

Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of [Form 9](#)). Prior to, and during, completion of this application form, please refer to [Resource Consent Guidance Notes](#) and [Schedule of Fees and Charges](#) — both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?

☐ Yes ☒ No

2. Type of consent being applied for

(more than one circle can be ticked):

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

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

3. Would you like to opt out of the fast track process?

☐ Yes ☒ No

4. Consultation

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

If yes, which groups have you consulted with?

Who else have you consulted with?

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

5. Applicant details

Name/s:

RG & NP Gillett Family Trust

Email:

Phone number:

Postal address:

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

Have you been the subject of abatement notices, enforcement orders, infringement notices and/or convictions under the Resource Management Act 1991? ☐ Yes ☒ No

If yes, please provide details.

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:

RG & NP Gillett Family Trust

**Property address/
location:**

545 & 553 Wiroa Road,
Kerikeri 0293

Postcode

8. Application site details

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

Name/s:

Site address/
location:

545 & 553 Wiroa Road,

RD3

Kerikeri 0293

Postcode

Legal description:

Lot 2 DP 613296

Val Number:

00227-19701

Certificate of title:

1220394

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

Site visit requirements:

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

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

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

Please phone David Gillett on 0273641158 to arrange a site visit.

9. Description of the proposal

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

Proposed subdivision in the Rural Production Zone to create one additional lot. Existing dwelling/s on each lot.

Infringements to stormwater management and setback from boundaries rules arising in relation to existing impermeable surface coverage and farm utility shed.

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

10. Would you like to request public notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

☐ Building Consent

☐ Regional Council Consent (ref # if known)

☐ National Environmental Standard Consent

☐ Other (please specify)

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

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

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

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

☒ Subdividing land

☐ Disturbing, removing or sampling soil

☐ Changing the use of a piece of land

☐ Removing or replacing a fuel storage system

13. Assessment of environmental effects:

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

Your AEE is attached to this application ☒ Yes

14. Draft conditions:

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

If yes, please be advised that the timeframe will be suspended for 5 working days as per s107G of the RMA to enable consideration for the draft conditions.

15. 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)

RG & NP Gillett Family Trust

Email:

Phone number:

Postal address:

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

Fees Information

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

15. Billing details continued...

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)

David Gillett

Signature:

(signature of bill payer)

Date 29/10/2025

MANDATORY

16. 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.

17. Declaration

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

Name (please write in full)

David Gillett

Signature

Date 29/10/2025

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

See overleaf for a checklist of your information...

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.

RG & NP Gillett Family Trust

Proposed Subdivision, Stormwater Management & Setback & Sunlight Infringement

545 & 553 Wiroa Road, Kerikeri

Williams & King, Kerikeri¹

18 August 2025

1. OVERVIEW

RG & NP Gillett Family Trust owns a property located at 545, 551 and 553 Wiroa Road, Kerikeri and legally described as Lot 2 DP 613296 held together by amalgamation condition with Lot 3 DP 120529, and held in Record of Title 1220394, which comprises 199.9870 of land.

The applicants are seeking resource consent to subdivide their property to create a separate Record of Title for the existing homestead residential dwelling (proposed Lot 2), leaving the balance farm area including existing farm and residential buildings within proposed Lot 1, which will be held together with Lot 3 DP 120529 in one Record of Title as per the proposed amalgamation condition. Proposed Lots 1 and 2 are to have areas of 125.0600ha and 4,300m² respectively.

Each lot will retain its existing separate property access from Wiroa Road, and no shared property access is required.

The subject site is zoned Rural Production in the Operative Far North District Plan. Existing impermeable surfaces on Lot 2 will exceed the permitted activity standard for Stormwater Management in the Rural Production Zone and stormwater attenuation and management is proposed. An existing shed on Lot 1 will not comply with the permitted activity standard for sunlight and setback from boundaries in the Rural Production Zone in relation to the proposed shared boundary between Lots 1 and 2. The proposed subdivision and land use activity has been assessed as being a non-complying activity overall.

Under the Proposed Far North District Plan, the site is zoned Horticulture. There are no relevant rules with 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.

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

2. DESCRIPTION OF PROPOSAL

2.1 Subdivision layout, amalgamation conditions, lot sizes and easements

The overarching purpose of the proposal is to enable the creation of one additional Record of Title, allowing a separate Record of Title for the existing homestead dwelling, which is located at 545 Wiroa Road, Kerikeri. The balance land will retain the area used for primary production as well as existing farm and residential buildings. As the built development on the site is existing, and supports existing land use activities, there will be no detriment to the natural or physical resources on the site and surrounding environment.

The proposed subdivision creates Lots 1 and 2 as summarised in **Table 1**.

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

Lot Number	Gross Area (Subject to Final Survey)	Existing Use
Lot 1	125.0600ha	Two existing dwellings at 553 Wiroa Road, dairy farm, including associated built development (milking / dairy sheds, implement sheds and barns).
Lot 2	4,300m ²	Existing dwelling at 545 Wiroa Road.

The existing amalgamation condition holding Lot 2 DP 613296 and Lot 3 DP 120529 (Record of Title 1220394) together is to be dissolved pursuant to section 227 of the Resource Management Act 1991, and replaced with a new amalgamation condition:

That Lot 1 hereon and Lot 3 DP 120529 (916981) be held together in one Record of Title.

Refer to the Scheme Plan in **Appendix 1** and **Figure 1** below. All areas and dimensions are subject to final survey.

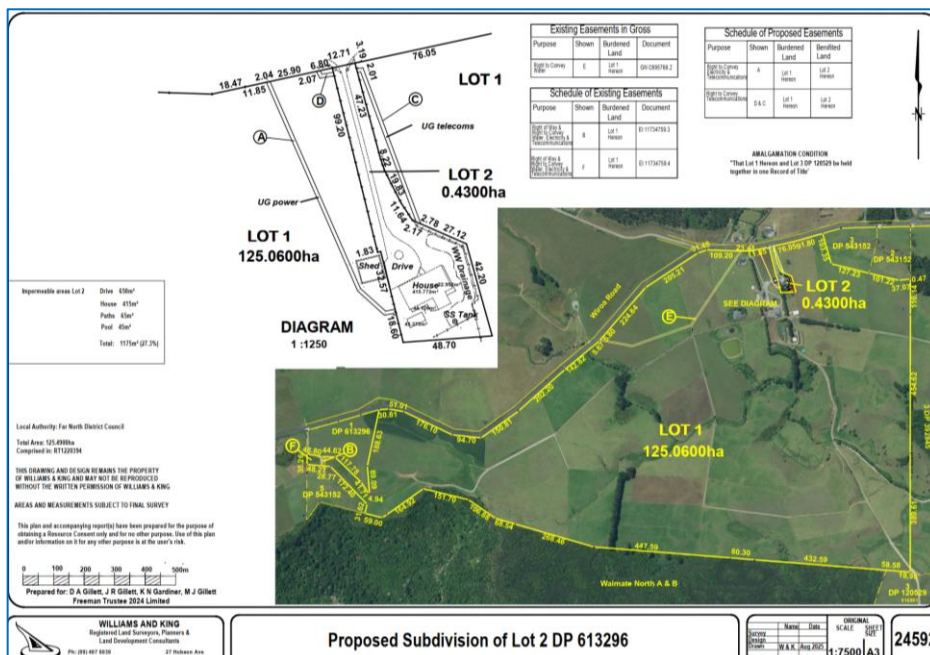


Figure 1: Scheme Plan of Proposed Subdivision.

Easements 'A', 'C' and 'D' are shown over Lot 1 to benefit Lot 2, for the purpose of electricity and telecommunications supply. These are shown in the 'Schedule of Proposed Easements' on the Scheme Plan. Note that there is no memorandum of easements shown.

Photograph 1 below shows the southern end of proposed easement 'A'.



Photograph 1: Electricity meter on fence line to the west of house on Lot 2.

2.2 Property access arrangements

Each lot will retain its existing property access provisions, with no change to the physical access arrangements.

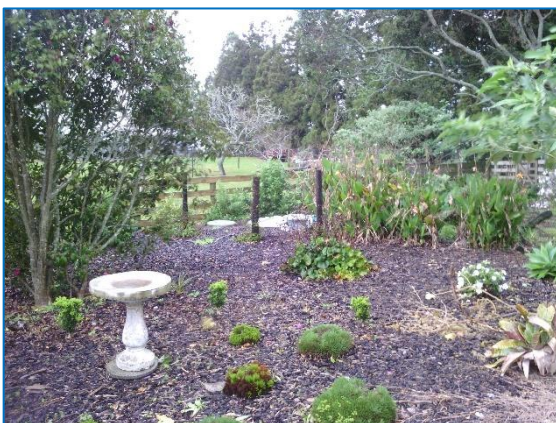
Lot 1 retains residential and milk tanker access at 553 Wiroa Road, together with farm access at 723 Wiroa Road and via other farm gates. Lot 2 has an existing vehicle crossing and driveway at 545 Wiroa Road, which provides access to the existing parking area as shown on the Scheme Plan Diagram.

As each lot will continue to use separate property access formations, and no shared property access is required, no right of way easements are required.

2.3 Wastewater and stormwater management

The existing dwellings each have a separate onsite wastewater treatment and disposal system.

On Lot 2, the septic tank is located behind the house, with the wastewater disposal area being located within the barked garden area to the east of the house. These components are shown on the Scheme Plan Diagram in **Appendix 1** to confirm that they remain within the proposed lot boundaries with a setback exceeding 1.5m. Refer also to **Photograph 2**.



Photograph 2: Wastewater treatment system and barked garden / wastewater disposal field.

Existing impermeable surface coverage on Lot 2 has been measured by topographical survey, and is calculated on the Scheme Plan as comprising 1,300m² (27.3% of the proposed lot area). The percentage of impermeable surface coverage on Lot 2 will exceed the permitted activity standard for the Rural Production Zone of the Operative District Plan.

Proposed stormwater management for Lot 2 is described in the Stormwater Technical Memo by Trine Kel Ltd in **Appendix 2**. In summary, a shallow dry pond is proposed to collect runoff from the existing gravelled driveway via a grassed swale, which will limit remaining runoff to no more than the permitted activity standard for impermeable surface coverage in the Rural Production Zone would produce. The pond will be located to the east of the driveway, within the existing fenced area, and will have dimensions of approximately 30m long by 6m wide including battered sides, and a depth of approximately 0.4m, producing around 44m³ of available storage. Earthworks will be required to establish the swale drain and pond, in the vicinity of 94m³ of excavation, with excavated soil to be retained on either Lots 1 or 2. Additionally, new water tanks will be installed to capture rainwater from roof surfaces for potable supply, to replace the existing bore supply that is currently sourced from Lot 1. Water tank overflow will discharge to a dispersal trench to achieve low-energy dispersion.

Existing proportional impermeable surface coverage on Lot 1 remains very low, and well within the permitted activity standards for the Rural Production Zone.

3. APPLICATION SITE DETAILS AND DESCRIPTION

3.1 Location

The subject site is located at 545 and 553 Wiroa Road, between Kerikeri and Okaihau. The property has direct frontage to Wiroa Road along its northern boundary, and is located approximately 2km west of the intersection between Wiroa Road and Waimate North Road, and approximately 8km south west of Kerikeri. Refer to the maps in **Figures 2 and 3**.

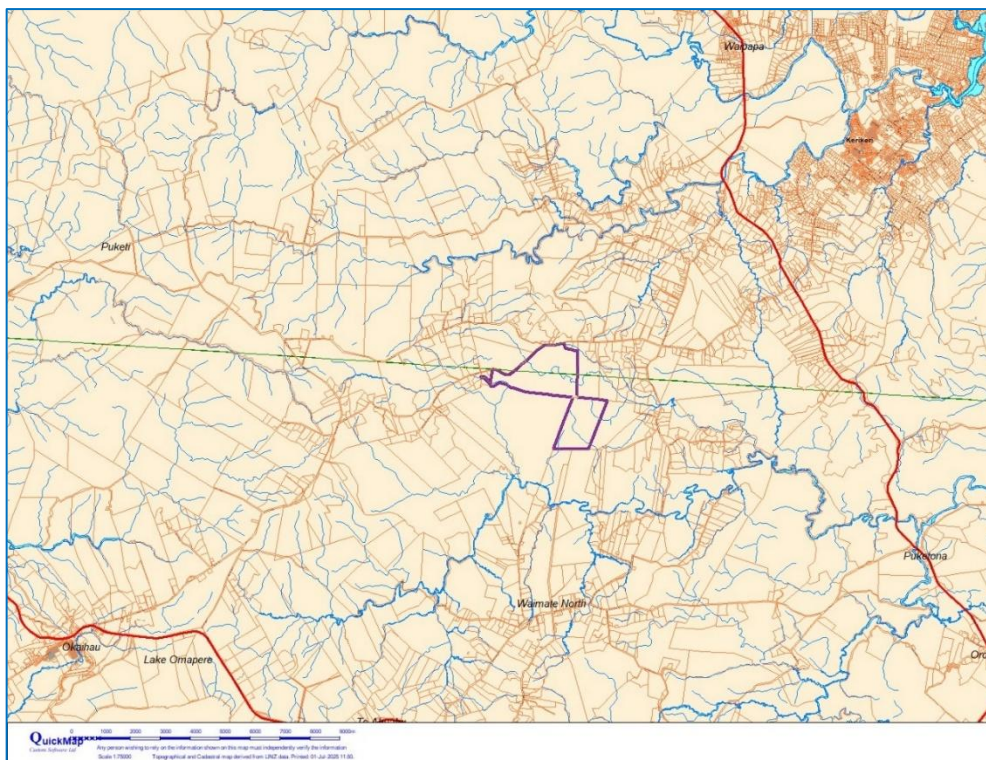


Figure 2: Location Map (Source: QuickMap). The properties highlighted form the Record of Title.

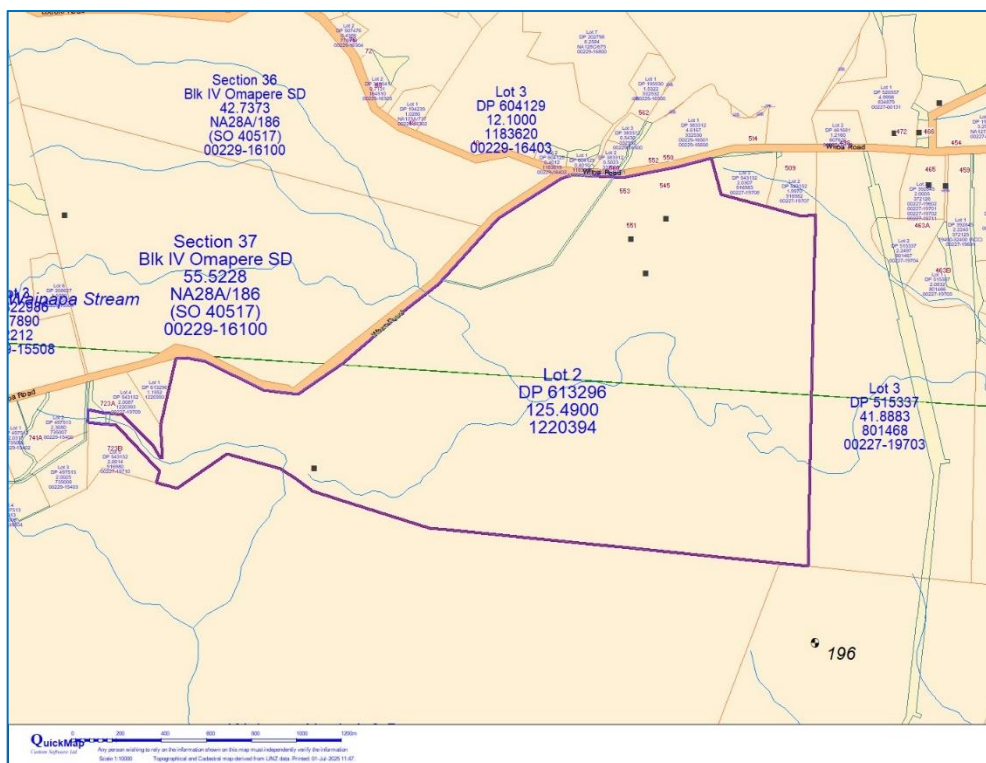


Figure 3: Cadastral Map Highlighting the Subdivision Site (Source: QuickMap).

3.2 Legal details

Legal details of the application site are summarised below and in the Record of Title (**Appendix 3**).

Table 2: Summary of Record of Title.

RECORD OF TITLE IDENTIFIER & LEGAL DESCRIPTION	TITLE AREA	INTERESTS
Record of Title: 1220394 Legal Description: Lot 2 DP 613296 & Lot 3 DP 120529	199.9870ha more or less	Subject to a right (in gross) to convey water over part Lot 2 DP 613296 marked E on DP 613296 in favour of The Kerikeri Irrigation Company Limited created by Gazette Notice (N.Z. Gazette Notice 8.12.1994 No 133 page 4353) <u>C695768.2</u> Subject to a right (in gross) to convey electricity, telecommunications and computer media over part Lot 3 DP 120529 marked B on DP 488711 in favour of Top Energy Limited created by Easement Instrument <u>10312705.2</u> <u>11734759.2</u> Consent Notice pursuant to Section 221 Resource Management Act 1991 - 12.8.2024 at 4:09 pm (affects Lot 2 DP 613296) – relevant condition: <u>Lot 1 DP 543152</u> (i). No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. Except that working farm dogs used for agricultural management are permitted on Lot 1 (see condition 3(c)). - Any working dog must be micro-chipped; - Any working dog must be within a dog proof fence area, on a lead or under effective control at all times when outside the fenced area; - Any working dog must undertake Kiwi Aversion Training; - At night any working dog must be kept in a kennel or tied up. Prior to the introduction or keeping of any working dog the occupier must provide the following to the Far North District Council RC Monitoring Officer: - A photograph of the dog; - Written confirmation that the dog(s) have been micro-chipped; - A plan showing the extent of the dog proof fenced area; - Written confirmation that the dogs have undertaken Kiwi Aversion Training.

		Subject to a right of way and a right to convey water, electricity and telecommunications over part Lot 2 DP 613296 marked B on DP 613296 created by Easement Instrument <u>11734759.3</u> Appurtenant to Lot 2 DP 613296 is a right of way and a right to convey water, electricity and telecommunications created by Easement Instrument <u>11734759.3</u> The easements created by Easement Instrument <u>11734759.3</u> are subject to Section 243 (a) Resource Management Act 1991 Subject to a right of way and a right to convey electricity, telecommunications and water over part Lot 2 DP 613296 marked F on DP 613296 created by Easement Instrument <u>11734759.4</u> Subject to Section 241(2) Resource Management Act 1991 (affects DP 613296) Subject to Section 8 Mining Act 1971 (affects Lot 2 DP 613296) Subject to Section 168A Coal Mines Act 1925 (affects Lot 2 DP 613296) Land Covenant in Covenant Instrument <u>13216110.6</u>
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3.3 Natural and recorded features

3.3.1 Operative Far North District Plan

The Operative District Plan does not record any Outstanding Natural Features, Outstanding Landscape Features, Notable Trees, Historic Sites, Buildings and Objects, Sites of Cultural Significance to Māori or Scheduled Registered Archaeological Sites within the subject land.

3.3.2 Regional Policy Statement

The subject site is not within 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.

3.3.3 Heritage Sites

There are no recorded archaeological sites recorded in the Operative District Plan or in the Far North Maps 'Historic Sites' GIS map, which includes mapping of the Heritage New Zealand Pouhere Taonga List sites / Rārangi Kōrero and the recorded archaeological sites from the New Zealand Archaeological Association.

3.3.4 Department of Conservation Northland Conservancy Ecological District Survey Reports

A very small part of proposed Lot 1 is recorded in the Natural Areas of Kerikeri Ecological District Reconnaissance Survey Report for the Protected Natural Areas Programme.² Ecological Unit 'Hui te Werawera Stream Bush' (P05/073) includes a small area of mapped shrubland along the southern boundary of Lot 1 – refer to **Figure 4**. The mapping related to natural areas of the Kerikeri Ecological District is a non-statutory document.

² Conning, L. & Miller, N.: (1999): *Natural areas of Kerikeri Ecological District Reconnaissance Survey Report for the Protected Natural Areas Programme*. Department of Conservation, Northland Conservancy, Whangarei, New Zealand.

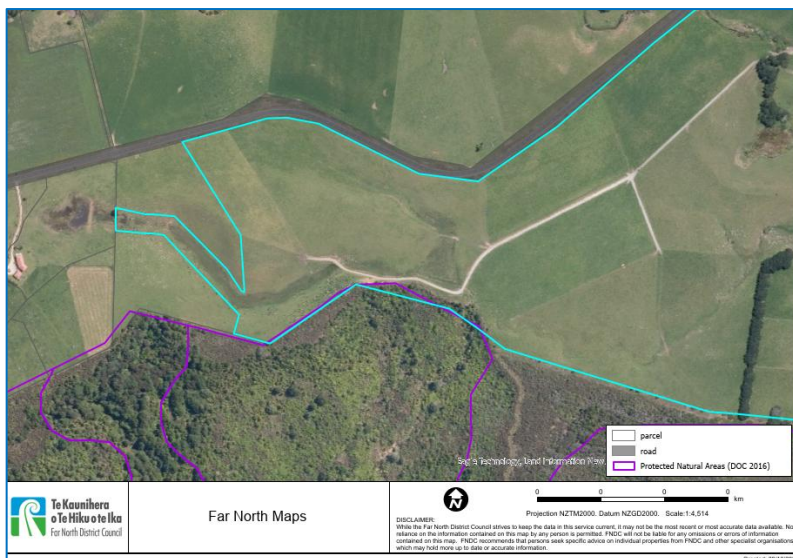


Figure 4: Reserves and protected areas mapping (Source: Far North Maps)

3.3.5 Soils / New Zealand Land Resource Inventory Land Use Capability

The steeper central portion is within the Land Use Capability Unit 4e2, while the remainder is within the Land Use Capability Unit 3s2 (the latter being classified as highly versatile soils in the Regional Policy Statement definition, and as highly productive land in the National Policy Statement for Highly Productive Land 2022).

3.3.6 Natural Hazards

The Northland Regional Council Natural Hazard GIS Mapping does not record the subject land as being subject to any natural hazards.

3.4 Existing land use and structures

Lot 1 is a dairy farm with two residential dwellings. It contains two existing dwellings, with a shared aeration secondary treatment system and wastewater disposal field, as shown in **Figure 5**. Other buildings on the site include dairy / milking sheds and yards, farm implement / storage sheds and dairy effluent ponds. Various farm fences and fencing are also established.

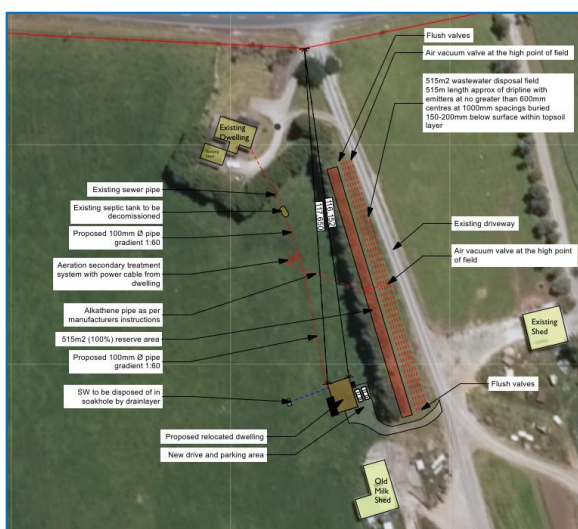


Figure 5: Onsite wastewater layout for dwellings on Lot 1 (Source: Far North District Property File EBC-2022-1491 Approved Stamped Plans, Site Plan Extract)

Lot 2 contains an existing dwelling with attached garage. It has metalled access, including a turn-around area up to the garage. The onsite wastewater treatment and disposal area is located to the south and east of the dwelling. Refer to **Figure 6**.

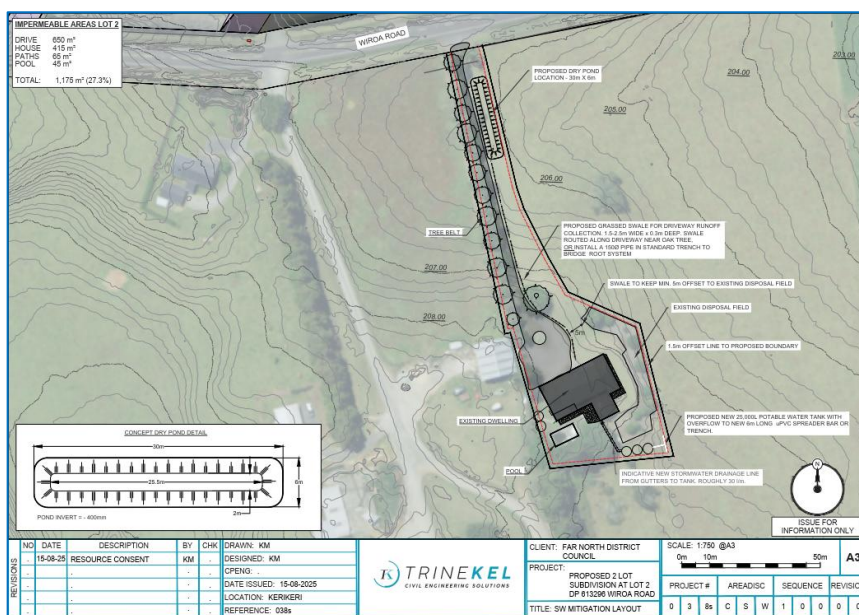


Figure 6: Stormwater Mitigation Layout Plan, showing location of existing on-site wastewater disposal field on Lot 2. Refer to Appendix 2 – Trine Kel Ltd Stormwater Technical Memo.

4. DISTRICT PLAN ASSESSMENT

4.1 Far North 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

Rule	Discussion	Compliance
8.6.5.1 PERMITTED ACTIVITIES		
8.6.5.1.1 Residential Intensity	No issues.	Complies
8.6.5.1.2 Sunlight	The existing shed on Lot 1 will not comply with the permitted activity sunlight standard in relation to the proposed shared boundary of Lots 1 and 2.	Does not comply
8.6.5.1.3 Stormwater management	Existing impermeable surface coverage on Lot 2 will exceed 15%. Lot 1 complies.	Does not comply
8.6.5.1.4 Setback from Boundaries	The existing shed on Lot 1 is located less than 10m from the proposed shared boundary of Lots 1 and 2.	Does not comply
8.6.5.2 CONTROLLED ACTIVITIES		
8.6.5.2.1 Stormwater management	Existing impermeable surface coverage on Lot 2 will exceed 20%.	Does not comply
8.6.5.3 RESTRICTED DISCRETIONARY ACTIVITIES		
8.6.5.3.3 Sunlight	Complies	Complies
8.6.5.3.4 Setback from Boundaries	Complies	Complies

4.1.2 Subdivision

Rule	Discussion	Compliance
13.6 GENERAL RULES		
13.6.5 Legal Frontage	Each lot will have direct legal frontage to Wiroa Road.	Complies
13.6.12 Suitability for Proposed Land Use	The land to be subdivided is not subject to any significant risk from natural hazards and section 106 does not apply to any part of it.	Not applicable
13.7 CONTROLLED ACTIVITIES		
13.7.2.1 Minimum Area for Vacant New Lots and New Lots Which Already Accommodate Structures	The area of Lot 2 is less than the controlled activity minimum lot size (20ha). Lot 1 complies.	Does not comply
13.7.2.2 Allotment Dimensions	Each lot includes a 30m x 30m dimension, but on Lot 2 it will encroach into permitted activity boundary setbacks for the Rural Production Zone (10m).	Does not comply
13.8 RESTRICTED DISCRETIONARY ACTIVITIES		
13.8.1 Subdivision within the Rural Production Zone	The proposed subdivision does not comply with any of the listed standards.	Does not comply
13.9 DISCRETIONARY (SUBDIVISION) ACTIVITIES		
13.9.1 Minimum Area for Vacant New Lots and New Lots Which Already Accommodate Structures	The minimum lot size of 4ha is not achieved by Lot 2. A Management Plan subdivision is not proposed.	Does not comply
13.11 NON-COMPLYING (SUBDIVISION) ACTIVITIES		
13.11(a) Non-Complying (Subdivision) Activities	The proposal has been assessed as a non-complying activity.	Non-complying activity status

4.1.3 Transportation

The proposal has no implication in terms of District Plan rules relating to traffic. Existing car parking spaces are retained on each lot.

Rule	Discussion	Compliance
15.1.6C.1 PERMITTED ACTIVITIES		
15.1.6C.1.1 Private Accessway in all Zones	No private accessways (i.e. serving multiple sites) are required.	Not applicable
15.1.6C.1.5 Vehicle crossing standards in ... Coastal Zones	Existing double width crossing to Lot 1 at 553 Wiroa Road. Existing single width crossing to Lot 2 at 545 Wiroa Road.	Existing situation – not applicable
15.1.6C.1.7 General Access Standards	Existing on-site manoeuvring and stormwater drainage has been formed previously.	Existing situation – not applicable
15.1.6C.1.8 Frontage to Existing Roads	Wiroa Road is of sufficient legal width and carriageway width.	Complies

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

Overall, the proposal has been assessed as a non-complying activity. Section 104D of the RMA sets out the specific requirements for the determination of non-complying activities.

4.2 Far North Proposed District Plan

The application site is zoned 'Horticulture' in the Far North Proposed District Plan with no applicable Overlays.

The proposal is assessed against the relevant rules of the Proposed District Plan as follows.

4.2.1 Area-Specific Matters – Horticulture Zone

Rule	Discussion	Compliance
HZ-R2 Impermeable Surface Coverage	Impermeable surface coverage on Lot 2 will exceed the permitted standard. Lot 1 will comply.	These rules do not have legal effect.
HZ-R3 Residential activity	No additional residential activity is proposed. A single residential unit on Lot 2 will result.	
HZ-S2 Height in Relation to Boundary	The farm utility shed on Lot 1 will not comply with this standard in terms of the new eastern boundary adjacent to the shed.	
HZ-S3 Setback	The farm utility shed on Lot 1 will be located less than 10m from the proposed boundary between Lots 1 and 2 and will not comply with this standard.	
HZ-S5 Building or structure coverage	Building or structure coverage on Lot 2 will be less than 12.5% to comply with this standard.	

4.2.2 District-Wide Matters – General District-Wide Matters – Energy, Infrastructure, & Transport – Transport

Rule	Discussion	Compliance
TRAN-R2 Vehicle crossings and access, including private accessways	Shared private access is not required, and no new vehicle crossings are required. Therefore, this rule is not considered to be relevant.	This rule does not have legal effect

4.2.3 District Wide Matters – Subdivision

Rule	Discussion	Compliance
SUB-R3 Subdivision of land to create a new allotment.	CON-1 - Each lot includes a 30m x 30m dimension, but on Lot 2 it will encroach into permitted activity boundary setbacks for the Horticulture Zone (10m). - Onsite water storage and stormwater management to be provided for Lot 2. - Existing onsite wastewater treatment and disposal is established separately for each lot. - Power and telecommunications are supplied to each lot. - Easements for electricity and telecommunications supply are provided in favour of Lot 2. CON-2 - Discretionary activity minimum allotment sizes not achieved. - Esplanade Reserve not required.	This rule does not have legal effect

4.2.4 Summary of Activity Status under the Far North Proposed District Plan

There are no relevant rules under the Proposed District Plan with immediate effect at this time.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 104(1)(a) and (ab) requires the consent authority 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 application 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. Under Section 104(2), when forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

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. This assessment of environmental effect addresses the relevant assessment criteria listed in 13.10 of the Operative District Plan as specified in Rule 13.11 (Non-Complying (Subdivision) Activities), where relevant.

5.1 Allotment sizes and dimensions

The subdivision design is based on the existing layout of the residential development on Lot 2, including buildings, private outdoor areas, onsite wastewater treatment and disposal, access and parking arrangements. Therefore, despite the non-compliance of the proposed area of Lot 2, it provides sufficient area and dimensions to provide for the existing residential activity. Servicing for each lot exists, with the already constructed wastewater treatment and disposal systems remaining on each lot within the proposed boundaries. A new independent water supply will be established for Lot 2, which will also provide a dual purpose of managing stormwater runoff from the existing roof surfaces.

Both lots include an allotment dimension that complies with the controlled activity standard for subdivision in the Rural Production Zone.

The proposal will not change the physical building layout on the site, and there will be no change in terms of the relationship between the existing buildings and the external boundaries of the existing site. The proximity of the existing implement shed to the proposed boundary is unable to meet the permitted activity sunlight and setback from boundary standards, however as this particular shed is used as part of farming operations, it is required to keep this within Lot 1.

The wider Wiroa Road and Lodore Road areas contain a mixture of lot sizes, which form the overall subdivision pattern. These include rural residential sites comparable to Lot 2, rural lifestyle sites of various areas, as well as both small and large rural production sites. The map in **Figure 2** demonstrates this.

Overall, it is considered that there will be no change to the character of the subject land following the subdivision, in order to retain the overall character of the existing natural and built environment. As such, the direct and cumulative adverse effects on the wider environment generated by the proposal will be less than minor, and the size of the proposed lots is suitable for their existing land use activity.

5.2 Natural and other hazards

The subject site is not affected by natural hazards as shown on the Northland Regional Council 'Natural Hazard' mapping. Furthermore, each lot has existing consented residential development, therefore no changes to the existing land use are proposed, and no subsequent land uses will result that differ from the existing situation in terms of natural hazards, including fire hazard. Therefore, it is considered that adverse effects of the proposal related to natural hazards and fire hazard are avoided.

5.3 Water supply

The property is not within the area of benefit for water reticulation, and existing water supply is provided from an existing bore located within Lot 1. Individual water storage within using tanks is to be established for Lot 2 as part of the subdivision. With an individual water supply system being established for Lot 2, no adverse effects with respect to water supply are anticipated.

5.4 Stormwater disposal

No additional impermeable surfaces are required to complete the proposal, however the existing extent of impermeable surface coverage on Lot 2 will exceed the permitted activity standard for the Rural Production Zone of the Operative District Plan. Stormwater attenuation and discharge management is proposed within Lot 2 to manage these effects, and achieve a level of stormwater runoff which does not exceed the permitted activity standard of 15% in the Rural Production Zone.

As outlined in the Stormwater Technical Memo, stormwater management is proposed using potable water tanks, swales, and a dry pond, to enhance on-site stormwater and water supply management without negatively affecting overall hydrological performance. The proposed low impact design measures will attenuate runoff to the equivalent of the 15% Permitted Activity baseline for both the 50% and 20% AEP storm events, ensuring no adverse effects on stormwater function or downstream environments.

5.5 Sanitary sewage disposal

The proposed subdivision will not result in additional wastewater discharge. The dwelling on Lot 2 has an existing onsite wastewater treatment and disposal system, which is confirmed to be located within the proposed lot boundaries, with surplus reserve disposal area available. The two existing dwellings on Lot 1 share an aeration secondary treatment system and wastewater disposal field, which are also unaffected by the proposed subdivision. It is therefore considered that the proposal will avoid adverse effects in terms of sanitary sewage disposal.

5.6 Energy and telecommunications supply

Each lot has existing power and telecommunications supply. Easements over Lot 1 are required to secure the existing underground electricity and telecommunications supply to Lot 2.

Correspondence received from Top Energy (see **Appendix 4**) confirms that Lot 2 has an existing power supply and that they have nil requirements.

The proposal has no effects in relation to the supply of electricity or telecommunications.

5.7 Easements for any purpose

Private easements for the conveyance of electricity and telecommunications are shown as areas A, C and D over Lot 1, to benefit Lot 2, to protect the existing underground supply.

As provision of electricity and telecommunications is not a requirement for new lots in the rural environment, these easements are shown in a schedule (rather than a memorandum) of easements, and do not need to be a requirement of the resource consent.

5.8 Property access

Property access from Wiroa Road to the parking area of each lot is already formed as previously described. As the proposal will not generate any additional traffic, and the existing level of traffic can be accommodated by the existing property access provisions, it is considered that the proposal avoids adverse effects in this regard.

Each lot contains existing off-street parking areas, which will remain within the proposed lot boundaries, with adequate manoeuvring area. Each parking area is adequate for the existing rural and residential use.

Overall, it is considered that no additional traffic will be generated by the proposal, that existing traffic can be accommodated by existing property access provisions, and that the effects of the proposal on existing roading and traffic safety will be nil.

5.9 Archaeological and cultural effects

The site does not contain any known or mapped heritage resources or archaeological sites or sites of cultural significance. Earthworks required to complete the subdivision will be associated with the formation of stormwater attenuation, namely a shallow grassed dry pond near the site entrance, and installation of new water storage tanks. The site is highly modified through the established land use activities in these areas. 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.

5.10 Preservation and enhancement of vegetation and fauna

The proposal will not result in any direct or indirect adverse effects on ecological values, given that no new land uses will be established.

The existing consent notice condition includes a ban on the keeping of omnivorous or carnivorous animals which have the potential to be kiwi predators, with the exception of working dogs used for agricultural management. It is anticipated that this condition will be retained for proposed Lot 1.

5.11 Landscape and visual effects

The site is not within an Outstanding Landscape, and does not have high or outstanding natural character.

Both proposed lots are developed and there will be no additional effects on the surrounding locality from the use of these sites. Lot 2 will retain private open space and areas of mature plantings surrounding the existing buildings and their private outdoor areas. As such, there will be no adverse impacts on the visual amenity, or privacy of adjoining properties as a result of the proposed subdivision activity.

5.12 Soil

The site contains highly versatile soils / highly productive land and is located within a primary production zone.

In order to avoid the loss of land that has the potential to be used for soil based primary production, the boundaries of Lot 2 have been designed to only include the existing buildings, driveway, onsite wastewater disposal area, and private outdoor space and garden areas, generally within or otherwise very close to the existing fence lines. In this way, the new rural residential lot is “shrink wrapped” around the land occupied by this residential activity, in order to avoid potential cumulative effects on the overall productive capacity of the subject site in the long term.

Primary production activities will continue on Lot 1, at the same scale as the current dairy farming activity.

The proposal is therefore considered to avoid and mitigate the potential cumulative loss of the availability of highly productive land in this location, whereby the adverse effects on soil resources will be less than minor.

5.13 Land use compatibility

The proposed subdivision supports existing farming and residential activity. The new rural residential lot (Lot 2) is located centrally within the subject site, and is already developed for that use. The proposal is therefore considered to avoid adverse effects associated with incompatible land use and reverse sensitivity, such that the existing uses of the lots and surrounding land can be accommodated.

6. 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 – 6.5 of this Report. This is followed by an assessment of Part 2 of the Act.

- 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 2022 Amended August 2024
- 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.³

Far North Maps Land cover and land use classifications record the land use as ‘High Producing Exotic Grassland’, ‘Grassland – High producing’, ‘Grazed-dairy’, with no horticultural / orcharding land cover.

Review of historic images via Retrolens shows that the subject land has generally been in pasture in the 1969, 1977 and 1981 aerial images.⁴

Therefore, using Method 6(2), the subject site is not considered to be a ‘piece of land’ in terms of the above regulations.

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

The proposed subdivision does not involve any vegetation clearance, or taking, use, damming, or discharge of water.

Earthworks and stormwater diversion will be for the purpose of establishing stormwater management proposals. The Northland Regional Council Biodiversity Wetlands Mapping does not record any wetlands within 100m of the earthworks location.

Therefore, the proposal is not considered to have any implications in terms of the above regulations.

³ Northland Regional Council (n.d.): *Selected Land-use Register Map*. Retrieved 30 June 2025 from <https://localmaps.nrc.govt.nz/localmapsviewer/?map=65b660a9454142d88f0c77b258a05f21>

⁴ Sourced from <http://retrolens.nz> and licensed by LINZ CC-BY 3.0

6.2 National Policy Statements

6.2.1 National Policy Statement for Highly Productive Land 2022 Amended August 2024

The subject site is zoned Rural Production under the Operative and Proposed District Plans. The steeper central portion is within the Land Use Capability Unit 4e2, while the remainder is within the Land Use Capability Unit 3s2 (the latter meeting the definition of 'highly productive land' in the NPSHPL).

The relevant policy of the NPSHPL is Policy 7:

Policy 7: The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.

Comment: Refer to assessment of policy 3.8 below.

The implementation of the above policy is guided by Section 3.8 of the NPSHPL, which is commented on below.

3.8 Avoiding subdivision of highly productive land

(1) Territorial authorities must avoid the subdivision of highly productive land unless one of the following applies to the subdivision, and the measures in subclause (2) are applied:

(a) the applicant demonstrates that the proposed lots will retain the overall productive capacity of the subject land over the long term:

(2) Territorial authorities must take measures to ensure that any subdivision of highly productive land:

(a) avoids if possible, or otherwise mitigates, any potential cumulative loss of the availability and productive capacity of highly productive land in their district; and

(b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on surrounding land-based primary production activities.

Comment:

Lot 2 has been reduced to the area of land already occupied by the homestead and its access, onsite wastewater treatment and disposal system, and private outdoor area. This area of development that is already occupied has been permanently removed from primary production use.

Lot 1 is likely to continue to be farmed at the same scale that it currently is. The overall extent of the 3s2 unit in this location will retain the overall productive capacity of the land in the long term.

Policy 3.8(2) is addressed below.

(2) Territorial authorities must take measures to ensure that any subdivision of highly productive land:

(a) avoids if possible, or otherwise mitigates, any potential cumulative loss of the availability and productive capacity of highly productive land in their district; and

(b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on surrounding land-based primary production activities.

Potential cumulative loss of the availability and productive capacity of highly productive land has been avoided and mitigated through the minimisation of the lot size for Lot 2, and its location around an existing area of development.

6.2.2 National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)

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 are 17 listed policies to achieve this objective. At this time, there are no SNAs mapped in the Operative or Proposed District Plan. Therefore, Policies 8, 13 and 15 are most relevant.

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

Policy 13: Restoration of indigenous biodiversity is promoted and provided for.

Policy 15: Areas outside SNAs that support specified highly mobile fauna are identified and managed to maintain their populations across their natural range, and information and awareness of highly mobile fauna is improved

Part 3 guides the implementation of the NPS-IB. Of relevance is the following approach to implementing the NPS-IB.

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.*
- (2) All other adverse effects of any activities that may adversely affect indigenous biodiversity that is outside an SNA (other than indigenous biodiversity on specified Māori land (see clause 3.18)), must be managed to give effect to the objective and policies of this National Policy Statement.*

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.*

Adverse effects are avoided by the proposal, as it does not involve the disturbance of any indigenous vegetation. Referring back to the objective and relevant policies of the NPS-IB; the effects of the proposal are such that indigenous biodiversity can be maintained. The potential habitats of specified highly mobile fauna within the site can be maintained. It is therefore considered that the proposal is consistent with the NPS-IB.

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 within the coastal environment or an outstanding natural landscape or feature and does not include any areas of high or outstanding natural character.

The relevant policy from the RPS is addressed beneath the applicable heading below.

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 already established for each lot.
- The site is not near any significant mineral resources.
- The spatial relationship between residential and rural use of on the land is established – the proposal does not result in new incompatible land use activities.
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors.
- No new adverse effects on significant ecological areas or species will result.
- Adverse effects associated with natural hazards are avoided.
- The site contains highly versatile soils; however, the new rural residential lot (Lot 2) has been “shrink wrapped” around the existing area of land occupied by the homestead, its access and its on-site services, in order to not materially reduce the potential for soil-based primary production on the land.
- The existing rural and residential use of the lots is consistent within the predominant land use and subdivision development in the surrounding environment. The character of the surrounding environment can be retained.
- The proposal has no implications on matters such as renewable energy, sustainable design technologies.

6.4 District Plan Objectives and policies

6.4.1 Operative Far North 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. Comments on the objectives and policies of the Rural Environment and Rural Production Zone have been grouped together as they have many overlapping themes. As discussed below, it has been concluded that the proposal is not contrary to the overall objectives and policies of the District Plan and consequently meets the test of section 104D(1)(b).

RURAL ENVIRONMENT

8.3 OBJECTIVES

8.3.1 To promote the sustainable management of natural and physical resources of the rural environment.

8.3.2 To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.

8.3.3 To avoid, remedy or mitigate the adverse and cumulative effects of activities on the rural environment.

8.3.4 To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.

8.3.6 To avoid actual and potential conflicts between land use activities in the rural environment

8.3.7 To promote the maintenance and enhancement of amenity values of the rural environment to a level that is consistent with the productive intent of the zone.

8.3.10 To enable the activities compatible with the amenity values of rural areas and rural production activities to establish in the rural environment.

8.4 POLICIES

8.4.1 That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.

8.4.2 That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded and rural productive activities are able to continue.

8.4.3 That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes.

8.4.4 That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.

8.4.5 That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).

8.4.6 That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.

8.4.7 That Plan provisions encourage the efficient use and development of natural and physical resources, including consideration of demands upon infrastructure.

8.4.8 That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated. Consideration will further be given to the functional need for the activity to be within rural environment and the potential cumulative effects of non-farming activities.

RURAL PRODUCTION ZONE

8.6.3 OBJECTIVES

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

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

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

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

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

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

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

8.6.4 POLICIES

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

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

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

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

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

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

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

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

Promote sustainable management.

Given the nature of the proposal, which creates a new lot around an established residential land use activity and built development, the proposed subdivision is considered to represent sustainable management, resulting in negligible adverse effects on natural and physical resources.

Ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.

Although the site contains highly productive land or highly versatile soils, it is considered that the life supporting capacity of these soils is not compromised, with the subdivision being an appropriate activity. Lot 1 will continue to be used for soil based primary production, at the same scale as it presently is. It has therefore been assessed that the proposal will not result in any measurable loss of productive capability of soil.

Avoid, remedy or mitigate adverse effects.

Adverse effects are predominantly avoided through the nature of the proposal, which relates to existing residential and rural activities, and reflects the existing land use and building development layout.

Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna / promote protection of significant natural values.

The proposal has no implications in terms of significant indigenous vegetation or habitats of indigenous fauna. An existing consent notice condition provides for the protection of kiwi habitat through controls on the keeping of pets other than working dogs.

Avoid conflicts between land use activities / reverse sensitivity.

There is no change in the relationship between existing residential and rural activities on the site. The boundary layout reflects the existing occupation area of the homestead on Lot 2. If necessary, an advisory consent notice can be applied to Lot 2, to draw future owners attention to the existing rural production activities which are lawfully established, and which may generate effects such as noise, odour, dust, which they shall not object against. As such, it is considered that the proposal will not create any adverse effects in terms of incompatible land uses or reverse sensitivity.

Promote maintenance and enhancement of amenity values.

No effects on amenity values are anticipated.

Enable efficient use and development of the Rural Production Zone, enable people and communities to provide for their social, economic and cultural well being and for their health and safety.

The proposal is an efficient use of the land, allowing the applicants to create a separate title for an existing residential dwelling.

SUBDIVISION

13.3 OBJECTIVES

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

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.

13.3.5 To ensure that all new subdivisions provide ... on-site water storage and include storm water management sufficient to meet the needs of the activities that will establish all year round.

13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.

13.3.8 To ensure that all new subdivision provides an electricity supply sufficient to meet the needs of the activities that will establish on the new lots created.

13.3.9 To ensure, to the greatest extent possible, that all new subdivision supports energy efficient design through appropriate site layout and orientation in order to maximise the ability to provide light, heating, ventilation and cooling through passive design strategies for any buildings developed on the site(s).

13.3.10 To ensure that the design of all new subdivision promotes efficient provision of infrastructure, including access to alternative transport options, communications and local services.

13.4 POLICIES

13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:

- (a) natural character, particularly of the coastal environment;
- (b) ecological values;
- (d) amenity values;
- (e) cultural values
- (g) existing land uses.

13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.

13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.

13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.

13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads (including State Highways), and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.

13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of ... significant habitats of indigenous fauna, threatened species, the natural character of ... riparian margins ... where appropriate.

13.4.8 That the provision of water storage be taken into account in the design of any subdivision.

13.4.11 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.

13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:

- (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
- (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land ...
- (e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;
- (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of Part 3 of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.

Provide for subdivision so as to be consistent with the purpose of the various zones and promote sustainable management of natural and physical resources.

As detailed previously, the proposed activity is consistent with the Rural Production zone objectives and policies.

Ensure subdivision is appropriate and does not compromise the life supporting capacity of air, water, soil or ecosystems. Avoid, remedy and mitigate adverse effects.

The proposed subdivision does not adversely affect air, water or soil resources, and avoids adverse effects on ecosystems.

Provide sufficient water storage.

Provide electricity supply sufficient to meet the needs of activities that will establish on the lots created.

Support energy efficient design.

Promote efficient provision of infrastructure.

The proposal has no implications in terms of these matters.

Take into account natural and other hazards.

The proposal does not facilitate any additional building activity, and has no implications in terms of natural and other hazards.

Require safe and effective vehicular and pedestrian access. Provide in such a way as will avoid, remedy or mitigate adverse effects.

The proposal uses existing vehicle access formations. There will be no increase in traffic volumes.

Provide for the protection, restoration and enhancement of significant habitats of indigenous fauna, significant indigenous vegetation, natural character of riparian margins where appropriate.

Preserve, and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters.

The proposed subdivision does not result in any change to ecological values or natural character, and does not change the character of the relevant zone.

6.4.2 Proposed Far North District Plan

Relevant objectives and policies set out under the chapters 'Horticulture Zone' and 'Subdivision', and are commented on below, and it is concluded that the proposal will be consistent with the relevant strategies.

HORTICULTURE ZONE OBJECTIVES

HZ-O3 Land use and subdivision in the Horticulture zone:

- a. avoids land sterilisation that reduces the potential for highly productive land to be used for a horticulture activity;*
- b. avoids land fragmentation that comprises the use of land for horticultural activities;*
- c. avoids any reverse sensitivity effects that may constrain the effective and efficient operation of primary production activities;*
- d. does not exacerbate any natural hazards;*
- e. maintains the rural character and amenity of the zone;*
- f. is able to be serviced by on-site infrastructure.*

The subdivision creates a new rural residential site around an existing residential building and activity so as to avoid sterilisation or fragmentation of land for horticulture. The balance lot will continue to be used for primary production, and also contains existing residential dwellings. Lot 2 is located centrally within the application site. An advisory consent notice could be applied to Lot 2 to draw attention to the existing primary production activities lawfully occurring within Lot 1. Natural hazards are not exacerbated, and there will be no change to the existing rural character or amenity values of the site and wider area. Existing on-site infrastructure is established for each lot.

POLICIES

HZ-P5 Manage the subdivision of land in the Horticulture zone to:

- a. avoid fragmentation that results in loss of highly productive land for use by horticulture and other farming activities;*
- b. ensure the long-term viability of the highly productive land resource to undertake a range of horticulture uses;*
- c. enable a suitable building platform for a future residential unit; and*
- d. ensure there is provision of appropriate onsite infrastructure.*

As per the comments on HZ-O3, the subdivision avoids the loss of highly productive land for primary production use, and each lot contains existing residential unit/s and associated onsite infrastructure.

HZ-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.

As outlined above, reverse sensitivity and loss of highly productive land can be avoided. Existing onsite and roading infrastructure is in place. Adverse effects on heritage, cultural and natural features and values can be avoided.

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 mitigated and existing risks reduced; and
- f. manages adverse effects on the environment.

The subdivision provides for the existing residential dwellings, and is an efficient use of the land as per the listed objectives.

SUB-O2 Subdivision provides for the:

- a. Protection of highly productive land; ...

Highly productive land is protected through the design of the subdivision, which has shrink-wrapped the boundaries of Lot 2 to the existing residentially occupied area.

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

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

Existing infrastructure is already in place. There will be no additional demand on any service infrastructure.

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.

Lot 2 does not meet the minimum controlled or discretionary activity lot sizes for the Zone. The subdivision design is based on the existing layout of buildings, parking, and outdoor living areas and represents the best practicable option in terms of avoiding loss of productive land to rural residential use. Each lot retains direct frontage to Wiroa Road as per the existing access arrangements.

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.

In terms of natural environment values, historical and cultural values and natural hazards, no new land use activities are proposed which would increase the risk of natural hazard.

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

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

Existing servicing is in place. There will be no additional demand on any service infrastructure.

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*

As discussed above, adverse effects are largely avoided, as the subdivision supports established land use activities and buildings.

6.4.2 Weighting assessment of Operative and Proposed Far North District Plan

The current District Plan review process was initiated in 2016. Submissions and further submissions have been received. Public hearings are currently taking place, and in 2026 the council will give notice of its decisions on the Proposed District Plan. At this stage, as there is scope for relevant rules, objectives and policies to change, it is considered that limited weight should be attributed to the Proposed District Plan, and more weight applied to the provisions of the Operative District Plan.

6.5 Proposed Regional Plan for Northland (February 2024)

Earthworks required to form the shallow grassed dry stormwater pond will be well within the permitted activity threshold specified in Rule C.8.3.1. No consents are required under the Proposed Regional Plan.

6.6 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:

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

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 separate Records of Title for existing dwellings on the site. With buildings and land use activities established on each lot, the proposal avoids adverse effects on natural and physical resources, and on the wider environment.

Matters of national importance have been recognised and provided for in the proposal as the proposal has no impact on waterways and their margins or on any significant vegetation or habitats.

The proposed subdivision is considered to be an efficient use of this land, which supports existing built development and land use activities within an existing rural setting. In these circumstances there will be no detriment to amenity values, or the overall quality of the environment in terms of section 7.

The proposal has no known 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. OTHER MATTERS

Section 104(1)(c) requires the consent authority, subject to Part 2 of the Act, to have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

7.1 Precedent effect

The precedent resulting from granting a resource consent is an 'other matter' that Council can have regard to in considering an application for consent for a non-complying activity. The non-complying activity status does not of itself create a precedent effect; however, a relevant consideration is whether granting this consent, and the anticipation that like cases will be treated alike, will contribute to an adverse cumulative effect that follows from this activity.

Case law has indicated that although precedent effects are relevant, they should not be attributed too much weight, as every application must be considered on its own merits and against the relevant provisions of the District Plan (Berry v Gisborne District Council [2010] NZEnvC 71).

As the subdivision relates to existing built development and residential land use activities, the subdivision itself avoids adverse effects on natural and physical resources, and is able to pass both limbs of the Section 104D gateway test. Therefore, despite its non-complying activity status, approval of this application would not establish a precedent.

For these reasons, it is considered that a precedent will not be created through the granting of this application due to its distinguishing features and circumstances.

8. CONSULTATION & NOTIFICATION ASSESSMENT

8.1 Public notification

Step 1: Public notification is not requested. Sections 95A(3)(b) and (c) do not apply.

Step 2: Public notification is not precluded.

Step 3: There are no relevant rules that require public notification, and the adverse effects of the proposal have been assessed as being less than minor, as set out in Section 5 of this Report. As such, public notification is not considered necessary.

Step 4: No special circumstances are considered to exist to warrant public notification.

8.2 Limited notification

Step 1: There are no affected protected customary rights groups or affected customary marine title groups, the land is not subject to a statutory acknowledgement.

Step 2: Limited notification is not precluded.

Step 3: Section 95E describes when a person is an affected person. No person is considered to be an affected person in terms of this proposed activity as:

- The subject site is not within the Kerikeri Airport Nois Buffer.
- The site is not within 500m of land administered by the Department of Conservation.
- Stormwater management will be implemented for Lot 2 to mitigate the proportional increase in impermeable surface coverage.
- No additional traffic will be generated, and no new vehicle crossings are required.
- There will be no change to rural amenity values, or natural or rural character.

As such, it is considered that limited notification is not required via Step 3.

Step 4: No special circumstances exist.

8.3 Summary of Notification Assessment

As outlined above, we anticipate that the application can be treated as non-notified.

9. CONCLUSION

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

- the proposed activity achieves the “threshold test” set out in 104D(1) as:
 - the adverse effects of the activity on the environment resulting from the proposed activity will be less than minor; and
 - the proposal is considered to be generally consistent with the objectives and policies of the Operative District Plan and 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 National Policy Statement for Highly Productive Land or the Regional Policy Statement for Northland.

We also note that:

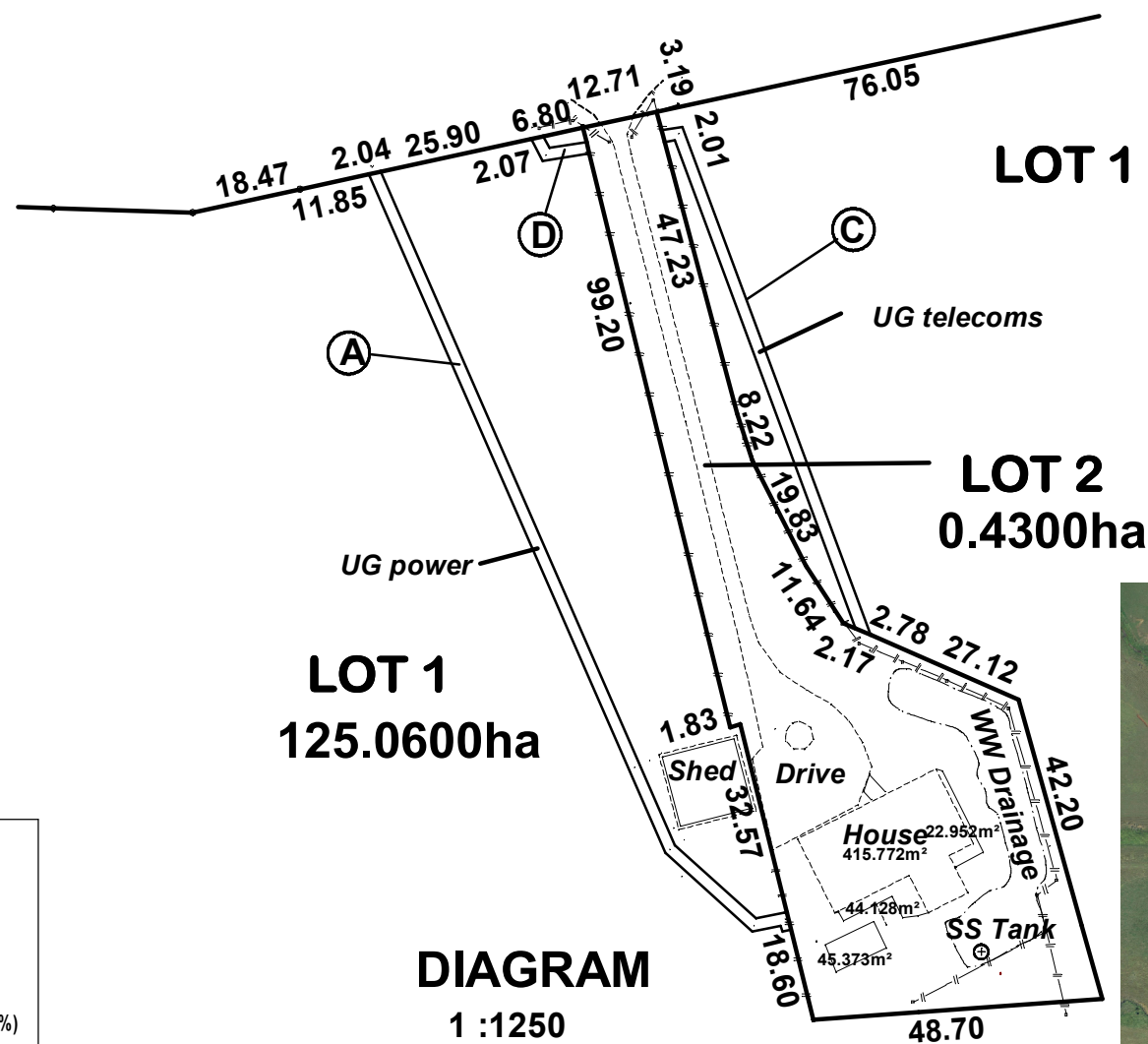
- The proposal has been assessed as satisfying the statutory requirements to proceed without notification.

Signed 
Natalie Watson,
Resource Planner

Date 18 August 2025
WILLIAMS & KING
Kerikeri

10. APPENDICES

- Appendix 1** Scheme Plan
Appendix 2 Trine Kel Ltd Stormwater Technical Memo
Appendix 3 Record of Title
Appendix 4 Top Energy Correspondence



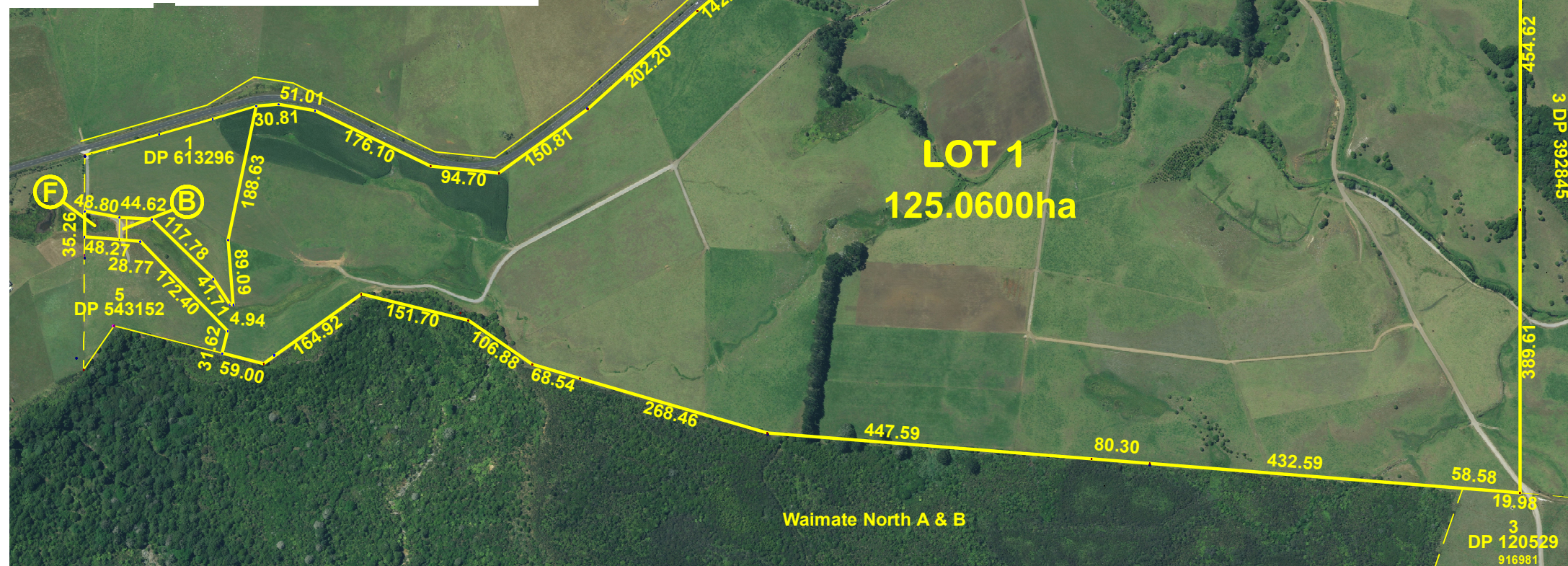
Impermeable areas Lot 2	
Drive	650m²
House	415m²
Paths	65m²
Pool	45m²
Total:	1175m² (27.3%)

Existing Easements in Gross			
Purpose	Shown	Burdened Land	Document
Right to Convey Water	E	Lot 1 Hereon	GN C695768.2

Schedule of Existing Easements			
Purpose	Shown	Burdened Land	Document
Right of Way & Right to Convey Water, Electricity & Telecommunications	B	Lot 1 Hereon	EI 11734759.3
Right of Way & Right to Convey Water, Electricity & Telecommunications	F	Lot 1 Hereon	EI 11734759.4

Schedule of Proposed Easements			
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AMALGAMATION CONDITION
"That Lot 1 Hereon and Lot 3 DP 120529 be held together in one Record of Title"



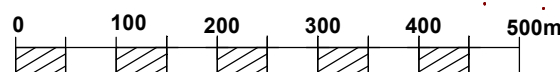
Local Authority: Far North District Council

Total Area: 125.4900ha
Comprised in: RT1220394

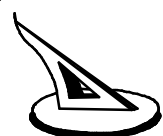
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Prepared for: D A Gillett, J R Gillett, K N Gardiner, M J Gillett
Freeman Trustee 2024 Limited



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 613296

Name		Date	ORIGINAL SCALE SHEET SIZE	
Survey			1:7500	A3
Design				
Drawn	W & K	Aug 2025		
Rev				

24592

TECHNICAL MEMO – STORMWATER

To:	RG & NP Family Trust	Organisation:	Private Trust
From:	Keavy Mitchell	Organisation:	Trine Kel Limited
Reference:	038s-TM-SWC-01-Rev00		
Date:	15 - 08 - 02025		
Subject:	Stormwater Technical Memo for the Future Proposed Lot 2 at Lot 2 DP 613296, Wiroa Road, Kerikeri		

1. INTRODUCTION

This stormwater assessment has been prepared to address a technical non-compliance with the permitted impermeable surface coverage thresholds for Rural Production allotments under the Far North District Plan. The proposed two-lot subdivision at Lot 2 DP 613296, Wiroa Road, Kerikeri (Figure 1) will result in Proposed Lot 2 (0.4105 ha) exceeding the 15% Permitted Activity coverage limit under Rule 8.6.5.1.3, and the 20% Controlled Activity threshold under Rule 8.6.5.2.1. This exceedance is based on the site's existing (unchanged) impermeable surface area and the reduced lot size following the introduction of its new boundary.

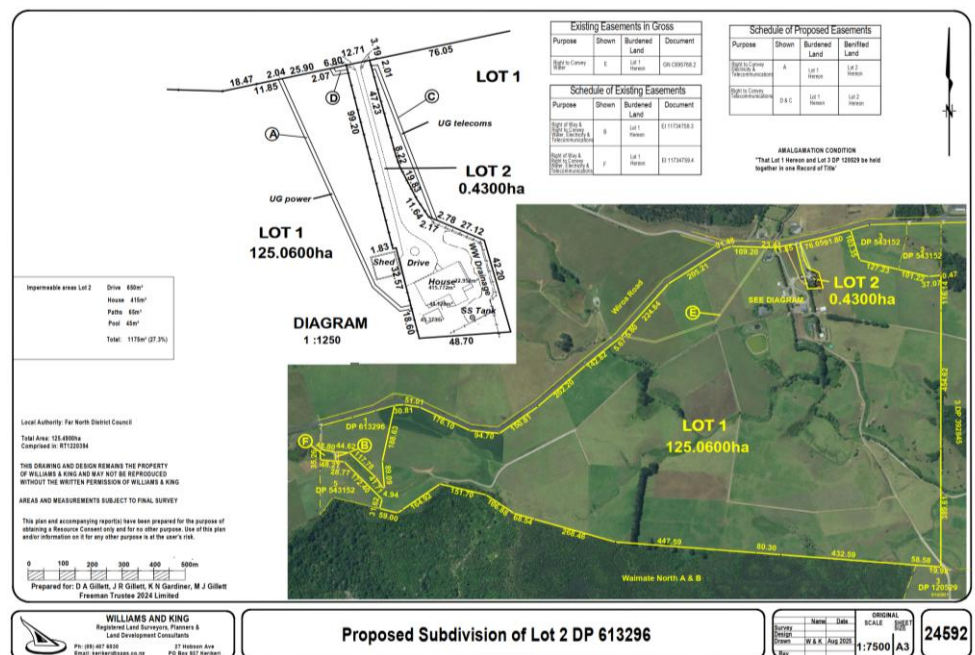


Figure 1: Subdivision Scheme Plan (Source: Williams and King)

While no increase in impervious surfaces is proposed, minor physical works will be undertaken to enhance stormwater and water supply management. These include the installation of 2–3 potable water tanks (serving both potable supply and stormwater harvesting functions) and a system of swales and a dry pond to attenuate runoff. The works will not alter the overall impervious coverage or adversely change the site's hydrology.

This Technical Memorandum demonstrates that, notwithstanding the planning rule breach, any potential stormwater effects can be fully mitigated using low-impact design (LID) measures. The proposed system will attenuate post-subdivision runoff to the equivalent of the 15% Permitted Activity baseline for both the 50% AEP and 20% AEP design storm events, in accordance with the requirements of the Far North District Council District Plan.

2. PROPOSED DEVELOPMENT & DESKTOP STUDY

2.1 PROPOSAL AND CONTEXT

The subdivision will create Proposed Lot 2 from the larger farm title (Proposed Lot 1) for estate planning purposes. No additional building development is proposed. Lot 2 will remain in the ownership of the Trust and continue to serve as the primary residence of the owners' elderly mother. The arrangement is intended to allow the children of the current owners to maintain the operational efficiency of the wider family farm in the future, with flexibility to retain the existing dwelling as a rental property or sell it independently without disrupting farm operations.

Proposed Lot 2 has been deliberately limited to 4,300 m² to minimise effects on the balance of the productive rural landholding, aligning with the Operative and Proposed District Plan objectives of protecting rural productive capacity and avoiding unnecessary fragmentation. However, the smaller lot size, when combined with existing impermeable areas (28.5%), exceeds both the 15% Permitted Activity and 20% Controlled Activity thresholds. This breach arises solely from the boundary adjustment, with no increase in total impervious area over the parent title.

Consequently, there will be no net increase in catchment imperviousness or adverse change to stormwater performance. The proposal gives effect to Section 5 of the Resource Management Act 1991 by balancing the social and economic needs of the landowners with the long-term protection of rural land use capability. It represents a considered subdivision approach that maintains rural productivity while retaining the existing residential use without adverse stormwater or amenity effects.

2.2 TOPOGRAPHY & GEOLOGY

LINZ LiDAR contour data and the physical site walkover conducted by our office confirm that Lot 2 generally falls gently to the east at gradients of less than 5°. Beyond the eastern boundary, the terrain remains shallow for more than 80 m before steepening into a natural gully (See Figure 2).



Figure 2: Aerial View of the site and Surrounding Area (Source: TKL QGIS Model). North is up the page.

The GNS Geological Map 2 (Edbrooke & Brook, 2009) identifies the site as underlain by the Kerikeri Volcanic Group – Late Miocene basalt of the Kaikohe–Bay of Islands Volcanic Field, comprising basalt lava, volcanic plugs, and minor tuff. Runoff curve numbers (CN) or C values have been selected in accordance with the Far North District Council Engineering Standards (2023) for these conditions. See [Figure 3](#) below.



Figure 3: GNS Geological Map 2 "Geology of the Whangarei area" 1:250,000 scale Snip Source: GNS Website)

3. DESIGN BASIS

Stormwater attenuation for Lot 2 has been designed in accordance with FNDC Engineering Standards, requiring attenuation for both the 50% and 20% AEP events (inclusive of climate change allowances) where flooding or inundation is not an issue. Runoff calculations use Curve Numbers from Table 4-3 of the FNDC Engineering Standards and rainfall data modelled for both historical and NIWA RCP8.5 (2081–2100) climate change scenarios. The impervious areas on Lot 2 are:

- Driveway: 650 m²
- House: 415 m²
- Paths: 65 m²
- Pool: 45 m²
- Total:** 1,175 m² (28.5% coverage)

Supporting HydroCAD calculations are provided in [Annexure B](#).

4. ATTENUATION SYSTEM – LOT 2

4.1 OVERVIEW

Runoff from the gravelled driveway will be directed into a grassed swale discharging to a shallow grassed dry pond near the site entrance. The dry pond will be created via shallow earthworks contouring and provide attenuation storage for approximately 650 m² of impervious area, with the remaining 525 m² of coverage falling below the permitted activity threshold.

A rainwater harvesting system will be installed comprising 2–3 potable water tanks with a total capacity of 25,000 L each. These tanks will capture roof runoff for potable supply, replacing the existing bore draw from Lot 1. Tank overflow will discharge to a dispersal trench at the south-eastern corner of the site, ensuring low-energy dispersion at the boundary of less than 2l/s, in accordance with Section 4.2.5 of the Far North District Council Engineering Standards, 2023.

4.2 STORMWATER RETENTION SWALES

HydroCAD modelling confirms that the driveway swale and the proposed contoured dry pond depression will attenuate runoff for both the 50% and 20% AEP events (including climate change factors) with no expected overflow beyond the site boundary. The system fully mitigates runoff in excess of the permitted coverage baseline and meets the performance requirements of E1/VM1 and FNDC Engineering Standards.

5. RECOMMENDATIONS

It is recommended that FNDC impose a Section 224(c) condition requiring inspection and confirmation of the Lot 2 stormwater system prior to the issuing of title. Trine Kel Ltd can carry out inspections on Council's behalf and provide any further detailed design if required.

6. CONCLUSION

The proposed subdivision results in a technical non-compliance with FNDC impermeable coverage rules due solely to the reduced lot size, not from any increase in impervious surfaces. Minor works (potable water tanks, swales, and dry pond) will enhance on-site stormwater and water supply management without negatively affecting overall hydrological performance. The proposed low impact design measures will attenuate runoff to the equivalent of the 15% Permitted Activity baseline for both the 50% and 20% AEP storm events, ensuring no adverse effects on stormwater function or downstream environments.

We trust this assessment meets your requirements and welcome any queries should you require further clarification or discussion.

Authored:



Keavy Mitchell BSc (Geol) | PGDipSci
(Env Mgt) | MEngGeol | MEngNZ

**Senior Engineering Geologist | Trine
Kel Limited**

Reviewed | Approved:

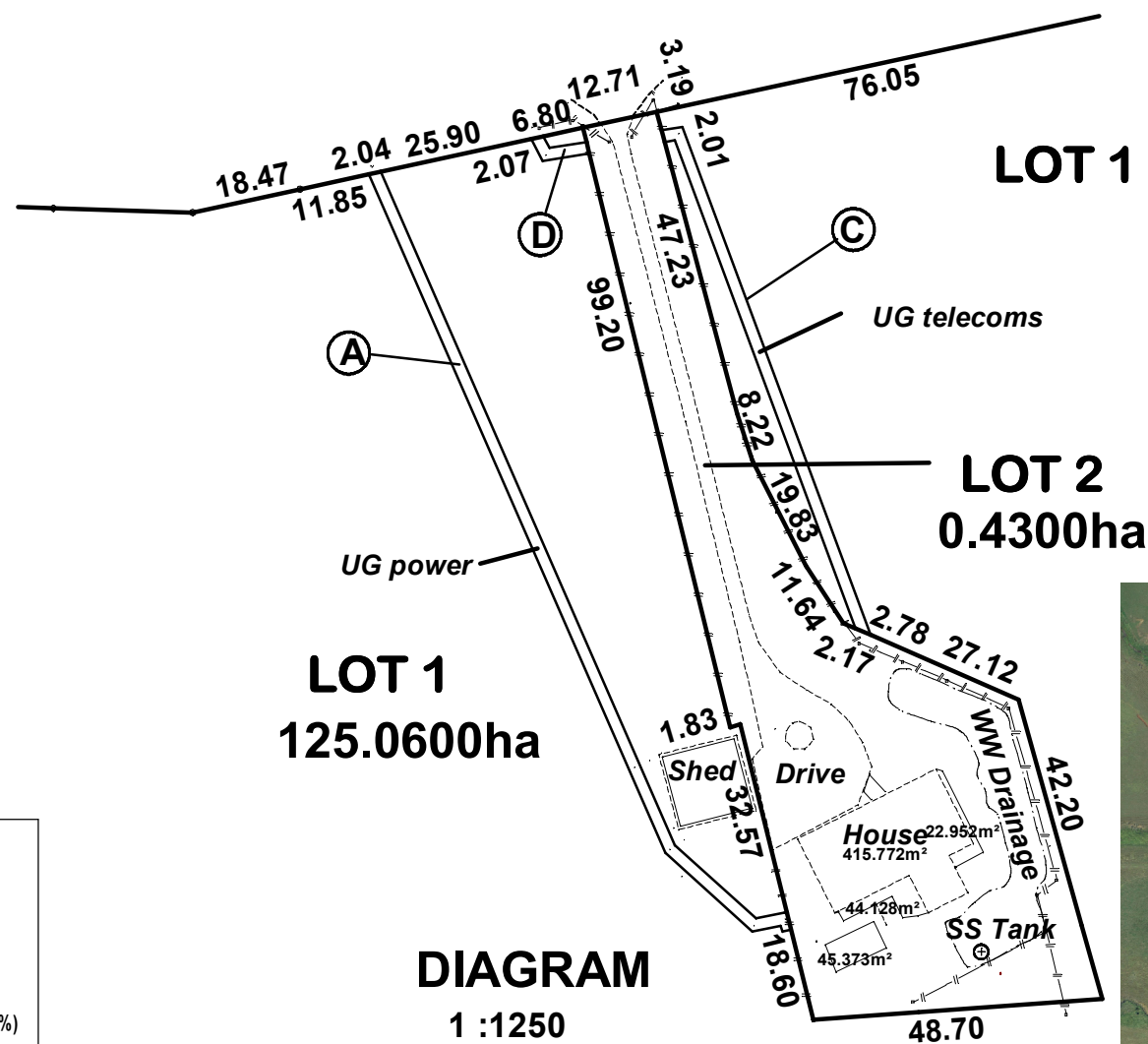


Kelvin Kapp CPEng | CMEngNZ |
IntPE(NZ)

**Principal Civil Engineer & Director |
Trine Kel Limited**

7. Annexures

ANNEXURE A – Site Plan and Concept Details



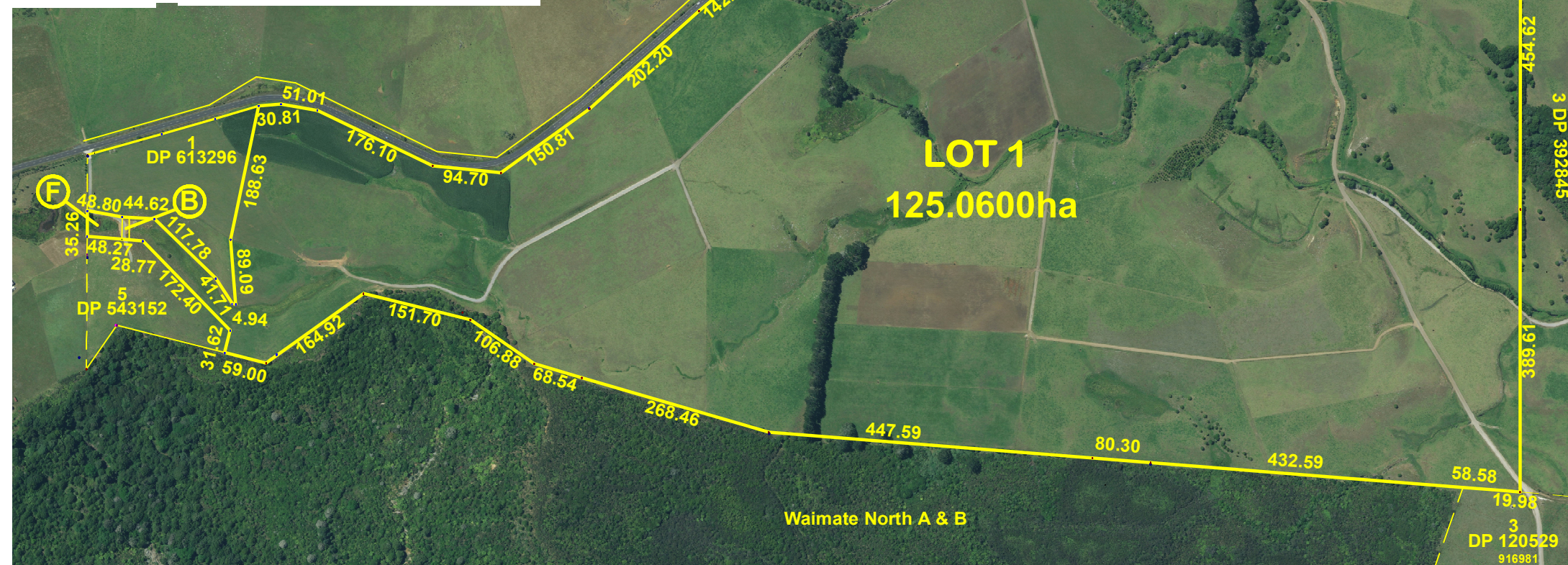
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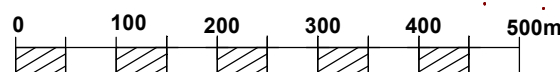
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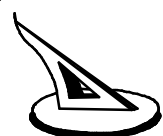
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Prepared for: D A Gillett, J R Gillett, K N Gardiner, M J Gillett
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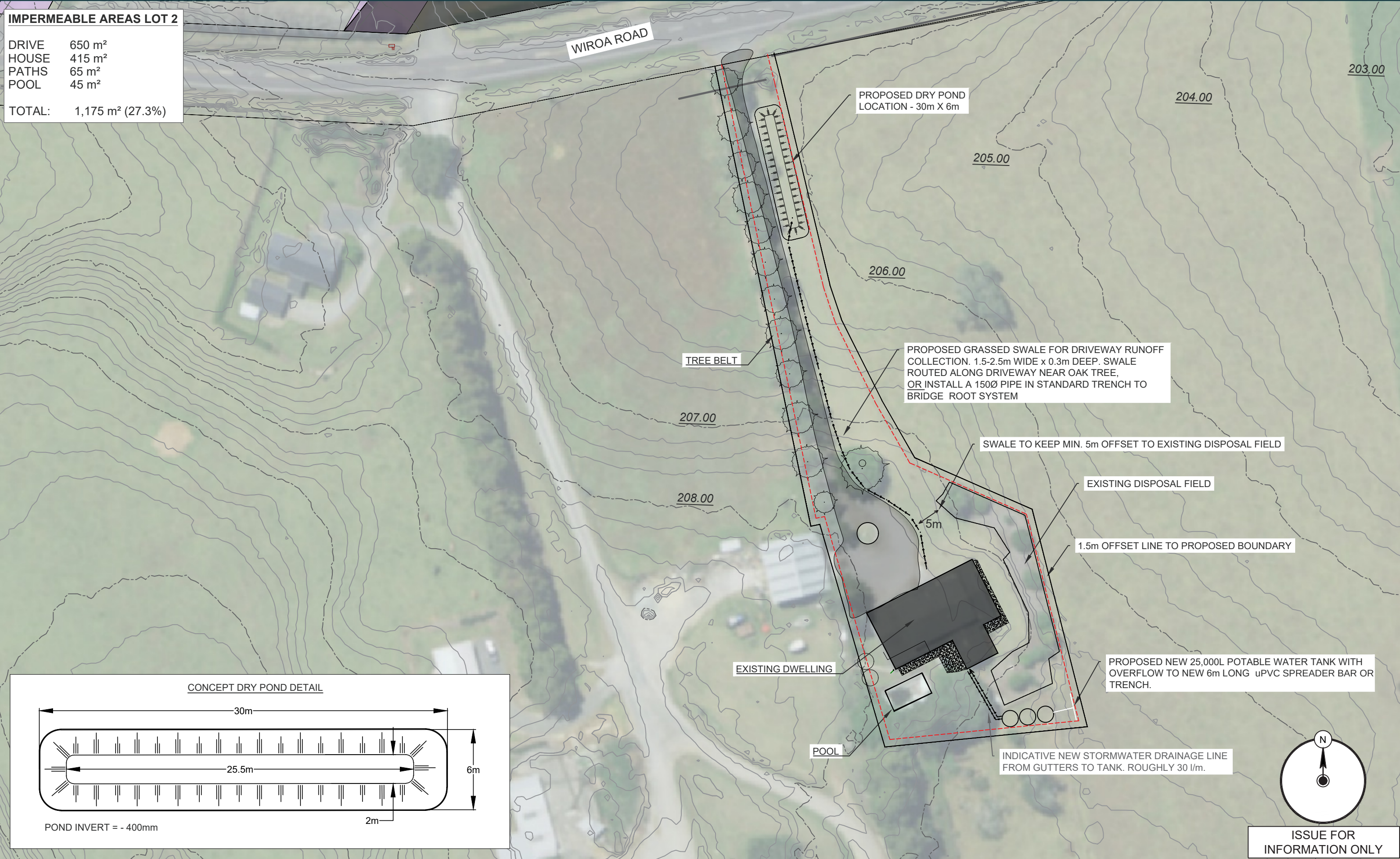
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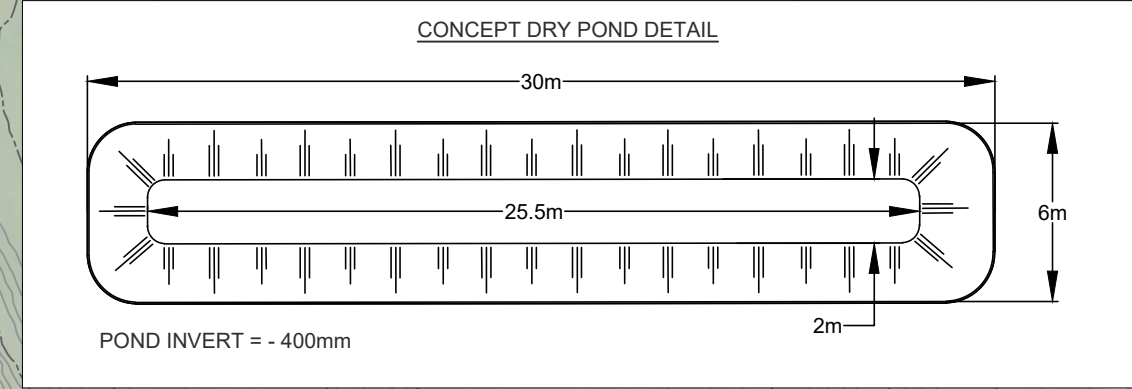
Proposed Subdivision of Lot 2 DP 613296

Name		Date	ORIGINAL SCALE SHEET SIZE	
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Design				
Drawn	W & K	Aug 2025		
Rev				

24592



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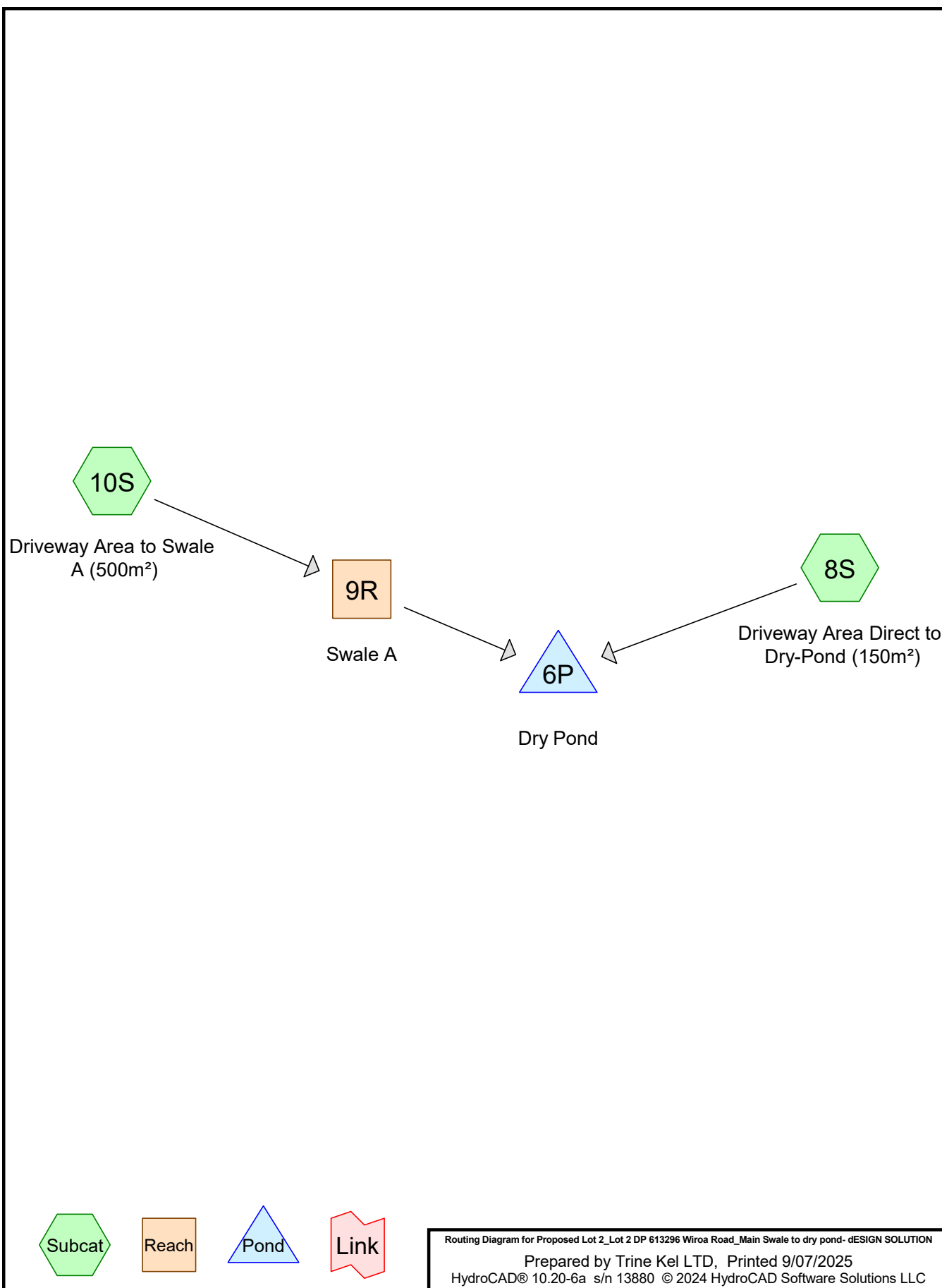
REVISIONS	NO	DATE	DESCRIPTION	BY	CHK	DRAWN: KM
	.	15-08-25	RESOURCE CONSENT	KM	.	DESIGNED: KM
	.		.	.	.	CPENG: .
	.		.	.	.	DATE ISSUED: 15-08-2025
	.		.	.	.	LOCATION: KERIKERI
	.		.	.	.	REFERENCE: 038s



CLIENT: FAR NORTH DISTRICT COUNCIL
PROJECT: PROPOSED 2 LOT SUBDIVISION AT LOT 2 DP 613296 WIROA ROAD
TITLE: SW MITIGATION LAYOUT

SCALE: 1:750 @A3											A3
0m10m50m											
PROJECT #			AREADISC			SEQUENCE			REVISION		
0	3	8s	C	S	W	1	0	0	0	0	

ANNEXURE B – Supporting HydroCAD Calculation Set



Area Listing (selected nodes)

Area (sq-meters)	CN	Description (subcatchment-numbers)
500.0	89	Paved parking, HSG C (10S)
150.0	89	Unconnected pavement, HSG C (8S)
650.0	89	TOTAL AREA

Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 8S: Driveway Area Direct to Runoff Area=150.0 m² 0.00% Impervious Runoff Depth=94 mm
Tc=10.0 min CN=89 Runoff=1.0 l/s 14.1 m³

Subcatchment 10S: Driveway Area to Runoff Area=500.0 m² 0.00% Impervious Runoff Depth=94 mm
Tc=10.0 min CN=89 Runoff=3.4 l/s 46.9 m³

Reach 9R: Swale A Avg. Flow Depth=0.05 m Max Vel=0.40 m/s Inflow=3.4 l/s 46.9 m³
n=0.030 L=71.00 m S=0.0225 m/m Capacity=712.7 l/s Outflow=3.3 l/s 46.9 m³

Pond 6P: Dry Pond Peak Elev=0.191 m Storage=14.7 m³ Inflow=4.3 l/s 61.0 m³
Outflow=0.9 l/s 61.1 m³

Total Runoff Area = 650.0 m² Runoff Volume = 61.0 m³ Average Runoff Depth = 94 mm
100.00% Pervious = 650.0 m² 0.00% Impervious = 0.0 m²

Summary for Subcatchment 8S: Driveway Area Direct to Dry-Pond (150m²)

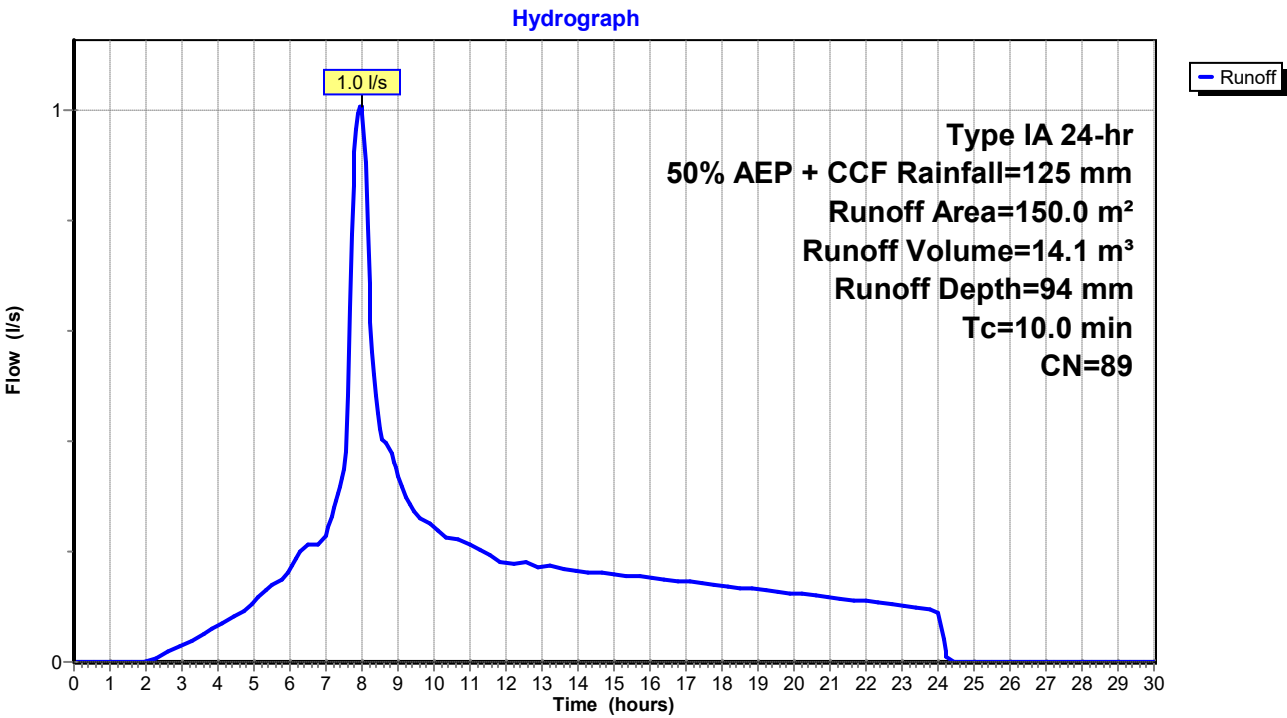
Runoff = 1.0 l/s @ 7.97 hrs, Volume= 14.1 m³, Depth= 94 mm
Routed to Pond 6P : Dry Pond

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
Type IA 24-hr 50% AEP + CCF Rainfall=125 mm

Area (m²)	CN	Description
* 150.0	89	Unconnected pavement, HSG C
150.0		100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m³/s)	Description
10.0					Direct Entry,

Subcatchment 8S: Driveway Area Direct to Dry-Pond (150m²)



Summary for Subcatchment 10S: Driveway Area to Swale A (500m²)

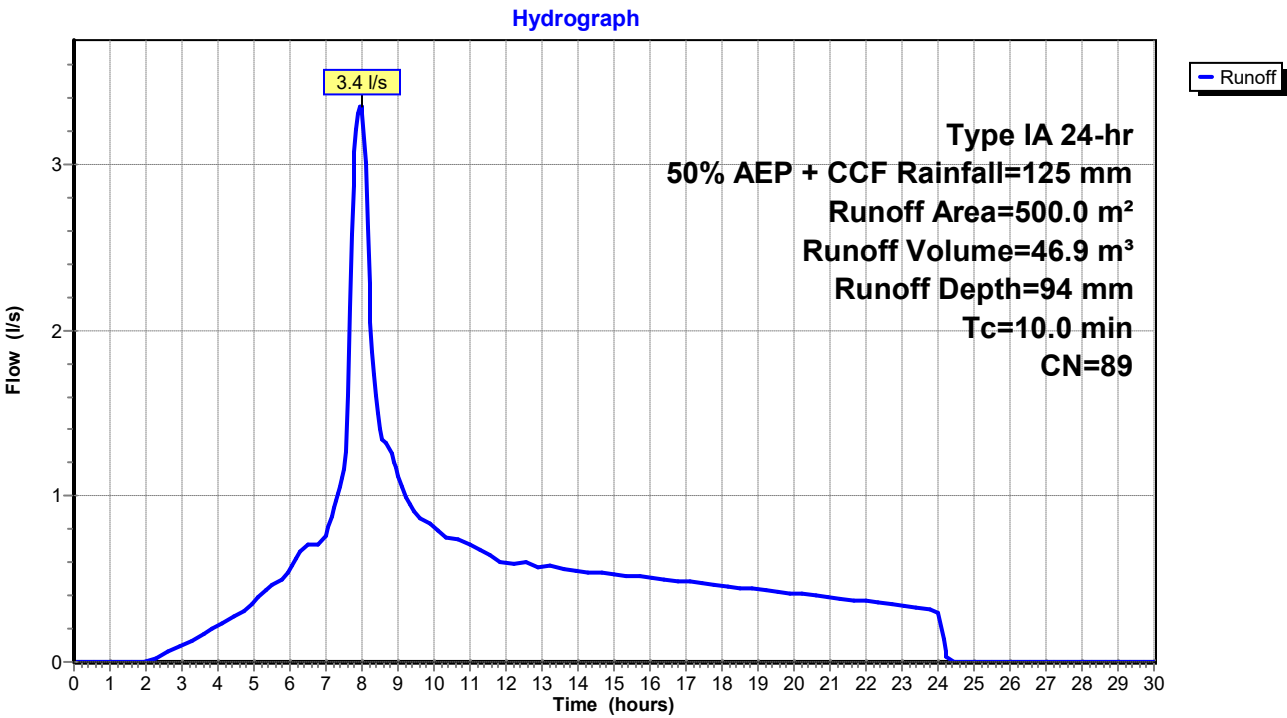
Runoff = 3.4 l/s @ 7.97 hrs, Volume= 46.9 m³, Depth= 94 mm
Routed to Reach 9R : Swale A

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
Type IA 24-hr 50% AEP + CCF Rainfall=125 mm

Area (m²)	CN	Description
* 500.0	89	Paved parking, HSG C
500.0		100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m³/s)	Description
10.0					Direct Entry,

Subcatchment 10S: Driveway Area to Swale A (500m²)



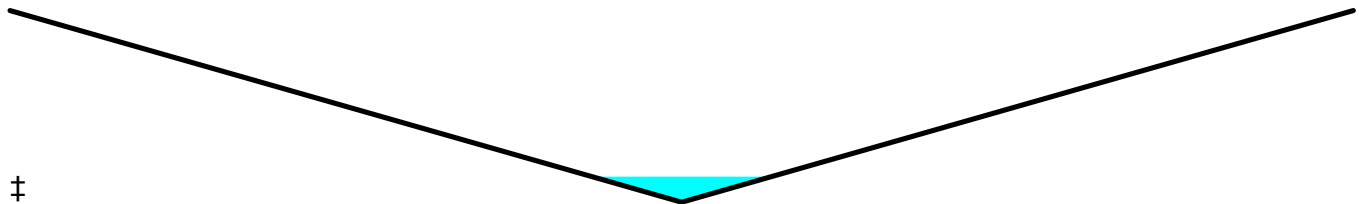
Summary for Reach 9R: Swale A

Inflow Area = 500.0 m², 0.00% Impervious, Inflow Depth = 94 mm for 50% AEP + CCF event
 Inflow = 3.4 l/s @ 7.97 hrs, Volume= 46.9 m³
 Outflow = 3.3 l/s @ 8.00 hrs, Volume= 46.9 m³, Atten= 0%, Lag= 1.8 min
 Routed to Pond 6P : Dry Pond

Routing by Dyn-Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
 Max. Velocity= 0.40 m/s, Min. Travel Time= 3.0 min
 Avg. Velocity= 0.25 m/s, Avg. Travel Time= 4.8 min

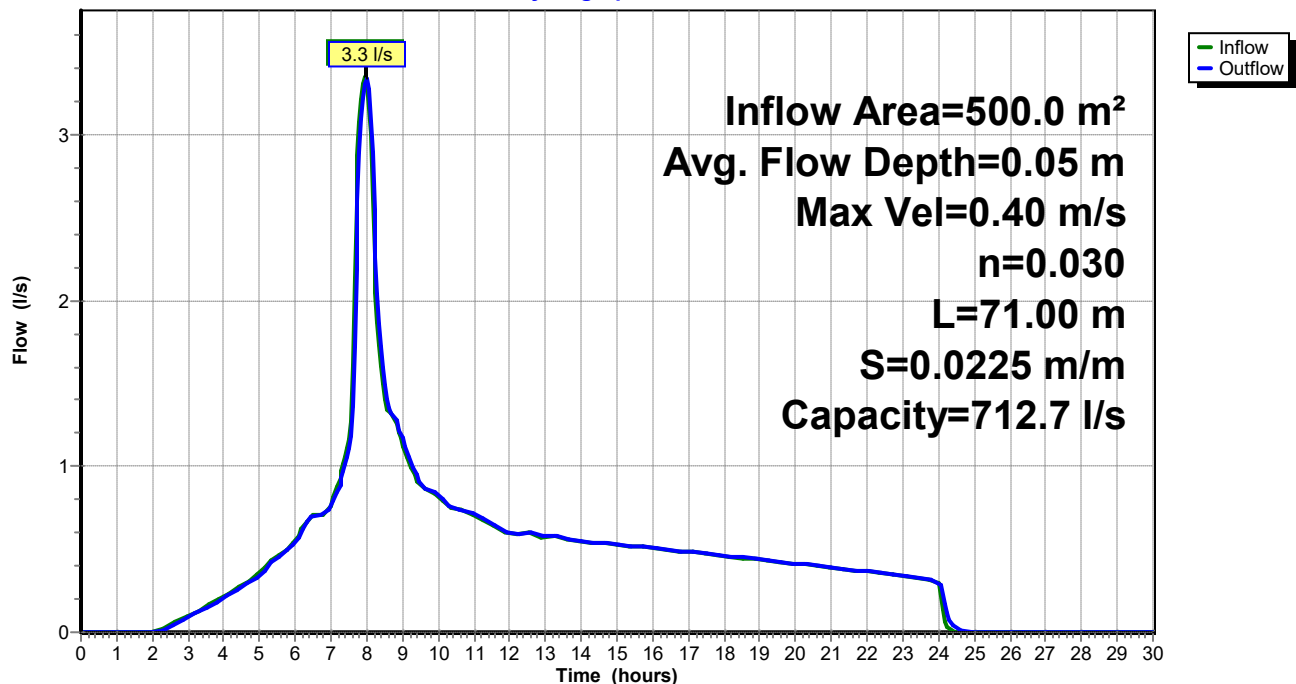
Peak Storage= 0.6 m³ @ 8.00 hrs
 Average Depth at Peak Storage= 0.05 m, Surface Width= 0.36 m
 Bank-Full Depth= 0.35 m Flow Area= 0.47 m², Capacity= 712.7 l/s

0.00 m x 0.35 m deep channel, n= 0.030 Short grass
 Side Slope Z-value= 3.8 m/m Top Width= 2.66 m
 Length= 71.00 m Slope= 0.0225 m/m
 Inlet Invert= 207.800 m, Outlet Invert= 206.200 m



Reach 9R: Swale A

Hydrograph



Summary for Pond 6P: Dry Pond

Inflow Area = 650.0 m², 0.00% Impervious, Inflow Depth = 94 mm for 50% AEP + CCF event
 Inflow = 4.3 l/s @ 8.00 hrs, Volume= 61.0 m³
 Outflow = 0.9 l/s @ 11.04 hrs, Volume= 61.1 m³, Atten= 79%, Lag= 182.5 min
 Discarded = 0.9 l/s @ 11.04 hrs, Volume= 61.1 m³

Routing by Dyn-Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
 Peak Elev= 0.191 m @ 11.04 hrs Surf.Area= 105.1 m² Storage= 14.7 m³

Plug-Flow detention time= 190.7 min calculated for 61.0 m³ (100% of inflow)
 Center-of-Mass det. time= 191.1 min (923.4 - 732.3)

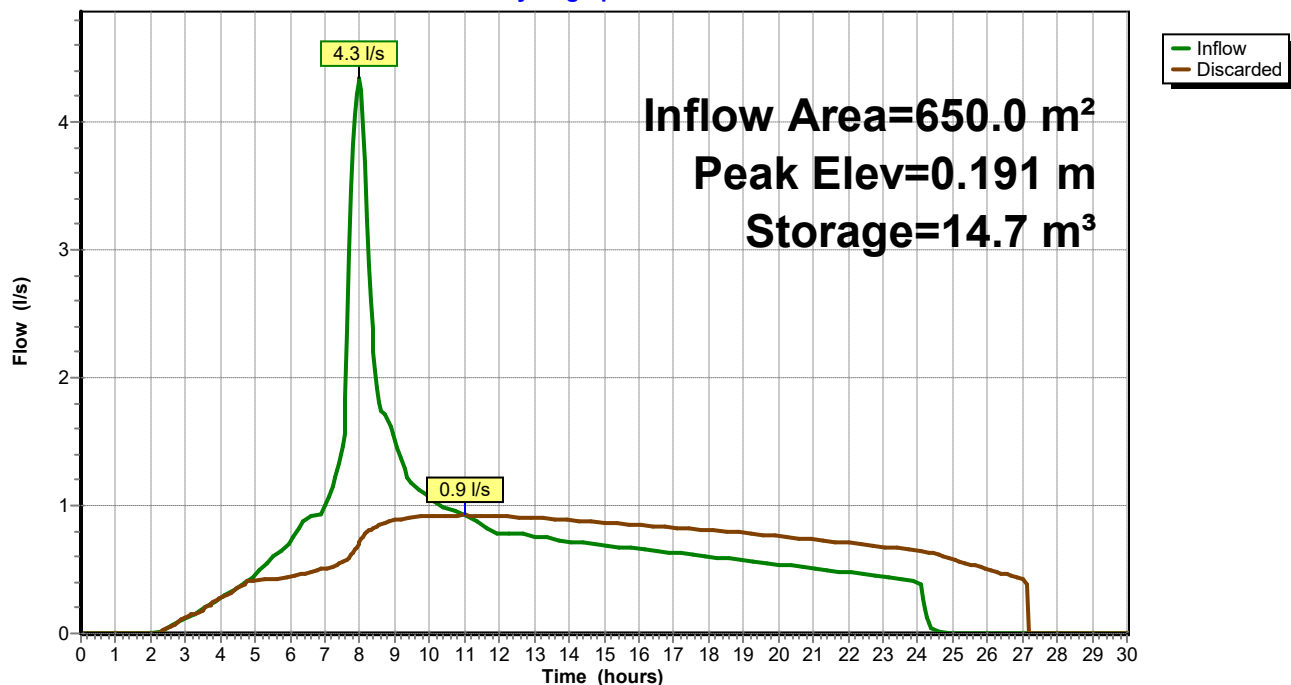
Volume	Invert	Avail.Storage	Storage Description
#1	0.000 m	43.7 m ³	2.00 mW x 25.00 mL x 0.40 mH Prismatic Z=5.0

Device	Routing	Invert	Outlet Devices
#0	Discarded	0.400 m	Automatic Storage Overflow (Discharged without head)
#1	Discarded	0.000 m	30.00 mm/hr Exfiltration over Wetted area Conductivity to Groundwater Elevation = -3.000 m

Discarded OutFlow Max=0.9 l/s @ 11.04 hrs HW=0.191 m (Free Discharge)
 ←1=Exfiltration (Controls 0.9 l/s)

Pond 6P: Dry Pond

Hydrograph



Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 8S: Driveway Area Direct Runoff Area=150.0 m² 0.00% Impervious Runoff Depth=134 mm
Tc=10.0 min CN=89 Runoff=1.4 l/s 20.2 m³

Subcatchment 10S: Driveway Area to Runoff Area=500.0 m² 0.00% Impervious Runoff Depth=134 mm
Tc=10.0 min CN=89 Runoff=4.8 l/s 67.2 m³

Reach 9R: Swale A Avg. Flow Depth=0.05 m Max Vel=0.44 m/s Inflow=4.8 l/s 67.2 m³
n=0.030 L=71.00 m S=0.0225 m/m Capacity=712.7 l/s Outflow=4.8 l/s 67.2 m³

Pond 6P: Dry Pond Peak Elev=0.279 m Storage=25.1 m³ Inflow=6.2 l/s 87.4 m³
Outflow=1.2 l/s 87.3 m³

Total Runoff Area = 650.0 m² Runoff Volume = 87.4 m³ Average Runoff Depth = 134 mm
100.00% Pervious = 650.0 m² 0.00% Impervious = 0.0 m²

Summary for Subcatchment 8S: Driveway Area Direct to Dry-Pond (150m²)

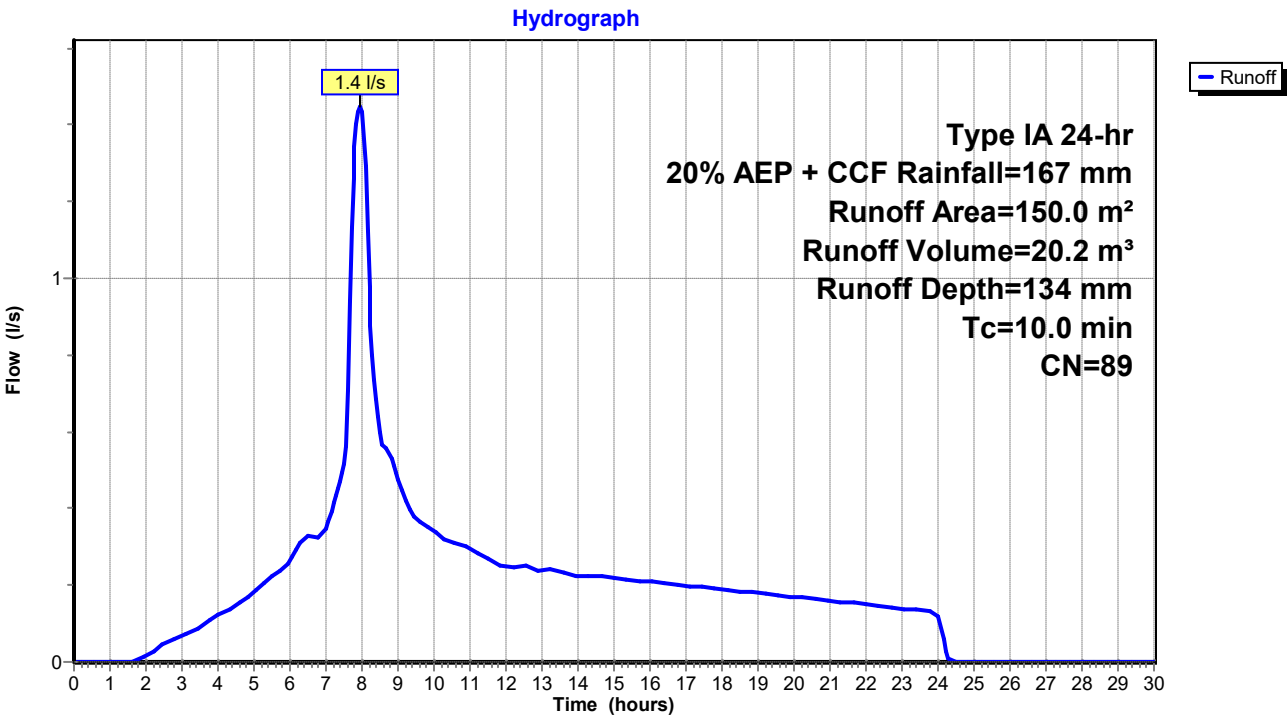
Runoff = 1.4 l/s @ 7.96 hrs, Volume= 20.2 m³, Depth= 134 mm
Routed to Pond 6P : Dry Pond

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
Type IA 24-hr 20% AEP + CCF Rainfall=167 mm

Area (m²)	CN	Description
* 150.0	89	Unconnected pavement, HSG C
150.0		100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m³/s)	Description
10.0					Direct Entry,

Subcatchment 8S: Driveway Area Direct to Dry-Pond (150m²)



Summary for Subcatchment 10S: Driveway Area to Swale A (500m²)

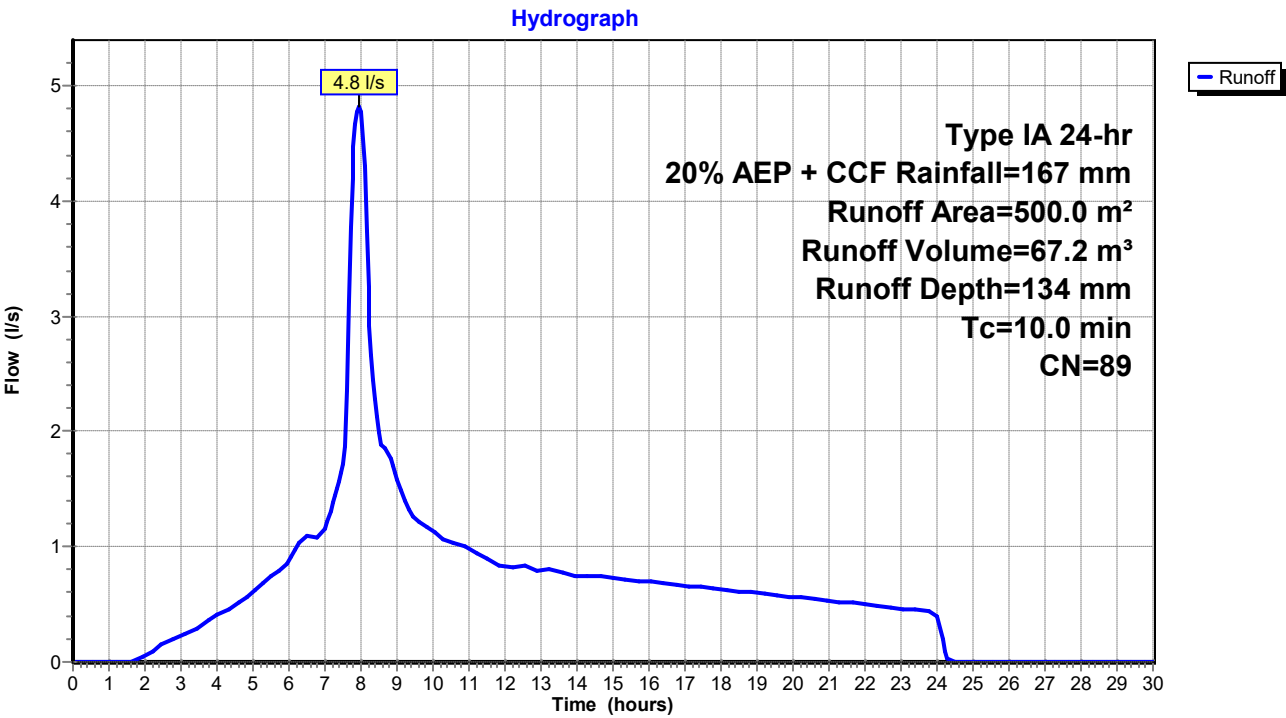
Runoff = 4.8 l/s @ 7.96 hrs, Volume= 67.2 m³, Depth= 134 mm
Routed to Reach 9R : Swale A

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
Type IA 24-hr 20% AEP + CCF Rainfall=167 mm

Area (m²)	CN	Description
* 500.0	89	Paved parking, HSG C
500.0		100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m³/s)	Description
10.0					Direct Entry,

Subcatchment 10S: Driveway Area to Swale A (500m²)



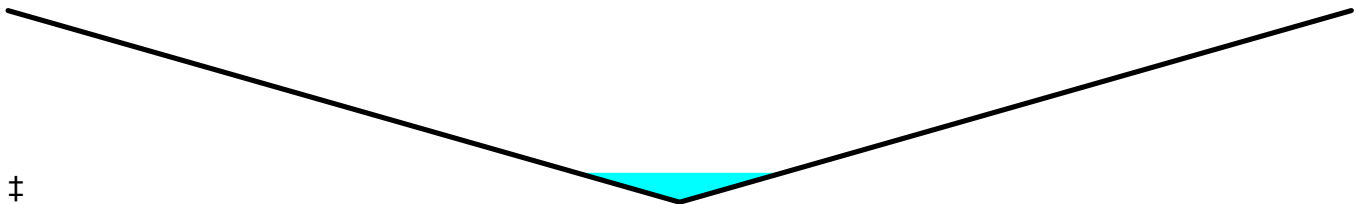
Summary for Reach 9R: Swale A

Inflow Area = 500.0 m², 0.00% Impervious, Inflow Depth = 134 mm for 20% AEP + CCF event
 Inflow = 4.8 l/s @ 7.96 hrs, Volume= 67.2 m³
 Outflow = 4.8 l/s @ 7.99 hrs, Volume= 67.2 m³, Atten= 0%, Lag= 1.8 min
 Routed to Pond 6P : Dry Pond

Routing by Dyn-Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
 Max. Velocity= 0.44 m/s, Min. Travel Time= 2.7 min
 Avg. Velocity= 0.27 m/s, Avg. Travel Time= 4.4 min

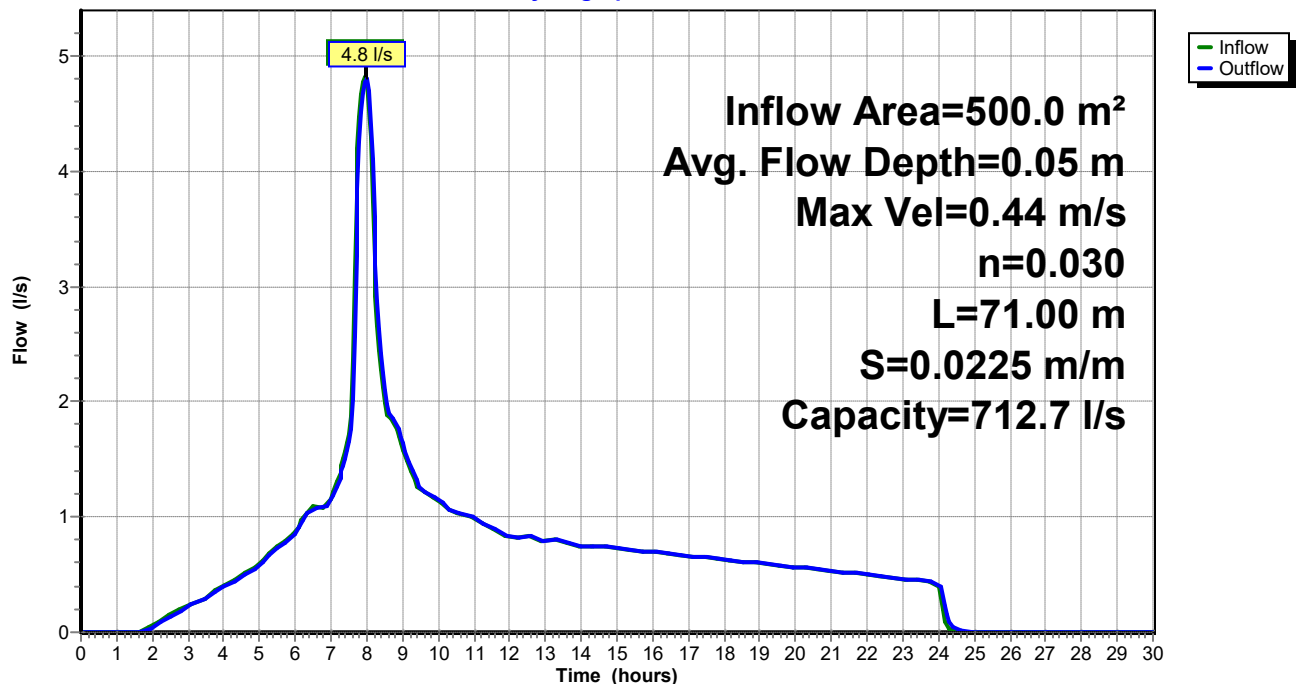
Peak Storage= 0.8 m³ @ 7.99 hrs
 Average Depth at Peak Storage= 0.05 m, Surface Width= 0.41 m
 Bank-Full Depth= 0.35 m Flow Area= 0.47 m², Capacity= 712.7 l/s

0.00 m x 0.35 m deep channel, n= 0.030 Short grass
 Side Slope Z-value= 3.8 m/m Top Width= 2.66 m
 Length= 71.00 m Slope= 0.0225 m/m
 Inlet Invert= 207.800 m, Outlet Invert= 206.200 m



Reach 9R: Swale A

Hydrograph



Summary for Pond 6P: Dry Pond

Inflow Area = 650.0 m², 0.00% Impervious, Inflow Depth = 134 mm for 20% AEP + CCF event
 Inflow = 6.2 l/s @ 7.99 hrs, Volume= 87.4 m³
 Outflow = 1.2 l/s @ 11.46 hrs, Volume= 87.3 m³, Atten= 81%, Lag= 208.3 min
 Discarded = 1.2 l/s @ 11.46 hrs, Volume= 87.3 m³

Routing by Dyn-Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
 Peak Elev= 0.279 m @ 11.46 hrs Surf.Area= 133.0 m² Storage= 25.1 m³

Plug-Flow detention time= 267.6 min calculated for 87.3 m³ (100% of inflow)
 Center-of-Mass det. time= 266.5 min (981.6 - 715.2)

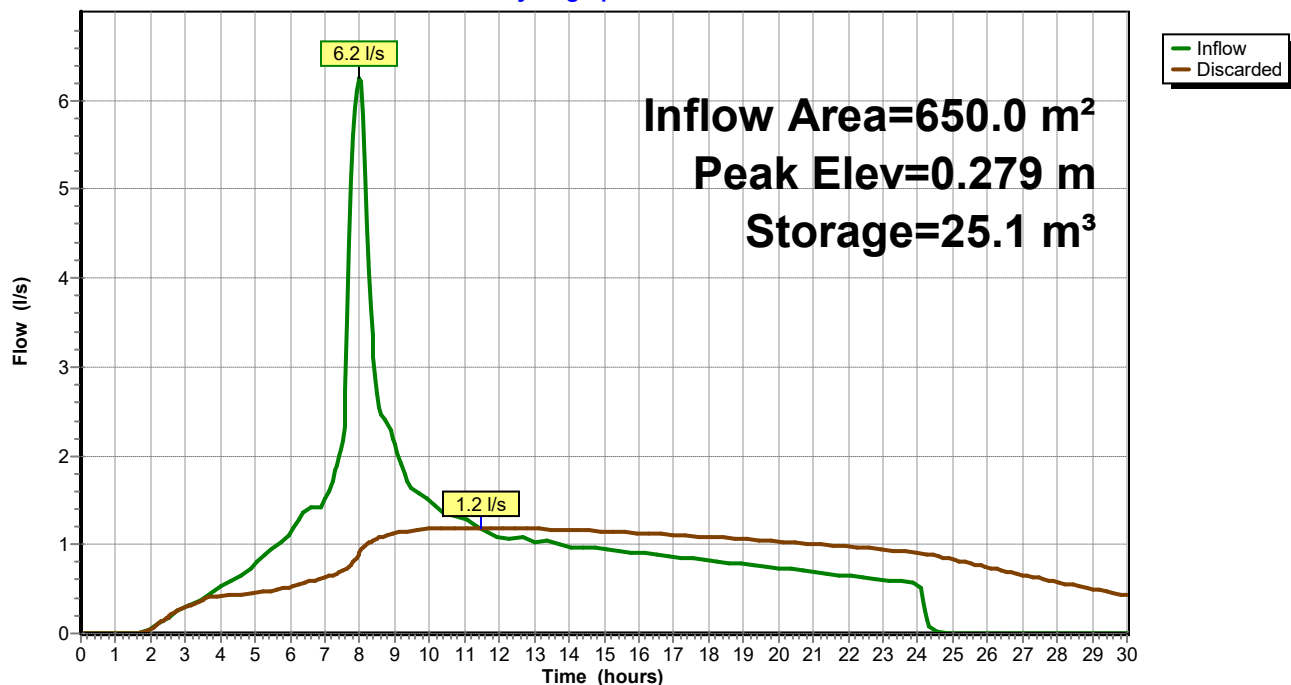
Volume	Invert	Avail.Storage	Storage Description
#1	0.000 m	43.7 m ³	2.00 mW x 25.00 mL x 0.40 mH Prismatic Z=5.0

Device	Routing	Invert	Outlet Devices
#0	Discarded	0.400 m	Automatic Storage Overflow (Discharged without head)
#1	Discarded	0.000 m	30.00 mm/hr Exfiltration over Wetted area Conductivity to Groundwater Elevation = -3.000 m

Discarded OutFlow Max=1.2 l/s @ 11.46 hrs HW=0.279 m (Free Discharge)
 ↑1=Exfiltration (Controls 1.2 l/s)

Pond 6P: Dry Pond

Hydrograph



ANNEXURE B – Supporting Site Photos



Northern aspect down driveway entry toward Wiroa Road.



Southern aspect up driveway entry toward existing dwelling.



Approximate location of future dry pond (right hand side of image)



Existing dwelling from driveway



Existing dwelling and patio from eastern garden.



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

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




R.W. Muir
Registrar-General
of Land

Identifier **1220394**
Land Registration District **North Auckland**
Date Issued 05 May 2025

Prior References
916981

Estate Fee Simple
Area 199.9870 hectares more or less
Legal Description Lot 3 Deposited Plan 120529 and Lot 2
Deposited Plan 613296

Registered Owners

Freeman Trustee 2024 Limited, Kariene Nelda Gardiner, John Raymond Gillett, Michael James Gillett and David Alexander Gillett

Interests

Subject to Section 8 Mining Act 1971 (affects Lot 2 DP 613296)

Subject to Section 168A Coal Mines Act 1925 (affects Lot 2 DP 613296)

Subject to a right (in gross) to convey water over part Lot 2 DP 613296 marked E on DP 613296 in favour of The Kerikeri Irrigation Company Limited created by Gazette Notice (N.Z. Gazette Notice 8.12.1994 No 133 page 4353) C695768.2 - 20.12.1994 at 1.39 pm

Subject to a right (in gross) to convey electricity, telecommunications and computer media over part Lot 3 DP 120529 marked B on DP 488711 in favour of Top Energy Limited created by Easement Instrument 10312705.2 - 10.3.2016 at 2:46 pm

11489914.4 Mortgage to Rabobank New Zealand Limited - 24.7.2019 at 3:14 pm

11734759.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 12.8.2024 at 4:09 pm (affects Lot 2 DP 613296)

Subject to a right of way and a right to convey water, electricity and telecommunications over part Lot 2 DP 613296 marked B on DP 613296 created by Easement Instrument 11734759.3 - 12.8.2024 at 4:09 pm

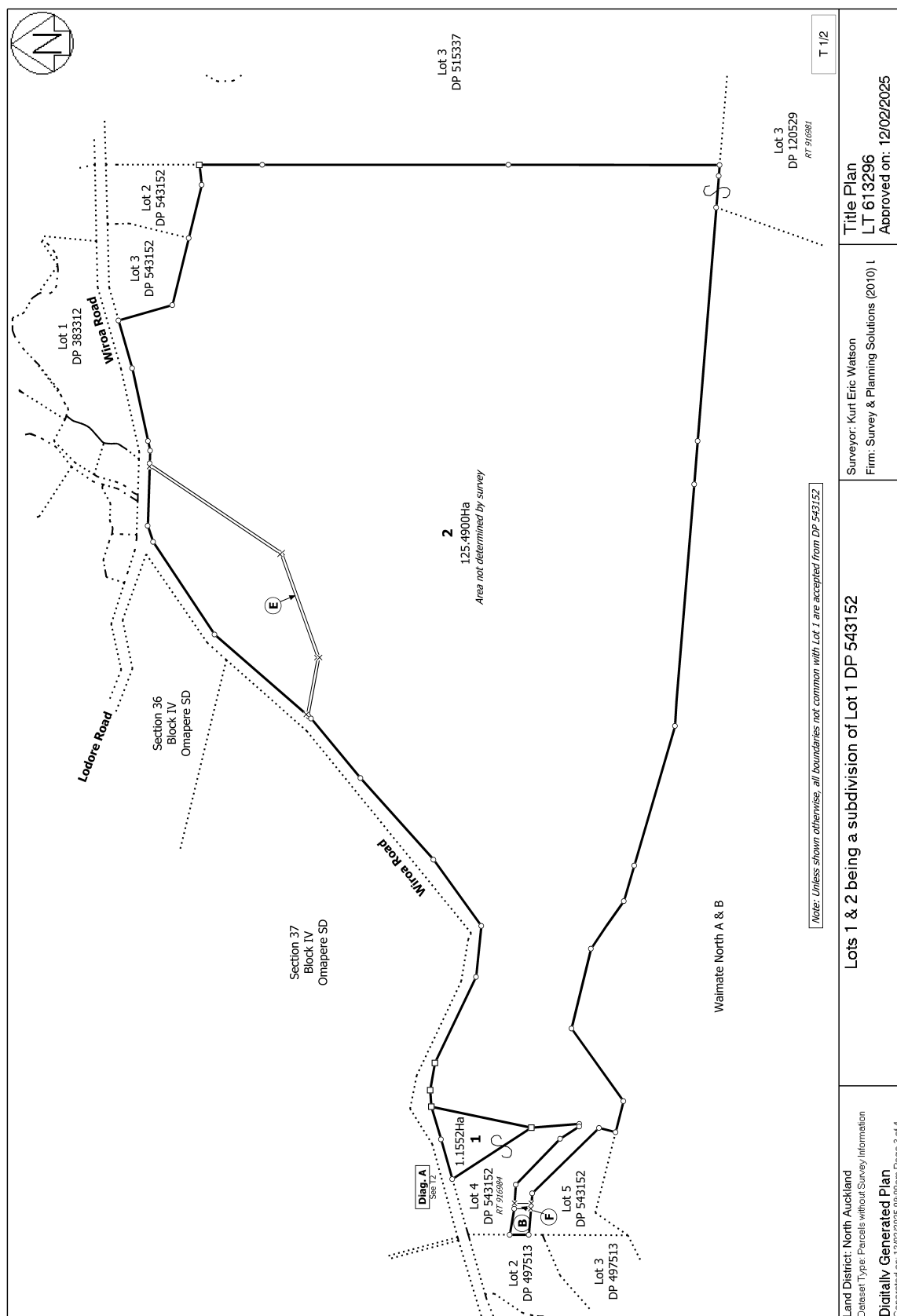
Appurtenant to Lot 2 DP 613296 is a right of way and a right to convey water, electricity and telecommunications created by Easement Instrument 11734759.3 - 12.8.2024 at 4:09 pm

The easements created by Easement Instrument 11734759.3 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way and a right to convey electricity, telecommunications and water over part Lot 2 DP 613296 marked F on DP 613296 created by Easement Instrument 11734759.4 - 12.8.2024 at 4:09 pm

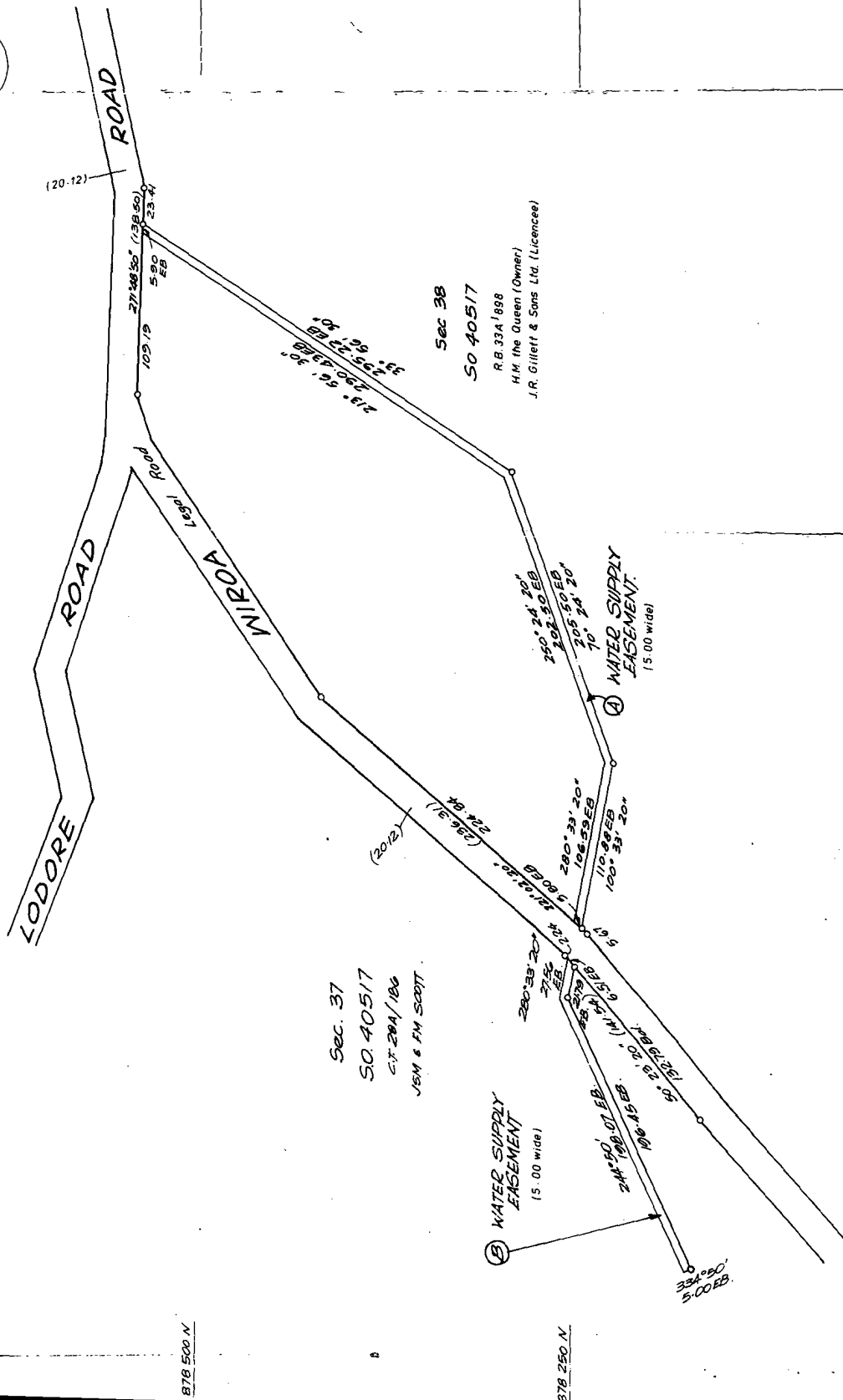
Subject to Section 241(2) Resource Management Act 1991 (affects DP 613296)

Land Covenant in Covenant Instrument 13216110.6 - 5.5.2025 at 1:52 pm



197. SW7N

C695768.26N



SCHEDULE OF EASEMENTS			
PURPOSE	SHOWN	OVER	AREA
WATER SUPPLY	(A)	PT. SEC. 38 BLK. IV OMAREPE SD.	3027m ²
	(B)	PT. SEC. 37 OMAREPE SD.	1109m ²

APPROVED AS TO EASEMENT BOUNDARIES
 S. GILLITT
 DISTRICT COMMISSIONER
 OF WORKS
 DATE 24/3/82
 FILE NO. 5012/5211

Total Area
 Comprised in C.T. 28A/186 & R.B. 33A/188

I, LEONARD SYDNEY CLOVER, of AUCKLAND
 Registered Surveyor and holder of an annual practicing certificate
 hereby certify that this plan has been made from surveys executed
 by me or under my direction; that both plan and survey are correct
 and have been made in accordance with the regulations under the
 Surveyors Act 1966
 Dated at AUCKLAND this 25th day
 of February 1982 Signature: L. S. Clover

Field Book p. Traverse Book p.

Reference Plans

Examined Correct

Approved as to Survey

Chief Surveyor

Deposited this day of 19

District Land Registrar

SO. 56393

File 6182 Received

LOCAL AUTHORITY: BAY OF ISLANDS COUNTY
 Surveyed by: MURRAY NORTH PARTNERS LTD
 Scale 1:2000 Date MAY 1981

PLAN OF EASEMENTS REQUIRED FOR
 WATER SUPPLY PURPOSES.

LAND DISTRICT NORTH AUCKLAND
 SURVEY BLK. & DIST. IV OMAREPE
 NZMS SHEET NO.

Acquiring an Easement Over Land in Far North District

Pursuant to section 20 (1) of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Manager, Lands and Property, Department of Survey and Land Information, Auckland, declares that, an agreement to that effect having been entered into, a right to convey water over the land described in the First Schedule, containing the rights and powers contained in the second and fifth paragraphs of the Seventh Schedule of the Land Transfer Act 1952, as modified by the additional terms and conditions described in the Second Schedule hereto is acquired for irrigation purposes and shall vest in the Crown on the date of publication in the *New Zealand Gazette*.

First Schedule

North Auckland Land District

3027 square metres, being part Section 38, Block IV, Omapere Survey District; shown marked "A" on S.O. Plan 56393, lodged in the office of the Chief Surveyor at Auckland

Second Schedule

North Auckland Land District

Modifications to Easement

1. R. G. Gillett and Company Limited of Waipapa, (hereinafter, together with its executors or administrators and assigns, called "the owners") are the grantors and Her Majesty the Queen (hereinafter, together with her heirs, successors, officers and assigns, called "the Crown") is the grantee of the easement herein acquired for the purposes of the Kerikeri Irrigation Scheme.

2. The Crown hereby agrees that if the water supply pipeline is no longer required for the purposes of the Kerikeri Irrigation Scheme, such determination to be made at the sole discretion of the Crown, the Crown will at the request of the owners release the owners from these presents and discharge any compensation certificate or extinguish any easement registered against the owners' certificate of title provided that no compensation will be payable to the Crown or the owner.

3. The water supply pipeline shall be placed along the line marked "A" on S.O. Plan 56393 and the easement shall apply to the land 2.5 metres either side of the pipeline.

4. The boundaries of the easement shall not be fenced and the owner or occupier of the land shall have the right to use the same (except for such use as may be reasonably held to interfere with the enjoyment of the Crown and its assigns as owner of the pipeline hereunder) but shall not erect any building construction or fence or plant any trees or shrub on the easement strip, disturb the soil of the easement strip below a depth of 300 mm from the surface, or do anything which would or could damage or endanger the pipeline without the consent of the Crown or its assigns being first obtained in writing. Any such consent shall not be unreasonably withheld.

5. The Crown shall have the right of entry after giving reasonable notice where practicable upon the easement land at any time with or without engineers and workmen and

with or without any necessary vehicles, implements, tools, pipes and materials of any kind for the purpose of laying, maintaining, repairing, inspecting and from time to time renewing and opening up the land within the easement area as may be necessary for those purposes.

6. When the pipeline is above or below the surface of the ground it shall be placed so as to interfere as little as possible with ordinary cultivation as aforesaid of the said land and in so doing or in laying, maintaining, repairing, inspecting or renewing or removing the pipeline as little damage as possible shall be caused to the said land. Any such damage caused shall be made good by the Crown and the land shall be restored as near as reasonably practicable to the condition existing before entry or alternatively the Crown may at its option compensate the owner for any damage.

7. Liability of Owner in Respect of Damage to Pipeline

If the owner, his servants, contractors, agents, invitees or workmen shall in any way damage the pipeline the liability of the owner in respect of such damage shall be as follows:

(a) If the owner shall have obtained a permit (either in writing or in such other manner as the Crown may from time to time in its absolute discretion determine) from the Crown authorising him to carry out any particular work on the pipeline easement and in the course of carrying out such work in compliance with the conditions set forth in such permit such damage shall occur then the owner shall not be liable for the costs of an incidental to the repairing of such damage.

(b) If prior to commencement of any work on the pipeline easement the owner shall fail to obtain a permit in writing from the Crown and if having obtained such permit as aforesaid fails to comply with the terms and conditions set forth therein or otherwise imposed by the Crown in respect thereof and if such damage shall occur during the course of such work then the owner shall be liable for the first one thousand dollars (\$1,000.00) only on the cost of making good such damage and incidental loss which may have been suffered by the Crown provided that the aforesaid limitation of liability to one thousand dollars (\$1,000.00) to be borne by the owner as aforesaid shall be adjusted upwards automatically on an annual basis by relating the same to movements in the General Consumer Prices Index (ACP Groups) (C.P.I.) for New Zealand published from time to time by the New Zealand Department of Statistics to establish at any given time in the future the then value of the aforesaid sum of one thousand dollars (\$1,000.00). Such adjustments shall be made on the basis of movements in the C.P.I. for 12 month periods ending on the 31st day of March in each and every year the first such adjustment to be made for the year ending 31st day of March 1983.

8. The Crown shall have the right to erect and maintain such fixtures or markers as may be necessary to indicate the location of the pipeline.

Dated at Auckland this 29th day of November 1994.

G. A. DAWSON, Manager, Lands and Property.

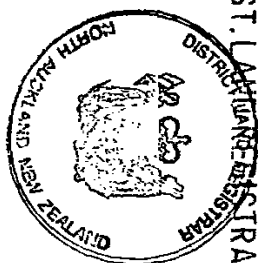
(DOSLI Ak. D.O. 52/12/52/0/21)

128840

1CL

1.39 20.DEC94 C695768,2

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
ASST. LAND REGISTRAR.....



Do not type.



View Instrument Details



Instrument No	11734759.2
Status	Registered
Date & Time Lodged	12 August 2024 16:09
Lodged By	McMinn, Tania
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Records of Title	Land District
916980	North Auckland
916981	North Auckland
916982	North Auckland
916983	North Auckland
916984	North Auckland

Annexure Schedule Contains 3 Pages.

Signature

Signed by Vanessa Joy Crosby as Territorial Authority Representative on 12/08/2024 02:19 PM

*** End of Report ***



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Private Bag 752, Auckland 0440, New Zealand

✉ ask@fndc.govt.nz

☎ 0900 920 019

🌐 fndc.govt.nz

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC-2190135-RMASUB

Being the Subdivision of Lots 2-3 DP 392845 Lot 1 DP 409906 Lot 3 DP 120529 Sec 38 Blk
IV Omapere SD
North Auckland Registry

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

SCHEDULE

Lot 1 DP 543152

- (i). No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators. Except that working farm dogs used for agricultural management are permitted on Lot 1 (see condition 3(c)).
- Any working dog must be micro-chipped;
 - Any working dog must be within a dog proof fence area, on a lead or under effective control at all times when outside the fenced area;
 - Any working dog must undertake Kiwi Aversion Training;
 - At night any working dog must be kept in a kennel or tied up.

Prior to the introduction or keeping of any working dog the occupier must provide the following to the Far North District Council RC Monitoring Officer:

- A photograph of the dog;
- Written confirmation that the dog(s) have been micro-chipped;
- A plan showing the extent of the dog proof fenced area;
- Written confirmation that the dogs have undertaken Kiwi Aversion Training.



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Private Bag 752, Kākohe 0440, New Zealand

✉ ask@ndc.govt.nz

☎ 0300 720 019

🌐 ndc.govt.nz

Lot 3 DP 543152

- (ii). Maintain Area D as shown on the Survey Plan as a cleared and grassed only area along part of the road frontage of Lot 3 (no structure shall be erected or vegetation, apart from grass, is permitted to grow).

Lots 2, 3, 4 and 5 DP 543152

- (iii). In conjunction with the construction of any building requiring a wastewater disposal system the lot owner shall obtain a Building Consent and install the wastewater treatment and effluent disposal system as detailed in the report prepared by O'Brien Design Consulting Ltd, job 2129, dated 28th August 2018 and submitted with Resource Consent 2190135.

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

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

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

- (iv). Electricity supply is not a condition of this consent and power has not been reticulated to the boundary of the lot. The lot owner is responsible for the provision of a power supply to operate the on-site aerobic wastewater treatment plant and any other device which requires electrical power to operate.
- (v). 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.
- (vi). In conjunction with the construction of any building, the lot owner shall install a stormwater retention tank with a flow attenuated outlet. The system shall be designed such that the total stormwater discharged from the site, after development, is at no time greater than the pre-development flow from the site for rainfall events up to a 10% AEP plus allowance for climate change of 2.50C. The details of the onsite retention storage and flow attenuation shall be prepared by a suitably qualified chartered professional engineer and submitted with the Building Consent application.
- (vii). Without the prior approval of the Council, no building shall be erected, nor any works undertaken which increase impermeable surfaces, nor any planting or structure placed which may create a flow obstruction, on any area of the site which has been proposed or identified as an overland flow path.



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- (viii). No occupier of, or visitor to the site, shall keep or introduce to the site carnivorous or omnivorous animals (such as cats, dogs or mustelids) which have the potential to be kiwi predators.

A handwritten signature in black ink, appearing to read 'Nicola Cowley'.

SIGNED:

Ms Nicola Cowley - Authorised Officer
By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE CONSENTS

DATED at KERIKERI this 1st day of August 2024

View Instrument Details



Instrument No 11734759.3
Status Registered
Date & Time Lodged 12 August 2024 16:09
Lodged By McMinn, Tania
Instrument Type Easement Instrument



Affected Records of Title	Land District
916980	North Auckland
916981	North Auckland
916982	North Auckland
916983	North Auckland
916984	North Auckland

Annexure Schedule Contains 4 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 11489914.4 has consented to this transaction and I hold that consent ☒

Signature

Signed by Vanessa Joy Crosby as Grantor Representative on 12/08/2024 02:20 PM

Grantee Certifications

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

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

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

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

Signature

Signed by Vanessa Joy Crosby as Grantee Representative on 12/08/2024 02:20 PM

*** End of Report ***

Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

NELDA PAULENE GILLETT and UMK TRUSTEES (GILLETT) LIMITED

Grantee

NELDA PAULENE GILLETT and UMK TRUSTEES (GILLETT) LIMITED

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 of Easement, or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of Way	Marked "A" on DP 543152	Lot 4 DP 543152 RT: 916984	Lot 1 DP 543152 RT: 916981 Lot 5 DP 543152 RT: 916980
Right of Way	Marked "B" on DP 543152	Lot 1 DP 543152 RT: 916981	Lot 5 DP 543152 RT: 916980

Schedule A*Continue in additional Annexure Schedule, if required*

Purpose of Easement, or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of Way	Marked "C" on DP 543152	Lot 2 DP 543152 RT: 916982	Lot 3 DP 543152 RT: 916983
Right to Convey Water, Electricity and Telecommunications	Marked "A" on DP 543152	Lot 4 DP 543152 RT: 916984	Lot 1 DP 543152 RT: 916981 Lot 5 DP 543152 RT: 916980
Right to Convey Water, Electricity and Telecommunications	Marked "B" on DP 543152	Lot 1 DP 543152 RT: 916981	Lot 5 DP 543152 RT: 916980
Right to Convey Water, Electricity and Telecommunications	Marked "C" on DP 543152	Lot 2 DP 543152 RT: 916982	Lot 3 DP 543152 RT: 916983

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

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

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

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

~~{Memorandum number _____, registered under section 209 of the Land Transfer Act 2017}~~

[the provisions set out in Annexure Schedule B]

ANNEXURE SCHEDULE B

Right to Convey Water

In the event of any conflict between the terms of the Land Transfer Regulations 2018 and the terms of this Annexure Schedule, the terms of this Annexure Schedule shall prevail.

Definition

“the Farm” means the land described as Lot 1 DP 543152 and Lot 3 DP 120529 in Record of Title 916981

1. The easements for the right to convey water over areas “A”, “B” and “C” on DP 543152 have been put in place in order to “future proof” the development in the event that a town water supply becomes available. The rights to convey water contained in this Easement Instrument do not create a right to convey water from the water source for the Farm, being the spring located within easement area “B” on DP 543152.
2. Any existing water infrastructure within easement areas “A”, “B” and “C” on DP 543152 as at the date of registration of this Easement Instrument shall not form part of the easement facility as that term is defined in Schedule 5 of the Land Transfer Regulations 2018 and may not be used by the Registered Owners of Lots 2, 3, 4 and 5 DP 543152.

View Instrument Details



Instrument No 11734759.4
Status Registered
Date & Time Lodged 12 August 2024 16:09
Lodged By McMinn, Tania
Instrument Type Easement Instrument



Affected Records of Title	Land District
916980	North Auckland
916981	North Auckland

Annexure Schedule Contains 3 Pages.

Grantor Certifications

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

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

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

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

I certify that the Mortgagee under Mortgage 11489914.4 has consented to this transaction and I hold that consent ☒

Signature

Signed by Vanessa Joy Crosby as Grantor Representative on 12/08/2024 02:21 PM

Grantee Certifications

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

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

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

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

Signature

Signed by Vanessa Joy Crosby as Grantee Representative on 12/08/2024 02:21 PM

*** End of Report ***

Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

NELDA PAULENE GILLETT and UMK TRUSTEES (GILLETT) LIMITED

Grantee

NELDA PAULENE GILLETT and UMK TRUSTEES (GILLETT) LIMITED

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 of Easement, or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of Way and Right to Convey Electricity, Telecommunications and Water	Marked "F" on DP 603136	Lot 1 DP 543152 RT: 916981	Lot 5 DP 543152 RT: 916980

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

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

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

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

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

[the provisions set out in Annexure Schedule B]

ANNEXURE SCHEDULE B

Right to Convey Water

In the event of any conflict between the terms of the Land Transfer Regulations 2018 and the terms of this Annexure Schedule, the terms of this Annexure Schedule shall prevail.

Definition

“the Farm” means the land described as Lot 1 DP 543152 and Lot 3 DP 120529 in Record of Title 916981

1. The easement for the right to convey water over area “F” on DP 603136 has been put in place in order to “future proof” the development in the event that a town water supply becomes available. The right to convey water contained in this Easement Instrument does not create a right to convey water from the water source for the Farm, being the spring located within easement area “B” on DP 543152.
2. Any existing water infrastructure within easement area “F” on DP 603136 as at the date of registration of this Easement Instrument shall not form part of the easement facility as that term is defined in Schedule 5 of the Land Transfer Regulations 2018 and may not be used by the Registered Owner of 5 DP 543152.



Top Energy Limited

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New Zealand
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FAX +64 (0)9 407 0611

3 July 2025

Natalie Watson
Williams & King
PO Box 937
KERIKERI 0230

Email: nat@saps.co.nz

To Whom It May Concern:

RE: PROPOSED SUBDIVISION
Gillett Family Trust – 545 Wiroa Road, Kerikeri. Lot 2 DP 613296.

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 there is an existing power supply to proposed lot 2.

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