

# Application for resource consent or fast-track resource consent

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

## 1. Pre-Lodgement Meeting

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

## 2. Type of Consent being applied for

(more than one circle can be ticked):

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

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

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

☐ Yes ☐ No

## 4. Consultation

Have you consulted with Iwi/Hapū? ☐ Yes ☐ No

If yes, which groups have you consulted with?

Who else have you consulted with?

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

## 5. Applicant Details

**Name/s:**

Estate of Donald Kenneth Baker [Andrew Spencer & Jane Price as Executors]

**Email:**

**Phone number:**

**Postal address:**

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

Postcode

0472

## 6. Address for Correspondence

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

**Name/s:**

Steven Sanson - Bay of Islands Planning Ltd

**Email:**

**Phone number:**

Home

**Postal address:**

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

Postcode

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

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

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

**Name/s:**

Refer RoT Attached

**Property Address/  
Location:**

Postcode

## 8. Application Site Details

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

**Name/s:**

Refer RoT Attached

**Site Address/  
Location:**

	Postcode

**Legal Description:**

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**Val Number:**

--

**Certificate of title:**

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

### Site visit requirements:

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

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

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

Please contact agent prior to site visit.

## 9. Description of the Proposal:

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

Boundary adjustment in the Rural Production Zone

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

## 10. Would you like to request Public Notification?

☐ Yes ☒ No

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

(more than one circle can be ticked):

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

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

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

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

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

- |                                                                  |                                                                          |
|------------------------------------------------------------------|--------------------------------------------------------------------------|
| <input type="radio"/> <b>Subdividing land</b>                    | <input type="radio"/> <b>Disturbing, removing or sampling soil</b>       |
| <input type="radio"/> <b>Changing the use of a piece of land</b> | <input type="radio"/> <b>Removing or replacing a fuel storage system</b> |

## 13. Assessment of Environmental Effects:

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

Your AEE is attached to this application ☐ **Yes**

## 13. Draft Conditions:

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

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



#### 14. Billing Details:

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

**Name/s:** (please write in full)

Estate of Donald Kenneth Baker (Andrew Spencer + Jane Price as executors)

**Email:**

**Phone number:**

**Postal address:**

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

#### Fees Information

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

#### Declaration concerning Payment of Fees

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

**Name:** (please write in full)

Estate of Donald Kenneth Baker (Andrew Spencer + Jane Price as executors)

**Signature:**

(signature of bill payer)

#### 15. Important Information:

##### Note to applicant

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

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

##### Fast-track application

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

##### Privacy Information:

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



## 15. Important information continued...

### Declaration

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

**Name:** (please write in full)

Steven Sanson

**Signature:**

[Redacted Signature]

**Date** 26-Sep-2025

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

### Checklist (please tick if information is provided)

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

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

**BAY OF ISLANDS PLANNING (2022) LIMITED**

**Kerikeri House  
Suite 3, 88 Kerikeri Road  
Kerikeri**

**Email – [office@bayplan.co.nz](mailto:office@bayplan.co.nz) Website - [www.bayplan.co.nz](http://www.bayplan.co.nz)**

.....  
26 September 2025

Dear Team Leaders,

**Re: Proposed Boundary Adjustment [Subdivision] of Lots 2 & 3 DP 38851 & Lot 1 DP 30390**

Our clients seeks to undertake a boundary adjustment between Lot 2 DP 38851 and Lot 3 DP 38851 [124 & 126 State Highway 1, Moerewa] and Lot 1 DP 30390 [120 State Highway 1, Moerewa].

Lots 2 and 3 are proposed to be adjusted as follows:

- Lot 1 – 684m<sup>2</sup>.
- Lot 2 – 1,995m<sup>2</sup>

Lot 2 is proposed to be amalgamated with Lot 1 DP 30390. Therefore, there are no new titles created.

Consultation has been had with both FNDC and NZTA.

Overall, the application is a **Non Complying Activity**.

Please do not hesitate to contact me should you require any further information.

Yours sincerely,



Steven Sanson  
Consultant Planner

## 1. INTRODUCTION

The applicant seeks to carry out a boundary adjustment between two titles found in Moerewa.

The records of title are found in **Appendix A**.

There are numerous fencing agreements which are found on the titles. These are not considered relevant to the proposal.

Building line restrictions and gazette notices associated with the State Highway are provided as part of **Appendix A**.

The proposed scheme plan showing the adjustments is provided in **Appendix B**.

A snip of the adjustment is also provided in Figure 1 below.

A Concept Development Meeting was also undertaken with FNDC staff. Minutes from this meeting are found in **Appendix C**.

As the sites gain access from the State Highway consultation has been undertaken with the New Zealand Transport Agency [**NZTA**]. This consultation is provided in **Appendix D**.

Feedback as to practicality from LINZ will be required for the proposal amalgamation condition sought on the scheme plan.

Photos of the site are provided in **Appendix E**.

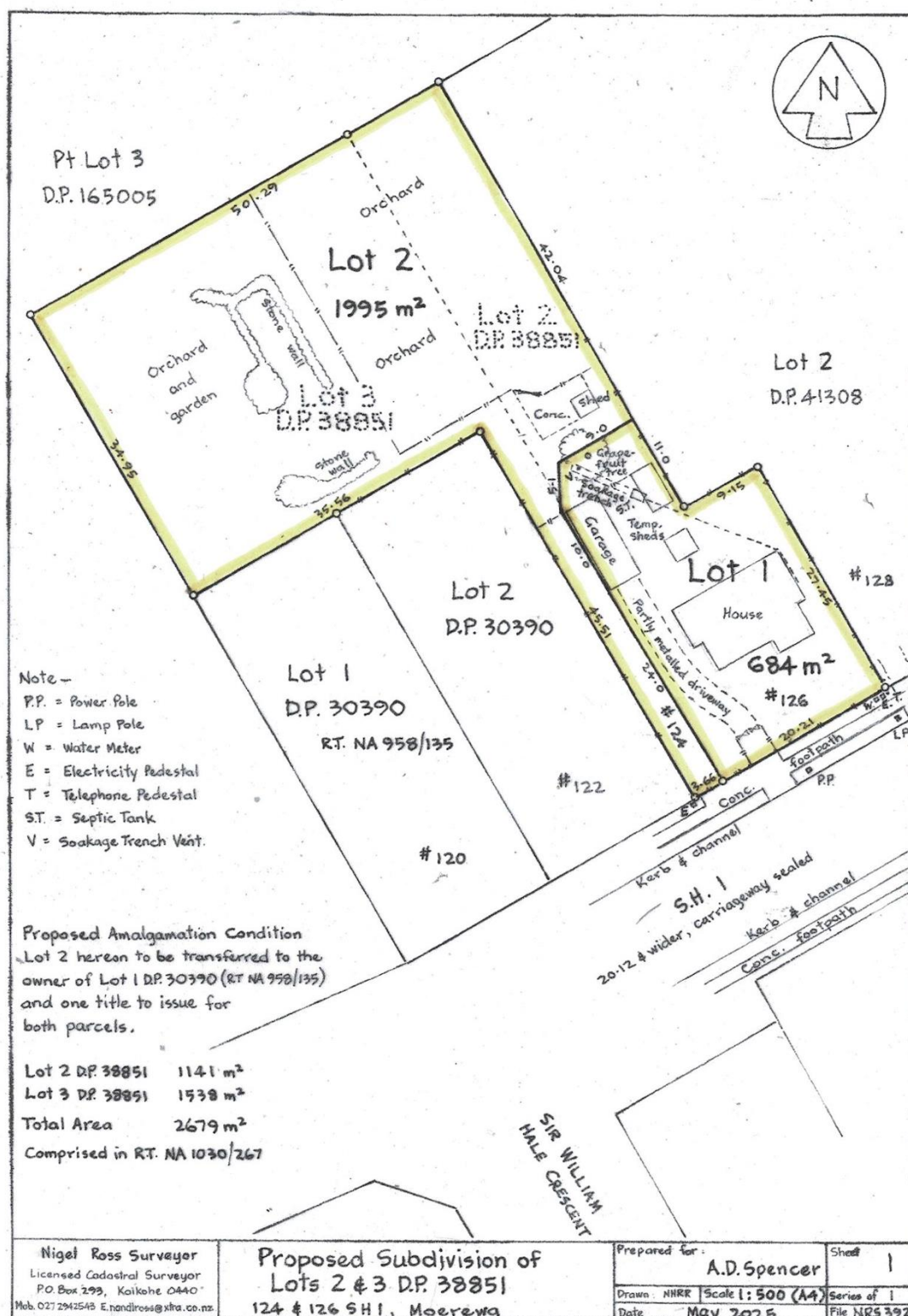


Figure 1 – Scheme Plan [Source: Nigel Ross Surveyor]



## 2. SITE & SURROUNDS

The two records of title subject to the application are provided below in Figures 2 and 3.



Figure 2 – Lots 2-3 DP 38851 [Source: Prover]



Figure 3 – Lot 1 DP 30390 [Source: Prover]

Lots 2-3 are 2,679m<sup>2</sup> in size and contain an existing dwelling and associated implement sheds.

Access is directly from the State Highway. Both lots are of an irregular shape. The rear of the site is made up of fruit trees, stone walls and mounds of volcanic rock kept in situ from the previous owner cultivating the land.

Lot 1 is 809m<sup>2</sup> and is also accessed directly from the State Highway. It also contains an existing dwelling and has small pockets of vegetation / lawn to its rear.

Under the ODP, the sites are both considered to be zoned Rural Production. Under the PDP, the same zoning applies.

The site is not influenced by any other overlays or zoning attributions. Soils on the site are Class 6 and urban. There are no HAIL sites or biodiversity wetlands present.

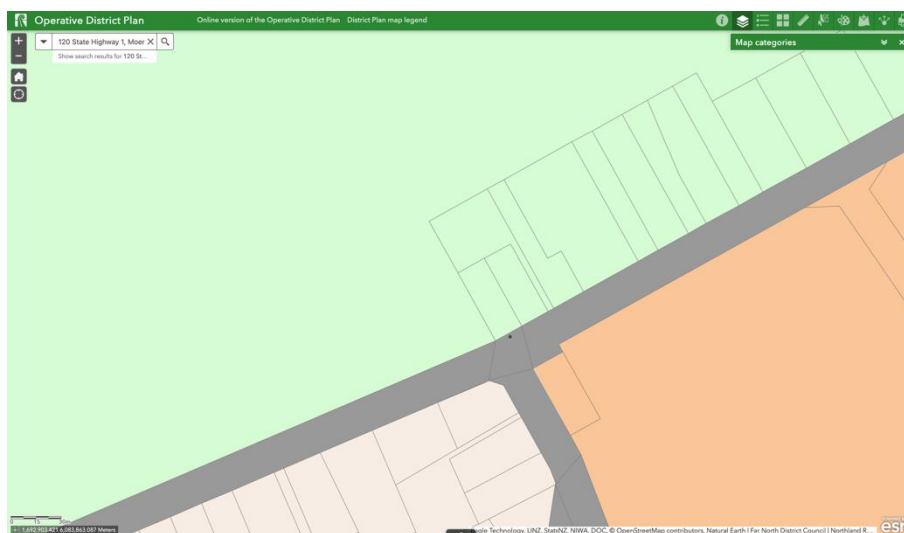


Figure 4 – Zoning ODP [Source: Far North Maps]



Figure 5 – Zoning PDP [Source: Far North Maps]

The sites and surrounds exhibit an unusual zoning and allotment size pattern, being relatively small Rural Production Zone sites. They all contain dwellings or older commercial type buildings.



Figure 6 – Aerial [Source: Far North Maps]

The site is flanked to the west and north by a large landholding which is owned by Affco. An Affco site is also adjacent across the State Highway. A maori community centre is located on the corner of State Highway 1 and Sir William Hale Crescent.

Both titles are serviced by public water and already have their own existing water meters present. Electricity and digital services are along the State Highway. A footpath is also present along the frontages of all sites. The surveyor has ensured that allotments wholly contain their respective on-site wastewater systems.

The allotments which are similar to the application sites and located along the State Highway although zoned Rural Production are more commensurate with a Rural Living or even unserved Residential type of zoning. The allotments and the site in terms of their zoning are quite unique. It would be inaccurate to suggest that the allotment size and underlying character is rural production in nature.

### 3. RECORD OF TITLE, CONSENT NOTICES AND LAND COVENANTS

Relevant instruments are provided as part of **Appendix A**. These are provided as information, but they are not considered to affect the subdivision when considered alongside the consultation undertaken with NZTA and any of their conditions which are accepted.

### 4. DESCRIPTION OF THE PROPOSAL

Lots 2 and 3 are proposed to be adjusted as follows:

- Lot 1 – 684m<sup>2</sup>.
- Lot 2 – 1,995m<sup>2</sup>

Lot 2 is proposed to be amalgamated with Lot 1 DP 30390, with no new titles created. On amalgamation, Lot 1 would remain as 684m<sup>2</sup> and Lot 2 / Lot 1 DP 30390 would be ~2,804m<sup>2</sup>.



The proposal is best described as reorganisation of the land to provide a more appropriate and efficient lot layout for the owners / managers of the estate. The design has also considered the surrounding zones / uses and Lot 2 will continue to promote a buffer from the more residential uses that front the State Highway.

I note there are no additional permitted development rights that are facilitated by the proposal such as the potential for additional dwellings as no new titles are being created.

At present the dwelling on proposed Lot 1 is rented and the design of the subdivision has been to ensure that the dwelling and relevant out-buildings and infrastructure services in their entirety are located within the allotment.

Proposed Lot 2 is to be amalgamated with Lot 1 DP 30390. This allows for more efficient and active management of the rear garden / orchard.

Whilst an access strip is shown adjacent to Lot 1, it is not proposed to form this strip as legal access is already provided via Lot 1 DP 30390. Any new access from this strip would require NZTA approval, which is not sought through this application.

## 5. REASONS FOR CONSENT

Tables below provide an assessment against the applicable ODP and PDP performance standards and identifies the reasons for resource consent. For the ODP these comprise the rules of the Part 2- Environment Provisions and the Part 3 - District Wide Rules. For the PDP these comprise of the rules with immediate legal effect.

### ODP Standards

**Table 1 – Rural Production Zone – Land Use Standards**

Rule	Standards	Performance/Comments
Residential Intensity	Permitted – One unit per 12ha of land	Each record of title will have 1 x dwelling present.  <b>Complies</b>
Sunlight	Permitted - No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary	None of the buildings will exceed the sunlight standard as a result of the adjusted boundaries.  <b>Complies</b>
Stormwater Management	Permitted - The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15%.	Total surfaces on proposed Lot 1 have been estimated at 240m <sup>2</sup> for buildings and 140m <sup>2</sup> for impervious surfaces. This results in 55.5% coverage [current coverage is 33.3%].

		<p>Total surfaces on proposed Lot 2 have been estimated at 310m<sup>2</sup> for buildings and 160m<sup>2</sup> for impervious surfaces. This results in 16.76% coverage [current coverage is 30.56%]</p> <p><b>Discretionary Activity</b></p>
Setback from Boundaries	Permitted - No building shall be erected within 10m of any site boundary;	<p>Buildings do encroach within the 10m setback from the adjusted boundaries.</p> <p><b>Restricted Discretionary Activity</b></p>
Keeping of Animals		<p>Not relevant to proposal.</p> <p><b>Complies</b></p>
Noise		<p>Not relevant to proposal.</p> <p><b>Complies</b></p>
Building Height	Permitted - The maximum height of any building shall be 12m.	<p>Not relevant to proposal.</p> <p><b>Complies</b></p>
Helicopter Landing Area		<p>Not relevant to proposal.</p> <p><b>Complies</b></p>
Building Coverage	Permitted - Any new building or alteration/addition to an existing building is a permitted activity if the total Building Coverage of a site does not exceed 12.5% of the gross site area.	<p>Total building coverage on proposed Lot 1 is 240m<sup>2</sup>. This is 35.09% coverage [previously 21.03%].</p> <p>Total building coverage on proposed Lot 2 is 310m<sup>2</sup> [11.06%].</p> <p><b>Discretionary Activity</b></p>
Scale of Activities	Permitted – The dwelling is exempt. For activities not including farming and plantation forestry 4 persons per site or 1 person per hectare of net site area, whichever is greater. Discretionary – Non compliance with the permitted standard where the activity is not either ancillary to farming or forestry.	<p>Not relevant to proposal.</p> <p><b>Complies</b></p>
Temporary Events		<p>Not relevant to proposal.</p> <p><b>Complies</b></p>

**Table 2 – District Wide Standards**

Rule	Standard	Performance/Comments
<b>Natural and Physical Resources</b>		
12.1 Landscape & Natural Features	12.1.6.1.1 Protection of Outstanding Landscape Features 12.1.6.1.2 Indigenous Vegetation Clearance in Outstanding landscapes 12.1.6.1.3 Tree Planting in Outstanding Landscapes 12.1.6.1.4 Excavation and/or filling within an outstanding landscape 12.1.6.1.5 Buildings within outstanding landscapes 12.1.6.1.6 Utility Services in Outstanding Landscapes	Not relevant to proposal.  <b>Complies</b>
12.2 Indigenous Flora and Fauna	12.2.6.1.1 Indigenous Vegetation Clearance Permitted Throughout the District 12.2.6.1.2 Indigenous Vegetation Clearance in the rural Production and Minerals Zones 12.2.6.1.3 Indigenous Vegetation Clearance in the General Coastal Zone 12.2.6.1.4 Indigenous Vegetation Clearance in Other Zones	Not relevant to proposal.  <b>Complies</b>
12.3 Earthworks	12.3.6.1.1 Excavation and/or filling, excluding mining and quarrying, in the Rural Production Zone or Kauri Cliffs Zone  Permitted – Maximum of 5,000m <sup>3</sup> within a 12-month period and cannot be higher than 1.5m cut or fill.	Not relevant to proposal.  <b>Complies</b>
12.4 Natural Hazards	12.4.6.1.1 Coastal Hazard 2 Area 12.4.6.1.2 Fire Risk to Residential Units	Not relevant to proposal.  <b>Complies</b>
12.5 Heritage	12.5.6.1.1 Notable Trees 12.5.6.1.2 Alterations to/and maintenance of historic sites, buildings and objects 12.5.6.1.3 Registered Archaeological Sites	Not relevant to proposal.  <b>Complies</b>
12.5A Heritage Precincts	There are no Heritage Precincts that apply to the site.	Not relevant to proposal.  <b>Complies</b>

Rule	Standard	Performance/Comments
12.6 Air	Not applicable	Not relevant to proposal.  <b>Complies</b>
12.7 Lakes, Rivers, Wetlands and the Coastline	12.7.6.1.1 Setback from lakes, rivers and the coastal marine area 12.7.6.1.2 Setback from smaller lakes, rivers and wetlands  12.7.6.1.4 Land Use Activities involving the Discharges of Human Sewage Effluent  12.7.6.1.5 Motorised Craft 12.7.6.1.6 Noise	Not relevant to proposal.  <b>Complies</b>
12.8 Hazardous Substances		Not relevant to proposal.  <b>Complies</b>
12.9 Renewable Energy and Energy Efficiency		Not relevant to proposal.  <b>Complies</b>
<b>Chapter 15 - Transportation standards</b>		
Maximum daily one-way traffic movements - Rural Production	<b>Permitted</b> – 60 <b>Restricted discretionary</b> – 61 - 200	Not new traffic is generated.  <b>Complies</b>
Parking	<b>Permitted</b> - Appendix 3C – 1 per every 5 persons the facility is designed for.	No new parking requirements result from the subdivision.  <b>Complies</b>
Access	<b>Permitted</b> – Private access may serve a maximum of 8 household equivalents (80 vehicle movements)	The access arrangement has been considered by NZTA in this instance and their feedback is provided in <b>Appendix C</b> .  <b>Complies</b>

**Table 3 – Subdivision Standards**

Subdivision Performance Standard	Comment
<b>Rule 13.6.1 Definition of Subdivision of Land</b>	The application meets the definition of subdivision as defined in the Resource Management Act 1991 ( <b>RMA</b> ).
<b>Rule 13.6.2 Relevant Sections of Act</b>	These are applied to the application.

Subdivision Performance Standard	Comment
<b>Rule 13.6.3 Relevant Sections of the District Plan</b>	These are applied to the application.
<b>Rule 13.6.4 Other Legislation</b>	There are no other pieces of legislation which are triggered by the proposal.
<b>Rule 13.6.5 Legal Road Frontage</b>	The site is currently accessed via State Highway 1.
<b>Rule 13.6.6 Bonds</b>	Not applicable
<b>Rule 13.6.7 Consent Notices</b>	There are no consent notices that apply to the site.
<b>Rule 13.6.8 Subdivision consent before work commences</b>	Minimal physical works will be required to complete the subdivision (if any).
<b>Rule 13.6.9 Assessing Resource Consents</b>	Council are likely to impose conditions to address effects of the proposal.
<b>Rule 13.6.10 Joint Applications</b>	Not applicable
<b>Rule 13.6.11 Joint Hearings</b>	Not applicable
<b>Rule 13.6.12 Suitability for Proposed Land Use</b>	The application sites are not affected by natural hazards and sufficient provision for legal and physical access to each of the allotments proposed are existing.
<b>Rule 13.7.2 Allotment Sizes, Dimensions and Other Standards</b>	
Performance Standard	Comment
<b>Rule 13.7.2.1 – Minimum Lot Sizes</b>	The proposed subdivision creates lots that are smaller than 4ha. <b>Non Complying Activity</b>
<b>Rule 13.7.2.2 – Allotment dimensions</b>	A 30m x 30m allotment cannot be created for Lot 1 and Lot 2. <b>Discretionary Activity</b>
<b>Rule 13.7.2.3 - Amalgamation of land in a rural zone with land in an urban or coastal zone</b>	Not applicable.
<b>Rule 13.7.2.4 – Lots divided by zone boundaries</b>	Not applicable.
<b>Rule 13.7.2.5 - Sites divided by an outstanding landscape, outstanding landscape feature or outstanding natural feature</b>	Not applicable

Subdivision Performance Standard	Comment
<b>Rule 13.7.2.6 – Activities, Utilities, Roads and Reserves</b>	Not applicable
<b>Rule 13.7.2.7 – Savings as to previous approvals</b>	Not applicable
<b>Rule 13.7.2.8 – Proximity to Top Energy transmission lines</b>	Not applicable
<b>Rule 13.7.2.9 – Proximity to National Grid</b>	Not applicable

### PDP performance standards

These comprise relevant rules that have immediate effect under the PDP.

**Table 4 – PDP Standards With Legal Effect**

Proposed District Plan				
Matter	Rule/Std Ref	Relevance	Compliance	Evidence
Hazardous Substances Majority of rules relates to development within a site that has heritage or cultural items scheduled and mapped however Rule HS-R6 applies to any development within an SNA – which is not mapped	Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource  HS-R5, HS-R6, HS-R9	N/A	Yes	Not relevant to proposal.  <b>Complies</b>
Heritage Area Overlays (Property specific) This chapter applies only to properties within identified heritage area overlays (e.g. in the operative plan they are called precincts for example)	All rules have immediate legal effect (HA-R1 to HA-R14) All standards have immediate legal effect (HA-S1 to HA-S3)	N/A	Yes	Not relevant to proposal.  <b>Complies</b>

<p>Historic Heritage (Property specific and applies to adjoining sites (if the boundary is within 20m of an identified heritage item)).</p> <p>Rule HH-R5 Earthworks within 20m of a scheduled heritage resource. Heritage resources are shown as a historic item on the maps)</p> <p>This chapter applies to scheduled heritage resources – which are called heritage items in the map legend</p>	<p>All rules have immediate legal effect (HH-R1 to HH-R10)</p> <p>Schedule 2 has immediate legal effect</p>	N/A	Yes	<p>Not relevant to proposal.</p> <p><b>Complies</b></p>
<p>Notable Trees (Property specific)</p> <p>Applied when a property is showing a scheduled notable tree in the map</p>	<p>All rules have immediate legal effect (NT-R1 to NT-R9)</p> <p>All standards have legal effect (NT-S1 to NT-S2)</p> <p>Schedule 1 has immediate legal effect</p>	N/A	Yes	<p>Not relevant to proposal.</p> <p><b>Complies</b></p>
<p>Sites and Areas of Significance to Māori (Property specific)</p> <p>Applied when a property is showing a site / area of significance to Maori in the map or within the Te Oneroa-a Tohe Beach Management Area (in the operative plan they are called site of cultural significance to Maori)</p>	<p>All rules have immediate legal effect (SASM-R1 to SASM-R7)</p> <p>Schedule 3 has immediate legal effect</p>	N/A	Yes	<p>Not relevant to proposal.</p> <p><b>Complies</b></p>

Ecosystems and Indigenous Biodiversity SNA are not mapped – will need to determine if indigenous vegetation on the site for example	All rules have immediate legal effect (IB-R1 to IB-R5)	N/A	Yes	Not relevant to proposal.  <b>Complies</b>
Activities on the Surface of Water	All rules have immediate legal effect (ASW-R1 to ASW-R4)	N/A	Yes	Not relevant to proposal.  <b>Complies</b>
Earthworks all earthworks (refer to new definition) need to comply with this	The following rules have immediate legal effect: EW-R12, EW-R13 The following standards have immediate legal effect: EW-S3, EW-S5	Yes	Yes	Not relevant to proposal.  <b>Complies</b>
Signs (Property specific) as rules only relate to situations where a sign is on a scheduled heritage resource (heritage item), or within the Kororareka Russell or Kerikeri Heritage Areas	The following rules have immediate legal effect: SIGN-R9, SIGN-R10 All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	N/A	Yes	Not relevant to proposal.  <b>Complies</b>
Orongo Bay Zone (Property specific as rule relates to a zone only)	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	N/A	Yes	Not relevant to proposal.  <b>Complies</b>
<b>Comments:</b>				
No consents are required under the PDP.				

Overall, the application will be considered as a **Non Complying Activity**.

Clause 2(1)(d) of Schedule 4 of the RMA requires applicants to identify other activities of the



proposal with the intention of capturing activities which need permission or licensing under other enactments. It is considered that no Regional Council authorisations are required to carry out the proposal.

## 6. NOTIFICATION ASSESSMENT

### Public Notification

The table below outlines the steps associated with public notification insofar as it relates to s95 of the Act.

<u>Step 1</u>	Mandatory public notification in certain circumstances	
S95A(3)(a)	Has the applicant requested that the application be publicly notified?	No
S95A(3)(b)	Is public notification required under section 95C?(after a request for further information)	TBC
S95A(3)(c)	Has the application been made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.	No
<u>Step 2</u>	if not required by step 1, public notification precluded in certain circumstances	
S95A(5)(a)	Is the application for a resource consent for 1 or more activities and each activity is subject to a rule or national environmental standard that precludes public notification?	No
S95A(5)(b)	Is the application for a resource consent for 1 or more of the following, but no other, activities; (i) a controlled activity; (iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity;	Yes
<u>Step 3</u>	if not precluded by step 2, public notification required in certain circumstances	
S95A(8)(a)	Is the application for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification.	No
S95A(8)(b)	Does the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor	TBC
<u>Step 4</u>	public notification in special circumstances	
S95A(9)	Do special circumstances exist in relation to the application that warrant the application being publicly notified.	No

The proposal does not meet the tests for mandatory public notification. The proposal is not precluded from public notification. There are not considered to be any special circumstances that warrant the application to be notified.

An assessment of effects is required to determine whether public notification is warranted, or not. This is undertaken below.

## Limited notification

The table below outlines the steps associated with limited notification insofar as it relates to s95 of the Act.

<b>Step 1</b>	<u>certain affected groups and affected persons must be notified</u>	
S95B(2)(a)	Are there any affected protected customary rights groups?	No
S95B(2)(b)	Are there any affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity)?	No
S95B(3)(a)	Is the proposed activity on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11?	No
S95B(3)(b)	Is the person to whom the statutory acknowledgement is made is an affected person under section 95E?	No
<b>Step 2</b>	<u>if not required by step 1, limited notification precluded in certain circumstances</u>	
S95B(6)(a)	the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:	No
S95B(6)(b)	the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land)	No
<b>Step 3</b>	<u>if not precluded by step 2, certain other affected persons must be notified</u>	
S95B(7)	If in the case of a boundary activity, whether an owner of an allotment with an infringed boundary is an affected person in accordance with s95E.	No
S95B(8)	If in the case of any other activity, a person is an affected person in accordance with section 95E.	TBA
<b>Step 4</b>	<u>further notification in special circumstances</u>	
S95B(10)	If special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section.	No

## Affected Person Determination

As the proposed activity does not trigger mandatory limited notification, nor is it precluded, an assessment of potential affected persons must be undertaken.

The consent authority has discretion to determine whether a person is an affected person. A person is affected if an activity's adverse effects are minor or more than minor to them.

An assessment of effects is required to determine whether limited notification is warranted, or not. This is undertaken below.

## 7. STATUTORY CONSIDERATIONS

Section 104B and s104D of the RMA governs the determination of applications for Non Complying Activities:

### 104B Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under [section 108](#).

Section 104B: inserted, on 1 August 2003, by [section 44](#) of the Resource Management Amendment Act 2003 (2003 No 23).

### 104D Particular restrictions for non-complying activities

- (1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—

- (a) the adverse effects of the activity on the environment (other than any effect to which [section 104\(3\)\(a\)\(ii\)](#) applies) will be minor; or
- (b) the application is for an activity that will not be contrary to the objectives and policies of—
  - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
  - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
  - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

- (2) To avoid doubt, [section 104\(2\)](#) applies to the determination of an application for a non-complying activity.

Section 104D: inserted, on 1 August 2003, by [section 44](#) of the Resource Management Amendment Act 2003 (2003 No 23).

Section 104D(1): amended, on 18 October 2017, by [section 144](#) of the Resource Legislation Amendment Act 2017 (2017 No 15).

Section 104D(1): amended, on 1 October 2009, by [section 150](#) of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

Section 104D(1)(a): amended, on 1 October 2009, by [section 150](#) of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

With respect to Non Complying Activities, a consent authority may grant or refuse the application and may impose conditions under section 108 of the RMA.

Section 104 of the RMA sets out matters to be considered when assessing an application for a resource consent.

### 104 Consideration of applications

- (1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to [Part 2](#) and [section 77M](#), have regard to—

- (a) any actual and potential effects on the environment of allowing the activity; and
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and
- (b) any relevant provisions of—
  - (i) a national environmental standard;
  - (ii) other regulations;
  - (iii) a national policy statement;
  - (iv) a New Zealand coastal policy statement;
  - (v) a regional policy statement or proposed regional policy statement;
  - (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

### Assessment of Effects on the Environment (AEE)

The RMA (section 3) meaning of effect includes:

### 3 Meaning of effect

In this Act, unless the context otherwise requires, the term **effect** includes—

- (a) any positive or adverse effect; and
- (b) any temporary or permanent effect; and
- (c) any past, present, or future effect; and
- (d) any cumulative effect which arises over time or in combination with other effects—  
regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) any potential effect of high probability; and
- (f) any potential effect of low probability which has a high potential impact.

Section 104(2) of the RMA states that:

*“when forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.”*

This is referred to as the “permitted baseline”, which is based on the permitted performance standards and development controls that form part of a district plan. For an effects-based plan such as the Far North District Plan where specified activities are not regulated, determining the permitted baseline is a useful tool for determining a threshold of effects that are enabled by the zone.

In this instance, there are no permitted subdivisions / boundary adjustments.

### Land Use Effects

In terms of the setback breach, there are no effects from the change in boundary to the existing garage and small shed. They are existing buildings, and the infringed party in any event would be Lot 2.



Figure 7 – Setback Breaches on Lot 1 [Source: Nigel Ross Surveyor]

In terms of the building coverage and stormwater management breaches, these are technical in nature, attributable to the adjustment, but without any additional effects on the environment.

No new areas of buildings or impervious surfaces are proposed as part of the subdivision. Any effects associated with stormwater are known and already managed appropriately.

It is noted however, that as part of the Pre Application meeting that Council's standard practice is to receive a stormwater management report / memorandum for this type of activity. I consider this application to be unique in that additional new titles or development is proposed, so from a stormwater perspective there is no change.

The applicant in this instance is happy to provide a consent notice on the title that ensures that this aspect is carefully managed should any new building or impervious surfaces be undertaken.

In terms of building coverage, the proposed boundary layout is indiscernible to adjacent parties or viewers to the site. The change in boundary will not promote a reduction in amenity, character, or a feeling of building domination. Buildings on both lots remain commensurate with the surrounds, despite the technical breach.

For the reasons above, I consider that the effects are less than minor and that there are no adversely affected persons.

### **Subdivision Effects**

The assessment below considers the applicable criteria from Chapter 13 for Non Complying Activities.

In terms of allotment dimensions, despite not being able to accommodate 30m x 30m envelopes, these were not achievable under the status quo. Development is already existing, and infrastructure services are all provided internal to each allotment.

The site is not impacted by natural hazards.

The sites have water provided by council reticulation. Stormwater and wastewater are managed on site and are not proposed to be changed.

Energy and telecommunications are provided to the boundary of each site, and these are not proposed to be altered. Transmission lines are provided along the State Highway frontage and are not of concern to the subdivision which has existing development present. National Grid infrastructure is not relevant.

No easements are required to provide for the subdivision.

Access to each allotment is existing and no changes are proposed. NZTA has been consulted and their feedback is provided in **Appendix C**.

As there are no changes proposed to access or infrastructure, there will be minimal [if any] earthworks required for access / utilities.

No new building locations are required or defined through this adjustment. Each allotment contains an existing dwelling.

As the site does not have any known heritage resources, vegetation, fauna, landscape or conservation overlays / features applicable, it is not possible to protect or enhance these

features.

Soil is not of a quality which requires protection or would negate the subdivision for the purposes of carrying out rural production activities. These activities are not appropriate due to allotment size and existing character, which is residential in nature.

There are no relevant waterbodies that adjoin or straddle the site.

The proposed adjustment does not give rise to any new activities that would require an assessment of compatibility. In this locality, smaller allotments with residential activities have operated and existed in proximity to larger pastoral landholdings. This will continue if the subdivision is approved.

There are no airports within a reasonable proximity of the site.

The site is not within the coastal environment.

The nature of the application does not lend itself to promoting energy efficiency or renewable energy development.

Overall, the responses to the specific criteria highlight the minimal effects that the proposed adjustment has on the wider environment. Effects in my view are less than minor and there are no adversely affected persons.

## **NES / NPS**

The NES associated with soil contamination is not relevant. The sites are predominantly in a residential use and are not known to have a HAIL activity present.

The site is not coastal or urban, so those higher order documents are not relevant.

The sites do not have high class soils and the NPS on this matter is therefore not relevant.

The proposal does not affect wetlands, water quality or quantity, or indigenous biodiversity. Those NPS / NES are also not relevant.

## **Northland Regional Policy Statement**

The subject site is within the Northland region and is subject to the governing objectives and policies of the operative Northland Regional Policy Statement - operative May 2016 (RPS). With respect to any identified features, the site is not within any area of 'High' or 'Outstanding' Natural Character Area and is outside the Coastal Environment boundary.

Owing to the relevant characteristics of the site (considered earlier in the report) not all matters of the RPS are relevant when considered at a micro level. Those relevant matters are considered below.

**Table 4 – Assessment of the Northland Regional Policy Statement**

Objective / Policy	Comment
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Integrated Catchment Management	Not relevant.
Region-Wide Water Quality	Not relevant.
Ecological Flows and Water Levels	Not relevant.
Indigenous Ecosystems & Biodiversity	Not relevant.
Enabling Economic Wellbeing	The proposal will support the owners / managers to better manage the properties and may allow a sale of proposed Lot 1 in the future without the additional landholding to the rear.
Economic Activities – Reverse Sensitivity and Sterilization	The proposal does not result in any reverse sensitivity or sterilization effects.
Regionally Significant Infrastructure	The proposal relies on State Highway 1. Consultation with NZTA is provided in <b>Appendix C</b> .
Efficient and Effective Infrastructure	The proposal relies on existing water facilities from FNDC.
Security of Energy Supply	The sites are already provided with power.
Use and Allocation of Common Resources	Not relevant.
Regional Form	The sites exhibit a character which is not genuinely rural production despite the zoning. The site have urban facilities such as water, power and footpaths. The sense of place / character as a result of the adjustment does not result in adverse effects.
Tangata Whenua Role in Decision Making	Tangata whenua may be involved in the process via Council.
Natural Hazard Risk	Not relevant.
Natural Character, Outstanding Natural Features, Outstanding Natural Landscapes and Historic Heritage	Not relevant.

Overall, it is considered that the proposal would not be inconsistent with the RPS.

### ODP Objectives and Policies

The relevant objectives and policies of the Plan are those related to the Rural Production Zone and Subdivision Chapter.

**Table 5 – Assessment of the Rural Production Zone ODP**

Objectives	Assessment
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8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.	The boundary adjustment does little to impact the natural and physical resources of the Zone as assessed above.
8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety.	The lot arrangement proposed is considered to be the most efficient use of the land that will provide for the wellbeing of the owners / managers of the estate.
8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.	The boundary adjustment neither increases nor decreases amenity values.
8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.	These significant natural values are not apparent on the site, nor the surrounds.
8.6.3.5 To protect and enhance the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri.	Not relevant.
8.6.3.6 To avoid, remedy or mitigate the actual and potential conflicts between new land use activities and existing lawfully established activities (reverse sensitivity) within the Rural Production Zone and on land use activities in neighbouring zones.	There are no new activities proposed.
8.6.3.7 To avoid remedy or mitigate the adverse effects of incompatible use or development on natural and physical resources.	There are no activities in the existing environment which are incompatible.
8.6.3.8 To enable the efficient establishment and operation of activities and services that have a functional need to be located in rural environments.	There is no new establishment or operation of activities or services proposed.
8.6.3.9 To enable rural production activities to be undertaken in the zone.	The sites can undertake rural production activities i.e small garden / produce growing.
<b>Policies</b>	<b>Assessment</b>
8.6.4.1 That the Rural Production Zone enables farming and rural production activities, as well as a wide range of activities, subject to the need to ensure that any adverse effects on the environment, including any reverse sensitivity effects, resulting from these activities are avoided, remedied or mitigated and are not to the detriment of rural productivity.	<p>There is conflict in this policy by virtue of the existing environment having small allotment sizes and existing residential development that is more commensurate with a rural living / unserviced residential type of character.</p> <p>Regardless the zoning at present does not result in reverse sensitivity effects, neither does the proposed subdivision as the activities are existing and not proposed to change.</p>



8.6.4.2 That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.	There are no off-site effects generated by the proposal.
8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.	There are no relevant land management practices of relevance in this instance.
8.6.4.4 That the type, scale and intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone to a level that is consistent with the productive intent of the zone.	The proposal neither increases nor decreases amenity values.
8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.	The landowners / managers of the estate consider the lot arrangement as proposed to be the most efficient use of land in this instance.
8.6.4.6 That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.	Not relevant.
8.6.4.7 That although a wide range of activities that promote rural productivity are appropriate in the Rural Production Zone, an underlying goal is to avoid the actual and potential adverse effects of conflicting land use activities.	There are no actual or potential land use incompatibility effects resulting from the proposal.
8.6.4.8 That activities whose adverse effects, including reverse sensitivity effects, cannot be avoided remedied or mitigated are given separation from other activities.	There are no actual or potential land use incompatibility effects resulting from the proposal.
8.6.4.9 That activities be discouraged from locating where they are sensitive to the effects of or may compromise the continued operation of lawfully established existing activities in the Rural Production zone and in neighbouring zones.	There are no actual or potential land use incompatibility effects resulting from the proposal.

**Table 6 – Assessment of the Subdivision Chapter ODP**

Objectives	Assessment
13.3.1 To provide for the subdivision of land in such a way as will be consistent with the purpose of the various zones in the Plan and will promote the sustainable management of the natural and physical resources of the District, including airports and the social, economic and cultural wellbeing of people and communities.	In this unique circumstance, the proposed adjustment is considered appropriate.
13.3.2 To ensure that subdivision of land is appropriate and is carried out in a manner that does not compromise the life-supporting capacity of air, water, soil or ecosystems, and that any actual or potential adverse effects on the environment which result directly or indirectly from subdivision, including reverse sensitivity effects, are avoided, remedied or mitigated.	The proposal adjustment is considered appropriate and does not create any new activities for incompatibility / reverse sensitivity to be an issue.
13.3.3 To ensure that the subdivision of land does not jeopardise the protection of outstanding landscapes or natural features in the coastal environment.	Not relevant.
13.3.4 To ensure that subdivision does not adversely affect scheduled heritage resources through alienation of the resource from its immediate setting/context.	Not relevant.
13.3.5 To ensure that all new subdivisions provide a reticulated water supply and/or on-site water storage sufficient to meet the needs of the activities that will establish all year round.	Reticulated water is existing.
13.3.6 To encourage innovative development and integrated management of effects between subdivision and land use which results in superior outcomes to more traditional forms of subdivision, use and development, for example the protection, enhancement and restoration of areas and features which have particular value or may have been compromised by past land management practices.	This is not proposed in this instance.
13.3.7 To ensure the relationship between Maori and their ancestral lands, water, sites, wahi tapu and other taonga is recognised and provided for.	Not relevant.

Policies	Assessment
<p>13.4.1 That the sizes, dimensions and distribution of allotments created through the subdivision process be determined with regard to the potential effects including cumulative effects, of the use of those allotments on:</p> <p>(a) natural character, particularly of the coastal environment;                      (b) ecological values;                      (c) landscape values;                      (d) amenity values;                      (e) cultural values;                      (f) heritage values; and                      (g) existing land uses.</p>	<p>These are largely irrelevant save for clause [g] which has been used to determine the appropriate lot layout in this instance.</p>
<p>13.4.2 That standards be imposed upon the subdivision of land to require safe and effective vehicular and pedestrian access to new properties.</p>	<p>These are existing to the site.</p>
<p>13.4.3 That natural and other hazards be taken into account in the design and location of any subdivision.</p>	<p>There are no relevant natural hazards.</p>
<p>13.4.4 That in any subdivision where provision is made for connection to utility services, the potential adverse visual impacts of these services are avoided.</p>	<p>Connections are existing.</p>
<p>13.4.5 That access to, and servicing of, the new allotments be provided for in such a way as will avoid, remedy or mitigate any adverse effects on neighbouring property, public roads, and the natural and physical resources of the site caused by silt runoff, traffic, excavation and filling and removal of vegetation.</p>	<p>Access is existing with no changes proposed.</p>
<p>13.4.6 That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.</p>	<p>Not relevant.</p>

13.4.7 That the need for a financial contribution be considered only where the subdivision would: (a) result in increased demands on car parking associated with non-residential activities; or (b) result in increased demand for esplanade areas; or (c) involve adverse effects on riparian areas; or (d) depend on the assimilative capacity of the environment external to the site.	Not relevant.
13.4.8 That the provision of water storage be taken into account in the design of any subdivision.	The sites have access to reticulated water in this instance.
13.4.9 That bonus development donor and recipient areas be provided for so as to minimise the adverse effects of subdivision on Outstanding Landscapes and areas of significant indigenous flora and significant habitats of fauna.	Not relevant.
13.4.10 The Council will recognise that subdivision within the Conservation Zone that results in a net conservation gain is generally appropriate.	Not relevant.
13.4.11 That subdivision recognises and provides for the relationship of Maori and their culture and traditions, with their ancestral lands, water, sites, waahi tapu and other taonga and shall take into account the principles of the Treaty of Waitangi.	These matters are not relevant in this instance.
13.4.12 That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes.	A management plan is not considered appropriate for this unique circumstance where a simple boundary adjustment is proposed.

<p>13.4.13 Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regard to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including:</p> <p>(a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;</p> <p>(b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;</p> <p>(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;</p> <p>(d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer <b>Chapter 2</b> and in particular <b>Section 2.5</b> and Council's "<i>Tangata Whenua Values and Perspectives</i>" (2004);</p> <p>(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;</p> <p>(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.</p>	<p>There are no relevant s6 matters that require that matters to be listed to be used in this scenario.</p>
<p>13.4.14 That the objectives and policies of the applicable environment and zone and relevant parts of <b>Part 3</b> of the Plan will be taken into account when considering the intensity, design and layout of any subdivision.</p>	<p>These are considered above.</p>

The proposal is considered to be consistent with the aims and intents of the ODP.

## PDP Objectives and Policies

**Table 7 – Assessment of the Rural Production Zone PDP**

Objectives	Assessment
RPROZ-01 The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.	The Council is continuing to zone the sites and area as Rural Production despite that it clearly is not in this instance.
RPROZ-02 The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.	Refer above. However, residential activities are still promoted in the Rural Production Zone which is what exists on the sites.
RPROZ-03 Land use and subdivision in the Rural Production zone: <ul style="list-style-type: none"> <li>a. protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production;</li> <li>b. protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation;</li> <li>c. does not compromise the use of land for farming activities, particularly on highly productive land;</li> <li>d. does not exacerbate any natural hazards; and</li> <li>e. is able to be serviced by on-site infrastructure.</li> </ul>	The site does not have high class soils. There are no existing or proposed reverse sensitivity effects. Farming activities are not possible on the small landholdings. There are no relevant natural hazards. The site is already serviced for three waters.
RPROZ-04 The rural character and amenity associated with a rural working environment is maintained.	The boundary adjustment does not alter amenity values.
Policies	Assessment
RPROZ-P1 Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be anticipated and accepted within the Rural Production zone.	As has been explained above, the zoning does not seem to match the character of the sites and the surrounds. This is more a challenge to the zoning proposed rather than the activity undertaken.

<p>RPROZ-P2 Ensure the Rural Production zone provides for activities that require a rural location by:</p> <ul style="list-style-type: none"> <li>a. enabling primary production activities as the predominant land use;</li> <li>b. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.</li> </ul>	<p>The existing residential uses are expected in this location and the adjustment does not affect their ongoing use.</p>
<p>RPROZ-P3 Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where possible, or otherwise mitigate, reverse sensitivity effects on primary production activities.</p>	<p>There are no new sensitive activities proposed.</p>
<p>RPROZ-P4 Land use and subdivision activities are undertaken in a manner that maintains or enhances the rural character and amenity of the Rural Production zone, which includes:</p> <ul style="list-style-type: none"> <li>a. a predominance of primary production activities;</li> <li>b. low density development with generally low site coverage of buildings or structures;</li> <li>c. typical adverse effects such as odour, noise and dust associated with a rural working environment; and</li> <li>d. a diverse range of rural environments, rural character and amenity values throughout the District.</li> </ul>	<p>The proposed subdivision neither reduces or increases amenity.</p>
<p>RPROZ-P5 Avoid land use that:</p> <ul style="list-style-type: none"> <li>a. is incompatible with the purpose, character and amenity of the Rural Production zone;</li> <li>b. does not have a functional need to locate in the Rural Production zone and is more appropriately located in another zone;</li> <li>c. would result in the loss of productive capacity of highly productive land;</li> <li>d. would exacerbate natural hazards; and</li> <li>e. cannot provide appropriate on-site infrastructure.</li> </ul>	<p>The underlying land uses are not proposed to be changed and generate effects which are known and understood in this location.</p>

<p>RPROZ-P6 Avoid subdivision that:</p> <ul style="list-style-type: none"><li>a. results in the loss of highly productive land for use by farming activities;</li><li>b. fragments land into parcel sizes that are no longer able to support farming activities, taking into account:<ul style="list-style-type: none"><li>i. the type of farming proposed; and</li><li>ii. whether smaller land parcels can support more productive forms of farming due to the presence of highly productive land.</li><li>iii. provides for rural lifestyle living unless there is an environmental benefit.</li></ul></li></ul>	<p>The subdivision does not result in the loss of highly productive land. The land parcels are unlikely to ever be used for genuine rural production, however the division still allows for small scale gardening for growing vegetables / fruit.</p>
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<p>RPROZ-P7 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> <li>a. whether the proposal will increase production potential in the zone;</li> <li>b. whether the activity relies on the productive nature of the soil;</li> <li>c. consistency with the scale and character of the rural environment;</li> <li>d. location, scale and design of buildings or structures;</li> <li>e. for subdivision or non-primary production activities: <ul style="list-style-type: none"> <li>i. scale and compatibility with rural activities;</li> <li>ii. potential reverse sensitivity effects on primary production activities and existing infrastructure;</li> <li>iii. the potential for loss of highly productive land, land sterilisation or fragmentation</li> </ul> </li> <li>f. at zone interfaces: <ul style="list-style-type: none"> <li>i. any setbacks, fencing, screening or landscaping required to address potential conflicts;</li> <li>ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;</li> </ul> </li> <li>g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity, including whether the site has access to a water source such as an irrigation network supply, dam or aquifer;</li> <li>h. the adequacy of roading infrastructure to service the proposed activity;</li> <li>i. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity;</li> </ul>	<p>These specific items are addressed throughout the report with effects being less than minor.</p>
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j. Any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.	
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**Table 8 – Assessment of the Subdivision Chapter PDP**

Objectives	Assessment
<p>SUB-01 Subdivision results in the efficient use of land, which:</p> <ul style="list-style-type: none"> <li>a. achieves the objectives of each relevant zone, overlays and district wide provisions;</li> <li>b. contributes to the local character and sense of place;</li> <li>c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;</li> <li>d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;</li> <li>e. does not increase risk from natural hazards or risks are mitigates and existing risks reduced; and</li> <li>f. manages adverse effects on the environment.</li> </ul>	<p>The proposed adjustment is considered to be the most efficient use of land in this instance and whilst there are some consequential land use breaches, these already exist regardless of the boundary adjustment.</p> <p>There are no activities that exist which raise reverse sensitivity or incompatibility issues.</p> <p>The land use pattern is not severed, rather promotes a smaller lot pattern fronting the State Highway and allows a buffer to the rear of the sites where the more genuine rural production activities are proposed.</p> <p>The sites are clear of natural hazards.</p>
<p>SUB-02 Subdivision provides for the:</p> <ul style="list-style-type: none"> <li>a. Protection of highly productive land; and</li> <li>b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.</li> </ul>	<p>These aspects are not relevant.</p>

<p>SUB-03 Infrastructure is planned to service the proposed subdivision and development where:</p> <ul style="list-style-type: none"> <li>a. there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision; and</li> <li>b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.</li> </ul>	<p>Infrastructure is already provided to each allotment subject to the adjustment.</p>
<p>SUB-04 Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:</p> <ul style="list-style-type: none"> <li>a. public open spaces;</li> <li>b. esplanade where land adjoins the coastal marine area; and</li> <li>c. esplanade where land adjoins other qualifying waterbodies.</li> </ul>	<p>These factors are not relevant in this instance.</p>
Policies	Assessment
<p>SUB-P1 Enable boundary adjustments that:</p> <ul style="list-style-type: none"> <li>a. do not alter;</li> <li>b. the degree of non compliance with District Plan rules and standards;</li> <li>c. the number and location of any access; and</li> <li>d. the number of certificates of title; and</li> <li>e. are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.</li> </ul>	<p>The boundary adjustment creates technical non-compliance with land use rules. These have been appropriately considered.</p> <p>The number and location of approved access points are not proposed to be changed.</p> <p>The number of certificates of titles are not proposed to be changed.</p> <p>The sites do not meet lot sizes, however the situation is unique in this respect.</p>
<p>SUB-P2 Enable subdivision for the purpose of public works, infrastructure, reserves or access.</p>	<p>Not relevant.</p>

<p>SUB-P3 Provide for subdivision where it results in allotments that:</p> <ul style="list-style-type: none"> <li>a. are consistent with the purpose, characteristics and qualities of the zone;</li> <li>b. comply with the minimum allotment sizes for each zone;</li> <li>c. have an adequate size and appropriate shape to contain a building platform; and</li> <li>d. have legal and physical access.</li> </ul>	<p>The boundary adjustment provides for these matters, save the minimum allotment sizes. For the reasons above, the proposal is still considered to be appropriate.</p>
<p>SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan.</p>	<p>These matters have been considered.</p>
<p>SUB-P5 Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by</p> <ul style="list-style-type: none"> <li>a. minimising vehicle crossings that could affect the safety and efficiency of the current and future transport network;</li> <li>b. avoid cul-de-sac development unless the site or the topography prevents future public access and connections;</li> <li>c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces;</li> <li>d. contributing to a well connected transport network that safeguards future roading connections; and</li> <li>e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.</li> </ul>	<p>Not relevant.</p>

<p>SUB-P6 Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ul style="list-style-type: none"> <li>a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and</li> <li>b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone.</li> </ul>	<p>Infrastructure is already provided and is existing.</p>
<p>SUB-P7 Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying waterbodies.</p>	<p>Not relevant.</p>
<p>SUB-P8 Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:</p> <ul style="list-style-type: none"> <li>a. will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and</li> <li>b. will not result in the loss of versatile soils for primary production activities.</li> </ul>	<p>The proposal is not for a rural lifestyle subdivision.</p>
<p>SUB-P9 Avoid rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.</p>	<p>Neither of these outcomes are sought in this instance.</p>
<p>SUB-P10 To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum allotment size and residential density.</p>	<p>Not relevant.</p>



<p>SUB-P11 Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> <li>a. consistency with the scale, density, design and character of the environment and purpose of the zone;</li> <li>b. the location, scale and design of buildings and structures;</li> <li>c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity;</li> <li>d. managing natural hazards;</li> <li>e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and</li> <li>f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</li> </ul>	<p>These matters have been considered throughout the report.</p>
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In my view, the proposal provides general conformity with the PDP, although there are some proposed objectives and policies which cannot be truly met due to the size of the allotments and their proposed zone. The proposal can meet the objectives of the ODP.

The PDP hasn't been sufficiently considered in my view to be the 'relevant plan' under consideration for the purposes of this application.

### **Section 104D – 'Gateway Test'**

When dealing with non-complying activities, before granting an application Council must be satisfied that either the adverse effects of the activity on the environment will be minor (s104D(1)(a)), or the proposed activity will not be contrary to the objectives and policies of a proposed plan and/or plan (s104D(1)(b)).

This consideration for non-complying activities is commonly known as the 'threshold test' or the 'gateway test'. If either of the limbs of the test can be passed, then the application is eligible for

approval, but the proposed activity must still be considered under s104. There is no primacy given to either of the two limbs, so if one limb can be passed then the 'test' can be considered to be passed.

In this instance it has been demonstrated that both the effects of the proposal are less than minor and that there is positive consistency with all objective and policies of relevance to the proposal. Therefore, FNDC in this instance has both 'limbs' to appropriately decide in favour of this application.

## **8. PART II – RMA**

### **Purpose**

The proposal can promote the sustainable management of natural and physical resources on site, as the owners of the land are able to provide for their social and cultural wellbeing.

For the various reasons outlined above, the proposal is considered to meet the purpose of the RMA.

### **Matters of National Importance**

In achieving the purpose of the RMA, a range of matters are required to be recognized and provided for. This includes:

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- f) the protection of historic heritage from inappropriate subdivision, use, and development:
- g) the protection of protected customary rights:
- h) the management of significant risks from natural hazards.

In context, the relevant items to the proposal and have been recognized and provided for.

### **Other Matters**

In achieving the purpose of the RMA, a range of matters are to be given particular regard. This includes:

- (a) kaitiakitanga:
- (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
  - (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

These matters have been given particular regard through the design of the proposal.

### **Treaty of Waitangi**

The Far North District Council is required to take into account the principles of the Treaty of Waitangi when processing this consent. This consent application may be sent to local iwi and hapū who may have an interest in this application.

## **9. Conclusion**

This application seeks resource consent to undertake a simple boundary adjustment as a non-complying activity in the ODP. The application has consequential land use breaches as a result of the change of boundaries proposed.

Based on the assessment of effects above, it is concluded that any potential adverse effects on the existing environment would be less than minor and can be managed in terms of appropriate conditions of consent. Adverse effects on adjacent neighbours would be less than minor as the proposed subdivision does not change any of the underlying residential activities or effects generated in the locality.

The proposal is consistent with the relevant objectives of policies of the ODP and parts of the PDP suite. An assessment of Part II of the RMA has also been completed with the proposal generally able to satisfy this higher order document also.

On this basis, it is considered that the application is able to be processed on a non-notified basis.

Please do not hesitate to contact me should you require any additional information.



Steven Sanson  
Consultant Planner



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

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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA958/135**  
**Land Registration District** **North Auckland**  
**Date Issued** 24 April 1950

**Prior References**  
NA394/286

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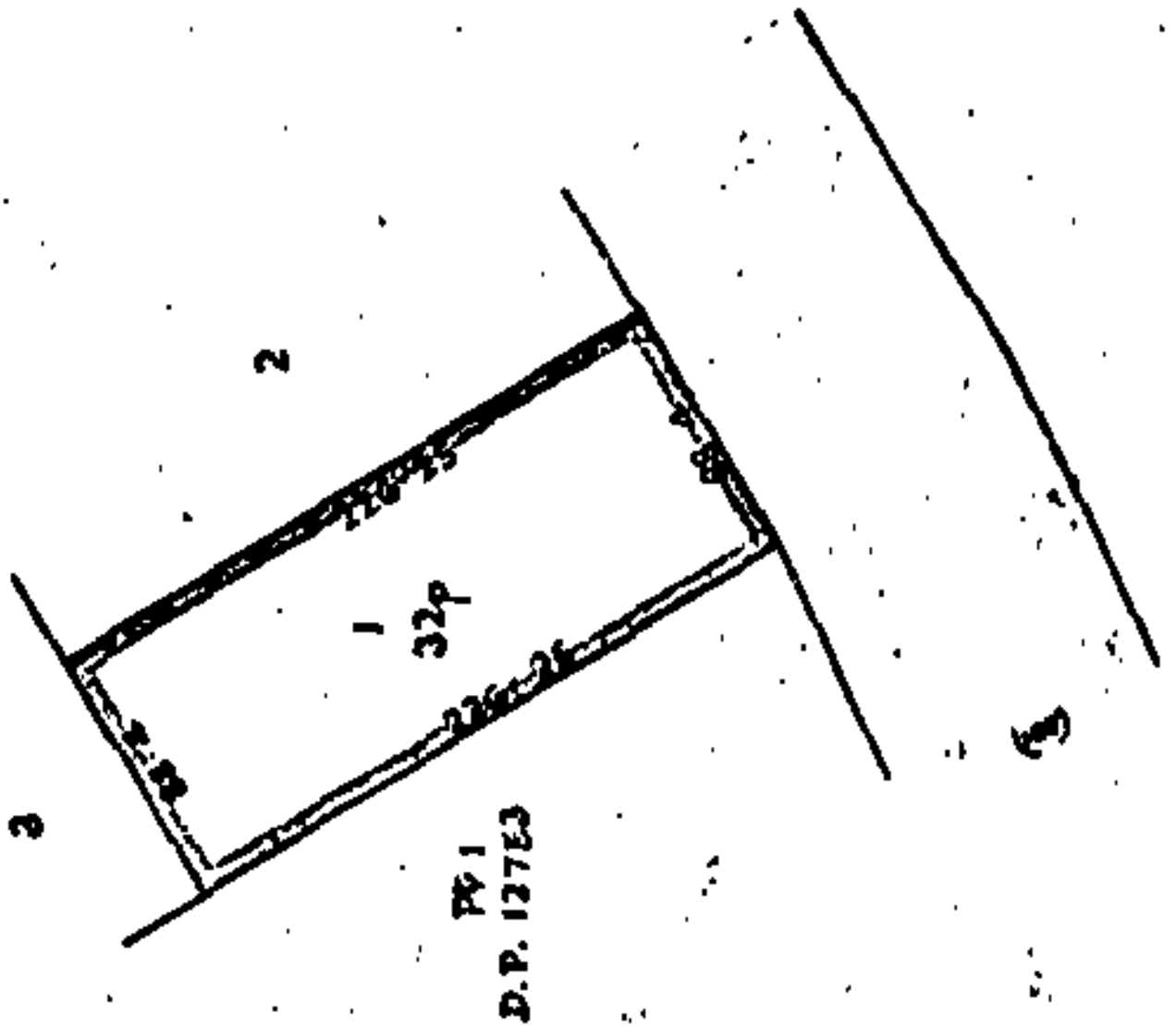
**Estate** Fee Simple  
**Area** 809 square metres more or less  
**Legal Description** Lot 1 Deposited Plan 30390  
**Registered Owners**  
Powerfree Options Limited

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**Interests**

Fencing Agreement in Transfer 173742

908164.1 Gazette Notice declaring that part of State Highway No. 1 (Awanui to Bluff) adjoining the within land to be a limited access road - 11.1.1980 at 11.03 am







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

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



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **NA1030/267**  
**Land Registration District** **North Auckland**  
**Date Issued** 29 April 1952

**Prior References**

NA328/80                      NA950/144

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**Estate** Fee Simple  
**Area** 2679 square metres more or less  
**Legal Description** Lot 2-3 Deposited Plan 38851

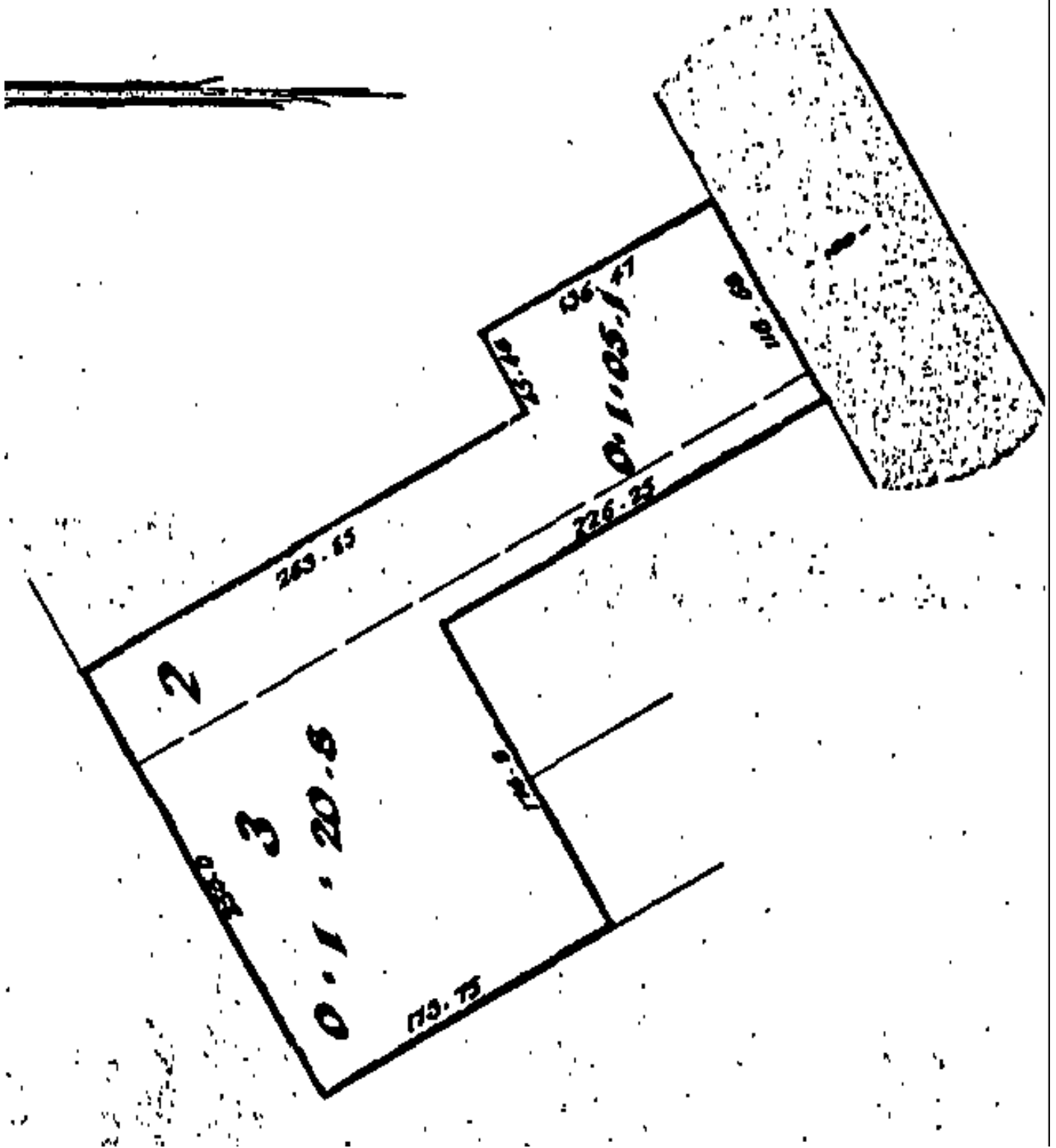
**Registered Owners**

Andrew Duncan Spencer and Jane Victoria Price as Executors

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**Interests**

Fencing Agreement in Transfer 115011  
Fencing Agreement in Transfer 173742  
Fencing Agreement in Transfer 465130  
K36606 Notice imposing Building Line Restriction - 4.5.1951  
908164.1 Gazette Notice (N.Z. Gazette 30 August 1979 No. 82 page 2585) declaring that part of State Highway No. 1 (Awanui to Bluff) adjoining the within land to be a limited access road - 11.1.1980 at 11.03 am



908164.1  
GTN

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NOTICE DECLARING STATE HIGHWAY  
LIMITED ACCESS ROAD

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IN THE MATTER of the Public Works  
Act 1928 and its Amendment Act 1963  
AND NZ Gazette Notice 1971 No.82  
page 2585

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The District Land Registrar  
NORTH AUCKLAND REGISTRY

STATEMENT IN RESPECT OF LIMITED ACCESS ROADING

I, Alexander William Aitken, District Commissioner of Works and Development at Auckland, annex hereto a copy of declaration, schedule and plans in respect of State Highway 1 (Awanui to Bluff) pursuant to the requirements of paragraph (c) sub-section (10) of Section 4 of the Public Works Amendment Act 1963.

Dated at Auckland this

8<sup>th</sup> day of January 1980

Extract from N.Z. Gazette, 30 August 1979, No. 82, p. 2585

National Roads Board—Declaring State Highway to be a Limited Access Road

It is notified that the National Roads Board, by resolution dated 15 August 1979, and pursuant to section 4 of the Public Works Amendment Act 1963, hereby declares that part of State Highway No. 1 (Awanui to Bluff) from its junction with S.H. 10 at Pakaraka to the town of Kawakawa, as more particularly shown on sheets 1 to 5 of plan L.A. 11/8/2 and accompanying Schedule held in the office of the Resident Engineer, Ministry of Works and Development, Whangarei, and there available for public inspection, to be a limited access road.

Dated at Wellington this 28th day of August 1979.

F. J. TOURELL, Secretary.

(72/1/1/5)

P. D. Hasselberg, Government Printer, Wellington, New Zealand—1979



A W Aitken  
District Commissioner of Works

S.H.1 R.D.1 R.S.88

LIMITED ACCESS ROAD DECLARATION

PAKARAKA TO KAWAKAWA

R.P. 88/7.60 TO R.P. 96/12.27

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 1 of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (NORTH)			
From; PAKARAKA			
To; KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.72			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
	START OF LIMITED ACCESS ROAD LHS  R.S. 88          R.P. 7.60		
	PUBLIC ROAD - Formed		
✓ Nil	No existing entrance to State Highway - access to Public Road is practical	-	Part Section 78 Pakaraka Settlement Gazette 1953 p. 1646
✓ 1	Vehicle Access	1	Part Lot 11 D.P. 3641 C.T. 180/64. Gazette 1974 p. 1977
✓ Nil	No existing entrance to State Highway - Practical access available over adjoining land in same ownership	-	Part Section 24S Pakaraka Settlement Gazette 1938 p. 2185
	STATE HIGHWAY NO. 10	-	FORMED
1 /	Farm Gate	2	Lot 1 D.P. 40562 C.T. 1075/34.
	PUKETOTARA STREAM		

\* As shown on Plan No LA 11/6/2 deposited in the office at Wellington.



# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 2 of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (NORTH)			
From: PAKARAKA			
To: KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
✓ Nil	No independent entrance to State Highway - practical access available over adjoining land in same occupation	-	Lot 1 D.P. 73840 C.T. 29D/270 ✓
✓ 2	Vehicle Access Farm Gate - these entrances give practical access to Lot 1 D.P. 73840	3 4	Closed Road Gazette 1953 p. 1577
✓ 1	Vehicle Access - also gives practical access to Part Lot 4 D.P. 3641	5	Closed Road Gazette 1953- p. 1577
✓ Nil	No independent entrance to State Highway - practical access available over adjoining land in same occupation	-	Part Lot 4 D.P. 3641 C.T. 35D/926 ✓
1	Vehicle Access	6	Closed Road Gazette 1953 p. 1577
Nil	No existing entrance to State Highway - access point allocated	7	Part Section 5S Pakaraka Settlement Gazette 1953 p. 1646
Nil	No existing entrance to State Highway - practical access available over Northern portion of property via C.P. 6	-	Closed Road Gazette 1953 p. 1577

\* As shown on Plan No LA 11/8/2 deposited in the office at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 3 of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (EAST)			
From; PAKARAKA			
To: KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
	PUBLIC ROAD - Not Formed		
✓ Nil	No existing entrance to State Highway - legal access to Hupara Road is practical	-	Part Lot 3 D.P. 3641 C.T. 24C/815
	HUPARA ROAD - Formed		
✓ 2	Taranaki Gate Vehicle Access	8 9	Lot 2 D.P. 3641 C.T. 141/97 - Subject to Land to be taken for Road SO 38887
✓ 3	Farm Gate Taranaki Gate Farm Gate	10 11 12	Part Lot 1 D.P. 3641 C.T. 26D/541
✓ 3	Farm Gate Vehicle Access Farm Gate	13 14 15	Part Honohere Block C.T. 25A/1086
✓ Nil	No independent entrance to State Highway - practical access is available over adjoining land in same occupation	-	Section 15 Block XV Kawakawa Survey District C.T. 1078/276

\* As shown on Plan No LA 11/8/2 deposited in the office at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 4 of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (EAST)			
From; PAKARAKA			
To: KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
✓ 3	Vehicle Access Vehicle Access Vehicle Access - these entrances also give practical access to Section 15 in the same occupation	16 17 18	Section 19 Block XV Kawakawa Survey District C.T. 13D/257 ✓
✓ Nil	No existing entrance to State Highway - practical access avail- able from Hautapu Road formation	-	Part Motatau No. 4 Block No Registration
	HAUTAPU ROAD - Formed		
✓ 1	Vehicle Access	19	Lot 1 D.P. 44940 Part C.T. 1370/94 C.T. 1512/62 ✓ (Leasehold)
✓ 3	Farm Gate Vehicle Access Vehicle Access - these entrances also give practical access to adjoining land in the same ownership	20 21 22	Part Allotment 267 Parish of Kawakawa Part C.T. 1370/94 ✓
✓ Nil	No existing entrance to State Highway - access point allocated	23	Lot 4 D.P. 61649 C.T. 18C/123 ✓
✓ 1	Farm Gate - entrance located on Road boundary of Lot 4 adjoining	24	Lot 1 D.P. 61649 C.T. 18C/120 ✓

\* As shown on Plan No LA 11/6/2 deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 5 of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (NORTH)			
From: PAKARAKA			
To: KAWAKAWA			
GAZETTE INFORMATION (not for publication)			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
1	Taranaki Gate	25	Lot 2 D.P. 61649 C.T. 18C/121 ✓
Nil	No existing entrance to State Highway - access point allocated	26	Lot 3 D.P. 61649 C.T. 18C/122 ✓
	OTIRIA STREAM		
	PUBLIC ROAD - Partly Formed		
Nil	No existing entrance to State Highway - legal access to Public Road is practical	-	Lot 56 D.P. 50705 C.T. 13A/1181 ✓
	END OF LAR	LHS	R.P. 95 / 6.26

\* As shown on Plan N<sup>o</sup> LA..11/3/2..... deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 5 of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (NORTH)			
From: PAKARAKA			
To: KAWAKAWA			
GAZETTE INFORMATION (not for publication)			
Access Details at: 15.9.79			
NO.	Description	MWD Ref. #	LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
	START OF LAR	LHS	R.P. 96 / 6.97
2	Combined Vehicle Access Farm Gate	61 62	Part Lot 1 D.P.12753 Part C.T.170/1028
1	No existing entrance to State Highway - access point allocated	63	Part Lot 1 D.P.12753 C.T. 356/126
1	Vehicle Access	64	Part Lot 1 D.P.12753 C.T. 364/243
Nil	Access available over other portions of property	61 62	Part Lot 1 D.P. 12753 Part C.T. 170/1028

\* As shown on Plan No LA 11/6/2 deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 7 of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (NORTH)			
From; PAKARAKA			
To; KAWAKAWA			
GAZETTE INFORMATION			
Access Details at: 15.9.78			LAND IN NORTH
No.	Description	MWD Ref. #	AUCKLAND LAND REGISTRATION DIST.
✓ 1	Vehicle Access	65	Lot 1 D.P. 30390 C.T. 958/135 ✓
✓ Nil	No existing entrance to State Highway - access point allocated	66	Lot 2 D.P. 30390 C.T. 938/263 ✓
✓ Nil	No existing entrance to State Highway - access point allocated	67	Lot 3 D.P. 38851 Part C.T. 1030/267 ✓
✓ 1	Vehicle Access	68	Lot 2 D.P. 38851 Part C.T. 1030/267 ✓
✓ 1	Vehicle Access	69	Lot 2 D.P. 41308 C.T. 1159/88 ✓
✓ 2	Vehicle Access Vehicle Access	70 71	Lot 1 D.P. 41308 C.T. 1159/87 ✓
✓ 2	Vehicle Access Vehicle Access	72 73	Lot 2 D.P. 25261 C.T. 657/286 ✓
✓ 1	Vehicle Access	74	Lot 2 D.P. 30015 C.T. 739/38 ✓

\* As shown on Plan No LA 11/8/2 deposited in the office of at Wellington.



# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet ... 8 ... of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (NORTH)			
From; PAKARAKA			
To; KAWAKAWA			
GAZETTE INFORMATION			
Access Details at: 15.9.78			LAND IN NORTH
No.	Description	MWD	AUCKLAND LAND
		Ref. #	REGISTRATION DIST.
1	Vehicle Access	75	Lot 1 D.P. 30015 C.T. 739/37 ✓
1	Vehicle Access	76	Lot 2 D.P. 25762 C.T. 668/56 ✓
12	Vehicle Access Vehicle Access Combined Vehicle Access Vehicle Access Vehicle Access Vehicle Access Double Farm Gates Farm Gate Vehicle Access Farm Gate Combined Farm Gate and Vehicle Access Vehicle Access	77 78 79 80 81 82 83 84 85 86 87 88	Part Lot 1 D.P. 12753 Part C.T. 17D/1028 ✓
3	Farm Gate Combined Farm Gates Combined Farm Gates	89 90 91	Part Taumatamakuku No. 1 Block Part C.T. 11A/1256 ✓
1	Vehicle Access <i>P.R.</i>	92	Taumatamakuku 2B2A Block P.R. 247/79 (Not surveyed) ✓
2	Farm Gate Vehicle Access <i>Deeds</i>	93 94	Taumatamakuku 2B2B Blocks Deeds Index 1C.224 ✓

\* As shown on Plan No LA 11/8/2 deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 9 of 21 sheets

State Highway No. 1; LEFT-HAND-SIDE (NORTH)....			
From; PAKARAKA			
To: KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
1	Farm Gate	95	Lot 1 D.P. 83424 C.T. 39D/572 Ltd
	PUBLIC ROAD - Not Formed		
Nil	No existing entrance to State Highway - legal access to Public Road is practical	-	Part Tipatipa Block Part C.T. 38A/826 Ltd
	OTIRIA STREAM (Williams Bridge)		
	PUBLIC ROAD - Not Formed		
2	Farm Gate Vehicle Access	96 97	Lot 1 D.P. 83424 C.T. 39D/572 Ltd
Nil	No existing entrance to State Highway - no access required	-	Lot 3 D.P. 78026 No Registration
1	Vehicle Access	98	Lot 1 D.P. 78026 C.T. 34B/225
Nil	No existing entrance to State Highway - no access required	-	Lot 2 D.P. 78026 No Registration

\* As shown on Plan No LA 11/8/2 deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 19 of 21 sheets

State Highway No. 1; LEFT HAND SIDE (NORTH)			
From; PAKARAKA			
To; KAWAKAWA			
GAZETTE INFORMATION			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
Nil	No existing entrance to State Highway - access point allocated	99	Part Oropa 2B Block Part C.T. 378/275
1	Farm Gate	101	Part Oropa 2A Block Part C.T. 288/47
Nil	No independent entrance to State Highway - access point allocated	100	Part Oropa 2B Block Part C.T. 378/275
Nil	No existing entrance to State Highway - access point allocated	102	Part Ngaropa Block Part C.T. 2D/48
WHANGAE STREAM (McRaes Bridge)			
1	Vehicle Access (Formation to Whangae Road)	103	Part Customary Maori Land (Not Legal Road)
Nil	No independent entrance to State Highway - formation to Whangae Road traverses this land	-	Part Manukarere Block (Not Legal Road)
2	Taranaki Gate Taranaki Gate	104 105	Part Manukarere B1 and B2 Block C.T. 5B/709

\* As shown on Plan No. LA 11/8/2 deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 11 of 21 sheets

State Highway No. 1 ; LEFT HAND SIDE (NORTH)			
From: PAKARAKA			
To: KAWAKAWA			
GAZETTE INFORMATION (not for publication)			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
	PUBLIC ROAD - Formed		
Nil	No existing entrance to State Highway - legal access to Public Road is practical	-	Part Ramarama Block Part C.T.679/158 ✓
	WHANGAE STREAM		
	RAMARAMA STREAM (Dry)		
Nil	No existing entrance to State Highway - access point allocated	106	Part Tuataranui Block Part C.T.679/158 ✓
	KAWAKAWA RIVER ( Otiria Stream)		
Nil	No existing entrance to State Highway - access point allocated	107	Part Te Papa Block Part C.T.21C/1041 Ltd. ✓
	BRIDGE 96/12.18 over Drain		
	END OF LAR		RS 96

\* As shown on Plan No LA 11/8/2 deposited in the office of at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 12 of 21 sheets

State Highway No. <u>1</u> ; <u>RIGHT HAND SIDE (SOUTH)</u>			
From; <u>PAKARAKA</u>			
To; <u>KAPAKAWA</u>			
<b>GAZETTE INFORMATION</b>			
Access Details at: <u>15.9.78</u>			<b>LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.</b>
No.	Description	MWD Ref. #	
	START OF LIMITED ACCESS ROAD R.S. 83 R.P. 7.60		RHS S.W. boundary of
2	Farm Gate Vehicle Access	112 113	Part Section 29S Pakaraka Settlement C.T. 1131/39 ✓
1	Vehicle Access <i>Nowhere</i>	114	Part Section 24S Pakaraka Settlement Gazette 1938 p. 2185
5	Vehicle Access Farm Gate Farm Gate Farm Gate Farm Gate	115 116 117 118 119	Part Section 29S Pakaraka Settlement C.T. 1131/39/
PUKETOTARA STREAM			
1	Vehicle Access	120	Part Section 20S Pakaraka Settlement C.T. 870/153 ✓
Nil	No existing entrance to - State Highway - practical access available over adjoining land in same ownership		Section 30S Pakaraka Settlement C.T. 1960/72 ✓
1	Vehicle Access	121	Lot 1 D.P. 70389 C.T. 27A/821 ✓
SMITHS ROAD - Formed			

\* As shown on Plan No LA 11/8/2 deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 13 of 21 sheets

State Highway No. 1 ; RIGHT HAND SIDE (SOUTH)			
From; PAKARAKA			
To: KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
1	Farm Gate	122	Section 10S Pakaraka Settlement C.T. 289/200 - Subject to land to be taken for Road SO 38887
Nil	No existing entrance to State Highway - legal access to Marshall Road is practical	-	Section 12S Pakaraka Settlement C.T. 1699/88
	MARSHALL ROAD - Formed		
Nil	No existing entrance to State Highway - legal access to Marshall Road is practical. Marshall Road formation traverses property to intersect with State Highway	-	Part Lot 1 D.P. 3641 Gazette 1960 p. 179 <i>cancelled file</i>
3	Farm Gate Farm Gate Farm Gate	123 124 125	Lot 1 D.P. 69678 C.T. 25C/756
	MARSHALL ROAD - Formed		
2	Farm Gate Vehicle Access	126 127	Lot 2 D.P. 68521 C.T. 23D/704
2	Vehicle Access Farm Gate	128 129	Lot 1 D.P. 68521 C.T. 23D/703

\* As shown on Plan No LA 11/8/2 deposited in the office of  
at Wellington.



# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 14 of 21 sheets

State Highway No. 1 ; RIGHT HAND SIDE (SOUTH)			
From; PAKARAKA			
To; KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			
No.	Description	MWD Ref. #	LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
	PUBLIC ROAD - Formed		
2	Vehicle Access Farm Gate	130 131	Part Te Ongawhi Block C.T. 45/111 ✓
Nil	No existing entrance to State Highway - access point allocated <i>located</i>	132	Part Motatau 4C Block Gazette 1913 p. 598 ✓
Nil	No existing entrance to State Highway - access point allocated <i>located</i>	133	Part Motatau 4C Block Gazette 1959 p. 10 ✓
Nil	No existing entrance to State Highway - access point allocated	134	Allotment 272 Parish of KawaKawa C.T. 1640/26 - Subject to Right of Way appurtenant to Lot 2 D.P. 25821 ✓
Nil	No existing entrance to - State Highway - access available by legal Right of Way over adjoining land		Lots 2,3,4, and 5 D.P. 25821 C.T. 669/243 - Subject to Right of Way over Allotment 272 ✓
1	Taranaki Gate	135	Allotments 270 and 269 Parish of KawaKawa C.T. 31C/1029 ✓

\* As shown on Plan No LA 11/8/2 deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 15 of 21 sheets

State Highway No. 1 ; RIGHT HAND SIDE (SOUTH)			
From: PAKARAKA			
To: KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
NO.	Description	MWD Ref. #	
Nil	No existing entrance to State Highway - legal access to Public Road is practical	-	Part Allotment 150 Parish of KawaKawa Part C.T. 31C/1030 ✓
	PUBLIC ROAD - Not Formed		
Nil	No existing entrance to State Highway - legal access to Public Road is practical	-	Part Allotment 150 Parish of KawaKawa Part C.T. 31C/1030 ✓
Nil	No existing entrance to State Highway - legal access to Public Road is practical	-	Part Allotment 262 Parish of KawaKawa C.T. 31A/979 ✓
Nil	No existing entrance to State Highway - legal access to Public Road practical	-	Part Allotment 150 Parish of KawaKawa Part C.T. 31C/1030 ✓
	OTIRA STREAM		
2	Farm Gate Vehicle Access	136 137	Part Lot 2 D.P. 6804 C.T. 21A/299 ✓
Nil	No existing entrance to State Highway - legal access to Snowden Street is practical	-	Lot 1 D.P. 53299 C.T. 16A/93 ✓
	END OF LAR	RHS	RP 96/6.59

\* As shown on Plan No. LA 11/0/2 deposited in the office of at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 16 of 21 sheets

State Highway No. <u>1</u> ; RIGHT HAND SIDE (SOUTH)			
From; PAKARAKA			
To; KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
NO.	Description	MWD Ref. #	
	START OF LAR	RHS	R.P. 96/6.81
✓ 1	Vehicle Access	158	Lot 57 D.P. 6732 C.T. 600/115 ✓
✓ 1	Commercial - Service Station	159	Lot 58 D.P. 6732 C.T. 615/255 ✓
✓ Nil	No existing entrance to State Highway - legal access to Leaity Street is practical	-	Lot 1 D.P. 51470 C.T. 15D/324 ✓
	LEAITY STREET - Formed		
✓ Nil	No existing entrance to State Highway - legal access to Leaity Street is practical	-	Lot 32 D.P. 51470 C.T. 15D/332 ✓
✓ Nil	No existing entrance to State Highway - practical access available over adjoining land in same ownership	-	Lot 33 D.P. 51470 Gazette 1968 p. 267 12D/812 ✓
1	Vehicle Access	160	Part Allotment 140 Parish of KawaKawa D.P. 23067 C.T. 617/201 ✓ Gazette 1930 p. 3682
2/	Vehicle Access Vehicle Access	161 162	Part Lot 2 D.P. 12753 Part C.T. 17D/1028 ✓

\* As shown on Plan No LA...11/8/2... deposited in the office of at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 17 of 24 sheets

State Highway No. 1; RIGHT HAND SIDE (SOUTH)			
From; PAKARAKA			
To: KAWAKAWA			
GAZETTE INFORMATION			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
1	Vehicle Access	163	Lot 1 D.P. 44525 C.T. 1526/9 /
3	Farm Gate Vehicle Access Vehicle Access	164 165 166	Part Lot 2 D.P. 12753 Part C.T. 17D/1028 /
	STATION ROAD - Formed		
Nil	No existing entrance to State Highway - legal access to Station Road is practical	-	Part Lot 2 D.P. 12753 C.T. 603/134 /
12	Vehicle Access Vehicle Access Vehicle Access Vehicle Access Vehicle Access Vehicle Access Vehicle Access Vehicle Access Vehicle Access Vehicle Access Vehicle Access Vehicle Access	167 168 169 170 171 172 173 174 175 176 177 178	Part Lot 2 D.P. 12753 Part C.T. 17D/1028 /
	SIR WILLIAM HALE AVENUE - Formed		
1	Vehicle Access	179	Part Lot 2 D.P. 12753 Gazette 1949 p. 2828 17D/1028 /
7	Vehicle Access Vehicle Access Vehicle Access Vehicle Access Double Farm Gates Vehicle Access Vehicle Access	180 181 182 183 184 185 186	Part Lot 2 D.P. 12753 Part C.T. 17D/1028 /

\* As shown on Plan No. LA 11/3/2 deposited in the office of  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 18 of 21 sheets

State Highway No. 1 ; RIGHT HAND SIDE (SCUTH)			
From; PAKARAKA			
To; KAWAKAWA			
GAZETTE INFORMATION (not for publication)			
Access Details at; 15.9.78			
No.	Description	MWD Ref. #	LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
1	Vehicle Access	187	Section 11 Block XV Kawakawa Survey District Part C.T.379/244
Nil	No existing entrance to State Highway - access to Sales Road is practical	-	Part Taumatamakuku No.1 Block Part C.T.11A/1256
	SALES ROAD - Formed		
1	Farm Gate	188	Part Taumatamakuku No.1 Block Part C.T.11A/1256
	Start of 10M wide Service Road Access abutting boundary		

\* As shown on Plan N<sup>o</sup> LA...11/8/2.... deposited in the office  
at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 19 of 21 sheets

State Highway No. 1 RIGHT HAND SIDE (SOUTH)			
From: PAKARAKA			
To: KAWAKAWA			
GAZETTE INFORMATION (not for publication)			
Access Details at: 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
	End of 10M wide Service Road Access		
✓ Nil	No existing entrance to State Highway - access available over unformed public road when required		Part Tipatipa Block C.T. 547/169 (Balance) 38 Apr 76 ✓
	PUBLIC ROAD - Not formed		
✓ 2	Vehicle Access Farm Gate	207 208	Part Tipatipa Block Part C.T. 38A/826 Ltd ✓
✓ 1	Vehicle access	209	Part Tipatipa Block Part C.T. 547/170 Ltd ✓
	OTIRIA STREAM (Williams Bridge)		
✓ Nil	No existing entrance to State Highway - access available over other portion of property	211 212	Part Tipatipa Block Part C.T. 39A/826 Ltd ✓
	PUBLIC ROAD - Not Formed		

\* As shown on Plan No LA 11/0/2 deposited in the office of at Wellington.

# SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION

sheet 20 of 21 sheets

State Highway No. 1; RIGHT HAND SIDE (SOUTH)			
From; PAKARAKA			
To; KAWAKAWA			
<b>GAZETTE INFORMATION</b>			
Access Details at: 15.9.78			
No.	Description	MWD Ref. #	LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
1	Vehicle Access	210	Part Tipatipa Block Part C.T. 38A/826 Ltd
	PUBLIC ROAD - Not Formed		
2	Farm Gate Farm Gate	211 212	Part Tipatipa Block Part C.T. 38A/826 Ltd
1	Vehicle Access	213	Part Oropa 2A Block Part C.T. 288/47
1	No existing entrance to State Highway - access point allocated	214	Part Ngaropa Block Part C.T. 2D/48
	WHANGAE STREAM (McRaes Bridge)		
1	Vehicle Access	215	Part Ramarama Block Part C.T. 679/160
	WHANGAE STREAM		
	RAMARAMA CREEK (Dry)		

\* As shown on Plan No LA 11/8/2 deposited in the office of  
at Wellington.

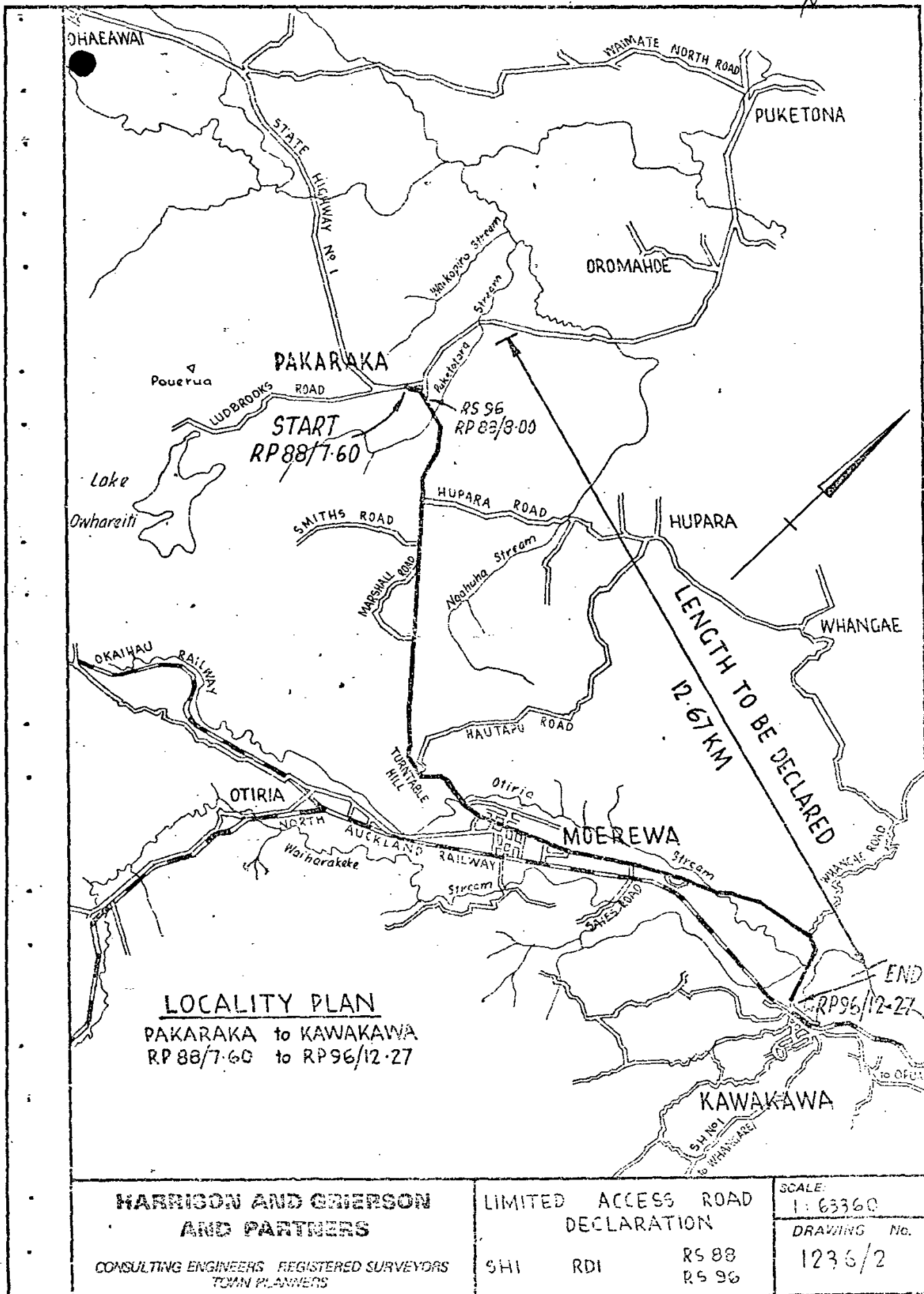
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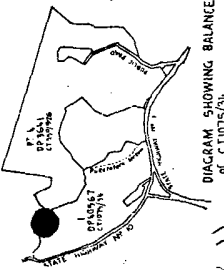
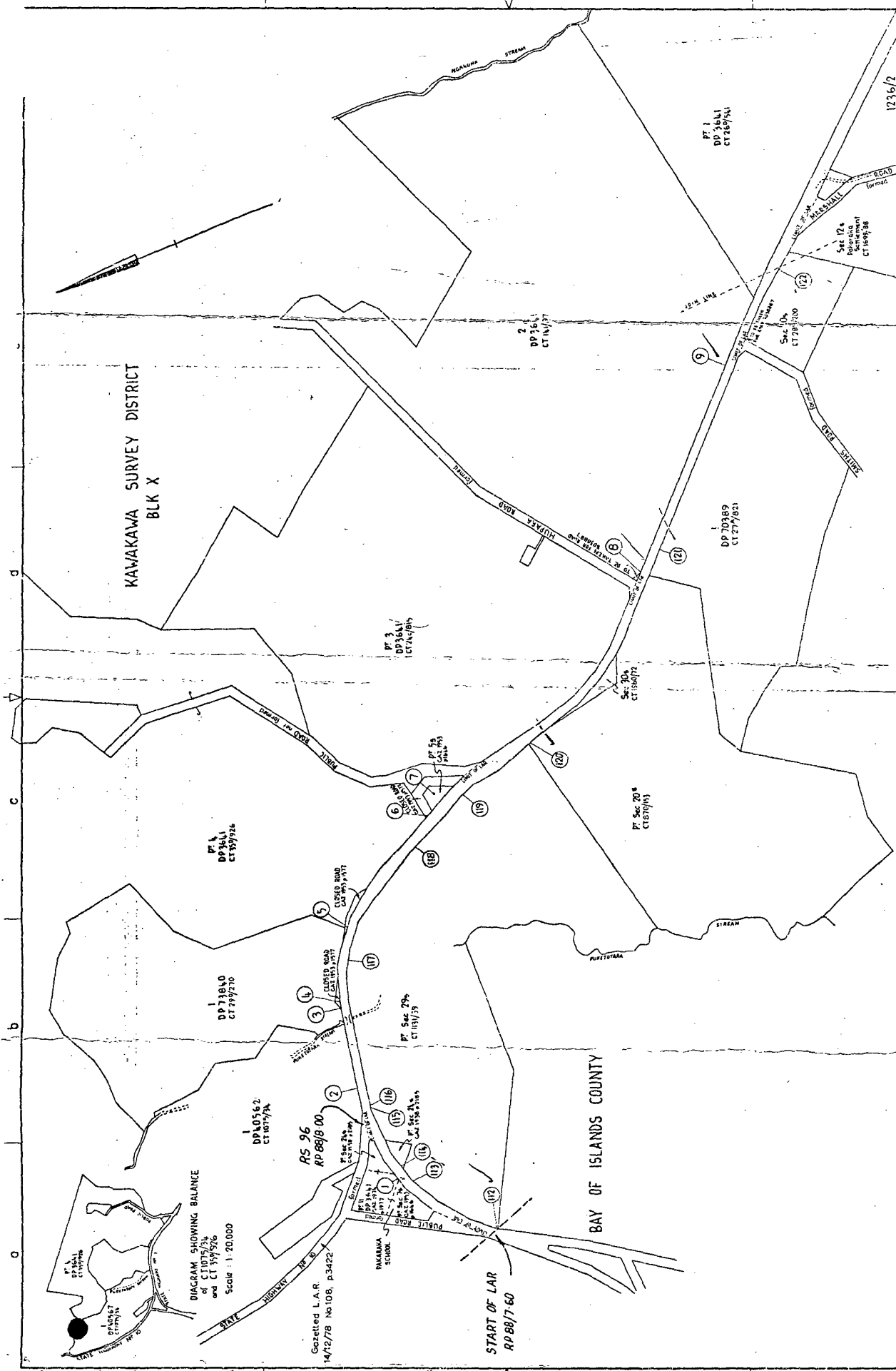
sheet 21 of 21 sheets

State Highway No. 1 : RIGHT HAND SIDE (SOUTH)			
From: PAKARAKA			
To: KAWAKAWA			
GAZETTE INFORMATION (not for publication)			
Access Details at; 15.9.78			LAND IN NORTH AUCKLAND LAND REGISTRATION DIST.
No.	Description	MWD Ref. #	
✓ 1	No existing entrance to State Highway - access point allocated	216	Part Tuatarenui Block Part C.T.679/158 ✓
	KAWAKAWA RIVER (Otiria Stream)		
✓ 1	No existing entrance to State Highway - access point allocated	217	Part Te Papa Block Part C.T.210/1041 (Balance) Ltd ✓
	BRIDGE 96/12/18 - Over Drain		
	END OF LAR		RS 96 R.P.12.27

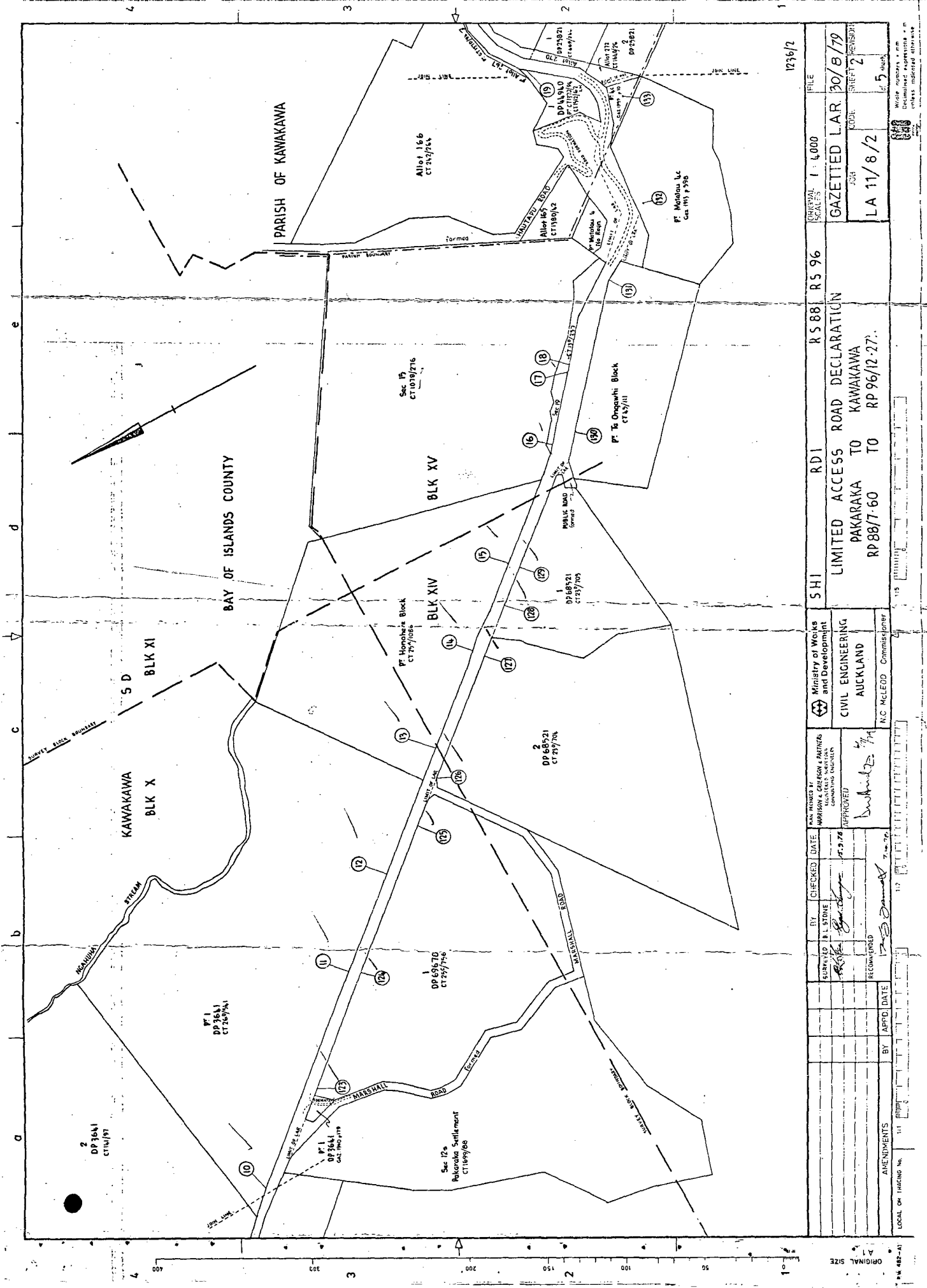
\* As shown on Plan No LA 11/9/2 deposited in the office of  
at Wellington.





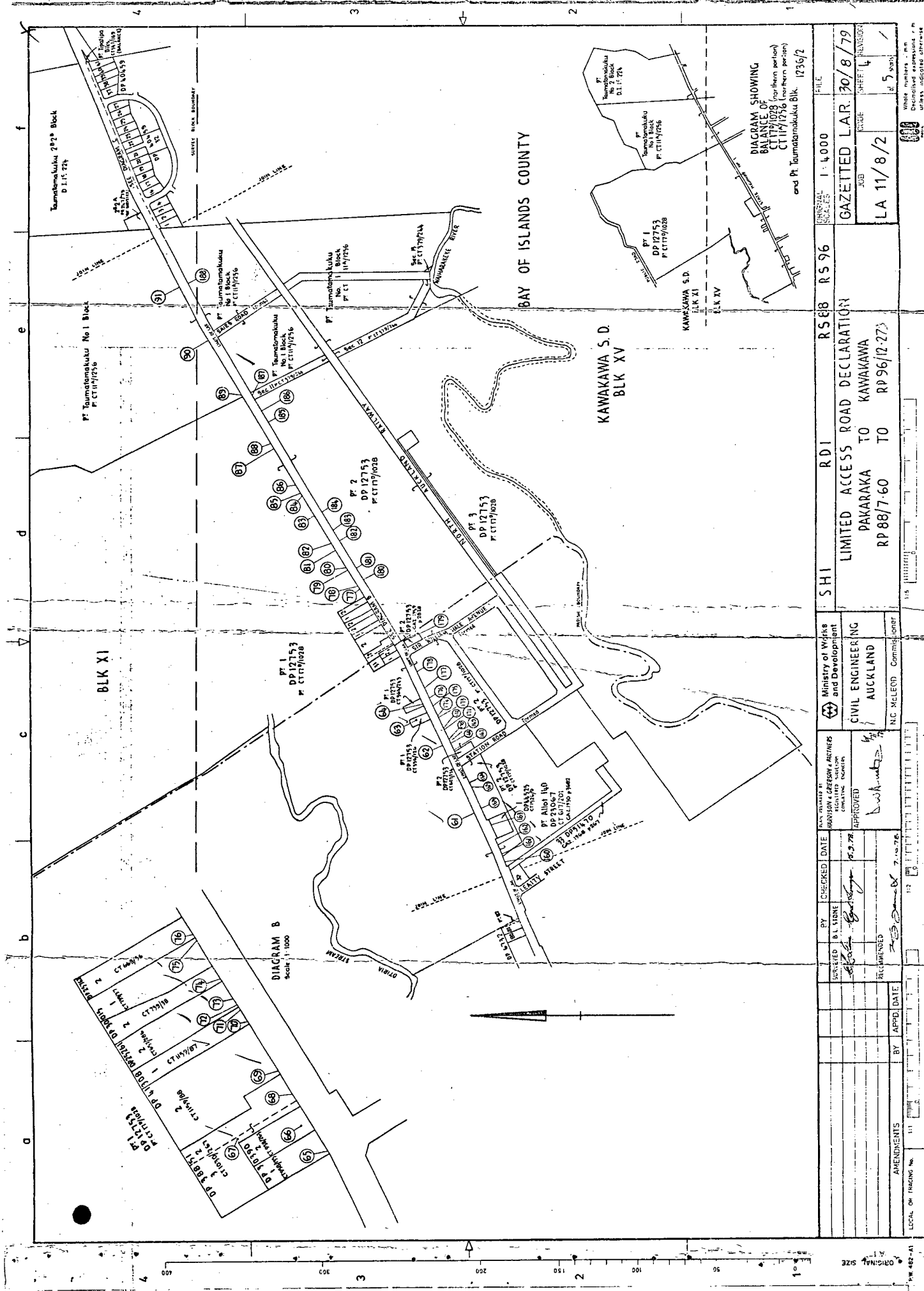


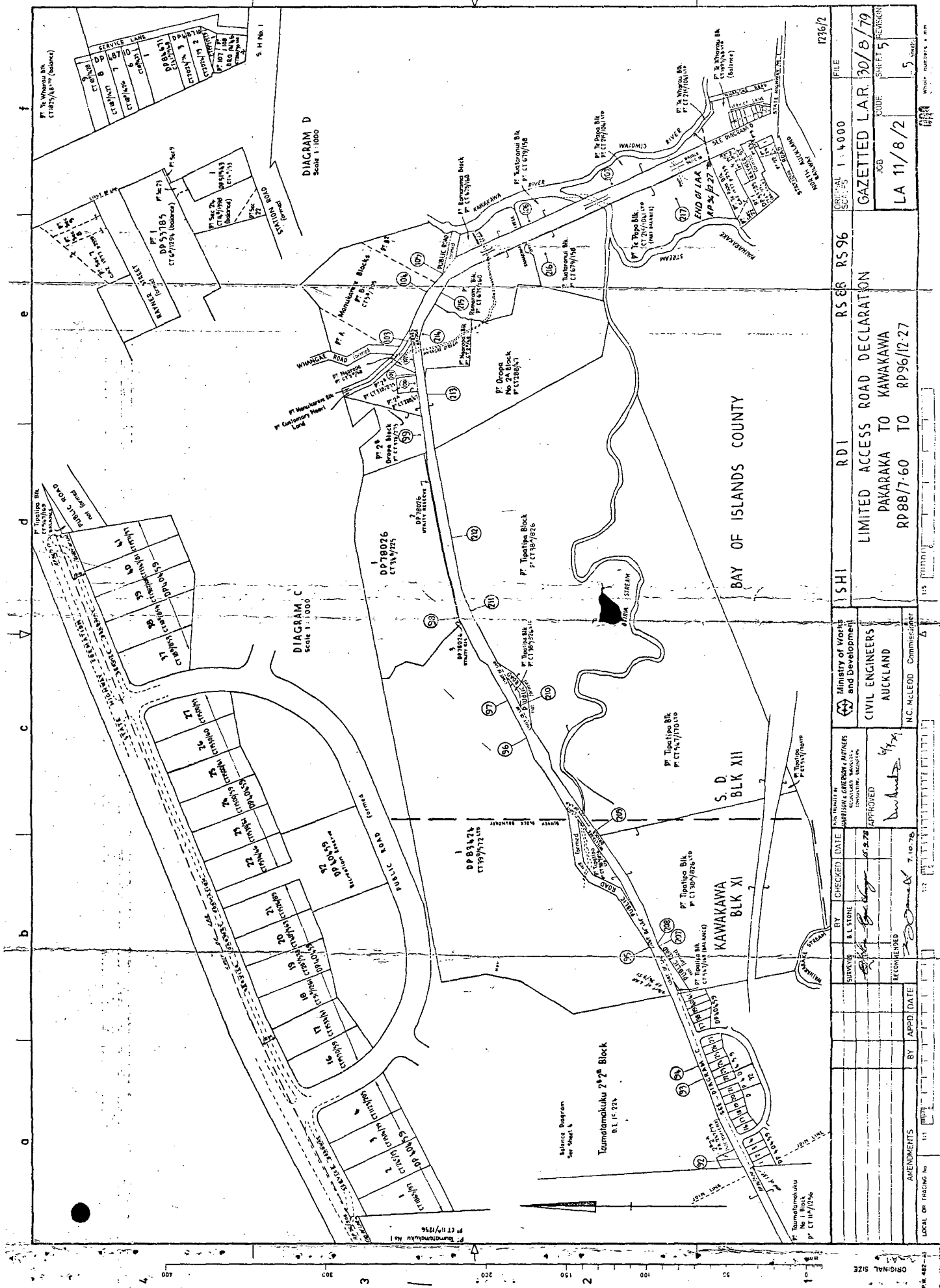
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WHOLE NUMBER: 1000 DESCRIBED EXPANSION: 1 m UNLESS INDICATED OTHERWISE	
SHI RDI RS 88 RS 96	
LIMITED ACCESS ROAD DECLARATION PAKARAKA TO KAWAKAWA RP88/7-60 TO RP96/12-273	
Ministry of Works and Development CIVIL ENGINEERING AUCKLAND NC McLEOD Commissioner	
BY: [Signature] CHECKED: [Signature] DATE: 10/10/78	APPROVED: [Signature] DATE: 7/10/78
AMENDMENTS:	
LOCAL OR TRANSFER NO:	



LOCAL OR FISCAL 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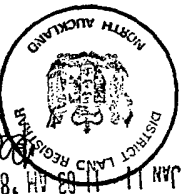


9272874-1 Cogtek Notice (7.8.1980 No92 P2347)  
partially overlapping with Cogtek Notice as it  
offers Confidentiality 378/275  
- 20.11.1980 at 11:18 am. JY

JES 5/4/80

R Plans

1529	1509	1615	1506	1505	1504	1507	1614	2298	2299
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Se Sch. d. l.

7.491806

K36606812

NOTICE NO. 265.  
SCHEME PLAN NO. 4377.

CONDITIONS OF BUILDING LINE.

SECTION 5 LAND SUBDIVISION IN COUNTIES ACT, 1946.

PURSUANT to the provisions of Section 5 (4) of the Land Subdivision in Counties Act 1946, I, THOMAS STRATHALLAN ROE, Chief Surveyor, North Auckland Land District, HEREBY GIVE NOTICE that Lots 1, 2 and 3, more particularly delineated in the Scheme Plan of the Town of Papatahi Extension No. 16, being a subdivision of Part Lot 1, D.P. 12753 and Lots 3 and 4, D.P. 30390 being parts Waipuna Block, comprised in Certificates of Title Volume 328 Folio 80 and Volume 950 Folio 144, Auckland Land Registry are subject to the condition that no buildings or hoardings shall be erected on the said Lots 1, 2 and 3, within 25 links of the Whangarei-Awanui State Highway No. 1, as shown in the abovementioned scheme plan.


Given under my hand this 30<sup>th</sup> day of April, 1951.

Signed: T. S. Roe,

CHIEF SURVEYOR.

NORTH AUCKLAND LAND DISTRICT.

I, THOMAS STRATHALLAN ROE, Hereby Certify that this is a copy of a Notice issued in accordance with the Land Subdivision in Counties Act 1946.

  
CHIEF SURVEYOR.

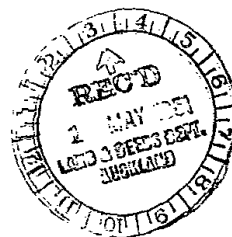


File 5/208

Chief Surveyor's Office,  
Box 2206,  
AUCKLAND. Cl.

MEMORANDUM for:

The District Land Registrar,  
Box 2207,  
AUCKLAND. Cl.



Scheme Plan No. 4377

Town of Papatahi Dist. No 16.

Owner: M. R. Armstrong and R. M. Fraser.

Attached is a copy of the above-mentioned scheme plan for your record; also a copy of a Notice imposing a Building Line Restriction in pursuance of Section 5 of the Land Subdivision in Counties Act, 1946, for registration in compliance with Section 5 (4) of that Act.

Kindly inform me when registration has been completed.

*Scheme Plan 2854, Town of Papatahi Dist No 13 has been cancelled as to lots 3 and 4.*

*T.S. Roe*

T.S. Roe,  
CHIEF SURVEYOR.

ENCLS.

Copy of Scheme Plan.  
Copy of Notice.

## REVIEW:

Date of receipt of plan, \_\_\_\_\_ D.O. File no. \_\_\_\_\_  
 Facts given submitted to Local Authority for comments, \_\_\_\_\_  
 Section \_\_\_\_\_ of the Act \_\_\_\_\_  
 Date of receipt of comments of Local Authority, \_\_\_\_\_  
 Date of \_\_\_\_\_ of copy of approved plan to \_\_\_\_\_  
 \_\_\_\_\_ Local Authority \_\_\_\_\_

K 3606 BR  
ATTN: J

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Box 0  
197-1-1-1-3

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Bureau of Economic Planning  
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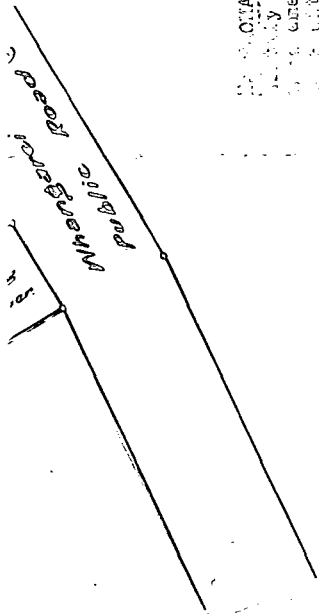
pt Allot. 190  
Keweenaw Parish

SP 1320 Fr-13

101

Total Area 19. 2r 15.1p

SP 1320 Ex-13



38851M

copy of plan  
for 14/1/50

Approved M.R. Armstrong	9
R.M. Fraser Registered Owners	
Approved	
Chief Surveyor	

THE CHIEF SURVEYOR FOR, hereby  
certifies that this is a copy of  
the Plan approved in accord-  
ance with the provisions of the  
Land Act 1946.

*[Signature]*  
CHIEF SURVEYOR

## Town of Papatahi Extn. No.16

Plan of Proposed Subdivision of  
Part Lot 1 D.P. 12753 & Lots 3 & 4 D.P. 30330  
being Parts Waipuna Block.

North Auckland Land District.  
Bay of Islands County.

XV Hauraki S.D.

Owners:- M.R. Armstrong - C.T. 328/80 & R.M. Fraser - C.T. 950/144.

Scale 1 chain to an inch.

I, Arthur Hereward Pittmore, Registered Surveyor, hereby certify  
that this scheme plan has been prepared by me in accordance  
with the provisions of the Land Subdivision in Counties Act 1946  
and the regulations made thereunder

*[Signature]*  
Registered Surveyor

Recd 5/11/79  
RM 30330  
Previous SP 2854

4377

K 36606

ORIGINALS ENTERED IN THE REGISTER-GEN.  
VOL. 328 FOLIO 80: 950/144

THE 4<sup>th</sup> day of May, 1957  
AT 3 O'CLOCK.

*was paid*  
DISTRICT LAND OFFICE  
AUCKLAND.

Advise

*Chief Surveyor*

*Auckland*  
*sent 15/2/57*

Noted on DP's 12753 + 30390.

*Chief Surveyor*  
*10 30*





Pt Lot 3  
D.P. 165005

Lot 2  
1995 m<sup>2</sup>

Lot 2  
D.P. 38851

Lot 2  
D.P. 41308

Lot 3  
D.P. 38851

Lot 2  
D.P. 30390

Lot 1  
D.P. 30390  
RT. NA 958/135

Lot 1  
House  
684 m<sup>2</sup>  
#126

#128

#122

#120

Note -  
P.P. = Power Pole  
LP = Lamp Pole  
W = Water Meter  
E = Electricity Pedestal  
T = Telephone Pedestal  
S.T. = Septic Tank  
V = Soakage Trench Vent.

Proposed Amalgamation Condition  
Lot 2 hereon to be transferred to the  
owner of Lot 1 D.P. 30390 (RT NA 958/135)  
and one title to issue for  
both parcels.

Lot 2 D.P. 38851 1141 m<sup>2</sup>  
Lot 3 D.P. 38851 1538 m<sup>2</sup>  
Total Area 2679 m<sup>2</sup>  
Comprised in RT. NA 1030/267

SIR WILLIAM  
HALE CRESCENT

S.H. 1  
Kerb & channel  
20.12 & wider, carriageway sealed  
Kerb & channel  
Conc. footpath

Nigel Ross Surveyor  
Licensed Cadastral Surveyor  
P.O. Box 293, Kaikohe 0440  
Mob. 027 2942543 E.nandliross@xtra.co.nz

Proposed Subdivision of  
Lots 2 & 3 D.P. 38851  
124 & 126 SH 1, Moerewa

Prepared for:  
A.D. Spencer  
Drawn: NHRR Scale 1:500 (A4)  
Date: May 2025

Sheet 1  
Series of 1  
File NRS 392

**PAM-2026-1/0 - 120 Main Road, Moerewa 0281**

**Meeting Minutes**

**Date:** 17 July 2025

**Time:** 11am

**Participants:** Eden Nathan (RC Planner), Ishan Koshatwar (RC Engineer), Andrew McPhee (Planning Consultant) and Jane Price (Applicant).

**Key Discussions:**

**1. Proposal Overview:**

To undertake a boundary adjustment between Lot 2 DP 38851 and Lot 3 DP 38851 (124 & 126 State Highway 1, Moerewa) and Lot 1 DP 30390 (120 State Highway 1, Moerewa).

Lot 1 is proposed to be 684m<sup>2</sup> and Lot 2 is proposed to be 1,995m<sup>2</sup>.

Lot 2 is proposed to be amalgamated with Lot 1 DP 30390. Therefore, there are no new titles created.

Overall, the application is a non complying activity.

**2. Key Discussion Points:**

- Stormwater management
- Other land use breaches such as setback from boundaries and building coverage
- Zoning
- Location of the on-site wastewater system for lot 1.

**3. Stormwater Management:**

Lot 1's impermeable surfaces will increase from 33.3% to 55.5% site coverage. The RC engineer noted that under standard practice, a Stormwater Management Report is typically required to assess and mitigate the effects by attenuating the additional flows exceeding the permitted thresholds of Rural Production Zone. However, the Resource Consents Engineer has advised that, in this instance, a technical memorandum prepared by a suitably qualified and experienced professional engineer will be acceptable. This memorandum must confirm that the existing stormwater management system is adequate and functioning as intended, and must certify that the effects of this proposal will be less than minor. This conclusion is based on the understanding that no further impermeable areas are anticipated to be added to Lot 1 in the near future. Any future built development exceeding the permitted thresholds or addition to existing impermeable surfaces to Lot 1 will require a detailed Stormwater Management Report to address any additional runoff impacts. Any breach of stormwater management rules on proposed Lot 2 must be addressed through the submission of a separate Stormwater Management Report.

No other engineering matters/concerns were raised.

**4. Other land use breaches such as setback from boundaries and building coverage:**

The RC Planner has reviewed the application from the planning consultant and largely agrees with its conclusions. The proposed setback breach will only affect the boundaries of Lot 2, with no impact on other parties. We support the argument that the boundary change will not adversely affect the amenity or character of the environment and the built development on site is consistent with the development in the surrounding environment.

**5. Zoning:**

Although the ODP and PDP zone is Rural Production and the lot sizes are inconsistent with this zoning, the RC planner generally agrees with the planning consultant's conclusion. This is based on the receiving environment being predominantly residential, effectively an extension of Moerewa township, with adjacent smaller residential lots.

**6. Location of the on-site wastewater system for lot 1:**

The RC engineer recommended the application documents discuss that Lot 1's on-site wastewater system is wholly contained within its boundaries.

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**20250924 NZTA approvals not required - 124 State Highway 1, Moerewa (2025-0918) CRM:0505000063**

---

Jordan Pauw <Jordan.Pauw@nzta.govt.nz>  
To: Steven Sanson <steve@sansons.co.nz>

24 September 2025 at 09:59

Kia ora Steve

Thank you for seeking NZ Transport Agency Waka Kotahi (NZTA) feedback on a proposed boundary adjustment at [124 & 126 Main Road, Moerewa](#).

In this case and based on the information you've provided to date, your client does not require written approval from the NZ Transport Agency Waka Kotahi (NZTA) under Section 95 of the Resource Management Act 1991 (RMA) as:

- The proposal is for a boundary adjustment of two existing lots, resulting in a total of two lots following subdivision.
- The proposal will not increase the permitted baseline with respect to development rights or vehicle movements, as there will no increase in the number of lots and no change in activity is proposed.
- As there is no change in use (the existing environment) or the permitted baseline, there will be no additional adverse effects as a result of the proposal.
- As there will be no adverse effects to NZTA, the written approval of NZTA is not required.
- The proposal will not prevent or hinder a project or work to which the NZTA designation "NZTA-2" relates so the proposal does not require written consent from NZTA under s176 RMA.
- Your clients' site adjoins State Highway 2 which is identified as a limited access road. Per Section 91 of the Government Rounding Powers Act 1989, to access your clients' site your clients require a crossing place authorised by NZTA. In this instance your clients' sites have an existing s91 authorisation, and as no change in use is proposed the existing authorisations remain valid.

We note that:

- Future resource consents or activities beyond the permitted baseline may require the written approval of NZTA, and the existing crossing places to be upgraded to an appropriate standard. As the site lies within an urban, 50km/h speed environment NZTA will generally require any crossing upgrades to comply with the relevant standards set by the District Council.

Although no works within the state highway are proposed or required, we highlight the following *advice note* as standard practice:

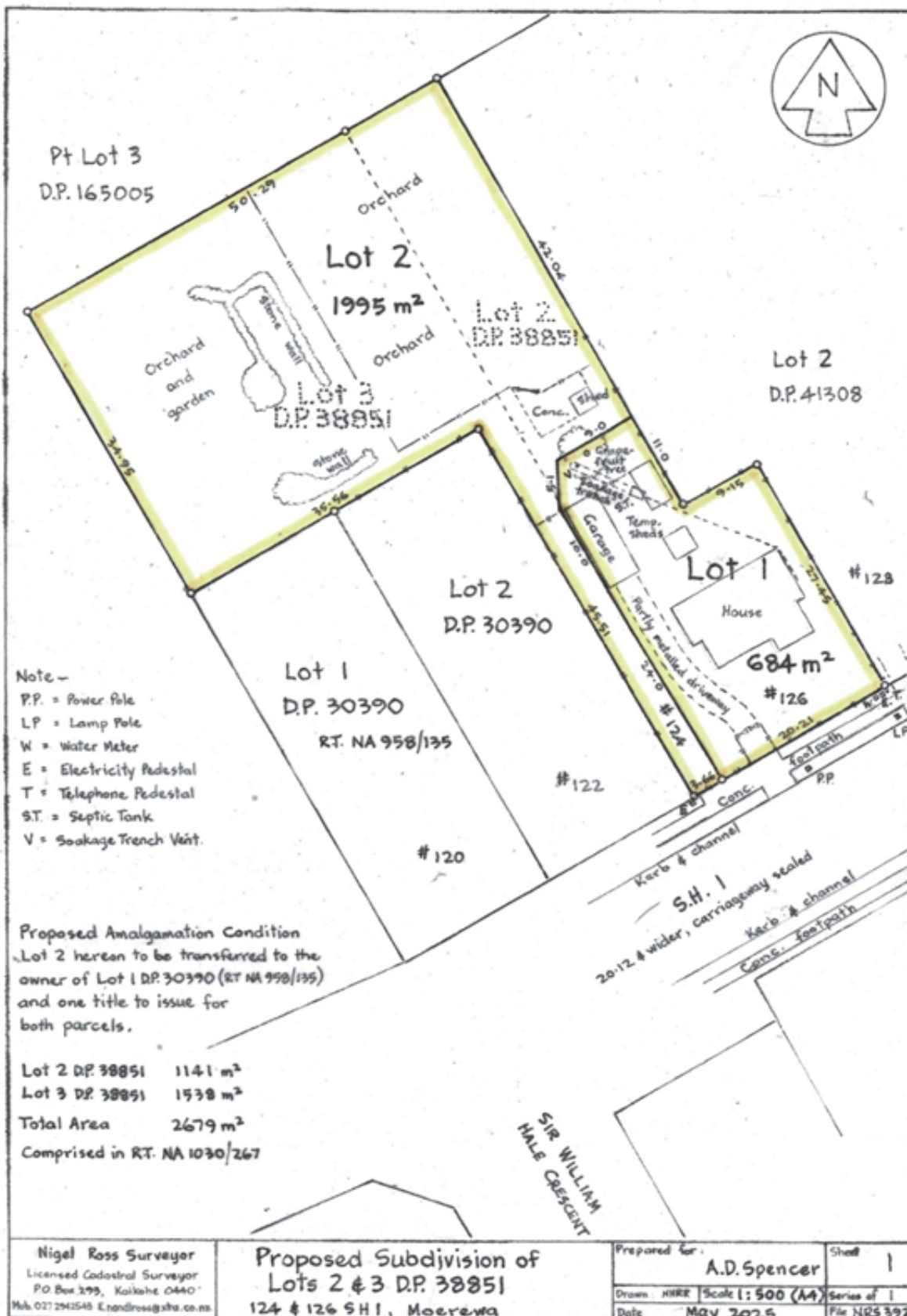
- *Please note that before you undertake **any** physical work on the state highway, including the formation or change to any vehicle crossing, you are **legally required** to apply to the New Zealand Transport Agency for a Corridor Access Request (CAR) and for that request to be approved. A CAR is submitted online via [www.submitica.com](http://www.submitica.com) a minimum of fourteen working days prior to the commencement of any works on the state highway; longer is*



*advised for complex works.*

Please contact me or the Environmental Planning team (at [environmentalplanning@nzta.govt.nz](mailto:environmentalplanning@nzta.govt.nz)) if you have any questions about our feedback.

Attachment 1: Scheme Plan



Ngā mihi

**Jordan Pauw** (he/him) BUrbPlan(Hons)

**Planner, Environmental Planning (Auckland/Northland)**

Poutiaki Taiao| System Design

Email: [jordan.pauw@nzta.govt.nz](mailto:jordan.pauw@nzta.govt.nz)

Phone: 09 956 1794

Mobile: 021 190 4037

## **Waka Kotahi New Zealand Transport Agency**

Auckland, Level 5, AON Centre, [29 Customs Street West](#)

Private Bag 106602, Auckland 1143, New Zealand

[Facebook](#) | [Twitter](#) | [LinkedIn](#)



[www.nzta.govt.nz](http://www.nzta.govt.nz)

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*Figure 1 - Rear View of Lot 2 #126 SH1*



*Figure 2 – Looking across Lot 2 DP 30390. Orchard / Garden to right on Proposed Lot 2.*





*Figure 3 –Orchard / Garden on Proposed Lot 2.*



*Figure 4 –Orchard / Garden on Proposed Lot 2.*





*Figure 5 – Access strip for Proposed Lot 2. Existing house on Proposed Lot 1.*



*Figure 6 – Existing house on Proposed Lot 1.*





*Figure 7 – View towards Lot 1 DP 30390 and view along SH heading north.*



*Figure 8 – View along SH heading south.*



*Figure 9 – Existing dwelling on Lot 1 DP 30390*