Valuation Number: 07181/057.11
GIS: 0912/0009/000

8th July 2026

Kerry Kelly

thekellys469@gmail.com

Delivery Method: E-mail

LAND INFORMATION MEMORANDUM – 9 EDGEHAVEN LANE, WHAKATĀNE.

Please find attached a Land Information Memorandum for the above property. This LIM is issued on 8th July 2026 and is accurate as at that date only.

If you have any comments or questions in regard to this Land Information Memorandum, please contact LIM@whakatane.govt.nz.

Yours faithfully

Cody Stainthorpe
LIM Co-ordinator

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	*8TH JULY 2026*		
VALUATION NUMBER	*07181/057.11.*	**GIS NUMBER**	*0912/0009/000*

1 NAME OF PROPRIETOR

Erin John Kelly and Kerry Lynne Kelly

2 LOCATION

9 Edgehaven Lane, Whakatāne

3 LEGAL DESCRIPTION

Lot 6 Deposited Plan 322692

4 PHYSICAL DESCRIPTION

House/Unit Number	*9*	**Street**	*Edgehaven Lane*
RD Number	*RD 3*	**Suburb/Area**	*Whakatāne*
Town	*Whakatāne*	**Post Code**	*3193*

5 AREA

7199m² (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 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.* *Regional Council's Flood Protection and Drainage Bylaws apply to drains, canals, defences against water (including stopbanks, floodwalls and pumpstations), river erosion protection and floodways managed by or under the control of Regional Council. You can get information on the Bylaws and find out if a property is within a bylaw applicable area on the website www.boprc.govt.nz/bylaw-authority or by contacting the Rivers and Drainage Assets team on 0800 884 880.*
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 districts 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)*	*Information provided by the Bay of Plenty Regional Council indicates the LIM property may be subject to surface water flooding on the Rangitāiki Plains from a 1 in 100-year rainfall event. It includes river flooding but this will be largely contained by existing flood protection structures (stop banks). This information has been provided by the Bay of Plenty Regional Council. Any queries on data limitations should be directed to BOPRC.*
• *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***	*The property or part of the property is located within the high – level 2 fire risk area. For development of habitable buildings please refer to Rule NH-R36 of the Whakatāne District Plan for further information.*

• *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***	*Metered 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***	*$3,863.52*
• ***Number of instalments***	*4*
• ***Date of next instalment***	*21st August 2026*
• ***Current balance or arrears***	*$758.18 in Credit*
• ***Date of valuation***	*August 2025*
• ***Land value***	*$380,000*
• ***Capital value***	*$1,000,000*
11 WATER	**COMMENTS**
• ***Annual water supply charge***	*$329.58*
• ***Last reading date***	*7th June 2026*

• ***Consumption***	*00 m^3*
• ***Amount***	*$139.21*
• ***Current balance or arrears***	*$746.27 in Credit*

12 BUILDINGS

(a) Details of Building Permits

No information available

(b) Details of Building Consents

Date	Consent No	Project	Date Code Compliance Certificate Issued
11th December 2006	*16282*	*Dwelling*	*25th July 2007*
12th July 2007	*16989*	*Solid Fuel Heater*	*12th July 2007*
9th September 2014	*22390*	*Garage*	*5th May 2015*

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

Building Consent 16989 was issued with a specified intended life of 10 years.

Council's records indicate that there is a swimming pool on this property. This pool was last inspected on 30th March 2026 and was deemed to comply 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.312 Resource Consent Subdivision dated 25th August 1982 (copy of decision letter attached)
24.3.97.67 Resource Consent Subdivision dated 22nd July 1997 (copy of decision letter attached)
24.3.02.66 Resource Consent Subdivision dated 28th March 2003 (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 Certificate B492023.3; copy attached.
Transfer & Grant of Easement B492023.4; copy attached.
Consent Notice 5809770.2; copy attached.
Easement Instruments 5809770.4; copy attached.

(d) Details of Conditions Affecting the Use of Land

Council records indicate that a Council water asset runs through part of the property. Please refer to Whakatāne District Council's Combined Waters Bylaw and Whakatāne District Plan for further information with regards to activities in the vicinity of Three Waters assets.

Building any structure in vicinity of any of these assets may be subject to 'zone-of-influence' and if so, structural designs shall be required.

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	*Drinking water is supplied by a networked supplier.*
(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	**90524**
Land Registration District	**South Auckland**
Date Issued	24 November 2003

Prior References
SA64C/47

Estate	Fee Simple
Area	7199 square metres more or less
Legal Description	Lot 6 Deposited Plan 322692
Registered Owners	

Erin John Kelly and Kerry Lynne Kelly

Interests

Appurtenant hereto are rights of way and water, electricity and telephone rights specified in Easement Certificate B492023.3 - 14.7.1998 at 10.35 am

Subject to a right (in gross) to drain stormwater over part marked H1 on DP 322692 in favour of Bay of Plenty Regional Council created by Transfer B492023.4 - 14.7.1998 at 10.35 am

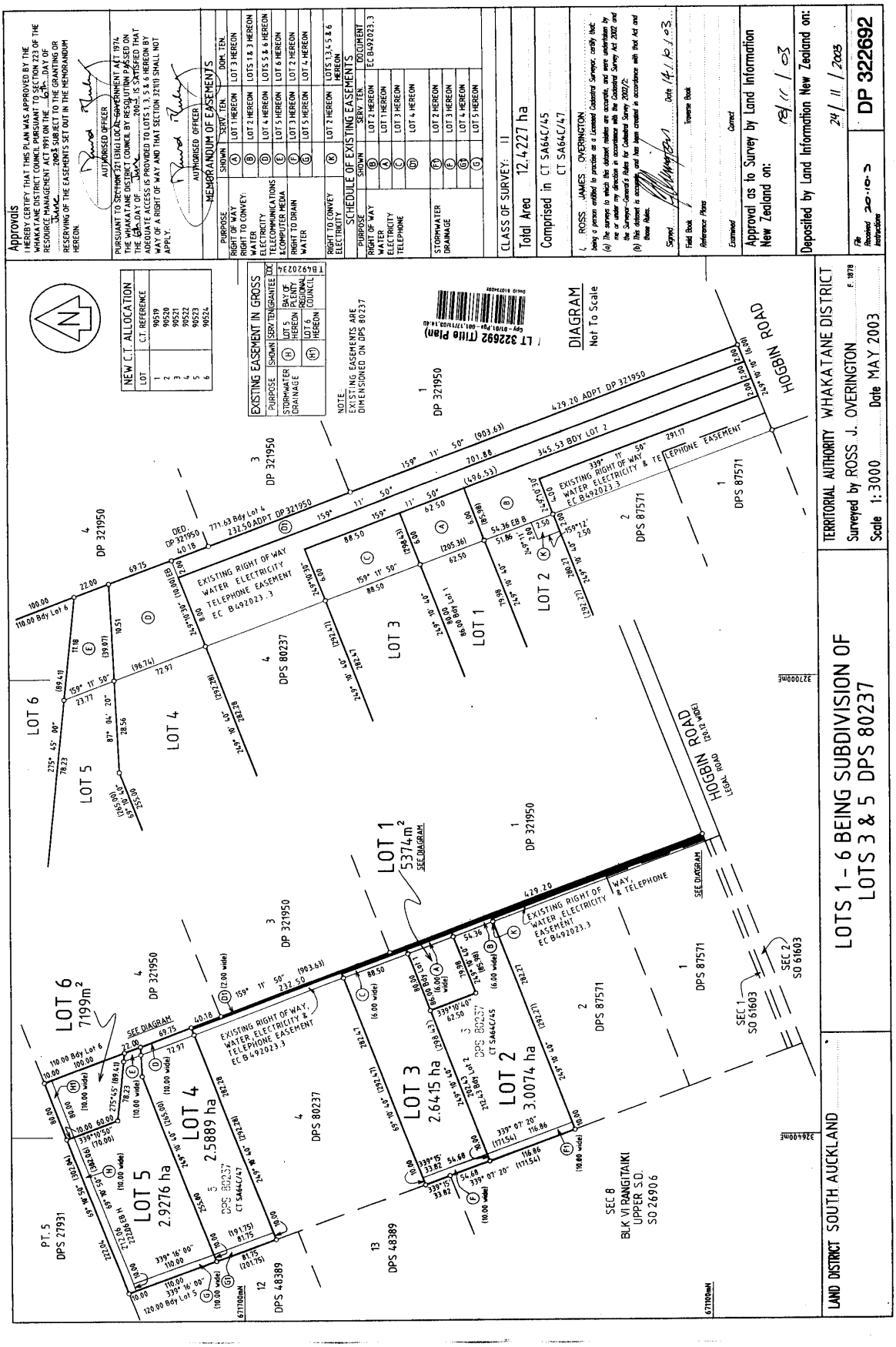
The easements created by Transfer B492023.4 are subject to Section 243 (a) Resource Management Act 1991

5809770.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 24.11.2003 at 9:00 am

Appurtenant hereto is a right of way, right to convey water, electricity, telecommunications and computer media created by Easement Instrument 5809770.4 - 24.11.2003 at 9:00 am

The easements created by Easement Instrument 5809770.4 are subject to Section 243 (a) Resource Management Act 1991

9264890.2 Mortgage to ASB Bank Limited - 14.12.2012 at 3:12 pm


Approvals
I HEREBY CERTIFY THAT THIS PLAN WAS APPROVED BY THE WHAKATANE DISTRICT COUNCIL PURSUANT TO SECTION 223 OF THE RESOURCE MANAGEMENT ACT 1991 ON THE 6th DAY OF June 2003 SUBJECT TO THE GRANTING OR RESERVING OF THE EASEMENTS SET OUT IN THE MEMORANDUM HEREON.
AUTHORISED OFFICER
PURSUANT TO SECTION 321 (3)(c) LOCAL GOVERNMENT ACT 1974 THE WHAKATANE DISTRICT COUNCIL BY RESOLUTION PASSED ON THE 6th DAY OF June 2003 IS SATISFIED THAT ADEQUATE ACCESS IS PROVIDED TO LOTS 1 & 3 HEREON BY WAY OF A RIGHT OF WAY AND THAT SECTION 321(1) SHALL NOT APPLY.
AUTHORISED OFFICER
MEMORANDUM OF EASEMENTS
SCHEDULE OF EXISTING EASEMENTS
NEW C.T. ALLOCATION
EXISTING EASEMENT IN GROSS
NOTE: EXISTING EASEMENTS ARE DIMENSIONED ON DPS 80237
LT 322692 (Title Plan)
DIAGRAM
Not To Scale
CLASS OF SURVEY: II
Total Area 12.4227 ha
Comprised in CT SA64C/45
CT SA64C/47
I, ROSS JAMES OVERINGTON being a person entitled to practise as a Licensed Cadastral Surveyor, certify that:
(a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2;
(b) This dataset is accurate, and has been created in accordance with that Act and those Rules.
Signed Date 14/10/03
Field Book Traverse Book
Reference Plans
Examined Correct
Approval as to Survey by Land Information New Zealand on: 24/11/03
Deposited by Land Information New Zealand on: 24/11/2003
For Approved 20-10-3 Instructions
DP 322692
LOTS 1 - 6 BEING SUBDIVISION OF LOTS 3 & 5 DPS 80237
TERRITORIAL AUTHORITY WHAKATANE DISTRICT
Surveyed by ROSS J. OVERINGTON
Scale 1:3000 Date MAY 2003
LAND DISTRICT SOUTH AUCKLAND
LOT 1 5374m²
LOT 2 3.0074 ha
LOT 3 2.6415 ha
LOT 4 2.5889 ha
LOT 5 2.9276 ha
LOT 6 7199m²
HOGBIN ROAD
EXISTING RIGHT OF WAY WATER ELECTRICITY TELEPHONE EASEMENT EC B492023.3
DP 321950
DPS 80237
DPS 87571
DPS 48389
DPS 27931
SEC 1 SO 61603
SEC 2 SO 61603
SEC 8 BLK VI RANGITAIKI UPPER S.D. SO 26906

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

EASEMENT CERTIFICATE B492023.3 EC

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

I/We NEIL ROBERT BUTLER and LEONARDUS ADRIANUS RUITERMAN

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Hamilton
on the day of 19 98 under No. S.80237
are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE

DEPOSITED PLAN NO. S.80237

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way Water Electricity Telephone	Lot 1 Lot 2 Lot 2 Lot 3 Lot 3 Lot 3 Lot 4 Lot 4 Lot 4 Lot 4 Lot 5 Lot 5 Lot 5 Lot 5	A B B1 C C1 C2 D D1 D2 D3 J J1 J2 J3	Lots 2, 3, 4, 5 Lots 1, 3, 4, 5 Lots 3, 4, 5 Lots 1, 2, 4, 5 Lots 2, 4, 5 Lots 4, 5 Lots 1, 2, 3, 5 Lots 2, 3, 5 Lots 3, 5 Lot 5 Lots 1, 2, 3, 4 Lots 2, 3, 4 Lots 3, 4 Lot 4	643/43 44 45 46 47
Stormwater Drainage	Lot 2 Lot 3 Lot 4 Lot 5	E F G H	Lot 1 Lots 1, 2 Lots 1, 2, 3 Lots 1, 2, 3, 4	

L.D.R

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

1. Rights and powers:

The rights and powers set out herein are in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

L.D.R.

B1490903

CREDIT NOTE

Toitu te Land whenua Information New Zealand

Hamilton Regional Office
820 Victoria Street
Private Bag 3028
DX GX10069
Hamilton
New Zealand
Tel 64-7-838 2469
Fax 64-7-834 6788
Internet
http://www.linz.govt.nz

Date: 10 July 1998

NAME OF SOLICITOR/AGENT

Hamilton Legal Services

ABSTRACT NUMBER	PARTIES	DATE OF REGISTRATION
B490903	Butler	6 July 98

A credit of $ 859-00 is available on the above document(s). Please refer the notice to the Acceptance Team when you next register for re-allocation of this amount.

for DISTRICT LAND REGISTRAR

Easement certificate conditions – general provisions – rights of way – water supply – electricity supply – telephone service – stormwater drainage

1 Interpretation

In this instrument unless the context otherwise requires:

"the certificate" means this easement certificate (including these conditions) as it may be varied from time to time.

"these conditions" means these conditions as they may be varied from time to time.

"costs" means the costs of the installation, creation, establishment, repair, maintenance, and serving of any article, property or facility used or needed for the proper exercise of the rights created by this certificate.

"dominant land" in relation to any easement means the land described in the first schedule to which the relevant easement is appurtenant.

"easement" means an easement recorded by this certificate.

"electricity area" means that part of the land described in the first schedule as being subject to an electricity easement.

"electricity easement" means the rights recorded by this certificate in relation to each electricity area.

"the Grantee" in relation to each easement means the registered proprietor for the time being of the dominant land which the relevant easement is appurtenant.

"the Grantee and other authorised persons" in relation to any easement means the Grantee and the agents, employees, contractors, tenants, licensees and invitees of the Grantee and all other persons authorised or invited by the Grantee to enjoy the relevant easement and, where the context so admits, means any of such persons.

"the Grantor" in relation to each easement means the registered proprietor for the time being of the servient land which is subject to the relevant easement.

"the Grantor and other authorised persons" in relation to any easement means the Grantor and the agents, employees, contractors, tenants, licensees and invitees of the Grantor and all other persons authorised or invited by the Grantor to enjoy the relevant easement and, where the context so admits, means any of such persons.

"the plan" means deposited plan No. S.80237 South Auckland Registry.

"right of way area" means that part of the land described in the first schedule as being subject to a right of way easement.

"right of way easement" means the rights recorded by this certificate in relation to each right of way.

"servient land" in relation to any easement means the land described in the first schedule which is subject to the relevant easement.

"specified area" means any part of the land specified in the first schedule as being subject to an easement.

L.A.R

"specified proportion" in relation to any party and any costs means the proportion of such costs payable by such party in accordance with this certificate.

"telephone service area" means that part of the land described in the first schedule as being subject to a telephone service easement.

"telephone service easement" means the rights recorded by this certificate in relation to each telephone service area.

"stormwater drainage area" means that part of the land described in the first schedule as being subject to a stormwater drainage easement.

"stormwater drainage easement" means the rights recorded by this certificate in relation to each stormwater drainage area.

"water supply area" means that part of the land described in the first schedule as being subject to a water supply easement.

"water supply easement" means the rights recorded by this certificate in relation to each water supply area.

2 General provisions relating to easements

The following provisions are applicable to the easements recorded by this certificate:

(a) Each grant shall be for all time.

(b) No power is implied in respect of any easement for the Grantor to determine the easement for breach of any provision in this certificate (whether express or implied) or for any other cause, it being the intention of the parties that each easement shall subsist for all time.

(c) If any party ("the defaulting party") neglects or refuses to perform or join with the other party ("the other party") in performing any obligation under this certificate the following provisions shall apply:

(i) the other party may serve upon the defaulting party a written notice ("a default notice") requiring the defaulting party to perform or to join in performing such obligation and stating that, after the expiration of seven days from service of the default notice the other party may perform such obligation;

(ii) if at the expiry of the default notice the defaulting party still neglects or refuses to perform or join in performing the obligation the other party may:

(A) perform such obligation; and

(B) for that purpose enter the relevant servient land or dominant land and carry out any work;

(iii) the defaulting party shall be liable to pay to the other party the costs of the default notice and the specified proportion of costs incurred in performing such obligation;

(iv) the other party may recover from the defaulting party as a liquidated debt any money payable pursuant to this subclause.

(d) The Grantor shall not do any act which impedes, interferes with or restricts the rights of the Grantee and other authorised persons in relation to any easement.

L.A.R

(e) (i) The Grantee may for the purpose of complying with any obligation of the Grantee under this certificate in relation to any easement:

(A) enter the servient land with or without agents, employees and contractors with all necessary tools, implements, machinery, vehicles or equipment; and

(B) remain on the servient land for such time as is reasonable for the purpose of performing such obligation.

(ii) In exercising any rights under this subclause the Grantee shall:

(A) cause as little damage, disturbance, inconvenience and interruption to the servient land and to the use of the servient land as is reasonably necessary; and

(B) forthwith make good any damage done to the servient land and to the occupier of the servient land.

(f) The parties shall pay all costs incurred in connection with the easements created by this certificate in the proportions recorded in the second schedule, unless the incurring of costs was caused by the deliberate act or omission of either the Grantor or the Grantee, in which case that party shall be responsible for the costs.

3 Right of way easements

The following provisions shall apply to each right of way easement:

(a) The Grantee and other authorised persons have the right (in common with the Grantor and other authorised persons) to pass and re-pass:

(i) on foot with or without domestic animals of any kind; and

(ii) with motor and other vehicles, laden and unladen, machinery and implements of any kind for all purposes connected with the use and enjoyment of the dominant land over and along the right of way area.

4 Water supply easements

The following provisions shall apply to each water supply easement:

(a) The Grantee and other authorised persons have the right (in common with the Grantor and all others having the like right) to convey and lead water in free and unimpeded flow (except during any periods of necessary cleaning, renewal and/or repair) from the public street adjoining the servient land through pipes and conduits laid or to be laid under the surface of and through the soil of the water supply area to the dominant land.

5 Electricity easements

The following provisions shall apply to each electricity easement:

(a) The Grantee and other authorised persons have the right (in common with the Grantor and all others having the like right) to lead and convey electricity, electric impulses, gas and any other form of energy without interruption or impediment (except during any periods of necessary renewal and/or repair) from the public street 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 the electricity area to the dominant land.

6 Telephone service easements

The following provisions shall apply to each telephone service easement:

L.D.R.

(a) The Grantee and other authorised persons have the right (in common with the Grantor and all others having the like right) to convey telephone and similar services without interruption or impediment (except during any periods of necessary renewal and/or repair) from the public street 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 the telephone service area to the dominant land.

7 Stormwater drainage easements

The following provisions shall apply to each stormwater drainage easement:

(a) The Grantee and other authorised persons have the right (in common with the Grantor and all others having the like right) to convey water (whether rain, tempest, spring, soakage or seepage water) in any quantities in free and unimpeded flow (except during any periods of necessary cleaning, renewal and/or repair) from the dominant land through pipes and conduits laid or to be laid under the surface of and through the soil of the stormwater drainage area to the public street adjoining the servient land.

8 Maintenance and repair

(a) The costs of maintaining and repairing the right of way, right to convey water, stormwater, electricity and telephone easements and the costs of installing the stormwater, electricity, water supply and telephone easements shall be borne by the registered proprietors for the time being of servient and dominant tenements concerned on a fair and reasonable basis having regard to user and in the event there shall be any dispute as to what constitutes a fair and reasonable basis in this then such dispute shall be referred to arbitration in accordance with clause 9(b) hereof.

(b) Any dispute referred to in clause 9(a) hereof shall be referred to the decision of a single arbitrator where the parties can agree upon one and in the case where the parties cannot agree upon the appointment of such an arbitrator, then by two arbitrators, one to be appointed by each party to this dispute and an umpire to be selected by the two arbitrators and reference of such dispute shall be deemed to be a submission to arbitration within the meaning of The Arbitration Act 1908 or the then subsisting statutory provisions relating to arbitration.

L.A.R.

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

See attached

Dated this 3rd day of July 1998

Signed by the above-named
NEIL ROBERT BUTLER and
LEONARDUS ADRIANUS RUITERMAN

in the presence of

Witness Mgundersen (MEGAN MARIA GUNDERSEN)

Occupation Legal Executive

Address Whakatane

EASEMENT CERTIFICATE

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

Correct for the purposes of the Land Transfer Act

SUBJECT TO SECTION 243 (a)
RESOURCE MANAGEMENT ACT 1991

Solicitor for the registered proprietor

for DLR

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

10.35 14. JUL 98 B 492023.3

(3)
EC
$38

© AUCKLAND DISTRICT LAW SOCIETY 1983
REF 4050

REGISTER

B492023.4 TE

TRANSFER

Land Transfer Act 1952

This page does not form part of the Transfer.

TRANSFER

Land Transfer Act 1952

If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District

South Auckland

Certificate of Title No.	All or Part?	Area and legal description — ***Insert only when part or Stratum, CT***
64C	47	All

Transferor *Surnames must be underlined*

NEIL ROBERT BUTLER and LEONARDUS ADRIANUS RUITERMAN

Transferee *Surnames must be underlined*

BAY OF PLENTY REGIONAL COUNCIL

Estate or Interest or Easement to be created: *Insert e.g. Fee simple; Leasehold in Lease No. .....; Right of way etc.*

Easement of right to storm water drainage in gross
(continued on page 2 of Annexure Schedule)

Consideration

The premises

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEREE all the transferor's estate and interest described above in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 3rd **day of** July **19** 98

Attestation

Signed in my presence by the Transferor

Signature of Witness

M Gundersen

Witness to complete in BLOCK letters
(unless typewritten or legibly stamped)

Witness name MEGAN MARIA GUNDERSEN

Occupation LEGAL EXECUTIVE

Address WHAKATANE

Signature, or common seal of Transferor

Certified correct for the purposes of the Land Transfer Act 1952

Certified that no conveyance duty is payable by virtue of Section 24(1) of the Stamp and Cheque Duties Act 1971. (DELETE INAPPLICABLE CERTIFICATE)

Solicitor for the Transferee

REF: 4135

Continuation of the "Estate or Interest or Easement to be created"

The Transferee shall have the right to drain storm water over that part of the land in Certificate of Title 64C/47 marked "I" on Deposited Plan S.80237 in perpetuity from the date of execution of these presents and as incidental to the within written transfer the transferor hereby covenants withe the transferee that the transferor will not place any buildings, fences or erections whatsoever on the area marked "I" without the written consent of the transferee being first obtained and will not at any time hereinafter do permit or suffer to be done any acts where by the rights, powers, licences or liberties granted to the transferee pursuant to these presents may be interfered with or affected.

And the transferor hereby covenants with the transferee that the transferor shall pay all costs and disbursements relating to the preparation execution and registration of these presents.

Continuation of "Attestation"

Common seal of
~~THE~~ BAY OF PLENTY REGIONAL COUNCIL
was affixed in the presence of:

THE BAY OF PLENTY REGIONAL COUNCIL
The Common Seal of

trfrr&b.wpd

J. A. JONES
General Manager
B.O.P. REGIONAL COUNCIL

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

L.A.R. 198

Approved by Registrar-General
of Land under No. 1995/1004

TRANSFER

Land Transfer Act 1952

SUBJECT TO SECTION 243 (a)

RESOURCE MANAGEMENT ACT 1991

for DLR

Law Firm Acting

Auckland District Law Society
REF: 4135

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY SOUTH AUCKLAND
WEST LAND REGISTRAR

10.55 14. JUL 98 B 492023.4

This page is for Land Registry Office use only
(except for "Law Firm Acting")

CONO 5809770.2 Consen
Cpy - 01/01, Pgs - 005, 24/11/03, 06:42
DocID: 510761438

CONSENT NOTICE

(Pursuant to Section 221 of the Resource Management Act 1991)

GIVEN by: N R BUTLER AND L A RUITERMAN

IN FAVOUR of: THE WHAKATANE DISTRICT COUNCIL

DATED: day of 2003

PROPERTY: Lots 1 to 6 Inclusive
Deposited Plan 322692

SUBJECT: Consent Conditions

COUNCIL REFERENCE: 24.3.02.66

HAMERTONS
SOLICITORS
(B N Carter)
Telephone NO. 07 307 0680
Fax NO. 07 307 0225
PO Box 601
DX JA31519
WHAKATANE
(drt perm)

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a subdivision of land in the South Auckland Land Registration District

CONSENT NOTICE

(Pursuant to Section 221 of the Act)

THE WHAKATANE DISTRICT COUNCIL ("the Council") being the territorial authority for the district within which the Land described in the First Schedule of this Notice is situated has, pursuant to Part X of the Act, granted its consent to the subdivision shown on Land Transfer Plan 322692 subject to certain conditions, including the requirement in respect of the Land that the Owner (as defined in the Act) complies on a continuing basis with the conditions set out in the Second Schedule of this Notice.

FIRST SCHEDULE

("the Land")

FIRST 5374 square metres more or less being Lot 1 on Land Transfer Plan 322692 and being part of the land comprised in Certificates of Title SA64C/45 ~~and SA64C/47~~ (South Auckland Registry)

SECONDLY 3.0074 hectares more or less being Lot 2 on Land Transfer Plan 322692 and being part of the land comprised in Certificates of Title SA64C/45 ~~and SA64C/47~~ (South Auckland Registry)

THIRDLY 2.6415 hectares more or less being Lot 3 on Land Transfer Plan 322692 and being part of the land comprised in Certificates of Title SA64C/45 ~~and SA64C/47~~ (South Auckland Registry)

FOURTHLY 2.5889 hectares more or less being Lot 4 on Land Transfer Plan 322692 and being part of the land comprised in Certificates of Title ~~SA64C/45 and~~ SA64C/47 (South Auckland Registry)

FIFTHLY 2.9276 hectares more or less being Lot 5 on Land Transfer Plan 322692 and being part of the land comprised in Certificates of Title ~~SA64C/45 and~~ SA64C/47 (South Auckland Registry)

SIXTHLY 7199 square metres more or less being Lot 6 on Land Transfer Plan 322692 and being part of the land comprised in Certificates of Title ~~SA64C/45 and~~ SA64C/47 (South Auckland Registry)

SECOND SCHEDULE

("the Conditions")

The Owners of all of the Lots referred to in the First Schedule shall, on a continuing basis:

1.0 Not build, erect or construct or place more than one habitable building (other than an accessory building of not more than 75 square metres for habitation) on each of the individual Lots referred to in the First Schedule. The building and or accessory buildings shall be sited to be located so that they are not closer than 25 metres to any boundary except:

- Lot 1 where the minimum distance to the northern boundary is to be 10 metres
- Lots 4 and 5 where the minimum distance to the western boundary is to be 100 metres.

1.1 Not further subdivide any of the individual Lots comprising the land and referred to in the First Schedule nor shall any further subdivision be requested by or on behalf of any owner of the land except that this provision shall not prevent an individual owner requesting consent to undertake a boundary adjustment with respect to a neighbouring property.

1.2 Permit Council officers or contractors entry upon the land at reasonable times so as to ascertain compliance with these conditions.

1.3 Acknowledge that the subdivision is located in close proximity to a lawfully established horticultural land use. As part of this activity, under certain conditions and at different times of the year, some dust, noise and unpleasant odours may be experienced by the owner(s) of the individual Lots referred to in the First Schedule.

1.4 Pay the Council's legal costs and disbursements directly or indirectly attributable to the preparation execution registration and enforcement of this Notice and the Council's conditions set out in this Notice and any variation or cancellation of such conditions.

The Owner(s) of Lots 1 and 2 referred to in the First Schedule shall, on a continuing basis:

2.0 Retain and maintain the proposed landscaping

2.1 Pay the Council's legal costs and disbursements directly or indirectly attributable to the preparation execution registration and enforcement of this Notice and the Council's conditions set out in this Notice and any variation or cancellation of such conditions.

DATED at Whakatane this 10th day of NOVEMBER 2003.

AUTHENTICATED by the)
Council by the Principal)
Administration Officer of)
the Council pursuant to)
Government Act 1974)

Director of Strategy and Development

CONSENT NOTICE

(Pursuant to Section 221 of the
Resource Management Act 1991)

GIVEN by: N R BUTLER AND L A RUITERMAN

IN FAVOUR of: THE
WHAKATANE DISTRICT COUNCIL

(2)
CONS
$50
$ (illegible)

DATED: day of 2003.

PROPERTY: Lots 1 to 6 Inclusive
Deposited Plan 322692

SUBJECT: Consent Conditions

COUNCIL REFERENCE: 24.3.02.66

HAMERTONS
SOLICITORS
(B N Carter)
Telephone NO. 07 307 0680
Fax NO. 07 307 0225
PO Box 601
DX JA31519
WHAKATANE

Approved by Registrar-General of Land under No. 2002/6055

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

Sections 90A and 90F, Land Transfer Act 1952

Registrar-General of Land Approval 02/6055EF A.D.L.S.

EI 5809770.4 Easement I
Cpy – 01/01, Pgs – 006, 24/11/03, 06:42
DocID: 510761440

Land registration district

SOUTH AUCKLAND

Grantor *Surname(s) must be underlined or in CAPITALS.*

Neil Robert BUTLER and Leonardus Adrianus RUITERMAN

Grantee *Surname(s) must be underlined or in CAPITALS.*

Neil Robert BUTLER and Leonardus Adrianus RUITERMAN

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

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

Dated this 14th day of October **2003**

Attestation

Signature [common seal] of Grantor	**Signed in my presence by the Grantor** *Signature of witness* *Witness to complete in BLOCK letters (unless legibly printed)* **Witness name** PETER IAN ATTEWELL **Occupation** SOLICITOR **Address** WHAKATANE
Signature [common seal] of Grantee	**Signed in my presence by the Grantee** *Signature of witness* *Witness to complete in BLOCK letters (unless legibly printed)* **Witness name** PETER IAN ATTEWELL **Occupation** SOLICITOR **Address** WHAKATANE

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

[Solicitor for] the Grantee

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

Approved by Registrar-General of Land under No. 2002/6055

Annexure Schedule 1

Registrar-General of Land Approval 02/6055EF A.D.L.S.

Easement instrument Dated 14. 10. 2003 Page 1 of 3 pages

Schedule A *(Continue in additional Annexure Schedule if required.)*

Purpose (nature and extent) of easement, *profit*, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT *or* in gross)
Right of way	A, DP322602	Lot 1, ~~DP322602~~ CT 90519	Lot 3, ~~DP322602~~ 90521
Right to convey water	B, DP322602	Lot 2, ~~DP322602~~ 90520	Lots 1 & 3, ~~DP322602~~ 90519 90521
Right to convey electricity	D, DP322602	Lot 4, ~~DP322602~~ CT 90522	Lots 5 & 6, ~~DP322602~~ 90523 90524
Right to convey telecommunications and computer media	E, DP322602	Lot 5, ~~DP322602~~ 90523	Lot 6, ~~DP322602~~ 90524
Right to drain water	F, DP322602 G, H, DP322602 ~~H, DP322602~~	Lot 3, DP322602 CT 90521 Lot 5, DP322602 CT 90523 ~~Lot 6, DP322602~~	Lot 2, DP322602 CT 90520 Lot 4, DP322602 CT 90522 ~~Lots 4 & 5, DP322602~~
Right to convey electricity	K, DP322602	Lot 2, DP322602 CT 90520	Lots 1, 3, 4 & 5, DP322602 CT 90519 ~~CT 90520~~ CT 90523 CT 90522 90521 CT 90524

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

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

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

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

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

[the provisions set out in Annexure Schedule 2].

Covenant provisions

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

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

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

~~[Annexure Schedule 2].~~

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

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

Annexure Schedule

Registrar-General of Land Approval 02/5032EF A.D.L.S.

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

Easement Instrument	Dated	14/10/2003	Page	2	of	3	Pages

(Continue in additional Annexure Schedule, if required.)

RIGHT TO CONVEY WATER
The same rights and powers as set out in paragraph 3 of the Fourth Schedule to the Land Transfer Regulations 2002

RIGHT TO DRAIN WATER
The same rights and powers as set out in paragraph 4 of the Fourth Schedule to the Land Transfer Regulations 2002

RIGHTS OF WAY
The same rights and powers as set out in paragraph 6 of the Fourth Schedule to the Land Transfer Regulations 2002 and Ninth Schedule to the Property Law Act 1952

RIGHT TO CONVEY ELECTRICITY
The same rights and powers as set out in paragraph 7 of the Fourth Schedule to the Land Transfer Regulations 2002

RIGHT TO CONVEY TELECOMMUNICATIONS AND COMPUTER MEDIA
The same rights and powers as set out in paragraph 8 of the Fourth Schedule to the Land Transfer Regulations 2002

TOGETHER WITH, IN RESPECT OF ALL OF THE SAID EASEMENTS, the rights and powers as set out in paragraphs 10, 11, 12, 13 and 14 of the Fourth Schedule to the Land Transfer Regulations 2002 SAVE THAT:

(a) Any maintenance, repair or replacement of any easement facility set out herein that is necessary because of any act or omission by any user (being either or all the owners of the dominant and servient tenement) of the easement facility (which includes any of their agents, employees, contractors, subcontractors or invitees of the user) must be carried out promptly by that user at the sole cost of that user or in such proportion as relates to the act or omission.

(b) Where there is a conflict between the provisions of the Fourth Schedule to the Land Transfer Regulations 2002 and the Ninth Schedule to the Property Law Act 1952, the provisions of the Ninth Schedule must prevail.

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

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

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

Annexure Schedule

Registrar-General of Land Approval 02/5032EF A.D.L.S.

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

Easement Instrument	Dated 14/10/2003	Page 3 of 3 Pages

(Continue in additional Annexure Schedule, if required.)

RABOBANK NEW ZEALAND LIMITED ~~WRIGHTSON FARMERS FINANCE LIMITED~~ the mortgagee under and by virtue of Memorandum of Mortgage B430085.3 ~~of the land contained in Certificates of Title SA64C/45 and SA64C/47~~ (South Auckland Land Registry) HEREBY CONSENTS to the within grant of easements BUT WITHOUT PREJUDICE to its rights powers and remedies under and in respect of the said mortgage.

DATED this 14th day of October 2003

Executed by
~~WRIGHTON FARMERS FINANCE LIMITED~~
~~By its duly appointed attorneys~~:

SIGNED for RABOBANK
NEW ZEALAND LIMITED
by its Attorneys ~~in the presence of~~:

Jos Peter de Groot

.....

John Peter Larcomb

Witnessed by:

.....

Cassandra Therese Erica Gore
Bank Officer
Wellington

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

REF: 7025 – AUCKLAND DISTRICT LAW SOCIETY

APPLICATION

TO: The District Land Registrar, Hamilton (South Auckland Registry)

Re: Memorandum of Mortgage No: B430085.3

As evidenced by the declaration lodged under the applicable abstract number appearing below, **WRIGHTSON FARMERS FINANCE LIMITED** changed its name to **RABO WRIGHTSON FINANCE LIMITED** on 17 April 1998 and changed its name to **RABOBANK NEW ZEALAND LIMITED** on 15 September 1999.

RABOBANK NEW ZEALAND LIMITED hereby applies to be registered as proprietor of all the estate and interest as mortgagee under the Memorandum of Mortgage referred to above in accordance with the said declaration.

Registry	Abstract No
Auckland (North Auckland Registry) under number	D435363.1
Blenheim (Marlborough Registry) under number	207598.1
Christchurch (Canterbury Registry) under number	A427203.1
Dunedin (Otago Registry) under number	975937.1
Gisborne (Gisborne Registry) under number	G226708.1
Hamilton (South Auckland Registry) under number	B570065.1
Hokitika (Westland Registry) under number	113092.1
Invercargill (Southland Registry) under number	268577.1
Napier (Hawkes Bay Registry) under number	693475.1
Nelson (Nelson Registry) under number	391418.1
New Plymouth (Taranaki Registry) under number	464779.1
Wellington (Wellington Registry) under number	B747004.1

DATED this 14th day of October 2003

SIGNED for RABOBANK
NEW ZEALAND LIMITED
by its Attorneys is the presence of:

Jos Peter de Groot
.....

.....
John Peter Larcomb

Witnessed by:

.....
Cassandra Therese Erica Gore
Bank Officer
Wellington

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

We, **Jos Peter de Groot** and **John Peter Larcomb**
Senior Manager and Manager respectively, both of Wellington in New Zealand do hereby certify:

1. THAT by deed dated 18th day of April 2000 Rabobank New Zealand Limited, appointed us as its attorney's on the terms and subject to the conditions set out in the said deed.

2. THAT the power of attorney was deposited in the Land Transfer Office at:

Blenheim (Marlborough Registry) and there numbered	215414.1
Christchurch (Canterbury Registry) and there numbered	A483706.1
Dunedin (Otago Registry) and there numbered	5013528.1
Gisborne (Poverty Bay Registry) and there numbered	231450.1
Hamilton (South Auckland Registry) and there numbered	B637396.1
Hokitika (Westland Registry) and there numbered	115481.1
Invercargill (Southland Registry) and there numbered	5016998.1
Napier (Hawkes Bay Registry) and there numbered	709427.1
Nelson (Nelson Registry) and there numbered	402416.1
New Plymouth (Taranaki Registry) and there numbered	475072.1
Wellington (Wellington Registry) and there numbered	B810600.1
Auckland (North Auckland Registry) and there numbered	D557660.1

3. THAT as the date hereof we have not received any notice or information of the revocation of that appointment by the winding up of the said Rabobank New Zealand Limited or otherwise.

SIGNED at Wellington this 14th day of October 2003.

Jos Peter de Groot

John Peter Larcomb

RID DOCUMENT

Date: 1 July 2026

Valuation Number: 07181 057 11

Location: 9 EDGEHAVEN LANE

Legal Description: LOT 6 DP 322692

Area (Ha): 0.7199

Valuation Date: 1 August 2025

	Normal Values	**Special Values** (if applicable)
Land Value:	380,000	
Improve Value:	620,000	
Capital Value:	1,000,000	
Tree Value:	0	

Contiguous Property:

2026 Year's Assessed Rates: **3,863.52**

Instalment 1: 22 Aug 2025

Instalment 2: 21 Nov 2025

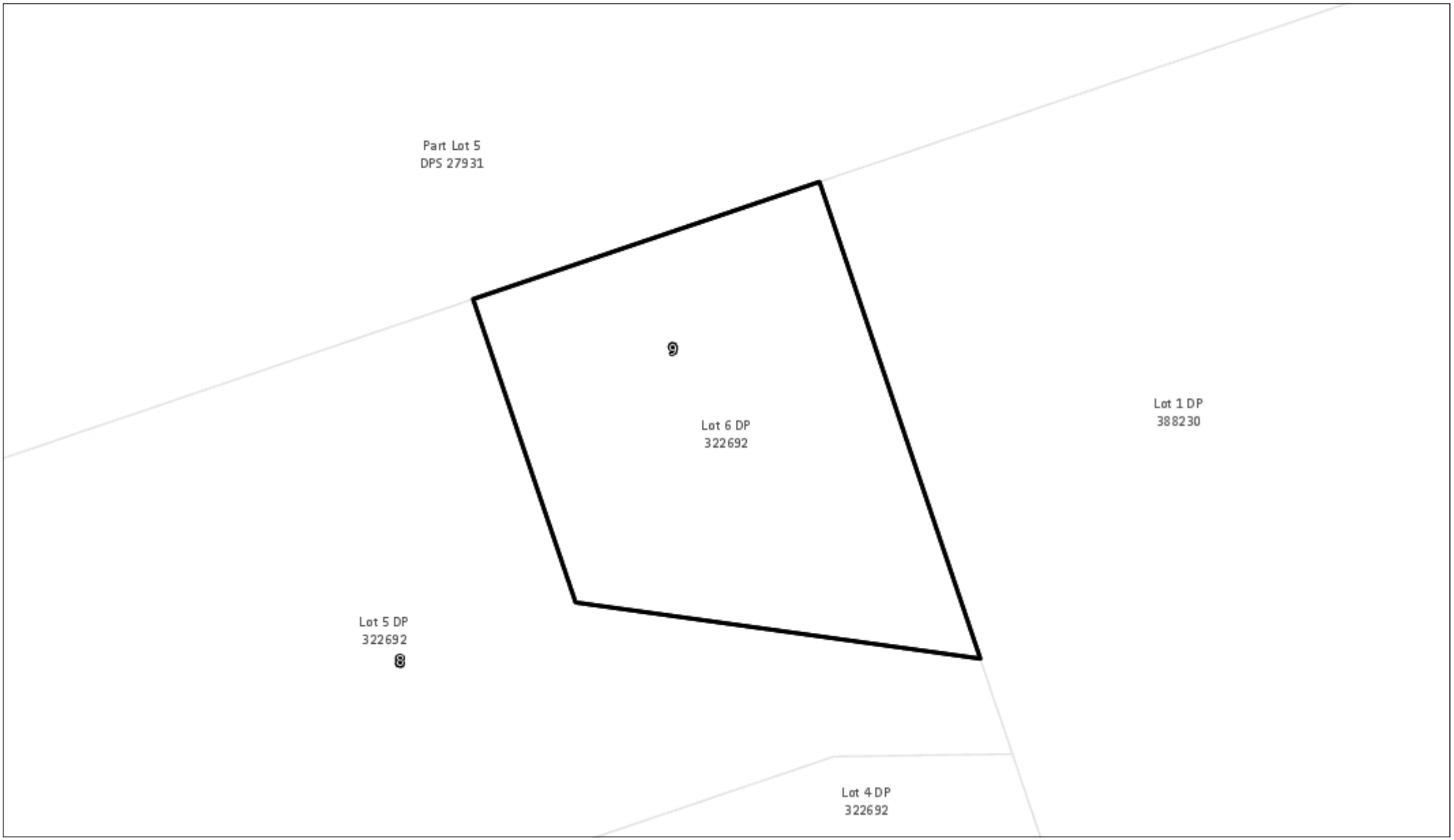
Instalment 3: 20 Feb 2026

Instalment 4: 22 May 2026

Property Map

Date Printed: 1 July 2026

Prepared By:



SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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.

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Services Map

Date Printed: 1 July 2026

Prepared By:

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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.

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Flood Depth Models Map

Date Printed: 1 July 2026

Prepared By:

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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.

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Fire Risk Areas Map

Date Printed: 1 July 2026

Prepared By:

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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.

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Operative District Plan A-Side Map

Date Printed: 1 July 2026

Prepared By:

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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.

WHAKATĀNE District Council
Kia Whakatāne au i ahau

Operative District Plan B-Side Map

Date Printed: 1 July 2026

Prepared By:

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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.

WHAKATĀNE District Council
Kia Whakatāne au i ahau

BOPRC Map

Date Printed: 1 July 2026

Prepared By:

SCALE 1: 1,128

57.3 0 57.3 Meters

Projection: NZGD_2000_New_Zealand_Transverse_Mercator

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.

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
- NZAA Archaeological Site Area
- NZAA Archaeological Site Accuracy
- 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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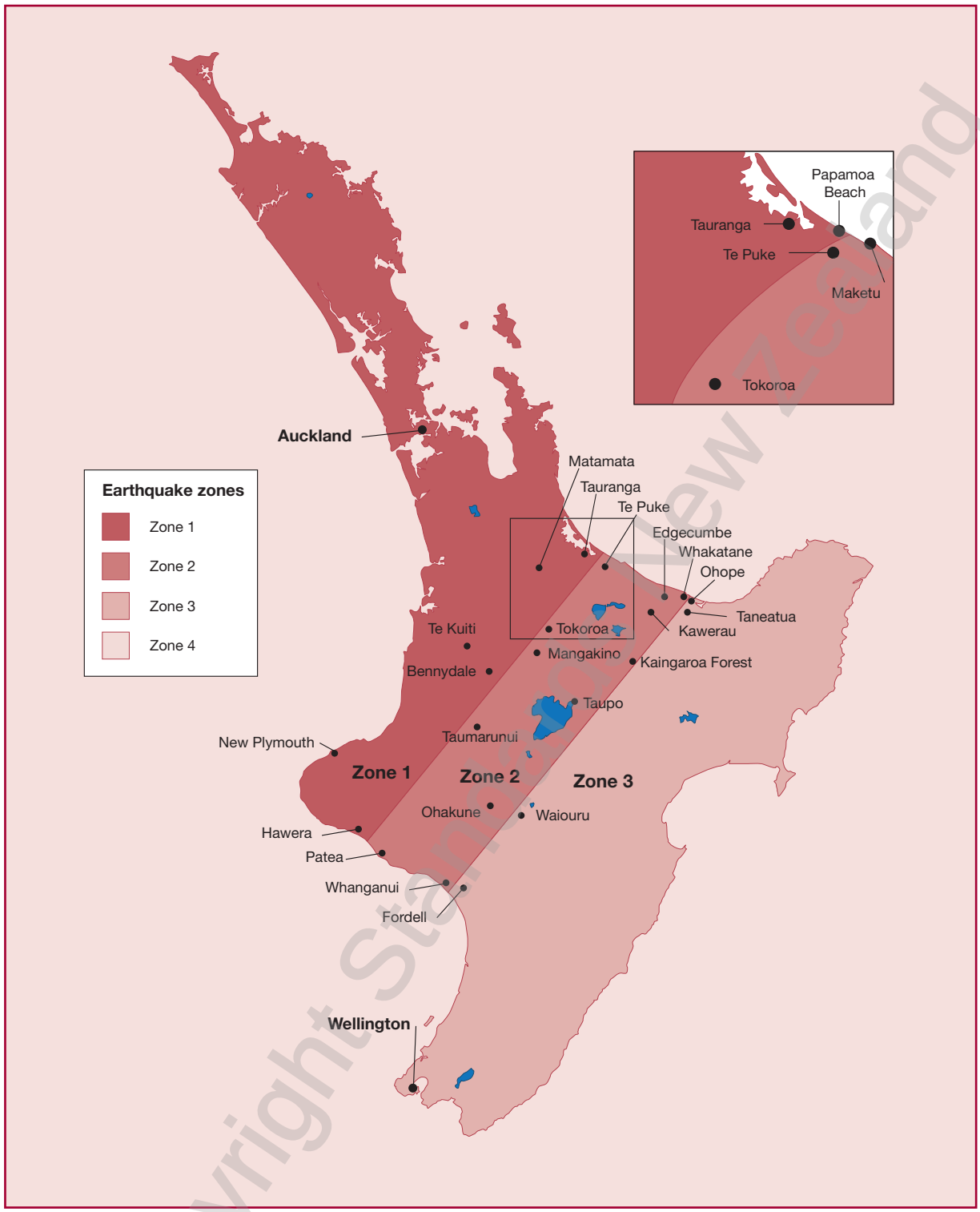

Figure 5.4 – Earthquake zones (see 5.3.2)

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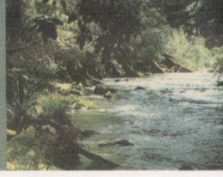


CODE COMPLIANCE CERTIFICATE NO. 16282

Section 95, Building Act 2004
Issued by: Whakatane District Council

INSP

AGENT	APPLICANT
JENNIAN HOMES PO Box 2201 WHAKATANE 3080	KELLY, ERIN JOHN 104 TE TEKO ROAD R D 3 WHAKATANE 3080

PROJECT	PROJECT LOCATION
NEW DWELLING **INTENDED USE:** DWELLING	**STREET ADDRESS:** 9 EDGEHAVEN LANE **LEGAL DESCRIPTION:** LOT 6 DP322692
INTENDED LIFE SPECIFIED AT 50 years Being stage 1 of an intended 1 stages	**REF NO:** 0912/9 **VALUATION NUMBER:** .

CODE COMPLIANCE

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

(a) the building work complies with the building consent; and

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

COMPLIANCE SCHEDULE

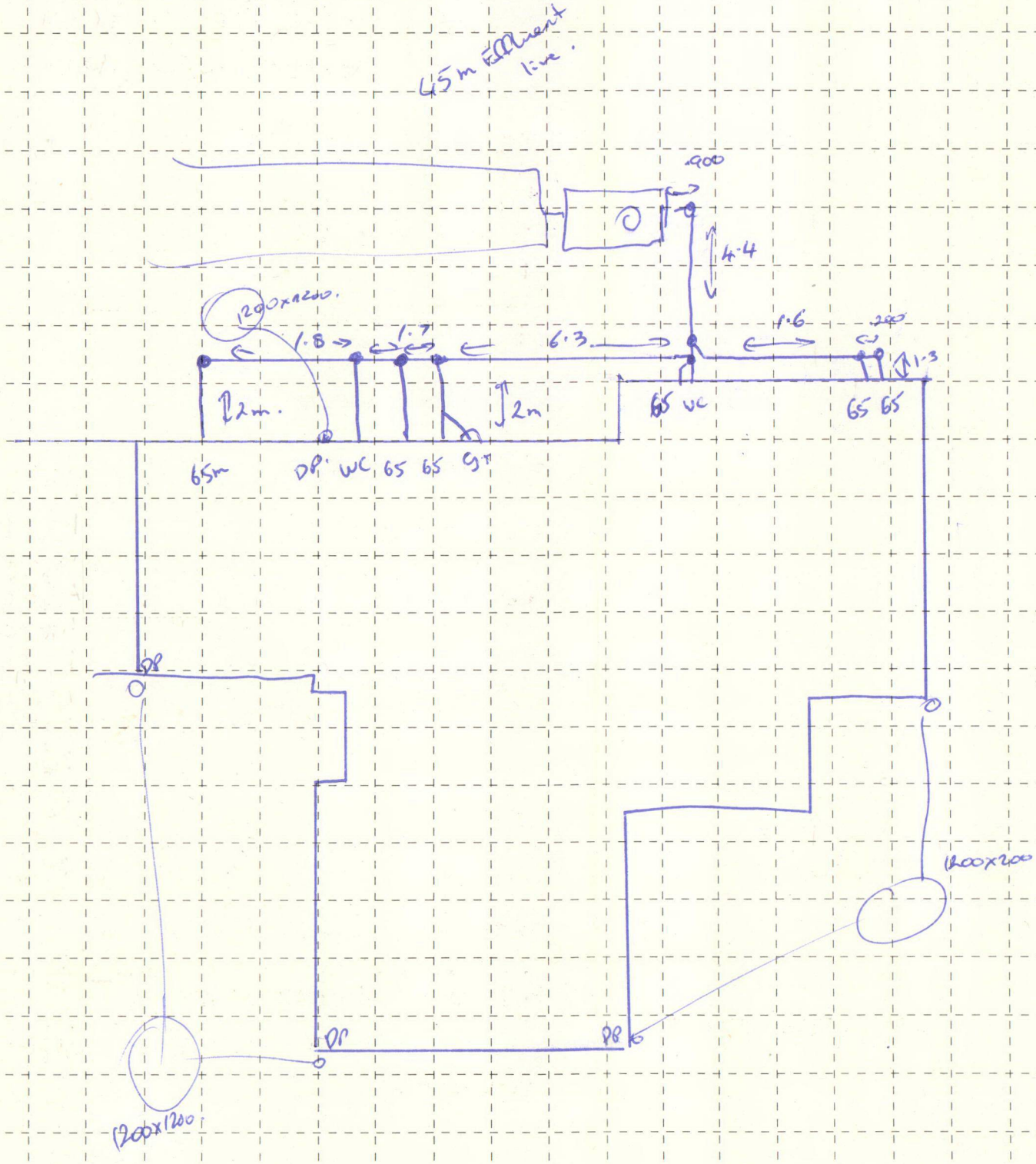
SIGN OFF

Signed by *or* on behalf of the Whakatane District Council.

Rose Oliver		25 July 2007
Name	Customer Services Officer	Date

Plans to Include

- North Point ____
- Street Name ____
- Legal Boundaries ____
- Whole Buildings ____
- Depth at Connection ____
- Location of all Inspection Access ____
- Stormwater Drains ____
- Protection of Shallow Drains ____
- Scale ____



0 1 2 3 4 5 6 7 8 9 10

Scale: 100mm e.g. 1:200 10mm = 2m

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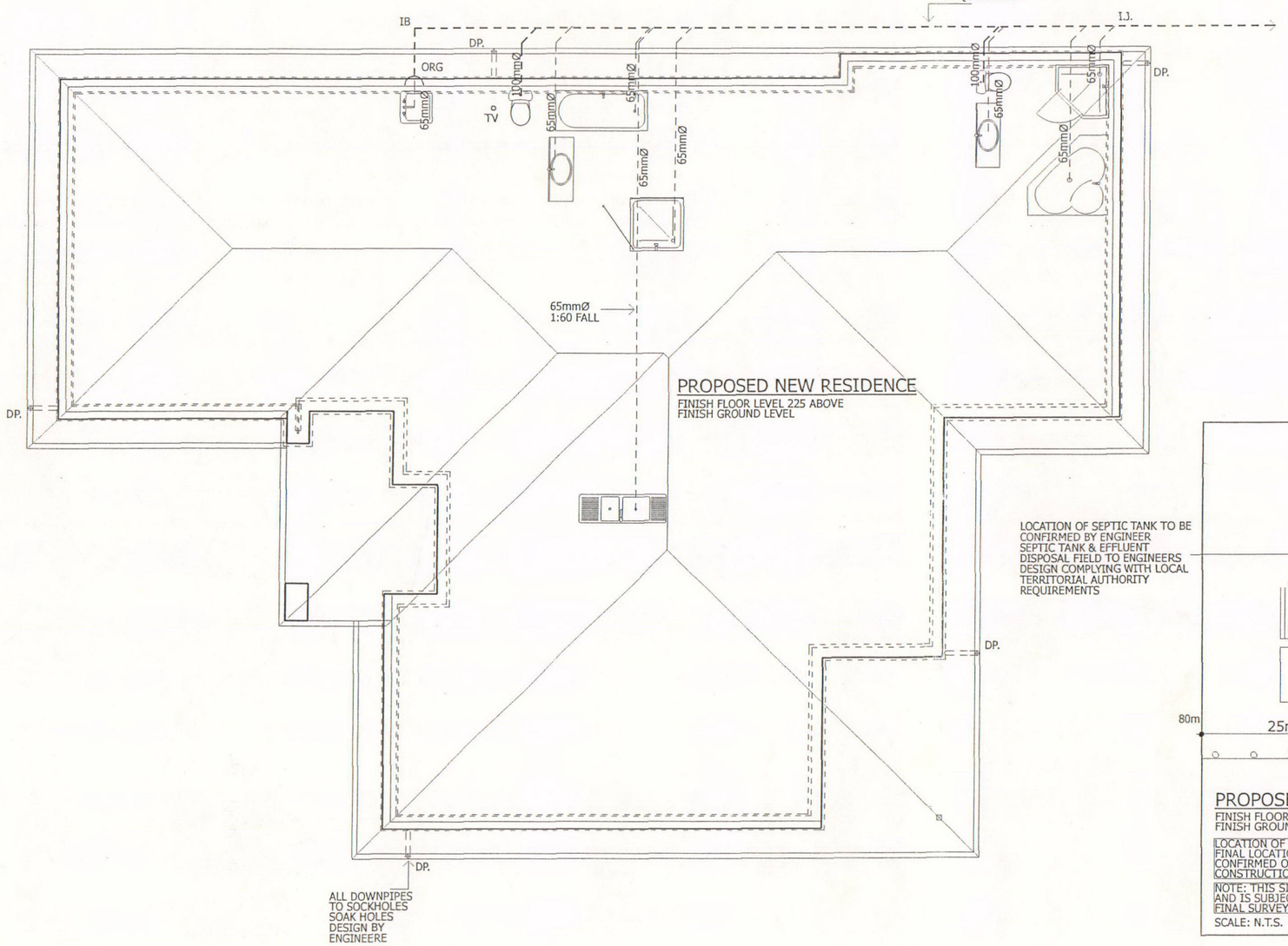
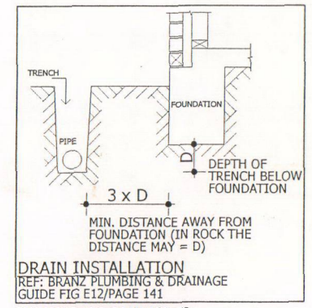
100mm UPVC SANITARY SEWER
RAIN 1:60 MIN FALL TO ENGINEER
DESIGNED SEPTIC TANK LOCATION
TO BE CONFIRMED TO COMPLY WITH
LOCAL TERRITORIAL AUTHORITIES
REQUIREMENTS



ALL DOWNPIPES
TO SOCKHOLES
SOAK HOLES
DESIGN BY
ENGINEERE

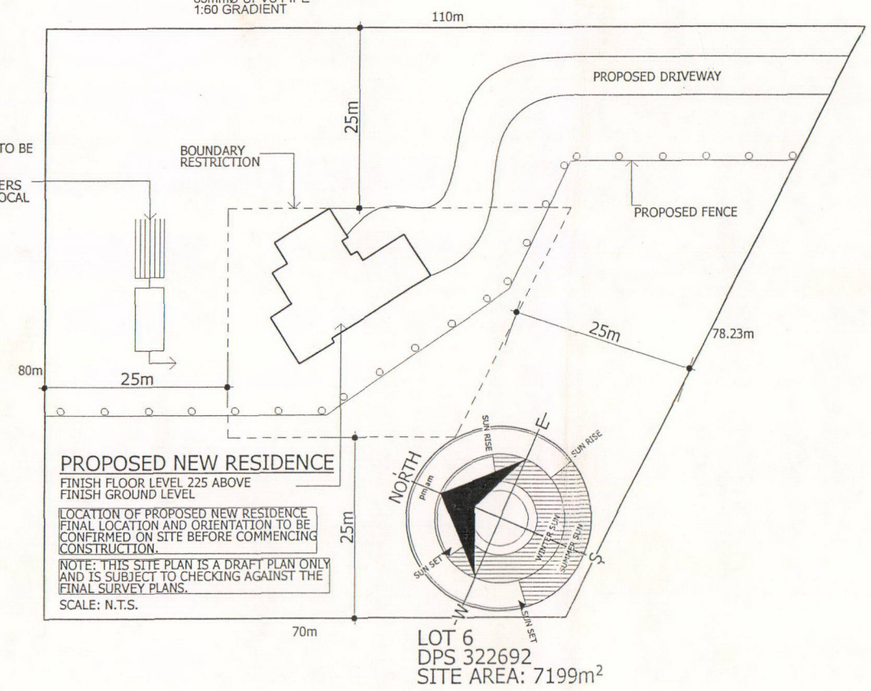


DRAIN INSTALLATION
REF: BRANZ PLUMBING & DRAINAGE
GUIDE FIG E12/PAGE 141

PLUMBING AND DRAINAGE TO
AS 3500. ALL PIPE SIZES AND
GRADES TO BE CONFIRMED BY
A REGISTERED PLUMBER

NOTE:
100mmØ UPVC PIPE
1:60 GRADIENT
65mmØ UPVC PIPE
1:60 GRADIENT

LOCATION OF SEPTIC TANK TO BE
CONFIRMED BY ENGINEER
SEPTIC TANK & EFFLUENT
DISPOSAL FIELD TO ENGINEERS
DESIGN COMPLYING WITH LOCAL
TERRITORIAL AUTHORITY
REQUIREMENTS

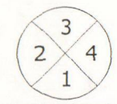


LOT 6
DPS 322692
SITE AREA: 7199m²

WHAKATANE
DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
Building Control
Office
Date 21/11/06

PROPOSED RESIDENCE
FOR: ERIN & KERRY KELLY
LOT 6 DPS 322692
EDGEHAVEN LANE
OTAKIRI WHAKATANE

SITE PLAN
SCALE: 1:100
DATE: 17 OCT 2006



elevation orientation
JOB # WK 06020
WD-B WORKING DRAWING
SHEET 1 OF 17

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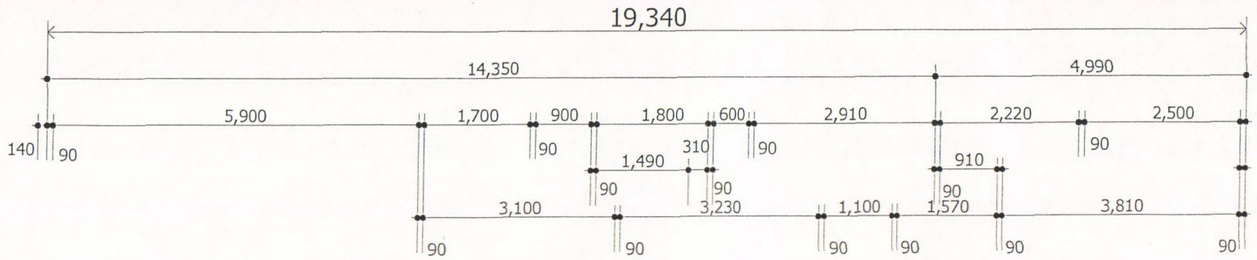
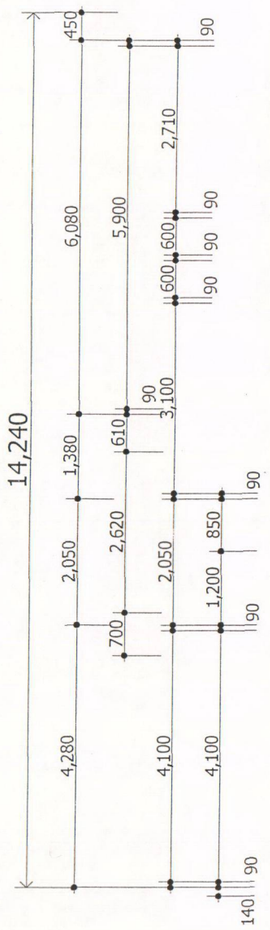
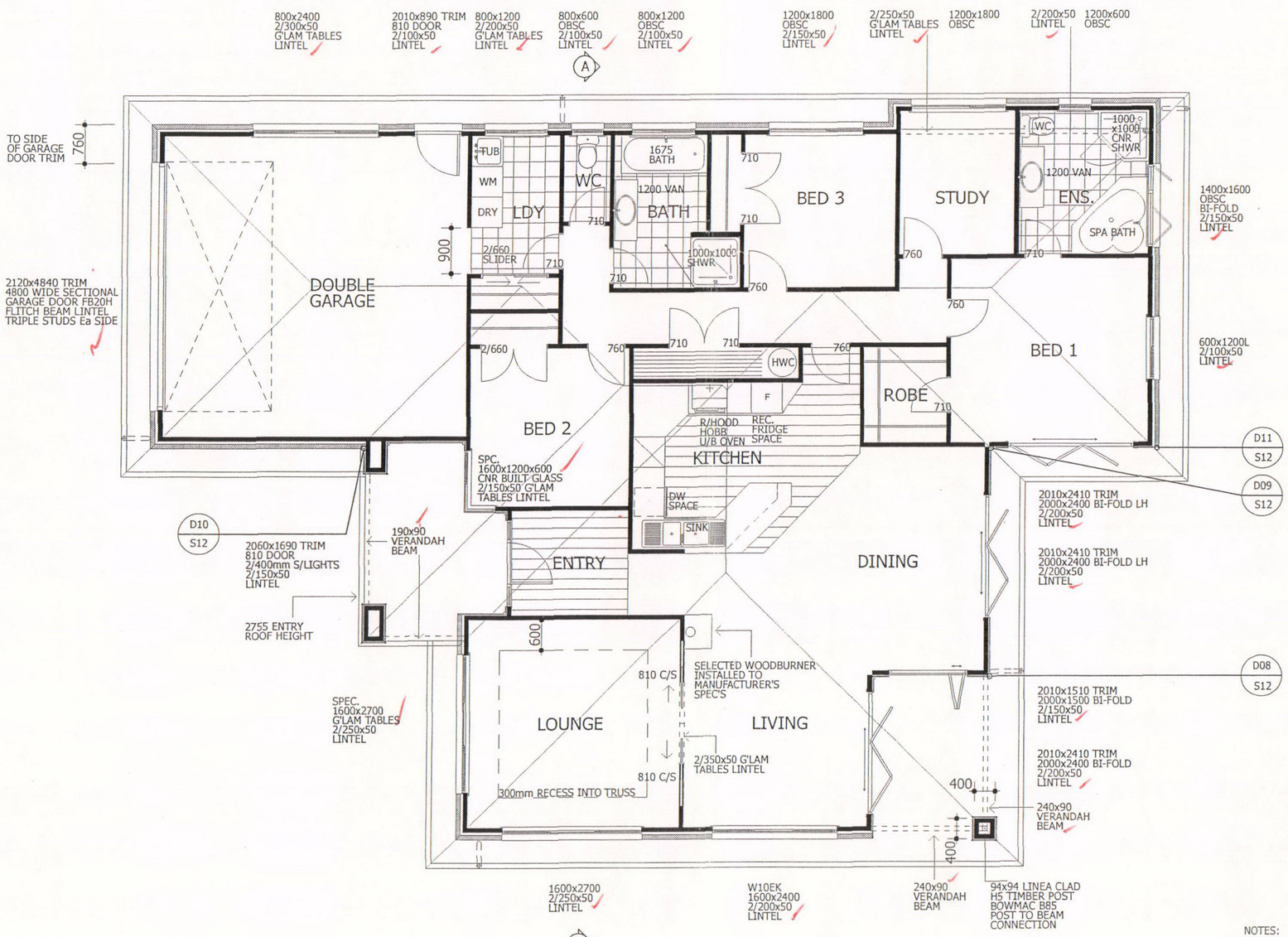
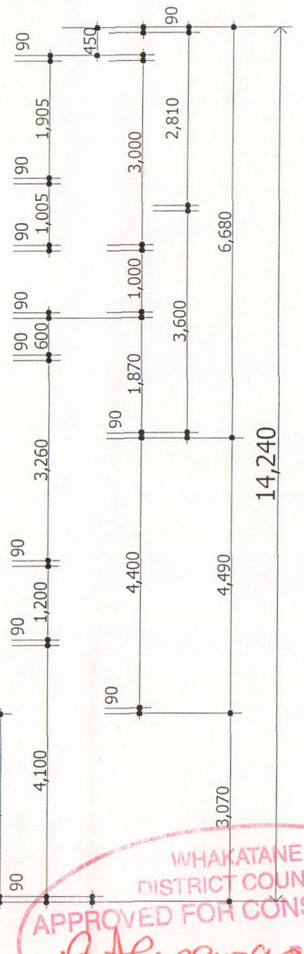
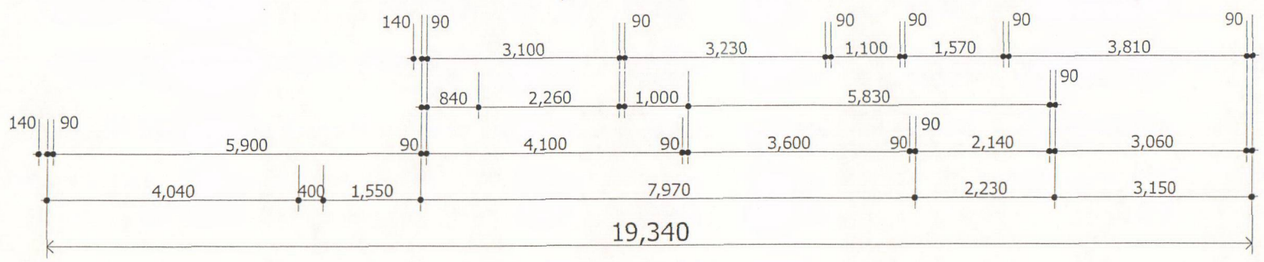
Jennian HOMES











WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
B Clapcott Building Control Office
Date 21/11/06

NOTES:

ALL BEAM & LINTEL SIZES TO BE COMFIRMED BY PRE-CUT MANUFACTURER ONCE TRUSS LAYOUT HAS BEEN FINALISED

BUILDING CONTRACTOR TO CHECK ALL DIMENSIONS BEFORE COMMENCING CONSTRUCTION

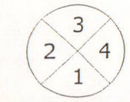
ALL SMOKE DETECTORS ARE TO BE FITTED WITH A HUSH BUTTON

ALL GLAZING TO COMPLY WITH NZS 4223

PROPOSED RESIDENCE
FOR: ERIN & KERRY KELLY
LOT 6 DPS 322692
EDGEHAVEN LANE
OTAKIRI WHAKATANE

FLOOR PLAN

SCALE: 1:100
DATE: 17 OCT 2006
LIVING AREA: 153.95m²
GARAGE AREA: 36.42m²
TOTAL AREA: 190.37m²



elevation orientation
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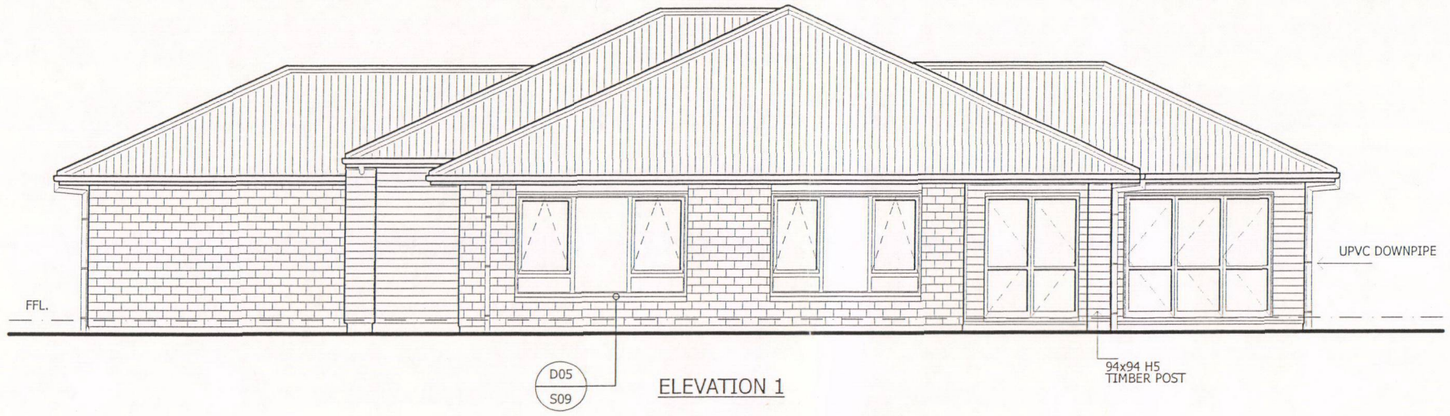
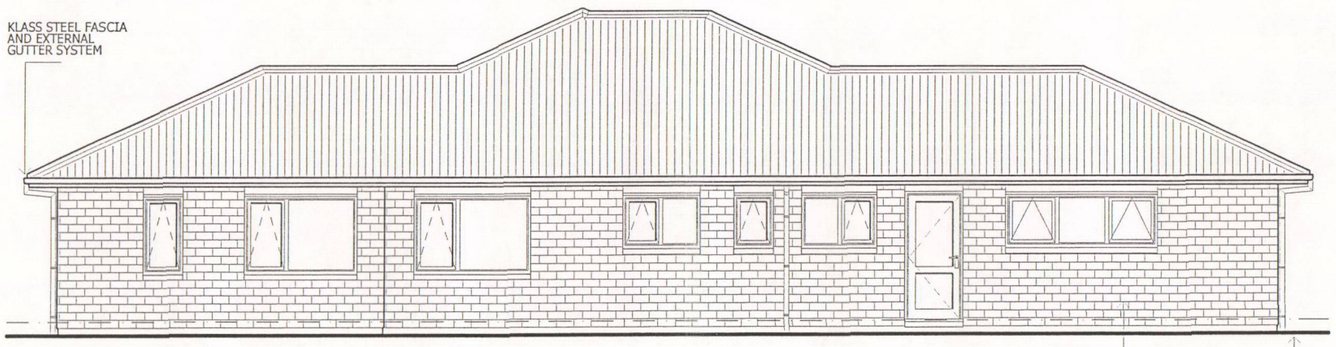


ELEVATION 1

BUILDING ENVELOPE RISK MATRIX		
Risk Factor	**Risk Severity**	**Risk Score**
Wind zone (per NZS 3604)	High risk	1
Number of storeys	Low risk	0
Roof/wall intersection design	Medium risk	1
Eaves width	Very high risk	5
Envelope complexity	Low risk	0
Deck design	Low risk	0
Total Risk Score:		**7**

ELEVATION 2

ELEVATION 4

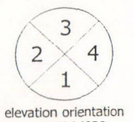


ELEVATION 3

WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
Building Control Office
Date 21/11/06

PROPOSED RESIDENCE
FOR: ERIN & KERRY KELLY
LOT 6 DPS 322692
EDGEHAVEN LANE
OTAKIRI WHAKATANE

ELEVATIONS
SCALE: 1:100
DATE: 17 OCT 2006



elevation orientation
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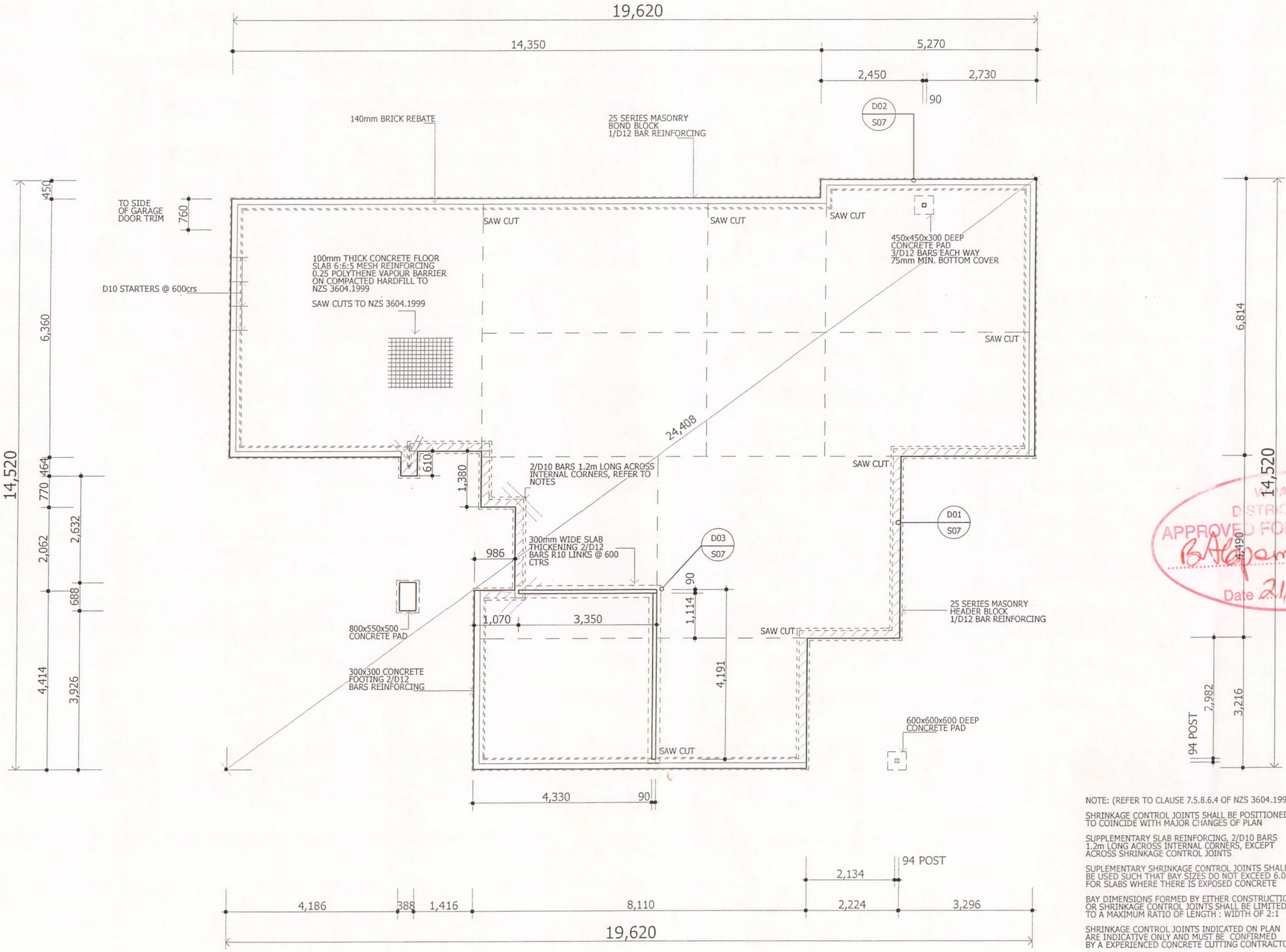


WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
B A Chapman Building Control Office
Date 21/11/06

NOTE: (REFER TO CLAUSE 7.5.8.6.4 OF NZS 3604.1999)

SHRINKAGE CONTROL JOINTS SHALL BE POSITIONED TO COINCIDE WITH MAJOR CHANGES OF PLAN

SUPPLEMENTARY SLAB REINFORCING, 2/D10 BARS 1.2m LONG ACROSS INTERNAL CORNERS, EXCEPT ACROSS SHRINKAGE CONTROL JOINTS

SUPLEMENTARY SHRINKAGE CONTROL JOINTS SHALL BE USED SUCH THAT BAY SIZES DO NOT EXCEED 6.0m FOR SLABS WHERE THERE IS EXPOSED CONCRETE

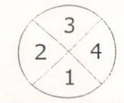
BAY DIMENSIONS FORMED BY EITHER CONSTRUCTION OR SHRINKAGE CONTROL JOINTS SHALL BE LIMITED TO A MAXIMUM RATIO OF LENGTH : WIDTH OF 2:1

SHRINKAGE CONTROL JOINTS INDICATED ON PLAN ARE INDICATIVE ONLY AND MUST BE CONFIRMED BY A EXPERIENCED CONCRETE CUTTING CONTRACTOR

PROPOSED RESIDENCE
FOR: ERIN & KERRY KELLY
LOT 6 DPS 322692
EDGEHAVEN LANE
OTAKIRI WHAKATANE

FOUNDATION PLAN

SCALE: 1:100
DATE: 17 OCT 2006



elevation orientation

JOB # WK 06020
WD-B WORKING DRAWIN
SHEET 4 OF 17

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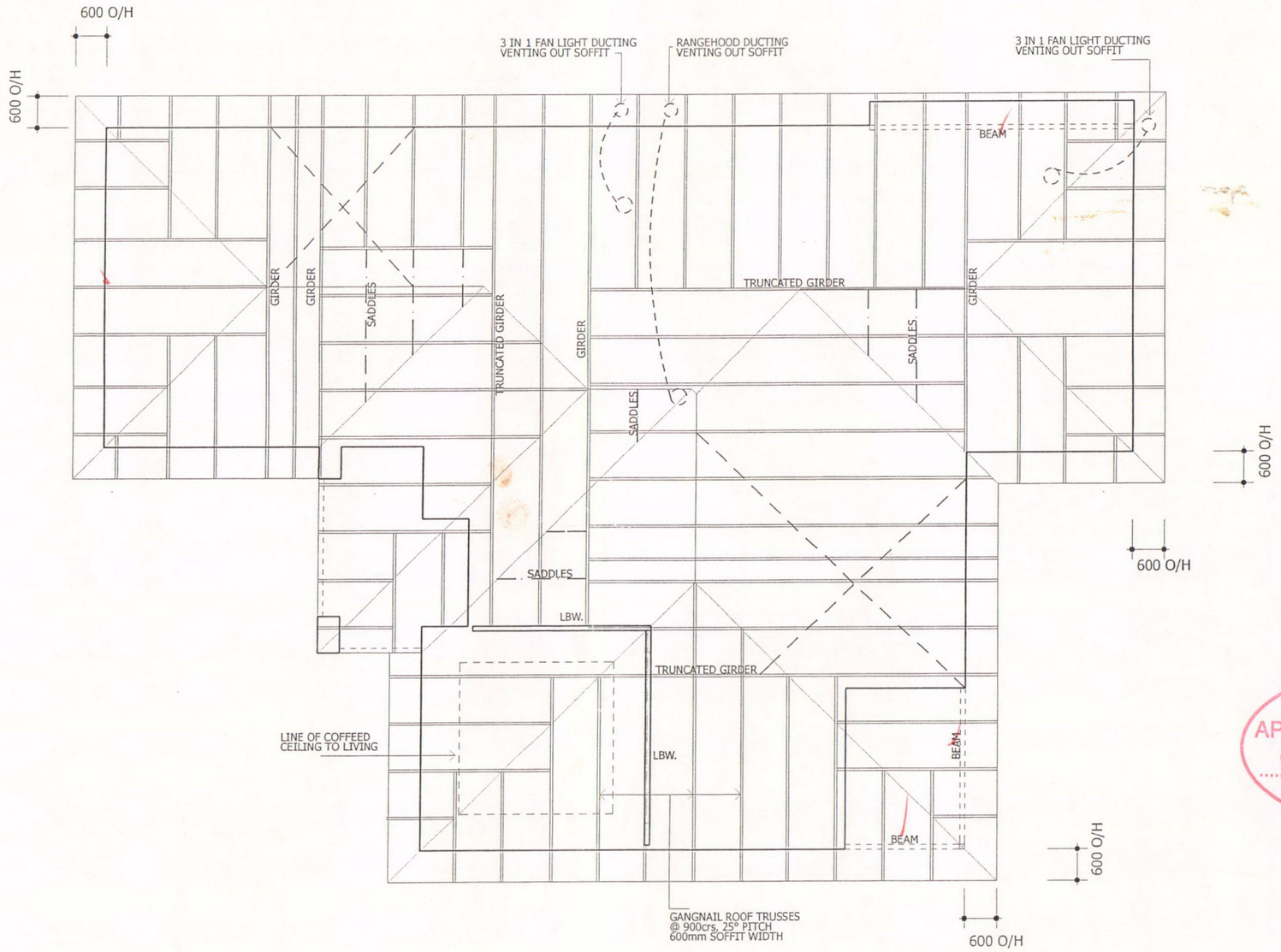
Jennian HOMES



NOTE: TRUSS LAYOUT IS PRELIMINARY ONLY LAYOUT & POINT LOADS MAY VARY WITH SPECIFIC TRUSS DESIGN BY A CERTIFIED TRUSS MANUFACTURER

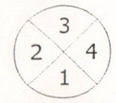
(CARTERS MANUFACTURING)

WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
B A Copeman
Building Control Office
Date 21/11/06

PROPOSED RESIDENCE
FOR: ERIN & KERRY KELLY
LOT 6 DPS 322692
EDGEHAVEN LANE
OTAKIRI WHAKATANE

ROOF FRAMING PLAN

SCALE: 1:100
DATE: 17 OCT 2006



elevation orientation
JOB # WK 06020
WD-B WORKING DRAWIN
SHEET 5 OF 17

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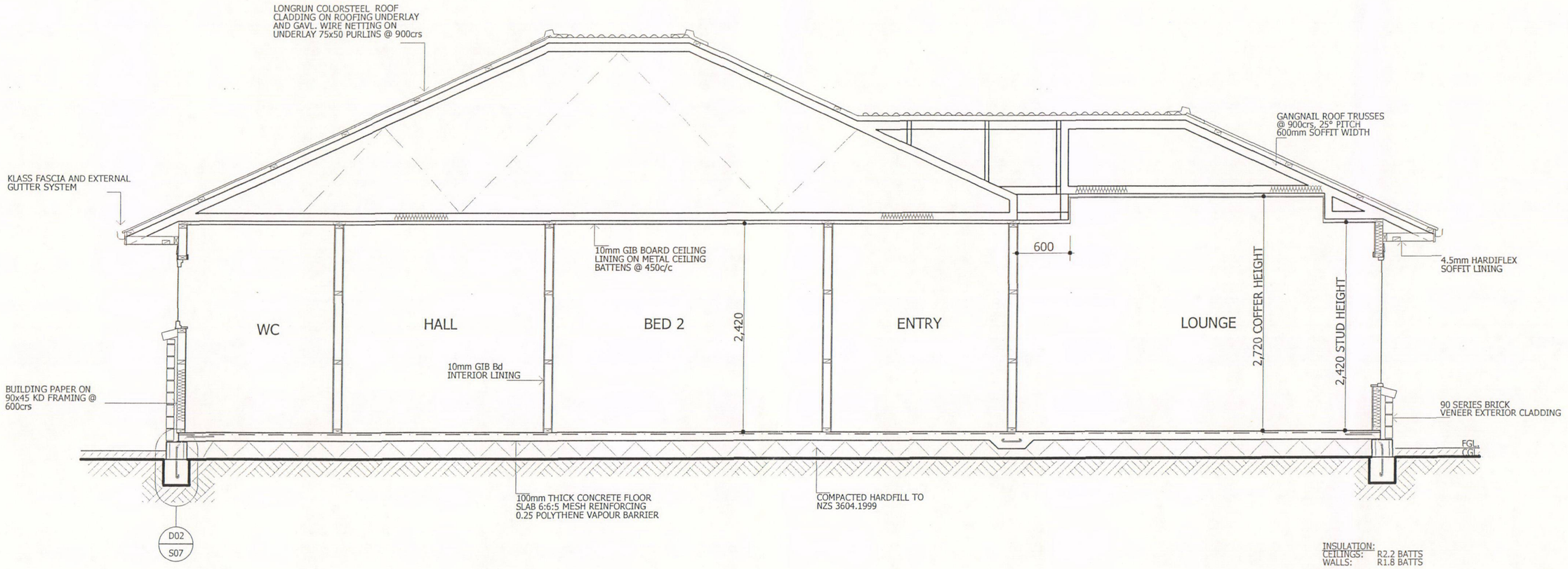

INSULATION:
CEILINGS: R2.2 BATTS
WALLS: R1.8 BATTS

WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
B Keepaman Building Control Office
Date 21/11/06

PROPOSED RESIDENCE
FOR: ERIN & KERRY KELLY
LOT 6 DPS 322692
EDGEHAVEN LANE
OTAKIRI WHAKATANE

CROSS SECTION A-A
SCALE: 1:50
DATE: 17 OCT 2006

3
2 4
1

elevation orientation
JOB # WK 06020
WD-B WORKING DRAWIN
SHEET 6 OF 17

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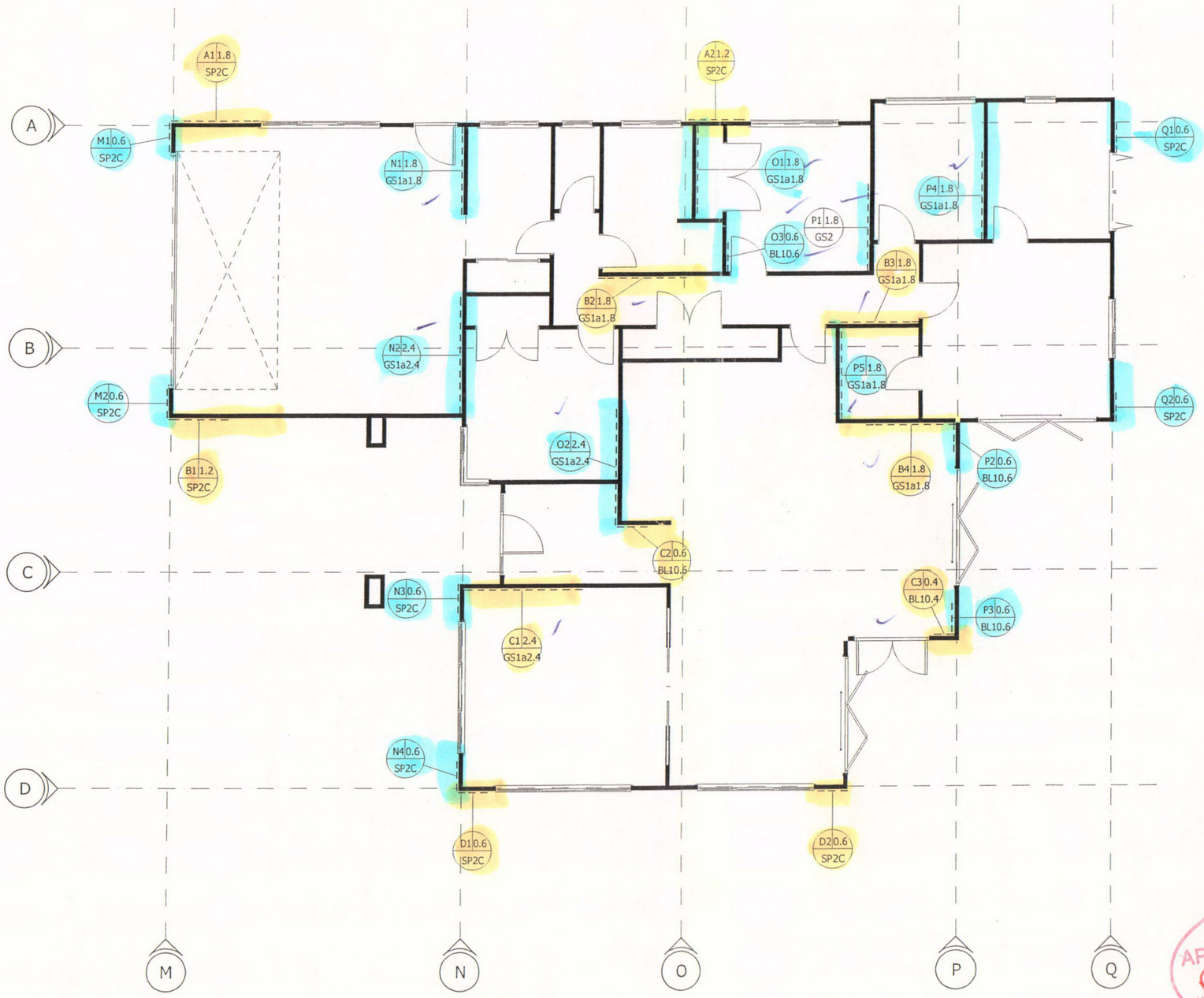

WALL BRACE LEGEND

A2 0.6 BR9

A2 LINE LABEL
BR9 BRACE TYPE
0.6 BRACE LENGTH

'HIGH' WIND ZONE
'A' EARTHQUAKE ZONE

BRACING COMPLYING WITH WINSTONE GIB BRACING MANUAL USING H/BRACE - VER 4.0

NOTE:
WALL BRACING TO BE READ IN CONJUNCTION WITH WALL BRACING CALCULATIONS

LINTELS TO BE LASER FRAME LINTEL SIZES ARE SUBJECT TO TRUSS LOADS AND ARE TO BE REVIEWED AND REVISED IF NECESSARY BT TRUSS MANUFACTURER

WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
B A Carpenter ... Building Control Office
Date 21/11/06

PROPOSED RESIDENCE
FOR: ERIN & KERRY KELLY
LOT 6 DPS 322692
EDGEHAVEN LANE
OTAKIRI WHAKATANE

BRACING PLAN
SCALE: 1:100
DATE: 17 OCT 2006

3 2 4 1
elevation orientation

JOB # WK 06020
WD-B WORKING DRAWING
SHEET 16 OF 17

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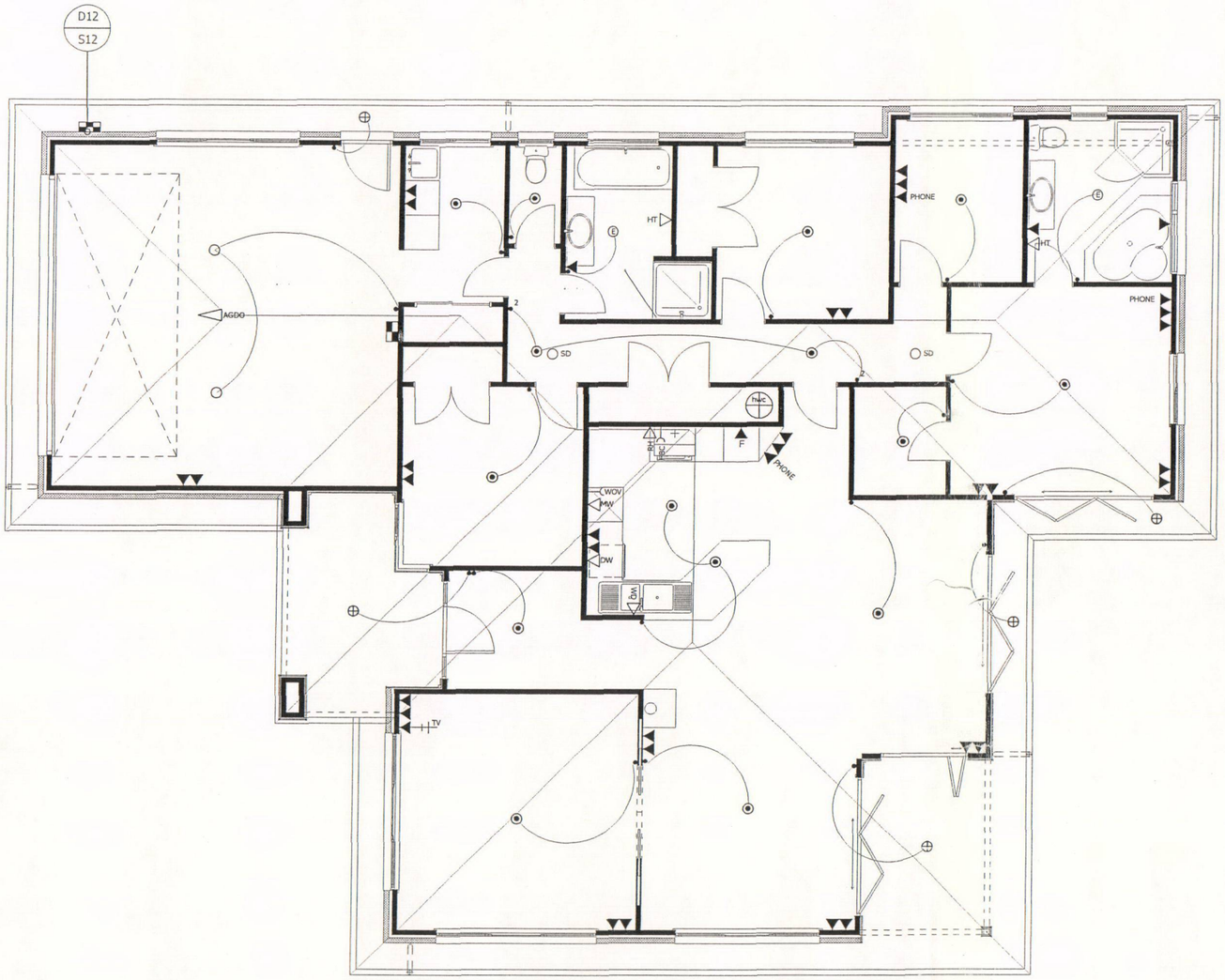
Jennian HOMES



ELECTRICAL KEY			
SYMBOL	DESCRIPTION	No. OF	CODE
	METER BOARD	1	108000
	FUSE BOARD	1	108005
HWC	HOT WATER CYLINDER	1	108010
	SINGLE POWER OUTLET	4	108020
	DOUBLE POWER OUTLET	15	108025
TV	TELEVISION OUTLET	1	108075
PHONE	TELEPHONE OUTLET	3	108085
HBC	HOBB CIRCUIT	1	108090
WOV	WALL OVEN CIRCUIT	1	108105
DW	DISHWASHER SWITCH	1	108110
WD	WASTE DISPOSAL SWITCH	1	108115
RH	RANGEHOOD SWITCH	1	108120
MW	MICROWAVE SWITCH	1	108125
	RECESSED DOWNLIGHT PRI	13	108135
	RECESSED DOWNLIGHT SEC	2	108140
	BATTEN HOLDER PRI	1	108155
	BATTEN HOLDER SEC	1	108160
	3 in 1 FAN LIGHT	2	108240
	SOFFIT BATTEN HOLDER PRI	5	108250
	LIGHT SWITCH	20	108275
2	2-WAY LIGHT SWITCH	2	108280
SD	SMOKE DETECTOR HUSH BUTTON	2	108310
HT	HEATED TOWEL RAIL	2	108315
AGDO	AUTO GARAGE DOOR OPENER	1	108335

NOTE: ALLOW TO INSTALL DVS VENTILLATION SYSTEM

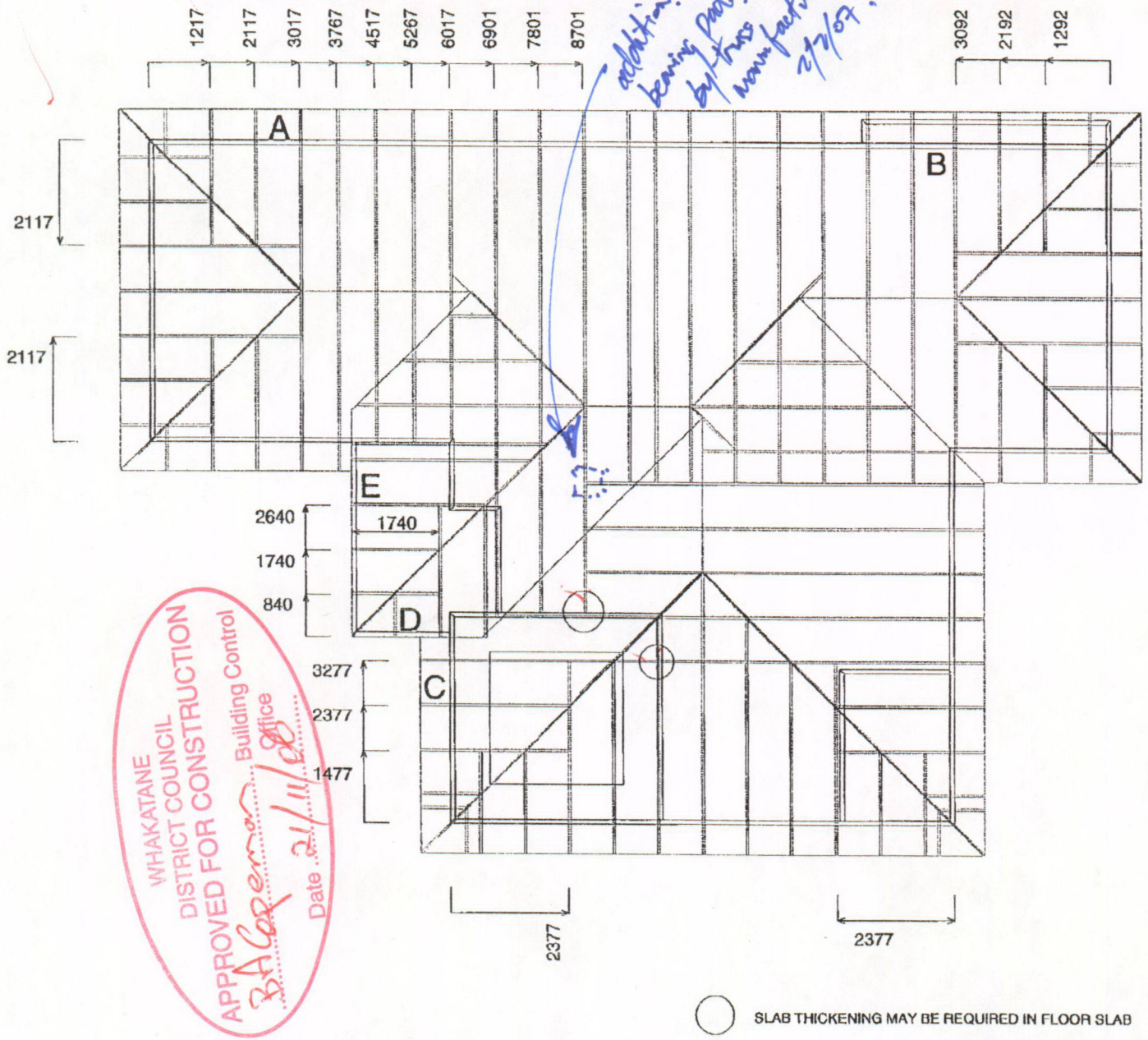
PROPOSED RESIDENCE
FOR: ERIN & KERRY KELLY
LOT 6 DPS 322692
EDGEHAVEN LANE
OTAKIRI WHAKATANE

WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
Building Consent Office
Date 21/11/06

ELECTRICAL PLAN
SCALE: 1:100
DATE: 17 OCT 2006

3 2 4 1
elevation orientation:
JOB # WK 06020
WD-B WORKING DRAWIN
SHEET 17 OF 17

BUILDING CONSENT LAYOUT



addition of bearing pad by truss manufacture. 21/3/07.

WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
Building Control Officer
Date 21/11/06

CARTERS
MANUFACTURING

14 Oak Lane
Tauranga
Ph (07) 577 5505

JOB No **0095**

Client: Jennian Whakatane
Job Name: Kelly
Address: Lot 6 Edgehaven Lane Whakatane

Pitch: 25
Roof Material: colboursteel
Soffit Overhang: 600 mm
Wind Area: High
Snow Load: 0 kPa

Trusses And Rafters At 900 Centres Unless Stated Otherwise.

This layout is to be read in conjunction with the Architectural plans.

DRAWN BY Bruce Yule

DATE 02/11/06 | PAGE 2 of 2

These lintels have been sized as per the GANGLAM 05/2005 and FLITCH BEAM 01/2001 selection manuals as provided by MiTek NZ Ltd.

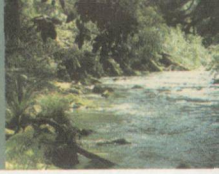
HYSPAN and HY90 lintels have been sized using designIT v1.2NZ software or selection manuals, HYSPAN Edition 2 and HY90 Edition 1, as provided by CHH futurebuild.

Unless otherwise stated all lintels are to be selected as per NZS3604 1999.

All walls shown on this layout are considered to be load bearing.

LINTEL	SIZE	LENGTH
A	BY OTHERS	
B	BY OTHERS	
C	BY OTHERS	
D	BY OTHERS	
E	BY OTHERS	

See Page 1 for Labelled Truss Layout



CODE COMPLIANCE CERTIFICATE NO. 16989

Section 95, Building Act 2004
Issued by: Whakatane District Council

INSP

AGENT	APPLICANT
4 SEASONS 13 COMMERCE STREET WHAKATANE 3080	KELLY, ERIN JOHN 104 TE TEKO ROAD R D 3 WHAKATANE 3080

PROJECT	PROJECT LOCATION
Jayline Spitfire FS **INTENDED USE:** SOLID FUEL HEATER	**STREET ADDRESS:** 9 EDGEHAVEN LANE **LEGAL DESCRIPTION:** LOT 6 DP322692
INTENDED LIFE SPECIFIED AT 10 years Being stage 1 of an intended 1 stages	**REF NO:** 0912/9 **VALUATION NUMBER:** 07181 057 11

CODE COMPLIANCE

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

(a) the building work complies with the building consent; and

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

COMPLIANCE SCHEDULE

SIGN OFF

Signed by *or* on behalf of the Whakatane District Council.

Rose Oliver		12 July 2007
Name	Customer Services Officer	Date

Address all correspondence to: The Chief Executive Officer **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

PLANS 16989

FLOOR PLAN

Home Owner: Erin & Kerry Kelly

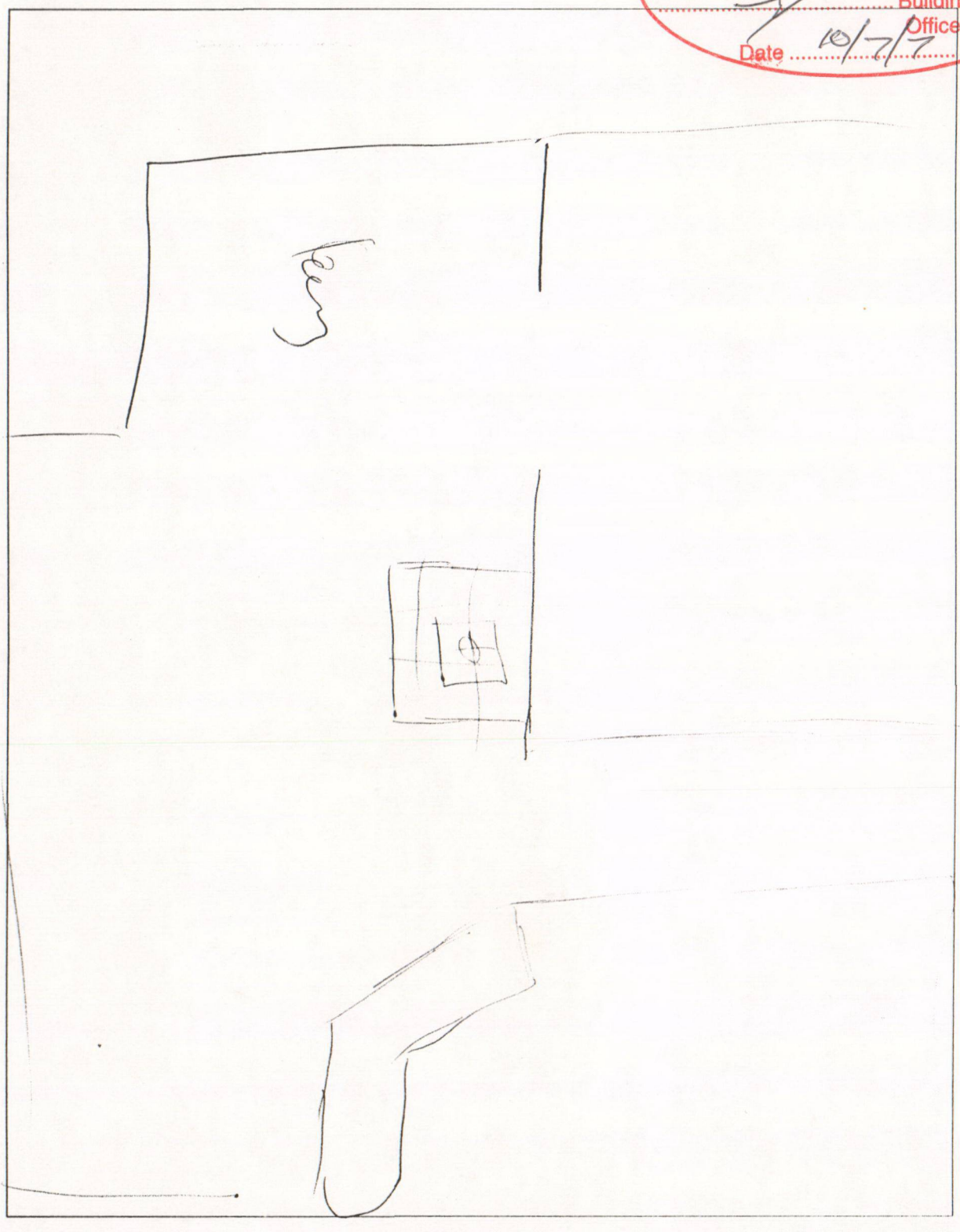
Address: 9 Edgehaven Lane, Otaheri

Make: _____ Model: _____

Freestanding ☐ Inbuilt ☐

LOT: ..... DP: .....

WHAKATANE
DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
Building Control Office
Date 10/7/17



INSP

WHAKATĀNE
District Council

Form 7

Code compliance certificate

SECTION 95, BUILDING ACT 2004

The building

Street address of building: 9 EDGEHAVEN LANE

Legal description of land where building is located: LOT 6 DP322692

Building name (if applicable):

Current, lawfully established, use: GARAGE

Year first constructed: 2015

The owner

Name of owner: KELLY, ERIN JOHN
9 EDGEHAVEN LANE
RD 3
WHAKATANE 3193

Contact person

PM & TL CASSIN LIMITED T/A VERSATILE BUILDINGS
C/O Versatile Buildings
PO BOX 278
WHAKATANE 3158

Phone no. - Landline: day 0064 07 3084383 - Mobile:

Phone no. - Daytime: day 0064 07 3084383 - After hours:

Email address: whakatane@versatile.co.nz

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: **22390**

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

PP

Signature

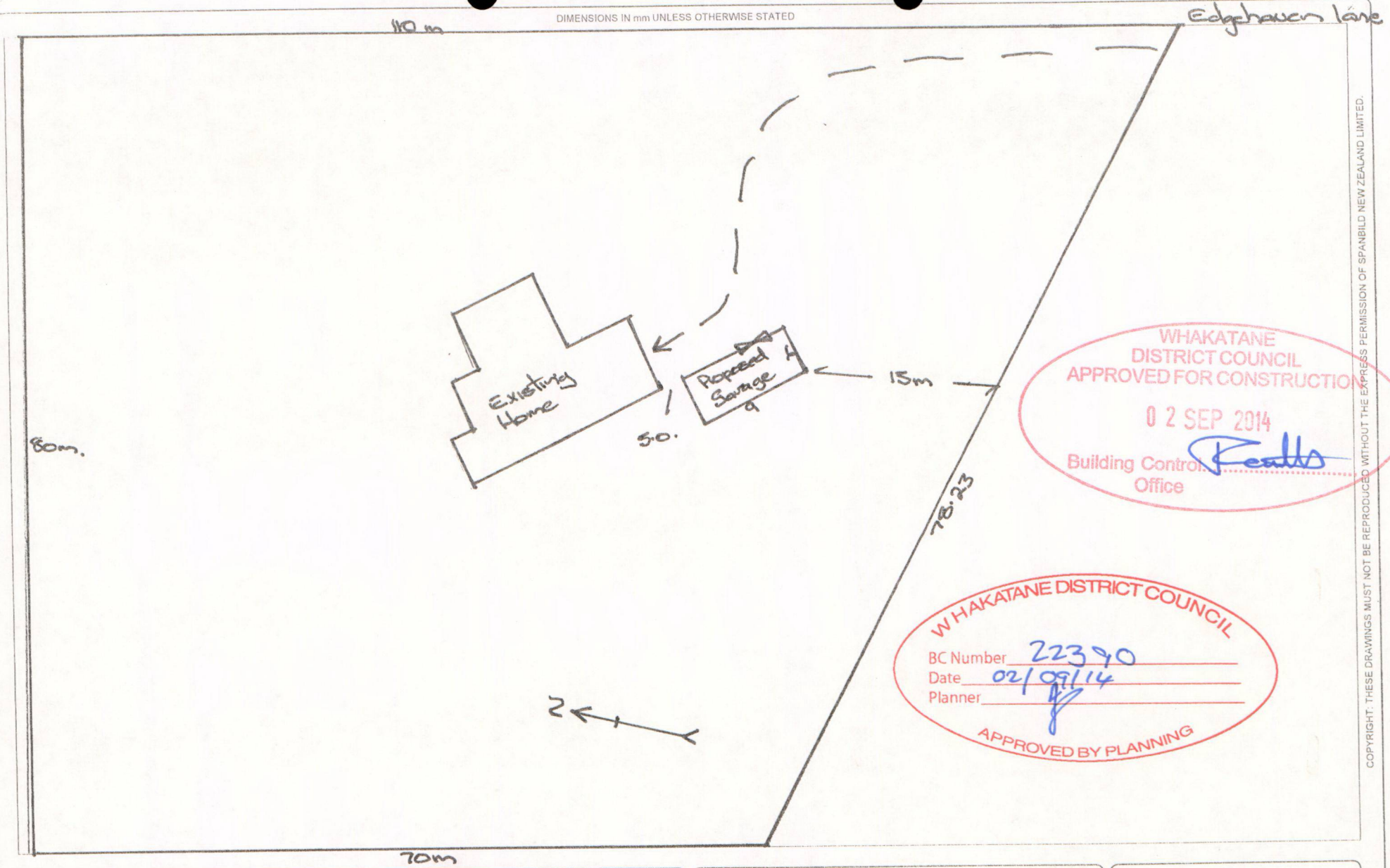
Team Leader Technical Administration

Position

On behalf of: Whakatane District Council

Date: 05 May 2015

DIMENSIONS IN mm UNLESS OTHERWISE STATED



WHAKATANE DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
0 2 SEP 2014
Building Control Office

WHAKATANE DISTRICT COUNCIL
BC Number 22390
Date 02/09/14
Planner
APPROVED BY PLANNING

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VERSATILE® HOMES & BUILDINGS

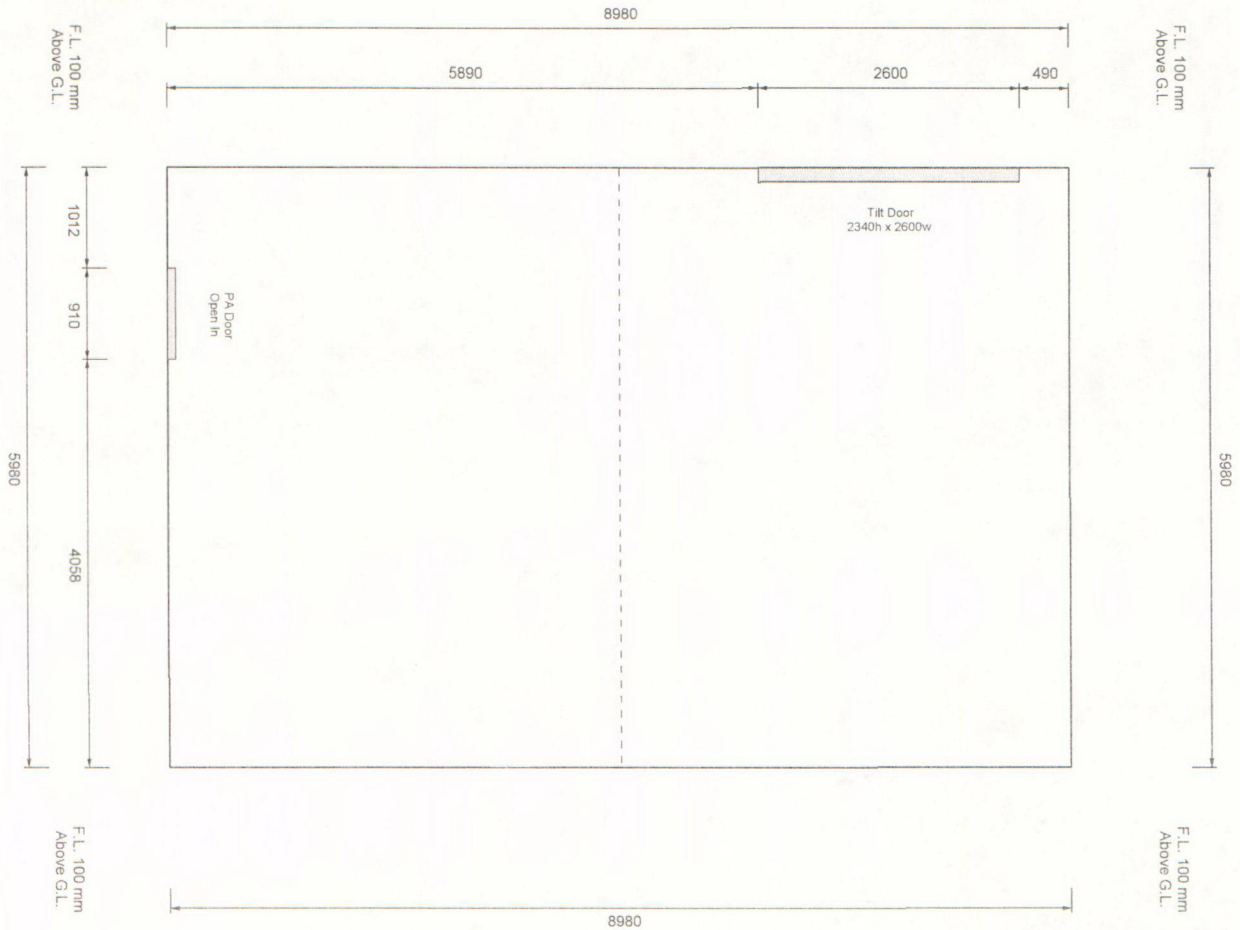
For: Mr & Mrs Erin & Kerry Kelly
9 Edgehaven Lane
Otakiri
Whakatane

VB2000

Site Plan

Sheet 2 of 22

DIMENSIONS IN mm UNLESS OTHERWISE STATED THIS IS A C.A.D. DRAWING AND MUST NOT BE ALTERED BY MANUAL METHODS



LEGEND	
	Diagonal: 10789
	Expansion Cut

WHAKATANE DISTRICT COUNCIL
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0 2 SEP 2014
Building Control Office

SCALE A3-1:50

4
1 3
2

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VERSATILE® HOMES & BUILDINGS

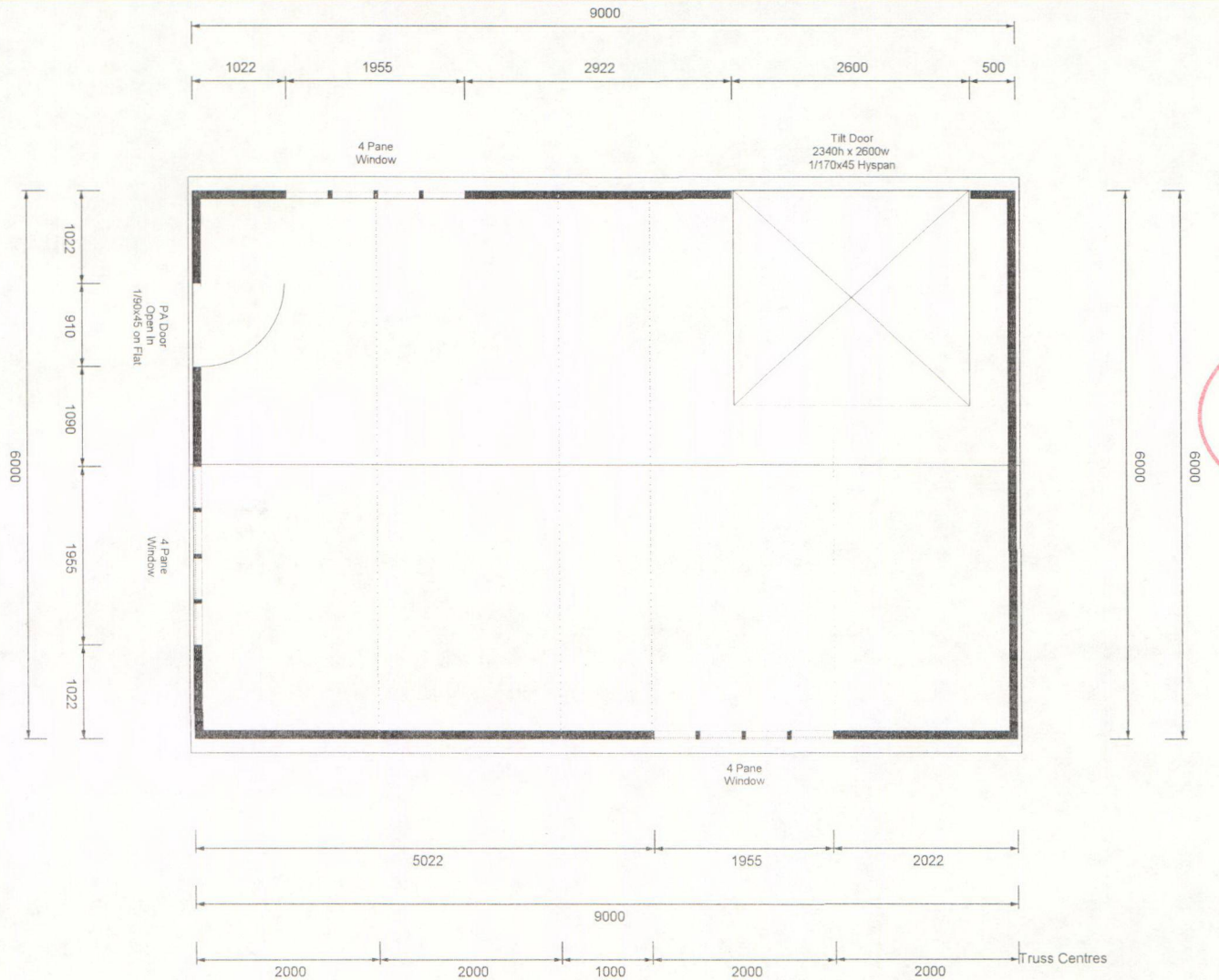
For: Mr & Mrs Erin & Kerry Kelly
9 Edgehaven Lane
Otakiri
Whakatane

VB2000

Concrete Floor Plan

Sheet 5 of 22

DIMENSIONS IN mm UNLESS OTHERWISE STATED THIS IS A C.A.D. DRAWING AND MUST NOT BE ALTERED BY MANUAL METHODS



LEGEND

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Building Control Office

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SCALE A3-1:50

4
1 3
2

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VERSATILE® HOMES & BUILDINGS

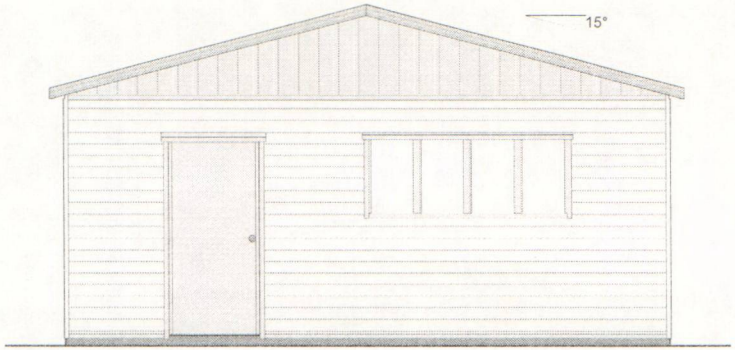
For: Mr & Mrs Erin & Kerry Kelly
9 Edgehaven Lane
Otakiri
Whakatane

VB2000 - Design

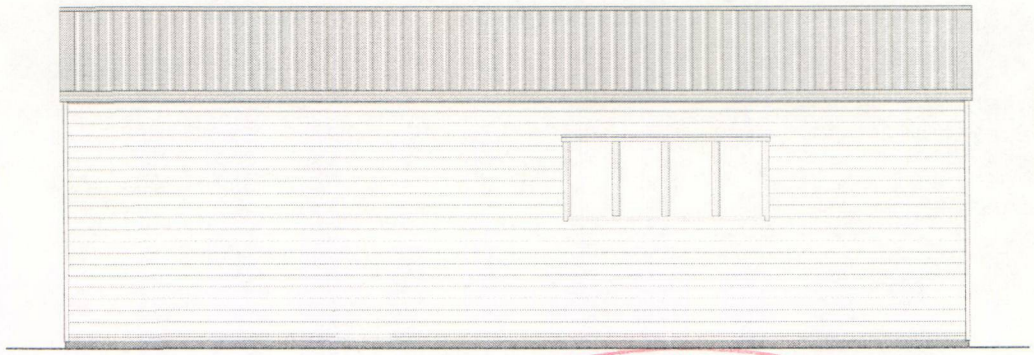
Floor Plan General

Sheet 7 of 22

DIMENSIONS IN mm UNLESS OTHERWISE STATED THIS IS A C.A.D. DRAWING AND MUST NOT BE ALTERED BY MANUAL METHODS

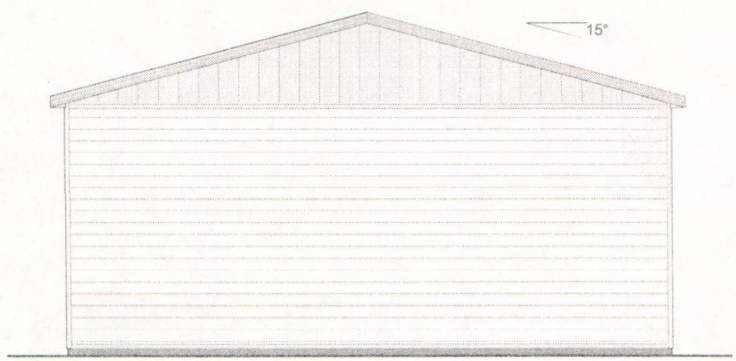


ELEVATION VIEW 1

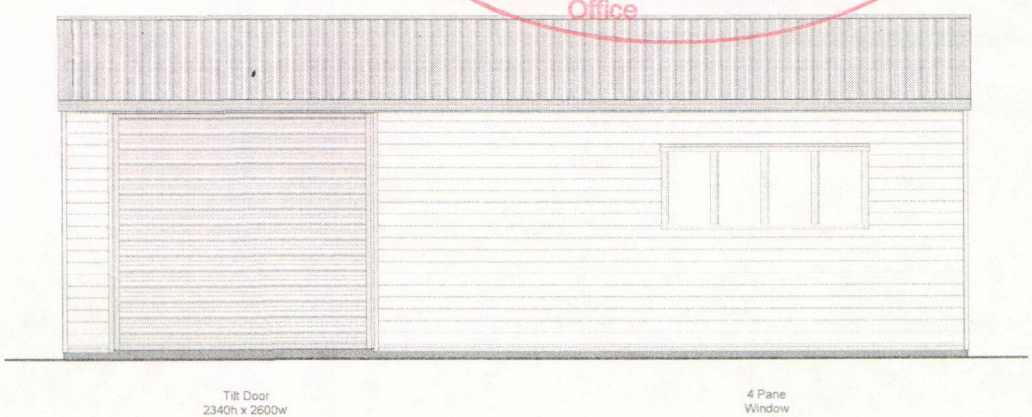


ELEVATION VIEW 2

WHAKATANE
DISTRICT COUNCIL
APPROVED FOR CONSTRUCTION
0 2 SEP 2014
Building Control Office



ELEVATION VIEW 3



ELEVATION VIEW 4

SCALE A3-1:50

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VERSATILE® HOMES & BUILDINGS

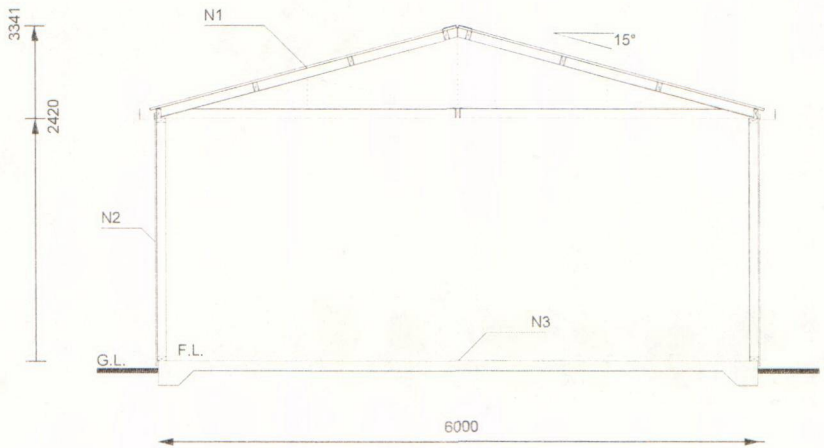
For: Mr & Mrs Erin & Kerry Kelly
9 Edgehaven Lane
Otakiri
Whakatane

VB2000 - Design

Elevations

Sheet 8 of 22

DIMENSIONS IN mm UNLESS OTHERWISE STATED THIS IS A C.A.D. DRAWING AND MUST NOT BE ALTERED BY MANUAL METHODS



SCALE A3-1:50

NOTES

N1 : ROOF
- 6 Rib 0.35mm roofing over roofing underlay over 90x45 SG8 H1.2 purlins @ 1000mm centres max. fixed between trusses.

- For purlin fixings and bottom chord truss stiffeners refer to 'Roof Framing' sheet 11 of 22.
- For truss centres refer to 'Floor Plan General' sheet 7 of 22.
- For truss design and fixings refer to 'Truss Design' sheet 12 of 22 and 'Truss Fixing Details' sheets 13-14 of 22.

N2 : WALLS
- Versaclad cladding over 90x45 SG8 H1.2 studs @ 1000mm centres max with 0 rows of 90x45 NLB H1.2 dwangs.

N3 : FLOOR
- For foundation details refer to 'Foundation Details' sheet 6 of 22.
- Bottom plate to be fixed to the foundation with M12x135 Anchor bolt with 50x50x3 washer at 1200mm crs.

WHAKATANE DISTRICT COUNCIL APPROVED FOR CONSTRUCTION
0 2 SEP 2014
Building Control Office

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VERSATILE® HOMES & BUILDINGS

For: Mr & Mrs Erin & Kerry Kelly
9 Edgehaven Lane
Otakiri
Whakatane

VB2000 - Design

Unlined Cross Section

Sheet 9 of 22

Swimming Pool Fencing Outcome - Compliant

* * * * *

Property Details

Owner name: Kerry and Erin Kelly

Property address: 9 Edgehaven Lane

Phone Number: 027 2740630

Email Address: erin.kelly@mightyriver.co.nz

Pool Fencing Inspection Information

POOL FENCING INSPECTION DATE: **1st Visit – 30 03 26**

POOL FENCING INSPECTION TIME: **1st Visit -** Start: 10.00 Finish: 10.15

Previous 3-yearly Inspection Outcome reviewed: ☐ **Yes** ☑ **No** ☐ **N/A**

The Pool was empty and was about to be dismantled and thrown out. A new one is to replace it later this year.

Pool Fencing Outcome Records

FENCING

Pool fencing (incl. walls) at least 1200mm high above ground level, with only a top and bottom rail, and continuous around pool. Pool fencing is to have no gaps wider than 100mm in all locations (sides and under).

Comments: N/A as the pool is 1200mm high and the ladder is removed when the pool is not in use.

No climbable objects within 1200 mm of the outside of the pool fence.

Comments: N/A

Pool fencing using mesh or trellis fencing, with gaps larger than 10mm & less than 50mm (on the diagonal), to be at least 1800mm high above ground level.

Comments: N/A

Boundary fences at least 1800mm high above neighbour's ground level. Horizontal rails on outside of the fence (if any) >900 mm apart in the lower section.

Comments: N/A

Physical condition of all pool fencing acceptable (firmly grounded, anchored & maintained).

Comments: N/A

GATES

Gates giving access to pool area open away from pool and is 1200mm high above ground level.

Comments: N/A

Gate is self-closing & self-latching from fully open and from 150mm opening. All hinges are in good condition with built-in spring tension.

Comments: N/A

Gate latch release height is 1500mm for external operation or 150mm (minimum) from top of pool fence for internal operation, with restricted access solid cover plate (minimum 450mm extending past latch location in horizontal direction and vertically under latch).

Comments: N/A

Gate is to have no gaps wider than 100mm in all locations (sides and under).

Comments: N/A

DOORS & WINDOWS

Doors giving access to pool area open away from pool and latch release height is 1500mm high above inside floor level.

Comments: N/A

Door is self-closing & self-latching from fully open and from 150mm opening. All hinges are in good condition with built-in spring tension.

Comments: N/A

Windows is to have restrictors, so there are no openings wider than 100mm in all directions.

Comments: N/A

Sliding & sliding bi-fold doors have lock/latching devices at top of door, being over 1800 mm above inside floor level.

Comments: N/A

French Doors or hinged element of bi-fold door installation – further review and consideration.

Comments: N/A

POOL ACTIVITES AREA

Only Pool related activities contained within pool fencing area (There is to be no clotheslines, sheds, woodpiles, gardens, etc. within the pool fencing area).

Comments: N/A

Observation: Is there a Spa Pool on the property? ☑ **Yes** ☐ **No**

Spa Pool contained within compliant swimming pool fenced area. ☐ **Yes** ☑ **No**

If the Spa Pool is outside pool fenced area, please select the appropriate observation or action item from list below:

- The Spa Pool is classified as Exempt (< 5 sqm and over 760mm height above supporting ground or deck). ☑

The Pool must be locked when not in use sticker is on the side of the pool.

Outcome

Site instruction provided onsite: The Pool Fencing Inspection was approved.

Overall outcome of Pool Fencing Inspection (1st Visit Only)**:** ☑ **Pass** ☐ **Fail**

The Pool Fencing Inspection carried out on the 30 03 26 confirmed that the Pool Fencing was in conjunction with the 2004 Building Code, Amendment 2016.

Officer name: Eric Scholte

Officer role: Building Control Officer - Compliance

5312

F145

26 August 1982

Mr R J Overington
Registered Surveyor
P O Box 596
WHAKATANE

Dear Sir

Proposed Subdivision : S F and Z J Weatherley, Hogbin Road

I advise that Council at its meeting held on the 25 August 1982 considered your Scheme Plan and resolved as follows:

"a) THAT pursuant to Section 279(1) Local Government Act 1974 Scheme Plan S145/3B showing a proposed subdivision of Section 12 Block VI Rangitaiki Upper Survey District be approved subject to the following conditions:

i) That rights of way and easements A, B, C, D, E, F and G be created as indicated on the Scheme Plan.

ii) That the balance of the land in Section 12 CT 25B/701 (Lot 7 on the Scheme Plan) be amalgamated in the same Certificate of Title as the land comprised in CT 713/125.

iii) That the entranceways fronting rights of way A, B and G and F be created to Council's 1095/1 standards.

b) THAT pursuant to Section 279(1) Local Government Act 1974 the creation of Lot 7 as contained on Scheme Plan S145/3B not be approved and that the balance of Section 12 Block VI Rangitaiki Upper Survey District be required to be amalgamated with Section 6 Block VI Rangitaiki Upper Survey District.

c) THAT pursuant to Section 279(1) Local Government Act 1974 approval be granted to Scheme Plan S145/4B containing a proposed subdivision of Sections 6 and 12 Block VI Rangitaiki Upper Survey District subject to the following conditions:

cont...

i) The creation of rights of way and easements G, F, H, I, J and K as indicated on the Scheme Plan.

ii) That the Hogbin Road extension be stopped pursuant to the Tenth Schedule Local Government Act 1974 and that subsequent to this stopping the land in respect of the road designation be vested with suitable boundaries to the satisfaction of the Chief Engineer of the Whakatane District Council.

iii) That the rights of way and entrances be constructed and vested to comply with Council's 1095/1 standards and be to the satisfaction of the Chief Engineer of the Whakatane District Council.

d) THAT pursuant to Section 305 Local Government Act 1974 the Land Transfer Title Plans in respect of the abovementioned subdivisions be executed under Seal once the Title Plans are in accordance with the approved Scheme Plan.

d) That the General Manager sign the Certificate of Compliance under Section 306 Local Government Act 1974 once all conditions of Scheme Plan approval have been complied with to the Planning Officer's satisfaction.

f) THAT the applicants be informed that approval to Scheme Plan S145/48 will lapse should road stopping procedures not be completed in accordance with the Tenth Schedule 1974 Local Government Act.

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

Yours faithfully

J W Mandemaker
PLANNING OFFICER

Enclosure:

cc: Rangitaiki Drainage Board

HA

7/4/21

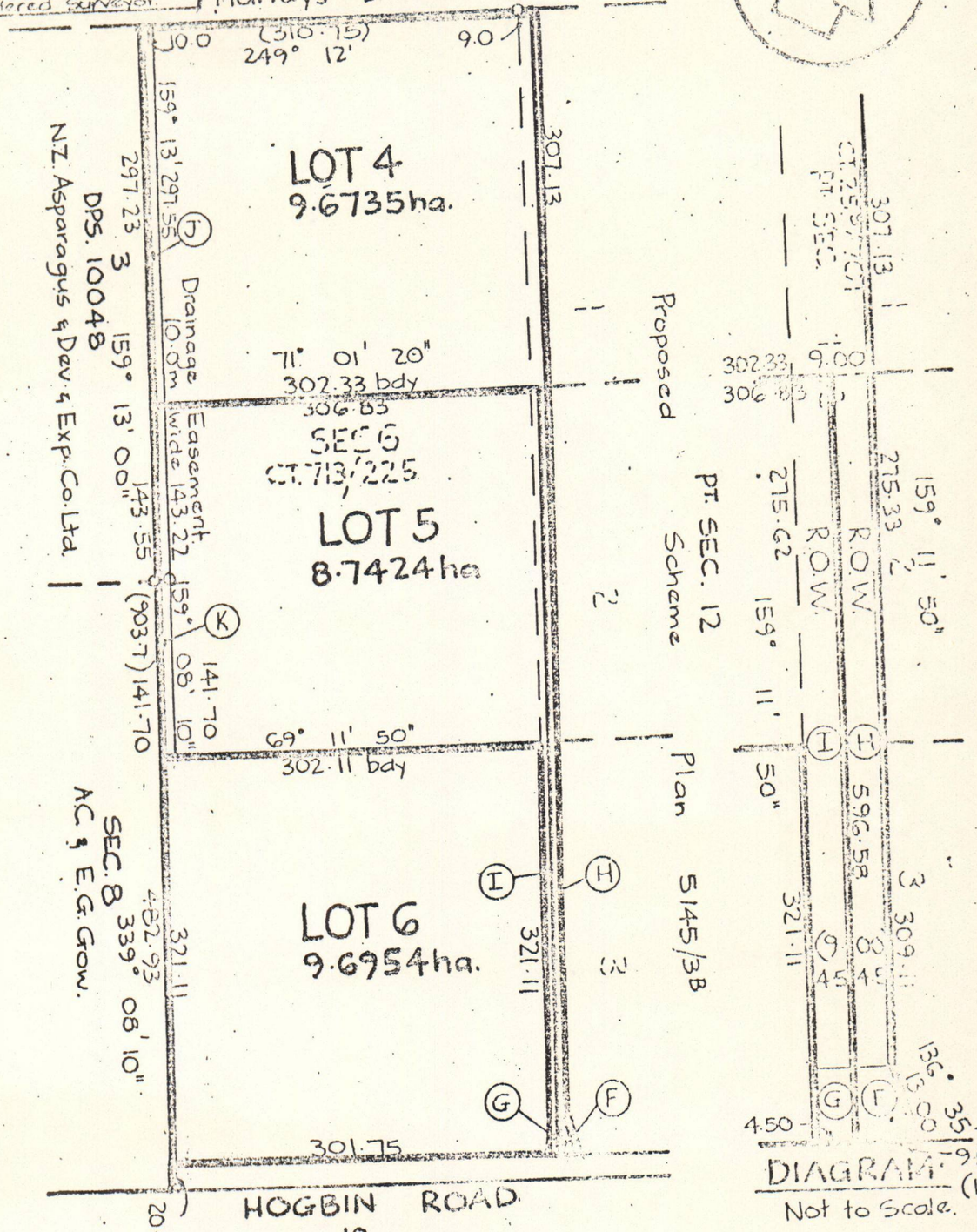
2/4/22

I David Vivian Rankin Registered Surveyor hereby certify that this plan has been prepared by me in accordance with the provisions of Part XX of the Local Government Act 1974

Registered Surveyor

5
DPS. 27931

302.09
Murrays Drain



Total Area Lots 4-6 28.1113 ha.

APPROVAL NOTES.
Plan approval subject to.
1. Creation of easements.
2. Amalgamation of (Lot 7) Pt. Sec. 6 on plan 5145/3B with Lots 4 & 5 as shown.
3. Sufficient length of ROW's F & G and their entranceways to be constructed to accord with 1095/1 standards.
4. Hogbin Road abutting Lot 6 to be.
(a) Exempt from upgrading
or (b) be stopped if adjoining owners consent and amalgamated with adjoining title(s).

PROPOSED EASEMENTS

Purpose	Shown	Servient Ten.	Dominant Ten
Right of Way	F	Pt. Lot 4	Lot 5 & Pt. Sec 12 (Lot 3)
	G	Pt. Lot 5	Lot 4 & Pt. Sec 12 (Lot 3)
	H	Pt. Lot 4	Lot 5
	I	Pt. Lot 5	Lot 4
Drainage	J	Pt. Lot 4	Lots 5 & 6
	K	Pt. Lot 5	Lot 6

S.F. & Z.J. WEATHERLEY
R.D.2. OTAKIRI
WHAKATANE
Owners

PROPOSED LOTS 4-6 OF (LOT 7) PT SEC. 12 & SEC. 6 BLK VI RANGITAIKI UPPER SURVEY DISTRICT
Sth Auck. L.D. CTs 713/125 All & 25B/701 Pt.
Whakatane District Council

ROSS J. OVERINGTON
Registered Surveyor.
P.O Box 596 Ph. 6384
Whakatane

Scale: 1:5000
Date: July 1982

S145/4B

24.3.97.67

28 July 1997

Mr Ross J Overington
P O Box 596
WHAKATANE

Dear Sir

RESOURCE CONSENT (SUBDIVISION):
BUTLER AND RUITERMAN, 42 HOGBIN ROAD, OTAKIRI

On 22 July 1997 the Executive Officer – Environmental Services considered the above application and, under delegated authority, resolved as follows:

"1. ***THAT*** *pursuant to Sections 34(4) and 105 and after consideration of Sections 104, 108 and 220 of the Resource Management Act 1991 and Rule 9A.2.3(3) of the Transitional Whakatane District Plan, Council grants consent to this discretionary activity being the subdivision of the property legally described as Section 6 Block VI Rangitaiki Upper Survey District, as shown on the plan S1494/1 situated at 42 Hogbin Road, Otakiri, subject to the following conditions:*

(a) That standard vehicle crossings shall be installed to all lots in accordance with Appendix J of the Transitional Whakatane District Plan, to the satisfaction of the Executive Officer – Works and Services.

(b) That all easements required to protect rights-of-way or services within the subdivision shall be duly granted or reserved.

(c) That the right-of-way shall be formed and constructed to an all-weather standard to the satisfaction of the Executive Officer – Works and Services.

(d) That an additional administrative charge of $295.83 (inclusive of GST) be paid to Council in relation to the receiving, processing and granting of this Resource Consent

(e) That a road upgrading contribution of $12 825.00 (inclusive of GST) be paid to Council, being 50% of the value of upgrading Hogbin Road to the western boundary of Lot 1.

25%

(f) *That the implement shed and any other structures and vegetation be removed from Hogbin Road or that Hogbin Road be legally stopped and that a right-of-way be provided to Section 8 SO 26906. All costs incurred in the stopping of Hogbin Road shall be paid by the applicant.* Bond taken

(g) *That the existing septic tank and associated effluent disposal system serving the buildings on proposed Lot 1 be contained a minimum 1.5 m inside the proposed lot boundaries.*

2. ***THAT*** *pursuant to Section 223 of the Resource Management Act 1991, the Executive Officer – Environmental Services be authorised to approve the Survey Plan in respect of the above subdivision once the Survey Plan is submitted and is in accordance with the approved subdivision consent.*

3. ***THAT*** *pursuant to Section 224 of the Resource Management Act 1991, the General Manager be authorised to sign a certificate in respect of the above subdivision, stating that all conditions of subdivision consent have been complied with to his satisfaction.*

Advice Note:

1. *The applicant is advised that in the Plains area, connection to the Plains Water Supply is not necessarily given as of right. The original Braemar area (Plan No 138/15D) has entitlements determined by land area (0.553 m^3/ hectare/day, with a minimum charge being levied equivalent to 1.5 m^3/day. For all other areas, application must be made and each case will be assessed individually.*

2. *The applicant is advised that an adequate supply of potable water to all lots must be established to the satisfaction of the Executive Officer – Environmental Services.*

3. *That the beekeeping operation on Lot 1 must be carried out in accordance with Rule 4.30.3(iv) of the Transitional Whakatane District Plan, particularly noting that beehives are not permitted within 30 metres of any site boundary.*

Reasons:

1. *Council is satisfied that Lot 1 meets the requirements of Rule 9A.2.3(3) "other rural uses", as the applicant is currently operating an intensive bee-keeping business which produces a substantial amount of honey from hives within the vicinity. Lot 1 is intended to be the base for the business. Therefore the area and frontage are considered suitable for the use established on the site.*

8
S O 26906

13

D P S 4 8 3 8 9

12

N

MURPHYS DRAIN (BD. P.R.C.)

4
DPS 32392

HOGBIN ROAD

WHAKATANE [redacted] G CLUB (INC.)

205.52 | 205.36 | 205.35 | 201.67

85.68

LOT 1
2.5000 ha

293.75 BDY

EXIST. HOUSE

SHED

STABLES

(E) DRAINAGE (F) EASEMENT (G) (10.00 WIDE) (H) (I)

FLAT LAND PREVIOUSLY CULTIVATED

LOT 2
6.0995 ha

LOT 3
6.1815 ha

LOT 4
6.2640 ha

LOT 5
6.2330 ha

293.84 BDY

296.06 BDY

298.23 BDY

300.16 BDY

DRAINAGE EASEMENT (10.00 WIDE)

302.09

ABANDONED COWSHED

OLD BARN

EXISTING ASPARAGUS

(A) 85.68 (B) 291.20 (C) 496.56 (D) 701.91

5 DPS 27931

METALLED

(20.12)

RIGHT OF WAY & SERVICES EASEMENT (10.00 WIDE)

903.57

SEC 12
S O 27328

NOTES :

1) AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY.

2) TOTAL AREA LOTS 1 - 5 = 27.2780 ha.

3) ZONING IS RURAL A.

Approved by the Whakatane District Council under Section 105 Resource Management Act 1991 on the 22 day of July 1997

E E Shut
Planner

PROPOSED EASEMENTS

PURPOSE	SERV. TEN.	SHOWN	DOM. TEN. / GRANTEE
RIGHT OF WAY WATER ELECTRICITY TELEPHONE	LOT 1	(A)	LOTS 2 - 5
	LOT 2	(B)	LOTS 3 - 5
	LOT 3	(C)	LOTS 4 & 5
	LOT 4	(D)	LOT 5
STORMWATER DRAINAGE	LOT 2	(E)	LOT 1
	LOT 3	(F)	LOTS 1 & 2
	LOT 4	(G)	LOTS 1 - 3
	LOT 5	(H)	LOTS 1 - 4
	LOT 5	(I)	BAY OF PLENTY REGIONAL COUNCIL

PREPARED FOR:
N. BUTLER &
L. RUITERMAN

PROPOSED LOTS 1 - 5 BEING SUBDIVISION OF SECTION 6 BLOCK VI RANGITAIKI UPPER SURVEY DISTRICT

COMPRISED IN CT 713/125 (ALL)

WHAKATANE DISTRICT

ROSS J. OVERINGTON
REGISTERED SURVEYOR
P.O.BOX 596 * WHAKATANE * PH 3086384

DRAWN	CHECKED	SCALES	SHEET
R.J.O.		1 : 2500	S1494/1
TRACED	DATE		SERIES OF
S.W.	APRIL 1997		REF

97·67

COMPUTED PLAN

LAND DISTRICT SOUTH AUCKLAND
SURVEY BLK. & DIST. VI RANGITAIKI UPPER
NZMS 261 SHT V15 RECORD MAP No 7·4

ROAD TO BE STOPPED

TERRITORIAL AUTHORITY WHAKATANE DISTRICT
Surveyed by ROSS J. OVERINGTON F.1494
Scale 1:1000 Date NOVEMBER 1997

Approvals

APPROVED AS TO LAYOUT :

_____ --/--/--
PROPERTY ADMINISTRATION OFFICER
WHAKATANE DISTRICT COUNCIL

APPROVED PURSUANT TO SECTION 348 OF THE LOCAL GOVERNMENT ACT 1974 IS THE RIGHT OF WAY SHOWN HEREON ON THIS 3 DAY OF May 1997.

THE COMMON SEAL OF THE WHAKATANE DISTRICT COUNCIL IS AFFIXED HERETO IN THE PRESENCE OF :

_____
GENERAL MANAGER

_____
COUNCILLOR

SCHEDULE OF PROPOSED EASEMENT

PURPOSE	SERV. TEN.	SHOWN	DOM. TEN.
RIGHT OF WAY	SECTION 1 HEREON	(A)	SECTION 8 BLOCK VI RANGITAIKI UPPER S.D.

SCHEDULE OF AREAS
ROAD TO BE STOPPED

SHOWN	ADJOINING	AREA
SECTION 1	LOT 1 DPS80237 (CT64C/43) SEC 8 BLOCK VI RANGITAIKI UPPER S.D. (CT935/173) & LOT 4 DPS 32392 (CT54B/241)	5871 m²

Total Area 5871 m²

Comprised in PUBLIC ROAD — CROWN GRANT

I, ROSS JAMES OVERINGTON
Registered Surveyor and holder of an annual practising certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.
Dated at WHAKATANE *this* ..... *day of* ..... *19* 9 ..... *Signature* .....

Field Book ..... *p.* ..... *Traverse Book* ..... *p.* .....
Reference Plans SO 26906, SO 27328, DPS 32392, DPS 80237
Examined ..... *Correct* .....

Approved as to Survey

...../...../..... Chief Surveyor

Deposited this ..... day of ..... 19 ....

District Land Registrar

File
Received
Instructions

AARQUE

24.3.02.66
1560/0042/000

IN THE MATTER of the
Resource Management Act 1991

AND

IN THE MATTER of an application for
Resource consent by:

L and N Partnership

Dear Sir/Madam

In accordance with the provisions of the Resource Management Act 1991, you are hereby advised that the Hearings Committee of the Whakatane District Council, acting under delegated authority from the Council at its meeting held on 20 February and 13 March 2003 resolved to grant consent to the above mentioned application.

Council's decision in this matter and the reasons therefore are as set out on the attached sheet.

If you are in any way not satisfied with the decision of Council on this application, 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 this decision.

In addition to the Whakatane District Council, the following persons and bodies appeared or were represented at the hearing of this application:

- Mr Ross Overington Registered Surveyor (on behalf of the applicant)
- Mr Neil Butler
- Mr David C Bewley District Planner
- Mr Alistair R Sharp Planner

DATED AT WHAKATANE THIS 28th DAY OF March 2003

David Bewley
DISTRICT PLANNER

03\2\G\ARS2603

DECISION:

1. **THAT** pursuant to Sections 34(1), 105 and after consideration of Sections 104, 108 and 220 of the Resource Management Act 1991 Rule 4.1.7.1(b) of the Proposed Whakatane District Plan (Rural), Council grants consent as a discretionary activity under the Proposed Whakatane District Plan (Rural) and as a non-complying activity under the Transitional Whakatane District Plan, to the subdivision of the property legally described as Lots 3 and 5 DPS 80237 as shown on plan S1878/1, situated at 42C Hogbin Road Whakatane, subject to the following conditions:

   (a) The proposed subdivision shall be carried out in general accordance with the plans numbered S1878/1A, dated February 2003 and drawn by Ross J Overington and information submitted as part of this application, except where modified by any other condition of this consent.

   (b) That the proposed right-of-way shall be formed and constructed to a minimum two-coat sealed standard, with approved storm water control in accordance with Standard Drawing PO1B, R26, R27 and R29 of the Proposed Whakatane District Plan (Rural).

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

   (d) That all services shall be contained within the boundaries of the proposed lots or appropriate easements covering rights of access shall be created.

   (e) That a landscape plan for proposed Lots 1 and 2 be prepared by a suitably qualified person and submitted for approval to Council. The landscape plan is be designed in consultation with the owners of Lot 2 DPS 87571. The plan must provide:

      (i) The plant species, their number and size
      (ii) Their location
      (iii) A landscape management plan for the site

   (f) That the approved landscape plan is to be implemented to the satisfaction of Council prior to Council signing the S224 Certificate.

   (g) That pursuant to Section 221 of the Resource Management Act 1991 a consent notice be registered against the titles of Lots 1 to 6 inclusive to record in perpetuity:

      (i) That not more that one habitable building (other than an accessory building of not more than 75m2 for

habitation) shall be erected on each lot and shall be sited to be located so that they are not closer than 25 metres to any boundary except:

- Lot 1 where the minimum distance to the north boundary is to be 10 metres.
- Lots 4 and 5 where the minimum distance to the western boundary is to be 100 metres.

(ii) That no further subdivision of each lot is permitted, other than minor boundary adjustments.

(iii) That Council officers or contractors be permitted entry onto the land at reasonable times to ascertain compliance with these conditions.

(iv) That the subdivision is located in close proximity to a lawfully established horticultural land use. As part of this activity, under certain conditions and at different times of the year, some dust, noise and unpleasant odours may be experienced by the owners of these titles.

(v) That the owners of Lots 1 and 2 shall on a continuing basis:

- retain and maintain the proposed landscaping.

(h) That the applicant shall pay the Council's legal costs and disbursements directly attributed to the preparation, execution, registration and enforcement of the consent notice and the Council's condition set out in the notice.

(i) That a monitoring fee of $56.25 shall be paid to Council as a single charge 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 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 Council in terms of Section 36 of the Resource Management Act 1991.

2. **THAT** pursuant to Section 36 of the Resource Management Act 1991 an additional administrative charge of $1678.47 (inclusive of GST) shall be paid to Council in relation to the receiving, processing and granting of this resource consent.

Reasons

1. The proposed subdivision is a discretionary activity in the Rural 1 Zone of the Proposed Whakatane District Plan (Rural). Council is satisfied that any adverse effects that may actually, or could potentially, result from the subdivision are likely to be minor or avoided, remedied or mitigated by the conditions of this resource consent.

2. Council is satisfied that the proposal is not contrary to the relevant polices in Rule 4.1.7.1(b) of the Proposed Whakatane District Plan (Rural). In particular, Council is satisfied that the soils report submitted with the application confirms that at least 60% of the legal title is class IIIs5 soils and therefore satisfies the requirements of Rule 4.1.7.1(b).

3. In processing the application Council acknowledged the concerns raised by submitters. Council is satisfied that a consent notice pursuant to section 221 of the Resource Management Act 1991 will provide sufficient mitigation to avoid, remedy or mitigate any adverse effects of this proposal.

4. The proposed subdivision is a non-complying activity in the Rural A Zone of the Transitional Whakatane District Plan. Council is satisfied that the proposal is consistent with the Objectives and Policies of Rule 9A of the Transitional Whakatane District Plan. In particular the Council is satisfied that the best soils of the district will be retained for food production as the supporting information clearly shows that the soils of this property have a severe soil limitation and are not inherently versatile. Council is therefore able to conclude the proposal is not contrary to the objectives and policies found in Rule 9A.

5. In processing the application Council acknowledged the reverse sensitivity concerns raised by the Bay of Plenty Regional Council. Council is satisfied that a consent notice pursuant to Section 221 of the Resource Management Act 1991 will provide sufficient mitigation to avoid, remedy or mitigate any adverse effects of this proposal.

6. Council is satisfied that the proposal is in accordance with Part II of the Resource Management Act 1991, particularly as it relates to the sustainable management of the land resource; and

   - sustains the potential of the physical resource to meet the needs of future generations (S5a); and
   - avoids, remedies, or mitigates any adverse effects of activities on the environment (S5c); and
   - the efficient use and development of natural and physical resources (S7b).

Therefore, Council is able to conclude that the proposal is a sustainable use of the land resource.

Advice Notes

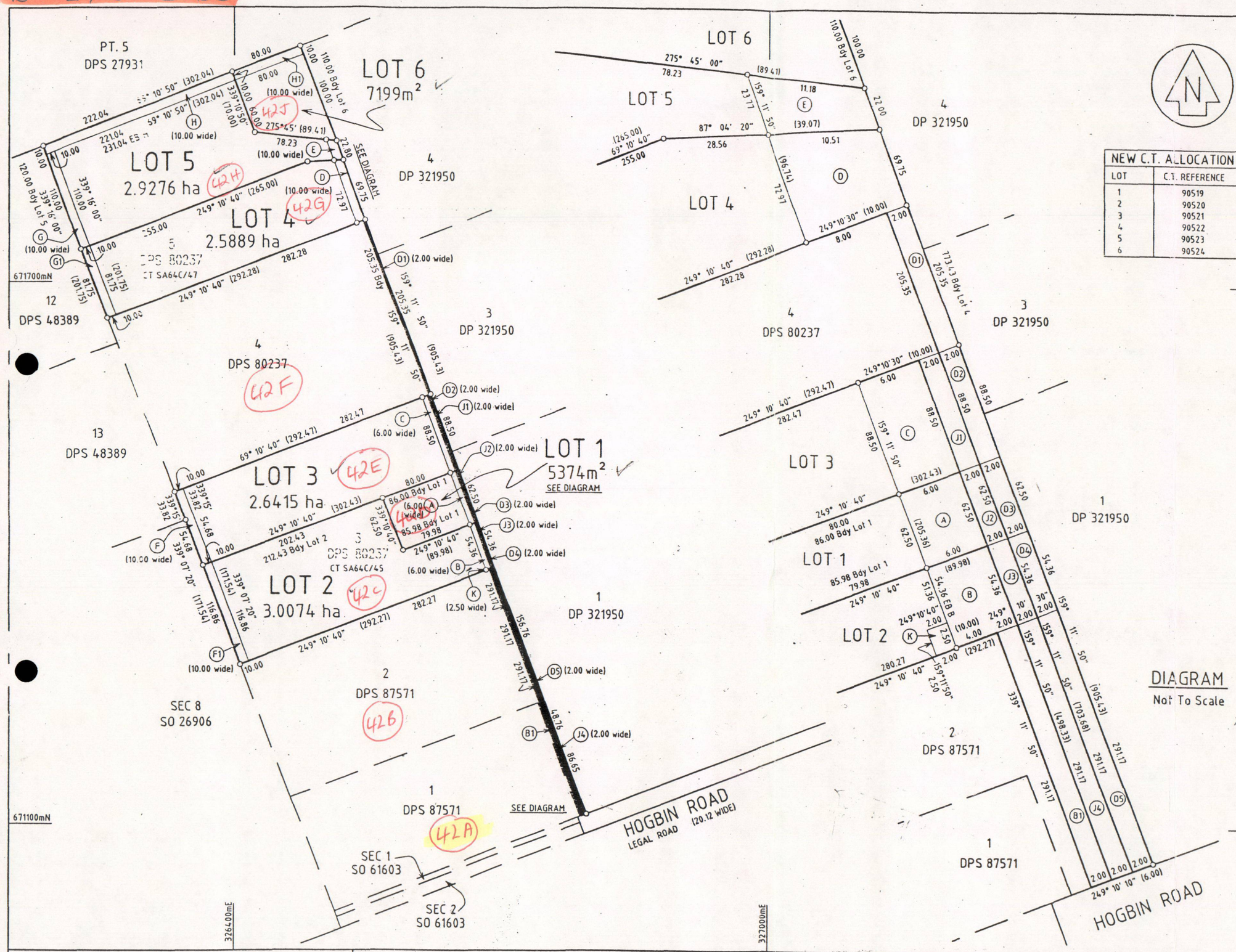
1. The applicant is advised that a connection to the Braemar Water Supply Scheme is not available as of right. A separate application for a water connection to the Braemar Water Supply Scheme is to be made to the Council in writing. Each application is assessed on its merit. If an alternative source of water other than a Council reticulated supply is to be used, prior to habitable buildings being erected on proposed Lot 1 an adequate supply of potable water will need to be established to the satisfaction of the Council.

2. The applicant is advised that a fluctuating water table exists in the area and that any effluent disposal system may need to be specifically designed to meet the requirements of the Environment Bay of Plenty's Operative On Site Effluent Disposal Plan. Any specific design will need to be submitted for approval to the Whakatane District Council at the time of building consent lodgement.

G B Gray
CHAIRPERSON
HEARINGS COMMITTEE

Subdivision file

No. 24.3.02.66



NEW C.T. ALLOCATION	
LOT	C.T. REFERENCE
1	90519
2	90520
3	90521
4	90522
5	90523
6	90524

Approvals

I HEREBY CERTIFY THAT THIS PLAN WAS APPROVED BY THE WHAKATANE DISTRICT COUNCIL PURSUANT TO SECTION 223 OF THE RESOURCE MANAGEMENT ACT 1991 ON THE ..... DAY OF June 2003 SUBJECT TO THE GRANTING OR RESERVING OF THE EASEMENTS SET OUT IN THE MEMORANDUM HEREON.

.....
AUTHORISED OFFICER

PURSUANT TO SECTION 321 (3)(c) LOCAL GOVERNMENT ACT 1974 THE WHAKATANE DISTRICT COUNCIL BY RESOLUTION PASSED ON THE ..... DAY OF June 2003 IS SATISFIED THAT ADEQUATE ACCESS IS PROVIDED TO LOTS 1, 3, 5 & 6 HEREON BY WAY OF A RIGHT OF WAY AND THAT SECTION 321(1) SHALL NOT APPLY.

.....
AUTHORISED OFFICER

MEMORANDUM OF EASEMENTS

PURPOSE	SHOWN	SERV. TEN.	DOM. TEN.
RIGHT OF WAY RIGHT TO CONVEY: WATER ELECTRICITY TELECOMMUNICATIONS &COMPUTER MEDIA	(A)	LOT 1 HEREON	LOT 3 HEREON
	(B)	LOT 2 HEREON	LOTS 1 & 3 HEREON
	(D)	LOT 4 HEREON	LOTS 5 & 6 HEREON
	(E)	LOT 5 HEREON	LOT 6 HEREON
RIGHT TO DRAIN WATER	(F)	LOT 3 HEREON	LOT 2 HEREON
	(G) (H)	LOT 5 HEREON	LOT 4 HEREON
	(H1)	LOT 6 HEREON	LOTS 4 & 5 HEREON
RIGHT TO CONVEY ELECTRICITY	(K)	LOT 2 HEREON	LOTS 1,3,4 & 5 HEREON

SCHEDULE OF EXISTING EASEMENTS

PURPOSE	SHOWN	SERV. TEN.	CREATED BY
RIGHT OF WAY WATER ELECTRICITY TELEPHONE	(B) (B1)	LOT 2 HEREON	
	(A)	LOT 1 HEREON	
	(C)	LOT 3 HEREON	
	(D) (D1) (D2) (D3) (D4) (D5)	LOT 4 HEREON	
STORMWATER DRAINAGE	(F1)	LOT 2 HEREON	
	(F)	LOT 3 HEREON	
	(G1)	LOT 4 HEREON	
	(G) (H)	LOT 5 HEREON	
	(H1)	LOT 6 HEREON	

CLASS OF SURVEY: 1

Total Area 12.4227 ha

Comprised in CT SA64C/45
CT SA64C/47

I, ROSS JAMES OVERINGTON
being a person entitled to practise as a Licensed Cadastral Surveyor, certify that:
(a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2:
(b) This dataset is accurate, and has been created in accordance with that Act and those Rules.

Signed ..... Date / /

Field Book ..... Traverse Book
Reference Plans

Examined ..... Correct

Approval as to Survey by Land Information New Zealand on:
/ /

Deposited by Land Information New Zealand on:
/ /

File Received Instructions DP 322692

LAND DISTRICT SOUTH AUCKLAND

LOTS 1 - 6 BEING SUBDIVISION OF LOTS 3 & 5 DPS 80237

TERRITORIAL AUTHORITY WHAKATANE DISTRICT
Surveyed by ROSS J. OVERINGTON F. 1878
Scale 1:3000 Date MAY 2003