Land Information Memorandum

Address all correspondence to:
Chief Executive, Whakatāne District Council, Private Bag 1002, Whakatāne 3158 I Phone 07 306 0500 I info@whakatane.govt.nz

DATE OF ISSUE	*27TH JULY 2026*		
VALUATION NUMBER	*07181/003.22*	**GIS NUMBER**	*4900/0037/000*

1 NAME OF PROPRIETOR

Hoaani Hemi Turoa Merritt as to a ½ share
Paige Pani Olsen as to a ½ share

2 LOCATION

37 Symond Road, Rotomā

3 LEGAL DESCRIPTION

Lot 1 Deposited Plan 495520

4 PHYSICAL DESCRIPTION

House/Unit Number	*37*	**Street**	*Symond Road*
RD Number	*RD 2*	**Suburb/Area**	*Rotomā*
Town	*Whakatāne*	**Post Code**	*3192*

5 AREA

1.2999 Hectares (more or less)

6 ZONING

Rural Production Zone under the Whakatāne District Plan

ATTACHMENTS *(ticked where applicable)*

☑ *Record of Title*	☑ *District Plan Map(s)*
☑ *Easement Instrument(s)*	☐ *BOPRC Map*
☐ *Consent Notice(s)*	☑ *Map Legends*
☑ *Property Map*	☐ *Drainage Plan*
☑ *Services Map*	☑ *Permit(s) and Consent(s)*
☐ *Flood Depth Models Map*	☑ *Floor Plan(s)*
☐ *Flooding (Inundation from 2004 Flood Event) Map*	☐ *Building Act Notices*
☐ *Contaminated Sites Map*	☑ *Resource Consent decision letter(s)*
☐ *Coastal Hazard Map*	☐ *Bond Agreement(s)*
☐ *Culture and Heritage Map*	☐ *Geotechnical Investigation Report(s)*
☐ *Community Facilities Map*	☐ *Technical Report(s)*

7 SPECIAL FEATURES	COMMENTS
• *Fill (compacted/uncompacted)*	*No information available*
• *Drainage restrictions*	*No information available*
• *Hazardous contaminants, including dangerous goods*	*No information available*
• *Historic sites*	*No information available*
• *Reserves (existing/proposed)*	*No information available*
• *Easements*	*Please refer to the attached Record of Title to confirm whether any easements exist over this property.*
• *Other legal restrictions (eg, building line restrictions)*	*Please refer to the attached Record of Title.*
• *Highlighted District Plan Provisions*	*See Whakatāne District Plan for further information.*
• *Any other special features*	*This site is located within Corrosion Zone B as prescribed in Figure 4.2 of NZS3604:2011 Code of Practice for Timber Framed Buildings.* *The site adjoins other sites with different zoning under the Whakatāne District Plan (General Rural Zone). Planning controls applicable to each zone may differ significantly. As such, the subject site may experience potential environmental effects or reduced amenity values not anticipated by the underlying zoning.* *The site is classified as Land Use Capability Class 3 which means it is subject to an assessment under the National Policy Statement for Highly Productive Land 2022 for any future development.*
8 NATURAL HAZARDS	**COMMENTS**
• *Earthquake*	*This site is located within Earthquake Zone 2 as prescribed in Figure 5.4 of NZS3604:2011 Code of Practice for Timber Framed Buildings.* *There are various known active earthquake fault lines in the Whakatāne District. Please refer to the GNS Science mapping for further information http://data.gns.cri.nz/af/* *The Earthquake Commission has developed the "Natural Hazards Portal" that lists past EQCover Claims. You can access the portal here https://www.naturalhazardsportal.govt.nz/s/ . Please note that this information is managed by the Commission and not Whakatāne District Council.* *Whakatāne District Council (WDC) recognises that certain parts of the district are susceptible to ground shaking and potential liquefaction during earthquakes.* *Previous studies (including GNS Science microzoning work for Whakatāne township) have assessed local soil conditions and their response to seismic activity.* *Different areas of the district exhibit varying levels of liquefaction susceptibility depending on soil type, groundwater conditions, and proximity to rivers or the coast.* *These district-wide assessments do not consider localised engineering works such as earthworks, ground improvement, or foundation design that may mitigate risk.* *Detailed, site-specific geotechnical investigations by a suitably qualified professional may take precedence over general mapping.* *Liquefaction information may affect property use and development, including building consent requirements under the Building Act 2004, subdivision consents under the Resource Management Act 1991, and infrastructure design.*

• *Earthquake – **Whakatāne District Plan Specific***	*Further information can be found in Part 2 – District Wide Matters – Natural Hazards and Risk section of the Whakatāne District Plan and through WDC's Online Mapping Service:* *Whakatāne District Plan* *WDC Online Maps*
• *Tsunami*	*Whakatāne District is within the Bay of Plenty coastline, which is exposed to tsunami hazards generated by distant or local offshore earthquakes. The Bay of Plenty Regional Council and GNS Science have modelled potential tsunami inundation extents and evacuation zones for the region.* *Tsunami evacuation maps and safe zones are available at:* *Whakatāne District Council – Online Maps* *Bay of Plenty Regional Council – Natural Hazards*
• *Erosion*	*No information available*
• *Erosion – **Whakatāne District Plan Specific***	*No information available*
• *Volcanic and Geothermal Activity – **Whakatāne District Plan Specific***	*No information available*
• *Landslip (including falling debris and landslide and debris flow)*	*No information available*
• *Landslip (including falling debris and landslide and debris flow) - **Whakatāne District Plan Specific***	*No information available*
• *Flooding (including inundation, coastal inundation and avulsion)*	*No information available*
• *Flooding (including inundation, coastal inundation and avulsion) - **Whakatāne District Plan Specific***	*No information available*
• *Sedimentation*	*No information available*
• *Wind*	*Please refer to BRANZ for wind zone information.* *For building work on this property, the wind and corrosion zones should be confirmed at the time of design.*
• *Drought*	*No information available*
• *Fire*	*No information available*
• *Fire - **Whakatāne District Plan Specific***	*No information available*

• *Bay of Plenty Regional Council*	*Our region is exposed to a range of natural hazards including tsunami, flooding, coastal erosion, coastal inundation, landslide, liquefaction, active faults and volcanic hazards.* *These natural hazards can have major consequences on people, property and infrastructure. Regional Council is working to improve our understanding and management of these risks to support safe and resilient communities.* *Further information regarding natural hazards held by the Bay of Plenty Regional Council that may be relevant to this property can be found at the below links:* *https://www.boprc.govt.nz/living-in-the-bay/natural-hazards/* *BayHazards - Bay of Plenty Natural Hazards Viewer | BayMaps* *Additionally, if your property is in a low-lying area, coastal area or near a river, stream or floodplain you may request a flood level report at the following link:* *https://www.boprc.govt.nz/do-it-online/request-or-enquire/flood-level-report/*
• *Building Act Information Related to Natural Hazards*	*Notification made in relation to section 73 of the Building Act 2004 or in accordance with section 474 of the Building Act 2004, under section 36(c) of the Building Act 1991 or section 61A of the Local Government Act 1974* • *Refer to section 12(c) of this report for any relevant certificate.* *Sign or notice under section 133BT of the building act 2004* • *Refer to section 12(c) of this report for details of any applicable sign or notice.*
• *Technical Reports*	*No information available*
9 SERVICES	**COMMENTS**
• ***Stormwater***	*Rural properties are generally required to dispose of roof run-off on site via ground soakage.*
• ***Sewer***	*There is no public sewerage reticulation system available to connect to. Under such circumstances, properties would normally be required to dispose of sewage on site via private septic tank and field tile system in accordance with the provisions of the Operative On-Site Effluent Treatment Regional Plan from the Bay of Plenty Regional Council.*
• ***Water***	*No Public Supply*
• ***Trade Waste Consent***	*No*
10 RATES	**COMMENTS**
Whakatāne District Council's rating assessment is below. For regional rating information, please contact the Bay of Plenty Regional Council.	
• ***Year ending 30 June 2026***	*$3,531.23*
• ***Number of instalments***	*4*
• ***Date of next instalment***	*21st August 2026*
• ***Current balance or arrears***	*$0.00*
• ***Date of valuation***	*August 2025*
• ***Land value***	*$435,000*
• ***Capital value***	*$900,000*
11 WATER	**COMMENTS**

• ***Annual water supply charge***	*N/A*
• ***Last reading date***	*N/A*
• ***Consumption***	*N/A*
• ***Amount***	*N/A*
• ***Current balance or arrears***	*N/A*

12 BUILDINGS

(a) Details of Building Permits

No information available

(b) Details of Building Consents

Date	Consent No	Project	Date Code Compliance Certificate Issued
21st February 2011	*20223*	*Relocate dwelling*	*29th March 2016*

(c) Details of any other Certificate/Notice/Order or Requisition Affecting Buildings

Council's records indicate that there is a swimming pool on this property. This pool was last inspected on 7th February 2024 and was deemed to comply with F9 of the Building Code.

Any pool, as defined in the Building Act 2004 and the Building (Pools) Amendment Act 2016, must be fenced in accordance with F9 of the Building Code.

(d) Certificate Issued by a Building Certifier Pursuant to the Building Act 1991 or the Building Act 2004

No information available

(e) Information notified to the territorial authority under Section 124 of the Weathertight Homes Resolution Services Act

No information available

13 USE OF LAND

(a) Details of Resource Consents (Subdivision /Land Use) or Certifications of Compliance Issued for Land

S.208 Resource Consent Subdivision dated 25th February 1981 (copy of decision letter attached)
24.3.08.72 Resource Consent Subdivision dated 10th March 2009 (copy of decision letter attached)
SS-2015-8386-00 Resource Consent Subdivision dated 11th September 2015 (copy of decision letter attached)

(b) Details of licences held

No information available

(c) Details of any other Certificate/Notice/Order of Requisition Affecting the Use of the Land

Easement Instruments 8483891.3; copy attached.
Easement Instrument 8483891.4; copy attached.
Easement Instrument 10355549.2; copy attached.

(d) Details of Conditions Affecting the Use of Land

No information available

Minimum Platform Level	*Should redevelopment of the site be proposed, a site-specific minimum building platform may have to be established in accordance with the flood level advice from the Bay of Plenty Regional Council. You can obtain this advice from: https://www.boprc.govt.nz/do-it-online/request-or-enquire/flood-level-report/.* *If no flood level is advised, then the required building platform level will be in accordance with the New Zealand Building Code.*

14 INFORMATION NOTIFIED TO COUNCIL BY A STATUTORY ORGANISATION HAVING POWER TO CLASSIFY LAND OR BUILDINGS

(a) Requiring Authority

No information available

(b) Heritage Protection Authority

No information available

15 INFORMATION NOTIFIED TO COUNCIL BY ANY NETWORK UTILITY OPERATOR PURSUANT TO THE BUILDING ACT 2004	
No information available	
16 SECTION 69ZH OF THE HEALTH ACT 1956 – DRINKING WATER SUPPLIER	
(ba) Any information that has been notified to the territorial authority by a drinking-water supplier under Section 69ZH of the Health Act 1956	
No information available	
(bb) Information on:	
(i) whether the land is supplied with drinking water and if so, whether the supplier is the owner of the land or networked supplier	*No information available*
(ii) if the land is supplied with drinking water by a networked supplier, any conditions that are applicable to that supply	*No information available*
(iii) if the land is supplied with water by the owner of the land, any information the territorial authority has about the supply	*No information available*

17 ANY OTHER INFORMATION CONSIDERED TO BE RELEVANT

Council records indicate that the permits and consents listed (if any) represent all relevant information held on the property file at the time of issuing this LIM.
Where building work has been undertaken that required a building consent under the Building Act 2004 (generally post-1992), and no consent or approval is recorded, the work may be unauthorised. In some circumstances, such work may be able to be regularised through an application for a Certificate of Acceptance.
It is noted that certain building work may be exempt from the requirement to obtain a building consent. However, exemptions apply only where the work was carried out in accordance with the applicable legislation at the time, and all exempt work must still comply with the New Zealand Building Code. Other approvals or requirements (such as planning or other regulatory consents) may also have applied.
Further information on building consents, exemptions, and Certificates of Acceptance can be found via the following links:
https://www.legislation.govt.nz/
https://www.building.govt.nz/

A copy of the Whakatāne District Plan is available for viewing on the Council's website, www.whakatane.govt.nz, or at all public libraries and Council offices in the district. If you have a specific proposal for development of the property, then you may wish to consider professional planning or legal advice concerning this.

Future development of the property, including subdivision, may require the payment of a monetary contribution for additional demands that may be placed on community infrastructure by the use or development of the land. Monetary contributions may be payable for roads, water, stormwater and wastewater services. If you are anticipating further development of the land, you are advised to read the Development Contributions Policy in the Long-term Plan 2024-2034.

Aerial photographs attached as part of this LIM should not be relied upon when determining the property boundaries. A surveyor should be engaged should the users of this LIM wish to determine the boundaries of this property.

18 DISCLAIMER

This Land Information Memorandum has been prepared for the purposes of Section 44A of the Local Government Official Information and Meetings Act 1987 and contains all the information known to the Whakatāne District Council relevant to the land described. It is based on a search of Council records only, and there may be other information relating to the land which is not known by Council. The Council has not undertaken any inspection of the land or any buildings on it for the purpose of preparing the Land Information Memorandum. Accordingly, the Council is unable to verify that the consents held in our file match the buildings on the property. You are advised to peruse our file. The LIM Co-ordinator will hold the file for five working days. Please contact to arrange a suitable time to view the file (Telephone 07 3060500). **The applicant is solely responsible for ensuring that the land is suitable for a particular purpose.**



Cody Stainthorpe
LIM Co-ordinator

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **727116**
Land Registration District **South Auckland**
Date Issued 16 March 2016

Prior References
474655

Estate Fee Simple
Area 1.2999 hectares more or less
Legal Description Lot 1 Deposited Plan 495520
Registered Owners
Hoaani Hemi Turoa Merritt as to a 1/2 share
Paige Pani Olsen as to a 1/2 share

Interests

Subject to a right to convey electricity over parts marked B & AB on DP 495520 created by Easement Instrument 8483891.3 - 28.5.2010 at 11:03 am

Appurtenant hereto is a right to convey water and electricity created by Easement Instrument 8483891.3 - 28.5.2010 at 11:03 am

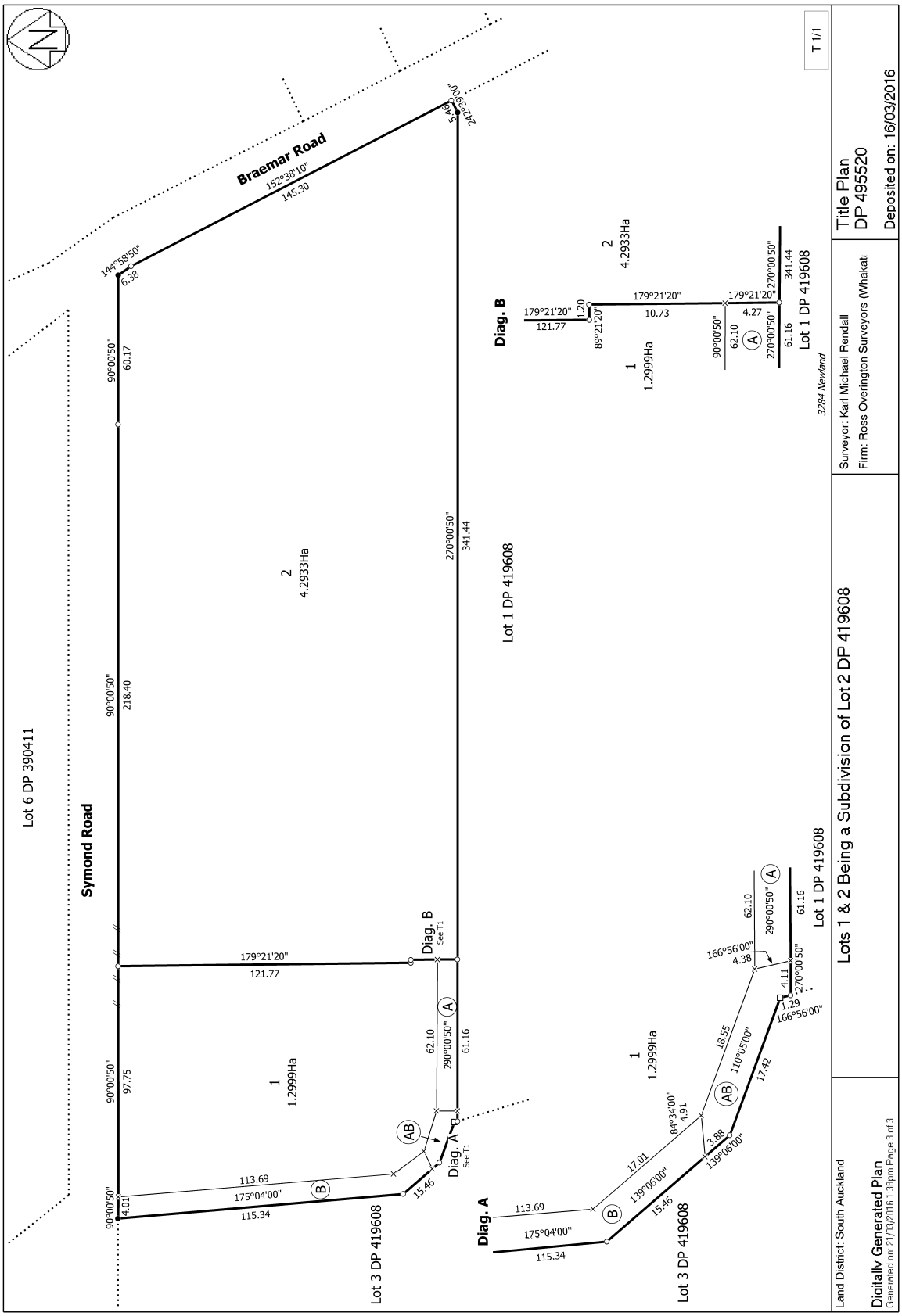
The easements created by Easement Instrument 8483891.3 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right (in gross) to convey electricity over parts marked B & AB on DP 495520 in favour of Horizon Energy Distribution Limited created by Easement Instrument 8483891.4 - 28.5.2010 at 11:03 am

Subject to a right to convey water over parts marked A & AB on DP 495520 created by Easement Instrument 10355549.2 - 16.3.2016 at 9:36 am

The easements created by Easement Instrument 10355549.2 are subject to Section 243 (a) Resource Management Act 1991

10655917.2 Mortgage to ANZ Bank New Zealand Limited - 22.12.2016 at 1:07 pm


Braemar Road
152°38'10"
145.30
144°58'50"
6.38
24°39'00"
5.46
90°00'50"
60.17
218.40
97.75
4.01
Symond Road
Lot 6 DP 390411
2
4.2933Ha
1
1.2999Ha
Lot 1 DP 419608
Lot 3 DP 419608
Diag. A
Diag. B
See T1
179°21'20"
121.77
1.20
89°21'20"
10.73
4.27
270°00'50"
341.44
61.16
62.10
290°00'50"
113.69
175°04'00"
115.34
15.46
166°56'00"
4.38
4.11
1.29
18.55
110°05'00"
17.42
139°06'00"
3.88
84°34'00"
4.91
17.01
3284 Newland
T 1/1
Lots 1 & 2 Being a Subdivision of Lot 2 DP 419608
Title Plan
DP 495520
Deposited on: 16/03/2016
Surveyor: Karl Michael Rendall
Firm: Ross Overington Surveyors (Whakatā
Land District: South Auckland
Digitally Generated Plan
Generated on: 21/03/2016 1:38pm Page 3 of 3

View Instrument Details

Instrument No	8483891.3
Status	Registered
Date & Time Lodged	28 May 2010 11:03
Lodged By	Plunket, Carol Anne
Instrument Type	Easement Instrument

Affected Computer Registers	Land District
474654	South Auckland
474655	South Auckland
474656	South Auckland

Annexure Schedule: Contains 3 Pages.

Grantor Certifications

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

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

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

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

I certify that the Mortgagee under Mortgage H694638.4 has consented to this transaction and I hold that consent ☑

Signature

Signed by Ian David Bentley as Grantor Representative on 13/05/2010 04:27 PM

Grantee Certifications

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

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

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

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

Signature

Signed by Ian David Bentley as Grantee Representative on 13/05/2010 04:27 PM

***** End of Report *****

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Form B

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

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

Grantor

JOHN RICHARD SHERRIFF as to a one half share and NGAIRE FRANCES SHERRIFF as to a one half share

Grantee

JOHN RICHARD SHERRIFF as to a one half share and NGAIRE FRANCES SHERRIFF as to a one half share

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; *profit* or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to Convey Water Right to Convey Electricity	"A" on DP 419608	Lot 3 DP 419608 CT 474656	Lot 2 DP 419608 CT 474655
Right to Convey Electricity	"B" on DP 419608	Lot 2 DP 419608 CT 474655	Lot 1 DP 419608 CT 474654 Lot 3 DP 419608 CT 474656

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]** ~~**[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]

Covenant provisions

Delete phrases in [ ] and insert Memorandum number as require; 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]~~

Form L

Annexure Schedule Page of Pages

Insert instrument type

Easement Instrument

1. **Right to Convey Water Easement**

The following provisions shall apply to the Right to Convey Water easement:

(a) The Grantee and other authorized persons have the right in common with the Grantor and all others having the like right:

(i) to take and convey water from the creek situated on that part of the servient land marked "A" on Deposited Plan 419608 (the water supply area) by means of an electric intake pump, including the right to maintain repair and replace when necessary the intake pump and headworks (if any) and to maintain an underground electric power supply to the intake pump through the water supply area; and

(ii) to convey and lead water in free and unimpeded flow (except during any periods of necessary cleansing, renewal or repair) drawn from the intake pump by means of a water pipe laid beneath the surface of the water supply area.

(b) The right to convey and lead water shall be solely for the purposes of watering of livestock.

(c) The Grantee shall be responsible for all the costs of installation, operating, repair, maintenance and replacement of the intake pump and headworks (if any) pipe and electrical supply equipment and the costs of electricity which shall be separately metered. The pump shall be installed in the shed currently erected within the water supply area.

2. **Right to Transmit Electricity easements**

The following provisions shall apply to each Right to Transmit Electricity easement:

(a) The Grantee and other authorized persons have the right (in common with Grantor and all others having the like right) to lead and convey electricity without interruption or impediment (except during any periods of necessary renewal and/or repair) from the legal road adjoining the servient land by means of conduits, cables or pipes laid or to be laid under the surface of and through the soil of that part of the servient land marked "B" on DP 419608 except that any necessary transformer may be at ground level.

(b) The Grantee shall be responsible for arranging the installation of the electricity supply all metering equipment and its continued maintenance.

View Instrument Details

Instrument No	8483891.4
Status	Registered
Date & Time Lodged	28 May 2010 11:03
Lodged By	Plunket, Carol Anne
Instrument Type	Easement Instrument

Affected Computer Registers	Land District
474655	South 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 ☑

I certify that the Mortgagee under Mortgage H694638.4 has consented to this transaction and I hold that consent ☑

Signature

Signed by Ian David Bentley as Grantor Representative on 13/05/2010 04:28 PM

Grantee Certifications

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

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

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

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

Signature

Signed by Tina Robyn McLennan as Grantee Representative on 27/05/2010 03:38 PM

***** End of Report *****

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Form B

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

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

Grantor

John Richard SHERRIFF and Ngaire Frances SHERRIFF

Grantee

HORIZON ENERGY DISTRIBUTION 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; *profit* or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to Convey Electricity	B (DP 419608)	Lot 2, DP 419608 (CT 474655)	In Gross

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] [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 require; 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]~~

Form L

Annexure Schedule Page 1 of 5 Pages

Insert instrument type

Easement

Continue in additional Annexure Schedule, if required

1 EASEMENT TERMS

1.1 The full free right, liberty and licence at all times hereafter for the Grantee, its engineers, surveyors, servants, agents, employees, workmen, contractors and invitees with or without vehicles laden or unladen and with materials, tools, machinery and implements:

(a) to lay, construct and maintain lines and works on, in, over and under the soil of the Easement land. Any transmission lines are to be laid under the soil of the Easement Land, and no poles or towers will be erected on the Servient Land;

(b) to enter and remain upon the Servient land for the purposes of laying, constructing, maintaining, inspecting, repairing, renewing, enlarging, replacing or altering the lines or works as the case may be, and opening up the soil of the Servient land and make any access way, cuttings, fillings, grades, batters or trenches, and to re-open the same and generally to do and perform such acts or things upon the Servient land as may be necessary to enable the Grantee to receive the full free use and enjoyment of the rights and privileges granted under this Easement;

(c) to use the lines and works for the purpose of conveying electricity, data and / or communications without interruption or impediment.

2 COVENANTS

The Grantor and the Grantee covenant as follows:

2.1 The Grantee shall be responsible for:

(a) the installation of the lines and works; and

(b) using its best endeavours to prevent the lines and works becoming a danger or a nuisance.

Form L

Annexure Schedule Page 2 of 5 Pages

Insert instrument type

Easement

Continue in additional Annexure Schedule, if required

2.2 All work authorized to be carried out pursuant to this Easement shall be carried out as expeditiously as possible and shall do as little damage to the Servient land as is reasonably possible consistent with the rights and privileges conferred by this Easement.

2.3 The Grantee will from time to time repair and make good all damage to fences, gates or other improvements upon the Servient land directly caused by the Grantee carrying out any work pursuant to clause 1.1.

2.4 On completion of any work by the Grantee on the Servient land, the Grantee shall restore the surface of the Servient land as nearly as possible to its former condition and replace the soil at the surface and turf (if any) consolidated to its proper level.

2.5 The Grantor will not without the written permission of the Grantee:

(a) grow or permit to be grown any natural or cultivated vegetation including trees and shrubs on the Easement land; or

(b) erect or permit to be erected any improvement on the Easement land; or

(c) disturb or permit to be disturbed the soil below a depth of 400 millimetres from the surface of the Easement land in any manner which will interfere with the rights granted by this Easement

and will not at any time do permit or suffer any act whereby the full and free use and enjoyment by the Grantee of the rights and privileges granted by this Easement are interfered with. The Grantee may at all times remove any natural or cultivated vegetation or improvement on the Servient land which will interfere with the rights granted by this Easement.

2.6 This Easement is in addition to and not in substitution for any statutory rights and authorities which the Grantee may have at any time in respect of the Servient land.

Form L

Annexure Schedule Page 3 of 5 Pages

Insert instrument type

Easement

Continue in additional Annexure Schedule, if required

2.7 The Grantor covenants with the Grantee that the Grantor waives and will not at any time claim any compensation from the grantee under Sections 57 and / or 58 of the Electricity Act 1992 or under any other provisions of any statute or regulation whatsoever.

2.8 The lines and works are and shall remain the sole property of the Grantee.

2.9 The Grantor shall pay the grantee's costs incurred in the negotiation, preparation, completion, execution and registration of this Easement.

3 DISPUTES

3.1 If a dispute in relation to the Easement arises between parties who have a registered interest under the Easement:

3.1.1 The party initiating the dispute must provide full written particulars of the dispute to the other party; and

3.1.2 The parties must promptly meet and in good faith try to resolve the dispute using informal 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

3.1.3 If the dispute is not resolved within 14 working days of the written particulars being given (or any longer period agreed by the parties):

(a) the dispute must be referred to arbitration in accordance with the Arbitration Act 1996; and

Form L

Annexure Schedule Page 4 of 5 Pages

Insert instrument type

Easement

Continue in additional Annexure Schedule, if required

(b) the arbitration must be conducted by a single arbitrator to be agreed on by the parties or, failing agreement, to be appointed by the President of the District Law Society (being the District Law Society that has its headquarters closest to the land).

4 CONFLICT BETWEEN PROVISIONS

4.1 Where there is a conflict between the provisions of the Fourth Schedule to the Land Transfer Regulations 2002 (called the Fourth Schedule) and the modifications in this Easement Instrument, the terms of this Easement Instrument shall prevail.

5 DEFINITIONS

5.1 In this Easement

"Conveying electricity data and/or communications"
Means the conveyance of electricity, data and/or communications, and includes the generation, conversion and transportation of electricity

"Easement Land"
Means that part or those parts of the Servient land marked B on Deposited Plan 419608

"Lines"
Means one or more wires, cables, or conductors of any other kind used or intended to be used for conveying, electricity, data and/or communications, and includes poles, towers, insulators, casings, fixtures (major or minor), fittings, tunnels or other things used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire, cable or conductor, and also includes any part of a line and includes "existing works" as defined by the Electricity Act 1992

Form L

Annexure Schedule Page 5 of 5 Pages

Insert instrument type

Easement

Continue in additional Annexure Schedule, if required

"Servient Land"
Means the land owned by the Grantor contained in Certificate of Title 474655

"Grantee"
Means Horizon Energy Distribution Limited and includes all its subsidiary companies (within the meaning of Sections 5 & 6 of the Companies Act 1993) and its successors, assigns and licensees

"Works"
Means every work or thing used, or designed or intended for use in or in connection with conveying electricity, data and/or communications.

A reference to any Statute or section of any Statute includes any enactment in amendment or substitution for such Statute or section.

View Instrument Details

Instrument No	10355549.2
Status	Registered
Date & Time Lodged	16 March 2016 09:36
Lodged By	Flynn, Diane Maree
Instrument Type	Easement Instrument

Affected Computer Registers	Land District
727116	South Auckland
727117	South Auckland

Annexure Schedule: Contains 3 Pages.

Grantor Certifications

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

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

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

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

I certify that the Mortgagee under Mortgage 9327090.1 has consented to this transaction and I hold that consent ☑

Signature

Signed by Melissa Anne Choppin as Grantor Representative on 11/03/2016 02:27 PM

Grantee Certifications

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

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

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

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

Signature

Signed by Melissa Anne Choppin as Grantee Representative on 11/03/2016 02:27 PM

***** End of Report *****

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

Grantor

Neville Raymond Newland and Julie Joyce Newland

Grantee

Neville Raymond Newland and Julie Joyce Newland

Grant of Easement or *Profit á 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) á 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, *profit,* or covenant	Shown (plan reference)	Servient tenement (Computer Register)	Dominant tenement (Computer Register) *or* in gross
Right to Convey Water	A, AB DP495520	727116	727117

Easements or *profit á 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 Five of the Property Law Act 2007.

The implied rights and powers are [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 1.

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 1].~~

Annexure Schedule 1 Page 3 of 3 Pages

Insert instrument type

Easement Instrument

Continue in additional Annexure Schedule, if required.

Easements
Easements or rights and powers (including terms, covenants and conditions) continued
GENERAL 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 to 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. This provision does not extend to those easement facilities which are required to be located on or above the ground for the proper functioning, maintenance and inspection of the easements.

3. If, in respect of easements of rights of way, there is conflict between the provisions of Schedule 4 to the Land Transfer Regulations 2002 and the provisions of the Fifth Schedule to the Property Law Act 2007 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 Fifth Schedule to the Property Law Act 2007, then the modifications shall prevail.

5. The above terms shall extend to and bind the respective successors in title of the Grantor and Grantee.

RID DOCUMENT

Date: 26 July 2026

Valuation Number: 07181 003 22

Location: 37 SYMOND ROAD

Legal Description: LOT 1 DP 495520

Area (Ha): 1.2999

Valuation Date: 1 August 2025

	Normal Values	**Special Values** (if applicable)
Land Value:	435,000	
Improve Value:	465,000	
Capital Value:	900,000	
Tree Value:	0	

Contiguous Property:

2026 Year's Assessed Rates: **3,531.23**

Instalment 1: 22 Aug 2025

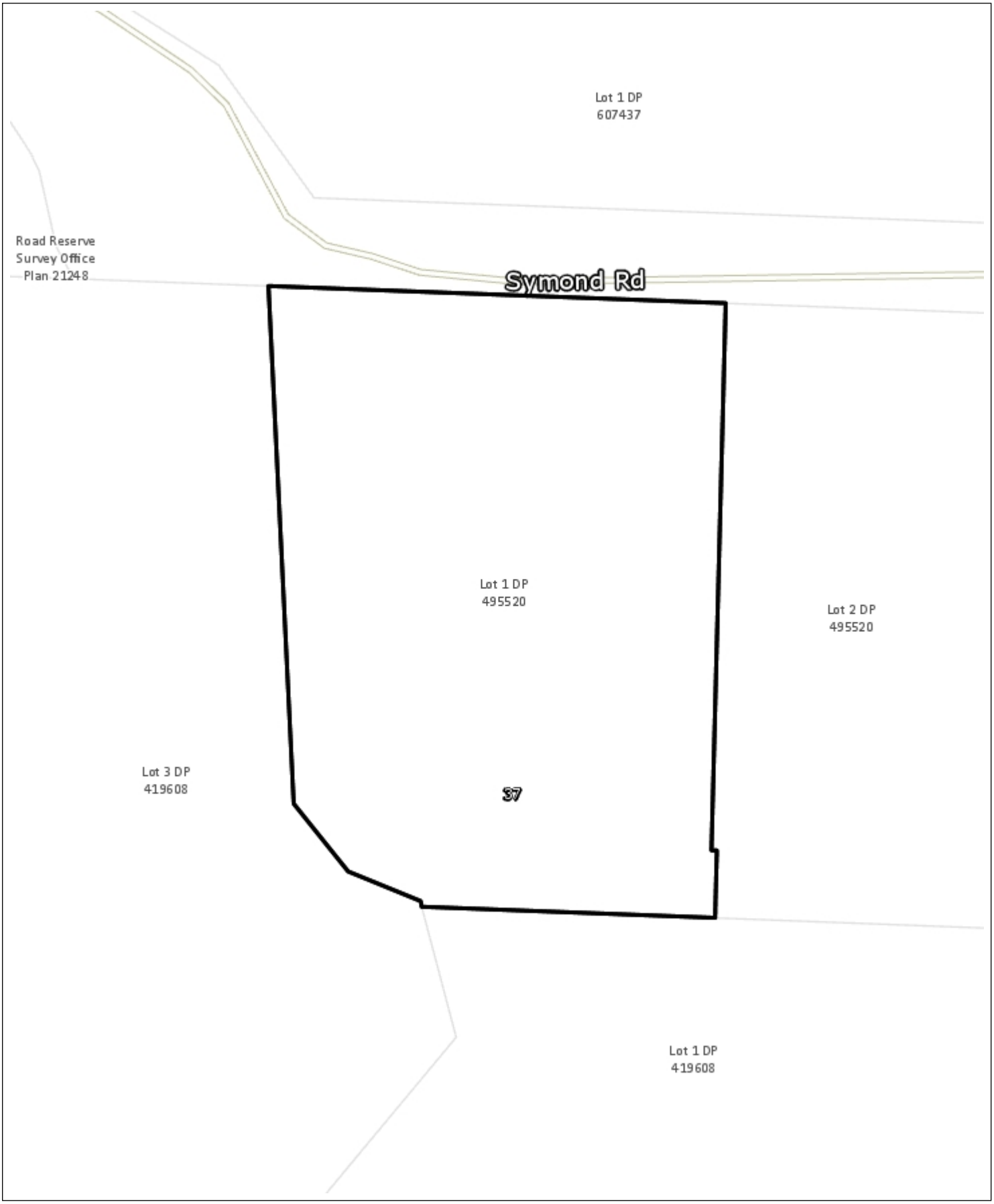
Instalment 2: 21 Nov 2025

Instalment 3: 20 Feb 2026

Instalment 4: 22 May 2026

Property Map

Date Printed: 26 July 2026



Aerial Photography flown between 2011 and 2025, depending on the area. Parcel boundaries are to be taken as approximate only, not to be substituted for site specific survey. May contain NZAA Data: This data is sourced from NZAA's ArchSite, and is updated monthly. May contain LINZ data: Crown Copyright Reserved Note: Placenames may not conform to LINZ guidelines 2008. DISCLAIMER: While Whakatane District Council (WDC), has exercised all reasonable skill and care in controlling the contents of this information, WDC accepts no liability in contract, tort or otherwise howsoever, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you. *Position of all assets & historical sites are approximate, actual positions are to be verified on site.

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Services Map

Date Printed: 26 July 2026



Aerial Photography flown between 2011 and 2025, depending on the area. Parcel boundaries are to be taken as approximate only, not to be substituted for site specific survey. May contain NZAA Data: This data is sourced from NZAA's ArchSite, and is updated monthly. May contain LINZ data: Crown Copyright Reserved Note: Placenames may not conform to LINZ guidelines 2008. DISCLAIMER: While Whakatane District Council (WDC), has exercised all reasonable skill and care in controlling the contents of this information, WDC accepts no liability in contract, tort or otherwise howsoever, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you. *Position of all assets & historical sites are approximate, actual positions are to be verified on site.

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Operative District Plan A-Side Map

Date Printed: 26 July 2026



Aerial Photography flown between 2011 and 2025, depending on the area. Parcel boundaries are to be taken as approximate only, not to be substituted for site specific survey. May contain NZAA Data: This data is sourced from NZAA's ArchSite, and is updated monthly. May contain LINZ data: Crown Copyright Reserved Note: Placenames may not conform to LINZ guidelines 2008. DISCLAIMER: While Whakatane District Council (WDC), has exercised all reasonable skill and care in controlling the contents of this information, WDC accepts no liability in contract, tort or otherwise howsoever, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you. *Position of all assets & historical sites are approximate, actual positions are to be verified on site.

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Operative District Plan B-Side Map

Date Printed: 26 July 2026



Aerial Photography flown between 2011 and 2025, depending on the area. Parcel boundaries are to be taken as approximate only, not to be substituted for site specific survey. May contain NZAA Data: This data is sourced from NZAA's ArchSite, and is updated monthly. May contain LINZ data: Crown Copyright Reserved Note: Placenames may not conform to LINZ guidelines 2008. DISCLAIMER: While Whakatane District Council (WDC), has exercised all reasonable skill and care in controlling the contents of this information, WDC accepts no liability in contract, tort or otherwise howsoever, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you. *Position of all assets & historical sites are approximate, actual positions are to be verified on site.

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Legend Page 1

Property Map

- Property Land Parcel Boundaries
- Land Parcel Boundaries

Road (scale 1:1 to 1:15,000)

- Local Road
- State Highway

Road (scale >1:15,000 to 1:1,000,000)

- Local Road
- State Highway

Services Map: Water Supply

Back Flow Preventer
- Three Waters
- Other Owner

Hydrant
- Three Waters
- Other Owner

Meter
- Bulk Meter - Three Waters
- Customer Meter - Three Waters
- Bulk Meter - Other Owner
- Customer Meter - Other Owner

Valve
- Air Release - Three Waters
- Control Valve - Three Waters
- Isolation Valve - Three Waters
- Isolation Valve Closed - Three Waters
- Non Return Valve - Three Waters
- Air Release - Other Owner
- Control Valve - Other Owner
- Isolation Valve - Other Owner
- Isolation Valve Closed - Other Owner
- Non Return Valve - Other Owner

Pump Station
- Three Waters
- Other Owner
- Bore (BOPRC)

Bore (WDC Source)
- Three Waters
- Other Owner

Node
- Three Waters
- Other Owner

Sampling Point
- Three Waters
- Other Owner

Data Logger
- Three Waters
- Other Owner

Pump
- Three Waters
- Other Owner

UV Treatment
- Three Waters
- Other Owner

Treatment Plant
- Three Waters
- Other Owner

Connection
- Three Waters
- Other Owner

Main
- Three Waters
- Other Owner

Rider Main
- Three Waters
- Other Owner

Reservoir
- Three Waters
- Other Owner

Tank
- Three Waters
- Other Owner

Chamber
- Three Waters
- Other Owner

Facility
- Three Waters
- Other Owner

Services Map: Waster Water

Valve
- Three Waters
- Other Owner

Pump Station
- Three Waters
- Other Owner

Node
- Three Waters
- Other Owner

Bulk Meter
- Three Waters
- Other Owner

Lamp Hole
- Three Waters
- Other Owner

Manhole
- Three Waters
- Other Owner

Outlet
- Three Waters
- Other Owner

Sampling Point
- Three Waters
- Other Owner

Data Logger
- Three Waters
- Other Owner

Pump
- Three Waters
- Other Owner

Aerator
- Three Waters
- Other Owner

Treatment Plant
- Three Waters
- Other Owner

Connection
- Three Waters
- Other Owner

Main
- Three Waters
- Other Owner

Riser Main
- Three Waters
- Other Owner

Chamber
- Three Waters
- Other Owner

Facility (pond)
- Three Waters
- Other Owner

Legend Page 2

Services Map: Storm Water

Inlet
- Three Waters
- Other Owner

Node
- Three Waters
- Other Owner

Flood Gate
- Three Waters
- Other Owner

Valve
- Three Waters
- Other Owner

Soak Hole
- Three Waters
- Other Owner

Manhole
- Three Waters
- Other Owner

Pump Station
- Three Waters
- Other Owner

Sampling Point
- Three Waters
- Other Owner

Data Logger
- Three Waters
- Other Owner

Pump
- Three Waters
- Other Owner

Connection
- Three Waters
- Other Owner

Main
- Three Waters
- Other Owner

Rising Main
- Three Waters
- Other Owner

Open Drain
- Three Waters
- Other Owner

Dam
- Three Waters
- Other Owner

Pond
- Three Waters
- Other Owner

Chamber
- Three Waters
- Other Owner

Environmental Control
- Three Waters
- Other Owner

Soakage Area
- Three Waters
- Other Owner

Ground Soakage Zone

Services Map: General Waters Assets

- Electrical Cabinet
- Fence

Flood Depth Models Map

Whakatāne Town Stormwater Flood Model

Maximum flood depth (m)

- >0 to 0.15
- >0.15 to 0.3
- >0.3 to 0.5
- >0.5 to 1
- >1

Rangitāiki Plains and Waimana Flood Models

Maximum flood depth (m)

- 0.05 to 0.3
- >0.3 to 0.5
- >0.5 to 0.7
- >0.7 to 1.0
- >1.0 to 1.5
- >1.5 to 2.0
- >2.0

Flooding (Inundation from 2004 Flood Event) Map

- 2004 Flood Extent

Contaminated Sites Map

- Contaminated Sites (HAIL)
- Contaminated Site (HAIL) Boundary

Coastal Hazard Map

Coastal Erosion Hazard Areas (CEHA)

Likely Scenarios (P66% and includes vertical land movement)

- Current
- Year 2080, 0.4m SLR (RCP 4.5)
- Year 2080, 0.6m SLR (RCP 8.5)
- Year 2130, 0.8m SLR (RCP 4.5)
- Year 2130, 1.25m SLR (RCP 8.5)

Coastal Inundation 1% AEP, 2130, RCP 8.5

Maximum flow depth (m)

- ≤0
- >0 to 0.25
- >0.25 to 0.5
- >0.5 to 0.75
- >0.75 to 1.0
- >1.0 to 1.25
- >1.25 to 1.5
- >1.5 to 1.75
- >1.75 to 2.0
- >2.0 to 2.25
- >2.25 to 2.5
- >2.5 to 2.75
- >2.75 to 3.0
- >3.0 to 3.25
- >3.25 to 3.5
- >3.5 to 3.75
- >3.75 to 4.0
- >4.0 to 4.25
- >4.25

Legend Page 3

Landslide Risk Map

Landslide Risk

RCP 8.5 for the period 2081 to 2100

- Very High
- High
- Moderate
- Low to very low

Fire Risk Areas Map

Fire Risk Area

- 1 Extreme
- 2 Very High
- 3 High
- 4 Moderate
- 5 Low

Culture and Heritage Map

- Sites of Significance to Māori (Points)
- Historic Heritage (Points)
- New Zealand Heritage List Site
- Ngāti Awa Historical Site
- Nga Whenua Rahui Protected Area (Point)
- Nga Whenua Rahui Protected Area
- NZAA Archaeological Site Area
- Marae Location
- Nohoanga Sites
- Statutory Acknowledgements
- Ngāti Awa Right of First Refusal
- Iwi/Rohe Boundary

Community Facilities Map

Council Owned Buildings

- Commercial
- Community Halls
- Operational Properties
- Other Properties
- Pensioner Housing

Council Owned Facilities

- Aquatic Centres
- Public Conveniences
- Public Conveniences - Sport
- Sports Facilities Grounds

Community Facility Assets

- Beach Shower
- Decking/Boardwalk
- Drinking Fountain
- Foot bridge
- Motorhome Waste Station
- Playground
- Skate Park
- Stairs/Steps
- Council Owned/Administered Land
- Asset Boundaries

Operative District Plan A-Side Map

- Pupuaruhe Kainga/Pā Archaeological Site
- Historic Heritage (Points)
- Sites and Areas of Significance to Māori (SASM) (Points)
- Historic Heritage (Polygons)
- Sites and Areas of Significance to Māori (SASM) (Polygon)
- Marae & Urupa Amenity Yard
- Statutory Acknowledgements
- Edgecumbe Dairy Manufacturing Site
- Edgecumbe Dairy Manufacturing Site Noise Contour (45dBL Aeg)
- Awakeri Quarry Setback Buffer Area
- Paroa Rugby Club Buffer
- Omeheu Spray Irrigation Scheme
- Whakatāne Board Mill Site
- Mill Waste Contaminated Site - Indicative
- Notable Tree
- Esplanade Water Body (Line)
- Significant Identified Ridgelines

Ohakana Island 25m & 35m Contour

- 25 m Contour
- 35 m Contour
- Bird Nesting Vehicle Restriction Area
- Esplanade Water Body (Polygon)
- Overland Flow Paths
- Significant Indigenous Biodiversity Sites (SIBS)
- Significant Amenity Landscapes (SAL)
- Outstanding Natural Feature Landscapes (ONFL)

Erosion Risk Zone (CHEPA)

- Current Erosion Risk Zone
- 2060 Erosion Risk Zone
- 2100 Erosion Risk Zone
- Escarpment (NHaz4) (Line)

Debris Flow Policy Area

- High
- Medium
- Low
- Rangitāiki Floodway (NHaz1)
- Te Rahu Ponding Basin (NHaz2)
- Escarpment (NHaz4) (Polygon)

Inundation Risk Zone (CHFPA)

- 103.3m Moderate Inundation Risk Zone
- 103.6m Moderate Inundation Risk Zone
- 104.0m Moderate Inundation Risk Zone
- 104.1m Extreme Inundation Risk Zone
- 104.55m Extreme Inundation Risk Zone
- 104.7m Extreme Inundation Risk Zone
- Coastal Environment Line (BOPRC)
- Coastal Environment Zone (BOPRC)
- BOPRC Drains

Legend Page 4

Operative District Plan B-Side Map

- Airport Noise Management Buffer
- Galatea Aerodrome Obstacle Limitation Surface
- Pedestrian Street
- Road Widening
- Restricted Vehicle Access
- State Highway
- State Highway Buffer
- Limited Access Road
- District Arterial Roads
- Minginui Access Road
- Railway
- Railway Corridor Buffer 100m
- Gas Transmission Pipeline Corridor
- High Voltage Electrical Transmission Lines (National Grid Centre Line)
- 300m Oxidation Pond Buffer
- Kawerau Geothermal Exploration Area
- Key Urban Space
- The Strand Character Policy Area
- Whakatāne Riverbank Reserve Policy Area
- 12m Height Restriction
- Whakatāne Town Centre Precinct
- Designation
- Development Areas

Planning Zones

- General Residential Zone
- Medium Density Residential Zone
- General Rural Zone
- Rural Production Zone
- Commercial Zone
- Large Format Retail Zone
- Mixed Use Zone
- Town Centre Zone
- Light Industrial Zone
- General Industrial Zone
- Open Space Zone
- Special Purpose - Coastal Protection Zone
- Special Purpose - Community and Cultural Zone
- Special Purpose - Education Zone
- Special Purpose - Future Urban Zone
- Special Purpose - Rural Coastal Zone
- Special Purpose - Rural Ōhiwa Zone

BOPRC Map

Defence Against Water

Asset Type

- Waterway
- Timber Wall; Stopbank; Concrete Wall

Flood Protection and Drainage Bylaw Areas

Protection Feature

- Defence against water (stopbank) and drain; Defence against water
- Drain
- Floodway; Te Rahu Ponding Area
- Spillway

BOPRC Pump Scheme

- Angle Road Pumping Scheme
- Awaiti East Pumping Scheme
- Awaiti West Pumping Scheme
- Awakeri Farms Pumping Scheme
- Baird/Miller Pumping Scheme
- Foubister Pumping Scheme
- Gordon Pumping Scheme
- Greig Road Pumping Scheme
- Halls Pumping Scheme
- Hyland/Baillie Pumping Scheme
- Kuhanui Pumping Scheme
- Lawrence Pumping Scheme
- Longview Richlands Pumping Scheme
- Luxton Valley Pumping Scheme
- Martin Pumping Scheme
- Massey Pumping Scheme
- Mexted/Withy Pumping Scheme
- Murray Pumping Scheme
- Nicholas Pumping Scheme
- Noord Vierboom Pumping Scheme
- Omeheu Adjunct Pumping Scheme
- Omeheu East Pumping Scheme
- Omeheu West Pumping Scheme
- Pedersen Pumping Scheme
- Platts Pumping Scheme
- Poplar Lane Pumping Scheme
- Reynolds Pumping Scheme
- Riverslea Pumping Scheme
- Robins Road Pumping Scheme
- Robinson Pumping Scheme
- Thompson/Ernest Pumping Scheme
- Travurzas Pumping Scheme
- Withy Pumping Scheme
- Wyld Pumping Scheme



Figure 4.2 – Exposure zone map (see 4.2.2)

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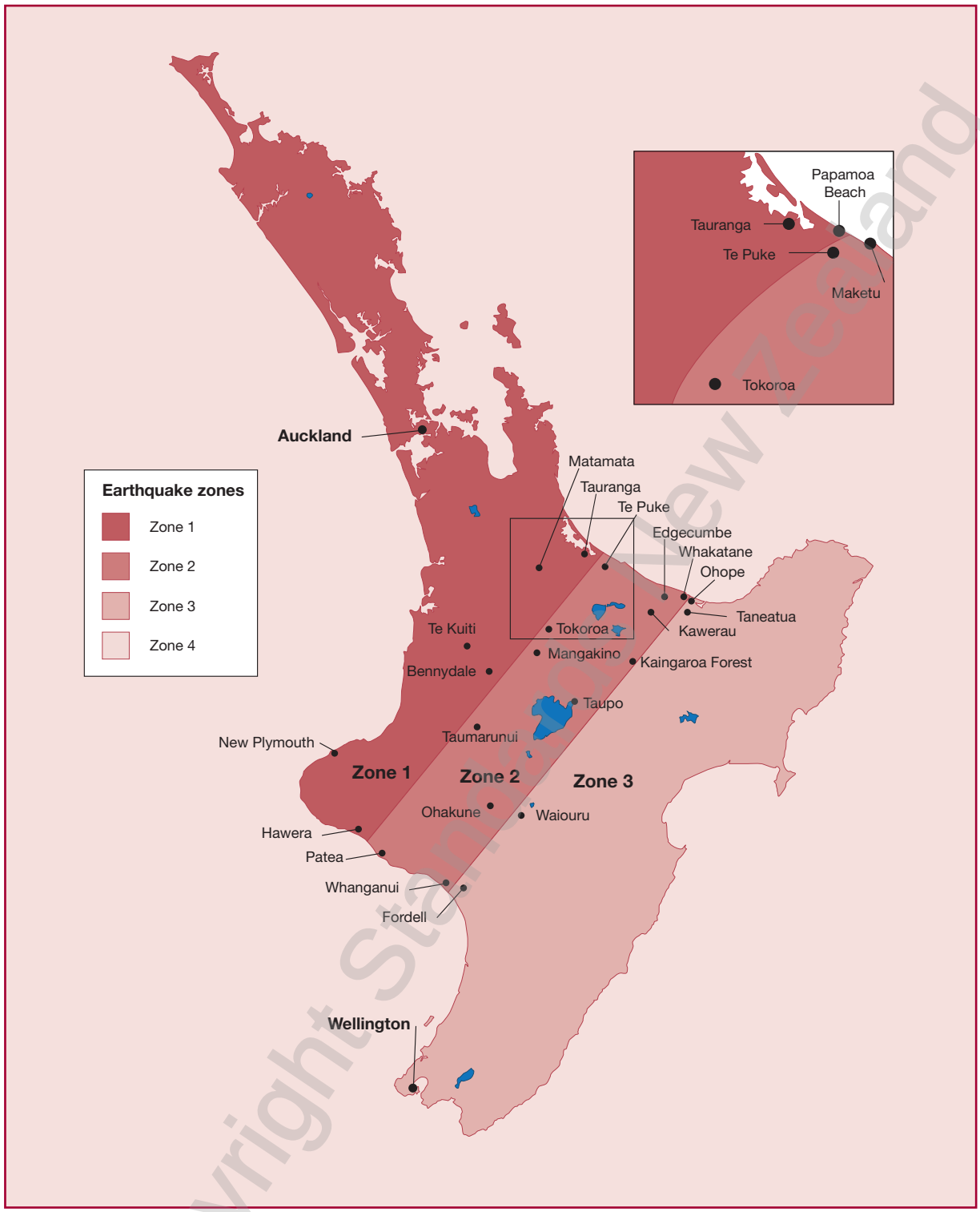


Figure 5.4 – Earthquake zones (see 5.3.2)

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WHAKATĀNE
District Council

Form 7

Code compliance certificate

INSP

SECTION 95, BUILDING ACT 2004

The building

Street address of building: 1098 BRAEMAR ROAD

Legal description of land where building is located: LOT 2 DP419608

Building name (if applicable):

Current, lawfully established, use: DWELLING

Year first constructed: 1960

The owner

Name of owner NEWLAND, NEVILLE RAYMOND
1098 BRAEMAR ROAD
RD 2
WHAKATANE 3192

Contact person

NEWLAND, NEVILLE RAYMOND
1098 BRAEMAR ROAD
RD 2
WHAKATANE 3192

Phone no. - Landline: - Mobile:

Phone no. - Daytime: - After hours:

Email address:

Website:

First point of contact for communications with the building consent authority is as follows:
Whakatane District Council,
Private Bag 1002,
Whakatane,
Phone 07 3060500, fax 07 3070718
info@whakatane.govt.nz

Building work

Building consent number: **20223**

Issued by: Whakatane District Council

Code compliance

The building consent authority named below is satisfied, on reasonable grounds, that —

(a) the building work complies with the building consent

(b) ~~the specified systems in the building are capable of performing to the performance standards set out in the building consent.~~

‡Attachment

‡~~Compliance schedule~~

Notes

Signature

Team Leader Technical Administration

Position

On behalf of: Whakatane District Council

Date: 29 Mar 2016

Road Reserve
SO 21248

Karaponga Stream

i Upper SD

SYMOND ROAD Legal Road (20.12 wide)

357.10 | 4.01 | (737.43) | 316.15 | (380.32) Lot 2 Bdy | 60.17 | 6.38

BRAEMAR ROAD

Legal Road (20.12 wide)

(286.72)

51.64 | 68.47 | 40.13 | 147.07 | (187.20) | 35.00 | 25.00 | (101.42) | 13.98 | 76.42 | 83.47 | 28.00 | 23.83 | 22.00 | 70.81 | (92.81) | 206.33 | 141.45 | 145.30

115.34 | 113.69 | 30.00 | 61.68 | 30.84 | 42.88 | 22.07

Diag. A
See T1

A

B

Lot 2
DPS 30717
CFR SA27D/507

2
5.5935Ha

Lot 1
DPS 30717
CFR SA27D/506

1
6.5585Ha

3
4.0300Ha

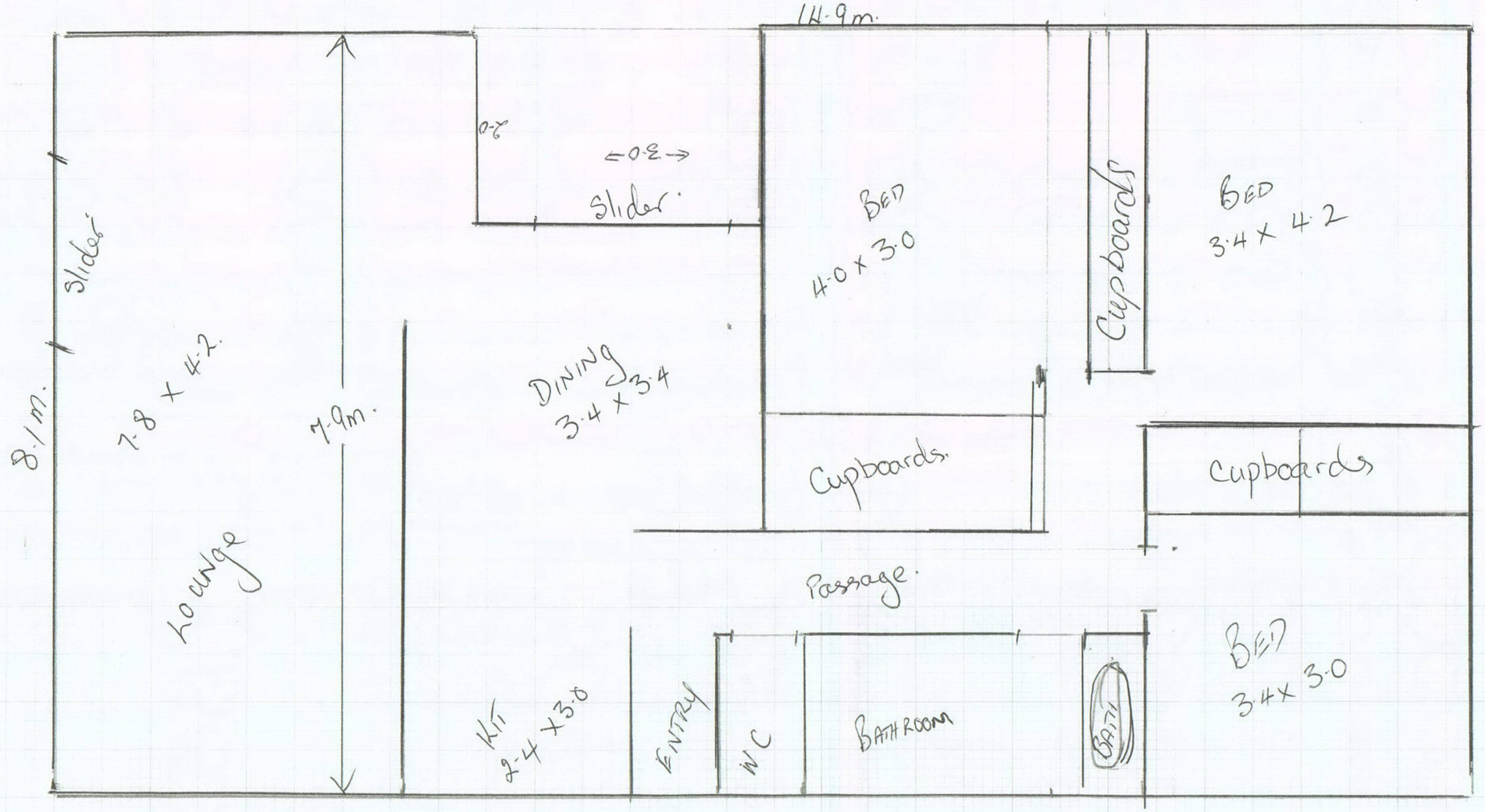
402.60 (406.71) | 5.46

MCIVOR ROAD
Legal Road (20.12 wide)

115.34 | 113.69 | 25.09 | (19.34) | 22.67 | 15.46 | 17.01 | 3.88 | 44.51 | 18.55 | 17.42 | 4.38 | 1.29 | 4.11 | 402.60 (406.71)

2

Tx 230039
3ϕ 30KVA.
2ICPS.
L. PIVAC.


11·9m.
2·0
3·0
Slider.
Slider.
BED
4·0 x 3·0
Cupboards
BED
3·4 x 4·2
8·1m.
7·8 x 4·2.
7·9m.
DINING
3·4 x 3·4
Cupboards.
Cupboards
Lounge
Passage.
KIT
2·4 x 3·0
ENTRY
W C
BATHROOM
BED
3·4 x 3·0

Spare.

Spare Copy

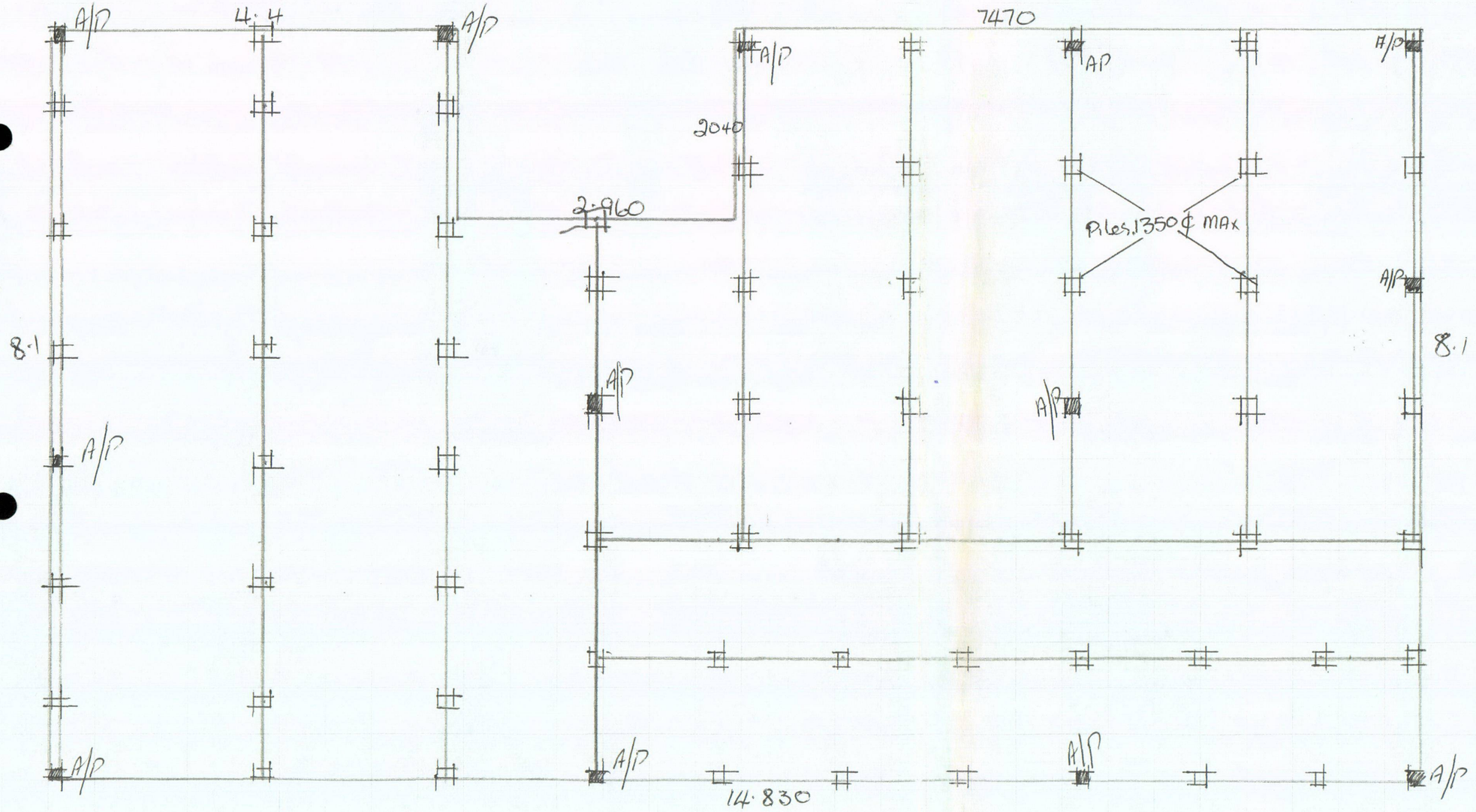
Piles Ø 1350¢ max

175 SED ROUND TIMBER Piles

Drive to Min depth of ~~1.5m~~

Bearers 100 x 75.

Joists 150 x 50 @ 450¢



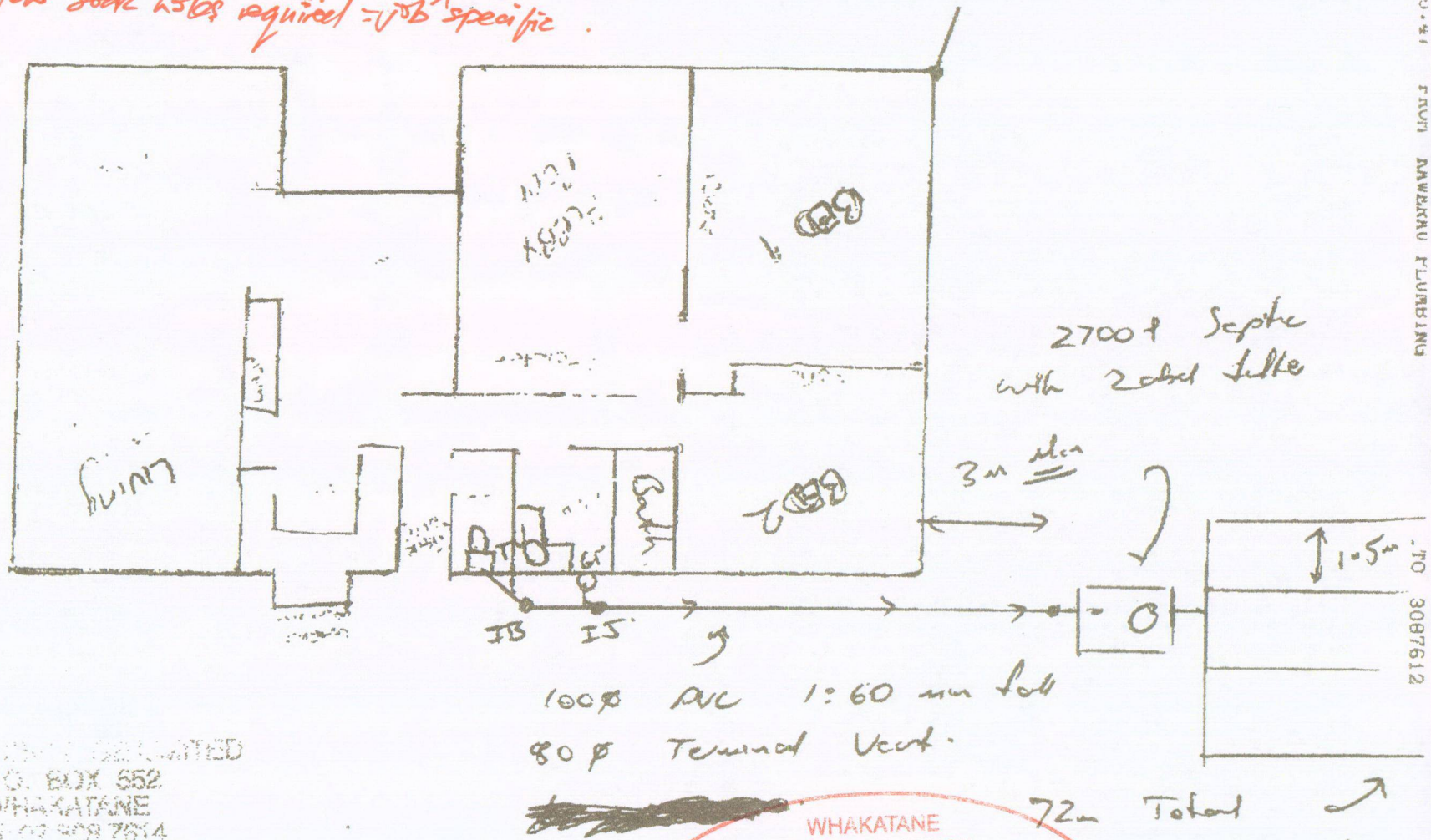
Scale 1:50

Pile layout for N + J NEWLAND
Braemar RD

Note: All Stormwater disposed of on site via soakholes

Soakholes (1) total volume to be 1.2 m³. size.

(2) Shallow soak holes required = JOB site specific.



P.O. BOX 552
WHAKATANE
PH 07 308 7514

1098 Braemar Rd

WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
Building Control Office
Date 17-2-11

FROM KAWERAU PLUMBING 07 308 7612 P.03

17-2-11 " " "Pile Hammer Set Design"

Shaun McGiveress

PAGE 01

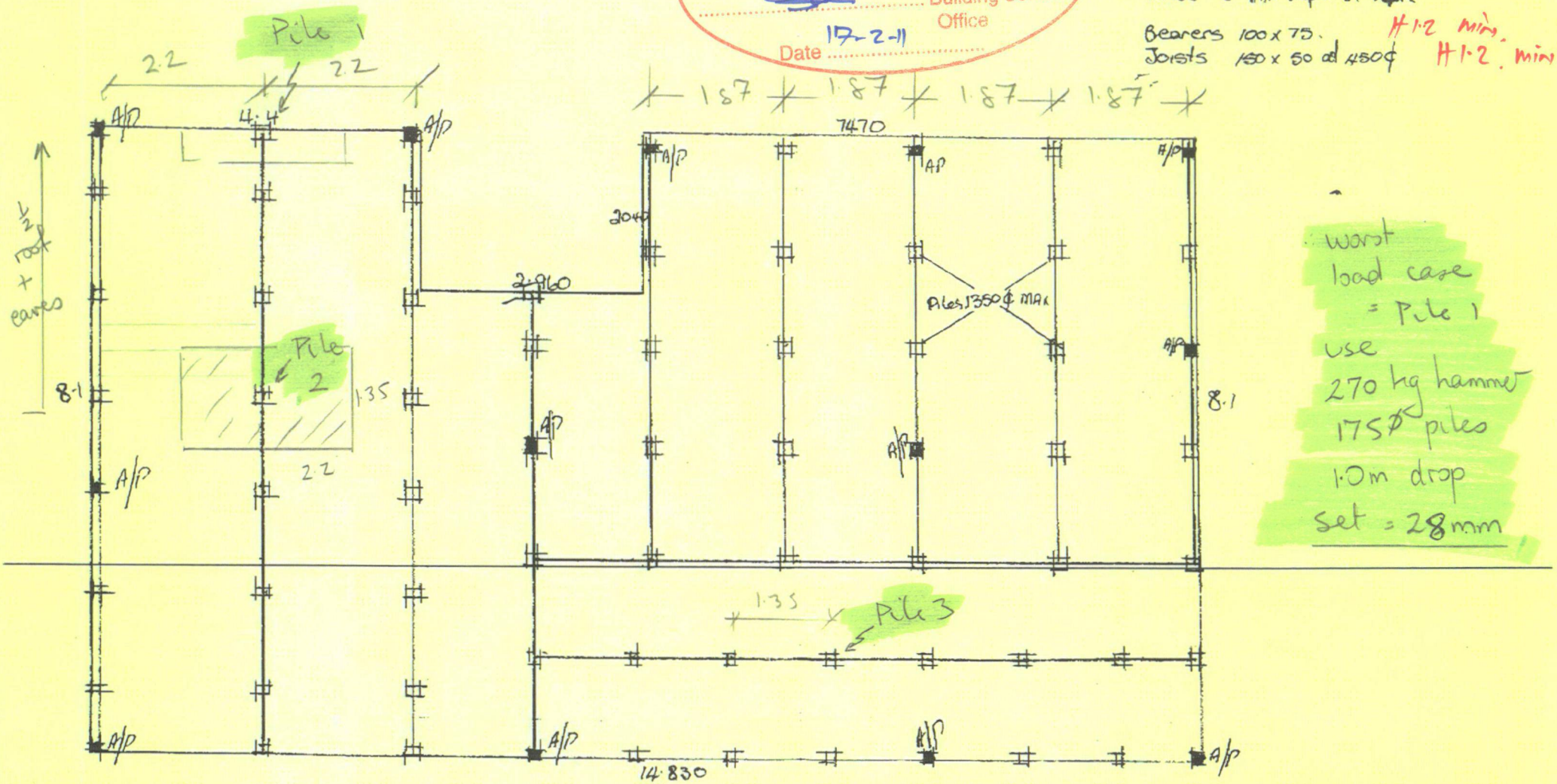
EDUQUIP KAWERAU

15/02/2011 15:04 073237850

All Steps

WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
Building Control Office
Date 17-2-11

Piles Ø 1350¢ max
175 SED ROUND TIMBER Piles H5
Pride to Min depth of H5
Bearers 100 x 75. H1.2 min.
Joists 150 x 50 @ 450¢ H1.2 min

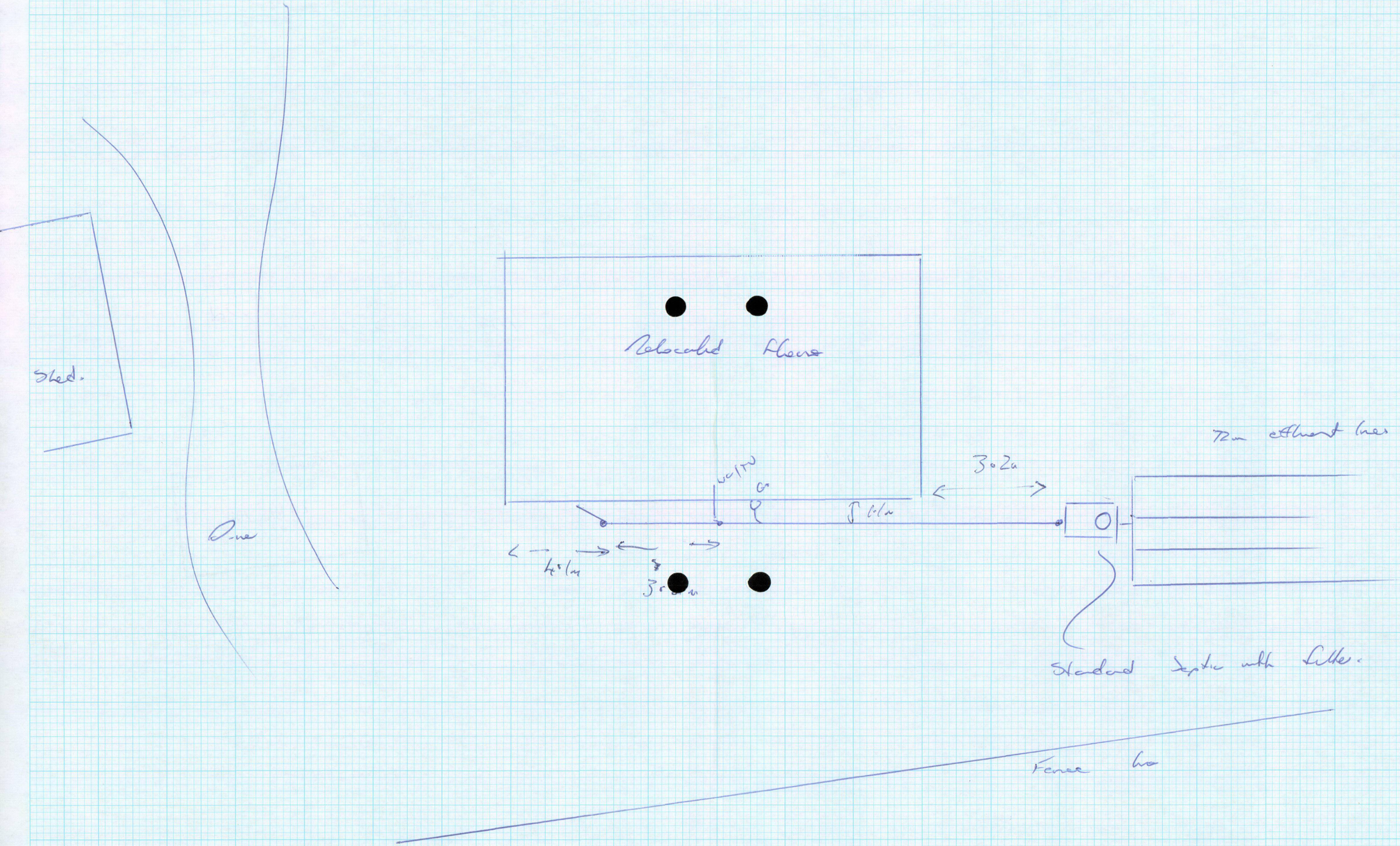


worst load case = Pile 1
use 270 kg hammer
175Ø piles
1.0m drop
set = 28mm

Scale 1:50

Pile Layout for N + J NEWLAND
Braemar RD

GORMACK GRAPH PAPERS ®
CQ52X 40 cm x 28 cm x 2 mm.



Swimming Pool Inspection

Applicant's Name: Hoaani Merritt & Paige Olsen	Date: 7 Feb 24 Start time: 1030	Date: Re-Inspection Start time:
Property Address: 37 Symond Road **(Off Braemar Rd Onepū end)**	Inspection Number:	Phone: 0274 595 865 (07)3084584 Email:paige.olsen@outlook.com hoaani.merritt@outlook.co.nz

ITEMS TO BE CHECKED **TAKE PHOTOS**

Key:Decision: ✓ or P = Pass X or F = Fail, further inspection required I or — or NA = Not Applicable

Reason for decision: Compliance or non-compliance with the approved building consent documents

ALL POOLS	1st	2nd	**INSPECTION NOTES**
FENCING			
Fencing (incl. walls) continuous around pool	P		Photos refer
Fence at least 1200 mm high above ground	P		
Mesh or trellis fence with gaps larger than 10mm (**But less than 50mm**) to be at least 1.8 metres high	P		
Horizontal rails on **outside** of the fence (if any) >900 mm apart	P		
No climbable objects within 1200 mm of the **outside** of the fence	P		
No gaps > 100 mm in fence (or >**50 mm if mesh/trellis**)(Includes Cat/Dog doors in windows/walls of building)	P		
No gaps > 100 mm under the fence	P		
Safety from falling	P		
Physical condition of fence acceptable (**firmly grounded and attached**)	P		
GATES			
Gates giving access to pool area open away from pool	P		
Gates are 1200mm high	P		
Gates when lifted up or pulled down do not release the latching device or come off hinges, or **provide a ground clearance more than 100mm**	P		
Latch height: (External ≥1500 mm, Internal ≥1200mm)	P		
No access through gaps in gate to latch from outside gate	P		
No gaps >100mm in the gate	P		
No gaps >100mm under the gate	P		
Self-closing & latching if open @ 150 mm	P		
DOORS & WINDOWS			
Doors accessing pool area open away from pool			N/a – separate of the pool
Doors shut & latch if open @ 150 mm			
Windows that open to pool area open ≤ 100 mm (Safety from falling)			
Sliding & bi-fold doors have lock/latching devices > 1500 mm above ground level			
POOL AREA			
Only Pool related activities contained within pool area (No clotheslines, sheds, woodpiles)	P		

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F +64 7 307 0718 W whakatane.govt.nz Whakatāne 3158, New Zealand

BACKFLOW PROTECTION			
Backflow prevention device	P		
SPA POOL			
Spa Pool on property	**YES**		**Empty of water at this inspection and for sale by the Owners.**
Spa Pool contained within compliant swimming pool fenced area			If No, Complete Spa Pool checklist

Inspection End time:	**1050**	**Re-Inspection End time:**	
Work complies with the F9 Acceptable Solutions document		**REPEAT: Work complies with the F9 Acceptable Solutions document**	
☐ **PASS**		☐ PASS	
☐ FAIL. Repeat inspection required		☐ FAIL Repeat inspection required	
		☐ Additional Fee	
Officer Name: Shane Willis		Officer Name:	
Signature :		Signature:	
Date: 7 Feb 24		Date:	

One of the two pool access gates has been remediated to no longer be able to be used as an access gate(photo refers). The other gate complies on the day of this inspection.

Pool complies.

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F +64 7 307 0718 W whakatane.govt.nz Whakatāne 3158, New Zealand



Figure 1 - north elevation gate has been remediated to no longer be able to be used as an access gate into the pool area as can be seen.

Pool complies.

==========

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F +64 7 307 0718 W whakatane.govt.nz Whakatāne 3158, New Zealand

S208

F86

26 February 1981

Mr R J Overington
P O Box 596
WHAKATANE

Dear Sir

re Proposed Subdivision : M Beijeman, Braemar Road, Onepu

I am pleased toadvise that the Council at its meeting held on the 25 February 1981 considered your Schmme Plan and resolved as follows:

"(a) *THAT in accordance with Section 279(1) of the Local Government Act 1974 Scheme Plan No. S86/1 showing a proposed subdivision of Sections 19, 20,21 and 23 Block V Rangitaiki Upper Survey District shall be approved subject to the following conditions:*

1. *That pursuant to Section 279(2)(j) the following allotments shall be amalgamated and one Certificate ofTTitle be issued to incbude all parcels:*

   Section 22 (3D/623)
   Section 24 (666/95)
   Part 2 Section 22 (3D/624)
   Section 18 (3D/623)

2. *That the entrance into proposed Lots 1 and 2 shall be from Braemar Road and shall be constructed in accordance with Plan WDC 1095 to the satisfaction of the Chief Engineer.*

3. *That the location of the McIvor Road fences shall be defined by the surveyor and licences granted for any discrepancies that give the properties occupation of road reserve.*

(b) *THAT pursuant to Section 305 of the Local Government Act 1974 the Land Transfer Plan of Lots 1 and 2 and the balance area of the abovementioned subdivision shall*

cont...

approved and signed and sealed by Council once the Transfer Plan is in accordance with the approved Scheme Plan.

(c) THAT Council is satisfied that the allotments referred to in Condition (a)(l) above are used solely or principally for rural purposes.

(d) THAT any Bond relating to the above conditions shall be signed and sealed by the Council once the General Manager and the Chief Engineer have given their consent..

(e) THAT all costs of and incidental to the preparation, registration and discharge of any Bond agreement shall be paid by the subdivider."

Please find attached one copy of the Scheme Plan duly endorsed by the General Manager pursuant to Section 252 of the Local Government Act 1974.

Yours faithfully

J W Mandemaker
PLANNING OFFICER

Enclosure:

RCSGEN 05

SEC. 35
D. Richardson

34

36

SYMOND ROAD
Public Road (metalled)

P.E.W. Fence

19
CT. 3D/623 Pt.

LOT 2
8·0900 ha.
(20 acres)

21
CT. 3D/623 Part

BRAEMAR ROAD
(sealed)
Public Road

23
CT. 666/95 Pt.

Flat Grassland

LOT 1
8·0900 ha.
(20 acres)

Barn

Karaponga Stream

gate

Public Road

McIVOR ROAD

Bridge

20
CT. 3D/623 Part

Balance Area
See Diagram.
PT 2
CT. 3D/623 Pt

22
CT. 3D/623 Pt.

24
CT. 666/95 Pt.

TO SH No 30

CAUTION
AREAS AND MEASUREMENTS SUBJECT TO SURVEY

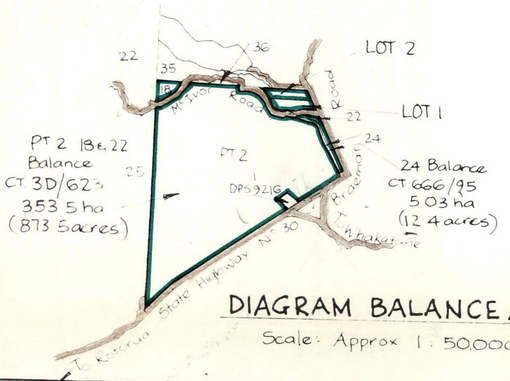


DIAGRAM BALANCE AREAS
Scale: Approx 1 : 50,000

I Ross James Overington Registered Surveyor hereby certify that this scheme plan has been prepared by me in accordance with the provisions of Part XX of the Local Government Act 1974

REGISTERED SURVEYOR

Approved by the Whakatane District Council under Section 279 of the Local Government Amendment Act 1978, at a meeting held on the 25th day of February 1981. subject to the conditions contained in Resolution No. 3.11/28

General Manager

LOTS 1 & 2	16·1800 ha (40 acres)
BALANCE AREAS	358·5300 ha (885·9 acres)
TOTAL AREA	374·7100 ha 925·9 acres

N. BEIJEMAN
BRAEMAR ROAD
ONEPU R.D.2.
WHAKATANE

APPROVED

N Beijeman

OWNER

PROPOSED LOTS 1 & 2 BEING SUBDIVISION OF SECTIONS 19, 20, 21 & 23 BLOCK V RANGITAIKI UPPER SURVEY DISTRICT

SOUTH AUCKLAND LAND DISTRICT Comprised in C/T 3D/623 (Part) & 666/95 (Part.

WHAKATANE DISTRICT

ROSS J. OVERINGTON
REGISTERED SURVEYOR.
P.O. Box 596 Whakatane. Phone 6384

SHEET S86/1

DRAWN R.J.O.	CHECKED R.J.O.	SCALES 1:2000 approx	SERIES OF
TRACED S.M.O.	DATE Dec. 1980		REF

24.3.08.72
2770/0070/00
2770/0080/00

10 March 2009

RCSDEC

John Richard & Ngaire Frances Sherriff
C/- R J Overington
P O Box 600
WHAKATANE

Attention: Glenn Sutton and John Hesseling

Dear Sirs

I am pleased to advise you that the decision in respect to your subdivision consent application has been made and the consent has been granted.

The Council's resolution and the conditions of consent are set out below. You must comply with all of the conditions of this consent and ensure all the legal paperwork is completed before you can apply to Land Transfer New Zealand for new titles for the lots.

Your surveyor or agent will explain in detail the process that you now need to follow in order to complete the required works and obtain new titles. In general terms there are three key steps to the process. The first is to arrange for the surveying work to be completed by your surveyor and to have the new title plan certified by the Council. The second is to carry out all of the works required by these consent conditions. The Council will inspect the physical works and certify their compliance. There are Council fees and charges associated with these processes. The third step is to arrange any legal documentation to be prepared by your solicitor.

Please read the consent conditions carefully and ensure that you understand what is required of you. Please ensure that any contractor or person acting on your behalf is provided with a copy of the consent conditions and also understands their requirements.

Please note that this consent will expire if not given effect to within five years from the date of this letter. Under some circumstances this five year period may be extended if an application for an extension is made before the consent lapses and in accordance with Section 125 of the Resource Management Act 1991.

In accordance with Sections 357A and 357B of the Resource Management Act 1991, you have the right to submit to the Council an objection to any of the conditions of approval or the additional administrative charges. An objection must be lodged with the Whakatane District Council within 15 working days of receipt of the Council's decision. If you are in any way not satisfied with the decision of the Council on your objection, you have the right to appeal to the Environment Court. Any appeal is required to be lodged with the Environment Court within fifteen working days of receiving the decision on your objection.

Address all correspondence to: The Chief Executive Whakatane District Council Private Bag 1002 Whakatane 3158 New Zealand
Telephone +64 7 306 0500 Facsimile + 64 7 307 0718 Email information@whakatane.govt.nz Website www.whakatane.govt.nz

An invoice for the additional fees payable for the processing of the resource consent will be forwarded to you shortly.

If you have any further enquiries about this resource consent or its conditions please contact Emma Hilderink, (Senior Planner), at this office.

Yours faithfully



Laura Swan
TEAM LEADER CONSENTS
- PLANNING

24.3.08.72
2770/0070/00
2770/0080/00

RESOURCE CONSENT APPLICATION— JOHN RICHARD & NGAIRE FRANCES SHERRIFF, THREE LOT RURAL SUBDIVISION (ONE ADDITIONAL LOT), 70 & 80 MCIVOR ROAD, WHAKATANE

On 10 March 2009, the Team Leader Consents - Planning, under delegated authority, resolved as follows:

*"1. **THAT** pursuant to Sections 34A, 104, 108 and 220 of the Resource Management Act 1991, the Whakatane District Council grants consent as a discretionary activity to subdivide into three lots land legally described as Lot 1 DPS 30717 and Lot 2 DPS 30717 at 70 and 80 McIvor Road, Whakatane subject to the following conditions:*

(a) The proposed activity shall be carried out in general accordance with Plan Number 2510/3 dated August 2008, revised on 12/02/2009, prepared by Ross Overington Surveyors and information submitted as part of this application, except where modified by any other condition of this consent.

(b) That the development may be carried out in two stages however the section 223 certificate for both stages must be approved by the Council within 5 years from the date of this consent.

Stages One and Two

(c) That the consent holder shall nominate an independent potable water supply for each lot, to the satisfaction of the Director Environment and Policy.

(d) That if a communal water supply is to be used to satisfy condition (c), then the consent holder shall:

(i) establish to the satisfaction of the Director Environment and Policy that the proposed source of water supply to serve the lots meets the requirements of the New Zealand Drinking Water Standards in terms of potability. All costs incurred in establishing same are to be met by the applicant;

(ii) create appropriate easements over the proposed source of water supply serving the development as well as over the water supply lines should they pass through adjoining lots;

(iii) submit to Council for approval a comprehensive supply and maintenance agreement which shall address such matters as:

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- *maintenance;*
- *continuity of supply;*
- *monitoring and costs associated with monitoring to the satisfaction of the Director Environment and Policy;*
- *managerial responsibility for continuity of a potable water supply*

(e) That the septic tank effluent and stormwater disposal systems serving the dwelling on Lot 3 are to be contained a minimum of 1.5 metres inside the lot boundaries.

(f) That all easements required to protect rights-of-way or services shall be duly granted and reserved.

(g) That in accordance with Section 220(1)(g) of the Resource Management Act 1991, all easements that are no longer required shall be extinguished.

(h) That the consent holder shall pay the Council's legal costs and disbursements directly attributable to the preparation, execution, registration and enforcement of the consent notices and the Council's conditions set out in the notices.

Stage One

(i) That the combined vehicle crossing to serve proposed Lots 1 and 2 shall be upgraded and constructed to conform to clause 3.1.12.3 and Standard Drawing R28 of the Council's Engineering Code of Practice 2007. Alternatively an independent vehicle crossing to each of the proposed lots shall be formed to conform to clause 3.1.12.3 and Standard Drawings R25 and R28 of the Council's Engineering Code of Practice 2007. The consent holder shall contact the Council's engineering provider Opus Consultants to arrange for inspection to be carried out prior to sealing of the vehicle entrance/s. Opus Consultants will require 48 hours notice to perform the inspection.

(j) That a stock-proof seven-wire post-and-batten fence shall be erected to provide a buffer strip of vegetation along both sides of the Karaponga Stream within Lot 1 of at least five metres in width. Where there is a steep bank next to the stream the fence shall be placed at the top of the bank to the satisfaction of the Director Works and Services or their delegate. An alternative standard of stock-proof fence may be erected with the agreement in writing by the Director Works and Services or their delegate.

(k) That a consent notice, or other form of legal covenant, shall be issued and registered against the Certificate of Title for Lot 1 to record that the owners shall on an ongoing basis:

(i) *maintain the seven-wire post-and-batten fence, or pre-approved alternative fencing standard, along the top of the bank of both sides of the Karaponga Stream in perpetuity to the satisfaction of the Council;*

(ii) *not cause, permit or suffer any stock, including sheep, to graze within the fenced margins of the Karaponga Stream;*

(iii) *not cause or permit or suffer any fire to be lit within the fenced stream margins or on any part of the land from which the fire may spread to the fenced stream margins;*

(iv) *control any pest plants and animal pests as identified in the most recent version of the Bay of Plenty Regional Plant and Animal Pest Management Strategies and any other environmental plant pests as Whakatane District Council Officers may advise; and*

(v) *permit the Council's officers or contractors entry upon the land at reasonable times so as to ascertain compliance with these conditions; and*

(vi) *pay the Council's legal costs and disbursements directly attributable to the enforcement of the consent notice and the Council's conditions set out in the notice.*

(l) *That a monitoring fee of $100.00 (inclusive of GST) shall be paid to the Council as a single charge for the administration, monitoring and supervision of this resource consent. Notwithstanding the above, where there is good and reasonable cause for unprogrammed monitoring and additional site inspections, then the costs of that will be a charge on the consent holder. Such costs are recovered on an actual and reasonable basis as defined in the General Conditions and Notes of the Fees and Charges Schedule as approved by the Council in terms of Section 36 of the Resource Management Act 1991.*

Stage Two

(m) *That the existing vehicle crossing to proposed Lot 3 shall be upgraded to conform with Standard Drawing R 28 of the Council's Engineering Code of Practice 2007. The consent holder shall contact Council's engineering provider Opus Consultants to arrange for inspection to be carried out prior to formation of the vehicle entrance. Opus Consultants will require 48 hours notice to perform the inspection.*

(n) *That a stock-proof seven-wire post-and-batten fence shall be erected to provide a buffer strip of vegetation along the both sides of the Karaponga Stream on Lot 3 of at least five metres in width. Where there is a steep bank next to the stream the fence shall be placed at the top of the bank to the satisfaction of the Director*

Works and Services or their delegate. An alternative standard of stock-proof fence may be erected with the agreement in writing by the Director Works and Services or their delegate.

(o) *That a consent notice, or other form of legal covenant, shall be issued and registered against the Certificate of Title for Lot 3 to record that the owners shall on an ongoing basis:*

(i) *maintain the seven-wire post-and-batten fence, or pre-approved alternative fencing standard, along the top of the bank of both sides of the Karaponga Stream in perpetuity to the satisfaction of the Council;*

(ii) *not cause, permit or suffer any stock, including sheep, to graze within the fenced margins of the Karaponga Stream;*

(iii) *not cause or permit or suffer any fire to be lit within the fenced stream margins or on any part of the land from which the fire may spread to the fenced stream margins;*

(iv) *control any pest plants and animal pests as identified in the most recent version of the Bay of Plenty Regional Plant and Animal Pest Management Strategies and any other environmental plant pests as Whakatane District Council Officers may advise; and*

(v) *permit the Council's officers or contractors entry upon the land at reasonable times so as to ascertain compliance with these conditions; and*

(vi) *pay the Council's legal costs and disbursements directly attributable to the enforcement of the consent notice and the Council's conditions set out in the notice.*

2. ***THAT*** *pursuant to Section 36 of the Resource Management Act 1991, an additional administrative charge (to be invoiced separately) shall be paid to Council in relation to the receiving, processing and granting of this resource consent.*

3. ***THAT*** *pursuant to Section 37 and 37A of the Resource Management Act 1991, the Council advises that the 20 working day time limit for issuing a resource consent is being extended by 20 working days. This will bring the new date for the resource consent to 10 March 2009."*

Advice Notes

1. *A development contribution is payable for this subdivision prior to the issue of a s224c certificate for stage two.*

2. *All archaeological sites are protected under the Historic Places Act 1993. The applicant shall cease all operations immediately should any koiwi or*

other taonga be discovered within the area of the development. No archaeological sites shall be modified or disturbed in any way unless written authority has been obtained from the New Zealand Historic Places Trust in consultation with the relevant iwi authority.

3. *The potability of the proposed water supply to serve dwellings on Lots 1 and 2 will need to be established to the satisfaction of Council at the time of application for building consent. All costs incurred in establishing this are to be borne by the applicant.*

4. *Prior to the granting of a building consent for any habitable building being constructed on the lots, each property owner shall demonstrate how they will comply with Rule 4.4.2.2 of the Proposed Whakatane District Plan which requires a water supply for fire fighting purposes. The provision of a 5 000 litre water storage tank or a swimming pool and appropriate fire service fittings and couplings would satisfy this requirement.*

5. *A transformer may need to be installed as a result of this subdivision in order to provide an adequate electricity supply to the lots. Please liaise with your electricity provider.*

6. *That the effluent disposal systems for proposed dwellings on Lots 1 and 2 needs to be in accordance with the requirements of the Operative On-site Effluent Treatment Regional Plan and Whakatane District Council.*

7. *The vehicle crossing to Lots 1 and 2 is currently a culvert with seal over it with no other formation. The existing vehicle crossing to Lot 3 requires the NE splay to be upgraded to the R28 standard.*

Reasons for the decision

1. *The proposed activity is a discretionary activity in the Rural 1 Zone of the Proposed Whakatane District Plan. The proposal has this status for the following reasons:*
   - *Rule 4.1.7.1(b) provides that if at least 60% of the land held in title is of 'Class IV to Class VIII' or 'Class III with severe soil limitation', then the average and minimum lot size for Rural 2 zone shall apply.*

2. *The Council is satisfied that the proposal is not contrary to the policies and objectives (Objective LRS3, Policy 1, Objective BE1, Policies 1 and 2, Objective LS2, Policy 1 and 2) contained in the Proposed Whakatane District Plan, as the productive capability of the land and soils are not compromised, and rural amenity is sufficiently maintained. It is also recognised that the soils are classified as having limiting factors for productive use.*

3. *The Regional Council has a number of relevant planning documents that have been considered:*
   - *Operative Regional Water and Land Plan*
   - *Operative Bay of Plenty Regional Policy Statement*

In particular Section 6 (Land) of the Regional Policy Statement was considered. The relevant policies of Section 6 aim to safeguard the life supporting capacity of the soil and to enable land to meet the foreseeable needs of future generations. The proposal is considered to be consistent with the relevant policies and objectives due to the fencing, weed and pest control and stock exclusion from the Karaponga Stream which is required by this consent. This stream contains important habitat for indigenous flora and fauna.

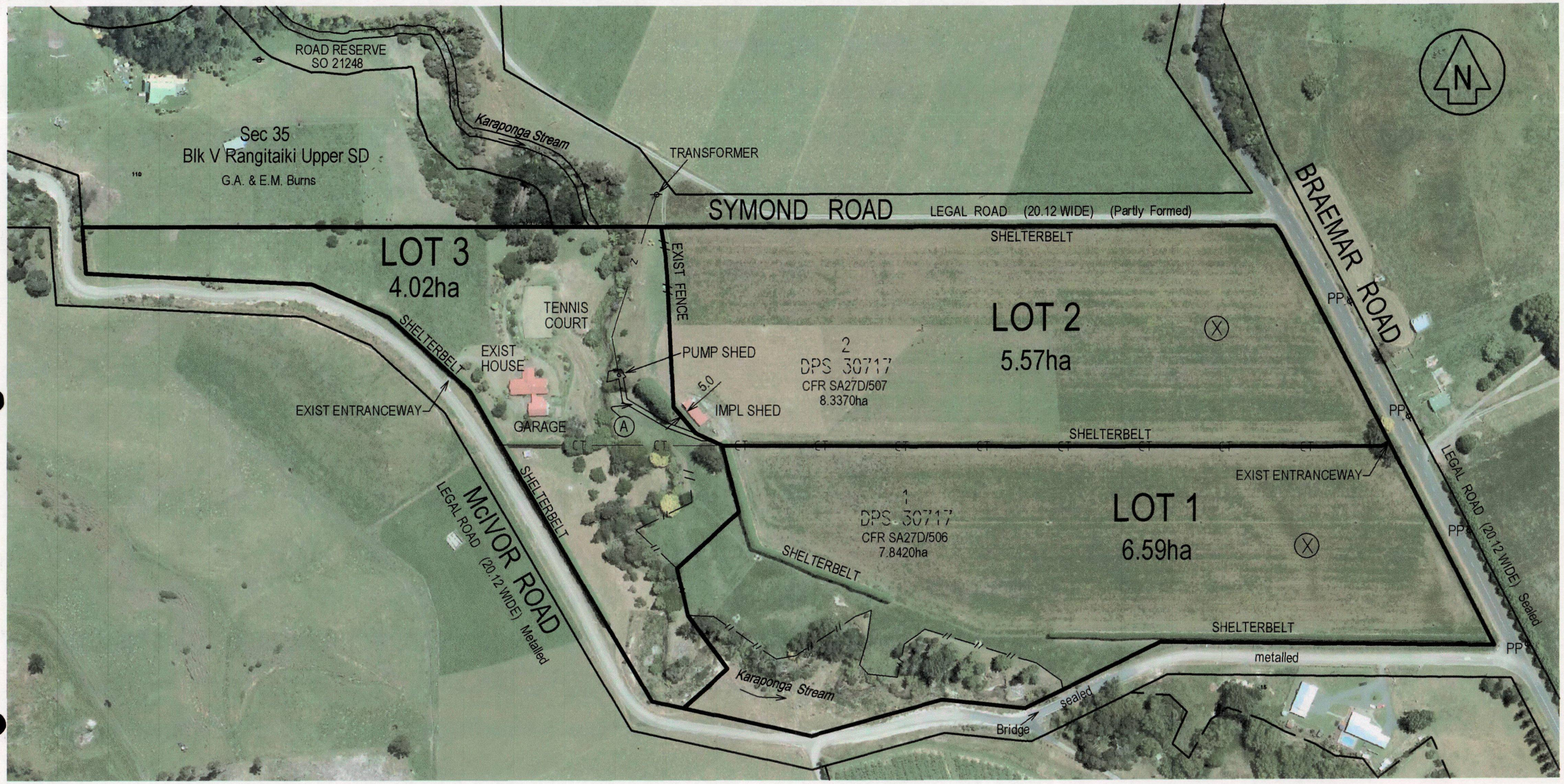
4. *The principal issues that were in contention related to potential adverse effects on amenity, rural character, and natural character. In making its decision the Council received information from Ken Phillips, archaeologist and Wai Ora Soil Conservation Ltd. The main findings of fact in relation to this consent were that more than 100% of the properties soils are Class IIIs5, Class VIe15 and Class VIIe2.*

5. *The Council is satisfied that any adverse environmental effects that may actually, or potentially result from the subdivision are avoided, remedied or mitigated by the conditions of this resource consent. The effects of the subdivision are considered minor. While one new lot is being created with rights for an additional dwelling and accessory building for habitation, the effects of this change in land use will be offset by the protection and enhancement of the Karaponga Stream which flows through the property. The majority of the land can still be used for primary production purposes. All services will be protected by easements and vehicle entrances will be formed or upgraded to the Council's standards.*

6. *The Council is satisfied that all parties potentially affected by the proposal have provided written consent to the proposed activity. There were no special circumstances in terms of Section 94C of the Resource Management Act 1991 which warranted the public notification of this proposal.*

7. *The Council is satisfied that this proposal is in accordance with Part II matters of the Resource Management Act 1991, as it does not involve a change in land use so will not adversely affect the ability of this land to meet the needs of future generations. The Council is therefore satisfied that this subdivision is an efficient use of land and the amenity values and environmental quality of this area will not be adversely affected.*

Laura Swan
TEAM LEADER CONSENTS
- PLANNING



NOTES:
1) AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY
2) TOTAL AREA LOTS 1 - 3 = 16.1790ha
3) ZONING IS RURAL 1 (PLAINS)
4) ⊗ DENOTES POSSIBLE HOUSE SITE
5) STAGE ONE: LOT 1
   STAGE TWO: LOTS 2 & 3

PROPOSED EASEMENTS			
PURPOSE	SHOWN	SERV. TEN.	DOM. TEN.
Right to convey: Water (Stock Only & Underground), Electricity (Undergound)	(A)	LOT 3	LOT 2

WHAKATANE DISTRICT COUNCIL
RC Number 24.3.08.72
Date 10/03/09
Planner Emma H
APPROVED BY PLANNING

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PREPARED FOR:
J. R. & N. F. SHERRIFF
80 McIVOR ROAD
WHAKATANE

PROPOSED LOTS 1 - 3 BEING SUBDIVISION OF LOTS 1 & 2 DPS 30717

COMPRISED IN CFR SA27D/506 & SA27D/507 WHAKATANE DISTRICT

DATE	
AUGUST 2008	
12/02/2009	Lot boundaries amended
24/10/2008	Lots 1/3 bdy amended
Date	Revision

Boulder Consultants (CNI) Limited, trading as
ROSS OVERINGTON SURVEYORS
PO Box 600 Phoenix House, Pyne Street, WHAKATANE
Phone: 07 308 6384 Email: whakatane@boulderconi.co.nz

DESIGNED JPH/GJS | SURVEYED | SCALES 1 : 2500 (A3)
DRAWN SAW

DRAWING No. 2510/3
CAD No. 2510-D02-scheme

WHAKATĀNE
District Council

SS-2014-8386-00
0420/0166/000

11 September 2015

Overington Surveyors
PO Box 600
WHAKATĀNE 3158



Attention: RJ Overington

Dear Sir

RESOURCE CONSENT (RURAL SUBDIVISION) —

TYPE:	**SUBDIVISION CONSENT**
APPLICANT:	**NR & JJ NEWLAND**
DETAILS:	**TO SUBDIVIDE TWORURAL LOTS (ONE ADDITIONAL LOT)**
ADDRESS:	**1098 BRAEMAR ROAD/37 SYMOND ROAD, ONEPU**
Your Ref: 3284	

I am pleased to advise you that your subdivision consent has been granted. The Council's resolution and the conditions of consent are attached. As the consent holder you must comply with all the conditions of this consent and ensure all the legal paperwork is completed before you can apply to Land Information New Zealand for new titles for the lots.

Your surveyor or agent will explain the process for you to complete the required works and obtain the new titles. In general terms there are three key steps to the process:

1. Arrange for the surveying work to be completed by your surveyor and to have the new survey plan approved by Council. This is otherwise known as the Section 223 Certificate, and must be completed within five years of the date of this letter or the consent will expire.
2. Carry out all of the works required by these consent conditions. The Council will inspect the physical works and certify their compliance. There is a maximum period of 3 years from the date of the survey plan approval during which you must complete the conditions of consent and obtain the approval of Council. This is also known as the Section 224 Certificate.
3. Arrange for any legal documentation to be prepared by your solicitor.

It is important that you understand the steps in the process and how the timeframes work so you can control them to your advantage. Please discuss the process with your surveyor or contact a Planner at the Council if you have any questions. Under some circumstances the time frames may be extended, and you should consult your surveyor or agent on this matter. Please note that there are Council fees and charges associated with these processes.

Please read the consent conditions carefully and ensure you understand what is required of you. Please ensure that any contractor or person acting on your behalf is provided with a copy of the consent conditions and also understands the requirements. You should ensure they are provided with a copy of any approved engineering drawings or Standard Drawings from the Council's Engineering Code of Practice or District Plan. If you or your contractor have any questions about the standard or specifications of a drawing please contact the Council to clarify what is required. As the consent holder, it is your responsibility to ensure all of the conditions are met and all works are

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completed to the required standard. If works are not completed correctly then you will have to rectify the problem at your own cost. For example, this may include re-laying a right-of-way or vehicle crossing if it is not constructed to the required standard.

Similarly you must ensure that any inspections that are required by the conditions of consent are undertaken (for example, for sewer laterals, right-of-ways and vehicle crossings). If the required inspection is not done then the Council may not be able to approve construction. If you have any questions about what must be inspected and when it must occur please contact the Council.

In accordance with Sections 357A and 357B of the Resource Management Act 1991, you have the right to object to any of the attached conditions of consent or the additional administrative charges. An objection must be lodged with the Whakatāne District Council within 15 working days of receiving the Council's decision. If you are in any way not satisfied with the decision of the Council on your objection, you have the right to appeal to the Environment Court. Any appeal must be lodged with the Environment Court within fifteen working days of receiving the decision on your objection.

An invoice for the additional fees payable for the processing of the resource consent will be forwarded to you shortly.

If you have any further enquiries about this resource consent or its conditions please contact a Planner at this office.

Yours faithfully

Shane McGhie
PRINCIPAL PLANNER

SS-2015-8386-00
0420/0166/000

RESOURCE CONSENT (RURAL SUBDIVISION) —

TYPE: **SUBDIVISION CONSENT**
APPLICANT: **NR & JJ NEWLAND**
DETAILS: **TO SUBDIVIDE TWO RURAL LOTS (ONE ADDITIONAL LOT)**
ADDRESS: **1098 BRAEMAR ROAD/37 SYMOND ROAD, ONEPU**

On 11 September 2015, the Principal Planner, under delegated authority, resolved as follows:

*"1. **THAT** pursuant to Sections 34A, 104, 108 and 220 of the Resource Management Act 1991, the Whakatāne District Council grants consent as a discretionary activity to subdivide land described as:*

Legal description: *Lot 2 DP 419608*
Site Address: *1098 Braemar Road/37 Symond Road, Onepu*

subject to the following conditions:

(a) That the proposed activity shall be carried out in general accordance with Plan Number 3284/1 dated July 2015 prepared by Overington Surveyors and information submitted as part of this application except where modified by any other condition of this consent.

(b) That the consent holder shall nominate an independent potable water supply for both lots to the satisfaction of the General Manager Planning and Regulatory Services. The potability of the nominated supply shall be established to the satisfaction of Council at the time of application for building consent. All costs incurred in establishing this are to be borne by the applicant.

(c) That all easements required to protect services shall be duly granted and reserved.

(d) That the septic tank, effluent and stormwater disposal systems serving the existing dwelling on Lot 1 shall be contained a minimum of 1.5 metres inside the lot boundaries or appropriate easements shall be duly granted or reserved. Evidence shall be provided in the form of a surveyed plan.

(e) That the existing separate vehicle crossings to serve proposed Lots 1 and 2 shall be formed and constructed to comply with Standard Drawing R28 of the Council's Engineering Code of Practice. The consent holder shall submit a corridor access request (CAR) and a traffic management plan (TMP) through www.corridoraccess.co.nz at least 10 working days prior to any work required being carried out on the road. The consent holder shall contact Council's Transportation Team to arrange for an inspection to be carried out prior to sealing of the vehicle crossing. They will require 48 hours notice to perform the inspection.

(f) That a monitoring fee of $300.00 shall be paid to the Council for the administration, monitoring and supervision of this consent. Notwithstanding the above, where there is good and reasonable cause for unprogrammed monitoring and additional site inspections, then the costs of that will be a charge on the consent holder. Such costs are

recovered on an actual and reasonable basis as defined in the General Conditions and Notes of the Fees and Charges Schedule as approved by the Council in terms of Section 36 of the Resource Management Act 1991.

2. ***THAT** within 20 working days of the receipt of the invoice the additional administrative charges that were incurred in relation to the receiving, processing and granting of this resource consent (pursuant to Section 36 of the Resource Management Act 1991) shall be paid to the Council in full.*

Advice Notes

1. *Any new dwellings to be constructed will be required to have an approved on-site effluent disposal system in accordance with guidelines set by the Operative On-site Effluent Treatment Regional Plan (2014).*

2. *Any dwelling to be constructed on each lot shall require a firefighting The New Zealand Fire Service recommends that water storage volumes and delivery systems be installed in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice 2008.*

3. *The applicant and any future owners should ensure that the take of water from the Karaponga Stream for use by Lots 1 and 2 complies with Rule 41 (Take and Use of Surface Water) of the Regional Water and Land Plan, otherwise resource consent from the Regional Council will be required.*

Reasons for the decision

1. *The Council notes that the subject land is a 5.5935 hectare property situated in the Rural 1 Zone of the Operative Whakatāne District Plan. Proposed Lot 2 of 4.3035 hectares is currently vacant with no residential occupation and proposed Lot 1 of 1.2900 hectares contains an existing dwelling.*

2. *The Council is satisfied that the proposed subdivision can be assessed under the performance standards of Rules 4.1.7.1(b) and 4.1.6.2(a) of the Operative Whakatāne District Plan as the soils on the property are Class III (3) with a severe soil limitation for 100% of the property. The Council is therefore satisfied that the subdivision proposal is a discretionary activity under Rule 4.1.6.2(a).*

3. *The Council is satisfied that the proposal is not contrary to the objectives and associated policies contained in the Operative Whakatāne District Plan. Council has had particular regard to Objectives LRS3 (Land Resource) and BE1 (Rural Character).*

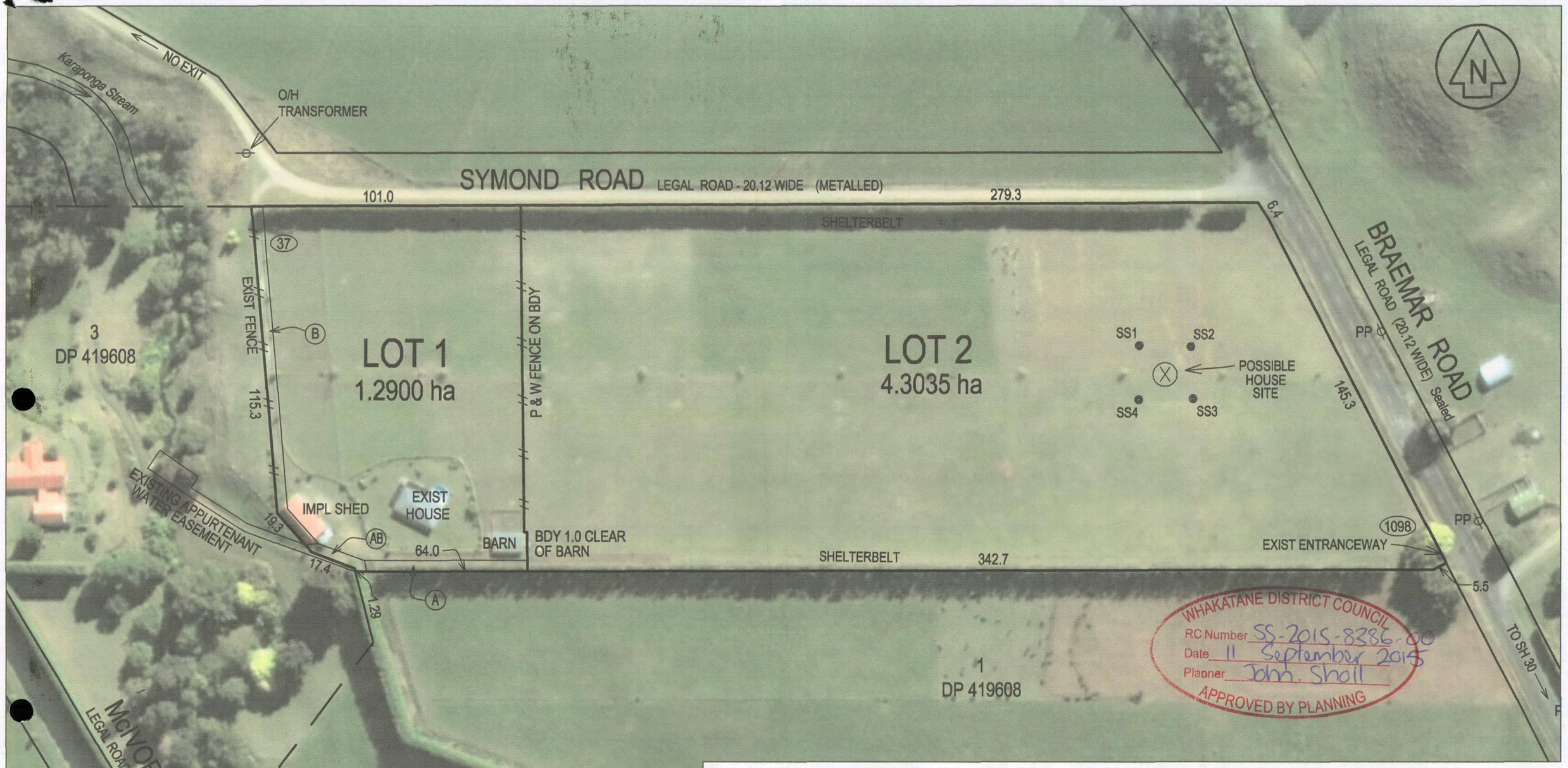
4. *The Council is satisfied that any adverse environmental effects that may actually, or potentially, result from the subdivision are likely to be minor or are avoided, remedied or mitigated by the conditions of this resource consent.*

5. *The Council is satisfied that this proposal is in accordance with Part 2 Matters of the Resource Management Act 1991, as it does not involve a change in land use so will not adversely affect the ability of this land to meet the needs of future generations. The Council is therefore satisfied that this subdivision is an efficient use of land and the amenity values and environmental quality of this area will not be adversely affected.*

6. *The Proposed Whakatāne District Plan was notified on 28 June 2013, and the period for submissions has now closed. However, Council has not yet made decisions on the submissions received. Council is satisfied that the Rules of the Operative Whakatāne District Plan are the dominant planning Rules for this resource consent.*

7. *The Council is satisfied that this proposal is not contrary to the relevant objectives and policies contained in the Proposed Whakatāne District Plan.*

Shane McGhie
PRINCIPAL PLANNER



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NOTES:

1) AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY

2) TOTAL AREA LOTS 1 & 2 = 5.5935 HA

3) ZONING IS RURAL 1 - OWDP
RURAL PLAINS - PWDP

4) REFER TO NEW ZEALAND LAND RESOURCE INVENTORY CLASSIFICATION REPORT BY WAIORA SOIL CLASSIFICATION LIMITED DATED 10 MARCH 2008

5) SS DENOTES SOIL SAMPLE LOCATION (NES)

EXISTING EASEMENT

PURPOSE	SHOWN	SERV. TEN.	DOM. TEN/GRANTEE
RIGHT TO CONVEY ELECTRICITY	(B) (AB)	LOT 1 HEREON	LOT 1 DP 419608 & HORIZON ENERGY DISTRIBUTION LIMITED

PROPOSED EASEMENT

PURPOSE	SHOWN	SERV. TEN.	DOM. TEN
RIGHT TO CONVEY WATER	(A) (AB)	LOT 1 HEREON	LOT 2 HEREON

PREPARED FOR: NR & JJ NEWLAND
1098 BRAEMAR ROAD
(37 SYMOND ROAD), RD2
WHAKATANE 3192

PROPOSED LOTS 1 & 2 BEING SUBDIVISION OF LOT 2 DP 419608

COMPRISED IN CFR 474655

WHAKATANE DISTRICT

DATE JULY 2015

Date | Revision

Boulder Consultants Limited, trading as
OVERINGTON SURVEYORS
PO Box 600 Phoenix House, Pyne Street, WHAKATANE
Phone: 07 308 6384 Email: whakatane@bouldercni.co.nz

DESIGNED RJO | SURVEYED | SCALES 1 : 1500 (A3)
DRAWN

DRAWING No. 3284/1

CAD No.