

Application for resource consent or fast-track resource consent

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

1. Pre-Lodgement Meeting

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

2. Type of Consent being applied for

(more than one circle can be ticked):

- | | |
|---|---|
| <input type="radio"/> Land Use | <input type="radio"/> Discharge |
| <input type="radio"/> Fast Track Land Use* | <input type="radio"/> Change of Consent Notice (s.221(3)) |
| <input checked="" type="radio"/> Subdivision | <input type="radio"/> Extension of time (s.125) |
| <input type="radio"/> Consent under National Environmental Standard
(e.g. Assessing and Managing Contaminants in Soil) | |
| <input checked="" type="radio"/> Other (please specify) <u>Cancel consent notice 13092224.2</u> | |

* 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:

Nicholas Fewtrell

Email:

Phone number:

Home

Postal address:

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

Postcode

6. Address for Correspondence

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

Name/s:

Reyburn and Bryant

Email:

Phone number:

Home

Postal address:

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

Postcode

0140

** 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:

M N M Lynn Limited

**Property Address/
Location:**

Postcode

8. Application Site Details

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

Name/s:

Nicholas Fewtrell

**Site Address/
Location:**



Postcode

Legal Description:

Val Number:

Certificate of title:

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

Site visit requirements:

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

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

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

9. Description of the Proposal:

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

To subdivide the subject site (Lot 3 LT 618776) into two lots

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

13. Draft Conditions:

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

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

14. Billing Details:

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

Name/s: (please write in full)

Nicholas Fewtrell

Email:

Phone number:

Postal address:

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

Home

Postcode

0293

Fees Information

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

Declaration concerning Payment of Fees

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

Name: (please write in full)

Nicholas Fewtrell

Signature:

(signature of bill payer)

MANDATORY

15. Important Information:

Note to applicant

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

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

Fast-track application

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

Privacy Information:

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

15. Important information continued...

Declaration

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

Name: (please write in full)

James Connon

Signature:



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.

Application for subdivision consent and
Section 221 approval

NICHOLAS FEWTRELL

Haruru Falls Road, Haruru, Northland

Application for subdivision consent and Section 221 approval

NICHOLAS FEWTRELL

Haruru Falls Road, Haruru, Northland

Report prepared for:	Nicholas Fewtrell
Author	James Saxby Connon, <i>Planner</i>
Reviewed by:	Joseph Henehan, <i>Associate</i>
Consent authority:	Far North District Council
Report reference:	18501
Report status:	Final
Date:	August 2025

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Reyburn and Bryant

P.O. Box 191

Whangarei 0140

Telephone: (09) 438 3563

FORM 9

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

To Far North District Council
Private Bag 752
Kaikohe 0440

1. Nicholas Fewtrell applies for subdivision consent from the Far North District Council.
2. The activity to which this application relates is to subdivide the subject site into two lots.
3. The location of the proposed activity is Haruru Falls Road, Haruru. The underlying site is currently in the process of being subdivided (2250277-RMASUB). New titles for the underlying site have not been issued; however, s223 has been approved. The underlying title reference is RT 1169137, and the legal description is Lot 2 DP 600741.
4. M N M Lynn Limited is the owner of the site. However, the site is under contract to Nicholas Fewtrell.
5. There are no other activities to which this application relates.
6. No resource consents are needed for the proposed activity that are not being applied for as part of this application.
7. We attach an assessment of effects on the environment that:
 - (a) includes the information required by clause 6 of Schedule 4 of the Resource Management Act 1991; and
 - (b) addresses the matters specified in clause 7 of Schedule 4 of the Resource Management Act 1991; and
 - (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

-
8. We attach an assessment of the proposed activity against the matters set out in Part 2 of the Resource Management Act 1991.
 9. We attach an assessment of the proposed activity against any relevant provisions of a document referred to in section 104(1)(b) of the Resource Management Act 1991, including information required by clause 2(2) of Schedule 4 of that Act.
 10. No other information is required to be included in the District or Regional Plan(s) or regulations.



James Saxby Connon

20 August 2025

Date

Address for service:

Reyburn and Bryant 1999 Ltd
PO Box 191, Whangarei

Telephone:

(09) 438 3563

Email:

james@reyburnandbryant.co.nz

Contact person:

James Saxby Connon

TABLE OF CONTENTS

1. INTRODUCTION	4
1.1 Report basis	4
1.2 Context – the Far North Proposed District Plan	4
1.3 Proposal summary	5
1.4 Property details	5
1.5 Records of titles memorials	6
1.6 Resource consent sought	10
1.7 Other approvals required	10
1.8 Processing request	11
2. THE SITE AND SURROUNDING ENVIRONMENT	12
2.1 The site	12
2.2 The surrounding environment	16
3. THE PROPOSAL	17
3.1 General	17
3.2 Site suitability	17
3.3 Consent notice cancellations	17
3.4 Servicing arrangements	18
3.5 Access arrangements	19
4. ASSESSMENT OF ENVIRONMENTAL EFFECTS	20
4.1 Existing environment	20
4.2 Permitted baseline	20
4.3 Amenity values and landscape character	20
4.4 Rural production values	23
4.5 Access effects	24
4.6 Servicing effects	24
4.7 Reverse sensitivity	24
4.8 Cultural effects	25
4.9 Natural hazards effects	25
4.10 Adverse effects conclusion	26
5. STATUTORY PLANNING ASSESSMENT	27
5.1 The Far North District Plan	27
5.2 The Far North Proposed District Plan	32
5.3 NES – Soil Contamination	33
5.4 Part 2 assessment – the Resource Management Act	34
6. NOTIFICATION	35
7. CONCLUSION	36

LIST OF TABLES

Table 1: Property details.	5
Table 2: Summary of title memorials.	8
Table 3: Summary of title memorials.	17

LIST OF FIGURES

Figure 1: The underling Title (Source: FNDC GIS)	12
Figure 2: Approved subdivision plans (Source: FNDC consent team)	13
Figure 3: Photo of existing ROW crossing (source Google Maps)	14
Figure 4: Kiwi presence mapping (Source: FNDC GIS)	15
Figure 5: Archaeological map (Source: FNDC GIS)	15
Figure 6: LUC soil classification (Source: Manaaki Landcare Research)	16
Figure 7: Neighbouring viewshafts (Source: FNDC GIS)	22
Figure 8: Image of Lot 2 potential building site relative to ex. dwelling at Lot 1 DP 600741 (source: Google Maps)	22
Figure 9: Image of Lot 1 potential building site (source: Google Maps)	23

APPENDICES

1. Subdivision scheme plan
2. Underlying record of title and memorials
3. Geotechnical suitability report
4. 2250277-RMASUB decision and Section 223 certificate and approved LT plan
5. Written approvals

ABBREVIATIONS

AEE	Assessment of Environmental Effects
FENZ	Fire and Emergency NZ
HAIL	Hazardous Activities and Industries List
FNDC	Far North District Council
FNDP	Far North District Plan
LUC	Land Use Capability
RMA	Resource Management Act, 1991
RT	Record of Title
NES	National Environmental Standard
NES-SC	National Environmental Standard – Soil Contamination
NGS	Northland Geotechnical Specialists
NPS-HPL	National Policy Statement for Highly Productive Land
NZFS	New Zealand Fire Service
PRP	Proposed Regional Plan for Northland
SNA	Significant Natural Area

1. INTRODUCTION

1.1 Report basis

This report has been prepared for Nicholas Fewtrell in support of a resource consent application to subdivide the subject site into two lots at Haruru Falls Road, Haruru. The Lot to which this proposal pertains (Lot 3 LT 618776) is currently in the process of having its title issued, as it forms part of a subdivision of the underlying parent Lot.

The application has been prepared in accordance with Section 88 and the Fourth Schedule of the Resource Management Act, 1991 (RMA). Section 88 of the RMA requires that resource consent applications be accompanied by an Assessment of Environmental Effects (AEE) in accordance with the Fourth Schedule.

The report also includes an analysis of the relevant provisions of the Operative and Proposed Far North District Plan, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES), and the National Policy Statement for Highly Productive Land (NPS-HPL), which are pertinent to the assessment and decision required under s104 of the RMA.

1.2 Context – the Far North Proposed District Plan

The Far North District Council (FNDC) is currently progressing the Proposed Far North District Plan (PFNDP) through the relevant statutory process under the First Schedule of the RMA.

The PFNDP has been notified, and the submission period closed in October 2022. The plan remains subject to further submissions, hearings and commissioner recommendations, Council decisions, and appeals.

Given its limited progress through the relevant statutory process, most of the rules in the PFNDP do not have legal effect. However, several chapters contain rules that have immediate legal effect in accordance with s86B(3) of the RMA. The proposed subdivision does not require consent under any of the operative

rules. The inoperative rules under which the proposal would require consent are identified, and an assessment in the context of the relevant objectives and policies is provided in section 5.2 of this report.

A weighting assessment between the operative and proposed plans is provided in section 5.2 of this report. It is concluded that more weight should be applied to the Operative Far North District Plan (OFNDP).

1.3 Proposal summary

This application seeks consent to subdivide the subject site (Lot 3 LT 618776) into two lots. The subdivision scheme plan is attached in **Appendix 1**.

The sites are zoned Rural Production under both the OFNDP and PFNDP. There are no applicable overlays.

Each of the proposed lots is at least 4ha, and the proposal is therefore classified as a **discretionary activity** under Rule 13.9 of the OFNDP.

1.4 Property details

Applicant and landowner	Nicholas Fewtrell
Location	Haruru Falls Road
Title reference	RT 1169137 (underlying title)
Legal description	Lot 3 LT 618776 (Lot 2 DP 600741 (underlying Lot))
Area	10.7860ha
District Plan	OFNDP and PFNDP
Zone	Rural Production
Overlays	None

Table 1: Property details.

1.5 Records of titles memorials

Table 2 (below) summarises the memorials registered against the underlying title RT 1169137.

Memorial	Comment
Subject to Part IV A Conservation Act 1987	Notices not relevant to the resource consent process.
Subject to Section 8 Atomic Energy Act 1945	
Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)	
Subject to Section 261 Coal Mines Act 1979	
Subject to Section 5 Coal Mines Act 1979	
Subject to Section 3 Geothermal Energy Act 1953	
Subject to Section 3 Petroleum Act 1937	

Subject to Sections 6 and 8 Mining Act 1971	
Easement Instrument 6990849.2	<p>Right of way and right to convey telecommunications, computer media, electricity and water over parts marked A, B, C, D & E and a right to convey electricity over parts marked F, G, H & I, all on DP 443674.</p> <p>This easement is not impacted by and is of no relevance to the proposed subdivision. It will simply pass down on to the new titles eventually issued for this subdivision.</p>
8064273.2 Compensation Certificate	Notices not relevant to the subdivision.
Easement Instrument 8070861.13	<p>Right to convey electricity over part marked J on DP 443674.</p> <p>This easement is not impacted by and is of no relevance to the proposed subdivision. It will simply pass down on to the new titles eventually issued for this subdivision.</p>
Easement Instrument 8213682.2	<p>Right to drain sewage and a right of way (in gross) to FNDC over parts marked D, K, L, M & N on DP 443674.</p> <p>This easement relates to an existing sewer line that passes through the site. This easement is not impacted by and is of no relevance to the proposed subdivision. It will simply pass down on to the new titles eventually issued for this subdivision.</p>
Easement Instrument 9168903.2	<p>Right of way and a right to convey telecommunications & computer media over parts marked A & B, and a right to convey electricity over parts marked C, D, E, F, G, H, I, M, O & P, all on DP 443674.</p>

		This easement is not impacted by and is of no relevance to the proposed subdivision. It will simply pass down on to the new titles eventually issued for this subdivision.
Consent Notice 13092224.2		<p>Consent notice put on Lot 2 DP 600741 relating to:</p> <ul style="list-style-type: none"> - The need to provide a water collection system with sufficient supply for firefighting purposes in accordance with SNZ 4509:2008. - Requiring all habitable buildings of two levels and above to provide specific foundation designs given by a suitably qualified engineer at the building consent stage. - In conjunction with the construction of any building, a wastewater treatment and effluent deposit system will be provided by a chartered professional. <p>For the reasons set out in section 1.7 of this report, this consent notice is proposed to be cancelled insofar as it relates to the proposed lots.</p>
Easement Instrument 13092224.3		Subject to a right to drain sewage and water and a right to convey electricity, telecommunications and water over part marked A-I and Q on DP 600741

Table 2: Summary of title memorials.

The title and memorials are attached at **Appendix 2**.

Underlying consent conditions

The existing consent conditions under the underlying subdivision of the parent site are expected to be carried over to the new Lots. A copy of the 2250277-RMASUB decision is attached in **Appendix 3**. These include:

- *Condition 3a – At the time of building consent, the owner shall apply for a vehicle crossing permit that complies with the Council's current Environmental Engineering Standards. The formation works shall be completed to the satisfaction of Councils' Roading Corridor Coordinator or delegated prior to the Code Compliance Certificate being issued by Council for the first new building consent granted.*
- *Condition 3b – The location and foundations of any building shall be certified by a suitably experienced Chartered Professional Engineer prior to issue of any building consent, noting the location of instability areas on Council's Geographic Information Systems maps.*
- *Condition 3c – In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a suitable qualified Engineer or an approved TP58 Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan.*
- *Condition 3d – Reticulated power and telecommunication services are not a requirement of this subdivision consent. The responsibility for providing power and telecommunication services will remain the responsibility of the property owner.*
- *Condition 3e – 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.*
- *Condition 3f – The site is identified as being within a kiwi present zone. All dogs should be under effective control at all times. Any cats and/or dogs kept onsite must be kept inside and/or tied up at night to reduce the risk of predation of North Island brown kiwi by domestic cats and dogs.*

For the reasons set out in section 1.7 of this report, this consent notice is proposed to be cancelled insofar as it relates to the proposed lots.

1.6 Resource consent sought

Operative Far North District Plan

The proposal requires resource consent under the following rule from the FNDP.

- 13.9 'Discretionary Activities' – **discretionary activity**. The proposal complies with the 4ha minimum lot size specified for a discretionary activity subdivision in the Rural Production Zone under Table 13.7.2.1.

Far North Proposed District Plan

The proposal does not require resource consent under any of the operative rules under the PFNDP, and the proposal therefore does not have an activity status under the PFNDP. An assessment of the proposal in the context of the inoperative rules is provided in section 5.2 of this report.

Overall, the proposal is a **discretionary activity** under the FNDP.

1.7 Other approvals required

Section 221 cancellation of consent notices

Pursuant to Section 221 of the Resource Management Act, 1991, both the existing consent notice 13092224.2, and the additional consent notice proposed to be registered on the title upon the completion of 2250277-RMASUB, are proposed to be cancelled insofar as they relate to the proposed lots.

It is instead proposed for a new replacement consent notice to be registered on the proposed lots as part of this subdivision. This consent notice will include the same conditions required under condition 3 of 2250277-RMASUB, albeit with the below amendments:

- Condition 3b shall refer directly to the Northland Geotechnical Specialists (NGS) engineering site suitability report submitted as part of this application; and
- Condition 3d shall only state that telecommunications have not been provided to the lots. Power is intended to be provided as part of this subdivision.

These consent notices are proposed to be cancelled to avoid unnecessary duplication of consent notice conditions on the subject titles.

1.8 Processing request

Please circulate the draft conditions for review.

2. THE SITE AND SURROUNDING ENVIRONMENT

2.1 The site

Location

The Underlying site is located on the corner of Tui Glen Road and Haruru Falls Road, Haruru. The site is shown in Figure 1 below:

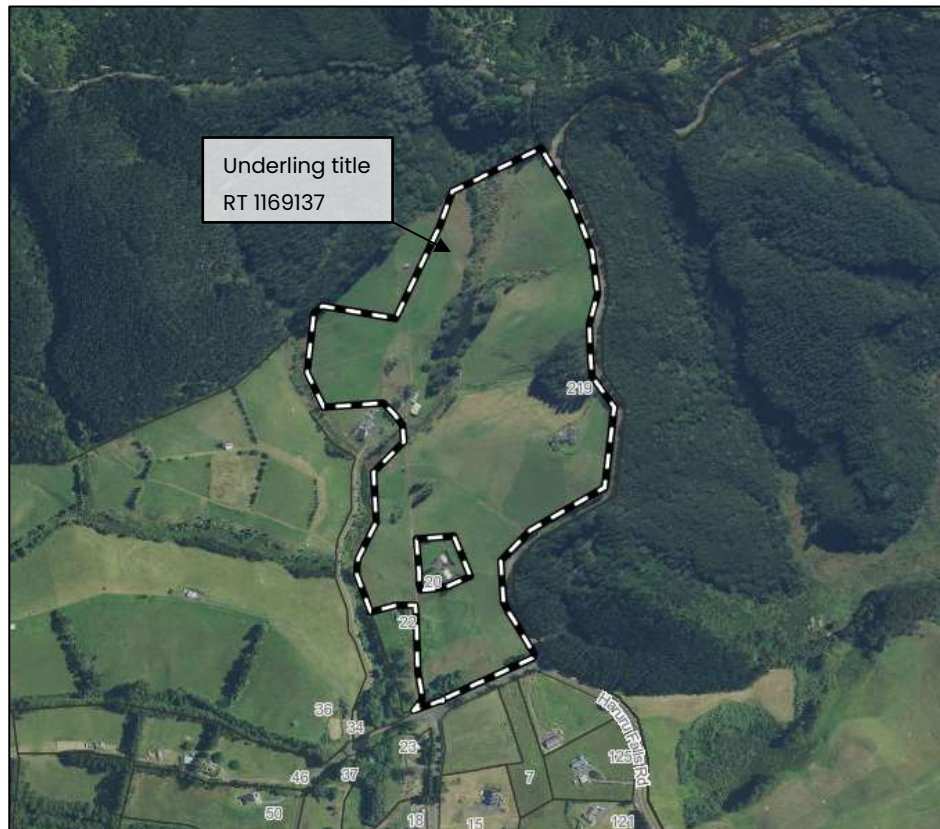


Figure 1: The underling Title (Source: FNDC GIS)

The Council have recently approved plans for the subdivision of the above Lot into three separate titles as shown below in Figure 2. The site to which this application relates is identified as Lot 3.

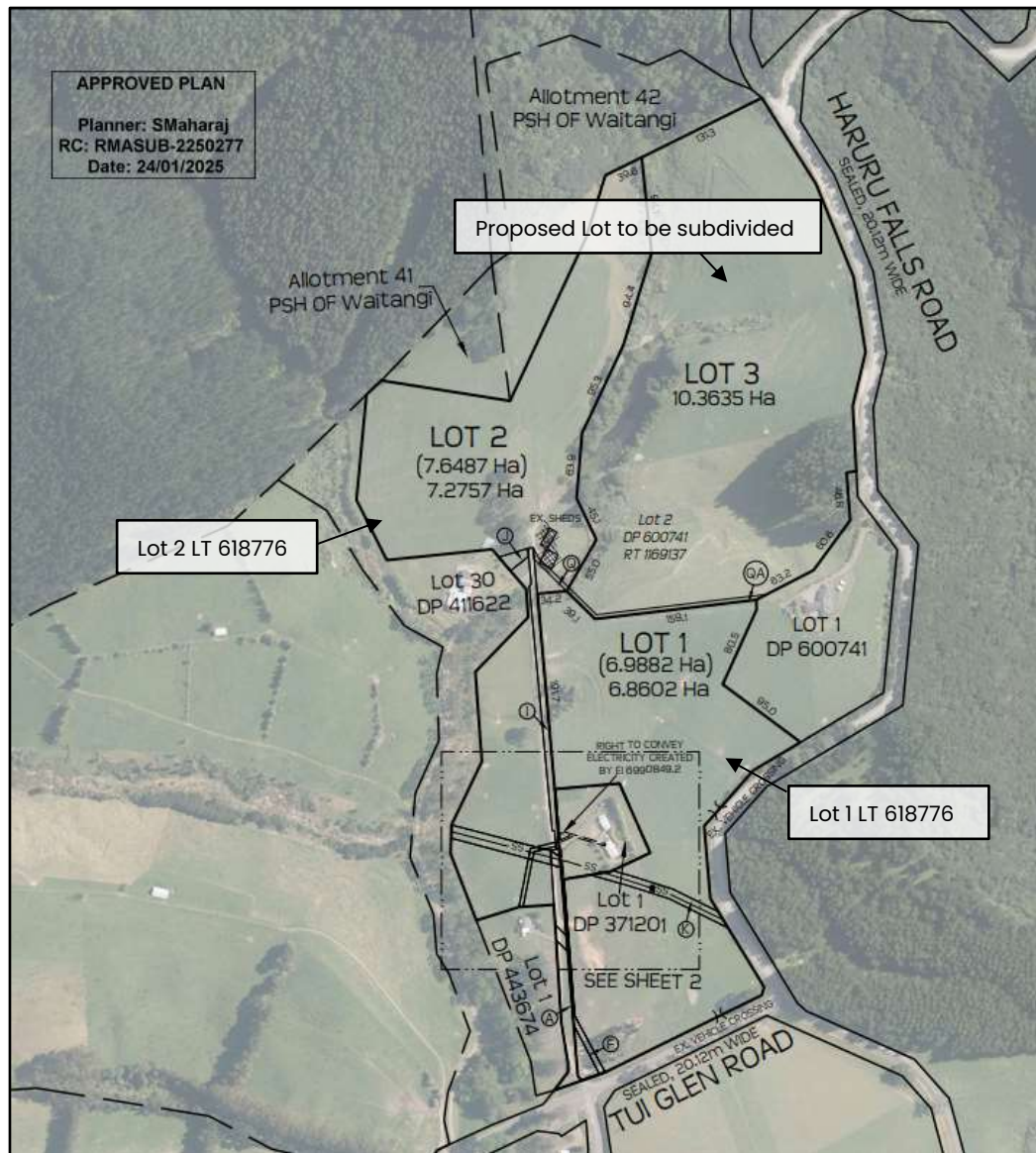


Figure 2: Approved subdivision plans (Source: FNDC consent team)

Lot 3 is located in the northwestern corner of the site and is viably larger than the surrounding rural residential lots approved as part of the 2250277-RMASUB.

Built form

Lot 3 is vacant aside from a small pump shed at the south western corner of the site.

Access

Farm access is provided along Haruru Falls Road, as shown below in [Figure 3](#).



Figure 3: Photo of existing ROW crossing ([source Google Maps](#))

Topography and watercourses

Lot 3 features moderately to highly sloping topography, with the land descending from the eastern boundary along Haruru Falls Road, towards a watercourse that runs parallel to the western boundary of the site.

Ground cover and vegetation

The site is predominantly in pasture with vegetation limited to native riparian vegetation alongside the watercourse that traverses the western side of Lot 3. There is a cluster of exotic vegetation (pine trees) located on the southeastern side of the site (seen in [Figure 3](#)) above.

Kiwi mapping

The site is not located in a high-density kiwi zone. See [Figure 4](#) below:

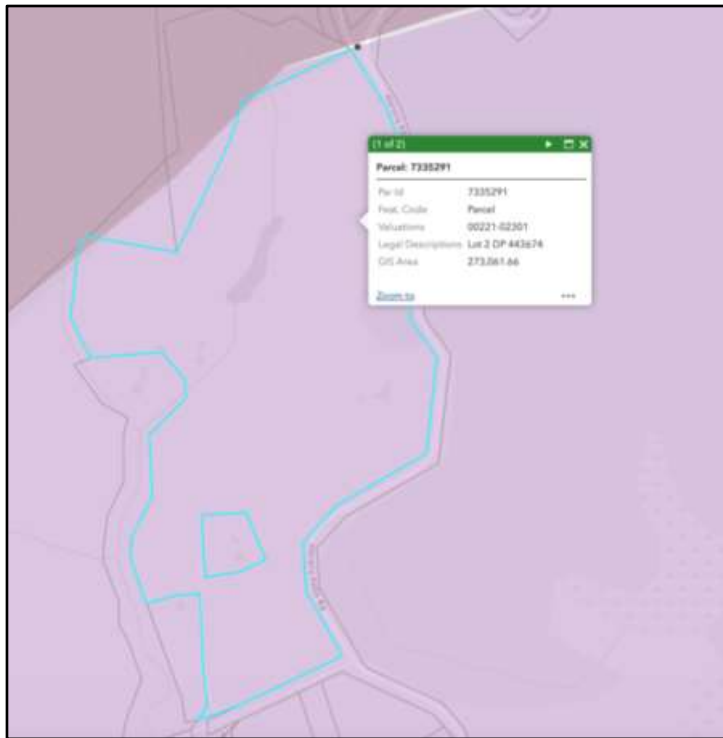


Figure 4: Kiwi presence mapping (Source: FNDC GIS)

Archaeological sites

There are no known archaeological sites registered on the subject property, see [Figure 5](#) below:

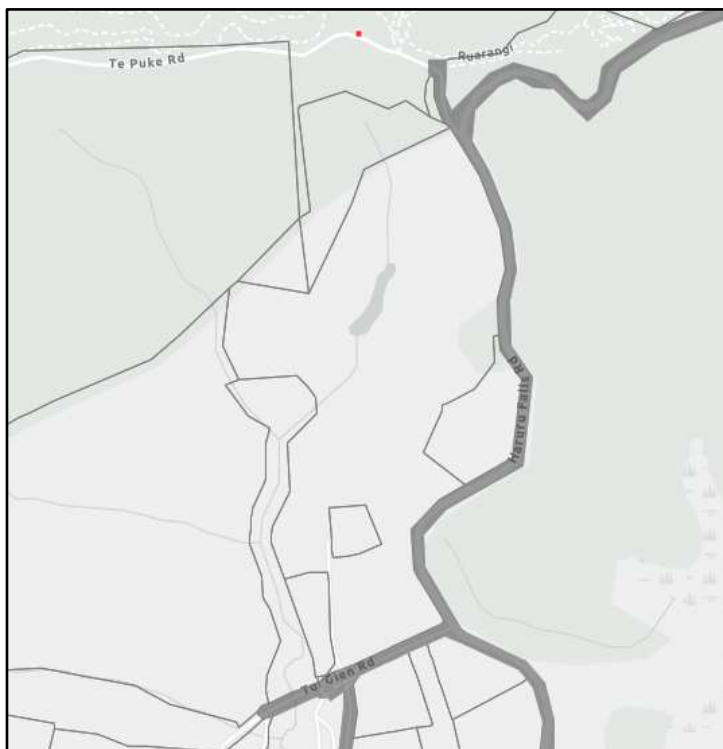


Figure 5: Archaeological map (Source: FNDC GIS)

Land Use Capability (LUC) – soil classification

Figure 6 below shows the classification of the soils at the sites under the LUC system. The orange portions have a classification of 6, while the lighter green areas have a classification of 4. These soils are not classified as Highly Productive Land (HPL) under the National Policy Statement for Highly Productive Land (NPS-HPL).



Figure 6: LUC soil classification (Source: Manaaki Landcare Research)

2.2 The surrounding environment

The subject site is located on the northern edge of the coastal settlement of Haruru in the Far North. Within the settlement, the land is zoned a mix of 'Rural Production', 'Rural Living', 'General Coastal', and 'Residential' under the FNDP. There is a range of lot sizes and land use activities, but rural residential lifestyle development is common, interspersed by larger agricultural and forestry blocks. This development pattern is further enforced by the underlying subdivision currently ongoing on the subject site.

3. THE PROPOSAL

3.1 General

This application seeks consent to subdivide the subject site into two lots. The proposed lot configuration is depicted on the subdivision scheme plan (**Appendix 1**) and is summarised in Table 3 below:

Lot Number	Area
1	4.0390ha
2	6.7470ha

Table 3: Summary of title memorials.

The areas shown above are approximate and are subject to final survey.

3.2 Site suitability

As part of the proposal, NGS have provided a site-specific geotechnical suitability report (**Appendix 4**). Based on soil investigations, NGS assesses the potential impacts of natural hazards and ground deformation potential. It subsequently provides a set of recommendations relating to building platform development, foundation design, and on-site servicing. Subject to compliance with the recommendations of their report, NGS concludes that the proposed subdivision will be suitable for development.

It is anticipated that the recommendations of the NGS report will be incorporated within the conditions of this consent.

3.3 Consent notice cancellations

As addressed in Section 1.6 of this report, pursuant to Section 221 of the Resource Management Act, 1991, both the existing consent notice 13092224.2, and the additional consent notice proposed to be registered on the title upon the completion of 2250277-RMASUB, are proposed to be cancelled insofar as they relate to the proposed lots.

It is instead proposed for a new replacement consent notice to be registered on the proposed lots as part of this subdivision. This consent notice will include the same conditions required under condition 3 of 2250277-RMASUB, albeit with the below amendments:

- Condition 3b shall refer directly to the Northland Geotechnical Specialists (NGS) engineering site suitability report submitted as part of this application; and
- Condition 3d shall only state that telecommunications have not been provided to the lots. Power is intended to be provided as part of this subdivision.

These consent notices are proposed to be cancelled to avoid unnecessary duplication of consent notice conditions on the subject titles.

3.4 Servicing arrangements

Water supply

Each of the proposed lots will rely on an on-site water supply. This will involve the collection of rainwater in tanks. The final design will be provided at the building consent stage.

In addition to the above, a consent notice condition is proposed, requiring future owners to establish a suitable firefighting water supply in accordance with the Fire and Emergency New Zealand (FENZ) Firefighting Water Supplies Code of Practice. This requirement shall apply unless an alternative arrangement is approved by FENZ.

Wastewater management

Each of the proposed lots will manage wastewater on-site, in accordance with the recommendations of NGS (**Appendix 4**). Given the size of the lots and lack of natural hazards, multiple areas are suitable to accommodate on-site wastewater systems by the relevant statutory requirements. The design will be finalised at the building consent stage, which is in line with the consent condition on Lot 3.

Stormwater management

Each of the proposed lots will manage stormwater on-site. Given that each proposed Lot is over 2ha, no attenuation is proposed as part of this application.

All stormwater generated from site development shall be collected and discharged in a controlled manner. NGS recommends that stormwater disposal on the proposed sites be via discharge to land per Section 4.2.5 of the FNDC Engineering Standards.

Electricity

The proposed lots will be provided with power connections in accordance with Top Energy's requirements.

Any necessary easements over existing power services will be created at the survey stage in accordance with the requirements of the relevant network authority.

Telecommunications

In this case, telecommunications connections will not be provided to the proposed lots as part of the subdivision. Instead, future owners will utilise alternative supply options.

3.5 Access arrangements

Lots 1 and 2 will gain direct access from Haruru Falls Road. A consent notice condition is proposed to be registered requiring vehicle crossings to be constructed at the building consent stage in accordance with the relevant Far North District Council (FNDC) standards.

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1 Existing environment

Section 104(1)(a) requires a consideration of any actual and potential effects on the environment of allowing an activity. The existing environment has been described in Section 2 of this report.

For clarity, this includes the surrounding cadastral pattern, which includes a mixture of rural productive landholdings and rural residential development.

There are no unimplemented consents in the vicinity of the site that would influence the following assessment of environmental effects.

4.2 Permitted baseline

Section 104(2) of the RMA allows a consent authority to disregard an adverse effect of an activity on the environment if a plan (the FNDP in this instance) permits an activity with that effect. This is commonly referred to as the permitted baseline.

While there is no permitted baseline for subdivision, the land use provisions of the Rural Chapter in the FNDP enable the construction of residential units at a density of 1 per 12ha or one on an allotment of any size as a permitted activity, provided that the bulk and location requirements are met. It is also noted that minor residential units can also be able to be constructed at a rate of 1 per site as a controlled activity. Given the size of the existing site (10.7860ha), the site could currently develop one residential unit as a permitted activity and one minor residential unit as a controlled activity. This baseline forms the basis for the following assessment of environmental effects.

4.3 Amenity values and landscape character

While residential units will eventually be constructed on the proposed titles, the built form facilitated by this subdivision will be easily absorbed by the surrounding environment. The site is located in an area where rural residential

development is common. The proposed subdivision is consistent with the mixed rural character and amenity of the receiving environment, which includes varied rural living development coexisting with rural production activities. This is further enforced by the surrounding subdivision currently ongoing to the southeast of the subject site (2250277-RMASUB), which will result in additional rural residential properties in the surrounding environment. It is noted that under this previous subdivision, an additional allotment could have been created without affecting the discretionary activity status applied to the resource consent. This current resource consent application simply proposes to create this additional lot that was not approved as part of the underlying subdivision consent.

There would be no immediate physical effects on adjacent properties arising from the proposed subdivision. The Lots immediately adjacent are all or expected to be oriented to take advantage of the views over the Bay of Islands to the south/south-west (as demonstrated in [Figure 7](#) below). The orientation of these dwellings results in views being directed away from the potential building sites within the subject sites.

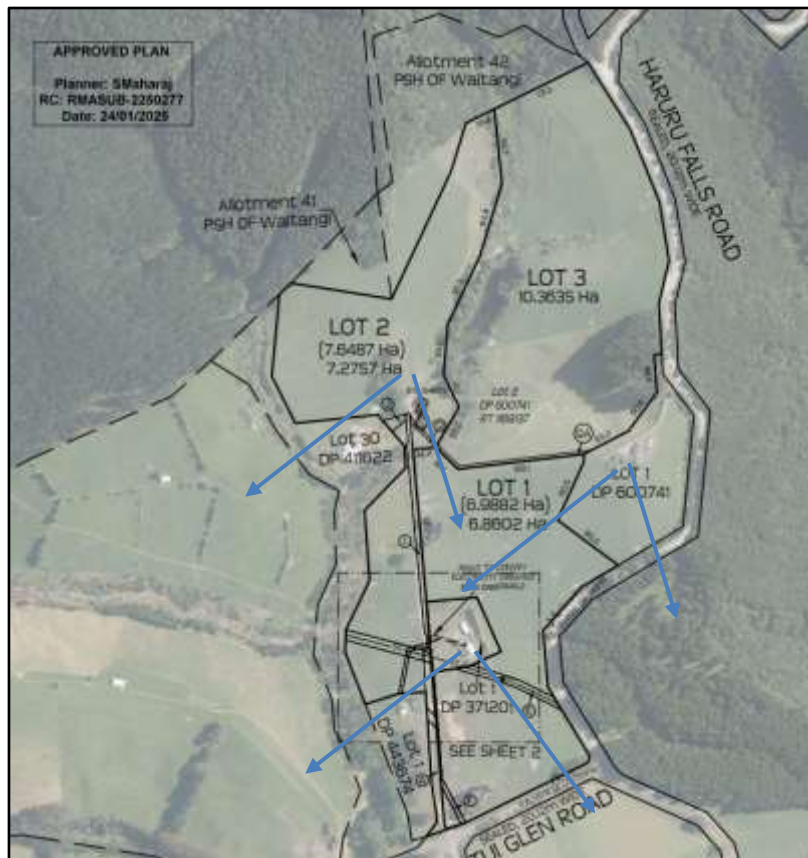


Figure 7: Neighbouring viewshafts (Source: FNDC GIS)

The existing dwelling on Lot 1 DP 600741 is positioned at an elevated position, separated from proposed Lots 1 and 2 via a cluster of pine trees and the undulating terrain of the site. This is highlighted in [Figure 8](#) below. The views gained from the existing dwelling will therefore be unaffected by the subdivision.



Figure 8: Image of Lot 2 potential building site relative to ex. dwelling at Lot 1 DP 600741 (source: Google Maps)



Figure 9: Image of Lot 1 potential building site ([source](#): Google Maps)

Notwithstanding the above, written approval has been obtained from the owners of Lots 1 and 2 LT 618776 and Lot 1 DP 600741 (**Appendix 5**). As such any associated effect of the proposal as it relates to these lots should be disregarded.

Overall, the adverse effects on amenity values and landscape character will be less than minor, or, disregarded in relation to Lots 1 and 2 LT 618776 and Lot 1 DP 600741.

4.4 Rural production values

The proposed subdivision will create two new lots, both of which have net site areas in excess of 4ha. In doing so, it aligns with the discretionary activity subdivision provisions for the RPZ. The proposed sites are each large enough to continue to be used for productive purposes.

As discussed in Section 2.1 of this report, the sites are comprised of a mixture of LUC class 4 and 6 soils. These soils are not classified as HPL under the NPS-HPL. The proposal will therefore not result in the fragmentation of identified productive land.

Overall, the adverse effects on productive values will be less than minor.

4.5 Access effects

As addressed in section 3.4 of this report, Lots 1 and 2 will gain access directly from Haruru Falls Road via new or upgraded vehicle crossings. It is proposed that consent notice conditions are registered on these titles, requiring the crossings be constructed at the building consent stage in accordance with the relevant FNDC requirements. These consent notice conditions will replace the existing consent notices on the title, which are proposed to be cancelled.

Having considered the above, safe and practicable vehicle access is provided for each of the proposed lots. Overall, the adverse effects associated with the access arrangements will be less than minor.

4.6 Servicing effects

The proposed lots have net site areas of at least 4ha and are therefore of an adequate size that is capable of accommodating on-site servicing without creating any effects on neighbouring properties or surrounding natural areas. Accordingly, the adverse effects associated with the servicing arrangements will be less than minor.

4.7 Reverse sensitivity

The site is located in close proximity to Waitangi Forest and is accessed via roads used for logging. While this is the case, no reverse sensitivity effects are anticipated. The potential house sites are well set back from the road, the logging activities are not frequent and are often temporary.

Should FNDC consider it necessary, mitigation can be implemented in the form of a consent notice on the title restricting the lodgement of any complaints regarding lawful logging activities occurring on adjoining properties.

Having considered the above, any adverse reverse sensitivity effects will be less than minor overall.

4.8 Cultural effects

The existing record of title is subject to the following memorial:

Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)

This memorial has no relevance to this subdivision application. It is likely to be dealt with outside of the resource consent process.

Further to the above, no identified archaeological sites or sites of significance to Maori are present on the subject site. This was confirmed as part of the original subdivision (2250277-RMASUB) that formed the Lot 3.

Overall, no effects on cultural values are anticipated by the subdivision.

4.9 Natural hazards effects

In this case, all sites have areas in excess of 4ha, so are large enough and have adequate space free of hazards to accommodate a future building site and potential wastewater disposal area. Site-specific engineering input will be sought for each lot at the building consent stage, while an existing consent notice on the underlying site requires that the location and foundations of any dwelling are subject to specific engineering input. This is in accordance with the recommendation of NGS who have confirmed (in their report attached in **Appendix 4**) that subject to their recommendations the land in respect of which consent is sought, or any structure on the land, is not, and is not likely to be subject to significant risk from natural hazards and that any subsequent use that is likely to be made of the land is not likely to accelerate, worsen or result in material damage to the land, other land or structure by a natural hazard.

Overall, any adverse effects relating to natural hazards will be less than minor.

4.10 Adverse effects conclusion

Overall, the effects associated with this proposal will be less than minor when considered in the context of the existing environment and the permitted baseline.

5. STATUTORY PLANNING ASSESSMENT

5.1 The Far North District Plan

Context

Pursuant to section 104(b)(vi) of the RMA, the following considers the proposed subdivision in the context of the relevant provisions from the FNDP.

The objectives and policies that are relevant to this application are contained in Chapter 13 'Subdivision' and Chapter 8 'Rural Environment' of the OFNDP.

There are 3 predominant themes that run throughout the objectives and policies – managing effects on rural productive values; ensuring that subdivision and development is compatible with the amenity, character, landscape and natural values of the environment in which it is located; and ensuring that subdivision and development is appropriately serviced.

The relevant objectives and policies have been grouped under these headings and an assessment provided below.

Assessment

Managing effects on productive rural values

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

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

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

Objective 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.

Objective 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.

Objective 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.

Objective 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.

Policy 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.

Policy 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.

Policy 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.

Policy 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.

The number of rural residential lots proposed as part of this application (two) is provided for as a discretionary activity in the RPZ. This demonstrates that rural-residential lots and land uses are provided for in the RPZ and hence are inherently anticipated in the RPZ.

While the proposed allotments have a net site area of less than 12ha, section 4.4 of this report details how the subdivision will not result in effects on the productive rural values associated with the site (noting specifically that the site is not identified as containing productive soils).

The subdivision has also been designed to avoid conflict between land use activities. Any reverse sensitivity effects associated with the nearby forestry activities can be avoided through the implementation of a no complaints consent notice registered on each title as part of this subdivision.

Given the above, the proposal is consistent with the objectives and policies from RPZ chapter of the OFNDP that look to manage effects on productive rural values.

Amenity, character, landscape and natural values

Objective 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.

Policy 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.

Policy 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.

Policy 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;
- (c) landscape values;
- (d) amenity values;
- (e) cultural values;
- (f) heritage values; and
- (g) existing land uses.

Policy 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 and the coastal marine area;
- (c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;
- (d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga

including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives" (2004);

- (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;
- (f) protecting historic heritage through the siting of buildings and development and design of subdivisions.
- (g) achieving hydraulic neutrality and ensuring that natural hazards will not be exacerbated or induced through the siting and design of buildings and development.

The subdivision rules in the RPZ are designed to give effect to these objectives and policies.

Noting again that the number of rural residential lots proposed as part of this application is provided for as a discretionary activity, the density of residential development facilitated by the proposal aligns with the intentions of the RPZ.

As outlined in section 4.3 of this report, while residential units will eventually be constructed on the proposed titles, the built form facilitated by this subdivision will be easily absorbed by the surrounding environment. The site is located in an area where rural residential development is common. The proposed subdivision is consistent with the mixed rural character and amenity of the receiving environment, which includes varied rural living development coexisting with rural production activities.

The varying topography and vegetative cover associated with the site, along with the orientation of existing dwellings on adjoining properties, will ensure that the future dwellings on Lots 1 and 2 do not form a prominent visual element of the surrounding environment.

There are no outstanding or notable landscape features within the surrounding environment that the proposal would adversely impact.

Minimal physical works are required to give effect to the subdivision. The sites will be accessed via single vehicle crossings constructed at the building consent stage on Haruru Falls Road.

The on-site servicing arrangements associated with the future development of the sites will be undertaken in accordance with the relevant requirements of the FNDC and NRC.

Further, there are no known cultural or heritage features located within the surrounding environment that would be adversely impacted by the proposal.

Given the above, the proposal is consistent with the objectives and policies that look to ensure that subdivision and development is compatible with the amenity, character, landscape and natural values of the environment.

Servicing

Objective 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.

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

Objective 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.

Policy 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.

Policy 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.

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

The proposed lots have net site areas of at least 4ha and are therefore of an adequate size that is capable of accommodating on-site servicing without creating any reverse sensitivity effects on neighbouring properties. The on-site servicing arrangements for Lots 1 and 2 will be established in accordance with

the relevant FNDC and NRC requirements at the building consent stage. This will ensure that these lots are appropriately serviced. Regardless the NGS report has provided an example of where effluent disposal fields could be placed.

The proposed subdivision is consistent with the objectives and policies from the RPZ that look to ensure that subdivision and development is appropriately serviced.

Conclusion

In accordance with the above assessment, the proposed subdivision is not contrary to the relevant objectives and policies from the OFNDP.

5.2 The Far North Proposed District Plan

Context

As outlined in section 1.2 of this report, most of the rules in the PFNDP do not have legal effect. Notwithstanding this, the relevant rules that the proposal would require consent under are identified and an assessment against the relevant objectives and policies is provided below. None of the rules have legal effect.

Relevant rules

- SUB-R3' Subdivision to create a new allotment' – non-complying activity.
The proposal does not comply with the minimum lot sizes outlined for the RPZ.

Overall activity status

The subdivision would be a non-complying activity under the PFNDP. However, none of the relevant rules has legal effect.

Assessment – objectives and policies

Given the rules identified above, the objectives and policies most relevant to this application are contained in the 'Subdivision' chapter of the PFNDP. The

relevant objectives and policies are identified, and an assessment in the context of the proposed subdivision is provided below.

Subdivision chapter

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

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

There are several objectives and policies from the Subdivision chapter of the PFNDP that are of some relevance to the proposed subdivision. However, SUB-P8 is of particular relevance.

SUB-P8 requires that rural residential subdivision in the RPZ is avoided unless it protects a Significant Natural Area (SNA) in accordance with the environmental benefit requirements and will not result in the loss of versatile soils for primary production activities.

In this instance, the subdivision will not result in the protection of SNA areas. However, some support can be drawn for the Subdivision from SUB-P8, noting that the soils at the site have a LUC classification of 4 and 6 and therefore do are not considered versatile under the PFNDP.

Weighting

Notwithstanding the assessment provided above, the PFNDP is still in a relatively early stage of the plan change process, with a large number of submissions having been received on a wide range of topics (including the RPZ provisions). Given the wide-ranging nature of some of these submissions, little weight should be applied to the provisions of the PFNDP at this stage.

5.3 NES – Soil Contamination

Based on the applicant's knowledge of the subject site, an analysis of aerial photography, and a review of the Northland Regional Councils 'selected land use sites' database, there is no evidence to suggest that the site has ever accommodated an activity from the HAIL.

The subject site is therefore not a piece of land described in clause 5(7) or (8) and the NES regulations are not relevant to this application. This was confirmed as part of the resource consent decision for the underlying subdivision (see the decision attached in **Appendix 3**).

5.4 Part 2 assessment – the Resource Management Act

An assessment of Part 2 matters is not required unless there are issues of invalidity, incomplete coverage, or uncertainty in the planning provisions.¹ In this case, there is no invalidity, incomplete coverage, or uncertainty amongst the various documents. In that regard, no assessment of the application is required under Part 2.

¹ *R J Davidson Family Trust the Marlborough District Council* [2018] NZCA 316

6. NOTIFICATION

Pursuant to sections 95A and 95B of the RMA, Section 5 of this report concludes that any adverse effects associated with the proposal will be less than minor. Furthermore, there are no special circumstances associated with the application, the applicant has not requested notification, and there is no rule or national environmental standard that requires notification of this application. Consequentially, public notification is not necessary.

The assessment of environmental effects in Section 5 of this report confirms that no parties are considered to be adversely affected by the proposal. Consequentially, limited notification is not necessary.

Having considered the above, the proposal can proceed on a non-notified basis.

7. CONCLUSION

The proposal is to subdivide the subject site into two lots at Haruru Falls Road, Haruru.

The proposal requires consent as a **discretionary activity** under the FNDP.

Section 4 of this report concludes that any adverse effects associated with the proposed subdivision will be avoided or mitigated such that they are less than minor.

Accordingly, appropriate regard has been given to s104(1)(a) of the RMA.

In accordance with sections 5.1 and 5.2 of this report, the proposal is consistent with and supported by the policy framework of both the operative and proposed FNDP.

Accordingly, appropriate regard has been given to s104(1)(b)(vi) of the RMA.

Section 5.3 of this report concludes that the NES-SC is not relevant to this application.

Appropriate regard has therefore been given to s104(1)(b)(i) of the RMA.

While recourse to Part 2 is not required, section 5.4 of this report confirms that the proposal does not compromise the purpose or principles of the RMA.

Having regard to all of the relevant matters in s104(1) and s104B of the RMA, the proposal can be approved subject to appropriate conditions of consent.

APPENDIX 1

SUBDIVISION SCHEME PLAN



CAUTION:

- THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
- AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
- THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN. SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
- DO NOT SCALE OFF DRAWINGS.
- THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
- DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
- 04m 2014-2016 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD
- INFORMATION AVAILABLE ON LINZ DATA SERVICE.
- BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER, SEWAGE, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	QA	LOT 2 HEREON	LOT 1 DP 600741

PROPOSED EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	BENEFITED
POWER SUPPLY (3m WIDE)	A	LOT 2 HEREON	LOT 1 HEREON

TOTAL AREA: 10.7860 Ha

COMPRISED IN: RT 1169137 (ALL)

THIS SITE IS ZONED ' RURAL PRODUCTION ' AND THE BUILDING SETBACKS ARE THUS: 10m FROM ALL BOUNDARIES.

G	19.08.25	AMENDMENT TO RT NAME- JBH/KM
F	15.08.25	MINOR AMENDS TO LOT NAMES - JBH/AA
A	23.06.25	FIRST ISSUE - JBH/AA
REV	DATE	DESCRIPTION

REF. DATA:

Ph: 09 438 3563

7 Selwyn Ave, Whangarei

PO Box 191, Whangarei 0140

www.reyburnandbryant.co.nz

CLIENT

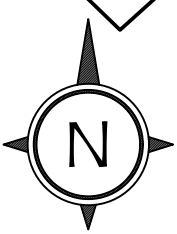
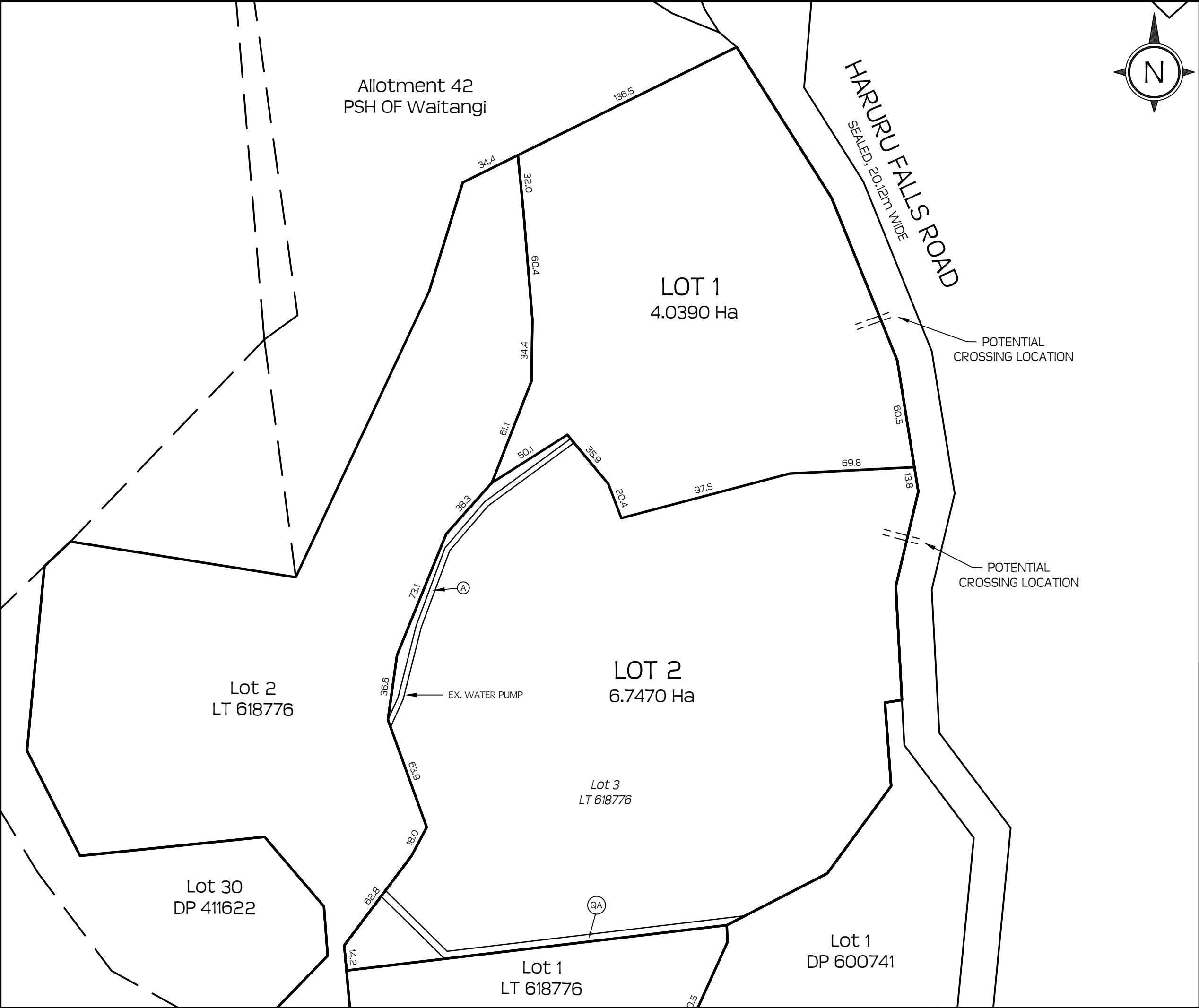
NICK FEWDTRELL
HARURU FALLS ROAD
PAIHIA

TITLE

PROPOSED SUBDIVISION OF
LOT 3 RM 2250277

DATE	AUGUST 2025	SCALE	1:2000 @A3
DRAWING REF.	S18501	SHEET	1/1
		REV	G

LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL



- CAUTION:
- THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
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 - INFORMATION AVAILABLE ON LINZ DATA SERVICE.
 - BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER, SEWAGE, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	QA	LOT 2 HEREON	LOT 1 DP 600741

PROPOSED EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	BENEFITED
POWER SUPPLY (3m WIDE)	A	LOT 2 HEREON	LOT 1 HEREON

TOTAL AREA: 10.7860 Ha		
COMPRISED IN: RT 1169137 (ALL)		
THIS SITE IS ZONED ' RURAL PRODUCTION ' AND THE BUILDING SETBACKS ARE THUS: 10m FROM ALL BOUNDARIES.		
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reyburn &bryant

Ph: 09 438 3563

7 Selwyn Ave, Whangarei

PO Box 191, Whangarei 0140

www.reyburnandbryant.co.nz

CLIENT

NICK FEWTRELL
HARURU FALLS ROAD
PAIHIA

TITLE

PROPOSED SUBDIVISION OF
LOT 3 RM 2250277

DATE	AUGUST 2025	SCALE	1:2000 @A3
DRAWING REF.	S18501	SHEET	1/1
		REV	G

APPENDIX 2

RECORDS OF TITLE AND MEMORIALS



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **556381**
Land Registration District **North Auckland**
Date Issued 28 September 2012

Prior References
288346

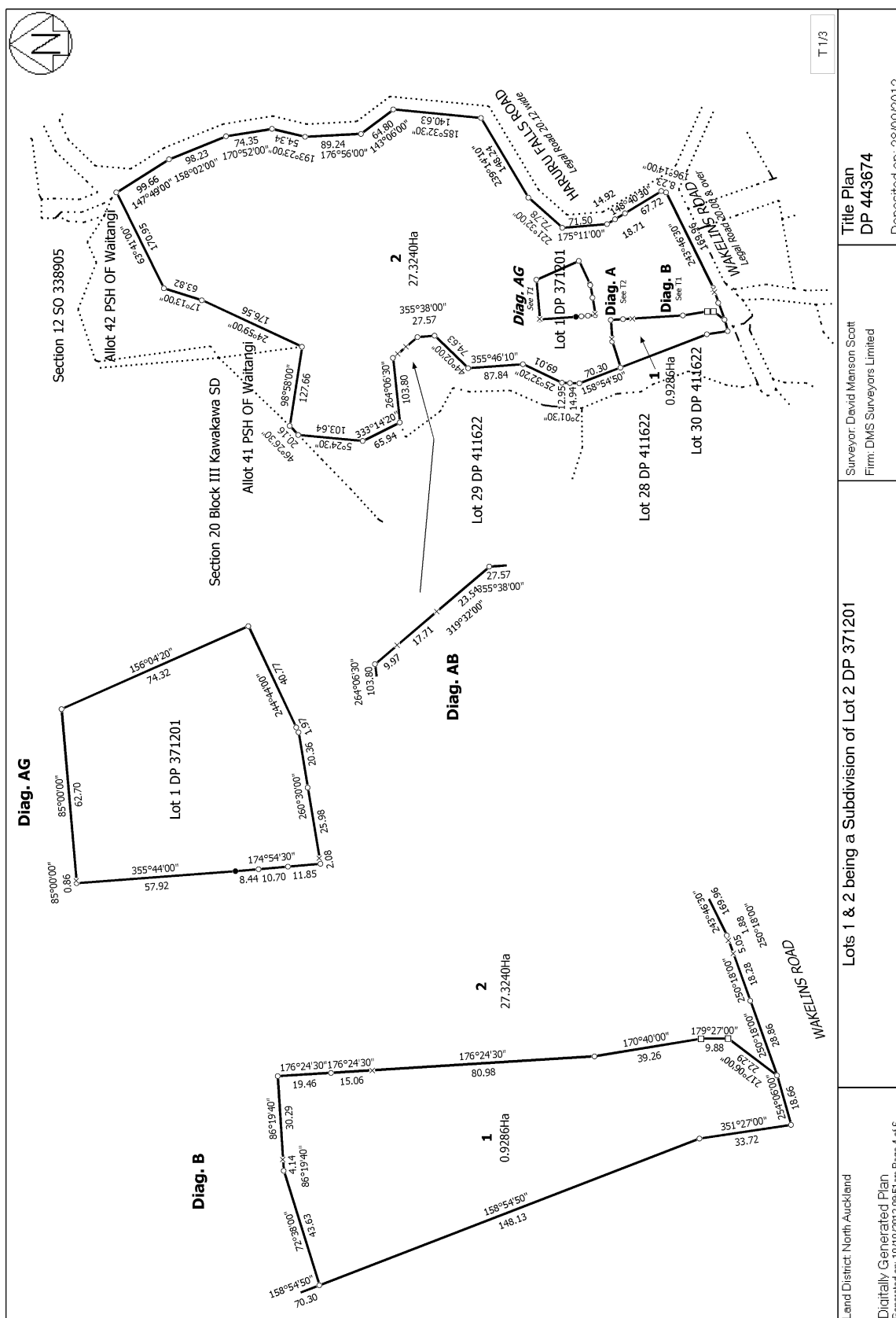
Estate Fee Simple
Area 27.3240 hectares more or less
Legal Description Lot 2 Deposited Plan 443674
Registered Owners
Matthew Brown Sharpe, Beverley Joy Sharpe and Johnston O'Shea Trustee Limited

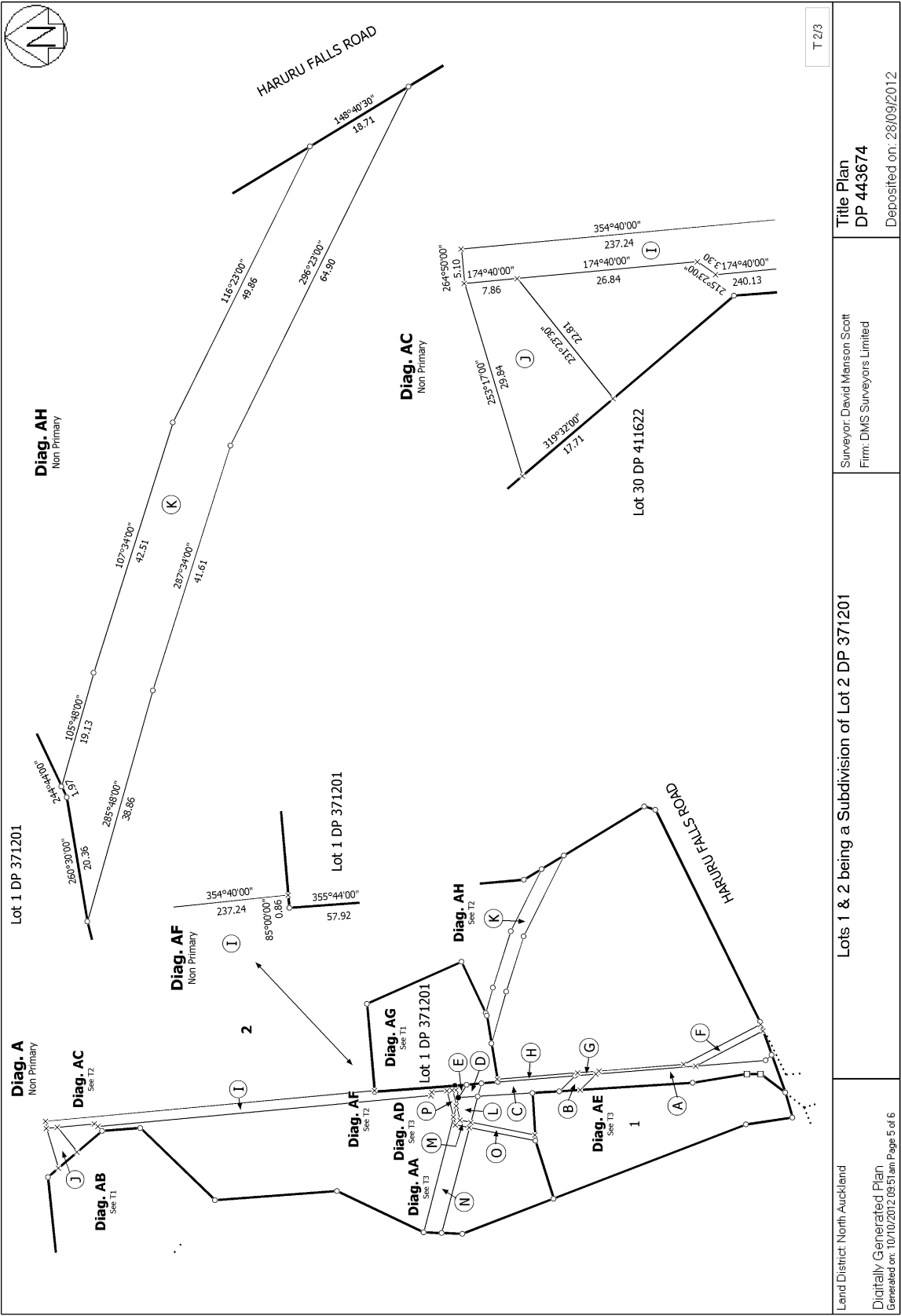
Interests

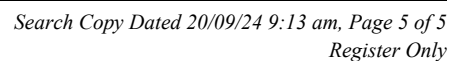
Subject to Part IV A Conservation Act 1987
Subject to Section 8 Atomic Energy Act 1945
Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)
Subject to Section 261 Coal Mines Act 1979
Subject to Section 5 Coal Mines Act 1979
Subject to Section 3 Geothermal Energy Act 1953
Subject to Section 3 Petroleum Act 1937
Subject to Sections 6 and 8 Mining Act 1971
Subject to a right of way and right to convey telecommunications, computer media, electricity and water over parts marked A, B, C, D & E and a right to convey electricity over parts marked F, G, H & I, all on DP 443674 created by Easement Instrument 6990849.2 - 16.8.2006 at 9:00 am
Appurtenant hereto is a right to convey electricity created by Easement Instrument 6990849.2 - 16.8.2006 at 9:00 am
The easements created by Easement Instrument 6990849.2 are subject to Section 243 (a) Resource Management Act 1991 8064273.2 Compensation Certificate pursuant to Section 19 Public Works Act 1981 - 5.2.2009 at 9:00 am
Subject to a right to convey electricity over part marked J on DP 443674 created by Easement Instrument 8070861.13 - 6.5.2009 at 2:49 pm
Subject to a right (in gross) to convey electricity over part marked J on DP 443674 in favour of Top Energy Limited created by Easement Instrument 8070861.15 - 6.5.2009 at 2:49 pm
The easements created by Easement Instrument 8070861.15 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right to drain sewage and a right of way (in gross) over parts marked D, K, L, M & N on DP 443674 in favour of Far North District Council created by Easement Instrument 8213682.2 - 14.8.2009 at 9:25 am

Subject to a right of way and a right to convey telecommunications & computer media over parts marked A & B, and a right to convey electricity over parts marked C, D, E, F, G, H, I, M, O & P, all on DP 443674 created by Easement Instrument 9168903.2 - 28.9.2012 at 11:05 am

The easements created by Easement Instrument 9168903.2 are subject to Section 243 (a) Resource Management Act 1991







Approved by Registrar-General of Land under No. 2002/6055
Easement instrument to grant easement or profit à prendre, or create land covenant
Sections 90A and 90F, Land Transfer Act 1952

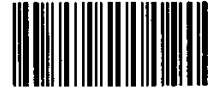
Land registration district

NORTH AUCKLAND



EI 6990849.2 Easemen

Cpy - 01/01, Pgs - 003, 15/08/06, 15:06



DocID: 312609889

Grantor

Surname(s) mu.

Matthew Brown SHARPE and Beverly Joy SHARPE

Grantee

Surname(s) must be underlined or in CAPITALS.

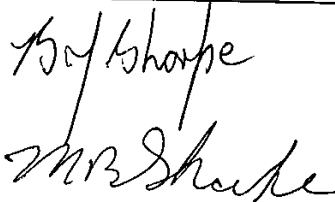

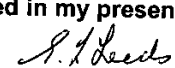
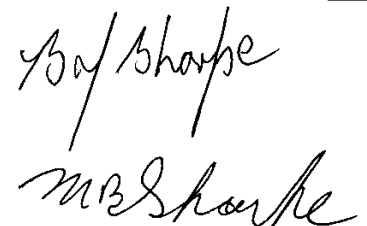


Matthew Brown SHARPE and Beverly Joy SHARP E

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

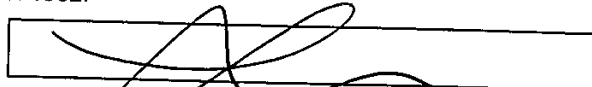
The Grantor, being the registered proprietor of the servient tenement(s) set out in Schedule A, **grants to the Grantee** (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A, **or creates** the covenant(s) **set out** in Schedule A, with the rights and powers or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

Dated this 2 day of August 2006

Attestation

 	Signed in my presence by the Grantor 
	Signature of witness Witness to complete in BLOCK letters (unless legibly printed) Witness name <u>E. T. LEADS</u> Occupation <u>MARINE SURVIVOR</u> Address <u>8 RICHARDSON ST</u> <u>OPUA, BAY OF ISLANDS</u>
Signature [common seal] of Grantor	
 	Signed in my presence by the Grantee 
	Signature of witness Witness to complete in BLOCK letters (unless legibly printed) Witness name <u>E. T. LEADS</u> Occupation <u>MARINE SURVIVOR</u> Address <u>8 RICHARDSON ST</u> <u>OPUA, BAY OF ISLANDS</u>
Signature [common seal] of Grantee	

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



[Solicitor for] the Grantee

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

Annexure Schedule 1

Easement instrument

Dated

2 August 2006

Page

1

of

2

pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Right of way Right to convey telecommunications and computer media, right to convey electricity, right to convey water	"A", "B", "C" on DP 371201	288346	288345
Right to convey electricity	"H", "I", "J" and "L" "K"	288346 288345	288345 288346

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

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

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

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

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

[the provisions set out in Annexure Schedule 2].

Covenant provisions

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

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

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

[Annexure Schedule 2].

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

Handwritten signatures: [Signature] MRS

Annexure Schedule



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

Easement

Dated

2 August 2006

Page

2

of

2

Pages

(Continue in additional Annexure Schedule, if required.)

"Continuation of Easements or profits a prendre rights and powers (including terms, covenants, and conditions)"

1. Any maintenance, repair or replacement of any easement facility in respect of any easement set out herein that is necessary because of any act or omission by the grantor or the grantee (as defined in paragraph 1 of Schedule 4 of the Land Transfer Regulations 2002) must be carried out promptly by that grantor or grantee at the sole cost of that grantor or grantee or in such proportion as relates to the act or omission.
2. All easement facilities in respect of the within easements, other than the easements of right of way, shall be placed under and within the ground comprising the stipulated course.
3. If, in respect of easements of right of way, there is conflict between the provisions of Schedule 4 to the Land Transfer Regulations 2002 and the provisions of the Ninth Schedule to the Property Law Act 1952 then the former shall prevail.
4. Where there is conflict between the rights powers terms covenants or restrictions herein ("the modifications") and the provisions of Schedule 4 to the Land Transfer Regulations 2002 and/or the provisions of the Ninth Schedule to the Property Law Act 1952 then the modifications shall prevail.

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

Boyle MBS

View Instrument Details



Instrument No 8070861.13
Status Registered
Date & Time Lodged 06 May 2009 14:49
Lodged By McGregor, Jamie Louise
Instrument Type Easement Instrument



Affected Computer Registers	Land District
288346	North Auckland
443227	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 ☒

Signature

Signed by Jacqueline Margaret Liddell as Grantor Representative on 29/04/2009 11:30 AM

Grantee Certifications

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

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

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

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

Signature

Signed by Jacqueline Margaret Liddell as Grantee Representative on 08/04/2009 11:04 AM

*** End of Report ***

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

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

Land registration district

NORTH AUCKLAND



BARCODE

Grantor

Surname(s) must be underlined or in CAPITALS.

MATTHEW BROWN SHARPE, BEVERLEY JOY SHARPE and JOHNSTON O'SHEA TRUSTEE LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.

LANDCORP ESTATES LIMITED

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

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

Dated this _____ day of _____ 2009

Attestation

Signed by MATTHEW BROWN SHARPE & BEVERLEY JOY SHARPE

Signed in my presence by the Grantor

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness name

Occupation

Address

Signature [common seal] of Grantor

Signed by LANDCORP ESTATES LIMITED

Signed in my presence by the Grantee

Director

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness name

Director

Occupation

Address

Signature [common seal] of Grantee

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

[Solicitor for] the Grantee.

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

REF: 7003 – AUCKLAND DISTRICT LAW SOCIETY

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

Annexure Schedule

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

Easement

Dated

Page 2 of 3 Pages

(Continue in additional Annexure Schedule, if required.)

ANNEXURE SCHEDULE 2

THE following rights, powers, terms, conditions, covenants and restrictions in respect of the easements are in addition to those set out in the Fourth Schedule to the Land Transfer Regulations 2002 and in the Fifth Schedule to the Property Law Act 2007.

Where there is a conflict between the provisions of the Fourth Schedule to the Land Transfer Regulations 2002 and the Fifth Schedule to the Property Law Act 2007, the provisions of the said Fifth Schedule will prevail.

Where there is a conflict between the provisions of the said Fourth Schedule and/or the said Fifth Schedule, and the modifications in this Easement Instrument, the modifications will prevail.

1. Definitions

"easement facility"

in relation to a right to convey electric power includes a conductor of any kind (including a fibre optic cable) used or intended to be used for conveying electric power and includes any insulator, casing, tunnel or other equipment or material used for supporting, enclosing, surrounding or protecting any wires, conductor, cable or fibre optic cable.

2. Subdivision

If any of the dominant land or the servient land is subdivided, then the registered proprietor(s) of any new lot(s) which has the use of the easement facility will bear the costs of maintenance and repair equally with the other registered proprietors who are entitled to use the easement facility.

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

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

Annexure Schedule



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

Easement

Dated

Page 3 of 3 Pages

(Continue in additional Annexure Schedule, if required.)

Continuation of Attestation:

Signed by JOHNSTON O'SHEA
TRUSTEE LIMITED by it's Directors:

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

View Instrument Details



Instrument No 8070861.15
Status Registered
Date & Time Lodged 06 May 2009 14:49
Lodged By McGregor, Jamie Louise
Instrument Type Easement Instrument



Affected Computer Registers **Land District**
288346 North Auckland

Annexure Schedule: Contains 7 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☒
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Jacqueline Margaret Liddell as Grantor Representative on 29/04/2009 11:31 AM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☒
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by Jacqueline Margaret Liddell as Grantee Representative on 08/04/2009 11:05 AM

*** End of Report ***

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

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

Land registration district

NORTH AUCKLAND



BARCODE

Grantor

Surname(s) must be underlined or in CAPITALS.

MATTHEW BROWN SHARPE, BEVERLEY JOY SHARPE and JOHNSTON O'SHEA TRUSTEE LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.

TOP ENERGY LIMITED

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

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

Dated this _____ day of _____ 2009

Attestation.Signed by MATTHEW BROWN SHARPE,
BEVERLEY JOY SHARPE

Signed in my presence by the Grantor

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)
Witness name

Occupation

Address

Signature [common seal] of Grantor

Signed by TOP ENERGY LIMITED

Signed in my presence by the Grantee

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)
Witness name

Occupation

Address

Signature [common seal] of Grantee

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

[Solicitor for] the Grantee

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

REF: 7003 – AUCKLAND DISTRICT LAW SOCIETY

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

Annexure Schedule



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

Easement

Dated

Page 2 of 6 Pages

(Continue in additional Annexure Schedule, if required.)

Continuation of Attestation:

Signed by JOHNSTON O'SHEA
TRUSTEE LIMITED by it's Directors:

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

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

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

Dated

Page **3** of **6** Pages

(Continue in additional Annexure Schedule, if required.)

ANNEXURE SCHEDULE 2**1. Interpretation****1.1** In this instrument, unless the context otherwise requires:

- (a) "Easement Area" means that part of the Servient Land marked on Deposited Plan 411622 with the letter BU;
- (b) "Servient Land" means the land owned by the Grantor described in Schedule A of Annexure Schedule 1;
- (c) "Transmission Line" means underground wires or conductors of any other kind (including fibre optic or coaxial cables) used or intended to be used for the transmission of electricity and/or telecommunication signals, waves or impulses; and includes any insulators, foundations, casings, tubes, tunnels, minor fixtures and other items, equipment or material used or intended to be used for supporting, securing, enclosing, surrounding and protecting a Transmission Line; and also includes any fuses, fuse holders, automatic switches, voltage regulators, capacitors or other instruments, apparatus or devices used in association with a Transmission Line; and anything in replacement or substitution of any of the foregoing;
- (d) words importing the singular include the plural and vice versa; and
- (e) references to the Grantor and Grantee include their respective heirs, executors, administrators, successors and assigns.

2. Grant of electricity easement**2.1** The Grantor grants to the Grantee as an easement in gross an electricity supply easement over the Servient Land with the following rights and powers:

- (a) to convey, send, transmit and transport electricity and telecommunications signals, waves or impulses, without interruption or impediment and in any quantity by means of the Transmission Line;
- (b) to survey, investigate, lay, install and construct the Transmission Line under the Easement Area, at a depth and along a line determined by the Grantee;
- (c) to inspect, operate, use, maintain, repair, renew, upgrade, replace, change the size of and remove, the Transmission Line;
- (d) with the Grantee's agents, contractors and employees, and with any vehicles, equipment, tools and materials, to enter and remain for a reasonable time on the Servient Land for any purposes necessary or convenient for the Grantee to exercise its rights under this instrument (including the right to extinguish fires);

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

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

Annexure Schedule

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

Easement

Dated

Page 4 of 6 Pages

(Continue in additional Annexure Schedule, if required.)

- (e) to construct on the Servient Land whatever roads, tracks, access ways, fences, gates and other works are deemed necessary by the Grantee for it to exercise its rights under this instrument and which are approved by the Grantor (that approval not to be unreasonably withheld);
- (f) to keep the Easement Area cleared of all buildings and structures by any means the Grantee considers necessary;
- (g) to keep the Easement Area cleared of all fences, trees and vegetation by any means the Grantee considers necessary where such items:
 - (i) breach any statutory or regulatory requirements or standards or codes of practice or otherwise breach generally accepted engineering standards as to the minimum clearance of the Transmission Line;
 - (ii) impede the exercise by the Grantee of its rights under this instrument or the Grantee's access over the Servient Land or the Easement Area or to the Transmission Line; or
 - (iii) inhibit the safe and efficient operation of the Transmission Line.

2.2 The Grantee has no obligation to construct the Transmission Line or convey electricity through it continuously or at all.

3 Ownership of the Transmission Line

The Transmission Line will at all times remain the property of the Grantee.

4 Restrictions on Grantee's use

4.1 The Grantee must, in exercising its rights under this instrument, cause as little disturbance as is reasonably possible to the Grantor, the Servient Land and the Grantor's stock and other property and must ensure that, where applicable, all gates on the Servient Land are left as the Grantee finds them.

4.2 The Grantee must restore any part of the surface of the Servient Land that is affected by the Grantee exercising any of its rights under this instrument to a condition equivalent, as far as reasonably practicable, to that existing before the Grantee exercised those rights.

5 Grantor's Continued Use of Servient Land

Subject to clause 6, the Grantor may use the Servient Land as long as that use does not unreasonably interfere with the enjoyment of the Grantee's rights and interests granted under this instrument.

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

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



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

Easement

Dated

Page 5 of 6 Pages

(Continue in additional Annexure Schedule, if required.)

6 Restrictions on Grantor's use

6.1 The Grantor must not do or allow any act which may interfere with or affect the rights of the Grantee or the operation of the Transmission Line and, in particular, the Grantor must not, without the consent in writing of the Grantee:

- (a) On the Easement Area, or within the minimum distance from the Transmission Line as advised by the Grantee (having regard to relevant statutory or regulatory requirements, codes of practice and engineering standards applicable from time to time), erect or permit the erection of any buildings or structures, or alter or allow to be altered the overall dimensions of existing buildings or structures, or carry out any earthworks or stockpiling, or construct or permit the construction of any roads, dams, walls or driveways, or allow any vegetation to become established, or remove or permit the removal of any soil, sand, gravel or other substance;
- (b) disturb the soil below the depth of 0.3 metres;
- (c) cause or knowingly permit flooding of the Easement Area;
- (d) burn off crops, trees or undergrowth on the Servient Land;
- (e) operate or permit to be operated any machinery or equipment (including any cranes, drilling-rigs, pile-drivers and excavators) in close proximity to any part of the Transmission Line;
- (f) disturb any survey pegs or markers placed on the Easement Area by the Grantee;
- (g) impede the Grantee's access over the Servient Land or the Easement Area or to the Transmission Line; or
- (h) do anything on or in the Servient Land which would or could damage or endanger the Transmission Line;

6.2 The consent of the Grantee required under clause 6.1 will not be unreasonably withheld, but may be given subject to conditions.

6.3 The Grantee may consent in writing to certain existing buildings, structures, fences or vegetation on the Easement Area at the date of this instrument remaining there, but such consent may be given subject to conditions.

6.4 If any act or item consented to under clause 6.2 or 6.3 subsequently results in a situation described in clause 2.1 (g)(i) - (iii), then such consent may be revoked by the Grantee without compensation.

6.5 Before exercising any right under this instrument to remove a fence, the Grantee must consult with the Grantor so the Grantor is given a reasonable opportunity to co-ordinate the erection of any necessary replacement fence. The cost of any replacement fence will be borne by the Grantor and the Grantor must comply with any reasonable directions of the Grantee as to the height, materials used and location of such replacement fence.

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

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

Annexure Schedule

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

Easement

-Dated

Page

6

of

6

Pages

(Continue in additional Annexure Schedule, if required.)

- 6.6 If the Grantor does not meet its obligations under this instrument within such reasonable timeframe as is specified in a notice from the Grantee requiring it to do so then the Grantee may meet those obligations (and enter the Servient Land for that purpose) and the Grantor is liable to pay to the Grantee the costs incurred in doing so.

7 Indemnity against third party claims

Each party ("Indemnifying Party") must indemnify the other ("Indemnified Party") against all claims or demands from third parties for any loss, damage or liability in respect of, or arising out of, the use of the land by the Indemnifying Party (or any person authorised, whether expressly or impliedly by it) EXCEPT THAT it will not be liable to indemnify where such loss, damage or liability was caused by the Indemnified Party. Where the actions of the Indemnified Party contribute to that loss, damage or liability, the indemnity given by the Indemnifying Party will be reduced in proportion to that contribution.

8 Licence and assignment

The Grantee may assign, licence or otherwise grant any right of all or any part of any estate or interest conferred by this instrument.

9 Perpetual easement

There is no power implied in this instrument for the Grantor to terminate the easement for any breach of this instrument or for any other reason. It is the intention of the parties that the easement created by this instrument will continue forever unless surrendered.

10 Arbitration

If any dispute arises between the parties in relation to this instrument or any matter arising under it and that dispute cannot be resolved by negotiation, then the parties must submit the dispute to arbitration in accordance with the Arbitration Act 1996 (and its amendments or any statute which replaces it). The arbitration will be commenced by either party giving written notice to the other of the details of the dispute and that party's desire to have the matter referred to arbitration. The arbitration will be by one arbitrator, if the parties can agree upon one; and, if not, then by two arbitrators; one to be appointed by each party, and their umpire to be appointed by the arbitrators before they begin to consider the dispute. The award in the arbitration will be final and binding on the parties.

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

View Instrument Details



Instrument No 8213682.2
Status Registered
Date & Time Lodged 14 August 2009 09:25
Lodged By Millar, John Lindsay
Instrument Type Easement Instrument



Affected Computer Registers **Land District**
288346 North Auckland

Annexure Schedule: Contains 6 Pages.

Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☒
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by John Lindsay Millar as Grantor Representative on 14/08/2009 09:20 AM

Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☒
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☒
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☒
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☒

Signature

Signed by John Lindsay Millar as Grantee Representative on 14/08/2009 09:20 AM

*** End of Report ***

Approved by Registrar-General of Land under number 2002/6055

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

Land Registration District

North Auckland

BARCODE

Grantor

Surname must be underlined

Matthew Brown Sharpe, Beverley Joy Sharpe and Johnston O'Shea Trustee Limited

Grantee

Surname must be underlined

Far North District Council

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

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

Dated this

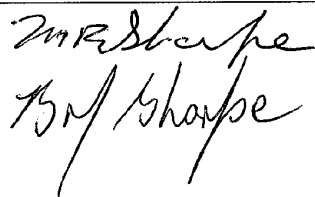
28th

day of

May

2009

Attestation



Signature [common seal] of Grantor

Signed in my presence by the Grantor Matthew Brown Sharpe and Beverley Joy Sharpe

Signature of Witness

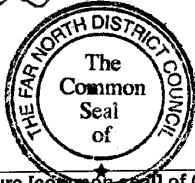
Witness to complete in BLOCK letters (unless legibly printed)

Witness Name

Greg Davis
Solicitor
KERIKERI

Occupation

Address

Signature [common seal] of Grantee

Signed in my presence by the Grantee

Signature of Witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness Name

Occupation

Address

Certified correct for the purposes of the Land Transfer Act 1952

[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.
 REF 7003 - AUCKLAND DISTRICT LAW SOCIETY

ANNEXURE SCHEDULE

Easement instrument	Dated	28 / 05 / 2009	Page	2	of	5	Pages
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(Continue in additional Annexure Schedule, if required.)

SIGNED by JOHNSTON O'SHEA TRUSTEES LIMITED)Director
by one/two of its Directors)
in the presence of:-)Director

Witness signature: Christine M Bates
Witness name: CHRISTINE M BATES
Occupation: RECEPTIONIST
Address: WHANGAREI

All signing parties and either their witnesses or their Solicitors must put sign or initial here.

hny/s mrb [Signature] [Signature] wsd

Approved by Registrar-General of Land under No. 2004/6055

Annexure Schedule 1

Easement Instrument

Dated

28 /05 /09

Page

3

of

5

Pages

Schedule A

Purpose (nature and extent) of easement, Profit, or covenant	Shown (plan references)	Servient tenement ("Servient land") (Identifier/CT)	Dominant tenement ("Dominant land") (Identifier/CT or in gross)
Right to drain sewage	"B" on DP 404419	288346 – Lot 2 DP371201	In gross
	"C" on DP404419	288346 – Lot 2 DP371201	In gross
	"F" on DP404419	288346 – Lot 2 DP 371201	In gross
Right of Way	"B" on DP 404419	288346 – Lot 2 DP371201	In gross
	"C" on DP404419	288346 – Lot 2 DP371201	In gross
	"F" on DP404419	288346 – Lot 2 DP 371201	In gross

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

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

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule 5 of the of the Property Law Act 2007.

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

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

[the provisions set out in Annexure Schedule 2]

Covenant provisions

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

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

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

[Annexure Schedule 2].

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

Handwritten signatures and initials: MBS, HMB, J, J. D. S.

Approved by Registrar-General of Land under No. 2004/2138

Annexure Schedule 2

Easement Instrument	Dated	28 / 05 / 2009	Page	4	of	5	Pages
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(Continue in additional Annexure Schedule, if required.)

The Grantee shall have the easements referred to in Annexure Schedule 1 and the following additional provisions shall apply:-

1. Any terms used in this easement that are defined in the Land Transfer Regulations 2002 or in Schedule 5 of the Property Law Act 2007 shall take those meanings.
2. Where there is a conflict between the provisions of Schedule 4 of the Land Transfer Regulations, Schedule 5 of the Property Law Act 2007, and the modifications in this easement instrument, the modifications in this easement instrument shall prevail. If there is conflict between the provisions of Schedule 4 of the Land Transfer Regulations 2002 and Schedule 5 of the Property Law Act 2007 then the provisions of Schedule 5 of the Property Law Act 2007 shall prevail.
3. Reference in Clauses 3(1), 4(1), and 5(1) of Schedule 4 of the Land Transfer Regulations to the dominant land shall be deleted for the purpose of this easement instrument.
4. The Grantee shall have the right to dig up to any depth the soil of the portions of the servient land and to lay down and construct pipes of such size and material as the Grantee thinks fit for the purpose of this easements.
5. The Grantor covenants with the Grantee not to place any buildings, erect fences or other permanent structures on the Stipulated Course without the specific prior written consent of the Grantee and the Grantor will not at any time commit or suffer any acts whereby the rights, powers, licences and liberties hereby granted to the Grantee may be interfered with or affected. The issue by the Grantee of a building consent pursuant to the Building Act 2004 (or any modification or re-enactment thereof) shall not be regarded as written consent for the purpose of this clause.
6. The Grantee shall be responsible for the installation, repair, replacement, and maintenance of the easement facility so as to keep the same in good order and repair and condition and to prevent the same from becoming a nuisance. The cost of installation, maintenance, repair, and replacement of the easement facility will be the responsibility of the Grantee.
7. Notwithstanding paragraph 6 hereof, if any repair or replacement of the easement facility is necessary due to any act or omission, neglect or fault of the Grantor or the Grantor's employees, contractors, agents, tenants, licensees, or invitees, the Grantor will promptly carry out such repair or replacement and will bear the cost of such repair or replacement. Where the act or omission is the partial cause of the maintenance repair or replacement, the costs payable by the Grantee shall be in proportion to the amount attributable to the act or omission of the Grantor.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their Solicitors must put their signatures or initials here.

Approved by Registrar-General of Land under No. 2004/2138

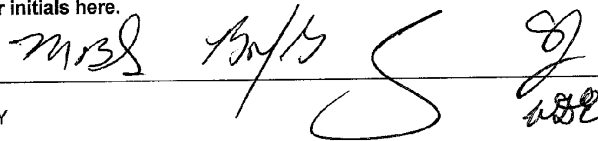
Annexure Schedule 2	
Easement Instrument	Dated 28 / 05 / 2009 Page 5 of 5 Pages

(Continue in additional Annexure Schedule, if required.)

Continuation

8. The Grantee may drain and convey sewage in any quantities.
9. The Grantee's rights to the easement facility or facilities under this easement are exclusive.
10. Nothing contained or implied by this easement shall be deemed to compel the Grantee to drain and convey sewage along the Stipulated Course.
11. Any rights or immunities from liabilities, powers and remedies which the Grantee may have or be entitled to by virtue or at common law shall not be affected by the easement and the Grantee may exercise any such other powers vested in it at common law or by statute dependently of these grants of easements.
12. Dispute resolution – it is hereby agreed by and between the parties that, in the event of any dispute arising, in the event of any dispute arising between the parties hereto as to the construction or operation this easement:-
 - (a) The party initiating the dispute must provide for written particulars of the dispute to the other party; and
 - (b) The parties must promptly meet and in good faith try to resolve the dispute using normal dispute resolution techniques, which may include negotiation, mediation, independent expert appraisal, or any other dispute resolution technique that may be agreed by the parties; and
 - (c) If the dispute is not resolved with 15 working days of the written particulars being given (or any longer period agreed by the parties) then such dispute shall be referred to arbitration within the meaning of the Arbitration Act 1996 and this clause shall be deemed to be a submission to arbitration within the meaning of that Act.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their Solicitors must put their signatures or initials here.



Approved by Registrar-General of Land under number 2002/6055

Annexure Schedule – Consent Form*Land Transfer Act 1952 section 238(2)*Insert type of instrument
"Caveat", "Mortgage" etc

Easement Instrument

Page 1 of 1 Pages

Consentor

Surname(s) must be underlined or in CAPITALS

Capacity and Interest of Consentor(eg. Caveator and Caveat no./Mortgagee under
Mortgage no.)

Far North District Council


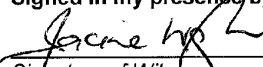
Local Authority acting under Section 348 of the Local
Government Act 1974**Consent***Delete Land Transfer Act 1952, if inapplicable, and insert name and date of application Act.**Delete words in [] if inconsistent with the consent**State full details of the matter for which consent is required*

Pursuant to [section 238(2) of the Land Transfer Act 1952]

[section of the Act]

[Without prejudice to the rights and powers existing under the interest of the Consentor]

the **Consentor hereby consents to:**Right of Way easement(s) granted/created by the annexed Easement Instrument – such consent is issued
pursuant to Section 348 of the Local Government Act 1974.Dated this 28th day of May 2009**Attestation**

	Signed in my presence by the Consentor  Signature of Witness
	Witness to complete in BLOCK letters (unless legibly printed) Witness Name JACINE WARMINGTON Occupation EA TO CEO Address FNDC, KAIKOE
Signature of Consentor	

An Annexure Schedule in this form may be attached to the relevant instrument where consent is required to enable
registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed

REF: 7029 – AUCKLAND DISTRICT LAW SOCIETY

View Instrument Details



Instrument No 9168903.2
Status Registered
Date & Time Lodged 28 September 2012 11:05
Lodged By McLeod, Carolyn Anne
Instrument Type Easement Instrument



Affected Computer Registers	Land District
556380	North Auckland
556381	North Auckland

Annexure Schedule: Contains 2 Pages.

Grantor Certifications

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

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

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

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

Signature

Signed by Laurence James MacBrayne as Grantor Representative on 28/09/2012 10:32 AM

Grantee Certifications

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

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

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

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

Signature

Signed by Laurence James MacBrayne as Grantee Representative on 28/09/2012 10:33 AM

*** End of Report ***

Form B

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

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

Matthew Brown SHARPE, Beverley Joy SHARPE and Johnston O'Shea Trustee Limited

Grantee

Matthew Brown SHARPE, Beverley Joy SHARPE and Johnston O'Shea Trustee Limited

Grant of Easement or *Profit à prendre* or Creation of Covenant

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

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (Nature and extent) of easement, <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right of Way Right to Convey Telecommunications & Computer Media	A, B DP 443674	Lot 2	Lot 1
Right to Convey Electricity	F, G, H, I, C, D, E, O, M, P DP 443674	Lot 2	Lot 1

Form B - continued

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 2002 and/or Schedule Five 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 155A of the Land Transfer Act 1952]

~~[the provisions set out in Annexure Schedule -]~~

Covenant provisions

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

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

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

[Annexure Schedule -]



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy



R.W. Muir
Registrar-General
of Land

Identifier **1169137**
Land Registration District **North Auckland**
Date Issued 30 August 2024

Prior References
556381

Estate Fee Simple
Area 25.0004 hectares more or less
Legal Description Lot 2 Deposited Plan 600741
Registered Owners
M N M Lynn Limited

Interests

Subject to Section 8 Atomic Energy Act 1945

Subject to Section 27B State-Owned Enterprises Act 1986 (which provides for the resumption of land on the recommendation of the Waitangi Tribunal and which does not provide for third parties, such as the owner of the land, to be heard in relation to the making of any such recommendation)

Subject to Part IV A Conservation Act 1987

Subject to Section 261 Coal Mines Act 1979

Subject to Sections 6 and 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

Subject to Section 3 Geothermal Energy Act 1953

Subject to Section 3 Petroleum Act 1937

Appurtenant hereto is a right to convey electricity created by Easement Instrument 6990849.2 - 16.8.2006 at 9:00 am

The easements created by Easement Instrument 6990849.2 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way and right to convey telecommunications, electricity and water over parts marked A, B, C, D & E and a right to convey electricity over parts marked F, G, H & I, all on DP 600741 created by Easement Instrument 6990849.2 - 16.8.2006 at 9:00 am

8064273.2 Compensation Certificate pursuant to Section 19 Public Works Act 1981 - 5.2.2009 at 9:00 am

Subject to a right to convey electricity over part marked J on DP 600741 created by Easement Instrument 8070861.13 - 6.5.2009 at 2:49 pm

Subject to a right (in gross) to convey electricity over part marked J on DP 600741 in favour of Top Energy Limited created by Easement Instrument 8070861.15 - 6.5.2009 at 2:49 pm

The easements created by Easement Instrument 8070861.15 are subject to Section 243 (a) Resource Management Act 1991

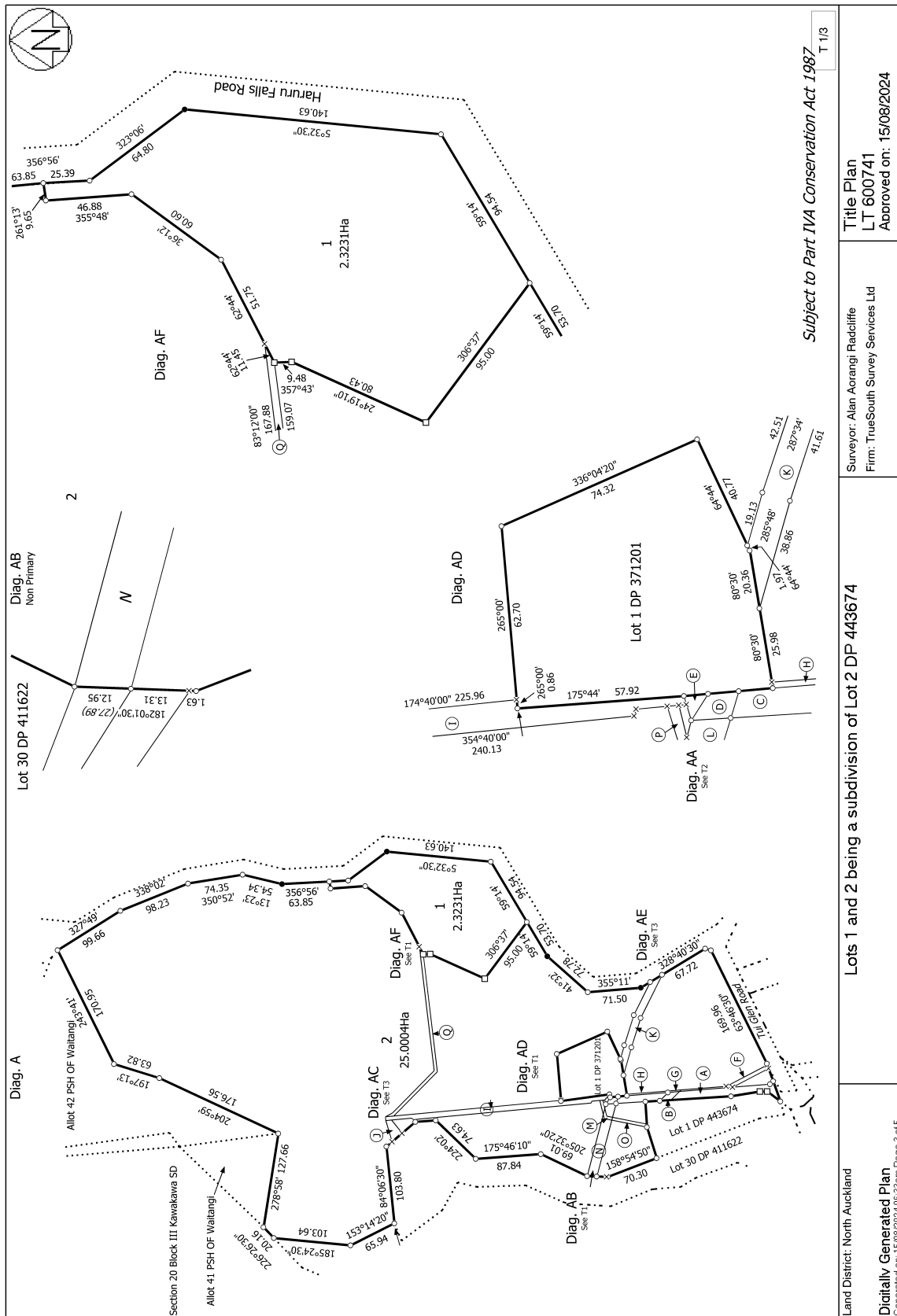
Subject to a right to drain sewage and a right of way (in gross) over parts marked D, K, L, M & N on DP 600741 in favour of Far North District Council created by Easement Instrument 8213682.2 - 14.8.2009 at 9:25 am

Subject to a right of way and a right to convey telecommunications over parts marked A & B, and a right to convey electricity over parts marked C, D, E, F, G, H, I, M, O & P, all on DP 600741 created by Easement Instrument 9168903.2 - 28.9.2012 at 11:05 am

The easements created by Easement Instrument 9168903.2 are subject to Section 243 (a) Resource Management Act 1991 13092224.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 30.8.2024 at 10:47 am

Subject to a right to drain sewage and water and a right to convey electricity, telecommunications and water over part marked A, B, C, D, E, F, G, H, I & Q on DP 600741 created by Easement Instrument 13092224.3 - 30.8.2024 at 10:47 am

The easements created by Easement Instrument 13092224.3 are subject to Section 243 (a) Resource Management Act 1991





View Instrument Details

Instrument No	13092224.2
Status	Registered
Lodged By	McLeod, Carolyn Anne
Date & Time Lodged	30 Aug 2024 10:47
Instrument Type	Consent Notice under s221(4)(a) Resource Management Act 1991

Affected Records of Title	Land District
1169137	North Auckland

Annexure Schedule	Contains 2 Pages
--------------------------	------------------

Signature

Signed by Noel Christopher Roderick Perry as Territorial Authority Representative on 30/08/2024 09:52 AM

*** End of Report ***

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC 2240108

Being the Subdivision of Lot 2 DP 443674
North Auckland Registry

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

SCHEDULE

Lot 2 DP 600741

- i. At the time a building consent application is submitted for the dwellings it must be demonstrated that sufficient water volume, pressure & flow will be provided in accordance with NZFS Fire Fighting Water Supplies CoP SNZ 4509:2008 and that this water supply is accessible for firefighting purposes. Should the water supply be provided by way of tank storage, this storage must be located a safe distance away from any habitable dwelling in accordance with the above CoP. If an alternative fire-fighting water supply is to be provided the written approval of that system from Fire and Emergency New Zealand must be provided with the building consent application.
- ii. All habitable buildings of importance level 2 and greater shall have foundations specifically designed by a suitably qualified chartered professional engineer. The details of design shall be submitted in conjunction with the Building Consent application.
- iii. In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a Chartered Professional Engineer or an approved TP58 Report Writer.



HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

Private Bag 752, Kaikohe 0440, New Zealand

 ask.us@fndc.govt.nz

 0800 920 029

 fndc.govt.nz



SIGNED:

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

DATED at **KERIKERI** this 6th day of August 2024

View Instrument Details

Instrument No	13092224.3
Status	Registered
Lodged By	McLeod, Carolyn Anne
Date & Time Lodged	30 Aug 2024 10:47
Instrument Type	Easement Instrument

Affected Records of Title	Land District
1169136	North Auckland
1169137	North Auckland

Annexure Schedule	Contains 2 Pages
--------------------------	------------------

Grantor Certifications

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

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

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

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

Signature

Signed by Noel Christopher Roderick Perry as Grantor Representative on 30/08/2024 09:52 AM

Grantee Certifications

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

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

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

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

Signature

Signed by Noel Christopher Roderick Perry as Grantee Representative on 30/08/2024 09:52 AM

*** End of Report ***

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

Matthew Brown SHARPE, Beverley Joy SHARPE and JOHNSTON O'SHEA TRUSTEE LIMITED

Grantee

Matthew Brown SHARPE, Beverley Joy SHARPE and JOHNSTON O'SHEA TRUSTEE 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 required

Continue in additional Annexure Schedule, if

Purpose of Easement, or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right to drain sewage, water Right to convey electricity, telecommunications, water	A, B, C, D, E, F, G, H, I, Q on DP 600741	Lot 2 DP 600741 Record of Title 1169137	Lot 1 DP 600741 Record of Title 1169136

This approved format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

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

APPENDIX 3

APPROVED PLANS FOR UNDERLYING SUBDIVISION

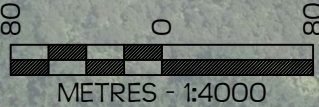
APPROVED PLAN

Planner: SMaharaj
RC: RMASUB-2250277
Date: 24/01/2025

Allotment 41
PSH OF Waitangi

Allotment 42
PSH OF Waitangi

HARURU FALLS ROAD
SEALED, 20.12m WIDE



LOT 2
(7.6487 Ha)
7.2757 Ha

LOT 3
10.3635 Ha

Lot 30
DP 411622

Lot 2
DP 600741
RT 1169137

LOT 1
(6.9882 Ha)
6.8602 Ha

LOT 1
DP 600741

RIGHT TO CONVEY
ELECTRICITY CREATED
BY EI 6990849.2

Lot 1
DP 371201

SEE SHEET 2

Lot 1
DP 443674

EX. VEHICLE CROSSING
SEALED, 20.12m WIDE
TUI GLEN ROAD

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	CREATED
RIGHT OF WAY, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	A, B & C	LOT 2 HEREON	#6990849.2
	D & E	LOT 2 HEREON	
RIGHT TO CONVEY ELECTRICTY	F, G & H	LOT 1 HEREON	#8070861.13
	I	LOT 2 HEREON	
	J	LOT 2 HEREON	#8213682.2
RIGHT TO DRAIN SEWAGE	D, M, L & N	LOT 2 HEREON	
	K	LOT 1 HEREON	#9168903.2
RIGHT OF WAY, RIGHT TO CONVEY TELECOM	A & B	LOT 2 HEREON	
	D, E, I, M, O, CA & P	LOT 2 HEREON	
	F, G & H	LOT 1 HEREON	
RIGHT TO CONVEY ELECTRICITY	C	LOT 2 HEREON	

- CAUTION:
- THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
 - AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
 - THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN. SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
 - DO NOT SCALE OFF DRAWINGS.
 - THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
 - DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
 - 04m 2014-2016 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD
 - INFORMATION AVAILABLE ON LINZ DATA SERVICE.
 - BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER, SEWAGE, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	F, G & H	LOT 1 HEREON	LOT 1 LT 600741
	A, B & C	LOT 2 HEREON	
	QA	LOT 3 HEREON	
EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED	CREATED
RIGHT TO CONVEY ELECTRICTY	J	LOT 2 HEREON	#8070861.15
RIGHT OF WAY	D, L, M & N	LOT 2 HEREON	#8213682.2
	K	LOT 1 HEREON	

NOTE:
SUBJECT TO PART IV A CONSERVATION ACT 198

- SS IS A RISING MAIN LINE — SS —

TOTAL AREA: 25.0004 Ha
COMPRIED IN: RT 1169137 (ALL)
THIS SITE IS ZONED ' RURAL PRODUCTION ' AND THE BUILDING SETBACKS
ARE THUS: 10m FROM ALL BOUNDARIES.

A	15.11.24	FIRST ISSUE - JBH/AA
REV	DATE	DESCRIPTION
REF. DATA:		

Ph: 09 438 3563
7 Selwyn Ave, Whangarei

PO Box 191, Whangarei 0140
www.reyburnandbryant.co.nz

CLIENT

MACK LYNN
TUI GLEN ROAD,
PAIHIA

TITLE

PROPOSED SUBDIVISION OF
LOT 2 LT 600741

DATE	NOV 2024	SCALE	1:4000 @A3
DRAWING REF.	S18193	SHEET	1/2
		REV	A

LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL

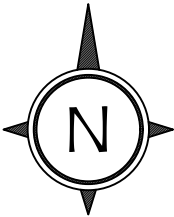
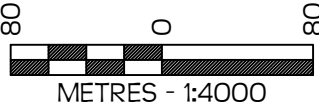
APPROVED PLAN

Planner: SMaharaj
RC: RMASUB-2250277
Date: 24/01/2025

Allotment 41
PSH OF Waitangi

Allotment 42
PSH OF Waitangi

HARURU FALLS ROAD
SEALED, 20.12m WIDE



- CAUTION:
- THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
 - AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
 - THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN. SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
 - DO NOT SCALE OFF DRAWINGS.
 - THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
 - DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
 - 04m 2014-2016 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD
 - INFORMATION AVAILABLE ON LINZ DATA SERVICE.
 - BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

EXISTING EASEMENT SCHEDULE

PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER, SEWAGE, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	F, G & H	LOT 1 HEREON	LOT 1 LT 600741
	A, B & C	LOT 2 HEREON	
	QA	LOT 3 HEREON	

EXISTING EASEMENTS IN GROSS

PURPOSE	SHOWN	BURDENED	CREATED
RIGHT TO CONVEY ELECTRICTY	J	LOT 2 HEREON	#8070861.15
RIGHT OF WAY	D, L, M & N	LOT 2 HEREON	#8213682.2
	K	LOT 1 HEREON	

NOTE:
SUBJECT TO PART IV A CONSERVATION ACT 198

- SS IS A RISING MAIN LINE — SS —

TOTAL AREA: 25.0004 Ha
COMPRIED IN: RT 1169137 (ALL)

THIS SITE IS ZONED ' RURAL PRODUCTION ' AND THE BUILDING SETBACKS ARE THUS: 10m FROM ALL BOUNDARIES.

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	CREATED
RIGHT OF WAY, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	A, B & C	LOT 2 HEREON	#6990849.2
	D & E	LOT 2 HEREON	
RIGHT TO CONVEY ELECTRICTY	F, G & H	LOT 1 HEREON	#8070861.13
	I	LOT 2 HEREON	
	J	LOT 2 HEREON	
RIGHT TO DRAIN SEWAGE	D, M, L & N	LOT 2 HEREON	#8213682.2
	K	LOT 1 HEREON	
RIGHT OF WAY, RIGHT TO CONVEY TELECOM	A & B	LOT 2 HEREON	#9168903.2
	D, E, I, M, O, CA & P	LOT 2 HEREON	
	F, G & H	LOT 1 HEREON	
RIGHT TO CONVEY ELECTRICITY	C	LOT 2 HEREON	

Ph: 09 438 3563 PO Box 191, Whangarei 0140

7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT

MACK LYNN
TUI GLEN ROAD,
PAIHIA

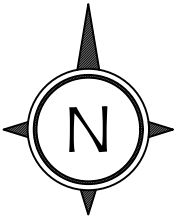
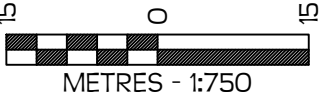
TITLE

PROPOSED SUBDIVISION OF
LOT 2 LT 600741

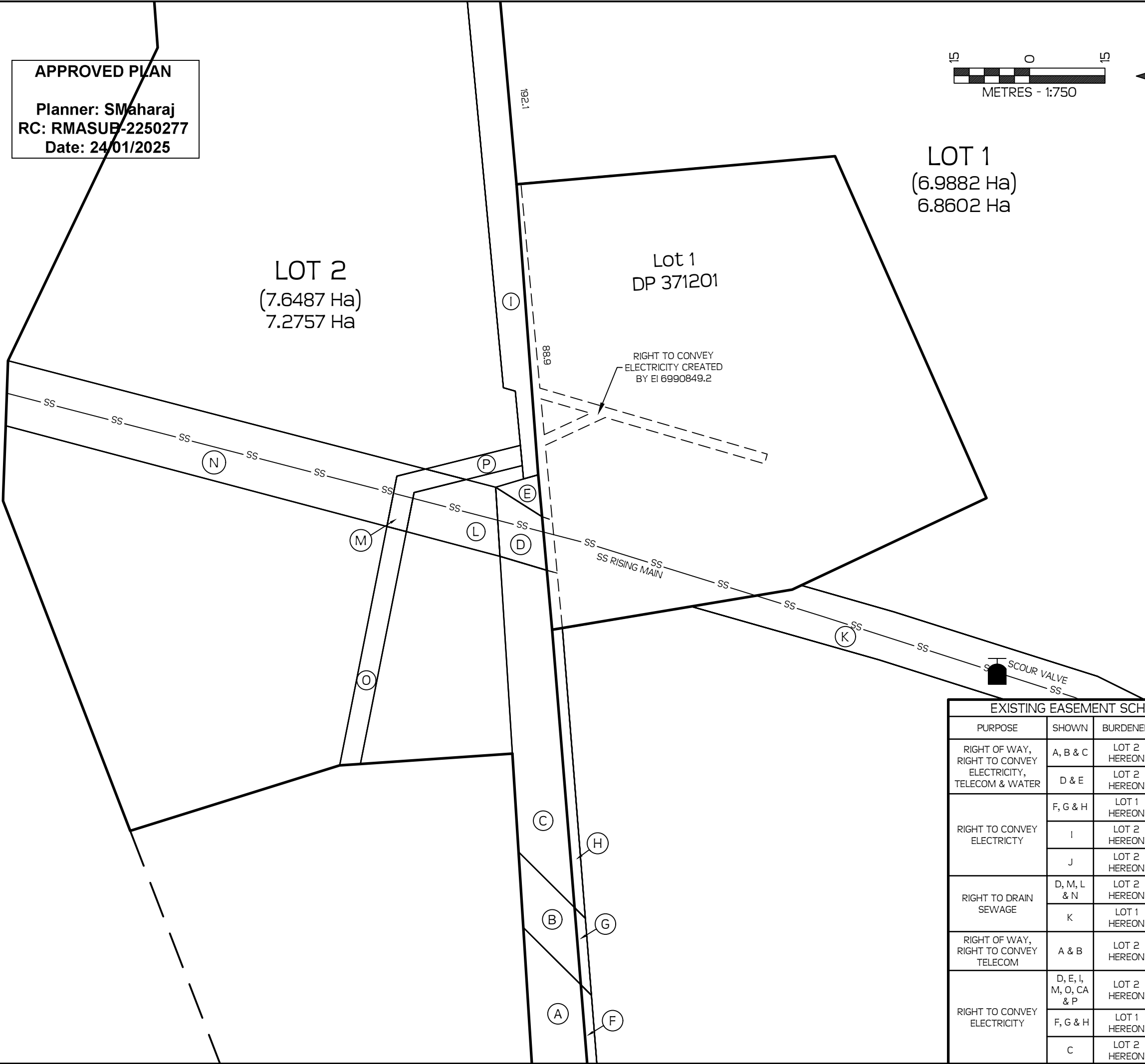
DATE	NOV 2024	SCALE	1:4000 @A3
DRAWING REF.	S18193	SHEET	1/2
		REV	A

APPROVED PLAN

Planner: SMaharaj
RC: RMASUB-2250277
Date: 24/01/2025



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 - INFORMATION AVAILABLE ON LINZ DATA SERVICE.
 - BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.



EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	CREATED
RIGHT OF WAY, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	A, B & C	LOT 2 HEREON	#6990849.2
	D & E	LOT 2 HEREON	
RIGHT TO CONVEY ELECTRICTY	F, G & H	LOT 1 HEREON	#8070861.13
	I	LOT 2 HEREON	
	J	LOT 2 HEREON	
RIGHT TO DRAIN SEWAGE	D, M, L & N	LOT 2 HEREON	#8213682.2
	K	LOT 1 HEREON	
RIGHT OF WAY, RIGHT TO CONVEY TELECOM	A & B	LOT 2 HEREON	#9168903.2
	D, E, I, M, O, CA & P	LOT 2 HEREON	
	F, G & H	LOT 1 HEREON	
RIGHT TO CONVEY ELECTRICITY	C	LOT 2 HEREON	

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER, SEWAGE, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	F, G & H	LOT 1 HEREON	LOT 1 LT 600741
	A, B & C	LOT 2 HEREON	
	QA	LOT 3 HEREON	
EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED	CREATED
RIGHT TO CONVEY ELECTRICTY	J	LOT 2 HEREON	#8070861.15
RIGHT OF WAY	D, L, M & N	LOT 2 HEREON	#8213682.2
	K	LOT 1 HEREON	

NOTE:
SUBJECT TO PART IV A CONSERVATION ACT 198

- SS IS A RISING MAIN LINE — SS —

TOTAL AREA: 25.0004 Ha
COMPRISED IN: RT 1169137 (ALL)

THIS SITE IS ZONED ' RURAL PRODUCTION ' AND THE BUILDING SETBACKS ARE THUS: 10m FROM ALL BOUNDARIES.

A	15.11.24	FIRST ISSUE - JBH/AA
REV	DATE	DESCRIPTION
REF. DATA:		

Ph: 09 438 3563
7 Selwyn Ave, Whangarei

PO Box 191, Whangarei 0140
www.reyburnandbryant.co.nz

CLIENT

MACK LYNN
TUI GLEN ROAD,
PAIHIA

TITLE

PROPOSED SUBDIVISION OF
LOT 2 LT 600741

DATE NOV 2024SCALE 1:750 @A3

DRAWING REF. S18193SHEET 2/2REV A

DECISION ON SUBDIVISION CONSENT APPLICATION UNDER THE RESOURCE MANAGEMENT ACT 1991

Decision

Pursuant to section 34(1) and sections 104, 104B, 106 and Part 2 of the Resource Management Act 1991 (the Act), the Far North District Council **grants** subdivision resource consent for a Discretionary activity, subject to the conditions listed below, to:

Applicant: M N M Lynn Limited
Council Reference: 2250277-RMASUB
Property Address: Lot 2, Tui Glen Road, Haruru
Legal Description: Lot 2 DP 600741

The activity to which this consent relates is:

Subdivision to create two additional allotments in the Rural Production zone as a Discretionary activity.

Conditions

Pursuant to sections 108 and 220 of the Act, this consent is granted subject to the following [conditions](#):

1. The subdivision shall be carried out in general accordance with the approved plan of subdivision prepared by Reyburn & Bryant, referenced PROPOSED SUBDIVISION OF LOT 2 LT 600741, dated Nov 2024, and attached to this consent with the Council's "Approved Stamp" affixed to it.

Survey plan approval (s223) conditions

2. The survey plan, submitted for approval pursuant to Section 223 of the Act shall show:
 - a. All existing easements in the memorandum.

Section 224(c) compliance conditions

3. Secure the conditions below by way of a Consent Notice issued under section 221 of the Act, to be registered against the titles of the affected allotment. The costs of preparing, checking and executing the Notice shall be met by the consent holder:
 - a. At the time of building consent, the owner shall apply for a vehicle crossing permit. The vehicle crossing shall comply with the Council's current Environmental Engineering Standards. The formation works shall be completed to the satisfaction of Councils' Roading Corridor Coordinator or delegated

representative prior to the Code Compliance Certificate being issued by Council for the first new building consent granted.

Lot 1 & 3

- b. The location and foundations of any building shall be certified by a suitably experienced Chartered Professional Engineer prior to issue of any building consent, noting the location of instability areas on Council's Geographic Information Systems maps.

Lot 1, 2 & 3

- c. In conjunction with the construction of any building which includes a wastewater treatment & effluent disposal system the applicant shall submit for Council approval a TP58 Report prepared by a suitable qualified Engineer or an approved TP58 Report Writer. The report shall identify a suitable method of wastewater treatment for the proposed development along with an identified effluent disposal area plus a reserve disposal area. The report shall confirm that all of the treatment & disposal system can be fully contained within the lot boundary and comply with the Regional Water & Soil Plan.

Lot 1, 2 & 3

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

Lot 1, 2 & 3

- e. 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.

Lot 1, 2 & 3

- f. The site is identified as being within a kiwi present zone. All dogs should be under effective control at all times. Any cats and/or dogs kept onsite must be kept inside and/or tied up at night to reduce the risk of predation of North Island brown kiwi by domestic cats and dogs.

Lot 1, 2 and 3

Advice Notes

Lapsing of Consent

1. Pursuant to section 125 of the Act, this resource consent will lapse 5 years after the date of commencement of consent unless, before the consent lapses;
 - a) A survey plan is submitted to Council for approval under section 223 of the RMA before the lapse date, and that plan is deposited within three years of the date of approval of the survey plan in accordance with section 224(h) of the RMA; or
 - b) An application is made to the Council to extend the period of consent, and the council decides to grant an extension after taking into account the statutory considerations, set out in section 125(1)(b) of the Act.

Right of Objection

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

Archaeological Sites

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

Section 224 Certification

4. *A Section 224 Certificate will not be issued until all Council invoices, including engineering fees and any other costs associated with the Resource Consent have been paid in full.*

General Advice Notes

5. *This consent has been granted on the basis of all the documents and information provided by the consent holder, demonstrating that the new lot(s) can be appropriately serviced (infrastructure and access).*
6. *Any work activity, excavation and non- excavation carried out in the road reserve, must lodge formal notice if intention to carry out Works, in the form of a Corridor Access Request, submitted to the Corridor Manager for Approval.*

A Corridor Access Request (CAR) is an application for a permit to carry out works within the road reserve, this is defined in the National Code of Practice for Utilities access to the transport Corridors and has been adopted by Council.

A Traffic Management Plan (TMP) must be uploaded with the CAR submission, describing the proposed works, design, setup, and removal of any activity being carried out within the road Reserve. A Work Access Permit (WAP) and reasonable conditions will be issued once TMP is Approved. Enquiries as to its use may be directed to Council's Road Corridor Manager, corridor.access@fndc.govt.nz.

7. *Permits are required for drilling any bores in Northland. Therefore, resource consent will need to be gained from the Northland Regional Council if water is obtained in this way. If a bore is to be constructed, all areas used for sewage effluent disposal and reserve effluent disposal areas must be at least 20 metres away from any groundwater bore.*
8. *Building Consents may be required for retaining structures.*
9. *All earthworks are required to comply with the Northland Regional Council Regional Water and Soil Plan for Northland noting Erosion & sediment control and dust suppression requirements.*

10. *Erosion and Sedimentation Control shall be designed and carried out in accordance with GD05 “Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region”.*

Reasons for the Decision

1. By way of an earlier report that is contained within the electronic file of this consent, it was determined that pursuant to sections 95A and 95B of the Act the proposed activity will not have, and is not likely to have, adverse effects on the environment that are more than minor, there are also no affected persons and no special circumstances exist. Therefore, under delegated authority, it was determined that the application be processed without notification.
2. The application is for a Discretionary activity resource consent as such under section 104 the Council can consider all relevant matters. In particular the matters listed in 13.7.2.1 Minimum Area for Vacant New Lots are of particular relevance.
3. In regard to section 104(1)(a) of the Act the actual and potential effects of the proposal will be acceptable as:
 - a. The proposed lots do not contain any areas of cultural significance to Māori or other heritage resources, outstanding landscapes, outstanding natural features or landscape features.
 - b. It is considered that the proposed subdivision will not exacerbate any natural or other hazards on site as there are no identified HAIL sites located in the local area or surrounding properties. Given the above, no mitigation of natural hazards is required, and the proposed subdivision will not increase risks to people or property.
 - c. There will be no reverse sensitivity effects as the activity is consistent with the current use of the existing activities in the wider environment.
 - d. The proposal will also result in positive effects enabling the lots to be independently disposed for residential use and enabling the property owner to retain productive capacity of their farm.
4. In regard to section 104(1)(ab) of the Act there are no offsetting or environmental compensation measures proposed or agreed to by the applicant for the activity.
5. In regard to section 104(1)(b) of the Act the following statutory documents are considered to be relevant to the application:
 - a. National Policy Statement for Highly Productive Land
 - b. Northland Regional Policy Statement 2016
 - c. Operative Far North District Plan 2009
 - d. Proposed Far North District Plan 2022

National Policy Statement for Highly Productive Land

The subject site is zoned Rural Production under the Operative and Proposed District Plans. The site is mapped as comprising three Land Use Capability (“LUC”) units – 4

and 6. None of these LUC units meet the definition of 'highly productive land' as per the definitions provided in the NPSHPL.

Northland Regional Policy Statement 2016

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

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

The proposal is not contrary to the relevant objectives and policies under Northland Regional Policy Statement 2016 because:

- Servicing with the necessary infrastructure is viable, with onsite storage of potable water and onsite wastewater disposal being feasible.
- The site is not near any significant mineral resources.
- The new building sites are not close to any incompatible land use activities and avoids reverse sensitivity.
- The proposal does not affect any landscape or natural character values, historic or cultural heritage values, or transport corridors.
- The site does not contain significant vegetation, adverse effects on kiwi habitat can be avoided.
- Adverse effects associated with natural hazards and downstream flooding are avoided. Existing and future impermeable surface coverage is likely to be low.
- The site does not contain highly versatile soils.

Operative Far North District Plan

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan because the proposal is consistent with the purpose of the Rural Production zone, to enable the continuation of the wide range of existing and future activities compatible with normal farming, and with rural lifestyle and residential uses while ensuring that the natural and physical resources of the rural area are managed sustainably. The surrounding environment is generally utilised for rural lifestyle purposes. The proposed allotments will be within the lot sizes already in existence within the immediate environment and locality, which will avoid fragmentation.

The subdivision will create 2 additional allotments under the discretionary criteria within the Rural Production zone. The subdivision is consistent with the purpose of the zone and promotes the sustainable management of the productive intent of the zone. Both lots will have available space for on-site servicing and each lot can provide sufficient water supply for potable and firefighting purposes. The adjusted boundary allotments will be within the lot sizes already in existence within the immediate environment and locality, which will avoid fragmentation.

The activity is consistent with the relevant objectives, policies and assessment criteria of the Operative District Plan.

Proposed Far North District Plan

The Rural Production zone is the largest zone in the district and accounts for approximately 65% of all land. The purpose of this zone is to provide for primary production activities including farming, plantation forestry, and horticulture.

In assessing the proposal against the objectives and policies of the Proposed District Plan, particular regard has been given to those provisions that are directive on their face and do not rely on rules or methods still subject to submissions and appeals for their interpretation and application.

There is greater uncertainty applying PDP provisions that rely on rules and methods still subject to change through the submission and hearing process. Objectives and policies related to natural hazards, servicing, amenity, and other effects have been given regard but with caution, as the final planning framework to implement those provisions is not yet settled.

Overall, while some PDP provisions may support or be neutral toward the proposal, it is considered contrary to key directive objectives and policies which seek to avoid rural lifestyle subdivision in the Rural Production Zone.

However, it is acknowledged the PDP was notified in July 2022 and hearings have commenced. There is substantial scope for provisions to evolve through the submission and appeal process. Therefore, at this stage of the PDP process limited weighting has been placed on these PDP provisions relative to the Operative Plan.

The Operative Plan remains the primary planning instrument for determining this application.

6. In regard to section 104(1)(c) of the Act there are no other matters relevant and reasonably necessary to determine the application.
7. In terms of s106 of the RMA the proposal is not considered to give rise to a significant risk from natural hazards, and sufficient provision has been made for legal and physical access to the proposed allotments. Accordingly, council is able to grant this subdivision consent subject to the conditions above.
8. Based on the assessment above the activity will be consistent with Part 2 of the Act.
The activity will avoid, remedy or mitigate any potential adverse effects on the environment while providing for the sustainable management of natural and physical resources and is therefore in keeping with the Purpose and Principles of the Act. There are no matters under section 6 that are relevant to the application. The proposal is an efficient use and development of the site that will maintain existing amenity values without compromising the quality of the environment. The activity is not considered to raise any issues in regard to Te Tiriti o Waitangi.
9. Overall, for the reasons above it is appropriate for consent to be granted subject to the imposed conditions.

Approval

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



Name: Nick Williamson

Date: 24th January 2025

Title: Resource Consent Team Leader

APPENDIX 4

GEOTECHNICAL SUITABILITY REPORT



Northland Geotechnical Specialists

GEOTECHNICAL SUITABILITY REPORT FOR SUBDIVISION



Location
Client
NGS Ref
Date

Lot 3 RM 2250277, Haruru Falls Road
Nicholas Fewtrell
0423 Rev 1
04 August 2025

Report prepared by
Report reviewed by
Authorised for NGS by

David Buxton
Rebekah Buxton
David Buxton

Table of Contents

1. INTRODUCTION.....	1
2. PROPOSED DEVELOPMENT	1
3. SITE DESCRIPTION.....	1
4. GEOLOGICAL CONDITIONS	2
4.1. PUBLISHED GEOLOGY.....	2
4.2. AERIAL PHOTOGRAPH REVIEW.....	2
4.3. DIGITAL ELEVATION MODEL.....	4
4.4. SITE INVESTIGATIONS	5
4.5. SUBSOIL CONDITIONS	5
5. ASSESSMENT & RECOMMENDATIONS	6
5.1. GENERAL.....	6
5.2. STABILITY	6
5.3. FOUNDATIONS.....	6
5.4. EARTHWORKS	8
5.5. RETENTION	8
5.6. STORMWATER	8
5.7. SEISMIC CONSIDERATIONS.....	9
5.8. LIQUEFACTION	9
5.9. ONSITE EFFLUENT DISPOSAL	9
5.10. RMA REQUIREMENTS.....	11
6. APPLICABILITY.....	11

1. Introduction

Northland Geotechnical Specialists Ltd (NGS) was engaged by Nicholas Fewtrell to undertake a site walkover, subsoil investigations and provide a geotechnical site suitability report to support a subdivision development. This report is suitable to support a resource consent application for subdivision to the Far North District Council (FNDC).

2. Proposed Development

We understand that it is proposed to subdivide Lot 3 of RM2250277¹ into two new lots suitable for residential development. The new lots will be approximately 4.04Ha and 6.75Ha in size. They are located in a rural area with no reticulated water services so onsite wastewater disposal will be required.

3. Site Description

The site (Lot 3 of RM 2250277)² comprises approximately 10.79Ha. The majority of the site comprises west facing slopes, falling from Haruru Falls Road to the east to the base of a gully to the west. These west facing slopes are moderate to steep (typically 10° to 25°) and dissected by moderately eroded gullies.

The lot includes the gully base which has a moderately sized man-made pond contained by an earth dam approximately 3m high. Above the dam the gully base is generally flat (slightly infilled) and current active erosion of slope toes was not evident.

The site is generally in grass pasture with established mixed native and exotic plantings around the pond and within gullies. To the southeast there is a mature pine block in a steep basin shaped gully head that appears prone to slippage/erosion.

Site elevations range from 40m to 93m NZVD.

The NRC GIS hazard maps³ do not indicate any relevant flood hazards. The site is not subject to coastal erosion or flooding hazards. The NRC Water Resources GIS map⁴ indicates the closest water bore to be approximately 600m south of the site.

The site is shown on Figure 1 – Site Plan, attached.

¹ Keyburn & Bryant DWG S18501, Rev E, 31.07.25, Proposed Subdivision of Lot 3 RM 2250227

² We understand the subdivision has been consented but the new title has not yet been issued.

³ <https://nrcgis.maps.arcgis.com/apps/webappviewer/index.html?id=81b958563a2c40ec89f2f60efc99b13b>, accessed 28/04/25

⁴ <https://localmaps.nrc.govt.nz/localmapviewer/?map=b1bce4c2e2f940288c1f7f679b2ac7b7>, accessed 28/04/25

4. Geological Conditions

4.1. Published Geology

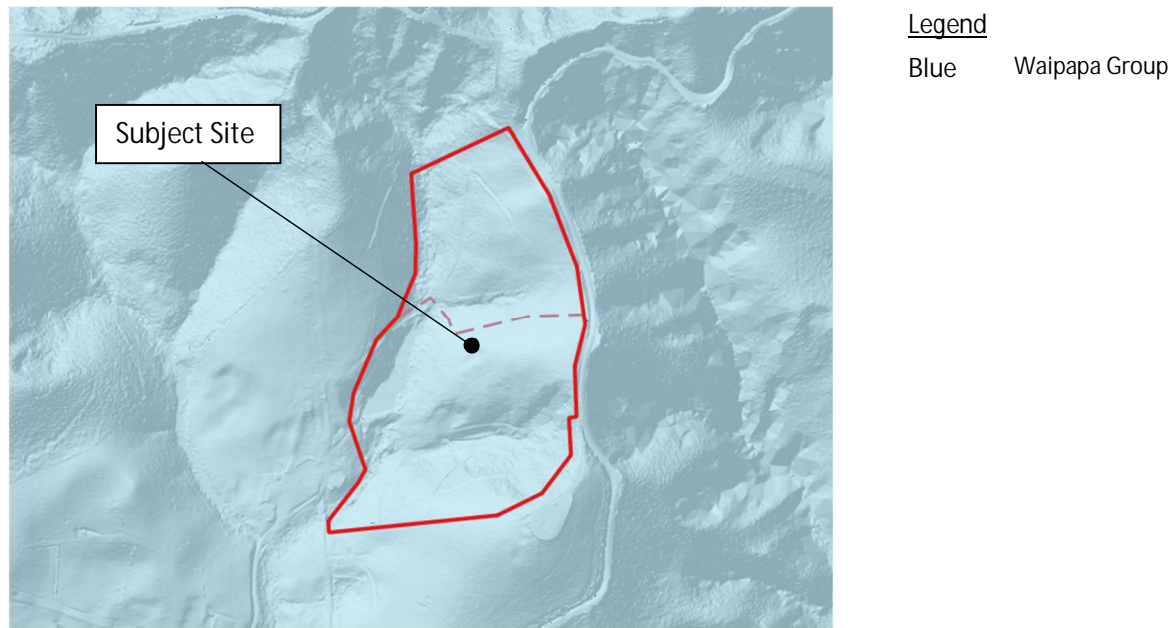


Figure 4-1: 1:250,000 Scale Geological Map with 2018 NRC LiDAR DEM and LINZ property boundary overlays

The published geology⁵ indicates that the site is underlain by the Waipapa Group sandstone and siltstone of the Waipapa terrane. This comprises massive to thin-bedded, lithic volcanoclastic metasediments and argillite with tectonically enclosed basalt, chert and siliceous argillite. These rocks are commonly known as greywacke.

4.2. Aerial Photograph Review

Review of aerial photographs dated between 1951 and present day⁶ indicates the following:

- In 1951 the full site is covered in vegetation that appears to comprise pine plantation forest. Haruru Falls Road is well formed in a similar manner to the present.
- The site remains in plantation forestry in the photos until 1979 by which time the site has been harvested and is relatively bare.
- The site remains in pasture through to the 1984 image, in which the dam within the gully base is visible and appears recently formed.
- From the first colour image in 2000 to present the site remains in grass pasture, with growth of the plantings in the gullies and around the pond evident.

The aerial photos indicate relic instability/erosion in the dissecting gullies, with some active instability visible to the southeast basin shaped gully head in 1979 (the present-day area of large pines). Elsewhere slopes generally appear as uniformly shaped, generally free of relic instability

⁵ Edbrooke, S.W.; Brook, F.J. (compilers) 2009: Geology of the Whangarei area. Institute of Geological and Nuclear Sciences 1:250,000 geological map 2. 1 sheet + 68 p. Lower Hutt, New Zealand. GNS Science.

⁶ Historical Photographs sourced from Retrolens.nz, photographs dated 1951, 1958, 1961, 1966, 1971, 1979, 1981 and 1984. Google Earth Pro aerial photography dating between 2004 and 2023.

features with limited modification to the natural landform, aside from the formation of the dam and forming of a few vehicle tracks.

The 1951, 1979 and 1984 aerial images with approximate property boundary overlay are shown in Figures 4-2 to 4-4 below.

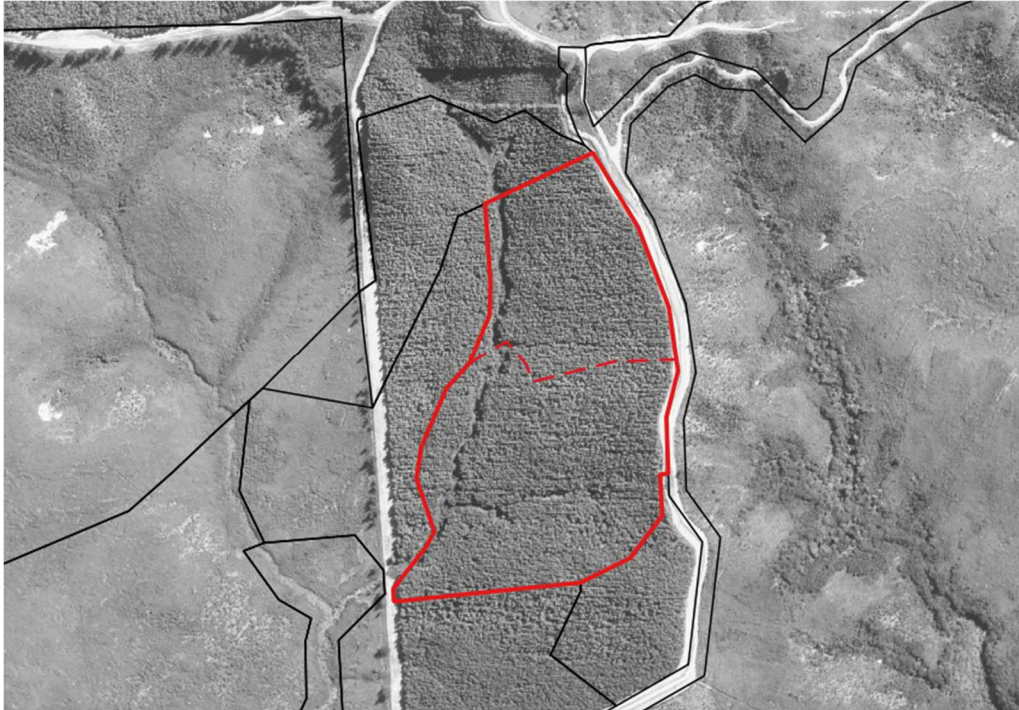


Figure 4-2 – 1951 Aerial photo from retrolens.co.nz (209_544_6 CC BY 4.0). Property boundaries from LINZ with the indicative Lot boundaries in Red.



Figure 4-3 – 1979 Aerial photo from retrolens.co.nz (5337_D_15 CC BY 4.0). Property boundaries from LINZ with the indicative Lot boundaries in Red.



Figure 4-4 – 1984 Aerial photo from retrolens.co.nz (8432_A_2 CC BY 4.0). Property boundaries from LINZ with the indicative Lot boundaries in Red.

4.3. Digital Elevation Model

We have reviewed the landform of the site using a digital elevation model (DEM) of the site and surrounds from the NRC 2018/2019 LiDAR data set. The model was viewed as terrain shaded and slope shaded models with contour overlay

The terrain model shows the main west facing slopes as being generally uniform in shape indicative of moderate stability. To the south of the site the gully head and side slopes are steeper and have relic slip features (consistent with the instability visible in 1979). The more northern minor dissecting gully has erosion in the base but the adjacent slopes don't show signs of instability. To the northwest of the lot there are some relic slip features on steeper slopes near the valley base.

The annotated terrain model is shown in Figure 4-5 below.

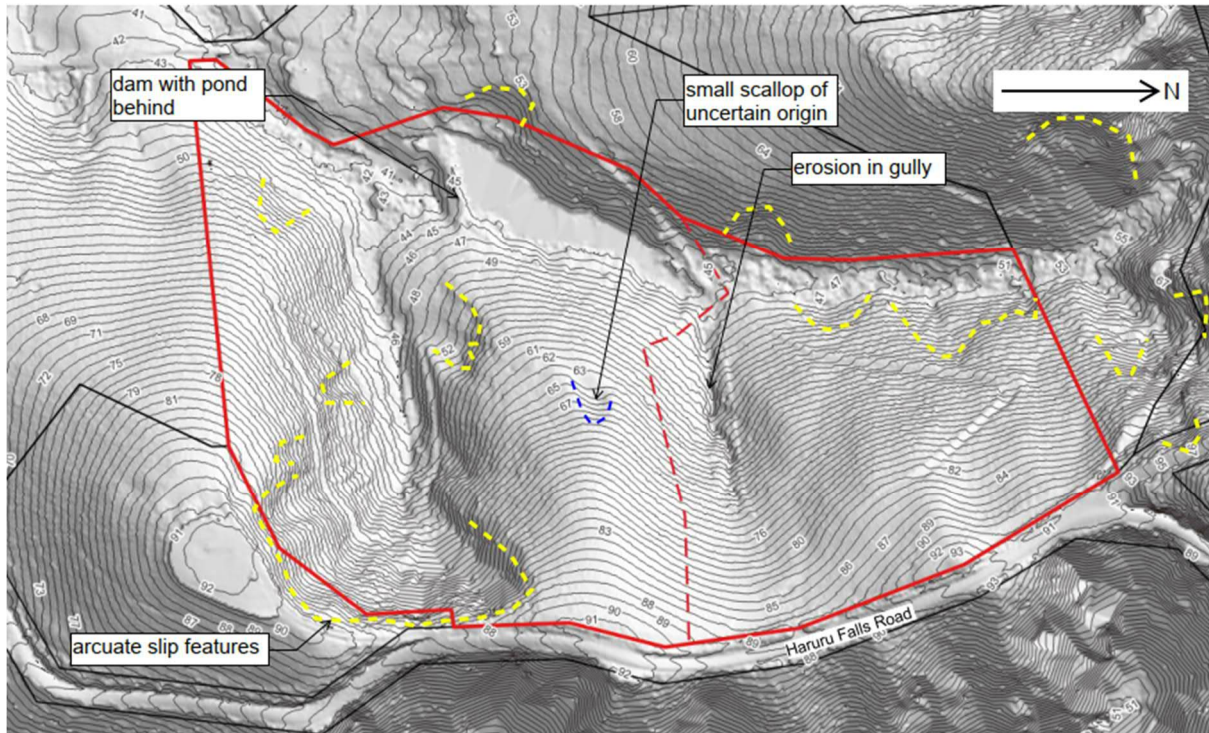


Figure 4-5 – 2018/2019 NRC LiDAR displayed with slope shading and 1m contour overlay (NZVD). LINZ property boundaries shown.

4.4. Site Investigations

Site investigations were undertaken by a geotechnical engineer from NGS on 24 April 2025. Investigations comprised four hand augered boreholes (HA01 – HA04) to target depths of 3.6m, 1.8m, 2.7m and 1.8m, respectively. In situ strength testing using a handheld shear vane was undertaken at typically 0.3m intervals in cohesive soils. The site investigations assessed a possible dwelling site on each of the proposed lots.

Investigation locations are shown on Figure 1 – Site Plan and the logs are attached with this report.

4.5. Subsoil Conditions

The site is underlain by a profile of residual soils weathered from the greywacke rock.

Topsoil was typically 100mm to 200mm deep.

Below the topsoil there was a very stiff to hard high plasticity orange silty clay to depths of 0.7m to 1.2m deep. Measured undrained shear strengths ranged from 188kPa to >222kPa.

Below the silty clay the soils appeared to be a clayey silt with common reddish colouring and light grey mottles. Undrained shear strengths ranged from 113kPa to >222kPa.

Groundwater was not encountered in the boreholes. Regional groundwater levels within the greywacke slopes below the site are likely to be deep (i.e. closer to valley floor levels) however shallow, transient, perched groundwater profiles can occur in the residual soil profile.

5. Assessment & Recommendations

5.1. General

The nature and continuity of the subsoil conditions onsite have been inferred from four hand augered boreholes. It must be appreciated that actual subsoil conditions could differ from those inferred. If the subsoil condition differs in any way from those described in this report it is essential that we be contacted.

5.2. Stability

Stability has been assessed by visual observations, the landform geomorphology and site geology.

Instability on greywacke slopes is typically shallow (i.e. less than 3m depth) and typically occurs during intense rainstorms. Instability most typically occurs on unsupported cut batters, in gully areas, in zones subject to slope toe erosion and steeper slopes. In most instances instability occurs in the locations where existing signs of historic instability are visible in terrain analysis or where earthworks have formed over-steepened slopes.

The terrain models do not indicate obvious risks of rare but occasional deeper/larger scale instability within the greywacke onsite.

There are clear areas with existing signs of instability including the gully to the south of the site and lower on the slopes to the north of the site as annotated on Figure 4.5 above. There is also a larger relic feature between HA01 and HA02.

Where signs of active erosion are visible on a site, it provides an indication of increased risk to the slopes above. In general, there is not obvious active erosion, and the base of the main gully appears slightly infilled (or ponded by the dam). There are some relic features that may have occurred in a previous stream downcutting phase before the main gully became slightly infilled (i.e. flat bottomed). There is some erosion dissecting east to west through the centre of the site in the minor gully. This has been planted out some time ago which will have progressive benefits. It appears this area may receive the stormwater runoff from a portion of the road above.

Zones that have higher risks of instability can be delineated using slopes angles. These are presented on drawing Figure 3 – Slope Angles, attached. Unless a more detailed stability assessment is completed, development shall be limited to areas that slope at less than 15° (1V:3.7H) as also annotated on drawings Figure 1 – Site Plan and Figure 2 – Terrain Model, attached. This limits development to the broader crest of a falling spur in the south of the site on proposed Lot 2 and limits development to the less steep, more elevated slopes, within the north of the site on proposed Lot 1. There is adequate area within these assessed areas on both lots for typical residential development.

Development within areas sloping more steeply than 15° is likely possible however it requires more detailed consideration and may introduce the need for additional measures such as retaining walls designed assuming loss of passive support, deeper foundation piles etc.

5.3. Foundations

The investigations indicated these areas are underlain by residual greywacke soils that are typically very stiff to hard.

The natural very stiff to hard silts and clays are consistent with good ground in accordance with NZS 3604⁷ for foundation design except we consider the soils comprise either moderately or highly expansive soils in accordance with AS 2870⁸ and MBIE Acceptable Solution B1/AS1, amendment 19, November 2019.

Pile foundations shall be either in accordance with NZS 3604 or specifically designed however they shall have a minimum founding depth of 800mm (ordinary piles) and 1.1m (anchor piles)⁹ below cleared ground level to limit potential expansive soil movements. Specifically designed piles may adopt a geotechnical ultimate end bearing of 300kPa and a strength reduction factor of $\phi = 0.5$ shall be applied for comparison with ULS loads.

As a precaution we recommend that downslope leading-edge piles that are located on slopes greater than 15° (1V:3.7H) shall have an increased minimum embedment of 3.0m. This is to protect against any possible shallow soil creep and also ensure the dwelling foundations have a level of resilience against any possible future earthworks or changes on the downslope site in the future.

Pad and strip footings may be designed adopting a geotechnical ultimate bearing pressure of 300kPa and a strength reduction factor of $\phi = 0.5$ shall be applied for comparison with ULS loads. Foundations shall have a 800mm minimum founding depth below cleared ground level to protect against potential expansive soil movements.

Settlement of pile, pad and strip foundations is expected to be within tolerable limits (i.e. less than 25mm total and 1 in 240 differential) given the very stiff to hard residual soils.

Waffle raft slabs (RibRaft or similar) shall be designed for highly expansive soils. We note that recent research indicates that methods to estimate characteristic soil movements may be inaccurate and we recommend that design ensures a robust foundation able to tolerate a range of soil movements.

During construction it is important to ensure that the cut subgrade is not allowed to dry and form desiccation cracking, as this may swell and cause post-construction cracking to concrete slabs. Protection is best achieved by covering with a layer of hardfill. If soils do dry and crack, they should be re-hydrated prior to construction.

Foundations on expansive soils require maintenance and protection to limit moisture changes in the underlying soils. Such measures include:

- A. The drainage and wetting of the site shall be controlled so that extremes of wetting and drying of soils are prevented.
- B. The position and operation of gardens adjacent to the structure are controlled, and the planting of trees near to foundations is suitably restricted.
- C. Any leaks which develop in plumbing, stormwater or sanitary sewage systems are repaired promptly.

Expansive soil damage is most common where trees with aggressive root systems are allowed to grow within a distance of 1.5x the tree height of foundations.

⁷ Standards New Zealand, 2011. Timber-framed buildings. NZS 3604:2011

⁸ Australian Standard, 2011. Residential slabs and footings. AS 2870-2011

⁹ Note these would be minimum embedments assuming the conditions around the dwellings will not exacerbate expansive soil movements. If extensive planting of trees or similar around the dwelling was proposed or there was a lower than normal tolerance to minor seasonal movement then increased embedments should be adopted.

5.4. Earthworks

The site investigations encountered high plasticity clay-based soils and did not encounter highly weathered greywacke rock at shallow depths, likely indicating a reasonably deep soil profile on the site. As such any cut or fill batters will need to be formed at suitable slope angles for soil strength material, typically around 1V:3H (18.4°). Formation of level building areas will likely require some degree of retaining. For low height cut batters (typically <1.5m high) in less critical locations, such as away from the dwelling and to form accessways, steeper batters at 1V:2H may be appropriate with acceptance of increased risk of frittering/minor slumping.

The soils onsite are clay based, and care is required if they are re-used onsite as fill, especially to support structures. To achieve reliable fill performance in clay-based soils they need to be placed at an optimum moisture content (i.e. neither too wet nor too dry) and compacted with dedicated compaction plant (i.e. a sheeps foot roller) in relatively thin (typically <200mm) layers. Fill placed to a lesser standard is susceptible to longer term settlements and more prone to shrinkage drying. Fill placed on sloping ground shall be benched into the existing slope following topsoil removal.

5.5. Retention

The soils onsite are generally suitable to support a range of retaining wall types. Embedded retaining walls (most commonly cantilevered timber pole retaining walls) are most common and effective as the embedment is beneficial to overall slope stability. However other retaining wall types including MSE walls, gravity walls (stacked concrete blocks and gabions) and concrete masonry walls on footings are also suitable. Retaining walls would be subject to detailed investigations and design at the time of construction.

5.6. Stormwater

All stormwater generated from site development (i.e. from roofs and pavement) shall be collected and discharged in a controlled manner to avoid downslope erosion, instability and nuisance.

The FNDC District Plan, Section 13.7.7.4 (d) requires a specific stormwater disposal assessment for subdivision creating lots of less than 2.0Ha in size. The proposed lots exceed 2.0Ha in size and accordingly specific assessment is not required.

We recommend that stormwater disposal on the proposed sites be via discharge to land in accordance with Section 4.2.5 of the FNDC Engineering Standards¹⁰. This requires:

- a. Flooding levels shall not be increased due to the development,
- b. New Outlets to any low-lying areas shall be provided or existing outlets retained,
- c. Dispersal of concentrated flow from the development shall be designed to occur at the shortest practicable distance and before a concentrated overland discharge to a neighbouring property occurs, and
- d. An acceptable rate of dispersed discharge from stormwater runoff at the boundary is < 2 litres/sec/m (e.g. flow can be managed via dispersal swale or trench).

For the proposed development, the large lot size typically results in a low portion of impervious coverage by typical residential development which avoids increasing downslope flood levels. The vegetated gully base and existing pond downslope of the proposed lots will also act to slow and

¹⁰ FNDC Engineering Standards, Version 0.6, May 2023

attenuate stormwater flows. Suitable outlets to disperse discharges shall be provided and discharges shall be located in suitable locations (i.e. in downslope locations away from onsite wastewater disposal, away from steeper/less stable areas and where dispersed flows will not cause nuisance).

5.7. Seismic Considerations

Seismic accelerations to be resisted by a structure are dependent upon the stiffness of the underlying soil/rock. The site seismic category has been assessed based on the hand augered boreholes and understanding of the geology onsite. In accordance with NZS 1170.5:2004¹¹, the subsoil category for this site for seismic actions may be taken as Class C – Shallow soil site, for the proposed development.

5.8. Liquefaction

The soils underlying the proposed dwelling site are not prone to liquefaction due to their cohesive nature, age, the depth to groundwater and the low seismic hazard in Northland.

5.9. Onsite effluent disposal

We have prepared an example onsite effluent disposal assessment to demonstrate that compliance with permitted activities can be achieved. The land in the vicinity of the proposed building platforms has been assessed for effluent suitability with respect to the Northland Regional Council (NRC) Proposed Regional Plan for Northland (PRP, February 2024) and TP58¹². The proposed effluent disposal complies with permitted activity requirements of NRC PRP C.6.1.3: Other on-site treated domestic wastewater discharge – permitted activity.

In accordance with Table 5.1 of TP58, we have identified the soils across the site as category 6 “silty clay”¹³. Secondary treatment of onsite effluent disposing to a pressure compensating dripper irrigation (PCDI) system positioned to the southwest of the dwelling is adopted for this design. The likely disposal locations are currently in grass and slope at up to approximately 20°.

Based on an assumed design occupancy of six people for a four-bedroom dwelling, onsite roof water tank supply and water usage of 180L/day the design daily flow is 1080L/day. A Design Irrigation Rate (DIR) of 3.0mm/day is considered appropriate in accordance with Table 9.2 of TP58.

The sites typically have ground sloping at 10° to 20°. TP58 requires that consideration be given to a lower design loading rate and/or increased downslope buffer zones on sloping ground. To account for the slope a 50% reduction in the DIR from 3.0mm/day to 1.5mm/day has been applied.

A discharge area of 720m² and a reserve area of 216m² (30%) is required for a disposal field. There is adequate area on both proposed lots with a variety of discharge and reserve area layouts with appropriate separation distances from boundaries and surface water. As the disposal areas are likely to be on ground sloping at >10° then an additional 10m downslope buffer zone is required.

Example disposal field layouts are shown on Figure 1 – Site Plan along with the extent of area suitable for onsite effluent disposal. Detailed design of the actual systems will be required at

¹¹ Standards New Zealand, 2004. Structural Design Actions Part 5: Earthquake Actions. NZS 1170.5:2004

¹² Auckland Regional Council Technical Publication No. 58 – On-site Wastewater Systems: Design and Management Manual. We note that FNDC has adopted TP58 and NRC references ASNZS 1547:2012. TP58 has been utilised for this situation however both standards generally result in similar designs.

¹³ Equivalent to category 5 in AS/NZS1547: 2012

Building Consent stage and alternative disposal design options would also be available from that presented here.

There is adequate area on both proposed lots for discharge and reserve areas to meet permitted activity requirements. Compliance against the permitted activity rules within the PRP is discussed in Table 5-1 below.

Table 5-1 Summary of PRP Permitted Activity Compliance for Example Secondary Treated Effluent Design

PRP Requirement C.6.1.3 (Primary & Secondary)	Proposed development Compliance
1) design and construction in accordance with AS/NZS 1547:2012 - On-site Domestic Wastewater Management.	Example disposal field design prepared in accordance with TP58 which is generally consistent with NZS 1547:2012 and considered acceptable by FNDC. Plant sizing and treatment levels to meet these requirements.
2) volume of wastewater discharged does not exceed 2m ³ /day.	Effluent volume <2m ³ /day estimated.
3) discharge is not via a spray irrigation system or deep soakage system.	Discharge by PCDI.
4) slope of the disposal area is not greater than 25 degrees.	Disposal area has been limited to slopes <25° maximum slope as delineated from LiDAR data.
5) discharge of secondary treated or tertiary treated wastewater is via: a) a trench or bed system in soil categories 3 to 5 that is designed in accordance with Appendix L of ASNZS1547, or b) an irrigation line system that is dose loaded and covered at all times by 50mm of topsoil, mulch, or bark.	Design requirements specified to meet these requirements.
6) additional requirements for discharge of wastewater onto slopes greater than 10 degrees.	a) the design is for secondary treatment. b) the irrigation lines are to be firmly attached to the disposal area. c) upslope diversion of stormwater will be provided. d) a 10m downslope buffer area is provided. e & f) the lines shall be covered by a minimum of 100mm of topsoil, mulch or bark.
7) disposal area and reserve area setbacks in Table 9: Exclusion areas and setback distances for on-site domestic wastewater systems.	The site is not flood susceptible. Clearance to winter groundwater >0.6m as indicated by subsurface site investigations & site geology. 600m from closest identified groundwater bores. A 5m setback from identified stormwater flow paths not upslope of the disposal area is achieved. 15m offset from streams is achieved. A 1.5m setback from effective site boundaries is achieved. Setbacks shown on site plan.
8) for septic tank treatment systems, a filter that retains solids greater than 3.5mm in size is fitted on the outlet.	N/A – assessment completed for secondary treated effluent.
9) reserve disposal areas requirements.	Sufficient area for a 30% reserve area exists and is shown on the attached Figure 1 - Site Plan.
10) the on-site system is maintained so that it operates effectively at all times is undertaken in accordance with the manufacturer's specifications for maintenance.	The secondary treatment plant manufacturers maintenance requirements shall be complied with. This may require a maintenance contract.

11) the discharge does not contaminate any water supply or surface water.	Minimum treatment levels and water offsets to be complied with to prevent discharge contaminating any water supply or surface water. The disposal area has been located to maximise the offset from surface water.
12) there is no surface runoff or ponding of wastewater.	The disposal area is sloping so cannot pond water. The DIR rate adopted is considered appropriate to prevent surface runoff of wastewater
13) there is no offensive or objectionable odour beyond the property boundary.	Treatment specified in accordance with good practice requirements to prevent offensive odour.

5.10. RMA Requirements

Subject to our recommendations above, in particular limiting building development to the suitable locations identified, and in terms of section 106 of the Resource Management Act we confirm:

- a. the land in respect of which a consent is sought, or any structure on the land is not, and is not likely to be subject to significant risk from natural hazards; and
- b. any subsequent use that is likely to be made of the land is not likely to accelerate, worsen or result in material damage to the land, other land or structure by a natural hazard.

6. Applicability

This report has been prepared for the sole use of our client Nicholas Fewtrell, for the particular brief and on the terms and conditions agreed with our client. It may not be used or relied on (in whole or in part) by anyone else, for any other purpose or in any other contexts, without prior written agreement.

The nature and continuity of the subsoil conditions onsite have been inferred from visual observations and four hand augered boreholes. It must be appreciated that actual subsoil conditions could differ from those inferred. If the subsoil conditions differ in any way from those described in this report it is essential that Northland Geotechnical Specialists Ltd be contacted.

Authorised for Northland Geotechnical Specialists Limited by:

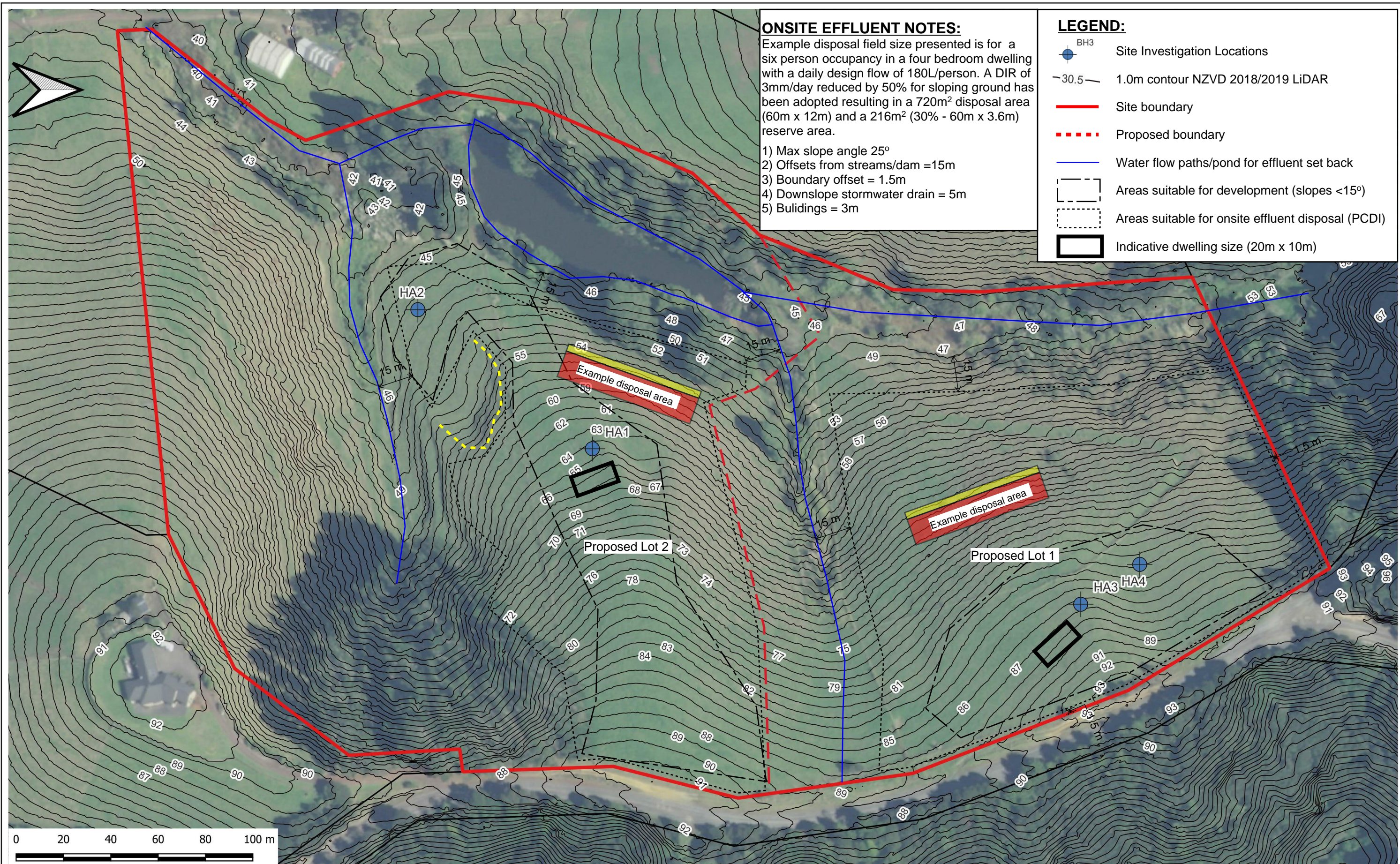


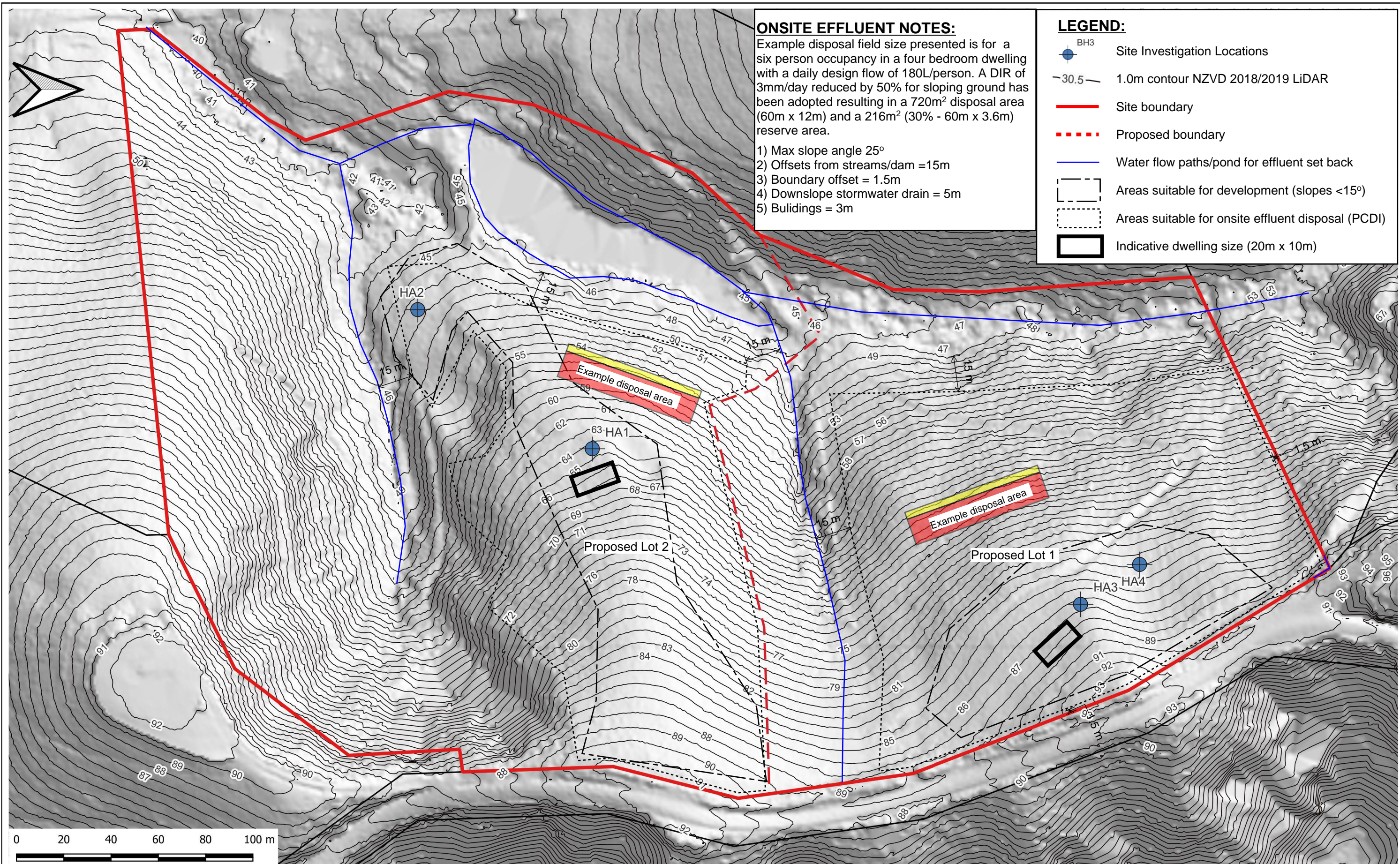
David Buxton

Geotechnical Engineer, BE Civil (Hons), CPEng, CMEngNZ

Attached:	Figure 1 – Site Plan	1 x A3 page
	Figure 2 – Terrain Model	1 x A3 page
	Figure 3 – Slope Angles	1 x A3 page
	Site Investigation Logs, HA01 – HA04	4 x A4 pages

ngs suitability_haruru falls road_040825_rev1

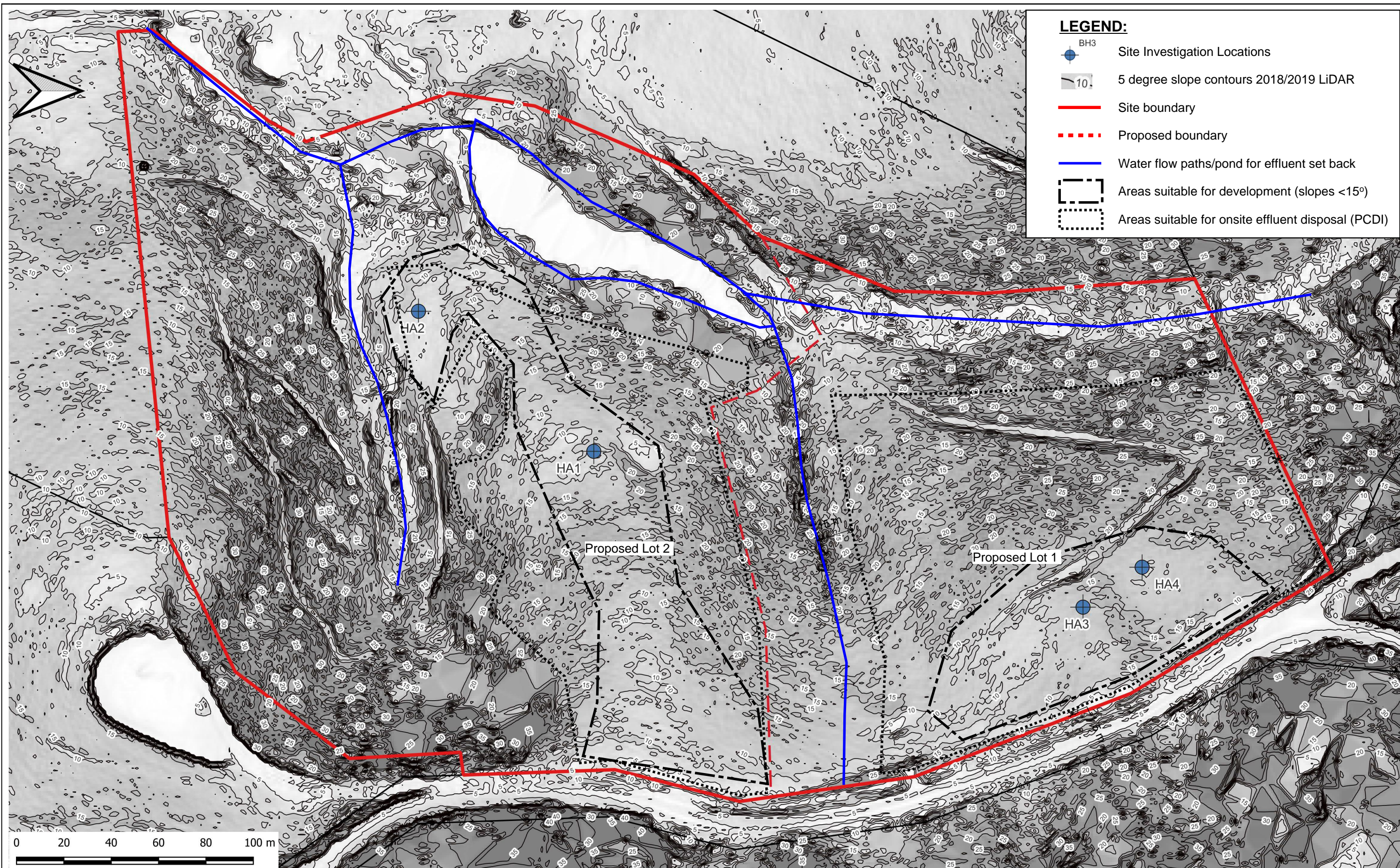





ONSITE EFFLUENT NOTES:
Example disposal field size presented is for a six person occupancy in a four bedroom dwelling with a daily design flow of 180L/person. A DIR of 3mm/day reduced by 50% for sloping ground has been adopted resulting in a 720m² disposal area (60m x 12m) and a 216m² (30% - 60m x 3.6m) reserve area.

- 1) Max slope angle 25°
- 2) Offsets from streams/dam = 15m
- 3) Boundary offset = 1.5m
- 4) Downslope stormwater drain = 5m
- 5) Buildings = 3m

- LEGEND:**
- BH3 Site Investigation Locations
 - 30.5 1.0m contour NZVD 2018/2019 LiDAR
 - Site boundary
 - Proposed boundary
 - Water flow paths/pond for effluent set back
 - Areas suitable for development (slopes <15°)
 - Areas suitable for onsite effluent disposal (PCDI)
 - Indicative dwelling size (20m x 10m)



<div>NGS Northland Geotechnical Specialists</div>		<h1>HAND AUGER LOG</h1>					HOLE NO.: HA01	
		CLIENT: Nick Fewtrell PROJECT: Geotechnical site suitability assessment					JOB NO.: 0423	
SITE LOCATION: Haruru Falls Road CO-ORDINATES: 1695123mE, 6097097mN (NZMG)		ELEVATION: 64.3m (NZVD)					START DATE: 24/04/2025 END DATE: 24/04/2025 LOGGED BY: DB	
UNIT	MATERIAL DESCRIPTION <small>(See Classification & Symbology sheet for details)</small>	SAMPLES	DEPTH (m)	LEGEND	SCALA PENETROMETER <small>(Blows / 0mm)</small>	VANE SHEAR STRENGTH <small>(kPa)</small> <small>Vane: NGS Vane 2 - 19mm</small>		WATER
	SILT, with some organics and clay; dark brown. Stiff, moist; low to high plasticity. Topsoil.		0.2	TS				
	Silty CLAY; orange. Very stiff to hard, moist, high plasticity.		0.4	TS				
	Silty CLAY; orange mottled light grey. Very stiff, moist, high plasticity.		0.8	TS			222	
			1.0	TS			-	
			1.2	TS			222	
	Clayey SILT; red mottled light grey. Stiff to very stiff, moist, high plasticity.		1.4	TS			146	
			1.6	TS			53	
			1.8	TS			113	
			2.0	TS			35	
			2.2	TS			116	
			2.4	TS			32	
			2.6	TS			119	
			2.8	TS			37	
			3.0	TS			170	
	3.0m: Very stiff to hard.		3.2	TS			41	
			3.4	TS			222	
			3.6	TS			-	
	Target depth. Dry on completion. EOH: 3.60m		3.8	TS			222	
		REMARKS						
		<div><div>WATER</div><div><div>▼ Standing Water Level</div><div>↖ Out flow</div><div>↗ In flow</div></div></div> <div><div>INVESTIGATION TYPE</div><div><div><input checked="" type="checkbox"/> Hand Auger</div><div><input type="checkbox"/> Test Pit</div></div></div>						

HAND AUGER LOG

HOLE NO.:
HA02

CLIENT: Nick Fewtrell
PROJECT: Geotechnical site suitability assessment

JOB NO.:
0423

SITE LOCATION: Haruru Falls Road
CO-ORDINATES: 1695064mE, 6097023mN (NZMG)

ELEVATION: 47.6m (NZVD)

START DATE: 24/04/2025
END DATE: 24/04/2025
LOGGED BY: DB

UNIT	MATERIAL DESCRIPTION (See Classification & Symbolology sheet for details)	SAMPLES	DEPTH (m)	LEGEND	SCALA PENETROMETER (Blows / 0mm)	VANE SHEAR STRENGTH (kPa) Vane: NGS Vane 2 - 19mm	WATER
	SILT, with some organics and clay; dark brown. Firm to stiff, moist; low to high plasticity. Topsoil.		0.2	TS			
	Silty CLAY; orange. Very stiff to hard, moist, high plasticity.		0.4	TS		222	
			0.6	TS		222	
			0.8	TS		222	
	Clayey SILT; orange and light grey. Very stiff to hard, moist, high plasticity.		1.0	TS		222	
			1.2	TS		222	
			1.4	TS		167	
			1.6	TS		59	
			1.8	TS		202	
	Target depth. Dry on completion. EOH: 1.80m		2.0			35	
			2.2				
			2.4				
			2.6				
			2.8				
			3.0				
			3.2				
			3.4				
			3.6				
			3.8				



REMARKS

WATER

- ▼ Standing Water Level
↖ Out flow
↗ In flow

INVESTIGATION TYPE

- ☒ Hand Auger
☐ Test Pit

HAND AUGER LOG

HOLE NO.:
HA03

CLIENT: Nick Fewtrell
PROJECT: Geotechnical site suitability assessment

JOB NO.:
0423

SITE LOCATION: Haruru Falls Road
CO-ORDINATES: 1695189mE, 6097304mN (NZMG)

ELEVATION: 86.5m (NZVD)

START DATE: 24/04/2025
END DATE: 24/04/2025
LOGGED BY: DB

UNIT	MATERIAL DESCRIPTION (See Classification & Symbolology sheet for details)	SAMPLES	DEPTH (m)	LEGEND	SCALA PENETROMETER (Blows / 0mm)	VANE SHEAR STRENGTH (kPa) Vane: NGS Vane 2 - 19mm	WATER
	SILT, with some organics and clay; dark brown. Stiff, moist; low to hugh plasticity. Topsoil.		0.2			222	
	Silty CLAY; orange. Very stiff to hard, moist, high plasticity.		0.4			-	
			0.6			222	
			0.8			-	
	Clayey SILT; red mottled white. Very stiff to hard, moist, high plasticity.		1.0			222	
			1.2			162	
			1.4			53	
			1.6			132	
			1.8			25	
			2.0			150	
			2.2			22	
			2.4			189	
			2.6			33	
	2.4m: Hard.		2.8			222	
			3.0			-	
	Target depth. Dry on completion. EOH: 2.70m		3.2			222	
			3.4			-	
			3.6				
			3.8				



REMARKS

WATER
▼ Standing Water Level
↖ Out flow
↗ In flow

INVESTIGATION TYPE
☒ Hand Auger
☐ Test Pit

Groundwater Not Encountered

APPENDIX 5

WRITTEN APPROVAL



NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:

Nick Fewtrell

Address of proposed activity:

Haruru Falls Road, Haruru

Legal description:

Lot 3 RM 2250277

Description of the proposal (including why you need resource consent):

To undertake a two lot discretionary activity subdivision under Rule 13.9 of the Operative Far North District Plan

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Scheme plan - Ref. S18501, Rev E, Dated July 2025

2. _____

3. _____

4. _____

5. _____

6. _____

Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

PART B – To be completed by Parties giving approval

Notes to the party giving written approval:

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

Mack Talbot Lynn
Murray Richard Lynn

Address of affected property including legal description

Lot 1 and Lot 2 RM2250277

Contact Phone Number/s and email address

Daytime:

0214162251

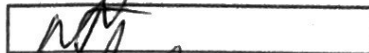
email: wakelinssstation@gmail.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

Please note: in most instances the approval of all the legal owners and the occupiers of the affected property will be necessary.

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature



Date

14/8/25

Signature



Date

14/8/25

Signature

Date

Signature

Date

Allotment 42
PSH OF Waitangi

LOT 1
4.0390 Ha

Lot 2
RM 2250277

LOT 2
6.7470 Ha

Lot 3
RM 2250277

Lot 30
DP 411622

Lot 1
RM 2250277

Lot 1
DP 600741

EX. WATER PUMP

POTENTIAL
CROSSING LOCATION

POTENTIAL
CROSSING LOCATION

HARURU FALLS ROAD
SEALED, 20.12m WIDE



- CAUTION:**
1. THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
 2. AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE TO FINAL SURVEY.
 3. THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR FOR THE VENDOR'S & PURCHASER'S INTERPRETATION OF THIS PLAN.
 4. A REVISIONS LIST MUST BE PREPARED TO THIS PLAN.
 5. TO NOT SCALE OFF DIMENSIONS.
 6. THE PLAN IS CORRECT TO THE DATE OF THE SURVEY (2025) LIMITED TO THE DATE OF THE SURVEY & NOT THE DATE OF THE PLAN.
 7. THE PLAN IS CORRECT TO THE DATE OF THE SURVEY (2025) LIMITED TO THE DATE OF THE SURVEY & NOT THE DATE OF THE PLAN.
 8. THE PLAN IS CORRECT TO THE DATE OF THE SURVEY (2025) LIMITED TO THE DATE OF THE SURVEY & NOT THE DATE OF THE PLAN.
 9. THE PLAN IS CORRECT TO THE DATE OF THE SURVEY (2025) LIMITED TO THE DATE OF THE SURVEY & NOT THE DATE OF THE PLAN.
 10. THE PLAN IS CORRECT TO THE DATE OF THE SURVEY (2025) LIMITED TO THE DATE OF THE SURVEY & NOT THE DATE OF THE PLAN.

EXISTING EASEMENT SCHEDULE

PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER, SEWAGE, ELECTRICITY, TELECOM & WATER	GA	LOT 2 HERON	LOT 1 DP 600741

PROPOSED EASEMENT SCHEDULE

PURPOSE	SHOWN	BURDENED	BENEFITED
POWER SUPPLY (3m WIDE)	A	LOT 2 HERON	LOT 1 HERON

TOTAL AREA: 10.7860 Ha
COMPRESED IN RT 1169137 (ALL)

1	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
2	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
3	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
4	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
5	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
6	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
7	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
8	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
9	2025/25	EXISTING & NEW EASEMENTS	RT 1169137
10	2025/25	EXISTING & NEW EASEMENTS	RT 1169137

rayburn & bryant

PO Box 131, Whangarei 10140
7 Selwyn Ave, Whangarei
www.rayburnandbryant.co.nz

NICK FEWTRILL
HARURU FALLS ROAD
PAHIA

PROPOSED SUBDIVISION OF
LOT 3 RM 2250277

DATE	JULY 2025	SCALE	1:2000 @A3
DRAWN BY	S18501	SHEET	1/1
DATE	JULY 2025	SCALE	1:2000 @A3
DRAWN BY	S18501	SHEET	1/1
DATE	JULY 2025	SCALE	1:2000 @A3
DRAWN BY	S18501	SHEET	1/1

Allotment 42
PSH OF Waitangi

LOT 1
4.0390 Ha

LOT 2
6.7470 Ha

Lot 2
RM 2250277

Lot 30
DP 411622

Lot 1
RM 2250277

Lot 1
DP 600741

Lot 3
RM 2250277

POTENTIAL
CROSSING LOCATION

POTENTIAL
CROSSING LOCATION

HARURU FALLS ROAD
SEALED, 20.12m WIDE



CAUTION:

1. THIS DRAWING SHOULD NOT BE USED WITHOUT THE ORIGINAL DRAWING.
2. ANY CHANGES TO THE DRAWING ARE APPROVED BY THE CLIENT ONLY AND NOT BY THE ENGINEER.
3. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
4. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
5. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
6. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
7. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
8. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.
9. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

EXISTING EASEMENT SCHEDULE

MARKED	CHOWN	PLANNED	REMARKS
RIGHT TO EASE	LOT 1	LOT 2	LOT 1
WATER, POWER, ELECTRICITY, TELECOM & WATER	QA	HERON	CP 000000

PROPOSED EASEMENT SCHEDULE

PURPOSE	SHOWN	PLANNED	BENEFIT
POWER SUPPLY	A	LOT 2	LOT 1
(3m wide)	A	HERON	HERON

TOTAL AREA: 10.7860 Ha

COMPRISED IN RT 1169137 (ALL)

THIS SITE IS ZONED 'RURAL PRODUCTION' AND THE BUILDING SETBACKS ARE 10m FROM THE BOUNDARY.

DATE	BY	REVISION
01/07/25	NICK FEWTRILL	1. INITIAL DESIGN
02/07/25	NICK FEWTRILL	2. REVISED DESIGN
03/07/25	NICK FEWTRILL	3. FINAL DESIGN

reynolds & bryant

PO Box 151, Whangarei 0140
7 Selwyn Ave, Whangarei
www.reynoldsandbryant.co.nz

NICK FEWTRILL
HARURU FALLS ROAD
PAHIA

PROPOSED SUBDIVISION OF
LOT 3 RM 2250277

DATE: JULY 2025 SCALE: 1:2000 @A3
DRAWING NO: S18501 SHEET: 1/1 REV: E



NOTICE OF WRITTEN APPROVAL

Written Approval of Affected Parties in accordance with Section 95E of the Resource Management Act

PART A – To be completed by Applicant

Applicant/s Name:

Nick Fewtrell

Address of proposed activity:

Haruru Falls Road, Haruru

Legal description:

Lot 3 RM 2250277

Description of the proposal (including why you need resource consent):

To undertake a two lot discretionary activity subdivision under Rule 13.9 of the Operative Far North District Plan

Details of the application are given in the attached documents & plans (list what documents & plans have been provided to the party being asked to provide written approval):

1. Scheme plan - Ref. S18501, Rev E, Dated July 2025

2. _____

3. _____

4. _____

5. _____

6. _____

Notes to Applicant:

1. Written approval must be obtained from all registered owners and occupiers.
2. The **original copy** of this signed form and **signed plans and accompanying documents** must be supplied to the Far North District Council.
3. The amount and type of information provided to the party from whom you seek written approval should be sufficient to give them a full understanding of your proposal, its effects and why resource consent is needed.

PART B – To be completed by Parties giving approval

Notes to the party giving written approval:

1. If the owner and the occupier of your property are different people then separate written approvals are required from each.
2. You should only sign in the place provided on this form and accompanying plans and documents if you **fully understand** the proposal and if you **support** or have **no opposition** to the proposal. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.
3. Please note that when you give your written approval to an application, council cannot take into consideration any actual or potential effects of the proposed activity on you unless you formally withdraw your written approval **before** a decision has been made as to whether the application is to be notified or not. After that time you can no longer withdraw your written approval.
4. Please sign and date all associated plans and documentation as referenced overleaf and return with this form.
5. If you have any concerns about giving your written approval or need help understanding this process, please feel free to contact the duty planner on 0800 920 029 or (09) 401 5200.

Full name/s of party giving approval:

Kotare-Rua Trust

Address of affected property including legal description

Lot 1 DP 600741

Contact Phone Number/s and email address

Daytime:

0211474587

email:

4mattnbev@gmail.com

I am/we are the OWNER(S) / OCCUPIER(S) of the property (circle which is applicable)

*Please note: in most instances the approval of **all** the legal owners and the occupiers of the affected property will be necessary.*

1. I/We have been provided with the details concerning the application submitted to Council and understand the proposal and aspects of non-compliance with the Operative District Plan.
2. I/We have signed each page of the plans and documentation in respect of this proposal (these need to accompany this form).
3. I/We understand and accept that once I/we give my/our approval the Consent Authority (Council) cannot take account of any actual or potential effect of the activity and/or proposal upon me/us when considering the application and the fact that any such effect may occur shall not be relevant grounds upon which the Consent Authority may refuse to grant the application.
4. I/We understand that at any time before the notification decision is made on the application, I/we may give notice in writing to Council that this approval is withdrawn.

Signature

Bob Sharpe

Date

13/8/25

Signature

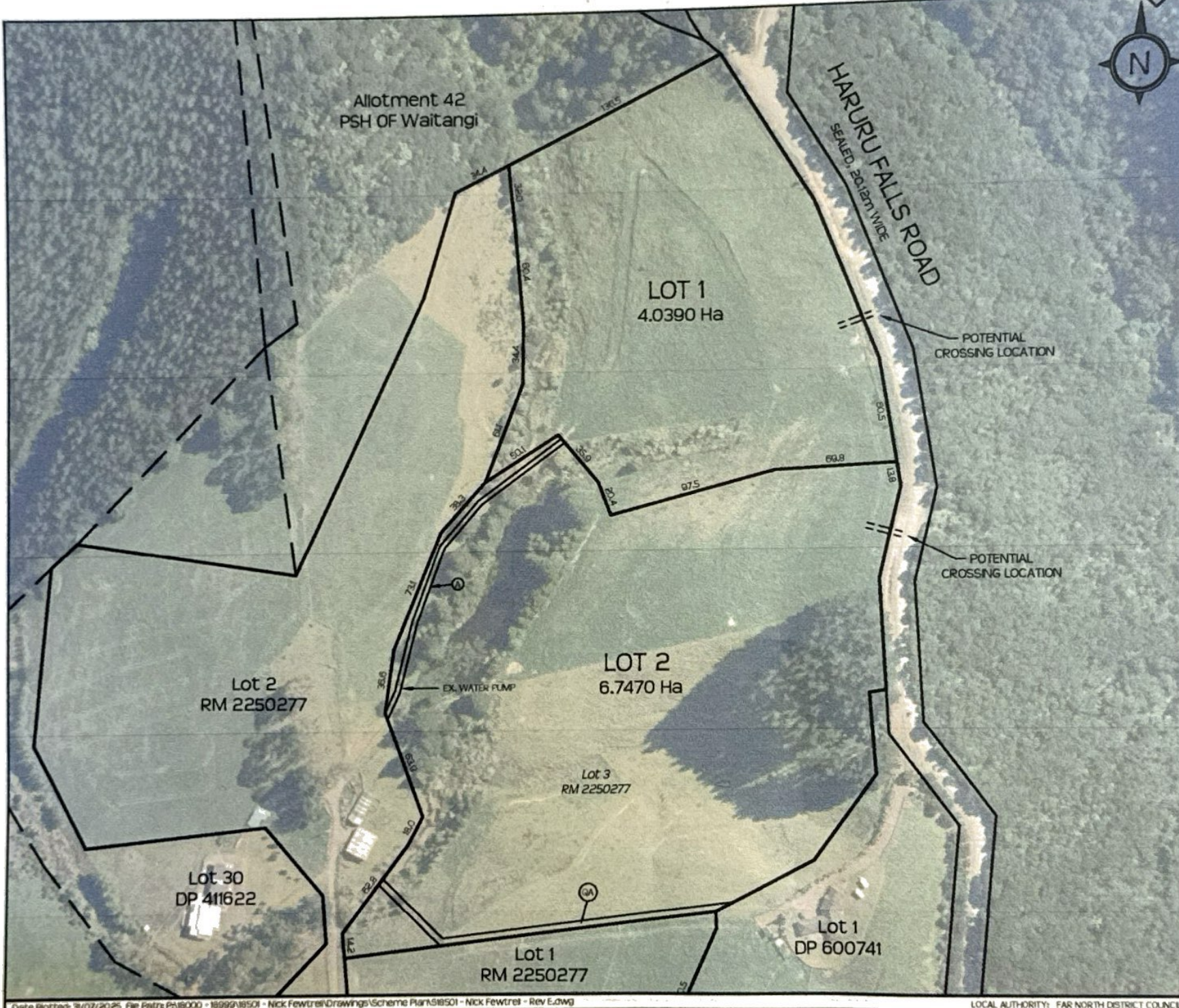
Date

Signature

Date

Signature

Date



CAUTION:

1. THIS DRAWING SHOULD NOT BE USED FOR ANY PURPOSES OTHER THAN THAT SPECIFIED IN THE TITLE.
2. AREAS & DIMENSIONS ARE APPROXIMATE.
3. THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR FOR ANY CHANGES TO THE PLAN.
4. & PURCHASE AGREEMENTS ARE ENTERED INTO USING THE PLAN.
5. SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
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8. DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
9. DATA 2004-2006 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD
10. INFORMATION AVAILABLE ON LIDAR DATA SERVICE.
11. BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

EXISTING EASEMENT SCHEDULE

PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER, SEWAGE, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	GA	LOT 2 HEREON	LOT 1 DP 600741

PROPOSED EASEMENT SCHEDULE

PURPOSE	SHOWN	BURDENED	BENEFITED
POWER SUPPLY (3m WIDE)	A	LOT 2 HEREON	LOT 1 HEREON

Bo/S Sharpe

TOTAL AREA: 10.7860 Ha

COMPRISED IN: RT 1169137 (ALL)

THIS SITE IS ZONED 'RURAL PRODUCTION' AND THE BUILDING SETBACKS ARE THUS 10M FROM ALL BOUNDARIES.

E	31/07/25	EASEMENT & AREA AMENDMENTS	RM/AA
D	28/07/25	BOUNDARY ADJUSTMENT & ALLOTTED EASEMENT	RM/AA
A	23/06/25	FIRST ISSUE	RM/AA
REV	DATE	DESCRIPTION	

REF. DATA:

**reyburn
&bryant**

Ph: 09 438 3563

PO Box 191, Whangarei 0140

7 Selwyn Ave, Whangarei

www.reyburnandbryant.co.nz

CLIENT

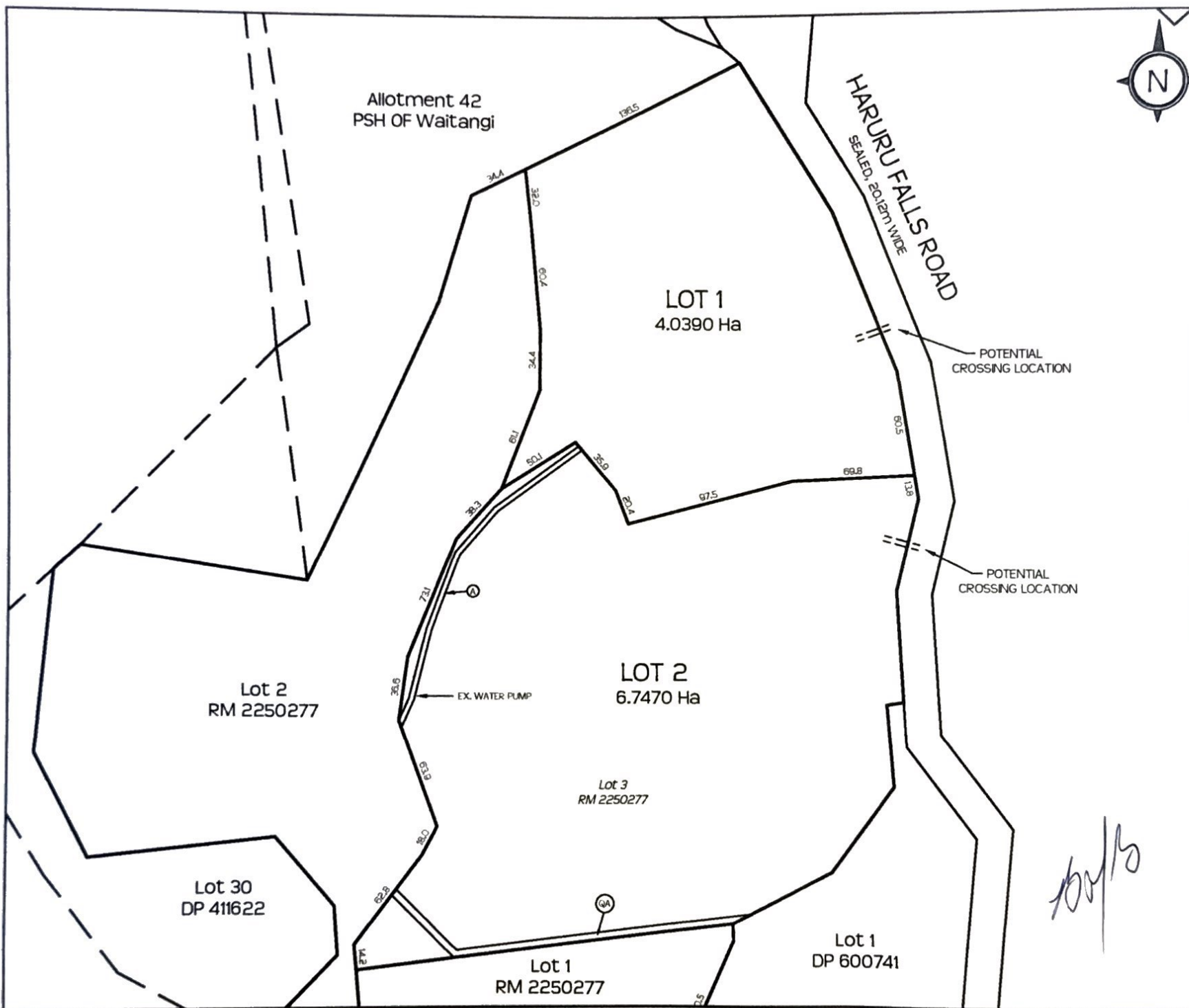
NICK FEWTRELL
HARURU FALLS ROAD
PAHIA

TITLE

PROPOSED SUBDIVISION OF
LOT 3 RM 2250277

DATE: JULY 2025 SCALE: 1:2000 @A3

DRAWING REF.	SHEET	REV
S18501	1/1	E



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 2. AREAS & DIMENSIONS ARE APPROXIMATE.
 3. THE VENDOR'S & PURCHASER'S NAME, ADDRESS, & CONTACT DETAILS ARE NOT TO BE USED FOR ANY PURPOSE.
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 9. INFORMATION ON THIS PLAN IS NOT TO BE USED FOR ANY PURPOSE.
 10. BOUNDARIES ARE NOT TO BE USED FOR ANY PURPOSE.

EXISTING EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	BENEFITED
RIGHT TO DRAIN WATER, SEWAGE, RIGHT TO CONVEY ELECTRICITY, TELECOM & WATER	QA	LOT 2 HEREON	LOT 1 DP 600741

PROPOSED EASEMENT SCHEDULE			
PURPOSE	SHOWN	BURDENED	BENEFITED
POWER SUPPLY (3m WIDE)	A	LOT 2 HEREON	LOT 1 HEREON

TOTAL AREA: 10.7860 Ha
COMPRISED IN: RT 1169137 (ALL)
THIS SITE IS ZONED: RURAL PRODUCTION AND THE BUILDING SETBACKS ARE 10M FROM ALL BOUNDARIES.

E	28.02.25	EASEMENT & UTILITY AMENDMENT: RM 2250277
D	28.02.25	BOUNDARY ALIGNMENT & ALL EASEMENT: RM 2250277
A	28.02.25	10M SETBACK: RM 2250277
REV	DATE	DESCRIPTION
REV	DATE	DESCRIPTION

Ph: 09 438 3563 PO Box 191, Whangarei 0140
7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT: NICK FEWTRELL
HARURU FALLS ROAD
PAHIA

TITLE: PROPOSED SUBDIVISION OF
LOT 3 RM 2250277

DATE: JULY 2025	SCALE: 1:2000 @A3
DRAWING REF: S18501	SHEET: 1/1
	REV: E