and consented or designated renewable energy generation sites (refer to 'Regional form and infrastructure' for more details and guidance);*

There are no subject energy transmission corridors, or renewable energy sites.

*(j) Be designed, located and cited to avoid significant adverse effects on transportation corridors and consented or designated transport corridors;*

There is no known adverse effects on transportation corridors.

*(k) Be directed away from 10-year and 100-year flood areas and high risk coastal hazard areas (refer to 'Natural hazards' for more details and guidance);*

There are no flooding areas onsite, and coastal hazards are not a concern.

*(l) Seek to maintain or improve outstanding landscape and natural character values and provide for the protection of significant historic and cultural heritage from inappropriate subdivision, use and development (refer to 'Land, Water and Common Resources' for more details and guidance);*

The property is not known to exhibit any features of concern. Measures are proposed in accordance with the archaeological assessment. Overall, there are no concerns.

*(m) Protect significant ecological areas and species, and where possible enhance indigenous biological diversity (refer to 'Maintaining and enhancing indigenous ecosystems and species' for more details and guidance);*

No concerns.

*(n) Maintain and improve public access to and along the coastal marine area, lakes and rivers;*

Not applicable.

*(o) Avoid or mitigate adverse effects on natural hydrological characteristics and processes (including aquifer recharge), soil stability, water quality and aquatic ecosystems, including through low impact design methods where appropriate;*

There is no known degradation of natural hydrological characteristics or processes.

*(p) Adopt, where appropriate, sustainable design technologies such as the incorporation of energy-efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater storage and grey water recycling techniques;*

Many of these aspects are possible through the building development stages.

*(q) Be designed to allow adaptation to the projected effects*

The effects of lifestyle sites are low impact and can often see vast improvements through personal acts of landscaping.

*(r) Consider effects on the unique tangata whenua relationships, values, aspirations, roles and responsibilities with respect to the site of development; and*

There are no impacts that would degrade or adversely affect tangata whenua values and aspirations.

*(s) Encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and*

Not applicable.

*(t) Take into account adopted regional / sub-regional growth strategies; and*

No concern with this small-scale subdivision.

*(u) Where appropriate, encourage housing choice and business opportunities, particularly within urban areas.*

Lifestyle allotments are an important component of the rural / coastal environment, and if desired often provide sufficient land to lead a semi sustainable lifestyle.

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

Not applicable.

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

Creating lifestyle lots in this environment is not seen to present cumulative adversity, as they provide diversity in their ability to undertake a semi or even fully sustainable lifestyle.

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

The lots are designed with consideration to these components.

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

The proposal is compatible with the subject built environment.

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

The property is not primary production land.

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

The proposal does not change the sense of place, as it already has a defined coastal lifestyle character.

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

Lot 2 is readily able to be served by necessary infrastructure.

The proposal is not seen to clash with the Regional Policy Statement and therefore should be assessed under Resource Consent on an enabling basis.

## **COASTAL POLICY STATEMENT 2010**

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In reference to the Coastal Policy Statement, the following were considered to support the proposed activity:

**Policy 3**    Precautionary approach

(1)        *Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood but potentially significantly adverse.*

The applicant has engaged the necessary professional services to ensure that the subdivision can proceed without compromising the surrounding area's cultural integrity.

The application site does not relate to Policy 3 in any way to require a precautionary approach. The activity is well understood with the actual physical effects associated with the subdivision are within zone expectations.

**Policy 6(1) Activities in the coastal environment**

- (f) *consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable.*
- (i) *set back development from the coastal marine area...*

The application site and proposed future use are not averse to the coastal environment. The vicinity is largely developed with various allotments of similar size, and complimentary land use activities, meaning the proposal promotes the immediate environment.

**Policy 13 Preservation of natural character**

- (1) *Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:*
- (g) *a range of natural character from pristine to modified*

The subject vicinity and immediate coastal environment are highly modified and do not represent a pristine natural character.

**Policy 23 Discharge of contaminants**

- (4) *In managed discharges of stormwater take steps to avoid adverse effects of the stormwater discharge to water in the coastal environment, on a catchment-by-catchment basis, by*
- (a) *avoiding where practicable and otherwise remedying cross contamination of sewerage and stormwater systems.*
- (c) *promoting integrated management of catchments and stormwater networks*

The proposal considers without concern, both stormwater and effluent disposal to ensure both are possible without issues of cross contamination. This is mitigated by the fact wastewater reticulation is available.

**Objective 6**

*To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use and development recognising that:*

*The protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits.*

Particular issues outlined in the coastal policy statement include:

- *Continuing decline in species, habitats and ecosystems in the coastal environment;*
- *Poor and declining coastal water quality in many areas as a consequence of point and diffuse sources of contamination, including stormwater and wastewater discharges;*
- *Continuing coastal erosion and other natural hazards that will be exacerbated by climate change and which will increasingly threaten existing infrastructure, public access and other coastal values as well as private property;*

**Balancing Development and Environmental Protection**

Research consistently indicates that safeguarding the coastal environment does not mean halting development. Instead, it calls for development in “appropriate places and forms” that respect natural landscapes and cultural heritage. In this context, the objectives recognise that by setting appropriate limits—such as setbacks, visual screening, and low-impact construction practices (as set in the district plan rules)—the coastal environment can be preserved even as communities develop.

### **North Shore City Council v Auckland Regional Council [1997] NZRMA 59**

*This case established the “overall broad judgment” approach to interpreting section 5 of the Resource Management Act 1991 (RMA), which focuses on promoting sustainable management. The Environment Court recognised that urban development could proceed if it does not result in significant adverse effects on the environment, thereby allowing for a balanced consideration of conflicting factors. This approach supports the notion that well-planned residential development can coexist with environmental protection, contributing to social and economic wellbeing without compromising natural and cultural values.*

This case reinforces the principle that development and environmental protection are not mutually exclusive. Instead, they can be integrated through careful planning and adherence to established environmental policies, ensuring that development enhances the quality of life for current and future generations while maintaining the integrity of coastal heritage.

In summary, the objectives emphasise that responsible subdivision and residential development can coexist with the protection of the coastal environment and heritage values. It facilitates social, economic, and cultural wellbeing by:

- Enabling secure, low-impact residential developments.
- Contributing to broader community economic growth.
- Respecting and when required preserving the natural and cultural values of the coastal environment.

This integrated approach, as supported by case law, ensures that development maintains and enhances rather than diminishes the quality of life for current and future generations, providing both personal and community benefits while maintaining the integrity of the coastal heritage.

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## **NATIONAL ENVIRONMENTAL STANDARDS**

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The property is not considered to be subject the NES for assessing and managing contaminants in soil to protect human health 2011, to warrant a Preliminary site Investigation Report for potential soil contamination.

There are no other national environmental standards considered applicable to the application site and subdivision activity.

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# PROPOSED DISTRICT PLAN

## Subdivision

*Subdivision is the process of dividing an allotment or building into one or more additional lots or units or changing an existing boundary location. The way an allotment is subdivided, including its size and shape is important as it not only determines the quality and character of development, but it also impacts on surrounding sites and the future use of the land. Subdivision affects the natural and physical environment and introduces long-term development patterns that are unlikely to be reversed.*

*Subdivisions should be designed in an integrated way that contributes to a sense of place, supports connectivity and provides well-designed, accessible and safe spaces. It should not result in reverse sensitivity effects that cause land to be sterilised and result in the inability to undertake the activities enabled in the relevant zone. The subdivision process also provides the opportunity to create esplanade reserves or strips adjacent to the coast and rivers to enable public access and recreation, or to manage conservation values.*

Standards		
SUB-S1	Minimum allotment sizes	
Zone	Controlled Activity	Discretionary Activity
Rural Production	40ha	8ha
Rural Residential	4,000m <sup>2</sup>	2,000m <sup>2</sup>
Rural Lifestyle	4ha	2ha
General Residential	600m <sup>2</sup>	300m <sup>2</sup>

The proposal does not comply with the Controlled or Discretionary Activity standards of the Proposed District Plan. However, the rules and standards applicable to the subdivision site hold limited legal effect and, in many cases, represent an inadequate or unrealistic expectation for the zone particularly where the land adjoins residential style development.

The proposal is submitted as a discretionary activity, but it is well-supported by the objectives and policies, as outlined below:

### **SUB-O1 (Subdivision Objective)**

*This objective stresses the need for efficient land use that supports both environmental sustainability and local character, which aligns with the proposal’s focus on higher-density allotments designed in response to existing surrounding development. The key considerations of the objective are met as follows:*

1. **Efficient Use of Land:** The proposed subdivision uses land efficiently by aligning the density of development with the infrastructure available (reticulated wastewater).
2. **Contributing to Local Character and Sense of Place:** The subdivision fits within the existing character of the area, particularly in its higher-density nature. This contributes positively to the sense of place by integrating well with existing development.



3. **Avoiding Reverse Sensitivity:** All surrounding properties are of similar size and land use. There are no reverse sensitivity effects anticipated.

4. **Land Use Patterns in Accordance with Zoning Objectives:** The subdivision proposal is designed to uphold the purpose of the Rural Living zone objectives by integrating allotment sizes with surrounding land uses and ensuring compatibility with adjacent developments. While the proposed allotments are smaller than the standard for this zone, the location is unique—positioned alongside higher density residential activities and benefiting from access to reticulated wastewater infrastructure. This strategic placement supports efficient land use without undermining the intent of the zone’s planning framework.

5. **Managing Natural Hazards:** The subdivision design ensures stormwater from impermeable surfaces are adequately managed within natural flow paths. There are no known natural hazards on the site.

6. **Managing Adverse Environmental Effects:** The applicant commissioned an archaeological assessment to ensure any possible discovery of artifacts are minimised and adequately managed in such event.

Consultation with services providers supported the proposed sites connection to available reticulated services, thereby managing potential impacts on the environment such as from wastewater discharge or firefighting.

Consent notice schedule would be included to action the management of effects.

### **SUB-P3 (Subdivision Policy)**

This policy addresses the need for subdivisions that meet specific criteria ensuring consistency with zone objectives and practical design considerations. The subdivision proposal aligns with the following aspects:

1. **Consistency with Zone Purpose and Characteristics:** The subdivision is in line with the characteristics and goals of the Rural Living zone. By providing higher-density lots it supports the transition between rural and Rural Living land uses and achieves improved land utilisation.

2. **Minimum Allotment Sizes:** While the proposal deviates from the conventional lot sizes in the Rural Living zone, it is still consistent with the existing surrounding development. The flexibility in lot design allows for better integration with the site’s specific conditions, namely reticulated services.

3. **Legal and Physical Access:** The subdivision provides for legal and physical access. This ensures that the lots have appropriate access for development, including space for vehicle manoeuvring.

### **Heritage Area Overlays**

*Heritage Area Overlays apply in geographical locations where there are significant clusters of historic heritage. Council has responsibilities under the RMA, the NZCPS and the NRPS to protect historic heritage. This requires land use and subdivision within Heritage Area Overlays to be managed to ensure the district’s rich historic heritage is saved for current and future generations to enjoy and learn the stories they have to tell. Historic Heritage is also protected under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZP).*

## **Kerikeri Heritage Area Overlay**

### **Part B:**

*Covers the archaeologically sensitive slopes surrounding Kororipo Pā and the Church Missionary Settlement (CMS). The north and east ridge line also provide the sight lines from Kororipo Pā. There still remains a legacy of early horticultural subdivision pattern which supports the identity of Kerikeri, predominantly located along the Kerikeri Inlet Road ridgeline.*

### **Objectives**

#### **HA-O1**

*The heritage values of Heritage Area Overlays, as derived from the sites, buildings and objects of historic significance, archaeological sites and landform, are identified and protected.*

The archaeological assessment did not reveal any new sites of significance, and the existing sites remain unaffected by the subdivision. Moreover, the key features of the historic stone store have not been compromised. The application site is both adequately isolated and well screened, ensuring that it does not directly impact the area's historic values.

### **Policies**

#### **HA-P2**

*To maintain the integrity of the Kerikeri Heritage area overlay and protect the heritage values by retaining the visual dominance and connection of the Kerikeri Mission Station buildings and Kororipo Pa through:*

- a. the control of the scale, form, colour; and*
- b. location of alterations and development of buildings or structures.*

The proposed lot does not cause a direct impact on these characteristics to be of concern. In any event this would be addressed at the time of building consent.

#### **HA-P3**

*To maintain visual connection to Kororipo Pā, the Stone Store and Kemp House by limiting built development and landscaping within Part B to protect viewshafts of Kororipo Pā.*

No concern.

### **Rules**

#### **HA-R1** *Maintenance and repair of buildings or structures*

There are no existing historic buildings to consider.

#### **HA-R2** *Additions or alterations to existing buildings or structures*

Not applicable.

#### **HA-R3** *Strengthening or fire protection of scheduled Heritage Resource*

Not applicable.

#### **HA-R4** *New buildings or structures*

Future building activity is able to comply with HA-S1.

**HA-R5 Earthworks**

Earthwork would not need to occur within 20m of a scheduled heritage resource.

**HA-R6 - HA-R14**

Not applicable.

**HA-R7 Buildings or structures (including additions and alterations) located within the Alderton Park development**

Not applicable.

**HA-R8 New buildings or structures (Heritage area overlay; Russell & Waimate North)**

Not applicable.

**HA-R9 New buildings or structures Heritage Area Overlays: Kerikeri – Part A, Mangōnui and Rangitoto Peninsula – Part A, Paihia – Part A, Rāwene - Part A, Rangihoua**

Not applicable.

**HA-R10 Infrastructure and renewable electricity generation infrastructure**

Not applicable.

**Standards**

**HA-S1 Setback from a scheduled Heritage Resource**

*Any construction of buildings or structures and additions and alterations to all buildings or structures shall be setback a minimum of 20m from a scheduled Heritage Resource.*

No concern for future development.

**HA-S2 Heritage Colours**

*The exterior facades of all buildings or structures are finished in accordance with the colour scheme from the following paint ranges or equivalent:*

- i. resene heritage colours;*
- ii. resene whites and neutrals; and*
- iii. resene colour range BS5252 (A01-C40 range).*

Future building activity is able to comply, and would be subject to these provisions during the building consent stage.

**HA-S3 Accidental discovery protocol**

These requirements are described in the Archaeological assessment and would be configured into a consent notice.

**Summary**

The proposed subdivision in the heritage overlay area is assessed to be compatible with the heritage objectives in the Kerikeri district. The archaeological assessment confirmed that no new sites of significance were identified and that existing heritage features—such as the historic stone store—remain unaffected. The development is both well-isolated and effectively screened by natural vegetation, ensuring that key views and the historic context of Kororipo Pā and the Kerikeri Mission Station are preserved.

Furthermore, the subdivision adheres to the relevant policies and standards, including maintaining appropriate setbacks from scheduled heritage resources and complying with heritage colour schemes for future building activity. In summary, the proposal is designed to

protect the rich historic heritage of the area while accommodating development, thereby safeguarding the district's identity for current and future generations.

## **Rural Lifestyle zone**

### **Overview**

*The role of the Rural Lifestyle zone is to provide an area specifically for rural lifestyle living. Accommodating the demand for rural lifestyle living in appropriate areas of the district, close to transport routes with good access to services in urban areas and settlements, is intended to reduce ad-hoc or sporadic rural lifestyle development throughout the Rural Production zone that adversely impacts on primary production activities.*

### **RLZ-01**

*The Rural Lifestyle zone is used predominantly for low density residential activities and small scale farming activities that are compatible with the rural character and amenity of the zone.*

### **RLZ-02**

*The predominant character and amenity of the Rural Lifestyle zone is characterised by:*

- *low density residential activities;*
- *small scale farming activities with limited buildings and structures;*
- *smaller lot sizes than anticipated in the Rural Production Zone;*
- *a general absence of urban infrastructure;*
- *rural roads with low traffic volumes;*
- *areas of vegetation, natural features and open space.*

### **RLZ-03**

*The role, function and predominant character and amenity of the Rural Lifestyle zone is not compromised by incompatible activities.*

## **Policies**

### **RLZ-P1**

*Enable activities that will not compromise the role, function and predominant character and amenity of the Rural Lifestyle zone, while ensuring their design, scale and intensity is appropriate to manage adverse effects in the zone, including:*

- *low density residential activities;*
- *small scale farming activities;*
- *home business activities;*
- *visitor accommodation; and*
- *small scale education facilities.*

#### **1. Supports Low-Density Residential Activities**

- The subdivision maintains an appropriate **lot size and density** that align with the Rural Lifestyle Zone's intended character given the sites have no rural production use and reticulated wastewater is available.

- Although positioned adjacent to established urban development, the subdivision retains a distinct rural lifestyle character.

### **2. Does Not Prevent Small-Scale Farming Activities**

- The subdivision does not restrict or interfere with small-scale farming activities, as the site is not currently suitable for such use.

### **3. Allows for Home Business Activities**

- The lot sizes and layout allow for home businesses to operate without affecting the rural character or amenity.
- The subdivision does not introduce commercial-scale developments that would be inconsistent with the policy's intent.

### **4. Supports Visitor Accommodation**

- The subdivision does not prohibit or restrict **visitor accommodation opportunities** within the Rural Lifestyle Zone.
- Any future visitor accommodation will remain subject to relevant planning controls, ensuring that **scale and intensity** are managed appropriately.

## **RLZ-P2**

*Avoid activities that are incompatible with the role, function and predominant character and amenity of the Rural Lifestyle zone because they are:*

- *contrary to the density anticipated for the Rural Lifestyle zone;*
- *predominately of an urban form or character;*
- *primary production activities, such as intensive indoor primary production, that generate adverse amenity effects that are incompatible with rural lifestyle living; or*
- *commercial, rural industry or industrial activities that are more appropriately located in a Settlement zone or an urban zone.*

The proposed subdivision is consistent with the policy directive to avoid activities that are incompatible with the role, function, and predominant character of the Rural Lifestyle Zone. The following points justify how the subdivision aligns with this policy:

### **1. Density and Character Consistency**

- The subdivision maintains appropriate lot sizes and density that are consistent with the established rural character of the area, ensuring that the development aligns with the anticipated land use and amenity values of the Rural Lifestyle Zone.
- The location of the application site within the Rural Lifestyle Zone is unique, as it is directly adjacent to a Residential Zone. This transitional positioning allows for a logical density gradient, where slightly higher densities can be accommodated without compromising the overall rural character.
- Increased densities are anticipated and supported under the Resource Management Act 1991 (RMA) when allotments can connect to reticulated services, particularly wastewater. By utilising existing infrastructure, the subdivision minimises environmental

impacts, supports sustainable land use, and aligns with best practice planning principles.

## **2. Avoidance of Urban Form or Character**

The design of the subdivision ensures that the built form, landscaping, and site layout reflect rural residential living rather than an urban environment.

## **3. Exclusion of Incompatible Primary Production Activities**

The subdivision does not facilitate intensive primary production, which could create noise, odour, or other adverse effects inconsistent with rural lifestyle living.

Instead, the proposed land use is for low-density residential purposes that complement the surrounding environment.

### **Summary**

The proposed subdivision is in accordance with the intent of the Rural Lifestyle Zone, as it supports low-impact residential development while protecting the existing rural character, avoiding urbanisation, and preventing the introduction of activities that would generate incompatible amenity effects. This alignment ensures that the subdivision does not undermine the policy objective of maintaining the zone's intended function and character.

The proposed discretionary status of the subdivision finds further support from studies and case law:

#### **Zoning and Land Use Compatibility:**

In *Wellington City Council v. Earthtech Ltd* [2001] NZEnvC 226, the Environment Court examined how development patterns should reflect zone objectives. The Court held that subdivision design should balance both the intensity of development and the preservation of local character, particularly when transitioning between zones of different intensities. The Court also affirmed that larger lots can help manage the intensity of development and avoid adverse effects on surrounding land uses.

#### **Resource Management Act 1991 (RMA) - Infrastructure and Sustainable Development:**

The RMA promotes the efficient use of resources, including infrastructure such as reticulated water supply and wastewater services. Section 5 of the RMA outlines the sustainable management of natural and physical resources, encouraging land use that maximises the efficiency of available services. In cases where reticulated systems are available, higher-density development is seen as a more sustainable form of development, as it reduces reliance on private water supplies and septic systems that have more significant environmental impacts. This

concept is particularly emphasised in the *Auckland Unitary Plan* and other regional planning documents, which incentivise increased development densities where such services exist.

**Environment Court Case: *New Zealand Transport Agency v. Auckland Council* [2017]**

**NZEnvC 218:** In this case, the Environment Court upheld the principle that infrastructure availability, including reticulated wastewater and water supply, is a key factor in enabling higher-density development in Rural Living zones. The court ruled that where such infrastructure is available, there is a strong case for supporting increased subdivision densities, as it mitigates the environmental risks associated with Rural Living sprawl. This case reinforced that the presence of reticulated services enables more intensive use of land while minimising adverse environmental effects.

**Case Study: *Hauraki District Council - Rural Living Development and Infrastructure Availability***

A study commissioned by the Hauraki District Council in 2018 analysed the effects of increased subdivision densities in rural areas with access to reticulated services. The study found that areas with reticulated services supported more compact development without compromising the quality of local water resources or increasing environmental risk. The study recommended that such areas should be prioritised for higher-density development, provided other factors such as stormwater management and land stability are properly addressed.

Summary

The availability of reticulated services provides a solid basis for supporting increased subdivision densities on Rural Living land. Various studies, case law, and planning frameworks in New Zealand support the notion that such infrastructure enables more sustainable, efficient, and environmentally responsible land use. Higher-density development in these contexts mitigates the environmental impacts traditionally associated with Rural Living sprawl, such as contamination from septic systems and unsustainable use of groundwater resources, thus aligning with the principles of sustainable management and the efficient use of resources outlined in the Resource Management Act 1991.

## CONCLUSION

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The proposed subdivision aligns with the planning standards of the operative district plan and the objectives and policies of the proposed district plan, ensuring that all potential effects are less than minor and do not result in degradation or adverse impacts on the wider environment. It is consistent with higher-order planning documents, including the Northland Regional Policy Statement and the New Zealand Coastal Policy Statement, demonstrating full alignment with the policy framework governing subdivision and land use in the area.

Additionally, the subdivision upholds the Purpose and Principles of Part 2 of the Resource Management Act 1991 (RMA) by enabling sustainable management of resources while avoiding, remedying, or mitigating potential adverse effects. The design maintains the rural lifestyle character, avoids creating an urban density pattern, and ensures compatibility with anticipated land use activities in the Rural Lifestyle Zone, while utilising reticulated services in line with best planning practices.

In relation to the Heritage Area Overlay, the subdivision ensures the protection of key heritage values, with no adverse impacts on Kororipo Pā, the Stone Store, or Kemp House, and complies with heritage provisions for setbacks, design, and visual protection.

Given the comprehensive alignment with relevant policies, heritage protections, and planning standards, the application is recommended for approval as a discretionary activity, having successfully met the gateway tests under Section 104D of the RMA.



Micah Donaldson *Assoc.NZPI*

## DONALDSONS

Land / Engineering Surveyors and Development Planners





# Quickmap Title Details



Information last updated as at 23-Feb-2025

## RECORD OF TITLE DERIVED FROM LAND INFORMATION NEW ZEALAND FREEHOLD

**Identifier** NA131A/417

**Land Registration District** North Auckland

**Date Issued** 07 November 2000

### Prior References

NA82A/568

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**Type** Fee Simple  
**Area** 2.2706 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 203232

### Registered Owners

Adelaida Booth

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**Type** Fee Simple - 1/3 share  
**Area** 580 square metres more or less  
**Legal Description** Lot 24 Deposited Plan 108254

### Registered Owners

Adelaida Booth

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Subject to Section 241(2) Resource Management Act 1991 (affects DP 203232)

Land Covenant in Transfer B899053.1

Appurtenant hereto is a right of way specified in Easement Certificate 547053.2 - 30.9.1977 at 2:45 pm

Subject to a drainage right (in gross) over parts marked D and E on DP 203232 in favour of The Bay of Islands County Council created by Transfer B509445.6

The easement created by Transfer B509445.6 is subject to Section 309 (1) (a) Local Government Act 1974

The easements specified in Easement Certificate C464912.5 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a right of way over parts marked D and K and to telephone, electricity and water supply rights over parts marked C & D on DP 138621 specified in Easement Certificate C464912.5 - 24.3.1993 at 11.44 am

Subject to a right of way and to electricity, telecommunications and water supply rights over parts marked A, B, C, D and F on DP 203232 created by Transfer D555377.7 - 7.11.2000 at 9.00 am

Subject to a right of way over parts marked A, B, C, D and F, a right to convey water over parts marked F & G, and a right to transmit electricity, and to telecommunications and water supply rights over parts marked A & B on DP 203232 specified in Easement Certificate D555377.8 - 7.11.2000 at 9.00 am

The easements specified in Easement Certificate D555377.8 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right to transmit electricity, telecommunications and water supply over part marked A & B and a right of way over part marked A,B,C,D & F on DP 203232 specified in Easement Certificate 5237132.1 - 30.5.2002 at 9:00 am

The easements specified in Easement Certificate 5237132.1 are subject to Section 243 (a) Resource Management Act 1991

5744939.1 Resolution pursuant to Section 243(f)(ii) Resource Management Act 1991 cancelling some of the easement conditions on plan 138621 described in Easement Certificate C464912.5 - 29.9.2003 at 9:00 am

5744939.2 Resolution pursuant to Section 243(f)(ii) Resource Management Act 1991 cancelling some of the easement conditions on plan 208610 - 29.9.2003 at 9:00 am

5744939.3 Resolution pursuant to Section 243(f)(ii) Resource Management Act 1991 cancelling the easement condition marked H on plan 83625 described in Easement Certificate 547053.2 - 29.9.2003 at 9:00 am

5744939.5 Surrender of the right of way and water supply easements specified in Easement Certificate C464912.5 and the water supply easement specified in 547053.2 - 29.9.2003 at 9:00 am

5744939.6 Surrender of the right of way marked C on Plan 203232 specified in Easement Certificate 5237132.1 - 29.9.2003 at 9:00 am

5744939.8 Surrender of the right of way and water supply easements specified in Easement Certificate C464912.5 - 29.9.2003 at 9:00 am

5744939.9 Surrender of the right of way marked C, E & F on Plan 138621 specified in Easement Certificate C464912.5 - 29.9.2003 at 9:00 am

5744939.10 Surrender of the water supply easement specified in Easement Certificate 547053.2 - 29.9.2003 at 9:00 am

5744939.11 Surrender of the right of way marked C on Plan 203232 specified in Easement Certificate D555377.8 and marked E on Plan 138621 specified in easement certificate C464912.5 - 29.9.2003 at 9:00 am

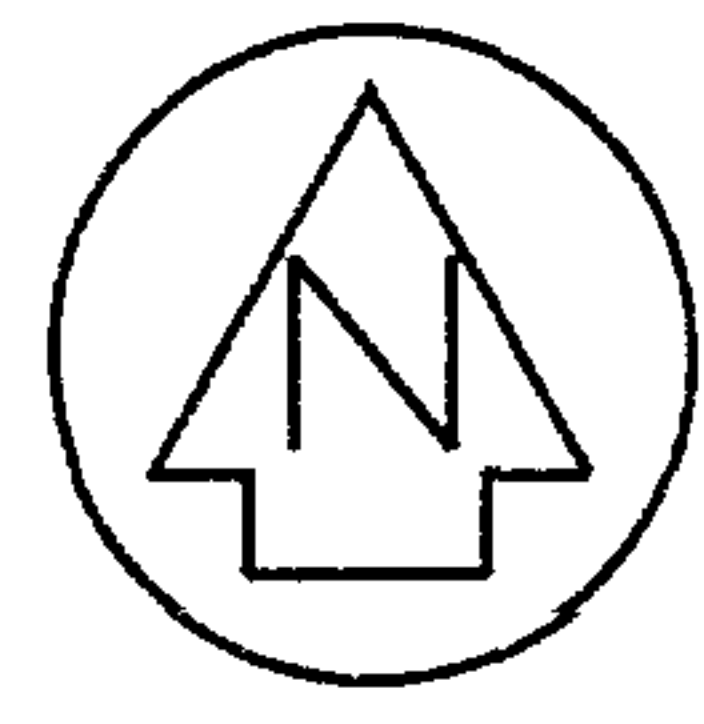
Land Covenant in Covenant Instrument 12945997.1 affects Lot 2 DP 203232 - 2.7.2024 at 2:04 pm (limited as to duration)

Land Covenant in Covenant Instrument 12945997.2 affects Lot 2 DP 203232 - 2.7.2024 at 2:04 pm (limited as to duration)

Land Covenant in Covenant Instrument 12945997.3 affects Lot 2 DP 203232 - 2.7.2024 at 2:04 pm (limited as to duration)

*The information provided on this report forms a guideline only. As a result, Custom Software Limited cannot and does not provide any warranties or assurances of any kind in relation to the accuracy of the information provided through this report, the Site and Service. Custom Software Limited will not be liable for any claims in relation to the content of this report, the site and this service.*

RC 2000741 South



Approvals  
I hereby certify that this plan was approved pursuant to Section 223 of the Resource Management Act 1991 on the 15th day of June 2000 subject to the granting or reserving of the easement(s) set out in the Memorandum endorsed hereon and subject to the Amalgamation conditions set out hereon and for the purposes of Section 224(c) Resource Management Act 1991 the conditions of consent have been complied with to the satisfaction of the Far North District Council

*P.J. Killalea*  
Authorised Officer RC 2000741

MEMORANDUM OF EASEMENTS			
Purpose	Servient Tenement	Shown	Dominant Tenement
Right of Way	Lot 2	(B)	Lots 3, & 4 DP 138621
Right of Way	Lot 2	(A) (C) (D) (F)	Lots 1, 3, & 4 DP 138621
Right to transmit Electricity Right to transmit Telecommunications Right to supply water	Lot 2	(A) (B)	Lots 3, & 4 DP 138621
Right to supply water	Lot 2	(F) (G)	Lot 1 DP 138621

EXISTING EASEMENTS IN GROSS		
Purpose	Shown	Created by
Drainage	(D) (E)	B 509445 6

Land Covenant in B.899053 1  
AMALGAMATION CONDITIONS  
1) That Lot 1 Hereon be transferred to the owner of Lot 4 DP 108255 (CT 62C/172) and that one Certificate of Title be issued to include both parcels  
2) That Lot 24 DP 108254 (Legal access) be held as to one undivided one-third share by the owners of Lot 2 hereon as tenants in common in the said share and that an individual Certificate of Title be issued in accordance therewith  
See A635182  
New C'sT Allocated Lot 1 131A/416  
Lot 2 131A/417

Total Area 2.3943 ha  
Comprised in CT 82A/568 ( All )

I, Robert John Donaldson of Kerikeri, Registered Surveyor and holder of an annual practising certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1998 or any regulations made in substitution thereof

Dated at KERIKERI this 7th day of June 2000  
Signature *R. Donaldson*

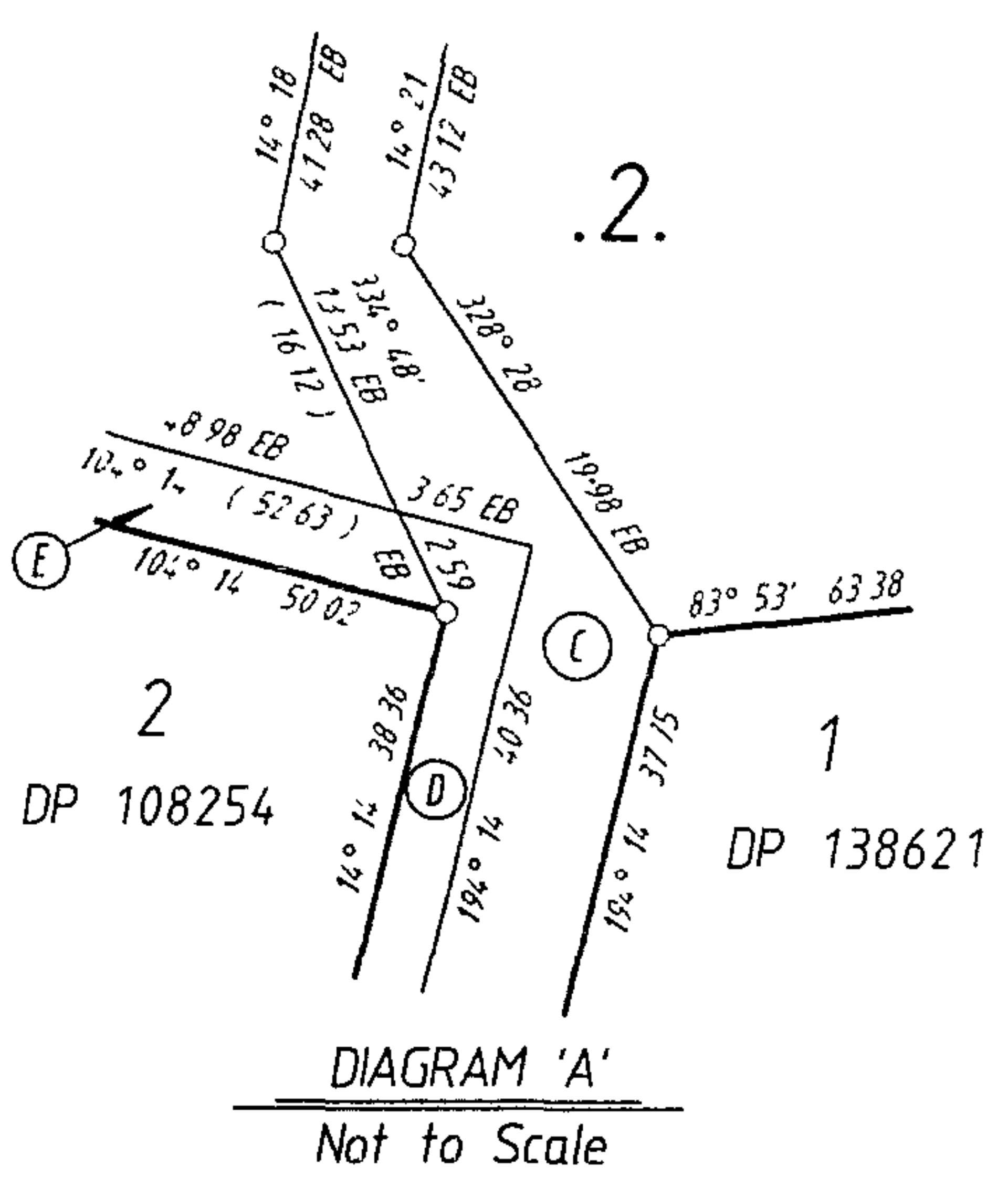
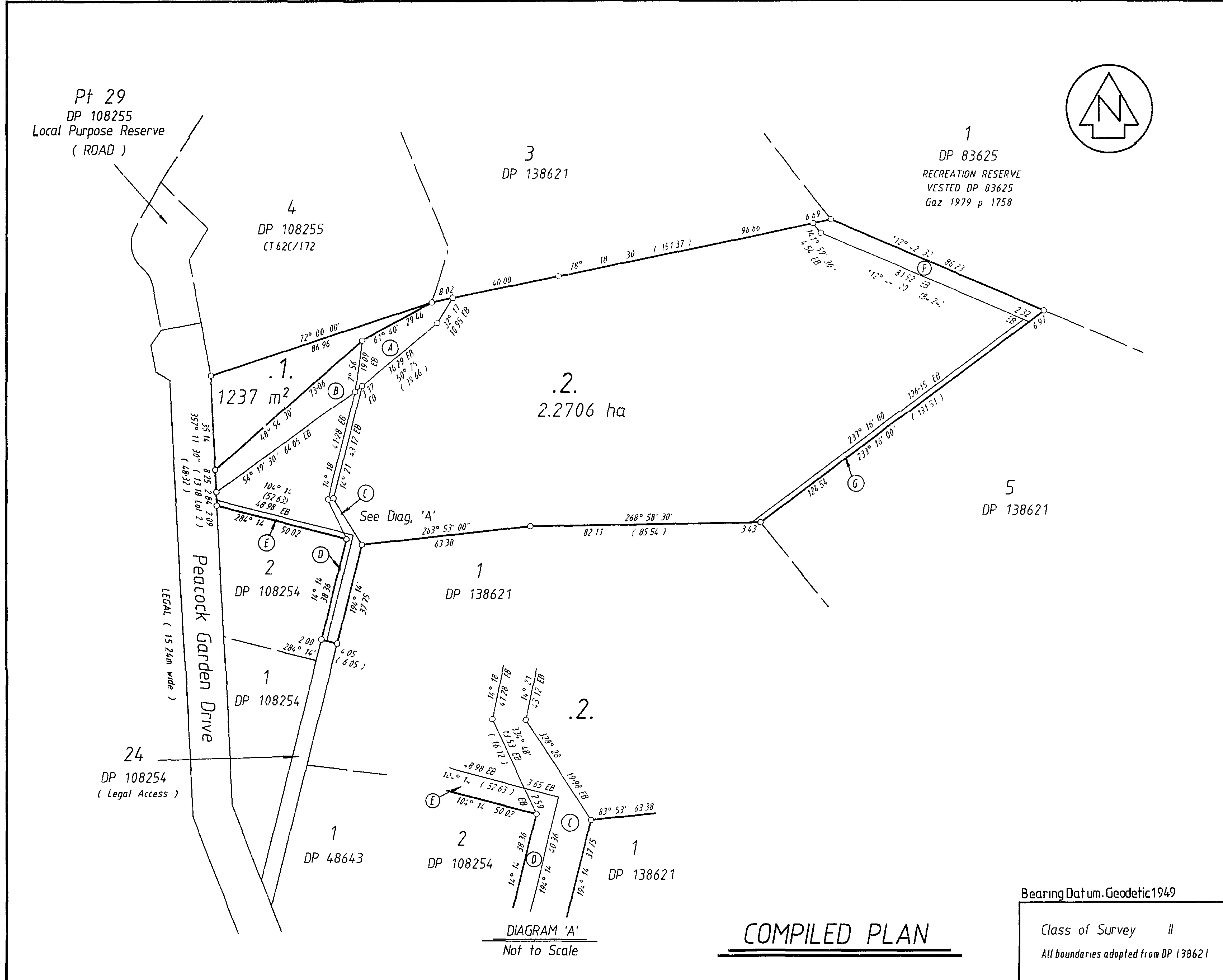
Field Book p Traverse Book 1852 p 194  
Reference Plans DP 138621

Examined *W. H. Vukelj* Correct Accredited

Approved as to Survey *W. H. Vukelj*  
*30.11.2000*  
Deputy Chief Surveyor

Deposited this 7th day of November 2000  
*Leonora*  
For Registrar General of Land

File Received Instructions 23 JUN 2000  
DP 203232



**COMPILED PLAN**

Bearing Datum, Geodetic 1949  
Class of Survey II  
All boundaries adopted from DP 138621

LAND DISTRICT NORTH AUCKLAND  
SURVEY BLK. & DIST. XI KERIKERI SD  
NZMS 261 SHT RECORD MAP No.

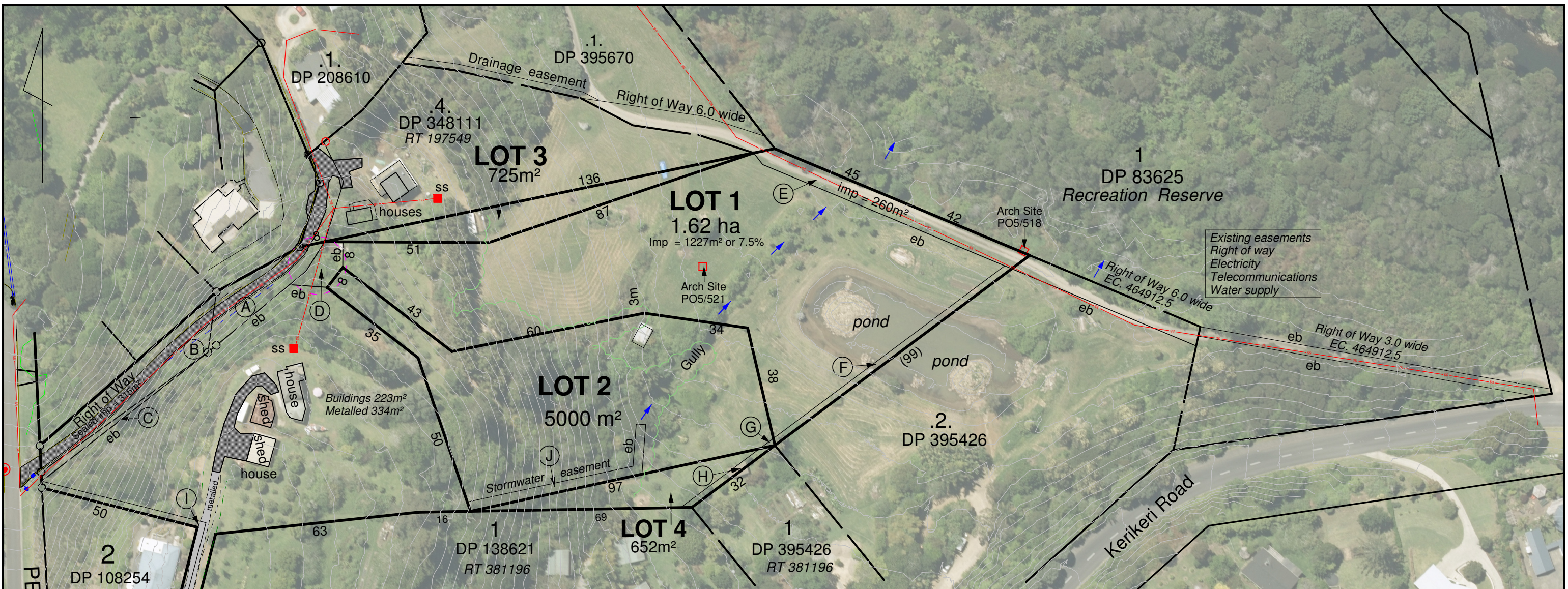
LOTS 1 & 2 BEING A SUBDIVISION OF  
LOT 2 DP 138621

TERRITORIAL AUTHORITY FAR NORTH DISTRICT  
Surveyed by R. J. DONALDSON & ASSOCIATES Ref 3777  
Scale 1 : 1000 Date March 2000



NOV 2000





Proposed Easements			
Purpose	Burdened	Shown	Benefited
Right of Way		A B C	Lots 2 & 3
Right to convey electricity sewer, & water supply.	Lot 1	D	Lot 2
Right to drain water	Lot 2	J	Lot 1

Proposed Gross Easements			
Purpose	Burdened	Shown	Grantee
Right to convey Telecommunications	Lot 1	A, B, C, D	Chorus NZ Ltd
Right to convey; sewage	Lot 1	E	FNDC

Existing Easements			
Purpose	Burdened	Shown	Instrument /
Right of way, Right to transmit electricity, telecommunications and water supply	Lot 1	A B	Tr. D 555377.7 EC. D 555377.8
Right to transmit electricity, telecommunications and water supply	Lot 1	A B	EC C464912.5 EC 5237132.1
Right of way	Lot 1	B E	EC C464912.5
Right to convey water	Lot 1	E F	EC. D 555377.8
	Lot 2	G	
Right to convey water	Lot 4	H	Tr. 509445.6 (FNDC)
	Lot 1	I	

**Proposed Amalgamation Condition Sec 241(1) RMA**

- That Lot 3 hereon be transferred to the owner of Lot 4 DP 348111 (RT 197549) and one Record of Title be issued to include both parcels.
- That Lot 4 hereon be transferred to the owner of Lot 1 DP 395426 & Lot 1 DP 138621 (RT 381196), and one Record of Title be issued to include all those parcels.
- That Lot 24 DP 108254 (legal access) be held as to one undivided one-third share by the owner of Lot 1 hereon as tenants in common in the said shares and that an individual Record of Title be issued in accordance therewith.

**Proposed Amalgamation Cancellation Sec 241(3) RMA**

- That Lot 1 DP 395426 be transferred to the owner of Lot 1 DP 138621 (CT NA82A/567) and that one Certificate of Title be issued to include both parcels. (DLR Ref 660757) (replaced by item 2 above)
- That Lot 24 DP 108254 (legal access) be held as to one undivided one-third share by the owners of Lot 2 DP 203232 hereon as tenants in common in the said shares and that an individual Certificate of Title be issued in accordance therewith. (DLR Ref: A635182) (replaced by item 3 above)





DocID: 110335878

# EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

~~/~~We ROBIN STANTON BOOTH, WEBBER EDRIC BOOTH, JOHN DUNCAN BOOTH and CHRISTOPHER EDWIN BOOTH

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the \_\_\_\_\_ day of \_\_\_\_\_ under No. 203232 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

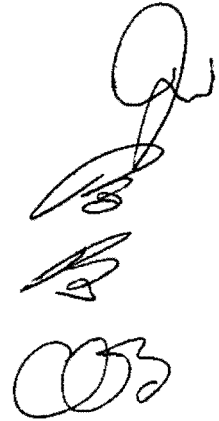
**SCHEDULE**  
**DEPOSITED PLAN NO. 203232**

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	LOT 2 hereon	A, B, C, D & F	Lot 4 Deposited Plan 138621	131A/417 82A/570
Right to Transmit Electricity Telecommunications and Water Supply	LOT 2 hereon	A & B	Lot 4 Deposited Plan 138621	131A/417 82A/570

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

- (a) In addition the rights and powers and implied covenants of the Ninth Schedule of the Property Law Act 1952 shall apply
- (b) Right to Convey Water:  
The rights and powers under the right to convey water shall be the same rights and powers as those set out in Clauses 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952.
- (c) See attached for Telecommunications and Electricity

The image shows four distinct handwritten marks or signatures arranged vertically on the right side of the page. The top mark is a large, stylized letter 'Q' with a long tail. Below it is a signature that appears to be 'B' with a flourish. The third mark is a smaller signature, possibly 'A'. The bottom mark consists of two overlapping circles, resembling the initials 'OO'.

**CERTIFICATE OF NON-REVOCATION**

**OF**

**POWER OF ATTORNEY**

**POWER OF ATTORNEY DATED:** 15<sup>th</sup> July 1988

**LAND TRANSFER OFFICE LODGEMENT NUMBER:** C212544  
( NORTH AUCKLAND REGISTRY)

**DONOR:** WEBBER EDRIC BOOTH

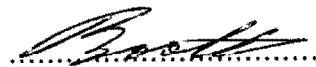
**ATTORNEY (DONEE):** ROBIN STANTON BOOTH

**INSTRUMENT EXECUTED PURSUANT THERETO:** Easement Certificate

The Donee hereby certifies:

1. **THAT** by the abovementioned Deed the Donor appointed me Attorney on the terms and conditions set out therein.
2. **THAT** at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said Donor or otherwise.
3. **THAT** I have executed the Instrument referred to above, and annexed hereto, on the date hereof and pursuant to the power granted me in the said Deed.

**DATED** at *Kamohi* this *21<sup>st</sup>* day *December* 200*0*

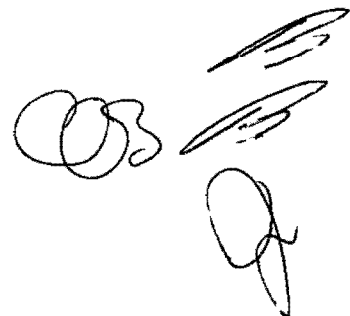
  
.....  
(Donee)



**RIGHTS AND POWERS**

That in respect of the Telecommunications and Electricity Easements referred to in the Schedule hereto, the rights and powers applicable thereto are:

- (a) The full free uninterrupted and unrestricted right liberty and privilege for the occupier and registered proprietor for the time being of the dominant tenement from time to time and at all times to take convey and lead electrical current or any other mode of transmitting telecommunications in a free and unimpeded flow (except where the flow is halted for any reasonable period necessary for essential repairs) for the purposes of telecommunications under or across the land over which the Easement is created and to erect, lay and maintain poles and cables for such purpose.
  
- (b) The full free uninterrupted and unrestricted right liberty and privilege for the occupier and registered proprietor for the time being of the dominant tenement from time to time and at all times to take convey and lead electricity in a free and unimpeded flow (except where the flow is halted for any reasonable period necessary for essential repairs) under or across the land over which the Easement is created and to erect, lay and maintain poles and cables for such purpose.

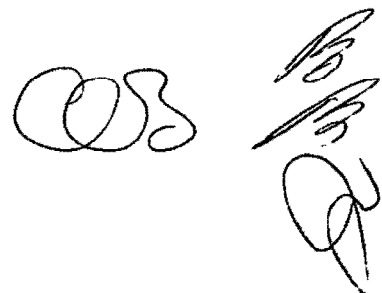
Handwritten initials and a signature in the bottom right corner of the page. The initials appear to be 'OS' and the signature is a stylized name.



**TERMS CONDITIONS COVENANTS OR RESTRICTIONS IN RESPECT OF ABOVE EASEMENTS:**

That in respect of the Electricity and Telecommunications Easements (hereinafter called "the Easements") referred to in the Schedule hereto the terms conditions covenants or restrictions applicable thereto are as follows:-

- (a) All cables placed within or such poles and cable erected upon the servient tenements shall be maintained and as required repaired to a good and serviceable condition by the registered proprietors for the time being of the dominant tenements.
- (b) All the costs and expenses of and incidental to the repairing and maintaining of the Easements herein specified shall be borne by the registered proprietor for the time being of the dominant tenements.
- (c) Any person wishing to carry out any work whatsoever on the Easements herein specified shall first give to the registered proprietor of the servient tenement thereof notice of such intention and of the nature and expense of the said work prior to any such work being commenced.
- (d) Any person carrying out any work whatsoever on the Easements herein specified shall take all reasonable and proper action and care to interfere as little as possible with the comfort and convenience of the occupier or occupiers for the time being of the dominant and servient tenements and shall carry out such work or cause the same to be carried out with the utmost expedition and in a prudent manner and in particular shall during the course of such work:
  - (i) Shore up or cause to be shored up in a proper safe and workmanlike manner any part of the dominant or servient tenement affected thereby.
  - (ii) Take all reasonable and proper steps to preserve the said tenements and all parts thereof and all property and goods thereon from damage.
- (e) Subject to the other terms and conditions covenants and restrictions contained in these presents any person carrying out any work as aforesaid shall have the right to enter and to bring machinery and workmen on to any part of the dominant or servient tenement as shall be necessary for the purposes of carrying out maintenance on the Easements referred to herein and shall have the right to remove all soil roading paving metalling fencing and all other things as shall be reasonably necessary to give unimpeded access to the said Easement PROVIDED HOWEVER that such soil roading paving metalling and fencing which is so removed shall be restored as nearly as possible to its original condition and that any other damage done by reason of the said maintenance is repaired and that as little disturbance as possible is caused to the surface of the land and to the enjoyment of the said tenements by the registered proprietors or occupiers.
- (f) Where the maintenance work which is required to be carried out in terms of these presents involves the total or partial replacement of any cables this work shall be deemed to be maintenance work which may be carried out in accordance with these presents.

The block contains two sets of handwritten marks. On the left, there are two overlapping circular scribbles. On the right, there are three distinct signatures or initials, one above the other, written in a cursive style.

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

(a) In addition the rights and powers and implied covenants of the Ninth Schedule of the Property Law Act 1952 shall apply

(b) Right to Convey Water:

The rights and powers under the right to convey water shall be the same rights and powers as those set out in Clauses 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952.

(c) See attached for Telecommunications and Electricity

SIGNED by the abovenamed  
JOHN DUNCAN BOOTH  
in the presence of:

Witness Signature:

Witness Full Name:

**MICHAEL ANTHONY BAY**

Occupation:

**SOLICITOR**

Address:

**KERIKERI**

SIGNED by the abovenamed  
CHRISTOPHER EDWIN BOOTH  
in the presence of:

JAN DOROTHY JONSON  
LEGAL EXECUTIVE  
TO LAW NORTH PARTNERS  
KERIKERI

SIGNED by the abovenamed  
WEBBER EDRIC BOOTH  
in the presence of:

JAN DOROTHY JONSON  
LEGAL EXECUTIVE  
TO LAW NORTH PARTNERS  
KERIKERI

Dated this 21 day of December 2001

Signed by the above-named

ROBIN STANTON BOOTH

in the presence of

Witness

Occupation ..... JAN DOROTHY JONSON  
LEGAL EXECUTIVE

Address ..... TO LAW NORTH PARTNERS  
KERIKERI

Correct for the purposes of the Land Transfer Act 1952

(Solicitor for) the registered proprietor:

Approved by Registrar-General  
of Land under No. 1998/6031

# EASEMENT CERTIFICATE

Land Transfer Act 1952

Law Firm Acting
LAW NORTH PARTNERS SOLICITORS <u>KERIKERI</u>

Auckland District Law Society  
REF: 4050

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

Approved by the District Land Registrar, South Auckland No. 351560  
 Approved by the District Land Registrar, North Auckland, No. 4380/81  
 Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

**C464912.5 EC**  
**EASEMENT CERTIFICATE**

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

+We ROBIN STANTON BOOTH Nurseryman and WEBBER EDRIC BOOTH and JOHN DUNCAN BOOTH both Marine Scientists and CHRISTOPHER EDWIN BOOTH Sculptor all of Kerikeri as tenants in common in equal shares

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at **Auckland** on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ under No. 138621 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

**SCHEDULE**  
 DEPOSITED PLAN NO. 138621

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Lot 4 hereon	A	Lots 1, 2 & 3 hereon	82A/567, 568, 569 & 570
Right of Way	Lot 3 hereon	B	Lots 1 & 2 hereon	82A/569
Right of Way and Telephone	Lot 3 (	B	Lot 4 hereon	82A/568 & 569
Electricity and Water Supply	Lot 2 ( hereon	C & D	Lots 3 & 4 hereon	82A/568, 569 & 570
Right of Way	Lot 2 hereon	C, E & F	Lot 1 hereon	82A/567 & 568
Right of Way	Lot 3 hereon	J	Lot 4 hereon	82A/569 & 570
Right of Way	Lot 2	K	Lots 3 & 4 hereon	82A/568, 569 & 570
Right of Way	Lot 5 hereon	L	Lots 2, 3 & 4 hereon	82A/568, 569, 570 & 571
Water Supply	Lot 3 hereon	J	Lots 1 & 2 hereon	82A/567, 568 & 569
Water Supply	Lot 2 hereon	K & N	Lot 1 hereon	82A/567 & 568
Water Supply	Lot 4 hereon	M	Lots 1, 2 & 3 hereon	82A/567, 568, 569 & 570

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:  
**See attached**

CERTIFICATE OF NON-REVOCATION

OF POWER OF ATTORNEY

I, ROBIN STANTON BOOTH of Kerikeri, Nurseryman HEREBY CERTIFY:

1. That by Deed dated the 15th day of July 1988 (copy of which is filed in the North Auckland Land Registry under No. C212544.1) WEBBER EDRIC BOOTH appointed me his attorney on the terms and subject to the conditions set out in the said Deed.
2. That at the date hereof I have not received any notice or information of the revocation of that appointment by death of the said WEBBER EDRIC BOOTH or otherwise.

SIGNED by the said )  
ROBIN STANTON BOOTH at )  
Kerikeri this *third* )  
day of *February* 1993)



## RIGHTS AND POWERS

That in addition to the rights set out in the Seventh Schedule to the Land Transfer Act 1952 and in respect of the Telecommunications, Electricity and Water Supply Easements referred to in the Schedule hereto, the rights and powers applicable thereto are:

- (a) The full free uninterrupted and unrestricted right liberty and privilege for the occupier and registered proprietor for the time being of the dominant tenement from time to time and at all times to take convey and lead electrical current or any other mode of transmitting telecommunications in a free and unimpeded flow (except where the flow is halted for any reasonable period necessary for essential repairs) for the purposes of telecommunications across the land over which the Easement is created and to lay and maintain cables for such purpose.
- (b) The full free uninterrupted and unrestricted right liberty and privilege for the occupier and registered proprietor for the time being of the dominant tenement from time to time and at all times to take convey and lead electricity in a free and unimpeded flow (except where the flow is halted for any reasonable period necessary for essential repairs) across the land over which the Easement is created and to lay and maintain cables for such purpose.
- (c) The full free and uninterrupted and unrestricted right liberty and privilege for the occupier and registered proprietor for the time being of the dominant tenement from time to time and at all times to take convey and pipe water in a free and unimpeded flow (except where the flow is halted for any reasonable period necessary for essential repairs) and in any quantity consistent with the rights of other persons having the same or similar rights from the source of supply or point of entry as the case may be for the purpose of conveying water across or under the land over which the Easement is created and to lay and maintain piping for such purpose under or over the surface of the land.

*[Handwritten signature]*

TERMS CONDITIONS COVENANTS OR RESTRICTIONS IN RESPECT OF ABOVE EASEMENTS:

That in respect of the Water Supply, Electricity and Telecommunications Easements (hereinafter called "the Easements") referred to in the Schedule hereto the terms conditions covenants or restrictions applicable thereto are as follows:-

- (a) All piping and cables placed within or such piping poles and cable erected upon the servient tenements shall be maintained and as required repaired to a good and serviceable condition by the registered proprietors for the time being of the dominant tenements.
- (b) All the costs and expenses of and incidental to the repairing and maintaining of the Easements herein specified shall be borne by the registered proprietor for the time being of the dominant tenements.
- (c) Any person wishing to carry out any work whatsoever on the Easements herein specified shall first give to the registered proprietor of the servient tenement thereof notice of such intention and of the nature and expense of the said work at least fourteen (14) days prior to any such work being commenced and shall obtain the prior consent in writing of the registered proprietor of the servient tenement provided that such consent shall not be unreasonably nor arbitrarily withheld.
- (d) Any person carrying out any work whatsoever on the Easements herein specified shall take all reasonable and proper action and care to interfere as little as possible with the comfort and convenience of the occupier or occupiers for the time being of the dominant and servient tenements and shall carry out such work or cause the same to be carried out with the utmost expedition and in a prudent manner and in particular shall during the course of such work:
  - (i) Shore up or cause to be shored up in a proper safe and workmanlike manner any part of the dominant or servient tenement affected thereby.
  - (ii) Take all reasonable and proper steps to preserve the said tenements and all parts thereof and all property and goods thereon from damage.
- (e) Subject to the other terms and conditions covenants and restrictions contained in these presents any person carrying out any work as aforesaid shall have the right to enter and to bring machinery and workmen on to any part of the dominant or servient tenement as shall be necessary for the purposes of carrying out maintenance on the Easements referred to herein and shall have the right to remove all soil roading paving metalling fencing and all other things as shall be reasonably necessary to give unimpeded access

*[Handwritten signature]*

*[Handwritten mark]*



to the said Easement PROVIDED HOWEVER that such soil roading paving metalling and fencing which is so removed shall be restored as nearly as possible to its original condition and that any other damage done by reason of the said maintenance is repaired and that as little disturbance as possible is caused to the surface of the land and to the enjoyment of the said tenements by the registered proprietors or occupiers.

- (f) Where the maintenance work which is required to be carried out in terms of these presents involves the total or partial replacement of any piping or cables this work shall be deemed to be maintenance work which may be carried out in accordance with these presents.

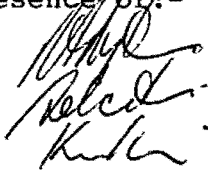
A handwritten signature in cursive script, appearing to be 'M. S.', located at the bottom left of the page.

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

See attached

Dated this 3rd day of February 1993

SIGNED by the said  
CHRISTOPHER EDWIN BOOTH  
in the presence of:-




SIGNED by the said  
JOHN DUNCAN BOOTH  
in the presence of:-



Deana Collins J.P.  
Civil Servant  
218 Evans Bay Parade  
Wellington

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_

Signed by the above-named  
ROBIN STANTON BOOTH

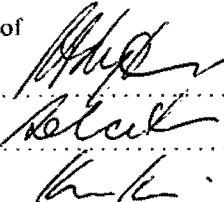


in the presence of


Witness .....

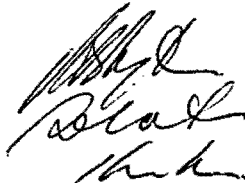
Occupation .....

Address .....



SIGNED by the said  
WEBBER EDRIC BOOTH  
in the presence of:-

W.E. Booth by his  
attorney 



# EASEMENT CERTIFICATE

(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

Correct for the purposes of the Land Transfer Act

THE WITHIN EASEMENTS WHEN CREATED WILL BE SUBJECT TO SECTION 309 (1) (2) LOCAL GOVERNMENT ACT 1974

*[Signature]*  
Solicitor for the registered proprietor

A-L-R.

LAW NORTH PARTNERS  
SOLICITORS  
KERIKERI

1144 24.MAR93 C 4649125  
PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY AUCKLAND  
ASST. LAND REGIS  
827/56  
DISTRICT LAW SOCIETY  
AUCKLAND  
NEW ZEALAND



## EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

~~We~~ ROBIN STANTON BOOTH, WEBBER EDRIC BOOTH, JOHN DUNCAN BOOTH and CHRISTOPHER EDWIN BOOTH

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland

on the \_\_\_\_\_ day of \_\_\_\_\_ under No. 203232  
are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

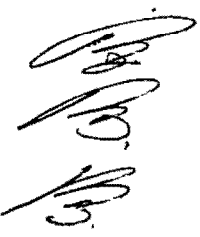
### SCHEDULE DEPOSITED PLAN NO. 203232

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way ✓	LOT 2 hereon	(A, B, C, D & F)	Lots <del>1</del> and 3 ✓ Deposited Plan 138621 3 DP.138621	131A/417 82A/567 82A/569
Right to Transmit Electricity Telecommunications and Water Supply	Lot 2 hereon	A & B	Lot 3 Deposited Plan 138621	131A/417 82A/569
Right to convey Water	Lot 2 hereon	F & G	Lot 1 Deposited Plan 138621 ✓	131A/417 82A/567

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

- (a) In addition the rights and powers and implied covenants of the Ninth Schedule of the Property Law Act 1952 shall apply
- (b) Right to Convey Water:  
The rights and powers under the right to convey water shall be the same rights and powers as those set out in Clauses 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952.
- (c) See attached for Telecommunications and Electricity

A handwritten signature in cursive script, appearing to be 'P. J. C.', located in the bottom left corner of the page.

**RIGHTS AND POWERS**

That in respect of the Telecommunications and Electricity Easements referred to in the Schedule hereto, the rights and powers applicable thereto are:

- (a) The full free uninterrupted and unrestricted right liberty and privilege for the occupier and registered proprietor for the time being of the dominant tenement from time to time and at all times to take convey and lead electrical current or any other mode of transmitting telecommunications in a free and unimpeded flow (except where the flow is halted for any reasonable period necessary for essential repairs) for the purposes of telecommunications under or across the land over which the Easement is created and to erect, lay and maintain poles and cables for such purpose.
  
- (b) The full free uninterrupted and unrestricted right liberty and privilege for the occupier and registered proprietor for the time being of the dominant tenement from time to time and at all times to take convey and lead electricity in a free and unimpeded flow (except where the flow is halted for any reasonable period necessary for essential repairs) under or across the land over which the Easement is created and to erect, lay and maintain poles and cables for such purpose.




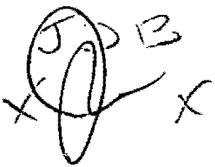
B  
B  
B

FDIA  
X X  
Initials

**TERMS CONDITIONS COVENANTS OR RESTRICTIONS IN RESPECT OF ABOVE EASEMENTS:**

That in respect of the Electricity and Telecommunications Easements (hereinafter called "the Easements") referred to in the Schedule hereto the terms conditions covenants or restrictions applicable thereto are as follows:-

- (a) All cables placed within or such poles and cable erected upon the servient tenements shall be maintained and as required repaired to a good and serviceable condition by the registered proprietors for the time being of the dominant tenements.
- (b) All the costs and expenses of and incidental to the repairing and maintaining of the Easements herein specified shall be borne by the registered proprietor for the time being of the dominant tenements.
- (c) Any person wishing to carry out any work whatsoever on the Easements herein specified shall first give to the registered proprietor of the servient tenement thereof notice of such intention and of the nature and expense of the said work prior to any such work being commenced.
- (d) Any person carrying out any work whatsoever on the Easements herein specified shall take all reasonable and proper action and care to interfere as little as possible with the comfort and convenience of the occupier or occupiers for the time being of the dominant and servient tenements and shall carry out such work or cause the same to be carried out with the utmost expedition and in a prudent manner and in particular shall during the course of such work:
  - (i) Shore up or cause to be shored up in a proper safe and workmanlike manner any part of the dominant or servient tenement affected thereby.
  - (ii) Take all reasonable and proper steps to preserve the said tenements and all parts thereof and all property and goods thereon from damage.
- (e) Subject to the other terms and conditions covenants and restrictions contained in these presents any person carrying out any work as aforesaid shall have the right to enter and to bring machinery and workmen on to any part of the dominant or servient tenement as shall be necessary for the purposes of carrying out maintenance on the Easements referred to herein and shall have the right to remove all soil roading paving metalling fencing and all other things as shall be reasonably necessary to give unimpeded access to the said Easement PROVIDED HOWEVER that such soil roading paving metalling and fencing which is so removed shall be restored as nearly as possible to its original condition and that any other damage done by reason of the said maintenance is repaired and that as little disturbance as possible is caused to the surface of the land and to the enjoyment of the said tenements by the registered proprietors or occupiers.
- (f) Where the maintenance work which is required to be carried out in terms of these presents involves the total or partial replacement of any cables this work shall be deemed to be maintenance work which may be carried out in accordance with these presents.

**CERTIFICATE OF NON-REVOCATION**

**OF**

**POWER OF ATTORNEY**

**POWER OF ATTORNEY DATED:**

**LAND TRANSFER OFFICE LODGEMENT NUMBER:**

( NORTH AUCKLAND REGISTRY)

**DONOR:** WEBBER EDRIC BOOTH

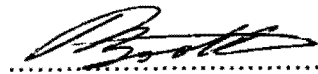
**ATTORNEY (DONEE):** ROBIN STANTON BOOTH

**INSTRUMENT EXECUTED PURSUANT THERETO:** EASEMENT CERTIFICATE

The Donee hereby certifies:

1. **THAT** by the abovementioned Deed the Donor appointed me Attorney on the terms and conditions set out therein.
2. **THAT** at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said Donor or otherwise.
3. **THAT** I have executed the Instrument referred to above, and annexed hereto, on the date hereof and pursuant to the power granted me in the said Deed.

**DATED** at *Kerikeri* this *24<sup>th</sup>* day *August* 2000



(Donee)



I, **ROBIN STANTON BOOTH** of Kerikeri, nurseryman solemnly and sincerely declare as follows:

1. That by enduring power of attorney dated the 24 day of August 2000 **CHRISTOPHER EDWIN BOOTH** of Kerikeri, Sculptor appointed me his attorney on the terms and subject to the conditions set out in the said power of attorney.
2. That at the date hereof I have not received any notice or information of the revocation of that appointment by the death of the said **CHRISTOPHER EDWIN BOOTH** or otherwise.
3. That the said power of attorney is in all respects in force at the date hereof by virtue of its terms and the provisions of Part IX of the Protection of Personal and Property Rights Act 1988.
4. That I am authorised by the enduring power of attorney to execute the annexed instrument.
5. That the annexed instrument complies with all conditions and restrictions set out in the said power of attorney.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

DECLARED at KERIKERI )  
this 24 day of August 2000) )  
before me:- )




A Solicitor of the High Court of New Zealand

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

- (a) In addition the rights and powers and implied covenants of the Ninth Schedule of the Property Law Act 1952 shall apply
- (b) Right to Convey Water:  
The rights and powers under the right to convey water shall be the same rights and powers as those set out in Clauses 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952.
- (c) See attached for Telecommunications and Electricity


SIGNED by the abovenamed  
CHRISTOPHER EDWIN BOOTH  
by his Attorney  
ROBIN STANTON BOOTH  
in the presence of:

  
RICHARD ADRIAN AYTON  
SOLICITOR  
KERIKERI

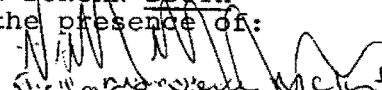
.. C E Booth by  
his attorney  


SIGNED by the abovenamed  
WEBBER EDRIC BOOTH  
by his Attorney  
ROBIN STANTON BOOTH  
in the presence of:

  
RICHARD ADRIAN AYTON  
SOLICITOR  
KERIKERI

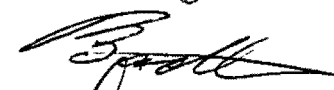
.. W E Booth by  
his attorney  


SIGNED by the abovenamed  
JOHN DUNCAN BOOTH  
in the presence of:

  
Richard Stanton Booth  
Travel Administrator  
13. Salek St, Kilbirnie, W 3rd

Dated this 24th day of August 2000

Signed by the above-named  
ROBIN STANTON BOOTH



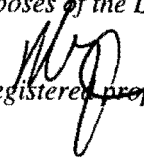
in the presence of

Witness .....

Occupation .... RICHARD ADRIAN AYTON ..

Address ..... SOLICITOR  
KERIKERI .....

Correct for the purposes of the Land Transfer Act 1952

(Solicitor for) the registered proprietor:  


Approved by Registrar-General  
of Land under No. 1998/6031

# EASEMENT CERTIFICATE

Land Transfer Act 1952

~~PRODUCED  
ENTERED~~

PARTICULARS ENTERED IN REGISTER  
LAND REGISTER NORTH ISLAND  
for REGISTRATION OF INSTRUMENT

9.00 07.NOV00 D 5553771.8

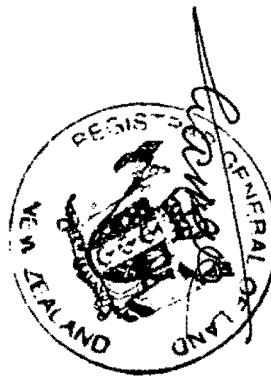
TRUE COPY

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⊕

Law Firm Acting
LAW NORTH PARTNERS SOLICITORS <u>KERIKERI</u>

Auckland District Law Society  
REF: 4050



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

Archaeological Assessment of Effects:  
2 Peacock Garden Drive, Kerikeri  
25 Feb 2025

---

Commissioned by: Aida Booth

Prepared By: Georgia Kerby  
Geometria  
PO Box 34-487  
Birkenhead  
Auckland 0746

**Geometria**

## **Executive Summary**

Geometria was engaged by Aida Booth to undertake an archaeological assessment of effects for a proposed subdivision of Lot 2 DP 203232 (2 Peacock Garden Drive, Kerikeri). No archaeological sites or features have been identified on the property. There are also no scheduled or listed historic places on the property. An archaeological authority (consent) is not required.

However, the property is located within the Kerikeri Basin, a Far North District Council Heritage Precinct and is just over 200m from the Kerikeri Basin Historic Area which is number 7000 on the New Zealand Heritage List. The wider area has pre-, proto-, and historical interest for Kerikeri's heritage and accidental finds are always possible. Therefore, it is recommended that an accidental discovery protocol be followed during the property development as outlined in the conclusion of this report.

**Quality Information**

Document: Archaeological Assessment of Effects: 2 Peacock Garden Road, Kerikeri  
Ref: 2025-406  
Date: 25 February 2025  
Prepared by: Georgia Kerby

**Revision History**

Revision	Revision Date	Details	Authorized Name
Final	25 February 2025	Issued	J. Carpenter

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File ref.: 2025-406\_2 Peacock Garden Drive\_Archaeological\_Assessment\_of\_Effects

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## 1.0 Introduction

Geometria was commissioned by Aida Booth to carry out an assessment of archaeological effects for a proposed subdivision of Lot 2 DP 203232 (2 Peacock Garden Drive, Kerikeri), into Lots 1-6 including the building of two dwellings and associated accessways and wastewater systems (Figure 1).

Currently, the site has been developed with three houses and at least two sheds with surrounding garden and orchard, areas of native and exotic planting and a large man-made pond and several piles of rock and/or rubble. A proposal has been provided by Donaldsons Surveyors showing the proposed Lot designations, locations of the two proposed houses and existing accessways and easements (Figure 2). The two proposed houses will be sited at higher elevations at the western edges of Lot 2 and Lot 3.

This assessment uses archaeological techniques to assess archaeological values and does not seek to locate or identify wahi tapu or other places of cultural or spiritual significance to Māori. Such assessments may only be made by Tangata Whenua, who may be approached independently of this report for advice.

Likewise, such an assessment by Tangata Whenua does not constitute an archaeological assessment. Permission to undertake ground disturbing activity on and around archaeological sites and features may only be provided by Heritage New Zealand Pouhere Taonga (HNZPT), and may only be monitored or investigated by a qualified archaeologist approved through the archaeological authority process.

### 1.1 The Heritage New Zealand Pouhere Taonga Act 2014

Under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA; previously the Historic Places Act 1993) all archaeological sites are protected from any modification, damage or destruction except by the authority of the Historic Places Trust. Section 6 of the HNZPTA defines an archaeological site as:

*" any place in New Zealand, including any building or structure (or part of a building or structure), that—*

*(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and*

*(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and*

*(b) includes a site for which a declaration is made under section 43(1)"*

To be protected under the HNZPTA an archaeological site must have physical remains that pre-date 1900 and that can be investigated by scientific archaeological techniques. Sites from 1900 or post-1900 can be declared archaeological under section 43(1) of the Act.

If a development is likely to impact on an archaeological site, an authority to modify or destroy this site can be sought from the local Heritage New Zealand Pouhere Taonga office under section 44 of the Act. Where damage or destruction of archaeological sites is to occur Heritage New Zealand usually requires mitigation. Penalties for modifying a site without an authority include fines of up to \$300,000 for destruction of a site.

Most archaeological evidence consists of sub-surface remains and is often not visible on the ground. Indications of an archaeological site are often very subtle and hard to distinguish on the ground surface. Sub-surface excavations on a suspected archaeological site can only take place with an authority issued under Section 56 of the HNZPTA issued by the Heritage New Zealand.

### 1.2 The Resource Management Act 1991.

Archaeological sites and other historic heritage may also be considered under the Resource Management Act 1991 (RMA). The RMA establishes (under Part 2) in the Act's purpose (Section 5) the matters of national importance (Section 6), and other matters (Section 7) and all decisions by a Council are subject to these provisions. Sections

6e and 6f identify historic heritage (which includes archaeological sites) and Māori heritage as matters of national importance.

Councils have a responsibility to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga (Section 6e). Councils also have the statutory responsibility to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development within the context of sustainable management (Section 6f). Responsibilities for managing adverse effects on heritage arise as part of policy and plan preparation and the resource consent processes.

## 2.0 Location

The subject property is Lot 2 DP 203232 which is 2.2706 ha in size and sits approximately 30m above sea level. The local geology consists of Waipapa Group greywacke below Kerikeri volcanic lava flows (Conning and Miller 1999). The property sits on the eastern edge of a spur just north of Kerikeri Road and is comprised of a slope down from Peacock Garden Drive to a flattish plateau that gently slopes down to Waipekakoura/Kerikeri. A manmade pond sits at the southeastern edge of the boundary and is shared with the neighbouring property.

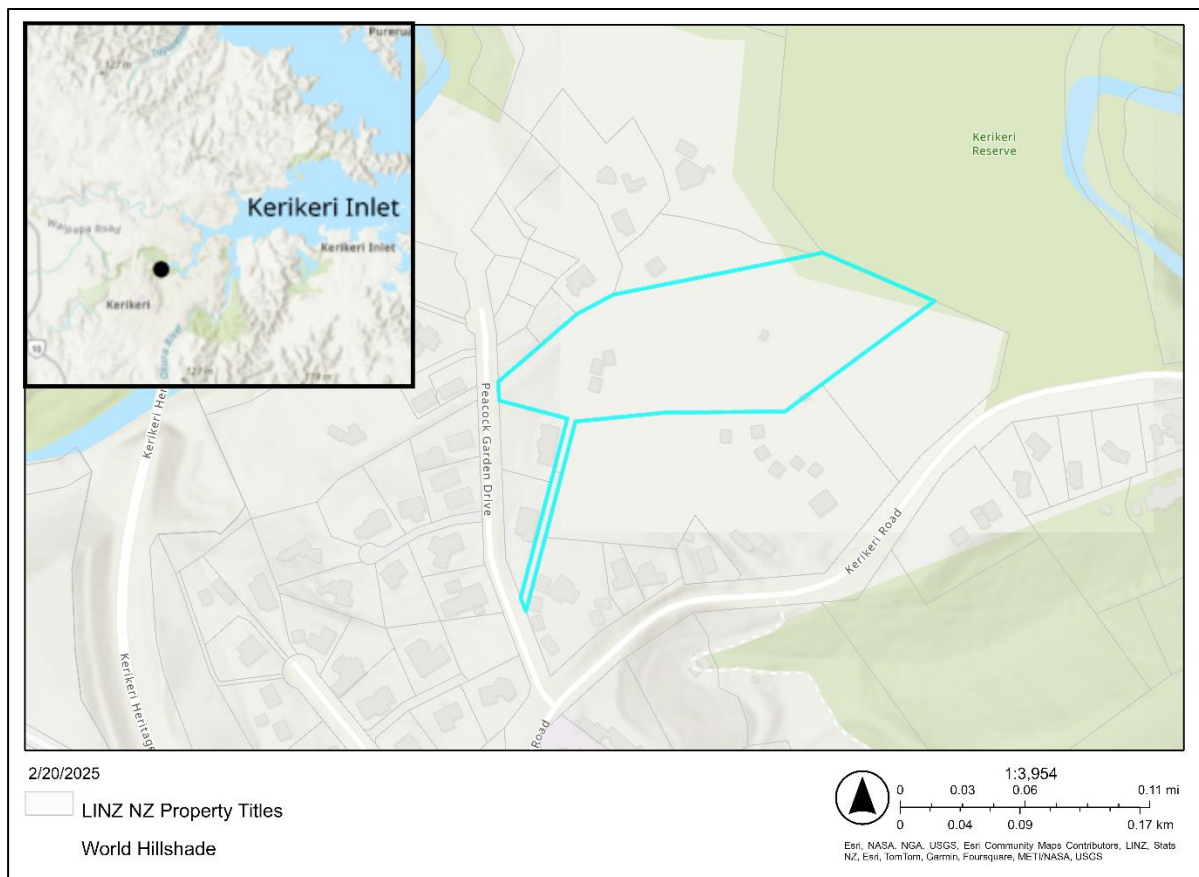


Figure 1. Location of 2 Peacock Garden Drive, Kerikeri, Northland. Subject property is outlined in blue.

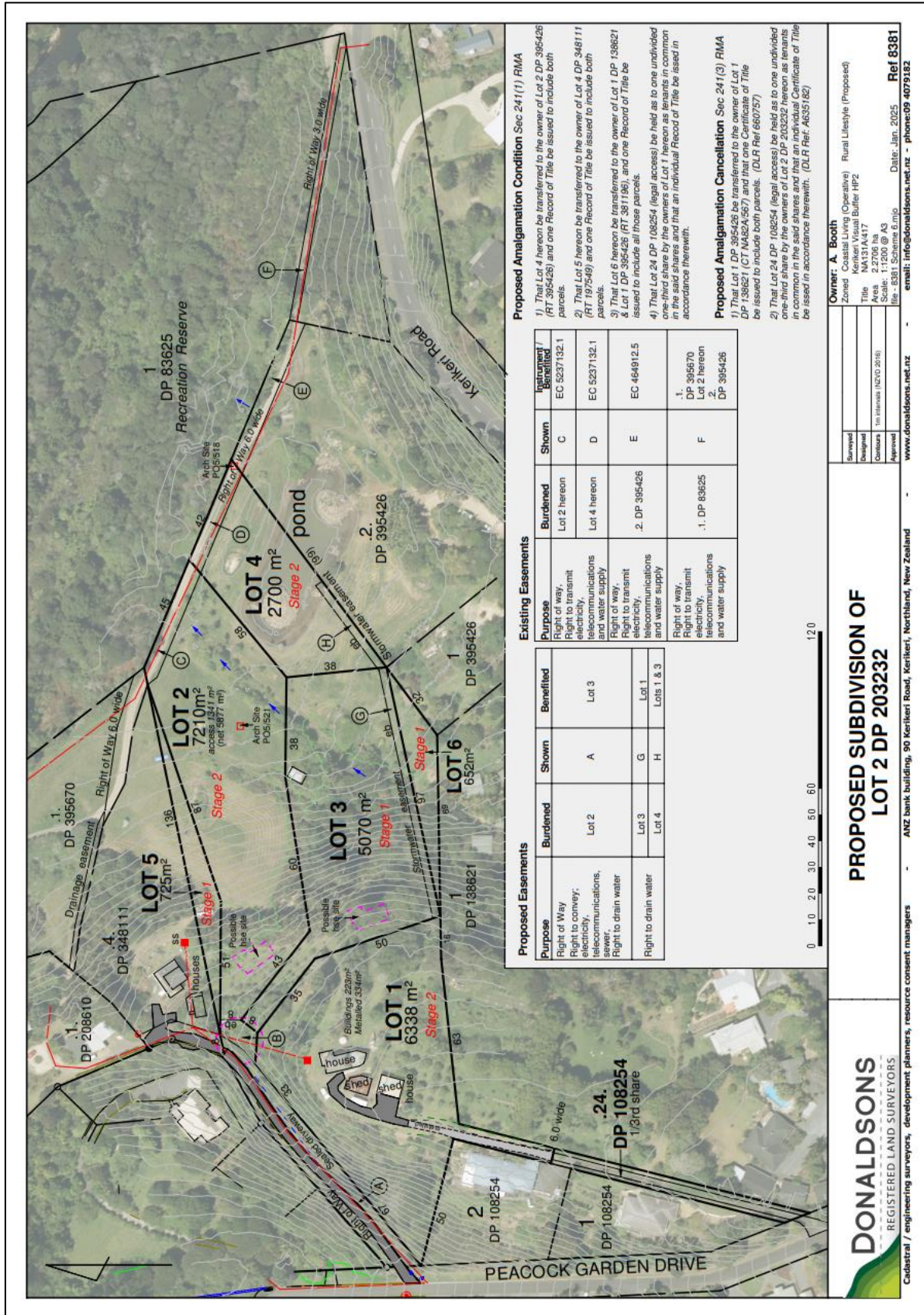


Figure 2. Subdivision proposal. Donaldsons.

**Proposed Amalgamation Condition Sec 241(1) RMA**

- 1) That Lot 4 hereon be transferred to the owner of Lot 2 DP 395426 (RT 395426) and one Record of Title be issued to include both parcels.
- 2) That Lot 5 hereon be transferred to the owner of Lot 4 DP 348111 (RT 197549) and one Record of Title be issued to include both parcels.
- 3) That Lot 6 hereon be transferred to the owner of Lot 1 DP 138621 & Lot 1 DP 395426 (RT 381186), and one Record of Title be issued to include all those parcels.
- 4) That Lot 24 DP 108254 (legal access) be held as to one undivided one-third share by the owners of Lot 1 hereon as tenants in common in the said shares and that an individual Record of Title be issued in accordance therewith.

**Proposed Amalgamation Cancellation Sec 241(3) RMA**

- 1) That Lot 1 DP 395426 be transferred to the owner of Lot 1 DP 138621 (CT NA62A367) and that one Certificate of Title be issued to include both parcels. (DLR Ref 660757)
- 2) That Lot 24 DP 108254 (legal access) be held as to one undivided one-third share by the owners of Lot 2 DP 203232 hereon as tenants in common in the said shares and that an individual Certificate of Title be issued in accordance therewith. (DLR Ref. A635182)

Proposed Easements	Existing Easements																																				
<table border="1"> <tr> <th>Purpose</th> <th>Burdened</th> <th>Shown</th> <th>Benefited</th> </tr> <tr> <td>Right of way, Right to transmit electricity, telecommunications and water supply</td> <td>Lot 2 hereon</td> <td>C</td> <td>Lot 3</td> </tr> <tr> <td>Right of way, Right to transmit electricity, telecommunications and water supply</td> <td>Lot 4 hereon</td> <td>D</td> <td>Lot 1</td> </tr> <tr> <td>Right of way, Right to transmit electricity, telecommunications and water supply</td> <td>2. DP 395426</td> <td>E</td> <td>Lots 1 &amp; 3</td> </tr> <tr> <td>Right of way, Right to transmit electricity, telecommunications and water supply</td> <td>1. DP 83625</td> <td>F</td> <td></td> </tr> </table>	Purpose	Burdened	Shown	Benefited	Right of way, Right to transmit electricity, telecommunications and water supply	Lot 2 hereon	C	Lot 3	Right of way, Right to transmit electricity, telecommunications and water supply	Lot 4 hereon	D	Lot 1	Right of way, Right to transmit electricity, telecommunications and water supply	2. DP 395426	E	Lots 1 & 3	Right of way, Right to transmit electricity, telecommunications and water supply	1. DP 83625	F		<table border="1"> <tr> <th>Purpose</th> <th>Burdened</th> <th>Shown</th> <th>Benefited</th> </tr> <tr> <td>Right of way, Right to transmit electricity, telecommunications and water supply</td> <td>Lot 4 hereon</td> <td>A</td> <td>Lot 1</td> </tr> <tr> <td>Right of way, Right to transmit electricity, telecommunications and water supply</td> <td>2. DP 395426</td> <td>G</td> <td>Lot 1</td> </tr> <tr> <td>Right of way, Right to transmit electricity, telecommunications and water supply</td> <td>1. DP 83625</td> <td>H</td> <td>Lots 1 &amp; 3</td> </tr> </table>	Purpose	Burdened	Shown	Benefited	Right of way, Right to transmit electricity, telecommunications and water supply	Lot 4 hereon	A	Lot 1	Right of way, Right to transmit electricity, telecommunications and water supply	2. DP 395426	G	Lot 1	Right of way, Right to transmit electricity, telecommunications and water supply	1. DP 83625	H	Lots 1 & 3
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**Proposed Amalgamation Condition Sec 241(1) RMA**

- 1) That Lot 4 hereon be transferred to the owner of Lot 2 DP 395426 (RT 395426) and one Record of Title be issued to include both parcels.
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**Proposed Amalgamation Cancellation Sec 241(3) RMA**

- 1) That Lot 1 DP 395426 be transferred to the owner of Lot 1 DP 138621 (CT NA62A367) and that one Certificate of Title be issued to include both parcels. (DLR Ref 660757)
- 2) That Lot 24 DP 108254 (legal access) be held as to one undivided one-third share by the owners of Lot 2 DP 203232 hereon as tenants in common in the said shares and that an individual Certificate of Title be issued in accordance therewith. (DLR Ref. A635182)

**PROPOSED SUBDIVISION OF LOT 2 DP 203232**

ANZ bank building, 90 Kerikeri Road, Kerikeri, Northland, New Zealand

**DONALDSONS**  
REGISTERED LAND SURVEYORS

Cadastral / engineering surveyors, development planners, resource consent managers

www.donaldsons.net.nz

Date: Jan. 2025  
Ref 8381  
phone: 09 4079182

Owner: **A. Booth**  
Zoned: Coastal Living (Operative)  
Title: Kerikeri Visual Buffer HP2  
Area: 2,2706 ha  
Scale: 1:1200 @ A3  
File: E381 Scheme 6.mpl

Surveyed: \_\_\_\_\_  
Designed: \_\_\_\_\_  
Consent: (in intervals 12/10/2016)  
Approved: \_\_\_\_\_

### 3.0 Proposed Development

The proposed subdivision is of Lot 2 DP 203232 (2 Peacock Garden Drive, Kerikeri), into Lots 1-6 with two identified future house sites on Lots 2 and 3 and existing buildings contained within Lots 1 and 5. Lots 4 and 6 will be transferred to neighbouring properties. The subdivision scheme plan also identifies an improved accessway and associated wastewater systems (Figure 2). The two proposed houses will be sited at higher elevations at the western edges of Lot 2 and Lot 3, near to the existing houses and gardens. Ground disturbing activities will be associated with preparation of the building platforms, foundations, the improvement of the access/entranceway plus excavation for wastewater systems and further shallow alteration for possible future gardens.

### 4.0 Methodology

The methods used to assess the presence and state of archaeological remains on the property included both a desktop review and field survey. The desktop review involved an investigation of written records relating to the history of the property. These included regional archaeological publications and unpublished reports, New Zealand Archaeological Association Site Record Files (NZAA SRF) downloaded via the ArchSite website, and land plans held at Land Information New Zealand. The field survey involved walking over the property, with particular attention paid to bare ground, pond and drain banks, eroded areas and other places where surface visibility was good and/or subsurface deposits were exposed. Probing and spade test pitting were not undertaken owing to the thick vegetation and shallowness of the topsoil where the surface was visible.

### 5.0 Historical and Archaeological Contexts

#### 5.1 Historical Background

The subject property is located at the western side of Kerikeri Inlet in a coastal area of high archaeological interest, positioned within the Kerikeri Basin which is one of the Far North District Council's Heritage Precincts (Far North District Council 2019).

##### 5.1.1 Prehistoric Settlement

Radiocarbon dating would suggest that the Bay of Islands was settled by the ancestral Polynesians of the Māori as early as anywhere else in New Zealand, around the middle of the 12th century (an early site on Moturua Island dates to the early 13th century). There have been few archaeological excavations in the Kerikeri-Waipapa area (mainly focussing around the Kerikeri Basin/Mission sites) and nothing from the earliest or "archaic" period. Despite a number of archaeological features being excavated in the course of the Kerikeri Heritage Bypass project just to the west of the subject property, including water-logged wooden artefacts and the production of a radiocarbon date, these finds have not been recorded on the ArchSite database, and no archaeological report on the results of monitoring has been prepared for the Heritage Bypass project due to a dispute over custody of the finds between different hapu. Johnson (2009) refers to hangi and waterlogged wooden artefact finds from a swampy area at the southern end of the Bypass, with a 17th century radiocarbon date. Another radiocarbon date for the area was taken on a sample of midden from Rangitāne Pā on the north side of the Kerikeri Inlet. This date suggests that the site was intensively occupied by the early 17th century. Similar 18<sup>th</sup> century dates have also been returned for two other sites on the northern side of the inlet at Skudders Road and Rearview Road (Judge et.al. 2021)

##### 5.1.2 Traditional History

The first named inhabitants of the land around Kerikeri and Waipapa were Ngāti Awa and Ngāti Miru, whose lands extended from Te Waimate to the south to Rangitāne to the north, and out to the coast, including Kerikeri itself. Around 1770 escalating competition over the rich lands of the Taiamai Plains and the fishing grounds of the northern Bay of Islands lead to attacks on Ngāti Miru and their whanaunga Ngā Wahineiti, by hapu of Ngā Puhi. Little is known of Ngāti Miru, largely due to the loss of their lands and subsequent dispersal, their whakapapa and mana being eclipsed by Ngā Puhi. It is known that although they were related to Ngā Puhi, Ngāti Miru and Te Wahineiti did not trace their descent from Rahiri but from Tamakitera and the eponymous ancestor Wahineiti. They were displaced as a result of a series of battles at Kerikeri and Te Waimate, by Ngā Puhi.



### 5.1.3 The Arrival of the Europeans and the Missionary Period

In the intervening years between the Ngā Puhi conquest of the land around Kerikeri, and the arrival of the Anglican missionaries in 1819, Kororipo had become an important location, commanding the main route between the Bay of Islands and the interior, and in particular the large pā Okuratope near Waimate, which had also been taken from Ngāti Miru. Ngāi Tawake under Hongi Hika and Rewa came to occupy Kororipo and another hapu Ngāto Rehia occupied the northern side of the Kerikeri Inlet from Rangitane to Takou Bay. Hongi Hika's father Te Hotete lived at Kororipo in the 1790s, and his son would go on to build a European-style house on the summit in 1824 (although at the time the mission was established, the place was unfortified). The other major settlements in the area were up the Wairoa Stream and Okura River, east of Kerikeri-Kororipo. The village of Okouto is recorded on several maps and plans at the time, being located approximately three kilometres up the Wairoa Stream. At Okura, Perekiko and Te Morenga of the Urikapana/Ngare Hauata hapū had their kainga. Rivals of Hongi, Rewa and Ngāi Tawake, they were jealous of the prestige acquired by having the mission settlement established at Kerikeri and this led to a raid on Nga Tawake and the burning of their war canoes. Marsden settled the dispute by promising Urikapana their own mission, and installed the young James Shepherd at Perekiko's village. Te Morenga became a close friend of Marsden and latter accompanied him on his sojourns to Waitemata, the Bay of Plenty, Kaipara and Whangarei.

When Samuel Marsden arrived on-leave from Port Jackson with the aim of finding a more suitable location for New Zealand's second mission settlement, Kerikeri seemed perfect. Rangihoua, where he preached New Zealand's first sermon in 1814 was proving unsuitable to the purpose, being too exposed and away from Hongi's increasingly important powerbase. Hongi made a grant of 13,000 acres to the missionaries in exchange for 48 axes, although a substantially smaller claim was latter made by the CMS. The new arrivals who came over with Marsden included the Rev. John Butler, Francis Hall, and James Kemp. Work soon began on the development of the mission station. Hongi Hika and his people left Kerikeri to live at Whangaroa at the end of 1826 and Hongi Hika, after being wounded in battle there in early 1827, died in 1828.

In 1830, Rewa and his people also moved away from Kerikeri to live at Kororareka-Russell which was becoming the centre of Māori/European interaction, and Kororipo was deserted. Rewa sold seven acres including the pā to James Kemp in 1831 to be part of his farm and in 1838 the remaining six acres were sold by two sons of Hongi Hika, Hongi and Puru, also to James Kemp. These lots are visible in the 1856 plans SO 1202 (Figure 3) and SO 1210 (Figure 4). The Kerikeri Road was finished in 1830 but a cut to reduce the hill slope was added in 1837 (Best 2003), which is probably why there are two bends in the road in this 1856 plan. It is possible that the west loop of Kerikeri Road ran through the corner of the subject property.

Aerial images from the 1950s show modern gardens, paths and ploughed and planted horticultural plots on the subject property (Figure 5). Satellite imagery from Google Earth show the continuation of gardens and orchards as well as the manmade pond outline by 2003, then two large stone piles in the 'pond' in 2016 (Figure 6).

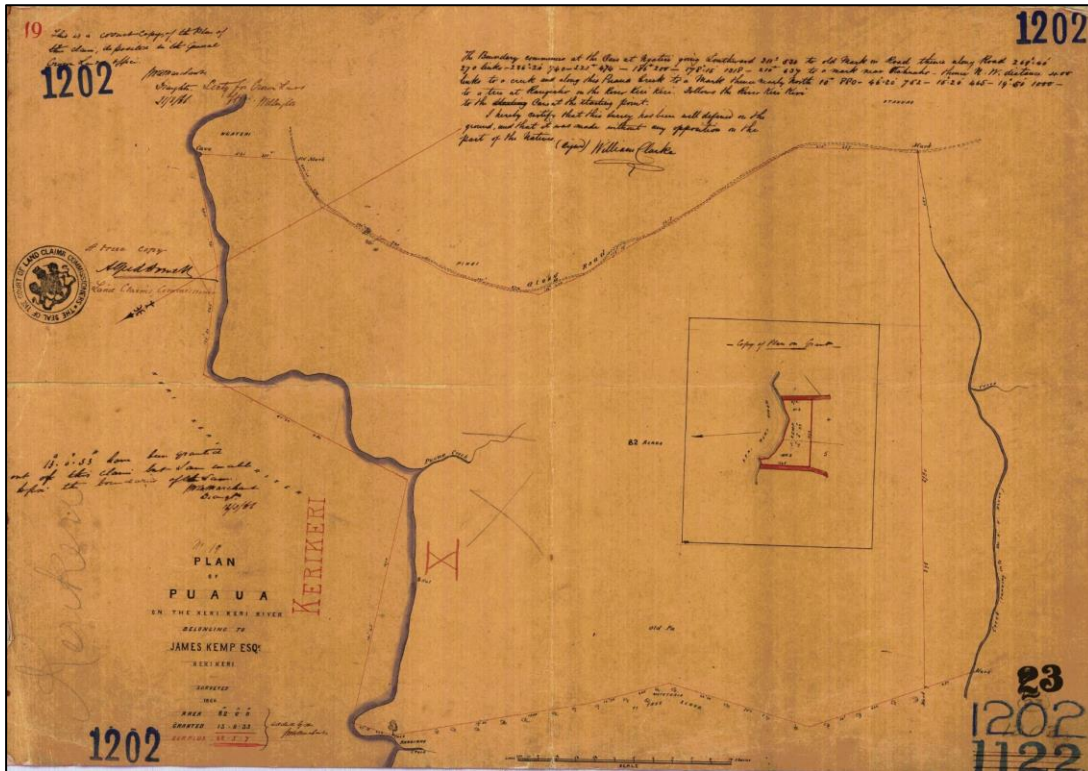


Figure 3. Plan SO 1202 surveyed in 1856 showing Puaua, James Kemp's 1838 land purchase on the edge of Kerikeri River. Kerikeri Road marked out at bottom.

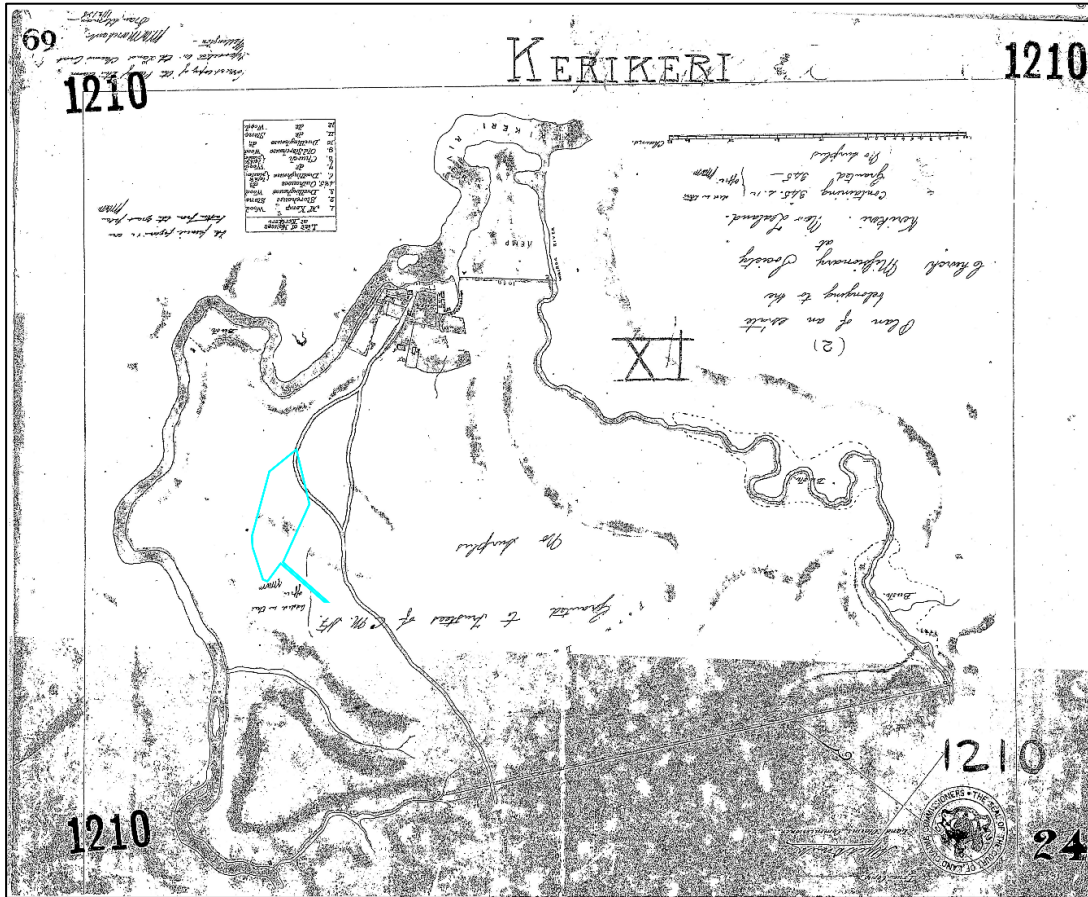


Figure 4. Plan SO 1210 showing land belonging to the Church Missionary Society near Kerikeri River, 1856? Subject property is outlined in blue.





Figure 5. Aerial image from 1953 (SN209 Run 542 Photo 103, 23/10/1953, Retrolens) with subject property outlined in blue.



Figure 6. Satellite imagery of subject property from 2016 (Google Earth).

## 5.2 Archaeological Context

The subject property is located at the southwestern side of the Kerikeri River mouth in an area of national archaeological interest, positioned within the Kerikeri Basin which is one of the Far North District Council's Heritage Precincts (Far North District Council 2019) and contains some of the earliest historic sites in New Zealand.

Prehistoric archaeological sites tend to be located on the coast and along the tributaries of the Kerikeri Inlet, and on the ridges and minor descending spurs above them. Later historic period archaeological sites tend to be

clustered around the Kerikeri Basin and associated with the mission station or are homesteads and related features associated with the early land purchases and settlement in the area.

These sites have been recorded through several large-scale reconnaissance surveys and a larger number of survey and assessments arising out of resource consent applications and subsequent requirements to assess effects on archaeological sites. The first formal site recording began in the early 1970s and in 1976, T. D. and J. Nugent undertook a four-week archaeological survey for the Historic Places Trust, of the land between Wairoa Bay and Pihoe on the southern side of the Kerikeri Inlet (Leahy and Walsh 1976; Nugent and Nugent 1976). This area contained a very high density of archaeological sites, with 150 mostly prehistoric Māori sites being recorded, concentrated around the shoreline (very few sites were recorded inland or south of Day's Point). In the report, the Nugent's noted the increasing pressure on archaeological sites from farm and forestry-related land development, noting that while the large and obvious sites were generally recognised and avoided by landowners, less obvious sites such as midden and gardening sites were poorly understood and protected. They noted that large areas under scrub were not investigated and could contain unrecorded sites. They recommended that the entire inlet be surveyed but this never eventuated.

Sporadic site recording occurred throughout the 1980s with more than seventy sites around the Kerikeri Basin and on the northern and southern shores of the inlet to the east. Sites around the basin were recorded by Historic Places Trust and later DOC archaeologists as part of their management of historic properties in that area, and other sites were recorded on an ad-hoc basis by professional and amateur archaeologists as they were encountered. A second major reconnaissance-level site survey occurred in 1984 when G. Nevin recorded sites on the coastal margins from Te Tii on the Purerua Peninsula on the northern side of the harbour, to Tapeka Point near Russell for the Northland Harbour Board (Nevin 1984). In the late 1990s and into the 2000s, as the RMA and Historic Places Act bedded into local planning processes, and in particular from 2003 with the RMA Amendment Act, archaeological survey and assessments for developments as part of the resource consent process increased and site recording did likewise. Archaeological survey reports specifically focused on the Kerikeri Basin include Rountree (1983), Challis (1986) and Best (2003). These reports provide good backgrounds to previous recording, management and investigation of the Basin.

A review of ArchSite, the national database of recorded archaeological sites, managed by the New Zealand Archaeological Association (NZAA) has identified two recorded archaeological sites within 150m of the subject property including one (P05/518) recorded on the northeastern corner of the property (Figure 7, Table 1, Appendix A). These sites consist of a well (P05/518) and a quarry (P05/521), both associated with historic occupation of the area, and upon consideration of their site records (Appendix A), neither are actually located on the subject property. Best (2003) notes that the quarry was used as a source of road metal material for the creation of the Kerikeri Road in 1830 and possibly was still in use in 1837 while an extra cutting was made to the road.

Table 1. Recorded archaeological sites within 150m of 190a Kerikeri Road, Kerikeri

Site Number	NZTM Coordinates	Type	Description
P05/518	E 1687155 N 6102484	Well	"A stone lined structure in the swamp in the centre of the reserve..."
P05/521	E 1687055 N 6102484	Quarry	"A stone quarry 30 x 20m in the southern part of the reserve..."

Other sites at greater than 150m distance from the property include primarily historic features such as house sites, dry stone walls, but also midden, terraces and pits.



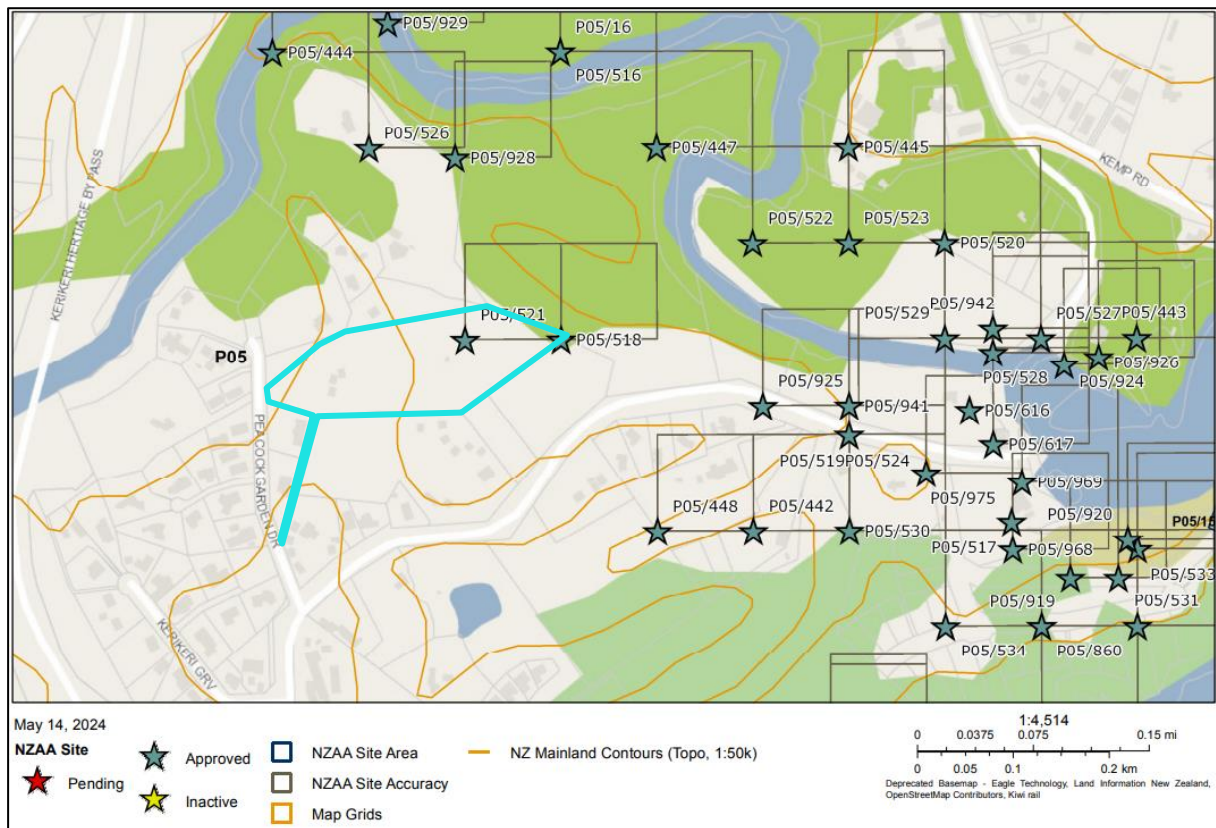


Figure 7. Recorded archaeological sites near 2 Peacock Garden Drive from Archsite, the NZAA national database of sites. Subject property is outlined in blue.

### 5.2.1 Previous Archaeological Work

No previous archaeological assessment or investigation has been undertaken on the property.

### 5.3 Other Heritage Sites and Features

The Far North District Plan, the New Zealand Heritage List/Rārangī Kōrero, historic and modern aerial imagery, and land plans were consulted to determine whether there were any scheduled or registered historic places on or in the vicinity of the subject property. There is no indication of other archaeological sites or features on the property itself based on those sources. However, there are several significant heritage sites nearby including those within the Kerikeri Basin Historic Area (Heritage List No. 7000) which are the Stone Store, Kerikeri Mission House, Kororipo and St James’ Church. These sites each have independent numbers on the NZ Heritage List and are all Historic Place Category 1, except Kororipo which is a Wahi Tapu Area.

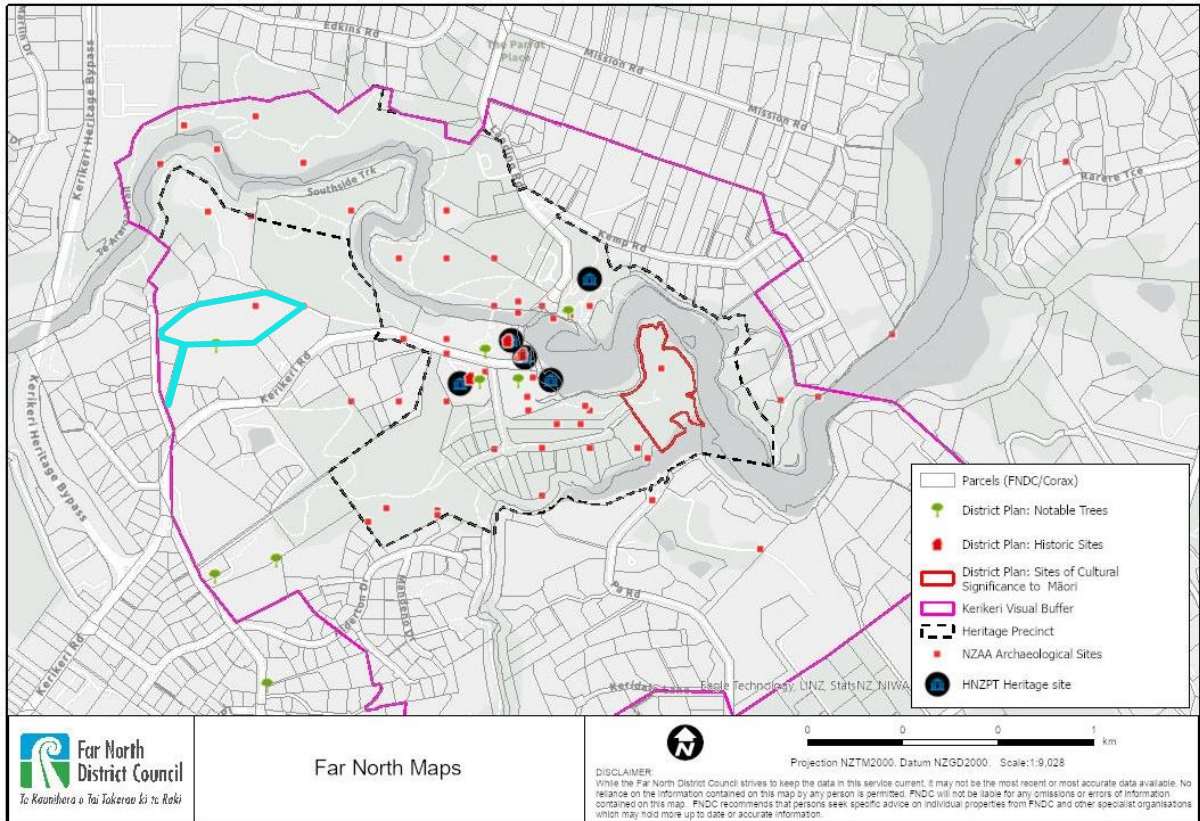


Figure 8: Kerikeri Basin Heritage Precinct, with subject property outlined in blue.

### 6.0 Site Inspection

Georgia Kerby of Geometria visited the subject property on 20 February 2025 and carried out a site survey. The property was accessed via a partly sealed, partly metalled driveway to the existing dwelling at 2 Peacock Garden Drive and the property was mostly accessible by foot except for some areas of thick vegetation. Cleared pathways navigated between areas of maintained garden around the houses (Figures 9-11), and between these were overgrown orchards and areas of native and exotic shrub including bamboo shelter belts (Figure 12). The flat area north of the pond was clearer and covered mostly in short grass (Figure 14). The two proposed building sites were inspected in greater detail than elsewhere on the property but visibility was difficult owing to the level of vegetation (Figures 12, 13). The majority of the ground surface not in orchard nor covered in leaf litter exhibited a very thin layer of topsoil or the bare clay below, particularly on the downward slopes where vegetation had been cleared previously and little regrowth had occurred. This meant that archaeological deposits were likely to be exposed on the surface of the clay strata and probing and spade testing were not useful. No archaeological features or deposits were encountered.





Figure 9. Cleared pathway. Southeast view to Lot 3.



Figure 12. North view to Lot 2 possible house site.



Figure 10. Garden of southern house, 2 Peacock Garden Drive.



Figure 13. North view to Lot 3 possible house site.



Figure 11. Accessway, garden and northern two houses.



Figure 14. East view over Lot 2.



## 7.0 Archaeological Values

HNZPT has provided guidelines setting out criteria that are specific to archaeological sites. The archaeological values of sites relate mainly to their information potential, that is, the extent to which they can provide evidence relating to local, regional and national history through the use of archaeological investigation techniques, and the research questions to which the site could contribute. The surviving extent, complexity and condition of sites are the main factors in their ability to provide information through archaeological investigation.

There are no archaeological features on the subject property for which to assess values.

## 8.0 Assessment of Effects

The subdivision of the property into six new lots will not have archaeological effects. The proposed new boundaries do not cross any recorded archaeological sites or features. Earthworks associated with the subdivision of Lot 2 DP 203232 and possible building of two houses with associated facilities are not expected to modify any archaeological sites. No archaeological features or sites were located on the subject property through desktop survey and site survey. Remnants of the loop of the original Kerikeri Road may remain at the southeast border of the property but this area is already partially modified by an accessway and is not expected to be affected by the proposed works, nor was evidence of the road uncovered in a previous assessment for the neighbouring property (Kerby 2024). The site has also undergone extensive modification over the last century including house, accessway and garden construction as well as horticultural activities from at least the mid-twentieth century. Therefore an archaeological authority under Section 44 of the Heritage New Zealand Pouhere Taonga Act 2014 is not required. There are no other historic heritage effects.

However, owing to the high prehistoric and historic importance of the nearby area and proximity of archaeological sites relating to the Māori and Pākehā settlement and building of the Kerikeri Road, it is always possible that archaeological features may be encountered during construction or in the course of other ground disturbing activity on the property like trenching for services, such as layers of shell midden, charcoal-rich or burned soils, oven stones, artefacts like worked stone, bottles, ceramics, iron or building materials, or other unusual cuts/fills etc. If such deposits are encountered the Booths or their agents should cease work within 10m of the suspected feature and Heritage New Zealand Pouhere Taonga and Geometria Ltd. should be contacted for advice on how to proceed.

## 9.0 Findings and Recommendations

1. No archaeological sites or features were identified on the subject property.
2. The property has been extensively modified by twentieth century buildings, gardening and horticulture.
3. A manmade pond on the eastern property has been identified as post-1900 and is not considered to be archaeological.
4. There are unlikely to be archaeological effects and an archaeological authority (consent) is not required.
5. If archaeological remains or buried cultural deposits are encountered on the property during construction or in the course of other ground disturbing activity on the property an accidental discovery protocol should be followed. This means work should cease within 10m of the suspected feature and HNZPT and Geometria Ltd. should be contacted for advice on how to proceed.

## 10.0 Conclusions


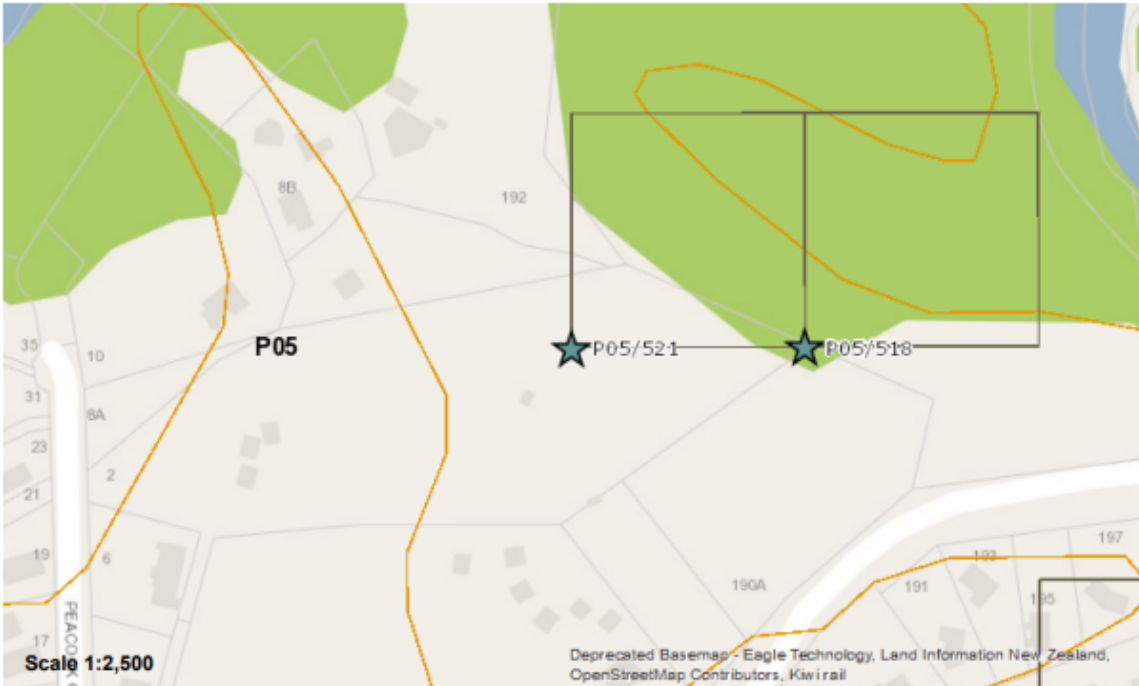
Geometria was engaged by Aida Booth to undertake an archaeological assessment of effects for a proposed subdivision of Lot 2 DP 203232 (2 Peacock Garden Drive, Kerikeri). An inspection of the property and background research has identified no archaeological sites or features on the property. There are also no scheduled or listed heritage places on the property. In this environment it is always possible that archaeological remains or buried cultural deposits could be encountered on the property during preparation of the building sites, construction of accessways and planting activities or in the course of other ground disturbing activity on the property and if these are encountered an accidental discovery protocol should be followed and HNZPT and Geometria Ltd should be contacted.

## 11.0 References Cited

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APPENDIX A: Nearby Archaeological Site Records

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

 <p><b>Site Record Form</b></p>	<p><b>NZAA SITE NUMBER:</b> P05/521</p> <p><b>SITE TYPE:</b> Mission station</p> <p><b>SITE NAME(s):</b></p> <p><b>DATE RECORDED:</b></p>
<p><b>SITE COORDINATES (NZTM) Easting:</b> 1687055      <b>Northing:</b> 6102484      <b>Source:</b> CINZAS</p>	
<p><b>IMPERIAL SITE NUMBER:</b>      <b>METRIC SITE NUMBER:</b> P05/521</p>	
	
<p><b>Finding aids to the location of the site</b></p>	
<p><b>Brief description</b> QUARRY</p>	
<p><b>Recorded features</b> Quarry</p>	
<p><b>Other sites associated with this site</b></p>	

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

SITE RECORD INVENTORY	NZAA SITE NUMBER: P05/521
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Supporting documentation held in ArchSite

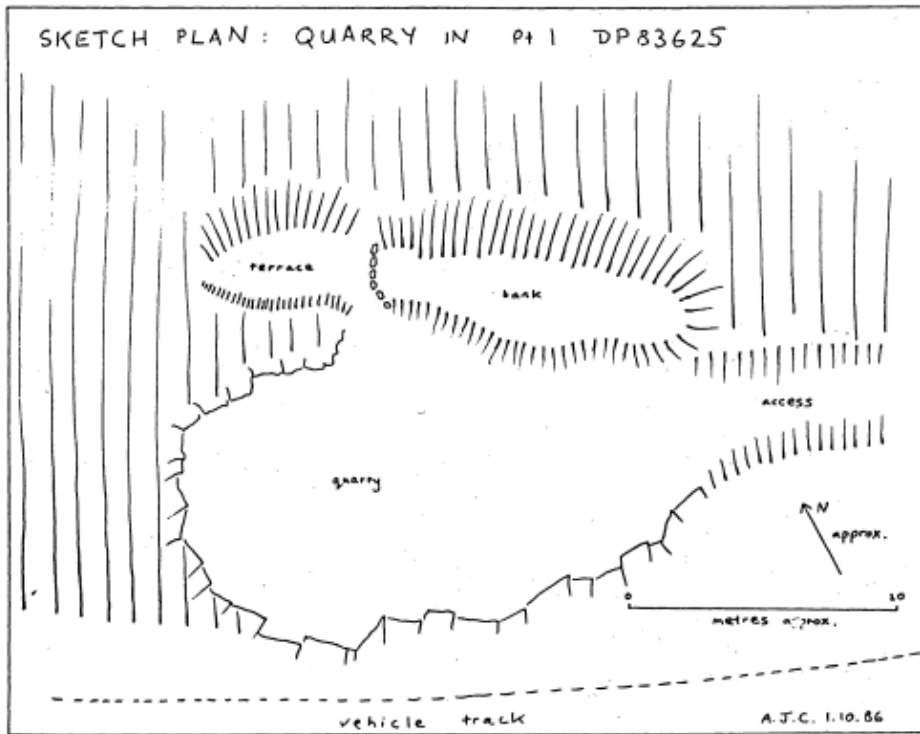
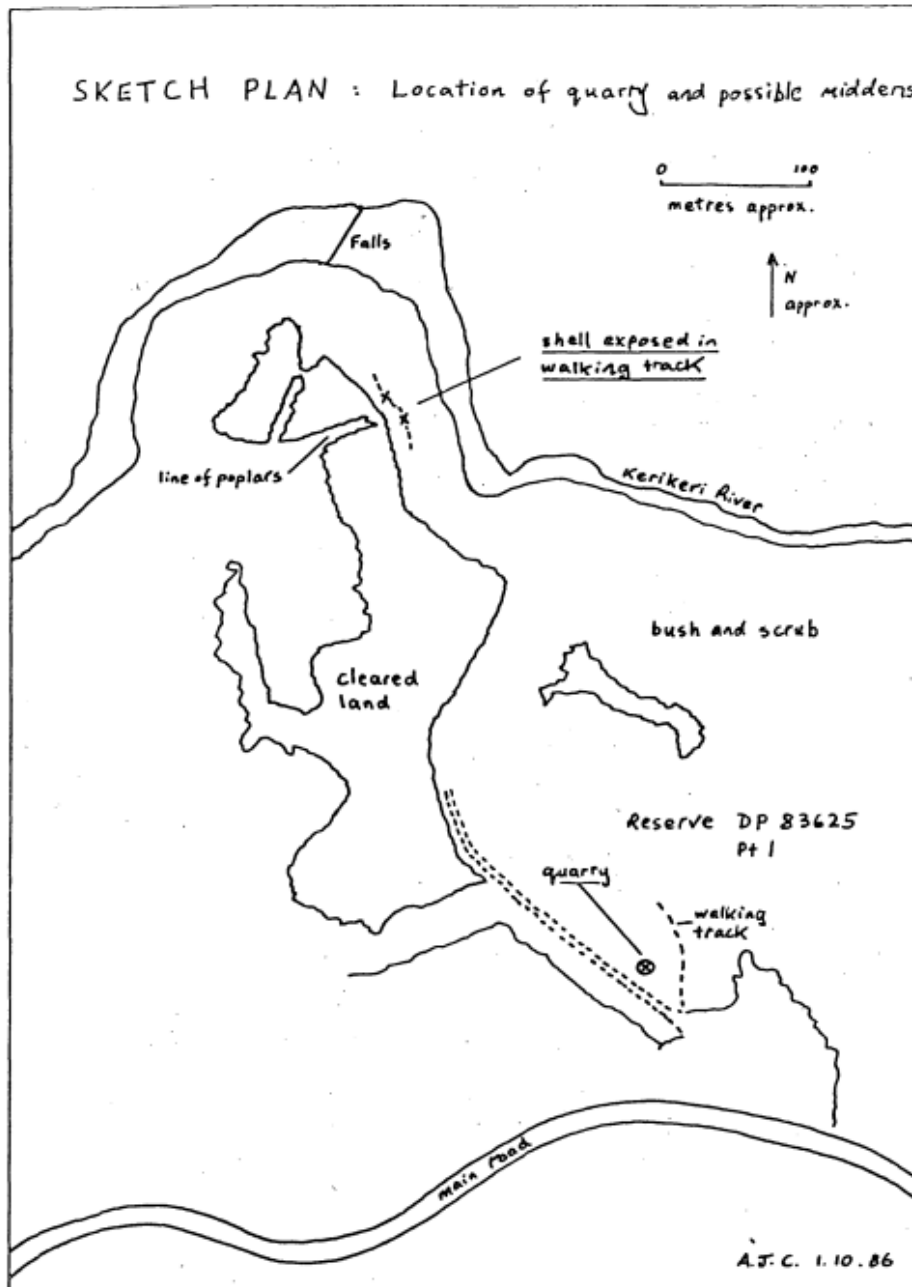


Figure 11



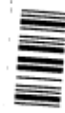
NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

Figure 10



NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION <b>SITE RECORD FORM (NZMS 260)</b> NZMS 260 map number <u>POS</u> NZMS 260 map name <u>Kaikōhe</u> NZMS 260 map edition <u>1</u>		NZAA METRIC SITE NUMBER <u>P5/521</u> DATE VISITED <u>September 1986</u> SITE TYPE <u>Quarry</u> SITE NAME: MAORI OTHER													
Grid References Easting <u>2 5 9 7 9 0 0</u>		Northing <u>6 6 6 4 4 0 0</u>													
1. Aids to relocation of site (attach a sketch map) <u>Kerikeri Basin, south side reserves.</u> <u>In angle between tracks, in bush. See sketch map.</u>															
2. State of site and possible future damage <u>in bush</u>															
3. Description of site (Supply full details, history, local environment, references, sketches, etc. If extra sheets are attached, include a summary here) <u>Quarry</u>  A stone quarry 30 x 20m in the southern part of the reserve (McKay 1982, p.1) is of appeal to the visitor (figures 10 and 11). There is an access way to the east; a bank (presumably overburden) on the downslope northern side, with stone revetting at its western end; and a small terrace, 5 x 3m, to the north west side. Planting of large tree species on this and any other such features should be discontinued.															
4. Owner <u>Scenic Reserve</u> Address <u>Dept of Lands and Survey</u>		Tenant/Manager <u>Ranger</u> Address <u>Kerikeri Ranger Station</u>													
5. Nature of information (hearsay, brief or extended visit, etc.) <u>Repeated visit</u> Photographs (reference numbers, and where they are held) Aerial photographs (reference numbers, and clarity of site)															
6. Reported by <u>A. J. Challis</u> Address <u>N2 Historic Places Trust</u>		Filekeeper <u>Adrian</u> Date <u>19/4/87</u>													
7. Key words <u>Quarry European</u>															
8. New Zealand Register of Archaeological Sites (for office use) NZHPT Site Field Code															
Latitude S <table border="1"> <tr><td>F</td><td>G</td></tr> <tr><td>-</td><td>-</td></tr> <tr><td>A</td><td>M</td></tr> </table> Type of site Local environment today Land classification		F	G	-	-	A	M	Longitude E <table border="1"> <tr><td>A</td><td>B</td></tr> <tr><td>-</td><td>-</td></tr> <tr><td>D</td><td>C</td></tr> </table> Present condition and future danger of destruction Security code Local body		A	B	-	-	D	C
F	G														
-	-														
A	M														
A	B														
-	-														
D	C														



NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION



Site Record Form

NZAA SITE NUMBER: P05/518

SITE TYPE: Agricultural/ pastoral

SITE NAME(s):

DATE RECORDED:

SITE COORDINATES (NZTM) Easting: 1687155

Northing: 6102484

Source: CINZAS

IMPERIAL SITE NUMBER:

METRIC SITE NUMBER: P05/518



Finding aids to the location of the site

Brief description

WELL

Recorded features

Well

Other sites associated with this site

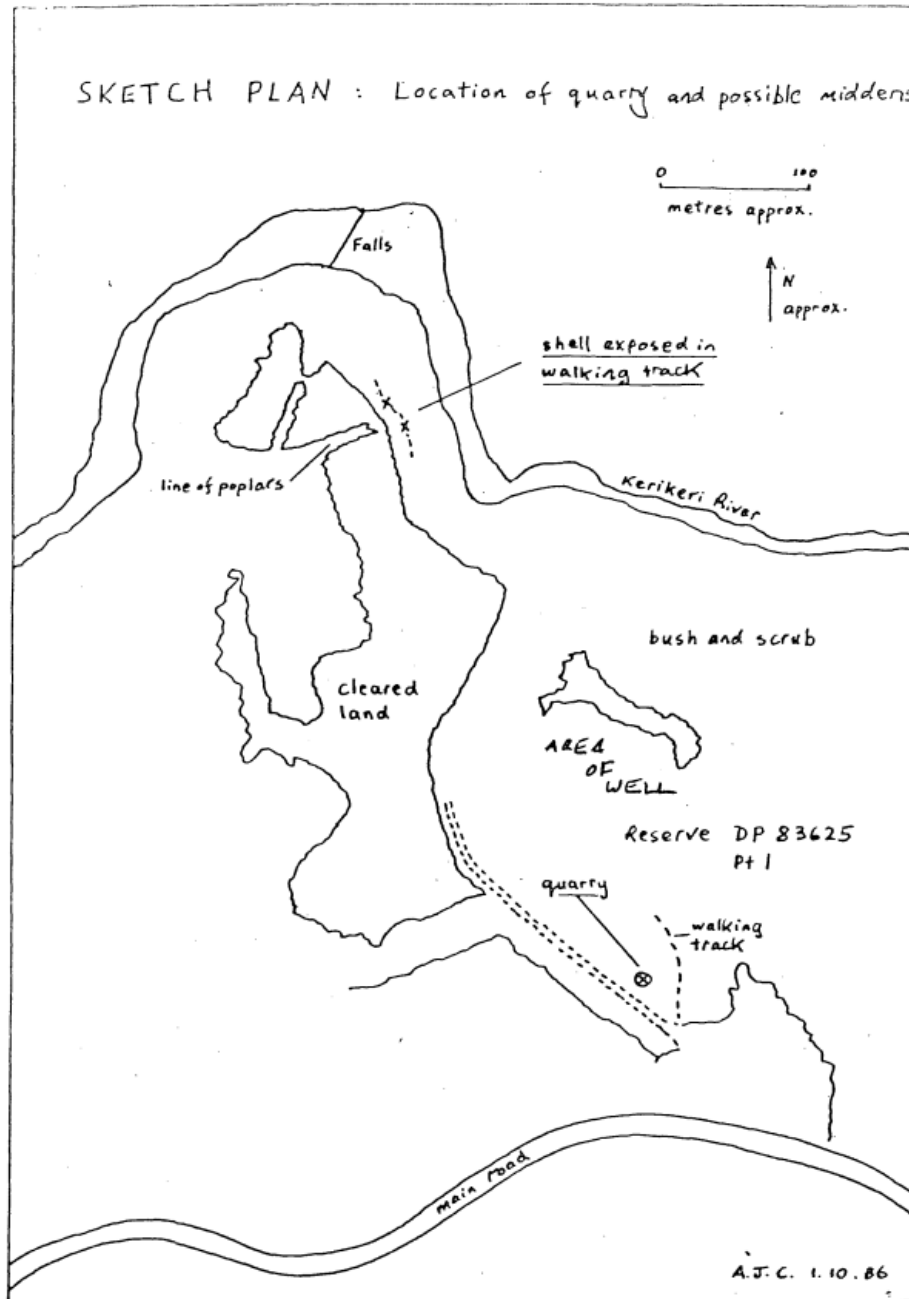
NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

SITE RECORD INVENTORY

NZAA SITE NUMBER: P05/518

Supporting documentation held in ArchSite

Figure 10



NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION <b>SITE RECORD FORM (NZMS260)</b>		NZAA METRIC SITE NUMBER <i>P5/518</i> DATE VISITED <i>September 1986</i> SITE TYPE <i>well</i> SITE NAME: MAORI OTHER													
NZMS 260 map number <i>P05</i> NZMS 260 map name <i>Kaikohu</i> NZMS 260 map edition <i>1</i>															
Grid References Easting <i>2 5 9 8 0 0 0</i>		Northing <i>6 6 6 4 4 0 0</i>													
1. Aids to relocation of site ( <i>attach a sketch map</i> ) <p style="text-align: center;"><i>Swamp in centre of Scenic Reserve DP83625 Pt 1 Kerikeri Basin</i></p>															
2. State of site and possible future damage <p style="text-align: center;"><i>Occasionally under water</i></p>															
3. Description of site ( <i>Supply full details, history, local environment, references, sketches, etc. If extra sheets are attached, include a summary here</i> ) <p><u>Possible Well</u></p> <p>A stone-lined structure in the swamp in the centre of the reserve is known to department staff. It was not evident because of high water levels, as was the case with a similar structure adjacent to Edmonds Ruins, Kerikeri, in the same week.</p>															
4. Owner <i>Scenic Reserve</i> Address <i>Dept of Lands and Survey</i>		Tenant/Manager <i>Ranger</i> Address <i>Kerikeri Ranger Station</i>													
5. Nature of information ( <i>hearsay, brief or extended visit, etc.</i> ) <i>Search</i> Photographs ( <i>reference numbers, and where they are held</i> ) Aerial photographs ( <i>reference numbers, and clarity of site</i> )															
6. Reported by <i>A. J. Challis</i> Address <i>NZ Historic Places Trust</i>		Filekeeper <i>Adrianes</i> Date <i>19/4/87</i>													
7. Key words <i>stone-lined well</i>															
8. New Zealand Register of Archaeological Sites ( <i>for office use</i> ) NZHPT Site Field Code															
Latitude S <table border="1"> <tr><td>DT</td><td>Type of site</td></tr> <tr><td>+</td><td>Local environment today</td></tr> <tr><td>AK</td><td>Land classification</td></tr> </table>		DT	Type of site	+	Local environment today	AK	Land classification	Longitude E <table border="1"> <tr><td>AB</td><td>Present condition and future danger of destruction</td></tr> <tr><td>+</td><td>Security code</td></tr> <tr><td>DC</td><td>Local body</td></tr> </table>		AB	Present condition and future danger of destruction	+	Security code	DC	Local body
DT	Type of site														
+	Local environment today														
AK	Land classification														
AB	Present condition and future danger of destruction														
+	Security code														
DC	Local body														







### Wastewater Points

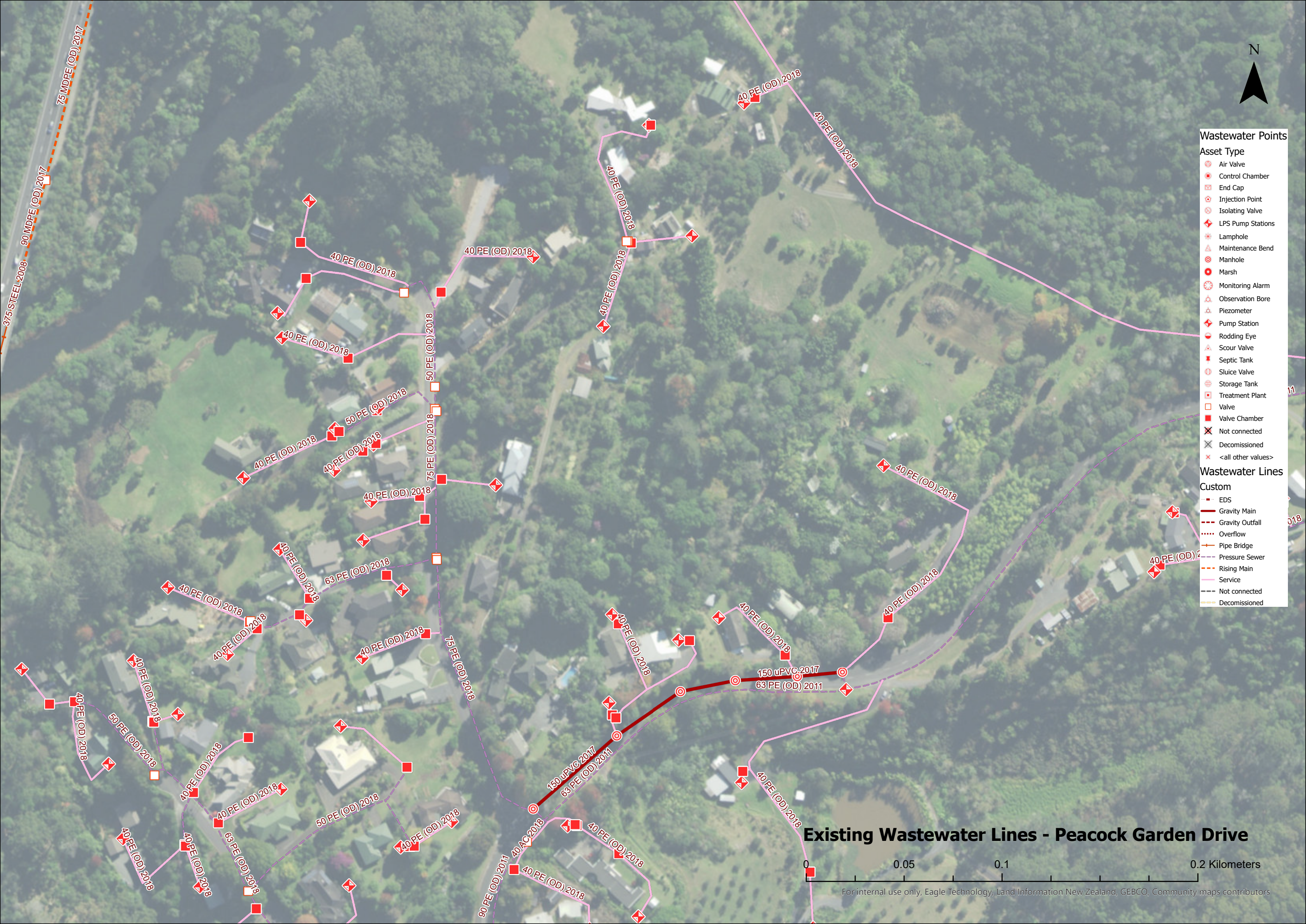
#### Asset Type

- Air Valve
- Control Chamber
- End Cap
- Injection Point
- Isolating Valve
- LPS Pump Stations
- Lamphole
- Maintenance Bend
- Manhole
- Marsh
- Monitoring Alarm
- Observation Bore
- Piezometer
- Pump Station
- Rodding Eye
- Scour Valve
- Septic Tank
- Sluice Valve
- Storage Tank
- Treatment Plant
- Valve
- Valve Chamber
- Not connected
- Decommissioned
- <all other values>

### Wastewater Lines

#### Custom

- EDS
- Gravity Main
- Gravity Outfall
- Overflow
- Pipe Bridge
- Pressure Sewer
- Rising Main
- Service
- Not connected
- Decommissioned



## Existing Wastewater Lines - Peacock Garden Drive



For internal use only, Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors





4 March 2025

*Top Energy Limited*

Level 2, John Butler Centre  
60 Kerikeri Road  
P O Box 43  
Kerikeri 0245  
New Zealand  
PH +64 (0)9 401 5440  
FAX +64 (0)9 407 0611

Micah Donaldson  
Donaldsons Surveyors Limited  
PO Box 211  
KERIKERI

Email: [micah@donaldsons.net.nz](mailto:micah@donaldsons.net.nz)

To Whom It May Concern:

**RE: PROPOSED SUBDIVISION**  
**A Booth – 2 Peacock Garden Drive, Kerikeri. Lot 2 DP 203232.**

Thank you for your recent correspondence with attached proposed subdivision scheme plans.

Top Energy's requirement for this subdivision is nil.

Top Energy advises that proposed Lot 3 has an existing power supply and recommends power be made available to Lots 1 & 2 at the development stage. Design and costs to provide a power supply could be provided after application and an on-site survey have been completed.

Link to application: [Top Energy | Top Energy](#)

In order to get a letter from Top Energy upon completion of your subdivision, a copy of the resource consent decision must be provided.

Yours sincerely

**Aaron Birt**  
Planning and Design  
T: 09 407 0685  
E: [aaron.birt@topenergy.co.nz](mailto:aaron.birt@topenergy.co.nz)

# Chorus New Zealand Limited

10 March 2025

Chorus reference: 11130986

**Attention:** Donaldson's Surveyors Ltd

**Quote: New Property Development**

**1 connections at 2 Peacock Garden Drive , Kerikeri, Far North District, 0230**

**Your project reference: 8381 Booth, 8381 Stage 1**

Thank you for your enquiry about having Chorus network provided for the above development.

Chorus is pleased to advise that, as at the date of this letter, we are able to provide reticulation for this property development based upon the information that has been provided:

Fibre network	\$0.00
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The total contribution we would require from you is **\$0.00 (including GST)**. This fee is a contribution towards the overall cost that Chorus incurs to link your development to our network. This quote is valid for 90 days from 04 March 2025. This quote is conditional on you accepting a New Property Development Contract with us for the above development.

If you choose to have Chorus provide reticulation for your property development, please log back into your account and finalise your details. If there are any changes to the information you have supplied, please amend them online and a new quote will be generated. This quote is based on information given by you and any errors or omissions are your responsibility. We reserve the right to withdraw this quote and requote should we become aware of additional information that would impact the scope of this letter.

Once you would like to proceed with this quote and have confirmed all your details, we will provide you with the full New Property Development Contract, and upon confirmation you have accepted the terms and paid the required contribution, we will start on the design and then build.

For more information on what's involved in getting your development connected, visit our website [www.chorus.co.nz/develop-with-chorus](http://www.chorus.co.nz/develop-with-chorus)

Kind Regards

Chorus New Property Development Team

