

THOMSON
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LIMITED

SURVEYORS AND RESOURCE
PLANNERS

Our Reference: 10663.1 (FNDC)

16 August 2024

Resource Consents Department
Far North District Council
JB Centre
KERIKERI

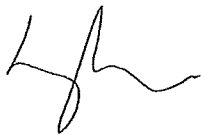
Dear Sir/Madam

RE: Proposed Dwelling at 146B Otiria Road – N and E Lironi-Irvine

I am pleased to submit application on behalf of N & E Lironi-Irvine, for the construction of a dwelling, over two stages, on land at 146B Otiria Road, zoned Rural Production. The building requires land use consent for breaches of boundary setback and fire risk to residential unit. The application includes a request for a 7 year lapse period given that the building is to be carried out over two stages. The application is a discretionary activity.

The application fee of \$2,558 has been paid separately via direct credit.

Regards



Lynley Newport
Senior Planner
THOMSON SURVEY LTD



Office Use Only Application Number:

APPLICATION FOR RESOURCE CONSENT OR FAST-TRACK RESOURCE CONSENT

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA))

(If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Form 9)

Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement? ~~Yes~~ / No

2. Type of Consent being applied for (more than one circle can be ticked):

- Land Use Fast Track Land Use* Subdivision Discharge
- Extension of time (s.125) Change of conditions (s.127) Change of Consent Notice (s.221(3))
- Consent under National Environmental Standard (e.g. Assessing and Managing Contaminants in Soil)
- Other (please specify) _____

***The fast track for simple land use consents is restricted to consents with a controlled activity status and requires you provide an electronic address for service.**

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

Yes / No

4. Applicant Details:

Name/s: Nicholas and Elizabeth Lironi-Irvine

Electronic Address for Service (E-mail): nick@lironi-irvine.nz

Phone Numbers: Work: 021 233 1109 Home: _____

Postal Address: 66 Mangakaretu road, Waipapa, 0295

(or alternative method of service under section 352 of the Act) _____

Post Code: 0295

5. Address for Correspondence: Name and address for service and correspondence (if using an Agent write their details here).

Name/s: **Lynley Newport; Thomson Survey Ltd**

Electronic Address for Service (E-mail): lynley@tsurvey.co.nz

Phone Numbers: Work: **4077360** Home: _____

Postal Address: **P O Box 372**

(or alternative method of service under section 352 of the Act) **KERIKERI**

Post Code: **0245**

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

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

Name/s: **As per item 4**

Property Address/
Location _____

7. Application Site Details:

Location and/or Property Street Address of the proposed activity:

Site Address/
Location: **146B Otiria Road**
MOEREWA

Legal Description: **Lot 2 DP 596306**

Record of Title: **1153805**

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

Site Visit Requirements:

Is there a locked gate or security system restricting access by Council staff? **Yes / No**
Is there a dog on the property? **Yes / No**

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

Access to the property is by a driveway shared with the neighbouring farm, care to be taken to lock all gates after passing

8. Description of the Proposal:

Please enter a brief description of the proposal here. Attach a detailed description of the proposed activity and drawings (to a recognized scale, e.g. 1:100) to illustrate your proposal. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

Land Use consent for breaches of Setback from Boundary and Fire Risk to Residential Unit for a dwelling in the Rural Production Zone

If this is an application for an Extension of Time (s.125); Change of Consent Conditions (s.127) or Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s) or extension being sought, with reasons for requesting them.

9. Would you like to request Public Notification? **Yes/No**

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

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

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

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL)

yes no don't know

Is the proposed activity an activity covered by the NES? (If the activity is any of the activities listed below, then you need to tick the 'yes' circle).

yes no don't know

- Subdividing land Changing the use of a piece of land
- Disturbing, removing or sampling soil Removing or replacing a fuel storage system

12. Assessment of Environmental Effects:

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

Please see attached AEE.

13. Billing Details:

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

Name/s: (please write all names in full)

Nicholas Lironi-Irvine

Email:

nick@lironi-irvine.nz

Postal Address:

66 Mangakaretu road, Waipapa, 0295

Post Code: 0295

Phone Numbers:

Work: 021 233 1109

Home:

Fax:

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

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

Name: Nicholas Lironi-Irvine (please print)

Signature:  (signature of bill payer – mandatory)

Date: 15 August 2024

14. Important Information:

Note to applicant

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

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

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

Fast-track application

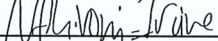
Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track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

Privacy Information:

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

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

Name: Nicholas Lironi-Irvine (please print)

Signature:  (signature)

Date: 15 August 2024

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

Checklist (please tick if information is provided)

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

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

Digital Applications may be submitted via E- mail to: Planning.Support@fndc.govt.nz

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be:

UNBOUND

SINGLE SIDED

NO LARGER THAN A3 in SIZE

N & E Lironi-Irvine
Boundary Setback
And Fire Risk to Residential Unit
146B Otiria Road, Otiria
PLANNING REPORT &
ASSESSMENT OF ENVIRONMENTAL EFFECTS

Thomson Survey Ltd
Kerikeri

1.0 PROPOSAL

The applicants seek consent for their proposed new building on land recently purchased at 146B Otiria Road, Otiria. They will likely construct the building, to be used for residential purposes, over two stages. The first stage will see the construction of an amenities building accommodating kitchen/bathroom/living/dining/laundry areas, with external deck. The second stage will see the addition of three sleeping 'pods' coming off that deck on the south side, and nearest to the boundary and area of covenanted bush on the adjacent site.

This application is for the finished product, which (when completed) will result in breaches of the zone's 10m setback from boundary rule (sleeping pods only), as well as the Part 3 Fire Risk to Residential Unit rule which requires a 20m separation distance from any residential unit and dripline of an area of trees.

The site is access via a shared ROW coming off Otiria Road. A metal driveway (semi formed at time of site visit) will then take you to the building site, internal to the lot. Otiria Road is a 20m sealed Council road.

A full set of plans is attached in Appendix 1. A location map is attached in Appendix 2. Title information is attached in Appendix 3 and NZFE Approval for an Alternative Fire Fighting Water Supply is attached in Appendix 4.

The site is zone Rural Production under both the Operative and Proposed District Plans.

Please note that because the sleeping pods may not be constructed for some time, a lapse period of 7 years is requested to give full effect to the land use consent.

2.0 SCOPE OF THIS REPORT

This assessment and report accompanies the Resource Consent application and is provided in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991. The application seeks land use consent as a discretionary activity. The information provided in this assessment and report is considered commensurate with the scale and intensity of the activity for which consent is being sought. The name and address of the applicant and owner of the property are contained in the Form 9 application form 9.

3.0 PROPERTY DETAILS

Location: 146B Otiria Road, Otiria

Legal Description: Lot 2 DP 596306& Lot 5 DP 25821

Record of Title: 1153805, 2.558ha in area (attached in Appendix 3)

4.0 SITE DESCRIPTION

4.1 Physical and mapped characteristics

The site is irregular in shape and has access to the north side of Otiria Road over an existing farm bridge and shared ROW. The site is currently vacant and is covered in a mixture of grass, bush and scrub. The site of the proposed dwelling is gently sloping in an easterly directly down to the Otiria Stream.

The site is zoned Rural Production in the Operative and Proposed District Plans. It is not mapped as containing any high or outstanding landscape or natural features, nor any areas of significant indigenous vegetation (no PNA's). The property to the south is a similar sized 'lifestyle lot' created in the same subdivision that created the application site. It is this property to the south that contains an area of bush that is covenanted and from which the applicants' proposed residential unit cannot achieve a 20m setback distance from. It is also this boundary that the 10m boundary setback cannot be achieved.

The site is mapped as being subject to river flood hazard and this was a major consideration in designing for future development when the subdivision was processed and granted. Building sites and on-site servicing (wastewater and stormwater) can be established clear of flood hazard areas.



Photo 1 – stakes indicate building footprint. View looking east.



Photo 2 – reverse view looking up at building footprint (on grassed area). View facing west.

The site is not serviced by any Council provided reticulated services and is therefore self sufficient, with on-site water supply, on-site wastewater treatment and disposal, and on-site stormwater management.

The site is not a HAIL site.

4.2 Legal Interests

The property benefits from appurtenant right of way for its access. It has appurtenant right, and is subject to a right, to drain stormwater, electricity and telecommunications (Easement Instrument 12833502.4). The property is subject to Consent Notice 12833502.3, imposed when the lot was created at time of the 2023 subdivision. Compliance against that Consent Notice is assessed in section 6.3 later in this report. The property is also subject to a privately imposed Land Covenant.

4.3 Consent History

The property file shows the following Consent History for the site:

Resource Consent History:

RC 2220367-RMASUB – creating Lots 1 - 3 DP 596306, issued in October 2022 and given full effect to in 2023.

Building Consent History:

Nil.

5.0 SCHEDULE 4 – INFORMATION REQUIRED IN AN APPLICATION

Clauses 2 & 3: Information required in all applications

<i>(1) An application for a resource consent for an activity must include the following:</i>	
<i>(a) a description of the activity:</i>	Refer Sections 1 above and 6 of this Planning Report.
<i>(b) an assessment of the actual or potential effect on the environment of the activity:</i>	Refer to Section 7 of this Planning Report.
<i>(b) a description of the site at which the activity is to occur:</i>	Refer to Section 4 of this Planning Report.
<i>(c) the full name and address of each owner or occupier of the site:</i>	This information is contained in the Form 9 attached to the application.
<i>(d) a description of any other activities that are part of the proposal to which the application relates:</i>	Refer to Sections 4 and 6 of this Planning Report..
<i>(e) a description of any other resource consents required for the proposal to which the application relates:</i>	No other consents are required other than that being applied for pursuant to the Far North Operative District Plan.
<i>(f) an assessment of the activity</i>	Refer to Section 8 of this Planning Report.

<p><i>against the matters set out in Part 2:</i></p>	
<p><i>(g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b), including matters in Clause (2):</i></p> <p><i>(a) any relevant objectives, policies, or rules in a document; and</i> <i>(b) any relevant requirements, conditions, or permissions in any rules in a document; and</i> <i>(c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).</i></p>	<p>Refer to Sections 6 & 8 of this Planning Report.</p>
<p><i>(3) An application must also include any of the following that apply:</i></p>	
<p><i>(a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1)):</i></p> <p><i>(b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A)):</i></p> <p><i>(c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B)).</i></p>	<p>Refer sections 4 and 6. The site is currently vacant.</p> <p>There is no existing resource consent. Not applicable.</p> <p>The site is not within an area subject to a customary marine title group. Not applicable.</p>

Clause 4: Additional information required in application for subdivision consent

<p><i>(4) An application for a subdivision consent must also include information that adequately defines the following:</i></p>	
<p><i>(a) the position of all new boundaries;</i> <i>(b) the areas of all new allotments, unless the subdivision involves a cross</i></p>	<p>Not a subdivision.</p>

<p>lease, company lease, or unit plan: (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips: (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips: (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A: (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A): (g) the locations and areas of land to be set aside as new roads.</p>	
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Clause 5: Additional information required for application for reclamation – not applicable.

Clause 6: Information required in assessment of environmental effects

<p><i>(1) An assessment of the activity's effects on the environment must include the following information:</i></p>	
<p><i>(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:</i></p>	<p>Refer to Section 7 of this planning report. The activity will not result in any significant adverse effect on the environment.</p>
<p><i>(b) an assessment of the actual or potential effect on the environment of the activity:</i></p>	<p>Refer to Section 7 of this planning report.</p>
<p><i>(c) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:</i></p>	<p>Not applicable as the application does not involve hazardous installations.</p>
<p><i>(d) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:</i></p>	<p>The proposal does not involve any discharge of contaminant.</p>
<p><i>(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:</i></p>	<p>Refer to Section 7 of this planning report.</p>

<i>(f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:</i>	Refer to Section 9 of this planning report.
<i>g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:</i>	No monitoring is required as the scale and significance of effects does not warrant any.
<i>(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).</i>	No protected customary right is affected.

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

<i>(1) An assessment of the activity's effects on the environment must address the following matters:</i>	
<i>(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:</i>	Refer to Sections 7 and 9 of this planning report and also to the assessment of objectives and policies in Section 8.
<i>(b) any physical effect on the locality, including any landscape and visual effects:</i>	Refer to Section 7. The proposed activity will have less than minor adverse effects on the physical environment and landscape and visual amenity values.
<i>(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:</i>	Refer to Section 7. The proposal will result in less than minor adverse effects in regard to habitat and ecosystems.
<i>(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:</i>	Refer to Section 7, and above comments
<i>(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:</i>	The proposal will not result in the discharge of contaminants, nor any unreasonable emission of noise.
<i>(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</i>	The application site is not subject to natural hazards and does not involve hazardous installations.

6.0 COMPLIANCE ASSESSMENT

6.1 Operative District Plan

The property is zoned Rural Production in the Operative District Plan (ODP). No resource features apply. An assessment of the proposal against relevant rules in the ODP follows:

Far North Operative District Plan

RURAL PRODUCTION ZONE RULES:		
Permitted Standards	Comment	Compliance Assessment
8.6.5.1.1 RESIDENTIAL INTENSITY Residential development shall be limited to one unit per 12ha of land.	This will be the first residential unit on any existing site.	Permitted.
8.6.5.1.2 SUNLIGHT No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary ...	The building is 4.8m in maximum height and a minimum 6.4m from nearest boundary.	Permitted.
8.6.5.1.3 STORMWATER MANAGEMENT The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15%.	Total site area is 25,580m ² . The eventual total impermeable surface coverage is estimated to be 568m ² , or 2% of total site area.	Permitted.
8.6.5.1.4 SETBACK FROM BOUNDARIES (a) no building shall be erected within 10m of any site boundary;...	The first stage amenities building complies with the setback. However, the future proposed sleeping pods to not, being 6.4m from the boundary at their closest point.	Cannot comply. Defaults to restricted discretionary activity status, pursuant to Rule 8.6.5.3.4
8.6.5.1.6 KEEPING OF ANIMALS	N/A	N/A
8.6.5.1.7 NOISE 0700 to 2200 hours 65 dBA L10 2200 to 0700 hours 45 dBA L10 and 70 dBA Lmax	Residential development within a Rural Production Zone would not be likely to breach the permitted activity noise thresholds as residential activity is an anticipated and accepted activity in this zone.	Permitted.

8.6.5.1.8 BUILDING HEIGHT The maximum height of any building shall be 12m.	Buildings are 4.8m in height.	Permitted.
8.6.5.1.9 HELICOPTER LANDING AREA	N/A	N/A
8.6.5.1.10 BUILDING COVERAGE Any new building or alteration/additions to an existing building is a permitted activity if the total Building Coverage of a site does not exceed 12.5% of the gross site area.	Total eventual building coverage is estimated at only 0.8% of total site area. .	Permitted.
8.6.5.1.11 SCALE OF ACTIVITIES	N/A – buildings are for people residing on the site.	N/A
8.6.5.1.12 TEMPORARY EVENTS	N/A	N/A
District Wide Rules		
12.4 NATURAL HAZARDS 12.4.6.1.2 FIRE RISK TO RESIDENTIAL UNITS (a) Residential units shall be located at least 20m away from the drip line of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest;	Due to the presence of a covenanted area of bush on an adjacent site, the proposal cannot comply with a 20m setback. There is other vegetation within the site also near the proposed building, but I do not consider it to be a continuous 'area' of bush or shrubland.	Cannot comply. Defaults to discretionary activity category.
15.1 TRAFFIC, PARKING and ACCESS		
Table 15.1.6A.1 and Rule 15.1.6A.2.1 The Traffic Intensity Factor for a site in this zone is 60 daily one way movements....	The traffic intensity rule provides for 60 daily one way traffic movements, with the traffic movements of one residential unit exempt.	Permitted.
Residential units require 2 car	Abundant room for required car	Permitted.

park spaces apiece.	parks. Crossing is existing and to Council standard.	Permitted.
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The site has no outstanding landscapes or features (12.1);

The site does contain vegetation, some of which is indigenous. Clearance to date on the site has been minimal, only clearing around the house site. A lot of this vegetation was immature and mixed indigenous/non indigenous. The amount cleared has been minimal (12.2).

No excavation/filling has been carried out thus far (12.3). The design of the building is such that only minimal will be required, easily complying with both volume and cut/fill face height thresholds applying to the zone.

The site contains no heritage / cultural features and is not in a Heritage Precinct (12.5 and 5A).

The Otiria Stream is nearby the development site. Both the buildings & other impermeable surfaces are more than 30m away from the stream. No part of any on site wastewater system will be within 30m (12.7). A On-site Effluent Disposal Report can be found in Appendix 5.

Access is existing and formed to the standard required by the subdivision consent (15.1).

The only identified consent requirement ODP is for a breach of boundary setback, and a breach of the Fire Risk to Residential Unit rule. The application is **a discretionary activity** due to breaching Rule 12.4.6.1.2.

6.2 Proposed District Plan

The FNDC publicly notified its PDP on 27th July 2022. The PDP is currently in its hearing of submissions phase. The vast majority of rules in the PDP do not yet have legal effect. There are, however, a limited number that do, and these include:

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

As the application site and proposal does not involve hazardous substances, these rules are not relevant to the proposal.

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

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

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

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

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

No clearance proposed. Any done to date is over a very restricted area and was mixed species.

Subdivision (specific parts) – N/A as the proposal is not a subdivision.

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

Earthworks – Only some rules and standards have legal effect. These are Rules EW-R12 and R13 and related standards EW-S3 and ES-S5 respectively. EW-R12 and associated EW-S3 relate to the requirement to abide by Accidental Discovery Protocol if carrying out earthworks and artefacts are discovered. EW-R13 and associated ES-S5 relate to Erosion and Sediment Control. Very minimal, if any, earthworks will be required.

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

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

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

6.3 Consent Notice 12833502.3

The following assesses the proposed dwelling against the requirements of the Consent Notice affecting the title.

- (i) *In conjunction with the construction of any building requiring a wastewater disposal system the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system as detailed in the report prepared by GWE Consulting Engineers and submitted with Resource Consent 2220367-RMASUB. The installation shall include an agreement with the system supplier or its authorised agent for the ongoing operation and maintenance of the wastewater treatment plant and the effluent disposal system. Following 12 months of operation of the wastewater treatment and effluent disposal system the lot owner shall provide certification to Council that the system is operating in accordance with its design criteria. Where a wastewater treatment and effluent disposal system is proposed that differs from that detailed in the above-mentioned report, a new TP 58 / Site and Soil Evaluation Report will be required to be submitted, and Council's approval of the new system must be obtained, prior to its installation.*

The building consent application will include an on-site effluent disposal report as required. This report has been written by a party other than GWE, which is provided for by the Consent Notice.

-
- (ii) Upon construction of any habitable dwelling on Lot 1 to 2, sufficient water supply for firefighting purposes is to be provided by way of tank storage or other approved means, and that this water supply be accessible by firefighting appliances in accordance with Far North District councils district plan and more particularly with the New Zealand Fire Service Fire Fighting Code of Practice SNZ PAS 4509:2008. Demonstration of achievement of an alternative means of compliance with this standard will be considered to satisfy this requirement but note that written approval from the NZ Fire service is required.

Approval from NZFE for an Alternative Fire Fighting Water Supply forms part of this resource consent application.

- (iii) Any development on Lot 1 to 2 shall comply with the restrictions and recommendations identified in the report by Wilton Joubert reference 117996 dated 13 July 2022. Unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.

Application for building consent will be accompanied by a Geotechnical Memo prepared by Wilton Joubert Limited, as required.

- (iv) Future owners of Lots 1 and 2 are advised that there are no conventional electricity or telecommunication connections provided. Far North District Council will not be responsible for ensuring nor providing electricity or telecommunication connections to the proposed lot, upon future development of the site, or at the time of further subdivision.

No compliance aspect.

- (v) On Lot 1 to 3 a maintenance contract for the on-site wastewater system shall be in place at all times which includes inspections and maintenance of both the wastewater treatment and disposal systems.

This will be a requirement at building consent stage.

- (vi) The owners of Lots 1 to 3 are advised that access to the lots may be compromised during major storm events.

This is hardly an ongoing "condition" of consent. The lot owners are duly 'advised'.

- (vii) The owners of Lot 1 and 3 shall maintain the existing indigenous vegetation shown in the restrictive land covenants on the survey plan. No tree shall be cut down, damaged or destroyed except for maintenance purposes or in the event of danger to life or property.

N/A to the site, which is Lot 2.

- (viii) The owners of Lot 1 to 3 are advised that the bridge providing access to the lots is in private ownership by the lot owners and is not maintained by Council.

As with clause (vi), the owners are duly 'advised'.

In summary the proposed building is compliant with relevant clauses of the Consent Notice applying to the Title.

7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

In breaching the permitted activity Setback from Boundary rule in regard to the future sleeping pods, the proposal is compliant with, and subject to 8.6.5.3.4 Setback from Boundaries. This restricts the matters to which the Council will exercise discretion to (a) through (f) of 8.6.5.3.4. However, because the activity is a discretionary activity overall, Chapter 11 of the ODP needs to be considered in regard to assessment criteria relevant to setback from boundaries. There are commonalities between 8.6.5.3.4 and the relevant criteria in 11.6, but effectively the potential effects to be assessed are:

- (a) *where there is a setback, the extent to which the proposal is in keeping with the existing character and form of the street or road, in particular with the external scale, proportions an buildings on the site and on adjacent sites;*
- (b) *the extent to which the buildings intrude into the street or reduces outlook and privacy of adjacent properties;*
- (c) *the extent to which the buildings restrict visibility for vehicle manoeuvring;*
- (d) *the ability to mitigate any adverse effects on the surrounding environment, for example by way of street planting;*
- (e) *the extent to which provision has been made to enable and facilitate all buildings maintenance and construction activities to be contained within the boundaries of the site.*

These matters are assessed below.

7.1 The effects on existing character and adjacent sites

Assessment criterion (a) above also addresses the form of the street or road. This is not a relevant consideration in this instance as the proposed dwelling is not visible from any street or road and is a considerable distance away from any street or road. The breach is not with a road boundary.

The first stage amenity building does not breach the 10m setback from boundary requirement and as such has no adverse effect on the adjacent property. The future proposed sleeping pods will breach the setback, being 6.4m from boundary at the nearest

point. The nearest proposed sleeping pod is almost entirely within the 10m setback area. The second pod is 8.6m from boundary and is, for the most part, outside the 10m setback. The third (and main sleeping pod) is entirely outside the 10m boundary setback (fully compliant).

The sleeping pods are small (14.4m² apiece). The adjacent property is vacant, with an area of covenanted bush adjacent to the application site. As such there are no buildings on adjacent sites with which to 'compare' the proposed building in terms of character. The proposed sleeping pods have nothing to be 'in keeping with'. However, more generally, the proposed buildings are modest in size, fully compliant with all other bulk and location requirements of the zone, and of a scale that is sympathetic to the immediate environs. In this regard, the buildings are in keeping with the built environment within the zone.

7.2 The effects on outlook and privacy of adjacent properties

Refer to above comments. The adjacent site features an area of covenanted bush at the nearest point to the sleeping pods. As such it is highly unlikely that there will ever be a residential dwelling built on the adjacent site in proximity to the sleeping pods. In addition, the sleeping pods are orientated to the north, out onto deck area, away from the 'affected' boundary. The sleeping pods will have minimal, if any, adverse effects on outlook and privacy of the adjacent property.



Photo 3 – building site at right of picture, boundary fence, with area of covenanted bush at left of picture.

7.3 The extent to which the buildings restrict visibility for vehicle manoeuvring

There is no vehicle manoeuvring area associated with the proposed sleeping pods that are affected by the breach of boundary setback. The sleeping pods are beyond any area of parking or manoeuvring.

7.4 The ability and/or need for planting as mitigation

There is no need for any landscape planting to mitigate what less than minor adverse effects. In fact additional planting would work at cross purposes to mitigating fire risk as required by Rule 12.4.6.1.2(a). The adjacent property contains an area of covenanted bush. The area between that bush and the sleeping pods will be kept in lawn/ grass.

7.5 The ability to maintain and construct buildings in proximity to the boundary

This is not impeded by the setback breach, with the gap between sleeping pod and boundary over 6m. This provides ample scope for construction and maintenance.

In summary the breach of boundary setback resulting from the construction of the future sleeping pods, results in less than minor effects on the environment and adjacent property.

The second rule breach relates to potential fire risk to the residential unit because of the inability to achieve a 20m buffer between that unit and the dripline of an area of trees. The potential adverse effects and proposed mitigation are assessed below:

7.6 The degree of fire risk to dwellings arising from the proximity of the area of bush

The first stage amenity building can achieve a 14.5m setback distance from the dripline of the area of bush on the adjacent site. The nearest future sleeping pod can achieve a similar setback from the dripline of that same area of bush. The area between buildings and boundary will be kept clear of scrub/shrubs and left in grass lawn, or ground level landscaping. I consider the achievable separation distance to be adequate. On the other side (north) of the amenity building there are individual trees, not regarded as an "area" of trees or scrubland from which a setback is required.

7.7 Mitigation measures proposed, adequacy and location of water supply & access to same

The proposed access, fire fighting water supply location and volume, have been assessed by the NZ Fire and Emergency services and deemed to be satisfactory. The NZFE approval is attached in Appendix 4.

7.8 Other matters

I do not believe the proposed very modest development will have any adverse impact on fresh water bodies and no additional consents under national or regional planning instruments are required.

The site is mapped as containing LUC 3w (wet) soils. These are defined within the National Policy Statement Highly Productive Land as being “highly productive land” and subject to the NPS accordingly. However, the Council consented the creation of the site for lifestyle/residential purposes and the property owners therefore have every right to expect to build their first (and only) residence on that land. The construction of a modest sized amenity building and future sleeping pods has little or no impact on any productive capacity of the lot, which contains very little usable grazing land in any event. I consider the first (and only) residence on an existing title to be an entirely appropriate use of the land. The NPS-HPL provides for appropriate uses.

8.0 STATUTORY ASSESSMENT

8.1 Operative District Plan Objectives and Policies

Objectives and policies relevant to this application are predominantly those listed in Chapter 8.6 Rural Production Zone. Objectives in 8.6.3 (Rural Production) focus on promoting sustainable management of natural and physical resources, and enabling the efficient use and development of the Zone. I believe the development of the application site achieves both these objectives.

Amenity values and rural character are not adversely affected, given the location of the site and the modest nature of the proposed development. There is minimal, if any, land incompatibility risk as the development is residential living / lifestyle in nature and was considered an acceptable land use at time of subdivision creating the site. The ongoing use of the site for large lot residential living does not impact on rural production activities that might wish to continue elsewhere in the zone and on the adjacent farming properties.

Policies 8.6.4.1 – 8.6.4.5 support the above objectives and largely reflect the requirements of Part 2 of the Act. I believe the proposal to be consistent with those policies.

Policies 8.6.4.7-8.6.4.9 are about reverse sensitivity and land use incompatibility. As stated above, the proposal does not create any additional risk or adverse effect in this regard.

Also relevant to the proposal are the objective and policy in 12.4 relating to potential fire risk:

Objective 12.4.3.7 To avoid fire risk arising from the location of residential units in close proximity to trees, or in areas not near fire fighting services.

Policy 12.4.4.7 That the risk to adjoining vegetation and properties arising from fires be avoided.

The use of the word “avoid” is unfortunate because it is impossible to totally avoid risk where the area of bush from which setback is required is not in the application site and therefore

outside any control of the applicant. In this case the bush is also covenanted, so could not be removed even if it was within the site.

The property is less than 10 minutes from the nearest fire station. NZFE has approved the proposed fire fighting water supply in terms of its volume, location and accessibility. All that can practically be done to mitigate risk will be done.

8.2 Proposed District Plan Objectives and Policies

An assessment against the relevant objectives and policies in the Proposed District Plan (PDP) follows. The property is zoned Rural Production, and contains no resource features.

Objectives

RPROZO1

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

RPROZO2

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

RPROZO3

Land use and subdivision in the Rural Production zone:

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

RPROZO4

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

The area of development does contain LUC 3w1 (wet) soils and these meet the definition of 'highly productive land'. The application site was consented by Council for use as a lifestyle lot under the ODP (RPROZ-O3). Refer also to commentary under 7.7 earlier in this report. The property is not overly suitable for economically viable level productive use given its topographical features; low lying areas; vegetative cover and limited size. The construction of the first residential unit on the property does not adversely impact on the Council's ability to manage the zone to ensure ongoing availability of land for primary production in appropriate locations and where there are highly productive soils (RPROZ-O1 & O2). The proposed residential use does not adversely affect character and amenity (RPROZ-O4). The proposed residential use is potentially at risk of fire, but adequate mitigation is proposed and NZFE has provided approval. The site is also subject to flood hazard in places, but the

development avoids these areas and therefore does not exacerbate flood hazard. The site is served by on-site infrastructure (RPROZ-O3).

Policies

RPROZP1

Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.

Not relevant as the activity is not a primary production activity.

RPROZP2

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

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

The use of the application site for residential use is considered compatible with the surrounding area. Primary production activities can continue on the adjacent site.

RPROZP3

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

The proposed residential building will not create any reverse sensitivity effects on primary production activities and is of an appropriate scale and design for the site.

RPROZP4

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

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

Refer to commentary under RPROZ-P2. The proposed development is low density with very low site coverage. The development will maintain rural character and amenity in the zone and immediate environs.

RPROZP5

Avoid land use that:

- a. is incompatible with the purpose, character and amenity of the Rural Production zone;*
- b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;*

-
- c. would result in the loss of productive capacity of highly productive land;
 - d. would exacerbate natural hazards; and
 - e. cannot provide appropriate on-site infrastructure.

The buildings will be the first and only residential living on an existing site. The development is modest in scale and size and not incompatible with the purpose, character and amenity of the zone and environs. The use of a portion of the site for residential living will not result in any material loss to the productive capacity of highly productive land within the district. Whilst there is an area of bush in proximity to the proposed residential unit, mitigation measures are proposed to minimise risk. On-site services can be accommodated on site.

RPROZP6

Avoid subdivision that:....

Not applicable.

RPROZP7

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

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

No resource consent is required under the PDP and the above policy therefore has limited relevance. I believe the proposal has nonetheless had adequate regard to any relevant matters in the above policy.

Like the ODP, the PDP contains a limited number of objectives/policies related to fire risk.

Objective NH-O2

Land use and subdivision does not increase the risk from natural hazards or risks are mitigated, and existing risks are reduced where there are practicable opportunities to do so.

I believe sufficient mitigation has been offered in this instance.

Policy NH-P2

Manage land use and subdivision so that natural hazard risk is not increased or is mitigated, giving consideration to the following:

- a. the nature, frequency and scale of the natural hazard;
- b. not increasing natural hazard risk to other people, property, infrastructure and the environment beyond the site;
- c. the location of building platforms and vehicle access;
- d. the use of the site, including by vulnerable activities;
- e. the location and types of buildings or structures, their design to mitigate the effects and risks of natural hazards, and the ability to adapt to long term changes in natural hazards;
 - i. aligning with emergency management approaches and requirements;

The proposal adequately mitigates against the risk of fire. This risk is low. The proposal does not increase risk to other people or property beyond the site. NZFE has provided its approval for an alternative fire fighting water supply and the property is less than 10 minutes from the nearest fire station.

8.3 Part 2 Matters

5 Purpose

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

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

6 Matters of national importance

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

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:
- (g) the protection of protected customary rights:
- (h) the management of significant risks from natural hazards.

The application site contains areas of indigenous vegetation, none of which is considered 'significant'. No water body is affected by the proposal. The fire risk is not a 'significant' risk.

7 Other matters

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

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

Regard has been had to any relevant parts of Section 7 of the RMA, "Other Matters". These include 7(b), (c), (d) and (f).

8 Treaty of Waitangi

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

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

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

8.4 National Policy Statements & Environmental Standards

Relevant national level planning instruments have been discussed earlier in this report.

8.5 Regional Policy Statement for Northland (RPS)

The RPS does not show the site as containing any natural character or landscape values. It is not in the coastal environment. It contains no heritage resources. I consider the proposed use to be consistent with any relevant objectives and policies in the RPS, specifically **Objective 3.5 Enabling economic wellbeing;** and **3.11 Regional form.** The proposed activity does not sterilise or fragment highly versatile soils given that the subdivision creating the site consented the creation of a lifestyle lot and an expectation of lifestyle use. The proposal does not result in any adverse reverse sensitivity effects. The site is subject to flood hazard. This is adequately mitigated by way of location of the buildings and on-site services and provision of professional reports in regard to design.

8.6 Regional Plan

The proposal does not require any consent under any regional plan.

9.0 s95A-E ASSESSMENT & CONSULTATION

9.1 S95A Public Notification Assessment

A consent authority must follow the steps set out in s95A to determine whether to publicly notify an application for a resource consent. Public notification is neither mandatory nor precluded. The activity will not have, nor is it likely to have, adverse effects on the environment that are more than minor and there are no special circumstances. Public notification is not required.

9.2 S95B Limited Notification Assessment

A consent authority must follow the steps set out in s95B to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified

pursuant to s95A. In my opinion there are no affected groups or affected persons that must be notified. Limited notification of this application is not required.

9.3 S95D Level of Adverse Effects

The AEE in this report assesses effects on the environment and concludes that these will be less than minor.

9.4 S95E Affected Persons

A person is an 'affected person' if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). A person is not an affected person if they have provided written approval for the proposed activity. No written approvals have been obtained in this instance.

The boundary breach is with the property to the south and an area of covenanted bush. Building very small sleeping pods within 10m (but still 6.4m away) from the boundary has very little, if any, adverse effects on that property in the circumstances.

The NZFE has provided its approval.

In summary I have not identified any affected persons.

10.0 CONCLUSION

I believe that the building can be consented in its current location with less than minor adverse effects. The proposal is not contrary to relevant objectives and policies of the Operative or Proposed District Plans, or relevant national and regional policy statements. The proposal is consistent with Part 2 of the Resource Management Act.

There is no District Plan rule or national environmental standard that requires the proposal to be publicly notified and no persons have been identified as adversely affected by the proposal. No special circumstances have been identified that would suggest notification is required.

It is therefore requested that the Council grant approval on a non notified basis.



Lynley Newport
Senior Planner,
Thomson Survey Ltd

Date

15th August 2024

11.0 APPENDICES

Appendix 1	Site Plans; floor plans and elevations
Appendix 2	Location Map
Appendix 3	Record of Title & Relevant Instruments
Appendix 4	NZFE Approval
Appendix 5	On site Effluent Disposal Report

Appendix 1
Site Plans; floor plans
and elevations

PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS

AT 146B OTIRIA ROAD, MOREWA

for N and E LIRONI-IRVINE



E 25/07/2024
CONCEPT

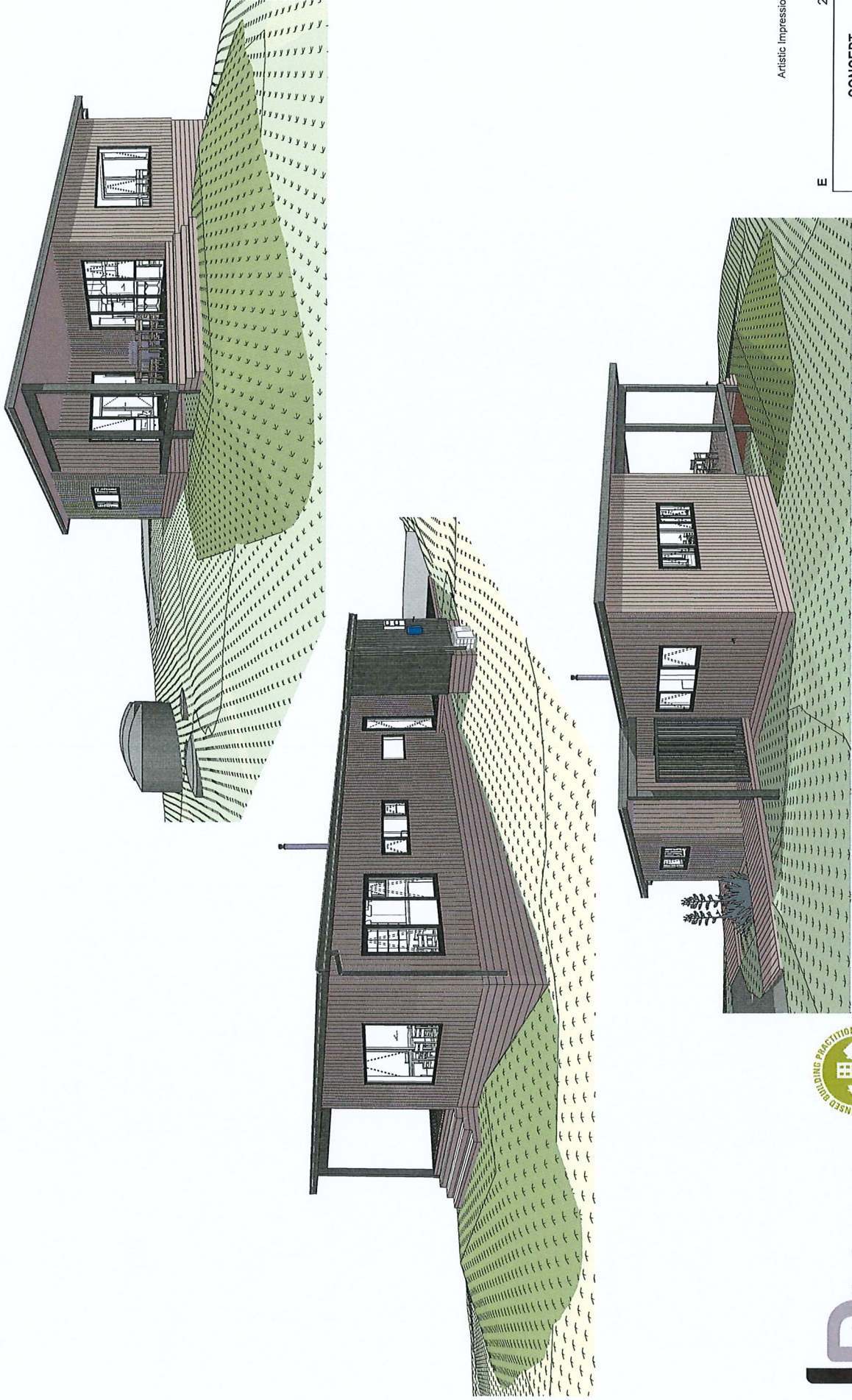


P.O. Box 960, 0245 Kerikeri
ph/fax: (09) 407 3037, mob: 021 407390
email: karin@lindholmdesign.co.nz
web: www.lindholmdesign.co.nz
Karim Lindholm Andressen
LBP- Design 2: 107526



Design: © Lindholm Design 2024

Artistic Impression Only



Artistic Impression Only

E 25/07/2024

CONCEPT

DO NOT SCALE. Work only to figured dimensions. All dimensions are to be checked on site prior to commencing work. Any discrepancies are to be reported to designer prior to commencing work.

All construction to comply with NZS3604:2011 and the NZBC

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PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE

Sheet: 3D VIEWS

Date: Thursday, 25 July 2024

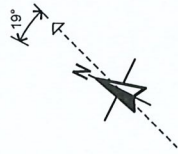
SCALE:



A D I N Z

ARCHITECTURAL DESIGNERS NZ

P.O. Box 960, 0245 Kerikeri
 ph: fax (09) 407 3037, mob: 021 407390
 email: kate@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karim Lindholm Andressen
 LBP: Design 2: 107526

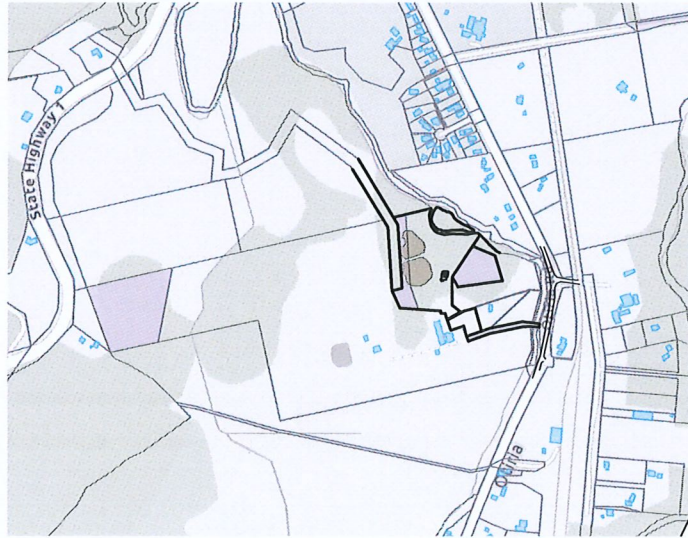


NORTH POINT

SITE DESCRIPTION:

LOT 2 DP 596306 and LOT 5 DP 25821

SITE AREA: 25580 m²

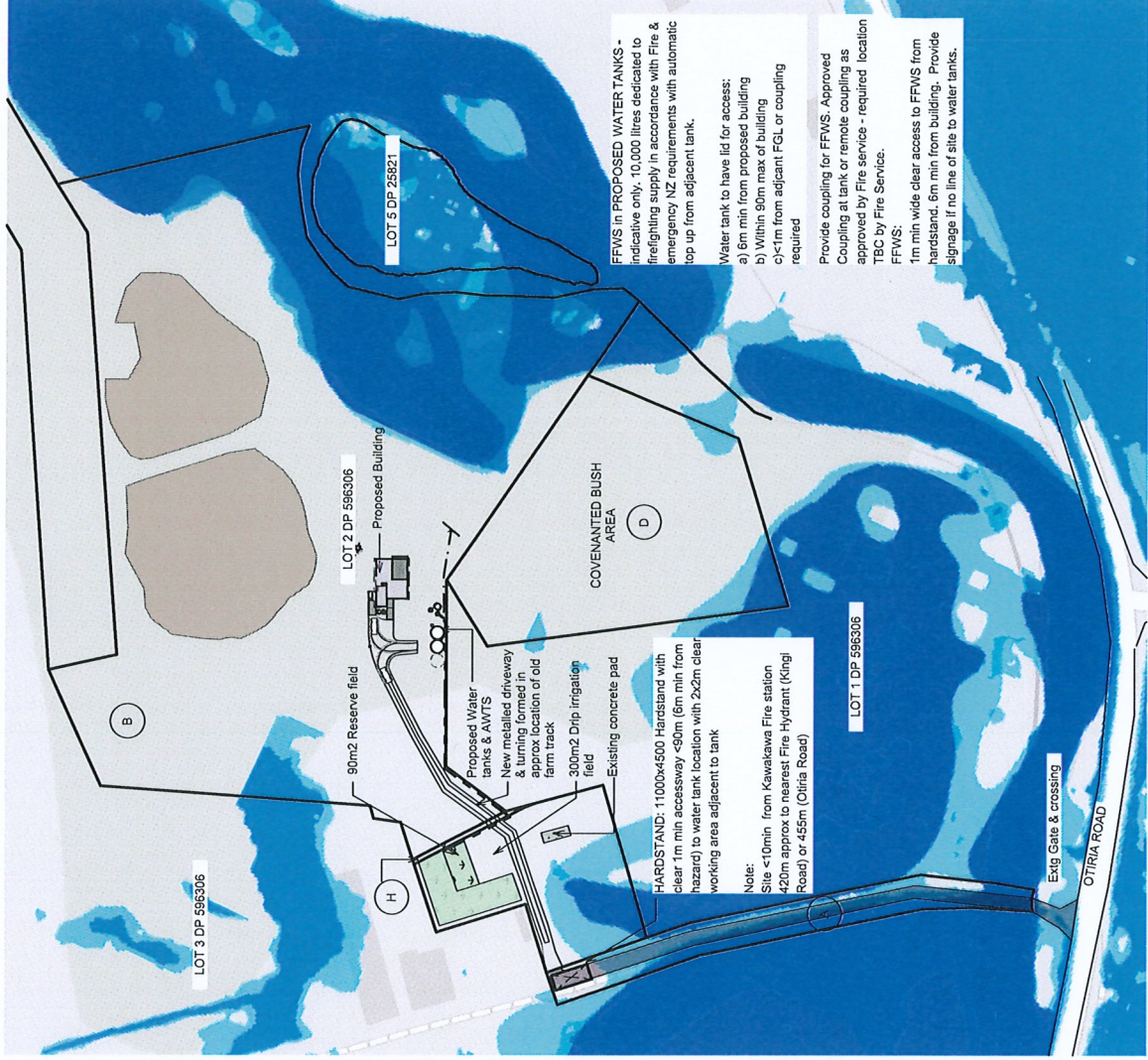


2 Location Plan 1:10000



P.O Box 960, 0245 Kaitiaki
 ph:fax: (09) 407 3037 . mob: 021 407390
 email: Karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm Andressen
 LBP: Design 2: 107526

A D I N Z
 ARCHITECTURAL DESIGNERS NZ



PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE

Sheet: A01 OVERALL SITE AND LOCATION PLAN

Date: Thursday, 25 July 2024

SCALE: 1:1500, 1:10000

GENERAL NOTES:
 PLANNING ZONE: RURAL PRODUCTION
 WIND ZONE: HIGH (to NZS3604:2011 Section 5.2)
 EXPOSURE ZONE: Zone C
 SUBSOIL CLASSIFICATION: C
 SOIL CLASS: M

WIND ZONE CALCULATION:
 GROUND ROUGHNESS: OPEN (<10 obstructions/ha)
 SITE EXPOSURE: EXPOSED
 TOPOGRAPHICAL CLASS:
 Smooth gradient = >0.13 (1:6.7) = MILD
 Zone = Outside Outer zone
 Topo Class = T1

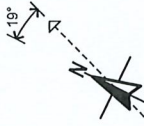
- NOTES:**
- 1) All construction to comply with NZBC & NZ Standards and LA requirements.
 - 2) All Services locations and connections shown indicative only, Contractor to confirm all existing services runs on site prior to commencing construction
 - 3) Ex'g. 1m Contours are indicative only from FNDC Maps. Spot levels taken by LINDHOLM DESIGN LTD. - All levels to be confirmed on site by builder prior to construction.
 - 4) Buildings and impermeable surfaces from site measure and FNDC Maps - site not surveyed
 - 5) **Earthworks and Sediment Control** to comply with Geotechnical Report requirements and FNDC Proposed District Plan EW-S5; to comply with "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016" - refer to accompanying documents for "Building on Small Sites - Doing it Right" for guidance.
 - 6) Earthworks to comply with FNDC Proposed District Plan EW-S3 "Accidental Discovery Protocol"
 - 7) Plans to be read in conjunction with TP-68 and Geotech Report
 - 8) Refer to Site & Service Plans for drainage & Services runs and locations

E 25/07/2024

CONCEPT

DO NOT SCALE. Work only to figured dimensions. All dimensions are to be checked on site prior to commencing work. Any discrepancies are to be reported to designer prior to commencing work.

All construction to comply with NZS3604:2011 and the NZBC
 These drawings and design remain the property of Lindholm Design Ltd. Drawings are not to be distributed or copied without prior approval from Lindholm Design Ltd.



NOTES:
1) Refer to overall site plan for site notes

NORTH POINT

SITE DESCRIPTION:

LOT 2 DP 596306 and LOT 5 DP 25821
SITE AREA: 25580 m²

DISTRICT PLAN COMPLIANCE: RURAL PRODUCTION

RESIDENTIAL INTENSITY:

Permitted = 1 residential unit/12ha of land
Proposed = 1 amenity building proposed (Kitchen/dining/living/bathroom)
= COMPLIES

BUILDING HEIGHT:

Permitted = 12m max
Proposed = 4.8m approx = COMPLIES

SUNLIGHT: - COMPLIES

STORMWATER MANAGEMENT: (Impermeable surfaces)

Proposed Roof Area = 147.45 m² approx
Future PODS Roof Area(3 PODS) = 45.5m² approx
Driveway (metalled) = 375m² approx
Total Permitted: = ≤ 15% of gross site area
Total Proposed: = 567.95m² approx
= 2% approx of gross site area
= COMPLIES

SETBACKS TO BOUNDARIES:

Permitted = 10m min from any site boundary
Proposed = >10m
= COMPLIES

BUILDING COVERAGE:

Proposed building = 147.45 m² approx
Future PODS = 14.4m² approx/POD
Total Permitted: = ≤ 12.5% of gross site area
Total Proposed: = 0.8% approx
= COMPLIES

EARTHWORKS VOLUME:

Total Permitted: = 500m³ max in any 12month period
Total Proposed: = <500m³ approx total cut/fill volume
= COMPLIES

CUT/FILL FACE:

= ≤1.5m max permitted = COMPLIES

SETBACK FROM LAKES & RIVERS:

= >30m from banks of Rivers (3m or more wide) and Wetlands (with area of 1ha or more) = COMPLIES

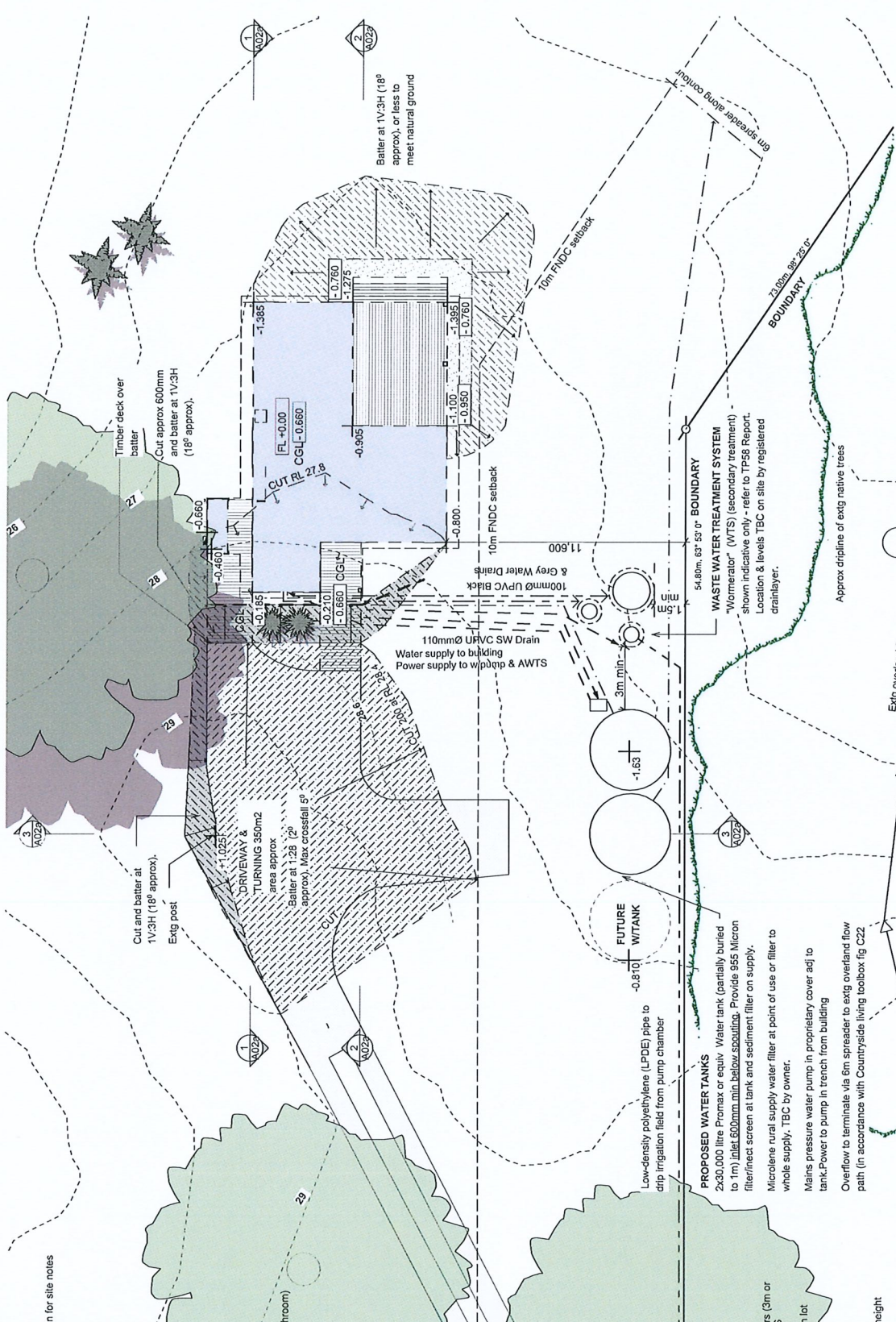
FIRE RISK TO RESIDENTIAL UNITS:

<20m setback to scrub/bush lot (covenanted bush area) = RESOURCE CONSENT REQUIRED
Refer Consent Notice on title requiring FFWS

HALL: NOT A HALL SITE

EARTHWORKS PERMIT: NOT REQUIRED

Proposed excavation and filling >3m from site boundary, <1.5m in height



25/07/2024

CONCEPT

DO NOT SCALE. Work only to figured dimensions. All dimensions are to be checked on site prior to commencing work. Any discrepancies are to be reported to designer prior to commencing work.

All construction to comply with NZS3604:2011 and the NZBC

These drawings and design remain the property of Lindholm Design Ltd. Drawings are not to be distributed or copied without prior approval from Lindholm Design Ltd.

PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE

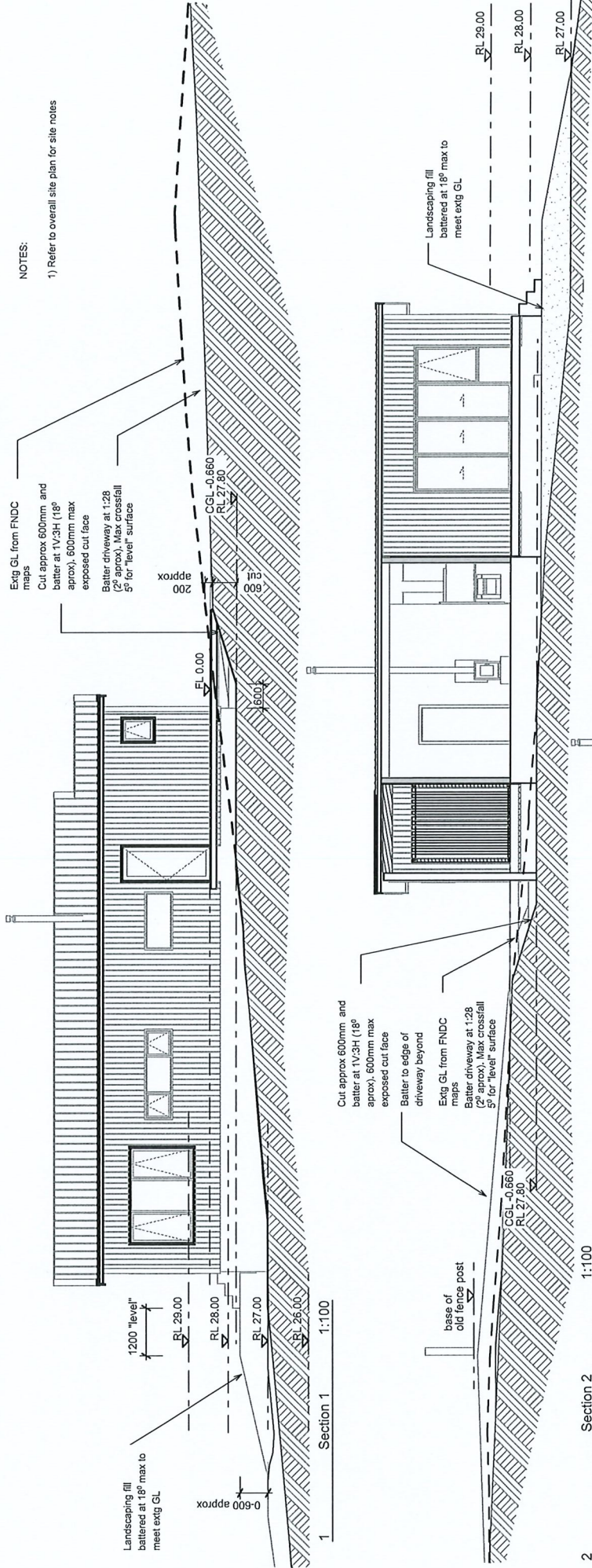
Sheet: A02 PART SITE PLAN
Date: Thursday, 25 July 2024

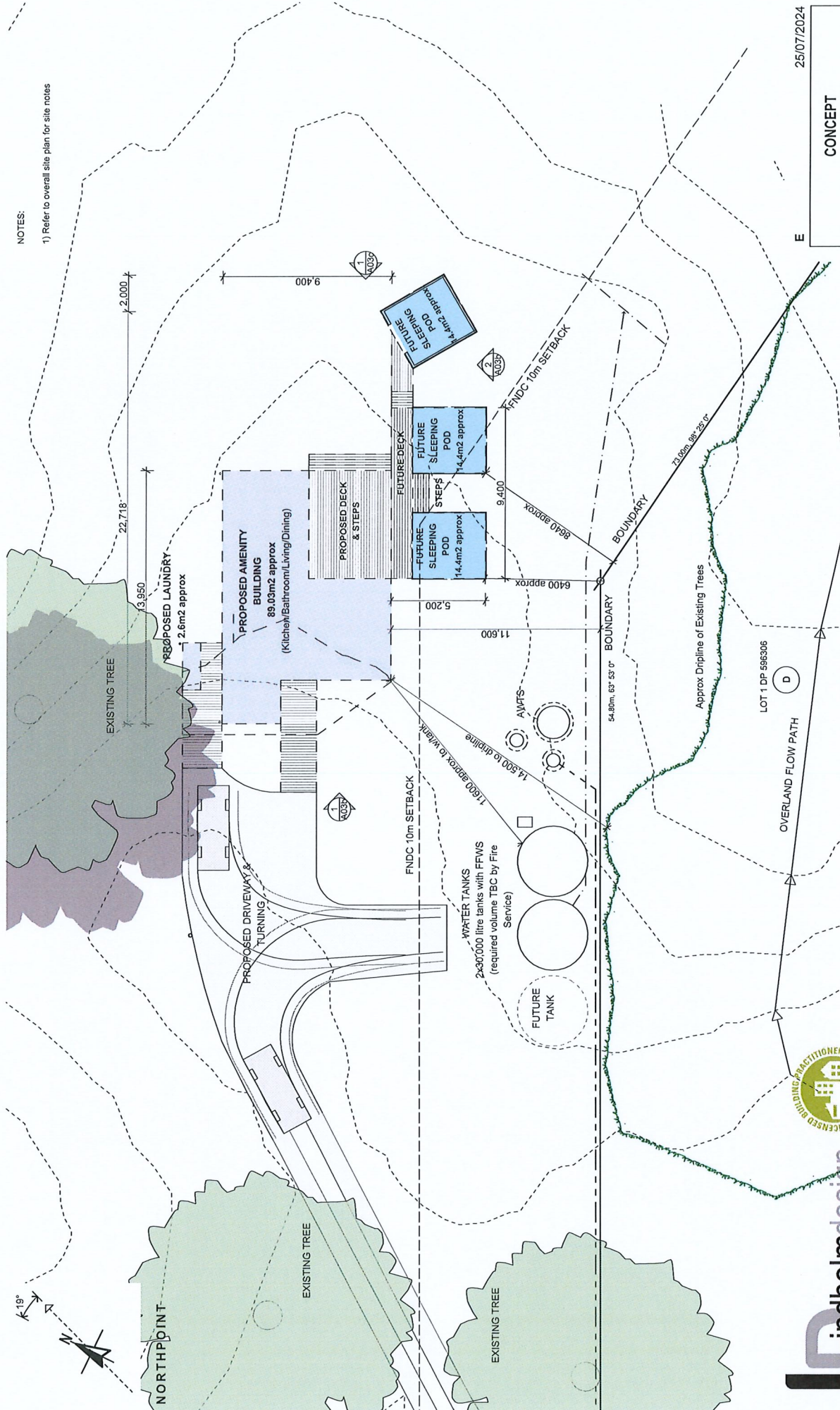
SCALE: 1:200

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ARCHITECTURAL SERVICES

A D I N Z
ARCHITECTURAL DESIGNERS NZ

P.O Box 960, 0245 Kaitiaki
ph:fac: (09) 407 3037 . mob: 021 407390
email: Karin@lindholmdesign.co.nz
web: www.lindholmdesign.co.nz
Karin Lindholm Andraessen
LBP: Design 2: 107526





NOTES:
 1) Refer to overall site plan for site notes



25/07/2024

CONCEPT

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PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE

Sheet: A02b SITE PLAN WITH FUTURE SLEEPING "PODS"

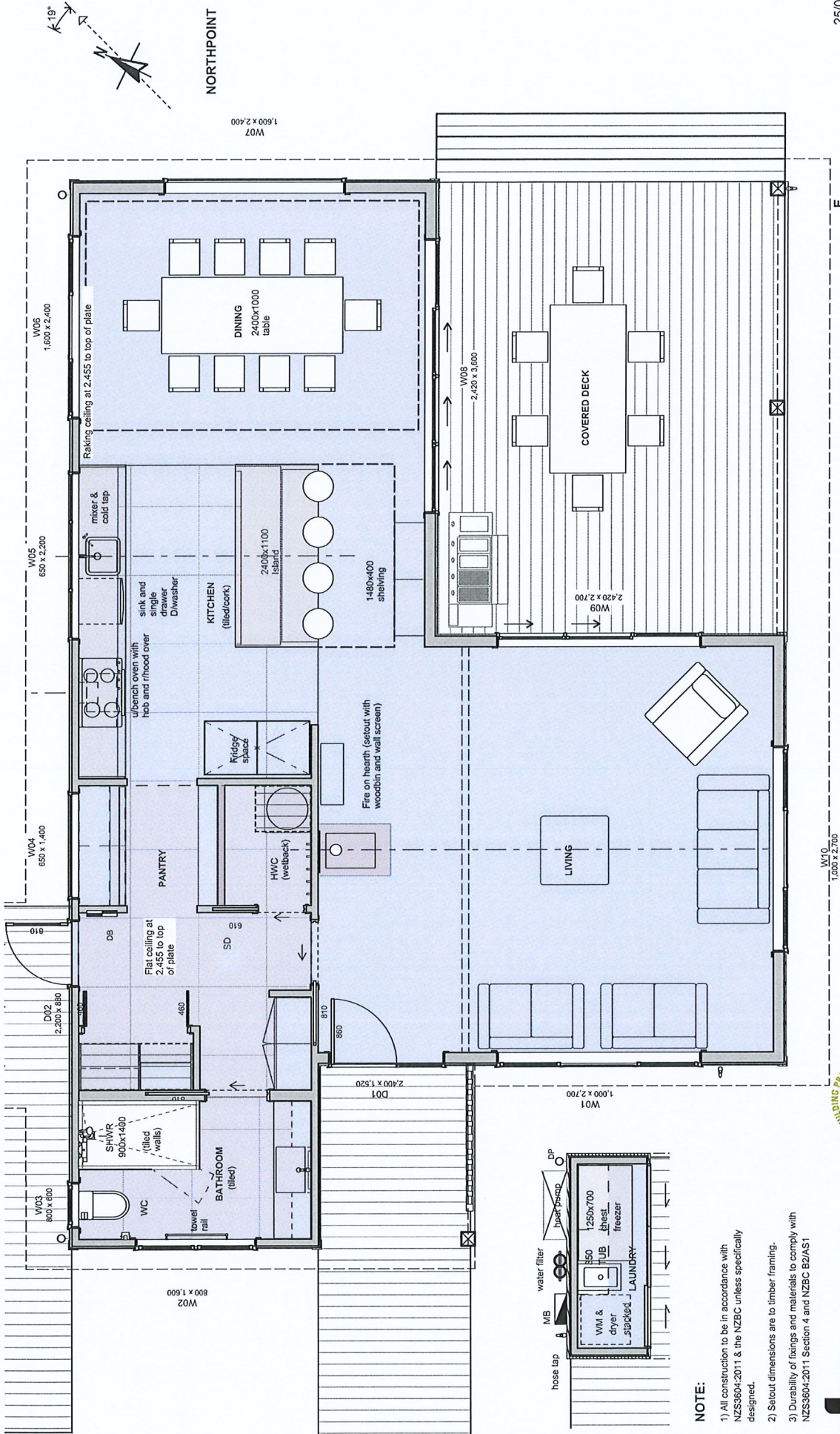
Date: Thursday, 25 July 2024 SCALE: 1:200

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A | D | N | Z
 ARCHITECTURAL DESIGNERS NZ

P.O. Box 680, 0245 Kaitiaki
 ph: (09) 407 3037, mob: 021 407 390
 email: Karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm Andreassen
 LBP: Design 2: 107336

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 0800 457 128



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ARCHITECTURAL SERVICES

A D I N Z
ARCHITECTURAL DESIGNERS NZ

P.O. Box 960, 0245 Kenilworth
 ph:fax: (09) 407 3037, mob: 021 407390
 email: karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm Andressen
 LBP: Design 2: 107526

NOTE:

- 1) All construction to be in accordance with NZS3604:2011 & the NZBC unless specifically designed.
- 2) Setout dimensions are to timber framing.
- 3) Durability of fixings and materials to comply with NZS3604:2011 Section 4 and NZBC B2/A-S1

25/07/2024

CONCEPT

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PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE

Sheet: A03 FLOOR PLAN
Date: Thursday, 25 July 2024

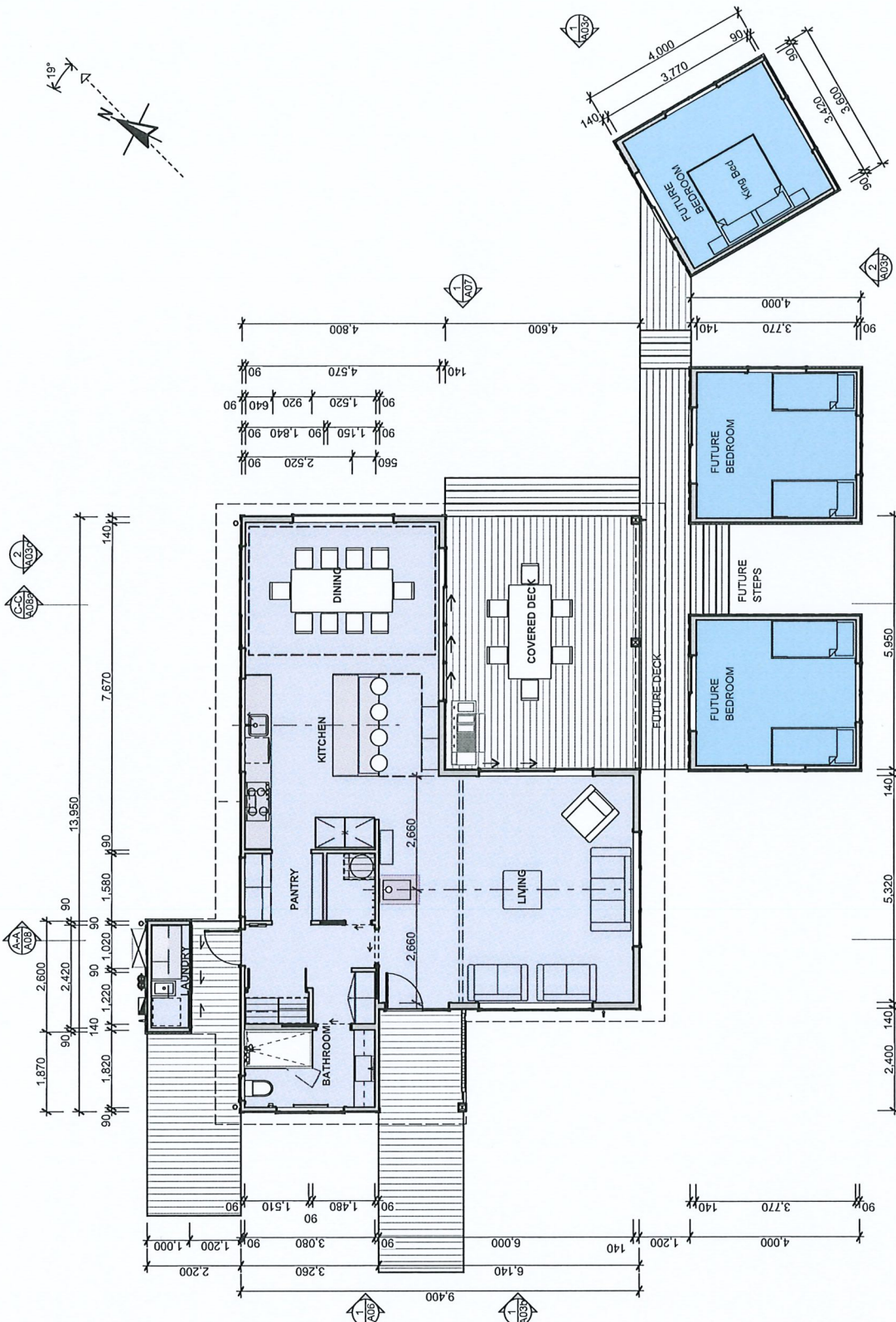
SCALE: 1:50, 1:250

AREAS: approx
 FLOOR AREA = 89.03m² approx
 LAUNDRY FLOOR AREA = 2.6m² approx
 TOTAL FLOOR AREA = 91.63m² approx
 ROOF AREA = 147.45 m² approx

FUTURE AREAS: approx
 FUTURE "SLEEPING POD" FLOOR AREA = 14.4m²/POD
 TOTAL FUTURE ADDITIONAL FLOOR AREA = 43.2m²

- KEY:**
- External Cladding 1: "Shadowclad" 12mm grooved ply with selected finish on cavity
 - External Cladding 2: Vertical "Diamond" "Styline" or sim profiled pre-painted metal cladding on cavity
 - Typical external timber framed walls: H1.2 SC68 timber framing - No insulation or lining
 - Window/Door Reference: Double glazed & thermally broken frames with glazing to comply with NZS4223: Human impact safety requirements.
 - Roof line
 - 20mm H1.2 Ply Flooring, H3.1 under shower. Waterproofing membrane under tiled water splash zones or other impervious finish to comply with E3/AS1 as required
 - "Type 1" Smoke Detector with 60 Second hush facility to be mounted within 3m of sleeping spaces and on escape paths to comply with NZBC C/AS1 & F7/AS1
 - Extract ducted to exterior - thru wall.
 - Mechanical extract fans (including associated ducting) must have a flowrate not less than 25/s for shower space, 50/s for Kitchen and 40/s for laundry to comply with NZBC G4/AS1

- INSULATION:** Minimum requirements to future habitable spaces comply to with NZBC H1: 5th Edition (Refer to BRANZ Calculation Method)
- INTERIOR FINISHES:** to comply with E3/AS1
- a) Seal around all penetrations and at junctions of wall/floor finishes with approved mould resistant silicone sealant to all water splash areas and kitchen benches and between flooring finishes and pre-primed timber skirting or alternative.
 - b) "Watersplash" areas and surfaces adjacent to sanitary and facilities to be "impervious" to comply with NZBC E3/AS1 3.0
 - c) Impervious finish to lining to shower 1800mm min high, to extend 50mm above shower rose to E3/AS1. Shower lining to comply with B2/AS1
 - d) Bench/work surfaces used for food preparation to comply with G3/AS1



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 ARCHITECTURAL DESIGNERS NZ

P.O. Box 860, 0245 Kenilworth
 ph: (09) 407 3037, mob: 021 407390
 email: Karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm Addresssen
 LBP: Design 2: 107526

PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE

Sheet: A03a FLOOR PLAN & FUTURE
Date: Thursday, 25 July 2024

SCALE: 1:100, 1:250, 1:50

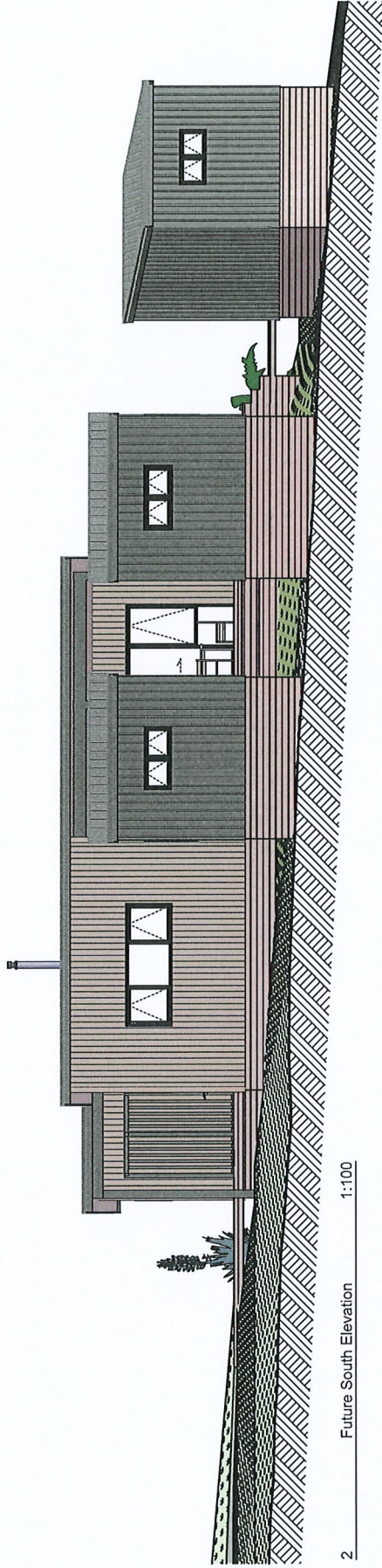
25/07/2024

CONCEPT

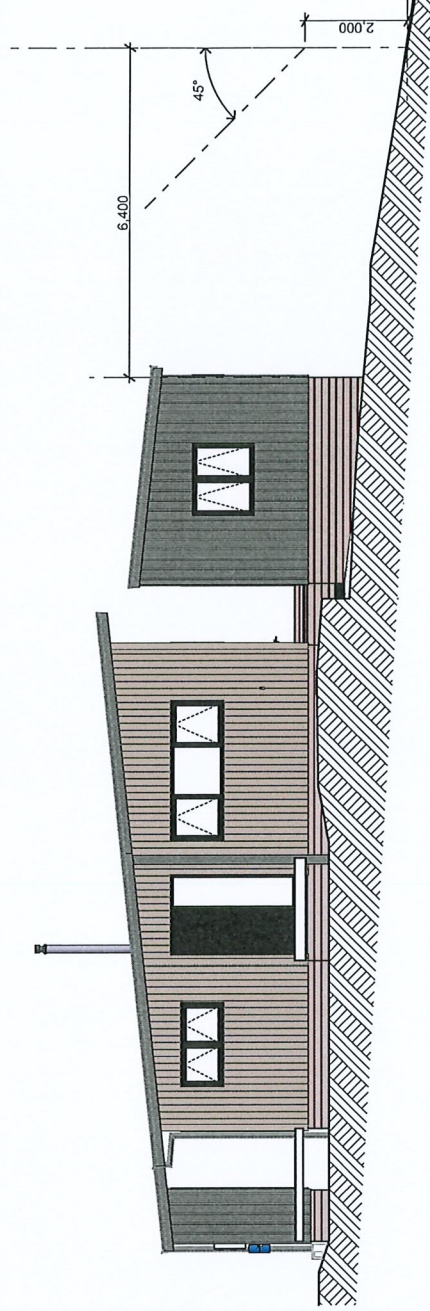
DO NOT SCALE. Work only to figured dimensions. All dimensions are to be checked on site prior to commencing work. Any discrepancies are to be reported to designer prior to commencing work.

All construction to comply with NZS3604:2011 and the NZBC

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2 Future South Elevation 1:100



1 Future West Elevation 1:100



P.O Box 960, 0245 Kerikeri
 ph/fax: (09) 407 3037, mob: 021 407390
 email: karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm-Andreasen
 LBP: Design 2:107526

A D | N Z
 ARCHITECTURAL DESIGNERS NZ

PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE
Sheet: A03b FUTURE ELEVATIONS - SH 1
Date: Thursday, 25 July 2024 SCALE: 1:100

E 25/07/2024

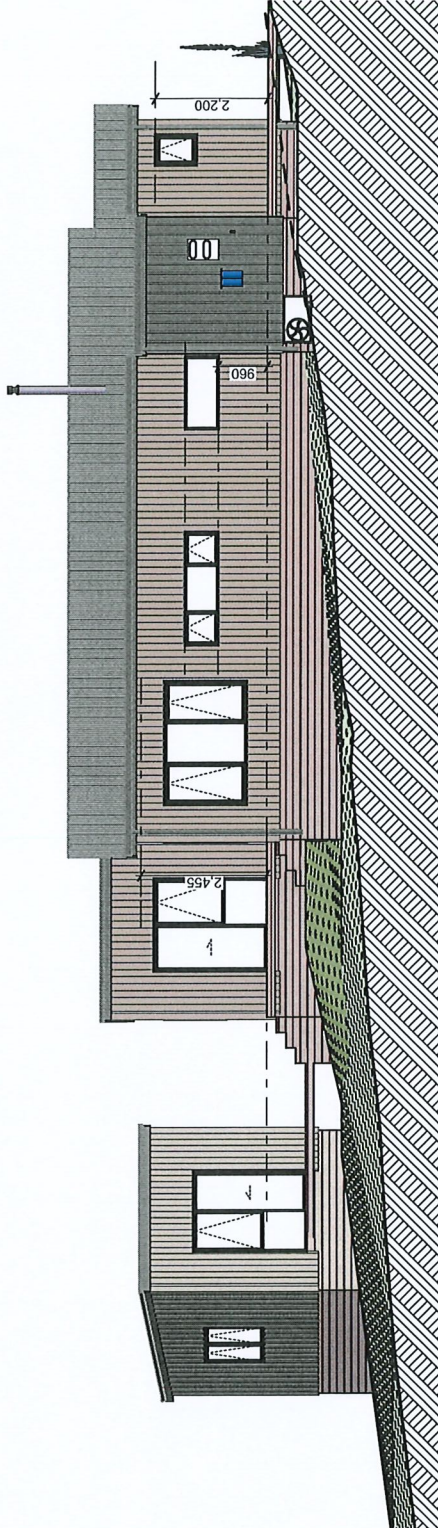
CONCEPT

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1 Future East Elevation 1:100



2 Future North Elevation 1:100



P.O. Box 860, 0245 Kaitiaki
 ph/fax: (09) 407 3037, mob: 021 407390
 email: Karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm-Andrassen
 LBP: Design 2: 107526

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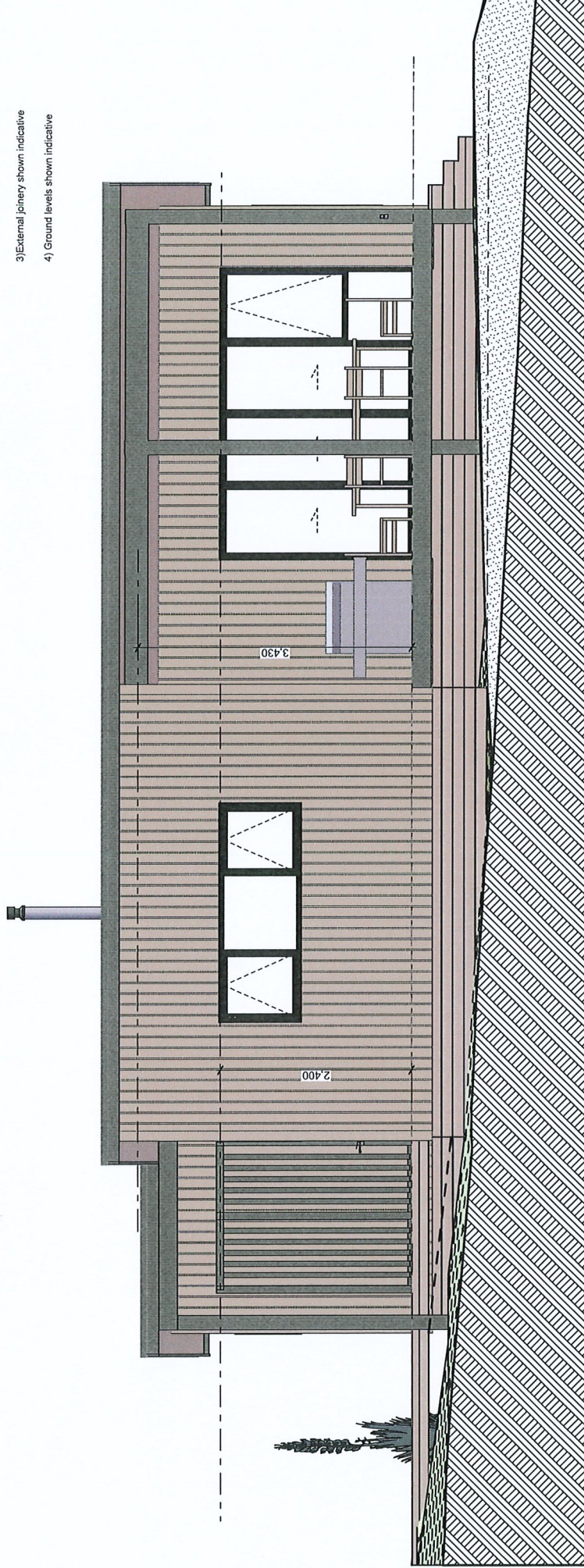
PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE
Sheet: A03c FUTURE ELEVATIONS - SH 2
Date: Thursday, 25 July 2024 SCALE: 1:100

E 25/07/2024
CONCEPT

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NOTES:

- 1) All construction to be in accordance with NZS3604:2011 and the NZBC Acceptable Solutions unless specifically designed or approved as Alternative Solution by BCA
- 2) Durability of fixings and materials to comply with NZS3604:2011 Section 4 and NZBC B2/AS1
- 3) External joinery shown indicative
- 4) Ground levels shown indicative



1 South Elevation 1:50



P.O. Box 860, 0245 Kaitiaki
 ph:fax: (09) 437 3037, mob: 021 407390
 email: Karin@lindholm.co.nz
 web: www.lindholm.co.nz
 Karin Lindholm Androssen
 LBP: Design 2: 107526

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PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE
Sheet: A04 ELEVATIONS - SHEET 1
Date: Thursday, 25 July 2024 SCALE: 1:50

E 25/07/2024

CONCEPT

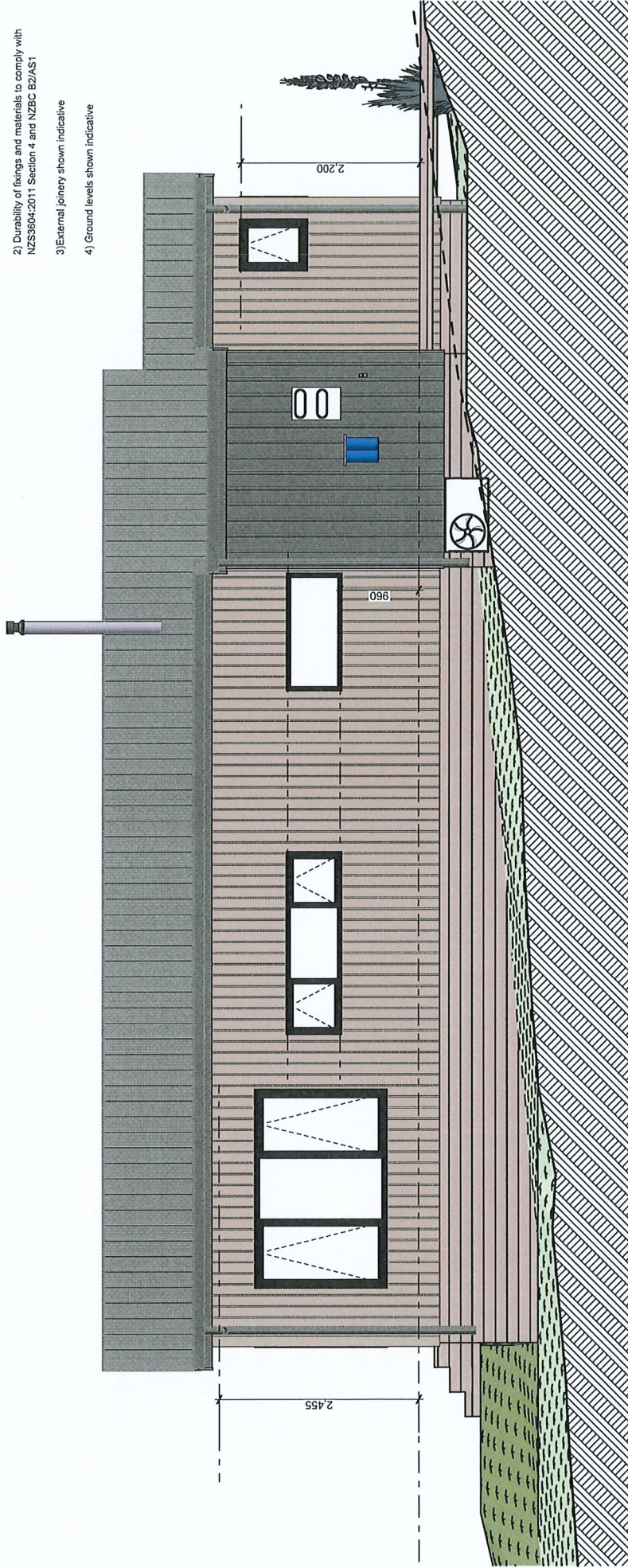
DO NOT SCALE. Work only to figured dimensions. All dimensions are to be checked on site prior to commencing work. Any discrepancies are to be reported to designer prior to commencing work.

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- 2) Durability of fixings and materials to comply with NZS3604:2011 Section 4 and NZBC B2/AS1
- 3) External joinery shown indicative
- 4) Ground levels shown indicative



1 North Elevation 1:50



P.O Box 960, 0245 Kerikeri
 ph/fax: (09) 407 3037, mob: 021 407390
 email: karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm Andressen
 LBP: Design 2: 107526

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PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE
Sheet: A05 ELEVATIONS -SHEET 2
Date: Thursday, 25 July 2024 SCALE: 1:50

E 25/07/2024

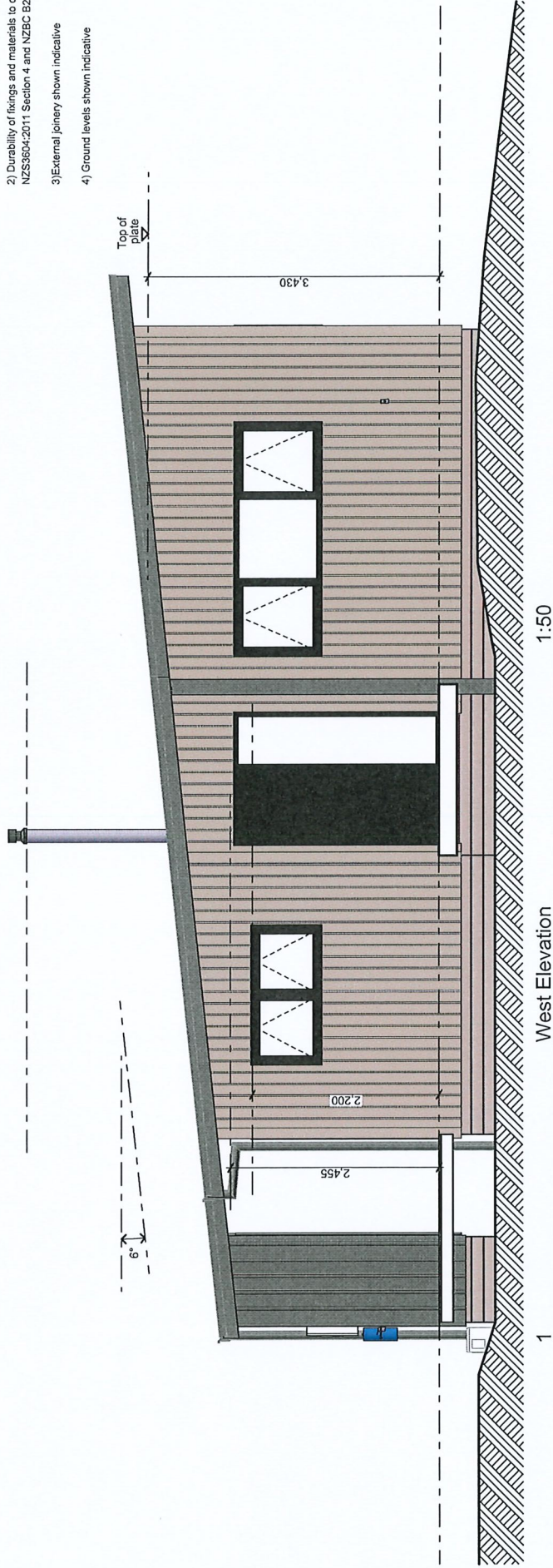
CONCEPT

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- 1) All construction to be in accordance with NZS3604:2011 and the NZBC Acceptable Solutions unless specifically designed or approved as Alternative Solution by BCA
- 2) Durability of fixings and materials to comply with NZS3604:2011 Section 4 and NZBC B2/AS1
- 3) External joinery shown indicative
- 4) Ground levels shown indicative



P.O Box 860, 0245 Kaitiaki
 ph:fax: (09) 407 3037, mob: 021 407390
 email: Karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm Andressen
 LBP: Design 2: 107526

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PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE
Sheet: A06 ELEVATIONS - SHEET 3
Date: Thursday, 25 July 2024 **SCALE: 1:50**

E 25/07/2024

CONCEPT

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All construction to comply with NZS3604:2011 and the NZBC

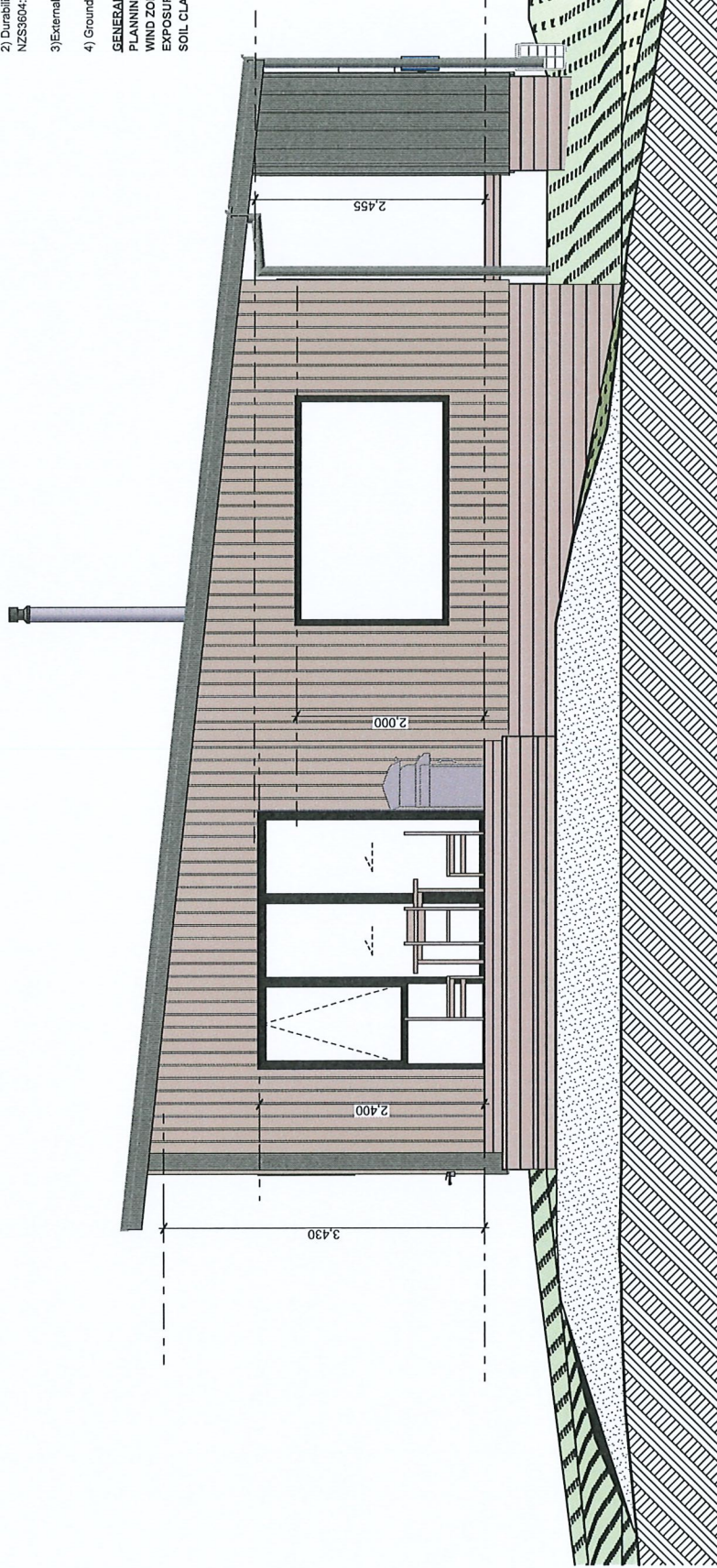
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NOTES:

- 1) All construction to be in accordance with NZS3604:2011 and the NZEC Acceptable Solutions unless specifically designed or approved as Alternative Solution by BCA
- 2) Durability of fixings and materials to comply with NZS3604:2011 Section 4 and NZBC E2/AS1
- 3) External joinery shown indicative
- 4) Ground levels shown indicative

GENERAL NOTES:

PLANNING ZONE: RURAL PRODUCTION
 WIND ZONE: HIGH
 EXPOSURE ZONE: Zone C
 SOIL CLASS: M



1 East Elevation 1:50

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P.O. Box 980, 0245 Kerikeri
 ph/fax: (09) 407 3037, mob: 021 407390
 email: karrn@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm-Andreasen
 LBP, Design 2: 107526

PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE
Sheet: A07 ELEVATIONS - SHEET 4
Date: Thursday, 25 July 2024 SCALE: 1:50

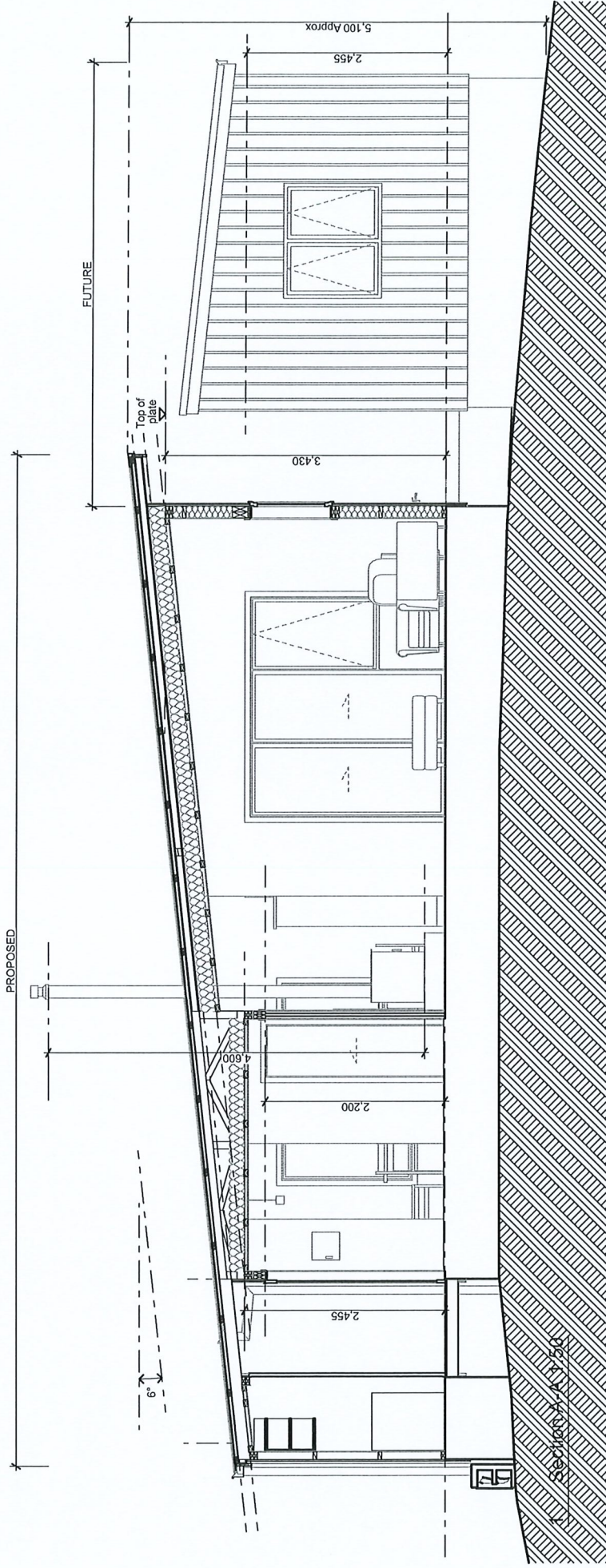
E 25/07/2024

CONCEPT

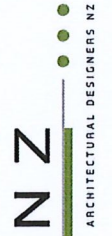
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P.O. Box 860, 0245 Kaitiaki
 ph:fax: (09) 407 3037, r.mob: 021 407390
 email: Karin@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm Andraassen
 LBP-Design 2: 107526



PROPOSED AMENITY BUILDING WITH FUTURE SLEEPING PODS at 146B OTIRIA ROAD, MOREWA, LOT 2 DP 596306 and LOT 5 DP 25821 for N and E LIRONI-IRVINE
Sheet: A08 SECTION A-A
Date: Thursday, 25 July 2024

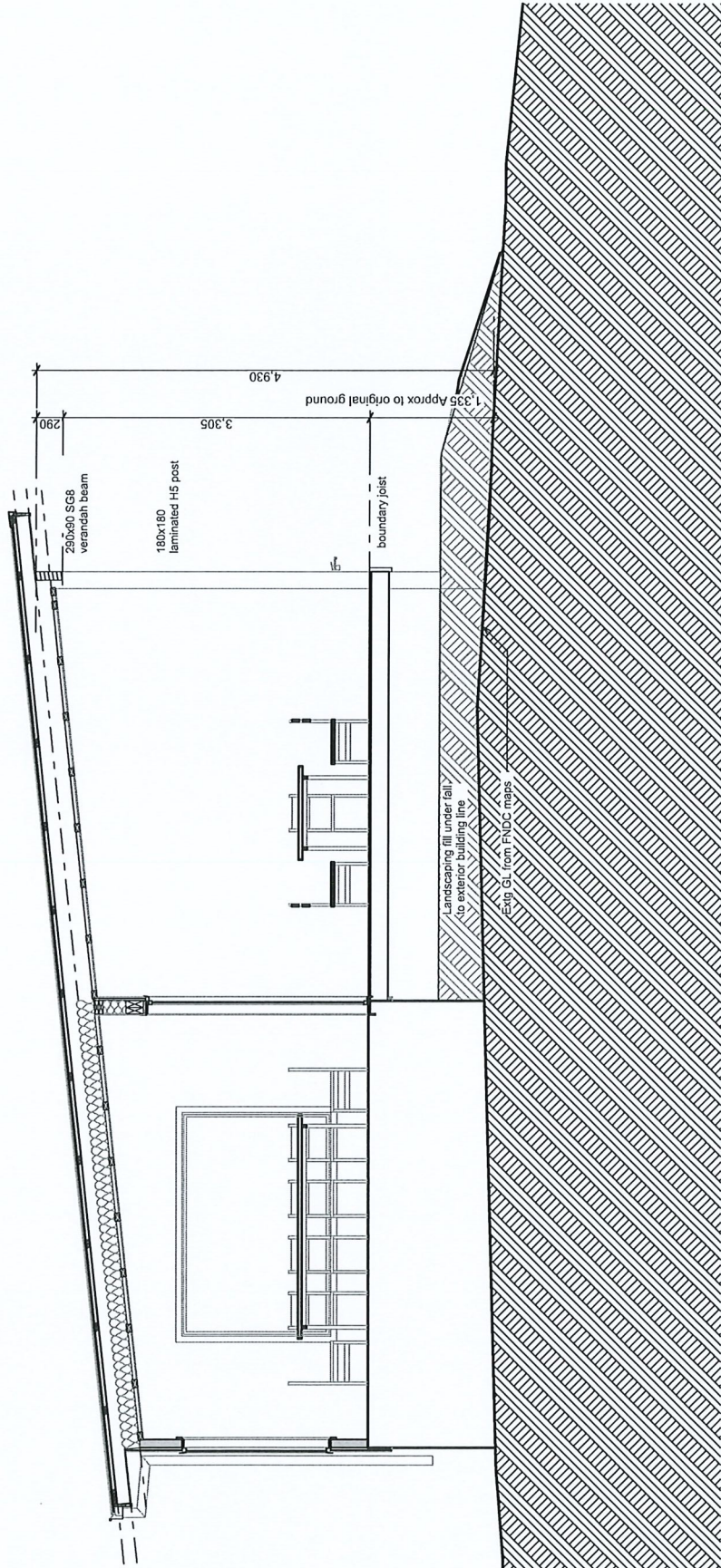
SCALE: 1:50

E 25/07/2024

CONCEPT

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Sheet: A08a SECTION C-C

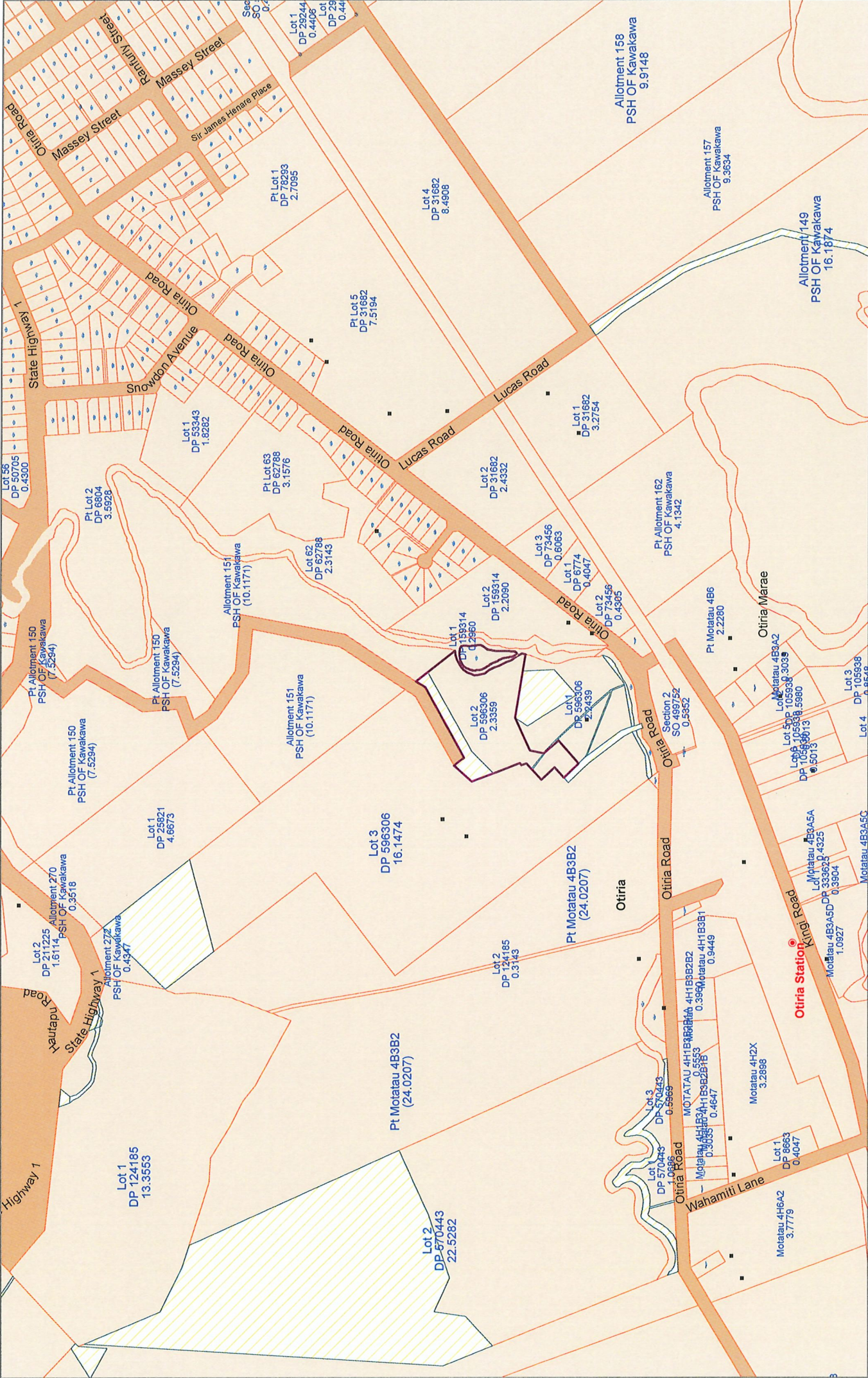
Date: Thursday, 25 July 2024

SCALE: 1:50

P.O. Box 960, 0245 Korikeri
 ph: (09) 407 3037, mob: 021 407390
 email: karn@lindholmdesign.co.nz
 web: www.lindholmdesign.co.nz
 Karin Lindholm Andressen
 LBP-Design 2: 107526

Appendix 2

Location Map



Any person wishing to rely on the information shown on this map must independently verify the information
 Scale 1:7500 Topographical and Cadastral map derived from LINZ data. Printed: 15-Aug-2024 10.49.

Appendix 3

Record of Title & Relevant Instruments



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




R.W. Muir
Registrar-General
of Land

Identifier **1153805**
Land Registration District **North Auckland**
Date Issued 22 September 2023

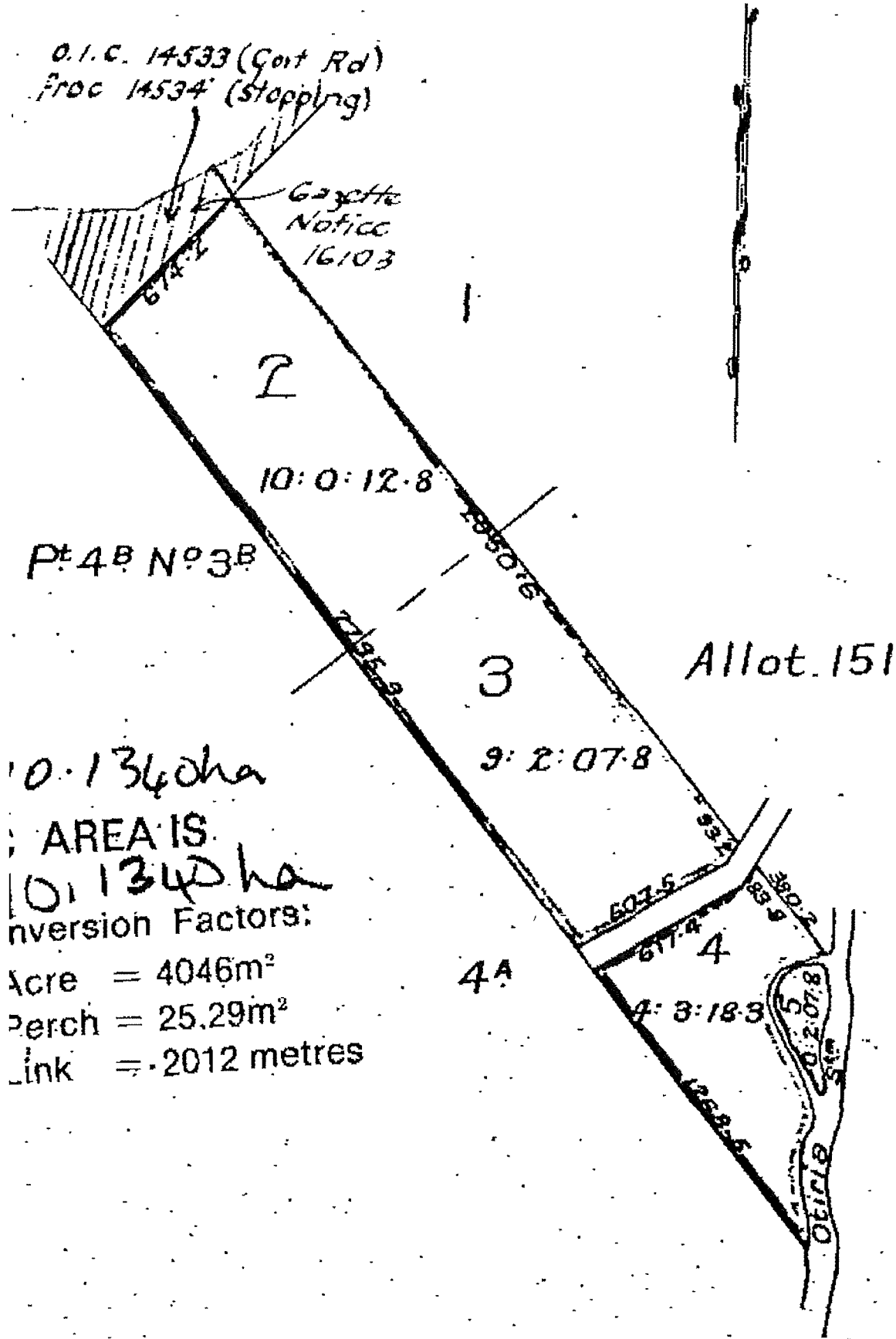
Prior References
NA365/29 NA669/243

Estate Fee Simple
Area 2.5580 hectares more or less
Legal Description Lot 2 Deposited Plan 596306 and Lot 5
Deposited Plan 25821

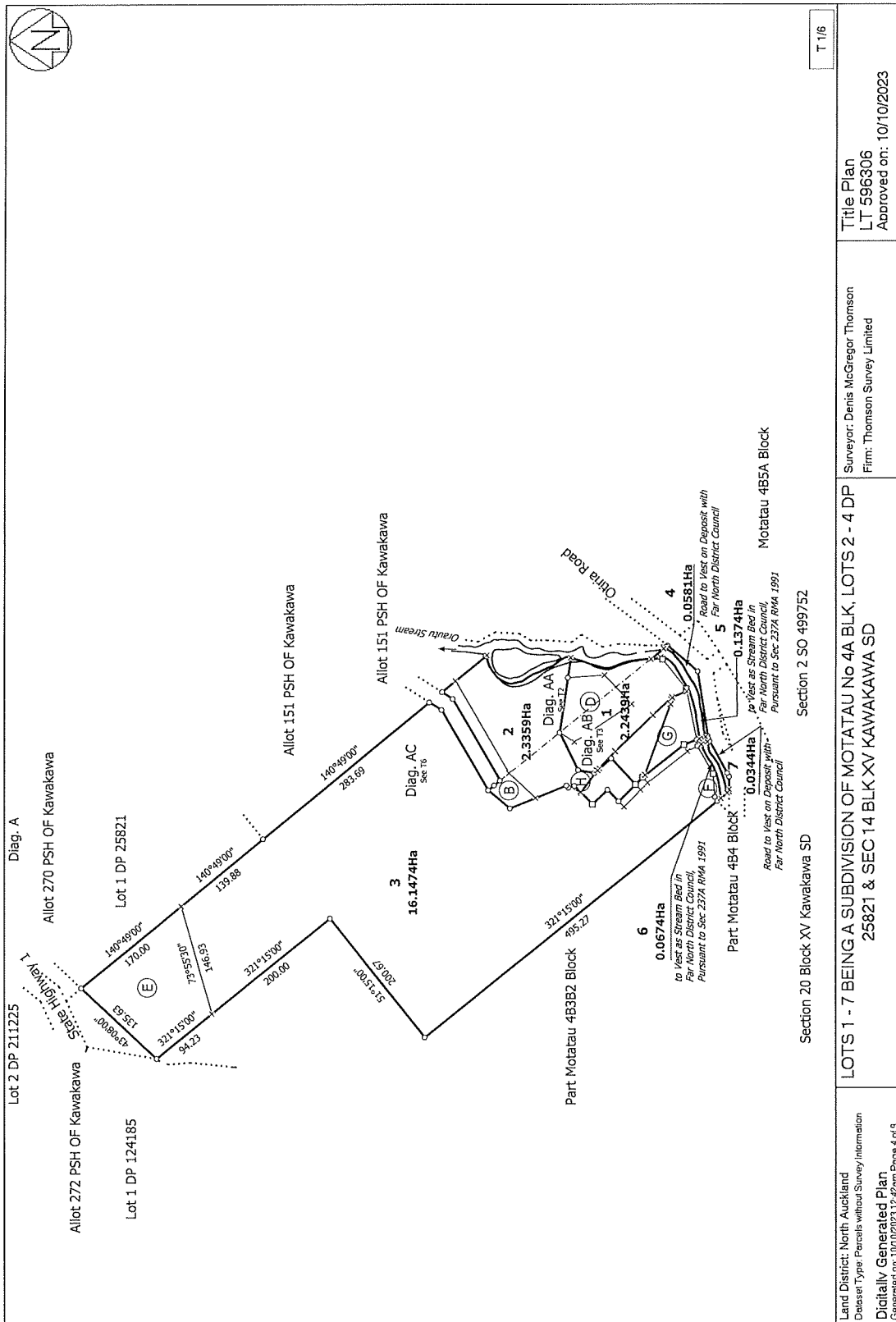
Registered Owners
Nicholas Anthony Lironi-Irvine and Elizabeth Jean Takimoana Lironi-Irvine

Interests

Subject to Section 241(2) Resource Management Act 1991 (affects DP 596306)
12833502.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 22.9.2023 at 3:25 pm (affects Lot 2 DP 596306)
Subject to a right to drain stormwater over part Lot 2 DP 596306 marked B and right to convey electricity over part Lot 2 DP 596306 marked H all on DP 596306 created by Easement Instrument 12833502.4 - 22.9.2023 at 3:25 pm
Appurtenant to Lot 2 DP 596306 is a right of way, a right to convey water, electricity and telecommunications and a right to drain water created by Easement Instrument 12833502.4 - 22.9.2023 at 3:25 pm
Some of the easements created by Easement Instrument 12833502.4 are subject to Section 243 (a) Resource Management Act 1991 (See DP 596306)
Land Covenant in Covenant Instrument 12833502.5 - 22.9.2023 at 3:25 pm (affects Lot 2 DP 596306)
12812606.3 Mortgage to Westpac New Zealand Limited - 21.11.2023 at 2:36 pm



0.134ha
 AREA IS
 0.134ha
 Conversion Factors:
 Acre = 4046m²
 Perch = 25.29m²
 Link = 2012 metres



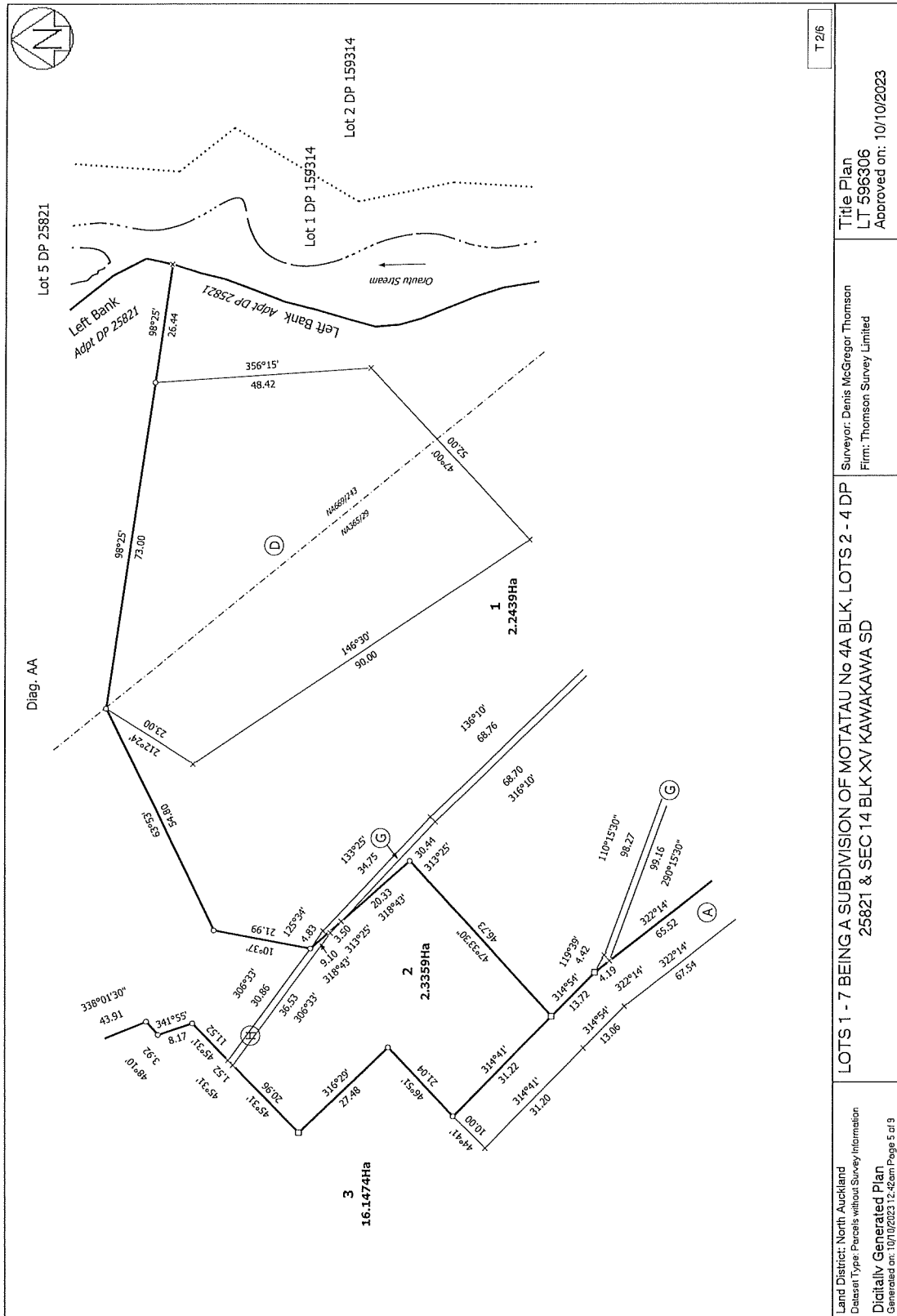
T 1/6

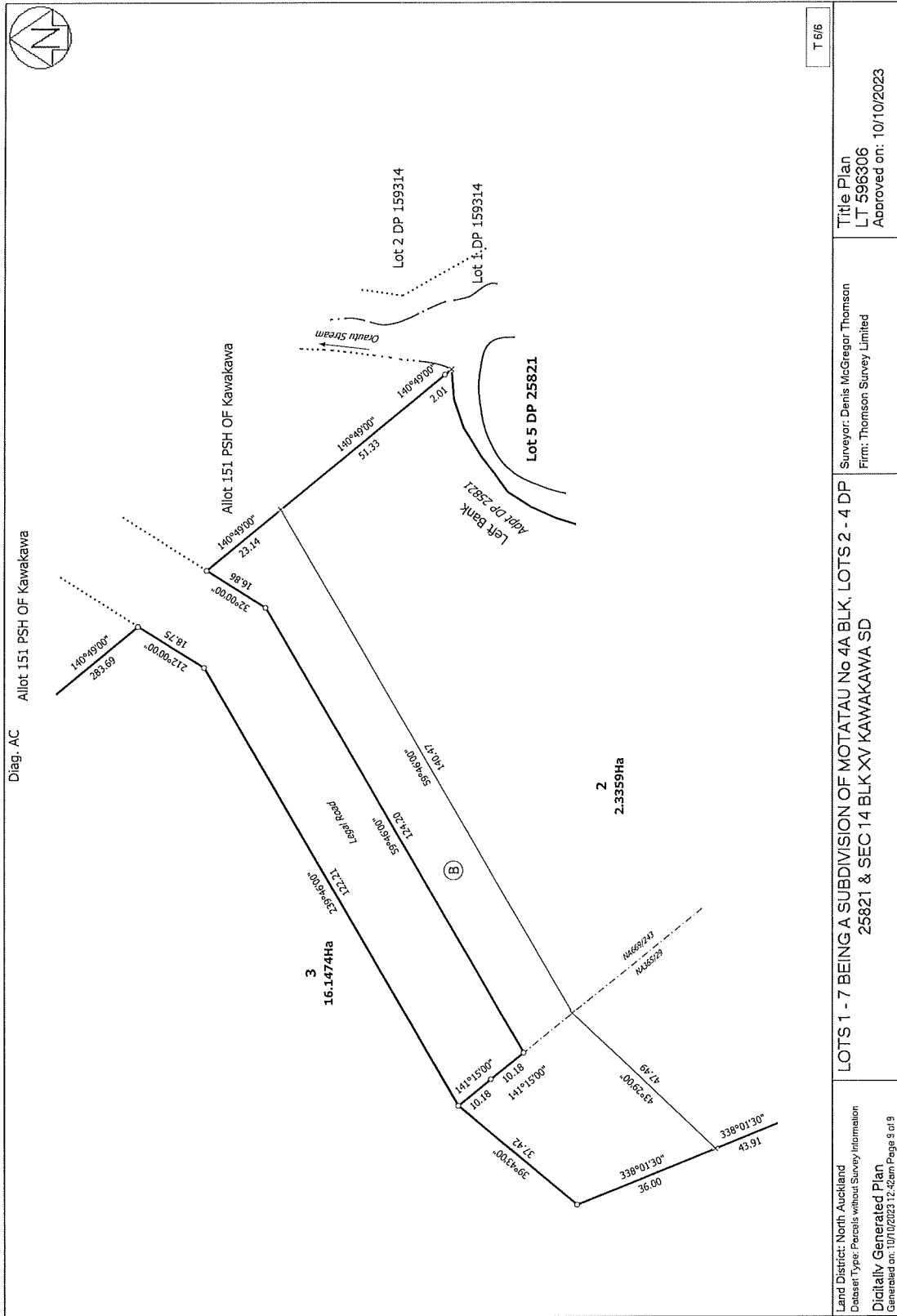
Title Plan
 LT 596306
 Approved on: 10/10/2023

Surveyor: Denis McGregor Thomson
 Firm: Thomson Survey Limited

LOTS 1 - 7 BEING A SUBDIVISION OF MOTATAU No 4A BLK, LOTS 2 - 4 DP 25821 & SEC 14 BLK XV KAWAKAWA SD

Land District: North Auckland
 Dataset Type: Parcels without Survey Information
 Digitally Generated Plan
 Generated on: 10/10/2023 12:45:01 Page 4 of 9





T 6/6

<p>Land District: North Auckland Dataset Type: Parcels without Survey Information Digitally Generated Plan Generated on: 10/10/2023 12:46pm Page 9 of 9</p>	<p>LOTS 1 - 7 BEING A SUBDIVISION OF MOTATAU No 4A BLK LOTS 2 - 4 DP 25821 & SEC 14 BLK XV KAWAKAWA SD</p>	<p>Surveyor: Denis McGregor Thomson Firm: Thomson Survey Limited</p>	<p>Title Plan LT 596306 Approved on: 10/10/2023</p>
--	--	---	---

View Instrument Details



Instrument No 12833502.3
Status Registered
Date & Time Lodged 22 September 2023 15:25
Lodged By Thompson, Emma Jane
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



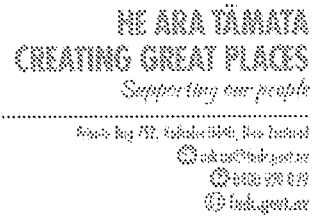
Affected Records of Title	Land District
1153804	North Auckland
1153805	North Auckland
1153806	North Auckland

Annexure Schedule Contains 3 Pages.

Signature

Signed by Emma Jane Thompson as Territorial Authority Representative on 22/09/2023 03:24 PM

*** End of Report ***



THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC-2220367

Being the Subdivision of Motatatau No 4A Blk, Lots 2-4 DP 25821 & Sec 14 Blk XV
Kawakawa SD
North Auckland Registry

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

SCHEDULE

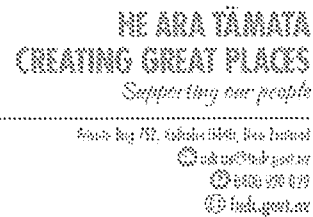
Lots 1-2 DP 596306

- (i) In conjunction with the construction of any building requiring a wastewater disposal system the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system as detailed in the report prepared by GWE Consulting Engineers and submitted with Resource Consent 2220367-RMASUB.

The installation shall include an agreement with the system supplier or its authorised agent for the ongoing operation and maintenance of the wastewater treatment plant and the effluent disposal system.

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

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



- (ii) Upon construction of any habitable dwelling on Lot 1 to 2, sufficient water supply for firefighting purposes is to be provided by way of tank storage or other approved means, and that this water supply be accessible by firefighting appliances in accordance with Far North District Councils district plan and more particularly with the New Zealand Fire Service Fire Fighting Code of Practice SNZ PAS 4509:2008. Demonstration of achievement of an alternative means of compliance with this standard will be considered to satisfy this requirement but note that written approval from the NZ Fire service is required.
- (iii) Any development on Lot 1 to 2 shall comply with the restrictions and recommendations identified in the report by Wilton Joubert reference 117996 dated 13 July 2022. Unless an alternative engineering report prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council.
- (iv) Future owners of Lots 1 and 2 are advised that there are no conventional electricity or telecommunication connections provided. Far North District Council will not be responsible for ensuring nor providing electricity or telecommunication connections to the proposed lot, upon future development of the site, or at the time of further subdivision.

Lots 1-3 DP 596306

- (v) On Lot 1 to 3 a maintenance contract for the on-site wastewater system shall be in place at all times which includes inspections and maintenance of both the wastewater treatment and disposal systems.
- (vi) The owners of Lots 1 to 3 are advised that access to the lots may be compromised during major storm events.
- (vii) The owners of Lot 1 and 3 shall maintain the existing indigenous vegetation shown in the restrictive land covenants on the survey plan. No tree shall be cut down, damaged or destroyed except for maintenance purposes or in the event of danger to life or property.
- (viii) The owners of Lot 1 to 3 are advised that the bridge providing access to the lots is in private ownership by the lot owners and is not maintained by Council.

Lot 3 DP 596306

- (ix) No building shall be erected on proposed Lot 3 without the prior approval of the Council to a report (including plans and calculations if necessary) from a Chartered Professional Engineer (CPEng) with relevant expertise, which specifies and certifies that the sub-floor design is able to withstand, and that the proposed floor levels are above, a 100 year return period flood (ARI100).



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SIGNED:

Mr Simeon Alistair McLean - Authorised Officer

By the FAR NORTH DISTRICT COUNCIL

Under delegated authority:

TEAM LEADER – RESOURCE CONSENTS

DATED at KERIKERI this 15th day of September 2023

View Instrument Details



Instrument No 12833502.4
Status Registered
Date & Time Lodged 22 September 2023 15:25
Lodged By Thompson, Emma Jane
Instrument Type Easement Instrument



Affected Records of Title	Land District
1153804	North Auckland
1153805	North Auckland
1153806	North Auckland

Annexure Schedule Contains 2 Pages.

Grantor Certifications

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

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

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

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

I certify that the Mortgagee under Mortgage 9720969.3 has consented to this transaction and I hold that consent

Signature

Signed by Emma Jane Thompson as Grantor Representative on 22/09/2023 03:24 PM

Grantee Certifications

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

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

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

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

Signature

Signed by Emma Jane Thompson as Grantee Representative on 22/09/2023 03:24 PM

*** End of Report ***

EASEMENT INSTRUMENT TO GRANT EASEMENT OR PROFIT À PRENDRE
Section 109 Land Transfer Act 2017

Grantor

JOHN SPEEDY MORRISON and KELLY ANN MORRISON

Grantee

JOHN SPEEDY MORRISON and KELLY ANN MORRISON

Grant of Easement or Profit à prendre

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

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement; or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right to convey electricity, telecommunications, water Right of way Right to drain water	Marked A on Deposited Plan 596306	Lot 3 Deposited Plan 596306 (RoT 1153806)	Lots 1 and 2 Deposited Plan 596306 (RoT 1153804, 1153805)
Right to drain stormwater	Marked B on Deposited Plan 596306	Lot 2 Deposited Plan 596306 (RoT 1153805)	Lot 3 Deposited Plan 596306 (RoT 1153806)
Right to convey electricity	Marked G on Deposited Plan 596306	Lot 1 Deposited Plan 596306 (RoT 1153804)	Lots 2 and 3 Deposited Plan 596306 (RoT 1153805, 1153806)
	Marked H on Deposited Plan 596306	Lot 2 Deposited Plan 596306 (RoT 1153805)	Lot 3 Deposited Plan 596306 (RoT 1153806)

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

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

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

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

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

[the provisions set out in Annexure Schedule B]