

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

2. Type of Consent being applied for

(more than one circle can be ticked):

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

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

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

Yes No

4. Consultation

Have you consulted with Iwi/Hapū? Yes No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant Details

Name/s:

Dr Te Tuhi Robust & Rosalind Simich

Email:

Phone number:

Postal address:

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

6. Address for Correspondence

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

Name/s:

Williams & King, Attention: Natalie Watson

Email:

Phone number:

Postal address:

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

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

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

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

Name/s:

As per applicant details.

**Property Address/
Location:**

Postcode _____

8. Application Site Details

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

Name/s:

**Site Address/
Location:**

Postcode

Legal Description:

Val Number:

Certificate of title:

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

Site visit requirements:

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

Is there a dog on the property? Yes No

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

9. Description of the Proposal:

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

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

10. Would you like to request Public Notification?

Yes No

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

(more than one circle can be ticked):

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

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

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

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

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

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

13. Assessment of Environmental Effects:

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

Your AEE is attached to this application Yes

13. Draft Conditions:

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

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

14. Billing Details:

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

Name/s: (please write in full)

Dr. Te Tuhi Robust & Rosalind Edith Simich

Email:

Phone number:

Postal address:

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

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

Te Tuhi Robust

Signature:

(signature of bill payer)

Date 12-Dec-2024

MANDATORY

15. Important Information:

Note to applicant

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

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

Fast-track application

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

Privacy Information:

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

15. Important information continued...

Declaration

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

Name: (please write in full)

Te Tuhi Robust

Signature:

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

Date 12-Dec-2024

Checklist (please tick if information is provided)

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

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

Dr. Te Tuhi Robust & Rosalind Simich

Proposed Subdivision & Consent Notice Variation

4801B State Highway 1, Waiomio

Williams & King, Kerikeri¹
12 December 2024



¹ Williams & King - a Division of Survey & Planning Solutions (2010) Ltd
Surveyors, Planners, Resource Managers - Kerikeri and Kaitaia
PO Box 937 Kerikeri Phone (09) 407 6030 Email: nat@saps.co.nz

1.0 Overview

Dr. Te Tuhi Robust and Rosalind Simich are seeking resource consent to subdivide their property, located at 4801B State Highway 1 in Waiomio, to create two Records of Title (one additional) with areas of 4.0045ha (Lot 1) and 46.7875ha (Lot 2). Each lot contains an existing residential use.

Access to each lot is available from State Highway 1 using an existing shared crossing place and private access carriageway. A preliminary conditional written approval has been received from Waka Kotahi New Zealand Transport Agency.

Besides minor widening of a section of private access, no earthworks are necessary for the proposed subdivision.

A Site Feasibility Appraisal for 3 Waters Management prepared by Gumboots Consulting Engineers confirms the design for a separate onsite wastewater treatment and disposal area on Lot 1, leaving Lot 2 to retain the use of the existing onsite system. It also confirms that existing stormwater provisions are well managed, being low impact and sustainable.

The subject site is zoned Rural Production in the Operative Far North District Plan, and the proposed subdivision is a restricted discretionary activity.

It is also proposed to vary a consent notice condition related to the protection of indigenous vegetation within proposed Lot 2. The intention of this is to exclude an area where pine forest has been harvested. This aspect of the proposal is a discretionary activity.

Under the Proposed Far North District Plan, the site is also zoned Rural Production with small areas of River Flood Hazard (10 and 100 Year ARI Event) and the proposed activity would have a non-complying activity status, however, none of the relevant rules have legal effect at this time.

This assessment accompanies the Resource Consent application made by the Applicant and is provided in accordance with Schedule 4 of the Resource Management Act 1991. It is intended to provide the necessary information, in sufficient detail, to provide an understanding of the proposal and any actual or potential effects the proposed activity may have on the environment.

2.0 Description of Proposal

2.1 Proposed Subdivision

The overarching purpose of the proposal is to enable the creation of one additional Record of Title, allowing the applicants to support their family members in achieving home ownership. The proposed lot layout relates to the existing arrangement of buildings on the site, and existing private access layouts will be used. As a result, there will be minimal change to the natural and physical resources on the property and no detriment to the surrounding environment.

The proposed subdivision creates Lots 1 and 2 as follows.

Lot Number	Area (Subject to Final Survey)	Proposed Share in Lot 6 DP 135854 (Access Lot)	Existing / Anticipated Future Use
Lot 1	4.0045ha	1/20 th (refer to proposed Amalgamation Condition)	Rural site. Existing residential dwelling (refer Section 3.3 below), with new onsite wastewater system to be established. Vegetation in the eastern extent.
Lot 2	46.7875ha	1/20 th (refer to proposed Amalgamation Condition)	Rural site with areas of pine, harvested pine and indigenous vegetation. The existing building was consented as stables with guest accommodation, however, is used as residential dwelling (refer Section 3.3 below) Other rural accessory structures on site. Existing onsite wastewater system.

Table 1: Summary of lot sizes and existing and proposed land use.

An Amalgamation Condition is proposed to evenly split the subject site's existing undivided share in Lot 6 DP 135854 (Access Lot). This reads:

That Lot 6 DP 135854 (Access Lot) be held as to two undivided one twentieth shares by the owners of Lots 1 and 2 hereon as tenants in common in the said shares and individual records of title shall be issued.

The Scheme Plan is attached in **Appendix 1** and in **Figure 1**. All areas and dimensions are subject to final survey.

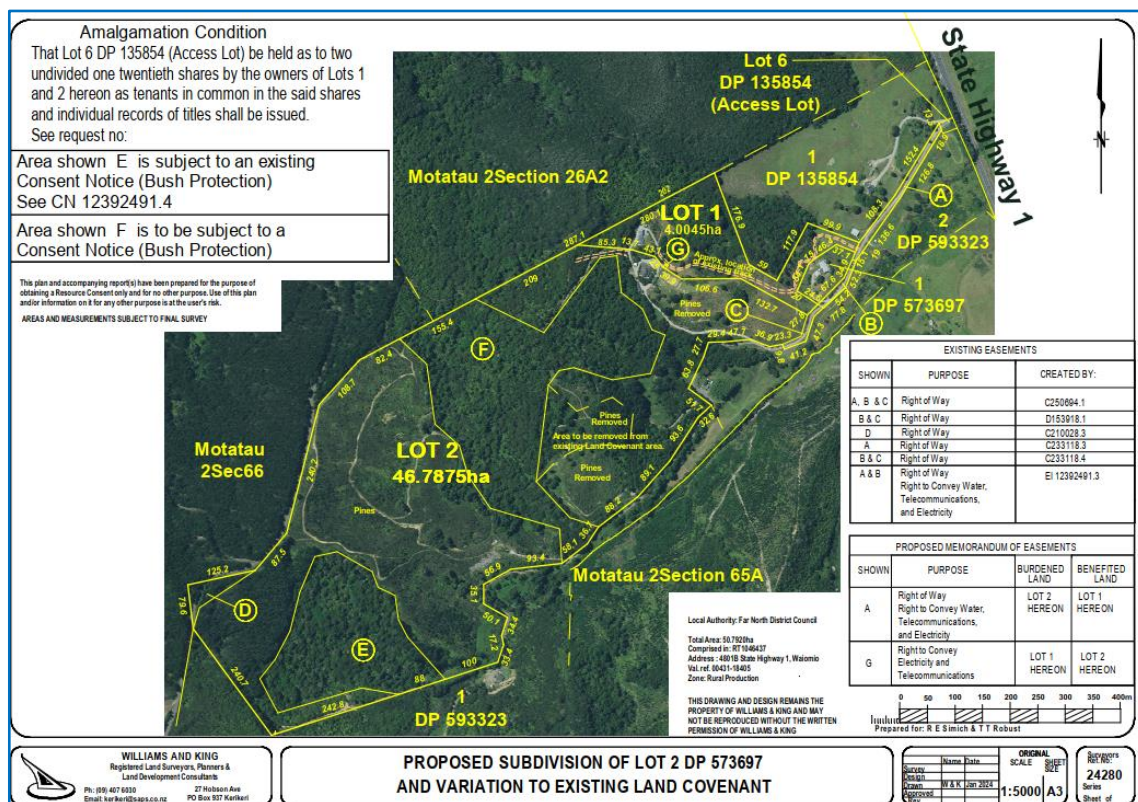


Figure 1: Scheme Plan of Proposed Subdivision.

2.2 Vehicle Access

Access to Lots 1 and 2 is from State Highway 1 via Crossing Place 98A ("CP 98a"). CP98a provides access to a jointly owned access lot (Lot 6 DP 135854), and from there shared private access is formed over Lot 2 as a metalled driveway.

Proposed Easement 'A' over Lot 2 and in favour of Lot 1 is required to facilitate the proposed private access arrangements. Easement 'A' will benefit Lot 1 for the purpose of Right of Way and the Right to Convey Water, Telecommunications and Electricity for the first ~280 metres of driveway. According to Appendix 3B-2 of the Operative District Plan this section of access requires a 5m wide carriageway as it will serve five or more existing / potential household equivalents (Lots 1 & 2 DP 593323, Lot 1 DP 573697, Lot 5 DP 138074 and proposed Lots 1 and 2. Note that Lot 1 DP 135854 does not benefit from access over Right of Way 'A' but has a share in Lot 6 DP 135854).

From there, Lot 1 will diverge towards the west where individual property access over an existing track is used to access the existing dwelling. Access to Lot 2 continues along easements 'B' and 'C' (within proposed Lot 2), then crosses a short section of appurtenant easement over Lot 1 DP 593323 (Easement Certificate C210028.3) before heading up to the individual property driveway to the existing building.

The Engineering Outcomes Limited Assessment of Traffic Effects (**Appendix 2**) describes the site and adjoining State Highway in further detail. The Assessment of Traffic Effects concludes that:

"SH1N is already wide enough to achieve the objectives of the access standard specified by Waka Kotahi for this situation – a "Diagram D" treatment. In any event, the effects of crossings without full Diagram D are extremely small so the traffic effects of the proposal will be well managed such that the associated risks are well within acceptable limits".

The proposal is not expected to generate additional traffic because there are existing dwellings on both lots of the subdivision and the district plan does not permit additional dwellings on either lot. Monitoring of the traffic on the access yielded consistent counts between 34 and 38 movements per day, so the traffic is at the lower end of the range applicable to Diagram D widening."

NZ Transport Agency Waka Kotahi has been consulted regarding the proposed subdivision, and their final written approval is awaited. The latest correspondence is attached in **Appendix 3**.

As final clarification is required of the proposed NZTA condition, it is recommended that the subdivision consent includes a condition requiring that a clearance letter be obtained from NZTA and supplied to Council prior to the issue of a section 224c certificate.

2.3 Wastewater and Stormwater Management

The existing buildings on Lots 1 and 2 currently share an onsite wastewater system, as described in the Gumboots Consulting Engineers Site Feasibility Appraisal for 3 Waters Management (see **Appendix 4**).

A separate onsite wastewater treatment and disposal system is to be installed within the boundaries of Lot 1, and this would need to be completed prior to the issue of a section 224c certificate via a condition of consent. A building consent application has been granted for this (reference EBC-2025-433/0).

Existing stormwater management is also described in the Site Feasibility Appraisal, which notes that the existing arrangements of collection of roof runoff, open drains and natural features are well established, low impact and sustainable.

2.4 Consent Notice Variation

Existing areas 'E' and 'F' on DP 573697 are subject to a consent notice condition specified as condition (i) on 12392491.4:

The lot owner shall preserve the areas of bush identified on the survey plan as areas 'E' and 'F' and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. [Lot 2]

Pine trees have been harvested from within area F on DP 573697, and it has now become apparent that the harvested area has little value. Refer to Section 5.9 of this report for further detail. It is therefore proposed to vary the above consent notice, to revise the areas subject to protection. This can be achieved by varying the consent notice condition to refer to the areas shown on the survey plan prepared for this proposed subdivision, as follows:

The lot owner shall preserve the areas of bush identified on the survey plan as areas 'E' and 'F' on DP XXXXXX and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. [Lot 2]

3.0 Application Site Details and Description

3.1 Location

The subject site is located at 4801B State Highway 1 in Waiomio. The site is located on the western side of State Highway 1, approximately 6.5km south of Kawakawa. Refer to the maps in **Figures 2 and 3**.

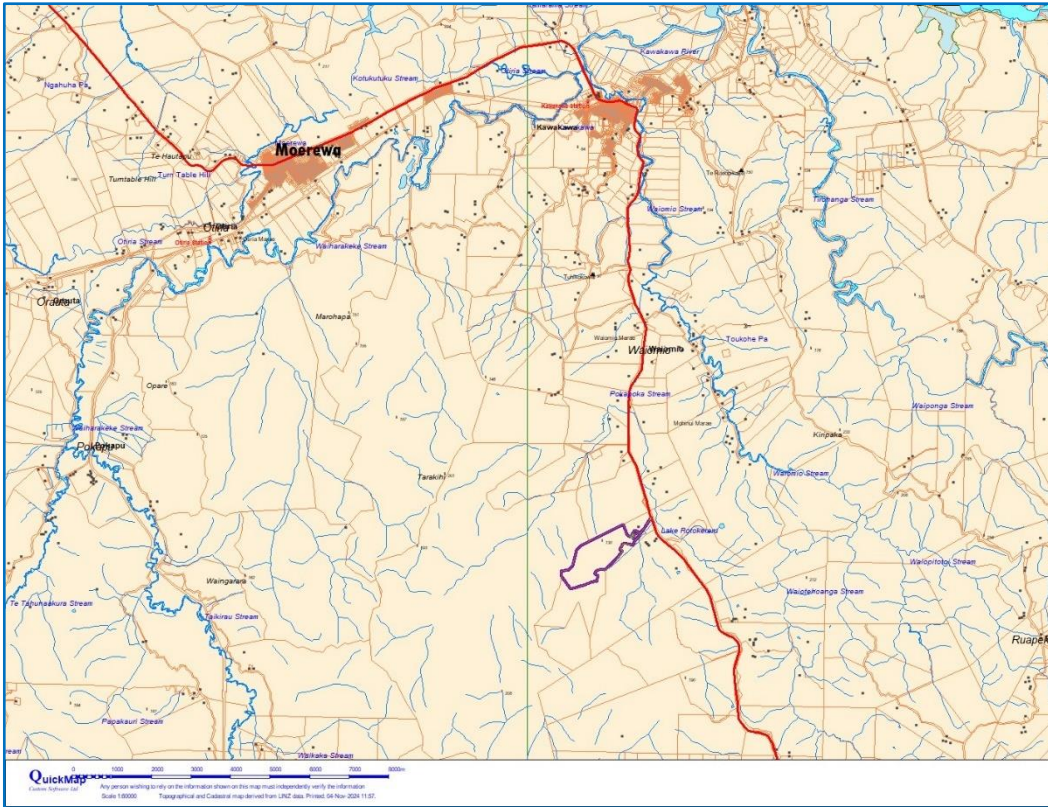


Figure 2: Location Map (Source: QuickMap)

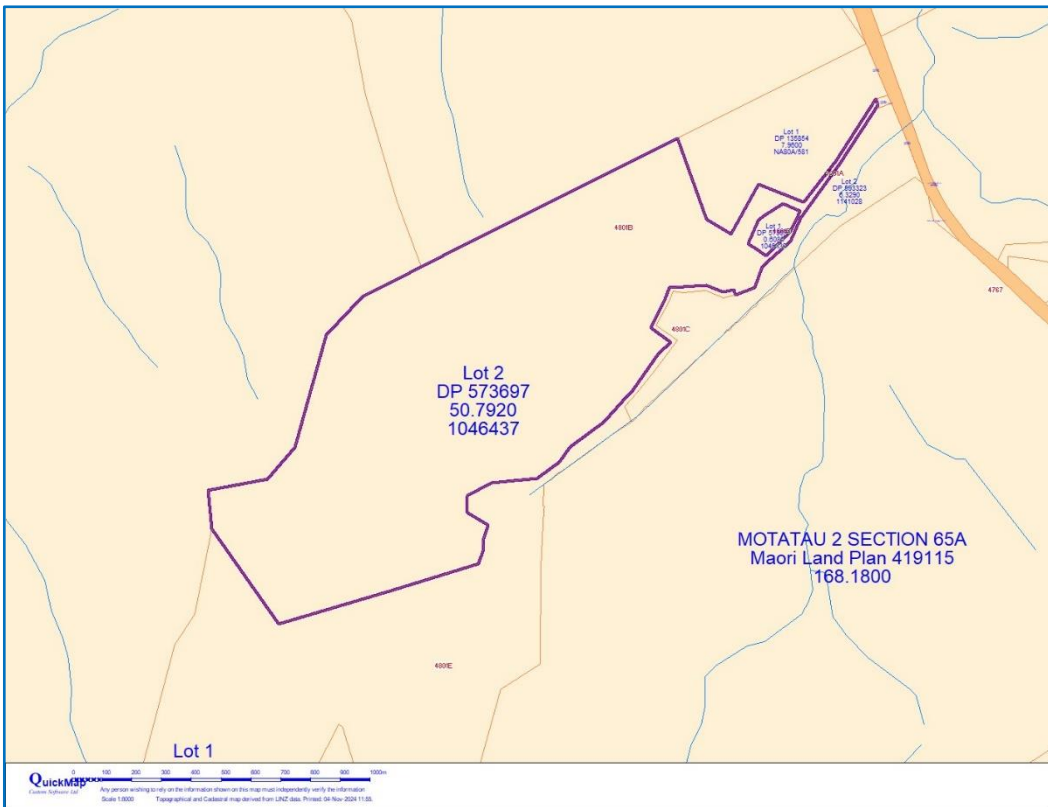


Figure 3: Cadastral Map (Source: QuickMap)

3.2 Legal Details

Legal details of the application site are provided below. The Record of Title is in **Appendix 5**.

RECORD OF TITLE	APPELLATION	PROPERTY ADDRESS	TITLE AREA
1046437	Lot 2 DP 573697	4810b State Highway 1, Waiomio	50.7920ha more or less
	1/10 th Share in Lot 6 DP 135854		1/10 th Share of 534m ² more or less

The following relevant interests / encumbrances are recorded on the Record of Title:

- **785288.1 Gazette Notice** declaring the adjoining State Highway No. 1 (Awanui – Bluff) to be a limited access road.
- **Easement Certificate C210028.3:** Appurtenant right of way. Subject to a right of way over part Lot 2 DP 573697 over part marked D on DP 573697.
- **Easement Certificate C233118.3:** Subject to a right of way over part Lot 2 DP 573697 marked A on DP 573697. Subject to section 309(1)(a) of Local Government Act 1974.
- **Easement Certificate C233118.4:** Subject to a right of way over part Lot 2 DP 573697 marked B and C on DP 573697. Subject to section 309(1)(a) of Local Government Act 1974.
- **Transfer C250694.1:** Subject to a right of way over part Lot 2 DP 573697 marked A, B and C on DP 573697. Subject to section 309(1)(a) of Local Government Act 1974.
- **Easement Certificate D153918.1:** Subject to a right of way over part Lot 2 DP 573697 marked B and C on DP 573697. Subject to Section 243(a) Resource Management Act 1991.
- **6067343.4** Notice pursuant to Section 91 of the Transit New Zealand Act 1989 (affects Lot 2 DP 573697).
- **6067343.6** Notice pursuant to Section 91 of the Transit New Zealand Act 1989 (affects Lot 6 DP 165969).
- **Easement Instrument 12392491.3:** Subject to a right of way, right to convey water, telecommunications and electricity over part Lot 2 DP 573697 marked A and B on DP 573697. Subject to Section 243(a) Resource Management Act 1991.
- **Subject to Section 241(2) Resource Management Act** (affects DP 573697).
- **Consent Notice 12392491.4** (affects Lot 2 DP 573697):
 - (i) *The lot owner shall preserve the areas of bush identified on the survey plan as areas 'E' and 'F' and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible. [Lot 2] [to be varied]*
 - (ii) *The site is identified as being within a kiwi present zone. Any cats and/or dogs kept on site must be kept inside and/or tied up at night to reduce the risk of predation of North Island brown kiwi by domestic cats and dogs. [All Lots]*
 - (iii) *In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509. [All Lots]*
 - (iv) *Stormwater assessments will be required to be undertaken at the time of new additional development on the proposed lots. [All Lots]*
 - (v) *Without the prior approval of the Council, no building shall be erected, nor any works which increase impermeable surfaces be undertaken, nor any planting or structure placed which may create a flow obstruction, on any area of the site which has a secondary / overland (Q100) flow path. [Lot 2]*

3.3 Existing Buildings and Land Uses

Lot 1 contains an existing house situated in the western corner of the proposed lot. This dwelling was approved under BC-2004-1515/0.

Lot 2 contains stables with guest accommodation, which have been converted to become a dwelling. The remainder of Lot 2 is in bush with areas that have been harvested of exotic forestry (Land Use Consent RC 1970712).

The existing buildings on Lots 1 and 2 currently share an onsite wastewater system, as described in the Gumboots Consulting Engineers Site Feasibility Appraisal (see **Appendix 4**). A separate onsite wastewater treatment and disposal system is to be installed within the boundaries of Lot 1, and this would need to be completed prior to the issue of a section 224c certificate.

Access is from State Highway 1 via CP98a onto Lot 6 DP 165969. A metalled private access and individual driveways provide access to the existing buildings on the lots.

3.4 Site Conditions

The site comprises rolling to steep land with areas of indigenous bush, and other areas where exotic forestry has been cleared. The indigenous bush is predominantly within areas 'E' and 'F' on Lot 2.

The Gumboots Consulting Engineers Site Feasibility Appraisal for 3 Waters describes geology, lithology and soils over the relevant area. See **Appendix 4**.

Refer to **Photographs 1** and **2**. Additional photographs are provided in the Gumboots Consulting Engineers report.



Photograph 1: Existing building – Lot 1.



Photograph 2: Existing building – Lot 2. Plantation forestry (some harvested) and bush are visible to the rear.

3.4 Character of the Site and Surrounding Environment

The character of the subject land and its surrounding environment is based on the existing characteristics of the rural, built, modified and natural environment, which is predominantly made up of bush and pine forestry, interspersed with the existing dwellings, accessory and rural buildings.

3.5 Recorded Natural Features

The subject site is not part of the coastal environment and does not include any areas of high or outstanding natural character, or outstanding natural landscapes or features as recorded in the Regional Policy Statement.

The site includes parts of an ecological unit recorded in the Department of Conservation Protected Natural Areas mapping (P06/076 Tarahiki Wetland and Environs, in the Tangihua Ecological District).² The relevant ecological unit is described as totara forest on hillslope, more specifically, secondary totara forest with frequently occurring kanuka, puriri, and taraire, and occasional emergent kauri, rimu and kahikatea.

The western part of the site is mapped as a medium-density kiwi habitat (indicated by less than five kiwi calls per hour) in Far North Maps “Species Distribution (DoC)” Map.³

The mapping related to kiwi habitat and Protected Natural Areas are non-statutory documents.

The land use capability of the site is mapped as 7e8 and 6w1. Neither of these land use capability units meets the definition of ‘highly versatile soils’ provided in the Regional Policy Statement or of ‘highly productive land’ in the National Policy Statement for Highly Productive Land 2022.

² Goldwater, N., Beadel, S., Martin, T. (2009): *Natural areas of Tangihua Ecological District Reconnaissance survey report for the Protected Natural Areas Programme*. Department of Conservation Northland Conservancy, Whangarei, New Zealand.

³ A map showing the distribution of Northland Brown Kiwi and Northland Mudfish in the Far North District. Kiwi habitat distribution based on call count monitoring in 2019 by Department of Conservation: Craig, E. (2020): Call count monitoring of Northland brown kiwi 2019. Department of Conservation, Whangarei, New Zealand.

4.0 District Plan Assessment

4.1 Far North District Operative District Plan

The application site is zoned Rural Production and is not subject to any Resource Features. The proposal is assessed against the relevant rules of the Operative District Plan as follows.

4.1.1 Rural Production Zone

The proposal has no implication in terms of the permitted activity land use standards specified for the Rural Production Zone, namely Rules 8.6.5.1.1 (Residential Intensity), 8.6.5.1.2 (sunlight), and 8.6.5.1.4 (Setback from Boundaries) with the exception of 8.6.5.1.3 (Stormwater Management). Impermeable surfaces on Lot 1 will comply with controlled activity standard 8.6.5.2.1.

4.1.2 Natural & Physical Resources

Clearance of indigenous vegetation and earthworks (besides minor access widening) are not required to complete the subdivision. The proposal therefore has no implications in terms of the permitted activity rules of Sections 12.2 and 12.3.

4.1.3 Subdivision

The subject site, Lot 2 DP 573697, was consented pursuant to clause 3 of restricted discretionary activity rule 13.7.2.1(i) and Rule 13.8.1(b):

“a maximum of 3 lots in any subdivision, provided that the minimum size of any lot is 4,000m² and there is at least one lot in the subdivision with a minimum lot size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000.”

Clause 5 of Rule 13.7.2.1(i) specifies that *“Rules under clauses 3 and 4 provide two alternative options for the creation of a specified number of small lots from sites existing at 28 April 2000. Where an application under one of these clauses takes up only part of the total allowance, a subsequent application to take up the remainder of that particular allowance may be considered by Council, notwithstanding that the subsequent application involves a lot which no longer meets the existing at 28 April 2000 criterion”*. The application for RC 2220095-RMACOM stated that *“Balance subdivision rights should be attributed to Lot 2”*.

The current application can be considered as the remainder of subdivision under Rules 13.7.2.1(i) and Rule 13.8.1(b), with Lots 1 and 2 meeting the minimum area requirements specified in these Rules.

Rule 13.8.1(ii) indicates that for applications under 13.8.1(b), in considering whether or not to grant consent on applications for restricted discretionary subdivision activities, the Council will restrict the exercise of its discretion to the following matters:

- effects on the natural character of the coastal environment for proposed lots which are in the coastal environment: (not applicable)*
- effects of the subdivision under (b) and (c) above within 500m of land administered by the Department of Conservation upon the ability of the Department to manage and administer its land;*
- effects on areas of significant indigenous flora and significant habitats of indigenous fauna:*
- the mitigation of fire hazards for health and safety of residents:*

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

- (1) the matters listed in 13.7.3;
 (2) the matters listed in (i) and (ii) above.

The matters that Council will restrict the exercise of its discretion to, and consider in relation to imposing conditions, are addressed within Section 5.0 of this report.

Controlled activity Rule 13.7.2.2 is met, as each lot contains a square dimension exceeding 30m x 30m plus 10m boundary setbacks.

4.1.4 Financial Contributions

The proposal has no implications in terms of Chapter 14.

4.1.5 Transportation

The proposal has no implication in terms of District Plan rules relating to traffic or car parking.

Waka Kotahi NZ Transport Agency has provided their preliminary conditional written approval in terms of Rule 15.1.6C.1.1(e)(i) – see **Appendix 3**.

Rule	Discussion	Compliance
15.1.6C.1 PERMITTED ACTIVITIES		
15.1.6C.1.1 Private Accessway in all Zones	Access Lot, Lot 6 DP 135854 will be held in undivided shares by seven Records of Title. Based on Appendix 3CB-1, access over Lot 6 DP 135854 and Right of Way A will require widening to provide a 5m wide carriageway, as it will serve six Records of Title. This can be included as a condition of consent. This access remains suitable for private use as it continues to serve less than 8 sites or household equivalents.	Complies
15.1.6C.1.3 Passing Bays on Private Accessways in all Zones	Passing bays are not required provided that ROW A is upgraded to 5m carriageway width.	Complies
15.1.6C.1.5 Vehicle crossing standards in Rural ... Zones	No new vehicle crossings are proposed. Existing State Highway 1 crossing sufficiently formed.	Complies
15.1.6C.1.7 General Access Standards	Adequate area for onsite manoeuvring is available.	Complies
15.1.6C.1.8 Frontage to Existing Roads	No issues with State Highway 1 legal and carriageway width.	Complies

4.1.6 Summary of Activity Status under the Far North Operative District Plan

Overall, the proposal has been assessed as a restricted-discretionary activity.

4.2 Far North Proposed District Plan

The application site is zoned Rural Production in the Far North Proposed District Plan, with small areas of 10 and 100 Year ARI River Flood Hazard Mapped.

Under Rule SUB-R3, the proposal would be a non-complying activity and under SUB-R11, however, this rule does not have legal effect. There are no relevant rules in the Proposed District Plan which have immediate legal effect.

5.0 Assessment of Environmental Effects

Section 104(1)(a) and (ab) require the consent authority, subject to Part 2 of the Act, to have regard to any actual and potential effects on the environment of allowing the activity and any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity.

Section 104(2) indicates that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard of the plan permits an activity with that effect and Section 104(3)(a)(ii) requires a consent authority to not, when considering an application, have regard to any effect on a person who has given written approval to the application (unless that person has withdrawn the written approval before the date of a hearing or before the application is determined, as set out in 104(4)).

Clauses 6 and 7 of Schedule 4 of the RMA indicate the information requirements and matters that must be addressed in or by an assessment of environmental effects, both of which are subject to the provisions of any policy statement or plan. The relevant matters that Council has restricted the exercise of its discretion to (in terms of the subdivision proposal) are listed in Rule 13.8.1 of the Operative Far North District Plan are addressed in the following assessment.

5.1 Property Access

Property access from State Highway 1 to the boundary of each lot is already formed as previously described. The existing vehicle crossing (CP 98a) is sufficiently formed to cater for the number of lots proposed and the level of traffic utilising the crossing place, while widening of the existing carriageway over Right of Way A will be required to cater for the number of users.

The Assessment of Traffic Effects concludes that:

“Overall, it is concluded that SH1N is already wide enough to achieve the objectives of the access standard specified by Waka Kotahi for this situation – a “Diagram D” treatment. In any event, the effects of crossings without full Diagram D are extremely small so the traffic effects of the proposal will be well managed such that the associated risks are well within acceptable limits.

The proposal is not expected to generate additional traffic because there are existing dwellings on both lots of the subdivision and the district plan does not permit additional dwellings on either lot. Monitoring of the traffic on the access yielded consistent counts between 34 and 38 movements per day, so the traffic is at the lower end of the range applicable to Diagram D widening.”

The proposal continues to use the existing shared vehicle crossing and access formations to avoid additional vehicle crossings, and to avoid the need for significant earthworks and additional impermeable surfaces associated with vehicle access formation, thereby avoiding associated environmental effects.

Overall, it is considered that the additional traffic generated by the proposal can be accommodated by existing property access to the lots, and that the effects of the proposal on existing roading and traffic safety will be less than minor.

5.2 Natural and Other Hazards

Besides small areas of mapped river flood hazard zones for both 10 and 100-year extents located either side of the vehicle crossing place off State Highway 1 within Lot 6 DP 165969 and an area of the driveway on proposed Lot 2, the subject site is not affected by river flood hazard.⁴ Refer to the

⁴ Northland Regional Council Natural Hazards Map. Sourced from the LINZ Data Service and licensed for re-use under the Creative Commons Attribution 4.0 New Zealand licence | Tonkin & Taylor, Barnett MacMurray, DHI, eWaters and URS | Land Information New Zealand (LINZ) | LINZ

Natural Hazards Map extract in **Figure 4**. The lower lying area encompassing parts of the private access is mapped as 'Flood Susceptible Land' as shown in **Figure 5**, with most of the remainder of the site being mapped as 'Erosion Prone Land'.

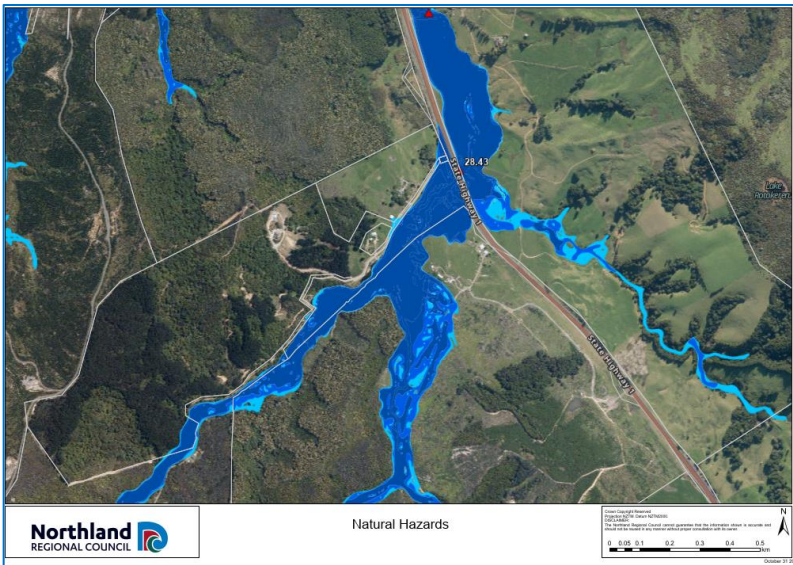


Figure 4: NRC Natural Hazards Map Extract – Showing River Flood Hazard Areas

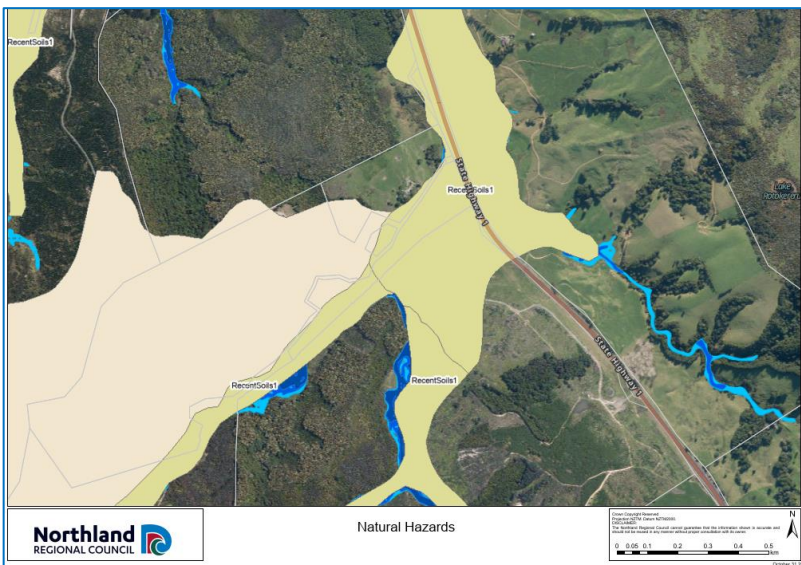


Figure 5: NRC Natural Hazards Map Extract – Showing Land Hazards – Erosion Prone Land (beige) and Flood Susceptible Land (Green)

As the proposal does not introduce any new built development, it has no implications in terms of natural hazards and will not increase the risks to people or property. For the same reason, the proposal has no implication in terms of fire hazard, with there being existing buildings on each of the lots.

The proposed subdivision does not have any apparent adverse effects related to soil contamination - see Section 6.3 of this Report.

As discussed above, it is considered that adverse effects related to natural hazards and fire hazard are avoided by the proposal.

5.3 Water Supply

The property is not within the area of benefit for water reticulation, and existing buildings and residential land uses obtain potable water supply by way of collection and storage of rainwater, with each lot having an existing independent supply. The proposal will not result in any adverse effects in terms of water supply.

5.4 Stormwater Disposal

No new impermeable surfaces are proposed, with the existing impermeable surfaces surrounded by established trees and lawn. Given their large areas, both lots continue to comply with the permitted activity standard for impermeable surfaces and there will be no change to the natural contour or draining of the lots as a result of the subdivision.

Stormwater management will remain unchanged from the present situation, with roof water from the existing roof surfaces being collected and stored in water tanks, and overflow being directed to natural overland flow paths.

The Gumboots Consulting Engineers Site Feasibility Appraisal has reviewed the existing stormwater management provisions and concludes that *“the effects of stormwater runoff in this case are less than minor and well managed”*.

Overall, it is considered that the effect of the proposal with respect to stormwater runoff quantity and quality will be less than minor.

5.5 Sanitary Sewage Disposal

The existing buildings on Lots 1 and 2 currently share an onsite wastewater system, as described in the Gumboots Consulting Engineers Site Feasibility Appraisal (see **Appendix 4**). A separate onsite wastewater treatment and disposal system is to be installed within the boundaries of Lot 1, and this would need to be completed prior to the issue of a section 224c certificate via a condition of consent.

The designed onsite wastewater system for Lot 1 will meet permitted activity standards for wastewater discharge. Overall, it is considered that onsite sanitary sewage disposal can be achieved in such a way that avoids adverse environmental effects, such that they will be less than minor.

5.6 Energy & Telecommunications Supply

Given that the site is not within an urban environment, it is not proposed to supply additional connections to power and telecommunications as part of the subdivision.

Existing power connections are in place for each lot. Top Energy has been contacted for their comment, and they have advised that they have nil requirements. Refer to **Appendix 6**.

5.7 Easements for any Purpose

Necessary easements are shown on the Scheme Plan.

5.8 Heritage Resources

The site does not contain any known or mapped heritage resources, archaeological sites or sites of cultural significance. Besides private access carriageway widening, no earthworks or other land disturbance is proposed as part of the subdivision. Nevertheless, the standard Accidental Discovery Protocol advice note can be applied to the consent, outlining the procedures to be followed should any archaeological site be inadvertently uncovered, in order to avoid adverse effects on heritage resources.

5.9 Ecological Resources

As noted, the site includes part of a protected natural area that has been mapped by the Department of Conservation, and is part of a wider high density North Island brown kiwi habitat.

Much of the protected natural area is already protected via a consent notice condition, which requires preservation of areas of bush, as outlined previously. The proposal to remove an area of land subject to the existing protection is considered to have negligible adverse effects, given that the majority of this area has been harvested of pine trees. The Northland Regional Council High-Resolution Land Use Information Map confirms this (see **Figure 6** below), together with the aerial photography used on the Scheme Plan.

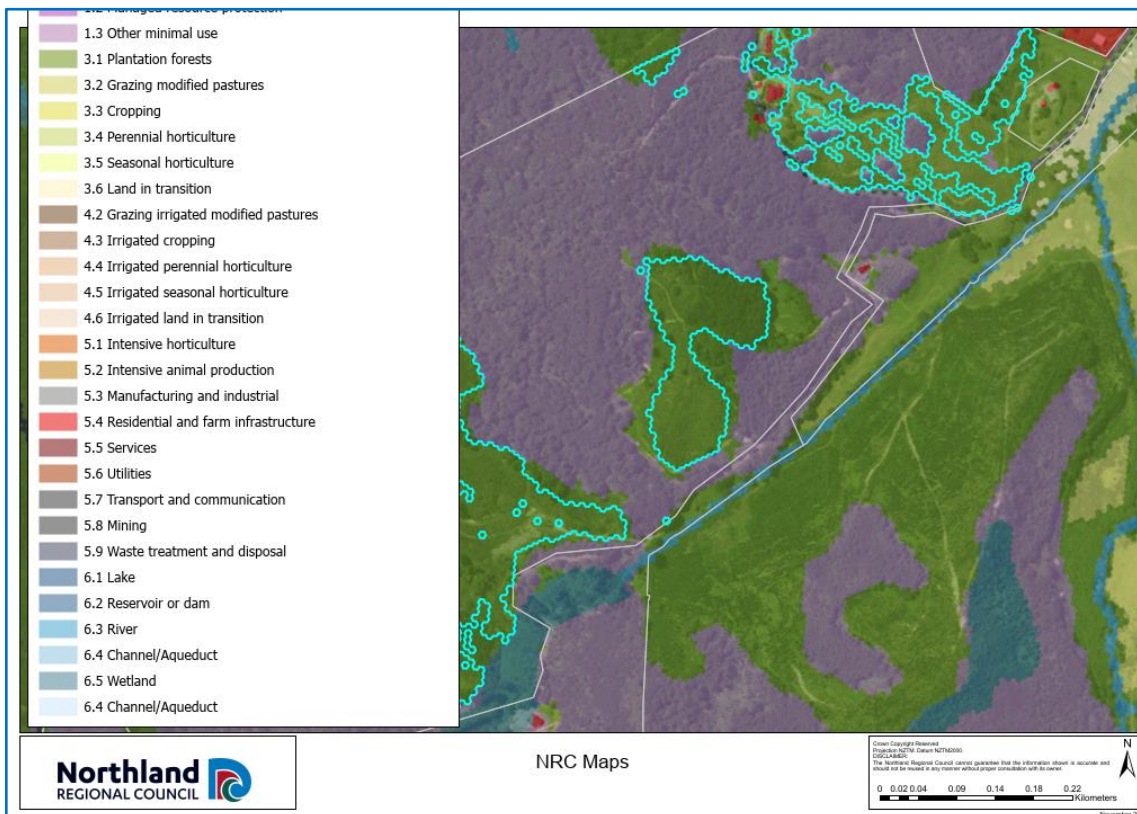


Figure 6: NRC High-Resolution Land Use Information Map Extract – Area Highlighted in Aqua is classified as ‘Plantation Forests’

The revision to area ‘F’ will result in a more accurate representation of the areas of Lot 2 that require protection, in that it will exclude the area of harvested exotic forest. It is considered that the consent notice variation will continue to provide for the continued protection of indigenous biodiversity and the life supporting capacity of ecosystems, and in addition will make future monitoring easier.

The subdivision itself does not generate any direct adverse effects, as there is no proposal or requirement to clear indigenous vegetation to implement the subdivision, given that each lot contains existing built development.

An existing consent notice condition with requirements to provide adequate protection against this risk of predation of North Island brown kiwi and other indigenous birdlife will fall down upon the new Records of Title issued for Lots 1 and 2. The condition is transcribed below:

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

5.10 Access to Reserves and Waterways

The proposed subdivision has no implications in terms of access to reserves or waterways.

5.11 Land Use Incompatibility

There will be no change to the existing land uses, which continue to match the existing pattern of low-density residential development within a wider forestry and bush cover. The lots are outside of Waka Kotahi's Reverse Sensitivity Buffer and Effects Areas. As such, the proposed subdivision avoids adverse effects associated with land use compatibility or reverse sensitivity issues.

6.0 Statutory Assessment

Section 104(1)(b) of the Resource Management Act 1991 requires the consent authority, subject to Part 2 of the Act, to have regard to any relevant provisions of a national environmental standard, other regulations, a national policy statement, a New Zealand coastal policy statement, a regional policy statement, a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application. Of relevance to the proposed activity are the following documents, which are commented on in the proceeding Sections 6.1 – 6.6 of this Report. This is followed by an assessment of Part 2 of the Act in Section 6.7.

- *Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011*
- *Resource Management (National Environmental Standards for Freshwater) Regulations 2020*
- *National Policy Statement for Highly Productive Land*
- *National Policy Statement for Indigenous Biodiversity*
- *Regional Policy Statement for Northland*
- *Operative Far North District Plan*
- *Proposed Far North District Plan*
- *Proposed Regional Plan for Northland*

6.1 National Environmental Standards

6.1.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NESCS”)

The subject land is not recorded on the Northland Regional Council Selected Land-use Register as a site that has been used for any activity included in the Ministry for the Environment’s Hazardous Activities and Industries List.⁵ There is no evidence that an activity or industry described in the HAIL is being or has been undertaken on the subject land, and the land is not considered to be covered in terms of regulation 5(7) of the NESCS.

6.1.2 Resource Management (National Environmental Standard for Freshwater) Regulations 2020

The proposed subdivision does not involve any vegetation clearance, earthworks (besides minor upgrading of existing private accessway) or taking, use, damming, diversion or discharge of water.

The Northland Regional Council Biodiversity Wetlands records wetlands on neighbouring properties within lowland areas, each more than 500m from the existing building development areas on Lots 1 and 2. No works associated with this proposed subdivision activity will occur within 100m of the mapped wetland areas and the proposal is not considered to have any implications in terms of the above regulations.

6.2 National Policy Statements

6.2.1 National Policy Statement for Highly Productive Land (“NPSHPL”)

The subject site is zoned Rural Production under the Operative and Proposed District Plans. The site is mapped as comprising multiple Land Use Capability (“LUC”) units, none of which meets the definition of highly productive land. As such, it is considered that the NPSHPL is not applicable to the proposed activity.

6.2.2 National Policy Statement for Indigenous Biodiversity (“NPSIB”)

The objective of the above policy statement is set out in 2.1, as copied below:

(1) The objective of this National Policy Statement is:

(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and

(b) to achieve this:

(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and

(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and

(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and

(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.

There is no SNA included in the district plan, or identified in a policy statement or plan.

⁵ Northland Regional Council (n.d.): *Selected Land-use Register Map*. Retrieved 31 October 2024 from <https://localmaps.nrc.govt.nz/localmapsviewer/?map=65b660a9454142d88f0c77b258a05f21>

The 17 listed policies set out to achieve this objective, and of most relevant to this proposal is Policy 8:

Policy 8: The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.

Part 3 guides the implementation of the NPSIB. Of relevance is the following approach to implementing the NPSIB.

3.16 Indigenous biodiversity outside SNAs

(1) If a new subdivision, use, or development is outside an SNA and not on specified Māori land, any significant adverse effects of the new subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy.

Effects Management Hierarchy is defined as follows:

effects management hierarchy means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:

(a) adverse effects are avoided where practicable; then

(b) where adverse effects cannot be avoided, they are minimised where practicable; then

(c) where adverse effects cannot be minimised, they are remedied where practicable; then

(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then

(e) where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then

(f) if biodiversity compensation is not appropriate, the activity itself is avoided.

Ecological effects are avoided through the use of existing built development for the purpose of residential use on each of the lots. As such, no disturbance to indigenous flora or habitats is proposed, and the proposal has no direct adverse effects on indigenous biodiversity.

Continued protection of kiwi habitat through the existing consent notice condition will be carried through to the new lots, thereby avoiding and minimising potential adverse effects on indigenous fauna.

The proposal to revise the area of land subject to protection of indigenous flora is considered to have negligible adverse effect, given that it relates to an area of land where exotic pine forest has been harvested. The revised area of protection is a more practical arrangement.

It is therefore considered that the proposal is consistent with the above National Policy Statement.

6.3 Regional Policy Statement for Northland (“RPS”)

The RPS provides an overview of resource management issues and gives objectives, policies, and methods to achieve integrated management of natural and physical resources of the region.

The subject site is not in the coastal environment, does not include any outstanding natural landscapes or features and does not include any areas of high or outstanding natural character.

Relevant policies from the RPS are addressed beneath the applicable heading below.

In terms of Policy 4.4.1 – Maintaining and protecting significant ecological areas and habitats – the relevant policy requires adverse effects of subdivision, use and development to be avoided, remedied or

mitigated so that they are no more than minor, on threatened or at risk indigenous taxa, significant areas of indigenous fauna, amongst other listed natural areas and habitats. The site is recorded as a kiwi habitat; however, an existing consent condition contains measures relating to the keeping of pets that have the potential to be kiwi predators. These conditions will come down on the proposed new Records of Title. With these measures, the risk of predation of North Island brown kiwi can be mitigated to a suitable level. The habitat and other ecological values of the indigenous vegetation on Lot 2 are also protected through an existing consent notice condition, which is to be varied to exclude an area of largely cleared exotic pine forest. The subdivision itself does not generate any new adverse effects on significant ecological areas or habitats, and adverse effects on natural areas and habitats are avoided.

Policy 5.1.1 – Planned and coordinated development, requires co-ordinated location, design and building or subdivision, use and development. Relevant matters are listed under (a), (c), (e), (g) and (h). These matters have been considered in preceding sections of this report. In particular:

- Servicing with the necessary infrastructure is viable, with existing onsite storage of potable water and existing and proposed onsite wastewater disposal being feasible. Power and telecommunication connections are in place.
- The site is not near any significant mineral resources.
- Lot 1 is not close to any incompatible land use activities and avoids reverse sensitivity.
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors.
- Ecological areas or species are protected by an existing consent notice condition (protection of indigenous vegetation within areas 'E' and 'F'), with a variation proposed to exclude an area of cleared exotic forestry.
- Adverse effects associated with natural hazards and downstream flooding are avoided. Existing impermeable surface coverage will be a low percentage of the lot areas.
- The subject site does not contain highly versatile soils as per the definition provided within the Regional Policy Statement; and additionally, the proposal is a restricted discretionary activity under the District Plan and is therefore a change that is anticipated and provided for within the District Plan.
- The proposal has no implications on matters such as renewable energy, sustainable design technologies.

6.4 Objectives and Policies – Far North Operative District Plan

The objectives and policies of the Rural Environment, Rural Production Zone and Subdivision Sections of the District Plan are relevant to this proposal. As the proposal meets the permitted activity requirements of the zone standards of the Rural Production Zone, and meets the restricted discretionary activity requirements for subdivision in the Rural Production Zone, it is considered that the subdivision component of the proposal can be deemed to not be contrary to the objectives and policies of the District Plan.

The proposed consent notice variation is most appropriately assessed against the following objectives and policies:

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

13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.

The revision to area 'F' will result in a more accurate representation of the areas of Lot 2 that require protection, in that it will exclude the area of harvested exotic forest. It is considered that the consent notice variation will continue to meet the requirements of the above objective and policy, supporting the continued protection of indigenous biodiversity and the life supporting capacity of ecosystems.

6.5 Objectives and Policies - Far North Proposed District Plan

Relevant objectives and policies are set out under the chapters 'Rural Production Zone' and 'Subdivision', and are commented on below, and it is concluded that the proposal is generally in accordance with the relevant strategies, with the exception of Subdivision Policy SUB-P8, as the proposal creates a rural lifestyle sized site without protecting any additional qualifying SNA area.

As the provisions of the Proposed District Plan may be subject to change through the submission and appeal process, limited weight has been placed on the objectives and policies commented on below compared with the Operative District Plan, which we consider to be the primary planning instrument for determining this application.

Rural Production Zone

Objectives

RPROZ-O1 The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.

RPROZ-O3 Land use and subdivision in the Rural Production zone:

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

RPROZ-O4 The rural character and amenity associated with a rural working environment is maintained.

Policies

RPROZ-P3 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.

RPROZ-P4 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.

RPROZ-P6 Avoid subdivision that:

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

RPROZ-P7 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.*

The above strategies give emphasis to the protection of primary production activities and highly productive land. The subject site does not include highly productive land but retains most of the exotic forestry areas within Lot 2, so that this productive use may be repeated in the future. Lot 1 will be characteristic of a large rural lifestyle site; however, the residential activity is already established within Lot 1. Therefore, it is considered that the subdivision itself does not provide for rural lifestyle living. Indigenous bush cover and exotic forestry primary production will remain as the predominant land use over the subject site with a low density of built development.

The proposed subdivision is not considered to generate reverse sensitivity effects that would constrain any primary production activities.

The proposal does not give rise to any significant risk from natural hazards, with the buildings for residential use on each lot being already established.

On site servicing on Lot 1 is feasible within the lot boundaries, and a new onsite wastewater system will be installed. Rural character and amenity values can be preserved, with the overall combination of buildings, areas of indigenous vegetation and plantation forestry being maintained.

Subdivision

Objectives

SUB-O1 Subdivision results in the efficient use of land, which:

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

SUB-O2 Subdivision provides for the:

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

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

- a. *there is existing infrastructure connection, infrastructure should provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and*

- b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.

Policies

SUB-P3 Provide for subdivision where it results in allotments that:

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

SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan

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

- a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and
- b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone.

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

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

SUB-P11 Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application:

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

The proposed subdivision is an efficient use of land and generally in accordance with the Rural Production Zone objectives. The proposed subdivision can proceed without generating any significant adverse impact on character, amenity values, heritage or cultural values, highly productive land, land use compatibility, legal and physical property access, supply of services and infrastructure, and does not increase natural hazard risk. The proposed subdivision does not result in the loss of versatile soils for primary production activities, however, creates a rural lifestyle sized lot (Lot 1) without protecting additional areas of qualifying SNA.

6.6 Regional Plans

6.6.1 Proposed Regional Plan for Northland (February 2024)

No new stormwater management proposals are required for either lot, in terms of the Proposed Regional Plan for Northland Rule C.6.4.2.

The discharge to sewage effluent on to land is controlled by the permitted activity rules C.6.1.3 of the Regional Plan for Northland. A feasible design that complies with that standard has been specified in the Gumboots Consulting Engineers Report.

Besides minor upgrading of private access over Right of Way A, earthworks are not required to complete the subdivision.

No consents are considered necessary for the proposed subdivision under the Proposed Regional Plan for this proposal.

6.7 Part 2 of the Resource Management Act 1991

An assessment of the proposal in relation to the relevant purpose and principles of Part 2 of the Resource Management Act 1991 is given below.

PART 2 PURPOSE AND PRINCIPLES

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing 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.*

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:

- (c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (h) *the management of significant risks from natural hazards.*

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-

- (b) *The efficient use and development of natural and physical resources;*
- (c) *The maintenance and enhancement of amenity values;*
- (f) *Maintenance and enhancement of the quality of the environment;*

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 proposal is considered to promote sustainable management as per the purpose of the Act (Section 5) by creating one additional allotment at a suitable density while continuing to provide for the protection of indigenous vegetation and habitats where appropriate. The proposed subdivision represents a scale of development anticipated by the District Plan as a restricted discretionary activity. It provides for the economic and social well-being of the owners of the property and their family by creating an additional Record of Title to be provided for their daughter. Adverse effects are avoided as outlined under the Assessment of Environmental Effects.

Lot 1 has been assessed as suitable in terms of onsite servicing. The effects of additional traffic on State Highway are considered to be negligible.

There is existing provision for protection of indigenous vegetation and habitat in accordance with matter 6(c), via consent notice conditions, and the revision to the protected area is considered to continue to protect the relevant vegetation and habitat. The subdivision does not generate any significant risks from natural hazards. As such, the proposal is considered to be consistent with Matter 6(h).

The proposal is considered to be an efficient use of the land. It has no impact on amenity values, or the quality of the environment, and has no implications in terms of the Treaty of Waitangi.

The proposal is considered to be consistent with the purpose and principles of the Resource Management Act 1991.

7.0 Consultation & Notification Assessment

7.1 Consultation

Waka Kotahi New Zealand Transport Agency has been consulted with, and a final written approval is awaited – refer to **Appendix 3**.

7.2 Public Notification

Step 1: Public notification is not required in terms of the criteria listed in 95A(3).

Step 2: Public notification is not precluded in terms of 95A(5).

Step 3: There are no relevant rules that require public notification. Section 95A(8)(b) requires Council to assess, in accordance with section 95D, whether the activity will have or is likely to have adverse effects on the environment that are more than minor. Section 95D directs Council, among other things, to disregard any effects on persons who own or occupy the application site and any adjacent land; and allows adverse effects of activities permitted by a rule or national environmental standard to be disregarded. As outlined in Section 5 of this report, it is submitted that the adverse effects associated with the proposed subdivision will be avoided, remedied, and mitigated so that they are not more than minor. The application can therefore proceed without being publicly notified.

Step 4: No special circumstances are considered to exist that warrant the application being publicly notified in terms of 95A(9).

7.3 Limited Notification

Step 1: There are no affected customary rights groups in terms of section 95B(2)(a). The proposed activity is not on or adjacent to, and is not considered to affect, land that is the subject of a statutory acknowledgement in terms of section 95B(3)(a).

Step 2: Limited notification is not precluded in terms of section 95B(6).

Step 3: In terms of 95B(8) an assessment has been undertaken in accordance with section 95E. Section 95E(1) specifies that 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). Section 95E(2) provides further guidance as to how a consent authority should assess an activity's adverse effects on a person for the purposes of Section 95E, including clause (a), where they may disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect. There is no permitted baseline for subdivision that needs to be considered as part of this assessment.

As each lot will use existing buildings to support residential use, there will be no major physical changes to the site resulting from the subdivision. Further, the subdivision density is consistent with the restricted discretionary activity criteria. The existing buildings are isolated from surrounding dwellings and screened by existing vegetation, and no adverse visual or amenity effects are anticipated by creating separate Records of Title for each of them.

No incompatible land use activities are proposed, and no person is considered to be affected by land use incompatibility or reverse sensitivity.

The subject site is not within 500m of land that is managed by the Department of Conservation, with the nearest DOC public conservation land being the Hukerenui Forest Conservation Area, more than 2.5km to the east. The proposal will not result in any adverse impacts on the ability of the Department of Conservation to manage this land.

The PNA areas (P06/076 Tarahiki Wetland and Environs, in the Tangihua Ecological District) are predominantly within the areas shown as E and F, and subject to existing consent notice protection. The exception is the area of cleared exotic pine forest which is to be removed from the area E as shown on DP 573697, which is included within the PNA. It is considered that indigenous biodiversity continues to be adequately protected.

Given the existing residential use of each lot, additional traffic is unlikely to be generated by the proposal, and property access will use existing private accessway formations, to be upgraded as necessary.

Sanitary sewage disposal and stormwater management can be managed on site without affecting any adjacent property owner.

As summarised above, it is considered that no person will be an adversely affected person, and that limited notification is not required.

Step 4: There are no special circumstances that warrant notification of the application to any other person.

7.4 Summary of Notification Assessment

As outlined above, it is considered that the proposal achieves the statutory criteria to be processed on a non-notified basis.

8.0 Conclusion

In terms of section 104 and 104B of the Resource Management Act 1991, we consider that:

- The actual and potential adverse effects of the activity on the environment resulting from the proposed activity will be less than minor.
- The proposal is considered to be consistent with the objectives and policies of the District Plan and generally consistent with the objectives and policies of the Proposed District Plan.
- The proposal is in accordance with the Purpose and Principles of the Resource Management Act 1991.
- The proposal is not contrary to the Regional Policy Statement for Northland, the National Policy Statement for Highly Productive Land or the National Policy Statement for Indigenous Biodiversity.

We also note that:

- Written approvals have not been obtained. The proposal has been assessed as satisfying the statutory requirements to proceed without notification.

Signed
Natalie Watson,
Resource Planner

Date 12 December 2024
WILLIAMS & KING
Kerikeri

9.0 Appendices

- Appendix 1** Scheme Plan
- Appendix 2** Engineering Outcomes Ltd Traffic Assessment
- Appendix 3** NZ Transport Agency Waka Kotahi Consultation
- Appendix 4** Gumboots Consulting Engineers Site Feasibility Appraisal for 3 Waters
- Appendix 5** Record of Title
- Appendix 6** Top Energy Correspondence

Amalgamation Condition

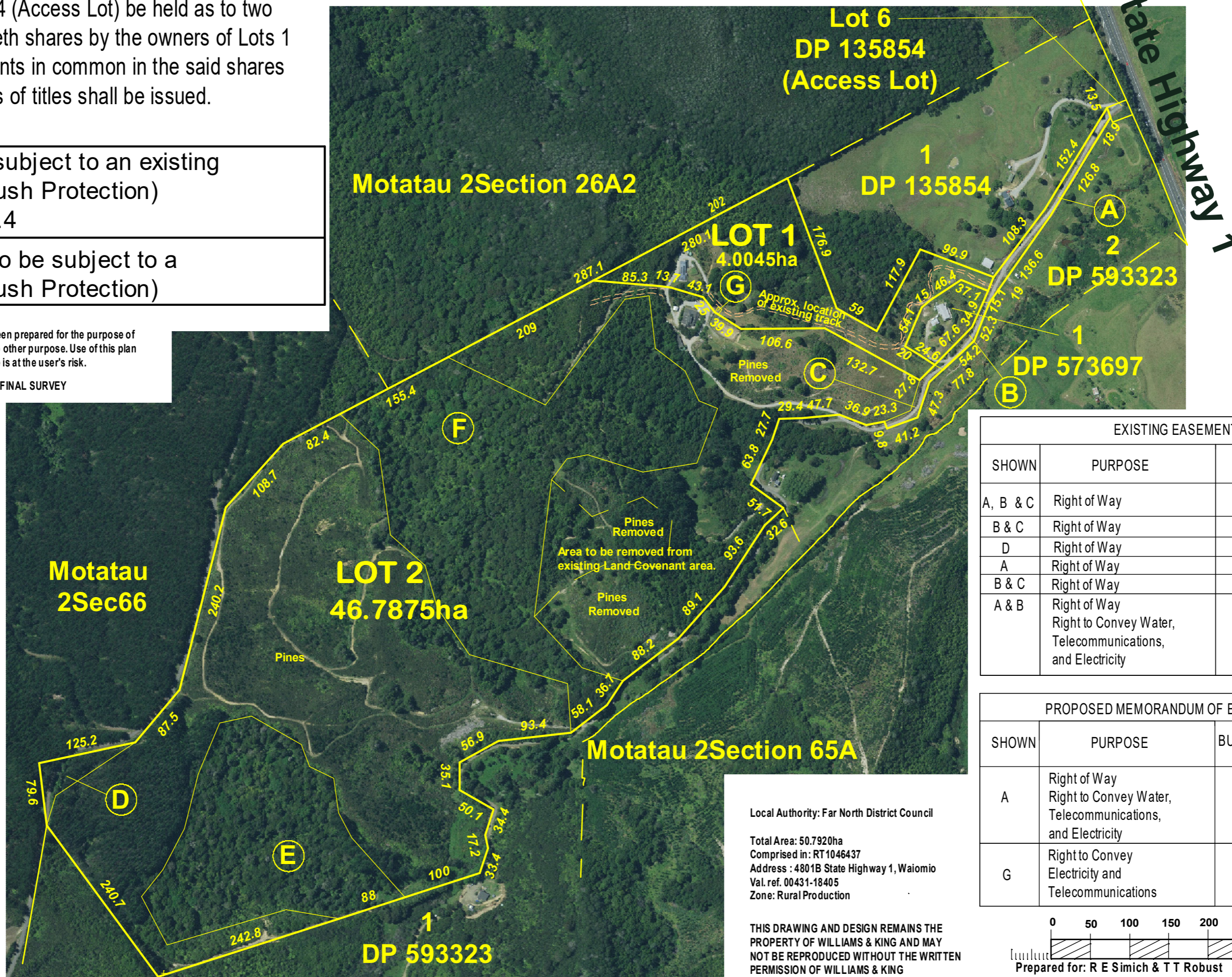
That Lot 6 DP 135854 (Access Lot) be held as to two undivided one twentieth shares by the owners of Lots 1 and 2 hereon as tenants in common in the said shares and individual records of titles shall be issued.
See request no:

Area shown E is subject to an existing Consent Notice (Bush Protection)
See CN 12392491.4

Area shown F is to be subject to a Consent Notice (Bush Protection)

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AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

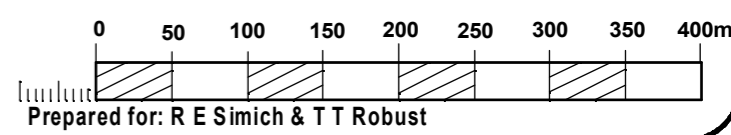


EXISTING EASEMENTS		
SHOWN	PURPOSE	CREATED BY:
A, B & C	Right of Way	C250694.1
B & C	Right of Way	D153918.1
D	Right of Way	C210028.3
A	Right of Way	C233118.3
B & C	Right of Way	C233118.4
A & B	Right of Way Right to Convey Water, Telecommunications, and Electricity	EI 12392491.3

PROPOSED MEMORANDUM OF EASEMENTS			
SHOWN	PURPOSE	BURDENED LAND	BENEFITED LAND
A	Right of Way Right to Convey Water, Telecommunications, and Electricity	LOT 2 HEREON	LOT 1 HEREON
G	Right to Convey Electricity and Telecommunications	LOT 1 HEREON	LOT 2 HEREON

Local Authority: Far North District Council
Total Area: 50.7920ha
Comprised in: RT1046437
Address : 4801B State Highway 1, Waiomio
Val. ref. 00431-18405
Zone: Rural Production

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

PROPOSED SUBDIVISION OF LOT 2 DP 573697 AND VARIATION TO EXISTING LAND COVENANT

Survey	Name	Date	ORIGINAL SCALE SHEET SIZE 1:5000 A3	Surveyors Ref. No: 24280 Series Sheet of
Design	W & K	Jan 2024		
Drawn				
Approved Rev				



*Engineering Outcomes, Limited
132 Beach Road
PO Box 3048,
Onerahi
Whangarei
New Zealand
Telephone 09 436 5534
Mobile 027 472 0945
E-mail info@e-outcomes.co.nz*

PROPOSED SUBDIVISION 4801B STATE HIGHWAY 1N WAIOMIO, NORTHLAND



ASSESSMENT OF TRAFFIC EFFECTS

*Prepared by Engineering Outcomes Ltd
1 May 2024*

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FIGURE 1. COMPARISON OF THE EASTERN SIDE OF THE HIGHWAY WITH THE DIAGRAM D STANDARD AND EVALUATION OF THE OPERATION AT EXISTING WIDTHS	4

1. THE PROPOSAL

This is a report in relation to proposed subdivision that creates one new lot on which there is an existing dwelling. Specifically, an assessment of the standard of the existing connection of the shared access to SH1N.

The proposal is described in concept plans prepared by Williams and King entitled “Proposed subdivision of Lot 2 DP 573697 and variation to existing land covenant”, referenced 24280 and dated January 2024. The subdivision plan is reproduced in Appendix A.

The new dwelling is proposed to lead to SH1N by way of an existing shared access with a crossing point on the western side of SH1N at route position 215/3.19 kilometres. No new connection points are proposed onto SH1N.

2. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

Overall, it is concluded that SH1N is already wide enough to achieve the objectives of the access standard specified by Waka Kotahi for this situation – a “Diagram D” treatment. In any event, the effects of crossings without full Diagram D are extremely small so the traffic effects of the proposal will be well managed such that the associated risks are well within acceptable limits.

The proposal is not expected to generate additional traffic because there are existing dwellings on both lots of the subdivision and the district plan does not permit additional dwellings on either lot. Monitoring of the traffic on the access yielded consistent counts between 34 and 38 movements per day, so the traffic is at the lower end of the range applicable to Diagram D widening.

3. THE SITE AND HIGHWAY

This part of SH1N is sealed with two lanes, but the taper for a northbound passing lane, north of the access, starts at the access location. There is also a bridge only 65 metres south of the access. It has approach guardrails that extend to within only 19 metres of the access on the eastern side.

In this locality, the highway seal is 5.7 metres wide east of the centreline (opposite the access connection). On the western side, there is a taper on the northbound approach to the access, see photo 3, and a very wide shoulder north of it. The speed limit is 100 kilometres per hour.

The access leads to five dwellings and several sheds. This will not change as a result of the subdivision.

Photo 1. A panorama from south (left) through west to north, centred on the site access and its connection to SH1N, viewed from the opposite (eastern) side of SH1N.



Photo 2. Looking south along SH1N towards the site access connection (upper right) from the opposite (eastern) side of SH1N. Note the approach guardrails for the bridge, which is only 65 metres south of the access.



Photo 3. Looking south along SH1N from site access connection. Excellent sight distance and an existing taper for left turns into the site.



4. TRAFFIC

All vehicle movements are one-way movements whether an entry or exit or a movement in one direction along public roads.

4.1 Traffic generation

Counts have been carried out of traffic on the access using digital video. This yielded consistent counts between 34 and 38 movements per day, with Saturday being slightly busier than weekdays. Other relevant findings of the monitoring are:

- More than 80% of the traffic travels to/from the north, with 90% recorded on weekdays;
- An average of four entries each day occurred at a time in which the turning vehicle was followed by another vehicle such that the following vehicle had to pass the turning vehicle before it completed its turn. Of those, an average of 2.5 per day were right turns and 1.5 were left turns. In all cases, the following vehicles passed the turning vehicle without reducing speed perceptibly or experiencing other challenges.

4.2 Traffic on public roads

The traffic on this part of SH1N is estimated at a little over 7,000 movements on an average day¹.

4.3 Crashes

No two-vehicle crashes have been reported at the access location since at least the start of 2019. One crash has been reported at the locality – a collision with a cattle beast at night.

5. STANDARDS

The standards for access connections to State highways are set out in Appendix 5B of the Waka Kotahi *Planning Policy Manual*. Table App5B/4 specifies “Diagram D” for accesses that generate 31 to 100 movement per day leading to highways carrying fewer than 10,000 movements each day.

Diagram D widening is a form of “turn treatment”. A general plan of Diagram D widening is reproduced in Appendix A.

6. ASSESSMENT OF THE ACCESS CONNECTION STANDARD

The focus of this assessment is the width of the highway opposite the crossing. There is already adequate width on the site (western) side, especially given the strong bias of travel to/from the north. Widening opposite an access is intended to provide vehicles that are not turning with space to pass another vehicle that is turning right into the site.

Figure 1 shows how the access connection compares with the Diagram D standard. It also shows how, despite the existing width being slightly below that of Diagram D, that non-turning cars can comfortably pass a right-turning vehicle with their wheels remaining entirely on the seal.

It is also noted that a width greater than 6.0 metres is available on the eastern side of the highway, but that only 5.7 metres of it is sealed. It is desirable for the wheels of non-turning vehicles to remain on a sealed surface at all times and, as shown in Figure 1, this is easily achieved at this site.

Furthermore, a first principles investigation of the warrants has recently been carried out of other access connections and intersections, as part of other projects, to determine whether Diagram D treatment is actually warranted. This consisted of estimations of the likely long-term crash rate and “social cost” benefits of widening at those locations and intersections. To achieve this, it was also necessary to search widely for similar crossings and intersections to estimate the risks when turn treatments are not provided.

The search associated with those investigations covered all rural sealed roads across the entire Far North district in the most recent 5 calendar-years. It found a total of thirteen injury-causing Type “GD” crashes (a vehicle turning right from the centreline of a priority route being hit from behind). Of those crashes, two resulted in serious injuries and the remainder resulted in only minor injuries. The average traffic on the priority routes at the crash locations was 5,100 movements per day.

While any injury crashes, especially serious injuries, are regrettable, this is a remarkably low rate of such crashes given the number of intersections and access connections without any turn treatments. Appendix C is a list of examples of such intersections in the Far North district alone. No Type GD crashes have been reported at any of them in the most recent 5 calendar years.

¹Based on 15 years of counts at continuous count station 01N00212, which is 5 kilometres north of the site. The linear trendline is close to 7,500 movements a day in 2024 but there are two side roads, including Waiomio Road, between the count station and site.

Fig. 1



Amalgamation Condition

That Lot 6 DP 135854 (Access Lot) be held as to two undivided one twentieth shares by the owners of Lots 1 and 2 hereon as tenants in common in the said shares and individual records of titles shall be issued.
See request no:

Area shown E is subject to an existing Consent Notice (Bush Protection)
See CN 12392491.4

Area shown F is to be subject to a Consent Notice (Bush Protection)

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AREAS AND MEASUREMENTS SUBJECT TO FINAL SURVEY

Appendix A

Motatau 2Section 26A2

LOT 2
46.7875ha

Motatau 2Section 65A

LOT 1
4.0045ha

Lot 6
DP 135854
(Access Lot)

LOT 1
4.0045ha

LOT 1
4.0045ha

LOT 1
4.0045ha

Local Authority: Far North District Council

Total Area: 50.7920ha
Comprised in: RT1046437
Address : 4801B State Highway 1, Waiomio
Val. ref. 00431-18405
Zone: Rural Production

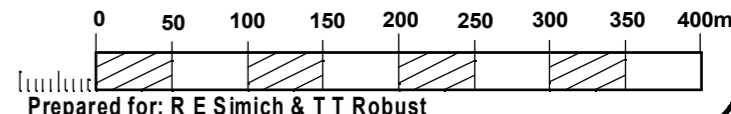
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State Highway 1

EXISTING EASEMENTS		
SHOWN	PURPOSE	CREATED BY:
A, B & C	Right of Way	C250694.1
B & C	Right of Way	D153918.1
D	Right of Way	C210028.3
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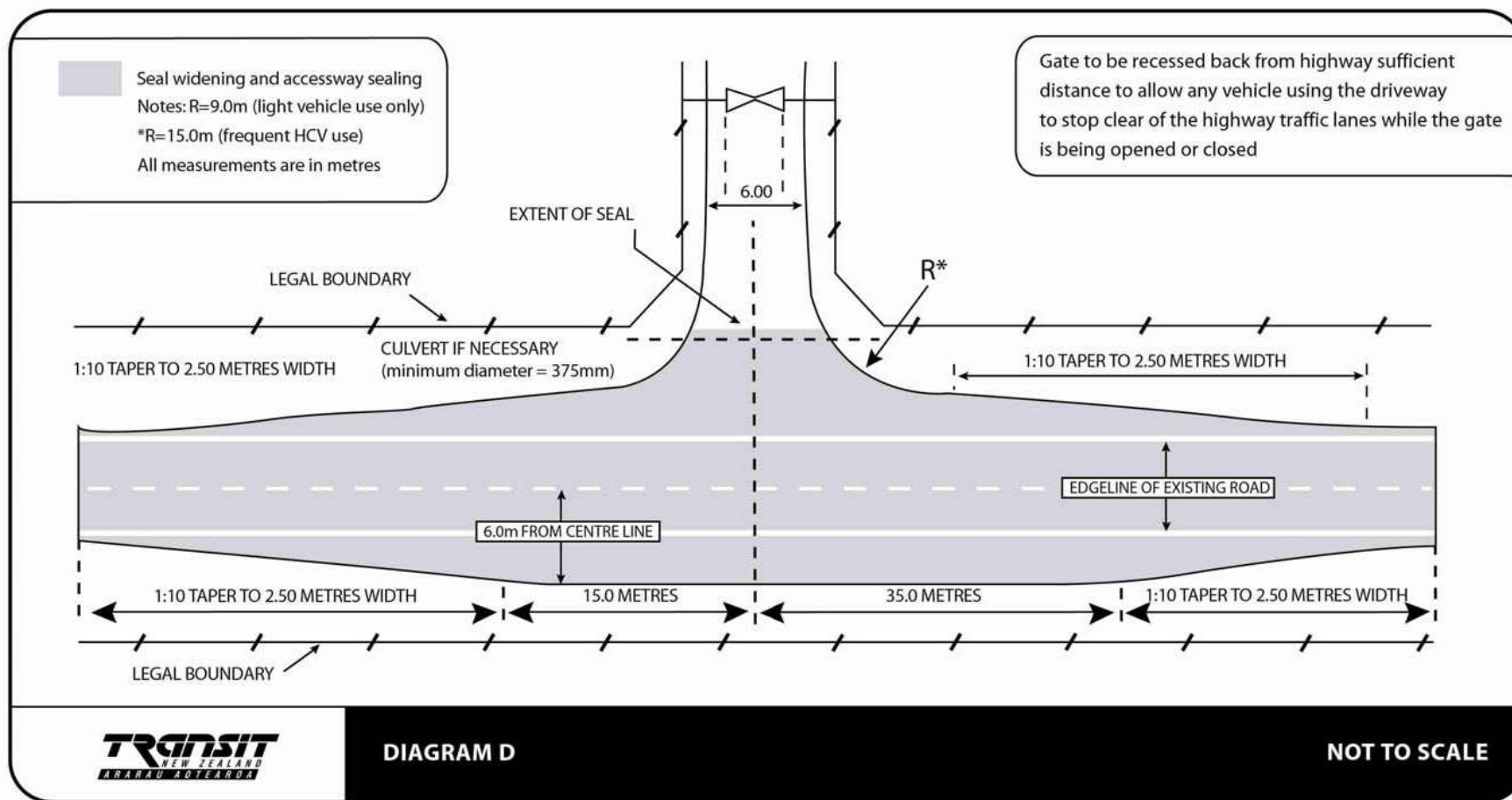
WILLIAMS AND KING
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Ph: (09) 407 6030 27 Hobson Ave
Email: kerikeri@saps.co.nz PO Box 937 Kerikeri

PROPOSED SUBDIVISION OF LOT 2 DP 573697 AND VARIATION TO EXISTING LAND COVENANT

Survey	Name	Date	ORIGINAL SCALE SHEET SIZE 1:5000 A3	Surveyors Ref. No: 24280 Series Sheet of
Design	W & K	Jan 2024		
Drawn				
Approved Rev				

Appendix B

Refer to Table App5B/4 for when this accessway type should be applied



APPENDIX C: EXAMPLES OF EXISTING RURAL INTERSECTIONS AND ACCESSES, IN THE FAR NORTH DISTRICT, WITHOUT TURN TREATMENTS AND AT WHICH NO CRASHES WERE REPORTED IN THE MOST RECENT 5 CALENDAR YEARS

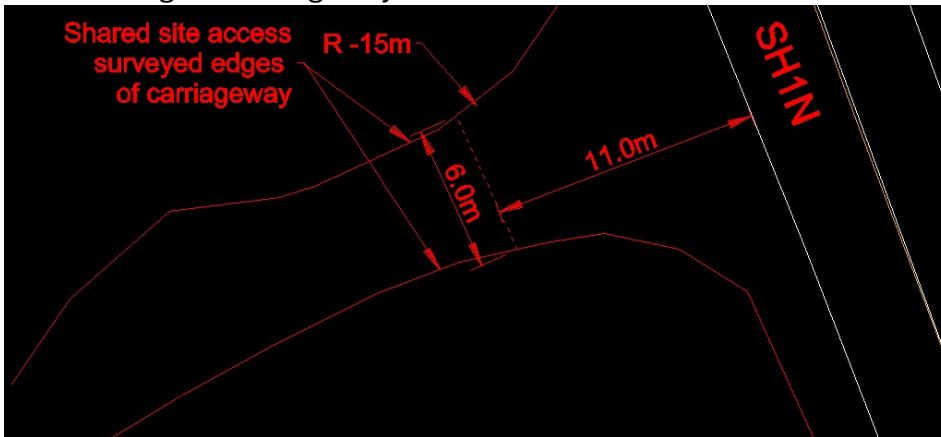
These are examples only – this is far from an exhaustive list of such intersections and connections. Many of these locations also have other challenges such as visibility restrictions for approaching traffic.

- SH1N/Tarakihi Road, Waiomio
- SH1N/Callaghans Road, Maromaku
- SH1N/Ruapekapeka Road, Towai
- SH1N/GAS service station, Towai
- SH1N/Towai Road, Towai
- SH1N/Fords Road, Towai
- SH10/Oromahoe Rd Oromahoe
- SH10/Cottle Hill Drive, Kerikeri
- Several private access connections to SH10, Kerikeri
- Several side roads on Kerikeri Road, Kerikeri
- SH10/Salvation Road, Whangaroa
- SH10/Whangaroa Golf club entrance
- SH10/Church and Pairatahi Roads, Kaingaroa
- SH11/Tirohanga Road, Kawakawa
- SH11/Scoresby Street, Opua
- SH11/Ward Drive, Paihia
- SH11/Kaipatiki Lane, Haruru
- SH11/Kaipatiki Rise, Haruru
- SH12/Jordan Road, Kaikohe
- SH12/Rakauwahia Road, Kaikohe
- SH12/Signal Station Road, Omāpere
- SH12/Pakia Hill Lookout, Omāpere
- SH12/Fairlie Crescent, Opononi
- SH15/Picadilly Road, Tautoro
- SH15/Knudsens Road, Tautoro
- All side roads connecting to Rāwene Road;
- Most side roads off Kaitaia-Awaroa Rd between Kaitaia and Ahipara

Natalie Watson

From: Dean Scanlen <dean@e-outcomes.co.nz>
Sent: Wednesday, 27 November 2024 1:41 PM
To: Tim Elliott
Cc: Rosalind Cowen; Aran Arrieta; Natalie Watson; Te Tuhi Robust
Subject: Re: 2024-0057: 4801B SH1, Waiomio
Attachments: 10.8m truck entering left.pdf; 10.8m truck exiting left.pdf

Thanks Tim, I appreciate your pragmatic approach. The attached plans of truck turning show the radii of the existing shoulders (please ignore the minus signs, this is a silly in the software I use). Most of the access itself is between 3.2 and 3.4 metres wide, but it is more than 6 metres wide up to 11 metres from the near edge of the highway:



Also at least 5.0 metres wide for the next 17 metres.

PS I think Condition 1 was based on the attached plans, which were prepared in response to a request for further information from Waka Kotahi prior to the approval being received. The edges of the access and the shoulder were surveyed by Williams & King.

Ngā mihi|Regards, Dean Scanlen

BE(Hons)(Civil), CPEng, IntPE(NZ), CMEngNZ
027 472 0945

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09 436 5534
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On Wed, Nov 27, 2024 at 12:37 PM Tim Elliott <Tim.Elliott@nzta.govt.nz> wrote:

Hi Dean

Just following up on your request for the above application – The approval condition was based on the current layout of the CP appearing to already meet the requirements of a Diagram D accessway, if you can confirm what the existing radii on either side of the access are and the existing width of the accessway then that will be sufficient, No expectation that the shoulder on the opposite side of the access will be widened. Let me know if this clarifies any concerns or feel free to seek further clarity.

We would still need to access to be sealed to the boundary if it isn't already.

Regards

Tim

Tim Elliott

Senior Safety Engineer, Northland, Transport Services

Te Toki Tārai

Email: tim.elliott@nzta.govt.nz

Phone: 09 955 1037

NZ Transport Agency Waka Kotahi

Auckland, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

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Natalie Watson

From: Natalie Watson
Sent: Wednesday, 4 December 2024 12:24 PM
To: Rosalind Cowen
Subject: RE: Your ref. Application-2024-0057 CRM:0140000101; 4801B SH1, Waiomio

Hi Rosalind,

Thanks for your email last week. Do you know if this has been resolved?

Thanks,
Natalie

From: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Sent: Thursday, 28 November 2024 1:37 pm
To: Natalie Watson <nat@saps.co.nz>
Subject: RE: Your ref. Application-2024-0057 CRM:0140000101; 4801B SH1, Waiomio

Hi Natalie

Just want to loop you in. Dean and Tim have spoken and I understand Tim is discussing with our other engineer who had reviewed this.

Ngā mihi

Rosalind Cowen (she/her)

Senior Planner, Poutiaki Taiao | Environmental Planning

System Design, Transport Services

rosalind.cowen@nzta.govt.nz

Working 3 days, out of office Fridays

NZ Transport Agency Waka Kotahi

Auckland Office, Level 5, AON Centre, 29 Customs Street West
Private Bag 106602, Auckland 1143, New Zealand

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From: Dean Scanlen <dean@e-outcomes.co.nz>
Sent: Wednesday, November 27, 2024 11:25 AM
To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Cc: Natalie Watson <nat@saps.co.nz>; Te Tuhi Robust <tetuhirobust@gmail.com>
Subject: Your ref. Application-2024-0057 CRM:0140000101; 4801B SH1, Waiomio

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Hi Rosalind. I am the traffic engineer who has been advising the applicant in relation to a subdivision of this property, the access for which leads directly to SH1N. Yesterday you sent this to the applicant's planner, Natalie Watson, in relation to the proposal:

Our engineer asks:

If you can confirm they can achieve the required diagram D standard for the actual access as per the condition below then I'm ok with no widening of the opposite shoulder being required

1. *Crossing Place CP 98A shall be upgraded in accordance with New Zealand Transport Agency Diagram D standard (with a 15m radii on the northern shoulder and a 10m radii on the southern shoulder) as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager.*

I would like to discuss this with your safety engineer. Is that Tim Elliot and are you OK with my contacting him directly? I have his mobile phone number.

PS The existing access achieves the shoulder radii specified in approval condition 1 but, opposite the crossing, this part of SH1N is slightly under the 6.0 metre maximum width specified in Diagram D (but by no more than 0.3 metres). The access is also less than 6 metres wide. Despite this, as I have shown in reports into my investigations, the access will achieve the intent of Diagram D.

Ngā mihi|Regards, Dean Scanlen

BE(Hons)(Civil), CPEng, IntPE(NZ), CMEngNZ
027 472 0945

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Natalie Watson

From: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Sent: Tuesday, 26 November 2024 12:45 PM
To: Natalie Watson
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Natalie

The condition reflects the layout hence the difference in the Radii for the southern side due to the end of the guard rail – not specific to frequency of HCV use. The start of a passing lane to the north close by further supports the larger radii requirement for the northern shoulder to help exiting vehicles to merge onto SH1.

Ngā mihi

Rosalind Cowen (she/her)

Senior Planner, Poutiaki Taiao | Environmental Planning

System Design, Transport Services

rosalind.cowen@nzta.govt.nz

Working 3 days, out of office Fridays

NZ Transport Agency Waka Kotahi

Auckland Office, Level 5, AON Centre, 29 Customs Street West
Private Bag 106602, Auckland 1143, New Zealand

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From: Natalie Watson <nat@saps.co.nz>
Sent: Tuesday, November 26, 2024 11:56 AM
To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Subject: FW: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi again Rosalind,

Wouldn't the radii requirement be 9m? As there is no frequent HCV use.

Kind regards,
Natalie

From: Natalie Watson
Sent: Tuesday, 26 November 2024 10:37 am
To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Rosalind,

Thanks for this, perfect timing. I will ask Engineering outcomes to urgently confirm.

Thanks again,
Natalie

From: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Sent: Tuesday, 26 November 2024 10:35 am
To: Natalie Watson <nat@saps.co.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Natalie

I've heard back just now. Our engineer asks:

If you can confirm they can achieve the required diagram D standard for the actual access as per the condition below then I'm ok with no widening of the opposite shoulder being required

1. *Crossing Place CP 98A shall be upgraded in accordance with New Zealand Transport Agency Diagram D standard (with a 15m radii on the northern shoulder and a 10m radii on the southern shoulder) as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager.*

Can this be confirmed?

Ngā mihi

Rosalind Cowen (she/her)

Senior Planner, Poutiaki Taiao | Environmental Planning

System Design, Transport Services

rosalind.cowen@nzta.govt.nz

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NZ Transport Agency Waka Kotahi

Auckland Office, Level 5, AON Centre, 29 Customs Street West
Private Bag 106602, Auckland 1143, New Zealand

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From: Rosalind Cowen
Sent: Tuesday, November 26, 2024 10:20 AM
To: Natalie Watson <nat@saps.co.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Natalie

This is being reviewed by our Safety engineer and I should be hearing back soon. I have followed it up.

Ngā mihi

Rosalind Cowen (she/her)

Senior Planner, Poutiaki Taiao | Environmental Planning

System Design, Transport Services

rosalind.cowen@nzta.govt.nz

Working 3 days, out of office Fridays

NZ Transport Agency Waka Kotahi

Auckland Office, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

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From: Natalie Watson <nat@saps.co.nz>

Sent: Monday, November 25, 2024 11:06 AM

To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>

Cc: Environmental Planning <EnvironmentalPlanning@nzta.govt.nz>

Subject: FW: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Good morning Rosalind,

Just following up on this query; are you please able to finalise the written approval?

Thanks,

Natalie Watson

WILLIAMS & KING

P +64 9 407 6030

27 Hobson Ave

P.O. Box 937, Kerikeri 0230, NZ

<http://www.saps.co.nz>

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From: Natalie Watson

Sent: Thursday, 31 October 2024 1:26 pm

To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>

Subject: FW: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Rosalind,

We are making a start on the RC application, so now will require the conditional written approval to be issued please.

I never got a response to our query, so will presume our understanding that the existing width is acceptable.

Please keep in touch should you have any queries.

Kind regards,
Natalie Watson

WILLIAMS & KING
P +64 9 407 6030
27 Hobson Ave
P.O. Box 937, Kerikeri 0230, NZ
<http://www.saps.co.nz>

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From: Natalie Watson
Sent: Thursday, 1 August 2024 10:49 am
To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Rosalind,

Any update on this? The applicants are really desperate to get their application in, as the family wanting to buy one of the lots has a finance offer with limited timeframe.

Kind regards,
Natalie

From: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Sent: Monday, July 1, 2024 10:27 AM
To: Natalie Watson <nat@saps.co.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Natalie

Yes, I am having this confirmed. Thanks.

Ngā mihi

Rosalind Cowen (she/her)

Senior Planner, Poutiaki Taiao | Environmental Planning

System Design, Transport Services

rosalind.cowen@nzta.govt.nz

Working 3 days, out of office Fridays

NZ Transport Agency Waka Kotahi

Auckland Office, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

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From: Natalie Watson <nat@saps.co.nz>

Sent: Monday, July 1, 2024 9:46 AM

To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>; Tessa Robins <Tessa.Robins@nzta.govt.nz>

Subject: FW: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Rosalind and Tessa,

Is someone able to review my email from June 4 and check our understanding regarding the NZTA approval letter?

Thanks,
Natalie

From: Natalie Watson

Sent: Wednesday, June 12, 2024 9:49 AM

To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>

Subject: FW: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Rosalind,

Just following up on this query – is the understanding that the existing width is acceptable, correct?

Thanks,
Natalie

From: Natalie Watson

Sent: Tuesday, June 4, 2024 9:31 AM

To: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>

Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Rosalind,

Thanks so much for this email. I asked the Traffic Engineer to confirm that the written approval was as intended (in terms of conditions). He has responded that:

The only thing is that Diagram D has widening on both sides of the highway. The width on the opposite side is slightly short of what is specified in Diagram D (between 0.2 and 0.3 metres according to my measurements). My report shows that the intent of Diagram D can already be met and my view is that the disruption that would result from another 0.2 to 0.3m of widening will far outweigh any benefits (which are very likely nil in any event).

I recommend the authority be asked to confirm the existing width is acceptable and, as such, the requirement to "upgrade" to Diagram D is not necessary.

Can you please check and clarify?

Thanks again,
Natalie Watson

WILLIAMS & KING
P +64 9 407 6030
27 Hobson Ave
P.O. Box 937, Kerikeri 0230, NZ
<http://www.saps.co.nz>

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From: Rosalind Cowen <Rosalind.Cowen@nzta.govt.nz>
Sent: Wednesday, May 29, 2024 3:38 PM
To: Natalie Watson <nat@saps.co.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Natalie

Thank you for consulting the NZ Transport Agency Waka Kotahi (NZTA) seeking approval pursuant to s95E of the Resource Management Act 1991 for a 2 lot subdivision. NZTA has reviewed the proposal and determined that conditions would adequately address potential effects on State Highway 1. These conditions will need to be volunteered in writing to Council, so they become a substantive part of the resource consent application prior to written approval being provided by NZTA.

*Please note: The legal name of NZTA is the **New Zealand Transport Agency**; therefore, our full legal name is referred to in the requested conditions.*

To provide affected party approval subject to the following conditions:

1. Crossing Place CP 98A shall be upgraded in accordance with New Zealand Transport Agency Diagram D standard (with a 15m radii on the northern shoulder and a 10m radii on the southern shoulder) as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager.
2. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council, correspondence from the New Zealand Transport Agency confirming that works in the State Highway, including the upgrading of vehicle crossings, have been constructed to the New Zealand Transport Agency standards.
3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council confirmation that the New Zealand Transport Agency has been advised of relevant similar documentation (such as: draft LT (Land Transfer) plan, ML plan (for Māori Land), SO (Survey Office) plan), to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Roading Powers Act 1989

Please consider the above and, if your client, please amend your resource consent application to include the above conditions and provide a copy of this revised consent application to NZTA; or volunteer these conditions to council requesting that the conditions are included in the application as an addendum to the application and provide a copy of this request to NZTA.

Upon receiving your revised application or email confirming that you have volunteered the above conditions to council; NZTA will continue to process the application with a view to providing S95E approval (subject to delegated authority).

If you have any queries regarding the above, please feel free to contact me via the details below.

Ngā mihi

Rosalind Cowen (she/her)

Senior Planner, Poutiaki Taiao | Environmental Planning

System Design, Transport Services

rosalind.cowen@nzta.govt.nz

Working 3 days, out of office Fridays

NZ Transport Agency Waka Kotahi

Auckland Office, Level 5, AON Centre, 29 Customs Street West
Private Bag 106602, Auckland 1143, New Zealand

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From: Natalie Watson <nat@saps.co.nz>

Sent: Tuesday, May 28, 2024 2:52 PM

To: Tessa Robins <Tessa.Robins@nzta.govt.nz>

Subject: FW: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Tessa,

Please see attached the response from Engineering Outcomes Ltd.

Kind regards,
Natalie

From: Natalie Watson
Sent: Monday, May 27, 2024 9:51 AM
To: Tessa Robins <Tessa.Robins@nzta.govt.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Tessa,

Hope to respond today.

Kind regards,
Natalie

From: Tessa Robins Tessa.Robins@nzta.govt.nz
Sent: Monday, May 27, 2024 9:36 AM
To: Natalie Watson nat@saps.co.nz
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Natalie,

Have you been able to confirm?

Ngā mihi

Tessa Robins

Senior Planner, Environmental Planning (Auckland/Northland)

Poutiaki Taiao| System Design

Email: Tessa.robins@nzta.govt.nz

Mobile: 021 557 568

Waka Kotahi New Zealand Transport Agency

Auckland, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

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From: Tessa Robins
Sent: Tuesday, May 21, 2024 1:41 PM
To: Natalie Watson <nat@saps.co.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Natalie,

Yes, that's correct!

Ngā mihi

Tessa Robins

Senior Planner, Environmental Planning (Auckland/Northland)

Poutiaki Taiao| System Design

Email: Tessa.robins@nzta.govt.nz

Mobile: 021 557 568

Waka Kotahi New Zealand Transport Agency

Auckland, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

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From: Natalie Watson <nat@saps.co.nz>

Sent: Tuesday, May 21, 2024 8:46 AM

To: Tessa Robins <Tessa.Robins@nzta.govt.nz>

Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Tessa

The traffic engineer has asked for confirmation that you are referring to the radii of the shoulders so it can be confirmed that a truck can make all turns without crossing the SH1 centreline or getting stuck – is that correct?

Thanks,
Natalie

From: Natalie Watson

Sent: Monday, May 20, 2024 2:42 PM

To: Tessa Robins <Tessa.Robins@nzta.govt.nz>

Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Hi Tessa,

Sure thing. Will respond asap.

Kind regards,
Natalie

From: Tessa Robins <Tessa.Robins@nzta.govt.nz>

Sent: Monday, May 20, 2024 1:48 PM

To: Natalie Watson <nat@saps.co.nz>

Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Kia ora Natalie,

Thank you for providing the traffic assessment.

Could you please confirm with your engineer what the radius of the vehicle crossing is?

Ngā mihi

Tessa Robins

Senior Planner, Environmental Planning (Auckland/Northland)

Poutiaki Taiao| System Design

Email: Tessa.robins@nzta.govt.nz

Mobile: 021 557 568

Waka Kotahi New Zealand Transport Agency

Auckland, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

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From: Natalie Watson <nat@saps.co.nz>

Sent: Tuesday, May 14, 2024 9:10 AM

To: Tessa Robins <Tessa.Robins@nzta.govt.nz>

Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Good morning Tessa,

Please find attached a report by Engineering Outcomes Ltd related to the traffic safety effects of this proposed subdivision.

There is an authorised dwelling on Lot 1. Lot 2 has a building which was authorised as stables with guest accommodation, which the attached report says that generates at least the level of traffic of a dwelling. This will become its own residential dwelling upon completion of the subdivision. The report also notes that “Even if the house that is eventually established on Lot 2 does eventually result in more traffic than that lot currently generates, it will still not be anywhere near the trigger for the next level of widening – “Diagram E”, which 101 movements per day or more”.

In terms of the existing crossing place, it says “despite the existing width being slightly below that of Diagram D, that non-turning cars can comfortably pass a right-turning vehicle with their wheels remaining entirely on the seal”.

Once you have had a chance to review, please let me know if you have any further queries.

Kind regards,
Natalie Watson

WILLIAMS & KING

P +64 9 407 6030

27 Hobson Ave

P.O. Box 937, Kerikeri 0230, NZ

<http://www.saps.co.nz>

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From: Tessa Robins Tessa.Robins@nzta.govt.nz
Sent: Thursday, February 29, 2024 3:27 PM
To: Natalie Watson <nat@saps.co.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Kia ora Natalie,

Based on the information provided, Waka Kotahi are not comfortable that an assessment has been undertaken to address traffic safety effects. You have confirmed that a Diagram D/E standard is not feasible but have not demonstrated that the proposed non-compliant crossing place design will mitigate traffic safety effects either.

It would be appropriate at this point to engage a traffic safety engineer to adequately demonstrate to Waka Kotahi that traffic safety effects would be no more than minor at this location if your client's proposal was to be implemented.

Ngā mihi

Tessa Robins

Senior Planner, Environmental Planning (Auckland/Northland)

Poutiaki Taiao | System Design

Email: Tessa.robins@nzta.govt.nz

Mobile: 021 557 568

Waka Kotahi New Zealand Transport Agency

Auckland, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

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From: Natalie Watson <nat@saps.co.nz>
Sent: Wednesday, February 21, 2024 1:48 PM
To: Tessa Robins <Tessa.Robins@nzta.govt.nz>
Subject: RE: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

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Hi Tessa,

Sorry for the delay in getting back to you.

The earlier proposal & written approval was for the third lot, but that option was abandoned as it involved work for a new wastewater system, which the applicant now wants to undertake. They were hoping to basically reactivate that existing approval, but it would need to be updated as the two lot subdivision has now been completed.

Diagram E will not fit, due to the guard rail for the bridge (in any event I don't think it would be required presuming that the AADT of 5,998 has not changed since the previous written approval).

A Diagram D overlay is shown on the attached plan. It shows that the existing seal more or less provides the formation for a Diagram D (on the property side of the highway and also on the opposite side) however the end of the southern tapered widening on the opposite side of the road comes close to the existing guard rail for the bridge, and we imagine it would be dangerous to mark this out as part of the southbound lane.

Kind regards,
Natalie

From: Tessa Robins Tessa.Robins@nzta.govt.nz
Sent: Monday, January 22, 2024 10:36 AM
To: Natalie Watson nat@saps.co.nz
Subject: 4801B SH1, Waiomio - Application-2024-0057 CRM:0140000101

Kia ora Nat,

As part of the 29 July 2021 approval for the two-lot subdivision, it was understood that no further development would occur aside from each of the lots having one residential dwelling. This formed part of the NZ Transport Agency's support for the proposal without further upgrades to the vehicle crossing CP 98A aside from sealing it to the boundary.

The NZ Transport Agency therefore, do not support further intensification giving rise to an associated increase in vehicle movements at crossing place CP 98A without the crossing place being upgraded to the satisfaction of the NZ Transport Agency.

Can you please investigate the viability of upgrading CP 98A to a NZTA PPM Diagram D or E crossing as part of your due diligence. Once you have undertaken an assessment, please come back to the NZ Transport Agency to discuss the proposal.

Ngā mihi

Tessa Robins

Senior Planner, Environmental Planning (Auckland/Northland)

Poutiaki Taiao | System Design

Email: Tessa.robins@nzta.govt.nz

Mobile: 021 557 568

Waka Kotahi New Zealand Transport Agency

Auckland, Level 5, AON Centre, 29 Customs Street West

Private Bag 106602, Auckland 1143, New Zealand

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Site Feasibility Appraisal

For 3 Waters Management at

4801 SH1, Kawakawa

For

Dr Te Tuhi Robust

*Supporting report for resource consent application to Far North District Council
Gumboots Consulting Engineers reference 1293*



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- 14. Assessment Criteria**

- 15. Stormwater Management**
 - 15.1. General Suitability
 - 15.2. Conclusion

Appendix A – Drawings

Appendix B – On-Site Wastewater (TP58) Checklist

Appendix C - Photos

TABLES

- Table 1.0 - Proposed Subdivision
- Table 1.1 – Surface Water Features & Flooding
- Table 1.2- Far North District Plan Section 13.10.5 Assessment Criteria

Revision History

Revision N°	Prepared By	Description	Date
A	Kelly Wright	Onsite Wastewater Management Assessment	20/10/2024
B	Kelly Wright	Onsite Wastewater Management Assessment	21/11/2024

Reviewed/Approved

On behalf of Gumboots Consulting Engineers Ltd by:



Akira Kepu

Senior Chartered Geotechnical-Civil Engineer

CMEngNZ, Board Member of EngNZ Northland Branch.

Member of NZGS, ISSMGE, SIG EGP & The Sustainability Society.

1. Executive Summary

The enveloping proposal philosophy emphasizes a predominant primary outcome of sustaining less adverse effects of human activity and above all, promoting resident occupational applications that encourage preservation and restoration to the hosting Environment.

All in all, it is considered that less than minor adverse effects shall result from the proposed activity i.e. application of wastewater on land at this moment.

Following interpretation of field data and review of published data, it is concluded and recommended that;

- An Onsite Wastewater Management Appraisal shall be carried out with specific applications/site recommendations in Lot 1 which shall complement a BC^{1*} submission to Council at such stage. The appraisal shall provide engineering hydraulic loadings/system capacities and with respect to local site conditions and overall sustainability of the proposed application to Land.

Particular familiarity shall be undertaken of this appraisal in conjunction with conducting the preceding recommended Works. Therefore, contributing background data specific to the site and existing environment conditions relative to this point in time, can be of assistance.

Consequently, a better understanding of the site and existing environment conditions can then be expected with due regard to the former.

As appropriate, this appraisal shall be read in its entirety to understand the context of the opinions and recommendations given.

2. Introduction

This report has been prepared for Mr Te Tuhi Robust in support of an application to the Far North District Council for Resource Consent to Subdivide a rural property at 4801 State Highway 1, Kawakawa [the 'site'] in accordance with the requirements of the Resource Management Act 1991.

Specifically, this appraisal addresses engineering elements of natural hazards, wastewater and stormwater requirements to promote "CLIMATE RESILIENCE" of Land, with less than minor effects on the environment as a result of the proposed activities and regenerative and balancing outputs to the natural character of the ENVIRONMENT.

Where appropriate, it is in accordance with the recommendations of NZS 4404, Land Development and Subdivision Engineering and related documents.

^{1*}Building Consent

2.1 Limited Liability

This report has been prepared solely for the benefit of Mr Te Tuhi Robust, in accordance with the brief given to us, the agreed scope and in general accordance with current standards, codes and best practice at the time of this writing. Therefore, he shall be deemed the exclusive owner on full and final payment of the invoice.

Information, assumptions, and recommendations contained within this report can only be used for the purposes with which it was intended. Gumboots Consulting Engineers accepts no liability or responsibility whatsoever for;

1. any use or reliance on the report by any party other than the owner or parties working for or on behalf of the owner, such as local authorities, and for purposes beyond those for which it was intended.
2. any omissions or errors that may befall from inaccurate information provided by the Client or from external sources.

Outcomes given in this report are based on visual methods and subsurface investigations at discrete locations designed to the constraints of the project scope to provide the best assessment of the environment and subsurface conditions.

Therefore, it must be appreciated that the nature and continuity of the subsurface materials between these locations are inferred and that actual conditions could vary from that described herein. We should be contacted immediately if the conditions are found to differ from those described in this report.

Accordingly, further investigations/observations shall then be undertaken as appropriate.

This report shall be read and reproduced in its entirety including the limitations to understand the context of the opinions and recommendations given.

3. Site Details and Description

3.1 Site Identification

Site Location: 4801 State Highway 1, Kawakawa
Legal Description: Lot 2 Deposited Plan 573697
Total Site Area: 50.7920 Ha

3.2 District Plan Zoning

According to the Far North District Council (FNDC) District Plan the site falls within the 'Rural Production' zone.

3.3 Proposed Activity

A proposed scheme plan was presented to Gumboots Consulting Engineers at the time of writing, prepared by Williams & King and is reproduced within Appendix A. It is understood the Client proposes to subdivide the site to create one new lot as outlined in Table 1 below.

Amendments to the referenced scheme plan may require an update to the recommendations of this report which are based on conservative, typical residential development concepts.

Table 1.0 - Proposed Subdivision

Proposed Lot	Area (ha)	Intended end use
1	4.007	Established - Residential
2	46.7850	Established - Balancing Lot

3.4 Site Description

The property comprises an irregular shaped parcel of land situated ≈6.50km south of Kawakawa township.

The land is typical sedimentary [depicted in figure 1] landscape. It is mostly occupied by natives with undulates from natural surface water flows which pays homage to the homestead farm.



Figure 1 - Site Location and Features Plan (maps adapted from Quick Map Enterprises and Google Earth Maps).

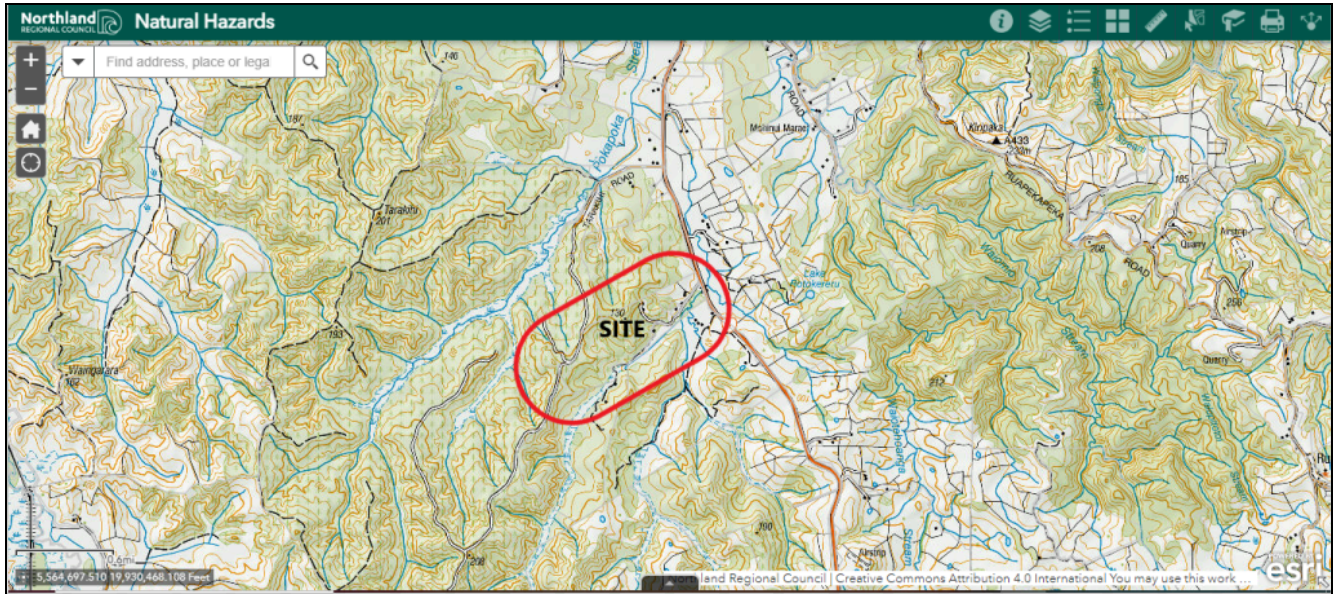


Figure 2 - Hydrological Feature Plan (maps adapted from NRC Natural Hazards Map).

3.5 Intended Occupation

The major purpose of the subdivision from our Client is to enable a simple minimalist life and freeing up whenua as an upstart for their daughter within the community to root LIFE for their whanau.

The established [consented] developments on both Lots shall remain unchanged post subdivision stage. Access onto both Lots is established from State Highway 1 and this will also not be changed.

Proposed Lot 1 is developed and therefore effects of land disturbance are considered minimal here. Our intention long term is to sustain the flora occupation overall and plant more, where needed.

3.7 Allowable Effluent Field Area

As we understood, both dwellings had been using the established onsite wastewater management system [OWMS] within the balancing Lot 2. Therefore, **Lot 1** is **subject** to the OWMS appraisal here on.

Option for land application area in this instance shall be considered applicable within the depicted field location.

A total allowable area of 290m² has been allowed for comprising;

- 145m² - Primary
- 145m² - Reserve Area (100%)

This area is indicative to serve the purpose of site feasibility illustration with respect to the aforementioned activities thereafter.

Reference

1293/01 - Effluent Field Plan.

Proposed Subdivision Plan supplied by *Williams & King*, dated Jan 2024.

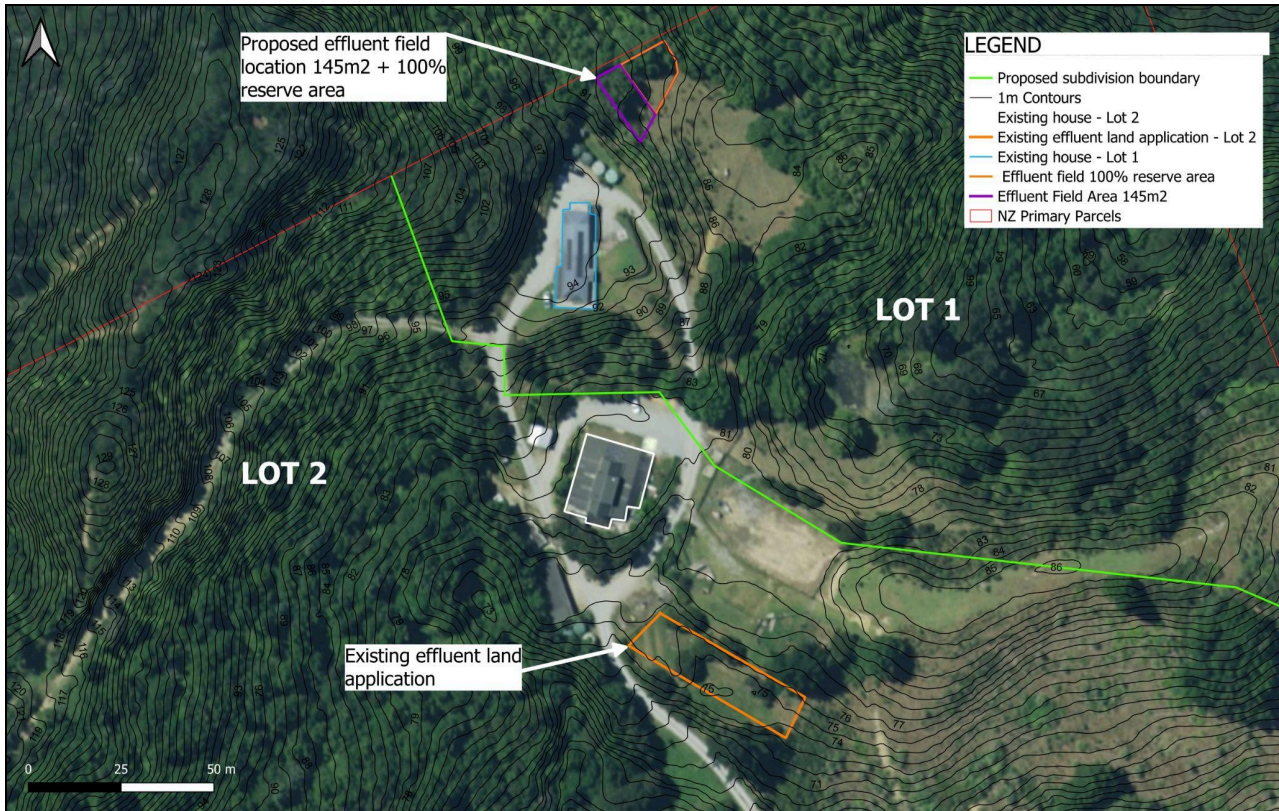


Figure 3 - Site Plan (Scale 1:1000. LINZ Aerial Imagery with 1m contour overlay and proposed subdivision plan supplied by *Williams & King*, dated Jan 2024).

3.8 Established Onsite Wastewater Management Systems [OWMS]

The current OWMS [located wholly within proposed Lot 2] consists of a conventional septic tank into soakage trench land application. It is understood from our Client that these systems are up to date with the Council's maintenance scheme and over the years have *not* presented any major issues.

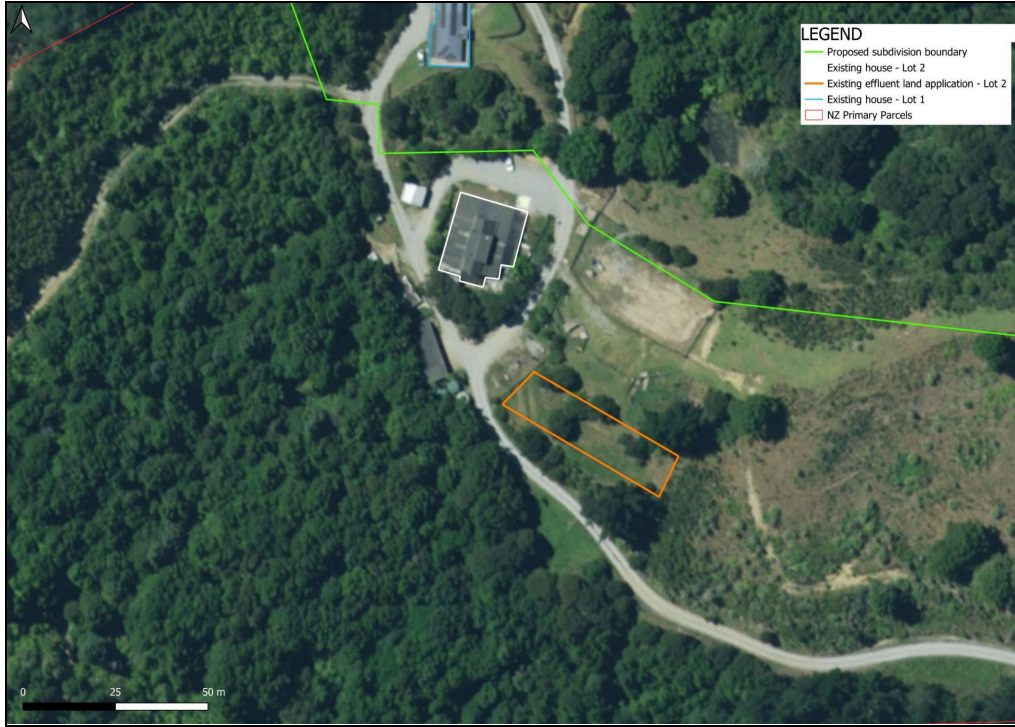


Figure 4 - Lot 2 House and existing effluent land application area (Scale 1:800. Map adapted from LINZ Aerial Imagery and Proposed Subdivision Plan supplied by *Williams & King*, dated Jan 2024)

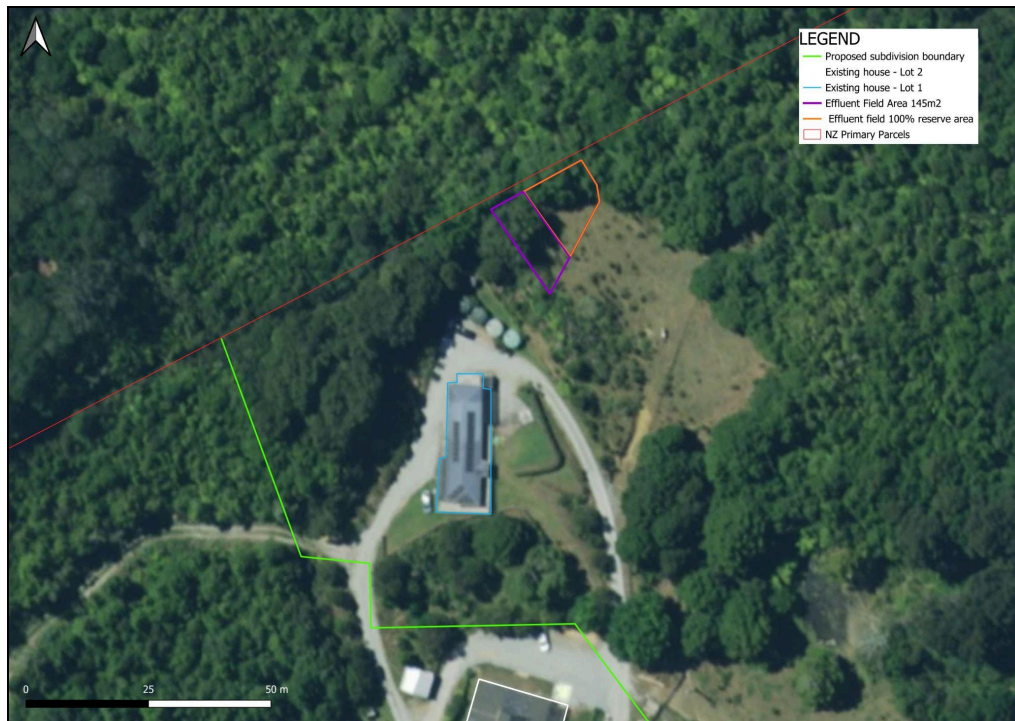


Figure 5 - Proposed Lot 1 effluent location (Scale 1:600. Map adapted from LINZ Aerial Imagery and Proposed Subdivision Plan supplied by *Williams & King*, dated Jan 2024)

All in all, the existing [consented] system [Lot 2] and proposed system [Lot 1] are contained wholly within the proposed new boundaries² and plentiful land is available therein for effluent field upgrade where needed in the future. Council shall have working details of the service implementations.

4. Geology

The geological information on hand indicates that the site is underlain by Whangai Formation(Kkw); massive to thinly bedded, siliceous mudstone, locally with thin glauconitic sandstone interbeds.

Reference:

Geology of the Whangarei Area. Institute of Geological & Nuclear Sciences; 1: 250,000 geological map 2. Lower Hutt, New Zealand.

5. Lithology

The underlain lithology is Siliceous mudstone (M5) i.e. dark grey or pinkish white; closely fractured with a silica content of up to 90% [known locally as shale]; moderately hard to hard. Weathered to light grey, soft clay containing harder cores to depths of 10m

Reference:

Geology of the Whangarei Area. Institute of Geological & Nuclear Sciences; 1: 250,000 geological map 2. Lower Hutt, New Zealand.

NZMS Sheet 290 P04/05, 1:100,000 scale map, Edition 1, 1982: “*Whangaroa-Kaikohe*” (Rocks).

6. Subsoils

LandCare Research indicates the soils encountered here as Acid Brown (BA). These soils are primarily acidic. They have a brown or yellow-brown subsoil below a dark grey-brown topsoil and are the most extensive in New Zealand covering 43% of the country.

6.1 Brown [B]

They occur in tropical conditions where drought is uncommon and not waterlogged in winter. The brown colour derives from iron oxides due to weathering of the parent material.

These soils have low to moderate base saturation and contain a significant active population of soil **organisms/worms**.

²Adequate setbacks are subject to confirmation by the surveyor at final cadastral survey stage.

Soils are strongly acidic with a small content of weatherable minerals. Mica/Illite³ and vermiculite with allophane are the dominant minerals.

All in all it can be concluded that the soils encountered here greatly reflect the historical effects of local conditions/

Reference:

Manaaki Whenua LandCare Research: New Zealand Soil Classification (NZSC) - Soil Order.

NZMS Sheet 290 P04/05, 1:100,000 scale map, Edition 1, 1982: "Whangaroa-Kaikohe" (Soils).

7. Environmental Setting

Published environmental data relating to the site has been reviewed. A summary of relevant information is provided below.

7.1 Hydrology and Flooding

A summary of available information pertaining to hydrology and hydrogeology is presented in the table below. An examination of Far North District Council (FNDC) and Northland Regional Council (NRC) online GIS databases is included.

Table 1.1 – Surface Water Features & Flooding

Source	Presence/Location	Comments
Groundwater sources including springs/wells (within 500 m)	A bore log west [≈6.5km] registers a depth of 11.2m and a static water level of -4.60m. ⁴	
Surface Water Features (Ponds, Lakes etc)	An unnamed stream meanders west to east along the southern boundary of the property. This flowpath serves as a tributary to Pokapoka Stream north.	The stream features are well populated by native trees and vegetation.
Watercourses (within 500 m)	As mentioned above	

³1. a clay mineral of the muscovite mica group, with a lattice structure that does not expand on absorption of water.

⁴ Data obtained from NRC open data site on 25/10/2024 -

<https://data-nrcgis.opendata.arcgis.com/datasets/NRCGIS::bore-logs/explore?location=-35.451884%2C174.080621%2C13.21>

Flood Risk Status	None recorded	The NRC and FNDC GIS databases indicate that the site is not included within the area that has been modelled for flood hazard events.
Flood Susceptibility	Negligible	Flood susceptible land is mapped according to the presence of alluvial, fluvial deposited soils indicating historic inundation by flood waters. From available geological mapping it is considered superficial soils are not present within the site boundaries.

8. Fieldworks

Our fieldwork for this report commenced on the 05th September 2024 and involved;

- a consultation with the Client onsite,
- walkover of the site,
- soil log from a vertical cut onsite.

Results of all in-situ soil tests together with detailed descriptions of the soils observed are attached to this report.

No saturated or boggy ground was encountered within the nominated AEF^{5*} during the site visit. The depths of strata and groundwater on the logs are recorded from ground level.

9. Summary of Ground Conditions

9.1 Topsoil

Topsoil [clayey SILT) was encountered down to approximately 0.20 metres and underlying a layer of thick humus.

9.2 Natural Ground

The natural soils encountered were of Silty CLAY, light yellowish brown, very stiff and high plasticity.

The ground cover in proposed Lot 1 i.e. the nominated primary effluent field comprises a thick cover of humus. This readily provides an optimal base course condition for the drip lines.

In the grass covered areas, it is recommended that a mulch base course [\geq 500mm thick] shall be spread out evenly across prior to the drip lines being installed.

^{5*} *Allowable Effluent Field.*

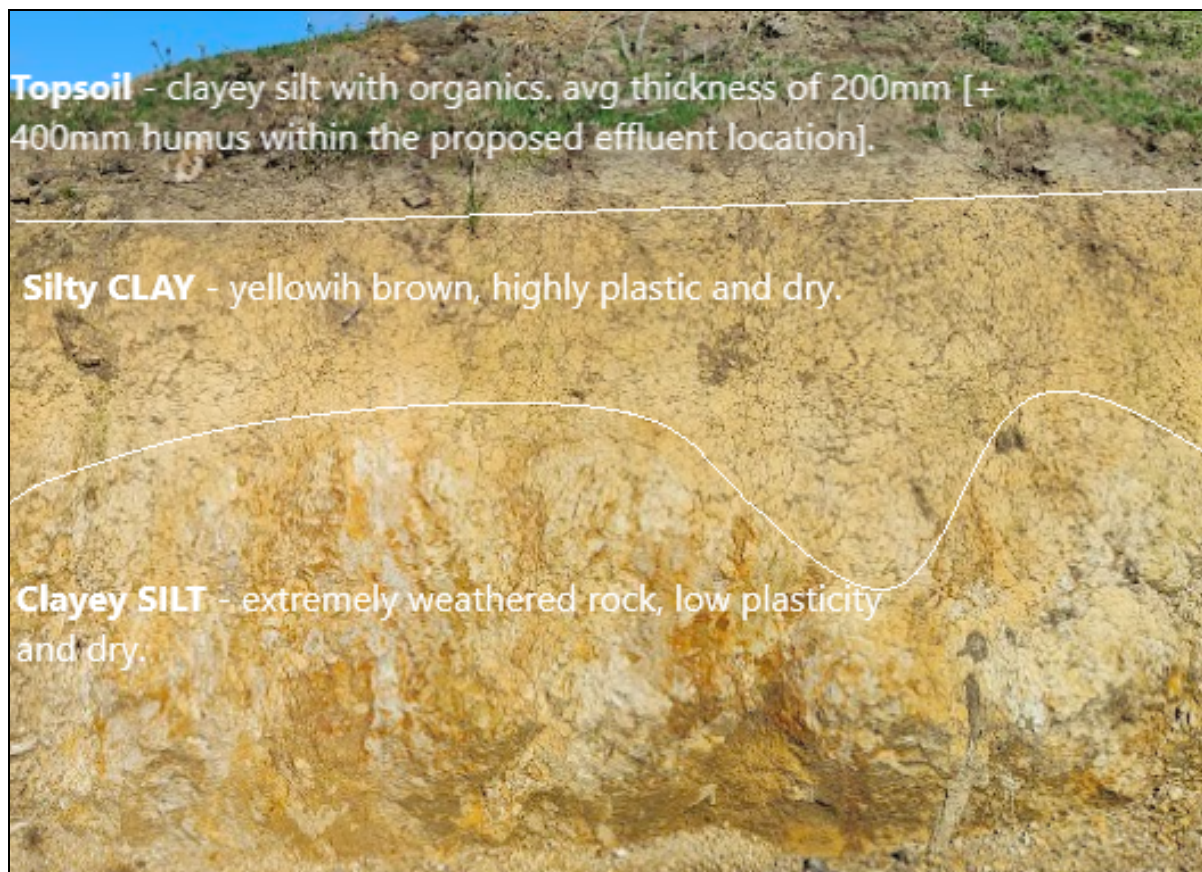


Figure 6 - Natural Soils - (adapted from DroneX survey).

9.3 Groundwater

The groundwater table was not encountered during the site investigation but can potentially fluctuate during drier and wetter periods of the year.

The geological features which highly influence infiltration are highly varied over an outcrop and likely so from one to another. Therefore, a uniform distribution and infiltration of rain is highly *unlikely* and the consequent rise in water-table will be greater in some places than others.

Accordingly, the favourable relief, dominant flora occupation and supporting service infrastructures dictates that full saturation of the subsoil mass within and close vicinity of the building platform can be considered *low*.

9.4 Existing Flow Paths

The indicated water paths naturally flow homogeneously towards the eastern aspect. It is envisaged that in heavy rainfall events, surface water will generally follow these paths away from the sites.



Figure 7 - Existing Flow Paths - in blue lines (map adapted from Google Earth and Quickmaps).

10. On-site Effluent Disposal

10.1 Summary of Regulatory Issues

Proposed Regional Plan for Northland (RPN) and Far North District Plan

The discharge of sewage effluent onto land is controlled by and should comply with the permitted activity rules C.6.1.3 of the Proposed Regional Plan for Northland (RPN), including;

- The volume of wastewater discharged does not exceed two cubic metres per day.
- The slope of the disposal area is not to exceed 25 degrees.
- Special provisions apply to disposal area slopes greater than 10 degrees.

The effluent disposal systems will need to be sited to avoid surface runoff and natural seepage from adjacent land, or protected by using interception drains. The disposal areas may need to be mounded above the surrounding land to ensure that the lowest point in the field complies with the Proposed Regional Plan for Northland and Far North District Plan (FNDP) rules:

- Not less than 1.2 m above the winter groundwater table for primary treated effluent and;
- Not less than 0.6 m above the winter groundwater table for secondary treated effluent.

The disposal field also needs to have minimum separation distances from watercourses and boundaries as follows (RPN Rule C6.1.3):

- Not less than 5 m from an identified stormwater flow path (including a formed road with kerb and channel, and water-table drain) that is down-slope of the disposal area.
- Not less than 20 m from any surface water for primary treated effluent.
- Not less than 15 m from any surface water for secondary treated effluent.
- Not less than 20 m from any existing groundwater bore located on any other property.
- Not less than 1.5 m from a boundary.

The Proposed Regional Plan for Northland defines “Surface Water” as: All water, flowing or not, above the ground. It includes water in a continuously or intermittently flowing river, an artificial watercourse, an overland flow path, and a lake and or wetland; water impounded by a structure such as a dam; and water that inundates land during flood events. It does not include water in any form while in a pipe, tank or cistern.

Surface water, as defined in NZS1547:2012, refers to: any fresh water or geothermal water in a river, lake, stream, or wetland that may be permanently or intermittently flowing. Surface water also includes water in the coastal marine area and water in man-made drains, channels, and dams unless these are purposed to specifically divert surface water away from the land application area. Surface water excludes any water in a pipe or tank.

Northland Regional Council (NRC) has concluded that, to be a permitted activity, secondary treated wastewater is to achieve a 15m setback from the 20 year ARI flood event. This is derived from Auckland Council (AC) Technical Publication (TP) 58, where it is recommended that secondary treated effluent is disposed of to ground outside of the 20 year ARI, with a further factor of safety applied being NRC’s surface water setback requirement.

The following analysis ensures that the proposed on-site wastewater disposal to service the development complies with both the operative and proposed wastewater discharge rules.

10.2 Design Occupancy Rating

Based on the existing house within proposed Lot 1, a three bedroom residential dwelling is adopted. In reference to TP58 Section 6.3.1, it is recommended that the design occupancy of 5 people is therefore utilised.

10.3 Source of Water Supply

Water is to be sourced from water tanks supply. Flow reduction fittings may be used, however it is not considered in assessing potential wastewater flows herein.

10.4 Design Flow Volumes

It is assumed that the house is fitted with standard water fixtures. Note: standard water fixtures are defined in TP58 as “Household with 11/5.5 or 6/3 flush toilet(s) and standard fixtures, low water use dishwasher and NO garbage grinder”. Water supply is from roof water. The associated wastewater flow allowance is 145 litres/person/day.

Total daily wastewater generation of the proposed development is calculated as follows;

$$\begin{aligned}
 \text{Design wastewater generation rate} &= \text{Design occupancy number} \times \text{per capita design flow} \\
 &= 5 \text{ persons} \times 145 \text{ litres/person/day} \\
 &= 725 \text{ litres/day}
 \end{aligned}$$

A design flow of 725 litres per day shall be adopted for the purpose of this report.

11. Design for Land Application System

11.1 Dripper Line Irrigation

There is sufficient land area available for land application of effluent disposal via a dripline system (plus 100% reserve area) on Lot 1 of the subdivision of Lot 2 DP 573697.

The use of trickle irrigation disposal is sustainable for the very long term. It provides less footprint on the environment and an efficient system for distributing effluent;

- Over a much wider area;
- At an application rate low enough to be sustained by evapotranspiration without reliance on soakage, and;
- Without unduly disturbing the visual effect of the proposed land disposal area and landscaped gardens;
- Hydration for the gardens over the summer months.

11.2 Land Application System Location

The average slope within the nominated effluent field area is an average 13°. The dominant presence of;

1. established trees and scrub - ensures **evapotranspiration** and **hydraulic** overload during shorter peak storm events,

2. moreover, it also deposits a rich and thick **humus** that is the most ideal ground cover in this case

Siting restrictions listed in this report will need to be adhered to, to ensure a suitable setback from the identified overland flow paths, boundaries and buildings.



Figure 8 - Effluent Field location plan (Scale 1:400. Map adapted from LINZ Aerial Imagery with NRC 1m contour overlay).

11.3 Land Application System Sizing and Design

The soils across the site were found to be TP58 category 5 or AS/NZS1547 category 4. For these soils we consider that surface or subsurface dripper lines are suitable. Dripper lines require secondary treated effluent to operate effectively. TP58 recommended a design irrigation rate for this soil of 5 mm/d.

The total length of the trickle irrigation system required (UniBioline or similar) is calculated as follows;

$$\begin{aligned}
 \text{Area of dripper irrigation field} &= \frac{\text{Total daily wastewater generation}}{\text{Design irrigation rate}} \\
 &= \frac{725 \text{ litres/day}}{5 \text{ mm/day}}
 \end{aligned}$$

$$= 145 \text{ m}^2$$

Sufficient area for the proposed location has been allowed for within the allot dimensions (Refer Effluent Field Plan, Appendix A 1293/01).

Surface dripper lines are to be covered with 150 mm topsoil or mulch and planted using evapotranspiration plants. A list of plants suitable for evapotranspiration systems is attached.

Access to the disposal area should be minimised by effective bordering with either vegetation or fencing.

The disposal field will be pressurised by a conventional system of using a pump. A filter is to be installed to prevent clogging of emitters. Flush/non-return valves shall be installed on all dripper lines.

11.4 Land Application System Reserve Area and Sizing

In accordance with FNDC requirements, there is space available for a 100% reserve effluent disposal area. The reserve field is required to cope with wastewater in the event of a system failure, or from underestimation of daily wastewater production.

11.5 Surface Cover of Nominated Land Application Area

That is most suitable in this case shall be dripper lines. Considering the significant presence of **humus/organic** matter ground surface cover within the hosting Lot, this application can provide adequate support with minimal impact and footprint.

11.6 Loading Method

The system shall be complemented with a pump chamber for treated effluent and is controlled by float switches/alarms which would operate the pumps on demand and alert the owners should system failure occur. No other means of control is necessary.

11.7 Factors for Safety

The major factor of safety is in treatment plant capacity. The standard treatment plants have at least 50 % spare capacity, in relation to the load from a normal 3-bedroom house. Safety factors exist for disposal by the presence of 100% reserve area.

12. Design for Treatment System

12.1 Parameters affecting choice of Treatment

- Certainty for long term sustainability;
- Minimal environmental effect.

12.2 Treatment Plant Design Sizing

The naming of a proprietary secondary treatment plant will be decided by the new owner at the building consent stage. The system is to meet the quality output of AS/NZS 1546.3:2008, producing effluent of less than 20 g/m³ of 5-day biochemical oxygen demand (BOD₅) and no greater than 30 g/m³ total suspended solids (TSS), capable of consistently treating 1,087 litres/day.

The treatment plant is to be installed to the manufacturer's specification and a commissioning certificate is to be provided as is standard practice. A maintenance agreement is also to be entered into as part of the Code Compliance application.

12.3 Siting Requirements

Restrictions on siting of secondary treatment plants are:

- Invert level at inlet not less than 0.5 m below floor level;
- Greater than 3.0 m from any house;
- Greater than 1.5 m from any boundary;
- Easily accessible for routine maintenance.

12.4 Summary of Design Issues

The treatment system should be located to allow for ease of drainage from wastewater fixtures and remain accessible for servicing and maintenance.

13. FNDC On-site Effluent Disposal Policy 2008

13.1 Likelihood of Failure/ Accidental Discharge

The likelihood of a discharge from a household secondary treatment plant is less than minor. The pipe work to and within the plant when correctly installed is robust with sealed connections and buried below ground reducing the risk of accidental damage. Only the puncture of a distribution pipe would allow treated effluent to escape in a concentrated manner.

13.2 Consequence of Failure/ Accidental Discharge

In the unlikely event of some form of failure/accidental discharge, the material would have to travel in excess of 15 m over ground to reach any surface water (adopting the NRC minimum requirement of 15 m from surface water). Most, if not all, of the accidental discharge is likely to be lost to soakage over this distance and the failure should quickly become apparent.

13.3 Vegetation Planting

Trickle irrigation disposal systems rely on evapotranspiration from sub-surface irrigated lawns or covered surface irrigated landscape planting. Where new planting is required, this must be in place prior for the evapotranspiration process to begin functioning.

14. Assessment Criteria

Wastewater management has been assessed against the Assessment Criteria in Section 13.10.5:

Table 1.3 - Far North District Plan Section 13.10.5 Assessment Criteria

Criterion	Comment
(a) Whether the capacity, availability, and accessibility of the reticulated system is adequate to serve the proposed subdivision.	N/A.
(b) Whether the application includes the installation of all new reticulation, and complies with the provisions of the Council's "Engineering Standards and Guidelines" (2004) - Revised March 2009 (to be used in conjunction with NZS 4404:2004)	N/A.
(c) Whether the existing sanitary sewage disposal system, to which the outfall will be connected, has sufficient capacity to service the subdivision.	Onsite wastewater management system shall be utilised here.
(d) Whether a reticulated system with a gravity outfall is provided, and where it is impracticable to do so, whether it is feasible to provide alternative individual pump connections (with private rising mains), or new pumping stations, complete pressure, or vacuum systems. Note: Council consent to install private rising mains within legal roads will be required, under the Local Government Act.	N/A.
(e) Where a reticulated system is not available, or a connection is impractical, whether a suitable sewage treatment or other disposal systems is provided in accordance with regional rules or a discharge system in accordance with regional rules or a discharge permit issued by the Northland Regional Council.	Site specific (alternative) onsite wastewater management system is proposed.
(f) Where a reticulated system is not immediately available but is likely to be in the near future, whether a temporary system is appropriate. Note: Consent notices may be registered against Certificates of Title pursuant to Rule 13.6.7 requiring individual allotments to connect with the system when it does become available	N/A.

(g) Whether provision has been made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from a suitable sewage treatment or other disposal system, together with any consent notices to ensure compliance.	As addressed at the building consent stage.
(h) Whether there is a need for, and the extent of, any development contributions to achieve the above matters	N/A.
(i) Whether there is a need for a local purpose reserve to be set aside and vested in the Council as a site for any public sewage utility for sanitary disposal purposes required to be provided.	N/A.
(j) Whether the subdivision represents the best practical option in respect of the provision that is made for the disposal of sewage and wastewater.	The proposal of an alternative wastewater management system in accordance with TP58 is considered adequate and appropriate in support of the proposed subdivision.

15. Stormwater Management

15.1 General Suitability

The established developments on both Lots shall remain unchanged post subdivision stage. Primarily, the collective property is well equipped with;

1. established **flora** occupation which constitute **90%** of the property.
2. established **primary flow paths** i.e. the open drains complementing the driveways, natural over land PFPs.
3. sufficient **water tanks [x6]** capturing all roof runoff for sustenance and flow controls.

These natural features and systems readily provide an organic low impact and sustainable stormwater management approach in this instance.

Refer to Appendix C for photographic reference.

15.1 Conclusion

All in all, we consider that the effects of stormwater runoff in this case are *less than minor* and **well managed**.



Figure 9 - Stormwater asset location plan (Scale 1:1200. Map adapted from LINZ Aerial Imagery)

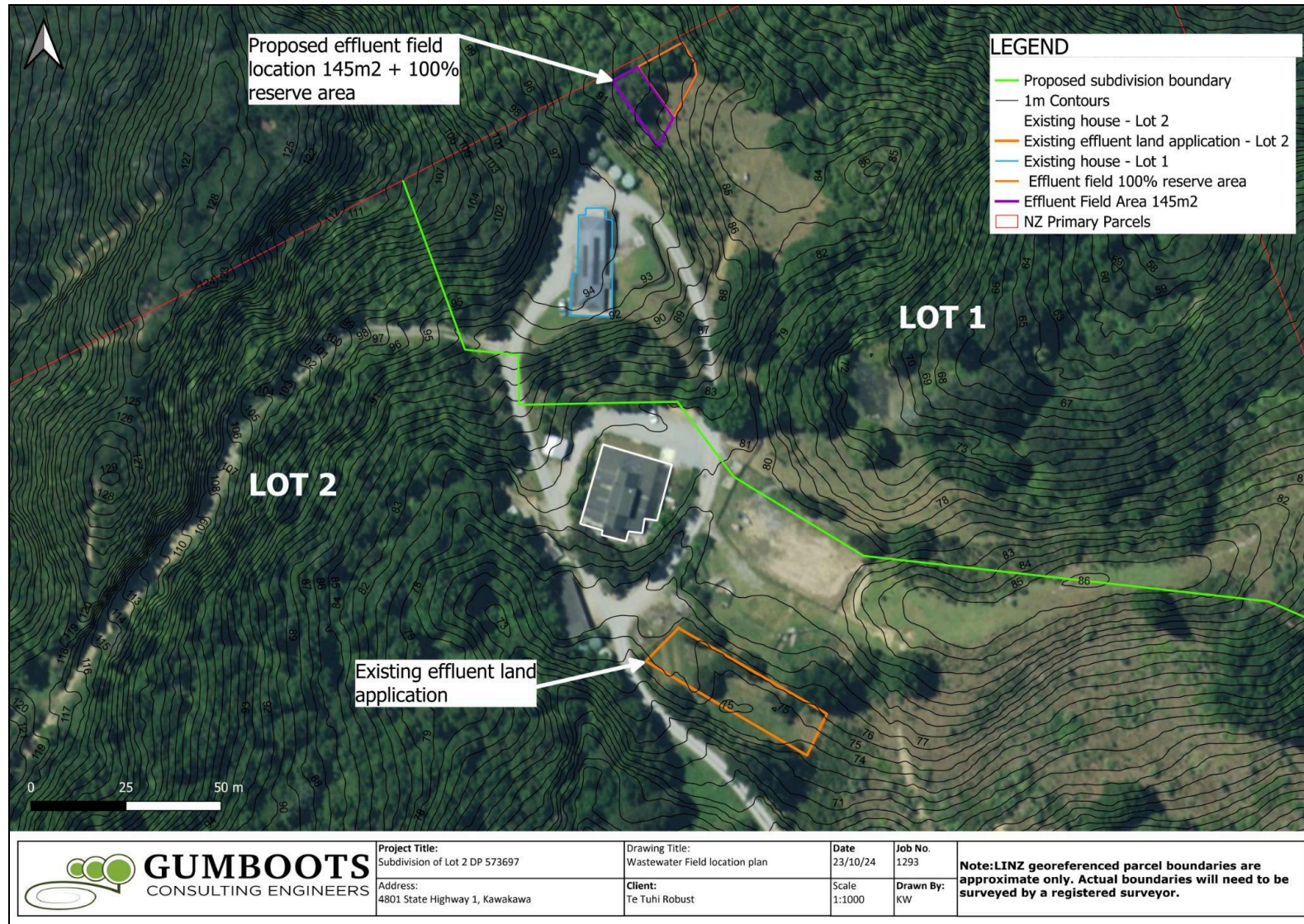
Appendix A – Drawings

Drawing No.	Title	Scale
1293/01	Effluent Field Plan	1:1000
1293/02	Proposed Scheme Plan	1:5000

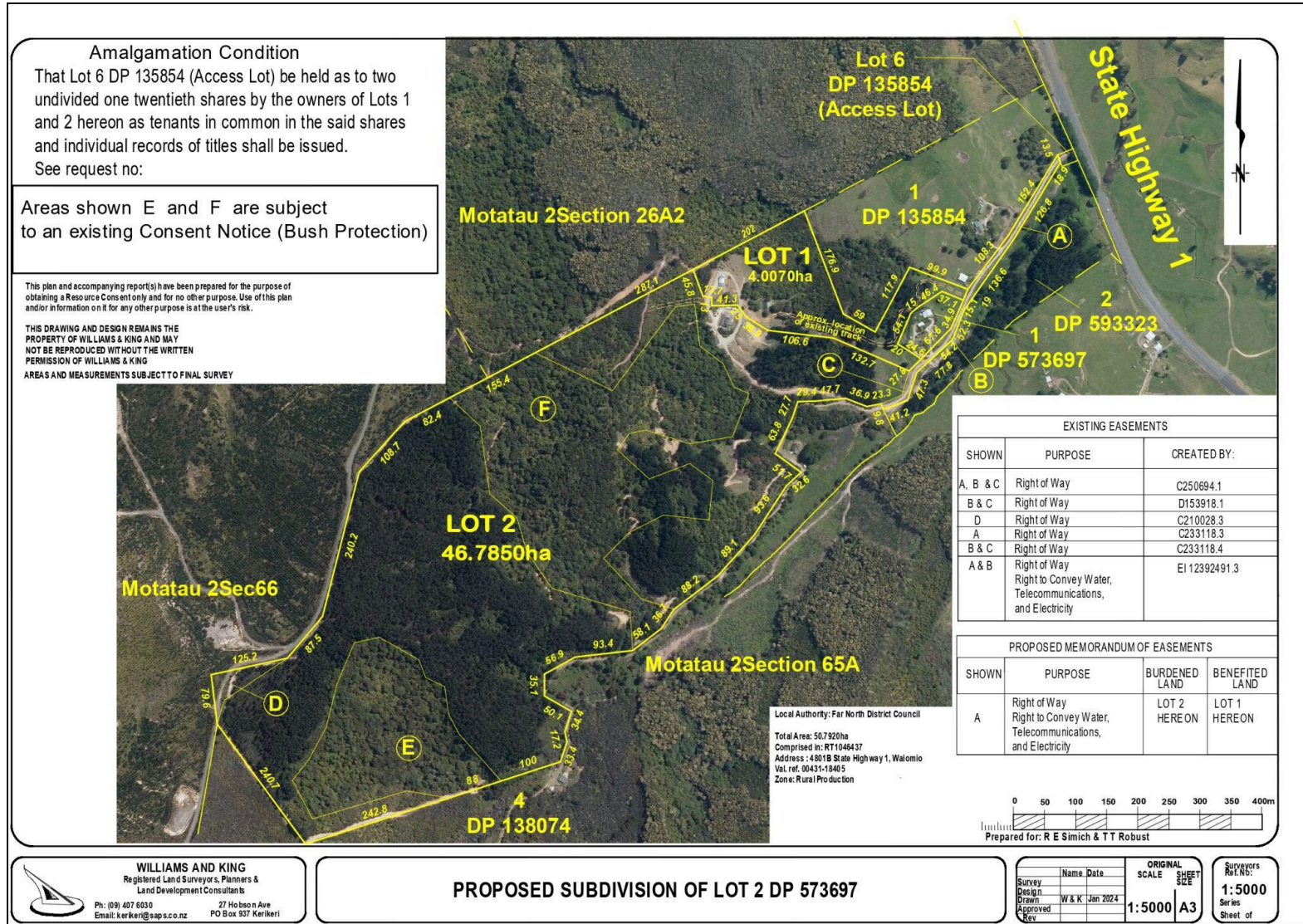
1293/03	Natural Hazards Map	NTS
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NTS – Not to Scale

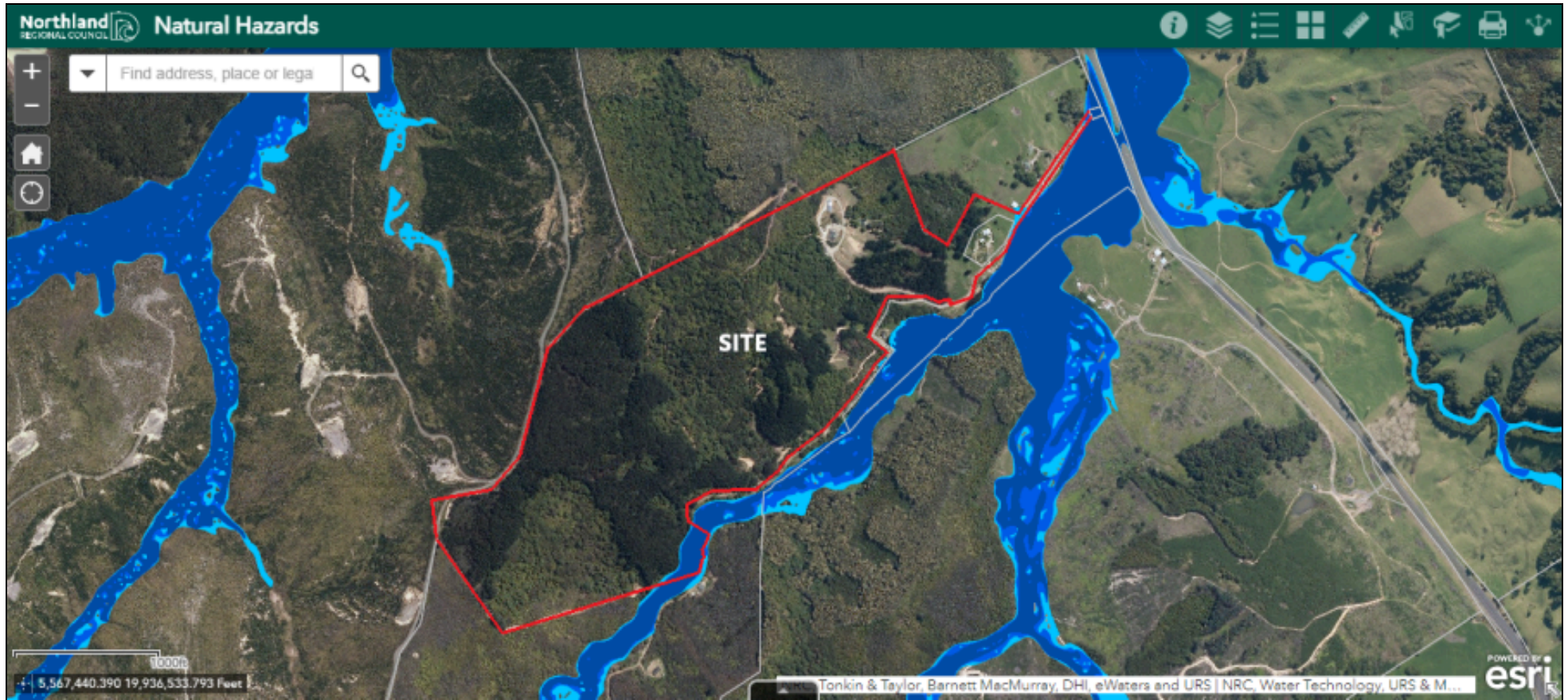
1293/01 - Effluent Field Plan



1293/02 - Proposed Scheme Plan;



1293/03 - Natural Hazards Map



SUSTAINABLE LIVING - RESILIENT LAND

Gumboots Consulting Engineers Ltd | 191 Onekura Rd, Kerikeri 0295

P 0204486697 | E office@gumbootsconsulting.co.nz

www.gumbootsconsultingengineers.co.nz

Appendix B – On-Site Wastewater (TP58) Checklist

Item	Enclosure	Checklist
01	On-site Wastewater Disposal Site Evaluation	✓
02	Assessment of Environmental Effects	✓
03	Producer Statement 1 (PS1)	✓
04	System Maintenance Schedule	✓
05	Suitable Plants for Evapotranspiration Systems	✓
06	Typical Dripper Line Layout	✓
07	Typical Timer Dose Schematic	✓

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

Part A – Owners Details

1. Applicant Details:

Applicant Names	<i>Te Tuhi Robust</i>
Company Name	
Property Owner Name(s)	

Nature of Applicant*	<i>Owner</i>
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(*i.e. Owner, Leasee, Prospective Purchaser, Developer)

2. Consultant / Site Evaluator Details:

Consultant Name	<i>Gumboots Consulting Engineers Ltd</i>
Site Evaluator Name	<i>Akira Kepu</i>
Postal Address	<i>191 Onekura Rd Kerikeri 0295</i>
Phone Number	<i>0204486697</i>
Email Address	<i>office@gumbootsconsulting.co.nz</i>

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

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

(Please tick one)

If Yes, give reference numbers and description;

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

If so, specify Application Details and Consent No. (eg. LandUse, Water Take, Subdivision, Earthworks Stormwater Consent)

Part B- Property Details

1. Property for which this application relates:

Physical Address of Property	<i>4801 State Highway 1, Kawakawa</i>
Territorial Local Authority	<i>FAR NORTH DISTRICT COUNCIL</i>
Regional Council	<i>NORTHLAND REGIONAL COUNCIL</i>
Legal Status of Activity	Permitted: <input checked="" type="checkbox"/> Controlled: Discretionary:
Relevant Regional Rule(s) (Note1)	<i>C.6.1.3</i>
Total Property Area (Ha)	<i>4.007 Ha</i>
Map Grid Reference (If known)	

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

Lots No.	DP No.	CT No.
<i>Proposed Lot 1 of Lot 2</i>	<i>573697</i>	

Other (Specify):	
-------------------------	--

Please ensure copy of Certificate of Title is attached

PART C: Site Assessment - Surface Evaluation

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

Note: Underlined terms defined in Table 1, attached

Has a relevant property history study been conducted?

Yes		No	<input checked="" type="checkbox"/>
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(Please tick one)

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

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

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

(Please tick one)

If No, why not?

Ground is gentle sloping at the proposed disposal field position

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

Author	
Company	

Date or report	
-----------------------	--

Brief Description of findings:

2. Site Characteristics (See Table 1 attached):

Provide descriptive details below;

Performance of Adjacent Systems:	<i>No problems known</i>
Estimated Rainfall and Seasonal Variation:	<i>1800 mm per year. 1100 mm winter, 700 mm summer</i>
Vegetation / Tree Cover:	<i>Mostly pasture and mature trees</i>
Slope Shape: (Please provide diagrams)	<i>n/a</i>
Slope Angle:	<i>~13 degrees</i>
Surface Water Drainage Characteristics:	<i>Soakage and sheet flow.</i>
Flooding Potential: YES/NO <i>If yes, specify relevant flood levels on appended site plan, i.e. one in 5 years and/or 20 year and/or 100 year return period flood level, relative to disposal area.</i>	<i>No</i>
Surface Water Separation:	<i>Separation distances are achieved.</i>
Site Characteristics: or any other limitation influencing factors;	<i>None</i>

3. Site Geology

Check Rock Maps

Underlying rock is Whangai Formation (Kkw).

Geological Map Reference Number *NZMS 290 rock and soils maps*

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

North		West	
North-West		South-West	
North-East		South-East	
East	✓	South	

5. Site clearances,(Indicate on site plan where relevant)

Separation Distance from	Treatment Separation Distance (m)	Disposal Field Separation Distance (m)	FNDC minimum
Boundaries	>1.5 m	>1.5 m	1.5
Surface water, creeks, drains	> 15 m	> 15 m	15
Groundwater	> 0.9m	> 0.9m	0.6
Stands of Trees/Shrubs	na	na	na
Wells, water bores	na	>20	20 m
Embankments/retaining walls	> 3 m	> 3 m	3 m
Buildings	> 3 m	> 3 m	3 m
Rivers, Coastal Marine area	> 30 m	> 30 m	30 m

PART D: Site Assessment - Subsoil Investigation

(Refer TP58 - Sn 5.1 General Purpose of Site Evaluation, and Sn 5.2.2(a) Site Surface Evaluation and Sn 5.3 Subsurface Investigations)

Note: Underlined terms defined in Table 2, attached

1. Please identify the soil profile determination method:

Test Pit		(Depth__ m	No of Test Pits	
Bore Hole		(Depth_m	No of Bore Holes	
Other (specify): <i>Site Cut</i>				

Soil Report attached?

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

2. Was fill material intercepted during the subsoil investigation?

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

If yes, please specify the effect of the fill on wastewater disposal

Fill not encountered at area of proposed disposal field

3. percolation testing (mandatory and site specific for trenches in soil type 4 to 7)

Please specify the method				
Test Report Attached?	Yes		No	✓
				Please tick

4. Are surface water interception/diversion drains required?

Yes		No	✓
-----	--	----	---

(Please tick one)

If yes, please show on site plan.

Subject to final development plans.

4a Are subsurface drains required?

Yes		No	✓
-----	--	----	---

(Please tick one)

If yes, please provide details	
---------------------------------------	--

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

Winter	>20m	Measured/Estimated	<i>Estimated</i>
Summer	>1.2	Measured/Estimated	<i>Measured</i>

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

Yes		No	✓
-----	--	----	---

(Please tick one)

<i>If the answer is yes, please explain how these have been addressed;</i>
--

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

Is Topsoil present? <i>Yes</i>	If so, Topsoil depth? <i>0.2(m)</i>
--------------------------------	-------------------------------------

Soil Category	Description	Drainage	Tick One
1	Gravel, Coarse Sand	Rapid Draining	
2	Coarse to Medium Sand	Free Draining	
3	Medium-fine & loamy Sand	Good Drainage	
4	Sandy loam, loam & silt loam	Moderate Drainage	

5	Sandy clay-loam, clay loam & silty clay loam	Moderate to slow drainage	✓
6	Sandy clay, non-swelling clay & silty clay	Slow draining	
7	Swelling clay, grey clay, hardpan	Poorly or non-draining	

Reasons for placing in stated category;
Soil map classification, soil colour and texture investigation

PART E: Discharge Details

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

Rainwater (roof collection)	✓
Bore/well	
Public supply	

2. Calculate the maximum daily volume of wastewater to be discharged, unless accurate water meter readings are available (Refer TP58 Table 6.1 and 6.2)

Number of bedrooms	3			
Design Occupancy	5			(Number of people)
Per Capita Wastewater production	145 ✓ 200	160 220	180	(Litres per person per day - tick one)
Daily Wastewater production	725			(Litres per day)

3. Do any special conditions apply regarding water saving devices?

Full Water Conservation Devices	Yes		No	✓
Water Recycling - what %?	Yes		No	

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

Refer to Report

4. Is Daily Wastewater Discharge Volume more than 3000 litres:

Yes	
No	✓

(Please tick one)

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

5. Gross Lot Area to Discharge Ratio:

Gross Lot Area	4,007	m ²
Total Daily Wastewater Production	725	(Litres per day)(From above)
Lot Area to discharge ratio	18	

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

Yes	✓	No	
-----	---	----	--

(Please tick one)

Not an NRC Requirement

8. Is a Northland Regional Council Discharge Consent Required?

Yes		No	✓
-----	--	----	---

(Please tick one)

PART F: Primary Treatment (Refer TP58 Section 7.2)

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

Number of Tanks	Type of Tank	Capacity of Tank (Litres)
<i>N/A Secondary Treatment</i>		

	Total Capacity	

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

PART G: Secondary and Tertiary Treatment
(Refer TP58 Section 7.3, 7.4, 7.5 and 7.6)

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

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

If Other please specify:

PART H: Land Disposal Method
(Refer TP58 Section 8)

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

Gravity	<input type="checkbox"/>
---------	--------------------------

Dosing Siphon	
Pump	✓

2. High water level alarm to be installed in pump chambers (please tick one);

Yes	✓	No	
-----	---	----	--

If not to be installed, explain why

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

Total Design Head	<i>As per supplier specifications</i>	<u>m</u>
Pump Chamber Volume		<u>litres</u>
Emergency Storage Volume		<u>litres</u>

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

(Refer TP58 Sections 9 and 10)

Surface Dripper Irrigation	✓
Subsurface Dripper irrigation	
Standard Trench	
Deep Trench	
Mound	
Evapo-transpiration Beds	
Other	

If Other please specify:

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

Loading Rate	5.0	(Litres/m ² /day)
--------------	-----	------------------------------

Disposal Area	Design (m²)	145
	Reserve (m²)	145

Explanation (Refer TP58 Sections 9 and 10)

TP58 recommends design irrigation rate for secondary treated effluent of 5 mm/day.

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

Reserve Disposal Area (m²)	145 m²
Percentage of Primary Disposal Area (%)	100%

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

Description and Dimensions of Disposal Field:

- *Use of Unibioline trickle tubing or equivalent.*
- *Lines to be laid 1.00 m apart atop ≥100 mm of mulch. Disposal field can be planted with evapotranspiration species and fenced to prevent casual access.*
- *Wastewater shall be dose loaded i.e. Timer Dose Loading*
- *Lines shall comprise flush out valves/run.*
- *Best industry practices with regard to drip line runs for optimal efficiency shall be exercised at all times*

Plan attached?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
-----------------------	------------	-------------------------------------	-----------	--------------------------

If not, explain why;

**PART I: Maintenance & Management
(Refer TP58 Section 12.2)**

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

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

Name of Suppliers:

Supplier to be determined

PART J: Assessment of Environmental Effects

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

Yes	✓	No	
-----	---	----	--

If Yes, list and explain possible effects:


PART K: Is Your Application Complete?

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

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

1. Declaration

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

Name	<i>Akira Kepu</i>	Signature	
Position	<i>Civil Engineer</i>	Date	<i>21.11.2024</i>

Note: Any alteration to the site plan or design after approval will result in non-compliance.

ENVIRONMENTAL EFFECTS, MITIGATION MEASURES

A. Assessment of Environmental Effects

Impact on Surface Water (incl. flood times) _____ *Very Minor*

Impact on Groundwater _____ *Very Minor*

Impact on Soils _____ *Minor*

Impact on Amenity Values _____ *Minor*

B Public Health Issues:

Should access to the disposal area be discouraged? *No – the site is not public land*

Will odour effects be greater than usual? *No*

Will noise effects be greater than usual? *No*

C. Mitigation Measures

Has conservative approach been taken in choosing system design capacity? *Yes*

Is system design robust (cope with fluctuations of load, climate)? *Yes*

Is the level of treatment high? *Medium – final treatment within soil*

Protection against failure storage, alarms? *Alarms to be fitted*

Is hydraulic loading rate conservative? *Yes*

Is the distribution area protected from hydraulic overload (interception drains)? *Yes*

Will soil type enhance treatment? *Yes*

Are desired separation distances attainable? (to surface water, groundwater, bores) *Yes*

Is the reserve area adequate? *Yes*



Building Code Clause(s) G13/VM4

PRODUCER STATEMENT – PS1 – DESIGN

(Guidance on use of Producer Statements (formerly page 2) is available at www.engineeringnz.org)

ISSUED BY: Gumboots Consulting Engineers Job #: 1293
(Design Firm)

TO: Te Tuhi Robust
(Owner/Developer)

TO BE SUPPLIED TO: Far North District Council
(Building Consent Authority)

IN RESPECT OF: Onsite Wastewater Management System Report
(Description of Building Work)

AT: 4801 State Highway 1
(Address)

Town/City: Kawakawa **LOT** 2 **DP** 573697 **SO**
(Address)

We have been engaged by the owner/developer referred to above to provide:

A site feasibility appraisal for an Onsite Wastewater Management System application in accordance with technical publication TP58 with due regard to the suitable level of wastewater treatment required, site conditions, proposed development and existing subsoil and land capacities to accept/manage output wastewater.

(Extent of Engagement)

services in respect of the requirements of Clause(s) G13/VM4 of the Building Code for:

All or Part only (as specified in the attachment to this statement), of the proposed building work.

The design carried out by us has been prepared in accordance with:

Compliance Documents issued by the Ministry of Business, Innovation & Employment or
(verification method/acceptable solution)

Alternative solution as per the attached schedule Technical Publication 58 (TP58)

The proposed building work covered by this producer statement is described on the drawings titled:

Figure 8 - Effluent Field location plan and numbered in full context of our appraisal (only) together with the specification, and other documents set out in the schedule attached to this statement.

On behalf of the Design Firm, and subject to:

- (i) Site verification of the following design assumptions site verification of the soil types, effluent field size/appropriate treatment
- (ii) All proprietary products meeting their performance specification requirements;

I believe on reasonable grounds that a) the building, if constructed in accordance with the drawings, specifications, and other documents provided or listed in the attached schedule, will comply with the relevant provisions of the Building Code and that b), the persons who have undertaken the design have the necessary competency to do so. I also recommend the following level of construction monitoring/observation:

CM1 CM2 CM3 CM4 CM5 (Engineering Categories) or as per agreement with owner/developer (Architectural)

I, Akira Kepu [CMEngNZ -1160185] am: CPEng # Reg Arch #
(Name of Design Professional)

I am a member of: Engineering New Zealand NZIA and hold the following qualifications: ACEng (Civil/Struc)

The Design Firm issuing this statement holds a current policy of Professional Indemnity Insurance no less than \$200,000*.

The Design Firm is a member of ACENZ:

SIGNED BY Akira Kepu [CMEngNZ -1160185] (Signature)
(Name of Design Professional)

ON BEHALF OF Gumboots Consulting Engineers Date: 20/11/2024
(Design Firm)

Note: This statement shall only be relied upon by the Building Consent Authority named above. Liability under this statement accrues to the Design Firm only. The total maximum amount of damages payable arising from this statement and all other statements provided to the Building Consent Authority in relation to this building work, whether in contract, tort or otherwise (including negligence), is limited to the sum of \$200,000*.

This form is to accompany **Form 2 of the Building (Forms) Regulations 2004** for the application of a Building Consent. THIS FORM AND ITS CONDITIONS ARE COPYRIGHT TO ACENZ, ENGINEERING NEW ZEALAND AND NZIA

GUIDANCE ON USE OF PRODUCER STATEMENTS

Producer statements were first introduced with the Building Act 1991. The producer statements were developed by a combined task committee consisting of members of the New Zealand Institute of Architects, Institution of Professional engineers New Zealand (now Engineering New Zealand), Association of Consulting Engineers New Zealand in consultation with the Building Officials Institute of New Zealand. The original suit of producer statements has been revised at the date of this form as a result of enactment of the Building Act (2004) by these organisations to ensure standard use within the industry.

The producer statement system is intended to provide Building Consent Authorities (BCAs) with reasonable grounds for the issue of a Building Consent or a Code Compliance Certificate, without having to duplicate design or construction checking undertaken by others.

PS1 Design Intended for use by a suitably qualified independent design professional in circumstances where the BCA accepts a producer statement for establishing reasonable grounds to issue a Building Consent;

PS2 Design Review Intended for use by a suitably qualified independent design professional where the BCA accepts an independent design professional's review as the basis for establishing reasonable grounds to issue a Building Consent;

PS3 Construction Forms commonly used as a certificate of completion of building work are Schedule 6 of NZS 3910:2013 or Schedules E1/E2 of NZIA's SCC 2011²

PS4 Construction Review Intended for use by a suitably qualified independent design professional who undertakes construction monitoring of the building works where the BCA requests a producer statement prior to issuing a Code Compliance Certificate.

This must be accompanied by a statement of completion of building work (Schedule 6).

The following guidelines are provided by ACENZ, Engineering NZ and NZIA to interpret the Producer Statement.

Competence of Design Professional

This statement is made by a Design Firm that has undertaken a contract of services for the services named, and is signed by a person authorised by that firm to verify the processes within the firm and competence of its designers.

A competent design professional will have a professional qualification and proven current competence through registration on a national competence based register, either as a Chartered Professional Engineer (CPEng) or a Registered Architect.

Membership of a professional body, such as Engineering New Zealand (formerly IPENZ) or the New Zealand Institute of Architects (NZIA), provides additional assurance of the designer's standing within the profession. If the design firm is a member of the Association of Consulting Engineers New Zealand (ACENZ), this provides additional assurance about the standing of the firm.

Persons or firms meeting these criteria satisfy the term "suitably qualified independent design professional".

*Professional Indemnity Insurance

As part of membership requirements, ACENZ requires all member firms to hold Professional Indemnity Insurance to a minimum level.

The PI Insurance minimum stated on the front of this form reflects standard, small projects. If the parties deem this inappropriate for large projects the minimum may be up to \$500,000.

Producer Statements PS1, PS2, & PS4

Professional Services during Construction Phase

There are several levels of service which a Design Firm may provide during the construction phase of a project (CM1-CM5 for Engineers³). The Building Consent Authority is encouraged to require that the service to be provided by the Design Firm is appropriate for the project concerned.

Requirement to provide Producer Statement PS4

Building Consent Authorities should ensure that the applicant is aware of any requirement for producer statements for the construction phase of building work at the time the building consent is issued as no design professional should be expected to provide a producer statement unless such a requirement forms part of the Design firm's engagement.

Attached Particulars

Attached particulars referred to in this producer statement refer to supplementary information appended to the producer statement.

Refer Also:

- 1 Conditions of Contract for Building & Civil Engineering Construction
NZS 3910: 2013
- 2 NZIA Standard Conditions of Contract SCC 2011
- 3 Guideline on the Briefing & Engagement for Consulting Engineering Services
(ACENZ/IPENZ 2004)
- 4 PN Guidelines on Producer Statements

www.acenz.org.nz
www.engineeringnz.org
www.nzia.co.nz



2

October 2013 (reissued October 2017)

ON-SITE DOMESTIC WASTEWATER MANAGEMENT

SUSTAINABLE LIVING - RESILIENT LAND

www.gumbootsc consultingengineers.co.nz

Gumboots Consulting Engineers Ltd | 191 Onekura Rd, Kerikeri 0295

P 0204486697 | E office@gumbootsc consulting.co.nz

Advice to Home Owner/Occupier

Home owner and occupiers are legally responsible to keep their on-site wastewater system in good working order. The following schedule gives advice on the use and maintenance of the system.

1. Use of the System

For the on-site wastewater system to work well there are some good habits to encourage and some bad habits to avoid:

1.1 In order to reduce sludge building up in the tank:

- (i) Scrape all dishes to remove fats, grease etc, before washing.**
- (ii) Keep all possible solids out of the system.**
- (iii) Don't use a garbage grinder unless the system has been specifically designed to carry the extra load.**
- (iv) Don't put sanitary napkins, other hygiene products or disposable nappies into the system.**

1.2 In order to keep bacteria working in the tank and in the land-application area:

- (i) Use biodegradable soaps.**
- (ii) Use a low-phosphorus detergent.**
- (iii) Use a low-sodium detergent in dispersive soil areas.**
- (iv) Use detergents in the recommended quantities.**
- (v) Don't use powerful bleaches, whiteners, nappy soakers, spot removers and disinfectants.**
- (vi) Don't put chemicals or paint down the drain.**

1.3 Conservation of water will reduce the volume of effluent disposed of in the land-application area, make it last longer and improve its performance. Conservation measures could include:

- (i) Installation of water-conservation fittings.**
- (ii) Taking showers instead of baths.**
- (iii) Only washing clothes when there is a full load.**
- (iv) Only using the dishwasher when there is a full load.**

1.4 Avoid overloading the system by spacing out water use evenly. For example not doing all the washing on one day and by not running the washing machine and dishwasher at the same time.

2. Maintenance

2.1 The primary wastewater-treatment unit (septic tank) will need to:

- (i) Be desludged regularly i.e. every 3 to 5 years, or when scum and sludge occupy 2/3 of the volume of the tank (or first stage of a two-stage system).**
- (ii) Be protected from vehicles.**
- (iii) Have any grease trap cleaned out regularly.**
- (iv) Have the vent and/or access cover of the septic tank kept exposed.**
- (v) Have the outlet filter inspected and cleaned.**

2.2 The land-application area needs protection as follows:-

- (i) Where surface water diversion drains are required by the design, these need to be kept clear to reduce the risk of stormwater runoff entering the effluent soakage area.**
- (ii) No vehicles or stock should be allowed on trenches or beds.**
- (iii) Deep rooting trees or shrubs should not be grown over absorption trenches or pipes.**
- (iv) Irrigation areas are not play areas for children and access should be restricted.**
- (v) Any evapo-transpiration areas should be designed to deter pedestrian traffic.**
- (vi) The baffles or valves in the distribution system should be periodically (monthly or seasonally) changed to direct effluent into alternative trenches or beds, if required by the design.**

2.3 Evapo-transpiration and irrigation areas should have their grass mowed and plants maintained to ensure that these areas take up nutrients with maximum efficiency.

2.4 For aeration treatment systems. Check equipment and:

- (i) Follow the manufacturer's instructions for maintaining and cleaning pumps, siphons, and septic tank filters.**
- (ii) Clean disc filters or filters screens on irrigation-dosing equipment periodically by rinsing back into the primary wastewater-treatment unit.**
- (iii) Flush drip irrigation lines periodically to scour out any accumulated sediment.**

SUITABLE PLANTS FOR EVAPO-TRANSPIRATION SYSTEMS

Native Shrubs and Trees

Coprosma	<i>Coprosma propinqua</i>
Hebe	<i>Hebe</i>
Manuka	<i>Leptospermum Scoparium</i>
Weeping Mapou	<i>Myrsine Divaricata</i>
Flax (fast)	<i>Phormium Tenax</i>
Pokaka (slow)	<i>Elaeocarpus Hookerianus</i>
Cabbage Tree (fast)	<i>Cordyline Australias</i>
Rangiora (fast)	<i>Brachyglottis Repanda</i>
Lacebark (fast)	<i>Hoheria Populnea</i>
Ribbonwood (fast)	<i>Plagianthus Regius</i>
Poataniwha	<i>Melicope Simplex</i>
Heketara	<i>Olearia Rani</i>
Poataniweta	<i>Carpodetus Serratus</i>
Kohuhu (fast)	<i>Pittosporum Tenufolium</i>

Grasses

Jointed Twig Sedge	<i>Baumea Articulata</i>
Longwood Tussock	<i>Carex Comans</i>
Pukio	<i>Carex Secta</i>
Toetoe (use native species- not invasive Pampas Grass)	<i>Cortaderia Fulvida</i>
Umbrella Sedge	<i>Cyperus Ustulatus</i>
Oioi	<i>Leptocarpus Similis</i>
Hooksedge	<i>Uncinia Unciniata</i>

Introduced Species

Canna Lilies, Taro, Aralia,
Fuschia, Philodendrons,
and Begonias



CARING FOR NORTHLAND AND ITS ENVIRONMENT

WHANGAREI: 36 Water Street, Private Bag 9021, Whangarei; Phone 09 438 4639, Fax 09 438 0012.

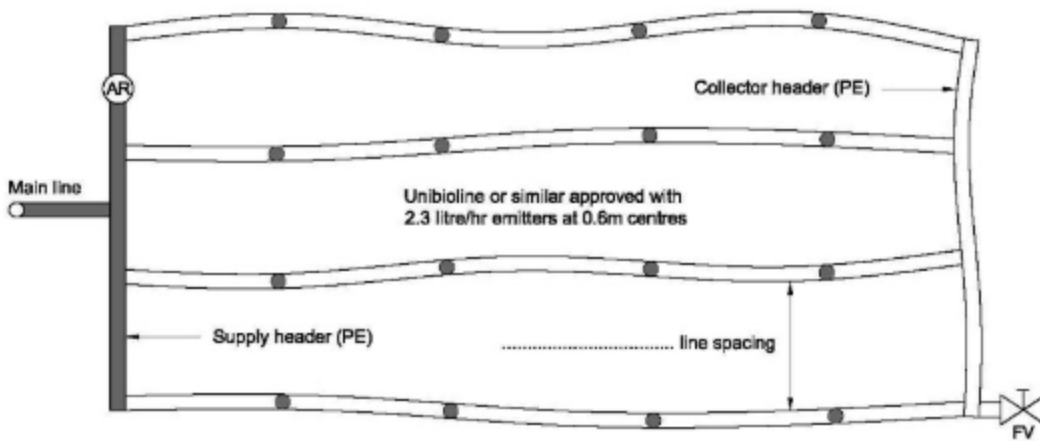
OPUA: Unit 10, Industrial Marine Park, Opuia; Phone 09 402 7516, Fax 09 402 7510.

DARGAVILLE: 61B Victoria Street, Dargaville; Phone 09 439 3300, Fax 09 439 3301.

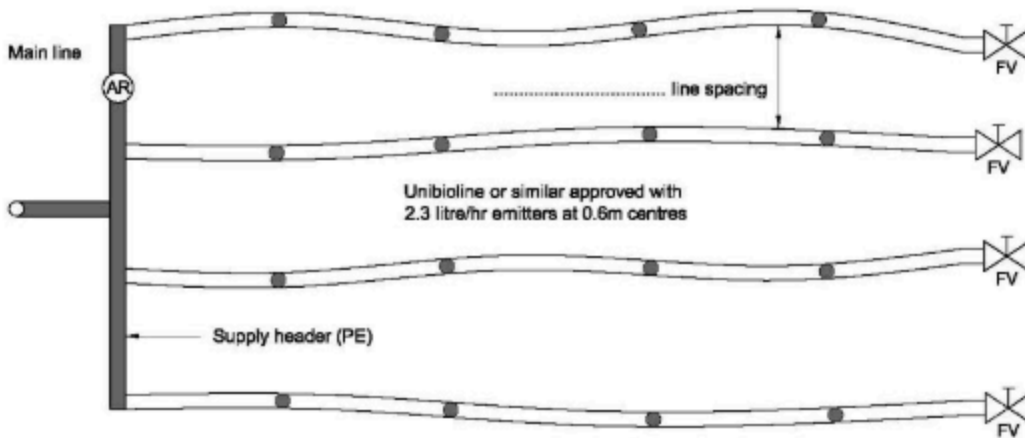
KAITAIA: 192 Commerce Street, Kaitaia; Phone 09 408 6600, Fax 09 408 6601.

Freephone: 0800 002 004 Environmental Hotline: 0800 504 639 Website: www.nrc.govt.nz

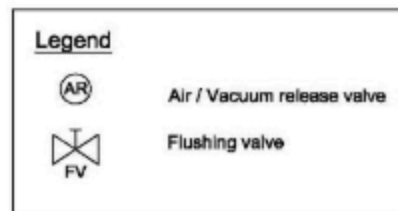
Example Dripper Line Layout



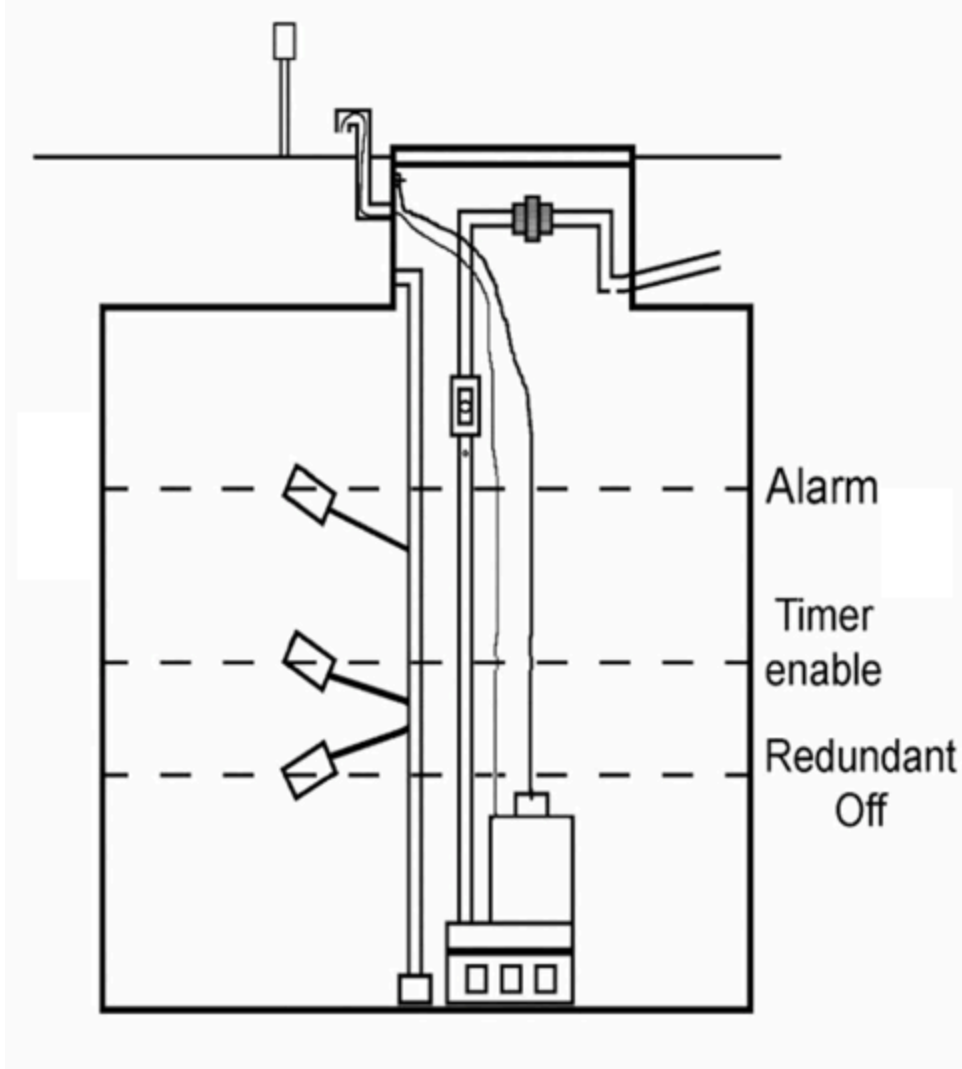
Basic Grid Layout



Field Layout Without A Collection Header Pipe



Typical Timer Dose Schematic



Appendix C - Photos

Photos 1 - 2: Driveway, culvert and house (Proposed Lot 2)



Photos 3 - 4: Swale drain



Photos 5 - 6: Existing house (Proposed Lot 1)

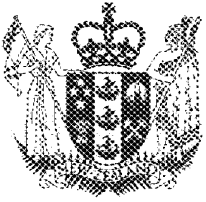


Photos 7 - 8: 6 x 25,000L Water Tanks existing



Photos 9 - 10: Vegetation and humus within proposed effluent land application area.





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



R. W. Muir
Registrar-General
of Land

Identifier **1046437**
Land Registration District **North Auckland**
Date Issued 02 August 2022

Prior References

NA100B/808

Estate Fee Simple
Area 50.7920 hectares more or less
Legal Description Lot 2 Deposited Plan 573697

Registered Owners

Te Tuhi Robust and Rosalind Edith Simich

Estate Fee Simple - 1/10 share
Area 534 square metres more or less
Legal Description Lot 6 Deposited Plan 135854

Registered Owners

Te Tuhi Robust and Rosalind Edith Simich

Interests

785288.1 Gazette Notice (N.Z. Gazette 18 December 1980 No. 146 page 4066) declaring the adjoining State Highway No. 1 (Awanui-Bluff) to be a limited access road - 12.3.1981 at 10.50 am

Appurtenant hereto is a right of way specified in Easement Certificate C210028.3 - 8.9.1990 at 12:00 pm

Subject to a right of way over part Lot 2 DP 573697 marked D on DP 573697 specified in Easement Certificate C210028.3 - 8.9.1990 at 12:00 pm

Subject to a right of way over part Lot 2 DP 573697 marked A on DP 573697 specified in Easement Certificate C233118.3 - 29.1.1991 at 2.57 pm

The easements specified in Easement Certificate C233118.3 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a right of way over part Lot 2 DP 573697 marked B and C on DP 573697 specified in Easement Certificate C233118.4 - 29.1.1991 at 2.57 pm

The easements specified in Easement Certificate C233118.4 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a right of way over part Lot 2 DP 573697 marked A, B and C on DP 573697 created by Transfer C250694.1 - 27.3.1991 at 11:22 am

The easements created by Transfer C250694.1 are subject to Section 309 (1) (a) Local Government Act 1974

Subject to a right of way over part Lot 2 DP 573697 marked B and C on DP 573697 specified in Easement Certificate D153918.1 - 10.6.1997 at 2.16 pm

The easements specified in Easement Certificate D153918.1 are subject to Section 243 (a) Resource Management Act 1991

6067343.4 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 6.7.2004 at 9:00 am(affects Lot 2 DP 573697)

Identifier

1046437

6067343.6 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 6.7.2004 at 9:00 am(affects Lot 6 DP 135854)

10902846.2 Mortgage to Bank of New Zealand - 27.9.2017 at 12:51 pm

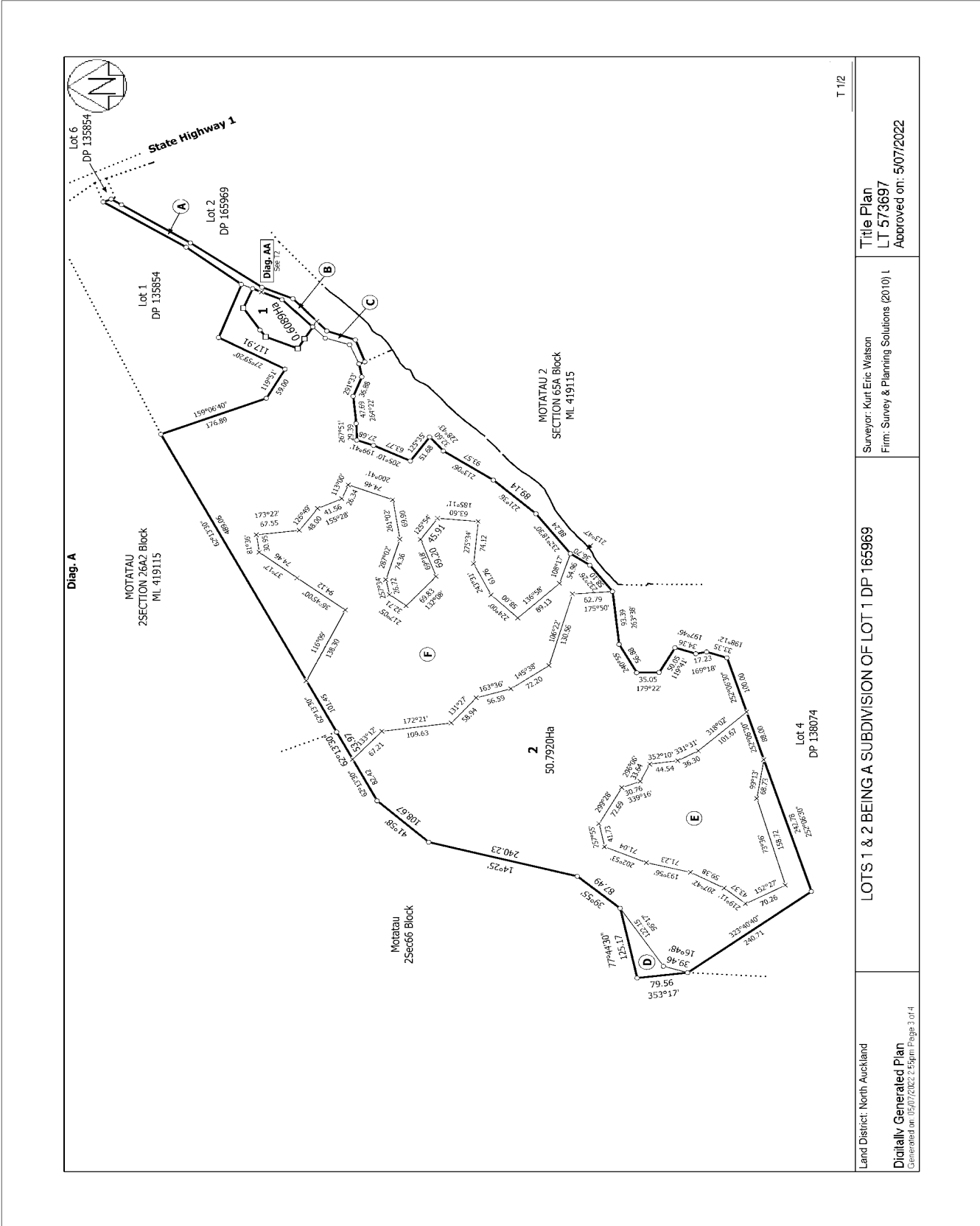
Subject to Section 241(2) Resource Management Act 1991 (affects DP 573697)

Subject to a right of way, right to convey water, telecommunications and electricity over part Lot 2 DP 573697 marked A and B on DP 573697 created by Easement Instrument 12392491.3 - 2.8.2022 at 2:42 pm

The easements created by Easement Instrument 12392491.3 are subject to Section 243 (a) Resource Management Act 1991

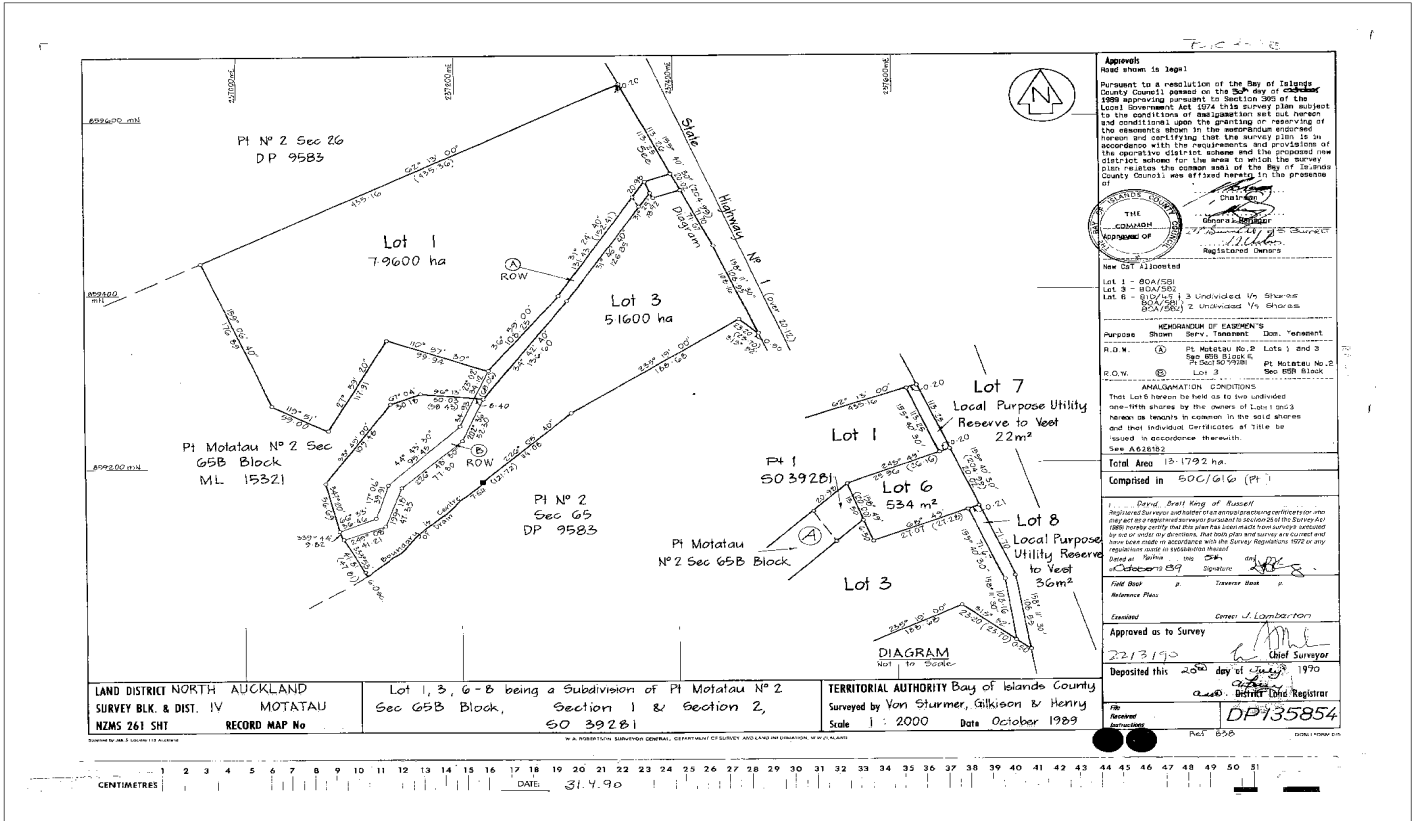
12392491.4 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.8.2022 at 2:42 pm (affects Lot 2 DP 573697)

12740378.1 CAVEAT BY AUCKLAND FINANCE LIMITED - 22.5.2023 at 11:02 am



T 1/2

<p>Land District: North Auckland Digitally Generated Plan <small>Generated on: 05/07/2022 2:59pm Page 3 of 4</small></p>	<p>LOTS 1 & 2 BEING A SUBDIVISION OF LOT 1 DP 165969</p>	<p>Surveyor: Kurt Eric Watson Firm: Survey & Planning Solutions (2010) L</p>	<p>Title Plan LT 573697 Approved on: 5/07/2022</p>
--	--	---	--



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

EASEMENT CERTIFICATE

C210028.3

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

EC.

ELDERS RESOURCES NZFP LIMITED a duly incorporated Company having its registered
 1/~~XX~~ Office at Auckland DAVID PHILLIP BURNETT and JENNIFER SUSAN BURNETT
 both of Kawakawa, Farmers (jointly inter se as to an undivided one-half share)
 and STEPHEN CHALMERS of Kawakawa, Farmer (as to an undivided one-half share) as
 tenants in common in the said shares

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at **North Auckland** on the day of **1990** under No. **138074** are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO.

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Lot 2 D.P. 138074	Marked "C" on D.P. 138074	Motatau No. 2 SEC 66 Block ML 14531	81D/325
Right of Way	Lot 4 D.P. 138074	Marked "D" on D.P. 138074	Lots 2 and 5 D.P. 138074	81D/326

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

1. Rights and powers:

CERTIFICATE TO THE DISTRICT LAND REGISTRAR

OF CHANGE OF NAME TO ELDERS RESOURCES NZFP LIMITED

I STEPHEN O'DONOGHUE Deputy Company Secretary of ELDERS RESOURCES NZFP LIMITED hereby certify that an application evidencing the change of name from N.Z. FOREST PRODUCTS LIMITED to ELDERS RESOURCES NZFP LIMITED to ELDERS RESOURCES NZFP LIMITED was registered in the Land Registration District of North Auckland under No. B879455 and the said ELDERS RESOURCES NZFP LIMITED hereby applies to have particulars set out in the application entered on the Register in respect of the estate ~~affected by the annexed Transfer.~~ comprised in Certificate of Title 62A/35.

DATED this

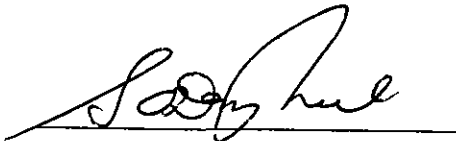
6th

day of

September

19

90



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

Dated this 6th day of September 1990

Signed by the above-named
DAVID PHILLIP BURNETT
JENNIFER SUSAN BURNETT and
STEPHEN CHALMERS

L.P. Burnett
J.S. Burnett
A.J. Chalmers

in the presence of

Witness *[Signature]*
Occupation Pharmacist
Address Kawakawa

THE COMMON SEAL of ELDERS RESOURCES
NZFP LIMITED was hereunto affixed in
the presence of:



[Signature] Director

[Signature] Deputy Secretary

1200 8 NOV 90 C210028.3

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCTIONEER

62100A

A/R . . .

62A135

EASEMENT CERTIFICATE

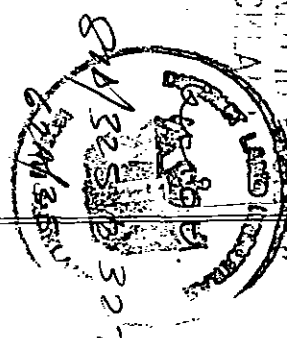
(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

Correct for the purposes of the Land Transfer Act

[Signature]
Solicitor for the registered proprietor

The within easements when created will be subject to section 309 (1) (a) Local Government Act 1974
Genot
ALR.

11.00 JANUARY 1990 C 2100028 SF
PARTICULARS ENTERED IN REGISTER
LTO



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

C233118.3 EC

EASEMENT CERTIFICATE

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

I/We DAVID PHILLIP BURNETT and JENNIFER SUSAN BURNETT both of Kawakawa, Farmers (jointly inter se as to an undivided one-half share) and STEPHEN CHALMERS of Kawakawa, Farmer (as to an undivided one-half share) as tenants in common in the said shares.

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at North Auckland on the day of November 19 90 under No. 138074 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952. 8

SCHEDULE DEPOSITED PLAN NO.

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Lot 2 D.P. 138074	Marked A on D.P. 135854	Lots 3 D.P. 135854	81D/325

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

1. Rights and powers:

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

Dated this 27th day of December 1990

Signed by the above-named
DAVID PHILLIP BURNETT, JENNIFER
SUSAN BURNETT and STEPHEN CHALMERS

D.P. Burnett
J.S. Burnett
S. Chalmers

in the presence of
Witness *John Hunter JP*

Occupation *Retailer*

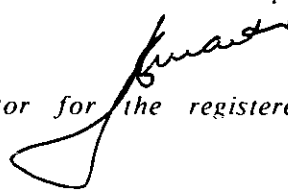
Address *KARAKAIA*

EASEMENT CERTIFICATE

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

*Correct for the purposes of the
Land Transfer Act*

Solicitor for the registered proprietor



PARTICULARS ENTERED
LAND REGISTRY AUCKLAND
ASST. LAND REGISTRAR

2.57 29 JAN 91 C 2004183



80A/582
80A/825



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

C233118.4EC

EASEMENT CERTIFICATE

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

I/We DAVID PHILLIP BURNETT and JENNIFER SUSAN BURNETT both of Kawakawa, Farmers (jointly inter se as to an undivided one-half share) and STEPHEN CHALMERS of Kawakawa, Farmer (as to an undivided one-half share) as tenants in common in the said shares.

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at **North Auckland** on the day of July 19 90 under No. 135854 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE
DEPOSITED PLAN NO. 135854

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Lot 3 D.P. 135854	Marked B on D.P. 135854	Lots 2, 4 and 5 D.P. 138074	80A/582

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

1. Rights and powers:

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

Dated this 27th day of December 19 90

Signed by the above-named

DAVID PHILLIP BURNETT, JENNIFER
SUSAN BURNETT and STEPHEN CHALMERS

L.P. Burnett
J.S. Burnett
S. Chalmers

in the presence of

Witness

Occupation

Address

M. Hunter J.P.

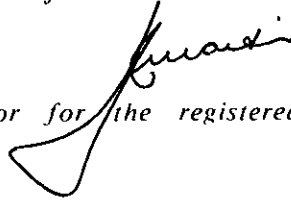
Retailer

KANSAS

EASEMENT CERTIFICATE

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

*Correct for the purposes of the
Land Transfer Act*



Solicitor for the registered proprietor

2.57 29.JAN91
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY
ASST. LAND REGIS.
804/582
81D/325 - 327
DISTRICT REGISTER
AUCKLAND
NEW ZEALAND
18.4



C250694.1 TE

Approved by the Registrar-General of Land, Wellington, No. 367635.80

Under the Land Transfer Act 1952

Memorandum of Transfer

DAVID PHILLIP BURNETT of Auckland, Shearer and JENNIFER SUSAN BURNETT his wife (jointly inter se) as to an undivided one-half share and STEPHEN CHALMERS of Auckland, Butcher (as to an undivided one-half share) as tenants in common in the shares as aforesaid

being registered as proprietor s

of estates in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in those pieces of land situated in the Land District of North Auckland

XXXXXXXXXXXXXXXXXXXX being:-

a) FIRST an estate in fee simple in all that parcel of land containing 50.2250 hectares more or less being lot 2 Deposited Plan 138074 being part Block IV Motatau Survey District

NEW ZEALAND STAMP DUTY AK1
05/03/9100003001 DUTY *1130.00

AND SECONDLY of an estate in fee simple as tenants in common in the said shares as to an undivided one-fifth share in all that parcel of land containing 534 square metres more or less being Lot 6 Deposited Plan 135854 being part Block IV Motatau Survey District being all the land in Certificate of Title Volume 81D Folio 325 being SUBJECT TO Section 308(4) Local Government Act 1974, Resolution C166204.3, Gazette Notice 785288.1 and to be SUBJECT TO Rights of Way as described in Easement Certificate C210028.3*(hereinafter called "the first parcel" AND MAGS B144626.1 & E/C C233118.3 & 4 8880755.1

b) FIRST an estate in fee simple in all that parcel of land containing 50.8140 hectares more or less being Lot 4 Deposited Plan 138074 being part Block IV Motatau Survey District and to be SUBJECT TO Rights of Way described in Easement Certificate C210028.2 and C233118.4

AND SECONDLY as tenants in common in the said shares of an estate in fee simple as to an undivided one-fifth share in all that parcel of land containing 534 square metres more or less being Lot 6 Deposited Plan 135854 being part Block IV Motatau Survey District both the said estates being together contained in Certificate of Title Volume 81D Folio 326 North Auckland Land Registry being SUBJECT TO Section 308(4) Local Government Act 1974, Resolution C166204.3, Gazette Notice 785288.1 and to be SUBJECT TO Right of Way as described in Easement Certificate C210028.3/(hereinafter called "the second parcel") AND E/C C233118.4 and C233118.4

c) FIRST an estate in fee simple in all that parcel of land containing 50.9440 hectares more or less being Lot 5 Deposited Plan 138074 being part Block IV Motatau Survey District

AND SECONDLY as tenants in common in the said shares of an estate in fee simple as to an undivided one fifth share in all that parcel of land containing 534 square metres more or less being Lot 6 Deposited Plan 135854 being part Block IV Motatau Survey District both the said estates being together contained in Certificate of Title Volume 81D Folio 327 being SUBJECT TO Section 308(4) Local Government Act 1974, Resolution 785288.1 Gazette Notice 785288.1 and to have appurtenant thereto right of way as described in Easement Certificate C210028.3 (hereinafter called "the third parcel")

and Easement Certificate C233118.3 and C233118.4 and being also subject to Mortgages B144626.1 and B880755.1

①

②

③

THE RURAL BANK LIMITED

~~THE RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND~~ as mortgagee under and by virtue of Memoranda of Mortgage B144626.1 and B880755.1 hereby consents to the within written Memorandum of Transfer and the creation of the right of way easements therein described.

DATED this 17th day of February 1991

Signed by The Rural Bank Limited by its Attorney

JOHN McCARTHY
(Name in full)

Signature

In the presence of:

Witness:

Occupation:

Address:

"It is hereby certified that the Rural Banking and Finance Corporation of New Zealand Limited has changed its name to The Rural Bank Limited, as is evidenced by No. C236182 (Auckland Registry).

STATUTORY DECLARATION TO BE MADE WHERE PURCHASER IS AN INDIVIDUAL 30/1/1990

IN THE MATTER of the Land Settlement Promotion and Land Acquisition Act 1952 (hereinafter referred to as the Act) and

IN THE MATTER of an agreement for sale and purchase

dated the 24th day of January 19 90

from DAVID PHILLIP BURNETT, JENNIFER SUSAN BURNETT and as Vendor (vendors) STEPHEN CHALMERS

to JAMES ALLAN COSTER of Kawakawa, Motor Mechanic and BERNICE JEAN COSTER his wife as Purchaser (purchaser)

affecting all that parcel of land containing approximately 103 hectares more or less shown as Lots 4 and 5 on the Scheme Plan attached hereto marked "A"

being a part of the land comprised and described in certificate of title, Volume No. 50C/616

North Auckland Land Registry.

I, JAMES ALLAN COSTER of Kawakawa, Motor Mechanic

solemnly and sincerely declare: one of

- 1. I am the purchaser (purchaser) above-named of the land above described together with my wife Bernice Jean Coster
2. I have entered into the transaction solely on my behalf as the person beneficially entitled thereunder.
3. I do not own, lease, hold, or occupy in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as defined in the Act, outside a city or borough or town district, and I have no estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.

4. My wife (purchaser) does not own, lease, hold, or occupy in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, and she (purchaser) has no estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.

5. No company of which I or my wife (purchaser) is a member, the members of which are less than 10 in number, owns, leases, holds, or occupies in fee simple or under any tenure of more than 1 year's duration either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, or has any estate or interest, whether legal or equitable and whether vested or contingent, under any trust or will, in any such farm land.

6. I have attained the age of 17 years. (purchaser) occupies in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, or has any estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.

7. I have not since the passing of the Act (namely, the 16th day of October 1952) transferred, granted, leased, or otherwise disposed of any estate or interest in farm land, as so defined, to any person as a trustee for any person or created any trust in respect of any estate or interest in any such farm land

- (a) I am a British subject, but not a New Zealand citizen (or, I am a British protected person within the meaning of the British Nationality and New Zealand Citizenship Act 1948); and
b) I have resided in New Zealand for not less than 2 1/2 years during the period of 3 years immediately preceding the date of the transaction, and

LAND AND DEEDS RECEIVED 30 JAN 1990

9. The transaction is not subject to Part IIA of the Act because—

~~(1) of section 35B of the said Act (as substituted by section 2 of Land Settlement-Promotion and Land Acquisition Amendment Act 1969 and amended by section 2 of the Land Settlement Promotion and Land Acquisition Amendment Act 1973)~~

I am a New Zealand citizen, and so declare because—

Act 1948 I was a British subject, and I was born within the territories comprised at the commencement of that Act in New Zealand and would have been a New Zealand citizen-if-section 6 of that Act had been in force at the time of my birth (or I was ordinarily resident in New Zealand at the commencement of that Act and had been so resident throughout the period of 12 months immediately preceding the commencement of that Act)

~~(c) I am registered as a New Zealand citizen~~

(d) I am a New Zealand citizen by birth.

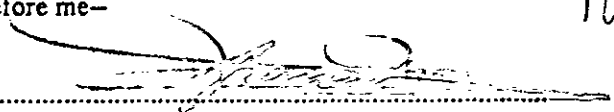
~~(e) I am a New Zealand citizen because of the provisions of section 6 of the British Nationality and New Zealand Citizenship Act 1948~~

I am the purchaser (lessee) as trustee and every beneficiary under the trust is a New Zealand citizen (or every beneficiary under the trust who is an individual is a New Zealand citizen and no beneficiary under the trust that is a body corporate is an overseas corporation as defined in section 3 of the Act)

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

DECLARED at Kaitiaki

this 24th day of January, 1990 } James A. Costin

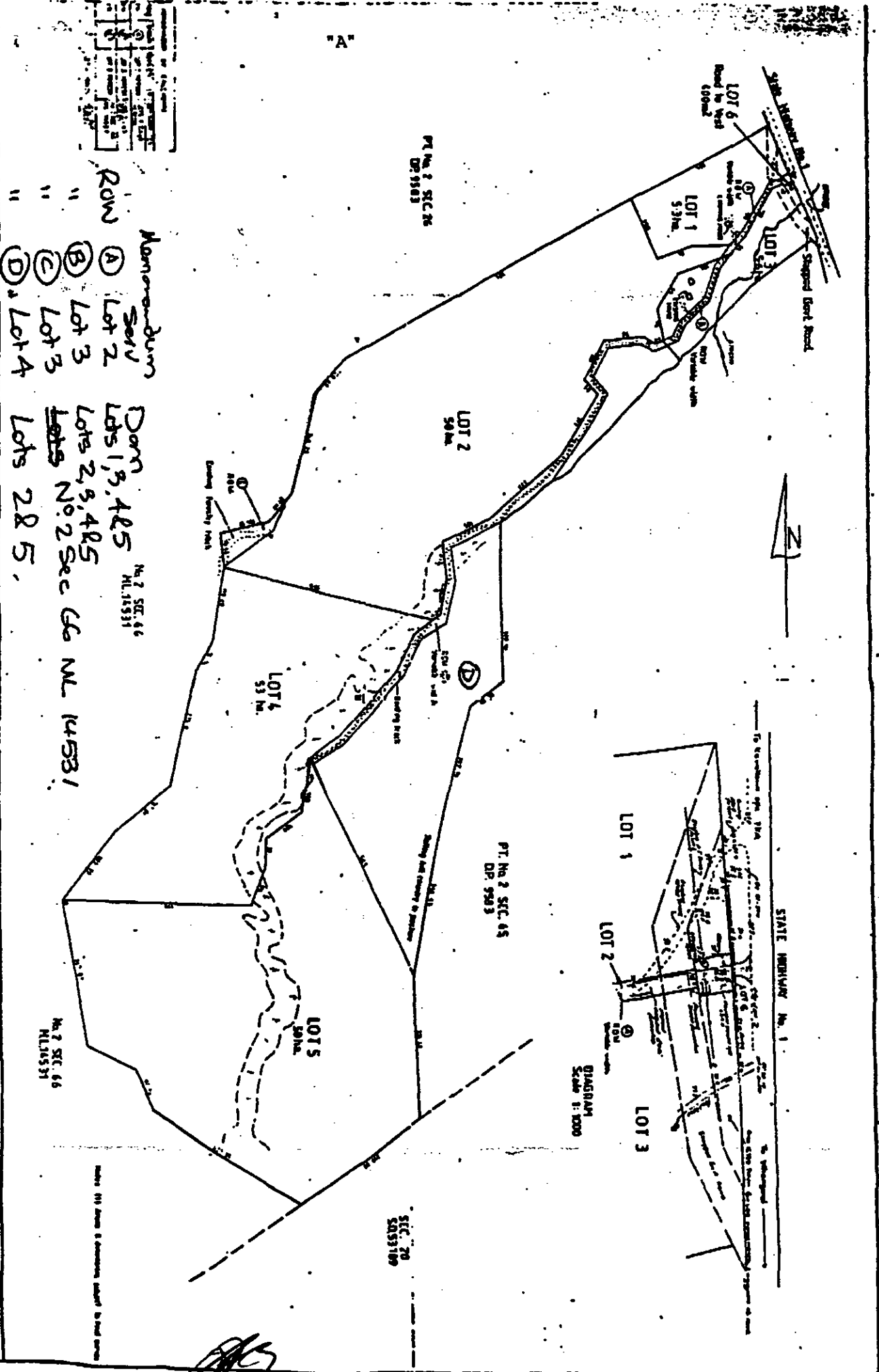
before me—


Justice of the Peace—
Solicitor of the High Court
other person authorised to take and receive statutory declarations

- NOTE—1. Where both Parts II and IIA of the Act apply to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 to 8 of this form.
2. Where only Part II of the Act applies to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 to 7 and paragraph 9 of this form.
3. Where only Part IIA of the Act applies to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 and 8 of this form.
4. Where the declaration is made for the purposes of section 35D of the Act, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 and 9 of this form.
5. Where Part II only or both Parts II and IIA of the Act apply to the transaction, and the purchaser or lessee is a trustee then, under section 24 (1) (a) of the Act the consent of the Court is required and this form is not applicable.
6. Section 2 (1) of the Act contains the following definitions:
"Farm land" means land that, in the opinion of the Land Valuation Committee, or, as the case may be, of the Land Valuation Court, is or should be used exclusively or principally for agricultural purposes:
Provided that, where land that is being used exclusively or principally for agricultural purposes could, in the opinion of the Committee or, as the case may be, of the Court, be used with greater advantage to the community generally for non-agricultural purposes, it shall for the purposes of this Act be deemed not to be farm land.
"Agricultural purposes" has a meaning corresponding to the term "agriculture", which for the purposes of this definition means the cultivation of the soil for the production of food products and other useful products of the soil, and includes the use of land for horticultural or pastoral purposes, or for the keeping of pigs, bees, or poultry.
7. The classes of land described in paragraph (f) of section 35B (1) of the Act are as follows:
(a) Any land of 4,000 square metres or over in area which under any operative regional planning scheme or proposed operative district scheme under the Town and Country Planning Act 1953, is designated or zoned as a reserve, or as a public park, or for recreation purposes, or as private open space, or for preservation as a place of or containing an object of historical or scientific interest or natural beauty, or any proposed such purpose.
(b) Any land of 2 hectares or over in area which under any such proposed or operative district scheme is zoned for rural purposes or is so zoned that farming of any kind is a predominant or conditional use in that zone.
(c) Any land of 4,000 square metres or over in area which is not included in any proposed or operative district scheme provided and maintained by any Council or other local authority under that Act.
(d) Any land being or forming part of any island (except the North Island and the South Island) which is less than 150 kilometres from the nearest part of the coast of the North Island or of the South Island.
(e) Any land being or forming part of any island of the Chatham Islands.

This is the Scheme Plan marked "A" referred to in the annexed declaration of JAMES ALLAN COSTER of Kawakawa, Motor Mechanic declared at Kaikohe this 22nd day of January 1990 before me:

A Solicitor of the High Court of New Zealand



Memorandum
 Row A Lot 2
 B Lot 3
 C Lot 3
 D Lot 4

Don
 Lots 1, 3, 4 & 5
 No 2 SEC. 46
 ML 14531

Lots 2, 3, 4 & 5
 No 2 Sec 46 ML 14531

Lots 2 & 5
 No 2 SEC. 66
 ML 14531

STATUTORY DECLARATION TO BE MADE WHERE PURCHASER IS AN INDIVIDUAL

ORIGINAL DEPOSITED 30713

30 JAN 1990

[Signature]
ALR

IN THE MATTER of the Land Settlement Promotion and Land Acquisition Act 1952 (hereinafter referred to as the Act) and

IN THE MATTER of **an agreement for sale and purchase**

dated the **24th** day of **January** 19 **90**

from **DAVID PHILLIP BURNETT, JENNIFER SUSAN BURNETT and STEPHEN CHALMERS** as Vendor (or Lessor)

to **JAMES ALLAN COSTER of Kawakawa, Motor Mechanic and BERNICE JEAN COSTER his wife**

as Purchaser (or Lessee)

affecting all that parcel of land containing approximately 103 hectares more or less shown as Lots 4 and 5 on the Scheme Plan attached hereto marked "A"

being a part of the land comprised and described in certificate of title, Volume No. 50C/616

(North Auckland Land Registry).

I, **BERNICE JEAN COSTER of Kawakawa, Married Woman**

solemnly and sincerely declare:

one of

- 1. I am the purchaser ~~(or lessee)~~ above named of the land above described **together with my husband James Allan Coster**
- 2. I have entered into the transaction solely on my behalf as the person beneficially entitled thereunder.
- 3. I do not own, lease, hold, or occupy in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as defined in the Act, outside a city or borough or town district, and I have no estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.

~~4. I am unmarried~~

My ~~wife (or husband)~~ does not own, lease, hold, or occupy in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, and ~~she (or he)~~ has no estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land.

5. No company of which I or my ~~wife (or husband)~~ is a member, the members of which are less than 10 in number, owns, leases, holds, or occupies in fee simple or under any tenure of more than 1 year's duration either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, or has any estate or interest, whether legal or equitable and whether vested or contingent, under any trust or will, in any such farm land.

6. I have attained the age of 17 years. ~~(Neither my father nor my mother owns, leases, holds, or occupies in fee simple or under any tenure of more than 1 year's duration, either severally, jointly, or in common with any other person, any farm land, as so defined, outside a city or borough or town district, or has any estate or interest, whether legal or equitable and whether vested or contingent, under any trust, will, or intestacy, in any such farm land).~~

7. I have not since the passing of the Act (namely, the 16th day of October 1952) transferred, granted, leased, or otherwise disposed of any estate or interest in farm land, as so defined, to any person as a trustee for any person or created any trust in respect of any estate or interest in any such farm land

~~and the transaction is subject to Part IIA of this Act and~~

(a) I am a British subject, but not a New Zealand citizen (or, I am a British protected person within the meaning of the British Nationality and New Zealand Citizenship Act 1948); and

(b) I have resided in New Zealand for not less than 2 1/2 years during the period of 3 years immediately ~~preceding the date of the transaction, and have been ordinarily resident in New Zealand.~~

LAND AND DEEDS
30 JAN 1990
AUCKLAND

9. The transaction is not subject to Part IIA of the Act because—

~~because the land described in paragraph (f) of subsection (1) of section 35B of the said Act (as substituted by section 2 of Land Settlement Promotion and Land Acquisition Amendment Act 1969 and amended by section 2 of the Land Settlement Promotion and Land Acquisition Amendment Act 1972)~~

I am a New Zealand citizen, and so declare because—

~~because I was a British subject at the commencement of the Oaths and Declarations Act 1948~~
Act 1948 I was a British subject, and I was born within the territories comprised at the commencement of that Act in New Zealand and would have been a New Zealand citizen if section 6 of that Act had been in force at the time of my birth (or I was ordinarily resident in New Zealand at the commencement of that Act and had been so resident throughout the period of 12 months immediately preceding the commencement of that Act).

~~(a) I am a person naturalised in New Zealand.~~

~~(b) I am registered as a New Zealand citizen.~~

(d) I am a New Zealand citizen by birth.

~~(c) I am a New Zealand citizen by descent.~~

~~(e) I am the wife of~~

~~a New Zealand citizen as set out in paragraph~~

~~because the land is held under a trust~~
and every beneficiary under the trust is a New Zealand citizen (or every beneficiary under the trust who is an individual is a New Zealand citizen and no beneficiary under the trust that is a body corporate is an overseas person or corporation).

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

DECLARED at Kaitiaki

this 22nd day of January 1970

Black

before me—

[Signature]

Justice of the Peace—

Solicitor of the High Court

other person authorised to take and receive statutory declarations

NOTE—1. Where both Parts II and IIA of the Act apply to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 to 8 of this form.

2. Where only Part II of the Act applies to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 to 7 and paragraph 9 of this form.

3. Where only Part IIA of the Act applies to the transaction, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 and 8 of this form.

4. Where the declaration is made for the purposes of section 35D of the Act, the purchaser or lessee is required to declare as to the matters prescribed in paragraphs 1 and 9 of this form.

5. Where Part II only or both Parts II and IIA of the Act apply to the transaction, and the purchaser or lessee is a trustee then, under section 24 (1) (a) of the Act the consent of the Court is required and this form is not applicable.

6. Section 2 (1) of the Act contains the following definitions:

“Farm land” means land that, in the opinion of the Land Valuation Committee, or, as the case may be, of the Land Valuation Court, is or should be used exclusively or principally for agricultural purposes:

Provided that, where land that is being used exclusively or principally for agricultural purposes could, in the opinion of the Committee or, as the case may be, of the Court, be used with greater advantage to the community generally for non-agricultural purposes, it shall for the purposes of this Act be deemed not to be farm land.

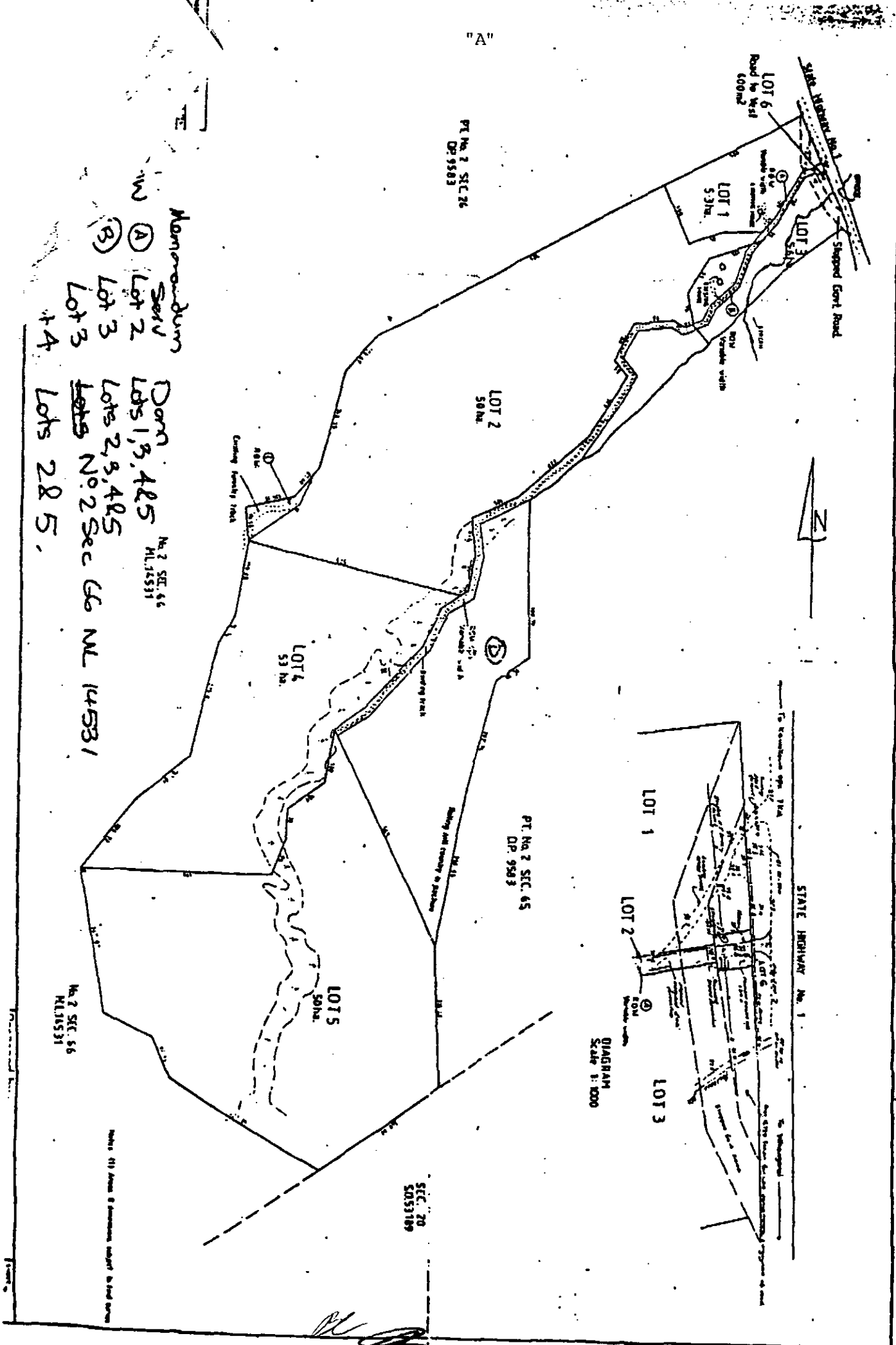
“Agricultural purposes” has a meaning corresponding to the term “agriculture”, which for the purposes of this definition means the cultivation of the soil for the production of food products and other useful products of the soil, and includes the use of land for horticultural or pastoral purposes, or for the keeping of pigs, bees, or poultry.

7. The classes of land described in paragraph (f) of section 35B (1) of the Act are as follows:

- (a) Any land of 4,000 square metres or over in area which under any operative regional planning scheme or proposed or operative district scheme under the Town and Country Planning Act 1953, is designated or zoned as a reserve, or as a public park, or for recreation purposes, or as private open space, or for preservation as a place of or containing an object of historical or scientific interest or natural beauty, or any proposed such purpose.
- (b) Any land of 2 hectares or over in area which under any such proposed or operative district scheme is zoned for rural purposes or is so zoned that farming of any kind is a predominant or conditional use in that zone.
- (c) Any land of 4,000 square metres or over in area which is not included in any proposed or operative district scheme provided and maintained by any Council or other local authority under that Act.
- (d) Any land being or forming part of any island (except the North Island and the South Island) which is less than 150 kilometres from the nearest part of the coast of the North Island or of the South Island.
- (e) Any land being or forming part of any island of the Chatham Islands.

This is the Scheme Plan marked "A" referred to in the annexed declaration of BERNICE JEAN COSTER of Kawakawa, Married Woman declared at Kaikohe this 24th day of January 1990 before me:

A Solicitor of the High Court of New Zealand



Memorandum
 No 2 SEC. 45 ML14531
 No 2 SEC. 46 ML14531
 No 2 SEC. 56 ML14531

Lot	Owner	Section
Lot 1	Don	1, 3, 4, 5
Lot 2	Don	1, 3, 4, 5
Lot 3	Don	2, 3, 4, 5
Lot 4	Don	2, 3, 4, 5
Lot 5	Don	2, 3, 4, 5
Lot 6	Don	2, 3, 4, 5

Notes: (1) Areas of easements subject to land laws

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, JOHN McCARTHY of WHANGAREI
(full name) (Town/City)
 in New Zealand BRANCH MANAGER **HEREBY CERTIFY:**
(Position in the Bank)

1. THAT by Deed dated the 13th day of October 1989 copies of which are deposited in the Land Transfer Offices at:

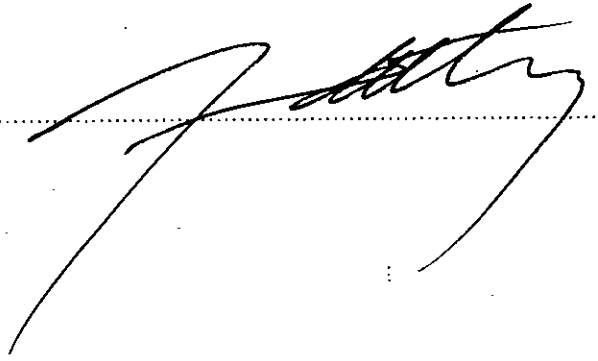
Auckland	as No.	CO56526.1F
Blenheim	as No.	149027
Christchurch	as No.	835092.1
Dunedin	as No.	740456
Gisborne	as No.	G 176546.1
Hamilton	as No.	H 910602
Hokitika	as No.	083778
Invercargill	as No.	167718.1
Napier	as No.	517938.1
Nelson	as No.	292639
New Plymouth	as No.	365386
Wellington	as No.	B 039320

The Rural Bank Limited (formerly Rural Banking and Finance Corporation of New Zealand Limited as is evidenced by No. C236182 (AUCKLAND Registry) an incorporated company having its registered office at Wellington (hereinafter called "the Bank") appointed me its Attorney with the powers and authorities specified in the said Deed.

2. THAT at the date hereof I am BRANCH MANAGER
 of the Bank. (Position in the Bank)

3. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the Bank or otherwise.

SIGNED at WHANGAREI)
 This 18th day of February)
 19 91)



In Consideration of the sum of NINETY FIVE THOUSAND DOLLARS (\$95,000.00) paid to the Transferors by JAMES ALLAN COSTER of kawakawa Motor Mechanic and BERNICE JEAN COSTER his wife.

(the receipt of which sum is hereby acknowledged)

Do th hereby Transfer to the said JAMES ALLAN COSTER and BERNICE JEAN COSTER

all that their estate and interest in the second and third parcels abovedescribed and for the consideration aforesaid the

~~second and third parcels abovedescribed~~

Transferors do hereby transfer and grant to the said JAMES ALLAN COSTER and BERNICE JEAN COSTER the full right to them and their assigns and the registered proprietor or proprietors for the time being of the second and third parcels abovedescribed and any part of the said parcels and their tenants servants agents workmen and visitors from time to time and at all times to go pass and repass with or without vehicles horses or other animals carts carriages and motor vehicles of all descriptions through over and along that part of Lot 2 as is described in the first parcel and is marked "A" on Deposited Plan 135854 North Auckland Land Registry to the intent that the Right of Way hereby granted shall be forever appurtenant to the second and third parcels abovedescribed for all purposes connected with the use occupation and enjoyment of such lands and any part of the same.

In witness whereof these presents have been executed this

21st

day

of

December

1990

Signed by the above named DAVID PHILLIP BURNETT, JENNIFER SUSAN BURNETT and STEPHEN CHALMERS in the presence of:—

J.P. Burnett
J.S. Burnett
S. Chalmers

(Signature) J.P.
Retailer
KAWAKAWA

No.

TRANSFER OF

Correct for the purposes of the Land Transfer Act

[Handwritten signature]

SOLICITOR FOR THE TRANSFEREE

D.P. and J.S. BURNETT

and S. CHALMERS

.....Transferor

I hereby certify that this transaction does not contravene the provisions of Part 11A of the Land Settlement Promotion and Land Acquisition Act 1952.

[Handwritten signature]

SOLICITOR FOR THE TRANSFEREE

J.A. and B.J. COSTER

.....Transferee

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

SOLICITOR FOR THE TRANSFEREE

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar

of the District of

11.2 27.MAR91 C 250694
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
ASST. LAND REGISTRAR
[Handwritten signature]

KENNEDY TUDEHOPE RALEY & MARTIN
SOLICITORS
DX 56
AUCKLAND

Solicitors for the Transferee



D153918.1 EC

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

EASEMENT CERTIFICATE

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

I/~~Wx~~ **TE TUHI ROBUST** of Whangarei, Civil Servant

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the 20th day of May 19 96 under No. 165969 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO.

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Lot 1	ⓑ	Lot 2	100B/809

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

1. Rights and powers:

Refer Seventh Schedule

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

Dated this 7th day of April 1997

Signed by the above-named
TE TUHI ROBUST

Te Tuhi Robust

in the presence of
JAMES LEONARD PETERS

Witness *J. L. Peters*

*Chairman, Northland
Regional Council.*

Occupation *Teacher*

Address *Northland College, Box 261,
Raehouhi*

EASEMENT CERTIFICATE

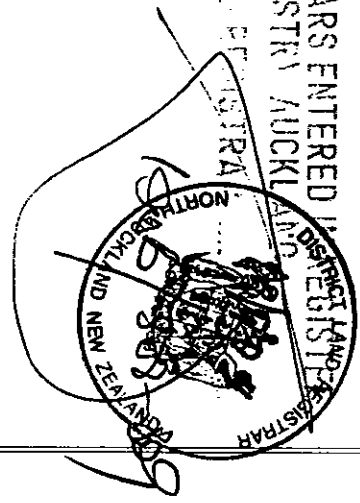
(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

*Correct for the purposes of the
Land Transfer Act*


Solicitor for the registered proprietor

2.16 10 JUN 97 D153918

PARTICULARS ENTERED IN THE
LAND REGISTRY AUCKLAND
LAND REGISTRY AUCKLAND



EC(2) \$25-85

(1)

Smith & Partners
Solicitors
Waitakere City





Instrument No. 12392491.3
 Status Registered
 Date & Time Lodged 02 Aug 2022 14:42
 Lodged By Blake, Isabel Jane
 Instrument Type Easement Instrument



Affected Records of Title	Land District
1046436	North Auckland
1046437	North Auckland

Annexure Schedule Contains 1 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 10902846.2 has consented to this transaction and I hold that consent

Signature

Signed by Isabel Jane Blake as Grantor Representative on 02/08/2022 11:41 AM

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 Isabel Jane Blake as Grantee Representative on 02/08/2022 11:41 AM

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

Approved for ADLS by Registrar-General of Land under No. 2018/6266

EASEMENT INSTRUMENT TO GRANT EASEMENT OR PROFIT À PRENDRE

Sections 109 Land Transfer Act 2017

**Grantor**

Te Tuhi ROBUST and Rosalind Edith SIMICH

Grantee

Te Tuhi ROBUST and Rosalind Edith SIMICH

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 profit	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of way	Areas marked "A" and "B" on DP 573697	Lot 2 (1046437)	Lot 1 (1046436)
Right to convey water, telecommunications, electricity	Areas marked "A" and "B" on DP 573697	Lot 2 (1046437)	Lot 1 (1046436)

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~~ ~~negatived~~ ~~added to~~ or ~~substituted~~ by:-

~~{Memorandum number _____, registered under section 209 of the Land Transfer Act 2017}~~

~~{the provisions set out in Annexure Schedule _____}~~



View Instrument Details

Instrument No. 12392491.4
Status Registered
Date & Time Lodged 02 Aug 2022 14:42
Lodged By Blake, Isabel Jane
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



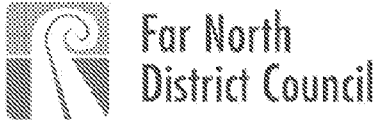
Affected Records of Title	Land District
1046436	North Auckland
1046437	North Auckland

Annexure Schedule Contains 2 Pages.

Signature

Signed by Isabel Jane Blake as Territorial Authority Representative on 02/08/2022 11:41 AM

*** End of Report ***



P.O. Box 100, Whangarei
 Whangarei 0100, New Zealand
 Telephone (09) 939 6299
 Fax (09) 431 5180
 Email: info@fndc.govt.nz
 Website: www.fndc.govt.nz

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THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC-2220095

Being the Subdivision of LOT 1 DP 165969 BLK IV MOTATAU SD-HAVING 1/5SH IN LOT 6 DP 135854 BEING ROW North Auckland Registry

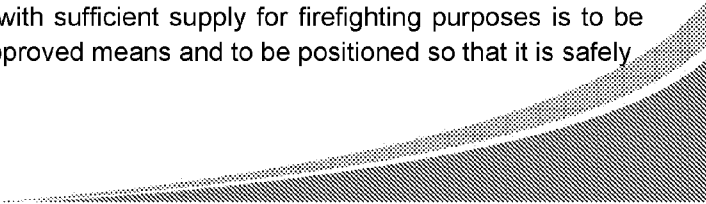
PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner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

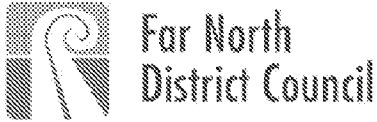
SCHEDULE

Lot 2 DP 573697

- i. The lot owner shall preserve the areas of bush identified on the survey plan as areas 'E' and 'F' and shall not without the prior written consent of the Council and then only in strict compliance with any conditions imposed by the Council, cut down, damage or destroy any of such trees or bush. The owner shall be deemed to be not in breach of this prohibition if any of such trees or bush shall die from natural causes not attributable to any act or default by or on behalf of the owner or for which the owner is responsible.
- ii. Without the prior approval of the Council, no building shall be erected, nor any works which increase impermeable surfaces be undertaken, nor any planting or structure placed which may create a flow obstruction, on any area of the site which has a secondary / overland (Q₁₀₀) flow path.

Lots 1 & 2 DP 573697

- iii. The site is identified as being within a kiwi present zone. Any cats and/or dogs kept on site must be kept inside and/or tied up at night to reduce the risk of predation of North Island brown kiwi by domestic cats and dogs.
 - iv. In conjunction with the construction of any dwelling, and in addition to a potable water supply, a water collection system with sufficient supply for firefighting purposes is to be provided by way of tank or other approved means and to be positioned so that it is safely
- 



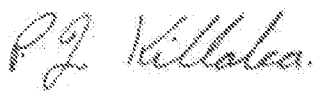
15000 Log 757, Bevan Road
Whangarei 0140, New Zealand
Telephone (900) 970 6299
Fax (900) 431 5180
E-mail: info@fned.govt.nz
Website: www.fned.govt.nz

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accessible for this purpose. These provisions will be in accordance with the New Zealand Fire Fighting Water Supply Code of Practice SNZ PAS 4509.

- v. Stormwater assessments will be required to be undertaken at the time of new additional development on the proposed lots.

SIGNED: 

Mr Patrick John Killalea - Authorised Officer

By the FAR NORTH DISTRICT COUNCIL

Under delegated authority:

PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 5th day of April 2022





Top Energy Limited

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

26 November 2024

Natalie Watson
Williams & King
PO Box 937
KERIKERI 0230

Email: nat@saps.co.nz

To Whom It May Concern:

RE: PROPOSED SUBDIVISION

Te Tuhi Robust – 4801B State Highway 1, Waiomio. Lot 5 DP 573697.

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

Top Energy's requirement for this subdivision is nil. Top Energy advises that proposed lots 1 and 2 have an existing power supply.

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

Yours sincerely

Aaron Birt

Planning and Design

T: 09 407 0685

E: aaron.birt@topenergy.co.nz